

# CITY OF ROSENBERG

## REGULAR CITY COUNCIL MEETING MINUTES

On this the 21st day of June, 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:** 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, Interim City Manager  
Linda Cernosek, City Secretary  
Scott M. Tschirhart, City Attorney  
Charles Kalkomey, City Engineer  
Tracie Dunn, Assistant Police Chief  
Darrell Himly, Assistant Fire Chief  
Joyce Vasut, Executive Director of Administrative Services  
Travis Tanner, Executive Director of Community Development  
Lori Remington, Human Resources Director  
Randall Malik, Economic Development Director  
Darren McCarthy, Parks and Recreation Director  
Rigo Calzoncin, Public Works Director  
Jenny Pavlovich, Communications Manager  
Luis Garza, Finance Manager  
Danyel Swint, Executive Assistant  
Daniel Kelleher, Main Street Manager  
Michael Patterson, Building Maintenance Supervisor  
Val Martinez, Fleet Manager  
Doug Gorka, Public Works Manager  
Jesus Vargas, Building Maintenance Specialist  
Patrick Spillers, Mechanic  
Leroy Lopez, Maintenance & Operations Technician  
Jose Lopez, Maintenance & Operations Technician  
Jeremy Bostic, Police Officer  
Jeremy Eder, Police Officer

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

**Invocation and Pledge of Allegiance.**

Pastor David Hodges, Grace Community Bible Church, Richmond gave the invocation and led in the pledge of allegiance to the flag.

**Presentation of Certificates of Appreciation to Departing Members of City of Rosenberg Boards, Committees, and Commissions.**

Mayor McConathy presented Certificates of Appreciation to the following departing members of City of Rosenberg Boards, Committees and Commissions (not all were in attendance):

**Animal Control Shelter Advisory Board**

- Joni Huff

**Image Committee**

- Linda Carroll
- Cathi Cross
- Rufus Guebara III
- Stanley Kucherka

**Main Street Advisory Board**

- Lupe Uresti Cabello
- Jennifer Hartmann
- Juanita Velasquez
- Janice Vyoral

**Parks and Recreation Board**

- Melissa Dixon
- Stanley Kucherka
- Lila Villagomez

**Planning Commission**

- Charlotte Davis

**Rental Property Appeals Board**

- Rufus Guebara III

**Rosenberg Development Corporation**

- Ted Garcia
- Bill Knesek

**Presentation of Certificates of Appointment to Newly Appointed Members of City of Rosenberg Boards, Committees, and Commissions.**

Mayor McConathy presented Certificates of Appointment to the following Newly Appointed Members of City of Rosenberg Boards, Committees, and Commissions (not all were in attendance).

**Animal Control Shelter Advisory Board**

- Dr. William Hester
- Laura Knizner
- Carolyn Seiler
- Lisa Woebse

**Image Committee**

- Joyce Bartos
- Marcus Morales
- Eric Ramirez
- Lisa Woebse
- Julia Worley

**Main Street Advisory Board**

- Bob Alanis
- Ernie Dixon
- Michael Mercado
- Helen Ramirez
- Noel Valdes

**Parks and Recreation Board**

- Teresa Bailey
- Rudy Guerrero
- Bertha Nell Kelm
- Ray Kueck
- Eric Ramirez
- Julia Worley
- George Zepeda

**Planning Commission**

- William Bennett

**Rental Property Appeals Board**

- Cowboy Bill
- Mable Buford
- Darlene Cortez
- Christy Hawkins
- Edward Kahlenberg
- Scott Kirkham
- Ben Pawlak
- Lisa Wallingford
- David Woods

**Rosenberg Development Corporation**

- Teresa Bailey
- Chuck Budnik
- Chris Martin
- Allen J. Scopel

**Presentation of Awards to the Public Works Department for Participation in the Annual Texas Public Works Association's Public Works Week Cook-Off and Art Competition.**

Rigo Calzoncin, Public Works Director, presented awards to the following Public Works employees for the City's first participation in the Annual Texas Public Works Association's Public Works Week Cook-Off and Art Competition:

- Leroy Lopez
- Jose Lopez

- Val Martinez - 1st Place - Art Competition
- Patrick Spillers - 2nd Place - Brisket Competition
- Richard Olsen (not in attendance) - 3rd Place - Chicken Competition
- Alex Cano (not in attendance)
- Ruben Gutierrez (not in attendance)
- Alfredo Garcia (not in attendance)

**Presentation of Award to Doug Gorka, Public Works Supervisor, for Achievement of Professional Manager of the Year Award for Public Right-of-Way Management from the Texas Public Works Association.**  
Rigo Calzoncin, Public Works Director, presented Doug Gorka, Public Works Supervisor, an award for Achievement of Professional Manager of the Year Award for Public Right-of-Way Management from the Texas Public Works Association.

**Presentation of Award to the Building Maintenance Department for Achievement of the Texas Public Works Association Exceptional Performance Award for Adversity – Fire Administration Building.**  
Rigo Calzoncin, Public Works Director, presented Michael Patterson and Jesus Vargas with the Texas Public Works Association Exceptional Performance Award for Adversity – Fire Administration Building.

**Presentation of Award to Luis Garza, Finance Manager, for Obtaining the Certified Government Finance Officers Certification from the Government Finance Officers Association of Texas.**  
Joyce Vasut, Executive Director of Administrative Services, presented Luis Garza, Finance Manager, with an award for obtaining the Certified Government Finance Officers Certification from the Government Finance Officers Association of Texas.

**Announcements.**

Mayor McConathy and Councilor Euton reminded citizens of the upcoming Family 4th Celebration and encouraged all to attend.

Mayor McConathy announced Public Comments would be moved to the end of the Agenda.

**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 Emergency Meeting Minutes for June 01, 2016, and Regular Meeting Minutes for June 07, 2016.**
- B. Consideration of and action on Resolution No. R-2165, a Resolution authorizing the Interim City Manager to negotiate and execute, for and on behalf of the City, an Interlocal Agreement, by and between the City of Rosenberg and Texas State Technical College (TSTC) regarding a private street lighting system in Phase One of the Graeber Road Extension Project.**

**EXECUTIVE SUMMARY**

Texas State Technical College (TSTC) has requested to enter into an Interlocal Agreement (Agreement) regarding the installation, operation, maintenance, repair and payment of electricity costs related to a private street lighting system within the public right-of-way for the Graeber Road, Phase One Extension from the I-69 feeder road to the TSTC campus. Under the terms of the Agreement, TSTC will be responsible to install, operate, maintain, repair, and pay for the energy costs for the private lighting system. The initial term of the Agreement will expire on September 30, 2021 and will automatically renew for successive one-year terms until terminated.

The draft Agreement was presented to City Council at the May 24, 2016 Workshop meeting and staff was directed to finalize the document and place on an upcoming agenda for formal approval.

Staff recommends approval of Resolution No. R-2165 as presented.

- C. **Consideration of and action on Resolution No. R-2166, a Resolution authorizing the Interim City Manager to execute, for and on behalf of the City, a Contract Extension, by and between the City and Si Environmental, LLC, for Wastewater Treatment Plant Operations and Maintenance for a term of three (3) years.**

**EXECUTIVE SUMMARY**

Resolution No. R-2166 authorizes the extension of a Services Contract with Si Environmental, LLC, for the provision of Wastewater Treatment Plant Operations and Maintenance. On May 06, 2014, City Council approved Resolution No. R-1786 to execute a Services Contract (Contract) with Si Environmental for Wastewater Treatment Plant Operations and Maintenance for an initial three (3) year term ending on June 01, 2017. The Contract provided for one (1) additional three (3) year term, at the discretion of City Council. The Contract extension was discussed at the City Council Workshop on May 24, 2016 and staff was provided with direction to proceed with the extension.

Under the terms of the Contract extension, the annual base Contract amount of \$478,488.00 will be adjusted upward or downward based on the Consumer Price Index (CPI) increase or decrease as described in the Contract beginning on June 01, 2017, and annually thereafter. The Contractor's Liability and Performance Bond amount is also being established at a dollar amount equal to a one-year contract term, effective on June 01, 2016.

Staff recommends approval of Resolution No. R-2166, a Resolution authorizing the Interim City Manager to negotiate and execute, for and on behalf of the City a Contract Extension by and between the City and Si Environmental, LLC, for wastewater treatment plant operations and maintenance for a term of three (3) years, effective on June 01, 2017.

- D. **Consideration of and action on Resolution No. R-2168, a Resolution providing endorsement of a grant application and authorization for the Mayor to execute acceptance of the Community Oriented Policing Service (COPS) Hiring Program award to the City of Rosenberg.**

**EXECUTIVE SUMMARY**

The Community Oriented Policing Service (COPS) Hiring Program provides funding to hire and re-hire entry level career law enforcement officers in order to preserve jobs, increase community policing capacities and support crime prevention efforts. The Rosenberg Police Department looks to continue its community outreach efforts by building relationships with our citizens and developing partnerships with local businesses. With the help of COPS grant funds, the Department would like to expand community outreach by hiring four officers and assigning these officers to Homeowners' Associations and apartment communities and by incorporating assignments such as bike patrol to allow officers to be more approachable and visible.

Expanding community outreach has been limited due to manpower limitations as reflected in the National Citizen Survey conducted this year. The COPS grant funds would provide an opportunity to address the need for increased police services and public safety and provide for greater community presence. The grant award entails a three (3) year progression grant with the City's contribution being 15% for the first year in the amount of \$65,633.47. The federal contribution will be in the amount of \$238,233.41.

Staff recommends approval of Resolution No. R-2168.

**KEY DISCUSSION POINTS:**

- Consent Agenda Item 1B - Mayor and Council were presented with a revised Interlocal Agreement, by and between Texas State Technical College and the City of Rosenberg.

**ACTION**

Motion by Councilor at Large, Position 1 William Benton, seconded by Councilor at Large, Position 2 Amanda Barta to approve Consent Agenda Items A-D.

**VOTE: 7 - 0 Carried - Unanimously**

## REGULAR AGENDA

2. Review and discuss a presentation regarding a proposed Eagle Scout Project by Jack Greene of Troop 1000 to install barn owl boxes in Seabourne Creek Nature Park, and take action as necessary.

### **EXECUTIVE SUMMARY**

On May 26, 2016, at the regularly scheduled Parks and Recreation Board (Board) Meeting, Jack Greene, Troop 1000, presented a proposal to install barn owl boxes in Seabourne Creek Nature Park. The first box would be located in a barn, the second box would be located on a pole, and the third box would be located on the rocket structure that was once a playground structure. The placement on the rocket structure would be more of an experiment to see if owls nest in the location as this has not been done before. Scout Greene was given permission from his school to utilize a shop for construction of the boxes, which he anticipates should only take one day to complete. If the project is approved by City Council, Scout Greene will be working with the Coastal Prairie Chapter Texas Master Naturalists to assure proper installation. He estimates the cost of the project to be up to \$310.00, should he raise enough for the third box, and will collect from family, friends, and troop members. After reviewing the presentation, the Board unanimously recommended the Project plan for approval.

Staff and the Parks and Recreation Board recommend approval for the installation of barn owl boxes to be located in Seabourne Creek Nature Park.

### **KEY DISCUSSION POINTS:**

- Darren McCarthy, Parks and Recreation Director, presented the item and reviewed the Executive Summary.
- Jack Greene, Troop 1000, gave a presentation on installing barn owl boxes throughout Seabourne Creek Nature Park:
  - Barn owl boxes will be installed on a barn, on a pole overlooking a prairie and on a rocket structure (depending on funds received) inside the park.
  - Cost with rocket structure would be up to \$310.
  - Installation will begin in early July 2016 and take two days.
  - Soliciting money from friends, family, and troop members.
- Councilor Euton thanked Mr. Greene for his interest in our parks and thought it was a good idea.
- Councilor Pena donated \$100 to the project.
- Councilor Jozwiak inquired about nesting.
- Councilor Barta inquired about current owls in the park and what they eat.
- Mr. Greene stated there are no owls currently in the park and they are uncommon to the area; hopefully the boxes would attract owls. He stated owls eat mice and small rodents.
- Councilor Benton appreciates Mr. Greene's efforts.
- Councilor Moses asked Mr. Greene why he is using the rocket and if it would need to be modified.
- Mr. Greene stated it was a suggestion from the Texas Master Naturalists he is currently working with. The rocket structure was his original placement for the boxes but thought the barn would be a better suited spot. However, with enough funds, Mr. Greene would like to add a box to the rocket structure and no further modifications would be necessary.
- Mayor McConathy stated any enhancements to the park would be a great asset and thanked Mr. Greene for the project adding beauty to our nature park.

### **ACTION**

Motion by Councilor at Large, Position 1 William Benton, seconded by Councilor at Large, Position 2 Amanda J. Barta to approve Eagle Scout Project by Jack Greene of Troop 1000 to install barn owl boxes in Seabourne Creek Nature Park.

**VOTE:** 7 - 0 Carried - Unanimously

3. **Consideration of and action on Resolution No. R-2159, a Resolution providing authorization for renovation of certain infrastructure generally located at 1819 Avenue F and pursuant to a Lease of Real Property, by and between the City of Rosenberg and the Rosenberg Railroad Museum.**

#### **EXECUTIVE SUMMARY**

The Rosenberg Railroad Museum (RRM) has requested an opportunity to present a plan for improvements to the facility's Education Station to better serve the educational and railroad missions. Proposed improvements would include:

- New roof;
- Central air conditioning and heating;
- ADA compliant restroom facilities;
- An expanded model train display room;
- A temporary exhibit room;
- A birthday party room;
- An education room; and,
- A play room.

Greg Cauthen, President of the RRM Board of Directors, shall present the proposed improvements to City Council and will be available to answer questions regarding same.

It should be noted that all construction activities and construction plans are subject to compliance with the Code of Ordinances. This includes submission of plans and specifications for review and approval by the Building Official, and obtaining all required permits and inspections.

#### **KEY DISCUSSION POINTS**

- Interim City Manager John Maresh presented the item and reviewed the Executive Summary.
- Greg Cauthen, President of the Rosenberg Railroad Museum, gave a presentation on the preservation and education of railroading in Fort Bend County, Texas.
- Mr. Cauthen stated the museum had 2,500 visitors in one day and due to the number of visitors that have increased over the past couple years, the cost of that success is the facilities are being strained.
- Mr. Cauthen discussed two new exhibits and stated most of the museum's exhibits are on the museum's property and not subject to the lease.
- Mr. Cauthen requests approval by the City to remodel the Education Station and stated funding to be provided by the museum with existing dedicated funds of \$50,000 and, if required, newly raised funds from in-kind work, grants and donations.
- Councilor Moses stated she was excited the museum's visitor count is up and is in favor of this project.
- Councilor Benton stated no cost to the City is a good thing and when the time comes, would make a motion.
- Councilor Barta is excited about this project.
- Councilor Jozwiak stated she had not toured the museum and looks forward to doing so. She approves of this project.
- Councilor Pena is excited about this project.
- Councilor Euton looks forward to the improvements.
- Mayor McConathy requested attendance by Council at the unveiling of the new, remodeled museum.

#### **ACTION**

Motion by Councilor at Large, Position 1 William Benton, seconded by Councilor, District 2 Susan Euton to approve Resolution No. R-2159, a Resolution providing authorization for renovation of certain infrastructure generally located at 1819 Avenue F and pursuant to a Lease of Real Property, by and between the City of Rosenberg and the Rosenberg Railroad Museum.

**VOTE: 7 - 0 Carried - Unanimously**

4. **Consideration of and action on Resolution No. R-2167, a Resolution consenting to the extension of the Declaration of Disaster issued May 28, 2016; extending the local state disaster in the City of Rosenberg, Texas, due to the threat to public health and safety as a result of the recent flooding, pursuant to Section 418.108 of the Texas Government Code.**

**EXECUTIVE SUMMARY**

Resolution No. R-2167 is an extension of the Declaration of Disaster in the City of Rosenberg. As per Resolution No. R-2167, the continuation of the imminent threat to the public health and safety as a result of the devastating flooding requires an extension of the Declaration of Disaster, which was signed on May 28, 2016, and extended on June 01, 2016. According to Section 418.108 of the Texas Government Code, City Council must consent to the extension of the Declaration of Disaster before the expiration of the thirty (30) day period.

Per the City Attorney, Resolution No. R-2167 extends the Declaration of Disaster to remain in effect for the next thirty (30) days or until July 31, 2016, or such date thereafter as the City Council may authorize by subsequent extension.

Staff recommends approval of Resolution No. R-2167.

**KEY DISCUSSION POINTS**

- Mayor McConathy presented the item and reviewed the Executive Summary.
- Councilor Jozwiak asked if 30 days was enough time.
- City Attorney Scott Tschirhart stated it would need to be extended again, if necessary, and could do so indefinitely as long as the conditions exist.
- Councilor Benton stated the event was disastrous and the need for this extension is present.

**ACTION**

Motion by Councilor at Large, Position 2 Amanda J. Barta, seconded by Councilor, District 4 Lynn Moses to approve Resolution No. R-2167, a Resolution consenting to the extension of the Declaration of Disaster issued May 28, 2016; extending the local state disaster in the City of Rosenberg, Texas, due to the threat to public health and safety as a result of the recent flooding, pursuant to Section 418.108 of the Texas Government Code.

**VOTE:** 7 - 0 Carried - Unanimously

5. **Consideration of and action on Resolution No. R-2176, a Resolution regarding property tax reappraisals of flood-damaged properties affected by the Memorial Day Flood 2016 Event, pursuant to Section 23.02 of the Tax Code.**

**EXECUTIVE SUMMARY**

On June 10, 2016, the City received a letter from Fort Bend County Commissioner Richard Morrison, requesting the City to consider approving a resolution in compliance with the Texas Property Tax Code (Code) allowing tax relief for property owners whose property was damaged during the Memorial Day flood.

Section 23.02 of the Code, allows taxing entities that have been effected by a disaster to have the damaged property reappraised by the local appraisal district. The taxes on the property will be calculated based on a prorated value which includes the January 1 value prorated by the number of days before the date of the disaster and the reappraised value prorated by the number of days remaining in the calendar year after the disaster, including the disaster date.

The Code also states that the local entity is responsible for the cost of such reappraisals. Fort Bend County Chief Appraiser Glen Whitehead estimates that the reappraisal will cost approximately \$35 to \$40 per property. However, if the owner protests the new value, the cost will increase by an additional \$800 per day for Appraisal Review Board hearings. Each entity that requests the reappraisals will be billed a prorated share of the taxes imposed on the properties that are reappraised. On June 14, 2016, the Fort Bend County Commissioners Court authorized the reappraisal of all properties damaged in the recent flooding disaster.

As indicated in the attached map, approximately 70 properties in the City of Rosenberg were affected by the recent flood event.

Staff recommends approval of Resolution No. R-2176, a Resolution regarding property tax reappraisals of flood-damaged properties affected by the Memorial Day Flood 2016 Event, pursuant to Section 23.02 of the Tax Code.

#### **KEY DISCUSSION POINTS**

- Interim City Manager John Maresh presented the item and reviewed the Executive Summary.
- Councilor Moses stated she was in favor of this item and asked Chief Appraiser Glen Whitehead if the homes are not completed, is the City able to do this again and give the citizens an extension on the appraisals of their homes.
- Mr. Whitehead stated the County fixed June 01 as the disaster reassessment date and upon approval of a County Resolution, Central Appraisal District will send out notifications.
- Councilor Benton inquired about the \$800 per day appraisal review hearings being per property.
- Mr. Whitehead stated it was for the Appraisal Review Board to meet on one day, not per property.
- Councilor Barta asked Mr. Maresh if the City has a list of all homes damaged within the City limits and Mr. Maresh replied yes.
- Councilor Barta asked Mr. Whitehead if the ETJ will be handled by the County and Mr. Whitehead replied yes. Councilor Barta asked Mr. Whitehead if it is contingent on a degree of damage and Mr. Whitehead replied no.
- Councilor Jozwiak inquired about the cost of \$35-\$40 per property being paid by the City.
- Mr. Whitehead responded that is the estimated cost for his staff to go on-site, take pictures, collect information on the damage. Mr. Whitehead also stated the owner still has protest rights and if they have already protested their January 01 value, they cannot re-protest January 01 but will be able to protest the June 01 value. The CAD will send out a re-appraisal notice and if the ARB has to reconvene, the cost would be \$800 per day.
- Councilor Jozwiak asked if that was a City cost and Mr. Whitehead stated it would be allocated between the County and other jurisdictions. The cost is based on the proration of the levy in that area to the allocation for that cost.
- Mayor McConathy inquired about a resolution previously approved by the County and Mr. Whitehead replied yes and, that he has received a copy of said resolution.

#### **ACTION**

Motion by Councilor at Large, Position 1 William Benton, seconded by Councilor, District 4 Lynn Moses to approve Resolution No. R-2176, a Resolution regarding property tax reappraisals of flood-damaged properties affected by the Memorial Day Flood 2016 Event, pursuant to Section 23.02 of the Tax Code.

**VOTE:** 7 - 0 Carried - Unanimously

#### **6. Consideration of and action on the 2016 Local Option Exemptions for the City of Rosenberg.**

##### **EXECUTIVE SUMMARY**

On January 7, 1986, the City of Rosenberg adopted Ordinance No. 85-26, authorizing that \$30,000 of the assessed value of residential homesteads shall be exempt from ad valorem taxes levied by the City of Rosenberg for persons who are disabled or are sixty-five years of age or older. This residential homestead for persons who are disabled and over sixty-five is currently in effect.

On July 1, 2008, the City of Rosenberg adopted Ordinance No. 2008-23, allowing an exemption of one-percent (1%) of the appraised value of a residential homestead for City of Rosenberg property owners who qualify for a homestead exemption. If one-percent (1%) produces an exemption in any tax year of less than \$5,000, when applied to a particular residential homestead, the property owner shall be entitled to a minimum exemption of \$5,000. This residential homestead exemption for residents who qualify for a homestead exemption is currently in effect.

On February 23, 2016, staff provided a presentation regarding the residential homestead exemptions, including a comparison to exemptions provided by other cities within Fort Bend County. Staff also presented the impact on revenues and resident's tax bills should City Council decide to increase the

exemptions for residential homesteads. City Council directed staff to address the homestead exemptions during the FY2017 budget process.

Since the deadline to make changes to the exemptions is July 1 of any given year, staff is presenting this item to provide City Council the opportunity to authorize changes, if they choose, to the exemptions offered by the City prior to the July 1 deadline.

Staff is requesting action from City Council for notification to the Fort Bend Central Appraisal District regarding the disabled and over sixty-five homestead exemption and residential homestead exemption for the 2016 tax year.

#### **KEY DISCUSSION POINTS**

- Joyce Vasut, Director of Administrative Services, presented the item and reviewed the Executive Summary.
- Ms. Vasut gave a presentation on homestead exemptions to note the following:
  - Deadline is July 1.
  - City currently has two homestead exemptions:
    - Section 26-86 - Disabled and Over 65 Homestead Exemption: \$30,000 of assessed value per 1986 tax year.
    - Section 26-4 - Residential Homestead Exemption: up to 20% of property's appraised value and option can not be less than \$5,000.
  - The City's Homestead Exemption is the greater of 1% or \$5,000, as approved July 01, 2008.
- Councilor Euton asked if we would need to raise the 46 cent tax rate or take it from the sales tax side.
- Ms. Vasut stated that is unknown at this time and is more of a budget issue.
- Councilor Euton stated if it is raised to 10%, that would be several cents difference.
- Ms. Vasut stated the City would need to make up \$324,000, more than 2 cents.
- Councilor Jozwiak asked if its advantageous to look toward more in budget in reducing tax rate.
- Ms. Vasut responded with reducing the tax rate, reduces the amount everyone pays and by increasing the homestead exemption, benefits the homeowners.
- Councilor Jozwiak wants all to have a fair share of reductions and asked if this needed to be done by July 01.
- Ms. Vasut stated to make it effective for the 2016 tax year, it needs to be approved by July 01.
- Mr. Whitehead stated exemptions must be set by July 01. However, exceptions have occurred in the past.
- Ms. Vasut stated a decision could be made later and become effective for the 2017 tax year.
- Councilor Barta stated the City would not be losing money.
- Ms. Vasut stated if the City adopts the effective tax rate, that is the rate the City brings in the same revenue, some citizens will pay more, some less.
- Councilor Barta stated most values went up, therefore, most people will pay more.
- Ms. Vasut stated if most values went up, that would be reflected in the calculation for the effective tax rate.
- Councilor Barta stated she is ok with the \$5,000 exemption currently in place and wants to look at the property tax rate.
- Mr. Whitehead stated as the City grows, more people are moving here which causes supply and demand. As values go up, and the City adopts the effective tax rate, the tax rate will drop because of the higher values. The appraisal value on the notices are last year's value.
- Councilor Benton commented on the shortage of housing in Rosenberg, not only because of the people moving to the area, but also because of the flood victims being displaced. Councilor Benton also stated it is imperative for the taxing entities reduce tax rates.
- Councilor Benton inquired about this action being on prior agendas and Ms. Vasut stated the exemptions have been the same but wanted Council to be aware this is a decision that could be made on an annual basis.
- Councilor Benton mentioned the standing Resolution approved in 2008 and does not want to revisit every past Resolution Council has approved.
- Councilor Benton wants to reduce tax rate and at budget time, will propose a two cent tax cut for tax rate.
- Councilor Moses prefers to see something for everyone, not just the homeowners, and would like

to keep the exemption the way it is and look at tax rate.

- Mayor McConathy inquired about changing the exemption for Disabled and Over 65 instead of Residential.
- Ms. Vasut did not have that information, but can provide it.
- Mayor McConathy requested information on combined tax reduction that provides tax cut and exemptions for all.

#### **ACTION**

No action was taken.

7. **Review and discuss travel and education expense reimbursement for the Municipal Court Judge, and take action as necessary.**

#### **EXECUTIVE SUMMARY**

Municipal Court Judge James Baker submitted an expense report for travel and education expenses in the amount of \$894.06, which includes the following itemized costs:

Lodging	\$ 214.28
Per Diem/Meals	206.50
Educational Books	55.00
Registration Fee	50.00
Mileage	368.28

The training was to attend the Regional Attorney Judges Seminar in South Padre Island on May 1-3, 2016.

Judge Baker's Agreement (presented under separate cover) states that he will maintain at his own expense a valid and current license to practice law in the State of Texas. The Agreement does not address whether or not he is eligible for reimbursement for Municipal Court Judge training.

This item is presented to allow City Council the opportunity to approve reimbursement of travel and education expenses to Judge James Baker in the amount of \$894.06.

#### **KEY DISCUSSION POINTS**

- Joyce Vasut, Executive Director of Administrative Services, presented the item and reviewed the Executive Summary.
- Councilor Euton asked if this was the first time this type of invoice has been presented.
- Ms. Vasut replied reimbursement for registration fees have been previously paid, but not travel cost.
- Councilor Euton asked Judge Baker if this was for Continuing Legal Education and Judge Baker replied no, it was judicial education.
- Judge Baker stated he has had the contract for 15 years and been to the same seminar for 15 years and have never had any issues.
- Councilor Euton reiterated what Ms. Vasut stated regarding only reimbursement for registration fees.
- Judge Baker stated he has been reimbursed many times and when he registers for this seminar and it coincides with a vacation, he does not charge the City, or if the State pays for everything, he will not charge the City. Judge Baker also stated the State has been paying for everything in the past. Judge Baker mentioned this was the only judge seminar from the TRMCC. The only time Judge Baker has not attended this seminar is when he was too late in registering.
- Councilor Euton confirmed with Ms. Vasut that Judge Baker's contract entitles him to reimbursement for normal employee benefits; therefore, a normal employee would be reimbursed if attending this seminar. Ms. Vasut replied yes.
- Councilor Pena asked what the problem is if the City already pays for this.
- Councilor Benton asked City Attorney Scott Tschirhart about the contract being a public document due to it having "confidential" on it. Mr. Tschirhart confirmed it was a public document.
- Judge Baker stated he pays tax and State Bar fees out of his own pocket and the CLE fee was not included as a reimbursement.
- Councilor Benton asked Judge Baker if he would split the cost with the City and Judge Baker

- said he does not want to agree to anything less than he is entitled to.
- Judge Baker stated this was not legal education, rather judicial education and is required by law to receive 16 hours of judicial education per year.
  - Mayor McConathy requested Judge Baker to maintain his conduct.
  - Councilor Moses asked Mr. Tschirhart to verify the hours required to maintain license and Mr. Tschirhart did not have anything contradictory to that.
  - Judge Baker read from the Court of Criminal Appeals for Municipal Court Judges.
  - Councilor Benton asked Judge Baker if he intended to attend any seminars between now and September 30th at the City's expense. Judge Baker replied no.
  - Mayor McConathy stated it was a matter of interpretation and should have been an internal matter.
  - Ms. Vasut discussed the matter previously with Mr. Tschirhart and was informed since Judge Baker does not report to her or the City Manager, decided to bring forth to Council. Judge Baker reports to Council and was hired by Council.

#### **ACTION**

Motion by Councilor at Large, Position 1 William Benton, seconded by Councilor at Large, Position 2 Amanda J. Barta to approve travel and education expense reimbursement of \$894.06 to Municipal Court Judge James Baker.

**VOTE:** 7 - 0 Carried - Unanimously

8. **Consideration of and action on Ordinance No. 2016-21, an Ordinance amending the Code of Ordinances by deleting all of Section 28-41 (b) and (d), Stop Signs Designated, of Article II, Division 2 of Chapter 28, Stop Streets, and substituting therefor a new Section 28-41 (b) and (d) of Article II, Division 2 of Chapter 28 thereof; providing for a four-way stop at the intersections of Lawrence Street and Avenue J, Miles Street and Avenue J, Miles Street and Avenue L, Tobola Street and Avenue J, Tobola Street and Avenue L, and Ward Street and Avenue J; providing a penalty in an amount of not less than \$1.00 or more than \$200.00 for violation of any provision hereof; repealing all ordinances or parts of ordinances inconsistent or in conflict herewith; providing for severability; and providing an effective date.**

#### **EXECUTIVE SUMMARY**

Councilor Benton and Councilor Jozwiak submitted a request for the addition of stop signs at certain intersections within District 3. Should City Council approve the request, Ordinance No. 2016-21 provides for the following streets to become four-way stop intersections:

- Lawrence Street and Avenue J
- Miles Street and Avenue J
- Miles Street and Avenue L
- Tobola Street and Avenue J
- Tobola Street and Avenue L
- Ward Street and Avenue J

#### **KEY DISCUSSION POINTS**

- Rigo Calzoncin, Public Works Director presented the item and reviewed the Executive Summary.
- Mr. Lupe Garcia, 1109 Ward Street, Rosenberg, stated a couple months ago he had a discussion with Councilor Benton regarding the issue of speeding on Ward Street and Avenue J. Mr. Garcia is concerned for the children that play in the neighborhood and cross that street after school.
- Councilor Moses asked if a traffic study has been conducted.
- Mr. Calzoncin has only pulled crash records for these areas.
- Councilor Benton stated these streets are "drag streets" and mentioned other residents are in attendance.
- Mayor McConathy asked if those residents would like to speak.
- Amy Raabe, 1121 Tobola, Rosenberg, is concerned about the speeding and wants the stop signs on her street.
- Laurie Oberhoff, 1120 Tobola, Rosenberg, has lived at her residence for 42 years and is concerned about the speeding. Ms. Oberhoff has had side mirrors knocked off her vehicles because people go too fast down Tobola and has also witnessed car accidents.

- Councilor Benton stated a stop sign at the corner of Millie and Avenue L was welcomed by the residents of that street and approves the installation of these stop signs.
- Councilor Barta knows many children walk in this area and agrees stop signs are needed.
- Councilor Benton mentioned a lack of side walks in this area.
- Councilor Jozwiak visited the residents with Councilor Benton to discuss the speeding traffic.
- Councilor Jozwiak asked Mr. Calzoncin the cost of each stop sign and Mr. Calzoncin stated the cost is \$150 per stop sign.

#### **ACTION**

Motion by Councilor at Large, Position 1 William Benton, seconded by Councilor at Large, Position 2 Amanda J. Barta to approve Ordinance No. 2016-21, an Ordinance amending the Code of Ordinances by deleting all of Section 28-41 (b) and (d), Stop Signs Designated, of Article II, Division 2 of Chapter 28, Stop Streets, and substituting therefor a new Section 28-41 (b) and (d) of Article II, Division 2 of Chapter 28 thereof; providing for a four-way stop at the intersections of Lawrence Street and Avenue J, Miles Street and Avenue J, Miles Street and Avenue L, Tobola Street and Avenue J, Tobola Street and Avenue L, and Ward Street and Avenue J; providing a penalty in an amount of not less that \$1.00 or more than \$200.00 for violation of any provision hereof; repealing all ordinances or parts of ordinances inconsistent or in conflict herewith; providing for severability; and providing an effective date.

**VOTE:** 7 - 0 Carried - Unanimously

9. **Consideration of and action on Ordinance No. 2016-22, an Ordinance amending the Code of Ordinances by adding to Section 28-71 of Division 4 of Article II of Chapter 28 thereof, a new prima facie speed limit of twenty-five (25) miles per hour along Georgina Street from the intersection of FM 1640/Avenue I to the intersection of Avenue N; and, repealing the prima facie speed limit of thirty (30) miles per hour along Georgina Street from the intersection of FM 1640/Avenue I to the intersection of Avenue N; making certain findings; authorizing placement of speed limit signs along such street; providing a penalty for violation of any provision hereof; providing an effective date; and providing for severability.**

#### **EXECUTIVE SUMMARY**

A request was made by Councilor Benton and Councilor Jozwiak to lower the speed limit along Georgina Street from thirty (30) miles per hour to twenty-five (25) miles per hour.

Ordinance No. 2016-22 would amend the speed limit along Georgina Street to twenty-five (25) miles per hour between Avenue I and Avenue N.

#### **KEY DISCUSSION POINTS**

- Rigo Calzoncin, Public Works Director presented the item and reviewed the Executive Summary.
- Councilor Euton stated Georgina Street has stop signs every other block and does not see the need for a change, but is not opposed to it.
- Councilor Pena is concerned about the speed limit.
- Councilor Jozwiak stated lowering the speed limit would not be a problem and asked Mr. Calzoncin the cost of the speed limit sign. Mr. Calzoncin replied the cost is about the same.
- Councilor Barta believes neighborhoods should be 25 miles per hour.
- Councilor Benton agrees with Councilor Barta and prefers speed humps. Councilor Benton stated because the radar signs could not get enough light to power them, lowering the speed limit on this street is the only option.

#### **ACTION**

Motion by Councilor at Large, Position 2 Amanda J. Barta, seconded by Councilor, District 4 Lynn Moses to approve Ordinance No. 2016-22, an Ordinance amending the Code of Ordinances by adding to Section 28-71 of Division 4 of Article II of Chapter 28 thereof, a new prima facie speed limit of twenty-five (25) miles per hour along Georgina Street from the intersection of FM 1640/Avenue I to the intersection of Avenue N; and, repealing the prima facie speed limit of thirty (30) miles per hour along Georgina Street from the intersection of FM 1640/Avenue I to the intersection of Avenue N; making certain findings; authorizing placement of speed limit signs along

such street; providing a penalty for violation of any provision hereof; providing an effective date; and providing for severability.

**VOTE: 7 - 0 Carried - Unanimously**

**10. Consideration of and action on authorization of the proposed installation of speed humps on Rice Street.**

**EXECUTIVE SUMMARY**

This item has been included in the Agenda to allow City Council to consider approval of a request regarding the installation of speed humps on Rice 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/residents in support of the installation in order to proceed..." More specifically, there are nineteen (19) residential homes located on Rice Street. One (1) is vacant. Eighteen (18) of the homes stated they are in support of the speed hump installation, while one (1) did not respond, or provide a definitive answer. This equates to approximately 95% 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 Rice Street.

**KEY DISCUSSION POINTS**

- Rigo Calzoncin, Public Works Director presented the item and reviewed the Executive Summary.
- Mayor McConathy notified Councilor Jozwiak that the cost is \$1,600 per speed hump.
- Councilor Benton supports these speed humps.
- Councilor Barta said if the residents are ok with the speed humps, she is too.
- Councilor Jozwiak stated she is always for the will of the citizens and asked Mr. Calzoncin the difference between a speed hump and a speed bump. Mr. Calzoncin stated they are the same; however, some are plastic and some are asphalt.
- Councilor Euton asked who began this request and Mr. Calzoncin stated it was Holly Pietchs.

**ACTION**

Motion by Councilor at Large, Position 1 William Benton, seconded by Councilor at Large, Position 2 Amanda J. Barta to approve installation of two (2) asphalt speed humps on Rice Street.

**VOTE: 7 - 0 Carried - Unanimously**

**11. Consideration of and action on authorization of the proposed installation of a speed hump on 1st Street.**

**EXECUTIVE SUMMARY**

This item has been included in the Agenda to allow City Council to consider approval of a request regarding the installation of a speed hump on 1st Street. Included for reference is a map that includes the location of the proposed speed hump, the Notification/Evidence of Support Application, and the quote for the installation of the speed hump using hot-mix asphalt. Please note that the Speed Hump Installation and Removal Policy (Policy) has been included for reference with the previous Agenda item.

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/residents in support of the installation in order to proceed..." More specifically, there are thirty one (31) residential homes located on 1st Street. Three (3) are vacant lots. Twenty Four (24) of the homes stated they are in support of the speed hump installation, while seven (7) did not respond, or provide a definitive answer. This

equates to approximately 77% 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 one (1) asphalt speed hump on 1st Street.

#### **KEY DISCUSSION POINTS**

- Interim City Manager John Maresh read the Executive Summary.
- Rigo Calzoncin, Public Works Director presented the item.
- Joe Montalbo, 327 1st Street, Rosenberg, requests at least three speed bumps. Mr. Montalbo stated children play in the area and people speed through the area.
- Councilor Jozwiak commented on a lack of participation and concern for those residents that did not respond and approves this speed hump.
- Councilor Barta inquired about the number of speed humps being installed and Mr. Calzoncin stated he is only able to install one speed hump due to the length of the street, it being a dead end street and the number of driveways.
- Councilor Benton asked about a stop sign at Avenue D and 1st Street and would like to get another speed hump on 1st Street.

#### **ACTION**

Motion by Councilor at Large, Position 1 William Benton, seconded by Councilor, District 4 Lynn Moses to approve installation of one (1) asphalt speed hump on 1st Street.

**VOTE:** 7 - 0 Carried - Unanimously

12. **Consideration of and action on the proposed placement of two (2) pole-mounted radar speed signs along Damon Street near Travis Park.**

#### **EXECUTIVE SUMMARY**

This Agenda item has been included to allow for City Council authorization and approval for the proposed installation of two (2) pole-mounted radar speed signs along Damon Street, generally in the vicinity of Travis Park, as requested by Councilor Benton and Councilor Jozwiak. If approved, said installations would be completed by the Public Works Department.

#### **KEY DISCUSSION POINTS**

- Rigo Calzoncin, Public Works Director presented the item and reviewed the Executive Summary.
- Councilor Moses is in favor.
- Councilor Benton is also in favor and stated the request was made by several residents.
- Councilor Barta asked the criteria of placement and Mr. Calzoncin stated trees play a factor because the signs are solar powered and need as much sunlight as possible.
- Mayor McConathy commented on the mature trees in our parks and the parks being very busy.

#### **ACTION**

Motion by Councilor at Large, Position 1 William Benton, seconded by Councilor, District 3 Alice Jozwiak to approve installation of two (2) pole-mounted radar speed signs along Damon Street near Travis Park.

**VOTE:** 7 - 0 Carried - Unanimously

13. **Consideration of and action on Ordinance No. 2016-20, an Ordinance granting consent to Fort Bend County Municipal Utility District No. 144 (Summer Lakes) for the sale and issuance of Unlimited Tax Bonds, Series 2016, in an amount not to exceed \$5,000,000.**

#### **EXECUTIVE SUMMARY**

On May 06, 2003, Starwood Development, LLC, submitted a petition to the City to create a Municipal Utility District that included approximately 358.48 acres located primarily within the Corporate Limits of the City, with approximately 35.46 acres lying outside the City and outside the Extraterritorial Jurisdiction of the City of Rosenberg, to be known as Fort Bend County Municipal Utility District No.

144. Accordingly, the Petition for Consent and associated Ordinance No. 2003-21 were approved by City Council at that time. Subsequently, City Council approved Ordinance No. 2005-32 on December 13, 2005, expanding the District's territory by 173.34 acres, approved Ordinance No. 2006-18 on July 18, 2006, expanding the District's territory by an additional 1.5369 acres, and approved Ordinance No. 2010-14 on June 1, 2010, again expanding the District's territory by an additional 6.00 acres. The District is located along Reading Road and FM Highway 2977.

Following is a list of previous Unlimited Tax Bond Sales, Bond Anticipation Notes (BAN), and bond refunding that has been approved by City Council:

- Ordinance No. 2006-39 - City Council approved the District's first bond sale in the amount of \$2,815,000.00 on December 05, 2006.
- Ordinance No. 2007-48 - City Council approved the District's BAN in the amount of \$1,650,000.00 on October 16, 2007. The BAN was subsequently repaid out of the bond sale authorized under Ordinance No. 2008-21.
- Ordinance No. 2008-21 - City Council approved the District's second bond sale in the amount of \$3,030,000.00 on October 07, 2008. District's BAN in the amount of \$1,301,500.00 on November 06, 2012. The BAN approved by City Council under Ordinance No. 2012-38 was subsequently repaid out of the Series 2013 bond sale under Ordinance No. 2013-24.
- Ordinance No. 2013-24 - City Council approved the District's third bond sale in the amount of \$2,695,000.00 on May 07, 2013. Ordinance No. 2014-27 - City Council approved the District's BAN in the amount of \$2,000,000.00. The BAN was subsequently paid out of fourth bond sale under Ordinance No. 2015-06.
- Ordinance No. 2015-06 - City Council approved the District's fourth bond sale in the amount of \$3,400,000.00 on February 17, 2015.
- Bond Refund - City Council approved the District's request for the issuance of Refunding Tax Bonds, Series 2015, in an amount not to exceed \$6,600,000.00 on May 19, 2015.

The District's confirmation election was held on May 15, 2004, with a vote of 2-0. At that time, the voters authorized the sale of \$24,510,000 in Water, Wastewater, and Drainage bonds, \$2,240,000 in Recreational Facilities bonds, and the capacity to refund \$26,750,000 in bonds. On May 7, 2005, the voters by the same tally authorized an additional \$14,500,000 in Water, Wastewater, and Drainage bonds, \$1,200,000 in Recreational Facilities bonds, and an additional \$15,700,000 in refunding bonds. On September 10, 2005, the voters by the same tally authorized another \$15,000,000 in Water, Wastewater, and Drainage Bonds, \$400,000 in Recreational Facilities bonds, and \$15,400,000 in refunding bonds. Overall, the District has authorized \$54,010,000 in Water, Wastewater, and Drainage bonds, \$3,840,000 in Recreational Facilities bonds, and \$57,850,000 in refunding bonds.

As per the proposed bond application, the current outstanding debt is \$11,330,000. After this proposed bond sale, the District will have a remaining bonding capacity of \$37,680.00 in Water, Wastewater and Drainage facilities. The proposed bond sale is primarily for the development costs related to Summer Lakes Section Two, Section Three, and Section Four, and Phase One Storm Water Detention for Waterford Park. It should be anticipated that there will be additional bond sales, but the remaining needs of the District should be much less than their outstanding capacity.

The District's current ad valorem tax rate is \$0.80 per \$100 valuation. This rate has been at this level since 2010.

Much of the submission documentation provided by MUD No. 144 for this proposed sale, such as the TCEQ application, the Bond Order authorizing the Issuance of Bonds by MUD No. 144, the Preliminary Official Statement/Notice of Sale, Resolution Authorizing the Issuance of Bonds by MUD No. 144, Cash Flow Analysis, Debt Fund Schedule, Summary of Costs, along with additional minute excerpts and related Ordinances are available for review in the City Secretary's Office.

Staff has reviewed the documentation and found it to be in compliance with applicable City ordinances. Staff is recommending approval of Ordinance No. 2016-20, thus consenting to the sale of the Unlimited Tax Bonds, Series 2016, for Fort Bend County MUD No. 144 in an amount not to exceed \$5,000,000.00.

#### **KEY DISCUSSION POINTS**

- Charles Kalkomey, City Engineer presented the item and reviewed the Executive Summary.
- Councilor Benton asked how long it would take to pay off the debt and Mr. Kalkomey replied twenty-five (25) years.
- Councilor Benton inquired about the MUD tax rate in District 4 and Mr. Kalkomey did not have that information.
- Councilor Benton asked if this has been approved by the voters and Mr. Kalkomey stated the voters authorized the sale of the bonds.
- Councilor Benton asked if it was to return in an upcoming election and Mr. Kalkomey replied no.
- Councilor Moses stated Summer Lakes was boxed in with Richmond and the County and in the future, would include Summer Park, and Mr. Kalkomey replied all sections are included in this MUD.
- Councilor Moses stated there is approximately 100 acres of undeveloped land in Summer Park and Mr. Kalkomey replied there is undeveloped land on Benton Road in Summer Lakes.
- Councilor Moses stated this would continue and more development will occur.
- Mayor McConathy stated MUDs will continually sell bonds to complete development.

#### **ACTION**

Motion by Councilor, District 1 Jimmie J. Pena, seconded by Councilor, District 2 Susan Euton to approve Ordinance No. 2016-20, an Ordinance granting consent to Fort Bend County Municipal Utility District No. 144 (Summer Lakes) for the sale and issuance of Unlimited Tax Bonds, Series 2016, in an amount not to exceed \$5,000,000.

**VOTE:** 7 - 0 Carried - Unanimously

14. **Consideration of and action on Resolution No. R-2175, a Resolution authorizing the award of a Rosenberg Main Street Program Facade Improvement Matching Grant in an amount not to exceed \$1,604.27, to William Hawkins for improvements to the Hawkins Furniture Company building, generally located at 1811 Avenue G.**

#### **EXECUTIVE SUMMARY**

At its April 28, 2016 meeting, the Main Street Advisory Board recommended that Rosenberg City Council award a Main Street Program Facade Improvement Matching Grant (Grant) to William Hawkins for improvements to the Hawkins Furniture Company building, generally located at 1811 Avenue G, in an amount not to exceed \$1,604.27.

Staff and the Main Street Advisory Board recommend approval of Resolution No. R-2175 as presented.

#### **KEY DISCUSSION POINTS**

- Dan Kelleher, Main Street Manager presented the item and reviewed the Executive Summary.
- Mr. Kelleher gave a presentation showing the requested improvements.
- Councilor Benton inquired about signage being in the guidelines and does not think signage is considered a facade.
- Councilor Benton does not approve of spending public money for signage and inquired about the number of bids.
- Mr. Kelleher responded no bids were obtained and current guidelines only require estimates be obtained.
- Councilor Benton inquired about the doors and Mr. Kelleher stated it is in the best interest to refinish the original doors instead of replacing them.
- Councilor Benton prefers estimates from local sign companies.
- Councilor Barta agrees with the program but need to watch taxpayers money.
- Councilor Jozwiak commented that Mr. Hawkins refinishes furniture and asked if the sign was in need of repair. Mr. Kelleher stated the Main Street Advisory Board looked at the sign and agrees it is in need of repair.
- Councilor Pena stated the Main Street Advisory Board generates economy and the program is very well accepted and requests support for this program.
- Councilor Euton approves of the program.
- Mayor McConathy stated the item is before Council because it is taxpayer money being used.

**ACTION**

Motion by Councilor, District 1 Jimmie J. Pena, seconded by Councilor, District 2 Susan Euton to approve Resolution No. R-2175, a Resolution authorizing the award of a Rosenberg Main Street Program Facade Improvement Matching Grant in an amount not to exceed \$1,604.27, to William Hawkins for improvements to the Hawkins Furniture Company building, generally located at 1811 Avenue G.

**VOTE:** 7 - 0 Carried - Unanimously

15. **Consideration of and action on Resolution No. R-2173, a Resolution authorizing the award of a Rosenberg Main Street Program Physical Improvement Matching Grant in an amount not to exceed \$175.00 to Ernie Dixon for beautification improvements to a bench, generally located at 923 3rd Street.**

**EXECUTIVE SUMMARY**

At its April 28, 2016 meeting, the Main Street Advisory Board recommended that Rosenberg City Council award a Main Street Program Physical Improvement Matching Grant (Grant) to Ernie Dixon in an amount not to exceed \$175.00 for beautification improvements to a public bench, generally located at 923 3rd Street.

Staff and the Main Street Advisory Board recommend approval of Resolution No. R-2173 as presented.

**KEY DISCUSSION POINTS**

- Dan Kelleher, Main Street Manager presented the item and reviewed the Executive Summary.
- Mr. Kelleher gave a presentation on the bench improvements.
- Councilor Euton is in favor.
- Councilor Jozwiak approves the improvement.
- Councilor Benton asked what happens to the bench if the owner leaves the City and Mr. Kelleher stated the bench must stay in place for three (3) years.

**ACTION**

Motion by Councilor, District 1 Jimmie J. Pena, seconded by Councilor, District 4 Lynn Moses to approve Resolution No. R-2173, a Resolution authorizing the award of a Rosenberg Main Street Program Physical Improvement Matching Grant in an amount not to exceed \$175.00 to Ernie Dixon for beautification improvements to a bench, generally located at 923 3rd Street.

**VOTE:** 7 - 0 Carried - Unanimously

16. **Consideration of and action on Resolution No. R-2172, a Resolution authorizing the award of a Rosenberg Main Street Program Physical Improvement Matching Grant in an amount not to exceed \$2,018.48 to William Butler for the placement of murals on the Cole Theater, generally located at 930 3rd Street.**

**EXECUTIVE SUMMARY**

At its May 26, 2016 meeting, the Main Street Advisory Board recommended that Rosenberg City Council award a Main Street Program Physical Improvement Matching Grant (Grant) to William Butler in an amount not to exceed \$2,018.48.

Staff and the Main Street Advisory Board recommends approval of Resolution No R-2172 as presented.

**KEY DISCUSSION POINTS**

- Dan Kelleher, Main Street Manager presented the item and reviewed the Executive Summary.
- Mr. Kelleher gave a presentation on the improvements to be made to the the Cole Theatre.
- Councilor Moses is happy with the beautification and approves the Grant.
- Councilor Benton inquired why improve a building that is not in use and Mr. Kelleher replied it would beautify the building and generate public interest in the possible future restoration of the building.
- Councilor Benton stated the property is under litigation and wants to pass on this Grant.

- Councilor Jozwiak asked who owns the building and Mr. Kelleher replied Bill Butler.
- Councilor Euton approves of this Grant.
- Mayor McConathy inquired about painting the walls before murals are installed and Mr. Kelleher did not know the answer.

**ACTION**

Motion by Councilor, District 1 Jimmie J. Pena, seconded by District 2 Susan Euton to approve Resolution No. R-2172, a Resolution authorizing the award of a Rosenberg Main Street Program Physical Improvement Matching Grant in an amount not to exceed \$2,018.48 to William Butler for the placement of murals on the Cole Theater, generally located at 930 3rd Street.

**VOTE:** 6 - 0 - 1 Carried

**AYES:** Mayor McConathy, 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

**ABSTENTION:** Councilor at Large, Position 1 William Benton abstained due to pending litigation with the Imperial Performing Arts, Inc.

17. **Consideration of and action on Resolution No. R-2174, a Resolution authorizing the award of a Rosenberg Main Street Program Physical Improvement Matching Grant in an amount not to exceed \$340.00 to Kathy Golden for beautification improvements to a bench, that will be placed at 1927 Avenue G.**

**EXECUTIVE SUMMARY**

At its May 26, 2016 meeting, the Main Street Advisory Board recommended that Rosenberg City Council award a Main Street Program Physical Improvement Matching Grant (Grant) to Kathy Golden for beautification improvements to a public bench in an amount not to exceed \$340.00, and that this Grant award should be conditioned on the following:

- The bench shall be located adjacent to the Reese Building, facing the Red Queen's Attic.

Staff and the Main Street Advisory Board recommends approval of Resolution No R-2174 as presented.

**KEY DISCUSSION POINTS**

- Dan Kelleher, Main Street Manager presented the item and reviewed the Executive Summary.
- Mr. Kelleher gave a presentation on the bench improvements.
- Councilor Jozwiak inquired on the difference in cost from the prior bench improvement and Mr. Kelleher stated the Main Street Advisory Board agreed to reimburse the cost of this bench.
- Councilor Barta inquired if the benches will be secured and Mr. Kelleher replied it is up to the owner to secure the benches.

**ACTION**

Motion by Councilor, District 1 Jimmie J. Pena, seconded by Councilor, District 2 Susan Euton to approve Resolution No. R-2174, a Resolution authorizing the award of a Rosenberg Main Street Program Physical Improvement Matching Grant in an amount not to exceed \$340.00 to Kathy Golden for beautification improvements to a bench, that will be placed at 1927 Avenue G.

**VOTE:** 7 - 0 Carried - Unanimously

18. **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.**

**ACTION**

Motion by Councilor, District 2 Susan Euton, seconded by Councilor, District 4 Lynn Moses to adjourn to Executive Session.

**VOTE:** 7 - 0 Carried - Unanimously

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

Mayor McConathy reconvened Regular Session at 10:15 p.m.

**ACTION**

Motion by Councilor, District 2 Susan Euton, seconded by Councilor, District 1 Jimmie J. Pena to authorize the Interim City Manager to negotiate and execute documents, for and on behalf of the City of Rosenberg, for the purchase of certain real property associated with the Bryan Road Realignment and Expansion Project, more particularly described as Parcel #6, a certain 0.0428 acre tract of land being out of a certain tract of land conveyed to Don L. Talbert, as recorded in File No. 9520043 of the Fort Bend County Deed Records (F.B.C.D.R.), located in the Robert E. Handy Survey, Abstract No. 187, City of Rosenberg, Fort Bend County, Texas.

**VOTE:** 7 - 0 Carried - Unanimously

**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.

**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.

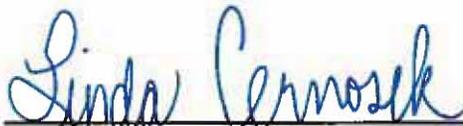
**KEY DISCUSSION POINTS**

The following persons discussed no-kill shelters, proper euthanization and humane treatment of animals:

- Paul Christy, 2510 Woodwind Hollow Lane, Rosenberg.
- Beth Hammond, 3426 Carriage House Drive, Richmond.
- Dana Psencik, 2820 Talasek, Rosenberg.
- Claudine Vass, 14607 Shanley Trace Lane, Richmond.
- Carolyn Seiler, 2625 Cedar Lane, Rosenberg.
- Brigitte Turner, 3833 Caslyn Drive, Richmond.
- Kevin Pena, Veterinarian in Sugar Land.
- Claudia Geissler, 17706 Scarlet Falls, Richmond.

20. **Adjournment.**

There being no further business, Mayor McConathy adjourned the meeting at 10:41 p.m.



Linda Cernosek, TRMC, City Secretary