SPECIAL SESSION (EXECUTIVE SESSION) – 5:30 P.M.

A. CALL TO ORDER AND ANNOUNCEMENT OF A QUORUM – Mayor Cindy Siegel.

Mayor Cindy Siegel called the City Council of the City of Bellaire, Texas, to order at 5:32 p.m. on Monday, November 9, 2009. The Bellaire City Council met at that time and on that date in Special Session (Executive Session) under Chapter 551, Open Meetings Act, of the Texas Government Code, Section 551.074, Personnel Matters, to deliberate the evaluations of the City Attorney, City Clerk, and City Manager of the City of Bellaire, Texas. The Special Session (Executive Session) was held in the Council Chamber (open portions) and the Council Conference Room (closed portions), First Floor of City Hall, 7008 South Rice Avenue, Bellaire, Texas 77401.

Mayor Siegel announced that a quorum was present consisting of herself and the following members of City Council:

   Councilman James P. Avioli, Sr., Position No. 2;
   Mayor Pro Tem Peggy Faulk, Position No. 3;
   Councilman Phil Nauert, Position No. 4; and
   Councilman Pat McLaughlan, Position No. 5.

Councilman Will Hickman, Position No. 1, arrived at 5:45 p.m. and Councilman John Jeffery, Position No. 6, arrived at 6:15 p.m. and both went directly into Special Session (Executive Session). Other officials present were City Manager Bernard M. Satterwhite, Jr., City Attorney Alan P. Petrov, and City Clerk Tracy L. Dutton.

B. CONVENE in Executive Session (Closed Session to be held in the Council Conference Room) under Chapter 551, Open Meetings Act, of the Texas Government Code, Section 551.074, Personnel Matters, to deliberate the evaluations of the City Attorney of the City of Bellaire, Texas, City Clerk of the City of Bellaire, Texas, and City Manager of the City of Bellaire, Texas.

MOTION TO CONVENE IN EXECUTIVE SESSION:

A joint motion was made by Mayor Pro Tem Peggy Faulk and Councilman Phil Nauert to convene in Executive Session (Closed Session) under Chapter 551, Open Meetings Act, of the Texas Government Code, Section 551.074, Personnel Matters, to deliberate the evaluations of the City
VOTE ON MOTION TO CONVENE IN EXECUTIVE SESSION:

Motion carried unanimously on a 5-0 vote as follows:

FOR: Siegel, Cindy
     Avioli, James P., Sr.
     Faulk, Peggy
     Nauert, Phil
     McLaughlan, Pat

OPPOSED: None

ABSENT: Hickman, Will*
         Jeffery, John*

*Councilman Will Hickman and Councilman John Jeffery arrived after members of City Council had already convened in Executive Session and did not participate in the vote to convene.

The Bellaire City Council reconvened in Open Session in the Council Chamber, First Floor of City Hall, 7008 South Rice Avenue, Bellaire, Texas 77401.

C. RECONVENE (Open Session to be held in the Council Chamber) and consider taking 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 Mayor and the City Clerk of the City of Bellaire, Texas, to execute and attest, respectively, a Legal Service Contract by and between Johnson Radcliffe Petrov & Bobbitt PLLC and the City of Bellaire, Texas, for a term beginning November 1, 2009, and ending October 31, 2010, said details of which will be discussed in Executive Session – Members of City Council.

The Bellaire City Council reconvened in Open Session in the Council Chamber, First Floor of City Hall, 7008 South Rice Avenue, Bellaire, Texas 77401, at 9:11 p.m. on Monday, November 9, 2009.

Mayor Cindy Siegel advised that the Bellaire City Council had conducted an annual review or evaluation of the City Attorney. She noted that the Legal Service Contract provided by City Attorney Alan P. Petrov of Johnson Radcliffe Petrov & Bobbitt PLLC, was the same as the prior year with the exception of the flat monthly fee, which would increase by $150.00 per month. The flat monthly fee under the new contract terms would be $6,650.00.
Mayor Siegel continued and advised that the City Council was very pleased with the City Attorney’s performance.

**MOTION TO ADOPT ORDINANCE:**

A motion was made by Councilman Pat McLaughlan and seconded by Mayor Pro Tem Peggy Faulk to adopt an ordinance of the City Council of the City of Bellaire, Texas, appointing Alan P. Petrov as City Attorney and authorizing the Mayor and City Clerk of the City of Bellaire, Texas, to execute and attest, respectively, a Legal Service Contract by and between Johnson Radcliffe Petrov & Bobbitt PLLC and the City of Bellaire, Texas, for a term beginning November 1, 2009, and ending October 31, 2010.

**VOTE ON MOTION TO ADOPT ORDINANCE:**

Motion carried unanimously on a 7-0 vote as follows:

**FOR:** Siegel, Cindy
Hickman, Will
Avioli, James P., Sr.
Faulk, Peggy
McLaughlan, Pat
Jeffery, John

**OPPOSED:** None

**ABSENT:** None

{Ordinance was subsequently numbered: 09-069}

**D. CONSIDERATION and possible action, if any, on item(s) discussed in Executive Session related to the evaluations of the City Manager and/or City Clerk of the City of Bellaire, Texas – Members of City Council.**

Mayor Cindy Siegel advised that the City Council was very pleased with the City Manager and the City Clerk and both had done excellent jobs for the City. The City Council was recommending an increase of 2.3% for the City Clerk, raising her salary to $97,397.00. That increase would be voted on at a later meeting by ordinance.

**E. ADJOURNMENT.**

**MOTION TO ADJOURN:**

A joint motion was made by Councilman Pat McLaughlan and Councilman Will Hickman and seconded by Councilman Phil Nauert to adjourn the
Special Session (Executive Session) of the City Council of the City of Bellaire, Texas, at 9:13 p.m. on Monday, November 9, 2009.

VOTE ON MOTION TO ADJOURN:

Motion carried unanimously on a 7-0 vote as follows:

FOR:    Siegel, Cindy
         Hickman, Will
         Avioli, James P., Sr.
         Faulk, Peggy
         Nauert, Phil
         McLaughlan, Pat
         Jeffery, John

OPPOSED:  None

ABSENT:  None

Respectfully submitted,

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Tracy L. Dutton, TRMC
City Clerk
City of Bellaire, Texas

Approved:

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Cynthia Siegel, Mayor
City of Bellaire, Texas