

## **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, May 3, 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 Daniel Haas, St. John's United Church of Christ, Rosenberg)

Introduction of New Rosenberg Police Officers and Employees. (Dallis Warren, Police Chief)

Presentation of Certificates of Appreciation to 2016 Easter Egg Hunt Volunteers and Sponsors. (Darren McCarthy, Parks and Recreation Director)

Presentation of Awards to the Rosenberg Architectural Appreciation Contest Winners. (Dan Kelleher, Main Street Manager)

Presentation of Proclamation Proclaiming May 2016 as National Preservation Month in the City of Rosenberg. (Dan Kelleher, Main Street Manager)

Presentation of Proclamation Proclaiming the Week of May 15-21, 2016, as National Public Works Week in the City of Rosenberg. (Cynthia A. McConathy, Mayor)

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 Regular City Council Meeting on April 19, 2016. (Linda Cernosek, City Secretary)
- B. Consideration of and action on authorization for the proposed installation of speed humps along Lory Street. (Rigo Calzoncin, Public Works Director)
- C. Consideration of and action on Resolution No. R-2135, a Resolution acknowledging the acceptance, by Right-of-Way Deed, of a 0.308 tract of land situated in the Slavin and George Subdivision, Volume 64, Pages 252 and 253 of the Fort Bend County Deed Records, and being out of the original Robert M. Cortez, Jr., call 138.6472 acre tract, Volume 799, Page 586 of the Fort Bend County Deed Records, and Guadalupe A. Cortez call 52.6338 acre tract, Volume 2011122445, and being in the Fred G. Schmidt Survey, Abstract No. 461, in Fort Bend County, Texas, and generally located at Randon School Road and S Miller Road. (Ian Knox, Planning Administrator)
- D. Consideration of and action on a Final Plat of The Trails at Seabourne Parke Section Four, a subdivision of 21.641 acres located in the G.M. Stone 1/3 League Survey, Abstract 312, City of Rosenberg, Fort Bend County, Texas (Fort Bend County Municipal Utility District No. 147); 103 lots, 3 reserves and 4 blocks. (Ian Knox, Planning Administrator)

**REGULAR AGENDA**

- 2. Consideration of and action on Resolution No R-2142, a Resolution authorizing the award of a Rosenberg Main Street Program Facade Improvement Matching Grant in the amount of \$1,850 to Robert Vogelsang for improvements to 1900-1917 Avenue G. (Dan Kelleher, Main Street Manager)
- 3. Consideration of and action on Ordinance No. 2016-15, an Ordinance granting consent to the Fort Bend County Municipal Utility District No. 152 (Walnut Creek) for the sale and issuance of Unlimited Tax Bonds, Series 2016, in an amount not to exceed \$4,460,000. (Charles A. Kalkomey, P.E., City Engineer)
- 4. Consideration of and action on Resolution No. R-2129, a Resolution awarding Bid No. 2016-13 for the construction of Avenue F/3rd Street Downtown Parking Lot Project Phase I; and, authorizing the Interim City Manager to negotiate and execute, for and on behalf of the City, appropriate documents and/or agreements regarding same. (Randall Malik, Economic Development Director)
- 5. Consideration of and action on Resolution No. R-2139, a Resolution authorizing the Interim City Manager to execute, for and on behalf of the City, Budget Amendment 16-08 in the amount of \$150,000.00 for the additional cost associated with construction of the Avenue F/3rd Street Downtown Parking Lot Project Phase I. (Joyce Vasut, Executive Director of Administrative Services)
- 6. Consideration of and action on Quarterly Financial Report and Quarterly Investment Report for the quarter ended March 31, 2016. (Joyce Vasut, Executive Director of Administrative Services)
- 7. Consideration of and action on Resolution No. R-2143, a Resolution of the City finding that CenterPoint Energy Houston Electric, LLC's application for approval to amend its distribution cost recovery factor pursuant to 16 Tex. Admin. Code § 25.243 and to reconcile Docket No. 44572 revenues to increase distribution rates within the City should be denied; finding that the City's reasonable rate case expenses shall be reimbursed by the company; finding that the meeting at which this Resolution is passed is open to the public as required by law; requiring notice of this Resolution to the company and legal counsel. (John Maresh, Interim City Manager)

8. Consideration of and action on Ordinance No. 2016-14, an Ordinance amending the Code of Ordinances by amending Chapter 6 ("Buildings and Building Regulations"), Article IX ("Dangerous Buildings"); providing for a penalty; providing that this Ordinance shall be cumulative; providing for severability; and providing an effective date. (Scott M. Tschirhart, City Attorney)
9. Hold Executive Session to deliberate the potential purchase, exchange, lease, or value of real property pursuant to Texas Government Code Section 551.072; to deliberate appointment, employment and evaluation of the position of City Manager pursuant to Section 551.074 of the Texas Government Code; and, to deliberate economic development negotiations pursuant to Section 551.087 of the Texas Government Code.
10. Adjourn Executive Session, reconvene Regular Session, and take action as necessary as a result of Executive Session.
11. Adjournment.

DATED AND POSTED this the 29<sup>th</sup> day of April 2016, at 11:10 A.m.,

by Linda Cernosek

Linda Cernosek

Attest:  
Linda Cernosek, TRMC, 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.