

## 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, September 15, 2015

**TIME:** 7:00 p.m.

**PLACE:** Rosenberg City Hall  
City Hall Council Chamber  
2110 4<sup>th</sup> 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 Deborah Pihoda, First Assembly of God, Rosenberg)

Announcements.

### 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 August 18, 2015, Special Meeting Minutes for August 25, 2015, Workshop Meeting Minutes for August 25, 2015, and Regular Meeting Minutes for September 01, 2015. (Linda Cernosek, City Secretary)
  - B. Consideration of and action on Resolution No. R-2037, a Resolution authorizing the City Manager to execute, for and on behalf of the City, a Termination Agreement by and between the City and Rosenberg FM 2218 LTD. (Randall Malik, Economic Development Director)
  - C. Consideration of and action on Resolution No. R-2035, a Resolution authorizing the City Manager to execute, for and on behalf of the City, an Agreement and Acknowledgement of Termination of Water Supply and Wastewater Services Contract between the City of Rosenberg, Texas, and 2218 Rosenberg, L.P. (Randall Malik, Economic Development Director)
  - D. Consideration of and action on Resolution No. R-2036, a Resolution authorizing the City Manager to execute, for and on behalf of the City, an Assignment and Assumption of Utility Commitment Letter by and between Fort Bend County Municipal Utility District No. 150 (Wind Meadows) and the City of Rosenberg. (Randall Malik, Economic Development Director)

- E. Consideration of and action on Resolution No. R-2034, a Resolution authorizing the City Manager to execute, for and on behalf of the City, the Assignment of Public Infrastructure, 10' Sanitary Sewer Easement, dated December 5, 2013, which assigns to the City the Easement Agreement (10' Sanitary Sewer Easement) dated February 1, 2006, from WM Commercial, L.P., a Texas limited partnership to Fort Bend County Municipal Utility District No. 150 recorded under Document No. 2006012967 of the Official Public Records of Fort Bend County, Texas, for the sum of \$10.00. (Randall Malik, Economic Development Director)
- F. Consideration of and action on Ordinance No. 2015-28, an Ordinance providing for the disannexation from the corporate boundaries of the City of Rosenberg, Texas, of 1.393 acres (60,689 square feet) located in the Wiley Marlin League, A-56, Fort Bend County, Texas (Fort Bend County Municipal Utility District No. 155 – Bonbrook Plantation), 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 the proposed renaming of Community Park after Tony Becerra, and take action as necessary. (Jimmie J. Peña, Councilor, District 1)
- 3. Consideration of and action on Resolution No. R-2030, a Resolution awarding Bid No. 2015-13 for the Airport Avenue Phase II Reconstruction Project (Louise Street to West of Graeber Road); 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)
- 4. Consideration of and action on Resolution No. R-2042, a Resolution authorizing the City Manager to execute, for and on behalf of the City, a Memorandum of License Agreement and License Agreement, by and between the City and GTE Mobilnet of South Texas Limited Partnership d/b/a Verizon Wireless, allowing for the installation of antennae, associated cabling and equipment on the City-owned elevated water storage tank located at 2214 Ruby Street. (John Maresh, Assistant City Manager of Public Services)
- 5. Consideration of and action on Resolution No. R-2038, a Resolution authorizing the Mayor to execute a resale deed for real property generally located at Brazos Street and described as Tract 1: Geo Number: 4415000120050901; Lot No. Five (5) in Block No. Twelve (12), of the Kaffenberger Addition to the City of Rosenberg, as more particularly described in Volume 236, Page 562 of the Deed Records of Fort Bend County, Texas. (Joyce Vasut, Executive Director of Administrative Services)
- 6. Consideration of and action on Resolution No. R-2032, a Resolution accepting and approving the Investment Policy of the City of Rosenberg. (Joyce Vasut, Executive Director of Administrative Services)
- 7. Consideration of and action on Resolution No. R-2039, a Resolution authorizing publication of Notice of Intention to Issue Certificates of Obligation, in an aggregate principal amount not to exceed \$10,000,000, for the acquisition, construction and improvement of certain public works, and authorizing certain other matters relating thereto. (Joyce Vasut, Executive Director of Administrative Services)
- 8. Consideration of and action on Resolution No. R-2033, a Resolution authorizing the City Manager to execute, for and on behalf of the City, Budget Amendment 15-13, in the amount of \$605,000 for certain maintenance and operations expenditures. (Joyce Vasut, Executive Director of Administrative Services)
- 9. Consideration of and action on Resolution No. R-2041, a Resolution authorizing the City Manager to execute, for and on behalf of the City, Budget Amendment 15-14, in the amount of \$1,364,281 for certain Capital Improvement Projects. (Joyce Vasut, Executive Director of Administrative Services)
- 10. Consideration of and action on Resolution No. R-2015, a Resolution awarding Bid No. 2015-14 for Mosquito Control Services; and, authorizing the City Manager to negotiate and execute, for and on behalf of the City, a General Services Contract related thereto, and/or all necessary documentation regarding same. (Jeff Trinker, Executive Director of Support Services)
- 11. Consideration of and action on Resolution No. R-2016, a Resolution awarding Bid No. 2015-15 for Janitorial Services; and, authorizing the City Manager to negotiate and execute, for and on behalf of the City, a General Services Contract related thereto, and/or all necessary documentation regarding same. (Jeff Trinker, Executive Director of Support Services)

12. 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.
13. Adjourn Executive Session, reconvene into Regular Session, and take action as necessary as a result of Executive Session.
14. Adjournment.

[EXECUTION PAGE TO FOLLOW]

DATED AND POSTED this the 11<sup>th</sup> day of September 2015, at 9:40a. m.,

by Anne Stark



Attest:  
Anne Stark, Assistant City Secretary



Approved for Posting:  
Robert Gracia, City Manager



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.