



CITY OF BELLAIRE TEXAS

MAYOR AND COUNCIL

MAY 21, 2018

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, May 21, 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
Gus E. Pappas	Mayor Pro Tem	Present
Neil Verma	Council Member	Present
Trisha S. Pollard	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; Zachary Petrov, Assistant City Attorney; and Tracy L. Dutton, City Clerk.

*Council Members Pollard and McLaughlan arrived during the public hearing at 6:31 p.m. and participated in the remainder of the session.

Mayor Friedberg asked everyone to join him in a moment of silence in remembrance of the ten victims who were killed in a shooting at Santa Fe High School (Santa Fe, Texas) on May 18, 2018. The names of the victims were read by Mayor Friedberg as follows: Jared Black, Shana Fisher, Christian Garcia, Aaron McLeod, Glenda Perkins, Angelique Ramirez, Sabika Sheikh, Chris Stone, Cynthia Tisdale, and Kimberly Vaughan. Following the moment of silence, Mayor Friedberg asked that we not become so desensitized to such violence that we find ourselves forgetting these victims and who they were. He hoped their memories would inspire us to find real solutions to the problems giving rise to these incidents and to help us prevent them from happening repeatedly. Mayor Friedberg thanked first responders for their service in such situations, as well as their constant training and preparedness. He urged everyone to hug their children a little tighter and to never take our tomorrows for granted.

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

Michael Fife, Council Member, invited her neighbor, long-time resident Patsy Teas, to provide the inspirational reading for the evening by speaking about some of her early experiences as a Bellaire resident.

Patsy Teas told several interesting stories about Bellaire. For example, she advised that W. W. Baldwin, founder of Bellaire, employed Papa Teas (Ms. Teas' husband's grandfather) to layout Bellaire's streets in return for land on which to grow nursery plants. Landscaping the Bellaire Boulevard esplanade was difficult. Two of Papa Teas' plantings were destroyed (eaten) by grazing cows.

Ms. Teas noted that the speed limit along Bellaire Boulevard in the early 1900s was eight miles per hour and that a member of the family had received a citation for traveling twelve miles per hour in the eight mile per hour speed zone. Also of note was a well-deserved honor bestowed on Papa Teas, which was a membership to the Royal Horticulture Society of England conferred for distinguished service.

Ms. Teas noted that Bellaire had many remarkable people who helped establish the Bellaire of today, such as Alfred Judson Condit, who recognized the need for a school in the early days and had his company build and maintain a school; and the Rubenstein Family for their generous gift to the City of Evelyn's Park.

In closing, Ms. Teas stated that the more she learned of the terrific people of Bellaire from the past and the present, the more she appreciated and loved Bellaire.

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.

I. PUBLIC HEARING (SPECIFIC USE PERMIT AMENDMENT FOR TEMPORARY USE OF ELEMENTARY SCHOOL)**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 was published in the legal notices section of the Southwest News on Tuesday, April 24, 2018, and mailed and posted on the City's official bulletin board on Wednesday, April 25, 2018. Notification by mail was sent to 132 property owners of record and assumed tenants located within 500 feet of the site of the specific use permit amendment (6300 Avenue B). One of the properties within 500 feet was a City park (Feld Park), the notice of which was given to the City Manager.

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

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

C. Presentation of Proposal:

Public hearing on an application filed by Steven Gee, Houston Independent School District Project Manager, for an amendment to Specific Use Permit S-89, as required by Chapter 24, Planning & Zoning, Section 24-532 B. (2) a), to include an addendum that allows for the temporary use of the existing Gordon Elementary School site by Kolter Elementary School until such time that construction is complete on the new Kolter Elementary School campus and students are able to occupy the new building. The property is located at 6300 Avenue B, within the R-3 Residential Zoning District - Submitted by ChaVonne Sampson, Director of Development Services.

Mayor Friedberg read the agenda caption and invited Steven Gee, Houston Independent School District (HISD) Project Manager, to the podium to present HISD's proposal.

Steven Gee, HISD Project Manager, provided a quick overview of HISD's application to continue to use the Gordon Elementary School site as Kolter Elementary School (Kolter) until HISD could rebuild the Kolter campus. Mr. Gee advised that Kolter was a K-5 foreign language magnet school.

Currently, 640 students were enrolled at Kolter, with a staff of 56 members. Four buses transported students to and from the original Kolter campus, and five buses transported magnet students to Kolter. Most of the students were transported to the school via the four buses that picked up from the original Kolter campus.

A preliminary construction timeline was provided by Mr. Gee. He indicated that the expected completion date for the construction of the new Kolter campus was January of 2020. Once students were moved onto the new campus, HISD would immediately begin construction of the baseball and softball facility for Bellaire High School on the Gordon Elementary School site.

D. Public Comment.

Mayor Friedberg opened the floor for public comment on the HISD application. He advised that during this public comment period residents and interested parties would have an opportunity to comment only about the public hearing. Public comment on other topics would be received during the regular meeting immediately following the public hearing.

Following a brief overview of the time limit for public comment, **Mayor Friedberg** introduced the first speaker who had completed the sign-up sheet for the public hearing.

Scott Eastman:

Mr. Eastman addressed City Council and respectfully asked them to support the amendment for the sake of the students.

Kerri Welsh:

Ms. Welsh addressed City Council and requested that the students be allowed to remain at the campus on Avenue B, which was affectionately named "Kolter North." It was the exception rather than the rule that Kolter families, including her own, were currently living in their own homes. The children needed and deserved consistency and that allowing Kolter to remain on Avenue B until the new school was built would provide

much needed consistency.

Ritwick Agrawal:

Mr. Agrawal addressed City Council and noted that he lived on Spruce Street between Avenue B and the IH-610 Service Road. He indicated that he liked and supported the idea that the City could provide a home for Kolter. At the same time, he wished to raise a concern regarding Spruce Street, which had turned into a high traffic street. He recently had to wait five-six minutes before he could back out of his driveway due to the long line of cars waiting at the stop sign. In addition, Mr. Agrawal had observed cars zooming down Spruce Street from the IH-610 Service Road to get to Avenue B.

Mr. Agrawal described Spruce Street as a two and one-half lane residential street with cars parked on both sides of the street and no sidewalks. If the request was granted to allow Kolter to remain until 2020, Mr. Agrawal hoped that City Council would consider a partial closure of Spruce Street.

Maria Gomez-White:

Ms. Gomez-White addressed City Council and asked them to consider that Spruce Street had now become a cut-through high traffic street. She indicated that she had visited with neighbors on her street and that the neighbors were looking to request speed humps or a full- or partial-street closure. She advised that Cedar, Spruce, and Beech Streets were the only streets that went from the IH-610 Service Road all the way to Avenue B.

Ms. Gomez-White advised that neighbors were welcoming to Kolter, in her opinion, but wanted the cut-through traffic to be addressed in general and for the safety of the children living on the street.

Belinda Schmidt:

Ms. Schmidt addressed City Council regarding Elm Street, which dead ended at the Gordon Elementary School site. She indicated that she and her neighbors had an issue with HISD schools regardless of whether it was Kolter or Gordon. The neighbors were pleased to help out Kolter parents and families in their difficulty; however, the issue was safety and traffic.

Ms. Schmidt referred to four buses she described as luxury liners that blocked 100% of the traffic southbound from Bissonnet Street to Bellaire Boulevard during pick up and dismissal at the school, resulting in difficulty for Elm Street residents to get home. There was inadequate safety patrol, in her opinion.

Elizabeth Shebay:

Ms. Shebay advised that she, too, lived on Elm Street. In her opinion, the heavy traffic toward her end of Elm Street lasted about 15 minutes in the morning and 15 minutes in the afternoon. If traffic was a concern, she suggested that Elm and Merrie Lane be designated as one-way streets, which she believed would help with the traffic.

In closing, Ms. Shebay stated that 99% of Kolter parents were respectful in her opinion. She also indicated that Kolter had made every effort to try to get people to take the buses coming from old Kolter to new Kolter.

Mary Ellen Matthews:

Ms. Matthews addressed City Council and agreed that there was a traffic issue. She liked the suggestion of making one street a one-way in one direction and a parallel street a one-way in the reverse direction. She agreed that traffic was heavy for about 15-30 minutes.

Ms. Matthews stated that she believed a solution could be figured out that did not involve a great deal of money. She was in support of the Kolter students continuing to use the Gordon Elementary School site until their new school was constructed.

Mayor Friedberg asked if there was anyone else present that wished to address City Council during the public hearing. Seeing none, he summarized one written comment that City Council had received regarding the public hearing. The comment, from **Elise Neal**, also a resident of Elm Street, referred to parking problems that dated back to Gordon Elementary School. Ms. Neal stated that the problems were not addressed at that time, since Gordon was scheduled to be closed anyway. She explained that since Harvey, the neighbors had been patient because Kolter was only expected to be there in the short term. If extending the arrangement for another two years, Ms. Neal asked that something be done to address the parking problems.

Mayor Friedberg advised that copies of written comments received were distributed to each member of City Council for their consideration. The referenced written comment was received late this afternoon and would be provided to members of City Council either later in the evening or the next day. As with all written comments, Ms. Neal's comment would be included in the official record of the proceedings. After the public comment period, Mayor Friedberg continued to the next item on the agenda.

E. Questions from the Mayor and City Council.

Mayor Friedberg opened the floor for questions of HISD or staff regarding the application for an amendment to HISD's existing Specific Use Permit (SUP) S-89 to allow for the continued temporary use of Gordon Elementary School as an elementary school.

Following questions from the Mayor and City Council, **Mayor Friedberg** closed the public hearing.

F. Close of the Public Hearing.

Mayor Friedberg announced that the public hearing was closed at 6:55 p.m. on Monday, May 21, 2018. He advised that oral comment on the subject matter of the public hearing would no longer be received. City Council would accept written comments prior to their final deliberation on this 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 public record of the proceedings. It was anticipated that final deliberation would occur on Monday, June 4, 2018; therefore, written comments should be submitted by noon on Thursday, May 31, 2018.

G. Adjourn.

Mayor Friedberg announced that the public hearing was adjourned at 6:56 p.m. on Monday, May 21, 2018.

II. REGULAR MEETING

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

Mayor Friedberg called the City Council of the City of Bellaire, Texas, to order at 6:56 p.m. on Monday, May 21, 2018.

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

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
Gus E. Pappas	Mayor Pro Tem	Present
Neil Verma	Council Member	Present
Trisha S. Pollard	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; Zachary Petrov, Assistant 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 Special Session (Pre-Budget Planning Workshop) of the City Council of the City of Bellaire, Texas, held on Thursday, May 3, 2018, and on the minutes of the Regular Session of the City Council of the City of Bellaire, Texas, held on Monday, May 7, 2018 - Submitted by Tracy L. Dutton, City Clerk.

1. Mayor and Council - Special Session (Pre-Budget Planning Workshop) - May 3, 2018 8:30 AM

Mayor Friedberg read the agenda caption and asked if there were any corrections to the minutes for City Council's Pre-Budget Planning Workshop held on May 3, 2018. Hearing none, **Mayor Friedberg announced that the minutes were adopted as presented.**

2. Mayor and Council - Regular Session - May 7, 2018 7:00 PM

Mayor Friedberg referred to the updated version of the minutes of the City Council Regular Session held on May 7, 2018, placed on the dais this evening by the City Clerk and updated earlier online. He asked if there were any corrections to that set of minutes. Hearing none, **Mayor Friedberg announced that the minutes were adopted as presented.**

D. Personal/Audience Comments.

Mayor Friedberg asked if there was any member of the public present that wished to speak during Personal/Audience Comments. There were no members of the audience that wished to speak. In addition, there were no written comments for the evening.

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 May 21, 2018, to the City Council. The report included an overview of communication updates, which included a reminder to residents regarding the approaching deadline for applications to serve on the City's boards and commissions.

Two new hires were recognized by City Manager Hofmann as follows: Joy Lester, Permit Technician II, Development Services Department; and Jennifer Sessa, Assistant Library Director, Bellaire City Library.

The Touch a Truck event held on May 12, 2018, was noted to have been a great success. City Manager Hofmann expressed his appreciation of Evelyn's Park, the Bellaire Police Department, and Cheryl Bright, Community Relations Administrator, for their coordination and hard work on the event.

City Manager Hofmann reported on the interest the City had received for the next Bellaire Citizens Academy scheduled to be held in the fall of 2018. As of May 21, 2018, 44 citizens had applied, with a class capacity of 20. He noted that there were currently two classes of alumni from the Bellaire Citizens Academy and noted that the City had plans for a social event for the alumni in a few weeks.

Reference was also made by City Manager Hofmann to a recent Builder's Breakfast the City hosted in the CenterPoint Energy Community Center. Community Relations Administrator Cheryl Bright was introduced during the breakfast. Updates were provided on topics such as the Flood Hazard Mitigation Task Force and their recommendations, elevation requirements, contractor registration, and a possible increase in the general liability insurance minimums.

A brief overview of upcoming events and future Council meetings was provided, followed by an overview of the highlights of a recent Neighborhood Meeting held on May 15, 2018, to discuss the City's Spruce and Fifth Streets Project. City Manager Hofmann stated that approximately 25 business and property owners attended the meeting.

During the public discussion portion of the referenced Neighborhood Meeting, all property owners in attendance indicated that they did not like the angled parking concept and felt that they would not benefit from improved pedestrian accessibility. City Manager Hofmann advised that the project was suggested by staff to promote commercial redevelopment. The project was not intended to create a hardship or inconvenience for the property owners or existing businesses. He also indicated that staff was working to address the concerns related to accessibility and so far have been able to satisfy each of the concerns that had been expressed.

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 continued to the next item on the agenda.

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

Terrence Beaman, Chief Financial Officer (CFO), presented the Fiscal Year 2018 2nd Quarter Report to members of the City Council. He noted that the City was halfway through the current fiscal year and was beginning to prepare for the fiscal year 2019 budget.

CFO Beaman covered several topics in his report. With respect to personnel, CFO Beaman provided an overview of a personnel restructuring in the Development Services, Public Works, and Parks, Recreation and Facilities Departments. Reference was made to recruitment efforts to replace the City's retiring Fire Chief and future efforts to be made to replace the City's Assistant Police Chief, who had already retired. Of the 183 full-time equivalent positions, CFO Beaman advised that there were approximately 15 vacancies as of the end of March 2018.

With respect to the status of City General Fund expenditures related to Hurricane Harvey, CFO Beaman advised that the City had spent approximately \$1.6 million (including amounts spent in the last fiscal year). The City anticipated expending another \$1.1 million, and anticipated receiving reimbursements from the Federal Emergency Management Agency and insurance (Texas Municipal League) in the amount of \$2.3 million. The net effect on the General Fund was estimated to total \$350,000.

Enterprise Fund Hurricane Harvey expenditures totaled approximately \$315,000 (including amounts spent in the last fiscal year), with another \$175,000 anticipated to be spent. The City anticipated reimbursement of the expenditures in amount of \$400,000.

It was noted that when the General Fund budget was adopted, the City anticipated having a beginning balance of \$3.3 million. After the end of the 2017 fiscal year, the actual beginning balance was \$3.7 million. The beginning balance for fiscal year 2019 was projected to be \$3.96 million.

CFO Beaman advised that the City was currently over its General Fund allocated budget by \$25,000 with respect to revenues. For public safety, revenues related to emergency medical services were coming in below what was expected. In general, the City was tracking close to the allocated budget for revenues.

With respect to revenues in the Enterprise Fund, CFO Beaman advised that the City was tracking over the allocated budget by \$220,000. The City anticipated a beginning working balance of approximately \$600,000. The City had actually ended fiscal year 2017 with \$1.36 million. The anticipated beginning working balance for fiscal year 2019 was estimated to be \$980,000.

CFO Beaman advised that the City's Debt Service Fund was on track as expected with respect to revenues and expenditures.

Mayor Friedberg opened the floor for questions from the City Council for CFO Beaman. Following questions, CFO Beaman turned the floor over to Michael Leech, Director of Public Works, to continue the report with an update concerning the City's Capital Improvement Plan.

Michael Leech, Director of Public Works, provided an update of the City's Bonds for Better Bellaire Program projects that were currently underway for water and wastewater improvements, streets and drainage improvements, and sidewalks.

Mayor Friedberg opened the floor for questions from the City Council for Director Leech. Following questions, Mayor Friedberg announced that the Fiscal Year 2018 2nd Quarter Report was concluded and moved to the next item on the agenda.

F. New Business:

Adoption of Ordinance(s)/Resolution(s)

Consideration of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, authorizing the abandonment and subsequent sale of an interest in the twenty-five (25) foot wide alley owned by the City of Bellaire to the abutting property owners, being 3,125 square feet of an alley located between Lots 18 and 19, in Block 45 of Town of Bellaire, a subdivision in Harris County, Texas, commonly known as the twenty-five (25) foot wide alley located on the north line of the 5200 Block of Cedar Street, Bellaire, Texas; authorizing Petitioners Sagstex Investments, LP, and Wolfie's Swim School, LLC, to each purchase one-half (1/2) of said 3,125 square feet of an alley from the City of Bellaire, Texas; and authorizing the City Manager and the City Clerk of the City of Bellaire, Texas, to execute and attest, respectively, any documents necessary to effectuate such abandonment and sale including, but not limited to a Special Warranty Deed for said 3,125 square feet of land - Submitted by ChaVonne Sampson, Director of Development Services.

Mayor Friedberg read the agenda caption and advised that the request was the subject of a public hearing held on April 2, 2018. Mayor Friedberg entertained a motion to adopt the ordinance as presented authorizing the abandonment and subsequent sale of the subject alley to petitioners for the amount of \$155,000.00.

Motion:

To adopt the ordinance as presented authorizing the abandonment and subsequent sale of the subject alley to petitioners for the amount of \$155,000.00.

{Moved by Neil Verma, Council Member, and seconded by Gus E. Pappas, Mayor Pro Tem}

Mayor Friedberg opened the floor for discussion on the motion. Discussion ensued among members of the City Council regarding the value of the property; form of ownership (i.e., fee simple or something less than fee simple); possible reasons to convey the property to the petitioners as opposed to holding the property for future City use; proposed use of the property by the petitioners (i.e., to enhance parking for their businesses); and alternatives, such as a lease agreement. Staff advised that the petitioners were not interested in a lease agreement and preferred to purchase the alley.

Following discussion, **Trisha S. Pollard, Council Member, offered an amendment to the motion.**

Amendment (No. 1):

To amend the sales price to \$165,250.*

*Average of parcels 2 and 5 from the third-party appraisal of the property.

The amendment failed due to the lack of a second.

Mayor Friedberg opened the floor for further discussion. Following discussion, Mayor Friedberg restated the motion and action was taken by members of the City Council.

RESULT:	FAILED [2 TO 5]
MOVER:	Neil Verma, Council Member
SECONDER:	Gus E. Pappas, Mayor Pro Tem
AYES:	Friedberg, McLaughlan
NAYS:	Pappas, Verma, Pollard, Fife, Montague

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

Community interest items from the Mayor and City Council included expressions of appreciation to the Bellaire Police and Fire Departments and City staff for the recent Touch A Truck event held in Evelyn's Park; expressions of appreciation to Mayor Friedberg for his opening comments in recognition of the recent tragedy that had occurred in Santa Fe, Texas; a special welcome back to City Manager Paul A. Hofmann; and wishes for a reflective Memorial Day holiday.

H. Adjourn.

Mayor Friedberg announced that the Regular Session of the City Council of the City of Bellaire, Texas, was adjourned at 8:50 p.m. on Monday, May 21, 2018.