

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, September 02, 2014

TIME: 7:00 p.m.

PLACE: Rosenberg City Hall
City Hall Council Chamber
2110 4th 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. (Reverend Deborah Prihoda, First Assembly of God, Rosenberg)

Presentation of Proclamation Recognizing the City of Rosenberg as a Purple Heart City. (Vincent M. Morales, Jr., Mayor)

Presentation of Rosenberg Image Committee Beautification and Renovation Awards. (William Benton, Councilor, At Large Position One)

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

- I. 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 Regular Meeting Minutes for August 05, 2014. (Linda Cernosek, City Secretary)
 - B. Consideration of and action on Resolution No. R-1851, a Resolution authorizing the City Manager to execute, for and on behalf of the City, a Special Event Agreement for use of the Fort Bend County Fairgrounds, by and between the City and Fort Bend County. (Wade Goates, Fire Chief)
 - C. Consideration of and action on Ordinance No. 2014-36, an Ordinance amending the Code of Ordinances by deleting all of Section 28-41 (b) and (d), Stop Signs Designated, of Article II, of Division 2 of Chapter 28, Stop Streets, and substituting therefor a new Section 28-41 (b) and (d) of Article II, Division 2 of Chapter 28 thereof; providing a penalty in an amount of not less than \$1.00 or more than \$200.00 for violation of any provision thereof; repealing all ordinances or parts of ordinances inconsistent or in conflict herewith; providing for severability; and providing an effective date. (John Maresh, Assistant City Manager of Public Services)

- D. Consideration of and action on Ordinance No. 2014-37, an Ordinance amending the Code of Ordinances by adding a certain portion of Alamo Street to Section 28-116 of Article III of Division 2 of Chapter 28 thereof, as a portion of a street within the City upon which it is unlawful to park a vehicle; providing for the installation of "No Parking" signs indicating the boundaries of the no parking zone along Alamo Street; providing a penalty in an amount of not less than \$1.00 nor more than \$200.00 for each violation of any provision hereof; providing for severability; and providing an effective date. (John Maresh, Assistant City Manager of Public Services)
- E. Consideration of and action on a Final Plat of Summer Lakes Section Six, being a subdivision of 17.16 acres out of the Jane H. Long League, A-55 and the Wm. Lusk Survey, A-276, in the City of Rosenberg, in Fort Bend County, Texas (Fort Bend County Municipal Utility District No. 144); 80 lots, 6 blocks, 3 reserves (0.4624 ac.). (Travis Tanner, Executive Director of Community Development)
- F. Consideration of and action on a Final Plat of Cottonwood Section Three-B, a subdivision of 8.333 acres of land located in the S.A. Stone Survey No. 10, A-392, City of Rosenberg, Fort Bend County, Texas; Lots: 44; Reserves: 1; Blocks: 4. (Travis Tanner, Executive Director of Community Development)
- G. Consideration of and action on a Final Plat of Bayou Crossing Section Three, a subdivision of 8.670 acres of land located in the James Lowery 1/3 League, A-275, City of Rosenberg, Fort Bend County, Texas; also being a partial replat of Reserve "A-2", Block 1, Bayou Crossing Section Two Partial Replat No. One recorded at Plat No. 20130258, F.B.C.P.R., and a partial replat of Lots 3 and 4, J. M. Donley Subdivision recorded at Vol. 1, Pg. 20, F.B.C.P.R. (Travis Tanner, Executive Director of Community Development)
- H. Consideration of and action on River Run at the Brazos Section Five Amending Plat No. 1, being a subdivision of 8.3492 acres out of the Wm. Lusk Survey, A-276, in Fort Bend County, Texas (Fort Bend County Municipal Utility District No. 158); 39 Lots, 2 Blocks, 0 Reserves. (Travis Tanner, Executive Director of Community Development)

REGULAR AGENDA

- 2. Consideration of and action on Ordinance No. 2014-34, an Ordinance approving and adopting the City of Rosenberg, Texas, Budget for the Fiscal Year 2014-2015; making appropriations for the City for such year as reflected in said Budget; and making certain findings and containing certain provisions relating to the subject. (Joyce Vasut, Executive Director of Administrative Services)
- 3. Consideration of and action on ratification of the property tax increase reflected in the City of Rosenberg 2014-2015 Budget. (Joyce Vasut, Executive Director of Administrative Services)
- 4. Consideration of and action on Ordinance No. 2014-35, an Ordinance providing for the levy and collection of ad valorem taxes of the City of Rosenberg, Texas, for the Year 2014; providing for the date on which such taxes shall be due and payable; providing for penalty and interest on all taxes not timely paid; repealing all ordinances or parts of ordinances inconsistent or in conflict herewith; and providing for severability. (Joyce Vasut, Executive Director of Administrative Services)
- 5. Consideration of and action on the proposed installation of four (4) speed humps on Sally Anne Drive. (William Benton, Councilor, At Large Position One / Jimmie J. Peña, Councilor, District 1)
- 6. 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. (William Benton, Councilor, At Large Position One)
- 7. Consideration of and action on Resolution No. R-1855, a Resolution authorizing a request for a waiver of the Local Match Fund Participation requirement by the Texas Department of Transportation (TxDOT) in consideration of planned improvements to the W. Fairgrounds Road Bridge; and, cause to be performed an "Equivalent-Match Project" located within the City in return for waiver of the Local Match Fund Participation requirement; and, authorizing the City Manager and/or Mayor to negotiate and execute, for and on behalf of the City, appropriate agreements and/or documents regarding same. (John Maresh, Assistant City Manager of Public Services)
- 8. Consideration of and action on Resolution No. R-1814, a Resolution authorizing the City Manager to execute, for and on behalf of the City, a Crossing Agreement, by and between the City and Enterprise Crude Pipeline, LLC, permitting the installation of a single, new common carrier pipeline. (John Maresh, Assistant City Manager of Public Services)

9. Consideration of and action on Resolution No. R-1852, a Resolution authorizing the City Manager and/or Mayor to execute, for and on behalf of the City, a Standard Utility Agreement, by and between the City and Texas Department of Transportation (TxDOT) for water and sanitary sewer utility line relocations necessitated by the U.S. Hwy 59/I-69 Expansion Project. (John Maresh, Assistant City Manager of Public Services)
10. Consideration of and action on Resolution No. R-1853, a Resolution authorizing the City Manager and/or Mayor to execute, for and on behalf of the City, a Standard Utility Agreement, by and between the City and Texas Department of Transportation (TxDOT) for water and sanitary sewer utility line relocations necessitated by the U.S. Hwy 59/I-69 Expansion Project. (John Maresh, Assistant City Manager of Public Services)
11. Consideration of and action on Resolution No. R-1854, a Resolution suspending the October 01, 2014, effective date of CenterPoint Energy Houston Electric LLC's application to amend its rate schedules to permit the City time to study the request; approving cooperation with the Gulf Coast Coalition of Cities (GCCC); hiring Lloyd Gosselink Rochelle and Townsend, P.C., attorneys and consulting services to negotiate with the Company and direct any necessary litigation and appeals; finding that the meeting at which this Resolution is passed is open to the public as required by law; and requiring notice of this Resolution to the Company and legal counsel. (John Maresh, Assistant City Manager of Public Services)
12. Review and discuss proposed cancellation of the October 07, 2014 Regular City Council Meeting to accommodate National Night Out activities, and take action as necessary. (Linda Cernosek, City Secretary)
13. Hold Executive Session 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.
14. Adjourn Executive Session, reconvene into Regular Session, and take action as necessary as a result of Executive Session.
15. Consideration of and action on Resolution No. R-1818, a Resolution providing for authorized compensation for the position of Presiding Judge of the Rosenberg Municipal Court. (Vincent M. Morales, Jr., Mayor)
16. Announcements.
17. Adjournment.

[EXECUTION PAGE TO FOLLOW]

DATED AND POSTED this the 29th day of August 2014, at 1:10 p. 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.