

City of Bellaire

CITY COUNCIL
Monday, August 5, 2019

Council Chamber and
Conference Room 103

Regular Session

5:30 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

REGULAR SESSION - 5:30 P.M.

- A. Call to Order - Andrew S. Friedberg, Mayor.**
- B. Announcement of a Quorum - Andrew S. Friedberg, Mayor.**
- C. Board Interviews (Conference Room 103):**

Interview, discussion, and evaluation of applicants interested in serving on the City of Bellaire L.I.F.E. Advisory Board - Submitted by Tracy L. Dutton, City Clerk, on behalf of the City Council.
[Applications for Vacancy on L.I.F.E. Advisory Board - Pdf](#)

[NOTE: THE BOARD AND COMMISSION INTERVIEW IS ANTICIPATED TO CONCLUDE, AND THE REGULAR SESSION TO CONTINUE IN THE COUNCIL CHAMBER, AT APPROXIMATELY 6:00 P.M.]
- D. Inspirational Reading and/or Invocation - David R. Montague, Council Member.**
- E. Pledges to the Flags - David R. Montague, 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.

I. PUBLIC HEARING (SPECIFIC USE PERMIT FOR DRIVE-THROUGH AUTOMOBILE SERVICE STATION)

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

Public hearing on an application filed by John Ridington, on behalf of Take 5 Properties SPV, LLC, for a Specific Use Permit as required by Chapter 24, Planning and Zoning, Section 24-605, Application for Specific Use Permit, to allow for the operation of a drive-through automobile service station for oil changes and emissions testing at 5235 Bellaire Boulevard, in the Corridor Mixed-Use (CMU) Zoning District, as provided for in Section 24-536.B.(2)(d)(2) of the Code of Ordinances of the City of Bellaire, Texas - Submitted by ChaVonne Sampson, Director of Development Services.
[5235 Bellaire SUP Application Take 5 - 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.

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, August 19, 2019; therefore, written comments should be submitted by noon on Thursday, August 15, 2019.

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, 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:

1. City Manager's Report regarding communication, field and personnel updates, calendar reminders, and notes of appreciation - Submitted by Paul A. Hofmann, City Manager.
[City Manager's Report - Pdf](#)
2. Presentation of the FY 2019 Third Quarter Report for the City of Bellaire, Texas - Submitted by Terrence Beaman, Chief Financial Officer.
[FY 2019 Third Quarter Report - Pdf](#)
3. Presentation of a request by the Bellaire Culture and Arts Board to re-establish the Bellaire Arts & Crafts Festival as an annual event hosted by the City of Bellaire, and to reallocate existing funding in the amount of \$2,000.00 for the event - Submitted by Cheryl Bright, Community Relations Administrator, on behalf of the Bellaire Culture and Arts Board, and presented by Andrew Williamson, Board Chair.
[Agenda Item Report - AS-19-143 - 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 Special Sessions of the City Council of the City of Bellaire, Texas, held on June 10, 2019 and June 11, 2019, and of the Regular Session held on June 17, 2019 - Submitted by Tracy L. Dutton, City Clerk.

[City Council - Jun 10 2019 - Minutes](#)

[City Council - Jun 11 2019 - Minutes](#)

[City Council - Jun 17 2019 - Minutes](#)

b. Adoption of Ordinance:

Consideration of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, denying the application of CenterPoint Energy Houston Electric, LLC, for approval to amend its Distribution Cost Recovery Factor - Submitted by Terrence Beaman, Chief Financial Officer.

[Ordinance Denying CenterPoint Application to the Public Utility Commission of Texas - Pdf](#)

2. Adoption of Ordinances:

- a. Consideration and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, amending Chapter 24, Planning and Zoning, Article IV, Planning Documents and Official Zoning Map, Section 24-403, Official Zoning District Map of the Code of Ordinances of the City of Bellaire, Texas, for the purposes of re-zoning the property located at 4301 Bellaire Boulevard from R-5 Residential District to Corridor Mixed-Use District, and removing it from the Bellaire Boulevard Estate Overlay District - Submitted by ChaVonne Sampson, Director of Development Services.

[Agenda Item Report - AS-19-101 - Pdf](#)

- b. Consideration of and possible action on a recommendation from the financial advisor to the City of Bellaire, Texas, regarding the award of a bid for bonds and on the adoption of an ordinance authorizing the issuance of "\$4,000,000 City of Bellaire, Texas (Harris County, Texas), General Obligation Bonds, Series 2019"; specifying the terms and features of said bonds; pledging the levy of a continuing annual ad valorem tax upon all taxable property within the City for the payment of the principal and interest on such bonds; enacting provisions incident and related to the issuance, delivery, payment of, and security for such bonds; approving and authorizing the distribution of an Official Statement; awarding the sale of such bonds and authorizing and approving a Paying Agent/Registrar Agreement - Submitted by Terrence Beaman, Chief Financial Officer.

[Series 2019 General Obligation Bonds - Pdf](#)

- 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 to, respectively, an Interlocal Agreement with Harris County, Texas, to allow Harris County to quickly clear disabled vehicles from freeways within the City - Submitted by Byron Holloway, Chief of Police.

[Ordinance and Interlocal Agreement - Pdf](#)

- d. Consideration of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, amending Chapter 7, Automobile Wreckers, Article II, Automobile Wrecker Permit, Section 7-45, Required, of the Code of Ordinances of the City of Bellaire, Texas, for the purpose of exempting from the permit requirement vehicle tows within the City authorized by Harris County pursuant to an Interlocal Agreement with the City - Submitted by Byron Holloway, Chief of Police.

[Ordinance Amending Code - Pdf](#)

- e. 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 to execute for and on behalf of the City of Bellaire, Texas, Standard Forms of Agreement with DRC Emergency Services, LLC, and Crowder Gulf, LLC, for the purchase of emergency debris removal services for the timely removal and lawful disposal of all disaster-generated debris – Submitted by Michael Leech, Director of Public Works.

[Ordinance and Agreements for Emergency Debris Removal Services - Pdf](#)

- f. 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 to execute Standard Forms of Agreement with Tetra Tech, Inc., and Witt O'Brien's, LLC, for the purchase of monitoring services associated with disaster-generated debris removal, management and related services – Submitted by Michael Leech, Director of Public Works.

[Ordinance and Agreements for Monitoring Services - Pdf](#)

- g. Consideration of and possible action on the adoption of an ordinance of the City Council of the City of Bellaire, Texas, appointing one (1) member to the L.I.F.E. Advisory Board of the City of Bellaire, Texas, for the purpose of filling a partial term commencing on the date of appointment or August 5, 2019, and ending on June 30, 2021 - Submitted by Tracy L. Dutton, City Clerk.

[Sample Ballot and Ordinance Appointing a Member to the L.I.F.E. Advisory Board - 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.