CITY COUNCIL MEETING MINUTES
MONDAY, OCTOBER 1, 2012

The City Council of the City of Bellaire, Texas, met in Special Session (Executive Session) on Monday, October 1, 2012, in the Council Chamber and Council Conference Room, both of which were located on the First Floor of City Hall, 7008 South Rice Avenue, Bellaire, Texas 77401, for the following purpose(s):

A. CALL TO ORDER – Mayor Philip L. Nauert.

Mayor Philip L. Nauert called the City Council of the City of Bellaire, Texas, to order at 6:30 p.m. on Monday, October 1, 2012.

B. ANNOUNCEMENT OF A QUORUM – Mayor Philip L. Nauert.

Mayor Philip L. Nauert announced that a quorum was present consisting of himself and the following members of City Council: Mayor Pro Tem Amanda B. Nathan and Councilmen Roman F. Reed, James P. Avioli, Sr., Pat B. McLaughlan and Andrew S. Friedberg. City Clerk Tracy L. Dutton was also present, but did not participate in the closed portions of the Special Session (Executive Session).

Councilman Corbett Daniel Parker was absent.

C. CONVENE in Executive Session (Closed Session to be held in the Council Conference Room) under the Texas Government Code, Chapter 551, Open Meetings, Section 551.074, Personnel Matters; Closed Meeting, to deliberate the appointment of a Deputy Assistant City Attorney to serve as a Deputy Prosecutor in the Municipal Court of the City of Bellaire, Texas – Members of City Council.

CITY COUNCIL MOTION TO CONVENE IN EXECUTIVE SESSION/ACTION:

Councilman Roman F. Reed moved to convene in Executive Session (Closed Session) under the Texas Government Code, Chapter 551, Open Meetings, Section 551.074, Personnel Matters; Closed Meeting, to deliberate the appointment of a Deputy Assistant City Attorney to serve as a Deputy Prosecutor in the Municipal Court of the City of Bellaire, Texas. Mayor Pro Tem Amanda B. Nathan seconded the motion.
The motion carried unanimously on a 6-0 vote as follows:

**FOR:** Mayor Philip L. Nauert, Mayor Pro Tem Amanda B. Nathan and Councilmen Roman F. Reed, James P. Avioli, Sr., Pat B. McLaughlan and Andrew S. Friedberg

**OPPOSED:** None

**ABSENT:** Councilman Corbett Daniel Parker

Members of the Bellaire City Council convened in Executive Session in the Council Conference Room located directly behind the Council Chamber, First Floor of City Hall, 7008 South Rice Avenue, Bellaire, Texas, on Monday, October 1, 2012, at 6:30 p.m.

**D. RECONVENE (Open Session to be held in the Council Chamber) and consider taking action, if any, on the item(s) discussed during Executive Session (Closed Session) – Members of City Council.**

Members of the Bellaire City Council reconvened in Open Session in the Council Chamber, First Floor of City Hall, 7008 South Rice Avenue, Bellaire, Texas, on Monday, October 1, 2012, at 6:49 p.m.

Mayor Philip L. Nauert advised that the City Council had met in Closed Session and held discussions with the City’s Municipal Court Prosecutor, Robert C. Richter, regarding the possible appointment of a Deputy Prosecutor. City Council also had an opportunity to ask questions of the applicant, Christopher T. Gore.

**CITY COUNCIL MAIN MOTION:**

Councilman Andrew S. Friedberg moved to adopt an ordinance, as presented to City Council in their packet in connection with this evening’s Executive Session, to appoint Christopher T. Gore as Deputy Assistant City Attorney of the City of Bellaire, Texas, to serve as a Deputy Prosecutor in the Municipal Court of the City of Bellaire, Texas, for a two-year term commencing on October 1, 2012, and ending on September 30, 2014. Councilman Roman F. Reed seconded the motion.

**QUESTIONS FROM MEMBERS OF CITY COUNCIL:**

Councilman Andrew S. Friedberg asked Prosecutor Richter if he would succinctly address, for the record, any budgetary impact related to the appointment.
Prosecutor Robert C. Richter advised that there was no budgetary impact related to the appointment of a Deputy Prosecutor because the only time a prosecutor was paid in Municipal Court was if the prosecutor actually served. Additionally, the Code of Criminal Procedure, itself, prohibited more than one representative on either side of a case at any given time.

Mayor Philip L. Nauert indicated that he had relied on Prosecutor Richter and had trusted his judgment for a number of years. He asked if, in Prosecutor Richter’s opinion, the applicant, Christopher T. Gore, was qualified and of a proper temperament to serve and represent Bellaire well in the capacity of Deputy Prosecutor.

Prosecutor Richter stated that he did believe so and this was the reason that he had recommended Mr. Gore for the position. He heartily endorsed Mr. Gore’s candidacy for the position and felt Mr. Gore would be very helpful to the City.

Mayor Nauert thanked Prosecutor Richter and called for a vote on the main motion.

CITY COUNCIL ACTION ON MAIN MOTION:
The main motion carried unanimously on a 6-0 vote as follows:

FOR: Mayor Philip L. Nauert, Mayor Pro Tem Amanda B. Nathan and Councilmen Roman F. Reed, James P. Avioli, Sr., Pat B. McLaughlan and Andrew S. Friedberg

OPPOSED: None

ABSENT: Councilman Corbett Daniel Parker

{Ordinance was subsequently numbered: 12-045}

E. ADJOURNMENT.

CITY COUNCIL MOTION TO ADJOURN/ACTION:

Mayor Pro Tem Amanda B. Nathan moved to adjourn the Special Session (Executive Session) of the City Council of the City of Bellaire, Texas, at 6:51 p.m. on Monday, October 1, 2012. Councilman Roman F. Reed seconded the motion.
The motion carried unanimously on a 6-0 vote as follows:

**FOR:**
 Mayor Philip L. Nauert, Mayor Pro Tem
 Amanda B. Nathan and Councilmen Roman F. Reed, James P. Avioli, Sr., Pat B. McLaughlan and Andrew S. Friedberg

**OPPOSED:**
 None

**ABSENT:**
 Councilman Corbett Daniel Parker

Respectfully submitted,

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

Approved:

Philip L. Nauert, Mayor
City of Bellaire, Texas