

# City of Bellaire

**CITY COUNCIL**  
**Monday, June 6, 2022**

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**Council Chamber and  
Council Conference  
Room**

**Regular Session**

**6:00 PM**

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**FIRST FLOOR OF CITY HALL  
7008 S. RICE AVENUE  
BELLAIRE, TX 77401**

## **Agenda**

### **Mayor**

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Andrew S. Friedberg

### **Mayor Pro Tem**

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Winfred C. Frazier

### **Council Member**

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Catherine Lewis

### **Council Member**

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Ross Gordon

### **Council Member**

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Nathan Wesely

### **Council Member**

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Brian Witt

### **Council Member**

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Jim Hotze

**REGULAR SESSION - 6:00 P.M.**

- A. Call to Order - Andrew S. Friedberg, Mayor.**
- B. Announcement of a Quorum - Andrew S. Friedberg, Mayor.**
- C. Inspirational Reading and/or Invocation - Andrew S. Friedberg, Mayor.**
- D. Pledges to the Flags - Andrew S. Friedberg, Mayor.**

**1. U.S. Pledge of Allegiance:**

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

**2. Pledge to the Texas Flag:**

Honor the Texas flag; I pledge allegiance to thee, Texas, one state under God, one and indivisible.

**E. Recognition of Proclamations.**

- 1. Issuance of a proclamation by Andrew S. Friedberg, Mayor, proclaiming June 3, 2022, as National Gun Violence Awareness Day in the City of Bellaire, Texas, in support of efforts nationwide to reduce incidents of gun violence and to honor and remember victims and survivors.  
[Agenda Statement Report - Pdf](#)
- 2. Issuance of a proclamation by Andrew S. Friedberg, Mayor, proclaiming June 8, 2022, as "National Time Out Day" in the City of Bellaire, Texas, to bring greater awareness to the safe surgery practice of taking a "time out" before operative and other invasive procedures - Requested by Tracy L. Dutton, City Clerk, on behalf of the Association of periOperative Registered Nurses (AORN).  
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**I. PUBLIC HEARING (SPECIFIC USE PERMIT FOR DRIVE-THROUGH RESTAURANT)**

- A. Reading of the Notice of Public Hearing - Tracy L. Dutton, City Clerk.**
- B. Summary of Public Hearing Procedure - Deacon Tittel, Interim City Manager.**
- C. Presentation of Proposal:**

Public hearing on an application filed by Jones Carter Civil Engineering on behalf of Salad and Go, LLC, for a Specific Use Permit to build and operate a 780 square foot drive-through restaurant at 5201 Bellaire Boulevard within the Corridor Mixed Use (CMU) Zoning District, as provided for in Section 24-536 (B)(2)(c) of the Code of Ordinances of the City of Bellaire, Texas - Submitted by Michael Leech, Director of Public Works and Development Services.

[Agenda Statement Report - Pdf](#)

**D. Public Comment.**

The Mayor will recognize speakers who have completed a sign-up sheet prior to the commencement of the public hearing. Each speaker shall have a time limit of up to five (5) minutes, with no extension, and with notice after four (4) minutes that one (1) minute is left. Questions from the public shall be addressed to the Mayor, and the Mayor and members of the City Council may refer such questions to the applicant or to staff as appropriate.

**E. Questions from the Mayor and City Council.****F. Close of the Public Hearing.**

Oral public comment on the subject matter of the public hearing will not be received following the close of the public hearing. The public may submit written comments to the City Council prior to its final deliberation. All written comments must be received in the City Clerk's office by noon on the Thursday preceding the meeting of final deliberation for inclusion in the official record of the proceedings. It is anticipated that final deliberation will occur on Monday, June 20, 2022; therefore, written comments should be submitted by noon on Thursday, June 16, 2022.

**G. Adjourn.****II. REGULAR MEETING****A. Call to Order - Andrew S. Friedberg, Mayor.****B. Announcement of a Quorum - Andrew S. Friedberg, Mayor.****C. Personal/Audience Comments.**

To address the City Council, please complete a sign-up sheet (located at the entrance to the Council Chamber) and submit it to City Clerk Tracy L. Dutton prior to the time for personal/audience comments. Each speaker shall have a time limit of up to five (5) minutes, with no extension, and with notice after four (4) minutes that one (1) minute is left. In the event of pressing business before the City Council or matters requiring its immediate attention or action, the City Council may, prior to the opening of audience comments, set a different maximum time limit for each speaker by a vote of four (4) members of the City Council.

The purpose of this item is to allow the residents of Bellaire and other interested persons an opportunity to address the City Council on agenda issues and on non-agenda issues that are a matter of the jurisdiction of the City Council (i.e., City policy and legislative issues). Non-agenda issues regarding daily operational or administrative matters should be first dealt with at the administrative level by calling City Hall at (713) 662-8222 during business hours.

*[Note: The Texas Open Meetings Act, Texas Government Code, Chapter 551, prohibits the City Council from fully discussing, debating, or considering subjects for which public notice has not been given on*

*the agenda. Issues that cannot be referred to the City Staff for action may be placed on the agenda of a future City Council Session.]*

**D. Reports and Presentations:**

City Manager's Report to provide information concerning City operations and projects, to include: City operations/personnel updates, communication activity, and future Council meeting information - Submitted by Deacon Tittel, Interim City Manager.

[Agenda Statement Report - Pdf](#)

**E. New Business.**

**1. Consent Agenda.**

Items set out in the consent agenda are considered routine and are recommended for approval by the passage of a single motion, without discussion or debate, that the consent agenda be adopted. Upon request of any member of City Council, items shall be removed from the consent agenda and considered separately.

**a. Approval of Minutes:**

Consideration of and possible action on the adoption of the minutes of the Regular Session of the City Council of the City of Bellaire, Texas, held on Monday, May 2, 2022, and of the Special Sessions held on Wednesday, April 27, 2022, Thursday, May 5, 2022, and Monday, May 16, 2022 - Submitted by Tracy L. Dutton, City Clerk.

[City Council - May 02 2022 - Minutes](#)

[City Council - Apr 27 2022 - Minutes](#)

[City Council - May 05 2022 - Minutes](#)

[City Council - May 16 2022 - Minutes - Special Session](#)

**b. Adoption of Ordinances and Resolutions:**

- i. Consideration of and possible action on the adoption of a resolution of the City Council of the City of Bellaire, Texas, appointing an Animal Shelter Advisory Committee - Submitted by Onesimo Lopez, Chief of Police.

[Agenda Statement Report - Pdf](#)

- ii. Consideration of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, authorizing the Interim City Manager and the City Clerk to execute and attest, respectively, a Standard Form of Agreement with 24/6 Technical Services, LLC, for On-Call Mechanical and Electrical Services for Water and Wastewater Facilities, for an initial one-year term in an amount not to exceed \$500,000.00, with up to four optional annual renewals with an annual price increase not to exceed the Consumer Price Index for All Urban Consumers (CPI-U) - Submitted by Michael Leech, Director of Public Works and Development Services.

[Agenda Statement Report - Pdf](#)

- iii. 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 6, Animals and Fowl, Article II, Keeping Dogs and Cats, Section 6-43, Dogs and cats prohibited on parks and*

*playgrounds, and of Chapter 3, Alcoholic Beverages, Article I, In General, Section 3-3, Use prohibited in public parks and other places, of the Code of Ordinances of the City of Bellaire, Texas, for the purpose of allowing dogs and alcohol in Paseo Park, 5000 Bellaire Boulevard, Bellaire, Texas, during the Bellaire Arts and Crafts Festival hosted by the Bellaire Culture and Arts Board, said suspensions to commence at 9:00 a.m. and terminate at 5:00 p.m. on Saturday, November 12, 2022 - Submitted by Cheryl Bright, Community Relations Administrator, on behalf of the Bellaire Culture and Arts Board.*

[Agenda Statement Report - Pdf](#)

**2. Items for Individual Consideration:**

- a. Consideration of and possible action on a request from the Bellaire Fire Department to accept grant funding in the amount of \$25,410.00 from the Bellaire Police and Fire Foundation for Veoci Core software to enhance Fire Department operations and emergency operations functionality - Submitted by Deacon Tittel, Fire Chief.

[Agenda Statement Report - Pdf](#)

- b. Consideration of and possible action to direct staff to prepare an ordinance amending the budget of the City of Bellaire, Texas, for the fiscal year beginning October 1, 2021, and ending September 30, 2022 (FY 2022), by adjusting certain fees for services in the FY 2022 Schedule of Fees and Charges - Submitted by Catherine Lewis, Brian Witt, and Jim Hotze, Council Members.

[Agenda Statement Report - Pdf](#)

- c. Discussion and possible action regarding noise violations, temporary uses, and temporary use permits - Submitted by Jim Hotze, Council Member.

[Agenda Statement Report - Pdf](#)

**F. Community Interest Items from the Mayor and Council.**

It is the intent of this item to provide members of the City Council the opportunity to make a report about items of community interest, which may include expressions of thanks, congratulations, or condolence; information regarding holiday schedules; honorary recognition of City officials, employees, or other citizens or entities; reminders of upcoming events sponsored by the City or another entity that is scheduled to be attended by a City official or City employee; and announcements involving an imminent threat to the public health and safety of people in Bellaire that has arisen after the posting of the agenda.

No action may be taken on a reported item of community interest, and no possible action discussed except a proposal to place the subject on the agenda for a subsequent meeting.

*See Texas Government Code, Chapter 551, Open Meetings, Section 551.0415.*

**G. Adjourn.**

**III. CLOSED MEETING**

**A. Call to Order - Andrew S. Friedberg, Mayor.**

**B. Announcement of a Quorum - Andrew S. Friedberg, Mayor.****C. Retire into Closed Meeting in the Council Conference Room:**

Retire into closed meeting pursuant to the *Texas Government Code, Chapter 551, Open Meetings, Section 551.074, Personnel Matters; Closed Meeting*, to deliberate the appointment, employment, and duties of the City Manager of the City of Bellaire, Texas.

**D. Reconvene in Open Meeting in the Council Chamber:**

Reconvene in open meeting and take action, if any, on items discussed in the closed meeting.

**E. Adjourn.**