

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, February 17, 2015

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 Daniel Haas, St. John's United Church of Christ, Rosenberg)

Presentation of Certificate of Appreciation to THE CHURCH for a Donation of Cross-fit Exercise Equipment to the Rosenberg Police Department. (Dallis Warren, Police Chief)

Presentation of Certificate of Appreciation to THE CHURCH for a Donation of \$3,500 for the Purchase and Installation of Soccer Field Lighting at Community Park. (Darren McCarthy, Parks Director)

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 February 03, 2015. (Linda Cernosek, City Secretary)
 - B. Consideration of and action on Resolution No. R-1916, a Resolution authorizing the City Manager to execute, for and on behalf of the City, an Asset Disposition Services Agreement, by and between the City and PropertyRoom.Com, for professional auction services. (Linda Cernosek, City Secretary)
 - C. Consideration of and action on an Amending Plat of Beltway Investments, Inc., Amending Plat No. 1, plat of 4.6075-acre tract of land, consisting of Reserves A and B, Block 1 of Beltway Investments, Inc., a 4.6075 tract of land out of a called 356 acre tract of land, recorded in Fort Bend County Clerk's File Nos. 9119144 and 2007085589 and Tract II, a 1.2626 acre tract of land recorded under Fort Bend County Clerk's File No. 2008008988, in the Wm. Lusk Survey, Abstract 276, City of Rosenberg, Fort Bend County, Texas; 0 lots, 2 reserves, 1 block. (Travis Tanner, Executive Director of Community Development)
 - D. Consideration of and action on a Final Plat of Business Park Drive and Innovation Court Street Dedication, a subdivision of 6.728 acres containing 3,462 L.F. of R.O.W. out of the S.B. Pentecost Survey, A-378, Fort Bend County, Texas. (Travis Tanner, Executive Director of Community Development)

- E. Consideration of and action on a Final Plat of Rosenberg 36 Industrial Park, a subdivision of 18.214 acres of land being a partial replat of Lot No. 17 of Rosenberg Farms Subdivision (Volume 3, Page 575; Deed Records of Fort Bend County, Texas, and Volume 4, Page 25; Plat Records of Fort Bend County, Texas) being a 1.468 acre tract of land (Fort Bend County Clerk's File No. 2014103215) together with the remainder of a call 17.135 acre tract (Fort Bend County Clerk's File No. 2014072299) and with a call 0.754 acre tract (Fort Bend County Clerk's File No. 2012014590), all being in the Henry Scott Survey, Abstract No. 83, City of Rosenberg, Fort Bend County, Texas; 0 lots, 2 reserves, 1 block. (Travis Tanner, Executive Director of Community Development)
- F. Consideration of and action on a Short Form Final Plat of Brazos Town Center Collision, a subdivision of 2.2375 acres of land being a partial replat of Reserve "E", replat of Reserve "C", Fort Bend Business Center, Section Two (Slide No. 2008A; F.B.C.P.R.), in the Robert E. Handy Survey, Abstract No. 187, City of Rosenberg, Fort Bend County, Texas; 1 block, 1 reserve. (Travis Tanner, Executive Director of Community Development)
- G. Consideration of and action on a Final Plat of Cottonwood Section Three-C, a subdivision of 8.368 acres of land located in the S.A. Stone Survey No. 10, A-392, City of Rosenberg, Fort Bend County, Texas; 41 lots, 1 reserve, 3 blocks. (Travis Tanner, Executive Director of Community Development)
- H. Consideration of and action on Resolution No. R-1926, a Resolution authorizing the Mayor to execute and accept, for and on behalf of the City, a Public Utility Easement being 3.811 acres (166,027 square feet) of land, between the City of Rosenberg and Rosenberg Business Park, Ltd., for public utilities and related facilities, generally associated with Rosenberg Business Park. (Travis Tanner, Executive Director of Community Development)
- I. Consideration of and action on Resolution No. R-1927, a Resolution authorizing the Mayor to execute and accept, for and on behalf of the City, a Public Utility Easement being 0.196 acres (8,538 square feet) of land, between the City of Rosenberg and Rosenberg Business Park, Ltd., for public utilities and related facilities, generally located west of Business Park Drive and associated with Rosenberg Business Park. (Travis Tanner, Executive Director of Community Development)
- J. Consideration of and action on Quarterly Financial Report and Quarterly Investment Report for quarter ending December 31, 2014. (Joyce Vasut, Executive Director of Administrative Services)

REGULAR AGENDA

- 2. Review and discuss proposed branding for new elevated water storage tank, and take action as necessary. (Angela Fritz, Executive Director of Information Services)
- 3. Consideration of and action on Resolution No. R-1921, a Resolution authorizing the Mayor to execute, for and on behalf of the City, a Joint Election Agreement and Contract for Election Services for the 2015 General Municipal Election and Special Charter Amendment Election, by and between the City and Fort Bend County, Texas. (Linda Cernosek, City Secretary)
- 4. Consideration of and action on Ordinance No. 2015-03, an Ordinance providing that a General Municipal Election be held on May 09, 2015, and a Run-Off Election, if required, on June 13, 2015, for the purpose of electing a Mayor and six Council Members; directing the giving of notice of such elections; and providing details relating to the holding of such election. (Linda Cernosek, City Secretary)
- 5. Consideration of and action on Ordinance No. 2015-07, an Ordinance ordering a Special Election to be held on May 09, 2015, for the purpose of submitting to the qualified voters, for adoption or rejection, one (1) proposed amendment to the existing home-rule charter of the City of Rosenberg, Texas, as amended; directing the giving of notice of such elections; and making provisions for the conduct of the Special Election. (Linda Cernosek, City Secretary)
- 6. Consideration of and action on Resolution No. R-1904, a Resolution awarding Bid No. 2015-01 for construction of Rosenberg Business Park – Phase I Water, Sewer, Drainage and Paving Improvements; and, authorizing the City Manager to negotiate and execute appropriate documents and/or agreements regarding same. (John Maresh, Assistant City Manager of Public Services)
- 7. Consideration of and action on Resolution No. R-1905, a Resolution awarding Bid No. 2015-02 for construction of Rosenberg Business Park Lift Station Improvements; and authorizing the City Manager to negotiate and execute appropriate documents and/or agreements regarding same. (John Maresh, Assistant City Manager of Public Services)
- 8. Consideration of and action on Resolution No. R-1900, a Resolution awarding Bid No. 2015-05, for construction of Avenue H and Avenue I Water Line Relocation/Replacements; and, authorizing the City

Manager to negotiate and execute appropriate documents and/or agreements regarding same. (John Maresh, Assistant City Manager of Public Services)

9. Consideration of and action on rescinding prior City Council action to approve the installation of pole mounted radar speed signs on Wagon Wheel Lane and Walnut Glen Lane, both generally located in the Oaks of Rosenberg subdivision. (John Maresh, Assistant City Manager of Public Services)
10. Consideration of and action on Ordinance No. 2015-04, an Ordinance amending the Code of Ordinances by deleting all of Section 28-41 (a) and (c), Stop Signs Designated, of Article II, Division 2 of Chapter 28, Stop Streets, and substituting therefor a new Section 28-41 (a) and (c) of Article II, Division 2 of Chapter 28 thereof; providing for a three-way stop at the intersection of Walnut Glen Lane and Spacek Road; deleting the one-way stop at the intersection of Carlisle Street and Avenue D; 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 of in conflict herewith; providing for an effective date; and providing for severability. (John Maresh, Assistant City Manager of Public Services)
11. Consideration of and action on Ordinance No. 2015-05, an Ordinance amending the Code Of Ordinances by adding to Section 28-71 of Division 4 of Article II of Chapter 28 thereof, a new prima facie speed limit of twenty-five (25) miles per hour along Ace Court from Stoneridge Court, a distance of approximately three-hundred and twenty (320) feet; Arcola Court from Belvedere Drive, a distance of approximately one-hundred and ninety (190) feet; Bamboo Lane, from Banner Lane to Stoneridge Court; Banner Lane from Bamboo Court to Oakland Valley Drive; Bass Lane, from Belvedere Drive to Troulline Lane; Belvedere Drive, from Bass Lane to a distance approximately one-hundred and twenty (120) feet west of Arcola Court; Cunningham Lane, from Diamond River Drive to Silverton Bend; Diamond River Drive, from Cunningham Lane to Walnut Glen Lane; Oakland Valley Drive from Bryan Road, a distance of approximately one-thousand four-hundred and fifty (1,450) feet; Premier Circle from Banner Lane, a distance of approximately two-hundred and twenty (220) feet; Silverton Bend, from Cunningham Lane to Walnut Glen Lane; Stoneridge Court, from Oakland Valley Drive, a distance approximately one-hundred and sixty (160) feet west of Bamboo Lane; Stoneridge Court, from Oakland Valley Drive, a distance of approximately eight-hundred and fifty (850) feet east of Ace Court; Troulline Lane, from Bass Lane to Waterbrook Lane; Wagon Wheel Lane, from Diamond River Drive to Silverton Bend; Walnut Glen Lane, from Silverton Bend to Spacek Road; Waterbrook Lane, from Belvedere Drive to Troulline Lane; Winners Court, from Cunningham Lane, a distance of approximately one-hundred and twenty-five (125) feet; and repealing the prima facie speed limit of thirty (30) miles per hour along Ace Court from Stoneridge Court, a distance of approximately three-hundred and twenty (320) feet; Arcola Court from Belvedere Drive, a distance of approximately one-hundred and ninety (190) feet; Bamboo Lane, from Banner Lane to Stoneridge Court; Banner Lane from Bamboo Court to Oakland Valley Drive; Bass Lane, from Belvedere Drive to Troulline Lane; Belvedere Drive, from Bass Lane to a distance of approximately one-hundred and twenty (120) feet west of Arcola Court; Cunningham Lane, from Diamond River Drive to Silverton Bend; Diamond River Drive, from Cunningham Lane to Walnut Glen Lane; Oakland Valley Drive from Bryan Road, a distance of approximately one-thousand four hundred and fifty (1,450) feet; Premier Circle from Banner Lane, a distance of approximately two-hundred and twenty (220) feet; Silverton Bend, from Cunningham Lane to Walnut Glen Lane; Stoneridge Court, from Oakland Valley Drive, a distance of approximately one-hundred and sixty (160) feet west of Bamboo Lane; Stoneridge Court, from Oakland Valley Drive, a distance of approximately eight-hundred and fifty (850) feet east of Ace Court; Troulline Lane, from Bass Lane to Waterbrook Lane; Wagon Wheel Lane, from Diamond River Drive to Silverton Bend; Walnut Glen Lane, from Silverton Bend to Spacek Road; Waterbrook Lane, from Belvedere Drive to Troulline Lane; Winners Court, from Cunningham Lane, a distance of approximately one-hundred and twenty-five (125) feet; making certain findings; authorizing the placement of speed limit signs along such streets; providing a penalty for violation of any provision hereof; providing an effective date and providing for severability. (John Maresh, Assistant City Manager of Public Services)
12. Consideration of and action on Resolution No. R-1924, a Resolution authorizing the City Manager to negotiate and execute, for and on behalf of the City, a Utility Development Agreement, by and between the City and ZED Partners, Ltd., in an amount not to exceed \$20,430.00. (John Maresh, Assistant City Manager of Public Services)
13. Consideration of and action on Resolution No. R-1925, a Resolution authorizing the City Manager to execute, for and on behalf of the City, Amendment No. 1 to the Drainage Agreement, by and between the City and ZED Partners, Ltd. (John Maresh, Assistant City Manager of Public Services)
14. Consideration of and action on Ordinance No. 2015-06, an Ordinance granting consent to Fort Bend County Municipal Utility District No. 144 for the sale and issuance of Unlimited Tax Bonds, Series 2015, in an amount not to exceed \$3,400,000. (Charles A. Kalkomey, P.E., City Engineer)
15. Consideration of and action on Resolution No. R-1922, a Resolution regarding adoption of the Main Street Advisory Board Bylaws. (Randall Malik, Economic Development Director)

16. Consideration of and action on Resolution No. R-1923, a Resolution approving and adopting a Traffic Calming Speed Hump Installation and Removal Policy and Procedure. (John Maresh, Assistant City Manager of Public Services)
17. Hold Executive Session to deliberate the employment, evaluation, and duties of Police Chief pursuant to Section 551.074 of the Texas Government Code.
18. Adjourn Executive Session, reconvene into Regular Session, and take action as necessary as a result of Executive Session.
19. Announcements.
20. Adjournment.

[EXECUTION PAGE TO FOLLOW]

DATED AND POSTED this the 13th day of February 2015, at 11:45 a.m.,

by Anne Stark



Anne Stark

Attest:
Anne M. Stark, 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.