

CITY OF ROSENBERG

REGULAR COUNCIL MEETING MINUTES

On this the 3rd day of February, 2015, 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

ABSENT

Amanda Barta	Councilor, District 4
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STAFF PRESENT

Robert Gracia	City Manager
Linda Cernosek	City Secretary
John Maresh	Assistant City Manager of Public Services
Scott Tschirhart	Attorney for the City
Joyce Vasut	Executive Director of Administrative Services
Charles Kalkomey	City Engineer
Dallis Warren	Police Chief
Wayne Jory	Police Lieutenant
Anthony Schnacky	Police Sergeant
J.T. Rogers	Police Sergeant
Tommy Havelka	Police Officer
Erik Marmol	Police Officer
Suni Erazo	Police Detective
Bruce Gilbert	Police Chaplain
Wade Goates	Fire Chief
Larry Loesch	Fire Battalion Chief
Danny Johnson	Fire Lieutenant
Justin Jurek	Fire Marshal
Randall Malik	Economic Development Director
Angela Fritz	Executive Director of Information Services
Darren McCarthy	Parks and Recreation Director
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. The Boy Scout Troops that were in attendance at the meeting led the pledge of allegiance to the flag.

PRESENTATION OF PROCLAMATION PROCLAIMING THE MONTH OF FEBRUARY 2015 AS "BOY SCOUTS OF AMERICA MONTH" IN THE CITY OF ROSENBERG.

Mayor Morales presented a Proclamation proclaiming February 2015 as "Boy Scouts of America Month" in the City of Rosenberg to Bob Ray and representatives from Troop 309, as well as attendees

from various local Packs and Troops.

PRESENTATION OF SERVICE PLAQUES

Wade Goates, Fire Chief, presented service plaques to Battalion Chief Larry Loesch and Lieutenant Danny Johnson in Appreciation of Thirty-One Years of Service to the City of Rosenberg Fire Department. Mayor Morales thanked them for their years of service on behalf of the city.

PRESENTATION OF CERTIFICATES OF RECOGNITION TO PARTICIPANTS IN THE INTERNATIONAL POLICING COOPERATION PROGRAM

Vincent M. Morales, Jr., Mayor, presented Certificates of Recognition to International Policing Cooperation Program Participants:

- Dr. Phillip Lyons
- Lieutenant Wayne Jory
- Sergeant J.T. Rogers
- Sergeant Anthony Schnacky
- Officer Erik Marmol
- Detective Suni Erazo
- Chaplain Bruce Gilbert
- Battalion Chief Adam Carlin

PRESENTATION OF ROSENBERG IMAGE COMMITTEE BEAUTIFICATION AND RENOVATION AWARDS.

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

Present:

- Richard and Amalia Montemayor
- Van and Sherry Upton

523 Rainswept Pass Drive
7607 Crescent Lake Court

Not Present:

- Jose Garcia and Anna Paula Arias
- Rodney and Rosaline Hayes

4709 Sandalwood Drive
7727 Blue Lake Drive

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 JANUARY 20, 2015, AND WORKSHOP MEETING MINUTES FOR JANUARY 27, 2015.

B. CONSIDERATION OF AND ACTION ON APPROVAL OF THE ISSUANCE OF FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 155 REFUNDING TAX BONDS, SERIES 2015, IN AN AMOUNT NOT TO EXCEED \$4,655,000.00.

Executive Summary: Fort Bend County Municipal Utility District No. 155 (MUD No. 155) is primarily located in the City's Extraterritorial Jurisdiction, but a small portion of the District is within the City's Corporate Limits. The development is generally identified as Bonbrook Plantation.

City Council consented to the creation of MUD No. 155 on December 14, 2004, through Ordinance No. 2004-28 which was proposed as an approximately 448.6692 acre development. A Development Agreement and a Water Supply and Wastewater Services Agreement between the City, Bonbrook Plantation, L.P., and Beazer Homes Texas, L.P., was executed on February 22, 2005.

Following is MUD No. 155's bond sale history to date. The first sale was approved through Ordinance No. 2008-12 on May 20, 2008, in the amount of \$6,465,000. The second sale was approved through Ordinance No. 2011-15 on March 01, 2011, in the amount of \$2,015,000. The third sale was approved on November 20, 2012, in the amount of \$2,050,000 through Ordinance No. 2012-44. The fourth sale was approved through Ordinance No. 2014-19 on May 06, 2014, in the amount of \$7,235,000.

MUD No. 155 has the opportunity to "refund" or "refinance" portions of existing bonds by issuing new bonds at a lower rate of interest than the existing bonds, thus ensuring significant reduction in interest expense for the issuer. Staff has reviewed the request and associated documentation and found it to be in compliance with applicable City Ordinances. Staff is recommending approval of the issuance of Fort Bend County Municipal Utility District No.155 Refunding Tax Bonds, Series 2015, in an amount not to exceed \$4,655,000.

C. CONSIDERATION OF AND ACTION ON APPROVAL OF THE ISSUANCE OF FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 158 REFUNDING TAX BONDS, SERIES 2015, IN AN AMOUNT NOT TO EXCEED \$3,500,000.00.

Executive Summary: Fort Bend County Municipal Utility District No. 158 (MUD No. 158) is located in the City's Extraterritorial Jurisdiction (ETJ), at the southwest corner of Reading Road and Benton Road. The development is identified as the River Run on the Brazos and Rivers Mist subdivisions.

City Council consented to the creation of MUD No. 158 on December 14, 2004, through Ordinance No. 2004-29, and which was originally proposed as a 158.54 acre development. The Water Supply and Wastewater Services and Development Agreements between the City and Ventana Development Reading, LP, were executed on February 22, 2005. City Council approved Ordinance No. 2006-19 on August 15, 2006, consenting to the addition of approximately 59 acres. MUD No. 158 now is comprised of approximately 217.5 acres.

Following is MUD No. 158's bond sale history to date. The first bond first sale was approved through Ordinance No. 2007-35 on August 21, 2007, in the amount of \$1,460,000. The second sale was approved through Ordinance No. 2009-29 on August 18, 2009, in the amount of \$1,870,000. The third sale was approved on June 21, 2011, through Ordinance No. 2011-16 in the amount of \$1,400,000. The fourth sale was approved on April 17, 2012, through Ordinance No. 2012-15 in the amount \$1,600,000. The fifth sale was approved on February 19, 2013, through Ordinance No. 2013-14 in the amount of \$1,600,000. The sixth sale was approved on April 15, 2014, through Ordinance No. 2014-16 in the amount of \$1,650,000.

MUD No. 158 has the opportunity to "refund" or "refinance" portions of existing bonds by issuing new bonds at a lower rate of interest than the existing bonds, thus ensuring significant reduction in interest expense for the issuer. Staff has reviewed the request and associated documentation and found it to be in compliance with applicable City Ordinances. Staff is recommending approval of the issuance of Fort Bend County Municipal Utility District No. 158 Refunding Tax Bonds, Series 2015, in an amount not to exceed \$3,500,000.00.

D. CONSIDERATION OF AND ACTION ON A FINAL PLAT OF BONBROOK PLANTATION NORTH SECTION FOURTEEN, A SUBDIVISION OF 23.506 ACRES OF LAND SITUATED IN THE WILEY MARTIN LEAGUE, ABSTRACT 56, FORT BEND COUNTY, TEXAS; 60 LOTS, 4 RESERVES (5.150 ACRES), 1 BLOCK.

Executive Summary: The Final Plat of Bonbrook Plantation North Section Fourteen is located off of

Reading Road, east of its intersection with Benton Road in the northwest part of Bonbrook Plantation. The proposed Plat contains 23.506 acres, 60 residential lots, and four (4) reserves consisting of 5.150 acres.

The proposed lots are a minimum of sixty feet (60') in width. This is in accordance with the revised Land Plan for Bonbrook Plantation, which the Planning Commission (Commission) approved on August 20, 2014. The amended Land Plan was also approved by City Council as an Amendment to the Development Agreement (Exhibit "C") on December 16, 2014.

In addition to the revised Land Plan, the Commission approved the Preliminary Plat of this subdivision on October 15, 2014. The Commission later recommended approval to City Council of the Final Plat on December 17, 2014. The proposed Final Plat is not in conflict with any applicable regulations or with the approved Preliminary Plat. Staff recommends approval of the Final Plat of Bonbrook Plantation North Section Fourteen.

Action: Councilor McConathy made a motion, seconded by Councilor Euton to approve Consent Agenda Items A, B, C, and D. The motion carried by a unanimous vote of those present.

REGULAR AGENDA

2. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1915, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE, FOR AND ON BEHALF OF THE CITY, BUDGET AMENDMENT 15-08 IN THE AMOUNT OF \$14,560.00 FOR GROUNDS MAINTENANCE SERVICES AT MACARIO GARCIA AND TRAVIS PARKS.**

Executive Summary: The Parks and Recreation Department currently has three (3) vacant positions that they have not been able to fill. In order to properly maintain the City parks, Parks and Recreation Director Darren McCarthy is requesting the City to enter into a Grounds Maintenance Services Agreement for Macario Garcia and Travis Parks. A memorandum with additional information was included in the agenda packet.

Budget Amendment 15-08, in the amount of \$14,560.00, will allocate funds for Grounds Maintenance Services for Macario Garcia and Travis Parks by utilizing savings from three (3) vacant positions in the Parks Department.

Budget Amendment 15-08 is included as Exhibit "A" to Resolution No. R-1915. Staff recommends approval of Resolution No. R-1915 as presented.

Key discussion points: Joyce Vasut, Executive Director of Administrative Services read the executive summary.

Questions/Comments:

Darren McCarthy, Parks and Recreation Director answered the following questions:

Q: How long have the positions been open?

A: Since June of last year.

Q: Is there any particular reason that we are unable to fill the position?

A: It's a tough job, especially in the heat of summer, being out in the elements.

Q: Would this contract be permanent or year-by-year?

A: We would like to do this until the end of the budget year before making a long-term commitment and put it out for bid in October along with the other parks with contracted maintenance.

Q: How do people get onto the list to bid?

A: People can get on the bid list by calling the city, or they can monitor the city website as bids come up.

C: Councilor McConathy thanked Darren McCarthy for being mindful of the city finances and coming up with a cost effective solution to an ongoing problem.

Action: Councilor Benton made a motion, seconded by Councilor Euton to approve Resolution No. R-1915, a Resolution authorizing the City Manager to execute, for and on behalf of the City, Budget Amendment 15-08 in the amount of \$14,560.00 for Grounds Maintenance Services at

Macario Garcia and Travis Parks. The motion carried by a unanimous vote of those present.

3. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1917, A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT, FOR AND ON BEHALF OF THE CITY, A DONATION FROM THE CHURCH FOR THE PURCHASE AND INSTALLATION OF SOCCER FIELD LIGHTING AT COMMUNITY PARK.**

Executive Summary: At the regularly scheduled November Parks and Recreation Board (Board) meeting, Pastor Jimn Kyles of THE CHURCH presented a proposal to provide funding for lighting of the newly created soccer field at Community Park. After some brief discussion, the Board unanimously recommended accepting the donation of lighting for the soccer field as presented.

Staff and the Board recommend approval of Resolution No. R-1917 as presented.

Key discussion points: Darren McCarthy, Parks and Recreation Director gave an overview of the item. After discussion, Mayor and Councilors present thanked Pastor Jimn and Phyllis Kyles for their efforts.

Action: Councilor McConathy made a motion, seconded by Councilor Euton to approve Resolution No. R-1917, a Resolution authorizing the City Manager to accept, for and on behalf of the City, a donation from THE CHURCH for the purchase and installation of soccer field lighting at Community Park. The motion carried by a unanimous vote of those present.

4. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1906, A RESOLUTION AWARDDING BID NO. 2015-03 FOR CONSTRUCTION OF THE LIFT STATION NO. 11 REPLACEMENT; AND, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE, FOR AND ON BEHALF OF THE CITY, APPROPRIATE DOCUMENTS AND/OR AGREEMENTS REGARDING SAME.**

Executive Summary: Bids were received on Wednesday, January 21, 2015, for construction of the Lift Station No. 11 Replacement Project. A total of four (4) bids were opened and tabulated as indicated on the bid summary form.

Staff recommends Bid No. 2015-03 be awarded to R+B Group, Inc., for the base bid amount of \$1,201,800.00. Correspondence from Charles Kalkomey, City Engineer, recommends same. Should the bid be awarded as recommended, the proposal from R+B Group, Inc., will be attached and serve as Exhibit "A" to Resolution No. R-1906. The contract time is 180 calendar days.

The Lift Station No. 11 Replacement Project is included in the FY2015 Capital Improvement Plan approved by City Council on June 17, 2014.

Staff recommends approval of Resolution No. R-1906 which will award Bid No. 2015-03 and provide authorization for the City Manager to negotiate and execute all required documents necessary to facilitate the Agreement.

Key discussion points: John Maresh, Assistant City Manager of Public Services read the Executive Summary. He pointed out that equipment has become obsolete, it is very difficult to get replacement parts with a long lead time, and there are only two pumps. If one pump goes down, leaving only one operable pump, it becomes a critical situation.

Action: Councilor McConathy made a motion, seconded by Councilor Grigar to approve Resolution No. R-1906, a Resolution awarding Bid No. 2015-03 for construction of the Lift Station No. 11 Replacement To R+B Group, Inc. for the base bid amount of \$1,201,800.00; and, authorizing the City Manager to negotiate and execute, for and on behalf of the City, appropriate documents and/or agreements regarding same. The motion carried by a unanimous vote of those present.

5. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1919, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE, FOR AND ON BEHALF OF THE CITY, THE FIRST AMENDMENT TO THE WATER SUPPLY AGREEMENT, BY AND BETWEEN THE CITY AND BRAZOSPORT WATER AUTHORITY.**

Executive Summary: On December 02, 2014, City Council authorized the Mayor to execute a Water Supply Agreement (Agreement) with the Brazosport Water Authority (BWA) as required by

the amended Groundwater Reduction Plan. The Agreement provides a mechanism allowing for compliance with the Fort Bend Subsidence District (District) unfunded mandate to reduce groundwater withdrawals by 30% beginning October 01, 2016, by constructing a pipeline supplying treated surface water to the City. The Agreement specifies a take or pay water volume of 3 million gallons per day, which would meet the 30% reduction mandate effective in 2016. The District mandate also requires an additional 30% reduction of groundwater withdrawals, effective in 2025. The Agreement as currently written does not obligate BWA to supply the additional treated surface water that will be required to meet the 2025 reduction mandate.

Shortly after the City and BWA entered into the Agreement, the Texas Department of Criminal Justice (TDCJ) elected to not participate in the BWA expansion project making an additional 2.7 million gallons of water per day immediately available to Rosenberg. The Agreement does include a provision which allows the City an option to acquire the additional 2.7 million gallons of water per day initially allocated to TDCJ. This additional water supply places the City in a unique position to be able to meet the District's 60% reduction mandate in 2025. Equally as important, the City must acquire the additional water in order to keep the overall project financially feasible to both BWA and the City. Time is of the essence in order to maintain a construction schedule that will meet the District's 30% reduction mandate beginning with the October 01, 2016 permit year.

The proposed Amendment No. 1 to the Agreement included in the agenda packet was under final review by BWA staff and may include some slight revisions prior to the February 03, 2015 City Council meeting. An updated copy was provided at the City Council meeting. Staff will provide City Council with cost and water rate information during the meeting.

Staff does recommend approval of Resolution No. R-1919, authorizing the Mayor to execute Amendment No. 1 to the Water Supply Agreement to acquire an additional 2.7 million gallons of water per day and place the City in a position to satisfy the District's 60% reduction mandate in 2025.

Key discussion points: John Maresh read the Executive Summary. Joyce Vasut presented Financial Analysis of the following project details:

- Capital Costs
 - Start paying prior to the delivery of water – one month after approval of agreement and the bond resolution.
 - Amount paid is calculated using the same formula as used for the Participating Cities.
 - Capital cost rate is based on the amount of BWA debt and amount of water contracted by BWA.
 - The City will pay the capital cost rate on the full 5.7 million gallons per day.
- Estimated Annual Costs:
 - 2015 - \$655,358
 - 2016 - \$1,789,230
 - 2017 - \$4,076,685
 - 2018 - \$4,229,985
 - 2019 - \$4,284,735
 - 2020 - \$4,497,165
 - 2021 - \$4,551,915
 - 2022 - \$4,606,665
 - 2023 - \$4,661,415
 - 2024 - \$4,706,310
- Capital Improvement Funding

Impact Fees	\$1,978,000
Subsidence Fees	\$4,000,000
Water/Wastewater Funds	\$2,108,700
Issue Debt	\$4,000,000
Total Funding Sources	\$12,086,700

- Based on the amended BWA contract, it is projected that the City will have to raise the subsidence fee paid by water customers from \$1.40 to \$2.20 over the next year to cover the costs of the water supply conversion. This adjustment will bring the City's subsidence fee closer in alignment with other fees in the area currently being charged for treated surface water.
- Benefits
 - Secures water supply not only to meet needs through mandated 60% conversion in 2025; but also to support continued growth and economic development (5.7 MGD contract)
 - Saves an estimated \$12.6 million over next 35 years when compared to City-owned and operated surface water treatment plant
 - Provides additional advantages including:
 - A stable, predetermined rate structure that includes costs for capital improvements
 - Flexibility for use of additional 2.7 MGD based on City needs
 - Potential for reduced costs through future growth of customer base
 - Sustainability of supply due to Dow Chemical's senior water rights and reservoirs, and potential sources for future water supply

Action: Councilor McConathy made a motion, seconded by Councilor Grigar to approve Resolution No. R-1919, a Resolution authorizing the Mayor to execute, for and on behalf of the City, the First Amendment to the Water Supply Agreement, by and between the City and Brazosport Water Authority. The motion carried by a unanimous vote of those present.

6. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1873, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A RESALE DEED FOR REAL PROPERTY GENERALLY LOCATED AT 800 6TH STREET AND DESCRIBED AS TRACT 1: GEO NUMBER: 7835000380130901: LOT THIRTEEN (13), BLOCK THIRTY-EIGHT (38), IN THE TOWN OF ROSENBERG, FORT BEND COUNTY, TEXAS, ACCORDING TO THE PLAT OF SAID TOWN SHOWN OF RECORD IN VOLUME P, PAGE 146 OF THE DEED RECORDS OF FORT BEND COUNTY, TEXAS; AND FOR REAL PROPERTY GENERALLY LOCATED AT 802 6TH STREET AND DESCRIBED AS TRACT 2: GEO NUMBER: 7835000380140901: LOTS FOURTEEN (14) AND FIFTEEN (15) IN BLOCK THIRTY-EIGHT (38) OF THE CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS, ACCORDING TO THE PLAT OF SAID CITY OF ROSENBERG, APPEARING OF RECORD IN VOLUME P, PAGE 146 OF THE DEED RECORDS OF FORT BEND COUNTY, TEXAS; AND, CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.**

Executive Summary: Mike Darlow, with Perdue, Brandon, Fielder, Collins and Mott, LLP, presented an offer received from Terry Scott to purchase three (3) lots from the City for \$18,000. The official bid form, a letter from Mr. Scott explaining the costs he plans to incur to renovate the property, along with a bid analysis and map showing the location was included in the agenda packet, along with a proposed resale deed should the offer be accepted by City Council.

Based upon the taxes due under the judgment and the amount needed for repair, Mr. Darlow agreed that this is a reasonable offer and would recommend approval of Resolution No. R-1873. Should City Council approve this item, approval would also be necessary by Lamar Consolidated ISD, as well as Fort Bend County in order to complete the resale.

Staff recommends approval of Resolution No. R-1873, a Resolution authorizing the resale of property that was acquired through tax foreclosure proceedings.

Key discussion points: Joyce Vasut gave an overview of the item. Mayor and Councilors present thanked Mike Darlow for a job well done.

Action: Councilor Grigar made a motion, seconded by Councilor McConathy to approve Resolution No. R-1873, a Resolution authorizing the Mayor to execute a resale deed for real property generally located at 800 6th Street and described as Tract 1: Geo Number: 7835000380130901: Lot Thirteen (13), Block Thirty-Eight (38), in the Town of Rosenberg, Fort Bend County, Texas, according to the Plat of said town shown of record in Volume P, Page 146 of the Deed Records of Fort Bend County, Texas; and for real property generally located at 802 6th Street and described as Tract 2: Geo Number: 7835000380140901: Lots Fourteen (14) and Fifteen

(15) in Block Thirty-Eight (38) of the City of Rosenberg, Fort Bend County, Texas, according to the Plat of said City of Rosenberg, appearing of record in Volume P, Page 146 of the Deed Records of Fort Bend County, Texas; and, containing other provisions relating to the subject. The motion carried by a unanimous vote of those present.

7. **HOLD EXECUTIVE SESSION TO CONSULT WITH CITY ATTORNEY ON CONTEMPLATED LITIGATION REGARDING TEXAS DEPARTMENT OF TRANSPORTATION V. ROSENBERG EMINENT DOMAIN PROCEEDINGS; TO CONSULT WITH THE CITY ATTORNEY ON CONTEMPLATED LITIGATION REGARDING UPCOMING CHARTER ELECTIONS; AND, TO CONSULT WITH THE CITY ATTORNEY TO RECEIVE LEGAL ADVICE ON LEGAL MATTERS, ALL PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE; AND, TO DELIBERATE THE POTENTIAL PURCHASE, EXCHANGE, LEASE, OR VALUE OF REAL PROPERTY PURSUANT TO SECTION 551.072 OF THE TEXAS GOVERNMENT CODE.**

Action: Councilor Benton made a motion, seconded by Councilor Euton to adjourn to Executive Session. The motion carried by a unanimous vote of those present.

An Executive Session was held to consult with City Attorney on contemplated litigation regarding Texas Department of Transportation v. Rosenberg eminent domain proceedings; to consult with the City Attorney on contemplated litigation regarding upcoming Charter Elections; and, to consult with the City Attorney to receive legal advice on legal matters, all pursuant to Section 551.071 of the Texas Government Code; and, to deliberate the potential purchase, exchange, lease, or value of real property pursuant to Section 551.072 of the Texas Government Code.

8. **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 9:05 p.m. No action was taken as a result of the Executive Session.

9. **ANNOUNCEMENTS.**

- Mayor Morales announced that there will be a Special City Council Meeting at 6:30 pm on Thursday, February 5, 2015 to hear the Municipal Court Collection presentations.
- Councilor McConathy announced the Boots and Badges reception to be held on Saturday evening.
- Fire Chief Wade Goates announced a reception on Sunday for the retirement of Fire Chief Larry Loesch and Lieutenant Danny Johnson.

10. **ADJOURNMENT.**

There being no further business, the meeting adjourned at 9:07 p.m.



Linda Cernosek, TRMC, City Secretary