

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 20, 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 Rodrick Perkins, The Place Church, Rosenberg)

Recognition of City-County Communications & Marketing Association Silver Circle Award for Graphic Design Publications awarded on September 08, 2016, to Communications Manager Jenny Pavlovich for the *Rosenberg Insider*. (John Maresh, Interim City Manager)

Presentation of Proclamation Proclaiming the Month of September 2016 as Preparedness Month in the City of Rosenberg. (Cynthia A. McConathy, Mayor)

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 Special Meeting Minutes for August 23, 2016, Workshop Meeting Minutes for August 23, 2016, Special Meeting Minutes for August 27, 2016, and Special Meeting Minutes for August 30, 2016. (Linda Cernosek, City Secretary)

- B. Consideration of and action on Resolution No. R-2224, a Resolution authorizing the Interim City Manager to execute, for and on behalf of the City, an Interlocal Agreement, by and between the City and the Fort Bend Subsidence District regarding participation as a sponsor in the Water Conservation Education Program. (John Maresh, Interim City Manager)
- C. Consideration of and action on Resolution No. R-2218, a Resolution authorizing the temporary waiver of Code of Ordinances, Chapter 17 - Manufactured Housing, Mobile Homes and Travel Trailers and Parks, related to the Memorial Day flood 2016 event. (Travis Tanner, Executive Director of Community Development)

REGULAR AGENDA

- 2. Consideration of and action on Resolution No. R-2229, a Resolution accepting the Fort Bend County Elevation and Buyout Hazard Mitigation Grant Program (HMGP) Program Design Summary. (Travis Tanner, Executive Director of Community Development)
- 3. Consideration of and action on Resolution No. R-2226, a Resolution authorizing the Interim City Manager to execute, for and on behalf of the City, Change Order No. 1 to the Contract by and between the City and Texas Pride Utilities, LLC, for the Miscellaneous Water and Sanitary Sewer Line Improvements Project in an amount not to exceed \$119,000.00. (John Maresh, Interim City Manager)
- 4. Consideration of and action on Resolution No. R-2227, 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 0.0769 of an acre tract of land being out of a certain tract of land conveyed to James Michael Waller, as recorded in Volume 2698, Page 1016 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 James Michael Waller; and directing the City Attorney to initiate condemnation proceedings. (John Maresh, Interim City Manager)
- 5. Consideration of and action on Resolution No. R-2228, a Resolution awarding a bid for the purchase of a mini-excavator; and, authorizing the Interim City Manager to negotiate and execute, for and on behalf of the City, appropriate documents and/or agreements regarding same. (John Maresh, Interim City Manager)
- 6. Consideration of and action on Resolution No. R-2220, a Resolution authorizing the Interim City Manager to write-off certain uncollectible accounts receivable in the amount of \$51,372.86. (Joyce Vasut, Executive Director of Administrative Services)
- 7. Consideration of and action on Resolution No. R-2225, a Resolution authorizing the Interim City Manager to execute, for and on behalf of the City, Budget Amendment 16-13 in the amount of \$20,629.28 for write-off of certain uncollectable accounts receivable. (Joyce Vasut, Executive Director of Administrative Services)
- 8. 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 hear and evaluate a complaint against employee(s) pursuant to Texas Government Code Section 551.074(a)(2), and to receive legal advice regarding said complaint pursuant to Section 551.071 of the Texas Government Code.
- 9. Adjourn Executive Session, reconvene Regular Session, and take action as necessary as a result of Executive Session.
- 10. Adjournment.

DATED AND POSTED this the 16th day of September 2016, at 9:45a m.,

by Cynthia Sullivan

Cynthia Sullivan

Attest:

Cynthia Sullivan, Assistant City Secretary



John Maresh

Approved for Posting:

John Maresh, 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.