



CITY OF BELLAIRE TEXAS

MAYOR AND COUNCIL

FEBRUARY 19, 2018

Council Chamber

Regular Session

7:00 PM

7008 S. RICE AVENUE
BELLAIRE, TX 77401

REGULAR SESSION - 7:00 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 7:00 p.m. on Monday, February 19, 2018. 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 all members of the City Council was present as set forth in the table below.

Name	Title	Status
Andrew S. Friedberg	Mayor	Present
Neil Verma	Council Member	Present
Trisha S. Pollard	Council Member	Present
Gus E. Pappas	Mayor Pro Tem	Present
Pat B. McLaughlan	Council Member	Present
Michael Fife	Council Member	Present
David R. Montague	Council Member	Present

Also present were Paul A. Hofmann, City Manager; Zachary Petrov, Assistant City Attorney; and Tracy L. Dutton, City Clerk.

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

David R. Montague, Council Member, provided the inspirational reading for the evening.

D. Pledges to The Flags - David R. Montague, Council Member.

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

E. Recognition of Proclamation:

Issuance of a proclamation by Mayor Andrew S. Friedberg proclaiming February 21, 2018, as "Friends of Down Syndrome Day" in the City of Bellaire, Texas.

Mayor Friedberg read the proclamation he issued proclaiming February 21, 2018, as "Friends of Down Syndrome Day" in the City of Bellaire, Texas. J. J. Moore, a Bellaire resident of more than 40 years and a student in the

inaugural class of the Down Syndrome Academy accepted the proclamation. Friends and family joined J. J. Moore as he received the proclamation.

F. Approval of Minutes.

Consideration of and possible action on the adoption of the minutes of the Regular Sessions of the City Council of the City of Bellaire, Texas, held on Monday, January 8, 2018, and on Monday, January 22, 2018 - Submitted by Tracy L. Dutton, City Clerk.

1. Mayor and Council - Council Installation - Jan 8, 2018 7:00 PM

Mayor Friedberg read the agenda caption and asked members of the City Council if there were any corrections to the minutes dated January 8, 2018. Hearing none, he advised that the minutes dated January 8, 2018, were approved as presented.

2. Mayor and Council - Regular Session - Jan 22, 2018 5:30 PM

Mayor Friedberg read the agenda caption and asked members of the City Council if there were any corrections to the minutes dated January 22, 2018. Hearing none, he advised that the minutes dated January 22, 2018, were approved as presented.

G. Personal/Audience Comments.

Kristi Coffey:

Ms. Coffey addressed City Council regarding the proposed City rebranding. She advised that she believed that a rebranding was needed, not just in the context of the graphic sense, but also in the summarization of common themes that emerged from the research undertaken by the branding consultant, Principle.

The research allowed for a spot on summarization of the brand personality of the City that was accompanied by a verbal identity that might be used in communications for years to come in her opinion. Principle captured the essence of Bellaire in their work. Ms. Coffey advised that she was one of the people included on phone interviews during the rebranding process and appreciated the inclusion of citizens in the process.

While Ms. Coffey believed that the verbal expression of the research was a wonderful representation of Bellaire, she did not find the graphical expression to be of the same caliber of work. She provided the following reasons why she did not find the logo to be a successful representation: 1) from a graphic design quality perspective, the logo was too similar to stock photos that could be downloaded and edited slightly in a design program; 2) the logo failed to visually illustrate elements that were at the core of Bellaire; 3) there were no elements included in the logo that people affiliated with Bellaire; and 4) there was no illustration of what was the heart of Bellaire--its people.

Ms. Coffey provided several concept logos to City Council, noting that she had used the research done by Principle to design the concepts.

Johnnie Frazier:

Dr. Frazier addressed City Council regarding the Bellaire brand identity. She stated that two of the major tenets of brand identity were visual recognition and

identification in her opinion. She provided two visuals that were instantly recognizable and identifiable as the brands for the Houston Rockets and the Houston Astros. It was her belief that the new logo or image for the City of Bellaire was not instantly recognizable nor identifiable or pleasing to the eye.

A city of homes and parks and a small city atmosphere was what the culture and brand of Bellaire stood for in Dr. Frazier's opinion. She stated that the fundamental idea and core concept behind having a city image was that everything a city did, owned, and produced should reflect the values and aims of the City of Bellaire as a whole. The proposed new image did not achieve the goals of Bellaire in Dr. Frazier's opinion.

In closing, Dr. Frazier implored the City Council and staffers to reject the new image and consider further discussion and changes before casting acceptance. She felt the citizens of Bellaire deserved that consideration for such a long-term decision that would have a major impact on the community they lived in. More time for thoughtful review and more time at the drawing board was warranted in Dr. Frazier's opinion.

Johanna Moran:

Ms. Moran addressed City Council and indicated that the proposed brand took away what Ms. Moran had been working for over the years--the oak tree, blue sky, and green verdancy. The tree was needed in the City's seal in Ms. Moran's opinion. She expressed concern that the new brand seemed to be change for the sake of change, which she felt was neither essential or beneficial.

The proposed logo lacked projection or image of the biological and human diversity that Bellaire had in abundance in Ms. Moran's opinion. She expressed concern that the focus group was not large enough to replicate the diverse population of Bellaire, and she understood that the proposed logo was universally not the favorite of the focus group.

In closing, Ms. Moran asked City Council to shelve the ideas presented and to ask the population of Bellaire for their ideas.

Joe Tedore

Mr. Tedore passed, expressing his agreement with the comments made by Ms. Moran.

Jane McNeel:

Ms. McNeel addressed City Council and stated that most communities celebrated their past. She stated that it seemed that recent Bellaire City Councils had decided that Bellaire's history was not a priority and chose to promote a new Bellaire.

As Ms. McNeel understood the premise of branding, research was slanted toward businesses and not cities. It was about people's perception of a company's customer service, reputation, advertising and logo. The unique character of Bellaire was what made it different from the rest of the world in Ms. McNeel's opinion. The city already has a brand defined by the city seal and motto. The seal included green space enclosing residents, a house, a steeple, and a distant office building and reflected a pleasant environment that invited one to live, work, play, and worship in Bellaire, in her opinion.

In Ms. McNeel's experience, people moved to Bellaire for the location, city services, small town feel, and the sense of security. She felt the proposed brand was bland and meaningless with a stylized design that was open to numerous interpretations.

Reference was made to the Harvey flood and fear of the next one. Retaining the City's current seal would enable the City to save a great deal of money in Ms. McNeel's opinion. She urged City Council to spend money on the true necessities, such as aid for needy residents and speedier solutions for the City's drainage problems.

Rachel Crochet:

Ms. Crochet addressed City Council and stated that she did not like the proposed logo, indicating that it was difficult to tell if the logo was a "B" or a "P." She also inquired as to where the money was coming from to pay for the branding effort.

Ms. Crochet stated that she, too, was trying to recover from Harvey. She did not mind change if it was needed and did not cost a great deal of money. The City's existing logo was bright, crisp, and showed homes and oak trees. In Ms. Crochet's opinion, the logo represented Bellaire--a city of homes and a sense of community.

Charlene O'Shea:

Ms. O'Shea addressed City Council and indicated that she was an original member of the Bellaire Arts Commission that was founded in 2004. While on the Commission, members spoke about defining the City's entrances and having a new logo. She agreed that the entrances to Bellaire needed to be defined and the City's identity needed to be promoted better, in her opinion.

Ms. O'Shea stated that she did not believe the proposed logo said who the City was. She urged City Council to finish existing projects before moving on to a new logo. She also urged City Council to look to its residents, some of which were landscapers and designers, that could assist the City with the brand process.

Danny Spencer:

Mr. Spencer addressed City Council regarding the proposed logo. The City's current logo was very traditional and very Bellaire in Mr. Spencer's opinion.

He stated that to even be discussing the logo now was almost humorous considering all of the issues the City had going on, such as cost overruns and drainage and infrastructure needs. He urged the City to keep the existing logo.

Marybeth Flaherty:

Ms. Flaherty addressed City Council and thanked them for allowing the residents to have the opportunity to address them. She agreed with the verbal identity that had been expressed in the branding exercise. The logo, however, did not express Bellaire, in her opinion. She understood that the original logo files were no longer supported and that it was expensive to reproduce the logo due to the variation of colors.

Ms. Flaherty stated that it would be wonderful to think that one thing might work for Bellaire, but Bellaire was a lot of different things. Trees, families, and homes were still Bellaire, in Ms. Flaherty's opinion. She suggested that the existing logo be

retained.

Laura Zito:

Ms. Zito advised that she was still concerned about the proposed logo. The existing City logo meant something to her, as well as to other residents of Bellaire, and even outside of Bellaire. She knew this project was in the works before Harvey, but the timing was not good.

She continued and advised that she was not a fan of any of the suggested logos, and stated that she believed the residents felt that the proposed logo was a done deal.

Ms. Zito suggested using the silhouette of the logo and printing it in one color with a white background if the cost of the existing logo was too expensive.

In closing, Ms. Zito stated that monies did not need to be spent on this right now as there were other issues facing Bellaire. She expressed concerns with the cost to implement the logo change, and urged City Council to continue receiving comments on this matter before making a decision.

Lynn McBee:

Ms. McBee addressed City Council regarding the brand identity. Reference was made to the leaf, which Ms. McBee believed was a fig leaf. She read several definitions and examples of the use of a fig leaf.

Ms. McBee stated that whoever participated in the focus group did not know the history of Bellaire or pretended that it did not exist, in her opinion. She felt the proposed logo did not reflect the history of Bellaire. She urged City Council to put off the proposed logo.

At the conclusion of Personal/Audience Comments, Pat B. McLaughlan, Council Member, asked if the logo concepts presented to City Council by Ms. Coffey could be made available to all of the citizens.

Mayor Friedberg suggested that Ms. Coffey's concept handout be attached to the written comments she had already provided. He noted that all of the comments on the branding exercise were made accessible to the public on the website.

Paul A. Hofmann, City Manager, advised that the information could be placed on the website on Tuesday morning.

Mayor Friedberg asked members of the City Council if there was any objection to suspending the Rules of Procedure in order to address agenda item I. at this point in the meeting. **Hearing no objection, the Rules of Procedure were suspended by general consent, and agenda item I. was considered next.**

H. Reports and Presentations:

Note: reports and presentations were heard by the City Council following discussion of agenda item I., which concerned the process for upcoming decision making related to the City's brand identity exercise to guide signage and design standards for the Municipal Facilities Project.

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

Paul A. Hofmann, City Manager, presented the City Manager's Report dated February 19, 2018, to members of the City Council. Topics addressed in the City Manager's Report included communication updates; a brief report on a meeting with City of Houston representatives regarding flood control projects, building standards and the base flood elevation; a Harvey update regarding a possible funding release from the State of Texas (for items such as elevation grants); notice of an upcoming report from the Flood Hazard Mitigation Task Force; a review of upcoming events; kudos to employee Shawn Cox on his selection as City Administrator for the City of Wimberley; and a summary of future City Council meetings and agenda items.

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

2. Presentation on Staffing Update - Submitted by Paul A. Hofmann, City Manager.

City Manager Hofmann provided a staffing update to members of City Council and noted that he would welcome their feedback.

References were made to vacancies in the Police and Fire Departments due to the upcoming retirements of Assistant Chief of Police Michael Leal and Fire Chief Darryl Anderson. City Manager Hofmann provided an overview of the process staff intended to follow in finding replacements for the positions. The timeframes for replacing the Fire Chief and Assistant Chief of Police were noted as August 2018 and December 2018, respectively. Candidate profiles for the positions were currently being prepared.

Updated assignments for the Assistant City Manager, Diane K. White, included oversight of department service plans, management and performance reporting, improved fleet management, Bellaire Citizens Academy and follow-up, management of citizen survey, drafting of a legislative policy and agenda, management of operations in the new City Hall (such as customer service presence), and intergovernmental communication.

City Manager Hofmann referred to former employee Shawn Cox who had served as Administrative Services Manager in the City Manager's Office and had recently left to take a position as City Administrator for the City of Wimberley. City Manager Hofmann indicated that he was moving Cheryl Bright (currently Assistant Director of Parks, Recreation and Facilities) to the position to handle public and neighborhood communications and engagement, community partner relationships, fleet management, as well as continuing to work on the City's Harvey recovery and to work with the Flood Hazard Mitigation Task Force.

With respect to the Development Services Department, City Manager Hofmann advised that he had named ChaVonne Sampson as Director of the department (after noting that ChaVonne had been serving as Interim Director of the department for a period of time and had done a great job). Other changes included a reclassification of the Development Services Manager position to Assistant Director. He advised that the Assistant Director would be responsible for implementation of the City's Comprehensive Plan, have

responsibility for the Capital Improvements Plan development and communication, and implementation of the Flood Hazard Mitigation Task Force recommendations (as approved by City Council). Additional restructuring would allow more efficient use of the City's Code Enforcement Officer by freeing up some of the administrative paperwork and passing it along to another employee.

City Manager Hofmann next described changes to the Public Works Department. He noted that Darold Bailey, Solid Waste and Street and Drainage Superintendent, was recently hired by the Bellaire Police Department to be a patrol officer. Darold had essentially been handling two jobs in the Public Works Department. This position would be restructured into two positions--Solid Waste Superintendent and Street and Drainage Superintendent. Additionally, an Assistant Director position would be reinstated.

In closing, City Manager Hofmann advised that no new positions and no new costs would result from the restructuring changes.

Mayor Friedberg opened the floor for questions or feedback from the City Council. He appreciated the City Manager for sharing the restructuring changes with the City Council and the public.

Following questions and feedback, Mayor Friedberg announced that the staffing update was concluded and continued to the next report on the agenda.

3. Presentation of the FY 2018 First Quarter Report for the City of Bellaire, Texas - Submitted by Terrence Beaman, Chief Financial Officer.

Terrence Beaman, Chief Financial Officer (CFO), presented the FY2018 First Quarter Report (October 2017 - December 2017) for the City of Bellaire to members of the City Council.

With the quarterly report, CFO Beaman advised that there were areas of emphasis other than numbers, such as a personnel analysis, an estimated financial impact due to Hurricane Harvey, management projects, capital improvement program project updates, and trends (such as development, crime and warrant statistics). The last items included in the report as supplemental items related to investments and donations.

CFO Beaman briefly summarized the areas of emphasis referenced above, and provided an overview of revenues and expenditures in the General, Enterprise, and Debt Service Funds for the first quarter.

Mayor Friedberg opened the floor for questions of CFO Beaman from the City Council, noting that CFO Beaman had fielded questions during his presentation. Mayor Friedberg asked if there were any further questions for CFO Beaman regarding his report. Hearing none, Mayor Friedberg announced that the FY2018 First Quarter Report was concluded.

Note: earlier in the evening, City Council discussed agenda item I., which concerned the process for upcoming decision making relating to the City's brand identity exercise to guide signage and design standards for the Municipal Facilities Project. City Council moved to agenda item J. at this point

in the meeting.

I. New Business:

Item for Individual Consideration:

Discussion concerning the process for upcoming decision making relating to, and recent public input on, the brand identity exercise to guide signage and design standards for the Municipal Facilities Project; this is a discussion item only and no action will be taken - Submitted by Andrew S. Friedberg, Mayor.

Mayor Friedberg read the caption, noting that the agenda item called for discussion only and that no action would be taken. He introduced the agenda item and advised that the branding exercise was about so much more than just a logo. The branding exercise answered the much bigger question of the look and feel that the City was going for in a much broader array of projects now and into the future. The exercise was funded the prior year out of the beautification line item, and was an important missing piece in the beautification initiative. Once adopted, there would be no implementation costs associated with the rebranding because it would only be gradually phased-in as branded items were replaced in the ordinary course of business and as new projects were undertaken in the future.

Mayor Friedberg continued and noted that in his opinion it was obvious from the public input received that the City Council could not adopt the logo component that had been proposed. However, the public input received also made clear that, overall, 1) people understood why the City was doing this and were supportive of a rebranding even if they were not enamored with the proposed logo piece; and 2) the verbal identity that had been produced really resonated with people.

In conclusion, Mayor Friedberg suggested that City Council defer consideration of the recommended logo until a later time and proceed on March 5, 2018, with consideration of the other aspects of the brand identity exercise findings and recommendation. Specifically, Mayor Friedberg suggested that on March 5, 2018, the City Council take up and consider for adoption (1) a typography system and (2) the verbal identity that had come out of the branding exercise. As for the logo piece, Mayor Friedberg suggested that the City Council not take any action on it for the time being.

Mayor Friedberg opened the floor for Council discussion. Each member of City Council took an opportunity to provide their thoughts and thanked residents for their suggestions and comments.

After the discussion, **Mayor Friedberg** confirmed with members of City Council that there was a consensus to stay on the current timeline for the municipal facilities typography selection at the next meeting in two weeks, as well as to consider a formal vote on the verbal identity. Otherwise, the proposed logo would not be brought up for a vote at that time.

The City Council returned to agenda item H. 1. and considered the remainder of the agenda in the order in which it was written.

J. Community Interest Items from the Mayor and Council.

Community interest items from the Mayor and Council included expressions of congratulations to City Manager Paul A. Hofmann on his award as a "2018 Public Official of the Year" from the University of Houston Masters of Public Administration Program; commendations to the Parks, Recreation and Facilities Department employees for their assistance during the Environmental and Sustainability Board's recycling event; commendations to the Public Works Department for their quick responsiveness to a problem that occurred on the weekend; expressions of congratulations to employees whose job positions had changed; expressions of congratulations to City Manager Hofmann on his informative City Manager's Report, ChaVonne Sampson on her new assignment as Director of Development Services, and to former Administrative Services Manager Shawn Cox on his new position as City Administrator for the City of Wimberley; a reminder to attend a public meeting on Thursday at 7:00 p.m. at Bellaire High School regarding taxes and the 2018-2019 budget for HISD; and an invitation to join the Southwestern Trail Riders as they stopped for lunch around noon at the corner of Newcastle Drive and Bissonnet Street.

K. Adjourn.**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 9:37 p.m. on Monday, February 19, 2018.

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

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

Name	Title	Status
Andrew S. Friedberg	Mayor	Present
Neil Verma	Council Member	Present
Trisha S. Pollard	Council Member	Present
Gus E. Pappas	Mayor Pro Tem	Present
Pat B. McLaughlan	Council Member	Present
Michael Fife	Council Member	Present
David R. Montague	Council Member	Present

Also present were Paul A. Hofmann, City Manager, and Tracy L. Dutton, City Clerk.

Note: City Clerk Dutton did not participate in the closed portions of this 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 551.074, Personnel Matters*, to deliberate the evaluation of the City Manager of the City of Bellaire, Texas.

Mayor Friedberg announced that City Council would retire into the closed portion of the meeting in the Council Conference Room at 9:37 p.m. on Monday, February 19, 2018, pursuant to the *Texas Government Code, Chapter 551, Open Meetings Act, Section 551.074, Personnel Matters*, to deliberate the evaluation of the City Manager of the City of Bellaire, Texas. He noted that there would be no action taken during

the closed portion of the meeting. Any action that might be taken would be done during the open portion of the meeting.

D. Reconvene in Open Meeting in the Council Chamber:

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

Members of the City Council reconvened in open meeting in the Council Chamber at 10:45 p.m. on Monday, February 19, 2018.

Mayor Friedberg advised that he was pleased to report City Council's consensus on the deliberation of the City Manager, which was unanimously positive. Mayor Friedberg made special mention of the intervening hurricane (Harvey) the City experienced. He stated that the City's response to Harvey under City Manager Hofmann's leadership featured prominently during City Council's discussion, noting how proud the City Council was and is of the City, its staff and, City Manager Hofmann's leadership in helping usher the community through its most trying time. Mayor Friedberg thanked City Manager Hofmann for his excellent work and opened the floor for any comments other members of City Council wished to add.

Each member of City Council provided positive, glowing comments related to City Manager Hofmann and his performance.

Mayor Friedberg closed by advising that this evening was City Council's annual opportunity to make a public reaffirmation that the City Council stands behind the City Manager and that he continued to have their support and appreciation for all that he had done and continued to do.

E. Adjourn.

Mayor Friedberg announced that the closed meeting of the City Council of the City of Bellaire, Texas, was adjourned at 10:53 p.m. on Monday, February 19, 2018.



Proclamation

Whereas, Friends of Down Syndrome (FoDS) envisions a world in which all people with Down syndrome have the opportunity to continue their education and contributions to their community, enhance their quality of life, realize their life potential and become an accepted member of their community; and

Whereas, through its Down Syndrome Academy, Houston's school for adults with Down syndrome, FoDS fulfills its mission of creating lifelong education and learning opportunities for teens and adults with Down syndrome through education, socialization and community outreach; and

Whereas, J.J. Moore, a Bellaire resident of more than 40 years and a 1992 graduate of Bellaire High School, was one of 14 students in the Academy's inaugural class just 4 years ago and today the Academy serves more than 70 students and continues to grow with the help of the community; and

Whereas, J.J., his family and friends, and the Houston Down syndrome community, in partnership with The Ivy & James at Evelyn's Park, proudly invite their Bellaire neighbors to join them for the *Bellaire Roundup* benefit dinner on February 21, 2018, with all proceeds to support the Academy and teens and adults with Down syndrome;

Now, Therefore, I, **Andrew S. Friedberg, Mayor of the City of Bellaire, Texas**, in appreciation and support of this most worthy cause, do hereby proclaim February 21, 2018, as

Friends of Down Syndrome Day

in the City of Bellaire, Texas, and on behalf of all its residents offer our congratulations on the 2018 *Bellaire Roundup* and best wishes for much continued success.

In Witness Whereof, I have hereunto set my hand and caused the seal of the City of Bellaire, Texas, to be affixed this 19th day of February, 2018.

Andrew S. Friedberg

Mayor

City of Bellaire, Texas





CITY OF BELLAIRE TEXAS

MAYOR AND COUNCIL

JANUARY 8, 2018

Council Chamber

Council Installation

7:00 PM

7008 S. RICE AVENUE
BELLAIRE, TX 77401

REGULAR SESSION - 7:00 P.M.

I. CITY COUNCIL INSTALLATION

Prior to calling the Regular Session to order, **Andrew S. Friedberg, Mayor**, offered **Roman F. Reed, Mayor Pro Tem**, an opportunity to say a few words as this was Mayor Pro Tem Reed's last meeting. **Mayor Pro Tem Reed** began by thanking all the residents that had the confidence and trust in him to elect him twice. Mayor Pro Tem Reed also thanked his colleagues on City Council, as well as previous members he had worked with, most notably, former Council Member James P. Avioli, Sr., former Mayor Cindy Siegel, and former Mayor Philip L. Nauert.

Mayor Pro Tem Reed praised current Mayor Andrew S. Friedberg and current City Manager Paul A. Hofmann for the work they had done. In closing, he recognized members of Boy Scout Troop 222 and quoted a statement that former Mayor Cindy Siegel used to say as follows: "My greatest dream would be for one of these kids to grow up and be President of the United States."

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 7:02 p.m. on Monday, January 8, 2018. 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.

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.

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

Also present were Paul A. Hofmann, City Manager; Alan P. Petrov, City Attorney; and Tracy L. Dutton, City Clerk.

C. Invocation - Dr. Roger Patterson, Bellaire resident and Senior Pastor, Crosspoint Church Bellaire.

Mayor Friedberg welcomed Dr. Roger Patterson, Senior Pastor at Crosspoint Church Bellaire, and advised that it was an honor to have Dr. Patterson with us. Mayor Friedberg thanked Dr. Patterson for all that he had done for the community, including opening the Church's doors as an emergency shelter and volunteer center during and after Hurricane Harvey.

Dr. Roger Patterson, Senior Pastor at Crosspoint Church Bellaire, stated that it was his joy to be a Bellaire resident in a great City with great leadership. He then provided the invocation for the evening.

D. Presentation of Colors - Honor Guard, Bellaire Police and Fire Departments.

The **Bellaire Police and Fire Departments** provided an Honor Guard of their members to present the colors during the City Council Installation.

E. Pledges to the Flags - Boy Scouts of America Troop 222, Bellaire United Methodist Church.

Members of the **Boy Scouts of America Troop 222, Bellaire United Methodist Church**, led the City Council and audience in the U.S. Pledge of Allegiance and the Pledge to the Texas Flag.

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.

Mayor Friedberg thanked the Boy Scouts and members of the Honor Guard and turned the proceedings over to Municipal Court Judges Lisa A. Wesely and Jerel S. Twyman.

1. Statement of Elected Officer - Jerel S. Twyman, Associate Judge, Bellaire Municipal Court.

Jerel S. Twyman, Bellaire Municipal Court Associate Judge, presented the Statement of Elected Officer to newly elected members of the City Council.

2. Oath of Office - Lisa A. Wesely, Presiding Judge, Bellaire Municipal Court.

Lisa A. Wesely, Bellaire Municipal Court Presiding Judge, presented the Oath of Office to newly elected members of the City Council.

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.

Mayor Friedberg congratulated the newly-elected members of the City Council. He

recognized newly installed Council Member Neil Verma and welcomed him to the dais, as well as special recognition of outgoing Council Member and Mayor Pro Tem Roman F. Reed for his years of service to the City and for his friendship with the City Council.

Mayor Friedberg provided his welcome address, noting that this evening's installation represented a new beginning and presented an opportunity for members of the City Council to rededicate themselves and their commitment to those they served. This new beginning also provided an opportunity to build upon the work of the past term and to reflect on how City Council could do even better in the coming term.

Mayor Friedberg indicated that this year, the notion of a new beginning bore special significance as it came at a time of much broader renewal throughout the City. Two years ago, members of City Council could not have predicted all that happened since, just as they could not do so this evening looking forward. Hurricane Harvey was and continued to be a defining moment for the City of Bellaire.

Mayor Friedberg thanked staff for their selfless service during and after the storm and their dedication to the City, noting that those "Bellaire Brave" set aside their own needs to take care of the community.

The transformation of Bellaire Town Square into a special place even more conducive to community gatherings took on a functional and symbolic importance as the City rebuilt. Redevelopment in the commercial sector and bond program projects set to begin early this year were cited by Mayor Friedberg, as well as Project Brays, which is projected to take nearly all of Bellaire out of the 100-year floodplain by 2021. Reference was also made to the City's Flood Hazard Mitigation Task Force which was working through our local, regulatory, and regional flood control policies and was on track to present its recommendations this spring. Mayor Friedberg stated that drainage was a top priority for the City.

Although many tough decisions would have to be made by affected residents regarding their homes and lives, Mayor Friedberg advised that Bellaire was and would still be a thriving community and a good place to raise our children. Things would probably have to be reprioritized for a while in the upcoming City Council term. Mayor Friedberg advised that he and his Council colleagues were ready to do their part and hoped the residents would join the City Council as we rebuild an even better Bellaire going forward.

In closing, Mayor Friedberg thanked everyone for attending this evening. Special thanks went to staff who planned and coordinated the installation ceremony and reception; to Dr. Patterson for the opening invocation; to the Bellaire Police and Fire Departments Honor Guard and Boy Scouts Troop 222 for the presentation of colors and pledges to the flags; to Judge Wesely and Judge Twyman for presenting the Oath of Office and making it official; and, of course, to the families of Council Members for their support. Mayor Friedberg announced that the program this evening would conclude with an opportunity for all Council Members to introduce and recognize their families.

Each member of City Council welcomed and introduced his or her family.

H. Adjourn to City Hall Lobby for Refreshments.

Mayor Friedberg announced that the City Council Installation was adjourned at 7:23 p.m. on Monday, January 8, 2018, and that City Council would return for the Regular Meeting at 8:00 p.m.

II. REGULAR MEETING

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

Mayor Friedberg called the Regular Meeting of the City Council of the City of Bellaire, Texas, to order at 8:00 p.m. on Monday, January 8, 2018. The Regular Meeting 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
Neil Verma	Council Member	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

Also present were Paul A. Hofmann, City Manager; Alan P. Petrov, City Attorney; and Tracy L. Dutton, City Clerk.

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

Mayor Friedberg read the agenda caption, noting that the agenda reflected this as an old set of minutes, which we discovered were overlooked previously. He stated that the minutes were presented this evening as a housekeeping item.

Mayor Friedberg asked if there were any corrections to the minutes, as presented. Hearing none, the minutes of January 23, 2017, were adopted as presented.

D. Personal/Audience Comments.

Mayor Friedberg noted that there were no oral or written comments for the evening's Personal/Audience Comments agenda item. After offering members of the public an opportunity to provide oral comments, Mayor Friedberg moved to the next agenda item.

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.

Paul A. Hofmann, City Manager, presented the City Manager's Report dated January 8, 2018, to members of the City Council. The report consisted of communication updates; reminders of upcoming events; kudos/recognition of Aquatics Supervisor Jennifer Bunch on a patron's report and compliment of her reliability, responsiveness, and up-to-date information as to the status of City pools; and an overview of agenda items for future City Council meetings.

Following the City Manager's Report, **Mayor Friedberg** opened the floor for questions from the City Council. Hearing none, Mayor Friedberg announced that the City Manager's Report was concluded and continued to the next report on the agenda.

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

Terrence Beaman, Chief Financial Officer, presented the Monthly Financial Report for the Period Ending November 30, 2017, to members of the City Council. The report consisted of an overview of the status of revenues and expenditures for the General, Enterprise, and Debt Service Funds.

After the report, **Mayor Friedberg** opened the floor for questions from the City Council. Following questions, Mayor Friedberg thanked CFO Beaman for his excellent report.

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.

Mayor Friedberg read the agenda caption and opened the floor for nominations for Mayor Pro Tempore. He reminded members that nominations did not require a second.

Council Member Fife nominated Council Member Gus E. Pappas for Mayor Pro Tempore.

Mayor Friedberg asked Council Member Pappas if he accepted the nomination and was willing to serve.

Council Member Pappas advised that he accepted the nomination and was willing to serve.

Mayor Friedberg asked if there were any other nominations.

Council Member McLaughlan nominated Council Member Neil Verma for Mayor Pro Tempore.

Mayor Friedberg asked Council Member Verma if he accepted the nomination and was willing to serve.

Council Member Verma stated that he appreciated the nomination, but

would decline as he wanted to understand the process a little more.

Mayor Friedberg asked if there were any other nominations. **Noting no other nominations, Mayor Friedberg declared that by acclamation Council Member Gus E. Pappas was elected Mayor Pro Tempore.**

Motion:

To adopt an ordinance in the form presented electing Council Member Gus E. Pappas as Mayor Pro Tempore.

{Moved by Michael Fife, Council Member, and seconded by Trisha S. Pollard, Council Member}

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

- 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.

Mayor Friedberg read the agenda caption and advised that the City Council was not bound to make any appointment this evening. He referenced a proposed ordinance in the agenda packet that assumed City Council might want to make an appointment. City Council could either reappoint the incumbent, Jason Taibel, or even a new appointee from the dais if City Council chose to do so. Alternatively, City Council could ask the City Clerk to open and advertise the position and solicit applications.

Mayor Friedberg opened the floor for discussion. **Council Members Montague and Fife** spoke in favor of continuing with the incumbent, Jason Taibel.

Mayor Friedberg noted that last year was Jason Taibel's first year with the City on the Audit Finance Board. Mr. Taibel followed as the citizen appointee behind Pat Lunn, who was the citizen appointee for five consecutive years beginning with the creation of a citizen appointee. Mayor Friedberg agreed with the comments of his colleagues on the Audit Finance Board and expressed his support for Jason Taibel.

Noting no further discussion, Mayor Friedberg entertained a motion to adopt an ordinance in the form presented reappointing Jason Taibel as the citizen member of the Audit Finance Board.

Motion:

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

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

Montague, Council Member}

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Fife, Council Member
SECONDER:	David R. Montague, Council Member
AYES:	Friedberg, Verma, Reed, Pollard, Pappas, McLaughlan, Fife, Montague

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.

Mayor Friedberg announced that for the past year, he and Council Members Fife and Montague had served as the Council Member appointees to the Audit Finance Board. Since none were term limited and things were going well, **Mayor Friedberg indicated that he was making the same three appointments for the coming year: Mayor Andrew S. Friedberg, Council Member Michael Fife, and Council Member David R. Montague.** He thanked Council Members Fife and Montague for their continued service on the board.

- 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.

Mayor Friedberg read the agenda caption and made the following Council Liaison appointments:

Board	Council Liaison
Board of Adjustment	Council Member Pat B. McLaughlan
Building and Standards Commission	Council Member David R. Montague
Cultural Arts Board	Council Member Michael Fife
Environmental and Sustainability Board	Council Member Neil Verma
L.I.F.E. Advisory Board	Mayor Andrew S. Friedberg
Parks and Recreation Advisory Board	Mayor Pro Tem Gus E. Pappas
Planning and Zoning Commission	Council Member Trisha S. Pollard

c. Community Interest Items from the Mayor and City Council.

Community interest items from the Mayor and City Council included expressions of thanks to staff for the evening's festivities; expressions of congratulation to newly elected Council Member Neil Verma and to Council Member Gus E. Pappas on his election as Mayor Pro Tem; and recognition of

City Manager Paul A. Hofmann for his excellent presentation to the Bellaire/Southwest Houston Rotary Club on Harvey response efforts.

G. Adjourn.

Mayor Friedberg announced that the Regular Meeting of the City Council of the City of Bellaire, Texas, was adjourned at 8:37 p.m. on Monday, January 8, 2018.

Minutes Acceptance: Minutes of Jan 8, 2018 7:00 PM (Approval of Minutes.)



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 8, 2018 7:00 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.

City of Bellaire

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



Minutes Acceptance: Minutes of Jan 8, 2018 7:00 PM (Approval of Minutes.)

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

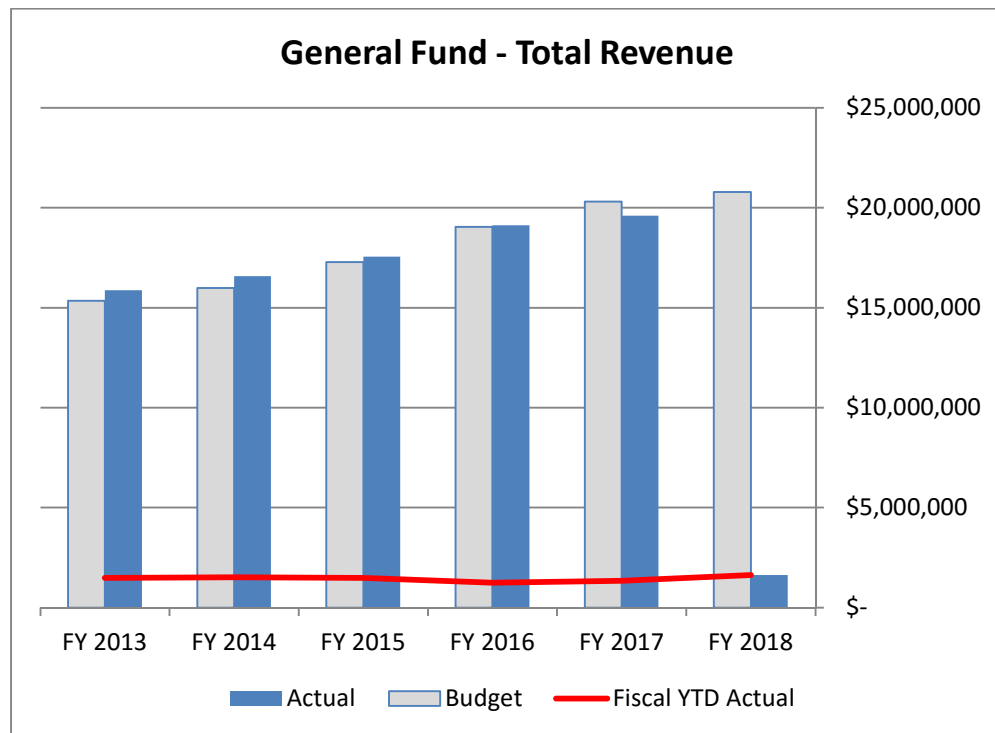
For the two months ended November 30, 2017, the General Fund collected 7% of its total budgeted revenues and is over its allocated budget by \$2,424, or 0%.

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.

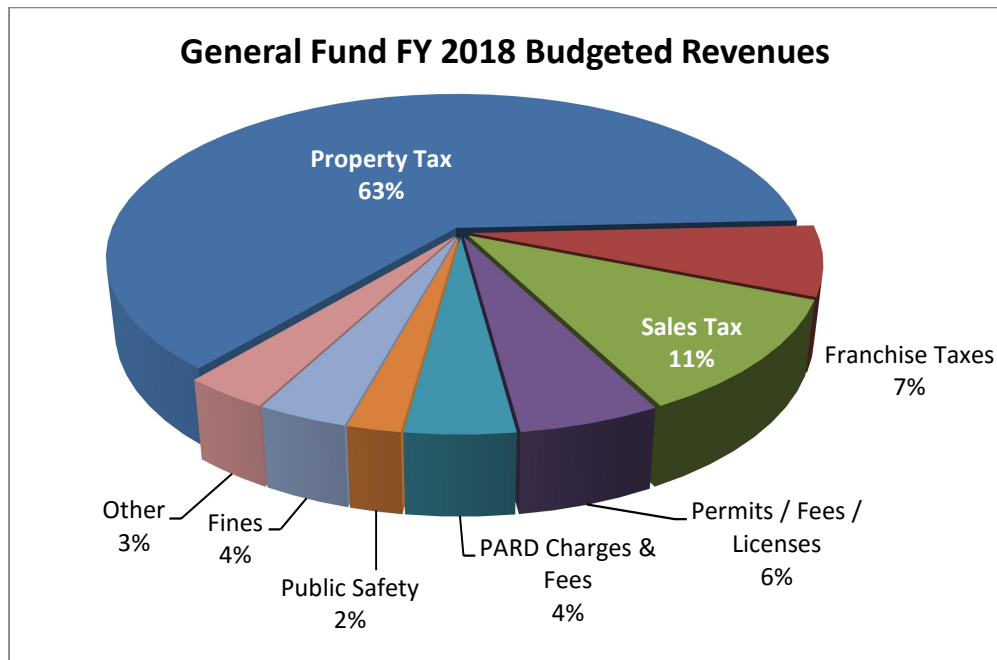
Minutes Acceptance: Minutes of Jan 8, 2018 7:00 PM (Approval of Minutes.)

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.

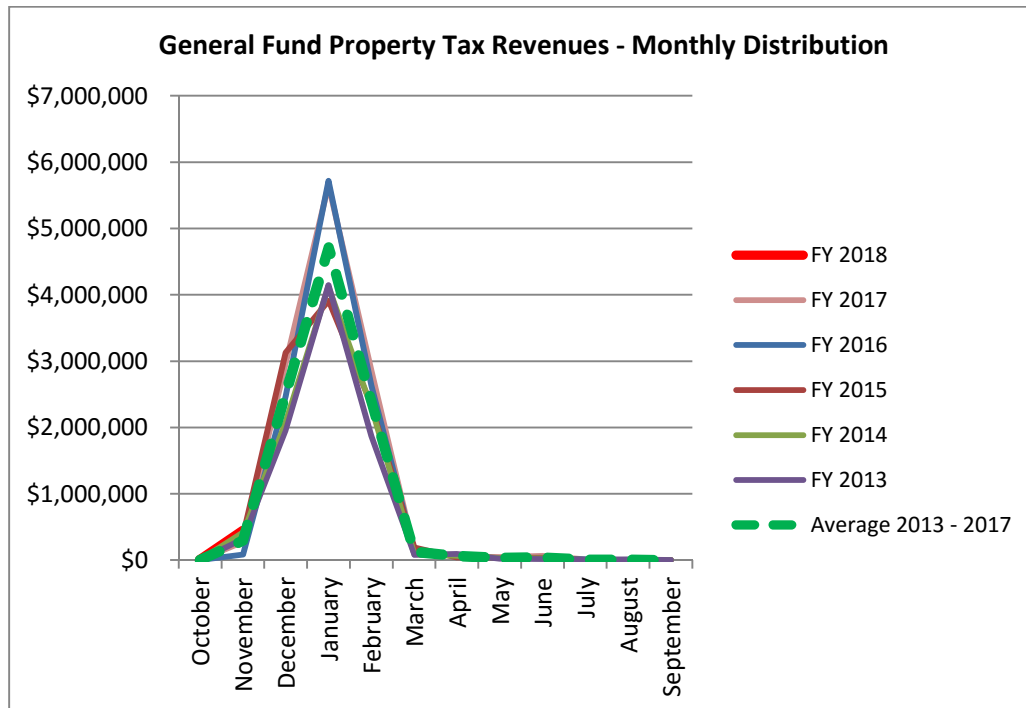


Property tax makes up the largest category of revenues in the General Fund at 63% of all FY 2018 budgeted revenues, followed by sales tax at 11% and franchise taxes at 7%.



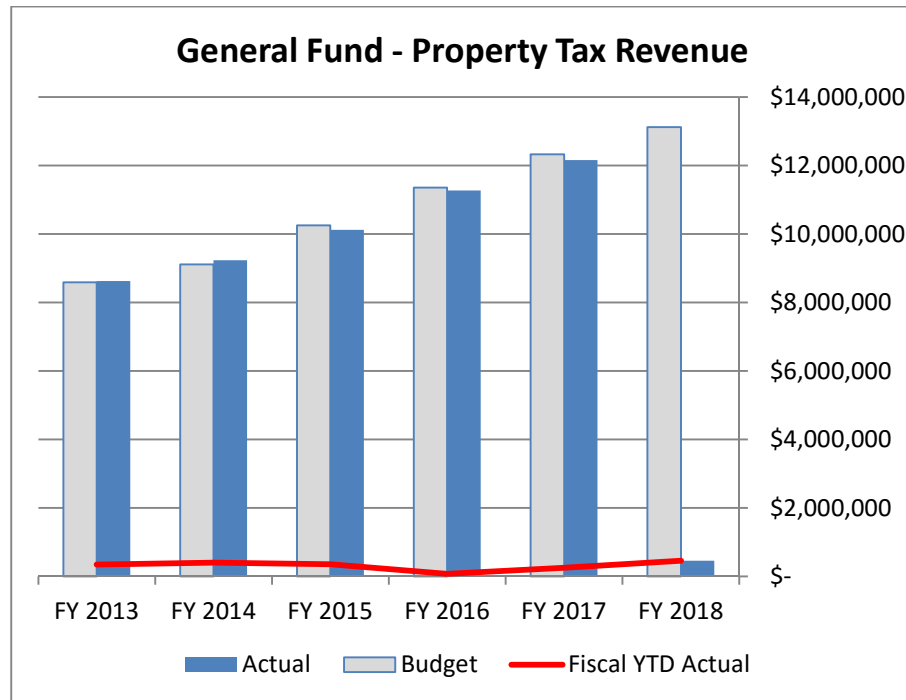
Property Tax

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.



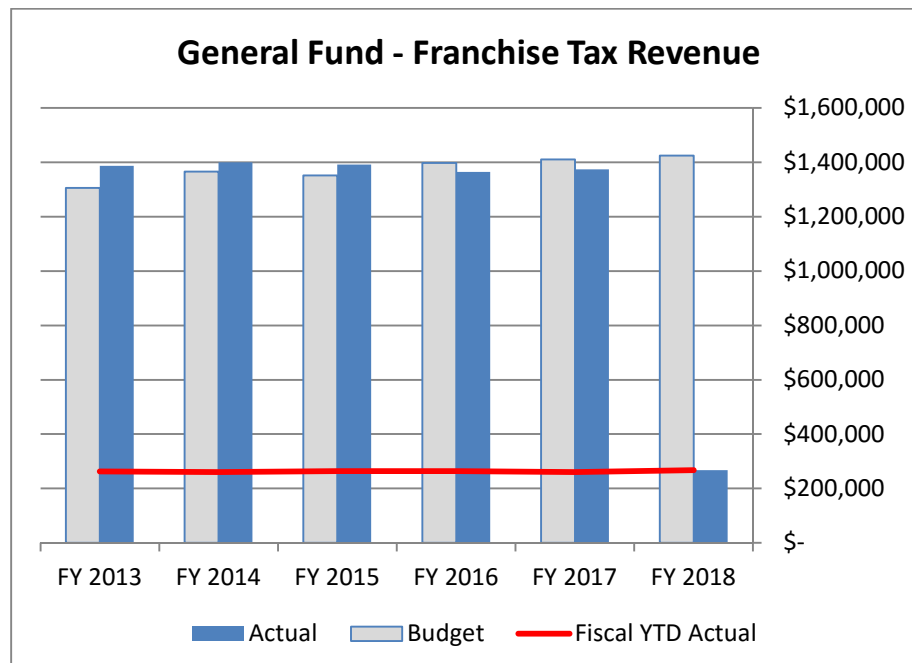
The City collected 3%, or \$449,846, of its budgeted property tax revenue during the two months ended November 30, 2017, which is over the allocated budget by \$65,492, or 17%.

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.



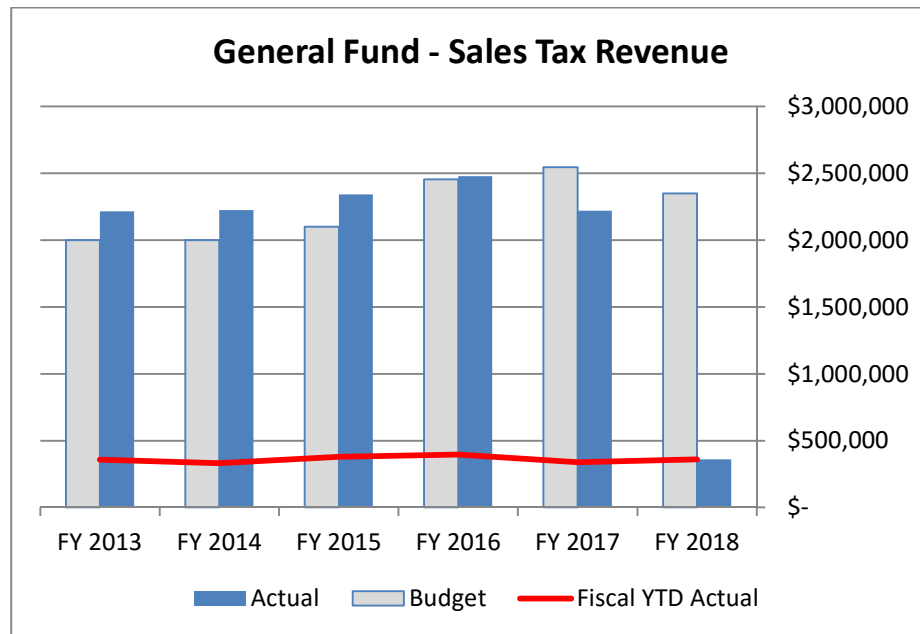
Franchise Taxes

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.



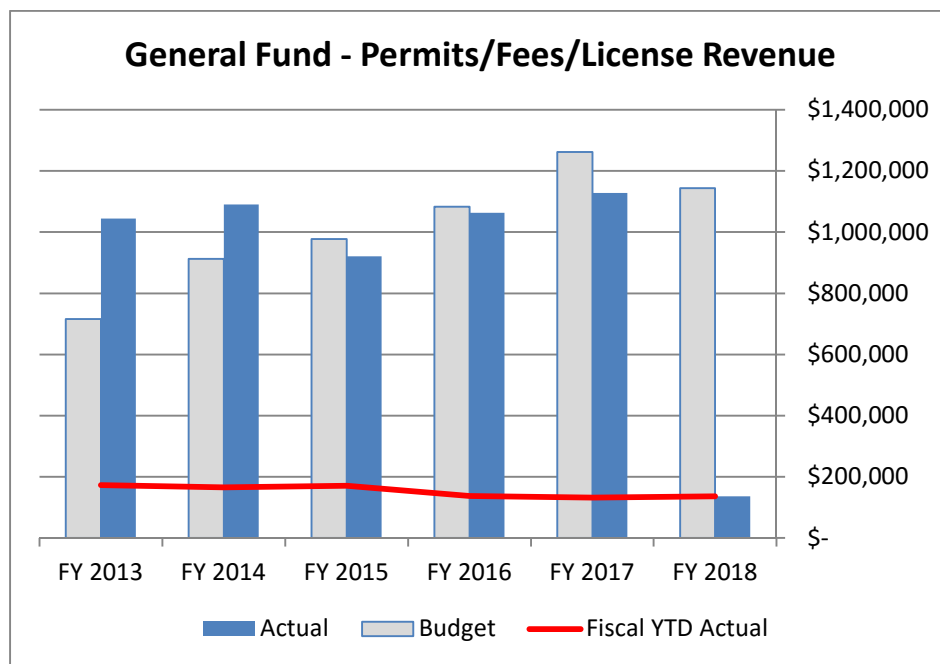
Sales Tax

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

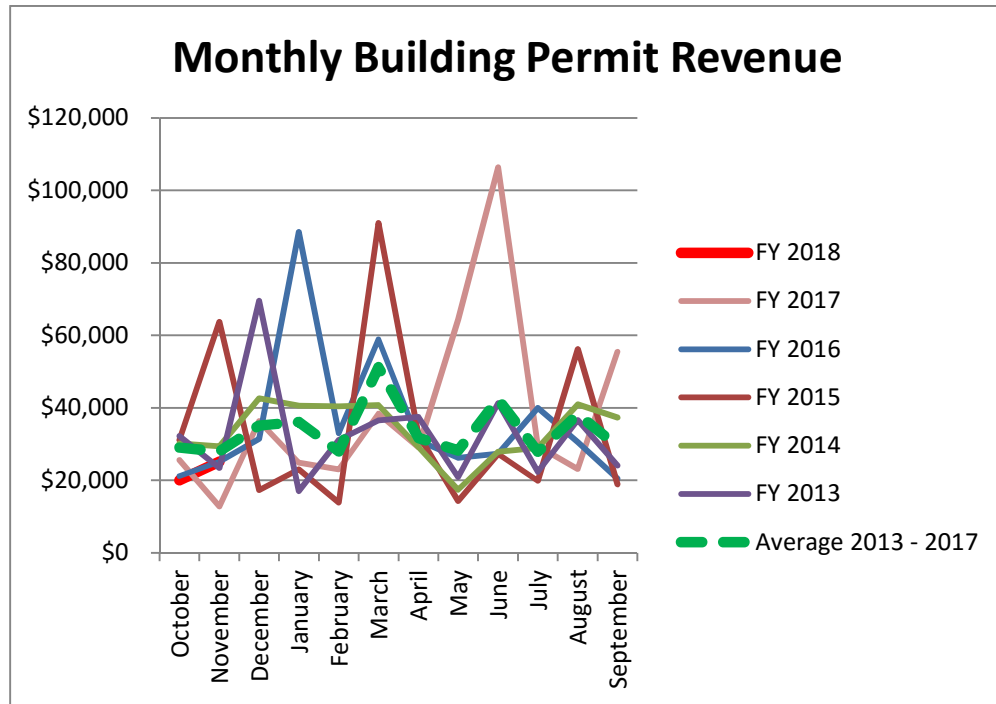


Permits, Fees, and Licenses

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

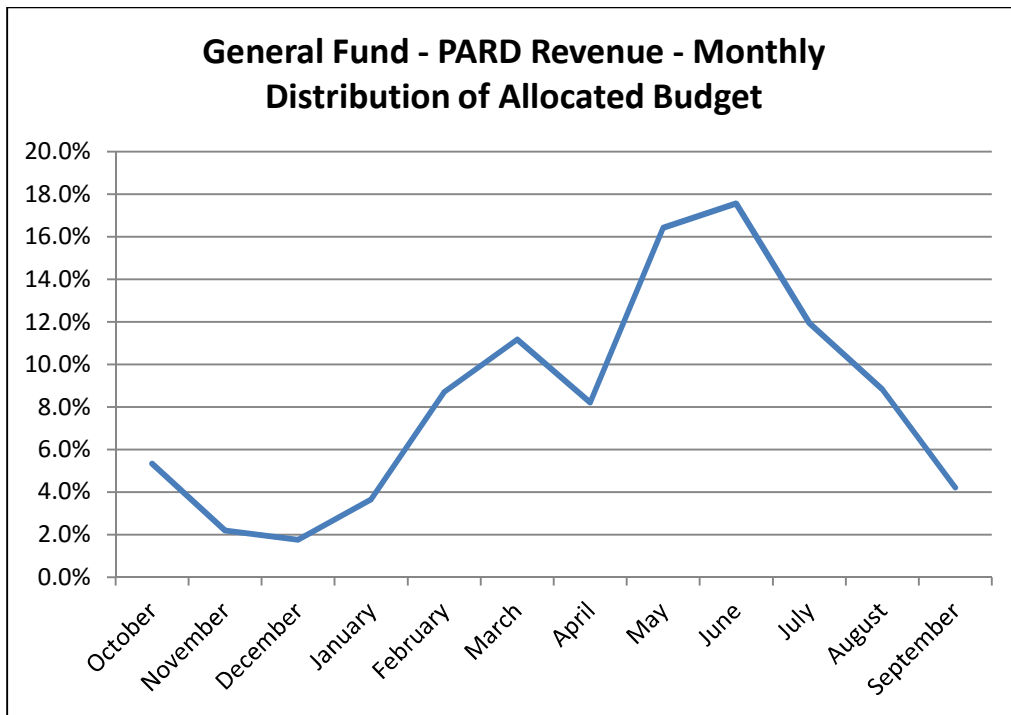


Building permit revenues make up 62% of the permits/fees/license revenue budget. As reflected in the following chart, building permit revenues are volatile from month-to-month. Other categories of building permit revenue exhibit similar monthly volatility. We will be watching permit revenues as the year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

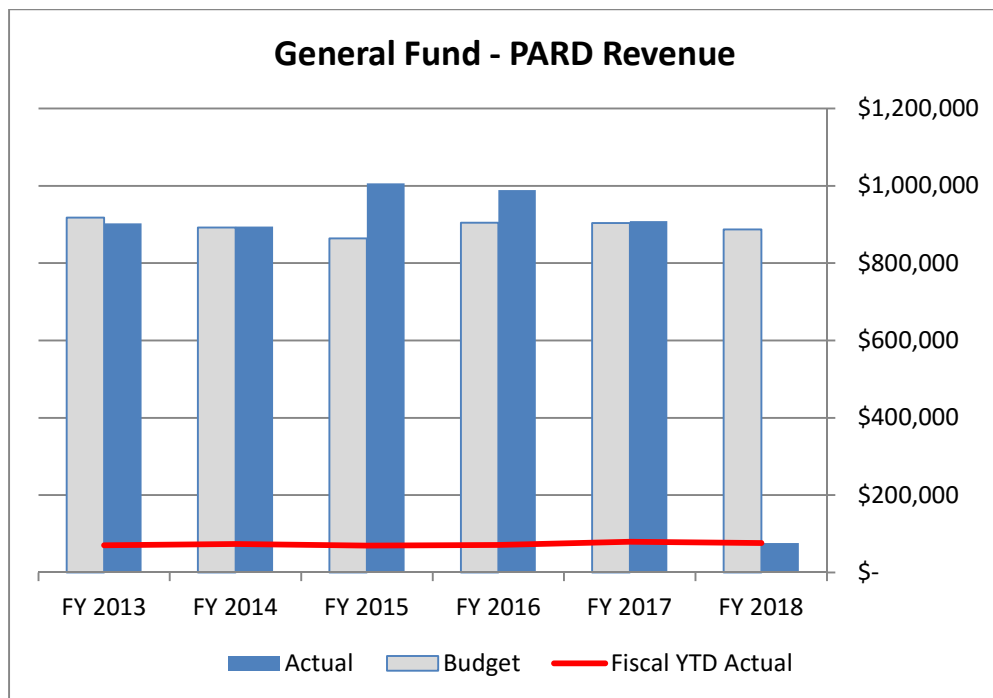


PARD Charges & Fees

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.

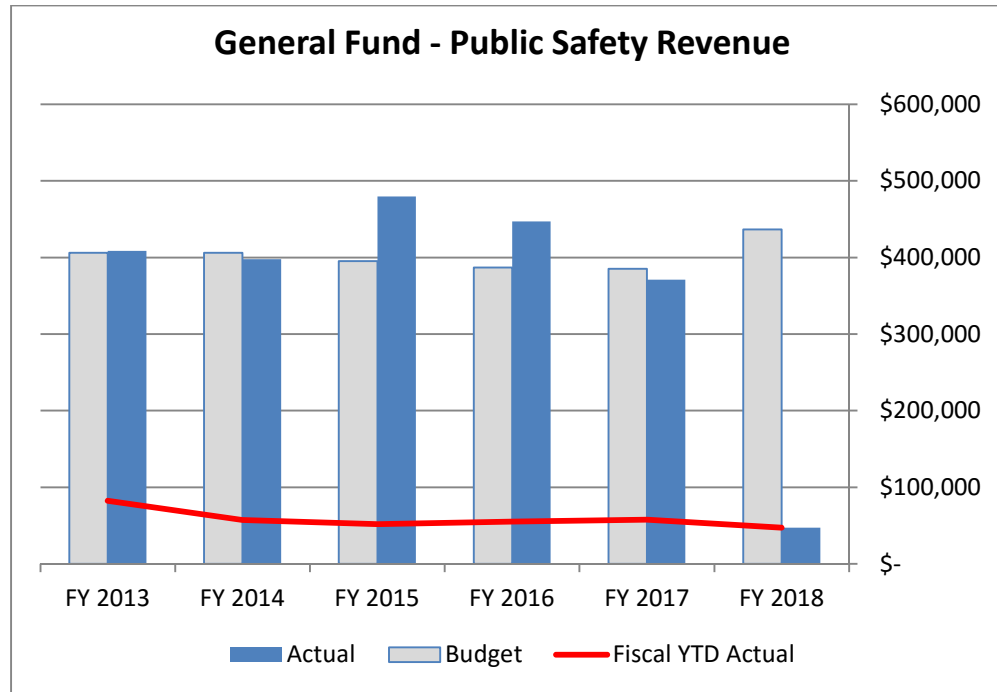


Parks and Recreation fees of \$76,201 are over the allocated budget by \$7,106, or 10%.

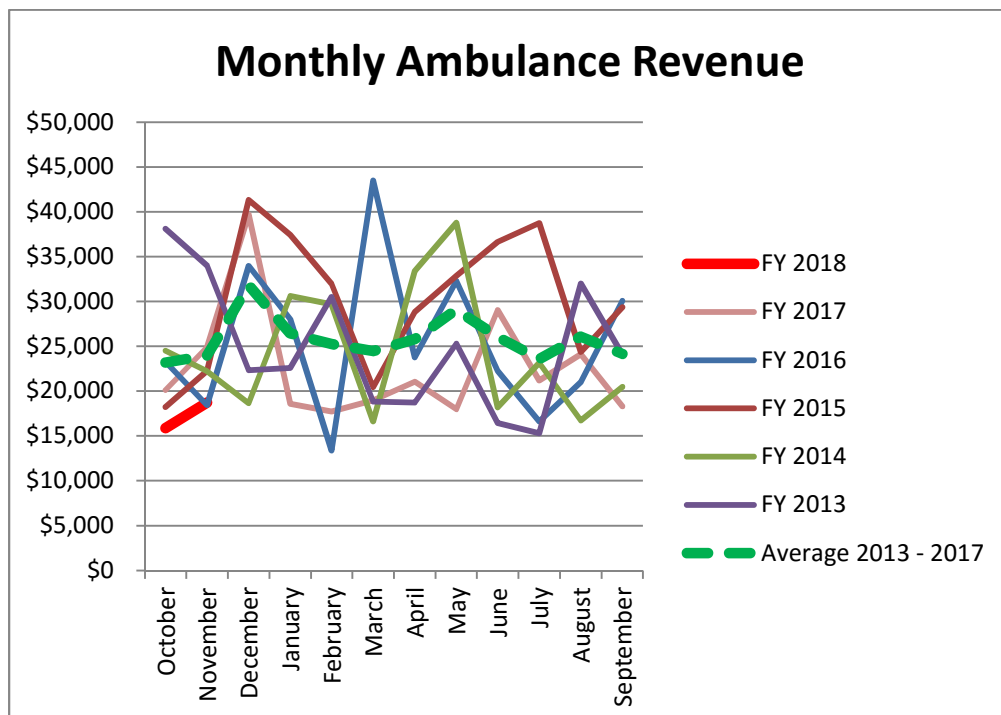


Public Safety

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

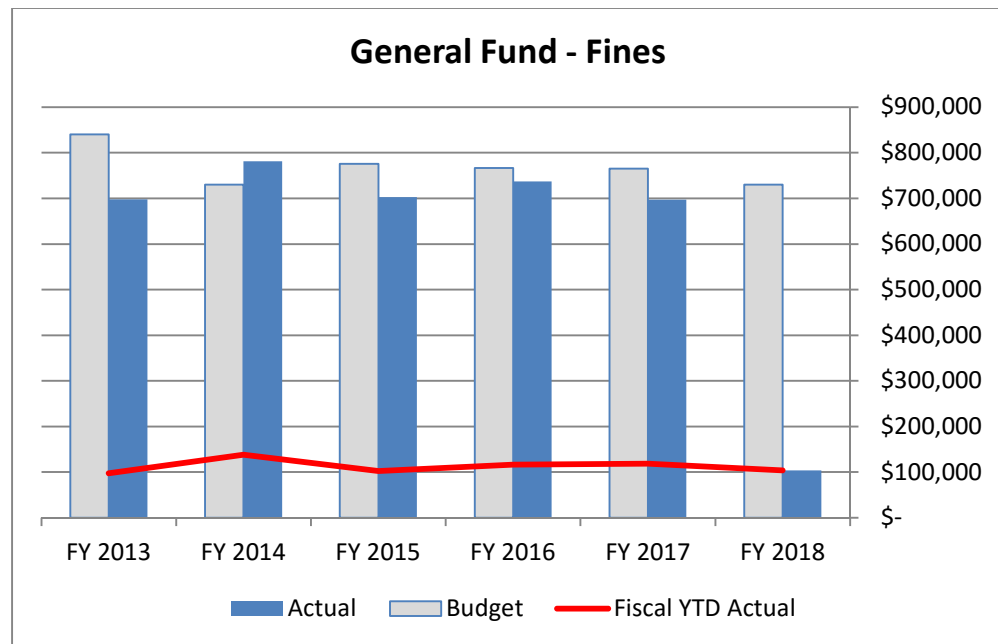


Ambulance fees make up 80% of the public safety revenue budget. As reflected in the following chart, ambulance fees are volatile from month-to-month. We will be watching public safety revenues as the year progresses to determine if they continue to trail the allocated budget.



Fines

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



General Fund Expenditures:

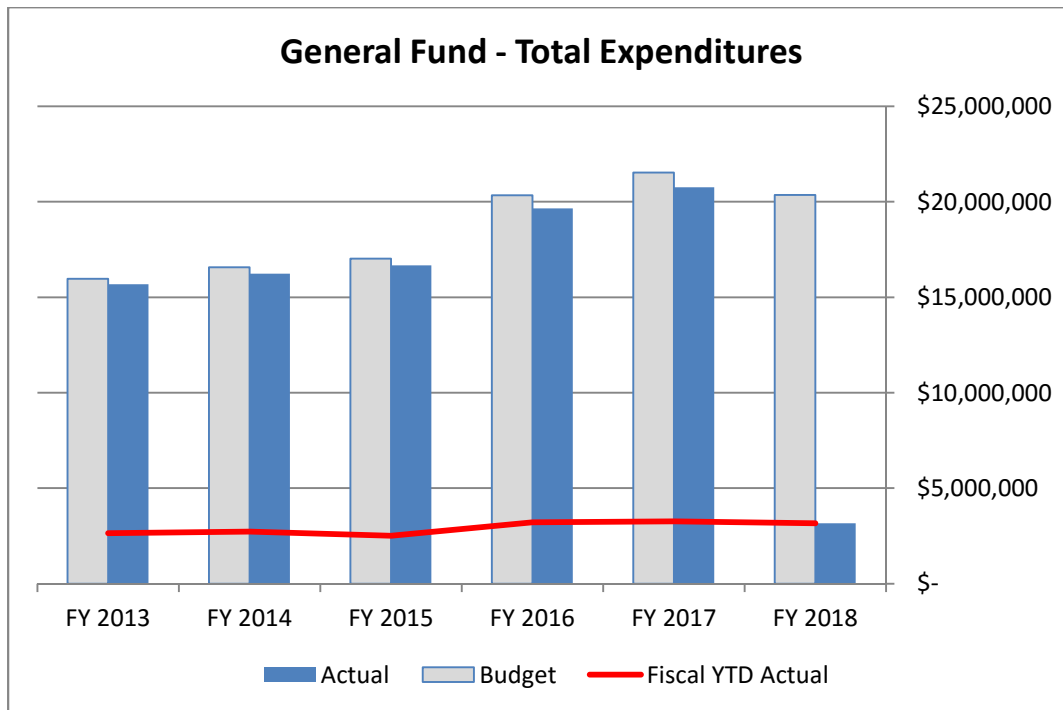
FY 2018 Budget	YTD Allocated Budget	YTD Actual	Over/(Under) Allocated Budget
\$20,359,848	\$3,315,171	\$3,149,108	(\$171,760)

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%.

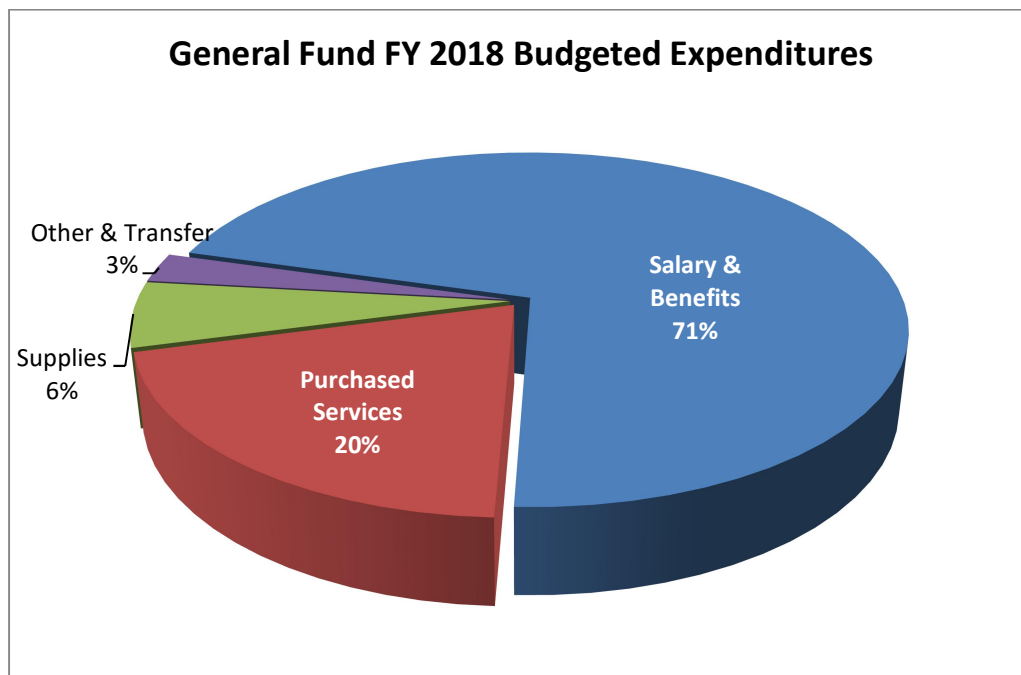
As reflected in the following table, the expenditure categories causing the majority of the variance from allocated budget are salaries, purchased services, and supplies, which combined are under the allocated budget by \$173,203.

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.

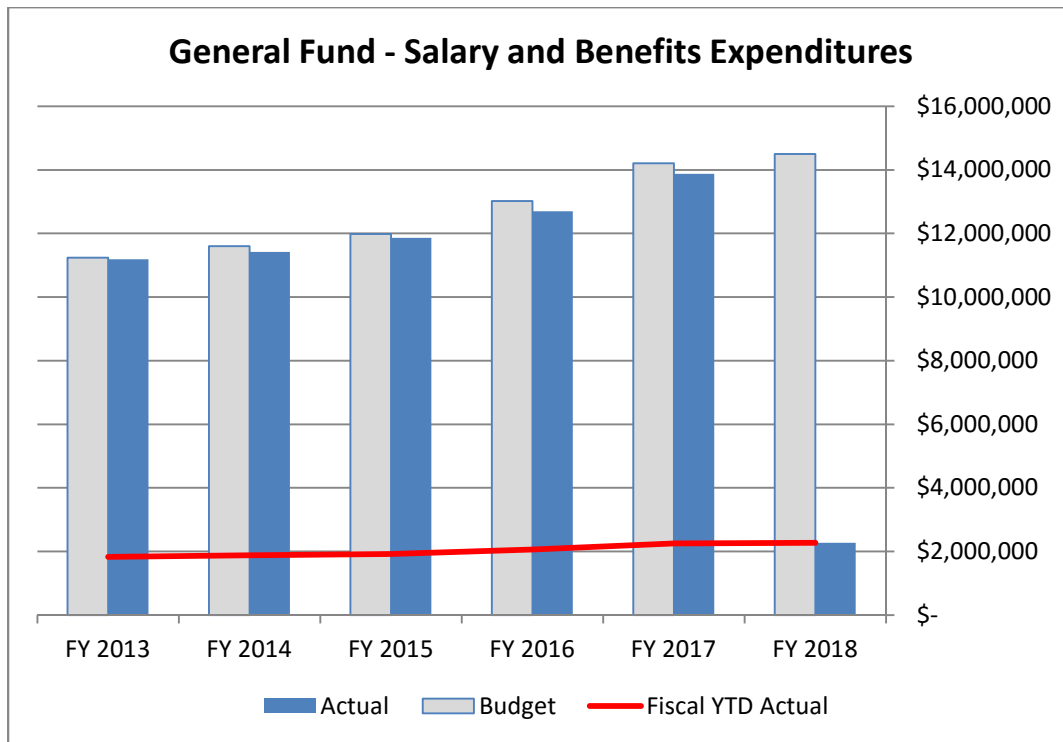


Salaries and benefits make up the largest category of expenditures in the General Fund at 71% of all FY 2018 budgeted expenditures, followed by purchased services at 20%.

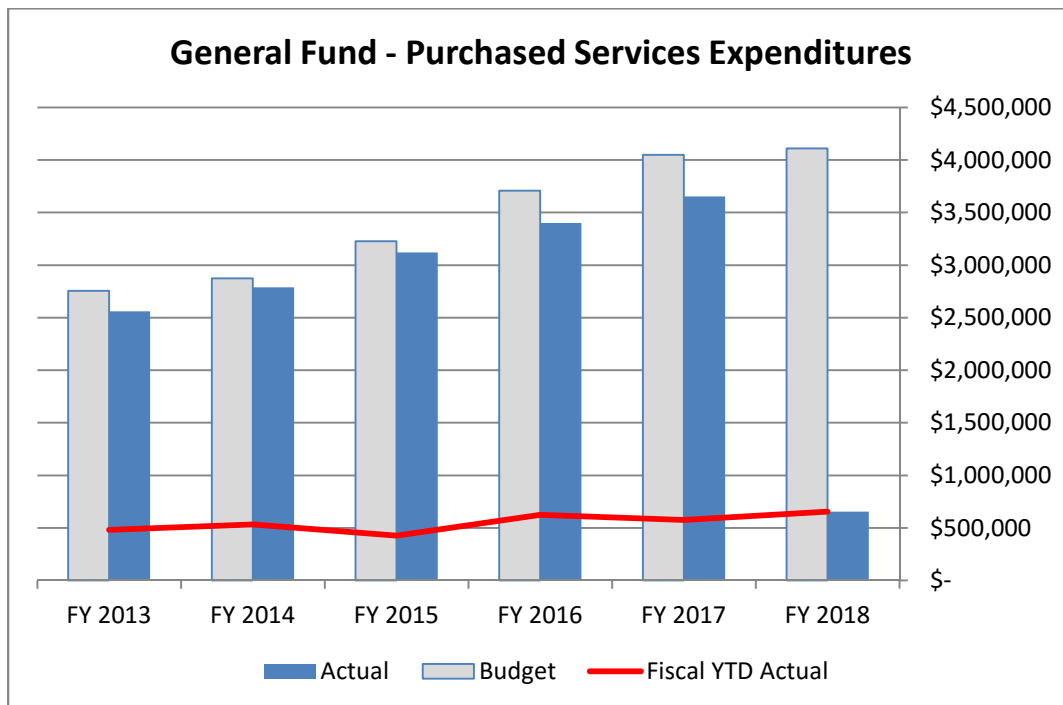


Salary and Benefits

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

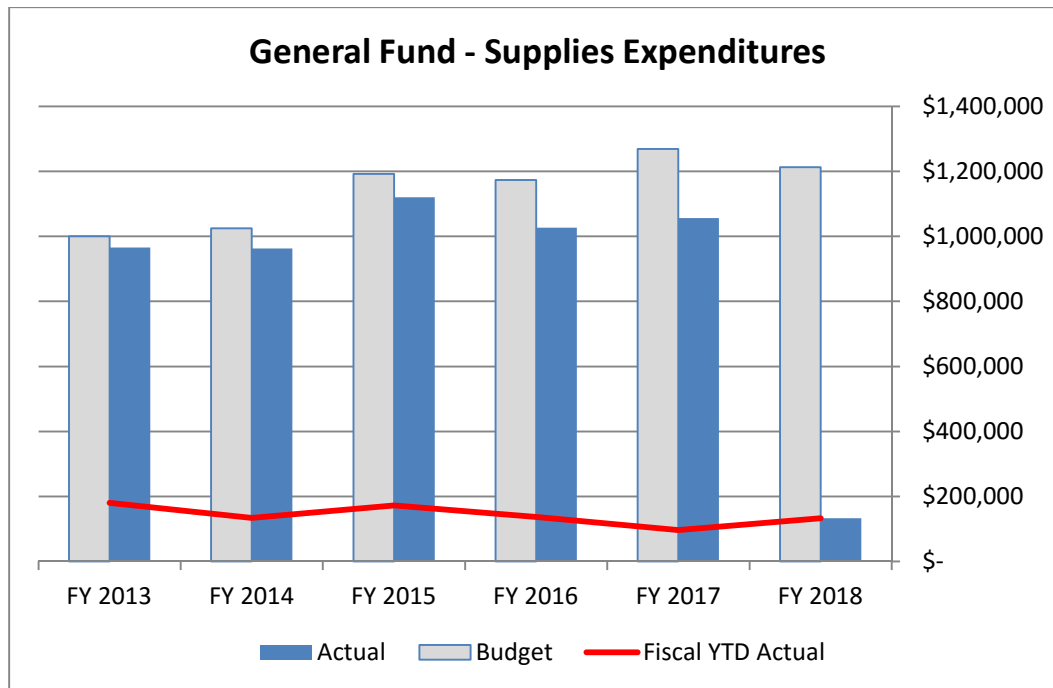
Purchased Services

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



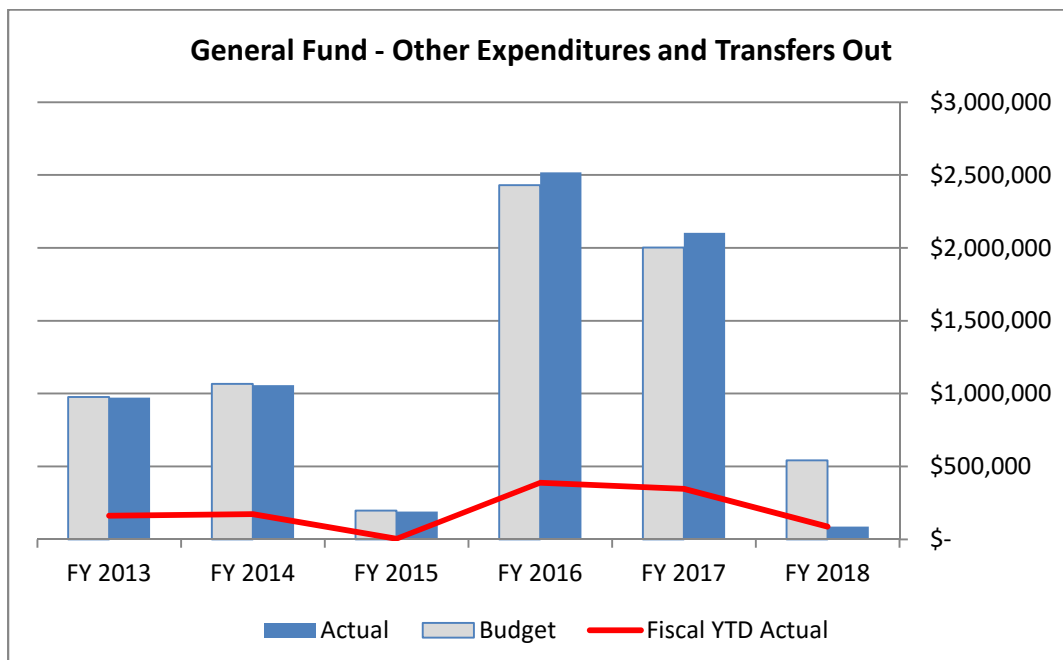
Supplies

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:

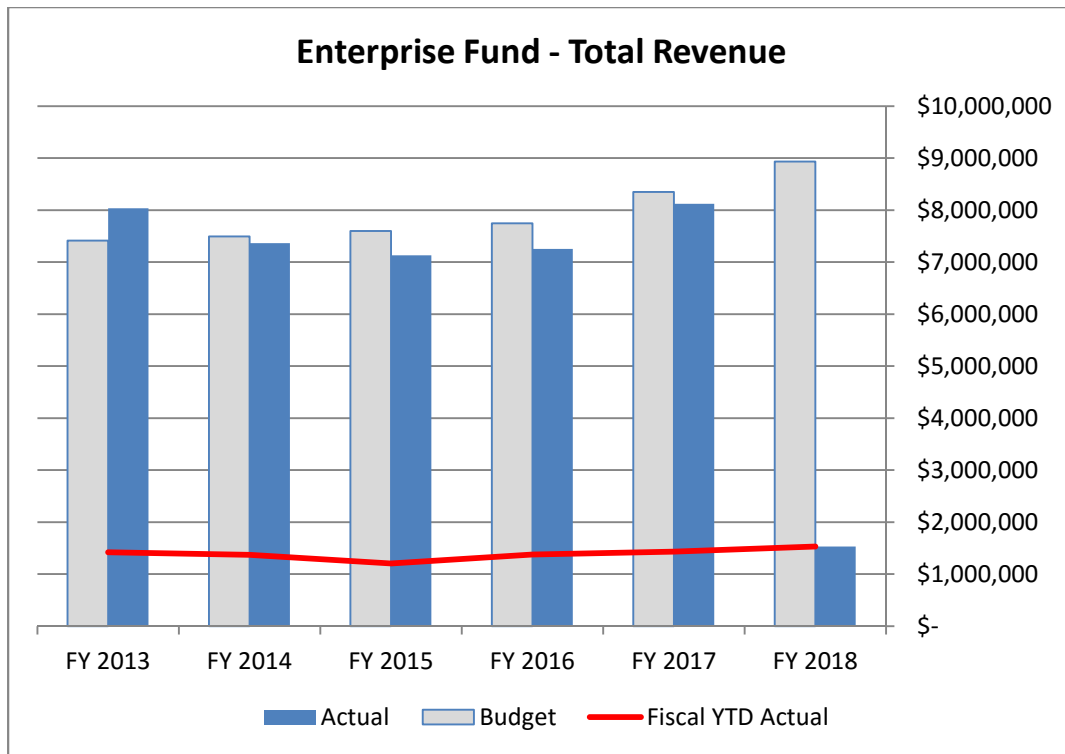
FY 2018 Budget	YTD Allocated Budget	YTD Actual	Over/(Under) Allocated Budget
\$8,932,118	\$1,617,080	\$1,533,166	(\$83,914)

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%.

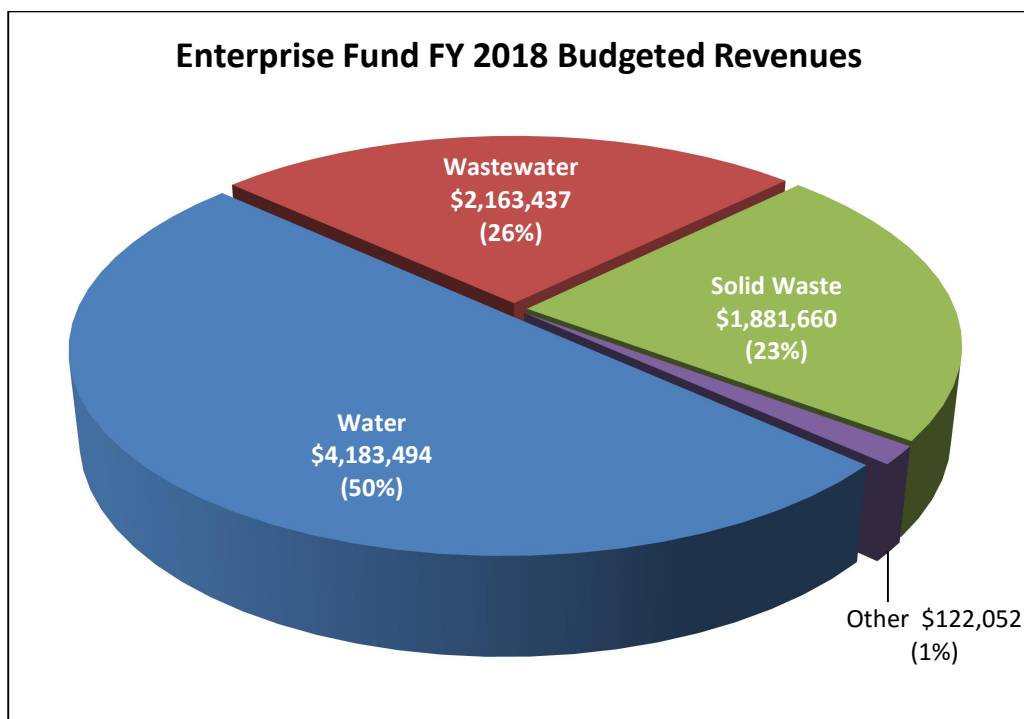
As reflected in the following table, the revenue categories causing the majority of the variance from allocated budget are water and wastewater, which combined are under the allocated budget by \$77,537.

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.

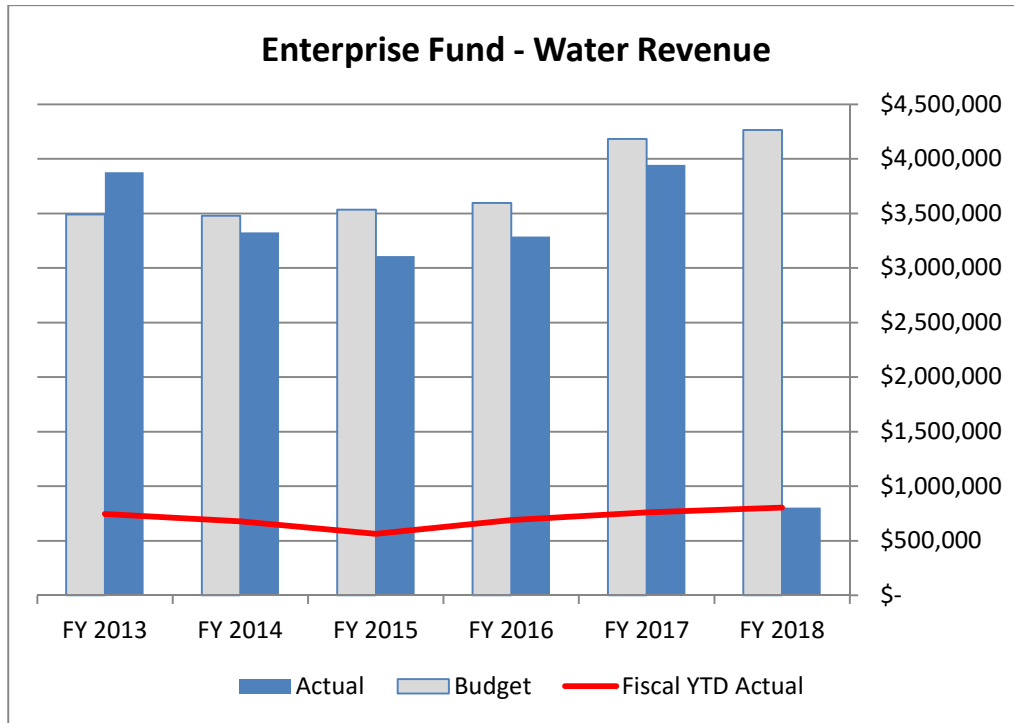


Sales of water makes up the largest category of revenues in the Enterprise Fund at 50% of all FY 2018 budgeted revenues, followed by charges for wastewater at 26%, and charges for solid waste at 23%.

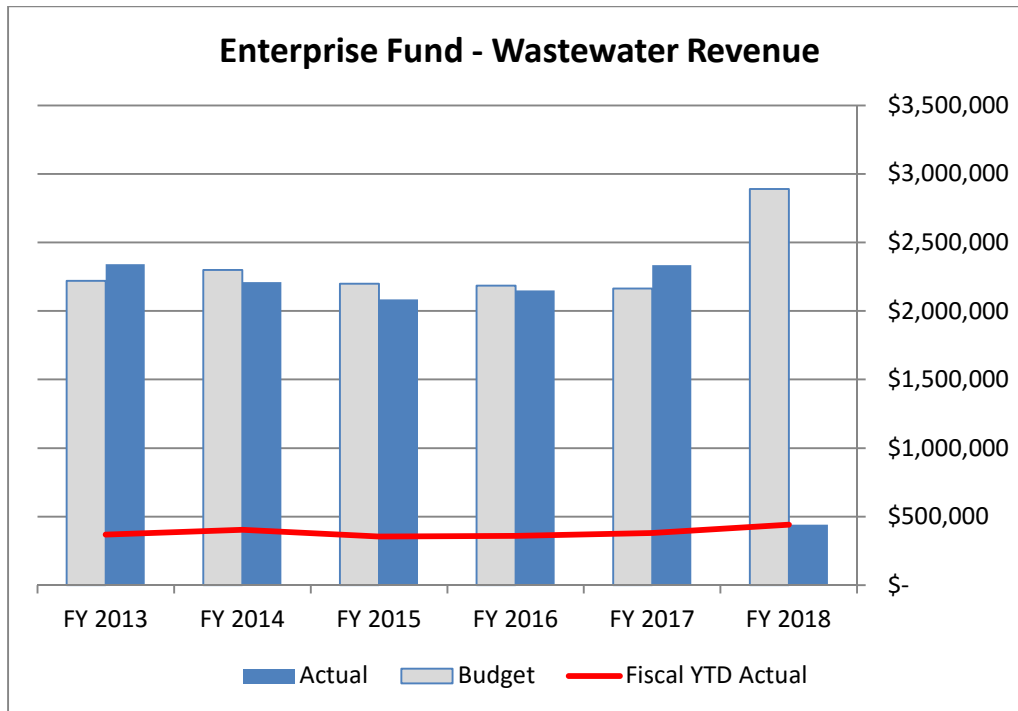


Water Revenue

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

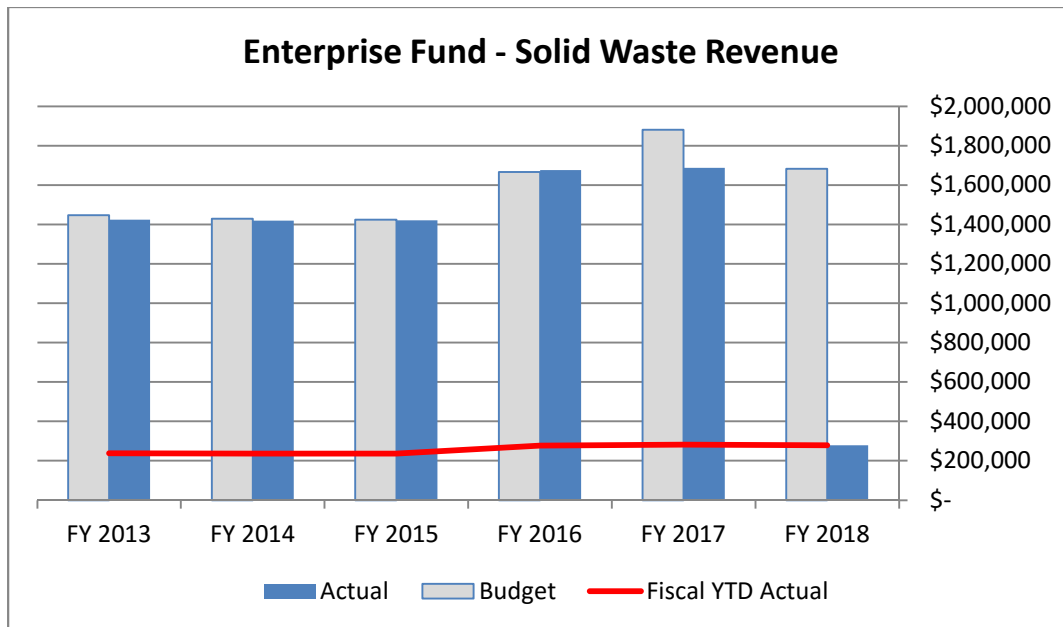
Wastewater Revenue

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:

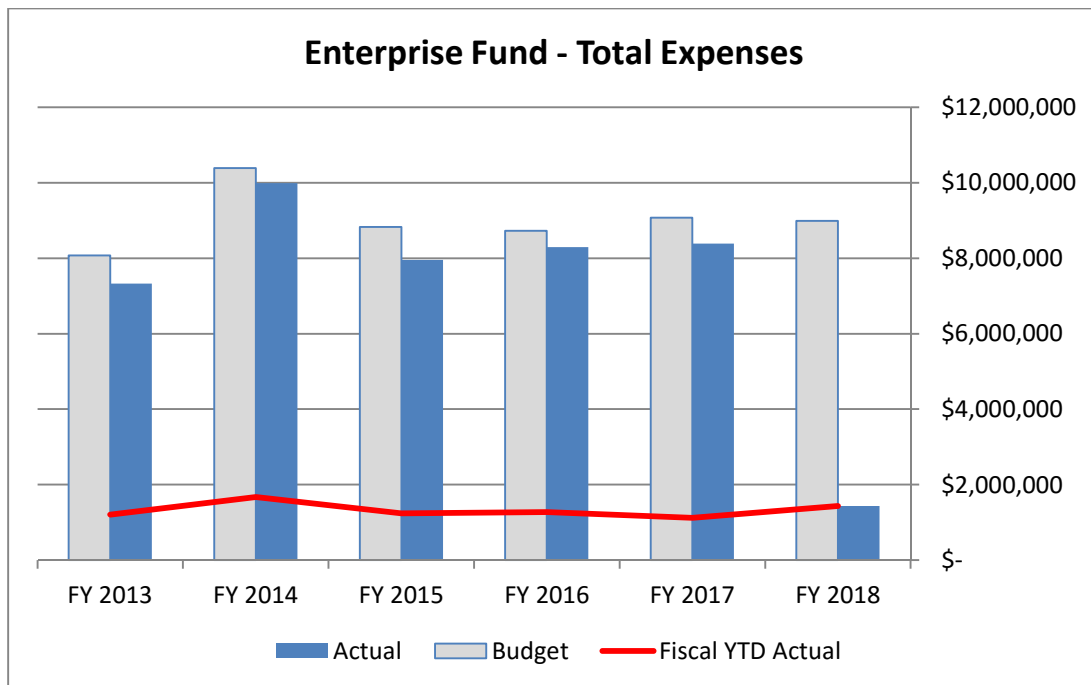
FY 2018 Budget	YTD Allocated Budget	YTD Actual	Over/(Under) Allocated Budget
\$8,990,787	\$1,406,225	\$1,035,133	(\$371,091)

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%.

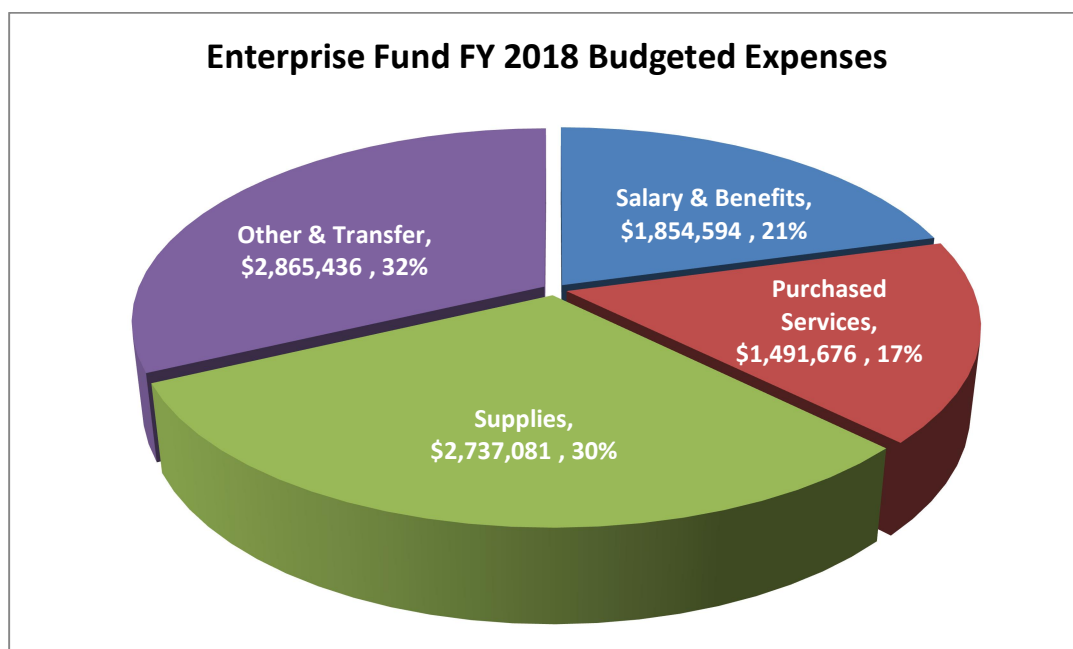
As reflected in the following table, the expense category causing the majority of the variance from allocated budget is supplies, which is under the allocated budget by \$294,804.

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.

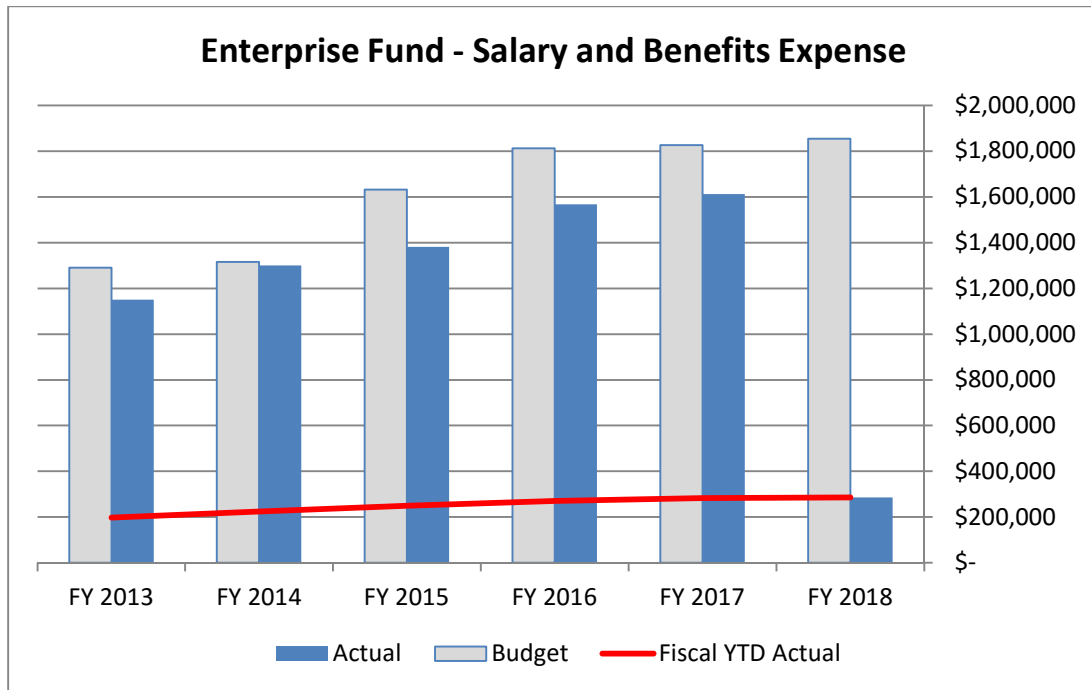


“Other expenses and transfers” makes up the largest category of expenses in the Enterprise Fund at 32% of all FY 2018 budgeted expenses, followed by supplies (which includes water purchased from the City of Houston) at 30%. Other and transfers includes \$14,000 of budgeted operational expenses and \$2,851,436 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.



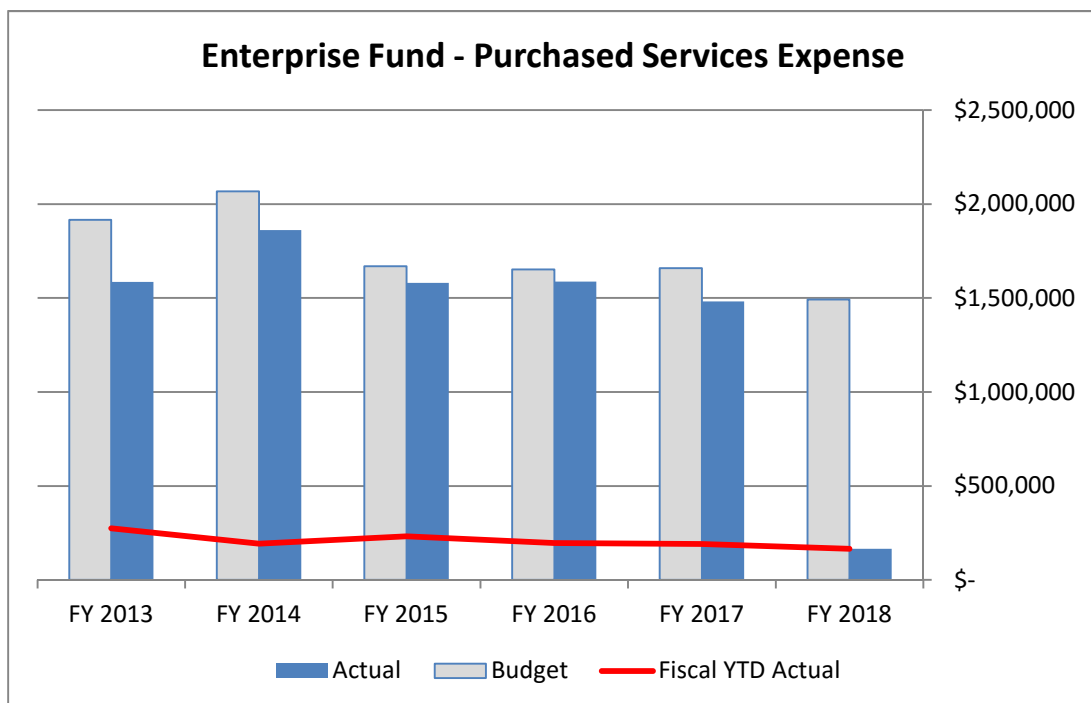
Salary and Benefits

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



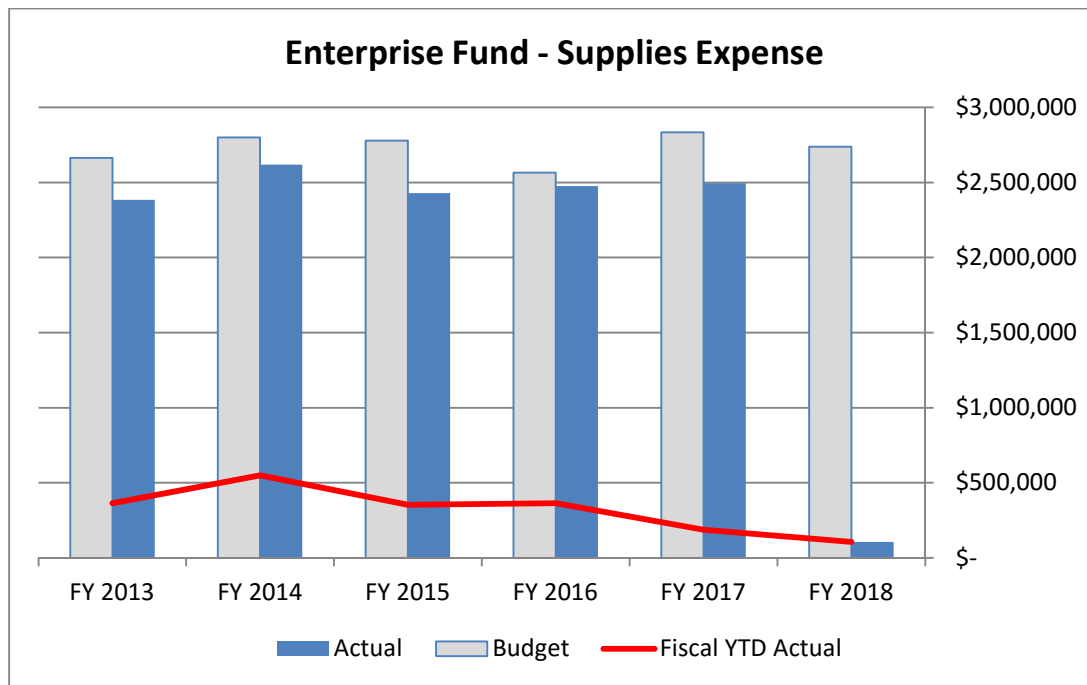
Purchased Services

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



Supplies

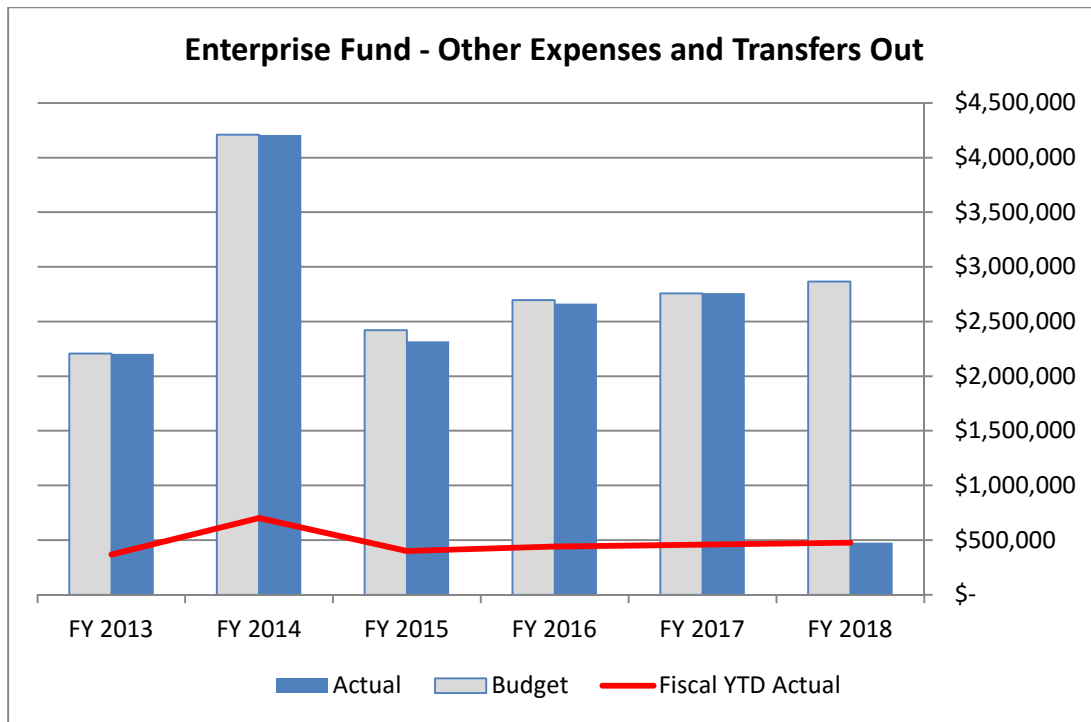
Supplies of \$106,683 are under the allocated budget by \$294,804, or 73%.



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

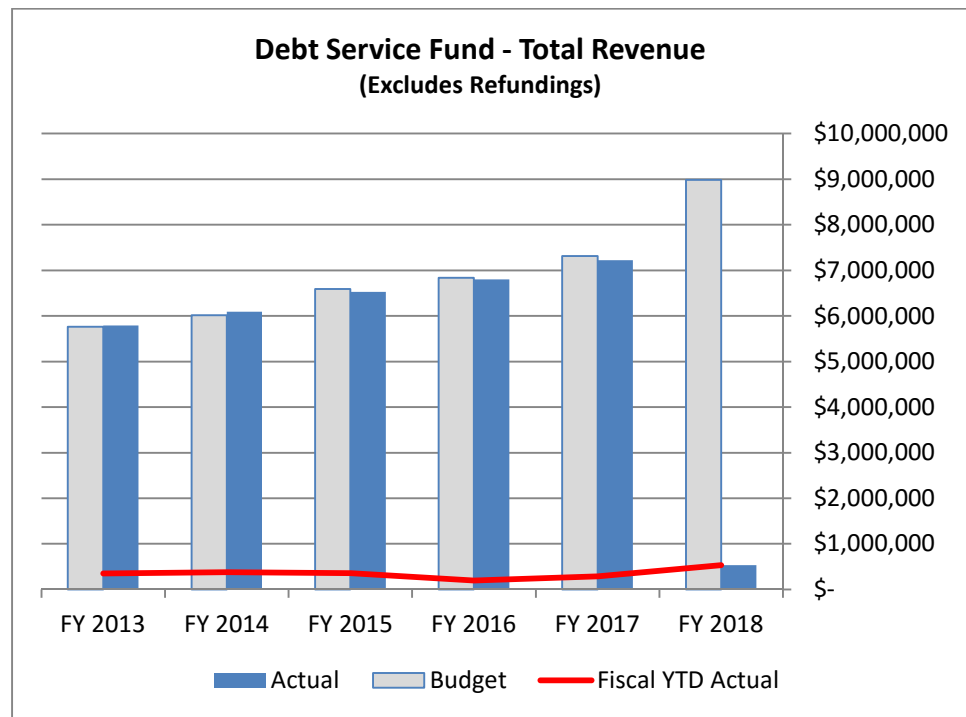
Rainfall (Inches)	FY 2013	FY 2014	FY 2015	FY 2016	FY 2017	FY 2018
Cumulative thru November	1.80	13.60	8.12	16.24	2.98	1.98
Annual	30.06	59.05	70.83	70.95	123.77	

DEBT SERVICE FUND

Debt Service Fund Revenues:

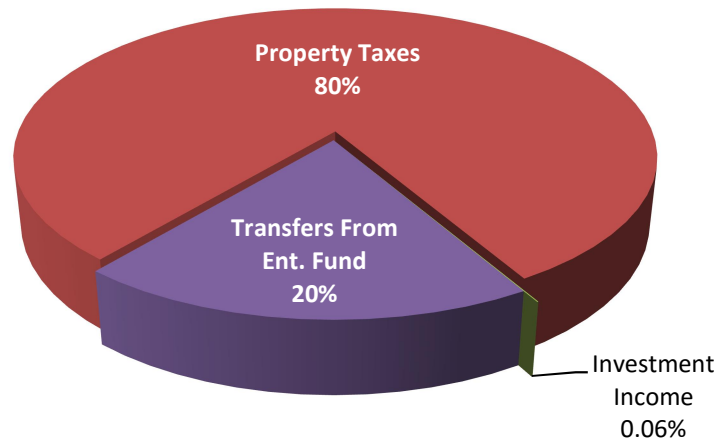
FY 2018 Budget	YTD Allocated Budget	YTD Actual	Over/(Under) Allocated Budget
\$8,984,321	\$477,357	\$535,601	\$58,244

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%.

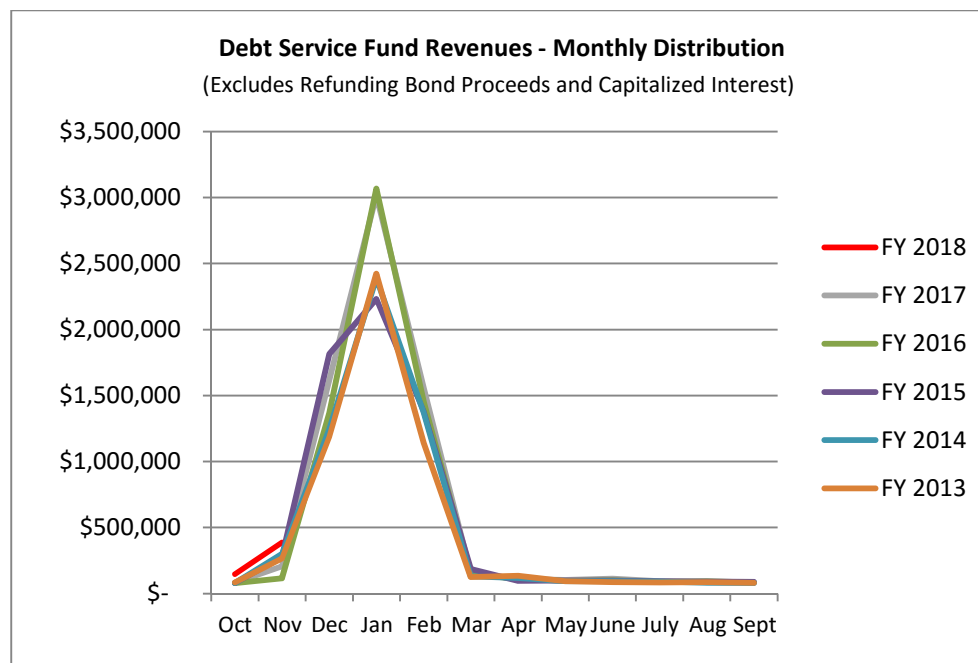


Property tax makes up the largest category of revenues in the Debt Service Fund at 80% of all FY 2018 budgeted revenues, followed by transfers from the Enterprise Fund at 20% and investment income at less than 1%.

Debt Service Fund FY 2018 Budgeted Revenues

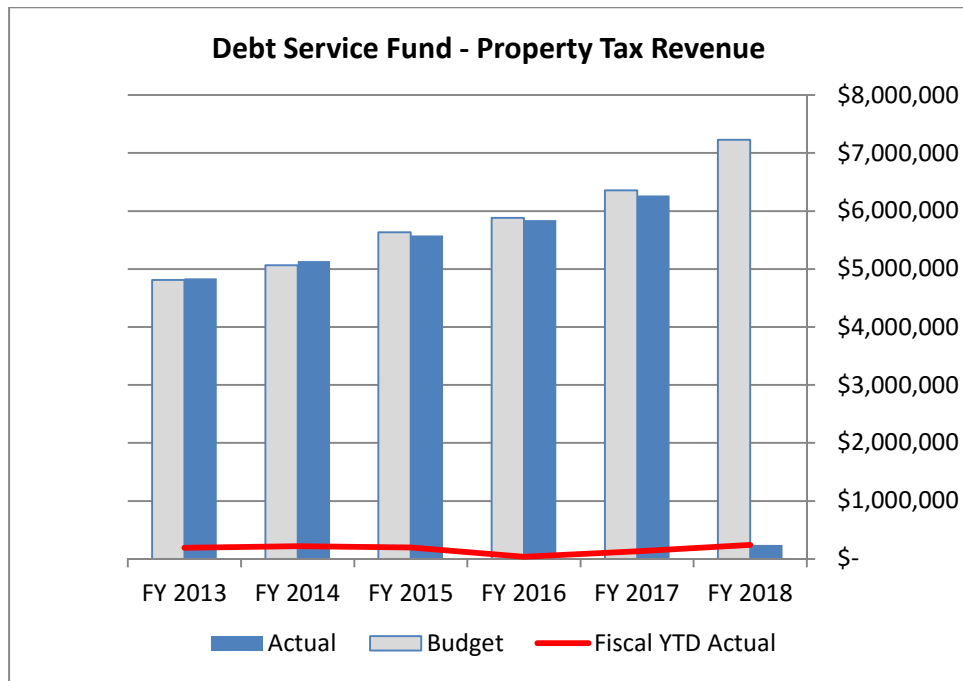


As property taxes are the main revenue source, the January 31 property tax deadline results in revenues being concentrated in the December – February timeframe.



Property Tax

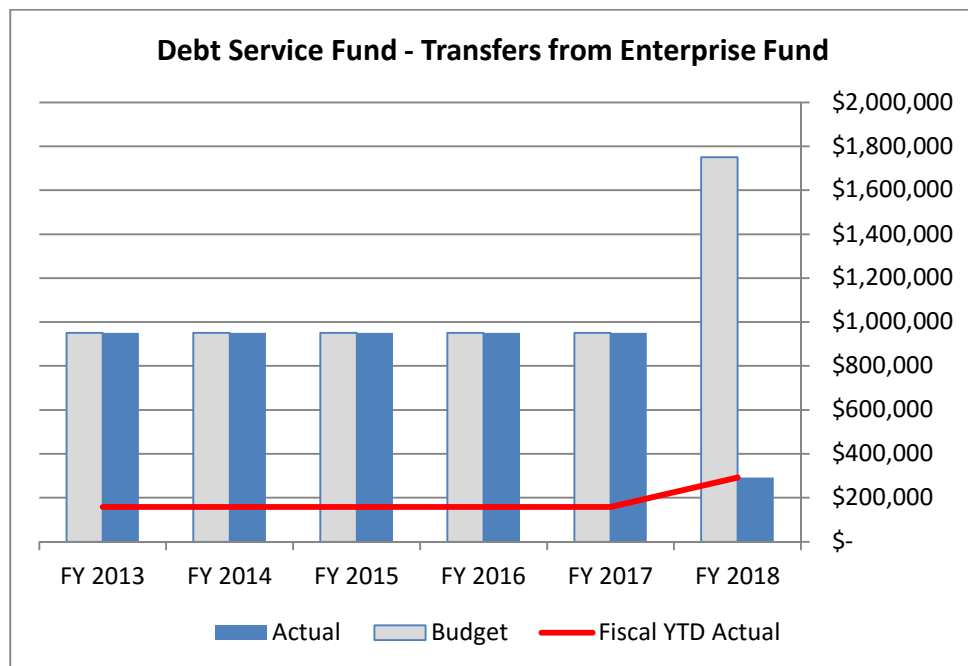
The Debt Service Fund collected \$243,162 of property tax in the two months ended November 30, 2017, which is over the allocated budget by \$58,035, or 31%. Property taxes are primarily collected in the months of December through February due to the January 31 property tax due date.



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

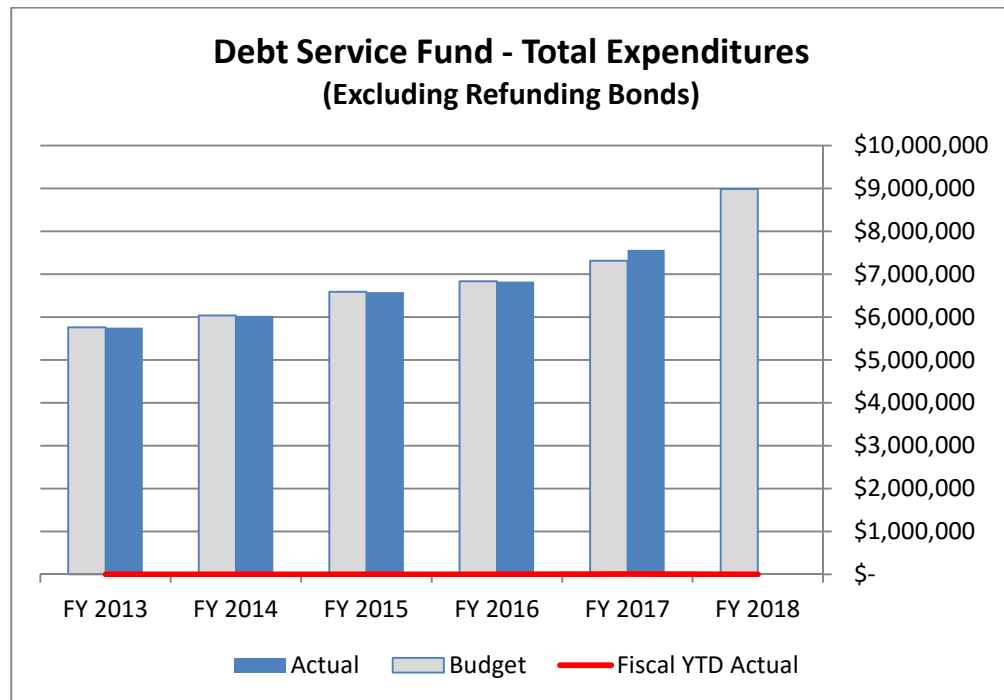
Transfers from the Enterprise Fund in the amount of \$291,739 for the two months ended November 30, 2017, are equal to allocated budget.



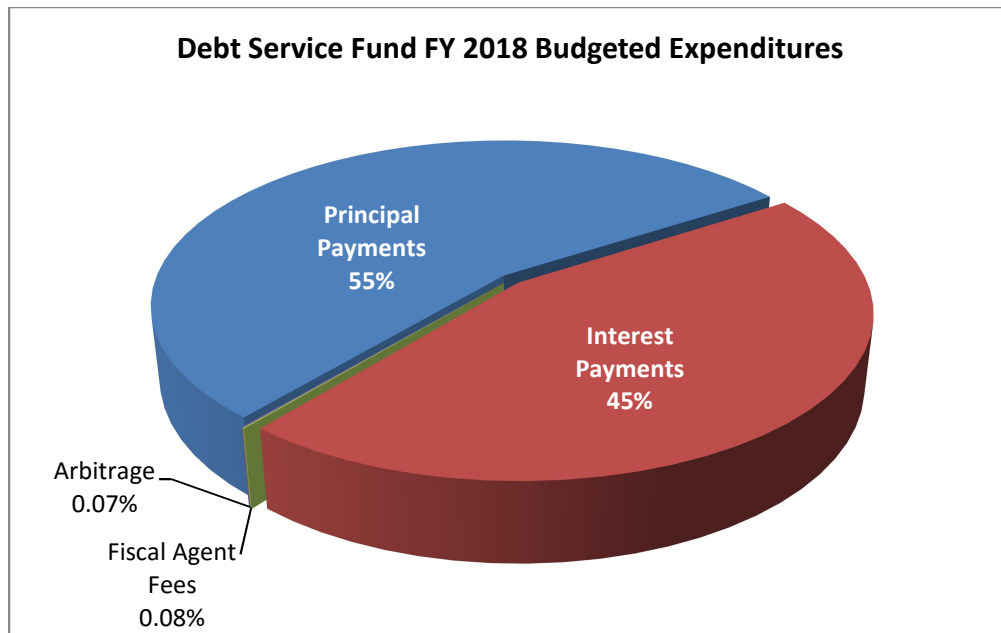
Debt Service Fund Expenditures:

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

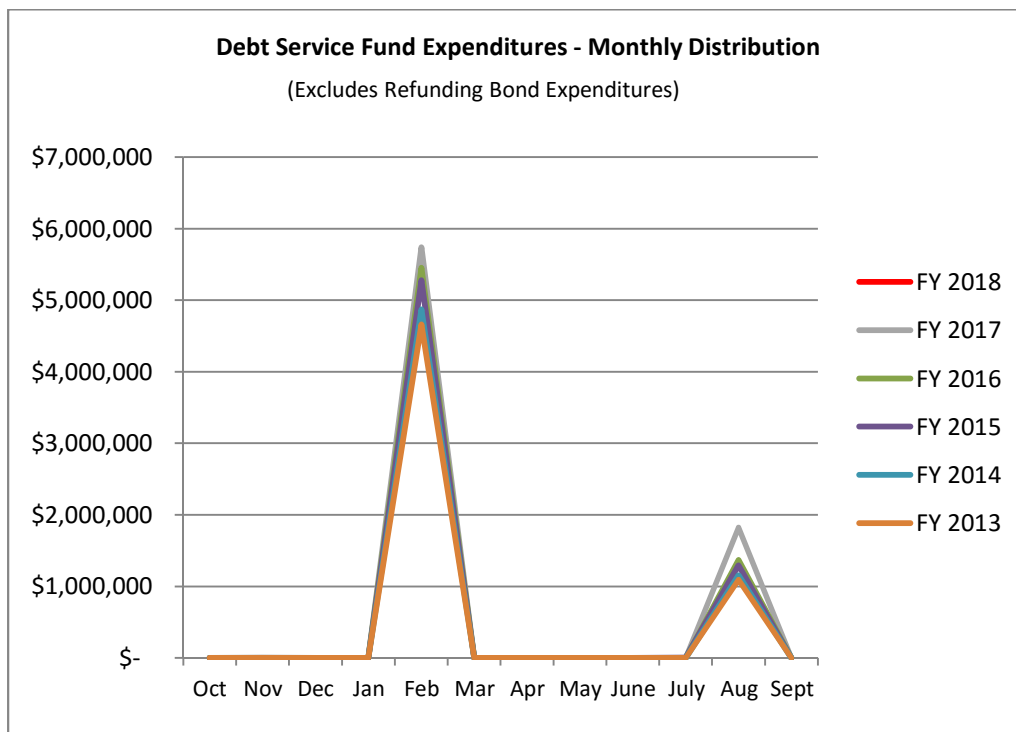
For the two months ended November 30, 2017, the Enterprise Fund incurred less than 1% of its total budgeted expenses and is under its allocated budget by \$1,009, or 57%.



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)							

Minutes Acceptance: Minutes of Jan 8, 2018 7:00 PM (Approval of Minutes.)

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)							

Minutes Acceptance: Minutes of Jan 8, 2018 7:00 PM (Approval of Minutes.)

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						

Minutes Acceptance: Minutes of Jan 8, 2018 7:00 PM (Approval of Minutes.)

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

Minutes Acceptance: Minutes of Jan 8, 2018 7:00 PM (Approval of Minutes.)

**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>							

Minutes Acceptance: Minutes of Jan 8, 2018 7:00 PM (Approval of Minutes.)

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>

Minutes Acceptance: Minutes of Jan 8, 2018 7:00 PM (Approval of Minutes.)

**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>						

Minutes Acceptance: Minutes of Jan 8, 2018 7:00 PM (Approval of Minutes.)

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.

Minutes Acceptance: Minutes of Jan 8, 2018 7:00 PM (Approval of Minutes.)

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

Minutes Acceptance: Minutes of Jan 8, 2018 7:00 PM (Approval of Minutes.)

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	<u>\$ 280,256</u>	<u>\$ 275,955</u>	<u>\$ 282,720</u>
Entire Fiscal Year	<u>\$ 1,364,542</u>	<u>\$ 1,432,579</u>	<u>n/a</u>

Minutes Acceptance: Minutes of Jan 8, 2018 7:00 PM (Approval of Minutes.)

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.

Minutes Acceptance: Minutes of Jan 8, 2018 7:00 PM (Approval of Minutes.)



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

Minutes Acceptance: Minutes of Jan 8, 2018 7:00 PM (Approval of Minutes.)



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

Minutes Acceptance: Minutes of Jan 8, 2018 7:00 PM (Approval of Minutes.)



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

Minutes Acceptance: Minutes of Jan 8, 2018 7:00 PM (Approval of Minutes.)

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,

Minutes Acceptance: Minutes of Jan 8, 2018 7:00 PM (Approval of Minutes.)

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;

Minutes Acceptance: Minutes of Jan 8, 2018 7:00 PM (Approval of Minutes.)

- (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:

Minutes Acceptance: Minutes of Jan 8, 2018 7:00 PM (Approval of Minutes.)

- 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

Minutes Acceptance: Minutes of Jan 8, 2018 7:00 PM (Approval of Minutes.)

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.

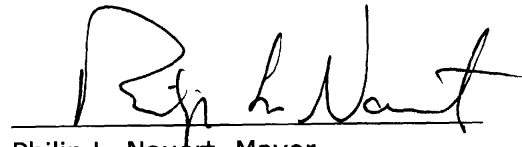
Minutes Acceptance: Minutes of Jan 8, 2018 7:00 PM (Approval of Minutes.)

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
Andrew S. Friedberg
Mayor

APPROVED AS TO FORM:

Alan P. Petrov
Alan P. Petrov
City Attorney

Minutes Acceptance: Minutes of Jan 8, 2018 7:00 PM (Approval of Minutes.)

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,

Minutes Acceptance: Minutes of Jan 8, 2018 7:00 PM (Approval of Minutes.)

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;

Minutes Acceptance: Minutes of Jan 8, 2018 7:00 PM (Approval of Minutes.)

- (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:

Minutes Acceptance: Minutes of Jan 8, 2018 7:00 PM (Approval of Minutes.)

- 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.


Minutes Acceptance: Minutes of Jan 8, 2018 7:00 PM (Approval of Minutes.)

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

Minutes Acceptance: Minutes of Jan 8, 2018 7:00 PM (Approval of Minutes.)

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.

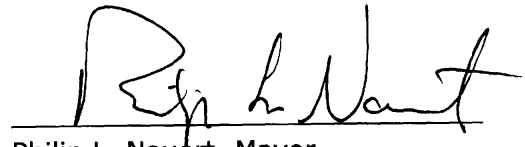
Minutes Acceptance: Minutes of Jan 8, 2018 7:00 PM (Approval of Minutes.)

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.

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.



CITY OF BELLAIRE TEXAS

MAYOR AND COUNCIL

JANUARY 22, 2018

Council Chamber and Council Conference Room Regular Session

5:30 PM

7008 S. RICE AVENUE
BELLAIRE, TX 77401

REGULAR SESSION - 5:30 P.M.

I. BOARD INTERVIEWS

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 5:30 p.m. on Monday, January 22, 2018. 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
Neil Verma	Council Member	Present
Trisha S. Pollard	Council Member	Present
Gus E. Pappas	Mayor Pro Tem	Present*
Pat B. McLaughlan	Council Member	Present*
Michael Fife	Council Member	Present
David R. Montague	Council Member	Present

Also present were Paul A. Hofmann, City Manager, and Tracy L. Dutton, City Clerk.

*Mayor Pro Tem Gus E. Pappas and Council Member Pat B. McLaughlan arrived shortly after the meeting was called to order and participated in the board interviews.

Mayor Friedberg noted that the evening's agenda was structured a little differently than usual because the City had scheduled a reception to recognize outgoing board and commission members at 6:30 p.m. in the City Hall Lobby. When the need for board interviews arose, the start time of the Regular Session was moved up to 5:30 p.m., and the City Council would adjourn to the City Hall Lobby for the reception at the conclusion of the board interviews. Mayor Friedberg advised that following the reception, City Council would resume with their Regular Meeting at 7:00 p.m.

C. Board Interviews (Council Conference Room):

Mayor Friedberg announced that the City Council would conduct interviews of three applicants interested in filling an unexpired term on each of the Board of Adjustment and Parks and Recreation Advisory Board. The interviews were conducted in the Council Conference Room as it was more conducive to the process. Mayor Friedberg

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

invited those present to move with City Council to the Council Conference Room for the interviews, which were open to the public.

Interview, discussion and evaluation of applicants interested in filling an unexpired term on one or more of the following City of Bellaire boards: Board of Adjustment and Parks and Recreation Advisory Board - Submitted by Tracy L. Dutton, City Clerk, on behalf of the City Council.

Interviews of applicants interested in serving an unexpired term on the Board of Adjustment and/or the Parks and Recreation Advisory Board were conducted by the City Council as set forth in the table below.

Time	Applicant	Area(s) of Interest
5:30 p.m. to 5:45 p.m.	James H. Burrough, Jr.	Parks and Recreation Advisory Board
5:45 p.m. to 6:00 p.m.	Lisa Lim	Parks and Recreation Advisory Board
6:00 p.m. to 6:15 p.m.	Lilly F. Gilmer	Board of Adjustment and Parks and Recreation Advisory Board

D. Adjourn.

Mayor Friedberg advised that the Bellaire City Council had been in the Council Conference Room conducting interviews for board vacancies. He announced that the board interviews were completed and that City Council was adjourned at 6:30 p.m. on Monday, January 22, 2018. Mayor Friedberg encouraged those present to join the City Council in the City Hall Lobby for a reception and recognition ceremony of outgoing board and commission members. He advised that the Bellaire City Council anticipated starting the Regular Meeting at 7:00 p.m.

II. REGULAR MEETING - 7:00 P.M.

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

Mayor Friedberg called to order the Regular Meeting of the City Council of the City of Bellaire, Texas, at 7:05 p.m. on Monday, January 22, 2018.

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
Neil Verma	Council Member	Present
Trisha S. Pollard	Council Member	Present
Gus E. Pappas	Mayor Pro Tem	Present
Pat B. McLaughlan	Council Member	Present
Michael Fife	Council Member	Present

David R. Montague	Council Member	Present
-------------------	----------------	---------

Also present were Paul A. Hofmann, City Manager; Alan P. Petrov, City Attorney; and Tracy L. Dutton, City Clerk.

C. Inspirational Reading and/or Invocation - Pat B. McLaughlan, Council Member.

Pat B. McLaughlan, Council Member, provided the inspirational reading for the evening.

D. Pledges to the Flags - Pat B. McLaughlan, Council Member.

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

E. Recognition of Proclamation:

Issuance of a proclamation by Andrew S. Friedberg, Mayor, recognizing and congratulating Paul Miller, Gr8 Plate Hospitality (whose local restaurants include Jax Grill and The Union Kitchen), on being awarded the Greater Houston Restaurant Association's 2018 Restaurateur of the Year.

Mayor Friedberg read the proclamation he issued in honor of Paul Miller, owner of Gr8 Plate Hospitality, which included popular local restaurants Jax Grill and The Union Kitchen, in recognition of his award as the Greater Houston Restaurant Association's "2018 Restaurateur of the Year."

The proclamation was accepted by **Paul Miller**, his family, and several associates.

F. Personal/Audience Comments.

Mayor Friedberg asked if anyone was present who wished to speak to City Council. Hearing none, Mayor Friedberg summarized four written comments, all of which related to agenda item H.2.a., the rezoning application for 5217 and 5221 Palmetto Street. Each of the written comments were received prior to last week's deadline following the public hearing on the matter.

Mayor Friedberg stated that the first was received from **John Parker**, the applicant, who wrote in response to public comments from the hearing that were in opposition to the application. **Judy Forbes** submitted written comments in opposition. A **joint submission** on behalf of and bearing 36 signatures of home owners of **Trenton Place Townhouses** likewise opposed the application. **Attorney Scott Davenport**, on behalf of his client at 5220 and 5222 Beech Street, reiterated his client's opposition, citing and enclosing a copy of a realtor's report he had referenced at the public hearing.

Mayor Friedberg advised that the written comments were reproduced in their entirety in the evening's agenda packet and would be included in the formal record of the proceedings this evening.

After concluding his summary of written comments, Mayor Friedberg offered an opportunity to anyone present to speak to City Council. Hearing none, he announced that Personal/Audience Comments were concluded.

G. 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.

Paul A. Hofmann, City Manager, presented the City Manager's Report dated January 22, 2018, to members of the City Council. The report consisted of communication updates, reminders of upcoming meetings regarding the proposed Community Pathways Plan and the Flood Hazard Mitigation Task Force, an ice storm update, the recent landscaping addition at Bellaire Boulevard and the railroad track, reminders of future City Council meetings and agenda items and reminders of upcoming events.

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

2. Presentation of the findings of a brand identity exercise conducted by the City of Bellaire for the purpose of guiding signage strategies for the Municipal Facilities Project - Submitted by Michelle Jordan, Project Manager.

Michelle Jordan, Project Manager, presented the process followed in the brand identity exercise conducted by the City of Bellaire, as well as the proposed logo and typography. In general, the process included three phases. Phase 1 consisted of an audit, interviews of approximately 25 identified stakeholder participants, research, and tours. In Phase 2, six options were developed and presented by Principle Design Group to the City. Three of the options were selected for further study and refinement. An outside agency helped the City randomly select residents/participants to serve on a Focus Group. Participants included mixed ratios of males and females, ages, education levels, income levels, and time and area of residence in Bellaire. Twelve participants initially agreed to participate. Eight were present for the final meeting.

Following the Focus Group's work, their input was combined with input from City Staff, City leadership and representatives from PGAL (Pierce Goodwin Alexander and Linville), the City's architect for the Municipal Facilities Project, during Phase 3. Project Manager Jordan stated that additional refinements were made, with the final product to be presented to City Council this evening, along with a font selection.

Slides depicting the logo, typography, and examples of the use of the logo in areas of the new facilities (i.e., reception, Council Chamber, Courtroom), and on uniforms, name tags, recycling bins, and automobile stickers, were shown to members of the City Council.

In summary, Project Manager Jordan advised that the City would like to have the selection or an approval of the font type by March to keep the Municipal Facilities Project (especially signage) on track. Project Manager Jordan also advised that the logos or icons did not need to be approved on the same timeline as the font types.

Mayor Friedberg thanked Project Manager Jordan for her excellent presentation. He advised that City Council would not be taking any action this evening, and opened the floor to give City Council an opportunity to ask questions or provide any feedback.

Following questions and feedback from members of the City Council, **Mayor Friedberg** thanked everyone for their work on the brand identity exercise and announced that the report was concluded.

3. Presentation regarding the status of the Municipal Facilities Project, including schedule and budget - Submitted by Michelle Jordan, Project Manager.

Michelle Jordan, Project Manager, provided a summary of the status of the Municipal Facilities Project to members of the City Council. She advised that construction of the new municipal facilities began on May 5, 2017, with Phase 1 of the City Hall scheduled to be substantially completed in August of 2018. The Police/Court Building was scheduled to be completed in October of 2018, and Phase 2 of the City Hall, which included the Civic Center, was scheduled to be substantially completed in April of 2019.

Project Manager Jordan advised that with construction underway, the City was working on the procurement of furniture, fixtures and equipment (FFE). Currently, an allocation of \$1,000,000.00 had been set aside for FFE. Based on cost estimates and bids received to date, the total cost to fulfill the FFE requirements was approximately \$2,000,000.00. Project Manager Jordan advised that she was still receiving bids and indicated that the total cost could be less.

Project Manager Jordan continued and outlined the multiple ways that the City was attempting to manage the FFE costs, such as through value engineering, reduction of quantities (shared use of equipment), reuse of items, a phased approach to purchases, and prioritization (procurement of the most necessary items first).

Funding sources to supplement available funds were identified by Project Manager Jordan, which included technology funding sources, court security funding sources, public education governmental channel funds, Rebuild Bellaire funds, and available owner and contractor contingencies.

In summary, Project Manager Jordan stated that staff wanted to provide the summary of the project status in advance of the agenda items City Council would be asked to vote on this evening. Before closing, Project Manager Jordan briefed City Council on the agenda items under New Business regarding the purchase and installation of closed circuit television and access channels and structured cabling.

Mayor Friedberg opened the floor for questions from the City Council. Following questions, Mayor Friedberg announced that the report was concluded.

H. New Business:

1. Consent Agenda:

a. Adoption 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 18, 2017 - Submitted by Tracy L. Dutton, City Clerk.

Mayor and Council - Regular Session - Dec 18, 2017 7:00 PM

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

b. Curfew Suspension:

Consideration of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, temporarily suspending the application of Chapter 27, Streets, Sidewalks and Public Places, Article V, Public Parks, Section 27-95, Curfew Imposed, of the Code of Ordinances of the City of Bellaire, Texas, for the purpose of allowing the Optimist Club of Bellaire to hold their Annual Barbecue (BBQ) Fundraiser in the Feld Park parking lot located at 6406 Avenue B, Bellaire, Texas, with said suspension to commence at 11:00 p.m. on Friday, February 2, 2018, and end at 5:00 a.m. on Sunday, February 4, 2018 - Submitted by Cheryl Bright, Assistant Director of Parks, Recreation and Facilities, on behalf of the Optimist Club of Bellaire.

Mayor Friedberg read the agenda items on the Consent Agenda dated January 22, 2018, which consisted of a set of minutes and an ordinance granting a temporary suspension of the application of Section 27-95 (curfew) for an annual Bellaire Optimist Club fundraiser in Feld Park.

Mayor Friedberg asked if any member of City Council wished to remove either or both items from the Consent Agenda for separate consideration. Hearing none, he entertained a motion to adopt the Consent Agenda.

Motion:

To adopt the Consent Agenda dated January 22, 2018.

{Moved by Neil Verma, Council Member, and seconded by Trisha S. Pollard, Council Member}

RESULT:	UNANIMOUS [7 TO 0]
MOVER:	Neil Verma, Council Member
SECONDER:	Trisha S. Pollard, Council Member
AYES:	Friedberg, Verma, 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, Article IV, Planning Documents and Official Map, Section 24-403, Official Zoning District Map, of the Code of Ordinances of the City of Bellaire, Texas, for the purpose of rezoning properties addressed as 5217 and 5221 Palmetto Street from R-4 Residential District to R-5 Residential District - Submitted by ChaVonne Sampson, Interim Director of Development Services.

Mayor Friedberg read the agenda caption and advised that the matter

was the subject of a public hearing held last month, from which oral and written comments had been received. To begin deliberation, Mayor Friedberg entertained a motion to grant the rezoning application and adopt the ordinance as presented amending Section 24-403 of the Code of Ordinances to rezone the subject properties from R-4 Residential District to R-5 Residential District.

Motion:

To grant the rezoning application and adopt the ordinance as presented amending Section 24-403 of the Code of Ordinances to rezone the subject properties from R-4 Residential District to R-5 Residential District.

{Moved by Trisha S. Pollard, Council Member, and seconded by Pat B. McLaughlan, Council Member}

Mayor Friedberg opened the floor for discussion on the motion. Following discussion among members of the City Council, action was taken on the motion.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Trisha S. Pollard, Council Member
SECONDER:	Pat B. McLaughlan, Council Member
AYES:	Friedberg, Verma, Pollard, Pappas, McLaughlan, Fife, Montague

- b. Consideration of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, authorizing the City Manager and City Clerk of the City of Bellaire, Texas, to execute and attest, respectively, a Standard Form of Agreement with Knight Security Systems for the purchase and installation of Closed Circuit Television systems and Access Control Systems for the Municipal Facilities Project in the amount of \$301,206.63 - Submitted by Michelle Jordan, Project Manager.

Mayor Friedberg read the agenda caption and noted that this item was one of the two items Project Manager Michelle Jordan mentioned at the conclusion of her presentation. The agenda caption was set up for the City Manager and City Clerk to be authorized to sign and attest the contract. However, the underlying documents in the agenda packet had the old form of agreement authorizing the Mayor and City Clerk to sign and attest the contract. Under a recent Charter amendment, the City Manager now had the authority to sign contracts. In keeping with what was on the agenda, Mayor Friedberg stated that the proposed form of agreement had been substituted for the City Manager to sign.

Mayor Friedberg entertained a motion to adopt the ordinance as presented authorizing a Standard Form of Agreement with Knight Security Systems for the purchase and installation of closed circuit television systems and access control systems for the Municipal Facilities Project in the amount of \$301,206.63.

Motion:

To adopt the ordinance as presented authorizing a Standard Form

of Agreement with Knight Security Systems for the purchase and installation of closed circuit television systems and access control systems for the Municipal Facilities Project in the amount of \$301,206.63.

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

Mayor Friedberg opened the floor for questions and deliberation from members of the City Council. Following questions and deliberation, action was taken on the motion.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	David R. Montague, Council Member
SECONDER:	Michael Fife, Council Member
AYES:	Friedberg, Verma, Pollard, Pappas, McLaughlan, Fife, Montague

- c. Consideration of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, authorizing the City Manager and City Clerk of the City of Bellaire, Texas, to execute and attest, respectively, a Standard Form of Agreement with Datavox for the purchase and installation of Structured Cabling for the Municipal Facilities Project in the amount of \$191,120.00 - Submitted by Michelle Jordan, Project Manager.

Mayor Friedberg read the agenda caption and noted that as with the previous agenda item, the agenda caption was set up for the City Manager and City Clerk to be authorized to sign and attest the contract; however, the underlying documents in the agenda packet had the old form of agreement authorizing the Mayor and City Clerk to sign and attest the contract. As previously stated, a recent Charter amendment authorized the City Manager to sign contracts. In keeping with what was on the agenda, he stated that the proposed form of agreement had been substituted for the City Manager to sign, and entertained a motion to adopt the ordinance as presented authorizing a Standard Form of Agreement with DataVox, Inc., for the purchase and installation of structured cabling for the Municipal Facilities Project in the amount of \$191,120.00.

Motion:

To adopt the ordinance as presented authorizing a Standard Form of Agreement with DataVox, Inc., for the purchase and installation of structured cabling for the Municipal Facilities Project in the amount of \$191,120.00.

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

Mayor Friedberg opened the floor for questions and deliberation from the City Council. Hearing none, action was taken on the motion.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	David R. Montague, Council Member
SECONDER:	Trisha S. Pollard, Council Member
AYES:	Friedberg, Verma, Pollard, Pappas, McLaughlan, Fife, Montague

- d. Consideration of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, appointing one (1) member to fill an unexpired term on the Board of Adjustment of the City of Bellaire, Texas, commencing January 22, 2018, and ending on June 30, 2018 - Submitted by Tracy L. Dutton, City Clerk.

Mayor Friedberg read the agenda caption and advised that the City received one application for the unexpired term on the Board of Adjustment. He anticipated that City Council would be unanimously agreed on her qualifications based on her interview earlier this evening. In the interest of efficiency, Mayor Friedberg asked if there was any objection to the selection of Lilly F. Gilmer by acclamation. Hearing no objection, **Mayor Friedberg declared that Lilly F. Gilmer was duly selected by acclamation.**

Mayor Friedberg next entertained a motion to adopt an ordinance in the form presented appointing Lilly F. Gilmer to fill an unexpired term on the Board of Adjustment commencing January 22, 2018, and ending June 30, 2018.

Motion:

To adopt an ordinance in the form presented appointing Lilly F. Gilmer to fill an unexpired term on the Board of Adjustment commencing January 22, 2018, and ending June 30, 2018.

{Moved by Michael Fife, Council Member, and seconded jointly by Gus E. Pappas, Mayor Pro Tem, and Trisha S. Pollard, Council Member}

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Fife, Council Member
SECONDER:	Trisha S. Pollard, Gus E. Pappas
AYES:	Friedberg, Verma, 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 one (1) member to fill an unexpired term on the Parks and Recreation Advisory Board of the City of Bellaire, Texas, commencing on January 22, 2018, and ending on June 30, 2018 - Submitted by Tracy L. Dutton, City Clerk.

Mayor Friedberg read the agenda caption and advised that the City Clerk had prepared ballots, which was City Council's customary method of selecting applicants when there was more than one. Mayor Friedberg asked members of City Council to scratch Lilly F. Gilmer's name off the ballot for the Parks and Recreation Advisory Board unexpired term as she was just appointed to the Board of Adjustment. He indicated that the two remaining candidates were James H. Burrough, Jr., and Lisa Lim.

Mayor Friedberg opened the floor for any comments. Following discussion in which Council Members praised and expressed their appreciation for both candidates, the ballots were tabulated by the City Clerk and the results read into the record by **Mayor Friedberg** as set forth below.

Mayor Friedberg cast his vote for James H. Burrough, Jr.;
 Council Member Verma cast his vote for Lisa Lim;
 Council Member Pollard cast her vote for James H. Burrough, Jr.;
 Mayor Pro Tem Pappas cast his vote for Lisa Lim;
 Council Member McLaughlan cast his vote for James H. Burrough, Jr.;
 Council Member Fife cast her vote for Lisa Lim; and
 Council Member Montague cast his vote for Lisa Lim.

In summary, Lisa Lim received four (4) votes and James H. Burrough, Jr., received three (3) votes.

Mayor Friedberg advised that **the appointee was decided by ballot and entertained a motion to adopt the ordinance** in the form presented appointing Lisa Lim to fill an unexpired term on the Parks and Recreation Advisory Board commencing January 22, 2018, and ending June 30, 2018.

Motion:

To adopt the ordinance in the form presented appointing Lisa Lim to fill an unexpired term on the Parks and Recreation Advisory Board commencing January 22, 2018, and ending June 30, 2018.

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

Mayor Friedberg noted that he had asked the City Clerk prior to the Regular Meeting if she could get the Parks and Recreation Advisory Board Member sworn in so that he or she could attend the Community Pathways Plan Neighborhood Meeting as a sitting member of the Parks and Recreation Advisory Board. City Clerk Dutton had advised that she could do so.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Fife, Council Member
SECONDER:	David R. Montague, Council Member
AYES:	Friedberg, Verma, Pollard, Pappas, McLaughlan, Fife, Montague

I. Community Interest Items from the Mayor and City Council.

Community interest items from the Mayor and City Council included kudos to the Bellaire Public Works Department and CenterPoint Energy for their assistance with a gas leak and a water leak on Newcastle Drive; congratulations and expressions of thanks to the outgoing board and commission members recognized earlier in the evening; reminders of an upcoming public hearing to be held by the Flood Hazard Mitigation Task Force and a neighborhood meeting on the Community Pathways Plan; reminders of upcoming City events; and expressions of congratulations to Michael Leal, Assistant Police Chief, on his upcoming retirement.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Council Member Pollard reported on a Brays Bayou Association meeting that she recently attended. Council Member Pollard advised that during the meeting, the Harris County Flood Control District ("HCFCD") described Hurricane Harvey as two 100-year storms back to back in two days. The HCFCD also described the Brays Bayou Project as a project designed to reduce the risk of flooding. Noted in the meeting was the removal of 230,000 cubic yards of dirt from Brays Bayou and 32 bridge replacements to be undertaken (Council Member Pollard noted that 14 of the 32 had already been replaced). Upon completion of the project, HCFCD advised that the base flood elevation would be lowered by two feet.

J. Adjourn.

Mayor Friedberg announced that the Regular Meeting of the City Council of the City of Bellaire, Texas, was adjourned at 9:22 p.m. on Monday, January 22, 2018.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



BOARD APPLICANTS

January 22, 2018

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



BOARD APPLICANTS

James H. Burrough, Jr.

Tracy Dutton

From: noreply@civicplus.com
Sent: Saturday, December 9, 2017 12:34 PM
To: Tracy Dutton
Subject: Online Form Submittal: Application to Serve on a City Board or Commission

If you are having problems viewing this HTML email, click to view a [Text version](#).

Application to Serve on a City Board or Commission

Application to Serve on a City Board or a Commission with the City of Bellaire, Texas
 7008 South Rice Avenue, Bellaire, Texas 77401
 713-662-8222.

Thank you for your interest in serving on a City of Bellaire Board or Commission. In order to be considered for an appointment, please complete and submit this application in person at City Hall, or fill out the online application at www.bellairetx.gov. You will be contacted about an interview with Mayor and Council by City Staff.

Please review the Boards Handbook on the City's website to learn more about each Board and Commission.

THIS INFORMATION WILL BECOME PUBLIC RECORD.

Click on the link to review the City's Board Handbook. [Click Here for Board Handbook](#)

Click on the link for an summary of all [Summary](#)

Bellaire Boards, Commissions, and Committees.

Personal Information

Select from the following choices

- | | |
|---|---|
| <input type="checkbox"/> Audit Finance Board | <input type="checkbox"/> L.I.F.E. Advisory Board |
| <input type="checkbox"/> Board of Adjustment | |
| <input type="checkbox"/> Building and Standards Commission | <input checked="" type="checkbox"/> Parks & Recreation Advisory Board |
| <input type="checkbox"/> Cultural Arts Board | <input type="checkbox"/> Planning & Zoning Commission |
| <input type="checkbox"/> Environmental & Sustainability Board | <input type="checkbox"/> Evelyn's Park Conservancy Board |

Name* James H Burrough Jr

Home Address*

Contact Number*

Business Phone Number*

Occupation* Retired

Email Address*

Years in Bellaire. (Must be a resident for at least 6 months before appointment date in June).* 67

Are you a registered voter in a Bellaire Precinct? [Yes \/]

Are you 18 or older? Yes

First Time Appointment? [Yes \/]

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Reappointment, if so name of Board.* None

Have you ever attended a meeting of Yes

the Board to which you seek

appointment? If so, indicate which

one(s). If applying for Audit Finance

Board you must be a resident with

financial and/or audit experience.

Attach Resume with Application.*

Please write a brief summary of your qualifications for service on this Board, Commission, or Committee.*

I am a retired Emergency Management professional with a great deal of experience in dealing with the workings of city government and their supporting governmental commissions. In addition, over the 67 years of residency in Bellaire, I have been a utilizer of most of the programs offered by the Parks and Recreation Department. I have been particularly active in regard to the Aquatics Program, as I am an avid swimmer at the Therapy Pool. I have been active in city politics and citizen processes having run for City Council in 1976 and spoken before Council and various Boards numerous times on subjects and proposal important to me. For the last two years, I have attended many of the meetings of the Parks and Recreation Advisory Board. I believe I have a good relationship with the current Board. I also feel I would be an asset to this Board and the citizens of Bellaire.

Briefly describe previous community activities associated with the City of Bellaire, as well as any outside civic, charitable, and other community work.*

- Ran for Bellaire City Council in 1976 - Assisted in community effort that resulted in development of Evelyn Wood Therapy Pool - Avid user of Therapy Pool - Amateur Radio Operator with current appointment as Amateur Radio Emergency Service District 14 Assistant Emergency Coordinator (Liaison to Harris County Public Health and Environmental Services) - Volunteer Examiner for FCC-regulated Amateur Radio licenses through American Radio Relay League (ARRL) Volunteer Examination Coordinator - Active in support of Holy Ghost Catholic Church as a Eucharist Minister and Liturgy writer

Do you anticipate any conflicts of interest arising in connection with your service on the selected Board?*

If you answered yes and a conflict of interest did arise, how would you propose to resolve it?

() Yes

(X) No

Do you understand the time commitment on this Board, Commission, or Committee for meetings as well as preparation prior to meetings? (As a reference, previous Board and Commission members have stated their time commitment ranged, on an average, from 2 to 6 hours per month.)*

(X) Yes

() No

Please complete the following only if you are applying for reappointment to a particular Board, Commission, or Committee. Do you have any thoughts regarding the responsibilities of and/or recent actions by your Board, Commission, or Committee?

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Do you have any ideas on how the effectiveness of your Board, Commission, or Committee can be improved?

The City of Bellaire appreciates your commitment and willingness to serve. Thank you for taking the time to complete this application

Name* **Date***
James H **12/9/2017**
Burrough
Jr

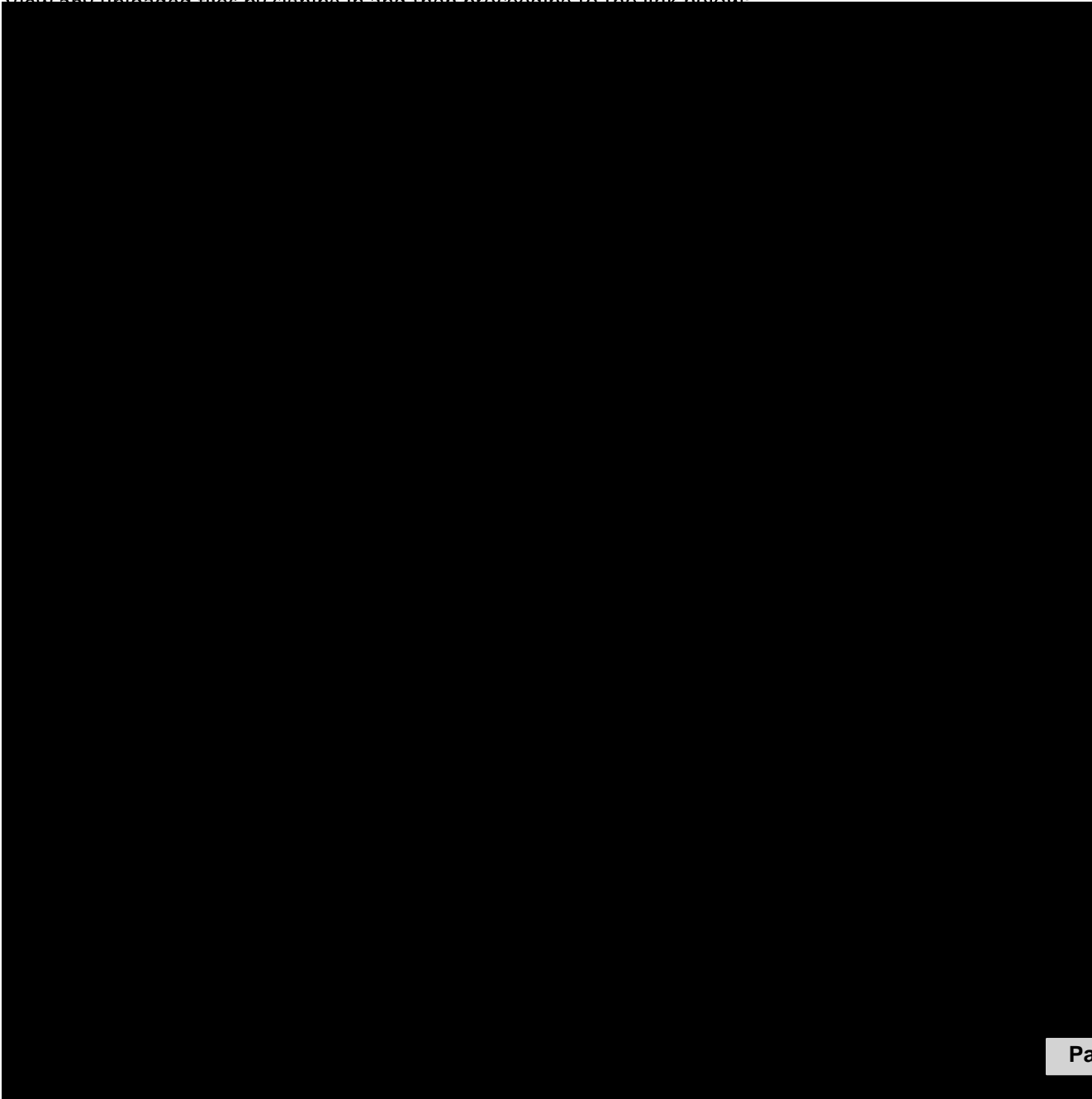
Indicate your Board selection(s) by marking "1" or "2" or "3" in rank order of your preference (1= most preferred) here. There is no need to mark more than "1" if you're not interested in another Board.*

1= Parks and Recreation Advisory Board

By submitting this application online or by email and executing it by entering my name where indicated, I intend to electronically certify it as if signed in writing

* indicates required fields.

View any uploaded files by signing in and then proceeding to the link below:



applying
 olication.:

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



BOARD APPLICANTS

Lilly F. Gilmer

City of Bellaire

Application for Board, Commission, and Committee Appointment

Instructions: Please type or print using black ink.

Board/Commission/Committee (Indicate selection(s) by marking each with "1" or "2" or "3" in rank order of your preference (1 = most preferred)).

<input checked="" type="checkbox"/> Board of Adjustment	<input type="checkbox"/> Environmental and Sustainability Board	<input type="checkbox"/> Evelyn's Park Conservancy Board
<input type="checkbox"/> Building & Standards Commission	<input type="checkbox"/> L.I.F.E. Advisory Board	<input type="checkbox"/> Audit Finance Board
<input type="checkbox"/> Planning & Zoning Commission	<input type="checkbox"/> Cultural Arts Board	<input type="checkbox"/> Ad Hoc Committee (if applicable)
<input checked="" type="checkbox"/> Parks and Recreation Advisory Board		

Name: Lilly Falcon Gilmer

Address: [REDACTED]

Mailing Address (if different): _____

Contact Number: [REDACTED]

Occupation: Attorney

Number of Years in Bellaire: 18 years

*Must be a resident for at least six (6) months before appointment date. If applying for Audit Finance Board, you must be a resident with financial and/or audit experience. Please attach resume with application.

Are you a registered voter in a Bellaire precinct? yes

Yes or No

Are you 18 years of age or older? Yes

Yes or No

First Time Appointment? Yes

Yes or No

If No, indicate the name(s) of board(s), commission(s), committee(s) and time period of previous service: _____

Have you ever attended a meeting of the board(s), commission(s), or committee(s) to which you seek appointment?

No

Yes or No

Name(s) of board(s), commission(s), or committee(s)

Please write a brief summary of your qualifications for service on the board, commission, and/or committee to which you seek appointment.

My legal background qualifies me for the statutory nature of the BOA. Dealing with dockets, notice and publication while conforming to statutory procedure is similar to a litigation practice.

Briefly describe previous community activities associated with the City of Bellaire, as well as any outside civic, charitable, and other community work.

Houston Bar Association -Member (Idea & Elder law Committees); Children at Risk-Board of Directors

(Golf and CEO Search Committees); Hispanic Women in Leadership-Treasurer/Bylaws; Bellaire

Business Association -Member

Do you anticipate any conflicts of interest arising on connection with your service on the selected board(s), commission(s) or committee(s)? No

Yes or No or Possibly

If you answered yes or possibly and a conflict of interest did arise, how would you propose to resolve it?

Do you understand the time commitment required on this board, commission, and/or committee for meetings as well as preparation prior to meetings? (As a reference, previous board, commission, and committee members have stated that their time commitment ranged, on average, from two to six hours per month.)

☒

Yes

☐

No

Please complete the following only if you are applying for reappointment to a particular board, commission, or committee.

Do you have any thoughts regarding the responsibilities of and/or recent actions by your board, commission, or committee?

No

Do you have any ideas on how the effectiveness of your board, commission, or committee can be improved?

I have found having an organized/written agenda and adhering to the agenda allows for a more productive meeting and accountability.

The City of Bellaire appreciates your commitment and willingness to serve. Thank you for taking the time to complete this application.

Signature

Date:

1/3/2018

Lilly Falcon Gilmer

Printed Name

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



BOARD APPLICANTS

Lisa Lim

Tracy Dutton

From: noreply@civicplus.com
Sent: Monday, November 27, 2017 6:04 PM
To: Tracy Dutton
Subject: Online Form Submittal: Application to Serve on a City Board or Commission

If you are having problems viewing this HTML email, click to view a [Text version](#).

Application to Serve on a City Board or Commission

Application to Serve on a City Board or a Commission with the
 City of Bellaire, Texas
 7008 South Rice Avenue, Bellaire, Texas 77401
 713-662-8222.

Thank you for your interest in serving on a City of Bellaire Board or Commission. In order to be considered for an appointment, please complete and submit this application in person at City Hall, or fill out the online application at www.bellairetx.gov. You will be contacted about an interview with Mayor and Council by City Staff.

Please review the Boards Handbook on the City's website to learn more about each Board and Commission.

THIS INFORMATION WILL BECOME PUBLIC RECORD.

Click on the link to review the City's Board Handbook. [Click Here for Board Handbook](#)

Click on the link for an summary of all Bellaire [Summary](#)
 Boards, Commissions, and Committees.

Personal Information

Select from the following choices

- | | |
|---|---|
| <input type="checkbox"/> Audit Finance Board | <input type="checkbox"/> L.I.F.E. Advisory Board |
| <input type="checkbox"/> Board of Adjustment | |
| <input type="checkbox"/> Building and Standards Commission | <input checked="" type="checkbox"/> Parks & Recreation Advisory Board |
| <input type="checkbox"/> Cultural Arts Board | <input type="checkbox"/> Planning & Zoning Commission |
| <input type="checkbox"/> Environmental & Sustainability Board | <input type="checkbox"/> Evelyn's Park Conservancy Board |

Name*
Home Address*
Contact Number*
Business Phone Number*
Occupation*
Email Address*
Years in Bellaire. (Must be a resident for at least 6 months before appointment date in June).*

Lisa Lim

Commercial Banker

10

Are you a registered voter in a Bellaire Precinct?*

[Yes \/]

Are you 18 or older?*

yes

First Time Appointment?*

[Yes \/]

Reappointment, if so name of Board.*

NA

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Have you ever attended a meeting of the Board to which you seek appointment? If so, indicate which one(s). If applying for Audit Finance Board you must be a resident with financial and/or audit experience. Attach Resume with Application.*

Please write a brief summary of your qualifications for service on this Board, Commission, or Committee.*

I have been a resident of Bellaire for over 10 years and deeply passionate about serving the community and especially with Parks and Rec. I enjoyed the collaborative meetings that were organized by the City which allowed the schools, Condit, BHS, and Horn, and organizations, such as NDC and BLL, to meet and discuss upcoming events. I enjoy working with others in a collaborative way to accomplish our goals. I would like to be more involved in serving our residents and look forward to the opportunity to do so. Thank you for your consideration.

Briefly describe previous community activities associated with the City of Bellaire, as well as any outside civic, charitable, and other community work.*

I have been on the Board of Bellaire Young Mothers for 5 years and have participated in many of the events and meetings offered by the city. I have served on the Shared Decision Making Committee at my children's school (Mandarin Immersion Magnet School) and as the PTO President for 2 years, one year while it was located in Bellaire.

Do you anticipate any conflicts of interest arising in connection with your service on the selected Board?*

() Yes

(X) No

If you answered yes and a conflict of interest did arise, how would you propose to resolve it?

Do you understand the time commitment on this Board, Commission, or Committee for meetings as well as preparation prior to meetings? (As a reference, previous Board and Commission members have stated their time commitment ranged, on an average, from 2 to 6 hours per month.)*

(X) Yes

() No

Please complete the following only if you are applying for reappointment to a particular Board, Commission, or Committee. Do you have any thoughts regarding the responsibilities of and/or recent actions by your Board, Commission, or Committee?

NA

Do you have any ideas on how the effectiveness of your Board, Commission, or Committee can be improved?

The City of Bellaire appreciates your commitment and willingness to serve. Thank you for taking the time to complete this application

Name* Date*

Lisa 11/27/17

Lim

Indicate your Board selection(s) by marking "1" or "2" or "3" in rank order of your preference (1= most preferred) here. There is no need to mark

1 - Parks and Rec 2 - Evelyn's Park



Proclamation

Whereas, Paul Miller, owner of Gr8 Plate Hospitality, serves the Bellaire community through his popular local restaurants including Jax Grill and The Union Kitchen; and

Whereas, the City of Bellaire derives tangible economic benefits from such thriving local eateries, and its residents have for years enjoyed their family-friendly atmosphere as a place to meet with neighbors, celebrate Little League victories and create new memories; and

Whereas, Mr. Miller gives back to the community through his various civic involvements including service on the Houston Livestock Show and Rodeo Wine Committee and, with his wife Doris, on the advisory board for Casa de Esperanza; and to his industry as a board member for the Greater Houston Restaurant Association; and

Whereas, the Greater Houston Restaurant Association, a chapter of the Texas Restaurant Association, promotes the local restaurant industry by providing educational programs, public awareness campaigns and government affairs initiatives, and with more than 900 members is one of the larger trade associations in the Houston area; and

Whereas, Mr. Miller has this year been honored by the Greater Houston Restaurant Association with its prestigious Restaurateur of the Year award, and The Union Kitchen was selected as the People's Choice at this year's Golden Fork Awards gala;

Now, Therefore, I, **Andrew S. Friedberg, Mayor of the City of Bellaire, Texas**, do hereby recognize and congratulate

Paul Miller, Gr8 Plate Hospitality

recipient of the Greater Houston Restaurant Association's

2018 Restaurateur of the Year

award, and offer him our community's best wishes for his continued business and personal success.

In Witness Whereof, I have hereunto set my hand and caused the seal of the City of Bellaire, Texas, to be affixed this 22nd day of January, 2018.



Andrew S. Friedberg
Mayor
City of Bellaire, Texas

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



City of Bellaire

MEMORANDUM

TO: Bellaire City Council

FROM: Cheryl Bright, Assistant Director Parks Recreation & Facilities

DATE: 1/17/2018

SUBJECT: Brand Identity Background and Process

In April of 2017, Allyson Lack, Creative Director with Design by Principle, presented a proposal to City Council regarding the advantages and proposed timeline related to branding, identity, and graphic design efforts for the City of Bellaire. The branding identity process began with the intent that the end product would produce a fresh look that would speak to the level of professionalism and refinement of a premiere City that is expected and desired by the residents of Bellaire. This look and feel would then be used to inform many other decisions including signage in the new municipal facilities buildings, parks, Newcastle trail, staff uniforms and more.

A summary of the phases of the in depth process used by the Principle Group to create a final product is outlined below. After feedback and refinement, a final brand identity recommendation slide show has been produced. This slide show has been included in the January 22, 2018 City Council packet for your review.

Phase 1 – Audit, Interview, Research, Tour

The project kickoff included meetings to identify potential stakeholders in this process. Lists generated included City leadership, community leaders, partner organizations, and historical experts. Interviews were conducted with 25+ participants whose background and affiliation with the City ranged from elected officials to community volunteers. Research documentation was provided to the consultant to share history, standards, master plans, beautification studies, comprehensive plans and objectives, and notable events. Tours were conducted of City facilities in order to develop a baseline understanding of current inventory of the built environment.

Phase 2 - Create & Focus

Borne from their findings in Phase 1, a verbal platform and six distinct visual identity directions were developed by Principle Design Group. Of the six initial options presented to the City, three were selected for further study and refinement.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



City of Bellaire

MEMORANDUM

A focus group was selected at random to gather feedback on these three options. Focus group participants were selected by an independent company, DCA Insights + Ideas, and included mixed male/female ratio, age, education level, income level, and time and area of residence in Bellaire. Twelve participants initially agreed to participate; eight were present for the final meeting.

Key findings from the focus group included:

1. Verbal identity was universally agreed to be on point.
2. Visual identities for all three solutions were met with many positive comments, as well as some constructive input that was considered during refinement phase.
3. Combined feedback from focus group, PGAL, Principle and City points to the friendly and forward-looking appeal of the “illustrative” solution, as it draws influence from the verdant beauty of Bellaire, merging a timeless B with a single leaf, imparting a peaceful feel and the notion of continued growth.

Phase 3 - Refine & Recommend

Input received from the focus group was combined with input from City staff, City leadership, and representatives from PGAL, the Architect for the Municipal Facilities Project. Based on this collective feedback, one option was selected for further refinement, as it was determined it provides the best long-term aesthetic guidance for the City.

It is believed that the final product recommended by Principle, PGAL and city staff is clean, clear and represents the ideal that residents envision as the image of the City of Bellaire. This ideal was apparent in the results of both the citizen survey and the focus group conducted by Principle. Even the flooded residents in the focus group stated their desire for an image that fully reflects what the Bellaire community means to them. In the wake of the devastation of Hurricane Harvey, this fresh design represents the safe but rebuilt, stronger community Bellaire has come to be.

The City has a wonderful opportunity to reveal this image to the public with the opening of the municipal facilities buildings in the fall of 2018. The chosen font and logo used on the side on the buildings and on the directional signage inside the buildings will set the standard and open the door to the infinite possibilities for the City of Bellaire to present that desired updated image.

Future implementation of the brand identity will be defined by the Brand Identity Team comprised of city staff (Cheryl Bright, Diane White, Michelle Jordan and Raquel Porras). Items such as stationary, website design, staff uniforms, vehicle stickers and more will be considered when creating the brand identity implementation plan. Funding for many

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



City of Bellaire

MEMORANDUM

of these items has been included in the operational budget and those identified items would normally be replaced on a regular basis. However, a key missing element needed to begin implementation of an image that accurately represents the City of Bellaire is a functional tool kit. This kit is designed to provide much needed guidance and leave no wiggle room for staff to deviate from the design thus providing image consistency across all departments.

This tool kit, or Brand Standards Guide, provided by the Principle Group, should cost no more than \$10,000 and it is recommended to utilize a portion of the Beautification CIP fund to purchase this guide. The Brand Standards Guide summarizes all of the newly designed brand elements for the City of Bellaire and includes specific fonts, images and colors crucial for consistency. It is important to note that licenses for the usage of certain fonts and images must be purchased by the City of Bellaire. This is also included in the cost of the Brand Standards Guide.

It's a new year and the Bellaire community is well on its way to rebuilding. This is the perfect opportunity to present an image that more accurately reflects the values of Bellaire as a whole. Values that we have discovered through this process to be representative of Bellaire, a safe community rooted in its history, happy with the quality of life families have experienced living here. An impactful first step should be the reveal of this refreshed image in the new municipal facilities buildings.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

PROCESS TIMELINE



Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

DESIGN OPTIONS AND EXAMPLES

A. LETTERS (AS SHOWN)

Metallic Finish on Accent Wall

6" The City Of

10" Bellaire

B. CITY SEAL

Colored Acrylic Panel; all colors

20" Diameter, offset from the wall



A



B



CITY OF BELLAIRE MUNICIPAL FACILITIES

CITY HALL /CIVIC CENTER
RECEPTION GRAPHICS
JAN. 30, 2017





DESIGN OPTIONS AND EXAMPLES

A. METAL LETTERS (AS SHOWN)

City of Bellaire (Large Font)
Municipal Courts (Medium font)

B. GENERIC SEAL

3d Cast Metallic Panel
Text "City of Bellaire" with a star & "Texas" in the middle
20" Diameter, Offset from the Wood Feature Wall

C. CITY SEAL

3d Cast Metallic Panel
20" Diameter, Offset from the Wood Feature Wall

*Option B approved, City of Bellaire to provide graphic of their Courts stamp/seal.

A



B



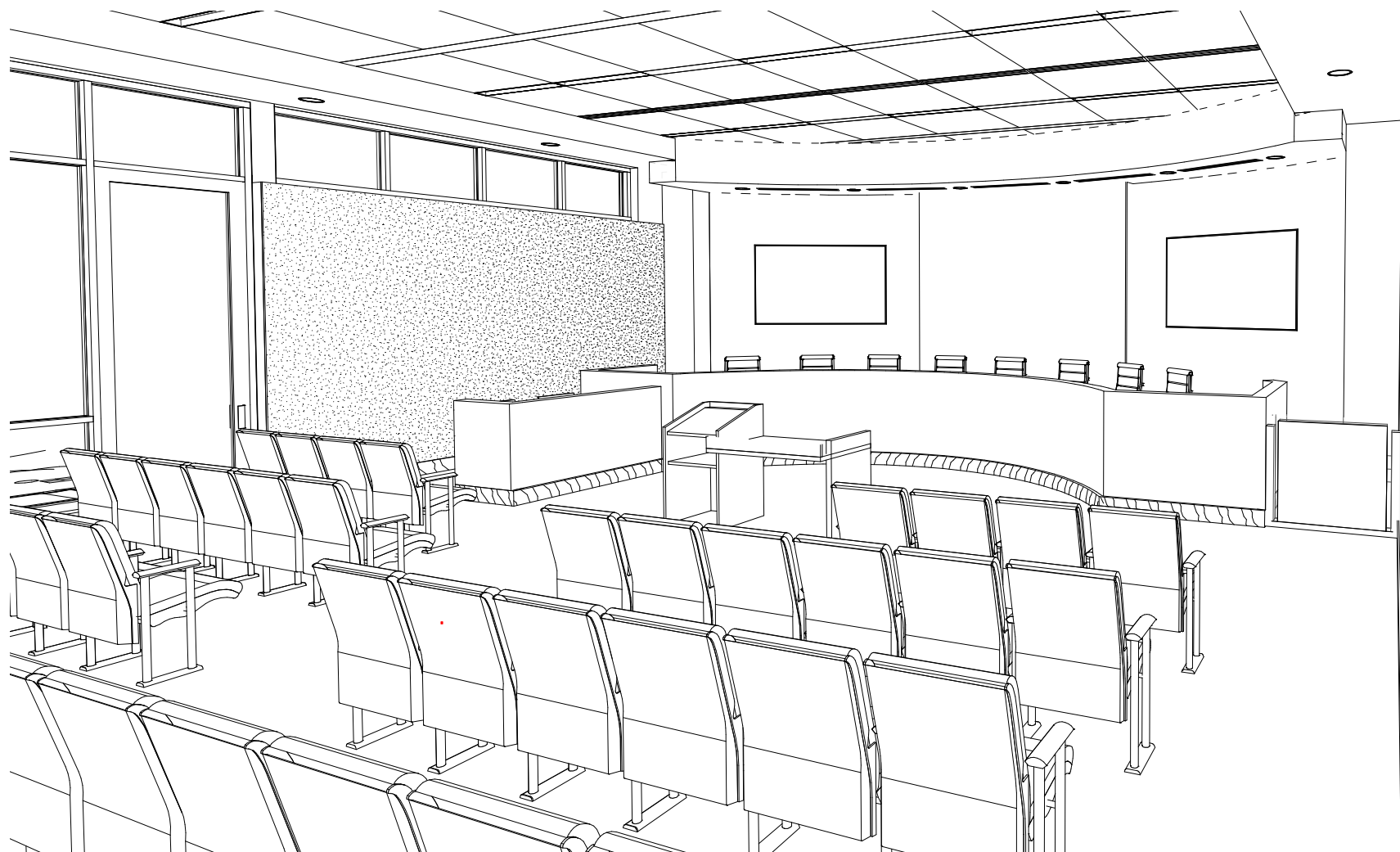
C



CITY OF BELLAIRE MUNICIPAL FACILITIES

POLICE /MUNICIPAL COURTS
COURTROOM GRAPHICS
JAN. 30, 2017





DESIGN OPTIONS AND EXAMPLES

A. METAL LETTERS

On Curved Wood Wall

City of Bellaire (Large Font)

Council can project the City Seal on the AV Screens

B. CITY SEAL

3d Cast Metallic Panel

20" Diameter, Offset from the Wood Feature Wall

Council can project the "City of Bellaire" on the AV Screens

*pending approval

A



B

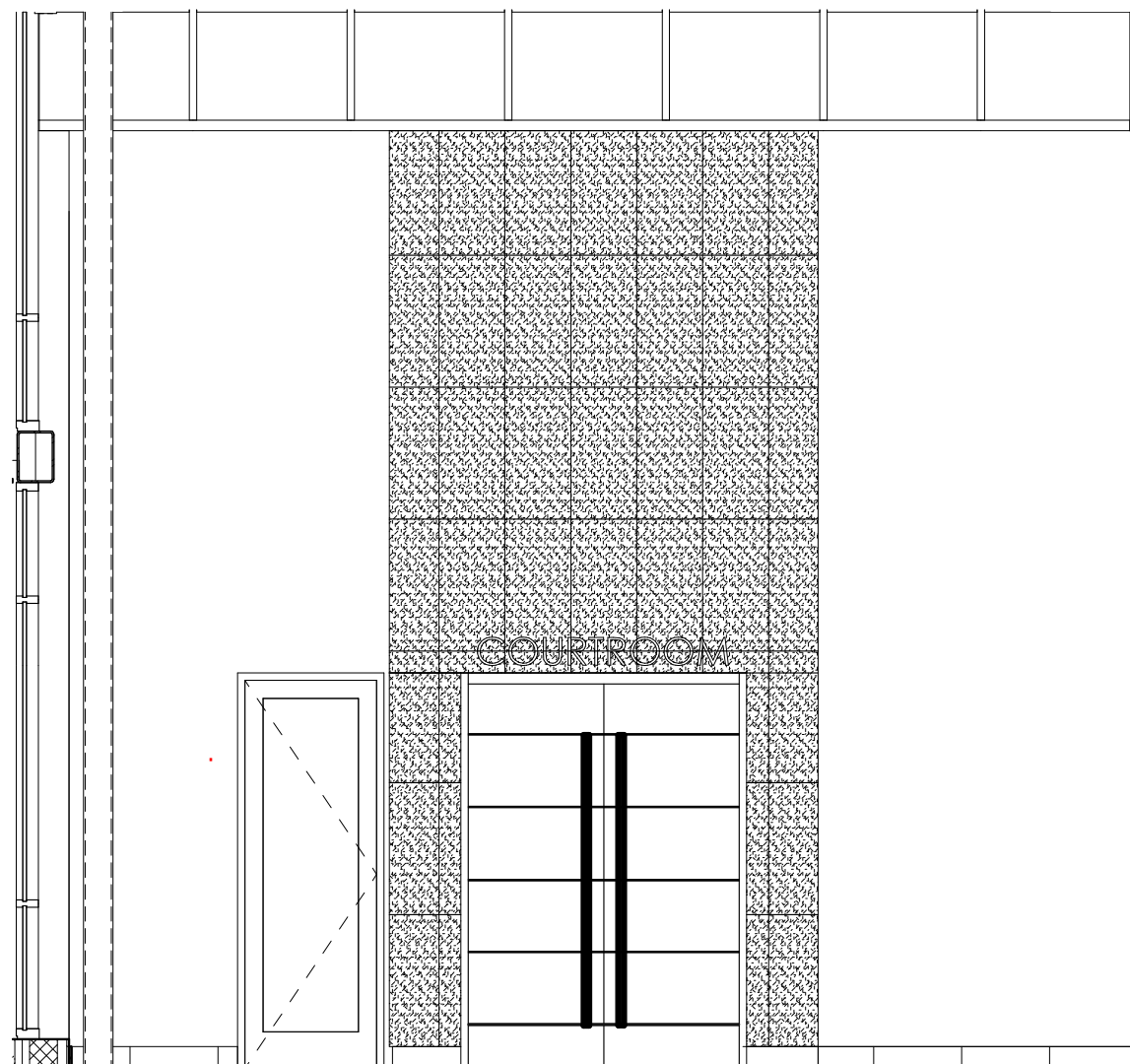


CITY OF BELLAIRE MUNICIPAL FACILITIES

CITY HALL /CIVIC CENTER
COUNCIL CHAMBERS GRAPHICS
JAN. 30, 2017



PGAL



DESIGN OPTIONS AND EXAMPLES

A. METAL LETTERS (AS SHOWN)

Above the courtroom door

“COURTROOM” pin mounted to feature wall

8” Font

Or

“MUNICIPAL COURTS” pin mounted to feature wall

Font stacked above each other

*pending approval

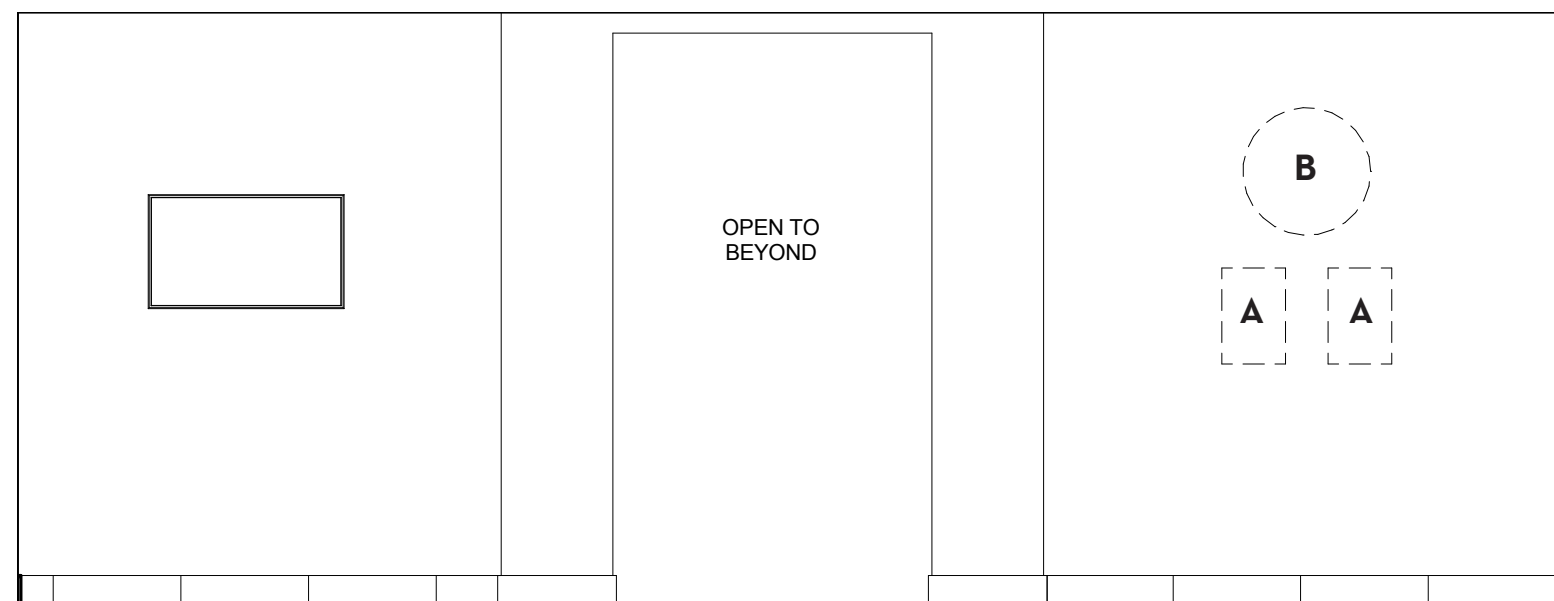
A



CITY OF BELLAIRE MUNICIPAL FACILITIES

POLICE / MUNICIPAL COURTS
LOBBY / COURTROOM ENTRANCE GRAPHICS
JAN. 30, 2017





DESIGN OPTIONS AND EXAMPLES

Combination of graphics recommended:

A. PHOTO RELIEF PLAQUES

For Officers killed in the line of duty

Custom made through a sign company

1. Cast Bronze Bas Relief Plaque shown (Traditional)
2. Etched Glass Sign with Photo (Reflection quality)

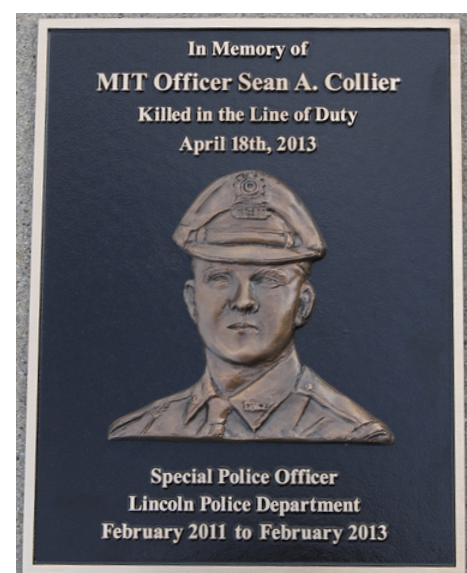
B. POLICE DEPARTMENT SEAL

Indicate one of two seals below

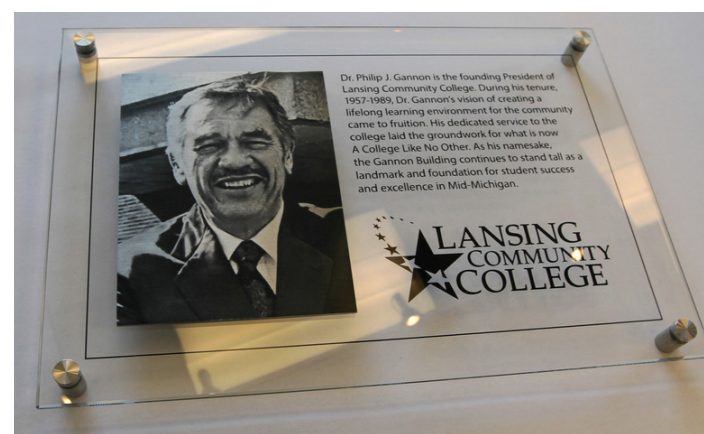
1. 3d Cast Metallic Panel 24" Diameter
2. Acrylic Sign Panel 24" Diameter (Color)

*Pending approval

A1



A2



B



CITY OF BELLAIRE MUNICIPAL FACILITIES

POLICE / MUNICIPAL COURTS
LOBBY - MEMORIAL WALL
JAN. 30, 2017



PRINCIPLE

JANUARY 22, 2018

BRAND IDENTITY RECOMMENDATION

City of Bellaire

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

To walk you through the VERBAL IDENTITY — the messaging framework that articulates who we are, what we stand for, and how we come across.

To review VISUAL IDENTITY options, and recommend a unique logo for the City of Bellaire that visually reinforces the brand messaging — and that will serve as the catalyst for a “kit of parts” (the other style elements, like type and color, which will define and connect your system).

PROCESS FUNNEL

HOW WE ARRIVED AT YOUR BRAND IDENTITY

AUDIT: Existing identity, materials, signage, etc.

IMMERSION: Research delving into historical files, Parks' Master Plan, Urban Design Plan, Comprehensive Plan, as well as assessing other City logos : 180+ hours

INTERVIEWS: with COB leadership and staff, elected officials, board and society members, residents: 25+ individuals

CREATION OF BRAND IDENTITY: 3 distinct visual systems + verbal platform

FOCUS GROUP FEEDBACK:
8 Bellaire resident participants gathered by 3rd party facility;
feedback incorporated, refinements made

FINAL BRAND RECOMMENDATION:
City Staff; PGAL, Principle

**APPLICATION TO NEW
MUNICIPAL FACILITIES**

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Verbal Identity

**RATIONAL
APPEAL**

**EMOTIONAL
APPEAL**

A safe place.

ASSURANCE

A warm home.

COMMUNITY

A stone's throw.

ACCESS

A lush grove.

BEAUTY

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

CHARTING OUR VALUES

Using these four core values to organize
Bellaire's points of pride and comfort.

A safe place.
ASSURANCE

REAL RESPONSIVENESS
(WELL-PROTECTED)

LONG-TERM STABILITY
(WELL-PLANNED)

EVERYDAY EASE
(ATTENTIVE)

A SMART INVESTMENT
(SOUND)

A warm home.
COMMUNITY

SMALL-TOWN SPIRIT
(FRIENDLY)

CIVIC PRIDE & PARTICIPATION
(CONNECTED)

ENGAGING PEOPLE & PROGRAMS
(VIBRANT)

HARDWORKING HERITAGE
(WHOLESOME)

A stone's throw.
ACCESS

PROXIMITY TO HEART OF HOUSTON
(CLOSE)

AROUND-THE-CORNER CONVENIENCE
(SIMPLE)

ADMIN APPROACHABILITY
(RECEPTIVE)

DISCERNING DEVELOPMENT
(MINDFUL)

A lush grove.
BEAUTY

A LEAFY LEGACY
(GREEN)

TIDY TRANQUILITY
(CHARMING)

IDYLLIC BUT NOT IDENTICAL HOMES
(DIVERSE)

PARKS, TRAILS & GREEN SPACE
(FRESH)

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

How these values might live
in prose and talking points.

Welcome to the city of Bellaire, Texas, a neighborly haven a stone's throw from the heart of Houston.

Founded in 1908, Bellaire has grown from a twelve-family farm town into a verdant enclave of shaded streets and beautiful homes, beloved for its small-town spirit and big-city proximity.

Our compact footprint—a neat span of 3.5 square miles—has remained essentially unchanged since the city’s incorporation, making Bellaire not only a place of friendly waves and familiar faces, but also a setting where families enjoy the kind of focused attention from their city that makes for meaningful participation and real peace of mind.

This is a place where if you drop by, speak up, reach out—you'll be heard. Our chief of police will still answer your call himself.

This is a prairie whose settlers weathered hurricanes and high water, freezes and drought.

But who picked up and persisted and planted again, and now the streets are green and lush.

This is a dairy farm. A citrus grove.
A general store. A trolley line.

Where neighbors square danced on the streets
after they were paved, and hung numbers
on their doors for the first postman.

This is a block that traded recipes and baseball cards.

That raised each other's kids, and raised their flags,
and raised their hats to returning veterans.

That found the money for a city hall. A library.
Another park. That found the time to plant flowers
in the esplanades.

This is a corner where the parade goes by.

Where you'll bump into the mayor, or the coach,
or that new couple from the farmers market.

Where you can be close to the action,
but away from the hurry.

This is a backyard for fresh air and fireflies.

For swing sets and cannonballs and
college applications. For the sweet scent
of jasmine and the rustle of oak trees.

For one more story before bed.

Bellaire is the simple happiness of home.

And while premier schools, safe streets, an easy commute, and sparkling residences may be the reasons people move to this city, its enduring sense of community is why they stay—for a network of neighbors who are warm and attentive, diverse and discerning. Who are ready to play and pause and indulge, together...who are committed to making the next century of Bellaire even brighter.

We work hard to care
for every inch of Bellaire.

We're delighted you found
your way here. *Welcome.*

FOCUS GROUP FEEDBACK ON VERBAL IDENTITY

WHAT WORDS COME TO MIND AFTER HEARING THIS:

Community

Quiet

Heritage

Trees

Family

Charming

Inviting

Quaint

Belonging

Fairytale

The phrase “close to the action,
away from the hurry” - really resonated

HOW DOES IT MAKE YOU FEEL ABOUT BEING A RESIDENT:

Proud (multiple respondents)

Fortunate

Safe

Cuddly

Warmth

Relieved

Welcome

Sense of Belonging

Grateful

Visual Identity

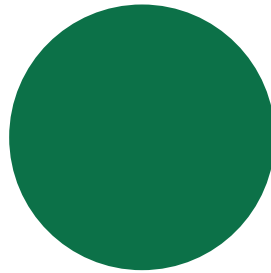
NOTE ON PROCESS

A logo is typically the foundation of a brand's visual identity, and where we have begun our studies for Bellaire. From the logo we will begin to establish other key building blocks which the city currently lacks: defined typography, color, material considerations, overall tone and story.

Securing this visual anchor up front so that it is easily recognizable, reproducible, and reflective of our values will allow us to create a cohesive and meaningful brand system moving forward.

BRAND PERSONALITY

Simple. Sunny. Classic.
Communicative.
Abundantly pleasant.
A refined wholesomeness.



PANTONE 3425

PRIMARY COLOR:

+ This green evokes Bellaire's lush beauty and tranquil setting — colors that are identified with calm, peace and serenity. Green blends tastefully with branded environment, and also stands distinct from neighboring communities (e.g. West U, which is blue, or Upper Kirby, which is red).

+ This green captures the spirit of Bellaire: refined, approachable, natural but noteworthy.

+ *Secondary color palette to be explored / defined in next phase.*

Illustrative

OPTION ONE

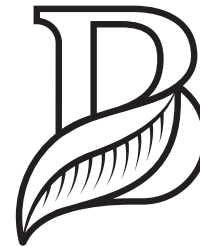
ILLUSTRATIVE / SYSTEM OF MARKS (INITIAL DESIGN)



OFFICIAL
CITY SEAL



CITY ICON



SECONDARY
CITY ICON

DESIGN NOTES:

- + Draws influence from the verdant beauty of Bellaire, merging a traditional, timeless B with a single leaf; imparting peaceful feel and the notion of continued growth
- + Can stand alone as simple mark, or extend stemlike from the curvature of seal
- + Elegance of the form atop micro-pattern inspired by Bellaire's breezes gives seal an airy grace and sense of authority

FOCUS GROUP FEEDBACK, ILLUSTRATIVE

OFFICIAL
CITY SEAL

CITY ICON

SECONDARY
CITY ICON**POSITIVE**

Like the idea behind it—the leaf is important because it does represent Bellaire, looks traditional and classic and slightly modern.

Conveys a sense of verdancy, airiness, Bellaire, those elements are coming through.
Design elements are classic and timeless, but have universal appeal.

Echoes the brand language.

NEGATIVE

The design of the “seal” is complicated / busy.
Prefer simplified city icon.

Leaf is too complex.

The way the leaf is positioned could make it look like the letter D or P.

Lettering of “City of Bellaire” could be larger.

Progression

ILLUSTRATIVE / SYSTEM OF MARKS (REFINED DESIGN)



OFFICIAL CITY SEAL



CITY ICON



PRIMARY ICON

DESIGN NOTES:

- + Adjusted arc of leaf to bring legibility to 'B'
- + Simplified graphic elements of leaf
- + Heightened lower-right section of 'B' to be above leaf
- + Added dynamic shadow to further separate leaf from 'B'
- + Lettering on seal is larger



DESIGN NOTES:

Serif Typeface: *Athelas*

This typeface was inspired by Britain's classic literature. An elegant typeface for screen and print, it is advantageous for long-form reading. It embodies typographic tranquility and breathes peacefully on the page to usher the reader into the wordsmith's art.

SERIF

Athelas Regular

Athelas Italic

Athelas Bold

Athelas Bold Italic

SANS

Freight Sans Light

Freight Sans Light Italic

Freight Sans Book

Freight Sans Book Italic

Freight Sans Medium

Freight Sans Medium Italic

Freight Semibold Bold

Freight Sans Semibold Italic



City of Bellaire

PUBLIC WORKS

DESIGN NOTES:

Sans Typeface: *Freight Sans*

Freight is a “superfamily,” which means it has multiple character weights that are helpful in building systems, especially signage. It is approachable and friendly, while remaining functional and timeless. Freight is highly legible and a production workhorse.

Brand Demonstrations

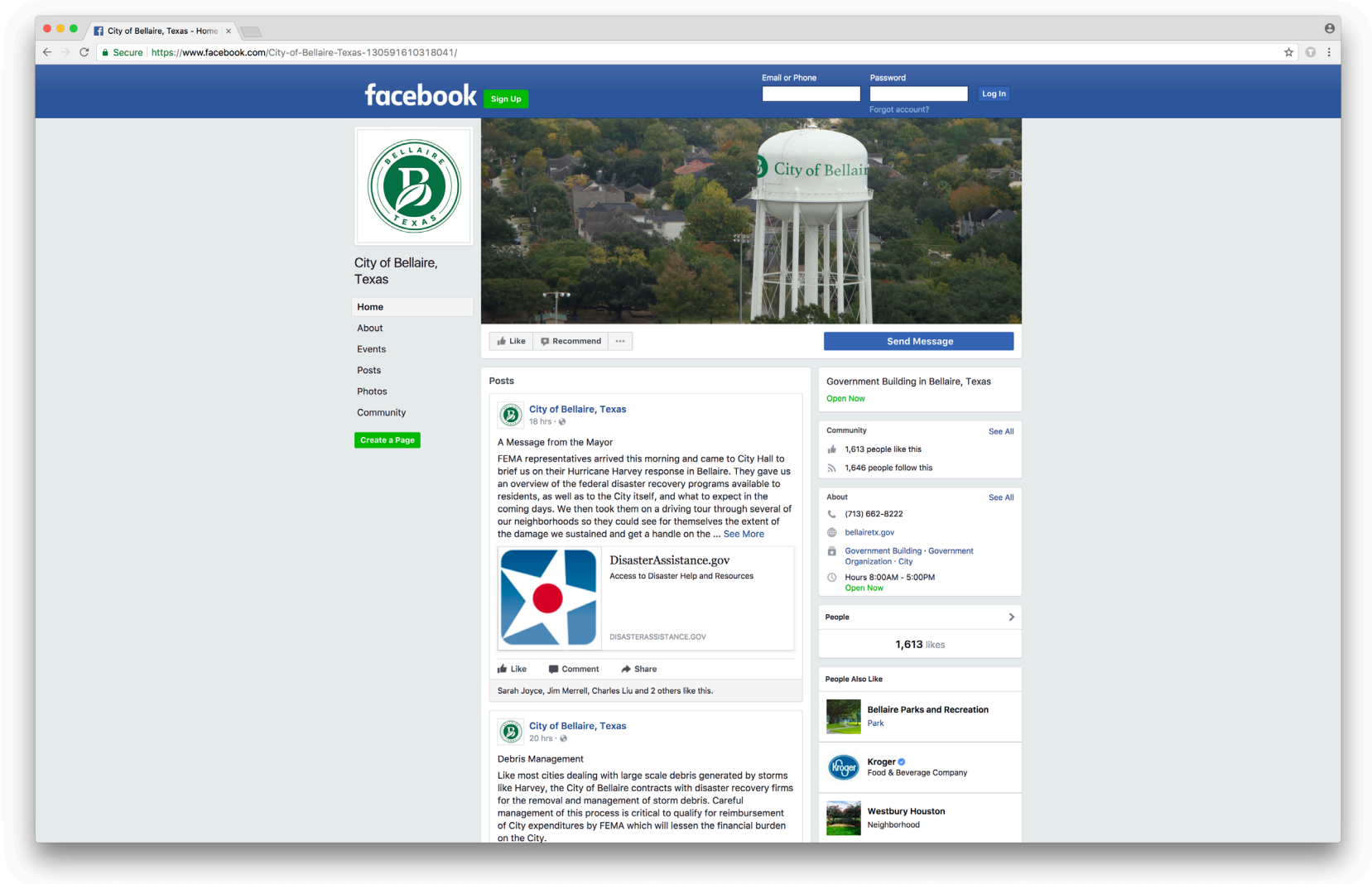


Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)





Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

ILLUSTRATIVE / RECYCLING BIN



Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)







Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Graphic

OPTION TWO

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



DESIGN NOTES:

- + Takes its cue from Bellaire's history, with type styling that mimics the BELLAIRE displayed happily across the face of the city's signature trolley, and concentric circles that echo its round headlight
- + Clean yet intricate linework and tiny hash mark detailing convey sturdy charm, "modern heritage" appeal; outwardly projecting rays, friendly energy



Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



DESIGN NOTES:

- + Modular mark: the front type “plate” can be removed and flow into border, allowing center area to flex and house system of icons

CITY OF BELLAIRE

WHAT WE LIKE ABOUT IT:

Typeface: Ringside

While Ringside's proportion and details were designed to thrive at the smallest sizes, it is versatile enough to flex to much larger applications. This superfamily has over 150 weights that all maintain its characteristic warmth, style and legibility.

Brand Demonstrations



Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

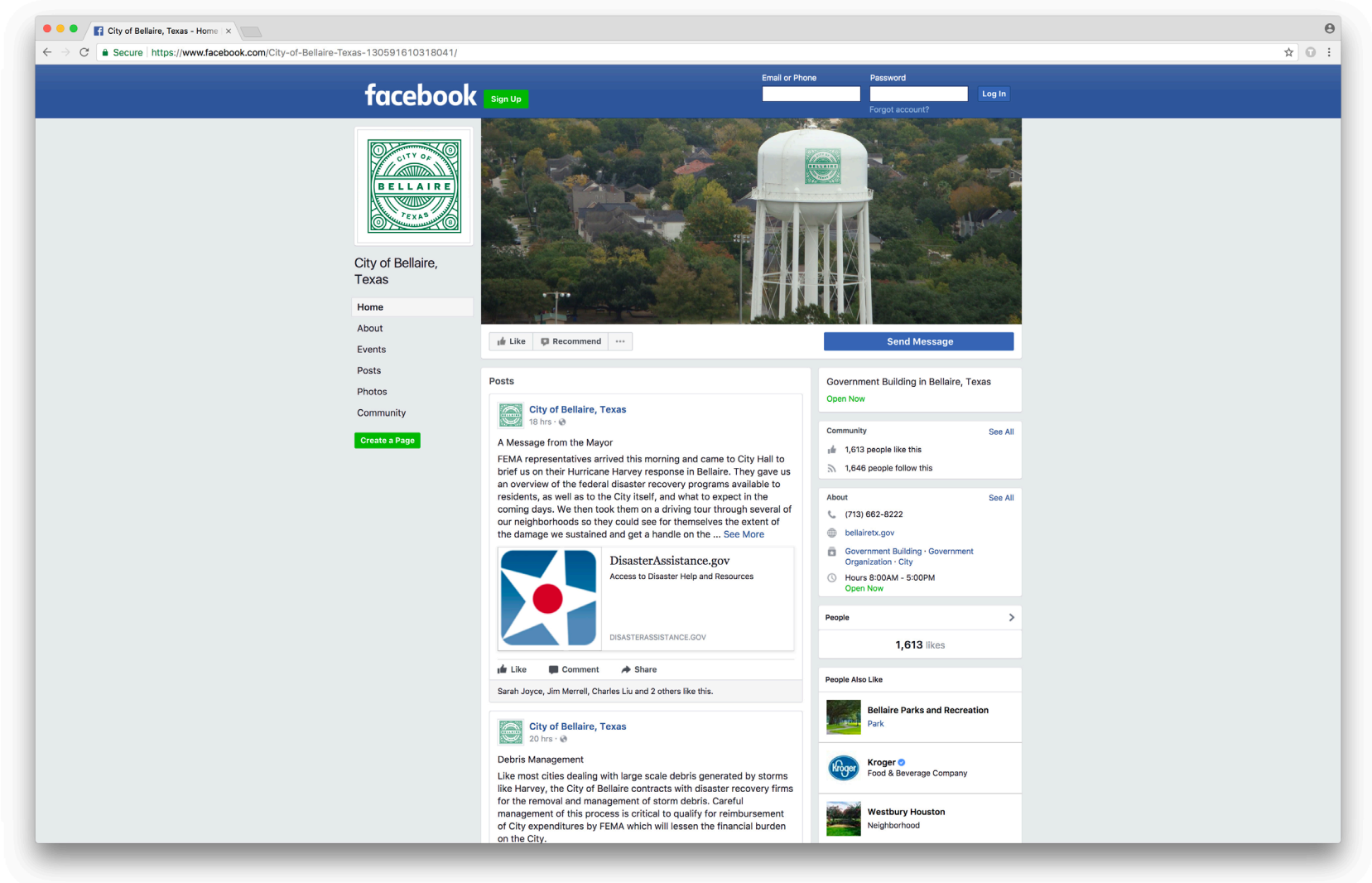


Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



KARL MILLER

Director of Parks, Recreation
and Facilities



Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)





Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)







Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

FOCUS GROUP FEEDBACK, GRAPHIC

OFFICIAL
CITY SEAL

CITY ICON



EVENT ICON

**POSITIVE**

Design is really versatile, the system has modularity, adaptability, flexibility.

It is progressive, simple and clean; like the white space.

Very clear it is the City of Bellaire.

Signifies an elegant, relatively affluent community, prestigious. Relates to assurance and tidy tranquility; idyllic but not identical to other cities.

Addresses history but also the future.

NEGATIVE

Does not directly hit on most of the verbal elements but if you read that the logo is based on the trolley, that gives it more interest and meaning.

1908 date isn't universally obvious as it reads.

Historical

OPTION THREE

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



DESIGN NOTES:

- + A small slice of Bellaire rendered in Norman Rockwell-esque style, evoking small-town pleasantness and tradition – even a touch of nostalgia
- + Close-knit lines radiating from center give intimate, kinetic quality to iconic trolley, as well as the “belle air” and sunny farmland promoted by Bellaire founder William Baldwin’s first marketing materials
- + Highlights canopy of oaks reaching over Bellaire Blvd, one of city’s most distinctive and appealing attributes

City of Bellaire

WHAT WE LIKE ABOUT IT:

Typeface: Sentinel

Sentinel is a fresh take on the Clarendon style fonts that gained popularity in mid-century America. Its contrasting thicks and thins make it legible at both large and small sizes, while gentle curves and rounded terminals lend an air of friendliness and approachability.



Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



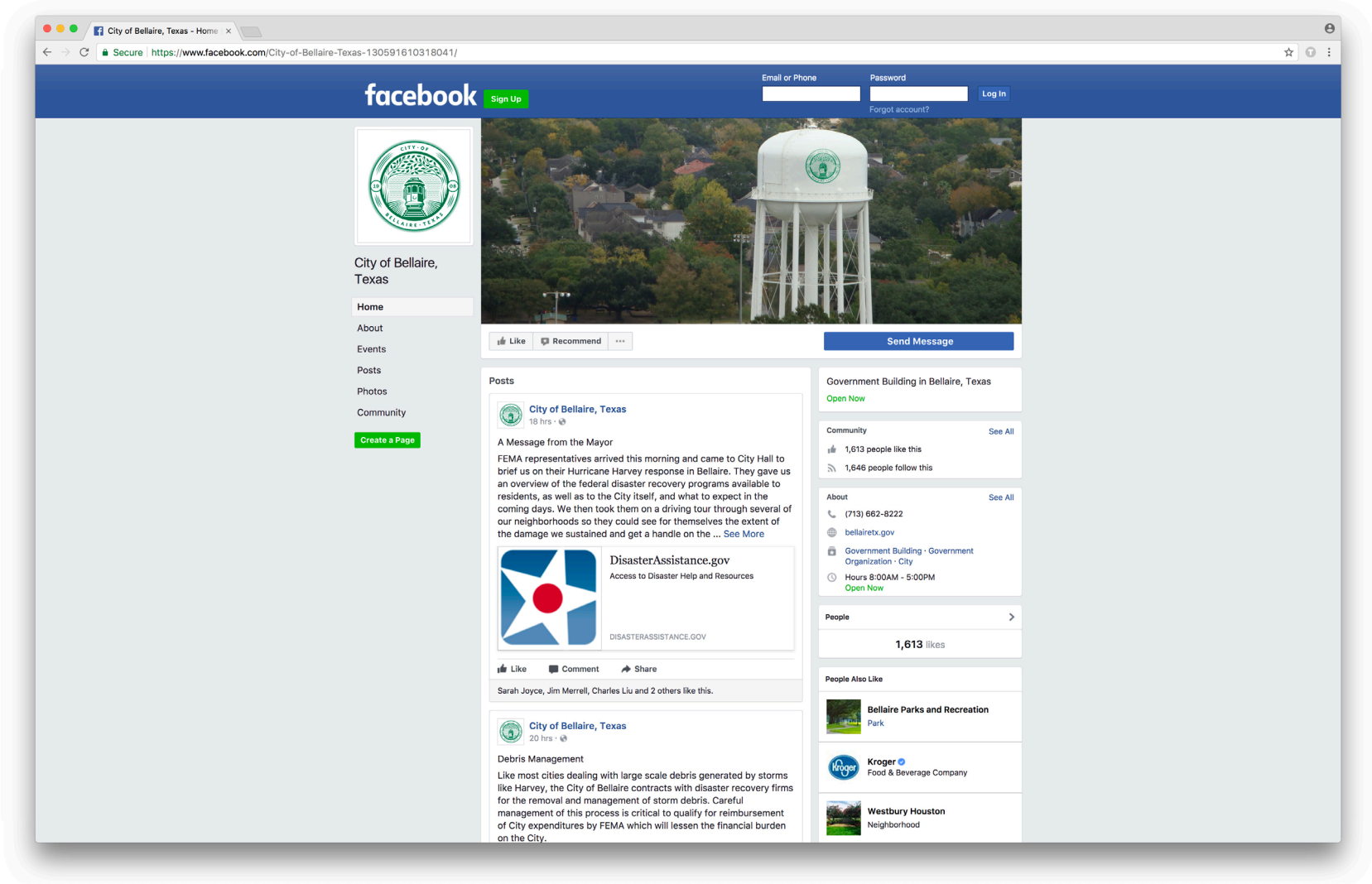
Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



Karl Miller

Director of Parks,
Recreation and Facilities

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

HISTORICAL / MUNICIPAL SIGNAGE





Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



POSITIVE

Trees and trolley speak to tradition.

Like the tree, lushness is good.
Says community and beauty with the trees.

Like that the date is clearly displayed.

NEGATIVE

Too similar to existing COB logo.

Livable but feels old, dated.

Less clarity, hard to read. Too complex and busy

Feels child-like (Daniel Tiger's Neighborhood)

All in agreement that it deceptively evokes mass transit. Trolley is confusing and deceptive since it is no longer available.

Can draw too many conclusions that have no meaning... Newer residents unaware of trolley existence.

Reminiscent of San Francisco

Final Recommendation

CITY STAFF, PGAL, PRINCIPLE



#1: ILLUSTRATIVE



CURRENT



PGAL FEEDBACK

Friendly, approachable and forward-looking.
See this identity being a longer-lasting
visual that speaks to future generations
of Bellaire.

PRINCIPLE FEEDBACK

Universal appeal and nod to lushness / growth.
Trees and green spaces were hugely
important to all constituents. A recognizable
symbol that Bellaire can rally around.
A timeless solution that will work hard for city.

CITY STAFF FEEDBACK

COB words by Paul / Michelle / Cheryl

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Thank you.

POLICE / COURT	Subcategory	Cost Estimate July 2013	Cost Estimate 50 % Design	Cost Estimate GMP Time	Current Cost Estimate	Comment
PD FURNITURE		\$ 120,000.00	\$ 200,000.00	\$ 200,000.00	\$ 200,000.00	Bids not received yet
	Employee Office Furniture					
	Conference Room Furniture					
	Report Writing Stations					
	Storage Shelving					
	Break Room Furniture					
	Clerk Cabinet Island					
	Lobby Seating					
COURT FURNITURE		\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	Bids not received yet
	Court Pew Seating					
	Jury Seating					
	Clerk Seating					
	Judge Seating					
	Prosecutor / Defendant Desks					
	Prosecutor/ Defendant Seating					
	Conference Room Furniture					
	Break Room Furniture					
	Employee Office Desks and Seating					
	Clerk Cabinet Island					
	Jury Assembly Seating					
CABLING		\$ 30,000.00	\$ 30,000.00	\$ 128,472.00	\$ 100,877.50	Datavox proposal
	Data drop cabling from server to data drop					
INTEGRATED A/V		\$ -	\$ -	\$ 243,220.00	\$ 279,955.71	Need to rescope and revise
	TV / Projector / Video Wall / Speakers					
	Microphones					
ACCESS CONTROL		\$ 35,000.00	\$ 35,000.00	\$ 333,374.00	\$ 75,424.63	Knight Proposal
	Card readers & hardware, cabling, rack controller					
SECURITY CAMERAS		\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 105,127.37	Knight Proposal
	Interior / Exterior Cameras, cabling, and rack controller					

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

POLICE / COURT	Subcategory	Cost Estimate July 2013	Cost Estimate 50 % Design	Cost Estimate GMP Time	Current Cost Estimate	Comment
JAIL FURNITURE/ACCESSORIES		\$ 100,000.00	\$ 40,000.00	\$ 100,000.00	\$ 100,000.00	Bids in process
	Pistol Lockers					
	Detention benches & Booking Furniture					
	Metal Detector & AFIS (BY OWNER)					
	Inmate mattress					
	Juvenile processing furniture					
	Property storage locker					
	Metal storage racks					
APPLIANCES		\$ 12,000.00	\$ 12,000.00	\$ 12,000.00	\$ 12,000.00	Bids not received yet
	Jail / Breakroom / Jury Assembly					
LOCKERS		\$ 30,000.00	\$ 20,000.00	\$ 60,956.00	\$ 66,000.00	Actual quote received
	Mens's / Women's Lockers					
	Dispatch					
FILING SYSTEMS		\$ 70,000.00	\$ 60,000.00	\$ 60,000.00	\$ 40,000.00	Actual quote received
	Clerks / Record / Evidence Filing					
LAB FUME HOOD		\$ -	\$ -	\$ 11,004.00	\$ 11,004.00	Actual bid received during GMP
	Evidence Lab					
LAB EQUIPMENT		\$ 23,000.00	\$ 23,000.00	\$ 24,000.00	\$ 24,000.00	Bids not received yet
	Drying Cabinet					
	No additional equipment in drawings					
DISPATCH FURNITURE		\$ 30,000.00	\$ 79,000.00	\$ 79,000.00	\$ 70,000.00	Actual quote received
	Dispatch Consoles					
HUBS & SERVERS		\$ 25,000.00	\$ 25,000.00	\$ 30,000.00	\$ 30,000.00	Bids not received yet
	Server Room / DMARC					
COURT ROOM TECHNOLOGY		\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	\$ 12,500.00	Check overlap with integrated AV
	Jury video system, speakers, clerks, judge					
	witness IT systems					
BLINDS		\$ 15,000.00	\$ 15,000.00	\$ 18,820.00	\$ 18,000.00	Actual bid received during GMP
	Mech / Elec Blinds					

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

POLICE / COURT		Subcategory	Cost Estimate July 2013	Cost Estimate 50 % Design	Cost Estimate GMP Time	Current Cost Estimate	Comment
PROJECTION SCREENS			\$ -	\$ -	\$ 13,745.00	\$ 12,500.00	Actual bid received during GMP
		Recessed Projection Screens					
TELEPHONES			\$ 20,000.00	\$ 20,000.00	\$ 20,000.00	\$ 10,000.00	Bids not received yet
		VOIP					
DISPATCH SYSTEMS			\$ 35,000.00	\$ 35,000.00	\$ 60,000.00	\$ 60,000.00	Plug number to fix any system integration issues.
No informaiton provided. By Owner.							
Other New Categories			\$ -	\$ -	\$ -		
		Intercoms				\$ 22,054.52	Knight Proposal
		Microwave to COH				?????	Need to research
		Public Announcement System				?????	Need to research
		Interview Room Recording System				\$ 13,425.00	Actual Quote
		PD Bike Racks				\$ 5,000.00	Bids not received yet
PD / Court Subtotals			\$ 630,000.00	\$ 679,000.00	\$ 1,479,591.00	\$ 1,297,868.73	

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

CITY HALL	Subcategory	Cost Estimate July 2013	Cost Estimate 50 % Design	Cost Estimate GMP Time	Current Cost Estimate	Comment
FURNITURE		\$ 125,000.00	\$ 265,000.00	\$ 265,000.00	\$ 265,000.00	Bids not received yet
	Employee Office Furninture					
	Conference Room Furniture					
	Storage Shelving					
	Break Room Furniture					
	Permit Cabinet Island					
	Permitting / Billing Built In Desk					
	Lobby Seating					
COUNCIL ROOM SEATING		\$ 40,000.00	\$ 21,000.00	\$ 21,000.00	\$ 21,000.00	Bids not received yet
	Fixed Seating					
	Councilmember / Staff Seating					
CIVIC CENTER FURNITURE		\$ 45,000.00	\$ 50,000.00	\$ 50,000.00	\$ 50,000.00	Bids not received yet
	BLIFE / Civic Tables and Chairs					
CABLING		\$ 30,000.00	\$ 30,000.00	\$ 182,199.00	\$ 90,242.50	Datavox proposal
	Data drop cabling from server to data drop					
INTEGRATED AV		\$ -	\$ -	\$ 245,920.00	\$ 152,366.13	Need to rescope and revise
	TV / Projector					
	Council Chambers TV Distribution					
ACCESS CONTROL		\$ 25,000.00	\$ 25,000.00	\$ 167,191.00	\$ 46,477.68	Knight Proposal
	Card readers & hardware, cabling, rack controller					
SECURITY CAMERAS		\$ 20,000.00	\$ 20,000.00	\$ -	\$ 52,122.43	Knight Proposal
	Interior / Exterior Cameras, cabling, and rack controller					
FILING SYSTEMS		\$ 40,000.00	\$ 40,000.00	\$ 40,000.00	\$ 10,000.00	Updated quote from LDS.
	Records Filing					
STAGE		\$ 30,000.00	\$ 30,000.00	\$ 30,000.00	\$ 17,000.00	Actual bid received during GMP
	Civic Center Stage					
HUBS & SERVERS		\$ 20,000.00	\$ 25,000.00	\$ 25,000.00	\$ 25,000.00	Bids not received yet
	Server Room					
TELEPHONES		\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 7,500.00	Bids not received yet
	VOIP					

CITY HALL	Subcategory	Cost Estimate July 2013	Cost Estimate 50 % Design	Cost Estimate GMP Time	Current Cost Estimate	Comment
-----------	-------------	----------------------------	------------------------------	---------------------------	--------------------------	---------

BLINDS		\$ 20,000.00	\$ 20,000.00	\$ 32,547.00	\$ 31,000.00	Actual bid received during GMP
	Mech / Elec Blinds					
PROJECTION SCREENS		\$ 12,000.00	\$ 12,000.00	\$ 18,816.00	\$ 12,500.00	Actual bid received during GMP
	Recessed Projection Screens					
COUNCIL CHAMBERS TECHNOLOGY		\$ 70,000.00	\$ 70,000.00	\$ 70,000.00	\$ 35,000.00	How much of this may be in the integrated AV quote?
	Diza screen, presenter screen, TV, staff screens					
BIKE RACKS						
	City Hall Bike Racks				\$ 5,000.00	Bids not received yet
City Hall Subtotals		\$ 492,000.00	\$ 623,000.00	\$ 1,162,673.00	\$ 820,208.74	

City Hall Subtotals	\$ 492,000.00	\$ 623,000.00	\$ 1,162,673.00	\$ 820,208.74
PD / Court Subtotal	\$ 630,000.00	\$ 679,000.00	\$ 1,479,591.00	\$ 1,297,868.73
TOTAL	\$ 1,122,000.00	\$ 1,302,000.00	\$ 2,642,264.00	\$ 2,118,077.47



CITY OF BELLAIRE TEXAS

MAYOR AND COUNCIL

DECEMBER 18, 2017

Council Chamber and Council Conference Room
7:00 PM

Regular Session

7008 S. RICE AVENUE
BELLAIRE, TX 77401

REGULAR SESSION - 7:00 P.M.

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 7:03 p.m. on Monday, December 18, 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

Also present were Paul A. Hofmann, City Manager; Alan P. Petrov, City Attorney; and Tracy L. Dutton, City Clerk.

C. Inspirational Reading and/or Invocation - Andrew S. Friedberg, Mayor.

Mayor Friedberg provided the inspirational reading.

D. Pledges to The Flags - Andrew S. Friedberg, Mayor.

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

I. PUBLIC HEARING (APPLICATION FOR AMENDMENT TO OFFICIAL ZONING DISTRICT MAP)

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

Tracy L. Dutton, City Clerk, read the "Notice of Public Hearing" into the record. She advised that the "Notice of Public Hearing" was published in the Southwest News on Tuesday, November 28, 2017, and posted on the City's official bulletin board and

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

website on Friday, December 1, 2017. Notices were also mailed to approximately 160 property owners and tenants located within 500 feet of 5217 and 5221 Palmetto Street, Bellaire, Texas, on Friday, December 1, 2017.

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

Paul A. Hofmann, City Manager, summarized the public hearing procedure.

C. Presentation:

Public hearing on an application filed by John Parker, executor of the estate of Virginia W. Bohn, owner of the property at 5217 Palmetto, for and on behalf of the estate and Johnnie D. Smith, owner of the property at 5221 Palmetto, for an amendment to the Official Zoning District Map to re-zone said properties from their current designation of R-4, Residential District, to R-5, Residential District, pursuant to Chapter 24, Section 24-603, Application for Amendment to Written Text or Official Zoning District Map of the City of Bellaire, Texas - Submitted by ChaVonne Sampson, Interim Director of Development Services.

Mayor Friedberg announced that City Council would receive a presentation on an application filed by John Parker, Executor of the Estate of Virginia W. Bohn, owner of the property at 5217 Palmetto Street, for and on behalf of the estate and Johnnie D. Smith, owner of the property at 5221 Palmetto Street, for an amendment to the official zoning district map to rezone said properties from their current designation of R-4 to R-5.

John Parker addressed City Council and advised that in the 1960s when the townhome developments were allowed, 5217 and 5221 Palmetto Street were left as an island of single-family residences surrounded by townhomes. He indicated that there were townhomes to the east and to the north of the two Palmetto Street properties. These two properties were swept up in the City's Comprehensive Plan without regard to their future use. In fact, Mr. Parker advised that the owners of the 5217 and 5221 Palmetto Street thought their properties had been rezoned as well. In his opinion, the request was not for a variance or spot zoning, it was a request to reconcile the status of the two properties as the neighborhood was currently situated.

Mr. Parker continued and advised that the property at 5217 Palmetto had been listed on the market for a fair market value to similar properties in Bellaire. The only serious interest had been from developers who wanted to construct townhomes. The lack of interest as a single-family residence had created an economic hardship for the estate.

Mr. Parker stated his opinion that the City of Bellaire needed more affordable housing options, especially for young people, retired people, and others who wanted to downsize. Use of the property for townhomes would not have a detrimental impact on other properties in the area, in Mr. Parker's opinion. Any future development of the property would have to go through the same planning and zoning requirements that any other builder would have to go through for a planned development.

D. Public Comment.

Mayor Friedberg recognized speakers who had completed a sign-up sheet for the public hearing and advised that the time limit for speakers was five (5) minutes, with notice after four (4) minutes that one (1) minute was left.

Scott J. Davenport, The Davenport Law Firm, P.C.:

Mr. Davenport provided several handouts to members of the City Council and advised that he was the attorney for the property owners of 5220 and 5222 Beech Street. He indicated that 5220 Beech Street was located directly south of 5221 Palmetto Street. One of the Beech Street lots comprised the property and a swimming pool had been constructed on the second lot.

In Mr. Davenport's opinion, to rezone the Palmetto Street properties could allow a builder to come in and tear down the home currently located at 5221 Palmetto and construct a two-three story home, causing a loss of privacy rights for the property owners at 5220 and 5222 Beech Street. He noted a similar concern for Ms. Jingying Li who owned the property at 5218 Beech Street.

Mr. Davenport also advised that the applicant had indicated that the property owners at 5217 and 5221 Palmetto Street were losing their economic benefit by not being able to sell the homes. Mr. Davenport stated that he had contacted the owner of 5221 Palmetto Street several months ago offering to buy the property, but the owner indicated that he had no desire to sell the property. Therefore, Mr. Davenport believed the property owner at 5221 Palmetto Street had suffered no economic loss. He also concluded that the Beech properties would be devalued if townhomes could be constructed on the Palmetto properties, in his opinion.

He closed and urged City Council to reject the application to rezone the Palmetto properties.

Jingying Li:

Ms. Li addressed City Council and advised that she had moved from Singapore to the United States approximately two years ago. She chose 5218 Beech Street because all homes on the street at that time were one-story bungalows.

Ms. Li advised that she was opposed to the rezoning application as she feared the loss of privacy from the construction of a two-three story townhome on the Palmetto Street properties. Ms. Li advised that after the publication of a public hearing on the rezoning application, she had visited the Zillow website and learned that, according to the website, her property on Beech Street had decreased in value by \$68,000 over a one-month period. This decrease was on top of a decrease related to Hurricane Harvey of \$100,000.

If City Council voted to approve the rezoning application, Ms. Li believed that she would lose at least 1/5 of the market value of her property. She urged City Council to consider the economic and emotional loss that Ms. Li was going to experience.

Richard Zamecki:

Mr. Zamecki addressed City Council and stated that he was opposed to changes in the zoning for the Palmetto properties. He indicated that the properties in question were not surrounded by townhomes, but there were townhomes in two directions. He also indicated that he knew of no multi-family homes in the area.

One of the main concerns Mr. Zamecki had was related to flooding concerns due to possible larger building footprints on the properties. In closing, Mr. Zamecki urged City Council to refuse the requested change in the zoning.

Sherri Cooley:

Ms. Cooley addressed City Council and indicated that she lived in a townhome that was across the street from the Palmetto properties. Her biggest concern was the loss of green space and large, old trees. She stated that during Hurricane Harvey, Palmetto and Fifth Streets were flooded from Ferris Street downward. Ms. Cooley noted further that a critical question to her was the number of townhomes that could be constructed if the area were rezoned.

Reuben Rosaf:

Mr. Rosaf stated that he was in opposition to the rezoning of the properties on Palmetto Street. He agreed with flooding, green space, and privacy concerns previously stated. Mr. Rosaf believed that Bellaire would be undermining the principle of being the "City of Homes" were it to rezone the Palmetto Street properties to allow for a townhome development.

E. Questions from the Mayor and City Council.

Mayor Friedberg opened the floor for questions from the Mayor and City Council. He reminded members that the Rules of Procedure limited members to asking questions. Expressing opinions on the subject matter of the public hearing should be avoided, as that would come when City Council deliberated the matter at a future meeting.

Following questions of ChaVonne Sampson, Interim Director of Development Services, and John Parker, applicant, **Mayor Friedberg** proceeded to close the public hearing.

F. Close of the Public Hearing.

Mayor Friedberg advised that oral comment on the subject matter of the public hearing would no longer be received. As stated earlier by City Manager Hofmann, Mayor Friedberg indicated that written comments would be accepted prior to final deliberation on the matter. All written comments must be received in the City Clerk's office by noon on the Thursday preceding the meeting of final deliberation for inclusion in the official record of the proceedings. It was anticipated that final deliberation would occur on Monday, January 22, 2018; therefore, written comments should be submitted by noon on Thursday, January 18, 2018.

Mayor Friedberg announced that the public hearing was closed at 8:01 p.m. on Monday, December 18, 2017.

G. Adjourn.

Mayor Friedberg announced that the public hearing was adjourned at 8:01 p.m. on Monday, December 18, 2017.

II. REGULAR MEETING**A. Call to Order - Andrew S. Friedberg, Mayor.**

Mayor Friedberg called the Regular Meeting of the City Council of the City of Bellaire, Texas, to order at 8:01 p.m. on Monday, December 18, 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

Also present were Paul A. Hofmann, City Manager; Alan P. Petrov, City Attorney; and Tracy L. Dutton, City Clerk.

C. Personal/Audience Comments.

Mayor Friedberg opened the floor for general personal and audience comments other than about the public hearing which was just concluded. Mayor Friedberg stated the time limit for public comments as up to five (5) minutes, with notice after four (4) minutes that there was one (1) minute left.

Larry Schreve:

Mr. Schreve addressed City Council in support of a proposal from the Building and Standards Commission ("BSC") to set a standard width for new sidewalks at four (4) feet rather than five (5) feet. Mr. Schreve stated that he hoped that City Council would vote in favor of the proposal. He noted that he believed that the BSC had done a great deal of research to come to its conclusion and given a lot of thought to its recommendation.

Mr. Schreve advised that he agreed with the conclusion cited by the BSC that a future mismatch of sidewalks that were five (5) feet in width connecting with sidewalks that were four (4) feet in width on the same street or block could create a safety issue and would be unattractive. In addition, he agreed with the BSC conclusion that a four (4) foot sidewalk would require less concrete and was less expensive as opposed to a five (5) foot sidewalk. Four (4) foot sidewalks would also pose less of a risk to mature trees, in Mr. Schreve's opinion.

Mayor Friedberg noted that there were no further oral or written comments and continued to the next item on the agenda.

D. Reports and Presentations:

Mayor Friedberg advised that the suggestion had been made to move the third report up, which was a presentation by the Bellaire Business Association. Hearing no objection, the Rules of Procedure of the City Council were suspended by general consent and the presentation by the Bellaire Business Association of donated funds to the Bellaire Police and Fire Foundation was heard next.

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

[Note: Agenda item II. D. 3. was heard prior to the City Manager's Report by general consent of City Council.]

Paul A. Hofmann, City Manager, presented the City Manager's Report dated December 18, 2017, to members of the City Council. The report consisted of updates related to communications and Hurricane Harvey recovery activities, as well as reminders of upcoming events and City Council meetings.

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

2. Presentation of considerations looking forward to the spring 2018 pre-budget planning workshop - Submitted by Paul A. Hofmann, City Manager.

City Manager Hofmann presented an overview of planning considerations to be made "looking forward" to the City Council Pre-Budget Planning Workshop to be conducted during the spring of 2018. Considerations included potential impacts on the local economy because of Hurricane Harvey and a potential scenario that could occur by keeping property tax revenues for operations and maintenance at their current level for the next five years. He advised that the scenario might not be reflected in future budget recommendations, but was important for understanding the decisions that would be required to be made for such a scenario.

After the presentation, **Mayor Friedberg** opened the floor for questions of City Manager Hofmann from the City Council. Following questions, Mayor Friedberg announced that the presentation was concluded and moved to the Consent Agenda.

[Note: Agenda item II. D. 3. was presented earlier in the evening.]

3. Bellaire Business Association (BBA) presentation of funds raised by the BBA in August 2017 to be donated to the Bellaire Police and Fire Foundation - Requested by Steve Davis, BBA Chairman.

Mayor Friedberg introduced the agenda item, which consisted of a presentation of funds raised by the Bellaire Business Association in August of 2017 benefit to the Bellaire Police and Fire Foundation.

Steve Davis, Chairman of the Bellaire Business Association ("Association"), introduced members participating in the presentation as follows: Kopi Vogiatzis, Randy Dobbs, and Patti Davis. Chairman Davis advised that the Association was a nonprofit organization promoting business and economic development in the area. When the Association heard about what the Bellaire Police and Fire Foundation did, they wanted to support the organization. He indicated that he agreed with the sentiment that a responsive and well-equipped fire and police department was important to a vibrant community of residents and businesses. With the help of the Bellaire/Southwest Houston Rotary Club, donations from Escalante's, The 401 Table and Tap, and Karbach Brewing Co., and sponsors Prosperity Bank and GBS Insurance Agency, the third annual Police and Fire Foundation Benefit was held. Donations in the amount of approximately \$9,100

were raised for the benefit of the Bellaire Police and Fire Foundation.

Chairman Davis presented the donated funds to Kopi Vogiatzis and Randy Dobbs, Board Members of the Bellaire Police and Fire Foundation.

Mayor Friedberg thanked the Association for their presentation and congratulated them on another successful fundraising event for the Bellaire Police and Fire Foundation.

[Note: After this item, City Council returned to agenda item II. D. 1., the City Manager's Report, and continued with the remainder of the agenda in the order in which it was written.]

E. New Business:

1. Consent Agenda:

a. Adoption of Minutes:

Consideration of and possible action on the adoption of the minutes of the Regular Sessions held on October 2, 2017, November 20, 2017, and December 4, 2017.

- i. Mayor and Council - Regular Session - Oct 2, 2017 6:00 PM
- ii. Mayor and Council - Regular Session - Nov 20, 2017 6:00 PM
- iii. Mayor and Council - Regular Session - Dec 4, 2017 6:30 PM

b. Adoption of Ordinances:

- i. Consideration of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, authorizing an amendment to a Contract and Agreement for Engineering Services by and between HDR Engineering, Inc., and the City of Bellaire, Texas, for engineering services associated with the Rebuild Bellaire Phase Five Paving and Drainage Improvements Project and authorizing the City Manager 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 amendment proposal with HDR for additional engineering design and construction phase services in the amount of \$196,356.34 - Submitted by Michael Leech, Director of Public Works.
- ii. Consideration of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, authorizing the City Manager of the City of Bellaire, Texas, to execute, for and on behalf of the City of Bellaire, Texas, an "Application for Payment No. 16 - Final" with Reytec Construction Resources, Inc., in the amount of \$394,901.10 for the Rebuild Bellaire Phase 5B Reconstruction Project and authorizing the City to release retainage to Reytec Construction Resources, Inc., on said project in the amount of \$394,901.10 - Submitted by Michael Leech, Director of Public Works.

Mayor Friedberg read the captions of the Consent Agenda items, which consisted of three sets of minutes and two ordinances. He referred to a scrivener's correction on packet page 79, which involved the transposition

of the number of votes for Proposition N. The number of votes should have been 247 as opposed to 274. Hearing no requests to remove an item or items from the Consent Agenda for separate consideration, Mayor Friedberg entertained a motion to adopt the Consent Agenda.

Motion:

To adopt the Consent Agenda dated December 18, 2017.

{Moved by Roman F. Reed, Mayor Pro Tem, and seconded by Trisha S. Pollard, Council Member}

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

2. Adoption of Ordinance:

Consideration of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, amending Chapter 33, Telecommunications, Article II, Small Cell Network Facilities, Appendix A to Chapter 33, Design Manual, of the Code of Ordinances of the City of Bellaire, Texas, for the purpose of adding a new section to address regulations related to the placement of small cell network facilities in residentially zoned districts - Submitted by ChaVonne Sampson, Interim Director of Development Services.

After reading the agenda caption, **Mayor Friedberg** provided a brief introduction/history related to the item. He advised that on November 20, 2017, the City Council passed an ordinance regulating small cell network facilities in the City's municipal rights-of-way as authorized pursuant to Senate Bill 1004. At that time, City Council discussed an amendment to address the placement of small cell nodes in proximity to residences. Since the appropriate language was not ready at hand that evening, City Council had asked the City Attorney to prepare and return with such language at an upcoming meeting. That amendment was before City Council this evening for consideration.

Following the introduction, **Mayor Friedberg** entertained a motion to adopt the ordinance as presented amending the Design Manual, Appendix A to Chapter 33 of the Code of Ordinances, to add a new section to address regulations related to the placement of small cell network facilities in residentially zoned districts.

Motion:

To adopt the ordinance as presented amending the Design Manual, Appendix A to Chapter 33 of the Code of Ordinances, to add a new section to address regulations related to the placement of small cell network facilities in residentially zoned districts.

{Moved by David R. Montague, Council Member, and seconded by

Michael Fife, Council Member}

Mayor Friedberg opened the floor for deliberation on the motion. Following questions of City Attorney Petrov and deliberation, **Mayor Friedberg offered an amendment to the motion**, which was the same amendment he had offered for the ordinance adopted on November 20th regarding small cell network facilities.

Amendment (No. 1):

To replace the phrase in the first recital of the proposed ordinance stating that Senate Bill 1004 "authorizes certain facilities to be installed in a municipality's public right-of-way" with the phrase "requires municipalities to allow certain facilities to be installed in the public rights-of-way."

{Offered by Mayor Andrew S. Friedberg}

After confirming there was no objection to the amendment, Mayor Friedberg advised that the amendment was accepted by general consent. The first recital on packet page 228 would now read that the bill requires municipalities to allow certain small cell network facilities to be installed in their public rights-of-way.

Hearing no further discussion, Mayor Friedberg called for action on the motion, as amended.

RESULT:	ADOPTED AS AMENDED [6 TO 1]
MOVER:	David R. Montague, Council Member
SECONDER:	Michael Fife, Council Member
AYES:	Friedberg, Pollard, Pappas, McLaughlan, Fife, Montague
NAYS:	Reed

3. Items for Individual Consideration:

- a. Consideration of and possible action on a recommendation from the Building and Standards Commission to direct the City Manager to forego the current approach to install 5 foot wide sidewalks in residential areas, until such time that the matter can be further addressed by the City Engineer and appropriate consultants - Submitted by David R. Montague, Council Member, on behalf of the Building and Standards Commission.

Mayor Friedberg read the agenda caption and turned the floor over to David R. Montague, Council Member, who had proposed the item on behalf of the Building and Standards Commission.

David R. Montague, Council Member, recognized Christina Stone and Laura Thurmond of the Building and Standards Commission ("BSC") to present the BSC's recommendation.

Christina Stone, Commissioner on the BSC, advised that she had served on a subcommittee that studied the issue of sidewalk widths and that she had composed the letter that was presented to City Council. Commissioner Stone advised that she believed the BSC unanimously felt that the width of

sidewalks should be four (4) feet in residential areas, with certain exceptions. Exceptions could be fleshed out later as the BSC felt that the City Engineer should be involved in that kind of decision making. Personally, Commissioner Stone stated that she believed the City would not want what Mr. Schreve was objecting to earlier in the meeting during Personal/Audience Comments, which was a sidewalk four (4) feet in width next to a sidewalk five (5) feet in width, followed by four (4) feet, etc.

Laura Thurmond, Chair of the BSC, addressed City Council and advised that Commissioner Stone had summed the discussions among the BSC very well. Chair Thurmond noted, from a more personal standpoint, that she lived on Park Court. The residents on that street received a new street and sidewalks; however, the new sidewalks almost offset the joy of getting the new street. In her situation, the sidewalk ended up getting pushed to the back of the curb because of a very mature oak tree. Generally, the same situation existed up and down the street. A five (5) foot sidewalk would have exacerbated the situation, in her opinion.

Chair Thurmond also advised that the Commissioners felt that it was not worth it to add the additional impervious cover required to construct five (5) foot sidewalks.

Council Member Montague indicated that the BSC recommendation was to keep with the City Council's directive to continue to install sidewalks and reduce the width from five (5) feet to four (4) feet. He noted that there had been a rumor that the City of Houston constructed five (5) foot sidewalks in residential areas, which was not true. When properly engineered, four (4) foot sidewalks were compliant with the Americans with Disabilities Act (ADA). Turning basins were not needed as existing driveways could be used for turning. He believed that the increase in impervious cover and cost associated with a five (5) foot sidewalk were problematic. He noted further that the recommendation applied to new construction and replacement sidewalks, as well as filling in gaps.

Mayor Friedberg entertained a motion related to the BSC recommendation.

Motion:

To direct the City Manager to forego the current approach to install five (5) foot sidewalks in residential areas until the matter can be further addressed by the City Engineer and appropriate consultants.

{Moved by David R. Montague, Council Member, and seconded jointly by Andrew S. Friedberg, Mayor, and Gus E. Pappas, Council Member}

Mayor Friedberg opened the floor for questions and deliberation related to the motion. Following questions, Mayor Friedberg offered an amendment to clarify the motion as follows:

Amendment (No. 1):

To add to the motion the following: to forego the current approach to install five (5) foot sidewalks in residential areas, and instead install four (4) foot sidewalks in residential areas, until the matter can be further addressed by the City Engineer and appropriate consultants.

After confirming there was no objection to the amended language, Mayor Friedberg advised that the motion was amended by general consent.

Discussion and deliberation continued among members of the City Council. After the discussion, **Mayor Friedberg** restated the motion, as amended, and called for action.

RESULT:	ADOPTED AS AMENDED [4 TO 3]
MOVER:	David R. Montague, Council Member
SECONDER:	Andrew S. Friedberg, Gus E. Pappas
AYES:	Friedberg, Pappas, Fife, Montague
NAYS:	Reed, Pollard, McLaughlan

- b. Consideration of and possible action on a request from the Public Works; Parks, Recreation, and Facilities; and Police Departments for City Council approval to purchase fourteen (14) vehicles, and authorizing the City Manager 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 six (6) Ford F-150 trucks, three (3) Ford F-250 trucks, two (2) Ford Interceptor SUVs, and one (1) Ford Interceptor Sedan from Sam Pack's Five Star Ford in the amount of \$345,961.00; one (1) Chevrolet Tahoe from Caldwell County Chevrolet in the amount of \$35,063.00; and one (1) Ford F-250 truck from Silsbee Ford in the amount of \$31,685.00 – Submitted by Shawn Cox, Administrative Services Manager, City Manager's Office.

Mayor Friedberg read the caption for the agenda item and noted that the proposed ordinance associated with the item appeared at packet page 241. He entertained a motion to approve the request and adopt the ordinance as presented authorizing the purchase of 14 vehicles.

Motion:

To approve the request and adopt the ordinance as presented authorizing the purchase of 14 vehicles.

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

Mayor Friedberg opened the floor for questions and discussion related to the motion. After questions and discussion among members of the City Council, Mayor Friedberg noted a scrivener's error in the ordinance and indicated that "Caldwell County" should be changed to "Caldwell Country." Noting no further discussion, he called for action on the motion.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	David R. Montague, Council Member
SECONDER:	Michael Fife, Council Member
AYES:	Friedberg, Reed, Pollard, Pappas, McLaughlan, Fife, Montague

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

Community interest items from the Mayor and City Council included best wishes and expressions of thanks and appreciation to outgoing Mayor Pro Tem Roman F. Reed for his service to the community; expressions of best wishes and appreciation to Fire Chief Darryl Anderson on the announcement of his retirement; expression of congratulations to Shadae Martin for her recent award of a Master's Degree; report from Council Member Pollard regarding her attendance at the Patrons for Bellaire Parks Annual Workshop and her visit with the West University Place City Council during their meeting; expressions of thanks from Mayor Pro Tem Roman F. Reed to Mayor Friedberg and City Manager Paul A. Hofmann for their leadership, to members of the City Council for the privilege and honor to serve with them, to all City Staff for their hard work, and a special recognition of his wife, Sally Reed, for her support during his tenure on the City Council; expressions of welcome to Council Member-Elect Neil Verma; and wishes to everyone for a wonderful holiday season and Happy New Year.

G. Adjourn.

Mayor Friedberg announced that the Regular Meeting of the City Council of the City of Bellaire, Texas, was adjourned at 9:56 p.m. on Monday, December 18, 2017.

III. 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 9:56 p.m. on Monday, December 18, 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 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	Absent*
Michael Fife	Council Member	Present
David R. Montague	Council Member	Present

Also present were Paul A. Hofmann, City Manager; Alan P. Petrov, City Attorney; and Tracy L. Dutton, City Clerk. City Clerk Dutton did not participate in the closed portions of the closed meeting.

*Council Member McLaughlan departed after the Regular Session was adjourned at 9:56 p.m. and did not participate in the closed 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*, to seek advice on legal matters related to the Linbeck construction contract; and

Continue pursuant to the *Texas Government Code, Chapter 551, Open Meetings Act, Section 551.074, Personnel Matters; Closed Meeting*, to deliberate the evaluation of the City Attorney of the City of Bellaire, Texas.

Mayor Friedberg announced that the City Council would retire into the Council Conference Room for the closed portion of the meeting pursuant to the *Texas Government Code, Chapter 551, Open Meetings Act, Section 551.071, Consultation with Attorney; Closed Meeting*, to seek advice on legal matters related to the Linbeck construction contract; and would continue pursuant to the *Texas Government Code, Chapter 551, Open Meetings Act, Section 551.074, Personnel Matters; Closed Meeting*, to deliberate the evaluation of the City Attorney of the City of Bellaire, Texas. Mayor Friedberg also announced that no action would be taken in the closed portion of the meeting and certified that the time was 9:56 p.m. on Monday, December 18, 2017.

D. Reconvene in Open Meeting in the Council Chamber:

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

The Bellaire City Council reconvened in open meeting in the Council Chamber at 10:53 p.m. on Monday, December 18, 2017. **Mayor Friedberg** announced that the City Council had met in closed meeting for two permitted purposes, (1) to consult with the City's attorneys to seek advice on legal matters related to the Linbeck construction contract and (2) to deliberate the evaluation of the City Attorney.

Mayor Friedberg opened the floor for any motions that were in order.

Motion:

To approve the settlement of the Linbeck lawsuit as follows: (1) the payment of \$120,000 in full and final settlement of disputed change order no. 14; and (2) to reduce the City's retainage of funds relating to issues in dispute concerning the fountain to \$1,000, both parties reserving all rights with respect to those issues; and all according to the terms of Linbeck's December 15 settlement proposal.

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

Mayor Friedberg opened the floor for discussion on the motion. Hearing no discussion, action was taken on the motion.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gus E. Pappas, Council Member
SECONDER:	Trisha S. Pollard, Council Member
AYES:	Friedberg, Reed, Pollard, Pappas, Fife,

	Montague
NAYS:	None
ABSENT:	McLaughlan

Mayor Friedberg referred to the second permitted purpose for the closed meeting, which was to deliberate the evaluation of the City Attorney. Mayor Friedberg reported that the City Council was pleased with the City Attorney's services and appreciated his increased efforts to communicate with the City Council through more frequent reporting.

Mayor Friedberg entertained a motion to renew the City Attorney's contract for another year according to the same terms as the City had been operating under for the past year.

Motion:

To renew the City Attorney's contract for another year according to the same terms as the City had been operating under for the past year.

{Moved by Trisha S. Pollard, Council Member, and seconded by Michael Fife, Council Member}

Following a restatement of the motion by Mayor Friedberg, City Council acted on the motion.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Trisha S. Pollard, Council Member
SECONDER:	Michael Fife, Council Member
AYES:	Friedberg, Reed, Pollard, Pappas, Fife, Montague
NAYS:	None
ABSENT:	McLaughlan

E. Adjourn.

Mayor Friedberg announced that the closed meeting was concluded and adjourned at 10:56 p.m. on Monday, December 18, 2017.

Application for Amendment to the City of Bellaire Official Zoning District Map:

(1) Applicant:

John Parker, executor of the estate of Virginia W. Bohn
5003 Tamarisk
Bellaire, TX 77401

CITY OF BELLAIRE
RECEIVED

JUN 22 2017

Property address:

5217 Palmetto
Bellaire, TX 77401

DEVELOPMENT SERVICES

- (2) This proposal is to amend the zoning for 5217 and 5221 Palmetto to R5.
- (3) Request revert zoning of these two properties to the original townhouse development to which they were originally platted. As presently zoned (now like properties on streets to the south) property owners' economic rights are diminished by being restricted to single family dwellings while having townhomes adjacent to the east and across the street. Reversion to the original zoning will re-establish economic value and bring it into conformity with the properties to the north and east. 5217 Palmetto has been publicly advertised for sale with the Houston Association of Realtors now for 285 days at a list price in keeping with other City of Bellaire single family lot value properties of similar square foot. The only serious interest thus far has come from potential buyers who would want to build homes with a common wall or patio-type homes.
- (4) This proposed change would bring the property into conformity with the surrounding area and should not negatively impact the comprehensive plan. As 5217 and 5221 Palmetto are at the west City limits then this rezoning cannot in any way impose inappropriate use on other Bellaire properties.
- (5) The street addresses of the proposed zoning changes are 5221 and 5217 Palmetto.

Applicant is the executor of the estate of Virginia W. Bohn, owner of 5217 Palmetto.

The property is currently zoned for single family homes.

5217 Palmetto is a ±10,500 sq. ft. lot and 5221 is a ±17,500 sq. ft. lot.

Legal description of land:

Lot Nine (9) and East one-half (1/2) of Lot Ten (10), in Block Forty-one (41), of THE TOWN OF BELLAIRE, an Addition in HARRIS County, Texas, according to the map or plat thereof, recorded in Volume 3, Page 59, of the Map Records of HARRIS County, Texas, together with the adjoining alley along the South property lines to the middle point thereof, as conveyed by the City of Bellaire by instruments filed under HARRIS County Clerk's File Nos. R309009 and S228250.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Subject to any and all sanitary sewer, storm sewer and utility lines, which may lie within the boundaries of abandoned alleys, together all rights and interests of all utility companies incident thereto, together with the reservation by the City of Bellaire as contained in Quit Claim Deed dated February 6, 1995, filed for record under Clerk's File No. S228250 of the Real Property Records of HARRIS County, Texas.

Subject to the zoning ordinances now in force in the City of Bellaire, Texas

CITY OF BELLAIRE
RECEIVED
JUN 22 2017
DEVELOPMENT SERVICES

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

March 9, 2017

City of Bellaire
Planning and Zoning

CITY OF BELLAIRE
RECEIVED

JUN 22 2017

DEVELOPMENT SERVICES

To Whom It May Concern:

As executor of the estate of the property owner at 5217 Palmetto, I request an amendment to the current zoning for this property to match the majority of the block facing Palmetto as it is today. Our property under its current zoning is out of place with the properties to the east on the same block and across the street. There does not appear to be a demand for the property to be used as a single family house due to being almost surrounded by townhomes. Any and all parties showing any interest keep mentioning the need for zoning to allow townhomes or patio homes on smaller lots which are restricted by the present zoning. I have spoken with my neighbor at 5221 Palmetto and they do not object to the property being rezoned for townhomes.

Thank you in advance for your consideration of this rezoning request.



John Parker, Executor for the estate of Virginia W. Bohn
5217 Palmetto

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



STAN STANART
COUNTY CLERK, HARRIS COUNTY, TEXAS
PROBATE COURTS DEPARTMENT

IN MATTERS OF PROBATE

PROBATE COURT NO. **Three (3)**

HARRIS COUNTY, TEXAS

{
{ DOCKET NO. **444905**
{
{ ESTATE OF: **FLORENCE VIRGINIA WALKER BOHN, DECEASED**
{

LETTERS TESTAMENTARY

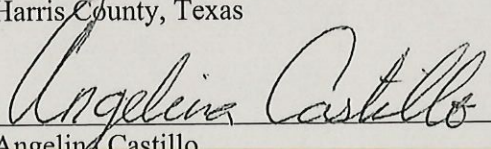
Know all men by these presents that it is hereby certified:

1. On **JANUARY 20, 2016**, **JOHN T. PARKER** was duly appointed by order of said court as **INDEPENDENT EXECUTOR**, of the Last Will of **FLORENCE VIRGINIA WALKER BOHN, DECEASED**;
2. On **JANUARY 20, 2016**, said **INDEPENDENT EXECUTOR** qualified as the law requires;
3. Insofar as the records in my office show, said **INDEPENDENT EXECUTOR** is still acting in said capacity.

Witness my hand and seal of said court, at Houston, Texas, on January 20, 2016.

(SEAL)

STAN STANART, County Clerk
Probate Court No. Three (3)
201 Caroline, Room 800
Harris County, Texas


Angelina Castillo
Deputy County Clerk

SS/ac

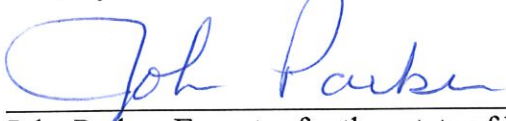
September 5, 2017

City of Bellaire
Planning and Zoning

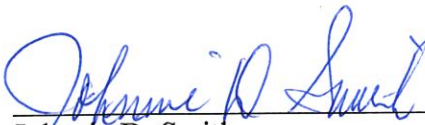
To Whom It May Concern:

We the property owners of 5217 and 5221 Palmetto request an amendment to the current zoning for these properties. Our properties are out of place with the properties to the east and across the street. The other properties in this neighborhood are townhouses and it is our belief that this rezoning will allow the properties to be more aligned with the zoning of the surrounding properties. The surrounding townhomes and proximity to the city line to the west will not impose inappropriate use on other Bellaire properties.

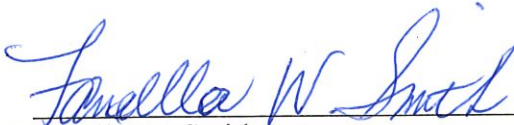
Thank you in advance for your consideration of this rezoning request.



John Parker, Executor for the estate of Virginia W. Bohn
5217 Palmetto



Johnnie D. Smith
5221 Palmetto



Fanella W. Smith
5221 Palmetto

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

475	59	59	60.5
11	10	9	
5304 -0011	5302 -0010	5300 -0009	
59	59	60.5	

WAZA PALMETTO ST

59	60.5
5305 -0006	1
5303 -0001	-0001
5303 -0002	2 (1)
59	60.5

PALMETTO TOWNHOMES

002-0001 THRU 002-0012

RIS CONDO REGIME

117-486

003-0013 THRU 003-0018

004-0019 THRU 004-0024

COMMON AREA

6A

6426
-0006

16

6-0008

GULFTON AREA MMD

WOODLAWN DRIVE TRENTON PLACE

430043	44-0044	45-0045	46-0046	47-0047	48-0048	49-0049	50-0050	51-0051	52-0052	53-0053	54-0054
28	22	22	22	22	22	22	22	22	22	22	32

MEREDITH DRIVE

42	41	40	39	38	37	36	35
-0042	-0041	-0040	-0039	-0038	-0037	-0036	-0035
32	22	22	22	22	22	22	22

105-566

34	33	32	31	30
-0034	-0033	-0032	-0031	
22	22	22	22	22

55-0055	56-0056	57-0057	58-0058	59-0059
28.6	28.6	28.6	28.6	38

PALMETTO SQUARE

101-433

12	11	10	10A	9
5221	-0010	5217	-0009	
135	135	135	135	135

G	F	E	D	C	B	A	3
5205	5205	5205	5205	5205	5205	5205	5205
135	135	135	135	135	135	135	135

13	14A-1	14A	16	17	18
5222	5220	5218	5216	5214	5212
-0013	-0025	-0015	-0016	-0017	-0018
145	155	155	145	145	145

19	20A
5210	5206
-0019	-0020
145	155

5218 BEECH AMEND

007-055

BELLAIRE AVE

007-055

12	11	10	9	8	7
5223	5221	5219	5217	5215	5213
-0012	-0011	-0010	-0009	-0008	-0007
135	135	135	135	135	135

6	5	4	3
5211	5209	5207	5205
-0006	-0005	-0004	
135	135	135	135

13	14	15	16	17	18
5222	5220	5218	5216	5214	5212
-0013	-0014	-0015	-0016	-0017	-0018
125	125	125	125	125	125

19	20	21	22
5210	5208	5206	5204
-0019	-0020	-0021	
125	125	125	125


Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



CITY OF BELLAIRE

Planning and Zoning Commission

November 9, 2017

To: Mayor and City Council
 From: Dirk Stiggins Chairman, Planning & Zoning Commission 
 CC: ChaVonne Sampson, Interim Director of Development Services
 Subject: Report and Recommendation on proposed zoning amendment at 5217 & 5221 Palmetto

On October 12, 2017, the Planning & Zoning Commission held a public hearing on a proposed amendment to the City's Official Zoning District Map, to re-zone the properties at 5217 and 5221 Palmetto from their current designation of *R-4, Residential District*, to *R-5, Residential District*, pursuant to Chapter 24, Section 24-603, *Application for Amendment to Written Text or Official Zoning District Map* of the City of Bellaire, Texas.

Notifications regarding the public hearing were mailed out to all addresses within 500 feet of the property. Any and all persons desiring to be heard in connection with the proposed code amendments were invited to speak before the Commission.

One (1) resident spoke during the public hearing, their concerns were:

- A higher density development and increase in lot coverage would add to the issue of flooding

One (1) written comment was submitted opposing the application, which stated the following:

- "Oppose re-zoning from R-4 to R-5. Created nice residential/opposes multi-family"

No additional comments were received after closure of the public hearing.

Concerns voiced by the Commissioners were as follows:

- Why were these properties not included in the townhome development that surrounds them on the north and east?
- Could this be considered "spot zoning"?
- What are the differences between the R-4 and R-5 Zoning Districts?

CONSIDERATION

Information was provided to the Commission regarding the history of the surrounding townhome development and speculation as to why 5217 and 5221 Palmetto were not included in the project. During discussion, it was noted that the current request before the Commission was simply to re-

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

zone the two properties from one residential designation (R-4) to another (R-5). The Commission was provided with a copy of the standard zoning regulations for the R-4 and the R-5 Zoning Districts, which showed that the minimum size, setbacks, and lot coverage requirements are the same for both districts. However, approval of the re-zone to the R-5 Zoning District would allow an application for a residential planned development to be submitted. The Commission found that the request is supported by Goal 2.2 of the City's Comprehensive Plan, which refers to the necessity to accommodate for "life-cycle" housing and to "spur redevelopment in under-utilized areas of the community through promotion of alternative housing types." It was also mentioned that the Future Land Use Map simply calls this area out as "General Residential," which neither supports nor opposes the request to re-zone. Attorney Petrov addressed the Commissioners' concerns regarding spot zoning by stating that it occurs when a property is re-zoned to a district that is not compatible with the surrounding area, and therefore, would not be a factor in this case.

RECOMMENDATION

At the Commission's November 9, 2017 meeting, and after due consideration and discussion, the Commission felt that the re-zoning of 5217 and 5221 Palmetto was appropriate, and voted 5-0-1 to recommend approval of the proposed amendment to the Official Zoning District Map to City Council.

VOTE OF THE COMMISSION

Members present and voting FOR this recommendation to City Council:

Mike Axelrad, Ross Gordon, Jonathan Saikin, Dirk Stiggins, Weldon Taylor

Members present and voting AGAINST this recommendation to City Council:

None.

Members that recused themselves:

Marc Steinberg

Members Absent:

Lynne Skinner

V. PUBLIC HEARINGS

Docket # Z-2017-03-Public Hearing on an application filed by John Parker, executor of the estate of Virginia W. Bohn, owner of the property at 5217 Palmetto, for an amendment to the Official Zoning District Map to re-zone the properties at 5217 and 5221 Palmetto from their current designation of R-4, Residential District, to R-5, Residential District, pursuant to Chapter 24, Section 24-603, Application for Amendment to Written Text or Official Zoning District Map of the City of Bellaire, Texas.

1. Presentation of the Public Hearing Process

Ms. Sampson introduced the public hearing process.

2. Presentation by the Applicant

John Parker, Executor of the Estate of Virginia Bohn, owner of 5217 Palmetto-

Mr. Parker explained that the properties at 5217 and 5221 Palmetto were left an "island" when the neighboring properties were allowed to be turned into a townhome development, and because of this, the request could not be considered "spot zoning." He added that everyone that he had spoken with regarding the properties at 5217 and 5221 thought that they were included in the re-zoning request for the townhome development adjacent to these properties. Mr. Parker stated the property has been marketed as a single-family property at lot value for the last several months and the only interest has been with "multi-family housing." He felt that the present zoning classification of single-family is creating an economic hardship for the estate. Mr. Parker mentioned that Bellaire is in need of alternative housing types for seniors and other individuals who would like to live in Bellaire, but want to down size. He pointed out that any future redevelopment would require the flood detention requirements that the townhomes adjacent to the properties and across the street do not have. He stated that he doesn't feel that this re-zoning would create a burden due to the fact that most of the surrounding properties are already zoned for townhouse development. Mr. Parker provided the Commission with a copy of the application information, as well as a map of the properties is question.

Mike Livingston-Mr. Livingston explained that he is the real estate agent that is representing the property at 5217 Palmetto. He informed the Commission that the surrounding townhomes were developed in the 70's, but that these two lots were left out. He clarified that the term "multi-family" housing, which was used by the property owner, is not correct. He explained that the term "multi-family" is used when dealing with apartment complexes and this would not be developed as apartments, but rather townhomes or "single-family attached." He then gave examples of the sizes of townhomes in the surrounding area, and how many units could be put on the two properties in question, based on their lot size. Mr. Livingston stated that the lots at 5217 and 5221 Palmetto are 75 feet by 135 feet, and 125 feet by 135 feet, respectively, which could easily accommodate two townhouses on each.

3. Staff Findings

Ms. Sampson informed the Commission that the applicant is requesting to amend the Official Zoning District map for the properties at 5217 and 5221 Palmetto from the current designation of R-4 Residential, to the R-5 Residential District. She stated that if this request is granted, it would allow for the development of townhomes through the planned development process, and would come before the Commission and City Council for approval. She stated that discussions on the size and number of townhomes would

take place at that time. Ms. Sampson mentioned that there is a minimum acreage that is required in order for a property to apply for a planned development, which these do not meet. However, the fact that the lots are surrounded by townhome developments causes them to be eligible.

4. Public Comments

- i. **Persons at the meeting who have indicated their desire to address the Commission by submitting the form provided shall have three (3) minutes each to present comments concerning the Application. This time limit may be extended to five (5) minutes at the discretion of the Chair with the consent of the Commission.**

Chairman Stiggins read a written comment into the record from a Mr. Steve Williams:

"Oppose re-zoning from R-4 to R-5. Created nice residential/opposes multi-family"

Lynn McBee-Ms. McBee stated that she remembers the creation of the townhome development adjacent to the properties in question, and that it was supposed to be "discreet" and specifically located. She added that the two properties are a total of 28,000 square feet, which could produce an about 5-6 townhome units. Ms. McBee felt that the fact that there are townhomes located across the street in the City of Houston is not a proper comparison due to the fact that the City of Houston has no zoning. She also mentioned that the lot coverage and various other standards would dramatically change, assuming approval of the request, which would increase the density on the two lots. She stated that for this reason she opposes the application. Ms. McBee informed the Commission that it is their job to evaluate the zoning and its underlying principles so that people who bought into properties are not surprised by sudden changes that they believe are inappropriate. She reiterated that the properties would still require a planned development to allow for townhomes, and felt that it was not appropriate for the Commission to consider this application without a specific project attached to it. She suggested that the Commission deny the request and require the applicant to come back in the future and re-apply.

5. Response of Applicant

Mr. Parker stated that the request at this point is simply to re-zone the two properties from one residential designation to another residential designation in order to allow for the redevelopment of the property. He stated that it is currently uninhabitable.

Mr. Livingston added that the property has been on the market for 13 months at fair market value, or \$54/square foot. He reiterated that the only interest is with townhome development, and agreed with Mr. Parker's comment that there are people looking for more ways to stay in Bellaire. Mr. Livingston pointed out that during the planned development process flood retention would be required.

6. Questions from the Commission

Commissioner Axelrad stated that it sounds a lot like "spot zoning" to him and suggested that the Commission might need to take a broader look at the whole area, maybe through a change in the Comprehensive Plan. He questioned why there were properties on either side that were left out of the townhome development, and stated that he feels as though this was not done by happenstance.

Ms. Sampson informed the Commission that staff has been doing some research to try and find the history on how the townhome development came to be and why only certain properties were included in the development. She added that so far nothing has been found to shed any light on the matter. Ms. Sampson assured the Commission that staff will continue to search and will hopefully have more information for them at their next meeting.

Commissioner Gordon asked for clarification on whether or not the property owner at 5221 Palmetto was in fact in favor of the application, and whether that individual was present.

The property owner of 5221 was in attendance and confirmed that he is in favor the re-zoning request.

Commissioner Gordon asked what criteria is looked at by the City or Commission when determining whether to approve or deny a planned development application.

Ms. Sampson stated that she would have that information for the Commission's next meeting.

Commissioner Taylor asked if the economic impact on the application a consideration for this Commission.

Attorney Petrov stated that the Commission can consider it, however, it may not be their guiding consideration.

Commissioner Taylor stated that he would also be interested in knowing the history of the properties.

7. Invitation for Written Comments, if applicable

Staff informed the public that written comments on the application will be accepted until Wednesday, November 1st.

8. Closure of the Public Hearing

Motion: a motion was made by Commissioner Skinner and seconded by Commissioner Axelrad to close the public hearing.

Vote: the motion carried on a unanimous vote of 7-0.

The public hearing closed at 6:37 PM.

VI. CURRENT BUSINESS (ITEMS FOR DISCUSSION, CONSIDERATION, AND/OR POSSIBLE ACTION)

There was no current business.

VII. COMMITTEE REPORTS

There were no committee reports.

VIII. CORRESPONDENCE

There was no correspondence.

IX. REQUESTS FOR NEW BUSINESS, ANNOUNCEMENTS AND COMMENTS

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

comments during public hearings should list the names of the speakers, and felt that they should be called separately based on whether they support or oppose the application.

V. CURRENT BUSINESS (ITEMS FOR DISCUSSION, CONSIDERATION, AND/OR POSSIBLE ACTION)

- A. Docket #Z-2017-03-Consideration of an application filed by John Parker, executor of the estate of Virginia W. Bohn, owner of the property at 5217 Palmetto, for an amendment to the Official Zoning District Map to re-zone the properties at 5217 and 5221 Palmetto from their current designation of R-4, Residential District, to R-5, Residential District, pursuant to Chapter 24, Section 24-603, Application for Amendment to Written Text or Official Zoning District Map of the City of Bellaire, Texas.

Ms. Sampson explained that staff was able to find some minutes from the late 60's dealing with the creation of the town home development on Palmetto, and that those were included in their packet. She added that in reading the minutes, one can speculate that the reason the two properties in question were not included in the development is due to the fact that they were not available for purchase by the developer at that time. She then reiterated that this request is simply to re-zone 5217 and 5221 Palmetto from R-4 to R-5 Zoning, which due to the size of the lots, would have no impact on the standard zoning regulations for the properties. Ms. Sampson reviewed staff's recommendation with the Commission stating that the Comprehensive Plan's Future Land Use Map calls these properties out as "General Residential," which neither supports nor opposes the request and that because of this, staff does not oppose the granting of the application.

Commissioner Taylor mentioned that Goal 2.2 of the Comprehensive Plan refers to allowing for greater housing choices in Bellaire to accommodate for "lifecycle needs," and "spurring redevelopment in under-utilized areas of the community through promotion of alternative housing types." He stated that he feels as though this supports the request. Commissioner Taylor then mentioned that the term "spot zoning" has been referred to several times regarding this application and asked Attorney Petrov to explain why this would not come into play in this case.

Attorney Petrov stated that spot zoning takes place when a property is re-zoned to a zoning district that is incompatible with its surroundings. In this case, due to the fact that the properties are bordered on three sides by R-5 zoning, the re-zone would not be in appropriate.

Commissioner Gordon stated that he had taken a look at the zoning map to determine if there are any other properties within the City of Bellaire that are in a similar position. He added that these seem to be one of the only instances where properties have been left out of the surrounding zoning. He then mentioned the two properties on the other end of Palmetto that were also left out of the development and asked if they would be given the same opportunity to come before the Commission to request a re-zone.

Ms. Sampson confirmed that based upon the situation and the surrounding zoning, those properties would be given the same opportunity.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

RESULT:	APPROVED [5 TO 0]
MOVER:	Weldon Taylor, Commissioner
SECONDER:	Mike Axelrad, Commissioner
AYES:	Saikin, Axelrad, Gordon, Taylor, Stiggins
ABSENT:	Skinner
RECUSED:	Steinberg

- B. Approval of the Commission's Report and Recommendation to City Council regarding the request to re-zone the properties at 5217 & 5221 Palmetto.

Staff informed the Commission that a draft had been prepared and could be revised by the Commission as it deems necessary.

The Commissioners asked that the comment regarding the Comprehensive Plan be added.

Staff assured the Commission that a paragraph for consideration would be added that would detail the Commission's discussion.

RESULT:	ADOPTED AS AMENDED [5 TO 0]
MOVER:	Mike Axelrad, Commissioner
SECONDER:	Weldon Taylor, Commissioner
AYES:	Saikin, Axelrad, Gordon, Taylor, Stiggins
ABSENT:	Skinner
RECUSED:	Steinberg

VI. COMMITTEE REPORTS

There were no committee reports.

VII. CORRESPONDENCE

There was no correspondence.

VIII. REQUESTS FOR NEW BUSINESS, ANNOUNCEMENTS AND COMMENTS

- A. **Staff liaison report on the status of projects previously addressed by the commission as well as projects for future meetings.**

Ms. Sampson reminded the Commission that there will be a training session on Thursday, November 16th. She added that during the training, staff will have a conversation with the Commission on the topics that have been brought forward as new business items. Ms. Sampson stated that during that time, staff would like for the Commissioners to determine which of the topics are priorities and which can be put to the side for the time being. She informed the Commission that the items on that list are as follows:

1. Potential changes to the Bellaire Boulevard Estate Overlay District
2. Regulations regarding parking garages in commercial zoning districts
3. The incorporation of the Beautification Master Plan into the Comprehensive Plan
4. The Commission's participation in the Floodplain Mitigation Plan

- B. **The Chairman shall recognize any Commissioner who wishes to bring New Business to the attention of the Commission. Consideration of New**

Sec. 24-533. - R-4 Residential District.

- A. *Purpose.* The R-4 Residential District is a medium density residential area characterized by the zoning requirements set forth in this Section.
- B. *Uses.*
- (1) *Permitted uses:*
 - a) Single-family dwellings;
 - b) Public parks; and
 - c) Utilities:
 - 1) Local utility distribution lines;
 - 2) Telephone lines and related cross connecting points;
 - 3) Accessory uses, subject to the requirements of Section 24-510;
 - d) Home occupations, subject to the requirements of Section 24-517;
 - e) Facilities owned and maintained by the City; and
 - f) Deleted. (Ord. No. 89-009, § 1, 3-6-1989)
 - (2) *Specific uses:*
 - a) Schools; and
 - b) Churches. (Ord. No. 81-067, § 3, 1981)
- C. *Standard regulations:*
- (1) *Residential structures.*
 - a) *Size and area:*
 - 1) *Minimum lot area:* 5,000 square feet;
 - 2) *Maximum lot coverage:* For lots having an area equal to or less than seven thousand (7,000) square feet: Sixty (60) percent of lot area. Maximum lot coverage for lots having an area greater than seven thousand (7,000) square feet: the greater of four thousand two hundred (4,200) square feet or fifty-five (55) percent of lot area. (Ord. No. 89-009, § 1, 3-6-1989; Ord. No. 07-074, § 2(Exh. A), 12-3-2007)
 - 3) *Minimum lot depth:* 100 feet;
 - 4) *Maximum building height:* 2½ stories not to exceed twenty-five (25) feet to the top plate of the second story and thirty-five (35) feet six (6) inches at any ridge pole. Height measurements shall be from the top of the lowest level of the top of the foundation of the heated or air conditioned building enclosed within the outer walls of the structure. Cooling towers, chimneys, radio and television antennas, and vent stacks may extend to a height not to exceed forty (40) feet above the average level of the base of the foundation of the building. Radio communication antennas for non-commercial service may not exceed sixty (60) feet above the average level of the base of the foundation of the building. (Ord. No. 01-006, § 4(24-533C(1)(a)4), 1-15-2001; as amended by Ord. No. 04-034, § 2(24-533C(1)(a)4), 6-7-2004)
 - 5) *Minimum floor area per dwelling unit:* 1,100 square feet;
 - 6) *Minimum required yards:*
 - a. *Front yard:* Twenty-five (25) feet;

- b. *Side yard:* Eight (8) feet for lots having a width greater than ninety (90) feet and six (6) feet for lots having a width greater than seventy (70) feet and equal to or less than ninety (90) feet and five (5) feet for lots having a width less than seventy (70) feet, provided that on a corner lot, both street exposures shall be treated as front yards on all lots platted after the date of enactment of this chapter, except that where one street exposure is designated as a side yard by a building line shown on a plat approved by the Planning and Zoning Commission, containing a side yard of ten (10) feet or more, the building line provisions on the plat shall be observed. On lots which were official corner lots of record prior to the date of enactment of this chapter, the minimum side yard adjacent to the side street shall be ten (10) feet. For any accessory structure, there shall be a side yard of not less than three (3) feet from any interior side lot line which such accessory structure is located in the rear of the lot (which is to the rear of a line connecting the midpoints of the two opposite side lot lines). When any part of an accessory structure is located in front of the line connecting the two midpoints of the two opposite side lot lines, then the same side yard as specified for the main building is required; (Ord. No. 81-006, § 6, 2-23-1981; Ord. No. 89-009, § 1, 3-6-1989; Ord. No. 07-074, § 2(Exh. A), 12-3-2007)
 - c. *Architectural features:* the outermost point of architectural features (roof eaves, fireplaces and/or chimneys or bay windows, excluding fireplaces which are attached to the ground) projecting from the side building line shall be a minimum of three (3) feet from the side property line. No other projection from the side building line shall be permitted. (Ord. No. 91-012, § 19, 3-4-1991)
 - d. *Rear yard:*
 - 1. For the main residential structure, ten (10) feet from the rear property line;
 - 2. For any accessory structure, five (5) feet from the rear property line;
 - 3. In computing rear yard, all measurements shall be made from the rear property line as shown on the plat properly filed for record in the office of the County Clerk of Harris County, Texas. (Ord. No. 91-012, § 9, 3-4-1991)
- 7) *Maximum lot coverage:* 60 percent of lot area. (Ord. No. 89-009, § 1, 3-6-1989)
- b) *Parking.* Two (2) on-site spaces per dwelling unit, subject to the requirements of Section 24-514.
- (2) *Nonresidential structures.*
- a) *Reserved.*
 - b) *Reserved.*

(Ord. No. 82-020, § 19, 3-29-1982; Ord. No. 07-074, § 2(Exh. A), 12-3-2007; [Ord. No. 14-041, § 1, 8-18-2014](#))

Sec. 24-534. - R-5 Residential District.

- A. *Purpose.* The R-5 Residential District is a medium to upper medium density residential area characterized by the zoning requirements set forth in this Section.
- B. *Uses:*
- (1) *Permitted uses:*
 - a) Single-family dwellings;
 - b) Public parks;
 - c) Utilities:
 - 1) Local utility distribution lines;
 - 2) Telephone lines and related cross connecting points;
 - d) Accessory uses, subject to the requirements of Section 24-510;
 - e) Home occupations, subject to the requirements of Section 24-517;
 - f) Facilities owned and maintained by the City; and
 - g) Planned Development: Residential.
 - (2) *Specific uses:*
 - a) Schools; and
 - b) Churches. (Ord. No. 81-067, § 4, 1981)
- C. *Standard regulations:*
- (1) *Residential structures:*
 - a) *Size and area:*
 - 1) *Minimum lot area:* 5,000 square feet;
 - 2) *Minimum lot width:* 50 feet;
 - 3) *Minimum lot depth:* 100 feet;
 - 4) *Maximum building height:* 2½ stories not to exceed twenty-five (25) feet to the top plate of the second story and thirty-five (35) feet six (6) inches at any ridge pole. Height measurements shall be from the top of the lowest level of the top of the foundation of the heated or air conditioned building enclosed within the outer walls of the structure. Cooling towers, chimneys, radio and television antennas, and vent stacks may extend to a height not to exceed forty (40) feet above the average level of the base of the foundation of the building. Radio communication antennas for non-commercial service may not exceed sixty (60) feet above the average level of the base of the foundation of the building. (Ord. No. 01-006, § 5(24-534C(1)(a)4), 1-15-2001; as amended by Ord. No. 04-034, § 2(24-534C(1)(a)4), 6-7-2004)
 - 5) *Minimum floor area per dwelling unit:* 1,100 square feet;
 - 6) *Minimum required yards:*
 - a. *Front yard:* Twenty-five (25) feet;
 - b. *Side yard:* Eight (8) feet for lots having a width greater than ninety (90) feet and six (6) feet for lots having a width greater than seventy (70) feet and equal to or less than ninety (90) feet and five (5) feet for lots having a width of less than

seventy (70) feet, provided that on a corner lot, both street exposures shall be treated as front yards on all lots platted after the date of enactment of this chapter, except that where one street exposure is designated as a side yard by a building line shown on a plat approved by the Planning and Zoning Commission, containing a side yard of ten (10) feet or more, the building line provisions on the plat shall be observed. On lots which were official corner lots of record prior to the date of enactment of this chapter, the minimum side yard adjacent to the side street shall be ten (10) feet.

For any accessory structure, there shall be a side yard of not less than three (3) feet from any interior side lot line when such accessory structure is located in the rear of the lot (which is to the rear of a line connecting the midpoints of the two opposite side lot lines). When any part of an accessory structure is located in front of the line connecting the two midpoints of the two opposite side lot lines, then the same side yard as specified for the main building is required; (Ord. No. 81-006, § 6, 2-23-1981; Ord. No. 89-009, § 1, 3-6-1989; Ord. No. 07-074, § 2(Exh. A), 12-3-2007)

- c. *Architectural features:* the outermost point of architectural features (roof eaves, fireplaces and/or chimneys or bay windows, excluding fireplaces which are attached to the ground) projecting from the side building line shall be a minimum of three (3) feet from the side property line. No other projection from the side building line shall be permitted; (Ord. No. 91-012, § 20, 3-4-1991)
- d. *Rear yard:*
 - 1. For the main residential structure, ten (10) feet from the rear property line;
 - 2. For any accessory structure, five (5) feet from the rear property line; and
 - 3. In computing rear yard, all measurements shall be made from the rear property line as shown on the plat properly filed for record in the office of the County Clerk of Harris County, Texas. (Ord. No. 91-012, § 10, 3-4-1991)

7) *Maximum lot coverage:* 55 percent of lot area. (Ord. No. 89-009, § 1, 3-6-1989)

- b) *Parking.* Two (2) on-site spaces per dwelling unit, subject to the requirements of Section 24-514.

(2) *Nonresidential structures:*

- a) *Reserved.*
- b) *Reserved.*

D. *Planned Development: Residential.* Planned developments may be approved in this District under the amendatory procedures of this chapter, subject to the following restrictions and limitations.

(1) *Size and area:*

- a) *Project area:* A planned development in an R-5 Residential District shall have a minimum site of two (2) acres except in the event that a site of less than two (2) acres is bounded on two or more sides by town homes. In the latter instance the minimum size and area shall be that which is designated on the approved plat of the planned development. In either event the project area shall have a minimum average equivalent lot size of 5,000 square feet; (Ord. No. 82-020, § 20, 3-29-1982)
- b) *Maximum building height:* 2½ stories, except that cooling towers, roof gables, chimneys, radio and television antennas and vent stacks may extend for an additional height, the total not to exceed forty (40) feet above the average level of the base of the foundation of the building. Radio communications antennas for non-commercial service may not exceed sixty (60) feet above the average level of the base of the foundation of the building;

c) *Minimum floor area per dwelling unit:* 1,550 square feet;

d) *Building lines:*

- 1) The front building line shall be set back a minimum of ten (10) feet from any new street right-of-way dedicated as part of the planned development district, except that in no case shall required parking obstruct pedestrian flow on the required sidewalk;

The front building line facing an existing public street shall be set back from the public street right-of-way a minimum distance, which shall be determined by computing the average distance between the outermost surface of the existing main buildings on the two (2) abutting lots and the edge of the public street right-of-way.

In the event that the front building line faces a court, as that term is defined herein, there shall be a minimum separation between front building lines of forty (40) feet with at least ten (10) feet of yard space from the front of the building to the property line and twenty (20) feet for a public utility easement, for pedestrian access as well as utilities between the property lines;

- 2) No building line of any structure within the planned development district shall be located any closer than six (6) feet from the side lot line of any residential lot adjacent to the planned development district. In the event that any portion of the planned development site includes a corner lot, no such building line shall be located any closer than ten (10) feet to the right-of-way of the adjacent side street, designated as such on the approved plat of the planned development. Within the interior of the planned development district, zero lot lines are permitted for adjacent residential units; but in the event that the main residential units are separated, a minimum of eight (8) feet must be maintained between units;
- 3) No building line of any structure within the planned development district shall be located any closer than ten (10) feet to the rear lot line of any adjacent residential lot;
- 4) No contiguous building lines of structures having zero lot lines shall exceed two hundred (200) linear feet; and
- 5) In no case shall any building line of any structure within the planned development district be located nearer than ten (10) feet to the street right-of-way of Bellaire Boulevard.

f) *Maximum site coverage:* 60 percent of site area.

- (2) *Parking and driveways.* Each home within the planned development district shall have a two (2) car garage; driveways shall be of such design as to accommodate two (2) vehicles totally on site. Within the planned development district, two (2) garages of neighboring dwelling units may share a common wall on a common lot line so long as the required eight (8) foot minimum distance is maintained between separated main residential structures;
- (3) *Screening.* Screening shall be required between the planned development district and abutting property in commercial use, according to the specifications set forth in Section 24-513 of Division 1 of this Article;
- (4) *Landscaping.* In addition to that landscaping which may be an integral part of the screening herein required, landscaping shall also be required for the purpose of providing an acceptable transition between the planned development district and surrounding lower density residential development.

(Ord. No. 07-074, § 2(Exh. A), 12-3-2007; [Ord. No. 14-041, § 1, 8-18-2014](#))

CITY OF BELLAIRE
STANDARD ZONING REGULATIONS

NOTE: THE BUILDER IS RESPONSIBLE FOR CHECKING FOR DEED RESTRICTIONS

	R-1	R-3	R-4	R-5
MINIMUM LOT AREA	14,000 SQ. FT.	7,400 SQ. FT.	5,000 SQ. FT.	5,000 SQ. FT.
MINIMUM LOT WIDTH	80 FT.	60 FT.	50 FT.	50 FT.
MINIMUM LOT DEPTH	125 FT.	100 FT.	100 FT.	100 FT.
MAXIMUM BUILDING HEIGHT	2 ½ STORIES *****	2 ½ STORIES*****	2 ½ STORIES*****	2 ½ STORIES*****
MINIMUM FLOOR AREA	1,600 SQ. FT.	1,250 SQ. FT.	1,100 SQ. FT.	1,100 SQ. FT.
FRONT YARD SETBACK	50 FT.	30 FT.	25 FT.	25 FT.
SIDE YARD SETBACK Main Structure & Attached Accessory Structure	8 FT.	6 FT. (LOTS <= 90' WIDTH) 8 FT. (LOTS > 90' WIDTH)	5 FT. (LOTS < 70' WIDTH) 6 FT. (LOTS > 70' WIDTH & EQUAL TO OR < 90' WIDTH) 8 FT. (LOTS > 90' WIDTH)	5 FT. (LOTS < 70' WIDTH) 6 FT. (LOTS > 70' WIDTH) 8 FT. (LOTS > 90' WIDTH)
SIDE YARD SETBACK FOR:				
ARCHITECTURAL FEATURES (BAY WINDOW, ROOF EAVES)**	3 FT.	3 FT.	3 FT.	3 FT.
DETACHED ACCESSORY STRUCTURE***				
CORNER LOT	10' ON SIDE ST.	10' ON SIDE ST.	10' ON SIDE ST.	10' ON SIDE ST.
INTERIOR LOT	3 FT.	3 FT.	3 FT.	3 FT.
DRIVEWAY	2 FT.	2 FT.	2 FT.	2 FT.
REAR YARD SETBACK HOUSE and ATTACHED ACCESSORY STRUCTURE***	10 FT.	10 FT.	10 FT.	10 FT.
DETACHED ACCESSORY STRUCTURE***	5 FT.	5 FT.	5 FT.	5 FT.
MAXIMUM LOT COVERAGE*****	55%	55%	LOTS < OR EQUAL TO 7000 SF : 60% LOTS > THAN 7000 SF: 4200 SF OR 55%	55% 60% on Planned Dev
ON-SITE PARKING PER DWELLING UNIT	2	2	2	2

*Exception – TV antennas 40 ft. & radio communication antennas 60 ft. from top of natural grade

** Fireplaces and Balconies are not architectural features

***Accessory structures include storage buildings, garages, and swimming pools

****Anything placed on a lot: house/garage footprint, driveways, sidewalks, patios, paved decks, (50% wooden decks), storage buildings

*****Maximum ridge height 35'-6" from top of lowest air-conditioned floor – second story top plate maximum 25 ft.

4.2011

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Council Minutes
November 1, 1967

The regular meeting of the Bellaire City Council was held in the Council Room of the City Hall, 308 South Rice Avenue, at 7:00 P.M. on November 1, 1967.

Present: Mayor Rouse, Councilmen Kelly, Geyer, Watts, Holmes, Carl and Webster, City Manager Summers, City Attorney Strong and City Clerk Gallagher.

The meeting was called to order by Mayor Rouse and a passage of scripture was read by Councilman Geyer. The minutes of the last regular meeting of October 16 were approved as submitted by a motion made by Councilman Kelly, seconded by Councilman Geyer and carried; all Councilmen voting favorable with the exception of Councilman Holmes, who had been absent from the October 16th meeting.

ZONING - TOWNHOUSES - BROUSSARD

A letter was read by Mayor Rouse from Mr. W. C. Broussard, asking for a joint hearing before the Planning and Zoning Commission and the City Council for the purpose of erecting townhouse units, both for sale and for rent on the following properties: The rental townhouse units at 5100 Linden and 5122-24 Linden. Those for sale on Lots 4 through 8, Block 41, which is on the south side of 4900 block of Palmetto.

City Attorney Strong stated that before a joint hearing could be held by these two bodies over this request for rezoning, there must be a preliminary hearing held before the Planning Commission and then a report must be given to the Council on their findings. He also stated that there was nothing in this communication which indicated or showed that Mr. Broussard was the owner of this property or that he had an option to buy the proposed land on which he wished to erect the townhouse units.

Mr. Broussard, being present, was asked why he had changed pieces of property from the ones discussed at a preliminary meeting with the Planning Commission. He stated that he had been unable to buy that land, but that he had put down earnest money and had an option on the land stated in his letter of request.

After further discussion, Councilman Carl made the motion, seconded by Councilman Geyer, that the matter be referred to the Planning Commission for their consideration and this motion carried unanimously.

CITY MANAGER'S EMPLOYMENT EXTENDED

Mr. Gary Summers, who has been the City Manager for the City of Bellaire for the last 14 years and upon November 5th would reach the age of 65, which would automatically, according to the pension plan for the city, call for his retirement, was asked to remain as City Manager. City Attorney Strong presented an ordinance calling for the continued employment of Mr. Summers as City Manager for the City of Bellaire. Councilman Watts made the motion, seconded by Councilman Carl, that Ordinance No. 1594 be adopted, consenting to the continued employment of Mr. Summers. This motion carried unanimously.

AN ORDINANCE CONSENTING TO THE CONTINUED EMPLOYMENT OF GARY O. SUMMERS AS CITY MANAGER OF THE CITY OF BELLAIRE, TEXAS.

EASEMENT CONVEYANCE - GRAND LAKE - BRANDSTETTER

The City Attorney presented a conveyance of easement and right-of-way for a part of Lot 56, Block 17, Westmoreland Farms Amended First Subdivision in the City of Bellaire, according to the map and plat recorded in Vol. 3, page 60 of Map Records of Harris County. This easement had previously been given by Mr. C. M. Sienkiewicz. This easement was returned to Mr. Jay M. Brandstetter, the new owner of the property in return for a 14 ft. easement across the back of his lot.

The necessity for this exchange of easements was brought about by the fact that Mr. Brandstetter had bought an extra 10 ft. on the back of his lot and wished the easement to be moved to the back line.

Councilman Watts made the motion, seconded by Councilman Carl, that the Mayor and City Clerk be authorized to execute this conveyance of easement and this motion carried unanimously.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Council Minutes
February 12, 1968

A public hearing was held in the Council Room of the City Hall, 308 South Rice Avenue at 7 P. M. on February 12, 1968 by the Bellaire City Council and the Planning and Zoning Commission.

Present: Mayor Rouse, Councilmen Holmes, Watts, Carl, Geyer, Kelly and Webster, City Manager Summers and City Clerk Gallagher. Planning Commission members present were: Broesche, Emmott, Lingo, McKinney and Randolph.

The meeting of the Council was called to order by Mayor Rouse and Chairman Broesche called the Planning Commission to order.

ZONING - TOWNHOUSES - BROUSSARD

Mayor Rouse opened the hearing by outlining the order of procedure on this hearing and read the following notice "Subdividing of Lots 11, 12, 13, 18, 19 & 20, Block 16 Westmoreland Farms Amended First Subdivision, to permit Townhouse units. The above is the block bounded by 5th, Palmetto, Ferris and Elm Streets.

Resubdivide Lots 4 through 8, Block 41, City of Bellaire, located south-side of 5200 block of Palmetto, to permit townhouses.

A letter of recommendation from the Planning Commission, written on Jan. 15, 1968, was read by Mayor Rouse, which advised that the Council grant use of the 25 ft. wide north-south alley between lots 6 and 7, Block 41, to be improved for right-of-way at the builder's expense. Also recommended a 4 hour fire rate separation on all units, whether for rent or sale, with option of two 4" masonry or one 8" masonry wall between townhouses. They further recommended that the application be granted with the above changes and a final hearing with the City Council be held at an early date."

Mayor Rouse then called for the one who was going to present the plans for this development and Mr. W. C. Broussard came forward, giving the Council some preliminary plans and sketches of the proposed townhouses.

Mr. Broussard stated he would first like to talk about the townhouses to be built on Lots 4-8 on the south side of Palmetto St. He would first like to build 5 townhouses on lots 7 and 8 and then 8 units on lots 4, 5 and 6. These townhouses would be set back 30 ft., being the same set back as the residences in this block.

Mr. Broussard then explained his plans for the townhouses that would be placed on the block bounded by Elm, Ferris, Palmetto and Fifth Streets. On this property he plans to put 128 units. He likewise will put 6 ft. of concrete paving in front of these townhouses facing Palmetto, making a total paved street width of 32 ft. The drainage of this property would be provided by storm sewers, leading into the Elm Street culvert.

The carport areas of these townhouses would be paved and on Ferris and Elm Sts. there would also be 6 feet of hot topping to match the paving that is there now, thus widening these streets and making for a little more parking room.

Councilman Webster inquired of Mr. Broussard as to the size of these lots on the south side of Palmetto. They are about 16 ft. wide and 135 ft. deep.

Councilman Watts asked what was the width of Palmetto Street in this block and Mr. Broussard said he was not sure but thought it was about 20 ft. wide, but with the paving of 6 ft. on both sides there would be a much wider street. Mr. Broussard did say at this time that he would only be paving that area in front of his townhouses on lots 4, 5, 6, 7, & 8, Block 41, with the 6 ft. strip and the other property owners would have to do their own extensions if they wanted them.

When Mr. Webster inquired about the sizes of these townhouses, Mr. Broussard said the smallest one would have 1200 sq. ft. of living area. Councilman Geyer inquired as to the cost of these townhouses and Mr. Broussard replied from

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Council Minutes
February 12, 1968

\$22,000 to \$35,000, depending upon the size, which ranges from 1200 sq. ft. to 1750 sq. ft. This would not include the storage area, the carport area, nor the patio.

Councilman Watts questioned whether Mr. Broussard had allowed for adequate parking under the carport for two cars and Mr. Broussard said it was sufficient for two. He stated that an overhead door company had a 14 ft. door, which was for garages that held two cars. Mr. Watts said that this must be for straight in parking and he was wondering if there was adequate turn-in space.

Mr. Broussard said that the townhouses on the south side of Palmetto would be for sale but those on the north side would be for lease and they would have their own garbage pickup service and maintenance. This would be provided by a separate agreement, which the people would sign at the time they took the lease.

Councilman Webster inquired as to the amount of concrete used in the street paving and Mr. Broussard answered that 6" of concrete would be used, which he stated was according to Bellaire's specifications.

When Mr. Broussard was confronted with his plans for building sidewalks, he replied that there was not a sidewalk planned for the south side of Palmetto, but that there would be a sidewalk on three sides of the big block, which was bounded by Elm, Ferris and Palmetto. Fifth St. would have no sidewalk.

Mr. Broussard said that the Crons, who were the owners of this land, intended to keep their own home here and there would be a concrete street 40 ft. wide with sidewalks all along, which would surround the Cron property, making an access from Palmetto to the inside townhouses. Along here he would put curb and gutter and deed this street to the City.

The townhouses that would face Palmetto on the north side would be built on the property line and the sidewalks would be on city easement.

Along Fifth Street, Mr. Broussard would put in a storm sewer, which would be adjacent to his property and it would drain into a large storm sewer on Elm Street. He planned to put a hot topping 40 ft. wide on Fifth Street, which would provide side parking and better access to the townhouse units from this side.

Councilman Watts inquired of Mr. Broussard where he planned to put his visitor parking and Mr. Broussard replied that other than the 6 ft. extension of paving, he had provided for the parking of only 2 cars per unit. It was further figured out that since these townhouse lots were only 16 ft. long, there would only be an average parking for 2½ cars per unit.

Councilman Webster asked what type of construction was going to be used on these buildings and Mr. Broussard replied that they would have 8" steel studs with a 5/8" fire wall and this would be of soundproof material. One townhouse would be all brick and the next one would have brick half way up with wood the remainder and it would be this way the length of the project.

Councilman Geyer then inquired as to the kind of roof line and Mr. Broussard said there would be a common roof, with steel studs going up through it. He also said that the back of the apartments or townhouses would be the same as the front. He further stated that he would submit an engineer's plan for sewage and drainage should the Council grant him permission to build these units.

When it was inquired of Mr. Broussard again as to the sale of these townhouses, he replied that he would sell the ones on the south side of Palmetto but those that would be built on the Cron property would be for lease. Mr. Broussard said that he had tried to minimize the parking problems, he had provided for the area to be well lighted, there would be sidewalks and storm sewers, making for better drainage and he was trying to upgrade the property by building nice units here.

A discussion then followed about the size of lots and units, and it was again stated as before.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Council Minutes
February 12, 1968

Councilman Webster inquired as to what was the smallest unit on the south side of Palmetto, as far as land was concerned. Mr. Broussard said about 16 ft. in front and 135 ft. back. The ones planned for the large tract of land would be from 16 ft. to 20 ft. in width, depending upon the size needed and they would face on an open courtyard.

Councilman Watts asked if Mr. Broussard was not going with the concept of apartments rather than townhouses. He said he felt townhouses had a different kind of roof structure and that they were erected individually. When it was asked as to the kind of heating and air conditioning, Mr. Broussard said that each one would have his own individual unit.

Councilman Webster said he had figured that each unit had about 1400 sq. ft. of land and if the Council was comparing these townhouse requirements to the ones that we now have in our zoning law for apartments, then these units are in excess to those law requirements.

Mr. Broussard said he would be putting in two swimming pools, one of these being a wading pool. There would be a grassed recreation area, fenced off from the Cron property. Mr. Broussard further stated that Palmetto, Ferris and Elm Streets would be curbed and guttered but that Fifth Street would not be curbed. A large storm sewer would go down Fifth Street, leading into Elm St. culvert for drainage purposes and there would be another storm sewer through the center of the large block, which would drain the property and this too would go to the Elm Street box.

Councilman Kelly inquired the lease price of these townhouses and the reply was from \$200 to \$245 per month, with utilities paid.

Mayor Rouse then asked if there was anyone in the audience who had any questions to ask of Mr. Broussard.

Dr. Manuel Chavez of 5122 Evergreen asked how much would be charged for the townhouses, to which Mr. Broussard again replied \$200 to \$245 including utilities. The following questions and answers were given by these two men:

Question: How many people do you contemplate having in each unit?

Answer: The average is 3 persons per unit.

Question: Did you plan for adequate recreational area?

Answer: There will be two swimming pools, one a wading pool, and playground area.

Question: How much grass did you provide?

Answer: Along the South side of Palmetto the units would have a 30 ft. front yard, which would be grass and in the back there would be paved areas. Those units in the large block would not have a grassed area in front but they would have a 16 ft. wide courtyard, as well as a designated recreational area in the center.

Mr. Hal Mulcahy of 5119 Palmetto asked how wide he intended to blacktop Fifth Street between Palmetto and Elm and Mr. Broussard said 40 ft. When asked if there would be any kind of culvert or drainage on the east side of Fifth St. adjacent to his property, which would drain all this area into the Elm St. culvert. Mr. Mulcahy stated that there was a 20 ft. concrete street on Palmetto and asked if he understood him right that he would be adding 6 ft. to each side. Mr. Broussard said that was right, thus making the street in front of lots 4, 5, 6, 7 & 8 thirty two ft. wide.

Mr. Mulcahy then inquired whether Mr. Broussard intended to open all of the alleyway between Beech and Palmetto, to which Mr. Broussard explained that he would open only the alley off Palmetto back to the rear of the townhouses and he would concrete this alleyway, making it 25 ft. wide.

Councilman Webster pointed out how this would be completed from the plans he presented.

Mr. Jesse L. Williams of 5210 Palmetto asked if the Council would let Mr. Broussard use this alleyway to get access to the easement in the rear and was told this alley could be used. Mr. Williams also said that his house had over 2,000 sq. ft. in it and he felt that this was not a small house, as Mr. Broussard had thought were in this neighborhood.

Mr. L. H. Bohn of 5217 Palmetto asked if there had been left a set back

Council Minutes
February 12, 1968

between the townhouses and the adjoining property. Mr. Broussard's reply was that there was a 5 ft. set back on the east and west sides of the townhouses, as provided by the laws of Bellaire.

Mrs. Cheer Greer of 116 Mulberry Lane asked if the city was set up in our water and sewer departments to care for these additional residences. Councilman Watts stated that he did not know as far as the present lines were concerned but did know that we had sufficient capacity at the sewer plant to care for this extra population. Mr. Broesche, Chairman of the Planning Commission, stated he had inquired of Mr. Coffman, Building Inspector, and that we did have adequate water and sewer lines up there.

Mrs. K. R. Scanlan of 5108 Palmetto asked about the fences that would separate the recreational area from the Cron's property as to who would maintain them. Mr. Broussard said these fences would be of redwood and they would be maintained by the perpetual funds, just as the buildings would be kept in good repair, etc.

There being no more questions of fact to be answered by Mr. Broussard, Mayor Rouse called for anyone who wished to speak in favor of the project.

Mr. Lon H. Cron, the owner of the large block, stated he had owned this property and maintained it for over 30 years. He and Mrs. Cron had now reached the years where they were unable to keep it in good condition and even though they intended to keep their home and live here, they were anxious to be free of the responsibility of such a large upkeep.

Mr. J. B. Henry who lives at 5125 Elm said he would be more affected by this zoning than anyone else, since he lives so close, but he did want to go on record as being in favor of this zoning change.

Mayor Rouse asked if there was anyone who wished to speak against the project.

Mr. Virgil Hancock of 4901 Bellaire Boulevard stated that this might be a good place to have townhouses but he would suggest to the Council that they defer any change in zoning until the city could have a master plan made.

Mr. Hal Mulcahy of 5119 Palmetto said he thought this project should be turned down until a thorough check could be made of the water and sewer lines. He felt this would put a tremendous load on the sewer system. He stated that even now he does not have sufficient water supply and especially does he suffer from a lack of water pressure almost every summer. He also expressed displeasure with the width of the street and felt parking would be a problem.

Dr. Manuel Chavez stressed quite profusely the need for more recreational facilities and the need for a complete study of Bellaire's zoning laws, using the comparison of a sick patient to the city and the need for a specialist.

Mr. Lon H. Cron said he had built this home in 1936 and intended to continue living here, but that they had tried to get many things done with this property and had found no one who wanted to build a house on Elm St. There were too many commercial enterprises across the street in Houston.

Mr. Broussard stated in reply to the people who were opposing this development that he thought something constructive must be done with this property. No one would build a home on this corner, with Houston being directly across the street and Bellaire must make a start if they want to upgrade the city. He felt what he had to offer in building good townhouses, widening the streets, putting in drainage pipes, etc. would certainly upgrade this land.

Mr. H. J. Greer of 116 Mulberry Lane stated that Bellaire had need of some planning for the rezoning and especially for plans for vacant areas. He did not see, however, why we should crowd so many people into such a small area; was it not economically feasible to have a larger space.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Mr. DeWitt VanSiclen of 4909 Bellaire Boulevard stated that he agreed Bellaire was going downhill and unless we got something done it would probably continue to go down. But he was wondering whether or not this would be spot zoning and asked if this was the way to go about making the changes. An overall plan should be made first, he said.

Mr. A. S. Ginzburg of 4520 Oleander asked what happens to the value in the neighborhood when townhouses are built, to which Mr. Broussard replied, "They go up."

Mr. Mulcahy asked to be put on record as against this proposition, and said that he felt these townhouses would be all right maybe while new, but they do go down and thus devalue the surrounding property.

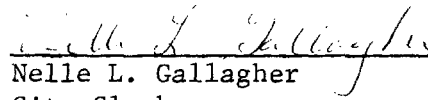
At this time Mr. Emmott made a motion, seconded by Mr. McKinney, that the hearing before the Planning Commission be closed.

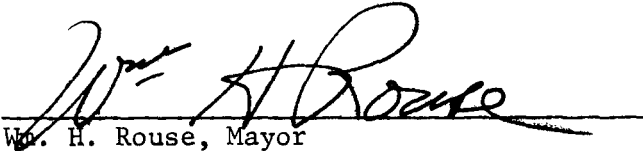
Before this was voted on, two persons asked to be heard, whose hands had been overlooked. Mrs. Scanlan said she thought this had been misrepresented by Mr. Broussard. At the first hearing, she said, it was said that all townhouses were to be constructed of brick, now only half of them would be all brick. She thought more play area was needed and stated she was concerned about all of Bellaire and thought this was the opening of rezoning in any area.

Dr. Chavez again wanted to stress that more playground area was needed.

Mayor Rouse then asked if there was anyone else who wished to speak concerning this project and there being none, the Planning Commission voted on their motion to close their hearing and it carried unanimously. Councilman Watts made a motion, seconded by Councilman Holmes, that the hearing be closed for the Council and this motion carried unanimously.

The meeting was adjourned.


Nelle L. Gallagher
City Clerk


Wm. H. Rouse, Mayor

Council Minutes
March 4, 1968

ZONING - BROUSSARD TOWNHOUSES

Mayor Rouse also read the letter from the Planning & Zoning Commission with their recommendation that the Council approve the construction of townhouses on lots 4-8, Block 41, with 4 hour fire rated masonry walls between each unit. They further recommended rejection of common wall rental townhouse units for lots 11, 12, 12, 18, 19 and 20, but would approve them provided they were governed by the aforementioned rules and regulations and further increase the width of the courts to 30 ft. and reduce the total number of units to 100.

ZONING - ZINDLER

When Mayor Rouse read the letter from the Planning & Zoning Commission recommending that the Zindler property be rezoned for a motel and office building, providing more car spaces are provided, Councilman Webster made a motion, seconded by Councilman Kelly, that the Council receive copies of the letters of recommendation from the Planning Board, so that they would have time to study these requests before taking any action. This motion carried unanimously.

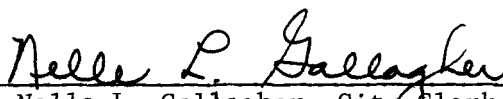
MASTER PLAN

At this time City Manager Summers stated that he had prepared a list of 75 different items of study that should be considered in this project of preparing a Master Plan for the City of Bellaire. He stated that maps were being prepared on water lines, sewer lines, traffic counts, recreational facilities, fire zones, fire routes, garbage routes, etc. He did say one interesting thing had been brought to his attention and that was the prediction that by 1975 there would be 140,000 cars a day pass the intersection of Interstate Highway 610 and Bellaire Boulevard and that 7,000 cars a day would leave the Freeway and come down the Bellaire Boulevard exit from the North. Mr. Summers stated that he had visited with a number of professional planners and had received many good ideas that he is carrying out.

INCINERATORS

Councilman Watts made a report on what he had done about the study for an incinerator. He stated that he had about 5 meetings with engineers and they were now looking over the contract that he hoped to be able to bring to the Council at a later date. Mr. Watts said he had learned several interesting things about the building of incinerators, one of which is dual furnaces, etc. but as soon as he could get a contract that he thought the Council might want to consider he would bring it to the Council table.

There being no further business the meeting was adjourned by a motion duly made, seconded and carried.


Nelle L. Gallagher, City Clerk


Wm. H. Rouse, Mayor

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Council Minutes
March 18, 1968

The regular meeting of the Bellaire City Council was held in the Council Room of the City Hall, 308 South Rice Avenue, at 7 P.M. on March 18, 1968.

Present: Mayor Rouse, Councilmen Geyer, Webster, Watts, Holmes, Carl and Kelly, City Manager Summers, City Attorney Strong and City Clerk Gallagher.

The meeting was called to order by Mayor Rouse and a passage of scripture was read by Councilman Watts. The minutes of the last regular meeting of March 4, 1968 were approved as submitted by a motion made by Councilman Kelly, seconded by Councilman Carl and carried 6-0, with Councilman Holmes abstaining from voting, since he had been absent from that meeting.

CIVIL EMERGENCY - RIOTS

The Council had previously studied an ordinance, which would give the Mayor the authority to proclaim a civil emergency in the interest of public safety and welfare and City Attorney Strong presented this ordinance for adoption. Councilman Watts made the motion, seconded by Councilman Holmes, that the civil emergency ordinance be adopted and this motion carried unanimously.

ORDINANCE NO. 1621

AN ORDINANCE DEFINING CIVIL EMERGENCY; CURFEW; PROVIDING FOR PROCLAMATION OF SUCH EMERGENCY; AUTHORIZING THE ISSUANCE OF ORDERS BY THE MAYOR, CLOSING ESTABLISHMENTS WHERE ALCOHOLIC BEVERAGES OR BEER ARE SOLD OR CONSUMED; DISCONTINUING THE SALE OR DISTRIBUTION OF FLAMMABLE LIQUIDS, FIREARMS AND AMMUNITION; PROVIDING FOR SEVERABILITY; AND PROVIDING A PENALTY BY FINE OF UP TO \$200.00 FOR VIOLATIONS OF SUCH ORDINANCE, OR OF ANY ORDER ISSUED PURSUANT THERETO.

ZONING - TOWNHOUSES - VANSICKLE

The Council again took under consideration the recommendation of the Zoning and Planning Commission for the rezoning of the property at Locust and Newcastle for the erection of townhouses by Mr. Vansickle. Mayor Rouse read the recommendation of the Commission, which asked the Council to approve the request for reduced alleyways, provided the other side of the lot have a 50 ft. right-of-way with a 35 ft. paved street in front and that the alleys be 27 ft. of concrete without curbs and gutters, but properly designed with catch basins and storm sewers. The Commission also recommended a four hour fire resistant masonry wall between each unit, to be placed on one lot or the other or on the property line.

It was brought out that Mr. Vansickle had made a second request and was now asking for only a 20 ft. paved alley. Councilman Carl said he would not be in favor of a 20 ft. alley but thought it should be at least 27 ft. as recommended by the Planning Commission.

After discussing the maintenance of the ground abutting the paved alleys, as well as the convenience for working on utility lines, and the problems that would arise by having them reduced in size, Mayor Rouse, asked for a show of hands of the Council for requiring the alleys to be 27 ft. wide and the entire Council wanted this restriction placed on the property.

The next issue that was discussed concerning the construction of these townhouses, was the four hour fire resistant masonry walls, which the Council unanimously agreed upon. Councilman Geyer made the motion, seconded by Councilman Kelly, that approval of the recommendation as submitted by the Planning and Zoning Commission for the amending of the townhouse ordinance, be adopted, which will require a 27 ft. paved alley without curbs and gutters but facing on a 50 R.O.W., which will have a 35 ft. paved street that has curbs and gutters. Adequate catch basins and storm sewers must be provided, as well as four hour fire resistant masonry walls. This motion carried unanimously.

ZONING - TOWNHOUSES - BROUSSARD

Mayor Rouse read again from the Planning Commission's recommendation concerning the five lots on the South side of the 5200 block of Palmetto, which approved the townhouse construction as submitted, provided they have a 4 hour fire rated masonry wall between each unit and have a minimum lot width of 18 ft.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Council Minutes
March 18, 1968

After discussing the easements that had been provided, the width of the street paving, and the paving of the alley which would give access to the rear of the townhouses, Councilman Webster made a motion, seconded by Councilman Geyer, that the Council grant the request as submitted with the change that the additional paving on the south side of Palmetto be 8 ft. and include curbs, instead of 6 ft. and with the condition that the alleyway be 25 ft. paved with concrete. This motion carried unanimously.

Then Mayor Rouse read the Planning Commission's recommendation concerning the request for the use of lots 11, 12, 13, 18, 19 and 20, Block 16, Westmoreland Farms Amended First Subdivision, which is on the north side of Palmetto Street and bounded by Ferris, Elm and Fifth Streets. This recommendation rejected a common wall rental townhouse for the property but did approve of townhouses on these lots provided they be governed by the rules and regulation of the ones on the south side of Palmetto and that the courtyard be widened to 30 ft. and the total number of units be reduced to 100.

Councilman Watts stated that he thought the first thing that should be settled is in the defining of townhouses and that Mr. Broussard had only presented plans for apartments. He felt the Council's idea of townhouses was individually standing units and the plans that Mr. Broussard had presented did not show this to be the case. Mayor Rouse then asked that the Council express themselves for the permitting of apartments on this land and Councilman Carl made a motion, seconded by Councilman Geyer, that any application for apartments be rejected and this motion carried with Councilman Watts, Webster and Kelly voting against. Then the discussion arose as to whether the requirements as presented in Ordinance No. 1592, which was the original townhouse ordinance, could not apply to this property.

Councilman Watts made the motion, seconded by Councilman Holmes, that the application for townhouses be granted with the only exception to the original townhouse ordinance being that the lots be 18 ft. in width and there be a sidewalk around the perimeter of the property and that $\frac{1}{2}$ of Ferris, Elm and Fifth Street be paved by the owner with a minimum of 18 ft. and that there be 8 additional feet of paving on the north side of Palmetto. Councilman Holmes amended this motion, which was seconded by Councilman Webster that the parking spaces or garages have an external dimension of 18 x 20 ft.

This motion and amendment carried 6-1 with Councilman Geyer dissenting.

ZONING - ZINDLER - MOTEL & OFFICE BUILDING

Mayor Rouse opened the discussion of the Zindler rezoning by asking the Council to study carefully the parking ratio to be sure adequate parking is provided for this property. Councilman Holmes said he would not be in favor of placing it in Zone "O", the business district zone, which he said included everything, from hamburger stands, to filling stations.

A rather lengthy discussion followed about the parking problem, with it being brought out that the plans now show that there would be parking for 452 cars; one for each 300 ft. of rentable office space, one car per each motel room, 19 for the meeting room or restaurant and 8 spaces for cabs. Councilman Watts stressed that the Council should consider the dual parking spaces, or in other words, he felt that when the office building was occupied in the daytime, the motel would not be in need of so many parking spaces, and vice versa. After trying to decide the proper parking ratio, it was the consensus of opinion of the Council that if one space was provided for each motel room, plus 15% of motel only, that this would probably be adequate.

Councilman Carl made the motion that a special district be created for the property as described in the application for use as an office building, restaurant, and high rise motel or hotel; the office building not less than 6 floors and the motel or hotel contain not less than 150 rental units and further permission to build a restaurant and public meeting room or convention center to be built in conjunction with the office building and motel, requiring a masonry screening wall as set forth in the application with the requirement of one parking space for each 250 sq. ft. of net rental area in the office building. All structures to comply with the recommended No. 1 Fire Zone and the improvements to conform architecturally with the style and design as presented in the

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Council Minutes
February 4, 1969

A Special Meeting of the Bellaire City Council was called by Mayor Rouse at 5:00 P.M. on Tuesday, February 4, 1969 at the Bellaire City Hall, 308 South Rice Avenue.

Present: Mayor Rouse, Councilmen Webster, McKinney, Gohlke, Milwee and Randolph, City Manager Summers and Acting City Clerk Heffington.

Absent: Councilman Kelly

The meeting was called to order by Mayor Rouse for the purpose of considering a proposal by Mr. W. C. Broussard for the laying of water lines and storm sewer drainage for lots A through L of Palmetto Square, a replat of and previously called Lots 4 through 8, Block 41, City of Bellaire, located on the southside of the 5200 block of Palmetto.

Councilman Webster made a motion that Tom Heffington be named Acting City Clerk in the absence of the Regular City Clerk. This motion was seconded by Councilman McKinney and passed unanimously.

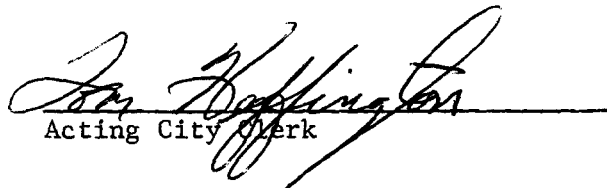
Mr. Summers presented a letter, which is attached hereto, from Mr. W.C. Broussard in which he proposed to pay \$675.00 to the City of Bellaire which was the full cost of laying a 6 inch water line 100 ft. to serve lots A through L of Palmetto Square, City of Bellaire Addition. He also proposed to pay for a 24 inch storm sewer to be constructed on the north side of Palmetto, the width of his lots to pick up the two storm sewer pipes which he had stubbed across Palmetto Street.

A discussion followed and after deep consideration Councilman Webster moved that the City of Bellaire would lay the water lines and the storm sewer lines requested for a total of \$1,500.00 for Mr. Broussard and that the City Manager be instructed to proceed with the project as soon as possible. This motion was seconded by Councilman Gohlke and approved unanimously.

Councilman McKinney said that in case that the water backed up on Palmetto and Ferris Streets, on the people's property, that Mr. Broussard should be required to keep it pumped out.

Councilman Randolph moved that the meeting be adjourned, this was seconded by Councilman Gohlke and passed unanimously.


Mayor


Acting City Clerk

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

February 4, 1969

Honorable Mayor and City Council
Bellaire City Hall
Bellaire, Texas

Gentlemen:

Attached hereto is my check for \$1500 to be applied to the following projects.

First, I would like to have the City of Bellaire extend a six inch (6") water line to serve my Lots, Nos. 7 & 8, Block 41, City of Bellaire Addition. \$675 of the above amount is to apply towards this project.

Secondly, I would like to have a twenty-four inch (24") storm sewer constructed on the North side of Palmetto Street to pick up the storm water from the two pipes which I have stubbed across Palmetto from in front of my property on the south side of the street.

I also understand that a pipe of suitable size will have to be extended East to Fifth Street and North on Fifth Street to Elm Street. All of this is to be done at city's expense and \$825 of the above amount is to be my proportionate share of this cost.

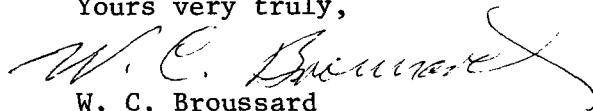
In view of the fact that I expect the city to do the construction at its earliest possible convenience, I request that a letter be issued to Brown & Root to proceed immediately with the extension of the paving along the property frontage on the South side of Palmetto.

I also understand that a hole will have to be made in the side of the west inlet in order to let the ditch, draining the property to the west of me, flow freely.

I took permits for four buildings on December 2, 1968 and I plan to take two more permits immediately and will begin construction on the six single family dwellings as soon as the paving is completed. Until that time I cannot very well have access to the property.

I sincerely trust that you will accept this proposal so that this work can get underway.

Yours very truly,

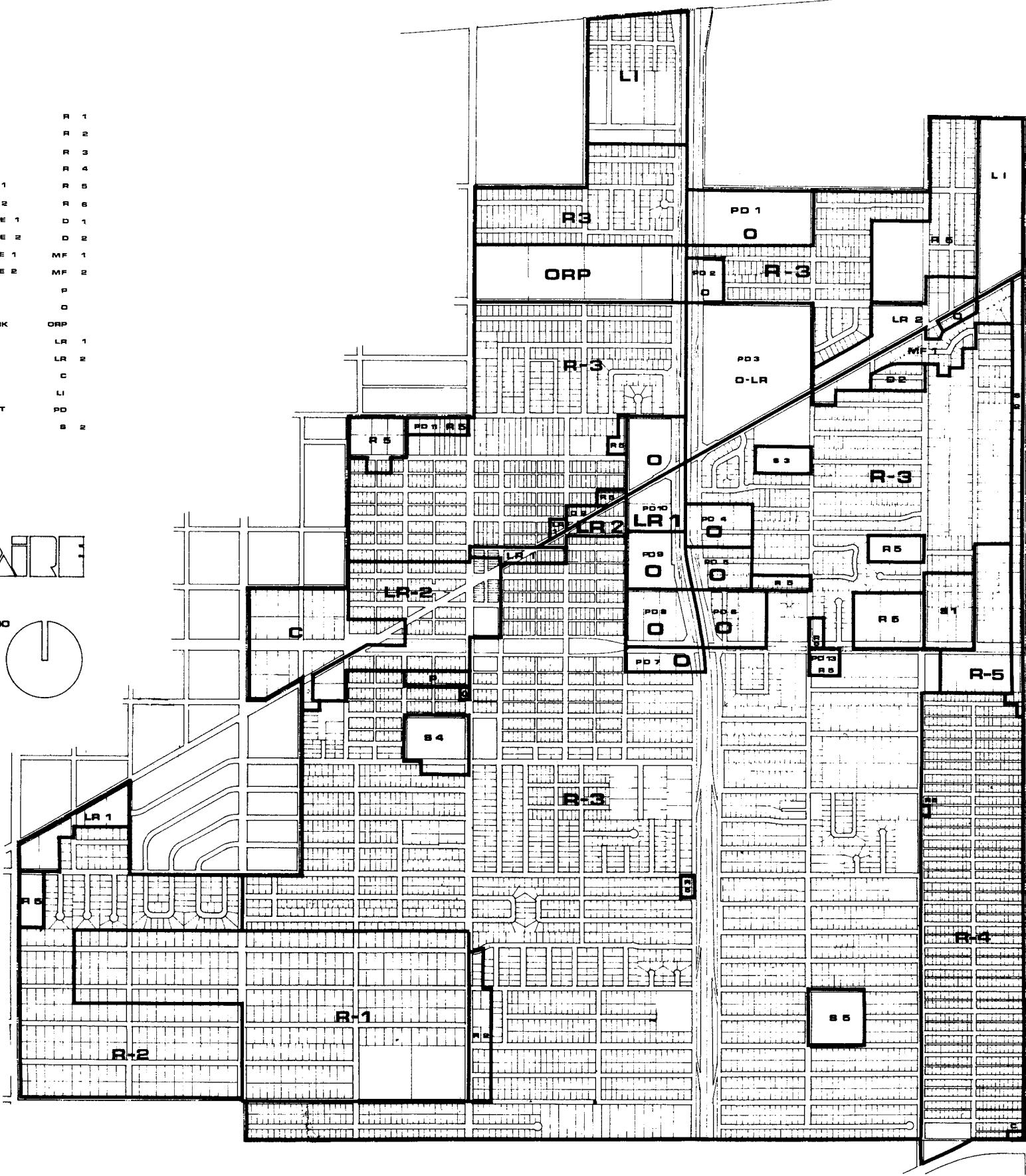
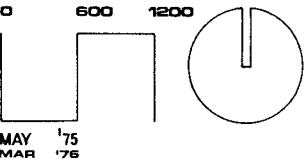

W. C. Broussard

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

ZONING
DISTRICTS

RESIDENCE 1	R 1
RESIDENCE 2	R 2
RESIDENCE 3	R 3
RESIDENCE 4	R 4
ATTACHED DWELLING 1	R 5
ATTACHED DWELLING 2	R 6
TWO FAMILY RESIDENCE 1	D 1
TWO FAMILY RESIDENCE 2	D 2
MULTI FAMILY RESIDENCE 1	MF 1
MULTI FAMILY RESIDENCE 2	MF 2
PARKING	P
OFFICE	O
OFFICE & RESEACH PARK	ORP
LOCAL RETAIL 1	LR 1
LOCAL RETAIL 2	LR 2
COMMERIAL	C
LIGHT INDUSTRIAL	LI
PLANNED DEVELOPMENT	PD
SPECIFIC USE PERMIT	S 2

CITY
OF
BELLWIRE



LOOKING FORWARD

Planning is not about predicting the future

LOOKING FORWARD

We plan so that we are prepared to make good
decisions

Looking Forward

Elements of Good planning

- Knowing the what's and why's of what we hope to accomplish
- Environmental Scanning
- Understanding the Major Variables
- Strategic Thinking

Looking Forward

What

- Maintain affordability
- Maintain quality city services
- Be thoughtful about new initiatives
- Manage the Message

Looking Forward

Why

- Because we're still Bellaire, and
- People want us to be careful

Looking Forward

Environmental Scan needs to assess:

- Confidence in Bellaire Residential Market
- Interest in Commercial Redevelopment
- Recommendations from Flood Task Force
- Legislative limits on property tax revenues

Looking Forward

The Major Variables

- Property and Sales Tax Revenues
- Recurring and non-recurring expenses
- Sound financial management and Bond Rating
- Services and Service Levels

Looking Forward

Assumptions for the General Fund Forecast:

- Structural balance (recurring revenues exceed recurring expenses)
- Sufficient reserves (requires management of non-recurring expenses)
- Continued priority on Public Safety salaries
- Maintain base/current level of services

FY 2018 – FY 2023 General Fund December 18, 2017

No Property Tax Revenue Increase Scenario

Revenue Assumptions:

- 0% increase in property tax revenue for O&M.
- Sales tax revenue 1% increase
- Residential Permits 1% increase
- All other revenues 2% increase

FY 2018 – FY 2023 General Fund December 18, 2017

No Property Tax Revenue Increase Scenario

Police Outcomes:

- Manage 60 day reserve for FY 2019 & FY 2020
- Structurally balanced budget ALL years (FY 2019 – FY 2023)

Changes from Last Forecast

No Property Tax Revenue Increase Scenario

Non-Recurring Expenditures:

- Reduced annual vehicle contribution from \$550K to \$350K (2 pumpers/PD vehicles)
- Reduced General Fund contribution to pavement maintenance to zero
- Reduced CIP annual contributions

Recurring Expenditures:

- FY 2019 \$230K reduction to keep 60 day positive
- FY 2020 \$954K
- FY 2021 \$1.1 million
- FY 2022 \$1.8 million
- FY 2023 \$2.6 million
- Grand Total General Fund recurring reductions = \$6.7 million

FY 2018 – FY 2023

Fiscal Forecast General Fund

No Property Tax Revenue Increase Scenario

In \$millions	FY18	FY19	FY20	FY21	FY22	FY23
Beginning Balance (unaudited)	\$3.39	\$3.81	\$3.53	\$3.49	\$3.02	\$2.00
Recurring Revenue	\$20.78	\$20.97	\$21.08	\$21.19	\$21.31	\$21.00
Recurring Expense	\$19.87	\$20.36	\$20.44	\$21.19	\$21.31	\$21.00
Non-recurring Pavement Maintenance	\$0	\$0	\$0	\$0	\$0	\$0
Vehicle/Equip Replacement	\$0.45	\$0.35	\$0.35	\$0.35	\$0.35	\$0.00
CIP Contribution	\$0.04	\$0.55	\$0.32	\$0.12	\$0.16	\$0.00
Ending Fund Balance	\$3.81	\$3.53	\$3.49	\$3.02	\$2.52	\$2.00
60 Day Fund Balance Requirement	\$3.31	\$3.39	\$3.41	\$3.53	\$3.55	\$3.00
Over/(Under) 60 day fund balance requirement	\$0.50	\$0.13	\$0.08	(\$0.51)	(\$1.03)	(\$1.00)

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Looking Forward

Strategies

Pavement Preventive Maintenance

- Spend what's available in FY 2018 and 2019
- No New General Fund transfer
- Devote all of the Metro Funds to PMP

Looking Forward

Strategies

Vehicles

- Fund the 2017 pumper
- Fund the next pumper
- Maintain patrol vehicle replacement schedule
- Evaluate rental/maintenance plan

Looking Forward

Strategies

New CIP Contribution

- Priority on playground/shade structure replacement
- Hold on decorative/aesthetic improvements in parks and rights of way
- Hold on New playgrounds and shade structures

Looking Forward

Strategies

CIP Reserves

- Re-evaluate signature corner
- Re-evaluate Paseo Park extension

Looking Forward

Strategies

Enhanced Sense of Base Budget and Service Levels

- Police
- Fire
- Public Works

Looking Forward

Strategies

Continue to implement Flood Plain Management

- Receive input from Task Force
- Finished floor elevation
- Management of Permits
- Participation in National Flood Insurance Program

Looking Forward

Strategies

New Emphasis on Commercial Redevelopment

- Implement Comprehensive Plan
- Use of Right of Way

Looking Forward

Strategies

Bond Funded Capital Plan

- Stay the course
- Consider input from FHMTF, Parks Board, and Planning and Zoning Commission

Looking Forward

New opportunity for Consensus

- Redefine or confirm priorities
- Confirm what is critical
- Remember what makes us special



CITY OF BELLAIRE TEXAS

MAYOR AND COUNCIL

OCTOBER 2, 2017

Council Chamber

Regular Session

6:00 PM

7008 S. RICE AVENUE
BELLAIRE, TX 77401

REGULAR SESSION - 6:00 P.M.

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 6:00 p.m. on Monday, October 2, 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; Terrence Beaman, Chief Financial Officer; and Tracy L. Dutton, City Clerk.

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

Michael Fife, Council Member, provided the inspirational reading.

D. Pledges to The Flags - Michael Fife, Council Member.

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

E. Recognition of Proclamation - Andrew S. Friedberg, Mayor.

Issuance of a proclamation by Andrew S. Friedberg, Mayor, proclaiming the week of October 8-14, 2017, as Fire Prevention Week in the City of Bellaire, Texas, and urging the citizens of Bellaire to heed the Fire Prevention Week theme: "Every Second Counts: Plan 2 Ways Out!" - Requested by Darryl Anderson, Fire Chief.

Mayor Friedberg read and presented a proclamation that he issued proclaiming the week of October 8-14, 2017, as Fire Prevention Week in the City of Bellaire,

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Texas. **Darryl Anderson, Fire Chief**, accepted the proclamation on behalf of the Bellaire Fire Department.

I. PUBLIC HEARING (FIRST OF TWO ON PROPOSED TAX RATE)

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

Tracy L. Dutton, City Clerk, read the Notice of the Public Hearing (Notice) into the record. She advised that the Notice was 1) published in the legal notices section of the Southwest News on September 19, 2017; 2) posted on the City's official bulletin board on September 20, 2017; 3) posted by the Finance Department on the City's website beginning September 19, 2017, and was scheduled to end at 11:59 p.m. on October 16, 2017; and 4) posted on the City's municipal channel by the City Manager's Office beginning September 19, 2017, and was scheduled to end on October 16, 2017.

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

Paul A. Hofmann, City Manager, summarized the public hearing procedure.

C. Presentation of Proposal:

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

Mayor Friedberg reminded the audience that a second public hearing for this topic was scheduled on October 9, 2017, at 6:00 p.m. in the Council Chamber.

Terrence Beaman, Chief Financial Officer (CFO), indicated that the City was moving through the process of adopting a property tax rate for 2017 (fiscal year 2018). On September 11, 2017, City Council was presented with a certified tax roll from the Harris County Appraisal District (HCAD). The City was then required by state law to calculate two rates, the effective tax rate and the rollback tax rate.

CFO Beaman advised that the effective tax rate was calculated as \$0.3864 per \$100 valuation, and the rollback tax rate was calculated as \$0.4228 per \$100 valuation. The proposed tax rate presented to City Council on September 18, 2017, was \$0.4159 per \$100 valuation.

CFO Beaman also advised that the proposed rate exceeded the effective tax rate by \$0.0295. Of the proposed tax rate, \$0.1481 was statutorily required to pay the City's debt, and \$0.2678 was required for maintenance and operations. The total proposed tax rate of \$0.4159 would generate approximately \$20.6 million of revenue, which was approximately \$1.64 million more than was collected in 2016.

If the City chose to adopt the effective tax rate of \$0.3846, the City would be required to lower its operations and maintenance budget down to \$0.2383, resulting in a revenue decrease of \$1.4 million.

As stated earlier, CFO Beaman advised that the City's next tax rate public hearing would be held on October 9, 2017, at 6:00 p.m.

D. Public Comment.

Mayor Friedberg advised that public comment would be received by the members of the City Council on the proposed tax rate and announced that public comment was limited to the subject of this Public Hearing. He advised that public comment on other topics would be received during the Regular Meeting following the Public Hearing. Speakers were advised that the time limit for comments was five (5) minutes, with notice after four (4) minutes that there was one (1) minute left.

Jim Avioli, Sr.:

Mr. Avioli addressed City Council and referred to the timing of the proposed tax increase for the City of Bellaire. He indicated that Hurricane Harvey hit the weekend of August 27, 2017, and the budget was approved by the City Council on September 18, 2017. Mr. Avioli believed that City Council had not discussed what might be culled back or cut from the budget to match the revenue.

Mr. Avioli stated that citizens were recently hit with another rung in the higher cost of living in Bellaire when the second phase of the new water rate increase, which was approved the prior year, went into effect. For City Council to increase property taxes at a time when citizens were experiencing additional financial expense was insensitive and inappropriate in Mr. Avioli's opinion.

Jim Campbell:

Mr. Campbell addressed City Council and referred to two aspects of property tax, which were valuation and rate. Mr. Campbell advised that the valuation on his property had increased 33% in the last four years. Mr. Campbell suggested that the City look for other ways to fund its proposed \$1.4 million deficit, suggesting that he believed the monies could be found within the budget.

Catherine Lewis:

Ms. Lewis addressed City Council and advised that the City had a spending problem as opposed to a revenue problem, in her opinion. She believed that government seemed to get bigger by taxing the private sector. Ms. Lewis urged City Council to make the hard choices now.

Richard Franke:

Mr. Franke addressed City Council and indicated that he disagreed respectfully with the opposition to the tax increase. Mr. Franke recalled a time in the late 1990s when engineers working for the City had provided City Council with an estimate of \$175 million to reconstruct all streets, storm sewers, and sanitary sewers in Bellaire. The last time Mr. Franke asked for an estimate of the cost to complete what he believed was severe deterioration in the City's infrastructure, Mr. Franke was given an estimate of \$350 million.

Over the years, Mr. Franke had heard opposition from residents to any type of tax increase. The flooding situation was tragic, in his opinion. Mr. Franke advised that he did not want to see an increase in taxes; however, he did not want to see his property values decline because of what he believed to be failing infrastructure.

Keith Bowers:

Mr. Bowers addressed City Council and stated that he understood that Harris County was planning a 10% drop in property tax revenue for this year and possibly 15% for the following year. People were going to appeal their evaluations in Mr. Bowers' opinion, and expressed concern that people might not move to Bellaire because of the flooding from Hurricane Harvey.

Mr. Bowers urged City Council to stop spending too much money on things that were non-essential, in his opinion, and to start spending money wisely.

Linda Hester:

Ms. Hester addressed City Council and stated that she had lived in Bellaire since 2002 and never expected the flooding that had occurred. She looked to City Council as leaders of the City to make sure that the infrastructure was in place to prevent that from happening again. Ms. Hester indicated that if she had to pay more taxes for improved infrastructure, then she would be happy to do so.

E. Questions from the Mayor and City Council.

Mayor Friedberg opened the floor for questions from the City Council. Following questions, Mayor Friedberg closed the public hearing.

F. Close Public Hearing and Adjourn.

Mayor Friedberg announced that, as the subject of the public hearing was strictly legislative and not adjudicative in nature, City Council would continue receiving public comment on the proposed tax rate up until its final deliberation, which was anticipated to occur on Monday, October 16, 2017. He also announced that the second of the two tax rate public hearings would be held in one week on Monday, October 9, 2017, at 6:00 p.m.

Mayor Friedberg advised that the public hearing was closed and adjourned at 6:56 p.m. on Monday, October 2, 2017.

II. REGULAR MEETING

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

Mayor Friedberg called the Regular Meeting of the City Council to order at 6:56 p.m. on Monday, October 2, 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.

C. Personal/Audience Comments.

Mayor Friedberg provided a brief overview of the rules for public comments, noting that each speaker had five (5) minutes with no extension, and with notice after four (4) minutes that one minute was left.

Mukul Advani:

Mr. Advani addressed City Council and indicated that his home was severely flooded with five (5) feet of water. He advised that he and his family were trapped on the second floor before deciding to wade out in neck deep water to a neighbor who gave them sanctuary.

Mr. Advani indicated that prior to wading out, he had called the Bellaire Police Department (BPD) to bail them out and was turned down several times and wanted to know why. Mr. Advani was told by the BPD that there were 300 people ahead of him, prioritized by medical needs and the elderly, and that they only had one emergency vehicle, which had broken down. Mr. Advani inquired as to the reason that the City only had one emergency vehicle. He also wondered if the City had a contingency plan to save people from being trapped.

Keith Bowers:

Mr. Bowers addressed City Council and asked what flood elevation the City was using. In other words, was the City using what Mr. Bowers understood to be mistakenly published on the FIRM map? Mr. Bowers advised that the City was exposed to lawsuits, in his opinion.

Mr. Bowers asked if the City could use magnets to pick up the nails on the streets. Mr. Bowers suggested that City Council consider purchasing a fleet of 20 flat-bottom aluminum boats, 18 feet in length, with three horsepower motors.

Jim Avioli, Sr.:

Mr. Avioli addressed City Council regarding permits. Although Mr. Avioli was no longer on City Council, he received telephone calls from three concerned citizens who were facing financial disaster because of the 50% rule. These citizens could not pull permits for their homes because the reconstruction costs were greater than their building values.

One citizen reported his or her understanding that because of the difference in the community rating system (CRS), the City of Houston could waive the 50% rule and did not have the restrictive stipulations that the City of Bellaire had. After checking with FEMA, the citizen reported his or her understanding that Bellaire could change their ruling if the City desired to do so. He urged City Council to consider that.

Mr. Avioli next referred to an item on the agenda regarding the formulation of a task force to examine all aspects of Hurricane Harvey. He asked if the resolution of the 50% rule was part of the charge for the task force. If so, he asked how long it would take a task force to resolve the issue, indicating that people needed answers now.

Richard Franke:

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Mr. Franke addressed City Council and advised that the City had put off and deferred improvements to the City's infrastructure for decades, in his opinion.

Mr. Franke next referenced an article in the Houston Chronicle regarding the substantial number of homes in Harris County that did not have flood insurance. Mr. Franke stated he could not understand why anyone would live in Harris County, which was known to have low grades and poor drainage in his opinion, and not have flood insurance. He indicated that he was not faulting those that had experienced tragedies, but indicated that people needed to look at the big picture as to what could be done regarding area drainage.

Damian Lacroix:

Mr. Lacroix stated that he lived on the north side of Bellaire in a home that was adjacent to Loop 610. He advised that he had sent several emails to the Texas Department of Transportation (TxDOT) about the Loop 610/Highway 59 interchange and their plans to build an elevated interchange 20 feet in height within 30 feet of his home. He asked the City to assist the residents in getting TxDOT to re-evaluate their design of that interchange considering Hurricane Harvey and other storms that tended to occur every 2-5 years.

Mr. Lacroix continued and advised that he was concerned that additional concrete for the interchange could cause his home to flood, and referenced area freeways that were below grade that served as reservoirs for flood waters.

In closing, Mr. Lacroix urged the City to step up and protect its residents and demand that TxDOT re-evaluate the design for the Loop 610/Highway 59 interchange.

Andrew Madof:

Mr. Madof addressed City Council and advised that he was a geologist. One thing he could not figure out was the dynamics for what specifically happened during the flood with flood waters. In other words, were flood waters diverted to save other properties? He also asked if this would happen again? He indicated that he would be interested to know if the City had any insight into what caused Bellaire to flood like it did.

Rachel Crochet:

Ms. Crochet addressed the TxDOT situation as well. She advised that Holly Street had been asking for a wall along Loop 610 for 35 years. When Loop 610 was evaluated and redone several years ago, the residents were told that TxDOT was going to install short walls on the freeway and if that did not work, they would come back and discuss installing the walls along Loop 610. She stated that TxDOT needed to address walls along 610 again.

Ms. Crochet also asked the City Council to ask TxDOT for the quiet pavement.

Written Comment:

Mayor Friedberg indicated that City Council had received one written comment for the meeting from **Xiao Li**, which was styled as a "Bellaire Flood Mitigation Petition." Mayor Friedberg referenced a cover letter that stated that a group of residents were coming together in an effort of helping and working with the City to analyze the causes of Hurricane Harvey's flooding and to adopt any effective measures to stop reoccurring

flooding events in the neighborhood. The group of residents were asking City Council to address flood concerns as the top priority for the City. Some recommendations were presented, as well as some immediate actions. Mayor Friedberg noted that 264 residents had added their names to the written comment through an online system.

Mayor Friedberg advised that a complete copy of the written comment had been presented to all members of City Council and was included in the official record of the meeting, and announced that public comment was concluded.

D. 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.

Paul A. Hofmann, City Manager, presented the City Manager's Report dated October 2, 2017, to members of the City Council. The report consisted of an update regarding HISD's temporary use of the former Gordon Elementary School for Kolter Elementary School, as well as plans for loading and off-loading students. Other reported updates included building permits, debris collection and removal, and on the Bellaire Citizens Academy's first meeting.

Reminders of upcoming events included National Night Out, Party at the Pavilion, and the Fall Book Sale. City Manager Hofmann also briefed City Council on future agenda items.

Following the City Manager's Report, **Mayor Friedberg** opened the floor for questions from the City Council. At the end of questions, **Mayor Friedberg asked if there was any objection to switching the order of the Monthly Financial Report and the City Engineer's Report on Hurricane Harvey. Hearing none, Mayor Friedberg announced that by general consent the City Council Rules of Procedure were suspended and the City Engineer was asked to approach the podium to give his report.**

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

Note: The City Engineer's report was moved up in the agenda at this point in the meeting and was followed by the Monthly Financial Report.

Terrence Beaman, Chief Financial Officer (CFO), presented the Monthly Financial Report for the City for the period ended August 31, 2017, to members of the City Council. CFO Beaman advised that the report included data for 11 months of fiscal year 2017. Brief overviews related to revenue and expenditures in the General Fund and Enterprise Fund were provided by CFO Beaman. He noted also that Debt Service, Capital Improvement Projects, and Vehicle, Equipment and Technology funds would be in line with what had been projected for those funds at the end of the fiscal year.

Mayor Friedberg opened the floor for questions of CFO Beaman. Hearing none, Mayor Friedberg thanked CFO Beaman for his report and announced that the report was concluded.

3. A presentation from the City Engineer of an analysis of the Hurricane Harvey flood event on the City of Bellaire - Submitted by James Andrews, City Engineer.

James Andrews, City Engineer, stated that his report discussed the extreme

event rainfall conditions that Hurricane Harvey (Harvey) brought to the City. The report also discussed current and proposed improvements that were underway in the City of Bellaire, as well as improvements other entities were making in Harris County.

Factors that contributed to structures flooding in the area because of Harvey included 1) a very high annual rainfall of about 50 inches, 2) flat topography with poor sheet flow characteristics, 3) clay soils that did not absorb water very well, 4) proximity to an undersized Brays Bayou, 5) low finished floor elevations of older homes, and 6) extreme flood events.

A brief history of the path of Harvey was provided by City Engineer Andrews. He noted that Harvey began as a tropical wave off the west coast of Africa on August 11th and became a tropical storm on August 17th. Harvey intensified rapidly from a tropical depression to a category 4 hurricane making landfall along the Texas coast near Port Aransas on August 25th. Total rainfall amounts ranged from 25" to 47" across Harris County for a four-day period. Rainfall amounts for a two-day period ranged from 20" to 35."

A comparison of Harvey with Tropical Storm Allison (which occurred in 2001) was provided by City Engineer Andrews, who advised that the Tropical Storm Allison flood event documentation for the City of Bellaire showed approximately 1,432 homes flooded, with 1,015 of those homes located east of Loop 610. The largest number of homes flooded were in the northwest quadrant of the City away from Brays Bayou. Harvey flooded approximately 2,318 structures, including garages. It has been estimated that approximately 1,936 homes had water damage to the main house structure. The largest number of homes flooded were in the southeast quadrant, followed by the south-central area. Both areas were close in proximity to Brays Bayou.

City Engineer Andrews indicated that for Bellaire, Harvey was an extreme combination of two types of flooding, shallow floodplain and ponding/overland flow. When Brays Bayou exceeded its capacity, flood waters overtopped the bayou banks and flooding occurred in the land near the bayou located at lower elevations. As a result, Bellaire's drainage was adversely and severely affected.

Reference was made to the Bonds for Better Bellaire 2016 program, which would do two things to improve drainage during a heavy rain event. First, the underground system for streets with major localized drainage problems would be upsized above the typical two-year to the 100-year capacity, with storage capacity existing under the pavement to decrease the height of ponding during a major local rainfall.

City Engineer Andrews advised that the City was in the preliminary design stage of developing backflow devices in certain locations to prevent storm water from the bayou during high water surface conditions from coming back in to the City's underground system. This backflow could take up capacity in the underground system even when there was no local rainfall. The idea being to restrict storm water from Brays Bayou from back flowing into the City's underground system, allowing local storm water to use the City's underground system capacity.

The majority of the first phases of the Bonds for Better Bellaire program focused on local drainage improvements that the City of Bellaire could improve without outside agency approval.

City Engineer Andrews advised that the single most significant flood control improvement project for our area had been under construction for many years and was outside the control of the City of Bellaire. That project, the Brays Bayou Federal Flood Damage Reduction Project, also known as Project Brays, was under the control of the Harris County Flood Control District and the Army Corps of Engineers. City Engineer Andrews indicated that the portion of Project Brays that should benefit the City of Bellaire the most was channel widening and increasing capacity scheduled to be completed in 2021.

Other factors that contributed to flooding during Hurricane Harvey included the elevated railroad track to the east of Bellaire and the elevated IH 610 roadway in the center of Bellaire. Those factors, combined with the inadequate capacity of Brays Bayou, may have blocked the overland flow from the area creating excessive flood depths.

In summary, Harvey was an unprecedented catastrophic storm that in City Engineer Andrews' opinion could not realistically be completely controlled. He stated that there was nothing the City of Bellaire could build on its own to remove flooding conditions during an event of the magnitude of Harvey. City Engineer Andrews advised that Harvey did show the need to work together with the state and federal governments to expedite improvements to Brays Bayou to add capacity and lower the flood state surface water elevations, as well as to explore the benefits of removing the overland flow obstacles that the railroad and IH 610 may have created.

At the end of City Engineer Andrews' report, **Mayor Friedberg** opened the floor for questions from the City Council. Following questions, Mayor Friedberg thanked City Engineer Andrews for his report.

Note: Following the City Engineer's Report, City Council returned to the Monthly Financial Report and considered the remainder of the agenda in the order in which it was written.

E. New Business:

1. Consent Agenda:

a. Adoption of Minutes:

Consideration of and possible action on the adoption of the minutes of the City Council of the City of Bellaire, Texas, for the Regular Sessions held on August 7 and 21, 2017, and the Special Sessions held on August 14 and 15, 2017 - Submitted by Tracy L. Dutton, City Clerk.

- i. Mayor and Council - Regular Session - Aug 7, 2017 6:00 PM
- ii. Mayor and Council - Special Session (Public Hearing) - Aug 14, 2017 6:00 PM
- iii. Mayor and Council - Special Session (Workshop) - Aug 15, 2017 6:00 PM
- iv. Mayor and Council - Regular Session - Aug 21, 2017 6:00 PM

b. Ordinance Granting Code Suspension:

Consideration of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas granting a code suspension for PATRONS for Bellaire Parks relating to a request to waive alcohol and curfew restrictions in Bellaire Town Square for up to six events hosted by PATRONS for Bellaire Parks beginning October 2, 2017, ending September 30, 2018, said approval of which shall be granted by the City Manager - Submitted by Cheryl Bright, on behalf of the PATRONS for Bellaire Parks.

Mayor Friedberg read the captions of the five (5) items listed on the Consent Agenda. He asked if any member of City Council wished to remove one or more items from the Consent Agenda. Hearing none, Mayor Friedberg entertained a motion to adopt the Consent Agenda.

Motion:

To adopt the Consent Agenda dated October 2, 2017.

{Moved by Roman F. Reed, Mayor Pro Tem, and seconded by Trisha S. Pollard, Council Member}

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

2. Adoption of Resolutions:

- a. An amending resolution of the City Council of the City of Bellaire, Texas, updating and expanding upon Resolution No. 17-07 previously adopted by the City Council on August 21, 2017, to additionally charge the City's Flood Hazard Mitigation Task Force to develop actionable local, regulatory and regional policy recommendations for the prevention of future flooding - Submitted by Andrew S. Friedberg, Mayor, and Paul A. Hofmann, City Manager.

Mayor Friedberg read and briefly introduced the agenda item before City Council. He advised that the intent of the resolution was to expand upon the charge of the Flood Hazard Mitigation Task Force (Task Force) to come up with actionable policy recommendations. The updated resolution was built around the local, regulatory and regional areas of focus. Mayor Friedberg also advised that post-Hurricane Harvey, everything needed to be thoroughly reexamined and the best answers implemented. Mayor Friedberg stated that the Task Force was a strong showing of what Bellaire's local government was doing in response to Hurricane Harvey.

To begin deliberation, Mayor Friedberg entertained a motion to adopt the resolution as presented updating and expanding upon Resolution No. 17-07 to additionally charge the City's Flood Hazard Mitigation Task Force to develop actionable local, regulatory and regional policy recommendations for the prevention of future flooding.

Motion:

To adopt the resolution as presented updating and expanding upon

Resolution No. 17-07 to additionally charge the City's Flood Hazard Mitigation Task Force to develop actionable local, regulatory and regional policy recommendations for the prevention of future flooding.

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

Mayor Friedberg opened the floor for discussion regarding the motion. Following discussion and questions of the Mayor and City Manager Hofmann related to the resolution, action was taken on the motion.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Michael Fife, Council Member
SECONDER:	David R. Montague, Council Member
AYES:	Friedberg, Reed, Pollard, Pappas, McLaughlan, Fife, Montague

- b. Consideration of and possible action on the adoption of a resolution of the City Council of the City of Bellaire, Texas, nominating a candidate for a position on the Board of Directors of the Harris County Appraisal District for a two-year term of office commencing on January 1, 2018, and extending through December 31, 2019 - Submitted by Tracy L. Dutton, City Clerk.

Mayor Friedberg, after reading the caption, stated that City Council had an opportunity to nominate a candidate, but did not necessarily have to. He opened the floor for a motion should any member of City Council wish to propose that Bellaire make a nomination.

Following questions regarding the agenda item, Pat B. McLaughlan, Council Member, offered a motion nominating Mike Sullivan for a position on the Harris County Appraisal District Board of Directors.

Motion:

To adopt a resolution in the form presented nominating Mike Sullivan for a position on the Board of Directors of the Harris County Appraisal District for a two-year term of office commencing January 1, 2018, and extending through December 31, 2019.

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

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Pat B. McLaughlan, Council Member
SECONDER:	Roman F. Reed, Mayor Pro Tem
AYES:	Friedberg, Reed, Pollard, Pappas, McLaughlan, Fife, Montague

- c. Consideration of and possible action on the adoption of a resolution of the City Council of the City of Bellaire, Texas, designating a Representative and Official Alternate to the General Assembly of the Houston-Galveston Area Council for the year 2018 - Submitted by Tracy L. Dutton, City Clerk.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Mayor Friedberg read the caption of the agenda item and opened the floor for nominations for the City's representative to the Houston-Galveston Area Council.

Pat B. McLaughlan, Council Member, was nominated by himself.

Trisha S. Pollard, Council Member, was nominated by Michael Fife, Council Member. Council Member Pollard accepted the nomination.

Noting no further nominations, Mayor Friedberg closed the nominations and called for action on the nominations by voting in the order nominations were made.

Pat B. McLaughlan - 1 vote; and
Trisha S. Pollard - 6 votes.

Mayor Friedberg announced that Trisha S. Pollard, Council Member, was selected as the City's representative to H-GAC, and opened the floor for nominations for the City's official alternate to H-GAC.

Gus E. Pappas, Council Member was nominated by Roman F. Reed, Mayor Pro Tem. Council Member Pappas accepted the nomination.

Hearing no other nominations, Mayor Friedberg announced that Gus E. Pappas, Council Member, was selected by acclamation to be the City's official alternate to H-GAC.

Mayor Friedberg next entertained a motion to adopt a resolution in the form presented designating Council Member Pollard as the City's representative and Council Member Pappas as the City's official alternate to the General Assembly of the H-GAC for the year 2018.

Motion:

To adopt a resolution in the form presented designating Council Member Trisha S. Pollard as the City's representative and Council Member Gus E. Pappas as the City's official alternate to the General Assembly of the H-GAC for the year 2018.

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

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

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

Community interest items from the Mayor and City Council included expressions of thanks to Barbara Hofmann for her enthusiastic and unwavering support of volunteers, to the crews helping with debris removal, and to Council Member Pollard for organizing a City Council clean-up crew and scouting locations; thanks was also expressed to all of

City Staff who continued to work through trying times and to City Engineer Andrews for his excellent presentation regarding flood events; citizens were urged to be patient as the City worked through the debris removal process; expression of appreciation to Council Member McLaughlan for his service as the City's representative to H-GAC; expressions of thanks to the Patrons for Bellaire Parks for their Bellaire Brave initiative and to City Manager Hofmann and staff for a recent Candidate Orientation; expression of condolences to the family of Melinda Garrett, longtime Bellaire resident and former Chief Financial Officer of Houston ISD, on her passing; and reminders to attend National Night Out and a Town Hall Meeting on charter amendments scheduled on October 16, 2017.

G. Adjourn.

Mayor Friedberg announced that the Regular Meeting was adjourned at 9:52 p.m. on Monday, October 2, 2017.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



CITY OF BELLAIRE TEXAS

MAYOR AND COUNCIL

NOVEMBER 20, 2017

Council Chamber and Council Conference Room
6:00 PM

Regular Session

7008 S. RICE AVENUE
BELLAIRE, TX 77401

REGULAR SESSION - 6:00 P.M.

I. OFFICIAL CANVASS OF GENERAL AND SPECIAL ELECTIONS

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

Roman F. Reed, Mayor Pro Tem, called the Regular Session of the City Council of the City of Bellaire, Texas, to order at 6:00 p.m. on Monday, November 20, 2017.

Mayor Pro Tem Reed announced that Mayor Andrew S. Friedberg was returning from a trip out of town and would be arriving later this evening.

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

Mayor Pro Tem Reed 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.

*Mayor Friedberg arrived at the conclusion of the reading of the tabulation of votes and issued the Certificates of Election to the candidates.

C. Tabulation of Votes:

Tabulation of the total number of votes received in each precinct (128, 182, 214, 215, and 268) and the sum of the precinct totals cast in the City of Bellaire, Texas, General Election held on the 7th day of November, 2017, for the purpose of electing a Mayor, Councilman - Position No. 1, Councilman - Position No. 3, and Councilman - Position No. 5, and in the Special Election held on the 7th day of November, 2017, for the purpose of amending the Charter of the City of Bellaire, Texas - Submitted by Tracy L. Dutton, City Clerk; tabulation to be read by Tracy L. Dutton, City Clerk, and Paul A. Hofmann, City Manager; tabulation prepared by the Elections Division of the Harris County Clerk's office.

Tracy L. Dutton, City Clerk, advised that she and **Paul A. Hofmann, City Manager**, would read the tabulation of the votes that were cast during early voting, on Election Day, and the grand total by precinct for the General Election held on November 7, 2017. Following the tabulation of the General Election, City Clerk Dutton and City Manager Hofmann read the tabulation of the votes cast during the Special Election held on November 7, 2017, for the purpose of amending the Charter of the City of Bellaire, Texas.

General Election

City Clerk Dutton and City Manager Hofmann read the tabulation of the ballots cast during early voting in the General Election by precinct (128, 182, 214, 215 and 268) for each candidate whose name appeared on the City of Bellaire ballot. It was noted that there were 405 ballots cast during early voting (ballots cast by mail and ballots cast by personal appearance) in the General Election and 1,700 cast on Election Day, as set forth below. A total of 2,105 ballots were cast in Bellaire Precincts in the November 7, 2017, General Election.

Mayor:

Candidate	Early Voting	Election Day	Total
Andrew S. Friedberg	356	1,423	1,779
Robert Riquelmy	24	186	210

Councilman - Position No. 1:

Candidate	Early Voting	Election Day	Total
Neil Verma	257	1,001	1,258
Kevin Newman	113	496	609

Councilman - Position No. 3:

Candidate	Early Voting	Election Day	Total
Gus E. Pappas	324	1,292	1,616

Councilman - Position No. 5:

Candidate	Early Voting	Election Day	Total
Michael Fife	208	922	1,130
Jim Avioli, Sr.	166	616	782

Special Election:

City Clerk Dutton and City Manager Hofmann read the tabulation of the ballots

cast during early voting in the Special Election by precinct (128, 182, 214, 215 and 268) for each proposition that appeared on the City of Bellaire ballot. It was noted that there were 405 ballots cast during early voting (ballots cast by mail and ballots cast by personal appearance) and 1,700 cast on Election Day as set forth below. A total of 2,105 ballots were cast in Bellaire Precincts in the November 7, 2017, Special Election.

Proposition A	Early Voting	Election Day	Total
For	348	1,359	1,707
Against	35	220	255
Proposition B			
For	347	1,453	1,800
Against	36	143	179
Proposition C			
For	296	1,254	1,550
Against	92	311	403
Proposition D			
For	312	1,162	1,474
Against	77	388	465
Proposition E			
For	359	1,435	1,794
Against	32	158	190
Proposition F			
For	352	1,380	1,732
Against	35	187	222
Proposition G			
For	349	1,371	1,720
Against	37	196	233
Proposition H			
For	328	1,341	1,669
Against	47	221	278
Proposition I			
For	350	1,368	1,718
Against	35	184	219

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Proposition J			
For	332	1,350	1,682
Against	51	201	252
Proposition K			
For	332	1,311	1,643
Against	49	225	274
Proposition L			
For	336	1,319	1,655
Against	46	209	255
Proposition M			
For	328	1,304	1,632
Against	52	222	274
Proposition N			
For	339	1,334	1,673
Against	41	206	274
Proposition O			
For	290	1,105	1,395
Against	82	342	424
Proposition P			
For	299	1,103	1,402
Against	62	273	335
Proposition Q			
For	340	1,309	1,649
Against	43	237	280
Proposition R			
For	324	1,241	1,565
Against	57	343	400

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

D. Adoption of Ordinance Canvassing Returns and Declaring Results:

Consideration of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, canvassing the returns and declaring the results of the City of Bellaire, Texas, General Election held on the 7th day of November, 2017, for the purpose of electing a Mayor, Councilman - Position No. 1, Councilman - Position No. 3, and Councilman - Position No. 5, and canvassing the returns and declaring the results of the Special Election held on the 7th day of November, 2017, for the purpose of amending the Charter of the City of Bellaire, Texas - Submitted by Tracy L. Dutton, City Clerk.

Mayor Pro Tem Reed read the caption of the agenda item, then opened the floor for any questions or comments from members of the City Council. Hearing none, Mayor Pro Tem Reed entertained a motion related to the ordinance.

Motion:

To adopt the ordinance as presented.

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

Hearing no comments or discussion related to the motion, **Mayor Pro Tem Reed** called for action on the motion.

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

E. Certificates of Election:

Issuance of a Certificate of Election to each candidate elected to the office of Mayor, Councilman - Position No. 1, Councilman - Position No. 3, and Councilman - Position No. 5 - Issuance by Andrew S. Friedberg, Mayor; submitted by Tracy L. Dutton, City Clerk.

Mayor Pro Tem Reed turned the floor over to Andrew S. Friedberg, Mayor, for the issuance of Certificates of Election.

Mayor Friedberg advised that upon adoption of the ordinance canvassing the returns, the results were declared "official," and he was delighted to have the opportunity to issue the Certificates of Election.

Council Member-Elect Neil Verma was recognized for his election as Council Member - Position No. 1;

Council Member Gus E. Pappas was recognized for his election for a second term as Council Member - Position No. 3;

Council Member Michael Fife was recognized for her election for a second term as Council Member - Position No. 5.

Mayor Friedberg noted that in his capacity as the Presiding Officer of the Canvassing Authority, he had duly issued a Certificate of Election to himself

(noting that this was a statutory requirement).

Council Member-Elect Neil Verma was provided an opportunity to say a few words.

Council Member-Elect Verma thanked everyone for the opportunity to serve and expressed his appreciation to the voters who had taken the time to cast a ballot. In particular, he thanked Council Members Pollard, Fife, Montague, McLaughlan, Reed, and Pappas and Mayor Friedberg for the insight each had given him regarding running for office and his wife. He also thanked former Council Member Mandy Nathan, his campaign treasurer and the person who had given him the original inspiration to run.

Mayor Friedberg thanked everyone and congratulated the candidates that were successful in their re-election bids and expressed appreciation to all of the candidates in all of the races. He stated his appreciation of their commitment to service and a desire to make Bellaire the best that it could be.

F. Adjourn.

Mayor Friedberg announced that the Official Canvass portion of the Regular Session was adjourned at 6:50 p.m. on Monday, November 20, 2017.

II. REGULAR MEETING

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

Mayor Friedberg called the Regular Meeting of the City Council of the City of Bellaire, Texas, to order at 6:50 p.m. on Monday, November 20, 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	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.

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

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

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

D. Pledges to the Flags - Trisha S. Pollard, Council Member.

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

E. Recognition of Proclamation:

Issuance of a proclamation proclaiming the 19th day of October, 2017, as Diwali Day in the City of Bellaire, Texas, and encouraging residents of all faiths and backgrounds to share in the spirit of Diwali and in celebration of Indian culture, customs and traditions - Submitted by Andrew S. Friedberg, Mayor.

Mayor Friedberg advised that on October 19, 2017, he had issued a proclamation proclaiming Diwali Day in the City. Like so many other things this year, it was delayed a bit. He indicated that he was pleased to have the opportunity, even belatedly, to present the proclamation this evening. After reading the proclamation in its entirety, Mayor Friedberg invited Deepak Bedi to receive the proclamation, noting that Mr. Bedi had a special presentation to make as well.

Indian Community Leaders Deepak Bedi, Jana Bedi, and Atul Salhotra received the proclamation on behalf of their community.

Deepak Bedi noted that the Festival of Lights or Diwali started 500 years ago in northern India, and advised that the Indian community had been in the United States for over 150 years. Approximately ten years ago, Diwali Day was made a communal event and was shared with all creeds and religions in Bellaire.

Mr. Bedi stated that the City had made it easy for the community to have their festival each year. A large party was planned for this year on October 20, 2017; however, the Indian community felt that the money would be better spent through the Bellaire Brave Fund, organized by the Patrons for Bellaire Parks (Patrons). Mr. Bedi presented a check in the amount of \$7,001 to Patrons Board Member Winfred Frazier.

Winfred Frazier, Board Member, thanked Mr. and Mrs. Bedi for all of the work they did for the community.

Mayor Friedberg thanked the Indian community for sharing the spirit of Diwali with Bellaire and for the sentiment behind their very generous donation to the Bellaire Brave Fund.

F. Approval or Correction of Minutes:

Consideration of and possible action on the adoption of the minutes of the Special Session of the City Council of the City of Bellaire, Texas, held on Monday, October 9, 2017 - Submitted by Tracy L. Dutton, City Clerk.

Mayor and Council - Special Session - Oct 9, 2017 6:00 PM

Mayor Friedberg read the minutes agenda item caption and asked if there were any corrections to the minutes as presented. Hearing none, **Mayor Friedberg announced that the minutes were adopted as presented.** Mayor Friedberg also noted that the minutes for October 2, 2017, were still being prepared and would be presented at an upcoming meeting.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

G. Personal/Audience Comments.

Mayor Friedberg briefly summarized the rules for personal/audience comments, noting that the time limit for speakers was five (5) minutes, with notice after four (4) minutes that one (1) minutes was left.

Robert Riquelmy:

Mr. Riquelmy addressed City Council and advised that he wished to read an article from The New York Times dated August 11, 2017, in however many sessions it took to get it read. The title of the article was "Why Are Police Officers More Dangerous Than Airplanes?" by Pagan Kennedy. The article was related to an incident involving the shooting of a 21-year old male by a police officer in Kenosha, Wisconsin, and the investigative process that followed the shooting as compared to a standard investigation undertaken when a commercial plane crashed.

H. 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.

Paul A. Hofmann, City Manager, presented the City Manager's Report dated November 20, 2017, to members of the City Council. Several videos to be rolled out as part of the City's premier employer website were shown to members of City Council. Other topics included a communications update, recognition of new employees hired by the Public Works Department, an update related to flood damaged properties, upcoming events to be held in the City, and an overview of upcoming agenda items for City Council's consideration.

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

2. Presentation of the FY 2017 Fourth Quarter Report for the City of Bellaire, Texas - Submitted by Terrence Beaman, Chief Financial Officer.

After **Mayor Friedberg's** introduction of the agenda item, he invited Jim Harrison, Assistant Director of Finance, to the podium to present the City's quarterly report for the 4th quarter.

Jim Harrison, Assistant Director of Finance, presented the report for the City of Bellaire's 4th quarter (FY 2017) to members of the City Council. At the conclusion of the report, Assistant Director Harrison indicated that he was available to answer any questions that members of the City Council might have related to his report.

Following questions, **Mayor Friedberg** announced that the quarterly report was concluded and continued to the next item on the agenda.

3. Report on the Texas Municipal League (TML) Conference - Submitted by Trisha S. Pollard, Council Member.

Trisha S. Pollard, Council Member, provided a report on a recent Texas Municipal League-sponsored conference she had attended on October 5, 2017.

She indicated that she attended two sessions that she felt fellow Council Members might be interested in. One session was on the Texas Municipal Retirement System (TMRS) that the City's employees participated in. She summarized points of interest from the session, including the number of participants, type of plan, governance of the plan, actuarial amounts paid by the City, and public benefits gained from membership in TMRS.

The second session Council Member Pollard attended related to how to deal with the railroad through your city. This was primarily a panel discussion which included representatives from the two major railroads. The railroad that ran along the eastern edge of Bellaire was Union Pacific. She indicated that during audience comments she directed three issues to the Union Pacific representative as follows: 1) the state of sidewalks at Bellaire Boulevard and Bissonnet Street at the intersection of the railroad; 2) the number of homeowners that flooded during Harvey and the belief by those homeowners in the Southdale area of Bellaire that their homes flooded due to the dam caused by the railroad; and 3) she inquired as to whether Union Specific would like to contribute to the Bellaire Brave Fund.

Council Member Pollard indicated that the Union Pacific representatives met with the City Manager (Paul Hofmann), City Engineer (James Andrews), Director of Public Works (Michael Leech) and Council Member Pollard on October 18. Union Pacific advised that the federal government had jurisdiction over railroad crossings. In Texas, that authority was delegated to the Texas Department of Transportation (TxDOT), which viewed sidewalks with a holistic approach. The new approach with federal funding availability would result in a five-foot sidewalk being built across the railroad tracks. Union Pacific indicated that they had already been working with TxDOT and the City of Houston on sidewalk designs for the Bellaire Boulevard crossing. That project was nearing the shovel-ready stage, although the work had yet to be scheduled.

The City of Bellaire might need to make some sidewalk repairs or fill in the gaps starting at the boundary line of the City heading west. The railroad crossing at Bissonnet Street would not be quite as easy. TxDOT's holistic approach had not yet been applied to the Bissonnet crossing nor had a time frame been developed for such project. Director Leech indicated that he would follow up with the TxDOT representative that would oversee that project. Council Member Pollard provided a description of issues that would need to be addressed before the Bissonnet Street sidewalk could be designed.

I. New Business:

Adoption of Ordinance:

Consideration of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, amending Chapter 33, Telecommunications, of the Code of Ordinances of the City of Bellaire, Texas ("City Code"), for the purpose of adding a new article, Article II, to address regulations related to small cell network facilities in public rights-of-way - Submitted by ChaVonne Sampson, Interim Director of Development Services.

Mayor Friedberg read the caption of the agenda item and invited Alan P. Petrov, City Attorney, to provide an introduction of the item.

Alan P. Petrov, City Attorney, advised that small cell networks were becoming more popular as opposed to older-style telecom towers that people were used to

seeing. He indicated that during the past session of the Texas Legislature, Senate Bill 1004 was adopted which essentially gave the telecom providers the right to locate cell structures within municipal rights-of-way with limited rights for municipalities to 1) collect some fees for that right, and 2) to adopt some regulations to protect health and safety. The ability to adopt regulations was limited, and cell providers could be aggressive. For that reason, the City felt that it was important to get a permit process in place quickly so that the City could regulate the location of the network nodes to the best of our ability and to the maximum amount that the law allowed. He noted that the maximum fee that the City could collect from network providers was approximately \$250 per node.

Mayor Friedberg opened the floor for questions of the City Attorney prior to deliberation. Following questions, Mayor Friedberg entertained a motion to adopt the ordinance as presented.

Motion:

To adopt the ordinance as presented amending Chapter 33, Telecommunications, of the Code of Ordinances for the purpose of adding a new article to address regulations related to small cell network facilities in public rights-of-way.

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

Mayor Friedberg advised that questions were still in order, as well as deliberation. Following questions and deliberation, Mayor Friedberg offered an amendment to the motion.

Amendment No. 1:

To amend the first recital of the proposed ordinance and Section 33-101, Purpose, of the proposed new article by replacing the phrase "Senate Bill No. 1004, which authorizes certain facilities to be installed in a municipality's public right-of-way" with "Senate Bill No. 1004 requires municipalities to allow certain facilities to be installed in their public rights-of-way."

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

Hearing no discussion or deliberation on the amendment, **Mayor Friedberg** called for action on the amendment.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Andrew S. Friedberg, Mayor
SECONDER:	Trisha S. Pollard, Council Member
AYES:	Friedberg, Reed, Pollard, Pappas, McLaughlan, Fife, Montague
NAYS:	None
ABSENT:	None

Following action on the amendment, Mayor Pro Tem Reed offered a motion to postpone consideration of the item indefinitely.

Motion:

To postpone consideration of the item indefinitely.

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

Mayor Friedberg opened the floor for discussion regarding the motion to postpone.

Following discussion, action was taken on the motion.

RESULT:	FAILED [1 TO 6]
MOVER:	Roman F. Reed, Mayor Pro Tem
SECONDER:	Pat B. McLaughlan, Council Member
AYES:	Reed
NAYS:	Friedberg, Pollard, Pappas, McLaughlan, Fife, Montague
ABSENT:	None

Amendment No. 2:

To limit the placement of small cell nodes to the rear of residential blocks.

{Moved by Trisha S. Pollard, Council Member, and seconded jointly by Pat B. McLaughlan and Gus E. Pappas, Council Members}

Discussion ensued among members of the City Council and City Attorney regarding the amendment. **City Attorney Petrov** suggested that City Council adopt the ordinance with the first amendment and allow him to return at a subsequent meeting with language to address the second amendment.

Council Member Pollard suggested withdrawing amendment no. 2. **Mayor Friedberg** asked if anyone objected to the withdrawal of amendment no. 2. Hearing none, Mayor Friedberg advised that the amendment was withdrawn and that the City Attorney had clear direction to return with language that would place limitations on the location of the nodes.

Members of City Council continued with questions of the City Attorney on the motion, as amended. Following questions, **Mayor Friedberg** called for action on the motion, as amended.

RESULT:	ADOPTED AS AMENDED [6 TO 1]
MOVER:	Michael Fife, Council Member
SECONDER:	David R. Montague, Council Member
AYES:	Friedberg, Pollard, Pappas, McLaughlan, Fife, Montague
NAYS:	Reed

J. Community Interest Items from the Mayor and City Council.

Community interest items from the Mayor and City Council included expressions of thanks to the Patrons for Bellaire Parks and Assistant Director of Parks, Recreation and Facilities Cheryl Bright for all of their efforts with the block party featuring Dennis Quaid, as well as expressions of thanks to Mayor Friedberg and his wife, Jennifer, for hosting a party for Dennis Quaid, the Patrons for Bellaire Parks, and sponsors of the block party; a report was given on the next generation of concrete road surfaces known as "diamond grooving" and the benefits to Bellaire residents if the three miles of Loop 610 through Bellaire could be restored with such a surface; expression of thanks to outgoing Board of Adjustment Chair Jill Almaguer for her service; a report on the workshop for the Flood Hazard Mitigation Task Force; expressions of congratulations to all candidates and precinct election officials; expression of congratulations to the City for its outstanding premier employer videos; an expression of congratulations to The Nature Discovery Center on a successful gala; and wishes for everyone to have a wonderful Thanksgiving.

K. Adjourn.

Mayor Friedberg announced that the Regular Meeting of the City Council of the City of Bellaire, Texas, was adjourned at 9:21 p.m. on Monday, November 20, 2017.

III. 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 9:21 p.m. on Monday, November 20, 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*, to seek advice on legal matters related to the Linbeck construction contract.

Mayor Friedberg announced that members of City Council would retire into closed meeting at 9:22 p.m. on Monday, November 20, 2017, pursuant to the *Texas Government Code, Chapter 551, Open Meetings Act, Section 551.071, Consultation with Attorney; Closed Meeting*, to seek advice on legal matters related to the Linbeck construction contract. Members of the City Council retired into closed meeting in the Council Conference Room, First Floor of City Hall, 7008 South Rice Avenue, Bellaire, Texas 77401, at 9:22 p.m. on Monday, November 20, 2017.

D. Reconvene in Open Meeting in the Council Chamber:

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

Mayor Friedberg announced that the City Council was reconvened at 10:41 p.m. on Monday, November 20, 2017. He advised that members of City Council had met in closed meeting to receive advice from the City Attorney on legal matters and opened the floor for motions from Council Members that were present.* Hearing none, **Mayor Friedberg indicated that no action would be taken on items discussed in the closed meeting.**

*Council Member McLaughlan left the closed meeting just prior to reconvening at approximately 10:25 p.m.

E. Adjourn.

Mayor Friedberg announced that the Closed Meeting of the City Council of the City of Bellaire, Texas, was adjourned at 10:42 p.m. on Monday, November 20, 2017.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



CITY OF BELLAIRE TEXAS

MAYOR AND COUNCIL

DECEMBER 4, 2017

Council Chamber

Regular Session

6:30 PM

7008 S. RICE AVENUE
BELLAIRE, TX 77401

REGULAR SESSION - 6:30 P.M.

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 6:30 p.m. on Monday, December 4, 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 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.

C. Inspirational Reading and/or Invocation - Gus E. Pappas, Council Member.

Gus E. Pappas, Council Member, provided the inspirational reading.

D. Pledges to The Flags - Gus E. Pappas, Council Member.

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

E. Special Recognition of the 2017 Bellaire Citizens Academy:

Presentation of "Certificates of Achievement" to the Members of the 2017 Bellaire Citizens Academy - Paul A. Hofmann, City Manager.

Mayor Friedberg announced that a special presentation would be made this evening to conclude the 2017 Bellaire Citizens Academy (BCA). The BCA, now in its second year, had proven to be a very successful program as part of the City's ongoing effort to better engage with those the City served.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Mayor Friedberg continued and advised that the City was pleased to recognize and thank each of this year's participants in the BCA.

Paul A. Hofmann, City Manager, thanked the Mayor and City Council for their continued dedication to the idea of community engagement, participation and involvement. City Manager Hofmann advised that some changes were made to the program this year, such as the addition of classes. The second BCA went through eight (8) different classroom sessions and two different tours. He noted that a few of the graduates would also receive their certificates for CPR training.

City Manager Hofmann publicly thanked Raquel Porras of his office who organized the development of the classes with department directors, made sure the classroom was equipped and materials were presented and received and logged evaluations completed by BCA members. He also thanked department directors who had taken the time to prepare and present to the BCA.

Assistant City Manager Diane K. White assisted City Manager Hofmann by presenting certificates to the graduates as their names were announced. The graduates who were present and received a certificate were as follows:

Theresa Bosley;
Tania Campbell;
Jennifer Cross;
Maxine Epstein;
Mudit Kapur;
Julie Kuenstle;
Suzi Nelson; and
Andrew (Andy) Williamson.

The names of graduates who were unable to attend this evening were as follows:

Matt Banks;
Gigi Cox;
John Ross; and
Kim Reichert.

Mayor Friedberg thanked all of the participants for their engagement in the City and stated that he looked forward to their continued participation. Mayor Friedberg also expressed appreciation of Raquel Porras and other members of City Staff that were instrumental in putting on the second BCA.

F. Personal/Audience Comments.

Mayor Friedberg briefly summarized the procedures for personal/audience comments, noting that speakers were allowed five (5) minutes with no extension, and with notice after four (4) minutes that one (1) minute was left. One speaker form was received from Bellaire resident Robert Riquelmy who was invited to provide his comments.

Robert Riquelmy:

Mr. Riquelmy addressed City Council to read a second installment of an article titled "Why Are Police Officers More Dangerous Than Airplanes?" by Pagan Kennedy from the August 11, 2017, edition of The New York Times.

G. Reports:

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

City Manager Hofmann presented the City Manager's Report dated December 4, 2017, to members of the City Council. The report included several updates regarding communications, Hurricane Harvey, municipal facilities, and the Bellaire Brave initiative. Other topics included in the report related to upcoming events and agenda items.

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

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

Terrence Beaman, Chief Financial Officer (CFO), presented the monthly financial report for the period ending October 31, 2017, to the members of the City Council. CFO Beaman's report included an overview of General and Enterprise Fund revenues and expenditures for the first month of the fiscal year.

After the conclusion of the monthly financial report for the period ending October 31, 2017, **Mayor Friedberg** opened the floor for questions from the City Council. Following questions, Mayor Friedberg announced that the monthly financial report was concluded and continued to the next report on the agenda.

3. Quarterly Report from the Evelyn's Park Conservancy Board - Submitted by Denton Ragland, Executive Director, Evelyn's Park Conservancy.

Denton Ragland, Executive Director, Evelyn's Park Conservancy (Conservancy), presented a quarterly report to members of the City Council. He indicated that he had received some feedback to his request for types of information that City Council would like to hear when he presented his quarterly report. Based on that feedback, Executive Director Ragland's report covered the topics of park safety, future projections (usage and rental income), and the relationship between the Conservancy and the City.

With respect to safety, Executive Director Ragland provided some safety-related concerns that had arisen now that the park is operational, and the steps the Conservancy has taken to address those concerns. One of those involves sight lines for drivers exiting the park onto Mulberry Lane. Executive Director Ragland advised that he was working with a landscape architect to remove the existing bushes and replace them with shrubs or trees that have a higher profile so that drivers could see through them.

With respect to future projections related to park usage, Executive Director Ragland advised that the future projections that were initially made were predicated on the park opening in June of 2016. Since the opening occurred much later, the park and restaurant were still building momentum at this point in time. Numbers of patrons utilizing the park continued to increase, with at least 1,000 in attendance during the recent "Holiday Market in the Park" event.

As to the relationship between the Conservancy and the City, Executive Director

Ragland stated that he could not be any happier with regard to how the relationship with the City was going.

After the report, Executive Director Ragland answered questions presented to him by members of the City Council. Following questions, **Mayor Friedberg** announced that the quarterly report was concluded and continued to the next report on the agenda.

4. Update of the 2016 Bonds for Better Bellaire Program - Submitted by Michael Leech, Director of Public Works.

Mayor Friedberg introduced the agenda item, noting that the report would provide an update of the 2016 Bonds for Better Bellaire Program. He also noted that the update would set the stage for five engineering services contracts that City Council would be asked to approve later in the agenda. Mayor Friedberg suggested that City Council could decide at the end of the presentation whether to consider the contracts at that time.

Michael Leech, Director of Public Works, advised that he had two objectives for his presentation. The first was to provide an update on the progress made to date on the Bonds for Better Bellaire Program. The second objective was to request the approval of City Council for five engineering contracts. The purpose of the contracts was to further the program by addressing subsequent phases of the work.

Reference was made to contracts that were approved in March of 2017 and underway for water and wastewater projects, as well as streets, drainage, and sidewalk projects, as set forth below.

Group A, Phase I (Water and Wastewater Line Improvements)

Director Leech indicated that ARKK Engineers, LLC, was finishing the design work for Group A, Phase I, and advised that the Public Works Department would return to City Council in the January to February time frame to request the award of a construction contract for the project.

Group B, Phase I (Streets and Drainage Project)

Director Leech indicated that HDR, Inc., was the engineering consultant for Group B, Phase I. He advised that a neighborhood meeting was held for the project on November 14, 2017. The next step for this project would be the award of a construction project in the January to February time frame.

Group C, Phase II (Streets and Drainage)

Costello Inc. was identified as the engineering consultant for the streets and drainage project known as Group C, Phase II. Director Leech advised that this project included the installation of flap gates (backflow preventers) previously discussed with City Council and noted that the Public Works Department hoped to expedite the flap gate portion of the project. Following an inquiry from a member of City Council, Director Leech advised that the flap gates would prevent water from Brays Bayou from flowing backwards into the City's drainage system, and stated that the next step would be the award of a construction contract toward the end of fiscal year 2018.

Group D, Phase II (Sidewalk Project)

Director Leech advised that Kelly R. Kaluza & Associates, Inc., served as the engineering consultant for the Group D, Phase II, Sidewalk Project. He stated that the Public Works Department was still working through resident concerns expressed during a neighborhood meeting held in October. The next step would be the award of a construction contract in the January to February time frame.

Director Leech next provided an overview of the projects on the agenda for consideration this evening. He noted that there were three different types of contracts associated with a project as follows: 1) design services, 2) third party design review services, and 3) construction management and inspection services. With respect to the consultant selection process, Director Leech advised that the City issued "Requests for Proposals" and received 38 responses from engineering firms.

Group A, Phase II (Water and Wastewater Line Improvements)

The Public Works Department recommended ARKK Engineers, LLC, for design services and KIT Professionals, Inc., for construction management and inspection services on the Group A, Phase II, project.

Group C, Phase III (Streets, Drainage, and Sidewalk Projects)

With respect to Group C, Phase III, the Public Works Department recommended Kelly R. Kaluza & Associates, Inc., for design services and ARKK Engineers, LLC, for third party design review services and construction management and observation/inspection services.

Group D, Phase II (Sidewalk Project)

The engineering firm recommended to provide design services for the Group D, Phase II, project was MBCO Engineering & Surveying for design services and ARKK Engineers, LLC, for third party design review and construction management and observation/inspection services.

Members of the City Council asked questions as the presentation progressed. After the presentation was concluded, **Mayor Friedberg** inquired as to whether any member of City Council objected to the consideration of the five construction contracts at this point in the meeting. Hearing none, Mayor Friedberg advised that **by general consent, the Rules of Procedure were suspended to allow City Council to address the five construction contracts.**

See: Agenda items H.2.a, H.2.b, H.2.c, H.2.d, and H.2.e.

H. New Business:

1. Consent Agenda:

Note: Prior to consideration of the Consent Agenda, members of City Council considered and acted on agenda items H.2.a., H.2.b., H.2.c., H.2.d., and H.2.e., as set forth below.

a. Adoption of Minutes:

Consideration of and possible action on the adoption of the minutes of the Regular Sessions of the City Council of the City of Bellaire, Texas, held on Monday, October 16, 2017, and Monday, November 6, 2017 - Submitted by

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Tracy L. Dutton, City Clerk.

- i. Mayor and Council - Regular Session - Oct 16, 2017 6:00 PM
- ii. Mayor and Council - Regular Session - Nov 6, 2017 7:00 PM

b. Adoption of Resolution:

Consideration of and possible action on the adoption of a resolution of the City Council of the City of Bellaire, Texas, approving the participation by the City of Bellaire, Texas, in The Interlocal Purchasing System (TIPS) purchasing cooperative offered by Region VIII Education Service Center pursuant to the authority granted by the Texas Government Code, §791.001, et seq., for the purchase of goods and services; authorizing the City Manager of the City of Bellaire, Texas, to execute an Interlocal Agreement with Region VIII Education Service Center on behalf of the City of Bellaire, Texas; and designating the Chief Financial Officer as the "primary purchasing person" for the City of Bellaire, Texas, regarding said purchasing cooperative - Submitted by Terrence Beaman, Chief Financial Officer.

Mayor Friedberg noted that the Consent Agenda consisted of three items. Before reading the captions of the three items, Mayor Friedberg referred to a substitute version for the resolution (the third item on the Consent Agenda) that had been placed on the dais for City Council consideration. He advised that minor, clean up changes had been made and asked members of City Council to review the substitute resolution, as well as the redlined copy.

Mayor Friedberg read the captions of the three items included on the Consent Agenda, and asked if any member of City Council wished to remove any of the items on the Consent Agenda for individual or separate consideration. Seeing none, he entertained a motion to adopt the Consent Agenda.

Motion:

To adopt the Consent Agenda dated December 4, 2017.

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

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

Council's having already approved the five engineering services contracts, Mayor Friedberg moved to the end of the agenda for community interest

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

items.

2. 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, authorizing the City Manager and the City Clerk of the City of Bellaire, Texas, to execute and attest, respectively, a Contract and Agreement for Engineering Services with ARKK Engineers, LLC, for the provision of engineering services associated with the Bonds for Better Bellaire 2016 Group A Phase 2, Waterline and Wastewater Line Replacement Project, in an amount not to exceed \$307,015.00 - Submitted by Michael Leech, Director of Public Works.

Mayor Friedberg read the captions for agenda items H.2.a, H.2.b., H.2.c., H.2.d., and H.2.e. and opened the floor for questions and discussion related to all five of the proposed engineering contracts recommended by the Public Works Department.

Following questions and discussion, Mayor Friedberg entertained a motion related to agenda item H.2.a to adopt the ordinance as presented authorizing a Contract and Agreement for Engineering Services with ARKK Engineers, LLC, for the provision of engineering services associated with the Bonds for Better Bellaire 2016 Group A, Phase II, Water Line and Wastewater Line Replacement Project, in an amount not to exceed \$307,015.00.

Motion:

To adopt the ordinance as presented authorizing a Contract and Agreement for Engineering Services with ARKK Engineers, LLC, for the provision of engineering services associated with the Bonds for Better Bellaire 2016 Group A, Phase II, Water Line and Wastewater Line Replacement Project, in an amount not to exceed \$307,015.00.

{Moved by Roman F. Reed, Mayor Pro Tem, and seconded by Trisha S. Pollard, Council Member}

Mayor Friedberg opened the floor for discussion on the motion. Hearing none, he proceeded with a vote on the motion.

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

- b. Consideration of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, authorizing the City Manager and the City Clerk of the City of Bellaire, Texas, to execute and attest, respectively, a Contract and Agreement for Engineering Services with KIT Professionals, Inc., for the provision of construction management and inspection services associated with the Bonds for Better Bellaire 2016 Group A Phase 2, Waterline and Wastewater Line Replacement Project, in an amount not to exceed \$211,500.00 - Submitted by Michael Leech, Director of Public Works.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Mayor Friedberg entertained a motion to adopt the ordinance as presented authorizing a Contract and Agreement for Engineering services with KIT Professionals, Inc., for the provision of construction management and inspection services associated with the Bonds for Better Bellaire Program 2016, Group A, Phase II, Water Line and Wastewater Line Replacement Project, in an amount not to exceed \$211,500.00.

Motion:

To adopt the ordinance as presented authorizing a Contract and Agreement for Engineering Services with KIT Professionals, Inc., for the provision of construction management and inspection services associated with the Bonds for Better Bellaire Program 2016, Group A, Phase II, Water Line and Wastewater Line Replacement Project, in an amount not to exceed \$211,500.00.

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

Mayor Friedberg opened the floor for discussion related to the motion. Hearing none, action was taken by City Council to adopt the motion, which received unanimous support.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Roman F. Reed, Mayor Pro Tem
SECONDER:	Gus E. Pappas, Council Member
AYES:	Friedberg, Reed, Pollard, Pappas, McLaughlan, Fife, Montague

- c. Consideration of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, authorizing the City Manager and the City Clerk of the City of Bellaire, Texas, to execute and attest, respectively, a Contract and Agreement for Engineering Services with Kelly R. Kaluza & Associates, Inc., for the provision of engineering services associated with the Bonds for Better Bellaire 2016 Group C Phase 3, Streets, Drainage and Sidewalks Project, in an amount not to exceed \$510,350.00 - Submitted by Michael Leech, Director of Public Works.

Mayor Friedberg entertained a motion to adopt the ordinance as presented authorizing a Contract and Agreement for Engineering Services with Kelly R. Kaluza & Associates, Inc., for the provision of engineering services associated with the Bonds for Better Bellaire 2016 Group C, Phase III, Streets, Drainage and Sidewalks Project, in an amount not to exceed \$510,350.00.

Motion:

To adopt the ordinance as presented authorizing a Contract and Agreement for Engineering Services with Kelly R. Kaluza & Associates, Inc., for the provision of engineering services associated with the Bonds for Better Bellaire 2016, Group C, Phase III, Streets, Drainage and Sidewalks Project, in an amount not to exceed \$510,350.00.

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

Mayor Friedberg opened the floor for discussion on the motion. Hearing none, action was taken by the City Council resulting in the unanimous adoption of the ordinance.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Gus E. Pappas, Council Member
SECONDER:	Roman F. Reed, Mayor Pro Tem
AYES:	Friedberg, Reed, Pollard, Pappas, McLaughlan, Fife, Montague

- d. Consideration of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, authorizing the City Manager and the City Clerk of the City of Bellaire, Texas, to execute and attest, respectively, a Contract and Agreement for Engineering Services with MBCO Engineering, LLC, for the provision of engineering services associated with the Bonds for Better Bellaire 2016 Group D Phase 2, Sidewalk Improvements Project, in an amount not to exceed \$137,303.60 - Submitted by Michael Leech, Director of Public Works.

Mayor Friedberg entertained a motion to adopt the ordinance as presented authorizing a Contract and Agreement for Engineering Services with MBCO Engineering, LLC, for the provision of engineering services associated with the Bonds for Better Bellaire 2016 Group D, Phase II, Sidewalk Improvements Project, in an amount not to exceed \$137,303.60.

Motion:

To adopt the ordinance as presented authorizing a Contract and Agreement for Engineering Services with MBCO Engineering, LLC, for the provision of engineering services associated with the Bonds for Better Bellaire 2016 Group D, Phase II, Sidewalk Improvements Project, in an amount not to exceed \$137,303.60.

{Moved by Trisha S. Pollard, Council Member, and seconded by Michael Fife, Council Member}

Mayor Friedberg opened the floor for discussion related to the motion. Hearing none, action was taken, and the ordinance was unanimously adopted.

RESULT:	ADOPTED [UNANIMOUS]
MOVER:	Trisha S. Pollard, Council Member
SECONDER:	Michael Fife, Council Member
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, authorizing the City Manager and the City Clerk of the City of Bellaire, Texas, to execute and attest, respectively, a Contract and Agreement for Engineering Services with ARKK Engineers, Inc., for the provision of third party review, construction management and construction observation services associated with the Bonds for Better Bellaire 2016 Group C Phase 3, Streets, Drainage and Sidewalks Project, and the Group D Phase 2, Sidewalk Improvements Project, in an amount not to exceed \$671,900.00 - Submitted by Michael Leech, Director of Public Works.

Mayor Friedberg entertained a motion to adopt the ordinance as presented authorizing a Contract and Agreement for Engineering Services with ARKK Engineers, LLC, for the provision of third party review and construction management and observation services associated with the Bonds for Better Bellaire 2016 Group C, Phase III, Streets, Drainage and Sidewalk Project, and Group D, Phase II, Sidewalk Improvements Project, in an amount not to exceed \$671,900.00.

Motion:

To adopt the ordinance as presented authorizing a Contract and Agreement for Engineering Services with ARKK Engineers, LLC, for the provision of third party review and construction management and observation services associated with the Bonds for Better Bellaire 2016 Group C, Phase III, Streets, Drainage and Sidewalk Project, and Group D, Phase II, Sidewalk Improvements Project, in an amount not to exceed \$671,900.00.

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

Mayor Friedberg opened the floor for discussion on the motion. Hearing none, action was taken, resulting in the unanimous adoption of the ordinance.

Following action on agenda item H. 2e., **Mayor Friedberg** returned to the Consent Agenda.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

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

I. Community Interest Items from the Mayor and City Council.

Community interest items from the Mayor and City Council included expressions of thanks to staff for their work on the Holiday in the Park event and to all veterans for their service to the country; special mention of staff for the beautiful holiday lights and to Mrs. Claus (Mary Cohrs, Director of Library) for her service as the emcee during the Holiday in the Park event; a suggestion was made to increase the length of traffic signal time so that people had more time to cross Newcastle Street and Bellaire Boulevard to visit Evelyn's Park; and expressions of congratulations to the Bellaire Citizens Academy graduates and to City Manager Paul A. Hofmann on his nomination as the Public Official of the Year Award, which was an impressive honor.

J. Adjourn.

Mayor Friedberg announced that the Regular Session of the City Council of the City of Bellaire, Texas, was adjourned at 8:45 p.m. on Monday, December 4, 2017.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

**CONTRACT AND AGREEMENT
FOR ENGINEER SERVICES**

HDR ENGINEERING, INC (HDR)

This Agreement is made and entered into by and between the **CITY OF BELLAIRE, TEXAS**, hereinafter referred to as "**BELLAIRE**," and the undersigned, **HDR ENGINEERING, INC** hereinafter referred to as "**ENGINEER**," a corporation authorized to conduct business in the State of Texas.

I.

BELLAIRE desires to enter into an Agreement with **ENGINEER** in order that **ENGINEER** may render engineer services and any other necessary services as specified in the proposal as attached hereto and marked "Exhibit 1"; and **ENGINEER** has agreed to perform said services for the consideration set out in "Exhibit 1" attached hereto. **ENGINEER** has represented and does represent that, by signature and execution of this Agreement, the professional services and other services to be purchased by **BELLAIRE** can be reasonably rendered in a competent and professional manner.

II.

ENGINEER agrees to render said services for the consideration set out in Exhibit "1" attached; and **BELLAIRE** agrees to pay, within 30 days of the receipt and acceptance of monthly itemized invoices, the consideration as therein set out.

III.

It is specifically understood and agreed that **BELLAIRE** may, at any time, cancel this Contract and Agreement; and in the event of such cancellation, **ENGINEER** shall only have a claim against **BELLAIRE** in quantum merit for services actually rendered or costs actually incurred for and on behalf of **BELLAIRE** and have no claim for any other reason whatsoever.

IV.

In the event of dispute or disagreement as to the provisions, purpose, or intent of any of the terms and provisions of this Contract and Agreement or any exhibit attached hereto, the City Manager of **BELLAIRE** shall provide an

Exhibit A to Ordinance No. _____

interpretation of this Agreement and shall inform **ENGINEER**, by letter, of such interpretation, which shall form a part of this Agreement, and which interpretation shall become final and binding upon the signatories hereto, subject to the right of **ENGINEER** to appeal any decision made by the City Manager to the City Council of **BELLAIRE**. In the event of appeal of **ENGINEER**, the City Council of **BELLAIRE** shall, upon consideration of all facts and evidence that may be brought before it, and in consideration of all other factors or matters that may also be properly brought before it, render an interpretation which shall be binding upon all parties hereto.

V.

In the event of any conflicts or provisions contained in "Exhibit 1" attached hereto which differ from the terms and provisions of this Contract and Agreement for Engineer Services, Exhibit "1" being incorporated herein for all purposes, the terms and provisions of Exhibit "1" shall be deemed to be controlling and shall supersede the terms and provisions of this Agreement.

VI.

Upon termination of services to be rendered and delivery of any and all final work product thereof to **BELLAIRE** under the terms and provisions of this Agreement, **ENGINEER** shall receive final payment in an amount as shall be properly itemized and described, and the same shall be clearly identified as "Final Payment"; and receipt thereof and acceptance by **ENGINEER** and tendering of the same by **ENGINEER** for payment shall constitute a full and final release of any and all liability which may be claimed by **ENGINEER** against **BELLAIRE**. Said release shall be full and final even though the same may not be reflected verbatim on the face of the check or draft accepted, endorsed, and tendered for payment.

{Remainder of page intentionally left blank}

Exhibit A to Ordinance No. _____

This Contract and Agreement is entered into and executed this, the _____ day of December, 2017.

HDR ENGINEERING, INC

By: _____

Printed Name: _____

ATTEST:

Witness

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Exhibit A to Ordinance No. _____

This Contract and Agreement is executed by the City Manager of **BELLAIRE** and attested by the City Clerk of **BELLAIRE** under authority granted by Ordinance No. _____ duly adopted by the City Council of **BELLAIRE** on the 4th day of December, 2017.

CITY OF BELLAIRE, TEXAS

By: _____
Paul A. Hofmann
City Manager

ATTEST:

Tracy L. Dutton, TRMC
City Clerk

APPROVED AS TO FORM:

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

Exhibit A to Ordinance No. _____

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



ORDINANCE NO. 17-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLAIRE, TEXAS, APPROVING AN AMENDMENT TO A CONTRACT AND AGREEMENT FOR ENGINEERING SERVICES BY AND BETWEEN HDR ENGINEERING, INC, AND THE CITY OF BELLAIRE, TEXAS, FOR ENGINEERING SERVICES ASSOCIATED WITH THE REBUILD BELLAIRE FIVE PAVING AND DRAINAGE IMPROVEMENTS PROJECT AND AUTHORIZING THE CITY MANAGER OF THE CITY OF BELLAIRE, TEXAS, TO EXECUTE, FOR AND BEHALF OF THE CITY OF BELLAIRE, TEXAS, A CONTRACT AMENDMENT PROPOSAL WITH HDR FOR ADDITIONAL ENGINEERING DESIGN AND CONSTRUCTION PHASE SERVICES.

WHEREAS, the City Council of the City of Bellaire, Texas, heretofore previously entered into a Contract and Agreement for Engineering Services (the "Contract") with HDR Engineering, Inc. ("HDR"), on May 20, 2013, for engineering services associated with the Rebuild Bellaire Phase Five Paving and Drainage Improvements Project (the "Project") in an amount not to exceed \$1,564,812.00 (Ordinance No. 13-026); and

WHEREAS, the scope of the Project increased since that time requiring additional engineering design and construction phase services with HDR on January 25, 2016, for engineering services associated with the Rebuild Bellaire Phase Five Paving and Drainage Improvements in an amount not to exceed \$125,000 (Ordinance No. 16-005); and

WHEREAS, the scope of the Project increased since that time requiring additional engineering design and construction phase services; and

WHEREAS, HDR has proposed that the Contract should be increased in the amount of \$196,356.34 for said engineering services and has prepared a contract

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

amendment proposal for such purposed, in form as attached hereto and marked Exhibit "A"; and

WHEREAS, the City Council of the City of Bellaire, Texas, has determined that it is in the best interest of the City of Bellaire, Texas, to enter into said contract amendment proposal with HDR; **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. The City Council of the City of Bellaire, Texas, hereby approved the contract amendment proposal, in a form as attached hereto and marked Exhibit "A," submitted by HDR for an increase in the amount of \$196,356.34 to the Contract for engineering services associated with the Project.
3. The City Manager of the City of Bellaire, Texas, is hereby authorized to execute, for an on behalf of the City of Bellaire, Texas, said contract amendment proposal with HDR.
4. Upon execution of said contract amendment proposal, the total amount paid to HDR for engineering services associated with the Project will equal \$1,886,168.34.

PASSED, APPROVED, and ADOPTED this 18th day of December, 2017.

(SEAL)

ATTEST:

Tracy L. Dutton, TRMC
City Clerk

SIGNED:

Andrew S. Friedberg
Mayor

APPROVED AS TO FORM:

Alan P. Petrov
City Attorney

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



November 22, 2017

Paul Hofmann
City Manager
City of Bellaire
7008 S. Rice Avenue
Bellaire, Texas 77401

**Re: Amendment #3 to HDR Contract for Professional Engineering Services
Request for “At-Risk” CA & CO Fees from Remaining Construction Funds
Rebuild Bellaire Phase Five Paving and Drainage Improvements
City of Bellaire, Texas**

Dear Mr. Hofmann:

This letter is accompanying the project closeout package of the Rebuild Bellaire Phase Five-B Reconstruction Project and serves as HDR’s contract amendment request for the “At-Risk” Construction Administration and Construction Observation Fees due to be paid by the City from unexpended construction funds at the project closeout. The following sections provide an overall background and timeline of events concerning this amendment request as well as the fee amount requested for these services.

Background and Timeline of Events:

As you are aware, the Bellaire City Council approved Contract Amendment No. 1 to HDR’s Agreement for Engineering Services for the Rebuild Bellaire Phase Five Reconstruction Project on January 25, 2016 per City Ordinance No. 16-005. A copy of the executed Contract Amendment No. 1 is included with this letter as “**Attachment A**” for reference.

As discussed in the amendment, HDR provided reduced rates for continuing to provide construction phase services on the Phase Five-B portion of the project. HDR would provide construction administration services estimated to be \$113,000 with \$12,115 being paid up front as a lump sum. The remaining difference of \$100,885 would be paid from whatever amount of construction money is left after the Phase Five project closeout. Therefore, HDR has been providing such services “At Risk” on Phase Five-B with payment from the City due from remaining contingency funds not expended on the construction contract.

The amounts negotiated in the contract amendment were based on estimates and what both sides were willing to “risk” at the time. There was discussion during the negotiation and documentation of the contract amendment that the hours which comprise the contract amendment fee were approximate and that additional hours and fee may be required as the project progresses. It was also pointed out, both in negotiation and documented in the contract amendment, that it is anticipated additional

hdrinc.com

4828 Loop Central Drive, Suite 800, Houston, TX 77081-2220
T (713) 622-9264 F (713) 622-9265
Texas Registered Engineering Firm F-754

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

fees will exceed the amount negotiated in the contract amendment. Both the City and HDR agreed that this would be examined at a later date.

The Rebuild Bellaire Phase Five-A Reconstruction Project reached final completion on March 2, 2017 with \$640,678.24 remaining in construction funds. HDR submitted the Phase Five-A project closeout to the City on March 23, 2017 along with an Amendment Request for the originally agreed to "At-Risk" amount of \$100,885. This was done with the expectation of a good faith payment from the City of Bellaire since such a substantial fee was "At-Risk" and more than enough construction funds were left over from Phase Five-A. HDR also noted in this Amendment Request that additional hours and fee beyond the original "At-Risk" amount would be required and that HDR would like the City to consider future payment for additional services performed if remaining construction funds were available at the end of the Phase Five-B project. A copy of HDR's March 23, 2017 Amendment Request is included with this letter as "**Attachment B**" for reference.

In response to HDR's Amendment Request, the City's Director of Public Works Mr. Michael Leech met with HDR staff on April 11, 2017 to discuss HDR's estimated additional construction phase fees for the completion of the Phase Five-B project. HDR presented Mr. Leech with the "Summary of Construction Phase Fee Status for Phase 5" Memorandum during this meeting which provided an overall history of the project along with a total estimated cost to complete of \$201,439.82 (including \$100,885 agreed upon "At-Risk" amount) for Construction Administration and Construction Observation services required to complete the Phase Five-B project. It should be noted that this cost to complete included a 27-day extension of the contract time due to unforeseen field conditions per Change Order No. 1, bringing the completion of the project to July 8, 2017. A copy of HDR's Memorandum is included with this letter as "**Attachment C**" for reference.

HDR received an email from the City on May 9, 2017 which included an official response to HDR's April 11, 2017 Memorandum and March 23, 2017 Amendment Request. Per these documents, the City informed HDR that the "City intends to fully honor the terms of the contract amendment and will compensate HDR when both 5A and 5B construction project close out processes are complete." Furthermore, the City understood that the estimate of cost provided by HDR on April 11, 2017 was only an estimate and may change in accordance with construction progress which the City would compensate accordingly. Based on this direction from the City, HDR continued to provide extended construction phase services. A copy of the City's email and response letter are included with this letter as "**Attachment D**" for reference.

Fee Amount:

The Rebuild Bellaire Phase Five-B Reconstruction Project reached final completion on October 24, 2017 with \$495,275.03 remaining in construction funds, thereby bringing the total remaining Phase Five construction funds to \$1,135,953.27. Since the Phase Five-B project closeout is being presented to City Council at the same time as this letter,

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

HDR is hereby requesting payment for the actual additional "At-Risk" Construction Administration and Construction Observation services performed as outlined below:

Additional Construction Admin. Fee (includes original \$100,885 amount):	\$145,651.33
Additional Construction Observation Fee:	\$50,705.01
Total Additional Construction Phase Fee Requested at Closeout:	\$196,356.34
City's Remaining Construction Funds after Payment to HDR:	\$939,596.93

HDR has tracked and documented monthly on an hourly basis the level of effort for the hours charged after the execution of Contract Amendment No. 1. HDR has provided these hours to the City every month on an attachment that is included with every project invoice in order to keep the City aware of the amount of time that HDR was spending on the project. HDR has not received any comments or rejections from City personnel on the hours submitted. A copy of this invoice attachment is included with this letter as "**Attachment E**" for reference.

As a matter of interest, HDR would like to note that the actual additional construction phase services performed and being requested are lower than the costs estimated back on April 11, 2017 even though the project closeout was extended from July to October. HDR hopes that the City of Bellaire will see that HDR has been fair, professional and efficient in its performance of this project and has exercised care in controlling our costs and keeping them within a reasonable and expected amount. We also feel that our quality performance has directly contributed to the significant savings to the City indicated by the unexpended contingency funds remaining on the project. HDR has performed a substantial amount of work on an "At-Risk" basis with the expectation that we will be paid for our additional work from the remaining unexpended contingency funds from Phase Five-A and Five-B, per our Contract Amendment No. 1 dated January 25, 2016, and per the City's email direction and letter received May 9, 2017. HDR has done this because of the long standing positive relationship with the City and we appreciate the opportunity to continue working with the City of Bellaire.

Please let me know if you require any additional information to act on this request.

Sincerely,

HDR ENGINEERING, INC

Acceptance: City of Bellaire, Texas



David C. Weston
Vice President/Area Manager

Signature

Name

Title

ATTACHMENT A

HDR'S CONTRACT AMENDMENT NO. 1
EXECUTED JANUARY 25, 2016

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



CITY OF

Bellaire

7008 South Rice Avenue • Bellaire, Texas 77401-4495 • (713) 662-8222 • Fax: (713) 662-8212

February 2, 2016

Mr. David C. Weston
 Vice President
 HDR Engineering, Inc.
 4828 Loop Central Drive
 Suite 800
 Houston, Texas 77081

Dear Mr. Weston:

Enclosed please find one (1) original Contract Amendment to a Contract and Agreement for Engineering Services by and between HDR Engineering, Inc., and the City of Bellaire, Texas, for the Rebuild Bellaire Phase Five Reconstruction Project. The Contract Amendment was approved and adopted by the City Council of the City of Bellaire, Texas, by Ordinance No. 16-005 on January 25, 2016.

If you need anything further for your files, please do not hesitate to let me know. I may be reached by telephone at (713) 662-8275 and by email at tdutton@bellairetx.gov.

Sincerely,

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

Enclosure (1)

cc: City Manager Paul A. Hofmann
 Assistant City Manager Diane K. White
 Finance Manager William Mize
 Director of Public Works Brant Gary
 Project Manager Michelle Jordan
 Information Coordinator Todd A. Gross

Mr. Terry Maher
 HDR Engineering, Inc.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



January 20, 2016

Mr. Brant Gary
Director of Public Works
City of Bellaire
7009 S. Rice Avenue
Bellaire, Texas 77401

Re: Contract Amendment to HDR Contract with the City of Bellaire for Rebuild Bellaire Phase Five, dated May 20, 2013; Paving and Drainage Improvements; City of Bellaire, Texas

Dear Mr. Gary:

As requested, HDR is pleased to submit this contract amendment for the above referenced contract and the associated fee associated with the amendment. This amendment addresses fees associated with the Construction Phase of the project. This amendment is desired by the City so as to compensate HDR for additional work associated with scope increases on Phase 5.

The Phase 5 project was originally intended to be one construction contract to be constructed over a 14 month period. Fees in the above referenced project for Construction Observation and Construction Administration were generated based on a single design/bid construction contract and construction occurring over a 14 month period.

It was decided by the City to separate the single contract into two contracts, with one contract designated 5A to begin in March of 2015 and to be 17 months in duration. The second contract, designated as 5B is to begin in March of 2016 and to be 15 months in duration. Therefore, the total length of the Phase 5 project (which includes 5A and 5B) is to be 27 months with a 6 month overlap of construction schedules. Therefore, the overall length of time that construction observation services and construction administration services are to be performed has been increased from 14 months to 27 months. Also since there are now two contracts instead of one contract, the construction administrative services scope has increased.

This contract amendment addresses:

The costs associated with splitting the construction packages from one package to two, which includes an additional bidding process and an additional Neighborhood Meeting.

The costs associated with additional Construction Administration services due to the additional construction contract. The tasks which need to be performed are the same as listed in the above referenced agreement which need to be performed on each construction contract (5A and 5B). We have adjusted hours on tasks where a duplication between 5A and 5B may occur.

The costs associated with Construction Observation increasing the overall construction period from 14 months to 27 months. It is estimated that a single site representative will be on site an average of 40 hours per week including when both 5A and 5B are under construction simultaneously.

The costs associated with the design of proposed 1,300 L.F. of 8 inch waterline and 42 service connections to the paving and drainage Plans for Imperial Street as requested by the City.

The costs associated with Texas Department and Licensing and Regulation Filing Fees (estimated TDLR Fees plus 10%) for required licensing for Americans with Disability Act review requirements.

HDR is including a credit for work which was anticipated in the original agreement but was eliminated. This is design work on Second Street, which was eliminated after the preliminary engineering was performed. It was determined that there was not sufficient capacity on Bellaire Blvd. and Bissonnet Street to accommodate the needs of the drainage system for Second St. An alternate design was discussed with City staff after the Preliminary Engineering was performed and it was determined to delete further design on Second Street until future provisions could be made to address the drainage concerns.

From Conversations with City staff, it is HDR's understanding that there are limiting budgetary concerns for additional work. As Bellaire is a long standing client of HDR's and whereas the City and HDR have developed an excellent relationship and whereas HDR desires to assist the City of Bellaire in its budget concerns, HDR is offering to help the City by offering reduced rates on the Construction Observation and Construction Administration portions of this contract modification. These adjustments are applicable to this Phase 5 project only and are not intended for future work on other projects.

In order to aid the City in its budgetary concerns regarding this project, HDR will adjust its charges for Construction Observation and Administration fees with rates reduced from our normal billing rates. Construction Observation will be billed hourly. Construction Administration tasks will be documented hourly, with the first \$12,115 of effort billed as a lump sum, per this contract

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

modification. Construction Administration tasks that are performed beyond the initial \$12,115 level of effort will be tracked and documented monthly on an hourly basis for future payment per this contract modification. This will be effective for hours charged after the execution of this contract modification. It should be understood that the hours estimated for these tasks are approximate and additional hours and fee may be required as the project progresses depending on need. We will coordinate carefully with City staff on the use of the designated time and fee. From our discussions with City staff they have asked us to economize in this manner.

It is anticipated that additional fees for the scope of work under Construction Administration will exceed the fees negotiated in this amendment. In recognition of this budgetary constraint, HDR will work in advance of dedicated funding for the additional Construction Administration requirements, as requested by the City. The City will pay for these additional services with any remaining project funds on hand (either Construction or Engineering Services) at Phase 5 Construction Project closeout. This will not apply to any additional pass through costs which may be necessary due to future project needs, such as additional materials testing, surveying, urban forester or any other special consultant needs or unique additional services requests which the City may desire that is beyond the standard Construction Administration duties. HDR reserves the right to request additional fees for additional services for non Construction Administration duties that may occur in the future.

The additional fees requested as part of this contract amendment are as follows:

Imperial Street Waterline Design (Lump Sum) \$2,280.00

Splitting project in two, including Bidding process and Neighborhood Meeting (Lump Sum) \$23,110

Construction Administration – Partial cost for additional Construction Administration at a reduced rate (lump sum) \$12,115. Costs beyond this amount will be tracked, reported on a monthly basis, and paid at project completion based on actual work performed from any project funds (construction or engineering services) remaining after Phase 5 project closeout, not to exceed \$113,000 (which includes the \$12,115 listed above).

Construction Observation \$100,000

Less credit for Second Street Design (\$13,605)

Texas Department of Licensing and Regulation Filing Fees \$1,100

Total Additional Fees \$125,000

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

HDR appreciates the opportunity to submit this contract modification and to continue working with the City of Bellaire.

Sincerely,

HDR Engineering



David C. Weston

Vice President

City of Bellaire, Texas


Signature

Andrew S. Friedberg
Name

Mayor
Title

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

ATTACHMENT B

HDR'S AMENDMENT REQUEST
DATED MARCH 23, 2017

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



March 22, 2017

Paul Hofmann
City Manager
City of Bellaire
7009 S. Rice Avenue
Bellaire, Texas 77401

Re: Request for Additional Construction Administration Fees from Remaining Construction Funds on Rebuild Bellaire Phase Five, Paving and Drainage Improvements;
City of Bellaire, Texas

Dear Mr. Hofmann:

As you are aware, the Bellaire City Council approved Contract Amendment No. 1 to HDR's Agreement for Engineering Services for the Rebuild Bellaire Phase Five Reconstruction Project on January 25, 2016 per City Ordinance No. 16-005. A copy of the executed Contract Amendment No. 1 is attached with this letter for reference.

As discussed in the amendment, HDR provided for a partial cost for additional Construction Administration Services at reduced lump sum of \$12,115.00. Since Bellaire has been a long standing client of HDR and HDR desired to assist the City in its budget constraints, HDR agreed to work in advance of dedicated funding for the remaining additional Construction Administration requirements. The City agreed to pay for these additional services not exceeding \$113,000.00 (including the \$12,115.00) with any remaining project funds on hand at Phase Five Construction Project closeout.

The Rebuild Bellaire Phase Five-A Reconstruction Project has reached Final Completion and Project Closeout and is being presented to City Council at the same time as this letter. This project has construction funds remaining at project closeout totaling \$640,678.24. HDR is hereby requesting payment for the remaining additional Construction Administration services as outlined below:

Total Additional Construction Admin. Fee (Not to Exceed):	\$113,000
Portion of Additional Construction Admin. Fee Previously Paid (Lump Sum):	(\$12,115)
Remaining Additional Construction Admin. Fee Requested at Closeout (Lump Sum):	\$100,885

City's Remaining Construction Funds at Project Closeout:	\$539,793.24
--	---------------------

HDR has tracked and documented monthly on an hourly basis the level of effort for the hours charged after the execution of Contract Amendment No. 1. HDR has provided these hours to the City every month on an attachment that is included with every project invoice. HDR has not

hdrinc.com

4828 Loop Central Drive, Suite 800, Houston, TX 77081-2220
T (713) 622-9264 F (713) 622-9265
Texas Registered Engineering Firm F-754

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

received any comments or rejections from City personnel on the hours submitted and thus considers them acceptable to the City.

Moving forward, HDR is continuing to provide both Construction Administration and Construction Observation Services for the Rebuild Bellaire Phase Five-B Reconstruction Project. Per the January 20, 2016 Contract Amendment Letter, it was understood that additional hours and fee may be required as the project progresses depending on need. HDR would like the City to consider future payment for additional services performed over and above the \$113,000 if remaining construction funds are available at the end of the Phase Five-B project. HDR will continue to track and document the hours charged throughout the remainder of this project.

HDR has always valued the City of Bellaire as a long standing client and appreciates the opportunity to continue working with the City.

Sincerely,

HDR ENGINEERING, INC

City of Bellaire, Texas



David C. Weston
Vice President

Signature

Name

Title

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

ATTACHMENT C

HDR'S MEMORANDUM
DATED APRIL 10, 2017

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Summary of Construction Phase Fee Status for Phase 5

Date: Monday, April 10, 2017

Project: Rebuild Bellaire Phase 5

To: Michael Leech, Director of Public Works, City of Bellaire

From: Chris Claunch, P.E., John Peterson, P.E., CFM, & Ryan Nokelby, E.I.T.

General:

The following is a representation of the fees billed to date by HDR Engineering for Construction Phase Services on the Rebuild Bellaire Phase 5 Project and the anticipated fees that will be generated to complete the project.

History:

The City of Bellaire contracted with HDR Engineering (Contract adopted May 20, 2013) to provide design and construction phase services. This contract was to prepare design/bid documents and provide construction phase services for a single project to be constructed over a 14 month period. HDR's fees for construction phase services were based on a single bid process, construction administration for a single contractor over 14 months and construction observation (construction management) over a 14 month period.

Prior to bidding Phase 5, the City decided it was in their best interest to split the project into two bid packages designated 5A and 5B. 5A was to begin in March 2015 and to be 14 months in duration and 5B was to begin in March of 2016 and to be 15 months in duration. Therefore, the total length of Phase 5 was adjusted to be 27 months with a 3 month overlap of construction schedules. Therefore, HDR was to provide construction administration and construction observation services on two projects instead of one and for a duration of 27 months, with a 3 month overlap instead of 14 months. It is important to note that a single site representative was working both 5A and 5B during the overlap period but construction administration had to continue on two separate projects during that overlap period (Working with two separate contractors on two separate projects).

At the time Phase 5 was split into two projects, HDR felt that there was a clear understanding that additional fees would be necessary due to the splitting of the project into two bid packages, providing construction administration on two projects rather than one, providing construction observation services on two projects for a longer duration than the 14 month period in the original contract upon which HDR's fees were based; and that the services for the additional construction phase would be negotiated and approved at the time 5B was ready to go to construction.

Unfortunately, it became clear at the time of said negotiation that there had been a misunderstanding and the City of Bellaire did not agree with HDR's understanding that additional fees would be necessary due to the increased construction time period for which full time inspection and construction administration services would be required for the additional 5B project. It became apparent that the City had not budgeted such additional fees.

Recognizing the awkwardness of this situation and desiring to aid the City (a long standing client with an excellent relationship of over 30 years), HDR offered a contract amendment (January 20, 2016) under

which HDR offered reduced rates for continuing to provide construction phase services on 5B. HDR would provide construction administration services estimated to be \$113,000 with \$12,115 being paid up front as a lump sum. The remaining difference of \$100,885 would be paid from whatever amount of construction money is left after the Phase 5 project close out. Therefore, HDR has been providing such services “at risk” on 5B recognizing that it may or may not be paid, depending on how much is left in the construction contract.

It must be emphasized that the amounts negotiated in the contract amendment were based on estimates and what both sides were willing to “risk” at the time. There was discussion during the negotiation and documentation of the contract amendment that the hours which comprise the contract amendment fee were approximate and that additional hours and fee may be required as the project progresses. It was also pointed out, both in negotiation and documented in the contract amendment, that it is anticipated additional fees will exceed the amount negotiated in the contract amendment. Both the City and HDR agreed that this would be examined at a later date.

Project 5A is being closed out at present and there is approximately \$640,000 left over from the construction contract. HDR has requested payment from such left over amount for the agreed upon \$100,885 and noted that additional fees will be necessary. The contract amendment notes that such amount will be paid at the completion of Phase 5, but HDR has submitted the request in hopes of a good faith payment from the City of Bellaire, since such a substantial fee was “at-risk” and more than enough construction funds were left over from 5A.

Schedule:

In regard to estimated construction schedules (for which fees were estimated) versus actual construction time (for which construction phase services have been provided by HDR), the following must be understood:

Phase 5A:

- Original Construction Contract Duration – 14.2 months
- Actual Contract Duration – 18.6 months (due to additional work, additional days granted)
- Started March 23, 2015 with Substantial Completion reached on September 29, 2016.

Phase 5B:

- Original Construction Contract Duration – 15.2 months
- Actual Contract Duration – 16.1 months (due to additional water line work with additional days to be added with Change Order #1, which is presently being processed)
- Started March 14, 2016 with Estimated Project Completion to be July 7, 2017.

These construction schedules are presented in the attached construction schedule chart as a visual aid. Based on the actual construction contract duration, the projects overlap by 6.5 months. One site representative was on site for both 5A and 5B during the overlap period. Therefore, construction time for Phase 5 (from start of 5A to estimated completion of 5B) for which construction observation is performed will be 28.2 months ($18.6 + 16.1 - 6.5 = 28.2$) or 14.2 months longer than anticipated in the original contract. Since construction administration must be performed for each project individually then the total duration for construction administration services will be 34.7 months (18.6 months + 16.1 months) or 20.7 months longer than anticipated in the original contract. Construction administration is being performed on both projects during the 6.5 month overlap.

CONSTRUCTION PHASE FEES TO DATE AND ESTIMATED FEES TO PROJECT COMPLETION:

CONSTRUCTION ADMINISTRATION FEES:

Original Contract Amount (Fee based on 14-Mo. Project) - \$122,630 (Avg. on 14.2 Mo. = \$8,635.92/Mo.)

Agreed upon Additional CA Amount (per Amendment #1) - \$12,115

Agreed upon Additional CA "At-Risk" Amount (per Amendment #1) - \$100,885 (\$113,000 less \$12,115)

Agreed upon TOTAL = \$235,630

INVOICED TO DATE:

\$120,790.55 (Paid - See Task 8 on Invoice; \$1,839.45 Left to be Invoiced)

\$12,115 (Paid - See Task 14 on Invoice)

\$100,885 (At-Risk Amount – Not Invoiced but Payment Requested)

Invoiced To Date TOTAL = \$233,790.55

ESTIMATED COST TO COMPLETE:

\$15,004.06 (Additional Cost Beyond \$100,885 Incurred to Date up to 4/1/17)

\$25,585 (Projected Cost to Complete from 4/1/17 to 7/7/17, which includes 27 day contract extension from Change Order #1 presently being processed)

Cost to Complete TOTAL = \$40,589.06

Estimated Final Construction Administration Cost for Phase 5 = \$276,219.06 (Avg. \$7,960.20/Mo.)*
 (\$233,790.55 + \$1,839.45 + \$40,589.06 = \$276,219.06)

*Construction Administration occurs over 34.7 months (18.6 months for 5A and 16.1 months for 5B)

*It should be noted that the average per month cost of the project with the additional work is less than the original contract amount average.

Amount Beyond Original Contract Amount Needed to Complete:

\$100,885 (Agreed upon "At-Risk" Amount Recently Requested)

\$40,589.06 (Cost Incurred to Date Beyond the "At-Risk" Amount plus Projected Cost to Complete)

TOTAL CONSTRUCTION ADMINISTRATION AMOUNT TO COMPLETE = \$141,178.12

CONSTRUCTION OBSERVATION FEES:

Original Contract Amount (Fee based on 14-Mo. Project)-\$352,907 (Avg. on 14.2 Mo. = \$24,852.61/Mo.)

Agreed upon Additional CO Amount (per Amendment #1) - \$100,000

Agreed upon TOTAL = \$452,907

INVOICED TO DATE:

\$352,907 (Paid - See Task 9 on Invoice)

\$85,042.20 (Amount Invoiced up to 3/4/17 - See Task 15 on Invoice)

Invoiced To Date TOTAL = \$437,949.20

ESTIMATED COST TO COMPLETE:

\$15,144.50 (Cost Incurred to Date from 3/4/17 to 4/1/17, this is over the agreed upon additional \$100,000 by \$186.70)

\$60,075 (Projected Cost to Complete from 4/1/17 to 7/7/17, which includes 27 day contract extension from Change Order #1 presently being processed)

Cost to Complete TOTAL = \$75,219.50

Estimated Final Construction Observation Cost for Phase 5 = \$513,168.70 (Avg. \$18,197.47/Mo.)*
(\$437,949.20 + \$75,219.50 = \$513,168.70)

*Construction Observation occurs over 28.2 months (18.6 months for 5A and 16.1 months for 5B less 6.5 months for the period the on-site representative was used to observe both projects)

*It should be noted that the average per month cost of the construction observation includes 6.5 months with half time when the site representative was observing both 5A and 5B, which reduces the average cost per month. With an approximate projection of the cost as though there was full time observation over the 6.5 month period for both projects, the average would be approximately \$22,391 per month which is conservative and less than the original contract amount average.

Amount Beyond Original Contract Amount Needed to Complete:

\$452,907 (Original Contract Amount \$352,907 plus Authorized Additional Amount \$100,000)

\$513,168.70 (Projected Final Cost at Complete)

Difference = \$60,261.70 (Amount Beyond Contract Needed to Complete)

TOTAL CONSTRUCTION OBSERVATION AMOUNT TO COMPLETE = \$60,261.70

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

TOTAL Construction Administration and Construction Observation Fees Required to Complete Phase 5

Construction Administration = \$141,178.12 (includes \$100,885 Agreed upon "At-Risk" Amount)

Construction Observation = \$60,261.70

TOTAL = \$201,439.82 (includes \$100,885 Agreed upon "At-Risk" Amount Recently Requested)

Estimated Available Funds from the Construction Contracts of 5A and 5B

- 5A Remaining Funds After Project Closeout = \$640,000 (AVAILABLE NOW)
- 5B Estimated Remaining Funds After Project Closeout = \$200,000 (there may be as much as \$300,000 left but we are listing \$200,000 to be conservative)

TOTAL ESTIMATED CONSTRUCTION FUNDS TO BE AVAILABLE = \$840,000

Therefore, there will be ample available funds from which to pay the agreed upon At-Risk Amount and the Estimated Fees to Complete.

As a matter of interest, we note that when HDR had negotiated and submitted a fee proposal (dated 1/13/16) to former Director of Public Works Brant Gary for performing additional construction phase services on a second project (and prior to the realization that there had been a misunderstanding), the total construction phase services in that proposal was the total amount of \$311,225. When added to the original Phase 5 construction contract amount of \$475,537 (\$122,630 + \$352,907) this would have resulted in a total amount of \$786,762 (\$475,537 + \$311,225) for all construction phase services for Phase 5 to address two separate projects (5A and 5B).

When examining the additional construction phase services that HDR has actually performed and anticipates performing for Phase 5 (as outlined in this report), the amounts result in a total amount of \$789,387.76 (\$276,219.06 + \$513,168.70).

This is similar to the number we estimated and presented in our proposal of 1/13/16.

We offer this observation in hopes that the City of Bellaire will see that we have performed these services in a manner that genuinely reflect the effort involved in providing construction phase services on two separate construction projects. We also hope that the City of Bellaire will see that HDR has been fair and professional in its performance of this project and has exercised care in controlling our costs and keeping them within a reasonable and expected amount. We have performed a substantial amount of work on an "at risk" basis and have continued to perform, above and beyond, to serve the City with no guarantee that we will be paid for our additional work. HDR has done this because of our long standing positive relationship with the City, because we regret there was a misunderstanding, because we felt it was the right thing to do and because we desire to repair whatever damage has been done to our relationship.

ATTACHMENT D

CITY'S EMAIL AND RESPONSE LETTER
DATED MAY 9, 2017

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

From: Michael Leech [<mailto:MLEech@bellairetx.gov>]
Sent: Tuesday, May 09, 2017 5:01 PM
To: Peterson, John
Subject: HDR 5A 5B

John,

Attached is an electronic copy of the letter I sent David Weston on behalf of the City Manager. Appears he did not get it. Per our conversation, the City will compensate HDR for all services associated with the Rebuild Bellaire Phase Five Project including the 5A and 5B components when the project is closed. Per our last discussion on this, the job was scheduled to close in July.

Further and as discussed, It is understood that the estimate of cost provided by you is only an estimate and may change in accordance with construction progress. We are comfortable with this and will compensate accordingly.

Should you need anything further, let me know.
Mike

Michael Leech
Director of Public Works
The City of Bellaire
mleech@bellairetx.gov
713 201 3379 cell
713 662 8154 office

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



CITY OF
Bellaire



Department • *Address* • Bellaire, TX 77401 • *Phone* • *Fax*

April 17, 2017

David C. Weston
Vice President
HDR Engineering
4828 Loop Central Drive, Suite 800
Houston, Texas 77081-2220

Re: Request for Additional Construction Administration Fees from Remaining Construction Funds on Rebuild Bellaire Phase Five, Paving and Drainage Improvements

Dear Mr. Weston:

Paul Hofmann asked that I respond on his behalf to your March 22, 2017 letter which is attached for reference. Also, attached for reference is a January 20, 2016 Contract Amendment to the HDR Contract with the City for Rebuild Bellaire Phase Five.

Per the contract amendment the City will pay for the additional services sited in the contract amendment at the time of Phase Five construction project close out. The two project components of Phase Five; 5A and 5B have yet to be closed. The City intends to fully honor the terms of the contract amendment and will compensate HDR when both 5A and 5B construction project close out processes are complete.

Thank you for writing and please contact me should you have questions or would like additional information.

Sincerely,

Michael Leech
Public Works Director
The City of Bellaire Texas
mleech@bellairetx.gov
713 201 3379 cell
713 662 8154 office

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

ATTACHMENT E

**HDR'S INVOICE ATTACHMENT
OF "AT-RISK" SERVICES**

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

ATTACHMENT "E-1"
Additional Construction Administration Services

<u>Name</u>	<u>Date</u>	<u>Task</u>	<u>Hours</u>	<u>Raw Rate</u>	<u>Raw Rate * 2.8</u>	<u>Total</u>
5B February 2016						
Terry Maher	2/16/2016	Reviewed Reytect Insurance Documents	2.50	\$ 64.30	\$ 180.04	\$ 450.
Doug Wilson	2/15/2016	Created mailing address spreadsheet for Ferris St, Alder Dr, and Howard Dr. projects using January 2016 Harris County parcels and ownership data.	1.50	\$ 69.86	\$ 195.61	\$ 293.
Terry Maher	2/22/2016	Reviewing Reytect insurance documents and coordinating signing of contract documents	0.50	\$ 64.30	\$ 180.04	\$ 90.
Terry Maher	2/23/2016	Reviewing Reytect insurance documents and coordinating signing of contract documents	2.00	\$ 64.30	\$ 180.04	\$ 360.
Terry Maher	2/24/2016	Reviewing Reytect insurance documents and coordinating signing of contract documents	2.00	\$ 64.30	\$ 180.04	\$ 360.
Terry Maher	2/25/2016	Reviewing Reytect insurance documents and coordinating signing of contract documents	2.00	\$ 64.30	\$ 180.04	\$ 360.
Terry Maher	2/26/2016	Reviewing Reytect insurance documents and coordinating signing of contract documents	2.00	\$ 64.30	\$ 180.04	\$ 360.
Rebecca Stiles	2/29/2016	Setup Daily Report Template	0.50	\$ 18.58	\$ 52.02	\$ 26.
5B March 2016						
Terry Maher	3/2/2016	Pre-Construction Meeting	2.50	\$ 64.30	\$ 180.04	\$ 450.
Terry Maher	3/15/2016	Preparation of Pre-construction meeting minutes	1.00	\$ 64.30	\$ 180.04	\$ 180.
Terry Maher	3/18/2016	Neighborhood Meeting Action Forms Review	3.00	\$ 64.30	\$ 180.04	\$ 540.
Terry Maher	3/22/2016	Submittal review	1.50	\$ 64.30	\$ 180.04	\$ 270.
Terry Maher	3/23/2016	Submittal review	1.00	\$ 64.30	\$ 180.04	\$ 180.
Ryan Nokelby	3/2/2016	Preparation for RB5B Pre-Con Meeting, including creating agenda, sign-in sheet, gas line relocation plans, and printing necessary copies	1.00	\$ 32.26	\$ 90.33	\$ 90.
Ryan Nokelby	3/2/2016	Attending RB5B Pre-Con Meeting	2.00	\$ 32.26	\$ 90.33	\$ 180.
Ryan Nokelby	3/3/2016	Creating RB5B Pre-Con Meeting Minutes	2.00	\$ 32.26	\$ 90.33	\$ 180.
Ryan Nokelby	3/21/2016	Review of Submittals 1-9	0.50	\$ 32.26	\$ 90.33	\$ 45.
Rebecca Stiles	3/2/2016	Setup Phase 5B Pay Estimate and Daily Reports templates	0.75	\$ 18.58	\$ 52.02	\$ 39.
Rebecca Stiles	3/10/2016	Showing Charles how to work the daily report templates, updated templates	0.50	\$ 18.58	\$ 52.02	\$ 26.
Rebecca Stiles	3/21/2016	Received Submittals No. 1-9. Began review process, built submittal log and review sheets.	0.50	\$ 18.58	\$ 52.02	\$ 26.
Rebecca Stiles	3/22/2016	Submittal Review Continued	0.50	\$ 18.58	\$ 52.02	\$ 26.
Rebecca Stiles	3/23/2016	Building Pay Estimate No. 1	1.25	\$ 18.58	\$ 52.02	\$ 65.
Rebecca Stiles	3/25/2016	Review of Submittal No. 10 and sending out Submittals No. 1-9	0.50	\$ 18.58	\$ 52.02	\$ 26.
Rebecca Stiles	3/28/2016	Reviewing Submittal No. 11 - concrete mix design and Submittal No. 12 - Preconstruction Photos	1.00	\$ 18.58	\$ 52.02	\$ 52.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

ATTACHMENT "E-1"
Additional Construction Administration Services

<u>Name</u>	<u>Date</u>	<u>Task</u>	<u>Hours</u>	<u>Raw Rate</u>		<u>Total</u>
					<u>* 2.8</u>	
Rebecca Stiles	3/29/2016	Reviewing Submittal No. 13 - RCP & 14 - RCB	1.00	\$ 18.58	\$ 52.02	\$ 52.
Rebecca Stiles	3/30/2016	Submittal Review	1.00	\$ 18.58	\$ 52.02	\$ 52.
Rebecca Stiles	3/31/2016	RFI Log	0.50	\$ 18.58	\$ 52.02	\$ 26.
		Reproduction for March				\$ 537.
Terry Maher	3/29/2016	Submittal Review	4.00	\$ 64.30	\$ 180.04	\$ 720.
Terry Maher	3/30/2016	Review submittals, preparation of documents for progress meeting	3.50	\$ 64.30	\$ 180.04	\$ 630.
Terry Maher	3/31/2016	Submittal Review, Resident concerns on Glenmont schedule	2.00	\$ 64.30	\$ 180.04	\$ 360.
Terry Maher	3/31/2016	Preparation for and attendance at progress meeting	3.00	\$ 64.30	\$ 180.04	\$ 540.
5B April 2016						
Terry Maher	4/1/2016	Construction schedule review and correspondence with City Staff, submittal review	3.00	\$ 64.30	\$ 180.04	\$ 540.
Terry Maher	4/5/2016	Submittal review	2.00	\$ 64.30	\$ 180.04	\$ 360.
Terry Maher	4/6/2016	Submittal Review	4.00	\$ 64.30	\$ 180.04	\$ 720.
Terry Maher	4/7/2016	Submittal Review	3.00	\$ 64.30	\$ 180.04	\$ 540.
Terry Maher	4/8/2016	Resident concerns, Howard cut through traffic, Submittal Reviews	3.00	\$ 64.30	\$ 180.04	\$ 540.
Terry Maher	4/11/2016	Submittal Review	4.00	\$ 64.30	\$ 180.04	\$ 720.
Terry Maher	4/14/2016	Submittal Review, Preparation for Progress Meeting	2.00	\$ 64.30	\$ 180.04	\$ 360.
Terry Maher	4/15/2016	Submittal Review	1.00	\$ 64.30	\$ 180.04	\$ 180.
Terry Maher	4/19/2016	Unforeseen gas and ATT Conflict with proposed storm sewer Glenmont at Newcastle exploratory excavation	2.00	\$ 64.30	\$ 180.04	\$ 360.
Terry Maher	4/21/2016	Resident concerns 1100 block Howard cut through traffic concerns, Construction Progress Meeting	4.00	\$ 64.30	\$ 180.04	\$ 720.
Terry Maher	4/22/2016	Resident concerns 1201 Mulberry 3 sprinklers and standing water and debris in street, 4400 Bissonnet pipe staged in ROW, ATT conflict with proposed storm sewer	2.00	\$ 64.30	\$ 180.04	\$ 360.
Terry Maher	4/25/2016	Gas line conflict with storm sewer coordination with Centerpoint to relocate gas line	6.00	\$ 64.30	\$ 180.04	\$ 1,080.
Terry Maher	4/26/2016	Coordination with geotechnical material testing subcontractor, schedule review and coordination with Reytec	2.00	\$ 64.30	\$ 180.04	\$ 360.
Terry Maher	4/27/2016	RFI#1 review, resident concerns 5335 Braeburn-Valerie and Alder schedule (Houston Rose Society) Submittal Review	2.50	\$ 64.30	\$ 180.04	\$ 450.
Terry Maher	4/28/2016	Conflict Investigation ATT with proposed Storm Sewer Glenmont at Newcastle site visit	2.00	\$ 64.30	\$ 180.04	\$ 360.
Ryan Nokelby	4/19/2016	Meeting with Terry Maher and Charles Lindberg to discuss CenterPoint Gas conflict found in field at Glenmont and Newcastle and re-sending 100%				

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

ATTACHMENT "E-1"
Additional Construction Administration Services

<u>Name</u>	<u>Date</u>	<u>Task</u>	<u>Hours</u>	<u>Raw Rate</u>		<u>Total</u>
					<u>* 2.8</u>	
		set of plans to CenterPoint	0.50	\$ 32.26	\$ 90.33	\$ 45.
Ryan Nokelby	4/21/2016	Phone Conference with Matt Warakowski from CenterPoint Energy on proposed conflict resolutions	0.50	\$ 32.26	\$ 90.33	\$ 45.
Rebecca Stiles	4/1/2016	Prepping submittals for return to contractor (10, 11, 12, 13, 14, 15)	3.00	\$ 18.58	\$ 52.02	\$ 156.
Rebecca Stiles	4/4/2016	Reviewing and returning Submittals	1.50	\$ 18.58	\$ 52.02	\$ 78.
Rebecca Stiles	4/5/2016	Tuesday - Submittals No. 16, 17, 18, 19	1.50	\$ 18.58	\$ 52.02	\$ 78.
Rebecca Stiles	4/6/2016	Submittal Review	0.25	\$ 18.58	\$ 52.02	\$ 13.
Rebecca Stiles	4/7/2016	Submittal Review	1.50	\$ 18.58	\$ 52.02	\$ 78.
Rebecca Stiles	4/11/2016	Completing Submittals 11.1, 11.2, 11.5, 11.8, 16,17,18,19,20,21	0.25	\$ 18.58	\$ 52.02	\$ 13.
Rebecca Stiles	4/12/2016	Completing Submittals 11.1, 11.2, 11.5, 11.8, 16,17,18,19,20,21	1.00	\$ 18.58	\$ 52.02	\$ 52.
Rebecca Stiles	4/13/2016	Completing Submittals 11.1, 11.2, 11.5, 11.8, 16,17,18,19,20,21	0.50	\$ 18.58	\$ 52.02	\$ 26.
Rebecca Stiles	4/14/2016	Completing Submittals 11.1, 11.2, 11.5, 11.8, 16,17,18,19,20,21	0.50	\$ 18.58	\$ 52.02	\$ 26.
Rebecca Stiles	4/15/2016	Completing Submittals 11.1, 11.2, 11.5, 11.8, 16,17,18,19,20,21	1.00	\$ 18.58	\$ 52.02	\$ 52.
Rebecca Stiles	4/25/2016	Completing Submittals 11.1, 11.2, 11.5, 11.8, 16,17,18,19,20,21	0.50	\$ 18.58	\$ 52.02	\$ 26.
Rebecca Stiles	4/26/2016	Completing Submittals 11.1, 11.2, 11.5, 11.8, 16,17,18,19,20,21	0.25	\$ 18.58	\$ 52.02	\$ 13.
Rebecca Stiles	4/27/2016	Completing Submittals 11.1, 11.2, 11.5, 11.8, 16,17,18,19,20,21	0.50	\$ 18.58	\$ 52.02	\$ 26.
Rebecca Stiles	4/29/2016	Completing Submittals 11.1, 11.2, 11.5, 11.8, 16,17,18,19,20,21	0.25	\$ 18.58	\$ 52.02	\$ 13.
		Reproduction for April				\$ 34.
5A May 2016						
Rebecca Stiles	5/2/2016	5A Pay Estimate Processing	0.50	\$ 18.58	\$ 52.02	\$ 26.
Rebecca Stiles	5/18/2016	5A Pay Estimate Processing	0.25	\$ 18.58	\$ 52.02	\$ 13.
Carolina Molfetta	5/2/2016	Checked form elevations(Phase 5A)	1.00	\$ 31.99	\$ 89.57	\$ 89.
Carolina Molfetta	5/4/2016	Checked form elevations(Phase 5A)	1.00	\$ 31.99	\$ 89.57	\$ 89.
Carolina Molfetta	5/14/2016	Checked form elevations(Phase 5A) for Beech St	1.00	\$ 31.99	\$ 89.57	\$ 89.
Carolina Molfetta	5/19/2016	Checked form elevations(Phase 5A)	0.50	\$ 31.99	\$ 89.57	\$ 44.
Carolina Molfetta	5/23/2016	Checked form elevations(Phase 5A)	1.00	\$ 31.99	\$ 89.57	\$ 89.
Carolina Molfetta	5/24/2016	Checked form elevations(Phase 5A)	1.00	\$ 31.99	\$ 89.57	\$ 89.
Ryan Nokelby	5/9/2016	Processing Pay Estimate No. 14	2.00	\$ 32.26	\$ 90.33	\$ 180.
Terry Maher	5/2/2016	5A 4901 Florence Driveway, Construction Progress Meeting, 4900 Block Bellview sidewalks - repoded to Council Member	1.00	\$ 64.30	\$ 180.04	\$ 180.
Terry Maher	5/3/2016	5A 4806, 4810, 4802, 4807, 4906 Bellview, schedule, sidewalks	1.00	\$ 64.30	\$ 180.04	\$ 180.
Terry Maher	5/4/2016	5A Pay Estimate reiew, 4918 Bellview access concern	2.00	\$ 64.30	\$ 180.04	\$ 360.
Terry Maher	5/5/2016	5A 4628 Beech driveway, schedule update and notice review	1.00	\$ 64.30	\$ 180.04	\$ 180.
Terry Maher	5/6/2016	Prepared notices for Winslow and Wilmington, 4900 Bellview Water disruption	1.00	\$ 64.30	\$ 180.04	\$ 180.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

ATTACHMENT "E-1"
Additional Construction Administration Services

<u>Name</u>	<u>Date</u>	<u>Task</u>	<u>Hours</u>	<u>Raw Rate</u>	<u>Raw Rate</u> <u>* 2.8</u>	<u>Total</u>
Terry Maher	5/11/2016	4701 Bellview sinkhole, 4811 Bellview yard drainage, Bellview Driveway grades	1.00	\$ 64.30	\$ 180.04	\$ 180.
Terry Maher	5/12/2016	5A Submittal Review, 4916 Bellview tree protection, 4502 Merrie driveway	1.00	\$ 64.30	\$ 180.04	\$ 180.
Terry Maher	5/12/2016	5A Pay application review, 4701 Bellview sinkhole, 4902 Bellview water pressure	1.00	\$ 64.30	\$ 180.04	\$ 180.
Terry Maher	5/16/2016	5A 4501 Merrie water bill, Bellview sidewalks and Council Meeting, 4712 Bellview Sidewalk	1.00	\$ 64.30	\$ 180.04	\$ 180.
Terry Maher	5/17/2016	5A 4806 Bellview, flagman concerns, discuss projects with Todd Gross, 502 Winslow Sprinkler	2.00	\$ 64.30	\$ 180.04	\$ 360.
Terry Maher	5/23/2016	5A 4633 Beech restoration, 4800 & 4812 Bellview yard drains and driveway, 4628 Beech driveway	1.00	\$ 64.30	\$ 180.04	\$ 180.
Terry Maher	5/25/2016	5A 4904 Bellview Sidewalk, 509 Wilmington drainage, 4714 Bellview schedule	1.00	\$ 64.30	\$ 180.04	\$ 180.
5B May 2016						
Brittany O'Connor	5/11/2016	5B Pay Estimate Setup	1.00	\$ 18.17	\$ 50.88	\$ 50.
Rebecca Stiles	5/4/2016	Pay estimate no. 1 review/creation.	0.75	\$ 18.58	\$ 52.02	\$ 39.
Rebecca Stiles	5/5/2016	Pay estimate no. 1 review/creation.	0.75	\$ 18.58	\$ 52.02	\$ 39.
Rebecca Stiles	5/6/2016	Pay estimate no. 1 review/creation.	0.50	\$ 18.58	\$ 52.02	\$ 26.
Rebecca Stiles	5/9/2016	Pay estimate no. 1 review/creation.	0.25	\$ 18.58	\$ 52.02	\$ 13.
Rebecca Stiles	5/11/2016	Pay estimate no. 1 review/creation.	0.25	\$ 18.58	\$ 52.02	\$ 13.
Rebecca Stiles	5/16/2016	Pay estimate no. 1 review/creation.	1.00	\$ 18.58	\$ 52.02	\$ 52.
Rebecca Stiles	5/17/2016	Pay estimate no. 1 review/creation.	0.50	\$ 18.58	\$ 52.02	\$ 26.
Rebecca Stiles	5/18/2016	Pay estimate no. 1 review/creation.	0.25	\$ 18.58	\$ 52.02	\$ 13.
Rebecca Stiles	5/20/2016	Pay estimate no. 1 review/creation.	0.25	\$ 18.58	\$ 52.02	\$ 13.
Rebecca Stiles	5/23/2016	Pay estimate no. 1 review/creation.	0.50	\$ 18.58	\$ 52.02	\$ 26.
Rebecca Stiles	5/26/2016	Pay estimate no. 1 review/creation.	0.25	\$ 18.58	\$ 52.02	\$ 13.
Steve Arnold	5/2/2016	Review and sign daily reports	1.00	\$ 49.19	\$ 137.73	\$ 137.
Steve Arnold	5/11/2016	Review and sign daily reports	1.00	\$ 49.19	\$ 137.73	\$ 137.
Steve Arnold	5/20/2016	Review and sign daily reports	1.00	\$ 49.19	\$ 137.73	\$ 137.
Steve Arnold	5/23/2016	Review and sign daily reports	2.00	\$ 49.19	\$ 137.73	\$ 275.
Steve Arnold	5/26/2016	Review and sign daily reports	3.00	\$ 49.19	\$ 137.73	\$ 413.
Steve Arnold	5/27/2016	Review and sign daily reports	3.00	\$ 49.19	\$ 137.73	\$ 413.
David Jorgensen	5/12/2016	Review shop submittals 26,27,28	1.50	\$ 56.21	\$ 157.39	\$ 236.
Ryan Nokelby	5/6/2016	Updating Construction Set with April Daily Reports	2.50	\$ 32.26	\$ 90.33	\$ 225.
Ryan Nokelby	5/9/2016	Processing Pay Estimate No. 1	2.00	\$ 32.26	\$ 90.33	\$ 180.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

ATTACHMENT "E-1"
Additional Construction Administration Services

<u>Name</u>	<u>Date</u>	<u>Task</u>	<u>Hours</u>	<u>Raw Rate</u>	<u>Raw Rate</u> <u>* 2.8</u>	<u>Total</u>
Ryan Nokelby	5/10/2016	Review of Submittals No. 23 & 24	2.00	\$ 32.26	\$ 90.33	\$ 180.
Ryan Nokelby	5/12/2016	Review of Submittals No. 26-29, including meeting with Terry M. to				
Ryan Nokelby		discuss submittal response	2.00	\$ 32.26	\$ 90.33	\$ 180.
Ryan Nokelby	5/19/2016	Prepared for and attended Progeree Meeting	2.00	\$ 32.26	\$ 90.33	\$ 180.
Terry Maher	5/2/2016	Review completed work	2.00	\$ 64.30	\$ 180.04	\$ 360.
Terry Maher	5/3/2016	Review pay estimate, review construction schedule	1.00	\$ 64.30	\$ 180.04	\$ 180.
Terry Maher	5/4/2016	Review pay estimate revisions	1.00	\$ 64.30	\$ 180.04	\$ 180.
Terry Maher	5/5/2016	Review submittals	2.50	\$ 64.30	\$ 180.04	\$ 450.
Terry Maher	5/9/2016	Waterline material verification	3.00	\$ 64.30	\$ 180.04	\$ 540.
Terry Maher	5/10/2016	At jobsite Glenmont at Newcastle regarding conduit conflict	5.00	\$ 64.30	\$ 180.04	\$ 900.
Terry Maher	5/11/2016	1119 Mulberry Construction Concerns	1.50	\$ 64.30	\$ 180.04	\$ 270.
Terry Maher	5/12/2016	Submittal Review	2.00	\$ 64.30	\$ 180.04	\$ 360.
Terry Maher	5/12/2016	Pay Application #1	1.50	\$ 64.30	\$ 180.04	\$ 270.
Terry Maher	5/13/2016	1119 Mulberry storm sewer, submittal review	2.00	\$ 64.30	\$ 180.04	\$ 360.
Terry Maher	5/16/2016	Site vist, submittal review	4.00	\$ 64.30	\$ 180.04	\$ 720.
Terry Maher	5/17/2016	Construction coordination, scheduling, storage yard, electrical fund transfer	2.00	\$ 64.30	\$ 180.04	\$ 360.
Terry Maher	5/18/2016	Progress Meeting preparation, coordinate cleanup Public Works dirt yard	4.00	\$ 64.30	\$ 180.04	\$ 720.
Terry Maher	5/23/2016	1119 Mulberry construction concerns, Alder and Valerie drainage concerns	2.00	\$ 64.30	\$ 180.04	\$ 360.
Terry Maher	5/24/2016	1118 Howard coordinate house construction driveway and water service	2.00	\$ 64.30	\$ 180.04	\$ 360.
Terry Maher	5/25/2016	Alder & Valerie drainage letter	4.00	\$ 64.30	\$ 180.04	\$ 720.
Terry Maher	5/26/2016	Alder & Valerie drainage letter	3.00	\$ 64.30	\$ 180.04	\$ 540.
Terry Maher	5/27/2016	Site visit to review cleanup for Memorial Day	2.00	\$ 64.30	\$ 180.04	\$ 360.
		Reproduction for May				\$ 47.
5A June 2016						
Carolina Molfetta	6/3/2016	Checked form elevations	1.00	\$ 31.99	\$ 89.57	\$ 89.
Carolina Molfetta	6/13/2016	Checked form elevations	1.00	\$ 31.99	\$ 89.57	\$ 89.
Carolina Molfetta	6/16/2016	Checked form elevations	1.00	\$ 31.99	\$ 89.57	\$ 89.
Carolina Molfetta	6/20/2016	Checked grade elevations	1.00	\$ 31.99	\$ 89.57	\$ 89.
Ryan Nokelby	6/8/2016	Processing Pay Estimate No. 15 (4 hrs)	4.00	\$ 32.26	\$ 90.33	\$ 361.
Ryan Nokelby	6/9/2016	Revising Pay Estimate No. 15 (2 hrs)	2.00	\$ 32.26	\$ 90.33	\$ 180.
Ryan Nokelby	6/14/2016	Meeting with Terry M. to discuss on-going resident issues (1 hr)	1.00	\$ 32.26	\$ 90.33	\$ 90.
Ryan Nokelby	6/21/2016	Updating construction set with daily reports (1 hr)	1.00	\$ 32.26	\$ 90.33	\$ 90.
Ryan Nokelby	6/23/2016	Updating construction set with daily reports (2 hrs)	2.00	\$ 32.26	\$ 90.33	\$ 180.
Rebecca Stiles	6/14/2016	Submittals	0.25	\$ 18.58	\$ 52.02	\$ 13.
Rebecca Stiles	6/17/2016	SubmittalsBuilding Pay Estimate and Entering Daily Reports for June.	1.25	\$ 18.58	\$ 52.02	\$ 65.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

ATTACHMENT "E-1"
Additional Construction Administration Services

<u>Name</u>	<u>Date</u>	<u>Task</u>	<u>Hours</u>	<u>Raw Rate</u>	<u>Raw Rate</u> <u>* 2.8</u>	<u>Total</u>
Rebecca Stiles	6/21/2016	Submittals 34-39. Process and return.	0.25	\$ 18.58	\$ 52.02	\$ 13.
5B June 2016						
Terry Maher	5/31/2016	Glenmont @ Howard-waterline adjustments and manholes. 4610 Beech Out of Country for a month and cant get car out of garage. 4807 Bellview Sprinkler and grass. 4800 Bellview Sidewalk location. 4712 Bellview completion schedule	4.50	\$ 64.30	\$ 180.04	\$ 810.
Terry Maher	6/1/2016	4815,4806,4712 Bellview completion status & outstanding items. Coordination of start work on Valerie and Winslow, notices. 1119 Mulberry access and mud concerns.	6.00	\$ 64.30	\$ 180.04	\$ 1,080.
Terry Maher	6/2/2016	1201 & 1119 Mulberry driveway access. Coordination with home construction at 1118 Howard. Coordination of driveway replacement at 918 Bellview.	5.50	\$ 64.30	\$ 180.04	\$ 990.
Terry Maher	6/6/2016	4807 Bellview-landscape & irrigation 0.5 , 4703 Bellview-curb height .25, Glenmont at Mulberry-maintain roadway.5, field determine sidewalk alignment 4900 block Bellview & Welford 2.5	3.75	\$ 64.30	\$ 180.04	\$ 675.
Terry Maher	6/7/2016	4712 Bellview-sidewalk location 1.0, RB5A review pat app. .5, Glenmont @ Howarg-CP gas line conflict .25, 4807 Bellview-landscape & irrigation 0.5	2.25	\$ 64.30	\$ 180.04	\$ 405.
Terry Maher	6/8/2016	509 Wilmington-traffic disruption 2.0, 5300 block Valerie- tree trimming concerns, 4500 Merrie completion schedule .25, Nancy & Newcastle-ATT conduit conflict .5	2.75	\$ 64.30	\$ 180.04	\$ 495.
Terry Maher	6/9/2016	4520 Merrie-driveway access .25, 4712 Bellview sidewalk retaining wall .5, Newcastle@Nancy-waterline leak 1.0	1.75	\$ 64.30	\$ 180.04	\$ 315.
Terry Maher	6/10/2016	Site visit-Merrie, Bellview, Welford, Beech, Wilmington, Glenmont & Nancy Nancy 2.25	2.25	\$ 64.30	\$ 180.04	\$ 405.
Terry Maher	6/13/2016	1119 & 1201 Mulberry-Construction concerns and sprinkler repairs site visit. 4610 Beech drainage concerns.	1.00	\$ 64.30	\$ 180.04	\$ 180.
Terry Maher	6/14/2016	Inlet waterline conflict Howard at Glenmont, Discussed with Reytec about starting on Ferris. 4514 Merrie Lane sewer service issues. Coordinate schedule updates 5 A&B. Driveway replacement 4901 Florence. 4709 Bellview sidewalk issues.	1.50	\$ 64.30	\$ 180.04	\$ 270.
Terry Maher	6/17/2016	4616 Beech decorative driveway. 5307 Valerie delivery in construction zone. 509 Wilmington access to home. 4610 Beech driveway	2.00	\$ 64.30	\$ 180.04	\$ 360.
Terry Maher	6/20/2016	4704 & 4705 Bellview curb height and residents concerns, 4901 Fern coordinate driveway replacement	1.00	\$ 64.30	\$ 180.04	\$ 180.
Terry Maher	6/22/2016	Coordination with Site Rep and Contractor regarding schedule to complete individual streets and Bellview and other streets having no one working on the				

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

ATTACHMENT "E-1"
Additional Construction Administration Services

<u>Name</u>	<u>Date</u>	<u>Task</u>	<u>Hours</u>	<u>Raw Rate</u>	<u>Raw Rate * 2.8</u>	<u>Total</u>
		street. 4501 Merrie- visit site with Resident about completion4305 Valerie- Tree Trim con	2.00	\$ 64.30	\$ 180.04	\$ 360.
Terry Maher	6/23/2016	Coordination with Site Rep and Contractor regarding schedule to complete individual streets and Bellview and other streets having no one working on the street.	2.00	\$ 64.30	\$ 180.04	\$ 360.
Terry Maher	6/24/2016	Discuss Construction Progress with residents and contractor. Prepare driveway grade memo for Glenmont	2.00	\$ 64.30	\$ 180.04	\$ 360.
Ryan Nokelby	6/3/2016	Updating Construction Sets with May Daily Reports (1 hr)	1.00	\$ 32.26	\$ 90.33	\$ 90.
Ryan Nokelby	6/7/2016	Processing Pay Estimate No. 2 (4 hrs)	4.00	\$ 32.26	\$ 90.33	\$ 361.
Ryan Nokelby	6/17/2016	Review of Submittals 23A, 31 & 32 (1.5 hrs)	1.50	\$ 32.26	\$ 90.33	\$ 135.
Rebecca Stiles	6/20/2016	Processing Submittals	0.25	\$ 18.58	\$ 52.02	\$ 13.
Rebecca Stiles	6/21/2016	Processing Submittals	0.25	\$ 18.58	\$ 52.02	\$ 13.
Rebecca Stiles	6/22/2016	Daily Report Logs	0.75	\$ 18.58	\$ 52.02	\$ 39.
5A/5B July 2016						
Aaron Croley	6/27/2016	Review form surveys	0.50	\$ 27.22	\$ 76.22	\$ 38.
Terry Maher	6/27/2016	Scheduled crew location concerns. 4500 Merrie - coordinated sprinkler repair. 4714, 4708, 4806, Bellview-completion schedule concerns, 4603 Beech-residential moving coordination. 4901 Florence driveway concern. 1119 Mulberry site visit regarding plans	6.00	\$ 64.30	\$ 180.04	\$ 1,080.
Terry Maher	6/28/2016	24904 Bellview-driveway concern. 506 Beech-solid waste concerns. 4806, 4708,4808, 4816, 4918 Bellview- sidewalk, retaining wall, driveway, sprinkler concerns. Contractor A&B requested open additional areas correspondence	2.00	\$ 64.30	\$ 180.04	\$ 360.
Terry Maher	6/29/2016	4908 Welford, schedule concern. Reb. Bell. SW totals, Ph 3-5. Schedule review 5A & B.	5.00	\$ 64.30	\$ 180.04	\$ 900.
Terry Maher	6/30/2016	4702 Bellview-Sewer service backup. 1000 block Howard water disruption concern. 1205 Howard-survey stakes in yard concerns. Project updates 5A&B	3.00	\$ 64.30	\$ 180.04	\$ 540.
Terry Maher	7/5/2016	Scheduling review wth Mr. Todd Gross. 4714, 4914 Bellview, 506 Winslow & 4903 Wellford-Driveway, sidewalk, restoration and scheduling concerns.	1.00	\$ 64.30	\$ 180.04	\$ 180.
Terry Maher	7/6/2016	4711 Bellview, curb repair concerns & site visit, schedule review for construction contractors.	1.00	\$ 64.30	\$ 180.04	\$ 180.
Terry Maher	7/7/2016	1119 & 1012 Mulberry, 509 Winslow, 4714 & 4904 Bellview Driveway, sidewalk, restoration and scheduling concerns. 1119 Mulberry-				

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

ATTACHMENT "E-1"
Additional Construction Administration Services

<u>Name</u>	<u>Date</u>	<u>Task</u>	<u>Hours</u>	<u>Raw Rate</u>	<u>Raw Rate * 2.8</u>	<u>Total</u>
		Correspondence & Notices to resident research and correspondence with Michelle Jordan	2.00	\$ 64.30	\$ 180.04	\$ 360.
Terry Maher	7/11/2016	Coordination of work schedules for Contractors. 4524 Merrie sidewalk coordinarion. 509 Winslow driveway coord.	4.00	\$ 64.30	\$ 180.04	\$ 720.
Terry Maher	7/12/2016	Meeting w/ City re Contractors schedules. Nancy water disrupting coordination 4916 Bellview Sprinkler coord. Beech at 610 TS&V coord.	3.00	\$ 64.30	\$ 180.04	\$ 540.
Terry Maher	7/13/2016	4712, 4909, 4714, 4806 Bellview 4603 Beech 500 Wilmington-restoration schedule concerns	4.00	\$ 64.30	\$ 180.04	\$ 720.
Terry Maher	7/21/2016	PROGRESS MEETING	1.00	\$ 64.30	\$ 180.04	\$ 180.
Ryan Nokelby	6/29/2016	Field Visit with Charles L. & TCL Superintendent to walk Welford, Bellview, and Merrie to determine all remaining work to be completed	4.00	\$ 32.26	\$ 90.33	\$ 361.
Ryan Nokelby	7/6/2016	Review of Daily Reports for June for Phase 5A & 5B, noting discrepancies from plans, and confirming information with Charles L. for pay estimates	2.00	\$ 32.26	\$ 90.33	\$ 180.
Ryan Nokelby	7/12/2016	Processing RB5B Pay Estimate No. 3	2.00	\$ 32.26	\$ 90.33	\$ 180.
Ryan Nokelby	7/15/2016	Processing RB5A Pay Estimate No. 16	2.00	\$ 32.26	\$ 90.33	\$ 180.
Ryan Nokelby	7/18/2016	Site Visit to Glenmont & Mulberry to meet with Brant Gary to discuss driveway and sidewalk options for 1119 Mulberry	2.00	\$ 32.26	\$ 90.33	\$ 180.
Ryan Nokelby	7/19/2016	Redlining 3 options for driveway & sidewalk at 1119 Mulberry (1 hr)	1.00	\$ 32.26	\$ 90.33	\$ 90.
Rebecca Stiles	6/30/2016	Payment application and daily reports	0.25	\$ 18.58	\$ 52.02	\$ 13.
Rebecca Stiles	6/30/2016	Payment application and daily reports	0.25	\$ 18.58	\$ 52.02	\$ 13.
Rebecca Stiles	7/1/2016	Payment application and daily reports	0.25	\$ 18.58	\$ 52.02	\$ 13.
Rebecca Stiles	7/6/2016	Updating quantities. Word Processing Notice Letter to Contractor per Terry.	0.75	\$ 18.58	\$ 52.02	\$ 39.
Rebecca Stiles	7/12/2016	Payment application and daily reports	0.25	\$ 18.58	\$ 52.02	\$ 13.
Rebecca Stiles	7/13/2016	Payment application and daily reports	0.25	\$ 18.58	\$ 52.02	\$ 13.
Rebecca Stiles	7/19/2016	Pay Estimate Building.	0.75	\$ 18.58	\$ 52.02	\$ 39.
Rebecca Stiles	7/19/2016	Pay Estimate Building.	0.75	\$ 18.58	\$ 52.02	\$ 39.
5A/5B August 2016						
Steve Arnold	8/18/2016	Review and sign daily reports, submittals	1.50	\$ 49.19	\$ 137.73	\$ 206.
Aaron Croley	8/3/2016	5B - Review form elevations on Howard	1.50	\$ 27.22	\$ 76.22	\$ 114.
Terry Maher	8/4/2016	Rebuild Bellaire Phase 5 Progress meeting	1.00	\$ 64.30	\$ 180.04	\$ 180.
Carolina Molfetta	7/25/2016	1 HR - Phase 5A - Beech form checks 1 HR - Internal HDR meeting	2.00	\$ 31.99	\$ 89.57	\$ 179.
Carolina Molfetta	7/28/2016	1 HR - Phase 5B - form checks	1.00	\$ 31.99	\$ 89.57	\$ 89.
Carolina Molfetta	8/4/2016	5B - Completed form elevation review for Nancy St.	0.75	\$ 31.99	\$ 89.57	\$ 67.
Carolina Molfetta	8/5/2016	5B - Completed form elevation review for Nancy St.	0.25	\$ 31.99	\$ 89.57	\$ 22.
Carolina Molfetta	8/9/2016	Attended internal project status meeting	1.00	\$ 31.99	\$ 89.57	\$ 89.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

ATTACHMENT "E-1"
Additional Construction Administration Services

<u>Name</u>	<u>Date</u>	<u>Task</u>	<u>Hours</u>	<u>Raw Rate</u>	<u>Raw Rate</u> <u>* 2.8</u>	<u>Total</u>
Carolina Molfetta	8/12/2016	Completed form grade elevations for Beech and Howard	2.00	\$ 31.99	\$ 89.57	\$ 179.
Carolina Molfetta	8/18/2016	Form elevation checks for 5A	1.00	\$ 31.99	\$ 89.57	\$ 89.
Ryan Nokelby	7/26/2016	Creation of 5A & 5B Resident Concern Log, Meeting with Rebecca S. & Charles L. to review outstanding concerns	2.00	\$ 32.26	\$ 90.33	\$ 180.
Ryan Nokelby	7/27/2016	Additional Driveway Design for 1119 Mulberry based on residents comments, meeting with Terry M. to discuss design	3.00	\$ 32.26	\$ 90.33	\$ 270.
Ryan Nokelby	7/28/2016	Updating construction set with daily reports	1.00	\$ 32.26	\$ 90.33	\$ 90.
Ryan Nokelby	8/1/2016	Redlining Relocation of Stm Swr Manway & Inlets at 5325 Valerie due to new house being built, email to Contractor with revised Sheet 25	2.00	\$ 32.26	\$ 90.33	\$ 180.
Ryan Nokelby	8/3/2016	Redlining Nancy Proposed Street Grades, email to Contractor with revised Sheet 40	2.00	\$ 32.26	\$ 90.33	\$ 180.
Ryan Nokelby	8/3/2016	Meeting with Charles L. to discuss quantity discrepancies	1.00	\$ 32.26	\$ 90.33	\$ 90.
Ryan Nokelby	8/4/2016	RB5A Progress Meeting	1.00	\$ 32.26	\$ 90.33	\$ 90.
Ryan Nokelby	8/8/2016	Updating Resident Concern Logs with previous concerns from March 2015 to Mar-16	2.00	\$ 32.26	\$ 90.33	\$ 180.
Ryan Nokelby	8/8/2016	Review of Phase 5B Daily Reports, Meeting with Charles L. to discuss discrepancies	2.00	\$ 32.26	\$ 90.33	\$ 180.
Ryan Nokelby	8/8/2016	Updating Construction Set with daily reports	1.00	\$ 32.26	\$ 90.33	\$ 90.
Ryan Nokelby	8/10/2016	Processing RB5A Pay Estimate No. 17	2.00	\$ 32.26	\$ 90.33	\$ 180.
Ryan Nokelby	8/17/2016	Processing RB5B Pay Estimate No. 4	4.00	\$ 32.26	\$ 90.33	\$ 361.
Ryan Nokelby	8/18/2016	Email to Contractor on status of Valerie Paving	1.00	\$ 32.26	\$ 90.33	\$ 90.
Ryan Nokelby	8/18/2016	Review of Contractor's latest schedule for street completion dates	1.00	\$ 32.26	\$ 90.33	\$ 90.
Ryan Nokelby	8/19/2016	Response to City on Mr. Franke's Email on Howard	1.00	\$ 32.26	\$ 90.33	\$ 90.
Ryan Nokelby	8/19/2016	Correspondence with Contractor on request for Saturday work	1.00	\$ 32.26	\$ 90.33	\$ 90.
Rebecca Stiles	7/25/2016	Internal Meeting re: TCL & Reytec schedules.	1.25	\$ 18.58	\$ 52.02	\$ 65.
Rebecca Stiles	7/26/2016	Created and updated resident concern log	2.00	\$ 18.58	\$ 52.02	\$ 104.
Rebecca Stiles	7/27/2016	Entered more concerns into the log.	1.50	\$ 18.58	\$ 52.02	\$ 78.
Rebecca Stiles	7/28/2016	Entered more concerns into the log, went over all "unresolved" issues with Charles and marked them completed or not per his instruction. Created/Edited form that Charles will use to write down the detail of all resident concerns.	0.50	\$ 18.58	\$ 52.02	\$ 26.
Rebecca Stiles	7/29/2016	More resident concerns logged in. Also built 5B Daily Report for Charles to be able to log.	0.50	\$ 18.58	\$ 52.02	\$ 26.
Rebecca Stiles	8/2/2016	Progress Meeting	0.50	\$ 18.58	\$ 52.02	\$ 26.
Rebecca Stiles	8/4/2016	Resident Log.	0.25	\$ 18.58	\$ 52.02	\$ 13.
Rebecca Stiles	8/8/2016	Updating Pay Estimate for 5B with Daily reports from Charles.	0.25	\$ 18.58	\$ 52.02	\$ 13.
Rebecca Stiles	8/9/2016	Resident Concern Log updating.	0.50	\$ 18.58	\$ 52.02	\$ 26.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

ATTACHMENT "E-1"
Additional Construction Administration Services

<u>Name</u>	<u>Date</u>	<u>Task</u>	<u>Hours</u>	<u>Raw Rate</u>	<u>Raw Rate * 2.8</u>	<u>Total</u>
Rebecca Stiles	8/10/2016	Resident Concern Log updating.	0.25	\$ 18.58	\$ 52.02	\$ 13.
Rebecca Stiles	8/12/2016	Resident Concern Log updating.	0.25	\$ 18.58	\$ 52.02	\$ 13.
Rebecca Stiles	8/15/2016	Resident Log updating	0.25	\$ 18.58	\$ 52.02	\$ 13.
Rebecca Stiles	8/16/2016	Progress MeetingResident Log Updating	0.75	\$ 18.58	\$ 52.02	\$ 39.
Rebecca Stiles	8/18/2016	Resident Log Updating	0.25	\$ 18.58	\$ 52.02	\$ 13.
Rebecca Stiles	8/19/2016	Pay Estimate processingCreating Daily Report Log for Charles for Est. No. 6 Reproduction	1.00	\$ 18.58	\$ 52.02	\$ 52. \$ 19.
Terry Maher	8/22/2016	5B- Construction issues with Residents, Contractor and City staff	1.00	\$ 64.30	\$ 180.04	\$ 180.
Terry Maher	8/24/2016	5B- Construction issues with Residents, Contractor and City staff	1.00	\$ 64.30	\$ 180.04	\$ 180.
Terry Maher	8/25/2016	5B- Construction issues with Residents, Contractor and City staff	1.00	\$ 64.30	\$ 180.04	\$ 180.
Terry Maher	8/26/2016	5B- Construction issues with Residents, Contractor and City staff	1.00	\$ 64.30	\$ 180.04	\$ 180.
5A/5B September 2016						
Terry Maher	9/15/2016	Progress meetings	2.00	\$ 64.30	\$ 180.04	\$ 360.
Terry Maher	9/16/2016	Correspondence with Bellaire staff and residents regarding street access and landscaping, and tree removal	4.00	\$ 64.30	\$ 180.04	\$ 720.
Terry Maher	9/19/2016	Resident Concern Coordination	2.00	\$ 64.30	\$ 180.04	\$ 360.
Terry Maher	9/20/2016	Resident Concern Coordination	2.00	\$ 64.30	\$ 180.04	\$ 360.
Terry Maher	9/21/2016	Resident Concern Coordination	1.00	\$ 64.30	\$ 180.04	\$ 180.
Carolina Molfetta	8/31/2016	Phase 5B - Form elevation checks for Valerie	1.00	\$ 31.99	\$ 89.57	\$ 89.
Carolina Molfetta	9/6/2016	completed form elevation check for nancy st.	1.00	\$ 31.99	\$ 89.57	\$ 89.
Carolina Molfetta	9/13/2016	Attended in house meeting for projectRejected form elevations for Howard	1.00	\$ 31.99	\$ 89.57	\$ 89.
Carolina Molfetta	9/14/2016	Checked form elevations for Valerie	0.50	\$ 31.99	\$ 89.57	\$ 44.
Carolina Molfetta	9/19/2016	checked form elevations for Phase 5B	0.75	\$ 31.99	\$ 89.57	\$ 67.
Carolina Molfetta	9/20/2016	checked form elevations for Phase 5B	0.25	\$ 31.99	\$ 89.57	\$ 22.
Ryan Nokelby	8/25/2016	Phase 5B Monthly Progress Meeting (1.5 hrs) Review of Phase 5A Contractor Delay Log Request (2 hrs)	3.50	\$ 32.26	\$ 90.33	\$ 316.
Ryan Nokelby	8/29/2016	Revising 5A PE #17 & 5B PE #4 based on City's comments (3 hrs) Working on resident concerns at 4603 Beech, sending invoice to Contractor at 512 Wilmington (1 hr)	4.00	\$ 32.26	\$ 90.33	\$ 361.
Ryan Nokelby	8/30/2016	Working on resident concerns at 5301 Valerie, 1116 Howard, Bellaire Ct Storm Sewer Issue, (1 hr)	1.00	\$ 32.26	\$ 90.33	\$ 90.
Ryan Nokelby	8/31/2016	Updating Revised 5A PE #17, working on resident concerns at 1119 Mulberry (1 hr)	1.00	\$ 32.26	\$ 90.33	\$ 90.
Ryan Nokelby	9/7/2016	Updating construction set with daily reports (1 hr) Updating resident logs, following up on City emails with resident concerns (1 hr)	2.00	\$ 32.26	\$ 90.33	\$ 180.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

ATTACHMENT "E-1"
Additional Construction Administration Services

<u>Name</u>	<u>Date</u>	<u>Task</u>	<u>Hours</u>	<u>Raw Rate</u>	<u>Raw Rate * 2.8</u>	<u>Total</u>
Ryan Nokelby	9/9/2016	Meeting with Charles L. to discuss daily report quantity discrepancies (1 hr)				
		Scheduling of 5A Progress Meeting, Preparation of Meeting Materials (0.5 hr)	1.50	\$ 32.26	\$ 90.33	\$ 135.
Ryan Nokelby	9/12/2016	Processing RB5A Pay Estimate No. 18 (2 hrs)				
		Processing RB5B Pay Estimate No. 5 (2 hrs)	4.00	\$ 32.26	\$ 90.33	\$ 361.
Ryan Nokelby	9/15/2016	Attending RB5B Progress Meeting (1 hr)				
		Attending RB5A Progress Meeting (1 hr)	2.00	\$ 32.26	\$ 90.33	\$ 180.
Rebecca Stiles	8/25/2016	Updating Resident Concern log prior to progress meeting.	0.25	\$ 18.58	\$ 52.02	\$ 13.
Rebecca Stiles	8/30/2016	Pay Est 5 & 18 creation, entering daily reports. Emailing/calling Charles and asking for quantity clarification & missing daily reports.	1.00	\$ 18.58	\$ 52.02	\$ 52.
Rebecca Stiles	8/31/2016	Bellaire progress meeting (internal)	1.00	\$ 18.58	\$ 52.02	\$ 52.
Rebecca Stiles	9/8/2016	Updating Pay Estimates A & B using daily reports from Charles.	0.50	\$ 18.58	\$ 52.02	\$ 26.
Rebecca Stiles	9/12/2016	Resident Log, Updating Meeting Agenda/Minutes	1.50	\$ 18.58	\$ 52.02	\$ 78.
Rebecca Stiles	9/13/2016	Finishing Meeting Agenda Updating Resident Log. Attending bi-weekly internal	1.50	\$ 18.58	\$ 52.02	\$ 78.
Rebecca Stiles	9/14/2016	Resident Concern Log	0.25	\$ 18.58	\$ 52.02	\$ 13.
Rebecca Stiles	9/20/2016	Resident Concern Log	0.50	\$ 18.58	\$ 52.02	\$ 26.
Rebecca Stiles	9/21/2016	Resident Concern Log, Typing notes for Terry	1.00	\$ 18.58	\$ 52.02	\$ 52.
		Reproduction September, 2016				\$ 61.
5A/5B October 2016						
Aaron Croley	10/28/2016	Grade Checks for Valerie	0.75	\$ 27.22	\$ 76.22	\$ 57.
Terry Maher	9/27/2016	Resident Concerns	3.00	\$ 64.30	\$ 180.04	\$ 540.
Terry Maher	9/29/2016	Progress meetings & Addressing Resident Concerns	8.00	\$ 64.30	\$ 180.04	\$ 1,440.
Terry Maher	9/30/2016	Resident Concerns	1.00	\$ 64.30	\$ 180.04	\$ 180.
Terry Maher	10/10/2016	Resident Concerns and Coordination with Reytec	1.00	\$ 64.30	\$ 180.04	\$ 180.
Terry Maher	10/11/2016	Coordination of Reytec schedule and request to start storm sewer construction on 1100 Howard. Resident concerns 4918 Bellview	3.00	\$ 64.30	\$ 180.04	\$ 540.
Carolina Molfetta	9/26/2016	Checked form elevation grades	1.00	\$ 31.99	\$ 89.57	\$ 89.
Carolina Molfetta	10/7/2016	checked form elevation grades for howard	1.00	\$ 31.99	\$ 89.57	\$ 89.
Carolina Molfetta	10/19/2016	form elevation check for Howard	1.00	\$ 31.99	\$ 89.57	\$ 89.
Ryan Nokelby	9/27/2016	Meeting with Charles L. to discuss punch list items from preliminary walkthrough	1.00	\$ 32.26	\$ 90.33	\$ 90.
Ryan Nokelby	9/28/2016	Updating construction sets with daily reports	1.00	\$ 32.26	\$ 90.33	\$ 90.
Ryan Nokelby	9/29/2016	Attending RB5B Progress Meeting	1.50	\$ 32.26	\$ 90.33	\$ 135.
Ryan Nokelby	10/3/2016	Following up with 5A Contractor on remaining items to complete, striping and signing schedule	1.00	\$ 32.26	\$ 90.33	\$ 90.
Ryan Nokelby	10/4/2016	Updating construction set with daily reports, meeting with Charles L.	1.50	\$ 32.26	\$ 90.33	\$ 135.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

ATTACHMENT "E-1"
Additional Construction Administration Services

<u>Name</u>	<u>Date</u>	<u>Task</u>	<u>Hours</u>	<u>Raw Rate</u>	<u>Raw Rate</u> <u>* 2.8</u>	<u>Total</u>
Ryan Nokelby	10/7/2016	Preparation of documents & sending emails to Contractors for request for proposals for additional work in City	2.50	\$ 32.26	\$ 90.33	\$ 225.
Ryan Nokelby	10/10/2016	Correspondence with 5B Contractor on pay estimate discrepancies	1.00	\$ 32.26	\$ 90.33	\$ 90.
Ryan Nokelby	10/12/2016	Correspondence with 5B Contractor on starting 1100 Howard	1.00	\$ 32.26	\$ 90.33	\$ 90.
Ryan Nokelby	10/12/2016	Correspondence relating to 5319 Valerie sidewalk & driveway slope	1.00	\$ 32.26	\$ 90.33	\$ 90.
Ryan Nokelby	10/14/2016	Correspondence relating to 1214 Howard sprinklers & Franke temporary sidewalk	1.00	\$ 32.26	\$ 90.33	\$ 90.
Ryan Nokelby	10/14/2016	Determining CenterPoint street light numbers that are not working for 5A	1.00	\$ 32.26	\$ 90.33	\$ 90.
Ryan Nokelby	10/17/2016	RB5A 509/507 Wilmington Resident Issue	0.50	\$ 32.26	\$ 90.33	\$ 45.
Ryan Nokelby	10/17/2016	Scheduling RB5A Final Walkthrough with City	0.50	\$ 32.26	\$ 90.33	\$ 45.
Ryan Nokelby	10/17/2016	Contacting CenterPoint about 5A Street Lights still out	0.50	\$ 32.26	\$ 90.33	\$ 45.
Ryan Nokelby	10/17/2016	4914 Bellview Driveway Payment Issue	0.50	\$ 32.26	\$ 90.33	\$ 45.
Ryan Nokelby	10/18/2016	4914 Bellview Driveway Payment Issue Resolved	0.50	\$ 32.26	\$ 90.33	\$ 45.
Ryan Nokelby	10/18/2016	Resident Issue on Newcastle at Nancy & Glenmont	0.50	\$ 32.26	\$ 90.33	\$ 45.
Ryan Nokelby	10/18/2016	1204 Howard temporary sidewalk issue	0.50	\$ 32.26	\$ 90.33	\$ 45.
Ryan Nokelby	10/18/2016	5300 Valerie Traffic Switch issue	0.50	\$ 32.26	\$ 90.33	\$ 45.
Ryan Nokelby	10/19/2016	5313 Valerie missing rock issue & water shut off for 4 hrs	0.50	\$ 32.26	\$ 90.33	\$ 45.
Ryan Nokelby	10/19/2016	Discussions with City on payment to Contractor for CPE caused repairs	0.50	\$ 32.26	\$ 90.33	\$ 45.
Ryan Nokelby	10/19/2016	Discussions with City on 4918 Bellview Invoice #5 & DW	1.00	\$ 32.26	\$ 90.33	\$ 90.
Ryan Nokelby	10/19/2016	Processing RB5B PE #6	2.00	\$ 32.26	\$ 90.33	\$ 180.
Ryan Nokelby	10/20/2016	RB5B Progress Meeting	2.00	\$ 32.26	\$ 90.33	\$ 180.
Ryan Nokelby	10/20/2016	Processing RB5A PE #19	2.00	\$ 32.26	\$ 90.33	\$ 180.
Ryan Nokelby	10/21/2016	Formal Response to 4918 Bellview Invoice #5 & Driveway Issue	1.50	\$ 32.26	\$ 90.33	\$ 135.
Ryan Nokelby	10/21/2016	1224 Howard sprinkler & sod issue	0.50	\$ 32.26	\$ 90.33	\$ 45.
Ryan Nokelby	10/25/2016	5319 Valerie sprinkler issue	0.50	\$ 32.26	\$ 90.33	\$ 45.
Ryan Nokelby	10/25/2016	5300 Merrie sprinkler issue	0.50	\$ 32.26	\$ 90.33	\$ 45.
Ryan Nokelby	10/25/2016	Preparation of 5A Preliminary Punch List & Sign-In Sheet Documents for Walkthrough	1.00	\$ 32.26	\$ 90.33	\$ 90.
Ryan Nokelby	10/26/2016	Performing 5A Final Walkthrough with Contractor and City	4.50	\$ 32.26	\$ 90.33	\$ 406.
Ryan Nokelby	10/27/2016	Discussions with City and Contractor on request to start storm on 1000 Howard	1.00	\$ 32.26	\$ 90.33	\$ 90.
Ryan Nokelby	10/27/2016	Correspondence with City and Contractor on status and schedule of remaining work on Newcastle	0.50	\$ 32.26	\$ 90.33	\$ 45.
Ryan Nokelby	10/28/2016	1215 Howard Driveway Issue	0.50	\$ 32.26	\$ 90.33	\$ 45.
Ryan Nokelby	10/28/2016	5315 Valerie Driveway Issue	0.50	\$ 32.26	\$ 90.33	\$ 45.
Ryan Nokelby	10/28/2016	5307 Valerie Walkway Issue	0.50	\$ 32.26	\$ 90.33	\$ 45.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

ATTACHMENT "E-1"
Additional Construction Administration Services

<u>Name</u>	<u>Date</u>	<u>Task</u>	<u>Hours</u>	<u>Raw Rate</u>	<u>Raw Rate</u> <u>* 2.8</u>	<u>Total</u>
Ryan Nokelby	10/28/2016	5300 Water Line Adjustment Correspondence	0.50	\$ 32.26	\$ 90.33	\$ 45.
Rebecca Stiles	9/26/2016	Daily Report for October file (for Charles), Pay Est. No. 6 and Pay Est No. 191	1.25	\$ 18.58	\$ 52.02	\$ 65.
Rebecca Stiles	9/27/2016	Internal MeetingsPrepping letter to contractor re: not on schedule	2.00	\$ 18.58	\$ 52.02	\$ 104.
Rebecca Stiles	9/28/2016	Resident concerns	0.50	\$ 18.58	\$ 52.02	\$ 26.
Rebecca Stiles	10/6/2016	Pay Estimate updating	0.50	\$ 18.58	\$ 52.02	\$ 26.
Rebecca Stiles	10/7/2016	Resident Concern Log.	0.50	\$ 18.58	\$ 52.02	\$ 26.
Rebecca Stiles	10/11/2016	Internal Meeting	1.25	\$ 18.58	\$ 52.02	\$ 65.
Rebecca Stiles	10/12/2016	Send letter to Reytec concerning Cherry Concrete Claim.	0.25	\$ 18.58	\$ 52.02	\$ 13.
Rebecca Stiles	10/20/2016	Resident Concern Log updated, filed emails.	3.00	\$ 18.58	\$ 52.02	\$ 156.
Rebecca Stiles	10/27/2016	Building Pay Est. for 5A and 5B, also daily report file for 5B	1.50	\$ 18.58	\$ 52.02	\$ 78.
Rebecca Stiles	10/28/2016	Updating 5B pay estimate.	0.50	\$ 18.58	\$ 52.02	\$ 26.
		Reproduction October, 2016				\$ 6.
5A/5B November 2016						
Aaron Croley	11/21/2016		0.50	\$ 27.22	\$ 76.22	\$ 38.
Terry Maher	11/3/2016	Progress Meeting	2.00	\$ 64.30	\$ 180.04	\$ 360.
Terry Maher	11/7/2016	Addressing Resident's concerns	1.00	\$ 64.30	\$ 180.04	\$ 180.
Terry Maher	11/8/2016	Addressing Resident's concerns	2.00	\$ 64.30	\$ 180.04	\$ 360.
Terry Maher	11/9/2016	Addressing Resident's concerns	1.00	\$ 64.30	\$ 180.04	\$ 180.
Terry Maher	11/11/2016	Addressing Resident's concerns	1.00	\$ 64.30	\$ 180.04	\$ 180.
Terry Maher	11/17/2016	Addressing Resident Concerns	1.00	\$ 64.30	\$ 180.04	\$ 180.
Terry Maher	11/18/2016	Reviewing Pay Estimate and addressing Resident concerns	1.00	\$ 64.30	\$ 180.04	\$ 180.
Terry Maher	11/22/2016	Addressing Residents concerns	1.00	\$ 64.30	\$ 180.04	\$ 180.
Carolina Molfetta	11/4/2016	Howard St form elevation check	1.00	\$ 31.99	\$ 89.57	\$ 89.
Carolina Molfetta	11/16/2016	Form elevation check	1.00	\$ 31.99	\$ 89.57	\$ 89.
Ryan Nokelby	11/1/2016	1212 Howard Sprinkler Issue	0.50	\$ 32.26	\$ 90.33	\$ 45.
Ryan Nokelby	11/1/2016	1116 Howard SWPPP Issue	0.50	\$ 32.26	\$ 90.33	\$ 45.
Ryan Nokelby	11/1/2016	5307/5319 Valerie Sprinkler Issues	0.50	\$ 32.26	\$ 90.33	\$ 45.
Ryan Nokelby	11/2/2016	Finalizing Punch List/Email to City	1.00	\$ 32.26	\$ 90.33	\$ 90.
Ryan Nokelby	11/2/2016	1111 Howard private water usage issue	0.50	\$ 32.26	\$ 90.33	\$ 45.
Ryan Nokelby	11/2/2016	Preparation of Progress Meeting Agenda	0.50	\$ 32.26	\$ 90.33	\$ 45.
Ryan Nokelby	11/3/2016	5B Progress Meeting	2.50	\$ 32.26	\$ 90.33	\$ 225.
Ryan Nokelby	11/3/2016	4705 Bellview resident concerns notes	0.50	\$ 32.26	\$ 90.33	\$ 45.
Ryan Nokelby	11/3/2016	507 Wilmington drainage follow-up	0.50	\$ 32.26	\$ 90.33	\$ 45.
Ryan Nokelby	11/7/2016	4625 Beech Contractor's Info	0.50	\$ 32.26	\$ 90.33	\$ 45.
Ryan Nokelby	11/7/2016	4705 Bellview Follow-Up	0.50	\$ 32.26	\$ 90.33	\$ 45.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

ATTACHMENT "E-1"
Additional Construction Administration Services

<u>Name</u>	<u>Date</u>	<u>Task</u>	<u>Hours</u>	<u>Raw Rate</u>	Raw Rate		<u>Total</u>
					<u>* 2.8</u>		
Ryan Nokelby	11/7/2016	Ms. Miller Correspondence	0.50	\$ 32.26	\$ 90.33	\$	45.
Ryan Nokelby	11/7/2016	507 Wilmington Schedule Geotech	0.50	\$ 32.26	\$ 90.33	\$	45.
Ryan Nokelby	11/7/2016	CenterPoint Follow-Up on Street Lights	0.50	\$ 32.26	\$ 90.33	\$	45.
Ryan Nokelby	11/8/2016	1110 Howard Driveway Radius	0.50	\$ 32.26	\$ 90.33	\$	45.
Ryan Nokelby	11/8/2016	4705 Bellview Response to Items	1.50	\$ 32.26	\$ 90.33	\$	135.
Ryan Nokelby	11/9/2016	1201 Mulberry Concerns	0.50	\$ 32.26	\$ 90.33	\$	45.
Ryan Nokelby	11/9/2016	5323 Valerie Water Turned Off	0.50	\$ 32.26	\$ 90.33	\$	45.
Ryan Nokelby	11/9/2016	Updating 5B Construction Set with Daily Reports	1.50	\$ 32.26	\$ 90.33	\$	135.
Ryan Nokelby	11/10/2016	Review of 5A Contractor's Submitted Final Pay Estimate	0.50	\$ 32.26	\$ 90.33	\$	45.
Ryan Nokelby	11/15/2016	Processing RB5B Pay Estimate No. 7	4.00	\$ 32.26	\$ 90.33	\$	361.
Ryan Nokelby	11/16/2016	Preparation of Progress Meeting Agenda	1.00	\$ 32.26	\$ 90.33	\$	90.
Ryan Nokelby	11/17/2016	Attending Construction Progress Meeting	1.50	\$ 32.26	\$ 90.33	\$	135.
Ryan Nokelby	11/18/2016	Finalizing 5A Punch List & Sending to City	0.50	\$ 32.26	\$ 90.33	\$	45.
Ryan Nokelby	11/18/2016	5319 Valerie Pavers	0.50	\$ 32.26	\$ 90.33	\$	45.
Ryan Nokelby	11/18/2016	Correspondence with 5A Contractor on 4816 Bellview	0.50	\$ 32.26	\$ 90.33	\$	45.
Ryan Nokelby	11/18/2016	Creating 5A Pay Estimate 20	1.00	\$ 32.26	\$ 90.33	\$	90.
Ryan Nokelby	11/21/2016	Correspondence with City on Request for 5A Pay Estimate Before Final	0.50	\$ 32.26	\$ 90.33	\$	45.
Ryan Nokelby	11/21/2016	Correspondence with Contractor on 5A Punch List Status	0.50	\$ 32.26	\$ 90.33	\$	45.
Ryan Nokelby	11/21/2016	Review of 5A Final Pay Estimate Items & Quantities	1.00	\$ 32.26	\$ 90.33	\$	90.
Ryan Nokelby	11/23/2016	Contractor TCP for Alder closure	1.00	\$ 32.26	\$ 90.33	\$	90.
Rebecca Stiles	11/9/2016	Prepared Meeting Minutes for Terry	0.50	\$ 18.58	\$ 52.02	\$	26.
5A/5B December 2016							
David Jorgensen	12/31/2016	Reviewed water line revision at Pine ST.	0.50	\$ 56.22	\$ 157.42	\$	78.
Terry Maher	12/19/2016	Address Resident concerns	1.00	\$ 64.30	\$ 180.04	\$	180.
Terry Maher	12/20/2016	Waterline relocation due to unforeseen field conditions-exiting waterline locati	3.00	\$ 64.30	\$ 180.04	\$	540.
Terry Maher	12/21/2016	Waterline relocation due to unforeseen field conditions-exiting waterline locati	3.00	\$ 64.30	\$ 180.04	\$	540.
Terry Maher	12/22/2016	Waterline relocation due to unforeseen field conditions-exiting waterline locati	2.00	\$ 64.30	\$ 180.04	\$	360.
Terry Maher	11/28/2016	Address Resident Concerns	1.00	\$ 64.30	\$ 180.04	\$	180.
Terry Maher	11/29/2016	Address Resident Concerns, Review Reytec TCP	2.50	\$ 64.30	\$ 180.04	\$	450.
Terry Maher	11/30/2016	Address Resident Concerns	1.00	\$ 64.30	\$ 180.04	\$	180.
Terry Maher	12/6/2016	Working on Contract Closeout and resident concerns	2.00	\$ 64.30	\$ 180.04	\$	360.
Terry Maher	12/7/2016	resident concerns	2.00	\$ 64.30	\$ 180.04	\$	360.
Terry Maher	12/8/2016	resident concerns	3.00	\$ 64.30	\$ 180.04	\$	540.
Terry Maher	12/12/2016	Address Resident concerns	3.00	\$ 64.30	\$ 180.04	\$	540.
Terry Maher	12/13/2016	Address Resident concerns	3.00	\$ 64.30	\$ 180.04	\$	540.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

ATTACHMENT "E-1"
Additional Construction Administration Services

<u>Name</u>	<u>Date</u>	<u>Task</u>	<u>Hours</u>	Raw Rate			<u>Total</u>
				<u>Raw Rate</u>	<u>* 2.8</u>		
Terry Maher	12/14/2016	Address Resident concerns	0.50	\$ 64.30	\$ 180.04	\$	90.
Terry Maher	12/16/2016	Revisions due to field located waterline	3.00	\$ 64.30	\$ 180.04	\$	540.
Terry Maher	12/28/2016	Alder at Pine Street Waterline Adjustment Design	3.00	\$ 64.30	\$ 180.04	\$	540.
Terry Maher	12/29/2016	Alder at Pine Street Waterline Adjustment Design	2.00	\$ 64.30	\$ 180.04	\$	360.
Carolina Molfetta	12/7/2016		1.00	\$ 31.99	\$ 89.57	\$	89.
Carolina Molfetta	12/16/2016	Form Elevation check for adler at Valerie and Howard	1.00	\$ 31.99	\$ 89.57	\$	89.
Carolina Molfetta	12/29/2016	Form elevation check for Adler	1.00	\$ 31.99	\$ 89.57	\$	89.
Ryan Nokolby	11/30/2016	Preparation of Progress Meeting Agenda	1.00	\$ 32.26	\$ 90.33	\$	90.
Ryan Nokolby	12/1/2016	Attending 5B Progress Meeting	2.00	\$ 32.26	\$ 90.33	\$	180.
Ryan Nokolby	12/1/2016	Follow-Up with 5B Contractor & CPE on Street Light Relocation	0.50	\$ 32.26	\$ 90.33	\$	45.
Ryan Nokolby	12/1/2016	Meeting with Charles to discuss remaining items on 5A Punch List	1.00	\$ 32.26	\$ 90.33	\$	90.
Ryan Nokolby	12/1/2016	Correspondence with Contractor on 5A Closeout	1.00	\$ 32.26	\$ 90.33	\$	90.
Ryan Nokolby	12/6/2016	5319 Valerie Pavers	0.50	\$ 32.26	\$ 90.33	\$	45.
Ryan Nokolby	12/6/2016	1219 Howard Items	1.00	\$ 32.26	\$ 90.33	\$	90.
Ryan Nokolby	12/6/2016	5324 Pine Items	1.00	\$ 32.26	\$ 90.33	\$	90.
Ryan Nokolby	12/6/2016	5A Contractor Correspondence on Closeout Documents	0.50	\$ 32.26	\$ 90.33	\$	45.
Ryan Nokolby	12/6/2016	Updating 5B Construction Set with Daily Reports	1.00	\$ 32.26	\$ 90.33	\$	90.
Ryan Nokolby	12/8/2016	1212 Howard Items	1.00	\$ 32.26	\$ 90.33	\$	90.
Ryan Nokolby	12/8/2016	1010 Howard Items	1.00	\$ 32.26	\$ 90.33	\$	90.
Ryan Nokolby	12/8/2016	CPE Street Light Correspondence	0.50	\$ 32.26	\$ 90.33	\$	45.
Ryan Nokolby	12/9/2016	Reviewing 5A Contractor As-Built Drawings	1.00	\$ 32.26	\$ 90.33	\$	90.
Ryan Nokolby	12/13/2016	CenterPoint Street Light Follow-Up	0.50	\$ 32.26	\$ 90.33	\$	45.
Ryan Nokolby	12/13/2016	Roses Owner on Alder Correspondence	0.50	\$ 32.26	\$ 90.33	\$	45.
Ryan Nokolby	12/13/2016	Follow-Up on 5A Punch List Completion	1.00	\$ 32.26	\$ 90.33	\$	90.
Ryan Nokolby	12/15/2016	5B Progress Meeting	2.00	\$ 32.26	\$ 90.33	\$	180.
Ryan Nokolby	12/16/2016	Processing Pay Estimate No. 8	4.00	\$ 32.26	\$ 90.33	\$	361.
Ryan Nokolby	12/19/2016	Finalizing Pay Estimate No. 8	2.00	\$ 32.26	\$ 90.33	\$	180.
Ryan Nokolby	12/20/2016	Working on Alder Water Line Relocation	2.00	\$ 32.26	\$ 90.33	\$	180.
Ryan Nokolby	12/22/2016	Working on Phase 5A As-builts	2.00	\$ 32.26	\$ 90.33	\$	180.
Ryan Nokolby	12/27/2016	Meeting with Charles Lindberg to discuss daily reports	1.00	\$ 32.26	\$ 90.33	\$	90.
Ryan Nokolby	12/27/2016	Phase 5A As-Builts	1.00	\$ 32.26	\$ 90.33	\$	90.
Ryan Nokolby	12/28/2016	Phase 5A As-Builts	2.00	\$ 32.26	\$ 90.33	\$	180.
Rebecca Stiles	11/28/2016	Contact Reytec regarding unpaid bill; received response back from from Reytec, forwarded invoices to Terry and the City of Bellaire	0.50	\$ 18.58	\$ 52.02	\$	26.
Rebecca Stiles	11/29/2016	Building Pay Estimate for 13-041 5 B	1.00	\$ 18.58	\$ 52.02	\$	52.
Rebecca Stiles	12/2/2016	Building Electronic Daily Reports spreadsheet for Charles for December	1.00	\$ 18.58	\$ 52.02	\$	52.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

ATTACHMENT "E-1"
Additional Construction Administration Services

<u>Name</u>	<u>Date</u>	<u>Task</u>	<u>Hours</u>	<u>Raw Rate</u>	<u>Raw Rate * 2.8</u>	<u>Total</u>
Rebecca Stiles	12/12/2016	Joint Sealant Submittal - looking in PW if one had been approved. Terry wants me to look over.	0.25	\$ 18.58	\$ 52.02	\$ 13.
Rebecca Stiles	12/13/2016	Looking over submittal. Referencing TxDOT spec 433.2 Section 5 for more details. Creating Contract Closeout for 5A.	1.00	\$ 18.58	\$ 52.02	\$ 52.
Rebecca Stiles	12/28/2016	Daily Report Tabulation	1.00	\$ 18.58	\$ 52.02	\$ 52.
		Reproduction December				\$ 71.
5A/5B January 2017						
Denise Maher	1/23/2017	CADD - Researching and Updating Utility Locations	4.00	\$ 38.28	\$ 107.18	\$ 428.
Terry Maher	1/4/2017	Alder at Pine Plan Revisions	3.00	\$ 64.30	\$ 180.04	\$ 540.
Terry Maher	1/5/2017	Progress Meeting	2.00	\$ 64.30	\$ 180.04	\$ 360.
Terry Maher	1/9/2017	Resident Concerns, 5319 5323 Valerie	2.00	\$ 64.30	\$ 180.04	\$ 360.
Terry Maher	1/11/2017	Resident Concerns,	1.00	\$ 64.30	\$ 180.04	\$ 180.
Terry Maher	1/12/2017	Resident Concerns,	1.00	\$ 64.30	\$ 180.04	\$ 180.
Terry Maher	1/16/2017	Resident Concerns,	3.00	\$ 64.30	\$ 180.04	\$ 540.
Terry Maher	1/16/2017	Additional Work - 5319 Valerie Water service leak and repair report	1.00	\$ 64.30	\$ 180.04	\$ 180.
Terry Maher	1/17/2017	Research CenterPoint streetlight cable repair claims against the City of Bellaire. Research streetlight re-energizing status on Howard. Preparation for Progress Meeting.	3.00	\$ 64.30	\$ 180.04	\$ 540.
Terry Maher	1/17/2017	Additional Work-Preparation of Project Maps - Additional Work - 5319 Valerie Water service leak and repair report	2.00	\$ 64.30	\$ 180.04	\$ 360.
Terry Maher	1/18/2017	Site Visit after flooding	2.00	\$ 64.30	\$ 180.04	\$ 360.
Terry Maher	1/18/2017	Additional Work-Preparation of Project Maps - Additional Work - 5319 Valerie Water service leak and repair report	2.00	\$ 64.30	\$ 180.04	\$ 360.
Terry Maher	1/19/2017	Additional Work-Preparation of Project Maps	2.00	\$ 64.30	\$ 180.04	\$ 360.
Terry Maher	1/20/2017	5325 Valerie drain line concern, Drainage Concerns on Howard and Valerie during a 20 year storm event, Waterline adjustment research	2.00	\$ 64.30	\$ 180.04	\$ 360.
Terry Maher	1/20/2017	Additional Work - 542 S Second Street, Survey gutter line and evaluate needs for repair, design repair. Additional Work-Preparation of Project Maps	5.00	\$ 64.30	\$ 180.04	\$ 900.
Terry Maher	1/23/2017	Bellview Center Point Claim Research, Pay Application review, Howard Street light issues	4.00	\$ 64.30	\$ 180.04	\$ 720.
Terry Maher	1/24/2017	Ferris Waterline RFI 008, Howard Streetlights, 6910 Ferris residential drainage concerns, Right of entry form for Reytec, 1219 Howard lane sprinkler issues. Waterline conflicts on Ferris, Pay App # 9, inlet clarifications for Reytec.	2.00	\$ 64.30	\$ 180.04	\$ 360.
Terry Maher	1/25/2017	5335 Braeburn yard concerns ,Various resident's concerns. Alder pine waterline adjustment clarifications, Ferris pavement elevation clarifications, gas				

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

ATTACHMENT "E-1"
Additional Construction Administration Services

<u>Name</u>	<u>Date</u>	<u>Task</u>	<u>Hours</u>	<u>Raw Rate</u>	<u>Raw Rate * 2.8</u>	<u>Total</u>
		line conflict on Ferris, Howard streetlights,	4.00	\$ 64.30	\$ 180.04	\$ 720.
Terry Maher	1/26/2017	Pavement elevation clarifications on Ferris for the Contractor, 1212 Howard Lane ROW restoration concerns. Contractor Correspondence	5.00	\$ 64.30	\$ 180.04	\$ 900.
Terry Maher	1/26/2017	524 S Second street pavement repair	1.00	\$ 64.30	\$ 180.04	\$ 180.
Terry Maher	1/27/2017	RFI 008 Waterline Adjustments on Ferris, Site visit to observe ongoing work	3.00	\$ 64.30	\$ 180.04	\$ 540.
Terry Maher	1/28/2017	Site Visit to discuss waterline relocations with contractor	1.00	\$ 64.30	\$ 180.04	\$ 180.
Terry Maher	1/30/2017	Waterline Adjustment Alder @ Pine, Ferris Waterliune and gas line conflicts, RB5A closeout	5.00	\$ 64.30	\$ 180.04	\$ 900.
Terry Maher	1/31/2017	4705 Bellview Landscaping, Ferris Gas line conflict, 5335 Pine Sidewalk, Material Testing Contract amendment	7.00	\$ 64.30	\$ 180.04	\$ 1,260.
Terry Maher	2/1/2017	4705 Bellview Landscaping, 5324 Pine Tree issues, 5323 Pine Driveway, Alder @ Holly Pothole, Rebuild Bellaire Material Testing Contract Amendment, RB 5A Closeout process, Alder @ Pine Waterline Adjustment, 5400 Pine Tree issue, Glenmont Sig	8.00	\$ 64.30	\$ 180.04	\$ 1,440.
Terry Maher	2/1/2017	524 S Second Pavement Repair-RFP to Reytec	1.00	\$ 64.30	\$ 180.04	\$ 180.
Terry Maher	2/2/2017	5319 Valerie Driveway, 4705 Bellview Driveway, 5335 Braeburn ROW verification	2.00	\$ 64.30	\$ 180.04	\$ 360.
Carolina Molfetta	1/9/2017	Checked form elevations for Adler	1.00	\$ 33.11	\$ 92.71	\$ 92.
Ryan Nokelby	1/3/2017	Phase 5A As-Builts	2.00	\$ 33.94	\$ 95.03	\$ 190.
Ryan Nokelby	1/4/2017	Preparation of Progress Meeting Agenda	1.00	\$ 33.94	\$ 95.03	\$ 95.
Ryan Nokelby	1/9/2017	5319 Valerie water leak	2.00	\$ 33.94	\$ 95.03	\$ 190.
Ryan Nokelby	1/13/2017	Processing RB5B Pay Estimate No. 9	2.00	\$ 33.94	\$ 95.03	\$ 190.
Ryan Nokelby	1/16/2017	Meeting with Charles L. to discuss quantity revisions & additions to Daily Reports	1.50	\$ 33.94	\$ 95.03	\$ 142.
Ryan Nokelby	1/16/2017	Revising Pay Estimate & Daily Reports	2.50	\$ 33.94	\$ 95.03	\$ 237.
Ryan Nokelby	1/17/2017	Reviewing CenterPoint Street Light Damage Claims	0.50	\$ 33.94	\$ 95.03	\$ 47.
Ryan Nokelby	1/17/2017	Creating Correspondence Log for 5319 Valerie	0.50	\$ 33.94	\$ 95.03	\$ 47.
Ryan Nokelby	1/18/2017	Creating & Revising Progress Meeting Agenda	1.50	\$ 33.94	\$ 95.03	\$ 142.
Ryan Nokelby	1/19/2017	Attending Construction Progress Meeting	1.50	\$ 33.94	\$ 95.03	\$ 142.
Ryan Nokelby	1/24/2017	Correspondence with Terry M. & Contractor on two water line conflicts on Ferris	1.00	\$ 33.94	\$ 95.03	\$ 95.
Ryan Nokelby	1/25/2017	Correspondence with CenterPoint on Gas Line Conflict on Ferris	1.00	\$ 33.94	\$ 95.03	\$ 95.
Ryan Nokelby	2/1/2017	Continuing Phase 5A Closeout Document Preparation	1.50	\$ 33.94	\$ 95.03	\$ 142.
Ryan Nokelby	2/3/2017	Phase 5A As-Builts	4.00	\$ 33.94	\$ 95.03	\$ 380.
Rebecca Stiles	1/17/2017	Scanning Contractor As-Builts into PDF's, combining, reducing file size, filing into PW.	2.50	\$ 19.32	\$ 54.10	\$ 135.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

ATTACHMENT "E-1"
Additional Construction Administration Services

<u>Name</u>	<u>Date</u>	<u>Task</u>	<u>Hours</u>	Raw Rate			<u>Total</u>
				<u>Raw Rate</u>	<u>* 2.8</u>		
Rebecca Stiles	1/23/2017	Printing/Prepping Pay Estimate No. 9 for PM signature.	0.50	\$ 19.32	\$ 54.10	\$	27.
Rebecca Stiles	1/24/2017	Searching for/sending to Terry Type BB inlet submittals.	0.50	\$ 19.32	\$ 54.10	\$	27.
Rebecca Stiles	1/26/2017	Creating Pay Estimate No. 10 spreadsheet, inserting in Daily Report quantities to current report received from Charles.	1.00	\$ 19.32	\$ 54.10	\$	54.
Rebecca Stiles	2/1/2017	Bellaire Action Items Meeting: Broussard, Claunch, Maher, Stiles 9am-11:30am. Build Feb. Pay Estimate Daily Reports. Sent to HDR Staff (Lindberg)	3.00	\$ 19.32	\$ 54.10	\$	162.
5A/5B February 2017							
Scott Fuller	2/13/2017	As-Built redlines	6.50	\$ 38.87	\$ 108.84	\$	707.
Scott Fuller	2/14/2017	As-Built redlines	5.00	\$ 38.87	\$ 108.84	\$	544.
Scott Fuller	2/16/2017	As-Built redlines	6.00	\$ 38.87	\$ 108.84	\$	653.
Scott Fuller	2/17/2017	As-Built redlines	6.00	\$ 38.87	\$ 108.84	\$	653.
Scott Fuller	2/20/2017	As-Built	8.00	\$ 38.87	\$ 108.84	\$	870.
Scott Fuller	2/27/2017	As-Built	4.00	\$ 38.87	\$ 108.84	\$	435.
Scott Fuller	2/28/2017	As-Built	2.00	\$ 38.87	\$ 108.84	\$	217.
Terry Maher	2/6/2017	Material Testing funds amendment, Impacted waterline on Ferris at Willow, Construction issues (driveways, conflicts and schedule) issues on Alder, Correcting Hydrant threads	8.00	\$ 64.30	\$ 180.04	\$	1,440.
Terry Maher	2/7/2017	1202 Howard - Oil on sidewalk, 5402 Braeburn - Sprinkles and drain line, Alder right of way research, Ferris waterline relocations	4.00	\$ 64.30	\$ 180.04	\$	720.
Terry Maher	2/8/2017	Alder right of way research, 110 Howard driveway issues, 1224 Howard - Sprinkler and sod issues, Ferris waterline relocations	2.00	\$ 64.30	\$ 180.04	\$	360.
Terry Maher	2/17/2017	Waterline on Alder in conflict with subgrade, Waterline leak on Ferris, Coordination with Contractor regarding Working Saturday	4.00	\$ 64.30	\$ 180.04	\$	720.
Terry Maher	2/20/2017	Pay Estimate Review,	2.00	\$ 64.30	\$ 180.04	\$	360.
Terry Maher	2/21/2017	Supplier Claim coordination, Scheduling and change order coordination	3.00	\$ 64.30	\$ 180.04	\$	540.
Terry Maher	2/22/2017	Driveway issues at 5324 Pine and Scheduling issues for 5403 Pine	3.00	\$ 64.30	\$ 180.04	\$	540.
Terry Maher	2/23/2017	Communicate with resident 5403 Pine, Preparation and attend progress meeting, Coordination of Contract closeout for 5A,	2.50	\$ 64.30	\$ 180.04	\$	450.
Terry Maher	2/24/2017	Close out work on 5A, CenterPoint claims research on 5A & 5B	3.00	\$ 64.30	\$ 180.04	\$	540.
Terry Maher	2/27/2017	12" Waterline Adjustment coordination on Alder	1.50	\$ 64.30	\$ 180.04	\$	270.
Terry Maher	2/28/2017		3.00	\$ 64.30	\$ 180.04	\$	540.
Terry Maher	3/1/2017		6.00	\$ 64.30	\$ 180.04	\$	1,080.
Terry Maher	3/3/2017		1.00	\$ 64.30	\$ 180.04	\$	180.
Carolina Molfetta	2/15/2017	Checked form elevations for ferris and adler	1.00	\$ 33.11	\$ 92.71	\$	92.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

ATTACHMENT "E-1"
Additional Construction Administration Services

<u>Name</u>	<u>Date</u>	<u>Task</u>	<u>Hours</u>	<u>Raw Rate</u>		<u>Total</u>
					<u>* 2.8</u>	
Carolina Molfetta	2/28/2017	checked form elevation grades for Ferris and Adler	1.00	\$ 33.11	\$ 92.71	\$ 92.
Ryan Nokelby	2/6/2017	Coordinating with CPE on Gas Line Conflicts on Alder & Ferris	1.00	\$ 33.94	\$ 95.03	\$ 95.
Ryan Nokelby	2/9/2017	Processing RB5B Pay Estimate No. 10	4.00	\$ 33.94	\$ 95.03	\$ 380.
Ryan Nokelby	2/13/2017	Meeting with Charles L. to discuss quantity clarifications on daily reports	1.00	\$ 33.94	\$ 95.03	\$ 95.
Ryan Nokelby	2/15/2017	Revising Pay Estimate based on Contractor correspondence and daily report corrections	2.00	\$ 33.94	\$ 95.03	\$ 190.
Ryan Nokelby	2/16/2017	Correspondence with Contractor on storm sewer progress south of Valerie on Alder	1.00	\$ 33.94	\$ 95.03	\$ 95.
Ryan Nokelby	2/17/2017	Site Visit to look at potential water line issues on Alder	2.00	\$ 33.94	\$ 95.03	\$ 190.
Ryan Nokelby	2/17/2017	Meeting with Scott F. to review as-builts	2.00	\$ 33.94	\$ 95.03	\$ 190.
Ryan Nokelby	2/20/2017	Updating Construction Set with recent daily reports	1.00	\$ 33.94	\$ 95.03	\$ 95.
Ryan Nokelby	2/22/2017	Creation of Progress Meeting Agenda & Sign-In Sheet	1.00	\$ 33.94	\$ 95.03	\$ 95.
Ryan Nokelby	2/23/2017	Correspondence with 5B Contractor on checks written to CPE for street light repair	0.50	\$ 33.94	\$ 95.03	\$ 47.
Ryan Nokelby	2/23/2017	Backchecking 5A As-built PDFs	2.00	\$ 33.94	\$ 95.03	\$ 190.
Ryan Nokelby	2/24/2017	Compiling CenterPoint Claims Information into one email to send to CPE for Phase 5A & 5B	2.00	\$ 33.94	\$ 95.03	\$ 190.
Ryan Nokelby	2/27/2017	Finalizing RB5A Final Pay Estimate #20 (2 hrs)	2.00	\$ 33.94	\$ 95.03	\$ 190.
Ryan Nokelby	3/2/2017	RB5A Closeout Documents, including Final CO & emailing Contractor necessary documents	4.00	\$ 33.94	\$ 95.03	\$ 380.
Ryan Nokelby	3/3/2017	Finalizing RB5A Record Drawings (2 hrs)	2.00	\$ 33.94	\$ 95.03	\$ 190.
Rebecca Stiles	2/6/2017	Begin 2-1-17 Meeting Notes.	0.50	\$ 19.32	\$ 54.10	\$ 27.
Rebecca Stiles	2/8/2017	Complete Meeting Notes, Gave to Terry for processing and review	1.00	\$ 19.32	\$ 54.10	\$ 54.
Rebecca Stiles	2/23/2017	Build and send out March Electronic Daily Reports	0.75	\$ 19.32	\$ 54.10	\$ 40.
Rebecca Stiles	2/24/2017	Typing Meeting Minutes per T.M. of Feb 23rd, 2017 Progress Meeting	0.75	\$ 19.32	\$ 54.10	\$ 40.
Rebecca Stiles	2/27/2017	Build next pay estimate, input daily reports.	0.50	\$ 19.32	\$ 54.10	\$ 27.
Rebecca Stiles	2/28/2017	Internal meeting: Ryan, Charles, Terry; went over meeting notes from 2-1-17 meeting; updating status of 5a Closeout and 5b.	1.00	\$ 19.32	\$ 54.10	\$ 54.
Rebecca Stiles	3/3/2017	Input daily reports; Searched for "Additional Services" in document provided by Ryan Nokelby	0.50	\$ 19.32	\$ 54.10	\$ 27.
February, 2017 Reproduction:						\$ 163.
5A/5B March 2017						
Terry Maher	3/7/2017	Submittal Review, RB5A Closeout docs, Payment of Claims between CenterPoint and TCL, 6910 Ferris	2.00	\$ 64.30	\$ 180.04	\$ 360.
Terry Maher	3/8/2017	6910 Ferris Street Parking and Solid Waste Pickup, Alder Waterline				

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

ATTACHMENT "E-1"
Additional Construction Administration Services

<u>Name</u>	<u>Date</u>	<u>Task</u>	<u>Hours</u>	<u>Raw Rate</u>	<u>Raw Rate</u> <u>* 2.8</u>	<u>Total</u>
		Adjustment	3.00	\$ 64.30	\$ 180.04	\$ 540.
Terry Maher	3/9/2017	Sprinkler System Restoration 5601 Newcastle, Brick Paver and Irrigation repairs 4705 Bellview, RB5A Closeout Document coordination	3.00	\$ 64.30	\$ 180.04	\$ 540.
Terry Maher	3/10/2017	Brick Paver and Irrigation repairs 4705 Bellview, RB5A Closeout Document coordination	2.00	\$ 64.30	\$ 180.04	\$ 360.
Terry Maher	3/13/2017	12" waterline conflict on Alder	1.00	\$ 64.30	\$ 180.04	\$ 180.
Terry Maher	3/14/2017	12" waterline conflict on Alder	1.00	\$ 64.30	\$ 180.04	\$ 180.
Terry Maher	3/16/2017	Construction progress meeting and site visit.	2.50	\$ 64.30	\$ 180.04	\$ 450.
Terry Maher	3/20/2017	Parking concerns on Ferris	1.00	\$ 64.30	\$ 180.04	\$ 180.
Terry Maher	3/21/2017	6908 Ferris slope and drainage concerns, 5402 Braeburn driveway, sprinkler, sod, shrubs in ROW and construction schedule concerns. Fire hydrant thread standards research, Payment Application No 11	3.00	\$ 64.30	\$ 180.04	\$ 540.
Terry Maher	3/22/2017	5A Contract closeout	2.00	\$ 64.30	\$ 180.04	\$ 360.
Terry Maher	3/23/2017	5A Contract closeout, Contractor's form survey review,	3.00	\$ 64.30	\$ 180.04	\$ 540.
Terry Maher	3/27/2017	Construction timeline on Alder Braeburn to Evergreen.	1.00	\$ 64.30	\$ 180.04	\$ 180.
Terry Maher	3/28/2017	Driveway, sidewalk and tree issues 5303 Ferris, Alder 12" Waterline and cement stabilized sand change order .	3.00	\$ 64.30	\$ 180.04	\$ 540.
Terry Maher	3/29/2017	Payment Application No. 11 RB5B,	1.00	\$ 64.30	\$ 180.04	\$ 180.
Terry Maher	3/30/2017	Hydrant nozzle thread replacement, Driveway, sidewalk and tree issues 5303 Ferris	1.00	\$ 64.30	\$ 180.04	\$ 180.
Terry Maher	3/31/2017	Driveway, sidewalk tree, and drain line issues 5303 Ferris, Hydrant nozzle thread replacement	1.00	\$ 64.30	\$ 180.04	\$ 180.
Ryan Nokelby	3/7/2017	5B Water Line Relocate Pricing & Alternatives on Alder	2.00	\$ 33.94	\$ 95.03	\$ 190.
Ryan Nokelby	3/8/2017	Updating 5B Construction Set with Daily Reports	2.00	\$ 33.94	\$ 95.03	\$ 190.
Ryan Nokelby	3/9/2017	Finalizing RB5A Closeout Documents, Final CO, Final Pay Estimate	4.00	\$ 33.94	\$ 95.03	\$ 380.
Ryan Nokelby	3/13/2017	Review of Contractor's CPE invoices for street light repair	1.00	\$ 33.94	\$ 95.03	\$ 95.
Ryan Nokelby	3/14/2017	Meeting with Charles L. to discuss quantity issues with Contractor on daily reports	2.00	\$ 33.94	\$ 95.03	\$ 190.
Ryan Nokelby	3/15/2017	Processing RB5B Pay Estimate No. 11	4.00	\$ 33.94	\$ 95.03	\$ 380.
Ryan Nokelby	3/16/2017	Preparation of Progress Meeting Agenda	1.00	\$ 33.94	\$ 95.03	\$ 95.
Ryan Nokelby	3/20/2017	Working on RB5B Change Order No. 1	2.00	\$ 33.94	\$ 95.03	\$ 190.
		Fire Hydrant Nozzle Threads with Contractor	2.00	\$ 33.94	\$ 95.03	\$ 190.
		Meeting with Charles L. on daily reports	2.00	\$ 33.94	\$ 95.03	\$ 190.
Ryan Nokelby	3/21/2017	Follow-Up on RB5B PE #10 & Finalizing RB5B PE #11 (2 hrs)	2.00	\$ 33.94	\$ 95.03	\$ 190.
Ryan Nokelby	3/28/2017	Review of March Daily Reports for Qty Discrepancies, Updating Construction Plan Set	4.00	\$ 33.94	\$ 95.03	\$ 380.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

ATTACHMENT "E-1"
Additional Construction Administration Services

<u>Name</u>	<u>Date</u>	<u>Task</u>	<u>Hours</u>	<u>Raw Rate</u>	<u>Raw Rate</u> <u>* 2.8</u>	<u>Total</u>
Ryan Nokelby	3/29/2017	RB5B Change Order #1 (2 hrs)	2.00	\$ 33.94	\$ 95.03	\$ 190.
Ryan Nokelby	3/31/2017	5A & 5B Fire Hydrant Nozzle Thread Schedule Update with Contractors, Finalizing RB5B Change Order #1	2.00	\$ 33.94	\$ 95.03	\$ 190.
Rebecca Stiles	3/7/2017	Review submittal for joint sealant.	0.25	\$ 19.32	\$ 54.10	\$ 13.
Rebecca Stiles	3/8/2017	Updating Pay Estimate with current daily reports.	0.50	\$ 19.32	\$ 54.10	\$ 27.
Rebecca Stiles	3/9/2017	Finalizing final CO, final pay estimate, building contract closeout packet	2.00	\$ 19.32	\$ 54.10	\$ 108.
Rebecca Stiles	3/24/2017	Preparing Pay Estimate No. 12	0.50	\$ 19.32	\$ 54.10	\$ 27.
Rebecca Stiles	3/28/2017	Internal Meeting to discuss progress	1.00	\$ 19.32	\$ 54.10	\$ 54.
Rebecca Stiles	3/29/2017	Entering daily reports into March pay est.	0.50	\$ 19.32	\$ 54.10	\$ 27.
March Reproduction						\$ 19.
5B April 2017						
Aaron Croley	4/26/2017	Checked grades	1.00	\$ 28.23	\$ 79.04	\$ 79.
Denise Maher	4/3/2017	CADD - Prepared new set of construction plans	2.00	\$ 38.28	\$ 107.18	\$ 214.
Terry Maher	4/3/2017	5402 Braeburn, resident flat tire, Alder form survey review, Change Order No. 1 RB5B	3.00	\$ 64.30	\$ 180.04	\$ 540.
Terry Maher	4/4/2017	12 waterline leak od Alder, 18" backlot storm sewer on Alder between Holly an Maple.	2.00	\$ 64.30	\$ 180.04	\$ 360.
Terry Maher	4/5/2017	RB5 hydrant threads replacement, 1110 Howard driveway replacement, Rebuild 5A closeout documents	3.00	\$ 64.30	\$ 180.04	\$ 540.
Carolina Molfetta	4/3/2017	Checked grades for Alder St	0.50	\$ 33.12	\$ 92.74	\$ 46.
Carolina Molfetta	4/7/2017	Checked grades for Alder St	0.50	\$ 33.12	\$ 92.74	\$ 46.
Ryan Nokelby	4/3/2017	RB5B Change Order #1	2.00	\$ 33.94	\$ 95.03	\$ 190.
Ryan Nokelby	4/4/2017	Redline Design on Alder for A-Inlet & 18" RCP	2.00	\$ 33.94	\$ 95.03	\$ 190.
Ryan Nokelby	4/5/2017	Review Contractor Manhole Submittals for Ferris	1.00	\$ 33.94	\$ 95.03	\$ 95.
Ryan Nokelby	4/5/2017	Update on Fire Hydrant List	0.50	\$ 33.94	\$ 95.03	\$ 47.
Ryan Nokelby	4/5/2017	1110 Howard Driveway Contract	0.50	\$ 33.94	\$ 95.03	\$ 47.
Ryan Nokelby	4/10/2017	Follow-Up on Revised RB5A Maintenance Bond	1.00	\$ 33.94	\$ 95.03	\$ 95.
		Meeting with Charles Lindberg on Daily Reports and Project Progress	1.00	\$ 33.94	\$ 95.03	\$ 95.
Ryan Nokelby	4/11/2017	Review of Contractor's Quantities and Discrepancies	2.00	\$ 33.94	\$ 95.03	\$ 190.
Ryan Nokelby	4/12/2017	4508 Merrie Yard Drains	0.50	\$ 33.94	\$ 95.03	\$ 47.
Ryan Nokelby	4/12/2017	5402 Braeburn Vehicle Blocking DW	0.50	\$ 33.94	\$ 95.03	\$ 47.
Ryan Nokelby	4/12/2017	Correspondence with Contractors on Fire Hydrant Nozzle Thread Replacements	1.00	\$ 33.94	\$ 95.03	\$ 95.
Ryan Nokelby	4/24/2017	Correspondence with Contractor & Inspector on quantity discrepancies, updating construction set with daily reports	3.00	\$ 33.94	\$ 95.03	\$ 285.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

ATTACHMENT "E-1"
Additional Construction Administration Services

<u>Name</u>	<u>Date</u>	<u>Task</u>	<u>Hours</u>	<u>Raw Rate</u>		<u>Total</u>
					<u>* 2.8</u>	
Ryan Nokelby	4/25/2017	Processing Pay Estimate No. 12	2.00	\$ 33.94	\$ 95.03	\$ 190.
Ryan Nokelby	4/26/2017	Preparing Progress Meeting Agenda	1.00	\$ 33.94	\$ 95.03	\$ 95.
Ryan Nokelby	4/27/2017	RB5B Progress Meeting No. 18	1.00	\$ 33.94	\$ 95.03	\$ 95.
Ryan Nokelby	4/28/2017	Correspondence on replacing stm manhole on Ferris at Linden	1.00	\$ 33.94	\$ 95.03	\$ 95.
John Peterson	4/21/2017	Resident complaint at 809 Carol. Site Visit. Talk to Family. Receive call from homeowner and talk to her on the phone, and report all activities to the City Engineer	3.00	\$ 70.85	\$ 198.38	\$ 595.
Rebecca Stiles	4/17/2017	Pay Estimate updating.				
Rebecca Stiles	4/28/2017	Build May Electronic Daily Reports Spreadsheet Create Pay Estimate for April, entered in Daily Reports thru April 16. - Gave questions to Ryan	1.00	\$ 19.32	\$ 54.10	\$ 54.
Reproduction for April			1.50	\$ 19.32	\$ 54.10	\$ 81.
						\$ 10.
5B May 2017						
Aaron Croley	5/3/2017	Alder checked grades	0.75	\$ 28.23	\$ 79.04	\$ 59.
Carolina Molfetta	5/4/2017	Checked grades for Alder St	1.00	\$ 33.12	\$ 92.74	\$ 92.
Carolina Molfetta	5/11/2017	Checked grades for Alder St	1.00	\$ 33.12	\$ 92.74	\$ 92.
Ryan Nokelby	5/1/2017	Updating Construction Set with Daily Reports	2.00	\$ 33.94	\$ 95.03	\$ 190.
Ryan Nokelby	5/2/2017	Additional A-Inlet on Ferris	1.00	\$ 33.94	\$ 95.03	\$ 95.
Ryan Nokelby	5/2/2017	Relocation of Sidewalk on Alder from Maple to Holly	1.00	\$ 33.94	\$ 95.03	\$ 95.
Ryan Nokelby	5/4/2017	Discussions with Charles L. on existing storm manhole on Ferris	0.50	\$ 33.94	\$ 95.03	\$ 47.
Ryan Nokelby	5/4/2017	Review of latest daily reports for discrepancies	1.00	\$ 33.94	\$ 95.03	\$ 95.
Ryan Nokelby	5/8/2017	Progress Meeting Minutes No. 18	1.00	\$ 33.94	\$ 95.03	\$ 95.
Ryan Nokelby	5/9/2017	Researching Email Information for 4918 Bellview	2.00	\$ 33.94	\$ 95.03	\$ 190.
Ryan Nokelby	5/10/2017	Phone Calls, Emails, Meetings concerning RB5B Street Signage Issue	2.50	\$ 33.94	\$ 95.03	\$ 237.
Ryan Nokelby	5/11/2017	Update to Contractor on Status of Street Signage	0.50	\$ 33.94	\$ 95.03	\$ 47.
Ryan Nokelby	5/11/2017	Phone Calls, Emails, Meetings concerning 4619 Beech sprinkler issue	1.50	\$ 33.94	\$ 95.03	\$ 142.
Ryan Nokelby	5/12/2017	5322 Maple Driveway Access Concern	2.00	\$ 33.94	\$ 95.03	\$ 190.
Ryan Nokelby	5/16/2017	Correspondence with City on executed change order and project status	0.50	\$ 33.94	\$ 95.03	\$ 47.
Ryan Nokelby	5/16/2017	Correspondence with Contractor on pay estimate quantities	0.50	\$ 33.94	\$ 95.03	\$ 47.
Ryan Nokelby	5/18/2017	Update on street signs	0.50	\$ 33.94	\$ 95.03	\$ 47.
Ryan Nokelby	5/18/2017	5556 Aspen Tree Removal	0.50	\$ 33.94	\$ 95.03	\$ 47.
Ryan Nokelby	5/18/2017	Review & Filing of Material Testing Reports	1.00	\$ 33.94	\$ 95.03	\$ 95.
Ryan Nokelby	5/19/2017	809 Carol	1.00	\$ 33.94	\$ 95.03	\$ 95.
Ryan Nokelby	5/19/2017	5556 Aspen Tree Removal	0.50	\$ 33.94	\$ 95.03	\$ 47.
Ryan Nokelby	5/19/2017	Review and updating construction set with daily reports	2.50	\$ 33.94	\$ 95.03	\$ 237.
Ryan Nokelby	5/22/2017	Processing RB5B Pay Estimate No. 13	4.00	\$ 33.94	\$ 95.03	\$ 380.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

ATTACHMENT "E-1"
Additional Construction Administration Services

<u>Name</u>	<u>Date</u>	<u>Task</u>	<u>Hours</u>	<u>Raw Rate</u>	<u>Raw Rate</u> <u>* 2.8</u>	<u>Total</u>
Ryan Nokelby	5/24/2017	Correspondence with Contractor on pay estimate discrepancy, revising pay estimate	0.50	\$ 33.94	\$ 95.03	\$ 47.
Ryan Nokelby	5/25/2017	RB5B Progress Meeting	1.00	\$ 33.94	\$ 95.03	\$ 95.
Rebecca Stiles	5/5/2017	Updating Pay Est. with April Daily Reports.	0.50	\$ 19.32	\$ 54.10	\$ 27.
Rebecca Stiles	5/8/2017	Updating Pay Estimate with Daily Reports from Charles L.	0.25	\$ 19.32	\$ 54.10	\$ 13.
May Reproduction						\$ 6.
5B June 2017						
Ryan Nokelby	6/1/2017	Before & After Pictures for Phase 5A	2.50	\$ 33.94	\$ 95.03	\$ 237.
Ryan Nokelby	6/1/2017	5570 Aspen Drainage Issue	0.50	\$ 33.94	\$ 95.03	\$ 47.
Ryan Nokelby	6/2/2017	Research of Alder Block Numbers	2.00	\$ 33.94	\$ 95.03	\$ 190.
Ryan Nokelby	6/6/2017	1103-1104 Howard Sidewalk	1.00	\$ 33.94	\$ 95.03	\$ 95.
Ryan Nokelby	6/6/2017	5400 Holly/5325 Valerie Sprinklers	1.00	\$ 33.94	\$ 95.03	\$ 95.
Ryan Nokelby	6/7/2017	1014 Howard & Nancy/Newcastle Sprinklers	1.00	\$ 33.94	\$ 95.03	\$ 95.
Ryan Nokelby	6/7/2017	5570, 5566 & 5564 Aspen Backyard Drains	1.00	\$ 33.94	\$ 95.03	\$ 95.
Ryan Nokelby	6/9/2017	Review of Pay Estimate Discrepancies	1.00	\$ 33.94	\$ 95.03	\$ 95.
Ryan Nokelby	6/9/2017	1104 Howard Sidewalk	1.00	\$ 33.94	\$ 95.03	\$ 95.
Ryan Nokelby	6/13/2017	Correspondence with Cristin on April Invoice Revisions, RB5A City Acceptance Letter, & Email Package to TCL	2.00	\$ 33.94	\$ 95.03	\$ 190.
Ryan Nokelby	6/14/2017	5322 Maple Follow-Up	0.50	\$ 33.94	\$ 95.03	\$ 47.
Ryan Nokelby	6/14/2017	Correspondence with Reytec on Sprinkler Schedule	0.50	\$ 33.94	\$ 95.03	\$ 47.
Ryan Nokelby	6/14/2017	Meeting with Charles L. on Remaining Quantities & Contractor Discrepancies	1.00	\$ 33.94	\$ 95.03	\$ 95.
Ryan Nokelby	6/16/2017	5B Project Update to Cristin	0.50	\$ 33.94	\$ 95.03	\$ 47.
Ryan Nokelby	6/16/2017	Email on Howard Street Signs with Pictures	0.50	\$ 33.94	\$ 95.03	\$ 47.
Ryan Nokelby	6/16/2017	809 Carol Follow-Up	0.50	\$ 33.94	\$ 95.03	\$ 47.
Ryan Nokelby	6/16/2017	Updating Construction Set with Daily Reports	0.50	\$ 33.94	\$ 95.03	\$ 47.
Ryan Nokelby	6/21/2017	Review of Lien Notice & Email to Contractor	1.00	\$ 33.94	\$ 95.03	\$ 95.
Ryan Nokelby	6/21/2017	Coordinating with Charles L. on RB5B Preliminary Punch List Items	1.00	\$ 33.94	\$ 95.03	\$ 95.
Ryan Nokelby	6/22/2017	Processing Pay Estimate No. 14	4.00	\$ 33.94	\$ 95.03	\$ 380.
Ryan Nokelby	6/28/2017	809 Carol Mortar & Pictures Email	1.00	\$ 35.00	\$ 98.00	\$ 98.
Ryan Nokelby	6/28/2017	Scheduling Final Walkthrough	0.50	\$ 35.00	\$ 98.00	\$ 49.
Ryan Nokelby	6/28/2017	Meeting with Charles L. on Punch List	0.50	\$ 35.00	\$ 98.00	\$ 49.
Rebecca Stiles	6/5/2017		0.50	\$ 19.32	\$ 54.10	\$ 27.
Rebecca Stiles	5/23/2017	Building Pay Est. No. 15 and entering daily reports.	0.50	\$ 19.32	\$ 54.10	\$ 27.
June Reproduction						\$ 2.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

ATTACHMENT "E-1"
Additional Construction Administration Services

<u>Name</u>	<u>Date</u>	<u>Task</u>	<u>Hours</u>	<u>Raw Rate</u>	<u>Raw Rate * 2.8</u>	<u>Total</u>
5B July 2017						
Steve Arnold	7/26/2017	Review and sign daily reports	4.00	\$ 50.17	\$ 140.48	\$ 561.
Steve Arnold	7/27/2017	Review and sign daily reports	2.00	\$ 50.17	\$ 140.48	\$ 280.
Ryan Nokelby	7/5/2017	Preparation of RB5B Final Closeout Documents (2 hrs)	2.00	\$ 35.00	\$ 98.00	\$ 196.
Ryan Nokelby	7/6/2017	Correspondence with Contractor on remaining items, schedule of as-builts, final walkthrough	0.50	\$ 35.00	\$ 98.00	\$ 49.
Ryan Nokelby	7/6/2017	Meeting with Charles L. on punch list update, daily reports, and final quantities	0.50	\$ 35.00	\$ 98.00	\$ 49.
Ryan Nokelby	7/6/2017	Review of pay item quantity discrepancies	1.00	\$ 35.00	\$ 98.00	\$ 98.
Ryan Nokelby	7/7/2017	Preparation of Final Walkthrough Punch List	2.00	\$ 35.00	\$ 98.00	\$ 196.
Ryan Nokelby	7/10/2017	RB5B Final Walkthrough	4.00	\$ 35.00	\$ 98.00	\$ 392.
Ryan Nokelby	7/11/2017	RB5B Punch List	1.50	\$ 35.00	\$ 98.00	\$ 147.
Ryan Nokelby	7/12/2017	RB5B Punch List and sending to Contractor	2.00	\$ 35.00	\$ 98.00	\$ 196.
Ryan Nokelby	7/19/2017	After Project Action Report Agenda & Sign-In Sheet	1.00	\$ 35.00	\$ 98.00	\$ 98.
Ryan Nokelby	7/19/2017	Meeting with Charles L. on items for action report mtg	1.00	\$ 35.00	\$ 98.00	\$ 98.
Ryan Nokelby	7/20/2017	After Project Action Report Meeting with City and Contractor	1.00	\$ 35.00	\$ 98.00	\$ 98.
Ryan Nokelby	7/20/2017	Site Visit to Howard with Contractor to review potential ponding locations	1.00	\$ 35.00	\$ 98.00	\$ 98.
Ryan Nokelby	7/21/2017	Typing up recommendations from action report meeting	1.00	\$ 35.00	\$ 98.00	\$ 98.
Ryan Nokelby	7/21/2017	Updating June Pay Estimate & Correspondence with Contractor on discrepancies	1.00	\$ 35.00	\$ 98.00	\$ 98.
Ryan Nokelby	7/25/2017	RB5B Pay Estimate No. 15	4.00	\$ 35.00	\$ 98.00	\$ 392.
Ryan Nokelby	7/27/2017	RB5B Closeout	2.00	\$ 35.00	\$ 98.00	\$ 196.
John Peterson	7/10/2017	RB5B Final Walkthrough	5.00	\$ 74.00	\$ 207.20	\$ 1,036.
John Peterson	7/17/2017	Punch list items	0.50	\$ 74.00	\$ 207.20	\$ 103.
John Peterson	7/18/2017	Punch list items	0.50	\$ 74.00	\$ 207.20	\$ 103.
John Peterson	7/19/2017	Meeting with Charles L. on items for action report mtg	0.50	\$ 74.00	\$ 207.20	\$ 103.
John Peterson	7/20/2017	After Project Action Report Meeting with City and Contractor	0.50	\$ 74.00	\$ 207.20	\$ 103.
John Peterson	7/21/2017	Meeting with Ryan on recommendations from action report meeting	0.50	\$ 74.00	\$ 207.20	\$ 103.
John Peterson	7/27/2017	RB5B Closeout	1.00	\$ 74.00	\$ 207.20	\$ 207.
Subcontractor: Yellowstone: \$200.00 + 10%						\$ 220.
5B August 2017						
Kim Betts	8/7/2017	Closing project	0.50	\$ 58.69	\$ 164.33	\$ 82.
Ryan Nokelby	8/1/2017	RB5B: Finalizing Pay Estimate No. 15	2.00	\$ 35.00	\$ 98.00	\$ 196.
Ryan Nokelby	8/2/2017	RB5B: Closeout Documents	2.00	\$ 35.00	\$ 98.00	\$ 196.
Ryan Nokelby	8/3/2017	RB5B: Closeout Documents	2.00	\$ 35.00	\$ 98.00	\$ 196.
Ryan Nokelby	8/7/2017	Preparing Pay Estimate No. 15 Package to City, review of construction funds				

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

ATTACHMENT "E-1"
Additional Construction Administration Services

<u>Name</u>	<u>Date</u>	<u>Task</u>	<u>Hours</u>	<u>Raw Rate</u>			<u>Total</u>
					<u>* 2.8</u>		
		remaining after retainage, and continuing closeout documents	2.00	\$ 35.00	\$ 98.00	\$	196.
Ryan Nokelby	8/8/2017	Field Visit to Howard with City to review ponding areas	1.50	\$ 35.00	\$ 98.00	\$	147.
Ryan Nokelby	8/11/2017	Review of Contractor As-Builts	2.00	\$ 35.00	\$ 98.00	\$	196.
Ryan Nokelby	8/16/2017	Phone Conference with City on Pocahontas, Howard, & As-Builts	0.50	\$ 35.00	\$ 98.00	\$	49.
Ryan Nokelby	8/16/2017	5112 Pocahontas Tree Issue	0.50	\$ 35.00	\$ 98.00	\$	49.
Ryan Nokelby	8/16/2017	Pictures of Areas in Bellaire where curb and gutter replaced on new streets	1.00	\$ 35.00	\$ 98.00	\$	98.
Ryan Nokelby	8/17/2017	5112 Pocahontas Tree Issue	1.00	\$ 35.00	\$ 98.00	\$	98.
Ryan Nokelby	8/17/2017	Howard Ponding Issues and Solutions	1.00	\$ 35.00	\$ 98.00	\$	98.
Ryan Nokelby	8/18/2017	5B As-Builts	2.00	\$ 35.00	\$ 98.00	\$	196.
Ryan Nokelby	8/21/2017	Coordination on 5B TDLR Walkthrough	1.00	\$ 35.00	\$ 98.00	\$	98.
Ryan Nokelby	8/23/2017	Coordination on 1119 Mulberry Issues	1.00	\$ 35.00	\$ 98.00	\$	98.
John Peterson	8/8/2017	Walk through with the City and Talk to them about how to address Issues of standing water	2.50	\$ 74.00	\$207.20	\$	518.
John Peterson	8/15/2017	Review submitted information on gutter line elevations, call the City and talk to them about the submitted information, and compose email to the City of issue and possible solutions	3.50	\$ 74.00	\$207.20	\$	725.
John Peterson	8/21/2017	Coordination on 5B TDLR Walkthrough	1.00	\$ 74.00	\$207.20	\$	207.
John Peterson	8/22/2017	Coordination on 1119 Mulberry Issues	2.00	\$ 74.00	\$207.20	\$	414.
5B September 2017							
Raya Carr	9/8/2017	5B As built	1.75	\$ 20.00	\$ 56.00	\$	98.
Raya Carr	9/12/2017	As Builts	4.50	\$ 20.00	\$ 56.00	\$	252.
Raya Carr	9/13/2017	As Builts	6.00	\$ 20.00	\$ 56.00	\$	336.
Raya Carr	9/14/2017	As Builts	7.50	\$ 20.00	\$ 56.00	\$	420.
Raya Carr	9/15/2017	As Builts	8.50	\$ 20.00	\$ 56.00	\$	476.
Raya Carr	9/18/2017	As built	7.00	\$ 20.00	\$ 56.00	\$	392.
Raya Carr	9/19/2017	As built	1.75	\$ 20.00	\$ 56.00	\$	98.
Joyal Kaku	9/5/2017	extend end date	0.25	\$ 28.00	\$ 78.40	\$	19.
Joyal Kaku	9/28/2017	update PPCs in EBS	0.25	\$ 28.00	\$ 78.40	\$	19.
Ryan Nokelby	9/6/2017	5B Close-Out	1.00	\$ 35.00	\$ 98.00	\$	98.
Ryan Nokelby	9/7/2017	Updating 5B Punch List with completed items and email to Contractor	1.00	\$ 35.00	\$ 98.00	\$	98.
Ryan Nokelby	9/11/2017	Follow-Up on Contractor Punch List Completion	0.50	\$ 35.00	\$ 98.00	\$	49.
Ryan Nokelby	9/11/2017	Follow-Up on TDLR Received Violation and Correction	0.50	\$ 35.00	\$ 98.00	\$	49.
Ryan Nokelby	9/20/2017	Communication with 5B Contractor on Punch List, Phone call with City on issues	1.00	\$ 35.00	\$ 98.00	\$	98.
Ryan Nokelby	9/21/2017	Research into emails on 1110 Howard driveway & Coordination with					

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

ATTACHMENT "E-1"
Additional Construction Administration Services

<u>Name</u>	<u>Date</u>	<u>Task</u>	<u>Hours</u>	<u>Raw Rate</u>	<u>Raw Rate</u> <u>* 2.8</u>	<u>Total</u>
		Contractor on cashed check	1.00	\$ 35.00	\$ 98.00	\$ 98.
Ryan Nokelby	9/25/2017	Researching Project Correspondence for 1212 Howard, 1110 Howard & 5300 Valerie	1.00	\$ 35.00	\$ 98.00	\$ 98.
Ryan Nokelby	9/27/2017	Researching Project Correspondence for 1212 Howard, 1110 Howard & 5300 Valerie	1.00	\$ 35.00	\$ 98.00	\$ 98.
Ryan Nokelby	9/28/2017	Phone Conference with City on scheduling meeting with Contractor, discussing punch list items	1.00	\$ 35.00	\$ 98.00	\$ 98.
Ryan Nokelby	9/28/2017	Typing Project Timeline & Compiling Back-Up Information for punch list items	3.00	\$ 35.00	\$ 98.00	\$ 294.
Ryan Nokelby	10/2/2017	Meeting with City & Reytec on Remaining Punch List Items	1.00	\$ 35.00	\$ 98.00	\$ 98.
John Peterson	9/5/2017	Talk to the City about closing out project and talk to contractor about standing water issues	2.00	\$ 74.00	\$207.20	\$ 414.
John Peterson	9/21/2017	Talked to Cristin about the Contractor and issues with 2 driveways.				
		Had Ryan do research on previous emails and talked to Charles	2.00	\$ 74.00	\$207.20	\$ 414.
John Peterson	9/28/2017	Phone Conference with City, discussing punch list with Ryan	2.00	\$ 74.00	\$207.20	\$ 414.
John Peterson	9/29/2017	Review and edit of Ryan's Project Timeline for punch list items	1.00	\$ 74.00	\$207.20	\$ 207.
5B October & November 2017						
John Peterson	10/2/2017	Meeting with City & Reytec on Remaining Punch List Items	2.50	\$ 74.00	\$207.20	\$ 518.
John Peterson	10/3/2017	Review of 5B As-Builts	1.50	\$ 74.00	\$207.20	\$ 310.
John Peterson	10/4/2017	Review of 5B As-Builts	2.50	\$ 74.00	\$207.20	\$ 518.
Reproduction						\$ 7.
Yellowstone						\$ 150.
Ryan Nokelby	10/11/2017	Site visit to 1107 Howard, taking pictures and sending email to Contractor	2.00	\$ 35.00	\$ 98.00	\$ 196.
Ryan Nokelby	10/13/2017	Follow-Up email to City on punch list, research pictures of gutter replacement and send email to City	1.00	\$ 35.00	\$ 98.00	\$ 98.
Ryan Nokelby	10/17/2017	Correspondence with City & Contractor on proceeding with 18" gutter removal on Howard	1.00	\$ 35.00	\$ 98.00	\$ 98.
Ryan Nokelby	10/19/2017	Follow-up with Contractor on 5300 Valerie, review of received signed release form	0.50	\$ 35.00	\$ 98.00	\$ 49.
Ryan Nokelby	10/23/2017	Coordination with Contractor on 5300 Valerie signed release form and notarization	1.00	\$ 35.00	\$ 98.00	\$ 98.
Ryan Nokelby	11/3/2017	Update on 1212 Howard, Requesting update on pictures and restoration	1.00	\$ 35.00	\$ 98.00	\$ 98.
John Peterson	10/10/2017	Site visit to 1110 Howard	0.50	\$ 74.00	\$207.20	\$ 103.
John Peterson	10/17/2017	Correspondence with City & Contractor on proceeding with 18" gutter	1.00	\$ 74.00	\$207.20	\$ 207.
John Peterson	10/23/2017	Coordination with Contractor on 5300 Valerie signed release form	0.50	\$ 74.00	\$207.20	\$ 103.
John Peterson	10/24/2017	Phone call with Cristin	0.50	\$ 74.00	\$207.20	\$ 103.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

ATTACHMENT "E-1"
Additional Construction Administration Services

<u>Name</u>	<u>Date</u>	<u>Task</u>	Raw Rate			
			<u>Hours</u>	<u>Raw Rate</u>	<u>* 2.8</u>	<u>Total</u>
John Peterson	10/30/2017	Phone call with Cristin	0.50	\$ 74.00	\$207.20	\$ 103.
Ryan Nokelby	11/3/2017	Update on 1212 Howard, Requesting update on pictures and restoration	1.00	\$ 35.00	\$ 98.00	\$ 98.
Ryan Nokelby	11/9/2017	Email correspondence on 2-year warranty on Howard, email of closeout requirements and document samples	1.00	\$ 35.00	\$ 98.00	\$ 98.
Ryan Nokelby	11/10/2017	Creation of Final Pay Estimate and Change Order documents and emailing to Contractor for execution	2.00	\$ 35.00	\$ 98.00	\$ 196.
Ryan Nokelby	11/17/2017	Finalizing 5B Closeout Package with Contractor's Info & Preparation of Change Order Request	4.00	\$ 35.00	\$ 98.00	\$ 392.
John Peterson	11/6/2017	1212 Howard correspondence	0.50	\$ 74.00	\$207.20	\$ 103.
John Peterson	11/9/2017	Meeting with Ryan on 2-year warranty on Howard	1.00	\$ 74.00	\$207.20	\$ 207.
John Peterson	11/13/2017	Phone call with Cristin	1.00	\$ 74.00	\$207.20	\$ 207.

Total to Date: \$ 145,651.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

ATTACHMENT "E-2"
Additional Construction Observation Services

<u>Name</u>	<u>Date</u>	<u>Task</u>	<u>Hours</u>	<u>Raw Rate</u>	<u>* 2.8</u>	<u>Total</u>
5B April 2017						
Charles Lindberg	4/3/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$ 811.5
Charles Lindberg	4/4/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$ 811.5
Charles Lindberg	4/5/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$ 811.5
Charles Lindberg	4/6/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$ 811.5
Charles Lindberg	4/7/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$ 811.5
Charles Lindberg	4/10/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$ 811.5
Charles Lindberg	4/11/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$ 811.5
Charles Lindberg	4/12/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$ 811.5
Charles Lindberg	4/13/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$ 811.5
Charles Lindberg	4/19/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$ 811.5
Charles Lindberg	4/20/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$ 811.5
Charles Lindberg	4/21/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$ 811.5
Charles Lindberg	4/22/2017	Site Representation	4.00	\$ 36.23	\$ 101.44	\$ 405.7
Charles Lindberg	4/24/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$ 811.5
Charles Lindberg	4/25/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$ 811.5
Charles Lindberg	4/26/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$ 811.5
Charles Lindberg	4/27/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$ 811.5
Charles Lindberg	4/28/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$ 811.5
Charles Lindberg 4-17		Vehicle Mileage	991.00	@	\$ 0.535	\$ 530.1
5B May 2017						
Charles Lindberg	5/1/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$ 811.5
Charles Lindberg	5/2/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$ 811.5
Charles Lindberg	5/3/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$ 811.5
Charles Lindberg	5/4/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$ 811.5
Charles Lindberg	5/5/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$ 811.5
Charles Lindberg	5/8/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$ 811.5
Charles Lindberg	5/9/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$ 811.5
Charles Lindberg	5/10/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$ 811.5
Charles Lindberg	5/11/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$ 811.5

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

ATTACHMENT "E-2"
Additional Construction Observation Services

<u>Name</u>	<u>Date</u>	<u>Task</u>	<u>Hours</u>	<u>Raw Rate</u>			<u>Total</u>
				<u>Raw Rate</u>	<u>* 2.8</u>		
Charles Lindberg	5/15/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$	811.5
Charles Lindberg	5/16/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$	811.5
Charles Lindberg	5/17/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$	811.5
Charles Lindberg	5/18/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$	811.5
Charles Lindberg	5/19/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$	811.5
Charles Lindberg	5/22/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$	811.5
Charles Lindberg	5/23/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$	811.5
Charles Lindberg	5/24/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$	811.5
Charles Lindberg	5/25/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$	811.5
Charles Lindberg	5/26/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$	811.5
Charles Lindberg 5-17		Vehicle Mileage	384.00	@	\$ 0.535	\$	205.4
5B June 2017							
Charles Lindberg	6/1/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$	811.5
Charles Lindberg	6/2/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$	811.5
Charles Lindberg	6/5/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$	811.5
Charles Lindberg	6/6/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$	811.5
Charles Lindberg	6/7/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$	811.5
Charles Lindberg	6/8/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$	811.5
Charles Lindberg	6/9/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$	811.5
Charles Lindberg	6/13/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$	811.5
Charles Lindberg	6/14/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$	811.5
Charles Lindberg	6/15/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$	811.5
Charles Lindberg	6/16/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$	811.5
Charles Lindberg	6/19/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$	811.5
Charles Lindberg	6/21/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$	811.5
Charles Lindberg	6/22/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$	811.5
Charles Lindberg	6/23/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$	811.5
Charles Lindberg	6/26/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$	811.5
Charles Lindberg	6/27/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$	811.5
Charles Lindberg	6/28/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$	811.5

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

ATTACHMENT "E-2"
Additional Construction Observation Services

<u>Name</u>	<u>Date</u>	<u>Task</u>	<u>Hours</u>	<u>Raw Rate</u>	<u>Raw Rate</u>		<u>Total</u>
					<u>* 2.8</u>		
Charles Lindberg	6/29/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$	811.5
Charles Lindberg	6/30/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$	811.5
Charles Lindberg 6-17		Vehicle Mileage	525.00	@	\$ 0.535	\$	280.8
5B July 2017							
Charles Lindberg	7/3/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$	811.5
Charles Lindberg	7/5/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$	811.5
Charles Lindberg	7/6/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$	811.5
Charles Lindberg	7/7/2017	Site Representation	5.00	\$ 36.23	\$ 101.44	\$	507.2
Charles Lindberg	7/10/2017	Site Representation	8.00	\$ 36.23	\$ 101.44	\$	811.5
Charles Lindberg 7-17		Vehicle Mileage	154.00	@	\$ 0.535	\$	82.3
				Total to Date:		\$ 50,705.0	

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



ORDINANCE NO. 17-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLAIRE, TEXAS, AUTHORIZING THE CITY MANAGER OF THE CITY OF BELLAIRE, TEXAS, TO EXECUTE, FOR AND ON BEHALF OF THE CITY OF BELLAIRE, TEXAS, AN "APPLICATION FOR PAYMENT NO. 16 - FINAL" WITH REYTEC CONSTRUCTION RESOURCES, INC., IN THE AMOUNT OF \$394,901.10 FOR THE REBUILD BELLAIRE 5B PROJECT AND AUTHORIZING THE CITY TO RELEASE RETAINAGE TO REYTEC CONSTRUCTION RESOURCES, INC., ON SAID PROJECT IN THE AMOUNT OF \$394,901.10.

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

Section 1. The City Manager is hereby authorized to execute, for and on behalf of the City of Bellaire, Texas, an "Application for Payment No. 16 - Final" with Reytec Construction Resources, Inc. in the amount of \$394,901.10 for the Rebuild Bellaire 5B Project and authorizing the City to release retainage to Reytec Construction Resources, Inc., on said project in the amount of \$394,901.10

Section 2. Upon execution of said ""Application for Payment No. 16 – Final," the total amount paid to Reytec Construction Resources Inc., will equal \$7,898,021.97.

PASSED and APPROVED this 18th day of December, 2017.

(SEAL)

ATTEST:

Tracy L. Dutton, TRMC
City Clerk

SIGNED:

Andrew S. Friedberg
Mayor

APPROVED AS TO FORM:

Alan P. Petrov
City Attorney

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Reytec Construction Resources, Inc.

Corporate Office
1901 Hollister St.
Houston, Texas 77080
713-957-4003 – Office
713-681-0077 - Fax

October 24, 2017

Ryan Nokelby
Graduate Engineer
HDR
4828 Loop Central Drive, Suite 800
Houston, TX 77081

**RE: City of Bellaire, Rebuild Bellaire Phase 5B Reconstruction Project
Notice of Construction Completion**

Dear Mr. Nokelby,

In accordance with the plans, specifications, and contract documents for the referenced project, Reytec Construction Resources, Inc. does hereby acknowledge, and will provide the required one-year warranty for the project, beginning October 24, 2017.

Reytec will provide an additional one-year warranty for the 18-inch curb and gutter section of Howard Lane, between station 18+50, and 19+60 RT.

Sincerely,



Chris Teague
Project Manager
Reytec Construction Resources, Inc.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



November 21, 2017

Ms. Cristin Emshoff
Public Works Special Project Manager
City of Bellaire
7008 S. Rice Avenue
Bellaire, Texas 77401


Re: Rebuild Bellaire Phase Five-B
City of Bellaire, Texas
Bellaire Project No. 16-006
HDR Project No. 13-041B

Dear Ms. Emshoff:

Based on our observation and to the best of our knowledge, information and belief, the work has been completed in accordance with the terms and conditions of the Contract Documents as of October 24, 2017. Therefore, we recommend acceptance of the work by the City of Bellaire. Upon acceptance, the City of Bellaire should issue a "Certificate of Acceptance" of the work to the Contractor.

Sincerely,

HDR Engineering, Inc.



Edwin R. Rydell, P.E.
Senior Project Manager

EXHIBIT B

Pay Estimate No. 16 - Final

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



November 20, 2017

Mr. Michael Leech
Director of Public Works
City of Bellaire
4440 Edith Street
Bellaire, Texas 77401

RE: Rebuild Bellaire Phase 5B
City of Bellaire, Texas
HDR Job No. 13-041, Bellaire Ordinance No. 16-006

Enclosed please find one copy of the following items for the above referenced project:

1. Application for Payment No. 16-Final
2. Pay Estimate No. 16-Final

The amount of Application for Payment No. **16-Final** is **\$394,901.10** (Release of Retainage)

As of this Payment:

100.00% Construction Time Expended
94.10% Construction Cost Expended

HDR Engineering, Inc. has reviewed and recommends payment of Application No. 16-Final.

Sincerely,

HDR ENGINEERING, INC.

John Peterson, P.E., CFM
Project Manager

Cc: Ryan Nokelby - HDR
Cristin Emshoff - City of Bellaire

hdrinc.com

4828 Loop Central Drive, Suite 800, Houston, TX 77081-2220
T (713) 622-9264 F (713) 622-9265
Texas Registered Engineering Firm F-754

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

APPLICATION FOR PAYMENT NUMBER: 16-FinalPROJECT: Rebuild Bellaire Phase 5BCONTRACTOR: Reytec Construction Resources, Inc., 1901 Hollister St., Houston, Texas 77080OWNER: City of BellaireOWNERS PROJECT NO: 16-006 ENGR. PROJECT NO: 13-041

PAY PERIOD: PROJECT CLOSEOUT - RELEASE OF RETAINAGE

ORIGINAL CONTRACT SUM:	\$ 8,393,297.00
NET CHANGE BY CHANGE ORDER:	\$ (495,275.03)
CONTRACT SUM TO DATE:	\$ 7,898,021.97
INSTALLATIONS:	\$ 7,898,021.97
LESS 5% RETAINAGE:	\$ -
LESS PREVIOUS PAYMENTS:	\$ 7,503,120.87
AMOUNT DUE THIS APPLICATION:	<u>\$ 394,901.10</u>

ACCOMPANYING DOCUMENTATION: Contractor's Pay Request, Engineer's Estimate No. 16-Final

CONTRACTORS Certification:

The undersigned CONTRACTOR certifies that: 1.) all previous progress payments received from OWNER on account of Work done under the Contract referred to above have been applied to discharge in full all obligations of CONTRACTOR incurred in connection with Work covered by prior Applications for Payment numbered 1 through 15 inclusive; and 2.) title to all materials and equipment incorporated in said Work or otherwise listed in or covered by this Application for Payment will pass to OWNER at time of payment free and clear of all liens, claims, security interests and encumbrances (except such as covered by Bond acceptable to OWNER).

DATE: 11/16/2017Reytec Construction Resources, Inc.

Chi Teague
CONTRACTOR, Project Manager

ENGINEER'S CERTIFICATION:

PAYMENT OF THE ABOVE AMOUNT DUE THIS APPLICATION IS RECOMMENDED

DATE: 11/20/17

John Peterson
John Peterson, P.E., CFM
Project Manager

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

ITEM NO.	ITEM DESCRIPTION	UNIT	QUAN.	UNIT PRICE	TOTAL	QUAN. THIS PERIOD	TOTAL THIS PERIOD	QUAN. PREVIOUS PERIOD	TOTAL PREVIOUS PERIOD	TOTAL TO DATE	TOTAL AMOUNT TO DATE
PAVING ITEMS											
1	7" Reinforced Concrete Pavement	SY	25,800.00	\$67.00	\$1,728,600.00	0.00	\$0.00	25,978.08	\$1,740,531.36	25,978.08	\$1,740,531.36
2	12" Lime Stabilized Subgrade, including excavation or fill to grade, mixing and compaction	SY	29,600.00	\$11.00	\$325,600.00	0.00	\$0.00	29,164.67	\$320,811.37	29,164.67	\$320,811.37
3	Lime Slurry, hydrated lime or quicklime (8% by weight)	TON	1,400.00	\$155.00	\$217,000.00	0.00	\$0.00	1,056.72	\$163,791.60	1,056.72	\$163,791.60
4	6" doweled on curb	LF	12,650.00	\$4.00	\$50,600.00	0.00	\$0.00	11,463.00	\$45,852.00	11,463.00	\$45,852.00
5	Pavement Transition, including 7" reinforced concrete pavement, 6" curb, asphalt overlay as required, dowels to tie into existing pavement	SY	425.00	\$128.00	\$54,400.00	0.00	\$0.00	411.43	\$52,663.04	411.43	\$52,663.04
6	13" Fast Track Concrete Pavement, including 6" curb, dowels to tie into existing pavement	SY	200.00	\$180.00	\$36,000.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00
7	Removal of existing pavement, including all base, asphalt surface, concrete paving, curb and gutters and paving headers	SY	23,600.00	\$6.25	\$147,500.00	0.00	\$0.00	23,591.75	\$147,448.44	23,591.75	\$147,448.44
8	Remove and replace concrete driveway, including sawcutting, curb transition, reinforcement and 6" stabilized subgrade, match existing driveway material and color	SY	4,200.00	\$80.00	\$336,000.00	0.00	\$0.00	5,086.37	\$406,909.60	5,086.37	\$406,909.60
9	Additional allowance to match existing decorative driveway and/or sidewalk material, color, texture, pattern	SY	500.00	\$45.00	\$22,500.00	0.00	\$0.00	406.48	\$18,291.60	406.48	\$18,291.60
10	Remove and replace existing concrete sidewalk, including sawcutting, reinforcement and 6" subgrade, match existing material	SF	7,200.00	\$8.00	\$57,600.00	0.00	\$0.00	4,620.50	\$36,964.00	4,620.50	\$36,964.00
11	New concrete sidewalk, including, reinforcement and 6" subgrade	SF	23,900.00	\$7.00	\$167,300.00	0.00	\$0.00	24,234.00	\$169,638.00	24,234.00	\$169,638.00
12	Wheelchair ramp, including warning pavers, sawcutting, removal of existing pavement, reinforcing, and subgrade	EA	40.00	\$1,500.00	\$60,000.00	0.00	\$0.00	35.00	\$52,500.00	35.00	\$52,500.00
13	Concrete pavement header	LF	750.00	\$14.00	\$10,500.00	0.00	\$0.00	492.00	\$6,888.00	492.00	\$6,888.00
14	Removal of existing signs and replacement with new posts and new signs	EA	55.00	\$450.00	\$24,750.00	0.00	\$0.00	37.00	\$16,650.00	37.00	\$16,650.00
15	12" white thermoplastic striping, including surface preparation	LF	1,000.00	\$6.00	\$6,000.00	0.00	\$0.00	398.00	\$2,388.00	398.00	\$2,388.00
16	24" white thermoplastic striping, including surface preparation	LF	260.00	\$11.00	\$2,860.00	0.00	\$0.00	88.00	\$968.00	88.00	\$968.00
17	Final ROW grading and restoration including sod and select fill, adjusting meters, valve boxes, inlets, irrigation system, or any other item in the ROW	STA	85.00	\$2,800.00	\$238,000.00	0.00	\$0.00	85.00	\$238,000.00	85.00	\$238,000.00
18	Traffic control, including signs, flaggers, barricades, barrels, fencing, temporary striping, removal of existing striping, traffic control devices and any other items required by TxMUTCD, and maintenance of all items	LS	1.00	\$300,000.00	\$300,000.00	0.000	\$0.00	1.000	\$300,000.00	1.000	\$300,000.00
19	Temporary HMAc for traffic control consisting of 2" HMAc, 6" Asphalt stabilized black base, aggregate for shoulder, temporary embankment, removal of existing curbs, and all additional work to place, maintain and remove the material	SY	1,500.00	\$45.00	\$67,500.00	0.00	\$0.00	163.33	\$7,349.85	163.33	\$7,349.85
20	Install low profile concrete barriers	LF	500.00	\$40.00	\$20,000.00	0.00	\$0.00	620.00	\$24,800.00	620.00	\$24,800.00
21	Relocate low profile concrete barriers	LF	1,500.00	\$5.00	\$7,500.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00
22	Remove low profile concrete barriers	LF	500.00	\$10.00	\$5,000.00	0.00	\$0.00	600.00	\$6,000.00	600.00	\$6,000.00
23	Remove and Replace Concrete Pavement for storm sewer construction in areas where the roadway is not being replaced including Chimney Rock and Newcastle; full depth sawcut, doweled to existing pavement, 10" reinforced concrete pavement with subgrade	SY	200.00	\$170.00	\$34,000.00	0.00	\$0.00	99.05	\$16,838.50	99.05	\$16,838.50
24	Extra uniformed police officer at special event or as requested and approved by the City	HR	100.00	\$50.00	\$5,000.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00
25	Zero cutback at designated locations per Urban Forester, including extra steel and concrete, forming and vapor barrier if required	LF	700.00	\$17.00	\$11,900.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00
26	Root pruning and placement of a vapor barrier at locations designated by Urban Forester	LF	1,700.00	\$18.00	\$30,600.00	0.00	\$0.00	110.00	\$1,980.00	110.00	\$1,980.00
27	Removal of existing tree, less than or equal to 12" diameter, as shown in the tree protection schedule, and as approved by the City and Urban Forester	EA	18.00	\$600.00	\$10,800.00	0.00	\$0.00	16.00	\$9,600.00	16.00	\$9,600.00
28	Removal of existing tree, greater than 12" diameter and less than or equal to 24" diameter, as shown in the tree protection schedule, and as approved by the City and Urban Forester	EA	20.00	\$1,100.00	\$22,000.00	0.00	\$0.00	13.00	\$14,300.00	13.00	\$14,300.00
29	Removal of existing tree, greater than 24" diameter, as shown in the tree protection schedule, and as approved by the City and Urban Forester	EA	10.00	\$1,800.00	\$18,000.00	0.00	\$0.00	6.00	\$10,800.00	6.00	\$10,800.00
30	Tree protection fencing	LF	3,200.00	\$5.00	\$16,000.00	0.00	\$0.00	2,633.00	\$13,165.00	2,633.00	\$13,165.00
31	Polyethylene barrier (8 mil thickness) placed under sidewalk or driveway for protection of tree roots	SY	700.00	\$6.00	\$4,200.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00
32	Tree and Plant Protection and Maintenance, including preparation of plan, provision of materials, trimming, seeding, fertilizing, watering, and all related items	LS	1.00	\$40,000.00	\$40,000.00	0.000	\$0.00	1.000	\$40,000.00	1.000	\$40,000.00
33	Inlet protection barrier, filter fabric fence, including repair, replacement and removal of sediment	LF	1,000.00	\$2.00	\$2,000.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00
34	Inlet protection barrier for Stage II inlets and existing inlets, gravel bags, including repair, replacement and removal of sediment	EA	55.00	\$70.00	\$3,850.00	0.00	\$0.00	55.00	\$3,850.00	55.00	\$3,850.00
35	Inlet protection barrier for Stage II inlets and existing inlets, erosion control logs, including repair, replacement and removal of sediment	EA	90.00	\$80.00	\$7,200.00	0.00	\$0.00	90.00	\$7,200.00	90.00	\$7,200.00
36	Abandon sanitary or storm sewer manhole	EA	4.00	\$1,800.00	\$7,200.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00
37	Adjust sanitary or storm sewer manhole to grade, using new manhole rings and covers, and if required, new manhole top/cone sections, including removal of precast or cast in place cone and wall	EA	26.00	\$1,800.00	\$46,800.00	0.00	\$0.00	20.00	\$36,000.00	20.00	\$36,000.00
					\$4,144,760.00		\$0.00		\$3,912,178.36		\$3,912,178.36

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

ITEM NO.	ITEM DESCRIPTION	UNIT	QUAN.	UNIT PRICE	TOTAL	QUAN. THIS PERIOD	TOTAL THIS PERIOD	QUAN. PREVIOUS PERIOD	TOTAL PREVIOUS PERIOD	TOTAL QUAN. TO DATE	TOTAL AMOUNT TO DATE
DRAINAGE ITEMS											
38	Removal of existing pipe culverts and sewers, 24" or smaller, including removal of inlets, manholes and plugs, and backfilling of trench per detail	LF	4,500.00	\$25.00	\$112,500.00	0.00	\$0.00	2,031.00	\$50,775.00	2,031.00	\$50,775.00
39	Removal of existing pipe culverts and sewers, larger than 24", including removal of inlets, manholes and plugs, and backfilling of trench per detail	LF	1,900.00	\$45.00	\$85,500.00	0.00	\$0.00	1,903.00	\$85,635.00	1,903.00	\$85,635.00
40	Remove and replace yard drain with 4" PVC Sch 40 pipe to tie into inlet or through curb, all depths, including all connections and fittings	LF	1,500.00	\$15.00	\$22,500.00	0.00	\$0.00	1,628.00	\$24,420.00	1,628.00	\$24,420.00
41	Remove and replace yard drain with 6" PVC Sch 40 pipe to tie into inlet or storm sewer, all depths, including all connections, fittings and fittings	LF	300.00	\$50.00	\$15,000.00	0.00	\$0.00	372.00	\$18,600.00	372.00	\$18,600.00
42	Remove and replace yard drain with 8" PVC Sch 40 or SDR26 pipe to tie into inlet or storm sewer, all depths, including all connections, fittings and fittings	LF	100.00	\$60.00	\$6,000.00	0.00	\$0.00	37.00	\$2,220.00	37.00	\$2,220.00
43	Remove and replace yard drain with 12" PVC Sch 40 or SDR26 pipe to tie into inlet or storm sewer, all depths, including all connections, fittings and fittings	LF	50.00	\$70.00	\$3,500.00	0.00	\$0.00	12.00	\$840.00	12.00	\$840.00
44	3' Wide X 3' High RCB storm sewer, all depths	LF	305.00	\$350.00	\$106,750.00	0.00	\$0.00	304.00	\$106,400.00	304.00	\$106,400.00
45	4' Wide X 4' High RCB storm sewer, all depths	LF	91.00	\$580.00	\$52,780.00	0.00	\$0.00	91.00	\$52,780.00	91.00	\$52,780.00
46	45° Degree Bend for 4' Wide X 4' High RCB storm sewer, all depths	EA	1.00	\$2,400.00	\$2,400.00	0.00	\$0.00	1.00	\$2,400.00	1.00	\$2,400.00
47	7' Wide X 7' High RCB storm sewer, all depths	LF	436.00	\$740.00	\$322,640.00	0.00	\$0.00	432.00	\$319,680.00	432.00	\$319,680.00
48	8' Wide X 7' High RCB storm sewer, all depths	LF	695.00	\$800.00	\$556,000.00	0.00	\$0.00	691.00	\$552,800.00	691.00	\$552,800.00
49	9' Wide X 7' High RCB storm sewer, all depths	LF	175.00	\$1,050.00	\$183,750.00	0.00	\$0.00	175.00	\$183,750.00	175.00	\$183,750.00
50	13" x 22" RCAP storm sewer, all depths	LF	34.00	\$148.00	\$5,032.00	0.00	\$0.00	48.00	\$7,104.00	48.00	\$7,104.00
51	18" x 28" RCAP storm sewer, all depths	LF	132.00	\$170.00	\$22,440.00	0.00	\$0.00	131.00	\$22,270.00	131.00	\$22,270.00
52	22" x 36" RCAP storm sewer, all depths	LF	25.00	\$235.00	\$5,875.00	0.00	\$0.00	29.00	\$6,815.00	29.00	\$6,815.00
53	15" RCP storm sewer, all depths	LF	40.00	\$144.00	\$5,760.00	0.00	\$0.00	25.00	\$3,600.00	25.00	\$3,600.00
54	18" RCP storm sewer, all depths	LF	250.00	\$126.00	\$31,500.00	0.00	\$0.00	343.00	\$43,218.00	343.00	\$43,218.00
55	24" RCP storm sewer, all depths	LF	2,900.00	\$132.00	\$382,800.00	0.00	\$0.00	2,948.00	\$389,136.00	2,948.00	\$389,136.00
56	30" RCP storm sewer, all depths	LF	680.00	\$165.00	\$112,200.00	0.00	\$0.00	678.00	\$111,870.00	678.00	\$111,870.00
57	36" RCP storm sewer, all depths	LF	440.00	\$215.00	\$94,600.00	0.00	\$0.00	446.00	\$95,890.00	446.00	\$95,890.00
58	42" RCP storm sewer, all depths	LF	440.00	\$300.00	\$132,000.00	0.00	\$0.00	440.00	\$132,000.00	440.00	\$132,000.00
59	48" RCP storm sewer, all depths	LF	470.00	\$420.00	\$197,400.00	0.00	\$0.00	648.00	\$272,160.00	648.00	\$272,160.00
60	54" RCP storm sewer, all depths	LF	6.00	\$600.00	\$3,600.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00
61	66" RCP storm sewer, all depths	LF	430.00	\$500.00	\$215,000.00	0.00	\$0.00	432.00	\$216,000.00	432.00	\$216,000.00
62	"A" inlet, cast in place or precast	EA	6.00	\$2,200.00	\$13,200.00	0.00	\$0.00	6.00	\$13,200.00	6.00	\$13,200.00
63	"BB" inlet, cast in place or precast	EA	68.00	\$3,200.00	\$217,600.00	0.00	\$0.00	65.00	\$208,000.00	65.00	\$208,000.00
64	"C" inlet, cast in place or precast	EA	4.00	\$3,400.00	\$13,600.00	0.00	\$0.00	5.00	\$17,000.00	5.00	\$17,000.00
65	4'x4' storm sewer box manhole, precast or cast in place	EA	25.00	\$4,200.00	\$105,000.00	0.00	\$0.00	20.00	\$84,000.00	20.00	\$84,000.00
66	5'x4' storm sewer box manhole, precast or cast in place	EA	10.00	\$5,200.00	\$52,000.00	0.00	\$0.00	12.00	\$62,400.00	12.00	\$62,400.00
67	5'x5' storm sewer box manhole, precast or cast in place	EA	2.00	\$6,500.00	\$13,000.00	0.00	\$0.00	1.00	\$6,500.00	1.00	\$6,500.00
68	6'x4' storm sewer box manhole, precast or cast in place	EA	5.00	\$6,800.00	\$34,000.00	0.00	\$0.00	5.00	\$34,000.00	5.00	\$34,000.00
69	6'x5' storm sewer box manhole, precast or cast in place	EA	2.00	\$7,000.00	\$14,000.00	0.00	\$0.00	1.00	\$7,000.00	1.00	\$7,000.00
70	7'x5' storm sewer box manhole, precast or cast in place	EA	1.00	\$8,500.00	\$8,500.00	0.00	\$0.00	1.00	\$8,500.00	1.00	\$8,500.00
71	8'x5' storm sewer box manhole, precast or cast in place	EA	2.00	\$11,500.00	\$23,000.00	0.00	\$0.00	1.00	\$11,500.00	1.00	\$11,500.00
72	9'x8' storm sewer box manhole, precast or cast in place	EA	1.00	\$19,000.00	\$19,000.00	0.00	\$0.00	1.00	\$19,000.00	1.00	\$19,000.00
73	6'x10' storm sewer box manhole, precast or cast in place	EA	1.00	\$14,000.00	\$14,000.00	0.00	\$0.00	2.00	\$28,000.00	2.00	\$28,000.00
74	4'x4' Storm sewer junction manhole with 24" sump and steel casing around sanitary sewer	EA	24.00	\$5,000.00	\$120,000.00	0.00	\$0.00	6.00	\$30,000.00	6.00	\$30,000.00
75	5'x4' Storm sewer junction manhole with 24" sump and steel casing around sanitary sewer	EA	10.00	\$6,000.00	\$60,000.00	0.00	\$0.00	1.00	\$6,000.00	1.00	\$6,000.00
76	6'x4' Storm sewer junction manhole with 24" sump and steel casing around sanitary sewer	EA	3.00	\$9,000.00	\$27,000.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00
77	7'x4' Storm sewer junction manhole with 24" sump and steel casing around sanitary sewer	EA	3.00	\$10,000.00	\$30,000.00	0.00	\$0.00	1.00	\$10,000.00	1.00	\$10,000.00
78	Storm sewer Manway	EA	10.00	\$2,600.00	\$26,000.00	0.00	\$0.00	8.00	\$20,800.00	8.00	\$20,800.00
79	Storm sewer brick plugs, less than or equal to 18", 2 rows, including mortar and grout	EA	20.00	\$250.00	\$5,000.00	0.00	\$0.00	1.00	\$250.00	1.00	\$250.00
80	Storm sewer brick plugs, greater than or equal to 24", 2 rows, including mortar and grout	EA	20.00	\$450.00	\$9,000.00	0.00	\$0.00	9.00	\$4,050.00	9.00	\$4,050.00
81	Grout fill RCP less than or equal to 24", flowable fill	LF	270.00	\$30.00	\$8,100.00	0.00	\$0.00	598.00	\$17,940.00	598.00	\$17,940.00
82	Grout fill RCP greater than 24", flowable fill	LF	100.00	\$70.00	\$7,000.00	0.00	\$0.00	300.00	\$21,000.00	300.00	\$21,000.00
83	Storm sewer trench safety, greater than 5' depth and less than or equal to 8' depth	LF	4,800.00	\$1.00	\$4,800.00	0.00	\$0.00	3,646.00	\$3,646.00	3,646.00	\$3,646.00
84	Storm sewer trench safety, greater than 8' depth and less than or equal to 12' depth	LF	1,600.00	\$2.00	\$3,200.00	0.00	\$0.00	1,120.00	\$2,240.00	1,120.00	\$2,240.00
85	Storm sewer trench safety, greater than 12' depth	LF	2,300.00	\$6.00	\$13,800.00	0.00	\$0.00	3,375.00	\$20,250.00	3,375.00	\$20,250.00
					\$3,518,327.00		\$0.00		\$3,335,639.00		\$3,335,639.00

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

ITEM NO.	ITEM DESCRIPTION	UNIT	QUAN.	UNIT PRICE	TOTAL	QUAN. THIS PERIOD	TOTAL THIS PERIOD	QUAN. PREVIOUS PERIOD	TOTAL PREVIOUS PERIOD	TOTAL QUAN. TO DATE	TOTAL AMOUNT TO DATE
WATERLINE ITEMS											
86	Waterline adjustment, 6" PVC, including wet connections and cut, plug, and abandon existing waterline	LF	120.00	\$250.00	\$30,000.00	0.00	\$0.00	79.00	\$19,750.00	79.00	\$19,750.00
87	Waterline adjustment, 8" PVC, including wet connections and cut, plug, and abandon existing waterline	LF	440.00	\$260.00	\$114,400.00	0.00	\$0.00	413.50	\$107,510.00	413.50	\$107,510.00
88	Waterline adjustment, 12" PVC, including wet connections and cut, plug, and abandon existing waterline	LF	60.00	\$360.00	\$21,600.00	0.00	\$0.00	116.00	\$41,760.00	116.00	\$41,760.00
89	6" Gate valve and box on proposed waterline	EA	7.00	\$1,500.00	\$10,500.00	0.00	\$0.00	4.00	\$6,000.00	4.00	\$6,000.00
90	8" Gate valve and box on proposed waterline	EA	8.00	\$2,000.00	\$16,000.00	0.00	\$0.00	7.00	\$14,000.00	7.00	\$14,000.00
91	6"x 6" tapping sleeve and valve (TS&V)	EA	3.00	\$6,500.00	\$19,500.00	0.00	\$0.00	3.00	\$19,500.00	3.00	\$19,500.00
92	8"x 8" tapping sleeve and valve (TS&V)	EA	3.00	\$7,500.00	\$22,500.00	0.00	\$0.00	1.00	\$7,500.00	1.00	\$7,500.00
93	12"x 6" tapping sleeve and valve (TS&V)	EA	2.00	\$7,000.00	\$14,000.00	0.00	\$0.00	1.00	\$7,000.00	1.00	\$7,000.00
94	6" Inserta valve and box on existing waterline, including wet connections and all necessary fittings	EA	4.00	\$10,000.00	\$40,000.00	0.00	\$0.00	7.00	\$70,000.00	7.00	\$70,000.00
95	8" Inserta valve and box on existing waterline, including wet connections and all necessary fittings	EA	2.00	\$11,000.00	\$22,000.00	0.00	\$0.00	6.00	\$66,000.00	6.00	\$66,000.00
96	Remove fire hydrant assembly, all depths, including repair or plugging of waterline	EA	6.00	\$2,000.00	\$12,000.00	0.00	\$0.00	4.00	\$8,000.00	4.00	\$8,000.00
97	Fire hydrant assembly	EA	8.00	\$5,300.00	\$42,400.00	0.00	\$0.00	8.00	\$42,400.00	8.00	\$42,400.00
98	6" PVC fire hydrant lead, all depths	LF	32.00	\$80.00	\$2,560.00	0.00	\$0.00	50.25	\$4,020.00	50.25	\$4,020.00
99	15" Casing, including mechanical plugs	LF	100.00	\$130.00	\$13,000.00	0.00	\$0.00	28.00	\$3,640.00	28.00	\$3,640.00
100	Water meter relocation out of proposed sidewalk, including new meter box	EA	25.00	\$350.00	\$8,750.00	0.00	\$0.00	28.00	\$9,800.00	28.00	\$9,800.00
					\$389,210.00		\$0.00		\$426,880.00		\$426,880.00
SUPPLEMENTAL WATER AND SANITARY BID ITEMS											
101	Additional pipe fittings for waterlines, all sizes and types, as directed by the Engineer	TON	1.00	\$2,000.00	\$2,000.00	0.00	\$0.00	0.03	\$58.00	0.03	\$58.00
102	6" Gate valve and box on existing waterline, including wet connections and all necessary fittings	EA	1.00	\$1,500.00	\$1,500.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00
103	8" Gate valve and box on existing waterline, including wet connections and all necessary fittings	EA	1.00	\$2,000.00	\$2,000.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00
104	12" Gate valve and box on existing waterline, including wet connections and all necessary fittings	EA	1.00	\$3,000.00	\$3,000.00	0.00	\$0.00	3.00	\$9,000.00	3.00	\$9,000.00
105	Sanitary sewer service adjustments, from the sanitary sewer main to the property line, all sizes	EA	40.00	\$1,800.00	\$72,000.00	0.00	\$0.00	17.00	\$30,600.00	17.00	\$30,600.00
106	Waterline service adjustments, less than 2", from water main to meter, new type K copper, no couplings under street	EA	75.00	\$500.00	\$37,500.00	0.00	\$0.00	56.00	\$28,000.00	56.00	\$28,000.00
107	8" Sanitary Sewer, C-900 PVC	LF	50.00	\$80.00	\$4,000.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00
108	Sanitary Sewer Manhole, all depths	EA	1.00	\$4,000.00	\$4,000.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00
					\$126,000.00		\$0.00		\$67,658.00		\$67,658.00
SUPPLEMENTAL PAVING BID ITEMS											
109	Extra cement stabilized sand	CY	50.00	\$25.00	\$1,250.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00
110	Extra bank sand backfill	CY	50.00	\$10.00	\$500.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00
111	Extra concrete (all classes)	CY	50.00	\$150.00	\$7,500.00	0.00	\$0.00	2.00	\$300.00	2.00	\$300.00
112	Extra select backfill	CY	300.00	\$15.00	\$4,500.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00
113	Extra 1.5 sack of cement per cubic yard added to 10" concrete paving (total of 7.0 sack/cubic yard) to provide high early strength concrete, as approved by Engineer	SY	200.00	\$5.00	\$1,000.00	0.00	\$0.00	99.05	\$495.25	99.05	\$495.25
114	Extra 1.5 sack of cement per cubic yard added to 7" concrete paving (total of 7.0 sack/cubic yard) to provide high early strength concrete, as approved by Engineer	SY	1,000.00	\$4.00	\$4,000.00	0.00	\$0.00	149.09	\$596.36	149.09	\$596.36
115	Extra 1.5 sack of cement per cubic yard added to 6" concrete driveway (total of 7.0 sack/cubic yard) to provide high early strength concrete, as approved by Engineer	SY	500.00	\$3.50	\$1,750.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00
116	Cash Allowance for Utility relocations, for payment to CenterPoint for the relocation of Street Light facilities according to CenterPoint invoice provided by the City, invoice amount plus 10%, the sum of	LS	1.00	\$25,000.00	\$25,000.00	0.000	\$0.00	0.400	\$10,000.00	0.400	\$10,000.00
117	Miscellaneous Items as directed by the Engineer	LS	1.00	\$20,000.00	\$20,000.00	0.00	\$0.00	0.08	\$1,600.00	0.08	\$1,600.00
118	Extra reinforcing steel	LB	1,000.00	\$0.50	\$500.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00
119	As authorized by Engineer, exploratory trench excavation, backfill and pavement and/or sodding restoration for the purpose of locating existing utilities (No reimbursement for this pay item if trench is where the proposed sewer main or waterline is laid)	CY	250.00	\$15.00	\$3,750.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00
120	Sidewalk checker plate installation	SF	100.00	\$20.00	\$2,000.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00
121	Placement of retaining wall (0"-6" high) along sidewalk, including all reinforcing, filter fabric, gravel, drain, excavation, required to place	LF	250.00	\$10.00	\$2,500.00	0.00	\$0.00	67.00	\$670.00	67.00	\$670.00
122	Placement of retaining wall (7"-12" high) along sidewalk, including all reinforcing, filter fabric, gravel, drain, excavation, required to place	LF	100.00	\$15.00	\$1,500.00	0.00	\$0.00	711.00	\$10,665.00	711.00	\$10,665.00
123	Placement of retaining wall (13"-18" high) along sidewalk, including all reinforcing, filter fabric, gravel, drain, excavation, required to place	LF	100.00	\$20.00	\$2,000.00	0.00	\$0.00	44.00	\$880.00	44.00	\$880.00
124	Additional temporary driveway consisting of crushed concrete or millings, in areas approved by the Engineer, including placement, maintenance and removal	SY	200.00	\$20.00	\$4,000.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00
					\$81,750.00		\$0.00		\$25,206.61		\$25,206.61

ITEM NO.	ITEM DESCRIPTION	UNIT	QUAN.	UNIT PRICE	TOTAL	QUAN. THIS PERIOD	TOTAL THIS PERIOD	QUAN. PREVIOUS PERIOD	TOTAL PREVIOUS PERIOD	TOTAL QUAN. TO DATE	TOTAL AMOUNT TO DATE
SUPPLEMENTAL DRAINAGE ITEMS											
125	Extra cement stabilized sand	CY	1.00	\$25.00	\$25.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00
126	Extra bank sand backfill	CY	1.00	\$10.00	\$10.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00
127	Wet condition bedding, all sizes, all depths, consisting of 12" minimum crushed stone foundation, filter fabrics and all appurtenances	LF	1.00	\$20.00	\$20.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00
128	Seal slab, including reinforcement placed at unsatisfactory conditions, as directed and approved by the Engineer	SY	1.00	\$25.00	\$25.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00
129	Extra select backfill	CY	100.00	\$15.00	\$1,500.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00
130	Installation and removal of piezometer	EA	1.00	\$100.00	\$100.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00
131	Well pointing system for dewatering, all sizes, all depths, including multiple rows of well pointing as necessary	LF	1.00	\$20.00	\$20.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00
132	As authorized by the Engineer, exploratory trench excavation, backfill and pavement and/or sodding restoration for the purpose of locating existing utilities (No reimbursement for this pay item if trench is where proposed sewer main or waterline is laid)	CY	50.00	\$15.00	\$750.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00
133	Hand digging as directed by the Engineer	CY	6.00	\$15.00	\$90.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00
134	Concrete cradle on existing pipe	EA	1.00	\$250.00	\$250.00	0.00	\$0.00	0.00	\$0.00	0.00	\$0.00
					\$2,790.00		\$0.00		\$0.00		\$0.00
CHANGE ORDER NO. 1 ITEMS											
CO1-1	12" Inserta valve on existing 12" waterline	EA	2.00	\$16,000.00	\$32,000.00	0.00	\$0.00	2.00	\$32,000.00	2.00	\$32,000.00
CO1-2	Proposed 12" PVC waterline including excavation, bedding and backfill, pipe fittings and wet connections, disinfection and testing	LF	270.00	\$334.00	\$90,180.00	0.00	\$0.00	270.00	\$90,180.00	270.00	\$90,180.00
CO1-3	and replacement with compacted cement stabilized sand subgrade (4' wide trench centered over existing 12" waterline	LF	230.00	\$36.00	\$8,280.00	0.00	\$0.00	230.00	\$8,280.00	230.00	\$8,280.00
					\$130,460.00		\$0.00		\$130,460.00		\$130,460.00

BASE BID PAVING ITEMS TO DATE:	\$3,912,178.36
BASE BID DRAINAGE ITEMS TO DATE:	\$3,335,639.00
BASE BID WATERLINE ITEMS TO DATE:	\$426,880.00
SUPPLEMENTAL WATER AND SANITARY ITEMS TO DATE:	\$67,658.00
SUPPLEMENTAL PAVING BID ITEMS TO DATE:	\$25,206.67
SUPPLEMENTAL DRAINAGE BID ITEMS TO DATE:	\$0.00
CHANGE ORDER NO. 1 ITEMS TO DATE:	\$130,460.00
TOTAL INSTALLATIONS TO DATE:	\$7,898,021.93
5% RETAINAGE TO DATE:	\$0.00
LESS PREVIOUS PAY ESTIMATES:	\$7,503,120.83
TOTAL AMOUNT DUE PAY ESTIMATE NO. 16-FINAL:	\$394,901.10

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

**AGREEMENT FOR FINAL PAYMENT AND
CONTRACTOR'S SWORN RELEASE AND AFFIDAVIT
OF BILLS PAID**

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

AGREEMENT FOR FINAL PAYMENT
AND CONTRACTOR'S SWORN RELEASE

In order to insure that the rights, obligations and responsibilities of all parties to the original contract document are fully protected, which contract document was signed and executed on the 11TH day of FEBRUARY, 2016 by REYTEC
CONSTRUCTION RESOURCES, INC., referred to therein as CONTRACTOR and hereinafter referred to as CONTRACTOR, and the CITY OF BELLAIRE, TEXAS on the _____ day of _____, 20____, and further in consideration for the final payment of all sums due and claimed by the CONTRACTOR against the CITY OF BELLAIRE, TEXAS, the CONTRACTOR makes the following representations to the CITY OF BELLAIRE, TEXAS, either individually if a proprietorship, jointly by all partners if a partnership, or if a corporation, by action of the president and secretary of said corporation, as duly authorized by appropriate action of the stockholders and/or board of directors of said corporation, their signatures hereon constituting a representation under oath by said individuals that they have the power and authority to execute this Agreement for and on behalf of the said corporation:

I.

The CONTRACTOR has received 15 (number) payments pursuant to 15 (number) Contractor Payment Estimates, copies of which are attached hereto and marked Exhibit "A", presented to

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

the CITY OF BELLAIRE, TEXAS and paid during the progress of the job referred to in the Contract between the parties; and in this regard, the undersigned CONTRACTOR represents to the CITY OF BELLAIRE, TEXAS that it does not claim nor intend to claim at any future date, any additional sums of money of any nature whatsoever under and by virtue of the payment estimates previously submitted to the PROFESSIONAL for approval, or any other sums of money of any nature whatsoever for materials furnished and used in the job or for work done, and hereby releases and discharges the CITY OF BELLAIRE, TEXAS from any liability of any nature whatsoever, for any claims of any nature made by the CONTRACTOR at some future date, or by its successors or assigns.

II.

The undersigned CONTRACTOR further represents to the CITY OF BELLAIRE, TEXAS that the Final Payment Estimate and Change Order, if any, submitted by the CONTRACTOR to the CITY OF BELLAIRE, TEXAS, whether or not modified, corrected or changed in some way by deletions or other modifications by the PROFESSIONAL, the CONTRACTOR or the OWNER, a copy of which is attached hereto and marked Exhibit "B", is true, correct and accurate; and it is further agreed and stipulated by the undersigned CONTRACTOR that upon the receipt of final payment in the amount as set out on the Final Payment Estimate and Change Order, the CONTRACTOR, by execution of this instrument of release, does, therefore, release and forever discharge the CITY OF BELLAIRE, TEXAS of and from all manner of debts, demands, obligations, suits, liabilities and causes of action of any nature

whatsoever under and by virtue of the terms and provisions of the Contract hereinbefore referred to, and any change or modification thereof, or in any manner growing out of or arising from or by virtue of the work, labor and services performed by the CONTRACTOR.

III.

CONTRACTOR, in addition to the provisions set out in the contract document, agrees to indemnify and hold the CITY OF BELLAIRE, TEXAS harmless from any and all causes of action, claims, demands or suits made by any person or other entity against the CITY OF BELLAIRE, TEXAS, by reason of the work performed by such CONTRACTOR, and agrees to defend or to cause the same to be defended at the CONTRACTOR's sole expense and obligation, whenever such actions may be brought, and further, to pay all costs incurred by the CITY OF BELLAIRE, TEXAS in the defense thereof, including administrative costs and attorney's fees, and further to pay any judgments or settlements which may be entered into or agreed to against or for the benefit of the CITY OF BELLAIRE, TEXAS. It is, however, specifically agreed that the CITY OF BELLAIRE, TEXAS shall not enter into any settlement agreements without the acquiescence and agreement of the CONTRACTOR.

IV.

The CONTRACTOR, acting by and through the person or persons whose names are subscribed hereto, does solemnly swear and affirm that all bills and claims have been paid to all materialmen, suppliers, laborers, subcontractors, or other entities performing

services or supplying materials, and that the CITY OF BELLAIRE, TEXAS shall not be subject to any bills, claims, demands, litigation or suits in connection therewith.

V.

It is further specifically understood and agreed that this Agreement for Final Payment and Contractor's Sworn Release shall constitute a part of the original Contract of the parties heretofore previously referred to, and it is also specifically understood and agreed that this Agreement shall not act as a modification, waiver or renunciation by the CITY OF BELLAIRE, TEXAS of any of its rights or remedies as set out in the contract itself, but this Agreement for Final Payment and Contractor's Sworn Release shall constitute a supplement thereto for the additional protection of the CITY OF BELLAIRE, TEXAS.

VI.

This Agreement for Final Payment and Contractor's Sworn Release shall be considered to be continuing and binding upon the parties hereto and shall not terminate upon receipt and acceptance by the CONTRACTOR of final payment, but shall be deemed continuing so long as any actions, claims or other demands contemplated herein against the CITY OF BELLAIRE, TEXAS, may lawfully be brought under applicable statutes of limitations, and shall in addition be deemed to be continuing for such additional period of time as shall be necessary to compensate and repay to the CITY OF BELLAIRE, TEXAS, all costs or damages incurred by it by reason of such claims.

SIGNED and EXECUTED this, the _____ day of _____
_____, 20 ____.

CONTRACTOR

Signature _____

Print Name: _____

[If CONTRACTOR is a proprietorship, owner must sign; if a partnership, each partner must sign; if a corporation, the following language should be used.]

SIGNED and EXECUTED this, the 16th day of November, 2017, by Gregg T. Reyes, President of
Reytec Construction Resources, Inc., a Texas corporation, under
authority granted to the undersigned by said corporation as contained
in the Charter, By-Laws or Minutes of a meeting of said corporation
regularly called and held.

CONTRACTOR

By: 
President

ATTEST:


Corporate Secretary

(Corporate Seal)

[This form is for use in the event CONTRACTOR is a corporation.]

AFFIDAVIT

STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared the persons who signed and executed the above and foregoing Agreement for Final Payment and Contractor's Sworn Release, whose names are set out above, who each, after being by me duly sworn, on their oaths deposed and said:

We each are the persons whose names are subscribed above, and hold respectively the offices in the corporation as set out above, and each state under oath that we have the authority to execute this Agreement for Final Payment and Contractor's Sworn Release for and on behalf of said corporation, pursuant to authority granted to us in the Charter of said corporation, the By-Laws of said corporation and/or the Minutes of said corporation; and the facts, statements and representations as set out in the instrument to which this Affidavit is attached are true and correct.

Am T. Rye
President

SWORN TO AND SUBSCRIBED TO before me this, the 16th day of November, 2017.



Laura G. Leal
Notary Public, State of Texas
My Commission Expires: 08/26/2018

[This form is for use by either a proprietorship or a partnership. In the event CONTRACTOR is a partnership or a joint proprietorship, additional signature lines should be added for each individual.]

AFFIDAVIT

STATE OF TEXAS

COUNTY OF HARRIS

BEFORE ME, the undersigned authority, on this day personally appeared the person or persons whose name(s) are subscribed to the above and foregoing Agreement for Final Payment and Contractor's Sworn Release, who each, after being by me duly sworn, on their oaths deposed and said:

I(We) am(are) the person(s) who signed and executed the above and foregoing Agreement for Final Payment and Contractor's Sworn Release, and I(we) have read the facts and statements as therein set out and the representations as made therein, and I(we) state that the above and foregoing are true and correct.

CONTRACTOR - Affiant

SWORN TO AND SUBSCRIBED TO before me this, the _____ day
of _____, 20__.

Notary Public, State of Texas

My Commission Expires: _____

AFFIDAVIT OF BILLS PAID

THE STATE OF TEXAS
COUNTY OF HARRIS

Rusty Pena being first duly sworn, states that he is the Vice President of Reytec Construction Resources, Inc. of Houston, Texas, hereinafter called "Company", and the said Company has performed work and/or furnished materials to City of Bellaire hereinafter called "Owner pursuant to a contract, dated 2-11-2016 with Owner (hereinafter called "Contract") for construction of:

Project: Rebuild Bellaire Phase 5B Reconstruction

That all just and lawful invoices against Company for labor, materials and expendable equipment employed in the performance of the Contract and have been paid in full prior to acceptance of payments from the Owner, and

That the Company agrees to indemnify and hold the Owner and Engineers harmless from liability arising from claims by subcontractors, materialmen and suppliers under Contract, and

That no claims have been made or filed upon the payment bond,

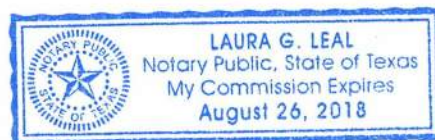
That the Company has not received and claims or notice of claims from the subcontractor, materialmen and suppliers.

By: Rusty Pena
 Title: Vice President

THE STATE OF TEXAS
COUNTY OF HARRIS

BEFORE ME, The undersigned authority, on this day personally appeared Rusty Pena of Reytec Construction Resources, Inc., a Texas liability company, Known to me to be the person and officer whose name is subscribed to the forgoing instrument, and acknowledged to me that he executed the same as the act and deed of such corporation, for the purpose of consideration therein expressed and in the capacity therein stated.

Given under my hand and seal of office on this 16th day of November 2017.



Notary Public Signature

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

CONSENT OF SURETY TO FINAL PAYMENT

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

**CONSENT OF SURETY
TO FINAL PAYMENT**

PROJECT: Rebuild Bellaire Phase 5B Reconstruction
Bellaire, Texas

TO (Owner): City of Bellaire, Texas
7008 S. Rice Avenue
Bellaire, Texas 77401

BOND NO.: 106296308

BID NO.: 16-002

CONTRACT FOR: Construction

CONTRACTOR: Reytec Construction Resources, Inc.

CONTRACT DATE: February 11, 2016

In accordance with the provisions of the Contract between the Owner and the Contractor as indicated above, the
TRAVELERS CASUALTY AND SURETY COMPANY OF AMERICA
4650 Westway Park Blvd.
Houston, Texas 77041-2036, SURETY,

on bond of

REYTEC CONSTRUCTION RESOURCES, INC.
1901 Hollister Street
Houston, Texas 77080, CONTRACTOR,

hereby approves the final payment to the Contractor. The Surety agrees that such final payment to the Contractor shall not relieve the Surety of any of its obligations to

CITY OF BELLAIRE, TEXAS
7008 S. Rice Avenue
Bellaire, Texas 77401, OWNER,

as set forth in the said Surety's bond.

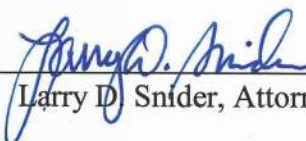
IN WITNESS WHEREOF, the Surety has hereunto set its hand this 14th day of November, 2017.

**TRAVELERS CASUALTY AND SURETY
COMPANY OF AMERICA**

(Seal)

Witness:


Darlene Mitchell


Larry D. Snider, Attorney-in-Fact

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



POWER OF ATTORNEY

Farmington Casualty Company
 Fidelity and Guaranty Insurance Company
 Fidelity and Guaranty Insurance Underwriters, Inc.
 St. Paul Fire and Marine Insurance Company
 St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
 Travelers Casualty and Surety Company
 Travelers Casualty and Surety Company of America
 United States Fidelity and Guaranty Company

Attorney-In Fact No. 226123

Certificate No. 006805138

KNOW ALL MEN BY THESE PRESENTS: That Farmington Casualty Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company are corporations duly organized under the laws of the State of Connecticut, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc., is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Norman E. Adams, John A. Prince, Michael Macomber, and Larry D. Snider

of the City of Houston, State of Texas, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 20th day of May, 2016.

Farmington Casualty Company
 Fidelity and Guaranty Insurance Company
 Fidelity and Guaranty Insurance Underwriters, Inc.
 St. Paul Fire and Marine Insurance Company
 St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
 Travelers Casualty and Surety Company
 Travelers Casualty and Surety Company of America
 United States Fidelity and Guaranty Company



State of Connecticut
 City of Hartford ss.

By: _____

Robert L. Raney, Senior Vice President

On this the 20th day of May, 2016, before me personally appeared Robert L. Raney, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
 My Commission expires the 30th day of June, 2021.



Marie C. Tetreault
 Marie C. Tetreault, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kevin E. Hughes, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 14th day of November, 2017.


Kevin E. Hughes, Assistant Secretary



To verify the authenticity of this Power of Attorney, call 1-800-421-3880 or contact us at www.travelersbond.com. Please refer to the Attorney-In-Fact number, the above-named individuals and the details of the bond to which the power is attached.

CONTRACTOR'S ONE YEAR MAINTENANCE BOND

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

MAINTENANCE BOND

Travelers Casualty and Surety Company of America
Hartford, CT 06183

Bond No.: 106296308

KNOWN ALL BY THESE PRESENTS: That we Reytec Construction Resources, Inc., as Principal, and Travelers Casualty and Surety Company of America, a corporation organized and existing under the Laws of the State of Connecticut, as Surety, are held and firmly bound unto City of Bellaire, Texas, a municipal corporation of Harris County, Texas, as Obligee, in the total sum of Seven Million Eight Hundred Ninety-Eight Thousand Twenty-One and 97/100***** U.S. Dollars (\$7,898,021.97) for the payment whereof said Principal and Surety bind themselves, jointly and severally, as provided herein.

WHEREAS, the Principal entered into a contract with the Obligee dated February 11, 2016 for Rebuild Bellaire Phase 5B Reconstruction, Bellaire, Texas, Bid No. 16-002 ("Work").

NOW, THEREFORE, THE CONDITION OF THIS OBLIGATION IS SUCH, that if the Principal shall maintain and remedy said Work free from defects in materials and workmanship for a period of one (1) year(s) commencing on October 24, 2017 (the "Maintenance Period"), then this obligation shall be void; otherwise it shall remain in full force and effect.

PROVIDED, HOWEVER, that any suit under this bond shall be commenced no later than one (1) year from the expiration date of the Maintenance Period; provided, however, that if this limitation is prohibited by any law controlling the construction hereof, such limitation shall be deemed to be amended so as to be equal to the minimum period of limitation permitted by such law, and said period of limitation shall be deemed to have accrued and shall commence to run on the expiration date of the Maintenance Period.

SIGNED this 14th day of November, 2017.

Reytec Construction Resources, Inc.
(Principal)

By: Gregg T. Reyes

Gregg T. Reyes, President

Travelers Casualty and Surety Company of America

By: Larry D. Snider

Larry D. Snider, Attorney-in-Fact

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



POWER OF ATTORNEY

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company

Attorney-In Fact No. 226123

Certificate No. 006805139

KNOW ALL MEN BY THESE PRESENTS: That Farmington Casualty Company, St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company are corporations duly organized under the laws of the State of Connecticut, that Fidelity and Guaranty Insurance Company is a corporation duly organized under the laws of the State of Iowa, and that Fidelity and Guaranty Insurance Underwriters, Inc., is a corporation duly organized under the laws of the State of Wisconsin (herein collectively called the "Companies"), and that the Companies do hereby make, constitute and appoint

Norman E. Adams, John A. Prince, Michael Macomber, and Larry D. Snider

of the City of Houston, State of Texas, their true and lawful Attorney(s)-in-Fact, each in their separate capacity if more than one is named above, to sign, execute, seal and acknowledge any and all bonds, recognizances, conditional undertakings and other writings obligatory in the nature thereof on behalf of the Companies in their business of guaranteeing the fidelity of persons, guaranteeing the performance of contracts and executing or guaranteeing bonds and undertakings required or permitted in any actions or proceedings allowed by law.

IN WITNESS WHEREOF, the Companies have caused this instrument to be signed and their corporate seals to be hereto affixed, this 20th day of May, 2016.

Farmington Casualty Company
Fidelity and Guaranty Insurance Company
Fidelity and Guaranty Insurance Underwriters, Inc.
St. Paul Fire and Marine Insurance Company
St. Paul Guardian Insurance Company

St. Paul Mercury Insurance Company
Travelers Casualty and Surety Company
Travelers Casualty and Surety Company of America
United States Fidelity and Guaranty Company



State of Connecticut
City of Hartford ss.

By: Robert L. Raney
Robert L. Raney, Senior Vice President

On this the 20th day of May, 2016, before me personally appeared Robert L. Raney, who acknowledged himself to be the Senior Vice President of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, and that he, as such, being authorized so to do, executed the foregoing instrument for the purposes therein contained by signing on behalf of the corporations by himself as a duly authorized officer.

In Witness Whereof, I hereunto set my hand and official seal.
My Commission expires the 30th day of June, 2021.



Marie C. Tetreault
Marie C. Tetreault, Notary Public

This Power of Attorney is granted under and by the authority of the following resolutions adopted by the Boards of Directors of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company, which resolutions are now in full force and effect, reading as follows:

RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President, any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary may appoint Attorneys-in-Fact and Agents to act for and on behalf of the Company and may give such appointee such authority as his or her certificate of authority may prescribe to sign with the Company's name and seal with the Company's seal bonds, recognizances, contracts of indemnity, and other writings obligatory in the nature of a bond, recognizance, or conditional undertaking, and any of said officers or the Board of Directors at any time may remove any such appointee and revoke the power given him or her; and it is

FURTHER RESOLVED, that the Chairman, the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President may delegate all or any part of the foregoing authority to one or more officers or employees of this Company, provided that each such delegation is in writing and a copy thereof is filed in the office of the Secretary; and it is

FURTHER RESOLVED, that any bond, recognizance, contract of indemnity, or writing obligatory in the nature of a bond, recognizance, or conditional undertaking shall be valid and binding upon the Company when (a) signed by the President, any Vice Chairman, any Executive Vice President, any Senior Vice President or any Vice President, any Second Vice President, the Treasurer, any Assistant Treasurer, the Corporate Secretary or any Assistant Secretary and duly attested and sealed with the Company's seal by a Secretary or Assistant Secretary; or (b) duly executed (under seal, if required) by one or more Attorneys-in-Fact and Agents pursuant to the power prescribed in his or her certificate or their certificates of authority or by one or more Company officers pursuant to a written delegation of authority; and it is

FURTHER RESOLVED, that the signature of each of the following officers: President, any Executive Vice President, any Senior Vice President, any Vice President, any Assistant Vice President, any Secretary, any Assistant Secretary, and the seal of the Company may be affixed by facsimile to any Power of Attorney or to any certificate relating thereto appointing Resident Vice Presidents, Resident Assistant Secretaries or Attorneys-in-Fact for purposes only of executing and attesting bonds and undertakings and other writings obligatory in the nature thereof, and any such Power of Attorney or certificate bearing such facsimile signature or facsimile seal shall be valid and binding upon the Company and any such power so executed and certified by such facsimile signature and facsimile seal shall be valid and binding on the Company in the future with respect to any bond or understanding to which it is attached.

I, Kevin E. Hughes, the undersigned, Assistant Secretary, of Farmington Casualty Company, Fidelity and Guaranty Insurance Company, Fidelity and Guaranty Insurance Underwriters, Inc., St. Paul Fire and Marine Insurance Company, St. Paul Guardian Insurance Company, St. Paul Mercury Insurance Company, Travelers Casualty and Surety Company, Travelers Casualty and Surety Company of America, and United States Fidelity and Guaranty Company do hereby certify that the above and foregoing is a true and correct copy of the Power of Attorney executed by said Companies, which is in full force and effect and has not been revoked.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seals of said Companies this 14th day of November, 2017.


Kevin E. Hughes, Assistant Secretary



To verify the authenticity of this Power of Attorney, call 1-800-421-3880 or contact us at www.travelersbond.com. Please refer to the Attorney-In-Fact number, the above-named individuals and the details of the bond to which the power is attached.



ORDINANCE NO. 17-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLAIRE, TEXAS, AMENDING CHAPTER 33, TELECOMMUNICATIONS, OF THE CODE OF ORDINANCES OF THE CITY OF BELLAIRE, TEXAS ("CITY CODE"), FOR THE PURPOSE OF ADDING A NEW ARTICLE, ARTICLE II, TO ADDRESS REGULATIONS RELATED TO SMALL CELL NETWORK FACILITIES IN THE PUBLIC RIGHTS-OF-WAY.

WHEREAS, State Bill No. 1004 ("SB 1004") passed by the Texas Legislature, 85th Regular Session (2017), authorizes certain facilities to be installed in a municipality's public right-of-way; and

WHEREAS, SB 1004 further provides that municipalities retain the authority to manage the public right-of-way to ensure the health, safety and welfare of the public; and

WHEREAS, the City of Bellaire (the "City") wishes to adopt rules to ensure that the City complies with the requirements of SB 1004, and at the same time, protects the health, safety and welfare of the public; and; **NOW, THEREFORE**,

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

Section 1. THAT Chapter 33, Telecommunication, of the Code of Ordinances of the City of Bellaire, Texas is hereby amended to read as set out in Exhibit "A" attached hereto. All other portions of Chapter 33, Telecommunications, of the City Code not specifically amended, deleted, added and/or revised hereby shall remain in full force and effect.

Section 2. THAT all ordinances and parts of ordinances in conflict with this Ordinance are repealed to the extent of conflict only.

Section 3. 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 other persons or circumstances, shall be affected thereby.

Section 4. 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 5. THAT this Ordinance shall be effective immediately upon its adoption by the City Council.

PASSED, APPROVED, and ADOPTED this 20th day of November, 2017.

(SEAL)

ATTEST:

SIGNED:

Tracy L. Dutton, TRMC
City Clerk

Andrew S. Friedberg
Mayor

APPROVED AS TO FORM:

Alan P. Petrov
City Attorney

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



EXHIBIT "A"
TO
ORDINANCE NO. 17-____
(ATTACHED)

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Chapter 33 - TELECOMMUNICATIONS

Article I. – Telecommunication Network Facilities

Sec. 33-1. - Purpose.

The purpose of this ~~chapter~~Article is to establish a competitively neutral policy for the use of the public rights-of-way for the provision of telecommunications services and to enable the city to:

Establish a local policy, with clear local guidelines, standards and time frames for the exercise of local authority with respect to telecommunications providers using the public rights-of-way.

Manage access to the public rights-of-way in order to minimize the congestion, inconvenience, visual impact and other adverse effects, and the costs to the citizens resulting from the placement of telecommunications facilities within the public rights-of-way.

Obtain fair and reasonable compensation to the city for the private commercial use of the public rights-of-way through the collection of nondiscriminatory fees.

Promote competition among telecommunications service providers and encourage the universal availability of advanced telecommunications services to all residents and businesses of the city.

Conserve the limited physical capacity of the public rights-of-way held in public trust by the city.

Assure that the city's current and ongoing costs of granting and regulating private access to and use of the public rights-of-way are fully paid by the persons seeking such access and causing such costs.

Assure that all telecommunications carriers providing facilities or services within the city comply with the ordinances, rules and regulations of the city.

Assure that the city can continue to fairly and responsibly protect the public health, safety and welfare.

Enable the city to discharge its public trust consistent with rapidly evolving federal and state regulatory policies, industry competition and technological development.

Sec. 33-2. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Access line. (1) each switched transmission path of the transmission media within the Rights-of-way extended to the end-user customer's premises network interface within the city that allows delivery of telecommunications service; (2) each loop provided as an unbundled network element to a person pursuant to an agreement under section 252 of the Federal Telecommunications Act of 1996; and (3) each termination point of a nonswitched telephone circuit consisting of transmission media connecting specific locations identified by, and provided to, the end user for the delivery of nonswitched telecommunications service within the city.

Applicant. any person who files an application with the city, under this ~~chapter~~Article, in order to obtain the necessary consent to use or place a telecommunications network within the public rights-of-way of the city whether by means of the person's own facilities or by purchase or lease of one or more network elements from another provider of telecommunications services.

Cable Act. The Cable Communications Policy Act of 1984, 47 USC 532, et seq., as amended.

Cable operator. A person providing or offering to provide "cable service" within the city as that term is defined in the cable act.

Cable service. For the purpose of this ~~chapter~~Article shall have the same meaning provided by the cable act.

Certificated telecommunications utility. A telecommunication provider who is required to obtain or has a certificate of convenience and necessity or a certificate of operating authority or a service provider certificate of operating authority by the Texas Public Utility Regulatory Act of 1995, as amended, (PURA), as those terms are defined by PURA, to provide telecommunication services in the city.

City. The City of Bellaire, Texas, a home-rule municipal corporation.

City manager. The city manager of the City of Bellaire, or his or her designee, charged with the administration and enforcement of this ~~chapter~~Article.

City property. All real property owned by the city, other than public rights-of-way as that term is defined herein, and all other property held in a proprietary capacity by the city, which are not subject to right-of-way licensing and franchising as provided in this title.

City requirements. All laws, rules, regulations, policies and directives of general application of the city, in effect at present or to be adopted in the future by the city council.

Director of public works. The director of the department of the city, or his or her designee, charged with the administration of the public rights-of-way.

Federal Communication Commission or FCC. The federal agency or its successor agency that is the regulatory authority over the telecommunication providers.

Network element. A facility or equipment used in the provision of telecommunications service, such as the local loop, that is on or in the public rights-of-way.

Permit. A permit is the municipal consent granted by the city council to providers to use public rights-of-way to place a telecommunications network within the city as specified by the terms of such permit and consistent with this ~~chapter~~Article

Person. An individual, corporation, association, partnership, joint venture or other entity.

Public rights-of-way. The surface, the air space above the surface, and the area below the surface of any public street, highway, lane, path, alley, sidewalk, boulevard, drive, bridge, tunnel, easement or similar property within the city. .

Public Utility Commission of Texas or PUC. The Texas state agency having jurisdiction over telecommunications providers.

Telecommunications network or network. All facilities of any kind placed in, on or above the public rights-of-way and used to provide telecommunications services.

Telecommunications service provider or provider. A person, who is required by this ~~chapter~~Article to obtain a permit, or who has been granted the right by a permit to place a telecommunications network within the city in accordance with this ~~chapter~~Article.

Telecommunications services. The transmittal of voice, data, image, graphics and other communications between or among points by wire, fiber optics, or other similar facilities, as well as the rental, lease, or furnishing of the facilities to accomplish such transmittal, but does not include transmissions for long distance purposes (interLATA and intraLATA) or any "wireless service" as defined by law.

Utility infrastructure. All city electric utility distribution poles, transmission structures, ducts and all other city owned or operated transmission structures, distribution conduit, building entry conduit, utility tunnels, manholes, vaults, radio towers, other radio equipment, fiber optic cable capacity and active communications capacity, together with all appurtenant facilities.

Sec. 33-3. - Application for a permit.

Any person proposing to place a telecommunications network within the public rights-of-way shall submit an application to the city manager. The application shall be in a form prescribed by the city manager as generally described below, and shall outline applicant's proposed network and its impact on the public rights-of-way. The city manager may require the following information in the application:

1. The identity of the applicant.
2. A general description of the telecommunications services that will be offered or provided by the applicant over its existing or proposed telecommunications network.
3. A general description of the principal transmission medium that will be used by the applicant to offer or provide such telecommunications services.
4. Preliminary engineering plans, specifications and a network map of the facilities to be located within the city, to the extent available at the time of the application, all in sufficient detail to identify:
 - (a) The location and route requested for any proposed telecommunications network including whether such location and route will be above ground or underground.
 - (b) To the extent known, the location of existing overhead and underground public utility, telecommunication, cable, water, sewer, drainage and other facilities in the public rights-of-way along the proposed route.
 - (c) To the extent known, the location(s), if any, for interconnection with other telecommunications facilities or network's of other telecommunications service providers.
 - (d) To the extent known, the specific trees, structures, improvements, facilities and obstructions, if any, that applicant proposes to temporarily or permanently remove or relocate.
5. A preliminary construction schedule including estimated completion dates.
6. A preliminary traffic control plan in accordance with the Texas Department of Transportation Manual on Uniform Traffic Control Devices if construction activities will result in the blocking of any lanes of traffic in a given area for more than four hours.
7. Information to establish to the city's satisfaction, that the applicant will obtain all other governmental approvals and permits prior to construction and operation of the telecommunications network and prior to offering or providing the telecommunications services including but not limited to any approvals or permits required by the PUC and/or FCC.
8. Whether the applicant intends to provide cable service or other video programming service, such as an open video system, as defined in the cable act, together with sufficient information to determine whether such service is subject to cable franchising under the cable act.
9. Map showing the location of any existing telecommunications network in the city that applicant intends to use or lease other than its own.
10. All fees, deposits or charges required pursuant to this ~~chapter~~ Article.
11. Such other and further information as may reasonably be requested by the city manager in order to protect the city's rights-of-way.
- 3.2. *Authority of the city manager.* The city manager shall administer and enforce compliance with respect to all permits granted under this ~~chapter~~ Article. The city manager shall have the duty to review applications submitted under this ~~chapter~~ Article and formulate recommendations to the

city council regarding a permit for the applicant. a recommendation to city council or a written notice of denial to the applicant shall be given within 120 days after a completed application has been submitted to the city manager, such time frame may be extended for cause. The city manager shall negotiate the terms of permits (consistent with and to the extent not prescribed in this ~~chapter~~Article) for adoption by the city council. The city manager shall consider the following:

- 3.2.1. The capacity of the public rights-of-ways to accommodate the applicant's proposed facilities.
- 3.2.2. The damage or disruption, if any, of public or private facilities, improvements, service, travel or landscaping if the permit is granted.
- 3.2.3. The public interest in minimizing the cost and disruption of construction within the public rights-of-ways.
- 3.2.4. The effect, if any, on public health, safety and welfare if the permit is granted.
- 3.2.5. The effect, if any, on the environment and quality of life within the city if the permit is granted.
- 3.2.6. The availability of alternate routes and/or locations for the proposed facilities.
- 3.2.7. Applicable federal and state telecommunications laws, regulations and policies.
- 3.2.8. The legal authority of the applicant.
- 3.2.9. Such other factors as may demonstrate that the authorization to use the public rights-of-way will serve the community interest.
- 3.3. *City council action* . All permits approved by city council under this ~~chapter~~Article shall incorporate each applicable provision of this ~~chapter~~Article. All new or renewal permits must be approved by city council to be effective. The act of approval, consenting to, amending, denying or terminating permits is a legislative function within the sound discretion of the city council. Any person who is denied a permit or whose permit is terminated must petition the city council for reconsideration before seeking judicial remedies.
- 3.4. *Priority of usage* . In case of conflict or interference between the facilities of different providers, the provider whose facilities were first permitted shall have priority over a competing use of the public rights-of-way.
- 3.5. *No right to use city property or utility infrastructure granted by permit* . The grant of a permit under this ~~chapter~~Article shall not be construed to grant any attachment rights or authorize the use of any city property or utility infrastructure in any manner not specified in the permit without additional compliance by the provider with other applicable city requirements.
- 3.6. *Review is no guarantee of sufficiency*. Review and approval by the city does not constitute a guarantee of sufficiency of the design of the telecommunications network. The applicant retains full responsibility for the adequacy of the design of the telecommunications network.

Sec. 33-4. - Compensation.

- 4.1. *Administrative fee*. To reimburse the city for its initial administrative costs in processing the application each applicant for a new permit or renewal of a permit shall submit a \$5,000.00 administrative fee deposit. the administrative fee is to defray the cost to the city in reviewing and processing the application, and preparing and issuing the permit. If a permit is not granted to the applicant by the city, the city shall reimburse to the applicant that portion of the \$5,000.00 administrative fee deposit determined by the city manager to be in excess of the city's cost in

reviewing and evaluating the application. If a permit is granted, the administrative fee deposit may be recovered by the provider as a credit against the amount of fees payable to the city pursuant to subsection 4.2 during the first year following the effective date of the permit.

4.2 *Public rights-of-way use fees.* Each provider shall pay to the city as compensation for use of the city's rights-of-way, a fee as set forth below.

- (a) *Access line calculation for public rights-of-way use fee.* The provider shall pay to the city a rights-of-way fee that is calculated as of month-end by applying the appropriate line fee to each access line owned, placed, or maintained by provider that is activated for use by an end-user or for another telecommunications service provider that uses provider's services or for facilities for the provision of telecommunications services within the city. The line fee to be applied to each residential access line and each nonresidential access line on a monthly basis shall be the fee structure as established annually by the Texas Public Utilities Commission.
- (b) *Street crossing calculation for public rights-of-way use fee.* Any person whose facilities are located within the city, but are not used to provide telecommunications service within the city by means of access lines upon which line fees are applicable, shall pay the city an annual rights-of-way use fee of:
 - (i) \$2.50 per linear foot for each diameter inch or less of underground conduit or wire and for each .250 diameter inch or less of aerial wire that is in the public rights-of-way per annum; and
 - (ii) \$1,000.00 for the first street crossing and \$250.00 for every street crossing thereafter.

The right-of-way use fee calculated on this basis shall be due and payable to the city on July 15 of every year, prorated as applicable. A report as required by the city manager shall be provided with each annual payment showing the calculation of the payment including the length of the network and whether it is overhead or underground as applicable, and the location of each street crossing.

- (c) Such fees, are to compensate the city for the reasonable rental value of the public rights-of-way used by the provider, and to recover the administrative cost in monitoring and enforcing the provisions of this ~~chapter~~ Article and of the permit. Each permit shall provide that such fee may be adjusted by action of the city council once every three years to properly reflect the then current reasonable rental value of the public rights-of-way and administrative cost to the city.
- 4.3. *Number of access lines.* Subject to the city's agreement not to disclose the information unless required by law, each provider must provide annually, within a reasonable time after receipt of the city's written request, a report showing the number of each type of access line owned or placed and maintained by provider within the city that are activated for end-user customers and other telecommunications service providers at month's end for each of the preceding 12 months. The city agrees that the report shall be used solely for the purpose of verifying the number of the provider's access lines within the city that are activated for end-user customers and telecommunications service providers. Upon written request, the provider shall verify the information in the report and, upon reasonable advance notice, produce to the city and permit inspection by the city of all non-customer-specific records and documents reasonably calculated to verify the information. For purposes of payment of fees for use of the Rights-of-Way, lines terminating at customer's premises that are billed as "Lifeline," "Tel-Assistance," or other service that is required to be similarly discounted pursuant to state or federal law or regulation for the purpose of advancing universal service to the economically disadvantaged shall not be included in the lines upon which the fee is calculated.
- 4.4. *Confidential records.* If the provider notifies the City of the confidential nature of any information, reports, documents, or writings, and such information, reports, document or writings are prominently

labeled as confidential, the City agrees to maintain the confidentiality of the information, reports, documents, and writings to the extent permitted by law. Upon receipt by the city of requests for the provider's confidential information, reports, documents, or writings, the city shall notify the provider of the request in writing by facsimile transmission. The city shall request an attorney general's opinion before disclosing any confidential information, reports, documents or writings and will furnish the provider with copies of attorney general opinion requests it makes pertaining to the provider's confidential information, reports, documents or writings. Upon request by the city, the provider shall provide assistance in preparing and submitting the request for an attorney general's opinion.

- 4.5. *Timing of payment.* Except as provided in section 4.2(b), providers shall remit the rights-of-way use fee on a quarterly basis. The payment shall be due on the 45th day following the close of each calendar quarter for which the payment is calculated.
- 4.6. *Uncollectibles.* Providers have a statutory right to pass through to customers on a pro rata basis any compensation paid to the city for access to the rights-of-way. Any other provision of this article notwithstanding, provider shall not be obligated to pay the city for any access lines for which revenues remain uncollectible.
- 4.7. *Facilities provided to other telecommunications service providers.* To the extent allowed by applicable state and federal law, any telecommunications service providers that purchase unbundled network elements or other facilities for the purpose of rebundling those facilities to create telecommunications service for sale to persons within the city shall pay to the city a rights-of-way fee that is calculated as of month-end by applying the appropriate line fee, as specified in section 4.2(a) above, to each access line created by rebundling services of facilities. Such direct payment to the city is necessary because it is only the person creating the services for resale that will be able to determine the number of access lines being provided, so that the rights-of-way fee imposed herein can be applied on a non-discriminatory basis to all telecommunications service providers that sell telecommunications service within the city. Other provisions of this article notwithstanding, the provider shall not include in its monthly count of access lines any unbundled network elements or other facilities provided to other telecommunications service providers for rebundling into telecommunications services, if the telecommunications service provider that is rebundling those facilities for resale has provided a signed statement to the provider that the telecommunications service provider is paying the access line fees applicable to those rebundled services directly to the city. If provider provides a copy of the signed statement to the city, then provider is absolved of all responsibility for the line fees payable on the telecommunications service, unbundled network elements, and other facilities rebundled for the creation of telecommunications service for sale within the city.
- 4.8. *Fee application to leased facilities.* Pursuant to V.T.C.A., Utilities Code § 54.206, a provider may collect the line fee imposed by the city pursuant to this ordinance through a pro rata charge to the customers in the boundaries of the city, including any other persons who are leasing, reselling or otherwise using the provider's access lines to provide telecommunications service. With respect to any person leasing, reselling, or otherwise using a provider's access lines, if a provider believes it does not have sufficient information to determine the appropriate rate to apply, then the higher line fee shall apply until such time as the person using the access lines provides to the provider sufficient written information to determine the correct line fee. If a person provides sufficient written information for the application of the line fee, providers may bill the person on the basis of the information provided. Provider shall provide to the city any information regarding the locations to which it is providing service or facilities for use by another person for the provision of telecommunications service to end-user customers, so long as city first obtains written permission of such other person for provider to provide the information to the city. Any other provision of this article notwithstanding, however, a provider shall not be liable for underpayment of line fees

resulting from the provider's reliance upon the written information provided by any person that uses provider's service or facilities for the provision of telecommunications service to end-user customers.

- 4.9. *Default.* Notwithstanding any other provision in this ~~chapter~~Article, in the event that full and proper payments due the city under this ~~chapter~~Article or the permit have not been made by a provider within 20 days after the due date, an event of default shall have occurred, in which case the permit may be terminated by the city. Any provider that is found to be in default and whose permit has been terminated for non-payment of fees, may not apply for another permit until all past due fees have been paid.
- 4.10. *No release.* No acceptance of any payment shall be construed as a release of, or an accord or satisfaction of, any claim that the city might have for further or additional sums payable under the terms of this ~~chapter~~Article or a permit, or for any other performance or obligations of provider.
- 4.11. *Other city fees, taxes and charges.* Payments of compensation made by a provider to the city pursuant to this ~~chapter~~Article or a permit shall be considered in addition to, and exclusive of, any and all authorized taxes, business license fees, other fees, other levies or assessments presently in effect, or subsequently adopted, to the extent provided under applicable law.
- 4.12. *Books and records.*
 - 4.12.1. Upon written request from the city manager, providers shall report to the city such other information as the city manager may reasonably require to ensure correct payments to the city are made and shall comply with the city's reasonable determination of forms for reports, the time for reports, the frequency with which any reports are to be made, and if reports are to be made under oath.
 - 4.12.2. Providers shall promptly make available to the city or a city designated representative, its books and records to examine, audit, review and/or obtain copies of the papers, books, accounts, documents, maps, plans and other records of providers pertaining to permits granted under this ~~chapter~~Article to ensure proper payments are made to the city. Providers shall fully cooperate in making available its records and otherwise assisting in these activities.
 - 4.12.3. The city manager may, at any time, make inquiries pertaining to providers' performance of the terms and conditions of a permit. Providers shall respond to such inquiries on a timely basis.

Sec. 33-5. - Transfers of permits.

- 5.1. No permit granted under this ~~chapter~~Article, or any rights or privileges of providers under a permit, either separately or collectively, shall be sold, resold, assigned, transferred or conveyed by providers to any other person, without the prior written consent of the city by ordinance or resolution. Should the provider sell, assign, transfer, convey or otherwise dispose of any of its rights or interests under this permit, without the city's prior consent, the city may revoke the permit for default, in which event all rights and interest of the provider under the permit shall cease.
- 5.2. Any transfer in violation of this section shall be null and void and unenforceable.
- 5.3. A mortgage or other pledge of assets to a bank or lending institution in a bona fide lending transaction shall not be considered an assignment or transfer.
- 5.5. Every permit granted under this ~~chapter~~Article shall specify that any transfer or other disposition of rights which has the effect of circumventing payment of required permit fees and/or evasion of payment of such fees by non-collection or non-reporting of revenues derived from telecommunications services, bartering or any other means which evade the actual collection of revenues for business pursued by a provider is prohibited.

Sec. 33-6. - Obligations of providers regarding the public rights-of-way.

- 6.1. *Compliance with law* . Providers are explicitly subject to the police powers of the city, any other governmental powers, and the city's rights as a property owner under state and federal laws. All work done by providers in connection with the construction, expansion, reconstruction, maintenance or repair of its facilities in the public rights-of-way shall be subject to and governed by all city requirements, and applicable federal and state rules and regulations. Providers shall place certain facilities underground when required by applicable city requirements provided, however, that such requirement may be waived by the city manager should he find that such requirement places an undue burden or expense on the provider without a commensurate benefit to the city, or its residents. For this section, the term "provider" shall also mean a person who controls or manages physical transmission facilities, and all appurtenant equipment, installed in the public rights-of-way.
- 6.2. *Providing timely information*. Upon request, providers shall provide the city timely information as to all matters in connection with or affecting the construction, expansion, reconstruction, removal, maintenance, operation and repair of facilities performed by providers in the public rights-of-way.
- 6.3. *Construction work regulation, maintenance and underground conduit use*.
 - 6.3.1. All excavations and other construction in the public rights-of-way shall be performed in accordance with all applicable city requirements, including the obligation to use trenchless technology whenever possible and economically practical. Furthermore, all such construction shall be undertaken so as to minimize interference with the use of public and private property and in accordance with any direction given by the city under the police and regulatory powers of the city.
 - 6.3.2. In addition to any other city requirements, 30 days prior to the commencement of construction which involves any non-emergency alteration to the surface or the sub-surface of the public rights-of-way, to the extent generally required, providers shall furnish the public works director (or such other officials as the city may designate from time to time) with construction plans and maps showing the routing of any new construction and construction plans. Providers shall not commence non-emergency construction until the plans and drawings have been approved in writing by the public works director. Such approval shall not be unreasonably withheld or delayed and appeal to the city council shall be afforded to the provider.
 - 6.3.3. Upon request by written notice of the city, providers shall promptly remove and abate any facility that is determined by the city to pose a threat to public safety. Providers and the city shall cooperate to the extent possible to assure continuity of service during the removal. If any provider, after notice, fails or refuses to act, the city may remove or abate the same, at the sole cost and expense of such provider which shall be promptly paid to the city, all without compensation or liability for damages to the provider.
 - 6.3.4. Upon completion of initial or any subsequent construction or repair work, providers shall promptly restore the public rights-of-way in accordance with applicable city requirements. Providers may excavate only for the construction, installation, expansion, repair, removal, and maintenance of all or a portion of its telecommunications network.
 - 6.3.5. Except in an emergency, provider shall not excavate any pavement in any public alley or street or significant amounts of any unpaved public right-of-way without first complying with all applicable city requirements.
 - 6.3.6. Within 120 days of completion of each segment of providers' telecommunications network, or any addition thereto, each provider shall supply the city with a complete set of "as built" drawings for that segment or addition in the format in which the provider keeps such records in the normal course of business. Providers shall also obtain the city's approval before any

relocation of providers' telecommunications network in the public rights-of-way. in addition, providers shall provide to the city, upon request, a map of its telecommunications network.

6.4. *Work by others, construction by abutting owners and alterations to conform with public improvements.*

6.4.1. The city reserves the right to lay and permit to be laid, sewer, gas, water, and other pipe lines or cables and conduits, and to do and permit to be done, any underground and overhead work, and any attachment, restructuring or changes in aerial facilities that may be deemed necessary or proper by the city in, across, along, over or under any public street, alley or right-of-way occupied by providers, and to change any curb or sidewalk or the grade of any street.

6.4.2. In the event that, during the term of the permit, the city authorizes abutting landowners to occupy space under the surface of any public street, alley, or right-of-way, such grant to an abutting landowner shall be subject to the rights herein granted to providers. In the event that the city shall close or abandon any public right-of-way, which contains any portion of providers' facilities, any conveyance of land contained in such closed or abandoned public right-of-way shall be subject to the rights herein granted.

6.4.3. During the term of all permits, providers shall be liable to the city for the acts or omissions of any entity used by providers when such entity is involved directly or indirectly in the construction and installation of providers' facilities to the same extent as if the acts or omissions of such entity were the acts or omissions of a provider.

6.4.4. Within 90 days following written notice from the city, providers shall, at their expense, temporarily or permanently remove, relocate, change or alter the position of any of their facilities or telecommunications network that are in the public rights-of-way whenever the city shall have determined that such removal, relocation, change or alteration is necessary for:

(a) The construction, repair, maintenance or installation of any city or other public infrastructure improvement in or upon the public rights-of-way; or

(b) The operations of the city in or upon the public rights-of-way.

Sec. 33-7. - Insurance requirements.

7.1. Providers shall obtain and maintain in full force and effect throughout the term of a permit granted under this ~~chapter~~ Article, insurance with an insurance company licensed to do business in the State of Texas and acceptable to the city as determined by the city manager. All companies will be required to be rated A-VI or better by A.M. Best or A or better by Standard and Poors. Providers shall furnish the city with proof of such insurance so required at the time of filing the application for a permit. The city reserves the right to review these insurance requirements during the effective period of any permit, and to reasonably adjust insurance coverage and their limits when deemed necessary and prudent by the city's risk manager, based upon changes in statutory law, court decisions, or the claims history of the industry or the provider.

7.2. Subject to providers' right to maintain reasonable deductibles in such amounts as are approved by the city's risk manager, providers shall obtain and maintain in full force and effect for the duration of any permit, at providers' sole expense, insurance coverage in the following type and minimum amounts:

Type	Amount
1. Workers' Compensation	Statutory

	Limits
2. Commercial general (public) liability to include coverage for the following where the exposure exists:	
(i) Premises operations	*
(ii) Independent contractors	*
(iii) Products/completed operations	*
(iv) Personal injury	*
(v) Contractual liability	*
(vi) Explosion, collapse and underground property damage	*
3. Comprehensive automobile insurance coverage for loading and unloading hazards, for:	
(i) Owned/leased automobiles	**
(ii) Nonowned automobiles	**
(iii) Hired automobiles	**
4. Pollution liability	\$1,000,000.00
Insurance	per occurrence
(i) Bodily injury	
(ii) Property damage	
(iii) Clean-up cost	

*Combined single limit for bodily injury and property damage of \$10,000,000.00 per occurrence or its equivalent.

**Combined single limit for bodily injury and property damage of \$2,000,000.00 per occurrence or its equivalent.

- 7.3. The city manager shall be entitled, upon request and without expense, to receive copies of certificates of insurance evidencing coverage stated above. The city manager also may make any reasonable requests for deletion, revision or modification of particular policy terms, conditions, limitations or exclusions, except where policy provisions are established by law or relation binding upon either city or a provider or upon the underwriter for any of such policies. Upon request for deletion, revision or modification by the city manager, providers shall accomplish the changes and shall pay the cost thereof.
- 7.4. Providers shall agree that with respect to the above-required insurance, all insurance certificates will contain the following required provisions:
 - (i) Name the city and its officers, employees, board members and elected representatives as additional insureds (as the interests of each insured may appear) as to all applicable coverage;
 - (ii) Provide for 60 days notice to the city for cancellation, non-renewal, or material change;
 - (iii) Provide for notice to both the city manager and the city clerk by certified mail; and
 - (iv) Provide that all provisions of the permit, as amended, concerning liability, duty, and standard of care, including the indemnity section, shall be underwritten by contractual coverage sufficient to include such obligations within applicable policies, subject to policy terms and conditions.
- 7.5. The insurance certificates obtained by providers in compliance with this section 33-7 shall be subject to approval by the city manager, and such proof of insurance shall be filed and maintained with the city manager and the city clerk during the term of the permit, or any extension or renewal thereof, and may be changed from time to time to reflect changing liability limits' as required by the city. Providers shall immediately advise the city attorney of any actual or potential litigation that may develop that would affect insurance coverage related to any permit.
- 7.6. Insurers shall have no right of recovery against the city, it being the intention that the insurance policies shall protect providers and the city and shall be primary coverage for all losses covered by the policies.
- 7.7. The policy clause "other insurance" shall not apply to the city where the city is an insured on the policy.
- 7.8. Companies issuing the insurance policies shall have no recourse against the city for payment of any premiums or assessments which all are set at the sole risk of the providers. Insurance policies obtained by provider shall provide that the issuing company waives all right of recovery by way of subrogation or assignment against the city in connection with any damage covered by these policies.
- 7.9. When presented with adequate financial documentation from the provider and in compliance with applicable state laws, the city manager may accept in lieu of the insurance requirements described above, a self-insurance provision in the permit which provides substantially similar protection to the above requirements.

Sec. 33-8. - Term of permits.

The term of each permit granted under this ~~chapter~~Article shall be subject to specific negotiation with applicants consistent with this ~~chapter~~Article, but in no event shall it exceed ten years.

Sec. 33-9. - Indemnity.

- 9.1. Each provider shall protect, defend, and hold harmless the city, its employees, officers, and legal representatives (collectively in this section, the "city") from any and all third-party claims, demands, and liability, including defense costs, relating in any way to damages, claims, or fines (collectively, "claims") arising by reason of or in connection with:
- (1) The city's actual or alleged negligence arising solely from the grant of, administration of, or operations under this article, including, without limitation, the city's approval of work plans, city inspection of the provider's network facilities or the repair or maintenance thereof, the city's receipt or failure to receive insurance policies, or similar acts or omissions of the city in connection with its rights, duties, or obligations under this article; together with
 - (2) The provider's actual or alleged negligence in the construction, maintenance, or operation of its network facilities in the rights-of-way under this article.
- 9.2. The provider shall not be required to indemnify or pay the defense costs of the city under subsection 9.1 where:
- (1) The claims arise in whole or in part out of the provider's compliance with the city's directives (other than those ordering compliance with applicable laws, ordinances, rules, or regulations) relating to the time, place, or manner of the activities of the provider alleged or found to be negligent; and
 - (2) There is no finding in a final, nonappealable order or judgment that the provider is 51 percent or more at fault.
- 9.3. The provisions of this section shall apply notwithstanding any immunity of the provider under the workers compensation laws of the State of Texas.
- 9.4. Notwithstanding any other provision of this section, the provider shall not be obligated to pay to or on behalf of the city any indemnity, including defense costs, that exceeds in total the greater of \$1.00 per access line or \$1,200,000.00 for any year. The limits set forth in this subsection shall be based on the year in which the claims arise. Any sums paid for or on behalf of the city under this section shall constitute an additional municipal fee under V.T.C.A., Utilities Code §§ 54.204—54.206.
- 9.5. The provisions of this section are solely for the benefit of the city and the provider and are not intended to create or grant any rights, causes of action, or liability, contractual or otherwise, to any person or entity.
- 9.6. Subject to the right of the provider to pass through sums paid under this section, the provisions of this section shall survive the expiration of this article.

Sec. 33-10. - Bond and letter of credit.

- 10.1. Each permit shall contain requirements for construction bonds and/or payment and performance bonds during construction, as necessary to ensure compliance with this ~~chapter~~Article and the permit. The amount of any such bonds shall not exceed the amount necessary to assure that the construction work will be performed in compliance with all applicable city codes.

Sec. 33-11. - Termination of permits.

- 11.1. The city shall reserve the right to terminate any permit and any rights or privileges granted under this ~~chapter~~Article in the event of a breach of the terms and conditions of the permit or of this ~~chapter~~Article, subject to a 30 day written notice and the opportunity to cure the breach during that 30 day period.
- 11.2. A breach shall not be deemed to have occurred if the violation occurs without the fault of a provider or occurs as a result of circumstances beyond its control. Providers shall not be excused

from performance of any of their obligations under this ~~chapter~~Article by economic hardship, nor misfeasance or malfeasance of their managers, officers, agents or employees.

11.3. A termination shall be declared only by a written decision of the city council after an appropriate public proceeding before the city council, which shall accord the provider due process and full opportunity to be heard and to respond to any notice of grounds to terminate. All notice requirements shall be met by giving the provider at least 15 days prior written notice of any public hearing concerning the proposed termination of its permit. Such notice shall state the grounds for termination alleged by city.

11.4. The provision of this section 11 shall not apply to any automatic termination resulting from a default of payment as set forth in section 33-4, above.

Sec. 33-12. - Unauthorized use of public rights-of-way.

12.1. It shall be unlawful for any person to place a telecommunications network or any facilities on, in or over the public rights-of-way, city property, city structures or utility infrastructure unless expressly allowed under this ~~chapter~~Article or the terms of a permit.

12.2. Each unauthorized use shall be deemed to be a distinct and separate offense. Each day a violation of this ~~chapter~~Article continues shall constitute a distinct and separate offense.

12.3. The violation of any provision of this ~~chapter~~Article shall be unlawful and a misdemeanor offense.

Sec. 33-13. - Preemption.

No provision of this ~~chapter~~Article or a permit shall be deemed void or unenforceable as a result of state or federal preemption unless and until so determined by a final, nonappealable order of a state or federal agency or court.

Sec. 33-14. - State law to apply.

14.1. To the extent not in conflict with the federal laws relating to telecommunications, the laws of the State of Texas shall apply to any permit granted under this ~~chapter~~Article and venue for any dispute with respect to such permit shall be in Harris County, Texas.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

New Article to be added:

Article II. – Small Cell Network Facilities

Sec. 33-101. - Purpose.

The purpose of this Article is to adopt rules to ensure that the City complies with the requirements of State Bill No. 1004 passed by the Texas Legislature, 85th Regular Session (2017), which authorizes certain facilities to be installed in a municipality's public right-of-way, and at the same time, protects the health, safety and welfare of the public.

Sec. 33-012. - Definitions.

The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

Antenna: Communications equipments that transmits or receives electromagnetic radio frequency signals used in the provision of Wireless Services.

Cable Service: as defines in the Cable Communications Policy Act of 1984, as amended 47 U.S.C. 532

City Code: The Code of Ordinances of the City of Bellaire, Texas

City Manager: The City Manager or designee of the City Manager.

Collocate and Collocation: The installation, mounting, maintenance, modification, operation, or replacement of Network Nodes in a Right-of-way on or adjacent to a Pole.

Consumer Price Index: The annual revised Consumer Price Index for All Urban Consumers for Texas, as published by the Federal Bureau of Labor Statistics.

Concealment: Any wireless facility that is covered, blended, painted, disguised, camouflaged, or otherwise concealed such that the wireless facility blends into surrounding environment and is visually unobtrusive. Concealment includes but is not limited to covering with a façade, designs that blend with the surrounding character of an area, paint that matches surrounding Poles, disguising with landscaping, or locating underground.

Decorative Pole: A streetlight Pole specifically designed and placed for aesthetic purposes and on which no appurtenances or attachments, other than specifically designed informational or directional signage or temporary holiday or special event attachments have been placed or are permitted to be placed according to City Code.

Design Area: An area that is zoned, or otherwise designated by City Code, and for which the City maintains and enforces unique design and aesthetic standards.

Design Manual: The design requirements in effect at the time of a Permit application, or the commencement of work not required to obtain a Permit, for specific types of Facilities, including any other City requirements, as amended from time to time.

Historic Area: An area that is zoned or otherwise designated as a Historic Area under municipal, State, or Federal Law.

Network Node or Node: Equipment as a fixed location that enables wireless communications between Network Provider equipment and a communications network. The term includes: (i) equipment associated with wireless communications; (ii) a radio transceiver, and Antenna, a battery-only backup power supply, and comparable equipment, regardless of technological configuration; and (iii) coaxial or

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

fiber-optic cable that is immediately adjacent to and directly associated with a particular Collocation; and does not include (i) and electric generator; or (ii) a Pole.

Network Provider: A Person that provides Wireless Service to the public; or a Person that does not provide Wireless Service and that is not an electric utility but builds or installs on behalf of a Person that provides Wireless Service to the public: Network Nodes, Node Support Poles, or any structure that supports or is capable of supporting a Network Node.

New Node Support Pole or New Pole: A new installation, including any extension or replacement of an existing Pole where the replacement is not accepted from Permit requirements under this Article.

New Support Pole: A Pole installed by a Network Provider for the primary purpose of supporting a Network node.

Park: Any property dedicated or used as a Park or for public Park purposes or that may be dedicated or used as a Park or for public Park purposes within the City.

Permit: A written authorization for the use of the Right-of-way including, Collocation on a Service Pole, required from the City before a Network Provider may perform an action under this Article.

Permit Holder: Any Person that has been issued a Permit pursuant to the terms of this Article.

Pole: A Service Pole, Node Support Pole, Utility Pole, or Municipally Owned Utility Pole.

Public Utility: Defined in the Utilities Code Section 11.004, including municipally owner and/or operated utilities.

Right-of-way: The area on, below, or above a public roadway, highway, Street, public sidewalk, alley, waterway, or utility easement in which the municipality has an interest.

Service Pole: A Pole, other than Municipal Owned Utility Pole, owned or operated by a municipality and located in a Right-of-way, including: a Pole that supports traffic control functions; a structure for signage; a Pole that supports lighting; other than a Decorative Pole; and a Pole or similar structure owned or operated by a municipality and supporting Network Nodes.

Street: The portion of the Right-of-way, including highway, designed or used for vehicular traffic, including that part of the Street marked or platted as a bicycle or public transit lane. Street width shall be the of the following measurements: (i) edge of pavement to edge of pavement. Or (ii) curb to curb.

Telecommunications Service: Any “local exchange telephone service” as defined by Section 51.002 of the Texas Utilities Code.

Transport Facility: Each transmission path physically within a Right-of-way, extending with a physical line from a Network Node directly to a network, for the purpose of providing backhaul for Network Nodes.

Wireless Service: Any service, using licensed or unlicensed wireless spectrum, including the use of Wi-Fi, weather at a fixed location or mobile, provided to the public using a Network Node.

Sec. 33-103. – Permit Required

103.1 Application for a Permit. Any person proposing to place a Network Nodes, Node Support Poles, and/or Transport Facilities within the public rights-of-way shall submit an application to the city manager.

The application shall be in a form prescribed by the city manager as generally described below, and shall outline applicant's proposed Facilities and its impact on the public rights-of-way. The city manager may require the following information in the application:

- A. The identity of the applicant, including a 24/7 contact number in case of emergencies.
- B. The name and address of the person to who notices are to be send.
- C. A general description of the services that will be offered or provided by the applicant over its existing or proposed Facilities.
- D. A general description of the type of Facilities that will be used by the applicant to offer or provide such services.
- E. Preliminary engineering plans, specifications and a network map of the Facilities to be located within the city, to the extent available at the time of the application, all in sufficient detail to identify:
 - (1) The location, route, and type of structure requested for any proposed telecommunications network including whether such location and route will be above ground or underground.
 - (2) To the extent known, the location of existing overhead and underground public utility, telecommunication, cablemari, water, sewer, drainage and other facilities in the public rights-of-way within 300 feet of the proposed route.
 - (3) To the extent known, the location(s), if any, for interconnection with other telecommunications facilities or network's of other telecommunications service providers.
 - (4) To the extent known, the specific trees, structures, improvements, pavement, facilities and obstructions, if any, that applicant proposes to temporarily or permanently remove or relocate.
- F. A preliminary construction schedule including estimated completion dates.
- G. A preliminary traffic control plan in accordance with the Texas Department of Transportation Manual on Uniform Traffic Control Devices if construction activities will result in the blocking of any lanes of traffic in a given area for more than four hours.
- H. A traffic control test for line of sight.
- I. When a new pole is proposed, an industry standard pole load analysis certified by a licensed engineer.
- J. Soil tests or geotechnical survey where required.
- K. Information to establish to the city's satisfaction, that the applicant will obtain all other governmental approvals and permits prior to construction and operation of the Facilities and prior to offering or providing the services including but not limited to any approvals or permits required by the PUC and/or FCC.
- L. Map showing the location of any existing Facilities in the city within 500 feet of the proposed location.
- M. Proof of insurance.
- N. All fees, deposits or charges required pursuant to this Article, including permit fee and prorated Right-of-way fee.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

- O. Such other and further information as may reasonably be requested by the city manager in order to protect the city's rights-of-way.

103.2. Priority of usage. In case of conflict or interference between the Facilities of different providers, the provider whose Facilities were first permitted shall have priority over a competing use of the public rights-of-way.

103.3. No right to use city property or utility infrastructure granted by permit . The grant of a permit under this Article shall not be construed to grant any attachment rights or authorize the use of any city property or utility infrastructure in any manner not specified in the permit without additional compliance by the provider with other applicable city requirements.

103.4. Review is no guarantee of sufficiency. Review and approval by the city does not constitute a guarantee of sufficiency of the design of the Facilities. The applicant retains full responsibility for the adequacy of the design of the Facilities.

Sec. 33-104. – Exception to Permit Requirement.

104.1 Routine Maintenance. A Network Provider is not required to obtain a permit for routine maintenance of Network Nodes, Node Support Poles, and/or Transport Facilities that does not require excavation or closing of sidewalks or vehicular lanes in the Right-of-way.

104.2 Replacing or Upgrading. A Network Provider is not required to obtain a permit for replacing or upgrading a Network Node or Pole that is substantially similar in size or smaller and that does not require excavation or closing of sidewalks or vehicular lanes in the Right-of-way. For the purposes of Section 104.2:

- A. A new or upgraded Network Node or Node Support Pole is considered “substantially similar” if the equipment, including antenna, will not be more than ten percent (10%) larger and the pole will not be ten percent (10%) higher than the existing, permitted equipment and/or pole.
- B. The replacement of an existing Node Support Pole is not included within Section 104.2.
- C. The replacement or upgrade does not violate concealment requirements for the Network Node or Node Support Pole or height restrictions required in the Design Guide.

104.3 Network Node Strung on Cables. A Network Provider is not required to obtain a permit for the installation, placement, maintenance, operation, or replacement of micro Network Nodes that are strung on cables between existing poles or Node Support Poles, in compliance with the National Electrical Safety Code.

104.4 Notice Required. A Network Provider must provide the City with forty-eight (48) hours advance written notice to the City Manager, or his/her designee, of intent to perform work that does not require a permit.

104.5 Pole Owner Approval. A Network Provider may replace or upgrade a pole only with the approval of the Pole’s owner and written confirmation of such approval shall be submitted to the City with the notice.

104.6 Size Limitations. The size of any upgraded or replaced Network Node or Pole may not exceed the size limitations in the Design Guide.

Sec. 33-105. – Permit and Right-of-way use Fees.

105.1. Permit fee. Except as otherwise provided by Chapter 283 or 284 of the Texas Local Government Code, the Network Provider shall pay to the City a Permit fee that is calculated as of the date of the application for Permit by applying the appropriate Permit fee to each of the Facilities included in the application, in accordance with the City's fee schedule, not to exceed the values provided in the table below.

105.2 Public rights-of-way use fees. The Permit Holder shall pay to the City a Rights-of-way Fee that is calculated in accordance with Chapter 283 or 284 of the Texas Local Government Code, an agreement with the City, or the table below, as applicable. The Rights-of-way fee for Network Nodes, Node Support Poles, and Transport Facilities shall be prorated for the first year in which the Permit is paid, and shall be paid at the time of the Permit application.

<u>Equipment Type</u>	<u>Permit Fee</u>	<u>Rights-of-way Fee</u>
<u>Transport Facilities</u>	<u>\$500 for first 5 Nodes, \$250 for each additional Node</u>	<u>\$28 per month per Node^{1 4}</u>
<u>Network Nodes</u>	<u>\$500 for the first 5 Nodes, \$250 for each additional Node</u>	<u>\$250 per year per Node^{2 3}</u>
<u>Node Support Poles</u>	<u>\$1,000 per Pole</u>	<u>NA</u>

¹ Unless equal or greater amount is paid under Chapter 283 or 284 of the Local Government Code or Chapter 66 of the Utility Code.

² As adjusted by an amount equal to one-half the annual charge, if any, in the Consumer Price Index. The City shall provide written notice to each Network Provider of the new rate; and the rate shall apply to the first payment due to the City on or after the 60th day following the written notice.

³ Collocated Network Nodes on City Service Poles shall also pay an annual Collocation fee at a rate not greater than \$20 per year per Service Pole.

⁴ A Network Provider may not install its own Transport Facilities unless the Provider: (i) has a Permit to use the Right-of-way; and (ii) pays to the City a monthly Right-of-way rate for Transport Facilities in an amount equal to \$28 multiplied by the number of the Network Provider's Network Nodes located in the Right-of-way for which the installed Transport Facilities provide backhaul unless or until the time the Network Provider's payment of fees to the City exceeds its monthly aggregate per-Node compensation to the City. A Network Provider that wants to connect a Network Node to the network using the Right-of-way may: (i) install its own Transport Facilities as provided in this Article; or (ii) obtain transport service from a Person that is paying municipal fees to occupy the Right-of-way that are the equivalent of not less than \$28 per Node per month. A Right-of-way rate required by this Article is in addition to any other Right –of-way rate required by the City.

105.3 Annexation and Disannexation. For the purpose of compensating the City under this Article, a Permit Holder shall start including or excluding structures within an annexed or disannexed area within thirty (30) days of written notice by the City to the Permit Holder of the annexation or disannexation

105.4 Timing of Rights-of-way Fee Payment. Permit Holder shall remit the Rights-of-way Fees on an annual basis, unless otherwise proscribed by Chapter 284 of the Texas Local Government Code or a

written agreement with the City. Unless otherwise mandated by State Law, the payment of Rights-of-way Fees shall be due on January 31st of each year following the year in which a Permit fee and prorated Right-of-way Fee was paid, and each subsequent year until (i) the structures are removed from the Right-of-way and written notice is provided to the City, or (ii) the structures are no longer owned by the Permit Holder and written notice of the new owner's name, address, and phone number are provided to the City.

105.5 Default. Notwithstanding any other provision in this Article, in the event that full and proper payments due the city under this Article or the permit have not been made by a Permit Holder within twenty (20) days after the due date, an event of default shall have occurred, in which case the permit may be terminated by the City. Any provider that is found to be in default and whose permit has been terminated for non-payment of fees, may not apply for another permit until all past due fees have been paid.

105.6 No release. No acceptance of any payment shall be construed as a release of, or an accord or satisfaction of, any claim that the City might have for further or additional sums payable under the terms of this chapter or a permit, or for any other performance or obligations of Permit Holder.

105.7 Confidential records. If the Permit Holder notifies the City of the confidential nature of any information, reports, documents, or writings, and such information, reports, document or writings are prominently labeled as confidential, the City agrees to maintain the confidentiality of the information, reports, documents, and writings to the extent permitted by law. Upon receipt by the City of requests for the Permit Holder's confidential information, reports, documents, or writings, the City shall notify the Permit Holder of the request in writing. The City shall request an attorney general's opinion before disclosing any confidential information, reports, documents or writings and will furnish the provider with copies of attorney general opinion requests it makes pertaining to the Permit Holder's confidential information, reports, documents or writings. Upon request by the City, the Permit Holder shall provide assistance in preparing and submitting the request for an attorney general's opinion.

105.8 Books and records.

- A. Upon written request from the City Manager, Permit Holders shall report to the City such other information as the City Manager may reasonably require to ensure correct payments to the City are made and shall comply with the City's reasonable determination of forms for reports, the time for reports, the frequency with which any reports are to be made, and if reports are to be made under oath.
- B. Permit Holders shall promptly make available to the City or a City designated representative, its books and records to examine, audit, review and/or obtain copies of the papers, books, accounts, documents, maps, plans and other records of Permit Holders pertaining to permits granted under this chapter to ensure proper payments are made to the City. Permit Holders shall fully cooperate in making available its records and otherwise assisting in these activities.
- C. The City Manager may, at any time, make inquiries pertaining to Permit Holders' performance of the terms and conditions of a permit. Permit Holders shall respond to such inquiries on a timely basis.

Sec. 33-106. – Construction Standards

106.1 Advance Notice Required. The City Manger shall be notified forty-eight (48) hours in advance that construction is ready to proceed by either the Permit Holder, their contractor or representative, including the name, address, and phone numbers of the contractor performing the actual construction, and the name and telephone number of the individual who will be available at all times

during construction. Failure to provide the information will result in the suspension of the Permit until the required information is received.

106.2 Conformance to Other Laws. Permit Holders are explicitly subject to the police powers of the city, any other governmental powers, and the city's rights as a property owner under State and Federal laws. All work done by Permit Holders in connection with the construction, expansion, reconstruction, maintenance or repair of its Facilities in the Rights-of-way shall be subject to and governed by all City requirements, and applicable Federal and State rules and regulations.

106.3 Construction work regulation, maintenance and underground conduit use

- A. All excavations and other construction in the public rights-of-way shall be performed in accordance with all applicable City requirements, including the obligation to use trenchless technology whenever possible and economically practical. Furthermore, all such construction shall be undertaken so as to minimize interference with the use of public and private property and in accordance with any direction given by the City under the police and regulatory powers of the City.
- B. In addition to any other city requirements, 30 days prior to the commencement of construction which involves any non-emergency alteration to the surface or the sub-surface of the Rights-of-way, to the extent generally required, Permit Holders shall furnish the City Manager (or such other officials as the City may designate from time to time) with construction plans and maps showing the routing of any new construction and construction plans. Permit Holders shall not commence non-emergency construction until the plans and drawings have been approved in writing by the City Manager. Such approval shall not be unreasonably withheld or delayed and appeal to the City Council shall be afforded to the Permit Holder.
- C. Upon request by written notice of the City, Permit Holders shall promptly remove and abate any Facility that is determined by the City to pose a threat to public safety. Permit Holders and the City shall cooperate to the extent possible to assure continuity of service during the removal. If any Permit Holder, after notice, fails or refuses to act, the city may remove or abate the same, at the sole cost and expense of such Permit Holder which shall be promptly paid to the City, all without compensation or liability for damages to the Permit Holder.
- D. Upon completion of initial or any subsequent construction or repair work, providers shall promptly restore the Rights-of-way in accordance with applicable City requirements. Permit Holders may excavate only for the construction, installation, expansion, repair, removal, and maintenance of all or a portion of its Facilities.
- E. Except in an emergency, provider shall not excavate any pavement in any public alley or street or significant amounts of any unpaved public right-of-way without first complying with all applicable city requirements.
- F. Within 120 days of completion of each segment of Permit Holder's Facilities, or any addition thereto, each Permit Holder shall supply the city with a complete set of "as built" drawings for that segment or addition in the format in which the Permit Holder keeps such records in the normal course of business. Permit Holders shall also obtain the City's

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

approval before any relocation of Facilities in the Rights-of-way. In addition, Permit Holders shall provide to the City, upon request, a map of its Facilities.

106.4 Work by others, construction by abutting owners and alterations to conform with public improvements.

- A. The City reserves the right to lay and permit to be laid, sewer, gas, water, and other pipe lines or cables and conduits, and to do and permit to be done, any underground and overhead work, and any attachment, restructuring or changes in aerial facilities that may be deemed necessary or proper by the City in, across, along, over or under any public street, alley or Right-of-way occupied by Permit Holders, and to change any curb or sidewalk or the grade of any street.
- B. In the event that, during the term of the permit, the City authorizes abutting landowners to occupy space under the surface of any public street, alley, or right-of-way, such grant to an abutting landowner shall be subject to the rights herein granted to Permit Holders. In the event that the city shall close or abandon any public right-of-way, which contains any portion of Permit Holders' Facilities, any conveyance of land contained in such closed or abandoned public right-of-way shall be subject to the rights herein granted.
- C. During the term of all permits, Permit Holders shall be liable to the City for the acts or omissions of any entity used by Permit Holders when such entity is involved directly or indirectly in the construction and installation of Permit Holders' Facilities to the same extent as if the acts or omissions of such entity were the acts or omissions of a Permit Holder.
- D. Within 90 days following written notice from the City, Permit Holders shall, at their expense, temporarily or permanently remove, relocate, change or alter the position of any of their Facilities that are in the Rights-of-way whenever the City shall have determined that such removal, relocation, change or alteration is necessary for:
 - (1) The construction, repair, maintenance or installation of any City or other public infrastructure improvement in or upon the Rights-of-way; or
 - (2) The operations of the City in or upon the Rights-of-way.

106.5 Workmanship and Notice of Damage. Permit Holders are responsible for the workmanship and any damages caused by a contractor or subcontractor. All Permit Holders shall notify the City Manager immediately of any damage to utilities or other structures, either City or privately owned.

106.6 When Work May Be Performed. All work of any nature or type, either directly or indirectly relating to the placement, layout, grade, construction, or reconstruction of any Facility, improvement, equipment or other thing, along, across, on, over, through, above or under any public street, avenue, alley, Right-of-way, public grounds or public place within the City shall be performed between the hours of 8:00 a.m. and 5:00 p.m., Monday through Friday, with the exclusion of legal holidays. The City Manager may waive the requirements of this section if it appears to him to be in the best interest of the citizens of the City.

Sec. 33-107. – Construction and Maintenance of Structures

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

107.1 Construction Requirements. Except where expressly provided otherwise by State Law, a Permit Holder shall construct and maintain structures in the Right-of-way in accordance with the Design Manual to ensure structures do not:

- A. Obstruct, impede, or hinder the usual travel or public safety on a Right-of-way;
- B. Obstruct the legal use of a Right-of-way by other Persons;
- C. Violate nondiscriminatory applicable codes;
- D. Violate or conflict with the City's Right-of-way design specifications; or
- E. Violate the Federal Americans with Disabilities Act of 1990 (ADA).

107.2 Design Manual. Structures to which this Article applies must conform to the specifications required by the construction codes and Design Manual as adopted by the City at the time the permit application is submitted.

107.3 Requests for Temporary Moves. Upon request, the Permit Holder shall remove or raise or lower its aerial wires, fiber or cables temporarily to permit the moving of houses or other bulky structures. The expense of such temporary rearrangements shall be raise by the party or parties requesting them and the Permit Holder may require payment in advance. The Permit Holder may require payment in advance. The Permit Holder shall be given not less that forty-eight (48) hours advance notice to arrange for such temporary rearrangements.

107.4 Tree Trimming. The Permit Holder, its contractors and agents have the right, permission and license to trim trees upon and overhanging the Rights-of-way to prevent trees from coming in contact with the Permit Holder's Facilities. When directed by the City, tree trimming shall be done under the supervision and Direction of the City Manager.

Sec. 33-108. – Improperly Installed Structures

108.1 Proper Installation Required. Structures in the Rights-of-way shall be properly installed, repaired, upgraded and maintained. Structures shall be considered to be improperly installed, repaired, upgraded or maintained if:

- A. The installation, repairs, upgrade, or maintenance endangers people;
- B. The structures do not meet the applicable City requirements;
- C. The structures are not capable of being located using standard practices; or
- D. The structures are not located in the proper place in accordance with the plans approved by the City Manager.

108.2 Existing Structures. This Section 33-108 shall not apply to structures installed prior to the effective date of this ordinance unless such structures are repaired or upgraded.

108.3 City review of Poles. When Poles are used, the type of Poles, location, depth, upgrade, etc. shall be subject to review of the City Manager unless otherwise provided by this Article.

Sec. 33-109. – Restoration of Property

109.1 Restoration of Affected Property Required. Permit Holders of the Right-of-way shall restore property affected by construction in the Right-of-way to a condition that is equal to or better than the

condition of the property prior to the performance of the work. This includes, but is not limited to, replacing all natural ground cover with an equal or better type of ground cover damaged during work, either by sodding or seeding, as directed by City Manager.

109.2 Restoration Requirements. Restoration shall be to the reasonable satisfaction of the City Manager. The restoration shall include, but not be limited to:

- A. Installation of all manholes and hand holes, as required;
- B. All bore pits, potholes, trenches, or any other holes shall be covered or barricaded daily;
- C. Leveling of all trenches and backhoe lines; and
- D. Restoration of excavation site to City specifications.

109.3 Locator Flags. All locator flags shall be removed during the cleanup process by the Permit Holder or Permit Holder's contractor at the completion of the work.

Sec. 33-110. – General Terms Applicable to Permit Holders

110.1 Transfer of Permit.

- A. No permit granted under this Article, or any rights or privileges of Network Providers under a permit, either separately or collectively, shall be sold, resold, assigned, transferred or conveyed by providers to any other Person, without the prior written consent of the City. Should the Network Provider sell, assign, transfer, convey or otherwise dispose of any of its rights or interests under this permit, without the City's prior consent, the City may revoke the permit for default, in which event all rights and interest of the Network Provider under the permit shall cease.
- B. Any transfer in violation of this Section 33-110 shall be null and void and unenforceable.
- C. A mortgage or other pledge of assets to a bank or lending institution in a bona fide lending transaction shall not be considered an assignment or transfer.
- D. Every permit granted under this Article shall specify that any transfer or other disposition of rights which has the effect of circumventing payment of required permit fees and/or evasion of payment of such fees is prohibited.

110.2 Not Exclusive. No rights agreed to in this Article by the City shall be exclusive and the City reserves the right to grant franchises, licenses, easements, or permissions to use the Rights-of-way within the City to any Person as the City, in its sole discretion, may determine to be in the public interest.

110.3 Deed Restrictions. A Permit Holder installing Structures in Right-of-way shall comply with private deed restrictions and other private restrictions in the area.

110.4 Cable Service Not Authorized by Permit. A Permit Holder is not authorized to provide Cable Service as a cable operator in the City under this Article, but must first obtain a franchise agreement from the City for that purpose, under such terms and conditions as may be required by Law. A Permit for installation, placement, maintenance, or operation of a Network Node or Transport Facility under this Article shall not confer authorization to provide Cable Service or video service, as defines by Section 66.002, Utilities Code, or Information Service as defined by 47 U.S.C. Section 153, or Wireless Service as defines by 47 U.S.C. Section 153, in the Right-of-way.

110.5 *Interference Not Permitted; Notice and Time for Correction of Interference.* A Network Provider shall ensure that the operation of a Network Node does not cause any harmful radio frequency interference to a Federal Communications Commission-authorized mobile wireless operation of the City operating at the time the Network Node was initially installed or constructed. On written notice, a Network Provider shall take all steps reasonably necessary to remedy any harmful interference. If a Network Provider fails to correct any harmful interference within sixty (60) days of written notice, the City may upon fourteen (14) day advance written notice revoke any and all Permits for the Network Node.

110.6 *Permit Limited.* A Permit provided under this Article does not provide authorization for attachment of a Network Nodes on Poles and other structures owned or operated by investor-owned electric utilities, as defined by Section 31.002, Utilities Code, electric cooperatives, telephone cooperatives, as defined by Section 162.003, Utilities Code, or Wireless providers, as defined by Section 51.001, Utilities Code.

110.7 *Other Requirements.* The City may impose additional requirements on the activities of Network Providers in the Right-of-way to the extent that the regulations are reasonably necessary to protect the health, safety, and welfare of the public.

Sec. 33-111. – Denial and Termination of Permits

111.01 *Denial of a Permit Application.* If the City denies a permit application submitted under this Article, the City must include specific applicable code provisions or other municipal rules, regulations, or other law on which the denial was based. The Network Provider shall have thirty (30) days from the date of denial to cure the deficiencies identified in the denial and resubmit without incurring an additional application fee. The City's review of the resubmitted application is limited to deficiencies cited in the denial.

111.02 *Termination of a Permit.* The City shall reserve the right to terminate any permit and any rights or privileges granted under this Article in the event of a breach of the terms and conditions of the permit or of this Article, subject to a 30 day written notice and the opportunity to cure the breach during that 30 day period.

111.03 *When a Breach Occurs.* A breach shall not be deemed to have occurred if the violation occurs without the fault of a Network Provider or occurs as a result of circumstances beyond its control. Network Providers shall not be excused from performance of any of their obligations under this chapter by economic hardship, nor misfeasance or malfeasance of their managers, officers, agents or employees.

110.4 *Process For Termination.* A termination shall be declared only by a written decision of the City Council after an appropriate public proceeding before the City Council, which shall accord the provider due process and full opportunity to be heard and to respond to any notice of grounds to terminate. All notice requirements shall be met by giving the Network Provider at least 15 days prior written notice of any public hearing concerning the proposed termination of its permit. Such notice shall state the grounds for termination alleged by City.

110.4 *Does Not Apply for Default of Payment.* The provision of this Section 33-110 shall not apply to any automatic termination resulting from a default of payment as set forth in section 33-105, above.

Sec. 33-112. - Insurance requirements.

112.1 Insurance Required. Network Providers shall obtain and maintain in full force and effect throughout the term of a permit granted under this Article, insurance with an insurance company licensed to do business in the State of Texas and acceptable to the City as determined by the City Manager. All companies will be required to be rated A-VI or better by A.M. Best or A or better by Standard and Poors. Network Providers shall furnish the City with proof of such insurance so required at the time of filing the application for a permit. The City reserves the right to review these insurance requirements during the effective period of any permit, and to reasonably adjust insurance coverage and their limits when deemed necessary and prudent by the City, based upon changes in statutory law, court decisions, or the claims history of the industry or the provider.

112.2 Insurance Coverage Amounts. Subject to Network Providers' right to maintain reasonable deductibles in such amounts as are approved by the City, Network Providers shall obtain and maintain in full force and effect for the duration of any permit, at Network Providers' sole expense, insurance coverage in the following type and minimum amounts:

<u>Type</u>	<u>Amount</u>
<u>1. Workers' Compensation</u>	<u>Statutory Limits</u>
<u>2. Commercial general (public) liability to include coverage for the following where the exposure exists:</u>	
<u>(i) Premises operations</u>	<u>*</u>
<u>(ii) Independent contractors</u>	<u>*</u>
<u>(iii) Products/completed operations</u>	<u>*</u>
<u>(iv) Personal injury</u>	<u>*</u>
<u>(v) Contractual liability</u>	<u>*</u>
<u>(vi) Explosion, collapse and underground property damage</u>	<u>*</u>
<u>3. Comprehensive automobile insurance coverage for loading and unloading hazards, for:</u>	
<u>(i) Owned/leased automobiles</u>	<u>**</u>

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

<u>(ii) Nonowned automobiles</u>	<u>**</u>
<u>(iii) Hired automobiles</u>	<u>**</u>
<u>4. Pollution liability</u>	<u>\$1,000,000.00</u>
<u>Insurance</u>	<u>per occurrence</u>
<u>(i) Bodily injury</u>	
<u>(ii) Property damage</u>	
<u>(iii) Clean-up cost</u>	

-

*Combined single limit for bodily injury and property damage of \$10,000,000.00 per occurrence or its equivalent.

**Combined single limit for bodily injury and property damage of \$2,000,000.00 per occurrence or its equivalent.

112.3 City's Rights to Requests. The City Manager shall be entitled, upon request and without expense, to receive copies of certificates of insurance evidencing coverage stated above. The City Manager also may make any reasonable requests for deletion, revision or modification of particular policy terms, conditions, limitations or exclusions, except where policy provisions are established by law or relation binding upon either City or a Network Provider or upon the underwriter for any of such policies. Upon request for deletion, revision or modification by the City Manager, Network Providers shall accomplish the changes and shall pay the cost thereof.

112.4 Insurance Certificates. Network Providers shall agree that with respect to the above-required insurance, all insurance certificates will contain the following required provisions:

- A. Name the City and its officers, employees, board members and elected representatives as additional insureds (as the interests of each insured may appear) as to all applicable coverage;
- B. Provide for 60 days notice to the City for cancellation, non-renewal, or material change;
- C. Provide for notice to both the City Manager and the City Clerk by certified mail; and
- D. Provide that all provisions of the permit, as amended, concerning liability, duty, and standard of care, including the indemnity section, shall be underwritten by contractual coverage sufficient to include such obligations within applicable policies, subject to policy terms and conditions.

112.5 Insurance Review by the City. The insurance certificates obtained by Network Providers in compliance with this Section 33-112 shall be subject to approval by the City Manager, and such proof of insurance shall be filed and maintained with the City Manager and the City Clerk during the term of the permit, or any extension or renewal thereof, and may be changed from time to time to reflect changing

liability limits' as required by the City. Network Providers shall immediately advise the City Attorney of any actual or potential litigation that may develop that would affect insurance coverage related to any permit.

112.6 No Right to Recovery. Insurers shall have no right of recovery against the city, it being the intention that the insurance policies shall protect Network Providers and the City and shall be primary coverage for all losses covered by the policies.

112.7 Other Insurance Clause. The policy clause "other insurance" shall not apply to the City where the City is an insured on the policy.

112.7 Premiums Not Paid By City. Companies issuing the insurance policies shall have no recourse against the City for payment of any premiums or assessments which all are set at the sole risk of the Network Providers. Insurance policies obtained by Network Provider shall provide that the issuing company waives all right of recovery by way of subrogation or assignment against the city in connection with any damage covered by these policies.

112.8 Self-Insurance. When presented with adequate financial documentation from the Network Provider and in compliance with applicable state laws, the City Manager may accept in lieu of the insurance requirements described above, a self-insurance provision in the permit which provides substantially similar protection to the above requirements.

Sec. 33-113. - Indemnity.

113.1 Indemnification. Each Network Provider shall protect, defend, and hold harmless the City, its employees, officers, and legal representatives (collectively in this section, the "City") from any and all third-party claims, demands, and liability, including defense costs, relating in any way to damages, claims, or fines (collectively, "claims") arising by reason of or in connection with:

- A. The City's actual or alleged negligence arising solely from the grant of, administration of, or operations under this Article, including, without limitation, the City's approval of work plans, City inspection of the Network Provider's Facilities or the repair or maintenance thereof, the City's receipt or failure to receive insurance policies, or similar acts or omissions of the City in connection with its rights, duties, or obligations under this Article; together with
- B. The Network Provider's actual or alleged negligence in the construction, maintenance, or operation of its Facilities in the Rights-of-way under this Article.

113.2 Indemnification Not Required. The Network Provider shall not be required to indemnify or pay the defense costs of the City under Subsection 113.1 where:

- A. The claims arise in whole or in part out of the Network Provider's compliance with the City's directives (other than those ordering compliance with applicable laws, ordinances, rules, or regulations) relating to the time, place, or manner of the activities of the Network Provider alleged or found to be negligent; and
- B. There is no finding in a final, nonappealable order or judgment that the Network Provider is fifty-one percent (51%) or more at fault.

113.3 Immunity of Network Provider. The provisions of this section shall apply notwithstanding any immunity of the Network Provider under the workers compensation laws of the State of Texas.

113.4 Benefit of the City and Network Provider. The provisions of this Section 33-113 are solely for the benefit of the City and the Network Provider and are not intended to create or grant any rights, causes of action, or liability, contractual or otherwise, to any person or entity.

Sec. 33-114. - Bond and letter of credit.

114.1 Bond Requirement. Each permit shall contain requirements for construction bonds and/or payment and performance bonds during construction, as necessary to ensure compliance with this Article and the permit. The amount of any such bonds shall not exceed the amount necessary to assure that the construction work will be performed in compliance with all applicable City Codes.

Sec. 33-115. - Unauthorized Use of Rights-of-way.

115.1 Unauthorized Use. It shall be unlawful for any person to place any Network Nodes, Network Support Poles, or Transport Facilities on, in or over the public rights-of-way, City property, City structures or utility infrastructure unless expressly allowed under this Article or the terms of a permit.

115.2 Deemed an Offense. Each unauthorized use shall be deemed to be a distinct and separate offense. Each day a violation of this Article continues shall constitute a distinct and separate offense.

115.3 Penalty for Each Offense. The violation of any provision of this Article shall be unlawful and a misdemeanor offense.

Sec. 33-116. - State Law to Apply.

116.1 Law and Venue. To the extent not in conflict with the federal laws relating to telecommunications, the laws of the State of Texas shall apply to any permit granted under this Article and venue for any dispute with respect to such permit shall be in Harris County, Texas.

(Addition shown by underline)

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Design Manual

I. Introduction

A. Purpose

The following design specifications are required by the City to: (i) prevent obstruction, impediment, or hindrance of the usual travel or public safety on a Right-of-way; (ii) prevent obstruction of the legal use of the Rights-of-way by Network Providers; and (iii) protect health, safety, and welfare of the public.

B. Scope

Any Person that constructs, modifies, maintains, operates, relocates, or removes Network Nodes, Node Support Poles, or Transport Facilities shall conform to the following design specifications and all applicable construction codes of the City. The City Manager shall deny any Permit application that does not strictly conform to the applicable requirements.

C. Definitions

Terms defined in Section 33-102 of the Code of Ordinances of the City of Bellaire, Texas shall have those same meanings when used in this Design Manual.

II. Design Requirements for all Rights-of-way

A. Pole Stability Requirements

Nodes, equipment cabinets, and Poles shall be constructed based on an industry standard pole load analysis completed and submitted to the City indicating that the Service Pole or Network Support Pole to which the Network Node is to be attached will safely support all of the proposed and existing equipment. Documentation shall be completed and submitted to the City indicating that the Pole foundation and anchoring mechanism is (i) sufficient for the types of soil in the proposed location, and (ii) sufficient to withstand typical area wind loads as identified by the adopted construction codes of the City. Poles shall be constructed with foundations based on a (i) soils test if the proposed Pole is over thirty (30) feet in height, or (ii) a geotechnical survey if the proposed Pole is over forty-five (45) feet.

B. Limit on number of Network Nodes per Pole

The number of Network Nodes allowed per Pole shall be limited based on the pole load analysis.

C. Minimum placement height

Network Node equipment placed on a new or existing Pole shall be placed more than twelve (12) feet above ground level. If a Network Node or other equipment is projecting toward the Street, for safety and protection of the public and vehicular traffic, the attachment shall be installed no less than sixteen (16) feet above ground.

D. Equipment size limitations

All Facilities shall be constructed and limited in size in accordance with Section 284.003 of the Texas Local Government Code.

E. Compliance with National Electrical Safety Code

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Facilities must be installed in accordance with the National Electrical Safety Code, subject to applicable codes, and any Utility Pole owner's construction standards.

F. New Pole locations and construction requirements

New Poles shall be constructed with breakaway bases and located as close as possible to the outside edge of the Right-of-way. New poles shall be spaced apart from existing poles by no less than one-hundred (100) feet. New poles may not be located within three (3) feet of sidewalks, pedestrian paths or bicycle paths. New Poles may not be located within ten (10) feet of driveways, streets, or highways. New Poles should provide minimum disruption of visibility and site lines for nearby driveways, windows and other existing improvements.

G. Installations near intersections

A Network Provider shall not install structures within one-hundred (100) feet of any intersection, as measured from the closest outside corner of the two intersecting Streets.

H. Installation near schools and parks

For the safety of pedestrians, particularly small children, and to allow full line of sights near school property and Parks, a Network Provider shall not install ground equipment or new Poles within a Right-of-way inside the boundary line of school property or within two-hundred fifty (250) feet of the boundary line of school property. A Network Provider shall not install ground equipment within a Right-of-way inside the boundary line of a Park or within two-hundred fifty (250) feet of the boundary line of a Park.

I. Installation of wires, conduits or cables

Any structures that include wires, conduits, or cables shall be located underground, except where the City Engineer identifies, based on the Permit application, that existing utility or other structures prevent the safe installation of the proposed structures underground. Where wires, conduits, or cables are required to be installed aboveground, they shall be attached to existing Poles where possible and must not hang lower than twelve (12) feet above ground level. New Poles installed to support aboveground wires, conduits, or cables shall comply with all location and construction requirements for new Poles.

J. Installations in utility easements

Facilities may be installed in utility easements where (i) the installation will not interfere with existing or planned utilities, and (ii) the underlying property owner grants written authorization, except where installation of a collocated Network Node does not require installation of any ground equipment.

K. Height limitation

A Network Provider shall ensure that the vertical height of a structure installed in a Right-of-way does not exceed the lesser of : (i) ten (10) feet in height above the tallest existing Utility Pole located within 500 linear feet of the proposed structure in the same Right-of-way; or (ii) fifty-five (55) feet above ground level.

L. Electrical supply

Network Providers shall be responsible for obtaining any required electrical power service to the structures. Network Providers shall not allow or install generators or back-up generators in the Rights-of-way.

III. Designated areas; Rights-of-way management

Network Providers are not required to obtain conditional use permits or other land use approvals for location in City Right-of-way, except as specified in this Section. In addition to the requirements of Section II of this Design Manual, the following requirements shall apply to any Network Nodes, Node

Support Poles, or Transport Facilities to be located in designated areas as described by this Section. A conditional use permit or other land use approval is required in addition to any other Permit required by City Code.

A. Historic Areas/Design Areas with Decorative Poles

A Network Provider must obtain advance written consent from City Council before installing structures in an area of the City that has been designated as a Historic Areas or as a Design Area with Decorative Poles. The City may designate new Historic Areas and Design Areas at a future date.

B. Underground areas

A Network Provider shall comply with undergrounding requirements where applicable, including City ordinances, zoning regulations, State Law, private deed restrictions, and other public or private restrictions, that prohibit installing above ground structures in Right-of-way without first obtaining zoning or land use approval.

C. Parks/residential areas

A Network Provider may not install a new Pole in a Right-of-way without City Council's written consent if the Right-of-way is in a Park or is adjacent to a Street or thoroughfare that is: (i) Not more than 50 feet wide; and (ii) Adjacent to single-family residential lots or other multifamily residences or undeveloped land that is designated for residential use by zoning or deed restrictions.

D. Designation of areas under this Section

Design Areas with Decorative Poles, Historic Areas, underground areas, Parks, and residential areas shall all be those shown on the Rights-of-way Management Map, as adopted and amended from time to time by City Council. A Network Provider's structures in a particular location shall be subject to the area designations in place at the time of a Permit application for those particular structures. Any area where all Poles within one-thousand (1,000) feet of a proposed location are of a similar design with no additional permanent appurtenances attached are designated by this section as a Design Areas with Decorative Poles, even where such an area is not shown as a Design Area on the Right-of-way Management Map.

E. Land Use Approval process

The following shall constitute the process for obtaining advance written consent of City Council or land use approval for installation of any structures required to obtain such approval by this Design Manual.

- (1) Application. The Network Provider shall submit an application for conditional use permit, in addition to any other Permits required for construction of structures and use of the Rights-of-way. This conditional use permit application shall include documentation for the following:
 - a. Plans or design specifications compliant with specific design criteria for an area;
 - b. A Permit fee;
 - c. The locations of all other buildings, structures, Facilities and Poles located within 1,000 feet of the proposed location; and
 - d. At least one photo of the nearest Pole to the proposed location.
- (2) Processing. The Network Provider's application for conditional use permit shall be processed for review by the City's planning and zoning commission and the City Council using the City's standard of notice procedures, administrative processes, and scheduling procedures for zoning applications.

(3) Evaluation criteria. Conditional use permit applications for Facilities shall be evaluated using only the following criteria:

- a. Alternative locations available within 1,000 feet for the specific type of structure being requested;
- b. Concealment measures proposed for minimizing the impact of the proposed structures on surrounding land uses; and
- c. Conditions to the Permit requested by landowners within 200 feet of the proposed location.

Conditional use permits where the proposed plans for Facilities meet the design criteria for a proposed location should be granted for that location or an alternate location within 1,000 feet, as determined by City Council.

IV. Design requirements in underground areas

All Facilities must be installed underground, or obtain land use approval in accordance with Section III E. of this Design Manual to install aboveground Facilities, in designated underground areas, including areas where utilities are required to be installed underground by City ordinance, zoning regulations, State Law, private deed restrictions and other public or private restrictions that prohibit installing above ground utilities or structures in a public Right-of-way without first obtaining zoning or land use approval. Areas may be designated from time to time by the City as underground areas in accordance with the filed plats, and or conversions of overhead to underground areas, as may be allowed by Law.

V. Design requirements in historic and Design Areas

A. Concealment measures required

As a condition for land use approval of structures in Design Areas with Decorative Poles in a Historic Area, the City shall require Concealment measures for any above ground structures. Any request for installations in designated areas must be accompanied with proposed Concealment measures that are similar to an existing structure that is 1) within the area, 2) within 1,000 feet of the proposed location, and 3) is not a nonconforming structure. Structures shall be constructed and maintained in compliance with all City, State, and Federal historic preservation laws and requirements.

B. Concealment shall comply with other City Code requirements

Where a Network Provider is required to employ Concealment measures, the Network Provider shall comply with other City Code requirements, including coning, where applicable. Colors in designated areas must be approved by the City Manager from a palette of approved colors for that area. Unless otherwise provided, all colors shall be earth tones or shall match the background of any structure the Facilities are located upon and all efforts shall be made for the colors to be inconspicuous.

VI. Design requirements in Parks and residential areas

A Network Provider may not install a new Pole in a Right-of-way without City Council's written consent obtained in accordance with Section III E. of this Design Manual if the Right-of-way is in a Park or is adjacent to a Street or thoroughfare that is: (i) Not more than 50 feet wide; and (ii) Adjacent to single-family residential lots or other multifamily residences or undeveloped land that is designated for residential use by zoning or deed restrictions.

VII. Administrative hearing

Should a Network Provider desire to deviate from any of the standards set forth in this Design Manual, to appeal an interpretation by City staff of the City regulations applicable to structures located in the Rights-of-way, or allege a specific provisions of this Design Manual is inconsistent with State or

Federal Law as applied specifically to that Network Provider, the Network Provider may request an administrative hearing before a board of appeals. The Board of Adjustments shall act as the board of appeals for a request for a variance or appeal of administrative decision. The process before the Board of Adjustments for an application, hearing and vote shall follow the procedure set out in the Board of Adjustments Rules of Procedure.

VIII. Unauthorized and improperly located structures

If any structures are installed in a location that has not obtained a Permit, that impedes pedestrian or vehicular traffic, or that obstructs the legal use of a Right-of-way by utility providers, then the Network Provider shall promptly remove the structures. After thirty (30) days advance written notice to remove unauthorized or improperly located structures, the City may remove and dispose of structures that remain unauthorized or improperly located.

(Addition shown by underline)

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



ORDINANCE NO. 17-____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLAIRE, TEXAS, AMENDING CHAPTER 33, TELECOMMUNICATIONS, ARTICLE II, SMALL CELL NETWORK FACILITIES, APPENDIX A TO CHAPTER 33, DESIGN MANUAL, OF THE CODE OF ORDINANCES OF THE CITY OF BELLAIRE, TEXAS, FOR THE PURPOSE OF ADDING A NEW SECTION TO ADDRESS REGULATIONS RELATED TO THE PLACEMENT OF SMALL CELL NETWORK FACILITIES IN RESIDENTIALLY ZONED DISTRICTS.

WHEREAS, State Bill No. 1004 ("SB 1004") passed by the Texas Legislature, 85th Regular Session (2017), authorizes certain small cell network facilities to be installed in a municipality's public right-of-way; and

WHEREAS, SB 1004 further provides that municipalities retain the authority to manage the public right-of-way to ensure the health, safety and welfare of the public; and

WHEREAS, the City Council of the City of Bellaire, Texas (the "City Council") pursuant to Ordinance No. 17-072 adopted on November 20, 2017, enacted certain rules and regulations relating to small cell network facilities specifically being *Chapter 33, Telecommunications, Article II, Small Cell Network Facilities, Appendix A to Chapter 33, Design Manual*, of the *Code of Ordinances* of the City of Bellaire, Texas (the "Design Manual"); and

WHEREAS, the City Council wishes to amend the Design Manual for the purpose of adding a new section related to the placement of small cell network facilities in residentially zoned districts; **NOW, THEREFORE**,

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

Section 1. THAT the *Design Manual* found as *Appendix A to Chapter 33, Telecommunications*, of the *Code of Ordinances* of the City of Bellaire, Texas is hereby amended to read as set out in Exhibit "A" attached hereto. All other portions of the *Design*

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Manual not specifically amended, deleted, added and/or revised hereby shall remain in full force and effect.

Section 2. THAT all ordinances and parts of ordinances in conflict with this Ordinance are repealed to the extent of conflict only.

Section 3. 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 other persons or circumstances, shall be affected thereby.

Section 4. 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 5. THAT this Ordinance shall be effective immediately upon its adoption by the City Council.

PASSED, APPROVED, and ADOPTED this 18th day of December, 2017.

(SEAL)

ATTEST:

Tracy L. Dutton, TRMC
City Clerk

SIGNED:

Andrew S. Friedberg
Mayor

APPROVED AS TO FORM:

Alan P. Petrov
City Attorney



EXHIBIT "A"
TO
ORDINANCE NO. 17-____
(ATTACHED)

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Design Manual

I. Introduction

A. Purpose

The following design specifications are required by the City to: (i) prevent obstruction, impediment, or hindrance of the usual travel or public safety on a Right-of-way; (ii) prevent obstruction of the legal use of the Rights-of-way by Network Providers; and (iii) protect health, safety, and welfare of the public.

B. Scope

Any Person that constructs, modifies, maintains, operates, relocates, or removes Network Nodes, Node Support Poles, or Transport Facilities shall conform to the following design specifications and all applicable construction codes of the City. The City Manager shall deny any Permit application that does not strictly conform to the applicable requirements.

C. Definitions

Terms defined in Section 33-102 of the Code of Ordinances of the City of Bellaire, Texas shall have those same meanings when used in this Design Manual.

II. Design Requirements for all Rights-of-way

A. Pole Stability Requirements

Nodes, equipment cabinets, and Poles shall be constructed based on an industry standard pole load analysis completed and submitted to the City indicating that the Service Pole or Network Support Pole to which the Network Node is to be attached will safely support all of the proposed and existing equipment. Documentation shall be completed and submitted to the City indicating that the Pole foundation and anchoring mechanism is (i) sufficient for the types of soil in the proposed location, and (ii) sufficient to withstand typical area wind loads as identified by the adopted construction codes of the City. Poles shall be constructed with foundations based on a (i) soils test if the proposed Pole is over thirty (30) feet in height, or (ii) a geotechnical survey if the proposed Pole is over forty-five (45) feet.

B. Limit on number of Network Nodes per Pole

The number of Network Nodes allowed per Pole shall be limited based on the pole load analysis.

C. Minimum placement height

Network Node equipment placed on a new or existing Pole shall be placed more than twelve (12) feet above ground level. If a Network Node or other equipment is projecting toward the Street, for safety and protection of the public and vehicular traffic, the attachment shall be installed no less than sixteen (16) feet above ground.

D. Equipment size limitations

All Facilities shall be constructed and limited in size in accordance with Section 284.003 of the Texas Local Government Code.

E. Compliance with National Electrical Safety Code

Facilities must be installed in accordance with the National Electrical Safety Code, subject to applicable codes, and any Utility Pole owner's construction standards.

F. New Pole locations and construction requirements

New Poles shall be constructed with breakaway bases and located as close as possible to the outside edge of the Right-of-way. New poles shall be spaced apart from existing poles by no less than one-hundred (100) feet. New poles may not be located within three (3) feet of sidewalks, pedestrian paths or bicycle paths. New Poles may not be located within ten (10) feet of driveways, streets, or highways. New Poles should provide minimum disruption of visibility and site lines for nearby driveways, windows and other existing improvements.

G. Installations near intersections

A Network Provider shall not install structures within one-hundred (100) feet of any intersection, as measured from the closest outside corner of the two intersecting Streets.

H. Installation near schools and parks

For the safety of pedestrians, particularly small children, and to allow full line of sights near school property and Parks, a Network Provider shall not install ground equipment or new Poles within a Right-of-way inside the boundary line of school property or within two-hundred fifty (250) feet of the boundary line of school property. A Network Provider shall not install ground equipment within a Right-of-way inside the boundary line of a Park or within two-hundred fifty (250) feet of the boundary line of a Park.

I. Installation of wires, conduits or cables

Any structures that include wires, conduits, or cables shall be located underground, except where the City Engineer identifies, based on the Permit application, that existing utility or other structures prevent the safe installation of the proposed structures underground. Where wires, conduits, or cables are required to be installed aboveground, they shall be attached to existing Poles where possible and must not hang lower than twelve (12) feet above ground level. New Poles installed to support aboveground wires, conduits, or cables shall comply with all location and construction requirements for new Poles.

J. Installations in utility easements

Facilities may be installed in utility easements where (i) the installation will not interfere with existing or planned utilities, and (ii) the underlying property owner grants written authorization, except where installation of a collocated Network Node does not require installation of any ground equipment.

K. Installations in Residentially Zoned Districts

Facilities may not be installed in the rights-of-way abutting the front yard or the side of a residentially zoned property.

L. Height limitation

A Network Provider shall ensure that the vertical height of a structure installed in a Right-of-way does not exceed the lesser of : (i) ten (10) feet in height above the tallest existing Utility Pole located within 500 linear feet of the proposed structure in the same Right-of-way; or (ii) fifty-five (55) feet above ground level.

M. Electrical supply

Network Providers shall be responsible for obtaining any required electrical power service to the structures. Network Providers shall not allow or install generators or back-up generators in the Rights-of-way.

III. Designated areas; Rights-of-way management

Network Providers are not required to obtain conditional use permits or other land use approvals for location in City Right-of-way, except as specified in this Section. In addition to the requirements of Section II of this Design Manual, the following requirements shall apply to any Network Nodes, Node Support Poles, or Transport Facilities to be located in designated areas as described by this Section. A conditional use permit or other land use approval is required in addition to any other Permit required by City Code.

A. Historic Areas/Design Areas with Decorative Poles

A Network Provider must obtain advance written consent from City Council before installing structures in an area of the City that has been designated as a Historic Areas or as a Design Area with Decorative Poles. The City may designate new Historic Areas and Design Areas at a future date.

B. Underground areas

A Network Provider shall comply with undergrounding requirements where applicable, including City ordinances, zoning regulations, State Law, private deed restrictions, and other public or private restrictions, that prohibit installing above ground structures in Right-of-way without first obtaining zoning or land use approval.

C. Parks/residential areas

A Network Provider may not install a new Pole in a Right-of-way without City Council's written consent if the Right-of-way is in a Park or is adjacent to a Street or thoroughfare that is: (i) Not more than 50 feet wide; and (ii) Adjacent to single-family residential lots or other multifamily residences or undeveloped land that is designated for residential use by zoning or deed restrictions.

D. Designation of areas under this Section

Design Areas with Decorative Poles, Historic Areas, underground areas, Parks, and residential areas shall all be those shown on the Rights-of-way Management Map, as adopted and amended from time to time by City Council. A Network Provider's structures in a particular location shall be subject to the area designations in place at the time of a Permit application for those particular structures. Any area where all Poles within one-thousand (1,000) feet of a proposed location are of a similar design with no additional permanent appurtenances attached are designated by this section as a Design Areas with Decorative Poles, even where such an area is not shown as a Design Area on the Right-of-way Management Map.

E. Land Use Approval process

The following shall constitute the process for obtaining advance written consent of City Council or land use approval for installation of any structures required to obtain such approval by this Design Manual.

- (1) *Application.* The Network Provider shall submit an application for conditional use permit, in addition to any other Permits required for construction of structures and use of the Rights-of-way. This conditional use permit application shall include documentation for the following:

- a. Plans or design specifications compliant with specific design criteria for an area;
- b. A Permit fee;

- c. The locations of all other buildings, structures, Facilities and Poles located within 1,000 feet of the proposed location; and
 - d. At least one photo of the nearest Pole to the proposed location.
- (2) *Processing.* The Network Provider's application for conditional use permit shall be processed for review by the City's planning and zoning commission and the City Council using the City's standard of notice procedures, administrative processes, and scheduling procedures for zoning applications.
- (3) *Evaluation criteria.* Conditional use permit applications for Facilities shall be evaluated using only the following criteria:
- a. Alternative locations available within 1,000 feet for the specific type of structure being requested;
 - b. Concealment measures proposed for minimizing the impact of the proposed structures on surrounding land uses; and
 - c. Conditions to the Permit requested by landowners within 200 feet of the proposed location.

Conditional use permits where the proposed plans for Facilities meet the design criteria for a proposed location should be granted for that location or an alternate location within 1,000 feet, as determined by City Council.

IV. Design requirements in underground areas

All Facilities must be installed underground, or obtain land use approval in accordance with Section III E. of this Design Manual to install aboveground Facilities, in designated underground areas, including areas where utilities are required to be installed underground by City ordinance, zoning regulations, State Law, private deed restrictions and other public or private restrictions that prohibit installing above ground utilities or structures in a public Right-of-way without first obtaining zoning or land use approval. Areas may be designated from time to time by the City as underground areas in accordance with the filed plats, and or conversions of overhead to underground areas, as may be allowed by Law.

V. Design requirements in historic and Design Areas

A. Concealment measures required

As a condition for land use approval of structures in Design Areas with Decorative Poles in a Historic Area, the City shall require Concealment measures for any above ground structures. Any request for installations in designated areas must be accompanied with proposed Concealment measures that are similar to an existing structure that is 1) within the area, 2) within 1,000 feet of the proposed location, and 3) is not a nonconforming structure. Structures shall be constructed and maintained in compliance with all City, State, and Federal historic preservation laws and requirements.

B. Concealment shall comply with other City Code requirements

Where a Network Provider is required to employ Concealment measures, the Network Provider shall comply with other City Code requirements, including coning, where applicable. Colors in designated areas must be approved by the City Manager from a palette of approved colors for that area. Unless otherwise provided, all colors shall be earth tones or shall match the background of any structure the Facilities are located upon and all efforts shall be made for the colors to be inconspicuous.

VI. Design requirements in Parks and residential areas

A Network Provider may not install a new Pole in a Right-of-way without City Council's written consent obtained in accordance with Section III E. of this Design Manual if the Right-of-way is in a Park or is adjacent to a Street or thoroughfare that is: (i) Not more than 50 feet wide; and (ii) Adjacent to single-family residential lots or other multifamily residences or undeveloped land that is designated for residential use by zoning or deed restrictions.

VII. Administrative hearing

Should a Network Provider desire to deviate from any of the standards set forth in this Design Manual, to appeal an interpretation by City staff of the City regulations applicable to structures located in the Rights-of-way, or allege a specific provisions of this Design Manual is inconsistent with State or Federal Law as applied specifically to that Network Provider, the Network Provider may request an administrative hearing before a board of appeals. The Board of Adjustments shall act as the board of appeals for a request for a variance or appeal of administrative decision. The process before the Board of Adjustments for an application, hearing and vote shall follow the procedure set out in the Board of Adjustments Rules of Procedure.

VIII. Unauthorized and improperly located structures

If any structures are installed in a location that has not obtained a Permit, that impedes pedestrian or vehicular traffic, or that obstructs the legal use of a Right-of-way by utility providers, then the Network Provider shall promptly remove the structures. After thirty (30) days advance written notice to remove unauthorized or improperly located structures, the City may remove and dispose of structures that remain unauthorized or improperly located.

(Addition shown by underline)

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Building and Standards Committee City of Bellaire

November 16, 2017

Bellaire City Council
7008 S. Rice Avenue
Bellaire Texas 77401

Dear City Council Members,

On June 6, 2016, City Council passed a resolution amending the city Code to require that all new construction include the installation of sidewalks. See amended ordinance, Section 9-22, attached. Since that time, the city Engineer has required that all such sidewalks be five feet wide.

The Building Standards Commission has been studying the issue of the width of sidewalks in residential areas. The Building Standards Commission reviewed numerous reports and recommendations generated by experts in highways and roads, and by experts in the Americans with Disabilities Act.

It is our conclusion that, while five-foot wide sidewalks should be constructed in commercial and governmental areas, four-foot wide sidewalks should be installed in most residential areas. The four-foot standard should be flexible so that where there is a lot of pedestrian traffic, the City can require five-foot wide sidewalks.

The reasons the Commission is making the recommendation are:

- that there are currently many four-foot sidewalk sections in residential areas, and we are concerned that having stretches of sidewalk that are partially four feet wide and partially five feet wide will create safety hazards;
- such patchwork sidewalks would be unsightly;
- the additional impermeable surfaces created by the installation of five foot wide sidewalks will contribute to the lack of water absorption, which is a cause of flooding in Bellaire;
- There is a significant cost to building five foot wide sidewalks as opposed to four foot wide sidewalks.

The Building and Standards Commission therefore recommends that the City Council direct the City Manager to forego the directive to install 5 foot wide sidewalks, until such time that the matter can be further addressed by the appropriate consultants.

The construction of sidewalks cannot always be uniform from one property to the next. Some of the items that can affect the construction of a sidewalk are existing trees and landscaping, improvements, such as drainage features. It would be preferable if all residential sidewalks could be straight, but in some cases a sidewalk should be constructed to go around an

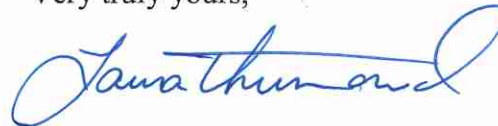
Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Bellaire City Council
11/16/17
Page 2

obstruction. Likewise, it is generally recommended that for safety reasons sidewalks should not be placed right next to a curb. However, in some cases this may be necessary.

The City has hired consultants to address sidewalk design issues. The City should direct the consultants, and the City Engineer, to devise some guidelines and designs for the construction of sidewalks in residential areas, addressing situations involving obstructions, heavy traffic, and sidewalks that must be constructed next to curbs.

Very truly yours,



Laura Thurmond, Chair
Building Standards Commission

cc: Mr. Paul Hofmann, City Manager
Building Standards Commission

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



ORDINANCE NO. 17-____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLAIRE, TEXAS, APPROVING A REQUEST FROM THE BELLAIRE PUBLIC WORKS; PARKS, RECREATION, AND FACILITIES; AND THE POLICE DEPARTMENTS FOR CITY COUNCIL APPROVAL TO PURCHASE FOURTEEN (14) VEHICLES AND AUTHORIZING THE CITY MANAGER 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 SIX (6) FORD F-150 TRUCKS, THREE (3) FORD F-250 TRUCKS, TWO (2) FORD INTERCEPTOR SUVS, AND ONE (1) FORD INTERCEPTOR SEDAN FROM SAM PACK'S FIVE STAR FORD IN THE AMOUNT OF \$345,961.00; ONE (1) CHEVROLET TAHOE FROM CALDWELL COUNTY CHEVROLET IN THE AMOUNT OF \$35,063.00; AND ONE (1) FORD F-250 TRUCK FROM SILSBEЕ FORD IN THE AMOUNT OF \$31,685.00.

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

1. THAT the City Council of the City of Bellaire, Texas, hereby approves a request from the Bellaire Public Works, Parks, Recreation and Facilities, and Police Departments to purchase fourteen (14) vehicles.

2. THAT the City Manager of the City of Bellaire, Texas, is hereby authorized to execute, for and on behalf of the City of Bellaire, Texas, any and all necessary documentation associated with the purchase of six (6) Ford F-150 Trucks, three (3) Ford F-250 Trucks, two (2) Ford Interceptor SUVs, and one (1) Ford Interceptor Sedan from Sam Pack's Five Star Ford in the amount of \$345,961.00.

3. THAT the City Manager of the City of Bellaire, Texas, is hereby authorized to execute, for and on behalf of the City of Bellaire, Texas, any and all necessary documentation associated with the purchase of one (1) Chevrolet Tahoe from Caldwell County Chevrolet in the amount of \$35,063.00.

4. THAT the City Manager of the City of Bellaire, Texas, is hereby authorized to execute, for and on behalf of the City of Bellaire, Texas, any and all necessary documentation associated with the purchase of one (1) Ford F-250 Truck from Silsbee Ford in the amount of \$31,685.00.

PASSED and APPROVED this 18th day of December, 2017.

(SEAL)

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

ATTEST:**SIGNED:**

Tracy L. Dutton, TRMC
City Clerk

Andrew S. Friedberg
Mayor

APPROVED AS TO FORM:

Alan P. Petrov
City Attorney

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



CONTRACT PRICING WORKSHEET

For MOTOR VEHICLES Only

Contract
No.:

VE11-15

Date
Prepared:

11.2.17

This Worksheet is prepared by Contractor and given to End User. If a PO is issued, both documents MUST be faxed to H-GAC @ 713-993-4548. Therefore please type or print legibly.

Buying Agency:	BELLAIRE, CITY OF	Contractor:	Sam Pack's Five Star Ford
Contact Person:	LT. JEFF COTTON	Prepared By:	KEVIN MOORE
Phone:	713-662-8110	Phone:	888.835.3389
Fax:		Fax:	972.245.5278
Email:	cotton@bellairepolice.com	Email:	bidtx@spford.com

Product Code:	E10	Description:	2018 FORD POLICE INTERCEPTOR 4 DOOR SEDAN, AWD, 3.7L V6 FFV Ti-VCT
---------------	-----	--------------	--

A. Product Item Base Unit Price Per Contractor's H-GAC Contract: 216

B. Published Options - Itemize below - Attach additional sheet(s) if necessary - Include Option Code in description if applicable.
(Note: Published Options are options which were submitted and priced in Contractor's bid.)

Description	Cost	Description	Cost
76R REVERSE SENSING SYSTEM	295	67D PWR WND DISABLE	
99T ECOBOOST	3050	942 DAYTIME RUNNING LIGHTS NEEDED FOR 43L	
21F SPOT LAMP DR	360	68C HMI W/SYNC 4.2 SCREEN - NEEDED FOR 53M	1
43G KEYED ALIKE G	50	63P DOOR LOCK PLUNGER/INOP REAR DOOR HANDLE	1
51G GRILL LAMP WIRE	50	62B TRUNK RELEASE	
51J REAR WIRE KIT	130	77B MIRROR WITH CAMERA	1
53M SYNC SYSTEM	295	97T TRUNK FAN	1
55D AUTO HEADLAMPS	120		
65C LVL III BALISTIC PANEL	3095		
12T SPEED LTD CALIB	NC		
13D SILENT MODE	20	Subtotal From Additional Sheet(s):	
20P NOISE SUPPRESHION BOND	95	Subtotal B:	79

C. Unpublished Options - Itemize below / attach additional sheet(s) if necessary.
(Note: Unpublished options are items which were not submitted and priced in Contractor's bid.)

Description	Cost	Description	Cost
ESP WARRANTY	2595		
5 YEAR/100,000 MILE \$0 DEDUCTABLE			
		Subtotal C:	25

Check: Total cost of Unpublished Options (C) cannot exceed 25% of the total of the Base Unit Price plus Published Options (A+B). For this transaction the percentage is: 9

D. Total Cost Before Any Applicable Trade-In / Other Allowances / Discounts (A+B+C)

Quantity Ordered:	1	X Subtotal of A + B + C:	32130	=	Subtotal D:	321
-------------------	---	--------------------------	-------	---	-------------	-----

E. H-GAC Order Processing Charge (Amount Per Current Policy) Subtotal E: 6

F. Trade-Ins / Special Discounts / Other Allowances / Freight / Installation / Miscellaneous Charges

Description	Cost	Description	Cost
DELIVERY 250 miles @ \$2.70 per mile	675		
		Subtotal F:	6

Delivery Date: **G. Total Purchase Price (D+E+F):** 334

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



CONTRACT PRICING WORKSHEET

For MOTOR VEHICLES Only

Contract No.:

VE11-15

Date Prepared:

11.2.17

This Worksheet is prepared by Contractor and given to End User. If a PO is issued, both documents **MUST** be faxed to H-GAC @ 713-993-4548. Therefore please type or print legibly.

Buying Agency:	BELLAIRE, CITY OF	Contractor:	Sam Pack's Five Star Ford
Contact Person:	LT. JEFF COTTON	Prepared By:	KEVIN MOORE
Phone:	713-662-8110	Phone:	888.835.3389
Fax:		Fax:	972.245.5278
Email:	cotton@bellairepolice.com	Email:	bidtx@spford.com

Product Code:	E16	Description:	2018 FORD POLICE INTERCEPTOR UTILITY, AWD, 3.7L V6 - EXPLORER 500A
---------------	-----	--------------	--

A. Product Item Base Unit Price Per Contractor's H-GAC Contract: 243

B. Published Options - Itemize below - Attach additional sheet(s) if necessary - Include Option Code in description if applicable.

(Note: Published Options are options which were submitted and priced in Contractor's bid.)

Description	Cost	Description	Cost
99T ECOBOOST 3.5L V6	3295	43L SILENT MODE- 942 REQUIRED	
53M SYNC	295	942 DAYTIME RUNNING LIGHTS	
17A AUX CLIMATE CONTROL	610	60R NOISE SUPPRESSION	1
17T CARGO DOME LAMP	50	59G KEY CODE G	
68G REAR DOOR LOCK INOP	35		
51R SPOT LAMP LED DRIVER SIDE	395		
60A GRILL WIRING	50		
76R REVERSE SENSING SYSTEM	275		
90E LEFT/RIGHT BALLASTIC DOOR PANELS	3170		
92G E MARKED SOLAR	120		
86L AUTO HEADLAMP	115		
87R REAR CAMERA ON REARVIEW MIRROR	NC		
		Subtotal From Additional Sheet(s):	
		Subtotal B:	86

C. Unpublished Options - Itemize below / attach additional sheet(s) if necessary.

(Note: Unpublished options are items which were not submitted and priced in Contractor's bid.)

Description	Cost	Description	Cost
ESP WARRANTY	2595		
5 YEAR/100,000 MILE \$0 DEDUCTABLE			
		Subtotal C:	25

Check: Total cost of Unpublished Options (C) cannot exceed 25% of the total of the Base Unit Price plus Published Options (A+B).

For this transaction the percentage is:

D. Total Cost Before Any Applicable Trade-In / Other Allowances / Discounts (A+B+C)

Quantity Ordered:	2	X Subtotal of A + B + C:	35612	=	Subtotal D:	712
-------------------	---	--------------------------	-------	---	-------------	-----

E. H-GAC Order Processing Charge (Amount Per Current Policy)

Subtotal E: 6

F. Trade-Ins / Special Discounts / Other Allowances / Freight / Installation / Miscellaneous Charges

Description	Cost	Description	Cost
DELIVERY 250 miles @ \$2.70 per mile	675		
		Subtotal F:	6

Delivery Date:

G. Total Purchase Price (D+E+F):

724

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

**VE11-15**

Date Prepared: 11/13/201

This Worksheet is prepared by Contractor and given to End User. If a PO is issued, both documents MUST be faxed to H-GAC @ 713-993-4548. Therefore please type or print legibly.

Buying Agency:	CITY OF BELLAIRE	Contractor:	CALDWELL COUNTRY CHEVROLET
Contact Person:	LT. JEFF COTTON	Prepared By:	VERYT KNAPP
Phone:	713-662-8110	Phone:	979-567-6116
Fax:	713-662-8143	Fax:	979-567-0853
Email:	COTTON@BELLAIREPOLICE.COM	Email:	AKNAPP@CALDWELLCOUNTRY.COM

Product Code:	A17	Description:	2018 CHEVROLET TAHOE PPV CC15706
---------------	-----	--------------	----------------------------------

A. Product Item Base Unit Price Per Contractor's H-GAC Contract:	325
---	-----

B. Published Options - Itemize below - Attach additional sheet(s) if necessary - Include Option Code in description if applicable.

(Note: Published Options are options which were submitted and priced in Contractor's bid.)

[illegible]

C. Unpublished Options - Itemize below / attach additional sheet(s) if necessary.

(Note: Unpublished options are items which were not submitted and priced in Contractor's bid.)

Description	Cost	Description	Cost
ALUMINUM WHEELS	1200		
		Subtotal From Additional Sheet(s):	
		Subtotal C:	12

Check: Total cost of Unpublished Options (C) cannot exceed 25% of the total of the Base Unit Price plus Published Options (A+B).

For this transaction the percentage is:

D. Total Cost Before Any Applicable Trade-In / Other Allowances / Discounts (A+B+C)

Quantity Ordered:	1	X Subtotal of A + B + C:	34178	=	Subtotal D:	341
-------------------	---	--------------------------	-------	---	-------------	-----

E. H-GAC Order Processing Charge (Amount Per Current Policy)	
---	--

Subtotal E:	\$60
--------------------	------

F. Trade-Ins / Special Discounts / Other Allowances / Freight / Installation / Miscellaneous Charges

Description		Cost	
		DELIVERY	
		2	
		EXTERIOR COLOR SATIN STEEL METALLIC	
		INCL	
		Subtotal F:	
		2	

Delivery Date:	60-90 DAYS APPX
-----------------------	------------------------

G. Total Purchase Price (D+E+F):

350



CONTRACT PRICING WORKSHEET

For MOTOR VEHICLES Only

Contract
No.:

VE11-15

Date
Prepared:

11/15/201

This Worksheet is prepared by Contractor and given to End User. If a PO is issued, both documents **MUST** be faxed to H-GAC @ 713-993-4548. Therefore please type or print legibly.

Buying Agency:	CITY OF BELLAIRE	Contractor:	SILSBEE FORD
Contact Person:	LT. JEFF COTTON	Prepared By:	RICHARD HYDER
Phone:	(713) 662-8110	Phone:	(409) 300-1385
Fax:		Fax:	(409) 895-3884
Email:	COTTON@BELLAIREPOLICE.COM	Email:	RHYDER.COWBOYFLEET@GMAIL.COM

Product Code:	E26	Description:	2018 FORD F250 CREW CAB
---------------	-----	--------------	-------------------------

A. Product Item Base Unit Price Per Contractor's H-GAC Contract: \$ 24,239.0

B. Published Options - Itemize below - Attach additional sheet(s) if necessary - Include Option Code in description if applicable.

(Note: Published Options are options which were submitted and priced in Contractor's bid.)

Description	Cost	Description	Cost
W2A F250 CREW 4X2 6.75' BED	\$ 1,895.00		
ALUMINUM BODY	\$ -		
Z1 EXTERIOR--WHITE	\$ -		
4S INTERIOR--CLOTH 40C/40 EARTH GRAY (REQ W/ 43C)	\$ 579.00		
996 6.2L V8 GAS	\$ -		
90L POWER EQUIPMENT GROUP	\$ 1,058.00		
96V XL VALUE PKG	\$ 677.00		
43C 110V/400W OUTLET	\$ 71.00		
76R REVERSE SENSING SYSTEM	\$ 231.00		
91M SYNC	\$ 344.00		
FORD PROTECT PREMIUM 5/100 \$0 DED	\$ 2,295.00		
		Subtotal From Additional Sheet(s):	\$ -
		Subtotal B:	\$ 7,150.0

C. Unpublished Options - Itemize below / attach additional sheet(s) if necessary.

(Note: Unpublished options are items which were not submitted and priced in Contractor's bid.)

Description	Cost	Description	Cost
DELIVERY 112 MILES	\$ 196.00		
BED CREDIT	\$ (500.00)		
		Subtotal From Additional Sheet(s):	
		Subtotal C:	\$ (304.0)

Check: Total cost of Unpublished Options (C) cannot exceed 25% of the total of the Base Unit Price plus Published Options (A+B).

For this transaction the percentage is:

-1

D. Total Cost Before Any Applicable Trade-In / Other Allowances / Discounts (A+B+C)

Quantity Ordered:	1	X Subtotal of A + B + C:	\$ 31,085.00	=	Subtotal D:	\$ 31,085.0
-------------------	---	--------------------------	--------------	---	-------------	-------------

E. H-GAC Order Processing Charge (Amount Per Current Policy)

Subtotal E: \$ 600.0

F. Trade-Ins / Special Discounts / Other Allowances / Freight / Installation / Miscellaneous Charges

Description	Cost	Description	Cost
		Subtotal F:	\$ -

Delivery Date: ~60-90 DAYS ARO

G. Total Purchase Price (D+E+F):

\$ 31,685.0

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Sam Pack's Five Star Ford
1635 S. IH 35E Carrollton Texas, 75006
(888) 8 FLEET 9 (888-835-3389) - FAX 972-245-5278 - bidtx@spford.com

CUSTOMIZED PRODUCT PRICING SUMMARY BASED ON CONTRACT

Cars and Light Trucks

Team Members -- Kevin Moore - Ruben Santana - Jorge Guerra - Alan Rosner

Contract Name:State of Texas 072-A1 - Texas Smartbuy Contract	Effective 9-1-2017 - 08-31-18
--	--------------------------------------

[illegible][illegible]

Exterior Color /

A.	Bid Series: <u>861C</u>	Base Price: <u>\$22,788.00</u>
-----------	--------------------------------	---------------------------------------

B.	Published Options (Itemize Each Below)			
-----------	---	--	--	--

Code	Description	Bid Price	Code	Description	Bid Price
446	Automatic	Included			
	Air Conditioning	Included			
	Power Windows	Included			
	Power Locks	Included			
	Speed Control	Included			
	5.0L V-8	Included			
	Spare Tire/Wheel	Included			
	Trailer Tow Package	\$ 595.00			
	TRAILER BRAKE CONTROLLER	\$ 275.00			

					Total of B. - Published Options	\$ 870.00
--	--	--	--	--	---------------------------------	-----------

C. Ford Factory Published Options				
--	--	--	--	--

[illegible]

	Total of C. - Dealer Published Options	\$ -
--	--	------

D. Fleet Quote				
----------------	--	--	--	--

[illegible]

		Total of D. - Off Menu Options		\$ 1,400.00
--	--	---------------------------------------	--	--------------------

F.	Delivery Charges	<u>0 Miles @ \$2.45/mile</u>	\$ -
----	------------------	------------------------------	------

G. Option Discounts	\$ -
H. Total of A, B, C, D, E, F	\$ 25,000.00

H.	Total of A + B + C + D + E = F	\$ 25,058.00
I.	Floor Plan Assistance	\$0.00

I.	Flood Plain Assistance	\$0.00
J.	Lot Insurance Coverages	\$0.00

K.	Quantity Ordered	1	$X F =$	\$ 25,058.00
----	------------------	---	---------	--------------

L.	Administrative Fee	\$ -
----	--------------------	------

M.	Non-Equip Charges & Credits	
----	-----------------------------	--

N.	TOTAL PURCHASE PRICE INCLUDING ADMIN FEE	\$25,058.00
----	--	-------------

Sam Pack's Five Star Ford
1635 S. IH 35E Carrollton Texas, 75006
(888) 8 FLEET 9 (888-835-3389) - FAX 972-245-5278 - bidtx@spford.com

CUSTOMIZED PRODUCT PRICING SUMMARY BASED ON CONTRACT

Cars and Light Trucks

Team Members -- Kevin Moore - Ruben Santana - Jorge Guerra - Alan Rosner

Contract Name:State of Texas 072-A1 - Texas Smartbuy Contract Effective 9-1-2017 - 08-31-18

End User: City of Bellaire **Sam Pack's Rep:** KEVIN MOORE

Contact: <u>SHAWN COX</u>	Date: 12.5.17
----------------------------------	----------------------

Contact TN/Email	www.bellairctx.gov	Phone #	713-662-8239
------------------	--	---------	--------------

Product Description:	2018 Ford F150 4x2 Crew Cab 5.0 V8 Short Wheel Base	Exterior Color / Interior	WHITE
-----------------------------	---	------------------------------	-------

A	Bid Series:	864C	Base Price:	\$25 085 00
---	-------------	------	-------------	-------------

A.	Old Contract:	5475	Date of Issue:	12/15/2016
B.	Published Options (Itemize Each Below)			

Code	Description	Bid Price	Code	Description	Bid Price
446	Automatic	Included			
	Air Conditioning	Included			
	Power Windows	Included			
	Power Locks	Included			
	Speed Control	Included			
	5.0L V-8	Included			
	Spare Tire/Wheel	Included			
	Trailer Tow Package	\$ 595.00			
	TRAILER BRAKE CONTROLLER	\$ 270.00			

Total of B. - Published Options		\$ 865.00
---------------------------------	--	-----------

C. Ford Factory Published Options

[illegible]

Total of C. - Dealer Published Options	\$ -
--	------

D. Fleet Quote	
-----------------------	--

[illegible]

Total of D. - Off Menu Options		\$ 1,400.00
--------------------------------	--	-------------

F.	Delivery Charges	0 Miles @ \$2.45/mile	\$ -
G.	Option Discounts		\$

G.	Option Discounts	\$ -
H.	Total of A + B + C + D + E = F	\$ 27,350.00

I.	Floor Plan Assistance	\$0.00
----	-----------------------	--------

J.	Lot Insurance Coverages		\$0.00
----	-------------------------	--	--------

K.	Quantity Ordered	1	X F =	\$ 27,350.00
L.	Administrative Fee			\$ -

L.	Administrative Fee	\$	-
M.	Non-Equip Charges & Credits		

N.	TOTAL PURCHASE PRICE INCLUDING ADMIN FEE	\$27,350.00
----	--	-------------

Sam Pack's Five Star Ford
1635 S. IH 35E Carrollton Texas, 75006
(888) 8 FLEET 9 (888-835-3389) - FAX 972-245-5278 - bidtx@spford.com

CUSTOMIZED PRODUCT PRICING SUMMARY BASED ON CONTRACT

Cars and Light Trucks

Team Members -- Kevin Moore - Ruben Santana - Jorge Guerra - Alan Rosner

Contract Name:State of Texas 072-A1 - Texas Smartbuy Contract	Effective 9-1-2017 - 08-31-18
--	--------------------------------------

[illegible][illegible]

Exterior Color /

A.	Bid Series:	<u>872C</u>	Base Price:	<u>\$23,918.00</u>
----	-------------	-------------	-------------	--------------------

B. Published Options (Itemize Each Below)			

Code	Description	Bid Price	Code	Description	Bid Price
446	Automatic	Included			
	Air Conditioning	Included			
	Power Windows	Included			
	Power Locks	Included			
	Speed Control	Included			
	6.2L V-8	Included			
	Spare Tire/Wheel	Included			
	SPRAY IN LINER	\$ 495.00			
	TRAILER BRAKE CONTROLLER	\$ 270.00			

	Total of B. - Published Options	\$ 765.00
--	---------------------------------	-----------

C. Ford Factory Published Options				
--	--	--	--	--

[illegible]

	Total of C. - Dealer Published Options	\$	-
--	--	----	---

D. Fleet Quote				
----------------	--	--	--	--

[illegible]

				Total of D - Off Menu Options	\$ 1,400.00
--	--	--	--	-------------------------------	-------------

F.	Delivery Charges	<u>0 Miles @ \$2.45/mile</u>	\$ -
----	------------------	------------------------------	------

G. Option Discounts	\$ -
H. Total of A, B, C, D, E, F	\$ 1,000,000

H.	Total of A + B + C + D + E = F	\$ 26,083.00
I.	Floor Plan Assistance	\$0.00

I.	Floor Plan Assistance	\$0.00
J.	Lot Insurance Coverages	\$0.00

K.	Quantity Ordered	1	$X F =$	\$ 26,083.00
----	------------------	---	---------	--------------

L.	Administrative Fee	\$ -
----	--------------------	------

M.	Non-Equip Charges & Credits	
----	-----------------------------	--

N.	TOTAL PURCHASE PRICE INCLUDING ADMIN FEE	\$26,083.00
----	--	-------------

VEHICLE AND EQUIPMENT REPLACEMENT FUND					
	FY 2016 Actuals	FY 2017 Adopted	FY 2017 Projected	FY 2018 Proposed	FY 2018 Estimates
Beginning Fund Balance	\$ 419,975	\$ 962,277	\$ 952,703	\$ 1,369,101	\$ 1,433,185
REVENUES					
General Fund Annual Contribution	695,000	533,500	533,500	450,500	450,500
General Fund Catch-up Contribution	371,000	473,500	473,500	-	-
Enterprise Annual Contribution	520,000	357,000	357,000	357,000	357,000
Enterprise Fund Catch-up Contribution	22,000	165,000	165,000	-	-
Proceeds from Capital Lease	-	-	787,670	-	-
Insurance Proceeds					290,723
Total Revenues	1,608,000	1,529,000	2,316,670	807,500	1,098,223
Total Available Resources	2,027,975	2,491,277	3,269,373	2,176,601	2,531,408
EXPENDITURES					
General Fund - Development Services	22,986	25,000	25,000	-	-
General Fund - Fire	40,478	865,272	865,272	98,900	98,900
General Fund - Police	266,229	310,000	310,000	320,000	320,000
General Fund - Parks, Recreation, and Facilities	52,157	55,000	55,000	27,500	79,758
General Fund - Streets and Drainage	251,332	210,000	210,000	-	53,433
General Fund - Information Technology	-	-	-	194,900	194,900
Enterprise Fund - Water and Wastewater	178,026	170,000	170,000	105,000	160,783
Enterprise Fund - Solid Waste	264,064	265,000	265,000	185,000	186,083
Transfers Out	-	-	-	-	-
Total Expenditures	1,075,272	1,900,272	1,900,272	931,300	1,093,857
Current Year Available Resources Over/(Under) Current Expenditures	532,728	(371,272)	416,398	(123,800)	4,366
Ending Fund Balance	\$ 952,703	\$ 591,005	\$ 1,369,101	\$ 1,245,301	\$ 1,437,551

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

FY 2018 Vehicle and Equipment Replacement Fund
Budget to Estimate
December 18, 2017 City Council Meeting

Department	Division	Description	Adopted	Estimated	Variance
General Fund					
Fire	Fire Suppression	Lease Payment-2017 Pumper	\$ 78,000	78,000	-
Fire	n/a	Emergency Handheld Radios	20,900	20,900	-
Police	Patrol	Patrol Car	55,000	55,000	-
Police	Patrol	Patrol Car	55,000	55,000	-
Police	Patrol	Patrol Car	55,000	55,000	-
Police	Command/Assigned	Assigned Vehicles-II	55,000	55,000	-
Police	Animal Control	Animal Control Truck	50,000	50,000	-
Police	n/a	Fingerprint ID System	25,000	25,000	-
Police	n/a	Radio Replacement	25,000	25,000	-
Parks, Recreation, and Facilities	Parks-Maintenance	Pickup Truck	27,500	79,758 *	(52,258)
Information Technology	n/a	Information Technology Equipment	194,900	194,900	-
Streets & Drainage			-	53,433	(53,433)
General Fund Total			641,300	746,991	(105,691)
Enterprise Fund					
Public Works	Water & Wastewater	Pickup Truck	25,000	80,783 *	(55,783)
Public Works	Water & Wastewater	Backhoe	80,000	80,000	
Public Works	Solid Waste	Dump Truck	160,000	160,000	
Public Works	Solid Waste	Pickup Truck	25,000	26,083	(1,083)
Enterprise Fund Total			290,000	346,866	(56,866)
Total All Funds			\$ 931,300	\$ 1,093,857	\$ (162,557)
			\$	-	

Items in Bold are for the 12/18/2017 Agenda Item

* Unbudgeted replacement of flood damaged vehicles.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Optimist Club of Bellaire
P.O. Box 552
Bellaire, Texas 77402



(832) 782-7458
bellaireoptimists@gmail.com

December 14th, 2017

Mayor Friedberg & the Bellaire City Council Members,

The Bellaire Optimist Club has been involved in the Bellaire community since the 1950s. We are a non-profit group that serves to raise money for local youth. Our efforts have helped the Special Olympics, Boy Scouts, & Little League, in addition to providing funds for sports uniforms, clubs, and special school events. Our club awards up to \$10,000 in college scholarships every year for deserving students who show the spirit of volunteerism. Our members also have a long history of helping with city events like the Trolley Run, 4th of July Parade, and Holiday in the Park.

To make all these events possible, we have to raise a substantial amount of money. Our largest fundraiser every year is our Super Bowl Brisket and Rib Cook at Feld Park, here in Bellaire. We usually cook over 150 briskets and 200 racks of ribs over a 48 hour period! To get that done, we need the council's help.

The Bellaire Optimist Club would like to request the use of Feld Park for our annual cook. We will need the curfew suspended in order for us to cook through the night and for us to safeguard our equipment on the property. The dates of the cook are from Friday February 2nd starting at 10:00 am through Sunday February 4th around 3:00 pm. In addition to the ribs and briskets, we will have a softball tournament running on Friday evening through Saturday.

We will also need to close off part of the parking lot to place our cookers, but for the most part, the parking lot will still be available for the public. We appreciate your help and your consideration of our request!

Thanks so much!

Jason Flores
 President

Friend of Youth

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



ORDINANCE NO. 18-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLAIRE, TEXAS, TEMPORARILY SUSPENDING THE APPLICATION OF CHAPTER 27, STREETS, SIDEWALKS AND PUBLIC PLACES, ARTICLE V, PUBLIC PARKS, SECTION 27-95, CURFEW IMPOSED, SUBSECTION (A), OF THE CODE OF ORDINANCES OF THE CITY OF BELLAIRE, TEXAS, FOR THE PURPOSE OF ALLOWING THE OPTIMIST CLUB OF BELLAIRE TO HOST THEIR ANNUAL BBQ FUNDRAISER IN THE PARKING LOT OF FELD PARK, 6406 AVENUE B, BELLAIRE, TEXAS 77401, FROM FRIDAY, FEBRUARY 2, 2018, THROUGH SUNDAY, FEBRUARY 4, 2018.

WHEREAS, the Optimist Club of Bellaire ("Optimists") desire to hold their annual BBQ Fundraiser in the parking lot of Feld Park, 6406 Avenue B, Bellaire, Texas, 77401, from Friday, February 2, 2018, through Sunday, February 4, 2018; and

WHEREAS, in order for the Optimists to monitor the cooking of briskets and ribs overnight during their annual BBQ Fundraiser, the Optimists have, by letter dated December 14, 2017, requested a temporary suspension of the application of Chapter 27, Streets, Sidewalks and Public Places, Article V, Public Parks, Section 27-95, Curfew Imposed, Subsection (a), of the Code of Ordinances of the City of Bellaire, Texas, to extend the curfew in Feld Park, 6406 Avenue B, Bellaire, Texas 77401, from 11:00 p.m. on Friday, February 2, 2018, until 5:00 a.m. on Sunday, February 4, 2018, for said event; **NOW, THEREFORE,**

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

Section 1. The recitals set forth above are true and correct.

Section 2. Chapter 27, Streets, Sidewalks and Other Public Places, Article V, Public Parks, Section 27-95, Curfew Imposed, Subsection (a), of the Code of Ordinances of the City of Bellaire, Texas, is hereby temporarily suspended for the Optimists' annual BBQ Fundraiser to be held in the parking lot of Feld Park, 6406 Avenue B, Bellaire, Texas 77401, from 10:00 a.m. on Friday, February 2, 2018, until 3:00 p.m. on Sunday, February 4, 2018.

Section 3. Said temporary suspension of Chapter 27, Streets, Sidewalks and Other Public Places, Article V, Public Parks, Section 27-95, Curfew Imposed, Subsection (a), of the Code of Ordinances of the City of Bellaire, Texas, shall commence at 11:00 p.m. on Friday, February 2, 2018, in Feld Park, 6406 Avenue B, Bellaire, Texas 77401, and said suspension shall not apply to any other person or activity.

Section 4. Said suspension of Chapter 27, Streets, Sidewalks and Other Public Places, Article V, Public Parks, Section 27-95, Curfew Imposed, Subsection (a), of the Code of Ordinances of the City of Bellaire, Texas, shall terminate at 5:00 a.m. on Sunday, February 4, 2018, in Feld Park, 6406 Avenue B, Bellaire, Texas 77401, at which time said section and chapter of the Code of Ordinances of the City of Bellaire, Texas, shall be fully reinstated as if never suspended.

PASSED, APPROVED, and ADOPTED this, the 22nd 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

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

CITY OF BELLAIRE
STANDARD ZONING REGULATIONS

NOTE: THE BUILDER IS RESPONSIBLE FOR CHECKING FOR DEED RESTRICTIONS

	R-1	R-3	R-4	R-5
MINIMUM LOT AREA	14,000 SQ. FT.	7,400 SQ. FT.	5,000 SQ. FT.	5,000 SQ. FT.
MINIMUM LOT WIDTH	80 FT.	60 FT.	50 FT.	50 FT.
MINIMUM LOT DEPTH	125 FT.	100 FT.	100 FT.	100 FT.
MAXIMUM BUILDING HEIGHT	2 ½ STORIES *****	2 ½ STORIES*****	2 ½ STORIES*****	2 ½ STORIES*****
MINIMUM FLOOR AREA	1,600 SQ. FT.	1,250 SQ. FT.	1,100 SQ. FT.	1,100 SQ. FT.
FRONT YARD SETBACK	50 FT.	30 FT.	25 FT.	25 FT.
SIDE YARD SETBACK Main Structure & Attached Accessory Structure	8 FT.	6 FT. (LOTS <= 90' WIDTH) 8 FT. (LOTS > 90' WIDTH)	5 FT. (LOTS < 70' WIDTH) 6 FT. (LOTS > 70' WIDTH & EQUAL TO OR < 90' WIDTH) 8 FT. (LOTS > 90' WIDTH)	5 FT. (LOTS < 70' WIDTH) 6 FT. (LOTS > 70' WIDTH & EQUAL TO OR < 90' WIDTH) 8 FT. (LOTS > 90' WIDTH)
SIDE YARD SETBACK FOR:				
ARCHITECTURAL FEATURES (BAY WINDOW, ROOF EAVES)**	3 FT.	3 FT.	3 FT.	3 FT.
DETACHED ACCESSORY STRUCTURE***				
CORNER LOT	10' ON SIDE ST.	10' ON SIDE ST.	10' ON SIDE ST.	10' ON SIDE ST.
INTERIOR LOT	3 FT.	3 FT.	3 FT.	3 FT.
DRIVEWAY	2 FT.	2 FT.	2 FT.	2 FT.
REAR YARD SETBACK HOUSE and ATTACHED ACCESSORY STRUCTURE***	10 FT.	10 FT.	10 FT.	10 FT.
DETACHED ACCESSORY STRUCTURE***	5 FT.	5 FT.	5 FT.	5 FT.
MAXIMUM LOT COVERAGE*****	55%	55%	LOTS < OR EQUAL TO 7000 SF : 60% LOTS > THAN 7000 SF: 4200 SF OR 55%	55% 60% on Planned Dev
ON-SITE PARKING PER DWELLING UNIT	2	2	2	2

*Exception – TV antennas 40 ft. & radio communication antennas 60 ft. from top of natural grade

** Fireplaces and Balconies are not architectural features

***Accessory structures include storage buildings, garages, and swimming pools

****Anything placed on a lot: house/garage footprint, driveways, sidewalks, patios, paved decks, (50% wooden decks), storage buildings

*****Maximum ridge height 35'-6" from top of lowest air-conditioned floor – second story top plate maximum 25 ft.

4.2011

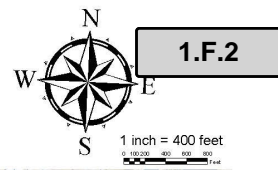
Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



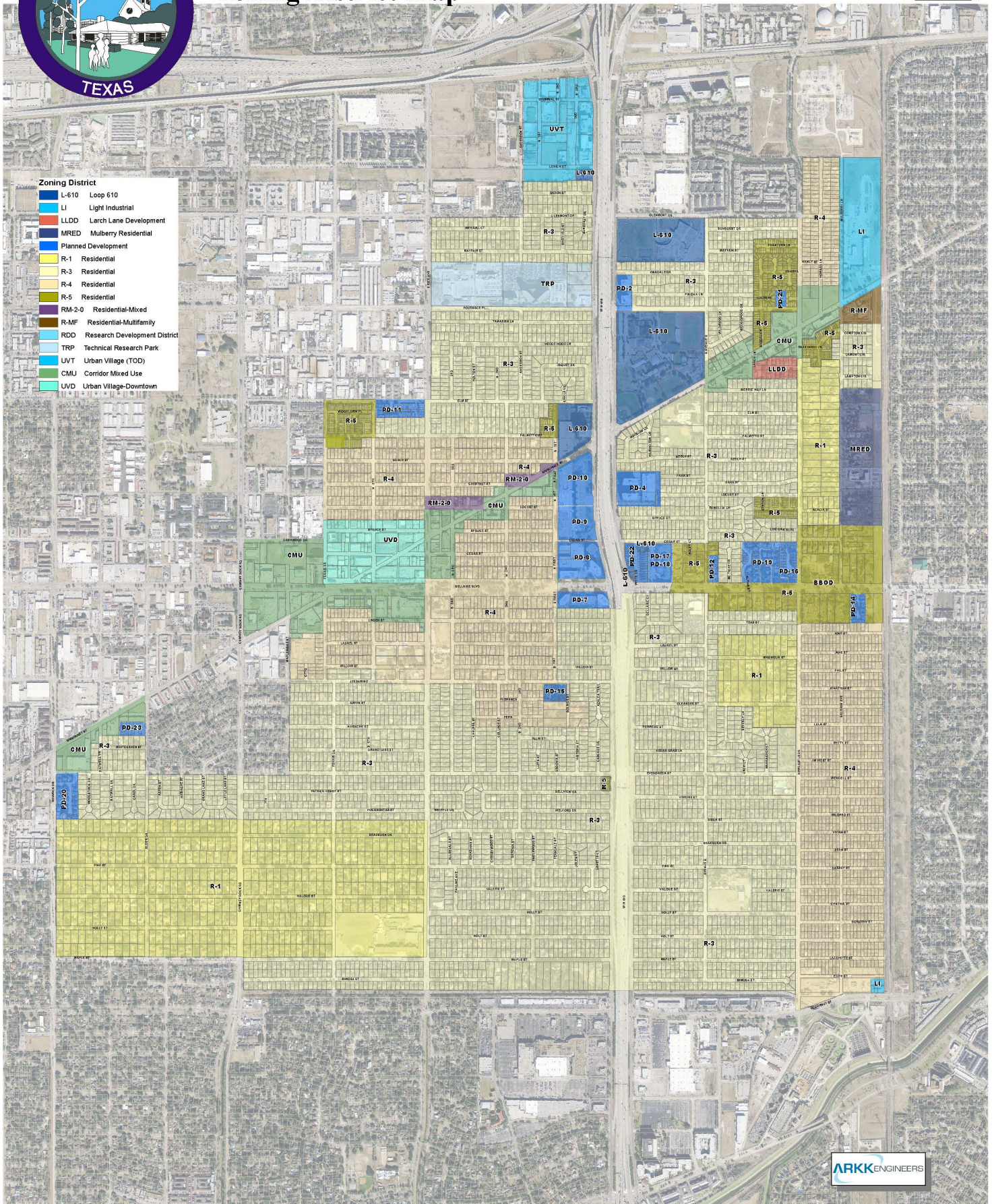
Proposed MAP CHANGE

City of Bellaire, Texas

Zoning District Map



- Zoning District**
- L-610 Loop 610
 - LI Light Industrial
 - LLDD Larch Lane Development
 - MRED Mulberry Residential
 - Planned Development
 - R-1 Residential
 - R-3 Residential
 - R-4 Residential
 - R-5 Residential
 - RM-2-0 Residential-Mixed
 - R-MF Residential-Multifamily
 - RDD Research Development District
 - TRP Technical Research Park
 - UVT Urban Village (TOD)
 - CMU Corridor Mixed Use
 - UVD Urban Village-Downtown



Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

ORDINANCE NO. 18-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLAIRE, TEXAS, AMENDING CHAPTER 24, PLANNING AND ZONING, ARTICLE IV, PLANNING DOCUMENTS AND OFFICIAL ZONING MAP, SECTION 24-403, OFFICIAL ZONING DISTRICT MAP, OF THE CODE OF ORDINANCES OF THE CITY OF BELLAIRE, TEXAS, FOR THE PURPOSE OF REZONING PROPERTIES ADDRESSED AS 5217 AND 5221 PALMETTO STREET FROM R-4 RESIDENTIAL DISTRICT TO R-5 RESIDENTIAL DISTRICT.

WHEREAS, John Parker, executor of the estate of Virginia W. Bohn, owner of the property at 5217 Palmetto Street, for and on behalf of the estate and Johnnie D. Smith, owner of the property at 5221 Palmetto Street, filed an application for an amendment to the Official Zoning District Map to rezone 5217 and 5221 Palmetto Street from the R-4 Residential District to the R-5 Residential District pursuant to Chapter 24, Section 24-603 of the Code of Ordinances of the City of Bellaire, Texas; and

WHEREAS, the Planning and Zoning Commission of the City of Bellaire, Texas ("Planning and Zoning Commission"), did, by memorandum dated November 9, 2018, from Dirk Stiggins, Chairman of the Planning and Zoning Commission, recommend to the City Council of the City of Bellaire, Texas, the amendment of Chapter 24, Planning and Zoning, Article IV, Planning Documents and Official Zoning Map, Section 24-403, Official Zoning District Map, of the City Code, for the purpose of rezoning properties addressed as 5217 and 5221 Palmetto Street from the R-4 Residential District to the R-5 Residential District; and

WHEREAS, the City Council of the City of Bellaire, Texas ("City Council"), after duly giving notice as required by law, held a public hearing on the 18th day of December 2017, at 7:00 p.m. in the Council Chamber, First Floor of City Hall, 7008 South Rice Avenue, Bellaire, Texas 77401, for the purpose of hearing any and all persons desiring to be heard on or in connection with any matter or question involving the amendment of Chapter 24, Planning and Zoning, Article IV, Planning Documents and Official Zoning Map, Section 24-403, Official Zoning District Map, of the City Code, for the purpose of rezoning properties addressed as 5217 and 5221 Palmetto Street from the R-4 Residential District to the R-5 Residential District; and

WHEREAS, the City Council, having duly received the memorandum of recommendation of the Planning and Zoning Commission and having held a public hearing on the proposed amendments included within the recommendation, considered the

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

recommendation at its regular meeting held on the 22nd day of January, 2018; **NOW, THEREFORE,**

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

Section 1. THAT the recitals set forth above are found to be true and correct.

Section 2. THAT the *Code, Chapter 24, Planning and Zoning, Article IV, Planning Documents and Official Zoning Map, Section 24-403, Official Zoning District Map*, is hereby amended for the purpose of updating the map to rezone the properties addressed as 5217 and 5221 Palmetto Street from the R-4 Residential District to the R-5 Residential District. The amended Zoning District Map shall supersede and replace the existing Zoning District Map for all purposes.

Section 3. THAT as soon as practicable, the Official Zoning District Map as maintained in the office of the City Clerk, office of the Zoning Official and office of the Building Official shall be amended as set forth herein.

Section 4. THAT all portions of the *Code, Chapter 24, Planning and Zoning*, not specifically amended hereby shall remain in full force and effect.

Section 5. THAT all ordinances and any parts of ordinances in conflict with this Ordinance are repealed to the extent of the conflict only.

Section 6. 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 other persons or circumstances shall be affected thereby.

Section 7. 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 8. THAT this Ordinance shall be effective immediately upon its passage and adoption.

PASSED, APPROVED and ADOPTED the 22nd day of January, 2018.

Andrew Friedberg, Mayor
City of Bellaire, Texas

ATTEST:

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

APPROVED AS TO FORM:

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

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

City of Bellaire

Written Comment Log January 22, 2018

**Issue: Application to Rezone 5217 and 5221 Palmetto Street
from R-4 Residential District to R-5 Residential District**

- 1) John Parker (December 20, 2017);
- 2) Judith Forbes (January 15, 2018);
- 3) Homeowners of Trenton Place Townhouses (January 17, 2018); and
- 4) Scott J. Davenport, The Davenport Law Firm, P.C. (January 18, 2018).

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

John Parker
5403 Bellaire Blvd.
Bellaire, TX 77401
713-664-1359

December 20, 2017

City Council of Bellaire
City of Bellaire
7008 S. Rice
Bellaire, TX 77401

Dear Ladies and Gentlemen:

I am sending this to respond to the speakers at the December 18, 2017 public hearing concerning the rezoning request for 5217 and 5221 Palmetto. Just to restate, I am not requesting a spot zoning for these properties. I am requesting that the properties be rezoned to the same category as the properties to the North and East of the subject properties. R-5 zoning allows for single family homes with the same building restrictions as R-4. The only difference is the **possibility** for a builder to petition the city for a planned development similar to the properties to the North and East.

I walked away from the meeting with the feeling that there were three objections to this rezoning. Building requirements, flooding, and the beauty of the property. All of these issues would necessarily be under the control of the current building codes, planning and zoning, and council. It is easy for those who do not want change to come forward and oppose it. When I bought my home 42 years ago, there were very few multi-story homes in Bellaire and I did not and do not like that I am currently surrounded by multi-story homes that tower over my back yard, but the trend has been to tear down the bungalows and replace them with larger multi-story homes. It is impossible to build multi-story homes on lots the size of Bellaire properties and have the kind of back yard privacy the speakers would like, but current building codes and zoning allowances allow those structures without variances to the codes.

Two of the speakers from the Beech Street properties were concerned about the building of a multi-story home or town homes on the properties. Both of their properties are the result of tearing down a single-story home and building a multi-story home in its place without regard to the privacy in the back yards of their neighbors. Current building codes allow for properties to be built to heights in excess of 30' and cover 55% of the property. Both of the subject properties are 65+ years old and are not the type of structures that are currently being purchased for residences in Bellaire. The cost to renovate the properties would be excessive and in the end, much smaller than has become the standard on lots of this size in Bellaire. In short, they will be torn down and replaced by the next owners.

Two of the speakers were residents of the town-house development to the north of the properties. They live in homes that were developed when the property was approved for the planned development that is currently in place. Their homes are the result of a previous residence being demolished and redeveloped.

As to the opposition on the basis of the "beauty of the property", I hope the future owners realize the beauty of the property and develop it accordingly, but I have no control over that and we cannot have the property sit vacant (the house at 5217 is uninhabitable) and continue to deteriorate. If these people wish to maintain the property as a "green space" they are more than welcome to make an offer on the property, tear down the house and maintain it for that purpose.

The flooding concern is one that is a problem in most of the Houston area. I know the history of this area of Bellaire concerning flooding from 1949 to the present. Neither of these homes have ever flooded. The city of Bellaire has included requirements in the current building standards to address this issue and

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

currently is studying additional ways to mitigate home flooding. The streets in this part of Bellaire have always done the job they were designed to do, hold excess water that would possibly flood homes during heavy rain periods. Flooded streets are a nuisance, but they serve a purpose and if built and maintained correctly help to alleviate the flooding of the surrounding properties.

Thank you for your consideration of this issue and your service to the City.

Yours Truly

A handwritten signature in black ink, appearing to read "John Parker". The signature is fluid and cursive, with the first name "John" and last name "Parker" clearly distinguishable.

John Parker
Executor of the Estate of Virginia W. Bohn
Resident - 5003 Tamarisk.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



Separator Sheet
Written Comment Log
January 22, 2018

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Tracy Dutton

From: Andrew Friedberg
Sent: Tuesday, January 16, 2018 10:23 AM
To: Tracy Dutton
Subject: Fw: Proposed Re-Zoning of 5217 Palmetto and 5221 Palmetto

From: JUDY FORBES [REDACTED]
Sent: Monday, January 15, 2018 7:03 PM
To: Andrew Friedberg; Michael Fife; Roman Reed; David Montague; Trisha Pollard; Gus Pappas
Subject: Proposed Re-Zoning of 5217 Palmetto and 5221 Palmetto

Honorable Mayor and City Council:

I am a Bellaire homeowner at 6310 Meredith Drive, very close to the properties at 5217 Palmetto Street and 5221 Palmetto. These two properties are the subject of a public hearing for consideration for re-zoning from R4 (single family homes) to R5, which would allow planned development to include townhomes, patio homes and multifamily dwellings. The reason cited for requesting the re-zoning is that a buyer has not yet been found to purchase the single-family property at 5217 Palmetto.

The single family homes on this end of Palmetto have large lots and very old stately trees and provide shade and green space in this part of Bellaire, where there is very little green space and public parks. We also have experienced a significant amount of flooding during recent hurricanes. I do not think that allowing the subdividing of these residential lots for a multi-housing development takes into account the problem of Palmetto Street's flooding. Also, it seems reasonable to me that demand is high for for a single-family home lot in Bellaire, despite what has been said otherwise. I was under the impression that our City governance has, historically, taken a protective stance against removal of large, mature trees. It seems the City would want to protect and preserve the enormous trees at 5217 and 5221 Palmetto. Construction of multi-family dwellings would endanger these huge trees.

I sympathize with the new homeowners on adjacent Beech Street who meticulously planned homes to include some peace and privacy, only to find it threatened because a seller and/or agent wants to re-zone these lots on Palmetto to expedite a sale. I do not see any urgency to completely disrupt the character and peace of our neighborhood. I think it will only open the door for others to attempt to re-zone in other quiet, single family residential streets in Bellaire. Nearby these Palmetto properties, I see folks who are outside in the mornings, afternoons, and evenings – walking, running, pushing baby carriages, exercising their dogs -- just trying to enjoy a little bit of peace, tranquility, and nature in this inner city environment. Please help us preserve this small bit of open space, not only for its shade and aesthetics, but also to help with the flood control that is sorely needed in this neighborhood. Honorable Mayor and Council – please oppose the re-zoning of 5217 and 5221 Palmetto.

Thank you very much.
 Judith Forbes
 6310 Meredith Drive

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



Separator Sheet
Written Comment Log
January 22, 2018

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

January 17, 2018

Andrew Friedberg, Mayor
 Roman Reed, Mayor Pro Tem
 Gus Pappas, Council Member
 Michael Fife, Council Member
 Trisha Pollard, Council Member
 Pat McLaughlin, Council Member
 David, Montague, Council Member
 City of Bellaire
 7008 S. Rice Ave.
 Bellaire, Texas 77401

Via Hand Delivery

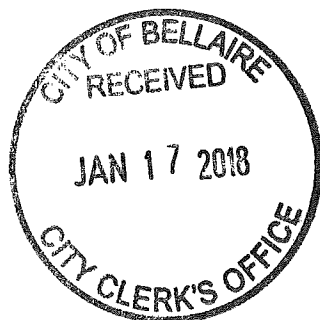
Re: Proposed rezoning application for 5217 and 5221 Palmetto Street

Dear Mr. Mayor and City Council Members

Enclosed please find a written submission in opposition to the requested rezoning of the properties at 5217 and 5221 Palmetto Street. The submission is titled: "Letter of the Undersigned Homeowners of Trenton Place Townhouses in Opposition to the Rezoning of Properties at 5217 and 5221 Palmetto Street from R4 to R5." The submission comprises 7 pages (36 signatures), with the text of the letter on each page followed by one or more signatures of homeowners of Trenton Place Townhouses.

Please consider the enclosed letter when you next take up the request for rezoning of the referred-to properties.

Thank you for your consideration.



Sherri Cooley
 Sherri Cooley
 Homeowner
 5212 Palmetto St.
 Bellaire, Texas 77401
 Trenton Place Townhouses

Enclosure

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Letter of the Undersigned Homeowners of Trenton Place Townhouses in Opposition to the Rezoning of Properties at 5217 and 5221 Palmetto Street from R4 to R5

Trenton Place Townhouses are located across Palmetto Street from the two properties at issue, 5217 and 5221 Palmetto Street. We, the undersigned homeowners of Trenton Place Townhouses, hereby formally advise the City of Bellaire that we vigorously oppose the rezoning of the referred-to Palmetto Street properties for the following reasons:

1. We are deeply concerned about future flooding in the area. Any significant/heavy rains will ultimately lead to some form of flooding since Palmetto Street is higher at the western end of the block where the referred-to properties are located, and the water flows to the east and north towards our townhouse complex. Any conversion of these single-family residences to a planned development including, for example, townhouses or multifamily dwellings, will necessarily increase the square footage of concrete covering the ground, diminishing the area of ground surface that can absorb water and causing further problems of flooding in the area; and

2. The referred-to properties comprise extra-large green spaces with very large, mature trees and much additional greenery. This extraordinary landscape, which is of significant value to the City of Bellaire and certainly to the immediate neighborhood, will be destroyed by allowing an R5-type development to be erected on these properties.

Therefore, we homeowners of Trenton Place Townhouses oppose the request to rezone the properties at 5217 and 5221 Palmetto Street from R4 to R5.

#	Address	Printed Name	Signature	Date
	5212 Palmetto	Sherri Cooley	<i>Sherri Cooley</i>	1/13/18
	5214 Palmetto	Janis Giles	<i>Janis Giles</i>	1/17/18
	5204 Palmetto	Nick + Karen Jamison	<i>Nick Jamison</i>	1/13/18
	5216 Palmetto	Esmeralda + Tim Henderson	<i>E. Henderson</i>	1/13/18
	5206 Palmetto	Eric Williamson	<i>Eric Williamson</i>	1/13/18
	5210 Palmetto	Zhong Zhou + Shijing Qu	<i>Shijing Qu</i>	1/14/18

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Letter of the Undersigned Homeowners of Trenton Place Townhouses in Opposition to the Rezoning of Properties at 5217 and 5221 Palmetto Street from R4 to R5

Trenton Place Townhouses are located across Palmetto Street from the two properties at issue, 5217 and 5221 Palmetto Street. We, the undersigned homeowners of Trenton Place Townhouses, hereby formally advise the City of Bellaire that we vigorously oppose the rezoning of the referred-to Palmetto Street properties for the following reasons:

1. We are deeply concerned about future flooding in the area. Any significant/heavy rains will ultimately lead to some form of flooding since Palmetto Street is higher at the western end of the block where the referred-to properties are located, and the water flows to the east and north towards our townhouse complex. Any conversion of these single-family residences to a planned development including, for example, townhouses or multifamily dwellings, will necessarily increase the square footage of concrete covering the ground, diminishing the area of ground surface that can absorb water and causing further problems of flooding in the area; and

2. The referred-to properties comprise extra-large green spaces with very large, mature trees and much additional greenery. This extraordinary landscape, which is of significant value to the City of Bellaire and certainly to the immediate neighborhood, will be destroyed by allowing an R5-type development to be erected on these properties.

Therefore, we homeowners of Trenton Place Townhouses oppose the request to rezone the properties at 5217 and 5221 Palmetto Street from R4 to R5.

#	Address	Printed Name	Signature	Date
	5208 WOODLAWN PLACE	RICHARD ZAMECKI	<i>Richard Zamecki</i>	Jan. 9, 2018
	5214 Woodlawn Pl.	Sandra J. Lee	<i>Sandra Lee</i>	1-9-18
	5216 WOODLAWN PL.	MARIA HOLI	<i>by My</i>	1-9-18
	5200 Woodlawn Pl	Stephanie DeMAN	<i>Stephanie DeMan</i>	1.9.18
	5210 Woodlawn Pl	Yifei Wan	<i>Yifei</i>	1/11/18
	5212 Woodlawn Pl.	RAJ PRUTHI	<i>Raj Pruthi</i>	1/13/18

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Letter of the Undersigned Homeowners of Trenton Place Townhouses in Opposition to the Rezoning of Properties at 5217 and 5221 Palmetto Street from R4 to R5

Trenton Place Townhouses are located across Palmetto Street from the two properties at issue, 5217 and 5221 Palmetto Street. We, the undersigned homeowners of Trenton Place Townhouses, hereby formally advise the City of Bellaire that we vigorously oppose the rezoning of the referred-to Palmetto Street properties for the following reasons:

1. We are deeply concerned about future flooding in the area. Any significant/heavy rains will ultimately lead to some form of flooding since Palmetto Street is higher at the western end of the block where the referred-to properties are located, and the water flows to the east and north towards our townhouse complex. Any conversion of these single-family residences to a planned development including, for example, townhouses or multifamily dwellings, will necessarily increase the square footage of concrete covering the ground, diminishing the area of ground surface that can absorb water and causing further problems of flooding in the area; and

2. The referred-to properties comprise extra-large green spaces with very large, mature trees and much additional greenery. This extraordinary landscape, which is of significant value to the City of Bellaire and certainly to the immediate neighborhood, will be destroyed by allowing an R5-type development to be erected on these properties.

Therefore, we homeowners of Trenton Place Townhouses oppose the request to rezone the properties at 5217 and 5221 Palmetto Street from R4 to R5.

#	Address	Printed Name	Signature	Date
	5207 Woodlawn	Deborah A Akadi	Odorha Akadi	1/10/18
	5205 Woodlawn	Ann Guggenbuhler Klaus Grunicher	Ann Guggenbuhler Klaus Grunicher	1/10/18 1/10/2018
	5201 Woodlawn	Leland Fraum	Leland Fraum	1-10-2018
	5203 Woodlawn	Jamilla Luckford	J. R. Luckford	1-11-11
	5200 Palmetto	Claude Bitner	Claude Bitner	1-17-18

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

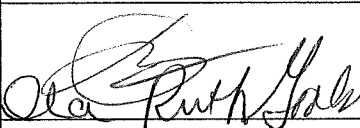
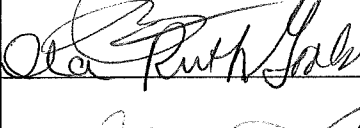
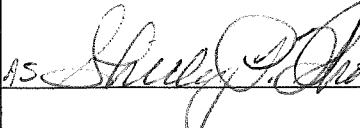
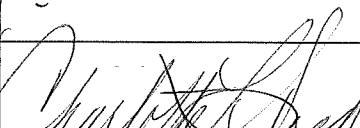
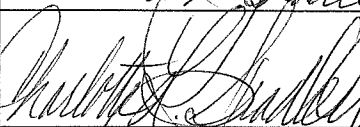
Letter of the Undersigned Homeowners of Trenton Place Townhouses in Opposition to the Rezoning of Properties at 5217 and 5221 Palmetto Street from R4 to R5

Trenton Place Townhouses are located across Palmetto Street from the two properties at issue, 5217 and 5221 Palmetto Street. We, the undersigned homeowners of Trenton Place Townhouses, hereby formally advise the City of Bellaire that we vigorously oppose the rezoning of the referred-to Palmetto Street properties for the following reasons:

1. We are deeply concerned about future flooding in the area. Any significant/heavy rains will ultimately lead to some form of flooding since Palmetto Street is higher at the western end of the block where the referred-to properties are located, and the water flows to the east and north towards our townhouse complex. Any conversion of these single-family residences to a planned development including, for example, townhouses or multifamily dwellings, will necessarily increase the square footage of concrete covering the ground, diminishing the area of ground surface that can absorb water and causing further problems of flooding in the area; and

2. The referred-to properties comprise extra-large green spaces with very large, mature trees and much additional greenery. This extraordinary landscape, which is of significant value to the City of Bellaire and certainly to the immediate neighborhood, will be destroyed by allowing an R5-type development to be erected on these properties.

Therefore, we homeowners of Trenton Place Townhouses oppose the request to rezone the properties at 5217 and 5221 Palmetto Street from R4 to R5.

#	Address	Printed Name	Signature	Date
	5244 Woodlawn	Galina Bychkova		01-08-18
	5224 Woodlawn	Ila Ruth Goolsby		1-9-18
	5233 Woodlawn	Shirley P. Thomas		1-11-18
	5208 Palmetto	Charlotte Spradley		1/14/18
	6300 Meredith	Charlotte Spradley		1/14/18

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Letter of the Undersigned Homeowners of Trenton Place Townhouses in Opposition to the Rezoning of Properties at 5217 and 5221 Palmetto Street from R4 to R5

Trenton Place Townhouses are located across Palmetto Street from the two properties at issue, 5217 and 5221 Palmetto Street. We, the undersigned homeowners of Trenton Place Townhouses, hereby formally advise the City of Bellaire that we vigorously oppose the rezoning of the referred-to Palmetto Street properties for the following reasons:

1. We are deeply concerned about future flooding in the area. Any significant/heavy rains will ultimately lead to some form of flooding since Palmetto Street is higher at the western end of the block where the referred-to properties are located, and the water flows to the east and north towards our townhouse complex. Any conversion of these single-family residences to a planned development including, for example, townhouses or multifamily dwellings, will necessarily increase the square footage of concrete covering the ground, diminishing the area of ground surface that can absorb water and causing further problems of flooding in the area; and

2. The referred-to properties comprise extra-large green spaces with very large, mature trees and much additional greenery. This extraordinary landscape, which is of significant value to the City of Bellaire and certainly to the immediate neighborhood, will be destroyed by allowing an R5-type development to be erected on these properties.

Therefore, we homeowners of Trenton Place Townhouses oppose the request to rezone the properties at 5217 and 5221 Palmetto Street from R4 to R5.

#	Address	Printed Name	Signature	Date
6315	Meredith dr. Bellaire TX	Aynis Rodriguez	Ayn Rodriguez	1/8/2018
6315	6313 Meredith Dr 77401	John Ross	[Signature]	1/10/18
6314	6314 Fessenden St	Senzu Martin	[Signature]	1/10/18
6318	6318 Fessenden St. Bellaire 77401	Cheryl M. Riehl	Cheryl M. Riehl	1/14/18

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Letter of the Undersigned Homeowners of Trenton Place Townhouses in Opposition to the Rezoning of Properties at 5217 and 5221 Palmetto Street from R4 to R5

Trenton Place Townhouses are located across Palmetto Street from the two properties at issue, 5217 and 5221 Palmetto Street. We, the undersigned homeowners of Trenton Place Townhouses, hereby formally advise the City of Bellaire that we vigorously oppose the rezoning of the referred-to Palmetto Street properties for the following reasons:

1. We are deeply concerned about future flooding in the area. Any significant/heavy rains will ultimately lead to some form of flooding since Palmetto Street is higher at the western end of the block where the referred-to properties are located, and the water flows to the east and north towards our townhouse complex. Any conversion of these single-family residences to a planned development including, for example, townhouses or multifamily dwellings, will necessarily increase the square footage of concrete covering the ground, diminishing the area of ground surface that can absorb water and causing further problems of flooding in the area; and

2. The referred-to properties comprise extra-large green spaces with very large, mature trees and much additional greenery. This extraordinary landscape, which is of significant value to the City of Bellaire and certainly to the immediate neighborhood, will be destroyed by allowing an R5-type development to be erected on these properties.

Therefore, we homeowners of Trenton Place Townhouses oppose the request to rezone the properties at 5217 and 5221 Palmetto Street from R4 to R5.

#	Address	Printed Name	Signature	Date
	5215 Woodlawn	Jan Ferrell	<i>Jan Ferrell</i>	1-10-18
	5229 Woodlawn Pl.	^{Nora} Jean Graves	<i>Nora Jean Graves</i>	1-18-18
	5225 Woodlawn	John Meltzer	<i>John Meltzer</i>	1-14-18
	5227 Woodlawn	THERESA DRAGO	<i>Theresa Drago</i>	1-14-18
	5223 Woodlawn	Sloane Gremillion	<i>Sloane Gremillion</i>	1-15-18

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Letter of the Undersigned Homeowners of Trenton Place Townhouses in Opposition to the Rezoning of Properties at 5217 and 5221 Palmetto Street from R4 to R5

Trenton Place Townhouses are located across Palmetto Street from the two properties at issue, 5217 and 5221 Palmetto Street. We, the undersigned homeowners of Trenton Place Townhouses, hereby formally advise the City of Bellaire that we vigorously oppose the rezoning of the referred-to Palmetto Street properties for the following reasons:

1. We are deeply concerned about future flooding in the area. Any significant/heavy rains will ultimately lead to some form of flooding since Palmetto Street is higher at the western end of the block where the referred-to properties are located, and the water flows to the east and north towards our townhouse complex. Any conversion of these single-family residences to a planned development including, for example, townhouses or multifamily dwellings, will necessarily increase the square footage of concrete covering the ground, diminishing the area of ground surface that can absorb water and causing further problems of flooding in the area; and

2. The referred-to properties comprise extra-large green spaces with very large, mature trees and much additional greenery. This extraordinary landscape, which is of significant value to the City of Bellaire and certainly to the immediate neighborhood, will be destroyed by allowing an R5-type development to be erected on these properties.

Therefore, we homeowners of Trenton Place Townhouses oppose the request to rezone the properties at 5217 and 5221 Palmetto Street from R4 to R5.

#	Address	Printed Name	Signature	Date
	6302 Meredith Dr.	ABBY SMITH	<i>Abby Smith</i>	1/13/18
	6312 Meredith Dr.	Dora Pulido	<i>Dora Pulido</i>	1/13/18
	6320 Meredith Drive 77401	Jill Q. Collins	<i>Jill Q. Collins</i>	1/13/18
	6310 Meredith 77401	Judith Forbes	<i>Judith Forbes</i>	1/14/18
	5206 Woodlawn Bellaire 77401	Harriet D. Schubb	<i>H. Schubb</i>	1-14-18

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



Separator Sheet
Written Comment Log
January 22, 2018

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



SCOTT J. DAVENPORT
 Board Certified, Personal Injury Trial Law
 Texas Board of Legal Specialization
 ✉ scottd@davenport-law.com

January 18, 2017

Via Hand Delivery

Andrew Friedberg – Mayor
 Roman Reed – Mayor Pro Tem
 Gus Pappas – Council Member
 Michael Fife – Council Member
 Trisha Pollard – Council Member
 Pat McLaughlan – Council Member
 David Montague – Council Member
 City of Bellaire
 7008 S. Rice Ave.
 Bellaire, TX 74401



Re: Opposition to Proposed rezoning application for 5217 Palmetto and 5221 Palmetto (R4 to R5)

Honorable Mayor Friedberg and City Council Members:

Thank you for the opportunity to come before you during the special session meeting of City Council that occurred on December 18, 2017 for the purposes of holding a public hearing on the application to rezone the above-referenced properties from R4 to R5.

As you heard from myself (representing the 5222/5220 Beech Street Homeowner), the 5218 Beech Homeowner (Mrs. Jingying Lei), the 5214 Beech Homeowner (Mr. Ruben Rosof), and various neighboring Trenton Place Townhouse owners, we vigorously oppose the rezoning of the two Palmetto properties referenced-above.

During that city council meeting, I submitted to you a real estate expert report from Trend Setter Realty, LLC, which listed out the numerous reasons why we opposed the rezoning of the Palmetto properties. A courtesy copy is attached hereto. In particular, my client and his family are very concerned that the economic damage to their property in the way of reduced market value is significant and should not be ignored. We are concerned that during the course of the hearing and the prior proceedings, the only positions heard and were considered are the Palmetto property owners. Please keep in mind the Palmetto property owners have only one intention, to sell the property and no longer reside in the area. Once they are gone, the new property owner is

2009 Lubbock Street ♦ Houston, Texas 77007 ♦ Telephone: 713.963.4898 ♦ Telecopier: 713.963.4899

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

free to build whatever property they so choose, so long as it complies with the various zoning and building regulations for the City of Bellaire. Meanwhile, the Beech Street property owners plan on being there for a very long time and will be stuck with this completely different home structure immediately behind their properties.

As we tried to express, this is not what my clients bargained for or considered when they purchased the property and built their beautiful home valued at over \$1mm. Similarly, the other Beech Street homeowners feel the same way. This transient property owner should not be allowed to rezone the property for purposes of selling it to a developer for the sole purpose of putting up a multi-family unit property. As discussed in the attached Final Realtor Report, this will devalue the property, and it will cause significant privacy issues in a negative manner to the Beech Street homeowners.

You also heard other reasons from the other homeowners as to why they vigorously opposed this rezoning. We even heard from multiple townhome owners and their opposition to the request to rezone the Palmetto properties.

For your consideration, I am enclosing again the Final Realtor Report together with the photographs that we submitted of my client (5222/5220 Beech Street Homeowner) property showing the current single-family residence property immediately behind it. The homeowners at 5218 Beech Street, 5216 Beech Street, 5214 Beech Street, and 5212 Beech all join in this objection for the same and/or similar reasons to the rezoning application for the Palmetto properties. Trenton Place Townhouse Association has also submitted their written opposition comments, joined by almost 40 households from the townhomes opposing the rezoning of the two Palmetto properties.

I will also remind you that the 5221 Palmetto homeowners have shown no interest in selling their property. The house is not on the market for sale, and has never (in recent history) been on the market according to HAR listings. So there can be no determination of any potential economic loss by these homeowners as they have made no efforts to sell the property and apparently have no intentions to sell. Further, given they are not listing the property for sale at this time, there is no basis for re-zoning of the property.

And as you will see in our attached realtor report, converting the 2 properties in question to townhomes will actually lower the price per s.f obtainable for these 2 Palmetto properties significantly. The applicant's argument that they are suffering from a diminished economic rights is simply not true. Moreover, having the townhomes directly behind the Beech homeowner's property will negatively affect the value of the Beech homeowner's property. Beech homeowners purchased their lots with the expectation of privacy and the fact that here was a single-family lot behind them. They erected the appropriate fence to create their privacy. Having a much larger, multi-family property directly behind their house/property will result in a loss of that privacy for this family, and thus a loss in market value for the property.

Please file this written opposition with the City records. Please consider the Beech homeowners position and harm to them, this evidence, and all other submitted evidence when making your decision. Please contact me if you need any further information.

Sincerely,

THE DAVENPORT LAW FIRM, P.C.

/s/ Scott J. Davenport

Scott J. Davenport

SJD/mm

Enclosures: Trendsetter Realtor Report
Photographs

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



TREND SETTER REALTY, LLC
7211 Regency Square Blvd., Suite 154
Houston, Texas 77036
Tel: (713) 333-7206
Fax: (713) 333-7205

Pavnuty Abraham
Tel: (713) 542-7200
Fax: (713) 333-7205
noutymax@gmail.com

December 15, 2017

To whom it may concern:

My name is Nouty Abraham. I am a licensed real estate agent in the State of Texas.

I am very familiar with property sales and valuations in the City of Bellaire and in particular, the area around Beech St./Ferris St./Palmetto St. I was the realtor who helped home owners in February 2015 purchase the lots located at 5222 Beech and 5220 Beech ("Beech homeowners"). They are in the final stages of completing the construction of their beautiful new home on those lots. Behind their property are the 2 Palmetto lots in question. One of the most appealing factors for these properties was the privacy afforded these lots given the location and the surrounding neighbors and having single-family houses behind their lots:



Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

July 20, 2009
Memorandum
Page 2

As seen below, the homeowners are also building a beautiful custom pool on the lot surrounded by an 8 ft fence for privacy. The roof of the 5221 Palmetto lot can be seen from the pool and backyard:



I am aware of the efforts by the property owners of 5217 and 5221 Palmetto Street to re-zone the 2 lots to support R-5 Residential Zoning District for the purpose of building townhomes on the lots. The reasons for the applicants gave for the request to re-zone are:

1. The Palmetto Property owners "economic rights are diminished by being restricted to single family dwellings"
2. Reverting to original re-zoning "will re-establish economic value"
3. They are having a hard time selling the 5217 Palmetto property.

The Beech homeowners oppose such a re-zoning and assert there are no legitimate or acceptable reasons to re-zone because:

1. The 2 proposed Palmetto lots would be converted to multi-family residential properties/townhomes.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

July 20, 2009
Memorandum
Page 3

2. Beech homeowners purchased their lots with the expectation of privacy and a single family lot behind them. Having a multi-family property directly behind their house/property will result in a loss of privacy.
3. Beech homeowners will suffer diminished economic value of their property if the 2 Palmetto lots are re-zoned to allow multi-family properties/townhomes.

ANALYSIS

5221 Palmetto

The property is a lovely residential house on a large lot, and has been owned and occupied by the Smith family since January 1988 - almost 30 years:



This house sits directly behind the Beech home owners property. You can see the picture below from the pool view and the only visible sight is the 5221 Palmetto roof, behind the fence erected by Beech property home owners:

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

July 20, 2009
Memorandum
Page 4



I personally spoke with the 5221 Palmetto homeowners several months ago about their desire to sell the house. They told me they were not interested in selling the house at that time. The house is not on the market for sale, and has never (in recent history) been on the market according to HAR listings. So there can be no determination of any potential economic loss by these homeowners as they have made no efforts to sell the property and apparently have no intentions to sell. Further, given they are not listing the property for sale at this time, there is no basis for re-zoning of the property.

5217 Palmetto

Clearly, the 5217 Palmetto lot owner intends to sell the property to a developer. They will tear down the existing home and convert the property to a multi-family residential properties/townhomes.

There is no evidence or analysis that the property has or will suffer a diminished economic value. Taking a longer time to sell the property is

Currently, the 5217 Palmetto property is valued on HCAD at \$522,000. It is listed on HAR for a sales price of \$550,000. This amounts to a sales price of approximately \$272 per s.f. In reviewing the property sales in the area for the past year or so for similar properties, this \$272 per s.f. is in the range of valuation. My research shows that the price per square foot for a valuation of residential homes in the area ranges from \$272-\$292 whereas a townhome sale is approximately \$161-203 price per s.f. This is roughly a 25%-40% reduced value for the townhome sales.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

July 20, 2009
Memorandum
Page 5

Converting the 2 properties in question to townhomes will actually lower the price per s.f obtainable for these 2 Palmetto properties significantly. Their argument that they are suffering from a diminished economic rights is simply not true.

Moreover, having the townhomes directly behind the Beech homeowners property will negatively affect the value of the Beech homeowners property. Beech homeowners purchased their lots with the expectation of privacy and the fact that here was a single family lot behind them. They erected the appropriate fence to create their privacy. Having a much larger, multi-family property directly behind their house/property will result in a loss of that privacy for this family, and thus a loss in market value for the property.

Sincerely,

DocuSigned by:

Pavnuty Abraham



F48BDF60D84E44B...

Pavnuty Abraham

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)









ORDINANCE NO. 18-____

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 BETWEEN OWNER AND CONTRACTOR WITH KNIGHT SECURITY SYSTEMS, IN A FORM AS ATTACHED HERETO AND MARKED EXHIBIT "A," FOR THE PROVISION OF CLOSED CIRCUIT TELEVISION AND ACCESS CONTROL SYSTEM INSTALLATION SERVICES FOR THE MUNICIPAL FACILITIES PROJECT IN THE AMOUNT OF \$301,206.63.

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

THAT the Mayor and the City Clerk of the City of Bellaire, Texas, are each hereby authorized to execute and attest, respectively, for and on behalf of the City of Bellaire, Texas, a Contract and Standard Form of Agreement between Owner and Contractor, with Knight Security Systems, in a form as attached hereto and marked as Exhibit "A", for the provision of Closed Circuit Television and Access Control Systems for the Municipal Facilities Project in the amount of \$301,206.63. **PASSED** and **APPROVED** this 22th day of January, 2018.

(SEAL)

ATTEST:

SIGNED:

Tracy L. Dutton, TRMC
City Clerk

Andrew S. Friedberg
Mayor

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

APPROVED AS TO FORM:

Alan P. Petrov
City Attorney

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

STANDARD FORM OF AGREEMENT

STATE OF TEXAS §
 §
 COUNTY OF HARRIS §

This **AGREEMENT** is made and entered into this _____ day of _____, 20____, by and between the **CITY OF BELLAIRE, TEXAS**, of the County of Harris and State of Texas, duly incorporated and existing under and by virtue of the Constitution and laws of the State of Texas, acting by and through the undersigned Mayor, as attested to by the City Clerk of the **CITY OF BELLAIRE, TEXAS**, thereunto duly authorized to do so, hereinafter referred to as "**CITY**," and Knight Security Systems, a limited liability corporation, duly [incorporated, existing, etc.] in the County of _____ and State of _____, hereinafter referred to as "**CONTRACTOR**."

WITNESSETH:

That for and in consideration of the payments and agreements hereinafter mentioned, to be made and performed by the **CITY**, the **CONTRACTOR** hereby agrees with the **CITY** to commence and complete the project described as follows:

Installation of Closed Circuit Television and Access Control Systems in the
 Municipal Facilities Project, including the City Hall / Civic Center, and the
 Police / Court Buildings.

All work of every kind or nature necessary to complete said project [or provide said services], under the terms as stated in the **CONTRACTOR'S PROPOSAL** in accordance with the conditions and costs stated in the **CONTRACTOR'S PROPOSAL**

attached hereto and marked "Attachment A" all of which are made a part hereof, collectively evidence and constitute the entire **Contract**.

The **CITY** agrees to pay the **CONTRACTOR** in current funds for the performance of the **Contract** in accordance with the **CONTRACTOR'S PROPOSAL** submitted therefore which forms a part of this **Contract** and to make payment on account thereof as provided therein.

The undersigned person executing this **Contract** and all other documents executed simultaneously herewith, does certify and attest that he or she is executing the same in his or her capacity as herein stated as an officer of said [corporation, limited liability corporation, partnership, sole proprietorship, etc.].

IN WITNESS WHEREOF, the Mayor of the **CITY OF BELLAIRE, TEXAS**, as attested to by the City Clerk of the **CITY OF BELLAIRE, TEXAS**, hereunto, have executed this **AGREEMENT** in the year and date first above written, under the authority granted to them under the provisions of Ordinance No. 18-_____, an Ordinance duly enacted by the City Council of the **CITY OF BELLAIRE, TEXAS**.

CITY OF BELLAIRE, TEXAS

Andrew Friedberg
Mayor

Date

ATTEST:

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

Date

APPROVED AS TO FORM:

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

Date

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

IN WITNESS WHEREOF, the **CONTRACTOR**, whose name is hereinafter set out, does certify and attest that he has executed this **AGREEMENT** in his capacity as herein stated, for and on behalf of said [corporation, limited liability corporation, partnership, sole proprietorship, etc.], and that he or she has the authority to do so.

NAME OF CONTRACTOR

Signed

Printed Name

Title

Name of Contractor

Date

Attest:

Signed

Printed Name

Title

Date

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

**Guided by our Core Values: Honor, Integrity, and Service,
We are Knight Security Systems.**

Knight Security Systems has built its reputation over three decades as one of the country's leading providers of security system solutions. With over 5,000 systems installed since 1983, Knight Security Systems has assisted our clients in reducing internal and external loss, legal liability, employee liability, increasing productivity, safety compliance, customer satisfaction and bottom line profits.

Early on, we knew we needed to arm our employees with core values to guide them on making decisions on your premises. They utilize the concept of *Honor Integrity, and Service* to ensure we are meeting our obligations and doing the "right thing" regardless of legal contracts.

Our staff is comprised of licensed professional engineers, systems technical professionals and IT network security specialists. Knight and its staff holds many industry certifications including Texas Department of Insurance's NICET fire license, Texas Department of Public Safety's Private Security Bureau License, as well as Cisco CCNA and CCDA certifications. We also employ technicians that are certified specialists for the manufacturers that we represent.

For our state, local municipality and School District customers, we partner with premier buying cooperatives such as DIR, HGACBuy, GSA and Choice Partners. This ensures that pricing is pre-negotiated and may allow you to speed up your buying process by avoiding time consuming bid processes.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Client Initials: _____

OUR SERVICES

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Client Initials: _____

Solutions

Access Control Systems

Where data loss prevention begins.

Controlling who comes in and out of your building is your first line of defense; don't let it go unsecured. Our access control systems provide a vital layer to safeguard company assets at all times.

Video Surveillance & Monitoring Systems

Minimize risk and gain important business intelligence.

The ability to view live and recorded video in and around your facility is critical in today's world. Whether you are watching live video on a video wall or using recorded video for after-event forensics, video surveillance systems are no longer a luxury, but a necessity. With our video solutions, access your camera in-house or remotely.

Intrusion Detection & Monitoring Systems

Alerting you at the first sign of a breach.

We have highly customized intrusion detection systems, Knight monitoring services and more, all built to alert you at the first sign of a breach.

Because of our security solutions, our clients have been secured from break-ins for over three decades, seeing not only a significant drop in crime, but a boost to their bottom-line by saving on physical security services and breach recovery costs.

Fire Detection Systems

Protect your assets at the earliest sign of a fire.

There are no second chances when it comes to protecting your business from fire. That's why Knight Security Systems works to exceed the performance standards established by the State of Texas, Underwriters Laboratories (U.L.), the National Institute for Certification of Engineering Technologies (NICET) and the National Fire Protection Association (NFPA) for automatic fire detection systems. Our code-compliant systems are practical, reliable, durable and interface directly with your buildings built-in sprinkler systems.

Perimeter Protection Systems

With various technologies, our aim is to detect an intruder when they first enter your property but long before they reach critical buildings or assets. Think of it as an early warning system that complements other security systems and provides added protection.

Services

SecurePlan

Client Initials: _____

In security, there are no second chances.

A crisis is no time to discover system errors. That's why it's critical to have **SecurePlan™** by Knight Security Systems. It's an exclusive program designed to scale to your growing security needs and ensure maximum uptime in a cost-effective manner.

SecurePlan™ is superior to any warranty because it keeps you one step ahead of your needs. Starting with identification, we remediate risks before they become an issue.

Never Again Wonder If Your Security System is Functional

With our enhanced monitoring capabilities, we can alert you of potential failures before they happen. Rest assured that video surveillance system is operating as designed to protect your employees and company from security risks and possible false accusations.

Our SecurePlanHealth™ service agreement ensures a stable and active IT infrastructure for your organization, so you can have peace of mind.

Prerequisites: Must have remote connectivity to Knight's secure Customer Support Center. Security systems to be monitored must be of a manufacturer supported by Knight. For a list of full administrative rules, contact our sales team.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Client Initials: _____

CLIENT INFORMATION

Customer Name: City of Bellaire

Site:

City of Bellaire
5110 Jessamine Street
Bellaire, TX 77401

Billing:

City of Bellaire
5110 Jessamine Street Bellaire, TX
77401

Contact:

Paul Hofmann
(713) 662-8132

(

Project Scope of Work

DIR-TSO-3430

Knight Security Systems (KSS) will provide and install S2 NetBox 128-RM Extreme Access Control, S2 NetVR 125 video system and Intercom System, included mobile access for the access control and video systems. System installation includes hardware, system licenses, programming, and configuration unless otherwise stated. This proposal has been created using drawings and the spirit of the specifications dated 2-27-17 including Addendum -5 dated 3-23-17 only. Deviation and Exception to the specification have been taken. No workstations for video and access control are shown on the drawings - as such none are included in this proposal.

Per Plans & Spec's, Access Control and Video Head-end equipment will be located in the Police Station but under the above schedule we (KSS) will have to temporally locate all equipment in City Hall. Knight understands that this is what is necessary to facilitate schedule. The buildings will be done concurrently per scope versus per schedule.

Access Control System

KSS will furnish and install the following:

Nine-three portals of Access Control / Card Reader Control

- Eight control panel
- Eight lock power supply
- Each single / double door will have the following installed:
 - One card reader
 - One door position sensor
 - One request-to-exit motion sensor (Provide by GC)
 - Electrified locking hardware (Provide by GC)
 - Detention keypads are included as a part of the access control system.
- Initial programming will include:
 - o Door enrollment into one main access level and time schedule
 - o Two system user levels
 - o Three time schedules
 - o One access level for Police Station and City Hall
 - o Seven holiday days

Door fit and finish provided by General Contractor or hardware trade. KSS cannot provide services to correct alignment issues and will not modify doors, frames, or hardware for the purpose of correct operation of the door. Each device will include the necessary mounting hardware, license and one year manufacturer software license support.

Video Surveillance System

KSS will furnish and install the following:

- One hundred sixteen IP cameras
- One network video recorder (NVR)

Client Initials: _____

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

- Pole mounted cameras must be provided with conduit and pole penetrations by others.
- Initial programming will included:
 - o Enrolling the cameras and setting up basic motion detection
 - o One administrative account
 - o One view only account

Each device will include the necessary mounting hardware, license and one year manufacturer software license support.

Intercom System

KSS will furnish and install the following:

- One stand alone IP video intercom system
- Seventeen stand alone voice intercom

Video intercom system will be stand alone units and will not be integrated in anyway with the access control system, video management system or between themselves.

Network Switches

KSS will furnish and install the following:

- KSS will provide 8 PoE+ Layer 2 switches and patch panels. Total PoE Ports 192.

Customer Provided Items

- Electronic drawing files of the plans and approval of device layout
- Individual logins for personnel at each location for each system
- Assigning different schedules and access levels to the access control doors
- Fiber optic transmission devices.
- Network racks and wire pathways.
- Rack space and un-interruptible power supply in the MDF room for rack mount units
- Wall space and 3/4" plywood backboard for wall mount units
- Network configurations for connection of devices to Customer's network
- 120VAC by a certified electrician for all security devices where needed
- Exterior and fire partition penetrations where needed
- Installation of conduit with a pull string to security devices where needed
- A dry contact connection from the fire system for fire drop out

Finance

Purchaser hereby agrees to pay KSS the following terms:

The Customer is required to pay every invoice in full within 30 days of receiving the invoice.

Project Milestones and Invoicing Procedures

- An initial investment of 50% of the total project for mobilization is due and payable within 15 days of authorizing Knight's Customer Service Agreement (CSA)
- The remaining balance is due and payable in monthly progress payments based upon material delivered or work completed

Refer to the CSA sections 2A, 2B, and 2C.

Any changes from the base price will be adjusted with approved change orders from the Customer. The as-built plans will be submitted along with the final submittal package to the Customer.

Client Initials: _____

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Engineering

KSS shall provide system design and operational documentation to ensure proper installation and efficient servicing of the system. KSS will provide submittal plans that will show where each device is located at each site. The submittal plans will also include a system matrix, which includes the schedule of each device and the programming setup into the security system software.

Cabling & Wiring

KSS will be responsible to install all the wiring and connections providing communication and/or control between KSS supplied devices and central control equipment. All wires will be dressed in a neat and professional manner. KSS is providing cabling for access control, cabling for cameras will be provided by structured cable provider.

KSS will not provide any conduit or trenching required to reach each device. It is the Customer's responsibility to provide a pathway for all wiring required for each device. KSS is not responsible for any existing wiring being used. A quote will be provided to the Customer for any wiring that is found to be unusable

Field Devices

KSS will provide all necessary devices and hardware included on the equipment list attached. The devices on the security plans will be installed and programmed into the system according to the system matrix.

KSS is not responsible for any existing devices being reused. If any existing devices are found to be unusable then a quote will be provided to the Customer to replace the device. KSS is not responsible for any damages done from the existing devices being removed. The Customer is responsible to patch and repair any damages done from existing devices removed.

Programming

KSS trained personnel will program the security system to provide a functioning operational system. KSS will support Customer programming personnel and set up remote field panels consistent with manufacturer standards. KSS will program each device according to the system matrix provided in the security plans. If any additional programming or special programming outside the system matrix is needed then an approved change order from the Customer is required. Customer to furnish IP addressing scheme for all devices requiring an IP address on the network. KSS will provide a list of devices that need IP addresses to the Customer. Customer will need to provide internet access.

Rental Equipment

Lift rental is not included in this proposal and shall be provided by the Customer if required.

Testing

KSS will perform acceptance testing in the presence of the appointed Customer representative to ensure proper operation and communication of all integrated systems. A test sheet with a check list for each device will be provided by KSS and signed by the Customer representative upon successful completion of a system acceptance test. The final system test report will be sent to all parties.

A punch list detailing items requiring a follow up that is within this scope of work will be created. KSS will correct the punch list items in a mutually agreed upon time. If the Customer wants something changed after the test sheet has been signed then additional charges will be applied.

Upon system acceptance, a KSS job completion form shall be signed and sent to all parties. It is the Customer's responsibility to ensure proper periodic testing per the manufacturer's recommendation.

Training

KSS will provide training for one combined end user training session. The individuals for the system training session will be determined by the Customer. All training for the above mentioned systems to follow the manufacturer guidelines for Customer training. This training will be provided for administrators and users for each system. KSS will provide 8 hours of training for Access Control and 8 hours of training for Video Management System. Please note that additional training hours can be purchased for \$139.50 per hour.

Client Initials: _____

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Training will include upgrade implementation, system administration, end-user, and reports. The training will be classroom style and will include manuals, training material, and hands on training.

Standard Proposal Notes:

- This proposal will follow the guidelines stated in our DIR contracts Standard Terms and Conditions.
- This proposal will follow the guidelines stated in the Customer Service Agreement.
- This proposal is valid for 60 days. After the 60 days the quote is no longer valid and a new quote needs to be regenerated and prices may vary.
- A standard 1 year warranty applies on all newly installed equipment. A system health monitoring will be included with the 1 year warranty if consent form is signed and returned.
- Final Location of all equipment to be approved by owner prior to start of installation.
- Work provided by KSS is assumed to be continuous, unhindered and without the need for escorts. Additional costs will be incurred if work is slowed by denial or delay of access to the work areas without three days' notice, or if escorts are required at any time. Any cessation of work by the customer or delays in the project construction schedule will result in additional mobilization and project management charges.
- The quantities of materials noted above scope of work are intended to be descriptive. Should there be any discrepancy between the scope of work and the equipment list, the equipment list will supersede the scope of work stated above.
- All work will be done following federal, state, and local laws and requirements for the above scope of work.

Knight Security Systems Excludes the Following:

- All 120 VAC connections are to be performed by customer or customer's designated licensed Electrical contractor.
- Fire alarm interface, cabling, connection, input/output, testing and certification.
- Any city or other governmental permits, not associated with this scope of work, required for the use and operation of the system.
- Access to device location, penetrations, required access panels for concealed areas.
- If not stated above wire mold, conduit, trenching, wireless devices or aerial cabling necessary to connect any remote locations or gates, computer workstations to operate the system, and network equipment to provided power and data communication for devices.
- Overtime required due to schedule revisions, work stoppages, delays caused by others, or circumstances beyond Knight Security Systems control.
- Final terminations and connections to equipment other than provided by Knight Security Systems.
- Any trade installation that Knight Security Systems is not licensed to perform.
- Painting, patching or landscaping required as a result of the installation of equipment associated with this scope of work.
- Technical assistance or the setup of the customer's network for connection to the security control systems. The customer is required to provide static IP addresses and support personnel for assistance in setting up the network connections.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Client Initials: _____

Project Investment

Head End - Access Control \$10,463.20

QTY	Manufacturer	Part #	Description	Unit Price	Ext. Price
1	S2	DIR-S2-EXT-128-RM	S2 NetBox Extreme Controller w/ 128 portal license	\$5,064.30	\$5,064.30
1	S2	DIR-S2-MNP	S2 MICRONODE PLUS 2 reader inputs, 4 supervised in	\$957.55	\$957.55
1	KSS Open Market	DIR-KSS-kit	Install Kit Cost will vary per config.	\$421.29	\$421.29
4	DMP	DIR-365	12 VDC Lead-Acid Battery (9.0 Ah) (DIR)	\$29.08	\$116.32

Other Charges for: Head End - Access Control

QTY	Description	Ext. Price
1.00	Dir-Discount Install Labor	\$-1,230.76

Equipment Subtotal: \$6,559.46
 Other Charges SubTotal: (\$1,230.76)
 Misc. Items Subtotal: \$5,134.50
Access Control SubTotal: \$10,463.20

Head End - Video \$51,582.22

QTY	Manufacturer	Part #	Description	Unit Price	Ext. Price
1	KSS Open Market	DIR-KSS-kit	Install Kit Cost will vary per config.	\$1,927.95	\$1,927.95
1	Samsung	DIR-506635	3D Joystick Controller, 2 Line Text LCD Display, B	\$480.92	\$480.92
3	S2	DIR-S2-NETVR125	1U rack mount IP video server includes rail kit. N	\$7,716.22	\$23,148.66
6	S2	DIR-S2-NETVR-8TB-HDD	8TB STORAGE HARD DRIVE	\$878.88	\$5,273.28
116	S2	DIR-S2-VR-1C	SINGLE IP CAMERA LICENSE	\$147.50	\$17,110.00

Other Charges for: Head End - Video

QTY	Description	Ext. Price
1.00	Dir-Discount Install Labor	\$-1,077.29

Equipment Subtotal: \$47,940.81
 Other Charges SubTotal: (\$1,077.29)
 Misc. Items Subtotal: \$4,718.70
Video SubTotal: \$51,582.22

Police Station - Access Control \$70,193.03

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Client Initials: _____

Police Station - Access Control**\$70,193.03**

QTY	Manufacturer	Part #	Description	Unit Price	Ext. Price
1	Aiphone	PS2420UL	24VDC 2AMP UL POWER SUPPLY	\$138.13	\$138.13
1	Windy City Wire	727110VNB	18-02 UNS STR DB TC Quad	\$254.76	\$254.76
1	Windy City Wire	714410VNB	18-06 OAS STR DB TC Quad	\$630.95	\$630.95
1	Knight Security Systems	DIR-KSS-PROJKIT	DIR- Project Install Kit	\$1,835.16	\$1,835.16
2	Windy City Wire	442351-01	18-06 OAS STR CMP Red Stp	\$346.43	\$692.86
3	S2	DIR-S2-NN-E2R-WM	S2 Network Node with 2 readers (4 inputs/4 outputs)	\$1,568.46	\$4,705.38
18	Windy City Wire	4461030-500	4 Elem Comp Cable CMP Ylw Jkt	\$347.51	\$6,255.18
31	DMP	DIR-1076C	1 Door Contact (DIR)	\$13.42	\$416.02
40	HID	DIR-HIC-920PTNNEK00000	ICLASS SE R40 CONTACTLESS SMT CARD READER,WALL SW	\$212.39	\$8,495.60
46	Bosch IFAS	DIR-DS160	PIR REQUEST TO EXIT SENSOR WITH SOUNDER GRAY (DIR)	\$55.67	\$2,560.82
3	LifeSafety Power, Inc.	DIR-ISCAN150-16P	150W network managed power system 12A/12V or 6A/24	\$775.32	\$2,325.96
3	TrippLite	DIR-P005-006-BL	Tripp Lite 6ft Heavy Duty Power Cord 14AWG 15A 100	\$21.09	\$63.27
6	HID	DIR-HIC-921PTNTEK00000	RPK40 MULTICLASS SE READER W/ KEYPAD,PROX,WIEG,TEF	\$365.15	\$2,190.90
12	DMP	DIR-365	12 VDC Lead-Acid Battery (9.0 Ah) (DIR)	\$29.08	\$348.96
16	RCI	990E-MO28	EXIT BUTTON OVERSIZE TAMP REST MOMENTARY EXIT (2-S	\$75.89	\$1,214.24
18	S2	DIR-S2-ACM	Access control application extension blade: 2 read	\$499.06	\$8,983.08

Other Charges for: Police Station - Access Control

QTY	Description	Ext. Price
1.00	Dir-Discount Install Labor	\$-17,002.29

Equipment Subtotal: \$41,111.27
 Other Charges SubTotal: (\$17,002.29)
 Misc. Items Subtotal: \$46,084.05
Access Control SubTotal: \$70,193.03

Police Station - Video**\$79,336.26**

QTY	Manufacturer	Part #	Description	Unit Price	Ext. Price
1	Samsung	DIR-SNF-8010VM	Network Vandal Fisheye Dome Camera, 5MP 20fps, Ful	\$581.25	\$581.25
1	Samsung	SBP-300HM5	Small Cap Adapter (Aluminum), Accessory for 5MP Fi	\$26.25	\$26.25
1	Altronix	ALT-AL400ULPD8	8 Output Power Supply/Charger - 12VDC @ 4 amp or 2	\$164.71	\$164.71
1	Windy City Wire	425102	22-02 UNS STR PVC Blu Stp	\$66.42	\$66.42
1	Knight Security Systems	DIR-KSS-PROJKIT	DIR- Project Install Kit	\$1,348.81	\$1,348.81
2	Samsung	PNM-9020V	Network IR Vandal Outdoor Multi-sensor Dome Camera	\$1,800.00	\$3,600.00
6	Zyxel	DIR-GS2200-24P	GS2200-24P - 24-Port Gigabit POE + 4 Dual Personal	\$799.23	\$4,795.38
8	OPTEX	MTN-SX360Z	OPTEX 60' 360 MOTION CEILING MOUNT	\$96.17	\$769.36
18	AXIS	DIR-498574	T8353B MICROPHONE PHANTOM PWR	\$352.82	\$6,350.76
22	Samsung	DIR-SBP-300WM1	Wall Mount Accessory, (SCP-3430H/2430H, SCP-3370TH	\$43.77	\$962.94
85	Samsung	DIR-SNV-6013	WiseNet III Network Compact Dome Camera, 2MP 1080p	\$221.09	\$18,792.65
92	TrippLite	DIR-N201-002-BL	Cat6 Gigabit Blue Snagless Patch Cable - 2' (DIR)	\$3.84	\$353.28

Other Charges for: Police Station - Video

QTY	Description	Ext. Price
1.00	TOOLS - Install	\$1,500.00
1.00	TOOLS - Install	\$1,200.00
1.00	Dir-Discount Install Labor	\$-21,572.75

Equipment Subtotal: \$37,811.81
 Other Charges SubTotal: (\$18,872.75)
 Misc. Items Subtotal: \$60,397.20
Video SubTotal: \$79,336.26

Client Initials: _____

Police Station - Intercom **\$22,054.52**

QTY	Manufacturer	Part #	Description	Unit Price	Ext. Price
1	Knight Security Systems	DIR-KSS-PROJKIT	DIR- Project Install Kit	\$892.54	\$892.54
1	Knight Security Systems	DIR-KSS-PROJKIT	DIR- Project Install Kit	\$892.54	\$892.54
1	Knight Security Systems	DIR-KSS-PROJKIT	DIR- Project Install Kit	\$892.54	\$892.54
1	Aiphone	DIR-JKS-IPEF	IP VIDEO ENTRY INTERCOM KIT (JKWIP,JK1MED,JKDVF,	\$1,264.10	\$1,264.10
1	Viking	DIR-VE-5X10PNL	VE5X10 ENCLOSURE WITH BLANK PANEL (DIR)	\$163.41	\$163.41
1	Viking	DIR-VE-GNP	GOOSE NECK PEDESTAL (DIR)	\$168.89	\$168.89
2	Aiphone	DIR-AIP-82220250C	2 CONDUCTOR, 22AWG, OVERALL SHIELD, 500 FEET	\$63.39	\$126.78
12	Aiphone	AIP-RY24L	FORM C DOOR RELEASE RELAY 24V DC INPUT	\$14.51	\$174.12
15	Windy City Wire	007960	14-02 UNS STR CL3P Wht Jkt	\$305.84	\$4,587.60
17	Aiphone	DIR-LEM-1DLS	ACCESS SENTRY SET LEM-1DL/LE-D/PT-1210	\$131.65	\$2,238.05
17	Aiphone	DIR-LE-SS-1G	FLUSH MOUNT 1-GANG SUB STATION (DIR)	\$98.74	\$1,678.58

Other Charges for: Police Station - Intercom

QTY	Description	Ext. Price
1.00	Dir-Discount Install Labor	\$-5,250.93

Equipment Subtotal: \$13,079.15
Other Charges SubTotal: (\$5,250.93)
Misc. Items Subtotal: \$14,226.30
Intercom SubTotal: \$22,054.52

City Hall - Access Control **\$41,246.08**

QTY	Manufacturer	Part #	Description	Unit Price	Ext. Price
1	Knight Security Systems	DIR-KSS-PROJKIT	DIR- Project Install Kit	\$1,040.14	\$1,040.14
2	LifeSafety Power, Inc.	DIR-ISCAN150-16P	150W network managed power system 12A/12V or 6A/24	\$775.32	\$1,550.64
2	RCI	990E-MO28	EXIT BUTTON OVERSIZE TAMP REST MOMENTARY EXIT (2-S	\$75.89	\$151.78
2	TrippLite	DIR-P005-006-BL	Tripp Lite 6ft Heavy Duty Power Cord 14AWG 15A 100	\$21.09	\$42.18
3	S2	DIR-S2-NN-E2R-WM	S2 Network Node with 2 readers (4 inputs/4 outputs	\$1,568.46	\$4,705.38
8	DMP	DIR-365	12 VDC Lead-Acid Battery (9.0 Ah) (DIR)	\$29.08	\$232.64
11	Windy City Wire	4461030-500	4 Elem Comp Cable CMP Ylw Jkt	\$347.51	\$3,822.61
12	S2	DIR-S2-ACM	Access control application extension blade: 2 read	\$499.06	\$5,988.72
25	HID	DIR-HIC-920PTNNEK000001	ICLASS SE R40 CONTACTLESS SMT CARD READER,WALL SW	\$212.39	\$5,309.75
25	Bosch IFAS	DIR-DS160	PIR REQUEST TO EXIT SENSOR WITH SOUNDER GRAY (DIR)	\$55.67	\$1,391.75
34	DMP	DIR-1076C	1 Door Contact (DIR)	\$13.42	\$456.28

Other Charges for: City Hall - Access Control

QTY	Description	Ext. Price
1.00	Dir-Discount Install Labor	\$-9,684.84

Equipment Subtotal: \$24,691.87
Other Charges SubTotal: (\$9,684.84)
Misc. Items Subtotal: \$26,239.05
Access Control SubTotal: \$41,246.08

City Hall - Video **\$26,331.32**

Client Initials: _____

City Hall - Video **\$26,331.32**

QTY	Manufacturer	Part #	Description	Unit Price	Ext. Price
1	Knight Security Systems	DIR-KSS-PROJKIT	DIR- Project Install Kit	\$300.00	\$300.00
2	Zyxel	DIR-GS2200-24P	GS2200-24P - 24-Port Gigabit POE + 4 Dual Personal	\$799.23	\$1,598.46
13	Samsung	DIR-SBP-300WM1	Wall Mount Accessory, (SCP-3430H/2430H, SCP-3370TH	\$43.77	\$569.01
28	Samsung	DIR-SNV-6013	WiseNet III Network Compact Dome Camera, 2MP 1080p	\$221.09	\$6,190.52
33	TrippLite	DIR-N201-002-BL	Cat6 Gigabit Blue Snagless Patch Cable - 2' (DIR)	\$3.84	\$126.72

Other Charges for: City Hall - Video

QTY	Description	Ext. Price
1.00	Dir-Discount Install Labor	\$-9,890.79

Equipment Subtotal:	\$8,784.71
Other Charges SubTotal:	(\$9,890.79)
Misc. Items Subtotal:	\$27,437.40
Video SubTotal:	\$26,331.32

Financial Summary

Total Equipment:	\$179,979.08
Total Other Charges:	(\$63,009.65)
Total Miscellaneous Items:	\$184,237.20
Total Proposal Amount:	\$301,206.63

Sales tax, if applicable, is not included on this proposal and will be added to the total upon invoicing.

SecurePlan™ Options

Three Year Agreement	Annual Pricing	Annual Pricing (with tax)
SecurePlan Health	\$7,984.90	\$7,984.90
SecurePlan	\$45,913.20	\$45,913.20
SecurePlan24	\$65,875.46	\$65,875.46

Five Year Agreement	Annual Pricing	Annual Pricing (with tax)
SecurePlan Health	\$7,247.10	\$7,247.10
SecurePlan	\$41,670.82	\$41,670.82
SecurePlan24	\$59,788.57	\$59,788.57

SecurePlan includes 1 system inspection(s) annually.

SecurePlan Benefits:

- All plans include system health monitoring (with customer consent)
- Priority Dispatch with GUARANTEED Same Day Service if the service call is placed before noon on a regular business day. SecurePlan24 provides 4 hour response, 24 hrs/day, all year!
- Labor and travel cost during normal business hours is included.
- 10% discount on labor rates (Not applicable to DIR)
- Device repair or replacement for normal wear and tear.
- System software upgrades and license fees included.
- Free Loaner Equipment.
- Annual Functional Tests.

Client Initials: _____

TERMS & CONDITIONS

PROJECT ACCEPTANCE

I have read the **General Terms and Conditions** of the sale, understand them fully, and agree to abide by them. I have also read and understand the payment terms as set forth in the **Customer's Responsibilities** section of the agreement as well as the **Schedule of Equipment** as listed.

I hereby certify that I am authorized by my company to sign this agreement. Knight Security Systems is hereby authorized to perform the work as specified.

Accepted By: Knight Security Systems
Name: Thomas Whitten

Signature: _____

Title: _____

Date: _____

Accepted By: City of Bellaire
Name: Paul Hofmann

Signature: _____

Title: _____

Date: _____

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

Client Initials: _____

Municipal Facilities Infrastructure Cabling Solution Scope of Work

Prepared for: The City of Bellaire

Prepared by: Mollie Dobersek



Presented on: 1/3/2018

Version 6.0

DIR Number DIR-TSO-3702

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



DIR-TSO-3702

The City of Bellaire Cabling SOW

1.0 Project Price

This is a fixed price contract based on the criteria and assumptions in this document.

Uniprise Project Price:

City Hall Cost (Includes Demarc Extension):	\$ 69,535.00
PD Cost (Includes Demarc Extension):	\$ 80,170.00
Site Work (Fiber) Cost:	\$ 41,415.00

Total Project Cost: **\$ 191,120.00**

Assumptions & Exclusions

- Pricing in this quotation is based on work being performed during Normal Working Hours.
- Price DOES NOT include any cabling services other than what is outlined in the Scope of Work.
- The UPS and PDU for the MDF and IDF Locations are to be provided and installed by others.
- All active hardware for the MDF and IDF Locations is to be provided and installed by others.
- All cores, conduit, sleeves, back boxes, floor boxes, power poles, NEMA Enclosures, pull boxes and pull string will be provided and installed by others.
- All cabling and/or active gear for the Security system will be provided and installed by others, unless otherwise noted in this Scope of Work.
- All cabling and/or active components for the AV system will be provided and installed by others, unless otherwise noted in this Scope of Work.
- All cabling and/or active gear for the CATV system, i.e. taps, splitters, amplifiers, etc., will be provided and installed by others, unless otherwise noted in this Scope of Work.
- Space will be provided for onsite storage of tools, equipment, and materials for the duration of the project at no cost to DataVox
- Space will be provided for receipt of project equipment at installation sites
- Security of project material and equipment, after it is delivered and installed on the customers' premises becomes the responsibility of the customer.
- Customer will provide adequate workspace for the DataVox project team while they are onsite at the Customer's facility.
- Customer will provide DataVox personnel with access, keys, and/or escorts to perform the work in a timely and cost effective manner. Any delays in the progress of the work will be billed back to The City of Bellaire.
- Customer will appoint a representative to act as a single point of contact for the DataVox onsite foreman or personnel. The Customer representative will have the authority to execute written change-orders upon mutual agreement of both parties.
- Pay a 15% restocking fee on all returned items
- Price assumes that this project will be under prevailing wage restrictions.
- Price Does not include Wireless Access Point Devices.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



DIR-TSO-3702

The City of Bellaire Cabling SOW

Pricing based on the information provided in the following documentation:

- Division 271000; Network Cabling Scope of Work;
- Division 27 00 00, Issue for Bid Specifications; Dated 02/2017
- Division 27 10 00, Structured Cabling System (SCS); Dated 02/2017
- RFP, Attachment A, Project Specific Scope of Work and Instructions; Dated 02/2017
- RFP, Attachment B, Material List; Dated 02/2017

- T0.01; Technology/Security Notes and Legend; Dated 02/27/2017
- T1.01; Technology Site Plan; Dated 03/17/2017
- T1.201; City Hall/Civic Center Technology Plan-Level 1; Dated 03/13/2017
- T1.202; City Hall/Civic Center Technology Plan-Level 2; Dated 03/13/2017
- T2.201; Police/Municipal Courts Technology Plan-Level 1; Dated 03/13/2017
- T2.202; Police/Municipal Courts Technology Plan-Level 2; Dated 03/13/2017
- T3.01; Technology/Camera Schedule; Dated 03/17/2017
- TD1.301; City Hall/Civic Center Technology Detail; Dated 02/27/2017
- TD2.301; Police/Municipal Courts Technology Detail; Dated 02/27/2017
- TD4.01; Technology Detail-Rack Elevations; Dated 02/27/2017
- TP5.01; Overall Power and Data Plan / FFE Plan; Dated 03/13/2017
- TY1.201; City Hall/Civic Center Security Plan-Level 1; Dated 02/27/2017
- TY1.202; City Hall/Civic Center Security Plan-Level 2; Dated 02/27/2017
- TY2.201; Police/Municipal Courts Security Plan-Level 1; Dated 02/27/2017
- TY2.202; Police/Municipal Courts Security Plan-Level 2; Dated 02/27/2017

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



DIR-TSO-3702

The City of Bellaire Cabling SOW

2.0 Description of Services

This section describes the cabling services that DataVox will provide the Customer. DataVox will provide and install a structured cabling system within the Customer's facility as part of this SOW.

2.1 Pathway's and Spaces

This section describes the Pathway's and spaces that DataVox will provide and install.

J-Hooks:

- Cabling pathways for horizontal cabling will be routed in the ceiling, with all-thread and j-hooks.
- Cable pathway bundles will be supported utilizing 4", 2" and 1 1/4" j-hooks.
- All appropriate support hardware will be provided and installed
- Any firewalls penetrated for cabling purposes will be resealed with a proper fire rated sealant

2.2 Horizontal Distribution Systems

This section describes the horizontal distribution systems that DataVox will provide and install.

Cable Types:

Site Cabling:

- Provide and install (5) OSP rated, Category 6 cable segments with Lightning Protection.
 - Each outlet will consist of (5) Category 6, copper cable segments to (1) Location at the Water Tower.

City Hall Building:

Level 1:

- Provide and install (70) Plenum rated, Category 6 cable segments.
 - Each outlet will consist of (1) Category 6, copper cable segment to (39) Wall Locations.
 - Each outlet will consist of (1) Category 6, copper cable segment to (4) Floor Locations.
 - Each outlet will consist of (1) Category 6, copper cable segment to (15) Wireless Access Point Locations.
 - Each outlet will consist of (2) Category 6, copper cable segments to (5) Floor Locations.
 - Each outlet will consist of (2) Category 6, copper cable segments to (1) FACP Location.
- All horizontal cables will consist of Systimax 2071E, plenum rated, 4 pair, UTP copper cables terminated on 48-port patch panels in the MDF location.
- Modular jacks color will be as outlined in the RFP, Division 271000, Section 1.3, Sub-section A.
- Cable Color will be as outlined in the RFP, Division 271000, Section 1.3, Sub-section A.
- Faceplates color will be White.

Level 2:

- Provide and install (49) Plenum rated, Category 6 cable segments.
 - Each outlet will consist of (1) Category 6, copper cable segment to (1) Wall Phone Location.



DIR-TSO-3702

The City of Bellaire Cabling SOW

- Each outlet will consist of (1) Category 6, copper cable segment to (5) Wireless Access Point Locations.
- Each outlet will consist of (1) Category 6, copper cable segment to (1) Elevator Control Room Location.
- Each outlet will consist of (1) Category 6, copper cable segment to (25) Wall Locations.
- Each outlet will consist of (2) Category 6, copper cable segments to (1) BAS Location.
- Each outlet will consist of (2) Category 6, copper cable segments to (1) FACP Location.
- Each outlet will consist of (2) Category 6, copper cable segments to (1) Security Panel Location.
- Each outlet will consist of (2) Category 6, copper cable segments to (1) Access Control Panel Location.
- Each outlet will consist of (3) Category 6, copper cable segments to (3) Floor Locations.
- All horizontal cables will consist of Systimax 2071E, plenum rated, 4 pair, UTP copper cables terminated on 48-port patch panels in the MDF location.
- Modular jacks color will be as outlined in the RFP, Division 271000, Section 1.3, Sub-section A.
- Cable Color will be as outlined in the RFP, Division 271000, Section 1.3, Sub-section A.
- Faceplates color will be White.

Police Department Building:

Level 1:

- Provide and install (147) Plenum rated, Category 6 cable segments.
 - Each outlet will consist of (1) Category 6, copper cable segment to (12) Wireless Access Point Locations.
 - Each outlet will consist of (1) Category 6, copper cable segment to (1) Elevator
 - Each outlet will consist of (2) Category 6, copper cable segments to (38) Wall Locations.
 - Each outlet will consist of (2) Category 6, copper cable segments to (7) Modular Furniture Locations.
 - Each outlet will consist of (2) Category 6, copper cable segments to (1) Floor Location.
 - Each outlet will consist of (2) Category 6, copper cable segments to (2) BAS Locations.
 - Each outlet will consist of (2) Category 6, copper cable segments to (1) FACP Location.
 - Each outlet will consist of (3) Category 6, copper cable segments to (1) Wall Location.
 - Each outlet will consist of (3) Category 6, copper cable segments to (4) Modular Furniture Locations.
 - Each outlet will consist of (3) Category 6, copper cable segments to (4) Floor Locations.
 - Each outlet will consist of (4) Category 6, copper cable segments to (1) Modular Furniture Location.
 - Each outlet will consist of (5) Category 6, copper cable segments to (1) Floor Location.
- All horizontal cables will consist of Systimax 2071E, plenum rated, 4 pair, UTP copper cables terminated on 48-port patch panels in the MDF location.
- Modular jacks color will be as outlined in the RFP, Division 271000, Section 1.3, Sub-section A.
- Cable Color will be as outlined in the RFP, Division 271000, Section 1.3, Sub-section A.
- Faceplates color will be Stainless Steel.

Level 2:

- Provide and install (92) Plenum rated, Category 6 cable segments.
 - Each outlet will consist of (1) Category 6, copper cable segment to (1) Wall Phone Location.
 - Each outlet will consist of (1) Category 6, copper cable segment to (1) Wall Location.



DIR-TSO-3702

The City of Bellaire Cabling SOW

- Each outlet will consist of (1) Category 6, copper cable segment to (6) Wireless Access Point Locations.
- Each outlet will consist of (2) Category 6, copper cable segments to (20) Wall Locations.
- Each outlet will consist of (2) Category 6, copper cable segments to (1) BAS Location.
- Each outlet will consist of (2) Category 6, copper cable segments to (1) Security Panel Location.
- Each outlet will consist of (2) Category 6, copper cable segments to (1) Access Control Panel Location.
- Each outlet will consist of (3) Category 6, copper cable segments to (1) Wall Location.
- Each outlet will consist of (3) Category 6, copper cable segments to (6) Table Locations.
- Each outlet will consist of (4) Category 6, copper cable segments to (3) Wall Locations.
- Each outlet will consist of (5) Category 6, copper cable segments to (1) Floor Location.
- All horizontal cables will consist of Systimax 2071E, plenum rated, 4 pair, UTP copper cables terminated on 48-port patch panels in the MDF location.
- Modular jacks color will be as outlined in the RFP, Division 271000, Section 1.3, Sub-section A.
- Cable Color will be as outlined in the RFP, Division 271000, Section 1.3, Sub-section A.
- Faceplates color will be Stainless Steel.

Terminate, test, and label all cable segments

2.3 Telecommunications Closet Hardware

This section describes the telecommunications closet hardware that DataVox will provide and install.

Provide and install:

City Hall Building (Server Room 1206):

- (3) Commscope, 760082560, 4-post equipment racks
- (3) 360 Evolve, Modular, 48-port flat panels (WAO)
- (1) 360 Evolve, Modular, 24-port flat panel (WAP)
- (1) Grounding Bus-Bar 4 x 12
- 12" Ladder tray and associated support hardware

Police Department Building (Server Room 2208):

- (4) Commscope, 760082560, 4-post equipment racks
- (5) 360 Evolve, Modular, 48-port flat panels (WAO)
- (1) 360 Evolve, Modular, 24-port flat panel (WAP)
- (1) Grounding Bus-Bar 4 x 12
- 12" Ladder tray and associated support hardware

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



DIR-TSO-3702

The City of Bellaire Cabling SOW

2.4 Fiber Backbone Cabling Hardware

This section describes the fiber optic backbone cabling that DataVox will provide and install. After installation, DataVox will terminate and test all fiber optic cable segments.

Provide and Install:

- (1) 12-strand, 50um, **OM4**, Indoor/Outdoor, Plenum rated, Armored fiber optic cable segment from the MDF in the City Hall Building to the MDF in the Police Department Building.
- (1) 12-strand, **SM**, Indoor/Outdoor, Plenum rated, Armored fiber optic cable segment from the MDF in the City Hall Building to the MDF in the Police Department Building.
- Cut and re-route (1) existing Single-mode Fiber Optic cable segment from the Traffic Signal as shown on Drawing T1.01.
- (1) 4RU Fiber Optic Enclosure in the MDF Location of the City Hall Building.
- (1) 4RU Fiber Optic Enclosure in the MDF Location of the Police Department Building.
- (6) SYSTIMAX 360 Distribution Panel 12 LC TeraSPEED® Blue iPatch Ready
- (6) SYSTIMAX 360 Distribution Panel 12 LC LazrSPEED® Aqua iPatch Ready
- Remove the Existing Fiber Optic Cabling as noted on Drawing T1.01.
- All Fiber Terminations will be LC

2.5 Copper Backbone Cabling

This section describes the Copper Backbone cabling that DataVox will provide and install. After installation, DataVox will terminate and test all of the cable segments.

- (2) Category 5e, plenum rated, 25 pair cable segments from the Demarcation Point in the City Hall Building to the MDF in the City Hall Building.
- (2) Category 5e, plenum rated, 25 pair cable segments from the Demarcation Point in the Police Department Building to the MDF in the Police Department Building.
- (1) Wall Mount, patch panel bracket in the Demarcation Point Location; total of (2).
- (1) 360 Evolve, Modular, 48-port flat panel in the Demarcation Point Locations; total of (2).
- (1) 360 Evolve, Modular, 48-port flat panel in the MDF Location in the City Hall Building.
- (1) 360 Evolve, Modular, 48-port flat panel in the MDF Location in the Police Department Building.

2.6 Patch Cords

DataVox will provide the patch cords as outlined below, color to be determined by Customer.

Provide and install:

City Hall Building:

- (119) 10ft, Category 6 patch cords for the work area outlets.
- (48) 5ft, Category 6 patch cords for the MDF/IDF.
- (71) 7ft, Category 6 patch cords for the MDF/IDF.

Police Department Building:

- (239) 10ft, Category 6 patch cords for the work area outlets.
- (96) 5ft, Category 6 patch cords for the MDF/IDF.
- (143) 7ft, Category 6 patch cords for the MDF/IDF.



DIR-TSO-3702

The City of Bellaire Cabling SOW

3.0 Baseline Responsibilities

This section provides a general list of DataVox and Customer responsibilities that are common to many services described in this Scope of Work.

3.1 DataVox Responsibilities

This section lists DataVox responsibilities per this SOW.

- Installation will comply with the Building Industry Consulting Services International (BICSI) standards
- Coordinate labeling scheme with the Customer
- Provide and install the patch cords as outlined in this SOW.
- Test and Balance the CATV System hardware.
- Label all racks, patch panels, and work area outlets with a mechanically generated labeling device.

3.2 Testing

DataVox will use Fluke DTX testing equipment. DataVox will provide a permanent link test on each 4-pr. Copper cable segment installed as described in this SOW.

3.3 Project Deliverables

As part of this SOW, DataVox will provide the Customer with project wrap-up documentation, such as:

- As-Built document noting all cable locations.
- O&M Manuals
- Test results

IN WITNESS WHEREOF, the duly authorized representatives of the parties hereto have caused this service agreement to be duly executed.	
The City of Bellaire	
Point of Contact Name:	
Point of Contact Signature:	
Date:	



DIR-TSO-3702

The City of Bellaire Cabling SOW

This document defines the terms and conditions that shall govern the execution of all scope of work.

1. Changes

The Customer may, by written notice to DataVox, make changes within the general scope of this SOW, in any one or more of the following: (a) drawings, designs, or specifications; (b) project schedule, or (c) scope of services.

Should any such changes increase the cost of or the time required for the performance of this SOW, an equitable adjustment may be requested by DataVox in the price, project schedule or both. Every claim must be accompanied by a detailed estimate of charges for materials, services, or both. Nothing contained in this section shall relieve DataVox from proceeding without delay in the performance of the services as changed. Any change to this SOW shall be made by written amendment signed by both parties.

Changes that will impact the scheduling of project resources must be submitted to DataVox at least two (2) weeks prior to the scheduled event. Failure to provide timely notification of a change in schedule that will cause a rescheduling of project resources WILL incur additional charges (For example, if a Customer cancels a scheduled DataVox project activity less than two (2) weeks before the scheduled event, the Customer will be billed at the prevailing rate for the time the DataVox resources were scheduled to perform the activities.).

2. Software Defect Resolution

DataVox shall use its best commercial efforts to troubleshoot software issues that may arise during the project. If a software issue is determined to be a software defect (previously documented or newly discovered), resolution of said issue is expressly outside of the scope of work. Issues of this kind do not constitute a valid reason for non-payment in full. It is the responsibility of the customer and software manufacturer to resolve the issue. Should the Customer want DataVox to be involved in the process to downgrade, update, upgrade and/or test software releases, the Customer may authorize the out of scope expenses using the standard project change request process.

3. Creation of a Security Interest

Until such a time as Customer had paid the agreed purchase price, DataVox hereby retains and Customer hereby grants a purchase money security interest in the described equipment. In connection therewith, Customer agrees to execute all instruments (including financing statements) deemed necessary by DataVox under applicable law to establish, maintain and continue perfected purchase money security interest of DataVox in the equipment or otherwise protect its rights in and to said equipment.

4. Limitation and Exclusion of Warranties

Except as otherwise provided herein, DataVox hereby warrants the described equipment against defective parts from the date of installation for the period specified by the manufacturer; and warrants that the installation of said equipment shall be performed in a workmanlike manner. Customer acknowledges that DataVox may provide products and services manufactured or provided by others. DataVox makes no independent warranty with respect to such products and services provided by third parties. Customer acknowledges and agrees that DataVox shall have no responsibility or liability for products or services manufactured or provided by any third party. Subject to payment by Customer of all amounts due under this Agreement, DataVox hereby transfers any transferable warranties from the manufacturers of products and services provided under this Agreement. Customer's exclusive remedy under these warranties shall be the



DIR-TSO-3702

The City of Bellaire Cabling SOW

repair and replacement by DataVox at the expense of DataVox of non-conforming equipment or parts thereof with reasonably equivalent equipment or parts; unless, however, the equipment or any part thereof is damaged or rendered unserviceable as a result of Customer's negligence, abuse, mishandling, attempting to connect the equipment to direct current, or damaged by lightning or acts of God in any of which case or cases, DataVox shall have no obligation to Customer.

DataVox recommends that all DataVox installed systems be equipped with battery backups. If the Customer disregards this recommendation; and a failure is directly attributed to not having a battery backup, such service as may be required will be billed for time and materials.

THIS WARRANTY IS THE ONLY WARRANTY GIVEN BY DATAVOX, AND ALL OTHER WARRANTIES, EXPRESS OR IMPLIED ARE EXCLUDED, INCLUDING ANY IMPLIED WARRANTY OF MERCHANTABILITY OR ANY IMPLIED WARRANTY OF FITNESS FOR A PARTICULAR PURPOSE. THERE ARE NO WARRANTIES THAT EXTEND BEYOND THE FACE HEREOF.

Voice and data transmission are provided by third parties, such as a telephone company or over the internet. Accordingly, DataVox cannot warrant that such transmission will always be available or will be of acceptable quality. In particular, if Customer elects to use the Voice over Internet Protocol (VoIP) to transmit voice over the internet, Customer may experience (i) transmission that is not of uniform, reliable or acceptable quality; (ii) inability to connect directly to emergency and "911" services; and (iii) inability to connect to directory and operator assistance. Customer should be aware that VoIP service is not regulated by the Federal Communications Commission (FCC) and the FCC does not provide certain consumer safeguards that are available in the traditional telephone environment.

Only DataVox may perform service or maintenance on equipment covered by this warranty. IT IS EXPRESSLY AGREED AND UNDERSTOOD THAT THIS WARRANTY WILL BE NULL AND VOID IF ANY PERSON OTHER THAN A DATAVOX EMPLOYEE PERFORMS ANY SERVICE OR MAINTENANCE WORK ON THE EQUIPMENT COVERED BY THIS WARRANTY. In such event, DataVox shall have no further obligation or liability under this warranty.

5. Waiver, Amendment, Notice, Termination

Any waiver of rights hereunder or any amendment or requirement of notice of termination hereof shall not be effective unless made in writing and signed by the party against whom such waiver, amendment, notice or termination is sought to be enforced.

6. Risk of Loss; Non-Performance by Telephone Company and Others

Upon installation of the Equipment, Customer shall bear the risk of loss regardless of any breach by DataVox of any provisions hereof. Although DataVox, Inc. will or may assist Customer by coordinating initiation or transfer of service through telephone companies or other third parties, Customer assumes all risk of non-performance, including untimely or otherwise improper performance, of any such third parties; DataVox, Inc. and its employees assume no responsibility for any failings of these third parties or their service and equipment. With regard to VOICE MAIL systems, if any, Customer further assumes all risk of malfunction and deficient or substandard performance caused by third party telecommunication transmission equipment, lines and systems, including pay phones, cellular phones and long distance services; DataVox, Inc. and its employees assume no responsibility for any failings of these third parties or their service and equipment.

7. Limitations of Liability

In no event will either party be liable or responsible to the other for any type of incidental, exemplary, special, punitive, indirect or consequential damages, including, but not limited to, lost revenue, lost profits,



DIR-TSO-3702

The City of Bellaire Cabling SOW

replacement goods, loss of technology, rights or services, loss of data, or interruption or loss of use of service or equipment, even if advised of the possibility of such damages, whether arising under theory of contract, tort (including negligence), strict liability or otherwise. Further, no cause of action which accrued more than two (2) years prior to the filing of a suit alleging such cause of action may be asserted against DataVox.

8. Virus Protection

Customer agrees and understands it is Customer's responsibility to install and run an antivirus program on all workstations and servers at/or prior to installation. Customer agrees to take whatever steps Customer deems appropriate to ensure there is adequate and up to date virus protection on all workstations and servers. Customer expressly agrees that DataVox, Inc. shall have no liability for the loss of any such data, downtime or other damage caused by a computer virus.

9. Data Back-up

Customer agrees to take whatever steps Customer deems appropriate to ensure there are adequate, up to date back-ups made of all data on any computer, server, hard drive, or other storage device of Customer. In the event of failure, it is expressly understood that DataVox will restore the most recent back-up for systems covered under warranty or maintenance. Any additional programming due to out of date database will not be covered under warranty or maintenance and will be billed on an hourly basis. Customer expressly agrees that DataVox shall have no liability for the loss of any such data, which may occur during or after the installation process, or for any consequential damage resulting from any such loss of data.

10. Tax Obligation

Customer will pay promptly when due all taxes, assessments and other charges levied or assessed by any governments or governmental agency upon the sale of the described equipment.

11. Non-Solicitation of Employees

Customer agrees not to hire or otherwise solicit the employment of any DataVox employee for a period of two (2) years after the date of this Agreement. Customer agrees that the damages to DataVox for any breach of this section will be substantial, but difficult to ascertain. Accordingly, if Customer breaches this agreement, it shall pay to DataVox an amount equal to the annual compensation of the DataVox employee solicited or hired, which amount shall be paid as liquidated damages, as a good faith effort to estimate the fair, reasonable and actual damages to DataVox, and not as a penalty. Nothing in this Agreement shall be construed to prohibit DataVox from pursuing any other available rights or remedies it may have against the employee.

12. Arbitration (This agreement is subject to binding arbitration)

Any dispute between Customer and DataVox, whether arising under this Agreement or otherwise, shall be settled finally, completely and conclusively by arbitration in Houston, Harris County, Texas, in accordance with the Commercial Arbitration Rules of the American Arbitration Association (the "Rules"), by one arbitrator chosen in accordance with the Rules. Arbitration shall be initiated by written demand by the party seeking arbitration. This agreement to arbitrate shall be specifically enforceable in the District Court of Harris County, Texas. A decision of the arbitrator shall be final, conclusive and binding, and judgment may be entered thereon in the District Court of Harris County, Texas, to enforce such decision and the benefits thereof. Any arbitration held in accordance with this paragraph shall be private and confidential and no person shall be entitled to attend the hearings except the arbitrator, you, your attorneys, and any designated representatives of DataVox, Inc. and its attorneys. The matters submitted for arbitration, the hearings and



DIR-TSO-3702

The City of Bellaire Cabling SOW

proceedings thereunder and the arbitration award shall be kept and maintained in strictest confidence by Customer and DataVox, Inc. and shall not be discussed, disclosed or communicated to any persons. On request of either party, the record of the proceeding shall be sealed and may not be disclosed except insofar, and only insofar, as may be necessary to enforce the award of the arbitrator and any judgment enforcing such award.

13. Assignment

Customer may not delegate its performance or assign its rights under this Agreement except upon the express written consent of DataVox.

14. Construction

This writing constitutes the final agreement between the parties and is a complete statement of the terms of the agreement. No course of prior dealings between the parties or trade usage shall be relevant to determine the meaning of this Agreement. This Agreement is entered into and shall be performable in the State of Texas.

15. Attorney's Fees

Customer shall pay to DataVox all attorney's fees, court costs, and all other expense, which may be incurred by DataVox in enforcing, or attempting to enforce, any of its rights under this Agreement, or against any guarantors hereof, or with respect to any matters connected with the subject matter hereof.

16. Severability

This Agreement and all provisions hereof are intended to be severable, and this Agreement shall remain enforceable in the event any provision hereof is declared invalid.

17. Payment Terms

The balance due after required deposit will be progress-billed based on achieved milestones determined by DataVox and approved by the Customer. All DataVox invoices to the Customer are due and payable net 30 days from the invoice date. The Customer agrees to pay DataVox interest on all past due amounts at a rate of 1.5% per month (18% per annum). Deposit payments must be received by DataVox before commencement of a project. The payment terms of this contract are subject to change by DataVox at any time based on a review of the customer's credit.

18. Work Hours

DataVox has priced the professional service proposal assuming that all work will be done during normal business hours which DataVox defines as Monday through Friday, 8:00am to 5:00pm, excluding holidays. The go live activity is the only activity in which DataVox will work after business hours. This project milestone activity can be scheduled outside of normal business hours Monday through Friday, excluding holidays. The start time for the go live activity can be scheduled to start no later than 7:00pm. Any request to perform the system go live or any other activity outside of normal business hours is considered outside the scope of work and will result in additional project costs. Scheduling and availability of resources outside of normal business hours is not guaranteed unless the Project Manager/Coordinator has approved it.

19. Travel



DIR-TSO-3702

The City of Bellaire Cabling SOW

The Customer will be billed for Time Travelled and Travel Expenses outside of the Greater Houston area (Outside the greater Houston area is defined as greater than 50 miles one way from the Data Vox Houston facility located at 6650 W. Sam Houston Parkway S., Houston, TX 77072.)

The Customer will be billed for the Time Travelled by each DataVox employee at half the cost of the DataVox billable rate per hour. This includes, for example, time spent on an airplane or driving in a car.

Travel Expenses will be billed back to the Customer as incurred. These expenses will include: airfare (coach) and mileage reimbursement (lodging, transportation, parking, and per diem.) DataVox adheres to the mileage reimbursement and per diem rates determined by the U.S. General Services Administration (GSA). These rates can be referenced on the GSA website.

20. Return Material Authorization

DataVox has a Return Material Authorization policy that explains product returns. Approval to return defective and non-defective products is at the sole discretion of DataVox. Products that are defective or dead on arrival (DOA) will be repaired, replaced, or credited according to the manufacturer's warranty. Products that are non-defective that are unopened and unused and can be resold as new may be returned subject to a fifteen percent (15%) restocking fee. Any custom ordered product cannot be returned. Additional detail concerning the DataVox Return Material Authorization policy is available upon request.

21. Currency

Unless otherwise specified, all currency listed in DataVox documentation is in US dollars.

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



ORDINANCE NO. 18-____

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 BETWEEN OWNER AND CONTRACTOR WITH DATAVOX, IN A FORM AS ATTACHED HERETO AND MARKED EXHIBIT "A," FOR THE PROVISION OF STRUCTURED CABLING INSTALLATION SERVICES FOR THE MUNICIPAL FACILITIES PROJECT IN THE AMOUNT OF \$191,120.00.

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

THAT the Mayor and the City Clerk of the City of Bellaire, Texas, are each hereby authorized to execute and attest, respectively, for and on behalf of the City of Bellaire, Texas, a Contract and Standard Form of Agreement between Owner and Contractor, with Datavox, in a form as attached hereto and marked as Exhibit "A", for the provision of Structured Cabling Installation Services for the Municipal Facilities Project in the amount of \$191,120.00. **PASSED** and **APPROVED** this 22th day of January, 2018.

(SEAL)

ATTEST:

Tracy L. Dutton, TRMC
City Clerk

SIGNED:

Andrew S. Friedberg
Mayor

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

APPROVED AS TO FORM:

Alan P. Petrov
City Attorney

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

STANDARD FORM OF AGREEMENT

STATE OF TEXAS §
§
COUNTY OF HARRIS §

This **AGREEMENT** is made and entered into this _____ day of _____, 20____, by and between the **CITY OF BELLAIRE, TEXAS**, of the County of Harris and State of Texas, duly incorporated and existing under and by virtue of the Constitution and laws of the State of Texas, acting by and through the undersigned Mayor, as attested to by the City Clerk of the **CITY OF BELLAIRE, TEXAS**, thereunto duly authorized to do so, hereinafter referred to as "**CITY**," and DataVox, Inc., a [corporation, limited liability corporation, partnership, sole proprietorship, etc.] duly [incorporated, existing, etc.] in the County of _____ and State of _____, hereinafter referred to as "**CONTRACTOR**."

WITNESSETH:

That for and in consideration of the payments and agreements hereinafter mentioned, to be made and performed by the **CITY**, the **CONTRACTOR** hereby agrees with the **CITY** to commence and complete the project described as follows:

Installation of Structured Cabling for the Municipal Facilities Project

including the City Hall / Civic Center and the Police / Court Buildings.

All work of every kind or nature necessary to complete said project [or provide said services], under the terms as stated in the **CONTRACTOR'S PROPOSAL** in accordance with the conditions and costs stated in the **CONTRACTOR'S PROPOSAL**

attached hereto and marked "Attachment A" all of which are made a part hereof, collectively evidence and constitute the entire **Contract**.

The **CITY** agrees to pay the **CONTRACTOR** in current funds for the performance of the **Contract** in accordance with the **CONTRACTOR'S PROPOSAL** submitted therefore which forms a part of this **Contract** and to make payment on account thereof as provided therein.

The undersigned person executing this **Contract** and all other documents executed simultaneously herewith, does certify and attest that he or she is executing the same in his or her capacity as herein stated as an officer of said [corporation, limited liability corporation, partnership, sole proprietorship, etc.].

IN WITNESS WHEREOF, the Mayor of the **CITY OF BELLAIRE, TEXAS**, as attested to by the City Clerk of the **CITY OF BELLAIRE, TEXAS**, hereunto, have executed this **AGREEMENT** in the year and date first above written, under the authority granted to them under the provisions of Ordinance No. _____, an Ordinance duly enacted by the City Council of the **CITY OF BELLAIRE, TEXAS**.

CITY OF BELLAIRE, TEXAS

Andrew Friedberg
Mayor

Date

ATTEST:

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

Date

APPROVED AS TO FORM:

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

Date

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

IN WITNESS WHEREOF, the **CONTRACTOR**, whose name is hereinafter set out, does certify and attest that he has executed this **AGREEMENT** in his capacity as herein stated, for and on behalf of said [corporation, limited liability corporation, partnership, sole proprietorship, etc.], and that he or she has the authority to do so.

NAME OF CONTRACTOR

Signed

Printed Name

Title

Name of Contractor

Date

Attest:

Signed

Printed Name

Title

Date

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



ORDINANCE NO. 18-_____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLAIRE, TEXAS, APPOINTING ONE (1) MEMBER TO THE BOARD OF ADJUSTMENT OF THE CITY OF BELLAIRE, TEXAS ("BOA"), TO FILL AN UNEXPIRED TERM COMMENCING ON JANUARY 22, 2018, AND ENDING ON JUNE 30, 2018.

WHEREAS, pursuant to the *Code of Ordinances of the City of Bellaire, Texas, Chapter 2, Administration, Article VII, Boards and Commissions, Division 1, Generally, Section 2-93, Eligibility for membership on boards, and Chapter 2, Administration, Article VII, Boards and Commissions, Division 2, Boards and Commissions Governed by State Law, Section 2-112, Board of adjustment*, the City Council of the City of Bellaire, Texas, appoints the members of the BOA; and

WHEREAS, on November 16, 2017, Board Member Jill Almaguer submitted her resignation prior to the end of her term (June 30, 2018); and

WHEREAS, the City Council of the City of Bellaire, Texas, has determined that it is in the best interest of the City of Bellaire, Texas, to appoint the herein named person as a member of the BOA to fill an unexpired term commencing on January 22, 2018, and ending on June 30, 2018; **NOW, THEREFORE**,

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

1. **THAT** the recitals contained herein are found to be true and correct.
2. **THAT** _____ is hereby appointed as a member of the BOA to fill an unexpired term commencing on January 22, 2018, and ending on June 30, 2018.
3. **THAT** the appointment as set forth herein shall be effective as of January 22, 2018, and such newly appointed member shall be installed at the first meeting of the BOA following the effective date of the appointment herein.

PASSED, APPROVED, and ADOPTED this 22nd 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

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



ORDINANCE NO. 14-069

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLAIRE, TEXAS, APPOINTING ONE (1) MEMBER TO THE PARKS AND RECREATION ADVISORY BOARD OF THE CITY OF BELLAIRE, TEXAS, TO FILL AN UNEXPIRED TERM COMMENCING ON JANUARY 22, 2018, AND ENDING ON JUNE 30, 2018.

WHEREAS, the Parks and Recreation Advisory Board of the City of Bellaire, Texas ("PRAB") was created by Resolution No. 88-03 of the City Council of the City of Bellaire, Texas, on January 18, 1988; and

WHEREAS, pursuant to the *Code of Ordinances of the City of Bellaire, Texas, Chapter 2, Administration, Article VII, Boards, Commissions, and Committees, Division 1, Generally, Section 2-93, Eligibility for membership on boards*, the City Council of the City of Bellaire, Texas, appoints the members to the Parks and Recreation Advisory Board; and

WHEREAS, on November 7, 2017, Board Member Neil Verma was elected to serve on the City Council, with a term commencing on January 8, 2018, prior to the expiration of his term on the PRAB (June 30, 2018); and

WHEREAS, the City Council of the City of Bellaire, Texas, has determined that it is in the best interest of the City of Bellaire, Texas, to appoint the herein named person as a member of the PRAB to fill an unexpired term commencing on January 22, 2018, and ending on June 30, 2018; **NOW, THEREFORE,**

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

1. **THAT** the recitals contained herein are found to be true and correct.
2. **THAT** _____ is hereby appointed as a member of the PRAB to fill an unexpired term commencing on January 22, 2018, and ending on June 30, 2018.

3. THAT the appointment as set forth herein shall be effective as of January 22, 2018, and such newly appointed member shall be installed at the first meeting of the PRAB following the effective date of the appointment herein.

PASSED, APPROVED, and ADOPTED this 22nd 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

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)



BALLOT

Parks and Recreation Advisory Board

Instructions:

Please indicate your choice by marking an "X" beside the name of **one (1)** applicant to serve as a member of the PRAB for a **term of commencing on January 22, 2018, and ending on June 30, 2018**. Applicant names are listed in alphabetical order.

☐

James H. Burrough, Jr.

☐

Lilly F. Gilmer

☐

Lisa Lim

Signature: _____

Date: January 22, 2018

Minutes Acceptance: Minutes of Jan 22, 2018 5:30 PM (Approval of Minutes.)

STAFFING UPDATE

February 19, 2018

ASSISTANT POLICE CHIEF

- Capable of Serving as Chief
- Internal and External Candidates
- Target December 2018

FIRE CHIEF

- Also serves as Emergency Management Coordinator
- Internal and External Candidates
- Target August 2018

FIRE CHIEF AND ASSISTANT POLICE CHIEF

- Coming in to established and strong cultures
 - Significant community support
 - High expectations of responsiveness and service delivery
 - Replacing well-respected and influential persons
 - Emergency Management experience essential
 - Visibility and Presence Essential

ASSISTANT CITY MANAGER UPDATED ASSIGNMENTS

- Ensure quality and meaningful service plans
- Ensure meaningful management and performance reporting
- Improve fleet management
- Bellaire Citizens Academy and Follow-up
- Manage the Citizens Survey
- Draft a legislative policy and agenda
- Manage how we operate in new City Hall
- Intergovernmental communication

ADMINISTRATIVE SERVICES MANAGER (CMO)

- Public and neighborhood communications / engagement
- Community Partner Relationships
- Fleet Management
- Harvey Recovery and Flood Hazard Mitigation Task Force

DEVELOPMENT SERVICES DEPARTMENT

- ChaVonne Sampson as Director
- Development Services Manager to Assistant Director
- Assistant Director responsible for:
 - Comprehensive Plan Implementation
 - Capital Improvements Plan development and communication (Project Management moved out of City Manager's Office)
 - Implementation of FHMTF recommendations (as adopted by Council)

PUBLIC WORKS

- Assistant Director position
- Separate Solid Waste and Street/Drainage Superintendent Positions
- No New positions



City of Bellaire

FY 2018 First Quarter Report

October 2017 – December 2017



Attachment: FY 2018 1st Quarter Report (2413 : FY 2018 1st Quarter Report)

Table of Contents

Personnel Analysis	Page 3
Estimated Financial Impact of Hurricane Harvey	Page 5
General Fund	Page 7
Revenues.....	Page 7
Expenditures.....	Page 15
Revenue and Expenditure Report by Department.....	Page 21
Enterprise Fund	Page 22
Revenues.....	Page 22
Expenses.....	Page 26
Revenue and Expense Report by Department.....	Page 31
Debt Service Fund	Page 32
Revenues.....	Page 32
Expenditures.....	Page 35
Management Projects	Page 38
Capital Improvement Program Projects	Page 39
Trends	Page 48
Development Statistics.....	Page 48
Crime Statistics.....	Page 48
Warrant Statistics.....	Page 48
Supplemental Items	Page 49
General Fund – Revenues and Expenditures.....	Page 49
Enterprise Fund – Revenues and Expenditures.....	Page 50
Debt Service Fund – Revenues and Expenditures.....	Page 51
Vehicle and Equipment Replacement Fund – Revenues and Expenditures.....	Page 52
Capital Improvement Fund – Revenues and Expenditures.....	Page 53
Capital Bond Fund – Revenues and Expenditures.....	Page 54
Metro Fund – Revenues and Expenditures.....	Page 55

Current Property Tax Collections	Page 56
Housing Information	Page 57
Summary of Sales & Mixed Beverage Tax	Page 58
Summary of Franchise Fees	Page 59
Summary of Purchase Orders	Page 60
Quarterly Investment Report	Page 61
Quarterly Donation Report	Page 64

Personnel Analysis

At the end of the first quarter, December 31, 2017, we had two new hires, one transition from part-time to full-time and one separation. At the time this report was finalized, the Assistant Police Chief submitted an intent to retire effective March 17, 2018, the Administrative Services Manager in the City Manager's Office resigned effective February 16, a part-time police officer transitioned to full-time effective January 1, a full-time police officer and communications officer have been hired with a start date of February 4, a full-time firefighter paramedic transitioned to part-time effective February 21, an equipment operator in Streets has been hired with a start date of February 5, two public works employees resigned, the Senior Management Analyst in Finance separated employment effective February 1, and the Senior Administrative Assistant in Parks submitted an intent to resign effective April 6.

Development Services is actively interviewing candidates for the planner position and considering restructuring the vacant development services manager position.

The Library is actively interviewing candidates for the Assistant Library Director position that was approved in the FY 2018 budget as an upgrade/reclassification of the Librarian position for succession planning purposes.

Public Works continues to interview candidates for vacancies and the department is working on its service plan to determine if the current organizational structure is properly aligned with organizational and service needs going forward.

The updated compensation plan as approved by City Council during the budget process was implemented September 17, 2017; initially payable the first pay period of FY 2018 — October 6, 2017. Additionally, as approved in the FY 2018 budget, step increases were provided to police officers and firefighter paramedics only on December 24, 2017; initially payable January 5, 2018.

1st Qtr New Hires/Promotions	1st Qtr Separations/Transitions/Retirements
1 Communications Officer (transitioned from PT to FT)	1 Laborer (Solid Waste)
1 Equipment Operator (PW - Wastewater Collection)	
1 Laborer (PW - Water Distribution)	

Department Vacancies

Department	Adopted Budgeted Positions	12/31/2017	3/31/2018	6/30/2018	9/30/2018
General Fund					
City Manager's Office	11	0			
Finance	10	0			
Development Services	8	2			
Fire	24	0			
Police	59.5	3*			
Parks, Rec., & Facilities	24.5	0			
Library	7.5	1			
Public Works	8	1			
Water	8	0			
Wastewater	10	3			
Solid Waste & Recycling	13	2			
Total	183.5	12			

*2 Police Officers, 1 Communications Officer

Estimated Financial Impact of Hurricane Harvey

The table below reflects the estimated expenditures, capital losses, and reimbursements associated with Hurricane Harvey. These expenditures, capital losses, and reimbursements are estimates; final results will differ. The reimbursements reflected in the table below assume the City will be eligible for full reimbursement at standard FEMA reimbursement rates in effect for this disaster. Certain ancillary amounts are excluded from this analysis. For example, with respect to payroll and payroll-related expenditures, only overtime, Medicare, and TMRS contributions related to overtime are included, and lost revenues due to waived permit fees on flood-related permits are excluded. The estimated expenditures and reimbursements are reflected in the projections included in this quarterly report.

Hurricane Harvey Expenditures, Capital Losses, Reimbursements, and Impact on Fund Balance December 31, 2017				
	General Fund	Enterprise Fund	Vehicle and Equipment Replacement Fund	Total
Expenditures and Capital Losses				
Expenditures paid in FY 2017	\$419,097	\$148,366	\$-	\$567,463
Capital losses incurred in FY 2017 (a)	-	-	500,000	500,000
Expenditures paid in FY 2018	63,432	88,965	-	152,396
Total expenditures paid and capital losses incurred as of December 31, 2017	482,529	237,331	500,000	1,219,860
Projected additional expenditures (b)	1,800,000	225,000	-	2,025,000
Total estimated expenditures and capital losses	2,282,529	462,331	500,000	3,224,860
Reimbursements				
TML reimbursements recorded as revenue in FY 2017 (c)	13,865	-	287,723	301,588
FEMA reimbursements recorded as revenue in FY 2017 (d)	197,601	102,310	-	299,911
Total TML and FEMA reimbursements recorded as revenue in FY 2017	211,466	102,310	287,723	601,499
Projected TML reimbursements anticipated to be recorded as revenue in FY 2018 (e)	-	214,439	-	214,439
Projected FEMA reimbursements anticipated to be recorded as revenue in FY 2018 (f)	1,900,586	125,046	10,000	2,035,632
Total estimated TML and FEMA reimbursements	2,112,052	441,795	297,723	2,851,570
Fund Balance				
Estimated Impact on Fund Balance	(\$170,477)	(\$20,536)	(\$202,277)	(\$393,290)

Attachment: FY 2018 1st Quarter Report (2413 : FY 2018 1st Quarter Report)

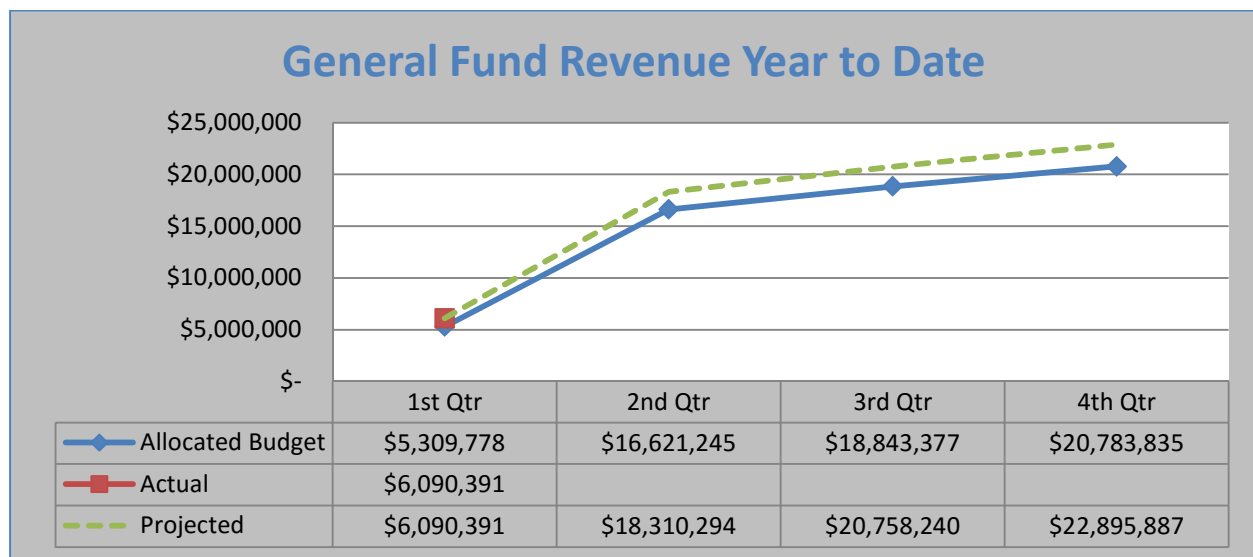
- (a) Capital losses relate to flooded vehicles and are shown at replacement cost. To date, Council has approved \$162,557 to replace flooded vehicles. (December 18, 2017 City Council meeting)
- (b) The \$1,800,000 of additional expected expenditures in the General Fund relate primarily to debris removal.
- (c) Relates to losses on flooded vehicles. Insurance proceeds to repair flooded vehicles are recorded in General Fund. Insurance proceeds related to totaled vehicles are recorded in the Vehicle and Equipment Replacement Fund. Recorded as revenue in September 2017.
- (d) FEMA “advance funding” related to emergency protective measures – equals 45% of the allowable emergency protective measures expenditures incurred from August 22 – September 22, 2017. Recorded as revenue in September 2017.
- (e) Projected TML reimbursements relate to damage at wastewater treatment plant, public works office, and vehicle storage area. Recorded as revenue in January 2018.
- (f) Projected additional FEMA reimbursements based on estimated reimbursable expenditures and capital losses applying standard FEMA reimbursement rates in effect for this disaster. The majority of the additional reimbursements expected in the General Fund relate to reimbursements of debris removal costs. The reimbursements expected in the Vehicle and Equipment Replacement Fund relate to our deductible on our TML automobile insurance policy.

General Fund

Amounts reported herein are unaudited fiscal year-to-date amounts through December 31, 2017.

General Fund FY 2018 1st Quarter Revenue and Expenditure Report			
	Adopted Budget	Projected	YTD Actual
Beginning Balance	\$3,387,437	\$3,699,783	\$3,699,783
Revenue	20,783,835	22,895,887	6,090,391
Expense	20,359,848	22,651,823	4,761,085
Ending Balance	\$3,811,424	\$3,943,847	\$5,029,089

General Fund Revenues:



Projections exceed allocated budget due to projected Hurricane Harvey reimbursements.

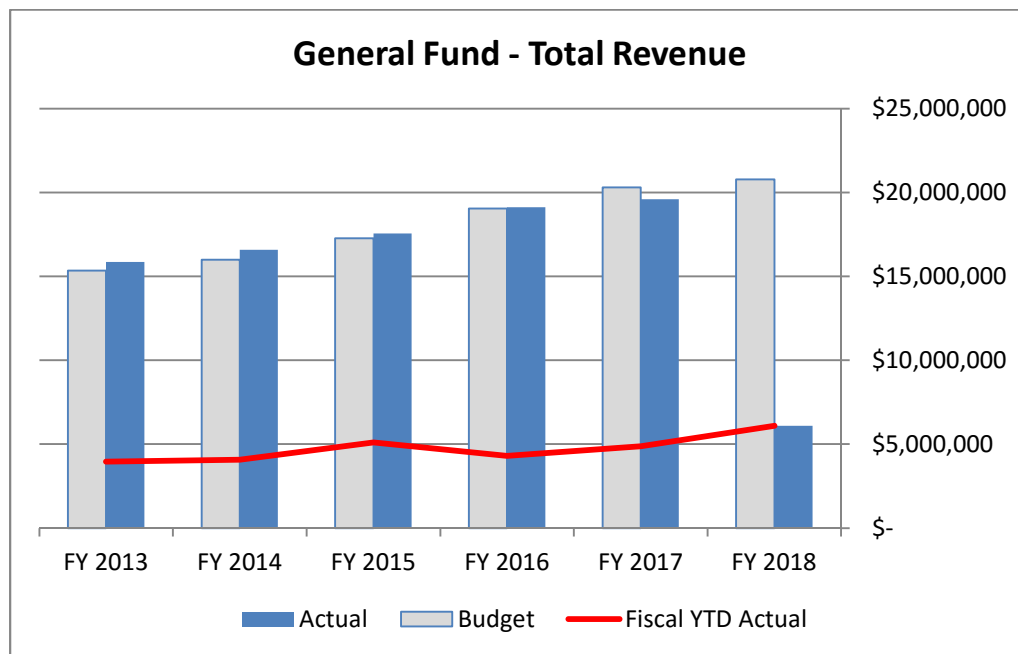
General Fund FY 2018 1st Quarter Revenues			
FY 2018 Budget	YTD Allocated Budget	YTD Actual	Actual Over / (Under) Allocated Budget
\$20,783,835	\$5,309,778	\$6,090,391	\$780,613

For the three months ended December 31, 2017, the General Fund collected 29% of its total budgeted revenues and is over its allocated budget by \$780,613, or 15%.

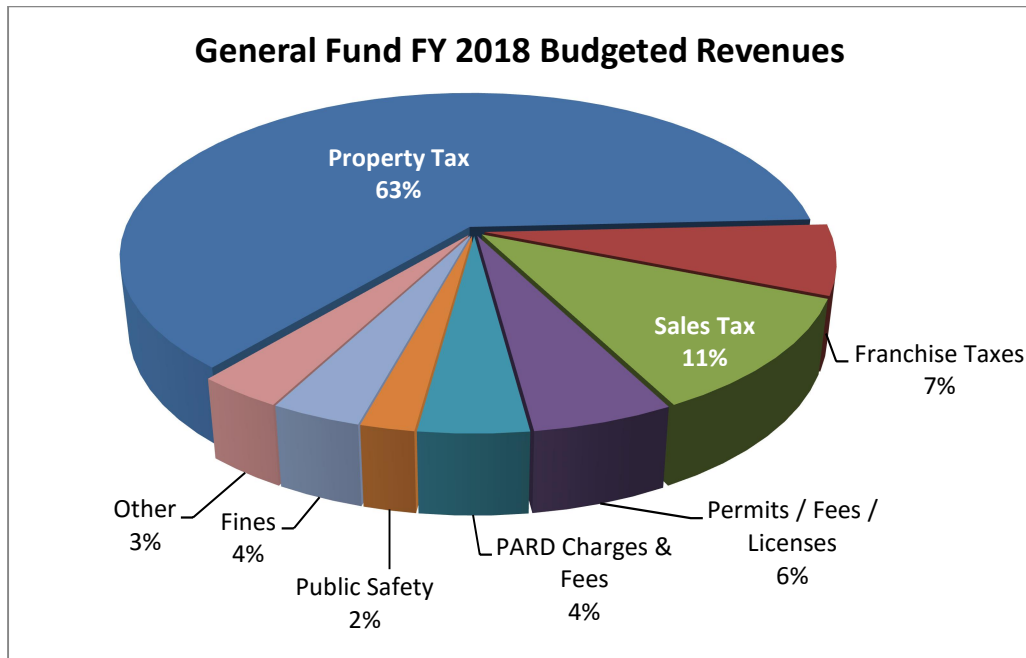
As reflected in the following table, majority of the variance from allocated budget is attributed to property tax, which is over the allocated budget by \$781,000. As discussed in more detail in the *Property Tax* section of this document, the increase is due to higher than normal collection rate in December 2017.

General Fund FY 2018 1st Quarter Revenue Categories				
Revenue Category	FY 2018 Budget	YTD Allocated Budget	YTD Actual	Actual Over / Under Allocated Budget
Property Tax	\$13,118,646	\$3,600,052	\$4,381,053	\$781,000
Franchise Tax	1,424,734	369,924	404,670	34,746
Sales Tax	2,348,555	559,140	584,266	25,126
Permits/Fees/Licenses	1,143,400	262,736	234,905	(27,831)
PARD Charges & Fees	887,400	86,688	98,986	12,298
Public Safety	436,400	100,531	79,027	(21,504)
Fines	730,000	164,192	134,836	(29,356)
Other	694,700	166,514	172,648	6,135
Total	\$20,783,835	\$5,309,778	\$6,090,391	\$780,613

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

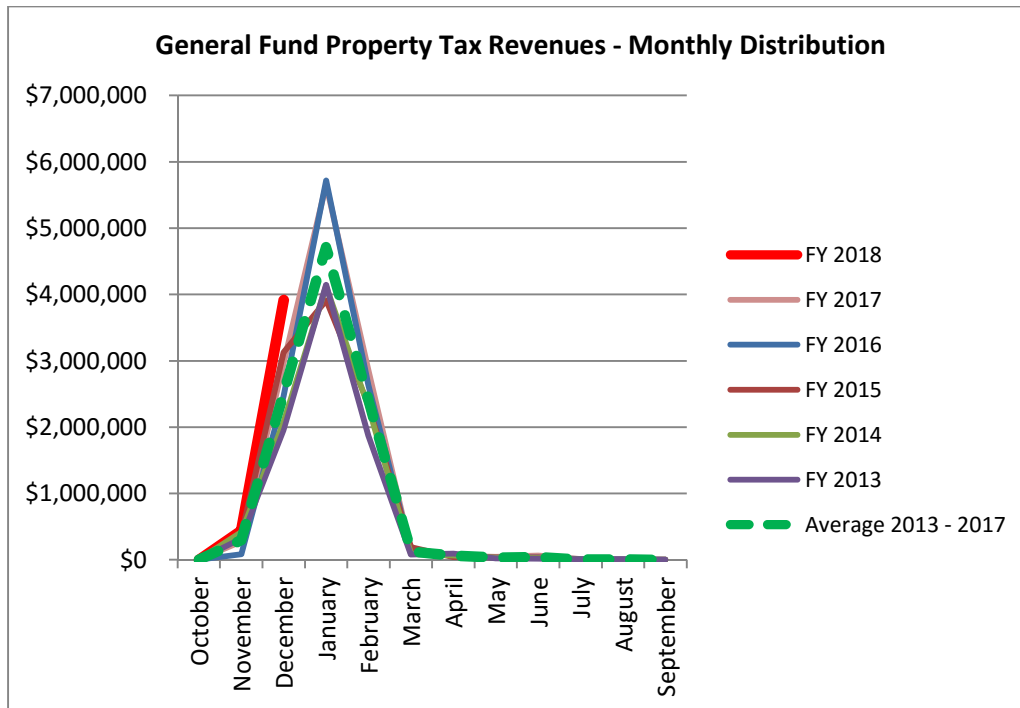


Property tax makes up the largest category of revenues in the General Fund at 63% of all FY 2018 budgeted revenues, followed by sales tax at 11% and franchise taxes at 7%.



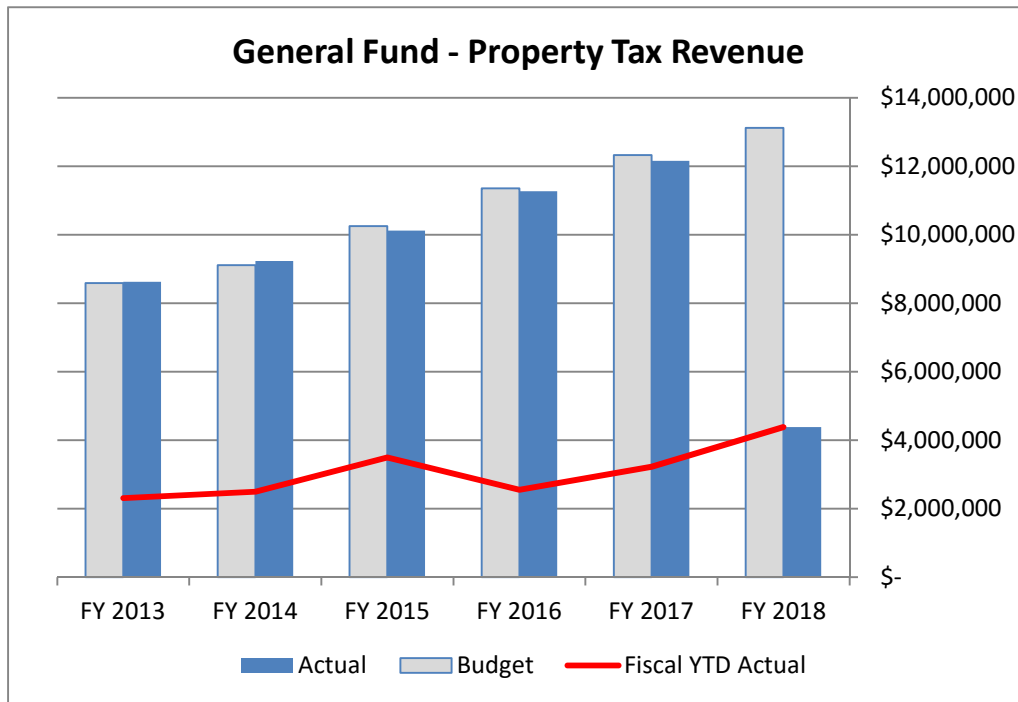
Property Tax

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.



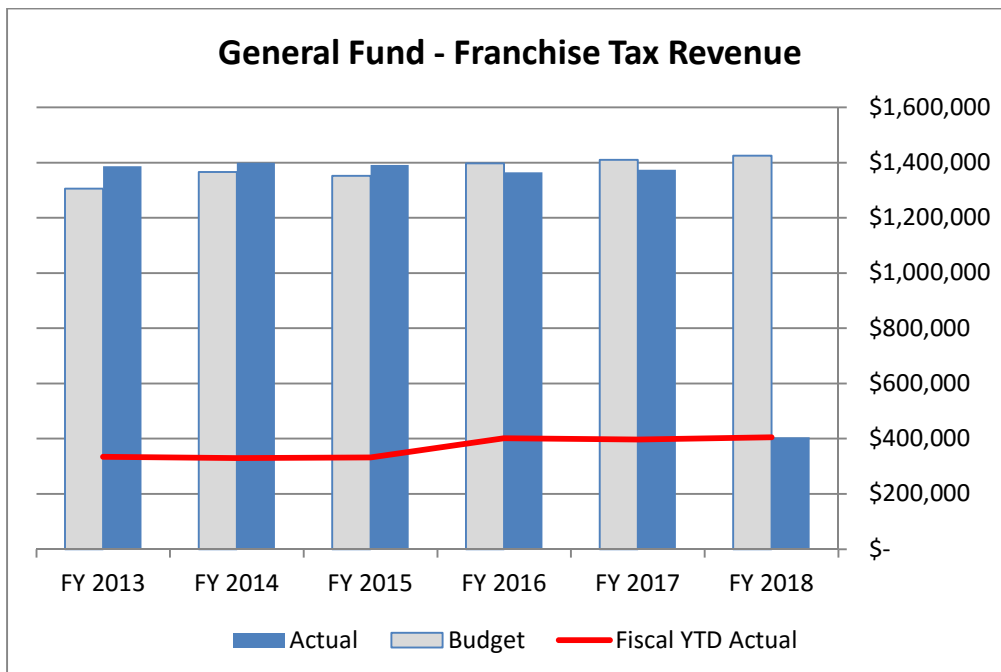
The City collected 33%, or \$4,381,053, of its budgeted property tax revenue during the three months ended December 31, 2017, which is over the allocated budget by \$781,000, or 22%. The variance from budget is likely due in large part to the new federal tax law that limits the deduction for state and local taxes to \$10,000 beginning in calendar year 2018. This incentivizes some taxpayers to pay their property taxes before December 31, so that they may take a full deduction for the property taxes on their 2017 federal tax return.

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.



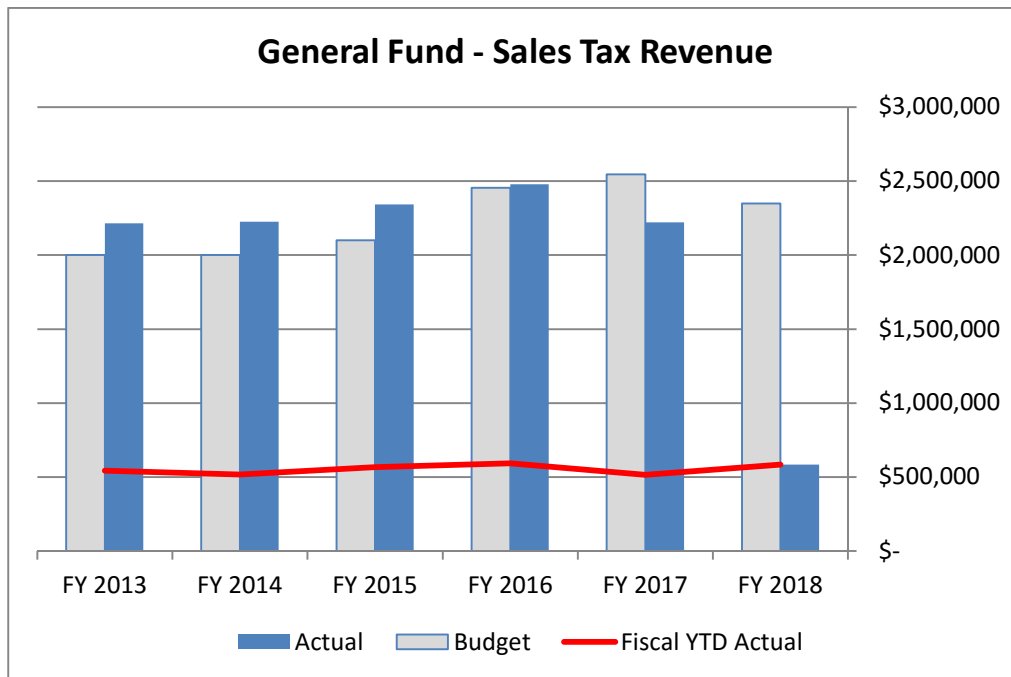
Franchise Taxes

Franchise taxes of \$404,670 for the three months ended December 31, 2017 are over the allocated budget by \$34,746, or 9%. Electric franchise tax payments are generally received monthly. Gas, telephone, and cable franchise tax payments are generally received quarterly.



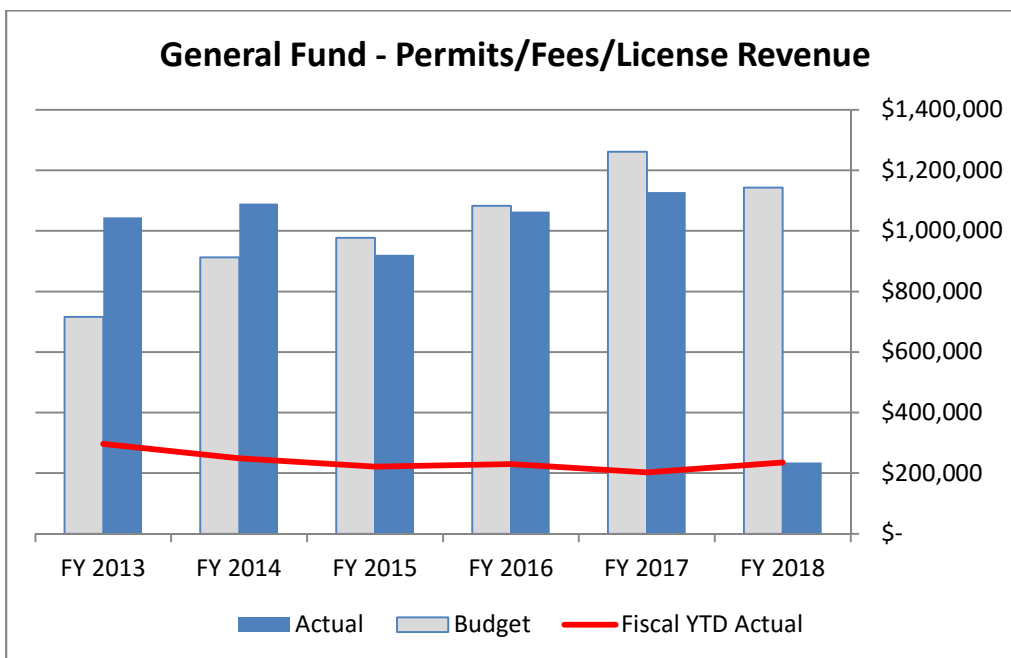
Sales Tax

Sales tax revenue of \$584,266 for the three months ended December 31, 2017, is over the allocated budget by \$25,126, or 4%.

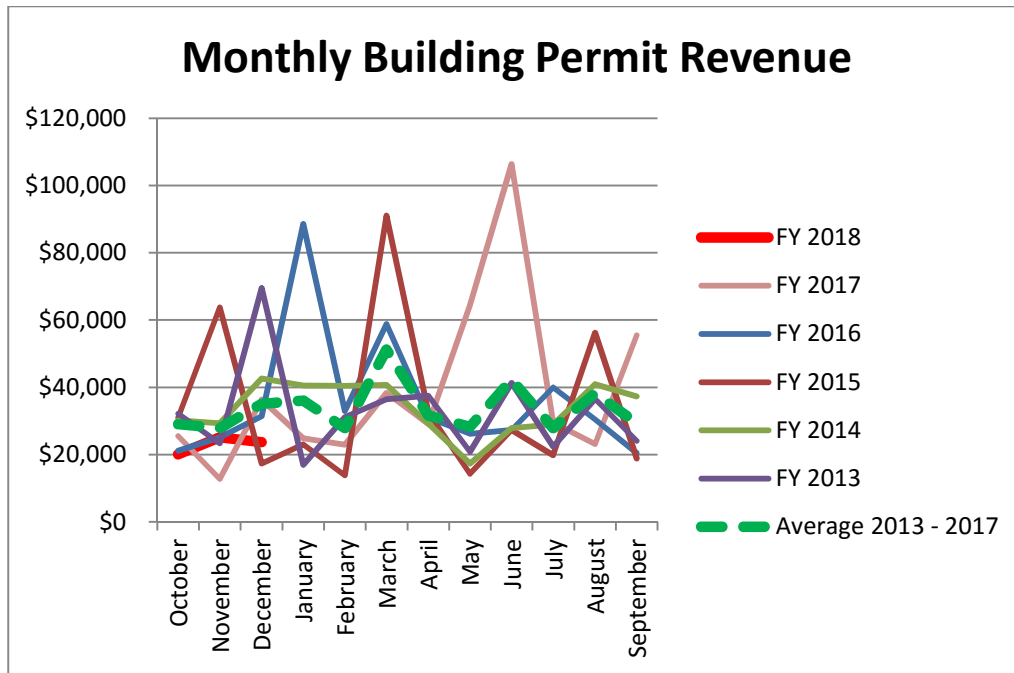


Permits, Fees, and Licenses

Development permits, fees, and licenses of \$234,905 are under the allocated budget by \$27,831, or 11%.

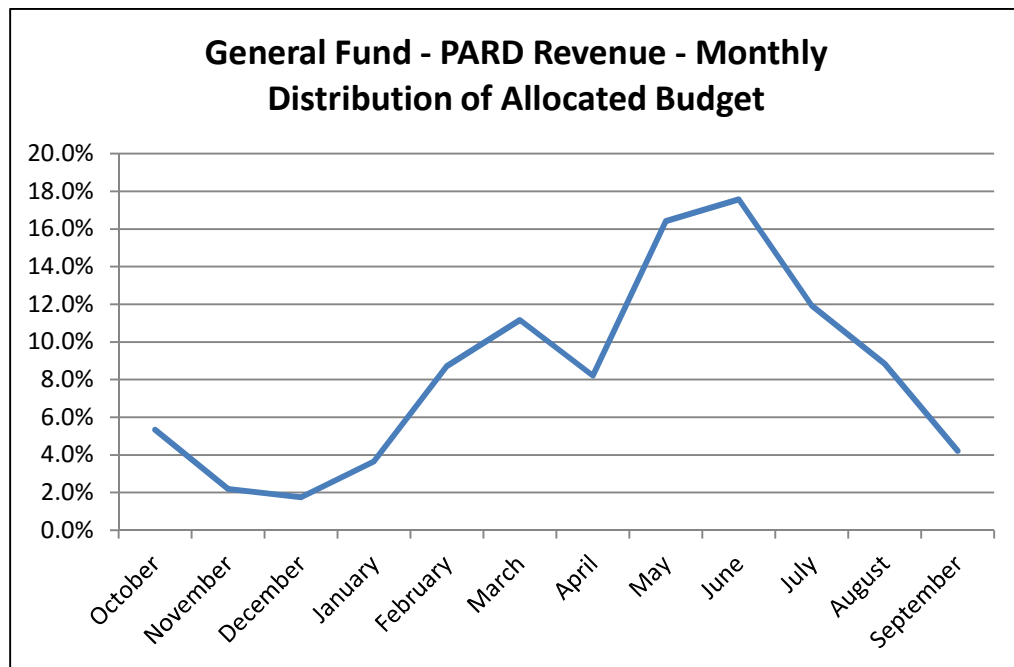


Building permit revenues make up 62% of the permits/fees/license revenue budget. As reflected in the following chart, building permit revenues are volatile from month-to-month. Other categories of permit revenue exhibit similar monthly volatility. We will be watching permit revenues as the year progresses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

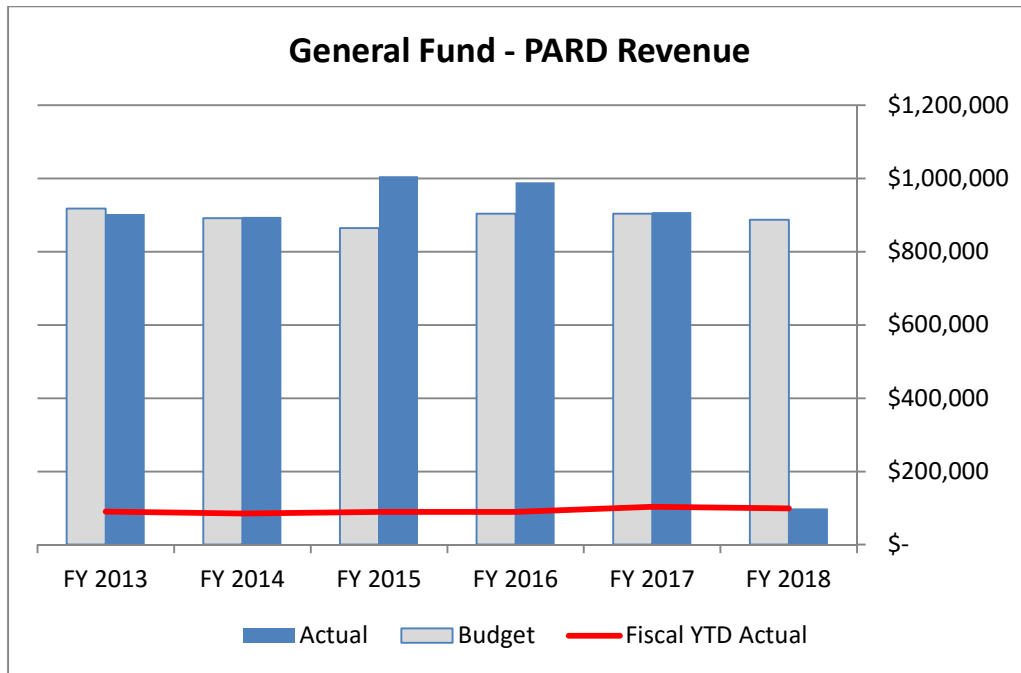


PARD Charges & Fees

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.

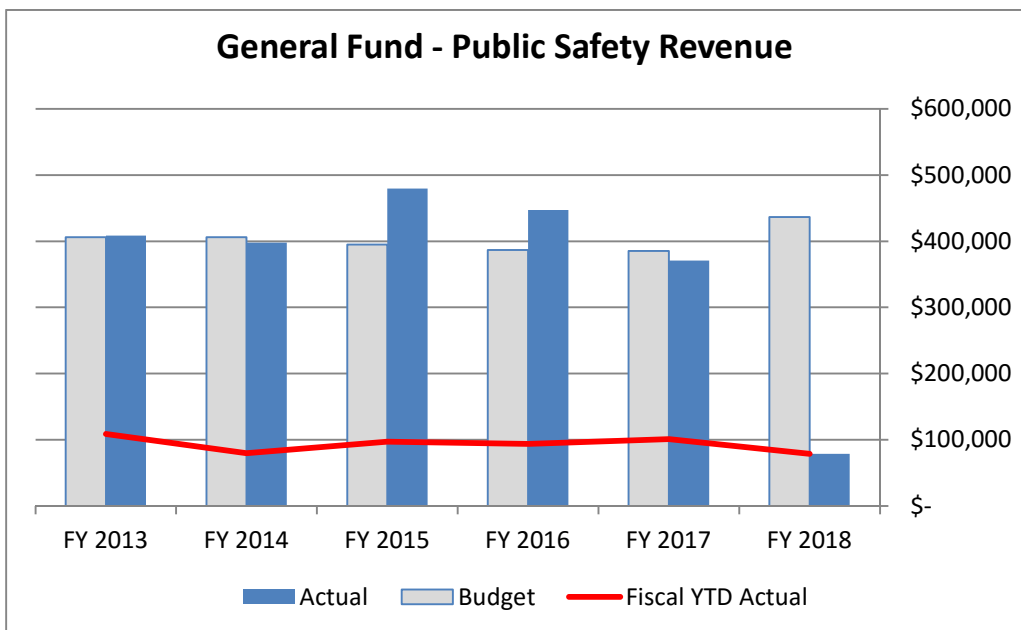


Parks and Recreation fees of \$98,986 are over the allocated budget by \$12,298, or 14%.

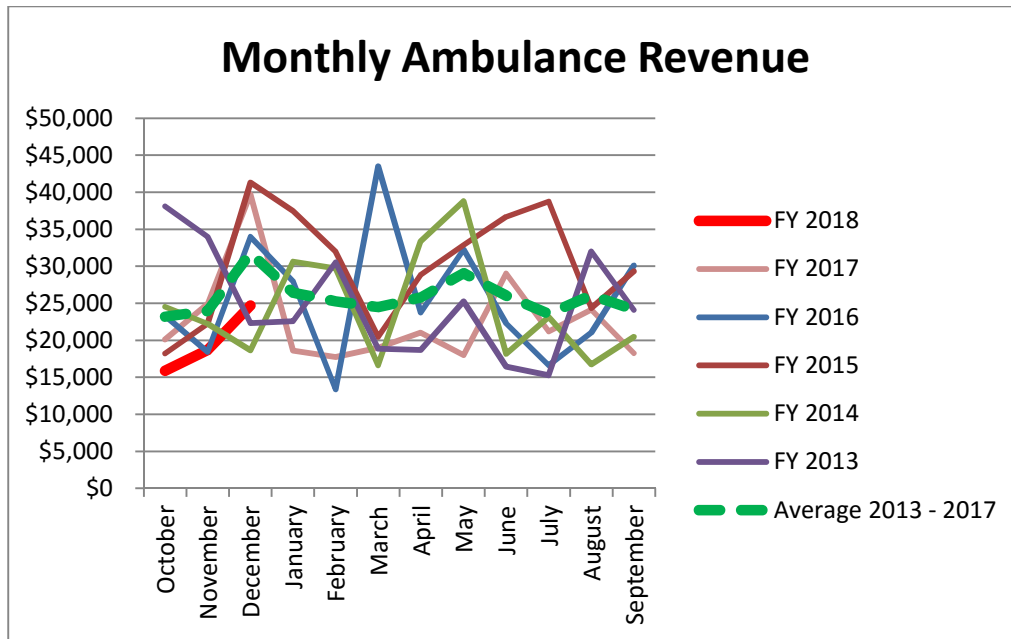


Public Safety

Public Safety revenues of \$79,027 are under the allocated budget by \$21,504, or 21%.

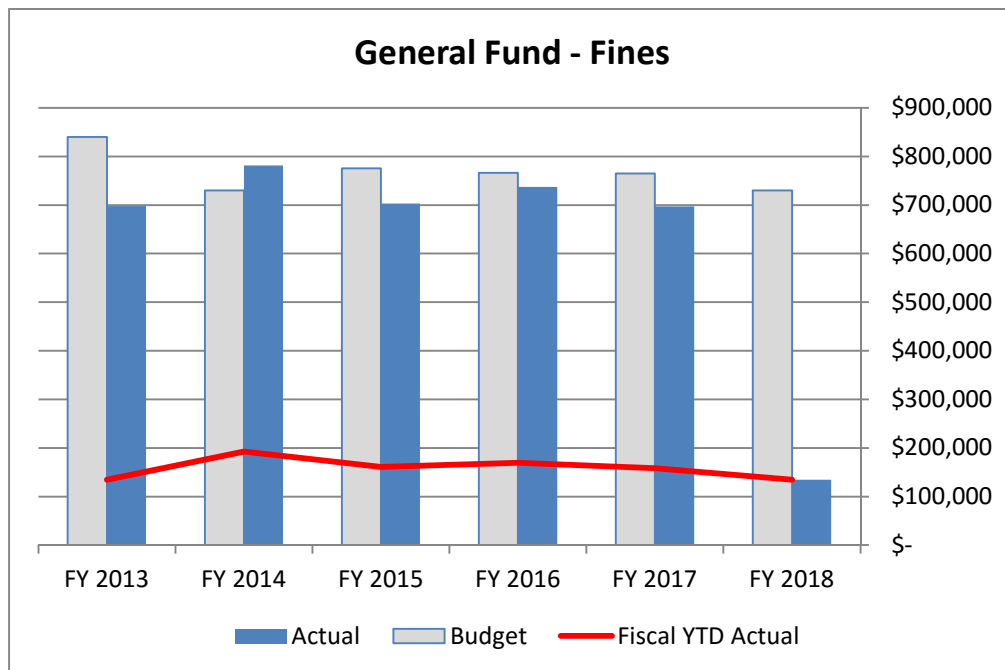


Ambulance fees make up 80% of the public safety revenue budget. As reflected in the following chart, ambulance fees are volatile from month-to-month. We will be watching public safety revenues as the year progresses to determine if they continue to trail the allocated budget.

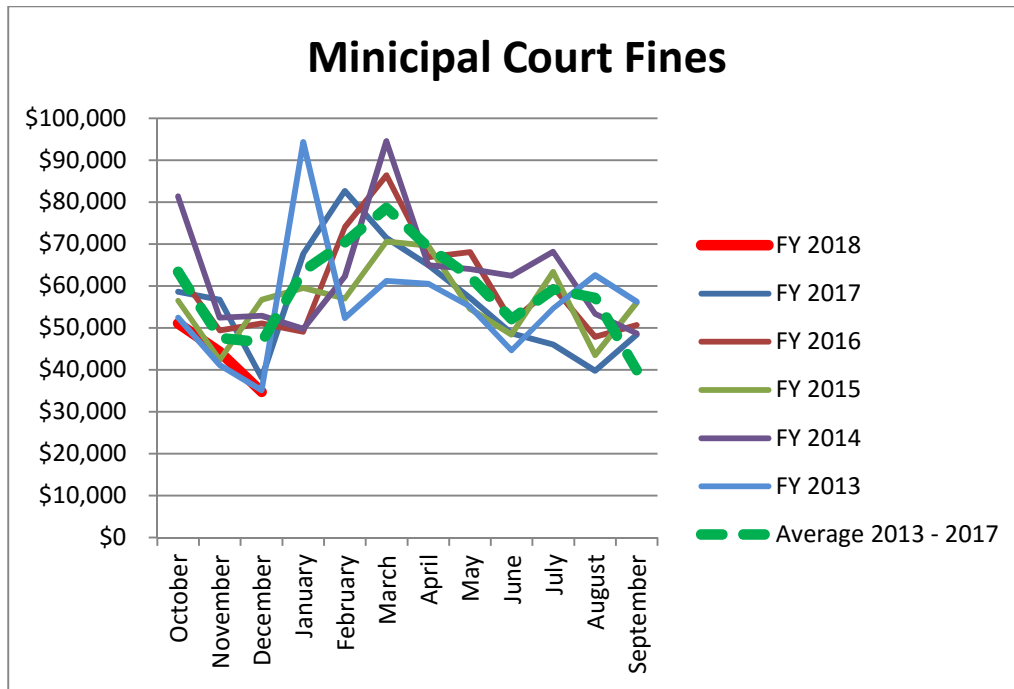


Fines

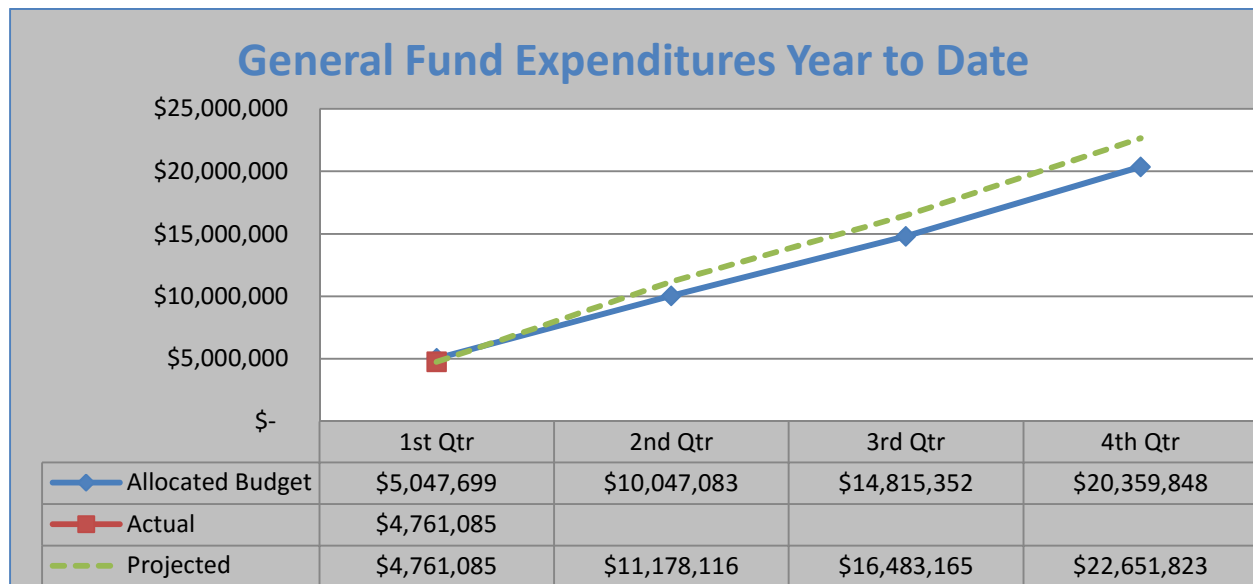
Fine revenues of \$134,836 are under the allocated budget by \$29,356, or 18%.



Municipal court fines make up 96% of the fines revenue budget. As reflected in the following chart, municipal court fines are generally lowest in December and generally peak around March. We will be watching fines revenues as the year progresses to determine if they continue to trail the allocated budget.



General Fund Expenditures:



Projections exceed allocated budget due to projected Hurricane Harvey expenditures.

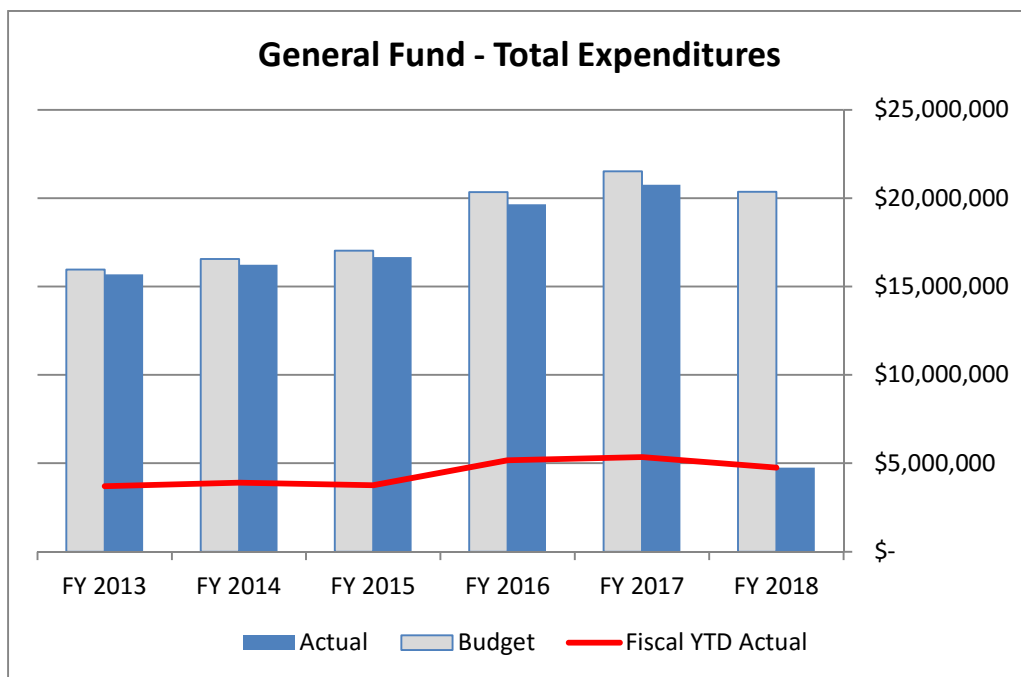
General Fund FY 2018 1st Quarter Expenditures			
FY 2018 Budget	YTD Allocated Budget	YTD Actual	Actual Over / (Under) Allocated Budget
\$20,359,848	\$5,047,699	\$4,761,085	(\$286,615)

For the three months ended December 31, 2017, the General Fund expended 23% of its total budgeted expenditures and is under its allocated budget by \$286,615, or 6%.

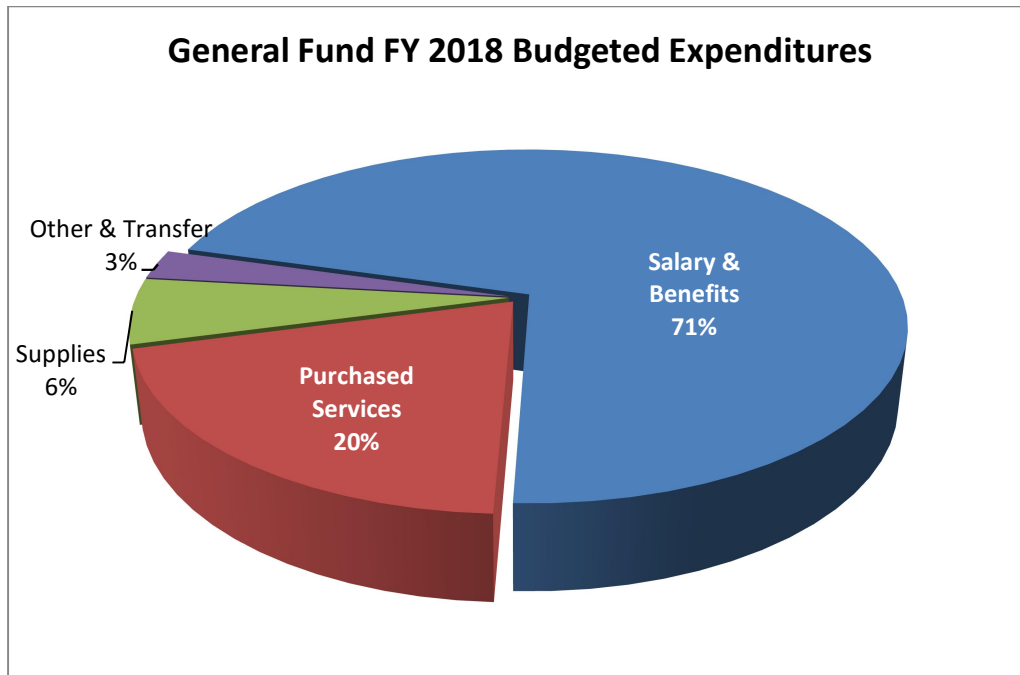
As reflected in the following table, the expenditure categories causing the majority of the variance from allocated budget are salaries and purchased services, which combined are under the allocated budget by \$284,978.

General Fund FY 2018 1st Quarter Expenditure Categories				
Expenditure Category	FY 2018 Budget	YTD Allocated Budget	YTD Actual	Actual Over / (Under) Allocated Budget
Salaries & Benefits	\$14,495,815	\$3,599,288	\$3,520,437	(\$78,851)
Purchased Services	4,110,441	1,065,707	859,579	(206,127)
Supplies	1,212,641	255,747	198,316	(57,431)
Other / Transfers	540,951	126,957	128,766	1,809
Non-Payroll Disaster	-	-	53,986	53,986
Total	\$20,359,848	\$5,047,699	\$4,761,085	(\$286,615)

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

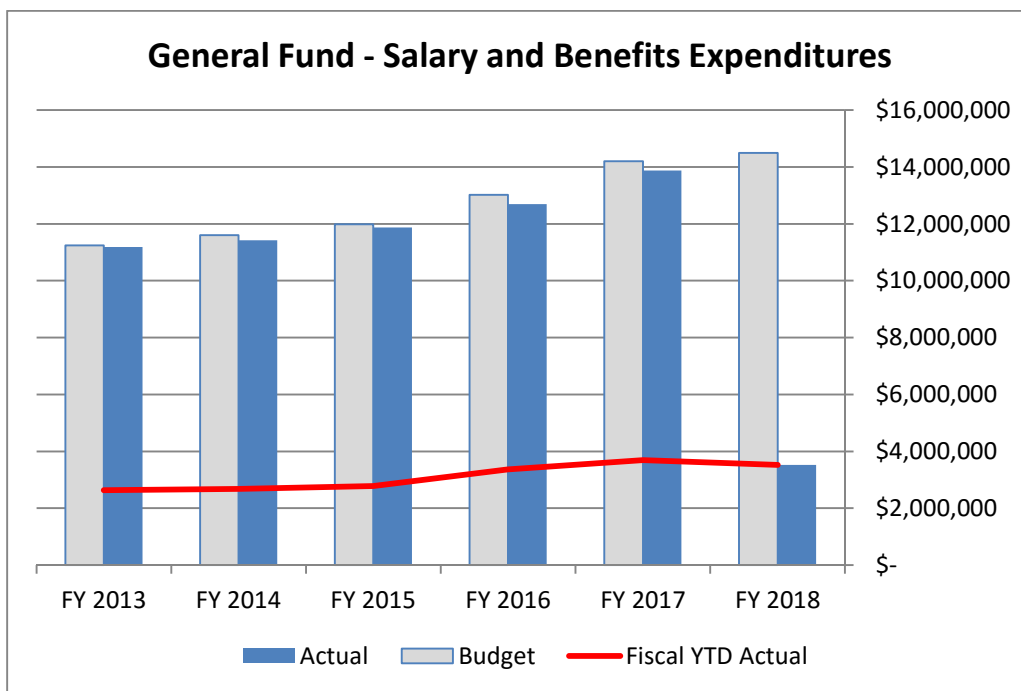


Salaries and benefits make up the largest category of expenditures in the General Fund at 71% of all FY 2018 budgeted expenditures, followed by purchased services at 20%.



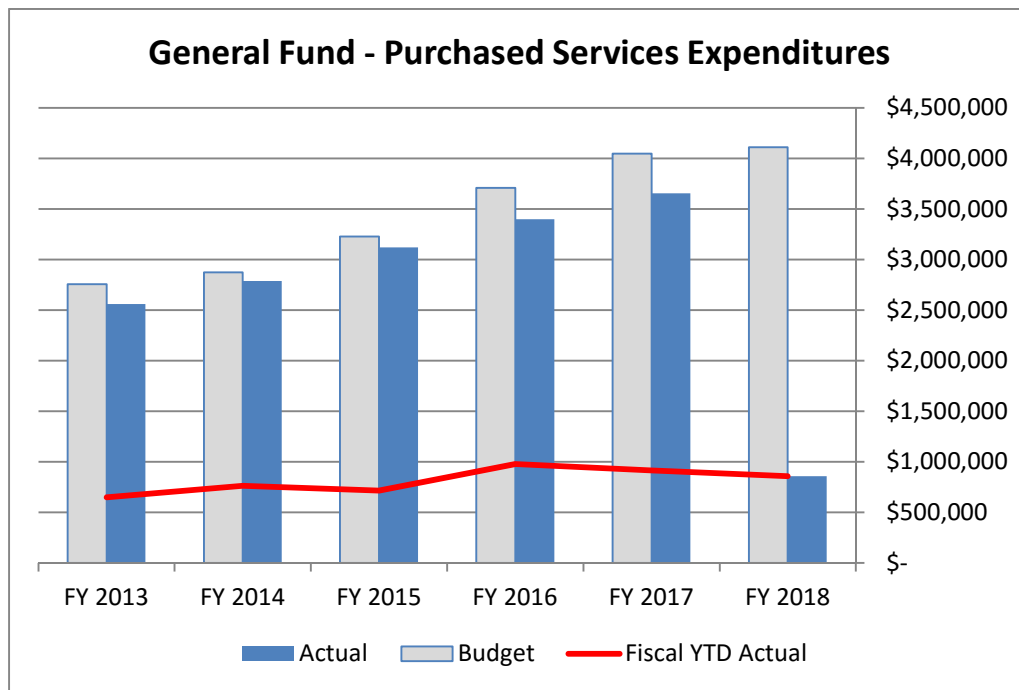
Salary and Benefits

Salary and benefits of \$3,520,437 are under the allocated budget by \$78,851, or 2%.



Purchased Services

Purchased services of \$859,579 are under the allocated budget by \$206,127, or 19%.

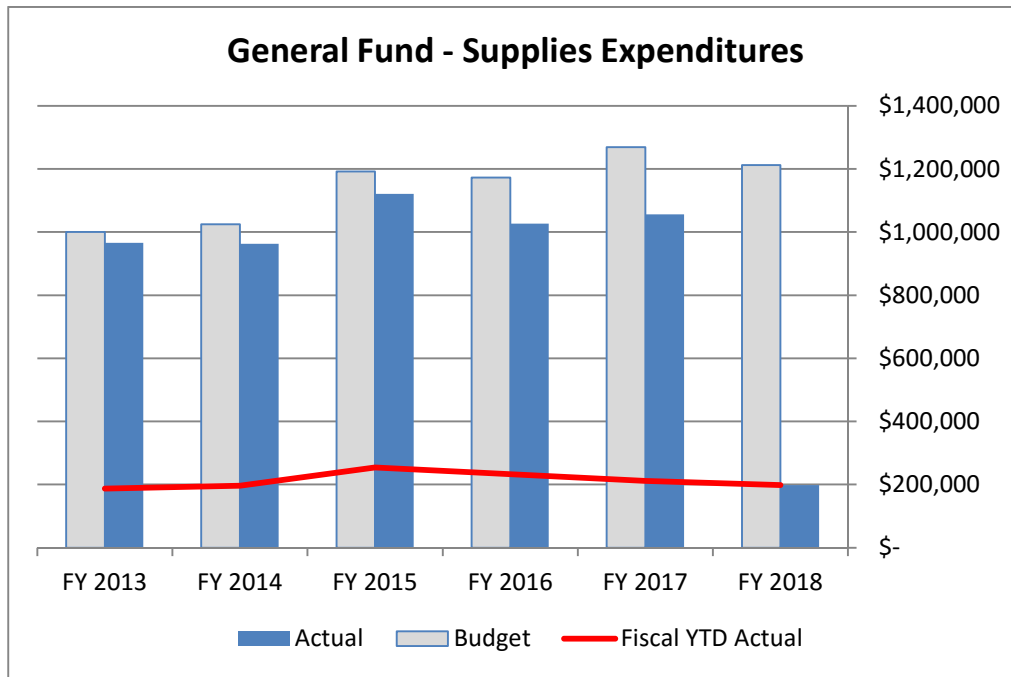


Some of the larger departmental level variances contributing to purchased services expended during the three months ended December 2017 being below the FY 2018 allocated budget include:

- Legal – There were no expenditures for legal fees in the three months ended December 31, 2017, as compared to a 5-year average of \$12,317. This is a matter of timing of invoices for the City attorney.
- Police – Vehicle maintenance expenditures were \$7,027 for the three months ended December 31, 2017, as compared to a 5-year average of \$11,750.
- Parks (Maintenance) – Parks maintenance expenditures were \$87,051 for the three months ended December 31, 2017, which is 17% of the annual budget.
- Parks (Recreation) – Instructor pay was -\$410 for the three months ended December 31, 2017, as compared to a 5-year average of \$14,170. This is a result of voided checks of \$10,436 to a single vendor. The checks were posted in September 2017 but were subsequently voided in October 2017.
- Library – Rental equipment expenditures were \$0 for the three months ended December 31, 2017, as compared to a 5-year average of \$1,918. This is a matter of timing of the annual copier rental.
- Public Works (Streets) – Engineers, planners, arborists was \$0 for the three months ended December 31, 2017, as compared to a 5-year average of \$8,280. This is a matter of timing of invoices for the City engineer.
- Public Works (Streets) – Vehicle maintenance was \$3,200 for the three months ended December 31, 2017, as compared to a 5-year average of \$5,847.
- Public Works (Streets) – Paving maintenance was \$541 for the three months ended December 31, 2017, as compared to a 5-year average of \$3,464.

Supplies

Supplies of \$198,316 are under the allocated budget by \$57,431, or 22%.

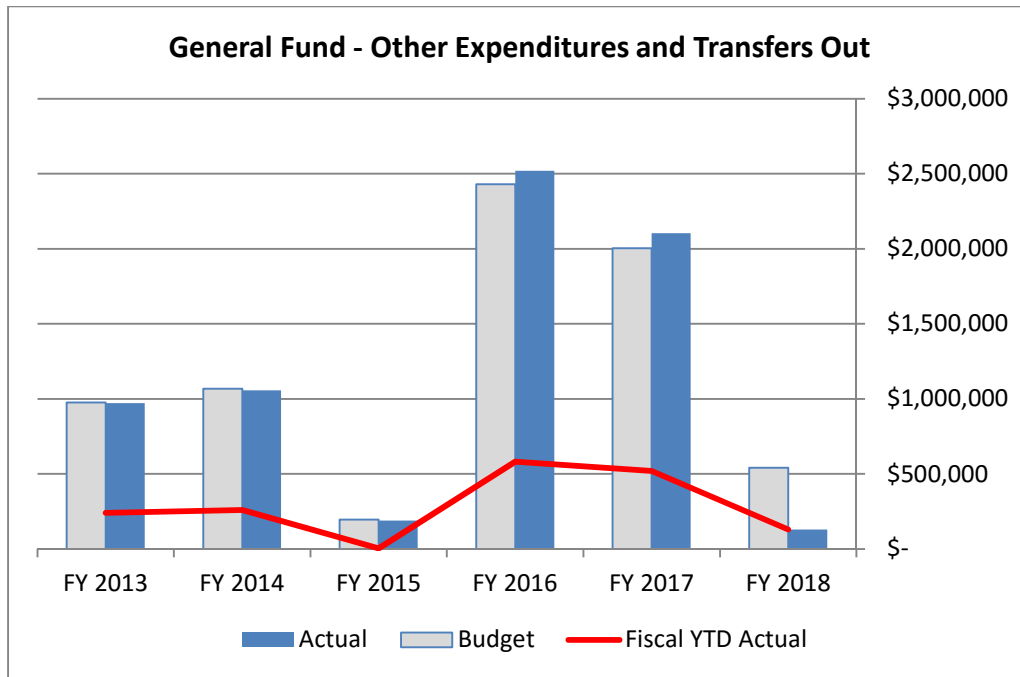


Some of the larger departmental level variances contributing to supplies expended during the three months ended December 2017 being below the FY 2018 allocated budget include:

- All Departments – Natural gas expenditures are a contributor to supplies being under the allocated budget. The City's primary use of natural gas relates to heating the swimming pool at the Bellaire Family Aquatics Center. Natural gas expenditures of \$4,506 for December were delayed and were recorded in January.
- Information Technology – Hardware and software expenditures were \$13,076 for the three months ended December 31, 2017 compared to an annual budget of \$115,000.
- Police – IT supplies expenditures were \$734 for the three months ended December 31, 2017, as compared to a 5-year average of \$3,431.
- Parks (Aquatics) – Chemicals expenditures were \$2,694 for the three months ended December 31, 2017, as compared to a 5-year average of \$5,458.

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 three months ended December 31, 2017, of \$128,766 are over the allocated budget by \$1,809, or 1%.



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

Other Expenditures and Transfers Out				
Account Detail				
G/L Account Classification	FY 2018 Budget	YTD Actual	Actual as % of Budget	% of FY Complete
740 – Operating Transfers Out	\$492,926	\$123,231	25%	25%
711 – Credit Card Fees	41,000	5,534	13%	25%
710 – Banking Charges	7,025	-	0%	25%
Total	\$540,951	\$128,766	24%	25%

Non-Payroll Disaster Related

The “non-payroll disaster related” category is unbudgeted non-payroll expenditures related to Hurricane Harvey. Some of these costs should be reimbursable by the Federal Emergency Management Agency (FEMA).

General Fund Summary:

General Fund FY 2018 Revenue and Expenditure Report by Department					
	FY 2018 Adopted Budget	FY 2018 Projected	YTD Actual	% of Budget (Collected / Spent)	Actual Over / (Under) Budget
Revenue					
Current Property Taxes	\$13,118,646	\$13,118,646	\$4,381,053	33%	(\$8,737,593)
Franchise Taxes	1,424,734	1,424,734	404,670	28%	(1,020,064)
Sales Tax	2,348,555	2,348,555	584,266	25%	(1,764,289)
Permits	771,300	771,300	139,541	18%	(631,759)
Fees	369,200	369,200	94,351	26%	(274,849)
License	2,900	2,900	1,012	35%	(1,888)
Intergovernmental	5,500	5,500	-	0%	(5,500)
Rental	19,400	19,400	5,416	28%	(13,984)
Aquatics	336,500	336,500	10,188	3%	(326,312)
Program Fees	149,000	149,000	28,228	19%	(120,772)
Athletics	365,000	365,000	51,320	14%	(313,680)
Other Fees	17,500	17,500	3,834	22%	(13,666)
Public Safety	434,000	434,000	78,223	18%	(355,777)
Other Revenue	2,400	2,400	803	33%	(1,597)
Fines	730,000	730,000	134,836	18%	(595,164)
Investment Earnings	39,500	39,500	14,458	37%	(25,042)
Misc. (a)	25,700	2,137,752	2,190	9%	(23,510)
Business Enterprise Transfer	624,000	624,000	156,000	25%	(468,000)
Total	\$20,783,835	\$22,895,887	\$6,090,391	29%	(\$14,693,444)
Expenditures					
Administration	\$2,584,143	\$2,584,143	\$793,318	31%	(\$1,790,825)
Legal Service	100,000	100,000	-	0%	(100,000)
Finance	1,421,207	1,421,690	337,814	24%	(1,083,393)
Development Services	860,018	860,158	153,405	18%	(706,613)
Fire	3,114,328	3,121,630	765,792	25%	(2,348,536)
Police	6,235,668	6,235,668	1,480,232	24%	(4,755,436)
Parks, Rec., & Facilities	3,773,093	3,773,093	675,559	18%	(3,097,534)
Library	704,626	704,626	153,173	22%	(551,453)
Public Works	1,073,839	1,075,360	224,574	21%	(849,266)
Non-Departmental (b)	492,926	2,775,455	177,218	26%	(315,708)
Total	\$20,359,848	\$22,651,823	\$4,761,085	23%	(\$15,598,763)
Revenues/Expenditures	\$423,987	\$244,064	\$1,329,307		\$905,320

- (a) Projected miscellaneous revenues of \$2,137,752 include \$2,112,052 of Hurricane-Harvey reimbursements.
- (b) Projected non-departmental expenditures of \$2,775,455 include \$2,282,529 of Hurricane-Harvey expenditures.

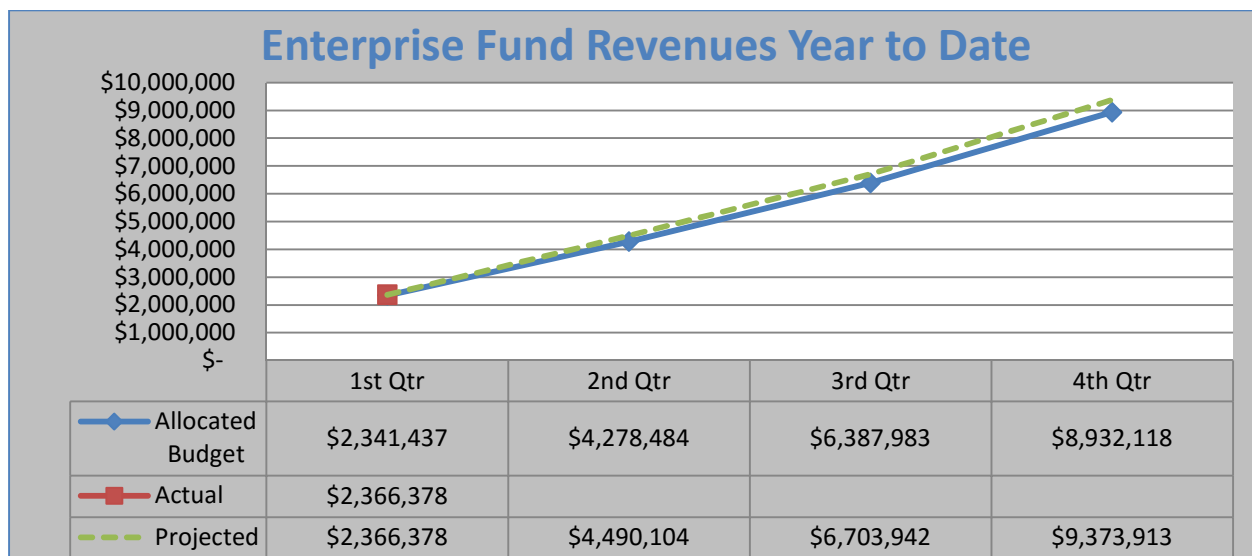
Attachment: FY 2018 1st Quarter Report (2413 : FY 2018 1st Quarter Report)

Enterprise Fund

Amounts reported herein are unaudited fiscal year-to-date amounts through December 31, 2017.

Enterprise Fund FY 2018 1st Quarter Revenue and Expense Report			
	Adopted Budget	Projected	YTD Actual
Beginning Working Capital Balance	\$669,399	\$1,368,192	\$1,368,192
Revenue	8,932,118	9,373,913	2,366,378
Expenses	8,990,787	9,460,197	1,828,488
Ending Working Capital Balance	\$610,730	\$1,281,908	\$1,906,082

Enterprise Fund Revenues:



Projections exceed allocated budget due to projected Hurricane Harvey reimbursements.

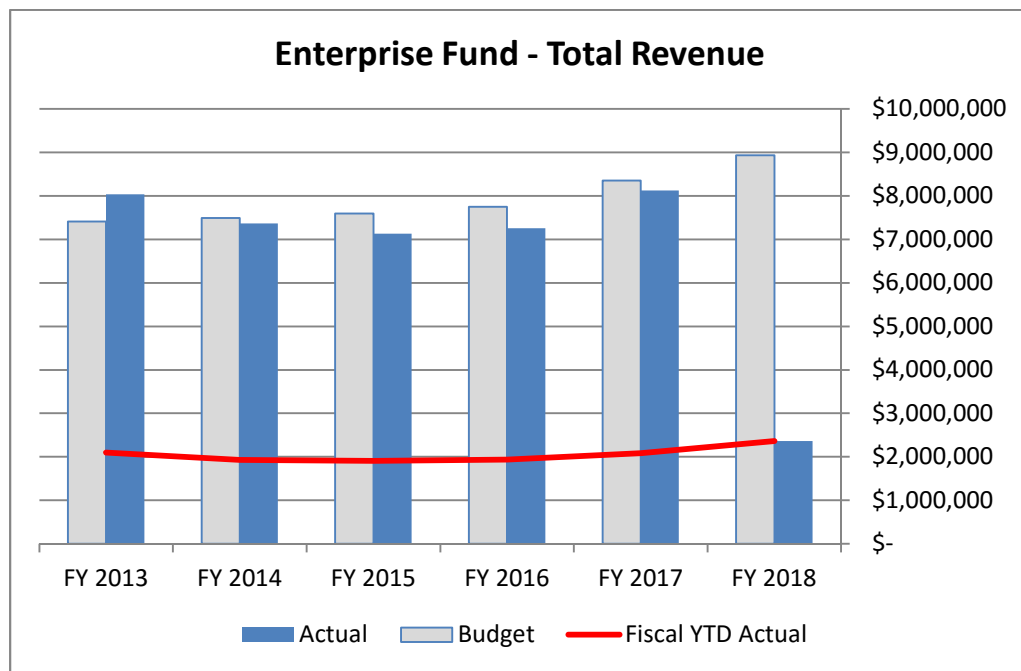
Enterprise Fund FY 2018 1st Quarter Revenues			
FY 2018 Budget	YTD Allocated Budget	YTD Actual	Actual Over / (Under) Allocated Budget
\$8,932,118	\$2,341,437	\$2,366,378	\$24,942

For the three months ended December 31, 2017, the Enterprise Fund collected 26% of its total budgeted revenues and is over its allocated budget by \$24,942, or 1%.

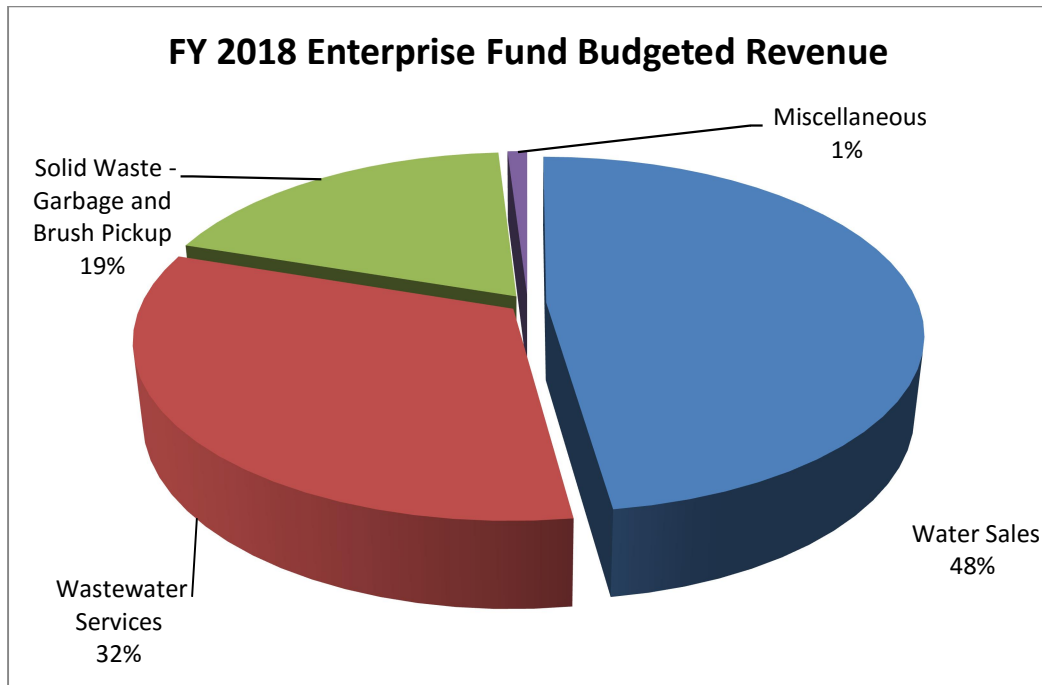
Individual revenue categories contributing to the variance from allocated budget are shown in the following table.

Enterprise Fund FY 2018 1st Quarter Revenue Categories				
Revenue Category	FY 2018 Budget	YTD Allocated Budget	YTD Actual	Actual Over / (Under) Allocated Budget
Water	\$4,266,524	\$1,167,557	\$1,206,210	\$38,653
Wastewater	2,891,394	726,424	670,388	(56,036)
Solid Waste	1,683,700	420,670	416,759	(3,912)
Other	90,580	26,785	73,021	46,236
Total	\$8,932,118	\$2,341,437	\$2,366,378	\$24,942

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

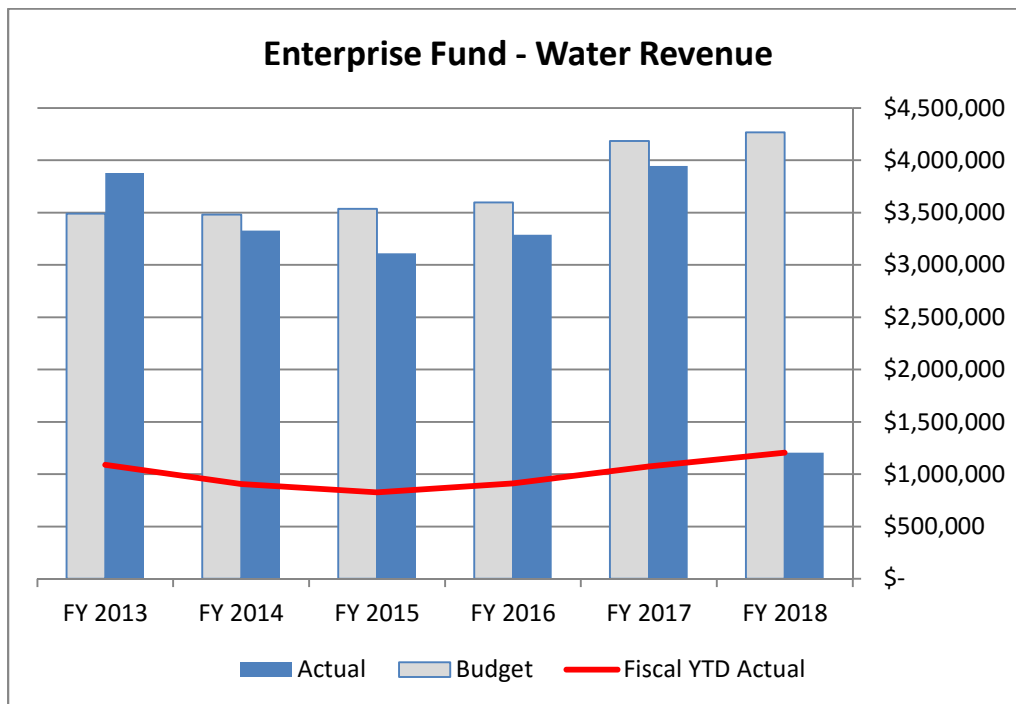


Sales of water makes up the largest category of revenues in the Enterprise Fund at 48% of all FY 2018 budgeted revenues, followed by charges for wastewater at 32%, and charges for solid waste at 19%.



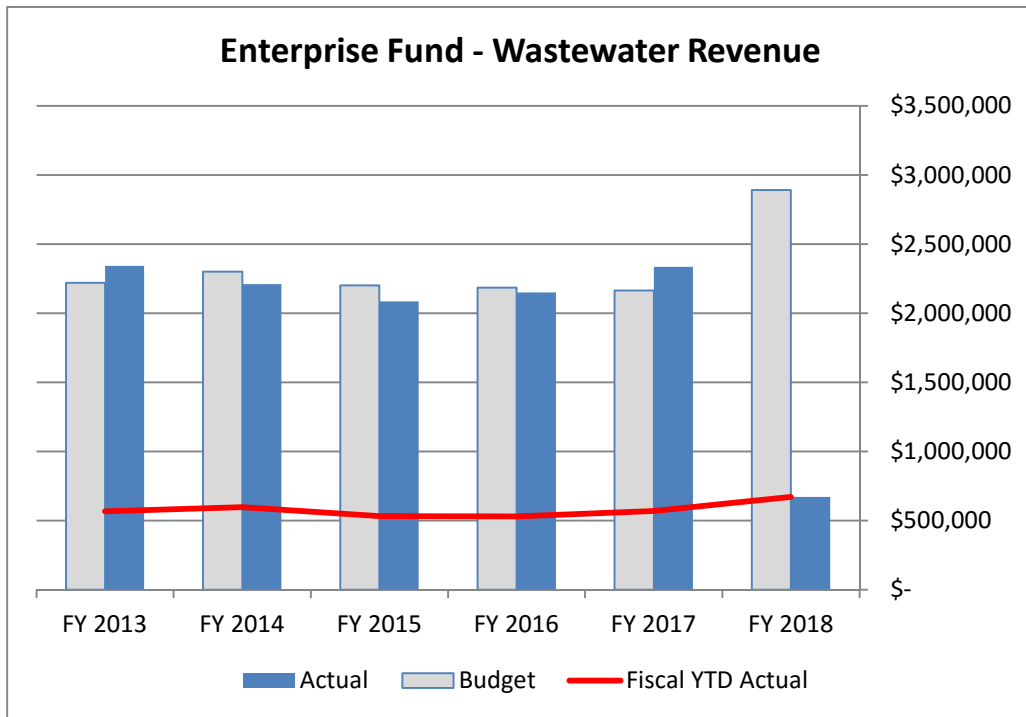
Water Revenue

Water revenues of \$1,206,210 are above the allocated budget by \$38,653, or 3%.



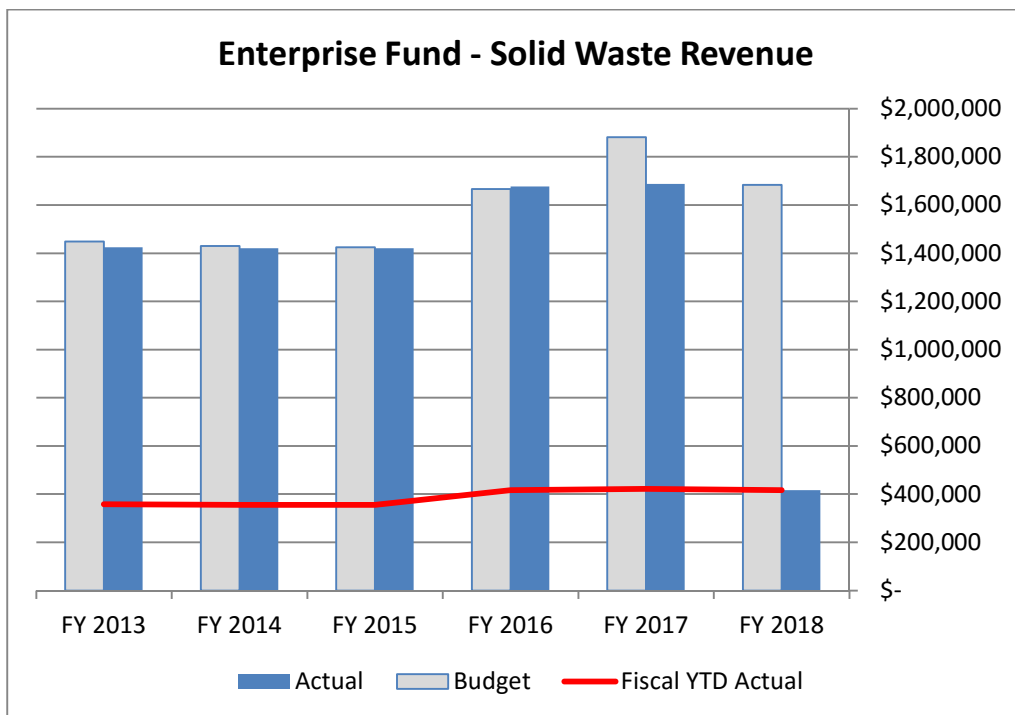
Wastewater Revenue

Wastewater revenues of \$670,388 are under the allocated budget by \$56,036, or 8%.

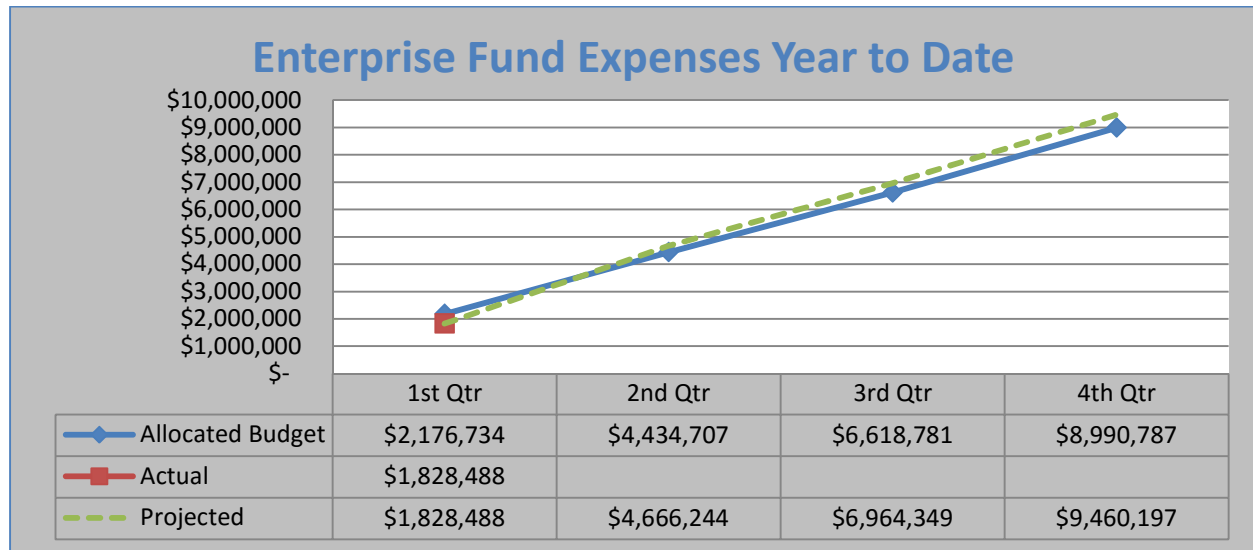


Solid Waste

Solid Waste revenues of \$416,759 are below the allocated budget by \$3,912, or 1%.



Enterprise Fund Expenses:



Projections exceed allocated budget due to projected Hurricane Harvey expenses.

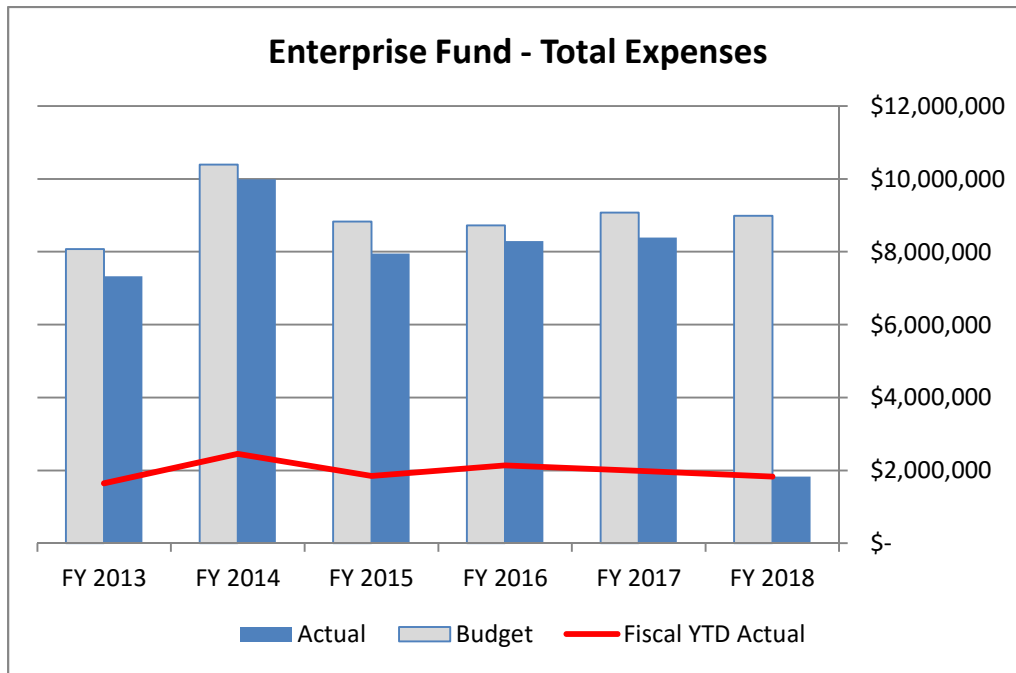
Enterprise Fund FY 2018 1st Quarter Expenses			
FY 2018 Budget	YTD Allocated Budget	YTD Actual	Actual Over / (Under) Allocated Budget
\$8,990,787	\$2,176,734	\$1,828,488	(\$348,246)

For the three months ended December 31, 2017, the Enterprise Fund incurred 20% of its total budgeted expenses and is under its allocated budget by \$348,246, or 16%.

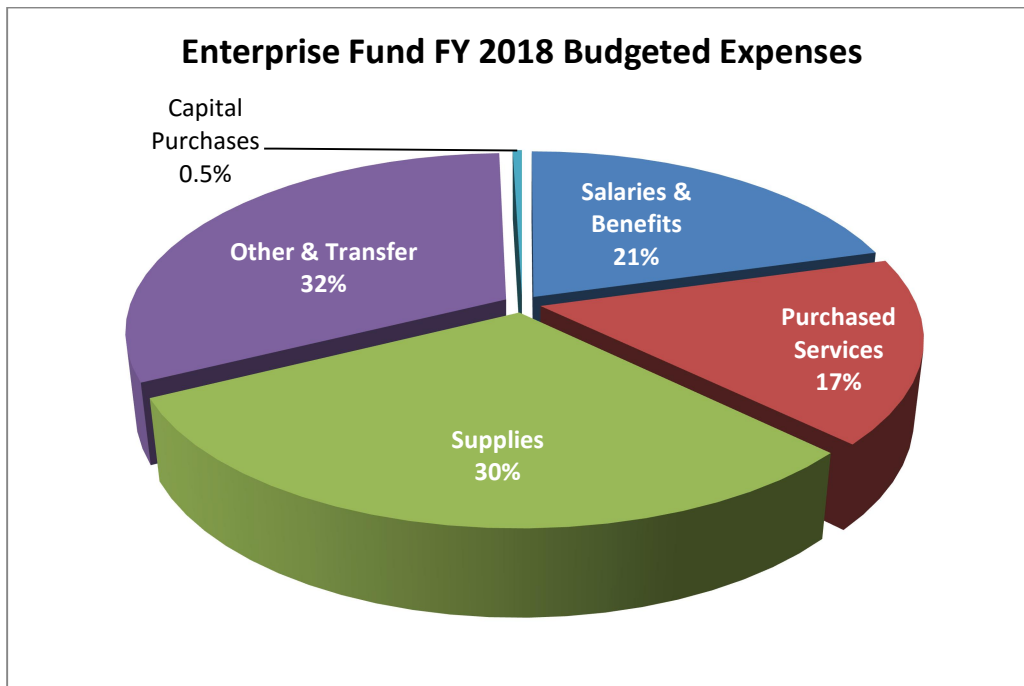
As reflected in the following table, the expense category causing the majority of the variance from allocated budget is supplies, which is under the allocated budget by \$395,350.

General Fund FY 2018 1st Quarter Expense Categories				
Expense Category	FY 2018 Budget	YTD Allocated Budget	YTD Actual	Actual Over / (Under) Allocated Budget
Salaries & Benefits	\$1,854,594	\$483,409	\$442,462	(\$40947)
Purchased Services	1,491,676	304,910	295,669	(9,241)
Supplies	2,737,081	668,054	272,705	(395,350)
Other / Transfers	2,865,436	720,361	716,130	(4,231)
Capital Purchases	42,000	-	-	-
Non-Payroll Disaster	-	-	101,522	101,522
Total	\$8,990,787	\$2,176,734	\$1,828,488	(\$348,246)

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

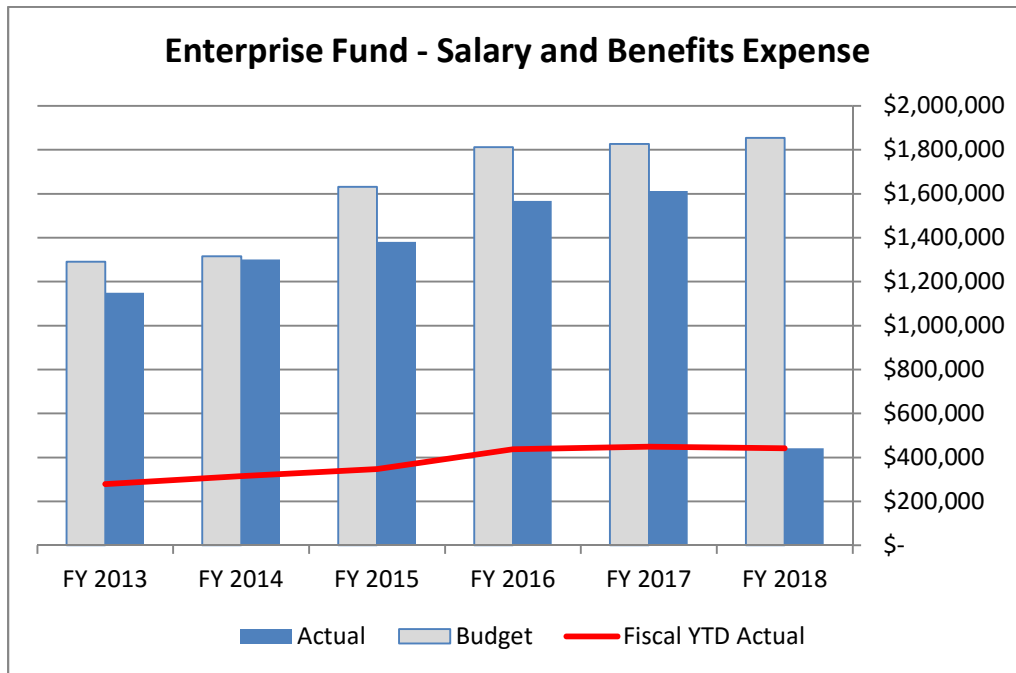


“Other expenses and transfers” makes up the largest category of expenses in the Enterprise Fund at 32% of all FY 2018 budgeted expenses, followed by supplies (which include water purchased from the City of Houston) at 30%. Other and transfers includes \$14,000 of budgeted operational expenses and \$2,851,436 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.



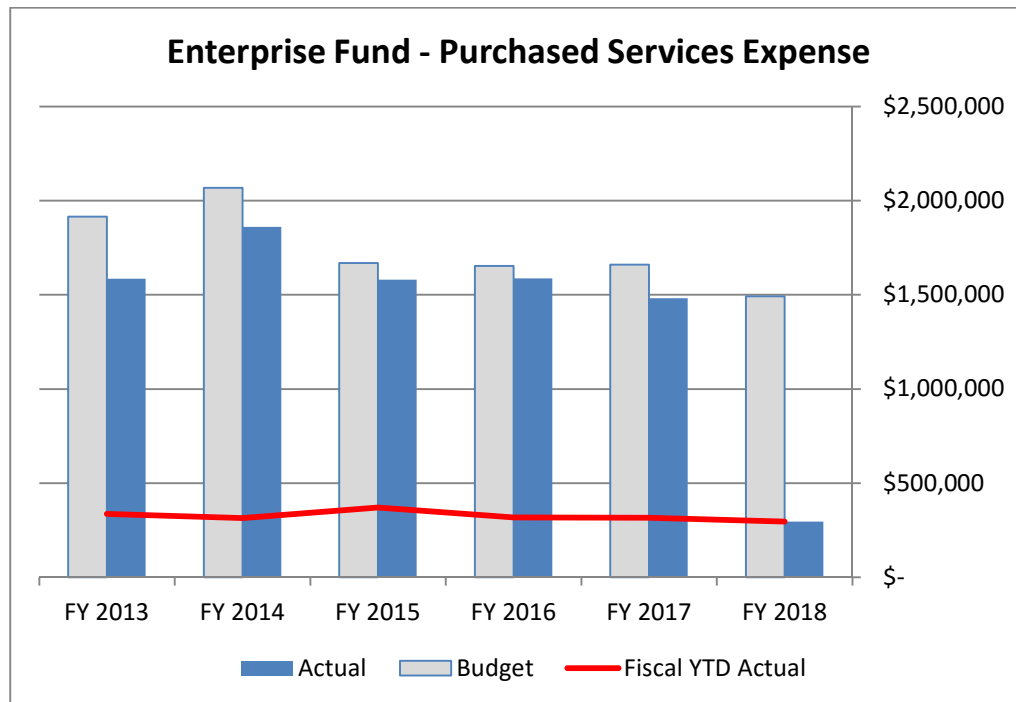
Salary and Benefits

Salary and benefits of \$442,462 are under the allocated budget by \$40,947, or 9%.



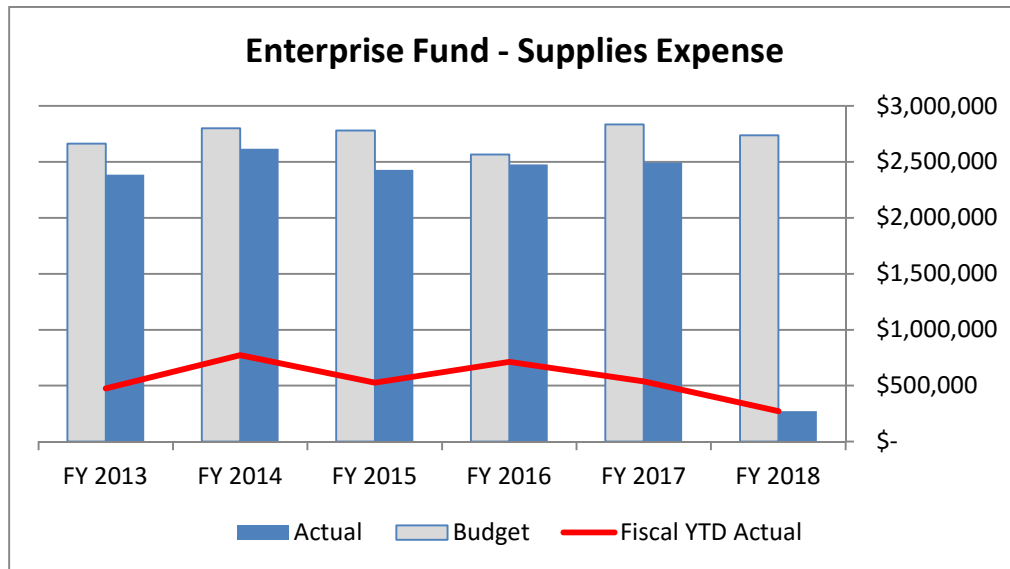
Purchased Services

Purchased services of \$295,669 are under the allocated budget by \$9,241, or 3%.



Supplies

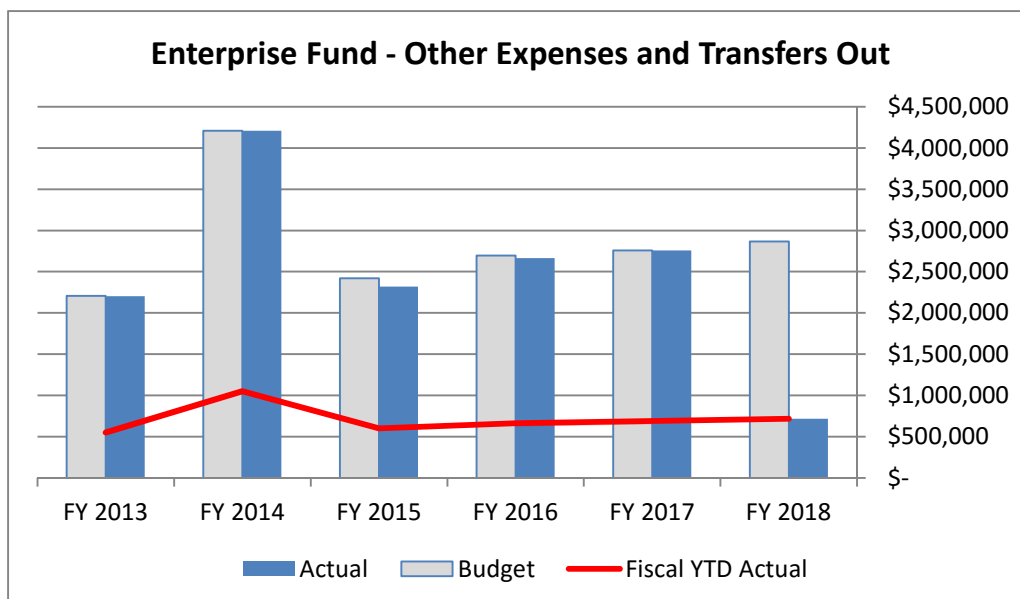
Supplies of \$272,705 are under the allocated budget by \$395,350, or 59%.



Supplies are under allocated budget due mainly to the timing of payments for water purchased from the City of Houston. The year-to-date December expenses include one month of water purchases. 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, delays in receiving water invoices resulted in only one additional invoice being received and paid before December 31. As a result there is only one month's water expense recorded in the three months ended December 31 which causes the variance from the allocated budget.

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 three months ended December 31, 2017, of \$716,130 are under the allocated budget by \$4,231, or 1%.



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

Other Expenditures and Transfers Out Account Detail				
G/L Account Classification	FY 2018 Budget	YTD Actual	Actual as % of Budget	% of FY Complete
740 – Operating Transfers Out	\$2,851,436	\$712,859	25%	25%
711 – Credit Card Fees	14,000	3,271	25%	25%
Total	\$2,865,436	\$716,130	25%	25%

Non-Payroll Disaster Related

The “non-payroll disaster related” category is unbudgeted non-payroll expenses related to Hurricane Harvey. Some of these costs should be reimbursable by the Federal Emergency Management Agency (FEMA).

Enterprise Fund FY 2018 Revenue and Expense Report by Department					
	FY 2018 Adopted Budget	FY 2018 Projected	YTD Actual	% of Budget (Collected / Spent)	Actual Over / (Under) Budget
Revenue					
Water Sales	\$4,266,524	\$4,266,524	\$1,206,210	28%	(\$3,060,314)
Waste Water Service	2,891,394	2,891,394	670,388	23%	(2,221,006)
Solid Waste – Garbage & Brush Pickup	1,683,700	1,683,700	416,759	25%	(1,266,941)
Miscellaneous	90,500	532,295	73,021	81%	(17,479)
Total	\$8,932,118	\$9,373,913	\$2,366,378	26%	(\$6,565,740)
Expenses					
Water Production	\$481,203	\$481,554	\$112,422	23%	(\$368,781)
Water Distribution	567,008	567,145	119,639	21%	(447,369)
Surface Water	1,953,800	1,953,800	129,332	7%	(1,824,468)
Wastewater Collection	522,914	522,914	90,869	17%	(432,045)
Wastewater Treatment	829,743	829,743	155,777	19%	(673,966)
Solid Waste – Garbage & Brush Pickup	1,472,323	1,474,436	328,262	22%	(1,144,061)
Utility Billing	298,360	302,838	94,171	32%	(204,189)
Transfers Out/Other	2,865,436	3,327,767	798,016	28%	(2,067,420)
Total	\$8,990,787	\$9,460,197	\$ 1,828,488	20%	(\$7,162,299)
Revenues/Expenses	(\$58,669)	(\$86,284)	\$537,890		\$596,559

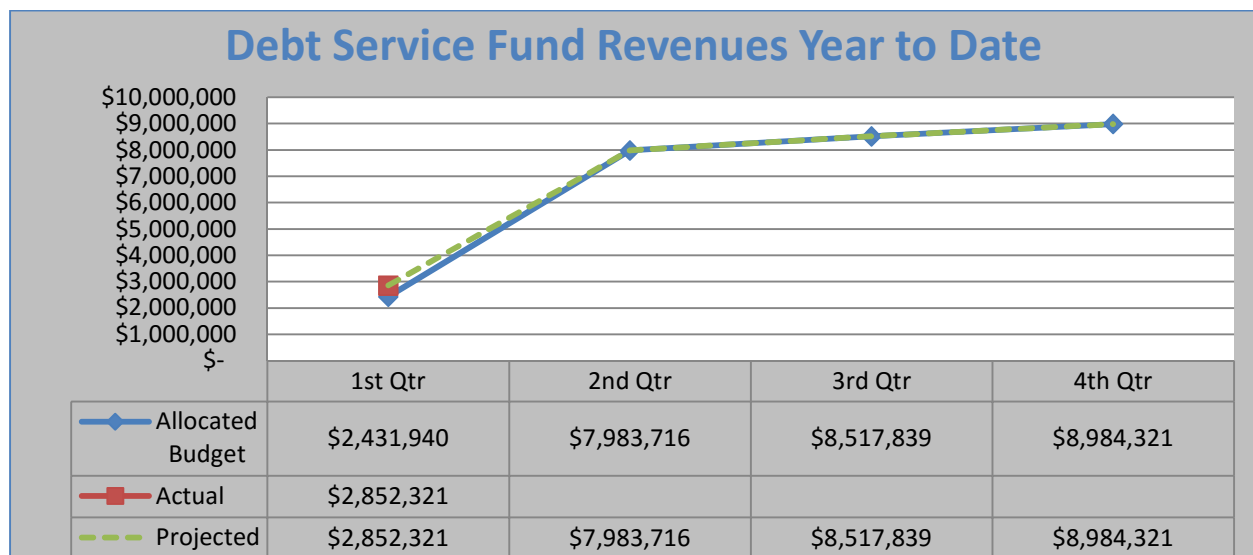
- (a) Projected miscellaneous revenues of \$532,295 include \$441,795 of Hurricane-Harvey reimbursements.
- (b) Projected transfer out/other expenses of \$3,327,767 include \$462,331 of Hurricane-Harvey expenses.

Debt Service Fund

Amounts reported herein are unaudited fiscal year-to-date amounts through December 31, 2017.

Debt Service Fund FY 2018 1st Quarter Revenue and Expenditure Report			
	Adopted Budget	Projected	YTD Actual
Beginning Balance	\$557,371	\$557,371	\$557,371
Revenue	8,984,321	8,984,321	2,852,321
Expense	8,984,341	8,984,341	1,850
Ending Balance	\$557,351	\$557,351	\$3,407,842

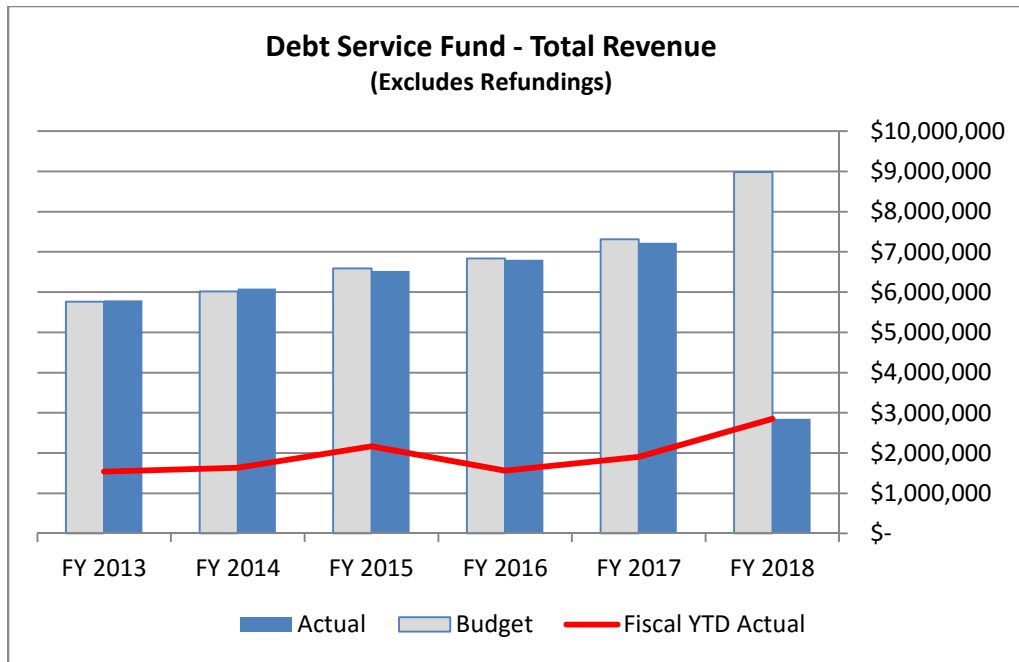
Debt Service Fund Revenues:



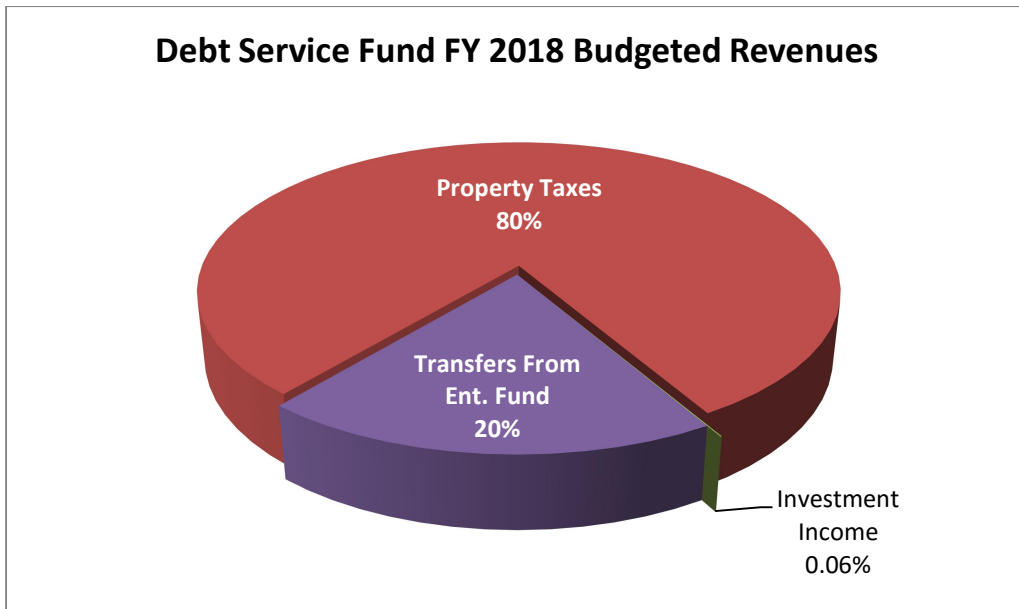
Debt Service Fund FY 2018 1st Quarter Revenues			
FY 2018 Budget	YTD Allocated Budget	YTD Actual	Actual Over / (Under) Allocated Budget
\$8,984,321	\$2,431,940	\$2,852,321	\$420,505

For the three months ended December 31, 2017, the Debt Service Fund collected 32% of its total budgeted revenues and is over its allocated budget by \$420,381, or 17%.

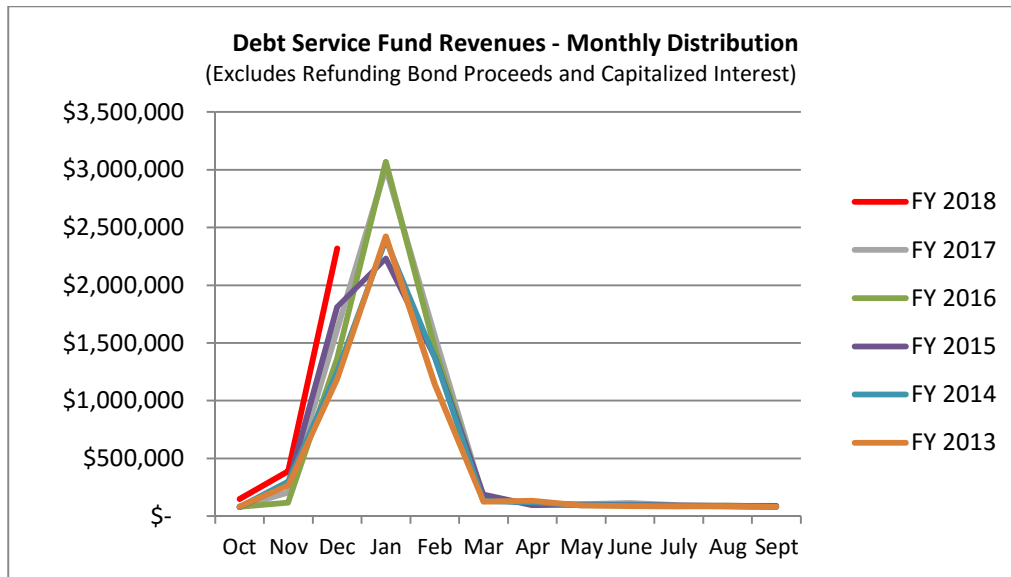
Attachment: FY 2018 1st Quarter Report (2413 : FY 2018 1st Quarter Report)



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%.



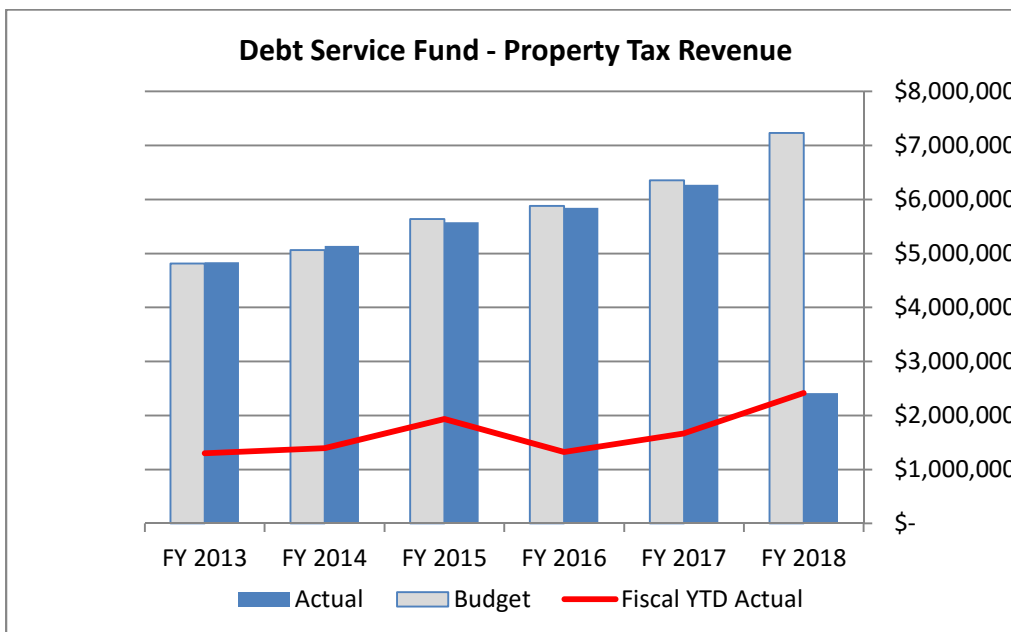
As property taxes are the main revenue source, the January 31 property tax deadline results in revenues being concentrated in the December – February timeframe.



Property Tax

The Debt Service Fund collected \$2,413,689 of property tax in the three months ended December 31, 2017, which is over the allocated budget by \$420,505, or 21%. The variance from budget is likely due in large part to the new federal tax law that limits the deduction for state and local taxes to \$10,000 beginning in calendar year 2018. This incentivizes some taxpayers to pay their property taxes before December 31, so that they may take a full deduction for the property taxes on their 2017 federal tax return.

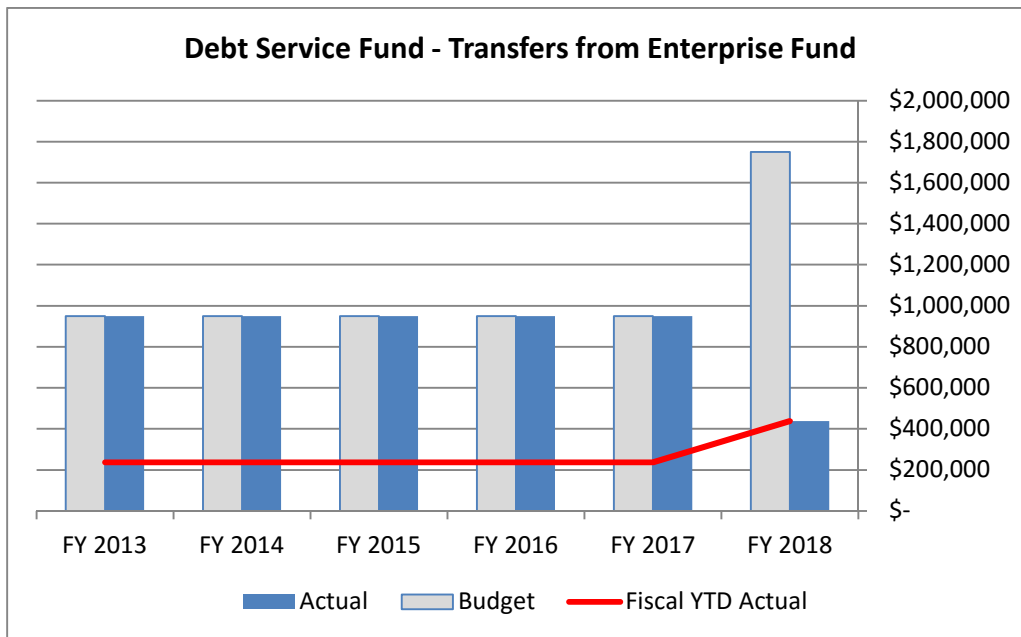
Property taxes are primarily collected in the months of December through February due to the January 31 property tax due date.



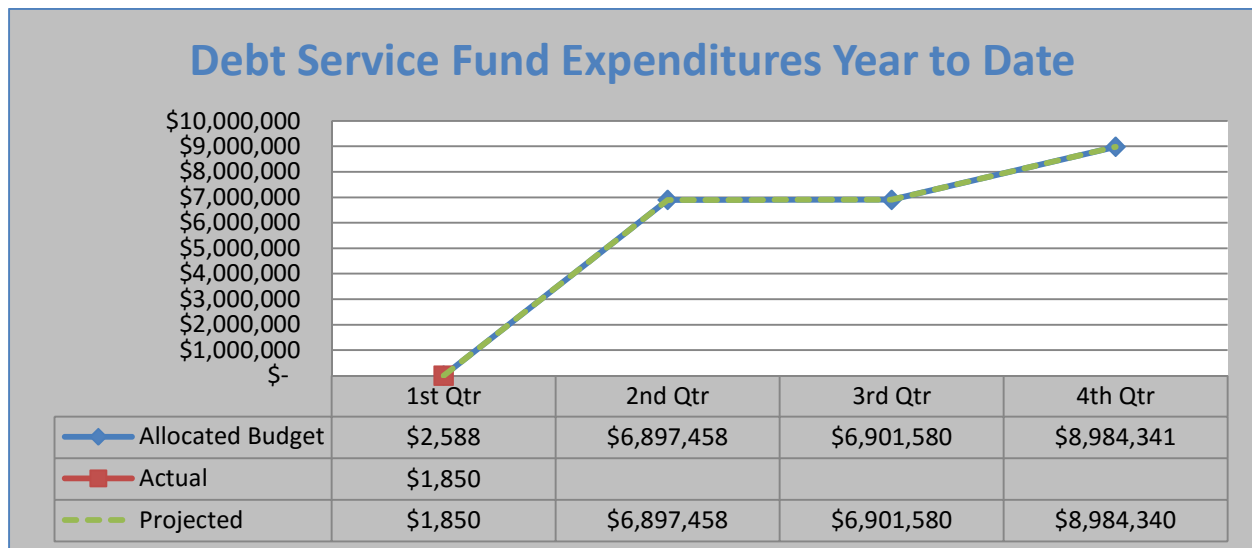
FY 2018 property taxes are budgeted for \$7.2 million, an increase of \$0.9 million over FY 2017's \$6.3 million. The budgeted increase in property taxes is driven by a debt service tax rate increase of \$0.0158 per \$100 of assessed value, or 11.9%, and a 1.9% increase in taxable values.

Transfers In

Transfers from the Enterprise Fund in the amount of \$437,609 for the three months ended December 31, 2017, are equal to allocated budget.

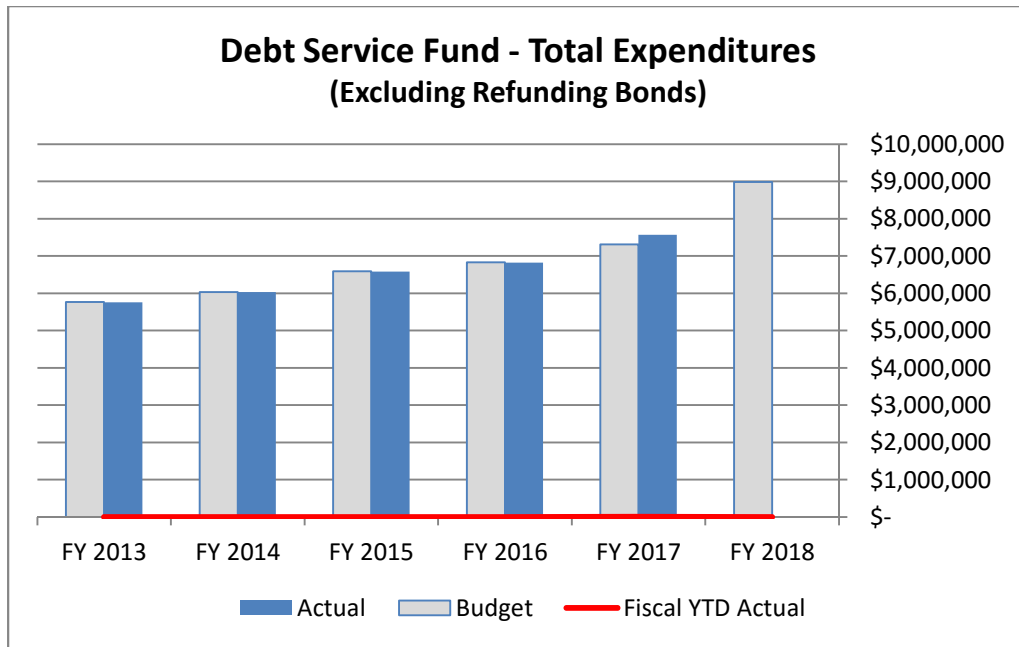


Debt Service Fund Expenditures:

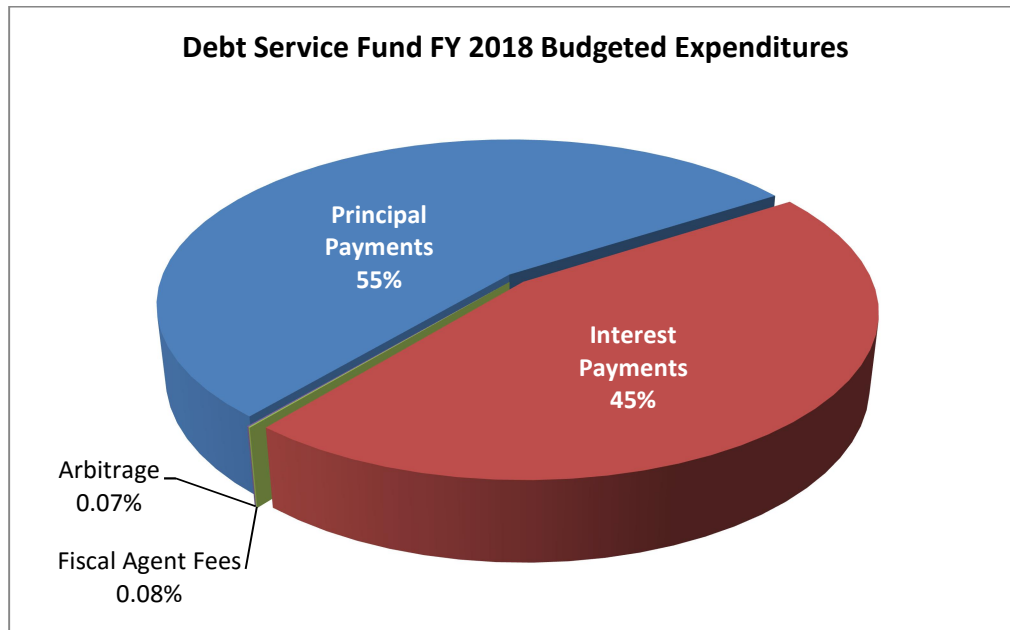


Debt Service Fund FY 2018 1st Quarter Expenditures			
FY 2018 Budget	YTD Allocated Budget	YTD Actual	Actual Over / (Under) Allocated Budget
\$8,984,341	\$2,588	\$1,850	(\$738)

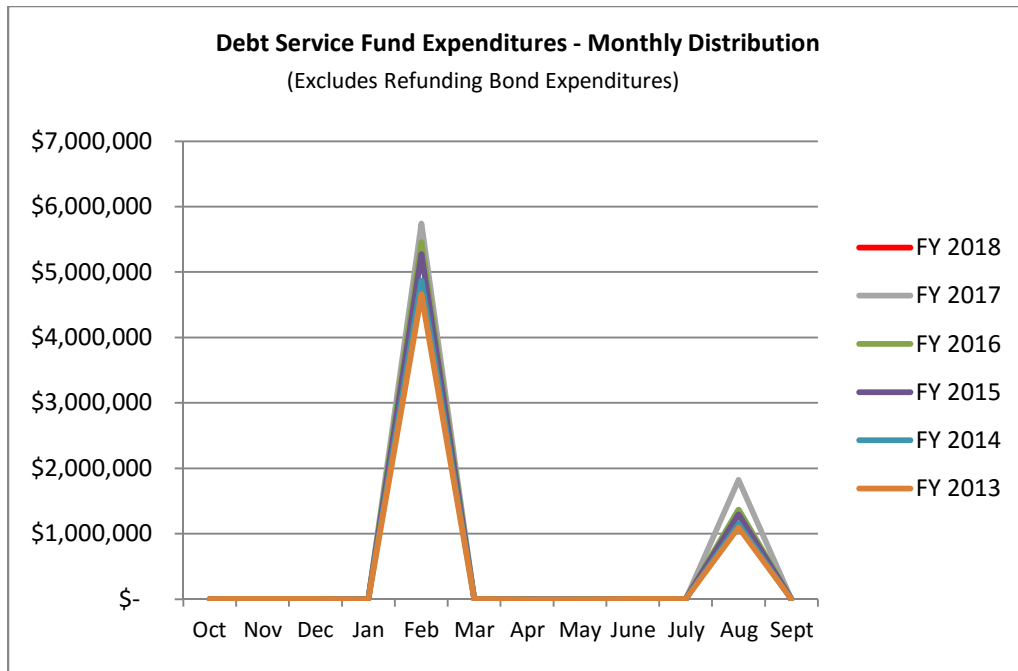
For the three months ended December 31, 2017, the Debt Service Fund incurred less than 1% of its total budgeted expenditures and is under its allocated budget by \$738, or 29%.



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. Expenditures in other months for fiscal agent fees and arbitrage consultants are minor.



Management Projects

During the budget process Council was presented with Management Projects developed to provide service enhancements and review and develop policies which will allow the City to become more efficient. The following is an update on those projects

MP 1801 – ADA Transition Plan - In 2010, under Title II of the Americans with Disabilities Act Federal Law, governed by the Department of Justice, requires all government entities to complete a Self-Evaluation of all policies, services, and public facilities and develop a comprehensive ADA Transition Plan that provides a road map ensuring all identified deficiencies will be corrected. This plan will assess policies, services, buildings and public grounds and will identify remedies, estimated costs and timelines for correcting deficiencies in meeting the needs of all citizens.

The team lead for this project is Karl Miller. A Request for Qualification will be prepared in February with potential procurement of professional services in April of 2018. The process as required under Title II involves staff, community leaders, public education, and final approval from City Council, which is targeted in April of 2019.

MP 1802 – Mass Notifications - Research and recommend options for improving the City of Bellaire's ability to notify and inform residents, businesses and visitors about emergencies, events, and breaking news happening in Bellaire. The team lead for this project is Darryl Anderson. This effort has been on-going and the team is reviewing potential vendors to make a recommendation in early March 2018 to the City Manager.

MP 1803 – Hoopla Digital Service - Hoopla is a digital service offering films, music, and audiobooks to expand the library's virtual branch in the community. Provided by Midwest Tapes, this service will allow library cardholders to enjoy digital content of nearly 500,000 titles without third party advertisements and with no holds or waiting periods.

This service is a pay-per-circ model with the library paying for what patrons actually borrow. There are no setup fees, subscription fees, annual fees or long-term contracts. A deposit is made with the company based on our population, in this case, \$3,000. The deposit is a one-time request; it never expires and goes completely towards circulation. If the service is no longer satisfactory, the balance of the advance is fully returned. Mary Cohrs oversees this project. This service has been purchased and implementation of the service in process with the assistance of the Houston Area Library Service. Once the service has been implemented City staff will begin training in February 2018 for the roll out to the public in the spring 2018.

Capital Improvement Program Projects

Council approved the FY 2018 Capital Projects as part of the City's annual budget adoption on September 18, 2017. The FY 2018 Capital projects have been designed to meet today's infrastructure needs as well as those of the future.

Bonds for Better Bellaire Program:

Water and Wastewater Project Group A Phase I:

ARKK Engineers, LLC, was selected for design engineering and construction administration for this project; KIT Professionals is providing third party review and construction management. This project is on schedule for bid in January 2018. A construction management contract and construction contract can be expected for Council consideration in March 2018. The 6800 block of Mapleridge Street at Bellaire Blvd wastewater line improvement became an emergency repair due to the increased deterioration experienced over the summer months and was ratified at the November 6, 2017 City Council meeting. A neighborhood meeting was held November 28, 2017. Waterline improvements on the following blocks are in this scope:

- S Rice intersection tie-in between the 5000-5100 blocks of Beech Street
- 5300 - 5400 Blocks of Braeburn Drive
- 5300 Block of Grand Lake Street
- 5100 - 5300 Blocks of Huisache Street
- 4800 - 4900 Blocks of Locust Street
- 4500 Block of Mayfair Street
- 4800 - 5000 Blocks of Palmetto Street
- 5100 - 5200 Blocks of Patrick Henry Street
- 5400 Block of Pine Street
- 5400 Block of Holly Street
- This wastewater line is complete at the 6800 block of Mapleridge Street

Water and Wastewater Project Group A Phase II:

ARKK Engineers, LLC, was awarded design engineering and construction administration services at the December 4, 2017 City Council meeting; KIT Professionals was awarded third party review and construction management services. A design kick off meeting will be held in January 2018 to plan for a winter 2018 construction. Waterline improvements on the following blocks are in this scope:

- 6900 - 7000 Blocks of IH 610
- 8300 Blocks of IH 610
- 4400 Block of Basswood
- 4400 Block of Serenity Lane
- 4500 Block of Beech
- 1100 Blocks of Colonial
- 4500 – 4600 Blocks of Evergreen
- 4500 – 4600 Blocks of Holt
- 4500 Block of Locust
- 4600 Blocks of Locust (east and west)
- 4500 Block of Park Ct.
- 4700 – 5000 Blocks of Tamarisk
- The wastewater line located at 5700 Innsbruck

Streets and Drainage Group B Phase I:

HDR Inc. was selected for design engineering and construction administration for this project; ARKK Engineers, LLC, is providing third party review and construction management. This project is nearing completion of the design phase. The four roadways in this project were originally designed with a previous bond program, but limited funding caused them to be removed from the construction contract. This project has been delayed for two months due to a utility conflict with AT&T and the lack of a TxDOT drainage permit. Construction is now estimated to begin this summer. A neighborhood meeting was held November 14, 2017. The City Council voted December 18, 2017 for all residential sidewalks to be installed at a width of four foot instead of five foot. This means all sidewalks in this scope will have four foot sidewalks. The sidewalks and streets on these blocks will be constructed with a zero curb cutback to avoid damage to the large live oaks on these blocks. The scope includes a street replacement, storm sewer upgrade, and installing sidewalks on at least one side of the street for the following blocks:

- 4700 Block of Linden Street
- 4700 Block of Willow Street
- 4900 - 5000 Block of Imperial Street
- 4900 - 5000 Block of Mayfair Street
- The waterline on the 4900 block of Imperial Street

Streets and Drainage Group C Phase II:

Costello, Inc. was selected for design engineering and construction administration for this project; ARKK Engineers, LLC is providing third party review and construction management. The 60% plan set was submitted to the City for review on November 21, 2017. The plan is to construct irrigation, streetlights, trees, landscaping and five foot sidewalks on both sides of Spruce and Fifth this summer after the HEB site is complete. The Neighborhood Meeting is tentatively scheduled this spring.

The City Council voted December 18, 2017 for all residential sidewalks to be installed at a width of four feet instead of five feet. This means sidewalks on Bolivar and Maple will have four-foot wide sidewalks. The scope includes street replacements, storm sewer upgrades, and sidewalks. The following streets are in this scope:

- 4500 Block of Maple Street
- 500 Block of Bolivar Street
- 5100-5200 Blocks of Spruce Street
- 700 Block of N Fifth Street (from Bellaire to Spruce)
- A waterline on the 700 block of N Fifth Street

Flood control flap gates are still on schedule for a winter 2018 construction. The Engineer has had several meetings with TxDOT, Harris County Flood Control District, the City of Houston and Union Pacific Railroad to discuss the specifications for the flood control devices being investigated with this project, and what is needed to get approval for the following locations:

- Cypress Creek Ditch at Newcastle
- South Rice Outfall
- 610 Ditch
- Union Pacific Railroad Ditch

Streets and Drainage Group C Phase III:

Kelly R. Kaluza and Associates, Inc. was awarded design engineering and construction administration services at the December 4, 2017 City Council meeting; ARKK Engineers, LLC is providing third party review and construction management. The City Council voted December 18, 2017 for all residential sidewalks to be

installed at a width of four foot instead of five foot. A design kick off meeting will be held in January 2018 to plan for a winter 2018 construction. The scope includes a street replacement, storm sewer upgrade, and installing sidewalks on at least one side of the street for the following blocks:

- 4500 block of Larch Lane
- 4300 block of Cynthia
- 4600 block of Cedar
- 500 block of Chelsea
- 4600 block of Mimosa

Sidewalks Group D Phase I:

Kelly R. Kaluza & Associates, Inc. was selected for design engineering and construction administration for this project; ARKK Engineers, LLC is providing third party review and construction management. The 100% plan set was sent to the City for bid, and the bid package was being prepared when City Council voted December 18, 2017 for all residential sidewalks to be installed at a width of four feet instead of five feet. This means all sidewalks in this scope will have four-foot wide sidewalks. The cost impacts for design and construction are still being evaluated, however, it is known the project is delayed an estimated two months. A report will be sent to Council once the impacts are fully analyzed by the team. This project is now delayed by two months. Construction is now anticipated to start this summer. A neighborhood meeting was held October 24, 2017. The scope is to install four foot sidewalks on at least one side of the street on the following blocks:

- 4700 - 5000 Blocks of Braeburn Drive
- 4500 - 4600 Blocks of Holly Street
- 4600 Block of Laurel Street
- 4600 Block of Oleander Street
- 1000 Block of Pauline Avenue
- 5000 - 5100 Blocks of Pine Street
- 5300 Block of Pine Street
- 4500 Block of Teas Street
- 4800 - 4900 Blocks of Valerie Street
- 4500 Block of Verone Street

Sidewalks Group D Phase II:

MBCO Engineering, LLC, was awarded design engineering and construction administration services at the December 4, 2017 City Council meeting; ARKK Engineers, LLC is providing third party review and construction management. A design kick off meeting will be held in January 2018 to plan for a winter 2018 construction. This scope is to install four-foot wide sidewalks on at least one side of the street on the following blocks:

- 5200 Block of Willow Street
- 5200 Block of Laurel Street
- 5200 Block of Linden Street
- 4800 - 4900 Blocks of Cedar Street
- 4800-4900 Blocks of Spruce Street
- 5000-5200 Blocks of Locust Street
- 5100 Block of Huisache Street
- 4800 – 4900 Blocks of Chestnut Street
- 3rd Street from Bellaire to Jessamine

Water Meter Installation and Improvements to Wastewater Treatment Plant:

The Siemens advanced metering infrastructure (AMI) water meter project is nearing completion. As of the end of January 2018, Siemens has replaced approximately 99.5% of the water meters in the City with AMI water

meters. As a result, the City utilized automated readings on January 31, 2018 for the first time to generate customer water bills. Taking less than a minute, AMI water meters throughout the City were read. The few meters that did not send a reading were read using a handheld device. The handheld device readings were synchronized with the automated readings to get a complete universe of readings. This new system provides shorter read times, greater meter accuracy, fewer reading errors, and allows Utility Billing the ability to view readings and usage from their computers.

In the coming months, the City will launch the AquaHawk resident portal, which will allow residents to monitor their water consumption and set customized alerts based on their usage, including alerts of potential leaks. The portal should help residents manage their water use, avoid billing surprises, and identify leaks for timely resolution. The City will be developing a campaign to inform residents of the AquaHawk portal and encourage registration.

Improvements to wastewater treatment plant progressed from 34% to 59% complete over the last quarter. Contractors have completed the installation of the new RAS pumps, replaced deteriorated air piping, constructed blower pads and installed the new aeration blowers, as well as completed the installation of the new aeration system in pre-aeration basins one and two. In January, contractors will begin working on upgrading the aeration system for aeration basins one and two. They will also begin work on the digester blowers and components, as well as the digester MCC replacement.

Municipal Facilities Project:

Demolition and dirt work has been completed for the Police / Court building, as well as the installation of the necessary underground utilities. The first two-thirds of the foundation was poured on Tuesday, January 23, 2018. The excavation for remaining grade beams is underway, and the elevator pit is being formed. Steel is expected to arrive on site in the coming weeks. The construction of the foundation and the steel structure is being accomplished in phases, with the northern portion of the building foundation, and then steel, going in first. This is due to the location of overhead utility lines and the challenges with where to place the concrete pump truck and crane.

The City Hall foundation was poured in November 2017, and the main steel structure was completed in December 2017. The decking on the second floor has been laid, reinforcing mesh has been installed, and the floor will be poured in January. City Council and staff had the opportunity to participate in a beam signing event on December 20, 2017, and that beam has been installed above the Council dais. With the approval of the access control / CCTV and the structured cabling vendor by Council on Monday, January 22, 2018, the project team has begun scheduling meetings between the various contractors to ensure proper and timely coordination.

Testing of all materials for strength, density, and adherence to specifications is ongoing. To date, reports have been acceptable. Meetings regarding Furniture, Fixtures, and Equipment (FFE) procurement have been ongoing. Future FFE items will be taken before Council in March 2018.

Rebuild Bellaire Phase 5B:

This project was approved at City Council December 4, 2017 for release of retainage and closeout to Reytec Construction Resources, Inc. The one (1) year warranty for this project began October 24, 2017. A walk-through will be conducted in October 2018 to determine if any deficiencies are present for the following streets constructed with this project:

- Alder Drive (Evergreen to Maple)
- 6900 & 7000 Blocks of Ferris Street
- 4400 Block of Glenmont Drive

- 1000 - 1200 Blocks of Howard Lane
- 4400 Block of Nancy Street
- 5300 Block of Valerie Street

Cash Funded Projects:

Renwick Well Improvement Project:

The existing pumps and motors are past their useful life expectancy and have been rebuilt/repared multiple times over the years. More energy efficient models are available as well. H2OMC, LLC and the Public Works Department are currently working to complete the specifications for soliciting bids to replace all three booster pumps and motors at the site. Bid solicitation is expected to be completed by late February 2018.

Wendell Lift Station Improvement Project:

The existing lift pumps are past their useful life expectancy, have been repaired/rebuilt multiple times, and require multiple staff members to assist with deragging of pumps on a regular basis. H2OMC, LLC the Public Works Department are currently working to complete the specifications for soliciting bids to replace all three lift pumps at the site with dry pit submersible pumps. The proposed pumps will be more energy efficient and are of a dry pit submersible design, which will allow for the pumps to run in the event that the wet well gets flooded. Also, the new pumps are of a non-clogging design and will reduce or even eliminate the need for deragging. Bid solicitation is expected to be completed by late February 2018.

Rehabilitation of the Renwick Ground Storage Tank (GST):

City staff collected the necessary bacteriological samples after disinfecting and filling the ground storage tank and the results came back negative for contaminants. The tank was put back in service October 25, 2017. Quotes were solicited for the purchase and installation of several mature oak trees, as well as an accompanying irrigation system by Yellowstone Landscape. A purchase order was issued by the City on December 11, 2017. Weather pending, the trees and irrigation system are planned to be installed in late January. Upon completion of the installation of the trees and irrigation system, the final release of retainage and project close out documents is scheduled to go before City Council in April 2018.

City-Wide Supervisory Control and Data Acquisition (SCADA) Systems Upgrade Project Phase 2 & 3:

JACH Controls has completed the work specified in the contract for Phase II SCADA upgrades. Additional priority SCADA work was requested of JACH Controls, which included programming facility alarms for operator notification by the Verbatim autodialer system and setting up remote SCADA monitoring on a City purchased iPad to be utilized by Public Works staff. This portion of work is scheduled to be completed in late January 2018.

H2OMC, LLC is currently working with Public Works staff and ARKK Engineers, LLC to finalize the Phase III specifications for solicitation of bids. Bid solicitation is anticipated to occur in early March 2018.

Playgrounds, Shade Structures, and Park Amenities Program:

The Parks Board approved the expenditure of \$30,000 for trash can enclosures to be installed at Russ Pitman Park, Paseo Park, Holly Street, and the Bellaire Family Aquatic Center. The department is in the process of finalizing the selection and will be ordering the enclosures in the second quarter.

The Parks Board has formed a sub-committee to work with the Patrons for Bellaire Parks and staff to discuss creating themes around the smaller neighborhood parks with a focus on imagination, senses, interactivity and education. Staff has met with a playground representative who is working on a playground design that takes

these concepts into consideration. Once a concept is created, the playground representative will bring back some ideas for the sub-committee to review and discuss before bringing a recommendation forward to the Parks Board.

Park Signage Master Plan and Implementation Project:

The Park Signage Master Plan identified for FY 2017 funding was put on hold due to the Brand Identity Initiative. In early 2018, a presentation was made to City Council showing the recommended verbal and visual identity for the City of Bellaire. Additional public input will be sought during the State of the City meeting on February 5, 2018. The Park Signage Master Plan and Implementation will begin and proceed once the Brand Identity recommendations are approved by City Council.

Bellaire Family Aquatic Center Pool Area Improvements:

The planned improvements include decking, fencing, and shade structures; however, this project is on hold pending future affordability assessment.

Community Pathways Master Plan:

City Council approved the professional services agreement with HR Green Development, LLC at the August 7, 2017 City Council meeting. The highest priority projects identified in this project will influence the Bonds for Better Bellaire 2016 Group D Phase III Sidewalk Project. This plan will identify potential new projects that could be incorporated into the future CIP. This project is on schedule for completion in spring 2018.

An online survey was active November 1, 2017 to mid-December 2017 to solicit input from the public. The Parks and Recreation Advisory Board was presented with the draft Master Plan at the October 18, 2017 meeting, and provided feedback at the meeting on January 17, 2018. A Neighborhood Meeting was held on January 23, 2018. The action forms and meeting minutes generated at the Neighborhood Meeting and survey comments will be included as separate appendices in the plan. In addition, a Neighborhood Meeting report will be sent to City Council summarizing the comments received at this meeting and how they will be addressed in the plan. The deadline to submit comments on the plan is March 9, 2018. All comments received by March 9, 2018 will be addressed and incorporated into the plan. Comments received after the March 9, 2018 deadline for public comments will be mentioned in the presentation when this report is taken to the Planning and Zoning Commission and City Council for approval. This deadline is in place to give the consultant time to address comments in the plan. Further public involvement will take place during the design phase if these projects become a reality.

A presentation to the Planning and Zoning Commission will be given February 8, 2018 to hear their feedback on this project. The draft report will be taken to the Parks and Recreation Advisory Board February 21, 2018, and after comments are addressed from the board, the draft plan will be uploaded to the project website from February 23, 2018 until March 9, 2018 for review. The Neighborhood Meeting presentation and the draft report will be added to the project website when they become available, <https://www.bellairecommunitypathwaysplan.com/>.

Decorative Standards for Street Lights Pilot Project:

The Decorative Standards for Street Lights Pilot Project was put on hold due to the Brand Identity Initiative. In early 2018, a presentation was made to City Council showing the recommended verbal and visual identity for the City of Bellaire. Additional public input will be sought during the State of the City meeting on February 5, 2018. This project will begin and proceed once the Brand Identity recommendations are approved by City Council.

Flood Plain Hazard Mitigation Plan:

Between October and December of 2017, the Flood Hazard Mitigation Task Force met four (4) times in open meetings to discuss and develop the Flood Hazard Mitigation Plan. Additionally, an Electronic Notebook was created on the City's website to provide information to the Task Force and the public. Included in the notebook are previous flooding reports from the City Engineer, each presentation provided to the Task Force, and the latest draft of the Flood Hazard Mitigation Plan. All meetings have been broadcast live on either Channel 16 or the City's Facebook page. A video of each meeting can also be found in the Electronic Notebook. There is a Public Hearing scheduled for Monday, January 29, 2018. This Public Hearing will provide the public with an opportunity to comment on the Plan. The plan is still on schedule to be completed by spring 2018.

Public Works Site Planning Project:

The kick-off meetings were held in the last quarter of calendar year 2017, and overall site usage ideas were discussed. There is need to determine how the current space is utilized in the warehouse and storage areas, and an on-site meeting has been scheduled for February 2, 2018 to review. Once programmatic and space needs are identified, site usage will be explored for the various usages, including storage, parking, administrative building, and potential flood mitigation improvements.

Facilities Master Plan Update:

A proposal for planning services will be requested from PGAL and reviewed in the second quarter of FY 2018. This product master plan update will provide information on the current and projected future programmatic and space needs of the public works administration building and the library.

Metro Funded Projects:***2018 Pavement Management Program:***

At the November 6, 2017 City Council meeting, the Public Works Department gave a report that would change the approach to the FY 2018 Pavement Management Program due to the lessons learned with prior contracts. Staff is working to redevelop this program over the next several months.

FY 2017 Pavement Management Program:

ARKK Engineers, LLC is the design engineer for two (2) projects: streets and sidewalk project, and pavement striping. The original bid date was August 31, 2017 for these projects, but this date was impacted by Hurricane Harvey. An addendum was issued for bid opening to be moved to September 14, 2017. These projects were bid as a one (1) year contract with two (2) additional renewals, for a total of three (3) years. The contracts will be adjusted every year with the Consumer Price Index. Both contracts were approved at the November 6, 2017 Council meeting. In addition, City Council voted December 18, 2017 for all residential sidewalks to be installed at a width of four foot instead of five foot. This means all sidewalks in this scope will have four foot sidewalks. The cost impacts for construction are still being evaluated but it is known the project is delayed an estimate of one month. A report will be sent to Council once the impacts are fully analyzed by the team. Construction for the striping project will begin at the end of January and the streets and sidewalks project will begin in February.

The streets and sidewalks project includes street repairs with an overlay to the following blocks:

- 4500 Block of Holt Street
- 4500 Block of Mayfair Street
- 5300 Block of Grand Lake Street
- 4900-5000 Blocks of Maple Street
- 4700-4800 Blocks of Evergreen Street (includes striping)
- 100 Pembroke Court
- 4400 Effie Street (curb and gutter work)

Sidewalks are repaired or replaced at the following blocks:

- 100 Block of Beverly Lane
- 4500-4600 Blocks of Birch Street
- 4500 Block of Braeburn Drive

The following street repairs with an overlay were omitted from this project because they were completed with the FY 2016 Street and Sidewalk Pavement Management project:

- 5100 Block of Linden Street
- 5200 Block of Grand Lake Street

The striping portion includes various streets city wide such as Bellaire Blvd, South Rice Avenue, Newcastle Drive, Evergreen Street and Avenue B. It will also include angled parking on Cedar Street from Fifth Street to Ferris Street.

FY 2016 Pavement Management Program:

This project included pavement repairs, sidewalk improvements, curb and gutter repairs, overlays and various Block Inspection Program items. The final release of retainage and project close out was scheduled for the October 2, 2017 City Council meeting. Due to the impact of Hurricane Harvey, this project was approved for a release of retainage and the project was closed at the November 6, 2017 City Council meeting.

FY 2015 Pavement Management Program:

This project included pavement repairs, sidewalk improvements, curb and gutter repairs, overlays and various items identified in the Storm Drainage Maintenance Needs Assessment for twenty locations city-wide. The final release of retainage and project close out was scheduled for the October 2, 2017 City Council meeting. Due to the impact of Hurricane Harvey, this project was approved for a release of retainage and the project was closed at the November 6, 2017 City Council meeting.

Completed Projects:

2017 Playgrounds, Shade Structures, and Park Amenities Program
Evelyn's Park

Texas Future Proofing Projects Submission for The Governor's Commission to Rebuild Texas Effort:

On December 15, 2017 the City of Bellaire submitted projects identified by the City Engineer to the City's Harris County for submission to the State. The projects submitted were also presented to the Flood Hazard Mitigation Task Force. The projects are as follows:

- TxDOT Loop 610 System Upgrade – Study and Drainage Analysis (\$150,000) and Construction (\$65-150 million)
- Union Pacific Railroad Ditch – Study and Drainage Analysis (\$150,000) and Construction (\$1-1.25 million)
- Waste Water Treatment Plan Decommission to the City of Houston and Bellaire Detention – Study and Drainage Analysis – (\$150,000) and Construction (\$15-33 million)
- Ruffino Hills – No project estimates at this time.

Trends

Development Statistics				
	FY 2017 1st Quarter		FY 2018 1st Quarter	
	QTY.	Value	QTY.	Value
New Home Construction	14	\$ 7,101,635	13	\$ 8,116,168
Home Remodeling	106	\$ 1,988,901	160	\$ 3,888,968
New Commercial Construction	0	\$ 0	0	\$ 0
Commercial Remodeling	17	\$ 4,131,950	16	\$ 2,494,051
Demolition	25		30	

Flood Permit Statistics						
	October 2017 1 st Quarter		November 2017 1 st Quarter		December 2017 1 st Quarter	
	Qty	Value	Qty	Value	Qty	Value
Flood Permits Issued	393	\$21,868,251	139	\$8,256,626	59	\$3,943,516

Crime Statistics						
	October		November		December	
	FY 2017	FY 2018	FY 2017	FY 2018	FY 2017	FY 2018
Homicide	0	0	0	0	0	0
Sexual Assault	0	0	0	0	0	1
Robbery	5	4	1	2	4	0
Assault	3	2	6	4	3	4
Burglary Residence	7	1	2	4	0	0
Burglary Building	0	0	1	2	4	1
Theft	11	15	12	18	12	18
Motor Vehicle Theft	1	3	0	0	5	2

Warrant Statistics						
	October		November		December	
	FY 2017	FY 2018	FY 2017	FY 2018	FY 2017	FY 2018
Warrants Issued	223	252	127	106	371	325
Outstanding Warrants	144	223	98	76	234	319
Failure to Appear	69	76	29	18	109	95

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

		December		Year to Date			
	FY 2018 Adopted Budget	Actual	% of Adopted Budget	Allocated Budget	Actual	Over/(Under) Allocated Budget	% of Adopted Budget
Revenues							
Property Taxes	\$ 13,118,646	\$ 3,931,207	30%	\$ 3,600,052	\$ 4,381,053	\$ 781,000	33%
Franchise Taxes	1,424,734	137,104	10%	369,924	404,670	34,746	28%
Sales Taxes	2,348,555	225,253	10%	559,140	584,266	25,126	25%
Permits, Fees, Licenses	1,143,400	98,459	9%	262,736	234,905	(27,831)	21%
PARD Charges and Fees	887,400	22,785	3%	86,688	98,986	12,298	11%
Public Safety	436,400	31,971	7%	100,531	79,027	(21,504)	18%
Fines	730,000	36,527	5%	164,192	134,836	(29,356)	18%
All Other	694,700	56,468	8%	166,514	172,648	6,135	25%
Total Revenues	20,783,835	4,539,774	22%	5,309,778	6,090,391	780,613	29%
Expenditures							
Salary & Benefits	14,495,815	1,250,390	9%	3,599,288	3,520,437	(78,851)	24%
Purchased Services	4,110,441	191,240	5%	1,065,707	859,579	(206,127)	21%
Supplies	1,212,641	65,560	5%	255,747	198,316	(57,431)	16%
Other/Transfers	540,951	42,633	8%	126,957	128,766	1,809	24%
Non-Payroll Disaster Related	-	48,289	n/a	-	53,986	53,986	n/a
Total Expenditures	20,359,848	1,598,112	8%	5,047,699	4,761,085	(286,615)	23%
Net Revenues/(Expenditures)	\$ 423,987	\$ 2,941,662		\$ 262,079	\$ 1,329,307	\$ 1,067,228	
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)							

Attachment: FY 2018 1st Quarter Report (2413 : FY 2018 1st Quarter Report)

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

	FY 2018 Adopted Budget	December		Year to Date			
		Actual	% of Adopted Budget	Allocated Budget	Actual	Over/(Under) Allocated Budget	% of Adopted Budget
Revenues							
Water	\$ 4,266,524	\$ 403,179	9%	\$ 1,167,557	\$ 1,206,210	\$ 38,653	28%
Wastewater	2,891,394	229,579	8%	726,424	670,388	(56,036)	23%
Solid Waste	1,683,700	137,949	8%	420,670	416,759	(3,912)	25%
All Other	90,500	62,505	69%	26,785	73,021	46,236	81%
Total Revenues	8,932,118	833,212	9%	2,341,437	2,366,378	24,942	26%
Expenses							
Salary & Benefits	1,854,594	156,688	8%	483,409	442,462	(40,947)	24%
Purchased Services	1,491,676	130,100	9%	304,910	295,669	(9,241)	20%
Supplies	2,737,081	205,832	8%	668,054	272,705	(395,350)	10%
Other Expenses and Transfers	2,865,436	239,023	8%	720,361	716,130	(4,231)	25%
Capital Purchases	42,000	-	0%	-	-	-	0%
Non-Payroll Disaster Related	-	61,712	n/a	-	101,522	101,522	n/a
Total Expenses	8,990,787	793,354	9%	2,176,734	1,828,488	(348,246)	20%
Net Revenues/(Expenses)	\$ (58,669)	\$ 39,858		\$ 164,702	\$ 537,890	\$ 373,188	
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: FY 2018 1st Quarter Report (2413 : FY 2018 1st Quarter Report)

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

		December		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	\$ 2,170,527	30%	\$ 1,993,184	\$ 2,413,689	\$ 420,505	33%
Investment Earnings	5,000	322	6%	1,147	1,022	(124)	20%
Transfers from Enterprise Fund	1,750,436	145,870	8%	437,609	437,609	0	25%
Total Revenues	8,984,321	2,316,719	26%	2,431,940	2,852,321	420,381	32%
Expenses							
Principal Payments	4,920,000	-	0%	-	-	-	0%
Interest Payments	4,050,841	-	0%	-	-	-	0%
Other	13,500	1,100	8%	2,588	1,850	(738)	14%
Total Expenses	8,984,341	1,100	0%	2,588	1,850	(738)	0%
Net Revenues/(Expenses)	\$ (20)	\$ 2,315,619		\$ 2,429,351	\$ 2,850,471	\$ 421,119	
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: FY 2018 1st Quarter Report (2413 : FY 2018 1st Quarter Report)

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

	FY 2018 Adopted Budget	Budget Carry-Over (a)	Budget Adjustments	FY 2018 Revised Budget	December Actual	YTD Actual	Encumbrance	Budget Balance
Revenues								
Transfers - General	\$ 450,500	\$ -	\$ -	\$ 450,500	\$ 29,750	\$ 89,250	n/a	\$ 361,250
Transfers - Enterprise	357,000	-	-	357,000	37,542	#####	n/a	244,375
Insurance Reimbursements	-	-	-	-	-	12,575	n/a	(12,575)
Total Revenues	807,500	-	-	807,500	67,292	214,450	n/a	593,050
Expenditures								
Information Technology	194,900	-	-	194,900	-	-	-	194,900
Fire	98,900	-	-	98,900	-	685,377	19,571	(606,048)
Police	320,000	-	-	320,000	-	250	190,155	129,595
Parks & Recreation	27,500	-	-	27,500	-	-	79,758	(52,258)
Public Works - General Fund	-	-	-	-	-	17,515	-	(17,515)
Public Works - Enterprise Fund	290,000	-	-	290,000	-	11,632	398,386	(120,018)
Total Expenditures/Encumbrances	931,300	-	-	931,300	-	714,774	687,870	(471,344)
Net Revenues/(Expenditures)	\$ (123,800)	\$ -	\$ -	\$ (123,800)	\$ 67,292	\$ (500,324)	n/a	\$ 1,064,394

(a) Capital improvement budgets are project-length and do not expire at the end of the fiscal year. Unexpired prior-year carry-over budgets are being finalized. Once final, the carry-over amounts from prior year will appear in this column in future reports.

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 December 2017

	FY 2018 Adopted Budget	Budget Carry-Over (a)	Budget Adjustments	FY 2018 Revised Budget	December Actual	YTD Actual	Encumbrance	Budget Balance
Revenues								
General Fund Transfer	\$ 42,426	\$ -	\$ -	\$ 42,426	\$ 3,536	\$ 10,606.50	n/a	\$ 31,820
Enterprise Fund Transfer	120,000	-	-	120,000	10,000	30,000	n/a	90,000
Special Revenue Fund Transfer	-	-	-	-	-	-	n/a	-
Misc	-	-	-	-	-	-	n/a	-
Total Revenues	162,426	-	-	162,426	13,536	40,607	n/a	121,820
Project Expenditures								
FY 2014 Street & Drainage Reconstruction - Phase 5B (b)	-	-	-	-	-	-	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	-	-	-	-	19,285	19,285	37,300	(56,585)
FY 2016 Street Striping Program	-	-	-	-	-	-	143,631	(143,631)
FY 2016 Pavement Management Program	-	-	-	-	-	-	1,264,230	(1,264,230)
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	19,285	37,410	1,991,491	(1,753,901)
FY 2016 Rehab Renwick Ground Storage	-	-	-	-	-	-	31,360	(31,360)
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	-	-	33,110	326,890
Total Expenditures/Encumbrances	635,000	-	-	635,000	19,285	37,410	2,024,601	(1,427,011)
Net Revenues/(Expenditures)	\$ (472,574)	\$ -	\$ -	\$ (472,574)	\$ (5,750)	\$ 3,197	n/a	\$ 1,548,831

(a) Capital improvement budgets are project-length and do not expire at the end of the fiscal year. Unexpired prior-year carry-over budgets are being finalized.

Once final, the carry-over amounts from prior year will appear in this column in future reports.

(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>

Attachment: FY 2018 1st Quarter Report (2413 : FY 2018 1st Quarter Report)

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

	FY 2018 Adopted Budget	Budget Carry-Over (a)	Budget Adjustments	FY 2018 Revised Budget	December Actual	YTD Actual	Encumbrance	Budget Balance
Revenues								
Interest	\$ -	\$ -	\$ -	\$ -	\$ 43,723	\$ 124,893	n/a	\$ (124,893)
Bonds Proceeds	12,500,000	-	-	12,500,000	-	-	n/a	12,500,000
Total Revenues	12,500,000	-	-	12,500,000	43,723	124,893	n/a	12,375,107
Non-Project Expenditures								
Bond Issuance Costs	-	-	-	-	-	-	-	-
Bond Expenditures	-	-	-	-	-	-	-	-
Total Non-Project Expenditures	-	-	-	-	-	-	-	-
Project Expenditures								
FY 2015 Drainage Phase 5B	-	-	-	-	-	-	11,672	(11,672)
FY 2017 Streets and Drainage	7,000,000	-	-	7,000,000	11,190	11,190	1,524,560	5,464,250
FY 2017 Police/Courts Construction	-	-	-	-	2,362	(91,971)	7,858,844	(7,766,873)
FY 2017 City Hall/Civic Center Construction	-	-	-	-	5,449	(184,381)	6,895,459	(6,711,077)
FY 2017 Transition - New City Hall/Police/Municipal Court	-	-	-	-	(2,000)	1,240	37,801	(39,041)
FY 2013 Design - New City Hall/Police/Municipal Court	-	-	-	-	6,744	6,744	121,901	(128,645)
FY 2015 Evelyn's Park	-	-	-	-	-	-	140	(140)
FY 2017 Sidewalks	1,000,000	-	-	1,000,000	8,455	8,455	366,149	625,396
FY 2017 Water Line Improvements	4,468,780	-	-	4,468,780	10,411	10,411	543,782	3,914,587
FY 2017 Water Meter Installations	-	-	-	-	93,934	93,934	247,963	(341,897)
FY 2017 Wastewater Treatment Plant Improvements	-	-	-	-	1,284,000	1,284,000	4,681,286	(5,965,286)
FY 2017 Wastewater Line Improvements	31,220	-	-	31,220	67,404	67,404	57,145	(93,329)
Total Project Expenditures	12,500,000	-	-	12,500,000	1,487,949	1,207,026	22,346,700	(11,053,727)
Total Expenditures/Encumbrances	12,500,000	-	-	12,500,000	1,487,949	1,207,026	22,346,700	(11,053,727)
Net Revenues/(Expenditures)	\$ -	\$ -	\$ -	\$ -	\$ (1,444,225)	\$ (1,082,133)	n/a	\$ 23,428,834

(a) Capital improvement budgets are project-length and do not expire at the end of the fiscal year. Unexpired prior-year carry-over budgets are being finalized. Once final, the carry-over amounts from prior year will appear in this column in future reports.

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>

Attachment: FY 2018 1st Quarter Report (2413 : FY 2018 1st Quarter Report)

**City of Bellaire
Metro Fund
Revenues and Expenditures (unaudited)
YTD as of December 2017**

	FY 2018 Adopted Budget	Budget Carry-Over (a)	FY 2018 Revised Budget	December Actual	YTD Actual	Encumbrance	Budget Balance
Revenues							
Metro Sales Tax	\$ 1,000,000	\$ -	\$ 1,000,000	\$ 112,627	\$ 289,220	n/a	\$ 710,780
Interest	-	-	-	1,646	5,081	n/a	(5,081)
Total Revenues	1,000,000	-	1,000,000	114,273	294,301	n/a	705,699
Project Expenditures							
Street Striping Program	-	-	-	-	-	224	(224)
Street Pavement Mgt Program	1,300,000	-	1,300,000	-	-	401,897	898,103
Sidewalk Projects	-	-	-	-	-	-	-
City Wide Trip Hazard	-	-	-	-	-	-	-
Total Expenditures/Encumbrances	1,300,000	-	1,300,000	-	-	402,121	897,879
Net Revenues/(Expenditures)	\$ (300,000)	\$ -	\$ (300,000)	\$ 114,273	\$ 294,301	n/a	\$ (192,179)

(a) Capital improvement budgets are project-length and do not expire at the end of the fiscal year. Unexpired prior-year carry-over budgets are being finalized. Once final, the carry-over amounts from prior year will appear in this column in future reports.

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**

<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	6,083,331
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				<u>\$ 6,764,573</u>
% of Budget				33.39%
% of Total Levy				33.71%
FY 2018 Budget - Total Tax Revenue				<u>\$ 20,261,531</u>
2017 Tax Year Taxable Value - Certified Appraisal Roll*				<u>\$ 4,570,121,110</u>
2017 Tax Year - Under Protest or not Certified*				<u>254,576,183</u>
Total 2017 Tax Year				<u>4,824,697,293</u>
Total Levy at \$0.4159 / \$100 =				<u>\$ 20,065,916</u>

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 S LLC	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 Owner LLC	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		7.36%

* Source: Harris County Tax Assessor-Collector

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

	<u>Dec-16</u>	<u>Jun-17</u>	<u>Dec-17</u>
<u>Houses, Townhomes & Vacant Lots for Sale *</u>			
<u>Price Range</u>			
\$ 0 - \$ 250,000	1	-	-
\$ 250,001 - \$ 500,000	37	38	59
\$ 500,001 - \$ 750,000	24	32	36
\$ 750,001 - \$ 1,000,000	16	32	16
> \$ 1,000,000	62	99	69
Total Units For Sale *	140	201	180
Total HCAD Residential Units/Lots **	6,199	6,199	6,210
For Sale as a % of Total Units	2.26%	3.24%	2.90%
Highest Listing Price - Home	\$ 2,888,000	\$ 3,295,000	\$ 3,688,000
Lowest Listing Price - TH/Lot	\$ 249,900	\$ 309,900	\$ 279,900
<u>Houses for Lease *</u>			
	65	64	29
Highest Lease/Month	\$ 6,950	\$ 9,750	\$ 15,000
Lowest Lease/Month	\$ 1,200	\$ 1,100	\$ 1,100

Foreclosure History as of end of Quarter Reported by RealtyTrac

	<u>Auction</u>	<u>Bank Owned</u>
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
At Quarter End 12-31-17	2	3

New Residential Construction

<u>Fiscal Year</u>	<u>New Units</u>	<u>Construction Cost****</u>	
		<u>Construction</u>	<u>Avg/Unit</u>
2008	132	\$ 75,405,507	\$ 571,254
2009	49	\$ 26,026,889	\$ 531,161
2010	***	\$ 34,682,458	\$ 541,913
2011	56	\$ 30,064,905	\$ 536,873
2012	***	\$ 54,914,376	\$ 590,477
2013	***	\$ 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	13	\$ 8,116,168	\$ 624,321

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

<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	\$	159,655	\$ 153,452	\$ 160,106
Nov	Sep		236,498	179,528	193,080
Dec	Oct		196,711	177,498	225,253
Jan	Nov		258,816	203,388	
Feb	Dec		253,419	232,674	
Mar	Jan		176,377	174,240	
Apr	Feb		177,283	169,626	
May	Mar		210,865	201,758	
Jun	Apr		172,229	154,642	
Jul	May		192,406	191,746	
Aug	Jun		266,791	190,031	
Sep	Jul		119,759	194,122	
Sub-Total		\$	2,420,809	\$ 2,222,707	\$ 578,440
<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		\$	2,443,599	\$ 2,241,860	\$ 584,266

Attachment: FY 2018 1st Quarter Report (2413 : FY 2018 1st Quarter Report)

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

		<u>FY 2016</u>	<u>FY 2017</u>	<u>FY 2018</u>
Electric	YTD	\$ 274,536	\$ 274,827	\$ 274,037
	Total	\$ 823,825	\$ 823,888	n/a
Gas	YTD	15,821	15,849	29,605
	Total	90,762	128,135	n/a
Telephone	YTD	28,637	26,226	25,259
	Total	115,362	103,487	n/a
Cable /PEG	YTD	98,534	96,467	90,924
	Total	400,666	383,314	n/a
All	YTD	<u>\$ 417,529</u>	<u>\$ 413,368</u>	<u>\$ 419,824</u>
	Total	<u>\$ 1,430,616</u>	<u>\$ 1,438,824</u>	n/a

Attachment: FY 2018 1st Quarter Report (2413 : FY 2018 1st Quarter Report)

CITY OF BELLAIRE
SUMMARY OF PURCHASE ORDERS
FY 2018
December 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	194	\$ 4,210,089	713	\$ 9,858,188
<u>PO for \$5,000 - \$50,000</u>	36	\$ 586,295	18	\$ 316,786	21	\$ 331,212	75	\$ 1,234,293
% of Total Purchase Orders	11.76%	43.42%	8.45%	7.37%	10.82%	7.87%	10.52%	12.52%
\$ 5,000 - \$ 25,000	28	\$ 334,003	14	\$ 174,476	18	\$ 231,059	60	\$ 739,538
\$ 25,001 - \$ 50,000	8	\$ 252,292	4	\$ 142,310	3	\$ 100,153	15	\$ 494,755
	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: FY 2018 1st Quarter Report (2413 : FY 2018 1st Quarter Report)

CITY OF BELLAIRE, TEXAS
SUMMARY INVESTMENT REPORT
Fiscal Year 2018 through December 31, 2017

Account Description	Purchase	Date First Call	Maturity	Rate/ Coupon	Purchase Yield	Purchase Price	Market Price	Face	Book	Market	Interest	Beginning Values @ 10/01/17		
								Amount	Value	Value	Accrued	Book Value	Market Value	
Amegy Bank of Texas Concentration Account Sub-total	12/31/17	n/a	01/01/18	0.0000%	0.0000%	\$ -	\$ -	\$ 7,997,880	\$ 7,997,880	\$ 7,997,880	\$ -	\$ 4,878,859	\$ 4,878,859	
								7,997,880	7,997,880	7,997,880	-	4,878,859	4,878,859	
Government Securities FFCB 3133EFV38 FNMA 3136G4AP8 FHLMC 3134GA7A6 Sub-total	03/29/16	03/29/17	03/29/19	1.2500%	1.2500%	100.000	99.220	1,000,000	1,000,000	992,199	3,125	1,000,000	985,193	
	09/30/16	03/30/17	09/30/19	1.2500%	1.2500%	100.000	98.530	1,000,000	1,000,000	985,298	3,125	1,000,000	990,533	
	03/28/17	09/09/18	09/09/19	1.5000%	1.5000%	100.000	99.143	1,000,000	1,000,000	991,434	3,750	1,000,000	997,315	
								3,000,000	3,000,000	2,968,931	10,000	3,000,000	2,983,041	
TexPool Investments Concentration Account METRO Account G.O. Bonds, Series 2014 G.O. Bonds, Series 2015 GOB 2017 New Municipal Buildings GOB 2017 Water/Wastewater Improv GOB 2017 Streets/Drainage/Sidewalks GOB 2017A Water/Wastewater Improv GOB 2017A Streets/Drainage/Sidewalks Sub-total	12/31/17	n/a	01/01/18	1.1764%	1.1764%	100.000	100.000	141,708	141,708	141,708	1,284	236,783	236,783	
	12/31/17	n/a	01/01/18	1.1764%	1.1764%	100.000	100.000	353,736	353,736	353,736	1,036	410,023	410,023	
	12/31/17	n/a	01/01/18	1.1764%	1.1764%	100.000	100.000	55,713	55,713	55,713	152	55,614	55,614	
	12/31/17	n/a	01/01/18	1.1764%	1.1764%	100.000	100.000	357,251	357,251	357,251	976	356,022	356,022	
	12/31/17	n/a	01/01/18	1.1764%	1.1764%	100.000	100.000	4,024,910	4,024,910	4,024,910	10,323	4,303,061	4,303,061	
	12/31/17	n/a	01/01/18	1.1764%	1.1764%	100.000	100.000	1,747,008	1,747,008	1,747,008	3,881	2,085,163	2,085,163	
	12/31/17	n/a	01/01/18	1.1764%	1.1764%	100.000	100.000	463,117	463,117	463,117	1,079	493,963	493,963	
	12/31/17	n/a	01/01/18	1.1764%	1.1764%	100.000	100.000	898,261	898,261	898,261	2,454	895,300	895,300	
	12/31/17	n/a	01/01/18	1.1764%	1.1764%	100.000	100.000	2,007,287	2,007,287	2,007,287	5,485	2,000,671	2,000,671	
								10,048,992	10,048,992	10,048,992	26,671	10,836,601	10,836,601	
	TexPool Prime Investments Concentration Account METRO Account G.O. Bonds, Series 2014 G.O. Bonds, Series 2015 GOB 2017 New Municipal Buildings GOB 2017 Water/Wastewater Improv GOB 2017 Streets/Drainage/Sidewalks GOB 2017A Water/Wastewater Improv GOB 2017A Streets/Drainage/Sidewalks Sub-total	12/31/17	n/a	01/01/18	1.3917%	1.3917%	100.000	100.000	213,737	213,737	213,737	492	500,816	500,816
		12/31/17	n/a	01/01/18	1.3917%	1.3917%	100.000	100.000	1,061,934	1,061,934	1,061,934	4,044	1,230,789	1,230,789
12/31/17		n/a	01/01/18	1.3917%	1.3917%	100.000	100.000	167,224	167,224	167,224	553	166,644	166,644	
12/31/17		n/a	01/01/18	1.3917%	1.3917%	100.000	100.000	1,071,948	1,071,948	1,071,948	3,548	1,068,653	1,068,653	
12/31/17		n/a	01/01/18	1.3917%	1.3917%	100.000	100.000	12,079,495	12,079,495	12,079,495	-	12,910,075	12,910,075	
12/31/17		n/a	01/01/18	1.3917%	1.3917%	100.000	100.000	5,243,680	5,243,680	5,243,680	-	6,256,016	6,256,016	
12/31/17		n/a	01/01/18	1.3917%	1.3917%	100.000	100.000	1,389,925	1,389,925	1,389,925	-	1,481,895	1,481,895	
12/31/17		n/a	01/01/18	1.3917%	1.3917%	100.000	100.000	2,695,277	2,695,277	2,695,277	8,921	2,686,862	2,686,862	
12/31/17		n/a	01/01/18	1.3917%	1.3917%	100.000	100.000	6,022,964	6,022,964	6,022,964	19,934	6,004,161	6,004,161	
								29,946,184	29,946,184	29,946,184	37,493	32,305,912	32,305,912	
TexSTAR Investments Concentration Account Sub-total		12/31/17	n/a	01/01/18	1.1762%	1.1762%	100.000	100.000	2,348,338	2,348,338	2,348,338	6,489	2,341,850	2,341,850
									2,348,338	2,348,338	2,348,338	6,489	2,341,850	2,341,850
	Total							\$ 53,341,394	\$ 53,341,394	\$ 53,310,325	\$ 80,652	\$ 53,363,221	\$ 53,346,262	

Amegy Bank Earnings Credit Rate:

0.8500%

Year-to-date Bank Fee Offset \$ 9,134

Weighted Average Yield:

1.1241%

Comparative Yields:

3-month Treasury Bill 1.3900%

6-month Treasury Bill 1.5300%

2-year Treasury Note 1.8900%

To the best of our knowledge, this report is in compliance with the investment strategy expressed in Chapter 2, Administration, Section 2-10, Investment Policy of the Code of Ordinances of the City of Bellaire, Texas and with the Texas Public Funds Investment Act., V.T.C.A., Government Code Ch. 2256, as amended.

Attachment: FY 2018 1st Quarter Report (2413 : FY 2018 1st Quarter Report)

CITY OF BELLAIRE, TEXAS
INVESTMENT ACTIVITY REPORT
Fiscal Year 2018 through December 31, 2017

Account Description	Purchase	Date	First Call	Maturity	Rate/ Coupon	Face Amount	Beginning Values		Fiscal Year-To-Date Activity				Ending Values	
							10/01/17	10/01/17	Deposits/ Purchases	Withdrawals/ Maturities/Calls	Incr/(Decr)	Market Value	Book Value	Market Value
Amegy Bank of Texas														
Concentration Account	12/31/17	n/a	01/01/18	0.0000%		\$ 7,997,880	\$ 4,878,859	\$ 4,878,859	\$ 14,875,291	\$ 11,756,271	\$ -	\$ 7,997,880	\$ 7,997,880	\$ 7,997,880
Sub-total						7,997,880	4,878,859	4,878,859	14,875,291	11,756,271	-	7,997,880	7,997,880	7,997,880
Government Securities														
FFCB 3133EFV38	03/29/16	03/29/17	03/29/19	1.2500%		1,000,000	1,000,000	995,193	-	-	(2,994)	1,000,000	1,000,000	992,199
FNMA 3136G4AP8	09/30/16	03/30/17	09/30/19	1.2500%		1,000,000	1,000,000	990,533	-	-	(5,235)	1,000,000	1,000,000	985,298
FHLMC 3134GAT6	03/28/17	09/09/18	09/09/19	1.5000%		1,000,000	1,000,000	997,315	-	-	(5,881)	1,000,000	1,000,000	991,434
Sub-total						3,000,000	3,000,000	2,983,041	-	-	(14,110)	3,000,000	3,000,000	2,968,931
TexPool Investments														
Concentration Account	12/31/17	n/a	01/01/18	1.1764%		141,708	236,783	236,783	4,006,574	4,101,649	-	141,708	141,708	141,708
METRO Account	12/31/17	n/a	01/01/18	1.1764%		353,736	410,023	410,023	483,155	519,442	-	353,736	353,736	353,736
G.O. Bonds, Series 2014	12/31/17	n/a	01/01/18	1.1764%		55,713	55,614	55,614	152	54	-	55,713	55,713	55,713
G.O. Bonds, Series 2015	12/31/17	n/a	01/01/18	1.1764%		357,251	356,022	356,022	1,229	-	-	357,251	357,251	357,251
GOB 2017 New Municipal Buildings	12/31/17	n/a	01/01/18	1.1764%		4,024,910	4,303,061	4,303,061	883,554	1,161,705	-	4,024,910	4,024,910	4,024,910
GOB 2017 Water/Wastewater Improv	12/31/17	n/a	01/01/18	1.1764%		1,747,008	2,085,163	2,085,163	1,036,256	1,374,410	-	1,747,008	1,747,008	1,747,008
GOB 2017 Streets/Drainage/Sidewalks	12/31/17	n/a	01/01/18	1.1764%		463,117	493,963	493,963	97,946	128,792	-	463,117	463,117	463,117
GOB 2017A Water/Wastewater Improv	12/31/17	n/a	01/01/18	1.1764%		898,261	895,300	895,300	2,960	-	-	898,261	898,261	898,261
GOB 2017A Streets/Drainage/Sidewalks	12/31/17	n/a	01/01/18	1.1764%		2,007,287	2,000,671	2,000,671	6,616	-	-	2,007,287	2,007,287	2,007,287
Sub-total						10,048,992	10,836,601	10,836,601	6,498,443	7,286,052	-	10,048,992	10,048,992	10,048,992
TexPool Prime Investments														
Concentration Account	12/31/17	n/a	01/01/18	1.3917%		213,737	500,816	500,816	212,921	500,000	-	213,737	213,737	213,737
METRO Account	12/31/17	n/a	01/01/18	1.3917%		1,061,934	1,230,789	1,230,789	4,044	172,899	-	1,061,934	1,061,934	1,061,934
G.O. Bonds, Series 2014	12/31/17	n/a	01/01/18	1.3917%		167,224	166,644	166,644	580	-	-	167,224	167,224	167,224
G.O. Bonds, Series 2015	12/31/17	n/a	01/01/18	1.3917%		1,071,948	1,068,653	1,068,653	3,548	253	-	1,071,948	1,071,948	1,071,948
GOB 2017 New Municipal Buildings	12/31/17	n/a	01/01/18	1.3917%		12,079,495	12,910,075	12,910,075	42,651	873,231	-	12,079,495	12,079,495	12,079,495
GOB 2017 Water/Wastewater Improv	12/31/17	n/a	01/01/18	1.3917%		5,243,680	6,256,016	6,256,016	20,039	1,032,375	-	5,243,680	5,243,680	5,243,680
GOB 2017 Streets/Drainage/Sidewalks	12/31/17	n/a	01/01/18	1.3917%		1,389,925	1,481,895	1,481,895	4,897	96,867	-	1,389,925	1,389,925	1,389,925
GOB 2017A Water/Wastewater Improv	12/31/17	n/a	01/01/18	1.3917%		2,695,277	2,686,862	2,686,862	8,921	506	-	2,695,277	2,695,277	2,695,277
GOB 2017A Streets/Drainage/Sidewalks	12/31/17	n/a	01/01/18	1.3917%		6,022,964	6,004,161	6,004,161	19,934	1,131	-	6,022,964	6,022,964	6,022,964
Sub-total						29,946,184	32,305,912	32,305,912	317,535	2,677,262	-	29,946,184	29,946,184	29,946,184
TexSTAR Investments														
Concentration Account	12/31/17	n/a	01/01/18	1.1762%		2,348,338	2,341,850	2,341,850	6,489	-	-	2,348,338	2,348,338	2,348,338
Sub-total						2,348,338	2,341,850	2,341,850	6,489	-	-	2,348,338	2,348,338	2,348,338
Total						\$ 53,341,394	\$ 53,363,221	\$ 53,346,262	\$ 21,697,758	\$ 21,719,585	\$ (14,110)	\$ 53,341,394	\$ 53,341,394	\$ 53,310,325

CITY OF BELLAIRE, TEXAS
INVESTMENT SUPPLEMENTARY REPORT
As of December 31, 2017

Account Description	GASB 31 Market Reserve			
	Maturity	Book Value	GASB 31 Market Reserve	Market Value
<u>Amegy Bank of Texas</u>				
Concentration Account	01/01/18	\$ 7,997,880	\$ -	\$ 7,997,880
Sub-total		7,997,880	-	7,997,880
<u>Government Securities</u>				
FFCB 3133EFV38	03/29/19	1,000,000	(7,801)	992,199
FNMA 3136G4AP8	09/30/19	1,000,000	(14,702)	985,298
FHLMC 3134GA7A6	09/09/19	1,000,000	(8,566)	991,434
Sub-total		3,000,000	(31,069)	2,968,931
<u>TexPool Investments</u>				
Concentration Account	01/01/18	141,708	-	141,708
METRO Account	01/01/18	353,736	-	353,736
G.O. Bonds, Series 2014	01/01/18	55,713	-	55,713
G.O. Bonds, Series 2015	01/01/18	357,251	-	357,251
GOB 2017 New Municipal Buildings	01/01/18	4,024,910	-	4,024,910
GOB 2017 Water/Wastewater Improv	01/01/18	1,747,008	-	1,747,008
GOB 2017 Streets/Drainage/Sidewalks	01/01/18	463,117	-	463,117
GOB 2017A Water/Wastewater Improv	01/01/18	898,261	-	898,261
GOB 2017A Streets/Drainage/Sidewalks	01/01/18	2,007,287	-	2,007,287
Sub-total		10,048,992	-	10,048,992
<u>TexPool Prime Investments</u>				
Concentration Account	01/01/18	213,737	-	213,737
METRO Account	01/01/18	1,061,934	-	1,061,934
G.O. Bonds, Series 2014	01/01/18	167,224	-	167,224
G.O. Bonds, Series 2015	01/01/18	1,071,948	-	1,071,948
GOB 2017 New Municipal Buildings	01/01/18	12,079,495	-	12,079,495
GOB 2017 Water/Wastewater Improv	01/01/18	5,243,680	-	5,243,680
GOB 2017 Streets/Drainage/Sidewalks	01/01/18	1,389,925	-	1,389,925
GOB 2017A Water/Wastewater Improv	01/01/18	2,695,277	-	2,695,277
GOB 2017A Streets/Drainage/Sidewalks	01/01/18	6,022,964	-	6,022,964
Sub-total		29,946,184	-	29,946,184
<u>TexSTAR Investments</u>				
Concentration Account	01/01/18	2,348,338	-	2,348,338
Sub-total		2,348,338	-	2,348,338
Total		\$ 53,341,394	\$ (31,069)	\$ 53,310,325

Claim on Cash by Fund		
Fund	Classifications	12/31/17 Balance
<u>Governmental Funds</u>		
100 - General Fund		\$ 5,178,776
200 - Special Revenue Fund		450,637
300 - Debt Service Fund		3,321,603
600 - VET Fund		2,197,171
610 - CIP Fund		5,064,368
620 - CIP Bond Fund		35,621,885
630 - METRO Fund		1,442,152
Total Governmental Funds		53,276,592
<u>Proprietary Funds</u>		
500 - Enterprise Fund		64,802
Total Proprietary Funds		64,802
Total		\$ 53,341,394

Quarterly Reporting of Donations Approved by City Manager as per Ordinance 14-09
Donations Approved During Quarter Ended December 31, 2017

Date	Donor	Designation	Value
Fire - Donations			
11/30/17	New Generation Pressure Washing	Pressure washing of apparatus ramp at Bellaire Fire Station with a value of approximately \$2,000.	\$ 2,000
			<hr/> \$ 2,000 <hr/>
Police - Donations			
10/02/17	Dr. John Holcomb	Tactical medical supplies (tourniquets and tourniquet holsters) with a value of approximately \$2,350.	\$ 2,350
11/24/17	Ron Akard/Bond Pharmaceutical	Industrial strength enclosed wire evidence cage with estimated value of approximately \$3,500.	3,500
			<hr/> \$ 5,850 <hr/>
Library - Donations			
10/09/17	Sacred Heart Grade School	Hurricane Harvey recovery support (monetary donation) to be used for STEM related books and programming.	\$ 1,650
11/08/17	Brownstone Book Fund	One hundred (100) books - popular children's books to be selected by Youth Service Librarian.	1,675
			<hr/> \$ 3,325 <hr/>
Parks, Recreation, and Facilities - Donations			
10/18/17	The Texas Recreation and Park Society	Hurricane Harvey recovery support in the form of a \$100 Visa gift card.	\$ 100
11/06/17	Bellaire Southwest Houston Rotary Club	Funds for the preliminary design services relating to a piece of World Trade Center steel previously donated to and accepted by the City.	7,500
11/06/17	Bellaire Historical Society	Nine (9) historical items for display in the new Bellaire City Hall and Civic Center in order to promote the history of Bellaire to its citizens, visitors and employees.	unknown
11/29/17	PATRONS for Bellaire Parks	Bellaire Brave initiative funds (monetary donation) to help City of Bellaire employees recovery from Hurricane Harvey.	70,000
			<hr/> \$ 77,600 <hr/>

Attachment: FY 2018 1st Quarter Report (2413 : FY 2018 1st Quarter Report)

FW: RE: Possible Brand for Bellaire

Tracy Dutton

Tue 2/6/2018 2:34 PM

To: Raquel Porras <RPorras@bellairetx.gov>;

Cc: Paul Hofmann <phofmann@bellairetx.gov>;

I am about to look on the website in a few minutes, but can you advise as to whether comments will be included (see Jane's response below).

Tracy

From: Jane McNeel [REDACTED]
Sent: Tuesday, February 6, 2018 2:33 PM
To: Tracy Dutton <tdutton@bellairetx.gov>
Subject: Re: RE: Possible Brand for Bellaire

Hi, Tracy,

You mentioned a website address, is there something online about the comments/input?

Thanks,

Jane

Jane McNeel
 713-557-7764

Consider the environment. Please don't print this e-mail unless you really need to.

On Tuesday, February 6, 2018, 2:29:12 PM CST, Tracy Dutton <tdutton@bellairetx.gov> wrote:

Hello Jane,

The City of Bellaire set up an email address today (2/6) to receive comments/input related to the proposed brand identity/logo. The comments will be compiled and presented to City Council before a decision is made. I just wanted to let you know that I forwarded your comments to that website address so that it is included in the compilation for City Council.

Thanks for taking the time to respond. We really appreciate the comments/input. In the event you have further comments, the email address is branding@bellairetx.gov.

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

Tracy L. Dutton

City Clerk

City of Bellaire

7008 South Rice Avenue

Bellaire, TX 77401-4411

(713) 662-8275

Fax: (713) 662-8212

tdutton@bellairetx.gov

Please note that any correspondence, such as email or letters, sent to City staff or City officials may become a public record and made available for public review.

****ATTENTION PUBLIC OFFICIALS****

A "Reply All" to this email could lead to violations of the *Texas Open Meetings Act*.

Please reply only to the sender.

From: Jane McNeel [REDACTED]
Sent: Wednesday, January 31, 2018 4:54 PM
To: Tracy Dutton <tdutton@bellairetx.gov>
Subject: Fw: Possible Brand for Bellaire

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

Sorry, Tracy, I sent this direct to City Council but I know you would like it for your records.

Best regards,

Jane

Jane McNeel
713-557-7764

Consider the environment. Please don't print this e-mail unless you really need to.

----- Forwarded Message -----

From: Jane McNeel [REDACTED]

To: Andrew Friedberg <afriedberg@bellairetx.gov>; Gus Pappas <gpappas@bellairetx.gov>; Trisha Pollard <tpollard@bellairetx.gov>; David Montague <dmontague@bellairetx.gov>; Michael Fife <mfife@bellairetx.gov>; Pat McLaughlan <pmclaughlan@att.net>; nverma@bellairetx.gov <nverma@bellairetx.gov>

Cc: Southwest News <mynews@village-southwest-news.com>

Sent: Wednesday, January 31, 2018, 4:52:46 PM CST

Subject: Fw: Possible Brand for Bellaire

Dear Mayor and City Council,

I've just viewed the possible Brand design for Bellaire in the Southwest News and found it to be just awful. Did some firm come up with this incredibly bland, meaningless design?



My first thought? A Rolling Stones album cover:



Next thought? I sure hope the City didn't actually pay for this! (And my husband voiced the same comment when he saw them.)

What on earth is wrong with our time honored logo of buildings, trees, and residents? It makes a statement with class and carries on our City's tradition of a city of homes, a great place to live, worship, and work! It looks fine in black and white as well.



I've included the city logos for Houston and Galveston. Both cities are making a statement about their pride in their history and their heritage. Why shouldn't we do the same?



Please, do not lower Bellaire's status or standards with this terrible logo, which could easily become a laughingstock. Worst case, if you just have to make a change, refine the current design to a stylized house and trees. For street signs perhaps some clever arrangement of CoB or CB for City of Bellaire within a silhouette of an oak tree canopy.

Finally, I vote that you just leave things as they are, we've been doing just fine for over a hundred years as a City of Homes.

Sincerely,

Jane

Jane McNeel
713-557-7764

Consider the environment. Please don't print this e-mail unless you really need to.

FW: New City Seal

Tracy Dutton

Tue 2/6/2018 2:56 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

From: Kim Reichert [REDACTED]
Sent: Friday, February 2, 2018 3:03 PM
To: Tracy Dutton <tdutton@bellairetx.gov>
Subject: New City Seal

Dear City Clerk,

Please forward my email to the City Council.

Thank you,

Kim Reichert

Dear City Council,

I recently saw the new Brand design for the city seal and icon. I do not like them. I think that they do not convey a community feeling about the City of Bellaire. The new design is so generic, it could be a logo for anything that starts with a B. It does not evoke a city with parks, homes and a wonderful community of families. We should keep the current logo. The house, trees, family and green space that are represented on the current logo, truly do make a statement about what is great about our city.

Thank you for your consideration,

Kim Reichert

Bellaire Resident

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

FW: Branding comment---please forward to city council

Tracy Dutton

Tue 2/6/2018 3:00 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

From: JJ Moran [REDACTED]
Sent: Sunday, February 4, 2018 12:04 AM
To: Tracy Dutton <tdutton@bellairetx.gov>
Subject: Branding comment---please forward to city council

Dear Council,

Please chalk up any amounts paid for the rendering of a new “brand” for the city of Bellaire as a lesson learned. I truly believe a city wide contest would have come up with something more effective, eye-catching and representative of our character.

Please discard this unremarkable attempt to personify the city, apply any funds budgeted for changing out logos wherever used to our cost overrun on the new municipal facilities.

For the foreseeable future, keep the familiar and much more attractive existing logo which does represent the majority of residents who are less vocal than the voices calling for unnecessary change.

Respectfully,
Johanna Moran

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

FW: new logo

Tracy Dutton

Tue 2/6/2018 3:01 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

From: Micki Mastin [REDACTED]
Sent: Monday, February 5, 2018 8:58 AM
To: Tracy Dutton <tdutton@bellairetx.gov>
Subject: new logo

Hi Tracy,

I'm emailing you not as a Board member but a concerned citizen. Can you please pass this on to the Mayor and Council members.

I finally had a chance to read the local paper and saw the proposed new logos for the city. I hope the drab green is not the color but just a poor printing of the newspaper. There is also no artistic value to the logo. I can't believe the council was "upbeat and positive" (according to the newspaper article) about such a boring design. In my opinion, this design would be a poor replacement for our city logo.

Thank you,

Micki Mastin
 5116 Huisache

This communication, including attachments, may contain confidential or privileged material if

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

FW: Bellaire logo

Tracy Dutton

Tue 2/6/2018 3:02 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

From: Lynda Carnegie [REDACTED]
Sent: Monday, February 5, 2018 2:38 PM
To: Tracy Dutton <tdutton@bellairetx.gov>
Subject: Bellaire logo

I do not care for any of them. The B does look like a P. Why the leaf? Thank you.

Regards,

Lynda Carnegie
4619 Birch St
713-499-9981

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

FW: Bellaire design logo feedback

Tracy Dutton

Tue 2/6/2018 3:04 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

From: Arlene Schneider [REDACTED]
Sent: Monday, February 5, 2018 2:42 PM
To: Tracy Dutton <tdutton@bellairetx.gov>
Subject: Bellaire design logo feedback

It looks old fashioned, outdated, doesn't represent anything exciting about the community. It doesn't bring forth an identity at all. Yes, it is confusing with the leaf placed where it is. On a scale of 1-10, with 10 being awesome and 1 being awful, I give it a 1.

I don't even want to think about how much of our tax money went into this. You could have had it done as a competition for the art students at BHS and saved money.

Thank you,

Arlene

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

FW: New City logo

Tracy Dutton

Tue 2/6/2018 3:07 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

-----Original Message-----

From: JULIA ZAMORA [REDACTED]

Sent: Monday, February 5, 2018 2:43 PM

To: Tracy Dutton <tdutton@bellairetx.gov>

Subject: New City logo

I was on the focus group who discussed the various logos which were being considered. As you may already know, this was unanimously our least favorite of the designs provided. The “B” designs says nothing about our fair city and is it for Bellaire or Pearland? It is just a bland drawing. Hopefully this choice will be reconsidered.

Thank you for once again for allowing me to voice my opinion.

Sent from my iPhone

You're receiving this message because you're a member of the City of Bellaire Branding Identity Team group.

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

FW: Logo Comment from Don Goodell

Tracy Dutton

Tue 2/6/2018 3:26 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

From: Pat B. McLaughlan [mailto:pmclaughlan@att.net]

Sent: Monday, February 5, 2018 2:47 AM

To: Tracy Dutton <tdutton@bellairetx.gov>

Subject: Logo Comment from Don Goodell

Tracy, if appropriate please send this to Mayor, City Manager, and Council. Thanks, Pat...

All, The following is a message I received from my friend, graphic designer and Bellaire resident Don Goodell. For those that may not know Don he is the designer of our Trolley graphic (frontal view) and the "Kids Running" graphic for Condit. He is a very accomplished designer. He previously met with our Staff to describe his design services. While I definitely support a new modern logo for Bellaire the proposed logo as presented to us misses the mark. Some have commented part of the design resembles an anatomical part. It has been suggested the proposed logo be viewed in an actual application for better evaluation. Pat...

From Don Goodell:

Thank you for sharing this Pat. It's surprising to me how many of the members of the council voted for this logo.

Designers, like I am, can be hyper critical of other firm's work so I have shared the mark with a variety of people to get their reactions. The reviews have not been positive for several reasons.

Here are a few mentioned to me:

It isn't very aesthetically pleasing

It looks like if you replaced the Bellaire with any city or landscaping company name and it would just as well.

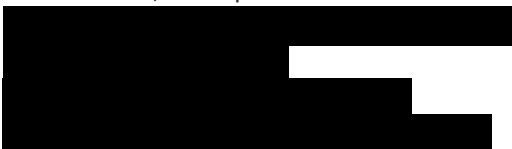
The "B" is not easily recognizable.

It looks like a person's rear.

I use a specific criteria when working on identity programs and want the mark to represent the entity and not my firm's style.

Have a great week,

Don Goodell, Principal



Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

FW: New LOGO for City of Bellaire

Tracy Dutton

Tue 2/6/2018 3:06 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

From: lucie ogdee [REDACTED]
Sent: Monday, February 5, 2018 2:49 PM
To: Tracy Dutton <tdutton@bellairetx.gov>
Subject: New LOGO for City of Bellaire

I do not like the "B" looking like a "P" because of the Leaf and the font is too simple or babyish. Green is nice, matches Condit colors and refers to all the green spaces and parks. Bellaire is a City of high end custom homes and the logo/font should be sophisticated enough to reflect that when attracting residents and developers.

Lucie Ogdee, MBA, Realtor
544 Begonia St, 77401

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

FW: Logo thoughts

Tracy Dutton

Tue 2/6/2018 3:10 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

 1 attachments (634 KB)

leaf-repositioning.jpg;

From: Jenn Drummond [REDACTED]
Sent: Monday, February 5, 2018 3:02 PM
To: Tracy Dutton <tdutton@bellairetx.gov>
Subject: Logo thoughts

I agree that the leaf covers up too much of the outline of the B and makes it hard to interpret. I'm not against the basic design, but think that the leaf should be moved so that the lower opening of the B is visible. And not only the lower opening, but also the lower curve on the right-hand side, so the B can't be confused with an R. I've attached a couple of examples of positionings that I think fulfill those requirements.

I liked all of the designs -- but then, I also like our current logo, so maybe I just like anything well-designed that's about Bellaire. :) The third (recommended) design isn't my favorite, because it's quite generic; we could be Baytown or Birmingham or anybody. I know the name of the city is in the outer ring, but that's not the first thing that hits the eye. And the way it is now, we could be Pittsburgh or Richmond! But if the leaf were moved so that the logo wasn't actually *confusing*, I wouldn't object. The typographic proposals are very nice, and I like the signage examples.

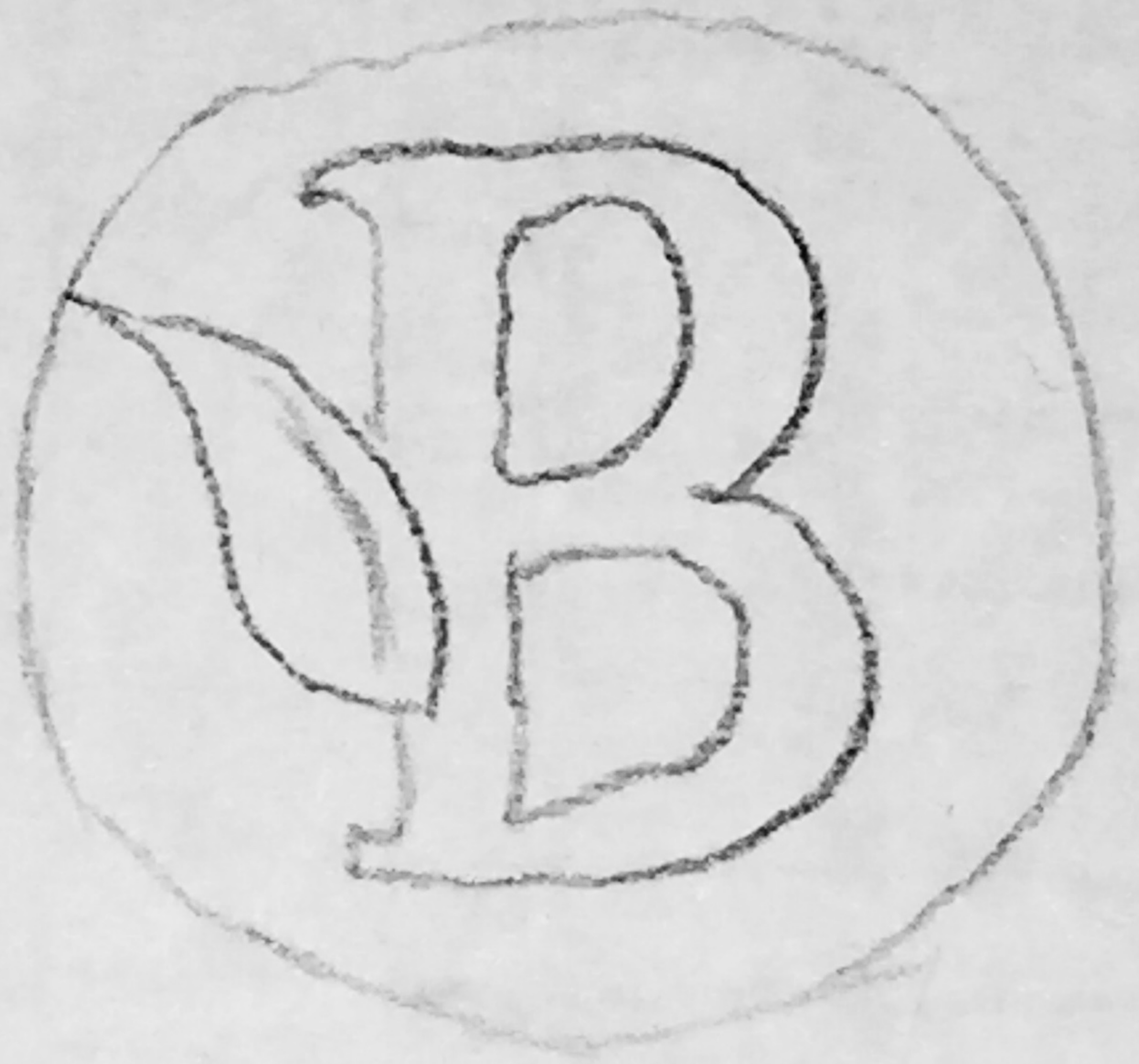
Just my two cents; thanks for asking!

-- Jenn Drummond // 19 Alpine Court // since 2001

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)



FW: logo redesign

Tracy Dutton

Tue 2/6/2018 3:09 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

From: Junior Williams [REDACTED]
Sent: Monday, February 5, 2018 3:02 PM
To: Tracy Dutton <tdutton@bellairetx.gov>
Subject: logo redesign

Good afternoon Ms Dutton,

Please forward this to all city council members and the mayor.

The suggested new logo for Bellaire are awful. I finally determined it was a B with something poking out. I had to read some of your package to find out that it was a leaf. Hope the city did not spend too much money for these examples. From what I have been reading budgets are being over ran.

Please reconsider updating the current logo. Switch out the ranch style home to one of the many "mc mansions" which overpower most of the lots.

Thank you,
Debbie Williams
534 College
resident since 1980

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

FW: Logo choice

Tracy Dutton

Tue 2/6/2018 3:11 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

-----Original Message-----

From: Erika Roberts [REDACTED]
Sent: Monday, February 5, 2018 3:04 PM
To: Tracy Dutton <tdutton@bellairetx.gov>
Subject: Logo choice

I am writing to share my thoughts on the logo finalist. The B with a leaf looks more like a logo for a bank than a logo for a city. Nothing about this logo indicates what the city of Bellaire is about. It is cold and not a warm welcoming logo. It was my least of the logo choices.

I personally preferred the Trolley logo. It is nostalgic yet clean.

Thank you,
Erika Roberts

Sent from my iPhone

You're receiving this message because you're a member of the City of Bellaire Branding Identity Team group.

FW: City Logo rebranding

Tracy Dutton

Tue 2/6/2018 3:14 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

From: Gisselle Matta [REDACTED]
Sent: Monday, February 5, 2018 3:14 PM
To: Tracy Dutton <tdutton@bellairetx.gov>
Subject: City Logo rebranding

Please forward this email to city council.

The Brand "option 1" of the logo is very commercial in my opinion, not what I think about when I think of Bellaire. Furthermore, the leaf over the "B" makes the B appear like a D or a P. If you were to go with this option, the words "City of Bellaire" need to be bigger and the leaf needs to be smaller so that the B in the background can be seen entirely.

If the other options are still on the table, I would much rather see the Historical Option 3 logo. It has the trolley and the trees which is a good descriptor of what the city is and its history.

With the Graphic Option 2, the year 1908 spread around the logo makes no sense but only to those that live here and know the year the city was founded.

I appreciate the opportunity to comment on this.

Gisselle Matta
 - Bellaire resident, Mimosa Drive.

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

FW: Proposed Bellaire Logo input

Tracy Dutton

Tue 2/6/2018 3:16 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

From: Nick Lanza [REDACTED]
Sent: Monday, February 5, 2018 3:36 PM
To: Tracy Dutton <tdutton@bellairetx.gov>
Subject: Proposed Bellaire Logo input

Please pass this feedback on to the city council and all other decision makers on the new proposed city of Bellaire logo.

" I am a long time resident and Business owner in Bellaire.

I write for the purpose of providing input ; not criticism.

I do not like any of the proposed new Bellaire logo's.

In fact, I shared the proposed logo's to every person that has been in my Bellaire law office and my home for some feedback, and frankly , not one person thought it was an improvement over the existing City of Bellaire logo. Not one person.

Further, I respectfully question why a new logo is even being considered.

Someone very smart once said,
 "If it ain't broken, don't fix it".


I respectfully suggest we follow this timeless adage and stick with our City of Homes brand and the existing logo.

Finally, Thanks for all the fine work you all do for our great city of Bellaire."

Nicholas J. Lanza
 Civil Trial Lawyer

Lanza Law Firm



 Description: tbls-personalinjurytriallaw

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

FW: City Logo

Tracy Dutton

Tue 2/6/2018 3:18 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

-----Original Message-----

From: Joan Ounanian [REDACTED]

Sent: Monday, February 5, 2018 3:45 PM

To: Tracy Dutton <tdutton@bellairetx.gov>

Subject: City Logo

Dear City Council,

Regarding the sample new logo, the way the leaf is positioned one cannot differentiate the "B".

Thank you,

Joan Ounanian

4920 Holly St.

22+ years

Sent from my iPhone

You're receiving this message because you're a member of the City of Bellaire Branding Identity Team group.

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

FW: Proposed logo designs for the City of Bellaire

Tracy Dutton

Mon 2/5/2018 4:36 PM

To: Michael Fife <MFife@bellairetx.gov>;

Cc: Raquel Porras <RPorras@bellairetx.gov>;

Hello Council Member Fife,

I noted that Ms. Allen was not able to include your email because the link from the City website would not work correctly. Wanted to pass this along and am copying Raquel so she can help get the link fixed.

Tracy

From: Jamie Allen [REDACTED]

Sent: Monday, February 5, 2018 4:09 PM

To: Andrew Friedberg <afriedberg@bellairetx.gov>

Cc: Neil Verma <NVerma@bellairetx.gov>; Trisha Pollard <TPollard@bellairetx.gov>; Gus Pappas <gpappas@bellairetx.gov>; PMcLaughlan@att.net; David Montague <DMontague@bellairetx.gov>; Tracy Dutton <tdutton@bellairetx.gov>

Subject: Proposed logo designs for the City of Bellaire

Dear Mayor and Council members,

First, I would like to apologize for not including Council member Fife on my email because I was unable to get her link from the City website to work correctly.

I am writing to express my concerns about the re-branding designs for the City of Bellaire.

As a critical image representing our city's identity, the logo must be timeless, yet active and versatile and uniquely definitive, and not ambiguous, ill-defined or gimmicky.

Through it's visual design the logo should be able to instantaneously project the essence of our community.

And it is not easy to make a logo which reflect these concepts.

As the visual representation of Bellaire's identity, I find what is currently being considered to be vague and incongruent with Bellaire's projection of itself as a premier city since it can be too easily interpreted as a 'grade B' mark. Additionally, the prominently positioned added leaf hides the 'B' confusing the interpretation of the letter (is it a B? or a P? or a R?).

How does this represent Bellaire?

Please reassess the current proposed design and consider a new design development endeavor.

Thank you for your consideration.

Respectfully,

Jamie Allen
4715 Willow St.

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

FW: City Logo

Tracy Dutton

Tue 2/6/2018 3:19 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

From: S Schultz [REDACTED]

Sent: Monday, February 5, 2018 4:09 PM

To: Tracy Dutton <tdutton@bellairetx.gov>

Subject: City Logo

When I looked at the logo that was chosen at first I really like it! but after reading the comment on Next Door about the B looking like a P is correct. As a Bellaire resident I did not notice it at first because I know its a B but maybe to outsiders it is not so clear. I like way better than the other two that were just too much. If you can make it look more like a B then I think you all have a great look and I would love to get some decals!

Thanks

Shelly Schultz

--

Shelly Grogin Schultz

713-202-9020

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

FW: Bellaire logo

Tracy Dutton

Tue 2/6/2018 3:22 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

-----Original Message-----

From: Brenda [REDACTED]

Sent: Monday, February 5, 2018 4:14 PM

To: Tracy Dutton <tdutton@bellairetx.gov>

Subject: Bellaire logo

I like the improvements made. I like the color chosen But it still doesn't look like a B representing Bellaire. Narrow the leaf perhaps?

Brenda Koch.

You're receiving this message because you're a member of the City of Bellaire Branding Identity Team group.

FW: New Logo

Tracy Dutton

Tue 2/6/2018 3:23 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

-----Original Message-----

From: [REDACTED]
Sent: Monday, February 5, 2018 4:24 PM
To: Tracy Dutton <tdutton@bellairetx.gov>
Subject: New Logo

My opinion on the new logo is that the letter B is unclear. Perhaps a smaller leaf over the letter?

Best,
Deirdre Rozowski

Sent from my iPhone

You're receiving this message because you're a member of the City of Bellaire Branding Identity Team group.

FW: New City Logo

Tracy Dutton

Tue 2/6/2018 3:25 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

From: Nancy Loncarich [REDACTED]
Sent: Monday, February 5, 2018 4:44 PM
To: Tracy Dutton <tdutton@bellairetx.gov>
Subject: New City Logo

Please pass this on to City Council:

PLEASE do not change the City of Bellaire logo; this will be an unnecessary expense: the new City Hall/Jail facilities are already over budget \$1M. It seems irresponsible to "fix" something that doesn't need to be fixed. People do not move to Bellaire if they like the logo.

Please reconsider this and spend the taxpayer's money wisely: Perhaps on public safety or flooding issues.

Thank you,

Nancy Loncarich
5123 Locust Street

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

FW: city logo

Tracy Dutton

Tue 2/6/2018 3:27 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

-----Original Message-----

From: Juli Lande [REDACTED]

Sent: Monday, February 5, 2018 5:05 PM

To: Tracy Dutton <tdutton@bellairetx.gov>

Subject: city logo

Yuck on the logo. Says nothing about our city.

You're receiving this message because you're a member of the City of Bellaire Branding Identity Team group.

FW: New Logo

Tracy Dutton

Tue 2/6/2018 3:28 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

-----Original Message-----

From: Paul Stern [REDACTED]
Sent: Monday, February 5, 2018 5:31 PM
To: Tracy Dutton <tdutton@bellairetx.gov>
Subject: New Logo

When S Rice needs repaving and other needed expenditures of limited funds, spending time and I hope not consulting money for a new City logo is truly not responsible management.

I would like to ask council to address requiring lawn services to bag waste instead of blowing it into the street to accumulate into the gutters and water runways. By blowing clippings and leaves into the street they cause recently manicured lawns to become littered. Our community needs to continue to find ways to beautify not become a dumping ground for lazy yard men.

Sent from my iPhone

You're receiving this message because you're a member of the City of Bellaire Branding Identity Team group.

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

FW: New Logo

Tracy Dutton

Tue 2/6/2018 3:29 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

-----Original Message-----

From: Diane [REDACTED]
Sent: Monday, February 5, 2018 5:43 PM
To: Tracy Dutton <tdutton@bellairetx.gov>
Subject: New Logo

Hello,
While I appreciate the idea of rebranding the city, I am not a fan of the proposed new logo. The green color is fine, and the idea of a leaf could work well also. However, as the logo appears now, the leaf obscures the capital letter B to the point that you can't tell it is a B.
Just my 2 cents,
Diane Citek
4825 Laurel St.

Sent from my iPhone

You're receiving this message because you're a member of the City of Bellaire Branding Identity Team group.

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

FW: Bellaire City Logo input

Tracy Dutton

Tue 2/6/2018 3:30 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

From: Lisa Crispin [REDACTED]
Sent: Monday, February 5, 2018 5:53 PM
To: Tracy Dutton <tdutton@bellairetx.gov>
Subject: Bellaire City Logo input

Hi, Ms Dutton,

I just wanted to provide some feedback about the new Bellaire City Logo. I have been a resident of Bellaire for almost 25 years at 4922 Palmetto Street. The logo that I think best represents our city is the one with the trolley car and the leaves surrounding the top. It is elegant and timeless and evokes both memories of our city's past and visions of our future as a beautiful family town with towering oaks and a sense of community.

The logo that is being considered with the large B on top of a leaf is very confusing. It looks nothing like a B for starters and the leaf is too large.

I was part of the focus group last year that evaluated these logos and we were able to spend a lot of time with them. The logo with the B was confusing for most people, is very generic and does not have a sense of identity.

I appreciate the opportunity to provide feedback.

Lisa Crispin
[REDACTED]

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

FW: New city logo

Tracy Dutton

Tue 2/6/2018 3:34 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

From: Idyllette Roberson [REDACTED]
Sent: Monday, February 5, 2018 6:09 PM
To: Tracy Dutton <tdutton@bellairetx.gov>
Subject: New city logo

I do not like the proposed new city logo of the upper case B with a leaf. It's dull and boring. The one we have now, as seen on the first page of the Council agenda packet, shows Bellaire as a community. A big B with a leaf shows nothing. If you must change, please keep trying.

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

FW: City Logo - Please forward to Mayor & City Council

Tracy Dutton

Tue 2/6/2018 3:39 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

From: Virginia Martin [REDACTED]
Sent: Monday, February 5, 2018 6:38 PM
To: Tracy Dutton <tdutton@bellairetx.gov>
Subject: City Logo - Please forward to Mayor & City Council

re: City Logo

Hi Tracy,

I posted the following on the Bellaire "NextDoor" website & it was suggested we send our comments to you, requesting that you forward them to the Mayor and City Council:

I'm a traditionalist; I really like the current one, which exemplifies Bellaire's long-time slogan/motto of "City of Homes". The words "City of Bellaire" design is a "circle within a circle", which is reflective of the City of Bellaire, being an oasis surrounded by the City of Houston. That's really the most unique thing about Bellaire - a good fire dept., police dept., City services, etc which are personal & responsive, but separate & apart, surrounded by the City of Houston, which offers the amenities of a large city. Basically a small town completely surrounded by a large metropolitan area - the best of both worlds! I don't like the new logo at all - it has nothing to do with, or is representative of, Bellaire. Why are we spending money to design a new one when the one we have is perfectly fine?

Thank you Tracy, in advance, for forwarding this and considering my opinion. Ginny-----My contact information is below. I've been a resident of Bellaire for 62 years; old enough to remember "Bellaire, 101, Texas" and my phone number as MO (Mohawk) 4-4914 (lol).

Ginny Martin
4302 La Mont Circle
Bellaire, TX 77401-3207
 ph: 713-562-7003 (Cell; best to reach me if needed)
 [REDACTED]

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

FW: Blitzer - Bellaire Logo

Tracy Dutton

Tue 2/6/2018 3:41 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

From: Todd Blitzer [REDACTED]
Sent: Monday, February 5, 2018 8:04 PM
To: Tracy Dutton <tdutton@bellairetx.gov>
Subject: Blitzer - Bellaire Logo

Tracy,

I was forwarded an email regarding the new logo options for the City of Bellaire. Although I agree that the city could use a new logo, the "B" option with a leaf that makes the logo look like a "P" is awful. I am strongly against the logo. It tries to be contemporary and more than what it is.

The other two logo options are more promising and aesthetically appealing and have more of a "Traditional" and eclectic look, more indicative of Bellaire as a community. I like the Trolley logo as it is a bit iconic with its reference to the Bellaire's historical trolley past and the reference to the trees. Although, it may be bit busy and the city name is very small and slight. Having said that, I like it much more than the "P" logo with the leaf. Yes I said "P" vs "B". Bellaire is not about the letter "B". Bellaire is not a baseball team, etc.

The second logo option looks nice, although it's a bit industrial and looks like a manhole cover. Perhaps a bit harsh for the City of Homes.

In summary, I think the Trolley logo needs to be explored and developed a little further.

Please pass my comments along.

Thank you,

Todd L. Blitzer, AIA, LEED ap
 Principal

mirador group

6575 west loop south
 suite 650
 bellaire, texas 77401

office: 713.626.4770 ext. 301
fax: 713.661.6606
mobile: 713.398.9490

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

FW: Proposed Logo for City

Tracy Dutton

Tue 2/6/2018 3:42 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

From: Kathleen Knolle [REDACTED]
Sent: Tuesday, February 6, 2018 9:49 AM
To: Tracy Dutton <tdutton@bellairetx.gov>
Subject: Proposed Logo for City

I viewed the logo and unfortunately, it does not excite me. The leaf covers part of the letter B. Looks awkward.

Kathleen Knolle
4809 Laurel Street
281-782-3331

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

FW: Logo for City of Bellaire

Tracy Dutton

Tue 2/6/2018 3:46 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

From: Andy Blitzer [REDACTED]

Sent: Tuesday, February 6, 2018 11:29 AM

To: Tracy Dutton <tdutton@bellairetx.gov>

Subject: Logo for City of Bellaire

Good morning. I wanted to voice my opinion on the discussion of new logos.

The B with a leaf looks like a P. I had not idea what it symbolized until my husband Todd revealed it was one of the logos being considered.

Replacing a logo is costly, and if the city is going to do it, the logo should represent the city clearly. It should be such that a new resident or outsider would be able to recognize what it stood for. It's a branding of our city.

The leaf and P (meant to be a B) is confusing and is not a good representation of our city.

I prefer the other options.

Thanks

Andy Blitzer

5416 Patrick Henry Street
Bellaire TX 77401

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

LOGO

Aileen McCormick 

Tue 2/6/2018 11:56 AM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

Below is the text of an email I sent to the Mayor this morning as part of an email dialogue he and I were having. Forwarding to this feedback site to formerly register some thoughts.

I will add that when I was on the Board of the NDC, we went through a process of re branding. The end result was a brand that really "spoke" to who the NDC is . We never lost site of that throughout the process. I don't think the current proposed logos do that. I tried to be constructive to work from what is being proposed as a starting point. Thank you for the opportunity to weigh in.

Good morning Andrew,

I did come to city hall last night. I never actually made it into the meeting but, even better, I had a great conversation with Michelle Jordan, a project manager with the city. She was very helpful and thoughtful in discussing the concerns with the logo with myself, Judge Wesley and Marybeth Flaherty (who were already speaking with Michelle when I walked in). We spent the better part of an hour voicing our concerns and trying to understand what this proposed logo is trying to convey. I came away with the following:

- I like the idea of a single color - clean and visibly appealing
- I get the reasoning behind re-looking at the logo as the current one does not properly reflect the diversity of religion and "look" (large homes" of our city. Personally, I think the current logo is a bit busy, so I like the idea of moving to a simpler, cleaner look.
- Adhering to the current theme and look - we all agreed it would look a lot better if the leaf didn't cover the B. Why not use the continuity line and sweep up to the left of the B with a leaf or thin branches . It wouldn't change the overall intent and would be clearer as to what the form is behind the leaf.
- There was a lot of discussion, from a continuity standpoint, to use the "Bellaire B". I can see the challenge with that, given it is script and might not "flow" as well with the font for the buildings that are being proposed.
- The best news that was evident from the diagrams on display, is that the logo is a stand alone item. The fact that is not part of the full name of a building provides some leeway in taking our time on a decision for the logo.

Regards,
Aileen McCormick
Bellaire resident for almost 30 years!

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

FW: New logo

Tracy Dutton

Tue 2/6/2018 3:44 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

Email 2 of 3

From: Laura Kemp [REDACTED]
Sent: Tuesday, February 6, 2018 12:41 PM
To: Tracy Dutton <tdutton@bellairetx.gov>
Subject: Fwd: New logo

Please forward my comments to Council.

Sent from my iPhone

Begin forwarded message:

From: Laura Kemp [REDACTED]
Date: February 6, 2018 at 12:40:35 PM CST
To: tdutton@bellairetx.gov
Subject: New logo

I do not like the proposed logo with the B and leaf. I actually could not tell what it was until someone posted on Next Door with an explanation. It is confusing and not a good look. The leaf at the bottom makes the B look like a P and the leaf is not very discernible. Hopefully there are other choices. What is the deadline for making the selection?

Laura Zito

Sent from my iPhone

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

Proposed new brand

Jeryl Golub [REDACTED]

Tue 2/6/2018 12:45 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

My name is Jeryl Golub. I have been a resident of Bellaire since April 2001, living at 113 Beverly Lane.

I have seen a copy of the proposed new logo brand for Bellaire and I think it is sad and ugly.

Please know that I would not have voted to invest any money into this rebranding. Our post-Harvey world is the time for tightening belts and that was an easy expense not to incur. I appreciate that new buildings are being built, but the old logo would have been fine.

Unfortunately, that issue is probably moot now so we have to focus on your proposal which is, as I said above, sad and ugly. Our current brand is recognizable and known. Why did you not simply update that - the roof line with trees? Make it more stylized? Switching all together turns its back on our history and that is sad. The new design is ugly and reflects nothing of the community feel of our neighborhoods.

Thank you for your consideration.

Jeryl Golub

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

FW: New logo

Tracy Dutton

Tue 2/6/2018 3:44 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

Email 3 of 3

-----Original Message-----

From: Laura Kemp [REDACTED]
Sent: Tuesday, February 6, 2018 1:05 PM
To: Tracy Dutton <tdutton@bellairetx.gov>
Subject: New logo

I am concerned about the cost of implementing a new logo. What is the plan for for implementing and projected cost? We have a hurricane to pay for. Is this the best use of our taxpayer dollars? This looks like our city council is putting wants over needs and form over substance. The timing of this expenditure in the wake of the hurricane looks irresponsible. And on the heels of a thank you to first responders! We are going to show them how much they are valued with a new logo on a new shirt instead of better equipment and better pay? We need a second high water rescue vehicle that won't flood out and have to be rescued itself. We need drainage improvement. I wonder if city employees have been asked if they want the new logo versus more and better equipment to better and more safely perform their jobs.

Please forward my comments to council.

Sent from my iPhone

You're receiving this message because you're a member of the City of Bellaire Branding Identity Team group.

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

New Bellaire Logo

Michelle Cash [REDACTED]

Tue 2/6/2018 1:08 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

RE: the new Bellaire Logo – My feedback:

I like the colors and the idea of simplifying the logo.

But the big leaf at the bottom of the B is kind of odd and looks like a giant tongue.

Thanks for letting us give input.

Michelle

Michelle Hoogendam Cash

Board Certified, Labor & Employment,

Texas Board of Legal Specialization

The Cash Law Firm, PLLC

To ensure compliance with requirements imposed by the IRS, we inform you that any U.S. federal tax advice contained in this document (including any attachments) is not intended or written to be used, and cannot be used, for the purpose of (i) avoiding penalties under the Internal Revenue Code or (ii) promoting, marketing or recommending to another party any transaction or matter addressed herein.

This email may contain confidential and privileged material for the sole use of the intended recipient(s). Any review, use, distribution or disclosure by others is strictly prohibited. If you are not the intended recipient (or authorized to receive for the recipient), please contact the sender by reply email and delete all copies of this message.

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

Love it!

Liz Rich [REDACTED]

Tue 2/6/2018 1:09 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

Great work! Think the city really needs it. Hope we can stay consistent and stick with it in the long run.

Best,

Liz Rich

[REDACTED]
310.266.4676

You're receiving this message because you're a member of the City of Bellaire Branding Identity Team group.

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

New logo

[REDACTED] on behalf of Cindy Merrill [REDACTED]

Tue 2/6/2018 1:22 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

Thank you for allowing us to put in our thoughts. I do not like the logo at all. It is not distinctive at all. Please go back and rethink it. I would like to be part of a group discussion about a new logo. How would I go about getting involved.

Thank you.

Cindy Merrill

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

Proposed new Logo

Barbara Skelton [REDACTED]

Tue 2/6/2018 1:26 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

I am not a fan of the new logo. The "B" is not identifiable as a B! If we are going to rebrand, which I am not sure is necessary, let's be sure to get one that readily identifies our city as part of the design. This one misses. Thank you for the opportunity to provide feed back. Barb Skelton

Sent from my iPhone

You're receiving this message because you're a member of the City of Bellaire Branding Identity Team group.

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

Proposed Logo

Philip Bannerman [REDACTED]

Tue 2/6/2018 1:38 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

Hello

You have my sympathies - having previously led a rebranding of a global maritime engineering company, I learned that 99% of the population is convinced that they are professional marketers. The last time I heard so many different options was Thanksgiving dinner at my in-laws.

Anyhow, for what it is worth, my option is that I support the need for an updated logo (phased in over time to save cost). I think the proposed logo has a modern look and in general I like it.

However, I believe that there is one fatal flaw in the design, namely the B could just as easily be interpreted as a P. I would love to see a modified design with a repositioned leaf which leaves no doubt that this is well and truly a B.

Good luck.

Best Regards

Philip Bannerman
5414 Patrick Henry St, Bellaire
[REDACTED]

You're receiving this message because you're a member of the City of Bellaire Branding Identity Team group.

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

Logo

Lisa Crispin

Tue 2/6/2018 1:42 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

Hi,

I just wanted to provide some feedback about the new Bellaire City Logo. I have been a resident of Bellaire for almost 25 years at 4922 Palmetto Street. The logo that I think best represents our city is the one with the trolley car and the leaves surrounding the top. It is elegant and timeless and evokes both memories of our city's past and visions of our future as a beautiful family town with towering oaks and a sense of community.

The logo that is being considered with the large B overlaid by a leaf is very confusing. It looks much more like a P for starters and the leaf is too large.

I was part of the focus group last year that evaluated these logos and we were able to spend a lot of time with them. The logo with the B was confusing for most people, is very generic and does not have a sense of identity or community.

I appreciate the opportunity to provide feedback.

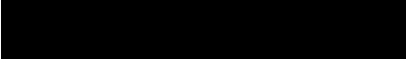
Lisa Crispin
lisa.crispin@hotmail.com
4922 Palmetto Street,
Bellaire TX 77401

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

New Logo

Glen Hakemack 

Tue 2/6/2018 2:09 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

Close, but no cigar. The leaf needs to be re-worked to be less artistic and more realistic. My first reaction was it looks like a drawing of someone's buttock cheeks. I like all the descriptions about what makes Bellaire unique, but the logo (specifically how the leaf & the "B" overlap) needs some refining.

Glen Hakemack
4511 Pine

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

Branding!

Philip A. Robbins 

Tue 2/6/2018 2:09 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

Good aft!

Love the new branding and logo!

Thanks
Philip Robbins
Bentley Custom Homes

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

New "Branding"

Cissy Winn [REDACTED]

Tue 2/6/2018 2:37 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

I know there has been significant time and thought in the process of developing new "branding" for Bellaire and I appreciate the time and effort everyone has put forth. That being said, I really don't see how this new logo represents anything about Bellaire. Yes, I read the proposal, and still am confused by what this green "B" (not even a nice deep green) with what appears to be a big leaf on a stem says about our community. Just looks rather odd. Thank you for giving the citizens of Bellaire the opportunity to comment.

Cissy Winn

You're receiving this message because you're a member of the City of Bellaire Branding Identity Team group.

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

New logo

Nancy Wiggins 

Tue 2/6/2018 2:20 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

We are 100% against the new logo. It is not representative of Bellaire and in fact, it looks pretentious.

Regards,
Nancy Wiggins-Goff
Don Goff

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

FW: Bellaire City Logo

Tracy Dutton

Tue 2/6/2018 3:48 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

From: Mike and Jill Mott [REDACTED]
Sent: Tuesday, February 6, 2018 3:14 PM
To: Tracy Dutton <tdutton@bellairetx.gov>
Subject: Bellaire City Logo

I am writing to you to ask that you not change the City of Bellaire logo. It seems that the government of the City of Bellaire thinks there is a limitless amount of funds for their use. The new City Hall/Jail facilities are already over budget \$1M. This seems irresponsible. There are many other things in the City of Bellaire that could be fixed instead...namely the run down rental houses that dot our City, additional police to address the rising crime and homeless people that are camping by Meyerland Plaza and are walking our streets. PLEASE address these issues instead of wasting our tax dollars.

What is the city council doing about the over budget on the new facilities? Please respond.

Jill Mott
 5410 Pine Street

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

Brand Identity Recommendation

Dan K Seilheimer, MD [REDACTED]

Tue 2/6/2018 3:26 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

Cc: Andrew Friedberg <afriedberg@bellairetx.gov>;

I have just carefully read and viewed the Proposal Packet regarding the Bellaire Brand Identity Recommendations. I was impressed with the proposal overall. There was only one aspect that I did not view favorably. That is the new Bellaire logo. I first saw the logo on the latest Mayor's Blog. I was immediately shocked to learn that the proposed new logo is under serious consideration.

I do not feel the new logo represents the Visual Identity Brand Recommendations stated in the proposal. The color of the logo is just OK. The stylized "B" does not represent our city in my view. Nor do I feel that it represents Bellaire as intended in the proposal. Also the new logo is not aesthetically pleasing to me. I hope it is not too late for you to find a more representative and attractive logo. Thanks for taking my input.

Dan Seilheimer MD
111 Marrakech Ct

P.S. I am a 21 year Bellaire resident.

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

Untitled

John Teas 

Tue 2/6/2018 3:38 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

I like the new idesign for the Seal of Bellaire. I like the leaf in the "B" - which reminds me of the nursery. It is an elegant seal and I vote for it.

Patsy Teas

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

Branding

Jeff weinstock [REDACTED]

Tue 2/6/2018 3:41 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

Amazing,

This is a much needed improvement to the city. With all the upgrades being done to the city buildings something like this really ties it all together for the community. I really like this logo And design.

Regards,

Jeff Weinstock

832.799.4153
[REDACTED]

You're receiving this message because you're a member of the City of Bellaire Branding Identity Team group.

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

New City LOGO

lucie ogdee 

Tue 2/6/2018 3:46 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

It's a No for me. There is nothing wrong with the current logo. Stop spending foolish money and fix the flooding issues and the streets/sidewalks and hire more police.

Lucie Ogdee
Bellaire Resident since 2000

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

FW: New proposed logo

Tracy Dutton

Tue 2/6/2018 3:50 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

-----Original Message-----

From: John H. Compton [REDACTED]
Sent: Tuesday, February 6, 2018 3:24 PM
To: Tracy Dutton <tdutton@bellairetx.gov>
Cc: 'Dizsea' [REDACTED]
Subject: RE: New proposed logo

Thank you Tracy -

It was not my intention to 'stir' the pot however our logo has tradition and history. Why one would fix something that isn't broken when we have so many more important issues facing our city seems a waste of city resources.

John H. Compton, CLU, ChFC



-----Original Message-----

From: Tracy Dutton [<mailto:tdutton@bellairetx.gov>]
Sent: Tuesday, February 06, 2018 2:59 PM
To: John Compton
Subject: RE: New proposed logo

Hello John,

The City of Bellaire set up an email address today (2/6) to receive comments/input related to the proposed brand identity/logo. The comments will be compiled and presented to City Council before a decision is made. I just wanted to let you know that I forwarded your comments to that website address so that it is included in the compilation for City Council.

Thanks for taking the time to respond. We really appreciate the comments/input. In the event you have further comments, the email address is branding@bellairetx.gov.

Tracy L. Dutton

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

City Clerk
 City of Bellaire
7008 South Rice Avenue
Bellaire, TX 77401-4411
 (713) 662-8275
 Fax: (713) 662-8212
 tdutton@bellairetx.gov

Please note that any correspondence, such as email or letters, sent to City staff or City officials may become a public record and made available for public review.

****ATTENTION PUBLIC OFFICIALS****

A "Reply All" to this email could lead to violations of the Texas Open Meetings Act.

Please reply only to the sender.

-----Original Message-----

From: John Compton [REDACTED]
 Sent: Friday, February 2, 2018 5:47 PM
 To: Tracy Dutton <tdutton@bellairetx.gov>
 Cc: John Compton [REDACTED]
 Subject: New proposed logo

I have lived in several homes in Bellaire since the early eighties. Both of my children went to Condit, Pin Oak, one a graduate from BHS currently a sophomore at the University of Texas and the youngest a freshman at BHS. I could live anywhere in Houston however we love Bellaire. To my point, who and why with many pressing issues we are dealing with ie over budget on new city building, BHS/HISD indecision's since bond issue are we taking to "fiddle" with our city logo? The one we have had for decades identifies our city, sets us apart and speaks to our wonderful community. I trust we didn't a consultant wasn't paid out of our trust fund for this awful proof. Seriously, please pass this along to counsel and ask them to prioritize city issues and leave alone the things that work. Very inefficient

John H. Compton
 Sent from my iPhone

You're receiving this message because you're a member of the City of Bellaire Branding Identity Team group.

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

New Logo/Brand for Bellaire

Corbett Parker 

Tue 2/6/2018 4:00 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

Cc: Tracy Dutton <tdutton@bellairetx.gov>; Andrew Friedberg <afriedberg@bellairetx.gov>; Andrew Friedberg <afriedberg@bellairetx.gov>;

Mayor Friedberg & City Council,

First, thank you for your leadership. I am quite thankful for all that you continue to do.

I of course applaud the effort to modernize Bellaire, including a fresh new look for our logo/branding, since I spent a good bit of time addressing this during my years of service. I agree the timing to do so is well intentioned too with the municipal facilities finally being built.

However, the proposal misses the mark (pun intended!). The logo communicates nothing about Bellaire's narrative pride, how we see ourselves... nor does it create an identifiable brand or distinctive look and feel since there is nothing unique/ distinctive about the logo. You are correct that the logo is simple, but it is anything but modern or reflective of Bellaire!

The "upward-oriented leaf" being a symbol of Bellaire's continued growth into the future is likely completely lost on most viewers.

Just my has been thoughts ... and yes, contrary to reports, I still live in Bellaire and watch yall closely! :-)

--

Corbett Daniel Parker

Senior Associate Attorney, [Pagel, Davis & Hill, P.C.](#)

Founder, [Rotary Club of Houston Skyline](#)

Former City Councilman, [City of Bellaire](#)

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

New logo proposed feedback

Kim Sumbera [REDACTED]

Tue 2/6/2018 4:11 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

Hello,

I have been reading the information about the new logo and rebranding etc. I looked at it yesterday and just looked at it again. I'm confused about what it is and how and what this represents for Bellaire? If it is a B, then the leaf makes it very confusing. It looks like a P.

I have lived in Bellaire for almost 30 years. I'm just not sure what this new logo says?

I hope, hope you will reconsider another option. I don't think this logo communicates the "heart" of Bellaire and I actually find this logo generic, uninteresting and very plain. Why does a leaf represent Bellaire?

Thanks so much! I just wanted to share my comments and again, I hope you don't choose this option.

The Sumbera's
800 Woodstock

Sent from my iPhone

You're receiving this message because you're a member of the City of Bellaire Branding Identity Team group.

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

Bellaire Logo

Carol Thomas [REDACTED]

Tue 2/6/2018 4:15 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

I have seen both of the proposed logos and have a strong preference for the more traditional trolley like design with the word Bellaire in the middle that acknowledges the past. The one with the leaf and the B looks more progressive, but could perhaps be redesigned to look more like a B and a little more traditional.

Carol Thomas(4608 Beech St)

Sent from my iPhone

You're receiving this message because you're a member of the City of Bellaire Branding Identity Team group.

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

FW: city logo

Tracy Dutton

Tue 2/6/2018 3:27 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

-----Original Message-----

From: Juli Lande [REDACTED]

Sent: Monday, February 5, 2018 5:05 PM

To: Tracy Dutton <tdutton@bellairetx.gov>

Subject: city logo

Yuck on the logo. Says nothing about our city.

You're receiving this message because you're a member of the City of Bellaire Branding Identity Team group.

Bellaire Logo

E Pu 

Tue 2/6/2018 6:45 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

To whom it may concern,

As a long time Bellaire resident, I think this logo is the perfect logo for our city. It's modern yet simple and delivers a powerful message connecting our city to all the nature/parks.
Many residents may object to this change on multiple levels- but our city in a way is a brand and we need to invest in it to keep up with times. The former logo is very outdated and no longer is a representation of the changing urban demographics.

Esther

--

Esther Puig OTR
Director
Houston Pediatric Therapy
Esther@houstonpediatrictherapy.com/
www.Houstonpediatrictherapy.com
Work: 281-857-2001
Fax: 281-888-2222

CONFIDENTIALITY STATEMENT: The information provided in this email is confidential and intended for the recipient/entity listed above. If the reader of this document is not the intended recipient, you are hereby notified that any review, distribution or copying of this information is prohibited. If you receive this communication by error, then please notify the sender provided above so that arrangements can be made for the documents to be returned to the sender.

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

Branding

Marcia Rench [REDACTED]

Tue 2/6/2018 6:59 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

No problem with updating as long as a lot of money isn't spent just to do that.

I personally don't think the "B" is clear enough in the logo I saw. Not even sure . . . is that a leaf covering too much of the "B"?

Just in case you are interested.

Marcie

You're receiving this message because you're a member of the City of Bellaire Branding Identity Team group.

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

FW: proposed new logo

Tracy Dutton

Wed 2/7/2018 11:27 AM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

-----Original Message-----

From: Sally I Evans [REDACTED]

Sent: Tuesday, February 6, 2018 8:31 PM

To: Tracy Dutton <tdutton@bellairetx.gov>

Subject: Re: proposed new logo

B is too obscured. It looks like a P — and how does that invoke Bellaire?

SiE

Sally I Evans

Sent from my iPad

You're receiving this message because you're a member of the City of Bellaire Branding Identity Team group.

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

Bellaire logo

Hollandideas [REDACTED]

Tue 2/6/2018 8:32 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

I'm a Bellaire resident, and I work as an art director/graphic designer.

I think the new logo is well designed.

It's classic and simple.

If it gets approved as-is, I think it will be a huge improvement for the city.

If there's a chance for further refinement, I agree that it could be even better if the logo can be adjusted a bit so that it reads more clearly as a "B". Currently it looks a little too much like a "P".

You're receiving this message because you're a member of the City of Bellaire Branding Identity Team group.

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

New Branding

Tracy Leiman <[REDACTED]>

Tue 2/6/2018 9:49 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

I love the idea of rebranding Bellaire and giving a fresh look to our city! Mark and I hope to see the brand change in action!

Fondly,
Tracy and Mark Leiman

You're receiving this message because you're a member of the City of Bellaire Branding Identity Team group.

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

Bellaire logo

Pegi Newhouse

Tue 2/6/2018 9:50 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

Cc: Andrew Friedberg <afriedberg@bellairetx.gov>;

Good evening,

I wanted to provide some feedback about the proposed logo for Bellaire.

When I think of Bellaire and why we like to live here, I am picturing a nice small-town oasis tucked inside a very large bustling city. Bellaire has nice homes, pretty trees, wonderful parks and green space that we love to come home to.

The current logo is in real need of updating—it's too busy, too many details and things going on. I'd like it to be 1) simplified and 2) remind us of what we love about our wonderful city.

My first impression of the proposed logo, is that it's too simple and boring in my opinion. I know it's supposed to be a letter B, but with the design, it could be mistaken for a letter P. The proposed logo does achieve the first objective of simplification but does not achieve the second objective of conjuring up what we love about the City.

I'd like to see someone take the current logo, which has some historical value and take it down to a few elements.

Perhaps a tree, house and green space. Simple but meaningful.

Thank you for giving me the opportunity to express my opinion and provide feedback.

Have a great day.

Best regards,

Pegi Newhouse

Proud Bellaire resident for 12 years

Sent from my iPhone

You're receiving this message because you're a member of the City of Bellaire Branding Identity Team group.

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

Fwd: New logo

Sherri Cooley [REDACTED]

Tue 2/6/2018 10:17 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

Sherri

Begin forwarded message:

From: Sherri Cooley <[REDACTED]>
Date: February 6, 2018 at 10:12:10 PM CST
To: www.branding@bellairetx.gov
Subject: New logo

I'm so surprised that this is what was proposed. Surely a city like Bellaire can have a logo that actually can be identified. Very disappointing. Doesn't give any indication it's the city of Bellaire. Doesn't even look like a B due to the large leaf (?) In front of the B.

I was at the city Council meeting last month when it was shown; I think all but one or two of the councilmembers thought it was great as did the mayor.

I hope the citizens of this city express their like or dislike and that city council listens if the majority are against it.

Sherri Cooley
5212 Palmetto St
Bellaire, TX 77401

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

Great logo!

Tania Campbell 

Wed 2/7/2018 6:45 AM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

I like the color and what it symbolizes! Great job, and I'm excited to see it around the new building and other spaces.

Would be nice to work with Cultural arts board and see if they can collaborate on ideas (ie utility boxes, sidewalk rebuilds etc).

Sent from my iPhone

You're receiving this message because you're a member of the City of Bellaire Branding Identity Team group.

New Proposed Logo

Sandra Lee-Dean [REDACTED]

Wed 2/7/2018 9:31 AM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

I hope my comments are presented to all city council members and the mayor:

I've talked to several neighbors and we all agree the B in the new logo is covered up too much by the large leaf so it makes it look like a P. Also, it is difficult to tell if it is a leaf or a sunflower seed or something else. I've heard comments from members of the focus group and this logo was the one they liked least. At the January 22 council meeting all of the council members (except one) liked this design and spoke highly of it. I hope the council members and the mayor listen to their constituents and consider other designs before making a decision.

Thank you,
Sandra Lee

You're receiving this message because you're a member of the City of Bellaire Branding Identity Team group.

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

Brand



Wed 2/7/2018 9:44 AM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

Cc: erzamecki [REDACTED]

Mayor and City Council

I am a long time resident of Bellaire.

My first reaction to seeing the proposed new brand was something many people will possibly share:

What is it?

It is a stylized drawing of an animal's tail, probably that of a lion.

Or maybe it's a stylized drawing of a tulip.

Then I read where it is a leaf, and is supposed to represent growth of the city. Huh?

A successful brand does not require the viewer to spend time (1) trying to figure out what the picture is, and then (2) trying to figure out the significance of the picture.

If you want a new brand, please try again.

Richard Zamecki

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

Response to Bellaire Branding Proposal

dan riley [REDACTED]

Wed 2/7/2018 10:16 AM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

I have been a resident of the Houston area for 44 years and a Bellaire resident for the last 20 years.

I agree completely with Mayor Frieberg's comments regarding the need for new branding for Bellaire. Bellaire needs, and deserves, a more cohesive and coordinated approach to a city identity that is more meaningful and recognizable. Bellaire's sense of community is every bit as strong or stronger than West U or the Memorial Villages but that is not apparent currently.

I have reviewed the proposal link from the Mayor's Musings . It appears to be a well thought out plan with a very professional approach. I liked the simplicity of the design and think it would be much more attractive as signage or a logo than the existing design. This is a new era and a new time for Bellaire and that could be reflected in new branding.

I particularly liked that this new approach could be ready for the new buildings but phased in on existing signage as it comes time for replacement. That seems like a logical cost savings effort.

The Mayor's discussion of the proposal seemed right on target to me- count me as a supporter !

Dan Riley

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

Feedback - Proposed Bellaire Logo

Keith Harrison [REDACTED]

Wed 2/7/2018 10:31 AM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

After carefully reviewing the proposal and the logo for a period of time, I must say this proposal falls short in my estimation for several reasons:

1 - It closely resembles the logo in concept that is already in use by ecopark, although far less appealing than ecopark's.



2 - The "B" in the logo is virtually lost with the addition of the overlapping "leaf" due to the shape and size of the leaf. It is not an obvious B at first glance.



OFFICIAL CITY SEAL



OFFICIAL CITY ICON



DISTILLED ICON

3 - The "leaf" is also easily misinterpreted as either lips or even worse, a vaginal connotation. This is particularly true of the Distilled Icon.

A quick google search of B and leaf logo turns up several clip arts that in my opinion surpass the proposed design while maintaining most of the same design concepts.



I am in conceptual agreement with a re-branding effort. I do feel this proposed icon/logo falls far short of its potential. It is impossible to please all of the people all of the time, but I would be greatly disappointed to see the time and the money spent yield this result. Once it is out there, retracting it will be a tough road to travel.

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

FW: Fw: Possible Brand for Bellaire

Tracy Dutton

Wed 2/7/2018 11:45 AM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

From: Carol Bettenmiller [REDACTED]
Sent: Wednesday, February 7, 2018 10:58 AM
To: Tracy Dutton <tdutton@bellairetx.gov>
Cc: 'Carol Bettenmiller' [REDACTED]
Subject: FW: Fw: Possible Brand for Bellaire

Tracy, Please forward to the city council members. Thanks!
 Carol

I agree 100% with everything Jane has stated below and love our current logo, no need for rebranding our city or changing the current logos we have everywhere! If needed for automation sake, ease into a slightly simpler version of the current logo which we all know and love and our kids do too.

Regards,
 Carol & Gordie Beittenmiller

537 S. 3rd St.
Bellaire, TX 77401
713-665-2152

From: Jane McNeel [REDACTED]
Sent: Friday, February 2, 2018 8:26 AM
To: undisclosed-recipients:
Subject: Fwd: Fw: Possible Brand for Bellaire

Dear Bellaire Friends and Neighbors,

Even as we face a million dollar cost overrun on the new municipal facilities and on top of our most recent property tax increase, the City Council is considering a new 'brand' for Bellaire, to be used on our buildings, vehicles, uniforms, stationery, etc. I don't know who advocated for this, but considering the importance of our City's image and the cost involved I am encouraging Bellaire residents to weigh in on this issue.

I sent the email below to Mayor Friedberg and the members of City Council, and I hope you will voice your opinion to Council as well.

You can send an email to Council via our City Clerk, Tracy Dutton, at tdutton@bellairetx.gov and ask her to forward your email to the City Council.

Best regards,

Jane

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

----- Forwarded message -----

From: Jane McNeel <[REDACTED]>

Date: Wed, Jan 31, 2018 at 4:52 PM

Subject: Fw: Possible Brand for Bellaire

To: Andrew Friedberg <afriedberg@bellairetx.gov>, Gus Pappas <gpappas@bellairetx.gov>, Trisha Pollard <tpollard@bellairetx.gov>, David Montague <dmontague@bellairetx.gov>, Michael Fife <mfife@bellairetx.gov>, Pat McLaughlan <pmclaughlan@att.net>, "nverma@bellairetx.gov" <nverma@bellairetx.gov>

Cc: Southwest News <mynews@village-southwest-news.com>

Dear Mayor and City Council,

I've just viewed the possible Brand design for Bellaire in the Southwest News and found it to be just awful. Did some firm came up with this incredibly bland, meaningless design?



My first thought? A Rolling Stones album cover:



Next thought? I sure hope the City didn't actually pay for this! (And my husband voiced the same comment when he saw them.)

What on earth is wrong with our time honored logo of buildings, trees, and residents? It makes a statement with class and carries on our City's tradition of a city of homes, a great place to live, worship, and work! It looks fine in black and white as well.



I've included the city logos for Houston and Galveston. Both cities are making a statement about their pride in their history and their heritage. Why shouldn't we do the same?



Please, do not lower Bellaire's status or standards with this terrible logo, which could easily become a laughingstock. Worst case, if you just have to make a change, refine the current design to a stylized house and trees. For street signs perhaps some clever arrangement of CoB or CB for City of Bellaire within a silhouette of an oak tree canopy.

Finally, I vote that you just leave things as they are, we've been doing just fine for over a hundred years as a City of Homes.

Sincerely,

Jane

Jane McNeel
[713-557-7764](tel:713-557-7764)

Consider the environment. Please don't print this e-mail unless you really need to.

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

FW: new logo comments

Tracy Dutton

Wed 2/7/2018 5:31 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

From: Kathryn James [REDACTED]
Sent: Wednesday, February 7, 2018 4:58 PM
To: Tracy Dutton <tdutton@bellairetx.gov>
Subject: new logo comments

I would like to let the mayor and city council know that I do not like the proposed new logo for the City of Bellaire at all. It is not recognizable as a B, the leaf(?) is pointless, and the color is undesirable (color of Houston street signage).

I would prefer to keep the current logo, as it better represents what Bellaire means to our family, residents since 1978, and it's attraction to newcomers. However, if we need to update to make it more "dignified" to match the branding label of "premier enclave community" (not what I would label it), I would suggest a black B inside a black square frame, with a font that looks like a rich monogram.

I continue to be frustrated by the amount of taxpayer money being spent to hire "experts" to propose unnecessary changes to our city. The study on "beautification" was outrageous and impractical, in my opinion. I think this one was a waste, as well.

Thank you for allowing me to express my opinion.
 Kathryn James

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

branding

Renee Raizen [REDACTED]

Wed 2/7/2018 5:40 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

I love the proposed branding! We are thrilled to be part of the Bellaire community.

Renee Raizen

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

Logo

Joe Burris

Wed 2/7/2018 8:21 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

"Where's the B"

The proposed logo with a leaf covering the B doesn't provide an appealing visual. Bellaire is a city of families, beautiful homes and green spaces. This logo is better suited for a sports team or institution of learning.

Sent from my iPhone

You're receiving this message because you're a member of the City of Bellaire Branding Identity Team group.

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

Logo comments

Brenda Cauthen 

Wed 2/7/2018 6:11 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

Just a couple.....Completely agree with the need for the branding process and am pleased with the depth of identifying "who we are". Just can't get comfortable with the logo...that B looks like a P. Definitely needs some tweeting.

--

Regards,

Brenda Cauthen

Nature Discovery Center Board Member

We believe a personal connection with nature is an essential part of life!

Cell (281) 630-8088

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

Brand Identity

Brooke Reichel [REDACTED]

Thu 2/8/2018 8:26 AM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

Good morning,

Just wanted to say that the proposed city logo looks clean, fresh and modern- I am a huge fan. It would be something I would be proud to display at my home and on my car.

Thank you,

Brooke Reichel

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

Logo

Jodi 

Thu 2/8/2018 8:50 AM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

I am a big fan of the new proposed logo. It's a great combination of both a new modern feel but still has the warm community feel that I think of when I think about my community. It's very classy and elegant. I love how clean it looks too....less going on appeals to my eye:) I would love to see this on the buildings, signs etc moving forward. It even made the recycling bins look beautiful.
Great job Bellaire!!

Sent from my iPhone

You're receiving this message because you're a member of the City of Bellaire Branding Identity Team group.

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

Untitled

Miriam Goott [REDACTED]

Thu 2/8/2018 8:50 AM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

I want to applaud the City of Bellaire for understanding the importance of progress. A new brand for our evolving city is just as important as the new buildings and schools we cherish so much. Thank you for your efforts in making sure our city is progressive and successful.

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

Brand Identity

Karen Landrigan [REDACTED]

Thu 2/8/2018 10:02 AM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

I read the proposal. The objective for the new identity is well researched. The writing is excellent. It is a solid approach to set up the marketing plan. The logo is pretty good but I think it could be better. A leaf is an overused visual. Not sold on it. I recommend that you ask the designers to go one step further in order to create something truly inspiring and original. At the very least before you sign it off ask for more refinement and overall balance.

Were there other visual options? I would love to see them.

For reference - I was a corporate designer for 30 years including working on the identity for one the largest IPO's in Canada—TELUS Corporation. I am now a full time artist.

Hope this is helpful.

Cheers,
Karen



Karen Landrigan, SCA, ISAP
T. 281.650.4527
www.karenlandrigan.com

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

New city ID

Owen Monie [REDACTED]

Thu 2/8/2018 11:26 AM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

This is a terrible look, and all the opinions I heard at the State of the City, were unimpressed to say the least.

Why is there a P?

Why is there a picture of a vagina on our I'D?

Is this Beeville?

Don't rush the design just for the new buildings!

Thanks,

Ralph

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

FW: Proposed City of Bellaire new logo

Tracy Dutton

Thu 2/8/2018 1:46 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

-----Original Message-----

From: witschey [REDACTED]

Sent: Thursday, February 8, 2018 12:56 PM

To: Tracy Dutton <tdutton@bellairetx.gov>

Subject: Proposed City of Bellaire new logo

Dear Ms Dutton,

Would you kindly forward my opinion of the proposed new logo to city council.

Thank you.

Sincerely,

Candace Roberts

To Won It May Concern at Bellaire City Council, I have reviewed the proposed new City of Bellaire logo and find it does not represent our city. The appearance is confusing "it that a B or P" and the leaf seems oddly "stuck on". I am not sure of the process for adopting a new logo and did not read what company or individual designed it.

Knowing the talent of the many residents of Bellaire I would assume a beautiful logo could be found among our talent pool. Please do not adopt this logo.

Respectuflly,

Candace Roberts, MD

You're receiving this message because you're a member of the City of Bellaire Branding Identity Team group.

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

New branding and logo for Bellaire

Cathy Beathard [REDACTED]

Thu 2/8/2018 1:54 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

Cc: Cathy Beathard [REDACTED]

To the Bellaire City Council-

First off, thank you for your hard work on the council, overseeing the complex needs of our city. We have been Bellaire residents for 25 years, raising 2 children and enjoying all of the friendships we have made here. I also have 30 years of experience in the architectural/design world with a degree in Interior Design.

I have reviewed the design concepts for the new proposed Bellaire Logo and feel that this design falls very short and does not properly convey our city. I do agree that the existing logo needs an update, but I much prefer the idea of home/community to a leaf pattern surrounding a partially hidden letter "B". The logo is not sharp and clear, the green color is dull, the logo lacks any appeal to me.

I have been told that 3 alternatives were offered and I have reviewed what I believe to be the other 2- one a graphic square with our founding date and city name, one with trees and the front of the trolley. In my opinion, you were given 3 poorly designed options and you should request some new ideas with some constructive "pros and cons" of these designs. I would say that was Schematic Design and now you move into Design Development - the standard architectural approach to finalizing a design.

Thank you for giving us a chance to voice our opinions about something Bellaire residents will feel strongly about.

Sincerely-

David and Cathy Beathard
4535 Holly Street

You're receiving this message because you're a member of the City of Bellaire Branding Identity Team group.

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

Logo development

sharon larsen 

Thu 2/8/2018 6:08 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

 1 attachments (123 KB)

Sharon response K.docx;

I have heard lots of negative comments about the new proposed logo. The complaints range from the unnecessary expenditures, to liking the logo we have, to outright dislike of the proposed one.

I expect the majority of the negatives I have heard stem from a heartfelt attachment to our city and not a resistance to updating and modernizing our city. I think residents desire to modernize is reinforced by the overwhelming support of the bond elections to build new city facilities.

Although, I understand the desire, and I feel need, for a uniform branding of our logo that will transfer to our new buildings and across all our city departments to be used in a common branding of Bellaire, I think council has disregarded what Bellaire means to our residents in the choice of logo. There are many avenues to explore logo design that are much less costly as well.

At the heart of the resistance I think is dislike of the logo choice presented. Most Bellaire residents didn't choose to live here only because of its location to the Galleria. They made the choice based on a strong sense of community and family that is ever-present in Bellaire. It was chosen for safety of our families, the schools, parks and a home town feel in the middle of and surrounded by a very large city. I feel this logo looks very corporate and may be great for a new city or a business, but not for Bellaire that is rooted in its pride of family and history.

Last year Patrons for Bellaire Parks update our logo to reflect the new emerging Patrons membership. However, we didn't throw out the old logo of the Gazebo entirely, because it has been identified with attention to the community needs, stability, fiscal responsibility and trust. It was a recognizable emblem that communicated a connection to Bellaire.

This change is tapping into the psyche of many residents in a negative way and that is a shame because I do believe a new updated logo is called for, just not this one. Social media and personal feedback that I have seen and heard are not supporting this logo. It does not speak to how Bellaire residents see themselves and their city. This should be a choice that reflects a wider selection of the citizens of Bellaire not the personal preferences of a small focus group or this administration. This logo will be the emblem of it's citizens and will be something generations will live with or be disgruntled with for a very long time. It would perhaps be more prudent to pick a type face, if that is an immediate need, and get more submissions for logos that incorporate the old logo or idea in the old logo.

I have attached excerpts from articles and website addressing the hazards of logo changes that have plagued many highly successful companies like Coke, Gap and Starbucks. I hope you can read some of them.

Thank you for your service

Sharon Veldman

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

I have heard lots of negative comments about the new proposed logo. The complaints range from the unnecessary expenditures, to liking the logo we have, to outright dislike of the proposed one.

I expect the majority of the negatives I have heard stem from a heartfelt attachment to our city and not a resistance to updating and modernizing our city. I think residents' desire to modernize is reinforced by the overwhelming support of the bond elections to build new city facilities.

Although, I understand the desire, and I feel need, for a uniform branding of our logo that will transfer to our new buildings and across all our city departments to be used in a common branding of Bellaire, I think council has disregarded what Bellaire means to our residents in the choice of logo.

Most Bellaire residents didn't choose to live here solely because of its location to the Galleria. They made the choice based on a strong sense of community and family that is ever-present in Bellaire. It was chosen for safety of our families, the schools, parks and a hometown feel in the middle of and surrounded by a very large city. I feel this logo looks very corporate and maybe great for a new city or a business, but not for Bellaire, a city that is rooted in a pride of its history.

Last year, Patrons for Bellaire Parks updated our logo to reflect the new emerging Patrons membership. However, we didn't throw out the old logo of the Gazebo entirely, because it has been identified with attention to the community needs, stability, fiscal responsibility, and trust.

I have attached excerpts from articles and websites addressing the hazards of logo changes that have plagued many highly successful companies like Coke, Gap and Starbucks. I hope you can read some of them.

This change is tapping into the psyche of many residents in a negative way and that is a shame because I do believe a new updated logo is called for, just not this one. This one does not speak to how Bellaire residents see themselves and their city. This should be a choice that reflects the City of Bellaire not the personal preferences of this administration, because this will be something generations will live with or be disgruntled with for a very long time. It would perhaps be more prudent to pick a typeface if that is an immediate need and get more submissions for logos.

Thank you for your service
Sharon Veldman

Brand Identity



Thu 2/8/2018 7:05 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

Hello,

I think the proposed brand identity for the City of Bellaire is fabulous! The logo provides a fresh, modern and sleek look, and I enjoyed going through the proposal packet to get a better understanding of the thought process behind the design.

Neidra Davis (City of Bellaire resident)

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

Bellaire Rebranding

Kristi Coffey

Thu 2/8/2018 8:15 PM

To: Tracy Dutton <tdutton@bellairetx.gov>; City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

Dear Ms. Dutton, Mayor, City Manager, and Council,

I wanted to reach out to you both in regards to the rebranding efforts and the final selection for presentation. I have seen and heard quite a bit of chatter about the proposed logo both on and off-line, and realize that this project is an important one for the City. Any change to something that people (especially people in Bellaire) find familiar is at many times difficult.

I believe that a rebranding is needed, and not just in the graphic sense but also in the summarization of common themes that emerged from the research undertaken by Principle. The research allowed for a spot-on summarization of the brand personality of the City that is accompanied by a verbal identity that may be used in communications for years to come. It is my opinion that Principle captured the essence of Bellaire and the spirit of those that live here in this work.

I also believe that the process that was undertaken to produce a proposed identity was one that included the opinions of community members. I was one of the people who was interviewed by phone and also know that a focus group was used before the preferred logo was presented. I very much appreciate you including the citizens in this process.

While, I believe the verbal expression of the research is a wonderful representation of our City, I didn't find the graphical expression to be of the same quality of work. I respect the work of all that serve the City tremendously, and was hesitant in even writing this, but please know that I come from the position of wanting to help in any way possible. There are several reasons why I don't find the logo to be a successful representation, and I would like to explain why.

- From a quality perspective (graphic design quality), this is too similar to stock photos and badges/emblems that may be downloaded and edited slightly in a design program. Some of the feedback I have heard, and have to agree with, is around this.
- The logo fails to visually illustrate and elements that are at the core of the spirit of Bellaire. The internal values framework presented (the quadrant) lists "a warm home" and a "lush grove." The verbal expression included this in bold "Bellaire is the simple happiness of home." The brand personality was presented as: "Simple. Sunny. Classic. Communicative. Abundantly pleasant. A refined wholesomeness." I do believe that to be an accurate representation of our brand personality but don't believe that the brand personality is reflected in the graphic representation.
- There are no elements included in the logo that people affiliate with our City. This is tricky to incorporate in a way that can be cleanly presented, but is doable. I often hear "City of Homes," "family," and also hear people describe the beautiful oak trees or trolley. It seems like it would be more successful if representing an organic foods brand or park system, but not necessarily a city such as ours.
- Lastly, there is no incorporation of what is the heart of the City- its people.

I believe in the project and the process, and a large portion of the emergent product...just not the graphical representation. I have thought on this and even tried to somewhat visually create something that speaks to the points I mentioned above and have attached it. This project is important and needed and close to being a huge success. I think revisiting the logo would be something that would help achieve this and be appreciated by many. Thank you for consideration of my thoughts.

My thanks,
Kristi Coffey
Bellaire Resident at 4807 Florence Street

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)



You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

FW: Bellaire City Logo

Tracy Dutton

Fri 2/9/2018 1:44 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

 2 attachments (51 KB)

logo.jpg; bellairelogo.jpg;

From: Jennifer Hawes [REDACTED]
Sent: Friday, February 9, 2018 1:30 PM
To: Tracy Dutton <tdutton@bellairetx.gov>
Subject: Bellaire City Logo

Hi Tracy,

Hope your doing well. Wanted to weigh in on the artwork for a proposed new city logo. Personally, I would like to see something like an oak tree or the trolley car incorporated into a new city logo. My impression of the letter B with the leaf is that it doesn't really convey a "city of homes" or "garden city" or "family-friendly residential community". It looks more like a company or country club logo--personally I wouldn't use the letter "B" at all in a city logo.

Attached 2 images that include trees that show people as their trunk--think a really nice, dressed up version of an oak tree with people either playing, congregating under the tree or supporting its branches could be nice.. Best of Luck to council in their decision..

-Jennifer

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)



Download from
 Dreamstime.com
 1402998
 Gona Rouazzi | Dreamstime.com

New logo

SPipad Fohn [REDACTED]

Fri 2/9/2018 11:01 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

I love the new logo and the rebranding effort by the city. It's much needed and this is the right time to do it. I support it 100%.

Sent from my iPad

Stephen Fohn

You're receiving this message because you're a member of the City of Bellaire Branding Identity Team group.

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

Logo

Joanne Lank 

Sat 2/10/2018 5:11 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

Everyone I have shared with on "next door Bellaire" is against the proposed logo change. I really don't like it
Cheryl Joanne Lank

5601 Innsbruck
Bellaire Tx 77401
281 250-5914

Sent from my iPhone

You're receiving this message because you're a member of the City of Bellaire Branding Identity Team group.

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

Love the New Design

Laina Miller [REDACTED]

Sun 2/11/2018 10:44 AM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

I just wanted to share my thoughts on the new City branding. I love the new design. I think it's fresh and modern and representative of where we are headed as a city. The old design, while quaint, is tired and outdated. Great choice!

Thanks,
Laina Miller
4535 Maple

Laina Miller
281.788.9535

You're receiving this message because you're a member of the City of Bellaire Branding Identity Team group.

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

logo

Jerisue Garner 

Tue 2/13/2018 2:15 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

Sorry do not care for new logo / I adore the city of homes current logo though the house is a bit dated looks like mine! 1950 / Jeri Garner

j

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

City of Bellaire Logo

Paula DeMonte [REDACTED]

Tue 2/13/2018 2:27 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

I have lived in Bellaire for 26 years. Why didn't you employ the most practical, inclusive and cost effective way to gain a new brand? To truly get a feel for what this city means, open a (serious, similar to rodeo art) competition to art students from all of the schools. Branding and logos are an art form, and are best personalized by those it is representing.

Paula DeMonte
5314 Aspen St

You're receiving this message because you're a member of the City of Bellaire Branding Identity Team group.

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

Proposed Logo

Mary Jahde [REDACTED]

Tue 2/13/2018 4:23 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

Thank you for inviting comments regarding the proposed logo from Bellaire residents. While it is simple, it does not seem like an update. The lower half of the "B" looks like it is part of the leaf more than part of the "B" thus inviting the comparisons to various body parts. I have had experience with Bobby Holloway of Impressable Promotional Products out of Kingwood and thelogoboutique.com who/which can offer a variety of options for practically nothing. Anything further spent with that consulting firm seems like it would be throwing out good money after bad.

Sincerely,
Mary Jahde
4409 Betty St.

Sent from my iPhone

You're receiving this message because you're a member of the City of Bellaire Branding Identity Team group.

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

The branding project is a waste of taxpayer money. The current logo is fine. We have flooding issues that need to be addressed.

Michele Arnold [REDACTED]

Tue 2/13/2018 7:01 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

You're receiving this message because you're a member of the City of Bellaire Branding Identity Team group.

New Branding - "Yuk" ; Keep Traditional

Algernon Brown [REDACTED]

Tue 2/13/2018 7:05 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

New Branding - "Yuk" ; Keep Traditional

Really

Sent from my iPhone

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

Logo Thoughts

Jeff Wu [REDACTED]

Tue 2/13/2018 7:06 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

I think the new logo is simple, clean and elegant. I like very much. I also very much appreciate the gradual phase in, using up all the old stock before ordering new stock. Shows fiscal responsibility.

--Jeff Wu
4642 Spruce St.

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

Bellaire Logo Feedback - Dislike the proposed new leaf logo



Tue 2/13/2018 7:37 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

I have lived in Bellaire for 15 years and am working to rebuild my home. Albeit a small issue in comparison with flood mitigation, there is nothing about the "B leaf" (Illustrative Option 1) logo that I would be proud to have on my car, recycle bin or other. It is a generic waste of a designer's time to have developed in my opinion.

The Graphic Option 2 logo would be much better. Modern yet historic. It's also flexible.

Historical Option 3 is nice but a bit too nostalgic.

I truly hope that the council and/or branding committee does not believe that the 12 people who spoke for the entire community are the only voices that matter. There are Bellaire residents who have spent time in our professional lives dealing with aspects of branding that would disagree with the 12. Had the call for volunteers or input been better advertised, there may have been more data points with which to formulate a consensus with more widespread buy-in.

I hope the council will reconsider the limited input that that DCA received from those who were apparently not familiar enough with Bellaire to recognize the trolley.

As for the branding standards guide and fonts, those are needed. Whether that should cost \$10k is questionable.

Sincerely,

I. Chang
Rice University

P.S. I'm fairly certain that "reminiscent" should not have an "h" in it. (See slide 80 of 84.)

Sent from my iPad

You're receiving this message because you're a member of the City of Bellaire Branding Identity Team group.

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

Logo

Laura Gorme [REDACTED]

Tue 2/13/2018 7:58 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

Sorry, the logos presented lackluster. What's wrong with the old one?

\$41,750 To come up with a new one? How about spending that amount to beautify the entrance to Bellaire at Newcastle from Beechnut? The wild landscaping is an atrocious welcome to our part of Part of the city.
Laura Gorme

Sent from my iPad

You're receiving this message because you're a member of the City of Bellaire Branding Identity Team group.

Logo

Luis A Valle 

Tue 2/13/2018 8:02 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

It seems simple, why settle for a single detached leaf when we already have many trees, a Home with a Family standing in front of that Home and certainly a crucial part of Family unity, a Place of Worship towering in the back ground. I am referring to the current and recognized more than a logo, a piece of Bellaire's History.

When was the last time you saw a trade mark logo change it's form? (Nike, Coke, Pepsi, Chevy, Ford, Mercedes etc.

It is a great symbol of Family, Friends and Home.

(Thank You for the opportunity to share our thoughts)

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

Logo

Luis A Valle [REDACTED]

Tue 2/13/2018 8:09 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

Dear Sirs,

I have to apologize, sorry! A leaf covering our bottom half?

You're receiving this message because you're a member of the City of Bellaire Branding Identity Team group.

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

concerned

Stuart Hudson

Tue 2/13/2018 8:24 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

I am concerned that our city leaders felt that there was a legitimate need to re-brand the city!! For what good reason? Do you really think people are moving here because we have a particular logo? We have a building going up that does not have the funding to complete it and you wasted \$50k on this??

I think our current logo is just fine and the new one is completely uninspired but the most disappointing thing about it is the waste of time and money to go through this process.

--Stuart Hudson
4810 Florence Street

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

Branding feedback

Annamarie Dewhurst <[REDACTED]>

Wed 2/14/2018 6:45 AM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

Hello-

The proposed logo is not clear. The leaf covers the B in a way that makes it very confusing. It looks like a P. I do like the green color and the single letter B if the leaf was placed differently. If the city is going to spend our tax dollars rebranding, you need to go back to the drawing board to reconfigure the design of the logo. It should be clear and not confusing to people.

Thanks,
Annamarie Dewhurst

You're receiving this message because you're a member of the City of Bellaire Branding Identity Team group.

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

Bellaire Logo

Eric Saibi

Wed 2/14/2018 9:29 AM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

Cc: Andrew Friedberg <afriedberg@bellairetx.gov>;

Hello,

First of all, a new logo and branding is a good idea. Don't listen to the people who will complain because we're spending any money and raising taxes. Investing in a recognizable logo is a good investment. It would be valuable if people saw and recognized the logo whenever they drive thru Bellaire. Over time if we can combine our city identity with things like public safety outstanding city services, superior infrastructure, and great neighborhoods then our branding can become a valuable asset.

I don't claim to be an expert in this field, but I suspect there are plenty of freelance designers out there who will design a logo or modify an existing idea. A lot of people contract IT work via these types of web sites and connect with freelancers internationally for a fraction of what a fancy consultant charges.

With that said I mostly like the proposed logo. The best part is the large "B". The single capital letter is essential for quick recognition at a distance. While I like the color, it would be nice to match our red street signs. Although I realize red might not match our City of Homes image. By the way our distinct red street signs are great and distinguish us very noticeably from Houston and other cities. Long before I moved to Bellaire I came to recognize the signs and knew I was in Bellaire.

I completely agree with critics who don't like the leaf covering the B. It's confusing in many ways, but mostly because it covers the B too much. If you must keep the leaf, maybe put 1 or 2 leaves off to the side - kind of like the old wheat penny. Leaving the leaf off altogether is a fine option too - keeping the logo simple and uncluttered.

Good luck, and thanks for thinking about what's best for our city over the long term.

Eric Saibi

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

Branding

Richard Cortright [REDACTED]

Wed 2/14/2018 9:35 AM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

Very poor design.... the children at Condit could have done a better job. I know clearance is an issue, but really, design by committee never works....

Rick

You're receiving this message because you're a member of the City of Bellaire Branding Identity Team group.

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

Fwd: Logo

Tami Crosby [REDACTED]

Wed 2/14/2018 9:56 AM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

Sent from my iPad

Begin forwarded message:

From: Andrew Friedberg <afriedberg@bellairetx.gov>
Date: February 14, 2018 at 9:34:23 AM CST
To: Tami Crosby [REDACTED]
Subject: Re: Logo

Tami,

Thanks very much for your e-mail. I appreciate your thoughtful and constructive input--exactly why we asked! Your thoughts on the "B" are, I think, representative of the majority thus far, so definitely something we'll want to look at moving forward.

If you've not yet sent your comment in to branding@bellairetx.gov, please be sure to do so to ensure it's included.

Best regards,

Andrew

Andrew S. Friedberg
Mayor | City of Bellaire, Texas
 7008 S. Rice Ave. | Bellaire, TX 77401
 (713) 662-8222 | Fax: (713) 662-8212
afriedberg@bellairetx.gov

From: Tami Crosby [REDACTED]
Sent: Tuesday, February 13, 2018 6:44 PM
To: Andrew Friedberg
Subject: Logo

Dear Mayor Friedberg,

I want to say I appreciate your fresh new vision for our city and the accomplishments you've made in your terms as Mayor. Thank you.

I have to say though the new logo doesn't represent this community called Bellaire, and the leaf negates the B;

which in my opinion is the only part of the logo that stands for the city. As someone whose lived in Bellaire for 42 years along with all of my children and grandchildren I'm very disappointed that this is the best we can do to represent our great city.

Sincerely,
Tami Crosby

Sent from my iPad

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

Untitled

Ankney, Christine Z [REDACTED]

Wed 2/14/2018 12:21 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

Good morning,

I have seen all the different logos that have been put forth and really are not as nice as the existing "brand" we have now. they are all "trendy" and look they should be a coffee shop or boutique store logo.

Bellaire is the "city of homes". If anything, maybe a McMansion or two on a teeny tiny lot????????????? The trees are being cut down at an alarming rate to build those giant homes so even that leaf is a misnomer.

Pass on all of them.

Keep the money and spend it on infrastructure, road repair, hiring more city workers, sweep the streets (yay- that would be really nice, since the hurricane, I've had 2 flats because of the debris in the streets).

No, no, no, no to any of them.

Enjoy the day.

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

City logo expenditures

Andy Blitzer [REDACTED]

Wed 2/14/2018 12:42 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

Cc: Todd Blitzer [REDACTED]

Dear Mayor and City Council,

I was disturbed to learn you allocated almost \$42,000 to a logo when our city can use the money for updating infrastructure. I am sure had you opened up the logo to a competition, many talented graphics designers or students of design would have gladly submitted better examples for FREE. Even a professional advertising and marketing firm could have designed that logo for a fraction of the cost.

The examples submitted are hardly worth much and the B with the leaf is frankly insulting. A logo is supposed to represent a city and their justification for this logo's elements are very far-reaching and impractical. To me, it looks like the letter P and many others see obscure or even obscene symbolism in it.

It appears that even the feedback of those on the logo panel put together (and paid for by our city tax dollars) were not taken seriously--many of them expressing the same sentiments about the notorious B (or P) with the leaf.

I think this exercise was a gross misuse of our city's finances.

Andrea Blitzer

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

Exactly why are be spending money

Jim Hotze [REDACTED]

Wed 2/14/2018 1:53 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

Exactly why are be spending money on a new logo when the City of Bellaire is about to have a serious decrease in their property tax revenue. All the unanticipated expenses related to Harvey must have had an impact on the funds available. (?) Just tell me \$10,000 - \$30,000 is just a drop in a bucket - no worries

Jim Hotze
5301Valerie
(713) 449-1234 (Cell)

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)

New logo

Michael W. Miles 

Wed 2/14/2018 1:54 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

> I just wanted to share my opinion that the proposed new logo is not a good idea for Bellaire. The design makes the "B" look like a "P" and the single leaf is a bit confusing. If we are going to choose something to last for the next hundred years, it should be easily associated with the city, and it should not be unclear what letter is in the design.

>

> Michael W. Miles

You're receiving this message because you're a member of the City of Bellaire Branding Identity Team group.

new logo

Rice, William T 

Wed 2/14/2018 2:08 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

Nice simplicity and cleanliness but leaf can also look like a wave. Are you reinforcing the stereotype that Bellaire floods every time it rains?

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

New Logo and Branding

Charles Liu 

Wed 2/14/2018 2:33 PM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

Very positive and progressive! Full support for the change as we look to build towards the future.

Charles Liu
4340 Wendell St.

You're receiving this message because you're a member of the [City of Bellaire Branding Identity Team](#) group. If you don't want to receive any messages or events from this group, [stop following it in your inbox](#).

[View group conversations](#) | [View group files](#)

New Logo

CPA [REDACTED]

Thu 2/15/2018 11:06 AM

To: City of Bellaire Branding Identity Team <Branding@bellairetx.gov>;

If it ain't broke don't fix it!!! A sad waste of \$\$ needed elsewhere in this city. Also, the logo is dull, boring and doesn't say much.

Sent from my iPhone

You're receiving this message because you're a member of the City of Bellaire Branding Identity Team group.

Attachment: Brand Identity Feedback (2470 : Brand Identity Exercise - Signage and Design Standards)