

CITY OF BELLAIRE TEXAS

MAYOR AND COUNCIL

JANUARY 8, 2018

Council Chamber	Council Installation	7:00 PM
-----------------	----------------------	---------

7008 S. RICE AVENUE
BELLAIRE, TX 77401



2016-2018

Andrew S. Friedberg, Mayor
Roman F. Reed, Mayor Pro Tem
Trisha S. Pollard, Council Member
Gus E. Pappas, Council Member
Pat B. McLaughlan, Council Member
Michael Fife, Council Member
David R. Montague, Council Member

2018-2020

Andrew S. Friedberg, Mayor
Neil Verma, Council Member
Trisha S. Pollard, Council Member
Gus E. Pappas, Council Member
Pat B. McLaughlan, Council Member
Michael Fife, Council Member
David R. Montague, Council Member

Mission Statement:

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

REGULAR SESSION - 7:00 P.M.**I. CITY COUNCIL INSTALLATION****A. Call to Order - Andrew S. Friedberg, Mayor.****B. Announcement of a Quorum - Andrew S. Friedberg, Mayor.**

Members of City Council, January 2016 - January 2018: Andrew S. Friedberg, Mayor; Roman F. Reed, Mayor Pro Tem and Council Member - Position No. 1; Trisha S. Pollard, Council Member - Position No. 2; Gus E. Pappas, Council Member - Position No. 3; Pat B. McLaughlan, Council Member - Position No. 4; Michael Fife, Council Member - Position No. 5; and David R. Montague, Council Member - Position No. 6.

C. Invocation - Dr. Roger Patterson, Bellaire resident and Senior Pastor, Crosspoint Church Bellaire.**D. Presentation of Colors - Honor Guard, Bellaire Police and Fire Departments.****E. Pledges to the Flags - Boy Scouts of America Troop 222, Bellaire United Methodist Church.****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.

F. Installation:

Presented to newly elected members of City Council: Andrew S. Friedberg, Mayor; Neil Verma, Council Member - Position No. 1; Gus E. Pappas, Council Member - Position No. 3; and Michael Fife, Council Member - Position No. 5.

1. Statement of Elected Officer - Jerel S. Twyman, Associate Judge, Bellaire Municipal Court.**2. Oath of Office - Lisa A. Wesely, Presiding Judge, Bellaire Municipal Court.****G. Welcome Address and Introduction of City Council and Families - Andrew S. Friedberg, Mayor.**

Members of City Council, January 2018 - January 2020: Andrew S. Friedberg, Mayor; Neil Verma, Council Member - Position No. 1; Trisha S. Pollard, Council Member - Position No. 2; Gus E. Pappas, Council Member - Position No. 3; Pat B. McLaughlan, Council Member - Position No. 4; Michael Fife, Council Member - Position No. 5; and David R. Montague, Council Member - Position No. 6.

H. Adjourn to City Hall Lobby for Refreshments.**II. REGULAR MEETING**

A. Call to Order - Andrew S. Friedberg, Mayor.**B. Announcement of a Quorum - Andrew S. Friedberg, Mayor.****C. Approval of Minutes.**

Consideration of and possible action on the adoption of the minutes of the Regular Session of the City Council of the City of Bellaire, Texas, held on Monday, January 23, 2017 - Submitted by Tracy L. Dutton, City Clerk.

{Note these minutes were inadvertently overlooked for adoption in early 2017 and are now presented to City Council for consideration.}

Mayor and Council - Regular Session - Jan 23, 2017 5:45 PM

D. 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.]

E. Reports and Presentations:

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. Monthly Financial Report for the Period Ending November 30, 2017 - Submitted by Terrence Beaman, Chief Financial Officer.

F. New Business:**1. Adoption of Ordinances:**

- a. Consideration of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, electing a Mayor Pro Tempore for a term commencing on January 8, 2018, and ending on January 6, 2020 - Submitted by Tracy L. Dutton, City Clerk.

- b. Consideration of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, appointing a citizen member to the Audit Finance Board of the City of Bellaire, Texas, for a one-year term commencing on February 1, 2018, and ending on January 31, 2019, or other action regarding the process for the selection of a citizen appointee - Submitted by Tracy L. Dutton, City Clerk.

2. Mayoral Appointments:

- a. Mayoral Appointments to the Audit Finance Board: Andrew S. Friedberg, Mayor, will appoint three (3) members of the City Council of the City of Bellaire, Texas, to serve on the Audit Finance Board of the City of Bellaire, Texas, for a one-year term commencing on February 1, 2018, and ending on January 31, 2019 - Submitted by Tracy L. Dutton, City Clerk.
- b. Mayoral Appointments of City Council Liaisons to Bellaire Boards and Commissions: Andrew S. Friedberg, Mayor, will appoint members of City Council to serve as Liaisons for a term of approximately one year to the following Boards and Commissions: Board of Adjustment, Building and Standards Commission, Cultural Arts Board, Environmental and Sustainability Board, L.I.F.E. Advisory Board, Parks and Recreation Advisory Board, and Planning and Zoning Commission - Submitted by Tracy L. Dutton, City Clerk.

G. 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, Section 551.0415.

H. Adjourn.



CITY OF BELLAIRE TEXAS

MAYOR AND COUNCIL

JANUARY 23, 2017

Council Chamber and Council Conference Room
5:45 PM

Regular Session

7008 S. RICE AVENUE
BELLAIRE, TX 77401

REGULAR SESSION - 5:45 P.M.

I. REGULAR MEETING

A. Call to Order - Andrew S. Friedberg, Mayor.

Andrew S. Friedberg, Mayor, called the Regular Session of the City Council of the City of Bellaire, Texas, to order at 5:45 p.m. on Monday, January 23, 2017. The Regular Session was held in the Council Chamber, First Floor of City Hall, 7008 South Rice Avenue, Bellaire, Texas 77401-4411.

B. Announcement of a Quorum - Andrew S. Friedberg, Mayor.

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	Present
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, and Tracy L. Dutton, City Clerk. Alan P. Petrov, City Attorney, arrived after the interviews were conducted and participated in the remainder of the Regular Meeting and the Closed Meeting.

*Council Member Pat B. McLaughlan arrived shortly after the Regular Session was called to order and went directly into the Council Conference Room where interviews of board and commission applicants were being conducted.

C. Board and Commission Interviews (Council Conference Room):

Interview, discussion, and evaluation of applicants interested in serving as the citizen member of the Audit Finance Board of the City of Bellaire, Texas, and in filling a vacancy on the Cultural Arts Board of the City of Bellaire, Texas - Submitted by Tracy L. Dutton, City Clerk.

Mayor Friedberg announced that members the City Council would move into the Council Conference Room to conduct interviews of applicants interested in serving on the Audit Finance Board and the Cultural Arts Board. Members of the

Minutes Acceptance: Minutes of Jan 23, 2017 5:45 PM (Approval of Minutes.)

public were invited to join City Council in the Council Conference Room for the interviews.

Members of City Council interviewed three (3) applicants for the Audit Finance Board and three (3) applicants for the Cultural Arts Board as follows:

Time of Interview	Applicant	Area of Interest
5:45 p.m. - 6:00 p.m.	Jeanne Parker	Cultural Arts Board
6:00 p.m. - 6:15 p.m.	Patricia D. Lunn, CPA	Audit Finance Board
6:15 p.m. - 6:30 p.m.	Shampa C. Mukerji	Cultural Arts Board
6:30 p.m. - 6:45 p.m.	Jason Taibel, CPA	Audit Finance Board
6:45 p.m. - 7:00 p.m.	Sneha Bhavsar	Cultural Arts Board
7:00 p.m. - 7:15 p.m.	Griff Godwin, CPA	Audit Finance Board

One other applicant, Susan Downs, was interviewed by the City Council on January 5, 2017. Ms. Downs' area of interest was the Cultural Arts Board.

After the interview process and following a brief recess, members of the City Council returned to the Council Chamber at 7:25 p.m. on Monday, January 23, 2017, and continued with the Regular Meeting.

D. Inspirational Reading and/or Invocation - Trisha S. Pollard, Council Member.

Trisha S. Pollard, Council Member, provided the inspirational reading.

E. Pledges of Allegiance - Trisha S. Pollard, Council Member.

Council Member Pollard led the members of the City Council and the audience in the U.S. Pledge of Allegiance and the Pledge to the Texas Flag.

F. Personal/Audience Comments.

Mayor Friedberg announced that oral comments would be received by the City Council on subjects other than the subject of item H.2.a., which were the proposed amendments to the zoning regulations for the R-MF Residential Multifamily District and related sections, as oral public comment on that item was closed following the public hearing previously held. Mayor Friedberg reminded speakers that the time limit for public comments was five (5) minutes, with no extension, and with notice after four (4) minutes that one (1) minute was left.

James Rowe:

Mr. Rowe addressed City Council to follow up on the City investigation that he was told would be completed on January 15, 2017, and indicated that he was interested in the conclusion of the investigation.

Mr. Rowe also advised that the home being constructed next to him had a dangerous construction fence around it, in his opinion. He noted that materials were sticking out of the fence, such as wooden stakes. Mr. Rowe reported that construction debris had fallen into his yard and that a new excessive drainage problem had been created in his yard, in his opinion, from the new construction.

Although the new construction had been red-tagged on January 12, 2017, Mr. Rowe

reported that building continued.

Kerry Dunn:

Mr. Dunn addressed City Council regarding street flooding/drainage issues in the 4500 block of Mimosa Drive. Mr. Dunn indicated that it was his position that the one drain at the end of the cul-de-sac was too small to cover the 22-23 homes on Mimosa Drive. During heavy rains, the drain became clogged up with debris and leaves, making it necessary for Mr. Dunn and one of his neighbors to clear the drain of debris and leaves so that water would flow out.

Mr. Dunn reported that he had received an email on November 1, 2016, from the Public Works Department stating that the drain would be redone. The work was supposed to be started within one month and nothing had happened. Mr. Dunn also stated that it was his opinion that the street needed a larger drain at the end of the cul-de-sac and several other drains along the cul-de-sac so that water would flow.

In closing, Mr. Dunn stated that he did not understand why the City was spending millions on replacing the City Hall when the residents of Bellaire needed to have their drainage repaired. He urged City Council to take some quick actions to address the drainage situation.

Kumar Saran:

Mr. Saran reinforced the problem that Mr. Dunn addressed with City Council. The drain was very small, in his opinion, and served as a drain for the entire street. Every time it rained, the residents in the 4500 block of Mimosa Drive got nervous. Neighbors usually spent one to one and one-half hours trying to clear the drain.

As with Mr. Dunn, Mr. Saran suggested installing more drains and widening the existing drain to address the drainage issues.

Amanda Forner:

Ms. Forner addressed City Council regarding street flooding in the 4500 block of Mimosa Drive. She noted that she and some of her neighbors had previously addressed City Council regarding drainage, as did residents on the 4300 block of Mildred Street. It was her understanding that the 4300 block of Mildred Street had gotten new drains and was no longer having drainage problems.

Ms. Forner urged City Council to address Mimosa Drive in the same manner as Mildred Street was addressed.

Amit Pawaskar:

Mr. Pawaskar addressed City Council regarding the Plaza Terrace Townhomes on First Street between Elm Street and Palmetto Street. He, too, wished to complain about flooding in the area. He noted that First Street had been reconstructed, but provided no improvements with respect to drainage, in his opinion. He told City Council that he wanted to know what was being done to improve the drainage system across the City of Bellaire.

Lynn McBee:

Ms. McBee addressed City Council and urged them to consider selling sandbags for

residential use as the drainage issues would never be completed, in her opinion.

Reference was made to item I.H.2.c., which was a recommendation that a portion of Loftin Park be used to store materials to build the new City Hall. That open space, for which a policy was drafted and adopted several years ago, was the site and subject of a pitched battle to hold some open space. That policy had worked very well, in her opinion, until now. Her question was related to a "whereas" clause on page 2 of 3 in the ordinance which had been drafted for the agenda item. That clause stated that all trees not identified in the construction drawings be removed or protected with proper tree protection. She expressed concern that construction drawings were not included in the agenda packet, noting that she wished to know how many trees would be removed and the location of those trees.

Written Comments:

Mayor Friedberg advised that two written comments had been received from neighbors of Mr. Pawaskar in Plaza Terrace Townhomes, **Stephanie Goldfield** and **Barbara Hartsock**, echoing the same concerns and urged that the flooding situation be a top priority for City Council.

Mayor Friedberg advised that complete copies of the written comments had been provided to City Council for their consideration and would be included in the record of the meeting.

G. Report:

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 January 23, 2017, to members of the City Council. The report included updates on communications, personnel activity, the January 18th storm event, and the timeline for the City's Citizen Survey.

City Manager Hofmann noted that he would be presenting proposed drainage, street, and sidewalk criteria to City Council in the near future. Brief overviews of upcoming agenda items and events were also provided by City Manager Hofmann.

Mayor Friedberg opened the floor for questions from members of City Council. Following questions, Mayor Friedberg announced that the City Manager's Report was concluded and moved to the next item on the agenda.

H. New Business:

1. Consent Agenda:

a. Approval of Minutes:

Consideration of and possible action on the adoption of the minutes of the Regular Session of the City Council of the City of Bellaire, Texas, held on Monday, December 19, 2016 - Submitted by Tracy L. Dutton, City Clerk.

Mayor and Council - Regular Session - Dec 19, 2016 7:00 PM

b. Purchase of Vehicles and Heavy Equipment:

Consideration of and possible action on a request from the Public Works; Parks, Recreation and Facilities; and Development Services Departments for City Council approval to purchase nine (9) vehicles and two (2) pieces of heavy equipment as funded in the FY 2017 Budget and authorizing the Mayor of the City of Bellaire, Texas, to execute, for and on behalf of the City of Bellaire, Texas, any and all necessary documentation associated with the purchase of four (4) Ford F-250 trucks from Chastang Ford in the amount of \$96,984.00, one (1) Peterbilt dump truck, and one (1) Peterbilt garbage truck from Rush Truck Center Houston in the amount of \$379,843.00, one (1) Ford Explorer and two (2) Ford F-150 crew cab trucks from Sam Pack's Five Star Ford in the amount of \$78,558.80, and one (1) Kubota M62TLB-B backhoe, and one (1) Kubota KX014-4R1 mini-excavator from Lansdowne-Moody Company – Southwest in the amount of \$82,520.15 - Submitted by Shawn Cox, Administrative Services Manager, Public Works Department.

c. Contract Awards:

- i. Consideration of and possible action on a recommendation from the Public Works Department to award engineering services for the FY 2017 Street and Sidewalk Pavement Management Project to ARKK Engineers, LLC, in an amount not to exceed \$200,300.00 and 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, respectively, for and on behalf of the City of Bellaire, Texas, a Contract and Agreement for Engineering Services with ARKK Engineers, LLC, for said project in an amount not to exceed \$200,300.00 - Submitted by Paul A. Hofmann, City Manager.
- ii. Consideration of and possible action on a recommendation from the Public Works Department to award Bid No. 17-003, Renwick Ground Storage Tank Rehabilitation Project, to Central Tank Coatings, Inc., in an amount not to exceed \$287,000.00 and 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, respectively, for and on behalf of the City of Bellaire, Texas, a Standard Form of Agreement with Central Tank Coatings, Inc., for said project in an amount not to exceed \$287,000.00 - Submitted by Paul A. Hofmann, City Manager.
- iii. 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, respectively, for and on behalf of the City of Bellaire, Texas, a Standard Form of Agreement by and between Hou-Scape, Inc. and the City of Bellaire, Texas, for landscape maintenance services for Evelyn's Park for an initial term ending on September 30, 2017, in a monthly amount not to exceed \$2,704.48 - Submitted by Karl Miller, Director of Parks, Recreation and Facilities.

Mayor Friedberg read the captions of the five (5) items included on the Consent Agenda and asked if any member of City Council wished to remove one or more items from the Consent Agenda for separate consideration.

Michael Fife, Council Member, asked to remove H.1.c.iii. for separate consideration, which was related to a landscaping management contract for Evelyn's Park.

Hearing no other requests to remove additional items from the Consent Agenda, **Mayor Friedberg** entertained a motion to adopt the remainder of the Consent Agenda.

Motion:

To adopt the remainder of the Consent Agenda, which consisted of all items except for H.1.c.iii.

{Moved by Roman F. Reed, Mayor Pro Tem, and seconded by Michael Fife, Council Member}

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Roman F. Reed, Mayor Pro Tem
SECONDER:	Michael Fife, Council Member
AYES:	Friedberg, Reed, Pollard, Pappas, McLaughlan, Fife, Montague
NAYS:	None
ABSENT:	None

Separate Consideration of item H.1.c.iii.

Mayor Friedberg read the caption of agenda item H.1.c.iii. and entertained a motion to adopt the ordinance as presented.

Motion:

To adopt the ordinance as presented authorizing the execution and attestation of a Standard Form of Agreement, by and between Hou-Scape, Inc., and the City, for landscape maintenance services for Evelyn's Park for an initial term ending on September 30, 2017, in a monthly amount not to exceed \$2,704.48.

{Moved by Gus E. Pappas, Council Member, and seconded jointly by Roman F. Reed, Mayor Pro Tem, and Pat B. McLaughlan, Council Member}

Mayor Friedberg opened the floor for discussion and deliberation.

Discussion and deliberation ensued among the members of City Council, after which action was taken on the motion.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gus E. Pappas, Council Member
SECONDER:	Roman F. Reed, Mayor Pro

	Tem, and Pat B. McLaughlan, Council Member
AYES:	Friedberg, Reed, Pollard, Pappas, McLaughlan, Fife, Montague
NAYS:	None
ABSENT:	None

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

- a. Consideration of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, amending Chapter 24, Planning and Zoning, Sec. 24-535, R-MF Residential Multi-family District, and related sections, including Sec. 24-513 Landscaping, Screening and Buffering; and Sec. 24-513a, Design Standards in Commercial and Mixed-Use Districts, of the Code of Ordinances of the City of Bellaire, Texas, to ensure that future redevelopments are compatible with existing commercial regulations, and to establish improved buffering of existing adjacent single-family residential districts - Submitted by John McDonald, Director of Development Services.

Mayor Friedberg read the agenda caption and noted that this item was the subject of a public hearing during the last City Council Regular Session. To begin deliberation, Mayor Friedberg entertained a motion to adopt the ordinance as presented amending Section 24-535 concerning the R-MF Zoning District and related sections in the Code of Ordinances.

Motion:

To adopt the ordinance as presented amending Section 24-535 concerning the R-MF Zoning District and related sections in the Code of Ordinances.

{Moved by Trisha S. Pollard, Council Member, and seconded by David R. Montague, Council Member}

Mayor Friedberg opened the floor for discussion. Following discussion, Council Member McLaughlan offered an amendment to the motion.

Amendment No. 1:

To include elevators in the ordinance.

{Moved by Pat B. McLaughlan, Council Member, and seconded by Roman F. Reed, Mayor Pro Tem}

Discussion ensued among members of the City Council regarding the amendment. Following discussion, **Mayor Friedberg** restated the amendment and action was taken.

RESULT:	FAILED [2 TO 5]
MOVER:	Pat B. McLaughlan, Council Member
SECONDER:	Roman F. Reed, Mayor Pro Tem
AYES:	Reed, McLaughlan

NAYS:	Friedberg, Pollard, Pappas, Fife, Montague
ABSENT:	None

Mayor Friedberg restated the original motion, after which action was taken.

RESULT:	ADOPTED [5 TO 2]
MOVER:	Trisha S. Pollard, Council Member
SECONDER:	David R. Montague, Council Member
AYES:	Friedberg, Pollard, Pappas, Fife, Montague
NAYS:	Reed, McLaughlan

- b. Consideration of and possible action on a recommendation from the financial advisor to the City of Bellaire, Texas, regarding the award of a bid for bonds and on the adoption of an ordinance authorizing the issuance of "\$33,460,000 City of Bellaire, Texas, General Obligation Bonds, Series 2017"; specifying the terms and features of said bonds; pledging the levy of a continuing annual ad valorem tax upon all taxable property within the City for the payment of the principal and interest on such bonds; enacting provisions incident and related to the issuance, delivery, payment of, and security for such bonds; approving and authorizing the distribution of an Official Statement; awarding the sale of such bonds and authorizing and approving a Paying Agent/Registrar Agreement - Submitted by Terrence Beaman, Chief Financial Officer.

Mayor Friedberg read the caption of the agenda item and provided a brief introduction. Following the introduction, Mayor Friedberg entertained a motion to award the bid for bonds and adopt the ordinance as presented for the issuance of \$33,460,000.00, City of Bellaire, Texas, General Obligation Bonds, Series 2017.

Motion:

To award the bid for bonds and adopt the ordinance as presented for the issuance of \$33,460,000.00, City of Bellaire, Texas, General Obligation Bonds, Series 2017.

{Moved by Gus E. Pappas, Council Member, and seconded by Trisha S. Pollard, Council Member}

Mayor Friedberg opened the floor for discussion regarding the motion. Following discussion, action was taken on the motion. **Jim Gilley, U.S. Capital Advisors**, briefed City Council on the bid process for the bonds. Mr. Gilley reported that eight bids were received at 11:00 a.m. today, and the best bid was submitted by Robert W. Baird & Co. at a 3.40% rate.

RESULT:	ADOPTED [6 TO 1]
MOVER:	Gus E. Pappas, Council Member
SECONDER:	Trisha S. Pollard, Council Member
AYES:	Friedberg, Reed, Pollard, Pappas, Fife, Montague
NAYS:	McLaughlan

- c. Consideration of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, granting a temporary code suspension related to Chapter 27, Streets, Sidewalks and Public Places, Article V, Public Parks, Section 27-96, Laurel Street Open Space Policy, of the Code of Ordinances of the City of Bellaire, Texas, for the purpose of providing an area for staging construction equipment, materials, supplies and other construction-related items associated with the Municipal Facilities Project - Submitted by Karl Miller, Director of Parks, Recreation and Facilities.

Mayor Friedberg read the caption and, prior to turning over the floor, advised that the City Council had received a staff presentation on December 19, 2016, concerning the Transition Management Plan for the Municipal Facilities Project.

Karl Miller, Director of Parks, Recreation and Facilities, advised that the item before City Council was a request to suspend the prohibitions identified in Ordinance No. 95-017 (Section 27-96 of the Code of Ordinances), known as the Laurel Street Open Space Policy, for a specified area within Loftin Park to allow for a staging area during the construction of the new City Hall. The staging area was necessary for the construction as the General Contractor had to have an area where he could store his supplies, material, and equipment. The Laurel Street Open Space Policy currently prohibited that use.

Director Miller advised that the suspension would be temporary beginning on April 1, 2017, and ending during January of 2019, if not sooner. The most advantageous area within Loftin Park, determined by staff, Pierce, Goodwin, Alexander & Linville (PGAL), and Horizon-Christiansen (Construction Manager) was located from the curb at South Rice Avenue and extending approximately 140 feet into the park. Director Miller advised that using the area for staging would prohibit Loftin Park from being accessible directly from South Rice Avenue, and added that no trees would be affected by the staging area. The trees that were to be removed were identified in the construction drawings and were a direct result of construction and not from the use of the staging area (approximately seven trees). All associated costs would be identified in the guaranteed maximum price for the project.

Mayor Friedberg opened the floor for questions of Director Miller by members of City Council. Following questions, Mayor Friedberg entertained a motion to adopt the ordinance as presented.

Motion:

To adopt the ordinance as presented granting a temporary suspension of Section 27-96 of the Code of Ordinances for construction needs associated with the Municipal Facilities Project.

{Moved by Michael Fife, Council Member, and seconded by David R.

Montague, Council Member}

Mayor Friedberg opened the floor for questions and deliberation. Following questions and deliberation, an amendment to the motion was offered by Trisha S. Pollard, Council Member.

Amendment No. 1:

To delete the last "whereas" clause and paragraph 3 of the ordinance.

{Moved by Trisha S. Pollard, Council Member, and seconded by Gus E. Pappas, Council Member}

Mayor Friedberg opened the floor for deliberation on the amendment (no. 1) to the motion. Noting no discussion or deliberation, City Council acted on the amendment (no. 1).

RESULT:	ADOPTED [5 TO 2]
MOVER:	Trisha S. Pollard, Council Member
SECONDER:	Gus E. Pappas, Council Member
AYES:	Pollard, Pappas, McLaughlan, Fife, Montague
NAYS:	Friedberg, Reed
ABSENT:	None

Mayor Friedberg opened the floor for discussion on the motion, as amended. Hearing no further discussion, Mayor Friedberg **restated the motion, as amended**, as follows:

To adopt the ordinance as presented granting a temporary suspension of Section 27-96 of the Code of Ordinances for construction needs associated with the Municipal Facilities Project, as amended by deleting the last "whereas" clause and paragraph 3 of the ordinance.

RESULT:ADOPTED [5 TO 2]	
MOVER:	Michael Fife, Council Member
SECONDER:	David R. Montague, Council Member
AYES:	Friedberg, Pollard, Pappas, Fife, Montague
NAYS:	Reed, McLaughlan
ABSENT:	None

- d. Consideration of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, appointing a citizen member to the Audit Finance Board of the City of Bellaire, Texas, for a one-year term commencing on February 1, 2017, and ending on January 31, 2018 - Submitted by Tracy L. Dutton, City Clerk.

Mayor Friedberg read the agenda caption. He noted that members of the City Council had interviewed applicants earlier in the evening. Mayor Friedberg expressed his opinion that there were three good applicants for the position and expressed his sincere thanks to each of them for applying and for

their interest in serving.

Mayor Friedberg continued, and suggested that members of the City Council should first discuss as a threshold question whether to reappoint the incumbent who had served as the citizen member of the Audit Finance Board for the last five years since the citizen position was created, or instead appoint someone new and give that person an opportunity to serve, as well as to bring a new perspective. Mayor Friedberg opened the floor for discussion.

Several members of the City Council praised the incumbent, Patricia D. Lunn, noting that she had done a great job, and expressed their appreciation for her willingness to either continue serving or give someone new the opportunity. General consensus among the City Council was that after five years it would be a good time to appoint someone new.

Following discussion, City Clerk Tracy L. Dutton distributed ballots listing the names of the three applicants to each member of the City Council. The ballots were tallied by the City Clerk, and the results read into the record by **Mayor Friedberg** as follows:

Griff Godwin received two votes from Council Members Trisha S. Pollard and David R. Montague;

Pat D. Lunn received two votes from Council Members Pat B. McLaughlan and Michael Fife; and

Jason Taibel received three votes from Mayor Andrew S. Friedberg, Mayor Pro Tem Roman F. Reed, and Council Member Gus E. Pappas.

None of the applicants received the necessary four votes for approval, which **Mayor Friedberg** indicated was reflective of the difficulty in choosing one of the applicants, each of whom were very qualified.

City Clerk Dutton provided new ballots to each member of City Council and tallied the results. **Mayor Friedberg** read the results into the record as follows:

Jason Taibel received five votes from Mayor Andrew S. Friedberg, Mayor Pro Tem Roman F. Reed, and Council Members Gus E. Pappas, Michael Fife, and David R. Montague;

Pat D. Lunn received one vote from Council Member Pat B. McLaughlan; and

Griff Godwin received one vote from Council Member Trisha S. Pollard.

Motion:

To adopt an ordinance in the form presented appointing Jason Taibel as the citizen member to the Audit Finance Board.

{Moved by Andrew S. Friedberg, Mayor, and seconded by Roman F. Reed, Mayor Pro Tem}

Noting no further discussion, action was taken on the motion, resulting in a

unanimous vote of the City Council.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Andrew S. Friedberg, Mayor
SECONDER:	Roman F. Reed, Mayor Pro Tem
AYES:	Friedberg, Reed, Pollard, Pappas, McLaughlan, Fife, Montague

- e. Consideration of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, appointing two (2) members to the Cultural Arts Board of the City of Bellaire, Texas, to fill two (2) unexpired terms, both commencing on January 23, 2017, and one ending on June 30, 2017, and one ending on June 30, 2018 - Submitted by Tracy L. Dutton, City Clerk.

Mayor Friedberg read the agenda caption, noting that there were two vacancies on the Cultural Arts Board, one of which would expire on June 30, 2017, and the other on June 30, 2018. Since the terms were not equal, Mayor Friedberg suggested that City Council take them up separately, beginning with the longer unexpired term (seventeen months ending in 2018).

City Clerk Dutton distributed ballots to each member of the City Council. City Clerk Dutton tallied the ballots and **Mayor Friedberg** read the results into the record as follows:

Sneha Bhavsar received four votes from Mayor Andrew S. Friedberg, Mayor Pro Tem Roman F. Reed, and Councilmembers Gus E. Pappas and Pat B. McLaughlan;

Jeanne Parker received two votes from Council Members Michael Fife and David R. Montague; and

Shampa Mukerji received one vote from Council Member Trisha S. Pollard.

Mayor Friedberg next asked members of the City Council to select another applicant, other than Sneha Bhavsar, for the shorter term expiring June 30, 2017.

Shampa Mukerji received four votes from Mayor Andrew S. Friedberg, Mayor Pro Tem Roman F. Reed, and Council Members Trisha S. Pollard and Pat B. McLaughlan; and

Jeanne Parker received three votes from Council Members Gus E. Pappas, Michael Fife, and David R. Montague.

Motion:

To adopt an ordinance in the form presented appointing Shampa C. Mukerji to fill the unexpired term ending June 30, 2017, and Sneha Bhavsar to fill the unexpired term ending June 30, 2018.

{Moved by Andrew S. Friedberg, Mayor, and seconded by Trisha S. Pollard, Council Member}

Noting no further discussion, action was taken on the motion, resulting in a unanimous vote of the City Council.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Andrew S. Friedberg, Mayor
SECONDER:	Trisha S. Pollard, Council Member
AYES:	Friedberg, Reed, Pollard, Pappas, McLaughlan, Fife, Montague

I. Community Interest Items from the Mayor and Council.

Community interest items from the Mayor and City Council included best wishes to Brant Gary, Director of Public Works, on his new job with the City of Fulshear, Texas; recognition of Mayor Friedberg for the remarks he made to the Bellaire Business Association at a recent meeting; expression of thanks and acknowledgement to residents for sharing their concerns regarding drainage issues; expressions of thanks to first responders and Public Works employees for their work; and reminders to attend the Daddy Daughter Dance on February 4, 2017, and the Annual State of the City meeting.

J. Adjourn.

Mayor Friedberg announced that the Regular Meeting of the City Council of the City of Bellaire, Texas, was adjourned at 10:49 p.m. on Monday, January 23, 2017.

II. CLOSED MEETING

A. Call to Order - Andrew S. Friedberg, Mayor.

Mayor Friedberg called the Closed Meeting of the City Council of the City of Bellaire, Texas, to order at 10:49 p.m. on Monday, January 23, 2017.

B. Announcement of a Quorum - Andrew S. Friedberg, Mayor.

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	Present
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; Alan P. Petrov, City Attorney; and Tracy L. Dutton, City Clerk.

Note: City Clerk Dutton did not participate in the closed portions of the meeting.

C. Retire into Closed Meeting in the Council Conference Room:

Retire into closed meeting pursuant to the *Texas Government Code, Chapter 551, Open Meetings Act, Section 551.071, Consultation with Attorney; Closed Meeting*, regarding the regulation of new home construction within the City of Bellaire, Texas.

Mayor Friedberg announced that members of the City Council were retiring into the Council Conference Room, located directly behind the Council Chamber, pursuant to the *Texas Government Code, Chapter 551, Open Meetings Act, Section 551.071, Consultation with Attorney; Closed Meeting*, at 10:50 p.m. on Monday, January 23, 2017.

D. Reconvene in Open Meeting in the Council Chamber:

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

Members of the City Council reconvened in the Council Chamber at 11:47 p.m. on Monday, January 23, 2017. **Mayor Friedberg** advised that no action would be taken this evening on items discussed in the closed meeting.

E. Adjourn.

Mayor Friedberg announced that the Closed Meeting of the City Council of the City of Bellaire, Texas, was adjourned at 11:48 p.m. on Monday, January 23, 2017.

Mayor and Council

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



Meeting: 01/08/18 07:00 PM
Department: City Manager's Office
Category: Presentation
Department Head: Paul A. Hofmann
DOC ID: 2406

**SCHEDULED
ACTION ITEM (ID # 2406)**

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

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



Meeting: 01/08/18 07:00 PM
Department: Finance Administration
Category: Report
Department Head: Terrence Beaman
DOC ID: 2412

**SCHEDULED
ACTION ITEM (ID # 2412)**

Item Title:

Monthly Financial Report for the Period Ending November 30, 2017 - Submitted by Terrence Beaman, Chief Financial Officer.

Background/Summary:

In accordance with the Charter of the City of Bellaire, Article VII, Section 4, Paragraph 3, please find attached the monthly financial report for the month of November for FY 2018.

Previous Council Action Summary:

N/A

Fiscal Impact:

N/A

Recommendation:

N/A

ATTACHMENTS:

- NOVEMBER MONTHLY FINANCIAL REPORT (PDF)

City of Bellaire

**Monthly Financial Report
for the period ended
November 30, 2017**



Table of Contents

Financial Analysis

Memorandum November Month End	1
-------------------------------------	---

Fund Statements

General Fund	26
Enterprise Fund	27
Debt Service Fund	28
Vehicle and Equipment Replacement Fund	29
Capital Improvement Fund	30
Capital Bond Fund.....	31
Metro Fund.....	32

Schedules

Current Property Tax Collections	33
Housing Information.....	34
Trend Analysis – Housing & Vacant Lots for Sale	34
Summary of Sales & Mixed Beverage Tax	35
Summary of Franchise Fees.....	36
Summary of Purchase Orders.....	37



City of Bellaire Finance

MEMORANDUM

To: Paul A. Hofmann, City Manager

From: Terrence Beaman, Chief Financial Officer

Date: January 8, 2018

Subject: Financial Analysis for Two months ended November 30, 2017

This financial analysis compares the actual year-to-date revenues and expenditures of the General Fund, Enterprise Fund, and Debt Service Fund to their respective allocated budgets.

The allocated budget accounts for cyclical trends in revenues and expenditures versus allocating a straight 1/12 of the annual budget per month. The allocated budget is based on the actual revenue/expenditures incurred by month as a percentage of the total revenue/expenditures incurred by year for the most recent five years.

GENERAL FUND

General Fund Revenues:

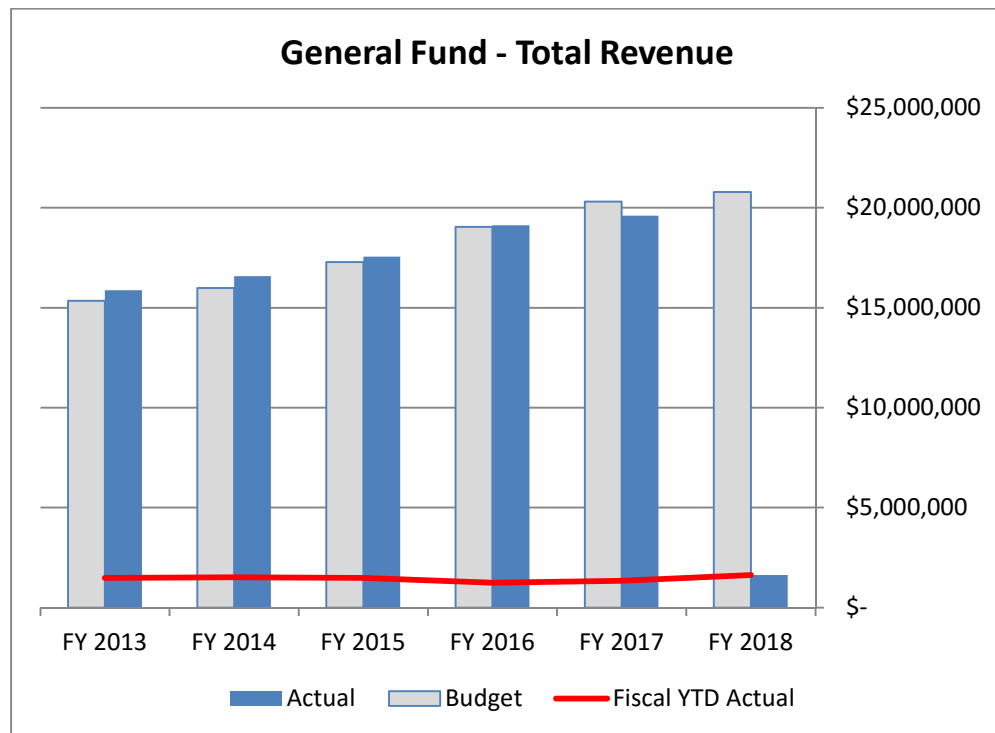
FY 2018 Budget	YTD Allocated Budget	YTD Actual	Over/(Under) Allocated Budget
\$20,783,835	\$1,553,431	\$1,555,855	2,424

For the two months ended November 30, 2017, the General Fund collected 7% of its total budgeted revenues and is over its allocated budget by \$2,424, or 0%.

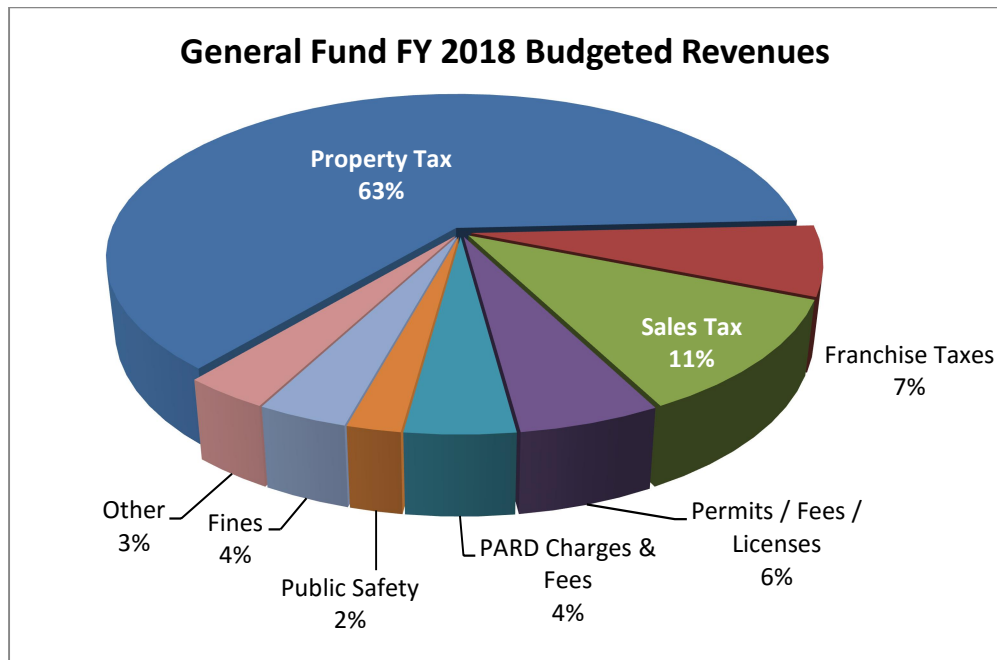
As reflected in the following table, the revenue categories with the largest individual variances from allocated budget are property tax, which is over budget by \$65,492 and permits/fees/licenses, public safety, and fines, which combined are under the allocated budget by \$63,347.

Revenue Category	FY 2018 Budget	YTD Allocated Budget	YTD Actual	Over/(Under) Allocated Budget
Property Tax	\$13,118,646	\$384,354	\$449,846	\$65,492
Franchise Tax	1,424,734	269,900	267,566	(2,334)
Sales Tax	2,348,555	367,807	359,013	(8,794)
Permits/Fees/Licenses	1,143,400	171,344	136,445	(34,899)
PARD Charges & Fees	887,400	69,095	76,201	7,106
Public Safety	436,400	63,840	47,056	(16,784)
Fines	730,000	115,211	103,547	(11,664)
Other	694,700	111,880	116,181	4,301
Total	\$20,783,835	\$1,553,431	\$1,555,855	\$2,424

A discussion of individual revenue categories follows the discussion of total revenues.

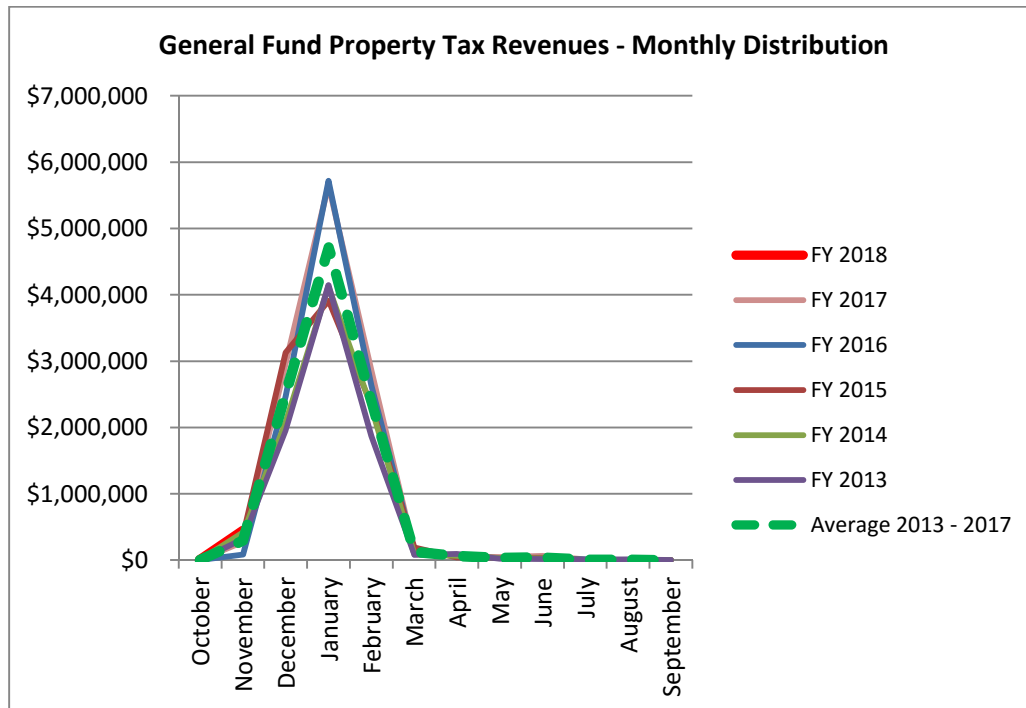


Property tax makes up the largest category of revenues in the General Fund at 63% of all FY 2018 budgeted revenues, followed by sales tax at 11% and franchise taxes at 7%.



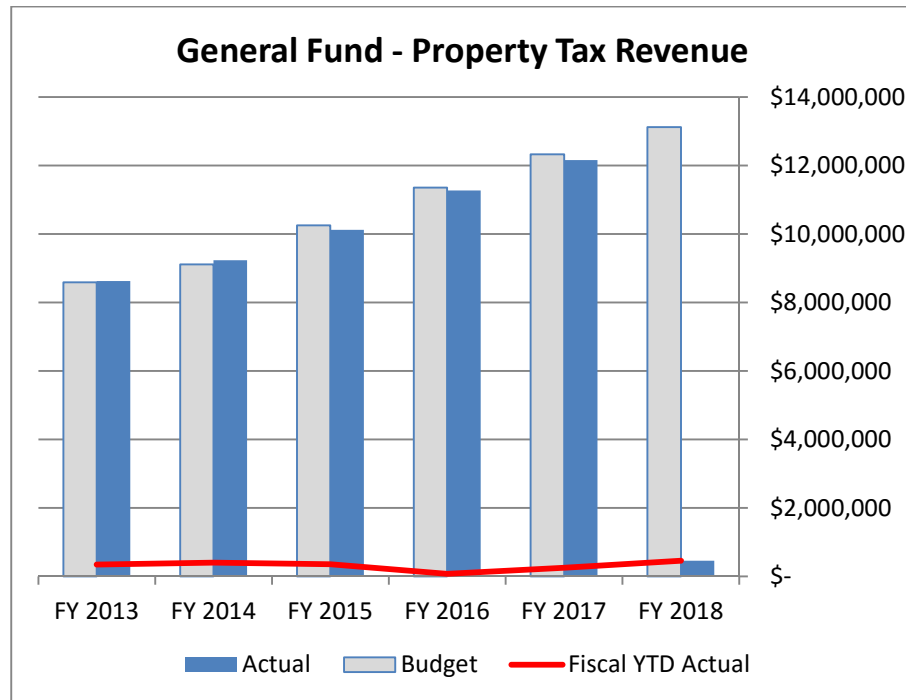
Property Tax

The timing of property tax collections is driven by the January 31 due date, after which penalties are incurred. As reflected in the following chart, Property taxes are weighted heavily toward the December to February time period due to the aforementioned due date.



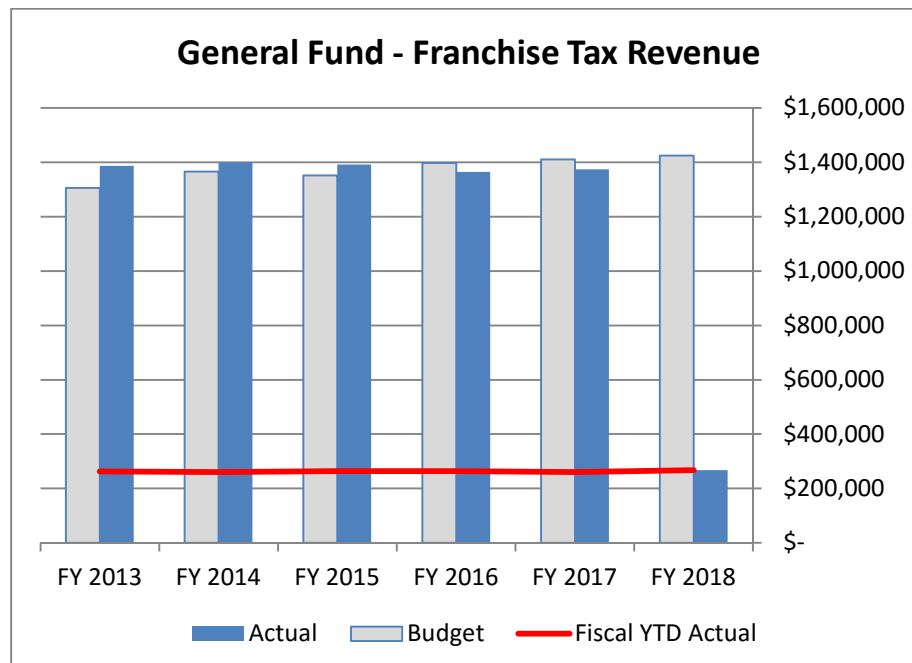
The City collected 3%, or \$449,846, of its budgeted property tax revenue during the two months ended November 30, 2017, which is over the allocated budget by \$65,492, or 17%.

FY 2018 property taxes are budgeted for \$13.1 million, an increase of \$0.8 million over FY 2017's \$12.3 million. The budgeted increase in property taxes is driven by a general tax rate increase of \$0.0127 per \$100 of assessed value, or 5.0%, and a 1.9% increase in taxable values.



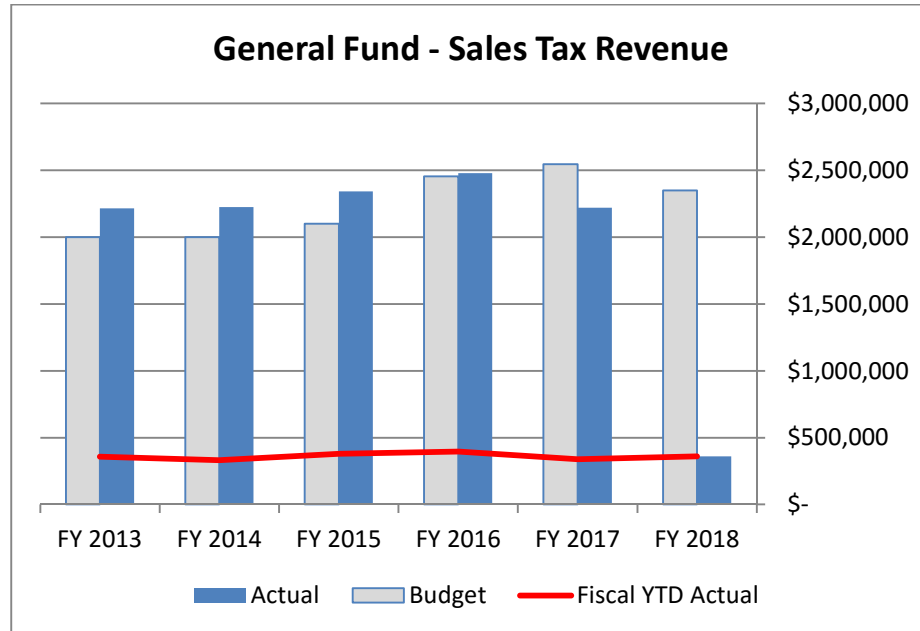
Franchise Taxes

Franchise taxes of \$267,566 for the two months ended November 30, 2017 are under the allocated budget by \$2,334, or 1%. Electric franchise tax payments are generally received monthly. Gas, telephone, and cable franchise tax payments are generally received quarterly.



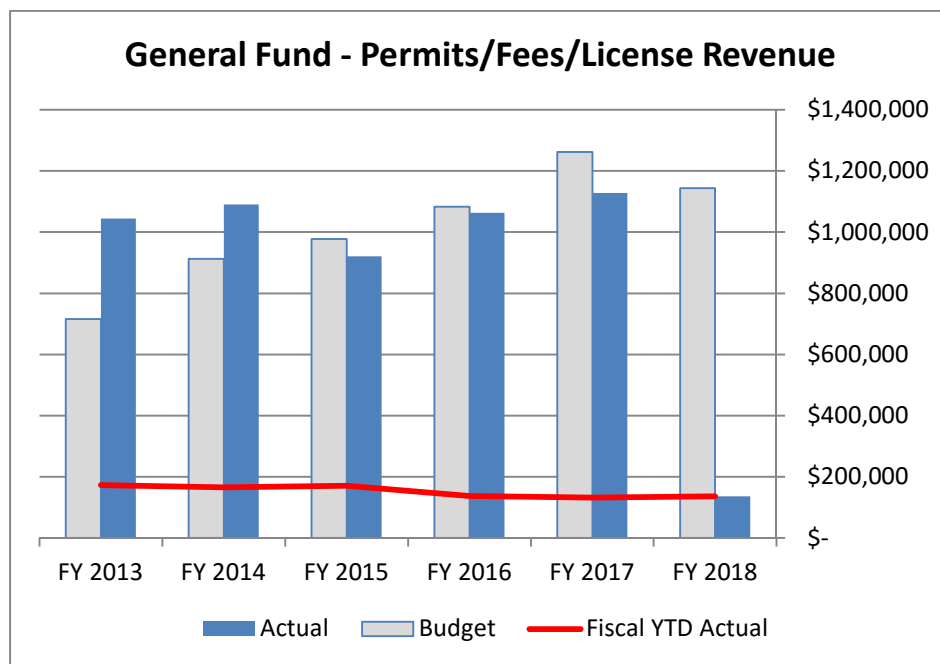
Sales Tax

Sales tax revenue of \$359,013 for the two months ended November 30, 2017, is under the allocated budget by \$8,794, or 2%.

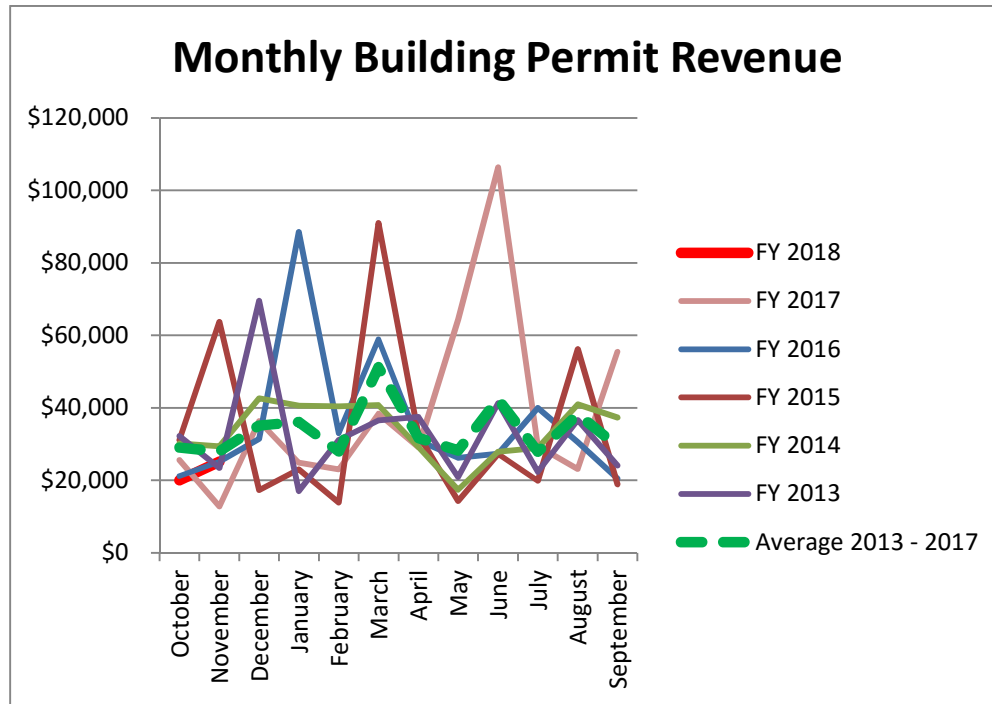


Permits, Fees, and Licenses

Development permits, fees, and licenses of \$136,445 are under the allocated budget by \$34,899, or 20%.

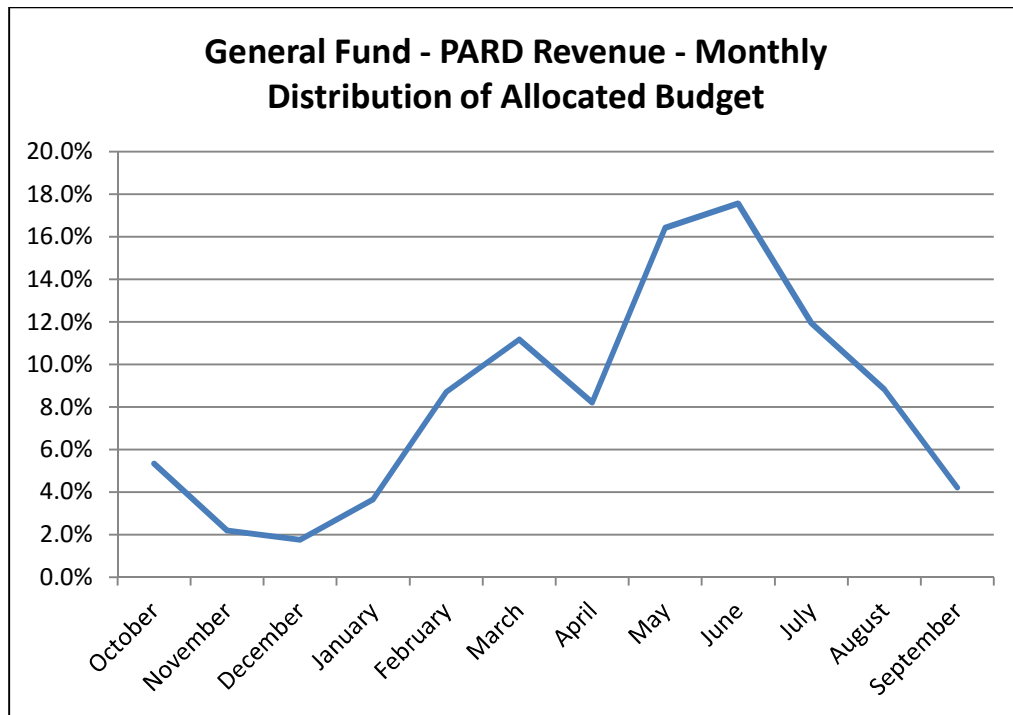


Building permit revenues make up 62% of the permits/fees/license revenue budget. As reflected in the following chart, building permit revenues are volatile from month-to-month. Other categories of building permit revenue exhibit similar monthly volatility. We will be watching permit revenues as the year progresses to determine if they continue to trail the allocated budget.

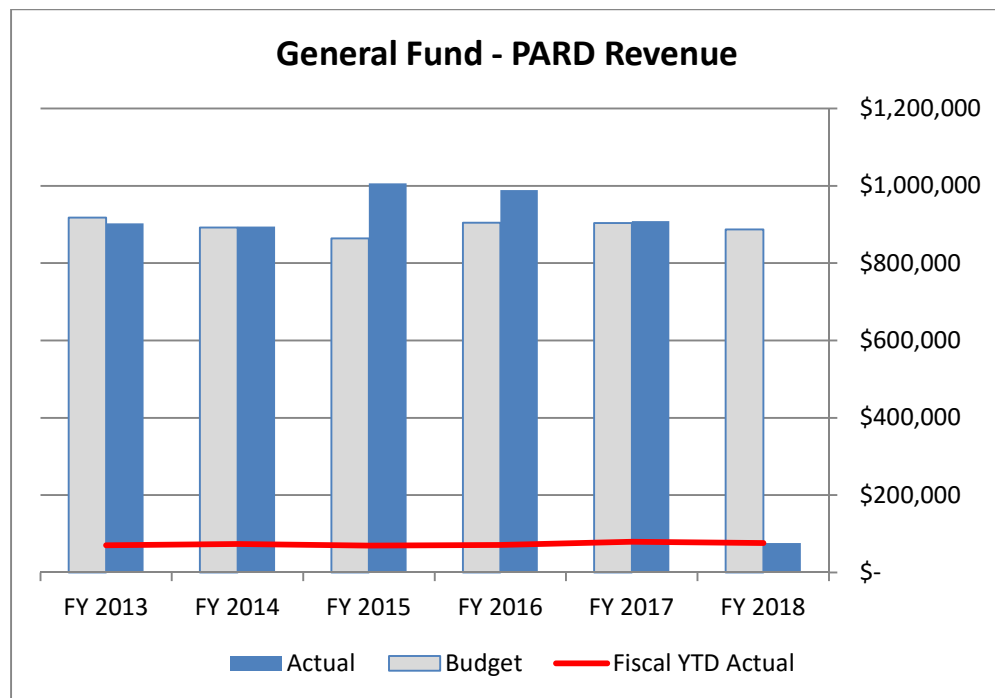


PARD Charges & Fees

As reflected in the following chart, Parks and Recreation fees are weighted heavily toward the summer months when Camp Paseo is operating and the swimming pools are open daily.

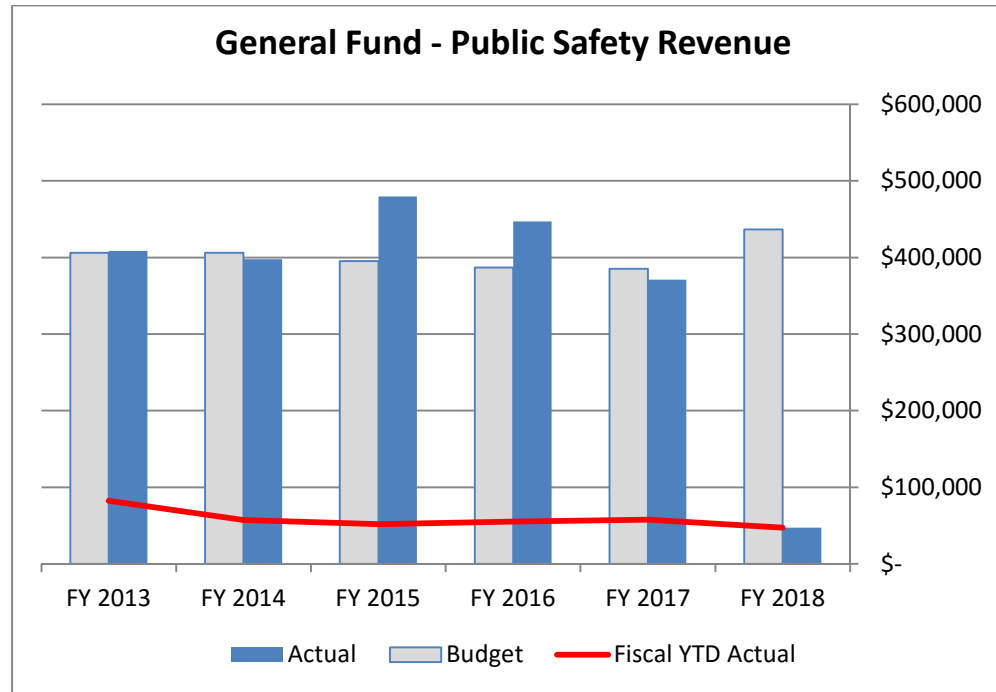


Parks and Recreation fees of \$76,201 are over the allocated budget by \$7,106, or 10%.

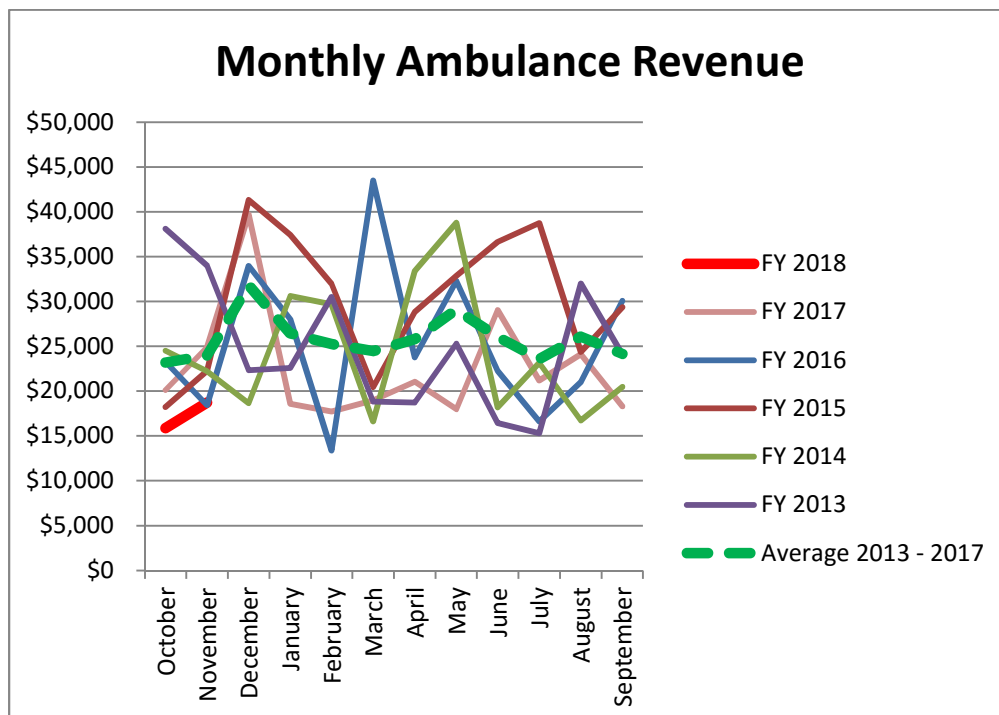


Public Safety

Public Safety revenues of \$47,056 are under the allocated budget by \$16,784, or 27%.

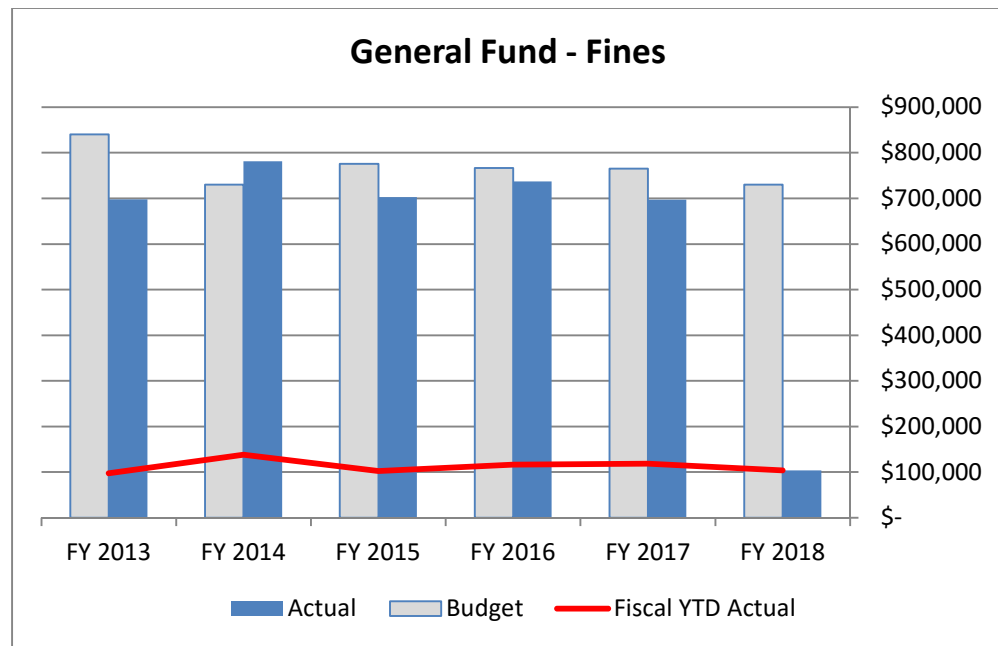


Ambulance fees make up 80% of the public safety revenue budget. As reflected in the following chart, ambulance fees are volatile from month-to-month. We will be watching public safety revenues as the year progresses to determine if they continue to trail the allocated budget.



Fines

Fine revenues of \$103,547 are under the allocated budget by \$11,664, or 10%.



General Fund Expenditures:

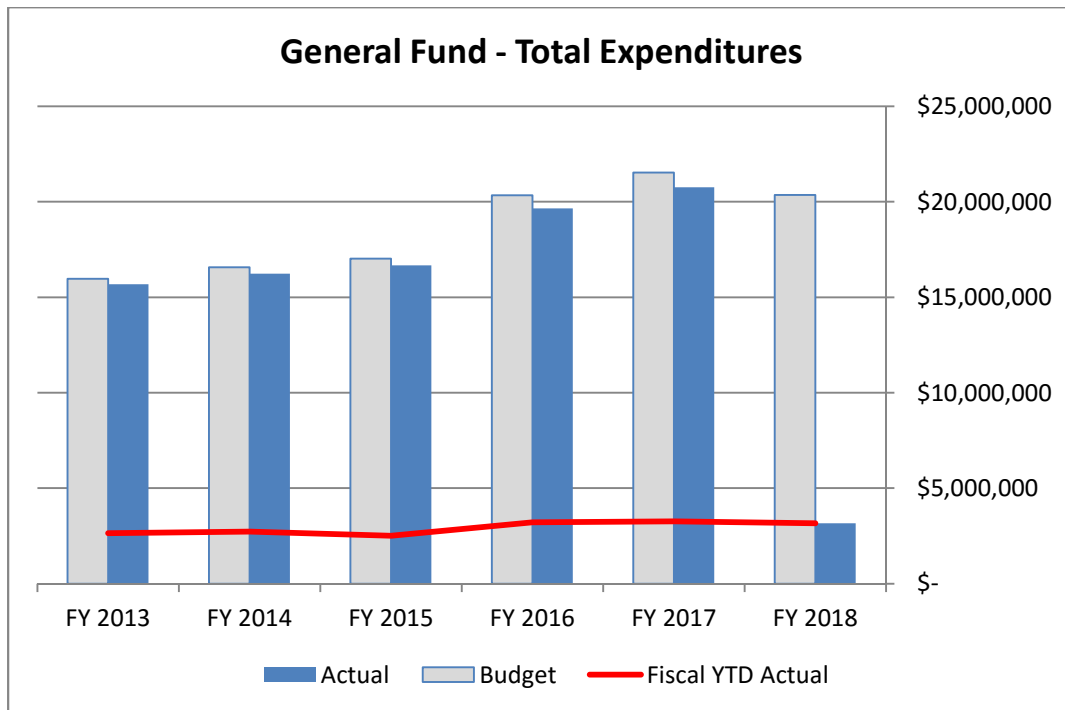
FY 2018 Budget	YTD Allocated Budget	YTD Actual	Over/(Under) Allocated Budget
\$20,359,848	\$3,315,171	\$3,149,108	(\$171,760)

For the two months ended November 30, 2017, the General Fund expended 15% of its total budgeted expenditures and is under its allocated budget by \$171,760, or 5%.

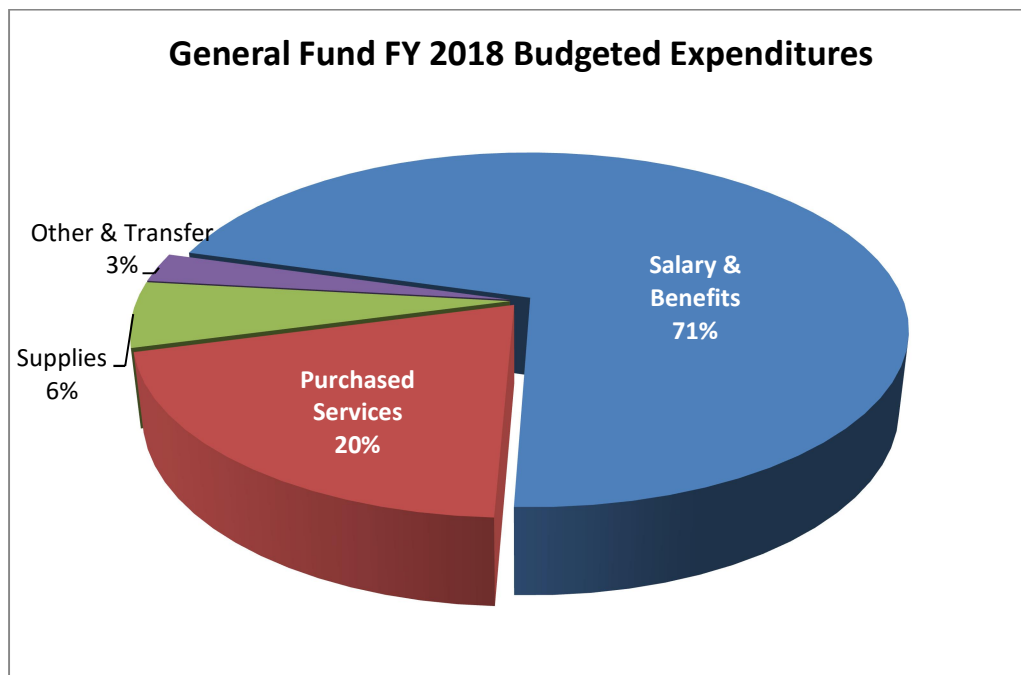
As reflected in the following table, the expenditure categories causing the majority of the variance from allocated budget are salaries, purchased services, and supplies, which combined are under the allocated budget by \$173,203.

Expenditure Category	FY 2018 Budget	YTD Allocated Budget	YTD Actual	Over/(Under) Allocated Budget
Salaries & Benefits	\$14,495,815	\$2,360,612	\$2,270,047	(\$90,565)
Purchased Services	4,110,441	699,609	654,475	(45,134)
Supplies	1,212,641	170,260	132,756	(37,504)
Other/Transfers	540,951	84,690	86,133	1,443
Non-Payroll Disaster	-	-	5,697	5,697
Total	\$20,359,848	\$3,315,171	\$3,149,108	(\$171,760)

A discussion of individual expenditure categories follows the discussion of total expenditures.

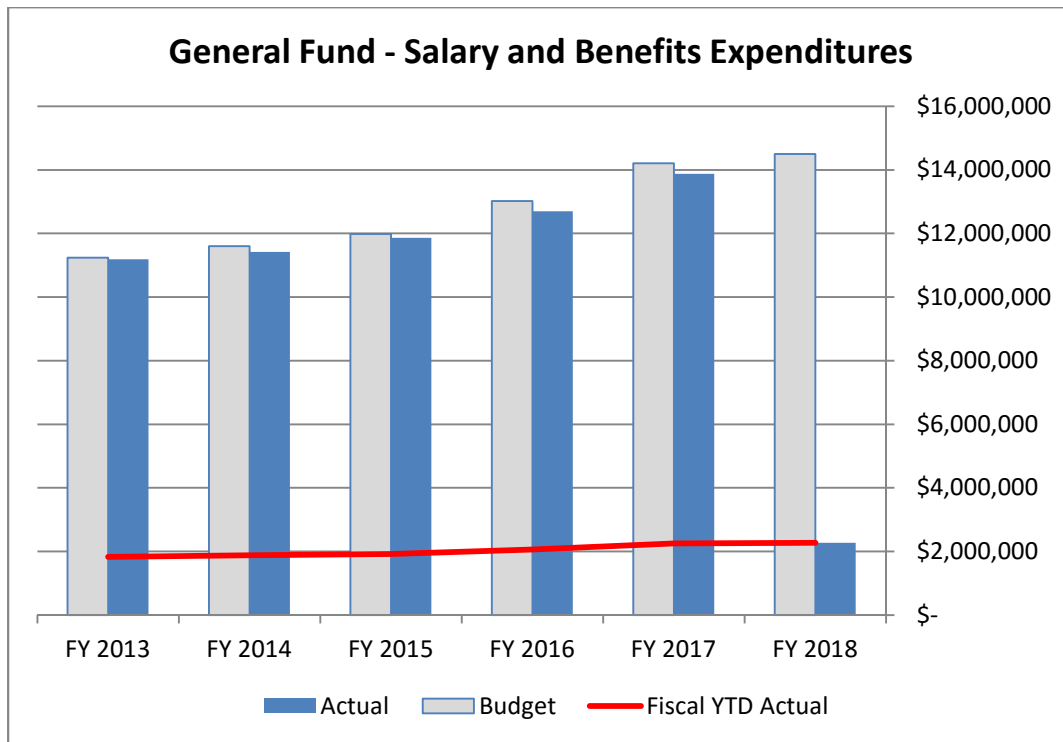


Salaries and benefits make up the largest category of expenditures in the General Fund at 71% of all FY 2018 budgeted expenditures, followed by purchased services at 20%.



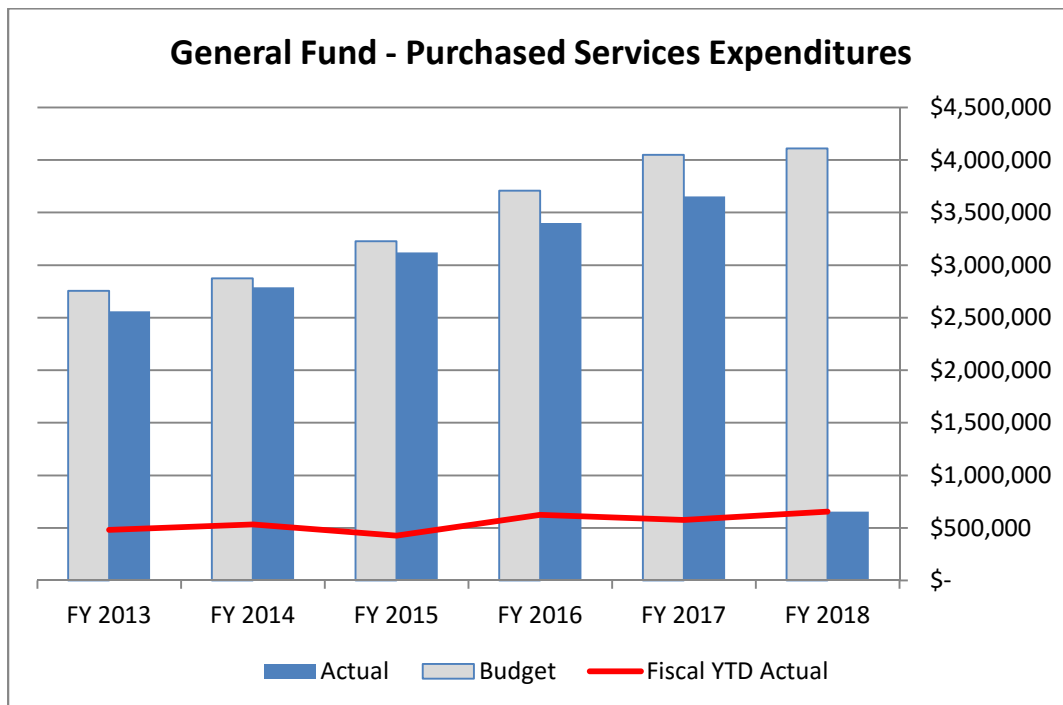
Salary and Benefits

Salary and benefits of \$2,270,047 are under the allocated budget by \$90,565, or 4%.



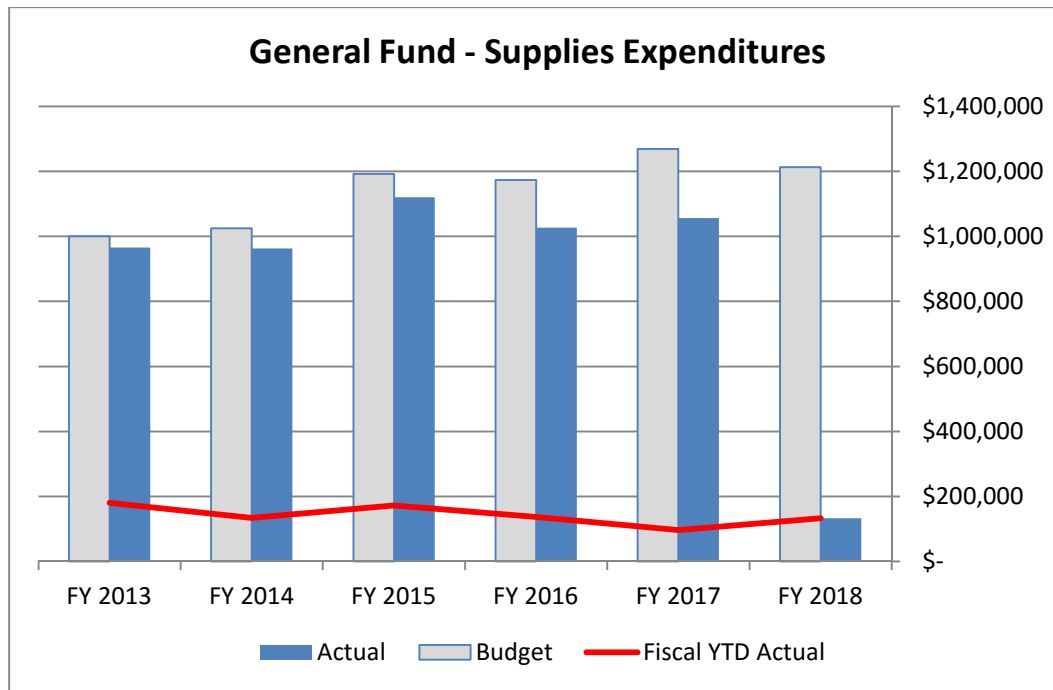
Purchased Services

Purchased services of \$654,475 are under the allocated budget by \$45,134, or 6%.



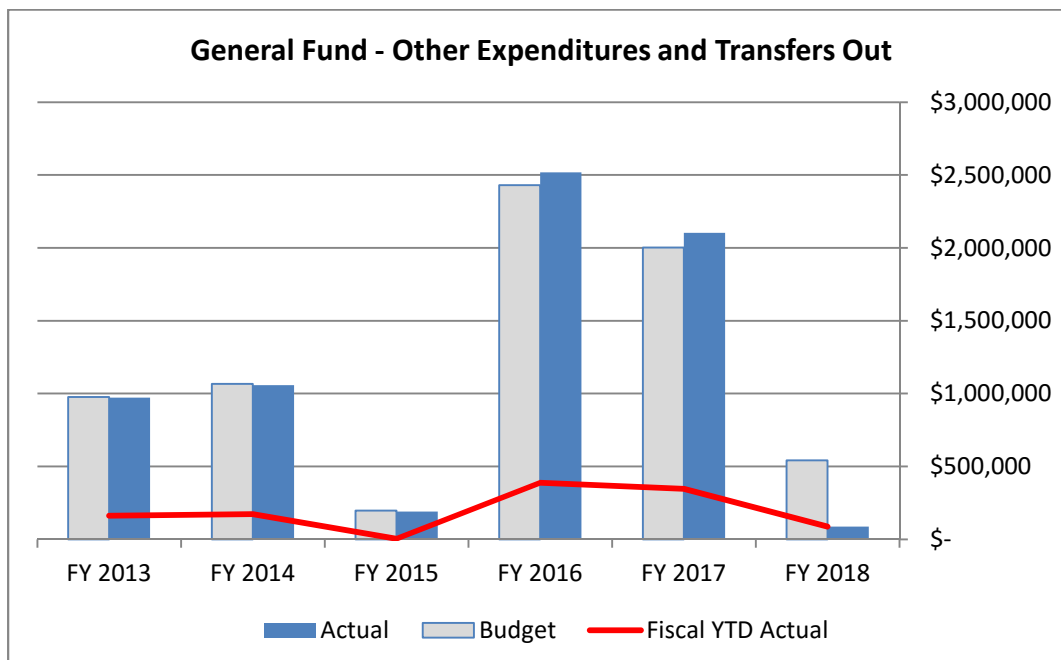
Supplies

Supplies of \$132,756 are under the allocated budget by \$37,504, or 22%.



Other Expenditures and Transfers Out

The “other expenditures and transfers out” category is mainly the monthly transfers from the General Fund to (1) the Capital Improvement Fund and (2) the Vehicle and Equipment Replacement Fund. Other expenditures and transfers out in the two months ended November 30, 2017, of \$86,133 are over the allocated budget by \$1,443, or 2%.



Total budgeted transfers out of the General Fund are \$492,926, or \$41,077/month.

G/L Account Classification	FY 2018 Budget	YTD Actual	Actual as % of Budget	% of FY Complete
740 – Operating Transfers Out	\$492,926	\$82,154	17%	17%
711 – Credit Card Fees	\$41,000	\$3,979	10%	17%
710 – Banking Charges	\$7,025	\$0	0%	17%
Total	\$540,951	\$86,133	16%	17%

ENTERPRISE FUND

Enterprise Fund Revenues:

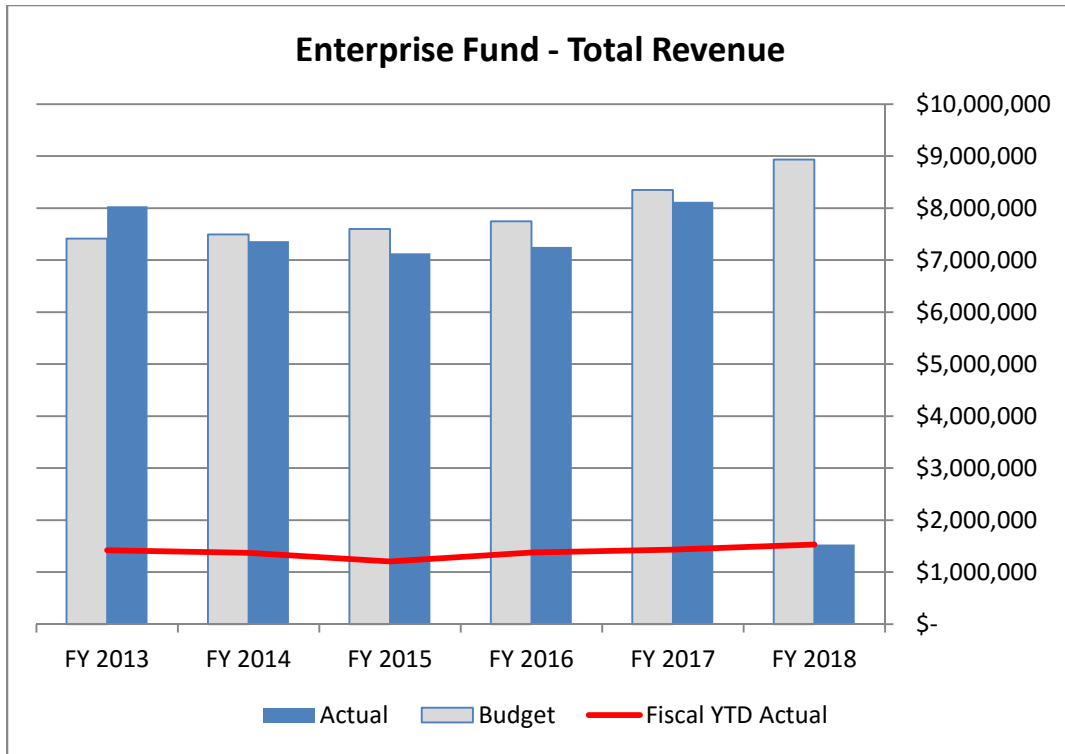
FY 2018 Budget	YTD Allocated Budget	YTD Actual	Over/(Under) Allocated Budget
\$8,932,118	\$1,617,080	\$1,533,166	(\$83,914)

For the two months ended November 30, 2017, the Enterprise Fund collected 17% of its total budgeted revenues and is under its allocated budget by \$83,914, or 5%.

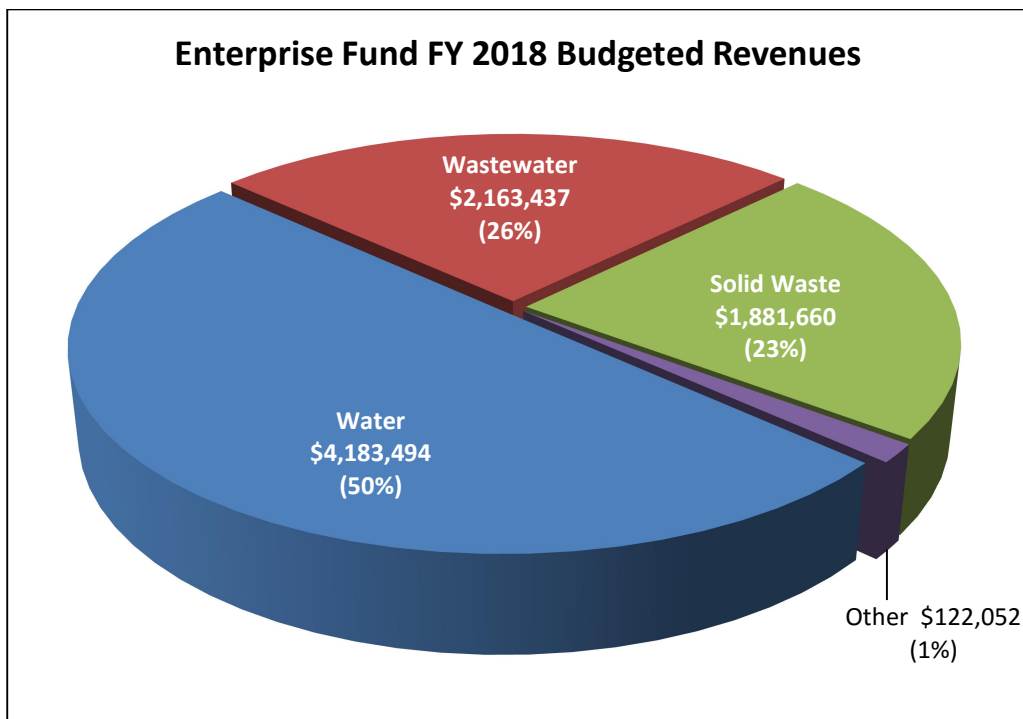
As reflected in the following table, the revenue categories causing the majority of the variance from allocated budget are water and wastewater, which combined are under the allocated budget by \$77,537.

Revenue Category	FY 2018 Budget	YTD Allocated Budget	YTD Actual	Over/(Under) Allocated Budget
Water	\$4,266,524	\$835,768	\$803,031	(\$32,737)
Wastewater	2,891,394	485,609	440,810	(44,800)
Solid Waste	1,683,700	280,472	278,809	(1,662)
Other	90,500	15,231	10,516	(4,715)
Total	\$8,932,118	\$1,617,080	\$1,533,166	(\$83,914)

A discussion of individual revenue categories follows the discussion of total revenues.

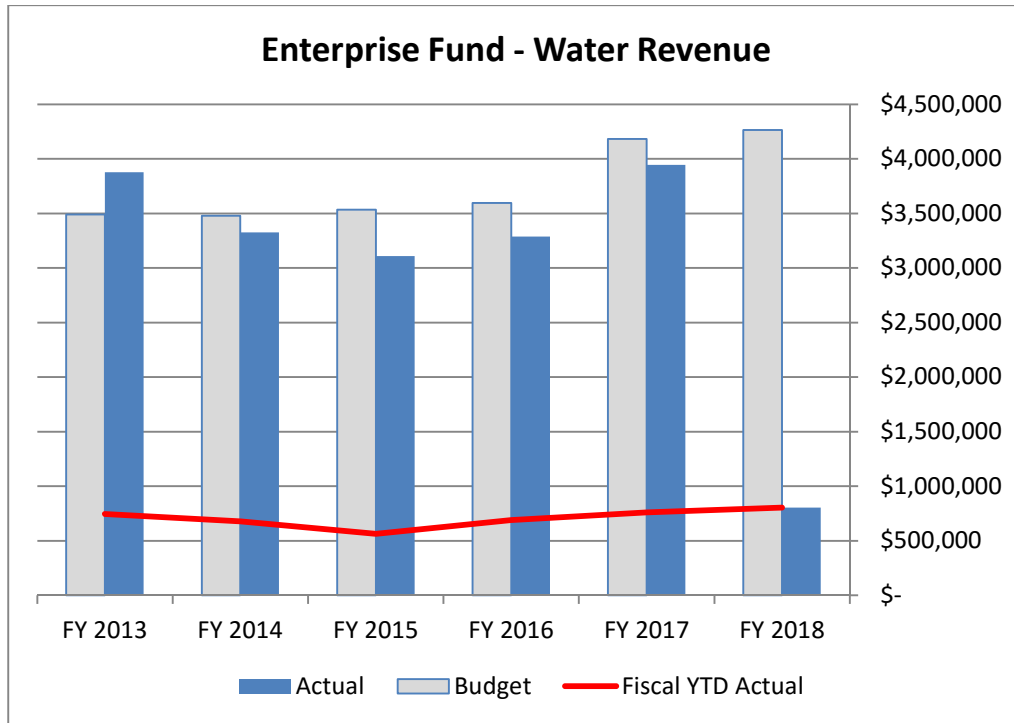


Sales of water makes up the largest category of revenues in the Enterprise Fund at 50% of all FY 2018 budgeted revenues, followed by charges for wastewater at 26%, and charges for solid waste at 23%.

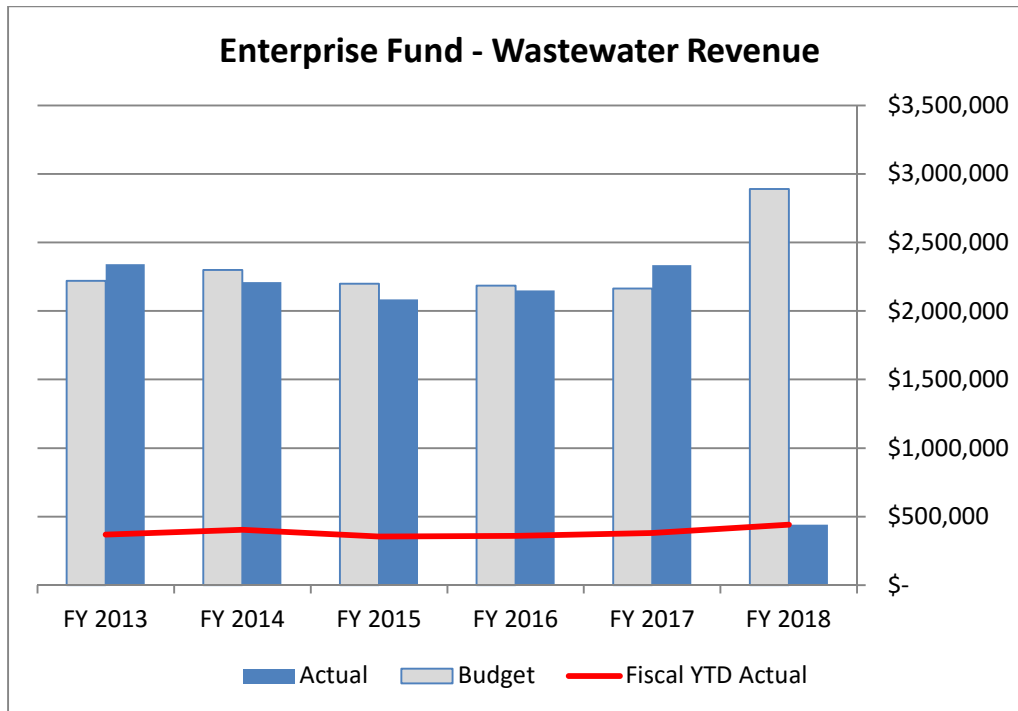


Water Revenue

Water revenues of \$803,031 are below the allocated budget by \$32,737, or 4%.

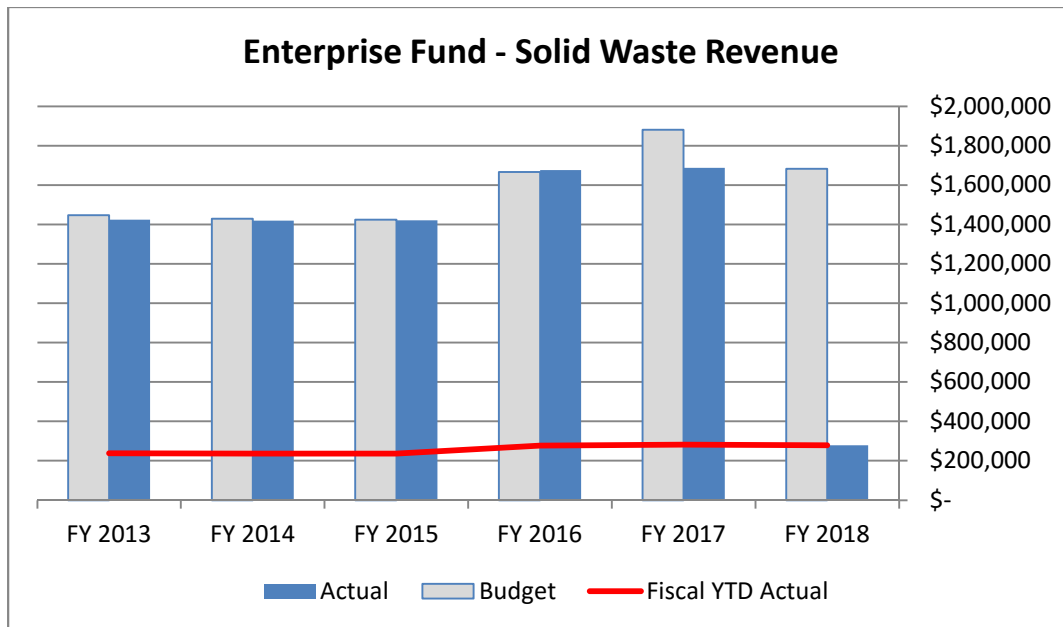
Wastewater Revenue

Wastewater revenues of \$440,810 are under the allocated budget by \$44,800, or 9%.



Solid Waste

Solid Waste revenues of \$278,809 are below the allocated budget by \$1,662, or 1%.



Enterprise Fund Expenses:

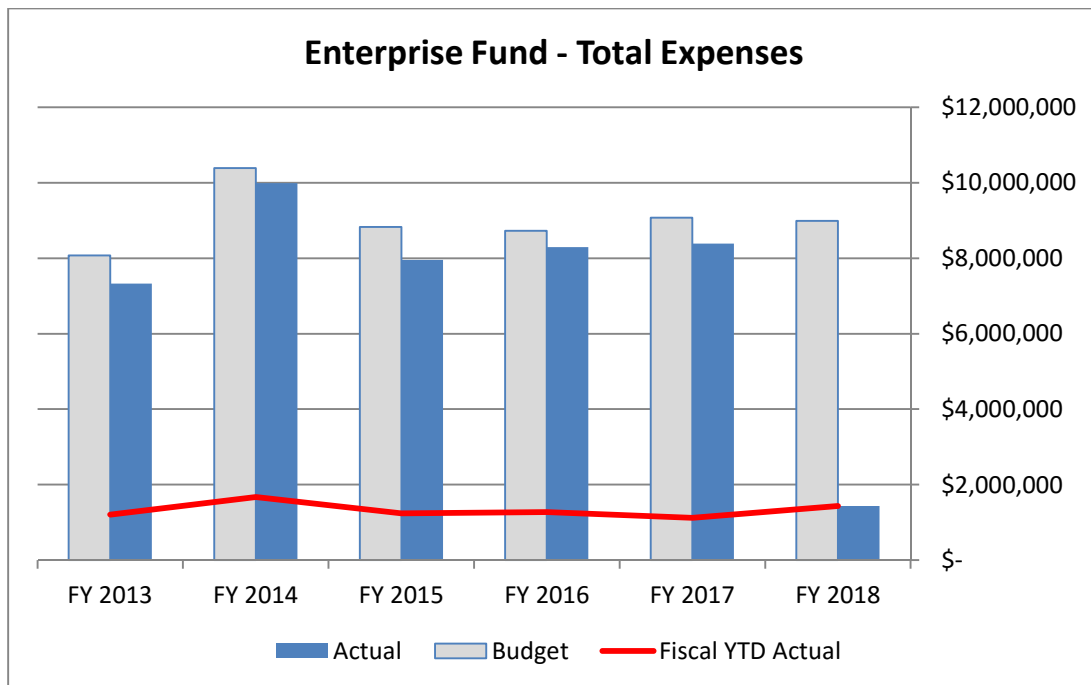
FY 2018 Budget	YTD Allocated Budget	YTD Actual	Over/(Under) Allocated Budget
\$8,990,787	\$1,406,225	\$1,035,133	(\$371,091)

For the two months ended November 30, 2017, the Enterprise Fund incurred 12% of its total budgeted expenses and is under its allocated budget by \$371,091, or 26%.

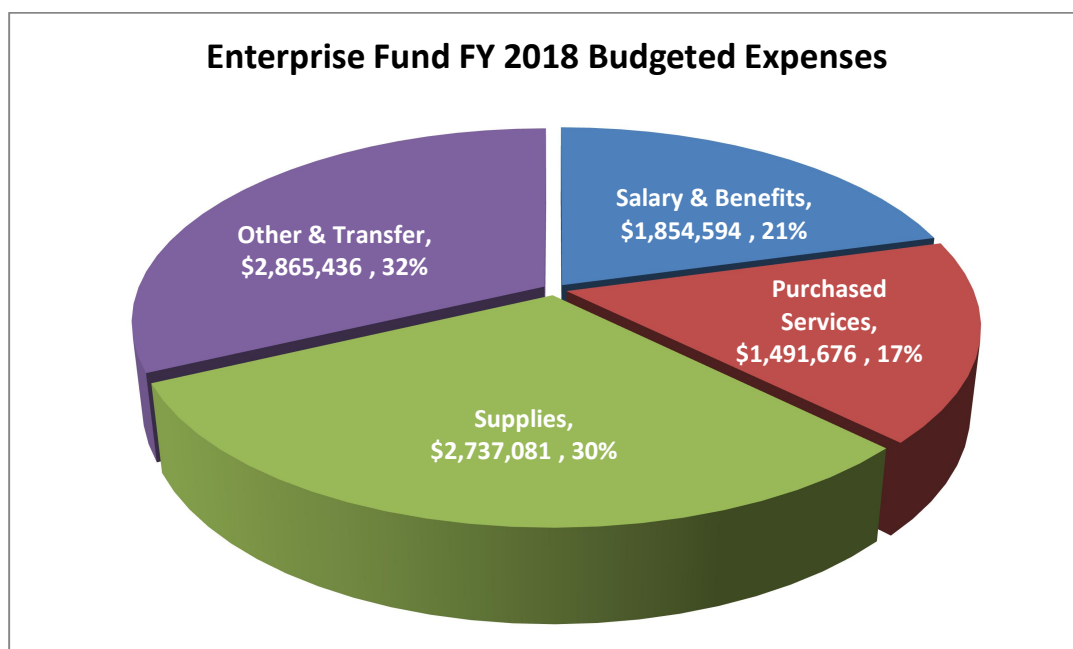
As reflected in the following table, the expense category causing the majority of the variance from allocated budget is supplies, which is under the allocated budget by \$294,804.

Expense Category	FY 2018 Budget	YTD Allocated Budget	YTD Actual	Over/(Under) Allocated Budget
Salaries & Benefits	\$1,854,594	\$324,053	\$285,774	(\$38,279)
Purchased Services	1,491,676	200,543	165,569	(34,974)
Supplies	2,737,081	401,487	106,683	(294,804)
Other/Transfers	2,865,436	480,141	477,107	(3,034)
Capital Purchases	42,000	-	-	-
Non-Payroll Disaster	-	-	-	-
Total	\$8,990,787	\$1,406,225	\$1,035,133	(\$371,091)

A discussion of individual expense categories follows the discussion of total expenses.

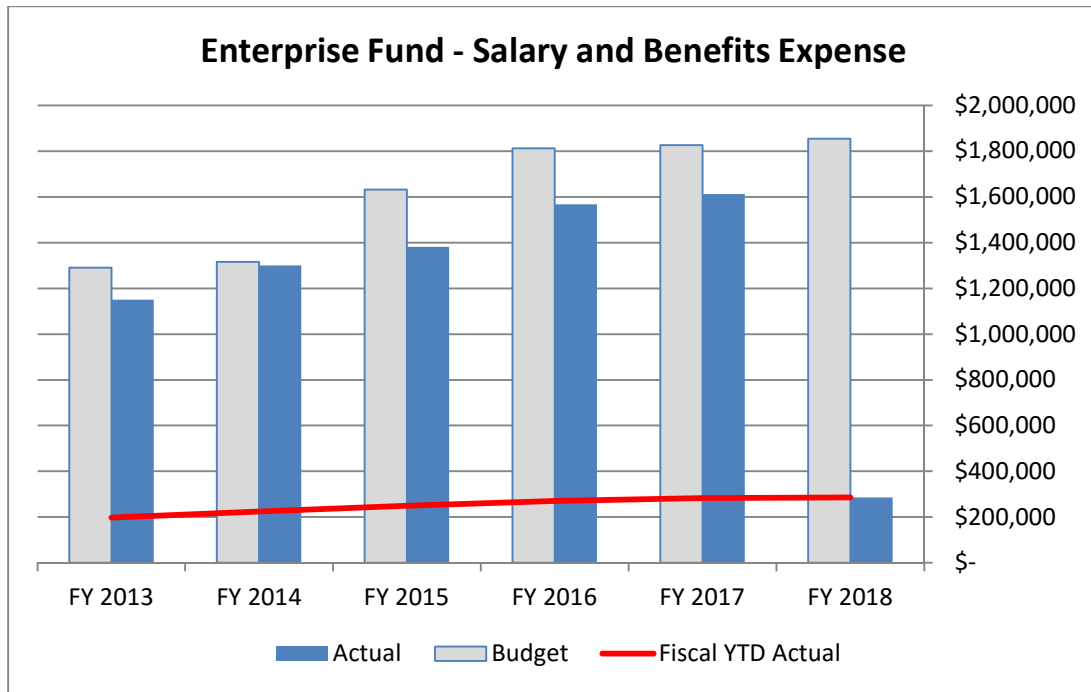


“Other expenses and transfers” makes up the largest category of expenses in the Enterprise Fund at 32% of all FY 2018 budgeted expenses, followed by supplies (which includes water purchased from the City of Houston) at 30%. Other and transfers includes \$14,000 of budgeted operational expenses and \$2,851,436 of transfers out, including (1) \$624,000 to the General Fund to reimburse overhead expenses, (2) \$1,750,436 to the Debt Service Fund, (3) \$357,000 to the Vehicle and Equipment Replacement Fund, and (4) \$120,000 to the Capital Improvement Fund.



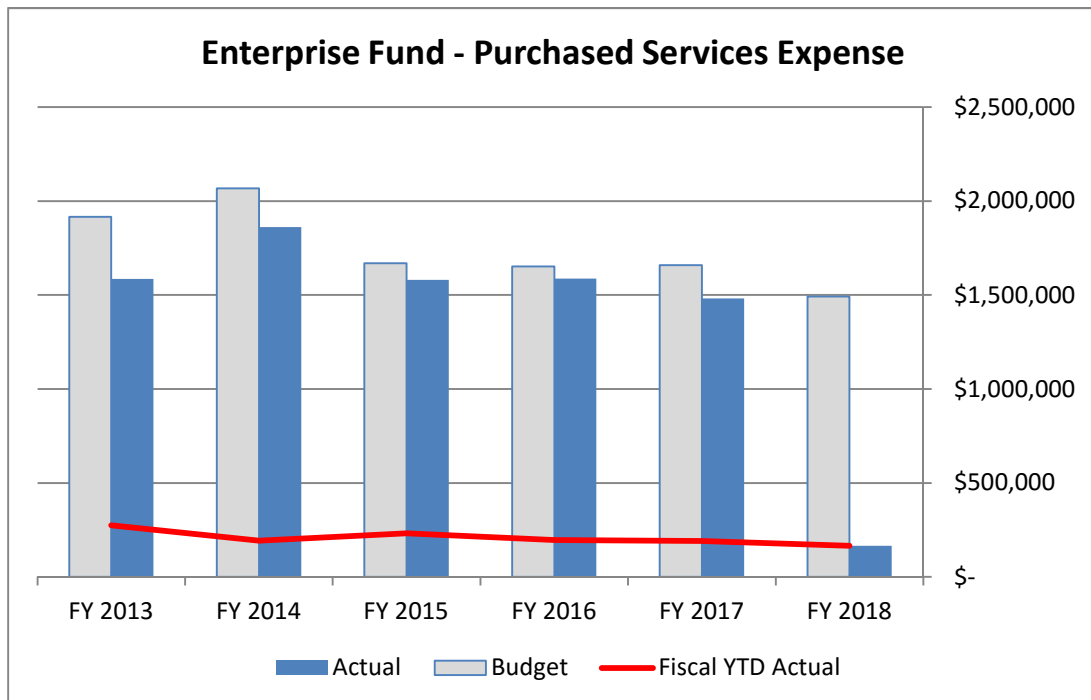
Salary and Benefits

Salary and benefits of \$285,774 are under the allocated budget by \$38,279, or 12%.



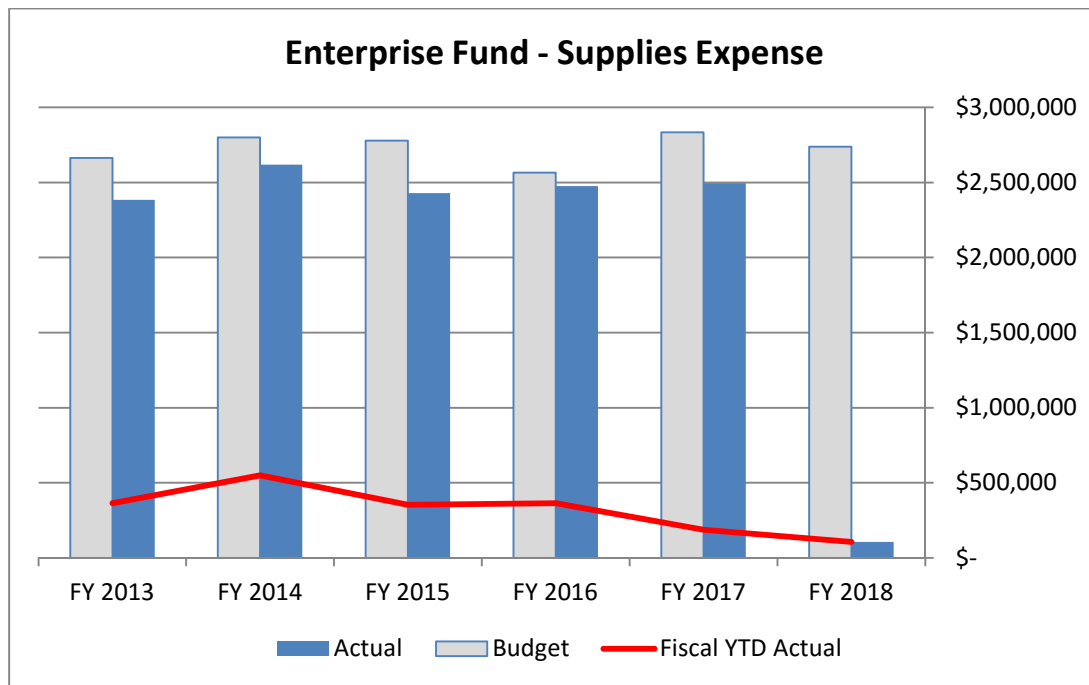
Purchased Services

Purchased services of \$165,569 are under the allocated budget by \$34,974, or 17%.



Supplies

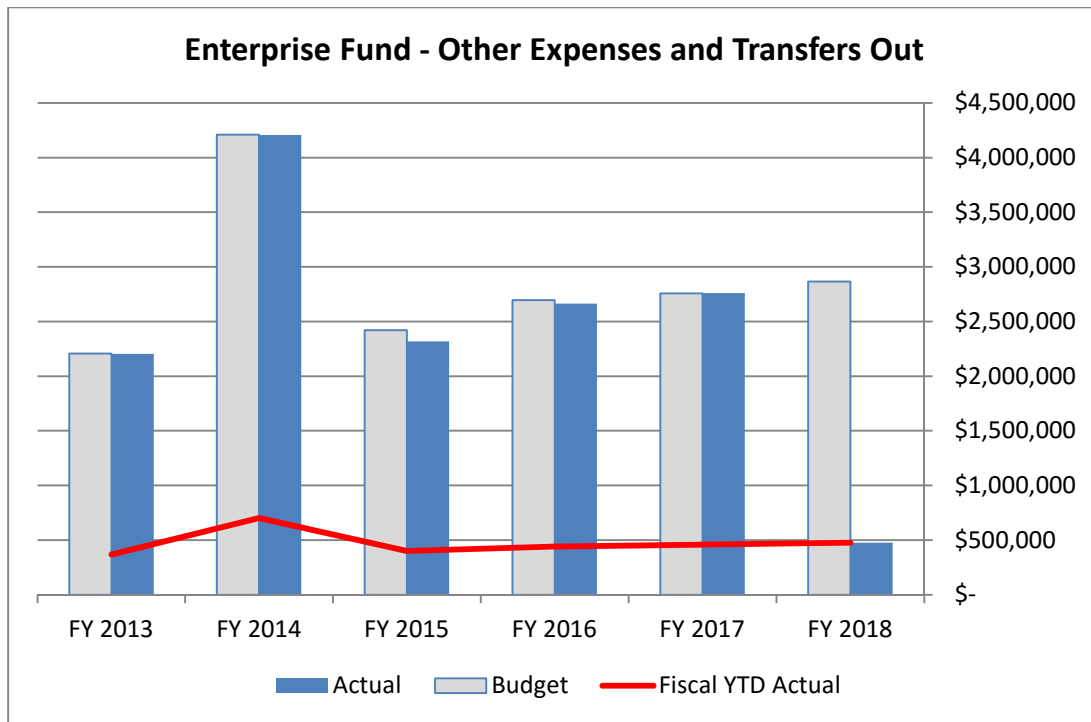
Supplies of \$106,683 are under the allocated budget by \$294,804, or 73%.



Supplies are under allocated budget due mainly to the timing of payments for water purchased from the City of Houston. The year-to-date November expenses include no purchases of water. Historically, October contained the expense related to water purchased in September. That caused us to do a year-end adjusting entry to accrue the expense into September, so this year we recorded the expense in September to avoid having a year-end adjustment. The payment for September water usage was \$147,184. Also, November usually has an expense related to water consumed in October; however, The \$129,332 payment for October water usage was not paid until December 6, 2017.

Other Expenses and Transfers Out

The “other expenses and transfers out” category is mainly the monthly transfers from the Enterprise Fund to (1) the General Fund, (2) the Debt Service Fund, (3) The Vehicle and Equipment Replacement Fund, and (4) the Capital Improvement Fund. Other expenses and transfers out in the two months ended November 30, 2017, of \$477,107 are under the allocated budget by \$3,034, or 1%.



Total budgeted transfers out of the Enterprise Fund are \$2,851,436, or \$237,620/month.

G/L Account Classification	FY 2018 Budget	YTD Actual	Actual as % of Budget	% of FY Complete
740 – Operating Transfers Out	\$2,851,436	\$475,239	17%	17%
711 – Credit Card Fees	\$14,000	\$1,868	13%	17%
Total	\$2,865,436	\$477,107	17%	17%

Rainfall

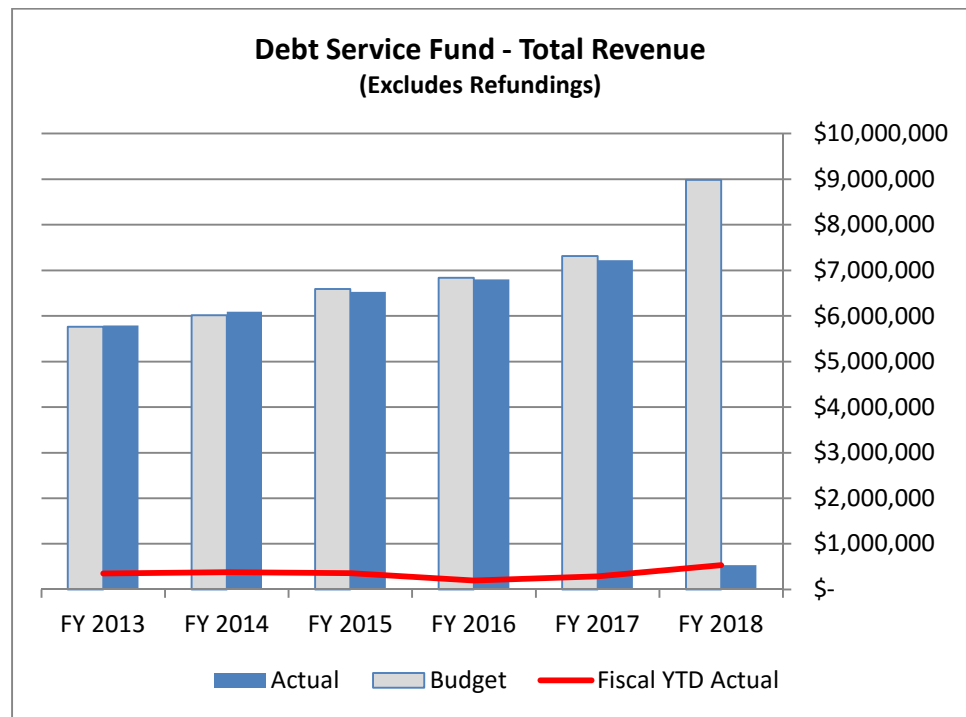
Rainfall (Inches)	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018
Cumulative thru November	1.80	13.60	8.12	16.24	2.98	1.98
Annual	30.06	59.05	70.83	70.95	123.77	

DEBT SERVICE FUND

Debt Service Fund Revenues:

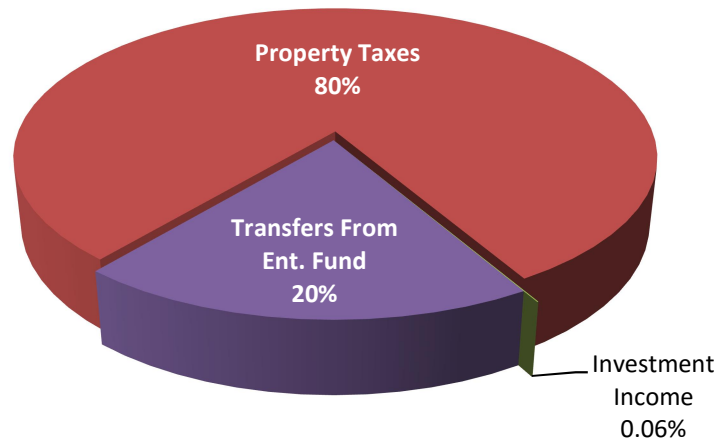
FY 2018 Budget	YTD Allocated Budget	YTD Actual	Over/(Under) Allocated Budget
\$8,984,321	\$477,357	\$535,601	\$58,244

For the two months ended November 30, 2017, the Debt Service Fund collected 6% of its total budgeted revenues and is over its allocated budget by 58,244, or 12%.

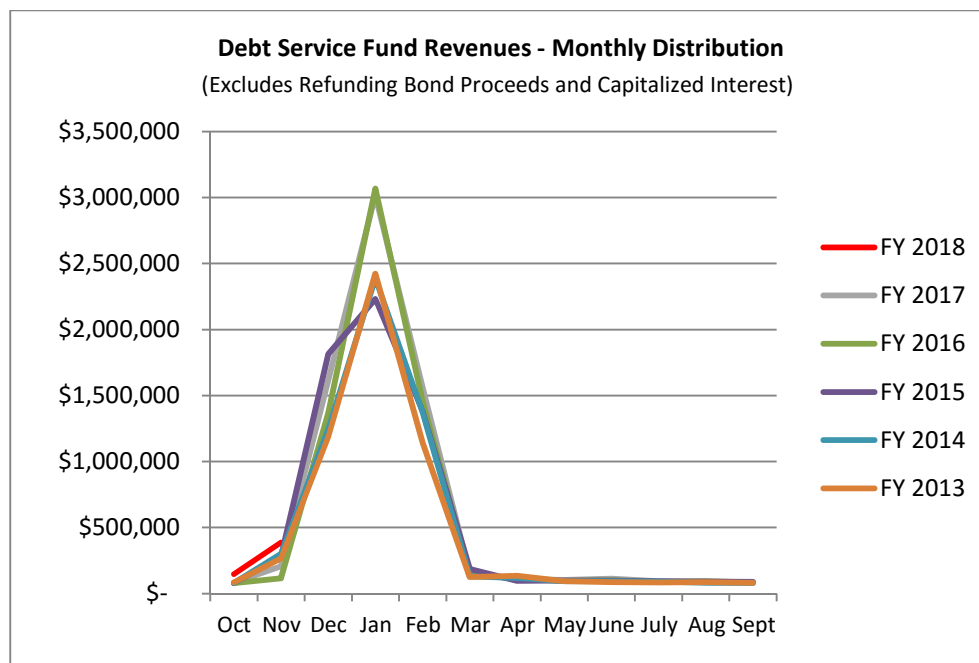


Property tax makes up the largest category of revenues in the Debt Service Fund at 80% of all FY 2018 budgeted revenues, followed by transfers from the Enterprise Fund at 20% and investment income at less than 1%.

Debt Service Fund FY 2018 Budgeted Revenues

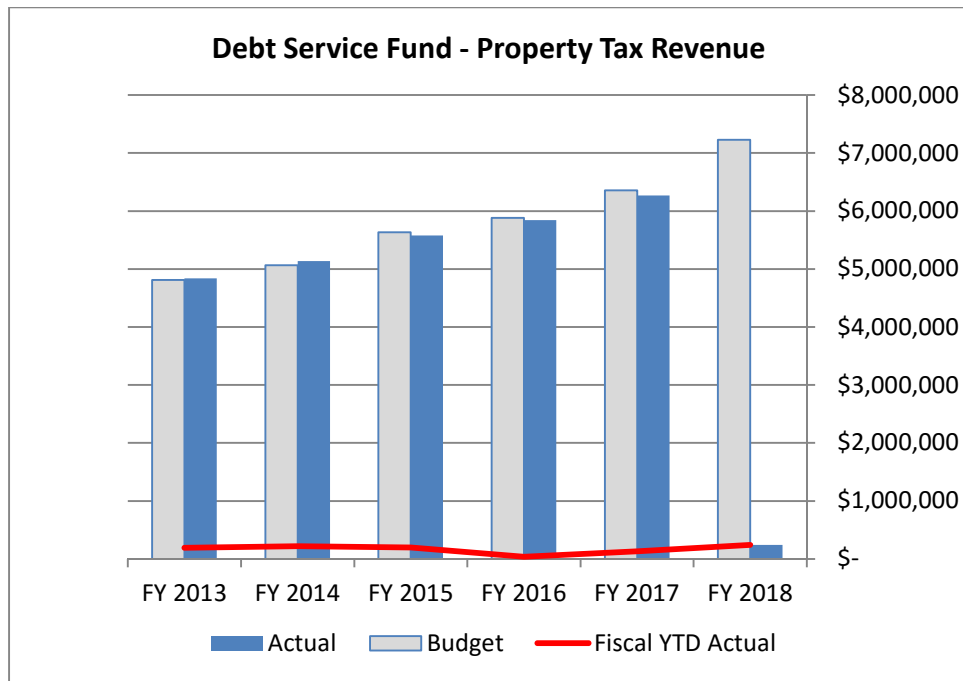


As property taxes are the main revenue source, the January 31 property tax deadline results in revenues being concentrated in the December – February timeframe.



Property Tax

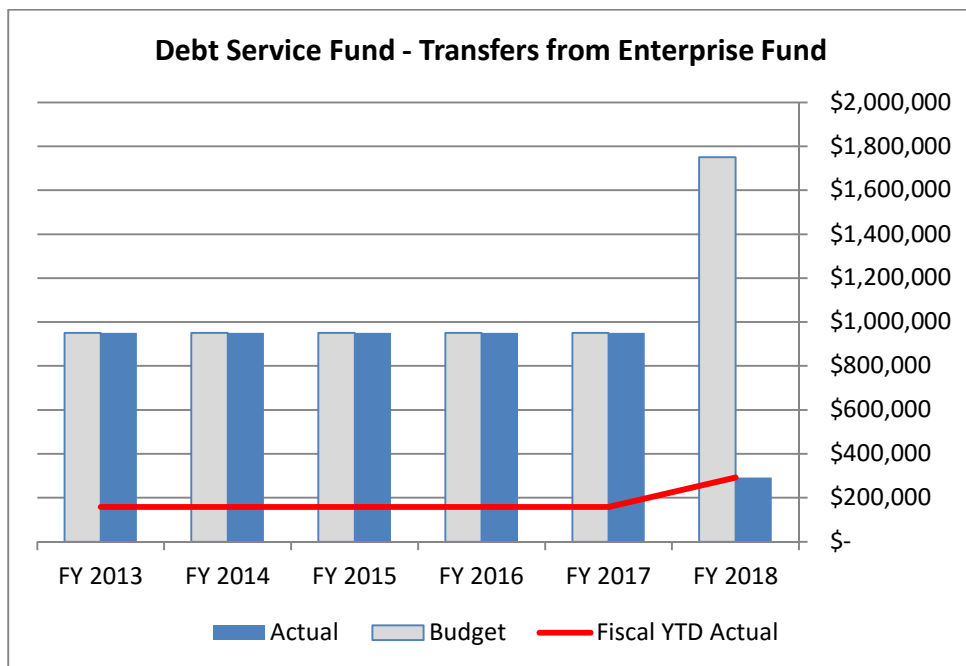
The Debt Service Fund collected \$243,162 of property tax in the two months ended November 30, 2017, which is over the allocated budget by \$58,035, or 31%. Property taxes are primarily collected in the months of December through February due to the January 31 property tax due date.



FY 2018 property taxes are budgeted for \$7.2 million, an increase of \$0.9 million over FY 2017's \$6.3 million. The budgeted increase in property taxes is driven by a debt service tax rate increase of \$0.0158 per \$100 of assessed value, or 11.9%, and a 1.9% increase in taxable values.

Transfers In

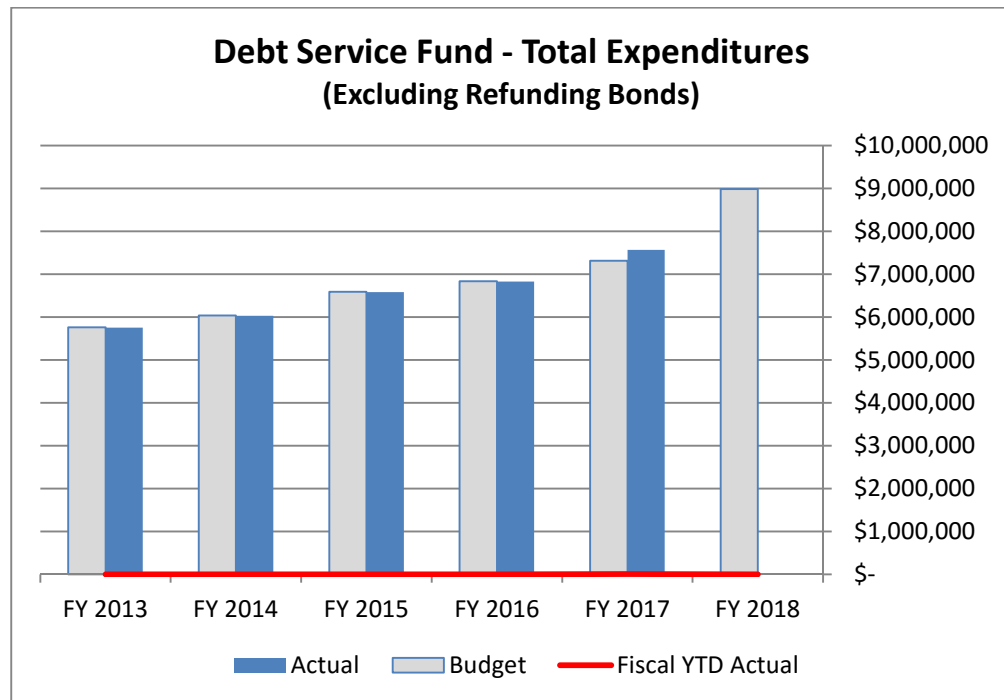
Transfers from the Enterprise Fund in the amount of \$291,739 for the two months ended November 30, 2017, are equal to allocated budget.



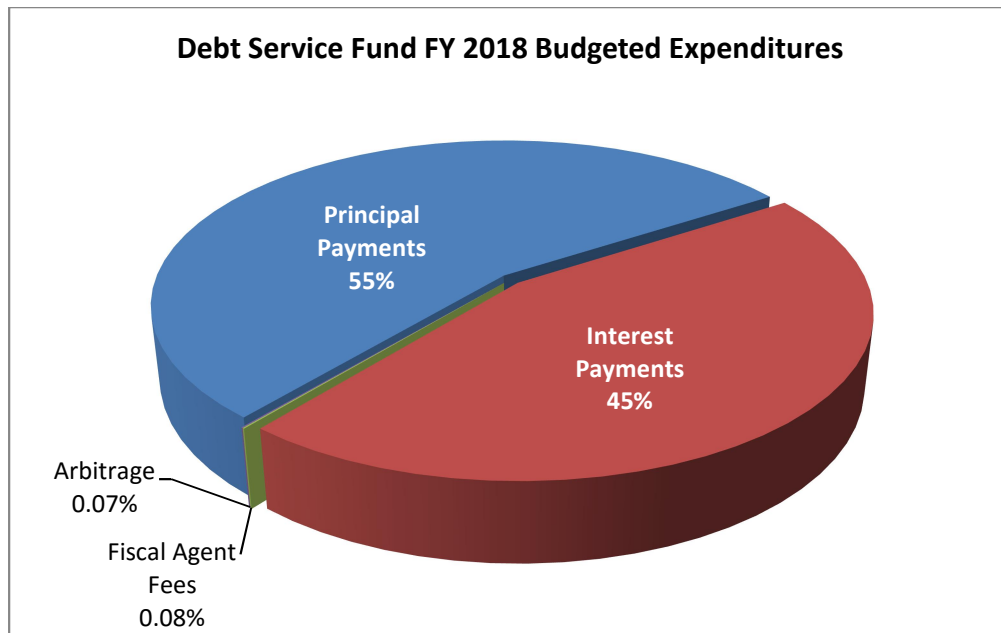
Debt Service Fund Expenditures:

FY 2018 Budget	YTD Allocated Budget	YTD Actual	Over/(Under) Allocated Budget
\$8,984,341	\$1,759	\$750	(\$1,009)

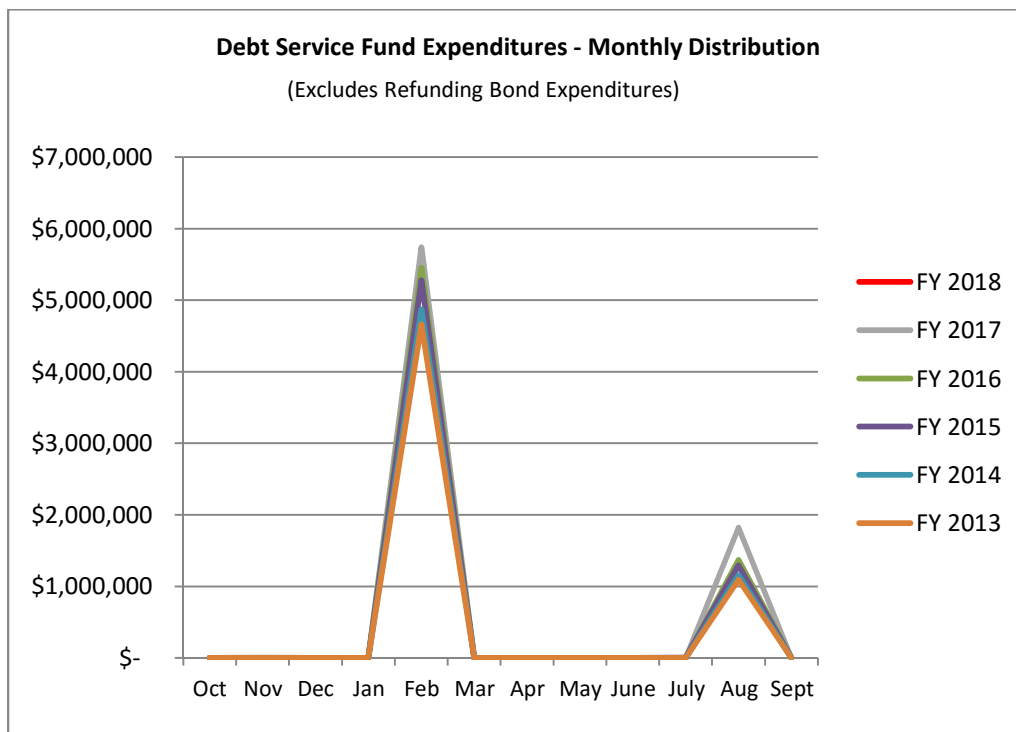
For the two months ended November 30, 2017, the Enterprise Fund incurred less than 1% of its total budgeted expenses and is under its allocated budget by \$1,009, or 57%.



Principal payments make up the largest category of expenditures in the Debt Service Fund at 55% of all FY 2018 budgeted expenditures, followed by interest payments at 45%. All other expenditures combined make up less than 1% of budgeted expenditures.



In February, there are annual principal payments and semi-annual interest payments due on the City's outstanding bonds, and in August there are semi-annual interest payments due. Expenditures are concentrated in February and August in accordance with the debt payment schedules. Payments in other months are fiscal agent fees and arbitrage consultants are minor.



City of Bellaire
General Fund
Revenues and Expenditures (Unaudited)
YTD as of November 2017

		November		Year to Date			
	FY 2018 Adopted Budget		% of Adopted Budget	Allocated Budget	Actual	Over/(Under) Allocated Budget	% of Adopted Budget
		Actual					
Revenues							
Property Taxes	\$ 13,118,646	\$ 440,881	3%	\$ 384,354	\$ 449,846	\$ 65,492	3%
Franchise Taxes	1,424,734	163,524	11%	269,900	267,566	(2,334)	19%
Sales Taxes	2,348,555	193,080	8%	367,807	359,013	(8,794)	15%
Permits, Fees, Licenses	1,143,400	69,088	6%	171,344	136,445	(34,899)	12%
PARD Charges and Fees	887,400	22,091	2%	69,095	76,201	7,106	9%
Public Safety	436,400	26,635	6%	63,840	47,056	(16,784)	11%
Fines	730,000	45,707	6%	115,211	103,547	(11,664)	14%
All Other	694,700	55,005	8%	111,880	116,181	4,301	17%
Total Revenues	20,783,835	1,016,011	5%	1,553,431	1,555,855	2,424	7%
Expenditures							
Salary & Benefits	14,495,815	1,260,158	9%	2,360,612	2,270,047	(90,565)	16%
Purchased Services	4,110,441	466,091	11%	699,609	654,475	(45,134)	16%
Supplies	1,212,641	78,329	6%	170,260	132,756	(37,504)	11%
Other/Transfers	540,951	42,762	8%	84,690	86,133	1,443	16%
Non-Payroll Disaster Related	-	4,472	n/a	-	5,697	5,697	n/a
Total Expenditures	20,359,848	1,851,813	9%	3,315,171	3,149,108	(171,760)	15%
Net Revenues/(Expenditures)	\$ 423,987	\$ (835,802)		\$ (1,761,740)	\$ (1,593,253)	\$ 174,184	
Budgeted Unassigned Fund Balance 9/30/17	\$ 3,387,437						
Budgeted FY 2018 Revenues	20,783,835						
Budgeted FY 2018 Expenditures	20,359,848						
Budgeted Ending Unassigned Fund Balance	<u>\$ 3,811,424</u>						
60 Day Reserve Requirement	\$ 3,311,154						
(Includes only operating budget)							

City of Bellaire
Enterprise Fund
Revenues and Expenses (Unaudited)
YTD as of November 2017

	FY 2018 Adopted Budget	November		Year to Date			
		Actual	% of Adopted Budget	Allocated Budget	Actual	Over/(Under) Allocated Budget	% of Adopted Budget
Revenues							
Water	\$ 4,266,524	\$ 428,494	10%	\$ 835,768	\$ 803,031	\$ (32,737)	19%
Wastewater	2,891,394	238,833	8%	485,609	440,810	(44,800)	15%
Solid Waste	1,683,700	139,077	8%	280,472	278,809	(1,662)	17%
All Other	90,500	2,911	3%	15,231	10,516	(4,715)	12%
Total Revenues	8,932,118	809,316	9%	1,617,080	1,533,166	(83,914)	17%
Expenses							
Salary & Benefits	1,854,594	164,214	9%	324,053	285,774	(38,279)	15%
Purchased Services	1,491,676	164,061	11%	200,543	165,569	(34,974)	11%
Supplies	2,737,081	67,841	2%	401,487	106,683	(294,804)	4%
Other Expenses and Transfers	2,865,436	238,272	8%	480,141	477,107	(3,034)	17%
Capital Purchases	42,000	-	0%	-	-	-	0%
Non-Payroll Disaster Related	-	-	n/a	-	-	-	n/a
Total Expenses	8,990,787	634,388	7%	1,406,225	1,035,133	(371,091)	12%
Net Revenues/(Expenses)	\$ (58,669)	\$ 174,928		\$ 210,855	\$ 498,033	\$ 287,177	
Budgeted Working Capital 9/30/17	\$ 669,399						
Budgeted FY 2018 Revenues	8,932,118						
Budgeted FY 2018 Expenses	8,990,787						
Budgeted Ending Working Capital	<u>\$ 610,730</u>						
30 Day Fund Balance	\$ 563,613						
(Includes only operating budget)							

Attachment: NOVEMBER MONTHLY FINANCIAL REPORT (2412 : Monthly Financial Report for the Period Ending November 30, 2017)

City of Bellaire
Debt Service Fund
Revenues and Expenditures (Unaudited)
YTD as of November 2017

		November		Year to Date			
	FY 2018 Adopted Budget	Actual	% of Adopted Budget	Allocated Budget	Actual	Over/(Under) Allocated Budget	% of Adopted Budget
Revenues							
Property Taxes	\$ 7,228,885	\$ 242,349	3%	\$ 185,127	\$ 243,162	\$ 58,035	3%
Investment Earnings	5,000	207	4%	491	700	209	14%
Transfers from Enterprise Fund	1,750,436	145,870	8%	291,739	291,739	-	17%
Total Revenues	8,984,321	388,425	4%	477,357	535,601	58,244	6%
Expenses							
Principal Payments	4,920,000	-	0%	-	-	-	0%
Interest Payments	4,050,841	-	0%	-	-	-	0%
Other	13,500	500	4%	1,759	750	(1,009)	6%
Total Expenses	8,984,341	500	0%	1,759	750	(1,009)	0%
Net Revenues/(Expenses)	\$ (20)	\$ 387,925		\$ 475,598	\$ 534,851	\$ 59,253	
Budgeted Unassigned Fund Balance 9/30/17	\$ 557,371						
Budgeted FY 2018 Revenues	8,984,321						
Budgeted FY 2018 Expenses	8,984,341						
Budgeted Ending Unassigned Fund Balance	\$ 557,351						

Attachment: NOVEMBER MONTHLY FINANCIAL REPORT (2412 : Monthly Financial Report for the Period Ending November 30, 2017)

City of Bellaire
Vehicle and Equipment Replacement Fund
Revenues and Expenditures (Unaudited)
YTD as of November 2017

	FY 2018 Adopted Budget	Budget Carry-over	Budget Adjustments	FY 2018 Revised Budget	November Actual	YTD Actual	Encumbrance	Budget Balance
Revenues								
Transfers - General	\$ 450,500	\$ -	\$ -	\$ 450,500	\$ 29,750	\$ 59,500	n/a	\$ 391,000
Transfers - Enterprise	357,000	-	-	357,000	37,542	75,083	n/a	281,917
Total Revenues	807,500	-	-	807,500	67,292	134,583	n/a	672,917
Expenditures								
Information Technology	194,900	-	-	194,900	-	-	-	194,900
Fire	98,900	-	-	98,900	685,377	685,377	12,221	(598,698)
Police	320,000	-	-	320,000	-	250	4,132	315,618
Parks & Recreation	27,500	-	-	27,500	-	-	-	27,500
Public Works - General Fund	-	-	-	-	155	17,515	-	(17,515)
Public Works - Enterprise Fund	290,000	-	-	290,000	4,676	11,632	238,087	40,281
Total Expenditures/Encumbrances	931,300	-	-	931,300	690,208	714,774	254,440	(37,915)
Net Revenues/(Expenditures)	\$ (123,800)	\$ -	\$ -	\$ (123,800)	\$ (622,917)	\$ (580,191)	n/a	\$ 710,831

Budgeted Unassigned Fund Balance 9/30/17 \$1,369,101
 Budgeted FY 2018 Revenues 807,500
 Budgeted FY 2018 Expenditures 931,300
 Budgeted Ending Unassigned Fund Balance \$1,245,301

City of Bellaire
Capital Improvement Fund
Revenues and Expenditures (Unaudited)
YTD as of November 2017

	FY 2018 Adopted Budget	Budget Carry-over	Budget Adjustments	FY 2018 Revised Budget	November Actual	YTD Actual	Encumbrance	Budget Balance
Revenues								
General Fund Transfer	\$ 42,426	\$ -	\$ -	\$ 42,426	\$ 3,536	\$ 7,071	n/a	\$ 35,355
Enterprise Fund Transfer	120,000	-	-	120,000	10,000	20,000	n/a	100,000
Special Revenue Fund Transfer	-	-	-	-	-	-	n/a	-
Misc	-	-	-	-	-	-	n/a	-
Total Revenues	162,426	-	-	162,426	13,536	27,071	n/a	135,355
Project Expenditures								
FY 2014 Street & Drainage Reconstruction - Phase 5B (a)	-	-	-	-	-	-	507,674	(507,674)
FY 2018 Update Facilities Master Plan	50,000	-	-	50,000	-	-	-	50,000
FY 2015 Evelyn's Park	-	-	-	-	-	-	31,409	(31,409)
FY 2018 Playground/Shade/Amenities	100,000	-	-	100,000	-	-	-	100,000
FY 2017 BFAC Pool Area Improvements	-	-	-	-	-	-	7,248	(7,248)
FY 2018 Park Signage Master Plan	50,000	-	-	50,000	-	-	-	50,000
FY 2017 Community Pathways Master Plan	-	-	-	-	-	-	56,585	(56,585)
FY 2014 City Wide Beautification	-	-	-	-	-	18,125	-	(18,125)
FY 2018 Decorative Standard for Major Streets	75,000	-	-	75,000	-	-	-	75,000
Total General Project Expenditures	275,000	-	-	275,000	-	18,125	602,916	(346,041)
FY 2016 Rehab Renwick Ground Storage	-	-	-	-	-	-	17,600	(17,600)
FY 2018 Renwick Well - Pumps/Motors	285,000	-	-	285,000	-	-	-	285,000
FY 2016 WW System Upgrades	-	-	-	-	-	-	1,750	(1,750)
FY 2018 Wendell Lift Station - Submersible Pumps	75,000	-	-	75,000	-	-	-	75,000
Total Enterprise Project Expenditures	360,000	-	-	360,000	-	-	19,350	340,650
Total Expenditures/Encumbrances	635,000	-	-	635,000	-	18,125	622,266	(5,391)
Net Revenues/(Expenditures)	\$ (472,574)	\$ -	\$ -	\$ (472,574)	\$ 13,536	\$ 8,946	n/a	\$ 140,746
(a) Pay as you Go portion of Bonds in Fund 620								
Budgeted Unassigned Fund Balance 9/30/17	\$ 1,580,601							
Budgeted FY 2018 Revenues	162,426							
Budgeted FY 2018 Expenditures	635,000							
Budgeted Ending Unassigned Fund Balance	<u>\$ 1,108,027</u>							

City of Bellaire
Capital Bond Fund
Revenues and Expenditures (Unaudited)
YTD as of November 2017

	FY 2018 Adopted Budget	Budget Carry-over	Budget Adjustments	FY 2018 Revised Budget	November Actual	YTD Actual	Encumbrance	Budget Balance
Revenues								
Interest	\$ -	\$ -	\$ -	\$ -	\$ 39,586	\$ 81,170	n/a	\$ (81,170)
Bonds Proceeds	12,500,000	-	-	12,500,000	-	-	n/a	12,500,000
Total Revenues	12,500,000	-	-	12,500,000	39,586	81,170	n/a	12,418,830
Non-Project Expenditures								
Bond Issuance Costs	-	-	-	-	-	-	-	-
Bond Expenditures	-	-	-	-	-	-	-	-
Total Non-Project Expenditures	-	-	-	-	-	-	-	-
Project Expenditures								
FY 2012 Drainage Phase 5	-	-	-	-	-	-	-	-
FY 2015 Drainage Phase 5B	-	-	-	-	-	-	11,672	(11,672)
FY 2017 Streets and Drainage	7,000,000	-	-	7,000,000	-	-	467,950	6,532,050
FY 2017 Police/Courts Construction	-	-	-	-	3,453	(94,332)	7,841,359	(7,747,027)
FY 2017 City Hall/Civic Center Construction	-	-	-	-	3,484	(189,830)	6,900,908	(6,711,077)
FY 2017 Transition - New City Hall/Police/Municipal Court	-	-	-	-	3,240	3,240	41,001	(44,241)
FY 2013 Design - New City Hall/Police/Municipal Court	-	-	-	-	-	-	128,645	(128,645)
FY 2015 Evelyn's Park	-	-	-	-	-	-	140	(140)
FY 2017 Sidewalks	1,000,000	-	-	1,000,000	-	-	98,350	901,650
FY 2017 Water Line Improvements	4,468,780	-	-	4,468,780	-	-	92,823	4,375,957
FY 2017 Water Meter Installations	-	-	-	-	-	-	341,897	(341,897)
FY 2017 Wastewater Treatment Plant Improvements	-	-	-	-	-	-	5,965,286	(5,965,286)
FY 2017 Wastewater Line Improvements	31,220	-	-	31,220	-	-	67,404	(36,184)
Total Project Expenditures	12,500,000	-	-	12,500,000	10,177	(280,922)	21,957,434	(9,176,512)
Total Expenditures/Encumbrances	12,500,000	-	-	12,500,000	10,177	(280,922)	21,957,434	(9,176,512)
Net Revenues/(Expenditures)	\$ -	\$ -	\$ -	\$ -	\$ 29,408	\$ 362,092	n/a	\$ 21,595,342

Budgeted Unassigned Fund Balance 9/30/17	\$ -
Budgeted FY 2018 Revenues	12,500,000
Budgeted FY 2018 Expenditures	12,500,000
Budgeted Ending Unassigned Fund Balance	<u>\$ -</u>

**City of Bellaire
Metro Fund
Revenues and Expenditures (Unaudited)
YTD as of November 2017**

	FY 2018 Adopted Budget	Budget Carry-over	FY 2018 Revised Budget	November Actual	YTD Actual	Encumbrance	Budget Balance
Revenues							
Metro Sales Tax	\$ 1,000,000	\$ -	\$ 1,000,000	\$ 96,540	\$ 176,593	n/a	\$ 823,407
Interest	-	-	-	1,742	3,435	n/a	(3,435)
Total Revenues	1,000,000	-	1,000,000	98,282	180,028	n/a	819,972
Project Expenditures							
City Wide Trip Hazard	-	-	-	-	-	-	-
Sidewalk Projects	-	-	-	-	-	-	-
Street Pavement Mgt Program	1,300,000	-	1,300,000	-	-	1,809,982	(509,982)
Total Expenditures/Encumbrances	1,300,000	-	1,300,000	-	-	1,809,982	(509,982)
Net Revenues/(Expenditures)	\$ (300,000)	\$ -	\$ (300,000)	\$ 98,282	\$ 180,028	n/a	\$ 1,329,954

Budgeted Unassigned Fund Balance 9/30/17	\$ 308,000
Budgeted FY 2018 Revenues	1,000,000
Budgeted FY 2018 Expenditures	1,300,000
Budgeted Ending Unassigned Fund Balance	<u>\$ 8,000</u>

CITY OF BELLAIRE
CURRENT PROPERTY TAX COLLECTIONS
FY 2015 - FY 2018
November 2017

<u>Month</u>	<u>FY 2015</u>	<u>FY 2016</u>	<u>FY 2017</u>	<u>FY 2018</u>
Oct	\$ -	\$ -	\$ -	\$ -
Nov	585,025	131,234	414,152	681,242
Dec	4,865,374	3,881,188	4,504,067	
Jan	6,075,640	8,702,108	8,590,430	
Feb	3,634,938	4,005,865	4,342,814	
Mar	296,537	206,525	201,515	
Apr	63,640	90,455	92,324	
May	55,636	49,017	67,720	
Jun	53,382	57,865	98,066	
Jul	4,673	14,076	15,943	
Aug	-	-	-	
Sep	-	-	-	
YTD Collections				\$ 681,242
% of Budget				3.36%
% of Total Levy				3.35%
FY 2018 Budget - Total Current Tax Revenue				\$ 20,261,531
2017 Tax Year Taxable Value - Certified Appraisal Roll*				\$ 4,570,121,110
2017 Tax Year - Under Protest or not Certified*				324,688,114
Total 2017 Tax Year				4,894,809,224
Total Levy at \$0.4159 / \$100 =				\$ 20,357,512

Ten Largest Taxpayers in City of Bellaire (Tax Year 2016) **

		<u>Taxable Value</u>
Chevron Chemical Company	Oil & Gas	81,900,770
Pin Oak North Parcel LL LLC	Land/Improvements	52,838,215
KBS SOR 6565 6575 West Loop	Land/Improvements	36,988,682
BRI 1833 6330 LLC	Land/Improvements	36,200,573
Centerpoint Energy Inc.	Electric Utility	32,789,970
SBC Communications	Utility	28,283,940
CHP Houston Tx MOB Owner LLC	Land/Improvements	27,880,000
CHP Houston TX Hospital Land	Hospital	23,197,526
Pin Oak South Parcel LL LLC	Land/Improvements	21,606,958
SLS Properties	Land/Improvements	13,176,820
		<u>\$ 354,863,454</u>
Tax Levy @ \$0.4159 / \$100		<u>\$ 1,475,877</u>
% of Total Levy		7.25%

* Source: Harris County Appraisal District

** Source: Harris County Tax Assessor-Collector

**CITY OF BELLAIRE
HOUSING INFORMATION
FY 2018
November 2017**

	<u>Nov-16</u>	<u>May-17</u>	<u>Nov-17</u>
<u>Houses, Townhomes & Vacant Lots for Sale *</u>			
<u>Price Range</u>			
\$ 0 - \$ 250,000	1	-	1
\$ 250,001 - \$ 500,000	40	39	59
\$ 500,001 - \$ 750,000	24	27	37
\$ 750,001 - \$ 1,000,000	19	33	23
> \$ 1,000,000	58	111	69
Total Units For Sale *	142	210	189
Total HCAD Residential Units/Lots **	6,199	6,199	6,210
For Sale as a % of Total Units	2.29%	3.39%	3.04%
Highest Listing Price - Home	\$ 2,888,000	\$ 3,295,000	\$ 3,688,000
Lowest Listing Price - TH/Lot	\$ 249,900	\$ 309,990	\$ 224,900
<u>Houses for Lease *</u>			
	65	67	39
Highest Lease/Month	\$ 6,950	\$ 7,000	\$ 15,000
Lowest Lease/Month	\$ 1,200	\$ 1,100	\$ 1,150

Foreclosure History as of end of Quarter Reported by RealtyTrac

	<u>Auction</u>	<u>Bank Owned</u>
At Quarter End 12-31-14	3	2
At Quarter End 03-31-15	4	2
At Quarter End 06-30-15	3	2
At Quarter End 09-30-15	2	2
At Quarter End 12-31-15	3	2
At Quarter End 03-31-16	2	2
At Quarter End 06-30-16	0	2
At Quarter End 09-30-16	0	2
At Quarter End 12-31-16	2	3
At Quarter End 03-31-17	3	2
At Quarter End 06-30-17	3	1
At Quarter End 09-30-17	0	0

New Residential Construction

<u>Fiscal Year</u>	<u>New Units</u>	<u>Construction Cost****</u>	
		<u>Construction</u>	<u>Avg/Unit</u>
2007	169	\$ 85,632,703	\$ 506,702
2008	132	\$ 75,405,507	\$ 571,254
2009	49	\$ 26,026,889	\$ 531,161
2010	*** 64	\$ 34,682,458	\$ 541,913
2011	56	\$ 30,064,905	\$ 536,873
2012	*** 93	\$ 54,914,376	\$ 590,477
2013	*** 113	\$ 65,491,037	\$ 579,567
2014	125	\$ 78,420,596	\$ 627,365
2015	98	\$ 52,190,001	\$ 532,551
2016	73	\$ 44,585,564	\$ 610,761
2017	87	\$ 49,790,625	\$ 572,306
2018	10	\$ 6,545,178	\$ 654,518

Average Appraised Value (Tax Year 2017) \$ 874,019

* Source: realtor.com does not include for sale or lease by owner

** Based on information provided by the Harris County Tax Assessor-Collector and the Harris County Appraisal District includes estimated values

*** Numbers revised based on system correction

**** Construction cost of structure. Not a market value. Excludes land value/cost.

CITY OF BELLAIRE
SUMMARY OF SALES & MIXED BEVERAGE TAX
FY 2016 - FY 2018
November 2017

<u>Payment</u>					
<u>Month</u>	<u>Period</u>		<u>FY 2016</u>	<u>FY 2017</u>	<u>FY 2018</u>
<u>Sales Tax</u>					
Oct	Aug	\$	153,643	\$ 153,452	\$ 160,106
Nov	Sep		236,498	179,528	193,080
Dec	Oct		196,711	177,498	
Jan	Nov		253,578	203,388	
Feb	Dec		253,419	232,674	
Mar	Jan		176,377	174,240	
Apr	Feb		171,712	169,626	
May	Mar		210,865	201,758	
Jun	Apr		172,229	154,642	
Jul	May		186,436	191,746	
Aug	Jun		266,791	190,031	
Sep	Jul		178,264	172,757	
Sub-Total		\$	2,456,522	\$ 2,201,342	\$ 353,186
<u>Mixed Beverage</u>					
Oct	1st Qtr		6,012	4,668	5,827
Jan	2nd Qtr		5,238	4,408	
Apr	3rd Qtr		5,570	4,876	
Jul	4th Qtr		5,970	5,201	
Sub-Total			22,790	19,153	5,827
Total		\$	2,479,312	\$ 2,220,495	\$ 359,013

**CITY OF BELLAIRE
SUMMARY OF FRANCHISE FEES
FY2016 - FY 2018
November 2017**

	YTD	YTD	YTD
	<u>FY 2016</u>	<u>FY 2017</u>	<u>FY 2018</u>
Electric	\$ 137,268	\$ 137,413	\$ 137,018
Gas	15,821	15,849	29,605
Telephone	28,632	26,226	25,173
Cable	98,534	96,467	90,924
Total YTD	\$ 280,256	\$ 275,955	\$ 282,720
Entire Fiscal Year	\$ 1,364,542	\$ 1,432,579	n/a

CITY OF BELLAIRE
SUMMARY OF PURCHASE ORDERS
FY 2018
November 2017

	Oct-17		Nov-17		Dec-17		1st Qtr	
	<u>Issued</u>	<u>Amount</u>	<u>Issued</u>	<u>Amount</u>	<u>Issued</u>	<u>Amount</u>	<u>Issued</u>	<u>Amount</u>
<u>Total Purchase Orders</u>	306	\$ 1,350,257	213	\$ 4,297,841			519	\$ 5,648,098
<u>PO for \$5,000 - \$50,000</u>	36	\$ 586,295	18	\$ 316,786	-	\$ -	54	\$ 903,080
% of Total Purchase Orders	11.76%	43.42%	8.45%	7.37%	0.00%	0.00%	10.40%	15.99%
\$ 5,000 - \$ 25,000	28	\$ 334,003	14	\$ 174,476			42	\$ 508,478
\$ 25,001 - \$ 50,000	8	\$ 252,292	4	\$ 142,310			12	\$ 394,602
	Jan-18		Feb-18		Mar-18		2nd Qtr	
	<u>Issued</u>	<u>Amount</u>	<u>Issued</u>	<u>Amount</u>	<u>Issued</u>	<u>Amount</u>	<u>Issued</u>	<u>Amount</u>
<u>Total Purchase Orders</u>							-	\$ -
<u>PO for \$5,000 - \$50,000</u>	-	\$ -	-	\$ -	-	\$ -	-	\$ -
% of Total Purchase Orders	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
\$ 5,000 - \$ 25,000							-	\$ -
\$ 25,001 - \$ 50,000							-	\$ -
	Apr-18		May-18		Jun-18		3rd Qtr	
	<u>Issued</u>	<u>Amount</u>	<u>Issued</u>	<u>Amount</u>	<u>Issued</u>	<u>Amount</u>	<u>Issued</u>	<u>Amount</u>
<u>Total Purchase Orders</u>							-	\$ -
<u>PO for \$5,000 - \$50,000</u>	-	\$ -	-	\$ -	-	\$ -	-	\$ -
% of Total Purchase Orders	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
\$ 5,000 - \$ 25,000							-	\$ -
\$ 25,001 - \$ 50,000							-	\$ -
	Jul-18		Aug-18		Sep-18		4th Qtr	
	<u>Issued</u>	<u>Amount</u>	<u>Issued</u>	<u>Amount</u>	<u>Issued</u>	<u>Amount</u>	<u>Issued</u>	<u>Amount</u>
<u>Total Purchase Orders</u>							-	\$ -
<u>PO for \$5,000 - \$50,000</u>	-	\$ -	-	\$ -	-	\$ -	-	\$ -
% of Total Purchase Orders	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%	0.00%
\$ 5,000 - \$ 25,000							-	\$ -
\$ 25,001 - \$ 50,000							-	\$ -

* Purchases include bids, sole source, and cooperative purchasing.

Attachment: NOVEMBER MONTHLY FINANCIAL REPORT (2412 : Monthly Financial Report for the Period Ending November 30, 2017)

Mayor and Council

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



Meeting: 01/08/18 07:00 PM
Department: City Clerk
Category: Ordinance
Department Head: Tracy L. Dutton
DOC ID: 2426

**SCHEDULED
ORDINANCE (ID # 2426)**

Item Title:

Consideration of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, electing a Mayor Pro Tempore for a term commencing on January 8, 2018, and ending on January 6, 2020 - Submitted by Tracy L. Dutton, City Clerk.

Background/Summary:

In accordance with *Article II, The Council, Section 5, Mayor Pro Tempore, of the Charter of the City of Bellaire, Texas*, as amended in November 2017, "The City Council shall elect a Mayor Pro Tempore, who shall act as, and have all the powers of the Mayor during the absence or disability of the Mayor, and if a vacancy should occur in the office of Mayor, shall act as, and have all the powers of the Mayor until the next regular election, at which election a Mayor shall be elected to fill the full or unexpired term, as the case may be. The Mayor Pro Tempore's office shall not be considered vacant during any such time he or she is acting as the Mayor."

The term of the City's current Mayor Pro Tempore, Roman F. Reed, will expire on January 8, 2018. Accordingly, an ordinance for the election of a Mayor Pro Tempore has been prepared and is attached hereto for City Council's consideration. The ordinance assumes a term of approximately two years commencing on January 8, 2018, and ending on January 6, 2020.

Set forth below is a list of the members of City Council who were elected to serve as Mayor Pro Tempore from January 2008 to January 2018:

Member of City Council**Mayor Pro Tempore Term**

Peggy Faulk	January 2008 - January 2010
Dr. Philip L. Nauert	January 2010 - January 2012
Amanda B. (Mandy) Nathan	January 2012 - January 2014
Amanda B. (Mandy) Nathan	January 2014 - January 2016
Roman F. Reed	January 2016 - January 2018

Previous Council Action Summary:

Roman F. Reed, Council Member, was elected to serve as Mayor Pro Tempore from January 2016 to January 2018 by Ordinance No. 16-002 on January 4, 2016.

Fiscal Impact:

N/A

Recommendation:

Action as City Council deems appropriate.

Ordinance (ID # 2426)

Meeting of January 8, 2018

ATTACHMENTS:

- Election of Mayor Pro Tempore - 2018 (DOC)
- 16-002 - Election - Mayor Pro Tempore - Roman F. Reed (PDF)



ORDINANCE NO. 18-____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLAIRE, TEXAS, ELECTING A MAYOR PRO TEMPORE FOR THE CITY OF BELLAIRE, TEXAS, FOR A TERM COMMENCING JANUARY 8, 2018, AND ENDING JANUARY 6, 2020, IN ACCORDANCE WITH ARTICLE II, THE COUNCIL, SECTION 5, MAYOR PRO TEMPORE, OF THE CHARTER OF THE CITY OF BELLAIRE, TEXAS, AS AMENDED IN NOVEMBER 2017, AND REPEALING ANY PRIOR ORDINANCES CONFLICTING THEREWITH.

WHEREAS, *Article II, The Council, Section 5, Mayor Pro Tempore*, of the *Charter of the City of Bellaire, Texas*, as amended in November 2017, provides that the City Council of the City of Bellaire, Texas, shall elect a Mayor Pro Tempore who shall act as and have all of the powers of the Mayor during the absence or disability of the Mayor; **NOW, THEREFORE**,

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

1. **THAT** the recitals contained herein are true and correct.
2. **THAT** _____, **Council Member**
– Position No. _____, is hereby elected as Mayor Pro Tempore of the City of Bellaire, Texas, to serve in accordance with the provisions of *Article II, The Council, Section 5, Mayor Pro Tempore*, of the *Charter of the City of Bellaire, Texas*, as amended in November 2017, for a term commencing January 8, 2018, and expiring January 6, 2020.

3. THAT any and all ordinances that may be in conflict with this Ordinance are hereby repealed.

4. THAT this Ordinance shall be effective immediately upon its adoption.

PASSED, APPROVED, and ADOPTED this 8th day of January, 2018.

(SEAL)

ATTEST:

Tracy L. Dutton, TRMC
City Clerk

SIGNED:

Andrew S. Friedberg
Mayor

APPROVED AS TO FORM:

Alan P. Petrov
City Attorney

Attachment: Election of Mayor Pro Tempore - 2018 (2426 : Election of Mayor Pro Tempore)



ORDINANCE NO. 16-002

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLAIRE, TEXAS, ELECTING A MAYOR PRO TEMPORE FOR THE CITY OF BELLAIRE, TEXAS, FOR A TERM COMMENCING JANUARY 4, 2016, AND EXPIRING JANUARY 8, 2018, IN ACCORDANCE WITH ARTICLE II, THE COUNCIL, SECTION 5, MAYOR PRO TEMPORE, OF THE CHARTER OF THE CITY OF BELLAIRE, TEXAS, AS AMENDED NOVEMBER 7, 2006, AND REPEALING ANY PRIOR ORDINANCES CONFLICTING THEREWITH.

WHEREAS, *Article II, The Council, Section 5, Mayor Pro Tempore*, of the *Charter of the City of Bellaire, Texas*, as amended November 7, 2006, provides that the City Council of the City of Bellaire, Texas, shall elect a Mayor Pro Tempore who shall act and have all of the powers of the Mayor during the absence or disability of the Mayor; and

WHEREAS, the City Council of the City of Bellaire, Texas, has met and elected a Mayor Pro Tempore in accordance with the provisions of *Article II, The Council, Section 5, Mayor Pro Tempore*, of the *Charter of the City of Bellaire, Texas*, as amended November 7, 2006; **NOW, THEREFORE**,

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

1. **THAT** the recitals contained herein are true and correct.
2. **THAT Roman F. Reed, Councilman—Position No. 1**, is hereby elected as Mayor Pro Tempore of the City of Bellaire, Texas, to serve in accordance with the provisions of *Article II, The Council, Section 5, Mayor Pro*

Tempore, of the *Charter of the City of Bellaire, Texas*, as amended November 7, 2006, for a term commencing January 4, 2016, and expiring January 8, 2018.

3. **THAT** any and all ordinances that may be in conflict with this Ordinance are hereby repealed.

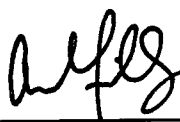
4. **THAT** this Ordinance shall be effective immediately upon its adoption.

PASSED, APPROVED, and ADOPTED this 4th day of January, 2016.

(SEAL)




SIGNED:



Andrew S. Friedberg
Mayor

APPROVED AS TO FORM:



Alan P. Petrov
City Attorney

Mayor and Council

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



Meeting: 01/08/18 07:00 PM
Department: City Clerk
Category: Ordinance
Department Head: Tracy L. Dutton
DOC ID: 2427

**SCHEDULED
ORDINANCE (ID # 2427)**

Item Title:

Consideration of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, appointing a citizen member to the Audit Finance Board of the City of Bellaire, Texas, for a one-year term commencing on February 1, 2018, and ending on January 31, 2019, or other action regarding the process for the selection of a citizen appointee - Submitted by Tracy L. Dutton, City Clerk.

Background/Summary:

The Audit Finance Board of the City of Bellaire, Texas, was originally established by unanimous action of the City Council of the City of Bellaire, Texas, in November of 1998 and was known as the "Audit Finance Committee." Subsequently thereafter, the City Council formally established the Audit Finance Committee by ordinance (Ordinance No. 02-051 dated September 9, 2002). The Audit Finance Committee's name was officially changed to "Audit Finance Board" and a citizen appointee added to the composition of the Audit Finance Board of the City of Bellaire, Texas ("Board") upon a recommendation from the City's Sunset Review Committee (Ordinance No. 12-038, adopted on August 20, 2012).

The purpose of the Board is to advise the City Council concerning audits of the City and any auditing matters as may be referred to it by the Chief Financial Officer of the City and/or the City Council. *Chapter 2, Administration, Article VII, Boards and Commissions, Division 3, Boards and Commissions Governed by Charter, Ordinance or Resolution, Section 2-120, Audit Finance Board, Subsection (c), Membership and appointment, of the Code of Ordinances of the City of Bellaire, Texas ("City Code")*, outlines the composition of the Board as follows: "The board shall be composed of three members of the city council, a citizen appointee with financial and/or audit experience, as well as the city manager and chief financial officer of the city, ex officio, as non-voting members. The council members of the city serving on the audit finance board shall be appointed by the mayor; the mayor may appoint him or herself as one of the council member appointees. The citizen member of the audit finance board shall be appointed by the city council."

The term of office for the members of the Board is one year, commencing on February 1 of each year and continuing through January 31 of the following year. Council Members may not be appointed to serve more than three consecutive one-year terms on the Board; the citizen member and the mayor, should he or she serve on the Board, shall not be subject to such term limit (*Chapter 2, Administration, Article VII, Boards and Commissions, Division 3, Boards and Commissions Governed by City Charter, Ordinance or Resolution, Section 2-120, Audit Finance Board, Subsection (d), Terms of office, of the City Code*).

The first citizen appointee of the Board, Patricia D. (Pat) Lunn, CPA, was appointed by the City Council by Ordinance No. 13-001 for a one-year term commencing on February 1, 2013, and ending on January 31, 2014. Ms. Lunn was subsequently reappointed by the City Council for a second, third and fourth one-year term, the fourth term of which ended on January 31, 2017. Jason Taibel, CPA, our second citizen appointee, was appointed by the City Council by Ordinance No. 17-011 for a one-year term commencing on February 1, 2017, and ending on January 31, 2018.

As there are no term limits for the citizen appointee to the Board, one possible course of action would be for City Council to reappoint Mr. Taibel for a second one-year term commencing on February 1, 2018, and ending on January 31, 2019. Other courses of action might include providing direction to the City Clerk to advertise for the Board position on the City's website and then set up interviews before City Council for those applicants meeting the City Code requirements, or to consider nominations from the dais of a citizen meeting the City Code requirements.

An ordinance has been prepared for City Council consideration and is attached hereto if City Council wishes to consider a reappointment or nomination from the dais.

Previous Council Action Summary:

City Council, by Ordinance No. 17-011 duly passed, approved and adopted on January 23, 2017, appointed Jason Taibel, CPA, as the citizen appointee to the Audit Finance Board for a one-year term commencing on February 1, 2017, and ending on January 31, 2018.

Fiscal Impact:

N/A

Recommendation:

Action as City Council deems appropriate.

ATTACHMENTS:

- Appointment of Citizen Appointee to Audit Finance Board - 2018 (DOCX)
- 02-051 - Code Amend - Ch. 2 Art. VII Boards Commissions and Committees - Provisions Requirements and Standards (PDF)
- 12-038 - Code Amendment - Ch. 2 - Art. VII - Boards and Commissions (PDF)
- 17-011 - Appt - Audit Finance Board - Citizen Member - Jason Taibel (PDF)



ORDINANCE NO. 18-____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLAIRE, TEXAS, APPOINTING A CITIZEN MEMBER TO SERVE AS THE CITIZEN APPOINTEE TO THE AUDIT FINANCE BOARD OF THE CITY OF BELLAIRE, TEXAS, FOR A ONE-YEAR TERM COMMENCING ON FEBRUARY 1, 2018, AND ENDING ON JANUARY 31, 2019.

WHEREAS, in November of 1998, the City Council of the City of Bellaire, Texas ("City Council"), by unanimous action, established an Audit Finance Committee consisting of three (3) members of the City Council (appointed by the Mayor), as well as the City Manager and Chief Financial Officer of the City of Bellaire, Texas, as non-voting members, for the purpose of advising the City Council concerning the audits of the City of Bellaire, Texas; and

WHEREAS, on September 9, 2002, the City Council formally established the Audit Finance Committee by Ordinance No. 02-051; and

WHEREAS, on August 20, 2012, based, in part, on recommendations submitted by the City's Sunset Review Committee, the City Council adopted Ordinance No. 12-038, which amended Chapter 2, Administration, Article VII, Boards and Commissions, of the Code of Ordinances of the City of Bellaire, Texas. One such recommendation related to a change in the name of the Audit Finance Committee to "Audit Finance Board" and a change in the membership of the Audit Finance Board, resulting in the addition of one (1) citizen appointee with financial and/or audit experience to be appointed by the City Council for a one-year term; and

WHEREAS, the term of the current citizen appointee to the Audit Finance Board, Jason Taibel, CPA, will expire on January 31, 2018; and

WHEREAS, the City Council has determined that it is in the best interest of the City of Bellaire, Texas, to appoint the herein named person as the citizen appointee to the Audit Finance Board for a term of one (1) year commencing on February 1, 2018, and ending on January 31, 2019; **NOW, THEREFORE**,

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

1. The recitals set forth hereinabove are true and correct.

2. _____ is hereby appointed as the citizen appointee of the Audit Finance Board for a term of one (1) year commencing on February 1, 2018, and ending on January 31, 2019.

3. The appointment set forth herein shall be effective as of February 1, 2018, and such newly appointed person shall be installed at the first meeting of the Audit Finance Board following the effective date of the appointment herein.

PASSED, APPROVED, and ADOPTED this 8th day of January, 2018.

(SEAL)

ATTEST:

SIGNED:

Tracy L. Dutton, TRMC
City Clerk

Andrew S. Friedberg
Mayor

APPROVED AS TO FORM:

Alan P. Petrov
City Attorney

ORDINANCE NO. 02-051

AN ORDINANCE AMENDING CHAPTER 2, ADMINISTRATION, OF THE CODE OF ORDINANCES OF THE CITY OF BELLAIRE, TEXAS, BY ADOPTING A NEW ARTICLE VII THERETO, ENTITLED BOARDS, COMMISSIONS, AND COMMITTEES, AND SETTING FORTH GENERAL PROVISIONS REQUIREMENTS AND STANDARDS RELATING TO THE BOARDS, COMMISSIONS, AND COMMITTEES OF THE CITY OF BELLAIRE, TEXAS.

WHEREAS, The City Council of the City of Bellaire, Texas, has previously established various Boards, Commissions, and Committees of the City; and

WHEREAS, the City Council of the City of Bellaire, Texas, now wishes to establish more uniform requirements and standards relating to the Boards, Commissions, and Committees of the City; **NOW THEREFORE**,

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

1. **THAT** the recitals as set forth above are found to be true and correct.
2. **THAT** *Chapter 2, Administration, of the Code of Ordinances of the City of Bellaire, Texas*, is hereby amended by adding a new *Article VII* thereto, entitled *Boards, Commissions, and Committees* as set forth below:

"Article VII. BOARDS, COMMISSIONS, AND COMMITTEES

Division 1. Generally.

Sec. 2-90. Application. The requirements contained in this Division shall apply to all Boards of the City unless there is any statutory provision to the contrary, or unless otherwise stated in this Code or the City Charter.

Sec. 2-91. Definition of Board. The term "Board" is defined to include every agency,

authority, advisory board, regulatory board, quasi-judicial board, commission, committee, task force or any other citizens' ad hoc group created and funded in whole or in part by the City. The foregoing notwithstanding, this Division shall not apply to citizens' ad hoc groups created for specific advisory purposes where such group's existence is limited to a period of less than one year. Except as otherwise provided herein or in the City Charter, City boards, and citizens' ad hoc advisory groups shall only be created by action of the City Council.

Sec. 2-92. Creation of New Boards.

- (a) All City boards created after the effective date of this Division shall be created only by ordinance. Such ordinance shall set forth the Board's purpose, function, power, responsibility, jurisdiction, membership requirements and restrictions, terms and conditions of appointment to or removal from the Board, and the specific staff support, if any, to be provided to the Board. The ordinance shall also provide for an annual report, either oral or written, to the City Council.
- (b) Prior to adoption of an ordinance creating and establishing any new Board, and each five years thereafter, City Council shall specifically review and consider the following:
 - (1) For Boards other than ad hoc advisory boards, whether the establishment of the Board will create sufficient betterment to the community to justify the City's delegation of a portion of its authority;

- (2) Whether another Board or agency, either public or private, which is already in existence could serve the same purpose;
- (3) The costs, both direct and indirect, of establishing and maintaining the Board;
- (4) Whether the Board is necessary to enable the City to obtain state or federal grants or other financing; and
- (5) Whether the creation of a new Board is the best method of achieving the benefit desired.

Sec. 2-93. Membership on Boards.

Unless otherwise specified by the City Charter or this Code, each Board shall be comprised of seven (7) members, each of whom shall be at the time of appointment, and at all times while serving as a member of such Board, a qualified elector of the City. The members of each Board shall be appointed by and shall serve at the pleasure of the City Council. The primary consideration in appointing Board members shall be to provide the Board with the needed technical, professional, financial, business, or administrative expertise. The membership of each Board should be representative of the community at large and should reflect the racial, ethnic, and cultural makeup of the community.

Sec. 2-94. Terms of Office. Unless otherwise provided by City Charter or this Code, the terms of office of the members of each Board shall be two years, unless sooner removed by City Council, with said terms expiring on the 30th day of June of either odd- or even-numbered years depending on the year of appointment. Vacancies on Boards

shall be filled by the City Council for the unexpired term. Board members shall continue to serve until their successors have been appointed and qualified.

Sec. 2-95. Term Limits. No Board member shall serve more than three consecutive terms on any one Board. For the purposes of this section, any part of a term shall constitute a full term.

Sec. 2-96. Attendance Requirement. Notwithstanding any other provision of the Code, any Board member shall be automatically removed if, in a given calendar year, he or she is absent from three consecutive regular meetings; a member of a Board shall be deemed absent from a meeting when he or she is not present at the meeting at least 75 percent of its duration. Upon finding of good cause, the provisions of this Section may be waived by a majority vote of the members of the Board.

Sec. 2-97. Quorum Requirements, Exceptions. Except as otherwise specified by City Charter, state law, or this Code, a majority of the members of the Board shall constitute a quorum for the transaction of business.

Sec. 2-98. Notice and Posting of Meeting Agendas or Cancellations. Unless otherwise provided by City Charter or this Code, Boards shall meet regularly at least once each month and shall designate the time and place of meetings. Each Board shall hold such special meetings as may be called by the Chairman, the Vice-Chairman, or a majority of its members. Each Board shall adopt its own rules of procedure and shall keep a record of its proceedings consistent with the provisions of this Section and the requirements of law. Each Board shall provide notice of their

meetings in accordance with the procedures of the *Texas Open Meetings Act*.

Sec. 2-99. City Staff to Keep Records.

The City Manager or his/her designee shall serve as liaison between the City Council and all Boards. He/she shall prepare a standard form to be used by all boards to report their members' attendance to their meetings. All Boards shall submit copies of the minutes of their meetings and records of their members' attendance to said meetings to the City to be maintained as a record of the City.

Sec. 2-100. Annual or Special Reports to City Council. Commencing with the year 2003, each City Board and committee shall report in the following manner: by the first City Council meeting in February of each year, its chairperson shall submit a report, approved by the Board, to the City Council setting forth the following information concerning the Board:

- 1) Whether the Board is serving the purpose for which it was created;
- 2) Whether the Board is serving current community needs;
- 3) A list of the Board's major accomplishments;
- 4) Whether there is any other Board, either public or private, which would better serve the function of the Board; and
- 5) Other recommendations.

Sec. 2-101. City Council Liaisons to Boards. The Mayor shall annually appoint a member of City Council to serve as the City Council liaison to each Board. Said appointment shall remain effective until reassignment or reappointment by the Mayor.

Division 2. Boards and Commissions Governed by State Law.

Sec. 2-102. Board of Adjustment - see Chapter 24, Section 24-303.

Sec. 2-103. Building and Standards Commission - see Chapter 9, Sec. 9-81.

Sec. 2-104. Planning and Zoning Commission - see Chapter 24, Section 24-302.

Division 3. Boards, Commissions and Committees Governed by City Charter, Ordinance or Resolution

Sec. 2-105. Audit Finance Committee. An audit finance committee is established to be composed of three members of City Council, as well as the City Manager and the Director of Finance of the City of Bellaire, Texas. The Council Members of the City of Bellaire, Texas, serving on the Audit Finance Committee shall be appointed by the Mayor of the City of Bellaire, Texas, to serve a term of one year each, commencing February 1 of each year and continuing through January 31 of the following year with no Council Member being appointed to serve more than three consecutive one-year terms. The Mayor of the City of Bellaire, Texas, may appoint himself or herself as one of the Council Member appointments to the Audit Finance Committee and, in such case, the Mayor may serve more than three consecutive one-year terms. Notwithstanding any other provisions of this Code, Section 2-98 shall not apply to the Audit Finance Committee. The Audit Finance Committee shall be responsible for the following:

- a. Recommending an auditor to City Council during those years in which an auditor must be appointed by the City.
- b. Reviewing the audit of the City prior to submission to City Council.
- c. Assisting the auditor and City Staff with the presentation of the audit to City Council.
- d. Providing a communication link between the auditor and City Council.
- e. Meeting at least quarterly in order to monitor the City's financial status throughout the year.
- f. Reporting to City Council at City of Bellaire Council meetings regarding said quarterly meetings and at any other time deemed appropriate by said Committee.

Sec. 2-106. Parks and Recreation Advisory Board. The Parks and Recreation Advisory Board is hereby established consisting of nine members. The Board shall serve in an advisory capacity to the Parks and Recreation Department and to the City Council regarding policy matters pertaining to City parks and recreation, and is responsible to the City Council. The Board shall have the following specific purposes:

- a. Solicit funds, gifts, and bequests for park/recreation programs, additions, and improvements.
- b. Review and make advisory recommendations to the Parks and Recreation Department on proposed park/recreation programs, additions, and improvements.

- c. Promote and stimulate public interest in parks and recreational programs and assist the Director of Parks and Recreation in seeking the cooperation of public and private agencies that may have a direct or indirect involvement in parks and recreation.
- d. Review and make advisory recommendations to the Parks and Recreation Department on changes, modifications, and amendments to parks and recreation policies of the City of Bellaire.

Other functions and duties of the Parks and Recreation Advisory Board shall be to:

- a. Acquaint itself with and make a continuous study and inspection of the complete parks and recreation system.
- b. Recommend and help secure a comprehensive master plan and other studies for parks and recreation for the development of parks, facilities, and recreation programs.
- c. Conduct a periodic review and update of the master plan and provide an annual report to the City Council.
- d. Perform such other duties as the City Council may prescribe.

Sec. 2-107. Recycling Committee. The Recycling Committee is established having the following specific purposes:

- a. Prepare applications for grants to solicit funds for educating the public about, or purchasing equipment for, recycling, subject to City Council approval.


- b. Review and make advisory recommendations to City Council on proposed programs.
- c. Promote and stimulate public interest in recycling with the help of other groups, agencies, businesses, or neighborhoods.
- d. Review and make advisory recommendations to City Council on changes, modifications, and amendments regarding recycling in the City of Bellaire.
- e. Seek City Council approval prior to the expenditure of any funds set aside for the promotion of an education about recycling programs within the City of Bellaire.

Sec. 2-108. Senior Adult Services Advisory Board. The Senior Adult Services Advisory Board is established consisting of nine voting members and one alternate member to provide input to the Senior Adult Services Department from the community regarding services and programs that have been or could be implemented by the City for the benefit and assistance of senior adults. The Board must seek City Council approval prior to the expenditure of City funds set aside for the purposes related to the Senior Adult activities."

3. **THAT** any ordinance or resolution previously adopted by the City Council of the City of Bellaire, Texas, in conflict with the provisions hereof is hereby repealed.


4. **THAT** this ordinance shall be effective immediately upon its passage and adoption.

PASSED, APPROVED, and ADOPTED this, the 9th day of September, 2002.



Mayor Ann Goode, Mayor
City of Bellaire, Texas

ATTEST:



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

ORDINANCE NO. 12-038

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLAIRE, TEXAS, AMENDING CHAPTER 2, ADMINISTRATION, OF THE CODE OF ORDINANCES OF THE CITY OF BELLAIRE, TEXAS, BY REPEALING ARTICLE VII, BOARDS, COMMISSIONS AND COMMITTEES, IN ITS ENTIRETY AND ADDING A NEW ARTICLE VII TO BE TITLED "BOARDS AND COMMISSIONS," AS APPROVED BY THE CITY COUNCIL OF THE CITY OF BELLAIRE, TEXAS, ON JULY 2, 2012, BASED ON THE RECOMMENDATIONS OF THE SUNSET REVIEW COMMITTEE OF THE CITY OF BELLAIRE, TEXAS, IN ITS REPORT AND RECOMMENDATIONS TO CITY COUNCIL DATED NOVEMBER 14, 2011; AND AUTHORIZING AND DIRECTING THE CITY MANAGER TO MAKE FURTHER CHANGES TO THE BOARDS HANDBOOK, AS APPROVED BY THE CITY COUNCIL ON JULY 2, 2012, AS NECESSARY TO ENSURE THAT SAID HANDBOOK COMPLIES WITH THE NEWLY ADOPTED ARTICLE VII OF THE CODE OF ORDINANCES OF THE CITY OF BELLAIRE, TEXAS.

WHEREAS, the City Council of the City of Bellaire, Texas, by Ordinance No. 10-078, duly approved and adopted on November 1, 2010, established a Sunset Review Committee for the purpose of reviewing the charge, size, and need for each of the City's boards, commissions and committees; and

WHEREAS, the Sunset Review Committee completed its charge and presented its *Report and Recommendations to City Council* on November 14, 2011; and

WHEREAS, the City Council of the City of Bellaire, Texas, accepted the *Report and Recommendations* as submitted by the Sunset Review Committee on November 14, 2011, and subsequently considered and acted upon said *Report and Recommendations*, with amendments adopted by the City Council, on July 2, 2012; and

WHEREAS, the recommendations made by the Sunset Review Committee and subsequently amended and adopted by the City Council of the City of Bellaire, Texas, require numerous amendments to *Chapter 2, Administration, Article VII, Boards, Commissions and Committees*, of the *Code of Ordinances of the City of Bellaire, Texas*, and to the *Boards Handbook* of the City of Bellaire, Texas; **NOW, THEREFORE**,

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

SECTION 1. THAT *Chapter 2, Administration*, of the *Code of Ordinances of the City of Bellaire, Texas* ("Code"), is hereby amended by repealing *Article VII, Boards, Commissions and Committees*, in its entirety and adding a new *Article VII, "Boards and Commissions,"* as approved by the City Council of the City of Bellaire, Texas, on July 2, 2012, based on the recommendations of the Sunset Review Committee of the City of Bellaire, Texas, in its *Report and Recommendations to City Council* dated November 14, 2011. The amended Code shall read as set out in Appendix A, attached hereto. All other portions of *Chapter 2, Administration*, of the City's Code not specifically amended hereby shall remain in full force and effect.

SECTION 2. THAT the City Manager is hereby authorized and directed to make further changes to the *Boards Handbook*, as approved by the City Council on July 2, 2012, as necessary to ensure that said handbook complies with the newly adopted *Article VII of the Code of Ordinances of the City of Bellaire, Texas*, as set out in Appendix A, attached hereto.



SECTION 3. THAT all ordinances and parts ordinances in conflict with this Ordinance are repealed to the extent of the conflict only.

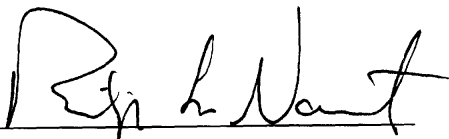
SECTION 4. THAT If any word, phrase, clause, sentence, paragraph, section or other part of this Ordinance or the application thereof to any person or circumstance, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, neither the remainder of this Ordinance, nor the application of such word, phrase, clause, sentence, paragraph, section or other part of this Ordinance to any persons or circumstances shall be affected thereby.

SECTION 5. THAT the City Council officially finds, determines and declares that a sufficient written notice of the date, hour, place and subject of each meeting at which this Ordinance was discussed, considered or acted upon was given in the manner required by the *Texas Open Meetings Act*, as amended, and that each such meeting has been open to the public as required by law at all times during such discussion, consideration and action. The City Council ratifies, approves and confirms such notices and the contents and posting thereof.

SECTION 6. THAT this Ordinance shall be effective immediately upon passage, approval and adoption.

PASSED, APPROVED and ADOPTED this 20th day of August, 2012.

ATTEST: 

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


 Philip L. Nauert, Mayor
 City of Bellaire, Texas

APPROVED AS TO FORM:


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

APPENDIX A

Instructions:

Chapter 2. ADMINISTRATION.

Delete Article in its entirety:

ARTICLE VII. BOARDS, COMMISSIONS AND COMMITTEES

New Article to be added to Chapter 2 (see Article VII below);

Global changes should be made to reflect a change in the names of the following boards:

- Audit/finance committee or audit finance committee is now the "audit finance board;"
- Bellaire recycling committee or recycling committee is now the "environmental and sustainability board;"
- Bellaire L.I.F.E. advisory board is now the "L.I.F.E. advisory board;" and
- Bellaire cultural arts commission is now the "cultural arts board."

Global changes should also be made to update cross-references to existing sections that are renumbered in the new Article as set forth below.

ARTICLE VII. BOARDS AND COMMISSIONS

DIVISION 1. GENERALLY

Sec. 2-90. Application.

The requirements contained in this division shall apply to all boards of the city unless there is any statutory provision to the contrary, or unless otherwise stated in this code or the city charter.

Sec. 2-91. Definition of board; statutory boards and advisory boards.

The term "board" is defined to include every agency, authority, advisory board, regulatory board, quasi-judicial board, commission, committee, task force or any other citizens' ad hoc group created and funded in whole or in part by the city. The foregoing notwithstanding, this division shall not apply to citizens' ad hoc groups created for specific advisory purposes where such group's existence is limited to a

period of less than one year. Except as otherwise provided herein or in the city charter, city boards, and citizens' ad hoc advisory groups shall only be created by action of the city council. The boards governed by state law and contained in division 2 of this article may be referred to collectively as the "statutory boards." The boards governed by city charter, ordinance or resolution and contained in division 3 of this article may be referred to collectively as the "advisory boards."

Sec. 2-92. Creation of new boards.

(a) All city boards created after the effective date of this division shall be created only by ordinance. Such ordinance shall set forth the board's purpose, function, power, responsibility, jurisdiction, membership requirements and restrictions, terms and conditions of appointment to or removal from the board, and the specific staff support, if any, to be provided to the board. The ordinance shall also provide for an annual report, either oral or written, to the city council.

(b) Prior to adoption of an ordinance creating and establishing any new board, and each five years thereafter, city council shall specifically review and consider the following:

- (1) For boards other than ad hoc advisory boards, whether the establishment of the board will create sufficient betterment to the community to justify the city's delegation of a portion of its authority;
- (2) Whether another board or agency, either public or private, which is already in existence could serve the same purpose;
- (3) The costs, both direct and indirect, of establishing and maintaining the board;
- (4) Whether the board is necessary to enable the city to obtain state or federal grants or other financing; and
- (5) Whether the creation of a new board is the best method of achieving the benefit desired.

Sec. 2-93. Eligibility for membership on boards.

Unless otherwise specified by the city charter or this code, each board shall be comprised of seven members, each of whom shall be at the time of appointment a permanent resident of the city for a minimum of six months, and at all times while serving as a member of such board, a qualified elector of the city, except as follows:

(a) The city council may appoint a person or persons to a board who does not meet current State of Texas voter registration regulations to become a qualified elector due to age; and/or

(b) The city council may appoint an ex-officio member or members who may contribute special consultative information to a board.

The members of each board shall be appointed by and, for the advisory boards, shall serve at the pleasure of the city council. The primary consideration in appointing board members shall be to provide the board with the needed technical, professional, financial, business, or administrative expertise. The membership of each board should be representative of the community at large and should reflect the racial, ethnic, and cultural makeup of the community.

Sec. 2-94. Terms of office.

For all boards other than the audit finance board, each member, unless sooner removed by the City Council, shall serve a term of two (2) years. Their terms shall be staggered, such that the terms of either three (3) or four (4) members, on an alternating basis, shall end on the 30th day of June of each year. Members may be appointed to succeed themselves; however, no member may be appointed to serve more than three consecutive terms, not including partial terms. All members shall serve until their successors are appointed and qualified. Terms of office for the audit finance board are as provided in sec. 2-120.

Sec. 2-95. Term limits.

No board member shall serve more than three consecutive terms on any one board. Any part of a term shall not constitute a full term.

Sec. 2-96. Vacancies.

Vacancies on the boards, other than councilmember vacancies on the audit finance board, shall be filled by the city council. Unless sooner removed by the city council, a person appointed to fill a vacancy shall serve for the remainder of the time for which his predecessor on the board was appointed. Newly appointed members shall be installed at or prior to the first regular meeting of the board following their appointment. Councilmember vacancies on the audit finance board shall be filled by the mayor.

Sec. 2-97. Attendance and training requirements.

(a) A board member may be subject to removal by the city council if he or she is absent from three consecutive regular meetings. A member of a board shall be deemed absent from a meeting when he or she is not present at the meeting at least 75 percent of its duration. A report of such consecutive absences by a member of the board shall be reported to the city council by the board.

(b) Board members are required to attend all applicable trainings: state mandated trainings; board orientations conducted by the city; and for the statutory boards, specialized trainings conducted by the city.

Sec. 2-98. Compensation.

Members of the boards shall serve without compensation; however, each member shall be entitled to reimbursement of actual and necessary expenses incurred by the member in the discharge of his or her official duties, subject to prior approval by the city council.

Sec. 2-99. Conflicts of interest.

Members of the boards shall not vote or participate in any proceeding that involves any matter or property in which they have a personal or pecuniary interest, in which the decision of the board will directly affect them. In the event any such possible conflict should arise, the member affected thereby shall make disclosure of such fact to the board, which disclosure shall be duly noted in the minutes of the board, and disqualify himself from any further participation in the board's consideration of such matter. The provisions of chapter 2, article VI of this code (code of ethics) shall serve as ethical guidelines and apply to the participation of members in board proceedings.

Sec. 2-100. Quorum requirements, exceptions.

For all boards other than the board of adjustment, a majority of the members of each board shall constitute a quorum for the transaction of business. The quorum requirement for the board of adjustment is as provided in Sec. 2-112.

Sec. 2-101. Notice and posting of meeting agendas or cancellations.

For the advisory boards other than the audit finance board, regular meetings shall be held monthly as business shall require, and special meetings at the call of the chair, the vice-chair or a majority of the members. Meetings of the statutory boards shall be held as provided in sections 2-112, 2-113 and 2-114, respectively. Meetings of the audit finance board shall be held as provided in section 2-120. Each

board shall provide notice of its meetings and specific agenda items in accordance with the procedures of the Texas Open Meetings Act.

Sec. 2-102. Board organization.

Except for the audit finance board and board of adjustment, each board shall hold an organizational meeting in July of each year, at which meeting it shall elect from among its members a chair and a vice-chair before proceeding to any other matters of business. The board shall appoint a secretary and such other officers as it deems necessary either from its membership or from the staff representative assigned by the city manager of the city to work with the board. The organization of the audit finance board shall be as provided in sec. 2-120; of the board of adjustment as provided in sec. 2-112. Each board, other than the audit finance board, shall adopt its own rules of procedure and shall keep a record of its proceedings consistent with the requirements of law.

Sec. 2-103. City staff to keep records.

The city manager or his designee shall serve as liaison between the city council and all boards. He shall prepare a standard form to be used by all boards to report their members' attendance to their meetings. All boards shall submit copies of the minutes of their meetings and records of their members' attendance to said meetings to the city to be maintained as a record of the city.

Sec. 2-104. Annual or special reports to city council.

Commencing with the year 2003, each city board and committee shall report in the following manner: by the first city council meeting in February of each year, its chairperson shall submit a report, approved by the board, to the city council setting forth the following information concerning the board:

- (1) Whether the board is serving the purpose for which it was created;
- (2) Whether the board is serving current community needs;
- (3) A list of the board's major accomplishments;
- (4) Whether there is any other board, either public or private, which would better serve the function of the board; and
- (5) Other recommendations.

Sec. 2-105. City council liaisons to boards.

The mayor shall annually appoint a member of city council to serve as the city council liaison to each board. Said appointment shall remain effective until reassignment or reappointment by the mayor.

Sec. 2-106. Staff liaisons to boards.

The city manager shall appoint a member of the city staff to serve as the staff liaison to each statutory board, such appointment to remain effective until reassignment or reappointment by the city manager. The city manager may, but shall not be required to, appoint staff liaisons to the advisory boards.

Secs. 2-107—2-111. Reserved.**DIVISION 2. BOARDS AND COMMISSIONS GOVERNED BY STATE LAW****Sec. 2-112. Board of adjustment.**

A. *Creation.* There is hereby created the board of adjustment, which was established, in its original form, by ordinance no. 115 on May 7, 1939.

B. *Purpose.* The board is created pursuant to Tex. Local Gov't Code § 211.008, *et seq.*, for the purposes therein authorized.

C. *Membership and appointment.* The board of adjustment shall be composed of seven (7) regular members to be appointed by the city council. Members of the board of adjustment shall possess the following minimum qualifications:

1. Shall be citizens of the United States of America and qualified voters of the State of Texas;
2. Shall have resided for at least one (1) year next preceding their appointment within the corporate limits of the City of Bellaire; and
3. Shall possess such other qualifications as shall be from time to time imposed by law by the city council.

D. *Removal for cause.* The city council may remove a board member for cause, as found by the City Council, on a written charge after a public hearing. Tex. Local Gov't Code § 211.008(b).

E. *Organization.*

1. Chair and vice-chair.
 - a. At the first meeting after the appointment of members of the board for a new term, the members of the board shall elect one of their number as chair and one of their number as vice-chair.
 - b. In the absence of the chair, the vice-chair shall act as chair and shall have all powers of the chair.
 - c. The members of the board may select an additional person to preside over meetings in the absence of the chair and the vice-chair.
 - d. The presiding officer of any meeting of the board may administer oaths and shall be in charge of all proceedings before the board and shall take such action as shall be necessary to preserve order and the integrity of all proceedings before the board.
2. Staff secretary. The city manager shall appoint a secretary to the board who shall serve at the pleasure of the city manager. The secretary shall keep minutes of all proceedings of the board, which shall include the vote of each member upon every question. Such minutes shall be a summary of all proceedings before the board attested to by the secretary and shall be approved by a vote of a majority of the members of the board voting to approve the minutes. The secretary shall maintain all records of the board and shall, in addition, prepare orders of the board for signature by the chair as the official order of the board.
3. Planning and zoning official and building official. In order to implement the applicable provisions of chapter 24 of this code, the planning and zoning official and the building official shall provide necessary staff support to the board.

F. *Meetings.*

1. Regular meetings of the board shall be held monthly as business shall require, and special meetings at the call of the chair, the vice-chair or a majority of the members.
2. All meetings and hearings of the board shall be open to the public.
3. Notices of appeals to the board and requests for variances or special exceptions or for determination of nonconforming uses or elimination thereof shall be given by mail to the persons-in-interest and by publishing a notice of such hearing in a newspaper of general circulation in the City of Bellaire at least ten (10) days prior to the date set for the hearing.
4. All records of the board shall be public records open to inspection at reasonable times and upon reasonable notice in accordance with Tex. Gov't Code § 552.021. State law reference—Board of adjustment, Tex. Local Gov't Code, §§ 211.008—211.013.

G. *Quorum.* No meeting of the board may be called to order nor may any business be transacted by the board without a quorum, consisting of at least seventy-five percent of the members of the board, being present. The concurring vote of at least seventy-five percent of the members (six members) shall be necessary for the board to take action, save and except to consider and pass rules of procedure or a motion of adjournment which shall require the concurring vote of a simple majority of the members of the board then present and voting. State law reference— Board of adjustment, Tex. Local Gov't Code, §§ 211.008—211.013.

H. *Duties and powers.* The board shall have the following duties and powers:

1. To hear and decide an appeal that alleges error in any order, requirement, decision or determination made by an administrative official in the enforcement of Tex. Local Government Code chapter 211, or of chapter 24 of this Code;
2. To hear and decide special exceptions to the terms of chapter 24;

3. To authorize, upon appeal in specific cases, such variances from the terms of chapter 24 as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of chapter 24 will result in unnecessary hardship, and so that the spirit of chapter 24 shall be observed and substantial justice done;
4. Appeals from the board. Any person or persons, jointly or severally, or any taxpayer, any officer, department or board of the municipality, aggrieved by any decision of the board, may present to the district court of Harris County, Texas, a verified petition stating that a decision is illegal and specifying the grounds of the illegality. Such petition shall be filed with the court no later than ten (10) days after the filing of the board's decision with the office of the board. If such person or persons fails to file such petition within such ten (10) day period of time, then the decision of the board shall become final and binding.
5. To review and report on any matter referred to it by the city council; and
6. To adopt rules of procedure which are not in conflict with the provisions of chapter 24.

Sec. 2-113. - Building and standards commission.

A. *Creation.* There is hereby created, as authorized by state law, the building and standards commission, which was established, in its original form, by ordinance no. 2137 on August 4, 1975.

B. *Purpose.* The commission is created for the purpose of fulfilling, in a manner consistent with the laws of the State of Texas, those responsibilities delegated to it by the charter and ordinances of the city. The city does adopt the provisions of the Texas Local Government Code ch. 54, subchapter C, thereof, entitled "Quasi-Judicial Enforcement of Health and Safety Ordinances," and does further adopt the provisions of Texas Local Government Code ch. 214, entitled "Municipal Regulation of Structures," and does authorize the building official and/or the building and standards commission to proceed under either Texas Local Government Code ch. 54 or ch. 214 or both chapters to the extent the same is deemed appropriate and necessary. The building official and/or the building and standards commission are further authorized to implement and comply with the

provisions of Title 44, Code of Federal Regulations, Section 60. A. "Requirements for Floodplain Management Regulations" and 60.6 "Variances and Exceptions."

C. *Membership and appointment.* The commission shall be composed of seven (7) members appointed by the city council.

D. *Removal for cause.* The city council may remove a commission member for cause on a written charge. Before a decision regarding removal is made, the city council must hold a public hearing on the matter if requested by the commission member subject to the removal action. Tex. Local Gov't Code § 54.033(c).

E. *Meetings.* The proceedings, notifications, and authority shall be as provided for and specified under the provisions of law, it being the intent of the city council to grant to the building official and the building and standards commission the maximum authority and right to implement and/or proceed under the provisions of Texas Local Government Code ch. 54 and ch. 214 to the maximum extent as permitted and authorized by law.

F. *Duties and powers.* The commission shall have the following duties and powers:

1. all powers, duties and responsibilities provided for under Texas Local Government Code chapters 54 and 214, including but not limited to those pertaining to substandard structures;
2. to hold hearings and grant variances as provided for by city ordinances and by Title 44, Code of Federal Regulations, Section 60. A. "Requirements for Floodplain Management Regulations" and 60.6 "Variances and Exceptions";
3. to review, report and/or make recommendations on any matter referred to it by the city council;
4. to identify community needs and to advise city council of the implications of such needs for the health and safety ordinances of the city;
5. to make recommendations to city council regarding the building code and the ordinances under the commission's purview;
6. to provide public education on issues pertaining to building codes; and

7. to report annually to city council.

In addition, if not specifically provided for in either of ch. 54 or ch. 214 of the Texas Local Government Code, and/or to the extent either of said chapters requires specific authorization by the city council, the city council does hereby grant and delegate to the appropriate officer of the city and/or the building and standards commission any and all powers, duties and responsibilities as shall be from time to time provided for, permitted or allowed by the legislature of the State of Texas to be so granted and delegated, it being the intent of the city to fully implement Texas Local Government Code ch. 54 and ch. 214 as well as to further provide the building and standards commission and any other commission, officer or legal authority, as provided for under the provisions of state law, the maximum powers, privileges, and rights as may be from time to time provided for, created or permitted to be delegated by the city council to such commissions, officers and/or legal authorities of the city, without restriction or limitation.

Sec. 2-114. - Planning and zoning commission.

A. *Creation.* There is hereby created the planning and zoning commission, which was established, in its original form, by ordinance no. 115 on May 7, 1939.

B. *Purpose.* The commission is created for the purpose of fulfilling, in a manner consistent with the laws of the State of Texas, those planning and zoning responsibilities delegated to it by the charter and ordinances of the city. One of its dominant purposes shall be to accomplish the following:

1. To identify community needs and to advise the city council of the short-range and long-range implications of such needs for the total development of the city.
2. To recommend to the city council achievable community goals for planning and development programs.
3. To recommend to the city council plans, programs and policies calculated to aid the community in achieving its defined goals.
4. To explain to and explore with citizens those plans and programs adopted by the city council in an effort to ensure that private activities and desires may be accomplished in harmony with public needs and policies.

C. *Membership and appointment.* The commission shall be composed of seven (7) persons, each of whom shall be at the time of his appointment and at all times while serving as a member of such commission a qualified elector of the city. The members of the commission shall be appointed by the city council.

D. *Removal for cause.* The city council may remove a commission member for cause on a written charge. Before a decision regarding removal is made, the city council must hold a public hearing on the matter if requested by the commission member subject to the removal action.

E. *Meetings.* The commission shall meet regularly at least once each month and shall designate the date, time, and place of its meetings. It shall hold such special meetings as may be called by the chair, the vice-chair, or a majority of its members. The commission shall adopt its own rules of procedure and shall keep a record of its proceedings consistent with the provisions of this section and the requirements of law.

F. *Duties and powers.* The commission is hereby charged with the responsibility and vested with the authority to:

1. Formulate and recommend to the city council, for its adoption, such plans, programs and policies related to the future growth and development of the city as the commission deems appropriate and necessary;
2. Exercise all of the powers and responsibilities of a planning commission relating to the approval or disapproval of land subdivision plans, plats or replats and to the vacation of such plans, plats or replats granted by the laws of the State of Texas including, but not limited to, Texas Local Government Code chapters 42, 43, 211 and 212, and by the ordinances of the city including, but not limited to, chapter 23.5 (land subdivision regulations) of this code;
3. Exercise all of the powers and responsibilities of a zoning commission relating to the formulation of a zoning plan, hold public hearings, and make recommendations to the city council relating to the creation, amendment, and implementation of zoning regulations, classifications, and districts, all as provided for in the laws of the State of Texas including, but not limited to, Texas Local Government Code chapter 211, and the ordinances of the city including, but not limited to, chapter 24 (planning and zoning regulations) of this code;
4. Perform such other duties and address such other matters as may be conferred upon or referred to the commission by the city council.

Secs. 2-115—2-119. Reserved.

DIVISION 3. BOARDS AND COMMISSIONS GOVERNED BY CITY CHARTER, ORDINANCE OR RESOLUTION

Sec. 2-120. Audit finance board.

A. *Creation.* There is hereby created the audit finance board, which was established, in its original form, by ordinance no. 02-051 on September 9, 2002.

B. *Purpose.* The purpose of the board is to advise the city council concerning audits of the city and any auditing matters as may be referred to it by the chief financial officer of the city and/or the city council.

C. *Membership and appointment.* The board shall be composed of three (3) members of the city council, a citizen appointee with financial and/or audit experience, as well as the city manager and the chief financial officer of the city, *ex officio*, as non-voting members. The councilmembers of the city serving on the audit finance board shall be appointed by the mayor; the mayor may appoint him or herself as one of the councilmember appointees. The citizen member of the audit finance board shall be appointed by the city council.

D. *Terms of office.* The members of the board shall serve a term of one year each, commencing February 1 of each year and continuing through January 31 of the following year. Councilmembers may not be appointed to serve more than three consecutive one-year terms on the board; the citizen member and the mayor, should he or she serve on the board, shall not be subject to such term limit.

E. *Organization.* The board may elect from among its voting members any officers as it deems necessary.

F. *Meetings.* The board shall meet as needed, but at least annually, in order to monitor the city's financial status throughout the year. Notwithstanding any other provisions of this code, section 2-101 shall not apply to the audit finance board.

G. *Duties and powers.* The audit finance board shall be responsible for the following:

1. Recommending an auditor to city council during those years in which an auditor must be appointed by the city.
2. Reviewing the audit of the city prior to submission to city council.
3. Assisting the auditor and city staff with the presentation of the audit to city council.
4. Providing a communication link between the auditor and city council concerning the following areas:

- a. Accounting and financial reporting policies;
 - b. Debt management and fiscal policies;
 - c. Cash and investment management policies;
 - d. Purchasing policies;
 - e. Business services policies;
 - f. Other matters as may be referred by the city council;
 - g. Assist city council in carrying out its oversight and improvement responsibilities as they relate to the city's financial and performance reporting practices, internal controls, compliance with laws and regulations, and initiatives to improve the performance of city services; and
 - h. Any other auditing matters as the board deems appropriate.
5. Reporting to city council at council meetings regarding the meetings of said board and at any other time deemed appropriate by said board.

Sec. 2-121. Parks and recreation advisory board.

A. *Creation.* There is hereby created the parks and recreation advisory board, which was established, in its original form, by resolution no. 88-03 on January 18, 1988.

B. *Purpose.* The board shall serve in an advisory capacity to the parks and recreation department (the "department") and to the city council regarding policy matters pertaining to city parks and recreation, and is responsible to the city council.

C. *Membership and appointment.* The board shall be composed of seven (7) members appointed by city council. Additionally, the director of the parks and recreation department shall serve, *ex officio*, as a non-voting member of the board.

D. *Duties and powers.* The board shall have the following specific purposes:

- 1. Make recommendations to the city council regarding sources of funding for parks and recreation programs, additions, and improvements;

2. Review and make advisory recommendations to the department and the city council on proposed parks and recreation programs, additions, and improvements;
3. Promote and stimulate public interest in parks and recreational programs and assist the director of the department in seeking the cooperation of public and private agencies that may have a direct or indirect involvement in parks and recreation; and
4. Review and make advisory recommendations to the department and the city council on changes, modifications, and amendments to parks and recreation policies of the city. Other functions and duties of the board shall be to:
 - a. Acquaint itself with and make a continuous study and inspection of the complete parks and recreation system;
 - b. Recommend and help secure a comprehensive master plan and other studies for parks and recreation for the development of parks, facilities, and recreation programs;
 - c. Conduct a periodic review and update of the master plan and provide an annual report to the city council; and
 - d. Perform such other duties as the city council may prescribe.

Sec. 2-122. Environmental and sustainability board.

A. *Creation.* There is hereby created the environmental and sustainability board, which was established, in its original form, by resolution 88-10 on May 9, 1988.

B. *Purpose.* The board shall serve in an advisory capacity to the public works department and to the city council regarding policy matters pertaining to environmental sustainability, and is responsible to the city council.

C. *Membership and appointment.* The board shall be composed of seven (7) members to be appointed by the city council.

D. *Duties and powers.* The board shall have the following specific purposes:

1. Review and make advisory recommendations to city council in the initiation, prioritization, and development of programs, policies, and activities relating to environmental sustainability, including but not limited to energy and natural resource conservation and recycling;

2. Research and recommend financial resources to offset costs of programs and initiatives relating to sustainability, including without limitation grants, sponsorships, and cost-savings programs; and
3. Develop programs to educate the public and increase city residents' participation in and knowledge of environmental sustainability practices.

Sec. 2-123. L.I.F.E. advisory board.

A. *Creation.* There is hereby created the L.I.F.E. (Living, Information, Fun and Enrichment) advisory board, which was established, in its original form, by resolution no. 85-21 on December 2, 1985.

B. *Purpose.* The purpose of the board is to provide input to the parks and recreation department from the community regarding services and programs that have been or could be implemented by the city for the benefit and assistance of mature adults (aged 50 and older).

C. *Membership and appointment.* The board shall be composed of seven (7) members to be appointed by the city council.

Sec. 2-124. - Cultural arts board.

A. *Creation.* There is hereby created the cultural arts board, which was established, in its original form as an ad hoc committee, by ordinance no. 03-046 on June 16, 2003, and later reconstituted as a standing board by ordinance no. 04-027 on April 19, 2004.

B. *Purpose.* The purpose of the board is to advise the city council concerning public art, including visual and performing arts, and related programming in the city.

C. *Membership and appointment.* The board shall be composed of seven (7) members to be appointed by the city council.

D. *Duties and powers.* The board shall have the following objectives:

1. To enhance the quality of life in the city with visual and performing arts by transforming the places our citizens live, work, and play into more welcoming and beautiful environments through the integration of artistic styles that reflect the vibrant image of the city as a contemporary and progressive city.
2. Provide the city and its citizens with an art program for future public art and acquisition, performing and visual art exhibition and demonstration.

3. To serve as a vehicle to approach other governmental agencies and the private sector for financial assistance to develop public art in the city.
4. To serve as a guide for future cultural arts board members.
5. To prepare and submit to the city council recommendations for public art projects and improvements to be located in public spaces within the city.
6. To prepare and submit budgets for the development and installation of any public art projects and improvements recommended by the cultural arts board to the city council.
7. To investigate and recommend to the city council possible funding mechanisms for an ongoing public arts program.
8. To participate in cooperative projects with city departments and boards, and nonprofit entities.

**ORDINANCE NO. 17-011**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLAIRE, TEXAS, APPOINTING A CITIZEN MEMBER TO SERVE AS THE CITIZEN APPOINTEE TO THE AUDIT FINANCE BOARD OF THE CITY OF BELLAIRE, TEXAS, FOR A ONE-YEAR TERM COMMENCING ON FEBRUARY 1, 2017, AND ENDING ON JANUARY 31, 2018.

WHEREAS, in November of 1998, the City Council of the City of Bellaire, Texas ("City Council"), by unanimous action, established an Audit Finance Committee consisting of three (3) members of the City Council (appointed by the Mayor), as well as the City Manager and Chief Financial Officer of the City of Bellaire, Texas, as non-voting members, for the purpose of advising the City Council concerning the audits of the City of Bellaire, Texas; and

WHEREAS, on September 9, 2002, the City Council formally established the Audit Finance Committee by Ordinance No. 02-051; and

WHEREAS, on August 20, 2012, based, in part, on recommendations submitted by the City's Sunset Review Committee, the City Council adopted Ordinance No. 12-038, which amended Chapter 2, Administration, Article VII, Boards and Commissions, of the Code of Ordinances of the City of Bellaire, Texas. One such recommendation related to a change in the name of the Audit Finance Committee to "Audit Finance Board" and a change in the membership of the Audit Finance Board, resulting in the addition of one (1) citizen appointee with financial and/or audit experience to be appointed by the City Council for a one-year term; and

WHEREAS, the term of the current citizen appointee to the Audit Finance Board, Patricia D. (Pat) Lunn, CPA, will expire on January 31, 2017; and

WHEREAS, the City Council has determined that it is in the best interest of the City of Bellaire, Texas, to appoint the herein named person as the citizen appointee to the Audit Finance Board for a term of one (1) year commencing on February 1, 2017, and ending on January 31, 2018; **NOW, THEREFORE**,

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

1. The recitals set forth hereinabove are true and correct.

2. **Jason Taibel** is hereby appointed as the citizen appointee of the Audit Finance Board for a term of one (1) year commencing on February 1, 2017, and ending on January 31, 2018.

3. The appointment set forth herein shall be effective as of February 1, 2017, and such newly appointed person shall be installed at the first meeting of the Audit Finance Board following the effective date of the appointment herein.


PASSED, APPROVED, and ADOPTED this 23rd day of January, 2017.

ATTEST:



Tracy L. Sutton
Tracy L. Sutton, TRMC
City Clerk

SIGNED:



Andrew S. Friedberg
Mayor

APPROVED AS TO FORM:



Alan P. Petrov
City Attorney

Attachment: 17-011 - Appt - Audit Finance Board - Citizen Member - Jason Taibel (2427 : Appointment of Citizen Member of the Audit Finance

Mayor and Council

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



Meeting: 01/08/18 07:00 PM
Department: City Clerk
Category: Appointment
Department Head: Tracy L. Dutton
DOC ID: 2428

**SCHEDULED
INFORMATION ITEM (ID
2428)**

Item Title:

Mayoral Appointments to the Audit Finance Board: Andrew S. Friedberg, Mayor, will appoint three (3) members of the City Council of the City of Bellaire, Texas, to serve on the Audit Finance Board of the City of Bellaire, Texas, for a one-year term commencing on February 1, 2018, and ending on January 31, 2019 - Submitted by Tracy L. Dutton, City Clerk.

Background/Summary:

The Audit Finance Board of the City of Bellaire, Texas, was originally established by unanimous action of the City Council of the City of Bellaire, Texas, in November of 1998 and was known as the "Audit Finance Committee." Subsequently thereafter, the City Council formally established the Audit Finance Committee by ordinance (Ordinance No. 02-051 dated September 9, 2002). The Audit Finance Committee's name was officially changed to "Audit Finance Board" and a citizen appointee added to the composition of the Audit Finance Board of the City of Bellaire, Texas ("Board") upon a recommendation from the City's Sunset Review Committee (Ordinance No. 12-038, adopted on August 20, 2012).

The purpose of the Board is to advise the City Council concerning audits of the City and any auditing matters as may be referred to it by the Chief Financial Officer of the City and/or the City Council. *Chapter 2, Administration, Article VII, Boards and Commissions, Division 3, Boards and Commissions Governed by Charter, Ordinance or Resolution, Section 2-120, Audit Finance Board, Subsection (c), Membership and appointment, of the Code of Ordinances of the City of Bellaire, Texas ("City Code")*, outlines the composition of the Board as follows: "The board shall be composed of three members of the city council, a citizen appointee with financial and/or audit experience, as well as the city manager and chief financial officer of the city, ex officio, as non-voting members. The council members of the city serving on the audit finance board shall be appointed by the mayor; the mayor may appoint him or herself as one of the council member appointees. The citizen member of the audit finance board shall be appointed by the city council."

The term of office for the members of the Board is one year, commencing on February 1 of each year and continuing through January 31 of the following year. Council Members may not be appointed to serve more than three consecutive one-year terms on the Board; the citizen member and the mayor, should he or she serve on the Board, shall not be subject to such term limit (*Chapter 2, Administration, Article VII, Boards and Commissions, Division 3, Boards and Commissions Governed by City Charter, Ordinance or Resolution, Section 2-120, Audit Finance Board, Subsection (d), Terms of office, of the City Code*).

Previous Council Action Summary:

Set forth below for informational purposes is a list of members that have served on the Board over the past five years.

FEBRUARY 1, 2013 - JANUARY 31, 2014

Philip L. Nauert, Mayor

Andrew S. Friedberg, Council Member
 Amanda B. Nathan, Council Member
 Patricia D. Lunn, Citizen Appointee
 Bernie Satterwhite, Jr., City Manager
 Linda Symank, Chief Financial Officer

FEBRUARY 1, 2014 - JANUARY 31, 2015

Philip L. Nauert, Mayor
 Andrew S. Friedberg, Council Member
 Gus E. Pappas, Council Member
 Patricia D. Lunn, Citizen Appointee
 Paul A. Hofmann, City Manager
 Linda Symank, Chief Financial Officer

FEBRUARY 1, 2015 - JANUARY 31, 2016

Philip L. Nauert, Mayor
 Andrew S. Friedberg, Council Member
 Gus E. Pappas, Council Member
 Patricia D. Lunn, Citizen Appointee
 Paul A. Hofmann, City Manager
 Linda Symank, Chief Financial Officer

FEBRUARY 1, 2016 - JANUARY 31, 2017

Andrew S. Friedberg, Mayor
 Gus E. Pappas, Council Member
 David R. Montague, Council Member
 Patricia D. Lunn, Citizen Appointee
 Paul A. Hofmann, Mayor
 Linda Symank (February - March), Chief Financial Officer
 Terrence Beaman (April - January), Chief Financial Officer

FEBRUARY 1, 2017 - JANUARY 31, 2018

Andrew S. Friedberg, Mayor
 David R. Montague, Council Member
 Michael Fife, Council Member
 Jason Taibel, Citizen Appointee
 Paul A. Hofmann, City Manager
 Terrence Beaman, Chief Financial Officer

Fiscal Impact:

N/A

City Attorney Review:

N/A

Recommendation:

N/A

ATTACHMENTS:

- 02-051 - Code Amend - Ch. 2 Art. VII Boards Commissions and Committees - Provisions Requirements and Standards (PDF)
- 12-038 - Code Amendment - Ch. 2 - Art. VII - Boards and Commissions (PDF)

ORDINANCE NO. 02-051

AN ORDINANCE AMENDING CHAPTER 2, ADMINISTRATION, OF THE CODE OF ORDINANCES OF THE CITY OF BELLAIRE, TEXAS, BY ADOPTING A NEW ARTICLE VII THERETO, ENTITLED BOARDS, COMMISSIONS, AND COMMITTEES, AND SETTING FORTH GENERAL PROVISIONS REQUIREMENTS AND STANDARDS RELATING TO THE BOARDS, COMMISSIONS, AND COMMITTEES OF THE CITY OF BELLAIRE, TEXAS.

WHEREAS, The City Council of the City of Bellaire, Texas, has previously established various Boards, Commissions, and Committees of the City; and

WHEREAS, the City Council of the City of Bellaire, Texas, now wishes to establish more uniform requirements and standards relating to the Boards, Commissions, and Committees of the City; **NOW THEREFORE**,

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

1. **THAT** the recitals as set forth above are found to be true and correct.
2. **THAT** *Chapter 2, Administration*, of the *Code of Ordinances of the City of Bellaire, Texas*, is hereby amended by adding a new *Article VII* thereto, entitled *Boards, Commissions, and Committees* as set forth below:

"Article VII. BOARDS, COMMISSIONS, AND COMMITTEES

Division 1. Generally.

Sec. 2-90. Application. The requirements contained in this Division shall apply to all Boards of the City unless there is any statutory provision to the contrary, or unless otherwise stated in this Code or the City Charter.

Sec. 2-91. Definition of Board. The term "Board" is defined to include every agency,

authority, advisory board, regulatory board, quasi-judicial board, commission, committee, task force or any other citizens' ad hoc group created and funded in whole or in part by the City. The foregoing notwithstanding, this Division shall not apply to citizens' ad hoc groups created for specific advisory purposes where such group's existence is limited to a period of less than one year. Except as otherwise provided herein or in the City Charter, City boards, and citizens' ad hoc advisory groups shall only be created by action of the City Council.

Sec. 2-92. Creation of New Boards.

- (a) All City boards created after the effective date of this Division shall be created only by ordinance. Such ordinance shall set forth the Board's purpose, function, power, responsibility, jurisdiction, membership requirements and restrictions, terms and conditions of appointment to or removal from the Board, and the specific staff support, if any, to be provided to the Board. The ordinance shall also provide for an annual report, either oral or written, to the City Council.
- (b) Prior to adoption of an ordinance creating and establishing any new Board, and each five years thereafter, City Council shall specifically review and consider the following:
 - (1) For Boards other than ad hoc advisory boards, whether the establishment of the Board will create sufficient betterment to the community to justify the City's delegation of a portion of its authority;

- (2) Whether another Board or agency, either public or private, which is already in existence could serve the same purpose;
- (3) The costs, both direct and indirect, of establishing and maintaining the Board;
- (4) Whether the Board is necessary to enable the City to obtain state or federal grants or other financing; and
- (5) Whether the creation of a new Board is the best method of achieving the benefit desired.

Sec. 2-93. Membership on Boards.

Unless otherwise specified by the City Charter or this Code, each Board shall be comprised of seven (7) members, each of whom shall be at the time of appointment, and at all times while serving as a member of such Board, a qualified elector of the City. The members of each Board shall be appointed by and shall serve at the pleasure of the City Council. The primary consideration in appointing Board members shall be to provide the Board with the needed technical, professional, financial, business, or administrative expertise. The membership of each Board should be representative of the community at large and should reflect the racial, ethnic, and cultural makeup of the community.

Sec. 2-94. Terms of Office. Unless otherwise provided by City Charter or this Code, the terms of office of the members of each Board shall be two years, unless sooner removed by City Council, with said terms expiring on the 30th day of June of either odd- or even-numbered years depending on the year of appointment. Vacancies on Boards

shall be filled by the City Council for the unexpired term. Board members shall continue to serve until their successors have been appointed and qualified.

Sec. 2-95. Term Limits. No Board member shall serve more than three consecutive terms on any one Board. For the purposes of this section, any part of a term shall constitute a full term.

Sec. 2-96. Attendance Requirement. Notwithstanding any other provision of the Code, any Board member shall be automatically removed if, in a given calendar year, he or she is absent from three consecutive regular meetings; a member of a Board shall be deemed absent from a meeting when he or she is not present at the meeting at least 75 percent of its duration. Upon finding of good cause, the provisions of this Section may be waived by a majority vote of the members of the Board.

Sec. 2-97. Quorum Requirements, Exceptions. Except as otherwise specified by City Charter, state law, or this Code, a majority of the members of the Board shall constitute a quorum for the transaction of business.

Sec. 2-98. Notice and Posting of Meeting Agendas or Cancellations. Unless otherwise provided by City Charter or this Code, Boards shall meet regularly at least once each month and shall designate the time and place of meetings. Each Board shall hold such special meetings as may be called by the Chairman, the Vice-Chairman, or a majority of its members. Each Board shall adopt its own rules of procedure and shall keep a record of its proceedings consistent with the provisions of this Section and the requirements of law. Each Board shall provide notice of their

meetings in accordance with the procedures of the *Texas Open Meetings Act*.

Sec. 2-99. City Staff to Keep Records.

The City Manager or his/her designee shall serve as liaison between the City Council and all Boards. He/she shall prepare a standard form to be used by all boards to report their members' attendance to their meetings. All Boards shall submit copies of the minutes of their meetings and records of their members' attendance to said meetings to the City to be maintained as a record of the City.

Sec. 2-100. Annual or Special Reports to City Council. Commencing with the year 2003, each City Board and committee shall report in the following manner: by the first City Council meeting in February of each year, its chairperson shall submit a report, approved by the Board, to the City Council setting forth the following information concerning the Board:

- 1) Whether the Board is serving the purpose for which it was created;
- 2) Whether the Board is serving current community needs;
- 3) A list of the Board's major accomplishments;
- 4) Whether there is any other Board, either public or private, which would better serve the function of the Board; and
- 5) Other recommendations.

Sec. 2-101. City Council Liaisons to Boards. The Mayor shall annually appoint a member of City Council to serve as the City Council liaison to each Board. Said appointment shall remain effective until reassignment or reappointment by the Mayor.

Division 2. Boards and Commissions Governed by State Law.

Sec. 2-102. Board of Adjustment - see Chapter 24, Section 24-303.

Sec. 2-103. Building and Standards Commission - see Chapter 9, Sec. 9-81.

Sec. 2-104. Planning and Zoning Commission - see Chapter 24, Section 24-302.

Division 3. Boards, Commissions and Committees Governed by City Charter, Ordinance or Resolution

Sec. 2-105. Audit Finance Committee. An audit finance committee is established to be composed of three members of City Council, as well as the City Manager and the Director of Finance of the City of Bellaire, Texas. The Council Members of the City of Bellaire, Texas, serving on the Audit Finance Committee shall be appointed by the Mayor of the City of Bellaire, Texas, to serve a term of one year each, commencing February 1 of each year and continuing through January 31 of the following year with no Council Member being appointed to serve more than three consecutive one-year terms. The Mayor of the City of Bellaire, Texas, may appoint himself or herself as one of the Council Member appointments to the Audit Finance Committee and, in such case, the Mayor may serve more than three consecutive one-year terms. Notwithstanding any other provisions of this Code, Section 2-98 shall not apply to the Audit Finance Committee. The Audit Finance Committee shall be responsible for the following:

- a. Recommending an auditor to City Council during those years in which an auditor must be appointed by the City.
- b. Reviewing the audit of the City prior to submission to City Council.
- c. Assisting the auditor and City Staff with the presentation of the audit to City Council.
- d. Providing a communication link between the auditor and City Council.
- e. Meeting at least quarterly in order to monitor the City's financial status throughout the year.
- f. Reporting to City Council at City of Bellaire Council meetings regarding said quarterly meetings and at any other time deemed appropriate by said Committee.

Sec. 2-106. Parks and Recreation Advisory Board. The Parks and Recreation Advisory Board is hereby established consisting of nine members. The Board shall serve in an advisory capacity to the Parks and Recreation Department and to the City Council regarding policy matters pertaining to City parks and recreation, and is responsible to the City Council. The Board shall have the following specific purposes:

- a. Solicit funds, gifts, and bequests for park/recreation programs, additions, and improvements.
- b. Review and make advisory recommendations to the Parks and Recreation Department on proposed park/recreation programs, additions, and improvements.

- c. Promote and stimulate public interest in parks and recreational programs and assist the Director of Parks and Recreation in seeking the cooperation of public and private agencies that may have a direct or indirect involvement in parks and recreation.
- d. Review and make advisory recommendations to the Parks and Recreation Department on changes, modifications, and amendments to parks and recreation policies of the City of Bellaire.

Other functions and duties of the Parks and Recreation Advisory Board shall be to:

- a. Acquaint itself with and make a continuous study and inspection of the complete parks and recreation system.
- b. Recommend and help secure a comprehensive master plan and other studies for parks and recreation for the development of parks, facilities, and recreation programs.
- c. Conduct a periodic review and update of the master plan and provide an annual report to the City Council.
- d. Perform such other duties as the City Council may prescribe.

Sec. 2-107. Recycling Committee. The Recycling Committee is established having the following specific purposes:

- a. Prepare applications for grants to solicit funds for educating the public about, or purchasing equipment for, recycling, subject to City Council approval.


- b. Review and make advisory recommendations to City Council on proposed programs.
- c. Promote and stimulate public interest in recycling with the help of other groups, agencies, businesses, or neighborhoods.
- d. Review and make advisory recommendations to City Council on changes, modifications, and amendments regarding recycling in the City of Bellaire.
- e. Seek City Council approval prior to the expenditure of any funds set aside for the promotion of an education about recycling programs within the City of Bellaire.

Sec. 2-108. Senior Adult Services Advisory Board. The Senior Adult Services Advisory Board is established consisting of nine voting members and one alternate member to provide input to the Senior Adult Services Department from the community regarding services and programs that have been or could be implemented by the City for the benefit and assistance of senior adults. The Board must seek City Council approval prior to the expenditure of City funds set aside for the purposes related to the Senior Adult activities."


3. **THAT** any ordinance or resolution previously adopted by the City Council of the City of Bellaire, Texas, in conflict with the provisions hereof is hereby repealed.

4. **THAT** this ordinance shall be effective immediately upon its passage and adoption.

PASSED, APPROVED, and ADOPTED this, the 9th day of September, 2002.


Mayor Ann Goode, Mayor
City of Bellaire, Texas

ATTEST:


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

ORDINANCE NO. 12-038

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLAIRE, TEXAS, AMENDING CHAPTER 2, ADMINISTRATION, OF THE CODE OF ORDINANCES OF THE CITY OF BELLAIRE, TEXAS, BY REPEALING ARTICLE VII, BOARDS, COMMISSIONS AND COMMITTEES, IN ITS ENTIRETY AND ADDING A NEW ARTICLE VII TO BE TITLED "BOARDS AND COMMISSIONS," AS APPROVED BY THE CITY COUNCIL OF THE CITY OF BELLAIRE, TEXAS, ON JULY 2, 2012, BASED ON THE RECOMMENDATIONS OF THE SUNSET REVIEW COMMITTEE OF THE CITY OF BELLAIRE, TEXAS, IN ITS REPORT AND RECOMMENDATIONS TO CITY COUNCIL DATED NOVEMBER 14, 2011; AND AUTHORIZING AND DIRECTING THE CITY MANAGER TO MAKE FURTHER CHANGES TO THE BOARDS HANDBOOK, AS APPROVED BY THE CITY COUNCIL ON JULY 2, 2012, AS NECESSARY TO ENSURE THAT SAID HANDBOOK COMPLIES WITH THE NEWLY ADOPTED ARTICLE VII OF THE CODE OF ORDINANCES OF THE CITY OF BELLAIRE, TEXAS.

WHEREAS, the City Council of the City of Bellaire, Texas, by Ordinance No. 10-078, duly approved and adopted on November 1, 2010, established a Sunset Review Committee for the purpose of reviewing the charge, size, and need for each of the City's boards, commissions and committees; and

WHEREAS, the Sunset Review Committee completed its charge and presented its *Report and Recommendations to City Council* on November 14, 2011; and

WHEREAS, the City Council of the City of Bellaire, Texas, accepted the *Report and Recommendations* as submitted by the Sunset Review Committee on November 14, 2011, and subsequently considered and acted upon said *Report and Recommendations*, with amendments adopted by the City Council, on July 2, 2012; and

WHEREAS, the recommendations made by the Sunset Review Committee and subsequently amended and adopted by the City Council of the City of Bellaire, Texas, require numerous amendments to *Chapter 2, Administration, Article VII, Boards, Commissions and Committees*, of the *Code of Ordinances of the City of Bellaire, Texas*, and to the *Boards Handbook* of the City of Bellaire, Texas; **NOW, THEREFORE,**

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

SECTION 1. THAT *Chapter 2, Administration*, of the *Code of Ordinances of the City of Bellaire, Texas* ("Code"), is hereby amended by repealing *Article VII, Boards, Commissions and Committees*, in its entirety and adding a new *Article VII, "Boards and Commissions,"* as approved by the City Council of the City of Bellaire, Texas, on July 2, 2012, based on the recommendations of the Sunset Review Committee of the City of Bellaire, Texas, in its *Report and Recommendations to City Council* dated November 14, 2011. The amended Code shall read as set out in Appendix A, attached hereto. All other portions of *Chapter 2, Administration*, of the City's Code not specifically amended hereby shall remain in full force and effect.

SECTION 2. THAT the City Manager is hereby authorized and directed to make further changes to the *Boards Handbook*, as approved by the City Council on July 2, 2012, as necessary to ensure that said handbook complies with the newly adopted *Article VII of the Code of Ordinances of the City of Bellaire, Texas*, as set out in Appendix A, attached hereto.



SECTION 3. THAT all ordinances and parts ordinances in conflict with this Ordinance are repealed to the extent of the conflict only.

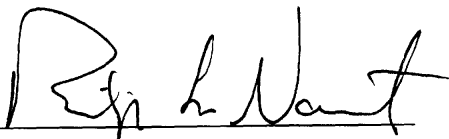
SECTION 4. THAT If any word, phrase, clause, sentence, paragraph, section or other part of this Ordinance or the application thereof to any person or circumstance, shall ever be held to be invalid or unconstitutional by any court of competent jurisdiction, neither the remainder of this Ordinance, nor the application of such word, phrase, clause, sentence, paragraph, section or other part of this Ordinance to any persons or circumstances shall be affected thereby.

SECTION 5. THAT the City Council officially finds, determines and declares that a sufficient written notice of the date, hour, place and subject of each meeting at which this Ordinance was discussed, considered or acted upon was given in the manner required by the *Texas Open Meetings Act*, as amended, and that each such meeting has been open to the public as required by law at all times during such discussion, consideration and action. The City Council ratifies, approves and confirms such notices and the contents and posting thereof.

SECTION 6. THAT this Ordinance shall be effective immediately upon passage, approval and adoption.

PASSED, APPROVED and ADOPTED this 20th day of August, 2012.

ATTEST: 

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


 Philip L. Nauert, Mayor
 City of Bellaire, Texas

APPROVED AS TO FORM:


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

APPENDIX A

Instructions:

Chapter 2. ADMINISTRATION.

Delete Article in its entirety:

ARTICLE VII. BOARDS, COMMISSIONS AND COMMITTEES

New Article to be added to Chapter 2 (see Article VII below);

Global changes should be made to reflect a change in the names of the following boards:

- Audit/finance committee or audit finance committee is now the "audit finance board;"
- Bellaire recycling committee or recycling committee is now the "environmental and sustainability board;"
- Bellaire L.I.F.E. advisory board is now the "L.I.F.E. advisory board;" and
- Bellaire cultural arts commission is now the "cultural arts board."

Global changes should also be made to update cross-references to existing sections that are renumbered in the new Article as set forth below.

ARTICLE VII. BOARDS AND COMMISSIONS

DIVISION 1. GENERALLY

Sec. 2-90. Application.

The requirements contained in this division shall apply to all boards of the city unless there is any statutory provision to the contrary, or unless otherwise stated in this code or the city charter.

Sec. 2-91. Definition of board; statutory boards and advisory boards.

The term "board" is defined to include every agency, authority, advisory board, regulatory board, quasi-judicial board, commission, committee, task force or any other citizens' ad hoc group created and funded in whole or in part by the city. The foregoing notwithstanding, this division shall not apply to citizens' ad hoc groups created for specific advisory purposes where such group's existence is limited to a

period of less than one year. Except as otherwise provided herein or in the city charter, city boards, and citizens' ad hoc advisory groups shall only be created by action of the city council. The boards governed by state law and contained in division 2 of this article may be referred to collectively as the "statutory boards." The boards governed by city charter, ordinance or resolution and contained in division 3 of this article may be referred to collectively as the "advisory boards."

Sec. 2-92. Creation of new boards.

(a) All city boards created after the effective date of this division shall be created only by ordinance. Such ordinance shall set forth the board's purpose, function, power, responsibility, jurisdiction, membership requirements and restrictions, terms and conditions of appointment to or removal from the board, and the specific staff support, if any, to be provided to the board. The ordinance shall also provide for an annual report, either oral or written, to the city council.

(b) Prior to adoption of an ordinance creating and establishing any new board, and each five years thereafter, city council shall specifically review and consider the following:

- (1) For boards other than ad hoc advisory boards, whether the establishment of the board will create sufficient betterment to the community to justify the city's delegation of a portion of its authority;
- (2) Whether another board or agency, either public or private, which is already in existence could serve the same purpose;
- (3) The costs, both direct and indirect, of establishing and maintaining the board;
- (4) Whether the board is necessary to enable the city to obtain state or federal grants or other financing; and
- (5) Whether the creation of a new board is the best method of achieving the benefit desired.

Sec. 2-93. Eligibility for membership on boards.

Unless otherwise specified by the city charter or this code, each board shall be comprised of seven members, each of whom shall be at the time of appointment a permanent resident of the city for a minimum of six months, and at all times while serving as a member of such board, a qualified elector of the city, except as follows:

(a) The city council may appoint a person or persons to a board who does not meet current State of Texas voter registration regulations to become a qualified elector due to age; and/or

(b) The city council may appoint an ex-officio member or members who may contribute special consultative information to a board.

The members of each board shall be appointed by and, for the advisory boards, shall serve at the pleasure of the city council. The primary consideration in appointing board members shall be to provide the board with the needed technical, professional, financial, business, or administrative expertise. The membership of each board should be representative of the community at large and should reflect the racial, ethnic, and cultural makeup of the community.

Sec. 2-94. Terms of office.

For all boards other than the audit finance board, each member, unless sooner removed by the City Council, shall serve a term of two (2) years. Their terms shall be staggered, such that the terms of either three (3) or four (4) members, on an alternating basis, shall end on the 30th day of June of each year. Members may be appointed to succeed themselves; however, no member may be appointed to serve more than three consecutive terms, not including partial terms. All members shall serve until their successors are appointed and qualified. Terms of office for the audit finance board are as provided in sec. 2-120.

Sec. 2-95. Term limits.

No board member shall serve more than three consecutive terms on any one board. Any part of a term shall not constitute a full term.

Sec. 2-96. Vacancies.

Vacancies on the boards, other than councilmember vacancies on the audit finance board, shall be filled by the city council. Unless sooner removed by the city council, a person appointed to fill a vacancy shall serve for the remainder of the time for which his predecessor on the board was appointed. Newly appointed members shall be installed at or prior to the first regular meeting of the board following their appointment. Councilmember vacancies on the audit finance board shall be filled by the mayor.

Sec. 2-97. Attendance and training requirements.

(a) A board member may be subject to removal by the city council if he or she is absent from three consecutive regular meetings. A member of a board shall be deemed absent from a meeting when he or she is not present at the meeting at least 75 percent of its duration. A report of such consecutive absences by a member of the board shall be reported to the city council by the board.

(b) Board members are required to attend all applicable trainings: state mandated trainings; board orientations conducted by the city; and for the statutory boards, specialized trainings conducted by the city.

Sec. 2-98. Compensation.

Members of the boards shall serve without compensation; however, each member shall be entitled to reimbursement of actual and necessary expenses incurred by the member in the discharge of his or her official duties, subject to prior approval by the city council.

Sec. 2-99. Conflicts of interest.

Members of the boards shall not vote or participate in any proceeding that involves any matter or property in which they have a personal or pecuniary interest, in which the decision of the board will directly affect them. In the event any such possible conflict should arise, the member affected thereby shall make disclosure of such fact to the board, which disclosure shall be duly noted in the minutes of the board, and disqualify himself from any further participation in the board's consideration of such matter. The provisions of chapter 2, article VI of this code (code of ethics) shall serve as ethical guidelines and apply to the participation of members in board proceedings.

Sec. 2-100. Quorum requirements, exceptions.

For all boards other than the board of adjustment, a majority of the members of each board shall constitute a quorum for the transaction of business. The quorum requirement for the board of adjustment is as provided in Sec. 2-112.

Sec. 2-101. Notice and posting of meeting agendas or cancellations.

For the advisory boards other than the audit finance board, regular meetings shall be held monthly as business shall require, and special meetings at the call of the chair, the vice-chair or a majority of the members. Meetings of the statutory boards shall be held as provided in sections 2-112, 2-113 and 2-114, respectively. Meetings of the audit finance board shall be held as provided in section 2-120. Each

board shall provide notice of its meetings and specific agenda items in accordance with the procedures of the Texas Open Meetings Act.

Sec. 2-102. Board organization.

Except for the audit finance board and board of adjustment, each board shall hold an organizational meeting in July of each year, at which meeting it shall elect from among its members a chair and a vice-chair before proceeding to any other matters of business. The board shall appoint a secretary and such other officers as it deems necessary either from its membership or from the staff representative assigned by the city manager of the city to work with the board. The organization of the audit finance board shall be as provided in sec. 2-120; of the board of adjustment as provided in sec. 2-112. Each board, other than the audit finance board, shall adopt its own rules of procedure and shall keep a record of its proceedings consistent with the requirements of law.

Sec. 2-103. City staff to keep records.

The city manager or his designee shall serve as liaison between the city council and all boards. He shall prepare a standard form to be used by all boards to report their members' attendance to their meetings. All boards shall submit copies of the minutes of their meetings and records of their members' attendance to said meetings to the city to be maintained as a record of the city.

Sec. 2-104. Annual or special reports to city council.

Commencing with the year 2003, each city board and committee shall report in the following manner: by the first city council meeting in February of each year, its chairperson shall submit a report, approved by the board, to the city council setting forth the following information concerning the board:

- (1) Whether the board is serving the purpose for which it was created;
- (2) Whether the board is serving current community needs;
- (3) A list of the board's major accomplishments;
- (4) Whether there is any other board, either public or private, which would better serve the function of the board; and
- (5) Other recommendations.

Sec. 2-105. City council liaisons to boards.

The mayor shall annually appoint a member of city council to serve as the city council liaison to each board. Said appointment shall remain effective until reassignment or reappointment by the mayor.

Sec. 2-106. Staff liaisons to boards.

The city manager shall appoint a member of the city staff to serve as the staff liaison to each statutory board, such appointment to remain effective until reassignment or reappointment by the city manager. The city manager may, but shall not be required to, appoint staff liaisons to the advisory boards.

Secs. 2-107—2-111. Reserved.**DIVISION 2. BOARDS AND COMMISSIONS GOVERNED BY STATE LAW****Sec. 2-112. Board of adjustment.**

A. *Creation.* There is hereby created the board of adjustment, which was established, in its original form, by ordinance no. 115 on May 7, 1939.

B. *Purpose.* The board is created pursuant to Tex. Local Gov't Code § 211.008, *et seq.*, for the purposes therein authorized.

C. *Membership and appointment.* The board of adjustment shall be composed of seven (7) regular members to be appointed by the city council. Members of the board of adjustment shall possess the following minimum qualifications:

1. Shall be citizens of the United States of America and qualified voters of the State of Texas;
2. Shall have resided for at least one (1) year next preceding their appointment within the corporate limits of the City of Bellaire; and
3. Shall possess such other qualifications as shall be from time to time imposed by law by the city council.

D. *Removal for cause.* The city council may remove a board member for cause, as found by the City Council, on a written charge after a public hearing. Tex. Local Gov't Code § 211.008(b).

E. *Organization.*

1. Chair and vice-chair.
 - a. At the first meeting after the appointment of members of the board for a new term, the members of the board shall elect one of their number as chair and one of their number as vice-chair.
 - b. In the absence of the chair, the vice-chair shall act as chair and shall have all powers of the chair.
 - c. The members of the board may select an additional person to preside over meetings in the absence of the chair and the vice-chair.
 - d. The presiding officer of any meeting of the board may administer oaths and shall be in charge of all proceedings before the board and shall take such action as shall be necessary to preserve order and the integrity of all proceedings before the board.
2. Staff secretary. The city manager shall appoint a secretary to the board who shall serve at the pleasure of the city manager. The secretary shall keep minutes of all proceedings of the board, which shall include the vote of each member upon every question. Such minutes shall be a summary of all proceedings before the board attested to by the secretary and shall be approved by a vote of a majority of the members of the board voting to approve the minutes. The secretary shall maintain all records of the board and shall, in addition, prepare orders of the board for signature by the chair as the official order of the board.
3. Planning and zoning official and building official. In order to implement the applicable provisions of chapter 24 of this code, the planning and zoning official and the building official shall provide necessary staff support to the board.

F. *Meetings.*

1. Regular meetings of the board shall be held monthly as business shall require, and special meetings at the call of the chair, the vice-chair or a majority of the members.
2. All meetings and hearings of the board shall be open to the public.
3. Notices of appeals to the board and requests for variances or special exceptions or for determination of nonconforming uses or elimination thereof shall be given by mail to the persons-in-interest and by publishing a notice of such hearing in a newspaper of general circulation in the City of Bellaire at least ten (10) days prior to the date set for the hearing.
4. All records of the board shall be public records open to inspection at reasonable times and upon reasonable notice in accordance with Tex. Gov't Code § 552.021. State law reference—Board of adjustment, Tex. Local Gov't Code, §§ 211.008—211.013.

G. *Quorum.* No meeting of the board may be called to order nor may any business be transacted by the board without a quorum, consisting of at least seventy-five percent of the members of the board, being present. The concurring vote of at least seventy-five percent of the members (six members) shall be necessary for the board to take action, save and except to consider and pass rules of procedure or a motion of adjournment which shall require the concurring vote of a simple majority of the members of the board then present and voting. State law reference— Board of adjustment, Tex. Local Gov't Code, §§ 211.008—211.013.

H. *Duties and powers.* The board shall have the following duties and powers:

1. To hear and decide an appeal that alleges error in any order, requirement, decision or determination made by an administrative official in the enforcement of Tex. Local Government Code chapter 211, or of chapter 24 of this Code;
2. To hear and decide special exceptions to the terms of chapter 24;

3. To authorize, upon appeal in specific cases, such variances from the terms of chapter 24 as will not be contrary to the public interest where, owing to special conditions, a literal enforcement of the provisions of chapter 24 will result in unnecessary hardship, and so that the spirit of chapter 24 shall be observed and substantial justice done;
4. Appeals from the board. Any person or persons, jointly or severally, or any taxpayer, any officer, department or board of the municipality, aggrieved by any decision of the board, may present to the district court of Harris County, Texas, a verified petition stating that a decision is illegal and specifying the grounds of the illegality. Such petition shall be filed with the court no later than ten (10) days after the filing of the board's decision with the office of the board. If such person or persons fails to file such petition within such ten (10) day period of time, then the decision of the board shall become final and binding.
5. To review and report on any matter referred to it by the city council; and
6. To adopt rules of procedure which are not in conflict with the provisions of chapter 24.

Sec. 2-113. - Building and standards commission.

A. *Creation.* There is hereby created, as authorized by state law, the building and standards commission, which was established, in its original form, by ordinance no. 2137 on August 4, 1975.

B. *Purpose.* The commission is created for the purpose of fulfilling, in a manner consistent with the laws of the State of Texas, those responsibilities delegated to it by the charter and ordinances of the city. The city does adopt the provisions of the Texas Local Government Code ch. 54, subchapter C, thereof, entitled "Quasi-Judicial Enforcement of Health and Safety Ordinances," and does further adopt the provisions of Texas Local Government Code ch. 214, entitled "Municipal Regulation of Structures," and does authorize the building official and/or the building and standards commission to proceed under either Texas Local Government Code ch. 54 or ch. 214 or both chapters to the extent the same is deemed appropriate and necessary. The building official and/or the building and standards commission are further authorized to implement and comply with the

provisions of Title 44, Code of Federal Regulations, Section 60. A. "Requirements for Floodplain Management Regulations" and 60.6 "Variances and Exceptions."

C. *Membership and appointment.* The commission shall be composed of seven (7) members appointed by the city council.

D. *Removal for cause.* The city council may remove a commission member for cause on a written charge. Before a decision regarding removal is made, the city council must hold a public hearing on the matter if requested by the commission member subject to the removal action. Tex. Local Gov't Code § 54.033(c).

E. *Meetings.* The proceedings, notifications, and authority shall be as provided for and specified under the provisions of law, it being the intent of the city council to grant to the building official and the building and standards commission the maximum authority and right to implement and/or proceed under the provisions of Texas Local Government Code ch. 54 and ch. 214 to the maximum extent as permitted and authorized by law.

F. *Duties and powers.* The commission shall have the following duties and powers:

1. all powers, duties and responsibilities provided for under Texas Local Government Code chapters 54 and 214, including but not limited to those pertaining to substandard structures;
2. to hold hearings and grant variances as provided for by city ordinances and by Title 44, Code of Federal Regulations, Section 60. A. "Requirements for Floodplain Management Regulations" and 60.6 "Variances and Exceptions";
3. to review, report and/or make recommendations on any matter referred to it by the city council;
4. to identify community needs and to advise city council of the implications of such needs for the health and safety ordinances of the city;
5. to make recommendations to city council regarding the building code and the ordinances under the commission's purview;
6. to provide public education on issues pertaining to building codes; and

7. to report annually to city council.

In addition, if not specifically provided for in either of ch. 54 or ch. 214 of the Texas Local Government Code, and/or to the extent either of said chapters requires specific authorization by the city council, the city council does hereby grant and delegate to the appropriate officer of the city and/or the building and standards commission any and all powers, duties and responsibilities as shall be from time to time provided for, permitted or allowed by the legislature of the State of Texas to be so granted and delegated, it being the intent of the city to fully implement Texas Local Government Code ch. 54 and ch. 214 as well as to further provide the building and standards commission and any other commission, officer or legal authority, as provided for under the provisions of state law, the maximum powers, privileges, and rights as may be from time to time provided for, created or permitted to be delegated by the city council to such commissions, officers and/or legal authorities of the city, without restriction or limitation.

Sec. 2-114. - Planning and zoning commission.

A. *Creation.* There is hereby created the planning and zoning commission, which was established, in its original form, by ordinance no. 115 on May 7, 1939.

B. *Purpose.* The commission is created for the purpose of fulfilling, in a manner consistent with the laws of the State of Texas, those planning and zoning responsibilities delegated to it by the charter and ordinances of the city. One of its dominant purposes shall be to accomplish the following:

1. To identify community needs and to advise the city council of the short-range and long-range implications of such needs for the total development of the city.
2. To recommend to the city council achievable community goals for planning and development programs.
3. To recommend to the city council plans, programs and policies calculated to aid the community in achieving its defined goals.
4. To explain to and explore with citizens those plans and programs adopted by the city council in an effort to ensure that private activities and desires may be accomplished in harmony with public needs and policies.

C. *Membership and appointment.* The commission shall be composed of seven (7) persons, each of whom shall be at the time of his appointment and at all times while serving as a member of such commission a qualified elector of the city. The members of the commission shall be appointed by the city council.

D. *Removal for cause.* The city council may remove a commission member for cause on a written charge. Before a decision regarding removal is made, the city council must hold a public hearing on the matter if requested by the commission member subject to the removal action.

E. *Meetings.* The commission shall meet regularly at least once each month and shall designate the date, time, and place of its meetings. It shall hold such special meetings as may be called by the chair, the vice-chair, or a majority of its members. The commission shall adopt its own rules of procedure and shall keep a record of its proceedings consistent with the provisions of this section and the requirements of law.

F. *Duties and powers.* The commission is hereby charged with the responsibility and vested with the authority to:

1. Formulate and recommend to the city council, for its adoption, such plans, programs and policies related to the future growth and development of the city as the commission deems appropriate and necessary;
2. Exercise all of the powers and responsibilities of a planning commission relating to the approval or disapproval of land subdivision plans, plats or replats and to the vacation of such plans, plats or replats granted by the laws of the State of Texas including, but not limited to, Texas Local Government Code chapters 42, 43, 211 and 212, and by the ordinances of the city including, but not limited to, chapter 23.5 (land subdivision regulations) of this code;
3. Exercise all of the powers and responsibilities of a zoning commission relating to the formulation of a zoning plan, hold public hearings, and make recommendations to the city council relating to the creation, amendment, and implementation of zoning regulations, classifications, and districts, all as provided for in the laws of the State of Texas including, but not limited to, Texas Local Government Code chapter 211, and the ordinances of the city including, but not limited to, chapter 24 (planning and zoning regulations) of this code;
4. Perform such other duties and address such other matters as may be conferred upon or referred to the commission by the city council.

Secs. 2-115—2-119. Reserved.

DIVISION 3. BOARDS AND COMMISSIONS GOVERNED BY CITY CHARTER, ORDINANCE OR RESOLUTION

Sec. 2-120. Audit finance board.

A. *Creation.* There is hereby created the audit finance board, which was established, in its original form, by ordinance no. 02-051 on September 9, 2002.

B. *Purpose.* The purpose of the board is to advise the city council concerning audits of the city and any auditing matters as may be referred to it by the chief financial officer of the city and/or the city council.

C. *Membership and appointment.* The board shall be composed of three (3) members of the city council, a citizen appointee with financial and/or audit experience, as well as the city manager and the chief financial officer of the city, *ex officio*, as non-voting members. The councilmembers of the city serving on the audit finance board shall be appointed by the mayor; the mayor may appoint him or herself as one of the councilmember appointees. The citizen member of the audit finance board shall be appointed by the city council.

D. *Terms of office.* The members of the board shall serve a term of one year each, commencing February 1 of each year and continuing through January 31 of the following year. Councilmembers may not be appointed to serve more than three consecutive one-year terms on the board; the citizen member and the mayor, should he or she serve on the board, shall not be subject to such term limit.

E. *Organization.* The board may elect from among its voting members any officers as it deems necessary.

F. *Meetings.* The board shall meet as needed, but at least annually, in order to monitor the city's financial status throughout the year. Notwithstanding any other provisions of this code, section 2-101 shall not apply to the audit finance board.

G. *Duties and powers.* The audit finance board shall be responsible for the following:

1. Recommending an auditor to city council during those years in which an auditor must be appointed by the city.
2. Reviewing the audit of the city prior to submission to city council.
3. Assisting the auditor and city staff with the presentation of the audit to city council.
4. Providing a communication link between the auditor and city council concerning the following areas:

- a. Accounting and financial reporting policies;
 - b. Debt management and fiscal policies;
 - c. Cash and investment management policies;
 - d. Purchasing policies;
 - e. Business services policies;
 - f. Other matters as may be referred by the city council;
 - g. Assist city council in carrying out its oversight and improvement responsibilities as they relate to the city's financial and performance reporting practices, internal controls, compliance with laws and regulations, and initiatives to improve the performance of city services; and
 - h. Any other auditing matters as the board deems appropriate.
5. Reporting to city council at council meetings regarding the meetings of said board and at any other time deemed appropriate by said board.

Sec. 2-121. Parks and recreation advisory board.

A. *Creation.* There is hereby created the parks and recreation advisory board, which was established, in its original form, by resolution no. 88-03 on January 18, 1988.

B. *Purpose.* The board shall serve in an advisory capacity to the parks and recreation department (the "department") and to the city council regarding policy matters pertaining to city parks and recreation, and is responsible to the city council.

C. *Membership and appointment.* The board shall be composed of seven (7) members appointed by city council. Additionally, the director of the parks and recreation department shall serve, *ex officio*, as a non-voting member of the board.

D. *Duties and powers.* The board shall have the following specific purposes:

- 1. Make recommendations to the city council regarding sources of funding for parks and recreation programs, additions, and improvements;

2. Review and make advisory recommendations to the department and the city council on proposed parks and recreation programs, additions, and improvements;
3. Promote and stimulate public interest in parks and recreational programs and assist the director of the department in seeking the cooperation of public and private agencies that may have a direct or indirect involvement in parks and recreation; and
4. Review and make advisory recommendations to the department and the city council on changes, modifications, and amendments to parks and recreation policies of the city. Other functions and duties of the board shall be to:
 - a. Acquaint itself with and make a continuous study and inspection of the complete parks and recreation system;
 - b. Recommend and help secure a comprehensive master plan and other studies for parks and recreation for the development of parks, facilities, and recreation programs;
 - c. Conduct a periodic review and update of the master plan and provide an annual report to the city council; and
 - d. Perform such other duties as the city council may prescribe.

Sec. 2-122. Environmental and sustainability board.

A. *Creation.* There is hereby created the environmental and sustainability board, which was established, in its original form, by resolution 88-10 on May 9, 1988.

B. *Purpose.* The board shall serve in an advisory capacity to the public works department and to the city council regarding policy matters pertaining to environmental sustainability, and is responsible to the city council.

C. *Membership and appointment.* The board shall be composed of seven (7) members to be appointed by the city council.

D. *Duties and powers.* The board shall have the following specific purposes:

1. Review and make advisory recommendations to city council in the initiation, prioritization, and development of programs, policies, and activities relating to environmental sustainability, including but not limited to energy and natural resource conservation and recycling;

2. Research and recommend financial resources to offset costs of programs and initiatives relating to sustainability, including without limitation grants, sponsorships, and cost-savings programs; and
3. Develop programs to educate the public and increase city residents' participation in and knowledge of environmental sustainability practices.

Sec. 2-123. L.I.F.E. advisory board.

A. *Creation.* There is hereby created the L.I.F.E. (Living, Information, Fun and Enrichment) advisory board, which was established, in its original form, by resolution no. 85-21 on December 2, 1985.

B. *Purpose.* The purpose of the board is to provide input to the parks and recreation department from the community regarding services and programs that have been or could be implemented by the city for the benefit and assistance of mature adults (aged 50 and older).

C. *Membership and appointment.* The board shall be composed of seven (7) members to be appointed by the city council.

Sec. 2-124. - Cultural arts board.

A. *Creation.* There is hereby created the cultural arts board, which was established, in its original form as an ad hoc committee, by ordinance no. 03-046 on June 16, 2003, and later reconstituted as a standing board by ordinance no. 04-027 on April 19, 2004.

B. *Purpose.* The purpose of the board is to advise the city council concerning public art, including visual and performing arts, and related programming in the city.

C. *Membership and appointment.* The board shall be composed of seven (7) members to be appointed by the city council.

D. *Duties and powers.* The board shall have the following objectives:

1. To enhance the quality of life in the city with visual and performing arts by transforming the places our citizens live, work, and play into more welcoming and beautiful environments through the integration of artistic styles that reflect the vibrant image of the city as a contemporary and progressive city.
2. Provide the city and its citizens with an art program for future public art and acquisition, performing and visual art exhibition and demonstration.

3. To serve as a vehicle to approach other governmental agencies and the private sector for financial assistance to develop public art in the city.
4. To serve as a guide for future cultural arts board members.
5. To prepare and submit to the city council recommendations for public art projects and improvements to be located in public spaces within the city.
6. To prepare and submit budgets for the development and installation of any public art projects and improvements recommended by the cultural arts board to the city council.
7. To investigate and recommend to the city council possible funding mechanisms for an ongoing public arts program.
8. To participate in cooperative projects with city departments and boards, and nonprofit entities.

Mayor and Council

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



Meeting: 01/08/18 07:00 PM
Department: City Clerk
Category: Appointment
Department Head: Tracy L. Dutton
DOC ID: 2429

**SCHEDULED
INFORMATION ITEM (ID
2429)**

Item Title:

Mayoral Appointments of City Council Liaisons to Bellaire Boards and Commissions: Andrew S. Friedberg, Mayor, will appoint members of City Council to serve as Liaisons for a term of approximately one year to the following Boards and Commissions: Board of Adjustment, Building and Standards Commission, Cultural Arts Board, Environmental and Sustainability Board, L.I.F.E. Advisory Board, Parks and Recreation Advisory Board, and Planning and Zoning Commission - Submitted by Tracy L. Dutton, City Clerk.

Background/Summary:

Chapter 2, Administration, Article VII, Boards and Commissions, Division 1, Generally, Section 2-105, City Council Liaisons to Boards, of the Code of Ordinances of the City of Bellaire, Texas, provides for the Mayor to ". . . annually appoint a member of City Council to serve as the City Council Liaison to each board. Said appointment shall remain effective until reassignment or reappointment by the Mayor."

Andrew S. Friedberg, Mayor, will make his annual City Council Liaison Appointments for the City's boards and commissions.

Previous Council Action Summary:

For informational purposes, the City Council Liaisons for the last four (4) years are set forth below by board or commission.

Board of Adjustment:

City Council Liaison	Appointment Period
Gus E. Pappas	January 2017 - December 2017
Gus E. Pappas	January 2016 - December 2016
Andrew S. Friedberg	January 2015 - November 2015*
Andrew S. Friedberg	January 2014 - December 2014

*Andrew S. Friedberg's Council Member term ended in November of 2015 due to his election as Mayor.

Building and Standards Commission:

City Council Liaison	Appointment Period
David R. Montague	January 2017 - December 2017
David R. Montague	January 2016 - December 2016
Pat B. McLaughlan	January 2015 - December 2015
Pat B. McLaughlan	January 2014 - December 2014

Cultural Arts Board:

City Council Liaison	Appointment Period
Michael Fife	January 2017 - December 2017
Michael Fife	January 2016 - December 2016
Gus E. Pappas	January 2015 - December 2015
Gus E. Pappas	January 2014 - December 2014

Environmental and Sustainability Board:

City Council Liaison	Appointment Period
Roman F. Reed	January 2017 - December 2017
Roman F. Reed	January 2016 - December 2016
James P. Avioli, Sr.	January 2015 - December 2015
James P. Avioli, Sr.	January 2014 - December 2014

L.I.F.E. Advisory Board:

City Council Liaison	Appointment Period
Andrew S. Friedberg	January 2017 - December 2017
Andrew S. Friedberg	January 2016 - December 2016
Dr. Philip L. Nauert	January 2015 - December 2015
Dr. Philip L. Nauert	January 2014 - December 2014

Parks and Recreation Advisory Board:

City Council Liaison	Appointment Period
Pat B. McLaughlan	January 2017 - December 2017
Pat B. McLaughlan	January 2016 - December 2016
Amanda B. (Mandy) Nathan	January 2015 - December 2015
Amanda B. (Mandy) Nathan	January 2014 - December 2014

Planning and Zoning Commission:

City Council Liaison	Appointment Period
Trisha S. Pollard	January 2017 - December 2017
Trisha S. Pollard	January 2016 - December 2016
Roman F. Reed	January 2015 - December 2015
Roman F. Reed	January 2014 - December 2014

Fiscal Impact:

N/A

City Attorney Review:

N/A

Recommendation:

N/A

ATTACHMENTS:

- Excerpt from Board Handbook Regarding Council Liaisons (PDF)

III.

OTHER PROVISIONS APPLICABLE TO ALL BOARDS

A. Removal Procedures. Board members are appointed and reappointed by the City Council. Members of the Statutory Boards, to which certain legal protections apply, may be removed by the City Council only for cause. Members of the Advisory Boards may be removed by the City Council at will.

B. Absence Policy. It is the duty and obligation of Board members to attend all of their Board meetings. Absences will be recorded in the minutes of each meeting. Annual reports of absences will be maintained by each Board's staff liaison. Because the functions of the Boards require active participation of all the members, excessive absences may be considered an inability of an individual member to fulfill the duties with which he or she has been charged. Three (3) or more consecutive absences shall be reported to the City Council for its consideration.

C. Council Liaisons. City Council members are assigned by the Mayor to serve as liaisons to the Boards for a period of one year beginning January 1 and ending December 31. The purpose of the Council liaison is to serve as a communication link with the City Council. It is important that the lines of communication be kept open between the Boards and the Council. Council liaisons will be available during Board meetings to answer questions regarding current Council policies and goals, and to ensure that reports, recommendations and requests to City Council are scheduled for Council agendas. Assignments may be rotated among the various Boards in order to provide City Council members insight as to the various Boards

The duties and responsibilities of the Council liaisons are to:

- (a) Strive to attend all assigned Board meetings;
- (b) Participate in special activities, workshops and events of the assigned Board;
- (c) Monitor the involvement of the assigned Board members and inform them of relevant educational seminars;
- (d) Advise Board members on City Council goals and objectives as they develop throughout the year; and
- (e) Provide status reports from the assigned Board to the City Council as a whole.
- (f) Listen to Board proceedings but not dominate, lead or direct Board action.