

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, July 21, 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 Jose Linares, Lion of Judah, Rosenberg)

Presentation of Award to the City of Rosenberg by the Texas Department of Insurance and the Texas State Fire Marshal's Office for Achieving a Public Protection Classification Rating of ISO Class 2. (Wade Goates, Fire Chief)

Presentation of Willie D. McQueen, Jr., Employee of the Quarter Award. (Cynthia A. McConathy, Mayor)

Presentation of Certificates of Achievement to 2015 Pitch, Hit and Run Skills Competition Winners. (Lydia Acosta, Recreation Programs Coordinator)

Presentation of Certificates of Appreciation to 2015 Pitch, Hit and Run Skills Competition Volunteers. (Lydia Acosta, Recreation Programs Coordinator)

Presentation of Certificate of Recognition to Rosenberg Xtreme Girls Softball Team for Finishing 2nd Place in the Texas State Championship (Girls 14U Division). (Lydia Acosta, Recreation Programs Coordinator)

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 June 30, 2015, and Regular Meeting Minutes for July 07, 2015. (Linda Cernosek, City Secretary)

- B. Consideration of and action on Ordinance No. 2015-21, an Ordinance amending the Code of Ordinances by adding a portion of Ward Street to Section 28-116 of Article III of Division 2 of Chapter 28 thereof, as a portion of a street within the City upon which it is unlawful to park a vehicle; and repealing Ordinance No. 2013-11 in its entirety; providing for the installation of "No Parking" signs indicating the boundaries of the no parking zone along Ward Street; providing a penalty in an amount of not less than \$1.00 nor more than \$200.00 for each violation of any provision hereof; providing for a cumulative and conflicts clause; providing for severability; and providing for an effective date. (John Maresh, Assistant City Manager of Public Services)
- C. Consideration of and action on Ordinance No. 2015-22, an Ordinance providing for the extension of the City Limits of the City of Rosenberg, Texas, by voluntary annexation of 3.483 acres of land in the Eugene Wheat Survey, A-396, Fort Bend County, Texas; granting to said tract of land and to all current and future inhabitants of said tract of land the rights and privileges of other citizens and binding said current and future inhabitants by all of the acts, ordinances, regulations and resolutions of said city, now in effect and to be hereafter adopted; adjusting the boundaries of Council District No. 4 to include the tract annexed hereby; providing a severability clause; providing for an effective date; providing for a savings clause and repealing conflicting ordinances or resolutions. (Travis Tanner, Executive Director of Community Development)
- D. Consideration of and action on Ordinance No. 2015-23, an Ordinance providing for the disannexation from the corporate boundaries of the City of Rosenberg, Texas, of 8.709 acres of land in the Wiley Marlin League, A-56, Fort Bend County, Texas, pursuant to the petition for disannexation; adjusting the boundaries of Council District No. 4 to exclude the tract disannexed hereby; containing certain findings; providing for non-severability; and establishing an effective date. (Travis Tanner, Executive Director of Community Development)

REGULAR AGENDA

- 2. Review and discuss a presentation regarding a proposed Eagle Scout Project by Matthew Banse of Troop 1656 to build an Edible Arbor Trail in Brazos Park, and take action as necessary. (Darren McCarthy, Parks and Recreation Director)
- 3. Consideration of and action on appointments to the following Boards, Committees, and Commissions (Linda Cernosek, City Secretary):
 - a) Planning Commission;
 - b) Animal Control Shelter Advisory Board;
 - c) Building and Standards Board;
 - d) Image Committee; and,
 - e) Parks and Recreation Board.
- 4. Consideration of and action on Resolution No. R-2003, a Resolution designating a Director to the West Fort Bend Management District Board of Directors for a four-year term beginning June 01, 2015, and ending June 01, 2019. (Cynthia A. McConathy, Mayor)
- 5. Review and discuss presentation regarding the City's FY2016 Budget/Rosenberg Development Corporation's FY2016 Budget, and take action as necessary. (Joyce Vasut, Executive Director of Administrative Services)
- 6. Consideration of and action on Resolution No. R-2005, a Resolution authorizing the City Manager to execute, for and on behalf of the City, a Contract for Engineering Services for Phase II - Sanitary Sewer Pipebursting Project, for engineering and surveying services for the Sanitary Sewer Pipebursting Project, by and between the City and Kelly R. Kaluza and Associates, Inc., in the amount of \$446,500.00. (John Maresh, Assistant City Manager of Public Services)
- 7. Consideration of and action on Resolution No. R-2006, a Resolution authorizing the City Manager to execute, for and on behalf of the City, a Proposal for Engineering and Surveying Services for Lift Station No. 2 Replacement, by and between the City and Jones and Carter, Inc., in the amount of \$290,000.00. (John Maresh, Assistant City Manager of Public Services)
- 8. Consideration of and action on Resolution No. R-2007, a Resolution authorizing the Mayor to execute, for and on behalf of the City, a Cooperation Agreement, by and between the City and Fort Bend County regarding Urban County Qualification for cooperative participation in the U.S. Department of Housing and Urban Development Community Development Block Grant (CDBG), HOME Investment Partnership, and/or Emergency Solutions Grant (ESG) programs. (John Maresh, Assistant City Manager of Public Services)

9. Consideration of and action on Resolution No. R-2008, a Resolution determining a public purpose and authorizing funding in an amount not to exceed \$3,500 for survey costs related to a proposed disannexation petition by the residents of the Spacek Tracts; and, authorizing the City Manager to negotiate and execute, for and on behalf of the City, necessary documents and/or agreements to facilitate same. (Scott Tschirhart, City Attorney)
10. Consideration of and action on Resolution No. R-2004, a Resolution authorizing the Mayor to execute, for and on behalf of the City, an Interlocal Agreement for Fire Code and Investigations by and between the City and Fort Bend County, for Fire Code and investigations for Fort Bend County owned or leased buildings located within the City Limits of Rosenberg. (Wade Goates, Fire Chief)
11. Consideration of and action on Resolution No. R-2009, a Resolution authorizing the Assignment of the Development Agreement by and between the City and 16 Rose, Ltd., regarding the Reading Road Office Park, a subdivision of 8.928 acres, to Richwest Investors, LLC; and authorizing the City Manager to execute, for and on behalf of the City, First Amendment to said Agreement. (Travis Tanner, Executive Director of Community Development)
12. Consideration of and action on Resolution No. R-2010, a Resolution authorizing amendments to the Employee Benefits Trust Declaration of Trust, a Trust created for the purpose of providing City officers, employees, and qualified retirees and their dependents, with life, dental, disability, sickness, accident, and other health benefits, either directly or through the purchase of insurance, and to perform operations in furtherance thereof. (Lisa Olmeda, Human Resources Director/Burke Sunday, Gallagher Benefits Services, Inc.)
13. Consideration of and action on Resolution No. R-2011, a Resolution authorizing the City Manager to execute, for and on behalf of the City, an Administrative Services Agreement, by and between the City and the Rosenberg Employee Benefits Trust, for the provision of certain administrative services for a term of one (1) year. (Lisa Olmeda, Human Resources Director/Burke Sunday, Gallagher Benefits Services, Inc.)
14. Consideration of and action on Resolution No. R-2012, a Resolution authorizing funding for a Contract with BlueCross BlueShield of Texas, for healthcare benefits for City employees, qualified retirees, and their dependents; and, for life insurance for City employees for one (1) year; and, authorizing the Rosenberg Employee Benefits Trust to negotiate and execute a Contract for same. (Lisa Olmeda, Human Resources Director/Burke Sunday, Gallagher Benefits Services, Inc.)
15. Consideration of and action on Resolution No. R-2013, a Resolution authorizing funding for a Contract with Assurant Employee Benefits for dental care benefits for City employees, qualified retirees, and their dependents; and, authorizing the Rosenberg Employee Benefits Trust to negotiate and execute a Contract for same. (Lisa Olmeda, Human Resources Director/Burke Sunday, Gallagher Benefits Services, Inc.)
16. Consideration of and action on Resolution No. R-2014, a Resolution approving employee and retiree premium contribution rates to the City's health insurance plan. (Joyce Vasut, Executive Director of Administrative Services)
17. Hold Executive Session to deliberate the potential purchase, exchange, lease, or value of real property pursuant to Section 551.072 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 17th day of July 2015, at 11:30 a.m.

by Anne Stark



Anne Stark

Attest:
Linda Cernosek, TRMC, City Secretary

Robert Gracia

Approved for Posting:
Robert Gracia, City Manager

Cynthia A. McConathy

Approved:
Cynthia A. McConathy, 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.