

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 16, 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. (Pastor David Hodges, Grace Community Bible Church, Richmond)

Presentation of Texas Comptroller Leadership Circle Platinum Member Award for Achievement in Financial Transparency. (Vincent M. Morales, Jr., Mayor)

Presentation of Proclamation Proclaiming September 2014 as Prostate Cancer Awareness Month in the City of Rosenberg. (Vincent M. Morales, Jr., Mayor)

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 Regular Meeting Minutes for August 19, 2014. (Linda Cernosek, City Secretary)
 - B. Consideration of and action on Ordinance No. 2014-38, an Ordinance amending the Code of Ordinances by adding that certain section of Junker Road, between US 90A and Spur 529, to Section 28-160(a) of Article IV of Chapter 28 thereof, as streets within the City upon which it is unlawful to operate a truck as defined in Section 28-159 of the Code of Ordinances; providing for the installation of "No Truck" signs indicating the boundaries of the no truck designations along Junker Road; 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)
 - C. Consideration of and action on Resolution No. R-1858, a Resolution authorizing acceptance of a donation of seventy-five (75) trees from the Apache Foundation Tree Grant Program to be planted in Seabourne Creek Nature Park and Seabourne Creek Regional Sports Complex. (Darren McCarthy, Parks and Recreation Director)

- D. Consideration of and action on a Final Plat of Bonbrook Plantation North Section Eleven, a subdivision of 8.924 acres of land situated in the Wiley Martin League, Abstract 56, Fort Bend County, Texas; 35 lots, 0 reserves, 3 blocks. (Travis Tanner, Executive Director of Community Development)
- E. Consideration of and action on a Final Plat of Bonbrook Plantation North Section Twelve, a subdivision of 8.522 acres of land situated in the Wiley Martin League, Abstract 56, Fort Bend County, Texas; 34 lots, 0 reserves, 2 blocks. (Travis Tanner, Executive Director of Community Development)
- F. Consideration of and action on a Final Plat of Bonbrook Plantation North Section Thirteen, a subdivision of 19.476 acres of land situated in the Wiley Martin League, Abstract 56, Fort Bend County, Texas; 88 lots, 3 reserves (1.031 acres), 3 blocks. (Travis Tanner, Executive Director of Community Development)

REGULAR AGENDA

- 2. Hold Executive Session to consult with City Attorney on pending or contemplated litigation regarding Cause No. 140DCV-211746; City of Rosenberg, Texas, and City of Richmond, Texas v. Fort Bend Subsidence District; in the District Court of Fort Bend County, Texas, 268th Judicial District, pursuant to Section 551.071 of the Texas Government Code; and, to discuss or deliberate economic development negotiations regarding business prospects seeking to locate, stay or expand in the Rosenberg area pursuant to Section 551.087 of the Texas Government Code.
- 3. Adjourn Executive Session, reconvene into Regular Session, and take action as necessary as a result of Executive Session.
- 4. Review and discuss Cause No. 140DCV-211746; City of Rosenberg, Texas and City of Richmond, Texas v. Fort Bend Subsidence District; in the District Court of Fort Bend County, Texas, 268th Judicial District, and take action as necessary. (John Maresh, Assistant City Manager of Public Services.)
- 5. Hear and discuss a presentation regarding a proposed Eagle Scout Project to restore bleachers in Sunset Park, and take action as necessary. (Darren McCarthy, Parks and Recreation Director)
- 6. Hear and discuss a presentation regarding a proposed Eagle Scout Project to restore picnic tables in City Parks, and take action as necessary. (Darren McCarthy, Parks and Recreation Director)
- 7. Consideration of and action on Resolution No. R-1856, a Resolution authorizing the City Manager to execute, for and on behalf of the City, a Professional Services Agreement for the engineering services for the Avenue I and Avenue H Water Line Replacements, by and between the City and Jones and Carter, Inc., in the amount of \$224,000.00. (John Maresh, Assistant City Manager of Public Services)
- 8. Consideration of and action on Resolution No. R-1816, a Resolution authorizing the public sale of certain real property located at 2033 Avenue H, Rosenberg, Texas (old City Hall), more particularly described as being the east 60 feet (E. 60') off of the east end of Lots Eighteen (18), Nineteen (19) and Twenty (20), in Block Forty-Three (43) of the Town of Rosenberg, Fort Bend County, Texas, according to the map or plat thereof recorded in Volume P, Page 146 of the Deed Records of Fort Bend County, Texas, and further authorizing that the City Manager shall direct the preparation and execution of all necessary documentation regarding same; and containing other provisions relating to the subject. (Randall Malik, Economic Development Director)
- 9. Consideration of and action on Resolution No. R-1849, a Resolution authorizing publication of Notice of Intention to Issue Certificates of Obligation, in an aggregate principal amount not to exceed \$3,200,000, for the acquisition, construction and improvement of certain public works, and authorizing certain other matters relating thereto. (Joyce Vasut, Executive Director of Administrative Services)
- 10. Consideration of and action on Resolution No. R-1850, a Resolution authorizing the Mayor to purchase real property described as Lot One (1), Block Eighteen (18), Rosenberg, located in Fort Bend County, Texas, and being more particularly described in Clerk's File Number 9007021 of the Real Property Records of Fort Bend County, Texas; and, containing other provisions relating to the subject. (Joyce Vasut, Executive Director of Administrative Services)
- 11. Consideration of and action on Resolution No. R-1848, a Resolution authorizing the City Manager to execute, for and on behalf of the City, Budget Amendment 14-16 in the amount of \$55,000, for write-off of certain accounts receivable. (Joyce Vasut, Executive Director of Administrative Services)
- 12. Announcements.
- 13. Adjournment.

[EXECUTION PAGE TO FOLLOW]

DATED AND POSTED this the 12th day of September 2014, at 11:25 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.