CITY COUNCIL MEETING MINUTES
MONDAY, SEPTEMBER 9, 2013

The City Council of the City of Bellaire, Texas, met in Regular Session on Monday, September 9, 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 7:00 p.m. on Monday, September 9, 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., Assistant City Attorney Elliot Barner, and City Clerk Tracy L. Dutton.

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

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

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

1. U.S. PLEDGE OF ALLEGIANCE.

2. PLEDGE TO THE TEXAS FLAG.

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

E. APPROVAL OR CORRECTION OF MINUTES:

1. CONSIDERATION of and possible action on the approval and adoption of the minutes of the Special Session (Budget Public Hearing) of the City Council of the City of Bellaire, Texas, held on Monday, August 19, 2013 – Item submitted by City Clerk Tracy L. Dutton.
CITY COUNCIL MOTION/ACTION TO APPROVE MINUTES:

Councilman Andrew S. Friedberg moved to approve and adopt the minutes of the Special Session (Budget Public Hearing) of the City Council of the City of Bellaire, Texas, held on Monday, August 19, 2013. Councilman Roman F. Reed seconded the motion.

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

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

OPPOSED: None

ABSENT: None

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, August 19, 2013 – Item submitted by City Clerk Tracy L. Dutton.

CITY COUNCIL MOTION TO APPROVE MINUTES:

Mayor Pro Tem Amanda B. Nathan moved to approve the minutes of the Regular Session of the City Council of the City of Bellaire, Texas, held on Monday, August 19, 2013. Councilman Corbett Daniel Parker seconded the motion.

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

Councilman Andrew S. Friedberg moved to amend the minutes of the Regular Session of the City Council of the City of Bellaire, Texas, held on August 19, 2013, to reflect changes he had discussed earlier with the City Clerk and to amend the amendment number on line 1086 as follows:

"CITY COUNCIL ACTION ON AMENDMENT NO. 1 OF 2) TO MAIN MOTION."

The changes Councilman Friedberg discussed with the City Clerk have been restated below for the record.
Page 20, beginning at line 942:

"Councilman Friedberg was requested advice of City Attorney Petrov as to whether proposition number two, which included funds for the acquisition of land to relocate the above-mentioned City facilities, could be combined with proposition number one and the Library added as a facility."

Page 21, beginning at line 958:

"CITY COUNCIL AMENDMENT (NO. 1 OF 1) MAIN MOTION ON BALLOT LANGUAGE FOR BOND PROPOSITION ONE:

Councilman Andrew S. Friedberg moved to amend adopt language for a revised Proposition One by removing the slashes and instead adopt language that would referring individually to City Hall, Civic Center, Police Station, Municipal Court Buildings."

Page 22, beginning at line 1018:

"Discussion ensued among members of City Council regarding the main motion, as amended. At the conclusion of discussion, Mayor Nauert called for action on the main motion, as amended.

Proposition One (restated):

The issuance of $11,000,000 in bonds for improvements to municipal buildings and facilities, to wit: City Hall, Civic Center, Police Station, and Municipal Court Buildings.

CITY COUNCIL ACTION ON MAIN MOTION, AS AMENDED:

The main motion, as amended, carried on a 5-2 vote as follows:"

Included in Councilman Friedberg’s amendment was a possible change to Councilman McLaughlan’s motion on line 993, as follows:

"Councilman Pat B. McLaughlan moved to suspend City Council’s Rules of Procedure for the purpose of allowing the inclusion of the Library and funds for potential relocation in Proposition One."

Councilman Pat B. McLaughlan indicated that he did not believe that he had addressed potential relocation in his motion.

Mayor Nauert recommended that the City Clerk review the recording of the meeting regarding Councilman McLaughlan’s motion. Members
of City Council agreed that the City Clerk could make changes, if necessary, to the motion after verifying the recorded motion.

Councilman James P. Avioli, Sr., seconded the amendments Councilman Friedberg had suggested to the minutes of the Regular Session of the City Council of the City of Bellaire, Texas, held on August 19, 2013.

CITY COUNCIL ACTION ON APPROVAL OF MINUTES, AS AMENDED:

The motion to approve minutes, 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

F. PERSONAL/AUDIENCE COMMENTS.

Neha Paseur and Amar Raval addressed City Council regarding a Diwali Celebration currently being planned for October 20, 2013, in City Hall. Ms. Paseur and Mr. Raval invited the members of City Council, as well as every resident in the City and others as well, to attend the celebration. It was noted that Diwali was a traditional Hindu ceremony that was celebrated also by Jains and Sikhs, and stood for the “Festival of Lights.” Diwali had been celebrated in Bellaire for the last five years or so.

Ms. Paseur advised that the celebration was great for any faith—it was full of fun, food, flair, and lots of entertainment. Mr. Raval provided information regarding tickets for the event, noting that they could be purchased on their website, bellairediwali.com, until October 17, 2013.

Rachel Crochet addressed City Council and noted that she loved the Bellaire Police, but was concerned that residents were not seeing them as much as they should. She indicated that she had spent several nights driving around and saw one officer at the Bellaire Police Station and none on another evening. She urged City Council to consider a greater police presence on the streets, as the City needed that visibility.
Ms. Crochet also urged City Council to continue spraying for mosquitoes, and she thanked Director Joe Keene, Public Works Department, for responding quickly to calls regarding the mosquitoes.

**Lynn McBee** addressed City Council and referred to the City’s General Election to be held on November 5, 2013, with early voting starting on October 21, 2013. She indicated that she would be coordinating a Bellaire Election Candidates Forum (nonpartisan). The date of the forum was noted to be October 17, 2013, from 6:30 p.m. to 8:30 p.m. in the Bellaire Civic Center Auditorium. Every candidate whose name was on the ballot (six at this point) had been invited and all had accepted the invitation. Additionally, handouts would also be provided for the City’s Bond Election. She urged citizens to attend the forum, as it was their opportunity to ask questions of and get to know the candidates.

Secondly, Ms. McBee referred to the previous City Council Regular Session where the City Manager was unable to give his report due to the length of the meeting. One of the items on his report had to do with the Federal Emergency Management Act on flood insurance. She did not see it noted on this agenda for his report. She applauded the Building and Standards Commission and Chair for leading the provision of information concerning Bellaire’s exposure to the Biggert Waters Flood Insurance Reform Act of 2012. The Commission provided a packet, which was the most comprehensive Ms. McBee had seen in the City for a long time. Included in the packet were a summary of the contents of the bill, FAQs (frequently asked questions) concerning it, along with some other material. Ms. McBee urged the City to put out some information as well, noting that the subsidized rates that Bellaire had enjoyed would be removed for certain classes and rates would be allowed to increase by 25% per year until actuarial rates were achieved. The effective date was noted by Ms. McBee to have been July 1, 2012.

Ms. McBee read a list of the types of residential properties that would be affected by the Biggert Waters Flood Insurance Reform Act of 2012. In closing, she indicated that the impact to many of Bellaire’s homeowners could be significant.

**G. REPORT(S):**

1. **PROPERTY TAXES:**

   a. PRESENTATION, CONSIDERATION, and possible action on the submittal of the **Certified 2013 Tax Roll and the 2013 Property Tax Rates in the City of Bellaire, Texas** – Item presented and submitted by Chief Financial Officer Linda Symank.
Chief Financial Officer Linda Symank submitted the 2013 Tax Roll and Calculation of the Effective Tax Rate and the Rollback Tax Rate to members of City Council.

The effective tax rate was noted to be $0.3835/$100 valuation, and the rollback tax rate was noted to be $0.4061/$100 valuation.

Following Chief Financial Officer Symank’s presentation, members of City Council were given an opportunity to ask questions regarding the roll and/or calculation. After noting no further questions from members of City Council, Mayor Nauert called for a vote to accept the tax roll and calculation of the effective and rollback tax rates.

CITY COUNCIL MOTION/ACTION TO ACCEPT:

Mayor Pro Tem Amanda B. Nathan moved to accept the 2013 Tax Roll and Calculation of the Effective Tax Rate and the Rollback Tax Rate as presented by Chief Financial Officer Linda Symank into the record. Councilman Corbett Daniel Parker seconded the motion.

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

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

OPPOSED: None

ABSENT: None

b. CONSIDERATION of and possible action regarding the taking of a record vote to increase the tax revenue for the City of Bellaire, Texas, for the 2013 tax year by proposing a tax rate of $0.3999 per $100 valuation and authorizing the Chief Financial Officer to publish a Notice of Public Hearings on Tax Increase. The recommended dates for said public hearings are Monday, September 23, 2013, and Monday, September 30, 2013, both public hearings of which will be held at 6:00 p.m. in the Council Chamber, First Floor of City Hall, 7008 South Rice Avenue, Bellaire, Texas 77401 – Item submitted by Chief Financial Officer Linda Symank.
A record vote was taken by members of the City Council to increase the tax revenue for the City of Bellaire, Texas, for the 2013 tax year by proposing a tax rate of $0.3999 per $100 valuation, as well as to authorize the City Clerk and Chief Financial Officer to publish a Notice of Public Hearings on Tax Increase, the hearings of which were be held on September 23, 2013, and September 30, 2013, at 6:00 p.m. in the Council Chamber, followed by the adoption of a tax rate on October 7, 2013.

CITY COUNCIL MAIN MOTION/ACTION:

Mayor Pro Tem Amanda B. Nathan moved to place the adoption of a proposed tax rate of $0.3999 per $100 valuation on the October 7, 2013, City Council agenda. Councilman Roman F. Reed seconded the motion.

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

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2. CITY MANAGER’S REPORT regarding Residential Safety (Police Activity Report and National Night Out), Public Infrastructure/Utilities (Major Projects Report), Cultural and Recreational (Library summer activities), Internal Operations/Productivity (stepped up mosquito spraying), 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 September 9, 2013, to members of City Council.

Following questions of City Manager Satterwhite regarding his report, a motion was made and seconded to accept the report into the record.
CITY COUNCIL MAIN MOTION TO ACCEPT REPORT INTO THE RECORD:

Councilman Corbett Daniel Parker moved to accept the City Manager’s Report dated September 9, 2013, as presented by City Manager Bernard M. Satterwhite, Jr., into the record. Mayor Pro Tem Amanda B. Nathan seconded the motion.

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

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

OPPOSED: None

ABSENT: None

3. AD HOC WAYFINDING COMMITTEE:

a. UPDATE and OVERVIEW of the progress made to date by the Bellaire Ad Hoc Wayfinding Committee* - Item submitted by Assistant City Manager Diane K. White; presentation by Chair and Councilman Corbett Daniel Parker.

*Members appointed by Mayor Philip L. Nauert to the Ad Hoc Wayfinding Committee include: Chair and Councilman Corbett Daniel Parker, Councilman Roman F. Reed, Brenda Cauthen, Doug Christians, and Terry Leavitt-Chavez.

Councilman Corbett Daniel Parker provided an update and overview of the progress the Ad Hoc Wayfinding Committee (“Committee”) had made to date, concluding with a notation that the Committee would be interviewing four firms later in the week regarding professional signage and wayfinding consultant services.

b. CONSIDERATION of and possible action on a request from the Ad Hoc Wayfinding Committee (“Committee”) to authorize the City Manager of the City of Bellaire, Texas, to approve a contract for professional services with a firm to be selected by a majority of the Committee following interviews of four (4) respondents to the Committee’s RFI 13-01, Signage and Wayfinding Consulting Services, at a meeting to be held
September 11, 2013; and on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, authorizing the City Manager 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 Contract and Agreement for Consulting Services with the firm selected by the Committee for the performance of professional signage and wayfinding consultant services in an amount not to exceed $35,000.00 – Item submitted by Assistant City Manager Diane K. White; presentation by Chair and Councilman Corbett Daniel Parker.

CITY COUNCIL MAIN MOTION:

Councilman Corbett Daniel Parker moved to approve a request from the Ad Hoc Wayfinding Committee ("Committee") to authorize the City Manager of the City of Bellaire, Texas, to approve a contract for professional services with a firm to be selected by a majority of the Committee following interviews of four (4) respondents to the Committee’s RFI 13-01, Signage and Wayfinding Consulting Services, at a meeting to be held September 11, 2013; and to adopt an ordinance of the City Council of the City of Bellaire, Texas, authorizing the City Manager 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 Contract and Agreement for Consulting Services with the firm selected by the Committee for the performance of professional signage and wayfinding consultant services in an amount not to exceed $35,000.00. Councilman Roman F. Reed seconded the motion.

Discussion ensued among members of City Council regarding the Ad Hoc Wayfinding Committee’s request for approval. Concern was expressed that approval was being sought for the City to enter into a contract with one of the four (4) respondents to the City’s RFI 13-01, Signage and Wayfinding Consulting Services, prior to interviews of the respondents and prior to City Council’s receipt of a contract outlining the deliverables to be provided by the consulting firm. Following the discussion, a motion was made to postpone action on the request.
CITY COUNCIL MOTION/ACTION TO POSTPONE:

Councilman James P. Avioli, Sr., moved to postpone action on the request from the Ad Hoc Wayfinding Committee until the next Regular Session of the City Council (September 16, 2013) in order to allow the Ad Hoc Wayfinding Committee to provide City Council with more information.

The motion carried on a 4-3 vote as follows:

FOR: Mayor Philip L. Nauert and Councilmen James P. Avioli, Sr., Pat B. McLaughlan and Andrew S. Friedberg

OPPOSED: Mayor Pro Tem Amanda B. Nathan and Councilmen Roman F. Reed and Corbett Daniel Parker

ABSENT: None

H. NEW BUSINESS:

ADOPTION OF ORDINANCES/RESOLUTIONS:

Donation

1. CONSIDERATION of and possible action on the adoption of a resolution of the City Council of the City of Bellaire, Texas, accepting a restricted donation in the amount of $100,000.00 from the Patrons for Bellaire Parks to be utilized by the City of Bellaire, Texas, to specifically assist in the design and construction of the Bellaire Town Square Multi-Purpose Great Lawn Project – Item submitted by City Manager Bernard M. Satterwhite, Jr.; presentation by Brenda Cauthen, President, Patrons for Bellaire Parks.

CITY COUNCIL MOTION/ACTION TO ACCEPT DONATION:

Mayor Pro Tem Amanda B. Nathan moved to adopt a resolution of the City Council of the City of Bellaire, Texas, accepting a restricted donation in the amount of $100,000.00 from the Patrons for Bellaire Parks to be utilized by the City of Bellaire, Texas, to specifically assist in the design and construction of the Bellaire Town Square Multi-Purpose Great Lawn Project. Councilman Corbett Daniel Parker seconded the motion.
The motion carried unanimously on a 7-0 vote as follows:

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

OPPOSED: None

ABSENT: None

Expressions of thanks were given to the Patrons for Bellaire Parks for their generous donation.

Adoption of FY 2014 Budget

2. CONSIDERATION of and possible action regarding the taking of a record vote by members of the City Council of the City of Bellaire, Texas, to approve an ordinance adopting a budget for the City of Bellaire, Texas, for the fiscal year beginning October 1, 2013, and ending September 30, 2014, and appropriating the several sums set up therein to the objects and purposes therein named – Item submitted by City Manager Bernard M. Satterwhite, Jr.

CITY COUNCIL MAIN MOTION:

Councilman Corbett Daniel Parker moved to take a record vote by members of the City Council of the City of Bellaire, Texas, to approve an ordinance adopting a budget for the City of Bellaire, Texas, for the fiscal year beginning October 1, 2013, and ending September 30, 2014, and appropriating the several sums set up therein to the objects and purposes therein named. Councilman Pat B. McLaughlan seconded the motion.

A record vote was taken on the motion following a few questions of City Staff by City Council.

CITY COUNCIL ACTION ON MAIN MOTION:

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

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Member of City Council  

Councilman James P. Avioli, Sr.  
Councilman Corbett Daniel Parker  
Councilman Pat B. McLaughlan  
Councilman Andrew S. Friedberg

Vote  
For  
For  
For  
For

{Ordinance was subsequently numbered: 13-049}

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

Community interest items from the Mayor and City Council included reminders regarding upcoming events (Patrons Raise Your Glass Party on September 12, 2013, Boy Scout Troop 222 Car Wash on September 14, 2013, Bellaire Business Alliance Meeting on September 25, 2013, Bellaire Little League and Horn Parent-Teacher Organization Family Picnic in the Park on October 4, 2013, and Wine & Tapas on October 5, 2013); thanks were expressed to the Patrons for Bellaire Parks for their fundraising efforts for the City’s parks; condolences were expressed to the family of Mike Anderson and to the Spring High School community for the events that occurred there last week; thanks were given to the Building and Standards Commission and Chair Kristin Schuster for their excellent work and strong contributions to the City; reminders of upcoming meetings were announced (Planning and Zoning Commission Meeting on September 10, 2013, and City Council Special Session (Executive Session) on September 11, 2013, to discuss the replacement of retiring City Manager Bernard M. Satterwhite, Jr.); expressions of congratulations were expressed to the City Manager and City Staff for their hard work on the budget and to Library Director Mary Cohrs for all of her hard work with the Library.

J. ADJOURNMENT.

CITY COUNCIL MOTION/ACTION TO ADJOURN:

Councilman James P. Avioli, Sr., moved to adjourn the Regular Session of the City Council of the City of Bellaire, Texas, at 8:47 p.m. on Monday, September 9, 2013. Councilman Corbett Daniel Parker 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
City of Bellaire
City Council

Minutes of Meeting
September 9, 2013

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