

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, May 19, 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. (Pastor Kevin K. Barber, Wellspring Church International, Richmond)

Recognition and Presentation of Plaque to Departing Mayor Vincent M. Morales, Jr., and City Council Member Dwayne Grigar. (Linda Cernosek, City Secretary)

Presentation of Certificate of Appreciation to Paula Warren and Donna Wall for Their Donation of a Rowing Machine to the Police Department. (Dallis Warren, Police Chief/Cody Daily, Police Lieutenant)

Presentation of Proclamation Proclaiming the Month of May 2015 as Older Americans 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

- I. Review of Consent Agenda.
All Consent Agenda items listed are considered to be routine by the City Council and may be enacted by one (1) motion. There will be no separate discussion of Consent Agenda items unless a City Council Member has requested that the item be discussed, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the Regular Agenda.
 - A. Consideration of and action on Workshop Meeting Minutes for April 28, 2015, and Regular Meeting Minutes for May 05, 2015. (Linda Cernosek, City Secretary)
 - B. Consideration of and action on Resolution No. R-1968, a Resolution authorizing the City Manager to negotiate and execute, for and on behalf of the City, a Consent to Assignment Agreement relating to the temporary assignment of water under the Brazos River Authority System Water Availability Agreement by and among the City, Brazos River Authority, and Gulf Coast Water Authority. (John Maresh, Assistant City Manager of Public Services)
 - C. Consideration of and action on Resolution No. R-1967, a Resolution authorizing the City Manager to negotiate and execute, for and on behalf of the City, a Temporary Amendment to the System Water Availability Agreement by and between the City and Brazos River Authority. (John Maresh, Assistant City Manager of Public Services)

- D. Consideration of and action on approval of the issuance of Fort Bend County Municipal Utility District No. 144 (Summer Lakes and Summer Park) Refunding Tax Bonds, Series 2015, in an amount not to exceed \$6,600,000. (Jeanne H. McDonald, Attorney)
- E. Consideration of and action on Resolution No. R-1957, a Resolution authorizing the Mayor to execute and accept, for and on behalf of the City, a Special Warranty Deed being 12.12 acres of land, between the City of Rosenberg and Rosenberg Business Park, Ltd. (Travis Tanner, Executive Director of Community Development)

REGULAR AGENDA

- 2. Consideration of and action on Ordinance No. 2015-14, an Ordinance canvassing the returns and declaring the results of the General Municipal Election held on May 09, 2015, within the City for the purpose of electing a Mayor and six (6) Council Members; and containing other provisions relating to the subject. (Linda Cernosek, City Secretary)
- 3. Consideration of and action on Ordinance No. 2015-15, an Ordinance canvassing the returns and declaring the results of the Special Election held May 09, 2015, in the City for the purpose of submitting to the duly qualified resident electors of the City consideration of one (1) Charter proposition, and declaring that said Ordinance shall be effective immediately upon its adoption. (Linda Cernosek, City Secretary)
- 4. Consideration of and action on Ordinance No. 2015-16, an Ordinance calling a Runoff Election on Saturday, June 13, 2015, for the purpose of electing Council Member District 3; providing for early voting and for Notice of the Election; and providing for other matters relating to the Election. (Linda Cernosek, City Secretary)
- 5. Consideration of and action on Resolution No. R-1962, a Resolution authorizing the City Manager to negotiate and execute, for and on behalf of the City, an Engineering Services Agreement for the Bryan Road Reconstruction Project, by and between the City and Landtech Consultants, Inc., in an amount not to exceed \$978,565. (John Maresh, Assistant City Manager of Public Services)
- 6. Consideration of and action on Resolution No. R-1920, a Resolution awarding Bid No. 2015-06 for construction of FM 2977 Elevated Water Storage Tank; and, authorizing the City Manager to negotiate and execute, for and on behalf of the City, appropriate documents and/or agreements regarding same. (John Maresh, Assistant City Manager of Public Services)
- 7. Consideration of and action on Resolution No. R-1969, a Resolution authorizing the City Manager to execute, for and on behalf of the City, Amendment No. 1 to the Municipal Maintenance Agreement, by and between the City and the State of Texas, acting through the Texas Department of Transportation, for permission to provide supplemental right-of-way mowing and litter removal. (Rigo Calzoncin, Public Works Director)
- 8. Consideration of and action on Ordinance No. 2015-17, an Ordinance amending the Code of Ordinances by amending Chapter 6 – Buildings and Building Regulations, Article XVII - Single-Family and Accessory Dwelling Units; Sections 6-425 Definitions and 6-426 Single-family Dwelling Units; repealing all ordinances or parts of ordinances inconsistent or in conflict herewith; providing for severability; and providing an effective date. (Travis Tanner, Executive Director of Community Services)
- 9. Hold Executive Session to 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.
- 10. Adjourn Executive Session, reconvene into Regular Session, and take action as necessary as a result of Executive Session.
- 11. Consideration of action on Resolution No. R-1971, a Resolution authorizing the Mayor to execute a Performance Agreement by and among the City, the Rosenberg Development Corporation, and Paragon Outlets Rosenberg Limited Partnership.
- 12. Announcements.
- 13. Adjournment.

[EXECUTION PAGE TO FOLLOW]

DATED AND POSTED this the 15th day of May 2015, at 10:20 A. m.
by Linda Cernosek

Linda Cernosek
Attest:
Linda Cernosek, TRMC, 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.