

# CITY OF BELLAIRE TEXAS

MAYOR AND COUNCIL

MAY 2, 2016

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Council Chamber	Regular Session	6:00 PM
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7008 S. RICE AVENUE  
BELLAIRE, TX 77401



## Mayor

Andrew S. Friedberg

## Mayor Pro Tem

Roman F. Reed

## Council Member

Gus E. Pappas

## Council Member

Michael Fife

## Council Member

Trisha S. Pollard

## Council Member

Pat B. McLaughlan

## Council Member

David R. Montague

### **Mission Statement:**

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

**REGULAR SESSION - 6:00 P.M.**

**A. Call to Order and Announcement of a Quorum - Andrew S. Friedberg, Mayor.**

**B. Inspirational Reading and/or Invocation - David R. Montague, Council Member.**

**C. Pledges of Allegiance - David R. Montague, Council Member.**

**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.

**I. PUBLIC HEARING**

**A. Reading of Notice of Public Hearing - Tracy L. Dutton, City Clerk.**

**B. Summary of Public Hearing Procedure - Paul A. Hofmann, City Manager.**

**C. Presentation:**

Presentation in accordance with the City of Bellaire Neighborhood Traffic Improvement Program of the results of the temporary installation of traffic control devices (speed humps) installed along Elm Street from South Rice Avenue to the IH-610 Service Road, as well as a recommendation to make said installation permanent - Submitted by Brant Gary, Director of Public Works.

**D. Public Comment.**

The Mayor will recognize speakers who have completed a sign-up sheet prior to the commencement of the public hearing. Each speaker shall have a time limit of up to five (5) minutes, with no extension, and with notice after four (4) minutes that one (1) minute is left.

**E. Questions from the Mayor and City Council.**

**F. Close of Public Hearing.**

Oral public comment on the subject matter of the public hearing will not be received following the close of the public hearing. The public may submit written comments to the City Council prior to its final deliberation. All written comments must be received in the City Clerk's office by noon on the Thursday preceding the meeting of final deliberation for inclusion in the public record of the proceedings. It is anticipated that final deliberation will occur on Monday, May 16, 2016; therefore, written comments should be submitted by noon on Thursday, May 12, 2016.

*See Rules of Procedure of the City Council of the City of Bellaire, Texas, as of January 25, 2016.*

**G. Adjourn.****II. REGULAR MEETING****A. Call to Order and Announcement of a Quorum - Andrew S. Friedberg, Mayor.****B. Recognition of Proclamations - Andrew S. Friedberg, Mayor.**

1. Issuance of a proclamation by Andrew S. Friedberg, Mayor, proclaiming the month of May 2016 as "Older Americans Month" in the City of Bellaire, Texas, in recognition of the contributions that older adults and the people who serve and support them make to the community - Requested by Cheryl Bright, Assistant Director of Parks, Recreation, and Facilities.
2. Issuance of a proclamation by Andrew S. Friedberg, Mayor, proclaiming the week of May 1-7, 2016, as "Municipal Clerks Week" in the City of Bellaire, Texas, in appreciation to our very own City Clerk, Tracy L. Dutton, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent - Requested by Andrew S. Friedberg, Mayor.

**C. Personal/Audience Comments.**

In order to address the City Council, please complete a sign-up sheet (located at the entrance to the Council Chamber), and submit it to City Clerk Tracy L. Dutton prior to the time for personal/audience comments. Each speaker shall have a time limit of up to five (5) minutes, with no extension, and with notice after four (4) minutes that one (1) minute is left. In the event of pressing business before the City Council or matters requiring its immediate attention or action, the City Council may, prior to the opening of audience comments, set a different maximum time limit for each speaker by a vote of four (4) members of the City Council.

The purpose of this item is to allow the residents of Bellaire and other interested persons an opportunity to address the 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: The Texas Open Meetings Act, Texas Government Code, Chapter 551, prohibits the City Council from fully discussing, debating, or considering subjects for which public notice has not been given on the agenda. Issues that cannot be referred to the City Staff for action may be placed on the agenda of a future City Council Session.]

**D. Reports:**

1. City Manager's Report regarding communication, field and personnel updates, calendar reminders, and notes of appreciation - Submitted by Paul A. Hofmann, City Manager.
2. Metropolitan Transit Authority of Harris County, Texas (METRO), Update - Presented by Cindy Siegel, Second Vice-Chair and Multi-Cities Board Member, and Don Elder, Jr., Multi-Cities Board Member, METRO.
3. Quarterly Report from the Evelyn's Park Conservancy Board - Submitted by Patricia King-Ritter, President, and Lou Waters, Vice President, Evelyn's Park Conservancy Board.
4. Presentation by Director of Public Works Brant Gary to provide an overview of proposed Public Works projects for the upcoming FY17 budget.

**E. New Business:****1. Consent Agenda:**

Items set out in the consent agenda are considered routine and are recommended for approval by the passage of a single motion, without discussion or debate, that the consent agenda be adopted. Upon request of any member of City Council, items shall be removed from the consent agenda and considered separately.

**a. Approval of Minutes:**

Consideration of and possible action on the approval of the minutes of the Special Session of the City Council of the City of Bellaire, Texas, held on Monday, April 25, 2016 - Submitted by Tracy L. Dutton, City Clerk.

Mayor and Council - Special Session - Apr 25, 2016 6:00 PM

**b. Code Suspension:**

Consideration of and possible adoption of an ordinance of the City Council of the City of Bellaire, Texas granting a code suspension for Bellaire Little League relating to a request to waive alcohol restrictions in Mulberry Park, 700 Mulberry Lane, Bellaire, Texas, for a fundraising event on May 21, 2016, commencing at 4:00 p.m. and terminating at 10:00 p.m. - Submitted by Cheryl Bright, Assistant Director of Parks, Recreation, and Facilities, on behalf of the Bellaire Little League.

**c. Authorized Representatives:**

- i. Consideration of and possible action on the adoption of a resolution of the City Council of the City of Bellaire, Texas, amending the authorized representatives for the City of Bellaire, Texas, for purposes of transmitting funds for investment in the Texas Local Government Investment Pool (TexPool/TexPool Prime), withdrawing funds from TexPool/TexPool Prime, issuing letters of instruction, and taking all other actions deemed necessary or appropriate for the investment of local funds - Submitted By Diane K. White, Assistant City Manager.
- ii. Consideration of and possible action on the adoption of a resolution of the City Council of the City of Bellaire, Texas, amending the authorized representatives for the City of Bellaire, Texas, for purposes of transmitting funds for investment in the TexSTAR Local Government Investment Pool (TexSTAR), withdrawing funds from TexSTAR, issuing letters of instruction, and taking all other actions deemed necessary or appropriate for the investment of local funds - Submitted by Diane K. White, Assistant City Manager.
- iii. Consideration of and possible action on the adoption of a resolution of the City Council of the City of Bellaire, Texas, amending the authorized representatives for the City of Bellaire, Texas, for purposes of transmitting funds for investment in the TexasTERM Local Government Investment Pool (TexasTERM), withdrawing funds from TexasTERM, issuing letters of instruction, and taking all other actions deemed necessary or appropriate for the investment of local funds - Submitted by Diane K. White, Assistant City Manager.

**2. Item for Individual Consideration:**



Consideration and possible action on a request from residents in the 4900 block of Bellview to not construct sidewalks along their block as planned - Submitted by Brant Gary, Director of Public Works, on behalf of the 4900 block of Bellview.

**F. Community Interest Items from the Mayor and City Council.**

It is the intent of this item to provide members of the City Council the opportunity to make a report about items of community interest, which may include expressions of thanks, congratulations, or condolence; 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 announcements involving an imminent threat to the public health and safety of people in Bellaire that has arisen after the posting of the agenda.

No action may be taken on a reported item of community interest, and no possible action discussed except a proposal to place the subject on the agenda for a subsequent meeting.

*See Texas Government Code, Chapter 551, Open Meetings Act.*

**G. Adjourn.**

**III. CLOSED MEETING**

**A. Call to Order and Announcement of a Quorum - Andrew S. Friedberg, Mayor.**

**B. Retire into Closed Meeting:**

Retire into closed meeting in the Council Conference Room pursuant to the Texas Government Code, Chapter 551, Open Meetings Act, Section 551.074, Personnel Matters, to deliberate the evaluation of the City Clerk of the City of Bellaire, Texas.

**C. Reconvene in Open Meeting:**

Reconvene in open meeting in the Council Chamber and take action, if any, on items discussed in the closed meeting.

**D. Adjourn.**

**Mayor and Council**7008 S. Rice Avenue  
Bellaire, TX 77401Meeting: 05/02/16 06:00 PM  
Department: Public Works  
Category: Public Hearing  
Department Head: Brant Gary  
DOC ID: 1899**SCHEDULED****ACTION ITEM (ID # 1899)****Item Title:**

Presentation in accordance with the City of Bellaire Neighborhood Traffic Improvement Program of the results of the temporary installation of traffic control devices (speed humps) installed along Elm Street from South Rice Avenue to the IH-610 Service Road, as well as a recommendation to make said installation permanent - Submitted by Brant Gary, Director of Public Works.

**Background/Summary:**

On April 15, 1996, the City Council of the City of Bellaire, Texas ("City Council") adopted the "Neighborhood Traffic Improvement Program" ("NTIP") for the purpose of establishing procedures governing the application for and review, approval, financing, and construction of projects to minimize or eliminate traffic congestion, cut-through traffic, or other traffic-related problems in a neighborhood area.

In accordance with the NTIP, the City Council has called the second public hearing for May 2, 2016 at 6:00 p.m. in the Council Chamber, First Floor of City Hall, 7008 South Rice Avenue, Bellaire, Texas. Findings detailing before and after conditions will be provided to Council for consideration in reviewing the subsequent action item to consider adoption of an ordinance that would make the temporary speed humps permanent.

The City Clerk has notified residents within a notification area consistent with the notification area used for the first public hearing. See the table below and map attached hereto.

<b>Block or Blocks</b>	<b>Street Name</b>	<b>Number of Properties</b>
800	Anderson Street	18
800	Circle Drive	9
4800, 4900, 5000	Elm Street	25
6300	First Street	12
800	Holton Street	19
800	Jaquet Drive	37
4800, 4900, 5000	Palmetto Street	51
800	Second Street, North	18
4700, 4800, 4900, 5000	Tamarisk Street	65
800, 900	Third Street, North	23
4700, 4800, 4900, 5000	Wedgewood Drive	57

**Previous Council Action Summary:**

<b>NTIP Requirement</b>	<b>Date of Action/Completion</b>
Petition required affirming interest from 80% of residents on or adjacent to the street	Submitted December 18, 2014
After certification from City Clerk, Council accepts petition and sets neighborhood area	Neighborhood area presented to Council on January 22, 2015
Once certified, Council sets public hearing to receive comment	Council set public hearing date on January 26, 2015 for March 2, 2015
After public hearing, Council will approve or disapprove the request	Public hearing held March 2, 2015
If approved, a temporary traffic control device will be installed for a trial period of 180 days	Installation approved by Council on March 23, 2015
Funding for Project to be received from petitioners	100% of required funds received in July 2015
Following the trial period, a 2nd Public Hearing will be held	Installation of speed humps was completed in October 2015
After 2nd public hearing, Council will approve or disapprove the request.	Second public hearing scheduled for May 2, 2016 at 6:00 PM

**Fiscal Impact:**

Costs related to holding the public hearing include the newspaper notification and mailing of notices were \$425.

The temporary speed humps were installed at a total cost of \$11,150.00. There are not additional costs associated with deeming them permanent.

**Recommendation:**

Pending the outcome of the Public Hearing, Brant Gary, Director of Public Works, recommends declaring the temporary speed humps permanent.

**ATTACHMENTS:**

- Notice of Public Hearing in re Speed Humps on Elm Street(PDF)
- Elm Street Presentation 012215 (PPTX)
- Neighborhood Traffic Improvement Program (PDF)
- Elm Street Presentation 2016 (PDF)



## NOTICE OF PUBLIC HEARING

**NOTICE OF A PUBLIC HEARING BEFORE THE CITY COUNCIL OF THE CITY OF BELLAIRE, TEXAS, REGARDING A REQUEST FROM MORE THAN 80% OF THE PROPERTY OWNERS ABUTTING ELM STREET FROM SOUTH RICE AVENUE TO THE IH-610 SERVICE ROAD, BELLAIRE, TEXAS, FOR THE INSTALLATION OF TRAFFIC CONTROL DEVICE(S) (SPEED HUMPS) ALONG ELM STREET FROM SOUTH RICE AVENUE TO THE IH-610 SERVICE ROAD.**

**NOTICE IS HEREBY GIVEN** that the City Council of the City of Bellaire, Texas ("City Council"), has called, by Ordinance No. 15-001, a public hearing before the City Council on the 2<sup>nd</sup> day of March, 2015, at 6:00 p.m. in the Council Chamber, First Floor of City Hall, 7008 South Rice Avenue, Bellaire, Texas 77401, at which time any and all persons desiring to be heard will be heard on or in connection with a request from more than 80% of the property owners abutting Elm Street from South Rice Avenue to the IH-610 Service Road, Bellaire, Texas, for the installation of traffic control device(s) (speed humps) along Elm Street from South Rice Avenue to the IH-610 Service Road, Bellaire, Harris County, Texas.

Prior to the public hearing, any person may review the documentation supporting this request in the Document Center (City Council Public Hearings) of the City of Bellaire's website ([www.bellairetx.gov](http://www.bellairetx.gov)).

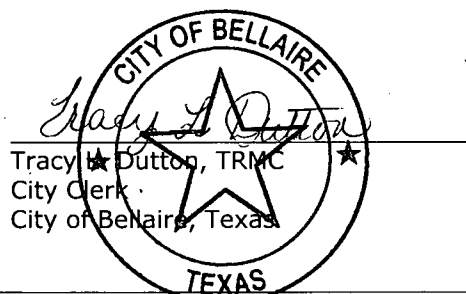
Dated this 9<sup>th</sup> day of February, 2015.

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

## CERTIFICATE

I, the undersigned authority, do hereby certify that the *Notice of Public Hearing* ("Notice") set forth above regarding a public hearing before the City Council of the City of Bellaire, Texas, on a request submitted by more than 80% of the property owners abutting Elm Street from South Rice Avenue to the IH-610 Service Road for the installation of speed humps scheduled to be held on Monday, March 2, 2015, was posted on the City's official bulletin board located on an outside west wall of City Hall, 7008 South Rice Avenue, Bellaire, Texas, a place convenient and readily accessible to the general public at all times, and was posted on the following date at the stated time: Tuesday, February 10, 2015, at 6:00 a.m./p.m.

I certify further that said Notice was published in the legal notices section of the *Southwest News*, on page 13 of Volume 26, No. 36, on Tuesday, February 10, 2015.



This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City of Bellaire's ADA Coordinator, Yolanda Williams, at (713) 662-8270 or FAX (713) 662-8212.

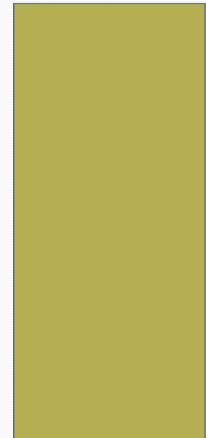
### CERTIFICATE OF REMOVAL

I, the undersigned authority, do hereby certify that the *Notice of Public Hearing* ("Notice") set forth above and on the preceding page regarding a public hearing before the City Council of the City of Bellaire, Texas, on a request submitted by more than 80% of the property owners abutting Elm Street from South Rice Avenue to the IH-610 Service Road for the installation of speed humps and scheduled to be held on Monday, March 2, 2015, was removed by me from the City's official bulletin board located on an outside west wall of City Hall, 7008 South Rice Avenue, Bellaire, Texas, on the \_\_\_\_\_ day of \_\_\_\_\_, 2015, at \_\_\_\_\_ a.m./p.m. I hereby certify further that said Notice remained posted continuously for at least 72 hours preceding the scheduled time of the Public Hearing.

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

# ELM STREET SPEED/TRAFFIC CITY COUNCIL PETITION REQUEST

MONDAY, JANUARY 26, 2015  
7008 S RICE AVENUE, BELLAIRE, TX 77401



# PRESENTERS

- Kyle Simson, Elm Street Resident (Applicant)
- Seth Tyler, Elm Street Resident (Applicant)

# BACKGROUND

- Elm Street is a very unique street in Bellaire, as it is the only residential street with Chimney Rock to 610 access that does not have stop signs.
  - The stoplight at South Rice and Elm does not lower speeds between South Rice and 610.



# WHY ARE ELM STREET RESIDENTS CONCERNED

- **SAFETY ISSUE** – Multiple near misses involving children and vehicles speeding on Elm Street.
- **SAFETY ISSUE** – Accidents @ 1<sup>st</sup> and Elm Street.
- **SAFETY ISSUE** – Elm Street used as a cut-through. Speeding drivers frequently pass drivers going the speed limit.
  - Verbal altercations have occurred on a number of instances.
  - Near misses have occurred when residents turning into driveways.
- **SAFETY ISSUE** – Pets have been killed & seriously injured.
- **SAFETY ISSUE** – Parked cars have been struck & damaged by speeding vehicles (hit and run).

## Other Examples Events:

- One high speed chase involving police and a driver fleeing the scene of an accident on 610 (also ran the stoplight at South Rice).
- Exotic sports cars traveling at high rates of speed.
- Racing motorcycle doing high speed warm-ups on Elm Street

# OVERVIEW OF PUBLIC MEETING HELD IN EARLY DECEMBER

- The focus of the meeting was to discuss speed humps along Elm St.
  - Attended by ~20 residents.
  - Strong support for speed humps.
- Reviewed actions/decisions made prior to that meeting.
- Overviewed Neighborhood Traffic Improvement Program previously adopted by Council
- Presented proposed next steps
- Reviewed related items
  - Area map
  - Potential speed hump/data collection locations & designs
- Questions & Answers

# ACTIONS TAKEN BY CITY IN LAST 18 MONTHS

- Initial resident concerns were heard by the City at various times (Over numerous years).
- Most recent discussions began in June 2013
- A Traffic Study was conducted in August 2013
  - Based on results, stop signs were not warranted
- Speed limit signage was installed and bushes removed to help with visibility in January 2014
  - 1<sup>st</sup> Street & Elm Street (numerous prior accidents)
- Initial costs for speed humps and radar signs were gathered in February 2014
- Street Striping was installed in July 2014
  - Intent was to calm traffic via lane striping

# LIMITATIONS OF STOP SIGNS

- Based on the August 2013 Traffic Study, according to the City, the installation of stop signs is not warranted.
  - Non-warranted stop signs can pose a risk for motorists and pedestrians
  - The City could face potential legal liabilities by installing such signs
- Some residents favor stop signs over speed humps; however, most residents have accepted City's position that stop signs are not an option for Elm Street; hence the high level of support for speed humps.



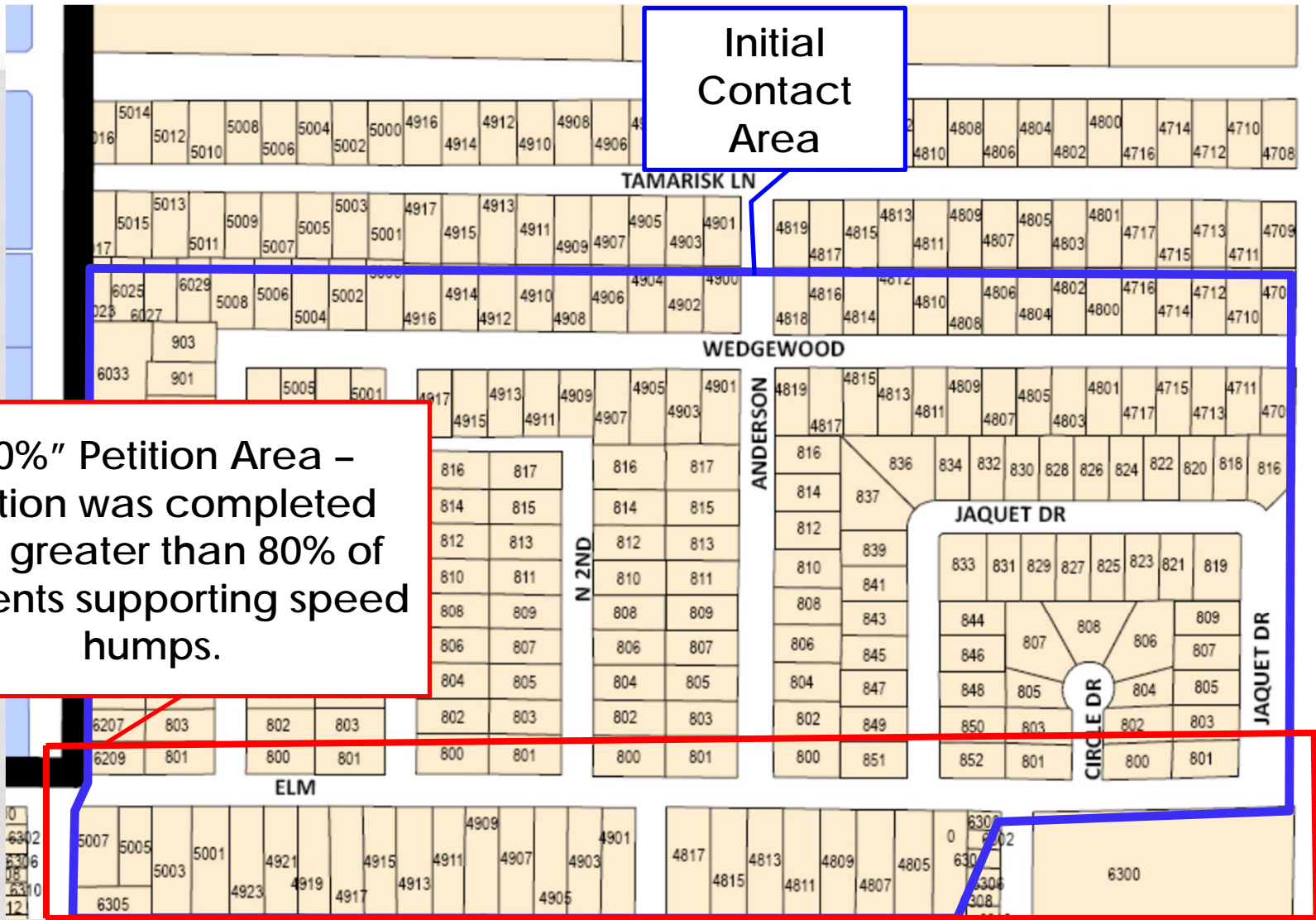
# ELM STREET RESIDENTS REQUEST THAT THE CITY OF BELLAIRE::

- Fast track the installation of speed humps to resolve the stated **Safety Issues**.
  - It goes without saying that no one in this Chamber is okay with any injury or worse.
- Share the cost of installing speed humps with residents
  - The Safety Issues on Elm Street are the result of numerous infrastructure changes (over many years) made by both the City of Houston and the City of Bellaire.
    - This is a wider Bellaire public safety issue, not just a local nuisance
  - If action is not taken now, the problem will get worse soon given the development underway on South Rice, near Sam's Club.

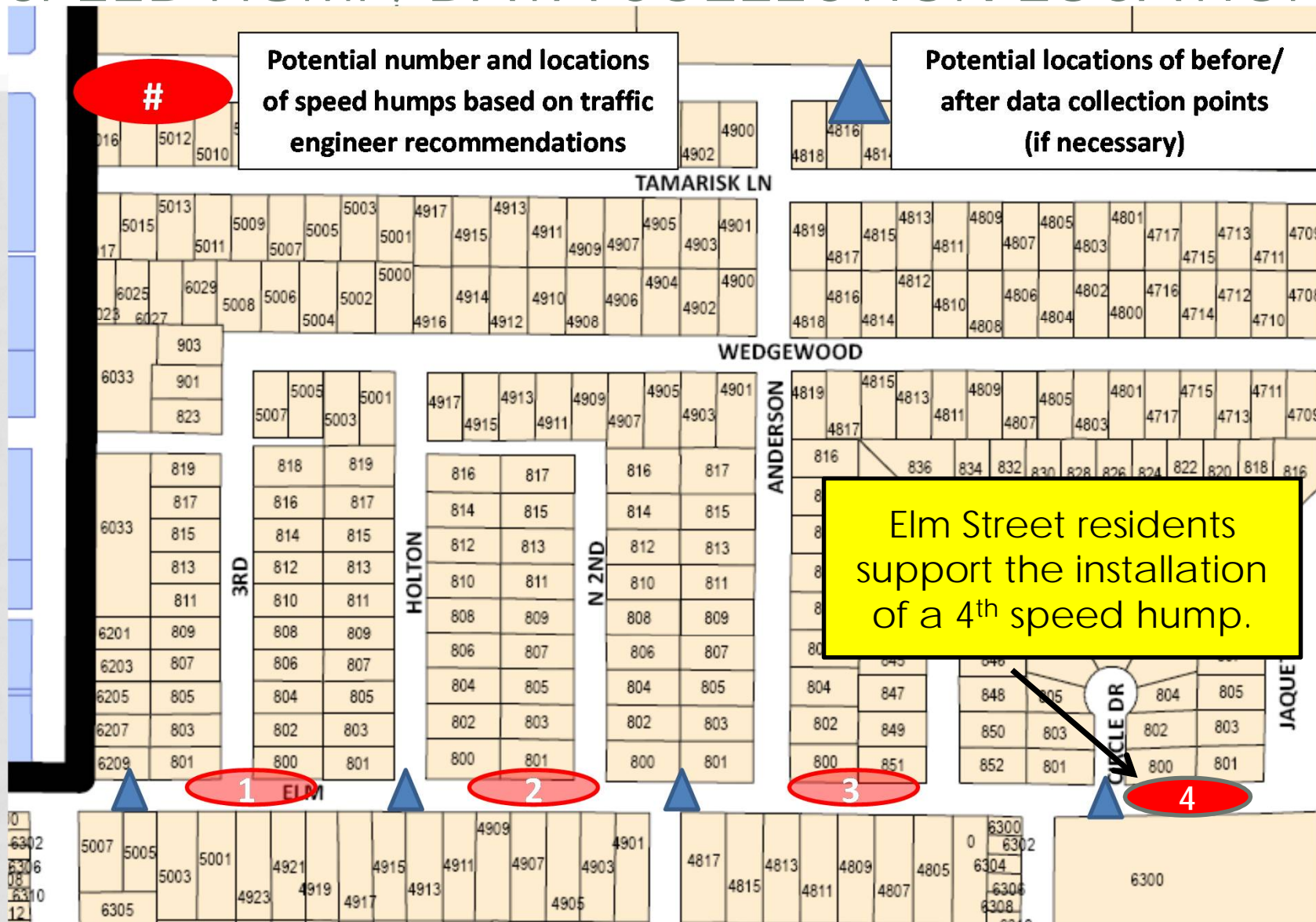
# INITIAL CONTACT AREA/ 80% PETITION AREA

Initial  
Contact  
Area

“80%” Petition Area –  
Petition was completed  
with greater than 80% of  
residents supporting speed  
humps.



# INITIAL RECOMMENDATIONS ON POSSIBLE SPEED HUMPS/DATA COLLECTION LOCATIONS





# ESTIMATED COSTS OF SPEED HUMPS

- Temporary speed humps for trial period(s)
  - \$3,000 – 4,000 estimate per location
  - Speed humps are reusable on other projects.
  - Assumes City crews would install and remove
  - The speed bumps proposed as “temporary” could serve as the permanent solution. Surrounding communities have used this approach (See next slide).
    - West University/Southampton
    - Afton Oaks
    - Briargrove
- Permanent Asphalt Speed Hump Installation
  - \$4,000 - \$6,000 estimate per location
  - Includes signage and installation
- Permanent Project Engineering Costs
  - \$3,000 - \$5,000 total project estimate



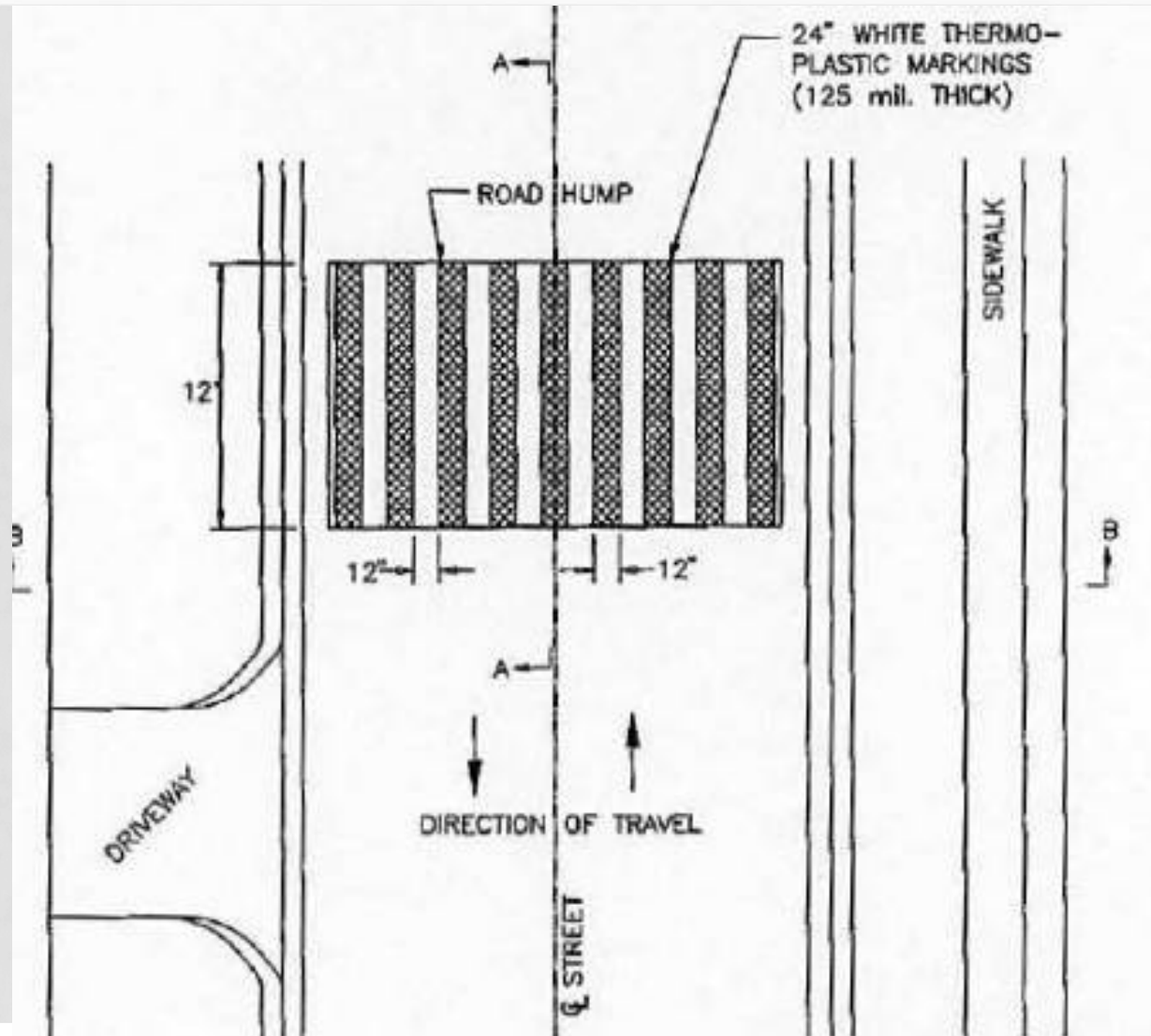
# SPEED HUMP DESIGNS

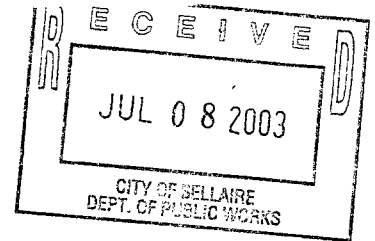
- Proposed Temporary Speed Humps



# SPEED HUMP DESIGNS

- Potential Detail for Asphalt Speed Humps





*City of Bellaire, Texas*

## **Neighborhood Traffic Improvement Program**

*Instructions and  
Application Petition Form*

Attachment: Neighborhood Traffic Improvement Program (1899 : Public Hearing and Report on Speed Humps on Elm Street)

Adopted 4-15-96

## NEIGHBORHOOD TRAFFIC

## IMPROVEMENT PROGRAM

### DEFINITIONS

**APPLICANT** means one or more property owners within a neighborhood area who makes a request for the construction or installation of a project.

**DESIGNATED STREET** means that portion of a street, within the right-of-way of which a project is proposed to be constructed under this article. Designated streets includes entire length of the block unless separated by an intervening thoroughfare or an existing traffic device.

**DEVICE** means a traffic mitigation device, consisting of the physical structure or other improvement constructed, placed or located, whether on a temporary or a permanent basis, upon a designated street pursuant to this article.

**NEIGHBORHOOD AREA** shall be designated by the City Council at its own discretion.

**NEIGHBORHOOD TRAFFIC PROJECT OR PROJECT** means one or more devices may be placed upon a designated street in a neighborhood area.

**PROPERTY OWNER** means one representative owner of any single parcel of real property within a neighborhood area.

### PURPOSE

The purpose of this program is to establish the procedures governing the application for and review, approval, financing and construction of projects to minimize or eliminate traffic congestion, cut-through traffic or other traffic-related problems in a neighborhood area. In accordance with the provisions of this article, the City Manager shall prepare and make available to the public appropriate forms to request a project.



## REQUEST FOR PROJECT

- (a) A request for a project must be initiated by an applicant.
- (b) The City Manager shall, from time to time prepare and submit for approval by motion of the City Council a schedule of estimated reimbursable costs for the installation or construction of each traffic device. Payment of any applicable fees when due is a condition of the installation of an approved traffic device. The total fee amount will be determined by the approved bid accepted by the City for each traffic device.

## PRELIMINARY REVIEW PROCESS

- (a) Each request for a project shall be made or forwarded by the applicant to the City Clerk upon a petition form promulgated for that purpose and shall include, at a minimum, the following:
  - (1) A general description of the traffic problem or condition to be remedied.
  - (2) A petition from 80% of the property owners of the designated street. The petition shall contain the names, addresses and telephone numbers of the individuals comprising the applicant.
  - (3) Data concerning the proposed neighborhood area, including, but not limited to, such factors as the location and nature of businesses, schools, parks, churches or other non-residential traffic generators within or in close proximity to the neighborhood area.
  - (4) Commitment by the petitioners to pay the final fee for the installation or construction cost of each project. Fee to be determined by the final approved bid accepted by the City for the approved project.
  - (5) Any other information reasonably required by rule or regulation of the City Manager in order to make any determination specified under this program.
- (b) Each request shall be reviewed by the City Manager or his designee for completeness. If determined to be complete, the request shall be considered to have been filed when received in the City Clerk's Office and shall be acted upon as further provided in this article. If determined to be incomplete, the request shall be returned to the applicant with written notice of the deficiencies.

## NEIGHBORHOOD AREA

(a) Following the receipt of the petition from the designated street, the City Council shall at its own discretion designate the neighborhood area.

(b) Following the designation of the neighborhood area, a petition from the majority of the residents shall be forwarded by the applicant to the City Clerk upon the same form as required for the designated street.

## INITIAL PUBLIC HEARING

(a) Following the receipt of a completed petition, a time and date of the initial public hearing will be set by City Council.

(b) Following the setting of the date and time, a written notice shall be mailed to all property owners and residents within the neighborhood area setting forth the date, time and location of a public meeting to receive public input on a proposed project. The notice shall specify the location and general nature of the proposed project and shall solicit public comments on the project.

(c) Each notice shall be effective when deposited in the U.S. mail addressed to the property owner, resident or representative of a neighborhood association. Failure of any person to receive actual notice of the public hearing required by this section shall not affect the validity of any action taken by the City in connection with the project.

(d) At the initial public hearing:

- (1) Public comments shall be received on the proposed project; and
- (2) Written comments concerning the project shall not be considered in evaluating any project unless received in the offices of the City Clerk. All comments must be received by the City Clerk by 12:00 noon on the Thursday preceding the date of the initial public hearing.

## TRIAL PERIOD

(a) Following the initial public hearing, Council will consider in a regular Council meeting whether the proposed project is approved or disapproved in accordance with these procedures.

(b) Each approved project must be tested with a temporary traffic control device for a period of not less than 180 days.

(c) Any applicant whose project is declared disapproved shall not be permitted to file a new request for a similar project for a period of two years from the date of such disapproval.

## **SECOND PUBLIC HEARING**

Following the completion of the 180 day trial period, a second public hearing will be held. The same procedures described for the initial public hearing will be followed for the second public hearing.

## **FINAL ACTION BY CITY COUNCIL**

(a) A decision by City Council to approve or disapprove a request shall be final and shall not be subject to further appeal or rehearing. If the City Council denies the request, the applicant shall not be permitted to file a new request for the same or a similar project for a period of two years from such date of denial.

(b) If Council approves the request, such approval shall be by ordinance containing findings of fact.

## **CONSTRUCTION**

The City Manager shall be responsible for the construction, or shall direct and oversee the construction by a private contractor or contractors, of approved projects.

## **REMOVAL**

(a) Nothing contained in this article shall be construed to prohibit the City from removing any device or portion thereof at any time.

(b) The City Clerk shall maintain an accurate record of each approved project, which shall be reviewed by the City Council every five years to determine its continued viability.

## **LIMITATION ON ACTION OF CITY**

The approval, installation and maintenance of a project and associated devices, as provided for by this article, shall never be construed to cause an abandonment or relinquishment of any street or public property or to authorize the installation of a device upon any right-of-way not under the control of the City.

[illegible]

**Attachment: Neighborhood Traffic Improvement Program (1899 : Public Hearing and Report on Speed Humps on Elm Street)**



# CITY OF BELLAIRE ELM STREET SPEED HUMPS

MONDAY MAY 2, 2016  
7008 S RICE AVENUE  
BELLAIRE, TX 77401

# OVERVIEW OF ELM ST. SPEED HUMPS PROJECT

- Council authorized the installation of the speed humps in March 2015
- Funds were fully collected towards the end of July 2015
- Installation was completed by October 2015
- City Staff worked with residents to address concerns regarding installation locations
  - Set as close to side boundaries between homes as possible
  - Speed humps were placed with consideration of driveways and side street turning radii
- No concerns from residents have been noted after installation

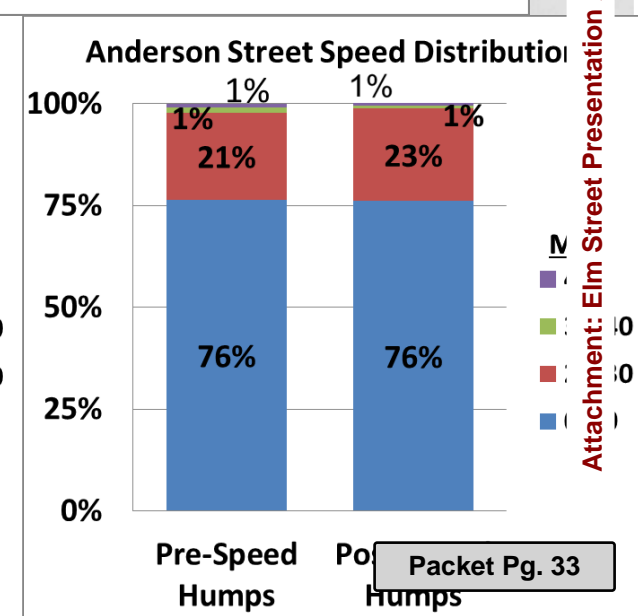
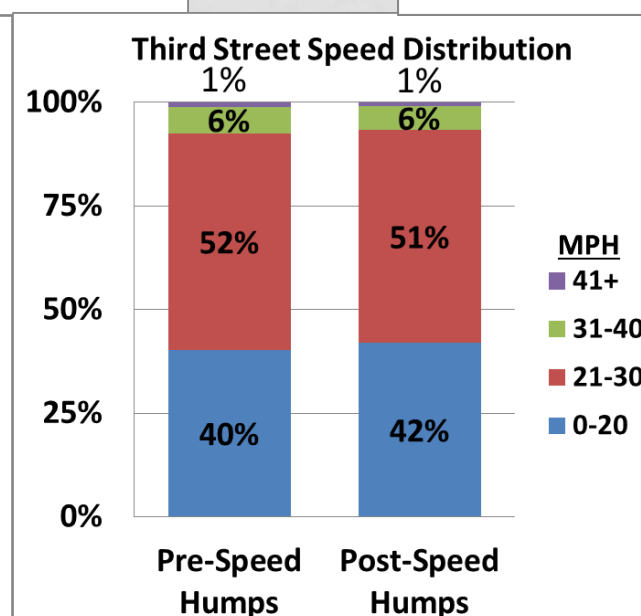
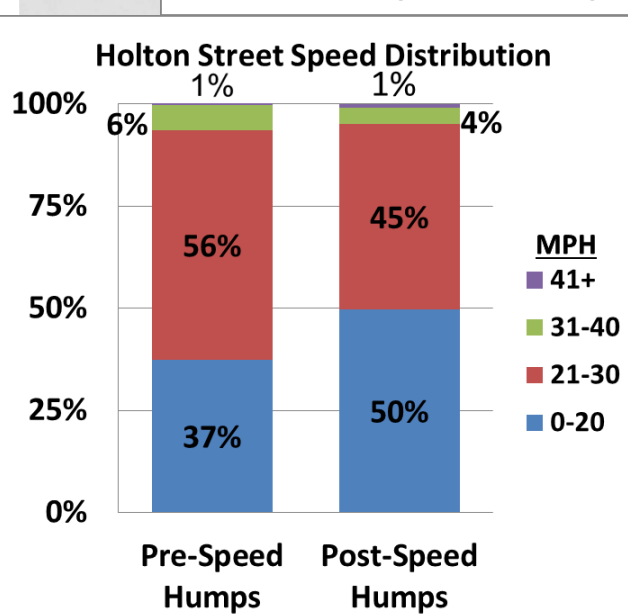
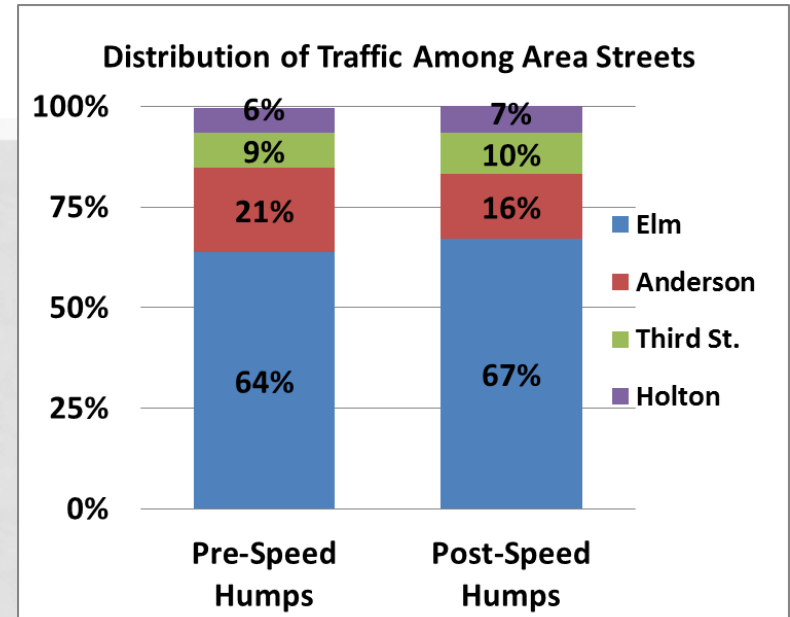
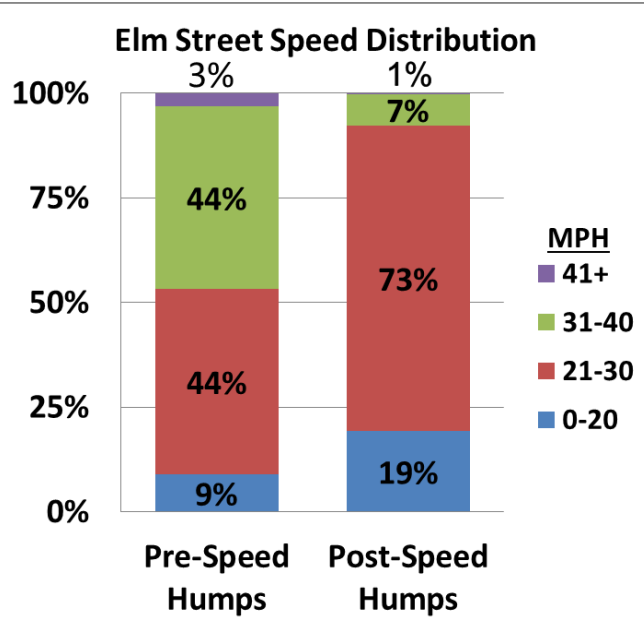
# INSTALLED SPEED HUMP LOCATIONS



# INSTALLED SPEED HUMPS & SIGN



# OBSERVED SPEED & TRAFFIC PATTERNS BEFORE & AFTER INSTALLATION





# ANALYSIS OF DATA COLLECTED

- Data was collected over several days prior to installation and after installation of the speed humps
- Data provided was used to compare traffic by speed and volume for the area
- Elm St. - A significant reduction in speeds over 30 mph was observed
- Holton, Third, & Anderson Streets – No significant changes in speed ranges were observed

# ANALYSIS OF DATA COLLECTED

- For overall traffic volume in the area, no street saw a significant increase in traffic volume after the installation
  - Elm St. had the largest percentage increase at 3%
- Based on the data observed, there have been no negative impacts to traffic patterns in the area

**Mayor and Council**

7008 S. Rice Avenue  
Bellaire, TX 77401



Meeting: 05/02/16 06:00 PM  
Department: Parks, Recreation and  
Facilities  
Category: Proclamation  
Department Head: Cheryl Bright-  
West  
DOC ID: 1896

**SCHEDULED  
PROCLAMATION (ID #  
1896)**

**Item Title:**

Issuance of a proclamation by Andrew S. Friedberg, Mayor, proclaiming the month of May 2016 as "Older Americans Month" in the City of Bellaire, Texas, in recognition of the contributions that older adults and the people who serve and support them make to the community - Requested by Cheryl Bright, Assistant Director of Parks, Recreation, and Facilities.

**Background/Summary:**

Each May, the nation celebrates "Older Americans Month" in recognition of older Americans' contributions to their communities.

When Older Americans Month was established in 1963, only 17 million living Americans had reached their 65th birthday. About a third of older Americans lived in poverty and there were few programs to meet their needs. Interest in older Americans and their concerns was growing. A meeting in April 1963 between President John F. Kennedy and members of the National Council of Senior Citizens led to designating May as "Senior Citizens Month," the prelude to "Older Americans Month."

Historically, Older Americans Month has been a time to acknowledge the contributions of past and current older persons to our country, in particular those who defended our country. Every President since Kennedy has issued a formal proclamation during or before the month of May asking that the entire nation pay tribute in some way to older persons in their communities. Older Americans Month is celebrated across the country through ceremonies, events, fairs, and other such activities.

**Request for Proclamation:**

In order to show the City of Bellaire's appreciation and acknowledgement of the contributions made by our older residents, Director of Parks, Recreation and Facilities Karl Miller, Assistant Director of Parks, Recreation and Facilities Cheryl Bright, and Recreation Supervisor Victoria Arevalo have asked Mayor Friedberg to proclaim the month of May 2016 as "Older Americans Month" in the City of Bellaire, Texas.

Accordingly, a proclamation has been prepared for this purpose and is attached hereto. The L.I.F.E. Advisory Board of the City of Bellaire, Texas, as well as other older adult participants in the Senior Services programs, will be present to accept the proclamation on behalf of Bellaire's older adult residents.

**Previous Council Action Summary:**

The City of Bellaire, Texas, has annually recognized "Older Americans Month" by proclamation since May of 2010.

**Fiscal Impact:**



N/A

**Recommendation:**

The Senior Services Division and L.I.F.E. Advisory Board recommends issuance of a proclamation recognizing the month of May 2016 as "Older Americans Month."

**ATTACHMENTS:**

- Older Americans Month - May 2016 (PDF)



## *Proclamation*

*Whereas*, the City of Bellaire, Texas ("Bellaire"), includes a community of older Americans who deserve recognition for their contributions to our nation; and

*Whereas*, the City of Bellaire recognizes that older adults are trailblazers—advocating for themselves, their peers, and their communities—paving the way for future generations; and

*Whereas*, the City of Bellaire is committed to raising awareness about issues facing older Americans and helping all individuals to thrive in communities of their choice for as long as possible; and

*Whereas*, we appreciate the value of inclusion and support in helping older adults successfully contribute to and benefit from their communities; and

*Whereas*, our community can provide opportunities to enrich the lives of individuals of all ages by:

- ❖ Promoting and engaging in activity, wellness, and social inclusion;
- ❖ Emphasizing home- and community-based services that support independent living; and
- ❖ Ensuring community members can benefit from the contributions and experience of older adults.

*Now, Therefore*, I, **Andrew S. Friedberg, Mayor of the City of Bellaire, Texas**, do hereby proclaim the month of **May 2016** as:

### *Older Americans Month*

in Bellaire, Texas, and urge every resident to take time this month to celebrate older adults and



the people who serve them as powerful and vital individuals who greatly contribute to our community.



*In Witness Whereof*, I have  
hereunto set my hand and caused the seal  
of the City of Bellaire, Texas, to be affixed  
this 2<sup>nd</sup> day of May, 2016.

---

Andrew S. Friedberg, Mayor  
City of Bellaire, Texas

**Mayor and Council**

7008 S. Rice Avenue  
Bellaire, TX 77401



Meeting: 05/02/16 06:00 PM  
Department: City Manager's Office  
Category: Proclamation  
Department Head: Paul A. Hofmann  
DOC ID: 1882

**SCHEDULED  
ACTION ITEM (ID # 1882)**

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**Item Title:**

Issuance of a proclamation by Andrew S. Friedberg, Mayor, proclaiming the week of May 1-7, 2016, as "Municipal Clerks Week" in the City of Bellaire, Texas, in appreciation to our very own City Clerk, Tracy L. Dutton, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent - Requested by Andrew S. Friedberg, Mayor.

**Background/Summary:**

Municipal Clerks throughout the United States, Canada, and 15 other countries will celebrate "Municipal Clerks Week" May 1 through May 7, 2016, the purpose of which is to recognize the vital and appreciated services performed by Municipal Clerks in serving the changing needs of their communities.

See attached fact sheet from the International Institute of Municipal Clerks regarding Municipal Clerks Week.

**Previous Council Action Summary:**

N/A

**Fiscal Impact:**

N/A

**Recommendation:**

N/A

**ATTACHMENTS:**

- Municipal Clerks Week - May 1-7 2016 (PDF)
- Municipal Clerks Week Fact Sheet (PDF)





## *Proclamation*

*Whereas*, the Office of the Municipal Clerk, the oldest among public servants, is a time honored and vital part of governments throughout the world; and

*Whereas*, the Office of the Municipal Clerk provides the professional link between the citizens, the local governing bodies, and agencies of government at other levels, and serves as the information center on functions of local government and community; and

*Whereas*, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and

*Whereas*, Municipal Clerks continually strive to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops, and professional organizations; and

*Whereas*, since 1969 the International Institute of Municipal Clerks and its 9,500 members throughout the United States, Canada, and 15 other countries have annually celebrated Municipal Clerks Week the first full week of May; and

*Whereas*, it is most appropriate that we recognize the accomplishments of the Office of the Municipal Clerk, and in particular our own **City Clerk, Tracy L. Dutton**;

*Now, Therefore*, I, **Andrew S. Friedberg, Mayor of the City of Bellaire, Texas**, do hereby proclaim the week of May 1-7, 2016, as

### *Municipal Clerks Week*

in the City of Bellaire, Texas, and extend our community's great appreciation to our City Clerk,



Tracy L. Dutton, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.



*In Witness Whereof*, I have hereunto set my hand and caused the seal of the City of Bellaire, Texas, to be affixed this 2<sup>nd</sup> day of May, 2016.

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Andrew S. Friedberg, Mayor  
City of Bellaire, Texas



## 47<sup>th</sup> Annual Municipal Clerks Week May 1-7, 2016 FACT SHEET

Sponsored by the International Institute of Municipal Clerks

*Professionalism In Local Government Through Education*

### **PURPOSE**

To recognize the vital and appreciated services performed by Municipal and Deputy Clerks in serving the changing needs of their communities.

### **HISTORY**

Municipal Clerks Week was initiated in 1969 by IIMC and is endorsed by all of its members throughout the United States, Canada and 15 other countries. In 1984 and in 1994, Presidents Ronald Reagan and Bill Clinton, respectively, signed a Proclamation officially declaring Municipal Clerks Week the first full week of May and recognizing the essential role Municipal Clerks play in local government.

### **TYPICAL RESPONSIBILITIES OF THE MUNICIPAL AND DEPUTY CLERK:**

- Maintains the official council minutes, ordinance books and all records and documents.
- Indexes all official actions of council.
- Issues licenses and permits.
- Processes contracts and agreements.
- Keepers of community history and vital records.
- Receives, distributes and files correspondence from citizens and other governmental agencies.
- Administers elections, registration and voting.
- Acts as a key liaison between local government and its citizens.
- Handles significant financial responsibilities including preparation of tax rolls, special assessments and budgets.
- Provides central services such as personnel, purchasing, etc.

IIMC is a professional association of City, Village, Town, Township, Borough and County Clerks, Secretaries and Recorders. IIMC prepares its members to meet the challenges of the diverse role of the Municipal and Deputy Clerk by providing services and continuing professional development opportunities to benefit members and the government entities they serve. Founded in 1947 in French Lick, Indiana, IIMC has 9,500 members throughout the United States, Canada and 15 other countries.

**Mayor and Council**

7008 S. Rice Avenue  
Bellaire, TX 77401



Meeting: 05/02/16 06:00 PM  
Department: City Manager's Office  
Category: Presentation  
Department Head: Paul A. Hofmann  
DOC ID: 1901

**SCHEDULED  
ACTION ITEM (ID # 1901)**

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**Item Title:**

City Manager's Report regarding communication, field and personnel updates, calendar reminders, and notes of appreciation - Submitted by Paul A. Hofmann, City Manager.

**Background/Summary:**

City Manager's Report regarding communication, field and personnel updates, calendar reminders, and notes of appreciation.

**Previous Council Action Summary:**

N/A

**Fiscal Impact:**

N/A

**Recommendation:**

N/A



**Mayor and Council**

7008 S. Rice Avenue  
Bellaire, TX 77401



Meeting: 05/02/16 06:00 PM  
Department: City Manager's Office  
Category: Report  
Department Head: Paul A. Hofmann  
DOC ID: 1838

**SCHEDULED  
ACTION ITEM (ID # 1838)**

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**Item Title:**

Metropolitan Transit Authority of Harris County, Texas (METRO), Update - Presented by Cindy Siegel, Second Vice-Chair and Multi-Cities Board Member, and Don Elder, Jr., Multi-Cities Board Member, METRO.

**Background/Summary:**

Former Mayor Cindy Siegel and Don Elder, Jr., currently serve as two of the nine members on METRO's Board of Directors. Board Members Siegel and Elder were appointed by the mayors of METRO's 14 multi-cities, which include Bellaire, Bunker Hill Village, El Lago, Hedwig Village, Hilshire Village, Humble, Hunters Creek Village, Katy, Missouri City, Piney Point Village, Southside Place, Spring Valley Village, Taylor Lake Village, and West University Place.

As representatives of the multi-cities, Board Members Cindy Siegel (who also serves as Second Vice-Chair) and Don Elder, Jr., will attend the May 2nd Regular Session of the City Council for the purpose of providing a METRO update.

**Previous Council Action Summary:**

N/A

**Fiscal Impact:**

N/A

**Recommendation:**

N/A

**Mayor and Council**

7008 S. Rice Avenue  
Bellaire, TX 77401



Meeting: 05/02/16 06:00 PM  
Department: City Manager's Office  
Category: Report  
Department Head: Paul A. Hofmann  
DOC ID: 1885

**SCHEDULED  
ACTION ITEM (ID # 1885)**

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**Item Title:**

Quarterly Report from the Evelyn's Park Conservancy Board - Submitted by Patricia King-Ritter, President, and Lou Waters, Vice President, Evelyn's Park Conservancy Board.

**Background/Summary:**

Per Ordinance No. 14-035, and the Development and Operating Agreement for Evelyn's Park, the Conservancy shall present a quarterly report.

**Previous Council Action Summary:**

N/A

**Fiscal Impact:**

None

**Recommendation:**

N/A

**Mayor and Council**

7008 S. Rice Avenue  
Bellaire, TX 77401



Meeting: 05/02/16 06:00 PM  
Department: City Manager's Office  
Category: Report  
Department Head: Paul A. Hofmann  
DOC ID: 1839

**SCHEDULED****ACTION ITEM (ID # 1839)**

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**Item Title:**

Presentation by Director of Public Works Brant Gary to provide an overview of proposed Public Works projects for the upcoming FY17 budget.

**Background/Summary:**

Brant Gary, Director of Public Works will update the City Council on projects to be proposed as a part of the FY17 budget process. Those projects being proposed include:

- Performance Contracting Project
- Newcastle Street Decorative Streetlight Pilot Program

These projects are in addition to the projects previously identified in the CIP or Management Projects. This presentation of an initial overview of these proposed projects will provide Council some preliminary information that will be useful in the upcoming FY17 Budget process.

**Previous Council Action Summary:**

On September 15, 2015, the City Council Adopted the FY 2016 Annual Budget and CIP.

**Fiscal Impact:**

Required project funding would be approved in the FY 2017 Annual Budget.

**Recommendation:**

The Director of Public Works, Brant Gary, recommends acceptance of this report into the record.

**ATTACHMENTS:**

- FY17 Proposed Public Works Projects (PDF)



# FY17 PROPOSED PUBLIC WORKS PROJECTS

CITY COUNCIL BRIEFING & OVERVIEW

# LISTING OF PROPOSED FY17 PROJECTS

- The following are new Public Works projects being proposed for FY17:
  - Performance Contracting Project
  - Newcastle St. Decorative Streetlight Pilot Project
- This does not include projects previously identified in the CIP
- FY 2017 Budget Enhancements are also in development



# PROPOSED PROJECT 1:

PERFORMANCE CONTRACTING

# OVERVIEW OF PERFORMANCE CONTRACTING

- The Texas SECO defines this approach as “a construction method that allows a facility to complete energy-saving improvements within an existing budget by financing them with money saved through reduced utility expenditures”
- Authorized via Ch. 302 of the Local Govt. Code
- Projects are financed through “guaranteed energy savings”
- Depending on our project choices, we may choose to finance projects that would exceed energy savings



# OVERVIEW

- Per the City's participation in Choice Partners Cooperative Purchasing Program, Siemens was asked to examine possibilities for Bellaire
- The City agreed to a Letter of Intent (LOI) with Siemens to evaluate opportunities and provide a study to report findings
- If no projects are identified from the evaluation, the City owes nothing
- If projects are identified and the City chooses NOT to participate at all, the City would owe \$25,000 for the study and work performed
  - Value of study & products received would exceed \$25,000
- Both City Staff and the City Engineer would be involved in project development & implementation

# INITIAL AREAS OF ANALYSIS (PER LOI)

- The following are potential projects being reviewed for their feasibility and possible inclusion in a project package for Council consideration:
  - Water Meter System
    - LOI scope includes 70 new water meters\* that the City would retain (no matter what is decided)
  - Water/Wastewater System Upgrades
  - Lighting/Traffic Signal Upgrades
  - Water Line Replacement Project (Financing Options)
  - Demand Response Program
- Potential projects may be divided into separate packages
- City Council makes the final decision to proceed with a project package

# WATER METER SYSTEM

- Will review the feasibility of AMR/AMI options for water meters
- Would automate meter reading and provide potential benefits:
  - Eliminate need for monthly physical meter reading contract
    - City would still perform site checks and re-reads as needed
  - Increase accuracy and transparency of meter reads
  - Provide more detailed data for City and residents
  - Would utilize technology and equipment in line with City preferences/requirements
- Evaluation is ongoing as a part of the initial project review

# WATER/WASTEWATER SYSTEM UPGRADES

- A review of our Water Production and Wastewater Treatment Systems would identify projects designed to:
  - Maximize operational and energy efficiencies
  - Replace outdated/inefficient system components
  - Review different treatment and production options and compare costs & benefits to status quo
- This would address at least a portion of our annual heavy maintenance items for the Water & Wastewater systems
  - Previously included in Annual Cash-CIP

# LIGHTING/TRAFFIC SIGNAL UPGRADES

- Potential Projects from this review would include:
  - Efficiency options for City-owned lighting
    - Provide concepts to discuss with CenterPoint
  - Possible changes in signal technology and necessary/potential upgrades
    - Maximize effectiveness & efficiency
    - Minimize maintenance requirements
    - Address current signal optimization & maintenance issues
- Evaluation of this is ongoing, and will be reviewed with City Staff, City Engineer, Maintenance Provider, and other consultants used by the City for traffic signal issues





# WATER LINE REPLACEMENT PROGRAM

- This has been an identified need for some time and was quantified in previous reports to Council by City Staff and the City Engineer
- Inclusion of this project in this program would be dependent upon the following:
  - Tangible benefit from a financing standpoint
- After evaluation, findings will be reviewed to weigh the available options
  - No delays to current water line project timeline





# DEMAND RESPONSE PROGRAM

- Evaluation and inclusion of this program will provide a financial benefit to the proposed projects
- A Demand Response Program would include:
  - Running generators utility locations on a regular and as-needed basis to reduce area power grid demands and brownouts
    - Typical runtime would be a couple of hours one day a month
    - City is NOT required to run generators if operations do not allow
    - City is paid for participating
    - This is a State program through ERCOT
- This option will be included as a part of the package to provide a financial benefit and offset any costs

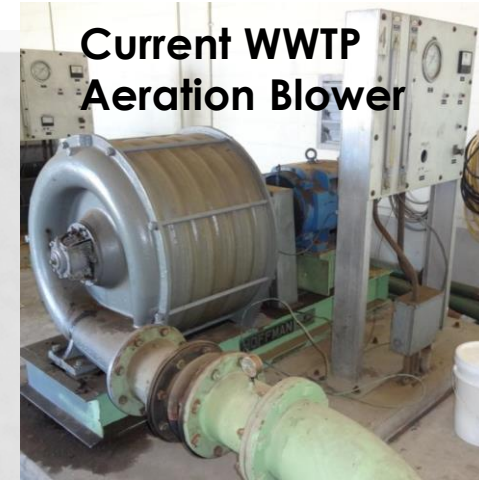
# POTENTIAL PROJECT PACKAGE ITEMS

## **Current Challenges:**

- Aeration Systems can use more than 50% of a plant's energy consumption.
- Blowers are on/off with very little turndown capability
- Manual reading of Dissolved Oxygen Levels
- and Manual Operation of the Blowers
- Increased maintenance costs

## **Potential Solutions:**

- Optimization of Aeration System
- High Speed Turbo Blower (Variable Speed)
- Coarse to Fine Bubble Diffuser Conversion at Secondary Unit
- Advanced Dissolved Oxygen Control



# TRAFFIC SIGNAL UPGRADES

## **CURRENT CHALLENGES:**

- Energy inefficient lamps
- Short lamp life
- Traffic disruptions & timing issues

## **POTENTIAL SOLUTIONS:**

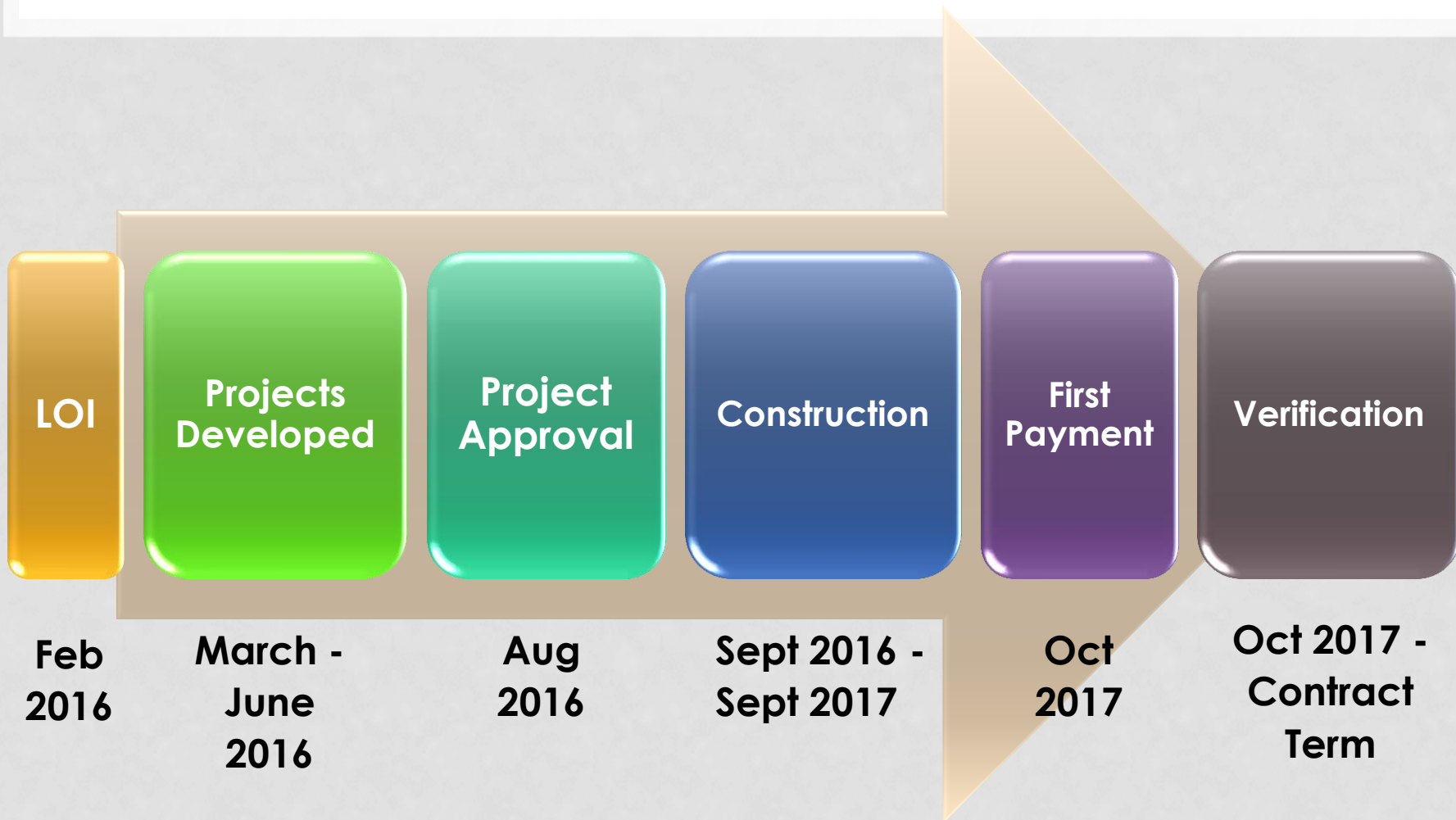
- Replace inefficient lamps with LED lights
- Upgrade traffic management software

## **POTENTIAL BENEFITS:**

- Reduced energy costs
- Increased lamp life
- Reduced labor and maintenance costs
- Improved traffic flow



# PERFORMANCE CONTRACTING TIMELINE





# PROPOSED PROJECT 2:

NEWCASTLE STREET  
DECORATIVE STREETLIGHT PILOT PROGRAM



# OVERVIEW

- Work on the Newcastle Trail has been completed to provide a uniform 9' wide concrete trail along Newcastle within the City
- The Parks Master Plan includes a recommendation to add lighting for the Newcastle Trail
- Due to the mounting height of the existing streetlights on Newcastle, light is often blocked by trees
- Prior discussions regarding decorative lighting fixtures & more efficient LED lighting
- Project can be phased to other areas if desired
- Estimated two-year project - \$75k per year



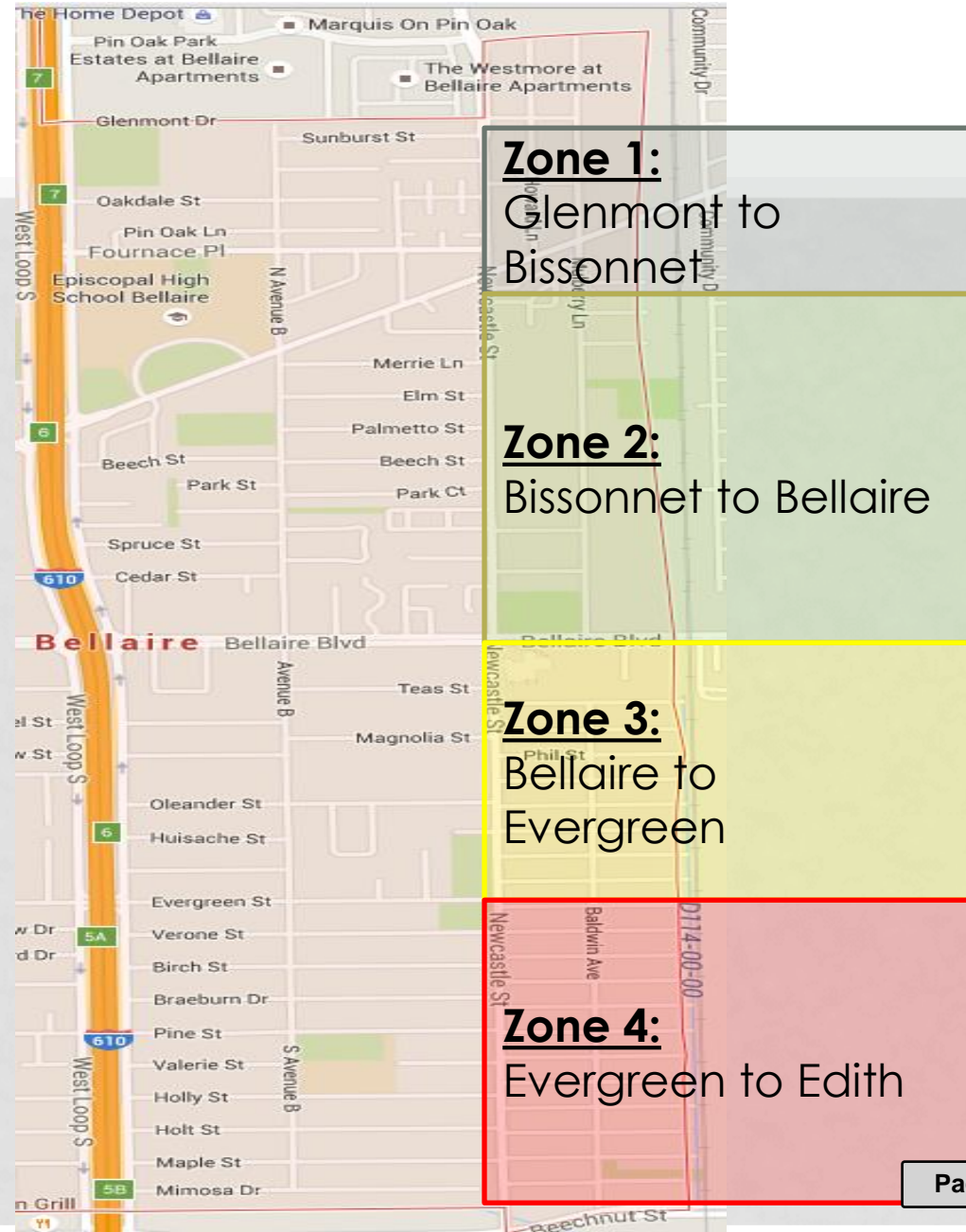
# FY17 PILOT PROJECT

- Newcastle Street is approximately 2 miles long (10,560 linear feet)
- Assuming spacing of 125 feet would mean approximately 85 lights
- Working with CenterPoint, the City would pay the net difference between the cost of a standard cobra-head light on a steel pole and the cost of the decorative fixture (around 50 per year)
  - Assuming a net difference of \$1,500, the net cost to the City would be around \$65-75k per linear mile.
- ESB has requested that the project consider International Dark Sky Association guidelines concerning cut-off fixtures and light pollution

# FY17 PILOT PROJECT

2.D.4.a

- If desired, up to 4 different fixtures could be placed along Newcastle for separate initial evaluation.
- We would work with Centerpoint and potential vendors to avoid having to purchase any fixtures being used for evaluation if possible
- This separate evaluation would not assume full coverage, but just enough to evaluate the particular fixtures identified.



# INITIAL LUMINAIRE PREFERENCE (FROM CULTURAL ARTS BOARD)

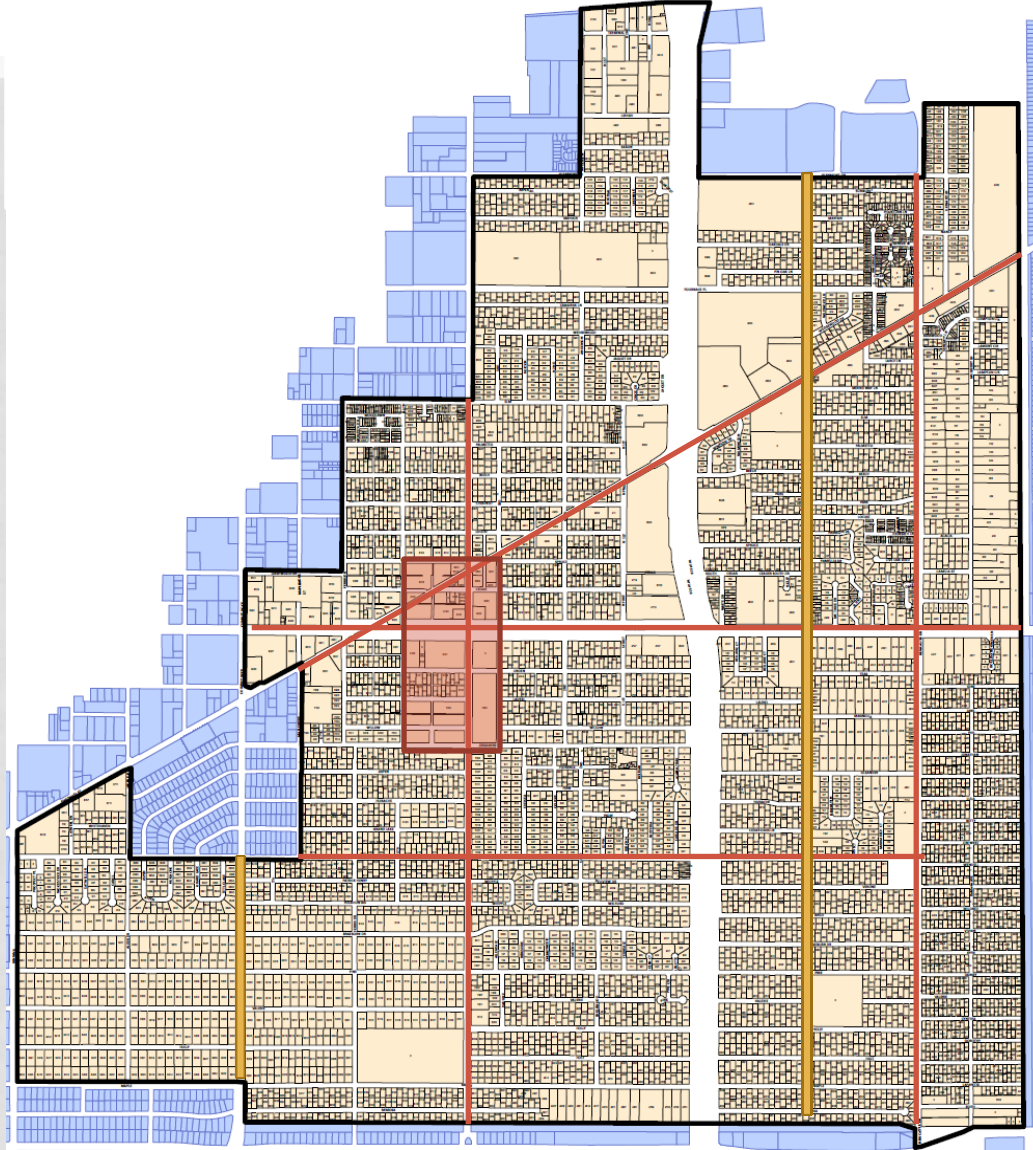


# FUTURE PROJECT OPTIONS

- For other streets, projections assume 43 lights per mile (unless otherwise noted) and a cost of \$1,500 per fixture.
  - Bellaire Blvd
    - 2 miles long
    - 172 fixtures (assumes double lighting for both sides)
    - Est. cost - \$260,000
  - Bissonnet St.
    - 3 miles long
    - 258 fixtures (assumes double lighting for both sides)
    - Est. cost - \$390,000
  - S. Rice Blvd.
    - 1.5 miles long
    - 130 fixtures (assumes double lighting for both sides)
    - Est. cost \$195,000
  - City Center Area
    - 4 additional miles (does not include streets already listed)
    - 170 fixtures (does NOT assume double lighting)
    - Est. cost \$260,000



# POSSIBLE LONG-TERM IMPLEMENTATION





# CITY OF BELLAIRE TEXAS

## MAYOR AND COUNCIL

APRIL 25, 2016

Council Chamber

Special Session

6:00 PM

7008 S. RICE AVENUE  
BELLAIRE, TX 77401

### SPECIAL SESSION - 6:00 P.M.

#### A. Call to Order and Announcement of a Quorum - Andrew S. Friedberg, Mayor.

**Andrew S. Friedberg, Mayor**, called the Special Session of the City Council of the City of Bellaire, Texas, to order at 6:00 p.m. on Monday, April 25, 2016. The Special Session was held in the Council Chamber, First Floor of City Hall, 7008 South Rice Avenue, Bellaire, Texas 77401.

Mayor Friedberg announced that a quorum of the members of the City Council was present as set forth in the table below.

Name	Title	Status
Andrew S. Friedberg	Mayor	Present
Roman F. Reed	Mayor Pro Tem	Present
Trisha S. Pollard	Council Member	Absent
Gus E. Pappas	Council Member	Present
Pat B. McLaughlan	Council Member	Present*
Michael Fife	Council Member	Present
David R. Montague	Council Member	Present

Other officials present were Paul A. Hofmann, City Manager; Scott Eidman, Assistant City Attorney; and Tracy L. Dutton, City Clerk.

\*Pat B. McLaughlan, Council Member, arrived at 6:04 p.m. and participated in the remainder of the Special Session.

**Mayor Friedberg** announced that the Special Session had been called on account of the Regular Session of April 18, 2016, having been canceled due to a significant rain and flooding event.

#### B. Inspirational Reading and/or Invocation - Michael Fife, Council Member.

**Michael Fife, Council Member**, provided the inspirational reading for the evening.

#### C. Pledges of Allegiance - Michael Fife, Council Member.

**Michael Fife, Council Member**, led members of the City Council and the audience in the U.S. Pledge of Allegiance and the Pledge to the Texas Flag.

Minutes Acceptance: Minutes of Apr 25, 2016 6:00 PM (Approval of Minutes:)



**D. Recognition of Proclamations:**

1. Issuance of a proclamation by Andrew S. Friedberg, Mayor, proclaiming the month of April 2016 as "National Safe Digging Month" in the City of Bellaire, Texas.

**Mayor Friedberg** read and presented a proclamation he issued proclaiming the month of April 2016 as "National Safe Digging Month" in the City of Bellaire, Texas.

The proclamation was accepted by Joseph F. Berry on behalf of CenterPoint Energy. Mr. Berry outlined some of the benefits of calling 811 before digging.

2. Issuance of a proclamation by Andrew S. Friedberg, Mayor, proclaiming May 1, 2016, as "Holocaust March of Remembrance Day" in the City of Bellaire, Texas - Requested by David R. Montague, Council Member.

**Mayor Friedberg** read and presented the proclamation he issued proclaiming May 1, 2016, as "Holocaust March of Remembrance Day" in the City of Bellaire, Texas.

The proclamation was accepted on behalf of ChristChurch Presbyterian by Reverend Kristy Vits, pastor; and church members David Montague, Council Member, Amy P. Gremillion, and Jacoby Scher.

**E. Personal/Audience Comments.**

Prior to Personal/Audience Comments, **Mayor Friedberg** announced that item F(3) on the evening's agenda, which was a presentation of a proposal for the development of a Conceptual Master Plan to Guide the Beautification and Urban Evolution of Bellaire, was withdrawn at the request of Scott Slaney, FASLA, Principal, Terrain Studio. Members of the audience were welcomed to comment on the agenda item, if they desired to do so.

**Craig Tillison:**

Mr. Tillison addressed the City Council regarding the April 18, 2016, flood event in Bellaire. Mr. Tillison referenced other flooding events in Bellaire, such as Tropical Storm Allison in 2001 and Memorial Day 2015, noting that the portion of Bellaire commonly referred to as "Southdale" had suffered damage from all three storms due to inadequate drainage in his opinion. He expressed concern that flooding had not been alleviated since 2001 and urged the City Council to fix Southdale.

**Kerry Dunn:**

Mr. Dunn addressed the City Council regarding the April 18, 2016, flood event in Bellaire. Mr. Dunn referenced Tropical Storm Allison (2001) and the Memorial Day event (2015), noting that his block of Mimosa Street had suffered damage during those storms as well. Reference was made to a small drain in the cul-de-sac of Mimosa Street, which was inadequate to carry the flood waters and often clogged by debris in his opinion. He urged the City Council to address Mimosa Street.

**Johanna Moran:**

Ms. Moran, Member of the Bellaire Environmental and Sustainability Board (the "ESB"), updated members of the City Council on a partnership between the ESB and The Nature Discovery Center, and on a landscaping project to demonstrate the concept of

sustainability planting in Mulberry Park.

**Lynn McBee:**

Ms. McBee addressed City Council regarding the April 18, 2016, flood and the reconstruction projects the City had undertaken on Newcastle Drive and Baldwin Avenue to help alleviate flooding in Southdale. She urged the City Council to divert a planned \$1 million signature corner on South Rice Avenue back to drainage projects.

Ms. McBee continued and urged the City to better inform the citizens of Bellaire by proactively communicating with them. Examples of information to be communicated, in her opinion, included a summary of the City's solicitation process, a legal summary of City easements and restrictions, and mosquito spraying.

**Amanda Forner:**

Ms. Forner addressed City Council regarding the inadequacy of the drains on Mimosa Street in her opinion, noting that other cul-de-sacs in the City had at least two drains. She urged the City Council to also consider dropping the street to help alleviate flooding.

**F. Reports:**

1. City Manager's Report regarding communication, field and personnel updates, calendar reminders, and notes of appreciation - Submitted by Paul A. Hofmann, City Manager.

**Paul A. Hofmann, City Manager**, presented the City Manager's Report dated April 25, 2016, to members of the City Council. His first order of business included introductions of the City's new Chief Financial Officer, Terrence Beaman, and his wife, Christie Beaman, both of whom were welcomed by members of the City Council.

The City Manager's Report included an overview of communications made to residents during the month of April, followed by a summary of the steps taken by the City to assist residents with the April 18, 2016, flood event. Means of communication included the City's web-based notification system, "notify me," as well as the home page of the City's website and on social media services (Facebook and Twitter). City Manager Hofmann recognized and thanked Charlotte Aguilar, Editor of Instant News Bellaire, for rebroadcasting the City's storm notifications.

In closing, City Manager Hofmann provided calendar reminders and an overview of upcoming City Council meetings and agenda items.

**Mayor Friedberg** opened the floor for questions from the City Council. Following questions, Mayor Friedberg continued to agenda item F(2).

2. FY 2016 Second Quarter Report for the City of Bellaire, Texas - Submitted by Diane K. White, Assistant City Manager.

**Assistant City Manager Diane K. White** presented the Second Quarter Report for the City of Bellaire, Texas, for the fiscal year 2016 (period beginning January 1, 2016, and ending March 31, 2016) to members of the City Council. The report included an overview of the City's financial position as of March 31, 2016, as well as year-end projections for the City's General and Enterprise Funds. Revenues and expenditures were noted to be on target.

**Mayor Friedberg** opened the floor for questions from the City Council. Following questions, Mayor Friedberg continued to agenda item F(4).\*

\*Prior to Personal/Audience Comments, Mayor Friedberg announced that agenda item F(3) had been removed at the request of Scott Slaney, FASLA, Principal, Terrain Studio.

3. Presentation and discussion of a proposal for the development of a Conceptual Master Plan to Guide the Beautification and Urban Evolution of Bellaire, Texas, by Scott Slaney, FASLA, Principal, Terrain Studio - Submitted by Paul A. Hofmann, City Manager, on behalf of John Monday, Citizens For A Beautiful Bellaire.

[This agenda item was removed at the request of Scott Slaney, FASLA, Principal, Terrain Studio.]

4. Presentation of the Water and Wastewater Rate Analysis – Submitted by Paul A. Hofmann, City Manager.

**Paul A. Hofmann, City Manager**, presented a "Water and Wastewater Rate Analysis" prepared for the City of Bellaire in accordance with Management Project 1612. The purpose of Management Project 1612 was to conduct a water and wastewater rate analysis and prepare for implementation in fiscal year 2017. City Manager Hofmann advised that the current water and wastewater rates were established in 2006. It was noted that the City had forecasted a continual decline in the Enterprise Fund fund balance in future years. In order to provide funding to replace the City's water and wastewater infrastructure, an analysis was performed.

City Manager Hofmann advised that the Public Utility Commission of Texas provided a rate review resource consultant, Superior Waste Management, LLC, to assist the City with its analysis. An established model was used by the consultant to guide the creation of the proposed rate structure and model. Overall objectives and background data were provided by the City.

Principles for the model development were stated as follows: 1) to cover the cost of services; 2) to support capital projects; 3) to provide an incentive for conservation; 4) to provide for operational contingencies; and 5) to react to changes in charges imposed by the City of Houston for surface water.

City Manager Hofmann outlined the new proposed rate model and rates, which would generate additional revenue of 25% in fiscal year 2017 as compared to fiscal year 2016. The proposed rate increase impacted the base rate as opposed to the volume of water used.

In closing, City Manager Hofmann advised that Staff was asking City Council to receive the presentation and provide feedback, as appropriate.

**Mayor Friedberg** opened the floor for questions from the City Council. Following questions, Mayor Friedberg continued to item G(1).

## **G. New Business:**

### **1. Consent Agenda:**

Items set out in the consent agenda are considered routine and are recommended for approval by the passage of a single motion, without discussion or debate, that the consent

agenda be adopted. Upon request of any member of City Council, items shall be removed from the consent agenda and considered separately.

Consideration of and possible action on the approval of the minutes of the Regular Sessions of the City Council of the City of Bellaire, Texas, held on Monday, March 21, 2016, and on Monday, April 4, 2016 - Submitted by Tracy L. Dutton, City Clerk.

- a. Mayor and Council - Regular Session - Mar 21, 2016 7:00 PM
- b. Mayor and Council - Regular Session - Apr 4, 2016 6:00 PM

**Motion:**

**To adopt the Consent Agenda dated April 25, 2016.**

<b>RESULT:</b>	<b>ADOPTED [6 TO 0]</b>
<b>MOVER:</b>	Gus E. Pappas, Council Member
<b>SECONDER:</b>	Michael Fife, Council Member
<b>AYES:</b>	Friedberg, Reed, Pappas, McLaughlan, Fife, Montague
<b>NAYS:</b>	None
<b>ABSENT:</b>	Pollard

**2. Adoption of Ordinance(s)/Resolution(s):**

- a. Consideration of and possible adoption of an ordinance of the City Council of the City of Bellaire, Texas granting a code suspension for PATRONS for Bellaire Parks relating to a request to waive alcohol and curfew restrictions in Bellaire Town Square for up to six events hosted by PATRONS for Bellaire Parks beginning May 1, 2016, ending April 30, 2017, said approval of which shall be granted by the City Manager - Submitted by Cheryl Bright, on behalf of the PATRONS for Bellaire Parks.

**Cheryl Bright, Assistant Director of Parks, Recreation, and Facilities**, provided an overview of the agenda item before City Council. She advised that the PATRONS for Bellaire Parks were requesting action by the City Council that would waive alcohol and curfew restrictions in Bellaire Town Square for up to six (6) events over a one-year period beginning on May 1, 2016, and ending on April 30, 2017.

**Mayor Friedberg** opened the floor for questions from the City Council. Following questions, a motion was offered and seconded.

**Motion:**

**To adopt the ordinance, as presented.**

<b>RESULT:</b>	<b>ADOPTED [5 TO 1]</b>
<b>MOVER:</b>	Roman F. Reed, Mayor Pro Tem
<b>SECONDER:</b>	David R. Montague, Council Member
<b>AYES:</b>	Friedberg, Reed, McLaughlan, Fife, Montague

<b>NAYS:</b>	Pappas
<b>ABSENT:</b>	Pollard

Following discussion, action was taken on the motion on the floor.

- b. Consideration of and possible action on a recommendation from the Department of Parks, Recreation and Facilities to award a contract to Fun Abounds through the utilization of the State of Texas, Local Government Purchasing Cooperative program, Buy Board, for the procurement of playground equipment and shade structure to replace the current equipment located in Mulberry Park, 700 Mulberry Lane, Bellaire, Texas 77401, in an amount not to exceed \$69,990.00 and on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, authorizing the Mayor and 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 for said equipment in an amount not to exceed \$69,990.36 - Submitted by Karl Miller, Director of Parks, Recreation, and Facilities.

**Mayor Friedberg** called to the City Council's attention a minor typographical error on the agenda and agenda statement in the packet. He advised that the first reference to the contract price was short by \$0.36; however, the draft ordinance presented to the City Council in the packet was correct.

**Karl Miller, Director of Parks, Recreation, and Facilities**, provided an overview of the agenda item before the City Council. Reference was made to the Parks Master Plan, which identified the need to replace or repair playground equipment and to provide shade structures for the playground equipment in several of the City's parks. In November of 2015, the Parks and Recreation Advisory Board voted unanimously to replace the playground equipment at Mulberry Park and to install a shade structure.

Utilizing the State of Texas, Local Government Purchasing Cooperative program, Fun Abounds, Inc., was selected as the vendor to provide and install the playground equipment and shade structure for Mulberry Park in an amount not to exceed \$69,990.36.

In closing, Director Miller asked the City Council to accept the recommendation from the Parks and Recreation Advisory Board to replace the playground equipment and provide a shade structure at Mulberry Park and to authorize Staff to purchase the equipment and shade structure from Fun Abounds, Inc.

**Mayor Friedberg** opened the floor for questions from the City Council. Following questions, a motion was offered and seconded.

**Motion:**

**To award the contract and adopt the ordinance, as presented.**

<b>RESULT:</b>	<b>ADOPTED [6 TO 0]</b>
<b>MOVER:</b>	Gus E. Pappas, Council Member
<b>SECONDER:</b>	Roman F. Reed, Council Member
<b>AYES:</b>	Friedberg, Reed, Pappas, McLaughlan, Fife, Montague

<b>NAYS:</b>	None
<b>ABSENT:</b>	Pollard

### 3. Item for Individual Consideration:

Consideration and possible action on a recommendation from the Parks and Recreation Advisory Board and the Department of Parks, Recreation, and Facilities to approve the Evergreen Park Master Plan - Submitted by Karl Miller, Director of Parks, Recreation, and Facilities.

**Karl Miller, Director of Parks, Recreation, and Facilities**, provided an overview of the agenda item to members of the City Council. Reference was made to the Parks Master Plan adopted by the City Council in 2015. Within the Parks Master Plan, a need was identified to create a site-specific Master Plan for Evergreen Park. The funding to create the Master Plan for Evergreen Park was allocated by the City Council in 2015. The consultant hired to assist the City and the Parks and Recreation Advisory Board (the "Board") in developing the Evergreen Park Master Plan was noted to be Clark Condon and Associates (landscape architecture and design firm).

Director Miller advised that the Board had spent approximately one year on the project and hosted a community meeting in the City Civic Center for purposes of receiving citizen input on the project. An overview of the amenities currently existing in Evergreen Park was also provided by Director Miller.

**Neil Verma, Chair of the Board**, provided an overview of the process followed in the development of the Evergreen Park Master Plan. Development goals centered around the users of the park (children, families, older residents), functionality of the park, and amenities that could be added to enhance the park (such as a water feature).

Director Miller advised that the estimated cost to implement the conceptual Evergreen Park Master Plan based on 2015 numbers was \$4.6 million. The cost included the replacement of the current pool, which was constructed in 1957. It was noted that the Evergreen Park Master Plan could be implemented at once or in segments or quadrants, identified as 1) arrival area (\$250,000); 2) play area (\$960,000); 3) pool (\$3.15 million); and 4) south lawn area (\$240,000).

In closing, Director Miller advised that if the Evergreen Park Master Plan was approved this evening, funding would be identified in the 2021 Capital Improvement Program.

**Mayor Friedberg** opened the floor for questions from the City Council. Following questions, **a motion was offered by Roman F. Reed, Mayor Pro Tem, and seconded by Michael Fife, Council Member.**

#### Motion:

**To approve the Evergreen Park Master Plan, as presented.**

**Mayor Friedberg** opened the floor for discussion on the motion on the floor. Following discussion, **an amendment to the motion was offered by Pat B. McLaughlan, Council Member.**



**Amendment (No. 1) to Main Motion:**

**To rephrase the motion as follows: To accept a concept plan for a proposed Evergreen Park Master Plan.**

The amendment (no. 1) failed due to the lack of a second.

Discussion on the main motion continued, and **an amendment to the motion was offered by Gus E. Pappas, Council Member.**

**Amendment (No. 2) to Main Motion:**

**To replace the word "Master" with "Conceptual," such that the motion would now read: To approve the Evergreen Park Conceptual Plan, as presented.**

**Mayor Friedberg** opened the floor for discussion on the amendment to the main motion. Following discussion, action was taken on the amendment as set forth below.

<b>RESULT:</b>	<b>FAILED [2 TO 4]</b>
<b>MOVER:</b>	Gus E. Pappas, Council Member
<b>SECONDER:</b>	Pat B. McLaughlan, Council Member
<b>AYES:</b>	Pappas, McLaughlan
<b>NAYS:</b>	Friedberg, Reed, Fife, Montague
<b>ABSENT:</b>	Pollard

Following further discussion on the main motion, action was taken on the main motion as set forth below.

<b>RESULT:</b>	<b>APPROVED [5 TO 1]</b>
<b>MOVER:</b>	Roman F. Reed, Mayor Pro Tem
<b>SECONDER:</b>	Michael Fife, Council Member
<b>AYES:</b>	Friedberg, Reed, Pappas, Fife, Montague
<b>NAYS:</b>	McLaughlan
<b>ABSENT:</b>	Pollard

**H. Community Interest Items from the Mayor and City Council.**

Community interest items from the Mayor and the City Council included expressions of thanks to Staff for their efforts on behalf of the City during the April 18<sup>th</sup> flood; expressions of congratulations to Staff for their work on the Bellaire Trolley Run and Family Safety Day; special words of welcome to Terrence Beaman, Bellaire's new Chief Financial Officer; and reminders of upcoming events, three of which would be held on April 30, 2016 (Recycles Event, National Drug Takeback Event, and Wine & Tapas).

**I. Adjourn.**

**Andrew S. Friedberg, Mayor,** announced that the Special Session of the City Council

of the City of Bellaire, Texas, was adjourned at 9:25 p.m. on Monday, April 25, 2016.

Minutes Acceptance: Minutes of Apr 25, 2016 6:00 PM (Approval of Minutes:)

**Mayor and Council**

7008 S. Rice Avenue  
Bellaire, TX 77401



Meeting: 05/02/16 06:00 PM  
Department: Parks, Recreation and  
Facilities  
Category: Code Suspension  
Department Head: Cheryl Bright-  
West  
DOC ID: 1898

**SCHEDULED  
ORDINANCE (ID # 1898)**

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**Item Title:**

Consideration of and possible adoption of an ordinance of the City Council of the City of Bellaire, Texas granting a code suspension for Bellaire Little League relating to a request to waive alcohol restrictions in Mulberry Park, 700 Mulberry Lane, Bellaire, Texas, for a fundraising event on May 21, 2016, commencing at 4:00 p.m. and terminating at 10:00 p.m. - Submitted by Cheryl Bright, Assistant Director of Parks, Recreation, and Facilities, on behalf of the Bellaire Little League.

**Background/Summary:**

Currently the use and consumption of alcohol within Mulberry Park is prohibited pursuant to Section 3-3 of the Bellaire Code of Ordinances.

On April 18, 2016, the City of Bellaire received a letter from Bellaire Little League requesting that the City Council waive or suspend the provisions of the Bellaire Code of Ordinances relating to the use and consumption of alcoholic beverages in Mulberry Park. Suspension of ordinance would be for the purpose of allowing Bellaire Little League to hold a crawfish boil fundraising event and to either provide alcoholic beverages, or for patrons to bring their own alcoholic beverages, during the event at Mulberry Park, 700 Mulberry Lane, on Saturday, May 21, 2016, commencing at 4:00 PM and terminating at 10:00 PM. This request would be subject to the same permitting requirements as outlined in the permit process to allow alcohol in the Bellaire Civic Center and the Centerpoint Energy Community Center.

**Previous Council Action Summary:**

Council has previously waived alcohol in Bellaire Town Square for the PATRONS for Bellaire Parks Wine & Tapas fundraising events in 2015 and 2016.

**Fiscal Impact:**

N/A

**Recommendation:**

Cheryl Bright, Assistant Parks, Recreation, & Facilities Director, recommends consideration and approval of this request.

**ATTACHMENTS:**

- Little League Alcohol Suspension Request 2016 (PDF)
- Code Suspension - Bellaire Little League - Alcohol - May 2016 (DOC)



**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLAIRE, TEXAS, GRANTING A CODE SUSPENSION FOR THE BELLAIRE LITTLE LEAGUE RELATING TO A REQUEST TO WAIVE ALCOHOL RESTRICTIONS IN MULBERRY PARK FOR A FUNDRAISING EVENT ON MAY 21, 2016.**

**WHEREAS,** the use and consumption of alcohol within Mulberry Park is prohibited pursuant to Section 3-3 of the Bellaire Code of Ordinances; and

**WHEREAS,** by letter dated April 18, 2016, the Bellaire Little League has requested that the City Council waive or suspend the provisions of the Bellaire City Code relating to the use and consumption of alcohol beverages in Mulberry Park for a fundraising event hosted by the Bellaire Little League on May 21, 2016, from 4:00 PM to 10:00 PM to support the renovation project of Furler Field; and

**WHEREAS,** the Bellaire Little League is a not-for-profit youth sports organization that works to enhance positive community involvement through baseball within the City of Bellaire, Texas; and

**WHEREAS,** the City Council of the City of Bellaire, Texas, finds that granting the request of the Bellaire Little League assists the mission of raising funds to renovate Furler Field in Mulberry Park and, in turn, directly benefits the City of Bellaire, Texas; **NOW, THEREFORE,**

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

1. The recitals set forth above are found to be true and correct.

2. The City Council of the City of Bellaire, Texas hereby suspends the application of Section 3-3 of the Bellaire Code of Ordinances for a fundraising event hosted by Bellaire Little League on May 21, 2016 from 4:00 PM to 10:00 PM to support the renovation project of Furler Field at Mulberry Park.

3. The suspension provided for in paragraph 2 above is subject to and contingent upon the City Manager's approval of the date of the event and, as it relates to alcohol, compliance with the requirements of Section 3-5 of the Bellaire Code of Ordinances relating to the permit procedures for the use and consumption of alcoholic beverages in City-Owned public places.

4. This Ordinance shall be effective immediately upon its passage and adoption.

**PASSED, APPROVED** and **ADOPTED** this, the 2<sup>nd</sup> day of May, 2016.

(SEAL)

**ATTEST:**

\_\_\_\_\_  
Tracy L. Dutton, TRMC  
City Clerk

**SIGNED:**

\_\_\_\_\_  
Andrew S. Friedberg  
Mayor

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Alan P. Petrov  
City Attorney



**Mayor and Council**

7008 S. Rice Avenue  
Bellaire, TX 77401



Meeting: 05/02/16 06:00 PM  
Department: City Manager's Office  
Category: Amendment  
Department Head: Diane K White  
DOC ID: 1892

**SCHEDULED  
ACTION ITEM (ID # 1892)**

**Item Title:**

Consideration of and possible action on the adoption of a resolution of the City Council of the City of Bellaire, Texas, amending the authorized representatives for the City of Bellaire, Texas, for purposes of transmitting funds for investment in the Texas Local Government Investment Pool (TexPool/TexPool Prime), withdrawing funds from TexPool/TexPool Prime, issuing letters of instruction, and taking all other actions deemed necessary or appropriate for the investment of local funds - Submitted By Diane K. White, Assistant City Manager.

**Background/Summary:**

The City of Bellaire is a participant in TexPool/TexPool *Prime* and investments in the pool are in compliance with the City's Investment Policy. The most recent Authorization Resolution 16-02 dated January 25, 2016, designates Paul A. Hofmann, City Manager, and William Mize, Accounting Manager, as authorized representatives.

*Authorization.* Authority to manage the investment program is derived from the Act, specifically; section 2256.005(f)--(h). Management responsibility for the investment program is hereby delegated to the chief financial officer including responsibility for all investment transactions and the related system of controls to regulate the activities of subordinate officials. The chief financial officer and the finance manager shall serve as the investment officers of the city and shall invest city funds in legally authorized and adequately secured investments in accordance with this policy and the Act. In the event the position of chief financial officer becomes vacant, the city manager shall serve as an investment officer during such vacancy. The city investment officers shall be bonded.

The approval of this resolution will add the City's newly hired Chief Financial Officer, Terrence Beaman, in accordance with the Investment Policy, as an Authorized Representative.

**Source of Funding:**

N/A

**Recommendation:**

Approval of Resolution Amending Authorized Representatives

**ATTACHMENTS:**

- Resolution Amending Representatives for TexPool (DOC)



## RESOLUTION NO. 16-\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELLAIRE, TEXAS, AMENDING THE AUTHORIZED REPRESENTATIVES FOR THE CITY OF BELLAIRE, TEXAS, FOR PURPOSES OF TRANSMITTING FUNDS FOR INVESTMENT IN THE TEXAS LOCAL GOVERNMENT INVESTMENT POOLS (TEXPOOL /TEXPOOL PRIME), WITHDRAWING FUNDS FROM TEXPOOL, ISSUING LETTERS OF INSTRUCTION, AND TAKING ALL OTHER ACTIONS DEEMED NECESSARY OR APPROPRIATE FOR THE INVESTMENT OF LOCAL FUNDS.**

**WHEREAS,** the City of Bellaire, Texas ("Participant"), Location Number 78443, is a local government of the State of Texas and is empowered to delegate to a public funds investment pool the authority to invest funds and to act as custodian of investments purchased with local investment funds; and

**WHEREAS,** it is in the best interests of the Participant to invest local funds in investments that provide for the preservation and safety of principal, liquidity, and yield consistent with the *Public Funds Investment Act*; and

**WHEREAS,** the Texas Local Government Investment Pools (TexPool/TexPool Prime), public funds investment pools, were created on behalf of entities whose investment objective in order of priority are preservation and safety of principal, liquidity, and yield consistent with the *Public Funds Investment Act*; **NOW, THEREFORE,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BELLAIRE, TEXAS:**

**A. THAT** effective on May 2, 2016 the individuals, whose signatures appear in this Resolution, are Authorized Representatives of the Participant and are each hereby authorized to transmit funds for investment in TexPool/TexPool *Prime*, to withdraw funds from time to time, to issue letters of instruction, and to take all other actions deemed necessary or appropriate for the investment of local funds.

**B. THAT** the Participant may, by Amending Resolution signed by an Authorized Representative of the Participant, add or remove an Authorized Representative provided the additional Authorized Representative is an officer, employee, or agent of the Participant.

**C. THAT** the list of Authorized Representatives of the Participant, each of which will be issued a personal identification number to transact business with TexPool/TexPool *Prime*, is as follows:

1.   **Name:**                   **Paul A. Hofmann**  
       **Title:**                   **City Manager**  
  
       **Signature:**           \_\_\_\_\_
   
       **Phone Number:**   **(713) 662-8228**
  
2.   **Name:**                   **William Mize**  
       **Title:**                   **Accounting Manager**  
  
       **Signature:**           \_\_\_\_\_
   
       **Phone Number:**   **(713) 662-8261**
  
3.   **Name:**                   **Terrence Beaman**  
       **Title:**                   **Chief Financial Officer**  
  
       **Signature:**           \_\_\_\_\_

**Phone Number: (713) 662-8251**

**D. THAT** the Authorized Representative listed above that will have primary responsibility for performing transactions and receiving confirmations and monthly statements is:

<b>Name:</b>	<b>Terrence Beaman</b>
<b>Email Address:</b>	<b>tbeaman@bellairetx.gov</b>
<b>Fax Number:</b>	<b>(713) 662-8264</b>

**E. THAT** this Resolution and its authorization shall continue in full force and effect until amended or revoked by the Participant and until TexPool/TexPool *Prime* receives a copy of any such amendment or revocation.

**PASSED, APPROVED, and ADOPTED** by the Participant at its Regular Session held on May 2, 2016.

(SEAL)

**ATTEST:**

\_\_\_\_\_  
Tracy L. Dutton, TRMC  
City Clerk

**SIGNED:**

\_\_\_\_\_  
Andrew S. Friedberg  
Mayor

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Alan P. Petrov  
City Attorney

**Mayor and Council**

7008 S. Rice Avenue  
Bellaire, TX 77401



Meeting: 05/02/16 06:00 PM  
Department: City Manager's Office  
Category: Agreement  
Department Head: Diane K White  
DOC ID: 1893

**SCHEDULED  
ACTION ITEM (ID # 1893)**

**Item Title:**

Consideration of and possible action on the adoption of a resolution of the City Council of the City of Bellaire, Texas, amending the authorized representatives for the City of Bellaire, Texas, for purposes of transmitting funds for investment in the TexSTAR Local Government Investment Pool (TexSTAR), withdrawing funds from TexSTAR, issuing letters of instruction, and taking all other actions deemed necessary or appropriate for the investment of local funds - Submitted by Diane K. White, Assistant City Manager.

**Background/Summary:**

The City of Bellaire is a participant in TexSTAR and investments in the pool are in compliance with the City's Investment Policy. The most recent Authorization Resolution 16-03 dated January 25, 2016 designates Paul A. Hofmann, City Manager, and William Mize, Accounting Manager, as authorized representatives.

*Authorization.* Authority to manage the investment program is derived from the Act, specifically; section 2256.005(f)--(h). Management responsibility for the investment program is hereby delegated to the chief financial officer including responsibility for all investment transactions and the related system of controls to regulate the activities of subordinate officials. The chief financial officer and the finance manager shall serve as the investment officers of the city and shall invest city funds in legally authorized and adequately secured investments in accordance with this policy and the Act. In the event the position of chief financial officer becomes vacant, the city manager shall serve as an investment officer during such vacancy. The city investment officers shall be bonded.

The approval of this resolution will add the City's newly hired Chief Financial Officer, Terrence Beaman, in accordance with the Investment Policy, as an Authorized Representative.

**Source of Funding:**

N/A

**Recommendation:**

Approval of Resolution Amending Authorized Representatives

**ATTACHMENTS:**

- Resolution Amending Representatives for TexSTAR (DOC)





## RESOLUTION NO. 16-\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELLAIRE, TEXAS, AMENDING THE AUTHORIZED REPRESENTATIVES FOR THE CITY OF BELLAIRE, TEXAS, FOR PURPOSES OF TRANSMITTING FUNDS FOR INVESTMENT IN THE TEXAS SHORT TERM ASSET RESERVE PROGRAM (TexSTAR), WITHDRAWING FUNDS FROM TexSTAR, ISSUING LETTERS OF INSTRUCTION, AND TAKING ALL OTHER ACTIONS DEEMED NECESSARY OR APPROPRIATE FOR THE INVESTMENT OF LOCAL FUNDS.**

**WHEREAS,** the City of Bellaire, Texas ("Participant"), Location Number 78443, is a local government of the State of Texas and is empowered to delegate to a public funds investment pool the authority to invest funds and to act as custodian of investments purchased with local investment funds; and

**WHEREAS,** it is in the best interests of the Participant to invest local funds in investments that provide for the preservation and safety of principal, liquidity, and yield consistent with the *Public Funds Investment Act*; and

**WHEREAS,** the Texas Short Term Asset Reserve Program (TexSTAR), a public funds investment pool, was created on behalf of entities whose investment objective in order of priority are preservation and safety of principal, liquidity, and yield consistent with the *Public Funds Investment Act*; **NOW, THEREFORE,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BELLAIRE, TEXAS:**

**A. THAT** effective May 2, 2016, the individuals, whose signatures appear in this Resolution, are Authorized Representatives of the Participant and are each hereby authorized to transmit funds for investment in TexSTAR, to withdraw

funds from time to time, to issue letters of instruction, and to take all other actions deemed necessary or appropriate for the investment of local funds.

**B. THAT** the Participant may, by Amending Resolution signed by an Authorized Representative of the Participant, add or remove an Authorized Representative provided the additional Authorized Representative is an officer, employee, or agent of the Participant.

**C. THAT** the list of Authorized Representatives of the Participant, each of which will be issued a personal identification number to transact business with TexSTAR, is as follows:

- |           |   |
|-----------|---|
| <b>1.</b> | <b>Name:</b> Paul A. Hofmann<br><b>Title:</b> City Manager<br><br><b>Signature:</b> _____<br><b>Phone Number:</b> (713) 662-8228            |
| <b>2.</b> | <b>Name:</b> William Mize<br><b>Title:</b> Accounting Manager<br><br><b>Signature:</b> _____<br><b>Phone Number:</b> (713) 662-8261         |
| <b>3.</b> | <b>Name:</b> Terrence Beaman<br><b>Title:</b> Chief Financial Officer<br><br><b>Signature:</b> _____<br><b>Phone Number:</b> (713) 662-8251 |

**D. THAT** the Authorized Representative listed above that will have primary responsibility for performing transactions and receiving confirmations and monthly statements is:

**Name:** Terrence Beaman  
**Email Address:** tbeaman@bellairetx.gov  
**Facsimile Number:** (713) 662-8264

**E. THAT** this Resolution and its authorization shall continue in full force and effect until amended or revoked by the Participant and until TexSTAR receives a copy of any such amendment or revocation.

**PASSED, APPROVED, and ADOPTED** by the Participant at its Regular Session held on May 2, 2016.

(SEAL)

**ATTEST:**

\_\_\_\_\_  
Tracy L. Dutton, TRMC  
City Clerk

**SIGNED:**

\_\_\_\_\_  
Andrew S. Friedberg  
Mayor

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Alan P. Petrov  
City Attorney

Attachment: Resolution Amending Representatives for TexSTAR (1893 : Amend TexSTAR Authorized Representatives)

**Mayor and Council**

7008 S. Rice Avenue  
Bellaire, TX 77401



Meeting: 05/02/16 06:00 PM  
Department: City Manager's Office  
Category: Amendment  
Department Head: Diane K White  
DOC ID: 1894

**SCHEDULED  
ACTION ITEM (ID # 1894)**

**Item Title:**

Consideration of and possible action on the adoption of a resolution of the City Council of the City of Bellaire, Texas, amending the authorized representatives for the City of Bellaire, Texas, for purposes of transmitting funds for investment in the TexasTERM Local Government Investment Pool (TexasTERM), withdrawing funds from TexasTERM, issuing letters of instruction, and taking all other actions deemed necessary or appropriate for the investment of local funds - Submitted by Diane K. White, Assistant City Manager.

**Background/Summary:**

The City of Bellaire is a participant in TexasTERM and investments in the pool are in compliance with the City's Investment Policy. The most recent Authorization Resolution 16-04 dated January 25, 2016, designates Paul A. Hofmann, City Manager, and William Mize, Accounting Manager, as authorized representatives.

*Authorization.* Authority to manage the investment program is derived from the Act, specifically; section 2256.005(f)--(h). Management responsibility for the investment program is hereby delegated to the chief financial officer including responsibility for all investment transactions and the related system of controls to regulate the activities of subordinate officials. The chief financial officer and the finance manager shall serve as the investment officers of the city and shall invest city funds in legally authorized and adequately secured investments in accordance with this policy and the Act. In the event the position of chief financial officer becomes vacant, the city manager shall serve as an investment officer during such vacancy. The city investment officers shall be bonded.

The approval of this resolution will add the City's newly hired Chief Financial Officer, Terrence Beaman, in accordance with the Investment Policy, as an Authorized Representative.

**Source of Funding:**

N/A

**Recommendation:**

Approval of Resolution Amending Authorized Representatives

**ATTACHMENTS:**

- Resolution Amending Representatives for TexasTERM (DOC)



## RESOLUTION NO. 16-\_\_\_\_

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF BELLAIRE, TEXAS, AMENDING THE AUTHORIZED REPRESENTATIVES FOR THE CITY OF BELLAIRE, TEXAS, FOR PURPOSES OF TRANSMITTING FUNDS FOR INVESTMENT IN THE TEXASTERM LOCAL GOVERNMENT INVESTMENT POOL (TEXASTERM), WITHDRAWING FUNDS FROM TEXASTERM, ISSUING LETTERS OF INSTRUCTION, AND TAKING ALL OTHER ACTIONS DEEMED NECESSARY OR APPROPRIATE FOR THE INVESTMENT OF LOCAL FUNDS.**

**WHEREAS,** the City of Bellaire, Texas ("Participant"), Location Number 78443, is a local government of the State of Texas and is empowered to delegate to a public funds investment pool the authority to invest funds and to act as custodian of investments purchased with local investment funds; and

**WHEREAS,** it is in the best interests of the Participant to invest local funds in investments that provide for the preservation and safety of principal, liquidity, and yield consistent with the *Public Funds Investment Act*; and

**WHEREAS,** the TexasTERM Local Government Investment Pool (TexasTERM), a public funds investment pool, was created on behalf of entities whose investment objective in order of priority are preservation and safety of principal, liquidity, and yield consistent with the *Public Funds Investment Act*; **NOW, THEREFORE,**

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BELLAIRE, TEXAS:**

**A. THAT** effective May 2, 2016, the individuals, whose signatures appear in this Resolution, are Authorized Representatives of the Participant and are



each hereby authorized to transmit funds for investment in TexasTERM, to withdraw funds from time to time, to issue letters of instruction, and to take all other actions deemed necessary or appropriate for the investment of local funds.

**B. THAT** the Participant may, by Amending Resolution signed by an Authorized Representative of the Participant, add or remove an Authorized Representative provided the additional Authorized Representative is an officer, employee, or agent of the Participant.

**C. THAT** the list of Authorized Representatives of the Participant, each of which will be issued a personal identification number to transact business with TexasTERM, is as follows:

- |           |   |
|-----------|---|
| <b>1.</b> | <b>Name:</b> Paul A. Hofmann<br><b>Title:</b> City Manager<br><br><b>Signature:</b> _____<br><b>Phone Number:</b> (713) 662-8228            |
| <b>2.</b> | <b>Name:</b> William Mize<br><b>Title:</b> Accounting Manager<br><br><b>Signature:</b> _____<br><b>Phone Number:</b> (713) 662-8261         |
| <b>3.</b> | <b>Name:</b> Terrence Beaman<br><b>Title:</b> Chief Financial Officer<br><br><b>Signature:</b> _____<br><b>Phone Number:</b> (713) 662-8251 |

**D. THAT** the Authorized Representative listed above that will have primary responsibility for performing transactions and receiving confirmations and monthly statements is:

**Name:** Terrence Beaman  
**Email Address:** tbeaman@bellairetx.gov  
**Facsimile Number:** (713) 662-8264

**E. THAT** this Resolution and its authorization shall continue in full force and effect until amended or revoked by the Participant and until TexasTERM receives a copy of any such amendment or revocation.

**PASSED, APPROVED, and ADOPTED** by the Participant at its Regular Session held on May 2, 2016.

(SEAL)

**ATTEST:**

\_\_\_\_\_  
 Tracy L. Dutton, TRMC  
 City Clerk

**SIGNED:**

\_\_\_\_\_  
 Andrew S. Friedberg  
 Mayor

**APPROVED AS TO FORM:**

\_\_\_\_\_  
 Alan P. Petrov  
 City Attorney

**Mayor and Council**

7008 S. Rice Avenue  
Bellaire, TX 77401



Meeting: 05/02/16 06:00 PM  
Department: Public Works  
Category: Discussion  
Department Head: Brant Gary  
DOC ID: 1865 A

**SCHEDULED****ACTION ITEM (ID # 1865)**

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**Item Title:**

Consideration and possible action on a request from residents in the 4900 block of Bellview to not construct sidewalks along their block as planned - Submitted by Brant Gary, Director of Public Works, on behalf of the 4900 block of Bellview.

**Background/Summary:**

The Public Works Department received a request from Myles Rose (4904 Bellview), on behalf of the residents of the 4900 block of Bellview, to not install sidewalks as planned on the north side of their block. On March 21, Mr. Rose and other Bellview residents made comments to Council requesting the removal of the sidewalk along the 4900 block of Bellview. Subsequent discussions with residents focused on two primary concerns: tree removal and driveway elevations as they connected to the sidewalks. Consistent with the previous Council discussions, Staff revisited the slope and tree issues with the project engineer who, along with the urban forester for the project, provided additional information needed to fully investigate these concerns. The following is a summary of those findings.

Regarding trees, our project engineer has provided a summary of tree removals in the 4900 blocks of Bellview and Wellford. Seven trees were or will be removed in this area; two for sidewalk work and five for street construction.

- 4920 Bellview - 4" Pecan ("wild-growth," good condition) removed for sidewalk construction, 4" Tallow (poor condition) removed for street construction
- 4906 Bellview - 18" Tallow (fair condition) removed for street construction
- 4900 Bellview - 12" Crepe Myrtle (good condition) to be removed for sidewalk construction
- 4908 Wellford - 2-18" Maple (fair condition) & 1-12" Maple (good condition) removed for street construction on the opposite side of the street from the sidewalk

Within these same blocks, elevations for driveway approaches do not exceed 12% at any address for the portion of the driveway approach from the gutter line to the sidewalk. However, from the back of the sidewalk to the property line, there are some portions of the driveway approaches that are up to 14%. The plans show three driveways at 13% and two driveways at 14%. Depending on the specific conditions, this may or may not be an issue. For residents with grade concerns, we can work with them to gain their permission and go back further to reduce the slope. One foot of additional removal usually equates to around a 0.6% reduction in slope. A maximum of four additional feet of driveway removal can reduce all five to under 12% if need be.

The sidewalk in question for the 4900 block of Bellview is planned as a part of Rebuild Bellaire 5A. Installation of the sidewalks on the designated side would not begin for another 1-2 months after the opposite side of the street is completed.

**Previous Council Action Summary:**

Resident's concerns were presented to Council on March 21, 2016. Council requested staff visit with residents concerning issues, and schedule an additional Council item for

consideration of the request.

Council awarded Total Contracting Limited the Rebuild Bellaire 5A contract on January 26, 2015.

**Fiscal Impact:**

Elimination of this sidewalk would result in a reduction of bid items utilized which would make up approximately \$27,000 in project costs.

**Recommendation:**

Based on the information researched above and conversations with residents in this area, there are no technical reasons why the sidewalk cannot be installed as designed. Brant Gary, Director of Public Works, recommends Council consider the request of the residents regarding their preference to not have sidewalks in this area and provide direction to Staff as needed.

**HISTORY:**

**04/18/16** Mayor and Council

**MEETING CANCELLED**

**Next: 05/02/16**