

CITY OF ROSENBERG

REGULAR CITY COUNCIL MEETING MINUTES

On this the 19th day of April, 2016, the City Council of the City of Rosenberg, Fort Bend County, Texas, met in a Regular 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
Jimmie J. Pena, Councilor, District 1
Susan Euton, Councilor, District 2
Lisa Wallingford, Councilor, District 3
Lynn Moses, Councilor, District 4

Staff Present: John Maresh, Interim City Manager
Scott M. Tschirhart, City Attorney
Linda Cernosek, City Secretary
Travis Tanner, Executive Director of Community Development
Dallis Warren, Police Chief
William Henry, Police Lieutenant
Justin Rodgers, Police Officer
Wade Goates, Fire Chief
Darren McCarthy, Parks and Recreation Director
Rigo Calzoncin, Public Works Director
Jenny Pavlovich, Communications Manager
Kaye Supak, Executive Assistant

Call to order: City Hall Council Chamber
Mayor McConathy called the meeting to order at 7:01 p.m.

Invocation and Pledge of Allegiance.
Reverend Lance Redmon, Water's Edge Community Church, Richmond, gave the invocation and led the pledge of allegiance to the flag.

Presentation of Proclamation Recognizing April 2016 as Autism Awareness Month in the City of Rosenberg.
Mayor McConathy and Councilor Barta presented a Proclamation Recognizing April 2016 as Autism Awareness Month in the City of Rosenberg.

Announcements.

- There were no 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 Regular Meeting Minutes for April 05, 2016.**

B. **Consideration of and action on the appointment of Renée LeLaurin and Cynthia Sullivan as Acting City Secretaries of the City of Rosenberg.**

EXECUTIVE SUMMARY

There will be times when the City Secretary and the Assistant City Secretary will be unavailable. In order to most effectively facilitate the day-to-day business of the City, it is requested that the City Council consider the appointment of Renée LeLaurin and Cynthia Sullivan to serve as Acting City Secretaries of the City of Rosenberg.

C. **Consideration of and action on Resolution No. R-2138, a Resolution authorizing acceptance of a park bench donation from the Rosenberg Lions Club to be placed in Seabourne Creek Nature Park.**

EXECUTIVE SUMMARY

On March 24, 2016, at the regularly scheduled Parks and Recreation Board meeting, Mrs. Doris Dahse, Rosenberg Lions Club (Club) President, and Club Member, Mr. Dennis Dahse, presented a donation proposal to celebrate the 100th Year Anniversary of Lions International. The bench would be cedar with "Rosenberg Lions Club 2016" engraved in brown and desert tan colored lettering. The Club requests the bench to be placed along a trail in Seabourne Creek Nature Park.

Staff recommends approval of Resolution No. R-2138, a Resolution authorizing acceptance of a donation from Rosenberg Lions Club for an engraved bench to be placed in Seabourne Creek Nature Park.

D. **Consideration of and action on Ordinance No. 2016-11, an Ordinance providing for the extension of the City Limits of the City of Rosenberg, Texas, by voluntary annexation of 7.1813 acres of land in the S.A. & M.G.R.R. Company Survey, A-330, 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; adjusting the boundaries of Council District No. 2 to include the tract annexed hereby; providing a severability clause; providing for an effective date; providing for a savings clause and repealing conflicting ordinances or resolutions.**

EXECUTIVE SUMMARY

As reported to City Council on the April 05, 2016 Agenda, a Preliminary Plat was recently approved, and a Final Plat has been submitted, for property located off of Anton Stade Road between Interstate 69 (I-69) and Randon School Road. Anton Stade Road is parallel to and to the southwest of Spur 10. A vicinity map and the approved Preliminary Plat are attached for review.

The reason for the Agenda item is that the Plat contains property both in the City Limits and the Extraterritorial Jurisdiction (ETJ). Specifically, the front of the property is in the ETJ, with the back part being in the City. As a result of being in multiple jurisdictions, it could be subject to multiple sets of standards upon development of the property. Therefore, during the review process, staff thought it best, and the applicant did not object, to bringing all the property into the City Limits to avoid possible future confusion with permitting, etc. Specifically, the request would add approximately 7.18 acres to the City Limits.

The owner/applicant submitted a petition for voluntary annexation that was approved on April 05, 2016, under Resolution No. R-2122. As discussed, City Council first had to approve the Resolution accepting the petition, followed by an Ordinance formally annexing the property five (5) to thirty (30) days from accepting the petition per the City Charter, hence the current ordinance/agenda item. Therefore staff recommends approval of Ordinance No. 2016-11 to complete the process of the City formally annexing the property.

ACTION

Motion by Councilor, District 3 Lisa Wallingford, seconded by Councilor, District 2 Susan Euton to approve Consent Agenda items A, B, C, and D.

Vote: 7 - 0 Carried - Unanimously

REGULAR AGENDA

2. **Consideration of and action on authorization of the proposed installation of speed humps on Wilburn Street.**

EXECUTIVE SUMMARY

This item has been included on the Agenda to allow City Council to consider approval of a request regarding the installation of speed humps on Wilburn Street. Included for reference is the City's Policies and Procedures for Traffic Calming, Speed Hump Installation and Removal (Policy), a map that includes the location of the proposed speed humps, the Notification/Evidence of Support Application, and the quote for the installation of speed humps using hot-mix asphalt.

Within the Policy, under B3 in Item II entitled Installation of Speed Humps by Citizen Request, the section states in part: ... "There must be at least 75% of the property owners and residents in support of the installation in order to proceed..." More specifically, there are fourteen (14) residential homes located on Wilburn Street. Twelve (12) of the homes stated they are in support of the speed hump installations, while two (2) did not respond, or provide a definitive answer. This equates to approximately 86% of the property owners being in support. Staff has determined that in this case, the information submitted does meet this 75% threshold.

Upon approval of the request, staff will proceed with the installation of two (2) asphalt speed humps on Wilburn Street.

KEY DISCUSSION POINTS

Rigo Calzoncin, Public Works Director, read the Executive Summary and confirmed that the funding for these speed humps is available in the current budget.

ACTION

Motion by Councilor at Large, Position 1 William Benton, seconded by Councilor, District 4 Lynn Moses to approve installation of speed humps on Wilburn Street.

Vote: 7 - 0 Carried - Unanimously

3. **Consideration of an action on Resolution No. R-2136, a Resolution awarding Bid No. 2016-08 for construction of the 2015 Sanitary Sewer Pipe Bursting Phase II Project; and, authorizing the Interim City Manager to negotiate and execute, for and on behalf of the City, appropriate documents and/or agreements regarding same.**

EXECUTIVE SUMMARY

Bids were received on Wednesday, April 6, 2016, for the 2015 Sanitary Sewer Pipe Bursting Phase II Project (Project) A total of seven (7) bids were opened and tabulated as indicated on the attached bid summary form.

Staff recommends Bid No. 2016-08 be awarded to T Construction, LLC, for the base bid in the total amount of \$1,947,289.00. The attached correspondence from Kelly R. Kaluza, Project Engineer, recommends same. Should the bid be awarded as recommended, the proposal from T Construction, LLC, will be attached and serve as Exhibit "A" to Resolution No. R-2136. The contract time is 300 calendar days.

This Project is included in the FY2016 Capital Improvement Plan approved by City Council on July 07, 2015, with the passage of Resolution No. R-1997.

This is the second phase of a multi-year project that will replace the severely deteriorated sanitary sewer collection system lines within the Wastewater Treatment Plant No. 1A service area. This is necessary to minimize and eliminate rainwater inflow/infiltration problems, and unauthorized overflows. This is a much-needed proactive measure necessary to continue operating in compliance with TCEQ regulations.

Staff recommends approval of Resolution No. R-2136 which will award Bid No. 2016-08 and provide authorization for the Interim City Manager to negotiate and execute all required documents necessary to facilitate the Agreement.

KEY DISCUSSION POINTS

John Maresh, Interim City Manager, read the Executive Summary and explained that this project will result in minimal downtime of service to the affected area. The City has worked with T Construction, LLC, in the past and has been happy with the services provided.

ACTION

Motion by Councilor at Large, Position 1 William Benton, seconded by Councilor at Large, Position 2 Amanda J. Barta to approve Resolution No. R-2136, a Resolution awarding Bid No. 2016-08 for construction of the 2015 Sanitary Sewer Pipe Bursting Phase II Project; and, authorizing the Interim City Manager to negotiate and execute, for and on behalf of the City, appropriate documents and/or agreements regarding same.

Vote: 7 - 0 Carried - Unanimously

4. **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 employment and compensation for the position of Assistant Police Chief pursuant to Section 551.074 of the Texas Government Code.**

ACTION

Motion by Councilor at Large, Position 1 William Benton, seconded by Councilor, District 2 Susan Euton to adjourn to Executive Session.

Vote: 7 - 0 Carried - Unanimously

5. **Adjourn Executive Session, reconvene Regular Session, and take action as necessary as a result of Executive Session.**
Mayor McConathy adjourned the Executive Session and reconvened into Regular Session.
6. **Adjournment.**
There being no further business, Mayor McConathy adjourned the meeting at 7:51 p.m.


Linda Cernosek, TRMC, City Secretary