

February 10, 2008

**Minutes of Meeting
City of Weston Lakes, City Council
Held at the Precinct 3 Building, Fort Bend County
8100 FM 359 Fulshear, Texas 77441
Tuesday, January 27, 2009
6:00 pm**

1. Call to Order. The meeting of the Weston Lakes City Council was called to order at 6 PM on the 27th Day of January 2009 by Mayor Mary Rose Zdunkewicz.

Members Present:

Mayor Mary Rose Zdunkewicz
Alderman Trent Thomas
Alderman Clifton Aldrich
Alderman Denis DeLuca
Alderman Theodore Case II
Alderman Gary Case

Marshal Ron Horowitz was also present.
City Attorney David Olson was also present.

Public Present:

Mr. William Dubois and Mrs. Dot Dubois
Mrs. Fran Aldrich
Mr. Eric Miller
Mrs. Jane Poe
Mr. Jack Marshall
Mr. Herb Yates
Mr. Patrick Harris
Mrs. Liz Thomas
Mr. Fisher

Mr. Charles Kalkomey of Pleger Kalkomey, a Jones and Carter Company, and Ms. Diane Hasel of Center Point were also in attendance to address the Council on Agenda items related to City Attorney and Franchise Fees respectively.

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

3. Pledge of Allegiance. Alderman Denis DeLuca led the Council in the Pledge of Allegiance to the Flag of the United States of America.

4. Minutes Approval. Upon a motion from Alderman Aldrich and a second from Alderman Thomas the minutes for the regular city council meeting on December 30 were approved.

5. Public Comment. Mayor Zdunkewicz asked for public comment and there being none moved to the next agenda item.

6. Mayor's Report. Mayor provided a report of ongoing actions that have been undertaken to establish the city.

a. The Mayor reported that there was no inter local agreement required or needed with the drainage district.

b. The Mayor introduced the newly appointed city attorney, Mr. David Olson. Mr. Olson was invited to provide some words of introduction and he did so. He provided a short background of his firm and his own background. He also invited the City Council members to attend an Olson and Olson Law Seminar for city officials on January 29th.

c. The Mayor reported that the City of Weston Lakes had received its first revenue check from the Comptroller's Office in the amount of \$929.27 representing the City's share of the Alcohol Mixed Beverage Tax from the Country Club.

d. The Mayor provided an update on the effort to find a suitable space to establish the city offices. She overviewed two existing options, one the possibility of an office at the Womack House on FM 1093 in Fulshear, and the other the possibility of an office in the Simonton City Hall. The Mayor asked for and received permission to discuss the Simonton option with the Simonton Mayor. On a motion by Alderman Thomas and a second by Alderman DeLuca and a unanimous vote of the council the Mayor was given permission to pursue the Simonton option. The Mayor also was given the authority to talk to the Mayor of Simonton and the Secretary of the City of Simonton about the City hiring the Simonton City secretary after a motion by Alderman Aldrich and a second by Alderman DeLuca followed by a unanimous vote of the Council members present. Prior to the vote and after a discussion with the City Attorney it was determined that the hiring would be legal but the individual could not be sworn as the city secretary but treated as an acting city secretary.

7. Finance

a. Consider and take action to select a bank to receive the official deposits of the City. Alderman Owens presented the three proposals that had been received for New First, Wallis and Commercial State Bank. All provided access to a line of credit upon request and were well versed in the handling of municipal accounts. Alderman Owens provided his personal history of dealing with Wallis State Bank as a POA trustee and spoke highly of them. He indicated that upon his review that all three banks were equal. He did

however excuse himself from the council's debate and abstained from the deliberation based upon personal associations with executives of all three banks. After a discussion of the pros and cons of each bank relating to convenience of location and their service history a motion was made to select Wallis State Bank by Alderman Case and seconded by Alderman Thomas. The motion passed with Aldermen Case, DeLuca, and Thomas voting yea and Alderman Aldrich voting nay.

b. The Mayor presented the partial fiscal year 2009 proposed budget to the Council. The Mayor also announced that the budget is available for citizen review by calling her. She also announced the date and time of the Budget workshop on February 14, 2009 and the Budget Hearing on March 14, 2009 at 1PM to 4PM at the Fort Bend County Precinct 3 Building at 8100 FM 359, Fulshear.

8. City Engineer.

The Council proceeded to consider the selection of Mr. Charles Kalkomey of Jones and Carter as the City Engineer. The Mayor asked Mr. Kalolmey to provide the Council an overview of his firm's capabilities, his professional and personal qualifications. After the presentation Alderman DeLuca moved that the council select Mr. Kalkomey as the City Engineer. The motion was seconded by Alderman Thomas and with limited discussion the motion was approved with all Council members present voting yea.

9. Inter Local Agreements.

The Mayor offered the inter local agreement with the County on public health of food establishments to the county. The City Attorney was recognized and provide legal input on this inter local and the inter local related to the Onsite Inspection of Sanitation Systems. Mr. Olson recommended that the Council allow him to clarify the language particularly in the Onsite Inspection of Sanitation Systems with the County. After a discussion and response by the City Attorney to Council's questions Alderman Owens moved that the Health Inspection inter local agreement be approved and the Onsite Inspection be tabled until the City Attorney has renegotiated the language ensure the City was being charged for any liability without the approval of the Council. The motion was seconded by Mr. Case and a vote was called for with all Council members present voted yea.

10. Resolution 01-09. The Mayor introduced the agenda item related to Resolution 01-09 previously approved by the council pending a City Attorney review. Resolution 01-09 addressed the process and procedures for the conduct of City Council meetings, Meetings of appointed boards, commissions, or committees, Workshops and Hearings. Mr. Olson presented a marked up copy of the Resolution for final approval. All changes were cosmetic and not substantive. A motion was made by Alderman Thomas to approve the resolution as amended by the City Attorney's markups. A vote was called for and all Council members present voted yea.

11. Franchise Fees. In considering and taking action on the Center Point Contracts for the City' receipt of Franchise Fees, Ms. Diane Hasel representing Center Point and their standard contract and the City Attorney representing an Olson and Olson negotiated version of a Center Point Contract were asked to address the contents, issues and the pros and cons of each of the proposed Franchise Fee contracts. After an extensive discussion of the benefits of each contract with a council initiated question and answer period, a motion was made by Alderman Aldrich and seconded by Alderman Thomas to accept the standard contract which provides for a annual franchise fee of \$63,000 to the city. This represents an amount of \$1,600.00 more than the Olson and Olson negotiated agreement. A vote was called and all Council members voted yea.

12. Official Newspaper. The selection of the official newspaper for the City of Weston Lakes was addressed as the next item on the agenda. There were two newspapers identified by the Mayor as candidates, the Fort Bend Herald and the Fulshear Times. Mr. Deluca opened the discussion with a recommendation that the Fort Bend Herald appeared the best fit for Weston Lakes as it was a daily paper, well established and with a circulation in Weston Lakes. Additional discussion compared the two newspapers. At the end of the discussion Alderman Aldrich moved to select the Fort Bend Herald as the official newspaper which was seconded by Alderman DeLuca. A vote was called for and all Council members voted yea.

13. Adjournment. There being no further business on the agenda Alderman Thomas, moved for adjournment, Alderman Deluca, seconded the motion and all Aldermen presented voted yea. Adjournment occurred at 7:14 PM.

Signed

/s/

Mary Rose Zdunkewicz

Mayor, City of Weston Lakes

Attest

/s/

Clifton H. Aldrich

Mayor Pro Tem