

CITY OF ROSENBERG REGULAR COUNCIL MEETING MINUTES

On this the 21st day of October, 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 Barta	Councilor, District 4

STAFF PRESENT

Robert Gracia	City Manager
Linda Cernosek	City Secretary
Scott Tschirhart	Attorney for the City
John Maresh	Assistant City Manager of Public Services
Jeff Trinker	Executive Director of Support Services
Joyce Vasut	Executive Director of Administrative Services
Charles Kalkomey	City Engineer
Dallis Warren	Police Chief
Tracie Dunn	Assistant Police Chief
Wayne Jory	Police Lieutenant
Richard Hooper	Police Lieutenant
Jeremy Eder	Police Lieutenant
Cody Dailey	Police Lieutenant
Justin Crocker	Police Sergeant
Anthony Schnacky	Police Sergeant
Tommy Havelka	Police Sergeant
John Johnson	Police Sergeant
Wade Goates	Fire Chief
Lisa Olmeda	Human Resources Director
Randall Malik	Economic Development Director
Travis Tanner	Executive Director of Community Development
Darren McCarthy	Parks and Recreation Director
Angela Fritz	Executive Director of Information Services
James Lewis	Information Services Manager
Kaye Supak	Executive Assistant

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.

Reverend Charles Surovik, New Covenant Fellowship, Rosenberg gave the invocation and led the pledge of allegiance to the flag.

PRESENTATION OF PROCLAMATION PROCLAIMING OCTOBER 2014 AS "BREAST CANCER AWARENESS MONTH" IN THE CITY OF ROSENBERG.

Mayor Morales presented a proclamation proclaiming October 2014 as "Breast Cancer Awareness Month" in the City of Rosenberg to Alysse Harrison and representatives of M.D. Anderson Cancer Center.

PRESENTATION OF PROCLAMATION PROCLAIMING OCTOBER 2014 AS "NATIONAL BULLYING PREVENTION MONTH" IN THE CITY OF ROSENBERG.

Mayor Morales presented a proclamation proclaiming October 2014 as "National Bullying Prevention Month" in the City of Rosenberg to Mike Rockwood and representatives from Lamar Consolidated Independent School District.

PRESENTATION OF CERTIFICATES OF ACHIEVEMENT TO 2014 PUNT, PASS AND KICK WINNERS.

Mayor Morales and Darren McCarthy, Parks and Recreation Director presented Certificates of Appreciation to 2014 Punt, Pass and Kick Winners:

- Kelly Eng
- Paul Guzman
- Dylan Garrett
- Hunter Mauldin

PRESENTATION OF CERTIFICATES OF APPRECIATION TO 2014 PUNT, PASS AND KICK VOLUNTEERS.

Mayor Morales and Darren McCarthy presented Certificates of Appreciation to 2014 Punt, Pass and Kick Volunteers:

- Fort Bend Storm Football
- Rosenberg Lion's Club

PRESENTATION OF ROSENBERG IMAGE COMMITTEE BEAUTIFICATION AND RENOVATION AWARDS.

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

Present:

- Chili's Restaurant 24502 Southwest Freeway

Not Present:

- John and Jane Anderson 5522 Banner Lane
- TJ and Susan Burkholder 1105 Avenue D
- Roy Evans 1605 Walnut Avenue
- Alton and Sandra Kanak 2520 Pecan Drive
- Francisco and Ofelia Rocha 1601 Avenue D

INTRODUCTION OF NEW POLICE SERGEANTS ANTHONY SCHNACKY, PATROL DIVISION, AND THOMAS HAVELKA, PATROL DIVISION, PROMOTED ON AUGUST 09, 2014, AND JUSTIN CROCKER, CID, PROMOTED OCTOBER 06, 2014; AND, INTRODUCTION OF NEW POLICE LIEUTENANTS JEREMY EDER, CID, AND CODY DAILEY, PATROL DIVISION, PROMOTED OCTOBER 06, 2014.

Dallis Warren, Police Chief introduced the new:

Police Sergeants

- Anthony Schnacky, Patrol Division
- Thomas Havelka, Patrol Division
- Justin Crocker, CID

Police Lieutenants

- Jeremy Eder, CID
- Cody Dailey, Patrol Division

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 AUGUST 09, 2014, SPECIAL WORKSHOP MEETING MINUTES FOR AUGUST 09, 2014, JOINT CITY COUNCIL AND ROSENBERG DEVELOPMENT CORPORATION MEETING MINUTES FOR AUGUST 14, 2014, SPECIAL MEETING MINUTES FOR AUGUST 26, 2014, WORKSHOP MEETING MINUTES FOR AUGUST 26, 2014, REGULAR MEETING MINUTES FOR SEPTEMBER 02, 2014, AND REGULAR MEETING MINUTES FOR SEPTEMBER 16, 2014.**

B. **CONSIDERATION OF AND ACTION ON ORDINANCE NO. 2014-40, AN ORDINANCE AMENDING THE CODE OF ORDINANCES BY DELETING ALL OF SECTION 28-41 (B) AND (D), STOP SIGNS DESIGNATED, OF ARTICLE II, 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 FOR A FOUR-WAY STOP AT THE INTERSECTION OF AVENUE G AND 8TH STREET; PROVIDING A PENALTY IN AN AMOUNT OF NOT LESS THAN \$1.00 OR MORE THAN \$200.00 FOR VIOLATION OF ANY PROVISION HEREOF; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.**

Executive Summary: Staff recently received information from the Police Department Traffic Investigator, regarding a pattern of crashes having occurred at the intersection of Avenue G and 8th Street. A review of records identified a total of three (3) traffic crashes at this intersection over the most recent three (3) year period, all of which have occurred since October 2013. The intersection currently functions as a two-way stop, with 8th Street stopping and Avenue G being non-controlled. The recommendation is to make this a four (4) way stop intersection due to the documented number of traffic crashes that have occurred at the intersection.

Staff has prepared an Ordinance that deletes the above listed intersection from the two-way stop sign designations and will add said intersection to the four-way stop sign designations.

Staff recommends approval of Ordinance No. 2014-40 as presented.

C. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1869, A RESOLUTION RATIFYING AN AMENDED GROUNDWATER REDUCTION PLAN (GRP) REGARDING CONVERSION TO AN ALTERNATIVE WATER SOURCE AS APPROVED BY THE FORT BEND SUBSIDENCE DISTRICT.**

Executive Summary: During the regular City Council Meeting on November 05, 2013, City Council took action authorizing the preparation and submission of an amended Groundwater Reduction Plan (GRP) to the Fort Bend Subsidence District (FBSD). The GRP Amendment was submitted on August 21, 2014, and subsequently approved by the FBSD Board of Directors on September 19, 2014. The Amendment identifies the Brazosport Water Authority (BWA) as the source of alternative water supply that will be used to satisfy the FBSD unfunded mandate to reduce groundwater withdrawal by thirty percent (30%) beginning in FBSD permit year October 01, 2016. A copy of the Amendment was included as Exhibit "A" to Resolution No. R-1869. The amended GRP also includes a schedule/timeline for various Capital Projects that the City must construct within the timeline in order to prevent disincentive fee penalties from the FBSD.

Staff recommends approval of Resolution No. R-1869 as presented.

D. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1831, A RESOLUTION AWARDDING BID NO. 2014-13, FOR PARKS GROUNDS MAINTENANCE SERVICES; AND, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE, FOR AND ON BEHALF OF THE CITY, A GENERAL SERVICES CONTRACT RELATED THERETO, AND/OR ALL NECESSARY DOCUMENTATION REGARDING SAME.**

Executive Summary: On Wednesday, September 17, 2014, bids were received and opened for the City of Rosenberg (City) Parks Grounds Maintenance Contract. A total of two (2) bids were

received as indicated on the bid summary form included in the agenda packet.

The bid summary and proposal were attached for review. A's Camo Cutters submitted the lowest bid in the amount of \$40,000.00. A's Camo Cutters has been the provider for these services for the past two (2) years and continues to perform satisfactorily. A's Camo Cutters is also the current contract holder for the Small Areas Mowing Contract and their work has been satisfactory.

Staff recommends approval of Resolution No. R-1831, awarding Bid No. 2014-13 to A's Camo Cutters, and authorizing the City Manager to negotiate and execute a General Services Contract in the amount of \$40,000.00 for complete parks grounds maintenance to include Brazos, Community, Harwood and Riverbend Parks, for a one (1) year term, with an option to renew at the same price for an additional one (1) year term. Should City Council award Bid No. 2014-13 as recommended, the proposal will serve as Exhibit "A" to Resolution No. R-1831. The contract time is 365 calendar days.

- E. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1832, A RESOLUTION AWARDING BID NO. 2014-14, FOR SEABOURNE CREEK REGIONAL SPORTS COMPLEX GROUNDS MAINTENANCE SERVICES; AND, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE, FOR AND ON BEHALF OF THE CITY, A GENERAL SERVICES CONTRACT RELATED THERETO, AND/OR ALL NECESSARY DOCUMENTATION REGARDING SAME.**

Executive Summary: On Wednesday, September 17, 2014, bids were received and opened for the Seabourne Creek Regional Sports Complex Grounds Maintenance Contract. A total of one (1) bid was received as indicated on the bid summary form included in the agenda packet.

The bid summary and proposal were attached for review. NRI Brokerage, Inc., dba Earth First Landscapes submitted a bid in the amount of \$52,980.00. Earth First Landscapes has been contracted through the City for the previous two (2) years and has met all needs of the prior Contract satisfactorily.

Staff recommends approval of Resolution No. R-1832, awarding Bid No. 2014-14 to NRI Brokerage, Inc., dba Earth First Landscapes, and authorizing the City Manger to negotiate and execute a General Services Contract in the amount of \$52,980.00 for Seabourne Creek Regional Sports Complex Grounds maintenance, for a one (1) year term, with an option to renew at the same price for an additional one (1) year term. Should City Council award Bid No. 2014-14 as recommended, the proposal will serve as Exhibit "A" to Resolution No. R-1832. The Contract time is 365 calendar days.

- F. **CONSIDERATION OF AND ACTION ON A SHORT FORM FINAL PLAT OF GOLDSHIRE CENTER REPLAT OF COMMERCIAL RESERVE "A-2", A SUBDIVISION OF 4.3943 ACRES OR 191,416 SQUARE FEET OF LAND BEING A REPLAT OF COMMERCIAL RESERVE "A-2" OF GOLDSHIRE CENTER REPLAT OF COMMERCIAL RESERVE "A", RECORDED UNDER FORT BEND COUNTY CLERK'S FILE NO. 20130048, IN THE JAMES LOWERY SURVEY, ABSTRACT NO. 275, CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS; 1 BLOCK, 2 RESERVES.**

Executive Summary: The Short Form Final Plat of Goldshire Center Replat of Commercial Reserve "A-2" consists of 4.3943 acres and two (2) commercial reserves. It is a replat of the previous Goldshire Center Replat of Commercial Reserve "A." The Plat is located east of the intersection of Reading Road and FM 1640.

The Plat is adjacent to the recently constructed Stripes and simply proposes to further subdivide existing Reserve "A-2" into two (2) new reserves to accommodate new site development. The development will abut the Stripes site. One of the proposed reserves (Reserve "A-2") is 2.7186 acres while the second proposed reserve (Reserve "A-3") is 1.6757 acres. A portion of Reserve "A-2" falls within the West Fort Bend Management District, as indicated in the Plat. The reserves will have cross access and designated access to FM 1640 per previous easements dedicated in 2007 and in 2013 as noted on the Plat.

There are no issues with the proposed subdivision that conflict with City ordinances. A public hearing was held as required by State law and City ordinance at the September 17, 2014 Planning Commission meeting. The Planning Commission considered this Plat at the same meeting and recommended approval to City Council of the Short Form Final Plat of Goldshire

Center Replat of Commercial Reserve "A-2".

- G. **CONSIDERATION OF AND ACTION ON A FINAL PLAT OF SUMMER LAKES SECTION EIGHT, BEING A SUBDIVISION OF 8.574 ACRES OUT OF THE W.M. LUSK SURVEY, A-276 AND THE JANE LONG LEAGUE, A-55, IN THE CITY OF ROSENBERG, IN FORT BEND COUNTY, TEXAS (FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 144); 36 LOTS, 2 BLOCKS, 1 RESERVE (0.5214 ACRE).**

Executive Summary: The Final Plat of Summer Lakes Section Eight is located off of Lake Commons and Blue Lake Drives in the south central portion of the Summer Lakes development. The Plat consists of 8.574 acres, 36 residential lots, and one (1) reserve containing 0.5 acres.

All proposed lots are a minimum of sixty feet (60') in width as measured at the front building line. The Plat complies with the Development Agreement and approved Land Plan for Fort Bend County MUD No. 144. The Land Plan identifies the area of the Plat as single-family residential development. The Development Agreement calls for a minimum lot width of fifty feet (50') and minimum size of 6,000 square feet. All proposed lots meet these requirements.

The Preliminary Plat of Summer Lakes Section Eight was approved by the Planning Commission on June 18, 2014, and the Final Plat was recommended for approval on September 17, 2014. The Final Plat is not in conflict with any applicable regulations, with the approved Preliminary Plat, or with the Development Agreement for Fort Bend County MUD No. 144. Staff recommends approval of the Final Plat of Summer Lakes Section Eight.

- H. **CONSIDERATION OF AND ACTION ON A FINAL PLAT OF SUMMER PARK SECTION TWO, BEING A SUBDIVISION OF 16.498 ACRES OUT OF THE ROBERT E. HANDY SURVEY, A-187, IN THE CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS (FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 144): 64 LOTS, 3 BLOCKS, 3 RESERVES (0.6726 ACRE).**

Executive Summary: The Final Plat of Summer Park Section Two is located off of Park Place Boulevard in the southwest portion of the Summer Park development. The Plat consists of 16.498 acres, 64 residential lots, and three (3) reserves containing 0.67 acres.

All proposed lots are a minimum of sixty feet (60') in width as measured at the front building line. The Plat complies with the Development Agreement and approved Land Plan for Fort Bend County MUD No. 144. The Land Plan identifies the area of the plat as single-family residential development. The Development Agreement calls for a minimum lot width of fifty feet (50') and minimum size of 6,000 square feet. All proposed lots meet these requirements.

The Planning Commission approved the Preliminary Plat of this subdivision on June 18, 2014, and recommended approval of the Final Plat on September 17, 2014. The Final Plat is not in conflict with any applicable regulations, with the approved Preliminary Plat, or with the Development Agreement for Fort Bend County MUD No. 144. Staff recommends approval of the Final Plat of Summer Park Section Two.

- I. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1866, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE, FOR AND ON BEHALF OF THE CITY, AMENDMENT 3 TO: SECURITY SERVICES CONTRACT BETWEEN LAMAR CONSOLIDATED INDEPENDENT SCHOOL DISTRICT AND THE CITY OF ROSENBERG FOR POLICE SERVICES PROVIDED BY ROSENBERG POLICE OFFICERS.**

Executive Summary: Amendment 3 to the Security Services Contract (Contract) with Lamar Consolidated Independent School District (LCISD) is to provide for two additional one-year extensions to the current Contract.

This Contract automatically renewed, effective September 01, 2014, and shall expire on August 31, 2015. LCISD and the City of Rosenberg may, upon mutual consent, extend the Contract for two (2) additional one-year periods upon written request of the City of Rosenberg Police Department presented prior to the expiration of the Contract.

Amendment 3 is included at Exhibit "A" to Resolution No. R-1866. Staff recommends approval of Resolution No. R-1866 as presented.

Action: Councilor Benton made a motion, seconded by Councilor McConathy to approve all items (Items A-I) on the Consent Agenda. The motion carried by a unanimous vote.

REGULAR AGENDA

2. **CONSIDERATION OF AND ACTION ON ORDINANCE NO. 2014-41, AN ORDINANCE AUTHORIZING AND ORDERING THE ISSUANCE OF THE CITY OF ROSENBERG, TEXAS, COMBINATION TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2014A; AWARDING THE SALE THEREOF; AND CONTAINING MATTERS INCIDENT THERETO.**

Executive Summary: On September 16, 2014, City Council adopted Resolution No. R-1849 authorizing publication of Notice of Intention to issue Certificates of Obligation, in an aggregate principal amount not to exceed \$3,200,000 for improvements to Airport Avenue, Bryan Road and utility adjustments to Avenue H and Avenue I. The notice was published on September 19, 2014, and September 26, 2014, as required, with an amount not to exceed \$3,200,000.00. There has been no presentation of a petition by the citizens to call an election to approve the issuance of \$3,200,000.00 in Certificates of Obligation for improvements to the proposed projects, and to pay the costs incurred in connection with the issuance of the Certificates.

Ordinance No. 2014-41 authorizes the issuance of the Certificates and approves the results of the bidding process and sale of the Certificates. The Ordinance also sets forth the procedures for the finalization of the sale and delivery of the proceeds to the City. Joe Morrow of First Southwest Company and Marcus Deitz with Fulbright & Jaworski LLP, representing the City as Bond Counsel, were present at the meeting to review the results of the sale with City Council.

Staff recommends approval of Ordinance No. 2014-41, an Ordinance authorizing and ordering the issuance of the City of Rosenberg, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2014A; awarding the sale thereof; and containing matters incident thereto.

Key discussion points:

- Joyce Vasut, Executive Director of Administrative Services read the Executive Summary.
- Joe Morrow of First Southwest Company provided an update of the results of the sale.

Questions:

Q: What is the breakdown for the \$3.2 million? Some is for Bryan Road and Airport Road.

A: We are still working on the numbers. Staff wants to make sure the amounts we need for Airport Road are still working on the agreements with Fort Bend County on the Avenue H and Avenue I project. That will allow Council to approve the exact breakdown.

Q: Is \$10M the cap the City can borrow each year?

A: Yes.

Q: Can we get the estimates on Airport Road?

A: That will be brought back to the November 18th Council meeting.

Action: Councilor Barta made a motion, seconded by Councilor McConathy to approve Ordinance No. 2014-41, an Ordinance authorizing and ordering the issuance of the City of Rosenberg, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2014A; awarding the sale thereof; and containing matters incident thereto. The motion carried by a unanimous vote.

3. **REVIEW AND DISCUSS PROPOSED AMENDMENTS TO SECTION 6-367 OF THE CODE OF ORDINANCES PROVIDING RULES AND REGULATIONS GOVERNING THE PAINTING OF STREET NUMBERS ON CURBS, AND TAKE ACTION AS NECESSARY.**

Executive Summary: On April 01, 2014, April 22, 2014, and August 26, 2014, City Council held discussions regarding the potential of amending the City's curb-painting regulations to include the Texas flag.

This item has been added to the Agenda to offer City Council the opportunity to discuss the potential amendment of the rules and regulations governing the painting of street numbers on curbs. A copy of the current Code Section 6-367 was included in the agenda packet for information and review.

Fire Chief Wade Goates will present examples of the Texas flags for City Council's discussion and consideration.

Key discussion points:

- Wade Goates, Fire Chief provided various examples showing visibility of numbers.
- A brief discussion was held by Council.

Action: Councilor Benton made a motion, seconded by Councilor McConathy to approve modification of Ordinance No. 2011-07 to keep the same size numbers and add the Texas Flag leaving the remainder of the Ordinance as it is. The motion carried by a unanimous vote.

4. **REVIEW AND DISCUSS PROPOSED OFF-SITE LOCATION VISIT BY ROSENBERG CITY COUNCIL TO TOUR CERTAIN SITES, NAMELY TELFAIR LOFTS LOCATED AT 7500 BRANFORD PLACE, SUGAR LAND, TEXAS, AND IMPERIAL BALLPARK LOFTS, 2 STADIUM DRIVE, SUGAR LAND, TEXAS, AND TAKE ACTION AS NECESSARY.**

Executive Summary: This item has been included on the Agenda to offer City Council an opportunity to consider a potential off-site location visit to view certain types of development projects that may prove to be of interest to City Council. The projects are located in Sugar Land – one is a development near Constellation Field and the other is located in Telfair off of US 59.

Key discussion points:

- Councilor Benton asked Council Members for input regarding a proposed off-site visit to tour certain sites, namely Telfair Lofts at 7500 Branford Place in Sugar Land, Texas. He would like to take the trip and those specifically who had concern with the developer last month.
- Councilor McConathy clarified she did not have an issue with the product, only the number of stories with the development.

Action: Councilor Benton made a motion, seconded by Councilor Grigar to coordinate either independently or as a partial group to look at these products to fit into this area. **The motion carried by a vote of 6 to 1 as follows: Yeses: Mayor Morales, Councilors Benton, Pena, Euton, Grigar and Barta. No: Councilor McConathy.**

5. **REVIEW AND DISCUSS PROPOSED OFF-SITE LOCATION VISIT BY ROSENBERG CITY COUNCIL TO TOUR A CERTAIN SITE, NAMELY THE BRAZOSPORT WATER AUTHORITY SURFACE WATER TREATMENT PLANT FACILITY GENERALLY LOCATED AT 1251 FM 2004, LAKE JACKSON, TEXAS, AND TAKE ACTION AS NECESSARY.**

Executive Summary: This item has been included on the Agenda to offer City Council an opportunity to consider a potential off-site location visit to the Brazosport Water Authority Surface Water Treatment Plant located in Lake Jackson.

Key discussion points:

- John Maresh, Assistant City Manager of Public Services read the Executive Summary.

Action: Councilor Barta made a motion, seconded by Councilor McConathy to approve a proposed off-site location visit by Rosenberg City Council to tour a certain site, namely the Brazosport Water Authority Surface Water Treatment Plant Facility generally located at 1251 FM 2004, Lake Jackson, Texas, and take action as necessary. The motion carried by a unanimous vote.

6. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1864, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE, FOR AND ON BEHALF OF THE CITY, AN INTERLOCAL AND COOPERATIVE PURCHASING PROGRAM CONTRACT, BY AND BETWEEN THE CITY AND THE HARRIS COUNTY DEPARTMENT OF EDUCATION.**

Executive Summary: The Technology Department is working closely with Dahill, a Xerox Company, to provide the most efficient and cost effective document management program for the City. Dahill has proposed a copier solution that will provide a better service at a reduced cost. The solution proposed by Dahill includes authorizing a new contract for copier services. However, the contract that Dahill is offering requires that the City participate in the Harris County Department of Education (HCDE) Interlocal and Cooperative Purchasing Program.

This Cooperative Purchasing Program allows the City to purchase goods and services through quality, competitively bid contracts. The City may become a member of this purchasing cooperative at no cost to the City, and use the HCDE awarded contracts thereby saving time and money while expanding the City's purchasing capabilities.

The HCDE Interlocal and Cooperative Purchasing Program Contract was included as Exhibit "A" to Resolution No. R-1864. Staff recommends approval of Resolution No. R-1864 as presented.

Key discussion points:

- Joyce Vasut read the Executive Summary regarding the item.

Questions:

Q: The City participates in the HGAC and Buy Board programs, was there nothing available there?

A: We are members of HGAC and Buy Board. We felt for this project it would be best to join this program. There is no cost and it can be used again if we wish.

Action: Councilor Barta made a motion, seconded by Councilor McConathy to approve Resolution No. R-1864, a Resolution authorizing the City Manager to execute, for and on behalf of the City, an Interlocal and Cooperative Purchasing Program Contract, by and between the City and the Harris County Department of Education. The motion carried by a unanimous vote.

7. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1863, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE, FOR AND ON BEHALF OF THE CITY, BUDGET AMENDMENT 15-01 IN THE AMOUNT OF \$46,995.00 FOR DOCUMENT MANAGEMENT AND COPIER SERVICE AGREEMENTS.**

Executive Summary: As discussed in the previous Agenda item, the Technology Department has been working on a solution to streamline document management and copier services. In order to reduce the cost and be more efficient, all copier services are to be accumulated into a single contract and, therefore, paid from a single line-item in the Technology Fund budget. This Budget Amendment reallocates the copier service expenses from the individual departments and moves the budgeted line-item to the Technology Fund. The different funds will still pay for the service as part of the Information Services Fees that are in place to fund the Technology Fund.

Budget Amendment 15-01 is included as Exhibit "A" to Resolution No. R-1863. Staff recommends approval of Resolution No. R-1863 as presented.

Key discussion points:

- Joyce Vasut read the Executive Summary regarding the item.

Questions:

Q: Since this item will be tracked under the IT Department, will there be a charge against the departments?

A: It will be tracked under a separate line item.

Action: Councilor McConathy made a motion, seconded by Councilor Grigar to approve Resolution No. R-1863, a Resolution authorizing the City Manager to execute, for and on behalf of the City, Budget Amendment 15-01 in the amount of \$46,995.00 for document management and copier service agreements. The motion carried by a unanimous vote.

8. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1865, A RESOLUTION AUTHORIZING ACCEPTANCE OF A MEDICARE ADVANTAGE RETIREE EXTENDED SERVICES AREA (ESA) PPO PLAN FOR THE 2015 PLAN YEAR RENEWAL WITH AETNA HEALTH, INC., AS PREPARED BY GALLAGHER BENEFITS SERVICES.**

Executive Summary: Mr. Burke Sunday of Gallagher Benefits Services will present the renewal rates for the Medicare Advantage Retiree Extended Services Area (ESA) PPO Plan with Aetna Health, Inc. (Aetna), for consideration by the Employee Benefits Committee (Committee) and the Employee Benefits Trust at a joint meeting to be held on October 21, 2014.

The Aetna Medicare Advantage Extended Service Area (ESA) PPO Plan is currently offered to the over 65 retirees for the period January 01, 2014, through December 31, 2014. The City pays 90% of the premium, or \$256.95 per retiree per month. The majority of the retirees pay 10% of the premium, or \$28.55 per month, for a total combined monthly premium of \$285.50.

Aetna submitted a renewal rate increase of 0.4% for 2015 plan year. The total increase is \$1.18 per month for a total premium amount of \$286.68 per month. Currently, there are eleven (11) retirees on the plan and two (2) dependents. The retirees' portion would increase by \$0.12 per month, totaling \$28.67 per month. The retiree pays 100% of the dependent coverage which is \$286.68 per month. The total amount reimbursed to the City for retiree and dependent premiums is \$10,664.76.

Staff recommends approval of Resolution No. R-1865, authorizing acceptance of a Medicare Advantage

Retiree Extended Services Area (ESA) PPO Plan and renewal rate of \$44,722.08 for the 2015 Plan Year with Aetna Health, Inc., as prepared by Gallagher Benefits Services.

Key discussion points:

- Lisa Olmeda, Human Resources Director read the Executive Summary regarding the item.

Questions:

Q: The drug benefits have been reduced. What caused the drop?

A: It can fluctuate from year to year and there is no concrete answer for it.

Action: Councilor Benton made a motion, seconded by Councilor Barta to approve Resolution No.R-1865, a Resolution authorizing acceptance of a Medicare Advantage Retiree Extended Services Area (ESA) PPO Plan for the 2015 Plan Year Renewal with Aetna Health, Inc., as prepared by Gallagher Benefits Services. The motion carried by a unanimous vote.

9. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1868, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE, FOR AND ON BEHALF OF THE CITY, AN ENGINEERING SERVICES PROPOSAL FOR THE ENGINEERING AND SURVEYING SERVICES FOR THE FM 2977 ELEVATED WATER STORAGE TANK, BY AND BETWEEN THE CITY AND JONES AND CARTER, INC., IN THE AMOUNT OF \$400,200.00.**

Executive Summary: The FM 2977 Elevated Water Storage Tank is included in the FY2015 Capital Improvement Project (CIP) plan approved by City Council on June 17, 2014 (Resolution No. R-1801, Project No. 17). This Project is also a part of the City's approved Groundwater Reduction Plan (GRP) and will be an essential element in order to receive, store and blend the alternative surface water source into the water distribution system. The elevated tank will also help maintain water pressure and storage capacity in compliance with Texas Commission on Environmental Quality (TCEQ) water system design criteria. The Project includes the construction of a 1.5 million gallon elevated water storage tank on the City owned property located directly behind Fire Station No. 3. Also included in the design are SCADA equipment, provisions for the installation of an altitude valve at a later date, and provisions to accommodate wireless communication antennae installations by multiple entities. An alternate bid for a 1.25 million gallon elevated tank will also be obtained, in the event the construction bids are higher than anticipated. The FY2015 Budget Fund 523 allocated sufficient funding for completion of the engineering and construction phases of the Project. Upon completion of the engineering design and bidding process, the construction bid award will be placed on a future Agenda for City Council consideration and approval.

Staff recommends approval of Resolution No. R-1868, authorizing the City Manager to execute an Engineering Services Proposal with Jones and Carter, Inc., for the engineering and surveying services for the FM 2977 Elevated Water Storage Tank, in the amount of \$400,200.00.

Key discussion points:

- John Maresh read the Executive Summary regarding the item.

Questions:

Q: On Item C Jones and Carter will provide a field representative, if we choose to not go with that, who would do that?

A: We don't have another source or have anyone in house.

Q: Was this service bid out?

A: We cannot bid out professional services by law.

Action: Councilor Barta made a motion, seconded by Councilor Grigar to approve Resolution No. R-1868, a Resolution authorizing the City Manager to execute, for and on behalf of the City, an engineering services proposal for the Engineering and Surveying Services for the FM 2977 Elevated Water Storage Tank, by and between the City and Jones and Carter, Inc., in the amount of \$400,200.00. The motion carried by a unanimous vote.

10. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1867, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE, FOR AND ON BEHALF OF THE CITY, AN AGREEMENT FOR ENGINEERING DESIGN SERVICES FOR PHASE II - AIRPORT AVENUE RECONSTRUCTION PROJECT, BY AND BETWEEN THE CITY AND COSTELLO, INC., IN AN AMOUNT NOT TO EXCEED \$436,425.00.**

Executive Summary: The Airport Avenue, Phase II Reconstruction Project (Project) is included in the FY2015 Capital Improvement Project (CIP) plan approved by City Council on June 17, 2014 (Resolution

No. R-1801, Project No. 1). The Phase II Project will improve Airport Avenue between Graeber Road and Louise Street from a two-lane asphalt roadway with open roadside ditches to a three-lane concrete roadway with a curb and gutter street and a below paving storm drainage system. This will be a continuation of the Phase I Project that is currently nearing completion between FM 2218 and Graeber Road.

On October 24, 2012, City Council selected Costello, Inc., to provide engineering services for the Airport Avenue Project. Staff has negotiated an Engineering Services Agreement for the Phase II Project for your consideration.

The Project does have adequate funding available for the engineering design. Construction funding will be made available through the issuance of Certificates of Obligation, Series 2014A, which will be considered as a separate Agenda item at the October 21st City Council Meeting, and Fort Bend County 2013 Mobility Bond Funds allocated toward this Project.

Staff recommends approval of Resolution No. R-1867, authorizing the City Manager to execute, for and on behalf of the City, an Agreement for Engineering Design Services for Phase II of the Airport Avenue Reconstruction Project, by and between the City and Costello, Inc., in an amount not to exceed \$436,425.00.

Key discussion points:

- John Maresh read the Executive Summary regarding the item.

Questions:

Q: When the engineering is done, what is the time frame?

A: The contractor is ready to start when the City is ready.

Q: Was Costello the engineer on the first phase? Isn't it the engineer's job to identify the utility lines?

A: Sam Kruse, Costello Engineering explained that before engineering work is done, they decide what is above and below the ground. Ten additional feet was taken from the school district. Some information was available from old records. They had to maneuver around to complete the construction work.

Action: Councilor McConathy made a motion, seconded by Councilor Grigar to approve Resolution No. R-1867, a Resolution authorizing the City Manager to execute, for and on behalf of the City, an Agreement for Engineering Design Services for Phase II- Airport Avenue Reconstruction Project, by and between the City and Costello, Inc., in an amount not to exceed \$436,425.00. The motion carried by a unanimous vote.

11. **HOLD EXECUTIVE SESSION FOR DELIBERATIONS ON THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES, DISCIPLINE, OR DISMISSAL OF THE CITY MANAGER, CITY SECRETARY AND THE PRESIDING JUDGE OF THE MUNICIPAL COURT PURSUANT TO SECTION 551.074 OF THE TEXAS GOVERNMENT CODE.**

Action: Councilor McConathy made a motion, seconded by Councilor Barta to adjourn for Executive Session. The motion carried by a unanimous vote.

An Executive Session was held for deliberations on the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the City Manager, City Secretary and the Presiding Judge of the Municipal Court pursuant to Section 551.074 of the Texas Government Code.

12. **ADJOURN EXECUTIVE SESSION, RECONVENE INTO REGULAR SESSION, AND TAKE ACTION AS NECESSARY AS A RESULT OF EXECUTIVE SESSION.**

Mayor Morales adjourned the Executive Session and reconvened into Regular Session at 9:34 p.m.

13. **CONSIDERATION OF AND ACTION ON ANNUAL EVALUATION AND AUTHORIZED COMPENSATION FOR THE POSITION OF CITY MANAGER.**

Executive Summary: City Council has established an evaluation date of on or before October 1st of each year for certain "direct report" administrative positions. This item provides an opportunity for City Council to take action out of Executive Session with regard to said evaluation and compensation as appropriate for the position of City Manager currently held by Robert Gracia.

No action was taken on the item.

14. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1857, A RESOLUTION CONFIRMING COMPLETION OF AN ANNUAL EVALUATION FOR THE POSITION OF CITY SECRETARY; AND, AUTHORIZING AMENDMENT NO. TWO TO THE EMPLOYMENT AGREEMENT ESTABLISHING BASE COMPENSATION FOR SAID POSITION.**

Executive Summary: City Council has established an evaluation date of on or before October 1st of each year for certain "direct report" administrative positions. This item provides an opportunity for City Council to take action out of Executive Session with regard to said evaluation and compensation for the position of City Secretary currently held by Linda Cernosek.

Staff recommends approval of Resolution No. R-1857, which will confirm completion of the annual evaluation for the position of City Secretary and authorizes the base compensation for said position to be established by Amendment No. Two to the City Secretary Employment Agreement. Amendment No. Two is attached as Exhibit "A" to Resolution No. R-1857.

Action: Councilor McConathy made a motion, seconded by Councilor Barta to approve Resolution No. R-1857, a Resolution confirming completion of an annual evaluation for the position of City Secretary; and, authorizing Amendment No. Two to the Employment Agreement establishing base compensation for said position. The motion carried by a unanimous vote.

15. **ANNOUNCEMENTS.**

- Boo-BERG is Saturday, October 25, 2014 at the Seabourne Creek Nature Park.
- Early Voting started Monday, October 20, 2014.

16. **ADJOURNMENT.**

There being no further business Mayor Morales adjourned the meeting at 9:35 p.m.



Linda Cernosek, TRMC, City Secretary