

CITY OF ROSENBERG

SPECIAL CITY COUNCIL MEETING MINUTES

On this the 14 day of June, 2016, the City Council of the City of Rosenberg, Fort Bend County, Texas, met in a Special Session, in the Rosenberg City Hall Council Chamber, located at 2110 4th Street, Rosenberg, Texas.

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

Staff Present: John Maresh, Assistant City Manager of Public Services
Linda Cernosek, City Secretary
Joyce Vasut, Executive Director of Administrative Services
Travis Tanner, Executive Director of Community Development
Charles Kalkomey, City Engineer
Lori Remington, Human Resources Director
Dallis Warren, Police Chief
Wade Goates, Fire Chief
Rigo Calzoncin, Public Works Director
Melissa Pena, Program Manager
Jenny Pavlovich, Communications Manager
Danyel Swint, Executive Assistant

Call to order: City Hall Council Chamber
Mayor McConathy called the meeting to order at 7:00 p.m.

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 Meetings 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.

AGENDA

1. **Hold public hearing to receive public comment regarding the Avenue B Paving and Drainage Extension Project.**

EXECUTIVE SUMMARY

The City Council previously discussed a citizen request related to the Avenue B Paving and Drainage Extension Project (Project) at the Regular City Council Meeting on May 17, 2016. After some discussion, the general consensus of City Council was to hold a town hall meeting for the residents of the River Road area to better communicate the City's proposed Project parameters and to provide a forum to address any citizen concerns.

This item has been included to provide an opportunity for City Council to receive public comments regarding the Avenue B Paving and Drainage Extension Project.

- Ms. Patricia Davila of 351-1/2 Hill Road, Rosenberg, Texas, addressed her concerns regarding the medical facility being on the other side if this connector road is in place. Ms. Davila stated in case of an emergency, alternate routes provide for an inadequate way to access the hospital. Ms. Davila suggested the City working with Fort Bend County to gain access to another road that is currently blocked by a gate. Ms. Davila stated this project is not a good use of taxpayer money. Ms. Davila lives on the dead end section of River Road and installed an iron fence to prevent people from driving recklessly on the grounds. Ms. Davila believes the road would bring more traffic to an area that is not good for the residents. Ms. Davila requested Council consider an alternate road placement.
- Isaac Davila of 350 Hill Road, Rosenberg, Texas, voiced his opposition to the project. Mr. Davila, cousin to Patricia Davila, stated this project would open up the area to high crime; wants to keep his neighborhood quiet. Mr. Davila stated the road Ms. Davila referred to was Riverwood Drive in Richmond, Texas. Mr. Davila has made contact with Fort Bend County to have gate removed on Riverwood Drive and the road repaired for access, in case of an emergency. Mr. Davila stated Riverwood Drive would give access directly to the hospital. A petition garnering fifty (50) signatures opposing this project was provided to Council. Mr. Davila would also like to see Council explore other options before spending taxpayers money on this project. Mr. Davila suggested using the money set aside for this project in North Rosenberg, where flood victims were most impacted.
- P.J. Middlebrooks of 3424 River Road, Rosenberg, Texas, has been involved in this project since Mr. Joe Hernandez first inquired about an emergency exit. Mr. Middlebrooks's understanding from Mr. Hernandez is the City requested Mr. Hernandez to donate a portion of his property for this emergency exit. Mr. Middlebrooks has spoken to various officials and received different scenarios with what may, or may not, happen regarding this project. Mr. Middlebrooks met with Commissioner Richard Morrison to discuss access through Riverwood Village via South Richwood being a feasible improvement project that would cost the City much less, if anything. This improvement would provide a safer, more adequate emergency exit. As a newly annexed citizen, Mr. Middlebrooks relies on his leaders, and others, to supply the citizens with safe emergency exits.
- Angela Middlebrooks of 3424 River Road, Rosenberg, Texas, requested City Council to consider a second access in case of emergency when the train blocks the only entrance to the neighborhood, as it frequently has. Ms. Middlebrooks stated a current access road through Riverwood Village via South Richwood would only require improvements and flows in the direction of, rather than away from, the closest emergency facility. As a registered nurse and in an emergency, Ms. Middlebrooks knows that every second counts. Diverting access against the hospital is not a good choice. Other roads would give access to residents out of North Rosenberg and City officials access to the same facilities utilizing only two (2) railroad crossings. Ms. Middlebrooks requested information on how many railroad crossings Rosenberg is allowed.
- Cheryl Waclawczyk of 3420 River Road, Rosenberg, Texas, stated her neighborhood is a secluded area with much activity on Sunday's from other people playing soccer in the empty fields. Ms. Waclawczyk lives on a dead end street which already attracts people who dump trash and other items. Ms. Waclawczyk opposes this project and would like to see improvement on Riverwood Drive.
- Esmeraldo Delgado of 3422 River Road, Rosenberg, Texas, would like the road going into Richmond, Texas, repaired because it is closer to the hospital. Ms. Delgado agrees with comments from previous speakers.
- Martha Morales of 3422A River Road, Rosenberg, Texas, arrived to the Public Hearing in favor of

- the project, but upon hearing comments from previous speakers, now opposes the project.
- Christina Quinones of 3324 River Road, Rosenberg, Texas, agrees with the comments of previous speakers.
- Joe Hernandez of 3541 River Road, Rosenberg, Texas, originally started this process because of the train stopping on the tracks and blocking traffic. Mr. Hernandez contacted Councilor Pena, Police Chief Warren and others to discuss the problem and potentially gain access to the other road. Initially, Mr. Hernandez agreed with the project because it would help sell his land in the future. However, after speaking to neighbors, he agrees with the issues previously stated by the speakers. Mr. Hernandez stated when the train stops on the tracks, the wait time could be four (4) to five (5) hours. Mr. Hernandez has previously discussed this issue with Rosenberg Police. A sign has been posted at the railroad crossing with contact information in the event a train is blocking traffic.
- Ms. Patricia Davila stated after contacting the appropriate persons regarding the stopped train, the wait time is still over an hour.

2. **Consideration of and action on Resolution No. R-2148, a Resolution authorizing the Interim City Manager to negotiate and execute, for and on behalf of the City, a Contract for Engineering Services for Avenue B Paving and Drainage Extension from 8th Street to River Road (Avenue B Connector Road), by and between the City and Kelly R. Kaluza and Associates, Inc., in an amount not to exceed \$121,090.00.**

EXECUTIVE SUMMARY

Resolution No. R-2148 was originally placed on the May 17, 2016, City Council Agenda for consideration. After some discussion regarding a citizen request related to the Avenue B Paving and Drainage Extension Project (Project), the City Council voted to table this item until a public information meeting could be held for residents of the area and interested citizens. The public information meeting took place immediately prior to this City Council Meeting and this item has been placed on the Agenda to provide an opportunity for City Council to take action.

The FY2016 Capital Improvement Project plan approved by City Council as Resolution No. R-1997 on July 07, 2015, includes the Avenue B Connector Road Project. Currently, River Road has only one access point from Old Richmond Road which requires all traffic to cross two (2) railroad grade crossings at Rawson Road. One of the primary purposes of this Project is to provide for a second access point, or road connection at 8th Street near Avenue B with River Road. Additionally, the Union Pacific Railroad has presented preliminary construction plans to add a second rail siding from Richmond to Rosenberg in an effort to park trains for various periods of time. The FY2016 Budget allocated sufficient funding to cover the schematic design, right-of-way acquisition, engineering design for construction plans and specifications, and a large percentage of the anticipated construction cost. The proposed FY2017 Budget will fully fund the construction phase of the Project. Upon completion of the engineering design and bidding process, the construction bid award would be placed on a future agenda for City Council consideration and approval.

Staff recommends approval of Resolution No. R-2148, authorizing the Interim City Manager to negotiate and execute a Contract for Engineering Services for said Project in the amount of \$121,090.00.

KEY DISCUSSION POINTS

- Interim City Manager John Maresh reviewed the Executive Summary.
- Councilor Euton confirmed with Councilor Pena of Commissioner Morrison's pledge to support the City with the Old Richmond Road project and asked Mr. Maresh about the County supporting the City with that project.
- Mr. Maresh stated the County agreed to help; however, due to time restraints, the County was unable to complete this project.
- Councilor Euton is in favor of saving taxpayer's money. However, citizens have requested this project and the City is ready to move forward. Promises can be made, but until there is funding and the item is on the Agenda, nothing can be done. Councilor Euton understands the citizens concerns; however, the City does not have the authority to go the other direction. The City is in the process of acquiring rights-of-way. Councilor Euton is willing to table the item until further due diligence is made.

- Councilor Pena stated when the issue was first brought to his attention, he had a discussion with Commissioner Gilmore of Richmond and was informed Rosenberg could not go through Richmond and the streets are too narrow. Councilor Pena was also informed the road is a drainage easement owned by the County. Union Pacific will be building a new spur at this location. Access getting across will not get easier. Councilor Pena was unaware of the opposition to this project. A lot of time and money was put into this project; budgeted for it last year. Councilor Pena wants to provide the best road access the City can provide without compromising the City's standing with the City of Richmond. Councilor Pena asked Fire Chief Wade Goates about the EMS response time.
- Fire Chief Wade Goates stated he was unable to provide an accurate response time.
- Councilor Pena asked Chief Goates about ambulances getting over the railroad tracks.
- Chief Goates responded all but a couple intersections were passable. A formula was produced to help in figuring response time, without moving a vehicle. Chief Goates is willing to provide that documentation.
- Councilor Pena brought Union Pacific and Burlington Northern on board to provide signs with contact information at the railroad crossings. Councilor Pena also stated the City has been diligent about the long wait times at the train intersection.
- Councilor Pena asked Police Chief Dallis Warren about the north side of the tracks having the lowest crime rate in the City.
- Chief Warren agreed with that statement; however, stated crime rates are not broken down by districts, but noted District 1 has, historically, the lowest call volume of all districts.
- Councilor Pena stated he is unsure of the crime in the area the citizens would be entering through Richmond.
- Councilor Jozwiak requested Mr. Maresh to address City services that lie across the tracks.
- Mr. Maresh stated during the recent flooding event, WasteWater Treatment Facility 1A was isolated and the only access was by boat, and same with the entire Utilities Department. Relocation of all supplies, vehicles, etc. was necessary. CenterPoint had a major substation cut off and this road would have given access to these areas. Mr. Maresh further explained that this project has been on the thoroughfare plan for several years.
- Councilor Jozwiak asked Mr. Maresh if this subdivision was on City services.
- Mr. Maresh replied no, the subdivision was recently annexed.
- Councilor Jozwiak requests more information from Commissioner Morrison and possibly bring before Council at a later date.
- Councilor Barta agrees with Councilor Jozwiak to table this item and would like to meet with the County and the City of Richmond.
- Councilor Benton stated Riverwood Drive is in the County. Councilor Benton wants to know how long this project has been on the thoroughfare plan. Councilor Benton wants to do due diligence and agreed Riverwood Drive needs to be repaired.
- Councilor Benton would like another railroad crossing and opposes moving forward on this project.
- Councilor Moses is concerned for the citizens as this will take awhile. The City has been promised things from the County before and it did not work out. Councilor Moses asked the citizens to be prepared the process will be lengthy if this item is tabled and other areas are examined.
- Mayor McConathy thanked the citizens for their comments. Mayor McConathy stated other access points would still cross over the railroad tracks and if trains are stopped on tracks, delay will occur. This project could divert traffic away from this neighborhood and avoid unwanted traffic on dead end streets. Mayor McConathy stated the City has more than two (2) railroad crossings and it is the railroad's policy when a crossing is added, two (2) crossings must be removed.
- Mayor McConathy addressed our ever growing city and pointed out many residents across the City have undeveloped land, and as the City grows, that land will become developed by residents wanting to sell. Having had a front row seat during this past flooding event, Mayor McConathy stated the job of Council is to take care of all residents. The City needs access to its utilities and will consider an access point that the citizens agree upon.

Action

Motion by Councilor at Large, Position 1 William Benton, seconded by Councilor at Large, Position 2 Amanda J. Barta to table Resolution No. R-2148, a Resolution authorizing the Interim City Manager to negotiate and execute, for and on behalf of the City, a Contract for Engineering Services for Avenue B

Paving and Drainage Extension from 8th Street to River Road (Avenue B Connector Road), by and between the City and Kelly R. Kaluza and Associates, Inc., in an amount not to exceed \$121,090.00.

Vote: 7 - 0 Carried - Unanimously

3. **Consideration and action on Resolution No. R-2164, a Resolution awarding a Contract for Group Benefit Consultant Services in response to Request for Proposals No. 2016-19; and, authorizing the Interim City Manager to negotiate and execute, for and on behalf of the City, a Contract and/or any documentation necessary to facilitate said services.**

EXECUTIVE SUMMARY

On May 6, 2014, City Council approved Resolution No. R-1785, a Resolution authorizing the City Manager to execute a Consulting Agreement (Agreement) with Gallagher Benefit Services, Inc., for health insurance consulting services. The current Agreement, which is attached for review, will expire on June 30, 2016.

The Employee Benefits Committee (Committee) met on May 18, 2016, and discussed the consulting services agreement. The Committee recommended that the City proceed with preparing an Request for Proposals (RFP) for Group Benefit Consulting Services. The City advertised the RFP and solicited proposals. Six (6) proposals were received on Wednesday, June 8, 2016. Staff reviewed the proposals and recommended that four (4) be reviewed and presented to the Committee.

The Committee will meet on Monday, June 13, 2016, to review and discuss the proposals that were recommended for review by staff. The Committee will present their recommended proposal for Group Benefit Consulting Services at the City Council Meeting. Resolution No. R-2164, awarding a Contract for Group Benefit Consultant Services and authorizing the interim City Manager to negotiate and execute appropriate documents, will be presented for City Council consideration. Should City Council award the Contract as recommended by staff and the Committee, the recommended proposal will be attached to serve as Exhibit "A" to Resolution No. R-2164.

KEY DISCUSSION POINTS

- Executive Director of Administrative Services Joyce Vasut reviewed the Executive Summary.
- Ms. Vasut requests Council to approve Resolution No. R-2164 to name Holmes Murphy as Group Employee Benefit Consultants in the amount of \$45,000.
- Councilor Moses attended the Employee Benefits Committee meeting and recommends Holmes Murphy as Group Benefit Consultant.
- Councilor Benton asked Ms. Vasut why staff would not be able to do this job.
- Ms. Vasut stated the City has had group consulting services for many years and now more than ever the City needs this service. Due to the Affordable Healthcare Act, other issues related to health insurance, health benefits and ever changing laws, it is a very specialized field that our staff cannot keep up with. The City insures a very large group of people.
- At Councilor Benton's request, Ms Vasut stated the duties of Holmes Murphy: select benefit providers (health, dental, life); help maintain flexible spending accounts; will prepare RFPs; give recommendations on who will provide insurance services for following year; provide electronic online enrollment for employees and dependants.
- Councilor Barta stated a consulting firm is needed for this purpose and asked where Holmes Murphy is based.
- Ms. Vasut stated Dallas but was assured the company could be on-site when needed.
- Councilor Jozwiak attended the Employee Benefit Committee meeting and recommends Holmes Murphy as Group Benefit Consultant.
- Councilor Pena requested to make a motion when the time comes.
- Councilor Euton agrees to the recommendation of the Employee Benefit Committee.
- Mayor McConathy stated Holmes Murphy will also help with the huge task of open enrollment.
- Ms. Vasut stated staff will automate that process.

ACTION

Motion by Councilor, District Jimmie Pena, seconded by Councilor, District 4 Lynn Moses to adopt Resolution No. R-2164, a Resolution awarding a Contract for Group Benefit Consultant Services in response to Request for Proposals No. 2016-19; and, authorizing the Interim City Manager to

negotiate and execute, for and on behalf of the City, a Contract and/or any documentation necessary to facilitate said services.

Vote: 7 - 0 Carried - Unanimously

4. **Adjournment.**

There being no further business, Mayor McConathy adjourned the Special City Council Meeting at 8:03 p.m.



Linda Cernosek, TRMC, City Secretary