

NOTICE OF REGULAR CITY COUNCIL MEETING

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

DATE: Tuesday, September 6, 2016
TIME: 7:00 p.m.
PLACE: Rosenberg City Hall
City Hall Council Chamber
2110 4th Street
Rosenberg, Texas 77471
PURPOSE: Regular City Council Meeting, agenda as follows:

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

Call to order: City Hall Council Chamber

Invocation and Pledge of Allegiance. (Reverend Daniel Haas, St. John's United Church of Christ, Rosenberg)

Presentation of Rosenberg Image Committee Beautification and Renovation Awards. (William Benton, Councilor at Large, Position One)

Announcements.

GENERAL COMMENTS FROM THE AUDIENCE.

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

COMMENTS FROM THE AUDIENCE FOR CONSENT AND REGULAR AGENDA ITEMS.

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

CONSENT AGENDA

1. Review of Consent Agenda.

All Consent Agenda items listed are considered to be routine by the City Council and may be enacted by one (1) motion. There will be no separate discussion of Consent Agenda items unless a City Council Member has requested that the item be discussed, in which case the item will be removed from the Consent Agenda and considered in its normal sequence on the Regular Agenda.

- A. Consideration of and action on Workshop Meeting Minutes for August 06, 2016, Special Meeting Minutes for August 08, 2016, and Regular Meeting Minutes for August 16, 2016. (Linda Cernosek, City Secretary)
- B. Consideration of and action on the proposed placement of two (2) pole-mounted radar speed signs along 4th Street near Parrott Avenue. (William Benton, Councilor at Large, Position One)

- C. Consideration of and action on an Amending Plat of Stonecreek Estates Section One Amending Plat No. 1, a subdivision of 76.47 acres of land out of the Wiley Martin Survey, A-56, Fort Bend County, Texas; 185 lots, 8 reserves, 9 blocks. (Ian Knox, Planning Administrator)
- D. Consideration of and action on a Final Plat of Walnut Creek Benton Road Street Dedication and Reserve, a subdivision of 1.761 acres (0.572 acres within the City of Rosenberg and 1.189 acres within the ETJ of the City of Rosenberg) containing 0 lots, 1 block and 1 restricted reserve out of the Wiley Martin League, A-56, the City of Rosenberg, Fort Bend County, Texas. (Ian Knox, Planning Administrator)

REGULAR AGENDA

- 2. Hold second public hearing on a Strategic Partnership Agreement by and between the City and Fort Bend County Municipal Utility District No. 155 (Bonbrook Plantation). (Travis Tanner, Executive Director of Community Development)
- 3. Consideration of and action on Resolution No. R-2217, a Resolution authorizing the Mayor to execute, for and on behalf of the City, a Strategic Partnership Agreement, by and between the City and Fort Bend County Municipal Utility District No. 155 (Bonbrook Plantation). (Travis Tanner, Executive Director of Community Development)
- 4. Consideration of and action on Ordinance No. 2016-27, an Ordinance granting consent to the Fort Bend County Municipal Utility District No. 158 (River Run at the Brazos and Rivers Mist) for the sale and issuance of Unlimited Tax Bonds, Series 2016, in an amount not to exceed \$1,995,000, and Unlimited Park Bonds, Series 2016A, in an amount not to exceed \$1,330,000. (Travis Tanner, Executive Director of Community Development)
- 5. Consideration of and action on Resolution No. R-2219, a Resolution authorizing the Mayor to execute, for and on behalf of the City, a Fire Protection Agreement, by and between the City and Fort Bend County Municipal Utility District No. 184 (Stonecreek Estates). (Wade Goates, Fire Chief)
- 6. Consideration of and action on Resolution No. R-2222, a Resolution authorizing issuance of Fort Bend County Municipal Utility District No. 94 (which includes Villages of Town Center) Unlimited Tax Refunding Bonds, Series 2016, in an amount not to exceed \$2,565,000.00. (Joyce Vasut, Executive Director of Administrative Services)
- 7. Consideration of and action on Ordinance No. 2016-28, an Ordinance approving and adopting the City of Rosenberg, Texas, Budget for the Fiscal Year 2016-2017; making appropriations for the City for such year as reflected in said Budget; and making certain findings and containing certain provisions relating to the subject. (Joyce Vasut, Executive Director of Administrative Services)
- 8. Consideration of and action on ratification of adoption of a Budget that will require raising more revenue from property taxes than in the previous year. (Joyce Vasut, Executive Director of Administrative Services)
- 9. Consideration of and action on Ordinance No. 2016-29, an Ordinance providing for the levy and collection of ad valorem taxes of the City of Rosenberg, Texas, for the Year 2016; providing for the date on which such taxes shall be due and payable; providing for penalty and interest on all taxes not timely paid; repealing all ordinances or parts of ordinances inconsistent or in conflict herewith; and providing for severability. (Joyce Vasut, Executive Director of Administrative Services)
- 10. Consideration of and action on Ordinance No. 2016-30, an Ordinance authorizing and ordering the issuance of the City of Rosenberg, Texas, Combination Tax and Revenue Certificates of Obligation, Series 2016; awarding the sale thereof; and containing matters incident thereto. (Joyce Vasut, Executive Director of Administrative Services)

11. Consideration of and action on Ordinance No. 2016-31, an Ordinance amending the Code of Ordinances by amending Section 25-137 of Article VI of Chapter 25 thereof entitled "Schedule of Fees"; providing for revised infrastructure plan review and inspection fees to be established by resolution of City Council; 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; providing for severability; and providing for an effective date. (Joyce Vasut, Executive Director of Administrative Services)
12. Consideration of and action on Resolution No. R-2223, a Resolution regarding a schedule of fees for plan review and inspections related to land plans, plats, variances, and infrastructure improvements. (Joyce Vasut, Executive Director of Administrative Services)
13. Consideration of and action on Resolution No. R-2221, a Resolution awarding Bid No. 2016-20 for 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. (Joyce Vasut, Executive Director of Administrative Services)
14. Consideration of and action on appointments to the City's Charter Review Committee. (Linda Cernosek, City Secretary)
15. Consideration of and action on Amended Resolution No. R-2207, an amended Resolution directing Interim City Manager, or the Interim City Manager's designee, to execute all documents to institute eminent domain proceedings for the acquisition of a 0.1120 of an acre tract (4,877 square feet) and a 0.0023 of an acre tract (100 square feet) for a permanent public street right of way and appurtenant easement, both tracts 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. (John Maresh, Interim City Manager)
16. Hold Executive Session to hear and evaluate a complaint against employee(s) pursuant to Section 551.074(a)(2), and to receive legal advice regarding said complaint as well as to receive legal advice regarding Council duties pursuant to City Charter Section 3.07, and to receive advice on legal matters regarding pending or contemplated litigation regarding Texas Department of Transportation v. City of Rosenberg condemnation proceedings and the dispute with Imperial Performing Arts, Inc., all 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; to deliberate the appointment, employment and duties of the Municipal Court Judge pursuant to Section 551.074 of the Texas Government Code; and, to discuss economic development negotiations pursuant to Section 551.087 of the Texas Government Code.
17. Adjourn Executive Session, reconvene Regular Session, and take action as necessary as a result of Executive Session.
18. Adjournment.

DATED AND POSTED this the 2nd day of September, 2016, at 11:20A m.,

by

Linda Cernosek

Linda Cernosek

Attest:

Linda Cernosek, TRMC, City Secretary



Joyce Vasut

Approved for Posting:

Joyce Vasut, Acting City Manager

Approved:

Cynthia A. McConathy
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.