CITY COUNCIL MEETING MINUTES
MONDAY, MAY 7, 2012

The City Council of the City of Bellaire, Texas, met in Regular Session on Monday, May 7, 2012, 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 Philip L. Nauert.

Mayor Philip L. Nauert called the City Council of the City of Bellaire, Texas, to order at 7:23 p.m. on Monday, May 7, 2012.

Also present were Mayor Pro Tem Amanda B. Nathan, Councilmen Roman F. Reed, James P. Avioli, Sr., Corbett Daniel Parker, Pat B. McLaughlan, and Andrew S. Friedberg, 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 Corbett Daniel 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 Corbett Daniel Parker led the audience and members of City Council in the U.S. Pledge of Allegiance and the Pledge to the Texas Flag.

D. RECOGNITION OF PROCLAMATIONS:

1. ISSUANCE of proclamation by Mayor Philip L. Nauert proclaiming the month of May 2012 to be “Older Americans Month” in the City of Bellaire, Texas, and urging every citizen to take time this month to engage with our older citizens through enjoyable social interactions such as sports, games, contests, and other forms of play – Item submitted by City Clerk Tracy L. Dutton on behalf of Senior Services Specialist
Valerie Langdon; Proclamation issued by Mayor Philip L. Nauert for presentation to Chair Iola Pickul and members of the Bellaire L.I.F.E. Advisory Board.

Mayor Philip L. Nauert read the proclamation he had issued proclaiming the month of May 2012 as “Older Americans Month” in its entirety. The proclamation was presented to the following members of the Bellaire L.I.F.E. Advisory Board: Chair Iola Pickul, Vice Chair Jerisue Garner, Marjorie Ishee, and Barbara Davis.

2. ISSUANCE of proclamation by Mayor Philip L. Nauert proclaiming the month of May 2012 as “Motorcycle Safety and Awareness Month” in the City of Bellaire, Texas, and urging all citizens to become aware of the inherent danger involved in operating a motorcycle, and for riders and motorists alike to obey all traffic laws and safety rules - Item submitted by City Clerk Tracy L. Dutton on behalf of Vice President John Ojeda of the Houston Chapter of the Born Again Motorcycle Ministry (“Ministry”); Proclamation issued by Mayor Philip L. Nauert for presentation to the Ministry.

Mayor Philip L. Nauert read the proclamation he had issued proclaiming the month of May 2012 as “Motorcycle Safety and Awareness Month” in its entirety. The proclamation was presented to members of the Ministry.

E. PERSONAL/AUDIENCE COMMENTS.

Helen Hager Bohnn and Gemma Leigh Bohnn, 4501 Magnolia Street, Bellaire, Texas:

Ms. Helen Bohnn addressed City Council and noted that a previous agenda item regarding the magnolia trees she planted on the City right-of-way in front of her house brought a great deal of fame to the trees. Foresters from neighboring cities and as far away as College Station had come to visit the trees. She had also received “thank you” cards, letters of support, and four cheesecakes with magnolia flowers on top.

Ms. Bohnn advised that she wished, along with her daughter Gemma Leigh Bohnn, to present to the Bellaire Library in honor of the Bellaire City Council, Mayor, and City Manager, eight (8) copies of a book by Dr. Seuss entitled “The Lorax,” which was a delightful little story about the plight of the environment without trees. Miss Gemma Leigh Bohnn presented one book to each member of the City Council, the Mayor, and the City Manager.

Mayor Philip L. Nauert thanked Ms. Bohnn for her generosity and noted that the books would be a wonderful contribution to the Bellaire Library.
Lynn McBee, 5314 Evergreen Street, Bellaire, Texas:

Ms. Lynn McBee noted that City Council was rarely thanked and she appreciated those citizens, such as Ms. Helen Hager Bohnn, who came back to reward others.

Ms. McBee indicated that she had previously expressed dissatisfaction with actions taken by City Council regarding the Metropolitan Transit Authority of Harris County, Texas (METRO). She indicated that the action taken was to spend an unallocated $61,000 to hire lobbyists to get them to change METRO’s allocation of its sales tax revenue.

She extended an invitation to everyone in Bellaire to go down to METRO at 9:00 a.m. on Friday, May 11, 2012. METRO was opening their doors to receive public comment on the mobility fund.

In closing, Ms. McBee suggested that City Council have a public discussion to hear citizens’ thoughts on economic development.

F. REPORTS:

1. CITY MANAGER’S REPORT regarding residential safety (police activity report), public infrastructure/utilities (major projects update), internal operations/productivity (solid waste holiday policy), quarterly indicators (crime report and building permit report), current issues/information (board and commission appointment process and water conservation), and upcoming City Council meetings/events – Submitted and presented by City Manager Bernard M. Satterwhite, Jr.

City Manager Bernard M. Satterwhite, Jr., presented the City Manager’s Report dated May 7, 2012, to members of City Council. Following questions of City Manager Satterwhite related to his report, action was taken by City Council to accept the report into the record.

CITY COUNCIL MOTION/ACTION:

Councilman Roman F. Reed moved to accept the City Manager’s Report dated May 7, 2012, as presented by City Manager Bernard M. Satterwhite, Jr., into the record. Councilman Andrew S. Friedberg seconded the motion. The motion carried unanimously on a 7-0 vote as follows:

FOR: Mayor Philip L. Nauert, Mayor Pro Tem Amanda B. Nathan, and Councilmen Roman F. Reed, James P. Avioli, Sr., Corbett Daniel
Parker, Pat B. McLaughlan, and Andrew S. Friedberg

OPPOSED: None

ABSENT: None

2. PRESENTATION regarding the City of Bellaire’s sustainability web pages prepared by the Building and Standards Commission of the City of Bellaire, Texas – Item submitted by Director of Community Development John McDonald on behalf of the Building and Standards Commission; Presentation by Commissioner Gayle Davies, Building and Standards Commission.

Commissioner Gayle Davies, Building and Standards Commission, advised that she was present this evening to introduce the Building and Standards Commission’s green building web pages on the City of Bellaire’s website. The web pages were intended to educate Bellaire residents about the sustainable green building options they had when making improvements to their existing homes.

In 2008, the Building and Standards Commission ("Commission") formed a subcommittee to determine what constituted green building and if green building would improve the quality, safety, or value of the City’s residential and commercial construction. All Commissioners expressed enthusiasm for the project and the subcommittee became the "Green Building Committee of the Whole" ("Committee") with the entire Commission participating.

The Committee learned that a green building was one designed to conserve resources and reduce negative impacts on environmental and human health through more efficient use of resources. Green building practices, also known as sustainable construction practices, included reducing waste on the jobsite through judicious building material selection, prudent waste management, water conservation, energy conservation, sustainable landscaping, and a host of other details. Such practices also included recycling the building removed from a site to prepare for construction.

After investigating and researching the topic, the Commission learned that energy efficiency had the most significant impact for sustainability. This led to the 2009 adoption of the International Energy Conservation Code (IECC) by the City of Bellaire (effective January 1, 2010), which had an immediate impact on the City’s new construction.
In addition to the Commission’s efforts to improve energy efficiency, the Commission realized that educating homeowners about ways to upgrade their existing homes could potentially have an even greater impact. While about 100 to 150 homes were built annually in Bellaire, improvements to existing homes could potentially affect at least 2,500 residences. The desire to educate homeowners became the impetus for the green building web pages.

Commissioner Davies advised that the development of the Commission’s web pages was a collaborative effort by all of the Commissioners (including some former Commissioners).

Following a presentation of the green building web pages by Commissioner Davies, members of City Council were given an opportunity to ask questions related to the presentation and/or the web pages.

At the conclusion of questions by members of City Council, a motion and second were offered to accept the report related to sustainability web pages prepared by the Commission into the record.

**CITY COUNCIL MOTION/ACTION:**

Councilman Andrew S. Friedberg moved to accept the report related to sustainability web pages prepared by the Building and Standards Commission for the City of Bellaire’s website, as presented by Commissioner Gayle Davies, Building and Standards Commission, into the record. Councilman Corbett Daniel Parker seconded the motion. The motion carried unanimously on a 7-0 vote as follows:

**FOR:** Mayor Philip L. Nauert, Mayor Pro Tem Amanda B. Nathan, and Councilmen Roman F. Reed, James P. Avioli, Sr., Corbett Daniel Parker, Pat B. McLaughlan, and Andrew S. Friedberg

**OPPOSED:** None

**ABSENT:** None

G. **NEW BUSINESS:**

1. **CONSENT AGENDA:**

   a. **CONSIDERATION** of and possible action on the adoption of the minutes of the Special Session (Executive Session) of the City Council of the City of Bellaire, Texas, held on
Monday, April 16, 2012 – Item submitted by City Clerk Tracy L. Dutton.

b. 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, April 16, 2012 – Item submitted by City Clerk Tracy L. Dutton.

CITY COUNCIL MOTION/ACTION:

Councilman Corbett Daniel Parker moved to approve the Consent Agenda dated May 7, 2012, consisting of the following items:

- Minutes of the Special Session (Executive Session) of the City Council of the City of Bellaire, Texas, held on Monday, April 16, 2012; and

- Minutes of the Regular Session of the City Council of the City of Bellaire, Texas, held on Monday, April 16, 2012.

Councilman Andrew S. Friedberg seconded the motion. The motion carried unanimously on a 7-0 vote, as follows:

FOR: Mayor Philip L. Nauert, Mayor Pro Tem Amanda B. Nathan, and Councilmen Roman F. Reed, James P. Avioli, Sr., Corbett Daniel Parker, Pat B. McLaughlan, and Andrew S. Friedberg

OPPOSED: None

ABSENT: None

2. ADOPTION OF ORDINANCE:

CONSIDERATION of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, authorizing the issuance of City of Bellaire, Texas (Harris County, Texas), General Obligation Refunding Bonds, Series 2012, in an amount not to exceed $10,000,000; specifying the terms and features of said refunding bonds; establishing certain parameters for the sale of said bonds; and enacting provisions incident and related to the issuance, delivery, payment of and security for said bonds – Item submitted by Chief Financial Officer Linda Symank; Presentation by James Gilley, Partner, Coastal Securities.
James Gilley, Partner, Coastal Securities, addressed City Council and noted that the City had approximately $9,000,000 of its 2007 and 2006 debt obligations that were outstanding and had an interest rate of approximately 4.30%. Because of the current low interest rate environment, the bonds could be refinanced at an interest rate range of 2.70%-2.80%.

A rate of 2.85% was used in the presentation Mr. Gilley prepared for the City Council agenda packet. The savings at that level would range from $35,000 to $40,000 per year.

Mr. Gilley noted that City Council had taken a similar action last fall. The present value savings at current levels ranged from 6% to 7%. In the industry, a 3% to 4% present value savings as a percent of the refunded bonds represented a good transaction. As was done last fall, City Council was being asked to consider a parameter sale ordinance where a minimum level of savings was set (the proposed minimum was 3%) and the par amount of refunding bonds recommended was up to $10,000,000. The actual par amount of the refunding bonds should equal approximately $9.7 million. The ordinance before City Council also authorized the City Manager to execute a bond purchase agreement provided the threshold of savings was attained.

It was anticipated that the refunding bond issue, if approved, would be marketed and issued around the first of June, with a delivery of early to mid-July.

Following questions of Mr. Gilley regarding his presentation, a motion and second were offered to adopt the proposed ordinance.

CITY COUNCIL MOTION/ACTION:

Mayor Philip L. Nauert moved to adopt an ordinance of the City Council of the City of Bellaire, Texas, authorizing the issuance of City of Bellaire, Texas (Harris County, Texas), General Obligation Refunding Bonds, Series 2012, in an amount not to exceed $10,000,000; specifying the terms and features of said refunding bonds; establishing a parameter for the sale of said bonds to require a net present value savings of 3% or greater; and enacting provisions incident and related to the issuance, delivery, payment of and security for said bonds. Councilman Corbett Daniel Parker seconded the motion. The motion carried unanimously on a 7-0 vote as follows:

FOR: Mayor Philip L. Nauert, Mayor Pro Tem Amanda B. Nathan, and Councilmen Roman F.
FOR (CONT.) Reed, James P. Avioli, Sr., Corbett Daniel Parker, Pat B. McLaughlan, and Andrew S. Friedberg

OPPOSED: None

ABSENT: None

{Ordinance was subsequently numbered: 12-015}

3. ADOPTION OF RESOLUTION:

CONSIDERATION of and possible action on the adoption of a resolution of the City Council of the City of Bellaire, Texas, amending Resolution No. 04-03, passed and approved by the City Council of the City of Bellaire, Texas, for the purpose of adopting a Master Concept Plan for Bellaire and Loftin Parks (hereinafter referred to as "Bellaire Town Square"), said amendment of which would add a new amenity (six-hole disc golf course) in Bellaire Town Square, and authorizing the expenditure of the remainder of the Small Communities Grant ($10,000.00) received from the Texas Parks & Wildlife Commission on the new amenity – Item submitted and presented by Director of Parks and Recreation Jane L. Dembski on behalf of the Parks and Recreation Advisory Board of the City of Bellaire, Texas.

City Manager Bernard M. Satterwhite, Jr., advised members of City Council that Director Jane L. Dembski had just returned from a trip out of the country and had become ill late in the day. Chair Jeff Addicks, Parks and Recreation Advisory Board, was present to speak on Director Dembski’s behalf.

Chair Jeff Addicks, Parks and Recreation Advisory Board, indicated that the agenda item before City Council had come to the Parks and Recreation Advisory Board at their April meeting. The proposal allowed for the City to develop a six-hole disc golf course through Bellaire Town Square (both in Bellaire Zindler Park and Loftin Park).

In 2006, a Small Communities Grant was made to Bellaire in the amount of $50,000.00. Most of the grant was spent on the Bellaire Family Aquatic Facility, playground equipment, development of paths in Loftin Park, etc. Currently, $10,000.00 of the grant remained, the original plan of which was to utilize the funding toward a skatepark. The skatepark had not been developed at this time.
One of the requirements of the grant was that the money had to be used by July of 2012. The remaining $10,000 could not be applied to the playground or the Bellaire Family Aquatic Facility. The grant system allowed points for different amenities in a project. The disc golf program was, therefore, proposed.

Chair Jeff Addicks presented a slide of the proposed placement of the six holes throughout the park, and noted that the idea of disc golf was for participants to try tossing a disc in a basket from a certain distance in the least amount of times. An expert from the National Disc Golf Association came out and looked at the project and determined that the course could not be sanctioned for any events, as the site was better suited for use as a practice site (or mini disc golf course).

The poles for the course would be installed with concrete and there would be granite gravel around the poles and tee areas. Based on discussions with area contractors, it was believed that the project would cost close to the $10,000 remaining from the grant.

**CITY COUNCIL MOTION:**

Councilman James P. Avioli, Sr., moved to adopt a resolution of the City Council of the City of Bellaire, Texas, amending Resolution No. 04-03, passed and approved by the City Council of the City of Bellaire, Texas, for the purpose of adopting a Master Concept Plan for Bellaire and Loftin Parks (hereinafter referred to as “Bellaire Town Square”), said amendment of which would add a new amenity (six-hole disc golf course) in Bellaire Town Square, and authorizing the expenditure of the remainder of the Small Communities Grant ($10,000.00) received from the Texas Parks & Wildlife Commission on the new amenity. Councilman Roman F. Reed seconded the motion.

Following questions of Chair Addicks and discussion among members of City Council, a motion was made to postpone action on the adoption of the resolution authorizing a new amenity in Bellaire Town Square.

**CITY COUNCIL MOTION TO POSTPONE:**

Mayor Pro Tem Amanda B. Nathan made a motion to postpone action on the adoption of a resolution to add a new amenity to Bellaire Town Square until the next Regular Session of City Council (May 21, 2012), to allow time for the Parks and Recreation Advisory Board ("Board") to revisit the recommendation and to allow the Board to share any possible alternate proposals with City Council. Mayor Philip L. Nauert seconded the motion.
CITY COUNCIL MOTION (AMENDMENT TO MOTION TO POSTPONE):

Councilman Andrew S. Friedberg moved to amend the motion to postpone to a motion to table action on the proposed resolution. The motion failed due to the lack of a second.

CITY COUNCIL ACTION ON MOTION TO POSTPONE:

The motion to postpone action on the adoption of the proposed resolution carried on a 6-1 vote as follows:

FOR: Mayor Philip L. Nauert, Mayor Pro Tem Amanda B. Nathan, and Councilmen James P. Avioli, Sr., Corbett Daniel Parker, Pat B. McLaughlan, and Andrew S. Friedberg

OPPOSED: Councilman Roman F. Reed

ABSENT: None

H. ITEMS FOR FUTURE AGENDAS; COMMUNITY INTEREST ITEMS FROM THE MAYOR AND CITY COUNCIL.

Community interest items from the Mayor and City Council included an expression of thanks to Ms. Helen Hager Bohnn for her contribution of books to the Bellaire Library and to the Building and Standards Commission, James Gilley of Coastal Securities, and the Parks and Recreation Advisory Board for their presentations this evening; congratulations were expressed to everyone who participated in the National Day of Prayer; reminders to attend the Southern Living Bellaire Home Showcase on Wednesday, said event of which would benefit the Bellaire Library and literacy, as well as the Showcase Builders Home Tour to be held on the next two weekends, said event of which would benefit the Patrons for Bellaire Parks and Bellaire Town Square; sincere sympathies were expressed to the Canahuati and Belton families for their losses; and Councilman Andrew S. Friedberg apologized for his abrupt departure at the previous meeting and explained that he was called to the hospital as his two-year old son had broken his arm.

I. ADJOURNMENT.

CITY COUNCIL MOTION/ACTION:

Councilman Roman F. Reed moved to adjourn the Regular Session of the City Council of the City of Bellaire, Texas, at 9:10 p.m. on Monday, May 7, 2012. Councilman Corbett Daniel Parker seconded the motion.
City of Bellaire
City Council

Minutes of Meeting
May 7, 2012

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

FOR: Mayor Philip L. Nauert, Mayor Pro Tem Amanda B. Nathan, and Councilmen Roman F. Reed, James P. Avioli, Sr., Corbett Daniel Parker, Pat B. McLaughlan, and Andrew S. Friedberg.

OPPOSED: None

ABSENT: None

Respectfully submitted,

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

Approved:

Philip L. Nauert, Mayor
City of Bellaire, Texas