CITY COUNCIL MEETING MINUTES
MONDAY, OCTOBER 15, 2012

The City Council of the City of Bellaire, Texas, met in Regular Session on Monday, October 15, 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 – Mayor Philip L. Nauert.

Mayor Philip L. Nauert called the City Council of the City of Bellaire, Texas, to order at 7:02 p.m. on Monday, October 15, 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., City Attorney Alan P. Petrov, and City Clerk Tracy L. Dutton.

C. INSPIRATIONAL READING AND/OR INVOCATION – Mayor Pro Tem Amanda B. Nathan.

Mayor Pro Tem Amanda B. Nathan provided the inspirational reading for the evening.

D. PLEDGES TO THE FLAGS – Mayor Pro Tem Amanda B. Nathan.

1. U.S. PLEDGE OF ALLEGIANCE.

2. PLEDGE TO THE TEXAS FLAG.

Mayor Pro Tem Amanda B. Nathan led the audience and members of the City Council in the U.S. Pledge of Allegiance and the Pledge to the Texas Flag.

E. APPROVAL OR CORRECTION OF MINUTES:

1. CONSIDERATION of and possible action on the approval of the minutes of the Special Session (Public Hearing) of the City Council of the City of Bellaire, Texas, held on Monday,
September 24, 2012 – Item submitted by City Clerk Tracy L. Dutton.

CITY COUNCIL MAIN MOTION/ACTION:

Councilman Andrew S. Friedberg moved to approve the minutes of the Special Session (Public Hearing) of the City Council of the City of Bellaire, Texas, held on Monday, September 24, 2012. Councilman James P. Avioli, Sr., 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. CONSIDERATION of and possible action on the approval of the minutes of the Special Session (Executive Session) of the City Council of the City of Bellaire, Texas, held on Monday, October 1, 2012 – Item submitted by City Clerk Tracy L. Dutton.

CITY COUNCIL MAIN MOTION/ACTION:

Councilman Roman F. Reed moved to approve the minutes of the Special Session (Executive Session) of the City Council of the City of Bellaire, Texas, held on Monday, October 1, 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

3. CONSIDERATION of and possible action on the approval of the minutes of the Regular Session of the City Council of the City of
Bellaire, Texas, held on Monday, October 1, 2012 – Item submitted by City Clerk Tracy L. Dutton.

CITY COUNCIL MAIN MOTION/ACTION:

Mayor Pro Tem Amanda B. Nathan moved to approve the minutes of the Regular Session of the City Council of the City of Bellaire, Texas, held on Monday, October 1, 2012. Councilman Roman F. Reed 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

F. PERSONAL/AUDIENCE COMMENTS.

Jeff Addicks, 4801 Palm Street, Bellaire, Texas, addressed City Council regarding agenda item 2a, consideration of acceptance of a fee proposal agreement with Clark Condon Associates for improvements to Bellaire Town Square with a primary focus on a Great Lawn and Pavilion. Mr. Addicks indicated that he believed it was time to make what was already a remarkable park even better. He urged City Council to give their full consideration to the agenda item, advising that the proposed improvements would be the next logical step forward in finishing Bellaire Town Square.

In closing, Mr. Addicks advised that he was reminded by a citizen who spoke several weeks ago that it did not seem that members of City Council were thanked enough for what they did and the time they put in for the community. He took an opportunity to thank City Council for their service and stated that he would appreciate favorable consideration of agenda item 2a.

Lynn McBee, 5314 Evergreen Street, Bellaire, Texas, addressed City Council and stated that many years ago she had requested a list of all consultants and vendors that the City did business with from the City Clerk. She noted that the list was many pages in length and advised that during those days, City Council was involved by interviewing contenders for major consulting agreements. Today, City Staff recommended consultants and City Council did not see anyone else. She suggested that City Council request a list of all consultants, at the very minimum, that had been employed by the
City, the original date of retention, their evaluation (when, if, and how often it was done), whether any of the consultants had ever been interviewed by City Council, and the amount of fees paid to such consultants.

Secondly, Ms. McBee referred to the upcoming election to be held on November 6, 2012, and noted that her precinct ballot was a full three pages in length. She advised that early voting would begin on October 22, 2012, and end on November 2, 2012, and that the closest early voting location for Bellaire residents was located at the Bayland Park Community Center.

Ms. McBee called City Council’s attention to two bond indebtedness issues and a referendum outlined on the third page of her precinct’s November ballot. The referendum would continue the dedication of 25% of METRO’s sales and use tax to local municipalities to do with as they wished. Ms. McBee stated that to vote for the referendum would be a vote against future rail for the next 15 years. Conversely, a vote against the referendum would be a vote for future rail.

She noted further that one of the bond propositions would allow for the issuance of $425,000,000 in bonds for the Houston Community College (HCC), while the other bond proposition would allow for the issuance of $1,890,000,000 in bonds for the Houston Independent School District (HISD). Ms. McBee advised that Bellaire High School and Condit Elementary School (which was listed as a footnote to the bond issue) would be addressed through HISD’s bond proposition.

In closing, Ms. McBee stated that she hoped that City Council would take the opportunity to really look at who they hired and who they paid. She asked City Council not to pass such things off as a delegation to City Staff to hire.

Mayor Philip L. Nauert advised that one written comment received by the City Clerk’s Office for City Council, which he read into the record as set forth below.

William E. Stone, III, 5212 Linden Street, Bellaire, Texas:

To the Honorable Phil Nauert and Bellaire City Council regarding agenda item H, New Business, Bellaire City Council Regular Session, October 15, 2012.

Dear Honorable Mayor Nauert and City Council Members:

Thank you for your consideration of the replacement of Division 4 of Chapter 9, Buildings, Article II, Building Codes. It is imperative that we, as a City, do all we can to encourage recycling and the reuse of materials that have value. I have read the proposed new ordinance, but I am unsure how the recycling of demolished structures will play out.
Regrettably, I am unable to attend your session tonight. If there is some incentive—lower permit fees?—we can give to homeowners, demolition companies, and home builders to embrace whole house recycling, please consider that.

Please consider making this process as smooth and as easy as possible. For example, under proposed Section 9-62, it calls for a verified affidavit. Is it really necessary to require someone to go to a notary public to complete such an affidavit? Please give strong consideration about making recycling of demolished structures a prominent part of our City’s future.

Thank you.

G. REPORT(S):

1. CITY MANAGER’S REPORT regarding residential safety (police activity report), public infrastructure/utilities (major projects report), quarterly indicators (crime statistics and building permits), current issues/information, and upcoming City Council meetings/events – Item submitted and presented by City Manager Bernard M. Satterwhite, Jr.

City Manager Bernard M. Satterwhite, Jr., presented the City Manager’s Report dated October 15, 2012, to members of City Council. Following questions of City Manager Satterwhite regarding his report, action was taken to accept the report into the record.

CITY COUNCIL MAIN MOTION/ACTION:

Councilman Andrew S. Friedberg moved to accept the City Manager’s Report dated October 15, 2012, as presented by City Manager Bernard M. Satterwhite, Jr., 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

2. FINANCE REPORT for the City of Bellaire, Texas, covering the period ended September 30, 2012, and including discussion of
revenues and expenditures in the General Fund, Enterprise Fund, Debt Service Fund, Vehicle, Equipment and Technology Fund, and Capital Improvement Program Fund, as well as discussion of statistical data – Item submitted and presented by Chief Financial Officer Linda Symank.

Chief Financial Officer Linda Symank presented the Finance Report for the City of Bellaire, Texas, for the period ended September 30, 2012, to members of City Council. Following questions of Chief Financial Officer Symank regarding her report, action was taken to accept the report into the record.

CITY COUNCIL MAIN MOTION/ACTION:

Councilman Roman F. Reed moved to accept the Finance Report for the City of Bellaire, Texas, covering the period ended September 30, 2012, as presented by Chief Financial Officer Linda Symank, into the record. Councilman James P. Avioli, Sr., 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

H. NEW BUSINESS:

1. CODE AMENDMENT:

CONSIDERATION of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, amending Chapter 9, Buildings, Article II, Building Codes, of the Code of Ordinances of the City of Bellaire, Texas, by repealing Division 4, Demolition and Salvage of Residential Structures, and replacing same with a new Division 4, to be entitled "Demolition of Residential Structures," for the purpose of adding a recycling component and applicable regulations to allow for whole house recycling – Item submitted by Director of Community Development John McDonald.
INTRODUCTION:

Director of Community Development John McDonald addressed City Council and advised that the Building and Standards Commission of the City of Bellaire, Texas ("Commission"), had been working for several years on green building and sustainability issues and, based on the Commission’s study of the issues, whole house recycling was the next process they wished to address. In April of 2012, the Commission appeared before City Council and requested permission for the Commission and City Staff to work together to develop an ordinance that would amend Chapter 9, Division 4 (residential demolition and salvage), to include whole house recycling. City Council subsequently directed City Staff to work with the Commission on whole house recycling.

Accordingly, City Staff and the Commission worked together to draft an ordinance which would specifically allow for the process of whole house recycling. Director McDonald advised that the draft ordinance was included in City Council’s packet this evening for consideration.

In order to allow the process of whole house recycling, the current ordinance was amended to include the following: (1) a definition for the word “recycle”; (2) a requirement that an affidavit be signed by the salvage contractor stating that at least 50% of the materials coming out of the house would be aimed at recycling; (3) a requirement to fence the site; and (4) an extension for the minimum salvage period from seven (7) days to twenty-eight (28) days. The Building Official was allowed to extend the salvage period if a whole house recycler needed more time.

Additionally, the contractor was required to post signs regarding the process (i.e., such as a “no trespassing” sign), and the current requirement for a $1,000 performance bond had been removed from the City’s Code. The recommendation for removal of the performance bond requirement was based on a request from City Staff. Director McDonald advised that the requirement had not been enforced in the past and, after research as to the cost and process required to acquire such a bond, City Staff determined the requirement to be burdensome.

Finally, clarification had been included as to the hours for demolition and salvage, which were the same as any building permit. Improved language was added for the drainage requirement to ensure that when the site was completed that all water drained to the street.
CITY COUNCIL MOTION TO POSTPONE:

Mayor Pro Tem Amanda B. Nathan moved to postpone this matter indefinitely. Councilman Corbett Daniel Parker seconded the motion.

Mayor Pro Tem Nathan advised that she believed that whole house recycling was a great idea and appreciated the work and effort that the Commission had put into the draft ordinance. When the presentation regarding whole house recycling was initially made by the Commission to City Council, there were specific comments made by at least three members of City Council (i.e., Councilmen Corbett Daniel Parker and Andrew S. Friedberg and herself) indicating a desire to strike a balance between the desire to make whole house recycling available while being sensitive to neighbors who would suffer the consequences of an extended demolition and salvage period as a result of allowing such a process.

Mayor Pro Tem Nathan advised that Councilman Parker’s comments were general in nature while Councilman Friedberg had more specific ideas, such as addressing the interior of the home first before things became visible on the outside. Mayor Pro Tem Nathan’s comments included general concerns, as well as the suggestion that the Commission consider looking into the system that the City of West University Place had, which was to have requests for additional time for demolition to be submitted to the Building and Standards Commission as a variance so that neighbors had an opportunity to provide some input regarding the request. Mayor Pro Tem Nathan indicated that she was uncomfortable making the extension of the salvage period available as a right instead of providing some opportunity for individual consideration.

In closing, Mayor Pro Tem Nathan advised that she believed City Council needed additional time and additional input from the Commission prior to considering the ordinance.

Councilman Andrew S. Friedberg noted that the motion on the table was to postpone consideration of the ordinance “indefinitely.” Before City Council took that step, he advised that the Chair of the Commission was present this evening, as well as another member of the Commission, to address some of the concerns. He suggested that City Council take an opportunity to invite the Chair and Commissioner to address some of the concerns expressed this evening. Councilman Friedberg yielded the floor to Chair Kristin Schuster of the Building and Standards Commission.
QUESTIONS/DISCUSSION:

At this point in the meeting, members of City Council were given an opportunity to ask questions of Chair Schuster regarding the proposed ordinance. Following questions of Chair Schuster by members of City Council, a motion to amend the motion to postpone was made and considered.

CITY COUNCIL MOTION TO AMEND MOTION TO POSTPONE:

Councilman Andrew S. Friedberg moved to amend the motion to postpone until such time as a Workshop Session could be held to address City Council’s concerns. Mayor Pro Tem Amanda B. Nathan seconded the amendment to the motion to postpone.

Councilman Andrew S. Friedberg referred to a statement made by Councilman Parker during the questions/discussion period on this agenda item wherein he advised that he had a list of questions that he would like to ask and desired more time to review the proposed ordinance. He indicated that he would prefer to give the Commission the courtesy of a Workshop Session rather than to defer consideration indefinitely.

CITY COUNCIL ACTION ON MOTION TO AMEND MOTION TO POSTPONE:

The motion to amend the motion to postpone carried on a 5-1-1 vote as follows:

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

OPPOSED: Councilman Roman F. Reed*

ABSENT: None

ABSTAIN: Councilman James P. Avioli, Sr.*

*Councilman Roman F. Reed was opposed to the postponement of the agenda item as he wished for consideration to be taken this evening; Councilman James P. Avioli, Sr., indicated during the questions/discussion period on this agenda item that he had concerns related to the proposal to increase the salvage period. He was concerned as to the tradeoff of the benefit of recycling versus potential
health concerns associated with the demolition of a structure over an extended period of time.

Prior to discussion on the original motion, as amended, Councilman Andrew S. Friedberg moved to call the question.

**CITY COUNCIL MOTION TO CALL THE QUESTION/ACTION:**

Councilman Andrew S. Friedberg moved to call the question. Councilman Corbett Daniel Parker seconded the motion.

The **motion to call the question** 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

**CITY COUNCIL ACTION ON MOTION TO POSTPONE, AS AMENDED:**

The **motion to postpone, as amended**, 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

*Councilman Roman F. Reed was opposed to the postponement of the agenda item as he wished for consideration to be taken this evening.

2. **CONTRACTS AND AGREEMENTS:**

a. **CONSIDERATION of and possible action on the acceptance of a fee proposal and approval of an agreement with Clark Condon Associates, Inc., for landscape architectural design services associated with**
proposed improvements at Bellaire Town Square consisting of a Multi-Purpose Great Lawn and Pavilion in an amount not to exceed $63,000.00 ($58,000.00 for basic design services and reimbursable expenses not to exceed $5,000.00) and on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, authorizing the Mayor and the City Clerk of the City of Bellaire, Texas, to execute and attest, respectively, a Standard Form of Agreement with Clark Condon Associates, Inc., for said services in an amount not to exceed $63,000.00 – Item submitted by Director of Parks and Recreation Jane L. Dembski.

INTRODUCTION:

Sheila Condon, President/Landscape Architect, Clark Condon Associates, Inc., advised that the item before City Council this evening was related to the next phase of work in an effort to complete more of the overall Master Plan for Bellaire Town Square that was approved in 2008. Ms. Condon provided a slide depicting the Master Plan for Bellaire Town Square as it had been evolving over a number of years.

The plan for the centerpiece of Bellaire Town Square included a central lawn area and pedestrian lighting (i.e., in keeping with the lighting that already existed in Loftin Park, as well as the same materials, theme, and palette). The primary addition was a pavilion to be located closer to the tennis courts on the east side of the central lawn area.

Other items still on the overall Master Plan that were not being addressed in the project before City Council were a skate park, walk realignments, and landscaping.

CITY COUNCIL MAIN MOTION:

Councilman James P. Avioli, Sr., moved to accept a fee proposal and approve an agreement with Clark Condon Associates, Inc., for landscape architectural design services associated with proposed improvements at Bellaire Town Square consisting of a Multi-Purpose Great Lawn and Pavilion in an amount not to exceed $63,000.00 ($58,000.00 for basic design services and reimbursable expenses not to exceed $5,000.00) and to adopt an ordinance of the City Council of the City of Bellaire, Texas, authorizing the Mayor and the City Clerk of the City of Bellaire, Texas, to execute and attest, respectively, a Standard Form of Agreement with Clark
Condon Associates, Inc., for said services in an amount not to exceed $63,000.00. Councilman Corbett Daniel Parker seconded the main motion.

QUESTIONS/DISCUSSION:

Following questions of Ms. Condon regarding her proposal for landscape architectural design services associated with proposed improvements at Bellaire Town Square, action was taken on the main motion.

CITY COUNCIL ACTION ON MAIN MOTION:

The main 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

{Ordinance was subsequently numbered: 12-048}

b. CONSIDERATION of and possible action on a recommendation from the Bellaire Public Works Department to award a contract for professional city engineer services to ARKK Engineers, LLC, in an amount of $70,000.00 for a one-year period commencing on October 16, 2012, and ending on October 15, 2013, and on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, authorizing the Mayor and the City Clerk of the City of Bellaire, Texas, to execute and attest, respectively, a Contract and Agreement for City Engineer Services with ARKK Engineers, LLC, for said services in an amount of $70,000.00 – Item submitted by Director of Public Works Joe Keene.

INTRODUCTION:

City Manager Bernard M. Satterwhite, Jr., indicated that a line item was included in the fiscal year 2013 budget for a contract city engineer. City Staff desired to have a "staff" engineer similar to the arrangement the City had with a "staff"
attorney. Such an arrangement was entered into in the form of a contract covering many items and related services, such as the City's legal services contract with its City Attorney.

City Manager Satterwhite advised that adding a city engineer would add a degree of professionalism to the City Staff. The city engineer could be used to present the City's position and policies to other governmental jurisdictions, private firms, and the general public on engineering matters.

In addition, the city engineer could be used to arbitrate contractual disputes between city consultants or contractors in the design or construction of public works projects and serve as an advisor to the City Manager and City Staff on engineering matters.

City Manager Satterwhite advised the City Council that the City had not requested proposals or qualifications for the line item. The goal was to find a third-party engineer that was not one of the City's primary project engineers that the City had a good relationship with, trusted, and knew. The principals of ARKK Engineers, LLC, met the criteria.

City Manager Satterwhite stated further that City Staff had done a great deal of research and negotiating in forming the basis for the recommendation before City Council. Director of Public Works Joe Keene interviewed all four principals of ARKK Engineers, LLC. The principals had a total of 87 years of municipal engineering experience, much of which was in the City of Bellaire. The principals were each experienced in both hands-on and management of municipal engineering projects and services, and the principals had a knowledge and understanding of the residents' wants and needs.

The principals, in the past, had delivered excellent service to the City and its residents. City Manager Satterwhite felt that ARKK Engineers, LLC, would be a good counterbalance to the City's project engineers, which the City intended to keep. He also stated that City Staff's recommendation for a city engineer in no way reflected poorly on the City's project engineers.

In closing, City Manager Satterwhite introduced the main principal of ARKK Engineers, LLC, which was James Andrews, and indicated that the term of the contract was one year and would not automatically renew.
CITY COUNCIL MAIN MOTION:

Councilman Corbett Daniel Parker moved to approve a recommendation from the Bellaire Public Works Department to award a contract for professional city engineer services to ARKK Engineers, LLC, in an amount of $70,000.00 for a one-year period commencing on October 16, 2012, and ending on October 15, 2013, and to adopt an ordinance of the City Council of the City of Bellaire, Texas, authorizing the Mayor and the City Clerk of the City of Bellaire, Texas, to execute and attest, respectively, a Contract and Agreement for City Engineer Services with ARKK Engineers, LLC, for said services in an amount of $70,000.00. Mayor Pro Tem Amanda B. Nathan seconded the motion.

QUESTIONS/DISCUSSION:

Following questions of the City Manager, City Staff, and James Andrews of ARKK Engineers, LLC, as well as discussion related to the motion to approve a recommendation from the Bellaire Public Works Department to award a contract for city engineer services to ARKK Engineers, LLC, an amendment to the main motion was made by Councilman Pat B. McLaughlan.

CITY COUNCIL AMENDMENT TO MAIN MOTION:

Councilman Pat B. McLaughlan moved to defer consideration of a contract and agreement for city engineer services until such time as issues expressed by members of City Council* could be clarified. Councilman Andrew S. Friedberg seconded the amendment to the motion.

*Issues to be clarified included a request for additional data reflecting the work performed by City Staff (research and negotiations) in arriving at their recommendation of a firm to serve as a city engineer; cost efficiencies achieved with the recommended firm; cost comparisons with other engineering firms, such as the city's existing project engineers; and a definition of the relationship between the city engineer and existing project engineers and design firms.

Following further questions of City Manager Satterwhite and James Andrews of ARKK Engineers, LLC, as well as discussion, Mayor Philip L. Nauert called for a vote on the amendment to the main motion, which he restated as a delay until such time
as background information as to the process followed in recommending a city engineer could be accumulated.

**CITY COUNCIL ACTION ON AMENDMENT TO MAIN MOTION:**

The amendment to the main motion failed on a 3-4 vote as follows:

**FOR:** Councilmen James P. Avioli, Sr., Pat B. McLaughlan and Andrew S. Friedberg

**OPPOSED:** Mayor Philip L. Nauert, Mayor Pro Tem Amanda B. Nathan and Councilmen Roman F. Reed and Corbett Daniel Parker

**ABSENT:** None

**CITY COUNCIL ACTION ON MAIN MOTION:**

The main motion carried on a 4-2-1 vote as follows:

**FOR:** Mayor Philip L. Nauert, Mayor Pro Tem Amanda B. Nathan and Councilmen Roman F. Reed and Corbett Daniel Parker

**OPPOSED:** Councilmen James P. Avioli, Sr., and Pat B. McLaughlan

**ABSENT:** None

**ABSTAIN:** Councilman Andrew S. Friedberg*

*Councilman Andrew S. Friedberg abstained from voting on the main motion based on the lack of documentation detailing the process followed by City Staff in reaching their recommendation of the firm to be awarded a contract to serve as city engineer; he supported City Staff's selection but felt it needed to be better supported in the public record for greater transparency in the process.

{Ordinance was subsequently numbered: 12-049}
3. **H-GAC GENERAL ASSEMBLY – 2013:**

CONSIDERATION of and possible action on the adoption of a resolution of the City Council of the City of Bellaire, Texas, designating a Representative and an Official Alternate to the General Assembly of the Houston-Galveston Area Council for the year 2013 – Item submitted by City Clerk Tracy L. Dutton on behalf of the Houston-Galveston Area Council (H-GAC).

**CITY COUNCIL MAIN MOTION/ACTION:**

Councilman Corbett Daniel Parker moved to adopt a resolution of the City Council of the City of Bellaire, Texas, designating Pat B. McLaughlan as Representative and James P. Avioli, Sr., as Official Alternate to the General Assembly of the Houston-Galveston Area Council for the year 2013. Mayor Philip L. Nauert seconded the motion.

The main 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

{Resolution was subsequently numbered: 12-10}

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

There were no items for future agendas. Community interest items from the Mayor and City Council included reminders of upcoming events, as follows: the annual Nature Discovery Center Gala in mid-November, Pumpkin Patch this weekend at the Nature Discovery Center, Great Pumpkin Hunt sponsored by the Bellaire Parks and Recreation Department for children ages 10 and under on October 25, 2012, fourth meeting of the Bellaire Business Alliance to be held on October 18, 2012, from 5:30 p.m. until 7:00 p.m. at the Sunshine Resale Shop, and Board and Commission training to be held on October 30, 2012, from 7:00 p.m. until 9:00 p.m.; and expressions of thanks and congratulations were given to Councilman James P. Avioli, Sr., and his wife and family, who graciously served as honorees for the Patrons for Bellaire Parks’ annual Wine and Tapas event.
J. ADJOURNMENT.

CITY COUNCIL MOTION TO ADJOURN/ACTION:

Councilman Roman F. Reed moved to adjourn the Regular Session of the City Council of the City of Bellaire, Texas, at 9:51 p.m. on Monday, October 15, 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

Respectfully submitted,

[Signature]
Tracy L. Dutton, TRMC
City Clerk
City of Bellaire, Texas

Approved:

[Signature]
Philip L. Nauert, Mayor
City of Bellaire, Texas