CITY OF BELLAIRE
CITY COUNCIL

Minutes of Meeting
April 16, 2007

REGULAR SESSION – 7:00 P.M.

A. CALL TO ORDER AND ANNOUNCEMENT OF A QUORUM – Mayor Cindy Siegel.

Mayor Cindy Siegel called the City Council of the City of Bellaire, Texas, to order at 7:01 p.m. on Monday, April 16, 2007. The Bellaire City Council met at that time and on that date in Regular Session in the Council Chamber, First Floor of City Hall, 7008 South Rice Avenue, Bellaire, Texas. Mayor Siegel announced that a quorum was present consisting of herself and the following members of City Council:

Councilman Will Hickman, Position No. 1;
Councilman John F. Monday, Position No. 2;
Mayor Pro Tem Peggy Faulk, Position No. 3;
Councilwoman Debra Marz Davison, Position No. 4;
Councilman Pat McLaughlan, Position No. 5; and
Councilman John Jeffery, Position No. 6.

Other officials present were City Manager Bernard M. Satterwhite, Jr., City Attorney Alan P. Petrov, and City Clerk Tracy L. Dutton.

B. INSPIRATIONAL READING AND/OR INVOCATION – Mayor Pro Tem Peggy Faulk.

Mayor Pro Tem Peggy Faulk thanked Bellaire Library Director Mary A. Alford for volunteering her assistance in providing Mayor Pro Tem Faulk with inspiration for the evening. She referred to the fact that the week of April 15-21, 2007, was “National Volunteer Week.” She noted that National Volunteer Week reflected the power that volunteers had to “inspire by example.” Volunteers both encouraged those that they helped and motivated others to serve. National Volunteer Week was created in 1974 when President Richard Nixon signed an executive order to establish the week as an annual celebration of volunteering.

According to the U.S. Bureau of Labor, Approximately 61 million people volunteered through or for an organization between September 2005 and September 2006. The proportion of the population that volunteered was approximately 27% (2% lower than those volunteering in 2002).

Possible volunteer opportunities were noted as follows: day care centers, Neighborhood Watch, public schools, and halfway houses. For example, if a volunteer had five minutes, that volunteer could place a friendly call to an
elderly shut-in. With an hour, a volunteer could give blood. With five hours, a volunteer could clean up a city park. With five days, a volunteer could build homes for the Habitat for Humanity housing group. With a month, a volunteer could join a clean water project to dig a new well in India. With a year, a volunteer could join a theater group or church choir.

Mayor Pro Tem Faulk ended her inspirational reading with a few quotes on volunteering as follows:

“We make a living by what we do, but we make a life by what we give.”

--Winston Churchill
Prime Minister of the United Kingdom
1940-1945

“How can we expect our children to know and experience the joy of giving unless we teach them that the greater pleasure in life lies in the art of giving rather than receiving.”

--James Cash Penny
Businessman and Entrepreneur
Founder of J. C. Penney Stores

“If you want to lift yourself up, lift up someone else.”

--Booker T. Washington
Educator and Leader of the African American Community

“Never doubt that a small group of thoughtful, committed citizens can change the world; indeed, it’s the only thing that ever has.”

--Margaret Mead
Anthropologist

“How wonderful it is that nobody need wait a single moment before starting to improve the world.”

--Anne Frank
Diary of a Young Girl

C. PLEDGES TO THE FLAGS – Mayor Pro Tem Peggy Faulk.

1. U.S. PLEDGE OF ALLEGIANCE.
2. PLEDGE TO THE TEXAS FLAG.

Mayor Pro Tem Peggy Faulk led the audience and City Council in the U.S. Pledge of Allegiance and the Pledge to the Texas Flag.

D. APPROVAL OR CORRECTION OF MINUTES:

APPROVAL of minutes of the Regular Session of the City Council of the City of Bellaire, Texas, held Monday, April 2, 2007 – Action by Members of City Council (Item submitted by City Clerk Tracy L. Dutton).

MOTION TO APPROVE MINUTES:

A motion was made by Councilman Will Hickman and seconded by Councilman John F. Monday to approve the minutes of the Regular Session of the City Council of the City of Bellaire, Texas, held Monday, April 2, 2007.

VOTE ON MOTION TO APPROVE MINUTES:

Motion carried on a 5-0-2 vote as follows:

FOR: Siegel, Cindy  
    Hickman, Will  
    Monday, John F.  
    Davison, Debra Marz  
    McLaughlan, Pat

OPPOSED: None

ABSTAIN: Faulk, Peggy*  
          Jeffery, John*

ABSENT: None

*Mayor Pro Tem Peggy Faulk and Councilman John Jeffery abstained from voting on the minutes due to their absence from the meeting held on Monday, April 2, 2007.

E. PERSONAL/AUDIENCE COMMENTS.

Lynn McBee, 5314 Evergreen Street, Bellaire, Texas:

Ms. McBee addressed City Council and repeated the observation she had made during the last City Council session. This observation related to the fact that there was a sign on the right-of-way of Third Street that indicated the reservation of a private parking space for the Principal of Condit Elementary
School. It was Ms. McBee’s understanding, from a conversation with the Bellaire Police Chief, that a private parking space could not be reserved on a public street. She noted, also, that the City Manager had been notified of the situation on two occasions. Since nothing had been done to date, Ms. McBee appealed to the City Council to put out a directive to enforce the laws in the City.

Secondly, there was an item on the City Council agenda this evening dealing with the budget process. Ms. McBee requested that City Council consider a real effort in reducing the end of year balance to a reasonable amount (i.e., below 10%) and call it “contingencies,” if City Council were able to do so. She asked City Council to remember that if the worst happened, the City had the power to float certain types of bonds without voter approval. She noted that the City’s Auditors, in their Management Letter, addressed year-end balances and called attention to the fact that the City did not allocate those balances.

Finally, Ms. McBee noted that a year had not passed in the budget process wherein someone had not raided the balances mid-year for wish list projects (i.e., sometimes by City Council and sometimes by City Staff). The last raid was the $1 million for the Aquatics Facility after the budget was adopted. She urged City Council to discuss proposed projects prior to the release of the budget at a public hearing so that the citizens could provide input as to whether or not the proposed projects were a good idea.

F. REPORTS:

1. CITY MANAGER’S REPORT – City Manager Bernard M. Satterwhite, Jr.

2. FINANCIAL REPORT – Interim Chief Financial Officer Vickey O’Donnell.


Mayor Cindy Siegel advised City Council that she would like to move a few items forward on the agenda, as there were consultants and others present to specifically address those items. After noting no objection from City Council, item G., New Business, was considered at this time. Item F., Reports, was considered after item G. See pages 37-50 of these minutes for discussion related to item F.
G. NEW BUSINESS:

1. PRESENTATIONS:

   a. PRESENTATION of a recommendation from the Planning and Zoning Commission of the City of Bellaire, Texas, for possible revisions to the City's zoning regulations, more specifically, through lots, side setbacks, and area coverage requirements, and consideration of and possible action regarding direction to the City Attorney and City Staff to prepare language to address said revisions, the language of which could be the subject of a public hearing before the Bellaire Planning and Zoning Commission, and ultimately, the Bellaire City Council – Action by Members of City Council (Item submitted by Administrative Secretary Rebecca Eppler on behalf of Chair Bruce Volkert, Bellaire Planning and Zoning Commission; Presentation to be made by Chair Bruce Volkert, Bellaire Planning and Zoning Commission).

Chair Bruce Volkert, Bellaire Planning and Zoning Commission, presented a report from the Bellaire Planning and Zoning Commission ("Commission") related to revising residential lot regulations.

Chair Volkert indicated that there were basically three parts or recommendations to be considered related to residential lot regulations. He advised that he wished to go through each part and answer questions on each part before moving forward. After noting no objection from City Council, Chair Volkert addressed the first part or recommendation, which related to through lots.

Part I.

Through Lots

Chair Volkert indicated that through lots basically caused trouble or problems for neighbors because, although setbacks were addressed earlier by City Council, "front" yards could become "back" yards as a result of a lot combination and this was contrary to the reasonable expectations of neighbors.

The Commission essentially recommended that through lots be prohibited. The suggested definition of a "through lot" was defined as any lot that connects two generally parallel streets and is adjacent to more than one interior or corner lot on the same side.
The Commission stated that through lots should not be abandoned in areas, such as Tamarisk Street, Fournace Place, Jessamine Street, and Willow Street, noting that there were blocks on those streets that were only one lot deep.

Chair Volkert noted that the Commission was trying to prohibit through lots where there were not currently through lots on the whole block. Existing through lots that were currently platted would probably have to be grandfathered in some way, such as for some limited period of time for the current owner. He noted that addressing a grandfather clause might take additional time and study.

In closing, Chair Volkert indicated that it was generally acknowledged by planning professionals that through lots were a "bad idea" and prohibiting them was not an oppressive thing to do.

**QUESTIONS/COMMENTS FROM CITY COUNCIL:**

{Legend: A – Answer; C – Comment; Q – Question; R – Response}

**Councilwoman Debra Marz Davison**

**Q:** Councilwoman Davison inquired as to whether the Commission found through lots to be generally prohibited in communities similar to Bellaire.

**A:** Chair Volkert advised that communities that had not prohibited through lots regretted the fact that a prohibition did not exist.

**Councilman John F. Monday**

**Q:** Councilman Monday referred to the suggested definition of a “through lot.” He inquired as to whether fencing was permitted all the way through the adjoining lot in a “combined lot” situation.

**A:** Chair Volkert stated that fencing could be installed through to the property line; however, the City needed to tighten the ordinance so that the fencing could not go beyond the building line.

**Discussion** ensued among members of City Council wherein it was agreed by City Attorney Alan P. Petrov that this situation had been previously addressed by City Council with respect to through lots. He noted that the building lines in
place continued to remain so that there would be a 30’ setback on both sides of the through lot (i.e., if the particular zoning district already had a 30’ setback).

After noting no further questions, Mayor Siegel suggested that City Council move forward to the second part or recommendation from the Commission.

**Part II.**

**Normalizing Area Coverage Requirements**

Chair Volkert advised that the Commission had identified a discontinuity in the area coverage limitations for residential lots. All of the residential districts limited coverage to 55% except the R-4 Residential Zoning District. Allowing 60% area coverage in the R-4 Residential Zoning District appeared to be a concession to the smaller lot sizes.

The R-3 Residential Zoning District had a minimum lot size of 7,400 square feet. There was no apparent justification for 60% area coverage in the R-4 Residential Zoning District when lots exceeded 7,400 square feet.

The Commission believed that large lots should play by large lot rules. With that in mind, the Commission recommended that maximum lot coverage in the R-4 Residential Zoning District be decreased to 55% when the lot area was greater than 7,400 square feet. Those lots in the R-4 Residential Zoning District with less than 7,400 square feet would not be affected.

**QUESTIONS/COMMENTS FROM CITY COUNCIL:**

{Legend:  A – Answer; C – Comment; Q – Question; R – Response}

**Mayor Cindy Siegel**

Q: Mayor Siegel asked if Chair Volkert could point out the areas of Bellaire that were in the R-4 Residential Zoning District.

A: Chair Volkert pointed out several areas on Bellaire’s Official Zoning Map to indicate those areas in the R-4 Residential Zoning District, which included Southdale and areas of Bellaire located on both sides of the City Center District. He noted that the cut-off point of 7,400 square feet was the minimum lot size for the R-3 Residential Zoning District.
**Councilman John F. Monday**

**Q:** Councilman Monday inquired as to how many lots in the R-4 Residential Zoning District fit the category of “greater than 7,400 square feet.”

**A:** Chair Volkert stated that the Commission did not spend time reviewing the Harris County Appraisal District Maps to determine how many individual properties exceeded 7,400 square feet.

**Q:** Councilman Monday inquired as to whether the Commission was able to speculate as to the number and whether or not the total number of homes in that District were known.

**A:** Chair Volkert stated that he did not have that answer. He noted that the lot sizes in the R-4 Residential Zoning District in Southdale were typically 50’ by 125’ to 150’.

**Councilman Will Hickman**

**Q:** Councilman Hickman stated that one issue he saw with the recommendation was that a homeowner with a lot consisting of 7,300 square feet could build a bigger home than a homeowner with a lot consisting of 7,400 square feet. He asked if the Commission had considered smoothing that out.

**A:** Chair Volkert stated that a formula could be derived to smooth out the situation; however, it could become very complicated to implement. He stated that it was better to have “clean” breaks.

**C:** Councilman Hickman stated that if he owned a 7,400 square foot lot, he could consider selling the extra 100 square feet to his neighbor so that he could build a larger home.

**R:** Chair Volkert stated that Councilman Hickman would be able to do that if he so desired.

**Q:** Councilman Hickman asked why the City would not do that by statute.

**A:** Chair Volkert stated that the City could do that, but he would not recommend it.
Councilman John Jeffery

Q: Councilman Jeffery referred to the recommendations for the through lot prohibition and the normalization of area coverage requirements and asked if the Commission or City knew how many through lots had been granted and how many lots in the R-4 Residential Zoning District were less than 7,400 square feet.

A: Chair Volkert stated that he believed there were one or two through lots that had been platted and a few more that had not been platted yet. The number of lots in the R-4 Residential Zoning District that were less than 7,400 square feet was not known.

He continued and noted that it was obvious that the 60% area coverage requirement was a concession made to small lots. When the lot was no longer small, the Commission felt that the concession was not necessary.

Councilman John F. Monday

Q: Councilman Monday inquired as to whether the Commission had come up with any reasons as to why the small lots were given or should be given a concession.

A: Chair Volkert advised that what he saw happening was a trend by people to put more and more house on a lot that was already very expensive. The ratios seen in the past of volume of house to the size of the lot or volume of pavement as a function of the lot were changing. For example, a person might “skinny” their driveway down to get the area up. It did not seem justified that the R-4 Residential Zoning District should have a 60% lot coverage when everyone else was living with a 55% lot coverage, other than the fact that there were some very small lots in the R-4 Residential Zoning District. When the lots were no longer very small, there did not seem to be a reason for the concession.

Councilwoman Debra Marz Davison

C: Councilwoman Davison advised that she remembered discussions regarding area coverage approximately eight years ago when the City Council discussed the “building envelope.” The current recommendation by the
Commission seemed to represent a tightening up of the original premise.

R: Chair Volkert agreed with Councilwoman Davison.

After noting no further questions, Mayor Siegel suggested that City Council move forward to the third part or recommendation from the Commission.

Part III.

Normalizing Side Setback Requirements

Chair Volkert noted that side setbacks did produce benefits. Benefits from setbacks were identified as follows:

- Air flow;
- Light between structures;
- Vegetation;
- Access to backyards for maintenance; and
- Marginal increase of drainage from backyards to streets.

The Commission believed that narrow lots needed small side setbacks and wide lots did not need small side setbacks.

Chair Volkert referred to the current side setback requirements, which were developed and implemented on a “by district” basis as follows:

<table>
<thead>
<tr>
<th>Residential Zoning District</th>
<th>Side Setback</th>
<th>Minimum Lot Width</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-1</td>
<td>8 Feet</td>
<td>80 Feet</td>
</tr>
<tr>
<td>R-3</td>
<td>6 Feet</td>
<td>60 Feet</td>
</tr>
<tr>
<td>R-4</td>
<td>5 Feet</td>
<td>50 Feet</td>
</tr>
<tr>
<td>R-5</td>
<td>5 Feet</td>
<td>50 Feet</td>
</tr>
</tbody>
</table>

He noted that currently the side setback was basically ten percent of the minimum lot width.

The Commission’s proposal was that setbacks be tied more closely to lot width. In the R-1 Residential Zoning District there would be no changes. In those cases where lot width exceeded 80 feet in the R-3 Residential Zoning District, the Commission was recommending a side setback of eight feet. Similarly, in the R-4 and R-5 Residential Zoning Districts, lots with a width ranging from 60-80 feet were given a recommended setback of six feet and lots with a width greater than 80 feet were given a
recommended setback of eight feet. This recommendation was presented to City Council in a table format as set forth below:

<table>
<thead>
<tr>
<th>Residential Zoning District</th>
<th>Lot Width &gt; 80 Feet</th>
<th>Lot Width 60-80 Feet</th>
<th>Lot Width &lt; 60 Feet</th>
</tr>
</thead>
<tbody>
<tr>
<td>R-1</td>
<td>8 Feet</td>
<td>N/A</td>
<td>N/A</td>
</tr>
<tr>
<td>R-3</td>
<td>8 Feet</td>
<td>6 Feet</td>
<td>N/A</td>
</tr>
<tr>
<td>R-4</td>
<td>8 Feet</td>
<td>6 Feet</td>
<td>5 Feet</td>
</tr>
<tr>
<td>R-5</td>
<td>8 Feet</td>
<td>6 Feet</td>
<td>5 Feet</td>
</tr>
</tbody>
</table>

An alternative to the above-referenced table could be a recommendation that the side setback be equal to 10% of the lot width. Such an alternative would be fairly simple to deal with; however, there might be side setbacks of 6.6 feet in those instances where a lot was 66 feet in width.

QUESTIONS/COMMENTS FROM CITY COUNCIL:

{Legend:  A – Answer; C – Comment; Q – Question; R – Response}

**Mayor Pro Tem Peggy Faulk**

**Q:** Mayor Pro Tem Faulk referred to a situation wherein a home were damaged and asked if such a home could be restored to its original setbacks and lot coverage.

**A:** Chair Volkert advised that the traditional way of handling a structure that was damaged less than 50%, was that the structure could be restored to its original setbacks and lot coverage. Once the damage to the structure exceeded 50%, the structure would have to be rebuilt and brought into compliance with the current City Code.

**Q:** Mayor Pro Tem Faulk referred to those instances where the structure was damaged in excess of 50%, but the foundation was in good shape. She inquired as to whether the foundation would have to be torn out and a new foundation installed.

**A:** Chair Volkert stated that in the situation referred to by Mayor Pro Tem Faulk, he felt that the owner would be well advised to seek a variance so that the existing foundation could be used. He believed that, theoretically, the homeowner would have to tear the foundation out.
Q: Mayor Pro Tem Faulk noted that the pier and beam foundations were more expensive to install. To tell a homeowner to scrap that and start over would be burdensome.

A: Chair Volkert advised that a pier and beam foundation in the situation described by Mayor Pro Tem Faulk would not be harder since there would only be the need to move a couple of footings.

C: Mayor Pro Tem Faulk advised that it depended on the type of pier and beam.

R: Chair Volkert stated that he would accept that and agreed.

Councilman Will Hickman

Q: Councilman Hickman asked what the Commission’s recommendation would be on a nonconforming lot in the R-3 Residential Zoning District that was less than 60 feet in width.

A: Chair Volkert stated that the ordinance could be written for the R-3 Residential Zoning District as follows: Lot width greater than 80 feet has a side setback of eight feet, otherwise the side setback would be six feet.

C: Councilman Hickman suggested giving the lots that were nonconforming the lower setback.

Q: Chair Volkert asked if Councilman Hickman were recommending that nonconforming lots be given a lower setback.

A: Councilman Hickman advised that Chair Volkert was correct and referred to the Commission’s earlier suggestion that large lots play by large lot rules and small lots play by small lot rules.

C: Chair Volkert advised that he had no problem with that.

Q: Councilman Hickman asked if the Commission would have a problem with changing the “N/A” status in the table to indicate a setback of six feet for residential lots in the R-1 Residential Zoning District with a lot width of 60-80 feet and five feet for residential lots in the R-1
Residential Zoning District with a lot width of less than 60 feet. Similarly, lot widths less than 60 feet in the R-1 and R-3 Residential Zoning Districts would have a setback of five feet.

A: **Chair Volkert** stated that he would like to think about it. The Commission was trying to recover setback rather than give it up. Councilman Hickman was arguing that setback should be given up for some that had been getting by with an advantage because they had a nonconforming lot.

On the other hand, a person with a nonconforming lot could make the argument that it was a tragedy and that relief was needed. He had no problem with that, but would like to think about it and take it back to the Commission.

He agreed that nonconforming lots warranted some consideration. It would be extremely difficult to try to deal with each and every nonconforming lot in a set of rules.

**Councilman John F. Monday**

Q: **Councilman Monday** asked what the benefits were to a resident in giving up some of their side setback.

A: **Chair Volkert** noted that the setback decreased in proportion to the size of the lot. In other words, the size of the lot had doubled.

Q: **Councilman Monday** stated that he understood that part. He felt that this recommendation was taking away from the residents.

A: **Chair Volkert** noted that with a 50-foot wide lot, the community had 20 feet of setback (five feet on each side of both lots). Why should the community give up 20 feet of setbacks (air flow, light, etc.) so that someone could get by with ten?

C: **Mayor Siegel** noted that the community was not giving up 20 feet of setbacks—the community was losing the ten in the middle.

R: **Chair Volkert** advised that Mayor Siegel was correct.
C: **Councilman Monday** stated that he understood the principle, but was not getting a sense that the community was losing something or someone was gaining something.

C: **Chair Volkert** advised that the lots in the neighborhoods tended to be fairly uniform. Trouble arose at the end of blocks where the lot at the end might be 66 feet wide while all others were 50 feet wide.

**Mayor Cindy Siegel**

Q: **Mayor Siegel** asked City Staff if they had seen a problem with any of the three issues the Commission had asked City Council to address (i.e., through lots, lot coverage, and/or side setbacks). She asked if City Staff had performed an analysis with respect to those issues.

A: **City Manager Bernard M. Satterwhite, Jr.** stated that City Staff had not performed any specific analysis.

A: **Chair Volkert** stated that to answer the types of questions the City Council was asking, the Geographic Information System that the City was proposing to implement was needed.

**Next Steps**

**Chair Volkert** advised that what he was looking for this evening was a vote by the City Council to accept the recommendations presented by the Commission. If City Council wished to vote on all three, that would be great. If City Council wished to vote separately, he stated that he would like to know what City Council thought about each one individually.

Following the vote and on the assumption that the Commission did receive some acceptance of the recommendations, the City Attorney should then be directed to prepare some specific language. After the City Attorney prepared the specific language, public hearing(s) would be called and revisions could be made, as warranted, on the basis of comments received during said hearing(s). There would then be a final vote by City Council to revise the *Code of Ordinances*.

**MOTION TO ACCEPT RECOMMENDATIONS FROM THE BELLAIRE PLANNING AND ZONING COMMISSION**
REGARDING REVISIONS TO RESIDENTIAL LOT REGULATIONS:

A motion was made by Mayor Pro Tem Peggy Faulk and seconded by Councilman Pat McLaughlan to accept the recommendations from the Planning and Zoning Commission of the City of Bellaire, Texas, for possible revisions to the City’s zoning regulations, more specifically, through lots, side setbacks, and area coverage requirements, and to direct the City Attorney and City Staff to prepare language to address said revisions, the language of which could be the subject of a public hearing before the Bellaire Planning and Zoning Commission, and ultimately, the Bellaire City Council.

MOTION TO REQUEST EACH RECOMMENDATION FROM THE BELLAIRE PLANNING AND ZONING COMMISSION REGARDING REVISIONS TO RESIDENTIAL LOT REGULATIONS BE CONSIDERED ON AN INDIVIDUAL BASIS:

A motion was made by Councilman Will Hickman and seconded by Mayor Pro Tem Peggy Faulk to consider each recommendation from the Bellaire Planning and Zoning Commission regarding revisions to residential lot regulations on an individual basis.

VOTE ON MOTION TO CONSIDER EACH RECOMMENDATION FROM THE BELLAIRE PLANNING AND ZONING COMMISSION REGARDING REVISIONS TO RESIDENTIAL LOT REGULATIONS ON AN INDIVIDUAL BASIS:

Motion carried unanimously on a 7-0 vote as follows:

FOR:  Siegel, Cindy
       Hickman, Will
       Monday, John F.
       Faulk, Peggy
       Davison, Debra Marz
       McLaughlan, Pat
       Jeffery, John

OPPOSED:  None

ABSENT:  None
PROHIBITING THROUGH LOTS

RECOMMENDATION:

The Planning and Zoning Commission of the City of Bellaire, Texas, recommended that through lots be prohibited in the residential zoning districts and suggested a definition for “through lots” as follows: any lot that connects two generally parallel streets and is adjacent to more than one interior or corner lot on the same side.

DISCUSSION:

Councilman Hickman stated that City Council had already covered through lots in earlier discussions. He felt that the fact that the existing setbacks remained was enough of a safeguard for him. He had not heard of or seen many through lot combinations.

Councilman McLaughlan referred to property rights and noted that such rights were a two-way street (i.e., the right of the individual lot owner and the right of the neighborhood). Through lots had not been a problem in Bellaire historically, but he could name several through lots that had occurred recently. He believed that as people sought more land and larger homes that through lots would become an issue.

Councilman McLaughlan continued and stated that he was concerned about the quality of each and every neighborhood and street in Bellaire. He did not want to put any property owner at a disadvantage and a through lot could do that. For example, a home might face street “A” with a through lot going to street “B” resulting in a backyard on street “B”. There would be a neighbor across the street and a neighbor side-by-side. The neighbor on the far side of street “B” previously enjoyed the view of the front of a home. In a through lot situation, the neighbor on street “B” now enjoyed the view of a cedar fence and, perhaps, a few recreational vehicles parked in the backyard.

If City Council failed to implement some type of control on through lots, then the rights of the neighborhood would be damaged.

Councilwoman Davison stated that the recommendation before City Council from the Bellaire Planning and Zoning Commission was an example of a situation where the City Council could prevent a problem from ever arising and would
preserve the integrity of the neighborhoods. She would, therefore, be very much in favor of banning through lots.

**Mayor Siegel** stated that she did not see through lots as a problem. In driving around the City and in talking with neighbors, there seemed to be more of a concern by those living in older homes related to the huge homes going up next to them causing drainage problems. She would rather see the extra green space that would result from through lot combinations. If there were issues related to recreational vehicles, then those issues could be addressed.

She felt that if the issue of through lots became a pervasive problem, then it could be addressed at that time. She agreed with Councilman Hickman in that what City Council had already done addressed the major concerns with respect to through lots.

**Mayor Pro Tem Faulk** questioned the procedure to be followed once the recommendations were accepted. In other words, would language be crafted and public hearings held?

**City Manager Satterwhite** advised that Mayor Pro Tem Faulk was correct. There would be one public hearing held before the Bellaire Planning and Zoning Commission and another before the City Council.

**Mayor Pro Tem Faulk** stated that in view of the fact that there would be several opportunities for public input, she would support the recommendation.

**Councilman Jeffery** inquired as to whether separate public hearings would be held on each individual issue or whether there could be one public hearing on all of the issues.

**Mayor Siegel** advised that one hearing could be held for the recommendations that City Council would pass this evening.

**City Attorney Alan P. Petrov** advised that he could not speak for the Bellaire Planning and Zoning Commission necessarily, but felt that if all three recommendations passed, they would hold one public hearing on all three.

**Chair Volkert** indicated his agreement with a nod of his head.

**VOTE ON RECOMMENDATION FROM THE BELLAIRE PLANNING AND ZONING COMMISSION TO PROHIBIT**
THROUGH LOTS IN RESIDENTIAL ZONING DISTRICTS:

Motion carried on a 4-3 vote as follows:

FOR:  
Monday, John F.  
Faulk, Peggy  
Davison, Debra Marz  
McLaughlin, Pat

OPPOSED:  
Siegel, Cindy  
Hickman, Will  
Jeffery, John

ABSENT:  None

NORMALIZING AREA COVERAGE REQUIREMENTS

RECOMMENDATION:

The Bellaire Planning and Zoning Commission recommended that maximum lot coverage in the R-4 Residential Zoning District be decreased from 60% to 55% when the lot area was greater than 7,400 square feet.

AMENDMENT TO RECOMMENDATION:

An amendment to the Bellaire Planning and Zoning Commission’s recommendation to normalize area coverage requirements was proposed by Councilman Will Hickman as follows: that the maximum lot coverage in the R-4 Residential Zoning District be decreased to the greater of 4,400 square feet and 55% when the lot area was greater than 7,400 square feet.

Councilman Hickman advised that his amendment would provide a smooth transition wherein the person with a lot greater than 7,400 square feet would not be penalized. In other words, 60% of 7,300 square feet was greater than 55% of 7,400 square feet. He provided an example as follows: a person with a lot of 7,300 square feet could build a house with 4,380 square feet. A person with a lot of 7,400 square feet would not be able to build as large of a home as the person with a 7,300 square foot lot.

Chair Volkert asked for confirmation that Councilman Hickman was trying to “ramp” from 60% at 4,400 square feet.

Councilman Hickman advised that Chair Volkert was correct.
City Attorney Alan P. Petrov inquired as to whether the “and” should be an “or.”

Councilman Hickman stated that using an “or” would be acceptable to him.

Chair Volkert advised that City Council could accept that Councilman Hickman had identified a discontinuity in the way in which the suggested recommendation could be implemented. What Councilman Hickman was trying to accomplish was the right thing. By starting over with the language to effect the principle that Councilman Hickman was advocating was a very doable thing. Chair Volkert suggested that City Council not vote on the Commission’s recommended language, but rather on the principle.

City Attorney Petrov asked City Council to remember that the specific language for the proposed recommendations was not being decided this evening. All the Commission wanted to know before calling a public hearing was whether or not City Council agreed with the concept. The wording would be subject to change at any of several points, such as at the Commission level, at the public hearing, at the recommendation stage, and/or at the City Council level.

MODIFIED AMENDMENT TO RECOMMENDATION:

Councilman Hickman amended his amended motion to accept the Commission’s recommendation modified to remove the discontinuity associated with crossing over the line at 7,400 square feet. Mayor Pro Tem Peggy Faulk seconded the motion.

Councilman Jeffery asked if the change in area coverage requirements would cover every lot in the R-4 Residential Zoning District or just through or combined lots.

Chair Volkert stated that this was not a function of combined lots. This requirement applied to the geometry only. There was no linkage between through lots, area coverage, and setbacks. Each was an independent issue addressing the same basic problem.

VOTE ON MODIFIED AMENDMENT TO RECOMMENDATION:

FOR: Siegel, Cindy
     Hickman, Will
FOR (CONT.): Monday, John F. Faulk, Peggy Davison, Debra Marz McLaughlan, Pat Jeffery, John

OPPOSED: None

ABSENT: None

VOTE ON COMMISSION’S RECOMMENDATION TO NORMALIZE AREA COVERAGE REQUIREMENTS IN THE R-4 RESIDENTIAL ZONING DISTRICT, AS AMENDED TO REMOVE THE DISCONTINUITY ASSOCIATED WITH CROSSING THE LINE AT 7,400 SQUARE FEET:

FOR: Siegel, Cindy Hickman, Will Faulk, Peggy Davison, Debra Marz McLaughlan, Pat Jeffery, John

OPPOSED: Monday, John F.

ABSENT: None

NORMALIZING SIDE SETBACK REQUIREMENTS

RECOMMENDATION:

The Bellaire Planning and Zoning Commission recommended that side setbacks be tied more closely to lot width, said recommendation of which follows:

For Residential Districts R-1, R-3, R-4, and R-5:

a. Lot Width >= 80 feet, side setback shall be 8 feet;

b. Lot Width >= 60 feet and <= 80 feet, side setback shall be 6 feet; and

c. Lot Width < 60 feet, side setback shall be 5 feet.

MOTION TO ACCEPT THE BELLAIRE PLANNING AND ZONING COMMISSION RECOMMENDATION FOR SIDE SETBACKS:

A motion was made by Councilwoman Debra Marz Davison and seconded jointly by Councilmen Pat McLaughlan and
Will Hickman to accept the Bellaire Planning and Zoning Commission recommendation that side setbacks be amended as follows:

For Residential Districts R-1, R-3, R-4, and R-5:

a. Lot Width $\geq$ 80 feet, side setback shall be 8 feet;
b. Lot Width $\geq$ 60 feet and $\leq$ 80 feet, side setback shall be 6 feet; and
c. Lot Width $< 60$ feet, side setback shall be 5 feet.

DISCUSSION:

Councilman Hickman proposed that side setbacks be established for all residential districts as follows: large lots have a side setback of eight feet; medium lots have a side setback of six feet, and small lots have a side setback of five feet.

Chair Volkert advised that City Council would be opening up a whole can of worms if such requirements were made. He referred to the fact that some of the residential districts allowed mixed and multi-family uses.

Councilman Hickman suggested leaving in the zoning district designation, but applying the setbacks uniformly across the districts.

Chair Volkert indicated that applying setback uniformly across the districts would be acceptable.

Councilman Hickman withdrew his proposal as a motion after hearing Chair Volkert’s comment that application in a uniform manner would be acceptable.

VOTE ON RECOMMENDATION FROM THE BELLAIRE PLANNING AND ZONING COMMISSION REGARDING NORMALIZING SETBACK REQUIREMENTS IN THE R-1, R-3, R-4, AND R-5 RESIDENTIAL ZONING DISTRICTS:

FOR:  
Siegel, Cindy  
Hickman, Will  
Faulk, Peggy  
Davison, Debra Marz  
McLaughlan, Pat  
Jeffery, John

OPPOSED:  
Monday, John F.
ABSENT: None

Mayor Siegel noted that since the recommendations had been approved, the City Attorney could now work on crafting language to be considered by the Planning and Zoning Commission, followed by a hearing before the Planning and Zoning Commission with a recommendation to the City Council for further public hearing and possible revision.

b. PRESENTATION by the Bellaire Public Works Department regarding a Needs Assessment Study of the Evergreen Water Distribution, Production, and Storage Facility, and consideration of and possible action on a recommendation by the Bellaire Public Works Department to repair the Evergreen water well in order to restore full functionality to the above-referenced facility – Action by Members of City Council (Item submitted by Director of Public Works Joe Keene).

SUMMARY:

City Manager Bernard M. Satterwhite, Jr., provided a brief summary of the agenda item before City Council related to the Evergreen Water Distribution, Production, and Storage Facility. He noted that the Evergreen water well pump had gone out some time ago, resulting in an agenda item that was brought forward to City Council to get the pump fixed. During discussions related to that particular agenda item, concern was expressed regarding the need for the Evergreen Water Plant. City Staff agreed to go back and look at the Evergreen Water Plant in context of all of the wells and water plants already in existence in Bellaire. A Needs Assessment Study was performed and, while the study was underway, the Evergreen water well was down. Based on the study, there were some circumstances where the Evergreen Water Plant and well became somewhat important.

City Manager Satterwhite noted that there were three basic functions performed by every water plant that the City of Bellaire owned. Those functions were water production, water distribution, and water storage. The Evergreen Water Plant did come into play in that the only way to get water into the storage tanks at Evergreen was from the water well.

David Kasper, P.E., Claunch & Miller, Inc., advised that he had been working with the City of Bellaire’s water system for approximately ten years. He prepared the initial model of Bellaire’s water system in 1999 and updated the model a few
months ago for the Needs Assessment Study requested by City Council.

In general, Claunch & Miller, Inc. ("CMI"), looked at as many "worst case" scenarios as possible to determine the impact of closing down the Evergreen Water Production, Distribution, and Storage System on the City’s remaining water production, distribution, and storage systems. In summary, it was determined that the City should keep the Evergreen Water Plant in service.

The question posed to CMI was whether or not the City of Bellaire needed the Evergreen Water Plant. The response was clearly that the City of Bellaire did not need the Evergreen Water Plant. Under state guidelines, the City of Bellaire had plenty of capacity and could meet twice the required capacity with its remaining plants.

On the other hand, the Evergreen Water Plant represented a $3 million asset, of which $1.5 million was attributable to the water well. The decision to be made was whether to keep or retire that asset. In the short-term, the City would need to spend $92,000 to repair the water well valued at $1.5 million. In the long-term, the City would need to spend $500,000 to rehabilitate and keep the Evergreen Water Plant in good operating condition over the next ten years.

**Water Supply System Overview**

Mr. Kasper began his presentation of the Needs Assessment Study with a PowerPoint presentation. The first slide covered the City's Water Supply (Production) System. It was noted that the City had four Water Production Plants, each of which were fed by a well identified as follows: Central Plant, Feld Plant, Renwick Plant, and Evergreen Plant.

The Central Plant consisted of two ground storage tanks and an elevated storage tank. Water was pumped from the City’s water well and from the City’s water transmission line (i.e., City of Houston surface water) into the ground storage tanks (one tank with a 225,000-gallon capacity and the other tank with a 500,000-gallon capacity) and then pumped via a booster pump from the ground storage tanks into the elevated water storage tank (500,000-gallon capacity). It was also noted that the booster pump served to pump water to the City’s fire hydrants and water meters and then to the City’s customers.
The Feld Plant consisted of one ground storage tank and one elevated storage tank. Water was pumped from the City's water well and from the City's transmission line (i.e., City of Houston surface water) into the ground storage tank (500,000-gallon capacity) and then pumped via a booster pump from the ground storage tank into the elevated water storage tank (500,000-gallon capacity). It was also noted that the booster pump served to pump water to the City’s fire hydrants and water meters and then to the City’s customers.

The Renwick Plant consisted of one ground storage tank. Water was pumped from the City’s water well into the ground storage tank (1,000,000-gallon capacity). A booster pump served to pump water from the ground storage tank to the City’s fire hydrants and water meters and then to the City’s customers.

The Evergreen Water Plant served the southeast quadrant of the City and consisted of two ground water storage tanks. Water was pumped into the two ground storage tanks (both of which had a 500,000-gallon capacity) and then pumped via a booster pump to the City’s fire hydrants and water meters and then to the City’s customers.

Mr. Kasper noted that the City of Bellaire was mandated to use 50% surface water and no more than 50% of ground water. Two of the City’s water plants were, therefore, set up to accept surface water. The Renwick and Evergreen Water Plants were not set up to accept surface water. If the City were ever mandated to use 80% surface water, then the Renwick or Evergreen Plant would be used to accept the additional surface water.

Recent Developments

As noted previously, the Evergreen water well needed approximately $92,000 in repairs. The Evergreen Water Plant could not function properly without either a water well or a surface water transmission main to fill the storage tanks. The surface water transmission main would represent a major capital improvement and would cost approximately $1.3 million to construct. The Evergreen Water Plant was not currently operating and had not been operating since last August.

Repair of the Evergreen Water Well

Mr. Kasper identified several points against spending the $92,000 in repairs and $500,000 in rehabilitation of the Evergreen Water Plant as follows:
• Only two of the City’s four water wells were needed to stay in compliance with state law;

• Even without the Evergreen Water Plant, the City could still provide its citizens with adequate fire protection and water pressure under most foreseeable conditions;

• The City was not required by the State of Texas to provide any level of fire protection. Fire protection was provided as a benefit and service to its residents; and

• The funds needed to repair the well could be spent elsewhere.

Modeling Results

Scenario One

Under most conditions, with two plants operating (i.e., Central and Renwick), Evergreen closed, Feld temporarily inoperable, no surface water, a three-hour fire flow of 3,500 gallons per minute, and a three million gallon per day usage rate, the system would still operate.

Scenario Two

With two plants operating (i.e., Central and Renwick), Evergreen closed, Feld temporarily inoperable, with surface water, a three-hour fire flow of 3,500 gallons per minute, and a six million gallon per day usage rate, the system performance would be marginal.

Scenario Three

With two plants operating (i.e., Central and Renwick), Evergreen closed, Feld temporarily inoperable, no surface water, a three-hour fire flow of 3,500 gallons per minute, and a six million gallon per day usage rate, the system could not keep up with the usage rate.

The likelihood of the City of Houston surface water falling off was remote. Houston provided surface water to almost every community in the region. Mr. Kasper noted that surface water could fall off and referred to a problem Houston had a few years ago wherein their east plant went down. The customers with wells made it through okay; however, those customers completely dependent on surface water had problems. The problems were handled through emergency water rationing.
Fire flow would be adequate without the Evergreen Water Plant. If the Feld Plant became inoperable, the system would suffer, but it could still handle the fire flow.

Repair of the Evergreen water well could mitigate problems associated with the concurrent loss of the surface water supply and one of the City’s remaining three water plants during the summer months, such as emergency water rationing.

**Repair of the Evergreen Water Well**

Mr. Kasper identified several points for spending the $92,000 in repairs and $500,000 in rehabilitation of the Evergreen Water Plant as follows:

- The Evergreen Water Plant represented a significant amount of water production, storage, and pumping capacity and was able to serve a population of about 10,000;
- The Evergreen water well alone represented a $1.5 million asset to the City and the Evergreen Water Plant, as a whole, represented a $3 million asset to the City;
- The cost to repair the Evergreen water well represented approximately 6% of the replacement cost of the well;
- The entire Evergreen Water Plant would need to be placed out of commission without the well unless a surface water transmission main were constructed to the plant. The cost to keep the plant in service represented about 3% of the replacement value of the water plant;
- The cost to abandon the water plant could be expected to be comparable to the cost to repair the water well;
- The City should forever maintain at least two water wells in the City for backup and emergency use. Three of the City’s four water wells were installed in the 1950s and had been rehabilitated several times over the years. Over time, any of these water wells might require truly expensive repairs, costing the City several hundred thousands of dollars. The City should consider maintaining its wells, until such time that a “complete” water well failure occurred.

Additionally, the Evergreen Water Plant could be considered as extra “insurance” against unforeseen events, such as:

- Mechanical failure at other water plants;
• Extended electrical power failure at other water plants;
• Loss of City of Houston surface water supply;
• Acts of God;
• Acts of terrorism or sabotage;
• Record drought; and/or
• Multiple fires.

Summary

In summary, Mr. Kasper recommended that the City consider making the $92,000 repair to the Evergreen water well as it represented insurance against unforeseen events and was a significant asset to the City that might be needed in the future should problems develop at one of the remaining water plants. Given the relative cost of repair versus abandonment and the benefit received from the Evergreen Water Plant, CMI recommended that the City make the needed repairs.

QUESTIONS/COMMENTS FROM CITY COUNCIL:

{Legend:  A – Answer; C – Comment; Q – Question; R – Response}

Mayor Pro Tem Peggy Faulk

Q: Mayor Pro Tem Faulk asked how CMI would assess the condition of the Evergreen water well after the recommended repair was made.

A: Mr. Kasper stated that if the pump were flowing well after the repair was made, there would be no need for further assessment.

Q: Mayor Pro Tem Faulk inquired as to what had gone wrong with the pump.

A: City Manager Satterwhite indicated that the pump had burned up.

Q: Mayor Pro Tem Faulk inquired as to the cause of the pump burning up.

A: City Manager Satterwhite advised that the City did not know what had caused the pump to burn up and noted that it was a submersible pump located at the bottom of the well.
Q: Mayor Pro Tem Faulk advised that she was trying to determine if there were City operations that needed to be modified to protect against such an occurrence.

A: Mr. Kasper stated that he would definitely look into that.

C: Mayor Pro Tem Faulk referred to the approximate cost to the cap the water well of $30,000, and noted that to repair the well would result in a net cost of $62,000. She felt that the repair sounded like a good thing to do.

C: City Manager Satterwhite stated that City Staff would ultimately like to see a connection between the Feld Water Plant and Evergreen Water Plant in order to allow the City the opportunity to get surface water to the Evergreen Water Plant.

Surface water capability at the Evergreen Water Plant would be important for several reasons. For example, if the City were no longer able to buy water credits cost-effectively, it might be more important to purchase 80% of the City’s water needs from the City of Houston. Going from 50% surface water to 80% surface water would cause the wells to become less important and storage and distribution to become more important.

The elevated storage tank at the Feld Water Plant would need rehabilitation/replacement in the near future according to the Klotz Associates engineering study performed a few years ago.

The well at Feld Water Plant would also need to be rehabilitated if the City chose to keep that well site. The City could choose to keep the surface side of the Feld Water Plant up to fill the storage tanks and take the well at the Feld Water Plant down. If that were done, then the water well at Evergreen Water Plant would become more important.

In closing, City Manager Satterwhite advised that interconnecting the water plants would allow for more flexibility in the future. To spend $92,000 to get the water well back in operation before the City had to do any of the other projects looming ahead was important.
Councilman Pat McLaughlan

Q: Councilman McLaughlan understood that City Council had given City Staff direction to come back to City Council with a recommendation as to which water plant could be deleted. He had never heard that recommendation. He referred to the fact that he worked for an organization that was very concerned about reliability, failures, and contingency operations. This recommendation stacked contingencies upon contingencies.

Councilman McLaughlan noted that Bellaire operated for years with four water plants and no surface water from Houston. Now, the City was taking 50% of its water from Houston and City Staff was telling City Council that four operating water plants were still needed. He did not believe that he could buy that.

With respect to fire protection, if both Bellaire fire trucks were pumping at 1,000 gallons per minute and if the City had 1,000,000 gallons of storage at each of four storage facilities, then the City could pump for 32 hours and not deplete its storage facilities.

A: Mr. Kasper advised that Councilman McLaughlan was correct, but had not taken into account that water was being used in the system at the same time. The problem would only occur if the Evergreen Water Plant remained down, surface water was down, and the City was using six million gallons per day.

Q: Councilman McLaughlan inquired as to whether the Evergreen storage tanks were empty.

A: Director of Public Works Joe Keene advised that the Evergreen Plant storage tanks were both full.

Q: Councilman McLaughlan asked for confirmation that water could be fed into the Evergreen Plant storage tanks.

A: Director of Public Works Keene advised that water could not be fed into the Evergreen Plant storage tanks. Both tanks were full when the pump went out. The City did have the capability to pump the water into the system, if needed.
Q: Councilman McLaughlan advised that he understood that all of the City’s water facilities were connected together in a matrix design. He inquired as to whether the water from the Feld Plant could flow into the Evergreen Plant.

A: Director of Public Works Keene advised that water could not flow from the Feld Plant to the Evergreen Plant as the system was currently set up.

Q: Councilman McLaughlan inquired as to how the citizens in the vicinity of Evergreen Park were getting water.

A: Director of Public Works Keene advised that the citizens in that area were receiving water from the transmission line to the water mains. The water mains did not go into the ground storage tanks.

Q: Councilman McLaughlan indicated that most of the mains he had dealt with could flow in two directions.

A: Director of Public Works Keene noted that with wells, water was pumped from the ground into the storage tank. A booster pump was then used to pull water from the storage tank into the distribution system.

Q: Councilman McLaughlan asked for confirmation that the City met all state requirements with only two water wells operating and no surface water from Houston.

A: Mr. Kasper advised that with the supply from Houston, the City could reduce its requirement on the wells to two.

Q: Councilman McLaughlan inquired as to whether both wells had to be running at the same time.

A: Mr. Kasper advised that both wells did not have to be running at the same time.

Councilman John F. Monday

Q: Councilman Monday asked for confirmation that an expenditure of $92,000 would get the Evergreen water well back online.
A: **Director of Public Works Keene** advised that Councilman Monday was correct.

Q: **Councilman Monday** referred to the interconnectivity between water plants and asked for confirmation that the only way to decommission one of the wells was to spend $600,000 on an interconnectivity project. In other words, the City could spend $92,000 to repair the well and annual operating expenditures to operate the well for extra “insurance” versus the elimination of that expense by spending $600,000 for interconnectivity.

A: **Mr. Kasper** advised that the ongoing expenses of rehabilitation of the plant as a whole would be $450,000 plus $92,000 to repair the well. To build a transmission main, the cost would be close to $1,000,000.

The City would not want to eliminate the well until it was mandated to do so. The City paid $1.43 per 1,000 gallons to purchase water from Houston. The cost to draw water from the ground using the City’s electricity was only 1/3 of $1.43 per 1,000 gallons. Decommissioning a well would not save the City electricity costs, but would save in maintenance costs.

**Councilman Will Hickman**

Q: **Councilman Hickman** inquired as to the length of time the City could operate the water system in the event of a power outage.

A: **Mr. Kasper** advised that the answer would depend on the time of year and whether or not a fire occurred. On an average day, the City’s demand was three million gallons. The City had four million gallons in storage.

Q: **Councilman Hickman** noted that some of the water was non-pressurized. He inquired as to whether there would still be water pressure in the event of an outage.

A: **Mr. Kasper** stated that the City could switch to emergency power.

A: **Director of Public Works Keene** stated that the City did not have emergency power at the well sites. The chance of losing electricity at two of the well sites was slim.
A: City Manager Satterwhite advised that there were multiple power sources going into the City's water plants. To lose the entire grid throughout the City would be a rare occurrence. If power were lost to the entire City, all of the pressure would be lost with the exception of that in the elevated storage tanks.

The cost to obtain backup power was approximately $500,000. Weighing that expenditure against the probabilities of losing all power at one time was low.

Q: Councilman Hickman inquired as to whether power was lost at all pumps during Tropical Storm Allison.

A: City Manager Satterwhite advised that the City had never lost power to all of the water pumps at once. He noted that it would be more critical if power were lost at all of the lift stations (i.e., sewage backups).

Councilman John Jeffery

Q: Councilman Jeffery referred to the Evergreen water well and inquired as to whether water could be pumped directly into a distribution line.

A: Mr. Kasper advised that it was possible, but he would have to look into it. He noted that the wells were designed to pump a certain number of gallons per minute. To ask the motor to pump another 120 feet up would have to be reviewed on a case-by-case basis. A hydro tank would have to be purchased at a cost of $50-60,000 for a detention time of 20 minutes.

Q: Councilman Jeffery noted that in lieu of rehabilitating the whole plant, a smaller system could be put in place. He next referred to the fourth scenario, and inquired what would happen if there was no surface water from Houston and three wells were running.

A: Mr. Kasper advised that the City would still be okay under the situation outlined by Councilman Jeffery. If only two wells were running, the City would not be okay.

Councilman John F. Monday

Q: Councilman Monday referred to the worst case scenarios described by CMI and inquired if it were accurate to state, under those circumstances, that it did
not matter whether the City had three or four wells that were operational. In other words, in the worst-case scenarios outlined by CMI, he did not see an advantage of four over three.

A: Mr. Kasper inquired as to whether Councilman Monday was including a full power loss.

C: Councilman Monday stated that regardless of whether the City had four or three wells operating, under the worst case scenario the City would be sunk.

R: Mr. Kasper advised that the worst-case scenario could occur without a natural disaster. It could happen if Houston decided to perform a repair on their transmission main and the Renwick Plant or the Feld Plant were down, the City would be in a worst case scenario. The odds of that happening at the same time were remote.

Q: Councilman Monday advised that it really did not matter under the worst-case scenario.

A: Mr. Kasper stated that with the Evergreen Plant in operation, the City would be okay under the worst-case scenario.

A: City Manager Satterwhite advised that the worst-case scenario had nothing to do with the loss of power. The worst-case scenario was as follows: the Evergreen Plant out of service, the Feld Plant was down, and Houston surface water was down.

C: Councilman Monday indicated that in that instance, it did not matter if the City had three or four wells operating.

R: City Manager Satterwhite advised that if one of the well sites were brought back up, the City would be okay.

Councilman Pat McLaughlan

Q: Councilman McLaughlan referred to the concern that the City of Houston could shut down the transmission line for repair purposes. He asked Mr. Kasper to explain what type of system Houston would use to bypass any shut down in their line. He noticed that when Houston shut down a major sewer line, they established force
lines around the shut down in order to keep the water flowing. In other words, what type of contingency might Houston have to keep their primary 16” line flowing?

A: Mr. Kasper stated that sewer lines could be easily bypassed. The only way to fix the transmission line would be to shut it down. To bypass such a line would require installing a 24-inch tap and a line to go all the way around the repair, which was a major undertaking and weeks of work.

A: City Manager Satterwhite restated that the chance of a shut down of Houston’s transmission line was remote. What City Staff was trying to say was that the City should spend $100,000 to fix the well. The alternative was to leave the Evergreen Plant well down, make a decision to keep the storage tanks, and find a way to get water into the tanks or decommission the site.

The near-term recommendation from City Staff was to fix the well.

Councilman Will Hickman

Q: Councilman Hickman expressed a concern as to what Director of Public Works Keene was going to do with the water that was currently in the storage tanks after the pump was back up.

A: Director of Public Works Keene indicated that the water in the Evergreen storage tanks was perfectly safe. Before the City would ever send the water out, it would be tested.

MOTION TO ACCEPT AND APPROVE A RECOMMENDATION FROM THE BELLAIRE PUBLIC WORKS DEPARTMENT REGARDING THE EVERGREEN WATER WELL:

A motion was made by Councilman Will Hickman and seconded by Mayor Pro Tem Peggy Faulk to accept and approve a recommendation from the Bellaire Public Works Department to repair the Evergreen water well in order to restore full functionality to the Evergreen Water Plant.

DISCUSSION:

Councilman Jeffery inquired as to whether the cost to repair the Evergreen water well was included in the budget. After
receiving confirmation that it was from the City Manager, Councilman Jeffery indicated that he was concerned about possible contamination in Houston’s surface water and not that the water might be shut off. He advised that he would support the repair expenditure as it represented a minor cost for the extra “insurance.”

Councilman Hickman inquired as to whether Bellaire had the ability to shut off the valve on the transmission line coming from Houston.

City Manager Satterwhite indicated that the valve could be shut off remotely, which was a stipulation in the contract between Bellaire and Houston. There was also an air gap between the two systems.

Mayor Siegel noted that the air gap protected Houston’s system as well as Bellaire’s system.

Councilman McLaughlan advised that he would be voting against this agenda item because City Council asked City Staff to put together a plan as to how the City could decommission one of its water facilities. All of the good information received from CMI indicted that the City really did not need four water plants in operation. Before the City started receiving surface water from Houston, the City got by with four plants and there was never a problem (i.e., the four plants did not necessarily operate simultaneously). The City had tremendous storage capability to address any contingencies. Additionally, the City had never had a fire that required anywhere near the pumping rate discussed earlier.

Councilman McLaughlan suggested that this agenda item be deferred, noting that the City needed an overall plan for its water plants. The City was spending bond money right now putting in water lines. If a transmission line were needed between the Feld Plant and the Evergreen Plant, then Councilman McLaughlan suggested that be the topic of conversation.

In terms of having an overall plan, it was most important when talking about Bellaire Town Square. An integrated study of the City’s water facilities might yield the result that the surface water tanks could be removed from the Central Water Plant so that the property could be used for new facility expansion, green space, or park expansion. His overall concern was not with any technical details, but the fact that the City had not integrated a long-term understanding of what facilities needed
to be shut down. For that reason, he could not support this agenda item.

Mayor Siegel asked for confirmation that the recommendation or thought by City Staff was that by putting the Evergreen water well back into service, the City would buy some time to develop the type of plan that Councilman McLaughlan was talking about.

City Manager Satterwhite stated that Mayor Siegel was correct. He noted that this was a complex issue. City Staff had polled engineers and had looked at a comprehensive study and had not found the answer to Councilman McLaughlan’s question. Since three operations occurred at each site, no one wanted to make a decision to shut down an entire site. He was not certain that even if a water plant were decommissioned that the City would want to lose "X" amount of storage capacity.

If the goal was to do away with a storage tank with the capacity to store 1,000,000 gallons to make more room, then City Staff could probably price out a plan to do that.

VOTE ON MOTION TO ACCEPT AND APPROVE A RECOMMENDATION FROM THE BELLAIRE PUBLIC WORKS DEPARTMENT REGARDING THE EVERGREEN WATER WELL:

Motion carried on a majority vote of 6-1 as follows:

FOR: Siegel, Cindy
      Hickman, Will
      Monday, John F.
      Faulk, Peggy
      Davison, Debra Marz
      Jeffery, John

OPPOSED: McLaughlan, Pat

ABSENT: None

2. ADOPTION OF ORDINANCES:

CONSIDERATION of and possible action on the adoption of an ordinance authorizing the Mayor of the City of Bellaire, Texas, to execute a Final Change Order (No. 1) with Cravens Partners, Ltd., to a contract for “Town Square Aquatic Center Site Preparation and Utility Relocation Project” consisting of a net
decrease in said contract of $58,074.00, and approval for the City of Bellaire, Texas, to make the final payment to Cravens Partners, Ltd., on said contract in an amount not to exceed $47,633.10 – Action by Members of City Council (Item submitted by Director of Public Works Joe Keene).

MOTION TO ADOPT ORDINANCE AND AUTHORIZE FINAL PAYMENT:

A motion was made by Mayor Pro Tem Peggy Faulk and seconded by Councilman John Jeffery to adopt an ordinance authorizing the Mayor of the City of Bellaire, Texas, to execute a Final Change Order (No. 1) with Cravens Partners, Ltd., to a contract for “Town Square Aquatic Center Site Preparation and Utility Relocation Project” consisting of a net decrease in said contract of $58,074.00, and approval for the City of Bellaire, Texas, to make the final payment to Cravens Partners, Ltd., on said contract in an amount not to exceed $47,633.10.

VOTE ON MOTION TO ADOPT ORDINANCE AND AUTHORIZE FINAL PAYMENT:

Motion carried unanimously on a vote of 7-0 as follows:

FOR: Siegel, Cindy
     Hickman, Will
     Monday, John F.
     Faulk, Peggy
     Davison, Debra Marz
     McLoughlan, Pat
     Jeffery, John

OPPOSED: None

ABSENT: None

{Ordinance was subsequently numbered: 07-016}

At this point in the meeting, City Council returned to agenda item F., Reports.

F. REPORTS:

1. CITY MANAGER’S REPORT – City Manager Bernard M. Satterwhite, Jr.

City Manager Bernard M. Satterwhite, Jr., presented the City Manager’s Report to the Bellaire City Council. The report consisted
of the following Mission Areas: Residential Safety, Residential Quality of Life, and Communications/Technology, as well as Indicators (Crime and Building Permits) and Upcoming City Council Meetings/Events.

MISSION AREAS:

Residential Safety

City Manager Satterwhite noted that crime remained low in March of 2007. Two robberies occurred by a person wearing a security uniform in March. The suspect apprehended for those two robberies cleared approximately 18 other robberies in and around Southwest Houston and West University Place. Burglary and theft from motor vehicles was still occurring. Most of the vehicles were left unlocked and/or had items inside that were in plain view.

The Community Resource Officer inspected one residence for security issues in March and conducted a high school presentation regarding crime analysis. Officer Quimby also participated in the Texas Children’s Hospital Child Safety Event.

Fire Department activity for the quarter ended March 31, 2007, resulted in 502 total responses (slightly above the same quarter for the previous year). Of the total responses, 269 were emergency medical service-related responses.

One structure fire occurred in the first quarter of 2007. The fire was confined to the room of origin. The homeowner did a good job of keeping the fire in check until the arrival of the Fire Department.

Residential Quality of Life

The City’s Spring Cleanup was scheduled on Saturday, April 21, 2007, for those residents living outside Loop 610 and on Saturday, April 28, 2007, for those residents living inside Loop 610.

It was also noted that the Citywide Garage Sale was scheduled for Saturday, April 28, 2007.

Communications/Technology

City Manager Satterwhite advised that he would be giving a presentation at a future City Council Meeting related to some features that had been added to the City’s website. He also intended to give a live demonstration of the City’s Geographic Information System on May 7, 2007.
INDICATORS:

Crime

With respect to crime indicators, it was noted that robbery was up from the previous year whereas other crimes were either the same or down from the previous year. In general, crime had been low the entire year.

Building Permits

Construction values were running high for fiscal year 2007. Next to 2005, fiscal year 2007 looked to be one of the biggest years for new residential construction. With respect to numbers of permits issued, the City was ahead of the previous year at this point in time.

UPCOMING CITY COUNCIL MEETINGS/EVENTS:

<table>
<thead>
<tr>
<th>Type of Meeting</th>
<th>Date</th>
<th>Time</th>
</tr>
</thead>
<tbody>
<tr>
<td>Centennial Planning Committee</td>
<td>04/23/2007</td>
<td>7:00 p.m.</td>
</tr>
<tr>
<td>Facilities Committee</td>
<td>04/24/2007</td>
<td>6:30 p.m.</td>
</tr>
<tr>
<td>Regular Session</td>
<td>05/07/2007</td>
<td>7:00 p.m.</td>
</tr>
<tr>
<td>Regular Session</td>
<td>05/21/2007</td>
<td>7:00 p.m.</td>
</tr>
</tbody>
</table>

QUESTIONS/COMMENTS FROM CITY COUNCIL:

{Legend:  A – Answer; C – Comment; Q – Question; R – Response}

Councilman Will Hickman

Q: Councilman Hickman referred to the City’s 911 system. It was his understanding that the 911 operator knew the caller’s location with a regular telephone line. He inquired as to whether Bellaire could track a person’s exact location with a service such as Vonnage.

A: Chief of Police Randall C. Mack advised that the City had the capability if the system was set up correctly.

C: Councilman Hickman noted that the Vonnage website indicated that some cities had the capability to track a caller and others could not.

R: City Manager Satterwhite advised that the City would check on that.
Councilman Pat McLaughlan

Q: **Councilman McLaughlan** advised that he had raised an item and then a citizen raised a similar item regarding the construction of certain features in front of a front building line of homes. He asked for confirmation that the City was still looking into that issue.

A: **City Manager Satterwhite** stated that City Staff was still looking into it. He noted that he had an answer, but wanted to confer one more time with the City Attorney before providing that answer. A meeting was set up on that very subject this week.

**MOTION TO ACCEPT CITY MANAGER’S REPORT INTO THE RECORD:**

A **motion** was made by Councilwoman Debra Marz Davison and seconded by Councilman John Jeffery to **accept the City Manager’s Report** as presented by City Manager Bernard M. Satterwhite, Jr., into the record.

**VOTE ON MOTION TO ACCEPT CITY MANAGER’S REPORT INTO THE RECORD:**

Motion **carried** unanimously on a 7-0 vote as follows:

**FOR:** Siegel, Cindy
Hickman, Will
Monday, John F.
Faulk, Peggy
Davison, Debra Marz
McLaughlan, Pat
Jeffery, John

**OPPOSED:** None

**ABSENT:** None

2. **FINANCIAL REPORT – Interim Chief Financial Officer Vickey O’Donnell.**

**Interim Chief Financial Officer Vickey O’Donnell** presented the **Financial Report** for the City of Bellaire, Texas, to City Council. For the General, Debt Service, and Enterprise Funds, the City had budgeted $25,800,000 in revenues. To date, the City had collected $18,300,000 in revenues.
The peak period for revenue collection in the General and Debt Service Funds was noted to be during the months of December through February (i.e., property tax collections).

The City had reached its target for investment income. The City budgeted $460,000 and had received $481,000 to date.

Recreation revenues were at 29%, but would pick up during the summer months when all of the programs geared up and the pools opened.

With the new water rate increase in the Enterprise Fund, the revenue was still a bit difficult to predict. Water pumpage was down by 10 million gallons for the first six months of the fiscal year. It was noted that the City had over 20” of rain as compared to 6” rain over the previous year.

Interim Chief Financial Officer O’Donnell projected that the revenues to be collected for fiscal year 2007 would be $25,500,000.

QUESTIONS/COMMENTS FROM CITY COUNCIL:

{Legend:  A – Answer; C – Comment; Q – Question; R – Response}

**Mayor Cindy Siegel**

**Q: ** Mayor Siegel inquired as to whether all of the questions from residents and commercial customers had been answered with respect to the increase in water rates.

**A: ** Interim Chief Financial Officer O’Donnell advised that all of the questions had been answered. The Utility Billing Department received very few calls now.

**C: ** Mayor Siegel advised that she had received a letter not too long ago regarding how great the Finance Department had been in responding to questions related to the water rates.

**C: ** City Manager Bernard M. Satterwhite, Jr., reminded City Council that in April the rate that the City of Houston charged Bellaire would increase to $1.47 per 1,000 gallons (from $1.43 per 1,000 gallons). This time next year, the rate would peak over $1.50 per 1,000 gallons, which was more than the City charged its lowest tier.
MOTION TO ACCEPT FINANCIAL REPORT INTO THE RECORD:

A motion was made by Councilman John F. Monday and seconded by Councilwoman Debra Marz Davison to accept the Financial Report as presented by Interim Chief Financial Officer Vickey O’Donnell into the record.

VOTE ON MOTION TO ACCEPT FINANCIAL REPORT INTO THE RECORD:

Motion carried unanimously on a 7-0 vote as follows:

FOR: Siegel, Cindy
     Hickman, Will
     Monday, John F.
     Faulk, Peggy
     Davison, Debra Marz
     McLaughlan, Pat
     Jeffery, John

OPPOSED: None

ABSENT: None

3. MID-YEAR REVIEW FOR FISCAL YEAR 2007 (Item submitted by Assistant City Manager Diane K. White).

Assistant City Manager Diane K. White presented the Mid-Year Review for fiscal year 2007 to City Council. She indicated that she would update City Council on the City’s current budget. Although the focus of the presentation would be on expenditures, she noted that she would touch briefly on revenues.

Revenues

City Council was presented with a slide of a bar graph depicting fiscal year 2007 revenue. The first column represented budgeted revenue and the second column represented actual revenue to date plus six months of projected revenue.

It was noted that total budgeted revenue for the General, Debt Service, and Enterprise Funds was $25.8 million, broken down as follows:

<table>
<thead>
<tr>
<th>Fund</th>
<th>Budgeted Revenue</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Fund</td>
<td>$15.1 million</td>
</tr>
<tr>
<td>Debt Service Fund</td>
<td>$ 4.0 million</td>
</tr>
<tr>
<td>Enterprise Fund</td>
<td>$ 6.6 million</td>
</tr>
</tbody>
</table>
Projected actual revenue for fiscal year 2007 was noted to be $25.5 million.

**Major Cost Drivers**

The major cost drivers in the 2007 budget were noted as follows: electricity, building maintenance, fuel, and contract labor versus full-time personnel.

With respect to **electricity**, it was noted that the City was currently locked into a kilowatt rate of 6.84 cents through March of 2010. The reason that the budget for electricity increased in 2007 was due to transmission and distribution charges, which comprised approximately 42% of the City’s electricity bill. Those charges increased by 40% over 2006. Other considerations when budgeting for electricity were related to infrastructure, primarily, rehabilitation of some of the City’s water wells resulting in down time, testing, and, perhaps, extra pumping, and the new pool, which would be a larger facility.

Through February of this fiscal year, the City had expended 25% of the budgeted amount for electricity or $274,000. Transmission charges increased in November of 2006 and were expected to increase again in late summer or early fall. In summary, the City was on target with respect to its electricity budget.

With respect to **building maintenance**, it was noted that the City programmed into the budget $120,000 dollars to catch up on building maintenance. The total building maintenance line item was $200,000, which included maintenance contracts for plumbing, electrical, janitorial, etc.

Although the Facilities Director resigned in February, the City continued to move forward in many areas. For example, building maintenance projects had been decentralized and were being handled by various Department Heads, and a routine in-house maintenance schedule had been created, with Patte McGuire, Administrative Assistant to the City Manager, handling the scheduling of internal janitorial and maintenance tasks.

Projects that had been completed thus far or were expected to be completed by summer included new gutters and roof repair at the Fire Station; locker room renovations at the Police Department; new water heaters, dance room repairs, and wallpaper replacement at the Parks & Recreation Center; and exterior painting and door security at the Public Works Service Center.
Assistant City Manager White noted that renovations would occur in City Hall at the beginning of May, including a proposal to City Council to stabilize the City Hall foundation.

With respect to **fuel**, it was noted that the City received a wholesale rate for fuel. At the time the fuel budget was prepared, the average cost of unleaded fuel at the wholesale rate was $2.20 per gallon. Currently, the average rate through March was $1.85 per gallon. The cost of fuel continued to rise and City Staff had estimated the average wholesale price to remain at $2.20 per gallon.

The City used approximately 75,000 gallons of unleaded fuel in a year. Those gallons were budgeted at a rate of $2.18 per gallon or $163,500. Since the City had averaged $1.85 per gallon thus far, the City should end the year with enough funds in this category. With respect to diesel fuel, it was noted that the City used approximately 30,000 gallons of diesel fuel each year. The City budgeted diesel fuel at $2.50 per gallon or $75,000.

Although unleaded fuel usage had not changed much since 2002, diesel fuel had increased due to extra demands on the solid waste service for extra landfill trips and the implementation of the curbside recycling program.

**City Manager Satterwhite** noted that since the City had been unable to find a recycler for brush and limbs, those materials had to be taken to the landfill.

**Assistant City Manager White** continued and noted that to date, the City had spent $83,135 or 35% of its fuel budget and was on target.

**Contract versus Full-Time Personnel**

**Assistant City Manager White** noted that during the 2007 budget process, the Fire Department was allotted $46,000 to provide additional training. One live fire training session had been provided at the Harris County Fire Training Field. The Fire Department was currently investigating other opportunities for another live training session by the end of the fiscal year. She noted that the Fire Department was very excited to receive this training.

**Personnel Headcount**

During a previous financial report, City Council had requested that a personnel headcount update be given.

- With respect to personnel headcount, two points were made: 1) how vacancies were reflected in departmental
With respect to the first point, Assistant City Manager White advised that vacancies were taken into account during the budget process. The budgeted numbers reflected historical vacancy trends. For example, the Police Department budgeted all of its positions. However, the full amount of salaries and benefits for all of the positions were not budgeted because the City knew that there would be vacancies in that department. Based on the historical vacancy trends, approximately $100,000 was subtracted from the salary line item in the Police Department.

All departments had historical vacancy trends with the exception of Organizational Services and the Bellaire City Library.

With respect to point two, the City’s status with respect to filling vacancies, it was noted that seven candidates had been interviewed for the Facilities Director position and two offers had been made. Both offers were declined. The City would continue to move forward to try to fill that position.

Approximately eight candidates had been interviewed for the Chief Financial Officer position. Those candidates had been narrowed down to three, and references were being checked on those three candidates. The Accounting Technician position in the Finance Department was created in October of 2004. Former Chief Financial Officer Louise T. Richman was in the process of developing a job description for the position prior to her departure. The position would not be filled until a new Chief Financial Officer was in place.

There was an Administrative Secretary position in the Fire Department. It was anticipated that this position would be filled in April of 2007. The Fire Chief held an assessment this past weekend and had two strong candidates for firefighter.

With respect to the Police Department, background checks were currently underway and an assessment would be held in June for police officers.

In the Public Works Department, an evaluation of the Department had been underway for the last two years. The new position of Deputy Director had brought a great deal to the Department. Other privatization avenues, such as meter reading and the use of contract labor versus full-time employees, were under evaluation. The City Council approved four new laborers in the Solid Waste Department and efforts were underway to fill those positions. The Department had encountered some difficulty in finding candidates that met the
minimum qualifications for the job. Other opportunities were being sought for posting such positions.

**Expenditure Trend for the General Fund**

**General Fund**

As presented in the budget, revenues over expenditures were $183,627. As of the six months ended March 31, 2007, the City was on track having expended 46% or $6.1 million of the General Fund budget.

**Enterprise Fund**

Revenues in the Enterprise Fund reflected the rate increase that City Council recently approved. Personnel increased due to the addition of the four laborers in the Solid Waste Department. There was also a slight increase in electrical costs for wastewater treatment and the water wells. The City had expended 48% or $3.1 million of the Enterprise Fund budget as of the six months ended March 31, 2007.

**City Manager Satterwhite** noted that there was a commitment made each year to transfer $950,000 from the Enterprise Fund to the Debt Service Fund to help pay for some of the City’s bonded indebtedness. A gap between revenue and expenditures was needed for that transfer, as well as to perform maintenance of the Enterprise Fund facilities and for recapitalization within the fund.

**Capital Improvement Update**

**Assistant City Manager White** noted that the City would have a project underway shortly for odor control at the Wastewater Treatment Plant. The preliminary report of the Rice Life Station was completed and should be presented to City Council in the near future.

Other projects underway were noted as follows:

- Feld Park Water Tank Repair – bids were due back to the City on May 9, 2007;
- Storm Sewer Improvements – improvements were noted to be under design;
- Sidewalks – projects were currently under construction or completed on Jessamine Street, Avenue B, South Rice Avenue, and Chimney Rock Road; and
- Downtown Area Beautification – the services of Kendig Keast Collaborative had been procured for this project.

**Parks Projects**

Parks projects underway in conjunction with the Parks Master Plan were noted to include electrical and fencing improvements at Mulberry Park; wrought iron fencing improvements for Evergreen Park; fencing replacement and protective netting for tennis courts at Feld Park; lighting for Officer Lucy Dog Park located in Lafayette Park; replacement of pool mechanical enclosure and electrical system upgrades for the Evergreen Pool; and complete replacement of duct work and gutters at the Recreation Center. With respect to the Aquatics Facility, it was noted that construction was progressing as anticipated.

**Rebuild Bellaire Program**

City Staff would be recommending an architect to City Council on May 7, 2007, to prepare a conceptual design for identified City facilities under the Rebuild Bellaire Program. Phase I, streets and drainage improvements, would be bid in May of 2007.

**Public Art**

Bench installations would take place this summer and gateway markers for entrances to the City were currently under design.

**City Hall Foundation Project**

As noted previously, City Staff would be bringing a recommendation to City Council on May 7, 2007, for a method in which the City Hall foundation could be stabilized.

**Vehicle, Equipment and Technology Update**

**Vehicle Replacement Program**

The City’s Vehicle Replacement Program for 2007 had been completed. Six passenger vehicles were replaced in 2007, and the City was awaiting the arrival of a new garbage truck.

**Municipal Court**

The Municipal Court received funds for technology purposes and, as mandated by state law, such funds could only be used for court-related security and processes. This budget year, funds were used to install a digital closed circuit system at the Police Station.
Fire

The Fire Department had completed or would complete by the end of the summer the replacement of items budgeted for their Department in the Vehicle, Equipment, and Technology fund.

Police

Scheduled replacement items would be purchased by the end of the summer in the Police Department.

Furniture Replacement Program

The Community Development, Organizational Services, Police, and Parks & Recreation Departments had all budgeted for furniture replacement. In November of 2006, City Council approved a large donation of modular furniture. The furniture was ergonomic and would allow for consistent workspace for several employees, as well as safety and security for others. Once this donation was accepted, the City put all budgeted furniture items on hold.

Assistant City Manager White had been working for over four months on the Furniture Replacement Program project, with the help of a planning consultant. If the City had purchased the furniture that had been donated, the estimated cost would have been $200,000. The donation allowed the City to include more departments. For example, furniture was placed in the staff area at the Bellaire City Library; all the Inspectors in Community Development would get furniture; a facilities suite was set up in the Public Works Department; and everyone in the City Manager’s suite would get furniture. In addition, Public Works would get several new workstations, the Fire Department was able to provide workspace for their Administrative Secretary; and the Parks & Recreation Department received a new reception area for better safety and security in that Department.

It was noted that the Furniture Replacement Program project should be completed by May 3rd.

Parks & Recreation

The Parks & Recreation Department was scheduled to have online program registration and online credit card payment for park programs. This should be taking place the first part of the summer.

Public Works

A project for fuel pump relocation was included in the budget. City Staff would be waiting to complete this project until after future
facilities planning was completed. Approximately $8,000 was budgeted for this relocation.

At this point, Assistant City Manager White turned the presentation over to City Manager Satterwhite.

City Manager Satterwhite noted that the budget calendar for fiscal year 2008 had been prepared. Most of the dates within that calendar were driven by state law requirements. He noted that budget parameters would be provided to City Council for consideration on May 21, 2007.

QUESTIONS/COMMENTS FROM CITY COUNCIL:

{Legend: A – Answer; C – Comment; Q – Question; R – Response}

Councilman Pat McLaughlan

Q: Councilman McLaughlan referred to Fire Department training and noted that he felt such training was exceptionally important to the community. He noted that Assistant City Manager White had indicated that one live fire training session had taken place. He assumed that was for one shift. It appeared that monies were left in the training budget and he asked if it were possible to accomplish additional live fire training before the summer hit. He felt it was important to spend those training funds quickly.

A: Fire Chief Darryl Anderson stated that the sessions included an entire shift. Another session was scheduled on May 12th at the Houston Fire Field and all three shifts would go.

Q: Councilman McLaughlan asked for confirmation that each firefighter had gone through at least one live fire training session this year.

A: Fire Chief Anderson advised that Councilman McLaughlan was correct. Each firefighter would go through a second one, as well as a hot one in the summer. It was his goal to spend all of the funds allocated to him for training.

MOTION TO ACCEPT THE MID-YEAR REVIEW FOR FISCAL YEAR 2007 INTO THE RECORD:

A motion was made by Councilman John F. Monday and seconded by Mayor Pro Tem Peggy Faulk to accept the Mid-Year Review for Fiscal Year 2007 as presented by Assistant City Manager Diane K. White into the record.
VOTE ON MOTION TO ACCEPT THE MID-YEAR REVIEW FOR FISCAL YEAR 2007 INTO THE RECORD:

Motion carried unanimously on a 7-0 vote as follows:

FOR:  
Siegel, Cindy  
Hickman, Will  
Monday, John F.  
Faulk, Peggy  
Davison, Debra Marz  
McLaughlan, Pat  
Jeffery, John  

OPPOSED:  None  

ABSENT:  None

G. NEW BUSINESS:

Note: New Business was considered earlier in the meeting. See pages 5-37 of these minutes for discussion related to New Business.

H. COUNCIL CORRESPONDENCE AND COMMENTS.

Discussion only.

I. ADJOURNMENT.

MOTION TO ADJOURN:

A motion was made by Councilman John Jeffery and seconded by Councilwoman Debra Marz Davison to adjourn the Regular Session of the City Council of the City of Bellaire, Texas, at 9:49 p.m. on Monday, April 16, 2007.

VOTE ON MOTION TO ADJOURN:

Motion carried unanimously on a 7-0 vote as follows:

FOR:  
Siegel, Cindy  
Hickman, Will  
Monday, John F.  
Faulk, Peggy  
Davison, Debra Marz  
McLaughlan, Pat  
Jeffery, John  

OPPOSED:  None
ABSENT: None

Respectfully submitted,

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

Approved:

___________________________
Cynthia Siegel, Mayor
City of Bellaire, Texas