

CITY OF ROSENBERG

REGULAR CITY COUNCIL MEETING MINUTES

On this the 1st day of July, 2014, the City Council of the City of Rosenberg, Fort Bend County, Texas, met in a Regular Session, in the Rosenberg City Hall Council Chamber, located at 2110 4th Street, Rosenberg, Texas.

PRESENT

Vincent M. Morales, Jr.	Mayor
William Benton	Councilor at Large, Position 1
Cynthia McConathy	Councilor at Large, Position 2
Jimmie J. Pena	Councilor, District 1
Susan Euton	Councilor, District 2
Dwayne Grigar	Councilor, District 3
Amanda Bolf	Councilor, District 4

STAFF PRESENT

Robert Gracia	City Manager
Linda Cernosek	City Secretary
Scott M. Tschirhart	Attorney for the City
John Maresh	Assistant City Manager for Public Services
Jeff Trinker	Executive Director of Support Services
Joyce Vasut	Executive Director of Administrative Services
Angela Fritz	Executive Director of Information Services
Travis Tanner	Executive Director of Community Development
Charles Kalkomey	City Engineer
Dallis Warren	Police Chief
Wade Goates	Fire Chief
Darrell Himly	Assistant Fire Chief
Justin Jurek	Fire Marshal
Darren McCarthy	Parks and Recreation Director
Paul Rodgers	Parks Supervisor
Lydia Acosta	Recreation Program Director
Randall Malik	Economic Development Director
James Lewis	Director of Technology

The City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed below, as authorized by Title 5, Chapter 551, of the Texas Government Code.

CALL TO ORDER.

Mayor Morales called the meeting to order at 7:00 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE.

Pastor Kevin K. Barber, Wellspring Church International, Richmond gave the invocation and led the pledge of allegiance to the flag.

PRESENTATION OF ROSENBERG IMAGE COMMITTEE BEAUTIFICATION AND RENOVATION AWARDS.

Mayor Morales and Councilor Benton presented Rosenberg Image Committee Beautification and Renovation Awards to:

Present:

- Patricia McConnell 3102 Longhorn Drive

Not Present:

- Robert and Bernice Anzaldua 1501 George Street
- Mr. and Mrs. Les Krancher 1703 Avenue R
- Fred Zoch, III 4209 Junker Street

PRESENTATION OF PROCLAMATION PROCLAIMING THE MONTH OF JULY 2014 AS PARKS AND RECREATION MONTH IN THE CITY OF ROSENBERG.

Mayor Morales presented a Proclamation Proclaiming the Month of July 2014 as Parks and Recreation Month to Darren McCarthy, Parks and Recreation Director, Paul Rodgers, Parks Supervisor, Lydia Acosta, Recreation

GENERAL COMMENTS FROM THE AUDIENCE.

Citizens who desire to address the City Council with comments of a general nature will be received at this time. Each speaker is limited to three (3) minutes. In accordance with the Texas Open Meetings Act, the City Council is restricted from discussing or taking action on items not listed on the agenda. It is our policy to have all speakers identify themselves by providing their name and residential address when making comments.

COMMENTS FROM THE AUDIENCE FOR CONSENT AND REGULAR AGENDA ITEMS.

Citizens who desire to address the City Council with regard to matters on the Consent Agenda or Regular Agenda will be received at the time the item is considered. Each speaker is limited to three (3) minutes. Comments or discussion by the City Council Members will only be made at the time the agenda item is scheduled for consideration. It is our policy to have all speakers identify themselves by providing their name and residential address when making comments.

CONSENT AGENDA

1. REVIEW OF CONSENT AGENDA.

All Consent Agenda items listed are considered to be routine by the City Council and may be enacted by one (1) motion. There will be no separate discussion of Consent Agenda items unless a City Council Member has requested that the item be discussed, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the Regular Agenda.

A. CONSIDERATION OF AND ACTION ON WORKSHOP MEETING MINUTES FOR MAY 27, 2014, AND REGULAR MEETING MINUTES FOR JUNE 03, 2014.

B. CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1808, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AND SUBMIT AN APPLICATION FOR PARTICIPATION IN THE TEXAS MAIN STREET PROGRAM; AND, DESIGNATING THE CITY MANAGER TO SUPERVISE THE POSITION OF PROGRAM MANAGER.

Executive Summary: Proposed participation in the Texas Main Street Program (Program) was presented to City Council at the May 27, 2014 Workshop. At that time, City Council directed staff to move forward and to provide additional detail. The application process involves coordination between the business community, City staff, and downtown stakeholders. The sample application package and proposed budget were submitted to City Council for consideration on June 17, 2014.

This item has been added so City Council may review and consider the final application. Resolution No. R-1808 authorizes the Mayor to execute and submit said application for participation in the Program and designates the City Manager to supervise the Program Manager position. The application is included as Exhibit "A" to Resolution No. R-1808. Staff recommends approval of Resolution No. R-1808 as presented.

C. CONSIDERATION OF AND ACTION ON ORDINANCE NO. 2014-28, AN ORDINANCE AMENDING THE CODE OF ORDINANCES BY ADDING TO CHAPTER 28 ARTICLE II DIVISION 4 SECTION 28-71 THEREOF, ESTABLISHING THE LAWFUL SPEED LIMIT ALONG THAT PORTION OF CALLENDER STREET BETWEEN STATE HIGHWAY 36 AND WEST STREET; MAKING CERTAIN FINDINGS THAT THE PRIMA FACIE SPEED LIMIT IS UNREASONABLE AND UNSAFE; AUTHORIZING THE PLACEMENT OF SPEED LIMIT SIGNS ALONG SUCH STREET; PROVIDING A PENALTY FOR VIOLATION OF ANY PROVISION HEREOF; PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR SEVERABILITY.

Executive Summary: A speed limit study was conducted along Callender Street between July 17, 2013, and July 24, 2013, to determine the existing traffic speeds. The 85th percentile average speed ranged between twenty-six (26) miles per hour and thirty-three (33) miles per hour. At the time of the study, the overall average 85th percentile speed was rounded up to thirty (30) miles per hour, which is the current speed limit. A request has been submitted to reevaluate the speed limit. The 85th percentile average speed limit can be rounded down to twenty-five (25) miles per hour. Ordinance No. 2014-28 would establish the following speed limit on Callender Street:

- Callender Street between State Highway 36 and West Street – twenty-five (25) miles per hour.

Staff recommends approval of Ordinance No. 2014-28, establishing the aforementioned speed limit along Callender Street.

- D. **CONSIDERATION OF AND ACTION ON ORDINANCE NO. 2014-29, AN ORDINANCE AMENDING THE CODE OF ORDINANCES BY REPEALING THAT PORTION OF CHAPTER 28 ARTICLE II DIVISION 4 SECTION 28-72 REGULATING THE PRIMA FACIE SCHOOL ZONE SPEED LIMIT OF TWENTY (20) MILES PER HOUR ALONG STATE HIGHWAY 36 BETWEEN THE CENTERLINE OF AVENUE J TO THE CENTERLINE OF TEXAS STREET; MAKING CERTAIN FINDINGS; AUTHORIZING THE REMOVAL OF SCHOOL ZONE SPEED LIMIT SIGNS ALONG SUCH STREET; AND PROVIDING FOR AN EFFECTIVE DATE.**

Executive Summary: Several months ago, the Texas Department of Transportation (TxDOT) removed the school zone speed limit signs and flashing beacons from the portion of State Highway 36 located between the centerline of Avenue J and the centerline of Texas Street. At the time of removal, TxDOT recommended the City wait a period of time before repealing the school zone speed limit designation to ensure no unforeseen issues resulted from removal of the signs that would warrant the need to reinstall them. Since the time of removal, no issues or concerns have been brought to the City's attention. E-mail correspondence from both TxDOT and LCISD confirming they have no objections was included in the packet. Therefore, Ordinance No. 2014-29 has been prepared to repeal the school zone speed limit from the Code of Ordinances.

Staff recommends approval of Ordinance No. 2014-29, repealing the school zone speed limit on State Highway 36 between the centerline of Avenue J to the centerline of Texas Street.

- E. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1811, A RESOLUTION ACCEPTING THE FILING OF A PETITION BY LAND OWNER FOR ANNEXATION.**

Executive Summary: City staff has received a request for the voluntary annexation of an existing one-acre tract of land. The property is located on the south side of State Highway 36 West, between Huntington and Moore Bar Roads. It was part of the Union Pacific Tracts, which were annexed by the City in September of 2012. A number of the tracts had agricultural use tax exemptions and were therefore offered Non-Annexation Development Agreements (Agreement(s)) in accordance with state law. The owners of the subject property, Bob and Antonia Gonzales, entered into one of said Agreements with the City of Rosenberg. Namely, the Agreement provided immunity from City taxes. However, it did stipulate that if the property was developed for purposes other than agriculture, the development would constitute a petition by the owner for voluntary annexation of the property for full purposes by the City. Additionally, the owner has expressed an interest in developing a residence on this tract and has therefore requested that it be annexed by the City for full purposes. The remaining 7.3 acres would remain under the Agreement, as it would continue to be used for agricultural purposes, and only the one-acre tract would be subject to City taxes. This approach is directly in accordance with the language in the Agreement.

In previous instances, staff has been directed to move forward per the terms of the Agreements. Resolution No. R-1811 is being presented as a petition for annexation to be accepted by City Council. Per the City Charter and state law, once the petition is accepted by City Council via the Resolution, it must be acted on no sooner than five (5) days nor later than thirty (30) days. Should City Council approve the request for voluntary annexation, staff will prepare an Ordinance for annexation of the property for placement on a future City Council Agenda within that timeframe.

- F. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1812, A RESOLUTION ESTABLISHING A PEDESTRIAN SYSTEM MAINTENANCE PROGRAM.**

Executive Summary: This Agenda item was first discussed at the May 27, 2014 City Council Workshop Meeting. There were no recommended changes to the policy; however, specific sidewalks were discussed and it was suggested that existing sidewalk inventory maps that had previously been presented to City Council be reviewed by City staff. The 2012 sidewalk inventory maps have been reviewed by staff and are attached for reference. An excerpt from the 2010 Transit and Pedestrian Study is also attached as it contains a more comprehensive, but less detailed, sidewalk inventory map. These maps will be taken into consideration as staff implements the policy.

As discussed on May 27, the City has budgeted \$250,000 for the repair of existing sidewalks. Staff believes a policy should be developed and adopted by City Council for spending the funds and repairing sidewalks. This would result in areas and specific sidewalks being prioritized based on necessity, safety, and circulation, among other things.

The Pedestrian System Maintenance Program (PSMP) Guidelines were drafted following research of other cities' policies and needs within the City. Following is a summary of the draft PSMP Guidelines:

Goals of the Program:

- Protect pedestrians from injury in City rights-of-way
- Protect the City's investment in sidewalks and the pedestrian system
- Manage landscaping in a way that protects sidewalks

Geographic Area Prioritization Criteria – Geographic areas shall be prioritized based on the following:

- Inclusion in the City's Master Sidewalk Plan (Resolution No. R-896)
- Population density of abutting area
- Relative age of abutting area

Specific Sidewalk Evaluation Criteria:

- Horizontal separation
- Vertical separation
- "Cross sloping"
- Holes or gaps in sidewalk

Action Schedule – Action shall be taken by the City to replace, repair, or remove sidewalks based on the following:

- Safety issues (e.g., prior accidents)
- Location and surrounding land uses
- Severity of condition, proximity to other sidewalks needing repair, availability of resources, etc.

Options available to the City for taking action:

- Sidewalk removal
- "Ramping" or "lifting" of sidewalks
- Sidewalk Replacement

Additionally, the proposed PSMP Guidelines aim to address issues associated with landscaping on private property and its effects on the pedestrian system. When sidewalks are damaged due to landscaping, prior to the City investing in any repairs, the property owner may be required to remove the landscaping, install root barriers, etc.

Finally, the draft PSMP Guidelines provide for "Advanced Replacement Partnerships" in which a homeowners association (HOA), for example, could request sidewalk repairs provided said repairs meet the above program criteria, 60 percent (60%) of abutting property owners agree in writing, and the entity or group requesting the repairs shares in 50 percent (50%) of the overall cost.

Staff recommends approval of Resolution No. R-1812, establishing a Pedestrian System Maintenance Program.

Action: Councilor McConathy made a motion, seconded by Councilor Euton to approve the Consent Agenda. The motion carried by a unanimous vote.

REGULAR AGENDA

2. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1813, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE, FOR AND ON BEHALF OF THE CITY, A CONSENT FOR ACCESS TO PROPERTY AGREEMENT FOR THE INSTALLATION OF A MONITORING WELL AT THE PROPERTY GENERALLY LOCATED AT THE CORNER OF AVENUE H AND LOUISE STREET.**

Executive Summary: The City has received a request to allow the installation and maintenance of a groundwater monitoring well on the City-owned property located near the southwestern corner of Louise Street and Avenue H. The monitoring well is required in order to assess an apparent leak from an underground fuel tank located at the Eagle Mart, address 3001 Avenue H. At the completion of the

assessment and any remediation work that may be required by the Texas Commission on Environmental Quality (TCEQ), the monitoring well would be removed from the property in accordance with state guidelines.

As this is an effort to protect the groundwater from potential contamination, staff recommends approval of Resolution No. R-1813, authorizing the City Manager to execute the "Consent to Access to Property" form attached as Exhibit "A".

Key discussion points:

- John Maresh, Assistant City Manager for Public Services read the Executive Summary regarding Resolution No. R-1813.
- Councilor Euton asked how long the well will be needed.
- John Maresh stated it will depend on the contamination. They will coordinate if TxDOT does the one way pairs.

Action: Councilor Benton made a motion, approved by Councilor Grigar to approve Resolution No. R-1813, a Resolution authorizing the City Manager to execute, for and on behalf of the City, a Consent for Access to Property Agreement for the installation of a monitoring well at the property generally located at the corner of Avenue H and Louise Street. The motion carried by a unanimous vote.

3. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1809, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE, FOR AND ON BEHALF OF THE CITY, A COMMUNICATIONS SYSTEM AGREEMENT, BY AND BETWEEN THE CITY AND MOTOROLA SOLUTIONS INC., FOR THE PURCHASE AND INSTALLATION OF A FIRE STATION ALERTING SYSTEM, IN THE AMOUNT OF \$352,064.00.**

Executive Summary: During the planning phase for Fire Station No. 3, it was discovered that the current method of notifying the Fire Stations of calls would not work with three fire stations.

During FY2013-2014, funds were allocated for the purchase and installation of a Fire Station Alerting System.

After careful review of all the possible systems available, it was determined that Motorola Solutions Inc., provided the best system. The Motorola system is capable of expanding to over 100 fire stations and is the only system actively compatible with the City's Computer Aided Dispatch system.

The formal bid process was not needed for the Motorola system due to their Houston-Galveston Area Council (H-GAC) Procurement Contract that is currently in place (Contract #RA05-12).

The Communications System Agreement is attached to Resolution No. R-1809 as Exhibit "A". A representative of Motorola will be available at the meeting to answer any questions. Staff recommends approval of Resolution No. R-1809 as presented.

Key discussion points:

- Wade Goates, Fire Chief gave an overview of the item regarding Resolution No. R-1809.
- Scott M. Tschirhart, City Attorney referenced Section 14 – Page 9 of the Agreement regarding Limitation of Liability and liability must be brought within one (1) year. The City feels that should be struck and a four (4) year term should be inserted in the contract.

Questions:

- **Q:** What is this about and how long before the system is obsolete?
- **A:** When the communication station receives a tone; that leaves two tones. A third tone has been added for Fire Station #3 and this will allow us to add more stations in the future. This enhances response time through handling dispatching calls with automation. This is software driven and can continue to be enhanced through system software.
- **Q:** Is this a whole new system or an upgrade? Would the equipment be new at all fire stations, the displays and monitors are not included.
- **A:** Yes it is a new system. We will purchase that on our own. It will be less expensive than Motorola purchasing that equipment and passing the costs on to the City.
- **Q:** Does Motorola have a problem with a change in the liability?
- **A:** The City Attorney stated he does not anticipate any problem with this.

Action: Councilor Grigar made a motion, seconded by Councilor Grigar to approve Resolution No. R-1809, a Resolution authorizing the City Manager to execute, for and on behalf of the City, a Communications System Agreement, by and between the City and Motorola Solutions Inc., for the purchase and installation of a Fire Station Alerting System, in the amount of \$352,064.00 and with the liability change to a four year period. The motion carried by a unanimous vote.

4. **REVIEW AND DISCUSS POLICY REGARDING MAYOR/COUNCIL MEMBERS VOTING ABILITY ON ALL CITY-AFFILIATED BOARDS, CORPORATIONS, TASK FORCES, COMMITTEES, COMMISSIONS, ETC., AND TAKE ACTION AS NECESSARY.**

Executive Summary: This item has been added to offer City Council the opportunity to discuss Mayor and Council Members voting ability on all City affiliated Boards, Corporations, Task Forces, Committees, Commissions, etc.

Key discussion points:

- Councilor Benton brought the item to Council to discuss the policy of Mayor and Council Members voting on committees. He has no preference other than it being consistent with the exception of the Planning Commission which prohibits Council Members from voting.
- Scott Tschirhart explained some committees have ex-officio members and under the current rules, ex-officio member is entitled to notice of any meeting, all documents that go with the meeting. They can attend the meeting and discuss within the meeting the business being conducted. However; they are not allowed to vote in the meeting if they are ex-officio. Some of the committees have ex-officio members and others do not.

Questions/Comments:

- Councilor Euton asked why the committees are different and some can vote and others not. Is there a record?
- Linda Cernosek, City Secretary explained the RDC has its own by-laws and they are directors and voting members of RDC. The Planning Commission are ex-officio and they do not vote. The Image Committee was the only one in question and was always listed as ex-officio and was not counted as part of a quorum. The only problem that may occur is if you have other Council Members attending and you have a voting member as an ex-officio then you have to post those meetings as a Special Council Meeting as well as the other committees.
- Councilor Euton stated the Image Committee has always had a problem with leadership and Councilor Benton provides that for the Image Committee. She has no objection to changing that one. Is Parks and Recreation Board that way? She understands the caution of Open Meetings and it might be a good reason to keep it the way it is.
- Linda Cernosek stated Parks and Recreation is also ex-officio. The Image is listed that way too but it has not been adhered to.
- Councilor Pena asked if this has always been that way.
- Councilor Benton stated previous Council Members could vote. He would like consistency.
- Councilor Pena stated he will not attend anymore meetings than he has to. He does not have a problem with that and thinks if you sit on a committee you should be allowed to vote.
- Councilor Grigar stated when he was on the Image Committee he was Chairman and had voting rights but that was the only committee that had that procedure. To clean it up and make it consistent we changed it to where it was an ex-officio position. He thinks it should stay the way it is. If you are not on a commission or board where there are voting rights, then you are in a liaison position and are there on behalf of Council to have input. At a Council Meeting you have the input to explain to the rest of Council what took place and if there are questions that is where your liaison comes into effect. He thinks it needs to stay as it is.
- Councilor Bolf stated she is on Parks Board and does not vote. She thinks if you are on the committee you should vote. She would like it to be consistent.
- Scott Tschirhart stated he thinks it was a measure to avoid a quorum of Council Members that would show up for a Parks and Recreation meeting and then one Council Member on that board would actually vote. That would be business taken by a Council Member in that meeting and then you have to take quorum minutes and it complicates things. Some are statutory boards and some are advisory boards and that is why they are different.
- Councilor Benton stated that was not the reason two years ago when they changed that. It was more in line with what Councilor Grigar and the Mayor wanted at that time. They were the only ones left on Council that voted for that. Meetings are posted by the City Secretary and are on the internet.
- Councilor McConathy stated the distinction between the ex-officio and a member is the ability to

vote. In order to be consistent as a Council voting position on these committees could we change the title to Member and you will not have the issue about any other Council Members attending a meeting and does not create the quorum problem?

- Scott Tschirhart explained that Council has the power to change it or appoint the Council Members as regular Members to those committees rather than ex-officio members. It does not alleviate the problem with a quorum if you have a quorum of Council Members that show up at a one particular meeting and it is not correctly posted. That is the only concern.
- Councilor Benton asked if other Council Members showed up and spoke they would be out of order because they are not members of the committee.
- Scott Tschirhart explained it would be a problem because City business would be taking place in the presence of a quorum of the Council Members. As long as it was properly noticed as a Special Council Meeting if you anticipate a number of Council Members will show up there should not be a problem.
- Councilor McConathy stated it gets complicated with RDC where there are already three Council Members and if a fourth shows up you have a quorum.
- Scott Tschirhart stated it is different because it is statutorily created.
- Mayor Morales stated to Councilor Benton, based on the comment, the only reason to change it was to change it back according to the way it was setup.
- Councilor Euton stated she can see the reason they should not be voting and it would be an extra burden for the City Secretary and it should be kept the way it is now as the ex-officio. She would prefer to keep it the way it is.
- Councilor Pena stated we have learned something at this meeting. He thanked Scott Tschirhart for the information. He does not want to do something that would be burdensome to the City. He would like to leave it the way it is.
- No action was taken on the item.

RECESS REGULAR SESSION, RECONVENE INTO REGULAR SESSION.

Mayor Morales recessed the Session at 7:42 p.m. and reconvened the Session at 7:51 p.m.

5. CONSIDERATION OF AND ACTION ON APPOINTMENTS TO THE FOLLOWING BOARDS AND COMMITTEES:

- a) Animal Control Shelter Advisory Board;**
- b) Image Committee;**
- c) Parks and Recreation Board;**
- d) Rental Property Appeals Board; and,**
- e) Rosenberg Development Corporation.**

Executive Summary: Each year the City Council appoints and reappoints members to the City's Boards, Committees, and Commissions (Committees) that are to be appointed or reappointed for that particular year. A list of the current Committee members that are to be reappointed with the Committee(s) they currently serve, the City of Rosenberg Committee List, and the advertisement published in the Fort Bend Herald Newspaper on April 27, May 4, and May 11, 2014, and on the City's webpage was included in the agenda packet. The deadline for applications was Monday, May 12, 2014. The 2014 Committee Applications, provided under separate cover due to the total size, include a cover sheet with a brief description of each of the Committees that are being reappointed. The applications were received from interested applicants for the specific Committee(s) they are interested in serving.

The committee list was also included in the agenda packet for Council's review with the names of the Committees highlighted that were to be appointed/reappointed in 2014.

Key discussion points:

- Mayor Morales suggested the Council making a motion for each committee with a slate of people. Councilor Euton suggested going through each committee separately and discussing the applicants and qualifications for that committee.

Animal Control Shelter Advisory Board.

Action: Councilor McConathy made a motion, seconded by Councilor Grigar to accept the following members to the Animal Control Shelter Advisory Board: William Hester, DVM; Joni Huff, Joni (Chapman) Poche, and the additional member of Carolyn Seiler. The motion carried by a unanimous vote.

Image Committee.

- Councilor Benton suggested the Lamar Independent School Board and the Chamber Representatives become ex-officio members (non-voting members).

Action: Councilor McConathy made a motion, seconded by Councilor Euton for the Lamar CISD Representative, the Chamber Representative, as well as the student advisory representative(s), to be ex-officio (non-voting members of the Image Committee). The motion carried by a unanimous vote.

Action: Councilor Euton made a motion, seconded by Councilor Grigar to accept the following members to the Image Committee: Joyce Bartos, Cowboy Bill, Linda Carroll, Rufus Guebara III, Austin Hernandez (Student Advisory, Foster High School/ex-officio); Stanley Kucherka; Lisa McGarity (Chamber representative/ex-officio); Rose Pickens; Howard Stinnett; Lila Villagomez; Sergio Villagomez; and Lisa Wallingford. The motion carried by a unanimous vote.

Parks and Recreation Board.

Action: Councilor Bolf made a motion, seconded by Councilor McConathy to accept the following members to the Parks and Recreation Board: William Allen; Teresa Bailey; Melissa Dixon; Rudy Guerrero; Eric Juarez; Bertha Nell Kelm; Stanley Kucherka; Ray Kueck; Eric Ramirez; Julia Worley; and George Zepeda. The motion carried by a unanimous vote.

Rental Property Appeals Board.

Action: Councilor McConathy made a motion, seconded by Councilor Benton to accept the following members to the Rental Property Appeals Board: Cowboy Bill (Not in Rental); Mable Buford (Not in Rental); Darlene Cortez (Rental Industry); Rufus Guebara III (Renter); Christian Hawkins (Not in Rental); Edward Kahlenberg (Rental Industry); Scott Kirkham (Rental Industry); Ben Pawlak (Not in Rental); Lisa Wallingford (Renter); and David Woods (Rental Industry). The motion carried by a unanimous vote.

Rosenberg Development Corporation.

Action: Councilor Pena made a motion, seconded by Councilor Benton to accept Councilors Bolf and McConathy as Council Directors to the Rosenberg Development Corporation (RDC) to serve out the unexpired term of the present Council Directors.

- Councilor Bolf and McConathy accepted the nomination. Councilor Pena said he would serve if that is the decision of the Council.
- Scott Tschirhart, Legal Counselor, suggested that the Council make a cleaner motion to put the three Council Members (as directors to the RDC) together in the motion.

Action: Councilor Pena amended his motion, seconded by Councilor Euton to accept Councilors Bolf, McConathy, and Pena as the Council Directors to the Rosenberg Development Corporation to serve out the unexpired term of the present Council Directors (unexpired term will expire June 2015).

- Mayor Morales stated he will not stop representing various organizations in an economic development role and will continue to work with these individuals. Councilor Pena stated that he thought about that and he doesn't feel this will affect or hurt the City. He feels the knowledge and ability to see the different avenues that are going on in the City is essential and he doesn't believe anyone should sit on this board for more than four years, because he feels you need to bring in new ideas, new thoughts, and the complexity of the board is tremendous. He has been on the RDC board for one year and he has learned quite a bit. He feels the new Council Members would learn a lot, and that is his reasoning behind his motion.
- Mayor Morales stated it would give good exposure to the other Council Members as far as development. He would hope that the Council would still want him to be involved as far as promoting economic development for our City.

The motion carried by a 5-2 vote as follows: **Ayes:** Councilors Benton, McConathy, Pena, Euton, and Bolf. **Noes:** Mayor Morales and Councilor Grigar.

- Councilor Grigar stated he understands complexity and wanting to know the ropes, but the Council has set out rules: The RDC Directors serve two year terms: the Council Directors are appointed in the odd numbered years; the Citizen Directors are appointed in the even numbered years. Next year the Councilor Director positions would have been up for renewal, and I guess rules are made to be broken, because it seems that we constantly want to change. I guess some of us are being penalized for being on Boards and Commissions for a long time—I don't

think it is fair. If we are going to be changing the rules all the time, then we need to change the (RDC) by-laws. I will be involved and I will be at the RDC meeting each and every month.

- Mayor Morales stated we need to select the RDC Citizen Directors.

Action: Councilor Benton made a motion, seconded by Councilor McConathy to appoint Teresa Bailey to replace the vacated position of Laurie Cook as a Citizen Director on the Rosenberg Development Board. The motion carried by a unanimous vote.

Action: Councilor Benton made a motion, seconded by Councilor McConathy to accept the remaining incumbent directors to the Rosenberg Development Corporation, as follows: Ted Garcia, Bill Knesek, and Allen J. Scopel. The motion carried by a unanimous vote.

6. **ANNOUNCEMENTS.**

- Family 4th will be held July 4, 2014 at the Seabourne Creek Nature Park beginning at 6:00 p.m., with fireworks around 9:15 p.m.
- Councilor McConathy stated with the month of July being Parks and Recreation Month, she attended two YMCA hosting events, one at Jackson Elementary and one at Taylor Ray Elementary to sponsor summer programs that the City helped fund. The students gave her thank you cards. Councilor McConathy shared the cards with the Mayor and Council.

7. **ADJOURNMENT.**

There being no further business Mayor Morales adjourned the meeting at 8:17 p.m.



Linda Cernosek, TRMC, City Secretary