The City Council of the City of Bellaire, Texas, met in Regular Session on Monday, January 17, 2011, 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 7:06 p.m. on Monday, January 17, 2011.

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 Will Hickman.

Councilman Hickman provided the inspirational reading for the evening.

C. PLEDGES TO THE FLAGS – Councilman Will Hickman.

1. U.S. PLEDGE OF ALLEGIANCE.

2. PLEDGE TO THE TEXAS FLAG.

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

D. PERSONAL/AUDIENCE COMMENTS.

Robert Riquelmy, 506 Winslow Lane, Bellaire, Texas:

Mr. Riquelmy addressed City Council and advised that he wished to comment on two subjects. The first subject had to do with an appropriation on the City Council agenda for $45,000 for a zoning study on the transit-oriented development on the north side of town. Mr. Riquelmy did not feel that anything would happen in that zoning district for probably a decade given the catastrophes that had befallen the Metropolitan Transit Authority of Harris County, Texas (METRO). He suggested that the City could reapply the money to improve the Police Department or if the money needed to be spent with
Kendig Keast Collaborative, their time could be better used on the Bissonnet Street corridor, which was seeing a great deal of activity.

The second subject regarded legal reports. Mr. Riquelmy indicated that the City used to receive an occasional report from the City Attorney about pending litigation. He advised that this would be very interesting for the citizens and City Council, and he urged City Council to schedule such a report every month or every two months.

**Bill Thorogood, 4507 Merrie Lane, Bellaire, Texas:**

Mr. Thorogood addressed City Council and noted that the Bellaire Planning and Zoning Commission (“Commission”) had worked for several years to provide a Comprehensive Plan that would assist in the redevelopment of much of the commercial sectors of the Bellaire community. Tonight, City Council had an opportunity to take the next major implementation step in the Comprehensive Plan by authorizing a consulting contract with Kendig Keast Collaborative for the rewriting of the detailed zoning ordinance for the zoning district now called Urban Village-TOD in the far northern area of Bellaire.

If the contract was approved this evening, Mr. Thorogood indicated that he believed that the tax base in that area would be increased. He appreciated and understood that there were pressures for development in other parts of the City; however, the Commission was ready and stood prepared to work promptly and diligently with Kendig Keast Collaborative and City Staff during the next several months, and through several planned community workshops as part of the contract, to complete the revisions of the zoning ordinances for the UV-TOD district. The workshops would provide an opportunity to hear comments from all of Bellaire’s citizens and property owners in the area, including the neighborhoods adjacent to the urban village.

In closing, Mr. Thorogood urged City Council to approve the contract before them this evening.

**Richard Franke, 1104 Howard Lane, Bellaire, Texas:**

Mr. Franke addressed City Council and indicated that a few weeks ago the City Manager released the City of Bellaire’s plan to complete reconstruction of streets with the remaining 2005 Rebuild Bellaire Program bonds. He stated that it was imperative that the City Council disclose the details of the City Manager’s plan because many taxpayers would not take an interest in the listing of candidate streets until they understood the priority assigned to their street and the long-term implications if it was not given priority.

The plan to redevelop the RDD zoning district and downtown Bellaire was a sound decision and Mr. Franke totally supported it. However, he felt that 15-20 years might go by before a positive contribution to the tax base could be seen.
Mr. Franke urged City Council not to delay or defer the Baldwin Avenue project due to prospective tax increases required by additional bond funding. It had taken over 60 years for the City of Bellaire to address the well known drainage issues of Southdale. When the Baldwin Avenue project was completed, the City of Bellaire would have reconstructed less than 30% of Bellaire’s 67 linear miles of streets, most of which were assessed as severely deteriorated in the 1997 study by Claunch & Miller.

Mr. Franke advised further that the City Manager’s plan listed only five pages of streets that were candidates for reconstruction and a list of streets that were scheduled for point repairs. He indicated that this was not a credible plan and it emphasized the obvious need to not only update the 1997 risk assessment of streets, but to disclose in detail the risk elements for all streets not yet reconstructed. He also urged City Council to terminate asphalt overlays.

It was also mentioned that the taxpayers needed a written comprehensive report with attendant costs and financial metrics, which should be presented at meetings and hearings and periodically updated on the City’s website.

The state of the economy and projected property values and the impact of additional bond issuances on tax rates, bond ratings, and other metrics must also be considered and exposed on the website and open to public discussion. The current adverse condition emphasized the need for a comprehensive reassessment of the City’s strengths and weaknesses and the long term effect on the tax base of infrastructure reconstruction and other capital needs. Conventional municipal planning methods were inadequate to serve the City of Bellaire.

{The speaker’s allotted time ended at this point in the meeting}

Lynn McBee, 5314 Evergreen Street, Bellaire, Texas:

Ms. McBee addressed City Council and referred to the Fire Station dedication ceremony held over the weekend in Bellaire. She advised that City Staff did an outstanding job in welcoming the citizens and that she enjoyed the tour. The highlight for her was not the expansive space that was there, but rather the collection of antiquities that were laid out, which included a time capsule that had been discovered and opened from the 1983 period. Ms. McBee realized that Bellaire had many archives, which were not integrated at all.

Ms. McBee urged City Council to consider a centralized archives collection for the City of Bellaire, perhaps in some future development on the Teas property with a professional archivist to manage it. She felt that this was an essential step if City Council wanted to retain the image of Bellaire.
With respect to the Kendig Keast Collaborative contract before City Council this evening, Ms. McBee advised that she had worked with Gary Mitchell indirectly and had been very pleased with the work of the firm. She suggested applying some of the monies saved on the Bellaire City Library Renovation Project toward planning and the writing of regulations for the entire City by Kendig Keast Collaborative.

Mayor Siegel read one written comment that had been received by the City Clerk’s Office into the record, as summarized below.

**Idylette Robison, 5210 Grand Lake Street, Bellaire, Texas:**

Ms. Robison indicated that she was in support of the infrastructure workshop to be considered by City Council during the January 17, 2011, meeting. She indicated that a plan was necessary that laid out the streets/blocks for reconstruction, schedule of the work, and the reconstruction of plans on remaining streets. She noted further that Bellaire taxpayers should be informed on the progress and all costs associated with the plan and that details should be posted regularly on the City’s website.

E. REPORTS:

1. **CITY MANAGER’S REPORT regarding residential safety (police activity report and fire activity), public infrastructure/utilities (Rebuild Bellaire update and major projects update), cultural and recreational (History Walk Dedication Ceremony – March 5, 2011, at 9:00 a.m.), communications/technology (streaming video update, request tracking module, and Facebook improvements), 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 dated January 17, 2011.

**Residential Safety**

It was noted that in 2010, the total unaudited numbers for Part 1 crimes were down by 45 over the previous year (or a 10% decrease). There were 31 Part 1 criminal offenses reported in December compared to 40 in December of 2009 and 65 traffic accidents compared to 64 the previous year.

Response time was noted to be four (4) minutes, which included police, fire, and emergency medical service responses.

Two robberies occurred during the month of December. One resulted in the assault of an individual who was robbed of property, and the
second involved a robbery of another individual at 5214 Bellaire Boulevard.

There were three assaults during the month of December and two auto thefts. Both of the stolen autos were recovered in the City of Houston.

Residents in the cities of Bellaire and West University Place had recently had catalytic converters stolen off of Toyota 4Runners in the past month (i.e., four cases in each city). All of the vehicles were parked on the street when the thefts occurred.

With respect to the Bellaire Fire Department, it was noted that two fires had been fought recently. One fire started in the middle of an evening in a garage and spread to a master bedroom. The other fire was a minor fire, which occurred during the day. A firefighter suffered an injury while working on the minor fire when he was struck in the head by a hose coupling.

City Manager Satterwhite thanked Fire Chief Darryl Anderson, Assistant Fire Chief Alton Moses, and all of the Bellaire Firefighters, both full-time and volunteer, for putting together a really good dedication ceremony and open house.

**Public Infrastructure/Utilities**

The Rebuild Bellaire Program, Phase Three, was noted to be underway with traffic in the 4500 block of Oleander Street flowing one-way eastbound. Eighty-five percent of the storm sewer had been installed on that street and 25% of the street pavement, curb, and driveway installations had been completed.

With respect to the 4700-4800 block of Holt Street, traffic was one-way eastbound, with 55% of the storm sewer installed and 20% of the street pavement completed.

The Rice Lift Station Project was scheduled to be completed by the end of the month. Electrical construction, testing of equipment, and the plugging of one twenty-four inch and one twelve inch pipe remained to be completed on the project, as well as repairs to South Rice Avenue.

The Feld Park Water Plant Rehabilitation Project was due to begin this month. Project completion was estimated for August of 2011.

**Cultural and Recreational**

It was noted that the Bellaire Cultural Arts Commission was planning to hold a History Walk Dedication Ceremony on Saturday, March 5,
2011, at 9:00 a.m. The ceremony would be held in Paseo Park at the trolley.

**Communications/Technology**

City Manager Satterwhite noted that the City had hoped to put a link on the City’s website for live streaming, but wanted to do one more test. There had been a few problems in making the streaming video available across all platforms (i.e., with all Internet browsers and with Mac and PC-based systems). He believed the problems had been accomplished through a product called Microsoft Silverlight. By the next meeting, which was the City’s State of the City Address, the live video stream would be available.

Additionally, City Manager Satterwhite noted that the City did not have enough bandwidth to run streaming video and its cable channel, Channel 16. The City put a booster in the system to boost the bandwidth. After testing, the streaming video and cable channel were now both working well.

It was next noted that there was a request tracking module for the City website that would allow citizens to write in with questions, concerns, and requests online. Questions, concerns, and requests could be entered into an online form and that form would be automatically routed to the appropriate Department Head. Citizens would receive feedback indicating when they could expect their request to be responded to.

The City’s Facebook account was also mentioned as a proactive way in which the City could disseminate information.

**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>February 7, 2011</td>
<td>7:00 p.m.</td>
<td>Regular Session (Town Meeting – State of the City Address)</td>
</tr>
<tr>
<td>February 21, 2011</td>
<td>7:00 p.m.</td>
<td>Regular Session</td>
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Following questions of City Manager Bernard M. Satterwhite, Jr., by members of City Council regarding the City Manager’s Report, Councilman Hickman moved to accept the City Manager’s Report dated January 17, 2011, as presented by City Manager Bernard M. Satterwhite, Jr., into the record. Councilwoman Nathan 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


Chief Financial Officer Linda Symank presented the Finance Report covering the period ended December 31, 2010, to City Council.

**General Fund**

It was noted that the General Fund was the City’s major operating fund and had numerous revenue sources. The General Fund was primarily funded by property taxes. As of December 31, 2010, the City had collected $2.3 million in property taxes.

During the previous month, a member of City Council had questioned when the property under construction was added to the appraisal roll. The Harris County Appraisal District appraised all property at the value that existed on January 1st. If a property was still under construction on January 1, a percentage of completion method would be used to arrive at the value that would be recorded on the tax roll. Should the owner or developer want to challenge the percentage of completion calculation, that owner or developer would have to go through the same appeals process as any other property owner.

Another revenue source for the General Fund was the franchise tax. As of December, the City had collected $389,000 from its four franchise agreements. The City had collected $500,000 in sales tax. Sales taxes of $500,000 were collected, which was behind the amount collected in the previous year. Although the City was slightly behind, the City was moving closer to seeing sales taxes come in at the level seen in the previous year.
Permits, fees, and license revenues had to do with development in the community. Within those three areas, the City collected $188,745 in revenue. Retail new construction and remodel remained consistent with the previous year’s levels. With respect to commercial permits, 18 permits had been issued as of December for a value of $6.7 million as compared to 13 permits in the previous year for a value of $700,000.

The revenue for rentals of facilities, aquatics, program fees, athletics, and other fees was noted to be $82,946. For fines, the City collected $181,781. It was noted that the City was using a collection agency for warrants. That agency cleared $40,000 in warrants in October, $37,000 in November, and $27,000 in December. The amount cleared on warrants did not necessarily represent revenue to the City, as some of the amount collected belonged to the State and some could be met by jail time served.

With respect to miscellaneous revenue, it was noted that the line item reflected a refund from Workers’ Compensation ($13,000), as well as a reimbursement check on a vehicle incident.

In summary, the General Fund had total revenues of approximately $3.8 million and expenditures of $3.4 million. Expenditures in the General Fund had been made within the approved and adopted budget.

**Enterprise Fund**

The Enterprise Fund was noted to be the City’s second operating fund, which was funded by the charges to the citizens who used the services. It had three major categories for revenue—water ($580,000), wastewater ($341,000), and solid waste ($361,000). During the previous year, the City pumped 132 million gallons of water as compared to the current year wherein 212 million gallons had been pumped.

Other revenue sources for this fund consisted of penalties, reconnect fees, new service fees, and some investment earnings, which totaled $31,300 for the period.

In summary, the Enterprise Fund had revenues of $1.3 million for the period with expenditures of $1.4 million. It was noted that funds had been expended within the approved budget.

**Debt Service Fund**

The purpose of the Debt Service Fund was to accumulate the dollars for the City’s semi-annual debt service payments. The fund was
funded by the debt portion of the City’s property tax rate. Revenues collected totaled $1.2 million as of December. In addition, the fund consisted of some investment earnings and a transfer of $237,500 from the Enterprise Fund. This transfer was in support of the bond proceeds that were used to construct infrastructure for the Enterprise Fund.

The Debt Service Fund had seen no major expenditure activity for the period. The City’s first debt payment for the year would be made on February 15th and would include a principal and interest payment. A second interest payment would be made in August.

**Vehicle, Equipment, and Technology Fund (VET)**

The VET Fund’s purpose was to fund new vehicles, equipment, and technology identified in the budget process. By its nature, it would fluctuate from one year to the next. Additionally, if a project was not completed at the end of the year, that budget would carry over to the next year. It was normally funded by a transfer from the General Fund. Projects identified for the current year budget amounted to $339,400. As of December 31, the City had expended $200,611 of the amount identified. It was noted that the City did have one carryover project from the previous year.

**Capital Improvement Program Fund (CIP)**

The CIP Fund was noted, by its nature, to vary from one year to the next. The City identified $2.4 million in projects for the fiscal year. Additionally, there were three carryover projects from the previous year.

City Council was directed next to page 28 of the City’s investment report. A new section was noted on page 31, which consisted of a quarterly report concerning the economy. Monthly economic indicators utilized in the analysis for the report were noted to be employment, unemployment, housing starts, Consumer Price Index (CPI), and sales (including foreclosures).

Following questions of Chief Financial Officer Linda Symank by members of City Council regarding the Finance Report for the period ended December 31, 2010, Mayor Pro Tem Nauert moved to approve the Finance Report for the period ended December 31, 2010, as presented by Chief Financial Officer Linda Symank, into the
F. CONSENT AGENDA:

1. APPROVAL/CORRECTION OF MINUTES:

   a. APPROVAL of the minutes of the Regular Session of the City Council of the City of Bellaire, Texas, held on Monday, December 6, 2010 – Item submitted by City Clerk Tracy L. Dutton.

   b. APPROVAL of the minutes of the Special Session (Executive Session) of the City Council of the City of Bellaire, Texas, held on Monday, December 20, 2010 – Item submitted by City Clerk Tracy L. Dutton.

   c. APPROVAL of the minutes of the Regular Session of the City Council of the City of Bellaire, Texas, held on Monday, December 20, 2010 – Item submitted by City Clerk Tracy L. Dutton.

2. ADOPTION OF ORDINANCE/FINAL PAYMENT:

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 Calco Contracting, Ltd., for the Bissonnet Sanitary Sewer Improvements Project representing a decrease in said project of $19,669.40, and authorization for the City of Bellaire, Texas, to make final payment on said project in the amount of $8,157.16 – Item submitted by Director of Public Works Joe Keene.

Councilman Friedberg requested separate consideration of Consent Agenda item F. 1. a. and Councilman Avioli requested separate consideration of Consent Agenda item F. 2.
Councilwoman Nathan moved to approve the Consent Agenda dated January 17, 2011, consisting of the following items:

- Minutes of the Special Session (Interviews) of the City Council of the City of Bellaire, Texas, held on Monday, December 20, 2010; and

- Minutes of the Regular Session of the City Council of the City of Bellaire, Texas, held on Monday, December 20, 2010.

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

Separate consideration of Consent Agenda Item F. 1. a.:

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, December 6, 2010. Councilman Hickman seconded the motion.

Councilman Friedberg moved to amend page 11, lines 522 and 523, of the minutes of the Regular Session of the City Council of the City of Bellaire, Texas, to read as follows: “current or future continuing interests, he was employed by the firm throughout the time the firm represented the applicant in connection with the matter presently before Council. To avoid any potential or perceived . . . .” Councilman Hickman seconded the motion to amend. 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
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

Separate consideration of Consent Agenda Item F. 2:

Councilman Friedberg moved 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 Calco Contracting, Ltd., for the Bissonnet Sanitary Sewer Improvements Project representing a decrease in said project of $19,669.40, and to authorize the City of Bellaire, Texas, to make final payment on said project in the amount of $8,157.16. Councilman Avioli seconded the motion.

Councilman Avioli indicated that he had requested separate consideration of this item in order to ask the reason for a 19-1/2% decrease in the project cost. It was noted that this was a unit price contract and that the project required less materials and labor than originally estimated.

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: 11-004}

G. ADOPTION OF ORDINANCES:

Easement Abandonment

1. CONSIDERATION of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, authorizing the abandonment of a ten (10) foot wide storm sewer easement and a ten (10) foot wide drainage easement,
concurrent, and running along the easterly property line of Lot Ten (10) of Park Court Addition, as shown on the map file of record in Volume 25, Page 48 of the Map Records and Volume 1677, Page 438 of the Deed Records of Harris County, Texas; authorizing the owner of Lot Ten (10) of Park Court Addition, commonly known as 4523 Park Court, Bellaire, Harris County, Texas, to acquire the interest in said ten (10) foot wide storm sewer easement and said ten (10) foot wide drainage easement from the City of Bellaire, Texas; and authorizing the Mayor and City Clerk of the City of Bellaire, Texas, to execute and attest, respectively, an Abandonment of Easements – Item submitted by City Clerk Tracy L. Dutton at the direction of City Council.

Councilman Hickman moved to adopt an ordinance of the City Council of the City of Bellaire, Texas, authorizing the abandonment of a ten (10) foot wide storm sewer easement and a ten (10) foot wide drainage easement, concurrent, and running along the easterly property line of Lot Ten (10) of Park Court Addition, as shown on the map file of record in Volume 25, Page 48 of the Map Records and Volume 1677, Page 438 of the Deed Records of Harris County, Texas; authorizing the owner of Lot Ten (10) of Park Court Addition, commonly known as 4523 Park Court, Bellaire, Harris County, Texas, to acquire the interest in said ten (10) foot wide storm sewer easement and said ten (10) foot wide drainage easement from the City of Bellaire, Texas; and authorizing the Mayor and City Clerk of the City of Bellaire, Texas, to execute and attest, respectively, an Abandonment of Easements. Councilwoman Nathan seconded the motion.

Discussion ensued among members of City Council regarding the referenced easements. It was noted that both easements were located entirely within Lot Ten (10) of Park Court Addition. The drainage easement was an old side lot drainage easement, and the storm sewer line located in the storm sewer easement had been plugged. Additionally, the applicant had been paying taxes on the easements.

Councilman Hickman moved to amend the ordinance before City Council by inserting the value provided by the City’s appraiser into the ordinance as follows: $17.50 per square foot or $18,375.00 (1,050 square feet X $17.50 per square foot). The motion failed due to the lack of a second.

Councilman Friedberg moved to amend the ordinance before City Council by inserting the value of $0.00 into the ordinance. Mayor Pro Tem Nauert seconded the motion.
Councilman Avioli suggested a friendly amendment to change the value from $0.00 to $1.00. After the friendly amendment was not accepted, Councilman Avioli withdrew his amendment.

The amendment to insert a value of $0.00 into the ordinance carried on a 6-1 vote as follows:

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

OPPOSED: Councilman Hickman

ABSENT: None

Councilman Friedberg moved to amend the ordinance before City Council to strike all references to “acquisition by petitioners.” Mayor Pro Tem Nauert seconded the motion.

The amendment to strike all references to “acquisition by petitioners” 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

The original motion, as amended, carried on a 6-1 vote as follows:

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

OPPOSED: Councilman Hickman

ABSENT: None

{Ordinance was subsequently numbered: 11-005}

Appointments

2. CONSIDERATION of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas,
appointing one (1) member to the Building and Standards Commission of the City of Bellaire, Texas, to fill an unexpired term commencing on January 17, 2011, and expiring on June 30, 2011 – Item submitted by City Clerk Tracy L. Dutton at the direction of City Council.

Councilman Friedberg moved to adopt an ordinance of the City Council of the City of Bellaire, Texas, appointing Michael C. Baker to the Building and Standards Commission of the City of Bellaire, Texas, to fill an unexpired term commencing on January 17, 2011, and expiring on June 30, 2011. 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

{Ordinance was subsequently numbered: 11-006}

3. CONSIDERATION of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, appointing one (1) member to the Recycling Committee of the City of Bellaire, Texas, to fill an unexpired term commencing on January 17, 2011, and expiring on June 30, 2012 – Item submitted by City Clerk Tracy L. Dutton at the direction of City Council.

Since there were two candidates expressing an interest in serving on the Recycling Committee of the City of Bellaire, Texas, each member of City Council voted for one candidate of his or her choice to fill the referenced unexpired term as follows:

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<thead>
<tr>
<th>Council Member</th>
<th>Candidate</th>
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<tbody>
<tr>
<td>Mayor Siegel</td>
<td>Seth A. Miller</td>
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<tr>
<td>Mayor Pro Tem Nauert</td>
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<td>Councilman Hickman</td>
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<td>Councilman Friedberg</td>
<td>Seth A. Miller</td>
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<tr>
<td>Councilwoman Nathan</td>
<td>Seth A. Miller</td>
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</table>
Mayor Pro Tem Nauert moved to adopt an ordinance of the City Council of the City of Bellaire, Texas, appointing Seth A. Miller to the Recycling Committee of the City of Bellaire, Texas, to fill an unexpired term commencing on January 17, 2011, and expiring on June 30, 2012. Councilwoman Nathan 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: 11-007}

Agreement/Proposal

4. 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 Kendig Keast Collaborative for the provision of consulting services necessary to assist the City of Bellaire, Texas, in drafting specific text and provisions for the Urban Village-TOD (UV-T) Zoning District and such other portions of the Code of Ordinances of the City of Bellaire, Texas, Chapter 24, Planning and Zoning, as may be required, in the amount of $44,980.00 – Item submitted by Director of Community Development John McDonald.

Councilman Friedberg moved to adopt 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 Kendig Keast Collaborative for the provision of consulting services necessary to assist the City of Bellaire, Texas, in drafting specific text and provisions for the Urban Village-TOD (UV-T) Zoning District and such other portions of the Code of Ordinances of the City of Bellaire, Texas, Chapter 24, Planning and Zoning, as may be required, in the amount of $44,980.00. Councilman Hickman seconded the motion.
After City Council had an opportunity to ask questions of Director of Community Development McDonald and Gary Mitchell of Kendig Keast Collaborative, a vote was taken on the motion to adopt an ordinance authorizing execution of a *Standard Form of Agreement* with Kendig Keast Collaborative for consulting services in drafting specific text and other provisions for the UV-T Zoning District in the amount of $44,980.00. 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: 11-008}

**H. ITEM FOR INDIVIDUAL CONSIDERATION:**

DISCUSSION of and possible action on calling a Workshop Session of the City Council of the City of Bellaire, Texas, to review and discuss with City Staff and HDR|Claunch & Miller, Engineers, the City of Bellaire’s street and drainage infrastructure program – Item submitted by City Manager Bernard M. Satterwhite, Jr., on behalf of Councilman Andrew Friedberg.

**Summary:**

Councilman Andrew Friedberg provided some background as to why he had requested the agenda item currently before City Council. He noted that the City Council frequently heard from residents about street and drainage issues. There seemed to be a debate between some interested citizens and City Staff regarding the issues, so Councilman Friedberg was hoping to get everyone in the same room, including the City’s engineers, for the purpose of updating and reviewing the City’s progress in the Rebuild Bellaire Program. He referred to a recent public information request regarding the City’s “plan.” Councilman Friedberg was hopeful that the plan could be fleshed out during a Workshop Session for the benefit of City Council and the public.

Councilman Friedberg moved to call a Workshop Session of the City Council of the City of Bellaire, Texas, to review and discuss with City Staff and HDR|Claunch & Miller, Engineers, the City of Bellaire’s street and drainage infrastructure program. Mayor Siegel seconded the motion.
Following discussion among members of City Council regarding the scope of such a Workshop Session, a vote was taken on the motion to call a Workshop Session of the City Council to review and discuss the City’s street and drainage infrastructure program on a date to be determined by City Staff in coordination with the City’s engineers and City Council. 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

I. COMMUNITY INTEREST ITEMS FROM THE MAYOR AND CITY COUNCIL.

Community interest items from the Mayor and City Council included a brief overview of the successful Bellaire Fire Station dedication and open house; a sincere thank you to Chevron for allowing the City the use of one of their buildings while the Fire Station was under construction; and an expression of thanks to the men and women in the armed services for their sacrifice and commitment to the freedom of our country.

J. ADJOURNMENT.

Councilman Hickman moved to adjourn the Regular Session of the City Council of the City of Bellaire, Texas, at 9:16 p.m. on Monday, January 17, 2011. Councilwoman Nathan 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

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