

December 15, 2008

Minutes of Meeting
City of Weston Lakes, City Council Special Meeting
Held at the Precinct 3 Building, Fort Bend County
8100 FM 359 Fulshear, Texas 77441
Wednesday, December 10, 2008
6:00 pm

1. Call to Order. The special meeting of the Weston Lakes City Council was called to order at 6 PM on the 9th Day of December 2008 by Mayor Mary Rose Zdunkewicz.

Members Present:

Mayor Mary Rose Zdunkewicz

Alderman Trent Thomas

Alderman Clifton Aldrich

Alderman Denis DeLuca

Alderman Gary Owens

Member Absent:

Alderman Theodore Case II

Marshal Ronald Horowitz was also present

Public Present:

None

2. Invocation. Alderman Trent Thomas led the Council in the Invocation and prayer.

3. Pledge of Allegiance. Alderman Clifton Aldrich led the Council in the Pledge of Allegiance to the Flag of the United States of America.

4. Announcements and Public Comment:

a. Mayor Zdunkewicz announced that the meeting was being recorded.

c. Mayor Zdunkewicz asked for public comment and hearing no request for such moved to the next agenda item.

5. City Attorney. The Mayor asked for a motion to consider the action of selecting a city attorney. A motion by Alderman Aldrich was made to do so. There was no second. Alderman Aldrich requested recognition to speak to the question and clarify the motion. Alderman DeLuca moved to table the motion to a later meeting. Alderman Thomas seconded that

motion. Alderman Aldrich in the discussion of the motion to table clarified the first motion, in that it was a motion was to discuss and debate the question of the Attorney selections with no requirement for a vote without a motion to do so. Alderman Owens provided a second to the first motion providing that there was no commitment to vote on the issue. Alderman DeLuca withdrew his motion and indicated a desire to make a motion to table the selection of an attorney until after securing TML insurance. With Alderman's Owens second the motion was agreed to and the meeting was open to comment and discussion.

Alderman Aldrich opened the discussion with an overview of the strengths and weaknesses of Olson and Olson. With the strengths being expertise, fully capable law firm including litigation, strength in numbers of quality attorneys, state wide reputation, TML connections and associations, past performance, familiarity, and knowledge in the Weston Lakes incorporation and ongoing litigation related to the incorporation. The weaknesses identified were cost, potential conflict with neighboring cities of Simonton and Orchard that also retain Olson and Olson.

Alderman Aldrich also discussed the strengths and weaknesses of the Johnson, Radcliff, Petrov, and Bobbitt firm that had been represented by Mr. Alan Petrov. The strengths were costs and general expertise, availability and stated willingness to adjust payment schedules to accommodate the cities cash flow.

Alderman DeLuca indicated that both firms provided strong presentations and both were good on costs even though Olson and Olson were higher. He indicated that given the experience and litigation capability the higher costs for Olson and Olson could be considered justified.

Alderman Thomas indicated he thought Mr. Petrov was very persuasive but felt the lack of litigation capability within the firm to be a drawback. He felt Olson and Olson had that experience and knew our community based upon previous work they had done on incorporation and their involvement in the current ongoing litigation.

Alderman Owens expressed concern about the lack of litigation capability within the firm and considered Mr. Petrov's firm more of a transactional attorney. Mr. Owens also raised the issue related to Aldrich's current involvement with Olson and Olson and asked if he would consider that a conflict of interest. Alderman Aldrich responded that he did not think so; however, would take the matter under advisement.

Alderman Aldrich discussed the background and qualifications of Ms. Kimberley Michelson who was unable to attend the interview sessions because of an emergency but was still under consideration. Ms. Michelson leads a small municipal law firm that has 5 attorneys. She and her associates have extensive municipal law experience as city attorneys, city managers and attorneys who have served the Texas Municipal League. Her TML experience is considered a

strength. She previously served as an associate attorney within Olson and Olson and was the former city attorney for the City of Fulshear and wrote their current sub division ordinance. She came highly recommended by those who have worked with her. Her firm does not handle litigation and in the case of any litigation issues would more than likely defer to her former firm Olson and Olson. She, like M. Petrov would be considered a transactional attorney, fully capable of guiding the city through its establishment phase.

Upon completion of the discussion and all had been heard that wanted to be heard, Alderman Owens moved that the actual vote to select the City Attorney be tabled until after insurance had been obtained. Alderman DeLuca seconded the motion and the motion was agree to with all present voting yes.

6. Adjournment. There being no further business on the agenda Alderman Aldrich, moved for Adjournment which was seconded by Alderman Thomas and agreed to. Adjournment occurred at 6:30 PM.

Signed

/s/

Mary Rose Zdunkewicz

Mayor, City of Weston Lakes