

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, March 15, 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 Church, Rosenberg)

Presentation of Certificates of Appreciation to 2016 FISH-tastic Volunteers and Sponsors. (Darren McCarthy, Parks and Recreation Director)

Introduction and Badge Pinning of New and Promoted Rosenberg Firefighters. (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 Workshop Meeting on February 23, 2016, and Regular Meeting in March 01, 2016. (Linda Cernosek, City Secretary)
 - B. Consideration of and action on authorization of the installation of two (2) pole-mounted radar speed signs along Louise Street in the general vicinity of Avenue R. (Rigo Calzoncin, Public Works Director)

- C. Consideration of and action on Ordinance No. 2016-08, an Ordinance of the City of Rosenberg, Texas, declaring the candidates for City Council Districts 1, 2, 3, and 4 unopposed; declaring Jimmie J. Pena, Candidate for Councilmember District 1; Susan Kroll Euton, Candidate for Councilmember District 2; Alice S. Jozwiak, candidate for Councilmember District 3, and Lynn Moses, Candidate for Councilmember District 4, elected; cancelling the election for City Councilmembers, Districts 1, 2, 3, and 4 for the General Municipal Election to be held on May 7, 2016; repealing all ordinances or parts of ordinances in conflict herewith; and providing for severability. (Linda Cemosek, City Secretary)
- D. Consideration of and action on Resolution No. R-2117, a Resolution authorizing the Interim City Manager to execute and submit, for and on behalf of the City, an application to the Community Development Block Grant Fund for North Rosenberg Water Distribution Improvements - Phase IV for approximately \$323,000.00. (John Maresh, Interim City Manager)
- E. Consideration of and action on Resolution No. R-2120, a Resolution awarding Bid No. 2016-06 for lease of real property for hay production; and, authorizing the Interim City Manager to negotiate and execute, for and on behalf of the City, appropriate documents and/or agreements regarding same. (John Maresh, Interim City Manager)
- F. Consideration of and action on Resolution No. R-2127, a Resolution authorizing the Interim City Manager to execute, for and on behalf of the City, a Contract for Leak Detection Services, and subsequent Contract Extensions as appropriate, by and between the City and SAMCO Leak Detection Services, Inc. (John Maresh, Interim City Manager)
- G. Consideration of and action on Resolution No. R-2115, a Resolution authorizing the Interim City Manager to execute, for and on behalf of the City, a Contract by and between the City and Pyro Shows of Texas for the July 04, 2016, Family 4th Celebration Fireworks Display in the amount of \$30,000.00. (Darren McCarthy, Parks and Recreation Director)
- H. Consideration of and action on Resolution No. R-2121, a Resolution authorizing the Interim City Manager to execute, for and on behalf of the City, Amendment No. 1 to the Digital Billboard Conversion Agreement, by and between the City and Clear Channel Outdoor, Inc. (Travis Tanner, Executive Director of Community Development)

REGULAR AGENDA

- 2. Review and discuss a presentation regarding a proposed Eagle Scout Project by Cade Meaux of Troop 1656 to install a bird watching blind in Seabourne Creek Nature Park, and take action as necessary. (Darren McCarthy, Parks and Recreation Director)
- 3. Consideration of and action on Resolution No. R-2123, a Resolution authorizing the Mayor to execute, for and on behalf of the City, a Development Agreement by and among the City, B-BROOK LAND PARTNERS, L.P., a Texas limited partnership, and BEAZER HOMES TEXAS, L.P., a Texas limited partnership, in association with Fort Bend County Municipal Utility District No. 155. (Travis Tanner, Executive Director of Community Development)
- 4. Consideration of and action on Resolution No. R-2124, a Resolution authorizing the Mayor to execute, for and on behalf of the City, First Amendment to the Water Supply and Wastewater Services Agreement between the City and Fort Bend County Municipal Utility District No. 155. (Travis Tanner, Executive Director of Community Development)
- 5. Consideration of and action on Variance and Decision Order No. V2016-02, a request for a Variance to the requirements of Section 25-68 of the Code of Ordinances relating to the building lines for single-family residential lots for an adjustment to the front building line requirement for Bonbrook Plantation North Section 10, Block 3, Lot 1 (9718 Emerald Briar Lane). (Ian Knox, Planning Administrator)

6. Consideration of and action on a Short Form Final Plat of Bonbrook Plantation North Section Ten Partial Replat No. 1, a subdivision of 0.181 acres of land situated in the Wiley Martin League, Abstract 56, Fort Bend County, Texas, also being a Partial Replat of Bonbrook Plantation North Section Ten, being all of Lot 1, Block 3 as recorded in Plat No. 20140154 F.B.C.P.R.; 1 lot, 0 reserves and 1 block. (Ian Knox, Planning Administrator)
7. Consideration of and action on Resolution No. R-2125, a Resolution authorizing the City Engineer to execute and submit, for and on behalf of the City, the Annual Report for the City of Rosenberg's Storm Water Management Plan under TPDES General Permit No. TXR040272 to regulate storm water discharges for Small Municipal Separate Sewer Systems (MS4) under TPDES Phase II MS4 General Permit (TXR040272). (Charles A. Kalkomey, P.E., City Engineer)
8. Consideration of and action on Resolution No. R-2126, a Resolution authorizing the Interim City Manager to execute, for and on behalf of the City, Budget Amendment 16-06 in the amount of \$18,850.00, for the roof improvements associated with the relocation of Fire Administration. (Wade Goates, Fire Chief)
9. Consideration of and action on Ordinance No. 2016-09, an Ordinance amending the Code of Ordinances by amending Chapter 16 entitled Licenses and Business Regulations, Article IV entitled Itinerant Vendors, Solicitors and Peddlers to provide regulations as allowed by Constitutional law, federal and state law; providing for a penalty; providing that this Ordinance shall be cumulative; providing for severability; and providing an effective date. (Scott M. Tschirhart, City Attorney)
10. Hold Executive Session to deliberate the potential purchase, exchange, lease, or value of real property pursuant to Texas Government Code Section 551.072.
11. Adjourn Executive Session, reconvene Regular Session, and take action as necessary as a result of Executive Session.
12. Adjournment.

DATED AND POSTED this the 11th day of March 2016, at 9:00 a.m.,

by Anne Stark



Anne Stark

Attest:
Anne Stark, Assistant City Secretary

John Maresh

Approved for Posting:
John Maresh, Interim 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 maybe 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.