CITY COUNCIL MEETING MINUTES
MONDAY, APRIL 15, 2013

The City Council of the City of Bellaire, Texas, met in Regular Session on Monday, April 15, 2013, 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, April 15, 2013.

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

Mayor Philip L. Nauert announced that a quorum was present consisting of himself and all members of City Council as follows: 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 – Councilman Pat B. McLaughlan.

Councilman Pat B. McLaughlan provided the inspirational reading for the evening.

D. PLEDGES TO THE FLAGS – Councilman Pat B. McLaughlan.

1. U.S. PLEDGE OF ALLEGIANCE.

2. PLEDGE TO THE TEXAS FLAG.

Councilman Pat B. McLaughlan led the audience and members of City Council in the U.S. Pledge of Allegiance and the Pledge to the Texas Flag.

Mayor Philip L. Nauert acknowledged the terrible tragedy (multiple casualties resulting from two explosions) that occurred near the finish line of the Boston Marathon (Boston, Massachusetts) earlier this afternoon. Although not officially classified as terrorism, Mayor Nauert indicated that he believed the goal of terrorism was for some person or persons to get the rest of the people to change how they did things. In light of that, Mayor Nauert
advised that we were not going to change anything this evening. The meeting would continue as it ordinarily did. This way, the terrorists did not win.

E. PROCLAMATIONS:

1. ISSUANCE of a proclamation by Mayor Philip L. Nauert proclaiming the week of April 14-20, 2013, as “National Library Week” in the City of Bellaire, Texas, in honor, celebration, and recognition of our librarians and library staff who continue to work to meet the challenging needs of our community and provide residents with life-long learning opportunities – Item submitted by City Clerk Tracy L. Dutton on behalf of Director of Library Mary Cohrs and the Bellaire City Library; Issuance and presentation of proclamation by Mayor Philip L. Nauert.

Mayor Philip L. Nauert read the proclamation he had issued proclaiming the week of April 14-20, 2013, as “National Library Week” in the City of Bellaire, Texas, in its entirety. At the conclusion of the reading, Director of Library Mary Cohrs accepted the proclamation on behalf of the Bellaire City Library.

2. ISSUANCE of a proclamation by Mayor Philip L. Nauert proclaiming the week of May 12-18, 2013, as “Police Week” in the City of Bellaire, Texas, in commemoration of law enforcement officers, past and present, who unceasingly provide a dedicated and vital public service to their community and by proclaiming May 15, 2013, as “Peace Officers’ Memorial Day” in the City of Bellaire, Texas, in honor of those law enforcement officers who, through their courageous deeds, have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty – Item submitted by City Clerk Tracy L. Dutton on behalf of Police Chief Byron Holloway and the Bellaire Police Department; Issuance and presentation of proclamation by Mayor Philip L. Nauert.

Mayor Philip L. Nauert read the proclamation he had issued proclaiming the week of May 12-18, 2013, as “Police Week” and proclaiming May 15, 2013, as “Peace Officers’ Memorial Day” in the City of Bellaire, Texas, in its entirety. At the conclusion of the reading, Chief of Police Byron Holloway accepted the proclamation on behalf of the Bellaire Police Department.

Mayor Nauert asked members of City Council if there were any objections to moving the METRO Update (agenda item H.1.) forward at this point in the meeting. After noting no objections, agenda item H.1. was considered at this time.
H. REPORT(S):

1. METRO UPDATE – introduction of METRO’s new interim President and Chief Executive Officer Thomas Lambert, as well as discussion of the recent METRO Referendum, which was successfully supported by area voters in November of 2012 for the extension of METRO’s General Mobility Program through the year 2025 for road, bridges, sidewalks, and other non-transit projects – Item submitted by City Manager Bernard M. Satterwhite, Jr., on behalf of METRO; Presentation by METRO Board Chairman Gilbert Garcia.

Cindy Siegel, Board Member, Metropolitan Transit Authority of Harris County, Texas (METRO), addressed City Council and advised that METRO was present this evening to thank Bellaire for their support of the referendum that took place this past November. She indicated that she was the newest member on the Board and one of the two representatives for Bellaire and the other multi-cities in METRO’s service area.

Ms. Siegel stated that she appreciated Mayor Nauert’s support, as well as the support of the Bellaire City Council, in helping to get the mobility referendum passed. She indicated that METRO’s Board Chairman, Gilbert Garcia, also put a great deal of effort in trying to bring together the various interests within the region. Bellaire was in a unique “mobility” position with a major freeway through its center, as well as major streets traveled by thousands of cars and buses. At some point in the future when METRO could afford to complete its rail line, Bellaire would be the only small city among the various multi-cities that would have rail within its city limits.

Ms. Siegel closed by introducing the Chairman of the METRO Board—Gilbert Garcia.

Gilbert Garcia, Chairman of the Board of Directors, METRO, thanked the City Council for the opportunity to address them. He reminded everyone that there were nine members on the METRO Board—five appointed by the Mayor of Houston, two appointed by the multi-cities (Cindy Siegel of Bellaire and Burt Ballanfant of West University Place), and two appointed by Harris County.

Chairman Garcia introduced METRO officials that were present this evening as follows: Tom Jason, Head of Intergovernmental Relations; Russ Frank, Chief of Staff and Assistant to the Chief Executive Officer; Tom Lambert, Interim Chief Executive Officer; Cindy Siegel, Board Member; and Burt Ballanfant, Board Member.
Chairman Garcia noted that Interim Chief Executive Officer Tom Lambert was actually the most senior person at METRO having been there for 34 years.

**Interim Chief Executive Officer (Interim CEO) Tom Lambert, METRO,** thanked the Bellaire City Council for the opportunity to address them this evening. He echoed a statement made earlier by Board Member Cindy Siegel in that METRO was really a mobility agency. METRO was 70% complete on the infrastructure of its three rail lines; and was also focusing back on buses. He advised that METRO wanted to do everything possible to make sure that it provided a quality service that was easy to use, reliable, and safe.

In closing, Interim CEO Lambert thanked City Manager Bernard M. Satterwhite, Jr., for spending time with METRO regarding budgets.

Interim CEO Lambert returned the floor to Chairman Garcia.

**Chairman Garcia** displayed a map of METRO’s service area going back to 2003 in order to show the results of METRO's 2003 Referendum. The 2003 Referendum introduced METRO Solutions, consisting of additional rail lines, additional transit centers, and additional bus routes. The 2003 Referendum was very controversial because of the proposed expansion of rail. The map indicated that the inner city service area was for rail and the remainder of the service area was against rail.

The 2003 Referendum called for a second referendum in 2012 to determine what should be done with METRO’s mobility dollars. The results of the 2012 Referendum were dramatically different from the results of the 2003 Referendum. Utilizing a second map of METRO’s service area, Chairman Garcia pointed out that almost the entire service area supported the 2012 Referendum.

The solution proposed and successfully supported in the 2012 Referendum continued road payments and provided additional funds, over time, to METRO to do two things—pay down the debt that occurred over the last ten years (short-term debt) and to increase and expand the bus system.

Chairman Garcia thanked everyone in Bellaire for their hard work and support on the 2012 Referendum, then referred to another topic that was important to Bellaire—the Post Oak Line. He indicated that METRO felt that it was critical to solve the transit needs along the Post Oak corridor. The resulting congestion in the area was probably the single inhibitor to growth in the area. He advised that there was a plan to build a bus rapid transit network in the area—not rail.
The referenced bus rapid transit network would connect the northwest transit center, move along Interstate Highway 610 back to Post Oak, then to the new transit center right around the corner from Bellaire. Chairman Garcia noted that everyone had come together on this project. For example, METRO was putting some money into the project; the businesses along the line were putting in one-half of the funding needed for the project; the Houston-Galveston Area Council was putting some money into the project; and the Texas Department of Transportation (TXDOT) was putting some money into the project.

Burt Ballanfant, Board Member, METRO, thanked Chairman Garcia for his presentation. He clarified that the transit center referred to in the presentation was the one on Westpark and not the one on Bellaire Boulevard.

Mayor Philip L. Nauert thanked METRO for their presentation. He referred to the amount of time that Cindy Siegel dedicated to Bellaire, which was impressive. He noted that Burt Ballanfant also dedicated a significant amount of time to his community, West University Place.

Mayor Nauert applauded Chairman Garcia, noting that the smaller communities had not always gotten along with METRO. He advised that Chairman Garcia had stated a commitment to a positive outcome, and he had done so by staying the course and ensuring that METRO and the smaller communities had a solution that all could embrace. Mayor Nauert advised that he wished to continue that feeling of cooperation and fellowship with METRO.

Mayor Nauert next invited members of City Council to ask questions of Chairman Garcia regarding his presentation. Following questions from members of City Council, the METRO Update was concluded and the remainder of the agenda was considered in the order in which it was written.

F. APPROVAL OR CORRECTION OF MINUTES:

1. CONSIDERATION of and possible action on the approval and adoption of the minutes of the Special Session (Executive Session) of the City Council of the City of Bellaire, Texas, held on Monday, April 1, 2013 — Item submitted by City Clerk Tracy L. Dutton.

CITY COUNCIL MOTION TO APPROVE AND ADOPT MINUTES/ACTION:

Mayor Pro Tem Amanda B. Nathan moved to approve and adopt the minutes of the Special Session (Executive Session) of the
City Council of the City of Bellaire, Texas, held on Monday, April 1, 2013. Councilman James P. Avioli, Sr., seconded the motion.

The motion to approve and adopt the minutes 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 and adoption of the minutes of the Regular Session of the City Council of the City of Bellaire, Texas, held on Monday, April 1, 2013 – Item submitted by City Clerk Tracy L. Dutton.

CITY COUNCIL MOTION TO APPROVE AND ADOPT MINUTES/ACTION:

Mayor Pro Tem Amanda B. Nathan moved to approve and adopt the minutes of the Regular Session of the City Council of the City of Bellaire, Texas, held on Monday, April 1, 2013. Councilman Roman F. Reed seconded the motion.

The motion to approve and adopt the minutes carried unanimously on a 7-0 vote as follows:

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

OPPOSED: None

ABSENT: None

G. PERSONAL/AUDIENCE COMMENTS.

Lynn McBee addressed City Council and noted how impressive the representatives of METRO were during their earlier presentation to City Council. She referred to the monies Bellaire had received in past years and would continue to receive from METRO for some of Bellaire's projects (most
notably, the reconstruction of Baldwin Avenue). Ms. McBee expressed concern that members of the City Council had not thanked METRO this evening for that funding.

Secondly, Ms. McBee indicated that she had not seen any curb repairs by the City over the last two weeks nor had she seen cabling in the Civic Center to enable the City to webcast events from that facility. She urged City Council to speed those projects along.

H. REPORT(S):

1. METRO UPDATE - introduction of METRO's new interim President and Chief Executive Officer Thomas Lambert, as well as discussion of the recent METRO Referendum, which was successfully supported by area voters in November of 2012 for the extension of METRO's General Mobility Program through the year 2025 for road, bridges, sidewalks, and other non-transit projects - Item submitted by City Manager Bernard M. Satterwhite, Jr., on behalf of METRO; Presentation by METRO Board Chairman Gilbert Garcia.

   Note: This item was considered earlier in the evening. See pages 3-5 of these minutes for the METRO Update.

2. CITY MANAGER'S REPORT regarding residential safety (police activity report), public infrastructure/utilities (major projects report and Evergreen pool update), communications/technology (Laserfiche upgrade), internal operations/productivity (planning calendar update), quarterly indicators (crime and building permits), 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 April 15, 2013, to members of City Council. Following questions from members of City Council regarding City Manager Satterwhite's report, a motion was made and action taken to accept the report into the record.

   CITY COUNCIL MOTION TO ACCEPT REPORT INTO THE RECORD/ACTION:

   Councilman Roman F. Reed moved to accept the City Manager's Report dated April 15, 2013, as submitted and presented by City Manager Bernard M. Satterwhite, Jr., into the record. Councilman Pat B. McLaughlan seconded the motion.
The motion to accept the City Manager's Report into the record 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. FY2013 MID-YEAR BUDGET REVIEW to include information regarding the status of the current budget year; information regarding possible substantial changes to expected revenues and/or expenditures; possibility/probability of needed adjustments and impacts to fund balances; Capital Improvement Program (CIP) updates; challenges moving forward into FY2014; and FY2014 budget process overview – Item submitted by City Manager Bernard M. Satterwhite, Jr.

Assistant City Manager (ACM) Diane K. White presented the 2013 Mid-Year Budget Review to members of City Council.

ACM White advised members of City Council that revenues were on target and expenditures were tracking at this time. During the evening's presentation, ACM White indicated that she would summarize some of the budgetary impacts that might occur at the end of the 2013 fiscal year and would provide a preview of the 2014 budget process.

She noted that in order to develop budget parameters for each fiscal year, City Staff analyzed the Municipal Cost Index (MCI) or the cost of providing municipal services. The MCI from March 2012 to March 2013 increased approximately 2%.

Debt Service Fund

With respect to the current budget, it was noted that 98.7% of the property taxes apportioned to the Debt Service Fund had been collected to date.

General Fund (Operating Fund)

ACM White advised that revenues and expenditures were on target in the General Fund. Some revenues were coming in higher than expected, such as permits and park rentals.
It was noted that 78% of revenues in the General Fund had been collected (or $11.6 million out of a $14.8 million budget), and 47% of the budgeted expenditures had been incurred to date. Additionally, $500,000 in expenditures had been encumbered.

**Enterprise Fund**

ACM White advised that revenues were on target, with water sales collections at 51%, wastewater at 52%, solid waste at 50%, and all other revenues were either on target or slightly above target. ACM White advised further that operating expenses in the Enterprise Fund were tracking on target.

Total revenue collections for the Enterprise Fund as of March 31, 2013, were noted to be $3.7 million or 51% of the total budget of $7.3 million.

ACM White indicated that there were $1.4 million in encumbrances in the Enterprise Fund (a majority of which was attributable to surface water purchases from the City of Houston), and that the City had expended 45% of its budget (or $3.6 million).

**Capital Improvement Program (CIP)**

ACM White advised that there were two CIP projects that were either over budget or unbudgeted as follows:

- 150-Ton Chiller for City Hall (unbudgeted expenditure); and
- Ground Water Storage Tank Rehabilitation Project at the Central Water Plant (bid slightly over budget).

She noted that City Staff would return to City Council at year-end to amend the budget for the referenced items/projects.

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

ACM White stated that the VET Fund was on target. She highlighted several purchases, as follows: patrol vehicles (3), refurbished ambulance, public safety equipment (such as body armor, radios, and playground resurfacing), and technology (such as software upgrades and hardware upgrades).
**General Fund Potential Budget Impacts**

Potential General Fund budget impacts or "watch list" items for which budget amendments might be needed (unanticipated or unbudgeted items) were cited by ACM White as follows:

**Overall (citywide):**
- Sick Leave Sell Back - $10,572

**Organizational Services:**
- Disaster Recovery for Incode (server crashes) - $9,000;  
- City Manager and City Clerk Raises - $13,000; and  
- Codification - $2,500.

**Finance:**
- Overtime for Municipal Court (related to server crashes) - $13,750;  
- Increase in Compensation and Docket Rates for Municipal Court Judges and Prosecutor - $4,834; and  
- Pro-Rated Taxes related to Property Purchased by City at 5119 Jessamine Street - $1,087.

**Facilities:**
- Demolition of Structure at 5119 Jessamine Street - $21,299; and  
- Electrical Usage Related to New Chiller at City Hall – Unknown.

**Parks and Recreation:**
- Evergreen Pool Complex Damage – Contingent on Reimbursement from Insurance.

**Police:**
- Personnel Vacancies - $5,500.

**Fire:**
- Retirement of Long-Tenured Firefighter (Robert Kowis) - $26,000.
Community Development:
No foreseen budget impacts.

Library:
No foreseen budget impacts.

Public Works:
- Street Sweeper Repairs - $3,000.

Enterprise Fund Potential Budget Impacts
ACM White advised that there were no real budget impacts to report at this time for the Enterprise Fund.

CIP Fund Potential Budget Impacts
Budget impacts to the CIP Fund were cited earlier in ACM White’s presentation. Those items consisted of the following:
- Water Storage Tanks Rehabilitation Project for Central Water Plant - $80,915; and
- 150-Ton Chiller for City Hall - $96,690.

Special Revenue Fund Potential Budget Impacts
ACM White advised that a budget amendment would be needed for the City’s Special Revenue Fund. Reference was made to funding provided to the City by the Harris County Commissioners Court for maintenance and operations of The Nature Discovery Center located in Russ Pitman Park. The City budgeted $10,000 for that funding this past fiscal year, but received $20,000. A budget amendment would be presented to reflect the amount received.

FY2014 Proposed Budget Calendar
The budget process, in the form of a calendar, was next provided by ACM White. It was noted that City Staff was currently working on a budget resolution to bring to City Council on May 6, 2013, and that a Pre-Budget Communication Workshop Session was scheduled to be held on June 24, 2013.

Following questions from members of City Council regarding ACM White’s presentation, a motion was made and action taken to accept the FY2013 Mid-Year Budget Review into the record.
CITY COUNCIL MOTION TO ACCEPT REPORT INTO THE RECORD/ACTION:

Councilman Pat B. McLaughlan moved to accept the FY2013 Mid-Year Budget Review, as submitted and presented by Assistant City Manager Diane K. White, into the record. Councilman James P. Avioli, Sr., seconded the motion.

The motion to accept the FY2013 Mid-Year Budget Review into the record 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

I. NEW BUSINESS:

1. ADOPTION OF ORDINANCES:

Bid Award/Agreement:

a. CONSIDERATION of and possible action on a recommendation from the Bellaire Parks and Recreation Department and Clark Condon Associates, Landscape Architects, to award Bid No. 13-006, Bellaire Town Square – Multi-Purpose Great Lawn, to the lowest responsive bidder, D. L. Meacham, L.P., in an amount not to exceed $654,584.00 for the provision of services, labor, and equipment necessary for the construction, demolition, site development, pathway system, lighting, and site amenities for the Bellaire Town Square – Multi-Purpose Great Lawn area (base bid in the amount of $638,230.00) and for the provision of services necessary for the construction, demolition, and site preparation for a sidewalk and shade structures next to the tennis court located in Bellaire Town Square (add alternate in the amount of $16,354.00) 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 D. L. Meacham, L.P., for said services in an amount not to
CITY COUNCIL MAIN MOTION:

Councilman Pat B. McLaughlan moved to approve a recommendation from the Bellaire Parks and Recreation Department and Clark Condon Associates, Landscape Architects, to award Bid No. 13-006, Bellaire Town Square – Multi-Purpose Great Lawn, to the lowest responsive bidder, D. L. Meacham, L.P., in an amount not to exceed $654,584.00 for the provision of services, labor, and equipment necessary for the construction, demolition, site development, pathway system, lighting, and site amenities for the Bellaire Town Square – Multi-Purpose Great Lawn area (base bid in the amount of $638,230.00) and for the provision of services necessary for the construction, demolition, and site preparation for a sidewalk and shade structures next to the tennis court located in Bellaire Town Square (add alternate in the amount of $16,354.00) 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 D. L. Meacham, L.P., for said services in an amount not to exceed $654,584.00. Mayor Pro Tem Amanda B. Nathan seconded the motion.

Following questions from members of City Council, action was taken on the motion to award Bid No. 13-006, Bellaire Town Square – Multi-Purpose Great Lawn, to D. L. Meacham, L.P.

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: 13-023}
Code Amendment

b. CONSIDERATION of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, amending Chapter 2, Administration, Article I, In General, of the Code of Ordinances of the City of Bellaire, Texas, by adding a new Section 2-5, to be entitled “City Departments,” for the purpose of clarifying the official departments of the City — Item submitted by City Manager Bernard M. Satterwhite, Jr., and City Attorney Alan P. Petrov.

CITY COUNCIL MAIN MOTION:

Mayor Pro Tem Amanda B. Nathan moved to adopt an ordinance of the City Council of the City of Bellaire, Texas, amending Chapter 2, Administration, Article I, In General, of the Code of Ordinances of the City of Bellaire, Texas, by adding a new Section 2-5, to be entitled “City Departments,” for the purpose of clarifying the official departments of the City. Councilman Roman F. Reed seconded the motion.

Councilman Andrew S. Friedberg indicated that he wished to offer four changes or amendments to Appendix A of the proposed ordinance. With respect to enumerated item (2), Police, under subsection (a), Departments; duties; heads, Councilman Friedberg suggested clarifying the police department’s responsibilities for records/computer operations by inserting the phrase “law enforcement” before the phrase “records/computer operations.” It was noted that the police department was not responsible for the records or computer operations in other city departments.

With respect to enumerated item (4), Community Development, it was noted that the Community Development department was responsible for both code compliance and enforcement. Councilman Friedberg suggested adding the phrase “and enforcement” after the phrase “code compliance.”

Enumerated item (7), Facilities, contained the acronym “HVA,” which Councilman Friedberg assumed should have been “HVAC” (heating, ventilation and air conditioning). He suggested the addition of the letter “C” after “HVA.”

The fourth amendment suggested by Councilman Friedberg related to enumerated item (10), Legal, was to change the term “employed” to the term “retained.” It was noted that the
City Attorney was not an employee of the City and that the term “employed” might be misleading or confusing.

CITY COUNCIL AMENDMENT (NO. 1) TO MAIN MOTION:

Councilman Andrew S. Friedberg moved to amend enumerated items (2), (4), (7), and (10) under subsection (a), Departments; duties; heads, of Section 2-5, City Departments, of the Code or Ordinances of the City of Bellaire, Texas, all as set out in Appendix A of the referenced ordinance by adding a phrase or by deleting and changing the wording in said enumerated items under subsection (a) as follows (additions appear in bold typeface; deletions have been struck through):

Section 2-5. City Departments.

(a) Departments; duties; heads. Every employee is assigned to a department. The departments of the city are:

(2) Police. The police department is responsible for emergency communications, traffic enforcement, crime prevention, criminal apprehension and investigation, law enforcement records/computer operations, limited code enforcement, animal control, warrant management, community information and education services, and municipal jail operations. The department head is the chief of police.

(4) Community Development. The community development department is responsible for coordinating city planning and economic development efforts, implementation of the subdivision and zoning ordinances, code compliance and enforcement, zoning administration, and development services (registration, plan review, permitting and inspection). The department head is the director of community development.

(7) Facilities. The facilities department is responsible for management of facilities contractual agreements, overall facilities maintenance, including HVAC systems, fire safety and security systems, electrical and plumbing systems and other components necessary to
provide a comfortable environment for Bellaire patrons, and facilities project management. The department head is the director of facilities management.

(10) Legal. The legal department is the legal advisor of the council and of all offices and departments, and of all officers and employees in matters relating to their official powers and duties. Additionally, the legal department shall perform such other duties as may be specified by the council. The department head shall be the city attorney, who shall be employed retained by the city council.

Councilman Corbett Daniel Parker seconded the amendment to the main motion.

CITY COUNCIL ACTION ON AMENDMENT (NO. 1) TO MAIN MOTION:

The amendment (no. 1) to 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

Following questions from the City Council of the City Manager and City Attorney related to the proposed ordinance, as amended, action was taken.

{Continued on next page}
CITY COUNCIL ACTION ON MAIN MOTION, AS AMENDED:

The main motion, as amended, 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: 13-024}

2. ITEM FOR INDIVIDUAL CONSIDERATION:

CONSIDERATION of and possible action regarding the adoption of an annual reporting requirement as a means for the enforcement of conditions in specific use permits – Item submitted by Councilman Andrew S. Friedberg.

Councilman Andrew S. Friedberg referred to two instances within the last month or so wherein City Council had adopted annual reporting requirements in association with the issuance of specific use permits. He noted that he proposed the agenda item this evening while the issue was still fresh in the minds of City Council, but he did not wish for Council to see this agenda item as “tied to” the last two specific use permits as it was an independent question that had come up from time to time concerning whether the City was doing a good job of enforcing conditions that had been imposed in the past as well.

CITY COUNCIL MAIN MOTION/ACTION:

Councilman Andrew S. Friedberg moved to adopt an annual reporting requirement as a means for the enforcement of conditions in specific use permits. Councilman Corbett Daniel Parker seconded the motion.

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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

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

Community interest items from the Mayor and City Council included expressions of sympathy, sorrow, and condolences to the people of the City of Boston, Massachusetts, on the tragedy suffered earlier in the day during the Boston Marathon resulting from two explosions; expressions of thanks and congratulations to the Patrons for Bellaire Parks and the Parks and Recreation Department for Tents 'n Town and to the Parks and Recreation Department for the Trolley Run; expression of thanks to Director of Public Works Joe Keene for his quick responses to residents during the previous week; and reminders were given for National Day of Prayer (May 2nd at noon in the gazebo located in Bellaire Town Square) and for the 2nd meeting of the Ad Hoc Wayfinding Committee (April 22nd at 10:30 a.m. in the Council Conference Room at City Hall).

Councilman Corbett Daniel Parker thanked Houston Councilman Mike Laster and Richard Rodriguez for speaking to and providing education on their economic development efforts and future plans to the Bellaire Business Alliance; and requested a future Workshop Session for members of City Council to get together and discuss specific priorities of each Councilmember and actionable steps to be taken to accomplish the high level goals set out by City Council, and hold each member of City Council accountable.

K. ADJOURNMENT.

CITY COUNCIL MOTION TO ADJOURN/ACTION:

Councilman Pat B. McLaughlan moved to adjourn the Regular Session of the City Council of the City of Bellaire, Texas, at 8:38 p.m. on Monday, April 15, 2013. Councilman Roman F. Reed seconded the motion.
The motion to adjourn 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