

CITY OF ROSENBERG

REGULAR CITY COUNCIL MEETING MINUTES

On this the 16th day of August, 2016, the City Council of the City of Rosenberg, Fort Bend County, Texas, met in a Regular Session, in the Rosenberg City Hall Council Chamber, located at 2110 4th Street, Rosenberg, Texas.

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

Staff Present: Cynthia Trevino, City Attorney
Linda Cernosek, City Secretary
John Maresh, Interim City Manager
Joyce Vasut, Executive Director of Administrative Services
Travis Tanner, Executive Director of Community Development
Ian Knox, Planning Administrator
Lori Remington, Human Resources Director
Dallis Warren, Police Chief
Wade Goates, Fire Chief
Darren McCarthy, Parks and Recreation Director
Rigo Calzoncin, Public Works Director
Jenny Pavlovich, Communications Manager
Renee McAnally, Interim Animal Control Supervisor

Call to order: City Hall Council Chamber
Mayor McConathy called the meeting to order at 7:02 p.m.

Invocation and Pledge of Allegiance.
Reverend Jimn Kyles, The Church, Rosenberg gave the invocation and led in the pledge of allegiance to the flag.

Announcements.
Joyce Vasut announced the Public Hearing dates and times as: Tuesday, August 23, 2016 at 6:00 p.m., and Tuesday, August 30, 2016 at 6:30 p.m. and the Council will vote on the Property Tax at the Tuesday, September 6, 2016 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.

KEY DISCUSSION POINTS:
The following persons discussed Rosenberg's Animal Shelter:

- Claudine Vass, 10406 Shanley Trace Lane, Richmond
- Laura Knizner, 7711 Tiburon Trail, Sugar Land
- Beth Hammond, 3426 Carriage House Drive, Richmond
- Paul Christy, 2510 Woodwind, Richmond
- Danna Psencik, 2820 Talasek, Rosenberg
- Ingrid Gum Otero, 914 Meadowlark Lane, Sugar Land
- Mary Alvarez, 2002 Woodstream, Sugar Land
- Brigitte Turner, 3803 Carters Lake Drive, Richmond
- Susan Culver, 1715 Wild Rye Trail, Sugar Land

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.

ACTION

Motion by Councilor, District 1 Jimmie J. Pena, seconded by Councilor at Large, Position 1 William Benton to approve Consent Agenda Items A, and C through L.

VOTE: 7 - 0 Carried - Unanimously

- A. **Consideration of and action on Workshop Meeting Minutes for July 26, 2016, and Regular Meeting Minutes for August 02, 2016.**
- C. **Consideration of and action on a Final Plat of Rosenberg Plumbing Service Inc, 15.5288 acres described as a called 17.30 acre tract of land, out of James Hughes Survey, Abstract No. 197, Fort Bend County, Texas, save and except a 1.7492 acre tract of land, out of the James Hughes Survey, Abstract 197, recorded in Volume 1944, Page 1201 of the Deed Records of Fort Bend County, Texas; 0 lots, 1 reserve (15.0995 acres) and 1 block.**

EXECUTIVE SUMMARY

The Final Plat of Rosenberg Plumbing Service Inc consists of 15.5288 acres and one (1) proposed reserve. The property is located on the northeast side of Wehring Road, southeast of Cottonwood School Road, and is in the Extraterritorial Jurisdiction (ETJ) of the City of Rosenberg.

The property currently has no improvements and the Final Plat proposes one (1) non-residential reserve. Additionally, the Plat contains a right-of-way dedication of thirty feet (30') for Wehring Road.

The Planning Commission unanimously recommended approval of the Final Plat on July 20, 2016. Seeing no conflicts with applicable regulations, staff recommends approval of the Final Plat of Rosenberg Plumbing Service Inc.

- D. **Consideration of and action on Resolution No. R-2197, a Resolution authorizing the Interim City Manager to execute, for and on behalf of the City, a Memorandum of License Agreement and License Agreement, by and between the City and GTE Mobilnet of South Texas Limited Partnership d/b/a Verizon Wireless, allowing the installation of antennae, associated cabling and equipment on the City-owned elevated water storage tank located at 3720 Airport Avenue.**

EXECUTIVE SUMMARY

GTE Mobilnet of South Texas Limited Partnership d/b/a Verizon Wireless, submitted a request seeking approval and authorization to install antennae, cabling, and related equipment on the City-owned elevated water storage tank located at 3720 Airport Avenue. Staff and the City Attorney negotiated a License Agreement (Agreement) identical to the one previously approved by City Council for similar equipment installed on the Ruby Street water tank by Verizon Wireless.

The Agreement includes a primary term of ten (10) years, commencing on the date equipment installation begins, or March 01, 2017, whichever occurs first. The Agreement also provides Verizon Wireless the right to extend said license for up to four (4) additional and successive five (5) year terms. The base annual rental amount has been established at \$22,000.00, with a four percent (4%) annual increase in the rental rate for the term of the Agreement. Staff has reviewed drawings for the proposed antennae and related equipment that would be installed on the tower and has no objections.

Staff recommends approval of Resolution No. R-2197, a Resolution authorizing the Interim City Manager to execute a Memorandum of License Agreement and License Agreement by and between the City of Rosenberg and Verizon Wireless.

- E. **Consideration of and action on Resolution No. R-2189, a Resolution awarding Bid No. 2016-16, for Seabourne Creek Regional Sports Complex Grounds Maintenance Services; and, authorizing the Interim City Manager to negotiate and execute, for and on behalf of the City, appropriate documents and/or agreements regarding same.**

EXECUTIVE SUMMARY

On Wednesday, July 20, 2016, bids were received and opened for the City of Rosenberg (City) Seabourne Creek Regional Sports Complex Grounds Maintenance Contract. A total of two (2) bids were received as indicated on the attached bid summary form.

Earth First Commercial Landscaping (Earth First) of Katy submitted the lowest bid in the amount of \$49,225.64. Earth First has been the provider for these services for the past four (4) years and continues to perform satisfactorily.

Staff recommends approval of Resolution No. R-2189, awarding Bid No. 2016-16 to Earth First, and authorizing the Interim City Manager to negotiate and execute a General Services Contract in the amount of \$49,225.64.00 for complete parks grounds maintenance to include Seabourne Creek Regional Sports Complex, for a one (1) year term, with an option to renew at the same price for an additional one (1) year term. Should City Council award Bid No. 2016-16 as recommended, the proposal will serve as Exhibit "A" to Resolution No. R-2189. The contract time is 365 calendar days consistent with Fiscal Year 2016-17.

- F. **Consideration of and action on Resolution No. R-2190, a Resolution awarding Bid No. 2016-17, for Grounds Maintenance Services; and, authorizing the Interim City Manager to negotiate and execute, for and on behalf of the City, appropriate documents and/or agreements regarding same.**

EXECUTIVE SUMMARY

On Wednesday, July 20, 2016, bids were received and opened for the City of Rosenberg (City) Grounds Maintenance Contract. A total of two (2) bids were received as indicated on the attached bid summary form.

Landscape Professionals of Texas from Spring submitted the lowest bid in the amount of \$63,729.00. Landscape Professionals has been the provider for these services for the past two (2) years and continues to perform satisfactorily.

Staff recommends approval of Resolution No. R-2190, awarding Bid No. 2016-17 to Landscape Professionals of Texas, and authorizing the Interim City Manager to negotiate and execute a General Services Contract in the amount of \$63,729.00 for complete grounds maintenance services to include City Hall, Police Department, Civic Center, Cemetery, Fire Stations No. 1, No. 2 and No. 3, Water Plants and Lift Stations for a one (1) year term, with an option to renew at the same price for an additional one (1) year term. Should City Council award Bid No. 2016-17 as recommended, the proposal will serve as Exhibit "A" to Resolution No. R-2190. The contract time is 365 calendar days consistent with Fiscal Year 2016-17.

- G. **Consideration of and action on Resolution No. R-2191, a Resolution awarding Bid No. 2016-18, for Parks Janitorial Services; and, authorizing the Interim City Manager to negotiate and execute, for and on behalf of the City, a General Services Contract related thereto, and/or all necessary documentation regarding same.**

EXECUTIVE SUMMARY

On Wednesday, July 20, 2016, bids were received and opened for the City of Rosenberg (City) Parks Janitorial Services Contract. A total of four (4) bids were received as indicated on the attached bid summary form.

Lim Service Industries of Houston submitted the lowest bid in the amount of \$22,212.00. References were checked for Lim Service Industries and were found to be satisfactory.

Staff recommends approval of Resolution No. R-2191, awarding Bid No. 2016-18 to Lim Service Industries, and authorizing the Interim City Manager to negotiate and execute a General Services Contract in the amount of \$22,212.00 for complete parks janitorial services to include Brazos, Macario Garcia, Riverbend, Seabourne Creek Nature, Seabourne Creek Regional Sports Complex, Sunset, Tony Becerra, and Travis Parks, and the Parks Department offices, for a one (1) year term, with an option to renew at the same price for an additional one (1) year term. Should City Council award Bid No. 2016-18 as recommended, the proposal will serve as Exhibit "A" to Resolution No. R-2191. The contract time is 365 calendar days consistent with Fiscal Year 2016-17.

- H. **Consideration of and action on Ordinance No. 2016-23, an Ordinance amending the Code of Ordinances, by amending Sections 6-251, 6-252, 6-253, and 6-259 of Article VIII entitled "Multi-Family Developments" of Chapter 6 thereof, providing for revised multi-family development regulations; and by amending Sections 6-416 through 6-421 of Article XVI entitled "Parking Lot Standards and Specifications" of Chapter 6 thereof, providing for revised parking regulations; 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.**

EXECUTIVE SUMMARY

This item is one in a series of proposed Code amendments that was initially discussed at the March 16, 2016 Planning Commission Meeting, again by the Commission on June 15, 2016, and finally by City Council at their July 26, 2016 Workshop meeting. Specifically, it is in regard to the City's Parking (Code of Ordinances, Ch. 6, Art. XVI) and Multi-Family Development (Ch. 6, Art. VIII) standards. Potential redrafting and amendments to the City's land development and related code elements, including parking, is addressed extensively in the Comprehensive Plan, and these proposed amendments are in line with those recommendations. The attached proposed ordinance revisions provide for the following:

- Shared parking for mixed uses with variable peak parking hours, and related requirements;
- More flexibility in how existing/nonconforming parking lots are handled;
- Graphics for improved understanding of parking dimensions and drive aisles;
- Graphics for improved understanding of parking setbacks;
- Improved explanation of paving standards and maintenance;
- Downtown area parking, while not required, must comply with dimensional and paving standards when constructed;
- Improved methodology for parking calculations;
- Improved and expanded schedule of parking requirements by land use; and
- Provisions for "special studies" for uses with varying parking demands and those not identified in the schedule of parking requirements.

Following discussion at the March 16, 2016 Planning Commission meeting, staff recommended amendments to the Multi-Family Development Standards as well to go along with the "Parking" Ordinance amendments. The parking standards would essentially be made less restrictive related to multi-family developments, while the Multi-Family Development Standards themselves would be made more restrictive, including but not limited to the following:

- Higher masonry standards (75%);
- Gating for security purposes;
- Provisions for on-site management; and
- Giving the Planning Commission and City Council the discretion to deny multi-family development site plans too near in proximity to existing ones, resulting in potential over-concentration of multi-family developments.

The proposed Code amendments are attached for review. The Planning Commission recommended approval to City Council of these amendments at their June 15, 2016 meeting, and City Council concurred with the Planning Commission's recommendations on July 26, 2016. Therefore staff recommends approval of Ordinance No. 2016-23.

- i. **Consideration of and action on Ordinance No. 2016-24, an Ordinance amending the Code of Ordinances, by amending Sections 6-396 and 6-397 of Article XV entitled "Building and Setback Lines" of Chapter 6 thereof; providing for corrections; and, by amending Section 25-68 of Division 2 of Article III entitled "Specific Requirements" of Chapter 25 thereof; providing revised single-family residential building and setback lines; providing for the addition of regulations regarding carport setbacks; 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.**

EXECUTIVE SUMMARY

As discussed, staff has completed work on a project to review and revise specific development related ordinances. This particular item relates to building setback lines; it is mostly due to past issues with variances being required for both carports and primary structures in subdivisions that pre-date the City's current building setback lines. For example, an older subdivision may contain many existing carports, or even primary structures, encroaching on the currently required building lines; however, a variance through the Planning Commission and City Council (an approximately 3-month process) is required to essentially match the character of the existing area. The proposed revisions seek to resolve these issues, in addition to making the overall process clearer. This item was discussed with the Planning Commission on June 15, 2016 and with City Council at the July 26, 2016 Workshop meeting. Following is a brief summary of the proposed revisions:

Minor corrections to Chapter 6, Article XV;

- In Chapter 25, Article III, Section 25-68, allowance of carports encroaching on required setbacks when two (2) or more existing carports on the same street or block as the subject property, or five (5) or more in the same subdivision, encroach on the setbacks required in Section 25-68. Other conditions apply (e.g., 5' minimum setback, compatibility with existing structure);
- Also in Section 25-68, allowance for "special exceptions" to residential building setback lines. For example, if a variance is sought to the building line requirements, rather than go through a lengthy process to Planning Commission and City Council as prescribed by the "Subdivision" Ordinance, the Commission would have the authority to potentially grant an exception under conditions as they may apply. Variances, on the other hand, would then be reserved for variances during the actual subdivision process, rather than building or adding to a home; and
- Also in Section 25-68, lots in subdivisions platted prior to the effective date of the ordinance shall not be required to meet the setback requirements if the applicant can present information, and staff can verify, that the proposed construction will have setbacks greater than or equal to the average setback on the same block or street as the subject property.

The proposed revisions, which are attached for review, would address a number of permitting issues that have come up over the last several months. The Planning Commission recommended approval to City Council of these

Code amendments at their June 15, 2016 meeting, and Council concurred with the Commission's recommendations on July 26, 2016. Therefore staff recommends approval of Ordinance No. 2016-24.

- J. **Consideration of and action on Ordinance No. 2016-25, an Ordinance amending the Code of Ordinances by amending Section 25-61 of Division 2 of Article III of Chapter 25 thereof entitled "Streets", providing for revised street width requirements; 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.**

EXECUTIVE SUMMARY

As discussed, this Agenda item is the last in a series of proposed Code amendments that have been discussed with the Planning Commission (Commission) and City Council. At the May 18, 2016 Commission meeting, staff made a recommendation to the Commission that local streets not identified as collectors or arterials in the Thoroughfare Plan have a minimum right-of-way of sixty (60) feet and the following minimum pavement widths:

- Streets with laydown curbs: twenty-nine (29) feet, measured back of curb to back of curb, and twenty-seven (27) feet, measured inside of curb to inside of curb; and
- Other streets: twenty-eight (28) feet, measured back of curb to back of curb, and twenty-seven (27) feet, measured inside of curb to inside of curb.

The Commission subsequently recommended a minimum local street pavement width of thirty (30) feet, measured inside of curb to inside of curb. Staff's recommendation for sticking with a lesser pavement width consistent with other cities' standards was based on the following concerns regarding greater pavement widths:

- Higher speeds on local streets based on greater pavement width;
- Increased costs to the City in terms maintaining and constructing/reconstructing streets;
- Increased drainage requirements from additional pavement; and
- The fact that perceived on-street parking issues could potentially be addressed in improved future design of neighborhoods (e.g., greater garage setbacks).

Staff sought and received direction from City Council at the July 26, 2016 Workshop Meeting regarding modifying the City's street standards or leaving them as-is. A majority of Councilors were accepting of the Commission's 30' local street pavement width recommendation. This issue is addressed in the Code of Ordinances, Chapter 25, Article III, Section 25-61. Proposed amendments are attached for review. It should be noted that staff has consulted with the City Attorney and existing developments with approved Land Plans would be vested under the existing 27' local street pavement width requirement. Based on the combined feedback of the Planning Commission and City Council, staff recommends approval of Ordinance No. 2016-25.

- K. **Consideration of and action on Quarterly Financial Report and Quarterly Investment Report for the quarter ended June 30, 2016.**

EXECUTIVE SUMMARY

Overall, the financial status of the City is stable. Most funds have positive variances when compared to budget and prior year actuals. The largest revenues of sales tax shows a decrease when compared to budget and prior year's actual and property tax revenues show a positive trend when compared to budget. Most expenses are within the 75% benchmark for the third quarter of fiscal year 2016.

Staff will continue to monitor revenues and expenses. At this time, no major changes need to be made to the budget projections. Additionally, the Quarterly Investment Report is included for your review as required by the Public Funds Investment Act.

Staff recommends the acceptance of the Quarterly Financial Report and the Investment Report for the third quarter of fiscal year 2016.

- L. **Consideration of and action on Resolution No. R-2192, a Resolution authorizing the Rosenberg Police Department's submission of an application for the Texas Conversion to the National Incident-Based Reporting System (NIBRS) grant; and, authorizing the Police Chief to execute any and all necessary documentation regarding same.**

EXECUTIVE SUMMARY

The National Incident-Based Reporting System (NIBRS) is used for collecting and reporting data on crimes. NIBRS provides data about individual crime incidents, allowing the Police Department to analyze information about the offenses, victims, offenders, properties, and vehicles. Through this analysis, Rosenberg will be able to address safety issues more thoroughly and better compare local crime data to national crime statistics.

The State of Texas has been federally mandated to convert to this reporting system as the national standard. The software currently in use by the Department, Spillman Field Reporting, will allow officers to collect all data elements required for the Texas Incident-Based Reporting System (TIBRS). Spillman IBR data is validated to ensure accurate reporting. Spillman will update the agency's TIBRS product as the State of Texas and FBI makes future changes.

Resolution No. R-2192, should City Council approve, would authorize the Department to submit an application for grant funds to assist in the transition to NIBRS. Staff recommends approval of Resolution No. R-2192 as presented.

2. *This item was formerly Item B on the Consent Agenda.*
Consideration of and action on authorization of the proposed installation of speed humps on Walenta Avenue.

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 Walenta Avenue. 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 twenty seven (27) residential homes located on Walenta Avenue. Four (4) are vacant lots. Twenty one (21) of the homes stated they are in support of the speed hump installation, while six (6) did not respond, or provide a definitive answer. This equates to approximately 78% 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 Walenta Avenue.

KEY DISCUSSION POINTS

- Councilor Benton pulled this item to state he speaks in favor of this item and has received positive comments from the citizens regarding the traffic calming devices planned for this area. Councilor Benton thanked the staff for their work on this and he encouraged the Council to approve it.

ACTION

Motion by Councilor at Large, Position 1 William Benton, seconded by Councilor, District 1 Jimmie J. Pena to authorize the proposed installation of speed humps on Walenta Avenue.

VOTE: 7 - 0 Carried - Unanimously

REGULAR AGENDA

3. *This item was formerly Item 2 on the Regular Agenda.*
Hold first public hearing on a Strategic Partnership Agreement by and between the City and Fort Bend County Municipal Utility District No. 155 (Bonbrook Plantation).

EXECUTIVE SUMMARY

When the City and Fort Bend County MUD No. 155 (Bonbrook Plantation) agreed to modify the Utility Agreement on March 15, 2016, to provide for additional connections/development, the City and District agreed at that time to pursue a Strategic Partnership Agreement (SPA) between the parties. The amended Utility Agreement (Resolution No. R-2124) is attached for review (see Section 8 and Exhibit F in particular). The District has held the required public hearings and approved the SPA, and the City must now do the same in order for it to take effect.

For City Council's information, Chapter 43 of the Texas Local Government Code provides for cities and utility districts to enter into SPAs. An SPA sets forth terms for future annexation of the District. In general, it provides that the City will not annex the District prior to build-out, except that commercial property may be annexed for limited purposes such as sales tax revenue. Therefore there is a mutual benefit to the City and District entering into such an agreement. The District would not be annexed for some time; however, when that time elapses, the City is not required to include the District in annexation plan, etc., which makes the process smoother because annexation terms have been agreed on in advance. This is commonly how annexation of utility districts is handled in Texas, including in Fort Bend County, per State law, as opposed to not going about it systematically.

This Agenda item is the first of two (2) public hearings the City is required to hold. The second public hearing, and consideration of and action on the SPA itself, is planned for the September 6, 2016 meeting. Notice has been placed in the Fort Bend Herald in accordance with State law. The notice is attached for reference. A copy of the SPA that has already been executed by MUD No. 155 is also attached for review. Staff recommends holding the hearing at this time and will present further details of the SPA on September 6.

KEY DISCUSSION POINTS

- Travis Tanner read the Executive Summary and explained the mutual benefit to the City and District. He also explained this is the first of two public hearings. The second is scheduled for the September 6, 2016 Council Meeting.
- Mayor McConathy opened the Public Hearing for any comments from anyone in the audience.
- There were no comments and Mayor McConathy closed the Public Hearing.

4. *This item was formerly Item 3 on the Regular Agenda.*
Consideration of and action on Ordinance No. 2016-26, an Ordinance providing for approval of an expansion to the territory of Fort Bend County MUD No. 152 (Walnut Creek) of Fort Bend County, Texas, to include that area within the Extraterritorial Jurisdiction of the City, as further provided for herein; and making certain findings of fact and other conclusions as herein set out.

EXECUTIVE SUMMARY

Fort Bend County MUD No. 152 (Walnut Creek) has proposed that an additional 129.7 acres south of Dry Creek be added to its existing boundaries. A vicinity map of the subject property is attached for review. It is located in the Extraterritorial Jurisdiction (ETJ) immediately east of the City's regional detention and the future extension of Benton Road, and north of Ricefield Road. The creation of or addition to an existing municipal utility district (MUD) in the ETJ requires the consent of City Council, hence proposed Ordinance No. 2016-26. The purpose of the proposed addition is to develop the subject 129.7 acres with 453 single-family residential lots and related public infrastructure.

It was discovered in the platting process of Walnut Creek Section 16, which is the first plat in the development south of Dry Creek, that while the plat indicated it was in MUD No. 152, it had never actually been formally added to the utility District. Therefore the District approved and submitted for the City's consideration and consent the petition for addition of land attached to proposed Ordinance No. 2016-26 as Exhibit "A."

Unlike many other districts, where there are not development and utility agreements and approved land plans in place prior to consent to the creation or annexation, Walnut Creek has had in its development plan/s for some time the subject 129.7 acres. The land was included in its original Development and Utility Agreements dated February 22, 2005, and in an October 20, 2015, amendment to the Development Agreement/Land Plan attached hereto for reference (Resolution No. R-2055). Additionally, the existing Utility Agreement already provides for a sufficient number of equivalent single-family connections (1,690) to accommodate the additional land/lots. It is believed the land was not formally proposed to be added to the District until now because the developer, Lennar Homes/Friendswood Development Company, did not officially acquire the property until January 2016.

The District has complied with applicable City requirements for the addition of land into a MUD, including but not limited to providing estimated assessed valuation, project value estimate for bonds, and proof of economic feasibility and solvency. Further, as discussed, utility capacity was previously allocated pursuant to the existing Utility Agreement. Finally, the District has agreed under the Utility Agreement to pursue a Strategic Partnership Agreement (SPA) with the City setting forth terms for future annexation of the District. The District has initiated the SPA approval process per its most recent agenda. With all applicable requirements having been met, staff has no objections to Ordinance No. 2016-26 providing for the addition of 129.7 acres to MUD No. 152 (Walnut Creek).

KEY DISCUSSION POINTS

- Travis Tanner explained the Executive Summary.
- Councilor Benton asked about the size of the lots in this new section of the Subdivision and questioned if these plans were approved by the Planning Commission.
- Travis Tanner reported the plans had been approved by the Planning Commission and explained this item is to approve an expansion to the MUD 152.
- Councilor Moses asked the City Attorney, Cynthia Trevino, if she would answer the question with regard to the old agreement and size of the lots.
- City Attorney Trevino explained the developer has vested rights in the original agreement as it was originally written.

ACTION

Motion by Councilor, District 4 Lynn Moses, seconded by Councilor at Large, Position 2 Amanda J. Barta to approve Ordinance No. 2016-26, an Ordinance providing for approval of an expansion to the territory of Fort Bend County MUD No. 152 (Walnut Creek) of Fort Bend County, Texas, to include that area within the Extraterritorial Jurisdiction of the City, as further provided for herein; and making certain findings of fact and other conclusions as herein set out.

VOTE: 7 - 0 Carried - Unanimously

5. *This item was formerly Item 4 on the Regular Agenda.*
Consideration of and action on Resolution No. R-2198, a Resolution authorizing amendments to the Rosenberg Employee Benefits Trust Declaration of Trust, a Trust created for the purpose of providing City officers, employees, and qualified retirees and their dependents, with life, dental, vision, disability, sickness, accident, and other health benefits, either directly or through the purchase of insurance, and to perform operations in furtherance thereof.

EXECUTIVE SUMMARY

The Employee Benefits Trust (Trust) was established in 2008 by City Council approval of the Declaration of Trust document for the purpose of providing City personnel and retirees with specific benefits. The Declaration of Trust document has been amended on several occasions to revise Trustee membership and incorporate updated legislative requirements.

On Monday, August 8, 2016, during the joint meeting of the Employee Benefits Committee and the Employee Benefits Trust, the Trust Board of Trustees discussed the necessary changes to the Declaration of Trust. Such changes include revisions to Section I to reflect the change in Trustees, and also to Schedule "A" to reflect the new plan year of 2016-2017. Please note that a draft minute excerpt from this meeting was not yet available at print time for this Agenda packet.

Attached please find a redlined copy of the recommended changes to the Declaration of Trust for City Council consideration.

Staff recommends approval of Resolution No. R-2198, authorizing the amendment to the Employee Benefits Trust Declaration of Trust, attached as Exhibit "A" to said Resolution.

KEY DISCUSSION POINTS

- Lori Remington read the Executive Summary.
- There were no questions or comments.

ACTION

Motion by Councilor at Large, Position 2 Amanda J. Barta, seconded by Councilor, District 4 Lynn Moses to approve Resolution No. R-2198, authorizing the amendment to the Employee Benefits Trust Declaration of Trust, providing City officers, employees, and qualified retirees and their dependents, with life, dental, vision, disability, sickness, accident, and other health benefits, either directly or through the purchase of insurance, and to perform operations in furtherance thereof.

VOTE: 7 - 0 Carried - Unanimously

6. *This item was formerly Item 5 on the Regular Agenda.*
Consideration of and action on Resolution No. R-2199, a Resolution authorizing the Interim City Manager to execute, for and on behalf of the City, an Administrative Services Agreement, by and between the City and the Rosenberg Employee Benefits Trust for the provision of certain administrative services for a term of one (1) year.

EXECUTIVE SUMMARY

This Administrative Services Agreement (Agreement) will accommodate certain administrative services that may be performed by the City of Rosenberg on behalf of the Rosenberg Employee Benefits Trust (Trust).

The Trust met on Monday, August 8, 2016, in a joint meeting with the Employee Benefits Committee. The Trust recommended City Council approval of the Agreement. Please note that a draft minute excerpt from this meeting was not yet available at print time for this Agenda packet.

Staff recommends approval of Resolution No. R-2199, authorizing the Interim City Manager to execute an Administrative Services Agreement, attached to Resolution No. R-2199 as Exhibit "A", for the provision of certain administrative services for a term of one (1) year, commencing October 01, 2016.

KEY DISCUSSION POINTS

- Lori Remington read the Executive Summary.
- No comments or questions on this item.

ACTION

Motion by Councilor, District 1 Jimmie J. Pena, seconded by Councilor, District 4 Lynn Moses to approve Resolution No. R-2199, a Resolution authorizing the Interim City Manager to execute, for and on behalf of the City, an Administrative Services Agreement, by and between the City and the Rosenberg Employee Benefits Trust for the provision of certain administrative services for a term of one (1) year.

VOTE: 7 - 0 Carried - Unanimously

7. *This item was formerly Item 6 on the Regular Agenda.*
Consideration of and action on Resolution No. R-2200, a Resolution authorizing funding for a Contract with BlueCross BlueShield of Texas, for healthcare benefits for City employees, qualified retirees, and their dependents for one (1) year; and, authorizing the Rosenberg Employee Benefits Trust to negotiate and execute a Contract for same.

EXECUTIVE SUMMARY

On Monday, August 8, 2016, in a joint meeting with the Employee Benefits Trust, the Employee Benefits Committee reviewed and discussed the results of the RFP conducted for the City's healthcare benefits for City employees, qualified retirees, and their dependents by our Benefit Consultant, Holmes Murphy. As shown on the attached spreadsheet, three (3) proposals were received:(our current provider) BlueCross BlueShield, Aetna, and United Health Care.

The projected increase to the annual premium amount from BlueCross BlueShield showed an initial increase of

17.3 percent. This was reduced through negotiations by Holmes Murphy to a 13 percent increase. Aetna projected a 24.7 percent increase and United Health Care proposed a 43.9 percent increase. There are no benefit plan design changes.

Based upon these results, the Employee Benefits Committee is recommending a contract with BlueCross BlueShield of Texas, for healthcare benefits for City employees, qualified retirees, and their dependents. This will result in a budget impact of \$332,696 which is a 13 percent increase to the City's existing cost.

Staff recommends approval of Resolution No. R-2200, authorizing funding for a contract for healthcare benefits provided by BlueCross BlueShield of Texas.

KEY DISCUSSION POINTS

- Lori Remington read the Executive Summary.
- Councilor Moses thanked the staff for their hard work in obtaining comparisons on coverage and premiums.
- Councilor Barta thanked the staff for the successful negotiations.
- Councilor Jozwiak recognized the hard work Holmes Murphy did to provide this coverage for the City employees.
- Mayor McConathy recognized Holmes Murphy very positively for the collaboration that the City will have with this company to provide the best services for our employees.

ACTION

Motion by Councilor, District 1 Jimmie J. Pena, seconded by Councilor, District 2 Susan Euton to approve Resolution No. R-2200, a Resolution authorizing funding for a Contract with BlueCross BlueShield of Texas, for healthcare benefits for City employees, qualified retirees, and their dependents for one (1) year, and, authorizing the Rosenberg Employee Benefits Trust to negotiate and execute a Contract for same.

VOTE: 7 - 0 Carried - Unanimously

8. *This item was formerly Item 7 on the Regular Agenda.*
Consideration of and action on Resolution No. R-2201, a Resolution authorizing funding for a Contract with MetLife for dental care benefits for City employees, qualified retirees, and their dependents; and, authorizing the Rosenberg Employee Benefits Trust to negotiate and execute a Contract for same.

EXECUTIVE SUMMARY

On Monday, August 8, 2016, in a joint meeting with the Employee Benefits Trust, the Employee Benefits Committee reviewed and discussed the results of the RFP conducted for the City's dental care benefits for City employees, qualified retirees, and their dependents by the City's Benefit Consultant, Holmes Murphy. A total of eight (8) proposals were received, as shown in the attached spreadsheet.

The key strengths and weaknesses of each carrier were discussed along with the company's service access, plan design, and support. Based upon those discussions and the recommendation of Holmes Murphy, the Committee agreed to recommend MetLife as the plan choice. The dental coverage is a completely employee-paid premium plan.

The initial MetLife plan premium reflected a decrease in cost to the employee of 6.3 percent. This premium was negotiated to a lower rate, providing a 9.6 percent decrease in cost to the employee. Based upon these results, the Employee Benefits Committee is recommending a contract with MetLife for dental care benefits for City employees, qualified retirees, and their dependents.

Staff recommends approval of Resolution No. R-2201 as presented.

KEY DISCUSSION POINTS

- Lori Remington read the Executive Summary.
- There were no questions or comments on this item.

ACTION

Motion by Councilor, District 1 Jimmie J. Pena, seconded by Councilor, District 4 Lynn Moses to approve Resolution No. R-2201, a Resolution authorizing funding for a Contract with MetLife for dental care benefits for City employees, qualified retirees, and their dependents; and, authorizing the Rosenberg Employee Benefits Trust to negotiate and execute a Contract for same.

VOTE: 7 - 0 Carried - Unanimously

9. *This item was formerly Item 8 on the Regular Agenda.*
Consideration of and action on Resolution No. R-2202, a Resolution authorizing funding for a Contract with EyeMed for vision care benefits for City employees, qualified retirees, and their dependents; and, authorizing the Rosenberg Employee Benefits Trust to negotiate and execute a Contract for same.

EXECUTIVE SUMMARY

In a joint meeting with the Employee Benefits Trust on Monday, August 8, 2016, the Employee Benefits Committee (Committee) reviewed and discussed the results of the RFP conducted for the City's vision care benefits for City employees, qualified retirees, and their dependents by the City's Benefit Consultant, Holmes Murphy. A total of six (6) proposals were received, as shown on the attached spreadsheet.

The key strengths and weaknesses of each carrier were discussed along with the company's service access, plan design, and support. Based upon those discussions and the recommendation of Holmes Murphy, the Committee agreed to recommend EyeMed Vision Care, LLC, as the plan choice. The vision coverage is a completely employee-paid premium plan. (Please note that a draft minute excerpt from this meeting was not yet available at print time for this Agenda packet.)

Staff recommends approval of Resolution No. R-2202 as presented.

KEY DISCUSSION POINTS

- Lori Remington read the Executive Summary.
- Councilor Jozwiak reported Holmes Murphy would be willing to meet and educate the employees aware of how the plan works.
- Lori Remington added the process has started to meet with employees and give them the information they need to use these benefits.

ACTION

Motion by Councilor, District 1 Jimmie J. Pena, seconded by Councilor, District 2 Susan Euton to approve Resolution No. R-2202, a Resolution authorizing funding for a Contract with EyeMed for vision care benefits for City employees, qualified retirees, and their dependents; and, authorizing the Rosenberg Employee Benefits Trust to negotiate and execute a Contract for same.

VOTE: 7 - 0 Carried - Unanimously

10. *This item was formerly Item 9 on the Regular Agenda.*
Consideration of and action on Resolution No. R-2203, a Resolution approving employee and retiree premium contribution rates to the City's health insurance plan.

EXECUTIVE SUMMARY

On August 20, 2013, the City Council approved Resolution No. R-1688, which adopted a Premium Incentive Program under the Affordable Care Act (ACA) health care reform law, effective January 01, 2014. In January 2014, the Biometric Screening and Risk Assessment incentive was implemented. In Fiscal Year 2014-2015, the Tobacco Use incentive was implemented. In order to receive the premium incentive deductions, the employee must comply with the established incentive regulations. The Premium Incentive Program will continue in FY2017.

As noted in the BlueCross and BlueShield Contract (previous Agenda item), the health insurance rates will increase 13% for FY2017. During the August 8, 2016 Joint Meeting of the Employee Benefits Committee and the Employee Benefits Trust, the current premium contribution rates for employee/retiree and dependent coverage were reviewed. Staff recommended and the Committee voted to continue the contribution rates at the current level including 95% of the employee premium paid by the City and 5% paid by the employee. In addition, 50% of the dependent premiums paid by the employee and 50% paid by the City.

On December 06, 2005, the City Council approved Resolution No. R-697, amending the policy on health insurance premium payments for its retirees based on a sliding scale for the years of service to the City of Rosenberg, effective January 01, 2006. This policy continues to govern retiree contribution rates for healthcare premiums.

The Employee Benefits Committee and the Employee Benefits Trust recommend approving employee and tenured retiree premium contribution rates to the City's health insurance plan at the current level, in which the percentage paid by the employee and the City remain 95% paid by the City for employee coverage and 5% paid by the employee for employee coverage when two (2) incentives are met; and 50% paid by employee and 50% by the City for dependent coverage. In addition, staff and the Committee recommend continuing the Premium Incentive Program for FY2017. The actual premium costs for FY2017 are attached to Resolution No. R-2203 as Exhibit "A". Staff and the Committee recommend approval of Resolution No. R-2203, which includes the City's contribution of 95% for employee coverage and 50% for dependent coverage.

Staff recommends approval of Resolution No. R-2203, a Resolution approving employee and retiree premium contribution rates to the City's health insurance plan.

KEY DISCUSSION POINTS

- Joyce Vasut read the Executive Summary.
- Councilor Moses recommended Staff look into this at the beginning of the year and make some adjustments.
- Mayor McConathy asked for the number of participants bound by the 2006 Resolution.
- Joyce Vasut said she would research that number.

ACTION

Motion by Councilor, District 4 Lynn Moses, seconded by Councilor at Large, Position 2 Amanda J. Barta to approve Resolution No. R-2203, a Resolution approving employee and retiree premium contribution rates to the City's health insurance plan.

VOTE: 7 - 0 Carried - Unanimously

11.

This item was formerly Item 10 on the Regular Agenda.

Consideration of and action on Resolution No. R-2204, a Resolution authorizing the Interim City Manager to negotiate and execute, for and on behalf of the City, a Proposal for Software Solutions, by and between the City and Tyler Technologies, for software related products and services, in the amount not to exceed \$400,000.00.

EXECUTIVE SUMMARY

At the March 22, 2016 City Council Workshop, staff presented an overview of the current Springbrook software and challenges that staff has encountered over the past five years. Staff has identified numerous issues using the Springbrook software when attempting to implement technology enhancements to improve customer service, as well as other internal inefficiencies. City Council agreed that staff should investigate software alternatives, gather costs estimates and provide a recommendation to City Council for software improvements.

A team of ten (10) staff members investigated the alternatives and participated in demonstrations from two (2) of the top governmental software vendors. Although both vendors have a presence in Texas, Tyler Technologies (Tyler) is a Texas company located in Lubbock. Tyler currently has over 250 clients in Texas and over 3,500 across the United States. Information regarding Tyler as well as a list of references has been included for review.

Tyler Technologies will provide the following software services for Rosenberg:

- Financial Management Suite - including general ledger, budget preparation, bank reconciliation, accounts payable, purchasing, fixed assets, project accounting, positive pay and secure signatures
- Personnel Management Suite - including personnel management, employee self serve (employee portal), time and attendance and applicant tracking
- Customer Relationship Management Suite - utility billing, tax liens, utility payments, mobile service orders, third party bill printing, cashiering, and work orders
- Energov Permitting and Land Management Suite - including permits, inspections, licenses, code enforcement, and customer portal
- Content Management Suite - including printing and reporting solutions, enhanced utility bill forms and content management

The proposal also includes conversions services, project management services, online services and minimal hardware costs. The proposal was not complete at the time of printing and will be presented at the City Council meeting.

Staff recommends approval of Resolution No. R-2204 authorizing the Interim City Manager to negotiate and execute a proposal for software solutions with Tyler Technologies in an amount not to exceed \$400,000.

KEY DISCUSSION POINTS

- Joyce Vasut read the Executive Summary.
- Councilor Moses asked if there would be a presentation of the software.
- Joyce Vasut explained fifteen (15) to twenty (20) staff members attended an all day presentation with two companies on the different modules before the decision was made to go with Tyler Technologies.
- Councilor Moses asked if this software would improve what we have now.
- Joyce Vasut reported some of the improvements would be the payment kiosk and ability to take payments over the phone, improvement to on-line services, and add additional features we do not have now.
- Mayor McConathy reminded Council there is a representative from Tyler Technology present to answer any questions. She also stated all departments had an opportunity to see the software applications to become a more efficient department. She attended some of the demonstrations and saw the employees were elated with the improvements to the software we use now.
- Joyce Vasut introduced KC Staner with Tyler Technologies.
- KC Staner explained how the software would interact between departments.
- Councilor Benton explained that he wanted to be able to convey the differences when people ask him.
- Councilor Barta asked if we will need any training and hardware for this software.
- KC Staner explained Tyler Technology's training, but there could be additional hardware, such as a dedicated server, that would be needed. He also explained the conversion would have some staff involvement. Tyler Technology would ask for some reports to populate, which is no small project, but they have found the legacy conversion is easier.
- KC Staner stated future upgrades are included when the next upgrades come out, they are included in the

- annual maintenance costs.
- Councilor Euton said it sounds great and it is integrated as we want. She asked if there was an out clause.
- KC Staner said they have never failed an implementation from the Tyler Technologies. He said it is a partnership with the City.
- Councilor Euton asked about the response time when problems arise.
- KC Staner said the average wait time is six to eight minutes. Customers talk to a support engineer to walk them through problems. Service maintenance hours are 7:00 a.m. to 7:00 p.m. based out of Lubbock, Texas. There is an option for additional support for up to twenty-four (24) hours seven (7) days a week, and an emergency phone contact.
- Mayor McConathy asked about the implementation process and the hours of service, as well as the timeline for the project.
- KC Staner explained the City will work with an implementation team and that team will be on site at the City to get the software started. It will be implemented in phases over a period of time of about nine (9) to twelve (12) months.

ACTION

Motion by Councilor at Large, Position 2 Amanda J. Barta, seconded by Councilor, District 4 Lynn Moses to approve Resolution No. R-2204, a Resolution authorizing the Interim City Manager to negotiate and execute, for and on behalf of the City, a Proposal for Software Solutions, by and between the City and Tyler Technologies, for software related products and services, in the amount not to exceed \$400,000.00.

VOTE: 7 - 0 Carried - Unanimously

12. *This item was formerly Item 11 on the Regular Agenda.*
Consideration of and action on Resolution No. R-2205, a Resolution authorizing the Interim City Manager to execute, for and on behalf of the City, Budget Amendment 16-11 to appropriate funds for software and hardware solutions in the amount of \$450,000.00.

EXECUTIVE SUMMARY

As discussed in the previous Agenda item, the cost to fund new software and services through Tyler Technologies for the City is approximately \$400,000.00. Budget Amendment 16-11, in the amount of \$450,000.00, will allocate funds for the cost of the software solutions provided by Tyler Technologies and provide for other necessary technology enhancements including software and hardware from other vendors to compliment Tyler Technologies' software proposal.

Budget Amendment 16-11 is included as Exhibit "A" to Resolution No. R-2205 and staff recommends approval of Resolution No. R-2205 as presented.

KEY DISCUSSION POINTS

- Joyce Vasut read the Executive Summary and pointed out the staff recommendation to use \$150,000.00 from technology fund and \$100,000.00 from the water fund, since one-quarter of the project is for the utility billing system.
- Councilor Benton asked about the Budget Amendment and asked for clarification of the amounts listed on Exhibit "A".
- Joyce Vasut explained the transfer amounts to cover these costs and further explained Fund Balances as well as Reserve Funds.
- Councilor Moses stated she is confident that this is a good contract that is being negotiated.
- Mayor McConathy clarified the Unreserved Fund Balance is based on many variables, one of which is an amount required to be reserved in the City Budget.
- Joyce Vasut added that the previous two-three years sales tax was higher than the revenue we budgeted, and that excess sales tax was transferred to the Fund Balance.

ACTION

Motion by Councilor at Large, Position 2 Amanda J. Barta, seconded by Councilor, District 2 Susan Euton to approve Resolution No. R-2205, a Resolution authorizing the Interim City Manager to execute, for and on behalf of the City, Budget Amendment 16-11 to appropriate funds for software and hardware solutions in the amount of \$450,000.00.

VOTE: 7 - 0 Carried - Unanimously

13. *This item was formerly Item 12 on the Regular Agenda.*
Consideration of and action on Resolution No. R-2188, a Resolution awarding Bid No. 2016-15 for Parks Grounds Maintenance; and authorizing the Interim City Manager to negotiate and execute, for and on behalf of the City, appropriate documents and/or agreements regarding same.

EXECUTIVE SUMMARY

On Wednesday, July 20, 2016, bids were received and opened for the City of Rosenberg (City) Parks Grounds Maintenance Contract. A total of six (6) bids were received as indicated on the attached bid summary form.

Zaurex Construction, Inc., (Zaurex) of Houston submitted the lowest bid in the amount of \$42,996.00. However,

Zaurex did not include references as required per the instructions in the bid packet. Additionally, Zaurex has been in business for less than one (1) year. For these reasons, staff recommends the bid be awarded to Plantation Irrigation and Landscaping, LLC, (Plantation) of Richmond, who submitted the next lowest bid in the amount of \$62,055.00. Plantation's references were satisfactory and they have been in business for seven (7) years. Proposals from both Zaurex and Plantation are attached for review.

Staff recommends approval of Resolution No. R-2188, awarding Bid No. 2016-15 to Plantation Irrigation and Landscaping, LLC, and authorizing the Interim City Manager to negotiate and execute a General Services Contract in the amount of \$62,055.00 for complete Parks Grounds Maintenance to include Tony Becerra, Brazos, Macario Garcia, Harwood and Riverbend Parks, for a one (1) year term, with an option to renew at the same price for an additional one (1) year term. Should City Council award Bid No. 2016-15 as recommended, the proposal from Plantation will serve as Exhibit "A" to Resolution No. R-2188. The contract time is 365 calendar days consistent with Fiscal Year 2016-17.

KEY DISCUSSION POINTS

- Darren McCarthy read the Executive Summary.
- Councilor Moses was glad the City received six bids for this contract.
- Councilor Benton asked about the number of mows and why the City employees do not mow the properties.
- Darren McCarthy answered that when the City loses employees, he compares the cost of re-hiring employees to contracting the mowing to outside vendors. It costs less to contract the service, then it does to hire employees.

ACTION

Motion by Councilor, District 4 Lynn Moses, seconded by Councilor at Large, Position 2 Amanda J. Barta to approve Resolution No. R-2188, a Resolution awarding Bid No. 2016-15 for Parks Grounds Maintenance to Plantation Irrigation and Landscaping, LLC, in the amount of \$62,055.00; and authorizing the Interim City Manager to negotiate and execute, for and on behalf of the City, appropriate documents and/or agreements regarding same.

VOTE: 7 - 0 Carried - Unanimously

14. *This item was formerly Item 13 on the Regular Agenda.*
Hold Executive Session to deliberate the potential purchase, exchange, lease or value of real property pursuant to Texas Government Code Section 551.072; and, to deliberate the appointment, employment, and duties of the Municipal Court Judge and the evaluation and duties of the Chief of Police pursuant to Section 551.074 of the Texas Government Code.

ACTION

Motion by Councilor at Large, Position 2 Amanda J. Barta, seconded by Councilor, District 4 Lynn Moses to adjourn to Executive Session.

VOTE: 7 - 0 Carried - Unanimously

15. *This item was formerly Item 14 on the Regular Agenda.*
Adjourn Executive Session, reconvene Regular Session, and take action as necessary as a result of Executive Session.
Mayor McConathy adjourned Executive Session and reconvened into Regular Session at 10:19 p.m.

ACTION

Motion by Councilor, District 2 Susan Euton, seconded by Councilor, District 4 Lynn Moses to authorize Resolution R-2207, a Resolution of the City Council of the City of Rosenberg, Texas, directing the Interim City Manager or the City Manager's designee to execute all documents to institute eminent domain proceedings for the acquisition of a 0.1120 of an acre tract for a permanent public street right of way, consisting of a 0.1120 of an acre (4,877 square feet) being out of a certain tract of land conveyed to Sally Jane Cohen, as recorded in Volume 2608, Page 1397 of the Fort Bend County Deed Records (F..B.C.D.R.), located in the Eugene Wheat Survey, Abstract No. 396, City of Rosenberg, Fort Bend County, Texas; property owned and claimed by Sally Jane Cohen; and directing the City Attorney to initiate condemnation proceedings. This will be for the Bryan Road widening project, including utility infrastructure project.

Yeses: Mayor McConathy, Councilors Barta, Pena, Euton, Jozwiak, and Moses. Councilor Benton abstained.

VOTE: 6 - 0 Carried

16. *This item was formerly Item 15 on the Regular Agenda.*
Adjournment.
There being no further business, Mayor McConathy adjourned the meeting at 10:22 p.m.

Linda Cernosek

Linda Cernosek, TRMC, City Secretary