The City Council of the City of Bellaire, Texas, met in Regular Session on Monday, November 7, 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 Cindy Siegel called the City Council of the City of Bellaire, Texas, to order at 7:03 p.m. on Monday, November 7, 2011.

Also present were Mayor Pro Tem Phil Nauert, Councilmen Roman F. Reed, 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 Andrew Friedberg.

Councilman Andrew Friedberg provided the inspirational reading for the evening.

C. PLEDGES TO THE FLAGS – Councilman Andrew Friedberg.

1. U.S. PLEDGE OF ALLEGIANCE.

2. PLEDGE TO THE TEXAS FLAG.

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

D. PERSONAL/AUDIENCE COMMENTS.

Susan Downs, 814 Carol Drive, Bellaire, Texas, addressed City Council regarding the broken doors in the City Hall building. She indicated that the doors had been out of commission for several months as the City waited for rainfall in the hope that the building would level out. Rainfall had occurred, but the doors were still broken.
Ms. Downs advised that it mattered to her what the City buildings looked like, especially those that were open to the public. Additionally, the outdoor mail drop (for utility billing) had one letter on it and the rest had peeled off.

Ms. Downs urged City Council to take care of City Hall by getting the doors and mail drop repaired.

Lynn McBee, 5314 Evergreen Street, Bellaire, Texas, addressed City Council regarding Election Day, noting that the polls in Bellaire would be open from 7:00 a.m. until 7:00 p.m. on Tuesday, November 8, 2011. She also advised that the City Clerk would be mounting the results of the election on the City’s website once she had received them.

With respect to the agenda, City Council would consider an action item which would consist of the relocation of the donor wall around the existing gazebo. The plan recognized included the recognition of donors prominently displayed on a wall of brick and a hard surface path. The wall appeared to be approximately five feet in height. If the wall was five feet in height, it would block a portion of the gazebo.

Ms. McBee suggested that the wall be less prominent and low enough for people to sit on. She noted that the City currently had a great deal of hard surface and the construction of the donor wall and path would add to the existing hard surface.

Ms. McBee further suggested getting input from the Bellaire Cultural Arts Commission and suggested that the City celebrate parks for what they were—green, living things.

In closing, Ms. McBee asked City Council to request a report as soon as possible from the Finance Department as to the dollar amounts that had been spent in Bellaire Park. According to numbers Ms. McBee had calculated from 2003 to date, the City had spent $4+ million for the Bellaire Family Aquatic Center; $3.8 million for Loftin Park; and $3 million (estimate) for other amenities proposed for Bellaire Town Square.

E. REPORT:

CITY MANAGER’S REPORT regarding residential safety (police activity report), public infrastructure/utilities (projects update and Baldwin Avenue sidewalk survey letters delivered), cultural and recreational (Recycles Fest, Friends of the Bellaire Library Books Sale, Parks and Recreation Department Great Pumpkin Hunt, and non-City sponsored events), and upcoming City Council meetings/events – Presented by City Manager Bernard M. Satterwhite, Jr.

City Manager Bernard M. Satterwhite, Jr., presented the City Manager’s Report dated November 7, 2011, to members of City Council.
Residential Safety

City Manager Satterwhite advised that he did not have a Police Activity Report for the evening.

Public Infrastructure/Utilities

With respect to public infrastructure/utilities, the Rebuild Bellaire, Phase III, project was progressing. The portion of Second Street from Jessamine Street to Evergreen Street was nearing completion, and the portion of Second Street from Evergreen Street to Braeburn Drive was 75% completed with respect to storm sewer construction and 35% completed with respect to pavement construction. It was anticipated that the entire project would be completed in January of 2012.

On Wednesday, October 26, 2011, one pump was removed and replaced with a pump from a different manufacturer at the Rice Lift Station. So, the Rice Lift Station was currently operational.

City Manager Satterwhite advised that some of the traffic intersections in Bellaire had been frustrating over the last few months due to the fact that many of the cameras installed for the new traffic signal system had failed. The cameras had been returned to the manufacturer for repair. Twelve of the cameras had been repaired to date and were re-installed at Bellaire Boulevard and First Street, Bellaire Boulevard and Avenue B, and Bissonnet Street and First Street.

With respect to the crosswalk on South Rice Avenue, the City would have to relocate power poles as CenterPoint Energy had deemed that the crosswalk light poles were too close to their power poles. The cost to move the power poles was included in the original bid. CenterPoint Energy advised that the power poles could not be relocated until January, however, City Manager Satterwhite indicated that he would try to get them to do so sooner.

Letters informing residents of the possible installation of sidewalks along Baldwin Avenue and asking for their opinion on whether they felt sidewalks should be installed along Baldwin Avenue went out last Thursday afternoon. The City had already received 70 responses as of the close of business on Monday, with more responses expected.

The FY 2011 Sidewalk Project was noted to be underway. The 800 block of Woodstock Drive was completed and the 800 block of Atwell Drive was slated next for repairs/maintenance.

With respect to the street striping project, it was noted to be 50% completed.

The City Hall Foundation was slated to receive some repairs on December 2, 2011, which would include repairs to the doors of the building.
**Cultural and Recreational**

City Manager Satterwhite advised that the Third Annual Bellaire Recycles Fest, held on Saturday from 9:00 a.m. until 1:00 p.m. in conjunction with the America Recycles Day and Texas Recycles Day, was a huge success. The Bellaire Recycling Committee estimated that approximately 400 people attended the event, which was exclusive of the vehicles that drove through with electronic recycling and shredding. Attendees enjoyed visiting with vendors offering green goods and services. The number of organizations participating in the event this year increased approximately 70% over the previous year’s event.

The Bellaire Cultural Arts Commission co-sponsored a very successful eARTh Photo Contest with the Bellaire Recycling Committee. It was noted that numerous entries were received for that contest. Approximately 12,000 pounds of electronics were recycled and 11,000 pounds of paper were shredded and recycled.

In addition, Faith Lutheran Church in Bellaire collected over 250 pounds of coats, jackets, blankets, and sleeping bags for the Houston-area homeless, and the Bellaire Lions Club collected several dozen eyeglasses.

The Friends of the Bellaire Library Book Sale occurred at the same time as the Bellaire Recycles Fest. Books sold totaled approximately $2,721.

During a previous week, the Parks & Recreation Department sponsored a Great Pumpkin Hunt in Bellaire Park, which was also very successful.

**Upcoming City Council Meetings/Events**

The following upcoming City Council meetings/events were announced by City Manager Satterwhite:

<table>
<thead>
<tr>
<th>Date</th>
<th>Time</th>
<th>Type of Meeting</th>
</tr>
</thead>
<tbody>
<tr>
<td>November 14, 2011</td>
<td>6:00 p.m.</td>
<td>Special Session (Executive Session) – Review of City Manager and City Clerk</td>
</tr>
<tr>
<td>November 21, 2011</td>
<td>6:00 p.m.</td>
<td>Special Session (Executive Session) – Review of the City Attorney</td>
</tr>
<tr>
<td>November 21, 2011</td>
<td>6:45 p.m.</td>
<td>Special Session (Canvass of the General Election held November 8, 2011)</td>
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<tr>
<td>November 21, 2011</td>
<td>7:00 p.m.</td>
<td>Regular Session</td>
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</table>
COUNCIL MOTION/ACTION:

Following questions of City Manager Satterwhite regarding the City Manager’s Report dated November 7, 2011, Councilwoman Mandy Nathan moved to accept the City Manager’s Report dated November 7, 2011, as presented by City Manager Bernard M. Satterwhite, Jr., into the record. Councilman James P. Avioli, Sr., seconded the motion. The motion carried unanimously on a 7-0 vote as follows:

FOR: Mayor Cindy Siegel, Mayor Pro Tem Phil Nauert, Councilmen Roman F. Reed, James P. Avioli, Sr., Corbett Daniel Parker, and Andrew Friedberg, and Councilwoman Mandy Nathan

OPPOSED: None

ABSENT: None

F. PROCLAMATION issued by Mayor Cindy Siegel proclaiming the week of November 7-13, 2011, as Perioperative Nurse Week in the City of Bellaire, Texas, in dedication and recognition of the nation’s perioperative registered nurses who care for patients before, during, and after surgery – Item submitted by City Clerk Tracy L. Dutton on behalf of the Association of PeriOperative Registered Nurses (AORN); Proclamation issued by Mayor Cindy Siegel.

AORN representatives, recipients of the proclamation issued by Mayor Cindy Siegel, were not present at this point in the meeting; therefore, Mayor Siegel postponed reading the proclamation into the record until after consideration of the Consent Agenda in order to allow the representatives some additional time to arrive for the meeting.

G. CONSENT AGENDA:

APPROVAL/CORRECTION OF MINUTES:

1. CONSIDERATION of and possible action on the adoption of the minutes of the Regular Session of the City Council of the City of Bellaire, Texas, held on Monday, October 17, 2011 – Item submitted by City Clerk Tracy L. Dutton.

ADOPTION OF RESOLUTION:

2. CONSIDERATION of and possible action on the adoption of a resolution of the City Council of the City of Bellaire, Texas, in support of the application by the Board of Regents of the University of Texas System to the Texas Commission on Environmental Quality for a municipal setting designation for a
5.5 acre parcel located east of Almeda Road, South of Myrtle Street, in the City of Houston, Harris County, Texas 77054, and more commonly known as 7405 Almeda Road; and authorization for the Mayor of the City of Bellaire, Texas, to execute an Indemnity Agreement in favor of the City of Bellaire, Texas, Indemnitee, and executed by the Board of Regents of the University of Texas System, Indemnitor – Item submitted by Director of Community Development John McDonald.

Vehicle, Equipment, and Technology Purchase Request

3. CONSIDERATION of and possible action on a request from the Bellaire Police Department for City Council authorization to expend funds for the purchase of three police patrol vehicles and related equipment in an amount not to exceed $103,550.00 – Item submitted by Chief of Police Randall C. Mack.

Councilman James P. Avioli, Sr., requested separate consideration of Consent Agenda items 2 and 3. Since item 1 was the only remaining Consent Agenda item, each item was considered separately.

Separate Consideration of Consent Agenda Item 1:

CONSIDERATION of and possible action on the adoption of the minutes of the Regular Session of the City Council of the City of Bellaire, Texas, held on Monday, October 17, 2011 – Item submitted by City Clerk Tracy L. Dutton.

COUNCIL MOTION/ACTION:

Mayor Pro Tem Phil Nauert moved to adopt the minutes of the Regular Session of the City Council of the City of Bellaire, Texas, held on Monday, October 17, 2011. Councilwoman Mandy Nathan seconded the motion. The motion carried unanimously on a 7-0 vote as follows:

FOR: Mayor Cindy Siegel, Mayor Pro Tem Phil Nauert, Councilmen Roman F. Reed, James P. Avioli, Sr., Corbett Daniel Parker, and Andrew Friedberg, and Councilwoman Mandy Nathan

OPPOSED: None

ABSENT: None
Separate Consideration of Consent Agenda Item 2:

CONSIDERATION of and possible action on the adoption of a resolution of the City Council of the City of Bellaire, Texas, in support of the application by the Board of Regents of the University of Texas System to the Texas Commission on Environmental Quality for a municipal setting designation for a 5.5 acre parcel located east of Almeda Road, South of Myrtle Street, in the City of Houston, Harris County, Texas 77054, and more commonly known as 7405 Almeda Road; and authorization for the Mayor of the City of Bellaire, Texas, to execute an Indemnity Agreement in favor of the City of Bellaire, Texas, Indemnitee, and executed by the Board of Regents of the University of Texas System, Indemnitor – Item submitted by Director of Community Development John McDonald.

COUNCIL MOTION:

Councilwoman Mandy Nathan moved to adopt a resolution of the City Council of the City of Bellaire, Texas, in support of the application by the Board of Regents of the University of Texas System to the Texas Commission on Environmental Quality for a municipal setting designation for a 5.5 acre parcel located east of Almeda Road, South of Myrtle Street, in the City of Houston, Harris County, Texas 77054, and more commonly known as 7405 Almeda Road; and to authorize the Mayor of the City of Bellaire, Texas, to execute an Indemnity Agreement in favor of the City of Bellaire, Texas, Indemnitee, and executed by the Board of Regents of the University of Texas System, Indemnitor. Councilman Roman F. Reed seconded the motion.

COUNCIL ACTION:

Following questions related to the application and discussion of the motion, Mayor Siegel called for a vote on the motion, which carried unanimously 7-0 as follows:

FOR: Mayor Cindy Siegel, Mayor Pro Tem Phil Nauert, Councilmen Roman F. Reed, James P. Avioli, Sr., Corbett Daniel Parker, and Andrew Friedberg, and Councilwoman Mandy Nathan

OPPOSED: None

ABSENT: None
Separate Consideration of Consent Agenda Item 3:

CONSIDERATION of and possible action on a request from the Bellaire Police Department for City Council authorization to expend funds for the purchase of three police patrol vehicles and related equipment in an amount not to exceed $103,550.00 – Item submitted by Chief of Police Randall C. Mack.

COUNCIL MOTION:

Councilman James P. Avioli, Sr., moved to approve a request from the Bellaire Police Department for City Council authorization to expend funds for the purchase of three police patrol vehicles and related equipment in an amount not to exceed $103,550.00. Councilman Roman F. Reed seconded the motion.

COUNCIL ACTION:

Following questions of Chief of Police Randall C. Mack regarding the expenditure of funds for patrol vehicles and discussion of the motion, Mayor Siegel called for a vote on the motion, which carried unanimously 7-0 as follows:

FOR: Mayor Cindy Siegel, Mayor Pro Tem Phil Nauert, Councilmen Roman F. Reed, James P. Avioli, Sr., Corbett Daniel Parker, and Andrew Friedberg, and Councilwoman Mandy Nathan

OPPOSED: None

ABSENT: None

Mayor Siegel returned to agenda F. at this point in the meeting.

F. PROCLAMATION issued by Mayor Cindy Siegel proclaiming the week of November 7-13, 2011, as Perioperative Nurse Week in the City of Bellaire, Texas, in dedication and recognition of the nation’s perioperative registered nurses who care for patients before, during, and after surgery – Item submitted by City Clerk Tracy L. Dutton on behalf of the Association of PeriOperative Registered Nurses (AORN); Proclamation issued by Mayor Cindy Siegel.
Although AORN representatives were not present for the meeting this evening, Mayor Siegel read the proclamation she had issued on behalf of the Association of PeriOperative Registered Nurses in its entirety.

G. CONSENT AGENDA:

APPROVAL/CORRECTION OF MINUTES:

1. CONSIDERATION of and possible action on the adoption of the minutes of the Regular Session of the City Council of the City of Bellaire, Texas, held on Monday, October 17, 2011 – *Item submitted by City Clerk Tracy L. Dutton.*

ADOPTION OF RESOLUTION:

2. CONSIDERATION of and possible action on the adoption of a resolution of the City Council of the City of Bellaire, Texas, in support of the application by the Board of Regents of the University of Texas System to the Texas Commission on Environmental Quality for a municipal setting designation for a 5.5 acre parcel located east of Almeda Road, South of Myrtle Street, in the City of Houston, Harris County, Texas 77054, and more commonly known as 7405 Almeda Road; and authorization for the Mayor of the City of Bellaire, Texas, to execute an *Indemnity Agreement* in favor of the City of Bellaire, Texas, Indemnitee, and executed by the Board of Regents of the University of Texas System, Indemnitor – *Item submitted by Director of Community Development John McDonald.*

Vehicle, Equipment, and Technology Purchase Request

3. CONSIDERATION of and possible action on a request from the Bellaire Police Department for City Council authorization to expend funds for the purchase of three police patrol vehicles and related equipment in an amount not to exceed $103,550.00 – *Item submitted by Chief of Police Randall C. Mack.*

Note: The Consent Agenda was considered earlier in the meeting. Please see pages 5-8 of these minutes for discussion and action related to the Consent Agenda.

H. ADOPTION OF RESOLUTIONS:

Election of Board of Directors of the Harris County Appraisal District

1. CONSIDERATION of and possible action on the adoption of a resolution of the City Council of the City of Bellaire, Texas,
casting a ballot for the election of a person to the Board of Directors of the Harris County Appraisal District – Item submitted by City Clerk Tracy L. Dutton on behalf of the Harris County Appraisal District; Presentation by Nominee Ed Heathcott regarding the role of the Board position representing cities other than the City of Houston.

PRESENTATION:

Ed Heathcott, current Member of the Board of Directors of the Harris County Appraisal District (HCAD) and Nominee for a third term on the Board of Directors of HCAD, made a brief presentation to City Council regarding 1) the HCAD organization; 2) Mr. Heathcott’s role on the HCAD Board; and 3) Mr. Heathcott’s qualifications for serving.

Mr. Heathcott advised that the HCAD was created by the State of Texas to unify all the property values under one organization. The State Charter mandated that HCAD appraise properties at their fair market value.

It was noted further that six Board Members served on the HCAD Executive Committee. Mr. Heathcott served as a Board Member representing the 32 suburban cities in Harris County. Of the remaining five Board Members, one represented the City of Houston, one represented the Houston Independent School District, one represented the remaining school districts in Harris County, one represented Harris County, and one represented the remaining utility districts and other small taxing authorities.

Mr. Heathcott stated that if all property values for the State of Texas were added together and then compared to all of the property values within Harris County, Harris County would represent 40-45% of all of the value in Texas. There were 1.7 million pieces of property in Harris County.

It was also stated that HCAD had approximately 650 employees. The HCAD Board acted as a business board and oversaw such things as the budget, health care costs, and employee benefits. By law, individual Board Members were not allowed to get involved in any of the appraisal activities (such as assessing or determining property values). The HCAD Board met on a monthly basis and the members serving on the Board were either appointed or elected and served without compensation.

Mr. Heathcott indicated that his specific responsibilities on the Board were to represent the suburban cities in Harris County. In terms of having a defined role of what that constituted, there was no defined
role as such. He had facilitated communication between elected officials, their constituents, and HCAD. During the course of the year, he often came across information that would be helpful to cities and he disseminated that information as a tool for cities to use as they worked on their budgets.

As to qualifications, Mr. Heathcott advised that he was an engineer by education and had served in manufacturing throughout his career. As a member of senior management, he had dealt with budgets, people, and organizations. He also served as Mayor of the City of Jersey Village for six years and currently served as a member of City Council for the City of West University Place.

At the conclusion of his presentation, questions were asked of Mr. Heathcott by members of City Council, including a question as to whether or not he felt that his role as a member of the West University Place City Council might impact his role as a member of the HCAD Board (i.e., a conflict of interest). Mr. Heathcott indicated that he did not feel that his position as an elected official and a member of the HCAD Board represented a legal conflict of interest in that property appraisals were not a function of the HCAD Board.

COUNCIL MOTION/ACTION:

Councilman Andrew Friedberg moved to adopt a resolution of the City Council of the City of Bellaire, Texas, casting a ballot for Ed Heathcott to the Board of Directors of the Harris County Appraisal District. Councilman Roman F. Reed and Councilwoman Mandy Nathan jointly seconded the motion. The motion carried on a majority vote of 6-1 as follows:

FOR: Mayor Cindy Siegel, Mayor Pro Tem Phil Nauert, Councilmen Roman F. Reed, James P. Avioli, Sr., and Andrew Friedberg, and Councilwoman Mandy Nathan

OPPOSED: Councilman Corbett Daniel Parker*

ABSTAIN: None

*Councilman Corbett Daniel Parker indicated that although he agreed that a legal conflict of interest did not exist, he felt that serving as a member of a City Council and on the HCAD Board was a conflict of interest. Councilman Parker additionally assured Mr. Heathcott that his vote of opposition had nothing to do with Mr. Heathcott personally nor was it a reflection of Mr. Heathcott’s excellent performance as a member of the HCAD Board.
Designation of Representative and Official Alternate – H-GAC 2012 General Assembly

2. CONSIDERATION of and possible action on the adoption of a resolution of the City Council of the City of Bellaire, Texas, designating a Representative and an Official Alternate to the General Assembly of the Houston-Galveston Area Council (H-GAC) for the year 2012 – Item submitted by City Clerk Tracy L. Dutton on behalf of H-GAC.

DISCUSSION:

Mayor Cindy Siegel called on Councilman Corbett Daniel Parker, Bellaire’s current Representative to the Houston-Galveston Area Council (H-GAC), to provide a brief summary of the role of the H-GAC, as well as the role of Bellaire’s Representative to the H-GAC for the year 2012.

Councilman Corbett Daniel Parker advised that the H-GAC was made up of 13 counties, as well as the cities within those counties. One service provided to its members was the ability to participate in cooperative purchasing agreements.

The General Assembly consisted of 132 elected officials and served two purposes: 1) receipt of the annual report during the first quarter, and 2) election of 35 members to the H-GAC Board of Directors. The 132 elected officials were comprised of 13 county representatives, two representatives from each city with a population exceeding 100,000, one representative from each city with a population of less than 100,000, and one representative for each school district.

As to the 35 members elected by their peers to the H-GAC Board, each county was allowed to elect a member, the City of Houston was allowed to elect two members, all other home rule cities were allowed to elect one member, all other home rule cities collectively were allowed to elect two members, and all other general law cities were collectively allowed to elect two members.

In addition, there were eight committees and the H-GAC Board met once each month and set the general policies and programs. The current Executive Director was Jack Steele, and there were 13 advisory committees.

The H-GAC’s proposed 2011 budget was $279 million, with many of the funds being pass-through funds. The main budget for programs was noted to be $36 million. As with Bellaire, 77% of H-GAC’s budget
was attributed to personnel costs. Approximately 97% of H-GAC’s revenues were derived from intergovernmental contracts.

COUNCIL MOTION/ACTION:

Councilman Roman F. Reed moved to adopt a resolution of the City Council of the City of Bellaire, Texas, designating Corbett Daniel Parker as Representative and James P. Avioli, Sr., as Official Alternate to the General Assembly of the Houston-Galveston Area Council (H-GAC) for the year 2012. Mayor Pro Tem Phil Nauert seconded the motion. The motion carried unanimously on a 7-0 vote as follows:

FOR: Mayor Cindy Siegel, Mayor Pro Tem Phil Nauert, Councilmen Roman F. Reed, James P. Avioli, Sr., Corbett Daniel Parker, and Andrew Friedberg, and Councilwoman Mandy Nathan

OPPOSED: None

ABSENT: None

{Resolution was subsequently numbered: 11-13}

I. ADOPTION OF ORDINANCES:

Agreement for Use of City of Bellaire Facilities

1. CONSIDERATION of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, authorizing the City Manager of the City of Bellaire, Texas, to execute an Agreement for Use of City of Bellaire Parks Facilities (“Agreement”), by and between the City of Bellaire, Texas, and the Bellaire Little League, related to the use of city-owned and/or operated playing fields located in the City of Bellaire, Texas, for a five (5) year term commencing on November 7, 2011, and expiring on November 7, 2016, with an option to renew or extend the Agreement for one (1) additional five (5) year term upon written notice from the Bellaire Little League of its intent to exercise the renewal option at least thirty (30) days prior to the expiration of the initial term – Item submitted by Director of Parks & Recreation Jane L. Dembski.

COUNCIL MOTION:

Mayor Pro Tem Phil Nauert moved to adopt an ordinance of the City Council of the City of Bellaire, Texas, authorizing the City
Manager of the City of Bellaire, Texas, to execute an Agreement for Use of City of Bellaire Parks Facilities ("Agreement"), by and between the City of Bellaire, Texas, and the Bellaire Little League, related to the use of city-owned and/or operated playing fields located in the City of Bellaire, Texas, for a five (5) year term commencing on November 7, 2011, and expiring on November 7, 2016, with an option to renew or extend the Agreement for one (1) additional five (5) year term upon written notice from the Bellaire Little League of its intent to exercise the renewal option at least thirty (30) days prior to the expiration of the initial term. Councilman Roman F. Reed seconded the motion.

SUMMARY:

City Manager Bernard M. Satterwhite, Jr., advised that the agreement before City Council this evening reflected what the City had been doing for a long time without an agreement. All of the fields the Bellaire Little League used that were owned and/or controlled by the City of Bellaire were included in this one agreement. The agreement recognized that the Bellaire Little League would provide maintenance for all of the fields. In return for the provision of maintenance for all of the fields, the City had eliminated the per player assessments that the City had been charging the Bellaire Little League for several years. Also within the agreement, the City agreed to pay the electricity and water expenses for the fields. It was noted that specific controls were in place within the agreement with respect to the field lights.

DISCUSSION:

Councilman Corbett Daniel Parker noted several scrivener’s errors in Exhibit C to the agreement and provided a copy of his suggested changes to the City Clerk. All members of City Council were in agreement with Councilman Parker’s suggested changes.

COUNCIL ACTION:

Mayor Siegel called for a vote on the motion, as amended to include Councilman Corbett Daniel Parker’s suggested changes to Exhibit C, which carried unanimously 7-0 as follows:

FOR: Mayor Cindy Siegel, Mayor Pro Tem Phil Nauert, Councilmen Roman F. Reed, James P. Avioli, Sr., Corbett Daniel Parker, and Andrew Friedberg, and Councilwoman Mandy Nathan

OPPOSED: None
ABSENT: None

{Ordinance was subsequently numbered: 11-077}

Board Appointment

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 Bellaire Cultural Arts Commission of the City of Bellaire, Texas, to fill an unexpired term commencing on November 7, 2011, and expiring on June 30, 2012 – Item submitted by City Clerk Tracy L. Dutton at the direction of City Council.

SUMMARY:

Mayor Cindy Siegel announced that earlier in the evening, members of City Council had interviewed two applicants that were interested in filling an unexpired term on the Bellaire Cultural Arts Commission (BCAC). She noted that City Clerk Dutton had prepared ballots for members of City Council to make their selection for the open position on the BCAC.

Each member of City Council marked his or her choice on the ballot provided and returned the ballots to the City Clerk for a tally. Mayor Siegel read the results of the tally as follows:

<table>
<thead>
<tr>
<th>Member of Council</th>
<th>Applicant Selected</th>
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</thead>
<tbody>
<tr>
<td>Cindy Siegel</td>
<td>Gretchen Sparks</td>
</tr>
<tr>
<td>Phil Nauert</td>
<td>Gretchen Sparks</td>
</tr>
<tr>
<td>Roman F. Reed</td>
<td>Gretchen Sparks</td>
</tr>
<tr>
<td>James P. Avioli, Sr.</td>
<td>Diana Sanders</td>
</tr>
<tr>
<td>Corbett Daniel Parker</td>
<td>Gretchen Sparks</td>
</tr>
<tr>
<td>Andrew Friedberg</td>
<td>Gretchen Sparks</td>
</tr>
<tr>
<td>Mandy Nathan</td>
<td>Gretchen Sparks</td>
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</table>

COUNCIL MOTION/ACTION:

Councilman Roman F. Reed moved to adopt an ordinance of the City Council of the City of Bellaire, Texas, appointing Gretchen Sparks as a member to the Bellaire Cultural Arts Commission of the City of Bellaire, Texas, to fill an unexpired term commencing on November 7, 2011, and expiring on June 30, 2012. Councilman Andrew Friedberg seconded the motion. The motion carried unanimously on a 7-0 vote as follows:
J. ITEM FOR INDIVIDUAL CONSIDERATION:

CONSIDERATION of and possible action on the approval of a recommendation from the Parks & Recreation Advisory Board of the City of Bellaire, Texas, of a preliminary design plan for the Bellaire Town Square Donor Plaza as submitted by Clark Condon Associates, Inc., Landscape Architects ("Architects"), and authorization for the Architects to prepare final design plans, bid specifications, and contract documents necessary for the construction of the Bellaire Town Square Donor Plaza – Item submitted by Director of Parks & Recreation Jane L. Dembski on behalf of the Parks & Recreation Advisory Board of the City of Bellaire, Texas; Preliminary Design Plan Presented by Sheila Condon, Principal, Clark Condon Associates, Inc.

Jeff Addicks, Chair, Parks & Recreation Advisory Board, advised that Sheila Condon, Principal, Clark Condon Associates, Inc., had made a presentation before the Parks & Recreation Advisory Board of an amended concept for the donor plaza in Bellaire Town Square. The preliminary plan before City Council this evening revised earlier plans, consisting of a “hoped for” entryway into Bellaire Town Square that included a water feature. The amended preliminary plan would enhance the existing gazebo and move the donor plaza to that area of Bellaire Town Square. Under this plan, the gazebo would also be renovated.

It was noted that the Parks & Recreation Advisory Board held meetings with the Patrons for Bellaire Parks, and both groups were in support of the amended preliminary plan. Chair Addicks closed by stating that he felt that the plan would be very acceptable to the community and to the City Council.

Sheila Condon, Principal, Clark Condon Associates, Inc., presented the amended preliminary design plan prepared by her firm to City Council. The plan was designed such that it would meet the City’s goal of recognizing donors, its budget for the project, and not conflict with the existing City parking lot. Additionally, the design focused on an element or area that was already prominent in Bellaire Park—the gazebo. It was noted that old concrete would be removed and a pathway created with pavers that would be
part of the donor program. Random pieces of concrete would be removed and replaced with lawn and random plantings would be cleaned up. Existing trees would remain in place.

It was noted further that there were four levels of donors, so the pavers would be different sizes to reflect the level of donation. The difference in square footage between the reduced version of the donor plaza and the original version was the same—1,500 square feet of available area for pavers. The available square footage was actually greater than the number of pavers that had been sold. There was, therefore, ample room to continue with the donor program.

COUNCIL MOTION:

Councilwoman Mandy Nathan moved to approve the recommendation from the Parks & Recreation Advisory Board of the City of Bellaire, Texas, of a preliminary design plan for the Bellaire Town Square Donor Plaza as submitted by Clark Condon Associates, Inc., Landscape Architects (“Architects”), and to authorize the Architects to prepare final design plans, bid specifications, and contract documents necessary for the construction of the Bellaire Town Square Donor Plaza. Councilman Corbett Daniel Parker seconded the motion.

COUNCIL ACTION:

Following questions from members of City Council regarding the preliminary design plan, Mayor Siegel called for a vote on the motion, which carried unanimously 7-0 as follows:

FOR: Mayor Cindy Siegel, Mayor Pro Tem Phil Nauert, Councilmen Roman F. Reed, James P. Avioli, Sr., Corbett Daniel Parker, and Andrew Friedberg, and Councilwoman Mandy Nathan

OPPOSED: None

ABSENT: None

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

Community interest items from the Mayor and City Council included congratulations to the Bellaire Recycling Committee and Public Works Department for a fabulous Recycles Fest on Saturday, congratulations to the Bellaire Mens Club on celebrating their tenth anniversary on the upcoming Saturday, congratulations to the Friends of the Bellaire Library and Bellaire City Library for a great book sale on Saturday, reminder to vote on Tuesday, November 8, 2011, for City Council members and constitutional amendments, and condolences to the family of Dr. Marshall Fuchs.
L. ADJOURNMENT.

COUNCIL MOTION/ACTION:

Councilman Roman F. Reed moved to adjourn the Regular Session of the City Council of the City of Bellaire, Texas, at 9:25 p.m. on Monday, November 7, 2011. Mayor Pro Tem Phil Nauert seconded the motion. The motion carried unanimously on a 7-0 vote as follows:

FOR: Mayor Cindy Siegel, Mayor Pro Tem Phil Nauert, Councilmen Roman F. Reed, James P. Avioli, Sr., Corbett Daniel Parker, and Andrew Friedberg, and Councilwoman Mandy 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