

CITY OF ROSENBERG

WORKSHOP CITY COUNCIL MEETING MINUTES

On this the 26th day of January, 2016, the City Council of the City of Rosenberg, Fort Bend County, Texas, met in a Workshop Session, in the Rosenberg City Hall Council Chamber, located at 2110 4th Street, Rosenberg, Texas.

Present: Cynthia A. McConathy, Mayor
William Benton, Councilor at Large, Position 1
Amanda J. Barta, Councilor at Large, Position 2
Susan Euton, Councilor, District 2
Lisa Wallingford, Councilor, District 3
Lynn Moses, Councilor, District 4

Absent: Jimmie J. Pena, Councilor, District 1

Staff Present: John Maresh, Interim City Manager
Scott M. Tschirhart, City Attorney
Linda Cernosek, City Secretary
Jeff Trinker, Executive Director of Support Services
Joyce Vasut, Executive Director of Administrative Services
Travis Tanner, Executive Director of Community Development
Charles Kalkomey, City Engineer
Tonya Palmer, Building Official
Dallis Warren, Police Chief
Wade Goates, Fire Chief
Randall Malik, Economic Development Director
Rigo Calzoncin, Public Works Director
Melissa Pena, Program Manager
James Lewis, Director of Technology

Call to order: City Hall Council Chamber

Mayor McConathy called the meeting to order at 6:00 p.m.

AGENDA

1. **Review and discuss a presentation by Ojala Partners, LP, regarding Summer Park Planned Multi-Family Development, and take action as necessary to direct staff.**

EXECUTIVE SUMMARY

Ojala Partners, LP requested the opportunity to be placed on Planning Commission and City Council agendas to discuss a proposed "tax credit," multi-family residential development in Summer Park (MUD No. 144). The developer has indicated that the tax credit program requires a resolution of support from City Council. This being a development-related issue, staff believed it was appropriate for it to first go to the Planning Commission to gain input before City Council. The item was discussed at the January 20, 2016 Planning Commission meeting; however, minutes were not available at print time for this executive summary.

No formal action was taken by the Planning Commission. The Commission did, however, raise some concerns regarding the amount of multi-family development currently in the City. It was also discussed whether the developer could include standards above and beyond the minimum standards, such as more masonry, to potentially make the development more attractive to the City. A point was also raised in further discussions of whether the property could ever become tax-exempt; it is possible for apartments leased specifically to low- to moderate-income individuals to at some point become tax-exempt under the Community Housing Development Organization (CHDO) program.

Tract #85 (11.88 acres) in the attached aerial overview map shows the location of the subject property. It should be noted that Summer Park/Summer Lakes is part of an approved Planned Unit Development (PUD) and multi-family is already an allowed use on the subject property. However, any multi-family developments must

meet requirements per the PUD. The PUD requirements are attached for review and have a number of standards related to multi-family (e.g., maximum 21 units per acre, maximum 3 stories, minimum 80 percent masonry construction). A market (i.e., non-tax credit) multi-family project could be developed without amending the PUD if it met the standards.

The purpose of this Agenda item is for the applicant to present the project and gain feedback from City Council regarding a resolution of support for the tax credit program before such a resolution is placed on a regular City Council meeting agenda. Only a general site plan has been submitted at this time, therefore staff has not had the opportunity to fully review the project as it relates to the PUD standards. The general site plan and elevations provided by the applicant to date are attached for review. Staff would respectfully request direction from City Council on whether a resolution of support should be prepared for consideration on a future Agenda.

KEY DISCUSSION POINTS

Travis Tanner, Executive Director of Community Development, gave an overview of the item and introduced Matt Vrugink from Ojala Holdings, LLC., who gave a presentation on the proposed property. The site is currently zoned for residential development, but political support in the form of a resolution from City Council, as well as support from a State Representative, is needed in order to receive the Federal tax credit so that Ojala can develop a Class A project at a lower rental rate. This would not be a Section 8 housing development, nor would it require any subsidies from the City. The income restriction would target residents such as teachers, fire fighters, police officers, EMT's, and retail employees located around the proposed site. Council expressed concern for the number of rental properties already located in the City, as well as the additional strain on the school district that would result from an additional multi-family residential development. Randall Malik, Economic Development Director, stated that the area of this proposed project is where Rosenberg is currently seeing the majority of commercial development. It would be vital that the development be completed in a high quality, visually appealing manner so as not to negatively impact future commercial development in the vicinity. After discussion, the general consensus of Council was not in favor of a resolution of support for the proposed tax credit multi family development.

2. **Review and discuss an update on the Old Richmond Road/Jennetta Street Reconstruction Project, and take action as necessary to direct staff.**

EXECUTIVE SUMMARY

This item has been included on the Agenda to provide City Council with an update on the Old Richmond Road/Jennetta Street Reconstruction Project (Project). The Project engineer will be present at the meeting to update City Council and field any questions on the Project.

KEY DISCUSSION POINTS

John Maresh, Interim City Manager, introduced Thomas Kuykendall of CivilCorp, who presented an update on the status of the reconstruction project. The base bid amount including drainage improvements and concrete pavement is estimated at \$3.7 million, with an alternate bid including flexible pavement is estimated at \$3.2 million. The Bid Opening for this project will be held on February 3, 2016. The project will take an estimated 10 months to complete. Council thanked Mr. Kuykendall for the project update.

3. **Review and discuss a presentation on the next phase of the Dry Creek Improvement Project, and take action as necessary to direct staff.**

EXECUTIVE SUMMARY

This item has been included to provide City Council with an update on the progress of the Dry Creek Drainage Improvement Project and the next phase to be implemented.

KEY DISCUSSION POINTS

Charles Kalkomey, City Engineer, gave the background of the project and introduced Craig Kalkomey, who presented an update on the Dry Creek Improvement Project. The goal of the project is to reduce the floodplain in the northern part of the creek and provide increased detention in the area. Phase III of the project is currently under budget, due in large part to some local companies doing the excavating for the dirt and clay. Phase IV will hopefully be worked into the drainage district's schedule for late summer or early fall. Council thanked Mr. Kalkomey for the update.

4. **Review and discuss a presentation on the Information Technology Plan, and take action as necessary to direct staff.**

EXECUTIVE SUMMARY

Staff has prepared a presentation regarding proposed changes to the City's Information Technology Plan and network infrastructure. These proposed changes are designed to provide enhancements across the City and will incorporate fundamental ground work to prepare for future expansion and development. This item will provide City Council an opportunity to discuss the proposed changes and provide direction to staff.

KEY DISCUSSION POINTS

Richard Hooper, Administrative Lieutenant, gave an overview of the item, recommending that the Public Safety critical systems be isolated into its own sub-network, working in conjunction with the City Hall network, which would be upgraded to a V-LAN network. This proposal would help provide backup in an emergency situation, would increase security integrity of data and infrastructure, and would include considerations for accessibility and affordability. The estimated cost of this proposal would be approximately \$20,000 for the wire and to replace all of the core switches, with work completed in-house, plus the addition of one employee. By hiring labor to pull the wire, the cost would be increased to approximately \$26,000, but the project timeline would be reduced from 6 months to 3 months. After discussion, the general consensus was to move forward with proposal, getting more firm cost estimates and drawing up project milestones. Mayor McConathy also requested an assessment of the network be conducted in conjunction with the project.

5. **Review and discuss a presentation on the Professional Development Policy, and take action as necessary to direct staff.**

EXECUTIVE SUMMARY

On November 23, 2015, the Finance/Audit Committee met to discuss the City's proposed Professional Development Policy (Policy). This Policy was created in an attempt to improve the current incentive pay program and address other career development opportunities. This Policy addresses the following areas:

1. Academic Education Pay
2. Tuition Reimbursement
3. Incentive Pay
4. Training, Memberships and Subscriptions

During the November 23, 2015 Finance/Audit Committee meeting, a recommendation was made to adjust the current incentive pay structure for Police Officers and Public Safety Support Specialists. On December 1, 2015, City Council passed Resolution No. R-2080 which addressed the incentive pay for Police Officers and Public Safety Support Specialists.

At the January 20, 2016 Finance/Audit Committee meeting, a recommendation was made to present the proposed Policy to City Council for review and discussion at the next Workshop Meeting. The proposed Policy is attached for review and a summary of the Policy will be presented at the Workshop for City Council to take action as necessary to direct staff.

KEY DISCUSSION POINTS

Joyce Vasut, Executive Director of Administrative Services, read the Executive Summary and gave an overview of the proposed Professional Development Policy.

- Academic Education Pay would be on an increasing pay scale for education attained from an accredited university exceeding job specifications.
- Tuition Reimbursement would be available to full-time employees for study programs directly related to their positions, awarded upon course completion on a sliding scale related to the grade received for the course.
- Incentive Pay would be more inclusive, providing pay for skills such as Spanish speaking, interpreter certification, FEMA certification, and fitness specialist certification. The pay would vary from \$25 - 450, depending on the level of certification and its relevance to job specifications.
- Training, Memberships, and Subscriptions would continue to be paid for by the City, but an employee who voluntarily terminates employment within one year of training may be required to reimburse the City at a prorated amount.

After discussion, the consensus of Council was to move forward with the Professional Development Policy, bringing it back before Council in the form of a Resolution at the February 16, 2016, Regular City Council Meeting.

6. **Review and discuss firearm regulations and recent Attorney General Opinions and other guidance regarding regulation of the carrying of firearms for City facilities, and take action as necessary to direct staff.**

EXECUTIVE SUMMARY

This item has been included to provide City Council an opportunity to discuss recent legislative changes regarding firearms and how City facilities are affected.

KEY DISCUSSION POINTS

Scott M. Tschirhart, City Attorney, gave an overview of the item, stating that several Attorney General opinions have come out since open carry laws were passed, putting limitations on the restrictions that governmental entities can put on the carrying of firearms. Municipal Court and its neighboring offices operate under a different set of guidelines which do not permit firearms. The City Hall Council Chamber is not currently subject to firearm restrictions during posted open meetings, so Mr. Tschirhart is seeking direction from Council, whether or not make changes to the current policies for meeting conduction. After discussion, the general consensus of Council was to take no action at this time, unless it becomes a problem in the future.

7. **Review and discuss a presentation on the request for proposal process for delinquent property tax collections and delinquent mowing assessments, and take action as necessary to direct staff.**

EXECUTIVE SUMMARY

The City currently has two-year agreements with Purdue, Brandon, Fielder, Collins & Mott, L.L.P (Purdue) for delinquent tax collection services and delinquent mowing assessments that will expire on January 31, 2016. After January 31, 2016, the contracts will continue in force and effect on a month to month basis until terminated. Purdue has been providing delinquent taxes services and delinquent mowing assessment services to the City of Rosenberg since 1992. The City's representative Mike Darlow has personally been representing the City for these services since 1983.

This item is being brought before City Council to provide an opportunity to discuss and direct staff as to whether the City should seek Request for Proposals (RFP) for delinquent tax collection and delinquent mowing assessment services or should prepare two-year contract extensions with Purdue for said services for City Council consideration on a future Agenda.

KEY DISCUSSION POINTS

Joyce Vasut, Executive Director of Administrative Services, read the Executive Summary and confirmed that this firm has been doing a great job on these collections in the past. The general consensus of Council was to prepare two-year contract extensions with Purdue, Brandon, Fielder, Collins & Mott, L.L.P..

8. **Review and discuss the Street Sweeping Services Contract, and take action as necessary to direct staff.**

EXECUTIVE SUMMARY

The City's current Street Sweeping Services Contract, set to expire on February 01, 2016, contains a provision for a one-time, one-year Contract Extension at the same rate and terms.

The current base bid rate for one-time per month street sweeping is \$61.00 per curb mile, covering approximately 102.81 miles for a total base amount of \$75,256.92. The current Contract also includes an alternate bid item consisting of streets that receive a twice per month sweeping service during the months of November through February, covering approximately 77.41 curb miles at a rate of \$75.00 a curb mile, for a total amount of \$23,223.00. The total Contract bid amount including the alternate sweeping cycles is \$98,479.92. The list of streets included in both the base bid and alternate bid are included in the Contract documents provided with this Agenda item.

The contractor currently performing this service, Kustom Sweeping, LLC, has performed adequately and staff recommends exercising the option to extend the Contract through February 01, 2017.

KEY DISCUSSION POINTS

Rigo Calzoncin, Public Works Director, read the Executive Summary. Council advised Mr. Calzoncin to extend the contract by one year, and to investigate purchasing a street sweeper in the next fiscal year. Scott Tschirhart, City Attorney, advised that the City leverage the contractor to use more water during street sweeping in the terms of the contract renewal.

9. **Review and discuss the lease of City-owned property for hay production, and take action as necessary to direct staff.**

EXECUTIVE SUMMARY

This item has been placed in the Workshop Agenda to offer City Council the opportunity to discuss the Lease of Real Property for Hay Production (Lease). The current Lease will expire on April 01, 2016. The original Lease included approximately 209 acres of open acreage and the annual Lease payment generated a positive cash flow of \$3,858.60.

The acreage available for haying under this Lease has been reduced to approximately 147.74 acres. The reduction is primarily a result of the excavation that has taken place for construction of the Dry Creek Regional Detention Basin located on Ricefield Road. The attached map Exhibits "A", "B", "C", "D" and "E" show the updated areas available to be leased. Based on the current right-of-way mowing contract rate for open acreage (\$17.06/acre x 10 mowing cycles), it would cost the City approximately \$25,204.44 per year to keep the property mowed if it were not leased for hay production.

A redlined Lease is attached with the updated parcel information. Should City Council direct staff to move forward, staff will seek bids for the Lease of Real Property for Hay Production.

KEY DISCUSSION POINTS

John Maresh, Interim City Manager, read the Executive Summary. The consensus of Council was seek bids for the Lease of Real Property for Hay Production. Scott Tschirhart, City Attorney, advised that a provision be added for workers' compensation.

10. **Review and discuss using the City Hall Council Chamber as an Election Day voting site for the May 07, 2016 General Election, and take action as necessary to direct staff.**

EXECUTIVE SUMMARY

Recently, Fort Bend County has begun county-wide voting for all elections. All qualified voters within the County can vote in early voting and on election day at any polling site in Fort Bend County.

Traditionally, the City Hall Council Chamber has been used for voting on election day only. The Council Chamber is not used as an early voting site because it also serves as the municipal court and is therefore unavailable.

This item is to poll City Council if they wish to continue to use the City Hall Council Chamber as an election day voting site for the May 07, 2016 General Election. Because the City will contract with Fort Bend County for the election, the County will provide the election judge and clerks. The exact expense is unknown at this time but the final cost will be split among all jurisdictions contracting with the County for election services.

KEY DISCUSSION POINTS

Linda Cernosek, City Secretary, read the Executive Summary. The consensus of Council was to continue the use of the City Hall Council Chamber for election day voting.

11. *This item was pulled from the agenda.*
Review and discuss potential revisions to the "Itinerant Vendors, Solicitors and Peddlers" Ordinance, and take action as necessary to direct staff.

EXECUTIVE SUMMARY

This item has been placed on the agenda at the request of Councilor Barta to review the Itinerant Vendors, Solicitors and Peddlers ordinance. Chapter 16, Article IV. Itinerant Vendors, Solicitors and Peddlers is included for review and discussion.

12. **Adjournment.**
There being no further business, Mayor McConathy adjourned the meeting at 8:35 p.m.



Linda Cernosek, TRMC, City Secretary