

# CITY OF BELLAIRE TEXAS

MAYOR AND COUNCIL

OCTOBER 9, 2017

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Council Chamber	Special 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.***

**SPECIAL SESSION - 6:00 P.M.****I. PUBLIC HEARING (SECOND OF TWO ON PROPOSED TAX RATE)**

- A. Call to Order - Andrew S. Friedberg, Mayor.**
- B. Announcement of a Quorum - Andrew S. Friedberg, Mayor.**
- C. Reading of Notice of the Public Hearing - Tracy L. Dutton, City Clerk.**
- D. Summary of Public Hearing Procedure - Paul A. Hofmann, City Manager.**
- E. Presentation of Proposal:**

Presentation regarding a proposal to increase total tax revenues for the 2017 tax year (2018 fiscal year) from properties on the tax roll in the preceding year by 8.81% percent by proposing a tax rate of \$0.4159 per \$100 valuation - Submitted and presented by Terrence Beaman, Chief Financial Officer.

**F. 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.

**G. Questions from the Mayor and City Council.****H. Close Public Hearing and Adjourn.****II. SPECIAL MEETING**

- A. Call to Order - Andrew S. Friedberg, Mayor.**
- B. Announcement of a Quorum - Andrew S. Friedberg, Mayor.**
- C. New Business:**

**Adoption of Ordinances:**

**{NOTE: The purpose of these agenda items is to provide for the contingency that new contracts may be needed for continuous emergency debris removal and monitoring services after the expiration of the exigent circumstances period following Hurricane Harvey as determined by FEMA. RFP Nos. 17-014 and 17-015 will be opened, read, and evaluated on October 9, 2017.}**

1. Consideration of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, authorizing the Mayor and the City Clerk of the City of Bellaire, Texas, to execute and attest to, respectively, for and on behalf of the City of Bellaire, Texas, a Standard Form of Agreement with the proposer offering the most advantageous proposal for the purchase of emergency debris removal services associated with the timely removal and lawful disposal of all disaster-generated debris pursuant to RFP No. 17-015, as may be necessary to ensure continuity of such services after the expiration of the exigent circumstances period following Hurricane Harvey as determined by FEMA - Submitted by Michael Leech, Director of Public Works.
2. Consideration of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, authorizing the Mayor and the City Clerk of the City of Bellaire, Texas, to execute and attest to, respectively, for and on behalf of the City of Bellaire, Texas, a Standard Form of Agreement with the proposer offering the most advantageous proposal for the purchase of monitoring of disaster-generated debris removal, management, and related services associated with disaster preparedness and emergency response and recovery pursuant to RFP No. 17-014, as may be necessary to ensure continuity of such services after the expiration of the exigent circumstances period following Hurricane Harvey as determined by FEMA - Submitted by Michael Leech, Director of Public Works.

**D. Adjourn.**



**SCHEDULED  
ACTION ITEM (ID # 2241)**

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**Item Title:**

Presentation regarding a proposal to increase total tax revenues for the 2017 tax year (2018 fiscal year) from properties on the tax roll in the preceding year by 8.81% percent by proposing a tax rate of \$0.4159 per \$100 valuation - Submitted and presented by Terrence Beaman, Chief Financial Officer.

**Background/Summary:**

The Texas Constitution sets out the general requirements for truth-in-taxation, including the calculation of an effective tax rate and a rollback tax rate. For tax year 2017 (FY 2018), the effective tax rate was calculated as \$0.3864 and the rollback tax rate as \$0.4228. The proposed tax rate for tax year 2017 is \$0.4159 per \$100 valuation.

When a proposed tax rate exceeds the rollback rate or the effective rate, whichever is lower, the taxing unit's governing body must vote to place a proposal to adopt the rate on the agenda of a future meeting as an action item. This must be a record vote and the proposal must specify the desired rate. If the motion passes, the taxing unit must schedule two public hearings on the proposal.

At the City Council meeting on September 18, 2017, the City Council took a record vote proposing to adopt a tax rate of \$0.4159 for tax year 2017 (FY 2018). This proposed rate exceeds the effective rate by \$0.0295 or 7.6%. Because the proposed rate exceeds the effective rate, the City Council scheduled two public hearings on the proposal.

The first public hearing was held on Monday, October 2, 2017 at 6:00 PM. The second public hearing is scheduled at the same location on Monday, October 9, 2017 at 6:00 PM. Both public hearings will be held at City Hall, Council Chambers, 7008 South Rice Avenue, Bellaire, Texas 77401.

The proposed property tax rate of \$0.4159 would raise \$20,261,531 in revenue, which is \$1,648,521 more than taxes imposed last year. Citizens of Bellaire have a right to attend the public hearings to comment on the proposed tax rate.

**Previous Council Action Summary:**

September 11, 2017 Acceptance of 2017 Tax Roll and the calculated Effective Tax Rate and Rollback Tax Rate.

September 11, 2017 Record vote to adopt tax rate of \$0.4159 and scheduled two public hearings.

October 2, 2017 First public hearing was held.

**Fiscal Impact:**

n/a

**Recommendation:**

n/a

**Mayor and Council**

Council Chamber, First Floor of City  
Hall  
Bellaire, TX 77401-4411



Meeting: 10/09/17 06:00 PM  
Department: Public Works  
Category: Ordinance  
Department Head: Michael Leech  
DOC ID: 2375

**SCHEDULED  
ORDINANCE (ID # 2375)**

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**Item Title:**

Consideration of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, authorizing the Mayor and the City Clerk of the City of Bellaire, Texas, to execute and attest to, respectively, for and on behalf of the City of Bellaire, Texas, a Standard Form of Agreement with the proposer offering the most advantageous proposal for the purchase of emergency debris removal services associated with the timely removal and lawful disposal of all disaster-generated debris pursuant to RFP No. 17-015, as may be necessary to ensure continuity of such services after the expiration of the exigent circumstances period following Hurricane Harvey as determined by FEMA - Submitted by Michael Leech, Director of Public Works.

**Background/Summary:**

Utilizing an Interlocal Agreement with Harris County, the City entered into an agreement with DRC Emergency Services, LLC on July 10, 2017 for debris collection services.

Subsequent to the Disaster Declaration for Hurricane Harvey, FEMA has said they may not reimburse entities that use contracts for debris removal that were obtained through Interlocal Agreements or Cooperative Purchasing. It is FEMA's preference that entities go through their own Request For Proposal (RFP) process to select and enter into contracts with the vendor.

Utilizing FEMA's declaration of Exigent and Emergency Conditions which suspends State purchasing laws and is scheduled to expire on October 10, 2017, the City has expedited the RFP process to seek a vendor to be in compliance with FEMA preferences. It is possible the Exigent and Emergency Conditions may be extended beyond October 10, 2017 though this has not yet been confirmed.

This contract is for services to collect and remove debris from the City for disposal after an event. Services include debris clearing, removal and disposal and operation of temporary debris staging and reduction site.

**Previous Council Action Summary:**

The City entered into an agreement with DRC Emergency Services, LLC utilizing an Interlocal Agreement with Harris County, TX on July 10, 2017 with Ordinance No. 17-044..

**Fiscal Impact:**

No funds will be expended unless the contract is activated.

**City Attorney Review:**

The City attorney has reviewed this item.

**Recommendation:**

The Public Works Director recommends City Council approval of the attached ordinance for professional services with the Proposer providing the most advantageous Proposal.

**ATTACHMENTS:**

- Ordinance for Debris Collection (DOCX)



**ORDINANCE NO. 17-\_\_\_\_\_**

**AN ORDINANCE AUTHORIZING THE MAYOR AND THE CITY CLERK OF THE CITY OF BELLAIRE, TEXAS, TO EXECUTE AND ATTEST TO, RESPECTIVELY, FOR AND ON BEHALF OF THE CITY OF BELLAIRE, TEXAS, A STANDARD FORM OF AGREEMENT WITH XXXX, FOR THE PURCHASE OF EMERGENCY DEBRIS REMOVAL SERVICES ASSOCIATED WITH THE TIMELY REMOVAL AND LAWFUL DISPOSAL OF ALL DISASTER-GENERATED DEBRIS.**

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

THAT the Mayor and the City Clerk of the City of Bellaire, Texas, are each hereby authorized to execute and attest to, respectively, for and on behalf of the City of Bellaire, Texas, a Standard Form of Agreement with XXXX, as attached hereto and marked Exhibit "A", for the purchase of Emergency Debris Removal Services associated with the timely removal and lawful disposal of all disaster-generated debris.

**PASSED** and **APPROVED** this 9th day of October, 2017.

(SEAL)

**ATTEST:**

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

**SIGNED:**

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

**APPROVED AS TO FORM:**

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Alan P. Petrov  
City Attorney

Attachment: Ordinance for Debris Collection (2375 : Debris Collection Contract)



**Mayor and Council**

Council Chamber, First Floor of City  
Hall  
Bellaire, TX 77401-4411



Meeting: 10/09/17 06:00 PM  
Department: Public Works  
Category: Ordinance  
Department Head: Michael Leech  
DOC ID: 2374

**SCHEDULED  
ORDINANCE (ID # 2374)**

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**Item Title:**

Consideration of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, authorizing the Mayor and the City Clerk of the City of Bellaire, Texas, to execute and attest to, respectively, for and on behalf of the City of Bellaire, Texas, a Standard Form of Agreement with the proposer offering the most advantageous proposal for the purchase of monitoring of disaster-generated debris removal, management, and related services associated with disaster preparedness and emergency response and recovery pursuant to RFP No. 17-014, as may be necessary to ensure continuity of such services after the expiration of the exigent circumstances period following Hurricane Harvey as determined by FEMA - Submitted by Michael Leech, Director of Public Works.

**Background/Summary:**

Utilizing an Interlocal Agreement with Harris County, the City entered into an agreement with Tetra Tech, Inc. on July 10, 2017 for debris monitoring services.

Subsequent to the Disaster Declaration for Hurricane Harvey, FEMA has said they may not reimburse entities that use contracts for debris monitoring that were obtained through Interlocal Agreements or Cooperative Purchasing. It is FEMA's preference that entities go through their own Request For Proposal (RFP) process to select and enter into contracts with the vendor. This could potentially impact numerous communities affected by Hurricane Harvey.

Utilizing FEMA's declaration of Exigent and Emergency Conditions which suspends State purchasing laws and is scheduled to expire on October 10, 2017, the City has expedited the RFP process to seek a vendor to be in compliance with FEMA preferences. It is possible the Exigent and Emergency Conditions may be extended beyond October 10, 2017 though this has not yet been confirmed.

This contract is for services for event preparation and monitoring of the debris collection. Services include disaster preparedness and emergency response and recovery. They will assist with documentation preparation and meeting with FEMA to insure compliance and maximizing the reimbursement to the City.

**Previous Council Action Summary:**

The City entered into an agreement with Tetra Tech, Inc. utilizing an Interlocal Agreement with Harris County, TX on July 10, 2017 with Ordinance No. 17-041.

**Fiscal Impact:**

No funds will be expended unless the contract is activated.

**City Attorney Review:**

The City attorney has reviewed this item.

**Recommendation:**

The Public Works Director recommends City Council approval of the attached ordinance for professional services with the Proposer providing the most advantageous Proposal.

**ATTACHMENTS:**

- Ordinance for Debris Monitoring (DOCX)



**ORDINANCE NO. 17-\_\_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLAIRE, TEXAS, AUTHORIZING THE MAYOR AND THE CITY CLERK OF THE CITY OF BELLAIRE, TEXAS, TO EXECUTE AND ATTEST TO, RESPECTIVELY, FOR AND ON BEHALF OF THE CITY OF BELLAIRE, TEXAS, A STANDARD FORM OF AGREEMENT WITH XXXX, FOR THE PURCHASE OF MONITORING OF DISASTER-GENERATED DEBRIS REMOVAL, MANAGEMENT, AND RELATED SERVICES ASSOCIATED WITH DISASTER PREPAREDNESS AND EMERGENCY RESPONSE AND RECOVERY.**

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

THAT the Mayor and the City Clerk of the City of Bellaire, Texas, are each hereby authorized to execute and attest to, respectively, for and on behalf of the City of Bellaire, Texas, a Standard Form of Agreement with XXXX, as attached hereto and marked Exhibit "A", for the purchase of Monitoring of Disaster-Generated Debris Removal, Management, and Related Services associated with disaster preparedness and emergency response and recovery.

**PASSED** and **APPROVED** this 9th day of October, 2017.

(SEAL)

**ATTEST:**

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

**SIGNED:**

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

**APPROVED AS TO FORM:**

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

Attachment: Ordinance for Debris Monitoring (2374 : Debris Monitoring Contract)