CITY OF BELLAIRE  
CITY COUNCIL  
Minutes of Meeting 
Monday, June 18, 2007 

I. SPECIAL SESSION (INTERVIEWS) – 6:30 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 6:35 p.m. on Monday, June 18, 2007. The Bellaire City Council met at that time and on that date in Special Session in the Council Conference Room, First Floor of City Hall, 7008 South Rice Avenue, Bellaire, Texas, for the purpose of interviewing, discussing, and evaluating applications for City of Bellaire boards, commissions, and committees. Mayor Siegel announced that a quorum was present consisting of herself and the following members of City Council: 

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

Councilman Will Hickman, Position No. 1, arrived at 7:00 p.m. and went directly into Special Session. Councilman John Jeffery, Position No. 6, was absent. City Clerk Tracy L. Dutton was present. 

B. INTERVIEW, discussion, and evaluation of applicants for the following City of Bellaire boards, commissions, and committees: 

- Bellaire Arts Commission; 
- Bellaire L.I.F.E. Advisory Board; 
- Board of Adjustment; 
- Building and Standards Commission; 
- Parks & Recreation Advisory Board; 
- Planning and Zoning Commission; and 
- Recycling Committee. 

Two (2) applicants were interviewed on June 18, 2007, as follows: 

<table>
<thead>
<tr>
<th>Applicant</th>
<th>Area(s) of Interest</th>
</tr>
</thead>
<tbody>
<tr>
<td>Stephanie Goldfield</td>
<td>Recycling Committee – 1&lt;sup&gt;st&lt;/sup&gt;</td>
</tr>
<tr>
<td></td>
<td>Bellaire Arts Commission – 2&lt;sup&gt;nd&lt;/sup&gt;</td>
</tr>
</tbody>
</table>
Applicant | Area(s) of Interest
Sarah Bauer | Recycling Committee – 1st
| Parks & Recreation Advisory Board – 2nd

C. ADJOURNMENT.

MOTION TO ADJOURN:

A motion was made by Councilman Pat McLaughlan and seconded by Councilwoman Debra Marz Davison to adjourn the Special Session of the City Council of the City of Bellaire, Texas, at 7:25 p.m. on Monday, June 18, 2007.

VOTE ON MOTION TO ADJOURN:

Motion carried unanimously on a 6-0 vote as follows:

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

OPPOSED: None

ABSENT: Jeffery, John

II. 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 7:25 p.m. on Monday, June 18, 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; and
Councilman Pat McLaughlan, Position No. 5.

Councilman John Jeffery, Position No. 6, was absent. 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 – Councilman John Jeffery.

Councilman John F. Monday presented the inspirational reading in Councilman John Jeffery’s absence. He read a quotation as follows from a reply by Abraham Lincoln in the first debate with Senator Stephen A. Douglas in August of 1858:

*In this and like communities, public sentiment is everything. With public sentiment, nothing can fail; without it nothing can succeed.*

--Abraham Lincoln  
American Politician  
16th President of the United States  
(1861-1865)

C. PLEDGES TO THE FLAGS – Councilman John Jeffery.

1. U.S. PLEDGE OF ALLEGIANCE.

2. PLEDGE TO THE TEXAS FLAG.

Councilman John F. Monday led the audience and City Council in the Pledge of Allegiance and Pledge to the Texas Flag in Councilman John Jeffery’s absence.

D. APPROVAL OR CORRECTION OF MINUTES:

1. APPROVAL of minutes of the Special Session (Executive Session) and Regular Session of the City Council of the City of Bellaire, Texas, held Monday, June 4, 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 Pat McLaughlan and seconded by Councilman John F. Monday to approve the minutes of the Special Session (Executive Session) and Regular Session of the City Council of the City of Bellaire, Texas, held on Monday, June 4, 2007.
VOTE ON MOTION TO APPROVE MINUTES:

Motion carried unanimously on a 6-0 vote as follows:

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

OPPOSED:    None

ABSENT:     Jeffery, John

2. APPROVAL of minutes of the Special Session (Interviews) of the City Council of the City of Bellaire, Texas, held Tuesday, June 5, 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 Pat McLaughlan and seconded by Councilwoman Debra Marz Davison to approve the minutes of the Special Session (Interviews) of the City Council of the City of Bellaire, Texas, held Tuesday, June 5, 2007.

VOTE ON MOTION TO APPROVE MINUTES:

Motion carried on a majority vote of 5-0-1 as follows:

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

OPPOSED:    None

ABSENT:     Jeffery, John

ABSTAIN:    Hickman, Will*

*Councilman Will Hickman abstained from voting on the approval of minutes of the June 5, 2007, Special Session (Interviews) due to his absence from that meeting.
E. PERSONAL/AUDIENCE COMMENTS.

Lynn McBee, 5314 Evergreen Street, Bellaire, Texas:

Ms. McBee addressed City Council and provided them with an update on the Condit Elementary School sign that reserved a parking spot on the City’s right-of-way for the Principal. She advised that the Condit Elementary School Parent-Teacher Organization (PTO) was reputed to have bestowed upon the Principal the “illegal” sign reserving a parking space for his use. Ms. McBee had not yet talked with the PTO, but had talked with three individual City departments, and none of those departments felt that they could do anything about the sign. She again appealed to the City Council to allow for enforcement of a no parking area, and stated that no one individual should be able to reserve a parking spot for him or herself, unless everyone was allowed to do so.

Secondly, Ms. McBee referred to the budget amendment on City Council’s agenda this evening. She advised that the budget amendment added to two prior items, and she wished to detail what City Council had done thus far for the fiscal year ending September 30, 2007. On October 16, 2006, $1 million was allocated in expectation that the Patrons for Bellaire Parks, Inc. ("Patrons"), would ultimately repay the $1 million in private funding that they were raising. To Ms. McBee’s knowledge, the Patrons had not yet repaid the referenced $1 million to the City of Bellaire, which front-ended the Aquatic Facility development. That same year and same date, $700,000.00 was also added to the budget for expenses related to the Aquatic Facility or $1.7 million in one year.

This evening, June 18, 2007, there were two more budget amendments under consideration. One amendment was for $264,800.00 to allow a City consultant to design traffic signalization rather than having the Texas Department of Transportation (TXDOT) do so within the grant money that was allocated to the City of Bellaire for 11 traffic signals under the CMAQ Project (Congestion Mitigation Air Quality). The second amendment under consideration consisted of $65,586.00 allocated to the Aquatic Facility for site preparation following change orders approved in April of 2007.

When all of the budget amendments were added together for the fiscal year 2007 budget, the City Council would have allocated $1,765,000.00 for the Aquatic Facility, and the total budget amendments for fiscal year 2007 would total $2 million.

Ms. McBee stated that the City should not have monies lying around to allow the City Council to spend funds as proposed. She likened this to a savings account and advised that the City was not an entity that was
permitted to have a savings account. Contingency amounts were certainly permitted for real emergencies. The amendments City Council had made this year were for “wants” rather than “needs.”

Ms. McBee indicated that City Council had seriously dropped the ball when $2 million could be amended from a publicly adopted budget. She stated that this had occurred for years, and she wanted to bring it to City Council’s attention so that they could see the totality and the consequence of the action that was taken.

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 City Council. The report consisted of the following Mission Areas: Residential Safety, Residential Mobility, and Employees, as well as Indicators and Upcoming City Council Meetings/Events.

MISSION AREAS:

Residential Safety

City Manager Satterwhite referred to the statewide hurricane exercise that the City participated in on June 6, 2007. He noted that Mayor Pro Tem Peggy Faulk attended and acted as “Mayor” for the exercise. Two observers also participated, one from the National Emergency Response Training Team (NERTT) and the other from the Texas Engineering Extension Service (TEEX). The scenario for the exercise consisted of a large hurricane (similar to Hurricane Rita) forecast to track in Bellaire’s direction within the next 72 hours. The exercise started with a staff briefing and the City’s Emergency Response Plan was put into motion. City Manager Satterwhite advised that all City departments participated in the exercise, and that the observers were impressed with the City’s Emergency Operations Center and Emergency Response Plan.

With respect to flood insurance, City Manager Satterwhite reminded everyone that the flood insurance rate maps became effective on June 18, 2007. The City had a link on its website directly to the Tropical Storm Allison Recovery Project (TSARP) site. Through that link, a homeowner could determine whether or not he or she was in the floodplain. A flyer was also distributed to residents in this month’s water bill. There was still time to go out and get flood insurance, and City Manager
Satterwhite heartily recommended that people do so, especially in light of the fact that over 80% of Bellaire was in the floodplain.

With respect to police activity, City Manager Satterwhite advised that crime was down and continued to be down this year. Two areas of concern were noted to be robberies and theft.

It was noted that there had been a rash of robberies this year area-wide. The robberies were fairly random and had occurred during daylight and nighttime hours. He referred specifically to an incident that occurred at the Shell Station on West Loop South wherein a victim’s car was stolen. Another victim had her purse stolen in the Randall’s grocery store parking lot. A third victim had her purse stolen in the parking garage of the office building just inside the West Loop at Avenue B in broad daylight. He urged citizens to be aware of their surroundings.

**Residential Mobility**

Since June 11th, street striping had been occurring along major thoroughfares in Bellaire. The labor for this project was provided by Harris County, and the City provided the materials. City Staff was looking into an alternative material for street striping as the current materials only lasted slightly more than one year. A cost-benefit analysis would need to be performed, as the alternative material was significantly more costly than the current material used.

**Employees**

City Manager Satterwhite introduced Donna Todd as the City’s new Chief Financial Officer. He stated that the City was glad to have Ms. Todd on board, noting that her official start date would be Wednesday, June 20, 2007. Ms. Todd most recently served as Treasurer for the City of Bryan. Prior to that, she served as Chief Financial Officer of the New Braunfels Utilities. City Manager Satterwhite noted further that Ms. Todd received her accounting degree from Texas A & M University and a Masters of Business Administration in Finance from the University of St. Thomas.
**INDICATORS:**

**Crime**

City Manager Satterwhite advised that the crime rate in May of 2007 was very low and had been below the average throughout this year. Robbery was up significantly from last year. Although theft was down, several types of theft were rising, such as identity theft and motor vehicle theft.

Finally, it was noted that there was a slight increase in response times, but that increase was not significant.

**Building Permits**

With respect to building permits, City Manager Satterwhite indicated that this year was in line with previous years, with the exception of 2005. The City had a big year in 2005 with respect to the issuance of residential and commercial building permits.

Over the last five years, 2007 was the second highest with respect to construction values. The numbers of home permits issued by month as compared to the previous year were noted to be similar.

**UPCOMING CITY COUNCIL MEETINGS/EVENTS:**

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Type of Meeting</th>
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<tbody>
<tr>
<td>06/27/2007</td>
<td>7:00 p.m.</td>
<td>Centennial Planning Committee</td>
</tr>
<tr>
<td>06/28/2007</td>
<td>6:30 p.m.</td>
<td>Strategic Planning and Development Committee</td>
</tr>
<tr>
<td>07/02/2007</td>
<td>7:00 p.m.</td>
<td>City Council Regular Session</td>
</tr>
<tr>
<td>07/16/2007</td>
<td>7:00 p.m.</td>
<td>City Council Regular Session</td>
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It was noted that the Facilities Committee would be meeting sometime in the next few weeks to get an update from PGAL, the firm working on a facilities assessment study for the City.

City Manager Satterwhite noted that a Workshop Session had been discussed for June 25, 2007, to review the Trolley Pavilion and to discuss the Master Plan for the Bellaire Arts Commission. Since there would not be enough members of City Council available for that date, he was looking for an alternative date and was leaning toward having this Workshop Session just prior to the Regular Session on July 2, 2007.
QUESTIONS/COMMENTS FROM CITY COUNCIL:

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

Councilman Pat McLaughlan

Q: Councilman McLaughlan referred to a commercial vehicle that had been parked in a driveway on Pine Street (i.e., around the 4900 block) for the last several months. He believed that there might be a regulation under the City’s zoning ordinances regarding commercial vehicles parked in residential driveways. He asked if City Manager Satterwhite could look into that and report back.

A: City Manager Satterwhite advised that he would look into that issue and report back.

Mayor Pro Tem Peggy Faulk

C/Q: Mayor Pro Tem Faulk concurred with City Manager Satterwhite regarding the City’s recent hurricane exercise. She advised that she was very impressed with Bellaire and noted that City Staff was continually finding ways to make Bellaire better.

She referred to a request she had made a few meetings previously as to whether or not the Bellaire Fire Department could check into the effectiveness of lightning rods for Bellaire and if the rods should be recommended to citizens. She then inquired as to the status of that request.

A: City Manager Satterwhite advised that he knew the Bellaire Fire Department was looking into lightning rods, but did not have a status at this time.

Q: Mayor Pro Tem Faulk inquired as to the status of the parking sign in the City right-of-way at Condit Elementary School.

A: City Manager Satterwhite indicated that he had looked into the issue. It was not illegal for someone else to park in that spot, as the sign was not enforceable. The sign was probably in violation of the City’s sign ordinance. He was trying to get an idea of how extensive this particular problem was. Similar situations were occurring in other areas of town as well.
In other words, this situation needed to be enforced universally.

Q: **Mayor Pro Tem Faulk** asked if City Manager Satterwhite would report back to City Council after he had completed a survey of sign ordinance violations.

A: **City Manager Satterwhite** stated that he would.

**Councilman Will Hickman**

Q: **Councilman Hickman**, in light of the recent hurricane exercise, inquired as to whether discussion had centered around the City’s water supply and wastewater treatment and contingencies that might be in place with respect to those areas.

A: **City Manager Satterwhite** noted that the lift stations were of great concern. Just prior to the hurricane exercise, Assistant Chief of Police Byron Holloway and Fire Chief Darryl Anderson had visited with CenterPoint Energy and reviewed the various electrical sources for Bellaire. There was a high level of confidence that there would not be massive outages for a prolonged period of time for public entities.

City Manager Satterwhite advised that CenterPoint Energy had publicly stated that if there were a category 4 hurricane in this area, people could expect to be without power for two-four weeks. CenterPoint Energy also stated that public water, wastewater, hospitals, etc., would be among the first entities to receive power.

During a flooding or hurricane event, there was a good chance that Bellaire’s Wastewater Treatment Plant could be washed out and backups could occur. To provide backup power for each lift station and other areas of the City’s plants was hugely expensive and the probability of risk needed to be considered before expending funds in that manner.

**Mayor Cindy Siegel**

Q: **Mayor Siegel** inquired as to whether the City had done any work toward appealing the rates to be charged by the City of Houston for surface water.
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A: City Attorney Alan P. Petrov stated that the City Council needed to discuss this issue in order to let City Staff know what the City Council wished to do in this regard.

He noted that he had looked into the procedures for appealing the rates, and there was a timeframe that ran for 90 days. That time period would run out at the end of July 2007.

Q: Mayor Siegel asked for confirmation that City Council needed to start moving on this issue.

A: City Attorney Petrov stated that Mayor Siegel was correct with respect to making a decision as to whether the City of Bellaire wanted to pursue an appeal.

Q: Mayor Siegel inquired as to whether this was an item that could be placed on the July 2nd City Council agenda. She asked if the City Attorney needed direction from City Council to start or pursue the appeal process.

A: City Attorney Petrov stated that he could do so, but would need approval from City Council. He advised that he would like the opportunity to tell City Council about the process and what the City might expect the costs to be, the length of time an appeal might take, and any other ramifications with respect to the process.

Q: Mayor Siegel inquired as to whether City Attorney Petrov could be ready to discuss this issue with City Council by July 2nd.

A: City Attorney Petrov advised that he could.

Q: Mayor Siegel stated that some concern had been expressed with regard to the City’s lack of parking due to the construction of the pool, which should be freed up once the pool opened. She inquired as to whether City Manager Satterwhite could look into the possibility of setting aside or reserving parking spaces for those who required special assistance for the Fourth of July celebration.

A: City Manager Satterwhite noted that the City had never really had parking available for the Fourth of July celebration as the City’s parking lots were used for the
event itself. He noted further that South Rice Avenue would be closed.

Q: Mayor Siegel asked if he could get with the Director of Parks & Recreation to discuss the issue and report back to City Council on July 2nd.

A: City Manager Satterwhite advised that he would do so.

Q: Mayor Siegel stated that she had received a letter with pictures of a ditch in Southdale by Beech Street. There was vegetation growing and standing water in the ditch. Harris County had told the City that they would clean the ditch, but had not done so to date. She inquired as to whether the City could seriously pursue that request to clean the ditch. She also asked if City Manager Satterwhite could report back on this at the next City Council meeting.

A: City Manager Satterwhite indicated that Director of Public Works Joe Keene was aggressively pursuing Harris County with respect to that issue. He advised that he would report back to City Council on the issue if he were able to.

Q: Mayor Siegel referred to the rash of robberies that had been reported. She asked City Manager Satterwhite how citizens could become more educated with respect to this issue. She referred to the fact that there was information online through the Bellaire Police website. She also referred to the National Night Out Program the City participated in on an annual basis, and inquired as to whether there was other programs citizens could participate in.

A: City Manager Satterwhite advised that the Community Resource Office could be called and Officer Tim Quimby could come out and address groups or individuals regarding crime prevention, child safety seats, gun safety, etc. The Bellaire Police Department website was noted to have a wealth of information related to crime prevention, as well as links to other sites. The website was noted to be: www.bellairepolice.com.
Mayor Pro Tem Peggy Faulk

C/Q: Mayor Pro Tem Faulk noted that her mother was mugged in a parking lot just outside of Bellaire; therefore, she had a heightened interest in crime prevention as well.

Mayor Pro Tem Faulk continued and inquired as to a possible date for the pool opening at the Aquatic Facility.

A: City Manager Satterwhite stated that the pool opening would occur mid- to late August. The grand opening was planned for August 25, 2007. The City expected the pool to open for business prior to the grand opening date.

Councilman Will Hickman

Q: Councilman Hickman inquired as to whether City Attorney Petrov knew if the cities of West University Place and/or Southside Place were appealing the rate to be charged by Houston for surface water. He also inquired as to whether the City could jointly appeal with any other interested cities.

A: City Attorney Petrov stated that the more entities that could band together and share costs, the better it would be for everyone. The City of West University Place had asked City Attorney Petrov to look at the procedure for them as well. He had conversations with the City Attorney for Southside Place, and they were interested in looking at it. He also had conversations with the City Attorney for Pasadena, and they were interested as well. He was trying to reach out to some of the other cities that bought water from Houston and gauge whether they would participate. By stating that these cities were interested did not mean that their City Councils had committed to do anything. These options were being explored at the City Staff level.

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

A motion was made by Mayor Pro Tem Peggy Faulk and seconded by Councilman Pat McLaughlan to accept the City Manager’s Report as presented by City Manager Bernard M. Satterwhite, Jr., into the record.
VOTE ON MOTION TO ACCEPT THE CITY MANAGER’S REPORT INTO THE RECORD:

Motion carried unanimously on a 6-0 vote as follows:

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

OPPOSED:   None

ABSENT:    Jeffery, John

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


Revenues and expenditures were stated to be right on target. With respect to miscellaneous revenues, Mayor Siegel had inquired previously as to the large dollar amount recorded there. Of that amount, Interim Chief Financial Officer O’Donnell advised that $50,000.00 was from Harris County Precinct 3 to be utilized for maintenance and operations of the Nature Discovery Center.

Corrections were noted on pages 3 and 4 of the Financial Report (i.e., Executive Summary). Those corrections included the movement of fund balances out of the General Fund into the Capital Improvement Project Fund and the Vehicle, Equipment and Technology Fund. Interim Chief Financial Officer O’Donnell distributed copies to City Council that detailed how those fund balances were derived.

Additionally, it was noted that new accounts had been set up in the General Fund Revenues on page 10 for the Bellaire Fire and Bellaire Police Departments. Those revenues would offset expenditures in the Bellaire Fire and Police Departments.

City Manager Bernard M. Satterwhite, Jr., noted that the Fund Balance Summary was prepared in response to the Management Letter from the City’s Auditors related to the large
fund balance in the City’s General Fund. Some of that fund balance should have been allocated to the Capital Improvement Project Fund for future projects and to the Vehicle, Equipment and Technology Fund.

QUESTIONS/COMMENTS FROM CITY COUNCIL:

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

Councilman Will Hickman

Q: Councilman Hickman referred to page 3 of the Financial Report and noted that it appeared that expenditures in Public Works had increased $250,000.00. He inquired as to whether there was an obvious reason for the increase.

A: Interim Chief Financial Officer O’Donnell stated that she did not know off-hand, but would be happy to look that up and report back.

Q: Councilman Hickman referred to page 4 of the Financial Report and noted that wastewater treatment increased by $141,000.00. He inquired as to whether there was an obvious reason for that as well.

A: Interim Chief Financial Officer O’Donnell indicated that there had been a number of recent expenditures for wastewater treatment.

City Manager Satterwhite advised that he would check into it.

Q: Councilman Hickman referred to page 4 of the Financial Report and the transfers in and out of $7.363 million. He inquired as to the purpose of those transfers.

A: Interim Chief Financial Officer O’Donnell stated that the transfers in and out were prior year fund balance entries made to correct the years 2004-2006. There had been a transfer in and out of $600,000.00 in 2007 for the Capital Improvement Fund and $200,000.00 in 2007 for the Vehicle, Equipment and Technology Fund.

Q: Councilman Hickman noted that there were many accounts that had a zero balance and a zero budget. He
inquired as to why there were so many items with a zero budget.

A: **Interim Chief Financial Officer O’Donnell** stated that she believed when the Former Chief Financial Officer printed off the financial report, she had omitted the accounts with zero balances. Interim Chief Financial Officer O’Donnell inadvertently failed to omit these balances.

**Mayor Cindy Siegel**

Q: **Mayor Siegel** asked for confirmation that the transfers in and out were made to correct the fund balance by designating it as part of the Capital Improvement Projects Fund and/or the Vehicle, Equipment, and Technology Fund.

A: **Interim Chief Financial Officer O’Donnell** advised that Mayor Siegel was correct.

**MOTION TO ACCEPT THE FINANCIAL REPORT INTO THE RECORD:**

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

**VOTE ON MOTION TO ACCEPT THE FINANCIAL REPORT INTO THE RECORD:**

Motion **carried** unanimously on a 6-0 vote as follows:

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

**OPPOSED:** None

**ABSENT:** Jeffery, John
G. NEW BUSINESS:

1. CONSENT AGENDA:

Bid Award/Agreement

CONSIDERATION of and possible action on a recommendation from the Bellaire Public Works Department to award Bid No. 07-018, Chlorine and Sulfur Dioxide – One (1) Ton Capacity Cylinders, to the lowest bidder, Acetylene Oxygen Company, in the amount of $17,100.00 for Chlorine and $10,170.00 for Sulfur Dioxide and adoption of an ordinance authorizing the Mayor and the City Clerk of the City of Bellaire, Texas, to execute and attest, respectively, on behalf of the City of Bellaire, Texas, a *Standard Form of Agreement* with Acetylene Oxygen Company for said materials in amounts not to exceed $17,100.00 (Chlorine) and $10,170.00 (Sulfur Dioxide) – *Action by Members of City Council (Item submitted by Director of Public Works Joe Keene).*

MOTION TO APPROVE CONSENT AGENDA:

A motion was made by Councilwoman Debra Marz Davison and seconded by Councilman Pat McLaughlan to approve the Consent Agenda dated June 18, 2007, consisting of a recommendation from the Bellaire Public Works Department to award Bid No. 07-018, Chlorine and Sulfur Dioxide – One (1) Ton Capacity Cylinders, to the lowest bidder, Acetylene Oxygen Company, in the amount of $17,100.00 for Chlorine and $10,170.00 for Sulfur Dioxide and to adopt an ordinance authorizing the Mayor and the City Clerk of the City of Bellaire, Texas, to execute and attest, respectively, on behalf of the City of Bellaire, Texas, a *Standard Form of Agreement with Acetylene Oxygen Company* for said materials in amounts not to exceed $17,100.00 (Chlorine) and $10,170.00 (Sulfur Dioxide).

VOTE ON MOTION TO APPROVE CONSENT AGENDA:

Motion carried unanimously on a 6-0 vote as follows:

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

OPPOSED: None

ABSENT: Jeffery, John

{Ordinance was subsequently numbered: 07-029}

2. ADOPTION OF ORDINANCE(S)/RESOLUTION(S):

Bid Awards/Agreements and Contracts

a. CONSIDERATION of and possible action on a recommendation from Consulting Engineers Klotz Associates, Inc., and the Bellaire Public Works Department to award Bid No. 07-010, Water Tank Storage Rehabilitation – Feld Park Water Production and Distribution Plant, to the lowest bidder, Gulf States Protective Coatings, Inc., in an amount not to exceed $400,825.00 for the purpose of rehabilitating the elevated storage tank and ground storage tank at Feld Park, 6406 Avenue B, Bellaire, Texas, and adoption of an ordinance authorizing the Mayor and the City Clerk of the City of Bellaire, Texas, to execute and attest, respectively, on behalf of the City of Bellaire, Texas, a Standard Form of Agreement with Gulf States Protective Coatings, Inc., for said services in an amount not to exceed $400,825.00 – Action by Members of City Council (Item submitted by Director of Public Works Joe Keene).

MOTION TO APPROVE RECOMMENDATION AND ADOPT ORDINANCE:

A motion was made by Councilwoman Debra Marz Davison and seconded by Councilman Pat McLaughlan to approve a recommendation from Consulting Engineers Klotz Associates, Inc., and the Bellaire Public Works Department to award Bid No. 07-010, Water Tank Storage Rehabilitation – Feld Park Water Production and Distribution Plant, to the lowest bidder, Gulf States Protective Coatings, Inc., in an amount not to exceed $400,825.00 for the purpose of rehabilitating the elevated storage tank and ground storage tank at Feld Park, 6406 Avenue B, Bellaire, Texas, and to adopt an ordinance authorizing the Mayor and the City Clerk of the City
of Bellaire, Texas, to execute and attest, respectively, on behalf of the City of Bellaire, Texas, a *Standard Form of Agreement with Gulf States Protective Coatings, Inc.*, for said services in an amount not to exceed $400,825.00.

**City Manager Bernard M. Satterwhite, Jr.,** advised that this project was suggested in the Klotz Associates, Inc., Water and Wastewater Plant Study. He introduced Ralph Cox, P.E., Klotz Associates, Inc., who wished to give a brief presentation.

**Ralph Cox, P.E., Klotz Associates, Inc.,** advised that the Feld Park Water Plant was one of two plants (i.e., the Central Plant being the other one) that received and re-pumped Houston surface water. There was one ground water storage tank (500,000 gallon capacity) and one elevated storage tank (500,000 gallon capacity), as well as a well and a pump at Feld Park.

The reasons the elevated tank was needed were noted as follows:

- It helped to maintain pressure in the system;
- It provided for a buffer for peak demands;
- It provided for the storage of water in an emergency; and
- It improved the overall system reliability.

The reasons the ground storage tank was needed were noted as follows:

- It provided the required air gap between the City’s system and the City of Houston’s system;
- It provided for a buffer for peak demands;
- It provided a reservoir for the pumps that pressurized the system to draw from; and
- It provided for the storage of water in an emergency.

In 2005, Klotz Associates, Inc., conducted a system-wide evaluation of Bellaire’s water system, with part of the work being performed by a subcontractor. All of the City’s tanks were inspected during that study. It was noted that the elevated storage tank at Feld Park was leaking. The coating systems in both of the tanks at Feld Park had reached the end of their useful life and were in the initial stages of failing.
Klotz Associates, Inc., next put together a design package for rehabilitating the two tanks at Feld Park, and five bids were received on May 9, 2007, for the rehabilitation project. The low bid was Gulf States Protective Coatings, Inc., in the amount of $400,825.00. Mr. Cox stated that Gulf States Protective Coatings, Inc. (Gulf States), was an area contractor headquartered in La Porte, Texas. Gulf States performed a great deal of work in the municipal area. Their references were checked and Klotz Associates, Inc., had personally worked with Gulf States for other clients. It was Klotz Associates, Inc.’s recommendation to enter into this contract with Gulf States.

QUESTIONS/COMMENTS FROM CITY COUNCIL:

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

Councilman John F. Monday

Q: Councilman Monday inquired as to the estimated project completion date after bid award.

A: Mr. Cox stated that the total time according to the contract was 180 days. Klotz Associates, Inc., stipulated that the ground storage tank needed to be done within the first 90 days. The reason for this was that the tank would have to be taken out of service, so the City would not be able to receive treated surface water from the City of Houston during that time period.

Q: Councilman Monday inquired as to whether the elevated tank would continue to be operable.

A: Mr. Cox advised that the elevated tank and well could continue to be operable.

Mayor Pro Tem Peggy Faulk

Q: Mayor Pro Tem Faulk asked for confirmation that the City would not be taking water from the City of Houston during the rehabilitation.

A: Mr. Cox stated that during the 90-day period that the rehabilitation was being performed on
the ground storage tank, Bellaire would not be taking surface water at Feld Park. Bellaire would be able to accept surface water at the Central Plant.

Director of Public Works Joe Keene and his staff could change the operations to meet the demands by pumping a little more at the Central Plant site.

Q: Mayor Pro Tem Faulk inquired as to whether the City would still take its normal amount of surface water from the City of Houston during this time period.

A: Director of Public Works Joe Keene advised that he and his staff intended to take the normal amount if at all possible through the Central Plant site.

Q: Mayor Pro Tem Faulk inquired as to the time period that the price increase from the City of Houston would go into effect.

A: City Manager Satterwhite advised that the price increase would go into effect on September 1, 2007.

Q: Mayor Pro Tem Faulk inquired as to when the work would begin on this contract, if approved.

A: Mr. Cox stated that he believed that a notice to proceed could be issued for the contract within the next three weeks, noting that he needed to ensure that the appropriate bonds and insurance were obtained.

Q: Mayor Pro Tem Faulk felt that if there were going to be a significant curtailment of water from the City of Houston, she wished to cut back when the rates were higher as opposed to now.

A: City Manager Satterwhite indicated that the City had to pay for a minimum amount of water anyway.

Mr. Cox advised that the way the City presently operated, there was a minimum take or pay
amount, which he believed was 50 million gallons per month. Currently, the Public Works Department pumped 50 million gallons of surface water from Houston, which equated to approximately 50% of the total demand in an average month. The rest was made up by pumping ground water. The City had to pay Houston for 50 million gallons whether or not it was used.

Councilman Will Hickman

Q: Councilman Hickman referred to a possible hurricane hitting the area and inquired as to whether it was easy to shut off the valve from Houston in the event that the surface water was contaminated.

A: Mr. Cox advised that it was an easy process.

Q: Councilman Hickman inquired as to whether the pumps were operated by using electricity. If so and the electricity went out, he inquired as to whether there was a mechanical substitute or generators.

A: Mr. Cox stated there was no mechanical substitute or generators to substitute for the electrical power. He noted that the elevated storage tanks at the Feld Park Plant and the Central Plant would be able to provide a days’ worth of water. By virtue of their elevation, those tanks could pressurize the water system without electricity.

Q: Councilman Hickman inquired as to whether there would be reduced pressure from the ground storage tank.

A: Mr. Cox stated that the City would have storage capacity associated with the ground storage tank, but no pressure. The ground storage tanks were basically at atmospheric pressure.

Mayor Cindy Siegel

Q: Mayor Siegel asked if there would be no water, or if water would trickle out of faucets.
A: **Mr. Cox** stated that in an extreme event, such as a Hurricane Katrina, some utilities had contingencies whereby people could bring jugs to a plant site and get water that way. A water system typically operated at 40-60 psi (pounds per square inch). Once the supply was exhausted from the elevated tank, the pressure would be lost in the system.

Q: **Mayor Siegel** referred to the 180-day period for this work to be completed, noting that it was during hurricane season. She inquired as to whether the elevated tank could still be utilized while the ground water storage tank was being rehabilitated.

A: **Mr. Cox** advised that the elevated storage tank could still be utilized for 90 of the 180 days.

**Councilman Will Hickman**

Q: **Councilman Hickman** inquired as to the type of coating to be used on the tanks.

A: **Mr. Cox** stated that the coating was an industrial grade multi-layer paint. The contractor would drain the tank, re-inspect the tank, and take the existing coating down to the bare metal. Several coats of primer would be added back on, then the paint. The paints were specifically made to come into contact with potable drinking water.

**Councilman John F. Monday**

Q: **Councilman Monday** noted that it would seem reasonable that from time to time Bellaire would need to take its tanks out of service for rehabilitation. The current contract put pressure on Bellaire to consume or lose volume from Houston that we would normally pump. He thought that the City should ask for some kind of arrangement for these maintenance events. In other words, rather than a pump and lose, there was bound to be a better way (i.e., versus penalties). He felt that the City needed some degree of protection in this regard.
A: City Attorney Alan P. Petrov stated that Councilman Monday had made an excellent point; however, the problem the City had in negotiating these contracts with the City of Houston was the unequal bargaining power Bellaire had. He thought that the City should certainly push for a contractual provision as suggested by Councilman Monday.

C: Councilman Monday stated that if we did not speak up regarding the water monopoly situation, Bellaire would continue to be in a subservient position to whomever controlled the monopoly. He recommended that the City try regardless of whether the City felt it would prevail.

Councilman Pat McLaughlan

C: Councilman McLaughlan stated that he would be voting against this agenda item and wished to explain the reason. He noted that Klotz Associates, Inc., was a fine organization with a good reputation. He certainly had no problem with them. He was certain that Gulf States Protective Coatings, Inc., was also a good organization and did great work. He was sure, too, that this work needed to be done.

However, the reason Councilman McLaughlan would be voting against this agenda item was the same reason he had voted against all of the other water plant improvements. Bellaire pumped 50% of its water supply needs from the City of Houston. Before Bellaire got one drop of water from Houston, Bellaire paid the upkeep of four water plants scattered through the City. Those water plants were now operating at one-half capacity because one-half of the water was coming from Houston. Yet, the City was still continuing to spend taxpayer money to maintain four individual water plants.

At the last City Council meeting, $90,000.00 was approved to rebuild a water well. This meeting, City Council was asked to approve $400,000.00 for tank improvements. Councilman McLaughlan stated that he really believed that Bellaire needed a consulting engineering study to assess the
number of water plants that Bellaire should ask its taxpayers to support. The State of Texas advised that Bellaire only needed two water plants, yet Bellaire was spending taxpayer money to maintain four plants.

Councilman McLaughlan was hopeful that someday City Staff would make a definitive engineering recommendation to City Council as to which water plant the City could take off-line to save taxpayers that money.

Councilman Will Hickman

Q: Councilman Hickman referred to the increasing size of homes in Bellaire. He noted that he assumed that the increased size of homes would lead to an increase in the use of water. He inquired as to whether water usage in Bellaire had been increasing.

A: Mr. Cox stated that based on the study conducted in 2005, water usage in Bellaire was essentially flat. As a concept, he would agree with Councilman Hickman that the amount of water per household was trending up. The Bellaire Millennium Renewal Program, which replaced many of the City’s older water lines, cut down significantly on the amount of lost water in the system through leaking pipes. Therefore, it had been a wash.

Mayor Cindy Siegel

Q: Mayor Siegel noted that in a “perfect world,” after taking into account the payoff from the water leaks, it would seem that the water usage would trend up.

A: Mr. Cox stated that he believed that Bellaire’s water usage would not trend up significantly because Bellaire was a mature community. For example, there would not be a huge population increase. Overall, all things being equal, the water usage was roughly the same.
**Councilman John F. Monday**

C: Councilman Monday stated that he felt that Councilman McLaughlan had raised a legitimate question that might require action on the part of City Council. He inquired as to whether City Council had a policy in mind (whether it be over the next one, five, ten, or twenty years) with respect to water consumption and Bellaire’s dependency on the City of Houston. It appeared that City Council was approaching the issue of refurbishing its water plants on a piecemeal basis rather than from a global perspective.

Councilman Monday suggested that City Council instruct City Staff to conduct a workshop so that City Council could focus on its unofficial policy with respect to those issues.

R: Mayor Siegel stated that it was her understanding that part of the reason for putting the Evergreen Water Plant back into service was the need for serious rehabilitation at Feld Park. After this work was completed, she believed that City Staff would be ready to make a recommendation as to which wells could be taken down.

R: City Manager Satterwhite advised that both the elevated storage tank and ground water storage tanks were needed at Feld Park as this site was a receiving point for surface water. This was the same situation for Central Plant.

The City was not doing anything with the well at Feld Park in spite of the fact that the City had serious concerns about it. Whether the City would consider replacing that well needed to be researched further and was currently under consideration.

The City needed to get to a level of confidence with the entire system. Although it appeared piecemeal, the work was being done in conjunction with the water and wastewater study performed two years ago by Klotz Associates, Inc.
R: **Mayor Siegel** stated that she did not disagree in theory with looking into this issue from a long-range perspective. If one or more wells could be taken out of service, then it would be great. Once one was taken out, however, it could probably not be replaced without a very significant investment.

In addition, Mayor Siegel had concerns that Houston could cut the City's water supply off if they needed to. She was not completely convinced at this point that a case had been built to remove one of the wells or plants. In the meantime, she felt that City Council had a fiduciary obligation to make sure that what was in place was maintained.

In closing, she did not feel that Bellaire had many options with respect to surface water and the state mandate in that regard. The contract was weighted toward Houston. She was not ready to vote to take one of the water wells or plants out of service. She did believe that City Council should consider a policy with respect to water.

C: **Councilman Monday** advised that the driver for the City's public policy to maintain the City’s overall water system was fear. The policy was driven by what came from the State Legislature and he did not believe it was good public policy. It was a sad commentary that Bellaire had to deal with the public policy on its access to water from a standpoint of fear.

R: **Mayor Siegel** referred to an emergency, terrorist situation, or an unforeseen catastrophe as other causes of concern with respect to taking any wells or plants off-line.

She advised that the Village Mayors, the Mayor of West University Place, and the Mayor of Southside Place had held conversations with various legislators regarding the fact that there was not a great deal of recourse for the smaller cities in working with Houston as a monopoly supplier of surface water.
CALL THE QUESTION:

A motion was made by Councilman Will Hickman and seconded by Mayor Pro Tem Peggy Faulk to call the question.

VOTE ON CALLING THE QUESTION:

Motion carried unanimously on a 6-0 vote as follows:

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

OPPOSED: None

ABSENT: Jeffery, John

VOTE ON MOTION TO APPROVE RECOMMENDATION AND ADOPT ORDINANCE:

Motion carried on a majority vote of 5-1 as follows:

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

OPPOSED: McLaughlan, Pat

ABSENT: Jeffery, John

{Ordinance was subsequently numbered: 07-030}

Rebuild Bellaire Program

b. CONSIDERATION of and possible action on a recommendation from Consulting Engineers Claunch & Miller, Inc., and the Bellaire Public Works Department to award Bid No. 07-017, Rebuild Bellaire Program, Phase One Project*, to the lowest bidder, AAA Asphalt Paving Inc. in an amount not to exceed $4,918,240.00 and adoption of an ordinance authorizing the Mayor and the City
Clerk of the City of Bellaire, Texas, to execute and attest, respectively, a *Standard Form of Agreement* with AAA Asphalt Paving Inc. for materials and services related to said project in an amount not to exceed $4,918,240.00 – *Action by Members of City Council* (Item submitted by Director of Public Works Joe Keene).

*Streets to be reconstructed under this project are as follows: 4500 Evergreen Street, 4500 Elm Street, 4500 Beech Street, 5100 Chestnut Street, 6300-6600 Fifth Street, and 5600-5700 Evergreen Street.*

**MOTION TO APPROVE RECOMMENDATION AND ADOPT ORDINANCE:**

A motion was made by Councilwoman Debra Marz Davison and seconded by Councilman Pat McLaughlan to approve a recommendation from Consulting Engineers Claunch & Miller, Inc., and the Bellaire Public Works Department to award Bid No. 07-017, Rebuild Bellaire Program, Phase One Project, to the lowest bidder, AAA Asphalt Paving Inc. in an amount not to exceed $4,918,240.00 and to adopt an ordinance authorizing the Mayor and the City Clerk of the City of Bellaire, Texas, to execute and attest, respectively, a *Standard Form of Agreement* with AAA Asphalt Paving Inc. for materials and services related to said project in an amount not to exceed $4,918,240.00.

**DISCUSSION:**

City Manager Bernard M. Satterwhite, Jr., noted that Claunch & Miller, Inc. (CMI) had performed a Preliminary Engineering Study for the Rebuild Bellaire Program, Phase One Project. That study was presented by CMI to City Council at a previous meeting. At that time, some of the streets were changed for various reasons. Sidewalks were also discussed at great length. The Neighborhood Meeting for this project was held approximately two weeks ago and prior to the bid award in order to apprise the residents that City Council was getting ready to consider this project. City Manager Satterwhite noted that 1,000 letters were delivered door-to-door on the affected streets, as well as the areas surrounding those affected streets.
There were only 19 residents in attendance at the Neighborhood Meeting, and it was City Manager Satterwhite’s understanding that the primary discussion was sidewalks on the 4500 block of Evergreen Street.

QUESTIONS/COMMENTS FROM CITY COUNCIL:

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

**Mayor Cindy Siegel**

**Q:** Mayor Siegel asked for confirmation that sidewalks would be installed on both sides of Evergreen Street since it was a collector street. She inquired as to whether sidewalks would be installed on both sides of the other streets under this project.

**A:** City Manager Satterwhite advised that sidewalks would be installed on both sides of Evergreen Street. The other streets would have 4’ sidewalks installed on one side of the street. The sides selected were discussed previously by City Council.

**Councilman Will Hickman**

**Q:** Councilman Hickman inquired as to the work that AAA Asphalt Paving Inc. would be doing on the referenced streets.

**A:** Consulting Engineer James Andrews, P.E., Claunch & Miller, Inc., advised that the existing street and storm sewer system would be removed completely and replaced with new reinforced concrete pavement and a new drainage system, along with sidewalks and driveway approaches to the right-of-way.

**Q:** Councilman Hickman noted that the contract called for a 7” concrete street. He inquired as to why the thickness was not greater than 7”, noting that it seemed as if a thicker street might only increase the cost by a marginal amount. He also inquired as to whether increasing the thickness would yield a longer life or increased strength of the street.
A: Mr. Andrews advised that the 7” recommended thickness was based on loading requirements and a geotechnical report that was performed on the subsurface soil. The 7” thickness, along with the 12” lime stabilized sub-grade, was the pavement recommendation from the geotechnical engineers. The life of the street should be 20-25 years.

Q: Councilman Hickman asked if an increased thickness would yield a longer life or just yield a bigger loading capacity.

A: Mr. Andrews stated that an increase in thickness would yield a bigger loading capacity. The soils that Bellaire sat on were the biggest culprit. The thickness was not as important as how the soil was stabilized and how the cracks that would occur over the course of the pavement’s life were repaired.

Councilman John F. Monday

Q: Councilman Monday noted that approximately 1,250 square yards of pavement transition were addressed in the project. He inquired as to whether paving the transitions in asphalt was a typical process under Bellaire’s reconstruction projects.

A: Mr. Andrews advised that this was typical and noted that the City was not reconstructing all of the lateral streets that fed into the ones to be reconstructed. For example, some of the streets that fed into Fifth Street were asphalt streets. The City was rebuilding the intersection of Fifth Street and Locust Street, but asphalt would be used to transition into asphalt.

The elevations of the intersections would be dropped somewhat and the lateral streets would have to be transitioned back to an existing elevation. The City did not have the funds to rebuild all of the lateral streets. The drainage system and inlets for the major streets would be built to an elevation that would fit with the
elevations of the lateral streets if those were considered for reconstruction in the future.

Q: **Councilman Monday** asked for confirmation that asphalt would not be placed over the newly poured concrete.

A: **Mr. Andrews** advised that asphalt would not be placed over the newly poured concrete.

**Councilman Pat McLaughlan**

Q: **Councilman McLaughlan** referred to the work recently completed on Fournace Place and the use of the red pavers or tiles at some of the intersections. He inquired as to whether those decorative pavers or tiles would be used in the Rebuild Bellaire Program, Phase One Project.

A: **Mr. Andrews** advised that he did not believe it was included in this project. The pavers and tiles had not been included on major thoroughfare roadways.

C: **Councilman McLaughlan** felt that the use of these pavers and tiles were a plus for the community and added character. He asked if Claunch & Miller, Inc., could find some way to include those in this project.

R: **Mr. Andrews** stated that he could look into it.

Q: **Councilman McLaughlan** advised that he was worried about spending $5 million of bond money on this project. The bonds were issued with 20-30-40 year maturities and the life of the pavement was approximately 20 years.

A: **City Attorney Alan P. Petrov** and **Mayor Cindy Siegel** stated that 20-year maturities were the maximum maturity for road improvements.

Q: **Councilman McLaughlan** noted that he thought the City had issued some bonds with a 30-year maturity.
A: City Attorney Petrov stated that he believed that a 25-year maturity was the longest maturity the City had.

Mayor Siegel noted that the City had discussed the maturities under the Rebuild Bellaire Program and lessened them.

C: Councilman McLaughlan advised that his concern was related to the fact that the City was financing something over a 25-year period that only had a 25-year life. In other words, the City would never get ahead of the curve.

R: Mr. Andrews advised that the life of the street was maintenance driven. If the streets were properly maintained, the life could be extended. If the City spent its dollars properly maintaining and sealing cracks, improving joints, and point repairs in a systematic approach, the life of the pavement could definitely be improved for as long as 35 years.

Q: Councilman McLaughlan noted that the lifetime of an asset could frequently be controlled through the design. He asked if there was any logic to the consideration of stronger design characteristics in order to lengthen the life of the City’s streets as suggested by Councilman Will Hickman.

A: Mr. Andrews advised that he did not really believe that this was where the City’s money should be spent. He believed the money should be spent on a maintenance program over the life cycle of the pavement. This was where the City would get its best bang for the buck.

Q: Councilman McLaughlan inquired as to whether Claunch & Miller, Inc., would be able to adhere to their surface flow desirability so as to ensure that storm water would surface flow.

A: Mr. Andrews stated that this was one of the major concerns and a major design criterion that was taken into consideration.
**Councilman Will Hickman**

Q: Councilman Hickman stated that his neighbor had excavated and put in low plasticity index soil. He asked if this were something the engineers had looked at in designing this project or whether the cost would be prohibitive.

A: Mr. Andrews advised that for 12” below the 7” concrete, the soil was stabilized. Generally, only 6” of the sub-grade would be stabilized with a lime material. The City was going 6” more, which took an extra labor process with respect to compaction.

**Mayor Cindy Siegel**

C: Mayor Siegel pointed out that an informal petition was received from the residents who lived along the 4500 block of Evergreen Street related to a request for a sidewalk on only one side of the street, speed humps, and no parking on one side. The petition did not comply with the requirement for a traffic control device (i.e., speed humps), but the Mayor wished to make everyone aware of the receipt of that petition.

**Mayor Pro Tem Peggy Faulk**

C: Mayor Pro Tem Faulk stated that she would like to see the City address parking on only one side of Evergreen Street.

R: City Manager Satterwhite stated that addressing whether there should be parking on only one side of the street was a decision that could be made by City Council separate and apart from the contract this evening. He advised that City Staff could take the action, but he did not have justification, as there were many 28’ wide streets throughout Bellaire that allowed parking on both sides of the street. He noted that this could certainly be looked at from a policy decision standpoint, and City Staff could then implement that policy.
Councilman Will Hickman

Q: Councilman Hickman inquired as to whether cars could be parked on both sides of a 28’ wide street and two cars still pass each other.

A: Mr. Andrews stated that one car would have to wait for the other to pass.

VOTE ON MOTION TO APPROVE RECOMMENDATION AND ADOPT ORDINANCE:

Motion carried unanimously on a 6-0 vote as follows:

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

OPPOSED: None

ABSENT: Jeffery, John

{Ordinance was subsequently numbered: 07-031}

c. CONSIDERATION of and possible action on the adoption of a resolution of the City Council of the City of Bellaire, Texas, declaring official intent to reimburse any and all amounts expended by the City after the date of this resolution associated with the Rebuild Bellaire Program, Phase One Project, from the proceeds of tax-exempt bonds or other evidences of indebtedness which are expected to be issued in connection therewith – Action by Members of City Council (Item submitted by City Clerk Tracy L. Dutton on behalf of City Attorney Alan P. Petrov).

SUMMARY:

City Attorney Alan P. Petrov advised that the contract City Council just awarded was likely to get started and possibly need some payments before the City got the bond issue sold to pay for the improvements. The City would like to take some funds out of reserves to pay those contract amounts and then reimburse itself out of
the future proceeds from the bond sale. To do that, a federal tax law required the City to declare its official intent to reimburse itself should it need to. This resolution was declaring the City’s official intent to reimburse should the City find the need to use some of its funds on hand to pay for the contract amounts before the bonds were issued.

{Note: Mayor Pro Tem Peggy Faulk left the Council table at this point in the meeting).

City Manager Bernard M. Satterwhite, Jr., stated that the City had sold bonds during the month of August throughout most of the Bellaire Millennium Renewal Program. An August bond sale and a September closing lined up very well with the City’s budget cycle, and the interest payments lined up very well throughout the year.

**MOTION TO ADOPT RESOLUTION:**

A motion was made by Councilman Pat McLaughlan and seconded by Councilman John F. Monday to adopt a resolution of the City Council of the City of Bellaire, Texas, declaring official intent to reimburse any and all amounts expended by the City after the date of this resolution associated with the Rebuild Bellaire Program, Phase One Project, from the proceeds of tax-exempt bonds or other evidences of indebtedness which are expected to be issued in connection therewith.

**VOTE ON MOTION TO ADOPT RESOLUTION:**

Motion carried on a 5-0 vote as follows:

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

**OPPOSED:** None

**ABSENT:** Jeffery, John  
Faulk, Peggy*
*Mayor Pro Tem Peggy Faulk left the Council table temporarily during the discussion and vote on the referenced resolution.

{Resolution was subsequently numbered: 07-06}

Budget Amendment

d. CONSIDERATION of and possible action on the adoption of an ordinance amending the budget for the City of Bellaire, Texas, for the fiscal year beginning October 1, 2006, and ending September 30, 2007, by transferring $264,800.00 from the Unreserved and Designated for Capital Projects Fund Balance to a new account to be entitled “Capital Improvement Fund – Traffic Signal/CMAQ Project” for the purpose of funding a Contract and Agreement for Engineering Services with Traffic Engineers, Inc., for the performance of engineering services necessary for the design, administration, construction monitoring, construction observation, and traffic control plans for an estimated 11 traffic signalized intersections throughout the City of Bellaire, Texas, and by transferring $65,586.00 from the Unreserved and Designated for Capital Projects Fund Balance to the Capital Improvement Fund – Bellaire Town Square Aquatic Center Site Preparation account to fund the final payment on said project to Cravens Partners, Ltd., in accordance with a final change order and final application for payment approved on April 16, 2007 – Action by Members of City Council (Item submitted by City Manager Bernard M. Satterwhite, Jr.).

MOTION TO ADOPT ORDINANCE:

A motion was made by Councilwoman Debra Marz Davison and seconded by Councilman Will Hickman to adopt an ordinance amending the budget for the City of Bellaire, Texas, for the fiscal year beginning October 1, 2006, and ending September 30, 2007, by transferring $264,800.00 from the Unreserved and Designated for Capital Projects Fund Balance to a new account to be entitled “Capital Improvement Fund – Traffic Signal/CMAQ Project” for the purpose of funding a Contract and Agreement for Engineering Services with Traffic
Engineers, Inc., for the performance of engineering services necessary for the design, administration, construction monitoring, construction observation, and traffic control plans for an estimated 11 traffic signalized intersections throughout the City of Bellaire, Texas, and by transferring $65,586.00 from the Unreserved and Designated for Capital Projects Fund Balance to the Capital Improvement Fund – Bellaire Town Square Aquatic Center Site Preparation account to fund the final payment on said project to Cravens Partners, Ltd., in accordance with a final change order and final application for payment approved on April 16, 2007.

(Note: Mayor Pro Tem Peggy Faulk returned to the Council table at this point in the meeting)

QUESTIONS/COMMENTS FROM CITY COUNCIL:

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

Councilman Will Hickman

Q: Councilman Hickman referred to the second transfer of $65,586.00 and noted that the City originally thought the project would cost $200,000.00. After bidding, the project cost was $375,000.00. The actual cost of the project ended at $318,000.00. It seemed that the amendment should be $118,000.00 versus $65,586.00.

A: City Manager Satterwhite advised that one amendment was done for the purpose of amending last year's budget to include the payments made through the end of the last fiscal year.

Councilman Pat McLaughlan

Q: Councilman McLaughlan inquired as to which account the $264,800.00 amendment was coming from.

A: City Manager Satterwhite advised that the $264,800.00 amendment would come from the Capital Improvement Project reserves or fund
balance. City Staff had considered taking the amount out of an unexpended project, but decided that it was cleaner and easier to move the funds from the fund balance.

Q: Councilman McLaughlan stated that he remembered City Manager Satterwhite stating at one point that these funds would come from the sidewalk maintenance program.

A: City Manager Satterwhite advised that City Staff changed their mind about that.

Q: Councilman McLaughlan asked for confirmation that the City would continue to have a sidewalk maintenance program.

A: City Manager Satterwhite stated that there was $150,000.00 left in that program for this fiscal year. He did not know if the City would have another project this year. If not, those funds would carryover into the next year’s program.

C: Councilman McLaughlan stated that he would be voting against the budget amendment. City Council was originally told that for $2.5 million, the City could upgrade 11 traffic signals with federal funding. Of that amount, $2 million would come from the federal government (through a grant) and Bellaire would pay $500,000.00. As the situation progressed, the City added $264,800.00 onto the $500,000.00 payment. The Bellaire share had, therefore, increased over 50%.

It was Councilman McLaughlan’s understanding that the reason the City was spending the additional $264,800.00 was simply to favor Traffic Engineers, Inc. Originally, City Council was told that the Texas Department of Transportation (TXDOT) would do the engineering work rather than the consultants the City was favoring.

In closing, Councilman McLaughlan advised that the reason he was voting against this amendment was that City Council was originally told that the City’s portion or committal was
$500,000.00. Now, the City’s portion or committal was $750,000.00.

**VOTE ON MOTION TO ADOPT ORDINANCE:**

Motion **carried** on a majority vote of **5-1** as follows:

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

**OPPOSED:** McLaughlan, Pat

**ABSENT:** Jeffery, John

{Ordinance was subsequently numbered: 07-032}

**Board, Commission, Committee Appointments**

**e. CONSIDERATION of and possible action on the adoption of an ordinance appointing three (3) members to the Planning and Zoning Commission of the City of Bellaire, Texas, for a term of two years commencing on July 1, 2007, and expiring on June 30, 2009 – Action by Members of City Council (Item submitted by City Clerk Tracy L. Dutton).**

Each member of the Bellaire City Council presented his or her choices for three members to serve a two-year term on the Planning and Zoning Commission of the City of Bellaire, Texas, as follows:

<table>
<thead>
<tr>
<th>Council Member</th>
<th>Nominee</th>
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</thead>
<tbody>
<tr>
<td>Cindy Siegel</td>
<td>John P. Keating</td>
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<tr>
<td></td>
<td>Deborah Sharp</td>
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<tr>
<td></td>
<td>Bill Thorogood</td>
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<tr>
<td>Will Hickman</td>
<td>Andrew S. Friedberg</td>
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<td>John A. Tang</td>
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<td></td>
<td>Bill Thorogood</td>
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<tr>
<td>John F. Monday</td>
<td>Andrew S. Friedberg</td>
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<tr>
<td></td>
<td>Deborah Sharp</td>
</tr>
<tr>
<td></td>
<td>Bill Thorogood</td>
</tr>
</tbody>
</table>
Peggy Faulk  Andrew S. Friedberg
Deborah Sharp  Bill Thorogood

Debra Marz Davison  John P. Keating
Deborah Sharp  Bill Thorogood

Pat McLaughlan  Andrew S. Friedberg
Deborah Sharp  Bill Thorogood

The votes were tallied as follows:

Andrew S. Friedberg  4
John P. Keating  2
Deborah Sharp  5
Bill Thorogood  6

**MOTION TO ADOPT ORDINANCE:**

A motion was made by Mayor Pro Tem Peggy Faulk and seconded by Councilman Pat McLaughlan to adopt an ordinance appointing Andrew S. Friedberg, Deborah Sharp, and Bill Thorogood to the Planning and Zoning Commission of the City of Bellaire, Texas, for a term of two years commencing on July 1, 2007, and expiring on June 30, 2009.

**VOTE ON MOTION TO ADOPT ORDINANCE:**

Motion carried unanimously on a 6-0 vote as follows:

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

OPPOSED:  None

ABSENT:  Jeffery, John

{Ordinance was subsequently numbered: 07-033}
f. CONSIDERATION of and possible action on the adoption of an ordinance appointing three (3) members to the Building and Standards Commission of the City of Bellaire, Texas, for a term of two years commencing on July 1, 2007, and expiring on June 30, 2009, and appointing one (1) member to the Building and Standards Commission of the City of Bellaire, Texas, to fill an unexpired term commencing on July 1, 2007, and expiring on June 30, 2008 – Action by Members of City Council (Item submitted by City Clerk Tracy L. Dutton).

Each member of the Bellaire City Council presented his or her choices for three members to serve a two-year term on the Building and Standards Commission of the City of Bellaire, Texas, as follows:

<table>
<thead>
<tr>
<th>Council Member</th>
<th>Nominee</th>
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</thead>
<tbody>
<tr>
<td>Cindy Siegel</td>
<td>E. Wayne Alderman</td>
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<tr>
<td></td>
<td>John P. Keating</td>
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<td></td>
<td>Tom Ligh</td>
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<tr>
<td>Will Hickman</td>
<td>E. Wayne Alderman</td>
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<td></td>
<td>John P. Keating</td>
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<td>John A. Tang</td>
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<tr>
<td>John F. Monday</td>
<td>E. Wayne Alderman</td>
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<td></td>
<td>John P. Keating</td>
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<td>Bruce Volkert</td>
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<tr>
<td>Peggy Faulk</td>
<td>E. Wayne Alderman</td>
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<td></td>
<td>John P. Keating</td>
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<tr>
<td></td>
<td>John A. Tang</td>
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<tr>
<td>Debra Marz Davison</td>
<td>E. Wayne Alderman</td>
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<td></td>
<td>John P. Keating</td>
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<td>John A. Tang</td>
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<tr>
<td>Pat McLaughlan</td>
<td>E. Wayne Alderman</td>
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<tr>
<td></td>
<td>John P. Keating</td>
</tr>
<tr>
<td></td>
<td>Tom Ligh</td>
</tr>
</tbody>
</table>

The votes were tallied as follows:

- E. Wayne Alderman: 6
- John P. Keating: 6
Each member of the Bellaire City Council next presented his or her choices for a member to serve a one-year unexpired term on the Building and Standards Commission of the City of Bellaire, Texas, as follows:

<table>
<thead>
<tr>
<th>Council Member</th>
<th>Nominee</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cindy Siegel</td>
<td>Tom Ligh</td>
</tr>
<tr>
<td>Will Hickman</td>
<td>Tom Ligh</td>
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<tr>
<td>John F. Monday</td>
<td>Tom Ligh</td>
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<tr>
<td>Peggy Faulk</td>
<td>Tom Ligh</td>
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<tr>
<td>Debra Marz Davison</td>
<td>Tom Ligh</td>
</tr>
<tr>
<td>Pat McLaughlan</td>
<td>Tom Ligh</td>
</tr>
</tbody>
</table>

The votes were tallied as follows:

Tom Ligh 6

MOTION TO ADOPT ORDINANCE:

A motion was made by Councilman Will Hickman and seconded by Mayor Pro Tem Peggy Faulk to adopt an ordinance appointing E. Wayne Alderman, John P. Keating, and John A. Tang to the Building and Standards Commission of the City of Bellaire, Texas, for a term of two years commencing on July 1, 2007, and expiring on June 30, 2009, and appointing Tom Ligh to the Building and Standards Commission of the City of Bellaire, Texas, to fill an unexpired term commencing on July 1, 2007, and expiring on June 30, 2008.

VOTE ON MOTION TO ADOPT ORDINANCE:

Motion carried unanimously on a 6-0 vote as follows:

FOR:  
Siegel, Cindy  
Hickman, Will  
Monday, John F.
g. CONSIDERATION of and possible action on the adoption of an ordinance appointing three (3) members to the Board of Adjustment of the City of Bellaire, Texas, for a term of two years commencing on July 1, 2007, and expiring on June 30, 2009 – Action by Members of City Council (Item submitted by City Clerk Tracy L. Dutton).

Each member of the Bellaire City Council presented his or her choices for three members to serve a two-year term on the Board of Adjustment of the City of Bellaire, Texas, as follows:

<table>
<thead>
<tr>
<th>Council Member</th>
<th>Nominee</th>
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<tbody>
<tr>
<td>Cindy Siegel</td>
<td>James P. Avioli, Sr.</td>
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<tr>
<td></td>
<td>Michael J. Darlow</td>
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<td></td>
<td>Hal Sharp</td>
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<tr>
<td>Will Hickman</td>
<td>James P. Avioli, Sr.</td>
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<td></td>
<td>Michael J. Darlow</td>
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<tr>
<td></td>
<td>Hal Sharp</td>
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<tr>
<td>John F. Monday</td>
<td>James P. Avioli, Sr.</td>
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<td>Michael J. Darlow</td>
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<td></td>
<td>Hal Sharp</td>
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<tr>
<td>Peggy Faulk</td>
<td>James P. Avioli, Sr.</td>
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<td></td>
<td>Michael J. Darlow</td>
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<td></td>
<td>Hal Sharp</td>
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<tr>
<td>Debra Marz Davison</td>
<td>James P. Avioli, Sr.</td>
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<td>Hal Sharp</td>
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<td></td>
<td>Bruce Volkert</td>
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<tr>
<td>Pat McLaughlan</td>
<td>James P. Avioli, Sr.</td>
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<td></td>
<td>Michael J. Darlow</td>
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<tr>
<td></td>
<td>Hal Sharp</td>
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</tbody>
</table>
The votes were tallied as follows:

James P. Avioli, Sr.  6  
Michael J. Darlow   5  
Hal Sharp    6  
Bruce Volkert   1  

MOTION TO ADOPT ORDINANCE:

A joint motion was made by Councilman Will Hickman and Councilwoman Debra Marz Davison and seconded jointly by Councilman Pat McLaughlan and Mayor Pro Tem Peggy Faulk to adopt an ordinance appointing James P. Avioli, Sr., Michael J. Darlow, and Hal Sharp to the Board of Adjustment of the City of Bellaire, Texas, for a term of two years commencing on July 1, 2007, and expiring on June 30, 2009.

VOTE ON MOTION TO ADOPT ORDINANCE:

Motion carried unanimously on a 6-0 vote as follows:

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

OPPOSED:  None

ABSENT:  Jeffery, John

{Ordinance was subsequently numbered:  07-035}

h. CONSIDERATION of and possible action on the adoption of an ordinance appointing four (4) members to the Parks & Recreation Advisory Board of the City of Bellaire, Texas, for a term of two years commencing on July 1, 2007, and expiring on June 30, 2009 – Action by Members of City Council (Item submitted by City Clerk Tracy L. Dutton).

Each member of the Bellaire City Council presented his or her choices for four members to serve a two-year
term on the Park & Recreation Advisory Board of the City of Bellaire, Texas, as follows:

<table>
<thead>
<tr>
<th>Council Member</th>
<th>Nominee</th>
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<tbody>
<tr>
<td>Cindy Siegel</td>
<td>Sarah Bauer</td>
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<td></td>
<td>Steven O. Grubbs</td>
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<td></td>
<td>Teri Prats</td>
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<td>Chris Sizemore</td>
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<td>Will Hickman</td>
<td>Sarah Bauer</td>
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<td></td>
<td>Steven O. Grubbs</td>
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<td>Teri Prats</td>
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<td>Chris Sizemore</td>
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<td>John F. Monday</td>
<td>Steven O. Grubbs</td>
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<td>Teri Prats</td>
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<td>Maja Samardzija</td>
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<td></td>
<td>Chris Sizemore</td>
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<td>Peggy Faulk</td>
<td>Sarah Bauer</td>
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<td></td>
<td>Steven O. Grubbs</td>
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<td>Teri Prats</td>
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<td>Chris Sizemore</td>
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<td>Debra Marz Davison</td>
<td>Sarah Bauer</td>
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<td>Steven O. Grubbs</td>
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<td>Maja Samardzija</td>
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<td>Chris Sizemore</td>
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<td>Pat McLaughlan</td>
<td>Sarah Bauer</td>
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<td></td>
<td>Steven O. Grubbs</td>
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<td>Maja Samardzija</td>
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<td>Chris Sizemore</td>
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</table>

The votes were tallied as follows:

<table>
<thead>
<tr>
<th>Name</th>
<th>Votes</th>
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<tbody>
<tr>
<td>Sarah Bauer</td>
<td>5</td>
</tr>
<tr>
<td>Steven O. Grubbs</td>
<td>6</td>
</tr>
<tr>
<td>Teri Prats</td>
<td>4</td>
</tr>
<tr>
<td>Maja Samardzija</td>
<td>3</td>
</tr>
<tr>
<td>Chris Sizemore</td>
<td>6</td>
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</tbody>
</table>

MOTION TO ADOPT ORDINANCE:

A motion was made by Councilman Will Hickman and seconded by Councilman John F. Monday to adopt an ordinance appointing Sarah Bauer, Steven O.
Grubbs, Teri Prats, and Chris Sizemore to the Parks & Recreation Advisory Board of the City of Bellaire, Texas, for a term of two years commencing on July 1, 2007, and expiring on June 30, 2009.

**VOTE ON MOTION TO ADOPT ORDINANCE:**

Motion **carried** unanimously on a **6-0** vote as follows:

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

**OPPOSED:** None

**ABSENT:** Jeffery, John

{Ordinance was subsequently numbered: 07-036}

i. **CONSIDERATION** of and possible action on the adoption of an ordinance appointing four (4) members to the Recycling Committee of the City of Bellaire, Texas, for a term of two years commencing on July 1, 2007 and expiring on June 30, 2009 – *Action by Members of City Council (Item submitted by City Clerk Tracy L. Dutton).*

Each member of the Bellaire City Council presented his or her choices for four members to serve a two-year term on the Recycling Committee of the City of Bellaire, Texas, as follows:

<table>
<thead>
<tr>
<th>Council Member</th>
<th>Nominee</th>
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</thead>
<tbody>
<tr>
<td>Cindy Siegel</td>
<td>Sarah Ginsburg</td>
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<tr>
<td></td>
<td>Stephanie Goldfield</td>
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<td></td>
<td>Michael Haysley</td>
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<td></td>
<td>Robert E. Johnson</td>
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<tr>
<td>Will Hickman</td>
<td>Sarah Ginsburg</td>
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<tr>
<td></td>
<td>Stephanie Goldfield</td>
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<td></td>
<td>Michael Haysley</td>
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<td></td>
<td>Robert E. Johnson</td>
</tr>
</tbody>
</table>
The votes were tallied as follows:

- Sarah Ginsburg: 5
- Stephanie Goldfield: 6
- Michael Haysley: 6
- Robert E. Johnson: 3
- Maja Samardzija: 4

**MOTION TO ADOPT ORDINANCE:**

A motion was made by Councilman John F. Monday and seconded by Councilman Will Hickman to adopt an ordinance appointing Sarah Ginsburg, Stephanie Goldfield, Michael Haysley, and Maja Samardzija to the Recycling Committee of the City of Bellaire, Texas, for a term of two years commencing on July 1, 2007, and expiring on June 30, 2009.

**VOTE ON MOTION TO ADOPT ORDINANCE:**

Motion carried unanimously on a 6-0 vote as follows:

**FOR:**

- Siegel, Cindy
- Hickman, Will
- Monday, John F.
- Faulk, Peggy
- Davison, Debra Marz
j. CONSIDERATION of and possible action on the adoption of an ordinance appointing three (3) members to the Bellaire Arts Commission for a term of two years commencing on July 1, 2007, and expiring on June 30, 2009 — Action by Members of City Council (Item submitted by City Clerk Tracy L. Dutton).

Mayor Cindy Siegel noted that there were only three applicants left on the ballot for the Bellaire Arts Commission and inquired as to whether City Council wished to accept those three.

MOTION TO ADOPT ORDINANCE:

A motion was made by Councilman John F. Monday and seconded by Mayor Pro Tem Peggy Faulk to adopt an ordinance appointing Jamie Allen, Wendy Bantle, and Kay Hieronymus to the Bellaire Arts Commission for a term of two years commencing on July 1, 2007, and expiring on June 30, 2009.

VOTE ON MOTION TO ADOPT ORDINANCE:

Motion carried unanimously on a 6-0 vote as follows:

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

OPPOSED: None

ABSENT: Jeffery, John

{Ordinance was subsequently numbered: 07-038}
k. **CONSIDERATION** of and possible action on the adoption of an ordinance appointing four (4) members and one (1) alternate member to the Bellaire L.I.F.E. Advisory Board of the City of Bellaire, Texas, for a term of two years commencing on July 1, 2007, and expiring on June 30, 2009 – **Action by Members of City Council (Item submitted by City Clerk Tracy L. Dutton).**

Each member of the Bellaire City Council presented his or her choices for four members to serve a two-year term on the Bellaire L.I.F.E. Advisory Board of the City of Bellaire, Texas, as follows:

<table>
<thead>
<tr>
<th>Council Member</th>
<th>Nominee</th>
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</thead>
<tbody>
<tr>
<td>Cindy Siegel</td>
<td>Patricia B. McGinty</td>
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<td></td>
<td>Jeanne Taylor</td>
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<td></td>
<td>Nancy Westrup</td>
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<td></td>
<td>Pat Westwood</td>
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<tr>
<td>Will Hickman</td>
<td>Marcelle Daniel</td>
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<tr>
<td></td>
<td>Patricia B. McGinty</td>
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<td></td>
<td>Jeanne Taylor</td>
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<td></td>
<td>Nancy Westrup</td>
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<tr>
<td>John F. Monday</td>
<td>Patricia B. McGinty</td>
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<td></td>
<td>Jeanne Taylor</td>
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<td></td>
<td>Nancy Westrup</td>
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<td></td>
<td>Pat Westwood</td>
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<tr>
<td>Peggy Faulk</td>
<td>Patricia B. McGinty</td>
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<td>Jeanne Taylor</td>
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<td>Pat Westwood</td>
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<td>Debra Marz Davison</td>
<td>Marcelle Daniel</td>
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<td>Patricia B. McGinty</td>
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<td>Nancy Westrup</td>
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<td>Pat Westwood</td>
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<tr>
<td>Pat McLaughlan</td>
<td>Patricia B. McGinty</td>
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<td></td>
<td>Jeanne Taylor</td>
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<td></td>
<td>Nancy Westrup</td>
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<tr>
<td></td>
<td>Pat Westwood</td>
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</tbody>
</table>
The votes were tallied as follows:

Marcelle Daniel       2
Patricia B. McGinty    6
Jeanne Taylor         5
Nancy Westrup         6
Pat Westwood          5

All members of the Bellaire City Council voted for Gladys McGowan to fill the position of Alternate Member for a two-year term on the Bellaire L.I.F.E. Advisory Board.

**MOTION TO ADOPT ORDINANCE:**

A motion was made by Mayor Pro Tem Peggy Faulk and seconded by Councilman Will Hickman to adopt an ordinance appointing Patricia B. McGinty, Jeanne Taylor, Nancy Westrup, and Pat Westwood as Members and Gladys McGowan as an Alternate Member of the Bellaire L.I.F.E. Advisory Board for a two-year term commencing on July 1, 2007, and expiring on June 30, 2009.

**VOTE ON MOTION TO ADOPT ORDINANCE:**

Motion carried unanimously on a 6-0 vote as follows:

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

**OPPOSED:** None

**ABSENT:** Jeffery, John

{Ordinance was subsequently numbered: 07-039}

**H. COUNCIL CORRESPONDENCE AND COMMENTS.**

Discussion only.
I. ADJOURNMENT.

MOTION TO ADJOURN:

A motion was made by Councilman Pat McLaughlan and seconded by Mayor Pro Tem Peggy Faulk to adjourn the Regular Session of the City Council of the City of Bellaire, Texas, at 9:44 p.m. on Monday, June 18, 2007.

VOTE ON MOTION TO ADJOURN:

Motion carried unanimously on a 6-0 vote as follows:

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

OPPOSED: None

ABSENT: Jeffery, John

Respectfully submitted,

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

Approved:

____________________________
Cynthia Siegel, Mayor
City of Bellaire, Texas