

NOTICE OF REGULAR CITY 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, November 3, 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 Ben Trammell, Faith United Methodist Church, Richmond)

Presentation of Rosenberg Image Committee Halloween and Fall Decorating Contest Awards, (William Benton, Councilor, At Large Position One)

Presentation of Rosenberg Image Committee Beautification and Renovation Awards. (William Benton, Councilor, At Large Position One)

Presentation of Willie D. McQueen, Jr., Employee of the Quarter Award. (Dallis Warren, Chief of Police / Joyce Vasut, Executive Director of Administrative Services)

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 minutes of the Regular City Council Meeting on October 20, 2015.
(Linda Cemosek, City Secretary)

- B. Consideration of and action on Resolution No. R-2064, a Resolution of the City of Rosenberg, Texas, providing for the casting of a thirty-one (31) vote entitlement to candidate Rhonda Zacharias to serve on the 2016-2017 Board of Directors of the Fort Bend Appraisal District. (Cynthia A. McConathy, Mayor)
- C. Consideration of and action on Ordinance No. 2015-35, an Ordinance providing for the extension of the City Limits of the City of Rosenberg, Texas, by voluntary annexation of a 20.37 acre (887,403 square feet) tract of land, situated in the John Foster Survey, Abstract No. 27, the Henry Scott Survey, Abstract No. 83, the B.B.B. & C. Railroad Company Survey, Abstract No. 139, the Yandell Ferris Survey, Abstract No. 375, and the Yandell Ferris Survey, Abstract No. 377, 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; adopting a service plan for the annexed area; 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 a Final Plat of The Trails at Seabourne Parke Section Three, a subdivision of 23.495 acres located in the G.M. Stone 1/3 League Survey, Abstract 312, City of Rosenberg, Fort Bend County, Texas (Fort Bend County Municipal Utility District No. 147); 97 lots, 2 reserves, 3 blocks. (Travis Tanner, Executive Director of Community Development)
- E. Consideration of and action on a Final Plat of Walnut Creek Section Twelve, a subdivision of 13.814 acres containing 46 lots, 4 blocks and 4 restricted reserves out of the Wiley Martin League, A-56, Fort Bend County, Texas. (Travis Tanner, Executive Director of Community Development)
- F. Consideration of and action on Quarterly Investment Report for the quarter ended September 30, 2015. (Joyce Vasut, Executive Director of Administrative Services)

REGULAR AGENDA

- 2. Consideration of and action on presentation by Kimberly Brown, Executive Director, regarding the Rosenberg Housing Authority Annual Report for fiscal year ended September 30, 2015. (Kimberly Brown, Executive Director, Rosenberg Housing Authority)
- 3. Consideration of and action on a second reading of Ordinance No. 2015-30, an Ordinance amending the Code of Ordinances, by amending Section 21-46 of Chapter 21 thereof and by adding a new Section 21-52 to Chapter 21 thereof; providing a definition of "City Parks"; prohibiting the use of tobacco products and electronic smoking devices within any City park; providing a penalty in an amount not to exceed \$2,000 for violation of any provision hereof; repealing all ordinances or parts of ordinances inconsistent or in conflict herewith; and providing for severability. (Lydia Acosta, Recreation Programs Coordinator)
- 4. Consideration of and action on presentation regarding the Rosenberg Development Corporation Annual Report for Fiscal Year Ended September 30, 2015. (Randall Malik, Economic Development Director)
- 5. Consideration of and action on Resolution No. R-2057, a Resolution authorizing the City Manager to execute, for and on behalf of the City, Budget Amendment 15-15, in the amount of \$142,995.00 for FY2015 year-end adjustments. (Joyce Vasut, Executive Director of Administrative Services)
- 6. Consideration of and action on Resolution No. R-2067, a Resolution authorizing the City Manager to execute, for and on behalf of the City, Budget Amendment 16-01, in the amount of \$34,375.00 for roof repairs at Fire Station No. 1. (Joyce Vasut, Executive Director of Administrative Services)

7. Consideration of an action on Resolution No. R-1983, a Resolution authorizing the Mayor to execute and accept, for and on behalf of the City, a Special Warranty Deed, being 3.0 acre tract of land in the Wiley Martin Survey, Abstract 56, Fort Bend County, Texas, for the construction of Water Plant No. 8, by and between the City and Fort Bend County Municipal Utility District No. 184. (John Maresh, Assistant City Manager of Public Services)
8. Consideration of and action on Resolution No. R-2066, a Resolution authorizing the Mayor to execute and accept, for and on behalf of the City, a 0.05 acre and 0.09 acre access easement, part of that certain called 130.5756 acre tract recorded under County Clerk's file number 2013129252, Official Public Records, Fort Bend County, Texas, in the Wiley Martin Survey, Abstract 56, Fort Bend County, Texas, by and between the City and Dry Creek (Houston) ASLI VII, LLC. (John Maresh, Assistant City Manager of Public Services)
9. Consideration of and action on the proposed installation of speed humps on Bernard Avenue. (John Maresh, Assistant City Manager of Public Services)
10. Consideration of and action on Resolution No. R-2062, a Resolution approving and adopting the Rosenberg Main Street District Facade Improvement Matching Grant Program; and, establishing guidelines and application procedures related thereto. (Dan Kelleher, Main Street Manager)
11. Consideration of and action on Resolution No. R-2063, a Resolution approving and adopting the Rosenberg Main Street District Physical Improvement Grant Program and establishing guidelines and application procedures related thereto. (Dan Kelleher, Main Street Manager)
12. Consideration of and action on proposed cancellation of City Council Workshop Meetings for November and December 2015. (Linda Cernosek, City Secretary)
13. 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; and, to deliberate the appointment, employment, and evaluation of the City Manager pursuant to Section 551.074 of the Texas Government Code.
14. Adjourn Executive Session, reconvene into Regular Session, and take action as necessary as a result of Executive Session.
15. Adjournment.

DATED AND POSTED this the 30th day of October 2015, at 9:20 A m.,

by

Linda Cernosek

Linda Cernosek

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.