THE CITY COUNCIL MEETING MINUTES
MONDAY, JULY 19, 2010

The City Council of the City of Bellaire, Texas, met in Regular Session on Monday, July 19, 2010, in the Council Chamber, First Floor of City Hall, 7008 South Rice Avenue, Bellaire, Texas 77401, for the following purpose(s):

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

Mayor Siegel called the City Council of the City of Bellaire, Texas, to order at 7:37 p.m. on Monday, July 19, 2010.

Also present were Mayor Pro Tem Phil Nauert, Councilmen Will Hickman, James P. Avioli, Sr., Corbett Daniel Parker, and Andrew Friedberg, Councilwoman Mandy Nathan, City Manager Bernard M. Satterwhite, Jr., City Attorney Alan P. Petrov, and City Clerk Tracy L. Dutton.

B. INSPIRATIONAL READING AND/OR INVOCATION — Councilman Corbett Daniel Parker.

Councilman Parker provided the inspirational reading for the evening.

C. PLEDGES TO THE FLAGS — Councilman Corbett Daniel Parker.

1. U.S. PLEDGE OF ALLEGIANCE.

2. PLEDGE TO THE TEXAS FLAG.

Councilman Parker led the audience and City Council in the U.S. Pledge of Allegiance and the Pledge to the Texas Flag.

D. PERSONAL/AUDIENCE COMMENTS.

Richard Franke, 1104 Howard Lane, Bellaire, Texas:

Mr. Franke referred to infrastructure issues and noted that by 2011, the City would have reconstructed only 25% of its streets. He was concerned how far the City could get by the year 2020 at such a slow pace and stated that he thought City Council had not done an adequate job with the City’s infrastructure.

He urged City Council to provide information to residents regarding the status of the City’s future street reconstruction projects on a street-by-street and
block-by-block basis, as well as a ranking for reconstruction, a timeline for projects, and the cost.

He stated that he did not understand how the City justified allowing a homestead exemption and a generous senior exemption when the City's infrastructure was so poor.

Robert Riquelmy, 506 Winslow Lane, Bellaire, Texas:

Mr. Riquelmy offered a hypothesis and invited discussion and dissension about the hypothesis. His hypothesis was that the Mayor and preceding City Councils had done considerable damage to the City of Bellaire by their budgetary processes. The City was chronically understaffed in almost all departments. The cutting of taxes each and every year had done the damage.

He urged City Council to consider the understaffing of City departments in the budget for fiscal year 2011.

Lynn McBee, 5314 Evergreen Street, Bellaire, Texas:

Ms. McBee stated that she had reviewed the budget for the proposed fiscal year once and looked forward to clarification to come this evening.

Ms. McBee asked that City Council request additional information for the budget. She indicated that although the City Manager had a contract, the current City Council was not held to account for that as it was passed under a different City Council. She was not against the amount of money paid to the City Manager under his contract, but the information was not disclosed in the budget.

She urged City Council to ask for a breakdown of the City Manager’s compensation and the City Council budget detail.

E. REPORT:

CITY MANAGER’S REPORT regarding residential safety (police activity report), public infrastructure/utilities (street and drainage projects update and facilities update), internal operations/productivity (report on delinquent fine collections), quarterly indicators (crime and building permits), current issues/information (relevant legislative activity that could impact cities), and upcoming City Council meetings/events – Presented by City Manager Bernard M. Satterwhite, Jr.

City Manager Satterwhite presented the City Manager’s Report to City Council as set forth below.
City of Bellaire  Minutes of Meeting  
City Council  
July 19, 2010

Residential Safety

The following statistics were provided for police activity in June of 2010 as compared to June of 2009.

<table>
<thead>
<tr>
<th>Activity</th>
<th>June 2010</th>
<th>June 2009</th>
</tr>
</thead>
<tbody>
<tr>
<td>Part 1 Criminal Offenses</td>
<td>25</td>
<td>34</td>
</tr>
<tr>
<td>Traffic Accidents</td>
<td>41</td>
<td>44</td>
</tr>
</tbody>
</table>

No robberies were reported in June of 2010; however, there were five assaults (three of which were related to family violence) and five burglaries of residences (two of which involved forced entry).

The Community Resource Office completed two residential security surveys during the month. It was noted that the Community Resource Officer was available to conduct a security survey for residents at no charge. Residential structures meeting minimum requirements could qualify for a reduction in homeowners’ insurance.

Additionally, the Community Resource Office performed 12 child safety seat installations in June and provided 48 free gunlocks to residents.

Public Infrastructure/Utilities

<table>
<thead>
<tr>
<th>Project</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td>Rice Lift Station</td>
<td>No new information/progressing</td>
</tr>
<tr>
<td>Feld Water Plant Rehabilitation</td>
<td>Bid opening moved to July 28 in hopes of getting additional bidders</td>
</tr>
<tr>
<td>Central Water Plant Electrical/Disinfection Upgrades</td>
<td>Overview to be provided to City Council in the near future</td>
</tr>
<tr>
<td>Sanitary Sewer Relocation (Chestnut Street to Bissonnet Street)</td>
<td>Relocation approved by the Texas Commission on Environmental Quality (TCEQ); project to be bid</td>
</tr>
<tr>
<td>Fire Station</td>
<td>Progressing – 61% completed</td>
</tr>
</tbody>
</table>

Internal Operations/Productivity

With respect to delinquent fine collections, it was noted that the City had collected $111,000 in delinquent fines since the engagement of the law firm of Perdue Brandon Fielder Collins & Mott, LLP. The City would actually receive approximately $44,000 of the amount collected as some of it would go to the
State of Texas, some was related to the serving of time in lieu of payment, and some was in the form of bonds for people appearing in court.

**Current Issues/Information**

City Manager Satterwhite provided City Council with an update on legislative activity and the possible impacts to the City. One such activity was related to a proposal by the Public Utility Commission (PUC) to tweak the access line system. The PUC asked for specific comments on their jurisdiction to affect the total amount that a municipality collected as access line fees. If the access fees were limited or eliminated, the City could lose up to $1.2 million per year in revenue.

Another activity was a collective bargaining bill that passed the U.S. House of Representatives (H.R. 14). The effect of the bill would mandate that all cities, counties, and states collectively bargain with public safety labor unions over wages, benefits, and working conditions under federal rules to be developed later.

**Upcoming Meetings/Events**

The following upcoming meetings/events were noted:

<table>
<thead>
<tr>
<th>Time</th>
<th>Date</th>
<th>Type of Meeting</th>
</tr>
</thead>
<tbody>
<tr>
<td>7:00 p.m.</td>
<td>July 20</td>
<td>Budget Workshop Session</td>
</tr>
<tr>
<td>6:00 p.m.</td>
<td>August 2</td>
<td>Special Session (Board Interviews)</td>
</tr>
<tr>
<td>7:00 p.m.</td>
<td>August 2</td>
<td>Regular Session</td>
</tr>
<tr>
<td>6:00 p.m.</td>
<td>August 16</td>
<td>Special Session (Budget Public Hearing)</td>
</tr>
<tr>
<td>7:00 p.m.</td>
<td>August 16</td>
<td>Regular Session</td>
</tr>
<tr>
<td>7:00 p.m.</td>
<td>August 17</td>
<td>Special Session (Budget)</td>
</tr>
</tbody>
</table>

At the conclusion of questions regarding the City Manager’s Report by members of City Council, Councilman Avioli moved to accept the City Manager’s Report as presented by City Manager Satterwhite into the record. Councilman Hickman seconded the motion. The motion carried unanimously on a 7-0 vote as follows:

FOR: Mayor Siegel, Mayor Pro Tem Nauert, Councilmen Hickman, Avioli, Parker, and Friedberg, and Councilwoman Nathan

OPPOSED: None

ABSENT: None
F. CONSENT AGENDA:

APPROVAL/CORRECTION OF MINUTES:

1. APPROVAL of the minutes of the Regular Session of the City Council of the City of Bellaire, Texas, held on Monday, May 17, 2010 – Item submitted by City Clerk Tracy L. Dutton

2. APPROVAL of the minutes of the Special Session (Interviews) of the City Council of the City of Bellaire, Texas, held on Monday, June 7, 2010 – Item submitted by City Clerk Tracy L. Dutton.

Councilman Hickman requested separate consideration of Consent Agenda item F1. Since there were only two items on the Consent Agenda, both items were considered separately.

Mayor Pro Tem Nauert moved to approve the minutes of the Regular Session of the City Council of the City of Bellaire, Texas, held on Monday, May 17, 2010. Councilwoman Nathan seconded the motion. The motion carried on a 6-0-1 vote as follows:

FOR: Mayor Siegel, Mayor Pro Tem Nauert, Councilmen Avioli, Parker, and Friedberg, and Councilwoman Nathan

OPPOSED: None

ABSENT: None

ABSTAIN: Councilman Hickman*

*Councilman Hickman abstained from voting on the minutes of the Regular Session of the City Council held on Monday, May 17, 2010, due to his absence from that meeting.

Councilman Friedberg moved to approve the minutes of the Special Session (Interviews) of the City Council of the City of Bellaire, Texas, held on Monday, June 7, 2010. Councilman Hickman seconded the motion. The motion carried on a 5-0-2 vote as follows:

FOR: Mayor Siegel, Mayor Pro Tem Nauert, Councilmen Parker and Friedberg, and Councilwoman Nathan

OPPOSED: None
G. ADOPTION OF ORDINANCES:

Appointment of Medical Director and Agreement for Services

1. CONSIDERATION of and possible action on a recommendation from the Bellaire Fire Department to appoint Bhushan Kukkalli, M.D., as Medical Director for the Bellaire Emergency Medical Service and on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, appointing Bhushan Kukkalli, M.D., as Medical Director for the Bellaire Emergency Medical Service and authorizing the Mayor of the City of Bellaire, Texas, to execute, for and on behalf of the City of Bellaire, Texas, an Agreement for Medical Director Services with Bhushan Kukkalli, M.D., for the period commencing August 1, 2010, and ending January 31, 2011, and continuing for one more six-month period ending July 31, 2011, with an option to continue annually until such time as one or both parties terminate the relationship – Item submitted by Fire Chief Darryl Anderson.

Councilman Avioli moved to adopt an ordinance of the City Council of the City of Bellaire, Texas, appointing Bhushan Kukkalli, M.D., as Medical Director for the Bellaire Emergency Medical Service and authorizing the Mayor to execute an Agreement for Medical Director Services with Bhushan Kukkalli, M.D., for the period commencing August 1, 2010, and ending January 31, 2011, and continuing for one more six-month period ending July 31, 2011, with an option to continue annually until such time as one or both parties terminate the relationship. Councilwoman Nathan seconded the motion.

Fire Chief Anderson and Lieutenant Albert Figueroa, Bellaire Fire Department, described the internal process followed by a Committee of Bellaire Firefighters in determining their recommendation to appoint Bhushan Kukkalli, M.D., a resident of the City of Bellaire, as the Medical Director for the Bellaire Emergency Medical Service. Discussions and interviews were held with five physicians for the Medical Director position and the Committee unanimously selected Bhushan Kukkalli, M.D.
After members of City Council asked questions of Fire Chief Anderson and Lieutenant Figueroa regarding the agreement and medical services to be provided, Councilman Friedberg moved to amend the first sentence of Section IV, Insurance and Liability, of the Agreement for Medical Director Services to read as follows: The Ambulance Service’s general liability insurance for the Medical Director shall be limited to the medical and administrative services provided by the Medical Director exclusively for the Ambulance Service. Councilman Parker seconded the amendment. The amendment carried unanimously on a 7-0 vote as follows:

FOR: Mayor Siegel, Mayor Pro Tem Nauert, Councilmen Hickman, Avioli, Parker and Friedberg, and Councilwoman Nathan

OPPOSED: None

ABSENT: None

Councilman Hickman stated that he had no problem with the fact that the agreement was an evergreen agreement (i.e., would continue indefinitely unless terminated by one or both parties), but advised that he would like to get a report on the medical director services in two years.

The original motion, as amended, carried unanimously on a 7-0 vote as follows:

FOR: Mayor Siegel, Mayor Pro Tem Nauert, Councilmen Hickman, Avioli, Parker and Friedberg, and Councilwoman Nathan

OPPOSED: None

ABSENT: None

{Ordinance was subsequently numbered: 10-053}
beginning October 1, 2010, and ending September 30, 2011; making various findings and provisions related thereto; and declaring that all necessary notices be published as required by law – Item submitted by Assistant City Manager Diane K. White.

Councilman Hickman moved to adopt an ordinance calling a public hearing before the City Council of the City of Bellaire, Texas, on Monday, August 16, 2010, at 6:00 p.m. in the Council Chamber, First Floor of City Hall, 7008 South Rice Avenue, Bellaire, Texas 77401, to consider the proposed budget of the City of Bellaire, Texas, for the fiscal year beginning October 1, 2010, and ending September 30, 2011; making various findings and provisions related thereto; and declaring that all necessary notices be published as required by law. Councilman Avioli seconded the motion. The motion carried unanimously on a 7-0 vote as follows:

FOR: Mayor Siegel, Mayor Pro Tem Nauert, Councilmen Hickman, Avioli, Parker and Friedberg, and Councilwoman Nathan

OPPOSED: None

ABSENT: None

{Ordinance was subsequently numbered: 10-054}
ABSENT: None

Respectfully submitted,

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

Approved:

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Cynthia Siegel, Mayor
City of Bellaire, Texas