CITY COUNCIL MEETING MINUTES
WEDNESDAY, AUGUST 8, 2012

The City Council of the City of Bellaire, Texas, met in Special Session (Public Hearing) on Wednesday, August 8, 2012, in the Council Chamber, located on the First Floor of City Hall, 7008 South Rice Avenue, Bellaire, Texas 77401, for the following purpose(s):

A. CALL TO ORDER – Mayor Philip L. Nauert.

Mayor Philip L. Nauert called the City Council of the City of Bellaire, Texas, to order at 6:05 p.m. on Wednesday, August 8, 2012.

B. ANNOUNCEMENT OF A QUORUM – Mayor Philip L. Nauert.

Mayor Philip L. Nauert announced that a quorum was present consisting of himself and the following members of City Council: 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. Also present were City Manager Bernard M. Satterwhite, Jr., and City Clerk Tracy L. Dutton.

C. NOTICE OF PUBLIC HEARING – City Clerk Tracy L. Dutton.

City Clerk Tracy L. Dutton read the “Notice of Public Hearing” into the record. City Clerk Dutton advised that notices were prepared and mailed to 88 individual property owners of record whose property was located near the site of Evelyn’s Park. Of the 88 noticed properties, there were ten properties in which the property owner of record’s mailing address was different from the property address. In each of those instances, a notice was also mailed to the property address. Three notices were returned with the postal notations “not deliverable as addressed” and “unable to forward.” Those notices were addressed as follows: Resident, 4400 Camellia Lane, Bellaire Texas; Resident, 4415 Camellia Lane, Bellaire, Texas; and Reorganized of Jesus Christ Church, 4511 Bellaire Boulevard, Bellaire, Texas.

The referenced notices were mailed on Tuesday, July 24, 2012. The “Notice of Public Hearing” was published in the legal notices section of the Southwest News on Tuesday, July 24, 2012, and was posted on the City’s official bulletin board and website on Tuesday, July 24, 2012.

In addition, signs advertising the public hearing were installed by the Public Works Department at the intersections of South Rice Avenue and Bellaire Boulevard and Newcastle Drive and Bellaire Boulevard.
D. SUMMARY OF PUBLIC HEARING PROCEDURE – City Manager
   Bernard M. Satterwhite, Jr.

City Manager Bernard M. Satterwhite, Jr., summarized the public hearing
procedure for the evening.

E. PRESENTATION of a Preliminary Master Plan submitted by the
   Evelyn’s Park Conservancy for a 4.9511 acre park site to be known as
   Evelyn’s Park and generally located at 4400 Bellaire Boulevard,
   Bellaire, Texas – Presentation by Members and/or Representative(s)
   of the Evelyn’s Park Conservancy.

Marybeth Flaherty, President, Evelyn’s Park Conservancy Board, 4636
Cedar Street, Bellaire, Texas, thanked City Council for providing the evening’s
public hearing format in order for the Conservancy to present the vision plan for
Evelyn’s Park to the City Council and citizens. She noted that Evelyn’s Park was
located at 4400 Bellaire Boulevard, Bellaire, Texas, which was formerly the site of
Teas Nursery.

President Flaherty introduced the members of the Conservancy as follows: Keith
Rubenstein, Vice President; Kim Padgett, Secretary; Lou Waters, Treasurer; Cindy
Siegel; Rusty Rubenstein, Linda Rubenstein, and Pela Rubenstein. It was noted
that the City’s four appointees to the Conservancy were Marybeth Flaherty, Kim
Padgett, Lou Waters, and Cindy Siegel. The Rubensteins represented The Jerry
and Maury Rubenstein Foundation. President Flaherty indicated that each of the
members of the Conservancy had devoted countless hours voluntarily to get to
the design process for Evelyn’s Park, and unanimously supported the plan being
presented to City Council and the citizens this evening.

Pursuant the Memorandum of Understanding ("MOU") between the City of Bellaire
and The Jerry and Maury Rubenstein Foundation ("Foundation") (See also: City
Ordinance No. 11-010), President Flaherty advised that the Conservancy was
charged per recitation sections 3 and 4 with developing a high-quality urban park
and/or open space with related facilities and amenities for the use and enjoyment
of residents of the City and visitors to the City. Recognizing that the property was
highly visible, both parties of the MOU desired that it be developed, operated, and
maintained at high standards in order to reflect positively on the City as a whole.

In addition to the referenced charge, the Conservancy was also given a timeline in
the MOU to accomplish certain milestones. The first milestone was July 21, 2011
(the "Conservancy Date"). This was the date on which the Conservancy received
a letter of recognition as a 501c3 organization from the Internal Revenue Service.

One year later, the Conservancy was to have received input from the Foundation
and the City on the design approved by the Conservancy (the second milestone).
That date was extended by the Foundation to September 19, 2012.

The third milestone, July 21, 2013, represented the date on which the
Conservancy will have obtained commitments to fund the capital improvements,
and July 21, 2014, the fourth milestone, represented the date on which park
improvements must be substantially complete. The Conservancy understood that the timeline was ambitious and was doing everything possible to accomplish the set milestone dates.

In the first months after the formation of the Conservancy, a great deal of organizational work took place. The Conservancy obtained a 501c3 tax-exempt status, selected a logo, created a website, established a bank account, and obtained a post office box, just to name a few things. During those first months while taking care of necessary organizational issues, the Conservancy also began their dialog with the citizens of Bellaire to obtain input regarding their vision for Evelyn’s Park.

The dialog started the day the Conservancy hosted, along with the City of Bellaire, a dedication of the property as parkland on June 25, 2011. This celebration was attended on a hot summer Saturday morning by over 100 residents. At the event, the Conservancy offered citizens their first chance to answer the question, “What do you want to see in the Park?” The results of those comments, which filled several pages of standing flipcharts, were represented by a word cloud, where words written were weighted by the number of times the words occurred and given a larger font size based on their frequency level.

The Conservancy took the next opportunity to gather input from some of Bellaire’s youngest citizens by holding their first focus group meeting with campers attending the Bellaire Parks and Recreation Department’s Camp Paseo. Using a facilitator, the children were given the opportunity to share their thoughts about what they might like to have both verbally and in writing (if able to do so).

President Flaherty noted that the Evelyn’s Park website (www.EvelynsPark.org) had been available for use by the public to contact the Conservancy and send comments. All comments were read by two board members for a determination as to who might best answer the comments received. All comments received were retained as a reference for use by the entire Conservancy board.

Upon engaging the professional services of a landscape architect, SWA Group (“SWA”), in January of 2012, the Conservancy began preparing a schedule to conduct two public workshops and numerous focus groups for the purpose of gathering community input. It was important to the Conservancy that SWA facilitated the meetings in order that both the professionals who would be designing Evelyn’s Park and the Conservancy heard firsthand the public’s ideas and recommendations.

The first public workshop was held on February 23, 2012, and was attended by approximately 150 citizens. This volume of attendance was one of the largest ever according to SWA. At this workshop, citizens were given the opportunity to take advantage of presenting their ideas in a little different method by “building” their dream park. Using grid photos of the site and scaled park amenities, citizens were able, with the assistance of SWA, to make a park plan. Twelve different park designs were developed that evening with groups of citizens working together. All 12 of the designs were posted on the Conservancy’s website.
On Saturday, March 3, 2012, the Conservancy held an open house on the site, opening the larger of the two home structures for the community to see and to walk the property. Both SWA representatives and President Flaherty spoke personally with around 30 individuals that day.

In addition to the public meetings held in February and March, numerous smaller focus group meetings were held in an effort to gather information from different, specific groups of citizens and parties that might be affected by the development of the park. Among the focus groups were department heads from the City of Bellaire, the staff of the Bellaire Parks and Recreation Department, residents of Camellia Lane, a group focusing on residents living inside Loop 610, and a group focusing on residents living outside Loop 610, as well as several others.

This spring, the City of Bellaire included a Parks and Recreation survey in the City’s water bills asking residents what they would like to see in Bellaire’s newest park, Evelyn’s Park. The survey was also available at the Parks and Recreation Center and online. The survey was completed by 276 residents, and 204 of them took the time to write very specific ideas as to what they felt needed to fill the park. President Flaherty advised that another word cloud would be presented later in the presentation depicting the culmination of the input obtained from the survey.

The last public workshop was held on May 17, 2012, where the preliminary plans were presented, post SWA’s presentation. Board members, representatives from SWA and the Conservancy’s traffic consultant, positioned themselves around large display boards with the plan on it to allow attendees to speak directly to any of them and share their feedback on the plan.

In closing, President Flaherty advised that behind the vision plan was over a year’s worth of information gathering—not only from residents of Bellaire, but also from consultants with specific expertise. After working through multiple renditions of preliminary plans, the Conservancy had reached the design presented this evening.

President Flaherty turned the presentation over to Scott McCready of SWA for a detailed walkthrough and explanation of the park plan.

**Scott McCready, Project Manager, SWA Group,** noted that the design before City Council and the citizens this evening was a “Master Plan,” which was the first step in the design process. He advised that there would be ongoing conversations as the details and programming were developed within the framework of the Master Plan. Mr. McCready advised that ultimately the plan would reflect what SWA felt would be a wonderful addition to the Bellaire park system and would be representative of the broad cross-section of needs for the community and activities the community could engage in.

Mr. McCready began his presentation with an early diagram that SWA had developed for the site when they first started the design process. The diagram simply showed some basic notions about organization and a general attitude as to
how the site fit in with the surrounding community. The busiest edge or part of the site would be along Bellaire Boulevard. As one moved back into the site, the park would become more passive and quieter.

Mr. McCready showed some basic diagrams that supported some of the elements from the word clouds, the first word cloud of which was shown by President Flaherty and the second of which was shown by Mr. McCready. At the core of the site, was a large community lawn and surrounding that were various scaled programmed elements that were a bit more intensive and more public at the front of the park, becoming more passive as one moved further back into the park.

The intersection of Bellaire Boulevard and Newcastle Drive (with its hike and bike trail system) played prominently in the diagramming of the park. Mr. McCready referred to a promenade that ran north-south on the west side of the park, noting that it would help organize some of the events that could happen around the park. Also of note were loops of trails surrounding the park, portions of which would serve primarily for circulation.

Mr. McCready walked everyone through the plan starting at the corner of Bellaire Boulevard and Newcastle Drive. An area of soft pavement, shading, and a small water element would be located at the corner. In addition, there would light parking near that corner. Services adjacent to that area, which were fundamental to the park, consisted of restrooms, park offices, and food service. He noted that food was a primary element for being able to enjoy a park—the food could be as simple as water fountains to, perhaps, vending machines or even as much as counter service at a kiosk or restaurant facility.

A garden space was shown next to the food service area that could serve as a rental venue for weddings or birthday parties. This space would be protected enough from the rest of the park so that the rest of the park could be actively used while a “side event” was taking place.

Mr. McCready advised that parking was a fundamental function of the park. He noted that there was a need, ultimately, to get people to the park by other methods than by foot or by bike. He showed a small parking lot off of Newcastle Drive with a turnaround and one off of Mulberry Lane (on the opposite side of the park), which was a one-way head-in parking area. He stated that he envisioned that the lot off of Newcastle Drive could serve as a parking “garden” or “court” in that it could have multiple uses, such as a small market. For example, that area could be paved with pedestrian paving and detailed in such a way that the area would not look like a “parking lot” when cars were not present.

A small maintenance area was shown in the rear of the site, the size of which would ultimately depend on the programming of the park. Along the back side of the park, adjacent to residences, was a wide buffer with berming and mix of native trees offering screening, as well as an evergreen backdrop for the rest of the park.

Also of note was a small community building at the terminus of the promenade that could be used for a number of types of events, such as a community meeting.
house, or for more formally programmed events, such as a kids’ camp. The rear of the park was deemed the most passive part of the park and contained a large butterfly garden with trails intertwining the area.

Another pavilion identified by Mr. McCready was perched near a pond. The presence of water and natural cooling effect of water was an important piece of the park and the experience of the park. The pond occupied a slight depression on the site, so that the grading would be easy to work with. Storm water could also be stored in the pond and used for irrigation of the park.

A meditation garden was shown near Mulberry Lane that would terminate at Bellaire Boulevard, as well as another memorial area, the Evelyn’s Memorial Garden.

In closing, Mr. McCready advised that the core of the park had four basic elements—the great lawn, a long shade structure (trellis pavilion) that acted as an armature for the park or an iconic architectural element or visual gateway to the lawn, a linear shallow water feature tying fountains to the pond, and a small clearly defined programming element—a fenced children’s garden.

Following Mr. McCready’s walkthrough, an aerial “bird’s eye” view of the park was presented by President Marybeth Flaherty. President Flaherty next introduced the Conservancy’s consultants, noting that each were available to answer any specific questions of City Council at the appropriate time. Representing SWA Group were Scott McCready and his associates; representing Traffic Engineers, Inc., was Jeff Carlton; representing A’La Carte Foodservice Consulting Group was Chris Tripoli; and representing Harriet C. Latimer & Associates (fundraising) were Harriet C. Latimer and Patty Rabel.

President Flaherty noted that SWA coined the phrase “Bellaire’s front yard” to describe the park in their first interview with the Conservancy. The plan provided a beautiful front yard for Bellaire and represented the community positively. The Conservancy stated that the vision would gain more shape and specific definition as additional information was collected as to the costs and feasibility of specific elements and as the plans were shared with potential funders.

The Conservancy understood that they would be required to abide by all City ordinances currently in place or in place at the time of actual development of the site. The Conservancy further understood that they would be subject to coming before City Council with any requests that varied from City ordinances for approval. Evelyn’s Park had the opportunity to not only change the appearance of the busiest traveled street through Bellaire in a positive manner, that offered to the citizens of Bellaire a place of beauty to gather as a community. This extraordinary gift from the Rubenstein family to Bellaire was a once in a lifetime chance to offer, in our landlocked community, five acres of public space that would benefit the quality of life for all residents and for all of those that followed behind.
F. RECOGNITION OF CITIZENS AND/OR OTHER INTERESTED PARTIES - Philip L. Nauert.

Mayor Philip L. Nauert thanked the Conservancy and all consultants who had assisted the Conservancy in the design process. He next recognized citizens and/or other interested parties that had completed the City’s Sign-In Sheet prior to the beginning of the meeting.

Win Frazier, 4721 Jessamine Street, Bellaire, Texas, addressed City Council and noted that he was in favor of the preliminary plan for Evelyn’s Park as presented. He felt that the plan was consistent with some of the goals of the City. For example, Bellaire City Ordinance No. 09-076 was approved and adopted as part of the City’s Comprehensive Plan in November of 2009. The Comprehensive Plan was designed as a framework for guiding future development, redevelopment and community enhancement in the City for the next 20 years and beyond. The purpose of the plan was to establish a vision, along with realistic goals and achievable strategies that residents, businesses and land owners, civic groups, the Planning and Zoning Commission, and other public officials preferred and would support with actions in the years ahead.

Mr. Frazier referred to goal 2.3 of the plan and noted that this goal represented guiding principles, as follows: to ensure a balance between meeting the needs and desires of current residents, while planning for and accommodating anticipated park and recreational needs of future residents; and responding to the City’s desires as effectively and efficiently as possible, while recognizing the physical constraints of municipal government.

In closing, Mr. Frazier stated that he was confident that the Conservancy and the City Council would listen and do the appropriate thing, while trying to meet the goals of the Comprehensive Plan with the preliminary plan presented this evening. Mr. Frazier supported the plan presented this evening and noted that the members of the Conservancy cared about the City of Bellaire, as did all residents who lived in Bellaire. The plan represented a unique opportunity for the City and was consistent with the City’s long-term goals established in 2009 under the Comprehensive Plan.

Hana Ginzburg, 4520 Oleander Street, Bellaire, Texas, addressed City Council and advised that she was excited about the plan for Evelyn’s Park, noting that it had many beautiful features in it.

Ms. Ginzburg stated that she did have some concerns related to the plan. She noted that she had lived in Holland for one year and, in developing Russ Pitman Park, many of the ideas for the park came from her experiences with parks in Holland. One of the big differences between parks in the United States and parks in Holland was the fact that Holland tried to create nature away from the city. For example, when one was in a park, they did not see the traffic or the rest of the city.
When the bicycle trail was constructed along Newcastle Drive and she learned that the edge of Russ Pitman Park would be lost, she and others fought to preserve the open space.

With respect to the plan for Evelyn’s Park, there was no screening along the border of Bellaire Boulevard and people would be able to see the traffic. Another thing she had a concern about was the parking. Her suggestion was to have an entrance from Newcastle Drive at the north end with a one-way street going to Mulberry Lane. Parking could be along that drive, thus allowing much more space in the park. A third concern was the covered walkway (i.e., trellis pavilion), which was an architectural element, but did not enhance the naturalness of the park. She indicated that she did not see any purpose for the walkway.

In closing, Ms. Ginzburg stated that the west side of the park was very lovely with its winding trail and natural area. The other side of the park along Newcastle Drive contained a promenade. She referred to enhancements that were currently underway in Russ Pitman Park, noting that the existing promenade would be removed and replaced with a winding trail.

Cindy Lundberg, 4506 Bellaire Boulevard, Bellaire, Texas, addressed City Council and thanked City Council and the Conservancy for all of their hard work and effort on the park plan. She advised that she was speaking for herself and would be reading a letter on behalf of the Bellaire Young Mothers group. She advised that the Bellaire Young Mothers were a group of moms primarily concerned with children from birth to five years of age. Ms. Lundberg advised that she had concerns about the playground, play area or play garden, noting that the confusion might lie in the terms used to describe the area, as opposed to play apparatus or equipment (swings, slides, etc.).

Ms. Lundberg continued by reading a letter from the Bellaire Young Mothers into the record as follows:

Dear Bellaire City Council Members and Evelyn’s Park Conservancy,

Bellaire Young Mothers (BYM) is a group of 1,000 mothers who reside in Bellaire and the communities immediately surrounding Bellaire. We are extremely excited about the new Evelyn’s Park in our community. As individual families and as a group, we are frequent users of the existing Bellaire and West University parks and look forward to another family friendly outdoor space.

After review of the proposed master plan, we would ask for your consideration of the addition of a playground that is toddler safe and fully enclosed and gated. Our existing Bellaire parks do not offer an area that is safe for toddlers. They are also open to parking lots and/or busy streets. Huffington Park in West University is a great example of a play area that is modestly sized, but also child friendly and safe. We would love to see something modeled after the Huffington Park playground included in the plan for Evelyn’s Park.
Bellaire Young Mothers would be willing to make a $5,000 donation for this purpose if the plans can accommodate it. Thank you in advance for your consideration of our request.

Sincerely,

Bellaire Young Mothers Board

Ms. Lundberg inquired as to whether the City still had a Parks and Recreation Advisory Board ("Board") and stated that she would like to know what their views were with respect to the proposed plan for Evelyn's Park. She noted that the Board's Master Plan ended at the end of 2012 and was interested to know if a new Master Plan for Bellaire parks was available.

City Manager Satterwhite advised that the Board was in operation and that the Board was looking at new parks plan. He indicated that he would provide some information to Ms. Lundberg regarding the Board and their plan.

Howard Greer, 116 Mulberry Lane, Bellaire, Texas, addressed City Council and advised that his home was almost directly across the street from one of the proposed entrances to Evelyn’s Park. He stated that he was directly impacted by whatever took place on the Evelyn's Park site.

Mr. Greer advised that his current concern was that he had been left out of the information loop. He had asked to be included in what was going on, but he knew very little. He advised that he was not present this evening to pick the park apart. However, in looking at the preliminary plan, he had a long list of concerns.

Mr. Greer urged City Council not to take too much action until the community knew more about how the park would develop. He had ideas on what could happen at the park, but those ideas had not been heard. He indicated that his appearance tonight was a futile exercise, as it appeared that the development had already been determined. He indicated that he would like to see something a little different in the proposed park.

Michael Fife, 20 Town Oaks Place, Bellaire, Texas, addressed City Council and noted that she and all of her neighbors were embracing the growth of Bellaire and the development of Newcastle Drive. In addition, all were enthusiastically supportive of Evelyn's Park and had been from the very outset. She and her neighbors were eternally grateful for the generosity of the Rubenstein Family and the efforts they had made to honor their mother. Ms. Fife indicated that their mother must have been a truly remarkable woman to have inspired this kind of devotion.

Ms. Fife indicated further that she had reviewed the proposed plan, which looked remarkably similar to the previous plan. Both plans were very grand and creative with many appealing elements. She had also reviewed the traffic study and the food service feasibility study. As she had expressed before, she remained quite concerned about the parking needs which she felt were inadequately addressed. For example, the traffic study employed minimum standards for parking.
questioned the minimum of five parking spaces for five acres, unless that applied
to a golf course or some other wide open space with few people.

While the City could encourage bicycle and foot traffic, Ms. Fife stated that the
City had to be realistic, as most people would drive to the park. She questioned
the assumption in the traffic study that there would be no increase in traffic,
noting that she felt there would be an increase not just because of the park, but
due to natural growth in the City.

Ms. Fife continued and advised that she had long been concerned that the
historical buildings on the Teas property were not going to be preserved and were
going to be sacrificed. The final plan presented this evening confirmed that. She
felt that it was sad for Bellaire’s history.

Also of concern to Ms. Fife were the size and frequency of special events and the
parking demands the events would require. She was excited about the idea of
food service in the park and a small restaurant. She indicated that she was a
frequent visitor to Tiny Boxwood’s in Rice Village, which was about the size of the
restaurant that seemed to be proposed for Evelyn’s Park. The last time she
visited Tiny Boxwood’s, she counted the parking spaces, noting that there were
30 and all were filled with cars. She did not think it was practical to have a
restaurant that would utilize all of the parking in the park.

In addition, it had been rumored that there were proposals to use the parking lot
at the Bellaire United Methodist Church for overflow parking. Ms. Fife advised
that residents had not learned whether the church was amenable to such a plan.
She stated that the need for overflow parking warranted further exploration and
that she strongly believed in pre-planning to avoid foreseeable problems that
could compromise the success of this wonderful venture.

In closing, Ms. Fife thanked the Rubenstein family again, noting that Evelyn’s Park
was a real asset that needed to be done appropriately.

Kenneth Cory, 4525 Live Oak Street, Bellaire, Texas, addressed City Council
and stated that he was at a loss to understand why Bellaire had to go through a
commercial route to build a park. In his opinion, having food service in the park
would cause problems, as he did not believe the commerciality of the park had
been well thought out.

Mr. Cory stated further that he was concerned about the financing of the entire
park, noting that no one had mentioned the cost. He had been told that the cost
could range from $15-$18 million, and expressed concern as to whether the
entire amount of the funding could be committed within one year.

In closing, Mr. Cory suggested that the City was a little ahead of itself and urged
City Council to renegotiate with the Foundation to make it a Bellaire park and not
a commercial entity.
Dean Hunt, 4411 Camellia Lane, Bellaire, Texas, addressed City Council and advised that he agreed with everything the previous speakers had said. He did think that the park would be a great opportunity for Bellaire.

He continued by referring to the 44 households that surrounded the park that had a signed a petition previously submitted to City Council expressing concerns about the parking, congestion, security, etc.

Mr. Hunt stated that the City did not have a great deal of time to get the park developed and funded because the City was put “under the gun.” The agreement that the City Council signed with the Rubenstein Foundation stated that if the City did not have a final design by July 21, 2012, which was recently extended to September 19, 2012, the Rubensteins could take the land back. It was difficult to do the right thing when your back was against the wall. Mr. Hunt stated that he was certain that Jerry and Maury Rubenstein did not intend for this many people to show up because they were concerned about the design and concerned about the safety and well-being of their families and their property.

Mr. Hunt encouraged City Council to talk to the Rubenstein Foundation (“Foundation”) and not the Conservancy as they did not have any control either. The Foundation held all of the cards. It did not appear to him that the City was really approving a final plan at all. With respect to the process, he was not really sure what City Council was supposed to do in terms of approving something.

Further, Mr. Hunt recommended that City Council encourage the Conservancy to work with citizens of Bellaire and the residents who would be most affected by the park in order to do it right because the City only got one chance.

He inquired as to the reason why the park was being developed in only two months if the City wanted Evelyn’s Park to be Bellaire’s front yard and to last for 100 years, as stated earlier in the evening by President Flaherty.

With respect to programmatic elements, Mr. Hunt advised that the soft edge of the park contained a parking lot, the dump and the large pavilion. He indicated that the park design had been flipped around as compared to an earlier iteration. He encouraged City Council to think about what the park design would do to the citizens that lived near the park.

Leslie Clark, 4411 Camellia Lane, Bellaire, Texas, addressed City Council and endorsed the comments made by Dean Hunt, Michael Fife, and several of the other speakers with concerns about the present state of the plans for Evelyn’s Park. In particular, she agreed with the first speaker, Win Frazier, who said that the City had been presented with a unique opportunity. She agreed that the park would be located on a fantastic piece of property and presented a very unique opportunity.

Ms. Clark stated that the new vision plan differed from the last one presented to the public on May 17, 2012. The original vision plan showed the existing homes that directly abutted the park on the north perimeter of the park, as well as the homes on the west side of Newcastle Drive, which were directly adjacent to the
park, as well as the homes on Mulberry Lane. Those homes had been excised out of the new presentation. Ms. Clark stated that she wanted to ensure that the families were not forgotten.

Further, Ms. Clark advised that the Parks and Recreation Master Plan, which had been alluded to earlier this evening, defined parks the size of Evelyn’s Park (two-five acres in size) as a neighborhood park. At many times during the presentation this evening, Evelyn’s Park was described as a passive park. Ms. Clark disagreed as the plans, in her opinion, did not appear to be passive. For example, the community building, described as “small,” would be available for rentals, meetings, and parties. The pavilion, described this evening as “small,” was described in an email by one of the members of the Conservancy as a “large” building. Ms. Clark referred to Camellia Lane, noting that seven of the homes on that street directly abutted the park, and she believed that the neighbors’ interests were not being handled very respectfully.

Ms. Clark continued with a reference to several words used during the presentation of the park plan to describe the park, such as artful, pastoral, gentle, low impact, calming, quiet, soothing, beautiful and restful. However, the vision plan, as submitted this evening, showed the park to be chocked full of programming elements, buildings, and structures which would not be pastoral at all, but rather a commercial business center.

Submitted yesterday was the initial food service study regarding the feasibility of a having a counter restaurant, indoor restaurant, and other food service opportunities and a catering kitchen. Additionally, the study considered serving beer and wine in the park. The City currently did not allow alcohol in City parks.

In closing, Ms. Clark advised that the plan was still a vision or a concept that could be changed. With respect to the property on the north side of the City Hall Complex, formerly the Laurel Street Open Space, the City dedicated each property they acquired for what was now Loftin Park as green space for the full width and length of the lots from Fifth Street to South Rice Avenue. She suggested that such a consideration be made for the Evelyn’s Park property, as she did not believe the abutting residences on Camellia Lane deserved less.

John Bell, Board of Trustees, Bellaire United Methodist Church, 4417 Bellaire Boulevard, Bellaire, Texas, addressed City Council and indicated that he was disappointed in not receiving more information about the studies that had been performed. He stated that there was also no information given with respect to the number of people that the park could facilitate on a regular basis. He stated that he believed that the church should have been given the traffic study and the expected number of people that the park would provide services for or expected to be in the park at any time.

There was mention that the church parking lot might be used for overflow parking. Mr. Bell indicated that the church had not received a formal request for the use of the church’s parking lot. He indicated further that such a request should be presented to the church’s Board of Trustees.
In closing, Mr. Bell advised that the church was very excited about the park and wanted to be good neighbors.

**Bill Glick, 4401 Camellia Lane, Bellaire, Texas,** addressed City Council and advised that he understood that the process was in its early stages and modifications and/or revisions could still be made to the plan. Mr. Glick expressed his appreciation to the Rubenstein family, noting that the park was a fabulous gift for the City of Bellaire.

Additionally, Mr. Glick noted that he owned one of the homes that directly abutted the park, and advised that he appreciated the fiscal constraints of the City in terms of how much support the City could provide to parks in general and to Evelyn’s Park in particular. Having a model that involved some sustainable business to provide an ongoing presence and to provide some ongoing traffic seemed to be a reasonable way to set the park up. He believed that the presence of food and wine would make the park more enjoyable.

Mr. Glick stated that he endorsed the overall proposed design of the park, noting that there were areas for improvement as stated by others this evening. He liked the idea of the park being Bellaire's front yard, and advised that the proposed elements accommodated many different members of Bellaire.

If there were to be a commercial operation, Mr. Glick agreed with others that the hours of operation should be limited to something reasonable. With respect to events, he suggested that the number of events or number of attendees be limited such that the available parking could be utilized. He stated that he believed that City Council would put in the appropriate limits as the City moved forward with this park. The commitment of the Conservancy to follow all of the laws of the City would yield a park that was really beautiful and a great legacy for Evelyn and Bellaire.

**Lou Waters, 4526 Teas Street,** addressed City Council and disclosed that he was a member of the Conservancy Board appointed by City Council, as well as the Treasurer of the Board. For reference, Mr. Waters indicated that his home was approximately one-third of a mile from Evelyn’s Park and that he would be moving to an address that would be approximately one-fourth of a mile from the park. In other words, he was both a neighbor and directly affected by the park.

He advised, further, that part of the reason he was fortunate enough to be appointed to the Board was due to his experience with startups (both companies and non-profit organizations). Mr. Waters stated that he had worked with a group of really great people—both inside and outside of the Board.

Mr. Waters referred to the Board’s charge, which was to create an iconic and exciting park. The Board was also charged with designing something that would live in and for the community. He believed that the Board had met their charge through a combination of public workshops and variety of other methods of input, both in group and individual form. He referred to the wide-ranging, sometimes conflicting, input that had been received, such as “we must have a dog park,” and “we must not have a dog park.” The Board had heard that playgrounds were
needed and that playgrounds were not needed; that the historical structures should be maintained and that the structures should not be maintained.

As Treasurer, Mr. Waters advised that the Board had been very fortunate to receive a substantial amount of seed funding, of which the City was also a part. The funds had allowed the Board to hire the best experts available for the major topics that faced the park. The Board had made great use of the experts and felt very fortunate to have them as part of their "team." He referred to SWA, noting that they were internationally recognized and understood the idea of a community park. He referred also to the Board's fundraising experts, who served as a sanity check for the Board with regard to the scope of the park; the traffic experts; the food experts; and construction experts who had helped assess the condition and costs of the historical structures.

The Board had debated, discussed, cut and re-cut the park plan. The Board and consultants had worked through hours and hours of iterations to create the vision plan presented this evening. He stated that the Board had listened to all of the input and had given great consideration to the questions and concerns of the neighbors, as well as the residents of the entire community.

In closing, Mr. Waters stated that he personally believed that Evelyn's Park would be recognized as great in circles well outside of Bellaire. Most importantly, Evelyn's Park would be for and a part of the community and would enhance the community for generations to come.

Peggy Faulk, 4918 Bellaire Boulevard, Bellaire, Texas, addressed City Council and advised that she was present to voice her overwhelming support for the plans for Evelyn's Park. She looked forward to being able to walk and run to the park as part of her regular exercise program.

Her involvement in Evelyn's Park began years ago when a petition drive was initiated indicating overwhelming support to develop the Teas property into a park. She expressed her appreciation for the generosity of the Rubenstein family in making that dream become a possibility.

Ms. Faulk advised that she had not been involved in the detailed plans for the park, but in reviewing it, she believed that it was appropriate and a good fit for Bellaire for the following reasons: 1) it was designed to benefit the general populace and not a select few; 2) it offered many new features for Bellaire, such as a lake and butterfly garden; 3) it could become a showcase as an entry to Bellaire; 4) and it did not over-duplicate features that were already well provided by other parks in Bellaire.

Ms. Faulk closed and stated that, if possible, she hoped that the original Teas buildings could be preserved as a historic monument to Bellaire. Ultimately she did believe, if executed well, the park would benefit all of Bellaire, its neighbors, and it would increase the quality of life in Bellaire.

Keith Rubenstein, 539 Chelsea Street, Bellaire, Texas, addressed City Council and disclosed that he was a member of the Conservancy Board and...
served as Vice President of that Board. On behalf of himself, his father Bo Rubenstein, his uncle Jerry Rubenstein, and the rest of his family, Mr. Rubenstein recognized the Conservancy President, Marybeth Flaherty, for the countless hours she had given to the project over the last one and one-half years. He indicated that without her everyone would not be in the Chamber this evening going over a park plan that would make all or most of the residents very proud. He also thanked the other Board members for the countless hours of volunteer service that they had donated to help begin the process of bringing this park to Bellaire.

The process of getting to this point this evening had been a challenging one. The Conservancy had not developed the plan alone. They had received lots of feedback from residents through the Conservancy’s website and the public workshops.

In an effort to build the best park possible and to be as responsible as possible to the citizens of Bellaire, the Conservancy had hired professional consultants to help guide many of the decisions they had made. SWA, an internationally recognized firm, had helped and guided the Conservancy through the design of the park. A’La Carte Foodservices Consulting Group had studied the type of food and/or beverage service that might best fit in the park. The Conservancy hired a professional traffic engineering company to do an analysis of traffic flow in an effort to have the smallest impact possible on the neighborhood.

Mr. Rubenstein advised that when his parents moved to Bellaire 27 years ago, they moved right next to Russ Pitman Park. His father even donated the land for the parking lot that was there today. In all of their years living next to the park, there had never been a problem or a disturbance during regular park hours or even during special events. During special events, there was overflow parking up and down Newcastle Drive, which bordered his parents’ home, as well as on Oleander Street, which also bordered his parents’ home. This was allowed from time to time so that everyone could benefit from the park. He stated that he mentioned this because his family had personal experience living next to a park and were sensitive to the issues of living around a park. It had been a good experience and never a problem.

Once the park was built, Mr. Rubenstein expressed his family’s hope that the Conservancy would remain in existence and help perpetuate the park. Although the City would be responsible for the park once it was completed, it was his family’s hope that the City would allow the Conservancy to remain a part of the park, as well as all of the responsibilities that came with programming and maintaining the park.

On a final note, Mr. Rubenstein advised that he wished to express his family’s personal view of the park. Their hope and desire was to build a park for the entire community of Bellaire to enjoy—both now and for generations to come. His family had an historical opportunity to build something beautiful and long-lasting for the City of Bellaire and its residents. The park could become Bellaire’s front yard.
In closing, Mr. Rubenstein advised that he wanted to quickly clarify one point about the park that had bothered him. There had been many questions that had come into the website over the last several weeks concerning the fact that there was no area for children, which really baffled him. A park was not a park without children. His grandmother, Evelyn, loved children and would never allow something like this to be built without a place for children to play. For those that were concerned that there would not be a play area for children, his grandmother could assure that there would be.

Brad White, 4515 Bellaire Boulevard, Bellaire, Texas, addressed City Council and noted that his home was located next to the Bellaire United Methodist Church parking lot. He thanked City Council, the Conservancy, and the Rubensteins for putting the park together. He felt the park was a terrific idea, and he loved the proposed elements.

He advised that there would be issues with the park, but he also knew that the City would respond to those issues. Mr. White indicated that his concern was related to the number of events that might occur in Evelyn’s Park. He referred to Russ Pitman Park, noting that there were events held there, but not too many. He felt that since the City was able to balance the events at Russ Pitman Park, that the City would be able to balance the events at Evelyn’s Park as well. Mr. White stated that the park looked a little too over-programmed, but felt that a balance could be reached through the process.

With respect to the traffic study, Mr. White indicated that the study referred to the elimination of right turn lanes on Bellaire Boulevard. He felt that this was a big step for a limited benefit. He stated that he felt certain that such an issue would be properly vetted.

In closing, Mr. White advised that he thought the project was terrific, and he looked forward to seeing it fulfilled.

Gigi White, 4515 Bellaire Boulevard, Bellaire, Texas, addressed City Council and noted that her home was diagonally across from the Evelyn’s Park project. For those interested in the existing Teas homes on the property, she advised that her current home was one of the old Teas homes.

Ms. White thanked everyone for everything that had been done and advised that she was very excited about the park and thought it was a terrific idea. She only had a few concerns, both of which were related to parking and traffic—not from the park itself—but from food service and events.

She indicated that she had spoken with Reverend Flagg at Bellaire United Methodist Church to see if she could glean any information from him as to the use of the church parking lot by the park. He indicated that he did not know much about the plan. Ms. White suggested that more work and/or a formal request needed to be made to the church with respect to a shared parking situation.

In closing, Ms. White advised that with big events, other things were needed and should be taken into account, such as security, maintenance, patrols by police,
trash concerns, etc. She stated that the parking lot at the church was already used quite a bit for events held by the church and by boy scouts.

Mark Anderson, 4312 Bellaire Boulevard, Bellaire, Texas, addressed City Council and advised that he thought the park was a fabulous idea, but his main concern was the commercial aspect and what precisely that would entail.

Mr. Anderson's second point was that there was a lot of new information and comments and critiques that would need to be considered. He referred to the fact that the City Council would be deliberating the issue in one week and he was not certain whether City Council had all of the information they needed to make an appropriate decision.

In closing, Mr. Anderson hoped that discussions would ensue and suggested getting some people together in smaller groups to ensure that the project would come into fruition by 2014. He advised that he appreciated everyone's hard work on the project.

Rusty Rubenstein, 4810 Holly Street, Bellaire, Texas, addressed City Council and advised that his family was an extensive user of parks. As a resident, being involved with the Evelyn's Park process had been overwhelming in a good way because he had learned a tremendous amount.

Mr. Rubenstein indicated that he appreciated everyone's comments. He noted that the Board might not be able to address each individual's concerns, but did hope that, at the end of the process, everyone felt that their concerns were listened to.

Mr. Rubenstein indicated further that the park represented a fantastic opportunity, not just from the perspective of his family, but for the City. He thanked City Council for their appointees to the Board, noting that his family had learned a great deal from them and were learning every day. At the end of the day, their purpose was to make sure that the park was something that the City wanted.

Annette Horsch, 9 Town Oaks Place, Bellaire, Texas, addressed City Council and advised that she appreciated hearing that the Conservancy wanted to listen. When residents had participated in focus groups and walked the property, they had felt that the Conservancy did not want to listen to their concerns.

Ms. Horsch advised that she wished to address the process. The park plan, food service report, and the gift of the park itself, was wonderful, stunning and exquisite. She felt that "conversation" had been missing between the focus groups and the Conservancy and that any misinformation was due to the lack of conversation. She advised that she looked forward to having conversation with and explanations from the Board in the future.

In addition, Ms. Horsch appreciated the time that the Board had put into the process. She indicated that she understood that the members of the Board, as
well as members of City Council, were volunteers and that everyone had put a
great deal of time into this effort.

In closing, Ms. Horsch advised that she had the feeling disagreement was not
welcome. It needed to be welcome, as residents had honest questions.
Disagreement was a natural part of a planning process, as anyone who had
operated any type of organization knew. She hoped in the future that residents
were met with a little more dialog. The park was going to be beautiful and was a
wonderful gift. Questions that had been asked were not meant to be negative.
Neighbors wanted to be an active part of the planning process. She indicated that
she had learned more in the last two days from the food service study and from
the traffic study than she had heard up to now. Some of the residents’ concerns
could have been short-circuited with a little more explanation.

**Matt Levine, 7 Boulevard Green, Bellaire, Texas,** addressed City Council and
indicated that his home was located on the south side of the proposed park. He
was enthusiastic about the park, but had questions about traffic and parking.

Mr. Levine advised that Boulevard Green was a little narrow street and parking
was at a premium on the street. He asked if streets around the park would have
zoning of sorts for neighborhood use restrictions.

In closing, Mr. Levine stated that he appreciated all of the work that had been
done on the park. What he did not appreciate was the lack of information that
had been actually put out regarding the traffic studies and parking studies. He
advised that numbers of parking spaces were not mentioned nor were the number
of events anticipated per year. He indicated that he would appreciate more
clarification of the studies themselves.

**Lynn McBee, 5314 Evergreen Street, Bellaire, Texas,** addressed City Council
and indicated that she had asked what the process was for the evening and in
general, but no one felt comfortable enough to answer that with any precision.
Ms. McBee advised that this particular issue would not land in City Council’s laps.
The Memorandum of Understanding stated that an approved project design was
defined as one approved by the Conservancy. Ms. McBee indicated that the best
City Council could do was to provide input. It was up to the Conservancy to make
a determination as to whether any changes might be made. Ultimately, the City
Council had two choices—to accept the recommended approved plan or to say
“no.”

Ms. McBee continued and advised that she felt that the park was a marvelous
idea. SWA had done the kind of brainstorming and innovation that was rarely
seen in Bellaire. She felt that food was a mistake, as what the City needed, in her
opinion, was a well landscaped park.

The Bellaire Young Mothers wanted to buy into playground equipment. She noted
that there were many other things in the park that children might be intrigued by,
such as nature and butterflies. She asked if the Conservancy would be biased
enough to accept the money for such equipment.
Ms. McBee indicated that one of the existing buildings, if retained, should serve as a commemoration of the City which it represented. The adjacent neighbors, perhaps 100 in number, were small in comparison to the population of the entire City of 16,000. She asked who the target group was that the City was pleasing and suggested probably both.

She advised that the traffic study was terrific and she applauded the traffic engineers for that study, noting that it recognized bicyclists and pedestrians. She wanted to point out that the effort made in getting involvement included the neighbors, but had not included much of the rest of the City.

In closing, Ms. McBee advised that she would prefer a reduction in the amount of water, if any, on the site, as children could not be kept out of those areas and water-related accidents could occur.

{Ms. McBee’s allotted speaker time ended at this point in the meeting}

**Erin Lunceford, 4304 Jim West Street, Bellaire, Texas,** addressed City Council and advised that her family believed that more parks were absolutely important. The Rubensteins’ gift of the property for Evelyn’s Park to the City was incredible.

Ms. Lunceford advised that she lived two blocks from Russ Pitman Park and the Nature Discovery Center and had been involved, as a Board member, in many activities in that area. Her street was narrow and experienced overflow parking from events held at Russ Pitman Park. She believed, however, that the concerns regarding parking were overblown with respect to Evelyn’s Park. The recent changes that were made along the Nature Discovery Center on Newcastle Drive to alleviate parking had worked.

In closing, Ms. Lunceford advised that the park plan had been wonderfully thought out and that people were worrying about things that would not necessarily be happening. She urged everyone to focus on what a great job the Conservancy had done to weigh all the interests and to make Evelyn’s Park a park for the entire City of Bellaire. She urged City Council to accept the plan.

**Jana Bedi, 5209 Laurel Street, Bellaire, Texas,** addressed City Council and advised that she came from a very different perspective, noting that she was not a neighbor near Evelyn’s Park. She indicated that she wholly supported the park and endorsed the green space.

Ms. Bedi referred to the fact that she lived near the Bellaire Aquatic Facility and Loftin Park and that she enjoyed watching the children use those facilities. She mentioned that initially she and her neighbors experienced problems with traffic, but the City Council and City Manager worked with them and resolved the problem.

Ms. Bedi continued and advised that she felt that input from residents was solicited. She referred to lots of workshops held regarding the park. She was
confident having been through this process and living near a park, that City Council and the Conservancy would respond to any issues.

The Rubensteins had not only given the City the land, but had given the City a gift that would keep on giving. Ms. Bedi advised that she was very impressed that the Rubensteins were actively involved and very gracious in wanting to continue to serve and give of their time and energy so freely, as were the other members of the Board.

In conclusion, Ms. Bedi advised that she was speaking on behalf of herself and her husband who was unable to attend this evening, noting that they supported Evelyn’s Park wholeheartedly. She indicated that in a democracy people were heard but did not always get their way. She advised that she hoped there would be a great deal of conversation and that people would be heard.

**Tom Flaherty, 4636 Cedar Street, Bellaire, Texas,** addressed City Council and advised that he was in favor of the master plan for Evelyn’s Park. Secondly, he was not concerned about safety in this park any more than any other part of Bellaire. He noted that Bellaire had diligent residents and a fine police department.

Mr. Flaherty referred to a comment made earlier by Ms. Ginzberg wherein she discussed the view from the park looking out and that if people could not see cars going by, they would have a better park experience. He advised that he could not argue that point. From the driving side, however, he had visited Memorial Park by driving down Memorial Drive. He sometimes drove out of his way down Memorial Drive so that he could see the park and the trees.

The City certainly had a role in the esplanades and the entrance to the City. He indicated that the City had an opportunity to upgrade its esplanades and entrance by the park.

With respect to parking, Mr. Flaherty indicated that he lived on a street that had two houses of worship on it. There was an occasional spillover of parking as a result. No park in the City could contain all of the cars resulting from a peak event, such as Little League games, swim meets, craft fairs, etc.

As to food, the economic development forces of Bellaire had previously stated that more restaurants were needed in the City that citizens could walk to. He suggested that such a restaurant in Evelyn’s Park would be a benefit to the City.

**Will Hickman, 4640 Cedar Street, Bellaire, Texas, along with daughter Emma,** addressed City Council and thanked them for their service. Mr. Hickman also thanked the Conservancy Board, the Rubenstein family especially for the generous gift, and his neighbor, Marybeth Flaherty, President of the Board, for all of their hard work and dedication in getting the City to this point.

Almost two years ago, the City was negotiating the contract with the Rubensteins under which the City would accept this once in a lifetime gift. There were no similar parcels in Bellaire. The family imposed three conditions as follows: 1) the
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City had to use the area as a park; 2) a memorial area for the family's matriarch, Evelyn, had to be provided in the park; and 3) knowing the City's usual timeline, a very aggressive time schedule was put on the City as to when the park had to happen. After almost one year in, the City was quickly approaching the deadline to approve the plans.

Unfortunately at this point, the City did not have time to rework all the Conservancy's previous work. If the City did not act quickly, Mr. Hickman stated that he was concerned that the park might not happen.

The Conservancy had used a robust process to get significant public comment and public involvement in generating the design presented this evening. Of course, everyone would desire to make changes or their own design, but the Conservancy had done a great job of taking everyone's comments and putting them together into a park for everyone in Bellaire.

Unfortunately, great parks in Bellaire attracted crowds. Just outside the City Hall, the Aquatics Facility had the same traffic issue, as had been mentioned by Ms. Bedi earlier this evening. The City did a great job with buffers. The City Council considered adjacent properties and how to deal with those. He cited examples of Bellaire High School, Shipley's Donuts, and with the Bellaire Aquatics Facility. Mr. Hickman advised that he had no doubt that the City Council would make the same considerations with respect to Evelyn's Park and the concerns of the neighbors.

In closing, Mr. Hickman encouraged the City Council to quickly approve the park plan and let the Conservancy continue their fantastic work to make Evelyn's Park a reality.

Suzanne Longley, 4826 Palmetto Street, Bellaire, Texas, addressed City Council and advised that she chose Bellaire as the best possible place to raise her family, to send her children to the community's wonderful schools, and to start her landscaping company of 15 years. Bellaire had the old-fashioned town feeling that was so rare in today's world.

Ms. Longley advised that she was so honored and so grateful to have been a part of the design committee for Evelyn's Park. She hoped to continue helping to make it a reality.

Now the City had an exceptional opportunity to have a world-class park. The park would be the gateway of Bellaire conceived by the extreme generosity of the Rubenstein family, superbly designed by the award-winning SWA, and brilliantly guided by the most organized and thoughtfully run Evelyn's Park Conservancy through Marybeth Flaherty, who lovingly led the way.

Ms. Longley encouraged the City Council and all of the Bellaire citizenry to band together as never before to make Evelyn's Park the heart of the City. A grand legacy would be created with this park. It would keep Bellaire's history alive and give its citizens a most glorious place to dream new dreams for Bellaire.
If Ms. Longley could have three wishes, her first wish would be to save the original Teas house. The second wish would be that the park was actually ten acres and not five. The third wish would be for all to work together to make the park happen immediately.

**Cindy Siegel, 4615 Huisache Street, Bellaire, Texas,** addressed City Council and thanked them for the opportunity to serve as one of the City’s volunteers on the Conservancy. Approximately nine-ten years ago, when Teas Nursery announced that they were going to sell their whole ten-acre tract of land, City Council heard from many Bellaire residents that the City should buy the land for a park. Mayor Nauert and Councilman McLaughlan probably remembered that people were going door-to-door to get residents to sign a petition in favor of making the tract of land into a park.

Then the City heard that the back five acres of the Teas Nursery property had actually been sold to a developer, and City Council started hearing from surrounding neighbors at that time that did not want to see the big homes built on what was now known as Camellia Lane. This was due to a perceived negative impact that the development would have on the adjacent neighborhood. More importantly, citizens did not want to see the City lose part of its history.

The excitement level of the Bellaire community was so high when it was announced a few years ago that The Jerry and Maury Rubenstein Foundation had bought the remaining tract, the front five acres, and was gifting it to the City for a park. Ms. Siegel could honestly say that nothing in her 18 years of City involvement had caught the collective imagination and dreams of Bellaire citizens than the chance to make the former Teas property into a park.

City Council had heard about the extensive public input process the Conservancy had conducted to ensure that the desires of all of Bellaire’s citizens were taken into account, while trying to be sensitive to the concerns of the adjacent neighbors.

The Conservancy initially appointed an advisory committee consisting of Dean Hunt (a Camellia Lane resident), John Gabriel (a landscape architect), Suzanne Longley (a landscape architect), and Karl Miller (the City’s Facilities Director and former Parks Director of Sugar Land). This committee sat through several Conservancy meetings and helped select the landscape design team, SWA. They also sat through initial brainstorming sessions of ideas that the Conservancy and SWA would present at the first town meeting.

The Conservancy had two neighborhood meetings, one of which was held at the Bellaire United Methodist Church. Neighbors from townhomes across from the park and Camellia Lane attended those meetings. The Parks and Recreation Advisory Board conducted a parks survey, which included input on Evelyn’s Park. Focus group meetings were held in addition to the two town meetings.

After each meeting with Bellaire residents and a review of the input received, the Conservancy, along with SWA, would revise the plan time after time to shift
parking, etc., in an attempt to try to address the concerns of neighbors, while still being true to what Bellaire citizens had communicated to the Conservancy.

Marybeth Flaherty met with Minister Flagg, the Bellaire United Methodist Church's Pastor, to talk about the possibility at some time in the future of having some sort of shared arrangement—meaning also that the church could possibly use some of the park's parking for their larger events.

Although some had indicated that the Conservancy did not listen, Ms. Siegel advised that the Conservancy had listened. With respect to a curfew, most of the City's parks were regulated by curfews. No one wanted people hanging around in the parks at 2:00 a.m. With respect to restaurants, Ms. Siegel advised that there was a way for wine and beer restaurants to encourage pedestrian traffic.

As to the rehabilitation of the historical homes, Ms. Siegel indicated that it had not been ruled out. The proposed plan tried to place the parking areas near the areas of the park that people would be using in an attempt to ensure that people would not be using the neighborhood streets for parking.

In closing, Ms. Siegel advised that Bellaire Town Square was the active park for Bellaire. What was envisioned for Evelyn's Park was a gathering place for residents to come together and enjoy each other's company. The Conservancy understood that Bellaire residents used all of the City's parks. The Conservancy knew that everyone would not be 100% satisfied with the plan—there were no baseball diamonds, no putting green, and no dog park. The proposed plan was one that would make everyone proud. In the end, the plan was a vision that many Bellaire citizens were excited about. Evelyn's Park was a gift for the benefit of all Bellaire residents and one that her family was excited about and looking forward to using in the future. One day she hoped to be going to Evelyn's Park with her grandchildren.

**Mayor Philip L. Nauert advised that the public hearing was closed for oral comments at 8:40 p.m. on Wednesday, August 8, 2012.**

**Written Comments:**

**Mayor Philip L. Nauert** read written comments that were received on behalf of the Bellaire City Council by the City Clerk. Those comments have been set forth below in an italics font for purposes of the record.

**Doug Christians, 4913 Palmetto Street, Bellaire, Texas:**

*Honorable Mayor, City Council and Citizens of Bellaire,*

_Unfortunately I am out of town and unable to attend this meeting, but I am enthusiastically in support of approving the plans for Evelyn's Park. I have been to all the public meetings and attended a focus group meeting. I have read through all of the plans. I am thoroughly impressed with the quality of the plans and see all the work and thought that has been given to every detail in the design of this park. I have lived in Bellaire for 17 years and this is one of the most*
exciting things the city has envisioned. This is a park that I would use frequently and would enjoy taking friends and family to. It has everything. I do not live next to the park, but I wish I did. It can only enhance the property values and quality of life for those lucky enough to live near it. I personally want to thank the Rubenstein family for their generous contribution to the city. I have spoken to numerous other Bellaire citizens who are also excited about the creation and future of this park. I look forward to hearing the results of the approval vote on this project.

**Brenda Cauthen, 5409 Valerie Street, Bellaire, Texas:**

I have reviewed the published vision plan for Evelyn’s Park and think it is wonderful. The members of the conservancy have done a good job to ensure there is a nice buffer between the park and nearby homes. The park has a great variety of areas that will serve a wide-variety of residents of Bellaire. I look forward to attending events at the park and enjoying the many benefits it will bring to the City. Thank you to all those who have worked so hard to get to this point. I know there is a long way to go, but I know we can do it. My husband and I are in complete support of the City working to complete this park.

**Wendy Bantle and Michael Shirley, 4603 Locust Street, Bellaire, Texas:**

We are so thrilled with the Evelyn’s Park project. It will be such a special place for all to enjoy. Many thanks to everyone involved in this great endeavor!

We’ve looked at the plans and are amazed that so many different types of activities are provided for, while still taking into consideration the neighborhood impact and essential noise buffering from Bellaire Boulevard.

Bellaire has many generic “pocket parks,” it’s time to provide a space that offers something for everyone . . . a special place like the one envisioned for Evelyn’s Park.

Thank you.

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

Mayor and City Council of Bellaire, Texas,

I strongly support the Evelyn’s Park Project and the ongoing process for the development of what will ultimately be a key foundation asset of Bellaire. This project supports and extends the history of Bellaire in what is one of the greatest historical sites of the city, the Teas Nursery. I live near the park site and plan to use the park extensively.

As a member of Bellaire’s Planning and Zoning Commission for nearly eight years, I appreciate and understand the complexities of a transition from a commercial site to a park site is difficult. I believe the Park planners (SWA Group) have seriously considered the impact on the adjacent neighbors while at the same time providing the citizens of Bellaire a great park asset. Previously as officer/board
member of the Houston Parks People, I have worked with SWA Group and Kevin Shanley. Bellaire is fortunate to have the insight and talent of this world-class organization to assure the development of Evelyn’s Park is the best of the best for Bellaire and its citizens.

Finally, I congratulate and send a “GRAND THANKS” to the Rubenstein Family for their wonderful gift to our community. This is a fabulous project.

Scott E. Evans, MD, FCCP, 4502 Holly Street, Bellaire, Texas:

Dear Mayor Nauert and Esteemed City Councilmembers:

It is my pleasure to write in support of the proposed plan for Evelyn’s Park to be presented to the council on 8/8/12. The proposal has the capacity to enhance the Bellaire community, to provide a greater sense of connection amongst neighbors, and will undoubtedly be a source of civic pride. I urge the council to formally support this proposal.

I hope that the council will also encourage the conservancy in a “Bellaire residents first” approach to accessing this fabulous community resource. Unfortunately, this approach has been eschewed in our shared aquatic resources, leading to dissatisfying experiences that diminish my family’s desire to utilize those otherwise exceptional facilities.

Lynne Skinner, 4904 Holly Street, Bellaire, Texas:

Dear Mayor Nauert and City Council Members:

The generosity of the Rubenstein family to the City of Bellaire is greatly appreciated. Thank you.

I support Evelyn’s Park at Bellaire and applaud the conservancy and the citizens for their hard work.

Please encourage everyone to continue to work together towards the completion of this project.

Thank you.

Belinda Bonnett Schmidt, 4508 Elm Street, Bellaire, Texas:

Just a quick, brief note: I am opposed to Evelyn’s Park being rented out to citizens for private parties, and particularly with food booths. Where would these guests park if a large event were to be held? In the streets of the neighbors? Not acceptable.

Keith Montgomery, 4404 Cynthia Street, Bellaire, Texas:

Please register this email in the public record as my support for the Evelyn’s Park plans as submitted by the Park Conservancy group. Thank you.
Philip Robbins, Bentley Custom Homes, L.P., 5116 Bissonnet Street, Suite 310, Bellaire, Texas:

I am writing this letter in support of this Wonderful Park, donated by the Wonderful Rubenstein Family. I am a Custom Home Builder that has built over 200 homes in Bellaire. I was also born and raised in Bellaire.

I would like to have more parks that would attract myself and others my age that are empty nesters as well as young families. I would love to see and would love to patronize a park that would allow my wife and I to enjoy a nice glass of wine and a nice meal in a park-like setting looking over a water feature and watching kids at play. Currently we enjoy Tiny Boxwood’s, and Becks Prime at Memorial Park, frequently and would love to be closer to home and support Bellaire. This has the potential to be a unique asset for Bellaire that no other surrounding area has.

Thanks.

Leslie Little, 4915 Laurel Street, Bellaire, Texas:

Dear Bellaire City Council,

I am sending this email to voice my support for the conceptual plan for Evelyn’s Park that has been developed by the conservancy. The vision and components of the park have been developed with citizen input, citizen feedback including meetings and surveys. The components of Evelyn’s Park contain elements for all residents of different ages and groups to use. Reviewing the plans, gave me the feel of a new park downtown, Discovery Green. The Discovery Green area in Houston is a very successful area and it has enhanced and vitalized the community. A park concept as presented tonight with versatile components, transitions, walk ways, quiet areas, buffer zones and kid areas will have the same effect on our Bellaire community and its citizens.

Awesome!

Howard Hamat, MD, 4902 Welford Drive, Bellaire, Texas:

Unfortunately I am unable to attend tonight’s meeting but wish to voice my full-fledged support of this wonderful and needed project.

Bob and Pat Lunn, 5214 Pine Street, Bellaire, Texas:

My husband, Bob Lunn, and myself are very active Patrons for Bellaire Parks both financially and volunteering our time and efforts. We are very excited about the plans for Evelyn’s Park. We strongly agree that this park is for All Bellaire Residents! The ideas of the Great Lawn, irrigation and water features, and the small lake and the food service area are fabulous. We love the general conceptual vision!
We support this park and we want Bellaire City Council to know that this park should be developed into a park that all Bellaire residents will want to use – not just a few.

Karen Erwin, 5212 Grand Lake Street, Bellaire, Texas:

Dear Mayor Nauert and Council Members:

I’m writing to voice my strong support for the proposed plan put forth by the Evelyn’s Park Conservancy. With the hard work and dedication of the Conservancy, and the generosity of the Rubenstein Family, we are so fortunate to have the opportunity to build such a beautiful park in our community.

Having personally attended one of the town hall meetings and one of the neighborhood workshops, I have participated in the opportunities given ALL citizens throughout this process, to insert their own images and ideas of what this park can be. I am confident that the Conservancy has done everything possible to reach consensus on a plan that the entirety of Bellaire can enjoy. The dedication of the Conservancy, along with the wide-ranging experience and expertise of this Architect gives us the access to new concepts and ideas for this park that we might not have entertained otherwise.

Why not aim for it to be bigger and better than anything that we have in Bellaire presently? With this very generous gift to the City from the Rubenstein family, it is our unique opportunity, but also our responsibility, to make this park the best it can be. I encourage you to approve the plan proposed by the Conservancy so we can begin raising money for this stunning addition to the Bellaire community.

Larry, Sherry, Victoria and Hunter Haas, 4902 Florence Street, Bellaire, Texas:

Members of the Bellaire City Council and the Evelyn’s Park Conservancy,

We wanted to write in support of the Evelyn’s Park proposal. Big and bold is what we need and what has been presented. Thanks to all that are working to make this happen.

A fantastic gift, from a great family shared with our City of Bellaire.

A once in our lifetime opportunity that all will enjoy for the next 50+ years.

Let’s all work to make it happen.

Arlene Schneider, 14 Pamellia Drive, Bellaire, Texas:

I read (in the newspaper) with total dismay and horror the tentative plan to create a circus-like atmosphere for the proposed Evelyn’s Park. I had envisioned something along the lines of Helen’s Park on Stella Link; quiet and dignified, a peaceful environment for resident to have quiet time, walking, meditating, and enjoying the outdoors. Instead, the proposal includes plans to have food, coffee
shops, and to allow this space to be used for parties and celebrations. I cannot think of a worse idea! First of all, there are several coffee shops within a mile of that area. Food is readily available as well. Having food, of course, creates problems of trash, rodents, sour smells, tons of bees after sweet items left in the trash and on the ground. I don’t think Bellaire has enough maintenance workers for this. I used to run in the neighborhood, and all of the water fountains along my route were always non-functioning—so how in the world can you keep this place clean if water fountains were/are not in good repair in a city where 90 degrees is typical?

Secondly, imagine the trash with the celebrations. I now run at Memorial Park in the trails. On Monday mornings, the trash, confetti, beer bottles, fast food wrappers, etc., litter the park. Not a good sight, nor a pleasant odor. I would not like to see this in my neighborhood.

Thirdly, traffic—can you imagine what Bellaire Boulevard will look like with a train stopped/slowly passing when hundreds of cars are trying to turn in on Mulberry or whatever side street?

Noise—loud music. Enough said.

Will we need police presence in this area? Do we really have enough law enforcement with 610 cutting through our city to respond to issues that will undoubtedly come with parties and celebrations? Will this include permission to serve alcohol?

Had this park been proposed when I purchased my home 12 years ago, I suppose I would have gone to West U. I can only imagine what will happen to my property values with this circus-like atmosphere in my back yard.

So, please consider the common sense implications of this proposal.

**Bill Roe, 5211 Patrick Henry Street, Bellaire, Texas:**

Hi Council,

I read with great interest Cindy Siegel’s email describing the planned park. As described, the park appears to be a fantastic public space. I do, however, believe that concerns about any park design should defer first to the residents who live in the adjacent neighborhood. As with any governmental action, it is always the unintended consequences of a good intention that create long term costs.

Neighbors to the park are heavily invested in a manner that other park visitors can never be.

I don’t have the benefit of the extensive due diligence already performed. So hopefully, the following questions have already been resolved:
• If there is a plan for food service, then
  o Where and how do service and delivery vehicles access the facility, and at what times?
  o How many employees will be onsite, and where will they park?
  o Where will garbage be stored and how will it be disposed?
  o How will food service be funded if the operation does not produce a profit?
  o Will additional security be required because of money kept onsite?
  o What is the impact of a food service operation on the neighbors?

• If private events are allowed (weddings, bar mitzvahs, etc.), then
  o Will there be a charge for these events?
  o If so, who gets the money?
  o Is this money necessary to operate the park?
  o Will there be a limit on number of guests allowed?
  o Will there be a limit on how many events can be held on a day, or in a week or a month?
  o Who will be responsible for security—the park as well as the neighbors?
  o Who manages bookings and conflicts?

• What is the additional insurance cost associated with food service, private events, and children’s water park?

• Does the park have to be cash flow positive to remain viable, or will other tax revenue be required?

• What if the park is so nice and becomes so popular that the planned parking doesn’t accommodate the traffic?

• Has a comprehensive cost analysis been prepared addressing these issues?

• If this plan, as described, does move forward, is there a procedure for managing complaints and measuring impact on neighbors, on a pro-active basis?
- Will there be a contingency in place to evaluate the positive/negative impact of whatever decision is made and to make the changes as necessary?

- If the park produces a negative impact on property values, is there a plan to make the neighbors whole? If not, should there be?

Curious minds want to know. Thanks.

**Ann Moore, 801 Mulberry Lane, Bellaire, Texas;**

I am writing in support of the current plan for Evelyn’s Park as a park for the whole community to enjoy.

We have lived at 801 Mulberry for 25 years. We live directly across the street from Mulberry Park. Our children played softball and tennis at Mulberry Park. We enjoy seeing friends and neighbors from other parts of Bellaire when they use the Mulberry facilities. We have never had a problem with noise or parking due to the park. Aside from the benefit of the park itself, I also feel the security in our neighborhood is improved from the patrols of the Bellaire police through the park.

**Jamie Allen, 4715 Willow Street, Bellaire, Texas:**

Good evening Mayor, City Council, members of Evelyn’s Park Conservancy and fellow citizens and residents.

Congratulations on a fantastic conceptual design for Evelyn’s Park!

As a former Parks Board member, I can empathize with the great amount of time and effort required to reach this milestone. The resulting design reflects the high degree of consideration needed to create a park design which balances the desires of the many in the community while considering our fellow neighbors.

The process that helped determine this plan is a good one and has been tested within our community. The same process was used to develop Officer Lucy’s Dog Park and the multiple phases of our flagship park, Bellaire Town Square, which now include Zindler Park, the Family Aquatic Center and Loftin Park.

As you consider the future of this landmark park within our community, I ask COUNCIL to remember that this park was gifted for all Bellaire residents, current and future.

A decade ago, neighbors protested against the development of the back half of the Teas property and the development of Camellia Lane.

Two decades ago, neighbors protested against the development of the Recreation Center and the City’s proposal to purchase over time the Laurel Street properties that are now where Loftin Park is located.

Three decades ago, neighbors protested against the development of Russ Pitman Park from the then Henshaw Home and estate.
Although there are usually "growing pains" associated with these types of changes within a community, I believe that the Bellaire community, as in the past, will enthusiastically accept this unique gift and embrace it wholeheartedly as the shining gem of generosity that it is and that sets Bellaire apart from all the rest!

Karen St. Denis, Bellaire, Texas:

To Whom It May Concern,

I am writing this email in support of the Evelyn’s Park Conservancy Master Plan. Admittedly, I haven’t really been keeping myself apprised of all the details regarding the park, and, I’ll be honest with you, when I saw the master plan in one of the local newspapers today, I was quite disappointed. The first thing I saw was the large body of water and immediately thought “swimming pool.” Bellaire has a beautiful new aquatics center and I couldn’t, for the life of me, figure out why anybody would want another pool. For Evelyn’s Park, I was envisioning a small-scale Butchart Gardens; nature trails; pavilions; reflecting ponds, a multitude of specimen gardens, including perennial gardens, sculptured gardens, butterfly gardens, et cetera. I brooded over the proposed master plan all day, until I finally decided to go to the Evelyn’s Park Conservancy’s website to get more information on the park. And I am so GLAD I did!!!! What I thought was a pool is actually a lake. There are walking trails, a much-needed great lawn, and various specimen gardens throughout the park; a little mini-Butchart Gardens right here in Bellaire. What a wonderful asset for the City of Bellaire and its citizens!!! Can’t wait to see this park come to fruition.

Jeff Addicks, 4801 Palm Street, Bellaire, Texas:

Mayor and City Council Members:

The preliminary master plan as proposed by the Evelyn’s Park Conservancy Board exceeds what I thought could be accomplished through this generous gift to the City. I support the preliminary master plan and I appreciate the work of the Conservancy Board. This group had diligently sought input on the master plan from the entire community and I congratulate this Board on a job well done. It is my hope that Council continues to support the Conservancy Board.

G. QUESTIONS FROM MAYOR AND MEMBERS OF CITY COUNCIL – Mayor Philip L. Nauert.

Councilman Corbett Daniel Parker inquired as to the process going forward with respect to this matter. More specifically, Councilman Parker inquired as to how the City and the Conservancy moved from the proposed park plan design to a final design to fundraising to construction to the ongoing operations of the park from a process perspective.

President Marybeth Flaherty, Evelyn’s Park Conservancy ("Conservancy"), referred to one of the City’s ordinances, No. 11-010, which authorized an agreement between the City and The Jerry and Maury Rubenstein
Foundation ("Foundation"). The Conservancy was charged with obtaining input from City Council and the Foundation on the design that had been presented this evening. The Conservancy was still taking input to get to a final plan. What needed to probably come out of the session this evening was input from City Council as to the things they felt the Conservancy needed to address. Thereafter, the Conservancy was pressed with a timeframe to get a final visual guide to allow the Conservancy to go forth with fundraising.

President Flaherty advised that it was never anyone's intention for the property to revert back to the Foundation and that the Conservancy was diligently trying to adhere to the timeline within the Memorandum of Understanding. There was also a great deal of room for discussion. As Keith Rubenstein mentioned earlier in the evening, it was the Conservancy's desire to continue to be actively involved with the park after construction. However, this was not how the Memorandum of Understanding was written. It would be her desire, also, that the Conservancy and the City have a conversation regarding their role and involvement after construction.

At this point, President Flaherty advised that the Conservancy needed something to fund. The Conservancy needed to know that the plan was supported by the City of Bellaire.

City Manager Bernard M. Satterwhite, Jr., advised that his plan, subsequent to this evening's public hearing, was to have an item on the next agenda (i.e., Monday, August 20, 2012) to include discussion and possible action regarding the approval, with City Council's input, of the Evelyn's Park vision plan as presented on August 8, 2012.

He felt that such an action would serve to provide the input of the City Council to the Conservancy in accordance with the Memorandum of Understanding. Beyond that, as President Flaherty said, depending on the scope and how things fleshed out, there needed to be further discussions as to who handled programming, maintenance, staffing, etc.

Following a discussion of the process going forward, members of City Council had an opportunity to ask questions of the Conservancy and their consultants regarding the proposed vision plan.

H. CLOSE OF THE PUBLIC HEARING – Mayor Philip L. Nauert.

As noted previously, Mayor Philip L. Nauert closed the public hearing for oral comments at 8:40 p.m. on Wednesday, August 8, 2012. He advised that written comments could be submitted to the City Council in care of the City Clerk prior to final deliberation on the matter. It was anticipated that final deliberation would occur on August 20, 2012. In order for written comments to be considered for the record, such comments were required to be received by noon on Thursday, August 16, 2012.
I. ADJOURNMENT.

CITY COUNCIL MOTION/ACTION:

Councilman Corbett Daniel Parker moved to adjourn the Special Session (Public Hearing) of the City Council of the City of Bellaire, Texas, at 10:30 p.m. on Wednesday, August 8, 2012. Mayor Pro Tem Amanda B. Nathan 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

Respectfully submitted,

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

Approved:

Philip L. Nauert, Mayor
City of Bellaire, Texas