STATE OF TEXAS COUNTIES OF WALLER AND HARRIS CITY OF WALLER

BE IT REMEMBERED THAT ON THIS THE 6th day of January, 2015 at 6:00 p.m. the City Council of the City of Waller, Texas met in Regular Session at the Public Works Building, 1119 Sauders Street with the following present:

Mayor Danny Marburger Mayor Pro-tem Dwayne Hajek Councilmember Nancy Arnold Councilmember Edna Eaton Councilmember Roger Frey Councilmember Sidney Johnson Interim City Secretary Ann Smith

Attorney Paula Alexander

1. Mayor Marburger called the Special meeting to order at 6:00 p.m.

Mayor Marburger read the following Executive Session Items and announced the Council would convene in a closed session:

- 2. Pursuant to Section § 551.071 of the Texas Government Code for purpose of "The City Council will now convene into executive session pursuant to Section 551.071 of the Texas Government Code, to seek advice of its attorney regarding (1) pending or contemplated litigation, (b) a settlement offer, or (c) a matter on which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflict with this Chapter. (Chavez v. City of Waller, cause no. is 14CV0329, and Chavez v. City of Waller Police Department, SOAH No. 407-14-2596.F5.)
- 3. Pursuant to Section § 551.074, of the Texas Government Code for purpose of "The City Council will now convene into executive session pursuant to Section 551.074 of the TGC, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, review of applicants for the position of City Secretary.
- 4. Pursuant to Section § 551.072, of the Texas Government Code for the purpose to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the government body in negotiations with a third party.
- 5. City Council reconvened in Open Session at 6:40 p.m. The following actions were taken:
- 6. Pursuant to Section § 551.071 of the Texas Government Code for purpose of "The City Council will now convene into executive session pursuant to Section 551.071 of the

Texas Government Code, to seek advice of its attorney regarding (1) pending or contemplated litigation, (b) a settlement offer, or (c) a matter on which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflict with this Chapter. (Chavez v. City of Waller, cause no. is 14CV0329, and Chavez v. City of Waller Police Department, SOAH No. 407-14-2596.F5.)

Councilmember Frey motioned to authorize Paula Alexander, City Attorney, to negotiate the final settlement, as presented, in the matter of Chavez v. City of Waller, Cause No. 14CV0329 and Chavez v. City of Waller Police Department, SOAH No. 407-14-2596.F5. Mayor Pro Tem Hajek seconded the motion. Vote was unanimous.

7. Pursuant to Section § 551.074, of the Texas Government Code for purpose of "The City Council will now convene into executive session pursuant to Section 551.074 of the TGC, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, review of applicants for the position of City Secretary.

Councilmember Arnold motioned to authorize Ann Smith, Interim City Secretary, to obtain releases for background information and to schedule interviews with two qualified candidates for the City Secretary position. Councilmember Johnson seconded the motion. Vote was unanimous.

8. Pursuant to Section § 551.072, of the Texas Government Code for the purpose to deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the government body in negotiations with a third party.

Mayor Pro Tem Hajek motioned to authorize Paula Alexander, City Attorney, to prepare legal documents for the purchase of property known as Field Store Rd. 77484m, Tract A, abandoned Field Store Road, Abstract 847 J. Woodard Survey, .1390 acre. Councilmember Arnold seconded the motion. Vote was unanimous.

9. ADJOURNMENT

There being no further business, Mayor Marburger adjourned the meeting at 6:47 p.m.

APPROVED BY:

Danny Marburger, Mayor

ATTEST:

Ann Smith, Interim City Secretary