

## NOTICE OF REGULAR 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, March 03, 2015

**TIME:** 7:00 p.m.

**PLACE:** Rosenberg City Hall  
City Hall Council Chamber  
2110 4<sup>th</sup> 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 Kevin K. Barber, Wellspring Church International, Richmond )

Presentation of Certificate of Recognition to Janie Martinez for Obtaining Court Clerk Level II Certification from the Municipal Court Clerk Certification Program. (Joyce Vasut, Executive Director of Administrative Services)

### 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 February 05, 2015, and Regular Meeting Minutes for February 17, 2015. (Linda Cernosek, City Secretary)
  - B. Consideration of and action on Ordinance No. 2015-09, an Ordinance granting consent to Fort Bend County Municipal Utility District No. 158 for the sale and issuance of Unlimited Tax Bonds, Series 2015, in an amount not to exceed \$1,935,000.00. (Charles A. Kalkomey, City Engineer)
  - C. Consideration of and action on Resolution No. R-1931, a Resolution amending the authorized representatives of the City of Rosenberg in the Texas Local Government Investment Pool (TexPool) account. (Joyce Vasut, Executive Director of Administrative Services)
  - D. Consideration of and action on Resolution No. R-1932, a Resolution amending the authorized representatives of the City of Rosenberg in the Local Government Investment Cooperative (LOGIC). (Joyce Vasut, Executive Director of Administrative Services)
  - E. Consideration of and action on Resolution No. R-1933, a Resolution amending the authorized representatives of the City of Rosenberg in the Lone Star Investment Pool. (Joyce Vasut, Executive Director of Administrative Services)

- F. Consideration of and action on Resolution No. R-1934, a Resolution amending the authorized representatives of the City of Rosenberg in the Texas Class Investment Pool. (Joyce Vasut, Executive Director of Administrative Services)

**REGULAR AGENDA**

2. Review and discuss an independent analysis report of contact data collected by the Police Department for calendar year 2014, and take action as necessary. (Dallis Warren, Police Chief)
3. Consideration of and action on Comprehensive Annual Financial Report for the Fiscal Year ended September 30, 2014. (Joyce Vasut, Executive Director of Administrative Services)
4. Consideration of and action on Resolution No. R-1935, a Resolution authorizing the City Manager to execute, for and on behalf of the City, Budget Amendment 15-09, in the amount of \$1,588,430 for improvements to the Rosenberg Business Park, upsizing of a waterline along SH36 North, waterline improvements along Avenue H and Avenue I, and water well maintenance. (Joyce Vasut, Executive Director of Administrative Services)
5. Consideration of and action on Ordinance No. 2015-08, an Ordinance amending the Code of Ordinances by amending Section 29-50 of Division 1 of Article II of Chapter 29 thereof, establishing rates and charges for water service; providing an effective date; providing a penalty in an amount not to exceed \$2,000 for violation of any provision hereof; and providing for severability. (Joyce Vasut, Executive Director of Administrative Services)
6. Consideration of and action on Resolution No. R-1872, a Resolution authorizing the City Manager to execute, for and on behalf of the City, a Tax Abatement Agreement, by and between the City and Marquez Enterprises, L.L.C. (Randall Malik, Economic Development Director)
7. Hold Executive Session:
  - (a) to deliberate the potential purchase, exchange, lease, or value of real property pursuant to Section 551.072 of the Texas Government Code; and,
  - (b) to consult with City Attorney to seek legal advice regarding contract for hiring firm pursuant to Section 551.071(2) of the Texas Government Code; and,
  - (c) to consult with City Attorney on contemplated litigation regarding Texas Department of Transportation v. Rosenberg eminent domain proceedings pursuant to Section 551.071(1) of the Texas Government Code.
8. Adjourn Executive Session, reconvene into Regular Session, and take action as necessary as a result of Executive Session.
9. Announcements.
10. Adjournment.

[EXECUTION PAGE TO FOLLOW]

DATED AND POSTED this the \_\_\_\_\_ day of \_\_\_\_\_ 2015, at \_\_\_\_\_ m.,

by \_\_\_\_\_.

\_\_\_\_\_  
Attest:  
Anne Stark, Assistant City Secretary

\_\_\_\_\_  
Approved for Posting:  
Robert Gracia, City Manager

\_\_\_\_\_  
Approved:  
Vincent M. Morales, Jr., 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.

**Presentation of Certificate of Recognition to  
Janie Martinez for Obtaining the Court Clerk  
Level II Certification from the Municipal  
Court Clerk Certification Program.**

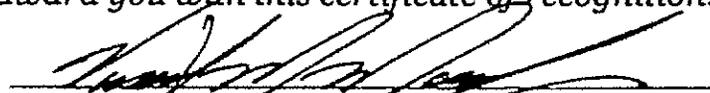
# City of Rosenberg

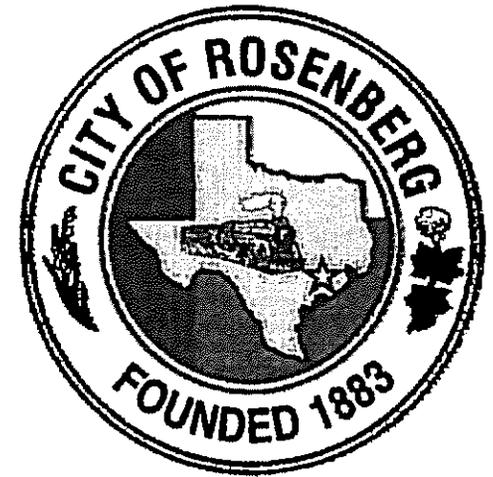
## CERTIFICATE OF RECOGNITION

*Be it hereby known to all, that*

***Ms. Janie Martinez***

*has on this 3rd day of March, 2015, been recognized by the City of Rosenberg for your accomplishment in obtaining the Court Clerk Level II Certification in the Municipal Court Clerk Certification Program. Ms. Martinez obtained this certification on December 23, 2014. It is with gratitude that we award you with this certificate of recognition.*

  
Vincent M. Morales, Jr., Mayor



## **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.**

# **ITEM 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.**

# **ITEM A**

## **Minutes:**

- 1. Special City Council Meeting Minutes – February 05, 2015**
- 2. Regular City Council Meeting Minutes – February 17, 2015**

**CITY OF ROSENBERG**  
**SPECIAL COUNCIL MEETING MINUTES**  
**\*\*\*DRAFT\*\*\***

On this the 5<sup>th</sup> day of February, 2015, the City Council of the City of Rosenberg, Fort Bend County, Texas, met in a Special Session, in the Rosenberg City Hall Council Chamber, located at 2110 4th Street, Rosenberg, Texas.

**PRESENT**

Vincent M. Morales, Jr.	Mayor
William Benton	Councilor at Large, Position 1
Cynthia McConathy	Councilor at Large, Position 2
Jimmie J. Pena	Councilor, District 1
Susan Euton	Councilor, District 2
Dwayne Grigar	Councilor, District 3
Amanda Barta	Councilor, District 4

**STAFF PRESENT**

Robert Gracia	City Manager
Linda Cernosek	City Secretary
Joyce Vasut	Executive Director of Administrative Services
Angelia Hayes	Court Administrator
Luis Garza	Accounting Supervisor

**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.**

Mayor Morales called the meeting to order at 6:30 p.m.

**GENERAL COMMENTS FROM THE AUDIENCE.**

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**AGENDA**

**1. REVIEW AND DISCUSS PRESENTATIONS FROM THE FOLLOWING FIRMS REGARDING REQUEST FOR PROPOSAL NO. 2014-19 FOR MUNICIPAL COURT COLLECTION SERVICES, AND TAKE ACTION AS NECESSARY.**

- Pioneer Credit Recovery;
- Perdue Brandon Fielder Collins and Mott, LLP; and,
- Linebarger Goggan Blair and Sampson, LLP.

**Executive Summary:** The City of Rosenberg solicited Request for Proposals (RFP) for Municipal Court Collection Services on November 09, 2014, and November 16, 2014, in the local newspaper as well as posting on the City website. A total of three (3) proposals were received in response to RFP No. 2014-09 on Thursday, November 26, 2014. Due to the size of the documents, the proposals have been distributed under separate cover for City Council review.

Representatives from the submitting firms will present their proposals. City Council will have an opportunity to pose questions to the presenting firms.

**Key discussion points:**

- Representatives from Pioneer Credit Recovery Pioneer Credit Recovery distributed handouts and began their presentation regarding the firm's qualifications, experience, and proposals.
  - **Questions presented by Council:**
  - **Q:** If we authorize you to take collections via credit card, do you take a portion of the fee?
  - **A:** No. Collections work as an add-on fee. The defendant pays the 30% collection fee. If the fee is paid directly to the court, we are notified that the violator paid in full and we would invoice the fee the next month. If the judge reduces the fine, or time is served, we work on a contingency basis. We have to collect the full amount before we get paid.
  - **C:** Our main concern is how aggressively you go after collections. These are our citizens, after all, not hardened criminals.
  - **A:** Traffic tickets are Class C Misdemeanors. We record every single phone call and have a zero tolerance policy for anyone being treated without respect.
  - **Q:** How many times do you make contact with the defendant?
  - **A:** Your RFP had a stipulation for a six-time, 180-day telephone and letter cycle, so we would follow that pattern. We start with letters, then phone calls when necessary. It will not be aggressive; it will be a chance for the defendant to meet the obligations of the court.
  - **Q:** If they indicate that they can make payments, do you make those arrangements, or does the court?
  - **A:** Your RFP dictates that payment goes directly to the court. We give them the online website to make payments. We do not call the court to let them know a payment agreement has been made, but that information would be available in the reports.
  - **Q:** Can you explain what skip-trace is?
  - **A:** We have a lot of proprietary resources where we can look into their information in order to make contact with them.
  - **Q:** If someone gets a letter from you, you have the 30% added on. If they go directly to the court to make payment, is that amount in your records for the court to collect on your behalf?
  - **A:** The current program your court is using will show that fee adjustment so that the court can collect the 30% and balance it to us.
  - **Q:** How long has the City been using a collection agency?
  - **A:** 20-30 years.
  - **C:** The main concern is that we do not want our citizens to feel harassed or agitated.
  - **C:** We would like to know how much credit a person gets for jail time served credit, and when was the last time it has been evaluated. This should be investigated internally and reported on in the future.
  - **C:** We do not have red light cameras and do not want them.
  - **Q:** Where is your closest office?
  - **A:** Galveston, Texas is where all of the customer service is out of.
  - **Q:** You all provide basically the same services at approximately the same cost. In an effort to differentiate, how does your company participate in the community of your clients?
  - **A:** We have a lot of community involvement in the communities we service. We donate to festivals and parades and various other events which take place in the city upon written requests from the City. Sally Mae was our parent company and set that standard.
- Representatives from Perdue Brandon Fielder Collins and Mott, LLP distributed handouts and began their presentation regarding the firm's qualifications, experience, and proposals.
  - **Questions presented by Council:**
  - **C:** When you look at the different companies and analyze, one distinguishing factor is how you partner in the community you serve. You have been a great partner in Fort Bend County. Explain what you do as a community partner.
  - **A:** For the Rosenberg Fourth of July event, we have been a sponsor and participant for many years. In other communities, we represent the school districts as a member of their Education Foundations. We participate in youth and animal fairs. We make it a point to try to give back and be a part of the community. Mike Swierka's wife is from the Rosenberg area and they personally participate in many local activities.
  - **Q:** How much commission have you made off of the violators in the City of Rosenberg?

- A: We get 30% commission. Off the top of my head, I would venture to guess approximately \$35,000 – 50,000 a year for about 10 years.
- Q: How much of that was collected from out-of-towners?
- A: Over 50% of collections are people who are not residents of the City.
- Q: How do you think the one sticker for registration and inspection will impact this collection process?
- A: It will take a couple of years to fully implement the program. I would bet that many of the initial tickets will be reprieved. Over time, the enforcement will increase and begin to generate revenue. It may make it easier to collect on warrants and things of that nature, but having a good address on the driver's license the biggest contributing factor.
- C: We like the no robo-calls, and contact only during regular business hours and through noon on Saturdays.
- Q: How does your software help you in your collection business compared to INCODE, and does that software have a cost to the City for implementation?
- A: INCODE focuses on managing courts and the majority of violators who pay, but there is a portion of that software called the Collection Module that exports data to us monthly. Any cost to implement that Collection Module was borne by us, and if the City wanted to change or modify their system, we would absorb any cost to update our necessary portion of the system.
- Q: The second warrant roundup offered in the Fall- is that a state program that everyone participates in?
- A: It is up to each city to determine how they want to participate in warrant roundups. Some choose to send letters during that time; others put more resources to collecting during that time. We would work in conjunction with the court and your warrant officer to tailor the program to suit your needs.
- C: The main concern is for the citizens themselves and the aggressiveness with which you go after these violators. The judge makes the determination for fees, and we hope that we don't overstep our boundaries, and that we treat our citizens and visitors with respect.
- C: Council would like to recognize the community involvement from your company. We have not had any complaints from citizens and it appears that you are doing a good job and have a good working relationship with the City.
- Representatives from Linebarger Goggan Blair and Sampson, LLP distributed handouts and began their presentation regarding the firm's qualifications, experience, and proposals.
  - **Questions presented by Council:**
  - Q: How does the warrant mapping software assist the courts?
  - A: The goal of the court is to minimize the number of cases on their delinquent docket. The mapping software lets warrant officers know where to locate the individuals with their last known good address so they are maximizing efficiency of their time.
  - Q: Can the court access and use the real time data program to see all of your historical contact with one particular violator?
  - A: That is correct.
  - Q: Did any of the other companies have the mapping app?
  - A: Perdue Brandon Fielder Collins and Mott, LLP had some mapping that could be utilized by the city.
  - Q: During a warrant roundup, do violators get a discount for turning themselves in?
  - A: The objective of the warrant round-up is a statewide initiative to encourage violators with outstanding warrants to clear them off of the docket before the arrest period begins. There is no discount. If the city would like to enter into an amnesty/discounted payment program after the roundup, we would be able to implement such a program if the City makes that request.
  - Q: How do the warrants work when we are not in a warrant roundup period?
  - A: The City of Rosenberg has one warrant officer who continuously works the warrant cases among other duties, but he does not necessarily spend a lot of time researching the location of violators, nor does he have the unlimited resources to do so.
  - Q: How does your company participate in the community which it serves?
  - A: We participate by joining the Chamber of Commerce, by supporting charitable organizations, by participating in activities sponsored by the City, and by volunteering in

cleanup efforts and various activities in the community. We pride ourselves in being good corporate citizens with all of our clients.

2. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1918, A RESOLUTION AWARDDING A BID IN RESPONSE TO REQUEST FOR PROPOSAL NO. 2014-19 FOR MUNICIPAL COURT COLLECTION SERVICES; AND, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE, FOR AND ON BEHALF OF THE CITY, APPROPRIATE DOCUMENTS AND/OR AGREEMENTS REGARDING SAME.**

**Executive Summary:** Resolution No. R-1918 allows for City Council to select a firm from the three (3) presenting firms to perform Municipal Court Collection Services. The proposal by the selected firm will be attached to Resolution No. R-1918 to serve as Exhibit "A".

**Key discussion points:**

- After additional discussion, Staff and Council recommend entering into a 2 year contract with Perdue Brandon Fielder Collins and Mott, LLP, effective May 1, 2015.

**Action:** Councilor McConathy made a motion, seconded by Councilor Euton to select and direct staff to award a bid in response to Request for Proposal No. 2014-19 for Municipal Court Collection Services; and, authorizing the City Manager to negotiate and execute, for and on behalf of the City, appropriate documents and/or agreements regarding same to Perdue Brandon Fielder Collins and Mott, LLP, with a contract effective date of May 1, 2015. The motion carried by a unanimous vote.

3. **ADJOURNMENT.**

There being no further business, the meeting adjourned at 8:40 p.m.

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Linda Cernosek, TRMC, City Secretary

**CITY OF ROSENBERG  
REGULAR COUNCIL MEETING MINUTES**

**\*\*\*DRAFT\*\*\***

On this the 17<sup>th</sup> day of February, 2015, 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**

Vincent M. Morales, Jr.	Mayor
William Benton	Councilor at Large, Position 1
Cynthia McConathy	Councilor at Large, Position 2
Jimmie J. Pena	Councilor, District 1
Susan Euton	Councilor, District 2
Dwayne Grigar	Councilor, District 3
Amanda Barta	Councilor, District 4

**STAFF PRESENT**

Robert Gracia	City Manager
Linda Cernosek	City Secretary
Scott Tschirhart	Attorney for the City
John Maresh	Assistant City Manager of Public Services
Joyce Vasut	Executive Director of Administrative Services
Charles Kalkomey	City Engineer
Dallis Warren	Police Chief
Tracie Dunn	Assistant Police Chief
William Henry	Police Officer
Wade Goates	Fire Chief
Randall Malik	Economic Development Director
Jeremy Heath	Assistant Economic Development Director
Jeff Trinker	Executive Director of Support Services
Travis Tanner	Executive Director of Community Development
Angela Fritz	Executive Director of Information Services
Darren McCarthy	Parks and Recreation Director

**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.**

Mayor Morales called the meeting to order at 7:00 p.m.

**INVOCATION AND PLEDGE OF ALLEGIANCE.**

Reverend Daniel Haas, St. John's United Church of Christ, Rosenberg, gave the invocation and led the pledge of allegiance to the flag.

**PRESENTATION OF CERTIFICATE OF APPRECIATION TO THE CHURCH FOR A DONATION OF CROSS-FIT EXERCISE EQUIPMENT TO THE ROSENBERG POLICE DEPARTMENT.**

Dallis Warren, Police Chief, presented a Certificate of Appreciation to THE CHURCH for a Donation of Cross-fit Exercise Equipment to the Rosenberg Police Department.

**PRESENTATION OF CERTIFICATE OF APPRECIATION TO THE CHURCH FOR A DONATION OF \$3,500 FOR THE PURCHASE AND INSTALLATION OF SOCCER FIELD LIGHTING AT COMMUNITY PARK.**

Darren McCarthy, Parks and Recreation Director, presented a Certificate of Appreciation to THE CHURCH for a Donation of \$3,500 for the Purchase and Installation of Soccer Field Lighting at Community Park.

## GENERAL COMMENTS FROM THE AUDIENCE.

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

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## CONSENT AGENDA

### 1. REVIEW OF CONSENT AGENDA.

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#### A. CONSIDERATION OF AND ACTION ON REGULAR MEETING MINUTES FOR FEBRUARY 03, 2015.

#### B. CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1916, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE, FOR AND ON BEHALF OF THE CITY, AN ASSET DISPOSITION SERVICES AGREEMENT, BY AND BETWEEN THE CITY AND PROPERTYROOM.COM, FOR PROFESSIONAL AUCTION SERVICES.

*Executive Summary:* The City Secretary and the Police Department are requesting approval to enter into an Agreement with PropertyRoom.Com to hold a City-wide auction to retire surplus equipment, confiscated items, and other salvaged property. The auction will be on-line and the PropertyRoom.Com will be the on-line auction service for all items.

The City has utilized PropertyRoom.com for auction services for the past few years and has been satisfied with the service provided.

The City Secretary recommends approval of Resolution No. R-1916 authorizing the City Manager to execute an Asset Disposition Services Agreement with PropertyRoom.com.

#### C. CONSIDERATION OF AND ACTION ON AN AMENDING PLAT OF BELTWAY INVESTMENTS, INC., AMENDING PLAT NO. 1, PLAT OF 4.6075-ACRE TRACT OF LAND, CONSISTING OF RESERVES A AND B, BLOCK 1 OF BELTWAY INVESTMENTS, INC., A 4.6075 TRACT OF LAND OUT OF A CALLED 356 ACRE TRACT OF LAND, RECORDED IN FORT BEND COUNTY CLERK'S FILE NOS. 9119144 AND 2007085589 AND TRACT II, A 1.2626 ACRE TRACT OF LAND RECORDED UNDER FORT BEND COUNTY CLERK'S FILE NO. 2008008988, IN THE WM. LUSK SURVEY, ABSTRACT 276, CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS; 0 LOTS, 2 RESERVES, 1 BLOCK.

*Executive Summary:* Proposed Beltway Investments, Inc., Amending Plat No. 1 is located at the intersection of FM 2977 and Winding Lakes Lane. It is in the City Limits and in Fort Bend County Municipal Utility District No. 144 (MUD No. 144).

The Plat contains two (2) nonresidential reserves and a total of 4.6075 acres. The property was originally platted in 2011. The purpose of the Amending Plat is simply to move a property line between two reserves ("A" and "B") by a small distance (approximately 25' north) to facilitate future development of the property. The "Subdivision" Ordinance provides for amending plats to resolve issues of this nature. The Plat only has to come before City Council; amending plats do not require Planning Commission approval.

There being no issues, staff recommends approval of Beltway Investments, Inc., amending Plat No. 1.

D. **CONSIDERATION OF AND ACTION ON A FINAL PLAT OF BUSINESS PARK DRIVE AND INNOVATION COURT STREET DEDICATION, A SUBDIVISION OF 6.728 ACRES CONTAINING 3,462 L.F. OF R.O.W. OUT OF THE S.B. PENTECOST SURVEY, A-378, FORT BEND COUNTY, TEXAS.**

*Executive Summary:* This Agenda item consists of the Final Street Dedication Plat of Business Park Drive and Innovation Court. The proposed street dedication is located in the Rosenberg Business Park and will connect to the southeast side of FM 2218 between the intersections of FM 2218, Bryan and Danziger Roads. This is the right-of-way dedication that is needed for the Rosenberg Development Corporation (RDC) and City to construct the street and utilities per the approved Development Agreement (Agreement).

The proposed Plat contains 3,462 linear feet of right-of-way and 6.728 acres. At its intersection with FM 2218, Business Park Drive's right-of-way width is 100 feet. It later tapers down to an 80-foot right-of-way width in accordance with the Agreement. Innovation Court is a proposed 80-foot right-of-way cul-de-sac street.

The streets are consistent with the Agreement and approved Land Plan for the Rosenberg Business Park. The Land Plan was approved by the Planning Commission on June 26, 2013. There may be additional rights-of-way dedicated depending on future users in the Business Park and their impact on the roadway system. At this time, however, the Plat is in accordance with the Agreement, with the Land Plan, and with the Preliminary Plat, which was approved by the Planning Commission on June 26, 2013, and for which a six-month extension of approval was granted on December 18, 2013.

There were no issues with the layout of the Preliminary Plat; however, the street names were subject to approval by the RDC before Final Plat approval. The Preliminary Plat was submitted as containing Business Park Drive and Park Court. Park Court was changed to Innovation Court per the recommendations of the RDC. There being no additional issues, the Planning Commission recommended approval to City Council of the Final Plat of Business Park Drive and Innovation Court Street Dedication on April 23, 2014. Staff recommends approval of the Final Plat.

E. **CONSIDERATION OF AND ACTION ON A FINAL PLAT OF ROSENBERG 36 INDUSTRIAL PARK, A SUBDIVISION OF 18.214 ACRES OF LAND BEING A PARTIAL REPLAT OF LOT NO. 17 OF ROSENBERG FARMS SUBDIVISION (VOLUME 3, PAGE 575; DEED RECORDS OF FORT BEND COUNTY, TEXAS, AND VOLUME 4, PAGE 25; PLAT RECORDS OF FORT BEND COUNTY, TEXAS) BEING A 1.468 ACRE TRACT OF LAND (FORT BEND COUNTY CLERK'S FILE NO. 2014103215) TOGETHER WITH THE REMAINDER OF A CALL 17.135 ACRE TRACT (FORT BEND COUNTY CLERK'S FILE NO. 2014072299) AND WITH A CALL 0.754 ACRE TRACT (FORT BEND COUNTY CLERK'S FILE NO. 2012014590), ALL BEING IN THE HENRY SCOTT SURVEY, ABSTRACT NO. 83, CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS; 0 LOTS, 2 RESERVES, 1 BLOCK.**

*Executive Summary:* The Final Plat of Rosenberg 36 Industrial Park consists of 18.214 acres and two (2) nonresidential reserves and is a partial replat of Lot No. 17 of Rosenberg Farms Subdivision. The Plat is located on the south side of State Highway 36, northwest of its intersection with U.S. Highway 90A, and in the West Fort Bend Management District.

The Plat proposes to subdivide the 18.214 acres into two (2) reserves to accommodate a new site development on Reserve "B" and future development of Reserve "A." There are no issues with the proposed subdivision that conflict with City ordinances. Newly created reserves in the proposed subdivision will be subject to the West Fort Bend Management District's development standards as noted on the Plat.

Following a public hearing, the Planning Commission approved the Preliminary Plat of this subdivision on October 15, 2014. The Planning Commission subsequently recommended approval to City Council of the Final Plat on December 17, 2014. There being no issues in conflict with City ordinances, staff recommends approval of the Final Plat of Rosenberg 36 Industrial Park.

- F. **CONSIDERATION OF AND ACTION ON A SHORT FORM FINAL PLAT OF BRAZOS TOWN CENTER COLLISION, A SUBDIVISION OF 2.2375 ACRES OF LAND BEING A PARTIAL REPLAT OF RESERVE "E", REPLAT OF RESERVE "C", FORT BEND BUSINESS CENTER, SECTION TWO (SLIDE NO. 2008A; F.B.C.P.R.), IN THE ROBERT E. HANDY SURVEY, ABSTRACT NO. 187, CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS; 1 BLOCK, 1 RESERVE.**

*Executive Summary:* The Short Form Final Plat of Brazos Town Center Collision is a proposed replat consisting of 2.2375 acres and only one (1) non-residential reserve. The property is located on the east side of FM 2218, slightly north of its intersection with Reading Road. The tract is in the City Limits and in Fort Bend County MUD No. 167.

The Developer's most recently approved Conceptual Plan indicates this tract will consist of commercial development, which is consistent with the Plat submittal. Staff finds no issues with this Plat to be in conflict with the "Subdivision" Ordinance or with the Development Agreement, as amended. It has been submitted as a Short Form Final Plat, eliminating the necessity to submit a Preliminary Plat, because it does not require the extension of any streets or utilities.

The Planning Commission recommended approval to City Council of the Plat on January 21, 2015. Staff recommends approval of the Short Form Final Plat of Brazos Town Center Collision.

- G. **CONSIDERATION OF AND ACTION ON A FINAL PLAT OF COTTONWOOD SECTION THREE-C, A SUBDIVISION OF 8.368 ACRES OF LAND LOCATED IN THE S.A. STONE SURVEY NO. 10, A-392, CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS; 41 LOTS, 1 RESERVE, 3 BLOCKS.**

*Executive Summary:* The Final Plat of Cottonwood Section Three-C consists of 8.368 acres and 41 residential lots. It is located off of Barton Creek and Pease River Lanes, immediately southwest of Cottonwood Section Three-B. The Plat is within the City Limits and located in Fort Bend County MUD No. 148.

All proposed lots are fifty feet (50') in width and a minimum of 6,000 square feet in size. The Land Plan was approved before the current standards relating to lot size. The Plat conforms to the approved Land Plan dated April 2003.

The Planning Commission approved the Preliminary Plat of this subdivision on November 19, 2014. The Final Plat was subsequently approved by the Commission on December 17, 2014. There being no conflicts with applicable regulations or with the approved Preliminary Plat, staff recommends approval of the Final Plat of Cottonwood Section Three-C.

- H. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1926, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AND ACCEPT, FOR AND ON BEHALF OF THE CITY, A PUBLIC UTILITY EASEMENT BEING 3.811 ACRES (166,027 SQUARE FEET) OF LAND, BETWEEN THE CITY OF ROSENBERG AND ROSENBERG BUSINESS PARK, LTD., FOR PUBLIC UTILITIES AND RELATED FACILITIES, GENERALLY ASSOCIATED WITH ROSENBERG BUSINESS PARK.**

*Executive Summary:* This Agenda item provides for the City to formally accept a public utility easement generally located around the perimeter of the Rosenberg Business Park. The easement is 14' in width and would allow for utilities (gas, electric, cable, and phone in particular) to be provided to future tracts within the Business Park. By being located around the perimeter, it also ensures any overhead utilities would not be located along public rights-of-way.

Staff recommends approval of Resolution No. R-1926.

- I. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1927, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE AND ACCEPT, FOR AND ON BEHALF OF THE CITY, A PUBLIC UTILITY EASEMENT BEING 0.196 ACRES (8,538 SQUARE FEET) OF LAND, BETWEEN THE CITY OF ROSENBERG AND ROSENBERG BUSINESS PARK, LTD., FOR PUBLIC UTILITIES AND RELATED FACILITIES, GENERALLY LOCATED WEST OF BUSINESS PARK DRIVE AND ASSOCIATED WITH ROSENBERG BUSINESS PARK.**

*Executive Summary:* This Agenda item provides for the City to formally accept a public

utility easement generally located along the south side of the Rosenberg Business Park. The easement is 14' in width and would provide for power to the lift station to be located along Business Park Drive in particular.

Staff recommends approval of Resolution No. R-1927.

J. **CONSIDERATION OF AND ACTION ON QUARTERLY FINANCIAL REPORT AND QUARTERLY INVESTMENT REPORT FOR QUARTER ENDING DECEMBER 31, 2014.**

**Executive Summary:** Overall, the financial status of the City is stable. Most funds have positive variances when compared to budget and prior year actual. The largest revenues of sales tax and property tax are positive when compared to budget and expenses which are within the 25% benchmark for the first quarter of FY2015.

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

Staff recommends the acceptance of the Quarterly Financial Reports and the Investment Report for the first quarter of Fiscal Year 2015.

**Action:** Councilor McConathy made a motion, seconded by Councilor Grigar to approve Consent Agenda Items A, B, C, D, E, F, G, H, I, and J. The motion carried by a unanimous vote of those present.

### REGULAR AGENDA

2. **REVIEW AND DISCUSS PROPOSED BRANDING FOR NEW ELEVATED WATER STORAGE TANK, AND TAKE ACTION AS NECESSARY.**

**Executive Summary:** The City's soon to be built elevated water storage tank on FM 2977 near Fire Station No. 3 provides an excellent opportunity to brand and designate Rosenberg to the surrounding area. Staff will present a proposed scheme for the water tower for City Council's consideration, and recommends capitalizing on the opportunity the new elevated storage tank presents to continue creating a consistent identity and image for the City.

**Key discussion points:**

- Angela Fritz, Executive Director Information Services, read the Executive Summary and gave a brief presentation.
- She recommends branding the water tower, as well as consideration for future underpasses being built on I-69 corridor.
- General consensus was to use the logo on the water tower, and to make a recommendation to the Rosenberg Development Corporation to use the logo on freeway underpasses as they are being built as well.

**Action:** Councilor Barta made a motion, seconded by Councilor Grigar to approve proposed branding for new elevated water storage tank, and take action as necessary. The motion carried by a unanimous vote.

3. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1921, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE, FOR AND ON BEHALF OF THE CITY, A JOINT ELECTION AGREEMENT AND CONTRACT FOR ELECTION SERVICES FOR THE 2015 GENERAL MUNICIPAL ELECTION AND SPECIAL CHARTER AMENDMENT ELECTION, BY AND BETWEEN THE CITY AND FORT BEND COUNTY, TEXAS.**

**Executive Summary:** Resolution No. R-1921 is a Resolution authorizing the Mayor to execute and the City Secretary to attest the Joint Election Agreement and Contract for Election Services, by and between the City and the County Elections Administrator of Fort Bend County, Texas. Exhibit "A" to the Resolution is a Contract with Fort Bend County to have the Fort Bend County Elections Administrator coordinate, supervise and handle all aspects of administering the May 9, 2015 City of Rosenberg General and Special Elections.

According to the Contract, the City will pay Fort Bend County for equipment, supplies, services and administrative costs related to the May 9, 2015 General Election. The Elections Administrator will serve as

the administrator for the election, but the City will remain responsible for the lawful conduct of the election. The Elections Administrator will provide advisory services in connection with decisions to be made and actions to be taken by the officers of the City. The Contract attachments include the Election Day Voting Polling Places (Attachment A); the Early Voting Schedule (Attachment B), and the estimated costs (Attachment C). Note that the Early Voting Polling Place Schedule is subject to change if any of the other political subdivisions cancel their election.

The City Secretary is recommending approval of Resolution No. R-1921 for the Joint Election Agreement and Contract for Election Services with Fort Bend County.

**Key discussion points:** Linda Cernosek, City Secretary, read the Executive Summary.

**Action:** Councilor Barta made a motion, seconded by Councilor Benton to approve Resolution No. R-1921, a Resolution authorizing the Mayor to execute, for and on behalf of the City, a Joint Election Agreement and Contract for Election Services for the 2015 General Municipal Election and Special Charter Amendment Election, by and between the City and Fort Bend County, Texas. The motion carried by a unanimous vote.

4. **CONSIDERATION OF AND ACTION ON ORDINANCE NO. 2015-03, AN ORDINANCE PROVIDING THAT A GENERAL MUNICIPAL ELECTION BE HELD ON MAY 09, 2015, AND A RUN-OFF ELECTION, IF REQUIRED, ON JUNE 13, 2015, FOR THE PURPOSE OF ELECTING A MAYOR AND SIX COUNCIL MEMBERS; DIRECTING THE GIVING OF NOTICE OF SUCH ELECTIONS; AND PROVIDING DETAILS RELATING TO THE HOLDING OF SUCH ELECTION.**

**Executive Summary:** The election for Rosenberg City Officials will be held on May 9, 2015. The proposed Ordinance No. 2015-03 is an election ordinance ordering the election, setting various election dates and procedures, and contracting with the Elections Administrator of Fort Bend County, Texas, for the General Election, and a Runoff Election, if needed.

Staff recommends approval of Ordinance No. 2015-03 as presented.

**Key discussion points:** Linda Cernosek read the Executive Summary. She stated that those citizens with questions regarding their polling locations on Election Day should refer to the Fort Bend County website for more information. The City will also have a link to the Fort Bend County's website.

**Action:** Councilor Benton made a motion, seconded by Councilor McConathy to approve Ordinance No. 2015-03, an Ordinance providing that a General Municipal Election be held on May 09, 2015, and a Run-Off Election, if required, on June 13, 2015, for the purpose of electing a Mayor and six Council Members; directing the giving of notice of such elections; and providing details relating to the holding of such election. The motion carried by a unanimous vote.

5. **CONSIDERATION OF AND ACTION ON ORDINANCE NO. 2015-07, AN ORDINANCE ORDERING A SPECIAL ELECTION TO BE HELD ON MAY 09, 2015, FOR THE PURPOSE OF SUBMITTING TO THE QUALIFIED VOTERS, FOR ADOPTION OR REJECTION, ONE (1) PROPOSED AMENDMENT TO THE EXISTING HOME-RULE CHARTER OF THE CITY OF ROSENBERG, TEXAS, AS AMENDED; DIRECTING THE GIVING OF NOTICE OF SUCH ELECTIONS; AND MAKING PROVISIONS FOR THE CONDUCT OF THE SPECIAL ELECTION.**

**Executive Summary:** Ordinance No. 2015-07 is an Ordinance ordering the Special Election to be held on May 9, 2015, on the same ballot as the General Election.

The proposed Charter Amendment language is underlined as shown on page 3 of 9 of Ordinance No. 2015-07. The ballot language will read: "For/Against The amendment of the City Charter providing a term limit of three consecutive terms of office."

Staff recommends approval of Ordinance No. 2015-07 as presented.

**Key discussion points:** Linda Cernosek read the Executive Summary.

**Action:** Councilor McConathy made a motion, seconded by Councilor Grigar to approve Ordinance No. 2015-07, an Ordinance ordering a Special Election to be held on May 09, 2015, for

the purpose of submitting to the qualified voters, for adoption or rejection, one (1) proposed amendment to the existing home-rule charter of the City of Rosenberg, Texas, as amended; directing the giving of notice of such elections; and making provisions for the conduct of the Special Election. The motion carried by a unanimous vote.

6. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1904, A RESOLUTION AWARDED BID NO. 2015-01 FOR CONSTRUCTION OF ROSENBERG BUSINESS PARK – PHASE 1 WATER, SEWER, DRAINAGE AND PAVING IMPROVEMENTS; AND, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE APPROPRIATE DOCUMENTS AND/OR AGREEMENTS REGARDING SAME.**

**Executive Summary:** Bids were received on Wednesday, January 21, 2015, for Bid No. 2015-01 for construction of Rosenberg Business Park – Phase I Water, Sewer, Drainage and Paving Improvements (Project). A total of two (2) bids were opened and tabulated as indicated on the bid summary form.

Staff recommends Bid No. 2015-01 be awarded to Hurtado Construction Company, for the base bid in the total amount of \$2,958,000.00. Correspondence from Charles Kalkomey, City Engineer, recommends same. Should the bid be awarded as recommended, the proposal from Hurtado Construction Company, will be attached and serve as Exhibit "A" to Resolution No. R-1904. The contract time is 120 calendar days.

Funding for this Project was approved through Resolution No. R-1755 approved by City Council on February 18, 2014. However, additional funding will be required to complete the Project. Randall Malik, Economic Development Director, will be presenting a funding request to the Rosenberg Development Corporation on Thursday, February 12, 2015. Should the request be approved, Joyce Vasut, Executive Director of Administrative Services, will prepare any required budget amendment for approval at a subsequent Council meeting.

Staff recommends approval of Resolution No. R-1904 which will award Bid No. 2015-01 and provide authorization for the City Manager to negotiate and execute all required documents necessary to facilitate the Agreement.

**Key discussion points:** John Maresh, Assistant City Manager of Public Services, read the Executive Summary.

**Action:** Councilor Barta made a motion, seconded by Councilor McConathy to approve Resolution No. R-1904, a Resolution awarding Bid No. 2015-01 to Hurtado Construction Company in the amount of \$2,958,000.00 ; for construction of Rosenberg Business Park – Phase 1 Water, Sewer, Drainage and Paving Improvements; and, authorizing the City Manager to negotiate and execute appropriate documents and/or agreements regarding same. The motion carried by a unanimous vote.

7. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1905, A RESOLUTION AWARDED BID NO. 2015-02 FOR CONSTRUCTION OF ROSENBERG BUSINESS PARK LIFT STATION IMPROVEMENTS; AND AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE APPROPRIATE DOCUMENTS AND/OR AGREEMENTS REGARDING SAME.**

**Executive Summary:** Bids were received on Wednesday, January 21, 2015, for Bid No. 2015-02 for construction of Rosenberg Business Park Lift Station Improvements (Project). A total of six (6) bids were opened and tabulated as indicated on the bid summary form.

Staff recommends Bid No. 2015-02 be awarded to Liftwater Construction, for the base bid in the total amount of \$494,700.00. Correspondence from Charles Kalkomey, City Engineer, recommends same. Should the bid be awarded as recommended, the proposal from Liftwater Construction will be attached and serve as Exhibit "A" to Resolution No. R-1905. The contract time is 180 calendar days.

Funding for this Project was approved through Resolution No. R-1755 approved by City Council on February 18, 2014. However, as noted in the previous Agenda item, additional funding will be required to complete the Project. Randall Malik, Economic Development Director, will be presenting a funding request to the Rosenberg Development Corporation on Thursday, February 12, 2015. Should the request be approved, Joyce Vasut, Executive Director or Administrative Services, will

prepare any required budget amendment for approval at a subsequent City Council meeting.

Staff recommends approval of Resolution No. R-1905 which will award Bid No. 2015-02 and provide authorization for the City Manager to negotiate and execute all required documents necessary to facilitate the Agreement.

**Key discussion points:** John Maresh read the Executive Summary. He pointed out that costs will be shared with Rosenberg Development Corporation. After some discussion, the general consensus was to approve the Agreement.

**Action:** Councilor Grigar made a motion, seconded by Councilor Barta to approve Resolution No. R-1905, a Resolution awarding Bid No. 2015-02 for construction of Rosenberg Business Park Lift Station Improvements to Liftwater Construction, for the base bid in the total amount of \$494,700.00; and authorizing the City Manager to negotiate and execute appropriate documents and/or agreements regarding same. The motion carried by a unanimous vote.

8. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1900, A RESOLUTION AWARDED BID NO. 2015-05, FOR CONSTRUCTION OF AVENUE H AND AVENUE I WATER LINE RELOCATION/REPLACEMENTS; AND, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE APPROPRIATE DOCUMENTS AND/OR AGREEMENTS REGARDING SAME.**

**Executive Summary:** Bids were received on Wednesday, February 04, 2015, for Project Bid No. 2015-05 for construction of Avenue H and Avenue I Water Line Relocation/Replacements (Project). A total of six (6) bids were opened and tabulated as indicated on the bid summary form.

Staff recommends Bid No. 2015-05 be awarded to Scohil Construction Services, LLC, for the base bid in the total amount of \$2,175,005.00. Correspondence from Charles Kalkomey, Project Engineer, recommends same. Should the bid be awarded as recommended, the proposal from Scohil Construction Services, LLC, will be attached and serve as Exhibit "A" to Resolution No. R-1900. The contract time is 180 calendar days.

This Project is included in the FY2015 Capital Improvement Plan approved by City Council on June 17, 2014. The Project also includes the water line located along 7<sup>th</sup> Street, south of Avenue I to near Avenue M due to the poor physical condition.

Staff recommends approval of Resolution No. R-1900 which will award Bid No. 2015-05 and provide authorization for the City Manager to negotiate and execute all required documents necessary to facilitate the Agreement.

**Key discussion points:** John Maresh read the Executive Summary. Council pointed out the shortened timeline by the proposed company as compared to the other bidders, and Mr. Maresh explained that the proposed company would tackle the project immediately and intend to dedicate their workforce entirely in order to finish quickly. He believes that some of the existing water lines date back to the 1940's.

**Action:** Councilor Benton made a motion, seconded by Councilor Grigar to approve Resolution No. R-1900, a Resolution awarding Bid No. 2015-05, for construction of Avenue H and Avenue I Water Line Relocation/Replacements to Scohil Construction Services, LLC, for the base bid in the total amount of \$2,175,005.00; and, authorizing the City Manager to negotiate and execute appropriate documents and/or agreements regarding same. The motion carried by a unanimous vote.

9. **CONSIDERATION OF AND ACTION ON RESCINDING PRIOR CITY COUNCIL ACTION TO APPROVE THE INSTALLATION OF POLE MOUNTED RADAR SPEED SIGNS ON WAGON WHEEL LANE AND WALNUT GLEN LANE, BOTH GENERALLY LOCATED IN THE OAKS OF ROSENBERG SUBDIVISION.**

**Executive Summary:** On November 18, 2014, City Council identified and approved certain streets in the City to receive pole mounted radar speed signs. The following is a list of streets that were approved to receive said signage:

1. Grunwald Heights Boulevard

2. Wagon Wheel Lane
3. Walnut Glen Lane
4. Lane Drive
5. Jones Street
6. Brooks Street
7. Callender Street

This item has been added to the Agenda to offer City Council an opportunity to rescind their November 18<sup>th</sup> action as it relates to Wagon Wheel Lane and Walnut Glen Lane. If City Council takes said action, the four (4) pole mounted radar speed signs purchased for these streets can be installed at other locations at a future date.

**Key discussion points:** John Maresh read the Executive Summary. Councilors Benton and McConathy advised that this request to rescind prior action was catalyzed by constituent feedback within the community after its passage, and that the community prefers to try other means of slowing drivers before installing the pole mounted radar signs.

**Action:** Councilor Barta made a motion, seconded by Councilor McConathy to approve rescinding prior City Council action to approve the installation of pole mounted radar speed signs on Wagon Wheel Lane and Walnut Glen Lane, both generally located in the Oaks of Rosenberg subdivision. The motion carried by a unanimous vote.

10. **CONSIDERATION OF AND ACTION ON ORDINANCE NO. 2015-04, AN ORDINANCE AMENDING THE CODE OF ORDINANCES BY DELETING ALL OF SECTION 28-41 (A) AND (C), STOP SIGNS DESIGNATED, OF ARTICLE II, DIVISION 2 OF CHAPTER 28, STOP STREETS, AND SUBSTITUTING THEREFOR A NEW SECTION 28-41 (A) AND (C) OF ARTICLE II, DIVISION 2 OF CHAPTER 28 THEREOF; PROVIDING FOR A THREE-WAY STOP AT THE INTERSECTION OF WALNUT GLEN LANE AND SPACEK ROAD; DELETING THE ONE-WAY STOP AT THE INTERSECTION OF CARLISLE STREET AND AVENUE D; PROVIDING A PENALTY IN AN AMOUNT OF NOT LESS THAN \$1.00 OR MORE THAN \$200.00 FOR VIOLATION OF ANY PROVISION HEREOF; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OF IN CONFLICT HEREWITH; PROVIDING FOR AN EFFECTIVE DATE; AND PROVIDING FOR SEVERABILITY.**

**Executive Summary:** Staff has prepared Ordinance No. 2015-04 that would designate the intersection of Walnut Glen Lane and Spacek Road as a three-way stop. The intersection currently functions as a one-way stop with Walnut Glen Lane having the stop condition and Spacek Road being uncontrolled.

The proposed Ordinance will also delete the one-way stop at the intersection of Carlisle Street and Avenue D. The stop sign is no longer required since the portion of the Carlisle Street right-of-way at the Avenue D intersection was vacated, closed, abandoned and sold to Our Lady of Guadalupe Church to accommodate the church reconstruction project.

This item has been placed on the Agenda for consideration and action by City Council. Staff recommends approval of Ordinance No. 2015-04.

**Key discussion points:** John Maresh read the Executive Summary. Councilor Barta pointed out that this was another item brought to Council per the request of citizens in the area.

**Action:** Councilor McConathy made a motion, seconded by Councilor Benton to approve Ordinance No. 2015-04, an Ordinance amending the Code of Ordinances by deleting all of Section 28-41 (a) and (c), Stop Signs Designated, of Article II, Division 2 of Chapter 28, Stop Streets, and substituting therefor a new Section 28-41 (a) and (c) of Article II, Division 2 of Chapter 28 thereof; providing for a three-way stop at the intersection of Walnut Glen Lane and Spacek Road; deleting the one-way stop at the intersection of Carlisle Street and Avenue D; providing a penalty in an amount of not less than \$1.00 or more than \$200.00 for violation of any provision hereof; repealing all ordinances or parts of ordinances inconsistent of in conflict herewith; providing for an effective date; and providing for severability. The motion carried by a unanimous vote.

11. **CONSIDERATION OF AND ACTION ON ORDINANCE NO. 2015-05, AN ORDINANCE AMENDING THE**

CODE OF ORDINANCES BY ADDING TO SECTION 28-71 OF DIVISION 4 OF ARTICLE II OF CHAPTER 28 THEREOF, A NEW PRIMA FACIE SPEED LIMIT OF TWENTY-FIVE (25) MILES PER HOUR ALONG ACE COURT FROM STONERIDGE COURT, A DISTANCE OF APPROXIMATELY THREE-HUNDRED AND TWENTY (320) FEET; ARCOLA COURT FROM BELVEDERE DRIVE, A DISTANCE OF APPROXIMATELY ONE-HUNDRED AND NINETY (190) FEET; BAMBOO LANE, FROM BANNER LANE TO STONERIDGE COURT; BANNER LANE FROM BAMBOO COURT TO OAKLAND VALLEY DRIVE; BASS LANE, FROM BELVEDERE DRIVE TO TROUTLINE LANE; BELVEDERE DRIVE, FROM BASS LANE TO A DISTANCE APPROXIMATELY ONE-HUNDRED AND TWENTY (120) FEET WEST OF ARCOLA COURT; CUNNINGHAM LANE, FROM DIAMOND RIVER DRIVE TO SILVERTON BEND; DIAMOND RIVER DRIVE, FROM CUNNINGHAM LANE TO WALNUT GLEN LANE; OAKLAND VALLEY DRIVE FROM BRYAN ROAD, A DISTANCE OF APPROXIMATELY ONE-THOUSAND FOUR-HUNDRED AND FIFTY (1,450) FEET; PREMIER CIRCLE FROM BANNER LANE, A DISTANCE OF APPROXIMATELY TWO-HUNDRED AND TWENTY (220) FEET; SILVERTON BEND, FROM CUNNINGHAM LANE TO WALNUT GLEN LANE; STONERIDGE COURT, FROM OAKLAND VALLEY DRIVE, A DISTANCE APPROXIMATELY ONE-HUNDRED AND SIXTY (160) FEET WEST OF BAMBOO LANE; STONERIDGE COURT, FROM OAKLAND VALLEY DRIVE, A DISTANCE OF APPROXIMATELY EIGHT-HUNDRED AND FIFTY (850) FEET EAST OF ACE COURT; TROUTLINE LANE, FROM BASS LANE TO WATERBROOK LANE; WAGON WHEEL LANE, FROM DIAMOND RIVER DRIVE TO SILVERTON BEND; WALNUT GLEN LANE, FROM SILVERTON BEND TO SPACEK ROAD; WATERBROOK LANE, FROM BELVEDERE DRIVE TO TROUTLINE LANE; WINNERS COURT, FROM CUNNINGHAM LANE, A DISTANCE OF APPROXIMATELY ONE-HUNDRED AND TWENTY-FIVE (125) FEET; AND REPEALING THE PRIMA FACIE SPEED LIMIT OF THIRTY (30) MILES PER HOUR ALONG ACE COURT FROM STONERIDGE COURT, A DISTANCE OF APPROXIMATELY THREE-HUNDRED AND TWENTY (320) FEET; ARCOLA COURT FROM BELVEDERE DRIVE, A DISTANCE OF APPROXIMATELY ONE-HUNDRED AND NINETY (190) FEET; BAMBOO LANE, FROM BANNER LANE TO STONERIDGE COURT; BANNER LANE FROM BAMBOO COURT TO OAKLAND VALLEY DRIVE; BASS LANE, FROM BELVEDERE DRIVE TO TROUTLINE LANE; BELVEDERE DRIVE, FROM BASS LANE TO A DISTANCE OF APPROXIMATELY ONE-HUNDRED AND TWENTY (120) FEET WEST OF ARCOLA COURT; CUNNINGHAM LANE, FROM DIAMOND RIVER DRIVE TO SILVERTON BEND; DIAMOND RIVER DRIVE, FROM CUNNINGHAM LANE TO WALNUT GLEN LANE; OAKLAND VALLEY DRIVE FROM BRYAN ROAD, A DISTANCE OF APPROXIMATELY ONE-THOUSAND FOUR HUNDRED AND FIFTY (1,450) FEET; PREMIER CIRCLE FROM BANNER LANE, A DISTANCE OF APPROXIMATELY TWO-HUNDRED AND TWENTY (220) FEET; SILVERTON BEND, FROM CUNNINGHAM LANE TO WALNUT GLEN LANE; STONERIDGE COURT, FROM OAKLAND VALLEY DRIVE, A DISTANCE OF APPROXIMATELY ONE-HUNDRED AND SIXTY (160) FEET WEST OF BAMBOO LANE; STONERIDGE COURT, FROM OAKLAND VALLEY DRIVE, A DISTANCE OF APPROXIMATELY EIGHT-HUNDRED AND FIFTY (850) FEET EAST OF ACE COURT; TROUTLINE LANE, FROM BASS LANE TO WATERBROOK LANE; WAGON WHEEL LANE, FROM DIAMOND RIVER DRIVE TO SILVERTON BEND; WALNUT GLEN LANE, FROM SILVERTON BEND TO SPACEK ROAD; WATERBROOK LANE, FROM BELVEDERE DRIVE TO TROUTLINE LANE; WINNERS COURT, FROM CUNNINGHAM LANE, A DISTANCE OF APPROXIMATELY ONE-HUNDRED AND TWENTY-FIVE (125) FEET; MAKING CERTAIN FINDINGS; AUTHORIZING THE PLACEMENT OF SPEED LIMIT SIGNS ALONG SUCH STREETS; PROVIDING A PENALTY FOR VIOLATION OF ANY PROVISION HEREOF; PROVIDING AN EFFECTIVE DATE AND PROVIDING FOR SEVERABILITY.

**Executive Summary:** Staff has prepared Ordinance No. 2015-05 that would repeal the existing thirty (30) mile per hour speed limit and establish a twenty-five (25) mile per hour speed limit on all streets located within the Oaks of Rosenberg subdivision.

This item has been placed on the Agenda for consideration and action by City Council. Staff recommends approval of Ordinance No. 2015-05 as presented.

**Key discussion points:** John Maresh read the Executive Summary.

**Action:** Councilor Barta made a motion, seconded by Councilor McConathy to approve Ordinance No. 2015-05, an Ordinance amending the Code Of Ordinances by adding to Section 28-71 of Division 4 of Article II of Chapter 28 thereof, a new prima facie speed limit of twenty-five (25) miles per hour along Ace Court from Stoneridge Court, a distance of approximately three-hundred and twenty (320) feet; Arcola Court from Belvedere Drive, a distance of approximately one-hundred and ninety (190) feet; Bamboo Lane, from Banner Lane to Stoneridge Court; Banner Lane from Bamboo Court to Oakland Valley Drive; Bass Lane, from Belvedere Drive to Troutline Lane; Belvedere Drive, from Bass Lane to a distance approximately one-hundred and twenty (120) feet west of Arcola Court; Cunningham Lane, from Diamond River Drive to Silverton Bend; Diamond River Drive, from

Cunningham Lane to Walnut Glen Lane; Oakland Valley Drive from Bryan Road, a distance of approximately one-thousand four-hundred and fifty (1,450) feet; Premier Circle from Banner Lane, a distance of approximately two-hundred and twenty (220) feet; Silverton Bend, from Cunningham Lane to Walnut Glen Lane; Stoneridge Court, from Oakland Valley Drive, a distance approximately one-hundred and sixty (160) feet west of Bamboo Lane; Stoneridge Court, from Oakland Valley Drive, a distance of approximately eight-hundred and fifty (850) feet east of Ace Court; Troutline Lane, from Bass Lane to Waterbrook Lane; Wagon Wheel Lane, from Diamond River Drive to Silverton Bend; Walnut Glen Lane, from Silverton Bend to Spacek Road; Waterbrook Lane, from Belvedere Drive to Troutline Lane; Winners Court, from Cunningham Lane, a distance of approximately one-hundred and twenty-five (125) feet; and repealing the prima facie speed limit of thirty (30) miles per hour along Ace Court from Stoneridge Court, a distance of approximately three-hundred and twenty (320) feet; Arcola Court from Belvedere Drive, a distance of approximately one-hundred and ninety (190) feet; Bamboo Lane, from Banner Lane to Stoneridge Court; Banner Lane from Bamboo Court to Oakland Valley Drive; Bass Lane, from Belvedere Drive to Troutline Lane; Belvedere Drive, from Bass Lane to a distance of approximately one-hundred and twenty (120) feet west of Arcola Court; Cunningham Lane, from Diamond River Drive to Silverton Bend; Diamond River Drive, from Cunningham Lane to Walnut Glen Lane; Oakland Valley Drive from Bryan Road, a distance of approximately one-thousand four hundred and fifty (1,450) feet; Premier Circle from Banner Lane, a distance of approximately two-hundred and twenty (220) feet; Silverton Bend, from Cunningham Lane to Walnut Glen Lane; Stoneridge Court, from Oakland Valley Drive, a distance of approximately one-hundred and sixty (160) feet west of Bamboo Lane; Stoneridge Court, from Oakland Valley Drive, a distance of approximately eight-hundred and fifty (850) feet east of Ace Court; Troutline Lane, from Bass Lane to Waterbrook Lane; Wagon Wheel Lane, from Diamond River Drive to Silverton Bend; Walnut Glen Lane, from Silverton Bend to Spacek Road; Waterbrook Lane, from Belvedere Drive to Troutline Lane; Winners Court, from Cunningham Lane, a distance of approximately one-hundred and twenty-five (125) feet; making certain findings; authorizing the placement of speed limit signs along such streets; providing a penalty for violation of any provision hereof; providing an effective date and providing for severability. The motion carried by a unanimous vote.

12. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1924, A RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE, FOR AND ON BEHALF OF THE CITY, A UTILITY DEVELOPMENT AGREEMENT, BY AND BETWEEN THE CITY AND ZED PARTNERS, LTD., IN AN AMOUNT NOT TO EXCEED \$20,430.00.**

**Executive Summary:** Resolution No. R-1924 provides authorization for the City to enter into a Utility Development Agreement (Agreement) with ZED Partners, Ltd., (Developer) so that the City may participate in the cost to upsize an 8-inch waterline installation planned by the Developer along SH 36 North to a 12-inch waterline.

The 12-inch waterline will be needed by the City to adequately supply water to the northwest portion of the City as it continues to develop. By participating in the cost to oversize the waterline at the present time, the City will not have to bear 100% of the cost to replace the 8-inch line with a 12-inch line in the future. The City has previously entered into similar type agreements as a means to leverage public funds with private development for public infrastructure that will have regional benefits.

Per the Agreement, the City would be responsible for the costs associated with upsizing the waterline in an amount not to exceed \$20,430.00. If approved, the Executive Director of Administrative Services will prepare the necessary budget amendment for approval at a subsequent meeting. The Agreement has been reviewed and approved by Attorney Jeanne McDonald, Special Counsel to the City.

Staff recommends approval of Resolution No. R-1924 as presented.

**Key discussion points:** John Maresh read the Executive Summary.

**Action:** Councilor McConathy made a motion, seconded by Councilor Grigar to approve Resolution No. R-1924, a Resolution authorizing the City Manager to negotiate and execute, for and on behalf

of the City, a Utility Development Agreement, by and between the City and ZED Partners, Ltd., in an amount not to exceed \$20,430.00. The motion carried by a unanimous vote.

13. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1925, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE, FOR AND ON BEHALF OF THE CITY, AMENDMENT NO. 1 TO THE DRAINAGE AGREEMENT, BY AND BETWEEN THE CITY AND ZED PARTNERS, LTD.**

**Executive Summary:** On February 07, 2012, the City entered into a Drainage Agreement (Agreement) with ZED Partners, Ltd., (Developer) regarding participation in a regional storm drain sewer improvement project located along State Highway 36 North. This specific Agreement allowed for oversizing of the storm drainage system to accommodate the storm water runoff from a 17.889 acre tract without the need for on-site detention. According to the terms of the Agreement, the Developer is obligated to make a \$75,000.00 payment to the City for the oversizing upon the issuance of a building permit on the property, or on the tenth anniversary of the Agreement, whichever occurs first.

The Developer is currently planning to plat and construct improvements on a 1.468 acre tract. Due to the small size of the proposed improvements, the Developer plans to provide on-site detention and continue to drain into the State Highway 36 roadside ditch. Therefore, the Developer has requested to amend the Agreement allowing this 1.468 acre tract to develop without triggering the requirement to submit the \$75,000.00 payment to the City.

Attorney Jeanne McDonald, Special Counsel to the City, has prepared the Amendment No. 1 to the Drainage Agreement, which will exempt the 1.468 acre tract from the Agreement and allow said development without making the \$75,000.00 payment at this time. The remainder of the 17.889 acre tract will remain under the full terms and obligations of the original Agreement.

Staff recommends approval of Resolution No. R-1925 as presented.

**Key discussion points:** John Maresh read the Executive Summary.

**Action:** Councilor Barta made a motion, seconded by Councilor Euton to approve Resolution No. R-1925, a Resolution authorizing the City Manager to execute, for and on behalf of the City, Amendment No. 1 to the Drainage Agreement, by and between the City and ZED Partners, Ltd. The motion carried by a unanimous vote.

14. **CONSIDERATION OF AND ACTION ON ORDINANCE NO. 2015-06, AN ORDINANCE GRANTING CONSENT TO FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 144 FOR THE SALE AND ISSUANCE OF UNLIMITED TAX BONDS, SERIES 2015, IN AN AMOUNT NOT TO EXCEED \$3,400,000.**

**Executive Summary:** Ordinance No. 2015-06 grants the City's consent to Fort Bend Municipal Utility District No. 144 to sell and issue bonds, Series 2015 in an amount not to exceed \$3,400,000.00.

On May 06, 2003, Starwood Development, LLC, submitted a petition to the City to create a Municipal Utility District that included approximately 358.48 acres located primarily within the Corporate Limits of the City, with approximately 35.46 acres lying outside the City and outside the Extraterritorial Jurisdiction of the City of Rosenberg, to be known as Fort Bend County Municipal Utility District No. 144. Accordingly, the Petition for Consent and associated Ordinance No. 2003-21 were approved by City Council at that time. Subsequently, City Council approved Ordinance No. 2005-32 on December 13, 2005, expanding the District's territory by 173.34 acres, approved Ordinance No. 2006-18 on July 18, 2006, expanding the District's territory by an additional 1.5369 acres, and approved Ordinance No. 2010-14 on June 1, 2010, again expanding the District's territory by an additional 6.00 acres. The District is located south of Reading Road and east of FM Highway 2977.

Following is a list of previous Unlimited Tax Bond Sales and Bond Anticipation Notes (BAN) that have been previously approved by City Council:

- Ordinance No. 2006-39 - City Council approved the District's first bond sale in the amount of \$2,815,000 on December 05, 2006.
- Ordinance No. 2007-48 - City Council approved the District's BAN in the amount of \$1,650,000 on October 16, 2007. The BAN was subsequently repaid out of the bond sale authorized under

- Ordinance No. 2008-21.
- Ordinance No. 2008-21 - City Council approved the District's second bond sale in the amount of \$3,030,000 on October 07, 2008.
- Ordinance No. 2012-38 - City Council approved the District's BAN in the amount of \$1,301,500 on November 06, 2012. The BAN approved by City Council under Ordinance No. 2012-38 was subsequently repaid out of the Series 2013 bond sale under Ordinance No. 2013-24.
- Ordinance No. 2013-24 – City Council approved the District's third bond sale in the amount of \$2,695,000 on May 07, 2013.
- Ordinance No, 2014-27 – City Council approved the District's BAN in the amount of \$2,000,000 on June 17, 2014. The BAN is anticipated to be repaid out of this, the District's fourth bond sale.

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

Staff has reviewed the documentation and found it to be in compliance with applicable City ordinances. Staff is recommending approval of Ordinance No. 2015-06, thus consenting to the sale of the Unlimited Tax Bonds, Series 2015, in an amount not to exceed \$3,400,000.00.

**Key discussion points:** Charles A. Kalkomey, City Engineer, read the Executive Summary.

**Action:** Councilor Grigar made a motion, seconded by Councilor McConathy to approve Ordinance No. 2015-06, an Ordinance granting consent to Fort Bend County Municipal Utility District No. 144 for the sale and issuance of Unlimited Tax Bonds, Series 2015, in an amount not to exceed \$3,400,000. The motion carried by a unanimous vote.

15. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1922, A RESOLUTION REGARDING ADOPTION OF THE MAIN STREET ADVISORY BOARD BYLAWS.**

**Executive Summary:** Resolution No. R-1922 authorizes the approval and adoption of the Main Street Advisory Board bylaws, attached as Exhibit "A". The Rosenberg Main Street Advisory Board approved the bylaws at the January 22, 2015 Main Street Advisory Board Meeting. The bylaws were created with input and guidance from the Texas Historic Commission – Main Street Program.

Staff recommends approval of Resolution No. R-1922 as presented.

**Key discussion points:** Randall Malik, Economic Development Director, read the Executive Summary and gave a brief presentation. Scott Tschirhart, Attorney for the City, advises that he has reviewed the bylaws and finds no fault with them.

**Action:** Councilor Grigar made a motion, seconded by Councilor Barta to approve Resolution No. R-1922, a Resolution regarding adoption of the Main Street Advisory Board Bylaws. The motion carried by a unanimous vote.

16. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1923, A RESOLUTION APPROVING AND ADOPTING A TRAFFIC CALMING SPEED HUMP INSTALLATION AND REMOVAL POLICY AND PROCEDURE.**

**Executive Summary:** Based on direction from City Council provided during the January 27, 2015 Workshop, staff has integrated City Council's comments and recommendations into the policies and procedures regarding installation and removal of speed humps. The policy includes a step-by-step procedure that defines the process beginning with the initial request from a citizen through the final determination. Key points of the policy include:

- Speed hump installation request process
- Criteria to determine if a street is eligible for consideration of speed hump installation
- Notification/evidence of support criteria for property owners along segments of streets under consideration
- Speed hump location criteria
- Funding criteria

- Speed hump removal request process
- Design standards, construction and maintenance criteria
- Standardized forms

Staff recommends approval of Resolution No. R-1923 as presented.

**Key discussion points:** John Maresh read the Executive Summary. Clarification was given that citizen support would need to be evidenced by petition and forms before a traffic study is conducted on a particular location. Mr. Maresh emphasized that this is a living document, the purpose of which is to set a standard procedure and establish a baseline for the speed hump criteria, and can be amended as necessary going forward.

**Action:** Councilor McConathy made a motion, seconded by Councilor Barta to approve Resolution No. R-1923, a Resolution approving and adopting a Traffic Calming Speed Hump Installation and Removal Policy and Procedure. The motion carried by a unanimous vote.

17. **HOLD EXECUTIVE SESSION TO DELIBERATE THE EMPLOYMENT, EVALUATION, AND DUTIES OF POLICE CHIEF PURSUANT TO SECTION 551.074 OF THE TEXAS GOVERNMENT CODE.**

**Action:** Councilor Barta made a motion, seconded by Councilor Grigar to adjourn to Executive Session. The motion carried by a unanimous vote of those present.

18. **ADJOURN EXECUTIVE SESSION, RECONVENE INTO REGULAR SESSION, AND TAKE ACTION AS NECESSARY AS A RESULT OF EXECUTIVE SESSION.**

The Executive Session was adjourned and the meeting was reconvened into Regular Session at 9:15 p.m.

19. **ANNOUNCEMENTS.**

- FISH-tastic Children's Fishing Tournament at Seaborne Creek Nature Park this Saturday, beginning at 8:00am.
- American Legion Wild Game Support will be held this Saturday with a variety of food at the American Legion Hall in Thompsons. Serving begins at noon.

20. **ADJOURNMENT.**

There being no further business, the meeting adjourned at 9:20 p.m.

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Linda Cernosek, TRMC, City Secretary



# CITY COUNCIL COMMUNICATION

March 03, 2015

<b>ITEM #</b>	<b>ITEM TITLE</b>
<b>B</b>	<b>Ordinance No. 2015-09 - MUD No. 158 Bond Sale - \$1,935,000</b>
<b>ITEM/MOTION</b>	
Consideration of and action on Ordinance No. 2015-09, an Ordinance granting consent to the Fort Bend County Municipal Utility District No. 158 for the sale and issuance of Unlimited Tax Bonds, Series 2015, in an amount not to exceed \$1,935,000.	
<b>FINANCIAL SUMMARY</b>	<b>ELECTION DISTRICT</b>

**Annualized Dollars:**

- One-time
- Recurring
- N/A

**Budgeted:**

- Yes  No  N/A

**Source of Funds:** N/A

- District 1
- District 2
- District 3
- District 4
- City-wide
- ETJ

**SUPPORTING DOCUMENTS:**

1. Ordinance No. 2015-09
2. Location Map

**MUD #: 158 (River Run/Rivers Mist)**

**APPROVALS**

**Submitted by:**

Charles A. Kalkomey, P.E.  
City Engineer

**Reviewed by:**

- Exec. Dir. of Administrative Services
- Asst. City Manager of Public Services
- City Attorney **DNRBHZ/ks**
- City Engineer
- (Other)

**Approved for Submittal to City Council:**

  
Robert Gracia  
City Manager

**EXECUTIVE SUMMARY**

Attached for your consideration is Ordinance No. 2015-09 granting the City's consent to Fort Bend Municipal Utility District 158 (MUD No. 158), to sell Unlimited Tax Bonds, Series 2015, in an amount not to exceed \$1,935,000. MUD No. 158 is located in the City's Extraterritorial Jurisdiction (ETJ), at the southwest corner of Reading Road and Benton Road. The development is identified as River Run on the Brazos and Rivers Mist subdivisions.

City Council consented to the creation of MUD No. 158 on December 14, 2004, through Ordinance No. 2004-29, and which was originally proposed as a 158.54 acre development. The Water Supply and Wastewater Services and Development Agreements between the City and Ventana Development Reading, LP, were executed on February 22, 2005. City Council approved Ordinance No. 2006-19 on August 15, 2006, consenting to the addition of approximately 59 acres. MUD No. 158 now is comprised of approximately 217.5 acres.

Following is a list of previous Unlimited Tax Bond Sales that have been previously approved by City Council:

- Ordinance No. 2007-35 – City Council approved the District's first sale on August 21, 2007, in the amount of \$1,460,000.
- Ordinance No. 2009-29 – City Council approved the District's second sale on August 18, 2009, in the amount of \$1,870,000.
- Ordinance No. 2011-16 – City Council approved the District's third sale on June 21, 2011, in the amount of \$1,400,000.
- Ordinance No. 2012-15 – City Council approved the District's fourth sale on April 17, 2012, in the amount \$1,600,000.
- Ordinance No. 2013-14 – City Council approved the District's fifth sale on February 19, 2013, in the amount of \$1,600,000.
- Ordinance No. 2014-16 – City Council approved the District's sixth sale on April 15, 2014, in the amount of \$1,650,000.

This will be the seventh bond sale for MUD No. 158. Submission documentation for this sale - the Official Statement/Notice of Sale, Texas Commission on Environmental Quality (TCEQ) submission documentation, minute excerpts, associated agreements, and previous bond sale and related Ordinances are available for review in the City Secretary's Office.

Staff has reviewed the documentation and found it to be in compliance with applicable City Ordinances. Staff is recommending approval of Ordinance No. 2015-09 thus authorizing the bond issue to proceed.

**ORDINANCE NO. 2015-09**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ROSENBERG, TEXAS, GRANTING CONSENT TO THE FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 158 FOR THE SALE AND ISSUANCE OF UNLIMITED TAX BONDS, SERIES 2015, IN AN AMOUNT NOT TO EXCEED \$1,935,000.**

\* \* \* \* \*

**WHEREAS**, the City of Rosenberg, Texas (the "City") consented to the creation of the Fort Bend County Municipal District No. 158 (the "District") by Ordinance No. 2004-29, adopted on December 14, 2004 (the "Consent Ordinance"); and

**WHEREAS**, the District was created in accordance with the provisions of Article V of Chapter 29 of the City's Code of Ordinances (the "Code"); and

**WHEREAS**, the District is in the extraterritorial jurisdiction of the City; and

**WHEREAS**, the District has requested the City's consent to the District's sale and issuance of Unlimited Tax Bonds, Series 2015, in an amount not to exceed \$1,935,000; and

**WHEREAS**, the City Council of the City has reviewed the District's request for the sale and issuance of such Bonds and the documentation and certifications submitted by the District in support thereof; and

**WHEREAS**, the City Council has determined that the sale and issuance of such Bonds by the District is in accordance with the Consent Ordinance, adopted on December 14, 2004, the Water Supply and Wastewater Services Contract and Development Agreement entered into by and between the City and the District on February 22, 2005, including all amendments and addendums thereto, and the terms and conditions set forth in Chapter 29 of the City Code of Ordinances; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ROSENBERG:**

Section 1. The facts and recitations set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. The City Council hereby approves the sale and issuance of Unlimited Tax Bonds, Series 2015, in an amount not to exceed \$1,935,000, by the Fort Bend County Municipal Utility District No. 158. Such approval is subject to the certifications, representations, and conditions set forth in the District's request for approval of the sale and issuance of such Bonds, and the terms and provisions of the Consent Ordinance, adopted on December 14, 2004, and the Water Supply and Wastewater Services Contract and Development Agreement entered into by and between the City and District on February 22, 2005, including all amendments and addendums thereto, and the applicable provisions set forth in Chapter 29 of the City Code of Ordinances.

**PASSED AND APPROVED** by a vote of \_\_\_\_\_ "ayes" in favor and \_\_\_\_\_ "noes" against on this first and final reading in full compliance with the provisions of Section 3.10 of the Charter of the City of Rosenberg on the \_\_\_\_\_ day of \_\_\_\_\_ 2015.

**ATTEST:**

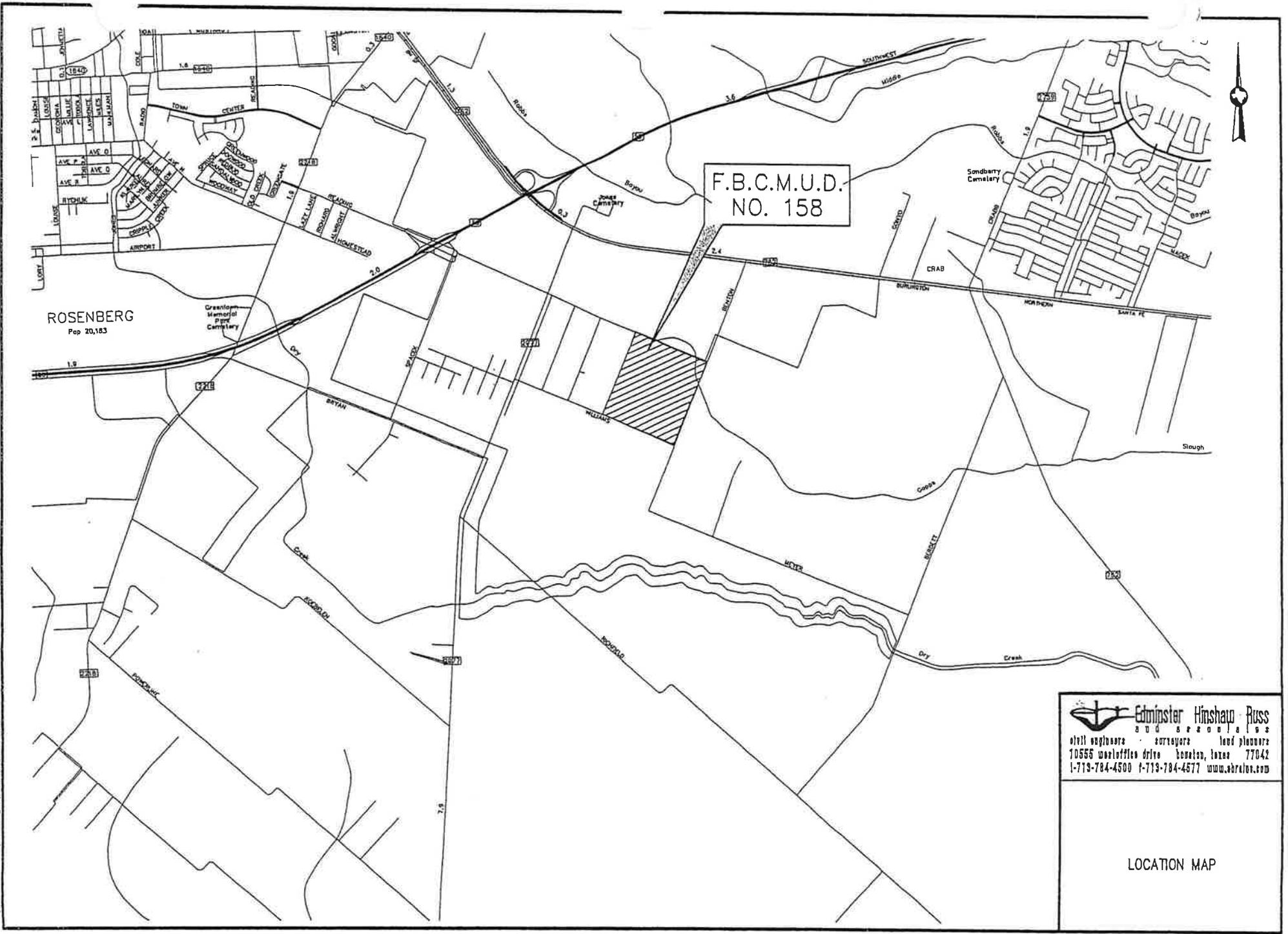
**APPROVED:**

\_\_\_\_\_  
Linda Cernosek  
**City Secretary**

\_\_\_\_\_  
Vincent M. Morales, Jr.  
**Mayor**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Scott Tschirhart, **CITY ATTORNEY**  
Denton Navarro Rocha Bernal Hyde & Zech, P.C.



F.B.C.M.U.D.  
NO. 158

ROSENBERG  
Pop 20,183

**Edminster Hinshaw Russ**  
 civil engineers · surveyors · land planners  
 10555 Waffleford Drive Houston, Texas 77042  
 1-713-784-4500 1-713-784-4577 www.ehr.com

LOCATION MAP



# CITY COUNCIL COMMUNICATION

## March 03, 2015

ITEM #	ITEM TITLE
C	Resolution No. R-1931-TexPool Authorized Representatives

### ITEM/MOTION

Consideration of and action on Resolution No. R-1931, a Resolution amending the authorized representatives of the City of Rosenberg in the Texas Local Government Investment Pool (TexPool) account.

FINANCIAL SUMMARY	ELECTION DISTRICT
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**Annualized Dollars:**

- One-time
- Recurring
- N/A

**Budgeted:**

- Yes  No  N/A

**Source of Funds:** N/A

- District 1
- District 2
- District 3
- District 4
- City-wide
- N/A

**SUPPORTING DOCUMENTS:****MUD #:** N/A

1. Resolution No. R-1931

### APPROVALS

**Submitted by:**

  
 Joyce Vasut  
 Executive Director of  
 Administrative Services

**Reviewed by:**

- Exec. Dir. of Administrative Services
- Asst. City Manager of Public Services
- City Attorney
- City Engineer
- (Other)

**Approved for Submittal to City Council:**

  
 Robert Gracia  
 City Manager

### EXECUTIVE SUMMARY

Staff is recommending that Maritza Salazar, previous Budget Analyst, be removed and John Maresh, Assistant City Manager of Public Services and Luis Garza, Accounting Supervisor be added to the list of authorized representatives for the City of Rosenberg Texas Local Government Investment Pool (TexPool) investment account. This action is necessary to authorize TexPool to issue a personal identification number to allow all authorized representatives to transact business with TexPool. The following is a list of authorized representatives:

- Robert Gracia, City Manager
- John Maresh, Assistant City Manager of Public Services
- Joyce Vasut, Executive Director of Administrative Services
- Luis Garza, Accounting Supervisor

Staff recommends approval of Resolution No. R-1931 as presented.



# RESOLUTION AMENDING AUTHORIZED REPRESENTATIVES

WHEREAS, City of Rosenberg, Location 77465

(Participant Name & Location Number)

("Participant") is a local government of the State of Texas and is empowered to delegate to a public funds investment pool the authority to invest funds and to act as custodian of investments purchased with local investment funds; and

WHEREAS, it is in the best interest of the Participant to invest local funds in investments that provide for the preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act; and

WHEREAS, the Texas Local Government Investment Pool ("TexPool/ Texpool *Prime*"), a public funds investment pool, were created on behalf of entities whose investment objective in order of priority are preservation and safety of principal, liquidity, and yield consistent with the Public Funds Investment Act.

NOW THEREFORE, be it resolved as follows:

- A. That the individuals, whose signatures appear in this Resolution, are Authorized Representatives of the Participant and are each hereby authorized to transmit funds for investment in TexPool / TexPool *Prime* and are each further authorized to withdraw funds from time to time, to issue letters of instruction, and to take all other actions deemed necessary or appropriate for the investment of local funds.
- B. That an Authorized Representative of the Participant may be deleted by a written instrument signed by two remaining Authorized Representatives provided that the deleted Authorized Representative (1) is assigned job duties that no longer require access to the Participant's TexPool / TexPool *Prime* account or (2) is no longer employed by the Participant; and
- C. That the Participant may by Amending Resolution signed by the Participant add an Authorized Representative provided the additional Authorized Representative is an officer, employee, or agent of the Participant;

List the Authorized Representatives of the Participant. Any new individuals will be issued personal identification numbers to transact business with TexPool Participant Services.

1. Name: Joyce Vasut Title: Executive Director of Administrative Svcs.  
 Phone/Fax/Email: \_\_\_\_\_  
 Signature: \_\_\_\_\_

2. Name: Robert Gracia Title: City Manager  
 Phone/Fax/Email: \_\_\_\_\_  
 Signature: \_\_\_\_\_

ORIGINAL SIGNATURE AND DOCUMENT REQUIRED

TEX – REP

3. Name: John Maresh Title: Assistant City Manager of Public Services  
Phone/Fax/Email: \_\_\_\_\_  
Signature: \_\_\_\_\_

4. Name: Luis Garza Title: Accounting Supervisor  
Phone/Fax/Email: \_\_\_\_\_  
Signature: \_\_\_\_\_

List the name of the Authorized Representative listed above that will have primary responsibility for performing transactions and receiving confirmations and monthly statements under the Participation Agreement.

Name Joyce Vasut

In addition and at the option of the Participant, one additional Authorized Representative can be designated to perform only inquiry of selected information. This limited representative cannot perform transactions. If the Participant desires to designate a representative with inquiry rights only, complete the following information.

5. Name: \_\_\_\_\_ Title: \_\_\_\_\_  
Phone/Fax/Email: \_\_\_\_\_

D. That this Resolution and its authorization shall continue in full force and effect until amended or revoked by the Participant, and until TexPool Participant Services receives a copy of any such amendment or revocation. This Resolution is hereby introduced and adopted by the Participant at its regular/special meeting held on the \_\_\_\_\_ day \_\_\_\_\_, 20 \_\_\_\_.

**Document is to be signed by your Board President, Mayor or County Judge and attested by your Board Secretary, City Secretary or County Clerk.**

NAME OF PARTICIPANT: City of Rosenberg

SIGNED: \_\_\_\_\_  
Signature  
Vincent M. Morales, Jr.  
Printed Name  
Mayor  
Title

ATTEST: \_\_\_\_\_  
Signature  
Linda Cernosek  
Printed Name  
City Secretary  
Title

**This document supersedes all prior Authorized Representative designations.**



# CITY COUNCIL COMMUNICATION

## March 03, 2015

ITEM #	ITEM TITLE
D	Resolution No. R-1932 - Local Government Investment Cooperative (LOGIC) Authorized Representatives

### ITEM/MOTION

Consideration of and action on Resolution No. R-1932, a Resolution amending the authorized representatives of the City of Rosenberg in the Local Government Investment Cooperative (LOGIC).

FINANCIAL SUMMARY	ELECTION DISTRICT
-------------------	-------------------

**Annualized Dollars:**

- One-time
- Recurring
- N/A

**Budgeted:**

- Yes  No  N/A

**Source of Funds:** N/A

- District 1
- District 2
- District 3
- District 4
- City-wide
- N/A

**SUPPORTING DOCUMENTS:****MUD #:** N/A

1. Resolution No. R-1932

### APPROVALS

**Submitted by:**

Joyce Vasut  
Executive Director of  
Administrative Services

**Reviewed by:**

- Exec. Dir. of Administrative Services
- Asst. City Manager of Public Services
- City Attorney
- City Engineer
- (Other)

**Approved for Submittal to City Council:**

Robert Gracia  
City Manager

### EXECUTIVE SUMMARY

Staff is recommending that Maritza Salazar, previous Budget Analyst, be removed and that John Maresh, Assistant City Manager of Public Services, and Luis Garza, Accounting Supervisor, be added to the list of authorized representatives for the City of Rosenberg Local Government Investment Cooperative (LOGIC) investment account. This action is necessary to authorize LOGIC to issue a personal identification number to allow authorized representatives to transact business with LOGIC. The following is a list of authorized representatives:

- Robert Gracia, City Manager
- John Maresh, Assistant City Manager of Public Services
- Joyce Vasut, Executive Director of Administrative Services
- Luis Garza, Accounting Supervisor

Staff recommends approval of Resolution No. R-1932 as presented.

**RESOLUTION CHANGING AUTHORIZED REPRESENTATIVES FOR LOCAL GOVERNMENT INVESTMENT COOPERATIVE**

WHEREAS, City of Rosenberg  
(the "Government Entity") by authority of that certain Local Government Investment Cooperative Resolution \_\_\_\_\_ (the "Resolution") has entered into that certain Interlocal Agreement (the "Agreement") and has become a participant in the public funds investment pool created thereunder known as Local Government Investment Cooperative ("LOGIC");

WHEREAS, the Resolution designated on one or more "Authorized Representatives" within the meaning of the Agreement;

WHEREAS, the Government Entity now wishes to update and designate the following persons as the "Authorized Representatives" within the meaning of the Agreement;

NOW, THEREFORE, BE IT RESOLVED:

The following officers, officials or employees of the Government Entity are hereby designated as "Authorized Representatives" within the meaning of the Agreement, with full power and authority to: deposit money to and withdrawal money from the Government Entity's LOGIC account or accounts from time to time in accordance with the Agreement and the Information Statement describing the Agreement and to take all other actions deemed necessary or appropriate for the investment of funds of the Government Entity in LOGIC:

1. Name: Robert Gracia Title: City Manager

Signature: \_\_\_\_\_ Phone: \_\_\_\_\_

Email: \_\_\_\_\_

2. Name: John Maresh Title: Assistant City Manager of Public Services

Signature: \_\_\_\_\_ Phone: \_\_\_\_\_

Email: \_\_\_\_\_

3. Name: Joyce Vasut Title: Executive Director of Administrative Svcs.

Signature: \_\_\_\_\_ Phone: \_\_\_\_\_

Email: \_\_\_\_\_

4. Name: Luis Garza Title: Accounting Supervisor

Signature: \_\_\_\_\_ Phone: \_\_\_\_\_

Email: \_\_\_\_\_

**{REQUIRED}** PRIMARY CONTACT: List the name of the Authorized Representative listed above that will be designated as the Primary Contact and will receive all LOGIC correspondence including transaction confirmations and monthly statements

Name: Joyce Vasut

**{OPTIONAL}** INQUIRY ONLY CONTACT: In addition, the following additional Participant representative (not listed above) is designated as an **Inquiry Only** Representative authorized to obtain account information:

Name: \_\_\_\_\_ Title: \_\_\_\_\_

Signature: \_\_\_\_\_ Phone: \_\_\_\_\_

Email: \_\_\_\_\_

Applicant may designate other authorized representatives by written instrument signed by an existing Applicant Authorized Representative or Applicant’s chief executive officer.

The foregoing supersedes and replaces the Government Entity’s previous designation of officers, officials or employees of the Government Entity as Authorized Representatives under the Agreement pursuant to paragraph 4 of the Resolution. Except as hereby modified, the Resolution shall remain in full force and effect.

PASSED AND APPROVED this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_\_.



\_\_\_\_\_  
(NAME OF ENTITY/APPLICANT)

SIGNED BY: \_\_\_\_\_  
(Signature of official)

\_\_\_\_\_  
(Printed name and title)

ATTESTED BY: \_\_\_\_\_  
(Signature of official)

\_\_\_\_\_  
(Printed name and title)

LOGIC strongly recommends that the Personal Identification Number (PIN) be changed if there is a change in “Authorized Representatives”. Please include a request to change the PIN number when sending the “Amending Resolution” to LOGIC.



# CITY COUNCIL COMMUNICATION

## March 03, 2015

ITEM #	ITEM TITLE
E	Resolution No. R-1933 – Lone Star Authorized Representatives

### ITEM/MOTION

Consideration of and action on Resolution No. R-1933, a Resolution amending the authorized representatives of the City of Rosenberg in the Lone Star Investment Pool.

FINANCIAL SUMMARY	ELECTION DISTRICT
-------------------	-------------------

**Annualized Dollars:**

- One-time
- Recurring
- N/A

**Budgeted:**

- Yes  No  N/A

**Source of Funds:** N/A

- District 1
- District 2
- District 3
- District 4
- City-wide
- N/A

**SUPPORTING DOCUMENTS:****MUD #:** N/A

1. Resolution No. R-1933

### APPROVALS

**Submitted by:**

Joyce Vasut  
Executive Director of  
Administrative Services

**Reviewed by:**

- Exec. Dir. of Administrative Services
- Asst. City Manager of Public Services
- City Attorney
- City Engineer
- (Other)

**Approved for Submittal to City Council:**

Robert Gracia  
City Manager

### EXECUTIVE SUMMARY

Staff is recommending that Maritza Salazar, previous Budget Analyst, be removed and John Maresh, Assistant City Manager of Public Services and Luis Garza, Accounting Supervisor be added to the list of authorized representatives for the City of Rosenberg Lone Star Investment Pool (Lone Star) account. This action is necessary to authorize Lone Star to issue a personal identification number to allow authorized representatives to transact business with Lone Star. The following is a list of authorized representatives:

- Robert Gracia, City Manager
- John Maresh, Assistant City Manager of Public Services
- Joyce Vasut, Executive Director of Administrative Services
- Luis Garza, Accounting Supervisor

Staff recommends approval of Resolution No. R-1933 as presented.

**RESOLUTION NO. R-1933**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROSENBERG, TEXAS, AMENDING THE AUTHORIZED REPRESENTATIVES OF THE CITY OF ROSENBERG IN THE LONE STAR INVESTMENT POOL.**

\* \* \* \* \*

**WHEREAS**, the City of Rosenberg is a local government of the State of Texas and delegates to a public funds investment pool to invest funds and act as custodian of investments purchased with local investment funds; and,

**WHEREAS**, it is in the best interest of the City to invest local funds in investments that provide for the preservation of safety of principal, liquidity, and yield consistent with the Public Funds Investment Act; and,

**WHEREAS**, the City Council deems it necessary and proper to amend authorized representatives allowed to act on behalf of the City of Rosenberg relative to public funds investment(s); now, therefore,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROSENBERG, TEXAS:**

Section 1. That the following individuals are authorized representatives of the City of Rosenberg, Texas, as indicated in Exhibit "A", Lone Star Investment Pool Authorized Representative Add Form, made a part hereof for all purposes.

Section 2. Said individuals are hereby authorized to transmit funds for investments in the Lone Star Investment Pool and are each further authorized to withdraw funds from time to time, to issue letters of instruction, and to take all other actions deemed necessary or appropriate for the investment of local funds:

Robert Gracia, City Manager

John Maresh, Assistant City Manager of Public Services

Joyce Vasut, Executive Director of Administrative Services

Luis Garza, Accounting Supervisor

Section 3. Upon approval by City Council, this Resolution, shall continue in effect until amended or revoked by the City of Rosenberg, Texas.

**PASSED, APPROVED, AND RESOLVED** this \_\_\_\_\_ day of \_\_\_\_\_ 2015.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Linda Cernosek, **City Secretary**

\_\_\_\_\_  
Vincent M. Morales, Jr., **Mayor**





# CITY COUNCIL COMMUNICATION

## March 03, 2015

ITEM #	ITEM TITLE
F	Resolution No. R-1934 – Texas Class Authorized Representatives

### ITEM/MOTION

Consideration of and action on Resolution No. R-1934, a Resolution amending the authorized representatives of the City of Rosenberg in the Texas Class Investment Pool.

FINANCIAL SUMMARY	ELECTION DISTRICT
-------------------	-------------------

**Annualized Dollars:**

- One-time
- Recurring
- N/A

**Budgeted:**

- Yes  No  N/A

**Source of Funds:** N/A

- District 1
- District 2
- District 3
- District 4
- City-wide
- N/A

**SUPPORTING DOCUMENTS:****MUD #:** N/A

1. Resolution No. R-1934

### APPROVALS

**Submitted by:**

  
 Joyce Vasut  
 Executive Director of  
 Administrative Services

**Reviewed by:**

- Exec. Dir. of Administrative Services
- Asst. City Manager of Public Services
- City Attorney
- City Engineer
- (Other)

**Approved for Submittal to City Council:**

  
 Robert Gracia  
 City Manager

### EXECUTIVE SUMMARY

Staff is recommending that Maritza Salazar, previous Budget Analyst, be removed and John Maresh, Assistant City Manager of Public Services and Luis Garza, Accounting Supervisor be added to the list of authorized representatives for the City of Rosenberg Texas Class investment account. This action is necessary to authorize Texas Class to issue a personal identification number to allow authorized representatives to transact business with Texas Class. The following is a list of authorized representatives:

- Robert Gracia, City Manager
- John Maresh, Assistant City Manager of Public Services
- Joyce Vasut, Executive Director of Administrative Services
- Luis Garza, Accounting Supervisor

Staff recommends approval of Resolution No. R-1934 as presented.

**RESOLUTION NO. R-1934**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROSENBERG, TEXAS, AMENDING THE AUTHORIZED REPRESENTATIVES OF THE CITY OF ROSENBERG IN THE TEXAS CLASS INVESTMENT POOL.**

\* \* \* \* \*

**WHEREAS**, the City of Rosenberg is a local government of the State of Texas and delegates to a public funds investment pool to invest funds and act as custodian of investments purchased with local investment funds; and,

**WHEREAS**, it is in the best interest of the City to invest local funds in investments that provide for the preservation of safety of principal, liquidity, and yield consistent with the Public Funds Investment Act; and,

**WHEREAS**, the City Council deems it necessary and proper to amend authorized representatives allowed to act on behalf of the City of Rosenberg relative to public funds investment(s); now, therefore,

**BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ROSENBERG, TEXAS:**

Section 1. That the following individuals are authorized representatives of the City of Rosenberg, Texas, as indicated in Exhibit "A", Texas Class Investment Pool Signatory Amendment Form, made a part hereof for all purposes.

Section 2. Said individuals are hereby authorized to transmit funds for investments in the Texas Class Investment Pool and are each further authorized to withdraw funds from time to time, to issue letters of instruction, and to take all other actions deemed necessary or appropriate for the investment of local funds:

Robert Gracia, City Manager

John Maresh, Assistant City Manager of Public Services

Joyce Vasut, Executive Director of Administrative Services

Luis Garza, Accounting Supervisor

Section 3. Upon approval by City Council, this Resolution shall continue in effect until amended or revoked by the City of Rosenberg, Texas.

**PASSED, APPROVED, AND RESOLVED** this \_\_\_\_\_ day of \_\_\_\_\_ 2015.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Linda Cernosek, **City Secretary**

\_\_\_\_\_  
Vincent M. Morales, Jr., **Mayor**



# SIGNATORY AMENDMENT FORM

Participant # TX-01- 0203

Effective Date 03/04/2015

## Individuals to be Added

Mr.  Ms. John Maresh  
First and Last Name

Assistant City Manager of Public Services  
Title

Signature of New Authorized Signer\*

Phone

Email

Fax

**Permissions**

**Representative**

**Email Notifications**

**Online Account**

Authorized Signer to Move Funds\*  Yes

Monthly Statements

Online User Access

Read Only Access

Transaction Confirmations

**Note:** One Representative required per account. If former Representative is removed a new Representative is needed.

Mr.  Ms. Luis Garza  
First and Last Name

Accounting Supervisor  
Title

Signature of New Authorized Signer\*

Phone

Email

Fax

**Permissions**

**Representative**

**Email Notifications**

**Online Account**

Authorized Signer to Move Funds\*  Yes

Monthly Statements

Online User Access

Read Only Access

Transaction Confirmations

**Note:** One Representative required per account. If former Representative is removed a new Representative is needed.

## Individuals to be Removed

Mr.  Ms. Jack Hamlett  
First and Last Name

City Manager  
Title

Mr.  Ms. \_\_\_\_\_  
First and Last Name

\_\_\_\_\_  
Title

The above changes have been duly approved by a current Authorized Signer:

Signature

Date

Printed Name

Title

**Note:** All completed forms should be sent to the Client Service team via the contact information listed below.



# CITY COUNCIL COMMUNICATION

March 03, 2015

ITEM #	ITEM TITLE
2	Rosenberg Police Department 2014 Annual Contact Report
<b>ITEM/MOTION</b>	
Review and discuss an independent analysis report of contact data collected by the Police Department for calendar year 2014, and take action as necessary.	
<b>FINANCIAL SUMMARY</b>	<b>ELECTION DISTRICT</b>

**Annualized Dollars:**

- One-time
- Recurring
- N/A

**Budgeted:**

- Yes  No  N/A

**Source of Funds:** N/A

- District 1
- District 2
- District 3
- District 4
- City-wide
- N/A

**MUD #:** N/A

**SUPPORTING DOCUMENTS:**

1. 2014 Annual Contact Report – To be distributed under separate cover

**APPROVALS**

**Submitted by:**

Dallis Warren  
Chief of Police

**Reviewed by:**

- Exec. Dir. of Administrative Services
- Asst. City Manager of Public Services
- City Attorney
- City Engineer
- (Other)

**Approved for Submittal to City Council:**

Robert Gracia  
City Manager

**EXECUTIVE SUMMARY**

In accordance with Senate Bill 1074, more commonly known as the “Texas Racial Profiling Data Collection Law”, all state law enforcement agencies are required to submit a report to their governing body – whether a county or municipality. The report must contain totals on racial profiling data, as well as analysis of the prevalence of racial profiling. The report has been provided to City Council under separate cover and has been made available for public review in the City Secretary’s office.

Dr. Alex del Carmen will be present at the meeting to discuss his independent assessment of the data collected.



# CITY COUNCIL COMMUNICATION

March 03, 2015

ITEM #	ITEM TITLE
3	Presentation of Comprehensive Annual Financial Report
<b>ITEM/MOTION</b>	
Consideration of and action on Comprehensive Annual Financial Report for the Fiscal Year ended September 30, 2014.	
FINANCIAL SUMMARY	ELECTION DISTRICT

<b>Annualized Dollars:</b>	<b>Budgeted:</b>	<input type="checkbox"/> District 1
<input type="checkbox"/> One-time	<input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A	<input type="checkbox"/> District 2
<input type="checkbox"/> Recurring		<input type="checkbox"/> District 3
<input checked="" type="checkbox"/> N/A	<b>Source of Funds:</b>	<input type="checkbox"/> District 4
	N/A	<input type="checkbox"/> City-wide
		<input checked="" type="checkbox"/> N/A

**SUPPORTING DOCUMENTS:**

**MUD #:** N/A

1. Comprehensive Annual Financial Report - Draft - provided under separate cover

**APPROVALS**

**Submitted by:**

  
 Joyce Vasut  
 Executive Director of  
 Administrative Services

**Reviewed by:**

- Exec. Dir. of Administrative Services
- Asst. City Manager for Public Services
- City Attorney
- City Engineer
- (Other)

**Approved for Submittal to City Council:**

  
 Robert Gracia  
 City Manager

**EXECUTIVE SUMMARY**

Patillo, Brown & Hill, LLP, has completed the audit of the City of Rosenberg's financial statements for the fiscal year ended September 30, 2014. The City has received an unmodified opinion on the financial statements, which indicates the City has presented its financial statements in conformity with Generally Accepted Accounting Principles (GAAP). An unmodified opinion assures that the financial statements are free of material misstatement based upon examination of the supporting documents and disclosures of the figures contained in the City's financial statements.

The Comprehensive Annual Financial Report (CAFR) for 2014 was reviewed at the Finance/Audit Committee Meeting (Committee) on February 17, 2015, and the Committee recommended acceptance of the CAFR. Draft minutes for the Committee's recommendation were not yet available at the time this Agenda packet went to print. A letter required by Statement on Accounting Standards No. 114 was presented by the auditors and distributed with the CAFR.

John Manning, with Patillo, Brown and Hill, LLP, will present the Comprehensive Annual Financial Report for 2014, and some of the key financial highlights of the report.

Staff recommends the acceptance of the FY2014 CAFR.



# CITY COUNCIL COMMUNICATION

## March 03, 2015

ITEM #	ITEM TITLE
4	Resolution No. R-1935- Budget Amendment 15-09

### ITEM/MOTION

Consideration of and action on Resolution No. R-1935, a Resolution authorizing the City Manager to execute, for and on behalf of the City, Budget Amendment 15-09, in the amount of \$1,588,430 for improvements to the Rosenberg Business Park, upsizing of a waterline along SH36 North, waterline improvements along Avenue H and Avenue I, and water well maintenance.

### FINANCIAL SUMMARY

**Annualized Dollars:**

- One-time
- Recurring
- N/A

**Budgeted:**

- Yes  No  N/A

**Source of Funds:**

See Attached

### ELECTION DISTRICT

- District 1
- District 2
- District 3
- District 4
- City-wide
- N/A

**SUPPORTING DOCUMENTS:**

MUD #: N/A

1. Resolution No. R-1935

### APPROVALS

**Submitted by:**

Joyce Vasut  
Executive Director of  
Administrative Services

**Reviewed by:**

- Exec. Dir. of Administrative Services
- Asst. City Manager of Public Services *g.m.*
- City Attorney
- City Engineer
- (Other)

**Approved for Submittal to City Council:**

Robert Gracia  
City Manager

### EXECUTIVE SUMMARY

Budget Amendment 15-09, in the amount of \$1,588,430, will allocate funds for the following:

1. Increase the Rosenberg Business Park budget by \$260,000 with funding provided by the General Fund (\$130,000) and the Rosenberg Development Corporation (\$130,000), both of which will be funded from unreserved fund balance.
2. Allocate funding in the amount of \$20,430 to upsize an 8-inch waterline installation planned by the developer along SH 36 North to a 12-inch waterline.
3. Allocate \$1,000,000 from the 2007 Fort Bend County Mobility Funds to the waterline improvement project along Avenue H and Avenue I.
4. Increase equipment repair and maintenance by \$48,000 for a water well repair.

Budget Amendment 15-09 is included as Exhibit "A" to Resolution No. R-1935. Staff recommends approval of Resolution No. R-1935 as presented.

**RESOLUTION NO. R-1935**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROSENBERG, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE, FOR AND ON BEHALF OF THE CITY OF ROSENBERG, TEXAS, BUDGET AMENDMENT 15-09 IN THE AMOUNT OF \$1,588,430 FOR IMPROVEMENTS TO THE ROSENBERG BUSINESS PARK, UPSIZING OF A WATERLINE ALONG SH36 NORTH, WATERLINE IMPROVEMENTS ALONG AVENUE H AND AVENUE I, AND REPAIRS TO A WATER WELL.**

\* \* \* \* \*

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROSENBERG:**

Section 1. The City Council hereby authorizes Budget Amendment 15-09 (Amendment), in the amount of \$1,588,430 for improvements to the Rosenberg Business Park, upsizing of a waterline along SH36 North, waterline improvements along Avenue H and Avenue I and repairs to a water well. A copy of such Amendment is attached hereto as Exhibit "A" and made a part hereof for all purposes.

**PASSED, APPROVED, AND RESOLVED** this \_\_\_\_ day of \_\_\_\_\_ 2015.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Linda Cernosek, **City Secretary**

\_\_\_\_\_  
Vincent M. Morales, Jr., **Mayor**

CITY OF ROSENBERG, TEXAS  
REQUEST FOR BUDGET AMENDMENT

NUMBER: 15-09

Fund: 101, 219, 225, 432, & 501

Departments: General, RDC, RDC Projects, County Mob

Fiscal Year: 2014-15

Item [ ] was [ X ] was not included in the Department's original budget request.

Type of expenditure: ( ) Recurring ( X ) Nonrecurring

Type of adjustment: ( X ) line-item transfer [ ] department transfer  
( ) request for additional funds [ ] accounting correction

The budget amendment requested will require the following revisions;

**FUND BALANCE/RETAINED EARNINGS ACCOUNT(S):**

<u>ACCOUNT NUMBER</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ORIGINAL BUDGET (1)</u>	<u>REQUESTED TRANSFER</u>	<u>AMENDED BUDGET</u>
<u>101-0000-350-0000</u>	<u>Unreserved Fund Balance</u>	<u>\$ 12,230,551.00</u>	<u>\$ (130,000.00)</u>	<u>\$ 12,100,551.00</u>
<u>219-0000-350-0000</u>	<u>Unreserved Fund Balance</u>	<u>1,135,731.00</u>	<u>(130,000.00)</u>	<u>1,005,731.00</u>
<u>501-0000-350-0000</u>	<u>Retained Earnings</u>	<u>6,204,256.00</u>	<u>(68,430.00)</u>	<u>6,135,826.00</u>
		<u>-</u>	<u>-</u>	<u>-</u>
		<u>-</u>	<u>-</u>	<u>-</u>
	<b>TOTAL</b>	<u>\$ 19,570,538.00</u>	<u>\$ (328,430.00)</u>	<u>\$ 19,242,108.00</u>

**REVENUE ACCOUNT(S):**

<u>ACCOUNT NUMBER</u>	<u>ACCOUNT DESCRIPTION</u>	<u>ORIGINAL BUDGET (1)</u>	<u>REQUESTED TRANSFER</u>	<u>AMENDED BUDGET</u>
<u>225-0000-481-3000</u>	<u>Transfer from RDC Fund</u>	<u>\$ 1,355,375.00</u>	<u>\$ 130,000.00</u>	<u>\$ 1,485,375.00</u>
<u>225-0000-481-9101</u>	<u>Transfer from General Fund</u>	<u>-</u>	<u>130,000.00</u>	<u>130,000.00</u>
<u>432-0000-423-2000</u>	<u>Fort Bend County Mobility</u>	<u>-</u>	<u>1,000,000.00</u>	<u>1,000,000.00</u>
		<u>-</u>	<u>-</u>	<u>-</u>
	<b>TOTAL</b>	<u>\$ 1,355,375.00</u>	<u>\$ 1,260,000.00</u>	<u>\$ 2,615,375.00</u>

**EXPENSE ACCOUNT(S):**

<u>101-1800-510-9225</u>	<u>Transfer to RDC Projects Fund</u>	<u>\$ -</u>	<u>\$ 130,000.00</u>	<u>\$ 130,000.00</u>
<u>219-7000-540-9225</u>	<u>Transfer to RDC Projects Fund</u>	<u>1,355,375.00</u>	<u>130,000.00</u>	<u>1,485,375.00</u>
<u>225-7000-540-7030 CP1302</u>	<u>Improvements O/T Buildings - Business Park</u>	<u>4,245,096.71</u>	<u>260,000.00</u>	<u>4,505,096.71</u>
<u>432-0000-550-7010 CP1413</u>	<u>Avenue H &amp; Avenue I Water Line</u>	<u>-</u>	<u>1,000,000.00</u>	<u>1,000,000.00</u>
<u>501-5052-600-6325</u>	<u>Equipment Repair &amp; Maintenance</u>	<u>52,100.00</u>	<u>48,000.00</u>	<u>100,100.00</u>
<u>501-5053-600-7030</u>	<u>Improvements O/T Buildings</u>	<u>-</u>	<u>20,430.00</u>	<u>20,430.00</u>
		<u>-</u>	<u>-</u>	<u>-</u>
		<u>-</u>	<u>-</u>	<u>-</u>
		<u>-</u>	<u>-</u>	<u>-</u>
		<u>-</u>	<u>-</u>	<u>-</u>
		<u>-</u>	<u>-</u>	<u>-</u>
		<u>-</u>	<u>-</u>	<u>-</u>
		<u>-</u>	<u>-</u>	<u>-</u>
		<u>-</u>	<u>-</u>	<u>-</u>
		<u>-</u>	<u>-</u>	<u>-</u>
	<b>TOTAL</b>	<u>\$ 5,652,571.71</u>	<u>\$ 1,588,430.00</u>	<u>\$ 7,241,001.71</u>

**Reason(s) for Amendment:** Please explain the reason(s) the amendment is requested.  
(Attach additional sheets if necessary.)

This budget adjustment will allocate funds for improvements to the Rosenberg Business Park, upsize a waterline along SH36 North, waterline improvements along Avenue H and Avenue I and repairs to a water well.

Department Head \_\_\_\_\_ Date \_\_\_\_\_ Director of Finance \_\_\_\_\_ Date \_\_\_\_\_

Assistant City Manager \_\_\_\_\_ Date \_\_\_\_\_

City Manager \_\_\_\_\_ Date \_\_\_\_\_ Mayor/City Council (if between divisions or capital outlay) \_\_\_\_\_ Date \_\_\_\_\_

ACCOUNTING USE ONLY: DATE POSTED: \_\_\_\_\_ Group #: \_\_\_\_\_ POSTED BY: \_\_\_\_\_



# CITY COUNCIL COMMUNICATION

March 03, 2015

ITEM #	ITEM TITLE
5	<b>Ordinance No. 2015-08 – Utility Rate Increase</b>
<b>ITEM/MOTION</b>	
Consideration of and action on Ordinance No. 2015-08, an Ordinance amending the Code of Ordinances by amending Section 29-50 of Division 1 of Article II of Chapter 29 thereof, establishing rates and charges for water services; providing an effective date; providing a penalty in an amount not to exceed \$2,000 for violation of any provision hereof; and providing for severability.	
<b>FINANCIAL SUMMARY</b>	
<b>ELECTION DISTRICT</b>	

**Annualized Dollars:**

- One-time
- Recurring
- N/A

**Budgeted:**

- Yes  No  N/A

**Source of Funds:** N/A

- District 1
- District 2
- District 3
- District 4
- City-wide
- Other

**SUPPORTING DOCUMENTS:**

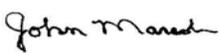
1. Ordinance No. 2015-08 – Redlined
2. Ordinance No. 2015-08
3. Current Surface Water (GRP) Rates
4. City Council Meeting Minute Excerpt – 02-03-15

**MUD #s:** Nos. 5, 155, 162, FBCFWS No. 2 and Bridlewood Estates

**APPROVALS**

**Submitted by:**

  
 Joyce Vasut  
 Executive Director of  
 Administrative Services

  
 John Maresh  
 Assistant City Manager of  
 Public Services

**Reviewed by:**

- Exec. Dir. of Administrative Services
- Asst. City Manager of Public Services
- City Attorney *DNRBHZ/rl*
- City Engineer
- (Other)

**Approved for Submittal to City Council:**

  
 Robert Gracia  
 City Manager

**EXECUTIVE SUMMARY**

At the City Council Meeting on February 03, 2015, staff presented Amendment No. 1 to the Water Supply Agreement with Brazosport Water Authority (BWA) to acquire an additional 2.7 million gallons of water per day and place the City in a position to satisfy the Fort Bend Subsidence District's (District) mandate for the 60% reduction in groundwater withdrawal, effective 2025. Staff also presented the cost to the City regarding the amended Agreement, as well as the anticipated cash flows. As part of that presentation, staff recommended increasing the subsidence fee July 01, 2015, and again in January 01, 2016, to meet the cost of the BWA Agreement and the cost to provide the necessary internal capital projects. The recommended rate for July 01, 2015, is to increase the rate from \$1.40 per 1,000 gallons to \$1.80 per 1,000 gallons. A second rate adjustment is recommended for January 01, 2016, to increase the rate to \$2.20 per 1,000 gallons. These proposed rate adjustments will also bring the City of Rosenberg more closely in alignment with fees being charged by similar entities to meet the District's unfunded mandate. As the internal capital projects near completion, the subsidence fees will again have to be assessed and may require additional adjustments.

Staff recommends approval of Ordinance No. 2015-08 effective July 01, 2015, and January 01, 2016, to increase the subsidence fee as a financial means to cover the operational and capital costs to meet the District's unfunded groundwater withdrawal reduction mandates and the requirements of the BWA Agreement.

**ORDINANCE NO. 2015-08**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF ROSENBERG, TEXAS, BY AMENDING SECTION 29-50 OF DIVISION 1 OF ARTICLE II OF CHAPTER 29 THEREOF, ESTABLISHING RATES AND CHARGES FOR WATER SERVICES; PROVIDING AN EFFECTIVE DATE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR VIOLATION OF ANY PROVISION HEREOF; AND PROVIDING FOR SEVERABILITY.**

**WHEREAS**, the City Council of the City of Rosenberg, Texas, deems it reasonable and necessary to revise waterservice rates to provide adequate revenues to meet the mandates of the Fort Bend Subsidence District, and other financial requirements deemed necessary by the City Council of the City of Rosenberg, Texas; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ROSENBERG:**

Section 1. The Code of Ordinances of the City of Rosenberg, Texas, is hereby amended by amending paragraph (i) of Section 29-50 of Division 1 of Article II of Chapter 29 thereof, and substituting therefor a new paragraph (i) of Section 29-50, to provide as follows:

**“DIVISION 1. WATER SERVICE**

**Sec. 29-50. Metered rates;charge for late payment; senior citizen discount; outside City rates; prorated service; construction water usage; bulk water rates.**

\*\*\*

(i) A water subsidence fee (GRP fee) surcharge of one dollar and ~~fortyeighty~~ cents (\$1.401.80) per one thousand (1,000) gallons shall be charged for all water used, ~~unless otherwise provided for~~ for the time period beginning July 01, 2015 through December 31, 2015, unless otherwise provided for. Beginning January 01, 2016, a water subsidence fee (GRP fee) surcharge of two dollars and twenty cents (\$2.20) per one thousand (1,000) gallons shall be charged for all water used, unless otherwise provided for. Such water subsidence fee shall be applicable to all water customers including single-family residences, multiple-dwelling units, commercial/industrial users, combination residential and commercial/industrial users, construction water usage, bulk water usage and wholesale water usage.”

Section 2. The rates and charges adopted by this Ordinance shall become effective July 01, 2015, and January 01, 2016.

Section 3. Any person who shall intentionally, knowingly, recklessly, or with criminal negligence, violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$2,000. Each day of violation shall constitute a separate offense.

Section 4. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Rosenberg, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

**PASSED AND APPROVED** by a vote of \_\_\_\_\_ “ayes” in favor and \_\_\_\_\_ “noes” against on this first and final reading in full compliance with the provisions of Section 3.10 of the Charter of the City of Rosenberg on the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Linda Cernosek, **City Secretary**

\_\_\_\_\_  
Vincent M. Morales, Jr., **Mayor**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Scott M. Tschirhart, **City Attorney**  
Denton Navarro Rocha Bernal Hyde & Zech, P.C.

**ORDINANCE NO. 2015-08**

**AN ORDINANCE AMENDING THE CODE OF ORDINANCES OF THE CITY OF ROSENBERG, TEXAS, BY AMENDING SECTION 29-50 OF DIVISION 1 OF ARTICLE II OF CHAPTER 29 THEREOF, ESTABLISHING RATES AND CHARGES FOR WATER SERVICES; PROVIDING AN EFFECTIVE DATE; PROVIDING A PENALTY IN AN AMOUNT NOT TO EXCEED \$2,000 FOR VIOLATION OF ANY PROVISION HEREOF; AND PROVIDING FOR SEVERABILITY.**

**WHEREAS**, the City Council of the City of Rosenberg, Texas, deems it reasonable and necessary to revise waterservice rates to provide adequate revenues to meet the mandates of the Fort Bend Subsidence District, and other financial requirements deemed necessary by the City Council of the City of Rosenberg, Texas; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ROSENBERG:**

Section 1. The Code of Ordinances of the City of Rosenberg, Texas, is hereby amended by amending paragraph (i) of Section 29-50 of Division 1 of Article II of Chapter 29 thereof, and substituting therefor a new paragraph (i) of Section 29-50, to provide as follows:

**“DIVISION 1. WATER SERVICE**

**Sec. 29-50. Metered rates;charge for late payment; senior citizen discount; outside City rates; prorated service; construction water usage; bulk water rates.**

\*\*\*

(i) A water subsidence fee (GRP fee) surcharge of one dollar and eighty cents (\$1.80) per one thousand (1,000) gallons shall be charged for all water used, for the time period beginning July 01, 2015 through December 31, 2015, unless otherwise provided for. Beginning January 01, 2016, a water subsidence fee (GRP fee) surcharge of two dollars and twenty cents (\$2.20) per one thousand (1,000) gallons shall be charged for all water used, unless otherwise provided for. Such water subsidence fee shall be applicable to all water customers including single-family residences, multiple-dwelling units, commercial/industrial users, combination residential and commercial/industrial users, construction water usage, bulk water usage and wholesale water usage.”

Section 2. The rates and charges adopted by this Ordinance shall become effective July 01, 2015, and January 01, 2016.

Section 3. Any person who shall intentionally, knowingly, recklessly, or with criminal negligence, violate any provision of this Ordinance shall be deemed guilty of a misdemeanor and, upon conviction, shall be fined in an amount not to exceed \$2,000. Each day of violation shall constitute a separate offense.

Section 4. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Rosenberg, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

**PASSED AND APPROVED** by a vote of \_\_\_\_\_ “ayes” in favor and \_\_\_\_\_ “noes” against on this first and final reading in full compliance with the provisions of Section 3.10 of the Charter of the City of Rosenberg on the \_\_\_\_\_ day of \_\_\_\_\_, 2015.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Linda Cernosek, **City Secretary**

\_\_\_\_\_  
Vincent M. Morales, Jr., **Mayor**

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Scott M. Tschirhart, **City Attorney**  
Denton Navarro Rocha Bernal Hyde & Zech, P.C.

# Current Surface Water (GRP) Rates

Entity	Current Rate
North Fort Bend Water Authority	\$ 2.80
San Jacinto River Authority	\$ 2.44
Sugar Land	\$ 1.88
Missouri City	\$ 1.82
Richmond	\$ 1.50
Rosenberg	\$ 1.40

Rates based per 1,000 gallons

Macario Garcia and Travis Parks. The motion carried by a unanimous vote of those present.

3. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1917, A RESOLUTION AUTHORIZING THE CITY MANAGER TO ACCEPT, FOR AND ON BEHALF OF THE CITY, A DONATION FROM THE CHURCH FOR THE PURCHASE AND INSTALLATION OF SOCCER FIELD LIGHTING AT COMMUNITY PARK.**

**Executive Summary:** At the regularly scheduled November Parks and Recreation Board (Board) meeting, Pastor Jimn Kyles of THE CHURCH presented a proposal to provide funding for lighting of the newly created soccer field at Community Park. After some brief discussion, the Board unanimously recommended accepting the donation of lighting for the soccer field as presented.

Staff and the Board recommend approval of Resolution No. R-1917 as presented.

**Key discussion points:** Darren McCarthy, Parks and Recreation Director gave an overview of the item. After discussion, Mayor and Councilors present thanked Pastor Jimn and Phyllis Kyles for their efforts.

**Action:** Councilor McConathy made a motion, seconded by Councilor Euton to approve Resolution No. R-1917, a Resolution authorizing the City Manager to accept, for and on behalf of the City, a donation from THE CHURCH for the purchase and installation of soccer field lighting at Community Park. The motion carried by a unanimous vote of those present.

4. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1906, A RESOLUTION AWARDDING BID NO. 2015-03 FOR CONSTRUCTION OF THE LIFT STATION NO. 11 REPLACEMENT; AND, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE, FOR AND ON BEHALF OF THE CITY, APPROPRIATE DOCUMENTS AND/OR AGREEMENTS REGARDING SAME.**

**Executive Summary:** Bids were received on Wednesday, January 21, 2015, for construction of the Lift Station No. 11 Replacement Project. A total of four (4) bids were opened and tabulated as indicated on the bid summary form.

Staff recommends Bid No. 2015-03 be awarded to R+B Group, Inc., for the base bid amount of \$1,201,800.00. Correspondence from Charles Kalkomey, City Engineer, recommends same. Should the bid be awarded as recommended, the proposal from R+B Group, Inc., will be attached and serve as Exhibit "A" to Resolution No. R-1906. The contract time is 180 calendar days.

The Lift Station No. 11 Replacement Project is included in the FY2015 Capital Improvement Plan approved by City Council on June 17, 2014.

Staff recommends approval of Resolution No. R-1906 which will award Bid No. 2015-03 and provide authorization for the City Manager to negotiate and execute all required documents necessary to facilitate the Agreement.

**Key discussion points:** John Maresh, Assistant City Manager of Public Services read the Executive Summary. He pointed out that equipment has become obsolete, it is very difficult to get replacement parts with a long lead time, and there are only two pumps. If one pump goes down, leaving only one operable pump, it becomes a critical situation.

**Action:** Councilor McConathy made a motion, seconded by Councilor Grigar to approve Resolution No. R-1906, a Resolution awarding Bid No. 2015-03 for construction of the Lift Station No. 11 Replacement To R+B Group, Inc. for the base bid amount of \$1,201,800.00; and, authorizing the City Manager to negotiate and execute, for and on behalf of the City, appropriate documents and/or agreements regarding same. The motion carried by a unanimous vote of those present.

5. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1919, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE, FOR AND ON BEHALF OF THE CITY, THE FIRST AMENDMENT TO THE WATER SUPPLY AGREEMENT, BY AND BETWEEN THE CITY AND BRAZOSPORT WATER AUTHORITY.**

**Executive Summary:** On December 02, 2014, City Council authorized the Mayor to execute a Water Supply Agreement (Agreement) with the Brazosport Water Authority (BWA) as required by

the amended Groundwater Reduction Plan. The Agreement provides a mechanism allowing for compliance with the Fort Bend Subsidence District (District) unfunded mandate to reduce groundwater withdrawals by 30% beginning October 01, 2016, by constructing a pipeline supplying treated surface water to the City. The Agreement specifies a take or pay water volume of 3 million gallons per day, which would meet the 30% reduction mandate effective in 2016. The District mandate also requires an additional 30% reduction of groundwater withdrawals, effective in 2025. The Agreement as currently written does not obligate BWA to supply the additional treated surface water that will be required to meet the 2025 reduction mandate.

Shortly after the City and BWA entered into the Agreement, the Texas Department of Criminal Justice (TDCJ) elected to not participate in the BWA expansion project making an additional 2.7 million gallons of water per day immediately available to Rosenberg. The Agreement does include a provision which allows the City an option to acquire the additional 2.7 million gallons of water per day initially allocated to TDCJ. This additional water supply places the City in a unique position to be able to meet the District's 60% reduction mandate in 2025. Equally as important, the City must acquire the additional water in order to keep the overall project financially feasible to both BWA and the City. Time is of the essence in order to maintain a construction schedule that will meet the District's 30% reduction mandate beginning with the October 01, 2016 permit year.

The proposed Amendment No. 1 to the Agreement included in the agenda packet was under final review by BWA staff and may include some slight revisions prior to the February 03, 2015 City Council meeting. An updated copy was provided at the City Council meeting. Staff will provide City Council with cost and water rate information during the meeting.

Staff does recommend approval of Resolution No. R-1919, authorizing the Mayor to execute Amendment No. 1 to the Water Supply Agreement to acquire an additional 2.7 million gallons of water per day and place the City in a position to satisfy the District's 60% reduction mandate in 2025.

**Key discussion points:** John Maresh read the Executive Summary. Joyce Vasut presented Financial Analysis of the following project details:

- Capital Costs
  - Start paying prior to the delivery of water – one month after approval of agreement and the bond resolution.
  - Amount paid is calculated using the same formula as used for the Participating Cities.
  - Capital cost rate is based on the amount of BWA debt and amount of water contracted by BWA.
  - The City will pay the capital cost rate on the full 5.7 million gallons per day.
- Estimated Annual Costs:
  - 2015 - \$655,358
  - 2016 - \$1,789,230
  - 2017 - \$4,076,685
  - 2018 - \$4,229,985
  - 2019 - \$4,284,735
  - 2020 - \$4,497,165
  - 2021 - \$4,551,915
  - 2022 - \$4,606,665
  - 2023 - \$4,661,415
  - 2024 - \$4,706,310
- Capital Improvement Funding
 

Impact Fees	\$1,978,000
Subsidence Fees	\$4,000,000
Water/Wastewater Funds	\$2,108,700
Issue Debt	\$4,000,000
Total Funding Sources	\$12,086,700

- Based on the amended BWA contract, it is projected that the City will have to raise the subsidence fee paid by water customers from \$1.40 to \$2.20 over the next year to cover the costs of the water supply conversion. This adjustment will bring the City's subsidence fee closer in alignment with other fees in the area currently being charged for treated surface water.
- Benefits
  - Secures water supply not only to meet needs through mandated 60% conversion in 2025; but also to support continued growth and economic development (5.7 MGD contract)
  - Saves an estimated \$12.6 million over next 35 years when compared to City-owned and operated surface water treatment plant
  - Provides additional advantages including:
    - A stable, predetermined rate structure that includes costs for capital improvements
    - Flexibility for use of additional 2.7 MGD based on City needs
    - Potential for reduced costs through future growth of customer base
    - Sustainability of supply due to Dow Chemical's senior water rights and reservoirs, and potential sources for future water supply

**Action:** Councilor McConathy made a motion, seconded by Councilor Grigar to approve Resolution No. R-1919, a Resolution authorizing the Mayor to execute, for and on behalf of the City, the First Amendment to the Water Supply Agreement, by and between the City and Brazosport Water Authority. The motion carried by a unanimous vote of those present.

6. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1873, A RESOLUTION AUTHORIZING THE MAYOR TO EXECUTE A RESALE DEED FOR REAL PROPERTY GENERALLY LOCATED AT 800 6TH STREET AND DESCRIBED AS TRACT 1: GEO NUMBER: 7835000380130901: LOT THIRTEEN (13), BLOCK THIRTY-EIGHT (38), IN THE TOWN OF ROSENBERG, FORT BEND COUNTY, TEXAS, ACCORDING TO THE PLAT OF SAID TOWN SHOWN OF RECORD IN VOLUME P, PAGE 146 OF THE DEED RECORDS OF FORT BEND COUNTY, TEXAS; AND FOR REAL PROPERTY GENERALLY LOCATED AT 802 6TH STREET AND DESCRIBED AS TRACT 2: GEO NUMBER: 7835000380140901: LOTS FOURTEEN (14) AND FIFTEEN (15) IN BLOCK THIRTY-EIGHT (38) OF THE CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS, ACCORDING TO THE PLAT OF SAID CITY OF ROSENBERG, APPEARING OF RECORD IN VOLUME P, PAGE 146 OF THE DEED RECORDS OF FORT BEND COUNTY, TEXAS; AND, CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT.**

**Executive Summary:** Mike Darlow, with Perdue, Brandon, Fielder, Collins and Mott, LLP, presented an offer received from Terry Scott to purchase three (3) lots from the City for \$18,000. The official bid form, a letter from Mr. Scott explaining the costs he plans to incur to renovate the property, along with a bid analysis and map showing the location was included in the agenda packet, along with a proposed resale deed should the offer be accepted by City Council.

Based upon the taxes due under the judgment and the amount needed for repair, Mr. Darlow agreed that this is a reasonable offer and would recommend approval of Resolution No. R-1873. Should City Council approve this item, approval would also be necessary by Lamar Consolidated ISD, as well as Fort Bend County in order to complete the resale.

Staff recommends approval of Resolution No. R-1873, a Resolution authorizing the resale of property that was acquired through tax foreclosure proceedings.

**Key discussion points:** Joyce Vasut gave an overview of the item. Mayor and Councilors present thanked Mike Darlow for a job well done.

**Action:** Councilor Grigar made a motion, seconded by Councilor McConathy to approve Resolution No. R-1873, a Resolution authorizing the Mayor to execute a resale deed for real property generally located at 800 6th Street and described as Tract 1: Geo Number: 7835000380130901: Lot Thirteen (13), Block Thirty-Eight (38), in the Town of Rosenberg, Fort Bend County, Texas, according to the Plat of said town shown of record in Volume P, Page 146 of the Deed Records of Fort Bend County, Texas; and for real property generally located at 802 6th Street and described as Tract 2: Geo Number: 7835000380140901: Lots Fourteen (14) and Fifteen



# CITY COUNCIL COMMUNICATION

March 03, 2015

ITEM #	ITEM TITLE
6	Resolution No. R-1872 – Marquez Enterprises, L.L.C. Tax Abatement Agreement

### ITEM/MOTION

Consideration of and action on Resolution No. R-1872, a Resolution authorizing the City Manager to execute, for and on behalf of the City, a Tax Abatement Agreement, by and between the City and Marquez Enterprises, L.L.C.

### FINANCIAL SUMMARY

### ELECTION DISTRICT

#### Annualized Dollars:

One-time  
 Recurring  
 N/A

#### Budgeted:

Yes  No  N/A

**Source of Funds:** N/A

District 1  
 District 2  
 District 3  
 District 4  
 City-wide  
 N/A

### SUPPORTING DOCUMENTS:

1. Resolution No. R-1872
2. Ordinance No. 2014-43 – 11-04-14
3. City Council Meeting Minute Excerpt – 11-04-14

**MUD #:** N/A

### APPROVALS

#### Submitted by:

  
 Randall Malik  
 Economic Development Director

#### Reviewed by:

Exec. Dir. of Administrative Services  
 Asst. City Manager of Public Services  
 City Attorney **DNRBHZ/RL**  
 City Engineer  
 (Other)

#### Approved for Submittal to City Council:

  
 Robert Gracia  
 City Manager

### EXECUTIVE SUMMARY

On November 11, 2014, the City Council approved Ordinance No. 2014-43 which created Reinvestment Zone No. 18 in the City of Rosenberg. Marquez Enterprises, L.L.C., also known as Superior Tank Company, located at 1700 Bamore Road currently operates a business at the existing facility of 8,000 sq. ft. within Reinvestment Zone No. 18. The potential facility expansion will increase the facility to 54,000 sq. ft. on 6.49 acres. As a result of the expansion, total employment would increase from 18 to 100 over a five year period with an average salary of \$40,000 per year.

Years	% of Abatement	City Property Taxes Generated	Total Amount of Abatement (\$0.49 Rate)	Total Amount to City (Less Tax Abatement)	Current Property Tax Value to the City
1	50%	\$14,553	\$3,920	\$10,633	\$2,568.78
2	50%	\$14,553	\$3,920	\$10,633	\$2,568.78
3	50%	\$14,553	\$3,920	\$10,633	\$2,568.78
4	50%	\$14,553	\$3,920	\$10,633	\$2,568.78
5	50%	\$14,553	\$3,920	\$10,633	\$2,568.78
6	50%	\$14,553	\$3,920	\$10,633	\$2,568.78
7	50%	\$14,553	\$3,920	\$10,633	\$2,568.78
<b>Total</b>		<b>\$101,871</b>	<b>\$27,440</b>	<b>\$74,431</b>	<b>\$17,981.46</b>

At the end of the seven (7) year period, Marquez Enterprises, L.L.C. (Superior Tank) would be taxed at one hundred percent (100%).

Should City Council approve the Tax Abatement Agreement, Marquez Enterprises, L.L.C. (Superior Tank) will complete the improvements and begin operations by no later than December 31, 2016. Resolution No. R-1872 will authorize the City Manager to execute the associated Tax Abatement Agreement, attached to Resolution No. R-1872 as Exhibit "A" and provided under separate cover for review. Staff recommends approval of Resolution No. R-1872 as presented.

**RESOLUTION NO. R-1872**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROSENBERG, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE, FOR AND ON BEHALF OF THE CITY OF ROSENBERG, TEXAS, A TAX ABATEMENT AGREEMENT, BY AND BETWEEN THE CITY OF ROSENBERG, TEXAS, AND MARQUEZ ENTERPRISES, L.L.C.**

\* \* \* \* \*

**BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROSENBERG:**

Section 1. The City Manager is hereby authorized to execute a Tax Abatement Agreement (Agreement), by and between the City of Rosenberg, Texas, and Marquez Enterprises, L. L. C.

Section 2. A copy of such Agreement is attached hereto as Exhibit "A" and made a part hereof for all purposes.

**PASSED, APPROVED, AND RESOLVED** this \_\_\_\_\_ day of \_\_\_\_\_ 2015.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_  
Linda Cernosek, **CITY SECRETARY**

\_\_\_\_\_  
Vincent M. Morales, Jr., **MAYOR**

**EXHIBIT "A"**

*This document to be provided under separate cover.*

**ORDINANCE NO. 2014-43**

**AN ORDINANCE CREATING CITY OF ROSENBERG REINVESTMENT ZONE NO. 18, SAME BEING A 6.4962 ACRE TRACT OF LAND BEING ALL OF RESERVE "A", DELTEX CENTER REPLAT NO. 1 (PLAT NO. 20130094L F.B.C.P.R.) IN THE HENRY SCOTT LEAGUE, ABSTRACT NO. 83, CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS; MAKING CERTAIN FINDINGS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; AND PROVIDING FOR SEVERABILITY.**

**WHEREAS**, City Council has passed and approved Guidelines and Criteria for Granting Tax Abatement in Reinvestment Zones Created in the City of Rosenberg, Texas; and,

**WHEREAS**, pursuant to such Guidelines, the City Council has received an application for creation of a reinvestment zone and the granting of tax abatement; and,

**WHEREAS**, after the giving of proper notice, as required by law, the City Council held a public hearing where all interested persons were given an opportunity to speak and present evidence for and against the creation of Reinvestment Zone No. 18; and,

**WHEREAS**, notice of such public hearing was duly given to the presiding officer of the governing body of each taxing unit that includes within its boundaries real property that is to be included in proposed Reinvestment Zone No. 18; and,

**WHEREAS**, City Council has determined that the improvements sought to be located in proposed Reinvestment Zone No. 18 are feasible and practical and would be a benefit to the land to be included in the Zone and to the City after the expiration of the tax abatement agreement; and,

**WHEREAS**, the creation of Reinvestment Zone No. 18 will be reasonably likely, as a result of its creation, to contribute to the retention or expansion of primary employment or to attract major investment into the Zone that would benefit to property located therein and that will contribute to the economic development of the City of Rosenberg; now, therefore,

**BE IT ORDAINED BY THE COUNCIL OF THE CITY OF ROSENBERG:**

Section 1. That the facts and matters set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. That Reinvestment Zone No. 18 is hereby created for the purpose of encouraging economic development through tax abatement. A description of the property which comprises said Reinvestment Zone No. 18 is attached hereto as Exhibit "A" and

made a part hereof for all purposes. Improvements constructed, erected, or placed within Reinvestment Zone No. 18 as created hereby shall be eligible for commercial-industrial tax abatement.

Section 3. That the property which comprises Reinvestment Zone No. 18 is located within the corporate limits of the City of Rosenberg.

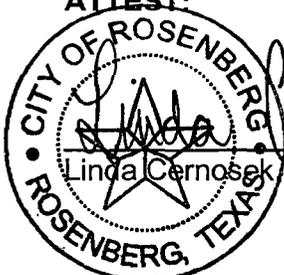
Section 4. This designation of Reinvestment Zone No. 18 shall expire five (5) years after the date of adoption of this Ordinance.

Section 5. All ordinances or parts of ordinances inconsistent or in conflict herewith are, to the extent of such inconsistency or conflict, hereby repealed.

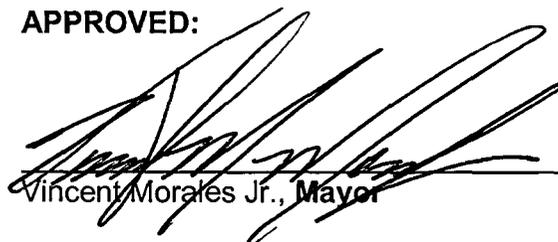
Section 6. In the event any clause, phrase, provision, sentence, or part of this Ordinance or the application of the same to any person or circumstance shall for any reason be adjudged invalid or held unconstitutional by a court of competent jurisdiction, it shall not affect, impair, or invalidate this Ordinance as a whole or any part or provision hereof other than the part declared to be invalid or unconstitutional; and the City Council of the City of Rosenberg, Texas, declares that it would have passed each and every part of the same notwithstanding the omission of any such part thus declared to be invalid or unconstitutional, whether there be one or more parts.

**PASSED AND APPROVED** by a vote of 7 "ayes" in favor and 0 "noes" against on this first and final reading in full compliance with the provisions of Section 3.10 of the Charter of the City of Rosenberg on the 24th day of November 2014.

ATTEST:

 Linda Cernosek  
Linda Cernosek, City Secretary

APPROVED:

  
Vincent Morales Jr., Mayor

**APPROVED AS TO FORM:**



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**Scott Tschirhart, City Attorney**  
Denton Navarro Rocha Bernal Hyde & Zech, P.C.



Staff recommends approval of Ordinance No. 2014-44 as presented.

**Key discussion points:**

- John Maresh, Assistant City Manager of Public Services read the Executive Summary.

**Questions:**

**Q:** Is there anything on the property now?

**A:** It is vacant and he can still build on it.

**Action:** Councilor McConathy made a motion, seconded by Councilor Barta to approve Ordinance No. 2014-44, an Ordinance authorizing and directing the City Manager or the City Manager's designee to sign and execute all necessary documents to institute eminent domain proceedings for the acquisition of 0.58 out of a 3.966 acre tract of real property owned and claimed by Harwin Exchange Center, Inc., Mohammed Aslam Sohani, President, in the Reserve 'C' of the Park at Rosenberg, Fort Bend County, Texas 77471; and, directing the City Attorney to initiate condemnation proceedings. The motion carried by a unanimous vote.

7. **HOLD PUBLIC HEARING REGARDING PROPOSED ORDINANCE NO. 2014-43, AN ORDINANCE CREATING CITY OF ROSENBERG REINVESTMENT ZONE NO. 18, SAME BEING A 6.4962 ACRE TRACT OF LAND BEING ALL OF RESERVE "A", DELTEX CENTER REPLAT NO. 1 (PLAT NO. 20130094L F.B.C.P.R.) IN THE HENRY SCOTT LEAGUE, ABSTRACT NO. 83, CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS; MAKING CERTAIN FINDINGS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; AND PROVIDING FOR SEVERABILITY.**

**Executive Summary:** Municipalities are required to hold a public hearing for citizen input before establishing a Reinvestment Zone. This item has been included to give the public an opportunity to comment on the establishment of Reinvestment Zone No. 18 within the corporate limits of the City of Rosenberg, Texas, for the purpose of granting tax abatement.

In accordance with State law and the City's Guidelines and Criteria for Tax Abatement, the notice for the November 04, 2013, hearing was published in the Fort Bend Herald on Tuesday, October 28, 2014, (at least seven (7) days prior to the public hearing) and was provided to the presiding officers of each taxing unit with jurisdiction over real property within the zone.

**Key discussion points:**

- Randall Malik, Economic Development Director gave an overview of the item.
- Mayor Morales opened the public hearing at 7:31:33 p.m. and closed the public hearing at 7:31:44 p.m.

8. **CONSIDERATION OF AND ACTION ON ORDINANCE NO. 2014-43, AN ORDINANCE CREATING CITY OF ROSENBERG REINVESTMENT ZONE NO. 18, SAME BEING A 6.4962 ACRE TRACT OF LAND BEING ALL OF RESERVE "A", DELTEX CENTER REPLAT NO. 1 (PLAT NO. 20130094L F.B.C.P.R.) IN THE HENRY SCOTT LEAGUE, ABSTRACT NO. 83, CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS; MAKING CERTAIN FINDINGS; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HERewith; AND PROVIDING FOR SEVERABILITY.**

**Executive Summary:** Chapter 312 of the Tax Code requires municipalities to declare a Reinvestment Zone (Zone) before providing tax abatement. When designating an area as a Reinvestment Zone, the governing body must make several findings, including the following related to Reinvestment Zone No. 18:

- A) The improvements sought are feasible and practical and will be a benefit to the Zone after the expiration of the tax abatement agreement;
- B) The Zone meets one (1) of the applicable criteria for Reinvestment Zones, specifically the designation of the Zone is reasonably likely to contribute to the retention or expansion of primary employment or to attract major investment into the Zone. Such factors would benefit property located therein and would contribute to the economic development of the City of Rosenberg.

Improvements constructed or placed within the Zone will be eligible for commercial - industrial tax abatement. These findings are included in Ordinance No. 2014-43 designating Reinvestment Zone No. 18. The area which comprises the Zone is included as Exhibit "A" to Ordinance No. 2014-43. The public hearing for creation of Reinvestment Zone No. 18 was conducted immediately preceding this item.

Staff recommends approval of Ordinance No. 2014-43 as presented.

**Key discussion points:**

- Randall Malik gave an overview of the item regarding Ordinance No. 2014-43.

**Questions:**

**Q:** Why is only a legal description provided and not a street address?

**A:** We have to use the legal description on the tax rolls. The physical address will be added.

**Action:** Councilor McConathy made a motion, seconded by Councilor Grigar to approve Ordinance No. 2014-43, an Ordinance creating City of Rosenberg Reinvestment Zone No. 18, same being a 6.4962 acre tract of land being all of Reserve "A", Deltex Center Replat No. 1 (Plat No. 201300941 F.B.C.P.R.) in the Henry Scott League, Abstract No. 83, City of Rosenberg, Fort Bend County, Texas; making certain findings; repealing all ordinances or parts of ordinances inconsistent or in conflict herewith; and providing for severability. The motion carried by a unanimous vote.

9. ***This item was pulled from the Agenda.***

**CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1872, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE, FOR AND ON BEHALF OF THE CITY, A TAX ABATEMENT AGREEMENT, BY AND BETWEEN THE CITY AND MARQUEZ ENTERPRISES, L.L.C.**

**Executive Summary:** Marquez Enterprises, L.L.C., also known as Superior Tank Company, located at 1700 Bamore Road currently operates a business at the existing facility of 8,000 sq. ft. The potential facility expansion will increase the facility to 54,000 sq. ft. on 6.49 acres. As a result of the expansion, total employment would increase from 18 to 51 with an average salary of \$40,000 per year. Total additional payroll for the company is estimated at \$1,320,000.

<u>Years</u>	<u>% of Abatement</u>	<u>City Property Taxes Generated</u>	<u>Total Amount of Abatement (\$0.49 Rate)</u>	<u>Total Amount to City (Less Tax Abatement)</u>	<u>Current Property Tax Value to the City</u>
1	50%	\$21,130	\$3,920	\$17,210	\$2,568.78
2	50%	\$21,130	\$3,920	\$17,210	\$2,568.78
3	50%	\$21,130	\$3,920	\$17,210	\$2,568.78
4	50%	\$21,130	\$3,920	\$17,210	\$2,568.78
5	50%	\$21,130	\$3,920	\$17,210	\$2,568.78
<b>Total</b>		<b>\$105,650</b>	<b>\$19,600</b>	<b>\$86,050</b>	<b>\$12,843.90</b>

At the end of the five (5) year period, Marquez Enterprises, L.L.C. (Superior Tank) would be taxed at one hundred percent (100%).

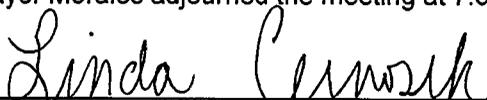
Should City Council approve the Tax Abatement Agreement, Marquez Enterprises, L.L.C. (Superior Tank) will complete the improvements and begin operations by no later than December 31, 2015. Resolution No. R-1872 will authorize the City Manager to execute the associated Tax Abatement Agreement, attached to Resolution No. R-1872 as Exhibit "A" and provided under separate cover for review. Staff recommends approval of Resolution No. R-1872 as presented. Once approved, the final Exhibit "C" will be included with Resolution No. R-1872.

10. **ANNOUNCEMENTS.**

- Councilor McConathy thanked the Fort Bend Master Naturalists for supplying barbeque on Saturday.
- Councilor Pena announced the American Legion Fun Run and Barbeque Cook-Off on November 15, 2014 in Thompsons.

11. **ADJOURNMENT.**

There being no further business Mayor Morales adjourned the meeting at 7:37 p.m.

  
Linda Cernosek, TRMC, City Secretary

# ITEM 7

## Hold Executive Session:

- (a) to deliberate the potential purchase, exchange, lease, or value of real property pursuant to Section 551.072 of the Texas Government Code; and,**
- (b) to consult with City Attorney to seek legal advice regarding contract for hiring firm pursuant to Section 551.071(2) of the Texas Government Code; and,**
- (c) to consult with City Attorney on contemplated litigation regarding Texas Department of Transportation v. Rosenberg eminent domain proceedings pursuant to Section 551.071(1) of the Texas Government Code.**

# **ITEM 8**

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

# **ITEM 9**

**Announcements.**

# **ITEM 10**

**Adjournment.**