

CITY OF ROSENBERG

REGULAR CITY COUNCIL MEETING MINUTES

On this the 4th day of August, 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

Cynthia A. McConathy	Mayor
William Benton	Councilor at Large, Position 1
Amanda J. Barta	Councilor at Large, Position 2
Jimmie J. Pena	Councilor, District 1
Susan Euton	Councilor, District 2
Lisa M. Wallingford	Councilor, District 3
Lynn Moses	Councilor, District 4

STAFF PRESENT

Robert Gracia	City Manager
Scott M. Tschirhart	City Attorney
Linda Cernosek	City Secretary
John Maresh	Assistant City Manager of Public Services
Jeff Trinker	Executive Director of Support Services
Joyce Vasut	Executive Director of Administrative Services
Travis Tanner	Executive Director of Community Development
Charles Kalkomey	City Engineer
Tonya Palmer	Building Official
Lisa Olmeda	Human Resources Director
Dallis Warren	Police Chief
Jazz Roberts	Police Officer
Darrell Himly	Assistant Fire Chief
Angela Fritz	Executive Director of Information Services
Darren McCarthy	Parks and Recreation Director
Randall Malik	Economic Development Director
Rigo Calzoncin	Public Works Director
Valente Martinez	Fleet Supervisor
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 McConathy called the meeting to order at 7:00 p.m.

INVOCATION AND PLEDGE OF ALLEGIANCE.

Reverend Jason Martin, Calvary Baptist Church, Rosenberg, gave the invocation, and Ethan Rafei and Chase Gay, Boy Scouts of America Troop 1000, led the pledge of allegiance to the flag.

PRESENTATION OF CERTIFICATES OF APPRECIATION TO DEPARTING MEMBERS OF CITY OF ROSENBERG BOARDS, COMMITTEES AND COMMISSIONS.

Mayor McConathy and Councilor Barta presented Certificates of Appreciation to the following Departing Members of City of Rosenberg Boards, Committees and Commissions:

- Joni Poche
- Lisa McGarity
- George Zepeda
- Howard Stinnett
- Rose Pickens
- Alicia Casias
- Tim Sweat
- Lila Villagomez
- Michael Parsons
- Charlie Wenzel
- Sergio Villagomez
- Pete Pavlovsky
- Cowboy Bill
- Lisa Wallingford
- Austin Hernandez
- Eric Juarez

PRESENTATION OF CERTIFICATES OF APPOINTMENT TO NEWLY APPOINTED MEMBERS OF CITY OF ROSENBERG BOARDS,

COMMITTEES AND COMMISSIONS.

Mayor McConathy and Councilor Barta presented Certificates of Appointment to the following Newly Appointed Members of City of Rosenberg Boards, Committees and Commissions:

Animal Control Shelter Advisory Board

- Dr. William Hester
- Joni D. Huff
- Laura Knizner
- Carolyn Seiler

Building and Standards Board

- Cowboy Bill
- Robert Duran
- Phillip Grudziecki
- Devin Koeppen
- Shawn Schulze
- Walter Urbish

Image Committee

- Joyce Bartos
- Linda Carroll
- Cathi Cross
- Rufus Guebara III
- Stanley Kucherka
- Marcus Morales
- Eric Ramirez

Parks and Recreation Board

- Teresa Bailey
- Melissa Dixon
- Rudy Guerrero
- Bertha Nell Kelm
- Stanley Kucherka
- Ray Kueck
- Eric Ramirez
- Julia Worley
- Lila Villagomez

Planning Commission

- Charlotte Davis
- Steven Monk
- Lester Phipps, Jr.
- Wayne Poldrack
- James Urbish
- Sergio Villagomez

PRESENTATION OF ROSENBERG IMAGE COMMITTEE BEAUTIFICATION AND RENOVATION AWARDS.

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

- Melvin and Marilyn Emmons 4109 Junker Street
- Hector and Sally Gutierrez 4102 Junker Street
- Jan Leonard 4817 Sandalwood Avenue
- Hector and Rosa Vasquez 2108 Spruce Drive
- Captain D's Seafood Restaurant 3714 Avenue H
- McDonald's Restaurant 3627 Avenue H

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.

- **Bill Knesek, 3602 Glenmeadow, Rosenberg, Texas** spoke under items 6 and 7 on the Regular Agenda.

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 JULY 21, 2015.

B. CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-2020, A RESOLUTION AUTHORIZING THE ACCEPTANCE OF A DEED WITHOUT WARRANTY BEING A 2.35 ACRE TRACT OF LAND IN THE HENRY SCOTT LEAGUE, ABSTRACT 83, CITY OF ROSENBERG, TEXAS, BEING OUT OF AND A PART OF A CALLED 600-FOOT RAILROAD RESERVATION AS SHOWN ON THE PLAT OF THE ORIGINAL TOWNSITE OF THE CITY OF ROSENBERG, RECORDED IN VOLUME P, PAGE 146, DEED RECORDS, FORT BEND COUNTY, BY AND BETWEEN THE CITY OF ROSENBERG AND BNSF RAILWAY COMPANY.

Executive Summary: The City recently acquired the 2.35 acres of property from BNSF Railway along Avenue F between 3rd and 6th Streets with the intent to create additional customer parking for

merchants in the Downtown District. Rosenberg Development Corporation funds were used to purchase the property. Staff has received a Deed Without Warranty for the 2.35 acre property. Resolution No. R-2020 has been included to allow City Council to accept the conveyance of Deed, attached as Exhibit "A" to the Resolution.

Staff recommends approval of Resolution No. R-2020 as presented.

- C. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-2022, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AND ACCEPT, FOR AND ON BEHALF OF THE CITY, A UTILITY CONVEYANCE AND SECURITY RESERVATION BETWEEN THE CITY OF ROSENBERG, TEXAS, AND FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 144 FOR CERTAIN WATER DISTRIBUTION, SANITARY SEWER COLLECTION, DRAINAGE, AND PAVING FACILITIES FOR THE RESERVE AT WATERFORD PARK.**

Executive Summary: Pursuant to the Amended and Restated Water Supply and Wastewater Services Contract (Contract) among Fort Bend County Municipal Utility District No. 144 (District), Summer Creek Development, Ltd., CL Waterford, LLC, and the City of Rosenberg, dated August 17, 2010, and subsequent addendum(s) to the Contract, the District facilitated the construction of certain water distribution, sanitary sewer collection, drainage, and paving facilities for The Reserve at Waterford Park. In accordance with the terms and provisions of the Contract, the subject facilities have been inspected and found to be acceptable as of September 01, 2014. These facilities are now presented for conveyance to the City of Rosenberg.

Staff recommends approval of Resolution No. R-2022, providing authorization for the Mayor to execute, and accept on behalf of the City, a Utility Conveyance and Security Reservation from the District for certain water distribution, sanitary sewer collection, drainage, and paving facilities for The Reserve at Waterford Park.

- D. **CONSIDERATION OF AND ACTION ON A FINAL PLAT OF FORT BEND COUNTY MUD NO. 184 LIFT STATION SITE, A SUBDIVISION OF 0.15 ACRES OF LAND OUT OF THE WILEY MARTIN SURVEY, A-56, FORT BEND COUNTY, TEXAS; 1 BLOCK, 1 RESERVE.**

Executive Summary: The Final Plat of Fort Bend County MUD No. 184 Lift Station Site is a proposed lift station site for Fort Bend County MUD No. 184, or Stonecreek Estates. The site consists of 0.15 acres and is centrally located within the development.

The Planning Commission approved the Preliminary Plat of the Fort Bend County MUD No. 184 Lift Station Site on May 20, 2015. The proposed Final Plat is consistent with the approved Preliminary Plat and is in conformance with City ordinances. The Commission later recommended approval to City Council of the Final Plat on July 15, 2015.

Staff recommends approval of the Final Plat of Fort Bend County MUD No. 184 Lift Station Site.

- E. **CONSIDERATION OF AND ACTION ON A FINAL PLAT OF FORT BEND COUNTY MUD NO. 184 WASTEWATER TREATMENT PLANT SITE, A SUBDIVISION OF 4.13 ACRES OF LAND OUT OF THE WILEY MARTIN SURVEY, A-56, FORT BEND COUNTY, TEXAS; 1 BLOCK, 1 RESERVE.**

Executive Summary: The Final Plat of Fort Bend County MUD No. 184 Wastewater Treatment Plant Site is a proposed wastewater treatment site for Fort Bend County MUD No. 184, or Stonecreek Estates. The site consists of 4.13 acres and is located on the south side of the development.

The Planning Commission approved the Preliminary Plat of the Fort Bend County MUD No. 184 Wastewater Treatment Plant Site on May 20, 2015. The proposed Final Plat is consistent with the approved Preliminary Plat and is in conformance with City ordinances. The Commission later recommended approval to City Council of the Final Plat on July 15, 2015.

Staff recommends approval of the Final Plat of Fort Bend County MUD No. 184 Wastewater Treatment Plant Site.

- F. **Item F was pulled from the Consent Agenda and moved to Item 2A on the Regular Agenda. CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-2024, A RESOLUTION PROVIDING FOR THE AMENDMENT OF THE CITY COUNCIL RULES OF PROCEDURE (NINTH EDITION), NAMELY ARTICLE V., ENTITLED AGENDA ORDER, BY REVISING THE ORDER OF ANNOUNCEMENTS BY MOVING ANNOUNCEMENTS TO APPEAR AFTER THE INVOCATION AND PLEDGE OF ALLEGIANCE ON REGULAR CITY COUNCIL MEETING AGENDAS.**

G. **CONSIDERATION OF AND ACTION ON THE 10/20 YEAR WRITE OFF PER TEXAS PROPERTY TAX CODE SECTION 33.05 "LIMITATION ON COLLECTION OF TAXES".**

Executive Summary: The Finance staff received correspondence from Fort Bend County Tax Assessor/Collector Patsy Schultz. Ms. Schultz is requesting acknowledgement of the 10/20 Year Write Off of Property Taxes by the City Council. The total amount that is being written off per the summary is \$5,700.94, and is in accordance with the guidelines set out in the Texas Property Tax Code.

Due to the small amounts involved on these particular properties, they do not get resolved by the delinquent tax attorneys and sit on the rolls as delinquent until they reach the statutorily determined limitation points. These amounts are taken into account each year since 97% of the total certified valuation is considered collectible and included as projected revenue.

Staff recommends that the City Council acknowledge receipt of the enclosed 10/20 Year Write Off of Property Taxes as presented in the Schultz correspondence dated July 23, 2015.

Action: Councilor Euton made a motion, seconded by Councilor Moses, to approve Consent Agenda Items A, B, C, D, E, and G. The motion carried by a unanimous vote.

REGULAR AGENDA

2A. ***This item was originally Item F on the Consent Agenda.***

CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-2024, A RESOLUTION PROVIDING FOR THE AMENDMENT OF THE CITY COUNCIL RULES OF PROCEDURE (NINTH EDITION), NAMELY ARTICLE V., ENTITLED AGENDA ORDER, BY REVISING THE ORDER OF ANNOUNCEMENTS BY MOVING ANNOUNCEMENTS TO APPEAR AFTER THE INVOCATION AND PLEDGE OF ALLEGIANCE ON REGULAR CITY COUNCIL MEETING AGENDAS.

Executive Summary: As discussed at the July 28, 2015 City Council Workshop Meeting, revisions have been made to the City Council Rules of Procedure for placement of Announcements after the Invocation and Pledge of Allegiance on Regular City Council Meeting agendas. Included in the Agenda Packet is a redlined version of the proposed revisions.

Staff recommends approval of Resolution No. R-2024 as presented. Should City Council approve the revision, the revision, attached to the Resolution as Exhibit "A", will serve as the City Council Rules of Procedure, Ninth Revision.

Key Discussion Points: Scott Tschirhart, City Attorney, explained that the rules of procedure require that any change to the rules must be introduced at a Regular City Council Meeting and must receive a majority of Council's approval at that meeting, prior to adopting the rule change at the next Regular City Council Meeting.

Action: Councilor Benton made a motion, seconded by Councilor Euton, to approve the first reading of Resolution No. R-2024, a Resolution providing for the amendment of the City Council Rules of Procedure (Ninth Edition), namely Article V., entitled Agenda Order, by revising the order of Announcements by moving Announcements to appear after the Invocation and Pledge of Allegiance on Regular City Council Meeting Agendas. The motion carried by a unanimous vote.

2. **REVIEW AND DISCUSS A PRESENTATION REGARDING A PROPOSED EAGLE SCOUT PROJECT BY ETHAN RAFEI OF TROOP 1000 TO REFURBISH THE NORTH FISHING DOCK IN SEABOURNE CREEK NATURE PARK.**

Executive Summary: On July 23, 2015, at the regularly scheduled Parks and Recreation Board (Board) meeting, Ethan Rafei, Troop 1000, presented a proposal to restore the north fishing dock (Project) in Seabourne Creek Nature Park. Restoration will include replacing deteriorating wood to provide a sturdy, safe, and more appealing fishing area. The Project is estimated to be about a maximum of \$1,149.00, but some of the equipment needed is already on hand. Funds are currently being raised through a joint-effort from the City, neighbors, friends, and family. Dock restoration is a more expensive project than the typical Eagle Scout project and since the Building Maintenance Department has been able to assist the Parks Department in restoring some other projects, this Project would qualify for funds from the Parkland Dedication Fund if needed. After reviewing the presentation, the Board unanimously recommended the Project plan for approval.

Staff and the Parks and Recreation Board recommend approval of the proposed Eagle Scout Project by Ethan Rafei of Troop 1000 to restore the north fishing dock at Seabourne Creek Nature Park.

Key Discussion Points: Darren McCarthy, Parks and Recreation Director read the Executive Summary and introduced Ethan Rafei of Troop 1000, who gave a presentation on his proposed restoration of the north fishing dock at Seabourne Creek Nature Park.

Action: Councilor Benton made a motion, seconded by Councilor Moses, to approve the Eagle Scout Project, as presented by Ethan Rafei, to restore the north fishing dock at Seabourne Creek Nature Park. The motion carried by a unanimous vote.

3. **REVIEW AND DISCUSS A PRESENTATION REGARDING A PROPOSED EAGLE SCOUT PROJECT BY CHASE GAY OF TROOP 1000 TO REFURBISH A BLEACHER SET IN TRAVIS PARK.**

Executive Summary: On July 23, 2015, at the regularly scheduled Parks and Recreation Board (Board) meeting, Chase Gay, Troop 1000, presented a proposal to restore the set of bleachers in Travis Park (Project) by the baseball field. Restoration will include replacing eight of the nine boards, because one was recently replaced. The Project is needed due to the high use of the park and softball program. Chase is currently raising money through friends and family and anticipates to be completed by mid-August, if approved. Normally staff would remove the bleacher set from the park and have repairs done at the shop, but because of the high use of the park, staff will only block off the area to allow Chase to remove the old wood and replace with the newly treated boards when completed. After reviewing the presentation, the Board unanimously recommended the Project plan for approval.

Staff and the Parks and Recreation Board recommend approval of the proposed Eagle Scout Project by Chase Gay of Troop 1000 to refurbish a bleacher set at Travis Park.

Key Discussion Points: Darren McCarthy read the Executive Summary and introduced Chase Gay of Troop 1000, who gave a presentation on his proposed refurbishment of a bleacher set in Travis Park.

Action: Councilor Benton made a motion, seconded by Councilor Euton, to approve the Eagle Scout Project, as presented by Chase Gay, to refurbish a bleacher set at Travis Park. The motion carried by a unanimous vote.

4. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1972, A RESOLUTION ADOPTING THE CITY OF ROSENBERG FACILITIES MASTER PLAN.**

Executive Summary: On August 19, 2014, the Rosenberg City Council authorized the City Manager to enter into a Professional Services Agreement with PGAL for the purpose of developing a Facilities Master Plan (FMP) for the City of Rosenberg. The goal of the FMP is to identify the current and projected space needs for each department of the City of Rosenberg and to create a plan to satisfy these needs. The FMP will enable the City of Rosenberg to continue to provide high quality services to the citizens of Rosenberg at a level established by the City Council.

On January 06, 2015, the City Council appointed a Blue Ribbon Facilities Task Force (Task Force) comprised of Rosenberg residents to assist staff with the development of the FMP. Following numerous meetings between staff and PGAL, as well as seven (7) Task Force meetings, PGAL has presented the City with an FMP document for adoption.

Paul Bonnette, an architect with PGAL, will present the main findings, priorities and recommendations found in the FMP and will be available to answer questions about the document. Staff recommends approval of Resolution No. R-1972, a Resolution adopting the City of Rosenberg Facilities Master Plan. Should Resolution No. R-1972 be approved by City Council, the Facilities Master Plan will be attached to serve as Exhibit "A".

Key Discussion Points: Jeff Trinker, Executive Director of Support Services, read the Executive Summary, and introduced Paul Bonnette, PGAL architect, who presented the results of the Facilities Assessment and the Facilities Master Plan.

Conclusions of the Facilities Assessment included:

- City departments are spread out in separate facilities, causing inefficiencies
- Centralization of services will become increasingly important as the city grows
- Most buildings are operating at or beyond capacity, and will need to be expanded as staff grows
- Fire Administration lease coming up – not enough space
- Fleet/Streets Department site in floodway

- City Hall Annex customer service area crowded
- Preservation of heavy equipment – need storage
- Records are being housed in non-hardened buildings
- Maintenance has been deferred in many of the facilities, and is now becoming necessary
- Modifications have been made to facilities without changing mechanical and other systems
- Restrooms in poor condition
- Image that buildings present are not consistent with the City's goals of attracting new businesses
- ADA / TAS accessibility standards are not being met in older buildings
- New fire facilities will be needed as the City expands to the West and South

The next steps as identified were:

1. Council review period now until October 2015
2. Staff will work with Council in FY 2016 to determine which projects and when they are implemented
3. Project specifics will be updated and budgets set at the time of implementation
4. Adoption of the Master Plan entails accepting the recommendations and general direction of PGAL, City Staff and the Task Force

Action: Councilor Benton made a motion, seconded by Councilor Moses, to approve Resolution No. R-1972, a Resolution accepting the City of Rosenberg Facilities Master Plan, contingent upon making an amendment to the Resolution wording from "adopting" to "accepting." The motion carried by a unanimous vote.

5. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1995, A RESOLUTION PROVIDING FOR ACCEPTANCE OF A CLASSIFICATION AND COMPENSATION PLAN.**

Executive Summary: On June 30, 2015, City Council reviewed and discussed a Final Report regarding job classifications and compensation for City employees as presented by Gallagher Benefits Services, Inc. The Final Report contained measurable criteria necessary to establish market comparisons to the current level of compensation paid for all City job classifications which make up the City's Classification and Compensation Plan (Plan).

Implementation cost options were also presented and discussed. Ultimately, City Council agreed to defer the discussions regarding the Final Report, Plan, and implementation of cost options to the City's Finance Committee (Committee). The Committee met on July 07, 2015, July 13, 2015, and July 22, 2015.

Staff presented a Revised Classification and Compensation Plan that addresses current minimums in the Fire and Police structures and the Committee is recommending City Council approval.

Staff has prepared Resolution No. R-1995. The Resolution will provide for the acceptance of the Final Report and approval of the Classification and Compensation Plan as revised. Resolution No. R-1995 will also provide an opportunity for City Council to accept Option 1 to bring all employees to the proposed minimum, excluding personnel ineligible under the Merit Program and those employees in the E band class structure. Option 2 will be reviewed at a later date.

The Finance/Audit Committee recommends approval of Resolution No. R-1995.

Key Discussion Points: Joyce Vasut, Executive Director of Administrative Services, read the Executive Summary.

Action: Councilor Benton made a motion, seconded by Councilor Moses, to approve Resolution No. R-1995, a Resolution providing for acceptance of Option 1 of the Classification and Compensation Plan. The motion carried by a unanimous vote.

6. **REVIEW AND DISCUSS FUNDING FOR THE WEST FORT BEND MANAGEMENT DISTRICT, AND TAKE ACTION AS NECESSARY.**

Executive Summary: This Agenda item has been requested to allow for City Council discussion regarding funding for the West Fort Bend Management District for FY2016.

Key Discussion Points:

- Mayor McConathy gave an overview of the item, and requested clarification from Scott Tschirhart, City Attorney.

- Mr. Tschirhart stated that an Economic Development Corporation that is formed under the City becomes a unit of the City and serves at Council's pleasure. Council has supervisory authority of all programs under the City, may review any financials of any such corporation, a creating unit retains control and responsibility over the corporation. Further, Mr. Tschirhart explained that Rosenberg City Council may approve or disapprove the standards of the WFBMD.
- **Bill Knesek, 3602 Glenmeadow, Rosenberg, Texas** - gave his appeal to Council to approve the RDC budget, including the WFBMD funding, with a proposed 25% reduction from previous years. The mission of the Management District is to provide an aesthetically pleasing corridor throughout Rosenberg and Richmond.
- Council urged WFBMD to loosen their restrictions and compromise with the City in order to allow more businesses to be able to come into the area without having to adhere to such strict standards.
- The WFBMD was founded with the understanding that it would ultimately become self sustaining.
- Mr. Tschirhart stated that it would be more efficient to take action on the next item. Council may approve or reject the entire budget of RDC, or approve the budget contingent on a particular change.
- No action was taken on this item.

7. **REVIEW AND DISCUSS A PRESENTATION REGARDING THE ROSENBERG DEVELOPMENT CORPORATION FY2016 BUDGET, AND TAKE ACTION AS NECESSARY.**

Executive Summary: On July 09, 2015, the Rosenberg Development Corporation (RDC) approved submittal of the RDC FY2016 Budget to City Council. Randall Malik, Economic Development Director, also serves as the RDC Executive Director. Mr. Malik will provide an overview of the proposed RDC FY2016 Budget to City Council on behalf of the RDC.

Key Discussion Points:

- Randall Malik, Economic Development Director, gave a presentation on the Rosenberg Development FY2016 Budget.
- **Bill Knesek, 3602 Glenmeadow, Rosenberg, Texas** - clarified that WFBMD has no authority over the Cities, and the standards which they enforce are standards that each City adopted. Mr. Knesek requested that Council either approve the RDC Budget in its entirety, or approve it contingent on the deletion of the WFBMD funding line item, rather than reject the budget and send it back to RDC. He appealed once more that Council not do away with an organization whose sole mission is to make this City more attractive.
- After discussion, it was apparent that the majority of the Council wished to approve the RDC Budget with the exclusion of the funding for the WFBMD.
- Joyce Vasut, Executive Director of Financial Services, clarified that the Final RDC Budget cannot be adopted at this meeting, but rather must be adopted along with the City Council Budget. She recommended using the word "accept" instead of "adopt."

Action: Councilor Benton made a motion, seconded by Councilor Moses, to accept the Rosenberg Development Corporation FY2016 Budget, excluding funding for the West Fort Bend Management District. **The motion carried by a vote of 6 to 1 as follows: Yeses: Mayor McConathy, Councilors Benton, Barta, Pena, Euton, and Moses. No: Councilor Wallingford.**

8. **CONSIDERATION OF AND ACTION ON ORDINANCE NO. 2015-24, AN ORDINANCE AMENDING THE CODE OF ORDINANCES BY ADDING TO CHAPTER 28, ARTICLE II, DIVISION 4, SECTION 28-72 (C) THEREOF, ESTABLISHING THE LAWFUL SCHOOL ZONE SPEED LIMIT ALONG THAT PORTION OF AUGUST GREEN DRIVE FROM FM 2977 (MINONITE ROAD) TO A POINT ONE-THOUSAND FOUR-HUNDRED (1,400) FEET NORTHWEST OF FM 2977 (MINONITE ROAD); MAKING CERTAIN FINDINGS THAT THE PRIMA FACIE SPEED LIMIT IS UNREASONABLE AND UNSAFE DURING SAID SCHOOL ZONE TIMES; AUTHORIZING THE PLACEMENT OF SCHOOL ZONE SPEED LIMIT SIGNS ALONG SUCH STREET; PROVIDING A PENALTY FOR VIOLATION OF ANY PROVISION HEREOF; PROVIDING AN EFFECTIVE DATE; AND PROVIDING FOR SEVERABILITY.**

Executive Summary: Lamar Consolidated I.S.D. anticipates opening John M. Arredondo Elementary School on August 24, 2015, thus necessitating the establishment of a school zone along August Green Drive. Ordinance No. 2015-24 has been prepared to establish a school zone designation with a speed limit of twenty (20) miles per hour on August Green Drive from FM 2977 (Minonite Road) to a point 1,400 feet northwest of FM 2977, approximately one-hundred (100) feet past the property line of the school. The school zone times are typically between the hours of 7:15 a.m. to 8:00 a.m., and 2:30 p.m. to 3:15 p.m. The City Engineer has reviewed the proposed signage plan and recommends approval.

Staff recommends approval of Ordinance No. 2015-24 as presented.

Key Discussion Points: John Maresh, Assistant City Manager of Public Services, read the Executive Summary.

Action: Councilor Barta made a motion, seconded by Councilor Benton, to approve Ordinance No. 2015-24, an Ordinance amending the Code of Ordinances by adding to Chapter 28, Article II, Division 4, Section 28-72 (c) thereof, establishing the lawful school zone speed limit along that portion of August Green Drive from FM 2977 (Minonite Road) to a point one-thousand four-hundred (1,400) feet northwest of FM 2977 (Minonite Road); making certain findings that the prima facie speed limit is unreasonable and unsafe during said school zone times; authorizing the placement of school zone speed limit signs along such street; providing a penalty for violation of any provision hereof; providing an effective date; and providing for severability. The motion carried by a unanimous vote.

9. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-2019, A RESOLUTION AWARDED BID NO. 2015-10 FOR CONCRETE SIDEWALK CONSTRUCTION AND REPAIR, WAIVING INFORMALITIES IN BIDDING; 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: Sealed bids were received on Wednesday, July 15, 2015, for the Concrete Sidewalk Construction and Repair. The bids were opened and tabulated as indicated on the bid summary. A total of two (2) bids were received.

The existing Sidewalk Repair/Replacement Capital Project has approximately \$327,007.00 that will be utilized for the majority of the Phase 1 Project as presented to City Council at the June 23, 2015 Workshop. The total cost for the entire Phase 1 Project is approximately \$348,825.00. If City Council provides additional funding during the year, the Phase 1 Project could be completed and a Phase 2 Project could also be undertaken. Other Departments, such as Utilities, would also be able to utilize this unit price contract throughout the year, for concrete repairs that may be necessary due to repairs to underground water or sanitary sewer lines. The existing Sidewalk Repair/Replacement Project is included in both the FY2015 and FY2016 Capital Improvement Plan approved by City Council with the passage of Resolution No. R-1801 on June 17, 2014, and Resolution No. R-1997 on July 07, 2015.

Si Environmental, LLC, does have one revision in their bid submittal for the performance and payment bond dollar amount. A zero dollar (\$0) amount was entered on the bid form instead of the \$6,840.00 cost for the bond. Therefore, City Council will need to waive informalities in bidding to allow for this clarification.

Staff recommends Bid No. 2015-10 be awarded to Si Environmental, LLC, for the unit price bid item amounts for an initial term of one (1) year, with the option to automatically renew up to three (3) additional, one (1) year terms based on these unit prices. Should the bid be awarded as recommended, the Si Environmental, LLC, proposal will be attached and serve as Exhibit "A" to Resolution No. R-2019.

In summary, staff recommends waiving informalities in bidding, and approval of Resolution No. R-2019 which will award Bid No. 2015-10 and provide authorization for the City Manager to negotiate and execute all appropriate documents and/or agreements regarding same.

Key Discussion Points: John Maresh read the Executive Summary and stated that Phase I consists primarily of Avenue G and Mulcahy Street.

Action: Councilor Euton made a motion, seconded by Councilor Benton, to approve Resolution No. R-2019, a Resolution awarding Bid No. 2015-10 to Si Environmental, LLC in the amount of \$348,825.00 for Concrete Sidewalk Construction and Repair, waiving informalities in bidding; 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.

10. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1907, A RESOLUTION PROVIDING AUTHORIZATION FOR THE CITY MANAGER TO EXECUTE A REQUEST FOR GRANT CLOSURE REGARDING EPA PROJECT ID NUMBER XP-96663401, RICHMOND/ROSENBERG WEST FORT BEND COUNTY REGIONAL WATER SYSTEM; AND/OR APPROPRIATE DOCUMENTS REGARDING SAME.**

Executive Summary: On August 15, 2007, City Council authorized the submission of an application for grant funding through the United States Environmental Protection Agency (EPA) in association with the FY2006 Special Appropriations Act Project designated for the Richmond/Rosenberg West Fort Bend County Regional Water System. As a part of the application process, the City of Rosenberg was

designated as the grant recipient and responsible party to administer the grant.

The grant provided a total of \$990,545.00 consisting of \$544,800.00 (55%) from Federal Funding and a local match of \$445,745.00 (45%). The cities of Richmond and Rosenberg utilized the Richmond/Rosenberg Local Government Corporation (RRLGC) as the vehicle to expend a large portion of the grant funds. The funds were primarily used for the proposed surface water treatment plant site selection and acquisition, environmental studies, and completion of the surface water treatment plant pilot study. During the course of the grant, approximately \$355,359.09 of the Federal Funds were used and \$290,748.35 of local matching funds were used for the abovementioned tasks. The local matching funds consisted of a 50/50 contribution by both the City of Richmond and the City of Rosenberg.

Shortly after completion of the pilot study, the City of Rosenberg determined the best, long-term solution for an alternate surface water supply was to enter into a long-term contract with the Brazosport Water Authority instead of constructing a surface water treatment plant with the City of Richmond. The remaining grant funds cannot be utilized and the grant term will expire on August 31, 2015. A copy of the initial request for grant closure is included in the packet.

Staff recommends approval of Resolution No. R-1907, authorizing the City Manager to execute, for and on behalf of the City, appropriate documents regarding same.

Key Discussion Points: John Maresh read the Executive Summary.

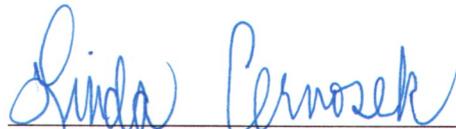
Action: Councilor Barta made a motion, seconded by Councilor Wallingford, to approve Resolution No. R-1907, a Resolution providing authorization for the City Manager to execute a request for grant closure regarding EPA Project ID Number XP-96663401, Richmond/Rosenberg West Fort Bend County Regional Water System; and/or appropriate documents regarding same. The motion carried by a unanimous vote.

11. **ANNOUNCEMENTS.**

- A Workshop City Council Meeting will be held on Saturday, August 8, 2015, beginning at 8:00 a.m.

12. **ADJOURNMENT.**

There being no further business, Mayor McConathy adjourned the meeting at 9:29 p.m.


Linda Cernosek, TRMC, City Secretary