

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, June 7, 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 Charles Surovik, New Covenant Fellowship, Rosenberg)

Administer Oaths of Office to City Council Members Jimmie J. Peña, Council Member, District 1; Susan Euton, Council Member, District 2; Alice Jozwiak, Council Member, District 3; and Lynn Moses, Council Member, District 4. (Cynthia A. McConathy, Mayor)

Presentation of Rosenberg Image Committee Beautification and Renovation Awards. (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 Regular Meeting Minutes for May 17, 2016; Special Meeting Minutes for May 19, 2016; and Workshop Meeting Minutes for May 24, 2016. (Linda Cernosek, City Secretary)

- B. Consideration of and action on a Final Plat of Tran Plaza, a subdivision of 9.9985 acres (435,538 sq. ft.) tract of land situated in the S.A. and M.G.R.R. Company Survey, Abstract 330, City of Rosenberg, Fort Bend County, Texas, said 9.9985 acre tract being out of and part of Lot 68 and a portion of Lot 69 of the Slavin and George Subdivision, recorded in Volume 64, Page 252 of the Deed Records of Fort Bend County, Texas; 0 lots, 1 reserve (9.9985 acres) and 1 block. (Ian Knox, Planning Administrator)
- C. Consideration of and action on Resolution No. R-2161, a Resolution authorizing the Interim City Manager to execute, for and on behalf of the City, a Supplemental Agreement, by and between the City and Union Pacific Railroad Company, related to the Pipeline Crossing Agreement for the 2014 Sanitary Sewer Pipebursting Project, in the amount of \$1,505.00. (John Maresh, Interim City Manager)
- D. Consideration of and action on Resolution No. R-2158, a Resolution authorizing the Interim City Manager to negotiate and execute, for and on behalf of the City, a Supplemental Agreement by and between the City of Rosenberg and BNSF Railway Company, related to the 2014 Sanitary Sewer Pipebursting Project, in the amount of \$1,925.00. (John Maresh, Interim City Manager)
- E. Consideration of and action on Resolution No. R-2144, a Resolution regarding the Financial Management Policies of the City of Rosenberg. (Joyce Vasut, Executive Director of Administrative Services)
- F. Consideration of and action on Resolution No. R-2155, a Resolution amending the Professional Development Policy, and providing for an effective date. (Joyce Vasut, Executive Director of Administrative Services)
- G. Consideration of and action on Resolution No. R-2157, a Resolution amending the Classification and Compensation Plan, and providing for an effective date. (Joyce Vasut, Executive Director of Administrative Services)
- H. Consideration of and action on Resolution No. R-2156, a Resolution authorizing the Interim City Manager to execute, for and on behalf of the City, a Bank Depository Services Proposal submitted by ZB, N.A., dba Amegy Bank; and, authorizing the execution of appropriate documents in accordance with said Proposal for the period beginning July 01, 2016, and ending June 30, 2019, with the option to extend the Agreement for two (2) additional one-year terms. (Joyce Vasut, Executive Director of Administrative Services)
- I. Consideration of and action on Resolution No. R-2160, a Resolution authorizing the Mayor to execute a Resale Deed for real property generally located at Avenue E: GEO Number: 7610010010380901: Lot 38, Block No. 1, Riverside Terrace Addition, Section 1, an addition to the City of Rosenberg, Fort Bend County, Texas, more particularly described in Volume 405, Page 329 of the Deed Records of Fort Bend County, Texas. (Joyce Vasut, Executive Director of Administrative Services)
- J. Consideration of and action on Resolution No. R-2154, a Resolution authorizing the Interim City Manager to execute, for and on behalf of the City, an Amendment to Interlocal Cooperation Agreement for the Collection of Taxes, by and between the City and Fort Bend County, Texas. (Joyce Vasut, Executive Director of Administrative Services)

REGULAR AGENDA

- 2. Consideration of and action on appointment of Mayor Pro Tem for a one-year term. (Cynthia A. McConathy, Mayor)

3. Consideration of and action on appointments to City Council Committees (Cynthia A. McConathy, Mayor):
 - a. Employee Benefits Committee (three positions);
 - b. Finance/Audit Committee (three positions);
 - c. Houston-Galveston Area Council (H-GAC)(Representative and Alternate);
 - d. Image Committee (one voting Council Member);
 - e. Main Street Advisory Board (one Council Member ex-officio);
 - f. Parks and Recreation Board (one voting Council Member);
 - g. Planning Commission (one Council Member ex-officio);
 - h. Professional Services/Engineering Project Review Committee (three positions); and,
 - i. Rosenberg Development Corporation (three Council Representatives/Directors).
4. Consideration of and action on appointments to the following City of Rosenberg Boards, Committees and Commissions (Linda Cernosek, City Secretary):
 - a. Animal Control Shelter Advisory Board;
 - b. Image Committee;
 - c. Main Street Advisory Board;
 - d. Parks and Recreation Board;
 - e. Planning Commission (one resignation);
 - f. Rental Property Appeals Board; and,
 - g. Rosenberg Development Corporation.
5. Consideration of and action on a Lease of Real Property, generally located at 1819 Avenue F, by and between the City and the Rosenberg Railroad Museum, pursuant to Resolution No. R-2097, previously approved on the 19th day of January 2016, for a term of ninety-nine (99) years in the amount of \$1.00. (Scott M. Tschirhart, City Attorney)
6. Consideration of and action on Resolution No. R-2163, a Resolution authorizing the temporary waiver of building related permit fees for construction repairs related to the Memorial Day Flood 2016 Event. (John Maresh, Interim City Manager)
7. Consideration of and action on Resolution No. R-2140, a Resolution awarding Bid No. 2016-09 for construction of the Miscellaneous Water and Sanitary Sewer Improvements; 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)
8. Consideration of and action on Ordinance No. 2016-18, an Ordinance amending the Code of Ordinances by amending Sections 13-2 and 13-3 of Article I of Chapter 13 thereof providing for amended definitions and permits and exemptions; and, by adding a new Article II to Chapter 13 thereof entitled "Mobile Food Courts and Mobile Food Establishments"; providing a penalty in an amount as provided in Section 1-13 of this Code for violation of any provision hereof; repealing all ordinances or parts of ordinances inconsistent or in conflict herewith; and providing for severability. (Ian Knox, Planning Administrator)
9. Consideration of and action on Resolution No. R-2152, a Resolution revising the Health Inspection Schedule of Fees related to mobile food establishments and school concession stands. (Tonya Palmer, Director of Code Compliance)
10. Hold Executive Session for consultation with City Attorney to seek or receive advice on legal matters regarding pending or contemplated litigation, namely regarding Imperial Performing Arts, Inc. v. Rosenberg Development Corporation, and 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 appointment, employment, evaluation, reassignment, or duties of the Assistant Police Chief pursuant to Section 551.074 of the Texas Government Code.

11. Adjourn Executive Session, reconvene Regular Session, and take action as necessary as a result of Executive Session.

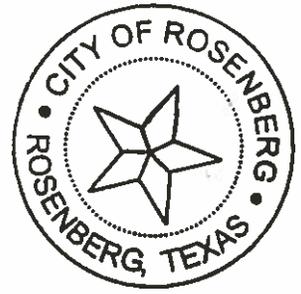
12. Adjournment.

DATED AND POSTED this the 3rd day of June 2016, at 11:00 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.