

## NOTICE OF REGULAR COUNCIL MEETING

**NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL OF THE CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS, WILL MEET IN REGULAR SESSION OPEN TO THE PUBLIC AS FOLLOWS:**

**DATE:** Tuesday, August 19, 2014

**TIME:** 7:00 p.m.

**PLACE:** Rosenberg City Hall  
City Hall Council Chamber  
2110 4<sup>th</sup> Street  
Rosenberg, Texas 77471

**PURPOSE:** Regular City Council Meeting, agenda as follows:

**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: City Hall Council Chamber

Invocation and Pledge of Allegiance. (Pastor Randy Beck, Water's Edge Community Church, Richmond)

### 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 Special Meeting Minutes for July 29, 2014. (Linda Cernosek, City Secretary)
  - B. Consideration of and action on authorization to sell the proposed list of surplus property items to be included in the on-line auction. (Linda Cernosek, City Secretary)
  - C. Consideration of and action on Ordinance No. 2014-32, an Ordinance amending the Code of Ordinances by amending Section 24-190 of Article VII of Chapter 24 thereof, establishing surety bonds to guarantee the restoration of right-of-way in the event the applicant leaves a job site in the right-of-way unsafe, incomplete or unfinished; providing an effective date; providing a penalty in an amount not to exceed \$2,000 for violation of any provision hereof; and providing for severability. (John Maresh, Assistant City Manager of Public Services)
  - D. Consideration of and action on Resolution No. R-1834, a Resolution authorizing the City Manager to execute, for and on behalf of the City, a General Services Contract Extension for the provision of mosquito control services, by and between the City and Cypress Creek Pest Control for a period of one (1) year, effective October 01, 2014, in the amount of \$38,000. (Jeff Trinker, Executive Director of Support Services)

- E. Consideration of and action on Resolution No. R-1835, a Resolution authorizing the City Manager to execute, for and behalf of the City, a General Services Contract Extension for the provision of janitorial services, by and between the City and Claron Building Maintenance, for a period of one (1) year, effective October 01, 2014, in the amount of \$58,336. (Jeff Trinker, Executive Director of Support Services)
- F. Consideration of and action on Resolution No. R-1836, a Resolution authorizing the City Manager to negotiate and execute, for and on behalf of the City, a Professional Services Agreement for services related to the creation of a Facilities Master Plan, by and between the City and Pierce Goodwin Alexander and Linville (PGAL), in an amount not to exceed \$52,500. (Jeff Trinker, Executive Director of Support Services)
- G. Consideration of and action on Quarterly Financial Report and Quarterly Investment Report for quarter ending June 30, 2014. (Joyce Vasut, Executive Director of Administrative Services)

**REGULAR AGENDA**

- 2. Hear and discuss a presentation regarding a proposed Eagle Scout Project to build owl nesting boxes for Seabourne Creek Nature Park, and take action as necessary. (Darren McCarthy, Parks and Recreation Director)
- 3. Hear and discuss a presentation regarding a proposed Eagle Scout Project to restore bleachers for Sunset Park, and take action as necessary. (Darren McCarthy, Parks and Recreation Director)
- 4. Hear and discuss a citizen request to address City Council regarding a previous donation of certain property for use as parkland, and take action as necessary. (Joan Williams McLeod)
- 5. Hold first public hearing to consider comments relating to the proposed Ad Valorem Tax Rate for the Fiscal Year beginning October 01, 2014, and ending September 30, 2015, and take action as necessary. (Joyce Vasut, Executive Director of Administrative Services)
- 6. Hold first public hearing to consider comments relating to Fiscal Year 2014-2015 Proposed Budget, which includes the City of Rosenberg's Capital Improvement Plan (CIP), and take action as necessary. (Joyce Vasut, Executive Director of Administrative Services)
- 7. Hold discussion by City Council on the Fiscal Year 2014-2015 Proposed Budget, which includes the City of Rosenberg's Capital Improvement Plan (CIP), and take action as necessary. (Joyce Vasut, Executive Director of Administrative Services)
- 8. Consideration of and action on Resolution No. R-1837, a Resolution authorizing the resale of property described in Exhibit "A", attached hereto for all purposes, having been acquired through tax foreclosure proceedings. (Joyce Vasut, Executive Director of Administrative Services)
- 9. Consideration of and action on Resolution No. R-1838, a Resolution authorizing amendments to the Employee Benefits Trust Declaration of Trust, a Trust created for the purpose of providing City officers, employees, and qualified retirees and their dependents, with life, dental, disability, sickness, accident, and other health benefits, either directly or through the purchase of insurance, and to perform operations in furtherance thereof. (Lisa Olmeda, Human Resources Director / Burke Sunday, Gallagher Benefits Services, Inc.)
- 10. Consideration of and action on Resolution No. R-1839, a Resolution authorizing the City Manager to execute, for and on behalf of the City, an Administrative Services Agreement, by and between the City and the Rosenberg Employee Benefits Trust, for the provision of certain administrative services for a term of one (1) year. (Lisa Olmeda, Human Resources Director / Burke Sunday, Gallagher Benefits Services, Inc.)
- 11. Consideration of and action on Resolution No. R-1840, a Resolution approving employee and retiree premium contribution rates to the City's health insurance plan. (Lisa Olmeda, Human Resources Director / Joyce Vasut, Executive Director of Administrative Services)
- 12. Consideration of and action on Resolution No. R-1841, a Resolution authorizing funding for a Contract with BlueCross BlueShield of Texas, for healthcare benefits for City employees, qualified retirees, and their dependents; and, authorizing the Rosenberg Employee Benefits Trust to negotiate and execute a Contract for same. (Lisa Olmeda, Human Resources Director / Burke Sunday, Gallagher Benefits Services, Inc.)
- 13. Consideration of and action on Resolution No. R-1842, a Resolution authorizing funding for a Contract with Assurant Employee Benefits for dental care benefits for City employees, qualified retirees, and their dependents; and, authorizing the Rosenberg Employee Benefits Trust to negotiate and execute a Contract for same. (Lisa Olmeda, Human Resources Director / Burke Sunday, Gallagher Benefits Services, Inc.)

14. Consideration of and action on Resolution No. R-1843, a Resolution authorizing replacement of the W. Fairgrounds Road Bridge at Seabourne Creek through the Texas Department of Transportation (TxDOT) Off-System Bridge Replacement Program utilizing the "participation waived" project form of agreement, approving improvements to other bridges equal to the 10% local funding contribution in the estimated amount of \$88,209.00; and, authorizing the City Manager and/or Mayor to execute all appropriate agreements and/or documents regarding same. (John Maresh, Assistant City Manager of Public Services)
15. Consideration of and action on Resolution No. R-1826, a Resolution awarding Bid No. 2014-09 for construction of the Bamore Road Phase IV Paving and Drainage Improvements Project; and, authorizing the City Manager to negotiate and execute, for and on behalf of the City, appropriate documents and/or agreements regarding same. (John Maresh, Assistant City Manager of Public Services)
16. Hold Executive Session to consult with City Attorney to receive legal advice regarding a potential alternative water supply project in association with Brazosport Water Authority pursuant to Section 551.071 of the Texas Government Code; and, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Presiding Judge of the Municipal Court pursuant to Section 551.074 of the Texas Government Code.
17. Adjourn Executive Session, reconvene into Regular Session, and take action as necessary as a result of Executive Session.
18. Consideration of and action on Resolution No. R-1844, a Resolution authorizing the Mayor to execute a Letter of Intent, by and between the City and Brazosport Water Authority regarding an alternative water supply project. (John Maresh, Assistant City Manager of Public Services)
19. Consideration of and action on Resolution No. R-1817, a Resolution providing for the appointment of the Presiding Judge of the Municipal Court of the City, for a two (2) year term beginning October 01, 2014, and ending September 30, 2016. (James Baker, Municipal Court Judge)
20. Consideration of and action on Resolution No. R-1818, a Resolution providing for an annual evaluation and authorized compensation for the position of Presiding Judge of the Rosenberg Municipal Court. (Vincent M. Morales, Jr., Mayor)
21. Announcements.
22. Adjournment.

[EXECUTION PAGE TO FOLLOW]

DATED AND POSTED this the 15<sup>th</sup> day of August 2014, at 11:50 a. m.,

by Christine Krahn



Christine Krahn

Attest:  
Christine Krahn, Acting City Secretary

Robert Gracia

Approved for Posting:  
Robert Gracia, City Manager

Vincent M. Morales, Jr.  
Approved:  
Vincent M. Morales, Jr., Mayor

Reasonable accommodation for the disabled attending this meeting will be available; persons with disabilities in need of special assistance at the meeting should contact the City Secretary at (832) 595-3340.

Executive Sessions: The City Council may retire to executive session in accordance with the Texas Government Code, any time between the meeting's opening and adjournment for the purposes of:

- consultation with legal counsel (Section 551.071);
- deliberation regarding real property (Section 551.072);
- deliberation regarding economic development negotiations (Section 551.087)
- deliberation regarding the deployment or specific occasions for implementation of security personnel or devices (Section 551.076)

Attendance by other elected or appointed officials: It is anticipated that members of other city boards, commissions or committees whose meetings may be governed by the Texas Open Meetings Act may attend this meeting in numbers that may constitute a quorum of the other city boards, commissions or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a possible quorum/meeting of the other boards, commissions or committees of the City, whose members may be in attendance. The members may speak as recognized by the presiding officer, but no action may be taken by any board, commission or committee unless such item is specifically provided for on an agenda designated for that board, commission or committee and posted in compliance with the Texas Open Meetings Act.

This Agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering the available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.