

City of Bellaire

MAYOR AND COUNCIL
DECEMBER 17, 2018

Council Chamber

Regular Session

7:00 PM

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

Agenda

Mayor

Andrew S. Friedberg

Mayor Pro Tem

Gus E. Pappas

Council Member

Trisha S. Pollard

Council Member

Michael Fife

Council Member

Neil Verma

Council Member

Pat B. McLaughlan

Council Member

David R. Montague

Mission Statement:

The City of Bellaire is dedicated to outstanding quality service and facilities to ensure an open, progressive, and secure community.

REGULAR SESSION - 7:00 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 - Michael Fife, Council Member.**
- D. Pledges to The Flags - Michael Fife, Council Member.**

- 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 Proclamation.**

Issuance of a proclamation by Andrew S. Friedberg, Mayor, proclaiming Monday, December 17, 2018, as Officer Max Boatwright Day in the City of Bellaire, Texas, and offering our community's very best wishes and encouragement in his ongoing battle with cancer and our hopes that all his dreams come true.

- F. 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.]

G. Reports and Presentations:

1. City Manager's Report regarding communication, field and personnel updates, calendar reminders, and notes of appreciation - Submitted by Paul A. Hofmann, City Manager.
2. Presentation on progress made to date on the Bellaire Master Drainage Concept Plan - Submitted by Michael Leech, Director of Public Works.

H. 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, October 15, 2018 - Submitted by Tracy L. Dutton, City Clerk.

Mayor and Council - Regular Session - Oct 15, 2018 5:45 PM

b. Adoption of Ordinance and Resolution:

1. Consideration of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, appointing Alan P. Petrov as City Attorney and authorizing the City Manager and the City Clerk of the City of Bellaire, Texas, to execute and attest, respectively, a Legal Service Agreement by and between Johnson Petrov LLP and the City of Bellaire, Texas, effective as of December 3, 2018 - Submitted by Tracy L. Dutton, City Clerk, on behalf of the City Council.
2. Consideration of and possible action on the adoption of a resolution of the City Council of the City of Bellaire, Texas, to assist persons with the filing of a Fair Housing Amendments Act of 1988 Complaint - Submitted by ChaVonne Sampson, Director of Development Services.

2. Adoption of Ordinances:

- a. Consideration of and possible action 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, Change Proposals 6, 7, 20, 25, 26, 27, 28, 32, 33, 34, and 35 to the Guaranteed Maximum Price Contract with Horizon | Christensen, a Joint Venture, for the construction of the Municipal Facilities Project in the amount of \$302,516.00 - Submitted by Michelle Jordan, Project Manager.

- b. Consideration of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, authorizing the City Manager of the City of Bellaire, Texas, to execute, for and on behalf of the City of Bellaire, Texas, an "Application for Pay Estimate No. 5 – Final" with Main Lane Industries, Ltd., in the amount of \$229,630.49 to a contract for the FY 2017 Street and Sidewalk Pavement Management Project and authorizing the City to make the final payment to Main Lane Industries, Ltd., on said project in the amount of \$229,530.49 - Submitted by Michael Leech, Director of Public Works.
- c. Consideration of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, authorizing the City Manager and the City Clerk of the City of Bellaire, Texas, to execute and attest, respectively, a Standard Form of Agreement with ARKK Engineers, LLC, for the provision of design engineering and construction administration services associated with the Bonds for Better Bellaire 2016 Group A Phase 3 Waterline Replacement Project in an amount not to exceed \$523,545.00 - Submitted by Michael Leech, Director of Public Works.
- d. Consideration of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, authorizing the City Manager and the City Clerk of the City of Bellaire, Texas, to execute and attest, respectively, a Standard Form of Agreement with KIT Professionals, Inc., for the provision of third party review of design plans and construction management and inspection services associated with the Bonds for Better Bellaire 2016 Group A Phase 3 Waterline Replacement Project in an amount not to exceed \$301,180.00 - Submitted by Michael Leech, Director of Public Works.
- e. Consideration of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, amending Chapter 33, Telecommunications, Article II, Small Cell Network Facilities, and Appendix A to Chapter 33, Design manual, of the Code of Ordinances of the City of Bellaire, Texas, for the purpose of regulating the placement of small cell network facilities within public rights-of-way and the application process for the placement of small cell network facilities within public rights-of-way - Submitted by ChaVonne Sampson, Director of Development Services.

I. 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 Act, Section 551.0415.

J. Adjourn.