

## **NOTICE OF SPECIAL CITY COUNCIL MEETING**

**NOTICE IS HEREBY GIVEN THAT THE CITY COUNCIL OF THE CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS, WILL MEET IN SPECIAL SESSION OPEN TO THE PUBLIC AS FOLLOWS:**

**DATE:** Tuesday, August 23, 2016  
**TIME:** 6:00 p.m.  
**PLACE:** Rosenberg City Hall  
City Hall Council Chamber  
2110 4th Street  
Rosenberg, Texas 77471  
**PURPOSE:** Special City Council Meeting, agenda as follows:

**The City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed below, as authorized by Title 5, Chapter 551, of the Texas Government Code.**

Call to order: City Hall Council Chamber

Announcements.

### **GENERAL COMMENTS FROM THE AUDIENCE.**

Citizens who desire to address the City Council with comments of a general nature will be received at this time. Each speaker is limited to three (3) minutes. In accordance with the Texas Open Meetings Act, the City Council is restricted from discussing or taking action on items not listed on the agenda. It is our policy to have all speakers identify themselves by providing their name and residential address when making comments.

### **COMMENTS FROM THE AUDIENCE FOR CONSENT AND REGULAR AGENDA ITEMS.**

Citizens who desire to address the City Council with regard to matters on the Consent Agenda or Regular Agenda will be received at the time the item is considered. Each speaker is limited to three (3) minutes. Comments or discussion by the City Council Members will only be made at the time the agenda item is scheduled for consideration. It is our policy to have all speakers identify themselves by providing their name and residential address when making comments.

### **REGULAR AGENDA**

1. Hold public hearing to consider comments relating to Fiscal Year 2016-2017 Proposed Budget, which includes the City of Rosenberg's Capital Improvement Plan (CIP), and take action as necessary. (Joyce Vasut, Executive Director of Administrative Services)
2. Hold first public hearing to consider comments relating to the proposed Ad Valorem Tax Rate for the Fiscal Year beginning October 01, 2016, and ending September 30, 2017, and take action as necessary. (Joyce Vasut, Executive Director of Administrative Services)
3. Review and discuss Fiscal Year 2016-2017 Budget as submitted by the Interim City Manager on July 26, 2016, pursuant to the Rosenberg City Charter, and take action as necessary. (Joyce Vasut, Executive Director of Administrative Services)
4. Consideration of and action on Resolution No. R-2206, a Resolution authorizing the Interim City Manager to execute, for and on behalf of the City, Budget Amendment 16-12 to appropriate funds for legal services in the amount of \$100,000.00. (Joyce Vasut, Executive Director of Administrative Services)

5. Consideration of and action on Resolution No. R-2208, a Resolution directing the Interim City Manager or the Interim City Manager's designee to execute all documents to institute eminent domain proceedings for the acquisition of a 0.021 acre tract for a permanent public street right of way, consisting of a 0.021 acre tract of land in the S.B. Pentecost Survey, Abstract 378, City of Rosenberg, Fort Bend County, Texas, being out of and a part of Reserve "A" of Bass Bryan Road Tract Subdivision, according to map or plat thereof recorded under County Clerk's File Number 20100042, Plat Records, Fort Bend County, Texas; property owned and claimed by Bass Investment Group, LLC; and directing the City Attorney to initiate condemnation proceedings. (John Maresh, Interim City Manager)
6. Consideration of and action on Resolution No. R-2209, a Resolution directing the Interim City Manager or the Interim City Manager's designee to execute all documents to institute eminent domain proceedings for the acquisition of a 0.2913 acre tract for a permanent public street right of way, consisting of a 0.2913 acre tract of land conveyed to Arthur W. Snyder, Jr. and wife, June Snyder, as recorded in Volume 542, Page 837 of the Fort Bend County Deed Records (F.B.C.D.R.), located in the S.B. Pentecost Survey, Abstract No. 378 and Eugene Wheat Survey, Abstract No. 396, City of Rosenberg, Fort Bend County, Texas; property owned and claimed by Arthur W. Snyder, Jr. and wife, June Snyder; and directing the City Attorney to initiate condemnation proceedings. (John Maresh, Interim City Manager)
7. Consideration of and action on Resolution No. R-2210, a Resolution directing the Interim City Manager or the Interim City Manager's designee to execute all documents to institute eminent domain proceedings for the acquisition of a 0.2356 acre tract for a permanent public street right of way, consisting of a 0.2356 acre tract of land conveyed to Noel A. Bryan, as recorded in Volume 913, Page 289 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 Noel A. Bryan; and directing the City Attorney to initiate condemnation proceedings. (John Maresh, Interim City Manager)
8. Consideration of and action on Resolution No. R-2211, a Resolution directing the Interim City Manager or the Interim City Manager's designee to execute all documents to institute eminent domain proceedings for the acquisition of a 0.1735 acre tract for a permanent public street right of way, consisting of a 0.1735 acre tract of land conveyed to Robert Allen Wright and wife, Alice Bowen Wright, as recorded in Volume 366, Page 562 and Volume 2522, Page 220 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 Robert Allen Wright and wife, Alice Bowen Wright; and directing the City Attorney to initiate condemnation proceedings. (John Maresh, Interim City Manager)
9. Consideration of and action on Resolution No. R-2212, a Resolution directing the Interim City Manager or the Interim City Manager's designee to execute all documents to institute eminent domain proceedings for the acquisition of a 0.0747 acre tract for a permanent public street right of way, consisting of a 0.0747 acre tract of land conveyed to Theodore George Jablonski and wife, Patricia L. Jablonski, as recorded in Volume 865, Page 26 and Volume 2699, Page 2184 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 Theodore George Jablonski and wife, Patricia L. Jablonski; and directing the City Attorney to initiate condemnation proceedings. (John Maresh, Interim City Manager)
10. Consideration of and action on Resolution No. R-2213, a Resolution directing the Interim City Manager or the Interim City Manager's designee to execute all documents to institute eminent domain proceedings for the acquisition of a 0.0418 acre tract for a permanent public street right of way, consisting of a 0.0418 acre tract of land conveyed to Judith K. Bryan, as recorded in File No. 2000058345 of the Official Public Records of Real Property of Fort Bend County, Texas (O.P.R.R.P.F.B.C., Tx), located in the Eugene Wheat Survey, Abstract No. 396, City of Rosenberg, Fort Bend County, Texas; property owned and claimed by Judith K. Bryan; and directing the City Attorney to initiate condemnation proceedings. (John Maresh, Interim City Manager)

11. Consideration of and action on Resolution No. R-2214, a Resolution directing the Interim City Manager or the Interim City Manager's designee to execute all documents to institute eminent domain proceedings for the acquisition of a 0.0773 acre tract for a permanent public street right of way, consisting of a 0.0773 acre tract of land conveyed to Norman Carlton Bryan and wife, Judy Koym Bryan, as recorded in Volume 762, Page 822 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 Norman Carlton Bryan and wife, Judy Koym Bryan; and directing the City Attorney to initiate condemnation proceedings. (John Maresh, Interim City Manager)
12. Consideration of and action on Resolution No. R-2215, a Resolution directing the Interim City Manager or the Interim City Manager's designee to execute all documents to institute eminent domain proceedings for the acquisition of a 0.1193 acre tract for a permanent public street right of way, consisting of a 0.1193 acre tract of land conveyed to Hampton A. Bryan, Jr. and wife, Brenda Bryan, as recorded in Volume 2460, Page 2508 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 Hampton A. Bryan, Jr. and wife, Brenda Bryan; and directing the City Attorney to initiate condemnation proceedings. (John Maresh, Interim City Manager)
13. Hold Executive Session to consult with the City Attorney to seek or receive advice on legal matters regarding pending or contemplated litigation regarding a Union Pacific Railroad Company request to close Junker Road crossing pursuant to Section 551.071 of the Texas Government Code; 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 City Manager pursuant to Section 551.074 of the Texas Government Code.
14. Adjourn Executive Session, reconvene Special Session, and take action as necessary as a result of Executive Session.
15. Adjournment.

DATED AND POSTED this the 19<sup>th</sup> day of August 2016, at 10:20 A. m.,

by Linda Cernosek

Linda Cernosek

Attest:  
Linda Cernosek, TRMC, City Secretary



John Mares

Approved for Posting:  
John Mares, Interim City Manager

Cynthia A. McConathy

Approved:  
Cynthia A. McConathy, Mayor

**Reasonable accommodation for the disabled attending this meeting will be available; persons with disabilities in need of special assistance at the meeting should contact the City Secretary at (832) 595-3340.**

**Executive Sessions: The City Council may retire to executive session in accordance with the Texas Government Code, any time between the meeting's opening and adjournment for the purposes of:**

- consultation with legal counsel (Section 551.071);
- deliberation regarding real property (Section 551.072);
- deliberation regarding economic development negotiations (Section 551.087)
- deliberation regarding the deployment or specific occasions for implementation of security personnel or devices (Section 551.076)

**Attendance by other elected or appointed officials: It is anticipated that members of other city boards, commissions or committees whose meetings may be governed by the Texas Open Meetings Act may attend this meeting in numbers that may constitute a quorum of the other city boards, commissions or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a possible quorum/meeting of the other boards, commissions or committees of the City, whose members may be in attendance. The members may speak as recognized by the presiding officer, but no action may be taken by any board, commission or committee unless such item is specifically provided for on an agenda designated for that board, commission or committee and posted in compliance with the Texas Open Meetings Act.**

**This Agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering the available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.**