I. WORKSHOP SESSION – 6:00 P.M.

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

B. PRESENTATION and DISCUSSION regarding possible redevelopment of Bellaire’s Research, Development, and Distribution Zoning District (RDD) – Presentation by Bill Thorogood, Chair of the Planning and Zoning Commission; Discussion among Members of City Council and Chair Bill Thorogood.

C. ADJOURNMENT.

Note: Written minutes of Workshop Sessions are not prepared. Each Workshop Session is videotaped and the tape or other digital media is maintained permanently by the City Manager’s Office and available for review.

II. REGULAR SESSION – 7:00 P.M.

A. CALL TO ORDER AND ANNOUNCEMENT OF 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, October 15, 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;
Councilwoman Debra Marz Davison, Position No. 4;
Councilman Pat McLaughlan, Position No. 5; and
Councilman John Jeffery, Position No. 6.

Mayor Pro Tem Peggy Faulk, Position No. 3, 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 Will Hickman.

Councilman Will Hickman referred to the political season, which was upon us, as well as the talk of the Presidential Election, which was still two years out. In light of that, he shared some political quotes with City Council and the audience as follows:

*If a politician during a campaign finds it necessary to resort to flattery, he should spread it on, not in thin layers, but with a trowel, or better yet, a shovel. Politicians should not forget that voters never grow weary of illusory promises.*

--Henry Fountain Ashurst  
Senator, State of Arizona

*Politicians are the same all over. They promise to build a bridge, even when there is no river.*

--Nikita Khrushchev  
Premier of the Soviet Union

*There is no such thing as a nonpolitical speech by a politician.*

--Richard M. Nixon  
36th Vice President of the United States  
37th President of the United States

*He has been called a mediocre man. This is unwarranted flattery. He was a politician of monumental littleness.*

--Theodore Roosevelt  
26th President of the United States

C. PLEDGES TO THE FLAGS – Councilman Will Hickman

1. **U.S. PLEDGE OF ALLEGIANCE.**

2. **PLEDGE TO THE TEXAS FLAG.**

   Councilman Will Hickman led the City Council and audience 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, October 1, 2007 –
Action by Members of City Council to Adopt Minutes (Item submitted by City Clerk Tracy L. Dutton).

MOTION TO APPROVE MINUTES:

A motion was made by Councilwoman Debra Marz Davison and seconded by Councilman John F. Monday to approve the minutes of the City Council of the City of Bellaire, Texas, held Monday, October 1, 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.
    Davison, Debra Marz
    McLaughlan, Pat
    Jeffery, John

OPPOSED: None

ABSENT: Faulk, Peggy

E. PERSONAL/AUDIENCE COMMENTS.

Lynn McBee, 5314 Evergreen Street, Bellaire, Texas:

Ms. McBee referred to the quotes shared by Councilman Hickman and noted that one should not only beware of flattery, but snake oil salesmen displaying all kinds of unethical and questionable behavior. This, too, was a strong element during election time.

Ms. McBee referred to the Workshop Session held by City Council prior to their Regular Session and noted that a member of the Planning and Zoning Commission had talked about the imperatives of his view of rezoning a portion of Bellaire. The Planning and Zoning Commission had decided to hold off and address that subject with due deliberation. The presentation done this evening was, therefore, done individually even though the hat of the Planning and Zoning Commission Chairman was still visible.

She stated further that she was greatly concerned with the perception of ethics. Manipulation and flattery were out of bounds. One just did not buy rights or grab land from other jurisdictions, as there were laws that protected against that. Oversimplification and promises were the
hallmark of the old style snake salesmen. Ms. McBee closed by urging everyone to beware.

Keith Bowers, 4909 Jessamine Street, Bellaire, Texas:

Mr. Bowers addressed City Council and inquired as to how many of them had attended the Halloween celebration (i.e., the pumpkin patch) at The Nature Discovery Center. He referred to the laughter and joy that hundreds of children had experienced during that event. He thanked everyone who participated in making that celebration work.

He continued by displaying bags that were given out free of charge during the event by the Bellaire Recycling Committee. He urged City Council to consider getting paper bags for the residents to place their yard waste in. That waste could then be composted rather than sent to the landfill. He did not feel that it would be too hard to get decomposable bags for the residents. He congratulated the Recycling Committee for all of their hard work.

Mr. Bowers noted further that he was running for City Council, Position No. 2. He stated that he wished Councilman John F. Monday could continue in that position as he had done a fantastic job. Mr. Bowers continued by noting that several of his yard signs were missing. The signs had been installed at least 15’ from the curb. Those whose yards those signs were in called him and let him know that the signs were missing. In one location, the signs had been taken three times. He noted that the cost of those signs were $3.00 each. He did not know who was doing this, but he seriously doubted it was his opponents. Undoubtedly, it might be some of his opponents’ supporters. He advised that if he caught those responsible, he was going to have them arrested for stealing. He advised that he wished to let City Council know how vicious some in the community were. He hoped if someone had an issue with him that they would come and talk to him about it.

With respect to downtown redevelopment, Mr. Bowers thought it was a great idea provided the City changed its zoning regulations to support that redevelopment. He suggested that the redevelopment look something like midtown in Houston, and advised that the zoning laws should be changed at one time so that people who owned the existing property could sell to a master developer.

Regarding the Bellaire Fire Station, Mr. Bowers agreed that something needed to be done about it. He had not heard a consensus as to where the facility should be located. He believed that it was too early to go out and ask the City to hunt for an architect to do “something.” A great deal of time and money would be wasted. A decision should
be deferred until City Council decided what they really wanted to build in a Fire Station so that a decent response could be obtained from an architect, including phased development.

Robert Riquelmy, 506 Winslow Lane, Bellaire, Texas:

Mr. Riquelmy addressed City Council and noted that he was also a candidate for public office and would appreciate everyone’s support. He indicated that two weeks prior he had given a report on a Joint Workshop Session of the Facilities Committee and City Council that had been held previously. He mentioned that a suggestion had been offered to rebuild the Fire Station in place and that the suggestion did not get anywhere. It seemed he was wrong. Apparently a decision was made at that Joint Workshop Session to rebuild the Fire Station at its current location. He stated that this was bad planning. The Facilities Committee, whose meetings Mr. Riquelmy had attended, did not think, necessarily, that the current location was the correct place for a Fire Station.

The Facilities Committee put the Fire Station in its current location on the three separate proposals as a placeholder. The Facilities Committee had intended to reexamine the location of each facility once one of the three general options had been selected. Mr. Riquelmy indicated that it would not be good to make a rash decision as to where to locate the Fire Station at this early date. He urged City Council to let the Facilities Committee complete their work.

Mayor Cindy Siegel took the opportunity at this time to welcome Boy Scout Troop 197 (four scouts) to the City Council Meeting. She noted that the scouts were working on earning their communications badge.

F. REPORTS:

1. PRESENTATION by representative(s) of the Houston Independent School District (HISD) regarding information related to their upcoming $800 million bond referendum – No Action Required by Members of City Council (Item submitted by City Manager Bernard M. Satterwhite, Jr., on behalf of HISD).

Dianne Johnson, Trustee, HISD, advised that there was significant infrastructure rebuild in the HISD bond referendum for two of Bellaire’s schools, Bellaire High School and Horn Elementary School. The bond referendum would not require a property tax rate increase. School finance was such that on the maintenance and operations side, the money that HISD got from the state was actually reduced as property values increased. If the bond referendum were not to pass, then
paying for roofs and other infrastructure repairs would have to come out of the maintenance and operations side. She advised that a resident's tax bill would be the same whether or not that resident voted for the bond referendum.

Trustee Johnson turned the floor over to Dick Lindsay, Chief of Operations for HISD, to give City Council and the audience an overview of the bond referendum.

Dick Lindsay, Chief of Operations, HISD, referred to documentation that he had provided City Council, which included a summary of the bond program, a letter that the Superintendent had written relative to Bellaire High School, a short pocket card regarding HISD’s academic achievements, and some other literature. He then shared a short PowerPoint® presentation with City Council and the audience.

Chief of Operations Lindsay advised that the current bond referendum was the third of three bond programs that HISD had discussed in the past. An independent company prioritized the work to be done under all three of the bond programs in order to depoliticize the process and to achieve objectivity in the analysis.

In the first bond program, which totaled $678 million, HISD told taxpayers that 69 schools would be renovated and ten new schools would be built. HISD was very fortunate and ended up renovating 81 schools and building 11 new schools.

In the second bond program, which was passed in 2002 and currently ongoing, HISD told taxpayers that they could build 20 new schools, among other renovations. HISD had already built 28 new schools, which was 40% more than the taxpayers were promised.

HISD felt that they had been good stewards with the bond funding and had done what they had said they would do. All along, HISD stated that the program would consist of three phases. The bond referendum before the taxpayers now was the third and final phase. It was an $800+ million program. It was actually a $1.45 billion program, but HISD decided that they should have their own skin the game, as well as bond money in the game. Through reserves and disposition of surplus properties, HISD would fund the difference between the $1.45 billion and the $800 million.

Chief of Operations Lindsay stated that he did not have any pictures to depict how Horn Elementary School would look, but
he did have pictures of new elementary schools and pre-kindergarten centers, many of which had won architectural awards. Those pictures were shown to City Council and the audience at this time.

Chief of Operations Lindsay stated that there was $90 million in the bond program for every school in the district. Safety and security were of primary consideration under the program, and HISD stated that every school in the district would have a camera system, fencing, lighting, intercom systems, etc. Right now, approximately 1/3 of the schools in the district did not have camera systems.

The average age of the schools in the district was 43 years. HISD planned on building 24 new schools and 13 replacement schools (one of which was Horn Elementary School). HISD planned on building three new schools to relieve overcrowding both in the west and south and two early college facilities (i.e., programs where students in high school could graduate with a high school diploma and two-year college diploma as well). HISD also planned to build six new schools to replace outdated facilities with low enrollment.

HISD would expand two schools, renovate and expand two additional schools with low enrollment, and renovate 134 schools. Every school in the district, other than those included in the current bond program, would get some sort of renovation work. All middle schools and high schools would get new science labs. Under the present bond program, the district was able to put new science labs in all of the elementary schools.

In addition, HISD was committed to making their schools "green." He believed that HISD was the first public school district to open up green schools, having opened two this past August. Those two had been so successful that the HISD Board wanted to continue building green. In that regard, HISD felt it was being very environmentally sensitive.

Chief of Operations Lindsay reiterated that there would be no tax increase as a result of this bond referendum, and stated that the bond program included a statement that HISD was committed to reducing the square footage in the district by 700,000 square feet. HISD planned on selling or disposing of 1.6 million square feet of district property, netting a decrease of approximately 700,000 square feet. On operating costs alone (i.e., maintenance and utility costs), HISD estimated that they would save a minimum of $4.5 million per year, and felt it
was their fiduciary responsibility to reduce the square footage to be more reflective of their student body.

Chief of Operations Lindsay, noting that he was on his own time, stated that this bond referendum was about children and that this was a billion dollar gift to the district’s children with no cost to anyone. He closed by asking Bellaire for their help and support on this referendum.

**QUESTIONS/COMMENTS FROM CITY COUNCIL:**

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

Q: Mayor Cindy Siegel referred specifically to Bellaire schools (i.e., Bellaire High School and Horn Elementary School) and inquired as to the plans for those schools.

A: Chief of Operations Lindsay stated that, assuming the bond referendum passed, Horn Elementary School would be replaced with a brand new school. The “new” Horn Elementary School would be every bit as lovely and functional as the pictures of other new schools in the district that he had shown earlier.

The needs at Bellaire High School were obviously very, very significant. HISD looked at the science requirement and other requirements and was committed to do everything possible to build a three-story addition to Bellaire High School to accommodate the science needs and other shortcomings at the school.

Trustee Johnson stated that one of the issues at Bellaire High School was the fact that there were temporary buildings still on campus that were 34 years old. Those buildings would either have to be re-roofed or something else would have to be done. The additional wing to be added was an attempt to get suitable, permanent classroom space at Bellaire High School. No one was talking about condemning any property. The renovations would use the existing space much more efficiently.

Q: Mayor Siegel asked for confirmation that there were no plans by HISD to condemn any Bellaire homes located around the school.

A: Trustee Johnson advised that Mayor Siegel was correct. There were absolutely no plans to condemn any
homes in Bellaire. At this point, the plans for Bellaire High School would be accomplished using available reserve funds. If the bond referendum did not pass, those reserve funds would have to be used for other infrastructure or emergency repairs rather than for Bellaire High School renovations.

C: Mayor Siegel noted that Bellaire was a zoned community and if the bond referendum were to pass, HISD would still have to come to the City and go through the specific use amendment process in order to build the new Horn Elementary School and the new wing for Bellaire High School. That process required a public hearing before the Planning and Zoning Commission, followed by a recommendation to City Council, followed by another public hearing before City Council. After that point, City Council could consider approval of the specific use amendment for those plans.

R: Trustee Johnson advised that HISD understood that.

Q: Councilman Will Hickman asked what the timeframe for improvements and rebuilding would be assuming passage of the bond referendum.

A: Chief of Operations Lindsay advised that this was a five-year program. The Horn Elementary School community was very, very active. The more active the community and parental group or groups, the better the end product. Chief of Operations Lindsay assured City Council that the Horn group had already geared up to work with HISD. Almost by definition, those that were more actively involved would end up at the front of the queue—merely because they had pre-empted those who were not.

Q: Councilman Hickman inquired as to the specific funding that would be provided for Horn Elementary School.

A: Trustee Johnson and Chief of Operations Lindsay indicated that the funding for Horn Elementary School would be $16 million.

Q: Councilman Hickman referred to the "$1 billion" gift at no cost statement. If the bond referendum did not pass, could the tax rate be decreased?
A: **Chief of Operations Lindsay** stated that he did not believe that HISD could effectively reduce the tax rate. He believed that those dollars would revert back to the state. If HISD did not have the money to renovate and fix the schools, HISD would have to call upon its general monies to do that. This would take away from any other opportunities, regardless of whether that meant security, safety, teachers’ salaries, etc. In other words, a decision would have to be made between, for example, fixing the air conditioner or hiring another police officer.

**Trustee Johnson** agreed with Chief of Operations Lindsay. She noted that the facility needs were so great that the tax rate could not be reduced. For every dollar of increase in property valuation, the state reduced the share that they contributed to HISD. Because of the tax base, HISD was becoming a fairly wealth school district. However, that wealth also caused a decrease in the share the district could get back from the state.

**Chief of Operations Lindsay** noted that the schools had major needs regardless. He advised that he did not mean to sound like an alarmist, but if the bond referendum did not pass, there was no question that HISD would have to call on other pots of money to do the minimum.

Q: **Councilman Hickman** referred to Bellaire’s Research, Development, and Distribution Zoning District (RDD Zoning District) and noted that some emails had been floating around which indicated there might be a possibility of Bellaire High School moving into that underdeveloped area. He inquired as to whether that was a possibility.

A: **Chief of Operations Lindsay** stated that he would not want to be a party to trying to move Bellaire High School.

**Trustee Johnson** advised that the issue right now was money. The estimate in terms of cost to rebuild Bellaire High School was $80-100 million. HISD just could not afford to do it. HISD was having talks about consolidating Lovett and Kolter Elementary Schools. Both schools were quite vibrant. Lovett Elementary School was in for a rebuild, but there were talks about consolidating the schools into a new school at the Kolter
site. This would then enable some of the Bellaire High School fields to be blacktopped and either fields or parking to be put at the Lovett Elementary School site. Community meetings were scheduled at Lovett Elementary School tomorrow night, one at Kolter Elementary School next week, as well as another meeting at Bellaire High School.

Chief of Operations Lindsay stated that the proposal before the taxpayers was the minimum. Through fiscal stewardship and revisiting the issue, many schools were replaced rather than renovated under the program. He felt that revisiting would continue to occur throughout this bond program, if passed, as well.

Q: Councilman Pat McLaughlan noted that HISD did a great job on college preparation work. HISD was also engaged in a program regarding high school dropouts. With respect to vocational training, he inquired as to whether the bond referendum included any such facilities, noting that some years ago Bellaire High School had an auto mechanics vocational program that was quite effective.

He continued and stated that not everyone would go to college, but the students needed to stay in school. He felt that an effective way to keep students in school would be to increase the vocational training, whether it be auto mechanics, electrical, plumbing, construction, etc. He asked if there were any consideration of such training in the bond referendum.

A: Chief of Operations Lindsay advised that he did not believe the specifics of the bond referendum addressed that. However, the board just approved a new building at Lee High School for vocational training. He referred to other programs throughout the district at other high schools. He noted that he did not believe anyone in the district would disagree with Councilman McLaughlan regarding the need for vocational training. He then referred to a culinary program, auto mechanics, welding, and electrical programs at several other schools. There were also plans to start a sheet metal training program at Lee High School. In other words, HISD shared Councilman McLaughlan’s vision.

Trustee Johnson agreed that vocational training was real important to the HISD Board and was something
that they had been pushing for awhile. A new director was hired and the Board remained hopeful that the district would move forward in that direction. The bond referendum was really about “facilities” and could not be moved toward the programming side. HISD had also talked about doing some collaborative work with Houston Community College for some of the vocational trades.

Q: Mayor Siegel asked who a citizen might contact with questions regarding HISD’s bond referendum.

A: Trustee Johnson stated that her email address was on HISD’s website under the “Board.” She advised that the address was djohns18@houstonisd.org. If anyone needed a yard sign, they could also contact Trustee Johnson at her email address.

2. CITY MANAGER’S REPORT – City Manager Bernard M. Satterwhite, Jr. – Action by Members of City Council to Accept Report into the Record.

City Manager Bernard M. Satterwhite, Jr., presented the City Manager’s Report to City Council.

Monthly Police Activity Summary

With respect to police activity, it was noted that robberies and burglary of motor vehicles were among the crimes in Bellaire that were higher than in previous years. Overall, crime was still down. West University Place’s police activity was also down over the previous year, however, the crimes that were higher from last year in that city were also robberies and burglary of motor vehicles.

Robbery was not necessarily limited to dark or quiet areas. Robberies occurred during the daytime as well and oftentimes in parking lots. Burglary of motor vehicles seemed to be a nighttime crime. Cars left on the street with things inside them were attractive to thieves.

City Manager Satterwhite urged everyone to put their cars away if possible and, if not, to keep things out of sight inside their cars as much as possible.
Residential Safety

With respect to residential safety, City Manager Satterwhite advised that streetlights would be coming back on along Ferris Street. Due to construction, it was necessary to turn the lights off. He noted that the patience of the residents in the area was greatly appreciated. It was reported that the streetlights on Mimosa, Maple, Holly, Valerie, Pine, Braeburn, Huisache, and Aspen Streets would be back on by the end of this week.

Payment Services

City Manager Satterwhite indicated that the City wished to start taking online payments and reservations in the Parks and Recreation Department. He previewed a website that would be up and running soon for that purpose.

Crime Indicators

It was reported that crime was up slightly from last month, but was still well below the previous year.

Building Permits

With respect to construction, the number of building permits issued trended upward. Overall construction was about the same as the previous year. In next year’s tax base, the City should see another healthy increase in the new construction tax base.

Upcoming Meetings

The following upcoming meetings were announced:

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Type of Meeting</th>
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</thead>
<tbody>
<tr>
<td>10/22/07</td>
<td>7:00 p.m.</td>
<td>City Council Joint Workshop Session with the Planning &amp; Zoning Commission</td>
</tr>
<tr>
<td>10/24/07</td>
<td>7:00 p.m.</td>
<td>Centennial Planning Committee Meeting</td>
</tr>
<tr>
<td>11/05/07</td>
<td>6:00 p.m.</td>
<td>City Council Special Session for City Attorney’s Annual Review</td>
</tr>
<tr>
<td>11/05/07</td>
<td>7:00 p.m.</td>
<td>City Council Regular Session</td>
</tr>
<tr>
<td>11/06/07</td>
<td>7:00 a.m.</td>
<td>Election Day – Polls Open</td>
</tr>
<tr>
<td>11/12/07</td>
<td>6:00 p.m.</td>
<td>Special Session for City Clerk’s and City Manager’s Annual Review</td>
</tr>
<tr>
<td>11/19/07</td>
<td>6:00 p.m.</td>
<td>City Council Special Session to Canvass Results of General Election</td>
</tr>
<tr>
<td>Date</td>
<td>Time</td>
<td>Type of Meeting</td>
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<tr>
<td>11/19/07</td>
<td>6:15 p.m.</td>
<td>City Council Special Session (Public Hearing) on Revisions Proposed for Chapter 24 (Through Lots, Side Yard Setbacks, and Area Coverage Requirements)</td>
</tr>
<tr>
<td>11/19/07</td>
<td>7:00 p.m.</td>
<td>City Council Regular Session</td>
</tr>
</tbody>
</table>

**QUESTIONS/COMMENTS FROM CITY COUNCIL:**

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

**Q:** **Councilman John Jeffery** referred to the ditch that ran behind Mimosa Street and inquired as to whether the City of Bellaire was cleaning it out. He also inquired as to whether the ditch would be cleaned out all the way down to the West Loop.

**A:** **Director of Public Works Joe Keene** advised that his crew was currently cleaning out that ditch. He was hoping to get the City of Houston to continue the work across South Rice Avenue.

**Q:** **Mayor Cindy Siegel** inquired as to whether Bellaire could get someone to look at cleaning up the Southdale Ditch.

**A:** **Director of Public Works Keene** stated that his department was currently looking into that.

**Q:** **Councilman Will Hickman** inquired as to whether the City had any plans to accept credit card payments for utility bills.

**A:** **City Manager Satterwhite** indicated that there were plans in place to accept credit card payments for utility bills within the next year.

**Q:** **Councilman Hickman** noted that the Centennial Planning Committee had discussed the possibility of painting the City’s water tower. He inquired as to whether City Manager Satterwhite had obtained a cost estimate for that.

**A:** **City Manager Satterwhite** stated that he did not have a cost estimate this evening, but City Staff was working on that.
MOTION TO ACCEPT THE CITY MANAGER’S REPORT INTO THE RECORD:

A motion was made by Councilman John Jeffery 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.
           Davison, Debra Marz
           McLaughlan, Pat
           Jeffery, John

OPPOSED:   None

ABSENT:    Faulk, Peggy

G. NEW BUSINESS:

1. ITEMS FOR INDIVIDUAL CONSIDERATION:

   Grant Application

   a. CONSIDERATION of and possible approval of a request from the Bellaire City Library to apply for a Loan Star Libraries grant from the Texas State Library and Archives Commission in the amount of $8,918.00 – Action by Members of City Council to Approve Request to Apply for Grant (Item submitted by Director Mary A. Alford, Bellaire City Library).

   MOTION TO APPROVE REQUEST TO APPLY FOR GRANT:

   A motion was made by Councilman John Jeffery and seconded by Councilman Pat McLaughlan to approve a request from the Bellaire City Library to apply for a Loan Star Libraries grant from the Texas State Library and Archives Commission in the amount of $8,918.00.
VOTE ON MOTION TO APPROVE REQUEST TO APPLY FOR GRANT:

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

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

OPPOSED: None

ABSENT: Faulk, Peggy

Architectural Design Services for City Facilities

b. CONSIDERATION of and possible action regarding direction to City Staff to proceed with the process for the engagement of an architectural design consultant to develop preliminary design proposals, including cost estimates and phasing options, for the construction of a new Fire Station to be located on the site of the current Fire Station and for renovation of the Bellaire City Library and the Police and Municipal Court Building – Action by Members of City Council to Direct City Staff (Item submitted by City Manager Bernard M. Satterwhite, Jr.).

SUMMARY:

City Manager Bernard M. Satterwhite, Jr., advised that he had placed this item on the agenda and agreed that consensus was probably arguable.

The agenda item was designed to see what City Council wanted to do to move forward with regard to City facilities. The Facilities Committee had been meeting for many months and had held a recent Workshop Session with City Council. If City Council wanted to go in a different direction than that proposed this evening, then City Staff would certainly be willing to go in that direction. Two years had already gone by since the bond referendum for improvements to City facilities had passed, and the proposed recommendation would give City Staff the needed direction to move forward.
It was further noted that the agenda item would give City Staff the direction to hire a firm to get the City through facilities design development, but not through construction or the preparation of construction-related documents. Facilities design development was more detailed for the individual facilities than what had occurred in the master planning phase that the Facilities Committee had just gone through.

**Master Planning Phase**

Master planning, the first phase in facilities design development, resulted in the creation of a roadmap for future capital projects, including new and renovated structures. This phase looked 5-10 years into the future and on space needs established based on standards and actual needs rather than what was currently in existence.

**Programming Phase**

The second step or phase in facilities design development was programming. During this phase, space standards were confirmed. Additionally, detailed space information would be developed, including finishes, equipment, plumbing, etc. The product to be derived from this phase was a blocking/bubble diagram.

**Concept Design Phase**

The third step or phase in facilities design development was the concept design phase. This phase was used primarily as a communications tool for the public, City Council, etc. Actual floor plans would start to be developed during this phase, as well as elevations for new or renovated buildings.

If approved, this agenda item would take the City through the programming and concept design phases. Products to be derived from the programming and concept design phases would be rough site plan sketches, fairly detailed elevations for buildings and options for the elevations (i.e., architectural look). Within each of the options, diagrams of floor plans would be built.

Once City Staff found a firm to perform facilities design development services, that firm’s proposal would be
brought back before City Council for scrutiny and possible final approval.

**Schematic Design - Construction Administration**

City Manager Satterwhite indicated that schematic design through construction administration would be the final phase. This phase would entail putting construction plans and bid documents together. City Staff was not ready to go to this phase just yet.

**MOTION TO DIRECT CITY STAFF:**

A joint motion was made by Councilman Pat McLaughlan and Councilman John Jeffery and seconded by Councilman Will Hickman to direct City Staff to proceed with the process for the engagement of an architectural design consultant to develop preliminary design proposals, including cost estimates and phasing options, for the construction of a new Fire Station to be located on the site of the current Fire Station and for renovation of the Bellaire City Library and the Police and Municipal Court Building.

**QUESTIONS/COMMENTS FROM CITY COUNCIL:**

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

**Q:** Councilman John F. Monday asked City Manager Satterwhite if he needed anything additional from the Facilities Committee to help him with the agenda item.

**A:** City Manager Satterwhite advised that he did not need anything from the Facilities Committee for this particular agenda item.

**Q:** Mayor Cindy Siegel asked for confirmation that the Facilities Committee was at a stopping point and that the agenda item before City Council this evening would help the process move forward.

**A:** Councilman Monday advised that he did not believe the Facilities Committee had any problem with the item.
Q: Mayor Siegel referred to the Workshop Session and advised that she understood that there were three options in terms of a long-term vision for City facilities. Where the City decided to go could impact how current bond monies were expended. Each of those plans had the Fire Station in its current location. She asked if there was consensus on the Facilities Committee as to whether the existing location was the appropriate location for the Fire Station.

A: Councilman Monday stated that Mayor Siegel was correct. Even the Fire Chief expressed that there was no “better” place to position the Fire Station; there might just be a “different” place to position it. Any benefits derived by moving it elsewhere were offset by detriments of moving it. The conclusion of the Facilities Committee was that the existing location appeared to be the most optimal place to leave the Fire Station. One other decision might be whether or not the Municipal Court building needed to be a part of the design of the Fire Station.

Q: Mayor Siegel asked if the conceptual design process were completed and the City was then given an opportunity to place the Fire Station in a “better” location, would the City be able to use the same conceptual design on another piece of property?

A: City Manager Satterwhite stated that any facility built on a current site would have to fit on that site and a different site might be a different shape and size. However, the programming and needs would not change and would be transferable to any site.

Q: Mayor Siegel asked if these phases would take into account moving ahead with the Bellaire City Library and doing something in the interim with Municipal Court so that changes could be made to the Police Station.

A: City Manager Satterwhite stated that it would take longer to design the Fire Station than to do the program renovations to the Bellaire City Library. The City could start with the Library
while design work was underway for the Fire Station. Additionally, there was no rush to move the Municipal Court out from the Police Station. After programming was completed for the Police Station, the City could then make a decision as to Municipal Court.

**Q:** **Councilman Will Hickman** thanked Councilman Monday for taking time to explain the three main options to him. His concern was that each of the options took a different approach for the Fire Station.

For instance, the Municipal Court seemed to be the moving target. The Municipal Court could be in the Fire Station; it could be standalone or part of another building; it could remain in the Police Station; or it could move to an existing building, such as an office building on the West Loop. Councilman Hickman did not know if the consultants would help the City decide those sorts of things—such as where to put the Municipal Court—or if this was something that the City needed to direct the architect on ahead of time.

**A:** **City Manager Satterwhite** stated that he believed the placement of Municipal Court could be a part of the options based on what went on in the master planning phase. For example, one option could be a Fire Station with Municipal Court in it or one without it. Those decisions could be made through the Facilities Committee or through City Council as a whole.

**Q:** **Councilman Hickman** inquired as to whether the first step was going to be to look at the Fire Station by itself or whether the first step would be the Fire Station, Bellaire City Library, and Police Station all at once.

**A:** **City Manager Satterwhite** advised that the first step would include looking at all of the facilities at once.

**C:** **Mayor Cindy Siegel** noted that there had been two Workshop Sessions before City Council—the first of which related to the discussion currently
before City Council. The second one related to strategic planning and development or, more specifically, downtown redevelopment. The component that brought both the Facilities Committee and the Strategic Planning and Development Committee together was the possibility of relocating certain City facilities downtown.

Mayor Siegel stated that the short-term vision was to live up to the commitment made to the voters as it related to the bond referendum passed two years ago. That vision needed to be accomplished in a prudent, well thought out manner.

She suggested moving forward on the commitment made during the bond referendum, but to also consider putting the time and effort into working on the three options for a long-term vision.

Mayor Siegel closed and agreed with Councilman Hickman that the pivotal point really was the Municipal Court building.

C: City Manager Satterwhite stated that this agenda item would give the City something on paper setting forth the needs and where everything best fit. In his opinion, the product to be gained with this agenda item would help City Council with its long-term decision-making efforts.

C: Councilman Pat McLaughlan noted that he was a member of the Facilities Committee and felt that the direction that City Manager Satterwhite was requesting was very appropriate and exactly what needed to be done. He suggested that the schedule for completion be fairly generous, as things usually took longer than what was anticipated. He closed by stating that this was an excellent plan for moving forward.

C: Councilman Monday stated that he would support this agenda item. He knew there had to be some point or force to weave together
thoughts about the Comprehensive Plan, the Research, Development, and Distribution District (RDD), etc. He was not saying this was the end-all, be-all, but the City needed to take the next step to bring something into play. He closed and stated that he thought this was a good start.

C: Councilman Hickman agreed and stated that he, too, would support the agenda item. His only concern was if the long-term plan was to put the library downtown, a great deal of money might be spent on the current renovation. He did not wish to duplicate efforts.

C: Mayor Siegel stated that she felt this would put everyone on deadline. She understood that the design phase for the Fire Station would take approximately 18 months. If there were some opportunity to figure out where the City might go toward its long-term vision, then the City needed to work on that opportunity. The item currently before City Council was the logical next step.

C: Councilman John Jeffery stated that he, too, was on the Facilities Committee and he would support the agenda item this evening. The Facilities Committee was ready for tactical institutions and processes to be put into place. The practicality of some of the long-term vision options was way out in the future. The citizens voted two years ago and the City needed to get moving on its commitment to the citizens.

C: Mayor Siegel stated that the longer a decision were prolonged, the more the value of the dollars decreased.

VOTE ON MOTION TO DIRECT STAFF:

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

FOR: Siegel, Cindy
Hickman, Will
Monday, John F.
Davison, Debra Marz
McLaughlan, Pat
Jeffery, John
2. ADOPTION OF RESOLUTION:

Acceptance of Donation

CONSIDERATION of and possible action on the adoption of a resolution of the City Council of the City of Bellaire, Texas, accepting a donation in the amount of $20,000.00 from the Patrons for Bellaire Parks, Inc., for the commission of four art benches, designed by Page Piland and Julie Richey, to be installed at the Bellaire Little League Field (2), Bellaire City Hall (1), and Bellaire Town Square (1) – Action by Members of City Council to Adopt Resolution (Item submitted by City Manager Bernard M. Satterwhite, Jr., on behalf of the Patrons for Bellaire Parks, Inc.).

SUMMARY:

City Manager Bernard M. Satterwhite, Jr., stated that the resolution before City Council would allow acceptance of the donation, as well as the design of the benches and the location for those benches. City Staff anticipated additional costs over and above the donation of the bench for installation, etc.

Some time ago, the Bellaire Arts Commission presented proposals for eight art benches to City Council. At that time, City Council approved the commission of four art benches. All of the benches were purchased, but only three had been installed to date. The final bench was currently in process of being installed. City Council approved the artist, design, and location of those first four benches, with direction to the Bellaire Arts Commission to seek outside funding for the other four benches.

The Patrons for Bellaire Parks, Inc., had raised $15,000.00 for the purchase of three additional benches and were working on a possible fourth donation of $5,000.00. Although the City did not have the fourth donation in hand, City Staff wished to go ahead and get City Council’s approval so that if the donation came in, City Staff could move forward. If the donation did not come in, then nothing had been lost. The City did currently have a check in hand from the Patrons for Bellaire Parks, Inc., in the amount of $15,000.00.
City Manager Satterwhite presented a PowerPoint® presentation to City Council showing the benches requested to be commissioned. The first two benches were slated for installation at the Bellaire Little League Field, one on each side of home plate. The artist of these benches was Page Piland. It was anticipated that these two benches could be installed by the end of the year. The donor of one of the benches was Mr. and Mrs. Brown, and the donor of the other bench was the Bellaire Little League.

Tradition Bank, through the Patrons for Bellaire Parks, Inc donated the third bench called the “Forrest Gump” or “Chocolates” bench. The planned location for the bench was in front of City Hall (probably in the vicinity of the flagpoles). The artist of this bench was Julie Richey.

The fourth bench did not have a specific sponsor or donation in place yet. City Manager Satterwhite presented a slide of the bench (i.e., historical perspective of Bellaire—in a newspaper motif), noting that plans were to install the bench somewhere within Bellaire Town Square. If the final design were to change appreciably from the slide he presented, City Manager Satterwhite indicated that the design would be presented to City Council again.

Installation costs per bench were approximately $1,000.00. Production and installation costs of a donor plaque for the benches were approximately $200.00 per plaque. Annual operations and maintenance costs for the benches were estimated at $300.00.

All of the costs, except for the annual operations and maintenance costs, would come out of the budget approved for art.

City Staff recommended that City Council accept a donation of $20,000.00 from Patrons for Bellaire Parks, Inc., with $5,000.00 of that donation pending sponsorship, as well as approval of the conceptual design and identified locations of the benches.

Mayor Cindy Siegel asked for confirmation that each of these restricted donations to the Patrons for Bellaire Parks, Inc., was part of a larger donation. In other words $10,000.00 was unrestricted and $5,000.00 was restricted to a bench.

City Manager Satterwhite stated that Mayor Siegel was correct.
MOTION TO ADOPT RESOLUTION:

A motion was made by Councilwoman Debra Marz Davison and seconded by Councilman Pat McLaughlan to adopt a resolution of the City Council of the City of Bellaire, Texas, accepting a donation in the amount of $20,000.00 from the Patrons for Bellaire Parks, Inc., for the commission of four art benches, designed by Page Piland and Julie Richey, to be installed at the Bellaire Little League Field (2), Bellaire City Hall (1), and Bellaire Town Square (1).

QUESTIONS/COMMENTS FROM CITY COUNCIL:

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

Q: Councilman Will Hickman inquired as to what would happen if the other $5,000.00 donation was not received. In other words, would the City go ahead and purchase and install the first three benches?

A: City Manager Satterwhite advised that Councilman Hickman was correct.

VOTE ON MOTION TO ADOPT RESOLUTION:

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

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

OPPOSED: None

ABSENT: Faulk, Peggy

{Resolution was subsequently numbered: 07-14}

3. ADOPTION OF ORDINANCES:

Agreements and Contracts – Sidewalk Improvements

a. CONSIDERATION of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, 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 the FY2006 Sidewalk Improvement Program, Phase Two, consisting of a net decrease in said project of $3,707.50, and approval for the City of Bellaire, Texas, to make the final payment to Cravens Partners, Ltd., under said contract in the amount of $37,070.90 – **Action by Members of City Council to Adopt Ordinance (Item submitted by Director of Public Works Joe Keene).**

**MOTION TO ADOPT ORDINANCE:**

A motion was made by Councilman Will Hickman and seconded by Councilman John Jeffery to adopt an ordinance of the City Council of the City of Bellaire, Texas, 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 the FY2006 Sidewalk Improvement Program, Phase Two, consisting of a net decrease in said project of $3,707.50, and approval for the City of Bellaire, Texas, to make the final payment to Cravens Partners, Ltd., under said contract in the amount of $37,070.90.

**SUMMARY:**

City Manager Bernard M. Satterwhite, Jr., advised that the City had done everything planned during the FY2006 Sidewalk Improvement Program, Phase Two, on time and on budget. He stated that he had asked Terry Maher of Claunch & Miller, Inc., to update City Council during the next Regular Session on the status of sidewalks in Bellaire since the various improvement programs were implemented. A significant amount of sidewalks had been built and/or repaired in Bellaire over the last four years. The item before City Council this evening would close out this particular phase of the Sidewalk Improvement Program.

**VOTE ON MOTION TO ADOPT ORDINANCE:**

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

**FOR:**  
Siegell, Cindy  
Hickman, Will  
Monday, John F.
FOR (CONT.):

Davison, Debra Marz
McLaughlan, Pat
Jeffery, John

OPPOSED: None

ABSENT: Faulk, Peggy

{Ordinance was subsequently numbered: 07-057}

Agreement and Contracts – Bellaire Centennial Celebration

b. CONSIDERATION of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, authorizing the Mayor and the City Clerk of the City of Bellaire, Texas, to execute and attest, respectively, a Standard Form of Agreement with Io Communications for the production of a thirty minute historical video for the City of Bellaire’s Centennial in an amount not to exceed $25,000.00 – Action by Members of City Council to Adopt Ordinance (Item submitted by Assistant City Manager Diane K. White on behalf of the Bellaire Centennial Planning Committee).

SUMMARY:

Councilman Will Hickman advised that Jeffery Mills of Io Communications was present this evening and could answer any questions that City Council might have regarding the video production.

The Centennial Planning Committee ("Committee") was divided into two parts, the first part of which was to address Bellaire’s history by “telling its story.”

Councilman Hickman noted that Jeffrey Mills was a Bellaire resident and served as a member of the Committee. Mr. Mills was willing to provide his services to the City at well below the market rate. The Committee was lucky to have him and very excited about the project.

The video would be produced throughout 2008 and made available for sale in November or December of 2008 in a DVD format. The pricing of the DVD would cover the expenses, but was not meant to make money.
Mayor Cindy Siegel noted that the recommendation to engage Io Communications for the production of a historical video had come from the Centennial Planning Committee. She noted further that Jeffery Mills recused himself on that particular vote.

Councilman Hickman added that the funds necessary to pay for this service were included in the City’s budget.

City Manager Bernard M. Satterwhite, Jr., advised that Mr. Mills had provided a clear, concise proposal that would be easy to follow throughout the project.

QUESTIONS/COMMENTS FROM CITY COUNCIL:

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

Q: Councilman John F. Monday inquired as to whether the Committee had made a recommendation as to the fee that should be charged for each individual DVD.

A: Councilman Hickman advised that the Committee had not yet come up with a recommendation as to the fee.

Q: Mayor Cindy Siegel inquired as to whether Councilman Monday felt that there should not be a charge for the DVD.

A: Councilman Monday was not certain at this point that he wanted to charge the citizens for a copy of the DVD, but did wish to discuss the pros and cons of the issue.

C: Mayor Siegel stated that none of the events or promotional materials was meant to generate revenues. She thought it was very appropriate for City Council to discuss whether or not there should be a charge for the DVD. The Committee truly wanted the DVD to be accessible to everyone.

C: Councilman Hickman clarified that the proposal before City Council would provide the City with a master copy and did not include duplication
costs. Mr. Mills stated that his company did not provide duplication services, but could recommend other companies that could do so for approximately $0.80 to $1.00 per DVD.

VOTE BY ACCLIMATION:

The Bellaire City Council voted by acclimation to adopt an ordinance of the City Council of the City of Bellaire, Texas, authorizing the Mayor and City Clerk of the City of Bellaire, Texas, to execute and attest, respectively, a Standard Form of Agreement with Io Communications for the production of a thirty minute historical video for the City of Bellaire’s Centennial in an amount not to exceed $25,000.00. The vote was unanimous, 6-0, as follows:

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

OPPOSED: None

ABSENT: Faulk, Peggy

{Ordinance was subsequently numbered: 07-058}

c. CONSIDERATION of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, authorizing the Mayor and the City Clerk of the City of Bellaire, Texas, to execute and attest, respectively, a Standard Form of Agreement with Vollmer Public Relations, Inc., for public relations services for the City of Bellaire’s Centennial in a base amount not to exceed $54,000.00 and reimbursable expenses not to exceed $4,000.00 – Action by Members of City Council to Adopt Ordinance (Item submitted by Assistant City Manager Diane K. White on behalf of the Bellaire Centennial Planning Committee).

SUMMARY:

Councilman Will Hickman advised that the second part or component of the Centennial Planning
Committee ("Committee") was responsible for planning monthly events in which Bellaire could celebrate its Centennial. In order to produce a quality product at a level that a public relations firm could, the Committee was recommending that the City engage Vollmer Public Relations, Inc., to provide those services.

Such services would include public relations (such as the handling of press releases) and event management (bookings, logistics, etc.).

He noted further that a representative from Vollmer Public Relations, Inc. ("Vollmer"), was present this evening to answer any questions that City Council might have. Assistant City Manager Diane K. White discovered Vollmer through the Houston-Galveston Area Council (H-GAC) purchasing program. Vollmer made a presentation to the Committee during its last meeting, and the Committee was very enthusiastic about working with them.

Mayor Cindy Siegel stated that the funds to engage Vollmer were also in this year’s budget.

City Manager Bernard M. Satterwhite, Jr., noted that funds were included in the budget and that this expenditure would cross two fiscal years.

MOTION TO ADOPT ORDINANCE:

A motion was made by Councilman John Jeffery and seconded by Councilman Pat McLaughlan to adopt an ordinance of the City Council of the City of Bellaire, Texas, authorizing the Mayor and City Clerk of the City of Bellaire, Texas, to execute and attest, respectively, a Standard Form of Agreement with Vollmer Public Relations, Inc., for public relations services for the City of Bellaire’s Centennial in a base amount not to exceed $54,000.00 and reimbursable expenses not to exceed $4,000.00.

QUESTIONS/COMMENTS FROM CITY COUNCIL:

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

Q: Councilman John F. Monday referred to the $54,000.00 base amount of the contract and
inquired as to the percentage allocated to event planning and the percentage allocated to media and promotional services.

A:  **India Chumney-Hancock**, **Vollmer Public Relations, Inc.**, advised that the fees were based on hours and how involved Vollmer got with the Committee. With respect to event planning, the fee was based on the amount of time involved in pulling together an event. On some of the larger events, event planning was greater as it was assumed that more time would be involved.

On average, media relations and promotion of events should take from 10-15 hours depending on whether or not a human interest or feature story was involved.

Q:  **Councilman Monday** asked for confirmation that the fee was not based on a cumulative number of mentions in a particular radio advertisement.

A:  **Ms. Chumney-Hancock** stated that the analysis at the end might be based on the number of mentions in a particular radio advertisement; however, initially, the fee was based on the amount of time needed to pull the event together.

Q:  **Mayor Cindy Siegel** asked for confirmation that the more work that the Committee and the volunteer organizations put into the event planning, the less time Vollmer would have to put in.

A:  **Ms. Chumney-Hancock** agreed with Mayor Siegel.

Q:  **Councilman Monday** stated that he was not opposed to event planning and creating media coverage, but he was trying to determine the value of spending $25,000.00 in public relations.
He stated that he would support the item, but was not sure that public relations and governments meshed very well.

C: Mayor Siegel referred to a brochure that the City of Tomball had prepared to advertise their centennial celebration and to garner sponsorships of their events. Bellaire did not have enough staff and volunteer time available to do those types of things. The Committee felt that this expertise would be beneficial.

**VOTE ON MOTION TO ADOPT ORDINANCE:**

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

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

**OPPOSED:** None

**ABSENT:** Faulk, Peggy

{Ordinance was subsequently numbered: 07-059}

**Public Hearing**

d. CONSIDERATION of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, calling a public hearing before the City Council of the City of Bellaire, Texas, on Monday, November 19, 2007, at 6:15 p.m. in the Council Chamber, First Floor of City Hall, 7008 South Rice Avenue, Bellaire, Texas, for the purpose of hearing any and all persons desiring to be heard on or in connection with revisions proposed by the Planning and Zoning Commission of the City of Bellaire, Texas, to Chapter 24, Planning and Zoning Regulations, Article II, Definitions and Interpretations, Article V, Zoning Regulations, of the Code of Ordinances of the City of Bellaire, Texas, for the purpose of adding a definition for the term “through lot” and prohibiting same and for the purpose of revising
side yard setbacks for the R-3, R-4, and R-5 Residential Zoning Districts and for the purpose of modifying area or lot coverage requirements in the R-4 Residential Zoning District to provide for consistency and uniformity – Action by Members of City Council to Adopt Ordinance (Item submitted by City Clerk Tracy L. Dutton on behalf of the Planning and Zoning Commission of the City of Bellaire, Texas).

MOTION TO ADOPT ORDINANCE:

A motion was made by Councilwoman Debra Marz Davison and seconded by Councilman Pat McLaughlan to adopt an ordinance of the City Council of the City of Bellaire, Texas, calling a public hearing before the City Council of the City of Bellaire, Texas, on Monday, November 19, 2007, at 6:15 p.m. in the Council Chamber, First Floor of City Hall, 7008 South Rice Avenue, Bellaire, Texas, for the purpose of hearing any and all persons desiring to be heard on or in connection with revisions proposed by the Planning and Zoning Commission of the City of Bellaire, Texas, to Chapter 24, Planning and Zoning Regulations, Article II, Definitions and Interpretations, Article V, Zoning Regulations, of the Code of Ordinances of the City of Bellaire, Texas, for the purpose of adding a definition for the term “through lot” and prohibiting same and for the purpose of revising side yard setbacks for the R-3, R-4, and R-5 Residential Zoning Districts and for the purpose of modifying area or lot coverage requirements in the R-4 Residential Zoning District to provide for consistency and uniformity.

QUESTIONS/COMMENTS FROM CITY COUNCIL:

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

Q: Councilman Will Hickman referred to a possible disconnect between the recommendation set forth on a memorandum in the packet and the ordinance before City Council (i.e., “Notice of Public Hearing”). The recommendation included three levels of side yard setbacks and the “Notice of Public Hearing” only included two levels of side
yard setbacks. Additionally, the recommendation contained a width of 80 feet, whereas the "Notice of Public Hearing" had a 90-foot width.

A: City Attorney Alan P. Petrov advised that there was a difference in some of the supporting backup accompanying the ordinance calling the public hearing. When Former Chair Bruce Volkert appeared before City Council in March of 2007, he recommended a slightly different break point on the setbacks for the various lot widths. Subsequent to that, the Planning and Zoning Commission looked at different lot widths within different zoning districts and came up with a modified break point of 90 feet for widths. In summary, the current recommendation from the Planning and Zoning Commission differed slightly from the initial presentation in March of 2007. The "Notice of Public Hearing" was drawn up based on the Planning and Zoning Commission’s current recommendation.

City Attorney Petrov further advised that City Council could come back after the public hearing and decide if the March language was preferred or make some other slight modifications.

VOTE ON MOTION TO ADOPT ORDINANCE:

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

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

OPPOSED: None

ABSENT: Faulk, Peggy

{Ordinance was subsequently numbered: 07-060}

Tax Rate and Tax Levy

e. CONSIDERATION of and possible action on the adoption of an ordinance of the City Council of the
City of Bellaire, Texas, fixing the tax rate and tax levy for the City of Bellaire, Texas, for the tax year 2007 (fiscal year beginning October 1, 2007, and ending September 30, 2008), upon all taxable property in said City. Note: the rate recommended by City Staff is $0.40 cents per $100.00 valuation, with $0.275 cents per $100 valuation apportioned to the General Fund and $0.125 cents per $100 valuation apportioned to the Debt Service Fund – Action by Members of City Council to Adopt Ordinance (Item submitted by Chief Financial Officer Donna Todd).

MOTION TO ADOPT ORDINANCE:

A motion was made by Councilman John Jeffery and seconded by Councilwoman Debra Marz Davison to adopt an ordinance of the City Council of the City of Bellaire, Texas, fixing the tax rate and tax levy for the City of Bellaire, Texas, for the tax year 2007 (fiscal year beginning October 1, 2007, and ending September 30, 2008), upon all taxable property in said City at the rate and apportioned as recommended by City Staff as follows: $0.40 cents per $100 valuation, with $0.275 cents per $100 valuation apportioned to the General Fund and $0.125 cents per $100 valuation apportioned to the Debt Service Fund.

QUESTIONS/COMMENTS FROM CITY COUNCIL:

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

Q: Councilman Will Hickman asked what the overall revenue increase in the General and Debt Service Funds would be.

A: City Manager Bernard M. Satterwhite, Jr., advised that the revenue would increase in the General Fund by approximately $90,000.00 and that the revenue would decrease by approximately $300,000 in the Debt Service Fund.

Q: Councilman Hickman inquired as to the amount of money that was generated by one cent of property tax.
A: City Manager Satterwhite stated that one cent in tax rate would generate approximately $290,000. He indicated further that the truth-in-taxation statement published in the newspaper stated that if the City of Bellaire adopted a 2007 tax rate equal to the effective tax rate of $0.409, the taxes would increase compared to 2006 by $408,000. The taxes generated by the proposed tax rate were approximately $140,000 more than last year. That entire amount was generated by new construction. Therefore, the actual impact to existing homesteaders across the board was a decrease in total taxes to be paid under the proposed rate.

C: Councilman John F. Monday stated that he had been on City Council for almost eight years and that when he came on board the tax rate was $0.51 per $100.00 valuation. If the proposed rate were approved this evening, the tax rate would drop to $0.40 per $100.00 valuation, which represented a 21% decrease.

City Council could be held responsible for that and for maintaining property values and helping them increase.

C: Mayor Cindy Siegel stated that Bellaire was definitely blessed with a healthy economy and lots of new construction.

AMENDMENT (NO. 1) TO MOTION TO ADOPT ORDINANCE:

An amended motion was made by Councilman Will Hickman to lower the recommended tax rate from $0.40 cents per $100 valuation to $0.39 cents per $100 valuation, thereby changing the apportionment of the tax rate as follows: $0.275 cents per $100.00 valuation to the General Fund and $0.115 cents per $100.00 valuation to the Debt Service Fund, the effect of which would result in lowering the fund balance in the Debt Service Fund from $1.3 million to $1.1 million.

The amendment failed due to lack of a second.
VOTE ON ORIGINAL MOTION TO ADOPT ORDINANCE:

Original motion carried unanimously on a 6-0 vote as follows:

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

OPPOSED: None

ABSENT: Faulk, Peggy

{Ordinance was subsequently numbered: 07-061}

H. COUNCIL CORRESPONDENCE AND COMMENTS:

Discussion only.

I. ADJOURNMENT.

MOTION TO ADJOURN:

A motion was made by Councilman Will Hickman and seconded by Councilman Pat McLaughlan to adjourn the Regular Session of the City Council of the City of Bellaire, Texas, at 9:05 p.m. on Monday, October 15, 2007.

VOTE ON MOTION TO ADJOURN:

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

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

OPPOSED: None
ABSENT:  Faulk, Peggy

Respectfully submitted,

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

Approved:

__________________________________________
Cynthia Siegel, Mayor
City of Bellaire, Texas