

CITY OF BELLAIRE TEXAS

MAYOR AND COUNCIL

OCTOBER 1, 2018

Council Chamber

Regular Session

6:30 PM

FIRST FLOOR OF CITY HALL
7008 S. RICE AVENUE
BELLAIRE, TX 77401



Mayor

Andrew S. Friedberg

Mayor Pro Tem

Gus E. Pappas

Council Member

Neil Verma

Council Member

Trisha S. Pollard

Council Member

Pat B. McLaughlan

Council Member

Michael Fife

Council Member

David R. Montague

Mission Statement:

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

REGULAR SESSION - 6:30 P.M.**I. WORKSHOP**

- A. Call to Order - Andrew S. Friedberg, Mayor.**
- B. Announcement of a Quorum - Andrew S. Friedberg, Mayor.**
- C. Board and Commission Periodic Review:**

Presentation and discussion of feedback received from boards and commissions as part of a periodic review pursuant to Chapter 2, Administration, Article VII, Boards and Commissions, Section 2-92, Creation of New Boards, subsection (b), of the Code of Ordinances of the City of Bellaire, Texas - Submitted by Tracy L. Dutton, City Clerk, on behalf of the City Council.

- D. Adjourn.**

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

- A. Call to Order - Andrew S. Friedberg, Mayor.**
- B. Announcement of a Quorum - Andrew S. Friedberg, Mayor.**
- C. Inspirational Reading and/or Invocation - Neil Verma, Council Member.**
- D. Pledges to The Flags - Neil Verma, Council Member.**

- 1. U.S. Pledge of Allegiance:**

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

- 2. Pledge to the Texas Flag:**

Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.

- E. Recognition of Proclamations:**

- 1. Issuance of a proclamation by Andrew S. Friedberg, Mayor, proclaiming the month of October 2018 as National Colonial Heritage Month in the City of Bellaire, Texas, in recognition of the rich culture and heritage upon which our country was founded.
- 2. Issuance of a proclamation by Andrew S. Friedberg, Mayor, proclaiming the week of October 7-13, 2018, as Fire Prevention Week in the City of Bellaire, Texas, and recognizing the 2018 Fire Prevention Week theme, "Look. Listen. Be aware - fire can happen anywhere."
- 3. Issuance of a proclamation by Andrew S. Friedberg, Mayor, proclaiming September 27, 2018, as First Responder Appreciation Day in the City of Bellaire, Texas, in recognition and gratitude of our community's first responders.

F. Personal/Audience Comments.

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

The purpose of this item is to allow the residents of Bellaire and other interested persons an opportunity to address the City Council on agenda issues and on non-agenda issues that are a matter of the jurisdiction of the City Council (i.e., City policy and legislative issues). Non-agenda issues regarding daily operational or administrative matters should be first dealt with at the administrative level by calling City Hall at (713) 662-8222 during business hours.

[Note: The *Texas Open Meetings Act*, *Texas Government Code, Chapter 551*, prohibits the City Council from fully discussing, debating, or considering subjects for which public notice has not been given on the agenda. Issues that cannot be referred to the City Staff for action may be placed on the agenda of a future City Council Session.]

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.
2. Presentation of the City of Bellaire World Trade Center Memorial Project, including updates on proposed concepts, stakeholder input, and private fundraising strategies - Submitted by Michelle Jordan, Project Manager.

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

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

a. Approval of Minutes:

Consideration of and possible action on the adoption of the minutes of the City Council of the City of Bellaire, Texas, for the Special Session (Budget Workshop) held on Tuesday, August 14, 2018, and the Regular Session held on Monday, August 20, 2018 - Submitted by Tracy L. Dutton, City Clerk.

- i. Mayor and Council - Special Session (Workshop) - Aug 14, 2018 6:00 PM
- ii. Mayor and Council - Regular Session - Aug 20, 2018 6:00 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, temporarily suspending the application of Chapter 27, Streets, Sidewalks and Public Places, Article V, Public Parks, Section 27-95(a), Curfew Imposed, of the Code of Ordinances of the City of Bellaire, Texas, for the purpose of allowing the Patrons for Bellaire Parks to hold a special event, Tents in Town, in Bellaire Zindler Park located in Bellaire Town Square, 7008 South Rice Avenue, Bellaire, Texas, on Saturday, November 3, 2018, said suspension to commence at 11:00 p.m. on Saturday, November 3, 2018, and to terminate at 5:00 a.m. on Sunday, November 4, 2018 - Submitted by Cheryl Bright, Community Relations Administrator, on behalf of the Patrons for Bellaire Parks.
- 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 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, an Agreement for Professional Services with BBG Consulting, Inc., for services necessary for the enforcement of the City's building codes to include construction plan review and the provision of onsite inspection services in an estimated annual amount of \$125,000.00 - Submitted by ChaVonne Sampson, Director of Development Services.

2. Adoption of Ordinances and Resolutions:

- a. Consideration of and possible action on a request to repeal or modify Ordinance No. 16-030, requiring that all new construction include the installation of sidewalks along each side of a property abutting a public street as set forth in Chapter 9, Buildings, Article II, Building Codes, Division 1, Generally, Sec. 9-22, Sidewalks required for new construction - Requested by Pat B. McLaughlan, Council Member.
- b. Consideration of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, fixing the tax rate and tax levy for the City of Bellaire, Texas, for tax year 2018 (fiscal year beginning October 1, 2018, and ending September 30, 2019), upon all taxable property in the City - Submitted by Terrence Beaman, Chief Financial Officer.
- 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 2019 - Submitted by Tracy L. Dutton, City Clerk, on behalf of the Houston-Galveston Area Council.

I. Items for Individual Consideration:

1. Consideration of and possible action on a request from residents in the 4500 Block of Teas Street to amend the scope of the Bonds for Better Bellaire 2016 Group D Phase 1 Sidewalk project by removing said block from the project - Requested by David R. Montague, Council Member.
2. Consideration of and possible action related to items discussed in Workshop concerning a periodic review of the City of Bellaire boards and commissions - Submitted by Tracy L. Dutton, City Clerk, on behalf of the City Council.

J. Community Interest Items from the Mayor and Council.

It is the intent of this item to provide members of the City Council the opportunity to make a report about items of community interest, which may include expressions of thanks, congratulations, or condolence; information regarding holiday schedules; honorary recognition of City officials, employees, or other citizens or entities; reminders of upcoming events sponsored by the City or another entity that is scheduled to be attended by a City official or City employee; and announcements involving an imminent threat to the public health and safety of people in Bellaire that has arisen after the posting of the agenda.

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

See Texas Government Code, Chapter 551, Open Meetings Act, Section 551.0415.

K. Adjourn.

Mayor and Council

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



Meeting: 10/01/18 06:30 PM
Department: City Clerk
Category: Discussion
Department Head: Tracy L. Dutton
DOC ID: 2669

SCHEDULED**ACTION ITEM (ID # 2669)**

Item Title:

Presentation and discussion of feedback received from boards and commissions as part of a periodic review pursuant to Chapter 2, Administration, Article VII, Boards and Commissions, Section 2-92, Creation of New Boards, subsection (b), of the Code of Ordinances of the City of Bellaire, Texas - Submitted by Tracy L. Dutton, City Clerk, on behalf of the City Council.

Background/Summary:

On June 18, 2018, City Council commenced a periodic review of City of Bellaire boards and commissions as required by Chapter 2, Administration, Article VII, Boards and Commissions, Section 2-92, Creation of New Boards, subsection (b), which provides as follows:

- (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. 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.

During the months of July and August of 2018, Council Liaisons met with their respective boards and commissions to review and consider enumerated items 1-5 above. On October 1, 2018, Council Liaisons will present the feedback received from their board or commission. Members of City Council will have an opportunity to discuss the feedback and consider next steps in the periodic review, including whether a Council committee should be formed and/or to establish a date for a public meeting with opportunity for public input.

Boards and Commissions

Board of Adjustment
Building and Standards Commission
Cultural Arts Board
Environmental Sustainability Board

Council Liaison

Pat B. McLaughlan
David R. Montague
Michael Fife
Neil Verma

L.I.F.E. Advisory Board
Parks and Recreation Advisory Board
Planning and Zoning Commission

Andrew S. Friedberg
Gus E. Pappas
Trisha S. Pollard

Previous Council Action Summary:

See Background/Summary above.

Fiscal Impact:

N/A

City Attorney Review:

N/A

Recommendation:

Action as City Council deems appropriate.

Mayor and Council

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



Meeting: 10/01/18 06:30 PM
Department: City Clerk
Category: Proclamation
Department Head: Tracy L. Dutton
DOC ID: 2704

SCHEDULED**PROCLAMATION (ID # 2704)**

Item Title:

Issuance of a proclamation by Andrew S. Friedberg, Mayor, proclaiming the month of October 2018 as National Colonial Heritage Month in the City of Bellaire, Texas, in recognition of the rich culture and heritage upon which our country was founded.

Background/Summary:

Mayor Andrew S. Friedberg will present a proclamation he has issued proclaiming the month of October 2018 as National Colonial Heritage Month in the City of Bellaire, Texas, in recognition of the rich culture and heritage upon which our country was founded.

Members of the John Champion Chapter of the National Society Colonial Dames XVII Century of Texas will accept the proclamation on behalf of their chapter.

Previous Council Action Summary:

Mayor Friedberg issued a proclamation in October of 2017 in recognition of National Colonial Heritage Month.

Fiscal Impact:

N/A

City Attorney Review:

N/A

Recommendation:

N/A

ATTACHMENTS:

- National Colonial Heritage Month - 2018 (PDF)



Proclamation

Whereas, the John Champion Chapter of the National Society Colonial Dames XVII Century of Texas is sponsoring National Colonial Heritage Month during the month of October 2018; and

Whereas, the National Society Colonial Dames XVII Century was established in 1915 and its spirit is reflected in the approximately 10,000 active members who are descendants of early colonists to the United States of America, and membership extends to 46 states and an international chapter in Canada; and

Whereas, its members share a common interest in American history, honor the hardships and heroism of those who sought spiritual and economic freedom, and acknowledge those individuals whose lasting legacy of virtue, courage and patriotism molded the character of this nation; and

Whereas, National Colonial Heritage Month brings to mind the first courageous settlers who arrived in America and who determined the direction for the formation of our country; and

Whereas, the members of the Society, by virtue of their lineal descent from those early arrivals, feel an obligation to work for the preservation of the priceless legacy they left to American citizens; and

Whereas, they continue to convey the true meaning of the inheritance by reminding us that our privilege to live in a free country has stemmed from "loving our country, obeying its laws, respecting its flag and defending it against all enemies";

Now, Therefore, I, **Andrew S. Friedberg, Mayor of the City of Bellaire, Texas**, do hereby proclaim the month of **October 2018** as

National Colonial Heritage Month

in the City of Bellaire, Texas, and encourage all citizens to observe this month as a means of reinforcing the priceless legacy that we inherit with our citizenship, in order to help preserve our

rich culture and heritage with deep respect for the principles upon which our country was founded.



In Witness Whereof, I have hereunto set my hand and caused the seal of the City of Bellaire, Texas, to be affixed this 1st day of October 2018.

Andrew S. Friedberg
Mayor
City of Bellaire, Texas

Mayor and Council

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



Meeting: 10/01/18 06:30 PM
Department: Fire Department
Category: Proclamation
Department Head: Deacon Tittel
DOC ID: 2668

SCHEDULED**PROCLAMATION (ID # 2668)**

Item Title:

Issuance of a proclamation by Andrew S. Friedberg, Mayor, proclaiming the week of October 7-13, 2018, as Fire Prevention Week in the City of Bellaire, Texas, and recognizing the 2018 Fire Prevention Week theme, "Look. Listen. Be aware - fire can happen anywhere."

Background/Summary:

Mayor Andrew S. Friedberg will present a proclamation he issued proclaiming the week of October 7-13, 2018, as Fire Prevention Week in the City of Bellaire, Texas.

Fire Chief Deacon Tittel will be present to accept the proclamation on behalf of the Bellaire Fire Department.

Previous Council Action Summary:

Mayor Friedberg recognized Fire Prevention Week in 2017 by the issuance of a proclamation proclaiming the week of October 8-14, 2017, as Fire Prevention Week.

Fiscal Impact:

N/A

Recommendation:

N/A

ATTACHMENTS:

- Fire Prevention Week 2018 (PDF)



Proclamation

Whereas, the City of Bellaire, Texas, is committed to ensuring the safety and security of all those living in and visiting the City; and

Whereas, fire is a serious public safety concern both locally and nationally, and homes are the locations where people are at greatest risk from fire, with the majority of U.S. fire deaths (4 out of 5) occurring at home each year; and

Whereas, home fires killed 2,735 people in the United States in 2016, according to the National Fire Protection Association (NFPA), a fire death rate 10 percent higher than in 1980, and fire departments in the United States responded to 352,000 home fires; and

Whereas, Bellaire's first responders are dedicated to reducing the occurrence of home fires and home fire injuries through prevention and protection education, encouraging and enabling residents to take actions to increase their safety from fire, especially in their homes; and

Whereas, Bellaire residents should identify and eliminate fire hazards in their homes; install smoke alarms in every sleeping room, outside each separate sleeping area, and on every level of the home, as working smoke alarms cut the risk of dying in reported home fires in half; and plan and practice a home fire escape plan to be more prepared and therefore more likely to survive a fire; and

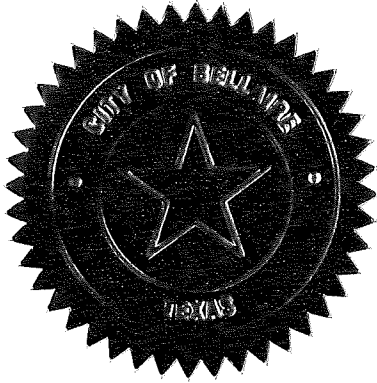
Whereas, the 2018 Fire Prevention Week theme, "**Look. Listen. Be aware – fire can happen anywhere™**" serves to remind us that we need to take personal steps to increase our safety from fire;

Now, Therefore, I, Andrew S. Friedberg, Mayor of the City of Bellaire, Texas, do hereby proclaim the week of **October 7-13, 2018** as

Fire Prevention Week

in the City of Bellaire, Texas, and urge all residents to be aware of their surroundings, look for available ways out in the event of a fire or other emergency, respond when the smoke alarm

sounds by exiting the building immediately, and to support the many public safety activities and efforts of Bellaire's fire and emergency services during Fire Prevention Week 2018.



In Witness Whereof, I have hereunto set my hand and caused the seal of the City of Bellaire, Texas, to be affixed this 1st day of October 2018.

Andrew S. Friedberg
Mayor
City of Bellaire, Texas

Mayor and Council

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



Meeting: 10/01/18 06:30 PM
Department: City Clerk
Category: Proclamation
Department Head: Tracy L. Dutton
DOC ID: 2703

SCHEDULED**PROCLAMATION (ID # 2703)**

Item Title:

Issuance of a proclamation by Andrew S. Friedberg, Mayor, proclaiming September 27, 2018, as First Responder Appreciation Day in the City of Bellaire, Texas, in recognition and gratitude of our community's first responders.

Background/Summary:

Mayor Andrew S. Friedberg will present a proclamation he issued on September 27, 2018, as First Responder Appreciation Day in the City of Bellaire, Texas, in recognition and gratitude of our community's first responders.

Previous Council Action Summary:

N/A

Fiscal Impact:

N/A

Recommendation:

N/A

ATTACHMENTS:

- First Responder Appreciation Day - September 27 2018 (PDF)



Proclamation

Whereas, first responders play a vital role in our communities, selflessly dedicating themselves in service to others, always standing ready to come to the aid of their fellow citizens in times of greatest need despite risks to their own safety, and deserve to be recognized and honored for all they do for us; and

Whereas, while past efforts to obtain Congressional designation of a National First Responders Day have been unsuccessful, some 26 states, and growing, observe First Responder Appreciation Day on September 27 each year; and

Whereas, closer to home in our own community, the Masons of District #30-B of the Grand Lodge of Texas, A. F. & A. M., will host a First Responder Appreciation event on Saturday, September 29, 2018, with a luncheon honoring first responders and their families, and a program featuring representatives of the Harris County Emergency Corps, Fire Marshall's Office and Sheriff's Office; the United States Coast Guard; and the City of Bellaire, Texas; and

Whereas, the City of Bellaire, Texas, joins with the Masons of District #30-B in celebrating the first responders in our communities and expressing our immense gratitude for their service;

Now, Therefore, I, **Andrew S. Friedberg, Mayor of the City of Bellaire, Texas**, do hereby proclaim **September 27, 2018**, as

First Responder Appreciation Day

in the City of Bellaire, Texas, and encourage all citizens to show their support for first responders on this day and throughout the year.



In Witness Whereof, I have hereunto set my hand and caused the seal of the City of Bellaire, Texas, to be affixed this 27th day of September, 2018.

Andrew S. Friedberg
Mayor
City of Bellaire, Texas

Mayor and Council

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



Meeting: 10/01/18 06:30 PM
Department: City Manager's Office
Category: Presentation
Department Head: Paul A. Hofmann
DOC ID: 2680

SCHEDULED**ACTION ITEM (ID # 2680)**

Item Title:

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

Background/Summary:

Mayor and Council

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



Meeting: 10/01/18 06:30 PM
Department: Parks, Recreation and Facilities
Category: Presentation
Department Head: Michelle Jordan
DOC ID: 2626

SCHEDULED**ACTION ITEM (ID # 2626)****Item Title:**

Presentation of the City of Bellaire World Trade Center Memorial Project, including updates on proposed concepts, stakeholder input, and private fundraising strategies - Submitted by Michelle Jordan, Project Manager.

Background/Summary:

During the Municipal Facilities Transition Plan Update and Presentation on December 19, 2016, Council was informed of a piece of steel from the World Trade Center site and was shown a site plan identifying a proposed location. No action was requested of Council at that time. On June 19, 2017, the City of Bellaire City Council accepted the piece of steel with the intent to store the piece until further planning could be done. On November 6, 2017, The City accepted a donation from Bellaire Southwest Rotary Club to pay for conceptual design work. The project is also identified in the FY2019 budget as unfunded, with costs to be determined.

Over the past several months, a team of City of Bellaire staff, including Michelle Jordan, Karl Miller, Paul Hofmann, Diane White, Byron Holloway, and Cheryl Bright has met with Pierce Goodwin Alexander & Linville (PGAL) for conceptual planning. The conceptual planning has been funded by a donation from the Bellaire Southwest Rotary Club.

Proposed Location:

The proposed location is identified behind the new Police and Court building, in an area ringed by sidewalks and trees. There is an existing grassy area that would be developed into the memorial. Other locations that were considered include medians, street corners, and in front of other City buildings, however, this location is recommended due to the contemplative nature of the memorial.

Concept Studies:

The concept studies show the steel displayed in a vertical orientation because the piece itself is from a vertical column in the building. The concepts vary in nature and intent, and may be developed in phases. As they are conceptual in nature, the design details are not developed. The intent is to determine the concepts represent a good outcome for the City of Bellaire.

Budget:

The budget that has been provided would be applicable if the entire concept and design was constructed all at once. However, some components of the designs could be constructed individually, reducing the budget. There is no plan for City funding for any additional design work or construction of this project.

Next Steps:

The City of Bellaire recommends future planning and design efforts occur in collaboration with a stakeholder group including the Rubenstein Foundation, Parks and Recreation Advisory Board, Bellaire Cultural Arts Board, Bellaire Historical Society, Patrons for Bellaire Parks, and the Bellaire / Southwest Rotary Club. The stakeholder group would take a consensus based approach to developing a schedule, fundraising strategy, and further design refinement. The stakeholder group would also be involved in developing the narrative, the memorial wording and story telling associated with the project. Key elements of the narrative include the events of September 11, 2001 as well as the way this particular piece of steel was acquired by the Rubenstein Foundation and its journey from New York to Houston.

Over the next several months, we will meet with each of the stakeholder groups and identify who the designated representative will be. Once the participants are identified, we will develop goals and objectives, plan for milestones, and develop the fundraising strategy. Once those are complete, a presentation will be made to City Council. Fundraising efforts will not start until after that presentation and feedback from Council.

Previous Council Action Summary:

City Council accepted the donation of the steel on June 19, 2017.
City Council accepted the donation of funds on November 6, 2017.

Fiscal Impact:

No financial impact.

City Attorney Review:

N/A

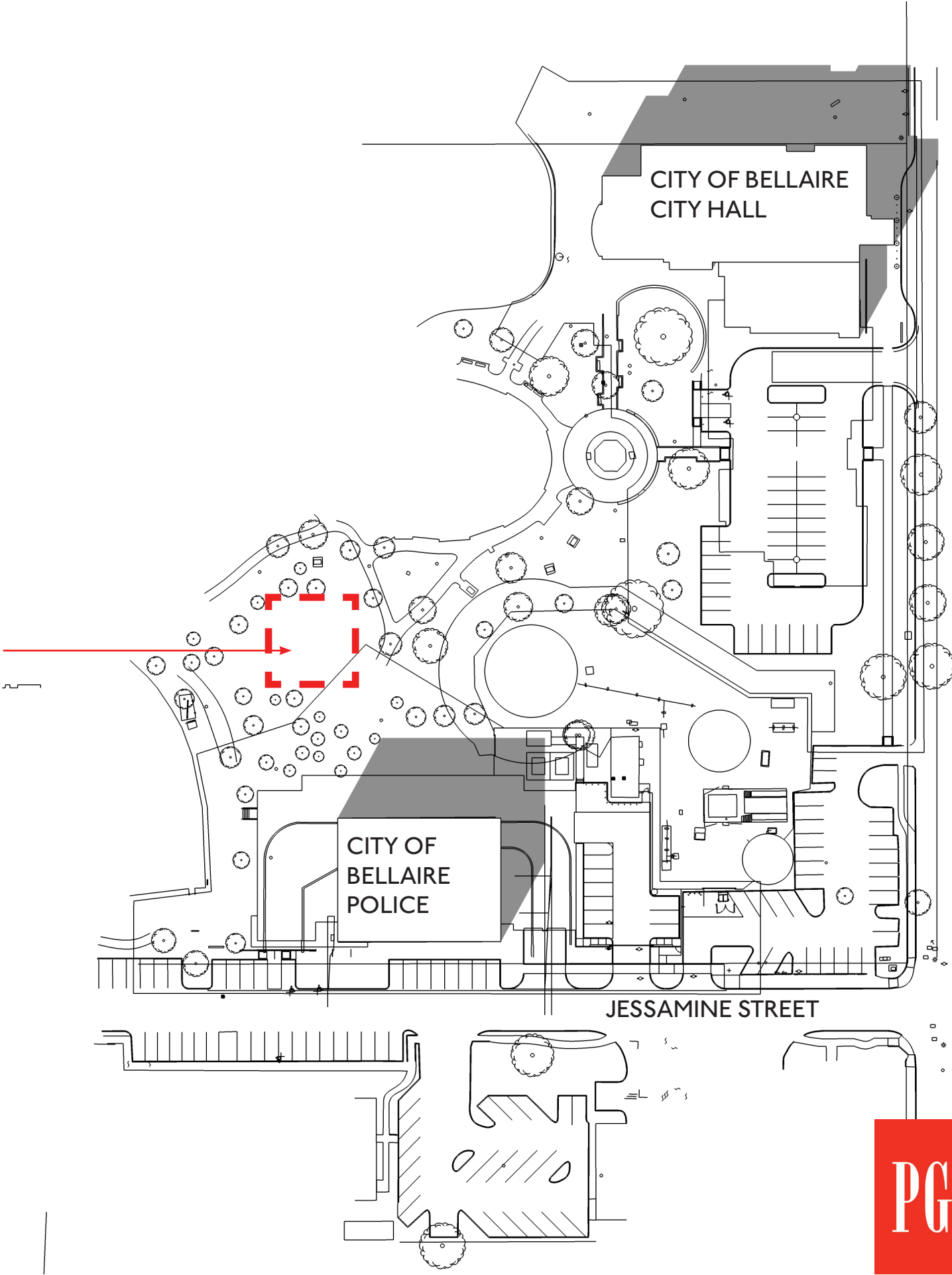
Recommendation:

It is recommended by Michelle Jordan, Project Manager, that City Council provide comment and guidance regarding future plans for the World Trade Center Steel Project.

ATTACHMENTS:

- May 2018 City of Bellaire World Trade Center Memorial Concepts (PDF)
- 2018.05.18 - World Trade Center Memorial Comparison Detailed Project Budgets (PDF)
- WTC Photos (PDF)

PROPOSED SITE OF 9-II MEMORIAL



S. RICE AVE.

JESSAMINE STREET

CITY OF BELLAIRE
POLICE

CITY OF BELLAIRE
CITY HALL

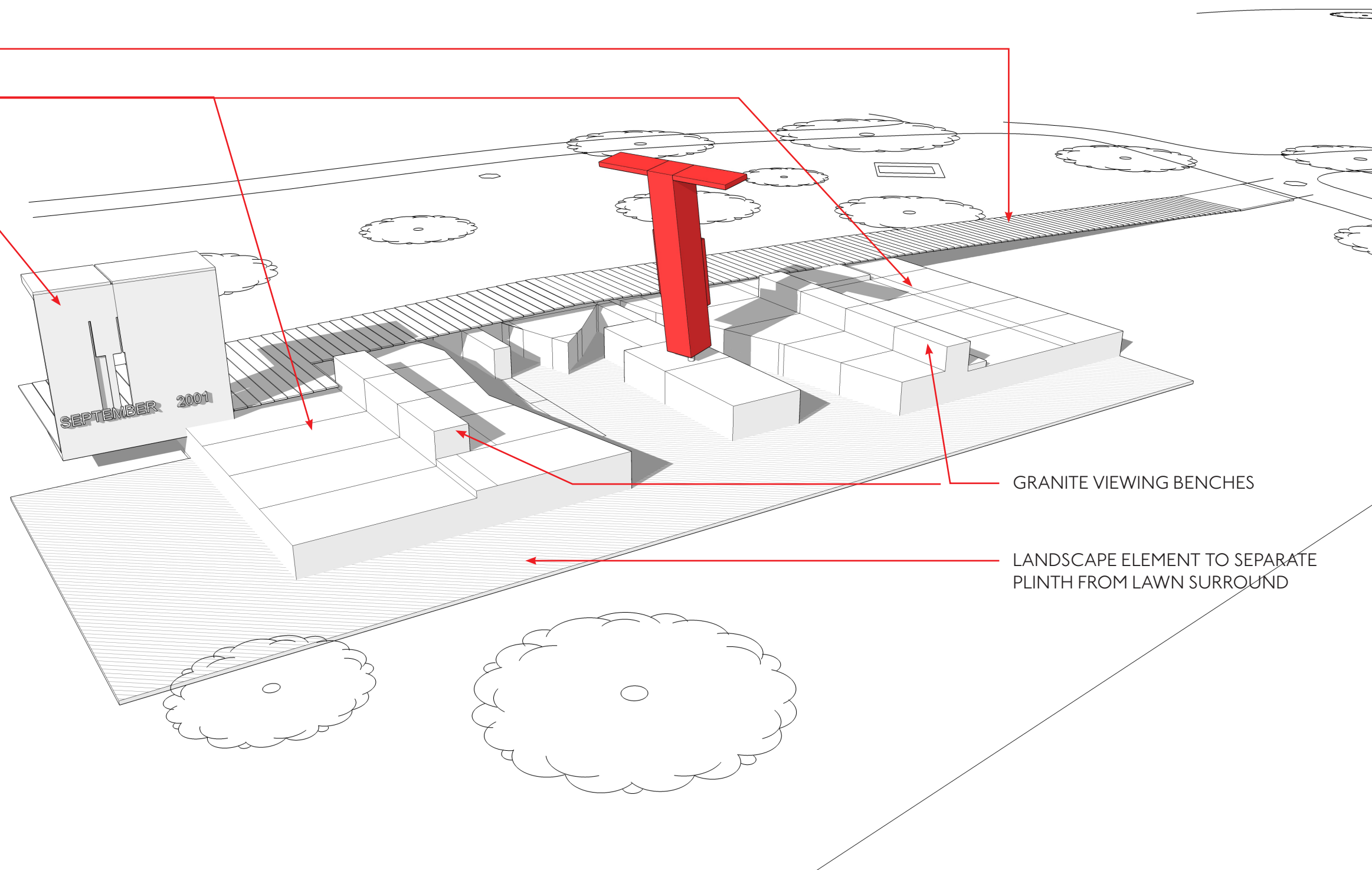


WOODEN BOARDWALK

CONCRETE AND GRANITE
PLINTHDIE-CUT BRONZE AND
STEEL ORIENTATION/IN-
FORMATION BOARD

Key features of Scheme I is the procession to the plinth accentuated by a very gradual rise as you move toward the steel beam, the moment, and then an equally gradual descent. The procession never falls back to the same plane as the beginning of the walk, however; signifying the Post 9/11 world we all encounter in our daily lives.

The beam rests within a gouge, or break in the plinth, and spans the gap, showing intent to suture the plinth back together, leaving a traversable scar.



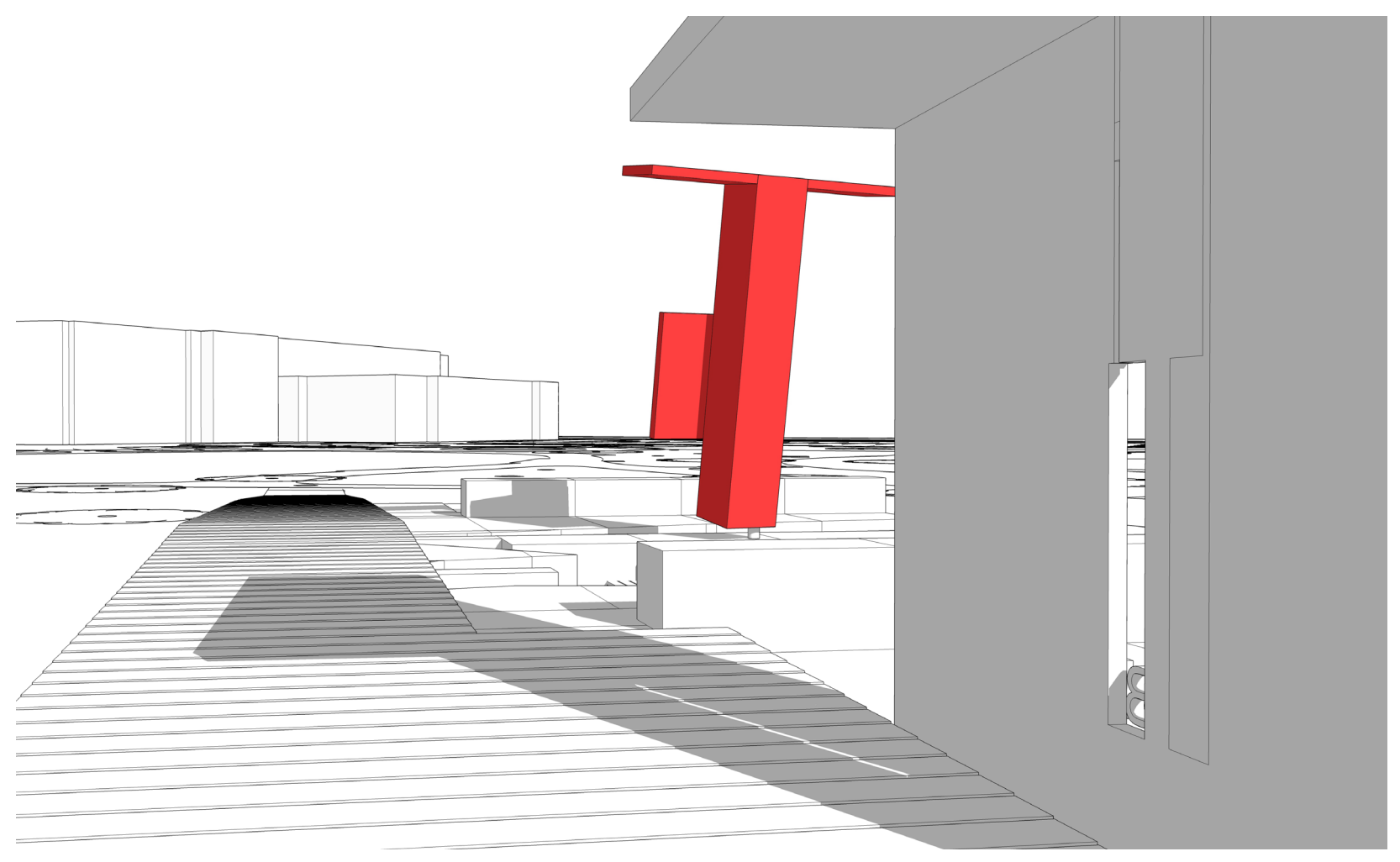
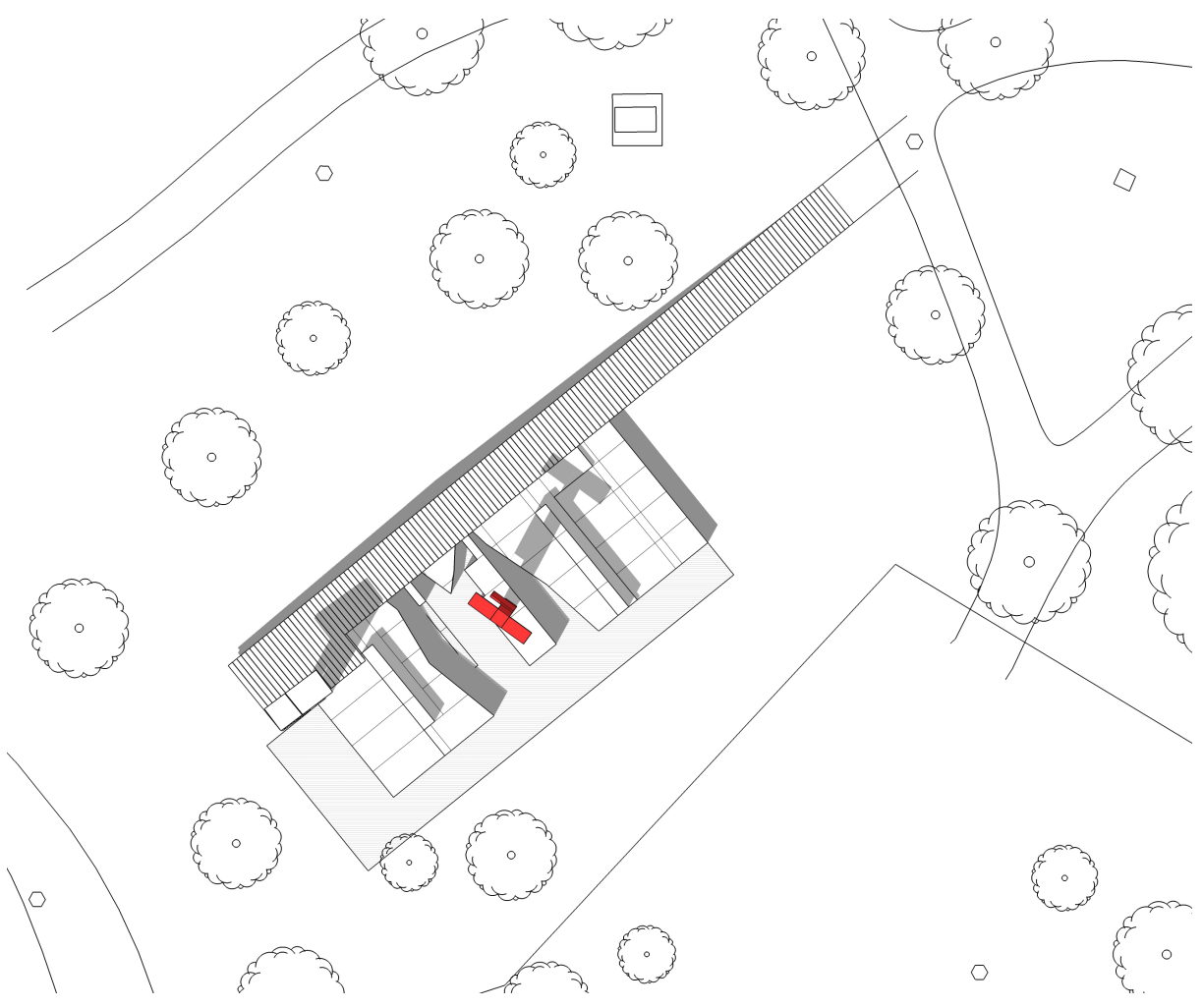
GRANITE VIEWING BENCHES

LANDSCAPE ELEMENT TO SEPARATE
PLINTH FROM LAWN SURROUND

City of Bellaire World Trade Center Memorial

CONCEPT SCHEME - OP I

PGAL



City of Bellaire World Trade Center Memorial

CONCEPT SCHEME - OP I

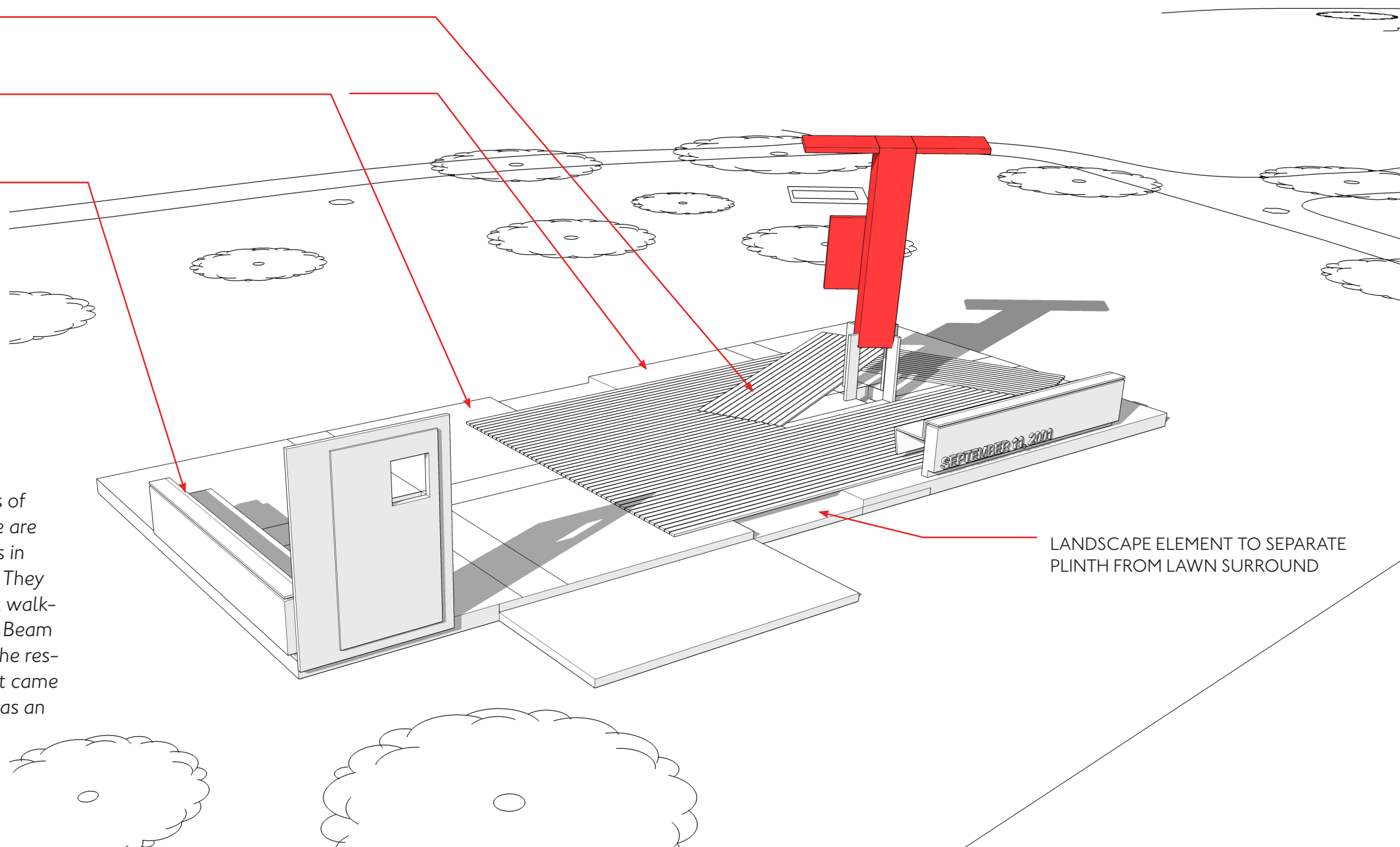


WOODEN BOARDWALK
WALKWAY

CONCRETE AND GRANITE
PLINTH

CONCRETE AND STEEL
BENCHES

Scheme 3 looks to employ some concepts of schemes 1 and 2 and simplify them. There are 2 main concrete and granite square plinths in proportion of the footprint of the Towers. They are joined together by a simple boardwalk walkway. The walkways bend around the Steel Beam signifying the bent and twisted nature of the rescue efforts, and the skewed nature of what came to be known as Ground Zero, a site that was an indistinguishable mass of rubble and earth.

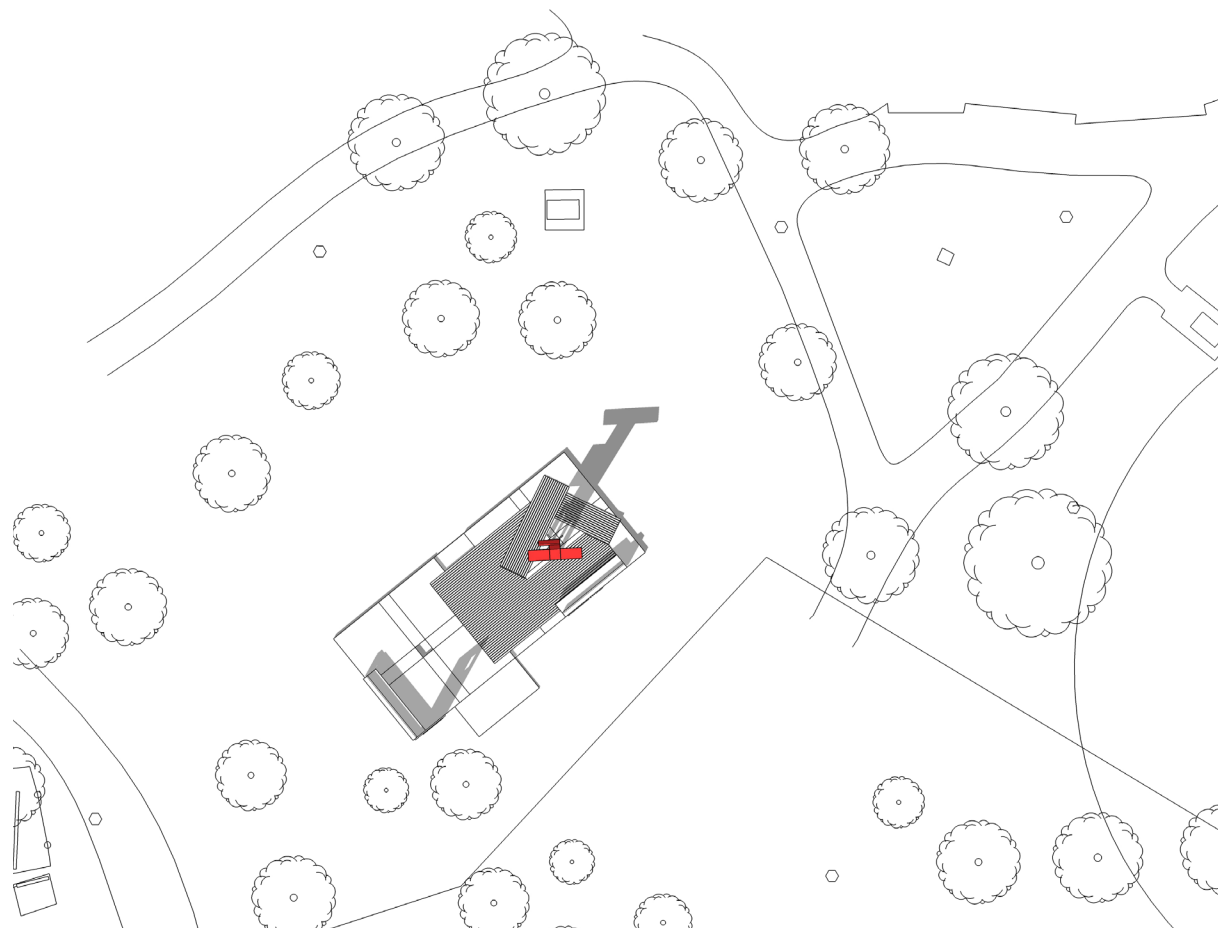


LANDSCAPE ELEMENT TO SEPARATE
PLINTH FROM LAWN SURROUND

City of Bellaire World Trade Center Memorial

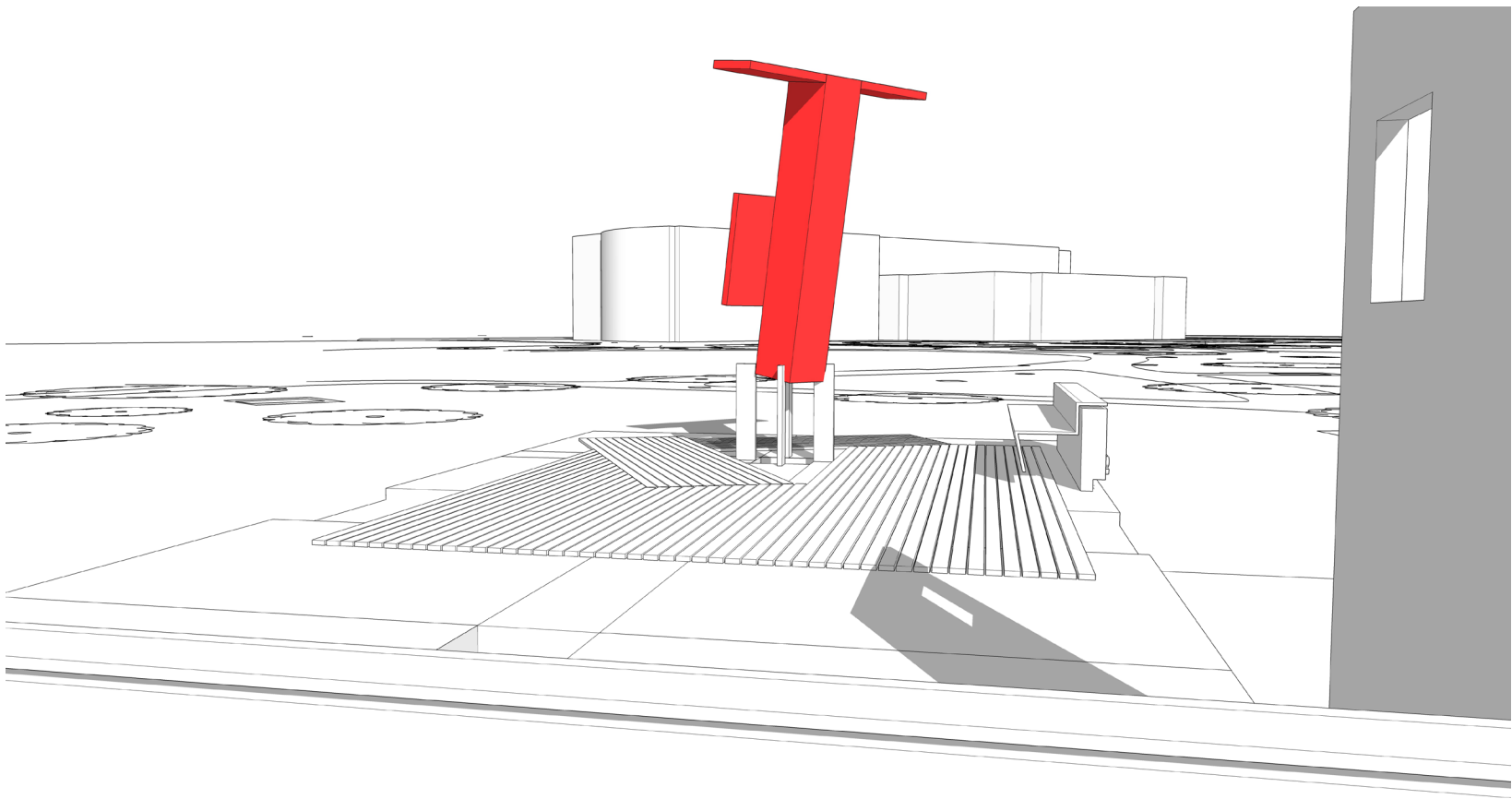
CONCEPT SCHEME - OP 2

PGAL



City of Bellaire World Trade Center Memorial

CONCEPT SCHEME - OP 2



CONCRETE AND GRANITE
PLINTH

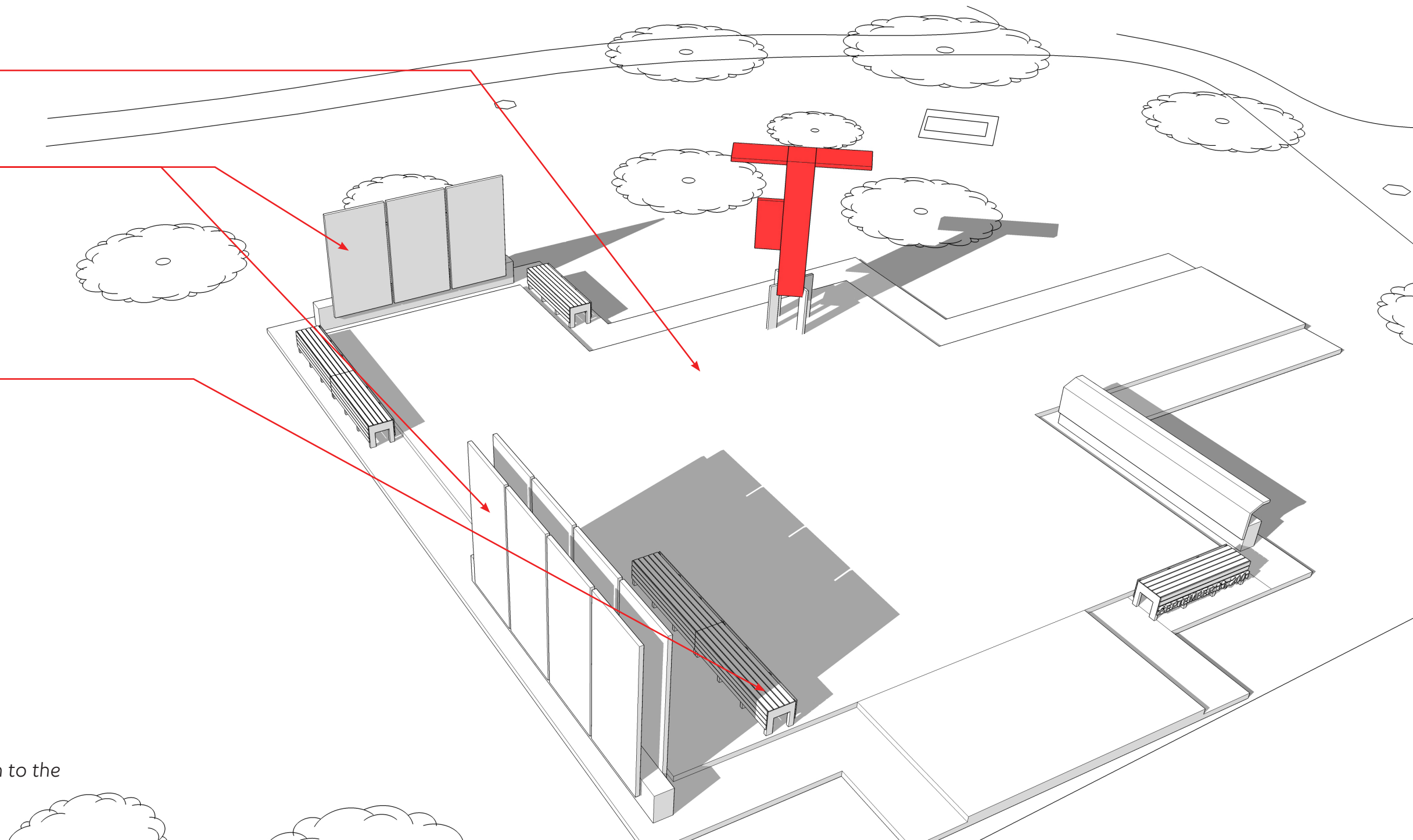
DIE-CUT BRONZE AND
STEEL ORIENTATION/
INFORMATION BOARD

WOOD & STEEL FRAMED
BENCHES

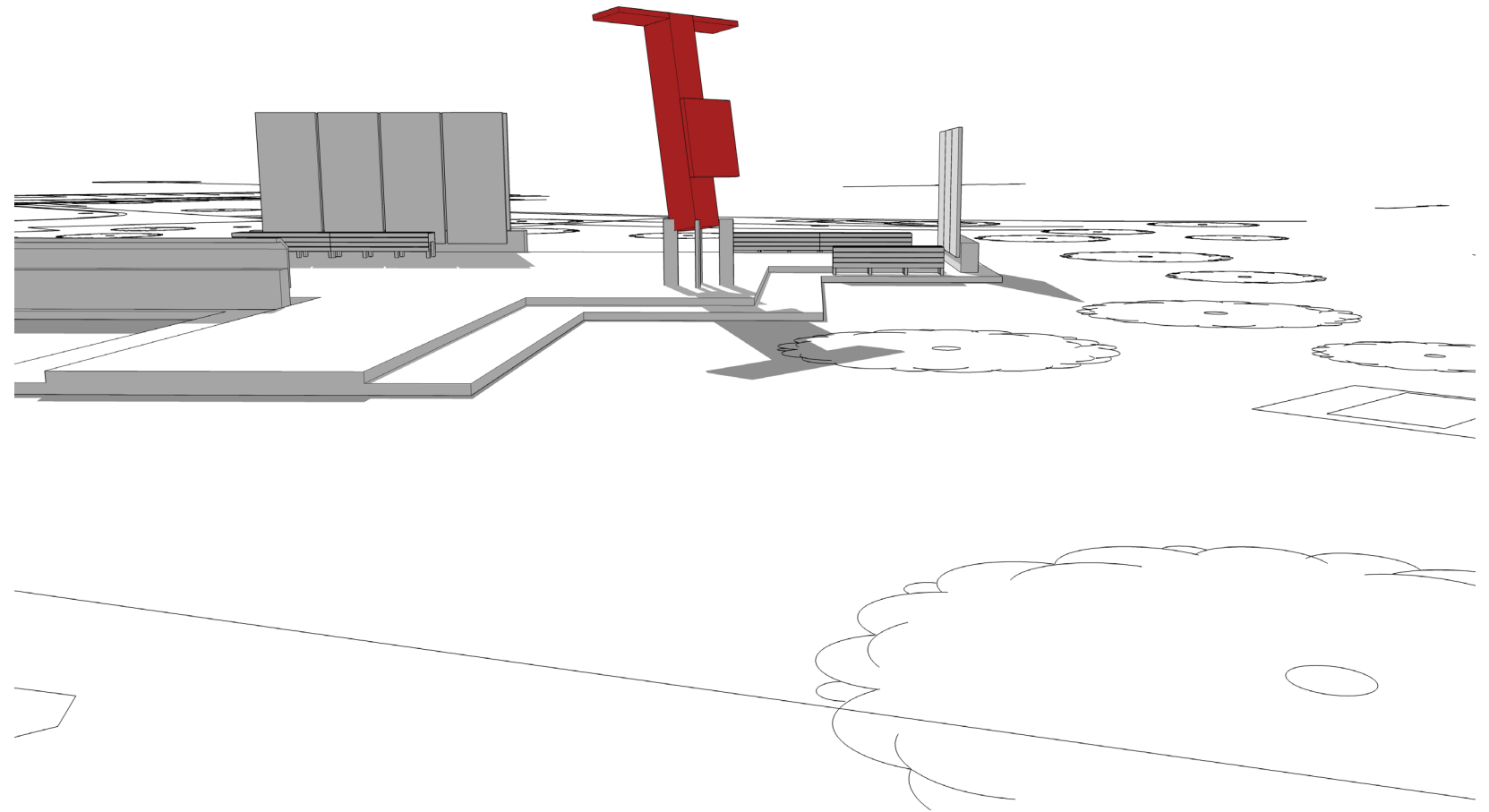
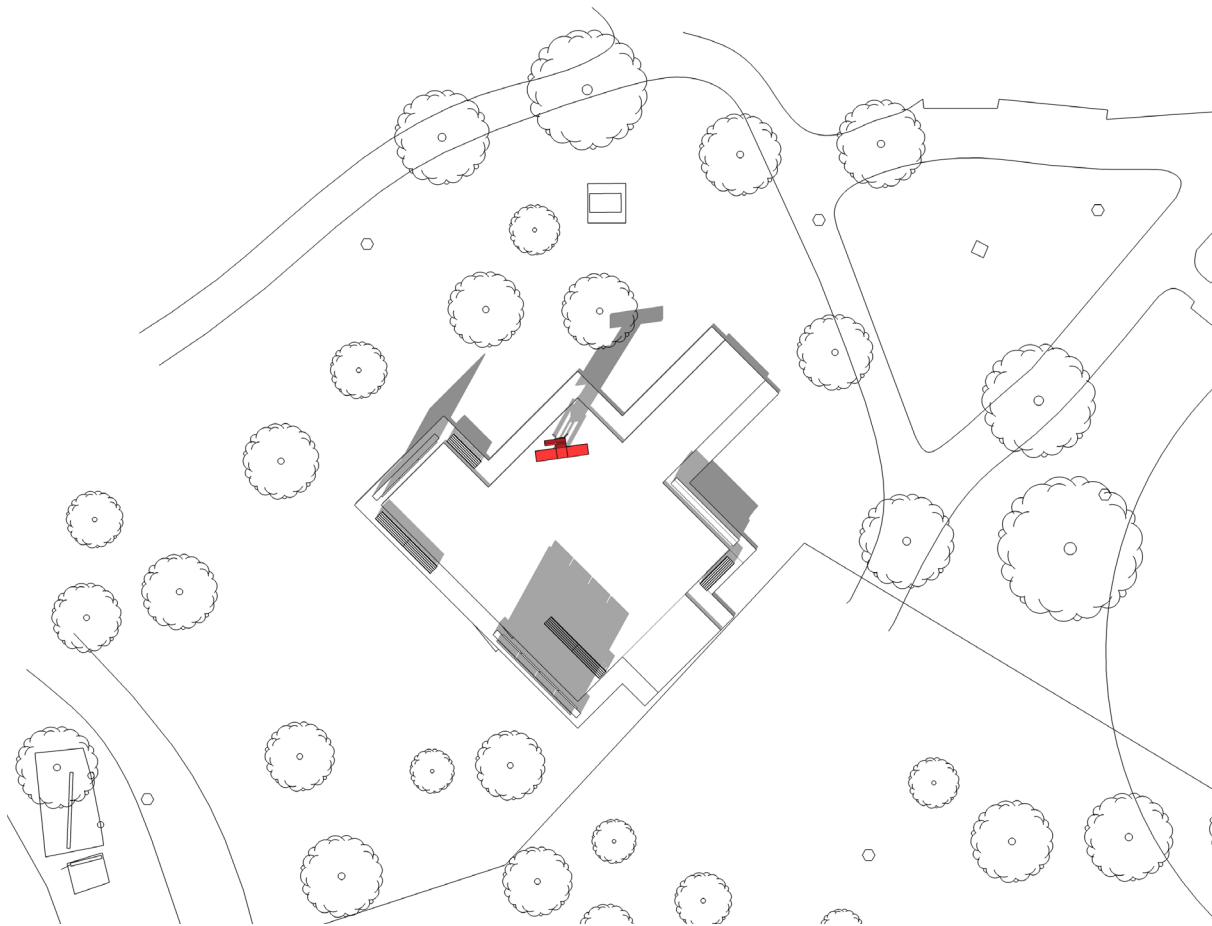
Scheme 4 showcases the elements of the
Overland Park Kansas Memorial in relation to the
Bellaire Site.

City of Bellaire World Trade Center Memorial

CONCEPT SCHEME - OP 3



PGAL



City of Bellaire World Trade Center Memorial

CONCEPT SCHEME - OP 3



City of Bellaire World Trade Center Memorial
Conceptual Project Budget - 3 Studies
 18-May-18

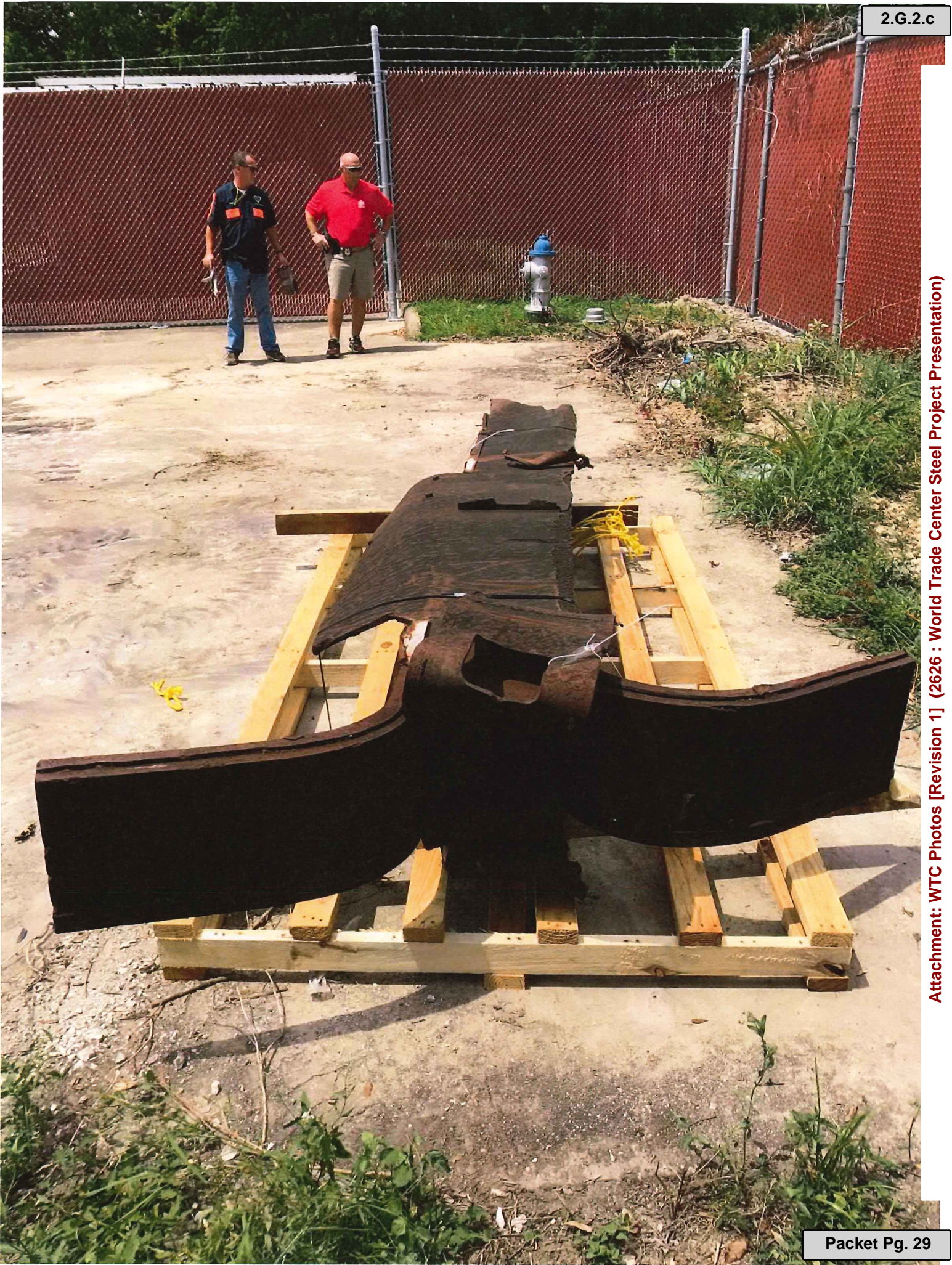
Re-creation Notes:

The base costs are listed in 2018 Dollars that assume the work will be completed in 2018
 Assumes work that is completed during regular hours not premium time
 Assumes the work is contracted as stand alone construction project
 Assumes power is available at the site
 Assumes no parking is required or provided
 Assumes the entire memorial is constructed as a single project
 Assumes the sitework is limited to area immediately adjacent to the memorial
 Assumes conventional foundations and slab on grade is used.
 Budgets are based on Options prepared by PGAL dated May 2018

Option 1 Projected Budget	Quantity	Square Feet	Cost/SF	Total	
Sitework		2,500	\$ 7.00	\$	17,500.00
Offsite Work		0	\$ -	\$	-
New Construction					
Wooden Boardwalk		600	\$ 40.00	\$	24,000.00
Cast in Place Concrete Plinth		800	\$ 90.00	\$	72,000.00
Granite Cladding		800	\$ 55.00	\$	44,000.00
Die Cut Bronze Structure			\$ -	\$	60,000.00
Foundation for Memorial Steel			\$ -	\$	10,000.00
Install and Prep Memorial Steel			\$ -	\$	25,000.00
Lighting			\$ -	\$	18,000.00
Granite Benches		40	\$ 250.00	\$	10,000.00
Landscape Zone		1,300	\$ 7.00	\$	9,100.00
Design Contingency (10%)				\$	28,960.00
Subtotal				\$	318,560.00
				\$	214.81
Sanitary Connection Fee				\$	-
Water Connection Fee				\$	-
All Permit Fees				\$	-
Construction Subtotal				\$	318,560.00
GC General Conditions (10%)				\$	31,856.00
GC Fees (5.5%)				\$	19,272.88
Construction Total				\$	369,688.88
Total Construction Cost per Square Foot				\$	249.28
Soft Cost (15%)				\$	55,453.33
Contingency (25%)				\$	92,422.22
Furniture, Fixtures and Equipment Costs				\$	-
Land Costs				\$	-
2018 Project Budget				\$	517,564.43

Option 2				Total	
Projected Budget					
	Quantity	Square Feet	Cost/SF		
Sitework		2,500	\$ 7.00	\$	17,500.00
Offsite Work		0	\$ -	\$	-
New Construction					
Wooden Boardwalk		250	\$ 40.00	\$	10,000.00
Cast in Place Concrete Plinth		600	\$ 90.00	\$	54,000.00
Granite Cladding		600	\$ 55.00	\$	33,000.00
Die Cut Bronze Structure			\$ -	\$	50,000.00
Foundation for Memorial Steel			\$ -	\$	10,000.00
Install and Prep Memorial Steel			\$ -	\$	25,000.00
Lighting			\$ -	\$	18,000.00
Granite Benches		20	\$ 500.00	\$	10,000.00
Landscape Zone		500	\$ 7.00	\$	3,500.00
Design Contingency (10%)				\$	23,100.00
Subtotal				\$	254,100.00
				\$	171.34
Sanitary Connection Fee				\$	-
Water Connection Fee				\$	-
All Permit Fees				\$	-
Construction Subtotal				\$	254,100.00
GC General Conditions (10%)				\$	25,410.00
GC Fees (5.5%)				\$	15,373.05
Construction Total				\$	294,883.05
Total Construction Cost per Square Foot				\$	198.84
Soft Cost (15%)				\$	44,232.46
Contingency (25%)				\$	73,720.76
Furniture, Fixtures and Equipment Costs				\$	-
Land Costs				\$	-
2018 Project Budget				\$	412,836.27

Option 3				Total	
Projected Budget					
	Quantity	Square Feet	Cost/SF		
Sitework		2,500	\$ 7.00	\$	17,500.00
Offsite Work		0	\$ -	\$	-
New Construction					
Wooden Boardwalk		0	\$ -	\$	-
Cast in Place Concrete Plinth		1,200	\$ 80.00	\$	96,000.00
Granite Cladding		1,200	\$ 55.00	\$	66,000.00
Die Cut Bronze Structure			\$ -	\$	90,000.00
Foundation for Memorial Steel			\$ -	\$	10,000.00
Install and Prep Memorial Steel			\$ -	\$	25,000.00
Lighting			\$ -	\$	18,000.00
Wood Benches	6		\$ 1,500.00	\$	9,000.00
Landscape Zone		700	\$ 7.00	\$	4,900.00
Design Contingency (10%)				\$	33,640.00
Subtotal				\$	370,040.00
				\$	249.52
Sanitary Connection Fee				\$	-
Water Connection Fee				\$	-
All Permit Fees				\$	-
Construction Subtotal				\$	370,040.00
GC General Conditions (10%)				\$	37,004.00
GC Fees (5.5%)				\$	22,387.42
Construction Total				\$	429,431.42
Total Construction Cost per Square Foot				\$	289.57
Soft Cost (15%)				\$	64,414.71
Contingency (25%)				\$	107,357.86
Furniture, Fixtures and Equipment Costs				\$	-
Land Costs				\$	-
2018 Project Budget				\$	601,203.99











CITY OF BELLAIRE TEXAS

MAYOR AND COUNCIL

AUGUST 14, 2018

CenterPoint Energy Community Center

Special Session (Workshop)

6:00 PM

2ND FLOOR OF THE BELLAIRE FAMILY AQUATIC CENTER
7001 FIFTH STREET
BELLAIRE, TX 77401

SPECIAL SESSION (BUDGET WORKSHOP #1) - 6:00 P.M.

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

Andrew S. Friedberg, Mayor, called the Special Session (Budget Workshop #1) of the City Council of the City of Bellaire, Texas, to order at 6:02 p.m. on Tuesday, August 14, 2018. The Special Session was held in the CenterPoint Energy Community Center, Second Floor of the Bellaire Family Aquatic Center, 7001 Fifth Street, Bellaire, Texas 77401.

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, and Tracy L. Dutton, City Clerk.

*Gus E. Pappas, Mayor Pro Tem, arrived at 6:10 p.m. and participated in the remainder of the Special Session.

C. Budget Discussion:

Discussion and presentation regarding the FY 2019 proposed budget for the City of Bellaire, Texas, with a focus on responding to the budget questions previously asked by Council Members - Requested by Paul A. Hofmann, City Manager.

Paul A. Hofmann, City Manager, advised that the evening's workshop would focus on the following budget areas: parks, recreation and facilities user fees and the capital improvement plan. He recognized Karl Miller, Director of Parks, Recreation and Facilities, to provide a presentation of proposed fee and program changes for 2019.

Minutes Acceptance: Minutes of Aug 14, 2018 6:00 PM (Approval of Minutes:)

Parks, Recreation and Facilities User Fees

Karl Miller, Director of Parks, Recreation and Facilities, provided an overview of the process followed by the Parks, Recreation and Facilities Department in determining proposed user fees for 2019. He noted that the process began with a review by staff of current fees and revenue trends, followed by the development of a proposed fee structure. The proposed fee structure was presented to the Parks and Recreation Advisory Board for input. After incorporating the input received, staff reviewed the proposed fee structure with City Manager Hofmann.

Director Miller advised that the proposed user fee structure for parks, recreation and facilities included changes to annual and seasonal family and senior memberships, including a limit on the number of members per membership (maximum of six, with add-on fees for additional members).

Programming changes included one-week sessions for Camp Paseo (as opposed to three-week sessions); a change in the Guard Start program to a leadership-based program for tweens; and increases in fees for youth soccer and basketball to cover the cost of volunteer background checks.

Facility rental changes included an increase in the security deposit for facility rentals; an adjustment in the Recreation Center meeting room rate to encourage usage; an increase in electrical usage fees with rentals; and an increase in athletic field rental rates.

Mayor Friedberg opened the floor for questions of Director Miller and City Manager Hofmann related to proposed fee and program changes for the Parks, Recreation and Facilities Department. Following questions, Mayor Friedberg turned the floor over to City Manager Hofmann.

Capital Improvement Plan

Paul A. Hofmann, City Manager, provided an overview of the Capital Improvement Plan proposed for fiscal year 2019. He noted that contributions to capital projects were reduced; the annual contribution from the General Fund to pavement management was eliminated; a capital project in the amount of \$315,000 was included to study alternatives and create cost estimates for north/south drainage system improvement in the City; and a recommendation was made to double the planned spending on street and drainage improvements over the five-year plan (fiscal year 2019 to fiscal year 2023).

City Manager Hofmann indicated that there were several projects within the Capital Improvement Plan that were “decision points” for the City Council related to Paseo Park, the Public Works Service Center, beautification, other parks-related projects, and a signature corner design project.

Paseo Park

City Manager Hofmann advised that \$187,500 was earmarked for Paseo Park and that some of the funds had been used to pay for settlement costs associated with Evelyn’s Park.

Public Works Service Center

Insurance reimbursements in the amount of \$165,475 for losses sustained at the former Public Works Service Center during the 2015 flood remained in the Capital Improvement Program and were earmarked for the building. City Manager Hofmann advised that additional improvements were needed at the temporary Public Works building, such as increased office space, showers, and a break room for employees and recommended that funds be applied for those purposes.

Beautification

Funds in the amount of \$126,000 earmarked for beautification remained in the Capital Improvement Plan. City Manager Hofmann advised that there were currently no plans for these remaining beautification funds.

Other Parks-Related Projects

City Manager Hofmann indicated that a decision needed to be made with respect to several parks-related projects within the Capital Improvement Plan, such as fencing, decking and landscaping improvements at the Bellaire Family Aquatic Center and park signage upgrades. He suggested for Council's consideration that those projects be deferred and the funding applied to drainage studies.

Signature Corner Design

City Manager Hofmann stated that \$751,051 was earmarked in the Capital Improvement Plan for a signature corner design project at South Rice Avenue and Jessamine Street. He recommended reallocating these funds for furniture, fixtures and equipment needed for the Municipal Facilities Project and indicated that a budget amendment would be presented to City Council on August 20th for that recommendation.

Mayor Friedberg opened the floor for questions of City Manager Hofmann, as well as discussion. Following questions and discussion, Mayor Friedberg reminded members of City Council of a second Budget Workshop and Regular Meeting to be held on Monday, August 20, 2018.

D. Adjourn.

Mayor Friedberg announced that the Special Session was adjourned at 7:45 p.m. on Tuesday, August 14, 2018.



CITY OF BELLAIRE TEXAS

MAYOR AND COUNCIL

AUGUST 20, 2018

Council Chamber

Regular Session

6:00 PM

FIRST FLOOR OF CITY HALL
7008 S. RICE AVENUE
BELLAIRE, TX 77401

REGULAR SESSION

I. BUDGET WORKSHOP #2 - 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, August 20, 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	Absent*
Neil Verma	Council Member	Absent
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, and Tracy L. Dutton, City Clerk.

*Mayor Pro Tem Pappas arrived shortly after the Regular Meeting was called to order and participated in the remainder of the meeting.

C. Budget Discussion:

Discussion and presentation regarding the FY 2019 proposed budget for the City of Bellaire, Texas, with a focus on the cost of employee benefits - Requested by Paul A. Hofmann, City Manager.

Mayor Friedberg read the agenda caption and recognized Paul A. Hofmann, City Manager.

Paul A. Hofmann, City Manager, provided a brief introduction of two subjects that staff planned to cover with City Council during the workshop, notably employee health benefits and a response to questions of staff submitted by members of City Council.

The City's health insurance consultant, **Harris Reid of Higginbotham**, provided a recap of the 2018 plan year and anticipated plan changes for the 2019 plan year.

2018

Mr. Reid stated that the City's health carrier, Cigna, offered a 2018 fully insured best and final renewal offering at 19.1% above what was paid in 2017. By implementing minor plan changes for 2018, such as changing from a fully insured plan to a partially self-funded plan, the City recognized a savings in increased premiums (15.9% as opposed to 19.1%). There were also slight increases to the City's dental plan. From January 2018 to June 2018, the City was running at a 216% claims ratio.

2019

Mr. Reid advised that the premium increase for 2019 was projected to fall between 19% to 23%. He indicated that his firm would do everything possible to ensure that the increase did not exceed 15% without any plan changes. However, the City might need to make plan changes to hold the increase down. Possible plan changes included an increase in an employee's out-of-pocket maximum, an increase in the employee-paid premium, and an increase in the deductible paid by the employee.

Following the presentation, **Mayor Friedberg** opened the floor for questions of Mr. Reid. Following questions, Mayor Friedberg recognized City Manager Hofmann to provide an update on budget questions submitted to staff by members of City Council.

City Manager Hofmann provided an overview of questions City Council had submitted on the proposed budget presented in July of 2018, along with staff responses.

Mayor Friedberg asked if there were further questions from the City Council. Following questions, Mayor Friedberg indicated that the proposed budget would be scheduled for City Council consideration on Monday, September 17, 2018.

D. Adjourn.

Mayor Friedberg announced that the Budget Workshop (#2) was adjourned at 6:52 p.m. on Monday, August 20, 2018.

Since the Regular Meeting was noticed to start at 7:00 p.m., members of City Council took a brief recess until 7:00 p.m.

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

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 7:00 p.m. on Monday, August 20, 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
Gus E. Pappas	Mayor Pro Tem	Present*
Neil Verma	Council Member	Absent
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, and Tracy L. Dutton, City Clerk.

*Mayor Pro Tem Pappas arrived at the conclusion of the presentation of proclamations and participated in the remainder of the meeting.

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 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 Proclamations:

1. Issuance of a proclamation by Andrew S. Friedberg, Mayor, celebrating and congratulating the 2018 Bellaire Little League 10U Tournament Team and each of its members on winning the State Championship.

Mayor Friedberg welcomed the Bellaire 10U baseball team, winner of the state championship title for their division. He stated that City Council was honored to have the team at the Council meeting and to present them with a proclamation. Mayor Friedberg read the proclamation in its entirety and individually recognized each member as follows: **Patrick Albright, Andrew Baca, Jordan Beinart, Nick Gillette, Preston Gorski, Nathan Kalmin, Luke Loving, Liam Miller, Marco Quintanilla, Ryan Richter, Zachary Selzer, Devin Singh, Hayden Summers, and Hudson Zach. Manager Ryan Loving, Coach Jeff Gorski, and Coach George Summers** were also recognized.

2. Issuance of a proclamation by Andrew S. Friedberg, Mayor, proclaiming the week of September 2-8, 2018, as National Payroll Week in the City of Bellaire, Texas.

Mayor Friedberg referred to another proclamation in City Council's packet which was issued to the local chapter of the American Payroll Association in observance of National Payroll Week, which will be celebrated during the week of September 2-8, 2018.

F. Personal/Audience Comments.

Mayor Friedberg provided a summary of the City's rules regarding personal and audience comments and recognized the first speaker who had completed a sign-up sheet.

Laura Zito:

Ms. Zito addressed City Council and offered clarification regarding a representation of her that was provided to them. Ms. Zito advised that she attended a City neighborhood meeting regarding a water line replacement project which was noticed to begin at 6:00 p.m. and end at 8:00 p.m. Ms. Zito indicated that she arrived at 7:15 p.m. and attended the meeting on behalf of a friend whose street would be impacted by the project. It was her understanding that a staff member reported that she had arrived after the meeting was over and caused staff to stay an hour late. Ms. Zito advised that this was not true. She indicated that she was offended that she was called out in such a manner.

Praise was given to one of the City's consultants with the City Engineer's firm, Bobby Vasek, for his professionalism and willingness to retrieve project plans for Ms. Zito's review.

Ms. Zito concluded by congratulating and thanking the City's first responders and staff of the Bellaire Police Department for their handling of a recent emergency on Tamarisk Street.

Todd Blitzer:

Mr. Blitzer addressed City Council as a resident and a Principal of Mirador Group. He referenced an ordinance passed years ago that required all new construction homes to install a sidewalk in front of the homes regardless of whether any other sidewalks were built on that street or block. Through much push back and resistance from the community, that ordinance was modified to allow people to contribute toward a sidewalk fund that would allow for future sidewalks to be constructed, in lieu of having to install one as required by the ordinance.

Mr. Blitzer stated that he recently had the privilege of designing a new home on the 5300 block of Braeburn and was told that under a new ordinance now in place he had to install a sidewalk in front of the home and could not pay a fee instead. He indicated that there were 96 lots along Braeburn from South Rice Avenue to Renwick, with a sidewalk on only one lot. The notion of building an orphan sidewalk in front of a new residence with no other sidewalks around was aesthetically unappealing in his opinion.

Mr. Blitzer understood the need for mobility and was supportive of the City's plan to add sidewalks when roadways were reconstructed. He requested that City Council reconsider the ordinance as currently written to allow for exceptions to occur under certain circumstances.

Gordon Shahin and Dale Rude:

Mr. Shahin and Mr. Rude addressed City Council regarding a petition from the 4800 block of Cedar Street. Mr. Shahin advised that the City was proposing to build a sidewalk at the end of the 4800 block of Cedar Street (cul-de-sac). He noted that there were five trees greater than 50 years old at the end of the block that were at least 60' tall and provided shelter from freeway noise and a visual shield from a nearby parking garage.

Mr. Shahin stated that he understood that the proposal put forward by the City would involve moving a fire hydrant and City drain cleanout, as well as destroy two flower beds and sprinklers. The sidewalk would also encroach on a legal property boundary.

The petition requested a modification to the plan to terminate the sidewalk before it entered the cul-de-sac by installing a ramp. Mr. Shahin asked City Council if the residents of the 4800 block of Cedar Street could get some idea as to a decision date so that they knew where they stood in this matter.

Brian Bollich:

Mr. Bollich addressed City Council regarding the Group D, Phase 2, Sidewalk Project, which was part of the 2016 Bonds for Better Bellaire Program. He indicated that he and his wife had acute concerns about the implementation on the south side of the 5200 block of Laurel Street. Their most pressing concerns were 1) concrete sidewalks built near the roots of their mature 2-3' diameter oaks, which they believed could only harm the trees despite assurances from the arborist attached to the project; and 2) the path of the proposed sidewalk would divide their front lawn in half creating a walkway uncomfortably close to the front door of his home. He stated that two other neighbors faced a similar situation.

Mr. Bollich advised that he and his wife felt that funds could be better spent on more critical issues. He referenced a petition signed by the clear majority (or 80%) of the residents of the 5200 block of Laurel Street that was submitted to the City Manager expressing the residents' clear opposition to the project. He advised that the residents appreciated City Council's consideration of their collective request.

Written Comments

Mayor Friedberg advised that several written comments had been received for the evening's meeting. He indicated that the City had received 13 written comments in favor of sidewalks as follows:

Charles Platt;
Jennifer Moren Cross;
Sneha Bhavsar;
Kjersti Aagaard;
Zachary Kemp;
Marissa Yu;
Terry Leavitt-Chavez;
Brittany Kemp;
Anita Mehta;
Patricia King-Ritter;
Karey Halliday;
Fred Wolgel; and
Heidi Dohlakia.

Written comments received in opposition to sidewalks were read into the record by Mayor Friedberg as follows:

Denise and Andres Zamberk;

Joel N. Ephross;
 Sammy Fleschler;
 Unknown (emailed from a cell phone number);
 Robin Fleschler; and
 Johanna Moran.

Additionally, Mayor Friedberg reported that a petition was received from residents on Bolivar Street with nine signatures expressing opposition to sidewalks.

A final written comment was received from Jane McNeel on current and future debt.

Mayor Friedberg advised that complete copies of the written comments received were provided to City Council for their consideration and included in the official record of the meeting.

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 August 20, 2018, to members of the City Council. He noted that the projects two of the residents addressed during personal and audience comments, the 4800 block of Cedar Street and the 5200 block of Laurel Street, were included in the Group D, Phase 2, Sidewalks Project, which City Council placed on hold during the last August meeting. City Manager Hofmann confirmed that to construct the project on Cedar Street, an encroachment into private property would be required. It was noted that the City had also received an earlier petition from the residents on the 4800-4900 blocks of Spruce Street in opposition to the sidewalks planned for those blocks (Group D, Phase 2).

Communication updates included reminders to subscribe to the Prepare Bellaire mass notification system; posts to the Mayor's Blog; mosquito spray schedule; and closure plans related to the IH 610 and I-69 construction (as communicated to the City by the Texas Department of Transportation).

With respect to personnel changes, it was noted that the promotion of Deacon Tittel to Fire Chief ultimately created a vacant firefighter/paramedic position, which should be filled soon from among three qualified applicants. Other promotions included Cristin Emshoff to Assistant Director of the Development Services Department and Marleny Campos to Recreation Supervisor in the Parks, Recreation and Facilities Department. Newly employed Assistant Director of Public Works, Richard Mancilla, was recognized and introduced.

As to regional partnerships, City Manager Hofmann referenced a recent productive conversation with the City of Houston regarding a possible partnership on flood projects that would jointly benefit Bellaire and Houston residents.

Updates on grant applications were provided. Such applications related to grants from the Texas Department of Emergency Management and the Community Development Block Grant Program for Disaster Relief managed by the General Land Office and through the Texas Water Development Board.

An overview of future City Council meetings and upcoming items for discussion was

provided by City Manager Hofmann.

Kudos were given to the Bellaire City Library for working hard to ensure that residents could reach the facility during the period in which Jessamine Street was temporarily inaccessible because of the City's Municipal Facilities project.

In closing, City Manager Hofmann expressed words of appreciation to the Bellaire Optimist Club for sponsoring a recent luncheon for first responders and City employees.

Mayor Friedberg opened the floor for questions of City Manager Hofmann by members of 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 Third Quarter Report for the City of Bellaire, Texas - Submitted by Terrence Beaman, Chief Financial Officer.

Mayor Friedberg read the agenda caption and recognized Terrence Beaman, Chief Financial Officer (CFO), to provide an overview of the City's Third Quarter Report for Fiscal Year 2018.

Terrence Beaman, CFO, presented the Third Quarter Report for the 2018 Fiscal Year to members of the City Council. The report included an overview of personnel changes, revenue and expenditure projections for various funds, management projects, and capital improvement projects.

With respect to personnel changes, CFO Beaman noted that the City hired a new Fire Chief, new Human Resources Manager, new Human Resources Specialist, new Receptionist, new Assistant Director of Public Works, new Assistant Director of Development Services, and a new Recreation Supervisor during the quarter.

General Fund:

CFO Beaman stated that the City was over its General Fund revenues allocated budget by \$113,000, most of which was attributed to Hurricane Harvey events. With respect to General Fund expenditures, the City was over its allocated budget by approximately \$1 million, also attributable to Hurricane Harvey events. While the allocated budget is a tool to track revenue and expenditure trends over time, CFO Beaman noted that the City is performing on budget for the current fiscal year.

Enterprise Fund:

CFO Beaman advised that the City was over its Enterprise Fund revenue allocated budget by \$410,000. For expenditures, CFO Beaman advised that the City was coming in under the allocated budget.

Debt Service Fund:

Revenues and expenditures were tracking according to the budget for the Debt Service Fund.

Management Projects:

Management projects included the Americans with Disabilities Plan, which was currently underway; Prepare Bellaire (mass notification system); and the Hoopla Digital Service Program managed through the Bellaire City Library.

Capital Improvement Projects:

Capital Improvement Projects included the Municipal Facilities Project, which was moving along nicely, and the decorative standards street light pilot project. Signature corner design funds are to be reappropriated to the Municipal Facilities project for furniture, fixtures, and equipment.

Mayor Friedberg opened the floor for questions of CFO Beaman from members of the City Council. Following questions, Mayor Friedberg announced that the report was concluded and moved to the next item on the agenda.

H. New Business:

1. Adoption of Ordinances:

- a. Consideration of and possible action on the adoption of an ordinance amending the budget for the City of Bellaire, Texas, for the fiscal year beginning October 1, 2017, and ending September 30, 2018, consisting of the following appropriations: \$10,000 General Fund, \$378,750 Special Revenue Fund, \$29,397 Vehicle Equipment and Replacement Fund, and \$922,853 Capital Improvement Fund - Submitted by Terrence Beaman, Chief Financial Officer.

Mayor Friedberg read the agenda caption and recognized CFO Terrence Beaman to provide a brief introduction of the item.

Terrence Beaman, CFO, asked City Council to consider an ordinance amending the budget for fiscal year 2018. CFO Beaman highlighted the most important transfers included in the ordinance as follows: (1) a transfer of funds in the amount of \$751,000, originally earmarked for a signature corner project, to furniture, fixtures, and equipment for the Municipal Facilities Project; (2) a transfer of funds in the amount of \$10,000, originally budgeted in 2017 for site design work for the Public Works building, to the same project in fiscal year 2018; and (3) a transfer of funds in the amount of \$160,000, originally earmarked for park improvements in Paseo Park, to the Evelyn's Park settlement that occurred earlier in the fiscal year.

CFO Beaman advised that the remaining transfers included in the ordinance were special revenue fund transfers.

Mayor Friedberg entertained a motion to adopt the ordinance as presented amending the fiscal year 2018 budget as set forth therein.

Motion:

To adopt the ordinance as presented amending the fiscal year 2018 budget as set forth therein.

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

Mayor Friedberg opened the floor for questions and deliberation. 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, Pappas, Pollard, McLaughlan, Fife, Montague
ABSENT:	Verma

- b. 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 3, Alcoholic Beverages, Article I, In General, Section 3-3, Use prohibited in public parks and other public places, of the Code of Ordinances of the City of Bellaire, Texas, for the purpose of allowing the use and consumption of beer and wine on the Great Lawn in Evelyn's Park during a concert to be held in Evelyn's Park, 4400 Bellaire Boulevard, Bellaire, Texas 77401, on Saturday, October 13, 2018, from 12:00 noon to 10:00 p.m. - Submitted by Karl Miller, Director of Parks, Recreation and Facilities.

Mayor Friedberg read the agenda caption and entertained a motion to adopt the ordinance as presented temporarily suspending the application of Code Section 3-3 for the purpose of allowing the use and consumption of beer and wine on the Great Lawn in Evelyn's Park during a concert to be held on Saturday, October 13, 2018.

Motion:

To adopt the ordinance as presented temporarily suspending the application of Code Section 3-3 for the purpose of allowing the use and consumption of beer and wine on the Great Lawn in Evelyn's Park during a concert to be held on Saturday, October 13, 2018.

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

Mayor Friedberg opened the floor for questions and deliberation. Following questions and deliberation, action was taken on the motion.

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

- 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 Motorola Solutions for the purchase of Dispatch System Equipment and Relocation Services for the Municipal Facilities Project in an amount not to exceed \$69,860.75 - Submitted by Michelle Jordan, Project Manager.

Mayor Friedberg read the agenda caption and recognized Michelle Jordan, Project Manager, to introduce the item.

Michelle Jordan, Project Manager, advised that the relocation services for the agenda item before City Council were very similar to the services purchased when the City moved out of the old Police and Municipal Courts Building and into the temporary facilities within City Hall. These relocation services would involve moving the Police Dispatch operations from the Fire Station to their permanent home. The referenced dispatch system equipment would allow for the ability to have a fourth console, fully operational at any given point in time, primarily in the event of an emergency, as well as training opportunities for the City's public safety professionals.

Mayor Friedberg opened the floor for questions of Project Manager Jordan. Following questions, Mayor Friedberg entertained a motion to adopt the ordinance as presented authorizing a Standard Form of Agreement with Motorola Solutions for the purchase of dispatch system equipment and relocation services for the Municipal Facilities Project in an amount not to exceed \$69,860.75.

Motion:

To adopt the ordinance as presented authorizing a Standard Form of Agreement with Motorola Solutions for the purchase of dispatch system equipment and relocation services for the Municipal Facilities Project in an amount not to exceed \$69,860.75.

{Moved by Gus E. Pappas, Mayor Pro Tem, and seconded by David R. Montague, Council Member}

Mayor Friedberg opened the floor for deliberation on the motion. Hearing none, action was taken on the motion.

RESULT:	ADOPTED [5 TO 0]
MOVER:	Gus E. Pappas, Mayor Pro Tem
SECONDER:	David R. Montague, Council Member
AYES:	Friedberg, Pappas, McLaughlan, Fife, Montague
ABSENT:	Verma
AWAY:	Pollard

- 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 of the City of Bellaire, Texas, to execute, for and on behalf of the City of Bellaire, Texas, all necessary documentation associated with the purchase of networking equipment from CDW-G LLC for the Municipal Facilities Project in an amount not to exceed \$141,846.50 - Submitted by Patrice Baltuskonis, Director of Information Technology.

Mayor Friedberg read the agenda caption and recognized Patrice Baltuskonis, Director of Information Technology, to introduce the item.

Patrice Baltuskonis, Director of Information Technology, asked for City Council consideration and permission for the City Manager to authorize the purchase of equipment for the new Municipal Facilities. The purchase would consist of networking equipment for the new City Hall, Police and Municipal Court Building, and the Fire Station (to help complete the network). The funds for the purchase had already been allocated for this fiscal year.

Mayor Friedberg entertained a motion to adopt the ordinance as presented authorizing the City Manager to execute all necessary documentation associated with the purchase of networking equipment from CDW-G LLC for the Municipal Facilities Project in an amount not to exceed \$141,846.50.

Motion:

To adopt the ordinance as presented authorizing the City Manager to execute all necessary documentation associated with the purchase of networking equipment from CDW-G LLC for the Municipal Facilities Project in an amount not to exceed \$141,846.50.

{Moved by David R. Montague, Council Member, and seconded by Gus E. Pappas, Mayor Pro Tem}

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

RESULT:	ADOPTED [5 TO 0]
MOVER:	David R. Montague, Council Member
SECONDER:	Gus E. Pappas, Mayor Pro Tem
AYES:	Friedberg, Pappas, McLaughlan, Fife, Montague
ABSENT:	Verma
AWAY:	Pollard

2. Item for Individual Consideration:

Council discussion on sidewalk program implementation and possible action to provide direction to the city manager as appropriate - Submitted by Paul A. Hofmann, City Manager.

Mayor Friedberg read the agenda caption and offered by way of introduction an overview and reminder regarding the agenda item. Reference was made to two different types of sidewalk projects: (1) street reconstruction and drainage projects with sidewalk installation on at least one side of the street; and (2) standalone sidewalk projects, a new approach under the current bond program (Bonds for Better Bellaire 2016).

Mayor Friedberg advised that the projects identified as Group D, standalone sidewalk projects, were placed on hold pending further discussion and direction. He advised that

the agenda item would allow for discussion and direction and reminded City Council that this agenda item had been contemplated by the City Manager and included on his upcoming list for months. The agenda item followed up on City Council's action on December 18, 2017, "to direct the City Manager to forego the current approach to install 5' sidewalks in residential areas and instead install 4' sidewalks in residential areas until the matter could be further addressed by the City Engineer and appropriate consultants."

Mayor Friedberg asked if there was any objection to starting the discussion with the City Manager's structured questions included on packet page 118. Prior to discussion and consideration of the City Manager's questions, there was a consensus among the members of City Council to hear a presentation from City Engineer James Andrews first.

James Andrews, City Engineer, ARKK Engineers LLC, began his presentation by outlining one of the primary benefits of sidewalks, which was safety (moving pedestrian mobility away from traffic and providing an accessible and safe route for disabled persons).

Based on the 2013 Sidewalk Assessment Project compiled by the City Engineer's firm, there were 52 miles of sidewalk throughout the City and 66 miles of sidewalk gaps.

The predominant area standards for sidewalk widths were noted by City Engineer Andrews as follows:

City of Houston - requirement for a minimum width of 5' for sidewalks in residential areas and 6' for sidewalks on major thoroughfares;

City of Sugar Land - requirement for a minimum of 5' for sidewalks on all local streets and 6' otherwise;

City of Missouri City - requirement for a minimum width of 5' for sidewalks no more than 2' from the right-of-way line;

City of Pearland - requirement for a minimum width of 4' for sidewalks on both sides of the street; and

City of West University Place - requirement for a minimum width of 4' for sidewalks.

City Engineer Andrews advised that the City had some sidewalks that were 5' in width along Avenue B near Birch Street to Horn Elementary School. The sidewalk width was 6' closer to Horn Elementary School and the ballfields.

With respect to national guidelines, a 5' passing space was required every 200 feet if the sidewalk width was less than 5'. This passing space could occur on a driveway or standalone.

With respect to flooding, City Engineer Andrews showed a rainfall distribution graph that depicted a major storm, which started at a slow pace, ramped up, peaked, and then receded. He advised that during the first part of a storm, the clay soils soaked up water, but became saturated very quickly. Once saturated, the clay soils would become impermeable. City Engineer Andrews stated that a new sidewalk would have a very

minimal impact on drainage and added that with the pipe sizes chosen for drainage in the City, the impact was not noticeable.

The cost for 4' sidewalks in the City ranged from \$24 per linear foot to \$48 per linear foot. The cost for 5' sidewalks could range from \$30 per linear foot to \$60 per linear foot.

In closing, City Engineer Andrews recommended matching existing sidewalks when filling gaps. On major thoroughfares and commercial areas, the recommendation was for sidewalks 5' in width and larger, where practicable. The recommendation for major street reconstruction projects was for sidewalks 5' in width.

Mayor Friedberg suggested discussion and possible action on the questions presented to City Council by the City Manager for consideration.

Question 1

Do we allocate the remaining funds from the sidewalk program to street and drainage?

Mayor Friedberg opened the floor for discussion on question 1 and questions of City Engineer Andrews regarding his report.

Discussion ensued among members of the City Council, primarily on the topic of sidewalk widths. As such, Mayor Friedberg moved to questions 2 and 3.

Question 2

Do we ask the Building and Standards Commission to revisit the question of sidewalk standards, both for private development and public projects? Or,

Question 3

Is Council ready to provide direction on sidewalk width?

Mayor Friedberg referenced questions 2 and 3, both of which were related to sidewalk widths, and opened the floor for comments and discussion on the questions. Following comments and discussion, a motion was offered to provide direction to the City Manager on a sidewalk width.

Motion:

To direct the City Manager to design sidewalks in commercial areas and major thoroughfares at a standard width of five feet.

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

Mayor Friedberg opened the floor for deliberation and discussion on the motion. **An amendment was offered by David R. Montague, Council Member, to change the words**

"standard width" to "at a minimum standard width." Mayor Friedberg asked if any member of the City Council objected to the amendment. **Hearing no objections to the amendment, Mayor Friedberg advised that the motion was amended by general consent and restated the motion as follows:**

To direct the City Manager to design sidewalks in commercial areas and on major thoroughfares at a minimum standard width of five feet.

Mayor Friedberg opened the floor for deliberation and discussion on the motion, as amended. Following deliberation and discussion, action was taken on the motion, as amended.

RESULT:	FAILED [3 TO 3]
MOVER:	Gus E. Pappas, Mayor Pro Tem
SECONDER:	Trisha S. Pollard, Council Member
AYES:	Pappas, Pollard, Fife
NAYS:	Friedberg, McLaughlan, Montague
ABSENT:	Verma

Mayor Friedberg advised that the current status quo was to continue to maintain a four-foot standard for residential areas and opened the floor for further discussion. Following discussion, Pat B. McLaughlan, Council Member, offered a motion.

Motion:

That all new standalone sidewalks be constructed at a minimum width of five feet.

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

Discussion ensued among members of the City Council regarding the motion. Following discussion, Council Member Pollard offered an amendment.

Amendment (No. 1):

To amend the motion to provide for a "maximum width of five feet in residential areas."

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

Mayor Friedberg opened the floor for deliberation and discussion on the amendment to the motion. Following deliberation and discussion, **Mayor Friedberg restated the amendment:**

To amend the motion such that it would read: That all new standalone sidewalks be constructed at a maximum width of five feet in residential areas.

Following a question of staff, action was taken on the amendment.

RESULT:	ADOPTED [4 TO 2]
MOVER:	Trisha S. Pollard, Council Member
SECONDER:	Gus E. Pappas, Mayor Pro Tem
AYES:	Pappas, Pollard, McLaughlan, Fife
NAY:	Friedberg, Montague
ABSENT:	Verma

Mayor Friedberg restated the motion, as amended:

That all new standalone sidewalks be constructed at a maximum width of five feet in residential areas.

Mayor Friedberg opened the floor for deliberation and discussion on the motion, as amended. Following further deliberation and discussion, Mayor Pro Tem Pappas offered a substitute motion.

Amendment (No. 2) (Substitute Motion):

To substitute for the motion on the floor, as amended, the following: **To direct the City Manager to design sidewalks in residential areas at a standard width of five feet.**

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

Mayor Friedberg opened the floor for discussion and deliberation on the substitute motion. Following discussion and deliberation, action was taken on the substitute motion on the floor.

RESULT:	ADOPTED [5 TO 1]
MOVER:	Gus E. Pappas, Mayor Pro Tem
SECONDER:	Trisha S. Pollard, Council Member
AYES:	Friedberg, Pappas, Pollard, McLaughlan, Fife
NAYS:	Montague
ABSENT:	Verma

The result of the action above was to replace the previous motion with a substitute motion. **Mayor Friedberg restated the motion now on the floor as follows: To direct the City Manager to design sidewalks in residential areas at a standard width of five feet,** Mayor Friedberg called for a vote on the motion, resulting in the following action:

RESULT:	ADOPTED [4 TO 2]
MOVER:	Pat B. McLaughlan, Council Member
SECONDER:	Trisha S. Pollard, Council Member
AYES:	Pappas, Pollard, McLaughlan, Fife
NAYS:	Friedberg, Montague
ABSENT:	Verma

Mayor Friedberg returned to the first question the City Manager asked City Council to consider which was whether the City Council was committed to doing standalone sidewalks for the sake of sidewalks or was the money better diverted elsewhere to streets and drainage.

Motion:

Reallocate any funds remaining after the construction of Group D Phase 1 and Group D Phase 2 back to streets and drainage.

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

Mayor Friedberg opened the floor for questions and deliberation on the motion. Following questions and deliberation, action was taken on the motion.

RESULT:	ADOPTED [4 TO 2]
MOVER:	Trisha S. Pollard, Council Member
SECONDER:	Michael Fife, Council Member
AYES:	Friedberg, Pollard, Fife, Montague
NAYS:	Pappas, McLaughlan
ABSENT:	Verma

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

Community interest items from the Mayor and Council included an acknowledgement of the Bellaire Business Association for their Happy Hour Fundraiser for the Bellaire Police and Fire Foundation and a reminder of the next meeting of the Flood Hazard Mitigation Task Force on August 27.

J. Adjourn.

Mayor Friedberg announced that the Regular Session of the City Council of the City of Bellaire, Texas, was adjourned at 11:21 p.m. on Monday, August 20, 2018.

Mayor and Council

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



Meeting: 10/01/18 06:30 PM
Department: City Manager's Office
Category: Code Suspension
Department Head: Cheryl Bright
DOC ID: 2698

SCHEDULED**ACTION ITEM (ID # 2698)****Item Title:**

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(a), Curfew Imposed, of the Code of Ordinances of the City of Bellaire, Texas, for the purpose of allowing the Patrons for Bellaire Parks to hold a special event, Tents in Town, in Bellaire Zindler Park located in Bellaire Town Square, 7008 South Rice Avenue, Bellaire, Texas, on Saturday, November 3, 2018, said suspension to commence at 11:00 p.m. on Saturday, November 3, 2018, and to terminate at 5:00 a.m. on Sunday, November 4, 2018 - Submitted by Cheryl Bright, Community Relations Administrator, on behalf of the Patrons for Bellaire Parks.

Background/Summary:

PATRONS for Bellaire Parks will partner again with the City of Bellaire for another Tents in Town community event to raise funds for Bellaire Parks. This will be the ninth urban camp-out where Bellaire families spend a fun filled afternoon and night in their own tents in Bellaire Town Square. "Tents in Town" (TNT) will take place on the night of Saturday, November 3, 2018. This joint effort between PATRONS, the Parks, Recreation, and Facilities Department and many local businesses as sponsors, has become a great community building adventure for Bellaire residents.

Anticipated participation is 300. The park will be secured throughout the event; participants will have special t-shirts and bracelets for identification; Police and Fire Departments have been contacted to assist when needed; Parks, Recreation and Facilities will be assisting in other logistical needs.

In order for this event to take place, the curfew in Bellaire-Zindler Park located in Bellaire Town Square will have to be extended over the night of November 3, 2018. Currently the curfew is 11:00 p.m. until 5:00 a.m.

Previous Council Action Summary:

Council has granted the curfew waiver request for the past 8 events.

Fiscal Impact:

NA

City Attorney Review:

Yes

Recommendation:

It is the recommendation of Cheryl Bright, Community Relations Administrator, that City Council grant the curfew suspension for the Tents in Town event on November 3, 2018.

ATTACHMENTS:

- Curfew request Letter (DOC)
- Curfew Ordinance (DOC)

PATRONS *for* BELLAIRE PARKS

Sept. 20, 2018

Mayor Andrew Friedberg and City Council members
City of Bellaire
7008 Rice Ave.
Bellaire, TX 77401

Dear Mayor Friedberg and City Council members:

PATRONS for Bellaire Parks is excited to partner again with the City for another Tents in Town community event to raise funds for Bellaire Parks. We are beginning our planning for the Ninth urban campout where Bellaire families spend a fun filled afternoon and night in their own tents in Bellaire Town Square. Tents in Town will take place on the night of Saturday, November 3, 2018. This joint effort between PATRONS, the Bellaire Parks, Recreation and Facilities Department and many local businesses as sponsors, has become a great community building adventure for Bellaire residents.

In order for this event to take place we are asking Council for permission to extend the curfew in Bellaire Town Square over the night of Saturday, November 3, 2018. We would greatly appreciate your consideration in suspending the curfew ordinance for this event to allow attendees to camp overnight in Bellaire Town Square.

Thank you so very much for your support and consideration in this matter.

Respectfully submitted,

Win Frazier
President, Patrons for Bellaire Parks

Attachment: Curfew request Letter (2698 : Curfew suspension for Patrons for Bellaire Parks at Bellaire Town Square)

City of Bellaire

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(A), CURFEW IMPOSED, OF THE CODE OF ORDINANCES OF THE CITY OF BELLAIRE, TEXAS*, FOR THE PURPOSE OF ALLOWING THE PATRONS FOR BELLAIRE PARKS TO HOLD A SPECIAL EVENT, TENTS IN TOWN, IN BELLAIRE ZINDLER PARK LOCATED IN BELLAIRE TOWN SQUARE, 7008 SOUTH RICE AVENUE, BELLAIRE, TEXAS, ON SATURDAY, NOVEMBER 3, 2018, SAID SUSPENSION TO COMMENCE AT 11:00 P.M. ON SATURDAY, NOVEMBER 3, 2018, AND TO TERMINATE AT 5:00 A.M. ON SUNDAY, NOVEMBER 4, 2018.

WHEREAS, the Patrons for Bellaire Parks ("Patrons") desire to hold a community event to raise funds for Bellaire parks in Bellaire Zindler Park (located in Bellaire Town Square), 7008 South Rice Avenue, Bellaire, Texas, on Saturday, November 3, 2018, and extending through the night until the morning of Sunday, November 4, 2018; and

WHEREAS, the Patrons community event, Tents in Town (TNT), is an urban campout where Bellaire families spend a fun filled afternoon and night in their own tents in Bellaire Zindler Park; and

WHEREAS, in order for Tents in Town to take place, the Patrons have requested permission, by letter dated September 20, 2018, from the Bellaire City Council to suspend the curfew in Bellaire Zindler Park commencing at 11:00 p.m. on Saturday, November 3, 2018, and terminating at 5:00 a.m. on Sunday, November 4, 2018; **NOW, THEREFORE**,

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

1. **THAT** the recitals set forth above are true and correct.
2. **THAT** *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*, is hereby temporarily suspended on Saturday, November 3, 2018, commencing at 11:00 p.m. and terminating at 5:00 a.m. on Sunday, November 4, 2018.
3. **THAT** said temporary suspension shall only apply to the request from the Patrons for the Tents in Town event commencing on Saturday, November 3, 2018, and terminating on Sunday, November 4, 2018, in Bellaire Zindler Park located in Bellaire Town Square, 7008 South Rice Avenue, Bellaire, Texas, and said suspension shall not apply to any other person or activity.
4. **THAT** said suspension 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*, shall terminate at 5:00 a.m. on Sunday, November 4, 2018, at which time said section of the *Code of Ordinances of the City of Bellaire, Texas*, shall be fully reinstated as if never suspended.

PASSED and APPROVED this 1st day of October, 2018.

(SEAL)

ATTEST:

Tracy L. Dutton, TRMC
City Clerk

SIGNED:

Andrew S. Friedberg
Mayor

APPROVED AS TO FORM:

Alan P. Petrov
City Attorney

Attachment: Curfew Ordinance (2698 : Curfew suspension for Patrons for Bellaire Parks at Bellaire Town Square)

Mayor and Council

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



Meeting: 10/01/18 06:30 PM
Department: Development Services
Category: Contract
Department Head: ChaVonne Sampson
DOC ID: 2614

SCHEDULED**ACTION ITEM (ID # 2614)****Item Title:**

Consideration of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, authorizing the 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, an Agreement for Professional Services with BBG Consulting, Inc., for services necessary for the enforcement of the City's building codes to include construction plan review and the provision of onsite inspection services in an estimated annual amount of \$125,000.00 - Submitted by ChaVonne Sampson, Director of Development Services.

Background/Summary:

We have continued to work to identify contract inspectors that meet high expectations of inspection and plan review service at reasonable rates. In 2016, the department found an able partner in BBG Consulting, Inc. BBG Consulting, Inc. is located in the Houston area, and Kevin Taylor, President, has worked diligently to create a positive and effective working relationship with both the Development Services Department and builders.

This ordinance would authorize entering into an agreement with BBG Consulting for the provision of plan review and building inspections services on an as needed basis. BBG Consulting is uniquely positioned, with the staffing and knowledge resources to assist the City in enforcement of all adopted building codes and regulations. The City will only pay for services actually received.

Contract inspection services is included in the department budget. The recently adopted budget for FY 2019 includes \$160,000 for construction inspection services. In FY 2018, BBG conducted 85% of all scheduled inspections as well as 178 plan reviews.

This services are fully covered by permit and plan review fees.

Under Sec.252.022 of the Texas Local Government Code, "contracts for personal, professional, or planning services" are exempt from the requirements of competitive bidding.

Previous Council Action Summary:

Adopted Ordinances for FY2017 & 2018 contracts.

Fiscal Impact:

This item is budgeted as an expense within the general fund. Revenues generated solely by plan reviews performed by this consultant will exceed expenses.

City Attorney Review:

The ordinance attached was drafted by the City Attorney.

Recommendation:

The Director of Development Services recommends approval of the ordinance authorizing the Mayor to execute the agreement with Texas BBG Counsulting, Inc.

ATTACHMENTS:

- City of Bellaire BBG Consulting Contract (10.1.18) (PDF)
- Agmt - BBG Consulting - 2018 (DOCX)

AGREEMENT FOR PROFESSIONAL SERVICES

STATE OF TEXAS

HARRIS COUNTY

THIS AGREEMENT, entered into and executed by and between the **City of Bellaire**, a body corporate and politic under the laws of the State of Texas, hereinafter called “**City**”, and

BBG Consulting, Inc..

Kevin Taylor, President

1515 Pastureview Dr

Pearland TX 77581

P: 972-746-6671 F: 760-955-1975

ktaylor@BBGcode.com

Hereinafter called “**Consultant**”.

WHEREAS, the **City** desires to contract with the **Consultant** for professional Inspection and services as discussed below;

WHEREAS, the **Consultant** represents that it is fully capable of making and qualified to provide assistance to the **City** and the **Consultant** desires to perform the same;

NOW, THEREFORE, the **City** and the **Consultant**, in consideration of the mutual covenants and agreements herein contained, do mutually agree as follow:

SECTION I SCOPE OF AGREEMENT

The **Consultant** agrees to perform certain inspection services as defined in “Exhibit A” attached hereto and made a part hereof, hereinafter sometimes called “Scope of Work”, and for having rendered such services, the **City** agrees to pay the **Consultant** compensation as stated in the sections to follow. “Exhibit “B” describing pricing is also included and sets forth the specific fees applicable to the scope of work.

Attachment: City of Bellaire BBG Consulting Contract (10.1.18) (2614 : BBG Consulting Contract)

SECTION II CHARACTER AND EXTENT OF SERVICES

The **Consultant** shall render all the professional services as defined in “Exhibit A” attached hereto.

The **City** shall be under no obligation to pay for services rendered without prior authorization. The **City** shall be the absolute and unqualified owner of all studies, exhibits, maps, reports, analyses, determinations and recommendations prepared or acquired pursuant to this Agreement with the same force and effect as if the **City** had prepared or acquired the same.

SECTION III TIME FOR PERFORMANCE

The time for performance is the period beginning on or before **October 1, 2018** through **September 30, 2019** and may be extended by mutual consent of both parties. Upon written request of the **Consultant**, the **City** may grant time extensions to the extent of any delays caused by the **City** or other agencies with which the work must be coordinated and over which the **Consultant** has no control.

This Agreement is terminable at will by the **City** providing a forty-five (45) day written notice to **Consultant** or by **Consultant** providing the **City** ninety (90) day written notice. **Consultant** will be due the portion of the fees earned up to the time of termination.

SECTION IV COMPLIANCE AND STANDARDS

Consultant agrees to perform the work hereunder in accordance with generally accepted standards applicable thereto and shall use that degree of care and skill commensurate with the management consulting profession to comply with all applicable state, federal, and local laws, ordinances, rules, and regulations relating to the work to be performed hereunder and **Consultant's** performance. **Consultant** agrees that the **City** shall have the right to use all exhibits, maps, reports, analyses and other documents prepared or compiled by **Consultant** pursuant to this Agreement, and **Consultant** shall and does hereby agree to indemnify and hold harmless the **City**, its officers, agents, and employees from any and all damages, loss or liability of any kind, whatsoever, by reason of death or injury to property or third persons caused by the negligent act or omission of **Consultant**, its officers, agents, employees, invitees or other persons for whom it is legally liable, with regard to the performance of this Contract.

SECTION V THE CONSULTANT'S COMPENSATION

For, and in consideration of, the services rendered by the **Consultant** pursuant to this Agreement, the **City** shall pay to the **Consultant** the amount detailed in "Exhibit B"; said amount being hereinafter called the “total basic fee”. Compensation shall be only for services rendered as requested by the **City** in official communication from the **City**.

SECTION VI TIME OF PAYMENT

Payment by the **City** to the **Consultant** shall be made as follows:

Within 30 days of the end of each calendar month during the performance of the individual assignments, **Consultant** shall submit to the **City**, an invoice in a form acceptable to the **City**. This invoice shall set forth the charges for the services provided which were completed during such billing period, and the compensation which is due for same. The invoice must contain the street address, description of services, and date performed. The **City** shall review the same and approve it with such modifications, as it may deem appropriate. The **City** shall pay each invoice as approved within thirty (30) days after receipt of a true and correct invoice by the **Consultant** to the **City**. The approval or payment of any such invoice shall not be considered to be evidence of performance by the **Consultant** to the point indicated by such invoice or of the receipt of or acceptance by the **City** of the work covered by such invoice.

SECTION VII ADDRESS AND NOTICES AND COMMUNICATIONS

The parties contemplate that they will engage in informal communications with respect to the subject matter of this Agreement. However, any formal notices or other communications ("Notice") required to be given by one party to the other by this Agreement shall be given in writing addressed to the party to be notified at the address set forth below for such party. This shall be done either (i) by delivering the same in person, (ii) by depositing the same in the United States Mail, certified or registered, return receipt requested, postage prepaid, addressed to the party to be notified, (iii) by depositing the same with Federal Express or another nationally recognized courier service guaranteed "next day delivery," addressed to the party to be notified, or (iv) by sending the same by facsimile with confirming copy sent by mail, (v) by email, with receipt, from the Building Official, or her/his designee. Notice deposited in the United States mail in the manner hereinabove described shall be deemed effective from and after the date of such deposit. Notice given in any other manner shall be effective only if and when received by the party to be notified. For the purposes of notice, the addresses of the parties, until changed by providing written notice in accordance hereunder, shall be as follows:

All notices and communications under this Agreement shall be mailed to the **Consultant** at the following address:

BBG Consulting, Inc..
ATTN: Kevin Taylor
1515 Pastureview
Pearland, TX 77581
ktaylor@BBGcode.com

SECTION VIII SUCCESSORS AND ASSIGNS

The **City** and the **Consultant** bind themselves and their successors, executors, administrators, and assigns to the other party of this Agreement and to the successors, executors, administrators and assigns of such other party, in respect to all covenants of this Agreement. Neither the **City** nor the **Consultant** shall assign, sublet or transfer its or his interest in this Agreement without the written consent of the other. Nothing herein shall be construed as creating any personal liability on the part of any officer or agent of any public body, which may be a party hereto.

SECTION IX MEDIA

Contact with the news media shall be the sole responsibility of the **City**. **Consultant** shall under no circumstances release any material or information developed in the performance of its services hereunder without the express written permission of the **City**.

SECTION X MODIFICATIONS

This instrument, including Exhibits A and B, contains the entire Agreement between the parties relating to the rights herein granted and the obligation herein assumed. Any oral or written representations or modifications concerning this instrument shall be of no force and effect excepting a subsequent modification in writing signed by both parties hereto.

SECTION XI AUTHORITY OF CITY MANAGER

All work to be performed by the **Consultant** hereunder shall be performed to the satisfaction of the Building Official of the **City of Bellaire**. The Building Official (or designated authority) shall decide any and all questions, which may arise as to the quality, or acceptability of the work performed by the **Consultant** and the decisions of the Building Official in such cases shall be final and binding on both parties. However, nothing contained herein shall be construed to authorize the Building official to alter, vary or amend this Agreement.

SECTION XII MISCELLANEOUS

1. No Waiver. The waiver by either party of a breach or violation of any provision of this Agreement shall not operate as or be construed to be a waiver of any subsequent breach of any provision of this Agreement.
2. Compliance. The parties enter into this Agreement with the intent of conducting their relationship in full compliance with the applicable state, local, and federal laws. Any complaint from either the **City** or general public concerning an inspection completed by **Consultant** shall be responded to within one business day by the **Consultant**.
3. Governing Law. This Agreement shall be interpreted, construed, and governed according to the laws of the State of Texas.
4. Headings. Paragraph headings contained in this Agreement are for convenience only and should in no manner be construed as part of this Agreement.
5. Legal Construction. In case any one or more of the provisions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision, and this Agreement shall be construed as if such invalid, illegal, or unenforceable provision had never been included in the Agreement.
6. Prior Agreements Superseded. This Agreement constitutes the sole agreement of the parties and supersedes any prior understandings or written or oral agreements between the parties respecting that subject matter.
7. Attorney Fees and Costs. The prevailing party in any dispute or legal proceedings enforcing this Agreement shall be entitled to recover its attorney's fees, witness fees, litigation expenses and costs, as same are reasonable and necessary, to be paid by the non-prevailing party.
8. Venue. All amounts due under this Agreement, including, but not limited to, payments under this Agreement or damages for breach of this Agreement, shall be paid and due in Fort Bend County, Texas, which is the county in which the principal administrative office of **City** is located. It is specifically agreed among the parties to this Agreement, that this Agreement is fully performable in Fort Bend County, Texas.
9. Insurance. Consultant agrees to name the **City of Bellaire** and its interests as a certificate holder on consultant's insurance policy per attached document.
10. No Joint Venture/Independent Contract: The parties agree that this agreement is not intended to create nor does create a joint venture between the parties and consultant at all times is retained as an independent contractor and not an employee of the **City**.

11. Anti-Boycott Verification. As required by Chapter 2270, Texas Government Code, the **Consultant** hereby verifies that it does not boycott Israel and will not boycott Israel through the term of this Agreement. For purposes of this verification, “Boycott Israel” means refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes.

12. Iran, Sudan and Foreign Terrorist Organizations. Pursuant to Chapter 2252, Texas Government Code, the **Consultant** represents and certifies that, at the time of execution of this Agreement neither the **Consultant**, nor any wholly owned subsidiary, majority-owned subsidiary, parent company or affiliate of the same (i) engages in business with Iran, Sudan, or any foreign terrorist organization as described in Chapters 806 or 807 of the Texas Government Code, or Subchapter F of Chapter 2252 of the Texas Government Code, or (ii) is a company listed by the Texas Comptroller of Public Accounts under Sections 806.051, 807.051, or 2252.153 of the Texas Government Code. The term "foreign terrorist organization" in this paragraph has the meaning assigned to such term in Section 2252.151 of the Texas Government Code.

This document and included instrument is the entire contract and recites the full consideration between the parties, there being no other written or parole agreement.

IN WITNESS WHEREOF, said **City of Bellaire** has lawfully caused these presents to be executed by the City Manager of said **City**, and the corporate seal of said Municipality to be hereunto affixed and this instrument to be attested by the City Secretary; and the said **Consultant**, acting by its thereunto duly authorized representative, does now sign, execute and deliver this instrument.

DONE at City of Bellaire, Texas on the _____ day of _____, 2018.

By: _____
City Manager

Date

ATTEST:

By: _____ City Secretary

Date

CONSULTANT

President, BBG Consulting, Inc.

Date

Attachment: City of Bellaire BBG Consulting Contract (10.1.18) (2614 : BBG Consulting Contract)

Exhibit “A”

A. Scope of Services

Inspection and plan review of commercial and residential construction to verify compliance with the **City of Bellaire** locally adopted codes and amendments and the: 2012 versions of the International Residential Code, International Building Code, International Mechanical Code, International Plumbing Code, International Fuel Gas Code, 20015 International Energy Conservation Code and the 2011 Edition of the National Electrical Code (or later versions as adopted by the **City of Bellaire**), as published by the National Fire Protection Association.

B. Consultant’s Responsibilities

1. Inspectors performing under this Agreement will hold a “Combination Inspector” certification from the International Code Council.
2. Inspections and Plan Review telephoned or transmitted to **Consultant** from **City** before 8:00 am will be performed the same business day. excluding holidays of New Year’s Day, Memorial Day, 4th of July, Labor Day, Thanksgiving Day and the Friday immediately following Thanksgiving Day, Christmas Eve and Christmas Day in which case the inspection will be performed the next business day after the holiday.
3. **BBG** inspectors have the same jurisdiction and responsibilities, regarding a development project assigned to the **Consultant**, as an inspector employed by the City.
4. All inspectors performing under this Agreement will hold certifications as required by state law.

C. Inspections and Plan Review

The **City** shall provide **Consultant** with a list of Inspections and Plan Review required to be completed. **Consultant’s** designated inspector shall make a diligent effort to complete every inspection assigned to him/her each day.

Re-Inspections and Plan Review – The procedures for requesting and performing them will be the same as regular Inspections and Plan Review.

Any complaint from either the **City** or general public concerning an inspection completed by **Consultant** shall be responded to within one business day by the **Consultant**.

D. Building Code Interpretation

The **City** from time to time may request building code interpretation or explanation from the **Consultant** based on their expertise in this field. The final interpretive authority rests with the **City**.

Exhibit “B” Fee Details

Plan Review and Inspections:

- A. BBG will provide unlimited inspections annually and up to 120 plan reviews per year for residential or commercial plans with a valuation of \$1,000,000.00 or less for an annual fee of \$108,000.00 to be billed in monthly installments of \$9000.00. Should the city request plan review services for projects valued in excess of \$1,000,000.00 the fee as detailed in Table 2 shall be applicable. BBG will provide The City with monthly updates providing the total number of inspections and plan reviews performed within Bellaire’s fiscal year.

Table 1. Annual fee for services

Annual Rate of 108,000.00 (\$9000.00/month)	
Service	Totals
Inspection	unlimited
Plan review ¹	120/year (10 per month)

1. Commercial projects with a valuation of less than 1,000,000.00. No restriction on residential projects.

Table 2. Plan review services

Plan review	
Permit type	Fee ¹
Residential	15% of permit fee ²
Commercial up to \$1,000,000.00	15% of permit fee ²
Commercial \$1,000,001.00 and more	15% permit fee ^{2,3}

1. Fees for tenant finish out and shell buildings will be 85% of the above fees.
2. Price includes up to 1 Resubmittal additional resubmittals will be charged a fee of \$100.00
3. Fees in excess of \$9,000.00 are subject to negotiation based upon the complexity of the work to be performed.

Service Details

- A. **Inspections.** Inspections shall be performed within 24hrs of notification by The City. All reasonable effort shall be made by BBG to perform inspections when, at the request of The City, there is a need for immediate or same-day services. Such inspections shall be performed at no additional cost to The City. BBG will provide next day inspection services for all inspection request received before 6 pm. BBG will provide inspection services for all projects on a stop basis (multiple inspections performed at one stop).

Consistent Quality

Reduced Cost



Better Service

BBG CONSULTING, INC.

B. Plan Review. Plans shall be picked up by BBG within 48 hours from the time of notification from The City, BBG shall return the plans to The City with typed comments within seven business from the original date of notification.

C. Jobsite Maintenance. BBG will perform weekly jobsite maintenance inspections and issue notices to contractors for cleanliness, tree protection, SWPP and sanitation requirements as detailed in the City of Bellaire Code of ordinances. Notices will be posted by BBG on site for the contractors and pictures and detailed comments will be sent to the Building Official.

Sincerely,

Kevin Taylor CBO, MCP
President
BBG Consulting, Inc.
ktaylor@bbgcode.com
972-746-6671

Attachment: City of Bellaire BBG Consulting Contract (10.1.18) (2614 : BBG Consulting Contract)

Consistent Quality

Reduced Cost



Better Service

BBG CONSULTING, INC.

City of Bellaire

ORDINANCE NO. 18-_____

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, FOR AND ON BEHALF OF THE CITY OF BELLAIRE, TEXAS, AN AGREEMENT FOR PROFESSIONAL SERVICES WITH TEXAS BBG CONSULTING, INC., FOR SERVICES NECESSARY FOR THE ENFORCEMENT OF THE CITY'S BUILDING CODES TO INCLUDE CONSTRUCTION PLAN REVIEW AND THE PROVISION OF ONSITE INSPECTION SERVICES.

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

1. The City Manager and the City Clerk of the City of Bellaire, Texas, are hereby authorized to execute and attest, respectively, for and on behalf of the City of Bellaire, Texas, an Agreement for Professional Services with Texas BBG Consulting, Inc., in a form as attached hereto and marked Exhibit "A," for services necessary for the enforcement of the City's Building Codes to include construction plan review and onsite provision of inspection services.

PASSED, APPROVED and ADOPTED this, the 1st day of October 2018.

Andrew S. Friedberg
Mayor

ATTEST:

Tracy L. Dutton, TRMC
City Clerk

APPROVED AS TO FORM:

Alan P. Petrov
City Attorney

Attachment: Agmt - BBG Consulting - 2018 (2614 : BBG Consulting Contract)

EXHIBIT "A"

Agreement for Professional Services

Attachment: Agmt - BBG Consulting - 2018 (2614 : BBG Consulting Contract)

Mayor and Council

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



Meeting: 10/01/18 06:30 PM
Department: Development Services
Category: Discussion
Department Head: ChaVonne Sampson
DOC ID: 2667

SCHEDULED**ACTION ITEM (ID # 2667)****Item Title:**

Consideration of and possible action on a request to repeal or modify Ordinance No. 16-030, requiring that all new construction include the installation of sidewalks along each side of a property abutting a public street as set forth in Chapter 9, Buildings, Article II, Building Codes, Division 1, Generally, Sec. 9-22, Sidewalks required for new construction - Requested by Pat B. McLaughlan, Council Member.

Background/Summary:

Since June of 2016, new residential construction has been required to install a sidewalk along the length of the lot, including along and around a corner, when applicable.

Council now has the option of continuing the current practices, deleting the ordinance requirement, or continuing to require the construction of sidewalks, with an added "fee-in lieu of" provision.

Previous Council Action Summary:

On June 6, 2016 Council Adopted Ordinance 16-030, now codified as Section 9-22, "Sidewalks required for new construction."

Fiscal Impact:

N/A

City Attorney Review:

N/A

Recommendation:

Discuss and provide direction as appropriate.

ATTACHMENTS:

- Ordinance No. 16-030 _ Code of Ordinances _ Bellaire, TX _ Municode Library (PDF)

**ORDINANCE NO. 16-030**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLAIRE, TEXAS, AMENDING CHAPTER 9, BUILDINGS, ARTICLE II, BUILDING CODES, DIVISION 1, GENERALLY, OF THE CODE OF ORDINANCES OF THE CITY OF BELLAIRE, TEXAS, BY REPEALING SECTION 9-22, REMOVAL OF EXISTING SIDEWALKS, IN ITS ENTIRETY AND REPLACING IT WITH SEC. 9-22, SIDEWALKS REQUIRED FOR NEW CONSTRUCTION, FOR THE PUPOSE OF REQUIRING SIDEWALKS DURING NEW CONSTRUCTION.

WHEREAS, the City Council of the City of Bellaire, Texas, has determined that sidewalks should be constructed in connection with new construction; **NOW, THEREFORE,**

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

Section 1. *Chapter 9, Buildings, Article II, Building Codes, Division 1, Generally, Section 9-22, Removal of existing sidewalks, of the Code of Ordinances of the City of Bellaire, Texas ("Code"), is hereby repealed and replaced in its entirety; said revised City Code shall read as set out in Appendix "A" attached hereto. All other portions of Chapter 9 of the City's Code not specifically amended hereby shall remain in full force and effect.*

Section 2. All ordinances and parts of ordinances in conflict with this Ordinance are repealed to the extent of the conflict only.

Section 3. 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. 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. This Ordinance shall be effective as of the 1st of July, 2016.

PASSED and **APPROVED** this 6th day of June, 2016.

(SEAL)

ATTEST:

SIGNED:

Tracy L. Dutton, TRMC
City Clerk

Andrew S. Friedberg
Mayor

APPROVED AS TO FORM:

Alan P. Petrov
City Attorney



**APPENDIX A
TO
ORDINANCE NO. 16-030**

Appendix A

Appendix A

Sec. 9-22. - Sidewalks required for new construction.

All new construction shall require the installation of sidewalks along each side of a property abutting a public street in accordance with city specifications. Sidewalks shall be installed prior to the issuance of a certificate of occupancy.

Appendix A

Mayor and Council

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



Meeting: 10/01/18 06:30 PM
Department: Finance Administration
Category: Truth-In-Taxation
Department Head: Terrence Beaman
DOC ID: 2597

SCHEDULED**ACTION ITEM (ID # 2597)****Item Title:**

Consideration of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, fixing the tax rate and tax levy for the City of Bellaire, Texas, for tax year 2018 (fiscal year beginning October 1, 2018, and ending September 30, 2019), upon all taxable property in the City - Submitted by Terrence Beaman, Chief Financial Officer.

Background/Summary:

On August 13, 2018, the Bellaire City Council held a public hearing for the proposed budget for the fiscal year beginning October 1, 2018, and ending September 30, 2019. The budget was then placed on the September 17, 2018 agenda and was approved by City Council. The adopted budget included a proposed tax rate of \$0.4313 per \$100 of valuation apportioned \$0.2781 for the General Fund and \$0.1532 for the Debt Service Fund. This proposed rate does not exceed the lower of the effective rate or the rollback rate of \$0.4319 and \$0.4535, respectively. Because the proposed rate does not exceed the effective rate, the City is not required to hold any public hearings.

Based on the Certified Appraisal Roll from the Harris County Appraisal District received August 24, 2018, the 2018 total taxable value calculation for Truth-In-Taxation is \$4,795,283,304, and the total tax revenue that would be raised at the proposed tax rate of \$0.4313 per \$100 of valuation is a conservative \$20,578,646.

Attached for City Council review and approval is an ordinance setting the tax rate and tax levy for the City of Bellaire, Texas, for tax year 2018 (the fiscal year beginning October 1, 2018 and ending September 30, 2019) upon all taxable property in the City of Bellaire.

Previous Council Action Summary:

Sept 17, 2018 Acceptance of 2018 Tax Roll and the calculated Effective Tax Rate and Rollback Tax Rate.

Sept 17, 2018 Record vote to adopt a proposed tax rate of \$0.4313

Fiscal Impact:

Property Tax revenues were included in the FY 2019 budget adopted on September 17, 2018.

Recommendation:

CFO, Terrence Beaman is recommending Council approve the attached ordinance fixing the property tax rate for Tax Year 2018.

ATTACHMENTS:

- TAX RATE ADOPTION ORDINANCE (DOC)

City of Bellaire

ORDINANCE NO. 18-__

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF BELLAIRE, TEXAS, FIXING THE TAX RATE AND TAX LEVY FOR THE CITY OF BELLAIRE, TEXAS, FOR TAX YEAR 2018 (FISCAL YEAR BEGINNING OCTOBER 1, 2018, AND ENDING SEPTEMBER 30, 2019), UPON ALL TAXABLE PROPERTY IN SAID CITY.

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

1. THAT there is hereby levied and shall be assessed and collected for tax year 2018, an ad valorem tax of **\$0.4313 cents per \$100.00 valuation** on property located within the city limits of the City of Bellaire, Texas, made taxable by law, which said taxes, when collected, shall be apportioned among the funds and departments of the City of Bellaire, and for the purposes hereinafter set forth, as follows, to wit:

\$0.2781	General Fund (For the purpose of paying maintenance and operations expenditures)
\$0.1532	Debt Service Fund (For the purpose of paying the accruing interest and to provide a Sinking Fund for payment of the bonded indebtedness of the City of Bellaire)

2. THAT THIS TAX RATE WILL RAISE THE SAME AMOUNT OF TAXES FOR MAINTENANCE AND OPERATIONS AS LAST YEAR'S TAX RATE.

3. THAT THE TOTAL TAX RATE WILL EFFECTIVELY BE LOWERED BY 0.14 PERCENT AND GENERATE THE SAME AMOUNT OF TAXES FOR

MAINTENANCE AND OPERATIONS ON A \$100,000 HOME AS THE PROPOSED RATE ADOPTED AND DOES NOT EXCEED THE EFFECTIVE TAX RATE.

4. **THAT** the Chief Financial Officer is hereby directed to notify the Harris County Tax Assessor-Collector to assess, extend, and enter upon the tax rolls of the City of Bellaire, Texas, for the 2018 tax year, the amounts and rates herein levied, to keep a correct account of same, collect the same, and when so collected, to be distributed in accordance with this ordinance.

PASSED, APPROVED, and ADOPTED this 1st day of October, 2018.

(SEAL)

ATTEST:

SIGNED:

Tracy L. Dutton, TRMC
City Clerk

Andrew S. Friedberg, Mayor

APPROVED AS TO FORM:

Alan P. Petrov, City Attorney

Mayor and Council

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



Meeting: 10/01/18 06:30 PM
Department: City Clerk
Category: Appointment
Department Head: Tracy L. Dutton
DOC ID: 2695

SCHEDULED**RESOLUTION (ID # 2695)****Item Title:**

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 2019 - Submitted by Tracy L. Dutton, City Clerk, on behalf of the Houston-Galveston Area Council.

Background/Summary:

The Houston-Galveston Area Council (H-GAC), founded in 1966, is a voluntary association of local governments in the 13-county Gulf Coast Planning Region of Texas. H-GAC is the organization through which local governments consider issues and cooperate in solving region-wide problems. Early records indicate that Bellaire has participated in H-GAC since 1969.

H-GAC's bylaws provide that each member home rule city with a population under 25,000 (as of the last Federal Census) is entitled to designate one representative and one official alternate to the H-GAC General Assembly. The designees must be elected by the City Council by resolution.

A copy of the letter Andrew S. Friedberg, Mayor, received from Chuck Wemple, Executive Director of H-GAC, regarding the City's 2019 designees and a draft resolution are attached for City Council review. Executive Director Wemple has requested receipt of our resolution designating our representative and official alternate no later than October 19, 2018. The new designees will attend a dinner meeting of home rule city representatives on November 1, 2018.

Set forth below is an historical reference of the City's representative and official alternate to the H-GAC General Assembly for the last ten years.

Year	Representative	Official Alternate
2018	Trisha S. Pollard	Gus E. Pappas
2017	Pat B. McLaughlan	Gus E. Pappas
2016	Pat B. McLaughlan	Gus E. Pappas
2015	Pat B. McLaughlan	James P. Avioli, Sr.
2014	Pat B. McLaughlan	James P. Avioli, Sr.
2013	Pat B. McLaughlan	James P. Avioli, Sr.
2012	Corbett Daniel Parker	James P. Avioli, Sr.
2011	Will Hickman	Corbett Daniel Parker
2010	Cynthia Siegel	Will Hickman
2009	Pat B. McLaughlan	Will Hickman

Previous Council Action Summary:

The Bellaire City Council designated Trisha S. Pollard as the City's representative and Gus E. Pappas as the City's official alternate on October 2, 2017, by Resolution No. 17-10.

Fiscal Impact:

N/A

City Attorney Review:

N/A

Recommendation:

Action as City Council deems appropriate.

ATTACHMENTS:

- H-GAC - Appointment of Representative and Official Alternate to H-GAC 2019 General Assembly (PDF)
- H-GAC General Assembly 2019 (DOC)



Houston-Galveston Area Council

Office of the Executive Director

August 16, 2018



Hon. Andrew S. Friedberg
Mayor
City of Bellaire
7008 S Rice Ave
Bellaire, TX 77401-4495

Dear Mayor Friedberg:

I am writing regarding the appointment of your city's representative to H-GAC's 2019 General Assembly.

H-GAC's Bylaws provide that each member Home Rule city with a population under 25,000 as of the last (2010) Federal Census is entitled to designate one representative and one alternate to the H-GAC General Assembly, which will meet in early 2019.

I am enclosing the appropriate form for your city's use in officially designating a representative and an alternate. The two designees must be elected official members of your city's governing body. Please return the completed form by fax to 713-993-2414 or email cynthia.jones@h-gac.com.

A dinner meeting of Home Rule city representatives is scheduled for the evening of November 1. At that meeting, your 2018 Home Rule Cities' H-GAC Board of Directors representatives will report on this year's activities and look ahead to issues and progress in 2019.

We are sending a copy of these designation materials to your city secretary as well. We would appreciate receiving your city's designation form no later than October 19. If you have any questions during the designation process, please call Rick Guerrero at 713-993-4598.

Sincerely,

Chuck Wemple

CW/cj

Enclosure
cc: City Secretary

**DESIGNATION OF REPRESENTATIVE AND ALTERNATE
HOUSTON-GALVESTON AREA COUNCIL
2019 GENERAL ASSEMBLY**

BE IT RESOLVED, by the Mayor and City Council of _____, Texas,
that _____ be, and is hereby designated as its Representative
to the **GENERAL ASSEMBLY** of the Houston-Galveston Area Council for the year 2019.

FURTHER, that the Official Alternate authorized to serve as the voting representative should
the hereinabove named representative become ineligible, or should he/she resign, is
_____.

THAT the Executive Director of the Houston-Galveston Area Council be notified of the
designation of the hereinabove named representative and alternate.

PASSED AND ADOPTED, this _____ day of _____, 2018.

APPROVED:

Mayor

ATTEST:

By: _____

City of Bellaire

RESOLUTION NO. 18-__

**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 2019.**

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

1. THAT _____ be, and is hereby designated, as its Representative to the **GENERAL ASSEMBLY** of the Houston-Galveston Area Council for the year 2019.

2. FURTHER, that the Official Alternate authorized to serve as the voting representative should the hereinabove named Representative become ineligible, or should he or she resign, is _____.

3. THAT the Executive Director of the Houston-Galveston Area Council be notified of the designation of the hereinabove named representative and official alternate.

PASSED, APPROVED, and ADOPTED this 1st day of October 2018.

Andrew S. Friedberg
Mayor

ATTEST:

Tracy L. Dutton, TRMC
City Clerk

APPROVED AS TO FORM:

Alan P. Petrov
City Attorney

Attachment: H-GAC General Assembly 2019 (2695 : 'H-GAC General Assembly 2019)

Mayor and Council

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



Meeting: 10/01/18 06:30 PM
Department: City Clerk
Category: Amendment
Department Head: Tracy L. Dutton
DOC ID: 2706

SCHEDULED**ORDINANCE (ID # 2706)**

Item Title:

Consideration of and possible action on a request from residents in the 4500 Block of Teas Street to amend the scope of the Bonds for Better Bellaire 2016 Group D Phase 1 Sidewalk project by removing said block from the project - Requested by David R. Montague, Council Member.

Background/Summary:

On September 21, 2018, the residents in the 4500 block of Teas Street submitted a petition to the Bellaire City Council requesting that the scope of the Bonds for Better Bellaire 2016 Group D Phase 1 Sidewalk project be amended to remove their block from the project.

In response to the request, Council Member David R. Montague asked that an item be placed on the October 1, 2018, agenda for City Council consideration. He noted that City Council consideration had been given to petition requests submitted from residents on Bolivar Street, Cedar Street, Huisache Street, Laurel Street, Spruce Street, and Willow Street in connection with similar sidewalk projects and felt the same consideration should be given to Teas Street.

Previous Council Action Summary:

See Background/Summary.

Fiscal Impact:

N/A

Recommendation:

Action as City Council deems appropriate.

ATTACHMENTS:

- 4500 Block of Teas - Group D Phase 1 (PDF)

Honorable members of City Council

Included in your package today is a petition from the residents of Teas Street, requesting that sidewalks not be installed on the 4500 Block of that street.

99% of the home-owners on Teas Street have signed the petition. As there is been such an outpouring of concern in opposition to sidewalks, we hope that you will give us at least the opportunity to voice our opinions.

As stated before , we were unaware that there was finality to this decision and am hoping that we can depend on you. We are not in opposition to sidewalks in general, and enjoy the walkability and connectivity to schools and parks and the effort made to do so, but our street leads to nowhere and we have many issues to address.

We hope that you will give us the opportunity to hear comments from people who have lived here for as long as 40 plus years and those who have just bought into the street. PLEASE place us on the agenda to REVERSE the decision made, that includes the block of 4500 Teas Street in the Group D Phase 1 Sidewalks Project contract. We will have a representative or two from our street speaking and will not keep you up for hours!!

Thank you for your time and consideration for our issue,

Sincerely,

Kelton Ro-Trock
Leora Nowitz

We the residents on the 4500 block of Teas Street Bellaire would like to deny the implementation of sidewalks on our street.

1. Our small street consists of only 16 houses on each side, and is one of the most popular, walked on streets in Bellaire, because it is quiet and because it is lined with trees.
2. Our street does NOT connect directly to Evelyn's Park. Children need to be accompanied to the park, because Bellaire Blvd. needs to be crossed over to get there.
3. Teas Street is not a main thoroughfare.

NAME	ADDRESS	CONTACT	DATE	SIGNATURE	Speed on drain
TEAS					
4524	Robyn Hoban 4524 Teas St.	281-7998318	9/20/18	Robyn Hoban	
4508	Jen + Ben Cowan 4508 Teas St			Jen Cowan	713 47851
4512	Anissa Friedman 4512 13 724 B28			Anissa Friedman	
4504	JAMES CLAGHORN 4504 TEAS ST.		Sept 20		gmail
4502	Robert & Dorothy Holm 4502 Teas St		Sept 20, 2018	Robert Holm	713-21-573
4500	Erika Karku 4500 Teas St	832-52-4364			
4518	Mary Rose 4518 Teas St	832 603 9906			
4512	Eric Konicki 4512 Teas St	70839-7225			
4520	Neal Kaminsky 4520 Teas	713 385 7654	9/20/18	Neal Kaminsky	
4520	Jill Kaminsky 4520 Teas	713 320 3385		Jill Kaminsky	
4522	Robert & Allison Finch 4522 Teas	713-256-2983	9/20/18		
4526	Courtney + Charlie Burger 4526 Teas	646-285-3031			
4516	Leora + Les Nowitz 4516 TEAS STR.	(713) 502-5220		L. Nowitz	
4500 1/2	Kathy Jones 4500 1/2 Com St.	713-825-2758			
4506	Unoccupied due to renovation.				
4528	Unoccupied 4528 Teas. for sale				

Attachment: 4500 Block of Teas - Group D Phase 1 (2706 : Amendment to Contract with RAC - Group D Phase 1)

We the residents on the 4500 block of Teas Street Bellaire would like to deny the implementation of sidewalks on our street.

1. Our small street consists of only 16 houses on each side, and is one of the most popular, walked on streets in Bellaire, because it is quiet and because it is lined with trees.
2. Our street does NOT connect directly to Evelyn's Park. Children need to be accompanied to the park, because Bellaire Blvd. needs to be crossed over to get there.
3. Teas Street is not a main thoroughfare.

NAME	ADDRESS	CONTACT	DATE	SIGNATURE
4515 Donna Ramsey-Wilcox	4515 Teas St	713/663-6596	9-20-2018	[Signature]
4515 NEIL WILCOX	"	"	"	[Signature]
4519 Phillip Rice	4519 Teas	713/664-2279	9-12-18	[Signature]
4519 Barbara L. Rice	4519 Teas	664-2279		[Signature]
4525 Shobha Aggarwal	4525 Teas	832-446-5000		[Signature]
4533 Virginia Floyd	4533 Teas	713-598-2857		[Signature]
4533 Phil Moyer	4533 Teas	281-660-2668		[Signature]
4521 Gedy Mabrito	Judy Mabrito			
4521 Craig Mabrito	Craig Mabrito			
4513 RICHARD GRIMES				[Signature]
4503 Missy McClure				[Signature]
4507 Shira Moses				[Signature]
4517 Patricia Ro-Trock	4517 Teas St			[Signature]
4517 KELTON Ro-TROCK	4517 TEAS		9-20-	[Signature]
4523 Lisa Livingston	4523 Teas St			[Signature]
4527 TOM LONNECKER			9/20/2018	[Signature]

Attachment: 4500 Block of Teas - Group D Phase 1 (2706 : Amendment to Contract with RAC - Group D Phase 1)

We the residents on the 4500 block of Teas Street Bellaire would like to deny the implementation of sidewalks on our street.

1. Our small street consists of only 16 houses on each side, and is one of the most popular, walked on streets in Bellaire, because it is quiet and because it is lined with trees.
2. Our street does NOT connect directly to Evelyn's Park. Children need to be accompanied to the park, because Bellaire Blvd. needs to be crossed over to get there.
3. Teas Street is not a main thoroughfare.

9/20/18

NAME	ADDRESS	CONTACT	DATE	SIGNATURE
4527 Teas	Cecilia Lonnecked	Cecilia Lonnecked	9/20/18	
4509	Robert Light	4509 Teas St	9/20/2018	Robert Light
4505 TEAS	JACK TITUS	4505 TEAS ST.	9/20/2018	Jack Titus
4503 Teas St	MARY E. Titus		9/20/2018	Mary E. Titus
4511 Teas St	MAUREEN GILBERT		20 Sept 18	Maureen Gilbert
4501 Teas St	Preeti Ismail		20 Sept. 18	Preeti Ismail
4514 Teas St.	Vy Luu		20th Sept 2018	Vy Luu
4514 Teas St.	Doanh Nguyen		20th Sept 2018	Doanh Nguyen

Attachment: 4500 Block of Teas - Group D Phase 1 (2706 : Amendment to Contract with RAC - Group D Phase 1)

20th September, 2018

Honorable Members of the City Council,

Included in this package is a petition with signatures from 99% of the home-owners on the 4500 block of Teas Street, requesting denial of sidewalks on our street. In addition, there are comments and concerns from Teas Street Residents.

Comments and Concerns from Teas Street Residents

Robert
Hohn

We did not vote for the 2016 bond election for a separate side-walk project.. The council had a hidden agenda, and therefore the implementation of sidewalks is illegal and the petition should not be necessary.

Donna
Wilcox

This project is NOT well thought out and poorly timed after Hurricane Harvey. The city's priorities are not well focused.

Robert
Hoban

Drainage on our street needs to be improved on the far ends of Teas. Both on the Avenue B side and Newcastle, those drains need to be extended and expanded. That's where the money SHOULD go

In order to install side walks, the city will have to pull up many trees, make a mess and go round numerous telephone poles as well

ERIC
Konicki

Sidewalks are not maintained well generally and the maintenance just increases costs.

Courtney
Burger

We need less concrete after Hurricane Harvey, If we needed safety issues on the street speed bumps would be preferable.

Tim
Claghorn

We have lived here well for many years without any problems, the street is quiet and pretty, don't upset the apple cart.

Nowitz

Its too late to insert sidewalks, it should have been done before or when the houses were built. Put the money into the City Center with a qualified town planner.

Kelton
Ro-Track

My wife and I have lived on Teas Street, since 1971, that is 47 years! We have always enjoyed the trees and quaint nature of the street. We know from evidence that sidewalks disturb tree roots, which kills trees. Please allow us to keep our trees healthy and undisturbed. Our street has been a safe haven.

Mayor and Council

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



Meeting: 10/01/18 06:30 PM
Department: City Clerk
Category: Code Amendment
Department Head: Tracy L. Dutton
DOC ID: 2707

SCHEDULED**ACTION ITEM (ID # 2707)**

Item Title:

Consideration of and possible action related to items discussed in Workshop concerning a periodic review of the City of Bellaire boards and commissions - Submitted by Tracy L. Dutton, City Clerk, on behalf of the City Council.

Background/Summary:

On October 1, 2018, members of the City Council will hold a Workshop to discuss feedback received from boards and commissions as part of a periodic review conducted by the City Council pursuant to Chapter 2, Administration, Article VII, Boards and Commissions, Section 2-92, Creation of New Boards, subsection (b), of the Code of Ordinances of the City of Bellaire, Texas.

This agenda item provides an opportunity for City Council to act on items discussed in Workshop.

Previous Council Action Summary:

On June 18, 2018, City Council commenced a periodic review as required by Section 2-92(b).

During the months of July and August of 2018, Council Liaisons met with their respective boards and commissions to review and consider the items enumerated in Section 2-92(b).

Fiscal Impact:

N/A

City Attorney Review:

N/A

Recommendation:

Action as City Council deems appropriate.