

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 17, 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 Jeff Gantz, St. John's United Methodist Church, Richmond)

Presentation of Certificate of Recognition to the American Red Cross for Participation in the Red Cross-Ready 365: Home Fire Campaign. (Wade Goates, Fire Chief)

Presentation of Certificate of Recognition to City of Rosenberg Firefighters for Participation in the Red Cross-Ready 365: Home Fire Campaign. (Wade Goates, Fire Chief)

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 Special Meeting on October 24, 2015, Workshop Meeting on October 27, 2015, and Regular Meeting on November 03, 2015. (Linda Cernosek, City Secretary)

- B. Consideration of and action on the proposed placement of two (2) pole-mounted radar speed signs along Sally Anne Drive. (William Benton, Councilor, At Large Position One)
- C. Consideration of and action on Ordinance No. 2015-37, an Ordinance granting consent to the Fort Bend County Municipal Utility District No. 144 (Summer Lakes/Waterford Park PUD) for the issuance of a Bond Anticipation Note, Series 2015, in an amount not to exceed \$1,420,000.00. (Charles A. Kalkomey, P.E., City Engineer)
- D. Consideration of and action to authorize the proposed installation of speed humps on Bernard Avenue. (John Maresh, Assistant City Manager of Public Services)
- E. Consideration of and action on a Final Plat of the CVS Store #10637, a subdivision of 2.091 acres of land being a portion of a called 173.34 acre tract recorded in the name of CL Waterford, LLC C.F. No. 2010054252, F.B.C.O.P.R. located in the Robert E. Handy Survey, Abstract No. 187, City of Rosenberg, Fort Bend County, Texas; 1 block, 0 lots, 1 reserve. (Travis Tanner, Executive Director of Community Development)

REGULAR AGENDA

- 2. Review and discuss controlled hog hunt in the vicinity of Mons Avenue and Louise Street, and take action as necessary. (William Benton, Councilor, At Large Position One)
- 3. Consideration of and action on Resolution No. R-2068, a Resolution authorizing acceptance of a Medicare Advantage Retiree Extended Services Area (ESA) PPO Plan for the 2016 Plan Year Renewal with Aetna Health, Inc., as prepared by Gallagher Benefits Services. (Joyce Vasut, Executive Director of Administrative Services)
- 4. Consideration of and action on Resolution No. R-2070, a Resolution approving and accepting the Rosenberg 2035 Comprehensive Plan. (Travis Tanner, Executive Director of Community Development)
- 5. Consideration of and action on Resolution No. R-2069, a Resolution authorizing the City Manager to negotiate and execute, for and on behalf of the City, a Proposal for Engineering and Surveying Services for Bryan Road Lift Station No. 19 Replacement, by and between the City and Jones and Carter, Inc., in the amount of \$282,000.00. (John Maresh, Assistant City Manager of Public Services)
- 6. Consideration of and action on Resolution No. R-2071, a Resolution authorizing the City Manager to negotiate and execute, for and on behalf of the City, a Contract for Engineering Services for water distribution improvements on 6th Street, Avenue D, Bryan Road, Walger Street and sanitary sewer line replacement across the railroad right of way at 8th Street, by and between the City and Kelly R. Kaluza & Associates, Inc., in the amount of \$55,470. (John Maresh, Assistant City Manager of Public Services)
- 7. Consideration of and action on Ordinance No. 2015-36, an Ordinance amending the Code of Ordinances by deleting Article XIX of Chapter 6 thereof and substituting therefor a new Article XIX of Chapter 6 thereof entitled "Rental Registration and Inspection"; providing for rules and regulations for the permitting and inspection of rental residential properties within the City; providing a penalty in an amount not to exceed \$2,000 for violation of any provision hereof; containing other provisions related to the subject; providing for severability; and providing for an effective date. (Justin Jurek, Fire Marshal)
- 8. Hold Executive Session for consultation with City Attorney to seek or receive advice on legal matters regarding pending or contemplated litigation, namely regarding 1033 Frances Drive, dispute with Imperial Performing Arts, Inc., and 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, and to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of the Chief of Police, Patrol Lieutenant (Animal Control), Code Compliance Supervisor

(Animal Control) and Code Compliance Officer (Animal Control) pursuant to Section 551.074 of the Texas Government Code.

9. Adjourn Executive Session, reconvene Regular Session, and take action as necessary as a result of Executive Session.

10. Adjournment.

DATED AND POSTED this the 13th day of November 2015, at 10:05 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.