

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, August 18, 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 Dave Hodges, Grace Community Bible Church, Richmond)

Presentation of Certificate of Recognition to Mr. Nick Poncik of Troop 801 for His Eagle Scout Project Benefitting the Rosenberg Animal Shelter. (Jackie Jurasek, Animal Control Supervisor)

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 July 28, 2015, and Regular Meeting Minutes for August 04, 2015. (Linda Cernosek, City Secretary)
 - B. Consideration of and action on Ordinance No. 2015-25, 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 Callender Street and Houston Street; 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 or in conflict herewith; providing for an effective date; and providing for severability. (John Maresh, Assistant City Manager of Public Services)
 - C. Consideration of and action on Resolution No. R-2027, a Resolution authorizing the Mayor to execute, for and on behalf of the City, a Dedication of Unobstructed Dry Public Utility and Aerial Easements and Release of Easement from Rosenberg Business Park, Ltd., containing a 3.811 acre tract of land, and a 0.196 acre tract of land, more or less, in the S. B. Pentecost Survey, A-362 and A-378, for the provision of public utility easements to serve the Rosenberg Business Park. (Randall Malik, Director of Economic Development)

- D. Consideration of and action on a Short Form Final Plat of Reading Road Office Park Replat No. One, a total of 0.3756 acres being a replat of Lot 13, Reading Road Office Park in the James Lowery 1/3 League, A-275, City of Rosenberg, Fort Bend County, Texas, recorded under Fort Bend County Plat No. 20110006; 2 lots, 1 block, 0 reserves. (Travis Tanner, Executive Director of Community Development)
- E. Consideration of and action on Quarterly Financial Report and Quarterly Investment Report for the quarter ended June 30, 2015. (Joyce Vasut, Executive Director of Administrative Services)

REGULAR AGENDA

- 2. Hold first public hearing to consider comments relating to Fiscal Year 2015-2016 Proposed Budget, which includes the City of Rosenberg's Capital Improvement Plan (CIP), and take action as necessary. (Joyce Vasut, Executive Director of Administrative Services)
- 3. Review and discuss Fiscal Year 2015-2016 Budget as submitted by the City Manager on July 21, 2015, pursuant to Rosenberg City Charter, and take action as necessary to direct staff. (Joyce Vasut, Executive Director of Administrative Services)
- 4. Consideration of and action on a second 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. (Scott M. Tschirhart, City Attorney)
- 5. Consideration of and action on Resolution No. R-1965, a Resolution authorizing the City Manager to combine City-owned real property and to add the aforementioned real property to Community Park, with said property being described as Lots 4-7, Block 2, that portion of 3rd Street (80-foot wide) between Block 2 and Block 3, north of and adjacent to Avenue A, Lots 1-9, Block 3 that certain 20-foot wide alley within Block 3, that portion of 4th Street (80-foot wide) between Block 3 and 4, north of and adjacent to Avenue A, Lots 1-3, Block 4, and that certain 20-foot wide alley within Block 4, Lots 11-20, Block 11, and that portion of Avenue A (80-foot wide) north of and adjacent to, Lot 11, Block 11, City of Rosenberg Townsite, according to a map or plat thereof recorded in Volume P, Page 146, Deed Records, Fort Bend County, Texas, including any accreted property between said property; and, containing other provisions relating to the subject. (Darren McCarthy, Parks and Recreation Director)
- 6. Consideration of and action on Resolution No. R-1982, a Resolution authorizing the City Manager to execute, for and on behalf of the City, a Letter of Intent for participation in a project regarding railroad crossings and directional horns and/or quiet zones, by and among the City of Rosenberg, the City of Richmond, and Fort Bend County, Texas. (John Maresh, Assistant City Manager of Public Services)
- 7. Consideration of and action on Resolution No. R-2018, a Resolution authorizing the City Manager and/or Mayor to execute, for and on behalf of the City, a Standard Utility Agreement, and any revisions thereof, by and between the City and Texas Department of Transportation (TxDOT) for water and sanitary sewer utility line relocations necessitated by the U.S. Hwy 59/I-69 Expansion Project. (John Maresh, Assistant City Manager of Public Services)
- 8. Consideration of and action on Resolution No. R-2025, a Resolution awarding Bid No. 2015-11 for Lime Subgrade Stabilization, 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. (Rigo Calzoncin, Public Works Director)
- 9. Hold Executive Session to consult with City Attorney on pending or contemplated litigation, namely Texas Department of Transportation v. Rosenberg condemnation proceedings, pursuant to Section 551.071 of the Texas Government Code; to deliberate the potential purchase, exchange, lease, or value of real property pursuant to Section 551.072 of the Texas Government Code; to deliberate the appointment, employment, and evaluation of the City Manager pursuant to Section 551.074 of the Texas Government Code; and, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal, or to hear a complaint or charge against an officer or employee as it relates to the Communications Director pursuant to Section 551.074 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. Announcements.
- 12. Adjournment.

[EXECUTION PAGE TO FOLLOW]

DATED AND POSTED this the 14th day of August 2015, at 11:05 a.m.

by Anne Stark



Anne Stark

Attest:
Anne Stark, Assistant 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.