

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, January 5, 2016
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. (Reverend Deborah Prihoda, First Assembly of God, Rosenberg)

Presentation of Keep Rosenberg Beautiful 2015 Christmas Lighting and Decorating Recognition Certificates.
(William Benton, Councilor, At Large Position One)

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 City Council Meeting on December 07, 2015. (Linda Cemosek, City Secretary)
 - B. Consideration of and action on Ordinance No. 2016-03, an Ordinance granting consent to the Fort Bend County Municipal Utility District No. 155 (Bonbrook Plantation) for the sale and issuance of Unlimited Tax Bonds, Series 2016, in an amount not to exceed \$5,375,000.(Charles A. Kalkomey, P.E., City Engineer)

- C. Consideration of and action on Resolution No. R-2091, a Resolution acknowledging the acceptance, by Special Warranty Deed, of a 0.31 and 2.84 acre tract of land in the S.B. Pentecost Survey, Abstract 378, City of Rosenberg, Fort Bend County, Texas, being out of and a part of that certain call 184.1 acre tract recorded under County Clerk's File Number 2013091667, Official Public Records, Fort Bend County, Texas. (Randall Malik, Economic Development Director)
- D. Consideration of and action on Ordinance No. 2016-01, an Ordinance amending the Code of Ordinances, Section 28-116 of Article III of Division 2 of Chapter 28 thereof, by amending a portion of Bernie Avenue as a portion of a street within the City upon which it is unlawful to park a vehicle; providing for the installation of "No Parking" signs indicating the boundaries of the no parking zone along Bernie Avenue; providing a penalty in an amount of not less than \$1.00 nor more than \$200.00 for each violation of any provision hereof; providing for a cumulative and conflicts clause; providing for severability; and, providing for an effective date. (John Maresh, Interim City Manager)
- E. Consideration of and action on a Short Form Final Plat of Cole Avenue Division No. 1, being a 1.161 acre tract of land being in the J.W. Moore ¼ League, Abstract No. 61; City of Rosenberg, Fort Bend County, Texas; 0 lots, 1 block, 2 reserves. (Travis Tanner, Executive Director of Community Development)
- F. Consideration of and action on a Final Plat of Glenmeadow Section Two Replat Three, being 2.91 acres in the James Lowery 1/3 League, Abstract 275, City of Rosenberg, Fort Bend County, Texas, being a replat of Reserve A, Glenmeadow, Section Two; 0 lots, 1 block and 2 reserves. (Travis Tanner, Executive Director of Community Development)
- G. Consideration of and action on a Final Plat of Searcy Franchise, a subdivision of 1.9337 acres (84,231 square feet) of land situated in the G. M. Stone League, Abst. No. 312, City of Rosenberg, Fort Bend County, Texas; 2 reserves and 1 block. (Travis Tanner, Executive Director of Community Development)

REGULAR AGENDA

- 2. Consideration of and action on Resolution No. R-2094, a Resolution authorizing the Interim City Manager to execute, for and on behalf of the City, Budget Amendment 16-04 in the amount of \$327,054.00 for the purchase, construction and site work associated with the Utilities Department portable building and the Macario Garcia Park Restroom Project. (Joyce Vasut, Executive Director of Administrative Services)
- 3. Consideration of and action on Resolution No. R-2093, a Resolution to rescind Resolution No. R-2059 which authorized the Mayor to execute, for and on behalf of the City, an Interlocal Agreement by and between Fort Bend County, Texas, and the City of Rosenberg for the housing of Rosenberg Fire Department response vehicles and personnel; and, authorizing the Mayor to execute, for and on behalf of the City, a revised Interlocal Lease Agreement by and between Fort Bend County, Texas, and the City of Rosenberg for Fire Department housing. (Wade Goates, Fire Chief)
- 4. Hold Executive Session for consultation with City Attorney to seek or receive advice on legal matters regarding pending 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; and, to deliberate the employment, duties, and evaluation of the Police Chief pursuant to Section 551.074 of the Texas Government Code.
- 5. Adjourn Executive Session, reconvene Regular Session, and take action as necessary as a result of Executive Session.

6. Consideration of and action on Resolution No. R-1958, a Resolution authorizing the Mayor to execute, for and on behalf of the City, an Employment Agreement, by and between the City and Dallis Warren to serve as Police Chief. (Cynthia A. McConathy, Mayor)
7. Consideration of and action on Resolution No. R-2088, a Resolution authorizing the acquisition of certain real property generally located at 1814 Jones Street, and generally described as Lot Two (2), in Block Thirteen (13), of Fred E. Klauke Addition, a subdivision in Fort Bend County, Texas, according to the map or plat thereof, recorded in Volume 272, Page 585, of the Deed Records of Fort Bend County, Texas, together with all buildings, structures and improvements located on the land or affixed thereto; authorizing the Interim City Manager to accept, for and on behalf of the City, a Deed Without Warranty and/or any additional documentation necessary to facilitate said acquisition of certain real property as described above; and, containing other provisions relating to the subject. (Travis Tanner, Executive Director of Community Development)
8. Consideration of and action on Resolution No. R-2089, a Resolution authorizing the conveyance of certain real property generally described as Lot Four (4) in Block One (1) of Fred E. Klauke Addition, a subdivision in Fort Bend County, Texas, according to the map or plat thereof recorded in Volume 272, Page 585 of the Deed Records of Fort Bend County, Texas; authorizing the Interim City Manager to execute, for and on behalf of the City, all documentation necessary to facilitate said conveyance of certain real property as described above; and, containing other provisions relating to the subject. (Travis Tanner, Executive Director of Community Development)
9. Adjournment.

DATED AND POSTED this the 31st day of December 2016, at 12:30p m.,

by Anne Stark



Anne Stark
Attest:
Anne Stark, Assistant City Secretary

[Signature]
Approved for Posting:
Dallis Warren, Acting City Manager

[Signature]
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.