The City Council of the City of Bellaire, Texas, met in Regular Session on Monday, August 5, 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 7:03 p.m. on Monday, August 5, 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, 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.

E. APPROVAL OR CORRECTION OF MINUTES:

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, July 15, 2013 – Item submitted by City Clerk Tracy L. Dutton.
CITY COUNCIL MOTION TO APPROVE MINUTES:

Councilman Corbett Daniel Parker moved to approve and adopt the minutes of the Regular Session of the City Council of the City of Bellaire, Texas, held on Monday, July 15, 2013. Councilman Roman F. Reed seconded the motion.

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

Councilman Andrew S. Friedberg moved to amend page 12, line 546, of the July 15, 2013, minutes as follows:

"... moved to amend the main motion to eliminate, at this time, the issuance of $1.56 million in bonds for facilities and approve only the issuance of $6,000,000 in General Obligation Bonds, Series 2013, for street and drainage improvements under the amount authorized in the Rebuild Bellaire Bond Program."

Additionally, Councilman Friedberg wished to add language after the amendment on page 12, line 546, of the July 15, 2013, minutes explaining the reasoning for the amendment as follows:

"While Councilman Friedberg was satisfied by City Staff's rationale for holding money in reserve for facilities and understood the plans that were contemplated for use of the funds, much like for streets and drainage, he felt that because the costs of Staff's approach had not been quantified, the record could not support the recommendation for the issuance of $1.56 million for facilities at this time."

A final amendment to the minutes dated July 15, 2013, suggested by Councilman Friedberg on page 13, line 574, was a correction in the vote from "carried unanimously on a 6-0 vote" to "carried unanimously on a 7-0 vote," as all members of City Council were present that evening.

Councilman Corbett Daniel Parker seconded the amendment (no. 1 of 1) to the main motion.

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

The amendment (no. 1 of 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

CITY COUNCIL ACTION ON THE 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

*One amendment was made to the main motion.

F. PERSONAL/AUDIENCE COMMENTS.

John Monday addressed City Council and referred to item H3 on the agenda (an item regarding the issuance of bonds for facilities, etc.) and indicated that the item no doubt reflected the collective wisdom of the City Council or, perhaps, not. He suggested that the item might just be something that the bond raters had told the City.

With the City’s much deserved AAA rating, the City had the wherewithal to borrow $21 million more on top of the current principal outstanding from previous bond sales of $68.4 million. According to the 2014 proposed City budget, the City’s total debt service (principal and interest [a key part]) was $93.5 million, with the final principal and interest payment made in 2036.

Factoring in the debt service on the particular bond issue before City Council, the $21 million came a little closer to $40 million and would increase the City’s total debt service over $100 million up to approximately $130 million, in former Councilman Monday’s estimation.

The City had gone from $0 to $100 million in a pretty short amount of time. Former Councilman Monday asked City Council to “ease their foot off of the gas pedal a little bit” and reminded them that there was a reverse gear. Having served two terms as a Bellaire Councilman, he understood how hard it was to forget and how hard it was to remember.

If City Council opted to move ahead with agenda item 3, which former Councilman Monday did not support, the ballot language should inform the voters of the true and total cost, including interest. He referred to the type of
information typically reported on a credit card statement and suggested that City Council consider the same disclosure with respect to the proposed bond issuance. In former Councilman Monday’s opinion, to do so would reflect good judgment on the part of City Council.

As a voter, former Councilman Monday would not consider voting “yes” unless the amounts were cut in half for each item. The City would still maintain its AAA rating, would get the job done of housing City Staff to accomplish the City’s business, and improve the City’s green space. To reduce the request by half would be good judgment in his opinion and, perhaps, would appear less like the conspicuous consumption of Wall Street financiers.

Twenty million dollars seemed to former Councilman Monday, like buying Teslas for City vehicles when the task required could be accomplished with something at one-half the cost.

In closing, former Councilman Monday asked City Council to politely ignore the City’s bond raters’ advice and give themselves time to rethink by tabling item number 3. He closed by thanking City Council for all of their hard work.

**Zachary Kee** addressed City Council and indicated that he was from Boy Scout Troop 688 and was working on his “Citizenship in the Community” merit badge.

Mr. Kee indicated that he was present this evening to talk about the ever-growing concern he had with respect to lawn services blowing leaves, trash, and rocks down the City’s drainage pipes. Having seen this horrible affair right before his own eyes, Mr. Kee decided that the topic would be a great one for discussion this evening.

Mr. Kee, as well as members of Troop 688, had placed 100 stickers on drainage pipes throughout the City to slow the problem; however, it did not seem to help at all. He was proposing that a law be formed to help stop the problem. He felt that the law should state that whoever was caught by or reported to police for dumping leaves and grass clippings should receive a fine from $150 to $200 at most.

Since Mr. Kee felt that people would like to have money, a fine might encourage them to stop dumping things down the drainage pipes. He closed by stating that he hoped City Council would seriously consider his proposition.

**Keith Rubenstein** addressed City Council and advised members of the audience that he was the President of the Evelyn’s Park Conservancy Board (“Board”). With respect to the Board’s fundraising efforts for Evelyn’s Park, he wished to share a few comments that the Board had received from foundations they contacted for funding, as well as to comment on the bond proposition’s referendum for funds for use in the development of Evelyn’s Park.
Mr. Rubenstein stated that the goal of the Board was to raise 100% of the funds needed through foundations, corporations, and private citizens. To date, the Board had raised approximately $750,000 from the community. The Board was currently working on the funding for a $500,000 challenge grant that was slated to expire on November 30, 2013, and had raised approximately $75,000 against the challenge grant.

Additionally, four proposals were submitted to local foundations, and the Board was in the process of working on six more proposals. Every foundation that the Board had called upon, and for which Mr. Rubenstein had personally attended every meeting, had asked what the City of Bellaire was contributing to the $26.7 million park. To date, his answer had been "$100,000." The question the foundations were asking was "why should our foundation contribute to a park that the City of Bellaire was not contributing to?"

Mr. Rubenstein requested City Council’s support in placing a proposed bond referendum on this November’s ballot for voters to have the opportunity to consider partially paying for the development of Evelyn’s Park through the issuance of bonds. As stated earlier, the Board’s goal was to raise 100% of the funds needed. If the Board was successful, the bonds would not have to be issued or, if the referendum language allowed for it, the bonds could be used for other Bellaire parks.

Mark Davidson addressed City Council regarding Bellaire Court. He noted that one of City Council’s agenda items this evening was for a public works program that included work on Bellaire Court. He did not oppose, nor did anyone on the street oppose, the public works program. Mr. Davidson indicated that Bellaire Court was falling apart and urged City Council to check the western edge of the street to see how dangerous it had become.

However, 27 of 28 residents of Bellaire Court were opposed to the proposal to build a sidewalk on the inner portion of Bellaire Court. The residents were not unaware and generally supported the policy of the City Council to require that sidewalks be installed whenever a street was repaired. In 99% of the streets of Bellaire, that policy made sense to Mr. Davidson. He noted that on the through streets, sidewalks encouraged people to walk and ride bikes on sidewalks. Bellaire Court was different—it was a u-shaped street and no one traveled the street unless they lived on the street, were visiting someone on the street, or were really lost.

In addition, the installation of the sidewalks on Bellaire Court would demonstrably require the destruction of three trees that appeared to date back to the 1947 development of the street, as well as other greenery and bushes that had been planted. Furthermore, since the root supply system for many streets had been cut off to one side, even where the proposal was to put a curve in the sidewalk, the installation would result in hurting the root system at the base of the referenced trees. Mr. Davidson was also aware of the fact that the engineers who had designed the sidewalk stated they would
do everything they could to preserve as many trees as possible. Doing everything we could, in Mr. Davidson's opinion, was not quite enough. He urged City Council to save the trees.

Further, Mr. Davidson advised that the plans submitted to City Council called for curved sidewalks. Curved sidewalks were potentially a hazard to people riding their bikes resulting in possible liability to the City or homeowner per Mr. Davidson. In closing, he indicated that residents on Bellaire Court supported the public works program and the street repair and thanked City Council for the work they had done to make the City better and Bellaire Court better.

Vaughn Davidson addressed City Council regarding Bellaire Court and noted that the previous speaker, Mark Davidson, had eloquently stated the residents' position. It seemed to Mr. Davidson that since Bellaire Court did not really go anywhere, he could not imagine that the street could be considered as part of any mobility program the City had. He did not know what the cost per linear foot of a sidewalk was, but suggested that the funds could be better spent on many other areas of the City.

Mr. Davidson provided a copy of a petition completed by 27 of 28 residents indicating their opposition to the installation of sidewalks on the street. In closing, Mr. Davidson indicated that he appreciated all of the work that City Council did, noting that he understood that Council's work was frequently selfless and thankless.

Gary Smith addressed City Council regarding Bellaire Court and urged them not to install sidewalks on Bellaire Court as the sidewalks were unnecessary and there was no through traffic on the street.

Lisa Reyes addressed City Council regarding Bellaire Court and indicated that she was in agreement with the previous speakers regarding the installation of sidewalks on the street. She did not believe that a sidewalk was necessary nor would it benefit the residents. She urged City Council to listen to the pleas of the residents.

Susan Focke addressed City Council regarding Bellaire Court and advised that she was concerned that the installation of a sidewalk would cause issues for the plumbing pipes that each resident was required, at their expense, to move from the rear of their yards to the front. Ms. Focke asked for the money the City was spending to be spent wisely just on the street and not on the sidewalks as such an investment by the City would not benefit the residents on Bellaire Court.

Aileen McCormack addressed City Council regarding The Nature Discovery Center. She indicated that she had served on the Board of The Nature Discovery Center for five years and was completing her second and final year as President of the Board. She indicated that the Board was very proud of
the progress that had been made at The Nature Discovery Center ("Center") in an effort to continue to serve the community with programs, classes, and camps to inspire learning in a natural habitat. Ms. McCormack advised that the Center was very grateful to the Mayor and City Council for their continued and ongoing support.

Ms. McCormack advised that more could be done and plans had been developed for the Center to continue making improvements and updating the Henshaw House. The Board wished to optimize the space to best serve the children and community in a safe and appealing environment. The Board also wished to address the landscaping and hardscape around the Henshaw House ("House") for the purpose of creating an inviting, pleasing, safe and accessible entrance to the House and park. And last, but not least, Ms. Cormack advised that the Board wished to continue improvements to the habitat zones of the park, including ADA (Americans with Disabilities Act) compliant trails, so that all could enjoy what the Center and park had to offer.

It was also noted that one of the goals as a Board was to develop strategic plans to ensure the long-term success of Russ Pitman Park and the Center. To that end, the Board asked for City Council's consideration in funding $500,000 to support their efforts. As a resident, Ms. McCormack was thrilled to see the City make investments in parks. As a parent of children who frequented the Center when they were younger, the Center served a unique purpose in Bellaire. As the Board President, Ms. McCormack had seen, through the work of the employees of the Center, how they impact thousands of lives, whether through bird watching, camps, programs, birthday parties, or simply a peaceful walk through the park.

In closing, Ms. McCormack stated that the community counted on the Center for Spring Fling, Pumpkin Patch, and the ever popular Twilight to be held this November. She also indicated that she believed the Center complimented other parks in Bellaire. The unique services that the Center provided, coupled with the passion of staff and volunteers, had made the Center part of the fabric of the Bellaire community.

In closing, Ms. McCormack stated that the Center was also looking forward to Evelyn's Park and the synergies the Board was certain both parks could achieve together. As Bellaire considered investments in parks to take us into the next century, Ms. McCormack humbly asked City Council to consider an investment in the Center to allow them to make the necessary upgrades and improvements to be on par.

Marybeth Flaherty addressed City Council in support of agenda item 3 with the potential for a bond referendum language that would include $5,000,000 for Evelyn's Park.

Ms. Flaherty noted that she was a City-appointed member of the Evelyn's Park Conservancy Board ("Board") and the Immediate Past President of the
Board. Ms. Flaherty continued by providing a bit of history and encouragement for the City Council to consider when wording the bond referendum in favor of giving funds for the development of Evelyn’s Park. She advised that the Board was formed in a joint agreement between The Jerry and Maury Rubenstein Foundation, which gifted the land to the City, and the City itself (i.e., a public-private partnership). The public-private partnership did not mean that there was not some investment to be made by all parties. As mentioned earlier by Board President Keith Rubenstein, the investment from the City thus far was only $100,000.

The Board planned to continue funding 100% of the park development costs, if possible. There was a need to show that the City of Bellaire wanted to be vested in the park with the Board and be a partner in the public-private partnership.

Ms. Flaherty indicated that the $100,000 investment by the City did not make a lot of other people who had been asked to contribute rather large sums of money very excited about doing so. The five-acre tract of property known as Evelyn’s Park would never be available for this sort of development again. Bellaire was very lucky that the parkland sat in its city limits and not in someone else’s city limits.

Ms. Flaherty advised that Bellaire showed their love and support for parks, for example, as represented by the fact that long strides had been made and many years spent to acquire the properties now collectively known as Loftin Park. Having the opportunity, if necessary, to draw upon bonds would get the job done—which was why the Board was formed.

In closing, Ms. Flaherty asked City Council to consider wording in the bond language to allow for the funding to be available for other parks, such as The Nature Discovery Center, if not needed by Evelyn’s Park. The current park properties, such as The Nature Discovery Center, Evelyn’s Park, Bellaire Town Square, Bellaire Pool, and the Evergreen Pool helped make Bellaire a community.

**David Montague** addressed City Council and favorably recognized the City Manager for his recent budget and the scenarios he presented the previous week during a Budget Workshop Session, which Mr. Montague found to be very interesting. He looked forward to hearing City Council’s discussion this evening with respect to proposed bonds.

Mr. Montague advised that he could not replace what former Councilman Monday had stated earlier, other than to look at the numbers a little bit differently. He indicated that in looking at the budget, he was surprised to notice that 36% of the City’s property tax revenue went to debt service. If the contribution from the Enterprise Fund were removed, then approximately 43% of the City’s property tax revenue would go to debt service. If scenario B or C that City Manager Satterwhite presented last week was approved,
close to 50% of the City’s property tax revenue would go to debt service. Mr. Montague advised that he was a little uncomfortable with the amount of revenue going to debt service.

In looking at the proposed budget and performing his calculations, Mr. Montague advised that he might have “mangled the numbers,” as he was looking at them in a very simplistic fashion. He suggested that City Council think seriously about whether a new City Hall was really needed. He complimented both of the representatives from the Evelyn’s Park Conservancy Board (“Board”) for their goal of 100%. Mr. Montague suggested that City Council let them work toward that goal and not give them a backstop at this part of the game, noting that the Board was making great progress at this point.

In closing, Mr. Montague stated that he looked forward to hearing City Council’s discussion this evening and thanked them for their time and attention.

**Jeff Addicks** addressed City Council regarding agenda item H3. He advised that he served as Chair of the City’s Parks and Recreation Advisory Board (“PRAB”). Chair Addicks referred to subsection (3) of the agenda item, which read “to prepare any other propositions(s) and ballot language for the financing of other projects the City Council may direct herein.” Chair Addicks stated that he appreciated the comments made earlier by Marybeth Flaherty and Aileen McCormack in recognizing that the City still had some work to do in its other parks. Part of the charge of the PRAB was to perform an annual review of all of the City’s parks and make a determination as to any repairs, replacements, and/or revisions that needed to take place at the City’s parks. The PRAB had been performing annual reviews over the last several years. Unfortunately, the years had been very lean.

Mr. Addicks noted that the City had great parks and recreational facilities, but those parks and facilities had gotten a little shabby over the last few years. For example, there were benches that needed to be repaired, the pool house at the Evergreen Pool needed to be addressed, and the property currently housing the Evergreen Water Plant would become available after the plant was demolished and plans needed to be made for that property. The PRAB would like to have some funding to do something with that property.

He next referred to other projects that had been before the PRAB for some time, but had not been completed and cited the Paseo Park and Bellaire Town Square projects. Chair Addicks indicated that entities and individuals had been giving money towards those projects for a number of years, as had the City. The bond proposal before City Council this evening might provide an opportunity to fund those unfinished projects.

Chair Addicks, in closing, indicated that he would appreciate City Council’s consideration of the unfinished items in the Parks and Recreation Department.
In addition, Chair Addicks stated that he did not wish for City Council to think that the PRAB did not support the partial funding of Evelyn’s Park through bonds. The PRAB very much supported that partial funding, but asked City Council to keep in mind that the City had 14 other great parks that needed some work.

Keith Bowers addressed City Council regarding the high risk associated with the debt level under consideration by City Council. He indicated that he was opposed to incurring more debt and advised that the economy was not “out of the woods” yet and still very fragile.

Mr. Bowers stated that he had been trying to think about how the subject of replacing City Hall with a new one came to pass. In April of this year, a motion was made to investigate a combined building at $11.7 million. Based on the last workshop session City Council held on the issue, the cost to construct a combined building had increased by about 50%--to $17+ million on existing land and if constructed in another area of town, the cost rose to $24-25 million. This was quite different from the $11.7 million originally discussed.

In Mr. Bowers’ opinion, the City Hall building was perfectly adequate for another 40 years. He agreed that it did need some maintenance. Further, Mr. Bowers advised that City Council was not budgeting enough maintenance for the buildings and facilities that the town had a responsibility for—the City was running them down and using them up.

With respect to the issuance of bonds to partially fund Evelyn’s Park, Mr. Bowers was uncertain as to where that had come from, presumably from out of nowhere. He was told by someone that should know that the City needed to keep its nose out of Evelyn’s Park as it was run by the Conservancy. Mr. Bowers stated that he was not in support of the development plans for Evelyn’s Park and indicated that he had hoped for a park that would be along the lines of The Nature Discovery Center rather than an amusement park.

In closing, Mr. Bowers stated that there were too many variables in place right now—there seemed to be a rush to get everything on a bond election that could be held jointly with the City’s general election. He encouraged City Council to stop and think about what they were asking the citizens of Bellaire to do. He promised that he would do his utmost to see that the bond election was defeated. In closing, he reiterated that City Council was going too far too fast. He thanked City Council for their work, noting that each did a wonderful job and tried hard to make their best decision.

Lynn McBee began by expressing her thanks to the citizens who showed up to tell and direct City Council as to what they wanted this evening. She stated that it was difficult to choose what to speak to this evening as there were so many wonderfully challenging issues.
The first issue on her list was H2c, the SWA Group Landscape Conceptual Plan, which was not so "conceptual" and for which $35,000 had been allocated in the previous budget. As Ms. McBee read the proposal, the City would get a review, conceptual development, and a break out of fees, costs, and additional possible consultant services. She told City Council that the proposal was not going to work. She had heard what City Council wanted to do with beautification and advised that the SWA Group would give City Council a whole lot more than they wanted and might cost $500,000 to $1,000,000 to implement. She urged City Council to vote the item down.

The second issue Ms. McBee wished to discuss was H2d, which was the Evelyn’s Park request to waive the prohibition on serving alcoholic beverages in the park. She had always opposed free drinking publicly, and still did, indicating that she drank alcohol privately, but not publicly. Ms. McBee noted further that the people attending the event would be driving to and from the event. She felt that it was absurd for City Council to continue their policy of waiving alcohol in the parks and in public buildings. She urged City Council to vote against the request.

Ms. McBee continued her comments on item H2d and noted that the paperwork submitted in the agenda packet requested a waiver in the policy from 12:00 p.m. to 12:00 a.m. She stated that the letter requesting the waiver indicated that the event would take place from "6:00 p.m. to 10:00 p.m." Ms. McBee indicated that if City Council decided in favor of the request, that the waiver be limited to some hours that were reasonable rather than the requested 12 hours.

Finally, Ms. McBee referred to item H3, the issue of general obligation bonds. She advised that she would love to see City Council table the agenda item until the next fiscal year. She did not believe that City Council should give the voters something this rapidly, while noting that City Council had been working on a possible issuance of bonds for some time, but was not quite there yet. To move this fast in a year when the City Council was going to replace their City Manager and had not even seen the qualifications that were being used to advertise for a new City Manager did not seem prudent to Ms. McBee. She felt that a new City Manager should be at the helm when City Council talked about financing and future bond indebtedness. Not to mention, that three current members were up for election plus the Mayor. This meant there was a potential of change in the leadership, as well as the composition. She asked why a new City Council voted should inherit some multi-million dollar bond issue and indebtedness. Although there would be a cost for the City have the bond election next year rather than this year with the general election, waiting was still important. She urged City Council to slow down and wait for the new City Manager and possible new Mayor and City Council and then decide what they really wanted to build and where.
Lisa Derenthal addressed City Council and advised that she and her husband were fortunate enough to own three properties in the beautiful little town of Bellaire. She also advised that she was serving her second year as a member of the Board of The Nature Discovery Center. Ms. Derenthal was also the parent of a child who spent her childhood enjoying the Bellaire parks, including The Nature Discovery Center ("Center").

Ms. Derenthal stated that she was definitely in support of the work that the Evelyn’s Park Conservancy Board was doing. She was very happy to see the creation of additional green space in Bellaire. She strongly urged City Council, as the leaders of the community, to broaden the aperture of the park-related bond referendum to include the Center because she felt the Center really deserved it.

To benefit the community overall, the City needed a wide variety of parks and green spaces. In the case of the Center, its benefits to the community were unique and quite different from the other City parks. The Center focused on education and historical preservation in a natural habitat. The benefits provided by the Center were complimentary to the other parks in the Bellaire system.

Ms. Derenthal advised that she had personally lived in many areas outside of Bellaire, but in the Houston area. She could see the benefits that Bellaire offered over every other area she had ever lived in. She could also see what other areas had begun to create in other parts of Houston, such as The Woodlands and the areas around Allen Parkway and Memorial Drive. Those areas were great examples of the green spaces and parks that were integral to a quality reputation, quality of life, and increased real estate values.

Ms. Derenthal shared an excerpt from a 2007 Texas A&M study that she had recently read that indicated a 20-32% increase in the property value for properties abutting or near well-maintained parks and green spaces. Bellaire had many parks that offered wonderful places to play and relax, compete, and enjoy. Some of the parks, such as the Center, helped define Bellaire. Like any valuable asset, the parks required a targeted investment to bring the asset up to par with the community.

In closing, Ms. Derenthal asked City Council to give consideration for the additional funding that Aileen McCormack mentioned earlier through the bond process of $500,000 for the Center as she believed its needs were urgent and that the timing was absolutely right.

Brenda Cauthen addressed City Council and advised that she was currently the President of the Patrons for Bellaire Parks and was a member of The Nature Discovery Center Board. She noted that the Patrons for Bellaire Parks had raised and donated over $1.5 million to the City for the development of Bellaire Town Square. The Nature Discovery Center ("Center") was basically self-sufficient with only limited assistance with utilities from the City. The
Board and employees of the Center worked endlessly to obtain the needed funds to continue to serve the community with programs, classes, and camps all designed to ignite life-long curiosity, understanding, and respect for nature through education.

Bellaire was very fortunate to have almost 50 acres of parkland spread over 14 parks from Bellaire Town Square and its Family Aquatics Center to the hidden jewel of Russ Pitman Park and the Center. She was proud that Bellaire had made such large investments in parks and green space. However, as had already been mentioned this evening, the City had not done a very good job of protecting its investments. Items needing attention had not been addressed for several years and many things had fallen in disrepair.

Ms. Cauthen stated that she was in support of the City providing some limited funding to help with the construction of Evelyn’s Park. However, she believed that there were other City parks that were in need of repairs, improvements, and large maintenance items.

Ms. Cauthen requested that all parks be considered in any funding that was provided in a bond election if that were the direction City Council chose to go. For example, the Family Aquatics Center had become an eyesore—the slides and other play items were severely faded. Ms. Cauthen did not know why those items had not been addressed but suspected that it had to do with money. It was a shame that such a nice facility had been neglected. Bellaire was not a poor community and should at least properly maintain its facilities and not just try to "get by."

Recently, the Patrons for Bellaire Parks ("Patrons") were told that if they could not fund the majority of an expenditure estimated at $165,000, then that expenditure, which was for signage within Bellaire Town Square, would be tabled by the City and not included in the 2014 budget. The Patrons worked extensively and hard to raise funds to donate to the City, and Ms. Cauthen did not believe that they should be considered the sole source of funds for Bellaire Town Square.

Further, the City had not contributed to major repairs and upkeep of the Henshaw House in Russ Pitman Park for years. Ms. Cauthen specifically requested and endorsed the request made earlier by Aileen McCormack for $500,000 to be used for repairs, safety improvements, and accessibility matters at the Henshaw House and throughout the park. Existing bathrooms needed updating. An outdoor hand washing station was sorely needed. The front driveway was severely cracked and was a trip hazard. The paths throughout the park were not all ADA compliant, to name just a few.

In addition, Councilman McLaughlan noted earlier that there were no cameras to monitor security at the park, therefore, someone could light a fire and burn the house down overnight.

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It was important to invest now so that the City could ensure long-term success and sustainability—both environmental and financial—at the Center in Russ Pitman Park. Ms. Cauthen also urged City Council to consider the funds needed for all Bellaire parks and not just Evelyn’s Park. She suggested that instead of a bond offering, City Council should consider raising the annual budget to provide for much needed maintenance at not only the parks, but as well as some of the facilities as had also been mentioned this evening. In closing, Ms. Cauthen thanked members of City Council for their service to the City.

Mayor Nauert, after noting that there were no further oral comments to be made, read one written comment received by email into the record as follows:

Dear Mayor Nauert and Bellaire City Council members:

I have been reading with interest about the possibility of a new city hall, police station, and municipal court (or some combination of the three facilities).

As you recall, after the last bond referendum passed, it was thought that City Hall only needed some minor remodeling. However, it was discovered upon further investigation that there were more serious structural issues with the foundation than originally thought. The City was told that the foundation work being done might end up being a "Band-Aid fix" at best. It is apparent to anyone walking through City Hall today that, unfortunately, the foundation continues to be a major problem with the facility and it is causing further damage to the building. (One just has to look to see this at the major crack down the wall in the Council conference room or the front doors that are almost impossible to open.)

It is time to allow the voters the opportunity to decide whether to build a new city hall. As part of that proposal, I would strongly urge you to present as one of the options for consideration to include building a new City Hall (and possibly the municipal court and/or police station) in Bellaire’s downtown area. This would free up green space in Bellaire Town Square for recreational uses. Additionally, it would alleviate the parking issues that currently exist when the Bellaire court is in session and there is another event, like a baseball game, swim meet, or something at City Hall. This would also improve the vehicular flow in this area and improve safety for Condit kids or families using the Bellaire Town Square facilities.

The City and multiple City Councils have tried for decades to improve Bellaire’s downtown area. The City has a drawer full of studies on ways to improve the quality of our downtown commercial area without much visible success. However, you now have an opportunity that no City Council has had in 30-40 years to actually make it happen.
Through my years on City Council, I heard arguments from some that Bellaire is a “City of Homes” and that we shouldn’t be putting any money into the business area. “Let the businesses do that,” some said. My counter argument is that it will become harder and harder over coming decades to maintain the quality of our Bellaire residential neighborhoods (and our strong residential tax base), if they reside next to a decaying or declining business area. Although, we have seen in recent years new businesses move into Bellaire and existing businesses make an investment in their properties, it is a fact that the growth of Bellaire’s commercial tax base has not kept pace overall with the growth of our residential tax base. Secondly, there is the negative financial impact to all of our wallets when our residential tax base increases while our commercial tax base stagnates. If the residential property tax base continues to increase, whereas the commercial tax base doesn’t or declines (over time), then the Bellaire homeowner ends up paying a bigger share of what it costs to run our city. Thirdly, a thriving downtown that provides services and products for our Bellaire residents improves the quality of all of our lives. I would much rather take 10 minutes to walk (or 3 minutes in a car) to shop in Bellaire’s downtown (and spend my dollars to local businesses and sales tax to Bellaire) or meet friends for dinner, than travel through clogged streets and freeways to Houston commercial areas. Lastly, as we all know – Bellaire is a city with a strong community spirit. I believe strongly that a vibrant downtown area with attractive restaurants and shops will add to our reputation as a “City of Homes” and promote that community cohesiveness, not detract from it.

You have the opportunity to change the fabric of our city that won’t occur again for another generation. I strongly urge you to consider the possibility of moving City Hall to the downtown area as one of the options that will be seriously pursued, if a bond referendum passes. We only have to look at surrounding cities, like Sugar Land, to see the commercial redevelopment spark that can be lit when a city hall is placed in the right area. That just didn’t happen without the drive and determination of the Sugar Land city leaders in building community support for their vision. Please keep our options open and don’t rule out the possibility of moving City Hall and/or other city facilities to the downtown area, if the right tract of land could be obtained.

Mayor Nauert and City Councilmembers, it will take your leadership and vision to make this happen. The results, however, will last for generations.

Sincerely,

Cindy Siegel

G. REPORT(S):

CITY MANAGER’S REPORT regarding Residential Safety (Police Activity Report), Public Infrastructure/Utilities (Major Projects Report), Cultural and
Recreational (Library activities and Camp activities), Communications/Technology (iPads for City Council), 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 July 15, 2013, to members of City Council. Following questions of City Manager Satterwhite regarding his report, a motion and second were made and action was taken to accept the report into the record.

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

Councilman Corbett Daniel Parker moved to accept the City Manager's Report dated July 15, 2013, as presented by City Manager Bernard M. Satterwhite, Jr., into the record. Councilman James P. Avioli, Sr., seconded the motion.

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

FOR: Mayor 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. ADOPTION OF RESOLUTION:

CONSIDERATION of and possible action on the adoption of a resolution of the City Council of the City of Bellaire, Texas, declaring official intent to reimburse expenditures from proceeds of tax-exempt bonds – Item submitted by Chief Financial Officer Linda Symank.

Summary:

Mayor Nauert stated that the agenda item before City Council was a resolution declaring official intent to reimburse expenditures from the proceeds of tax-exempt bonds. In summary, Mayor Nauert noted that at the May 20, 2013, City Council meeting, the Rebuild Bellaire Program, Phase Five, Paving and Drainage Engineering Project, was awarded to HDR Engineering, Inc., in the amount not to exceed $1,564,812. By ordinance, the Mayor and the City Clerk were
authorized to execute and attest, respectively, a Standard Form of Agreement with HDR Engineering, Inc., for the performance of the engineering phase services necessary for the Rebuild Bellaire Program, Phase Five, Paving and Drainage Project.

The construction phase of the Rebuild Bellaire Program, Phase Four, Paving and Drainage Construction Project, Bid No. 13-009, was bid and closed, with the lowest construction bid, including engineering construction observation, totaling $5,995,280.

Both Phases Four and Five of the Rebuild Bellaire Program were bid with an accelerated scope of work. The City had bond proceeds on hand to cover the original scope of work. To fund the accelerated scope required the issuance of additional Rebuild Bellaire bonds. Funds were available to begin work on the referenced phases, but not to fund the entire contracts. Because payment requests for the Rebuild Bellaire Program, Phases Four and Five, Paving and Drainage Projects, may be submitted prior to the anticipated bond issuance and/or may exceed the bond proceeds on hand, it would be prudent to adopt a resolution declaring the City's official intent to reimburse expenditures incurred as a result of the referenced projects from the proceeds of the tax-exempt bonds, Series 2013, proposed to be issued in September of 2013.

**CITY COUNCIL MAIN MOTION:**

Councilman Corbett Daniel Parker moved to adopt a resolution of the City Council of the City of Bellaire, Texas, declaring official intent to reimburse expenditures from proceeds of tax-exempt bonds. Mayor Pro Tem Amanda B. Nathan seconded the main motion.

Following questions by members of City Council regarding the agenda item, as well as discussion, 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
2. ADOPTION OF ORDINANCES:

Agreements and Contracts

a. CONSIDERATION of and possible action on a recommendation from the Bellaire Public Works Department to award Bid No. 13-009, Rebuild Bellaire, Phase Four, Paving and Drainage Improvement Project, to Total Contracting Limited in an amount not to exceed $5,702,990.00 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, for and on behalf of the City of Bellaire, Texas, a Standard Form of Agreement with Total Contracting Limited for said project consisting of the replacement of existing asphalt and concrete pavement with a reinforced concrete curb and gutter street, and the construction of storm sewer and associated sanitary sewer and water line adjustments in an amount not to exceed $5,702,990.00 — Item submitted by Director of Public Works Joe Keene.

Summary:

In summary, Mayor Nauert advised that the City received six bids for the referenced project ranging in amount from $5,702,990 to $6,618,840. It was further noted that the project consisted of the reconstruction of pavement, including curb, gutter, and sidewalks, and the installation of storm sewers. Bellaire streets included in the project were stated as follows:

5100-5300 Blocks of Aspen Street;
5100-5200 Blocks of Beech Street;
100 Block of Bellaire Court;
800 Block of Jaquet Street;
4900-5000 Blocks of Mimosa Street;
4700-4800 Blocks of Pine Street; and
500 Block of Wisteria Street.

Mayor Nauert advised that the construction cost of $5,702,990 combined with the design phase engineering services associated with the project of $429,435 brought the total project cost to $6,132,425.
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CITY COUNCIL MAIN MOTION:

Councilman Pat B. McLaughlan moved to approve a recommendation from the Bellaire Public Works Department to award Bid No. 13-009, Rebuild Bellaire, Phase Four, Paving and Drainage Improvement Project, to Total Contracting Limited in an amount not to exceed $5,702,990.00 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, for and on behalf of the City of Bellaire, Texas, a Standard Form of Agreement with Total Contracting Limited for said project consisting of the replacement of existing asphalt and concrete pavement with a reinforced concrete curb and gutter street, and the construction of storm sewer and associated sanitary sewer and water line adjustments in an amount not to exceed $5,702,990.00. Councilman Corbett Daniel Parker seconded the main motion.

Immediately following the main motion, Councilman Parker advised that he wished to make an amendment to the main motion.

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

Councilman Corbett Daniel Parker moved to amend the main motion for the purpose of removing the installation of sidewalks only in the 100 block of Bellaire Court. Councilman Andrew S. Friedberg seconded the amendment to the main motion.

Following questions of City Staff and discussion regarding the amendment to the main motion, action was taken on the amendment.

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

The amendment to the main motion carried on a 5-2 vote as follows:

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

None

Mayor Nauert, after noting no further discussion regarding the main motion, as amended, called for action by City Council.

CITY COUNCIL VOTE 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.

None

None

*One amendment was made to the main motion.

{Ordinance was subsequently numbered: 13-041}

b. CONSIDERATION of and possible action on a recommendation from the Bellaire Public Works Department to award a contract for engineering services to HDR Engineering, Inc., for the provision of construction phase services for the Rebuild Bellaire Phase Four Paving and Drainage Improvement Project in an amount not to exceed $282,290.00 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 Contract and Agreement for Engineering Services with HDR Engineering, Inc., in an amount not to exceed $282,290.00 – Item submitted by Director of Public Works Joe Keene.

Summary:

In summary, Mayor Nauert advised that the referenced contract and agreement before City Council this evening would provide for the construction administration, construction observation, and material testing services associated with the
Rebuild Bellaire, Phase Four, Paving and Drainage Improvement Project.

It was noted that the construction cost of $5,702,990 combined with the design phase engineering services associated with this project of $429,435, and the construction phase services described in this proposal of $282,290, brought the total project cost to $6,414,715.

**CITY COUNCIL MAIN MOTION:**

Councilman Corbett Daniel Parker moved to approve a recommendation from the Bellaire Public Works Department to award a contract for engineering services to HDR Engineering, Inc., for the provision of construction phase services for the Rebuild Bellaire, Phase Four, Paving and Drainage Improvement Project, in an amount not to exceed $282,290.00 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 *Contract and Agreement for Engineering Services* with HDR Engineering, Inc., in an amount not to exceed $282,290.00. Mayor Pro Tem Amanda B. Nathan seconded the main motion.

Discussion ensued among members of City Council regarding this agenda item. Following discussion, as well as questions of Terry Maher, HDR Engineering, Inc., regarding the construction phase services to be provided by his firm, 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: 13-042}
CONSIDERATION of and possible action regarding a fee proposal with SWA Group, Landscape Architects, for landscape architectural design services associated with the City of Bellaire Public Realm Identity and Beautification Project, in an amount not to exceed $35,000.00 for basic design services, and on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, authorizing the Mayor and City Clerk of the City of Bellaire, Texas, to execute and attest, respectively, for and on behalf of the City of Bellaire, Texas, a Standard Form of Agreement with SWA Group for said services in an amount not to exceed $35,000.00

Item submitted by City Manager Bernard M. Satterwhite, Jr.

Summary:

Mayor Nauert advised that in response to a stated priority of City Council adopted on March 18, 2012, to “develop and implement a plan for City beautification,” a sum of $35,000 was included in the fiscal year 2013 Capital Improvement Program budget to engage a reputable landscape architect to perform a “streetscape survey” to determine what steps the City could and/or should take to provide for a more aesthetically pleasing landscape throughout the City, and to begin developing a City identity.

During subsequent discussions regarding City beautification, it had been suggested that since the Evelyn’s Park Conservancy Board had engaged SWA Group to design the future Evelyn’s Park then, perhaps, SWA Group should be engaged to plan for a City identity and City beautification based on the thematic design elements that were being planned for Evelyn’s Park.

The City Manager entered into discussions with SWA Group and requested that they submit a proposal for services that would provide for the development of a plan to create a City identity and provide for beautification of the City.

The proposal submitted by SWA Group provided for a review of “existing conditions,” as well as activities leading to the development of “high-level” improvement concepts for City beautification. The proposal did not provide for a detailed plan of suggested beautification activities or associated cost estimates.

Mayor Nauert noted that city staff had stated in their recommendation that “in listening to the various discussions
regarding beautification and comments by individual council members, staff had a difficult time determining the exact desires of the entire council with respect to the priority of achieving beautification in the City of Bellaire. Whether it was council’s desire to develop a high-level conceptual plan that would lead to a clearer identity for the City over time (i.e., conceptual elements that would have to be separately planned and funded) or to implement a lower-level plan to do things such as plantings, trimming, and general sprucing-up of the streetscapes, had not been made clear to staff.

Clearly, the proposal that was presented was based on the development of a conceptual plan for “Public Realm Identity and Beautification” and not the development of a plan to improve the looks of the City’s streetscapes in the short term. If the latter rather than the former was desired by council, then the proposal from SWA Group was likely not what council was looking for. If the proposal was not what council was looking for, Staff stood ready to research and develop a lower-level plan of streetscape beautification and present that plan to council prior to the end of fiscal year 2013.”

Mayor Nauert noted that staff had done what the City Council had asked, but was not sure if the result would meet the desires of City Council.

CITY COUNCIL MAIN MOTION:

Councilman Pat B. McLaughlan moved to adopt an ordinance of the City Council of the City of Bellaire, Texas, authorizing the Mayor and City Clerk of the City of Bellaire, Texas, to execute and attest, respectively, for and on behalf of the City of Bellaire, Texas, a Standard Form of Agreement with SWA Group for landscape architectural design services associated the City of Bellaire Public Realm Identity and Beautification Project in an amount not to exceed $35,000.00. Councilman James P. Avioli, Sr., seconded the main motion.

Discussion ensued among members of City Council regarding the fee proposal and scope of work submitted by SWA Group for the referenced architectural design services.

Members of City Council who expressed concern with the proposal and/or scope of work to be performed, stated that a vote opposing the proposal did not necessarily indicate that those members were opposed to beautification.
After noting no further discussion, Mayor Nauert called for action on the main motion.

**CITY COUNCIL ACTION ON MAIN MOTION:**

The main motion failed on a 1-6 vote as follows:

**FOR:** Councilman Pat B. McLaughlan

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

**ABSENT:** None

**Code Amendment**

**d. CONSIDERATION** of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, temporarily suspending the application of Chapter 3, Alcoholic Beverages, Section 3-3, Use prohibited in public parks and other public places, of the Code of Ordinances of the City of Bellaire, Texas, and authorizing the use of the City property known as "Evelyn’s Park" for the purpose of allowing the Patrons for Bellaire Parks to hold a special event, "Wine & Tapas," to raise funds for Evelyn’s Park located at 4400 Bellaire Boulevard, Bellaire, Texas 77401, on Saturday, October 5, 2013, said suspension to commence at 12:00 p.m. and terminate at 12:00 a.m. – Item submitted by Director of Parks and Recreation Jane L. Dembski.

**CITY COUNCIL MAIN MOTION:**

Councilmen Roman F. Reed and James P. Avioli, Sr., jointly moved to adopt an ordinance of the City Council of the City of Bellaire, Texas, temporarily suspending the application of Chapter 3, Alcoholic Beverages, Section 3-3, Use prohibited in public parks and other public places, of the Code of Ordinances of the City of Bellaire, Texas, and to authorize the use of the City property known as "Evelyn’s Park" for the purpose of allowing the Patrons for Bellaire Parks to hold a special event, "Wine & Tapas," to raise funds for Evelyn’s Park located at 4400 Bellaire Boulevard, Bellaire, Texas 77401, on Saturday, October 5, 2013, said suspension to commence at
12:00 p.m. and terminate at 12:00 a.m. Councilman Corbett Daniel Parker seconded the main motion.

Summary:

Brenda Cauthen, President of the Patrons for Bellaire Parks and Lynne Skinner, Event Co-Chair, addressed City Council and indicated that they were present to request permission to use Evelyn’s Park for their annual Wine & Tapas event. President Cauthen advised that she and Event Co-Chair Skinner were also present to request that the City suspend their “no alcohol in City parks” ordinance to allow for alcohol to be served during the event. The reason that a 12-hour period was requested was to allow for flexibility when various aspects of the event were set up.

President Cauthen advised that it took many, many volunteer hours to prepare and set up for this event. The Patrons for Bellaire Parks (“Patrons”) had hoped not to have a particular timeframe as to when the volunteers could go pick up the alcohol and bring it by truck to the park. As far as going to midnight, it took even longer to clean up than to set up. Alcohol would not be served during the entire 12-hour period. It would only be served from 6:00 p.m. until 10:00 p.m.

Patrons Co-Chairs had been working for weeks making plans and addressing the details associated with such a large outdoor event. They were aware that parking was a concern for surrounding residents and would do their best to minimize attendees from parking on surrounding streets. A valet parking service would be provided and the Patrons were looking into additional ways to get people to the event without creating parking issues.

President Cauthen noted further that the Patrons had spoken with Bellaire Police Chief Holloway and they would have the required security in place before, during, and after the event, and the perimeter of the park would be secured during the event.

Electric and water needs were being investigated and would be addressed. The Patrons had always hosted a safe and tasteful Wine & Tapas event and this year would be no different.

In closing, President Cauthen advised that she and Co-Chair Skinner appreciated City Council’s consideration of their request.
Following questions of President Cauthen regarding the event, 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: 13-043}

3. CONSIDERATION of and possible action to direct the City Attorney (1) to prepare bond proposition and ballot language pertaining to an authorization to issue general obligation bonds for financing the reconstruction of the Bellaire City Hall, Civic Center, and Police and Municipal Court Building in the amount of $16,000,000; (2) to prepare a bond proposition and ballot language pertaining to an authorization to issue general obligation bonds for partial financing of the construction of Evelyn’s Park in the amount of $5,000,000; and (3) to prepare any other proposition(s) and ballot language for the financing of other projects as City Council may direct herein; and (4) to submit an ordinance containing the aforementioned propositions and bond language for consideration on the next City Council agenda for the purpose of calling a bond election within the City of Bellaire, Texas, to coincide with the November 5, 2013, General Election – Item submitted by City Manager Bernard M. Satterwhite, Jr.

**CITY COUNCIL MAIN MOTION:**

Mayor Pro Tem Amanda B. Nathan moved to direct the City Attorney (1) to prepare bond proposition and ballot language pertaining to an authorization to issue general obligation bonds for financing the reconstruction of the police station, courthouse, and city hall buildings in the amount of $11,000,000; (2) to prepare a bond proposition and ballot language authorizing, if the previous issuance was approved, the possible issuance of additional general obligation bonds in
an amount up to $5,000,000 for costs associated with relocating those facilities; and (3) to prepare a bond proposition and ballot language pertaining to an authorization to issue general obligation bonds for partial financing of the construction of Evelyn's Park in the amount of $5,000,000. Councilman Corbett Daniel Parker seconded the main motion.

Following comments by several members of City Council regarding the main motion, Mayor Nauert indicated that he wished to offer an amendment to the main motion for consideration.

CITY COUNCIL AMENDMENT (NO. 1 OF 2) TO MAIN MOTION:

Mayor Philip L. Nauert moved to amend the main motion to direct the City Attorney to also prepare bond proposition and ballot language pertaining to an authorization to issue general obligation bonds in the amount of $500,000 for physical facility maintenance and improvement needs to The Nature Discovery Center. Councilman Corbett Daniel Parker seconded the amendment to the main motion.

Following discussion of the amendment to the main motion among members of City Council and questions of Sarah Flournoy, Director of The Nature Discovery Center regarding needed improvements to the property, action was taken on the amendment.

CITY COUNCIL ACTION ON THE AMENDMENT (NO. 1 OF 2) TO THE MAIN MOTION:

The amendment to the main motion carried unanimously on a 7-0 vote as follows:

**FOR:**

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

**OPPOSED:**

None

**ABSENT:**

None

Immediately following the action taken on amendment no. 1 to the main motion, Councilman Roman F. Reed offered an amendment for consideration.
CITY COUNCIL AMENDMENT (NO. 2 OF 2) TO THE MAIN MOTION:

Councilman Roman F. Reed moved to further amend the main motion to direct the City Attorney to prepare bond propositions and ballot language that would allow voters to vote separately on each of the proposed City facilities to be reconstructed, as well as to reconstruct the Library.

An example given by Councilman Reed was to prepare separate bond propositions as follows: (1) City Hall; (2) Police and Municipal Court Building; and (3) Library*.

Councilman Corbett Daniel Parker seconded the amendment to the main motion for purposes of discussion.

*It was noted that the amount of bonds to be authorized for a new library would be determined utilizing studies presented to City Council by the architectural firm of Pierce, Goodwin, Alexander and Linville (PGAL).

Following discussion of amendment no. 2 to the main motion, action was taken by members of City Council.

CITY COUNCIL ACTION ON THE AMENDMENT (NO. 2 OF 2) TO THE MAIN MOTION:

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

FOR: Councilmen Roman F. Reed, Corbett Daniel Parker, and Pat B. McLaughlan

OPPOSED: Mayor Philip L. Nauert, Mayor Pro Tem Amanda B. Nathan and Councilmen James P. Avioli, Sr., and Andrew S. Friedberg

ABSENT: None

Following discussion of the main motion, as amended by amendment no. 1, action was taken by members of City Council.

CITY COUNCIL ACTION ON THE MAIN MOTION, AS AMENDED*:

The main motion, as amended, carried on a majority vote of 6-1 as follows:

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

OPPOSED: Councilman Pat B. McLaughlan**

ABSENT: None

*Two amendments were made to the main motion; however, only one of the amendments received favorable support from City Council.

**Councilman McLaughlan's opposition to the main motion, as amended, was based on his belief that the City Hall was functional and could be improved rather than reconstructed.

I. 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 thanks to all of the citizens that had spoken to City Council and expressed their opinions; and a reminder of the Dive-In Movie to be held later in the week at the Bellaire Family Aquatics Center.

J. ADJOURNMENT.

CITY COUNCIL MOTION/ACTION TO ADJOURN:

Councilman Roman F. Reed moved to adjourn the Regular Session of the City Council of the City of Bellaire, Texas, at 10:06 p.m. on Monday, August 5, 2013. Mayor Pro Tem Amanda B. Nathan seconded the motion to adjourn.

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,

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

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Approved:

[Signature]

Philip L. Nauert, Mayor  
City of Bellaire, Texas