

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, July 07, 2015

TIME: 7:00 p.m.

PLACE: Rosenberg City Hall
City Hall Council Chamber
2110 4th Street
Rosenberg, Texas 77471

PURPOSE: Regular City Council Meeting, agenda as follows:

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

Call to order: City Hall Council Chamber

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

Presentation of the National Law Enforcement Officers Memorial Fund Officer of the Month Award. (Dallis Warren, Police Chief)

Presentation of Texas Association of Government Information Technology Managers Rising Star Award. (Angela Fritz, Executive Director Information Services)

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

Presentation of Proclamation Recognizing the Month of July 2015 as Parks and Recreation Month in the City of Rosenberg. (Cynthia McConathy, 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.

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 June 22, 2015, Special Meeting Minutes for June 23, 2015, and Workshop Meeting Minutes for June 23, 2015. (Linda Cernosek, City Secretary)
 - B. Consideration of and action on a Final Plat of Stonecreek Estates Section One, a subdivision of 76.47 acres of land out of the Wiley Martin Survey, A-56 Fort Bend County, Texas; 185 lots, 8 reserves, 9 blocks. (Travis Tanner, Executive Director of Community Development)
 - C. Consideration of and action on Resolution No. R-1989, a Resolution authorizing the City Manager to execute, for and on behalf of the City, an Interlocal Agreement between Fort Bend County and the City of Rosenberg, Texas, for radio system use within Fort Bend County's 800 Megahertz Public Safety Radio System for the term ending September 30, 2015. (Dallis Warren, Police Chief)

- D. Consideration of and action on Resolution No. R-1990, a Resolution authorizing the Mayor to execute, for and on behalf of the City, an Interlocal Agreement for Helicopter Use by and between Fort Bend County and the City of Rosenberg, Texas. (Dallis Warren, Police Chief)

REGULAR AGENDA

2. Consideration of and action on appointment of Mayor Pro Tem for a one-year term. (Linda Cernosek, City Secretary)
3. Consideration of and action on appointments to City Council Committees (Linda Cernosek, City Secretary):
 - a) Employee Benefits Committee (three positions);
 - b) Finance/Audit Committee (three positions);
 - c) Houston-Galveston Area Council (H-GAC)(Representative and Alternate);
 - d) Image Committee (one voting Council Member);
 - e) Main Street Advisory Board (one Council Member ex-officio);
 - f) Parks and Recreation Board (one voting Council Member);
 - g) Planning Commission (one Council Member ex-officio);
 - h) Professional Services/Engineering Project Review Committee (three positions); and,
 - i) Rosenberg Development Corporation (three Council Representatives/Directors).
4. Consideration of and action on Resolution No. R-1991, a Resolution accepting the filing of a petition by land owner for annexation of 3.483 acres of land in the Eugene Wheat Survey, A-396, Fort Bend County, Texas. (Travis Tanner, Executive Director of Community Development)
5. Consideration of and action on Resolution No. R-1984, a Resolution awarding Bid No. 2015-09, for construction of 16-inch Water Line Extension – Bryan Road to Future Elevated Storage Tank; and, authorizing the City Manager to negotiate and execute, for and on behalf of the City, appropriate documents and/or agreements regarding same. (John Maresh, Assistant City Manager of Public Services)
6. Consideration of and action on Resolution No. R-2000, a Resolution awarding a bid for the purchase of a motor grader, and declaring certain equipment as surplus and approving a trade-in value; and, authorizing the City Manager to negotiate and execute, for and on behalf of the City, appropriate documents necessary to facilitate said purchase and trade-in. (John Maresh, Assistant City Manager of Public Services)
7. Consideration of and action on Resolution No. R-2001, a Resolution awarding a bid for the purchase of an asphalt patch truck; and, authorizing the City Manager to negotiate and execute, for and on behalf of the City, appropriate documents and/or agreements regarding same. (John Maresh, Assistant City Manager of Public Services)
8. Consideration of and action on Resolution No. R-2002, a Resolution awarding a bid for the purchase of a bucket truck; and, authorizing the City Manager to negotiate and execute, for and on behalf of the City, appropriate documents and/or agreements regarding same. (John Maresh, Assistant City Manager of Public Services)
9. Consideration of and action on Resolution No. R-1995, a Resolution providing for acceptance of a Classification and Compensation Plan. (Joyce Vasut, Executive Director of Administrative Services)
10. Consideration of and action on Resolution No. R-1993, a Resolution authorizing the City Manager to execute, for and on behalf of the City, Budget Amendment 15-12 in the amount of \$98,325 for the water line oversizing for the Texas State Technical College Project. (Joyce Vasut, Executive Director of Administrative Services)
11. Consideration of and action on Resolution No. R-1996, a Resolution approving FY2016 Budget Priorities. (Joyce Vasut, Executive Director of Administrative Services)
12. Consideration of and action on Resolution No. R-1997, a Resolution approving Capital Improvement Plan priorities for FY2016. (Joyce Vasut, Executive Director of Administrative Services)
13. Consideration of and action on Resolution No. R-1998, a Resolution approving Capital Improvement Plan priorities for FY2017 through FY2020. (Joyce Vasut, Executive Director of Administrative Services)
14. Consideration of and action on Resolution No. R-1994, a Resolution authorizing the City Manager to execute, for and on behalf of the City, a Contract Extension, by and between the City and Pattillo, Brown and Hill, LLP, for the provision of professional audit services for fiscal years ending September 30, 2015, and September 30, 2016. (Joyce Vasut, Executive Director of Administrative Services)

15. Hold Executive Session to deliberate the employment, evaluation, or duties of the City Manager pursuant to Section 551.074 of the Texas Government Code.
16. Adjourn Executive Session, reconvene into Regular Session, and take action as necessary as a result of Executive Session.
17. Announcements.
18. Adjournment.

[EXECUTION PAGE TO FOLLOW]

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

by _____.

Attest:
Linda Cernosek, TRMC, City Secretary

Approved for Posting:
Robert Gracia, City Manager

Approved:
Cynthia McConathy, Mayor

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

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

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

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

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

**Presentation of the National Law
Enforcement Officers Memorial Fund Officer
of the Month Award.**

**Presentation of Texas Association of
Government Information Technology
Managers Rising Star Award.**

**Presentation of
Rosenberg Image Committee
Beautification and Renovation
Awards**

City of Rosenberg

IMAGE COMMITTEE

Certificate of Recognition

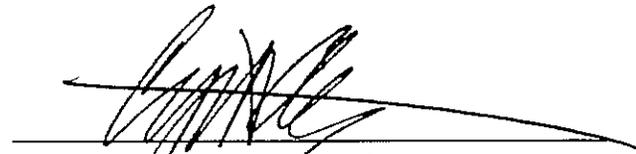
Be it hereby known to all, that

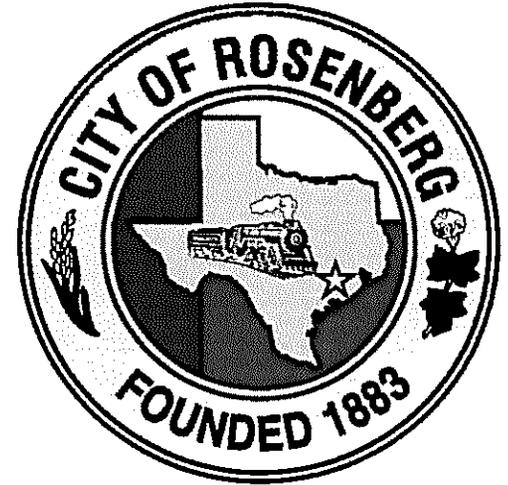
Wayne and Kay Pomikal

3602 Avenue R

have, on this 7th day of July 2015, been recognized for their acts of labor and excellence in beautifying this property and for their caring efforts at making this location in our community more appealing, and deserve the recognition and appreciation of the people of our City for their undertaking.




Cynthia McConathy, Mayor



City of Rosenberg

IMAGE COMMITTEE

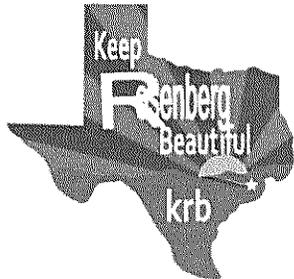
Certificate of Recognition

Be it hereby known to all, that

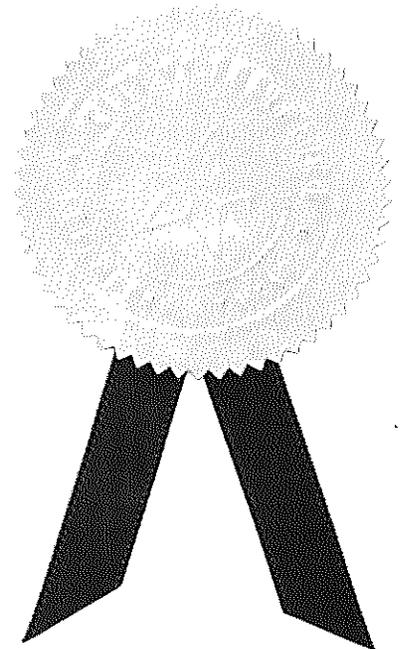
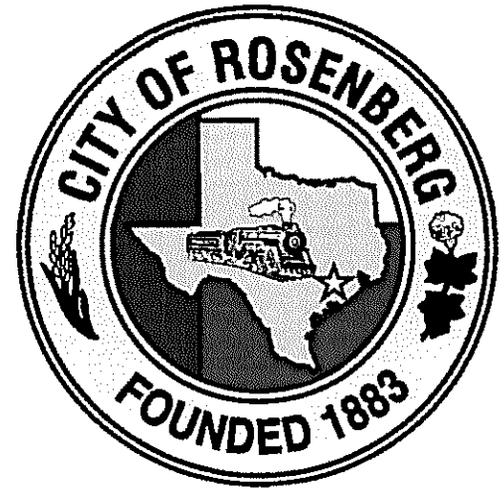
Monte and Josefina Silhavy

4308 Juan Carlos Court

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Cynthia McConathy, Mayor



City of Rosenberg

IMAGE COMMITTEE

Certificate of Recognition

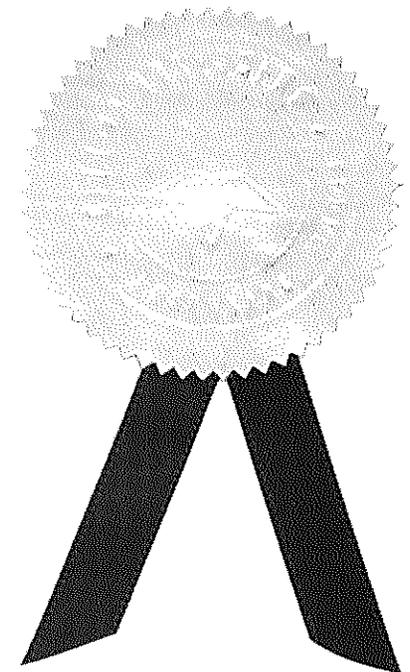
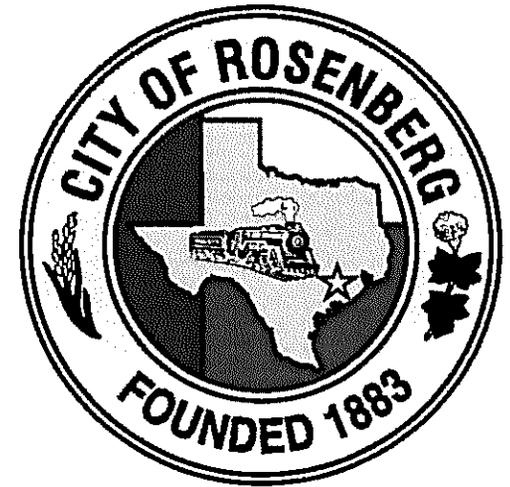
Be it hereby known to all, that

Our Lady of Guadalupe Church
1600 Avenue D

have, on this 7th day of July 2015, been recognized for their acts of labor and excellence in beautifying this property and for their caring efforts at making this location in our community more appealing, and deserve the recognition and appreciation of the people of our City for their undertaking.



Cynthia McConathy, Mayor



**Presentation of Proclamation
Recognizing the Month of July 2015
as Parks and Recreation Month in the
City of Rosenberg.**

PROCLAIMING

July 2015 as Parks and Recreation Month in the City of Rosenberg

WHEREAS; parks and recreation programs are an integral part of communities throughout this country, including Rosenberg, Texas; and

WHEREAS; our parks and recreation are vitally important to establishing and maintaining the quality of life in our communities, ensuring the health of all citizens, and contributing to the economic and environmental well-being of a community and region; and

WHEREAS; parks and recreation programs build healthy, active communities that aid in the prevention of chronic disease, and also improve the mental and emotional health of all citizens; and

WHEREAS; parks and recreation programs increase a community's economic prosperity through increased property values, expansion of the local tax base, increased tourism, the attraction and retention of businesses, and crime reduction; and

WHEREAS; parks and recreation areas are fundamental to the environmental well-being of our community, and ensure the ecological beauty of our community and provide a place for children and adults to connect with nature and recreate outdoors.

NOW THEREFORE; Rosenberg, Texas recognizes the benefits derived from parks and recreation resources, I, Cynthia McConathy, by virtue of the authority vested in me as mayor of the City of Rosenberg, and with the National Recreation and Park Association, do hereby proclaim the month of July as Parks and Recreation Month. We call upon our citizens and civic organizations to join us in recognizing the importance of our nation's parks and recreation facilities.

BE IT RESOLVED that during Parks and Recreation Month all citizens take advantage of our community parks and enjoy all that they have to offer.

In Witness Whereof, I have hereunto set my hand and caused the Official Seal of the City of Rosenberg to be affixed this 7th day of July, 2015.


Cynthia McConathy, Mayor



General Comments from the Audience:

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Comments from the Audience for Consent and Regular Agenda Items:

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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 – June 22, 2015**
- 2. Special City Council Meeting Minutes – June 23, 2015**
- 3. City Council Workshop Meeting Minutes – June 23, 2015**

CITY OF ROSEBERG
SPECIAL COUNCIL MEETING MINUTES
*****DRAFT*****

On this the 22nd day of June, 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

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

ABSENT

Dwayne Grigar	Councilor, District 3
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STAFF PRESENT

Robert Gracia	City Manager
Scott M. Tschirhart	City Attorney
Linda Cernosek	City Secretary
John Maresh	Assistant City Manager of Public Services
Jeff Trinker	Executive Director of Support Services
Joyce Vasut	Executive Director of Administrative Services
Travis Tanner	Executive Director of Community Development
Charles Kalkomey	City Engineer
Tracie Dunn	Assistant Police Chief
J.T. Rodgers	Police Officer
Darrell Himly	Assistant Fire Chief
Justin Jurek	Fire Marshal
Angela Fritz	Executive Director of Information Services
Darren McCarthy	Parks and Recreation Director
Randall Malik	Economic Development Director
James Lewis	Director of Technology
Kaye Supak	Executive Assistant

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

GENERAL COMMENTS FROM THE AUDIENCE.

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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 MAY 26, 2015, WORKSHOP MEETING MINUTES FOR MAY 26, 2015, SPECIAL MEETING MINUTES FOR JUNE 02, 2015, AND REGULAR MEETING MINUTES FOR JUNE 02, 2015.**

- B. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1986, A RESOLUTION ACKNOWLEDGING AND ACCEPTING THE ACQUISITION BY UTILITY EASEMENTS OF CERTAIN PROPERTY GENERALLY LOCATED ALONG FM 2977 (MINONITE ROAD) BETWEEN BRYAN ROAD AND LARK LANE, ASSOCIATED WITH THE INSTALLATION OF UTILITY LINES NECESSARY TO ACCOMMODATE THE FM 2977 16-INCH WATERLINE LOOP PROJECT AND FUTURE WATER AND SEWER UTILITIES AS FOLLOWS:**
 - A. **0.18 ACRE TRACT OF LAND IN THE ROBERT E. HANDY SURVEY, ABSTRACT 187, CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS, BEING OVER, THROUGH, AND ACROSS RESERVE "B" OF BLUME ADDITION, ACCORDING TO MAP OR PLAT THEREOF RECORDED UNDER SLIDE NUMBER 1143A, PLAT RECORDS, FORT BEND COUNTY, TEXAS, WITH ALL BEARINGS BASED UPON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD83, BASED UPON GPS OBSERVATIONS;**
 - B. **0.05 ACRE TRACT OF LAND, A 15-FOOT WIDE STRIP OF LAND IN THE ROBERT E. HANDY SURVEY, ABSTRACT 187, FORT BEND COUNTY, TEXAS, BEING OVER, THROUGH, AND ACROSS LOT 14 OF BLUME ADDITION ACCORDING TO MAP OR PLAT THEREOF RECORDED UNDER SLIDE NUMBER 1143A, PLAT RECORDS, FORT BEND COUNTY, TEXAS, WITH ALL BEARINGS BASED UPON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD83, BASED UPON GPS OBSERVATIONS;**
 - C. **0.07 ACRE TRACT OF LAND, A 20-FOOT WIDE STRIP OF LAND IN THE ROBERT E. HANDY SURVEY, ABSTRACT 187, CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS, BEING OVER, THROUGH, AND ACROSS THAT CERTAIN CALLED 1.0 ACRE TRACT RECORDED IN VOLUME 2641, PAGE 899, OFFICIAL RECORDS, FORT BEND COUNTY, TEXAS, WITH ALL BEARINGS BASED UPON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD83, BASED UPON GPS OBSERVATIONS; AND,**
 - D. **0.64 ACRE TRACT OF LAND, A 20-FOOT WIDE STRIP OF LAND IN THE ROBERT E. HANDY SURVEY, ABSTRACT 187, CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS, BEING OVER, THROUGH, AND ACROSS A PORTION OF A CALLED 93.890 ACRE TRACT RECORDED UNDER COUNTY CLERK'S FILE NUMBER 2008131989, OFFICIAL PUBLIC RECORDS, FORT BEND COUNTY, TEXAS, WITH ALL BEARINGS BASED UPON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE, NAD83, BASED UPON GPS OBSERVATIONS.**

Executive Summary: In order to construct the FM 2977 16-inch Waterline Loop Project, it was necessary to acquire utility easements along the water line route. The water line project will begin at the site of the new elevated water tank being constructed directly behind Fire Station No. 3 and will follow the road right-of-way along Lark Lane through the Blume Addition. The water line will turn and enter the acquired easements located along a property line between Lark Lane and FM 2977, where it will again turn and continue along and adjacent to the FM 2977 right-of-way to Bryan Road.

Staff has successfully completed the negotiation and has acquired said Utility Easements. Accordingly, staff recommends approval of Resolution No. R-1986 providing for acceptance of said Utility Easements generally located along FM 2977 (Minonite Road) between Bryan Road and Lark Lane, associated with the installation of utility lines necessary to accommodate the FM 2977 16-Inch Waterline Loop Project and future water and sewer utilities.

- C. **CONSIDERATION OF AND ACTION ON A FINAL REPLAT OF MACER RESERVES, BEING A PARTIAL REPLAT OF RESERVE "C" OF KWIKROSE COMMERCIAL PARK (SLIDE NO. 1436/A; PLAT RECORDS OF FORT BEND COUNTY, TEXAS) TOGETHER WITH A PORTION OF A CALL 5.00 ACRE TRACT OF LAND (FORT BEND COUNTY CLERK'S FILE NO. 2007074320), BOTH BEING IN THE HENRY SCOTT SURVEY, ABSTRACT NO. 83, AND BEING A REPLAT OF RESERVE "C" OF DEEDCO SUBDIVISION NO. 19 (SLIDE NO. 1357/A; PLAT RECORDS OF FORT BEND COUNTY, TEXAS) TOGETHER WITH A CALL 0.216 ACRE TRACT OF LAND (FORT BEND COUNTY CLERK'S FILE NO. 2003173704), BOTH BEING IN THE J.D. VERMILLION SURVEY, ABSTRACT NO. 341, ALL INCLUSIVE BEING IN THE CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS; 0 LOTS, 2 RESERVES, 1 BLOCK.**

Executive Summary: The Final Plat of Macer Reserves consists of 7.885 acres and two (2) nonresidential reserves. It is a partial replat of Kwikrose Commercial Park and Deedco Subdivision No. 19. The Plat is located on the west side of State Highway 36, north of its intersection with Rice Street, and in the West Fort Bend Management District.

The Plat proposes to subdivide the 7.885 acres into two (2) reserves to accommodate future development of Reserve "A" (Reserve "B" has existing improvements). 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.

A public hearing was held and the Planning Commission approved the Preliminary Plat of this subdivision on December 17, 2014. The proposed Final Plat, being consistent with the approved Preliminary Plat and in conformance with City ordinances, was recommended by the Commission for approval by City Council on May 20, 2015. That said, staff recommends approval of the Final Plat of Macer Reserves.

- D. **CONSIDERATION OF AND ACTION ON A FINAL PLAT OF IRBY COBB BOULEVARD STREET DEDICATION NO. TWO, A SUBDIVISION OF 3.451 ACRES CONTAINING 1,930 L.F. OF R.O.W., OUT OF THE EUGENE WHEAT SURVEY, A-396, AND THE WILEY MARTIN LEAGUE, A-56, FORT BEND COUNTY, TEXAS.**

Executive Summary: The Final Plat of Irby Cobb Boulevard Street Dedication No. Two is a proposed right-of-way dedication plat consisting of 3.451 acres. It is located in the Extraterritorial Jurisdiction (ETJ) and in Fort Bend County MUD No. 152. It adjoins Walnut Creek Sections Seven and Eleven and will connect Irby Cobb Boulevard to its future intersection with Benton Road.

The Final Plat is consistent with the street layout per the approved Land Plan, will provide access further east into the development, and will facilitate an eventual second point of access into the development from Benton Road. The proposed Final Plat is not in conflict with the "Subdivision" Ordinance, the approved Land Plan, or with the Development Agreement for MUD No. 152.

The Planning Commission (Commission) approved the Preliminary Plat on February 26, 2014, and an extension of that approval was granted by the Commission on September 17, 2014. The Commission recommended approval to City Council of the Final Plat on October 15, 2014. That said, staff recommends approval of the Final Plat of Irby Cobb Boulevard Street Dedication No. Two.

- E. **CONSIDERATION OF AND ACTION ON A FINAL PLAT OF WALNUT CREEK SECTION ELEVEN, A SUBDIVISION OF 8.764 ACRES CONTAINING 27 LOTS, 2 BLOCKS AND 1 RESTRICTED RESERVE OUT OF THE EUGENE WHEAT SURVEY, A-396, AND THE WILEY MARTIN LEAGUE, A-56, FORT BEND COUNTY, TEXAS.**

Executive Summary: The Final Plat of Walnut Creek Section Eleven is a proposed subdivision consisting of 8.764 acres and twenty-seven (27) residential lots located off of Irby Cobb Boulevard in the north central part of the Walnut Creek Development. The proposed Plat is located in the Extraterritorial Jurisdiction (ETJ) and in Fort Bend County MUD No. 152. It adjoins

Walnut Creek Section Seven to the immediate west.

The subdivision generally consists of sixty-foot (60') lots in accordance with the approved Land Plan for Walnut Creek. Four (4) of the lots are identified as being less than 60' lots due to being less than fifty feet (50') as measured at the right-of-way. All lots are a minimum of 60' as measured at the front building line. Additionally, the subdivision contains a 1.866-acre landscape reserve abutting the future Irby Cobb right-of-way.

The proposed Final Plat is not in conflict with the "Subdivision" Ordinance, the approved Land Plan, or with the Development Agreement for MUD No. 152. The Planning Commission (Commission) approved the Preliminary Plat on February 26, 2014, and an extension of that approval was granted by the Commission on September 17, 2014. The Commission recommended approval to City Council of the Final Plat on October 15, 2014. That said, staff recommends approval of the Final Plat of Walnut Creek Section Eleven.

Action: Councilor Pena made a motion, seconded by Councilor Euton, to approve Consent Agenda Items A, B, C, D, and E. The motion carried by a unanimous vote of those present.

REGULAR AGENDA

2. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1987, A RESOLUTION APPROVING CONTINUING DISCLOSURE UNDERTAKING IN CONNECTION WITH THE ISSUANCE OF BONDS BY THE BRAZOSPORT WATER AUTHORITY.**

Executive Summary: The City of Rosenberg and Brazosport Water Authority (BWA) previously executed a Water Supply Agreement (Agreement) 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.

This Agreement also provides that BWA will issue bonds to finance the delivery system to provide water to Rosenberg. BWA's bond issues will be payable in part from payments received from the City of Rosenberg. Therefore, in order for BWA to comply with SEC rules and regulations regarding the issuance of bonds, the City agrees to also disclose certain financial information as required. Since the City already provides such information on a regular basis for our own debt, this request will have no impact on our operations and processes.

Resolution No. R-1987 has been reviewed by Special Counsel, Pat Lindner, Bond Counsel Marcus Deitz and approved as to form by the City Attorney. Staff recommends approval of Resolution No. R-1987 as presented.

Key Discussion Points: Joyce Vasut, Executive Director of Administrative Services, read the Executive Summary.

Action: Councilor Euton made a motion, seconded by Councilor Benton, to approve Resolution No. R-1987, a Resolution approving continuing disclosure undertaking in connection with the issuance of bonds by the Brazosport Water Authority. The motion carried by a unanimous vote of those present.

3. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1988, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE, FOR AND ON BEHALF OF THE CITY, BUDGET AMENDMENT 15-11, IN THE AMOUNT OF \$552,000 FOR INFORMATION TECHNOLOGY LICENSING AND SERVER, CERTAIN PIECES OF EQUIPMENT AND ELECTRICAL IMPROVEMENTS FOR WASTEWATER TREATMENT PLANT NO. 1-A.**

Executive Summary: City staff has been working diligently to prioritize the needs as submitted for the FY2016 budget. During this assessment process, staff has identified several items that require immediate attention due to non-compliance, safety concerns and anticipated costly maintenance and repair expense.

Budget Amendment 15-11, in the amount of \$552,000 includes the following items:

1. Information Technology has determined that the City is not currently compliant with Microsoft requirements for licensing. For a cost of \$93,200, the City could purchase the licensing and servers necessary to bring the City into compliance.
2. Several pieces of equipment were ranked extremely high due to the safety and maintenance concerns. These requests included an asphalt patch truck for \$119,000, and a bucket truck in the amount of \$97,000. An additional request in the amount of \$20,000 is for a field maintainer requested by the Parks and Recreation Department. This request is one of the items that was not funded in the FY2015 budget. The final piece of equipment is a motor grader for \$152,000. The current motor grader is a 1999 model and has had numerous break downs that are very costly and difficult to fix due to the age of the equipment.
3. The current electricity service drop for Wastewater Treatment Plant No. 1-A (WWTP No. 1-A) is leaning to the point that it is in danger of falling over. This request includes repairing and replacing the incoming electrical service drop to WWTP No. 1-A by building a new service drop and installing a manual transfer switch to quickly connect an alternative power supply. The estimated cost is \$70,800.

Budget Requests Forms were included in the agenda packet. All of these items can be funded from General Fund Balance (Items 1 and 2) and Water/Wastewater Fund Retained Earnings (Item 3). Budget Amendment 15-11 is included as Exhibit "A" to Resolution No. R-1988. Staff recommends approval of Resolution No. R-1988 as presented.

Key Discussion Points:

- Joyce Vasut read the Executive Summary and explained that the current year general fund balance is \$12.1M.
- James Lewis, Director of Technology, stated that an internal assessment determined the lapse in current licensing, and the \$93,200 would be a one-time purchase per Client Access License. He clarified that we do not have as many licenses as we have users.
- John Maresh, Assistant City Manager of Public Services, explained the current condition of the vehicles in question and their potential liability.
- Darren McCarthy, Parks and Recreation Director, stated that the field maintainer would be used primarily on the softball field, which is comprised of dirt and clay and requires special equipment.

Action: Councilor Euton made a motion, seconded by Councilor Moses, to approve Resolution No. R-1988, a Resolution authorizing the City Manager to execute, for and on behalf of the City, Budget Amendment 15-11, in the amount of \$552,000 for information technology licensing and server, certain pieces of equipment and electrical improvements for Wastewater Treatment Plant No. 1-A. The motion carried by a unanimous vote of those present.

4. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1992, A RESOLUTION REGARDING FUNDING FOR THE OVERSIZING OF A WATER LINE FOR THE TEXAS STATE TECHNICAL COLLEGE (TSTC) FORT BEND CAMPUS IN AN AMOUNT NOT TO EXCEED \$100,000.**

Executive Summary: On May 26, 2015, the City of Rosenberg executed a Development Agreement (Agreement) with the Henderson-Wessendorff Foundation. Further, the Agreement provides the City with the option to require certain utility lines to be oversized to serve land outside the tract, provided that the City bears the costs of the oversizing. This Agenda item provides City Council with the opportunity to discuss proposed funding necessary to oversize a water line to support additional development around the Texas State Technical College (TSTC) Campus.

The City will be provided oversizing costs and then make the election whether to require the oversizing. Upon completion of the line, the City will credit applicable impact fees owed by the property owner against the oversizing costs and pay the property owner the difference up to a maximum amount of \$100,000. Under current consideration is the oversizing of a water line from a 12-inch line to serve only this property to a 16-inch line that will ultimately be needed to support growth and development in this general area of the City and as a part of the City's Capital

Improvements Program (CIP) to meet the Fort Bend Subsidence District mandate to reduce groundwater withdrawals by 60% in 2025.

TSTC plans to receive bids on June 15, 2015, and the City will have to commit to the oversizing and provide a funding source no later than the June 16, 2015 City Council Meeting. If the City elects not to oversize the line at this time, the property owner will be authorized to build the line in a size only to serve the property. Additional water lines or the replacement of this line with a larger one would then have to be funded at such time development occurs in this area of the City. If the City elects to require the line under consideration to be oversized, the City will pay the oversizing costs minus any applicable impact fees up to \$100,000 upon completion of the line. A budget adjustment will also be required.

Staff recognizes the long-term benefits oversizing will provide to future development of this area, and further recommends approval of Resolution No. R-1992, a Resolution regarding funding for the oversizing of a water line for the Texas State Technical College (TSTC) Fort Bend Campus in an amount not to exceed \$100,000.

Key Discussion Points: John Maresh, Assistant City Manager, read the Executive Summary and explained that, by spending this money now, we will be saving a tremendous amount of money in the future by not having to expand the line after construction is completed. The money will be coming from the subsidence fund.

Action: Councilor Barta made a motion, seconded by Councilor Benton, to approve Resolution No. R-1992, a Resolution regarding funding for the oversizing of a water line for the Texas State Technical College (TSTC) Fort Bend Campus in an amount not to exceed \$100,000. The motion carried by a unanimous vote of those present.

5. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1973, A RESOLUTION AUTHORIZING THE PARKS AND RECREATION DEPARTMENT TO SUBMIT AN APPLICATION FOR THE 100 TREES FOR 100 CITIES GRANT PROGRAM.**

Executive Summary: On May 28, 2015, at the regularly scheduled Parks and Recreation Board (Board) meeting, Darren McCarthy informed the Board of a grant program with the Texas A&M Forest Service that offers 100 cities to be given 100 tree seedlings. The Board unanimously approved the request to apply for the trees. If awarded, the trees would be placed in and around Community Park.

Staff recommends approval of Resolution No. R-1973, a Resolution authorizing application, attached as Exhibit "A", to the 100 Trees for 100 Cities grant program.

Key Discussion Points: Darren McCarthy, Parks and Recreation Director, read the Executive Summary and indicated that Community Park is barren and in need of shade in the specific areas where he intends to plant the trees if awarded.

Action: Councilor Benton made a motion, seconded by Councilor Euton, to approve Resolution No. R-1973, a Resolution authorizing the Parks and Recreation Department to submit an application for the 100 Trees for 100 Cities grant program. The motion carried by a unanimous vote of those present.

6. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1980, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE, FOR AND ON BEHALF OF THE CITY, A CONTRACT EXTENSION FOR GROUNDS MAINTENANCE SERVICES, BY AND BETWEEN THE CITY AND LANDSCAPE PROFESSIONALS OF TEXAS, IN THE AMOUNT OF \$64,362 FOR A TERM OF ONE (1) YEAR, TERMINATING ON JUNE 04, 2016.**

Executive Summary: On May 20, 2014, City Council approved Resolution No. R-1790, which awarded Bid No. 2014-02 for Grounds Maintenance Services to Landscape Professionals of Texas, for a (1) year term effective June 01, 2014, through June 02, 2015. The services include mowing at the following City locations: Rosenberg City Hall, Rosenberg Police Department, Rosenberg Civic Center, Rosenberg Fire Department Administration Building, Rosenberg Fire Departments No. 1, No. 2 and No. 3, the Rosenberg Cemetery, Water Plants, and Lift Stations.

Landscape Professionals of Texas continues to perform satisfactorily and staff recommends extending the Contract for one (1) additional year. Resolution No. R-1980 would authorize a Contract Extension, attached as Exhibit "A", with Landscape Professionals of Texas.

Key Discussion Points: Darren McCarthy read the Executive Summary and assured Council that the company has been dependable and has provided adequate service to date.

Action: Councilor Benton made a motion, seconded by Councilor Barta, to approve Resolution No. R-1980, a Resolution authorizing the City Manager to execute, for and on behalf of the City, a Contract Extension for Grounds Maintenance Services, by and between the City and Landscape Professionals of Texas, in the amount of \$64,362 for a term of one (1) year, terminating on June 04, 2016. The motion carried by a unanimous vote of those present.

7. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1985, A RESOLUTION AUTHORIZING ACCEPTANCE OF A DONATION OF PLAYGROUND EQUIPMENT FOR COMMUNITY PARK FROM FORT BEND CARES; AND, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE, FOR AND ON BEHALF OF THE CITY, ANY NECESSARY DOCUMENTATION TO FACILITATE THE PURCHASE AND INSTALLATION OF SAME.**

Executive Summary: On May 28, 2015, at the regularly scheduled Parks and Recreation Board (Board) meeting, the non-profit group, Fort Bend Cares, proposed plans to add playground equipment to Community Park. The proposal consisted of a playground, shade structure, benches, and amenities. Fort Bend Cares also proposed to level the soccer field. The playground would target children ages six through twelve. After some brief discussion, the Board unanimously recommended accepting the donation of playground equipment to Community Park.

Staff and the Board recommend approval of Resolution No. R-1985 as presented.

Key Discussion Points: Darren McCarthy read the Executive Summary and introduced Angie Wierzbicki and Patty Ward from Fort Bend cares, who explained their organization's mission and intent. Mayor and Council thanked them for their investment in our community.

Action: Councilor Benton made a motion, seconded by Councilor Barta, to approve Resolution No. R-1985, a Resolution authorizing acceptance of a donation of playground equipment for Community Park from Fort Bend Cares; and, authorizing the City Manager to negotiate and execute, for and on behalf of the City, any necessary documentation to facilitate the purchase and installation of same. The motion carried by a unanimous vote of those present.

8. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1981, A RESOLUTION REGARDING THE PUBLIC PURPOSE AND BENEFIT RELATED TO THE DISTRIBUTION OF CITY-PURCHASED MOSQUITO LARVICIDE TO CITY OF ROSENBERG RESIDENTS.**

Executive Summary: Due to the unusually wet weather and resulting standing water, the City has experienced a significantly increased number of mosquitoes this year. While spraying has been increased to three (3) times per week, this does not address standing water that is in backyards or in areas further away from the street. Staff proposes the purchase of mosquito larvicide (dunks) for distribution to City residents.

As this is a new program, tweaks will invariably be made, but at this time staff recommends the dunk distribution occur in the following manner:

- Residents may come to City Hall to request larvicide from the Citizen Relations Coordinator.
- The Citizen Relations Coordinator will verify the City residency of requestors using a valid form of identification and a street list provided by the GIS division.
- The Citizen Relations Coordinator will record the name, phone number and address of the individual requesting the larvicide. This information will be used to track the geographic distribution of the larvicide as well as to follow-up with residents, if

necessary.

- The Citizen Relations Coordinator will provide up to two (2) dunks per address. Dunks can be broken into halves and quarters to treat smaller areas of standing water.

Staff anticipates an initial order of approximately 500 dunks, with the possibility of ordering additional dunks depending on resident demand. Dunks can be purchased online for about \$1.02 per dunk, and the budgetary line item for mosquito control has sufficient funds to cover the expense of the dunks for the time being.

In order to distribute mosquito dunks to City residents, the City Council must determine that there is a public purpose or benefit in doing so. Staff recommends approval of Resolution No. R-1981, thus declaring a public purpose or benefit and authorizing the distribution of mosquito dunks to the residents of the City.

Key Discussion Points: Jeff Trinker, Executive Director of Support Services, read the Executive Summary, assured Council that the dunks should be effective in alleviating mosquitoes in areas with standing water, and confirmed that the spraying trucks will continue treating the City as well.

Action: Councilor Benton made a motion, seconded by Councilor Moses, to approve Resolution No. R-1981, a Resolution regarding the public purpose and benefit related to the distribution of City-purchased mosquito larvicide to City of Rosenberg residents. The motion carried by a unanimous vote of those present.

9. **REVIEW AND DISCUSS THE REINSTITUTION OF THE MONTHLY CITY NEWSLETTER, AND TAKE ACTION AS NECESSARY.**

Executive Summary: This item has been added to offer City Council the opportunity to discuss and/or take action regarding the reinstatement of a monthly City newsletter.

Key Discussion Points:

- William Benton, Councilor, At Large Position One, stated that he prefers the monthly newsletter over the quarterly newsletter because, by the time the quarterly newsletter is received, most of the information is outdated or no longer relevant.
- Angela Fritz, Executive Director of Information Services, gave a presentation with updated cost analysis. She indicated that the quarterly newsletter was distributed to about twice as many people because it was not only sent out in the outgoing water bills, but to every deliverable address in the City. The actual annual cost of a quarterly-distributed newsletter would be \$32,000, 25% of which would be contributed by the Rosenberg Development Corporation.
- Councilors Benton, Barta, and Moses indicated that they believe the information in a monthly-distributed newsletter is more timely and relevant.

Action: Councilor Benton made a motion, seconded by Councilor Moses, to reinstate the monthly City newsletter program. **The motion carried by a vote of 5 to 1 as follows: Yeses: Mayor McConathy, Councilors Benton, Barta, Pena, and Moses. No: Councilor Euton.**

10. **HOLD EXECUTIVE SESSION TO CONSULT WITH ATTORNEY TO RECEIVE LEGAL ADVICE ON LEGAL MATTERS PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE; TO CONSULT WITH CITY ATTORNEY ON PENDING LITIGATION REGARDING TEXAS DEPARTMENT OF TRANSPORTATION V. ROSENBERG EMINENT DOMAIN PROCEEDINGS PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE; TO DELIBERATE THE PURCHASE, EXCHANGE, LEASE, OR VALUE OF REAL PROPERTY PURSUANT TO SECTION 551.072 OF THE TEXAS GOVERNMENT CODE; AND, TO DELIBERATE PERSONNEL MATTERS REGARDING THE EMPLOYMENT, EVALUATION AND DUTIES OF THE CITY MANAGER PURSUANT TO SECTION 551.074 OF THE TEXAS GOVERNMENT CODE.**

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

An Executive Session was held to consult with attorney to receive legal advice on legal matters pursuant to Section 551.071 of the Texas Government Code; to consult with City

Attorney on pending litigation regarding Texas Department of Transportation v. Rosenberg eminent domain proceedings pursuant to Section 551.071 of the Texas Government Code; to deliberate the purchase, exchange, lease, or value of real property pursuant to Section 551.072 of the Texas Government Code; and, to deliberate personnel matters regarding the employment, evaluation and duties of the City Manager pursuant to Section 551.074 of the Texas Government Code.

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

Mayor McConathy adjourned the Executive Session and reconvened into Regular Session at 8:14 p.m.

12. **ANNOUNCEMENTS.**

- Lisa M. Wallingford will be sworn in as City Councilor-Elect, District 3, on Tuesday, June 23, at 6:00 p.m., with a reception following the oath of office.
- The City of Rosenberg will host an informational community meeting on Monday, June 29, at Jackson Elementary School beginning at 7:00 p.m. City staff will present general information on major ongoing projects, and representatives from Fort Bend County will be on hand to provide information on public transit.

13. **ADJOURNMENT.**

There being no further business, Mayor McConathy adjourned the meeting at 8:15 p.m.

Linda Cernosek, TRMC, City Secretary

CITY OF ROSEBERG
SPECIAL COUNCIL MEETING MINUTES
*****DRAFT*****

On this the 23rd day of June, 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

Cynthia McConathy	Mayor
William Benton	Councilor at Large, Position 1
Amanda Barta	Councilor at Large, Position 2
Jimmie J. Pena*	Councilor, District 1
Susan Euton	Councilor, District 2
Lisa Wallingford	Councilor, District 3
Lynn Moses	Councilor, District 4

STAFF PRESENT

Robert Gracia	City Manager
Scott M. Tschirhart	City Attorney
Linda Cernosek	City Secretary
John Maresh	Assistant City Manager of Public Services
Jeff Trinker	Executive Director of Support Services
Joyce Vasut	Executive Director of Administrative Services
Travis Tanner	Executive Director of Community Development
Dallis Warren	Police Chief
Tracie Dunn	Assistant Police Chief
Justin Rodgers	Police Officer
Darrell Himly	Assistant Fire Chief
Justin Jurek	Fire Marshal
Angela Fritz	Executive Director of Information Services
Darren McCarthy	Parks and Recreation Director
Rigo Calzoncin	Public Works Director
Melissa Pena	Project Director
James Lewis	Information Services Manager
Daniel Kelleher	Main Street Manager

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 McConathy called the meeting to order at 6:04 p.m.

AGENDA

- 1. CONSIDERATION OF AND ACTION ON ORDINANCE NO. 2015-20, AN ORDINANCE CANVASSING THE RETURNS AND DECLARING THE RESULTS OF A SPECIAL MUNICIPAL ELECTION HELD ON JUNE 13, 2015, WITHIN THE CITY FOR THE PURPOSE OF FILLING A POSITION ON THE CITY COUNCIL OF THE CITY OF ROSENBERG, TO-WIT: COUNCIL MEMBER DISTRICT 3.**

Executive Summary: As Presiding Officer of the June 13, 2015 Special Runoff Election, the Mayor is required to hold a canvass of the election ballots, and she and the City Council must declare the election results. The proposed Ordinance No. 2015-20 would confirm that the runoff election for the City Council Member District 3 was held, the proper procedures were followed as mandated by law, the results have been filed with the City Council, the number of votes each candidate received, and declaration of the winning candidate, Lisa M. Wallingford.

A copy of the proposed Ordinance No. 2015-20 is included in the agenda packet as a supporting document for City Council's approval.

Key Discussion Points: Linda Cernosek, City Secretary, read the Executive Summary.

Action: Councilor Benton made a motion, seconded by Councilor Euton, to approve Ordinance No. 2015-20, an Ordinance canvassing the returns and declaring the results of a Special Municipal Election held on June 13, 2015, within the City for the purpose of filling a position on the City Council of the City of Rosenberg, to-wit: Council Member District 3. The motion carried by a unanimous vote of those present.

2. **ADMINISTRATION OF OATH OF ELECTED OFFICE TO NEWLY ELECTED CITY COUNCIL MEMBER, DISTRICT 3.**
Cynthia McConathy, Mayor, administered Oath of Elected Office to Lisa M. Wallingford, City Councilmember, District 3.
3. **HOLD RECEPTION HONORING NEWLY ELECTED OFFICIALS.**
A reception was held honoring the newly elected official.
4. ***Councilor Pena arrived prior to the Executive Session.**
HOLD EXECUTIVE SESSION TO DELIBERATE THE APPOINTMENT, EMPLOYMENT, EVALUATION, REASSIGNMENT, DUTIES OR DISMISSAL OF THE MUNICIPAL COURT JUDGE PURSUANT TO SECTION 551.074 OF THE TEXAS GOVERNMENT CODE.
Action: Councilor Barta made a motion, seconded by Councilor Benton, to adjourn to Executive Session. The motion carried by a unanimous vote of those present.

An Executive Session was held to deliberate the appointment, employment, evaluation, reassignment, duties or dismissal of the Municipal Court Judge pursuant to Section 551.074 of the Texas Government Code.
5. **ADJOURN EXECUTIVE SESSION, RECONVENE INTO REGULAR SESSION AND TAKE ACTION AS NECESSARY AS A RESULT OF EXECUTIVE SESSION.**
Mayor McConathy adjourned the Executive Session and reconvened into Regular Session at 6:45 p.m.
6. **ADJOURNMENT.**
There being no further business, Mayor McConathy adjourned the meeting at 6:45 p.m.

Linda Cernosek, TRMC, City Secretary

CITY OF ROSEBERG
SPECIAL COUNCIL MEETING MINUTES
*****DRAFT*****

On this the 23rd day of June, 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

Cynthia McConathy	Mayor
William Benton	Councilor at Large, Position 1
Amanda Barta	Councilor at Large, Position 2
Jimmie J. Pena	Councilor, District 1
Susan Euton	Councilor, District 2
Lisa Wallingford	Councilor, District 3
Lynn Moses	Councilor, District 4

STAFF PRESENT

Robert Gracia	City Manager
Scott M. Tschirhart	City Attorney
Linda Cernosek	City Secretary
John Maresh	Assistant City Manager of Public Services
Jeff Trinker	Executive Director of Support Services
Joyce Vasut	Executive Director of Administrative Services
Travis Tanner	Executive Director of Community Development
Dallis Warren	Police Chief
Tracie Dunn	Assistant Police Chief
Justin Rodgers	Police Officer
Darrell Himly	Assistant Fire Chief
Justin Jurek	Fire Marshal
Angela Fritz	Executive Director of Information Services
Darren McCarthy	Parks and Recreation Director
Rigo Calzoncin	Public Works Director
Melissa Pena	Project Director
Lisa Olmeda	Human Resources Director
James Lewis	Information Services Manager
Daniel Kelleher	Main Street Manager

CALL TO ORDER.

Mayor McConathy called the meeting to order at 6:45 p.m.

AGENDA

1. **REVIEW AND DISCUSS A PRESENTATION ON THE PROPOSED SCOPE OF THE SIDEWALK REPLACEMENT PROJECT PHASE I, AND TAKE ACTION AS NECESSARY TO DIRECT STAFF.**

Executive Summary: Staff has prepared a presentation on the proposed scope of the Sidewalk Repair and Replacement Project Phase I, prioritizing said repairs based on safety and overall pedestrian connectivity within the City, as established in the Pedestrian System Maintenance Program, adopted on July 01, 2014, by Resolution No. R-1812. The estimated construction cost for Phase I is \$317,000. Staff is seeking direction from City Council for any revisions to the proposed scope or authorization to proceed with Phase I.

Key Discussion Points: Melissa Pena, Project Director, gave a presentation on the proposed scope of Sidewalk Replacement Project – Phase I, inclusive of Avenue G and Mulcahy Street. She explained that surface roots are more harmful to the sidewalks, so those will be treated accordingly when the current concrete is removed, while avoiding any harm to the trees. Dallis

Warren, Police Chief, confirmed that there are laws in place which require sidewalks be used by pedestrians rather than the streets whenever they are available, and that cars should not block sidewalk paths. As such, it is important to provide a suitable footpath for pedestrians in order to uphold these laws. After discussion, the general consensus of Council was to move forward with Phase I of the Sidewalk Replacement Project, and to continue to investigate ongoing concrete issues and prioritize them for repair.

2. **REVIEW AND DISCUSS A PRESENTATION ON ACTIVITIES OF THE TEXAS MAIN STREET PROGRAM, AND TAKE ACTION AS NECESSARY TO DIRECT STAFF.**

Executive Summary: This item has been added to provide City Council with an overview of the activities of the Rosenberg Main Street Program. Included in the agenda packet are draft rules and guidelines for two (2) proposed grant programs the Main Street Advisory Board is considering for visual improvements made to properties within the Main Street District. These grant programs are in the initial planning phase and are being presented for informational purposes at this time.

Should the Main Street Advisory Board choose to move forward with implementation of these programs, they would be placed on a future City Council Agenda for consideration.

Key Discussion Points: Dan Kelleher, Main Street Manager, gave information on the background of the Main Street Program and the specific initiatives the Main Street Program in Rosenberg has accomplished in the last few months. Through collaboration, the businesses in downtown Rosenberg have been able to work together to preserve history and promote growth. After discussion, Council was supportive of the Main Street Program, and hopes to see quantitative measures in the future in order to promote further success of the program.

3. **REVIEW AND DISCUSS STREET SWEEPING SERVICES, AND TAKE ACTION AS NECESSARY TO DIRECT STAFF.**

Executive Summary: This item has been included to allow City Council an opportunity to discuss street sweeping services and to direct staff as necessary.

Key Discussion Points: William Benton, Councilor, At Large Position One, introduced Scott Coral of Custom Sweeping. Council thanked Mr. Coral for the service that has been provided, but asked that the drivers be advised to use more water and dump their dirt collection bins more frequently in order to improve the overall quality of the street sweeping services. Mr. Coral assured Council that the trucks are recently purchased with the greatest number of water heads, and explained that the recent onslaught of rain has contributed to a greater amount of dust and debris in the roadways.

4. **REVIEW AND DISCUSS FY2016 BUDGET PRIORITIES, AND TAKE ACTION AS NECESSARY TO DIRECT STAFF.**

Executive Summary: As part of the FY2016 Budget process, each department was asked to submit their needs, not including operational expenses, for FY2016. The needs were submitted as a capital request (over \$100,000), a supplemental request (under \$100,000), or a personnel request. The majority of the items requested were identified during the strategic planning process.

Once the requests were compiled, City management (Department Directors) met and prioritized the requests. A listing of requests, as prioritized by management, was included for review along with each individual request form, as submitted by the department.

This item has been placed on the Workshop Agenda to provide City Council the opportunity to review the listing as prioritized by staff. Staff will be available to answer any questions.

The prioritized listing will be presented to City Council for consideration at a future regular City Council Meeting in the form of a Resolution. Once approval is received, City staff will determine the number of items that can be funded and included in the FY2016 Proposed

Budget.

Key Discussion Points: Joyce Vasut, Executive Director of Administrative Services, read the Executive Summary, gave a presentation on FY2016 Budget Requests as prioritized by staff, and requested Council's feedback in order to move forward.

General

- Council expressed concern with the current number of personnel, and requested to see a spreadsheet of how many people are in each department before adding additional personnel.
- After the Compensation Study is completed next week, staff will include the accurate numbers for all requested personnel costs in the budget.
- Staff will also need to consider whether there will be a work area for each of the personnel positions requested.
- Council requested to see the priorities list with departmental totals in the future.

Human Resources

- In 2014-15, the City had a total of 261 employees; in 2013-14, the City had 235 employees; in 2011-12, the City had 221 employees.
- The City currently can only process paper applications via fax or in person; the budget request for HR Application and Onboarding would allow online applications and filtering of candidates.
- City employees currently have the option to apply for external life and death insurance, but they do not benefit from a group rate at this time. By moving these insurance options to our current health insurance plan, it was recently determined that these costs would be partially offset in health plan savings.
- Council requested that the car allowance proposed for the Assistant Human Resources Director as opposed to mileage reimbursement be eliminated.

Police Department

- Current staffing level in the Police Department is 73 officers.
- The Police Department (PD) uses an allocation model to determine the number of officers needed in order to meet the current demands of services.
- The PD is requesting two additional patrol officers, two additional traffic officers, and one additional Criminal Investigations Division (CID) Detective, specifically for Special Crimes – Sex Offenses.
- The Crime Analyst position would be a base salary of approximately \$40,000, and the CID Detective would be around \$51,000, similar to the other officers.
- Some of the police resources could be considered through special revenue accounts or federal funding. The PD applies for grants to fund these positions whenever possible, including two of the positions currently listed.

Fire Department

- The Battalion Chief position would report to the Fire Marshal. It will allow continuity in the Fire Marshal office by providing backup for the field positions when they take vacation or call in sick, rather than removing the Fire Marshal from his position in order to fill in. The salary would be higher than the inspector position but lower than the Fire Marshal position.
- Base salary for firefighter positions before the Compensation Study is finalized is \$42,000, not including the safety gear associated with the position.
- Council requested specific line items listed for Fire Department hydraulic rescue tools during the budget process.

IT Department

- The technology requests are at the request of other departments, but fit into the overall Technology Strategic Plan.
- Enterprise Resource Planning would essentially become the core system of the City –

including general ledger, payroll, accounts payable, accounts receivable, utility billing, permits, code enforcement, and human resources.

- The cost of the software would either come from the general fund, or it may be spread across departments if it is funded through the technology fund.
- The phone contract ends in 2016, and the IT Department is going to try to extend the contract a little before investing in a new system.
- The phone system would not require additional personnel for maintenance; the internal technician is working on his Cisco license.

Public Works

- For the Contract Inspector position, the plan is to convert the position and not hire an additional light equipment operator. The difference in annual salary cost to the City would be approximately \$10,000, plus the initial purchase of a vehicle.
- A Capital Project Manager would alleviate the Project Director and Assistant City Manager workloads, and help in keeping the projects on track and on time. This position would report to the Project Director.

Council will review the list and submit their preferences via email to the Finance Director by Friday in order to have those items which they deem most necessary reflected on the Resolution.

5. **REVIEW AND DISCUSS FY2016 CAPITAL IMPROVEMENT PROGRAM, AND TAKE ACTION AS NECESSARY TO DIRECT STAFF.**

Executive Summary: This Agenda item provides City Council the opportunity to review staff's recommendation for the FY2016 Capital Improvements Projects (CIP), as well as the FY2017 through FY2020 CIP.

The Executive Director of Administrative Services will provide a brief summary and the funding status of the proposed Projects. Discussions may be held regarding the Projects listed and recommendations made to finalize the FY2016 Capital Improvement Projects and the FY2017-FY2020 CIP to be considered by City Council at a future meeting.

Key Discussion Points: Joyce Vasut gave a presentation on the Capital Improvement Program for FY2016.

- These projects would be started in FY2016, but not necessarily completed in the same FY.
- The total needed is over the \$10M bank qualified limit, which is allowed at a lower interest rate, so in order to remain under \$10M, it is proposed that the projects be funded partially in the 2015 calendar year and partially in the 2016 calendar year. This would utilize the total of the bank qualified capacity for both years.
- Last year we added a substantial amount (approximately \$4M) to the fund balance because our sales tax increased and we were conservative in our estimates, so the fund balance will be able to support more projects this year while keeping the balance above the level set by our policy.
- The estimated cost of all of the projects included on the FY2016 Capital Improvement Program is \$44M.
- Our current debt is approximately \$70M, not including future obligations.
- The Spacek Road Sewer Line and Sewer Lift Station are tied to the Bryan Road Project because those utility lines will need to be installed as part of that project. The Lift Station at Bryan Road is at 180% of its capacity, so we need to relieve that at Spacek.
- The general consensus of Council is that most of these projects are important and need to be funded.

6. **REVIEW AND DISCUSS THE AD VALOREM TAX RATE FOR TAX YEAR 2016, AND TAKE ACTION AS NECESSARY TO DIRECT STAFF.**

Executive Summary: This Agenda item will provide City Council an opportunity to discuss the City's tax rate for FY2016. Staff will provide tax rate information, including discussions regarding

the debt rate, maintenance and operations (M&O) rate, as well as the effective tax rate.

Key Discussion Points: Joyce Vasut gave a brief presentation regarding Property Taxes and Tax Rates.

- The certified values from the Fort Bend Central Appraisal District (FB CAD) are not available prior to presenting the proposed budget, so the final budget may have to be modified slightly if the values come in at a different amount than expected.
- Reducing the tax rate by \$0.01 saves the average homeowner \$12.70 per year, but reduces the City's revenue by \$190,000.
- A One-half cent sales tax reduction equates to a \$0.21 reduction in the property tax rate.
- The increase in values of homes will cause the Effective Tax Rate to be lower.
- Mayor McConathy requested that staff strive for a \$0.01 reduction, if the budget would allow.

7. **ADJOURNMENT.**

There being no further business, Mayor McConathy adjourned the meeting at 9:45 p.m.

Linda Cernosek, City Secretary



CITY COUNCIL COMMUNICATION

July 07, 2015

ITEM #	ITEM TITLE
B	Final Plat of Stonecreek Estates Section One
ITEM/MOTION	
Consideration of and action on a Final Plat of Stonecreek Estates Section One, a subdivision of 76.47 acres of land out of the Wiley Martin Survey, A-56 Fort Bend County, Texas; 185 lots, 8 reserves, 9 blocks.	
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 #: 184 (Stonecreek Estates)

1. Final Plat of Stonecreek Estates Section One
2. General Plan for Stonecreek Estates – 07-25-14
3. Planning Commission Meeting Minute Excerpt – 05-20-15
4. Planning Commission Meeting Minute Excerpt – 04-15-15
5. Planning Commission Meeting Minute Excerpt – 09-17-14

APPROVALS

Submitted by:

Travis Tanner
 Travis Tanner, AICP
 Executive Director of
 Community Development

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
 Robert Gracia
 City Manager

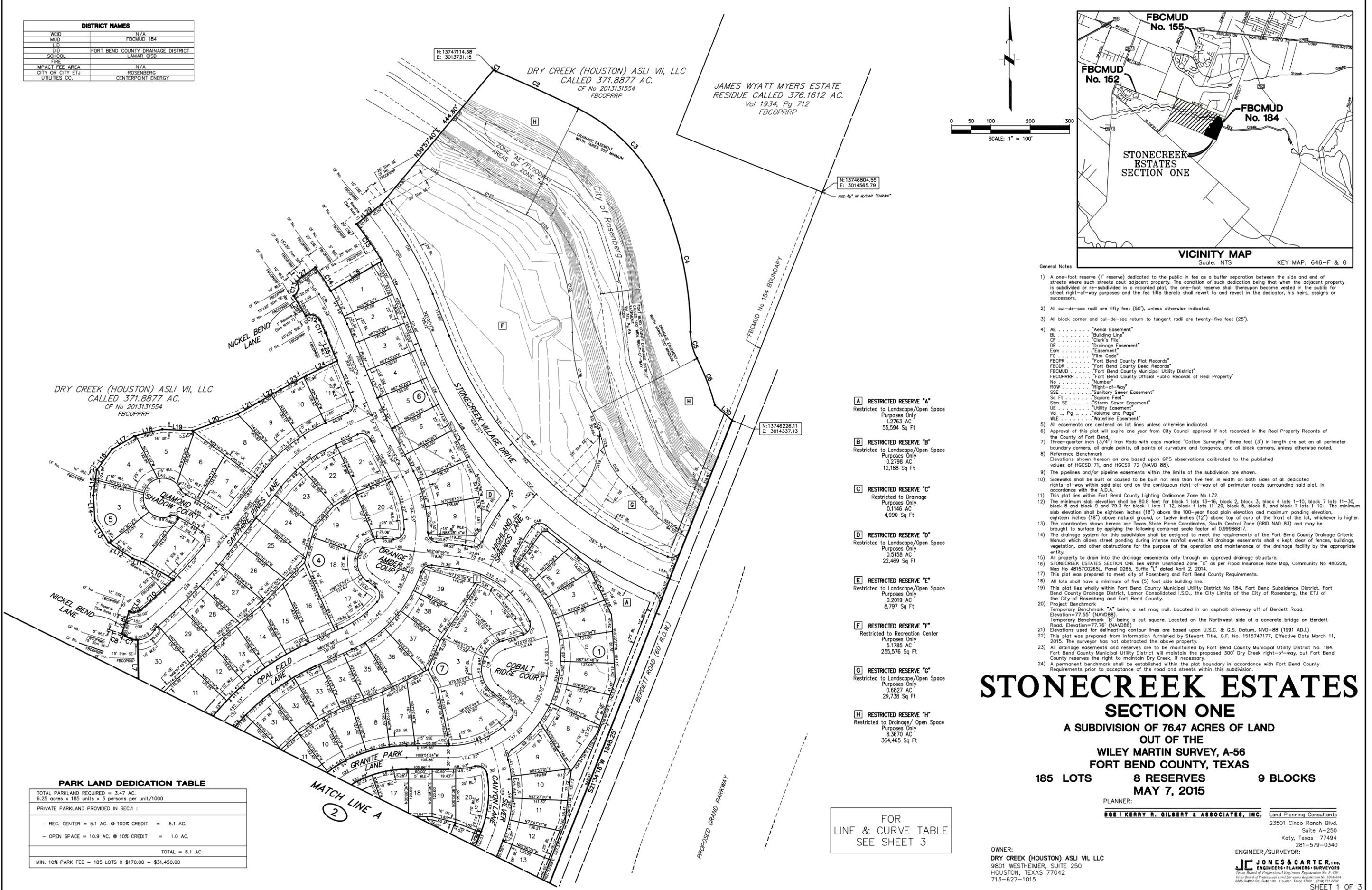
EXECUTIVE SUMMARY

The Final Plat of Stonecreek Estates Section One adjoins the Berdett Road right-of-way immediately south of Dry Creek. The subdivision is located in Fort Bend County Municipal Utility District No. 184, for which the Development and Utility Agreements were approved by City Council on August 26, 2014. The Planning Commission recommended approval of the Development Agreement and Land Plan on August 20. The Plat is located in the Extraterritorial Jurisdiction (ETJ) with the exception of a portion of the City Limits abutting Dry Creek.

The Plat consists of 76.47 acres and 185 single-family residential lots. Additionally, the Plat contains several acres in landscape reserves and an approximately 5.18-acre recreation center site that will receive credit toward meeting parkland dedication requirements. All proposed lots are a minimum of sixty feet (60') in width with some lots being substantially larger. The Plat complies with current City ordinances related to lot size and parkland dedication.

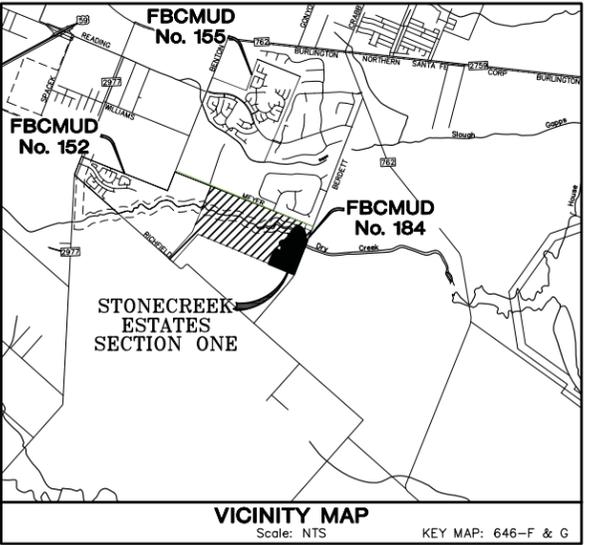
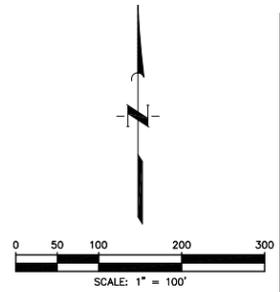
The Preliminary Plat of this subdivision was approved by the Planning Commission on September 17, 2014. Due to the expiration provisions in the ordinance, the Preliminary Plat approval was extended by the Planning Commission on April 15, 2015. The Commission approved the Final Plat on May 20, 2015. The proposed Final Plat is in conformance with the approved Land Plan, Preliminary Plat, and with applicable City ordinances. Staff recommends approval of the Final Plat of Stonecreek Estates Section One.

DISTRICT NAMES	
WCID	N/A
MUD	FBCMUD 184
DID	FORT BEND COUNTY DRAINAGE DISTRICT
SCHOOL	LAMAR CISD
FIRE	N/A
IMPACT FEE AREA	N/A
CITY OR CITY ETJ	ROSENBERG
UTILITIES CO.	CENTERPOINT ENERGY



DRY CREEK (HOUSTON) ASLI VII, LLC
CALLED 371,8877 AC.
CF No. 2013131554
FBCOPRRP

JAMES WYATT MYERS ESTATE
RESIDUE CALLED 376.1612 AC.
Vol 1934, Pg 712
FBCOPRRP



VICINITY MAP
Scale: NTS
KEY MAP: 646-F & G

- General Notes
- 1) A one-foot reserve (1' reserve) dedicated to the public in fee as a buffer separation between the side and end of streets where such streets abut adjacent property. The condition of such dedication being that when the adjacent property is subdivided or re-subdivided in a recorded plat, the one-foot reserve shall thereupon become vested in the public for street right-of-way purposes and the fee title thereto shall revert to and re-vest in the dedicator, his heirs, assigns or successors.
 - 2) All cul-de-sac radii are fifty feet (50'), unless otherwise indicated.
 - 3) All block corner and cul-de-sac return to tangent radii are twenty-five feet (25').
 - 4) AE "Aerial Easement"
BL "Building Line"
CF "Clerk's File"
DE "Drainage Easement"
Esm "Easement"
FC "Film Code"
FBCDR "Fort Bend County Plat Records"
FBCDR "Fort Bend County Deed Records"
FBCMUD "Fort Bend County Municipal Utility District"
FBCOPRRP "Fort Bend County Official Public Records of Real Property"
No "Number"
ROW "Right-of-Way"
SSE "Sanitary Sewer Easement"
Sq Ft "Square Feet"
Stm SE "Storm Sewer Easement"
UE "Utility Easement"
Vol = Pg "Volume and Page"
WLE "Waterline Easement"
 - 5) All easements are centered on lot lines unless otherwise indicated.
 - 6) Approval of this plat will expire one year from City Council approval if not recorded in the Real Property Records of the County of Fort Bend.
 - 7) Three-quarter inch (3/4") Iron Rods with caps marked "Cotton Surveying" three feet (3') in length are set on all perimeter boundary corners, all angle points, all points of curvature and tangency, and all block corners, unless otherwise noted.
 - 8) Reference Benchmark
Elevations shown hereon are based upon GPS observations calibrated to the published values of HGCS 71, and HGCS 72 (NAVD 88).
 - 9) The pipelines and/or pipeline easements within the limits of the subdivision are shown.
 - 10) Sidewalks shall be built or caused to be built not less than five feet in width on both sides of all dedicated rights-of-way within said plat and on the contiguous right-of-way of all perimeter roads surrounding said plat, in accordance with the A.D.A.
 - 11) This plat lies within Fort Bend County Lighting Ordinance Zone No L22.
 - 12) The minimum slab elevation shall be 80.8 feet for block 1 lots 13-16, block 2, block 3, block 4 lots 1-10, block 7 lots 11-30, block 8 and block 9 and 79.5 feet for block 1 lots 1-12, block 4 lots 11-20, block 5, block 6, and block 7 lots 1-10. The minimum slab elevation shall be eighteen inches (18") above the 100-year flood plain elevation and maximum ponding elevation, eighteen inches (18") above natural ground, or twelve inches (12") above top of curb at the front of the lot, whichever is higher.
 - 13) The coordinates shown hereon are Texas State Plane Coordinates, South Central Zone (GRID NAD 83) and may be brought to surface by applying the following combined scale factor of 0.99986817.
 - 14) The drainage system for this subdivision shall be designed to meet the requirements of the Fort Bend County Drainage Criteria Manual which allows street ponding during intense rainfall events. All drainage easements shall be clear of fences, buildings, vegetation, and other obstructions for the purpose of the operation and maintenance of the drainage facility by the appropriate entity.
 - 15) All property to drain into the drainage easements only through an approved drainage structure.
 - 16) STONECREEK ESTATES SECTION ONE lies within Unshaded Zone "X" as per Flood Insurance Rate Map, Community No 480228, Map No 48157C0265L, Panel 0265, Suffix "L" dated April 2, 2014.
 - 17) This plat was prepared to meet city of Rosenberg and Fort Bend County Requirements.
 - 18) All lots shall have a minimum of five (5) foot side building line.
 - 19) This plat lies wholly within Fort Bend County Municipal Utility District No 184, Fort Bend Subsidence District, Fort Bend County Drainage District, Lamar Consolidated I.S.D., the City Limits of the City of Rosenberg, the ETJ of the City of Rosenberg and Fort Bend County.
 - 20) Project Benchmark
Temporary Benchmark "A" being a set mag nail. Located in an asphalt driveway off of Berdett Road.
Elevation=77.55' (NAVD88)
Temporary Benchmark "B" being a cut square. Located on the Northwest side of a concrete bridge on Berdett Road. Elevation=77.76' (NAVD88)
 - 21) Elevations used for delineating contour lines are based upon U.S.C. & G.S. Datum, NVD-88 (1991 ADJ.)
 - 22) This plat was prepared from information furnished by Stewart Title, G.F. No. 1515741777, Effective Date March 11, 2015. The surveyor has not abstracted the above property.
 - 23) All drainage easements and reserves are to be maintained by Fort Bend County Municipal Utility District No. 184, Fort Bend County Municipal Utility District will maintain the proposed 300' Dry Creek right-of-way, but Fort Bend County reserves the right to maintain Dry Creek, if necessary.
 - 24) A permanent benchmark shall be established within the plat boundary in accordance with Fort Bend County Requirements prior to acceptance of the road and streets within this subdivision.

- A RESTRICTED RESERVE "A"**
Restricted to Landscape/Open Space
Purposes Only
1.2763 AC
55,594 Sq Ft
- B RESTRICTED RESERVE "B"**
Restricted to Landscape/Open Space
Purposes Only
0.2798 AC
12,188 Sq Ft
- C RESTRICTED RESERVE "C"**
Restricted to Drainage
Purposes Only
0.1146 AC
4,990 Sq Ft
- D RESTRICTED RESERVE "D"**
Restricted to Landscape/Open Space
Purposes Only
0.5158 AC
22,469 Sq Ft
- E RESTRICTED RESERVE "E"**
Restricted to Landscape/Open Space
Purposes Only
0.2019 AC
8,797 Sq Ft
- F RESTRICTED RESERVE "F"**
Restricted to Recreation Center
Purposes Only
5.1785 AC
255,576 Sq Ft
- G RESTRICTED RESERVE "G"**
Restricted to Landscape/Open Space
Purposes Only
0.6827 AC
29,738 Sq Ft
- H RESTRICTED RESERVE "H"**
Restricted to Drainage/Open Space
Purposes Only
8.3670 AC
364,465 Sq Ft

PARK LAND DEDICATION TABLE

TOTAL PARKLAND REQUIRED = 3.47 AC. 6.25 acres x 185 units x 3 persons per unit/1000
PRIVATE PARKLAND PROVIDED IN SEC.1 :
- REC. CENTER = 5.1 AC. @ 100% CREDIT = 5.1 AC.
- OPEN SPACE = 10.9 AC. @ 10% CREDIT = 1.0 AC.
TOTAL = 6.1 AC.
MIN. 10% PARK FEE = 185 LOTS X \$170.00 = \$31,450.00

FOR
LINE & CURVE TABLE
SEE SHEET 3

STONECREEK ESTATES SECTION ONE

A SUBDIVISION OF 7647 ACRES OF LAND
OUT OF THE
WILEY MARTIN SURVEY, A-56
FORT BEND COUNTY, TEXAS

185 LOTS 8 RESERVES 9 BLOCKS
MAY 7, 2015

PLANNER:
BGE | KERRY R. GILBERT & ASSOCIATES, INC. Land Planning Consultants
23501 Cinco Ranch Blvd.
Suite A-250
Katy, Texas 77494
281-579-0340

OWNER:
DRY CREEK (HOUSTON) ASLI VII, LLC
9801 WESTHEIMER, SUITE 250
HOUSTON, TEXAS 77042
713-627-1015

ENGINEER/SURVEYOR:
JC JONES & CARTER, INC.
ENGINEERS • PLANNERS • SURVEYORS
Texas Board of Professional Engineers Registration No. F-439
Texas Board of Professional Land Surveyors Registration No. 198464
6335 Gulfon Dr., Suite 100 Houston, Texas 77061 (713) 777-6337

FOR
LINE & CURVE TABLE
SEE SHEET 3

LOT AREA SUMMARY

BLOCK 1			BLOCK 2			BLOCK 3			BLOCK 4			BLOCK 5			BLOCK 6			BLOCK 7			BLOCK 8			BLOCK 9		
LOT	LOT WIDTH AT BL.	SQ. FT.	LOT	LOT WIDTH AT BL.	SQ. FT.	LOT	LOT WIDTH AT BL.	SQ. FT.	LOT	LOT WIDTH AT BL.	SQ. FT.	LOT	LOT WIDTH AT BL.	SQ. FT.	LOT	LOT WIDTH AT BL.	SQ. FT.	LOT	LOT WIDTH AT BL.	SQ. FT.	LOT	LOT WIDTH AT BL.	SQ. FT.	LOT	LOT WIDTH AT BL.	SQ. FT.
1	60'	8,171	1	60'	7,886	1	75'	9,365	1	75'	10,813	1	70'	8,971	1	75'	11,187	1	75'	10,572	1	75'	10,314	1	75'	14,505
2	60'	9,023	2	61'	9,160	2	69'	10,572	2	75'	10,314	2	75'	10,314	2	60'	8,977	2	65'	8,469	2	75'	10,314	2	75'	14,505
3	60'	9,243	3	60'	8,404	3	73'	10,675	3	75'	10,314	3	75'	10,314	3	73'	9,754	3	76'	10,330	3	76'	10,330	3	76'	14,505
4	60'	9,255	4	61'	8,404	4	65'	10,194	4	65'	10,194	4	75'	10,125	4	87'	12,822	4	87'	14,081	4	87'	14,081	4	87'	14,081
5	60'	9,243	5	70'	7,562	5	65'	8,538	5	65'	8,538	5	65'	8,538	5	72'	9,804	5	72'	9,804	5	72'	9,804	5	72'	12,305
6	60'	9,255	6	60'	7,787	6	60'	8,125	6	65'	8,125	6	75'	10,158	6	60'	8,440	6	65'	8,670	6	65'	8,670	6	65'	9,670
7	60'	9,243	7	60'	7,890	7	65'	8,125	7	65'	8,125	7	65'	8,125	7	70'	9,989	7	70'	10,330	7	70'	10,330	7	70'	10,330
8	72'	13,118	8	60'	7,787	8	65'	8,415	8	65'	8,415	8	75'	11,741	8	70'	8,266	8	70'	8,266	8	70'	8,266	8	70'	9,531
9	77'	11,881	9	60'	7,219	9	65'	8,914	9	65'	8,914	9	75'	11,410	9	64'	7,481	9	70'	8,750	9	70'	8,750	9	70'	8,750
10	60'	9,946	10	62'	9,811	10	75'	10,300	10	75'	10,300	10	75'	10,300	10	85'	8,999	10	104'	11,262	10	104'	11,262	10	104'	11,262
11	60'	9,243	11	60'	9,735	11	77'	11,797	11	77'	11,797	11	77'	11,797	11	85'	8,999	11	105'	11,310	11	105'	11,310	11	105'	11,310
12	61'	8,838	12	60'	7,200	12	67'	8,856	12	67'	8,856	12	67'	8,856	12	85'	8,999	12	105'	11,310	12	105'	11,310	12	105'	11,310
13	60'	7,800	13	70'	8,285	13	67'	8,391	13	67'	8,391	13	67'	8,391	13	85'	8,999	13	99'	11,201	13	99'	11,201	13	99'	11,201
14	60'	9,255	14	63'	10,730	14	67'	8,423	14	67'	8,423	14	67'	8,423	14	87'	9,681	14	70'	9,067	14	70'	9,067	14	70'	9,067
15	60'	9,255	15	60'	8,129	15	67'	10,691	15	67'	10,691	15	67'	10,691	15	86'	9,145	15	75'	10,852	15	75'	10,852	15	75'	10,852
16	60'	7,800	16	66'	8,325	16	72'	12,875	16	72'	12,875	16	72'	12,875	16	86'	9,151	16	75'	9,373	16	75'	9,373	16	75'	9,373
17	60'	7,800	17	70'	9,094	17	84'	11,836	17	84'	11,836	17	84'	11,836	17	86'	9,032	17	65'	8,125	17	65'	8,125	17	65'	8,125
18	60'	7,800	18	60'	7,097	18	84'	13,829	18	84'	13,829	18	84'	13,829	18	60'	7,200	18	65'	8,125	18	65'	8,125	18	65'	8,125
19	60'	7,800	19	60'	7,097	19	83'	13,705	19	83'	13,705	19	83'	13,705	19	60'	7,200	19	60'	7,200	19	60'	7,200	19	60'	7,200
20	60'	7,800	20	60'	7,097	20	85'	12,812	20	85'	12,812	20	85'	12,812	20	60'	7,200	20	60'	7,200	20	60'	7,200	20	60'	7,200
21	60'	7,800	21	60'	7,097	21	85'	11,489	21	85'	11,489	21	85'	11,489	21	60'	7,200	21	60'	7,200	21	60'	7,200	21	60'	7,200
22	60'	7,800	22	76'	13,148	22	76'	13,148	22	76'	13,148	22	76'	13,148	22	60'	7,200	22	60'	7,200	22	60'	7,200	22	60'	7,200
23	60'	7,800	23	79'	15,013	23	93'	11,151	23	93'	11,151	23	93'	11,151	23	60'	7,200	23	60'	7,200	23	60'	7,200	23	60'	7,200
24	60'	7,800	24	70'	8,245	24	75'	10,330	24	75'	10,330	24	75'	10,330	24	60'	7,200	24	60'	7,200	24	60'	7,200	24	60'	7,200
25	60'	7,800	25	75'	10,000	25	75'	12,229	25	75'	12,229	25	75'	12,229	25	60'	7,200	25	60'	7,200	25	60'	7,200	25	60'	7,200
26	60'	7,800	26	74'	15,861	26	75'	11,780	26	75'	11,780	26	75'	11,780	26	60'	7,200	26	60'	7,200	26	60'	7,200	26	60'	7,200
27	60'	7,800	27	72'	12,457	27	75'	11,179	27	75'	11,179	27	75'	11,179	27	60'	7,200	27	60'	7,200	27	60'	7,200	27	60'	7,200
28	60'	7,800	28	75'	9,353	28	75'	10,336	28	75'	10,336	28	75'	10,336	28	60'	7,200	28	60'	7,200	28	60'	7,200	28	60'	7,200
29	60'	7,800	29	75'	10,260	29	75'	10,260	29	75'	10,260	29	75'	10,260	29	60'	7,200	29	60'	7,200	29	60'	7,200	29	60'	7,200
30	60'	7,800	30	87'	15,237	30	87'	15,237	30	87'	15,237	30	87'	15,237	30	60'	7,200	30	60'	7,200	30	60'	7,200	30	60'	7,200
31	60'	7,800	31	76'	10,890	31	76'	10,890	31	76'	10,890	31	76'	10,890	31	60'	7,200	31	60'	7,200	31	60'	7,200	31	60'	7,200
32	60'	7,800	32	86'	12,144	32	86'	12,144	32	86'	12,144	32	86'	12,144	32	60'	7,200	32	60'	7,200	32	60'	7,200	32	60'	7,200
33	60'	7,800	33	75'	10,508	33	75'	12,978	33	75'	12,978	33	75'	12,978	33	60'	7,200	33	60'	7,200	33	60'	7,200	33	60'	7,200
34	60'	7,800	34	86'	18,440	34	75'	10,841	34	75'	10,841	34	75'	10,841	34	60'	7,200	34	60'	7,200	34	60'	7,200	34	60'	7,200
35	60'	7,800	35	87'	22,277	35	82'	14,286	35	82'	14,286	35	82'	14,286	35	60'	7,200	35	60'	7,200	35	60'	7,200	35	60'	7,200
36	60'	7,800	36	87'	18,059	36	78'	13,305	36	78'	13,305	36	78'	13,305	36	60'	7,200	36	60'	7,200	36	60'	7,200	36	60'	7,200
37	60'	7,800	37	75'	10,583	37	77'	12,815	37	77'	12,815	37	77'	12,815	37	60'	7,200	37	60'	7,200	37	60'	7,200	37	60'	7,200
38	60'	7,800	38	69'	10,870	38	69'	11,389	38	69'	11,389	38	69'	11,389	38	60'	7,200	38	60'	7,200	38	60'	7,200	38	60'	7,200
39	60'	7,800	39	65'	8,985	39	85'	11,881	39	85'	11,881	39	85'	11,881	39	60'	7,200	39	60'	7,200	39	60'	7,200	39	60'	7,200
40	60'	7,800	40	65'	8,160	40	83'	16,136	40	83'	16,136	40	83'	16,136	40	60'	7,200	40	60'	7,200	40	60'	7,200	40	60'	7,200
41	60'	7,800	41	79'	9,505	41	79'	11,906	41	79'	11,906	41	79'	11,906	41	60'	7,200	41	60'	7,200	41	60'	7,200	41	60'	7,200

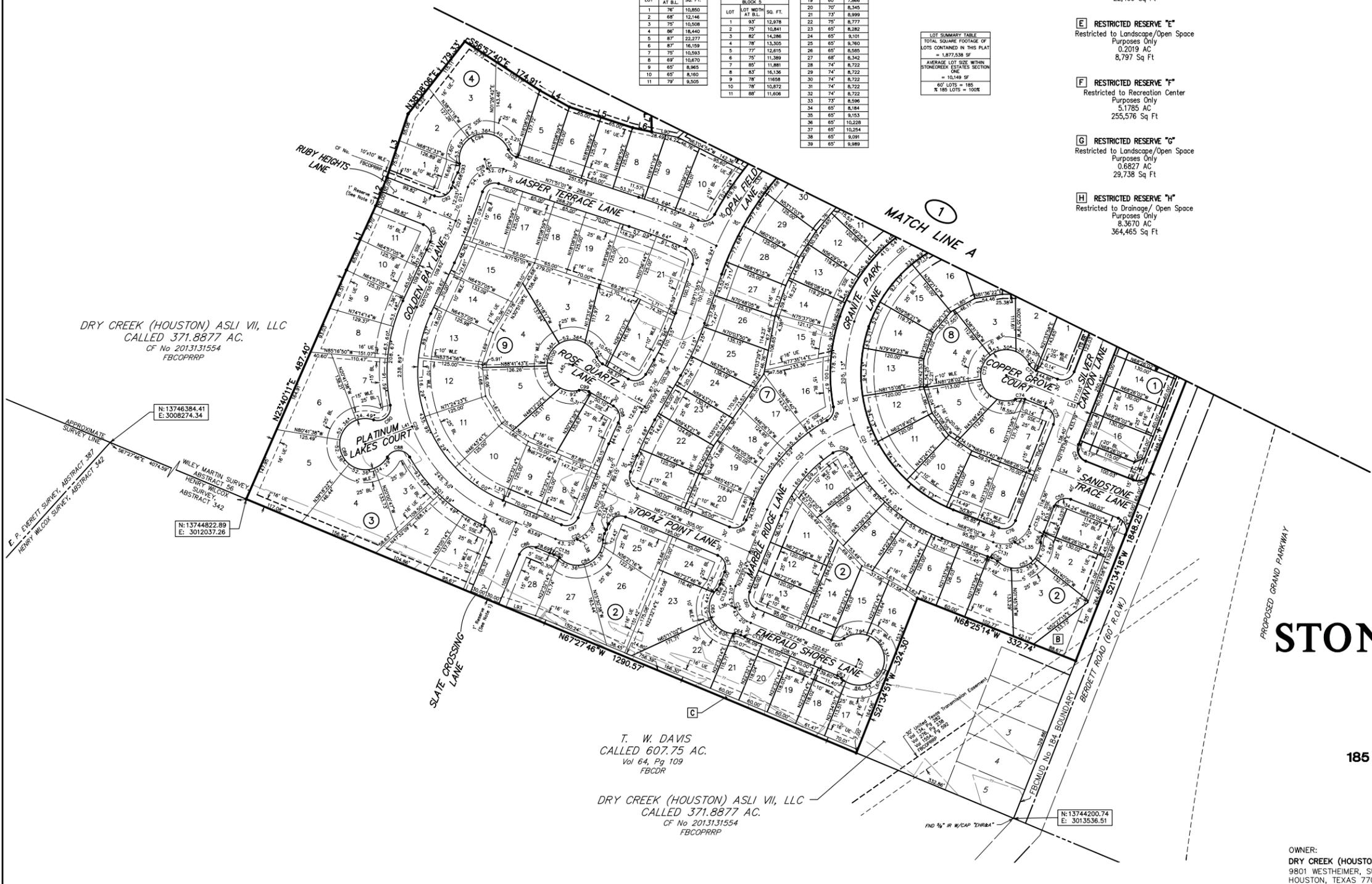
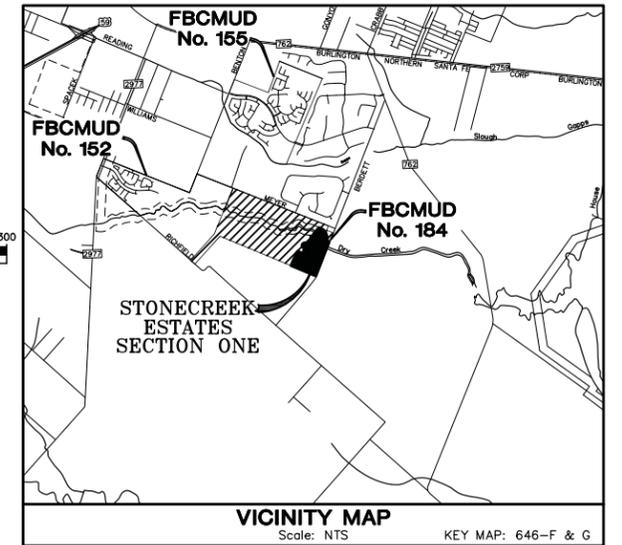
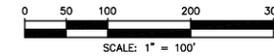
LOT SUMMARY TABLE

TOTAL SQUARE FOOTAGE OF LOTS CONTAINED IN THIS PLAT = 1,877,538 SF

AVERAGE LOT SIZE WITHIN STONECREEK ESTATES SECTION ONE = 10,149 SF

60' LOTS = 185

8' RESERVES = 1000



DRY CREEK (HOUSTON) ASLI VII, LLC
CALLED 371.8877 AC.
CF No 2013131554
FBCOPRRP

N: 13746384.41
E: 3008274.34

N: 13744822.89
E: 3012037.26

T. W. DAVIS
CALLED 607.75 AC.
Vol 64, Pg 109
FBCDR

DRY CREEK (HOUSTON) ASLI VII, LLC
CALLED 371.8877 AC.
CF No 2013131554
FBCOPRRP

N: 13744200.74
E: 3013536.51

A RESTRICTED RESERVE "A"
Restricted to Landscape/Open Space
Purposes Only
1,276.3 AC
55,594 Sq Ft

B RESTRICTED RESERVE "B"
Restricted to Landscape/Open Space
Purposes Only
0.2798 AC
12,188 Sq Ft

C RESTRICTED RESERVE "C"
Restricted to Drainage
Purposes Only
0.1146 AC
4,990 Sq Ft

D RESTRICTED RESERVE "D"
Restricted to Landscape/Open Space
Purposes Only
0.5158 AC
22,469 Sq Ft

E RESTRICTED RESERVE "E"
Restricted to Landscape/Open Space
Purposes Only
0.2019 AC
8,797 Sq Ft

F RESTRICTED RESERVE "F"
Restricted to Recreation Center
Purposes Only
5.1785 AC
255,576 Sq Ft

G RESTRICTED RESERVE "G"
Restricted to Landscape/Open Space
Purposes Only
0.6827 AC
29,738 Sq Ft

H RESTRICTED RESERVE "H"
Restricted to Drainage/ Open Space
Purposes Only
8.3670 AC
364,465 Sq Ft

- JASON M. SAFIER
CALLED 0.20 AC.
(EXHIBIT "A")
CF No 2013143404
FBCOPRRP
- MICHAEL WANG
CALLED 0.20 AC.
(EXHIBIT "A")
CF No 2013143403
FBCOPRRP
- CHRISTINE TURNER
CALLED 0.20 AC.
(EXHIBIT "A")
CF No 2013143402
FBCOPRRP
- KIMLINH TRAN
CALLED 0.20 AC.
(EXHIBIT "A")
CF No 2013143401
FBCOPRRP
- JAMES KOBY GIDNEY
CALLED 0.20 AC.
(EXHIBIT "A")
CF No 2013143400
FBCOPRRP

STONECREEK ESTATES SECTION ONE

A SUBDIVISION OF 76.47 ACRES OF LAND

OUT OF THE
WILEY MARTIN SURVEY, A-56
FORT BEND COUNTY, TEXAS

185 LOTS 8 RESERVES 9 BLOCKS

MAY 7, 2015

PLANNER:

G&E | KERRY R. GILBERT & ASSOCIATES, INC. Land Planning Consultants
23501 Cinco Ranch Blvd.
Suite A-250
Katy, Texas 77494
281-579-0340

OWNER:
DRY CREEK (HOUSTON) ASLI VII, LLC
9801 WESTHEIMER, SUITE 250
HOUSTON, TEXAS 77042
713-627-1015

ENGINEER/SURVEYOR:
JC JONES & CARTER, INC.
ENGINEERS • PLANNERS • SURVEYORS
Texas Board of Professional Engineers Registration No. F-439
Texas Board of Professional Land Surveyors Registration No. 19846104
8335 Gulfon Dr., Suite 100 Houston, Texas 77061 (713) 777-5337

STATE OF TEXAS §
COUNTY OF FORT BEND §
CITY OF ROSENBERG §

We, Dry Creek (Houston) ASL VI, LLC, by Avanti Properties Group II, L.L.P., a Delaware limited liability partnership, its general partner, by Avanti Management Corporation, a Florida corporation, its general partner, acting by and through Andrew Dubill, its Vice President, owners of the 76.47 tract described in the above and foregoing map of STONECREEK ESTATES SECTION ONE, do hereby make and establish said subdivision and development plat of said property according to all lines, dedications, restrictions and notations on said maps or plat and hereby dedicate to the use of the public forever, all streets (except those streets designated as private streets), alleys, parks, water courses, drains, easements and public places shown thereon for the purposes and considerations therein expressed, and do hereby bind ourselves, our heirs and assigns to warrant and forever defend the title to the land so dedicated.

FURTHER, We do hereby dedicate for public utility purposes an unobstructed aerial easement five (5) feet in width from a plane twenty (20) feet above the ground level upward, located adjacent to all public utility easements shown hereon.

FURTHER, We do hereby declare that all parcels of land designated as lots on this plat are intended for the construction of single family residential dwelling units thereon (or the placement of mobile homes) and shall be restricted for same under the terms and conditions of such restrictions filed separately.

FURTHER, We do hereby covenant and agree that all of the property within the boundaries of this plat shall be restricted to prevent the drainage of any septic tanks into any public or private street, road or alley or any drainage ditch, either directly or indirectly.

FURTHER, I (or we) do hereby dedicate to the public a strip of land twenty (20) feet wide on each side of the center line of any and all bayous, creeks, gullies, ravines, draws and drainage ditches located in said subdivision, as easements for drainage purposes. Fort Bend County or any other governmental agency shall have the right to enter upon said easement at any and all times for the purposes of construction and maintenance of drainage facilities and structures.

FURTHER, We do hereby covenant and agree that all of the property within the boundaries of this subdivision and adjacent to any drainage easement, ditch, gully, creek or natural drainage way shall hereby be restricted to keep such drainage ways and easements clear of fences, buildings, excessive vegetation and other obstructions to the operations and maintenance of the drainage facility and that such abutting property shall not be permitted to drain directly into this easement except by means of an approved drainage structure.

FURTHER, We do hereby certify that I am (or we are) the owner(s) of all property immediately adjacent to the boundaries of the above and foregoing subdivision of STONECREEK ESTATES SECTION ONE where building setback lines or public utility easements are to be established outside the boundaries of the above and foregoing subdivision and do hereby make and establish all building setback lines and dedicate to the use of the public, all public utility easements shown in said adjacent acreage.

FURTHER, We do hereby acknowledge the receipt of the Orders for Regulation of Outdoor Lighting in the Unincorporated Areas of Fort Bend County, Texas, and do hereby covenant and agree and shall comply with this order as adopted by Fort Bend County Commissioners Court on March 23, 2004, and any subsequent amendments.

IN TESTIMONY WHEREOF, the Dry Creek (Houston) ASL VI, LLC has caused these presents to be signed by Andrew Dubill, its Vice President, hereunto authorized, this _____ day of _____, 20____.

DRY CREEK (HOUSTON) ASL VI, LLC

By: Avanti Properties Group II, L.L.P.,
a Delaware limited liability partnership,
its general partner

By: Avanti Management Corporation,
a Florida corporation,
its general partner

By: Andrew Dubill, Vice President

STATE OF FLORIDA §
COUNTY OF ORANGE §

BEFORE ME, the undersigned authority, on this day personally appeared Andrew Dubill, Vice President of Avanti Management Corporation known to me to be the person whose name is subscribed to the foregoing instrument and acknowledge to me that they executed the same for the purposes and considerations therein expressed.

GIVEN UNDER MY HAND AND SEAL OF OFFICE, this _____ day of _____, 2015.

Notary Public in and for the State of Texas

Print Name

My Commission expires:

This is to certify that the Planning Commission of the City of Rosenberg, Texas has approved this plat and subdivision of STONECREEK ESTATES SECTION ONE in conformance with the laws of the State of Texas and the ordinances of the City of Rosenberg as shown hereon and authorizes the recording

of this plat this _____ day of _____, 20____.

Pete Pavlovsky, Chairman

Wayne Poldrack, Secretary

This is to certify that the City Council of the City of Rosenberg, Texas has approved this plat and subdivision of STONECREEK ESTATES SECTION ONE in conformance with the laws of the State of Texas and the ordinances of the City of Rosenberg as shown hereon and authorizes the recording of this plat this _____ day of _____, 20____.

Vincent M. Morales, Jr., Mayor

Linda Cernosek, City Secretary

I, Chris D. Kalkomey, am registered under the laws of the State of Texas to practice the profession of surveying and hereby certify that the above subdivision is true and correct; was prepared from an actual survey of the property made under my supervision on the ground and that all boundary corners, angle points, points of curvature and other points of reference have been marked with iron (or other suitable permanent ferrous metal) pipes and a length of not less than three (3) feet.

Chris D. Kalkomey
Registered Professional Land Surveyor
No. 5869

I, Janet M. Baccus, a Professional Engineer registered in the State of Texas, do hereby certify that this plat meets all requirements of Fort Bend County to the best of my knowledge.

Janet M. Baccus, P.E.
Professional Engineer
No. 90073

CURVE	RADIUS	DELTA ANGLE	ARC LENGTH	CHORD BEARING	CHORD LENGTH	TANGENT
C1	19.96'	172°57'	5.89'	S58°51'E	5.95'	2.96'
C2	3804.50'	328.20'	230.57'	N65°33'10"W	230.53'	115.32'
C3	449.71'	4127°05'	325.35'	N43°10'16"W	318.30'	170.16'
C4	884.42'	2209°54'	342.14'	N11°26'34"W	340.01'	173.24'
C5	150.25'	2644°54'	70.14'	S15°44'45"E	69.51'	35.72'
C6	600.00'	120°22'	127.11'	N21°02'42"W	126.87'	61.29'
C7	50.00'	4016°30'	35.15'	S70°56'54"E	34.43'	18.33'
C8	25.00'	2102°22'	9.18'	N61°19'50"W	9.13'	4.64'
C9	25.00'	5814°19'	25.41'	N7°01'49"E	24.33'	13.93'
C10	1270.00'	510°19'	114.64'	N47°19'30"E	114.60'	57.36'
C11	50.00'	383°42'	35.83'	N23°57'44"W	35.67'	17.84'
C12	25.00'	9439°22'	41.30'	N7°48'27"W	36.76'	27.12'
C13	25.00'	9529°20'	41.66'	N11°07'12"E	37.01'	27.52'
C14	660.00'	613°59'	71.80'	N33°30'29"W	71.77'	35.94'
C15	810.00'	802°56'	113.99'	N34°21'57"W	113.70'	56.99'
C16	500.00'	1826°58'	161.90'	N34°07'52"E	160.30'	81.20'
C17	255.00'	1725°05'	769.59'	N03°41'03"E	509.03'	4120.83'
C18	52.50'	1245°02'	114.38'	N11°04'21"E	93.07'	100.50'
C19	300.00'	4342°36'	228.86'	N00°17'20"W	223.35'	120.33'
C20	55.00'	9000°00'	86.39'	N66°33'58"E	77.78'	55.00'
C21	315.00'	8717°54'	479.95'	N24°47'06"W	434.85'	300.49'
C22	300.00'	7116°45'	373.22'	N54°30'14"E	349.61'	215.09'
C23	300.00'	4628°12'	243.32'	N45°46'20"E	236.70'	128.80'
C24	55.00'	9000°00'	86.39'	N22°27'46"W	77.78'	55.00'
C25	55.00'	9000°00'	86.39'	N63°32'41"E	77.78'	55.00'
C26	300.00'	9230°41'	484.39'	N21°12'28"W	433.46'	313.45'
C27	1200.00'	6°56'01"	145.22'	N21°34'54"E	145.13'	72.70'
C28	55.00'	9000°00'	86.43'	N63°07'56"E	77.81'	55.03'
C29	1200.00'	819°27'	174.34'	N67°41'18"W	174.19'	87.33'
C30	605.00'	744°25'	81.73'	N26°22'27"E	81.63'	40.83'
C31	550.00'	1104°44'	106.35'	N2444'17"E	106.18'	53.34'
C32	620.00'	4618°53'	501.17'	N42°21'21"E	487.64'	265.19'
C33	300.00'	9246°41'	485.79'	N19°07'27"E	434.42'	314.91'
C34	57.00'	181°13'	99.03'	N21°34'24"E	72.66'	146.60'
C35	1084.98'	458°23'	92.44'	N24242'12"E	92.71'	46.46'
C36	630.00'	1420°57'	157.78'	N29°27'00"W	157.37'	79.30'
C37	400.00'	2715°58'	190.35'	N52°12'46"E	97.01'	188.56'
C38	1300.00'	1119°52'	257.10'	N44°14'43"E	256.68'	128.97'
C39	55.00'	9000°00'	86.39'	N7°01'49"E	85.91'	43.64'
C40	450.00'	2412°50'	190.18'	N58°45'38"W	188.76'	96.53'
C41	890.00'	1655°08'	262.81'	N29°58'51"W	261.86'	132.37'
C42	1000.00'	4628°44'	811.21'	N44°45'39"W	789.15'	429.42'
C43	25.00'	9023°37'	39.46'	N66°47'10"E	35.49'	25.19'
C44	25.00'	8743°05'	39.46'	N27°39'59"W	34.65'	24.03'
C45	1125.00'	1631°44'	324.54'	N53°45'45"W	323.42'	163.41'
C46	25.00'	9425°11'	41.20'	N83°09'32"E	36.69'	27.01'
C47	25.00'	8030°26'	35.13'	N02°20'51"W	32.31'	21.17'
C48	1125.00'	2104°47'	413.90'	N32°03'40"W	411.57'	209.31'
C49	810.00'	815°21'	125.80'	N25°52'23"E	125.27'	62.82'
C50	25.00'	7709°16'	33.67'	N13°27'55"W	31.18'	19.94'
C51	25.00'	6944°44'	30.43'	N20°31'27"E	28.59'	17.42'
C52	25.00'	9000°00'	39.27'	N23°26'03"W	35.36'	25.00'
C53	25.00'	8959°40'	39.27'	N66°34'08"E	25.00'	25.00'
C54	25.00'	9000°00'	39.27'	N23°26'03"W	35.36'	25.00'
C55	25.00'	9000°00'	39.27'	N66°33'58"E	35.36'	25.00'
C56	25.00'	2819°16'	12.36'	N13°25'48"E	12.23'	6.31'
C57	50.00'	134°35'35"	117.45'	N66°33'58"E	92.25'	119.51'
C58	25.00'	2819°16'	12.36'	N66°33'58"E	12.23'	6.31'
C59	25.00'	9505°37'	41.49'	N75°47'07"W	36.89'	27.43'
C60	25.00'	9000°00'	39.27'	N22°27'46"W	35.36'	25.00'
C61	25.00'	5748°09'	25.21'	N83°39'10"E	24.15'	13.79'
C62	50.00'	258°48'31"	225.85'	N04°10'21"E	77.27'	60.86'
C63	25.00'	2819°22'	12.36'	N56°50'59"E	9.13'	4.64'
C64	25.00'	2819°16'	12.36'	N75°35'55"W	12.23'	6.31'
C65	50.00'	134°35'35"	117.45'	N22°27'46"W	92.25'	119.51'
C66	25.00'	2819°16'	12.36'	N30°40'23"E	12.23'	6.31'
C67	25.00'	9000°00'	39.27'	N22°27'46"W	35.36'	25.00'
C68	25.00'	9000°00'	39.27'	N63°32'41"E	35.36'	25.00'
C69	25.00'	7147°22'	31.32'	N25°06'12"E	29.31'	18.09'
C70	25.00'	9350°57'	40.95'	N56°47'24"W	36.52'	26.74'
C71	25.00'	9000°00'	39.27'	N66°33'58"E	35.36'	25.00'
C72	25.00'	4250°00'	18.629'	N4°01'02"W	18.26'	9.81'
C73	50.00'	265°40'01"	231.84'	N21°33'58"E	73.33'	51.83'
C74	25.00'	4250°00'	18.629'	N89°51'02"W	18.26'	9.81'
C75	25.00'	9000°00'	39.27'	N23°26'02"E	35.36'	25.00'
C76	25.00'	9000°00'	39.27'	N66°33'58"E	35.36'	25.00'
C77	25.00'	9705°01"	42.40'	N02°45'14"W	37.50'	28.35'
C78	25.00'	1245°03'	163.41'	N11°04'21"E	132.95'	63.57'
C79	25.00'	9710°51'	42.40'	N24°53'57"E	37.50'	28.35'
C80	25.00'	7848°08'	34.38'	N57°49'27"E	31.74'	20.54'
C81	25.00'	9000°00'	39.27'	N22°27'46"W	35.36'	25.00'
C82	25.00'	9000°00'	39.27'	N63°32'41"E	35.36'	25.00'
C83	25.00'	2819°16'	12.36'	N14°24'05"E	12.23'	6.31'
C84	50.00'	134°35'35"	117.45'	N67°32'14"E	92.25'	119.51'
C85	25.00'	2819°16'	12.36'	N59°19'37"W	12.23'	6.31'
C86	25.00'	9000°00'	39.27'	N67°32'14"E	35.36'	25.00'
C87	25.00'	8734°43'	38.81'	N21°15'08"W	34.60'	23.97'
C88	25.00'	1200°49'	52.37'	N89°58'41"W	43.30'	43.31'
C89	50.00'	258°48'59"	225.86'	N20°34'36"W	77.26'	60.85'
C90	25.00'	1200°49'	52.37'	N48°49'30"E	43.30'	43.31'
C91	25.00'	9245°12'	40.47'	N22°09'57"W	36.19'	26.23'
C92	25.00'	9245°12'	40.47'	N65°01'51"E	36.19'	26.23'
C93	25.00'	4155°32'	18.29'	N11°05'20"E	17.89'	9.58'
C94	50.00'	1675°37'	146.52'	N74°04'32"E	99.44'	471.73'
C95	25.00'	4952°32'	21.76'	N46°54'45"W	21.08'	11.62'
C96	25.00'	9000°00'	39.27'	N63°07'56"E	35.37'	25.02'
C97	50.00'	9000°00'	39.27'	N67°32'14"E	35.36'	25.00'
C98	25.00'	8619°10'	37.66'	N16°33'46"W	34.20'	23.44'
C99	25.00'	4502°11'	19.65'	N82°14'27"W	19.15'	10.36'
C100	50.00'	265°44'17"	231.75'	N28°01'36"E	73.39'	54.02'
C101	25.00'	4032°28'	17.69'	N32°27'13"W	17.32'	8.53'
C102	25.00'	9000°00'	39.27'	N75°16'39"E	35.36'	25.00'
C103	25.00'	8514°21'	37.19'	N23°25'15"W	33.86'	23.00'
C104	25.00'	8526°12'	37.28'	N71°13'50"E	33.92'	23.08'
C105	25.00'	9531°24'	41.83'	N06°09'00"W	37.12'	27.70'
C106	50.00'	1489°31'11"	158.09'	N20°26'53"E	115.65'	215.74'
C107	25.00'	9531°24'	41.83'	N47°02'44"E	37.12'	27.70'
C108	25.00'	8711°07'	38.04'	N70°33'41"W	34.48'	23.80'
C109	25.00'	2027°45'	8.93'	N39°30'34"E	8.88'	4.51'
C110	50.00'	5938°10'	52.04'	N59°05'46"E	48.79'	28.66'
C111	25.00'	4032°28'	17.69'	N25°50'51"W	17.69'	25.00'
C112	25.00'	4624°48'	20.25'	N87°08'25"W	19.70'	10.72'
C113	50.00'	265°28'01"	231.66'	N22°23'12"E	73.45'	54.12'
C114	25.00'	3951°22'	17.39'	N44°48'28"W	17.04'	9.06'
C115	25.00'	8830°07'	38.40'	N82°34'51"E	34.73'	24.19'
C116	25.00'	8807°17'	38.45'	N11°47'07"E	34.77'	24.19'
C117	25.00'	8321°29'	36.37'	N41°05'44"W	33.25'	22.26'
C118	25.00'	7647°42'	33.51'	N63°27'33"E	31.06'	19.81'
C119	225.53'	501°31'9"	197.69'	N20°48'56"E	191.42'	105.70'
C120	850.00'	1655°08'	251.00'	N25°52'23"E	250.09'	126.42'
C121	1045.00'	4654°36'	855.58'	N44°58'35"W	831.88'	453.40'
C122	319.26'	1718°02'	96.40'	N58°40'40"W	96.03'	48.57'
C123	3500.98'	328°36'	212.44'	N65°32'56"W	212.41'	106.25'
C124	149.71'	41°34'45"	108.64'	N43°10'08"W	106.28'	56.84'
C125	284.42'	21°14'45"	226.33'	N11°27'17"W	224.92'	114.60'
C126	450.32'	2644°54'	210.23'	N13°44'24"W	208.32'	107.07'
C127	300.00'	1339°47'	71.54'	N20°16'57"W	71.37'	35.94'
C128	800.00'	1°33'49"				



Vicinity Map
NTS



Acreage

LAND USE SUMMARY

NON-RESIDENTIAL	
N.R.	±2.3 Ac
N.R.	±14.7 Ac
SUBTOTAL	±17.0 Ac
REC	RECREATION CENTER ±5.1 Ac
PARK	TOT LOTS/PARK ±3.1 Ac
DRILL SITE	DRILL SITE/EASEMENT ±5.5 Ac
WWTP	WWTP SITE ±4.1 Ac
DRAINAGE	DRAINAGE/DETENTION ±77.5 Ac
OS	OPEN SPACE ±10.2 Ac
SUBTOTAL	±105.5 Ac
SF	SINGLE FAMILY ±349.6 Ac (MIN. 60' WIDTH, MIN. AVG. SIZE 7,000 S.F.) (MIN. SIZE 6,500 S.F.)
SUBTOTAL	±349.6 Ac

MAXIMUM NO. OF LOTS : 1,400

TOTAL PARKLAND REQUIRED = (1,400 LOTS) (3 PERSONS/LOT)(6.25AC.)
1,000 PERSONS

TOTAL PARKLAND REQUIRED = 26.3 AC.
TOTAL PARKLAND TO BE PROVIDED = 26.3 AC. (MIN.)
TOTAL PARKLAND REMAINING = 0 AC.

MIN. 10% FEE = (1,400 LOTS) (\$1,700/LOT)
10
= \$238,000
1,400 LOTS
= \$170/LOT

a general plan of
STONECREEK ESTATES

BEING ± 502.6 ACRES OF LAND

OUT OF THE
WILEY MARTIN SURVEY, A-56
E.P. EVERETT SURVEY, A-387
FORT BEND COUNTY, TEXAS

OWNER:
DRY CREEK (HOUSTON) ASLI, LLC
9801 WESTHEIMER, SUITE-250
HOUSTON, TX. 77042
ATTN: VAHID TABRIZI (713) 627-1015

ENGINEER/SURVEYOR:
JONES & CARTER, INC.
6335 GULFTON, SUITE-200
HOUSTON, TX. 77081
ATTN: CLAYTON BLACK (713) 777-5337

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Action Taken: Commissioner Casias moved, seconded by Commissioner Urbish to approve the Final Replat of Macer Reserves, a subdivision of 7.882 acres of land being a partial replat of Reserve "C" of Kwikrose Commercial Park (Slide No. 1436/A; Plat Records of Fort Bend County, Texas) together with a portion of a call 5.00 acre tract of land (Fort Bend County Clerk's File No. 2007074320), both being in the Henry Scott Survey, Abstract No. 83, and being a replat of Reserve "C" of Deedco Subdivision No. 19 (Slide No. 1357/A; Plat Records of Fort Bend County, Texas) together with a call 0.216 acre tract of land (Fort Bend County Clerk's File No. 2003173704), both being in the J.D. Vermillion Survey, Abstract No. 341, all inclusive being in the City of Rosenberg, Fort Bend County, Texas; 0 lots, 2 reserves, 1 block. The motion carried by a vote of three "ayes" and one abstention. **Ayes:** Chairperson Pavlovsky and Commissioners Casias and Urbish. **Abstention:** Commissioner Parsons.

11. CONSIDERATION OF AND ACTION ON A FINAL PLAT OF STONECREEK ESTATES SECTION ONE, A SUBDIVISION OF 76.47 ACRES OF LAND OUT OF THE WILEY MARTIN SURVEY, A-56 FORT BEND COUNTY, TEXAS; 185 LOTS, 8 RESERVES, 9 BLOCKS.

Executive Summary: The Final Plat of Stonecreek Estates Section One adjoins the Berdett Road right-of-way immediately south of Dry Creek. The subdivision is located in Fort Bend County Municipal Utility District No. 184, for which the Development and Utility Agreements were approved by City Council on August 26, 2014. The Planning Commission recommended approval of the Development Agreement and Land Plan on August 20. The Plat is located in the Extraterritorial Jurisdiction (ETJ) with the exception of a portion of the City Limits abutting Dry Creek.

The Plat consists of 76.47 acres and 185 single-family residential lots. Additionally, the Plat contains several acres in landscape reserves and an approximately 5.18-acre recreation center site that will receive credit toward meeting parkland dedication requirements. All proposed lots are a minimum of sixty feet (60') in width with some lots being substantially larger. The Plat complies with current City ordinances related to lot size and parkland dedication.

The Preliminary Plat of this subdivision was approved by the Planning Commission on September 17, 2014. Due to the expiration provisions in the ordinance, the Preliminary Plat approval was extended by the Planning Commission on April 15, 2015. Staff has reviewed and the proposed Final Plat appears to be in conformance with the approved Land Plan, Preliminary Plat, and with applicable City ordinances. Therefore it is recommended that the Planning Commission recommend approval to City Council of the Final Plat of Stonecreek Estates Section One.

Key Discussion:

- Mr. Tanner presented the item and reviewed the Executive Summary.

Action Taken: Commissioner Parsons moved, seconded by Commissioner Casias to approve the Final Plat of Stonecreek Estates Section One, a subdivision of 76.47 acres of land out of the Wiley Martin Survey, A-56 Fort Bend County, Texas; 185 lots, 8 reserves, 9 blocks. The motion carried unanimously by those present.

12. CONSIDERATION OF AND ACTION ON A FINAL PLAT OF TEXAS STATE TECHNICAL COLLEGE FORT BEND SECTION ONE, A SUBDIVISION OF 72.446 ACRES OF LAND SITUATED IN THE B.B.B. AND C. RAILROAD COMPANY SURVEY, SECTION NUMBER 13, ABSTRACT 140, AND IN THE FRANCIS H. DEMAY SURVEY, ABSTRACT 350, CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS; 5 RESERVES, (67.326 ACRES), 3 BLOCKS.

Executive Summary: The Final Plat of Texas State Technical College Fort Bend Section One consists of 72.446 acres of land located on the north side of U.S. Highway 59 (IH-69) between Louise and FM 2218. As discussed in the previous Preliminary Plat agenda item, Texas State Technical College (TSTC) has selected the site to develop a technical college campus.

The Final Plat consists of slightly less acreage than the Preliminary Plat because it contains only that acreage south of the centerline of Dry Creek, therefore having no frontage on Airport Avenue. Specifically, it consists of five (5) reserves with 67.326 acres in addition to 5.12 acres of proposed public right-of-way to be dedicated. As discussed, the reason for the latter is that the City's Thoroughfare Plan calls for both a north-south (Graeber) and an east-west (Mons) collector on this property. The streets will be developed in phases, with Graeber being completed up to the north line of Reserve "A" during the first phase of construction of the campus. An agreement must be established to defer construction of the remaining phases of the collector street/s as appropriate since the property is being platted all at once. The agreement would have to be approved by the property owner and City Council before Final Plat approval by Council.

Action Taken: Commissioner Casias moved, seconded by Commissioner Urbish, to extend the Preliminary Plat of Park Place Boulevard Street Dedication approval, being a subdivision of 2.3580 acres out of the Robert E. Handy Survey, A-187, in the City of Rosenberg, Fort Bend County, Texas (Fort Bend County Municipal Utility District No. 144) the Preliminary Plat of Park Place Boulevard Street Dedication, being a subdivision of 2.3580 acres out of the Robert E. Handy survey, a-187, in the City of Rosenberg, Fort Bend County, Texas (Fort Bend County Municipal Utility District No. 144). The motion carried unanimously by those present.

4. CONSIDERATION OF AND ACTION ON A REQUEST BY JONES AND CARTER, INC., TO EXTEND APPROVAL FOR THE PRELIMINARY PLAT OF STONECREEK ESTATES SECTION ONE, A SUBDIVISION OF 78.96 ACRES OF LAND OUT OF THE WILEY MARTIN SURVEY, A-56 FORT BEND COUNTY, TEXAS; 185 LOTS, 8 RESERVES, 9 BLOCKS.

Executive Summary: The Planning Commission approved the Preliminary Plat of Stonecreek Estates Section One on September 17, 2014. Pursuant to the "Subdivision" Ordinance, the applicant has requested an extension of that approval by 180 days from the date of its expiration.

The Preliminary Plat of Stonecreek Estates Section One adjoins the Berdett Road right-of-way immediately south of Dry Creek. The subdivision is located in Fort Bend County Municipal Utility District No. 184, for which the Development and Utility Agreements were approved by City Council on August 26, 2014. The Planning Commission recommended approval to City Council of the Development Agreement and Land Plan on August 20, 2014. The Plat is located in the Extraterritorial Jurisdiction (ETJ).

The Preliminary Plat consisted of 70.8 acres and 184 single-family residential lots. Additionally, the Plat contained 3.25 acres in landscape reserves and a 5.12-acre recreation center site that will receive credit toward meeting parkland dedication requirements. All proposed lots were a minimum of sixty feet (60') in width, with some lots being substantially larger.

The Plat is in conformance with the approved Land Plan and with applicable City ordinances. Staff recommends extending the approval of the Preliminary Plat of Stonecreek Estates Section One by 180 days from the date of expiration.

Key Discussion:

- Mr. Tanner presented the item and reviewed the Executive Summary.

Action Taken: Commissioner Parsons moved, seconded by Commissioner Casias, to extend approval for the Preliminary Plat of Stonecreek Estates Section One, a subdivision of 78.96 acres of land out of the Wiley Martin Survey, A-56 Fort Bend County, Texas; 185 lots, 8 reserves, 9 blocks. The motion carried unanimously by those present.

5. CONSIDERATION OF AND ACTION ON A FINAL PLAT OF PARK PLACE BOULEVARD STREET DEDICATION, BEING A SUBDIVISION OF 2.3580 ACRES OUT OF THE ROBERT E. HANDY SURVEY, A-187, IN THE CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS (FORT BEND COUNTY MUNICIPAL UTILITY DISTRICT NO. 144).

Executive Summary: The Final Plat of Park Place Boulevard Street Dedication consists of 2.358 acres of proposed public right-of-way. The Plat is located off of Reading Road and August Green Drive, in the City Limits and in Fort Bend County MUD No. 144. It extends from the existing portion of Park Place Boulevard abutting the Waterford Park Apartments to the roundabout where August Green Drive currently terminates.

This is a proposed eighty-foot (80') collector street right-of-way that will provide a needed secondary access to and from the subdivision. The Plat is in accordance with the Revised Land Use and Parcel Plan for MUD No. 144 and is not in conflict with any applicable regulations. The Preliminary Plat of this subdivision was approved by the Planning Commission on August 20, 2014 and expired, hence the previous agenda item to extend the Preliminary Plat approval.

There being no issues with the Plat, staff recommends that the Planning Commission recommend approval to City Council of the Final Plat of Park Place Boulevard Street Dedication.

Key Discussion:

- Mr. Tanner presented the item and reviewed the Executive Summary.

Action Taken: Commissioner Poldrack moved, seconded by Commissioner Parsons, to make a recommendation to City Council to recommend approval to City Council of the Final Plat of Park Place Boulevard Street Dedication,

Developer's Conceptual Plan, Revised Exhibit "B," Brazos Town Center, being 393.8 acres of land out of the Simon Jones Survey, A-187, Robert E. Handy Survey, A-271, and Jane Long League, A-55, City of Rosenberg, Fort Bend County, Texas.

Additional Discussion:

- Commissioner Poldrack stated that he is certain that NewQuest will do a good job, but it pains him to approve more apartments when the percentage of the City's population in rental property is so high.
- Mr. Alvis replied that this project is a means to change that population. There are a tremendous number of starter homes and those homes often end up being rental properties. BTC does not have starter homes and this is very important to the viability of this project to have that kind of young, upwardly mobile professional. That new population will impact the types of retail and dining we can bring to BTC. We are in a tremendously good cycle right now and have held out from putting starter homes in BTC when it may have been economically feasible to do so but was not in the long term best interest of the project.
- Commissioner Parsons inquired if the apartments would be under the HOA.
- Mr. Alvis replied they are under the master association plan and would never be dropped to the secondary residential association.
- Commissioner Poldrack stated that this Commission has recently turned down a couple of apartment projects under the PUD standards and is concerned this may open the door to future apartment developments.
- Commissioner Parsons replied that this is a master planned community, the rental rate is much higher than the other two projects that were proposed, and they will be subject to an HOA who will enforce the one-family rule in the City. While he is not in favor of the proliferation of apartments, this project has a high enough rent and encourages shopping in the master development as well as provides a boost to the tax base.
- Commissioner Urbish inquired what the rental percentage in BTC currently is.
- Mr. Alvis replied that the project was built long ago and is no longer under his umbrella and there are two sections recently finished. Dolce Living behind Kroger was 324 units.
- Commissioner Urbish replied that he knows the City has a lot of rental and each \$100K house in these neighborhoods has the potential to become rental. What is being proposed here may be good for BTC but is it right for Rosenberg? Commissioner Parsons made a point about the proliferation of apartments in our City but he sees the value in this and I tend to agree. Will the buildings be sprinkled?
- Mr. Tanner replied that they will have to meet the building code.
- Mr. Alvis reminded the Commission that this tract was originally platted as multi-family and it remains multi-family. It was not until the last few land plan revisions that we attempted to put in office space but that market is not here today. This is the right thing to do for this project.
- Chairperson Pavlovsky called for the vote.

Action Taken: Upon voting, the motion carried by a vote of four (4) "ayes" to two (2) "noes". **Ayes:** Chairperson Pavlovsky, Vice Chairperson Phipps, Commissioners Parsons and Urbish. **Noes:** Commissioners Casias and Poldrack

4. CONSIDERATION OF AND ACTION ON A PRELIMINARY PLAT OF STONECREEK ESTATES SECTION ONE, BEING 70.8 ACRES OF LAND CONTAINING 184 LOTS (60' X 120') (65' X 125') (75' X 130' TYP.) AND SEVEN RESERVES IN NINE BLOCKS OUT OF THE WILEY MARTIN LEAGUE, A-56, FORT BEND COUNTY, TEXAS.

Executive Summary: The proposed Preliminary Plat of Stonecreek Estates Section One adjoins the Berdett Road right-of-way immediately south of Dry Creek. The subdivision is located in Fort Bend County Municipal Utility District No. 184, for which the Development and Utility Agreements were recently approved by City Council on August 26, 2014. The Planning Commission had recommended approval of the Development Agreement and Land Plan on August 20. The Plat is located in the Extraterritorial Jurisdiction (ETJ) with the exception of a portion of the City Limits abutting Dry Creek.

The Plat consists of 70.8 acres and 184 single-family residential lots. Additionally, the Plat contains 3.25 acres in landscape reserves and a 5.12-acre recreation center site that will receive credit toward meeting parkland dedication requirements. All proposed lots are a minimum of sixty feet (60') in width with some lots being substantially larger.

The proposed Preliminary Plat is in conformance with the approved Land Plan and with applicable City ordinances. Staff recommends approval of the Preliminary Plat of Stonecreek Estates Section One.

Key Discussion:

- Mr. Tanner presented the item and reviewed the Executive Summary.
- Commissioner Poldrack inquired what is planned for the two tracts that say non-residential.

- Mr. Tanner replied that one tract is intended to be a school site and the other is smaller neighborhood businesses.

Action Taken: Commissioner Parsons moved, seconded by Commissioner Casias, to approve the Preliminary Plat of Stonecreek Estates Section One being 70.8 acres of land containing 184 lots (60' x 120') (65' x 125') (75' x 130' typ.) and seven reserves in nine blocks out of the Wiley Martin League, A-56, Fort Bend County, Texas. The motion carried unanimously.

5. CONSIDERATION OF AND ACTION ON A REQUEST BY KERRY R. GILBERT AND ASSOCIATES TO EXTEND APPROVAL BY 180 DAYS FOR THE PRELIMINARY PLAT OF IRBY COBB BOULEVARD STREET DEDICATION NO. TWO, A SUBDIVISION OF 3.451 ACRES CONTAINING 1,930 L.F. OF R.O.W. OUT OF THE EUGENE WHEAT SURVEY, A-396, AND THE WILEY MARTIN LEAGUE, A-56, FORT BEND COUNTY, TEXAS.

Executive Summary: The Planning Commission approved the Preliminary Plat of Irby Cobb Boulevard Street Dedication No. Two on February 26, 2014. Pursuant to the "Subdivision" Ordinance, the applicant has requested an extension of that approval by 180 days from the date of its expiration.

The Preliminary Plat of Walnut Creek Irby Cobb Boulevard Street Dedication No. 2 is a right-of-way dedication plat consisting of 3.4 acres. It is located in the Extraterritorial Jurisdiction (ETJ) and in Fort Bend County MUD No. 152. It adjoins future Walnut Creek Sections Seven and Eleven and will connect Irby Cobb Boulevard to its intersection with Benton Road.

The Preliminary Plat is consistent with the street layout per the approved Land Plan, will provide access further east into the development, and will facilitate an eventual second point of access into the development from Benton Road. The Preliminary Plat is not in conflict with the "Subdivision" Ordinance, the approved Land Plan, or with the Development Agreement for MUD No. 152.

Staff recommends extending the approval of the Preliminary Plat of Irby Cobb Boulevard Street Dedication No. Two by 180 days from the date of expiration, August 25, 2014. If approved, this extension of the Preliminary Plat approval would then expire on Friday, February 20, 2015.

Key Discussion:

- Mr. Tanner presented the item and reviewed the Executive Summary.
- Chairperson Pavlovsky inquired if there is any specific reason it has not been built.
- Mr. Tanner replied that it took more time to submit the infrastructure plans than they anticipated. Those plans have now been submitted. The delay was most likely procedural.

Action Taken: Commissioner Casias moved, seconded by Commissioner Parsons, to approve the request by Kerry R. Gilbert and Associates to extend the approval of the Preliminary Plat of Irby Cobb Boulevard Street Dedication No. Two, a subdivision of 3.451 acres containing 1,930 L.F. of R.O.W. out of the Eugene Wheat Survey, A-396, and the Wiley Martin League, A-56, Fort Bend County, Texas.

Additional Discussion:

- Commissioner Parsons stated for the record that only one extension of 180 days would be allowed.

Action Taken: Upon voting, the motion carried unanimously.

6. CONSIDERATION OF AND ACTION ON A REQUEST BY KERRY R. GILBERT AND ASSOCIATES TO EXTEND APPROVAL BY 180 DAYS FOR THE PRELIMINARY PLAT OF WALNUT CREEK SECTION SEVEN, A SUBDIVISION OF 9.621 ACRES CONTAINING 3 BLOCKS, 31 LOTS, AND 1 RESTRICTED RESERVE OUT OF THE EUGENE WHEAT SURVEY, A-396, FORT BEND COUNTY, TEXAS.

Executive Summary: The Planning Commission approved the Preliminary Plat of Walnut Creek Section Seven on February 26, 2014. Pursuant to the "Subdivision" Ordinance, the applicant has requested an extension of that approval by 180 days from the date of its expiration.

The Preliminary Plat of Walnut Creek Section Seven consists of thirty-one (31) residential lots located off of Irby Cobb Boulevard in the north central part of the Walnut Creek Development. The Plat is located in the Extraterritorial Jurisdiction (ETJ) and in Fort Bend County MUD No. 152. It adjoins Walnut Creek Section Four to the immediate west.

The subdivision generally consists of sixty-foot (60') lots in accordance with the approved Land Plan for Walnut Creek. Four (4) of the lots are identified as being less than 60' lots due to being less than fifty feet (50') as measured at the right-



CITY COUNCIL COMMUNICATION

July 07, 2015

ITEM #	ITEM TITLE
C	Resolution No. R-1989 - Fort Bend County Interlocal Agreement for Operation of Public Safety Radio System

ITEM/MOTION

Consideration of and action on Resolution No. R-1989, a Resolution authorizing the City Manager to execute, for and on behalf of the City, an Interlocal Agreement between Fort Bend County and the City of Rosenberg, Texas, for radio system use within Fort Bend County's 800 Megahertz Public Safety Radio System for the term ending September 30, 2015.

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-1989
2. Frazier Correspondence – 05-07-15

APPROVALS

Submitted by:



Dallis Warren
Police Chief

Reviewed by:

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

Approved for Submittal to City Council:



Robert Gracia
City Manager

EXECUTIVE SUMMARY

City Council approval is requested for Resolution No. R-1989 which authorizes the approval of a new Interlocal Agreement with Fort Bend County for the operation of an 800 megahertz public safety radio system. The Agreement remains consistent with past years' Agreements and includes an increase of the monthly fees. This new Agreement, if approved, will take effect immediately and expire on September 30, 2015. The Agreement will automatically renew thereafter with said fee increase effective October 01, 2015.

The Interlocal Agreement has been included as Exhibit "A" to Resolution No. R-1989. Staff recommends approval of Resolution No. R-1989 as presented.

RESOLUTION NO. R-1989

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, AN INTERLOCAL AGREEMENT BETWEEN FORT BEND COUNTY AND THE CITY OF ROSENBERG, TEXAS, FOR RADIO SYSTEM USE WITHIN FORT BEND COUNTY'S 800 MEGAHERTZ PUBLIC SAFETY RADIO SYSTEM FOR THE TERM ENDING SEPTEMBER 30, 2015.

* * * * *

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

Section 1. The City Council of the City of Rosenberg hereby authorizes the City Manager to execute an Interlocal Agreement (Agreement) for the accommodation of radio units within the City within Fort Bend County's 800 megahertz public safety radio system, by and between the City and Fort Bend County, Texas, for the term ending September 30, 2015, and automatically renewing for additional one-year terms thereafter unless terminated by either party.

Section 2. A copy of said 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**

Cynthia McConathy, **MAYOR**

STATE OF TEXAS §
 §
 COUNTY OF FORT BEND §

**INTERLOCAL AGREEMENT BETWEEN FORT BEND COUNTY AND
 CITY OF ROSENBERG**

This Interlocal Agreement ("Agreement") entered into by and between Fort Bend County, Texas, a body corporate and politic, acting herein by and through its Commissioners Court ("County"), and City of Rosenberg a political subdivision of the State of Texas, operating under Chapter 775, Health & Safety Code ("City").

WITNESSETH:

WHEREAS, the County operates a P25 Public Radio System and is duly licensed by the Federal Communications Commission ("FCC") for operation of same; and

WHEREAS, the County desires to accommodate additional Radio Units on its Radio System which is managed and controlled by the Fort Bend County Sheriff's Office; and

WHEREAS, the County desires to accommodate the City's Radio Units on a maintenance plan contracted by the County with a private vendor; and

WHEREAS, the City desires to use County's Radio System to communicate among its various Radio Units on a Primary Dispatch System; and

WHEREAS, the governing body of County has duly authorized this Agreement; and

WHEREAS, the governing body of City has duly authorized this Agreement; and

WHEREAS, this Agreement is made pursuant to the TEX. GOV. CODE § 791.001 et seq, the Interlocal Cooperation Act (Vernon 1993); NOW THEREFORE, for and in consideration of the mutual promises, obligations, and benefits hereinafter set forth, the County and City hereby agree as follows:

**SECTION ONE
DEFINITIONS**

- 1.01** "P25 Compliant Radio" is Project 25, or P25 radio is a standard that defines a form of interoperable digital two-way wireless communications products. The P25 radio system was developed in North America with state, local and federal representatives and Telecommunications Industry Association (TIA) governance.
- 1.02** "Primary Dispatch System" – A communications system upon which the City, its agents, employees or assigns rely primarily when it desires to or attempts the engagement of radio communications or radio transmissions of energy among its radio units.
- 1.03** "Priority Access" – An assigned level of system access which determines the choice of access to the radio system between two or more units seeking use simultaneously.
- 1.04** "Radio System" – A P25 Public Radio System Radio System owned by the County, and licensed by the FCC, that enables the engagement of radio communications or radio transmissions of energy via radio units in accordance with technical specifications.
- 1.05** "Radio Unit" – Mobile, stationary or portable radio communication units communicating among themselves at certain air wave frequencies.
- 1.06** "Systems Code Identification Number" – An identification number that allows radio units to gain access to the Radio System thereby enabling the radio units to communicate among themselves at certain air wave frequencies.

SECTION TWO
OBLIGATIONS OF COUNTY

- 2.01** The County agrees that during the term of this Agreement it shall:
- A. Allow the City to have access to its Radio System to engage in radio communications among its Radio Units as a Primary Dispatch System and provide City with the same level of Priority Access provided to County.
 - B. Provide to the City a Systems Code Identification Number that will access the County's Radio System, thereby providing a Primary Dispatch System for the City's Radio Units.
 - C. Observe and abide by all applicable statutes, laws, rules and regulations, including but not limited to those of the FCC.
 - D. In the event the City notifies the County pursuant to paragraph that any one or more of its Radio Units listed herein have become lost or stolen, the County will take any reasonable steps necessary to prevent such lost or stolen Radio Units from gaining access to the Radio System and will attempt to disable the lost or stolen unit.
- 2.02** County authorizes the Fort Bend County Sheriff's Office to supervise and manage the P25 Public Radio System on behalf of County which shall include the authority to increase or decrease the number of radios permitted on the system in order to maximize operational efficiency.

SECTION THREE
OBLIGATIONS OF CITY

- 3.01** The City agrees that during the term of this Agreement it shall:
- A. Have sole responsibility to obtain radios to be used by CITY on the Radio System.
 - B. Use only County approved equipment on the Radio System. During the term of this Agreement, the TDMA and Radio Authentication approved equipment is that equipment that complies with Project 25 Compliance Assessment Program. The County reserves the right to determine and approve equipment to be used on the radio system. The County reserves the right to change or modify this list at any time with written notification to the subscriber.
 - C. In the event that any one or more of the Radio Units listed in Exhibit A to this Agreement becomes lost or stolen, the City shall notify the County of same within twenty-four hours that the City knows or has reason to know that such Radio Unit or Units have become lost or stolen.
 - D. Use the System Code Identification Number described herein to access the County's Radio System as a Primary Dispatch System.
 - E. To observe and abide by all applicable statutes, laws, rules and regulations, including but not limited to those of the FCC.
 - F. Recognize that applicable FCC and other statutes, laws, rules and regulations may change from time to time and that accordingly the County, in its sole discretion, has the right without liability to modify this Agreement to comply with any such changes subject to the other terms of this Agreement.
 - G. Provide accurate inventory of all agency radios no later than each March 1 and upon request by County
 - H. Must request advance, written approval from County to increase radio inventory.
 - I. City agrees that it shall not degrade or negatively impact the radio operations of the Interoperable Communications System, any other participating agency, or any other authorized user of the System.

SECTION FOUR
ASSIGNABILITY

- 4.01 This Agreement is for the benefit of the City, its officers, agents, contractors and employees, quasi-governmental agencies and it shall not be assigned in whole or in part by the City to any third party without prior written consent of the County. If requested in writing, the billing can be itemized to reflect different agencies or departments.

SECTION FIVE
PAYMENT OF FEES

- 5.01 The City shall pay the following costs for use of the County's radios:
- A. Monthly Use Fees: A monthly fee of \$12.75 per radio.
 - B. The County may change the monthly service fee by giving the City written notice of the increase at least ninety (90) days in advance of the date on which the increased fees are to become effective. Written documentation will be provided upon request to the City explaining the increase
 - C. Repairs:
 - 1. Any radio requiring repair may be sent for service to the current County vendor at the Sheriff's discretion; and
 - 2. County will advise repairing agency or vendor to invoice City for the cost of the repair.
- 5.02 The City shall make any payments due and payable to the County under this Agreement out of its current revenues.
- 5.03 The County shall invoice the City for the monthly fee in the following manner:
- A. The County will invoice air time for the three months prior and including the month of the bill.
 - B. Radios added during the 1st and 15th day of a given month will be charged air time for the entire month. Radios added after the 15th day of a given month will not be charged air time for that month and air time will be charged beginning with the following month
 - C. The County will invoice service contract fees for the three months succeeding the month of the bill.
 - D. In the event the City increases the total number of radios assigned, it shall increase its monthly payment to reflect such increase. The increase in the number of units shall be reflected pro rata in the next monthly payment following the month of the increase in units.
 - E. Any decrease in the number of units shall be reflected in the City's payments in the same manner as described above for increases in the number of units.
- 5.04 If County determines that the Radio System is substantially unavailable to the City during any billing period, the County shall make a reasonable adjustment of the fee provided for by this section.

SECTION SIX
TERM AND TERMINATION

- 6.01 The term of this Agreement shall commence upon signature of County and end on **September 30, 2015**. This Agreement shall thereafter automatically renew for additional one year terms unless terminated by either party. All renewals are subject to the price adjustment in Section 5.02 of this Agreement.
- 6.02 This Agreement shall terminate immediately if all or substantially all of the licenses or other necessary authorizations held by either the County or the City are revoked by the FCC or any successor agency.
- 6.03 The Agreement may be terminated by either Party by providing 30 days' notice of the intent to terminate to the other Party. In the event of termination, City shall still remit payment for services rendered by County.
- 6.04 Upon termination, all radios shall be returned to County no later than 48 hours of the time and date the notice to terminate was received.

SECTION SEVEN
NOTICE

- 7.01 Any and all notices or communications required or permitted under this Agreement shall in writing and delivered in person or mailed, certified mail, return receipt requested, or may be transmitted by fax as follows:

To County: Fort Bend County
Attention: County Judge
301 Jackson, 7th Floor
Rosenberg, Texas 77469
Fax No. (281) 341-8609

To City: City of Rosenberg
ATTN: City Manager
PO BOX 32
Rosenberg, TX 77471

7.02 Either party may change its notice address in accordance with this section.

7.03 Any notice hereunder shall be effective upon receipt.

**SECTION EIGHT
MODIFICATION OF AGREEMENT**

8.01 No modification of this Agreement shall be effective unless it is made in writing and is approved and executed by the authorized representatives of the parties hereto, except as provided above in the case of a change in FCC rules or regulations.

**SECTION NINE
COVERAGE**

9.01 The City acknowledges that one hundred percent coverage of any area at all times is improbable. There may be adverse propagation conditions, such as short-term unpredictable meteorological effects and sky wave interference from distant stations that can interrupt the Radio System at times. Other causes beyond reasonable control of the County are motor ignition and other electrical noise that could be minimized by corrective devices at the City's expense. Any surveys, studies, research or any other measures taken to ensure the adequacy of coverage provided to the City herein shall be the sole responsibility of the City.

**SECTION TEN
DEFAULT**

10.01 If the City fails to make any payment of any sum due or fails to perform as required by any other provision hereunder, and continues in such failure for fifteen days after written notice has been sent by County to City, the City shall be deemed in default under this Agreement.

10.02 In the event of default, the County has the right to immediately terminate this Agreement, retain all payments made hereunder that are due and owing to the County pursuant to the terms of this Agreement, and deny the City any service provided by the County under this Agreement. Each and all of the rights and remedies of the County hereunder are cumulative to and not in lieu of each and every other such right and remedy and every right and remedy afforded at law and equity.

**SECTION ELEVEN
INDEMNITY AND HOLD HARMLESS**

11.01 **INDEMNIFICATION: THE CITY AGREES TO AND SHALL INDEMNIFY, SAVE AND HOLD HARMLESS AND DEFEND THE COUNTY, ITS OFFICIALS, AGENTS AND EMPLOYEES FROM AND AGAINST ANY AND ALL CLAIMS, LOSSES, DAMAGES, CAUSES OF ACTION, SUITS AND LIABILITY OF EVERY KIND, INCLUDING BUT NOT LIMITED TO ATTORNEY'S FEES (WHETHER 1ST PARTY OR 3RD PARTY) AND RELATED COSTS, FOR PERSONAL INJURY DEATH OR PROPERTY DAMAGE, DESTRUCTION OR LOSS ARISING OUT OF OR CONNECTED IN ANY WAY WITH THE PERFORMANCE OF THE CITY'S RESPONSIBILITIES UNDER THIS**

AGREEMENT, WHERE SUCH PERSONAL INJURY, DEATH OR PROPERTY DAMAGE, DESTRUCTION OR LOSS IS CAUSED BY THE CITY'S SOLE NEGLIGENCE OR ITS SOLE INTENTIONAL ACT OR OMISSION OR WHERE SUCH PERSONAL INJURY, DEATH, OR PROPERTY DAMAGE, DESTRUCTION, OR LOSS IS CAUSED BY THE JOINT NEGLIGENCE OF THE CITY AND ANY OTHER PERSON (OTHER THAN THE COUNTY OR ITS AGENTS OR EMPLOYEES), OR ENTITY; OR THE JOINT INTENTIONAL ACT OR OMISSION OF THE CITY AND OTHER PERSON OR ENTITY (OTHER THAN THE COUNTY OR ITS AGENTS OR EMPLOYEES).

- 11.02 The City shall provide the County with general liability insurance covering both the County and the City for liabilities relating to the use of the Radio System. The insurance shall be with carriers and in policy limits acceptable to the County
- 11.03 The City shall provide the County's Risk Management Department with a copy of the proposed insurance within ten (10) days of the effective date hereof. Acceptance of an original certificate of insurance acceptable to the County shall be a condition precedent to the City's access to the Radio System.

**SECTION TWELVE
ADMINISTRATIVE GUIDELINES**

- 12.01 The parties agree to promulgate mutually acceptable written administrative guidelines relating to the use and operation of the Radio System and Radio Units. Both parties agree to use their best efforts to observe and abide by these written administrative guidelines.

**SECTION THIRTEEN
GENERAL**

- 13.01 This Agreement constitutes the entire Agreement of the parties and supercedes all prior offers, negotiations and agreements. If any provision of this Agreement shall, at any time and to any extent be held invalid or unenforceable, the remainder of this Agreement shall not be affected thereby. This Agreement shall bind and inure to the benefit of all the respective heirs, personal representatives, successors and assigns of the parties hereto.
- 13.02 The waiver by a party hereto of a breach of any provision of this Agreement shall not operate as or be construed as a waiver of any subsequent breach.
- 13.03 Confidentiality. Information that identifies the configuration of components of or the operation of the System and would allow unauthorized access to or unlawful disruption of the System shall be maintained as a closed record if allowed by applicable state laws.
- 13.04 Force Majeure. The parties agree that no party shall be held responsible for interruptions of service due to the forces of nature, war, manmade disasters, or other such acts beyond the control of the agencies.

Execution Page Follows

IN WITNESS WHEREOF, The parties put their hands to this instrument on the dates indicated.

FORT BEND COUNTY, TEXAS

By: _____
Robert E. Hebert, County Judge

ATTEST:

Date: _____

Laura Richard, County Clerk

Reviewed:



Troy E. Nehls, FBC Sheriff

CITY OF ROSENBERG

By: _____

Printed Name, Title

ATTEST:

Date: _____

City Secretary

Fire Department APX Radios

	ID#	SERIAL #	ASSIGNED	ALIAS	DEPT.	CITY	SERIES	TYPE	IS Date	DATE	OOS	MODEL #
						ID					DATE	
1	711150	756CNZ2092	E-1	FDPE1A	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
2	711156	756CNZ2093	E-1	FDPE1B	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
3	723759	756CNZ2094	E-4	FDPE4C	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
4	723755	756CNZ2095	E-4	FDPE4A	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
5	711166	756CNZ2096	CARLIN	FMP459	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
6	711163	756CNZ2097	E-1	FDPE1C	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
7	711169	756CNZ2098	E-1	FDPE1D	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
8	747178	756CNZ2099	E-4	FDPE4D	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
9	704662	756CNZ2100	HIMLY	FDP2	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
10	711172	756CNZ2101	L-2	FDPL2A	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
11	711173	756CNZ2102	L-2	FDPL2B	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
12	711174	756CNZ2103	L-2	FDPL2C	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
13	711175	756CNZ2104	L-2	FDPL2D	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
14	713137	756CNZ2105	Lt DJ	Danny	FD		6000XE	PORT	13'FEB	2013'4		H98UCF9PW6AN
15	763480	756CNZ2106	SPARE	FDP	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
16	711024	756CNZ2107	spare	in comm	FD		6000XE	PORT	15'JAN	2013'5		H98UCF9PW6AN
17	711026	756CNZ2108	E-3	FDPE3B	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
18	763486	756CNZ2109	ADAMS	FDPADAMS	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
19	711236	756CNZ2110	spare		FD		6000XE	PORT	13'FEB	2013'5	5'15'2013	H98UCF9PW6AN
20	747163	756CNZ2111	E-1	FDPE1F	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
21	763472	756CNZ2112	E-2	FDPE2A	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
22	763488	756CNZ2113	SPARE	FDP	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
23	763495	756CNZ2114	E-3	FDPE3F	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
24	763493	756CNZ2115	SPARE	FDP	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
25	763494	756CNZ2116	SPARE	FDP	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
26	711010	756CNZ2117	WHITE	FDPWHITE	FD		6000XE	PORT	13'FEB	2015'5		H98UCF9PW6AN
27	763473	756CNZ2118	SPARE	FDP	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
28	747183	756CNZ2119	SQD-2	FDPSQD2A	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
29	700348	756CNZ2120	E-3	FDPE3D	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
30	763478	756CNZ2121	SQD-2	FDPSQD2D	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
31	763482	756CNZ2122	E-2	FDPE2C	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
32	763479	756CNZ2123	GOATES	FDP1	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
33	763471	756CNZ2124	SPARE	FDP	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
34	741347	756CNZ2125	Johnson	ana/dig 1	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
35	747162	756CNZ2126	E-1	FDPE1E	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
36	741349	756CNZ2127	Johnson	ana/dig 2	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
37	711182	756CNZ2128	spare	in comm	FD		6000XE	PORT	14'DEC	2013'5		H98UCF9PW6AN
38	711242	756CNZ2129	GARCIA	FMP455	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
39	711013	756CNZ2130	E-3	FDP-E3A	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
40	723756	756CNZ2131	SQD-1	FDPSQD1A	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
41	724453	756CNZ2132	SQD-1	FDPSQD1D	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
42	763468	756CNZ2133	SMOLIK	FDPIO	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
43	763469	756CNZ2134	E-2	FDPE2D	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN

Fire Department APX Radios

44	763483	756CNZ2135	BATT	FDPBAT1	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
45	723773	756CNZ2136	E-3	FDPE3C	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
46	763497	756CNZ2137	L-2	FDP-L2-F	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
47	763474	756CNZ2138	SQD-1	FDP SQD1B	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
48	723754	756CNZ2139	INSP	FDPINSP	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
49	703037	756CNZ2140	E-2	FDPE2B	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
50	747184	756CNZ2141	JUREK	FMP450	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
51	723757	756CNZ2142	E-4	FDPE4B	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
52	763492	756CNZ2143	L-2	FDP-L2-E	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
53	763476	756CNZ2144	E-3	FDPE3E	FD		6000XE	PORT	13'FEB	2013'5		H98UCF9PW6AN
54	711239	527CNZ4372	FM-3	FMM-3	FD		6500	MOBI	13'FEB	10'2013		M25URS9PW1AN
55	711232	527CNZ4373		in comm	FD		6500	MOBI	13'FEB	10'2013		M25URS9PW1AN
56	711004	527CNZ4374	B-2	FDM-B2	FD		6500	MOBI	13'FEB	13'JULY		M25URS9PW1AN
57	711244	527CNZ4375	spare	in comm	FD		6500	MOBI	15'JAN	2.2014		M25URS9PW1AN
58	711009	527CNZ4376	SQD-1	FDM-SQD1	FD		6500	MOBI	13'FEB	9.2013		M25URS9PW1AN
59	711237	527CNZ4377	Unit 1	FDM-1	FD		6500	MOBI	13'FEB	10'2013		M25URS9PW1AN
60	711243	527CNZ4378	FM-1	FMM-1	FD		6500	MOBI	13'FEB	9.2013		M25URS9PW1AN
61	747125	527CNZ4379	CMD2	FDM-CMD2	FD		6500	MOBI	13'FEB	8'2013		M25URS9PW1AN
62	711246	527CNZ4380	L-2	FDM-L2	FD		6500	MOBI	13'FEB	10.13		M25URS9PW1AN
63	711238	527CNZ4381	BAT-1	FDM-BAT1	FD		6500	MOBI	13'FEB			M25URS9PW1AN
64	711241	527CNZ4382	RE-1	FDM-RE1	FD		6500	MOBI	13'FEB	7.2013		M25URS9PW1AN
65	711259	527CNZ4383	E-4	FDM-E4	FD		6500	MOBI	13'FEB			M25URS9PW1AN
66	747135	527CNZ4384	E-1	FDM-E1	FD		6500	MOBI	13'FEB			M25URS9PW1AN
67	711245	527CNZ4385	E-3	FDM E-3	FD		6500	MOBI	13'FEB	13'APR		M25URS9PW1AN
68	737359	761CNZ0298	ST3	Base	FD		7500	BASE	13'FEB	14'MAY		L30URS9PW1AN
69	737361	761CNZ0299	ST2	Base	FD		7500	BASE	13'FEB	13'JULY		L30URS9PW1AN
70	737357	761CNZ0305	ST1	Base	FD		7500	BASE	13'FEB	13' NOV		L30URS9PW1AN
71	732761	481CPMC005	St#2	Sta. Spare	FD		6000	Port	13'OCT	13'NOV		H98UCF9PW6AN
72	732762	481CPMC006	PD Disp	FDP-Disp 1	FD		6000	Port	13'OCT	13'NOV		H98UCF9PW6AN
73	732763	481CPMC007	PD Disp	FDP-Disp2	FD		6000	Port	13'OCT	13'NOV		H98UCF9PW6AN
74	760000	527CPZ1981	Lts USDH	FDP-COMM	FD		6500	MOBI	14'May	14'May		M25URS9PW1AN
75	758934	527CPZ1958	USDHS-0	FD-DVRS	FD		6500	MOBI	14' APR			M25URS9PW1AN
76	759043	527CPZ1979	S3SCV	S#3 VOICE	FD		6500	MOBI	14'APR	15'JNE		M25URS9PW1AN
77	758944	527CPZ1968	S1SCV	S#1 VOICE	FD		6500	MOBI	14'APR	15'Jne		M25URS9PW1AN
78	758939	527CPZ1963	S2SCV	S#2 VOICE	FD		6500	MOBI	14'Apr	15'Jne		M25URS9PW1AN
79	759416	527CPZ1980	ADMIN	FDM-ADMBA	FD		6500	MOBI	14'JUL			
80	765614	514CQH0135	S1SCD	S#1 DATA	FD		2500	MOBI	14'DEC	14'DEC		
81	765615	514CQH0440	S2SCD	S#2 DATA	FD		2500	MOBI	14'DEC	14'DEC		
82	765616	514CQH0140	S3SCD	S#3 DATA	FD		2500	MOBI	14'DEC	14'DEC		
83	737707	721CEE2261	HazMat	FDP-HM4	FD	Cou	5000	PORT				
84	737708	721CEE2262	HazMat	FDP-HM6	FD	Cou	5000	PORT				
85	737942	721CGM2433	HazMat	FDP-HM3	FD	Cou	5000	PORT				
86	737943	721CGM2434	HazMat	FDP-HM2	FD	Cou	5000	PORT				
87	737944	721CGM2435	HazMaT	FDP-HM7	FD	Cou	5000	PORT				
88	737645	721CGM2436	HazMat	FDP-HM5	FD	Cou	5000	PORT				

Police Department APX Radios

	A	B	C	D	E	F	G	H	I	J	K	L	M
1		ID#	SERIAL #	ASSIGNED	ALIAS	DEPT.	CITY	SERIES	TYPE	DATE	IS	OOS	MODEL #
2							ID				DATE	DATE	
3	1	700288	481CPB1613	D. Stroud	PDP-549	PD		6000	PORT	13'FEB	6.2013		H98UCF9PW6AN
4	2	711155	481CPB1614	Macha	538	PD		6000	PORT	13'FEB	6.2013		H98UCF9PW6AN
5	3	711157	481CPB1615	S. Clarke	543	PD		6000	PORT	13'FEB	5.2015		H98UCF9PW6AN
6	4	737354	481CPB1616	B. Hammack	302	PD		6000	PORT	13'FEB	7.2013		H98UCF9PW6AN
7	5	711159	481CPB1617	J. Crocker PD	535	PD		6000	PORT	13'FEB	6.2013		H98UCF9PW6AN
8	6	711160	481CPB1618	sent for	repair	PD		6000	PORT	13'FEB	5.2015		H98UCF9PW6AN
9	7	711164	481CPB1619	Joshua	554	PD		6000	PORT	13'FEB	4.2015		H98UCF9PW6AN
10	8	711171	481CPB1620	T. Surratt	545	PD		6000	PORT	13'FEB	5.2015		H98UCF9PW6AN
11	9	711176	481CPB1621	DeRoch	304	PD		6000	PORT	13'FEB	6.2013		H98UCF9PW6AN
12	10	711177	481CPB1622	Pannell	514	PD		6000	PORT	13'FEB	6.2013		H98UCF9PW6AN
13	11	711179	481CPB1623	Roberts	530	PD		6000	PORT	13'FEB	6.2013		H98UCF9PW6AN
14	12	763176	481CPB1624	E. Flores	PDP-518	PD		6000	PORT	13'FEB	7.2013		H98UCF9PW6AN
15	13	763177	481CPB1625	Nichols	513	PD		6000	PORT	13'FEB	7.2013		H98UCF9PW6AN
16	14	763178	481CPB1626	Thompson	515	PD		6000	PORT	13'FEB	7.2013		H98UCF9PW6AN
17	15	763180	481CPB1627	L. Mathems	PDP-522	PD		6000	PORT	13'FEB	7.2013		H98UCF9PW6AN
18	16	763181	481CPB1628	J. Rodgers	PDP-505	PD		6000	PORT	13'FEB	12.201		H98UCF9PW6AN
19	17	763185	481CPB1629	W. Jory	PDP-203	PD		6000	PORT	13'FEB	7.2013		H98UCF9PW6AN
20	18	763186	481CPB1630	sent for	repair	PD		6000	PORT	13'FEB	5.2015		H98UCF9PW6AN
21	19	763189	481CPB1631	Marmol	552	PD		6000	PORT	13'FEB	7.2013		H98UCF9PW6AN
22	20	763190	481CPB1632	D. Leal	PDP-503	PD		6000	PORT	13'FEB	7.2013		H98UCF9PW6AN
23	21	763192	481CPB1633	T. Havelka	PDP-	PD		6000	PORT	13'FEB	7.2013		H98UCF9PW6AN
24	22	763196	481CPB1634	P. Burch	539	PD		6000	PORT	13'FEB	7.2013		H98UCF9PW6AN
25	23	763179	481CPB1635	R. Hooper	306	PD		6000	PORT	13'FEB	7.2013		H98UCF9PW6AN
26	24	763182	481CPB1636	A. Schnacky	PDP-	PD		6000	PORT	13'FEB	7.2013		H98UCF9PW6AN
27	25	763187	481CPB1637	Cadenhead	510	PD		6000	PORT	13'FEB	5.2015		H98UCF9PW6AN
28	26	763195	481CPB1638	J. Becerra	PDP-517	PD		6000	PORT	13'FEB	7.2013		H98UCF9PW6AN
29	27	763203	481CPB1639	J. Thetford	534	PD		6000	PORT	13'FEB	7.2013		H98UCF9PW6AN
30	28	763204	481CPB1640	S. Hart	501	PD		6000	PORT	13'FEB	7.2013		H98UCF9PW6AN
31	29	737362	481CPB1641	J. Bostic	525	PD		6000	PORT	13'FEB	7.2013		H98UCF9PW6AN
32	30	737364	481CPB1642	M. Walden	PDP-	PD		6000	PORT	13'FEB	7.2013		H98UCF9PW6AN
33	31	737373	481CPB1643	R. Roy	526	PD		6000	PORT	13'FEB	7.2013		H98UCF9PW6AN
34	32	737385	481CPB1644	B. Moseley	533	PD		6000	PORT	13'FEB	7.2013		H98UCF9PW6AN
35	33	755987	481CPB1645	J. Rogers	301	PD		6000	PORT	13'FEB	7.2013		H98UCF9PW6AN
36	34	763062	761CNZ0303	FD Dispatch	1	FD1		7500	Base	13' FEB	6.2013		L30URS9PW1AN
37	35	723758	761CNZ0306	FD Dispatch	2	FD2		7500	Base	13'FEB	6.2013		L30URS9PW1AN
38	36	763065	761CNZ0307	PW Dispatch	1	PW1		7500	Base	13'FEB	6.2013		L30URS9PW1AN
39	37	763067	761CNZ0302	PW Dispatch	2	PD2A		7500	Base	13'FEB	6.2013		L30URS9PW1AN
40	38	747194	761CNZ0300	PD Dispatch	1	PD1		7500	Base	13'FEB	6.2013		L30URS9PW1AN
41	39	747192	761CNZ0304	PD Dispatch	2	PW2A		7500	Base	13'FEB	6.2013		L30URS9PW1AN
42	40	747191	761CNZ0301	PD Dispatch	3	PD3		7500	Base	13'FEB	6.2013		L30URS9PW1AN
43	41	763069	527CNZ5185	Back-up	PD	OP5		6500	desk	13'FEB	6.2013		M25URS9PW1AN
44	42	747167	527CNZ5183	Back-up	PD	OP1		6500	desk	13'FEB	6.2013		M25URS9PW1AN

Police Department APX Radios

	A	B	C	D	E	F	G	H	I	J	K	L	M
45	43	711260	527CNZ5184	Back-up	PD	OP2		6500	desk	13'FEB	6.2013		M25URS9PW1AN
46	44	763063	527CNZ5182	Back-up	PD	OP4		6500	desk	13'FEB	6.2013		M25URS9PW1AN
47	45	763068	527CNZ5181	Back-up	PD	OP3		6500	desk	13'FEB	6.2013		M25URS9PW1AN
48	46	711025	527CNZ5186	Back-up	PD	OP6		6500	desk	13'FEB	6.2013		M25URS9PW1AN
49	47	719053	481CPMB953	B.Mican	540	PD		6000	Port	13'JUL	5.2015		H98UCF9PW6AN
50	48	737356	481CPMB954	S.Macha	516	PD		6000	Port	13'JUL	5.2015		H98UCF9PW6AN
51	49	737366	481CPMB955	J. Johnson	PDP-511	PD		6000	Port	13'JUL	8.2013		H98UCF9PW6AN
52	50	737368	481CPMB956	Carr	PDP-550	PD		6000	Port	13'JUL	8.2013		H98UCF9PW6AN
53	51	737369	481CPMB957	Castillo	PDP-601	PD		6000	Port	13'JUL	8.2013		H98UCF9PW6AN
54	52	737376	481CPMB958	Henry	PDP-	PD		6000	Port	13'JUL	8.2013		H98UCF9PW6AN
55	53	737377	481CPMB959	C. Pino	PDP-308	PD		6000	Port	13'JUL	8.2013		H98UCF9PW6AN
56	54	737378	481CPMB960	J. Rivera	PDP-519	PD		6000	Port	13'JUL	8.2013		H98UCF9PW6AN
57	55	737382	481CPMB961	Gutierrez	802	PD		6000	Port	13'JUL	4.2015		H98UCF9PW6AN
58	56	703840	481CPMB962	Bradley	PDP-532	PD		6000	Port	13'JUL	8.2013		H98UCF9PW6AN
59	57	703861	481CPMB963	Brady	PDP-507	PD		6000	Port	13'JUL	8.2013		H98UCF9PW6AN
60	58	703867	481CPMB964	Jeff Johnson	PDP-541	PD		6000	Port	13'JUL	8.2013		H98UCF9PW6AN
61	59	703882	481CPMB965	Manriquez	PDP-529	PD		6000	Port	13'jul	11.201		H98UCF9PW6AN
62	60	704978	481CPMB966	Price	PDP-546	PD		6000	Port	13'JUL	8.2013		H98UCF9PW6AN
63	61	755988	481CPMB967	Erazo	PDP-551	PD		6000	Port	13'JUL	8.2013		H98UCF9PW6AN
64	62	763066	481CPMB968	C. Cook	PDP-801	PD		6000	Port	13'JUL	8.2013		H98UCF9PW6AN
65	63	763338	481CPMB969	T. Kraus	PDP-528	PD		6000	Port	13'JUL	8.2013		H98UCF9PW6AN
66	64	763490	481CPMB970	Dailey	PDP-309	PD		6000	Port	13'JUL	8.2013		H98UCF9PW6AN
67	65	763498	481CPMB971	K. Monfort	PDP-502	PD		6000	Port	13'JUL	8.2013		H98UCF9PW6AN
68	66	755358	481CPMB972	J. White	PDP-544	PD	stol	6000	Port	13'JUL	8.2013		H98UCF9PW6AN
69	67	755720	481CPMB973	R. Leonhardt	PDP-536	PD		6000	Port	13'JUL	8.2013		H98UCF9PW6AN
70	68	755730	481CPMB974	Dunn	PDP-201	PD		6000	Port	13'JUL	8.2013		H98UCF9PW6AN
71	69	755731	481CPMB975	S. Munoz	PDP-548	PD		6000	Port	13'JUL	8.2013		H98UCF9PW6AN
72	70	723682	481CPMB976	K.Kreusch	PDP-506	PD		6000	Port	13'JUL	9.2013		H98UCF9PW6AN
73	71	737355	481CPMB977	S.Phillips	PDP-509	PD		6000	Port	13'JUL	9.2013		H98UCF9PW6AN
74	72	737358	481CPMB978	D.Warren	PDP-200	PD		6000	Port	13'JUL	9.2013		H98UCF9PW6AN
75	73	737371	481CPMB979	D.Leal	PDP-547	PD		6000	Port	13'JUL			H98UCF9PW6AN
76	74	737372	481CPMB980	Leach	PDP-307	PD		6000	Port	13'JUL	9.2013		H98UCF9PW6AN
77	75	737374	481CPMB981	Sally/CID	PDP-CID	PD		6000	Port	13'JUL	9.2013		H98UCF9PW6AN
78	76	737375	481CPMB982	Joseph	PDP-297	PD		6000	Port	13'JUL	5.08.14		H98UCF9PW6AN
79	77	737379	481CPMB983	Lattimore	PDP-542	PD		6000	Port	13'JUL	5.19.14		H98UCF9PW6AN
80	78	737380	481CPMB984	J.White	PDP-544	PD		6000	Port	13'JUL	9.2013		H98UCF9PW6AN
81	79	737384	481CPMB985	K. Bubbs	PDP-521	PD		6000	Port	13'JUL	9.2013		H98UCF9PW6AN
82	80	737389	481CPMB986	A. Gillory	PDP-555	PD		6000	Port	13'JUL			H98UCF9PW6AN
83	81	737390	481CPMB987	Jackie	PDP-299	PD		6000	Port	13'JUL	5.08.14		H98UCF9PW6AN
84	82	724762	481CPMB988	R. Weishiem	PDP-527	PD		6000	Port	13'JUL			H98UCF9PW6AN
85	83	730224	481CPMB989	Guerrero	PDP-409	PD		6000	Port	13'JUL	9.2013		H98UCF9PW6AN
86	84	730291	481CPMB990	Eder	PDP-508	PD		6000	Port	13'JUL	9.2013		H98UCF9PW6AN
87	85	730302	481CPMB991	W.Wehring	PDP-539	PD		6000	Port	13'JUL	5.2015		H98UCF9PW6AN
88	86	730312	481CPMB992	sent for repa	PDP-554	PD		6000	Port	13'JUL	5.2015		H98UCF9PW6AN

Police Department APX Radios

	A	B	C	D	E	F	G	H	I	J	K	L	M
89	87	747140	481CPM993	M Curry	PDP-553	PD		6000	Port	13'JUL			H98UCF9PW6AN
90	88	730336	481CPMB994	spare		PD		6000	Port	13'JUL	9.2013		H98UCF9PW6AN
91	89	763206	481CPMB995	McAnally	PDP-298	PD		6000	Port	13'JUL	5.08.14		H98UCF9PW6AN
92	90	763475	481CPMB996	J. Ronell	PDP-556	PD		6000	Port	13'JUL	5.19.14		H98UCF9PW6AN
93	91	763491	481CPMB997	Macias	524	PD		6000	Port	13'JUL	4.2015		H98UCF9PW6AN
94	92	763500	481CPMB998	A. Vasques	PDP-801	PD		6000	Port	13'JUL			H98UCF9PW6AN
95	93	719280	481CPMB999	W. Mehling	PDP-504	PD		6000	Port	13'JUL			H98UCF9PW6AN
96	94	732587	527CPM9870	Unit 100	PDM-100	PD		6500	remote	13'JUL	3.14'		M25URS9PW1AN
97	95	732588	527CPM9871	Unit118	PDM-118	PD		6500	remote	13'JUL			M25URS9PW1AN
98	96	732589	527CPM9872	Unit 91	PDM-91	PD		6500	remote	13'JUL			M25URS9PW1AN
99	97	732590	527CPM9873	PD Patrol	PDM-115	PD		6500	remote	13'JUL	10.201		M25URS9PW1AN
100	98	732591	527CPM9874	spare		PD		6500	remote	13'JUL	4/14'		M25URS9PW1AN
101	99	732592	527CPM9875	SRO P-11	PDM-P11	PD		6500	remote	13'JUL	6.14'		M25URS9PW1AN
102	100	732593	527CPM9876	Animal Co.	01-34-03	PD		6500	remote	13'JUL	8.1.13		M25URS9PW1AN
103	101	732594	527CPM9877	Unit93	PDM-93	PD		6500	remote	13'JUL			M25URS9PW1AN
104	102	732595	527CPM9878	Unit 77	PDM-77	PD		6500	remote	13'JUL	3.14'		M25URS9PW1AN
105	103	732596	527CPM9879	Unit 70	PDM-70	PD		6500	remote	13'JUL	2.2014		M25URS9PW1AN
106	104	732597	527CPM9880	Unit 81	PDM-81	PD		6500	remote	13'JUL	3.14'		M25URS9PW1AN
107	105	732598	527CPM9881	Unit 106	PDM-106	PD		6500	remote	13'JUL	3.14'		M25URS9PW1AN
108	106	732599	527CPM9882	Unit 90	PDM-90	PD		6500	remote	13'JUL	1.14'		M25URS9PW1AN
109	107	732600	527CPM9883	Unit 75	PDM-75	PD		6500	remote	13'JUL	3.14'		M25URS9PW1AN
110	108	732601	527CPM9884	Unit #72	PDM-72	PD		6500	remote	13'JUL	11.13'		M25URS9PW1AN
111	109	732602	527CPM9885	SRO12	PDM-P12	PD		6500	remote	13'JUL			M25URS9PW1AN
112	110	732603	527CPM9886	Unit 79	PDM-79	PD		6500	remote	13'JUL	12.13'		M25URS9PW1AN
113	111	732604	527CPM9887	Unit 95	PDM-95	PD		6500	remote	13'JUL	4.14'		M25URS9PW1AN
114	112	732605	527CPM9888	Unit 83	PDM-83	PD		6500	remote	13'JUL	3.14'		M25URS9PW1AN
115	113	732606	527CPM9889	Unit 80	PDM-80	PD		6500	remote	13'JUL	1.14'		M25URS9PW1AN
116	114	732607	527CPM9890	SRO P-9	PDM-P9	PD		6500	remote	13'JUL	6.14'		M25URS9PW1AN
117	115	732608	527CPM9891	Unit 84	PDM-84	PD		6500	remote	13'JUL	F		M25URS9PW1AN
118	116	732609	527CPM9892	SRO8	PDM-P8	PD		6500	remote	13'JUL			M25URS9PW1AN
119	117	732610	527CPM9893	Unit 82	PDM-82	PD		6500	remote	13'JUL	3.14'		M25URS9PW1AN
120	118	732611	527CPM9894	SRO15	PDM-P15	PD		6500	remote	13'JUL			M25URS9PW1AN
121	119	732612	527CPM9895	Unit 119	PDM-119	PD		6500	remote	13'JUL			M25URS9PW1AN
122	120	732613	527CPM9896	Unit 108	PDM-108	PD		6500	remote	13'JUL	3.14'		M25URS9PW1AN
123	121	732614	527CPM9897	Unit 94	PDM-94	PD		6500	remote	13'JUL	3.14'		M25URS9PW1AN
124	122	732615	527CPM9898	Unit 85	PDM85	PD		6500	remote	13'JUL			M25URS9PW1AN
125	123	732616	527CPM9899	Unit 117	PDM-117	PD		6500	remote	13'JUL	2.2014		M25URS9PW1AN
126	124	732617	527CPM9900	Unit 92	PDM-92	PD		6500	remote	13'JUL	11.13'		M25URS9PW1AN
127	125	732618	527CPM9901	Unit 99	PDM-99	PD		6500	remote	13'JUL	3.14'		M25URS9PW1AN
128	126	732619	527CPM9902	Unit 109	PDM-109	PD		6500	remote	13'JUL	3.14'		M25URS9PW1AN
129	127	732620	527CPM9903	SRO P10	PDM-P10	PD		6500	remote	13'JUL	6.14'		M25URS9PW1AN
130	128	732621	527CPM9904	Unit 78	PDM-78	PD		6500	remote	13'JUL	12.13'		M25URS9PW1AN
131	129	732622	527CPM9905	SRO P-7	PDM-P7	PD		6500	remote	13'JUL	6.14'		M25URS9PW1AN
132	130	732623	527CPM9906	Unit 88	PDM-88	PD		6500	remote	13'JUL	3.14'		M25URS9PW1AN



SHERIFF'S OFFICE
Fort Bend County, Texas

TROY E. NEHLS
Sheriff

(281) 341-4700
Fax (281) 341-4701

May 7, 2015

Rosenberg Police Department
PO Box 32
Rosenberg TX 77471
Via Certified Mail, Return Receipt Requested

RE: Radio Use Agreement

Dear City Manager Robert Gracia,

This letter is your legal notice that Fort Bend County will terminate your current Radio Use Agreement, effective 90 days from the date of this letter. This legal notice is being sent to you in accordance with Section 6.03, which requires a minimum of 30 days' notice in order to terminate the Agreement.

Enclosed you will find the new Interlocal Agreement which should be executed and returned as soon as possible in order to ensure your continued radio access. Please take notice that Commissioners Court approved an increase to the monthly fee; the cost will now be \$12.75 per radio. The new Agreement and fees will be effective beginning October 01, 2015.

Other changes to the Agreement include:

- Section 1.01: Definition of Compliant Radio
- Section 1.04: Definition of Radio System
- Section 2.02: Supervision and Management of System
- Section 3.01A: Approved Radio Equipment
- Section 3.01F: Agency Radio Inventory
- Section 3.01G: Radio Request
- Section 3.01H: Radio System Operational Status
- Section 5.01A: Fees
- Section 5.01C: Repairs
- Section 13.03: Confidentiality
- Section 13.04: Force Majeure

Please review the new Agreement and contact this office in the event that you have questions. Thank you for your service and for your cooperation in returning the new Agreement without delay.

Yours in Public Safety,

Robin Dale Frazier
Captain



CITY COUNCIL COMMUNICATION

July 07, 2015

ITEM #	ITEM TITLE
D	Resolution No. R-1990 - Fort Bend County Interlocal Agreement for Helicopter Use

ITEM/MOTION

Consideration of and action on Resolution No. R-1990, a Resolution authorizing the Mayor to execute, for and on behalf of the City, an Interlocal Agreement for Helicopter Use by and between Fort Bend County and the City of Rosenberg, Texas.

FINANCIAL SUMMARY

Annualized Dollars:

One-time
 Recurring
 N/A

Budgeted:

Yes No N/A

Source of Funds:

215-3000-520-5743

ELECTION DISTRICT

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

SUPPORTING DOCUMENTS:

1. Resolution No. R-1990

MUD #: N/A

APPROVALS

Submitted by:

Dallis Warren
Police Chief

Reviewed by:

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

Approved for Submittal to City Council:

Robert Gracia
City Manager

EXECUTIVE SUMMARY

The Fort Bend County Sheriff's office recently accepted the donation of two (2) OH58A Helicopters and have assigned them to the Patrol Division to implement a flight operations unit. Spotters/Observers have been selected from Fort Bend County Sheriff's Office and from the Police Departments of Missouri City, Rosenberg and Sugar Land. These Departments have agreed to a commitment of resources and agreed to train personnel as Tactical Flight Officers in support of this program.

Resolution No. R-1990 formalizes this Interlocal Agreement (Agreement), attached as Exhibit "A", and outlines the responsibilities of each entity. The helicopters will be used to combat criminal activity and increase officer safety during patrol, tactical, investigative operations, and incident command operations. As part of this Agreement, the City will reimburse Fort Bend County \$7,500 per year for the fuel and operations cost of the helicopters. The Agreement will be implemented upon approval and expires on September 30, 2016, and will then automatically renew for one-year terms each October 1. Funds are currently allocated to cover the cost of this Agreement from seized assets and in future years will be included in the regular Budget.

Staff recommends approval of Resolution No. R-1990 as presented.

RESOLUTION NO. R-1990

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROSENBERG, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE, FOR AND ON BEHALF OF THE CITY OF ROSENBERG, TEXAS, AN INTERLOCAL AGREEMENT FOR HELICOPTER USE BY AND BETWEEN FORT BEND COUNTY AND THE CITY OF ROSENBERG, TEXAS.

* * * * *

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

Section 1. The City Council of the City of Rosenberg hereby authorizes the Mayor to execute an Interlocal Agreement (Agreement) with Fort Bend County for helicopter use by the Rosenberg Police Department for the term expiring September 30, 2016, and automatically renewing for additional one-year terms each October 1 thereafter unless terminated by either party.

Section 2. A copy of said 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**

Cynthia McConathy, **MAYOR**

STATE OF TEXAS §

§ KNOW ALL MEN BY THESE PRESENTS:

COUNTY OF FORT BEND §

**INTERLOCAL AGREEMENT FOR HELICOPTER USE
BETWEEN FORT BEND COUNTY AND
THE CITY OF ROSENBERG**

This Interlocal Agreement is made by and between **Fort Bend County** ("COUNTY"), a political subdivision of the State of Texas, acting by and through the Commissioners Court of Fort Bend County, and the **City of Rosenberg** ("CITY") a political subdivision, acting by and through its City Council

WHEREAS, the Interlocal Cooperation Act, Chapter 791 of the Texas Government Code authorizes governmental entities to contract with each other to perform government functions and services;

WHEREAS, this Agreement is entered into pursuant to the authority, under the provisions of, and in accordance with, Chapter 791 of the Texas Government Code, for the performance of governmental functions and services; specifically, police services;

WHEREAS, County has obtained two helicopter aircraft (hereinafter "helicopters") from the 1033 Program which allows law enforcement agencies to acquire property for bona fide law enforcement purposes that assist in their arrest and apprehension mission, with preference given to counter-drug and counter-terrorism requests;

WHEREAS, CITY has and maintains its own police department but wishes to utilize the helicopter aircraft in support of their operations in Fort Bend County; and

WHEREAS, the Parties deem it to be in the best interest of both entities to enter into this Interlocal Agreement.

In consideration of the foregoing and further consideration of the mutual promises, covenants and conditions herein, the parties hereby agree as follows:

- I. Use of Helicopters
 - A. The County, by and through the Fort Bend County Sheriff’s Office, agrees to make the helicopters available to City to combat criminal activity and increase officer safety during patrol, tactical, investigative operations, and incident command operations as originating in the City’s response jurisdiction
 - B. Use of the helicopters is subject to availability and must be approved in advance by the Sheriff or his representative.

- C. County shall provide full time officers to pilot the helicopters. City shall provide a minimum of one on-board police personnel as required by the Sheriff for all helicopter missions commenced at the request of City.

II. Duration of Agreement

Unless mutually initiated, cancelled, or terminated earlier with thirty (30) days written notice, the term of this Interlocal Agreement will be from the date of execution by the last party until midnight on September 30, 2016. This Agreement shall automatically renew for additional one year terms each October 1 under the same terms, conditions and pricing; but subject to termination by either party.

III. Compensation

- A. CITY shall remit \$7,500.00 to County for the fuel and operations cost of the helicopters, within 30 days of this effective date of this Agreement; and then by November 1 of each renewal term.
- B. The Parties agree that \$7,500.00 is fair compensation to County for the services or functions performed under the Agreement for the services to be provided and must be from current revenues available to CITY.

IV. Relationship of Parties

The Parties agree that in performing services specified in this agreement, that each is an independent contractor and shall have control of its work and the manner in which it is performed. Neither Party, its agents, employees, volunteer help or any other person operating under this Agreement, shall be considered an agent or employee of the other and neither shall be entitled to participate in any pension or other benefits that the other provides its employees.

V. Notice to Parties

- A. Any notice given hereunder by either party to the other shall be in writing and sent by certified mail, return receipt requested.
- B. Notice to County shall be sent to:

Fort Bend County
Attn: County Judge
401 Jackson
Richmond, Texas 77469

With copy to:

Fort Bend County Sheriff's Office
Attn: Sheriff
1410 Williams Way Blvd.
Richmond, TX 77469

Notice to CITY:

City of Rosenberg
Attn: City Manager
2110 4th street
Rosenberg, TX 77471

- C. Each party may change the address for notice to it by giving notice of such change in accordance with the provisions of this paragraph.

VI. Insurance

- A. City shall furnish certificates of insurance to County evidencing compliance with the insurance requirements hereof. Certificates shall indicate name of City, name of insurance company, policy number, term of coverage and limits of coverage. City shall cause its insurance companies to provide County with at least 30 days prior written notice of any reduction in the limit of liability by endorsement of the policy, cancellation or non-renewal of the insurance coverage required under this Agreement. City shall obtain such insurance written on an Occurrence form from such companies having Bests rating of A/VII or better, licensed or approved to transact business in the State of Texas, and shall obtain such insurance of the following types and minimum limits:
- B. Workers' Compensation insurance in accordance with the laws of the State of Texas, or state or hire/location of Services, and Employers' Liability coverage with a limit of not less than \$1,000,000 each employee for Occupational Disease, \$1,000,000 policy limit for Occupational Disease; and Employer's Liability of \$1,000,000 each accident.
- C. CITY agrees to maintain General Liability Coverage with limits of not less than \$1,000,000 per occurrence, \$2,000,000 in aggregate. Policy shall include contractual liability coverage.
- D. Business Automobile Liability coverage applying to owned, non-owned and hired automobiles with limits not less than \$1,000,000 each occurrence combined single limit for Bodily Injury and Property Damage combined.
- E. County and the members of Commissioners Court shall be named as additional insured to all required coverage except for Workers' Compensation and Professional Liability (if required). All Liability policies written on behalf of City shall contain a waiver of subrogation in favor of County and members of Commissioners Court.
- F. If required coverage is written on a claims-made basis, City warrants that any retroactive date applicable to coverage under the policy precedes the effective date of

the Agreement; and that continuous coverage will be maintained or an extended discovery period will be exercised for a period of 2 years beginning from the time that work under the Agreement is completed.

VII. Indemnification

To the extent allowed by law, CITY agrees to promptly defend, indemnify and hold County harmless from and against any and all claims, demands, suits, causes of action, and judgments for (a) damages to the loss of property of any person; and/or (b) death, bodily injury, illness, disease, loss of services, or loss of income or wages to any person, arising out of incident to, concerning or resulting from the negligent or willful act or omissions of the City, its agents, officers, and or employees in the performance of activities of duties pursuant to this Agreement.

VIII. Governmental Immunity

It is expressly understood and agreed that in the execution of this Agreement, the Parties hereto do not intend to waive, nor shall be deemed to waive, any immunity or defense at law or in equity, that would otherwise be available to each against claims arising in the exercise of governmental powers and functions including the defense of governmental immunity.

IX. Miscellaneous Provisions

- A. This Agreement contains the entire Agreement between the parties relating to the rights herein granted and the obligations herein assumed. Any oral representations or modifications concerning this instrument shall be of no force or effect except in a subsequent modification in writing signed by both parties.
- B. This Agreement shall be governed by and constructed in accordance with the laws of the State of Texas.
- C. No assignment of this Agreement or of any right accrued hereunder shall be made, in whole or in part, by either party without the prior written consent of the other party. Venue shall be in Fort Bend County, Texas.
- D. The undersigned officer and/or agents of the parties hereto are the properly authorized officials of the party presented and have the necessary authority to execute this Agreement on behalf of the parties hereto and each party hereby certifies to the other that any necessary approvals have been duly passed and approved and are now in full force and effect.
- E. The parties to this Agreement do not intend by this Agreement that any specific third party may obtain a right by virtue of the execution of performance of this Agreement.
- F. In the event that any one or more of the terms, provisions or conditions contained in this Agreement shall for any reason be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect the other terms,

provisions or conditions; and the Agreement shall be construed as if such invalid, illegal, or unenforceable term, provision or condition had never been contained in it.

FORT BEND COUNTY:

Robert Hebert, Fort Bend County Judge
Date: _____

Attest:

Dianne Wilson, Fort Bend County Clerk

Reviewed:

Sheriff

CITY OF ROSENBERG:

Cynthia McConathy , Mayor

Date: _____

Attest:

City Secretary

AUDITOR'S CERTIFICATE

I hereby certify that funds are available from current revenues legally available in the amount of \$ _____ to accomplish and pay the obligation of Fort Bend County under this Interlocal Agreement.

Ed Sturdivant, Fort Bend County Auditor



CITY COUNCIL COMMUNICATION

June 07, 2015

ITEM #	ITEM TITLE
2	Appointment of Mayor Pro Tem for a One-year Term

ITEM/MOTION

Consideration of and action on appointment of Mayor Pro Tem for a one-year term.

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. Mayor Pro Tem History

APPROVALS

Submitted by:

Linda Cernosek
City Secretary

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

Historically, the Mayor and City Council have appointed a Mayor Pro Tem to serve a one-year term. Attached is a history list of those who have served as the Mayor Pro Tem in the past. This item is being presented by the City Secretary for City Council consideration for appointment of a Mayor Pro Tem for a one-year term.

MAYOR PRO TEM HISTORY

- ◆ 2014-15 Councilor Cynthia McConathy
- ◆ 2013-14 Councilor Cynthia McConathy
- ◆ 2012-13 Councilor Tom Suter
- ◆ 2011-12 Councilor Tom Suter
- ◆ 2010-11 Councilor Tom Suter
- ◆ 2009-10 Councilor Dwayne Grigar
- ◆ 2008-09 Councilor James C. Hopkins
- ◆ 2007-08 Councilor James C. Hopkins
- ◆ 2006-07 Councilor James C. Hopkins
- ◆ 2005-06 Councilor James C. Hopkins
- ◆ 2003-04 Councilor Fran Naylor
- ◆ 2002-03 Councilor James C. Hopkins
- ◆ 2001-02 Councilor Robert D. Wolter
- ◆ 2000-01 Councilor Janie G. Warstler
- ◆ 1999-00 Councilor Tom Talasek
- ◆ 1998-99 Councilor Joe G. Segura
- ◆ 1997-98 Councilor Joe M. Gurecky
- ◆ 1996-97 Councilor Tony Becerra
- ◆ 1995-96 Councilor Fran Naylor



CITY COUNCIL COMMUNICATION

July 07, 2015

ITEM #	ITEM TITLE
3	Appointments to City Council Committees

ITEM/MOTION

Consideration of and action on appointments to City Council Committees:

- a) Employee Benefits Committee (three positions);
- b) Finance/Audit Committee (three positions);
- c) Houston-Galveston Area Council (H-GAC)(Representative and Alternate);
- d) Image Committee (one voting Council Member);
- e) Main Street Advisory Board (one Council Member ex-officio);
- f) Parks and Recreation Board (one voting Council Member);
- g) Planning Commission (one Council Member ex-officio);
- h) Professional Services/Engineering Project Review Committee (three positions); and,
- i) Rosenberg Development Corporation (three Council Representatives/Directors).

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. Appointments to City Council Committees – 07-07-15

APPROVALS

Submitted by:

Linda Cernosek

Linda Cernosek
City Secretary

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

Robert Gracia
City Manager

EXECUTIVE SUMMARY

The City Council Committees requiring City Council Members to be appointed are as follows:

- a) Employee Benefits Committee (three positions);
- b) Finance/Audit Committee (three positions);
- c) Houston-Galveston Area Council (H-GAC)(Representative and Alternate);
- d) Image Committee (one voting Council Member);
- e) Main Street Advisory Board (one Council Member ex-officio);
- f) Parks and Recreation Board (one voting Council Member);
- g) Planning Commission (one Council Member ex-officio);
- h) Professional Services/Engineering Project Review Committee (three positions); and,
- i) Rosenberg Development Corporation (three Council Representatives/Directors).

Attached is a copy of the above Committees and the Council Members that previously served.

APPOINTMENTS TO CITY COUNCIL COMMITTEES
July 07, 2015

- a) Employee Benefits Committee (three council positions)

EMPLOYEE BENEFITS COMMITTEE

(Established July 19, 2005) (Meetings held as necessary or as directed by Council)

Council Representatives: Mayor Morales and Councilors Pena and Barta (Appointed 7/2/13)

- b) Finance/Audit Committee (three council positions)

FINANCE/AUDIT COMMITTEE

(Established June 1, 1993) (Meetings held as necessary or as directed by Council)

Council Representatives: Councilors Benton, McConathy, and Euton (Appointed 7/2/13)

- c) Houston-Galveston Area Council (H-GAC) (one representative/one alternate)

HOUSTON-GALVESTON AREA COUNCIL (H-GAC)

(Representatives serves one-year term -- Appointed each fall upon HGAC's notification)

The Board of Directors meet each month on the third Tuesday of each month at 10:00 a.m. at the H-GAC Office,
Room A, 3555 Timmons Lane, Houston, TX 77027-6466

Representatives: Councilor McConathy, Representative and Mayor Morales, Alternate
Appointed 7/5/11; Reappointed 11/20/12

- d) Image Committee (one voting Council Member)

IMAGE COMMITTEE

(Established in 1994 – Representatives serve one-year term)

Meetings held third Monday of month, at 6:00 p.m., Rosenberg Civic Center

Council Representative: Councilor Benton (voting member, effective 9/2/2014)

- e) Main Street Advisory Board (one Council Member ex-officio)

MAIN STREET ADVISORY BOARD

(Established December 16, 2014, by Resolution No. R-1891)

Meetings held fourth Thursday of month at 8:30 a.m., downtown Rosenberg

Council Representative: Councilor Pena (Councilor District 1)

- f) Parks and Recreation Board (one voting Council Member)

PARKS & RECREATION BOARD

(Established December 1962, then by Ordinance (19)84-30 – Members serve a one-year term)

Meetings held fourth Thursday of month at 6:00 p.m. at the Rosenberg Civic Center

(Merged Special Event Members into Parks Board 2/18/2014)

Council Representative: Councilor Barta (voting member effective 09/02/2014)

- g) Planning Commission (one Council Member ex-officio)

PLANNING COMMISSION

(Established by Charter – Members serve two-year terms – Appointed in odd numbered years, after Council election)

Commissioners may not serve on any other City committees

Meetings held on fourth Wednesday of month, at 4:00 p.m., in City Hall Council Chamber.

Council Ex-Officio: Councilor McConathy

- h) Professional Services/Engineering Project Review Committee (three positions)

PROFESSIONAL SERVICES/ENGINEERING PROJECT REVIEW COMMITTEE

(Established June 17, 2003) (Meetings held as necessary or as directed by Council)

Council Representatives: Councilors Benton, Pena, and Grigar (Appointed 7/2/13)

- i) Rosenberg Development Corporation (three Council Representatives/Directors)

ROSENBERG DEVELOPMENT CORPORATION

(Established June 20, 1995 – Directors serve two-year terms)

(Appointments - Citizens even years, Councilors odd years)

Meetings held second Thursday of each month, at 4:00 p.m., at Rosenberg Civic Center

Council Representatives and Directors: Councilors McConathy, Pena and Barta (filling unexpired term; will need to be reappointed in June 2015)



CITY COUNCIL COMMUNICATION

July 07, 2015

ITEM #	ITEM TITLE
4	Resolution No. R-1991 – Accepting Petition for Annexation

ITEM/MOTION

Consideration of and action on Resolution No. R-1991, a Resolution accepting the filing of a petition by land owner for annexation of 3.483 acres of land in the Eugene Wheat Survey, A-396, Fort Bend County, Texas.

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:

1. Resolution No. R-1991
2. Vicinity Map
3. Charter Excerpt – Part I, The Charter, Article I, Section 1.03(c)

MUD #: 152 (Walnut Creek)

APPROVALS

Submitted by:

Travis Tanner
 Travis Tanner, AICP
 Executive Director of
 Community Development

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
 Robert Gracia
 City Manager

EXECUTIVE SUMMARY

City staff has received a petition from Lennar Homes, property owner of Walnut Creek (Fort Bend County MUD No. 152) for the voluntary annexation of 3.483 acres and disannexation of 8.709 acres as seen in the attached documents and vicinity map. The main purpose of the request is to not have developable properties that are in multiple jurisdictions. This could be beneficial not only to the developer, but also to the City by avoiding confusion as to what entity (City or County) is responsible for maintenance, emergency response, and other issues. Further, despite being smaller in size than the proposed disannexation tract (3.483 acres versus 8.709), the proposed annexation tract had a higher taxable value for 2014 (\$242,170) than the disannexation tract (est. \$3,136), so this would result in a net fiscal gain to the City.

However, before taking any action on the annexation or disannexation, a Resolution must first be passed accepting the filing of the petition for annexation. Resolution No. R-1991 is regarding the acceptance of the petition for annexation only and does not provide for the disannexation request; annexation and disannexation have different requirements per the City Charter. If passed, separate ordinances for annexation and disannexation of the proposed property will be placed on the July 21, 2015 City Council Agenda. Staff recommends approval of Resolution No. R-1991.

RESOLUTION NO. R-1991

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROSENBERG, TEXAS, ACCEPTING THE FILING OF A PETITION BY LAND OWNER FOR ANNEXATION OF 3.483 ACRES OF LAND IN THE EUGENE WHEAT SURVEY, A-396, FORT BEND COUNTY, TEXAS.

* * * * *

WHEREAS, pursuant to the City Charter, the City accepts the filing of the petition for annexation (attached hereto as **Exhibit "A"**); and,

WHEREAS, the City shall, not less than five (5) and not more than thirty (30) days after the filing of said petition, hear said petition and grant or refuse said petition; and,

WHEREAS, the land described in said petition is contiguous and adjacent to the City of Rosenberg; now, therefore,

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

Section 1. City Council has determined that said petition for annexation has been filed and said petition for annexation shall be heard on July 7, 2015, with notice to be sent to petitioner. City Council will listen to arguments for and against the petition and take action at that time.

PASSED, APPROVED, AND RESOLVED this _____ day of _____ 2015.

ATTEST:

APPROVED:

Linda Cernosek, **City Secretary**

Cynthia McConathy, **Mayor**

PETITION FOR ADDITION OF LAND TO AND REMOVAL OF LAND FROM
THE CITY OF ROSENBERG, TEXAS

THE STATE OF TEXAS §
 §
COUNTY OF FORT BEND §

Lennar Homes of Texas Land and Construction, Ltd., a Texas limited partnership ("Petitioner"), the owner of the land hereinafter described, acting pursuant to the provisions of Chapter 43, Texas Local Government Code, particularly Section 43.028 together with all amendments and additions thereto, petition this Honorable City Council to annex the land described by metes and bounds in Exhibit "A" attached hereto ("Annexation Tract") to the City and to deannex the land described by metes and bounds in Exhibit "B" attached hereto ("Deannexation Tract") from the City. In support of this Petition, the Petitioners represent, covenant, and agree as follows:

I.

The Petitioner holds fee simple title to and full ownership of both the Annexation Tract and the Deannexation Tract and Petitioner hereby certifies that there are presently no lienholders on the Annexation Tract or the Deannexation Tract.

II.

Petitioner desires that the Deannexation Tract be disannexed in accordance with Section 43.146 of the Texas Local Government Code and not for failure to provide services as set forth in Section 43.141, Texas Local Government Code.

III.

Petitioner acknowledges that the amount of property taxes and fees collected by the City during the time the Deannexation Tract has been located within the City is less than or equal to the amount of money that the City has spent for the direct benefit of the Deannexation Tract during the same period. Petitioner waives any remedies or rights as set forth in law or equity pertaining to recovery of property taxes and fees collected by the City relative to the Deannexation Tract.

IV.

The Annexation Tract and the Deannexation Tract lie entirely within Fort Bend County, Texas and are accurately described by metes and bounds in Exhibit "A" and Exhibit "B", attached hereto and incorporated herein for all purposes.

V.

The Annexation Tract and the Deannexation Tract are located within the boundaries of extraterritorial jurisdiction of the City as defined by 42.001, Texas Local Government Code.

VI.

The Annexation Tract and the Deannexation Tract are without residents.

VII.

The Annexation Tract is contiguous to the City.

VIII.

This Petition shall constitute an election on the part of the Petitioner, its successors and assigns, for the Annexation Tract and any improvements that are now or may hereafter be constructed thereon, to become liable for all present and future debts of the City in the same manner and to the same extent as other lands and improvements in the City are liable for the City's debts. The Petitioner hereby agrees that the Annexation Tract, and all improvements thereon presently existing or to be constructed hereby assumes its share of liability for the payment of any and all bonds or other obligations to the City that are currently outstanding or hereafter issued and that are currently or hereafter voted by unissued. Petitioner also agrees that the annexation tract, and all improvements thereon presently existing or to be constructed shall be taxes equally with all other property in the City. Petitioner acknowledges, consents to, and affirmatively requests the assumption by the Annexation Tract of a pro rata share of all obligations of the City, and of the taxes levied or hereafter to be levied by the City.

IX.

The execution and submission of this Petition shall not constitute an election by Petitioners to change the tax status of the Annexation Tract or the Deannexation Tract and shall not constitute a waiver by the Petitioner of rights, powers, and privileges under the Texas Constitution and statutes regarding the tax status of the Annexation Tract or the Deannexation Tract.

WHEREFORE, the Petitioner prays that this Petition be granted, that the Annexation Tract be added to and become part of the City, that the Deannexation Tract be disannexed, discontinued and removed from the City, and that this Petition, if granted by filed for record and be recorded in the Official Records of Fort Bend County, Texas.

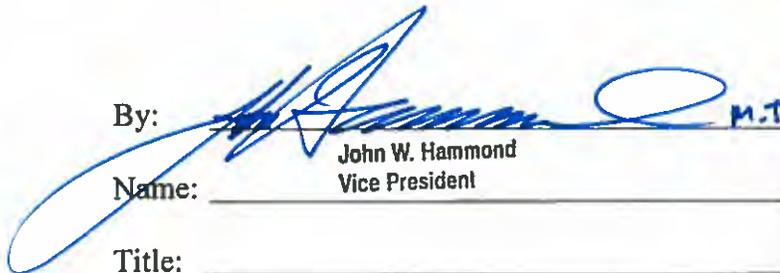
LENNAR HOMES OF TEXAS LAND AND CONSTRUCTION, LTD., a Texas limited partnership, d/b/a/ Friendswood Development Company

By: LENNAR TEXAS HOLDING COMPANY, a Texas corporation, its General Partner

By:

Name:

Title:

 M.T.
John W. Hammond
Vice President

STATE OF TEXAS §
COUNTY OF FORT BEND §

This instrument was acknowledged before me on the 11 day of May, 2015, by John W. Hammond, the Vice President of Lennar Texas Holding Company, a Texas corporation, the General Partner of Lennar Homes of Texas Land and Construction, Ltd., a Texas limited partnership, d/b/a/ Friendswood Development Company, on behalf of said corporation, company and limited partnership.




Notary Public, State of TEXAS

AFTER RECORDING, RETURN TO:
SMITH, MURDAUGH, LITTLE & BONHAM, L.L.P.
2727 Allen Parkway, Suite 1100
Houston, Texas 77019

EXHIBIT **A**

**METES AND BOUNDS DESCRIPTION
OF 3.483 ACRES OF LAND
IN THE EUGENE WHEAT SURVEY, A-396
FORT BEND COUNTY, TEXAS**

All that certain 3.483 acres of land, being a portion of the 127.00 acre tract described in the deed from Mary Pochyla, et al. to Lennar Homes of Texas Land and Construction, Ltd., recorded under File No. 2004033837, in the Official Public Records of Real Property of Fort Bend County, Texas, in the Eugene Wheat Survey, A-396, Fort Bend County, Texas, and more particularly described by metes and bounds as follows: (All bearings based on the Texas Coordinate System of 1983, South Central Zone)

BEGINNING at a 3/4 iron rod found for the north corner of Restricted Reserve "A", of ROSEHAVEN SECTION ONE REPLAT NO. ONE, according to the plat thereof recorded under File No. 20060266, in the Map Records of Fort Bend County, Texas, common to the northeast corner of the herein described tract, in the southwest line of Irby Cobb Boulevard (70' R.O.W.);

THENCE South 49° 11' 42" West – 16.06 feet, along a northeast line of said ROSEHAVEN SECTION ONE REPLAT NO. ONE, to a 3/4 iron rod found for an angle corner, common to an angle corner of the herein described tract;

THENCE North 87° 12' 18" West – 13.76 feet, continuing along said northeast line, to a 3/4 iron rod found for an angle corner, common to an angle corner of the herein described tract;

THENCE South 46° 16' 20" West – 92.22 feet, continuing along said northeast line, to a 3/4 iron rod found for an angle corner, common to an angle corner of the herein described tract;

THENCE South 15° 09' 11" West – 20.00 feet, continuing along said northeast line, to a 3/4 iron rod found for an angle corner, common to an angle corner of the herein described tract, and a point on a non-tangent curve to the left;

THENCE along said curve to the left, continuing along said northeast line, in a southwesterly direction, having a central angle of 117° 24' 45", a chord bearing and distance of South 46° 26' 48" West – 85.45 feet, a radius of 50.00 feet, and an arc distance of 102.46 feet, to a 3/4 iron rod found for the end of curve;

THENCE South 56° 15' 47" West – 101.95 feet, continuing along said northeast line, to a 3/4 iron rod found for an angle corner, common to an angle corner of the herein described tract;

THENCE South 06° 19' 46" West – 12.87 feet, continuing along said northeast line, to a 3/4 iron rod found for an angle corner, common to an angle corner of the herein described tract;

Page 2 – 3.483 Acre Tract

THENCE South 41° 49' 03" West – 119.63 feet, continuing along said northeast line, to a 3/4 iron rod found for an angle corner, common to an angle corner of the herein described tract;

THENCE South 30° 14' 43" West – 339.13 feet, continuing along said northeast line, to a 3/4 iron rod found for an angle corner, common to an angle corner of the herein described tract;

THENCE South 42° 07' 11" West – 62.03 feet, continuing along said northeast line, to the south corner of the herein described tract;

THENCE North 02° 39' 54" East – 149.34 feet to the Point of Curvature of a curve to the right;

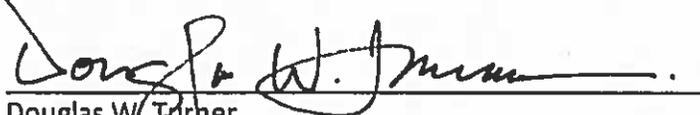
THENCE along said curve to the right, in a northerly direction, having a central angle of 19° 47' 33", a chord bearing and distance of North 12° 33' 41" East – 204.96 feet, a radius of 596.28 feet, and an arc distance of 205.98 feet, to the end of curve;

THENCE North 22° 27' 27" East – 537.14 feet to a point on a non-tangent curve to the right, in the southwest right-of-way line of said Irby Cobb Boulevard;

THENCE along said curve to the right, along said southwest right-of-way line, in a southeasterly direction, having a central angle of 28° 34' 54", a chord bearing and distance of South 55° 05' 45" East – 343.11 feet, a radius of 695.00 feet, and an arc distance of 346.70 feet, to the POINT OF BEGINNING of the herein described tract and containing 3.483 acres of land.

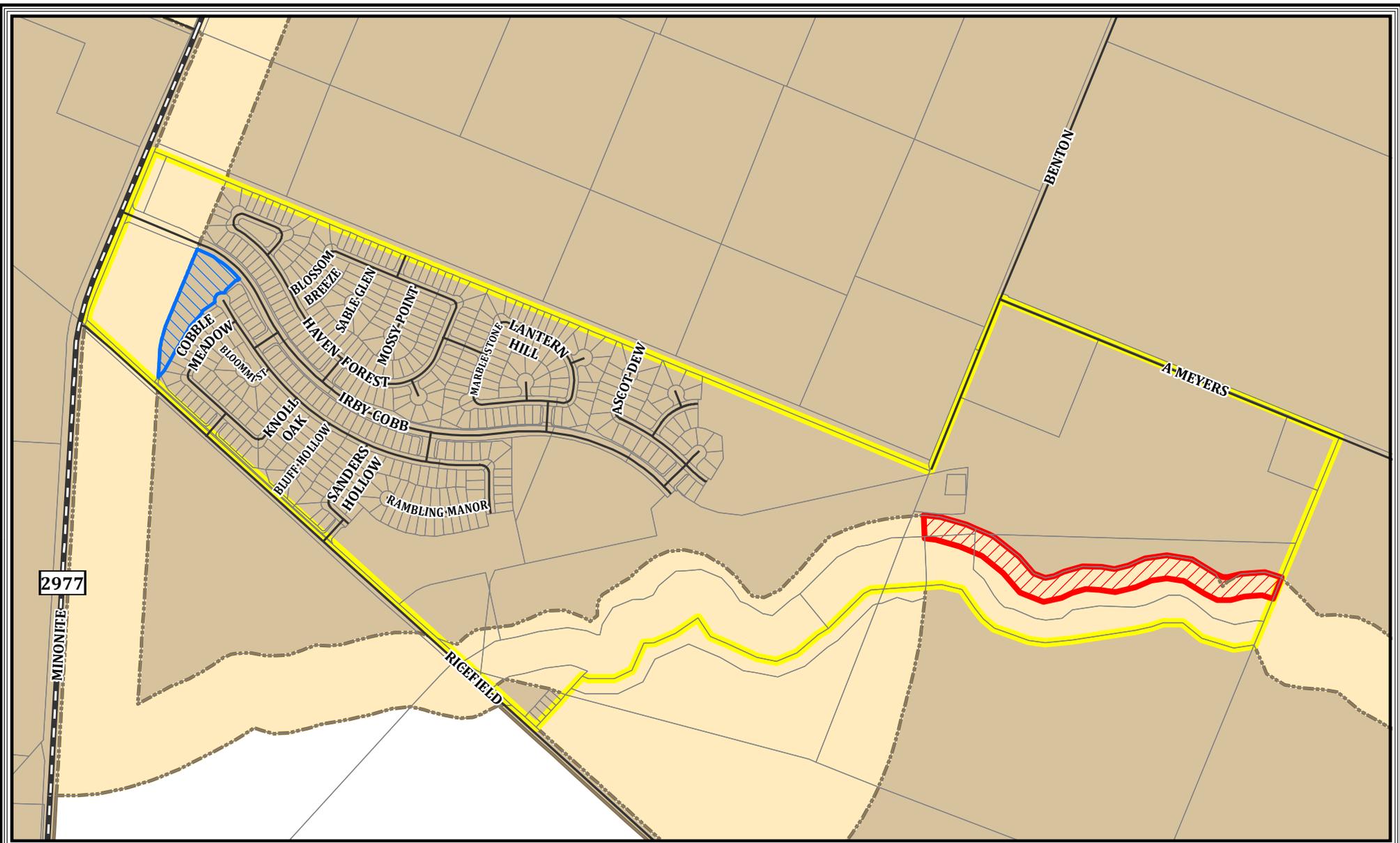
Prepared by:
IDS Engineering Group
Job No. 371-135-00-560

December 12, 2008



Douglas W. Turner
Registered Professional Land Surveyor
Texas Registration Number 3988

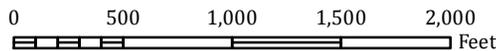




Walnut Creek Proposed Annexation & Disannexation City of Rosenberg, Texas

- | | | | |
|--|----------------|--|--------------------------------|
| | Interstate | | Proposed for Annexation |
| | US Highway | | Proposed for Disannexation |
| | State Highway | | FBCAD 2014 3rd Quarter Parcels |
| | Farm-to-Market | | MUD No. 152 |
| | Public Road | | Rosenberg City Limits |
| | | | Rosenberg ETJ |

Scale:
1:10,500
or
1 inch = 875 feet



Created by: City of Rosenberg GIS - Paul M. Jones
Date Created: November 20, 2014
Original Size: 8.5" x 11"
K:\GIS\MAPS\Planning\2014\WalnutCreek.mxd

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of geographic features.



Sec. 1.03. Extension of boundaries.

The boundaries of the City of Rosenberg may be enlarged and extended by the annexation of additional territory, irrespective of size and configuration, in any of the methods hereinafter designated:

- (a) *Extending limits in accordance with Article 974 of the Revised Civil Statutes* [V.T.C.A., Local Government Code § 43.021]. Where such additional territory adjoins the corporate limits of the city and contains three or more inhabitants qualified to vote for members of the state legislature, such adjacent territory may be annexed to the city in the manner and in conformity with the procedure set forth in Article 974 of the Revised Statutes of the State of Texas of 1925, as now or hereafter amended [V.T.C.A., Local Government Code § 43.021].
- (b) *Extension of limits by election.* The city council shall have the power to order an election or elections for the purpose of annexing territory lying adjacent to the City of Rosenberg. Such order shall include the survey notes of the area sought to be annexed. The city council shall give notice of the date and place of balloting at such election by publication of the order in a newspaper of general circulation published in the City of Rosenberg at least thirty days prior to the date on which such election is ordered. The residents of the City of Rosenberg and the territory sought to be annexed, who are qualified to vote for members of the state legislature, shall be qualified to vote at such election. The city council shall, at its next meeting, canvass the return of such election and if a majority of the votes cast at such election by the residents of Rosenberg, and if a majority of the votes cast at such election by the residents of said territory being considered for annexation, favor such annexation, the council shall declare the said territory annexed to the City of Rosenberg, and the boundary limits of the City of Rosenberg shall thereafter be extended and fixed so as to include such territory.
- (c) *Annexation of unoccupied lands on petition of owners.* The owner or owners of any land which is without residents, contiguous and adjacent to the city may, by petition in writing to the city council, request the annexation of such contiguous and adjacent land, describing it by metes and bounds. The city council shall thereafter, and not less than five and not more than thirty days after the filing of such petition, hear such petition and the arguments for and against the same, and grant or refuse such petition as the city council may see fit. If the city council grants such petition, it may by proper ordinance receive and annex such territory as a part of the city.
- (d) *Annexation by amendments to charter.* The boundary limits of the city may be fixed and additional territory added or annexed thereto by amendment to the Charter of the city.
- (e) *Extending limits by action of the city council.* The city council shall have power by ordinance to fix the boundary limits of the City of Rosenberg and to provide for the extension of said boundary limits and the annexation of additional territory lying adjacent to said city, with or without the consent of the residents or the owners of land within the territory annexed. Upon the introduction of such an ordinance in the city council it may be passed on the first reading, and thereafter shall be published in a newspaper of general circulation published in the City of Rosenberg one time, and shall not thereafter be finally acted upon until at least thirty days have elapsed after the publication thereof. Any citizen of the City of Rosenberg, or resident or owner of land within the territory to be annexed shall have the right to contest said annexation by filing with the city council a written petition setting out his reasons for said contest and after such citizen, resident or owner of land within the territory shall have been given an opportunity to be heard, said ordinance, in original or amended form, as said city council in its judgment may determine, shall be finally acted upon and any territory so annexed shall be a part of the City of Rosenberg.
- (f) *Annexation by any other method provided by law.* Additional territory may also be annexed to the city in any manner and by any procedure that may now be provided by law or that may be hereafter provided by law. Same shall be in addition to the methods hereinabove provided.
- (g) *Annexed territory to become part of the city.* Upon completion of any one of the procedures hereinabove provided, the territory so annexed shall become a part of the city, and said land

and its residents and future residents shall be entitled to all the rights and privileges of other citizens of the city and shall be bound by the acts, ordinances, resolutions and regulations of the city.

State law reference— Voter approval required under certain circumstances, V.T.C.A., Local Government Code § 43.022; annexation of sparsely occupied areas, V.T.C.A., Local Government Code § 43.028.



CITY COUNCIL COMMUNICATION

July 07, 2015

ITEM #	ITEM TITLE
5	Resolution No. R-1984 - Awarding Bid No. 2015-09 for Construction of 16-Inch Water Line Extension – Bryan Road to Future Elevated Storage Tank

ITEM/MOTION

Consideration of and action on Resolution No. R-1984, a Resolution awarding Bid No. 2015-09 for construction of 16-inch Water Line Extension – Bryan Road to Future Elevated Storage Tank; and, authorizing the City Manager to negotiate and execute, for and on behalf of the City, appropriate documents and/or agreements regarding same.

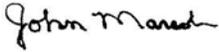
FINANCIAL SUMMARY	ELECTION DISTRICT
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Annualized Dollars:	Budgeted:	[] District 1
[X] One-time	[X] Yes [] No [] N/A	[] District 2
[] Recurring		[] District 3
[] N/A	Source of Funds:	[X] District 4
	523-0000-600-7030 (CP1409)	[] City-wide
		[] N/A

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

1. Bid Summary Form
2. Proposal
3. Resolution No. R-1984
4. Kalkomey Correspondence w/o Attachment – 06-12-15
5. Location Map
6. GRP Project Schedule
7. Resolution No. R-1801 – 06-17-14
8. City Council Meeting Minute Excerpt – 06-17-14

APPROVALS

Submitted by:	Reviewed by:	Approved for Submittal to City Council:
	[X] Exec. Dir. of Administrative Services 	
John Maresh Assistant City Manager of Public Services	[] Asst. City Manager of Public Services [] City Attorney [] City Engineer [] (Other)	Robert Gracia City Manager

EXECUTIVE SUMMARY

Bids were received on Wednesday, June 10, 2015, for Bid No. 2015-09 for construction of the FM 2977 16-inch Water Line Extension – Bryan Road to Future Elevated Storage Tank (Project). A total of eight (8) bids were opened and tabulated as indicated on the attached bid summary form.

Staff recommends Bid No. 2015-09 be awarded to Gonzalez Construction Enterprise, Inc., for the base bid and alternate "A" in the total amount of \$597,984.73 for construction of the Project that will be constructed behind Fire Station No. 3, which is located at the corner of August Green Drive and FM 2977 (Minonite Road). The attached correspondence from Charles Kalkomey, Project Engineer, recommends same. Should the bid be awarded as recommended, the proposal from Gonzalez Construction Enterprise, Inc., will be attached and serve as Exhibit "A" to Resolution No. R-1984. The contract time is 75 calendar days.

This Project is included in the FY2015 Capital Improvement Plan approved by City Council on June 17, 2014. The Project is also a part of the City's approved Groundwater Reduction Plan and will be an essential element necessary to transport the alternative surface water source into the distribution system. This Project will also loop with a dead-end 12-inch water line located on Rohan Road at FM 2977 to create an additional feed for this area of the City/ETJ and help maintain water pressure and capacity necessary to

comply with the Texas Commission on Environmental Quality (TCEQ) water system design criteria.

Staff recommends approval of Resolution No. R-1984 which will award Bid No. 2015-09 and provide authorization for the City Manager to negotiate and execute all required documents necessary to facilitate the Agreement.

BID SUMMARY
Bid No. 2015-09
Bryan Road 16-inch Waterline Extension to Future Elevated Storage Tank

BID NO.	COMPANY	TOTAL BASE BID	TOTAL BASE BID + ALTERNATE	CALENDAR DAYS
1.	Gonzalez Construction 3114 Blackwood Road Rosenberg, Texas 77471 832-595-2385	\$587,998.78	\$597,984.73	75
2.	Hurtado Construction Company 2115 Center Street Richmond, Texas 77469 281-341-5673	\$648,166.00	\$660,756.00	65
3.	Trans Tex Construction P.O. Box 699 Pattison, Texas 77466	\$647,022.00	\$662,522.00	180
4.	Cruz Tec Inc. 12210 Ann Lane Houston, Texas 77064 281-469-2888	\$749,044.00	\$767,044.00	90
5.	Alcott Inc., dba TCH 4105 FM 2351 Friendswood, Texas 77546 281-993-2999	\$773,021.00	\$788,021.00	150
6.	Resicom, Inc. 5909 West Loop South Suite 560 Bellaire, Texas 77401 713-666-7775	\$782,168.00	\$794,668.00	90
7.	D Grimm Inc. P.O. Box 2087 Willis, Texas 77378	\$806,000.00	\$820,348.80	60
8.	A Absolute Plumbing Inc. 16195 South Highway 288B Angleton, Texas 77515 832-922-1717	\$812,535.00	\$821,535.00	120

BID FORM

DATE: 6-10-2015

Bid of Gonzalez Construction Enterprise, Inc. an individual proprietorship, a corporation organized and existing under laws of the State of Texas, a partnership of _____
 for Construction of: **16-INCH WATERLINE EXTENSION BRYAN ROAD TO FUTURE ELEVATED STORAGE TANK**

To: City of Rosenberg
 P.O. Box 32
 2110 Fourth Street
 Rosenberg, Texas 77471
 Attention: Mr. John Maresh

Ladies and Gentlemen:
 The undersigned bidder has carefully examined the Instructions to Bidders, this Proposal, the General Conditions of Agreement, the Technical Specifications and the drawings for the work herein above described and referred to in the Invitation to Bid and has carefully examined the site of the work and will provide all necessary labor, superintendence, machinery, equipment, tools, materials, services and other means of construction to complete all the work upon which he bids, as called for in the Contract, the Specifications and shown on the drawings, and in the manner prescribed therein and according to the requirements of the Engineer as therein set forth for the amounts below.

Item No.	Description of Item with Unit Bid Price in Written Words.	Unit	Approx. Quantity	Unit Amount	Total Price
1.	Move-in and start-up, including performance and payment bonds for 100 percent (100%) of the contract amount. <u>@ twenty-three thousand four hundred dollars and zero cents</u> Per Lump Sum	L.S.	1	\$23,400.00 <u>23,400.00</u>	

Waterline Items

2.	8-inch (8") AWWA C-900 (DR18) Class 235, waterline by open cut construction (inc. fittings, restrained joints, bedding, backfill and testing), Complete in Place. <u>@ thirty-six dollars and sixty-nine cents</u> Per Linear Foot	L.F.	35	<u>\$36.69</u>	<u>\$1,284.15</u>
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Item No.	Description of Item with Unit Bid Price in Written Words.	Unit	Approx. Quantity	Unit Amount	Total Price
3.	12-inch (12") AWWA C-900 (DR18) Class 235, waterline by open cut construction (inc. fittings, restrained joints, bedding, backfill and testing), Complete in Place. @ <u>fifty-eight dollars and seventy-two cents</u> Per Linear Foot	L.F.	428	\$ <u>58.72</u>	\$ <u>25,132.16</u>
4.	12-inch (12") AWWA C-900 (DR18) Class 235, waterline by trenchless construction (inc. fittings, restrained joints, grout, bedding, backfill and testing), Complete in Place. @ <u>Seventy dollars and sixty-three cents</u> Per Linear Foot	L.F.	95	\$ <u>70.63</u>	\$ <u>6,709.85</u>
5.	12-inch (12") AWWA C-900 (DR18) Class 235, waterline by trenchless construction with 20-inch (20") steel casing (inc. fittings, restrained joints, grout, bedding, backfill and testing), Complete in Place. @ <u>One hundred ninety-seven dollars and forty-four cents</u> Per Linear Foot	L.F.	195	\$ <u>197.44</u>	\$ <u>38,500.80</u>
6.	16-inch (16") AWWA C-905 (DR18) Class 235 waterline by open cut construction (inc. fittings, restrained joints, bedding, backfill and testing), Complete in Place. @ <u>Seventy-four dollars and ninety-five cents</u> Per Linear Foot	L.F.	3,172	\$ <u>74.95</u>	\$ <u>237,741.40</u>
7.	16-inch (16") AWWA C-905 (DR18) Class 235 waterline by trenchless construction (inc. fittings, tunnel shafts, restrained joints, testing and appurtenances), Complete in Place. @ <u>one hundred seventeen dollars and ninety-six cents</u> Per Linear Foot	L.F.	822	\$ <u>117.96</u>	\$ <u>96,963.12</u>

Item No.	Description of Item with Unit Bid Price in Written Words.	Unit	Approx. Quantity	Unit Amount	Total Price
8.	24-inch (24") AWWA C-905 (DR18) Class 235 waterline by open cut construction (inc. fittings, restrained joints, bedding, backfill and testing), Complete in Place. <u>@ three hundred eighty dollars and seven cents</u> Per Linear Foot	L.F.	25	\$ <u>380.07</u>	\$ <u>9,501.75</u>
9.	Connect proposed 16-inch (16") waterline to existing 16-inch (16") waterline (including fittings, restrained joints, bedding, backfill and testing), Complete in Place. <u>@ one thousand three hundred seventy-six dollars and seventy-three cents</u> Per Each	EA.	2	\$ <u>1,376.73</u>	\$ <u>2,753.46</u>
10.	Connect proposed 12-inch (12") waterline to existing 12-inch (12") waterline (including reducers, fittings, bedding, backfill and testing), Complete in Place. <u>@ one thousand twenty-three dollars and seventy-five cents</u> Per Each	EA.	1	\$ <u>1,023.75</u>	\$ <u>1,023.75</u>
11.	8-inch (8") gate valve and box, Complete in Place. <u>@ one thousand two hundred sixty-three dollars and sixty cents</u> Per Each	EA.	1	\$ <u>1,263.60</u>	\$ <u>1,263.60</u>
12.	12-inch (12") gate valve and box, Complete in Place. <u>@ two thousand two hundred eighty-one dollars and fifty cents</u> Per Each	EA.	2	\$ <u>2,281.50</u>	\$ <u>4,563.00</u>
13.	16-inch (16") gate valve and box, Complete in Place. <u>@ seven thousand eighty-five dollars and thirty-four cents</u> Per Each	EA.	6	\$ <u>7,085.31</u>	\$ <u>42,512.04</u>

Item No.	Description of Item with Unit Bid Price in Written Words.	Unit	Approx. Quantity	Unit Amount	Total Price
14.	24-inch (24") butterfly valve & box, Complete in Place. <u>Six thousand five hundred ninety dollars and sixty-one cents</u> Per Each	EA.	1	<u>\$6,590.61</u>	<u>\$ 6,590.61</u>
15.	8-inch (8") plug and clamp with 2-inch (2") blow-off valve and box, Complete in Place. <u>@ One thousand five hundred twenty dollars and thirty-two cents</u> Per Each	EA.	1	<u>\$1,520.32</u>	<u>\$ 1,520.32</u>
16.	24-inch (24") plug and clamp with 2-inch (2") blow-off valve and box, Complete in Place. <u>@ three thousand six hundred seventy dollars and fifty-nine cents</u> Per Each	EA.	1	<u>\$3,670.59</u>	<u>\$ 3,670.59</u>
17.	Fire Hydrant Assembly, bury as necessary, depth may vary (including 6-inch (6") lead and gate valve), Complete in Place. <u>@ three thousand five hundred thirty-seven dollars and sixty-seven cents</u> Per Each	EA.	13	<u>\$3,537.67</u>	<u>\$ 45,989.71</u>
18.	Trench Safety Systems for 12-inch (12") to 24-inch (24") waterline, 0-10' deep. <u>@ One dollar and zero cents</u> Per Linear Foot	L.F.	3,600	<u>\$ 1.00</u>	<u>\$ 3,600.00</u>

Item No.	Description of Item with Unit Bid Price in Written Words.	Unit	Approx. Quantity	Unit Amount	Total Price
Miscellaneous Items					
19.	Remove and replace barricade/signs (for Lark Lane), Complete in Place. <u>@ eight hundred nineteen dollars and zero cents</u> Per Lump Sum	L.S.	1	\$ <u>819.00</u>	\$ <u>819.00</u>
20.	Well point system, Complete in Place and operated per specifications, as directed by Engineer. <u>@ Twenty dollars and zero cents.</u> Per Linear Foot	L.F.	100	\$ <u>20.00</u> (Min. Bid)	\$ <u>2,000.00</u>
21.	Additional cost above minimum bid for well point system operated per specifications, as directed by Engineer, Complete in Place. <u>@ Zero dollars and zero cents</u> Per Linear Foot	L.F.	100	\$ <u>0.00</u>	\$ <u>0.00</u>
22.	Clearing and grubbing of easements, as shown in the construction drawings, Complete in Place. <u>@ eleven thousand seven hundred dollars and zero cents</u> Per Acre	Ac.	0.43	\$ <u>11,700.00</u>	\$ <u>5,031.00</u>
23.	Site Restoration, including regrading and stabilization of side-slopes, cleaning of pavement areas, and removal of all equipment and unused or removed materials from the site. <u>@ five thousand three hundred eighty-two dollars and zero cents</u> Per Acre	Ac.	1.46	\$ <u>5,382.00</u>	\$ <u>7,857.72</u>
24.	Hydro-mulch seeding (width varies) of all disturbed areas between right-of-way and furthest outside easement (less pavement area). Contractor to ensure growth of vegetation by whatever means necessary, including re-seeding, over-seeding or watering at no separate pay. <u>@ one thousand four hundred sixty-two dollars and fifty cents</u> Per Acre	Ac.	1.46	\$ <u>1,462.50</u>	\$ <u>2,135.25</u>

Item No.	Description of Item with Unit Bid Price in Written Words.	Unit	Approx. Quantity	Unit Amount	Total Price
25.	Furnish, install and maintain traffic control devices and appurtenances for construction of base project, in accordance with Texas Manual on Uniform Traffic Control Devices (Latest Edition), including flagmen, temporary modifications to (and restoration of) the traffic signs and placement and removal of temporary striping, Complete in Place. <u>four thousand nine hundred seventy-two dollars and fifty cents</u> Per Lump Sum	L.S.	1	\$ <u>4,972.50</u>	\$ <u>4,972.50</u>
26.	Placement of reinforced filter fabric fence as directed by Engineer (including installation, maintenance and removal). <u>@ One dollar and seventy-six cents</u> Per Linear Foot	L.F.	500	\$ <u>1.76</u>	\$ <u>880.00</u>
27.	Stabilized construction entrance/exit including installation, maintenance and removal, Complete in Place. <u>one thousand seven hundred fifty-five dollars and zero cents</u> Per Each	EA.	5	\$ <u>1,755.00</u>	\$ <u>8,775.00</u>
28.	Storm Water Pollution Prevention Plan Implementation including maintenance, inspections, and reporting for all pollution prevention measures as necessary, Complete in Place. <u>@ nine hundred thirty-six dollars and zero cents</u> Per Month	Mo.	3	\$ <u>936.00</u>	\$ <u>2,808.00</u>
TOTAL BASE BID				\$	<u>587,998.78</u>

Item No.	Description of Item with Unit Bid Price in Written Words.	Unit	Approx. Quantity	Unit Amount	Total Price
Alternate A - Service Leads					
A1	Single or double 1-inch near side leads, including curb stops, Complete in Place. @ <u>eight hundred twenty-one dollars and thirty-four cents</u> Per Each	EA.	5	\$ <u>821.34</u>	\$ <u>4,106.70</u>
A2	Single or double 1-inch far side leads, installed by trenchless construction including curb stops, Complete in Place. @ <u>one thousand one hundred seventy-five dollars and eighty-five cents</u> Per Each	EA.	5	\$ <u>1,175.85</u>	\$ <u>5,879.25</u>
TOTAL BASE BID				\$ <u>587,998.78</u>	
TOTAL BASE BID + ALTERNATE A				\$ <u>597,984.73</u>	

It is understood and agreed that the work shall be complete in full within 75 calendar days after the date on which work is to be commenced as established by the Contract Documents.

It is agreed that the contract price may be increased or decreased to cover work added or deleted by order of the Engineer, in accordance with the provisions of the General Conditions of Agreement.

The award may be made on the Base Bid alone or the Base Bid and any or all of the Items listed under Alternates or Substitutions, if any.

The undersigned agrees that the amounts bid in this proposal will not be withdrawn or modified for 90 days following date of bid opening.

It is understood that the bid security accompanying this proposal shall be returned to the undersigned unless, in case of the acceptance of this proposal the undersigned should fail to enter into a construction contract and execute bonds as provided in the specifications. In the event the undersigned should fail to enter into a construction contract and execute bonds as required within 14 calendar days after the Engineer has given unsigned contracts to the Contractor, it is understood and agreed that the bid security shall be forfeited to the Owner and shall be considered as payment for damages due to delay and other inconveniences suffered by the Owner as a result of such failure on the part of the undersigned.

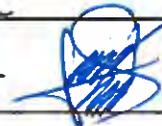
It is understood that the Owner reserves the right to reject any and all bids.

In the event of Award of the Contract to the undersigned, the undersigned agrees to furnish Performance and Payment Bonds as provided in the Specifications.

The undersigned certifies that the bid prices contained in this proposal have been carefully checked and are submitted as correct and final.

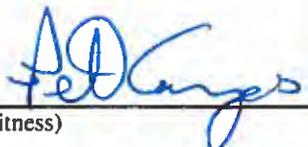
Date 6-10-2015

Signed Gonzalez Construction
Enterprise, Inc
(Company)

By Javier Gonzalez - 
President
(Title)

3114 Blackwood Rd.
Rosenberg, TX 77471
(Address)

832-595-2385
(Telephone Number)


(Witness)

SEAL (if Bidder is a Corporations)

Acknowledge receipt of Addenda Below:

Addendum No. 1 _____

Date Received 6-5-15 _____

--o0o--

RESOLUTION NO. R-1984

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROSENBERG, TEXAS, AWARING BID NO. 2015-09 FOR CONSTRUCTION OF 16-INCH WATER LINE EXTENSION – BRYAN ROAD TO FUTURE ELEVATED STORAGE TANK; AND, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE, FOR AND ON BEHALF OF THE CITY OF ROSENBERG, TEXAS, APPROPRIATE DOCUMENTS AND/OR AGREEMENTS REGARDING SAME.

* * * * *

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

Section 1. The approval and award of Bid No. 2015-09 to _____, in the amount of \$_____ for construction of 16-inch Water Line Extension – Bryan Road to Future Elevated Storage Tank (Project).

Section 2. The City Manager is hereby authorized to negotiate and execute any documentation necessary to facilitate said project.

Section 3. A copy of the Proposal 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, TRMC, **City Secretary**

Cynthia McConathy, **Mayor**



JONES | CARTER

June 12, 2015

6415 Reading Road
Rosenberg, Texas 77471-5655
Tel: 281.342.2033
Fax: 281.232.9909
www.jonescarter.com

Mr. Robert Gracia, City Manager
City of Rosenberg
Post Office Box 32
Rosenberg, Texas 77471

Re: City of Rosenberg
Construction of 16-Inch Water Line Extension – Bryan Road to Future Elevated Storage Tank
Jones and Carter Project Number R0001-0146-00

Dear Mr. Gracia:

We received bids for the referenced contract in the City of Rosenberg Council Chambers on June 10, 2015 at 10:00 A.M. Bids were publicly opened and read at that time. This project includes the construction of a 16-inch water line extension from Bryan Road to the future elevated storage tank in Rosenberg, Texas.

Eight (8) contractors submitted proposals for this work. A summary tabulation of the bids is enclosed for your review.

Alternate bids were received on service leads for both side leads and far side leads for this project.

Gonzalez Construction Enterprise, Inc. submitted the lowest Base Bid proposal in the amount of \$587,998.78 and a contract time of 75 calendar days.

We recommend that the referenced contract be awarded to Gonzalez Construction Enterprise, Inc. on the basis of their Base Bid plus Alternate A in the total amount of \$597,984.73 and a contract time of 75 calendar days. Please call should you have any questions.

Sincerely,

Charles A. Kalkomey, P.E., BPLS, CFM
Client Service Manager
Municipal and District Services

CAK:dme

P:\PROJECTS\R0001-0146-00 - 16-Inch Waterline Ext - Bryan Rd to Future EST\Construction\Letters\Recommendation of Award.doc

Enclosure

cc: Gonzalez Construction Enterprise, Inc.
Mr. John Maresh – Assistant City Manager, City of Rosenberg

Proposed 16-inch Waterline Extension Bryan Rd to Proposed Elevated Storage Tank

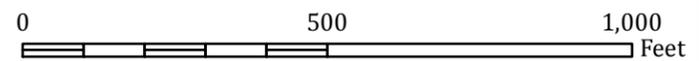
City of Rosenberg, Texas



- Proposed 16-inch Waterline
- Proposed 12-inch Waterline
- Existing Waterlines
- Farm-to-Market
- Public Road
- Fire Station No. 3
- Proposed Elevated Water Tank
- Rosenberg City Limits



Scale:
1:3,600
or
1 Inch = 300 Feet



The 2012 Aerial Imagery Data is the sole property of Houston-Galveston Area Council, which reserves all rights thereto. Use or reproduction of this data is strictly prohibited absent written consent from the Houston-Galveston Area Council.

Created by: City of Rosenberg GIS - Paul M. Jones
Date Created: February 25, 2014
Original Size: 11" x 17"
K:\GIS\MAPS\Utilities\2014\ProposedWaterLine_FM2977.mxd

This product is for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of geographic features.



**AMENDED CITY OF ROSENBERG
SURFACE WATER SUPPLY IMPLEMENTATION SCHEDULE**

September 12, 2014

Year Scheduled	Year Completed	Responsible Entity	Description	City Project Cost
N/A	2009	City	Construct Reuse System for WWTP2	
N/A	2011	City	Reuse System for Seabourne Creek Park	
2012	2012	City	Secure Water Transmission Line Easements	
2012	2012	City	Spur 529 Water Line Extension	
N/A	2012	City	Construct Reuse System for WWTP1A	
2012	2013	City	SCADA System	
N/A	2014	City	Construct Reuse System to LCISD Terry High Campus	
2012	2014	City	500,000 Gallon Ground Storage Tank, and 2-1,500 GPM Booster Pumps at Plant No 5	
2014	2014	City	1,800 GPM Well at Plant No 5	
2014		BWA/City	Execute Surface Water Supply Contract – BWA	
2014		City	FM 2977 Water Line Extension	\$827,000
2014		BWA	Start Design of Transmission Water Transmission Line and Angelton Pump Station Expansion	
2015		BWA	Start Construction of Water Transmission Line and Angelton Pump Station Expansion	
2015		City	Start Construction of Plant No. 7 – A. Meyers Road and	\$3,022,000
2015		City	1,000,000 Gallon Elevated Storage Tank – Plant No. 6	\$3,300,000
2015		City	700,000 Gallon Ground Storage Tank at Plant No. 6	\$1,600,000
2015		City	A. Meyers Road 20-inch Water Line	\$1,088,000
2015		City	Benton Road/Irby Cobb Blvd. 16-inch Water Line	\$345,000
2016		City	Existing Water Plant Chloramine Conversions	\$1,170,000
2016		BWA/City	Produce Surface Water – 30% Conversion	

RESOLUTION NO. R-1801

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROSENBERG, TEXAS, APPROVING CAPITAL IMPROVEMENT PLAN PRIORITIES FOR FY2015.

* * * * *

WHEREAS, the City staff of the City of Rosenberg has identified its priorities for Capital Improvement Projects; and,

WHEREAS, the City Manager has recommended twenty-five (25) Capital Improvement Projects to be addressed in FY2015; and,

WHEREAS, the FY2015 Budget will include funding for the majority of the recommended Capital Improvement Projects and recommendations for funding other projects; now, therefore,

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

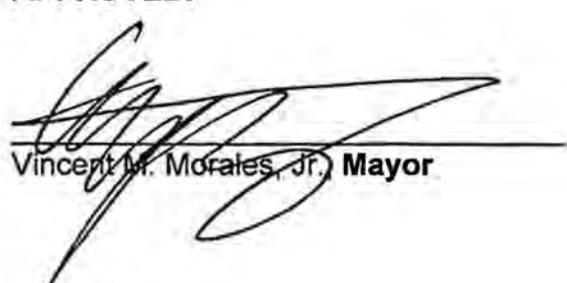
Section 1. City Council hereby approves the FY2015 Capital Improvements Plan for the City of Rosenberg which is attached hereto as Exhibit "A" and made a part hereof for all purposes.

PASSED, APPROVED, AND RESOLVED this 17th day of June 2014.

ATTEST:


Linda Cernosek, **City Secretary**

APPROVED:


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



FY2015 CAPITAL IMPROVEMENT PROJECTS

GENERAL/STREETS AND DRAINAGE PROJECTS

1. Airport Avenue – Phase Two
2. Bamore Road – Phase Four
3. Bryan Road
4. Drainage Improvements East of Lane Drive
5. Dry Creek Drainage Improvements
6. FM 2218 from US Highway 59 to State Highway 36 (TxDOT)
7. Road Extension and Drainage - Rosenberg Business Park – Phase I
8. Seabourne Creek Drainage – Phase Three
9. Sidewalks – Replace/Removal of Existing
10. Spacek Road Improvements – Phase II
11. Traffic Signal at Reading Road and Town Center Boulevard
12. Traffic Signal for Reading Road at Spacek Road
13. US Highway 59/I-69 Expansion from FM 762 to Spur 10 (TxDOT)

WATER AND WASTEWATER PROJECTS

14. Alternate Water Project (GRP)
15. Backup and Portable Generators for Utility System
16. FM 2977 Water Line Extension (GRP)
17. FM 2977 Water Storage Tank (GRP)
18. Lift Station No. 11 Replacement
19. North Side Water Improvements – Phase Two
20. Sanitary Sewer Pipe Bursting Project
21. Spacek Road Sewer Lift Station
22. Spacek Road Sewer Line
23. Utility Adjustments for US 59/I-69 Project (TxDOT)
24. Utility Extensions to serve FM 2218 Rosenberg Business Park – Phase I
25. Utility Replacement/Relocation for Avenue H, Avenue I and Downtown

- The general consensus of Council was to proceed with the request by staff to add one (1) Technology Specialist position at this time.

Action: Councilor Bolf made a motion, seconded by Councilor Grigar to approve one Information Technology Specialist position. The motion carried by a unanimous vote of those present.

7. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1804, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE, FOR AND ON BEHALF OF THE CITY, BUDGET AMENDMENT 14-15 IN THE AMOUNT OF \$15,079.00 FOR THE ADDITION OF AN INFORMATION TECHNOLOGY SPECIALIST.**

Executive Summary: In the previous Agenda item, Executive Director of Information Services, Angela Fritz, requested the addition of an Information Technology Specialist. If City Council authorizes the position, a Budget Amendment is needed to fund this position for the remainder of FY2014.

Budget Amendment 14-15, in the amount of \$15,079.00 will provide funding for an Information Technology Specialist for the remainder of FY2014.

Budget Amendment 14-15 is included as Exhibit "A" to Resolution No. R-1804. In order to add this position in FY2014, staff recommends approval of Resolution No. R-1804 as presented.

Key discussion points:

- Joyce Vasut read the Executive Summary regarding Resolution No. R-1804.

Action: Councilor Grigar made a motion, seconded by Councilor Euton to approve Resolution No. R-1804, a Resolution authorizing the City Manager to execute, for and on behalf of the City, Budget Amendment 14-15 in the amount of \$15,079.00 for the addition of an Information Technology Specialist. The motion carried by a unanimous vote of those present.

8. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1801, A RESOLUTION APPROVING CAPITAL IMPROVEMENT PLAN PRIORITIES FOR FY2015.**

Executive Summary: During the FY2015 Budget process, staff reviewed the current Capital Improvement Plan (CIP) and is recommending that a total of twenty-five (25) projects be addressed in FY2015. Exhibit "A" to Resolution No. R-1801 lists the twenty-five (25) individual projects. The Planning Commission met on May 21, 2014, and also recommended approval of the projects proposed for the FY2015 CIP. These projects were also presented to City Council at the May 27, 2014 City Council Workshop.

Existing or proposed funding is available for all or a portion of twenty (20) of the Capital Projects that will be addressed in FY2015. There are two (2) projects for which funding needs have not been determined. The three (3) remaining Capital Projects are not completely funded. Funding for these projects may include the issuance of Certificates of Obligation or other funding sources. Funding for these projects will be addressed during FY2015.

Approval of Resolution No. R-1801 will establish the City's FY2015 Capital Improvements Plan and allow for the projects to be properly included in the proposed FY2015 Budget. Staff recommends approval of Resolution No. R-1801.

Key discussion points:

- Joyce Vasut gave an overview of the item regarding Resolution No. R-1801 and the City's FY 2015 Capital Improvements Plan.

Questions:

- Councilor Benton expressed concern with #11 – Traffic signal Reading Road at Town Center Boulevard and asked how urgent it is.
- John Maresh explained that is tied to a development agreement. The developer that is working on the project from Fire Station 2 will trigger when they have to put up fifty percent (50%) of the money for that traffic signal. There is a timeframe by which the City has to come up with the remaining fifty percent (50%). They are getting close to the triggering point.
- Councilor Grigar asked if the items are the twenty-five in each of the two areas that surfaced to the top.
- Joyce Vasut explained staff looked at the 2014 list and any projects that were not complete or not substantially complete by September 30th were left on the list. Staff then looked at 2015 in the five year plan and pulled those out that staff felt needed to rise to the top. A lot of these are projects that are started that we need to complete that we have County mobility funding. We need to move on that project so we do not lose the funding. #11 that was referred to is based on the development agreement

that we think will need action during FY2015. The developer will pay one-half and we have requested the other half from the RDC.

- Items 15, 16, and 17 are all GRP projects that are part of the Subsidence mandate we need to get done. At this time, all except three are funded in one way or another with available funds. The other three, which is Airport Road and Bryan Road that was discussed at the Workshop meeting. Airport Road and Bryan Road will need additional funding and we discussed certificates of obligation and Council felt they could agree to that. Staff will bring back those options along with the budget. The majority of these will be funded in the fiscal year.

Action: Councilor Grigar made a motion, seconded by Councilor Euton to approve Resolution No. R-1801, a Resolution approving Capital Improvement Plan Priorities for FY2015. The motion carried by a unanimous vote of those present.

9. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1802, A RESOLUTION APPROVING CAPITAL IMPROVEMENT PLAN PRIORITIES FOR FY2016 TO FY2019.**

Executive Summary: Pursuant to the City Charter which requires a five-year Capital Improvement Plan (CIP), staff has prepared a proposed schedule for Capital Projects in FY2016, FY2017, FY2018 and FY2019. The development of the CIP for FY2016 to FY2019 is based on several factors, including but not limited to:

- Deadline for compliance with the Fort Bend Subsidence District mandate,
- Availability of Fort Bend County Mobility Funds,
- Possibility of a City Bond Election in 2015,
- Results of the City Facilities Assessment, and
- Needs Identified in the Five Year Strategic Plan.

The proposed FY2016-FY2019 CIP was attached to Resolution No. R-1802 as Exhibit "A" and will allow City Council to approve the proposed FY2016-FY2019 Capital Improvement Plan for the City of Rosenberg. Staff recommends approval of Resolution No. R-1802.

Key discussion points:

- Joyce Vasut gave an overview of the item regarding Resolution No. R-1802. Exhibit A to Resolution No. R-1802 was included in the agenda packet.

Questions:

- Councilor Euton – FY2017 Streets and Drainage – 3rd Street at Intersection with Avenue E – what does that entail?
- John Maresh stated this is a carryover project that has been on the CIP for several years and has never been ranked high enough to be funded. It is at the intersection of 3rd Street where there is a rise in the street and a hump as you approach Avenue N. It would be to cutout that section of 3rd Street and reconstruct it.
- FY2018 – Brooks Avenue what is the plan?
- This is a long range future project that was placed on the list recently. That would be an improvement project to reconstruct that street with curb and gutter.
- FY 2019 – Klauke Road extension – is that still on our radar?
- It is long range for 2019. There have been discussions about addressing some connectivity and other ways.
- FY2018 – Brazos River Trail Project – Councilor Euton stated she objected to that project because some of the residents would be displaced in the north area of town.
- Darren McCarthy, Director of Parks and Recreation stated it has nothing to do with residential displacement. It is a paddle trail utilizing the resources of the Brazos River. Fort Bend Green at the direction of Judge Hebert just completed a three year master plan study of that. Councilor McConathy was part of the group in the Rosenberg segment. That will be coming to Council in a future Workshop after the budget is complete. Mayor Morales, Councilor McConathy and Robert Gracia have copies of that master plan. Staff plans to distribute to Council when it is brought to Council in a Workshop.
- Councilor Grigar – FY2018 – Streets and Drainage – Avenue C Extension; Avenue D Street Paving and Drainage – is that in connection to get an east/west connection because of railroad crossing closures?
- John Maresh stated that is specifically the crossing and east to Rawson Road and would connect there. That is the only access in and out over that grade crossing that would provide that connectivity.
- Avenue D – this is long range. We have been focusing with our CDBG funds to try to get the infrastructure of the sanitary sewer replaced. The application we have before the County now is for waterline replacements. We hope to complete that in the next 3 to 5 years and then we could do some street and sidewalk improvements.



CITY COUNCIL COMMUNICATION

July 07, 2015

ITEM #	ITEM TITLE
6	Resolution No. R-2000 – Purchase of a Motor Grader

ITEM/MOTION

Consideration of and action on Resolution No. R-2000, a Resolution awarding a bid for the purchase of a motor grader, and declaring certain equipment as surplus and approving a trade-in value; and, authorizing the City Manager to negotiate and execute, for and on behalf of the City, appropriate documents necessary to facilitate said purchase and trade-in.

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

Annualized Dollars:

- One-time
- Recurring
- N/A

Budgeted:

Yes No N/A

Source of Funds:

410-0000-550-7040

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

SUPPORTING DOCUMENTS:

MUD #: N/A

1. Bid Summary Form
2. Proposal
3. Resolution No. R-2000
4. Resolution No. R-1988 – 06-22-15
5. City Council Meeting Draft Minute Excerpt – 06-22-15

APPROVALS

Submitted by:

John Maresh
Assistant City Manager of
Public Services

Reviewed by:

- Exec. Dir. of Administrative Services
- City Secretary **LC/rl**
- City Attorney **DNRBHZ/rl**
- Fleet Supervisor **VM/rl**
- Public Works Director **RC**

Approved for Submittal to City Council:

Robert Gracia
City Manager

EXECUTIVE SUMMARY

At the Special Meeting on June 22, 2016, the City Council approved Budget Amendment 15-11 through Resolution No. R-1988. Three (3) pieces of essential equipment were included in that Resolution for the Public Works Department: a motor grader, a bucket truck, and an asphalt patch truck. Staff has received a bid for the purchase of a 2015 year model Noram 65E compact motor grader from Mustang Caterpillar in the amount of \$139,000.00 utilizing the BuyBoard Cooperative Purchasing Program. Mustang Caterpillar has also offered a Trade-In value in the amount of \$19,000.00 for the 1999 year model Fiat FG65C currently in the City Public Works equipment fleet. The net cost with the trade-in is \$120,000.00. Both the Fleet Supervisor and the Public Works Director believe the trade-in value is very fair and the City should accept it.

Staff recommends approval of Resolution No. R-2000, awarding a bid for the purchase of a motor grader and declaring the 1999 year model Fiat FG65C motor grader as surplus equipment; and authorizing the City Manager to negotiate and execute appropriate documents necessary to facilitate said purchase and trade-in in the net amount of \$120,000.00. Should City Council approve the Resolution, the proposal will be attached to serve as Exhibit "A".

BID SUMMARY
Motor Grader

BID NO.	COMPANY	TOTAL BASE BID
1.	Mustang Caterpillar El Campo, TX (2015 Noram 65E)	\$139,000.00



City of Rosenberg

June 30, 2015

Noram Motor Grader

New 2015 Noram 65E Compact Motor Grader
Canopy, Cat diesel engine – 114 Horsepower, 10 feet blade, Dozer Blade in front of machine,
Power shift transmission, 6 speeds forward.
Buy Board Price \$139,000.00
El Campo Texas

Delivery Will Advise

Trade in
1999 Fiat FG65C sn 79A07066 \$19,000.00

Buy Board Price with Trade in \$120,000.00

Thanks
Darby Fox
979-543-0377

RESOLUTION NO. R-2000

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROSENBERG, TEXAS, AWARDED A BID FOR THE PURCHASE OF A MOTOR GRADER, DECLARING CERTAIN EQUIPMENT AS SURPLUS AND APPROVING A TRADE-IN VALUE; AND, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE, FOR AND ON BEHALF OF THE CITY OF ROSENBERG, TEXAS, APPROPRIATE DOCUMENTS NECESSARY TO FACILITATE SAID PURCHASE AND TRADE-IN.

* * * * *

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

Section 1. The approval and award of a bid to _____, in the amount of \$_____ for the purchase of a motor grader.

Section 2. The 1999 year model Fiat FG65C motor grader is declared as surplus equipment and the trade-in value in the amount of \$19,000.00 is accepted and approved.

Section 3. The City Manager is hereby authorized to negotiate and execute any documentation necessary to facilitate said purchase and trade-in.

Section 4. A copy of the Proposal 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**

Cynthia McConathy, **Mayor**

RESOLUTION NO. R-1988

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 15-11, IN THE AMOUNT OF \$552,000 FOR INFORMATION TECHNOLOGY LICENSING AND SERVERS, CERTAIN PIECES OF EQUIPMENT AND ELECTRICAL IMPROVEMENTS FOR WASTEWATER TREATMENT PLANT NO. 1-A.

* * * * *

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

Section 1. The City Council hereby authorizes Budget Amendment 15-11 (Amendment), in the amount of \$552,000 for information technology licensing and server, certain equipment purchases and electrical improvements for Wastewater Treatment Plant No. 1-A. A copy of such Amendment is attached hereto as Exhibit "A" and made a part hereof for all purposes.

PASSED, APPROVED, AND RESOLVED this 12nd day of June 2015.

ATTEST:


Linda Cernosek, **City Secretary**

APPROVED:


Cynthia McConathy, **Mayor**



CITY OF ROSENBERG, TEXAS
REQUEST FOR BUDGET AMENDMENT

NUMBER: 15-11

Fund 101 and 501 Departments: General & Water/Wastewater Funds 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: () line-item transfer (X) request for additional funds [] department transfer [] accounting correction

The budget amendment requested will require the following revisions;

FUND BALANCE/RETAINED EARNINGS ACCOUNT(S):

Table with 5 columns: ACCOUNT NUMBER, ACCOUNT DESCRIPTION, ORIGINAL BUDGET (1), REQUESTED TRANSFER, AMENDED BUDGET. Rows include Fund Balance - General Fund and Retained Earnings - Water/Wastewater Fund.

REVENUE ACCOUNT(S):

Table with 5 columns: ACCOUNT NUMBER, ACCOUNT DESCRIPTION, ORIGINAL BUDGET (1), REQUESTED TRANSFER, AMENDED BUDGET. Rows include Transfer from General Fund and Transfer from Water/Wastewater Fund.

EXPENSE ACCOUNT(S):

Table with 5 columns: ACCOUNT NUMBER, ACCOUNT DESCRIPTION, ORIGINAL BUDGET (1), REQUESTED TRANSFER, AMENDED BUDGET. Rows include Transfer to the General Supplemental Fund, Computer Hardware and Software, Equipment, Transfer to Water/Wastewater Supplemental Fund, and Improvements Other Than Buildings.

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 information technology licensing and server, the purchase of several pieces of equipment due to safety and maintenance concerns and electrical improvements to WasteWater Treatment Plant No. 1A.

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:

Walnut Creek Section Seven to the immediate west.

The subdivision generally consists of sixty-foot (60') lots in accordance with the approved Land Plan for Walnut Creek. Four (4) of the lots are identified as being less than 60' lots due to being less than fifty feet (50') as measured at the right-of-way. All lots are a minimum of 60' as measured at the front building line. Additionally, the subdivision contains a 1.866-acre landscape reserve abutting the future Irby Cobb right-of-way.

The proposed Final Plat is not in conflict with the "Subdivision" Ordinance, the approved Land Plan, or with the Development Agreement for MUD No. 152. The Planning Commission (Commission) approved the Preliminary Plat on February 26, 2014, and an extension of that approval was granted by the Commission on September 17, 2014. The Commission recommended approval to City Council of the Final Plat on October 15, 2014. That said, staff recommends approval of the Final Plat of Walnut Creek Section Eleven.

Action: Councilor Pena made a motion, seconded by Councilor Euton, to approve Consent Agenda Items A, B, C, D, and E. The motion carried by a unanimous vote of those present.

REGULAR AGENDA

2. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1987, A RESOLUTION APPROVING CONTINUING DISCLOSURE UNDERTAKING IN CONNECTION WITH THE ISSUANCE OF BONDS BY THE BRAZOSPORT WATER AUTHORITY.**

Executive Summary: The City of Rosenberg and Brazosport Water Authority (BWA) previously executed a Water Supply Agreement (Agreement) 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.

This Agreement also provides that BWA will issue bonds to finance the delivery system to provide water to Rosenberg. BWA's bond issues will be payable in part from payments received from the City of Rosenberg. Therefore, in order for BWA to comply with SEC rules and regulations regarding the issuance of bonds, the City agrees to also disclose certain financial information as required. Since the City already provides such information on a regular basis for our own debt, this request will have no impact on our operations and processes.

Resolution No. R-1987 has been reviewed by Special Counsel, Pat Lindner, Bond Counsel Marcus Deitz and approved as to form by the City Attorney. Staff recommends approval of Resolution No. R-1987 as presented.

Key Discussion Points: Joyce Vasut, Executive Director of Administrative Services, read the Executive Summary.

Action: Councilor Euton made a motion, seconded by Councilor Benton, to approve Resolution No. R-1987, a Resolution approving continuing disclosure undertaking in connection with the issuance of bonds by the Brazosport Water Authority. The motion carried by a unanimous vote of those present.

3. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1988, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE, FOR AND ON BEHALF OF THE CITY, BUDGET AMENDMENT 15-11, IN THE AMOUNT OF \$552,000 FOR INFORMATION TECHNOLOGY LICENSING AND SERVER, CERTAIN PIECES OF EQUIPMENT AND ELECTRICAL IMPROVEMENTS FOR WASTEWATER TREATMENT PLANT NO. 1-A.**

Executive Summary: City staff has been working diligently to prioritize the needs as submitted for the FY2016 budget. During this assessment process, staff has identified several items that require immediate attention due to non-compliance, safety concerns and anticipated costly maintenance and repair expense.

Budget Amendment 15-11, in the amount of \$552,000 includes the following items:

1. Information Technology has determined that the City is not currently compliant with Microsoft requirements for licensing. For a cost of \$93,200, the City could purchase the licensing and servers necessary to bring the City into compliance.
2. Several pieces of equipment were ranked extremely high due to the safety and maintenance concerns. These requests included an asphalt patch truck for \$119,000, and a bucket truck in the amount of \$97,000. An additional request in the amount of \$20,000 is for a field maintainer requested by the Parks and Recreation Department. This request is one of the items that was not funded in the FY2015 budget. The final piece of equipment is a motor grader for \$152,000. The current motor grader is a 1999 model and has had numerous break downs that are very costly and difficult to fix due to the age of the equipment.
3. The current electricity service drop for Wastewater Treatment Plant No. 1-A (WWTP No. 1-A) is leaning to the point that it is in danger of falling over. This request includes repairing and replacing the incoming electrical service drop to WWTP No. 1-A by building a new service drop and installing a manual transfer switch to quickly connect an alternative power supply. The estimated cost is \$70,800.

Budget Requests Forms were included in the agenda packet. All of these items can be funded from General Fund Balance (Items 1 and 2) and Water/Wastewater Fund Retained Earnings (Item 3). Budget Amendment 15-11 is included as Exhibit "A" to Resolution No. R-1988. Staff recommends approval of Resolution No. R-1988 as presented.

Key Discussion Points:

- Joyce Vasut read the Executive Summary and explained that the current year general fund balance is \$12.1M.
- James Lewis, Director of Technology, stated that an internal assessment determined the lapse in current licensing, and the \$93,200 would be a one-time purchase per Client Access License. He clarified that we do not have as many licenses as we have users.
- John Maresh, Assistant City Manager of Public Services, explained the current condition of the vehicles in question and their potential liability.
- Darren McCarthy, Parks and Recreation Director, stated that the field maintainer would be used primarily on the softball field, which is comprised of dirt and clay and requires special equipment.

Action: Councilor Euton made a motion, seconded by Councilor Moses, to approve Resolution No. R-1988, a Resolution authorizing the City Manager to execute, for and on behalf of the City, Budget Amendment 15-11, in the amount of \$552,000 for information technology licensing and server, certain pieces of equipment and electrical improvements for Wastewater Treatment Plant No. 1-A. The motion carried by a unanimous vote of those present.

4. CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1992, A RESOLUTION REGARDING FUNDING FOR THE OVERSIZING OF A WATER LINE FOR THE TEXAS STATE TECHNICAL COLLEGE (TSTC) FORT BEND CAMPUS IN AN AMOUNT NOT TO EXCEED \$100,000.

Executive Summary: On May 26, 2015, the City of Rosenberg executed a Development Agreement (Agreement) with the Henderson-Wessendorff Foundation. Further, the Agreement provides the City with the option to require certain utility lines to be oversized to serve land outside the tract, provided that the City bears the costs of the oversizing. This Agenda item provides City Council with the opportunity to discuss proposed funding necessary to oversize a water line to support additional development around the Texas State Technical College (TSTC) Campus.

The City will be provided oversizing costs and then make the election whether to require the oversizing. Upon completion of the line, the City will credit applicable impact fees owed by the property owner against the oversizing costs and pay the property owner the difference up to a maximum amount of \$100,000. Under current consideration is the oversizing of a water line from a 12-inch line to serve only this property to a 16-inch line that will ultimately be needed to support growth and development in this general area of the City and as a part of the City's Capital



CITY COUNCIL COMMUNICATION

July 07, 2015

ITEM #	ITEM TITLE
7	Resolution No. R-2001 - Purchase of Asphalt Patch Truck
ITEM/MOTION	
Consideration of and action on Resolution No. R-2001, a Resolution awarding a bid for the purchase of an asphalt patch truck; and, authorizing the City Manager to negotiate and execute, for and on behalf of the City, appropriate documents and/or agreements regarding same.	
FINANCIAL SUMMARY	
ELECTION DISTRICT	

Annualized Dollars:

- One-time
- Recurring
- N/A

Budgeted:

- Yes No N/A

Source of Funds:

410-0000-550-7040

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

SUPPORTING DOCUMENTS:

MUD #: N/A

1. Bid Summary Form
2. Proposal
3. Resolution No. R-2001
4. Resolution No. R-1988 – 06-22-15 – Please see previous Agenda
5. City Council Meeting Draft Minute Excerpt – 06-22-15 – Please see previous Agenda item

APPROVALS

Submitted by:

John Maresh
Assistant City Manager of
Public Services

Reviewed by:

- Exec. Dir. of Administrative Services *gf*
- Asst. City Manager of Public Services
- City Attorney
- Director of Public Works *RC*
- Fleet Supervisor *VM*

Approved for Submittal to City Council:

Robert Gracia
City Manager

EXECUTIVE SUMMARY

At the Special Meeting on June 22, 2016, the City Council approved Budget Amendment 15-11 through Resolution No. R-1988. Three (3) pieces of essential equipment were included in that Resolution for the Public Works Department: a motor grader, a bucket truck, and an asphalt patch truck. The total funding allocation for these pieces of equipment is \$368,000. Staff has received a bid for the purchase of a 2016 year model Freightliner chassis with a Pro-Patch Asphalt Pothole Patcher. The asphalt patch truck would be purchased from Freightliner of Austin, utilizing the BuyBoard Cooperative Purchasing Program. The total cost, including BuyBoard Administrative Fee is \$144,782.70. Staff would also note the allocation for the asphalt patch truck was initially estimated at \$119,000. However, favorable bids were obtained for both the motor grader (including trade-in value) and bucket truck resulting in a total expenditure amount of \$357,982.70, or \$10,017.30 below the budgeted amount for all three pieces of equipment.

Staff recommends approval of Resolution No. R-2001, awarding a bid for the purchase of an asphalt patch truck in the amount of \$144,782.70 from Freightliner of Austin, utilizing the BuyBoard Cooperative Purchasing Program. Should City Council approve the Resolution, the proposal will be attached to serve as Exhibit "A".

BID SUMMARY
Asphalt Patch Truck

BID NO.	COMPANY	TOTAL BASE BID
1.	Freightliner of Austin 1701 Smith Rd. Austin, TX 78721 (2016 Freightliner chassis & Pro-Patch Pothole Patcher)	\$144,782.70



FREIGHTLINER OF AUSTIN

1701 Smith Rd. (Hwy. 183 So.)
 Austin, Texas 78721
 Bus: 512-389-0000
 FAX: 512-389-2663
 Wats: 1-800-395-2005

INV. _____

PURCHASING NAME CITY OF ROSENBERG		TELEPHONE 832-360-6025	
ADDRESS 2110 4TH STREET POB 32		CITY ROSENBERG	STATE TX
		ZIP CODE 77471-0032	

I/We Hereby Purchase from You, Under the Terms and Conditions Specified, the Following:

YEAR 2016	MAKE FREIGHTLINER	MODEL/BODY M2106	VIN TBD	LICENSE PLATE
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A documentary fee is not an official fee, a documentary fee is not required by law but may be charged to buyers handling documents and performing services relating to the closing of a sale. Buyers may avoid payment of the fee to the seller by handling the documents and performing the services relating to the closing of the sale. A documentary fee may not exceed \$50.00. This notice is required by law.

El cobro documental no es un cobro oficial. El cobro documental no es un requisito bajo la ley, pero se le puede cobrar. Al comprador por el rendimiento de los servicios relacionados con la completacion de la venta y por completar los documentos. El comprador puede evitar el pago al vendedor de este costo si el comprador mismo se encarga de manejar los documentos y de los servicios necesarios para la completacion de la venta. El cobro documental no puede sobrepasar los \$50.00 (U.S.) Este aviso es requerido bajo la ley.

Disclaimer of Warranties

Any warranties on the products sold hereby are those made the factory. The Seller, Freightliner of Austin, hereby expressly disclaims all warranties, either expressed or implied including any implied warranty of merchantability or fitness for a particular purpose, and Freightliner of Austin, neither assumes nor authorizes any other person to assume for it a liability in connection with the sale of this vehicle.

MILEAGE:	
BUY BOARD CONTRACT #430-13	
CHASSIS SELLING PRICE	71,472.00
TCM 425-80-DHE	72,910.70
BUY BOARD FEE	400.00

CUSTOMER SIGNATURE	
SALESMAN SIGNATURE	KEVIN KRIEG

CONTRACTUAL DISCLOSURE STATEMENT FOR USED VEHICLE ONLY. The information you see on the window form for this vehicle is part of this contract. Information on the window form overrides any contrary provisions in the contract.

MILEAGE:	TRADE-IN			
YEAR	MAKE	MODEL/BODY	VIN	LICENSE PLATE

MILEAGE:	TRADE-IN			
YEAR	MAKE	MODEL/BODY	VIN	LICENSE PLATE

		TOTAL	144,782.70
PAYOFF TO:		Trade Allowance	N/A
ADDRESS:		Trading Difference	N/A
TELEPHONE: / FAX:		Sales Tax	N/A
GOOD UNTIL:		Vehicle Inventory Tax	N/A
QUOTED BY:		License Fee	N/A
SHOW LIEN TO:		Documentary Fee	N/A
ADDRESS:		Federal Excise Tax	N/A
		TOTAL SALE PRICE	144,782.70
DATED: LIEN AMOUNT \$		Payoff on Trade	
DRAFT FOR \$		Ext. Service Agreement	
DRAFT THRU:		Less Deposit	
ADDRESS:		Total Balance Due	144,782.70

Full disclosure required by Federal regulation "Z", The Consumer Protection Act and The Texas Consumer Credit Code, will be made prior to consummation of a credit sale. This window order constitutes the entire agreement pertaining to this purchase and no other agreement of any kind, verbal understanding or promise whatsoever, will be recognized. It is expressly agreed that the purchaser acquires no right, title or interest in or to the property which he agrees to purchase hereunder until such property is delivered to him/her and either the full price is paid in cash or satisfactory deferred payment agreement is executed by the parties hereto. The terms of which shall thereafter be controlling, and a clear title is furnished to dealer for the used cars or trucks involved, if any. THIS IS NOT A CONDITIONAL SALES CONTRACT, BUT IS A BUYER'S ORDER. All new vehicles carry the standard factory warranty. It is understood there is no guarantee on the above described new or used vehicle other than appears on this Buyer's Order. Mileage, if used vehicle model is not guaranteed and a verbal agreement by the Salesman will not be considered binding on the Seller. It is agreed that neither Freightliner of Austin nor the manufacturer will be liable for failure to effect delivery. This order is not binding on the dealer until approved by an officer of Freightliner of Austin at its office in Austin, Texas.

RESOLUTION NO. R-2001

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROSENBERG, TEXAS, AWARDED A BID FOR THE PURCHASE OF AN ASPHALT PATCH TRUCK; AND, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE, FOR AND ON BEHALF OF THE CITY OF ROSENBERG, TEXAS, APPROPRIATE DOCUMENTS AND/OR AGREEMENTS REGARDING SAME.

* * * * *

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

Section 1. The approval and award of a bid to _____, in the amount of \$_____ for the purchase of an asphalt patch truck.

Section 2. The City Manager is hereby authorized to negotiate and execute any documentation necessary to facilitate said purchase.

Section 3. A copy of the Proposal 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**

Cynthia McConathy, **Mayor**



CITY COUNCIL COMMUNICATION

July 07, 2015

ITEM #	ITEM TITLE
8	Resolution No. R-2002 – Purchase of Bucket Truck
ITEM/MOTION	
Consideration of and action on Resolution No. R-2002, a Resolution awarding a bid for the purchase of a bucket truck; and, authorizing the City Manager to negotiate and execute, for and on behalf of the City, appropriate documents and/or agreements regarding same.	
FINANCIAL SUMMARY	ELECTION DISTRICT

Annualized Dollars:

- One-time
- Recurring
- N/A

Budgeted:

- Yes No N/A

Source of Funds:

410-0000-550-7040

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

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

1. Bid Summary Form
2. Proposal
3. Resolution No. R-2002
4. Resolution No. R-1988 – 06-22-15 – Please see previous Agenda item
5. City Council Meeting Draft Minute Excerpt – 06-22-15 – Please see previous Agenda item

APPROVALS**Submitted by:**

John Maresh
Assistant City Secretary of
Public Services

Reviewed by:

- Exec. Dir. of Administrative Services
- Asst. City Manager of Public Services
- City Attorney
- Fleet Supervisor **VM**
- Director of Public Works **RC**

Approved for Submittal to City Council:

Robert Gracia
City Manager

EXECUTIVE SUMMARY

At the Special Meeting on June 22, 2016, the City Council approved Budget Amendment 15-11 through Resolution No. R-1988. Three (3) pieces of essential equipment were included in that Resolution for the Public Works Department: a motor grader, a bucket truck, and an asphalt patch truck. Staff has received a bid for the purchase of a 2015 year model Ford F550 chassis with a Versalift telescopic aerial platform lift capable of a 45-foot working height. The bucket truck would be purchased from Caldwell Country utilizing the BuyBoard Cooperative Purchasing Program. The total cost, including BuyBoard Administrative Fee is \$93,200.00.

Staff recommends approval of Resolution No. R-2002, awarding a bid for the purchase of a bucket truck in the amount of \$93,200.00 from Caldwell Country utilizing the BuyBoard Cooperative Purchasing Program. Should City Council approve the Resolution, the proposal will be attached to serve as Exhibit "A".

BID SUMMARY
Bucket Truck

BID NO.	COMPANY	TOTAL BASE BID
1.	Caldwell Country P.O. Box 27 Caldwell, TX (Ford F550 w/Versalift SST-40-EIH)	\$93,200.00

QUOTE# 0011-S-10166BR1

CONTRACT PRICING WORKSHEET

End User: CITY OF ROSENBERG	Contractor: CALDWELL COUNTRY
Contact Name: VALENTE MARTINEZ	CALDWELL COUNTRY
Email: VALENTEM@CI.ROSENBERG.TX.US	Prepared By: Averyt Knapp
Phone #: 832-595-3560 281-831-0025 -C	Email: aknapp@caldwellcountry.com
Fax #: 832-595-3561	Phone #: 800-299-7283 or 979-567-6116
Location City: ROSENBERG, TX	Fax #: 979-567-0853
Date Prepared: JUNE 29, 2015	Address: P. O. Box 27, Caldwell, TX 77836
Contract Number: BUY BOARD #430-13	Tax ID # 27-3037856

Product Description: 2015 FORD F550 4X2 REG CAB F5G

A Base Price & Options: \$92,800

B Published Options

Code	Description	Cost	Code	Description	Cost
	4X2-REGULAR CAB, 19,500#GVWR, 6.7L DIESEL, 6-SPD AUTOMATIC, AIR CONDITION, AMFM- STEREO, 40-20-40 VINYL BENCH, FULL RUBBER FLOOR, TRAILER BRAKE CONTROLLER, PTO PROVISION, 4.88 LIMITED SLIP AXLE, EXTRA HD ALTERNATOR, SST-40-EIH 40' TELESCOPIC AERIAL PLATFORM LIFT, 45' WORKING HEIGHT, DAKOTA BODY, FRONT & REAR TORSION BARS, BACKUP ALARM, COMBINATION PINTLE HITCH, (2) AMBER STROBE LIGHTS, FIRE EXTINGUISHER, 3 PIECE TRIANGLE REFLECTOR KIT AND WHEEL CHOCKS, VERSALIFT S-10166B	INCL			
	FORD WARRANTY 5YR/60,000 MILES POWERTRAIN @ N/C	INCL		CALDWELL COUNTRY	
				PO BOX 27	
				CALDWELL, TEXAS 77836	
Subtotal B					INCL
C Unpublished Options					

Code	Description	Cost	Code	Description	Cost
Subtotal C					
D Other Price Adjustments (Installation, Delivery, Etc...)					
Subtotal D					INCL
E Unit Cost Before Fee & Non-Equipment Charges (A+B+C+D)					\$92,800
	Quantity Ordered				1
X					
Subtotal E					\$92,800
F Non-Equipment Charges (Trade-In, Warranty, Etc...)					
	BUY BOARD #430-13				\$400
G. Color of Vehicle: WHITE					
H. Total Purchase Price (E+F)					\$93,200

Estimated Delivery Date:	NOVERMBER-WINTER (2015) STOCK UNIT
--------------------------	------------------------------------

Date: June 29, 2015

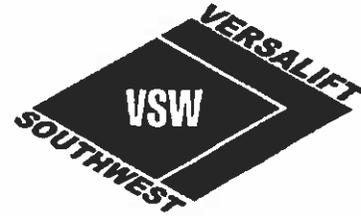
Page: 1 of 2

TO: Averyt Knapp
Caldwell Country

EMAIL: averyt@caldwellcountry.com

REF: Val Martinez
City of Rosenberg

Subject: Quote S-10166BR1



Versalift Southwest L.L.C.
1200 Texas Central Parkway
P.O. Box 21415 Waco, Texas 76702-1415
Phone Number: (254) 420-5330
Fax Number: (254) 776-8025

SST-40-EIH Insulated 40 ft. telescopic aerial platform lift, 45 ft. working height including the following items:

Standard features and options include the following:

- Standard platform capacity of 350 lbs. (158.7 kg).
- Platform mounted full pressure Unitrol single-lever control with VERSALIFT TruGuard™ system (Patent Pending) including safety trigger and emergency stop control.
- 180° hydraulic platform rotator.
- Full pressure turret mounted lower controls including override.
- Engine start/stop system with controls at platform and lower controls.
- Continuous unrestricted rotation including three pass collector ring.
- Three gpm (11.4 lpm) open center hydraulic system.
- Chassis insulating system (lower boom insert) including fiberglass compensation link providing 12 inches (305 mm) insulation gap.
- Fiberglass inner boom and patented ELECTROGARD providing 42 in. (1.07 m) insulation gap fully retracted meeting ANSI A92.2-2001 requirements for Category C, 46 KV and below.
- Hydraulic tool power at bucket. Quick disconnect couplers not included.
- ELECTROGARD and inner boom finished with white urethane paint over white gel coat.
- Integral hydraulic oil reservoir with dual sight gauges and 15 gal. (56.8 l) capacity.
- End mounted closed 24 in. x 30 in. x 42 in. (0.61 m x 0.76 m x 1.07 m) fiberglass platform with one step, liner and cover.
- Master/slave hydraulic leveling with upper control to tilt for clean-out and rescue. Leveling control at lower controls.
- Non-lube bearings used at all pivot points.
- Multi-link hose carrier system through booms.
- Boom cradle and ratchet type tie down strap.
- Two speed throttle control.
- Emergency power providing power to all boom functions.
- Mounting hardware for chassis/cab installation.
- Full body harness and lanyard.
- Painted standard white urethane.
- Two operator's manuals and two service manuals.
- ANSI A92.2-2001 data plate.

Cab and chassis to the following specifications:

- 2015 Ford F-550 4x2 cab and chassis with a CA of 84"
- GVWR: 19,500 lbs payload plus upgrade package.
- 6.7L OHV Power Stroke V8 diesel engine
- TorqShift 6-speed automatic transmission
- Snow plow prep package including extra heavy duty alternator
- 4.88 limited slip axle.
- Air conditioning.
- Engine block heater
- 225/70Rx19.5G BSW tires.
- Radio: AM/FM stereo with digital clock.
- HD vinyl 40/20/40 slit bench seat
- Trailer brake controller
- Operator Commanded Regeneration (OCR)
- Painted Oxford White.

Dakota Bodies 132" long x 40" high x 96" wide service body including the following:

- 24" tread plate tail shelf.
- Cable access step at rear and side access.
- Grab handles at side access and rear tail shelf.
- Stainless steel automotive rotary door latches with rod and socket hinges.
- Chain stops on all doors.
- Master locking system excluding 1st vertical curbside.
- Wheel chock storage on curbside.
- Grey Zolatone paint on the interior of compartments

Street side Compartmentation:

- 1st Vertical: Two (2) adjustable shelves with dividers.
- 2nd Vertical: One (1) adjustable shelf with dividers.
- Horizontal: Open.
- Rear Vertical: Two (2) adjustable shelves with dividers.
- Hot stick shelf with rear access door.

Curbside Compartments:

- 1st Vertical: Two (2) adjustable shelves with dividers
- 2nd Vertical: Gripstrut access steps to bed area with grab handle.
- Horizontal: Open.
- Rear Vertical: Five (5) fixed material hooks (1-3-1)

Installation to include the following:

- Install VERSALIFT SST-40-EIH, mounting hardware, PTO and pump.
- Install front and rear torsion bars.
- Install and paint Dakota service body and accessories.
- Install back up alarm, receiver tube hitch and 7 prong trailer plug.
- Install quick disconnects with dust caps at platform tool power
- Install two (2) amber strobe lights mounted at curbside front and streetside rear.
- Install mud flaps and park brake interlock system.
- Furnish fire extinguisher, 3 piece triangle reflector kit and wheel chocks.
- Test ride completed unit for 1 hour.
- Test and certify per ANSI A92.2-2001.

RESOLUTION NO. R-2002

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROSENBERG, TEXAS, AWARDED A BID FOR THE PURCHASE OF A BUCKET TRUCK; AND, AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE, FOR AND ON BEHALF OF THE CITY OF ROSENBERG, TEXAS, APPROPRIATE DOCUMENTS AND/OR AGREEMENTS REGARDING SAME.

* * * * *

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

Section 1. The approval and award of a bid to _____, in the amount of \$_____ for the purchase of a bucket truck.

Section 2. The City Manager is hereby authorized to negotiate and execute any documentation necessary to facilitate said purchase.

Section 3. A copy of the Proposal 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**

Cynthia McConathy, **Mayor**



CITY COUNCIL COMMUNICATION

July 07, 2015

ITEM #	ITEM TITLE
9	Resolution No. R-1995 – Adopting City’s Classification and Compensation Plan

ITEM/MOTION

Consideration of and action on Resolution No. R-1995, a Resolution providing for acceptance of a Classification and Compensation Plan.

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-1995
2. City Council Meeting Draft Minute Excerpt – 06-30-15
3. City Council Meeting Minute Excerpt – 11-25-14

MUD #: N/A

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
- Human Resources Director *JO*

Approved for Submittal to City Council:

Robert Gracia
City Manager

EXECUTIVE SUMMARY

On June 30, 2015, City Council reviewed and discussed a Final Report regarding job classifications and compensation for City employees as presented by Gallagher Benefits Services, Inc. The Final Report contained measurable criteria necessary to establish market comparisons to the current level of compensation paid for all City job classifications which make up the City’s Classification and Compensation Plan (Plan).

Implementation cost options were also presented and discussed. Ultimately, City Council agreed to defer the discussions regarding the Final Report, Plan, and implementation cost options to the City’s Finance Committee (Committee). Said Committee meeting will be set in order to take place prior to the July 7th City Council Meeting.

Staff has prepared a draft of Resolution No. R-1995. The Resolution will provide for the acceptance of the Classification and Compensation Plan. Resolution No. R-1995 will also provide an opportunity for City Council to select one of the three recommended cost implementation options, or an alternative form of the options presented.

Staff recommends approval of Resolution No. R-1995 predicated upon final consideration by City Council, and will be completed with the insertion of Implementation Cost Option 1, Option 2, or Option 3, and the establishment of an effective date.

RESOLUTION NO. R-1995

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROSENBERG, TEXAS, PROVIDING FOR ACCEPTANCE OF A CLASSIFICATION AND COMPENSATION PLAN.

* * * * *

WHEREAS, on November 25, 2014, City Council approved Resolution No. R-1881, which provided for the selection of Gallagher Benefits Services, Inc., to conduct a Classification and Total Compensation Study and Analysis; and,

WHEREAS, City Council has therefore determined it is in the best interest of the employees of the City to establish a Classification and Compensation Plan (Plan) to be comprised of appropriate salary and wage structures with said Plan attached hereto as Exhibit "A", and made a part hereof for all purposes; and,

WHEREAS, on June 30, 2015, Gallagher Benefits Services, Inc., presented a Final Report regarding job classification and compensation data to City Council with said Final Report (Report) attached hereto as Exhibit "B", and made a part hereof for all purposes; and,

WHEREAS, it is City Council's intention that the City's salary structure be reviewed annually, with a reevaluation of the overall structure at regular intervals in order to ensure that salary levels remain consistent with the marketplace; and,

WHEREAS, City Council has determined that implementation of the Plan will include Option ____, as follows and pursuant to the aforementioned Report:_____ ; now, therefore,

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

Section 1. City Council hereby accepts and approves said Classification and Compensation Plan, with said Plan attached hereto as Exhibit "A", and made a part hereof for all purposes.

Section 2. City Council hereby acknowledges receipt of the aforementioned Final Report, with said Final Report is attached hereto as Exhibit "B", and made a part hereof for all purposes.

Section 3. City Council hereby approves Implementation Option ____, which shall be implemented as_____.

Section 4. City Council hereby acknowledges that an administrative recommendation should be maintained by the City in order to reflect necessary increases in the minimum rates, midpoints, and maximum rates appropriate for each job, that the salary structure should be reviewed annually, and that the City should reevaluate the City's overall structure at regular intervals to ensure that the City's salary levels are consistent with the marketplace.

Section 5. City Council intends that this Resolution become effective as of _____.

PASSED, APPROVED AND RESOLVED on this the _____ day of _____ 2015.

ATTEST:

APPROVED:

Linda Cernosek, **CITY SECRETARY**

Cynthia McConathy, **MAYOR**

City of Rosenberg Classification and Compensation Plan

<u>Grade</u>	<u>DBM</u>	<u>Proposed Minimum</u>	<u>Proposed Midpoint</u>	<u>Proposed Maximum</u>
1	A11	\$ 22,370	\$ 25,725	\$ 29,080
2	A12	\$ 25,653	\$ 29,501	\$ 33,349
3	A13	\$ 28,937	\$ 33,278	\$ 37,618
4	B21	\$ 30,878	\$ 37,054	\$ 43,230
5	B22	\$ 34,035	\$ 40,842	\$ 47,649
6	B23	\$ 37,182	\$ 44,618	\$ 52,054
7	B24/B31	\$ 41,123	\$ 49,347	\$ 57,572
8	B25/B32	\$ 45,848	\$ 55,017	\$ 64,187
9	C41	\$ 47,797	\$ 59,746	\$ 71,695
10	C42	\$ 50,818	\$ 63,522	\$ 76,227
11	C43	\$ 53,839	\$ 67,299	\$ 80,759
12	C44/C51	\$ 57,622	\$ 72,028	\$ 86,433
13	C45/C52	\$ 62,158	\$ 77,698	\$ 93,238
14	D61	\$ 63,405	\$ 82,427	\$ 101,449
15	D62	\$ 66,310	\$ 86,203	\$ 106,096
16	D63	\$ 69,215	\$ 89,980	\$ 110,744
17	D64/D71	\$ 72,853	\$ 94,709	\$ 116,564
18	D65/D72	\$ 77,214	\$ 100,379	\$ 123,543
19	E81	\$ 81,790	\$ 110,417	\$ 139,043
20	E82	\$ 85,880	\$ 115,937	\$ 145,995
21	E83	\$ 90,174	\$ 121,734	\$ 153,295
22	E84/E91	\$ 94,682	\$ 127,821	\$ 160,960
23	E85/E92	\$ 99,416	\$ 134,212	\$ 169,008
24	F101	\$ 104,387	\$ 140,923	\$ 177,458
1F	B21	\$ 40,875	\$ 49,050	\$ 57,224
2F	B22	\$ 47,006	\$ 56,407	\$ 65,808
3F	B23	\$ 49,356	\$ 59,227	\$ 69,099
4F	C41	\$ 56,724	\$ 65,233	\$ 73,742
5F	C44/C51	\$ 62,962	\$ 73,980	\$ 84,998
1P	B22	\$ 51,049	\$ 61,259	\$ 71,469
2P	C41	\$ 60,881	\$ 71,535	\$ 82,189
3P	C45/C52	\$ 69,330	\$ 79,729	\$ 90,129



City of Rosenberg, TX Final Report

JUNE 30, 2015



Table of Contents

- Study Background
- Overview of Work Completed
- City Compensation Philosophy
- Summary of Job Analysis
- Summary of Job Evaluation
- Summary of Job Classification Study
- Survey Methodology
- Summary of Salary Data Comparisons
- Implementation Cost Options
- Administrative Recommendations
- Attachments

Study Background

- Gallagher Benefit Services, Inc.'s Fox Lawson Group (FLG) was engaged to perform a review of job classification and compensation for the City of Rosenberg (the City) and make recommendations regarding:
 - Job structure;
 - Current state of compensation;
 - Market competitiveness of specific employee benchmarks;
 - Costs associated with recommendations; and,
 - Implementation and transition options.
- The major goal of the City is to establish market comparisons to the current level of compensation paid to all City job classifications.
- The following items were provided by the City to facilitate the study:
 - Organization materials;
 - Current job descriptions; and,
 - Current compensation and pay structure information for employees.

Study Background

- Compensation and classification objectives were identified by the City during the Strategy Initiation Phase of the project. The objectives for this study are as follows:
 - Conduct a review of existing jobs to determine appropriateness of current classification structure.
 - Identification of the City's comparator labor market.
 - Development of a pay structure where the midpoint is reflective of the defined labor market's actual rates of pay.
 - Place classifications in the salary structure based on their respective job evaluation rating based on the Decision Band Method™ and market data results.

Overview of Work Completed

Project Administration

- Philosophy/Strategies
- Broad Classes
- Market-Based Comp

Classification Study

- PDQs
- Class Structures
- Employee Allocations
- Class Specifications

Internal Alignment

- Decision Band™ Method Tool
- Job Evaluation Ratings

Compensation Study

- Market Results
- Pay Structures
- Implementation Options

Compensation Philosophy

- **Broad Class Strategies**
 - Reflects the essential duties & responsibilities
 - Type and level of work;
 - Identifies distinguishing characteristics between levels within a job series.
 - Defines career ladders & minimum qualifications
 - Provides for employee growth;
 - Provide for effective management within the regulatory environment.
 - Provides flexibility for accommodating changing work assignments.

Compensation Philosophy

- Compensation Strategies
 - Compensation
 - Compensation is defined as the value of base pay, any supplemental pay and employee benefits;
 - Cash compensation and employee benefits are evaluated independently;
 - Value of compensation consistent with that offered by employers with whom the City competes.
 - Competitive Compensation
 - Reflects multiple labor markets (both public & private);
 - Job value will utilize a combination of external market parity and internal job evaluation;
 - On average, pay grades/ranges will approximate the 50th percentile of the defined labor market.

Summary of Job Analysis

- Existing job descriptions were collected and reviewed.
- Employees completed Position Description Questionnaires (PDQs) to describe the work they are currently performing.
- A classification structure was developed that consolidated and summarized jobs based on the type and level of work currently performed within the City.
 - The City reviewed and approved the recommended classification structure.
 - The classification structure was presented and approved by the client under separate cover.
- Jobs Classifications within the proposed structure were evaluated utilizing the Decision Band™ Method (DBM).

Summary of Job Evaluation

- Provides for Internal Equity
 - Purpose
 - Job evaluation establishes the relative importance of a job to the organization. Most organizations use a systematic method to evaluate jobs.
 - Method
 - For purposes of this study, the Decision Band™ Method (DBM) is the job evaluation method utilized to evaluate internal equity between City jobs.
 - DBM Characteristics
 - The value of a job should reflect the importance of the job to the City
 - The importance of a job is directly related to the decision-making requirements of the job
 - Decision-making is common to all jobs
 - Decision-making is measurable

Summary of Job Evaluation

- **Internal Alignment**

- Methodology

- The Decision Band™ Method (DBM) is a straightforward and systematic way of looking at the duties and responsibilities, the supervisory responsibilities, and the difficulty and complexity of typical duties for each class.

- Responsibility

- DBM requires a determination of the **level of** responsibility/authority exercised by employees in individual job classes.

- Bands

- The methodology recognizes six levels or “Bands” of decision making within an organization.

- Ratings

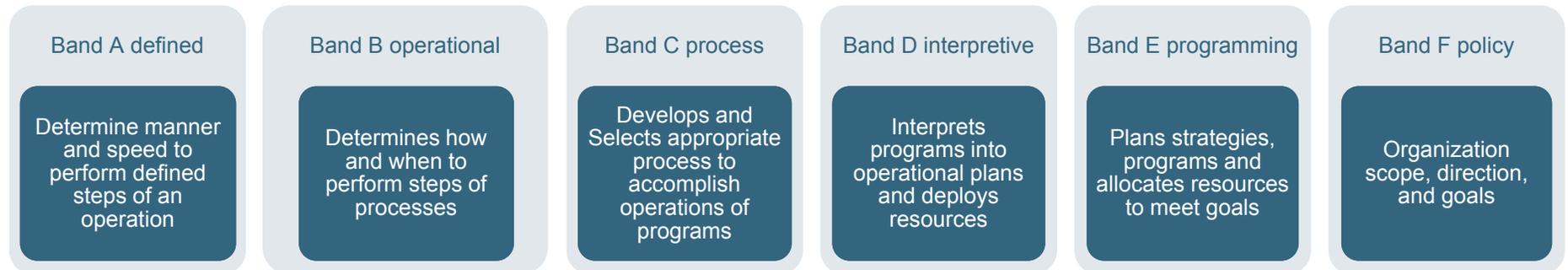
- The Decision Band™ Method was applied to each job class.

- Slotting

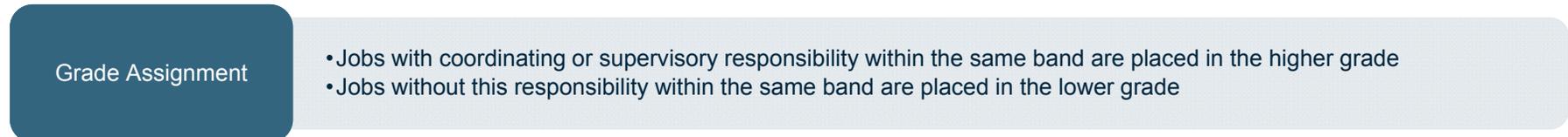
- Where market salary data was not available, job evaluation results were utilized to make recommendations.

Summary of DBM Job Evaluation

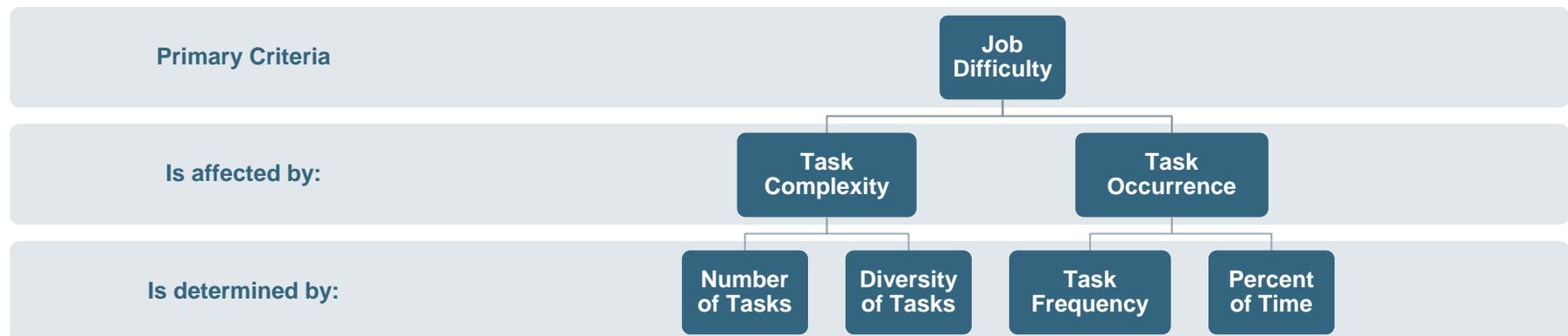
DBM Step 1: Determine appropriate band



DBM Step 2: Determine appropriate grade



DBM Step 3: Determine appropriate subgrade



Summary of Job Classification Study

Class Structure	Proposed Title	Level	DBM
Admin Support			
	Administrative Technician	1	A12-A13
	Administrative Specialist	2	B21
	Senior Administrative Specialist	3	B22-B23
	Administrative Coordinator	4	B24/B31
Code Compliance			
	Code Compliance Officer	1	A13
	Code Compliance Inspector	2	B22-B23
	Code Compliance Supervisor	3	B31
	Registered Sanitarian	Stand-alone	C41
Fiscal Services			
	Fiscal Services Technician	1	B21-B22
	Fiscal Services Specialist	2	B23
	Senior Fiscal Services Specialist	3	B31
	Fiscal Services Coordinator	4	C41-C42
Maintenance & Ops			
	Maintenance & Ops Assistant	1	A12-A13
	Maintenance & Ops Technician	2	B21-B22
	Maintenance & Ops Specialist	3	B23
	Maintenance & Ops Foreman	4	B24
	Maintenance & Ops Supervisor	5	B31-B32

Summary of Job Classification Study

Class Structure	Proposed Title	Level	DBM
Management			
	Manager	1	C44/C51
	Director	2	D61-D65/D72
	Executive Director	3	E81-E84/E91
	Assistant City Manager	4	E85
	City Manager	5	F101
Management Support			
	Management Coordinator	1	C41
	Management Analyst	2	C42
	Program Manager	3	C43
	Program Director	4	C44/C51
Public Safety Support			
	Public Safety Support Assistant	1	A12-A13
	Public Safety Support Technician	2	B21
	Public Safety Support Specialist	3	B23
	Public Safety Support Supervisor	4	B31
	Public Safety Support Coordinator	5	C41-C42

Summary of Job Classification Study

Class Structure	Proposed Title	Level	DBM
Sworn Fire			
	Firefighter	1	B21
	Senior Firefighter	2	B22
	Fire Engineer	3	B23
	Fire Captain	4	C41
	Fire Battalion Chief	5	C51
	Fire Inspector	1	B23
	Fire Marshall	2	C44
Sworn Police			
	Police Officer	1	B22
	Police Sergeant	2	C41
	Police Lieutenant	3	C52
Technology			
	Technology Support Specialist	1	B23
	Technology Supervisor	2	C42

Survey Methodology: Compiling Market Data

- Criteria utilized to determine benchmark jobs:
 - Minimum of 1/3 of job classifications;
 - Minimum of 50% of employees;
 - Representation from lowest levels to highest levels in the organization;
 - Representation across all functional areas;
 - High incumbent positions;
 - Hard to recruit positions;
 - Positions that are commonly found across employers in the marketplace so that job matches can be identified.

Survey Methodology: Comparator Organizations

- Criteria utilized to determine comparator organizations:
 - Employer size and complexity;
 - Geographic proximity to the City;
 - Nature of services provided (ie, City services);
 - Exceptions to this criteria may exist in order to achieve recruitment objectives.

Survey Methodology

- FLG, in collaboration with City Human Resources staff, requested market data from the following twenty (20) comparator market organizations:

Organization
City of Baytown
City of Bellaire
City of Conroe
City of Deer Park
City of Friendswood
City of Fulshear
City of Jersey Village
City of Katy
City of LaPorte
City of League City
City of Manvel
City of Memorial Villages
City of Missouri City
City of Pearland
City of Richmond
City of Sugar Land
City of Tomball
City of West University Place
City of Webster
Fort Bend County

- The organizations highlighted in green declined participation.
- The overall survey participation rate was 80%.

Survey Methodology

- FLG collected private sector data from the following five (5) published survey sources:

Published Survey Sources
CompData Benchmark Pro - South Central
Hay Local Area Pay
Mercer (Multiple Surveys)
PRM Not For Profit
Towers Watson (Multiple Surveys)

Survey Methodology

- FLG reviewed the data collected from selected organizations and/or published survey sources to ensure appropriate job matches and salary information.
- FLG matched comparator jobs with only those jobs that reflected at least 70% of the duties as outlined in the job description and/or PDQ.
 - If there are any questions in job matching, we reference job descriptions, organizational charts and other information to verify that the match is valid.
- All salary data are effective May 2015 and reflect an annualize basis.
- FLG follows the U.S. Department of Justice and Federal Trade Commission guidelines that state 5 job matches should exist per job in order to conduct statistical analyses and for drawing conclusions.

Survey Methodology

- FLG performed several reviews of the data to identify any extreme data and to ensure validity and reliability of the data.
- Through a statistical analysis, any salary figures that were considered extreme or an outlier in relation to all other salary figures were excluded.
- Various statistics were calculated (the 50th, 60th, and 75th percentiles and average of the market data) in analyzing the data.
- The following guidelines are used when determining the competitive nature of current compensation:
 - +/-5% = Highly Competitive
 - +/-10% = Competitive
 - +/-10-15% = Possible misalignment with market
 - >15% = Significant misalignment with market
- The data analysis was submitted through our firm's quality control process to ensure consistency, validity, and accuracy of the data presented.

Summary of Salary Data Comparisons

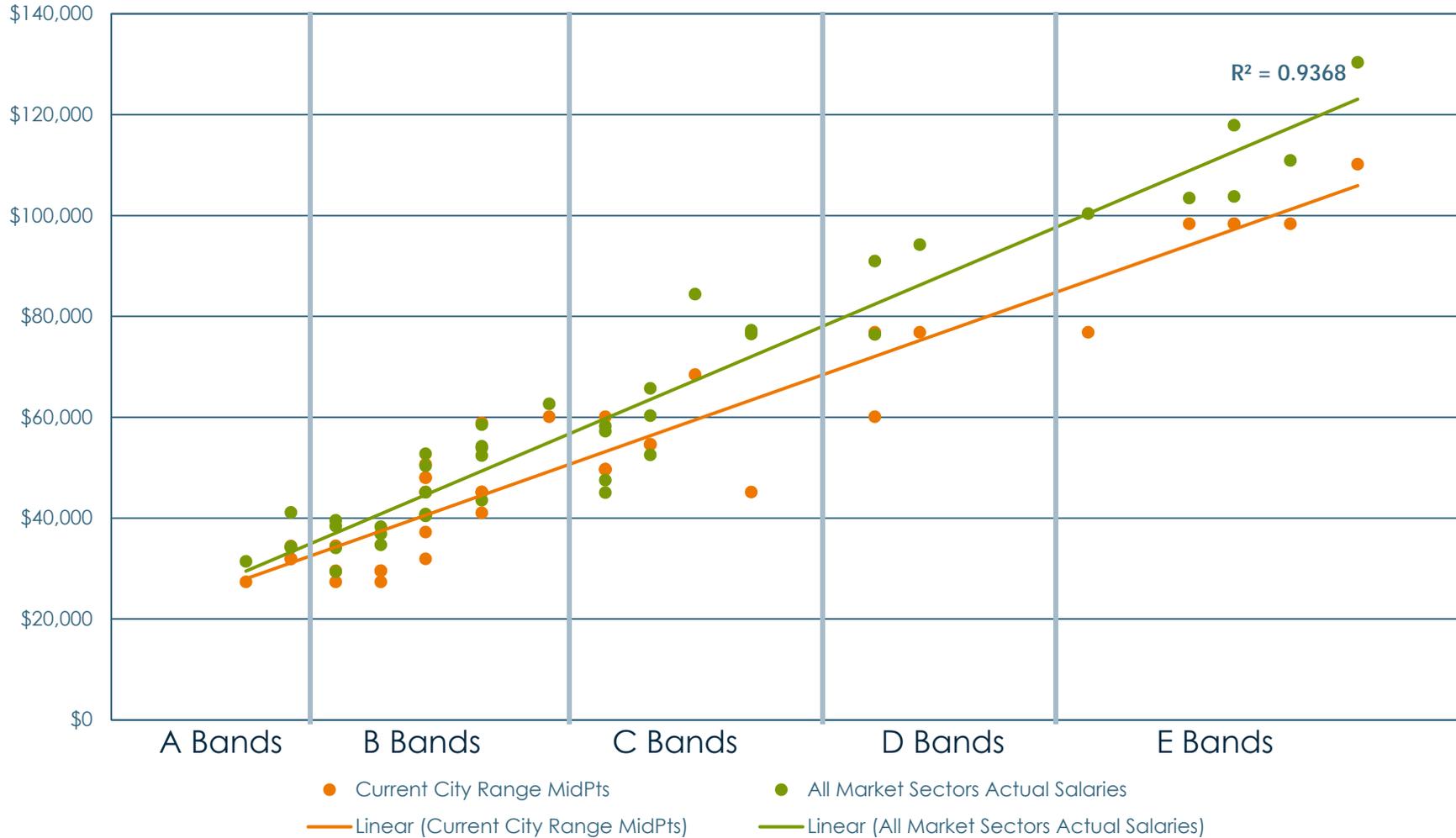
- **KEY MEASURES:** From an aggregate perspective, current range midpoints of all non-sworn jobs combined are slightly misaligned compared to the 50th percentile of actual salaries in the market, lagging the market by 12.4%.
- **KEY MEASURES:** From an aggregate perspective, current range midpoints of all sworn jobs combined are competitive compared to the 50th percentile of range maximums in the market, lagging the market by 7.3%.
- Individual benchmark comparisons vary. Longevity, performance and hiring conditions may explain some differences between the City's midpoint and actual market salary.

Summary of Salary Data Comparisons

- Graphical representations of current City range midpoints compared to the 50th percentile of actual salaries are shown on the following page and reflect how the City's range midpoints compare to market actual salaries utilizing a statistical procedure called regression analysis.
- Regression analysis was utilized to analyze the market data against the City's current range midpoints.
 - The regression trend line is used as a representation of the salary data and demonstrates the "best fit" of the market data and the City's data.

Summary of Salary Data Comparisons

City of Rosenberg
Current Range MidPoints vs Market Actual Salaries (50th %)
Non-Sworn Positions



Summary of Salary Data Comparisons

Benchmark Title	Current City Range MidPts	All Market Sectors Actual Salaries	% Diff
Accounting Clerk	\$37,211	\$42,000	-12.9%
Administrative Assistant	\$45,157	\$41,826	7.4%
Animal Control Officer	\$31,907	\$34,458	-8.0%
Animal Control Supervisor	\$45,157	\$43,526	3.6%
Assistant City Manager	\$110,178	\$128,687	-16.8%
Building Inspector	\$50,658	\$45,084	11.0%
Building Maintenance Supervisor	\$41,038	\$63,301	-54.3%
Building Official/Plan Examiner	\$60,091	\$76,401	-27.1%
City Secretary-Certified	\$76,835	\$90,960	-18.4%
Code Enforcement Officer	\$34,445	\$42,450	-23.2%
Communications Specialist	\$47,996	\$40,717	15.2%
Communications Specialist Supervisor	\$58,906	\$54,780	7.0%
Court Administrator	\$54,600	\$65,145	-19.3%
Crew Leader	\$34,445	\$39,854	-15.7%
Customer Service Representative	\$29,536	\$35,360	-19.7%
Customer Services Supervisor	\$54,600	\$54,745	-0.3%
Director of Technology	\$76,835	\$114,722	-49.3%
Driver Operator	\$48,037	\$46,699	2.8%
Executive Assistant	\$60,091	\$57,222	4.8%
Executive Director - Administrative Services	\$98,363	\$117,879	-19.8%
Executive Director Community Development	\$98,363	\$103,760	-5.5%
Finance Manager	\$45,157	\$82,180	-82.0%
Financial Analyst	\$49,650	\$59,211	-19.3%
Fire Chief	\$98,363	\$104,577	-6.3%
Fire Marshal	\$68,453	\$87,621	-28.0%

Summary of Salary Data Comparisons

Benchmark Title	Current City Range MidPts	All Market Sectors Actual Salaries	% Diff
Foreman - Street	\$45,157	\$53,912	-19.4%
Foreman - Utilities	\$45,157	\$52,388	-16.0%
GIS Administrator	\$54,600	\$65,713	-20.4%
Human Resources Director	\$76,835	\$94,208	-22.6%
IT Specialist	\$45,157	\$50,354	-11.5%
Light Equipment Operator	\$27,352	\$34,692	-26.8%
Maintenance Worker	\$27,352	\$31,406	-14.8%
Mechanic I	\$31,907	\$40,620	-27.3%
Police Chief	\$98,363	\$110,923	-12.8%
Project Director	\$76,835	\$76,485	0.5%
Public Works Supervisor	\$60,091	\$62,635	-4.2%
Recreation Program Coordinator	\$49,650	\$45,037	9.3%
Sanitarian (Registered)	\$49,650	\$47,519	4.3%
Secretary I	\$31,907	\$34,333	-7.6%
Secretary II	\$34,445	\$38,412	-11.5%
Utility Laborer	\$27,352	\$29,376	-7.4%
Utility Worker	\$29,536	\$36,881	-24.9%
Water System Tech I	\$29,536	\$38,270	-29.6%
Aggregate:			-12.4%

Summary of Salary Data Comparisons

Benchmark Title	City Range Max	Mkt Range Max	% Diff
Firefighter	\$50,159	\$61,230	-22.1%
Fire Captain	\$74,329	\$78,903	-6.2%
Battalion Chief	\$85,941	\$90,948	-5.8%
Police Officer	\$71,469	\$68,324	4.4%
Police Sergeant	\$77,168	\$83,973	-8.8%
Police Lieutenant	\$87,922	\$96,438	-9.7%
Aggregate:			-7.3%

Salary Data Recommendations

- Proposed Pay Structure: General Structure

Grade	Prop Min	Prop MidPt	Prop Max
1	\$22,370	\$25,725	\$29,080
2	\$25,653	\$29,501	\$33,349
3	\$28,937	\$33,278	\$37,618
4	\$30,878	\$37,054	\$43,230
5	\$34,035	\$40,842	\$47,649
6	\$37,182	\$44,618	\$52,054
7	\$41,123	\$49,347	\$57,572
8	\$45,848	\$55,017	\$64,187
9	\$47,797	\$59,746	\$71,695
10	\$50,818	\$63,522	\$76,227
11	\$53,839	\$67,299	\$80,759
12	\$57,622	\$72,028	\$86,433
13	\$62,158	\$77,698	\$93,238
14	\$63,405	\$82,427	\$101,449
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16	\$69,215	\$89,980	\$110,744
17	\$72,853	\$94,709	\$116,564
18	\$77,214	\$100,379	\$123,543
19	\$81,790	\$110,417	\$139,043
20	\$85,880	\$115,937	\$145,995
21	\$90,174	\$121,734	\$153,295
22	\$94,682	\$127,821	\$160,906
23	\$99,416	\$134,212	\$169,008

Salary Data Recommendations

- Proposed Pay Structure: Sworn Fire

Prop Grade	Prop Min	Prop MidPt	Prop Max
1F	\$ 40,875	\$ 49,050	\$ 57,224
2F	\$ 47,006	\$ 56,407	\$ 65,808
3F	\$ 49,356	\$ 59,227	\$ 69,099
4F	\$ 56,724	\$ 65,233	\$ 73,742
5F	\$ 62,962	\$ 73,980	\$ 84,998

- Proposed Pay Structure: Sworn Police

Grade	Prop Min	Prop MidPt	Prop Max
1P	\$ 51,049	\$ 61,259	\$ 71,469
2P	\$ 60,881	\$ 71,535	\$ 82,189
3P	\$ 69,330	\$ 79,729	\$ 90,129

Implementation Costs

- OPTION 1: Bring employees who are below the minimum of the proposed pay range minimum to the minimum rate is approximately \$276K*.
- OPTION 2: Place employees into the proposed pay structure based on time in position with movement into range based on every 2 years of service in position is approximately \$388K*. With maximum range penetration of range midpoint and no reductions in current pay.
- OPTION 3: Place employees into the proposed pay structure based on time in position with movement into range based on every 1 year of service in position is approximately \$667K*. Maximum range penetration of range midpoint and no reductions in current pay.

* The implementation costs do not include any roll-ups, such as voluntary and legally required benefits paid by the City.

Implementation Costs

- There are multiple additional implementation options available to the City which can be priced by FLG at the City's request.

Administrative Recommendations

- **Salary Structure Review/Updates**

- Annual Updates

- In order to reflect necessary increases in the minimum, job rates and maximums appropriate for each job, the salary structure should be reviewed annually. FLG can provide the City with the market percentage increase for employee salaries and salary structures on an annual basis, or the City may use a labor market index.
- It is recommended that the respective starting rates, job rates and maximums be increased by a **percentage** that reflects the market trends and the City's hiring experience. The use of a dollar amount increase would compress the structure over time.

- Long-Term Updates

- The City should reevaluate its overall structure at regular intervals (e.g., 2 to 3 years depending upon market movements) to ensure that its salary levels are consistent with the marketplace.
- This update would involve conducting a market salary study, every 2 to 3 years (depending on the economy) to make ensure that the City's pay scales and employee salaries remain competitive with it's labor market.



Arthur J. Gallagher & Co.
BUSINESS WITHOUT BARRIERS™

Thank You

Lori Messer | Senior Consultant

Gallagher Benefit Services, Inc.

480.845.6204 Main

651.234.0849 Fax

Lori_Messer@ajg.com

ITEM 1 DRAFT – SPECIAL WORKSHOP COUNCIL MEETING MINUTES JUNE 30, 2015

1. **REVIEW AND DISCUSS THE CLASSIFICATION AND TOTAL COMPENSATION STUDY AND ANALYSIS AS PRESENTED BY GALLAGHER BENEFITS SERVICES, INC., AND TAKE ACTION AS NECESSARY TO DIRECT STAFF.**

Executive Summary: On November 25, 2014, the City Council approved the Classification and Total Compensation Study and Analysis (Project) with Gallagher Benefits Services, Inc. The Project consisted of: Study Initiation and Compensation Philosophy, Classification Study, Job Evaluation, Compensation Study, and Final Report.

On January 22, 2015, a strategy meeting with the department heads and management staff was conducted and Project orientation meetings were held with City employees. Occupational Panel Meetings were held in March 2015 with department employees to provide details relating to duties, responsibilities and career development.

All employees completed a Position Description Questionnaire (PDQ) that detailed their specific position, any related supervisory responsibilities, essential duties, knowledge/skills, education, experience, special requirements, machines, tools, and equipment, decision-making and judgments, physical factors, and working conditions.

From the PDQs, Gallagher Benefits Services, Inc., created Classification Structures, Class Specifications, Class Allocation, Decision Band Method (DBM) Ratings, Pay Structures, and Implementation Options.

Lori Messer with Gallagher Benefits Services, Inc., will present the draft of Final Report at the Workshop Meeting and will be available to answer any questions that City Council may have.

Key Discussion Points: Joyce Vasut, Executive Director of Administrative Services, read the Executive Summary. Lori Messer, Senior Consultant for Gallagher Benefit Services, Inc., gave a presentation regarding the Classification and Total Compensation Study and Analysis, and presented a draft of the final report.

- Benefits were not included in the scope of the study; however, the City of Rosenberg's benefits are in line with other Houston-area cities.
- From an aggregate perspective, current range midpoints of all non-sworn jobs combined are slightly misaligned compared to the 50th percentile of actual salaries in the market, lagging the market by 12.4%.
- From an aggregate perspective, current range midpoints of all sworn jobs combined are competitive compared to the 50th percentile of range maximums in the market, lagging the market by 7.3%.
- Three implementation options were presented, although the plan could be implemented in any number of ways.
- When the compensation study was requested, there was capacity held for it in the budget in anticipation of its outcome, therefore, Finance will be including some of the recommendations of the study when preparing the final budget.
- The general consensus was to have the Finance Committee discuss the report before further presenting any recommendations for action to City Council on acceptance of the final report.

Rosenberg, Texas, appropriate documents and/or agreements regarding same; and containing other provisions relating to the subject. The motion carried by a unanimous vote.

2. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1881, A RESOLUTION REGARDING THE SELECTION OF A FIRM, PURSUANT TO REQUEST FOR PROPOSALS NO. 2014-18 FOR A CLASSIFICATION AND TOTAL COMPENSATION STUDY AND ANALYSIS; AND, PROVIDING AUTHORIZATION FOR THE CITY MANAGER TO NEGOTIATE AND EXECUTE, FOR AND ON BEHALF OF THE CITY, AN AGREEMENT FOR PROFESSIONAL SERVICES AND/OR OTHER APPROPRIATE DOCUMENTS NECESSARY TO FACILITATE SAME.**

Executive Summary: City Council indicated their commitment to identifying deficiencies within the City's current pay and benefit structure during reviews of the City's Strategic Plan and FY2015 Budget.

In order to ensure both the internal and external equity of the structure by which employees are classified and compensated, as well as the way positions relate and compare to one another across the organization, and to implement clear and consistent guidelines going forward, staff prepared Request for Proposal No. 2014-18 (RFP) for a Classification and Total Compensation Study and Analysis.

An objective, comprehensive and comparative analysis of classification and total compensation will identify and provide the necessary tools and structure for the City to:

- ensure that every employee earns an appropriate, adequate and equitable wage;
- facilitate employee development and retention;
- remain competitive and relevant in the municipal labor market; and
- provide a structured approach to add personnel in the future.

Respondents were asked to include the cost to provide a study initiation and compensation philosophy, job evaluation study, classification study, compensation study, and final report in their responses.

The RFP was posted on the City's website and distributed to eight (8) consulting firms. The City received five (5) proposals and one (1) no-bid. A staff committee, consisting of directors and the City Manager, reviewed and ranked the proposals received, determining that the most favorable submitters were Gallagher Benefit Services, Inc., and Hay Group, Inc. The two (2) firms were given an opportunity to present their proposals in person to the staff committee, and Gallagher Benefit Services, Inc., was unanimously selected to recommend to City Council. Lori Messer, Senior Consultant of Gallagher Benefit Services, Inc., will present an overview of the firm's proposal.

Staff recommends approval of Resolution No. R-1881 authorizing the selection of Gallagher Benefit Services, Inc., to prepare and present a Classification and Total Compensation Study and Analysis for the City; and further authorizes the City Manager to negotiate and execute an Agreement for Professional Services (Agreement), along with other appropriate documents as necessary.

Should City Council choose to adopt Resolution No. R-1881, the Agreement will serve as Exhibit "A" to the Resolution, and a Budget Amendment will be presented to City Council at a future meeting to allocate the necessary additional funds.

Key discussion points:

- Joyce Vasut, Executive Director of Administrative Services read the Executive Summary.
- Lori Messer, MA, CCP, Arthur Gallagher & Co. was present at the meeting to answer questions.
- A PowerPoint was presented by Joyce Vasut and Lori Messer.

Questions/Comments:

Q: Has outsourcing been recommended?

A: They are looking whether or not staffing levels are appropriate and on what is being done and what is being paid.

Q: Will all employees be asked about their present jobs and what they do?

A: Yes. It allows every employee to share what they do in their everyday work.

Q: What do you hope to get out of that?

A: Joyce Vasut stated we have a system that is broken and that is not fair and equitable. They will go over classifications to make sure they are classified correctly. Presently we use a point system that is

over 20 years old and we are not familiar with it. Human Resources would get training on the system to help us keep going. It will be a plan on how to attract employees and keep them.

Q: With the development of an organization compensation system and salary structure, will the project be updated to stay current?

A: Yes, annual recommended salary structure adjustments based on real market data are provided.

Q: Will there be organization charts telling the hierarchy of the organization?

A: No, that is not part of the scope.

Q: What do you mean regarding a broken system?

A: Staff is not familiar with the system developed 20 years ago.

- Councilor Benton expressed concern with the funding of a study and suggested current staff with the help of an intern could pole other cities for comparisons. He does not feel a study is needed.
- Mayor Morales, Councilor McConathy, Pena, Euton, Grigar and Barta agreed the study is needed and is long overdue.

Action: Councilor McConathy made a motion, seconded by Councilor Barta to approve Resolution No. R-1881, a Resolution regarding the selection of a firm, pursuant to Request for Proposals No. 2014-18 for a Classification and Total Compensation Study and Analysis; and, providing authorization for the City Manager to negotiate and execute, for and on behalf of the City, an Agreement for Professional Services and/or other appropriate documents necessary to facilitate same. **The motion carried by a vote of 6 to 1 as follows: Yeses: Mayor Morales, Councilors McConathy, Pena, Euton, Grigar and Barta. No: Councilor Benton.**

3. **HOLD EXECUTIVE SESSION FOR CONSULTATION WITH ATTORNEY TO SEEK ADVICE ON LEGAL MATTERS PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE CONCERNING THE UNITED STATES SECURITIES AND EXCHANGE COMMISSION'S MUNICIPALITIES CONTINUING DISCLOSURE COOPERATION INITIATIVE.**

Action: Councilor McConathy made a motion, seconded by Councilor Barta to adjourn for Executive Session. The motion carried by a unanimous vote.

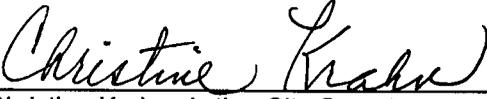
An Executive Session was held for consultation with Attorney to seek advice on legal matters pursuant to Section 551.071 of the Texas Government Code concerning the United States Securities and Exchange Commission's Municipalities Continuing Disclosure Cooperation Initiative.

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

Mayor Morales adjourned the Executive Session and reconvened into Special Session at 7:18 p.m. No action was taken as a result of Executive Session.

5. **ADJOURNMENT.**

There being no further business Mayor Morales adjourned the meeting at 7:19 p.m.



Christine Krahn, Acting City Secretary



CITY COUNCIL COMMUNICATION

July 07, 2015

ITEM #	ITEM TITLE
10	Resolution No. R-1993 - Budget Amendment 15-12
ITEM/MOTION	
Consideration of and action on Resolution No. R-1993, a Resolution authorizing the City Manager to execute, for and on behalf of the City, Budget Amendment 15-12, in the amount of \$98,325 for the water line oversizing for the Texas State Technical College Project.	
FINANCIAL SUMMARY	ELECTION DISTRICT

Annualized Dollars:

- One-time
- Recurring
- N/A

Budgeted:

- Yes No N/A

Source of Funds:

See Attached

 District 1 District 2 District 3 District 4 City-wide N/A**SUPPORTING DOCUMENTS:****MUD #:** N/A

1. Resolution No. R-1993
2. Resolution No. R-1992 – 06-22-15
3. City Council Meeting Draft Minute Excerpt – 06-22-15

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

At the June 22, 2015 Special Meeting, City Council approved Resolution No. R-1992 which authorized funds in an amount not to exceed \$100,000 for oversizing the water line to serve the Texas State Technical College (TSTC) in order to accommodate additional future development around the Fort Bend campus. Budget Amendment 15-12 in the amount of \$98,325 is for the delta between 12-inch and 16-inch upsize of the water line for the TSTC Project. Staff recommends allocating the necessary funds from the Subsidence Fund, Retained Earnings.

Budget Amendment 15-12 is included as Exhibit "A" to Resolution No. R-1993. Staff recommends approval of Resolution No. R-1993 as presented.

RESOLUTION NO. R-1993

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 15-12, IN THE AMOUNT OF \$98,325 FOR THE WATER LINE OVERSIZING FOR THE TEXAS STATE TECHNICAL COLLEGE PROJECT.

* * * * *

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

Section 1. The City Council hereby authorizes Budget Amendment 15-12 (Amendment), in the amount of \$98,325 for the water line oversizing for the Texas State Technical College project. 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**

Cynthia McConathy, **Mayor**

RESOLUTION NO. R-1992

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROSENBERG, TEXAS, REGARDING FUNDING FOR THE OVERSIZING OF A WATER LINE FOR THE TEXAS STATE TECHNICAL COLLEGE (TSTC) FORT BEND CAMPUS IN AN AMOUNT NOT TO EXCEED \$100,000.

* * * * *

WHEREAS, on May 26, 2015, the City Council approved Resolution No. R-1974 authorizing the Mayor to execute a Development Agreement by and between the City and the Henderson-Wessendorff Foundation; and,

WHEREAS, said Development Agreement provides for the Henderson-Wessendorff Foundation to convey approximately 80.033 acres of land, in phases, to the Texas State Technical College (TSTC), an institution of higher education and an agency of the State of Texas, and Texas State Technical College Foundation plans to develop a technical education facility, in phases; and,

WHEREAS, said Development Agreement provides for the City of Rosenberg to participate in the costs associated with oversizing certain lines that will be constructed to serve said technical education facility; now therefore,

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

Section 1. The City Council hereby authorizes funding necessary to oversize the 12-inch water line to serve the TSTC Fort Bend Campus to a 16-inch water line to serve same and additional future development in an amount not to exceed \$100,000.

Section 2. The City Manager is hereby authorized to negotiate and execute any documentation necessary to facilitate said project.

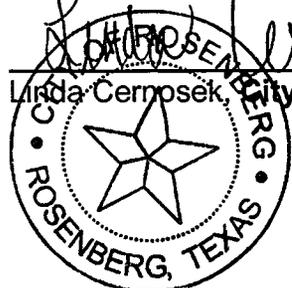
PASSED, APPROVED, AND RESOLVED this 12th day of June 2015.

ATTEST:

APPROVED:



Linda Cernosek, City Secretary





Cynthia McConathy, Mayor

Budget Amendment 15-11, in the amount of \$552,000 includes the following items:

1. Information Technology has determined that the City is not currently compliant with Microsoft requirements for licensing. For a cost of \$93,200, the City could purchase the licensing and servers necessary to bring the City into compliance.
2. Several pieces of equipment were ranked extremely high due to the safety and maintenance concerns. These requests included an asphalt patch truck for \$119,000, and a bucket truck in the amount of \$97,000. An additional request in the amount of \$20,000 is for a field maintainer requested by the Parks and Recreation Department. This request is one of the items that was not funded in the FY2015 budget. The final piece of equipment is a motor grader for \$152,000. The current motor grader is a 1999 model and has had numerous break downs that are very costly and difficult to fix due to the age of the equipment.
3. The current electricity service drop for Wastewater Treatment Plant No. 1-A (WWTP No. 1-A) is leaning to the point that it is in danger of falling over. This request includes repairing and replacing the incoming electrical service drop to WWTP No. 1-A by building a new service drop and installing a manual transfer switch to quickly connect an alternative power supply. The estimated cost is \$70,800.

Budget Requests Forms were included in the agenda packet. All of these items can be funded from General Fund Balance (Items 1 and 2) and Water/Wastewater Fund Retained Earnings (Item 3). Budget Amendment 15-11 is included as Exhibit "A" to Resolution No. R-1988. Staff recommends approval of Resolution No. R-1988 as presented.

Key Discussion Points:

- Joyce Vasut read the Executive Summary and explained that the current year general fund balance is \$12.1M.
- James Lewis, Director of Technology, stated that an internal assessment determined the lapse in current licensing, and the \$93,200 would be a one-time purchase per Client Access License. He clarified that we do not have as many licenses as we have users.
- John Maresh, Assistant City Manager of Public Services, explained the current condition of the vehicles in question and their potential liability.
- Darren McCarthy, Parks and Recreation Director, stated that the field maintainer would be used primarily on the softball field, which is comprised of dirt and clay and requires special equipment.

Action: Councilor Euton made a motion, seconded by Councilor Moses, to approve Resolution No. R-1988, a Resolution authorizing the City Manager to execute, for and on behalf of the City, Budget Amendment 15-11, in the amount of \$552,000 for information technology licensing and server, certain pieces of equipment and electrical improvements for Wastewater Treatment Plant No. 1-A. The motion carried by a unanimous vote of those present.

4. CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1992, A RESOLUTION REGARDING FUNDING FOR THE OVERSIZING OF A WATER LINE FOR THE TEXAS STATE TECHNICAL COLLEGE (TSTC) FORT BEND CAMPUS IN AN AMOUNT NOT TO EXCEED \$100,000.

Executive Summary: On May 26, 2015, the City of Rosenberg executed a Development Agreement (Agreement) with the Henderson-Wessendorff Foundation. Further, the Agreement provides the City with the option to require certain utility lines to be oversized to serve land outside the tract, provided that the City bears the costs of the oversizing. This Agenda item provides City Council with the opportunity to discuss proposed funding necessary to oversize a water line to support additional development around the Texas State Technical College (TSTC) Campus.

The City will be provided oversizing costs and then make the election whether to require the oversizing. Upon completion of the line, the City will credit applicable impact fees owed by the property owner against the oversizing costs and pay the property owner the difference up to a maximum amount of \$100,000. Under current consideration is the oversizing of a water line from a 12-inch line to serve only this property to a 16-inch line that will ultimately be needed to support growth and development in this general area of the City and as a part of the City's Capital

Improvements Program (CIP) to meet the Fort Bend Subsidence District mandate to reduce groundwater withdrawals by 60% in 2025.

TSTC plans to receive bids on June 15, 2015, and the City will have to commit to the oversizing and provide a funding source no later than the June 16, 2015 City Council Meeting. If the City elects not to oversize the line at this time, the property owner will be authorized to build the line in a size only to serve the property. Additional water lines or the replacement of this line with a larger one would then have to be funded at such time development occurs in this area of the City. If the City elects to require the line under consideration to be oversized, the City will pay the oversizing costs minus any applicable impact fees up to \$100,000 upon completion of the line. A budget adjustment will also be required.

Staff recognizes the long-term benefits oversizing will provide to future development of this area, and further recommends approval of Resolution No. R-1992, a Resolution regarding funding for the oversizing of a water line for the Texas State Technical College (TSTC) Fort Bend Campus in an amount not to exceed \$100,000.

Key Discussion Points: John Maresh, Assistant City Manager, read the Executive Summary and explained that, by spending this money now, we will be saving a tremendous amount of money in the future by not having to expand the line after construction is completed. The money will be coming from the subsidence fund.

Action: Councilor Barta made a motion, seconded by Councilor Benton, to approve Resolution No. R-1992, a Resolution regarding funding for the oversizing of a water line for the Texas State Technical College (TSTC) Fort Bend Campus in an amount not to exceed \$100,000. The motion carried by a unanimous vote of those present.

5. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1973, A RESOLUTION AUTHORIZING THE PARKS AND RECREATION DEPARTMENT TO SUBMIT AN APPLICATION FOR THE 100 TREES FOR 100 CITIES GRANT PROGRAM.**

Executive Summary: On May 28, 2015, at the regularly scheduled Parks and Recreation Board (Board) meeting, Darren McCarthy informed the Board of a grant program with the Texas A&M Forest Service that offers 100 cities to be given 100 tree seedlings. The Board unanimously approved the request to apply for the trees. If awarded, the trees would be placed in and around Community Park.

Staff recommends approval of Resolution No. R-1973, a Resolution authorizing application, attached as Exhibit "A", to the 100 Trees for 100 Cities grant program.

Key Discussion Points: Darren McCarthy, Parks and Recreation Director, read the Executive Summary and indicated that Community Park is barren and in need of shade in the specific areas where he intends to plant the trees if awarded.

Action: Councilor Benton made a motion, seconded by Councilor Euton, to approve Resolution No. R-1973, a Resolution authorizing the Parks and Recreation Department to submit an application for the 100 Trees for 100 Cities grant program. The motion carried by a unanimous vote of those present.

6. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1980, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE, FOR AND ON BEHALF OF THE CITY, A CONTRACT EXTENSION FOR GROUNDS MAINTENANCE SERVICES, BY AND BETWEEN THE CITY AND LANDSCAPE PROFESSIONALS OF TEXAS, IN THE AMOUNT OF \$64,362 FOR A TERM OF ONE (1) YEAR, TERMINATING ON JUNE 04, 2016.**

Executive Summary: On May 20, 2014, City Council approved Resolution No. R-1790, which awarded Bid No. 2014-02 for Grounds Maintenance Services to Landscape Professionals of Texas, for a (1) year term effective June 01, 2014, through June 02, 2015. The services include mowing at the following City locations: Rosenberg City Hall, Rosenberg Police Department, Rosenberg Civic Center, Rosenberg Fire Department Administration Building, Rosenberg Fire Departments No. 1, No. 2 and No. 3, the Rosenberg Cemetery, Water Plants, and Lift Stations.



CITY COUNCIL COMMUNICATION

July 07, 2015

ITEM #	ITEM TITLE
11	Resolution No. R-1996 - FY2016 Budget Priorities
ITEM/MOTION	
Consideration of and action on Resolution No. R-1996, a Resolution approving FY2016 Budget Priorities.	
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-1996
2. City Council Meeting Draft Minute Excerpt – 06-23-15

APPROVALS

Submitted by:

Joyce Vasut
Executive Director of
Administrative Services

Reviewed by:

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

Approved for Submittal to City Council:

Robert Gracia
City Manager

EXECUTIVE SUMMARY

As part of the FY2016 Budget process, each Department was asked to submit their needs, not including operational expenses, for FY2016. The needs were submitted as either a (1) capital request (over \$100,000), (2) a supplemental request (under \$100,000), or (3) a personnel request. The majority of the items requested were identified during the strategic planning process. Once the requests were compiled, City management (Department Directors) met and prioritized the requests.

A listing of requests, as prioritized by management, was presented to City Council at the June 23, 2015 City Council Workshop for discussion. Based on the discussion, City Council prioritized the requests from one (1) to twenty-five (25). The top 25 requests, as prioritized by City Council, were presented at the June 30, 2015 Special City Council Workshop. A minute excerpt was not yet available at print time for this Agenda packet.

Resolution No. R-1996 includes the 25 highest prioritized requests and, should City Council approve, allows City staff to determine the number of items that may be funded and included in the proposed FY2016 Budget. Staff recommends approval of Resolution No. R-1996.

RESOLUTION NO. R-1996

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROSENBERG, TEXAS, APPROVING FY2016 BUDGET PRIORITIES.

* * * * *

WHEREAS, City of Rosenberg Department Directors have submitted specific budget requests for capital requests, supplemental requests, or personnel requests for consideration in the FY2016 Budget planning process; and,

WHEREAS, City Council has prioritized twenty-five (25) of the said budget requests for possible inclusion in the proposed FY2016 Budget; now, therefore,

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

Section 1. The City Council hereby approves the FY2016 Budget Priorities.

Section 2. A copy of said FY2016 Budget Priorities 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**

Cynthia McConathy, **Mayor**

**CITY OF ROSENBERG, TEXAS
2015-16 BUDGET**

FY2016 BUDGET REQUESTS

- 1 ***Fleet Service Technician part-time to full time - Fleet***
- 2 *Shop Heater - Fleet*
- 3 ***Planning - reinstate second position (Including equipment)***
- 4 ***Additional Police Officer (including equipment & vehicle)***
- 5 ***Capital Project Manager***
- 6 *Replace Firewall - Technology*
- 7 ***Three (3) Fire Fighters to add one to each shift***
- 8 *Rescue Equipment - Fire*
- 9 ***Additional Traffic Officer (including equipment & vehicle)***
- 10 ***Contract Inspector converted from Light Equipment Operator (Vehicle)***
- 11 ***Battalion Chief of Prevention Division (including equipment & vehicle)- Fire***
- 12 *Increase Life & AD&D Insurance to \$25000 per full-time employee - HR*
- 13 *Ticket Writers - Technology*
- 14 *Brick Fence Repair - Police*
- 15 *Body Camera Units - Police*
- 16 *Vision Insurance for full-time employees - HR*
- 17 *ERP (Enterprise Resource Planning) - Technology*
- 18 ***Crime Analyst (including equipment)***
- 19 ***Enterprise Technology Administrator - Technology Department***
- 20 *ECCS (Phone System) - Technology*
- 21 ***Additional CID Detective (including equipment & vehicle)***
- 22 *City Website Update/Upgrade - Information Services (IS)*
- 23 ***Additional Police Officer (including equipment)***
- 24 *Officer Self Aid Buddy Kits - Police*
- 25 *EESS (Enterprise Event Scheduling Software) - Technology*

Warren, Police Chief, confirmed that there are laws in place which require sidewalks be used by pedestrians rather than the streets whenever they are available, and that cars should not block sidewalk paths. As such, it is important to provide a suitable footpath for pedestrians in order to uphold these laws. After discussion, the general consensus of Council was to move forward with Phase I of the Sidewalk Replacement Project, and to continue to investigate ongoing concrete issues and prioritize them for repair.

2. **REVIEW AND DISCUSS A PRESENTATION ON ACTIVITIES OF THE TEXAS MAIN STREET PROGRAM, AND TAKE ACTION AS NECESSARY TO DIRECT STAFF.**

Executive Summary: This item has been added to provide City Council with an overview of the activities of the Rosenberg Main Street Program. Included in the agenda packet are draft rules and guidelines for two (2) proposed grant programs the Main Street Advisory Board is considering for visual improvements made to properties within the Main Street District. These grant programs are in the initial planning phase and are being presented for informational purposes at this time.

Should the Main Street Advisory Board choose to move forward with implementation of these programs, they would be placed on a future City Council Agenda for consideration.

Key Discussion Points: Dan Kelleher, Main Street Manager, gave information on the background of the Main Street Program and the specific initiatives the Main Street Program in Rosenberg has accomplished in the last few months. Through collaboration, the businesses in downtown Rosenberg have been able to work together to preserve history and promote growth. After discussion, Council was supportive of the Main Street Program, and hopes to see quantitative measures in the future in order to promote further success of the program.

3. **REVIEW AND DISCUSS STREET SWEEPING SERVICES, AND TAKE ACTION AS NECESSARY TO DIRECT STAFF.**

Executive Summary: This item has been included to allow City Council an opportunity to discuss street sweeping services and to direct staff as necessary.

Key Discussion Points: William Benton, Councilor, At Large Position One, introduced Scott Coral of Custom Sweeping. Council thanked Mr. Coral for the service that has been provided, but asked that the drivers be advised to use more water and dump their dirt collection bins more frequently in order to improve the overall quality of the street sweeping services. Mr. Coral assured Council that the trucks are recently purchased with the greatest number of water heads, and explained that the recent onslaught of rain has contributed to a greater amount of dust and debris in the roadways.

4. **REVIEW AND DISCUSS FY2016 BUDGET PRIORITIES, AND TAKE ACTION AS NECESSARY TO DIRECT STAFF.**

Executive Summary: As part of the FY2016 Budget process, each department was asked to submit their needs, not including operational expenses, for FY2016. The needs were submitted as a capital request (over \$100,000), a supplemental request (under \$100,000), or a personnel request. The majority of the items requested were identified during the strategic planning process.

Once the requests were compiled, City management (Department Directors) met and prioritized the requests. A listing of requests, as prioritized by management, was included for review along with each individual request form, as submitted by the department.

This item has been placed on the Workshop Agenda to provide City Council the opportunity to review the listing as prioritized by staff. Staff will be available to answer any questions.

The prioritized listing will be presented to City Council for consideration at a future regular City Council Meeting in the form of a Resolution. Once approval is received, City staff will determine the number of items that can be funded and included in the FY2016 Proposed

Budget.

Key Discussion Points: Joyce Vasut, Executive Director of Administrative Services, read the Executive Summary, gave a presentation on FY2016 Budget Requests as prioritized by staff, and requested Council's feedback in order to move forward.

General

- Council expressed concern with the current number of personnel, and requested to see a spreadsheet of how many people are in each department before adding additional personnel.
- After the Compensation Study is completed next week, staff will include the accurate numbers for all requested personnel costs in the budget.
- Staff will also need to consider whether there will be a work area for each of the personnel positions requested.
- Council requested to see the priorities list with departmental totals in the future.

Human Resources

- In 2014-15, the City had a total of 261 employees; in 2013-14, the City had 235 employees; in 2011-12, the City had 221 employees.
- The City currently can only process paper applications via fax or in person; the budget request for HR Application and Onboarding would allow online applications and filtering of candidates.
- City employees currently have the option to apply for external life and death insurance, but they do not benefit from a group rate at this time. By moving these insurance options to our current health insurance plan, it was recently determined that these costs would be partially offset in health plan savings.
- Council requested that the car allowance proposed for the Assistant Human Resources Director as opposed to mileage reimbursement be eliminated.

Police Department

- Current staffing level in the Police Department is 73 officers.
- The Police Department (PD) uses an allocation model to determine the number of officers needed in order to meet the current demands of services.
- The PD is requesting two additional patrol officers, two additional traffic officers, and one additional Criminal Investigations Division (CID) Detective, specifically for Special Crimes – Sex Offenses.
- The Crime Analyst position would be a base salary of approximately \$40,000, and the CID Detective would be around \$51,000, similar to the other officers.
- Some of the police resources could be considered through special revenue accounts or federal funding. The PD applies for grants to fund these positions whenever possible, including two of the positions currently listed.

Fire Department

- The Battalion Chief position would report to the Fire Marshal. It will allow continuity in the Fire Marshal office by providing backup for the field positions when they take vacation or call in sick, rather than removing the Fire Marshal from his position in order to fill in. The salary would be higher than the inspector position but lower than the Fire Marshal position.
- Base salary for firefighter positions before the Compensation Study is finalized is \$42,000, not including the safety gear associated with the position.
- Council requested specific line items listed for Fire Department hydraulic rescue tools during the budget process.

IT Department

- The technology requests are at the request of other departments, but fit into the overall Technology Strategic Plan.
- Enterprise Resource Planning would essentially become the core system of the City –

including general ledger, payroll, accounts payable, accounts receivable, utility billing, permits, code enforcement, and human resources.

- The cost of the software would either come from the general fund, or it may be spread across departments if it is funded through the technology fund.
- The phone contract ends in 2016, and the IT Department is going to try to extend the contract a little before investing in a new system.
- The phone system would not require additional personnel for maintenance; the internal technician is working on his Cisco license.

Public Works

- For the Contract Inspector position, the plan is to convert the position and not hire an additional light equipment operator. The difference in annual salary cost to the City would be approximately \$10,000, plus the initial purchase of a vehicle.
- A Capital Project Manager would alleviate the Project Director and Assistant City Manager workloads, and help in keeping the projects on track and on time. This position would report to the Project Director.

Council will review the list and submit their preferences via email to the Finance Director by Friday in order to have those items which they deem most necessary reflected on the Resolution.

5. **REVIEW AND DISCUSS FY2016 CAPITAL IMPROVEMENT PROGRAM, AND TAKE ACTION AS NECESSARY TO DIRECT STAFF.**

Executive Summary: This Agenda item provides City Council the opportunity to review staff's recommendation for the FY2016 Capital Improvements Projects (CIP), as well as the FY2017 through FY2020 CIP.

The Executive Director of Administrative Services will provide a brief summary and the funding status of the proposed Projects. Discussions may be held regarding the Projects listed and recommendations made to finalize the FY2016 Capital Improvement Projects and the FY2017-FY2020 CIP to be considered by City Council at a future meeting.

Key Discussion Points: Joyce Vasut gave a presentation on the Capital Improvement Program for FY2016.

- These projects would be started in FY2016, but not necessarily completed in the same FY.
- The total needed is over the \$10M bank qualified limit, which is allowed at a lower interest rate, so in order to remain under \$10M, it is proposed that the projects be funded partially in the 2015 calendar year and partially in the 2016 calendar year. This would utilize the total of the bank qualified capacity for both years.
- Last year we added a substantial amount (approximately \$4M) to the fund balance because our sales tax increased and we were conservative in our estimates, so the fund balance will be able to support more projects this year while keeping the balance above the level set by our policy.
- The estimated cost of all of the projects included on the FY2016 Capital Improvement Program is \$44M.
- Our current debt is approximately \$70M, not including future obligations.
- The Spacek Road Sewer Line and Sewer Lift Station are tied to the Bryan Road Project because those utility lines will need to be installed as part of that project. The Lift Station at Bryan Road is at 180% of its capacity, so we need to relieve that at Spacek.
- The general consensus of Council is that most of these projects are important and need to be funded.

6. **REVIEW AND DISCUSS THE AD VALOREM TAX RATE FOR TAX YEAR 2016, AND TAKE ACTION AS NECESSARY TO DIRECT STAFF.**

Executive Summary: This Agenda item will provide City Council an opportunity to discuss the City's tax rate for FY2016. Staff will provide tax rate information, including discussions regarding



CITY COUNCIL COMMUNICATION

July 07, 2015

ITEM #	ITEM TITLE
12	Resolution No. R-1997 – FY2016 Capital Improvement Plan
ITEM/MOTION	
Consideration of and action on Resolution No. R-1997, a Resolution approving Capital Improvement Plan priorities for FY2016.	
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-1997
2. City Council Meeting Draft Minute Excerpt – 06-23-15
3. Planning Commission Meeting Minute Excerpt – 05-20-15

MUD #: N/A

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

During the FY2016 Budget process, staff reviewed the current Capital Improvement Plan (CIP) and is recommending that a total of twenty-three (23) projects be addressed in FY2016. Exhibit "A" to Resolution No. R-1997 lists the twenty-three (23) individual projects. The Planning Commission met on May 20, 2015, and also recommended approval of the projects proposed for the FY2016 CIP. These projects were also presented to City Council at the June 23, 2015 City Council Workshop.

Existing funding is available for of eleven (11) of the Capital Projects. Three (3) projects can be funded using General Fund Balance which will require a budget adjustment at a future meeting. The Railroad Quiet Zones Project is awaiting additional costing information before funding can be determined.

There are several remaining Capital Projects which are not completely funded. Funding for these projects may include the issuance of Certificates of Obligation, as follows:

- **Issue Certificates of Obligation – November 2015 - \$4,915,200 (to be paid with Subsidence Fees)**
 - Chloramine Conversion System (GRP) - \$376,200
 - Water Plant No. 8 (GRP) - \$4,539,000
- **Issue Certificates of Obligation – November 2015 - \$5,000,000 (to be paid with Water/Wastewater fees)**
 - WWTP 1A Collection System (Phase Two) - \$5,000,000

- **Issue Certificates of Obligation - March 2016 - \$5,612,000**
 - Bryan Road – \$2,300,000
 - Spacek Road Improvements - Phase II – \$312,000
 - Old Richmond Road/Jennetta Street and Avenue F Drainage - \$3,000,000

- **Issue Certificates of Obligation – March 2016 - \$4,317,000
(to be paid with Water/Wastewater fees)**
 - Spacek Road Sewer Lift Station - \$2,617,000
 - Spacek Road Sewer Line - \$1,700,000

The actual details regarding the issuance of Certificates of Obligation, including the dollar amounts and timing of the issues, will be analyzed and strategized during the first quarter of FY2016 to determine the best options for the City.

Approval of Resolution No. R-1997 will establish the City's FY2016 Capital Improvements Plan and allow for the projects to be properly included in the proposed FY2016 Budget. Staff recommends approval of Resolution No. R-1997.

RESOLUTION NO. R-1997

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROSENBERG, TEXAS, APPROVING CAPITAL IMPROVEMENT PLAN PRIORITIES FOR FY2016.

* * * * *

WHEREAS, the City staff of the City of Rosenberg has identified its priorities for Capital Improvement Projects; and,

WHEREAS, the City Manager has recommended twenty-three (23) Capital Improvement Projects to be addressed in FY2016; and,

WHEREAS, the FY2016 Budget will include funding for the majority of the recommended Capital Improvement Projects and recommendations for funding other projects; now, therefore,

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

Section 1. City Council hereby approves the FY2016 Capital Improvements Plan for the City of Rosenberg which 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**

Cynthia McConathy, **Mayor**

FY2016 CAPITAL IMPROVEMENT PROJECTS

GENERAL/STREETS AND DRAINAGE PROJECTS

1. Airport Avenue – Phase Two
2. **Avenue C Connector from 8th Street to River Road**
3. **Bamore Road Connector to I-69**
4. Bryan Road
5. Dry Creek Drainage Improvements
6. FM 2218 from I-69 to State Highway 36 (TxDOT)
7. **Old Richmond Road/Jennetta Street and Avenue F Drainage**
8. **Railroad Quiet Zones**
9. Sidewalks – Replace/Removal of Existing
10. Spacek Road Improvements – Phase Two
11. **State Highway 36 from I-69 to FM2218 (TxDOT)**
12. Traffic Signal at Reading Road and Town Center Boulevard
13. Traffic Signal for Reading Road at Spacek Road
14. US Highway 59/I-69 Expansion from FM 762 to **Beasley** (TxDOT)

WATER AND WASTEWATER PROJECTS

Alternate Water Projects (GRP):

15. **A Meyer Road/Benton Road/Rohan Road Waterline Extensions/Oversizing (GRP)**
16. **Chloramine Conversion System (GRP)**
17. FM 2977 Water Storage Tank (GRP)
18. **Water Plant No. 8 (GRP)**

Other Water and Wastewater Projects:

19. **North Side Water Improvements – Phase Three**
20. Spacek Road Sewer Lift Station
21. Spacek Road Sewer Line
22. Utility Adjustments for I-69 Improvement Project (TxDOT)
23. **WWTP 1A Collection System – Phase Two**

including general ledger, payroll, accounts payable, accounts receivable, utility billing, permits, code enforcement, and human resources.

- The cost of the software would either come from the general fund, or it may be spread across departments if it is funded through the technology fund.
- The phone contract ends in 2016, and the IT Department is going to try to extend the contract a little before investing in a new system.
- The phone system would not require additional personnel for maintenance; the internal technician is working on his Cisco license.

Public Works

- For the Contract Inspector position, the plan is to convert the position and not hire an additional light equipment operator. The difference in annual salary cost to the City would be approximately \$10,000, plus the initial purchase of a vehicle.
- A Capital Project Manager would alleviate the Project Director and Assistant City Manager workloads, and help in keeping the projects on track and on time. This position would report to the Project Director.

Council will review the list and submit their preferences via email to the Finance Director by Friday in order to have those items which they deem most necessary reflected on the Resolution.

5. **REVIEW AND DISCUSS FY2016 CAPITAL IMPROVEMENT PROGRAM, AND TAKE ACTION AS NECESSARY TO DIRECT STAFF.**

Executive Summary: This Agenda item provides City Council the opportunity to review staff's recommendation for the FY2016 Capital Improvements Projects (CIP), as well as the FY2017 through FY2020 CIP.

The Executive Director of Administrative Services will provide a brief summary and the funding status of the proposed Projects. Discussions may be held regarding the Projects listed and recommendations made to finalize the FY2016 Capital Improvement Projects and the FY2017-FY2020 CIP to be considered by City Council at a future meeting.

Key Discussion Points: Joyce Vasut gave a presentation on the Capital Improvement Program for FY2016.

- These projects would be started in FY2016, but not necessarily completed in the same FY.
- The total needed is over the \$10M bank qualified limit, which is allowed at a lower interest rate, so in order to remain under \$10M, it is proposed that the projects be funded partially in the 2015 calendar year and partially in the 2016 calendar year. This would utilize the total of the bank qualified capacity for both years.
- Last year we added a substantial amount (approximately \$4M) to the fund balance because our sales tax increased and we were conservative in our estimates, so the fund balance will be able to support more projects this year while keeping the balance above the level set by our policy.
- The estimated cost of all of the projects included on the FY2016 Capital Improvement Program is \$44M.
- Our current debt is approximately \$70M, not including future obligations.
- The Spacek Road Sewer Line and Sewer Lift Station are tied to the Bryan Road Project because those utility lines will need to be installed as part of that project. The Lift Station at Bryan Road is at 180% of its capacity, so we need to relieve that at Spacek.
- The general consensus of Council is that most of these projects are important and need to be funded.

6. **REVIEW AND DISCUSS THE AD VALOREM TAX RATE FOR TAX YEAR 2016, AND TAKE ACTION AS NECESSARY TO DIRECT STAFF.**

Executive Summary: This Agenda item will provide City Council an opportunity to discuss the City's tax rate for FY2016. Staff will provide tax rate information, including discussions regarding

PLANNING COMMISSION MEETING MINUTES

On this the 20th day of May 2015, the Planning Commission of the City of Rosenberg, Fort Bend County, Texas, met in a regular meeting at the Rosenberg City Hall Council Chamber, 2110 4th Street, Rosenberg, Texas 77471.

COMMISSIONERS PRESENT

Pete Pavlovsky	Planning Commission Chairperson
Wayne Poldrack	Planning Commission Secretary
Alicia Casias	Planning Commissioner
Mike Parsons	Planning Commissioner
James Urbish	Planning Commissioner

STAFF PRESENT

Travis Tanner	Executive Director of Community Development
Charles Kalkomey	City Engineer
Janet Eder	Secretary II
John Maresh	Assistant City Manager of Public Services
Joyce Vasut	Executive Director of Administrative Services

OTHERS PRESENT

Geoff Freeman	BGE/Kerry R. Gilbert & Associates (Walnut Creek Section Thirteen)
Daniel Valdez	Jones & Carter, Inc. (Stonecreek Estates Section One)
Carol Redd	EHRA (Summer Lakes Section Nine)

CALL TO ORDER

Chairperson Pavlovsky called the meeting to order at 4:00 p.m.

AGENDA

1. CONSIDERATION OF AND ACTION ON MINUTES OF THE REGULAR PLANNING COMMISSION MEETING OF APRIL 15, 2015.

Action Taken: Commissioner Urbish moved, seconded by Commissioner Parsons, to approve the minutes of the Regular Planning Commission Meeting of April 15, 2015, as written. The motion carried unanimously by those present.

2. CONSIDERATION OF AND ACTION ON A RECOMMENDATION REGARDING THE FY2016 CAPITAL IMPROVEMENTS PROGRAM (CIP).

Executive Summary: Per the City Charter, Article VIII, Section 8.03 (d), the Planning Commission is required to submit annually, not less than ninety (90) days prior to the beginning of the budget year, a list of recommendations for capital improvements. Assistant City Manager of Public Services John Maresh will review staff recommendations for the proposed FY2016 Capital Improvement Program (CIP) and he, along with Joyce Vasut, Executive Director of Administrative Services, will be available to answer questions from the Commission. Detailed information on the proposed CIP is attached for reference.

Key Discussion:

- Mr. Maresh presented the item and discussed the FY2016 Capital Improvements Program.
- Commissioner Poldrack inquired about capital expenditures for the Rosenberg thoroughfare network for the next fiscal year.
- Mr. Maresh replied that the capital expenditures were unknown at this time.

- Mr. Maresh stated that Airport construction would cost approximately 4.5 million, Bryan and Spacek Roads 8 million, and Old Richmond Road 3 million, if funded. Total expenditures estimated at approximately 20 million.
- Commissioner Casias inquired when the FY2016 Capital Improvements Program recommendation would be presented to City Council.
- Ms. Vasut replied that a recommendation for the FY2016 Capital Improvements Program would be addressed at the May 26, 2015 City Council Workshop meeting, however, no action would be taken.

Action Taken: Commissioner Parsons moved, seconded by Commissioner Urbish, to approve the recommendation regarding the FY2016 Capital Improvements Program (CIP). The motion carried unanimously by those present.

3. **HOLD PUBLIC HEARING ON A SHORT FORM FINAL PLAT OF BRIDLEWOOD ESTATES, SECTION ONE PARTIAL REPLAT ONE, BEING REPLAT OF LOT 30 & 31, BLOCK 9, BRIDLEWOOD ESTATES, SECTION ONE (1), AS RECORDED IN SLIDE NO. 1560/A & B, 1561/A & B AND 1562/A & B, OF THE PLAT RECORDS OF FORT BEND COUNTY, TEXAS; BEING A SUBDIVISION OF 4.464 ACRES LOCATED IN THE WILEY MARTIN LEAGUE, A-56 FORT BEND COUNTY, TEXAS.**

Chairperson Pavlovsky opened the public hearing at 4:02 pm. After three calls for speakers, no one stepped forward. Chairperson Pavlovsky closed the public hearing at 4:03 pm.

4. **CONSIDERATION OF AND ACTION ON A PRELIMINARY PLAT OF FORT BEND COUNTY MUD NO. 184 LIFT STATION SITE, A SUBDIVISION OF 0.1480 ACRES OF LAND OUT OF THE WILEY MARTIN SURVEY, A-56, FORT BEND COUNTY, TEXAS. 1 BLOCK, 1 RESERVE.**

Executive Summary: This agenda item consists of a Preliminary Plat of a proposed lift station site for Fort Bend County MUD No. 184, or Stonecreek Estates. The site consists of only .148 acres. It is centrally located within the development.

Staff has no objections to the proposed Preliminary Plat. A Final Plat and infrastructure construction plans must be submitted in the future, and off-site easements must be recorded before Final Plat approval. Staff recommends approval of the Preliminary Plat of Fort Bend County MUD No. 184 Lift Station Site.

Key Discussion:

- Mr. Tanner presented the item and reviewed the Executive Summary.

Action Taken: Commissioner Casias, seconded by Commissioner Parsons, to approve the Preliminary Plat of Fort Bend County MUD No. 184 Lift Station Site, a subdivision of 0.1480 acres of land out of the Wiley Martin Survey, A-56, Fort Bend County, Texas; 1 block, 1 reserve. The motion carried unanimously by those present.

5. **CONSIDERATION OF AND ACTION ON A PRELIMINARY PLAT OF FORT BEND COUNTY MUD NO. 184 WASTEWATER TREATMENT PLANT SITE, A SUBDIVISION OF 4.1262 ACRES OF LAND OUT OF THE WILEY MARTIN SURVEY, A-56, FORT BEND COUNTY, TEXAS. 1 BLOCK, 1 RESERVE.**

Executive Summary: This agenda item consists of a Preliminary Plat of a proposed wastewater treatment plant site for Fort Bend County MUD No. 184, or Stonecreek Estates. The site consists of 4.1262 acres overall. It is located on the south side of the development.

Staff has no objections to the proposed Preliminary Plat. A Final Plat and infrastructure construction plans must be submitted in the future, and off-site easements must be recorded before Final Plat approval. Staff recommends approval of the Preliminary Plat of Fort Bend County MUD No. 184 Wastewater Treatment Plant Site.

Key Discussion:

- Mr. Tanner presented the item and reviewed the Executive Summary.
- Commissioner Parsons inquired if Stonecreek Estates would be responsible for paying and maintaining the Wastewater Treatment Plant Site.
- Mr. Tanner replied that Stonecreek Estates would be responsible for paying for the Wastewater Treatment Plant and Fort Bend County MUD No. 184 would be responsible for maintaining.



CITY COUNCIL COMMUNICATION

July 07, 2015

ITEM #	ITEM TITLE
13	Resolution No. R-1998 – FY2017 - FY2020 Capital Improvement Plan
ITEM/MOTION	
Consideration of and action on Resolution No. R-1998, a Resolution approving Capital Improvement Plan priorities for FY2017 to FY2020.	
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-1998

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)

g.m.

Approved for Submittal to City Council:

Robert Gracia
City Manager

EXECUTIVE SUMMARY

Pursuant to the City Charter which requires a five-year Capital Improvement Plan (CIP), staff has prepared a proposed schedule for Capital Projects in FY2017, FY2018, FY2019 and FY2020. The development of the CIP for FY2017 to FY2020 is based on several factors, including but not limited to:

- Unfunded Mandates (Fort Bend Subsidence District, TCEQ)
- Liability/Risk Management including noncompliance violations which subject the City to monetary fines, penalties and/or enforcement actions.
- Protect the health, safety and welfare of the citizens and the environment.
- Opportunities to leverage City funds with Fort Bend County Mobility Bond Funds or grant funds.
- Quality of life/growth including City parks and City facilities.

The proposed FY2017-FY2020 CIP is attached to Resolution No. R-1998 as Exhibit "A". Staff recommends approval of Resolution No. R-1998.

RESOLUTION NO. R-1998

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ROSENBERG, TEXAS, APPROVING CAPITAL IMPROVEMENT PLAN PRIORITIES FOR FY2017 TO FY2020.

* * * * *

WHEREAS, the City Council of the City of Rosenberg recognizes that certain Capital Improvement Projects are necessary and beneficial for the development and improvement of City infrastructure and facilities; and,

WHEREAS, the City Council, City Manager, and staff have attempted to identify those specific Capital Improvement Projects appropriate for the needs of the City and its citizens; now, therefore,

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

Section 1. The City Council, City Manager, and staff have established priorities for certain projects, namely the Capital Improvement Plan, to implement said development and improvement projects for the Fiscal Years 2017 through 2020.

Section 2. A copy of said improvements 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**

Cynthia McConathy, **Mayor**

**CAPITAL IMPROVEMENT PLAN
FY2017 – FY2020**

FY2017

General Projects

Municipal Facilities Improvements

Streets and Drainage

Drainage Improvements East of Lane Drive

Existing Sidewalk Improvements

Fairgrounds Road Bridge Replacement (TxDOT)

Spacek Road – Phase III

Water and Wastewater

Automatic Transfer Switch and Backup Generator as WWTP # 1A

Avenue G Water Line and Fire Hydrant Improvements

Sanitary Sewer Improvements – Phase III

Sewer Line Vacuum Cleaning Equipment

Water Line Extension and Connection from Bonbrook to Bridlewood (GRP)

FY2018

General Projects

Seabourne Creek Park Nature Center and Park Improvements

Seabourne Creek Sports Park

Streets and Drainage

Existing Sidewalk Improvements

FM 723 from Highway 90A to FM 359 (TxDOT)

3rd Street at Intersection with Avenue M

Water and Wastewater

Lamar High School Reclaimed Water Project

Upgrade Wastewater Lift Stations

FY2019

General Projects

Brazos River Trail Project
Public Safety Enhancement Project
Wireless Network (Police)
Zone 8 Park Development

Streets and Drainage

Avenue D Street Paving and Drainage
Avenue N Reconstruction (FM 2218 to Jones)
Brooks Avenue
Downtown Sidewalks
Existing Sidewalks
Herndon Drive and Mustang Avenue
Radio Lane Reconstruction (Avenue I to Avenue N)

Water and Wastewater

Cottonwood Subdivision Waterline Extension

FY2020

General Projects

Water Feature Facilities at Existing Parks

Streets and Drainage

Avenue G Extension from Frost Street to Brazos Street
Existing Sidewalk Improvements
Klauke Road Extension
New Sidewalk Plan

Water and Wastewater

N/A



CITY COUNCIL COMMUNICATION

July 07, 2015

ITEM #	ITEM TITLE
14	Resolution No. R-1994 – Professional Audit Services 2-Year Contract Extension

ITEM/MOTION

Consideration of and action on Resolution No. R-1994, a Resolution authorizing the City Manager to execute, for and on behalf of the City, a Contract Extension, by and between the City and Pattillo, Brown and Hill, LLP, for the provision of professional audit services for fiscal years ending September 30, 2015, and September 30, 2016.

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

Annualized Dollars:

- One-time
- Recurring
- N/A

Budgeted:

- Yes No N/A

Source of Funds:

101-1400-510-4310

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

SUPPORTING DOCUMENTS:

1. Resolution No. R-1994
2. Resolution No. R-1518 – 07-03-12
3. City Council Meeting Minute Excerpt – 07-03-12

MUD #: N/A

APPROVALS

Submitted by:

Joyce Vasut
Executive Director of
Administrative Services

Reviewed by:

- Exec. Dir. of Admin Services
- Asst. City Manager of Public Services
- City Attorney
- City Engineer
- Other

Approved for Submittal to City Council:

Robert Gracia
City Manager

EXECUTIVE SUMMARY

On July 03, 2012, City Council awarded the Professional Audit Services Contract (Contract) to Pattillo, Brown and Hill, L.L.P., under Resolution No. R-1518, for a three (3) year term, for the fiscal year ending September 30, 2012, and the following two (2) subsequent fiscal years ending September 30, 2013, and September 30, 2014, with a possible two-year extension not to exceed a total of five (5) years.

The City and Pattillo, Brown and Hill, L.L.P., have had a good working relationship for the past three (3) years and staff recommends extending the Contract for two (2) additional years to include fiscal years ending September 30, 2015, and September 30, 2016.

The Contract Extension is attached as Exhibit "A" to Resolution No. R-1994. Staff recommends approval of Resolution No. R-1994 as presented.

RESOLUTION NO. R-1994

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 CONTRACT EXTENSION, BY AND BETWEEN THE CITY OF ROSENBERG, TEXAS, AND PATTILLO, BROWN AND HILL, L.L.P., FOR THE PROVISION OF PROFESSIONAL AUDIT SERVICES FOR FISCAL YEARS ENDING SEPTEMBER 30, 2015, AND SEPTEMBER 30, 2016.

* * * * *

WHEREAS, the City Council of the City of Rosenberg found it in the best interest of the City to approve Resolution No. R-1518 on July 03, 2012, for the provision of professional audit services by Pattillo, Brown and Hill, LLP; now, therefore,

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

Section 1. The City Manager is hereby authorized to execute, for and on behalf of the City of Rosenberg, Texas, a Contract Extension for Professional Audit Services, by and between the City of Rosenberg, Texas, and Pattillo, Brown and Hill, L.L.P., for fiscal years ending September 30, 2015, and September 30, 2016.

Section 2. The proposed fee estimates include the audit of the City's financial statements, the audit of the Rosenberg Development Corporation and a single audit, if needed. The all-inclusive maximum price for each of the following years is as follows:

2015	\$41,500
2016	\$41,500

Section 3. A copy of said Contract Extension 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**

Cynthia McConathy, **Mayor**

CONTRACT EXTENSION

THE STATE OF TEXAS
COUNTY OF FORT BEND

§
§
§

KNOW ALL MEN BY THESE PRESENTS:

This CONTRACT EXTENSION is entered into by and between the City of Rosenberg, Texas, a municipal corporation, hereinafter called the "CITY", and Pattillo, Brown & Hill, L.L.P., hereinafter called the "CONTRACTOR";

Whereas, on July 3, 2012 the City and the Contractor entered into a Contract for Professional Audit Services hereinafter called the "CONTRACT", referenced by Resolution No. R-1518; and,

Whereas, under the provisions of Contract, the City may, at its sole discretion, renew the Contract two (2) additional years; and,

Whereas, the City desires to renew and extend the Contract for two (2) additional years, for fiscal years ending September 30, 2015 and September 30, 2016

Now, therefore, in consideration of the mutual benefits to be derived under the Contract and this Contract Extension, the parties agree as follows:

1. The Contract shall be renewed and extended for two (2) additional years, for fiscal years ending September 30, 2015 and September 30, 2016; and,
2. The initial Contract shall remain unchanged for the full term of this Contract Extension; and,
3. All other provisions of the Contract shall remain in full force and effect during the term of this Contract Extension.

IN WITNESS WHEREOF, the parties have executed this Contract Extension as of the _____ day of _____ 2015.

CITY OF ROSENBERG, TEXAS

ATTEST:

Robert Gracia, City Manager

Linda Cernosek, TRMC, City Secretary

CONTRACTOR:

PATTILLO, BROWN & HILL, L.L.P.

By: John K. Manning

Name: John K. Manning

Title: Partner

**GOVERNMENTAL CONTRACT AND PURCHASING RIDER
FOR CONTRACTS WITH THE CITY OF ROSENBERG, TEXAS**
(Version 07/16/2014)

By submitting a response to a solicitation or bid, or by entering into a contract for goods or services and/or by accepting a purchase order, the contracting party identified below agrees that the below terms and conditions shall govern all agreements with the City unless otherwise agreed to by a specifically executed provision within the contract and if permissible by law. Absent a specifically executed provision, the below terms are BINDING and SUPERSEDE any and all other terms and/or conditions whether oral or written.

1. Application. This Governmental Rider applies to, is part of, and takes precedence over any conflicting provision in or attachment to the **Auditing Services Contract (Contract)** (attached hereto) of **Pattillo, Brown and Hill, L.L. P. (Vendor)**. The Contract involved in this Rider is described as follows:

Auditing Services Contract

2. Payment Provisions. The City's payments under the Contract, including the time of payment and the payment of interest on overdue amounts, are subject to Chapter 2251, Texas Government Code. City reserves the right to modify any amount due to contractor presented by invoice to the city if necessary to conform the amount to the terms of the contract.

3. Multiyear Contracts. If the City's city council does not appropriate funds to make any payment for a fiscal year after the City's fiscal year in which the contract becomes effective and there are no proceeds available for payment from the sale of bonds or other debt instruments, then the Contract automatically terminates at the beginning of the first day of the successive fiscal year. (Section 5, Article XI, Texas Constitution). It is understood and agreed the City shall have the right to terminate the agreement at the end of any City fiscal year if the governing body of the City does not appropriate funds sufficient to continue the contract, as determined by the City's budget for the fiscal year in question. The City may execute such termination by giving contractor a written notice of termination at the end of its then current fiscal year.

4. Best Value Determination. All competitive bids or proposals received shall be evaluated based on the best value for the City. Best value shall be determined any relevant criteria specifically listed in the solicitation and by considering all or part of the criteria listed below:

- a. Bid price.
- b. Reputation of the bidder and of bidder's goods and services.
- c. The quality of the bidder's goods or services.
- d. The extent to which the goods or services meet the City's needs.
- e. Bidder's past relationship with the City. All vendors shall be evaluated on their past performance and prior dealings with the City to include, but not limited to, failure to meet specifications, poor quality, poor workmanship, and late delivery.

5. Local Preference. The City Council supports the local preference option for purchasing. In accordance with Chapter 271.9051 of the State of Texas Local Government Code, the City Council may choose to award a competitive bid to a bidder whose principal place of business is in the City limits, provided that this bid is within 5% of the lowest bid price received.

6. No Ex-Parte Communications during Competitive Bidding Period. To insure the proper and fair evaluation of a response, the City prohibits ex parte communication (e.g., unsolicited) initiated by the proposed contractor to a City official or employee evaluating or considering the responses prior to the time a formal decision has been made. Questions and other communication from vendors will be permissible until 5:00 pm on the day specified as the deadline for questions. Any communication between responder and the City after the deadline for questions will be initiated by the appropriate City official or employee in order to obtain information or clarification needed to develop a proper and accurate evaluation of the response. Ex parte communication may be grounds for disqualifying the offending responder from consideration or award of the solicitation then in evaluation, or any future solicitation.

7. Abandonment or Default. A contractor who abandons or defaults the work on the contract and causes the City to purchase the services elsewhere may be charged for any increased cost of goods, materials and/or services related thereto and shall not be considered disqualified in any re-advertisement of the service and may not be considered in future bids for the same type of work for a period of three years for the same scope of work, goods or services.

8. Disclosure of Litigation. Each contractor shall include in its proposal a complete disclosure of any civil or criminal litigation or investigation pending which involves the respondent or which has occurred in the past in which the respondent has been judged guilty or liable by a competent court regardless of whether the Court Order or Judgment is final or on appeal.

9. Cancellation., the City reserves the right to cancel the contract without penalty by providing 30 days prior written notice to the contracting party. Termination under this paragraph shall not relieve the contractor of any obligation or liability that has occurred prior to cancellation. **NOTE: This contract is subject to cancellation, without penalty, at any time the City deems the vendor to be non-compliant with contractual obligations.**

10. Annual Vendor Performance Review. The City reserves the right to review the vendor's performance at the end of each twelve month contract period and to cancel all or part of the agreement (without penalty) or continue the contract through the next period.

11. Compliance with other laws and certification of eligibility to contract. Any offer to contract with the City shall be considered an executed certification that the contractor will shall comply with all federal, state, and local laws, statutes, ordinances, rules and regulations, (as amended during the contracting period) and any orders and decrees of any court or administrative bodies or tribunals in any matter affecting the performance of the resulting agreement, including without limitation, immigration laws, workers' compensation laws, minimum and maximum salary and wage statutes and regulations, and licensing laws and regulations. When requested, the contractor shall furnish the City with satisfactory proof of its compliance within 10 days or any contract with the City is void.

12. Compliance with all Codes, Permitting and Licensing Requirements. The successful contractor shall comply with all national, state and local standards, codes and ordinances as well as any other authorities that have jurisdiction pertaining to equipment and materials used and their application. None of the terms or provisions of the specification shall be construed as waiving any rules, regulations or requirements of these authorities. The successful bidder shall be responsible for obtaining all necessary permits, certificates and/or licenses to fulfill contractual obligations.

13. Liability and Indemnity of City. Any provision of the Contract is void and unenforceable if it: (1) limits or releases either party from liability that would exist by law in the absence of the provision; (2) creates liability for either party that would not exist by law in the absence of the provision; or (3) waives or limits either party's rights, defenses, remedies, or immunities that would exist by law in the absence of the provision.. (Section 5, Article XI, Texas Constitution)

14. Indemnity and Independent Contractor Status of Contractor. Contractor shall indemnify, save harmless and defend the City, its officers, agents, and employees from and against any and all suits, actions, legal proceedings, claims, demands, damages, costs, expenses, attorney's fees and any and all other costs or fees (whether grounded in Constitutional law, Tort, Contract, or Property Law, or raised pursuant to local, state or federal statutory provision), arising out of the performance of the resulting agreement and/or arising out of a willful or negligent act or omission of the contractor, its officers, agents, and employees. It is understood and agreed that the contractor and any employee or sub-contractor of contractor shall not be considered an employee of the City. The contractor shall not be within protection or coverage of the City's workers' compensation insurance, health insurance, liability insurance or any other insurance that the City from time to time may have in force and effect. City specifically reserves the right to reject any and all contractor's employees, representatives or sub-contractors and/or their employees for any cause, should the presence of any such person on City property or their interaction with City employees be found not in the best interest of the City, harassing, or is found to interfere with the effective and efficient operation of the City's workplace.

15. Liens. Contractor agrees to and shall indemnify and save harmless the City against any and all liens and encumbrances for all labor, goods and services which may be provided under the resulting agreement. At the City's request

the contractor or subcontractors shall provide a proper release of all liens, or satisfactory evidence of freedom from liens shall be delivered to the City.

16. Confidentiality. Any provision in the Contract that attempts to prevent the City's disclosure of information that is subject to public disclosure under federal or Texas law or regulation, or court or administrative decision or ruling, is invalid. (Chapter 552, Texas Government Code)

17. Tax Exemption. The City is not liable to Vendor for any federal, state, or local taxes for which the City is not liable by law, including state and local sales and use taxes (Section 151.309 and Title 3, Texas Tax Code) and federal excise tax (Subtitle D of the Internal Revenue Code). Accordingly, those taxes may not be added to any item purchased for consumption by the City. Fuel purchased for resale shall include Federal Excise Tax under IRC Section 4081 and Texas Motor Fuel Tax if required per Texas Tax Code Chapter 162. Texas limited sales tax exemption certificates and Texas Aviation Fuel Distributor license will be furnished upon request. Vendors shall not charge for said taxes on purchases for consumption by the City. If billed, the City will remit payment less sales tax.

18. Contractual Limitations Period. Any provision of the Contract that establishes a limitations period that does not run against the City by law or that is shorter than two years is void. (Sections 16.061 and 16.070, Texas Civil Practice and Remedies Code)

19. Sovereign Immunity. Any provision of the Contract that seeks to waive the City's immunity from suit and/or immunity from liability is void unless agreed to by specific acknowledgement of the provision within the contract.

20. Governing Law and Venue. Texas law governs this Contract and any lawsuit on this Contract must be filed in a court that has jurisdiction in Fort Bend County, Texas.

21. Right to trial by Jury. Any provision of the Contract that seeks to waive an aggrieved Party's right to trial by jury is void unless agreed to by specific acknowledgement of the provision within the contract.

CITY OF ROSENBERG, TEXAS

PATTILLO, BROWN & HILL, L.L.P.

By: _____

By: John K. Manning

Title: _____

Title: Partner

Date: _____

Date: 6/24/2015

RESOLUTION NO. R-1518

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, AN ENGAGEMENT LETTER WITH PATILLO, BROWN & HILL, L.L.P., FOR THE PROVISION OF AUDITING SERVICES FOR THE CITY OF ROSENBERG, TEXAS, FOR FISCAL YEARS ENDING SEPTEMBER 30, 2012, SEPTEMBER 30, 2013, AND SEPTEMBER 30, 2014.

* * * * *

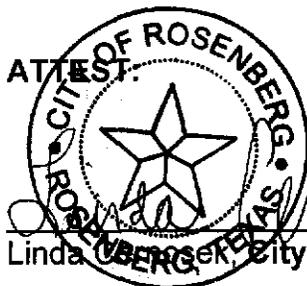
BE IT RESOLVED BY THE COUNCIL OF THE CITY OF ROSENBERG:

Section 1. The City Manager is hereby authorized to execute an Engagement Letter, by and between the City of Rosenberg, Texas, and Patillo, Brown & Hill, L.L.P., for a three-year term for the fiscal years ending September 30, 2012, September 30, 2013, and September 30, 2014. A copy of such Engagement Letter is attached hereto as Exhibit "A" and made a part hereof for all purposes.

Section 2. The proposed fee estimates include the audit of the City's financial statements, the audit of the Rosenberg Development Corporation and a single audit, if needed. The all-inclusive maximum price for each of the following years is as follows:

2012	\$39,350
2013	\$39,350
2014	\$40,500

PASSED, APPROVED, AND RESOLVED this 3rd day of July 2012.



Linda C. Berger, City Secretary

APPROVED:

Vincent M. Morales, Jr., Mayor



June 27, 2012

City of Rosenberg, Texas
Attention: Joyce Vasut, Finance Director
2110 Fourth Street
Rosenberg, Texas 77471

We are pleased to confirm our understanding of the services we are to provide City of Rosenberg, Texas for the year ended September 30, 2012. We will audit the financial statements of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information, which collectively comprise the basic financial statements, of City of Rosenberg, Texas as of and for the year ended September 30, 2012. Accounting standards generally accepted in the United States of America provide for certain required supplementary information (RSI), such as management's discussion and analysis (MD&A), to supplement City of Rosenberg, Texas' basic financial statements. Such information, although not a part of the basic financial statements, is required by the Governmental Accounting Standards Board who considers it to be an essential part of financial reporting for placing the basic financial statements in an appropriate operational, economic, or historical context. As part of our engagement, we will apply certain limited procedures to City of Rosenberg, Texas' RSI in accordance with auditing standards generally accepted in the United States of America. These limited procedures will consist of inquiries of management regarding the methods of preparing the information and comparing the information for consistency with management's responses to our inquiries, the basic financial statements, and other knowledge we obtained during our audit of the basic financial statements. We will not express an opinion or provide any assurance on the information because the limited procedures do not provide us with sufficient evidence to express an opinion or provide any assurance. The following RSI is required by generally accepted accounting principles and will be subjected to certain limited procedures, but will not be audited:

- 1) Management's Discussion and Analysis.
- 2) General and major special revenue fund – budgetary schedules.
- 3) Schedule of funding progress – Texas Municipal Retirement System.

We have also been engaged to report on supplementary information other than RSI that accompanies City of Rosenberg, Texas' financial statements. We will subject the following supplementary information to the auditing procedures applied in our audit of the financial statements and certain *additional procedures, including comparing and reconciling* such information directly to the underlying accounting and other records used to prepare the financial statements or to the financial statements themselves, and other additional procedures in accordance with auditing standards generally accepted in the United States of America and will provide an opinion on it in relation to the financial statements as a whole:

- 1) Schedule of expenditures of federal awards.
- 2) Combining and individual non major fund financial statements and schedules.

The following other information accompanying the financial statements will not be subjected to the auditing procedures applied in our audit of the financial statements, and for which our auditor's report will not provide an opinion or any assurance.

- 1) Introductory section.
- 2) Statistical section.

Audit Objectives

The objective of our audit is the expression of opinions as to whether your basic financial statements are fairly presented, in all material respects, in conformity with U.S. generally accepted accounting principles and to report on the fairness of the supplementary information referred to in the second paragraph when considered in relation to the financial statements as a whole. The objective also includes reporting on—

- Internal control related to the financial statements and compliance with laws, regulations, and the provisions of contracts or grant agreements, noncompliance with which could have a material effect on the financial statements in accordance with *Government Auditing Standards*.
- Internal control related to major programs and an opinion (or disclaimer of opinion) on compliance with laws, regulations, and the provisions of contracts or grant agreements that could have a direct and material effect on each major program in accordance with the Single Audit Act Amendments of 1996 and OMB Circular A-133, *Audits of States, Local Governments, and Non-Profit Organizations*.

The reports on internal control and compliance will each include a statement that the report is intended solely for the information and use of management, the body or individuals charged with governance, others within the entity specific legislative or regulatory bodies, federal awarding agencies, and if applicable, pass-through entities and is not intended to be and should not be used by anyone other than these specified parties.

Our audit will be conducted in accordance with auditing standards generally accepted in the United States of America; the standards for financial audits contained in *Government Auditing Standards*, issued by the Comptroller General of the United States; the Single Audit Act Amendments of 1996; and the provisions of OMB Circular A-133, and will include tests of accounting records, a determination of major program(s) in accordance with OMB Circular A-133, and other procedures we consider necessary to enable us to express such opinions and to render the required reports. If our opinions on the financial statements or the Single Audit compliance opinions are other than unqualified, we will discuss the reasons with you in advance. If circumstances occur related to the condition of your records, the availability of sufficient, appropriate audit evidence, or the existence of a significant risk of material misstatement of the financial statements caused by error, fraudulent financial reporting, or misappropriation of assets, which in our professional judgment prevent us from completing the audit or forming an opinion on the financial statements, we retain the right to take any course of action permitted by professional standards, including declining to express an opinion or issue a report, or withdrawing from the engagement.

Management Responsibilities

Management is responsible for the basic financial statements and all accompanying information as well as all representations contained therein. Management is also responsible for identifying government award programs and understanding and complying with the compliance requirements, and for preparation of the schedule of expenditures of federal awards in accordance with the requirements of OMB Circular A-133. As part of the audit, we will assist with preparation of your financial statements, schedule of expenditures of federal awards, and related notes. You are responsible for making all management decisions and performing all management functions relating to the financial statements, schedule of expenditures of federal awards, and related notes and for accepting full responsibility for such decisions. You will be required to acknowledge in the management representation letter our assistance with preparation of the financial statements and schedule of expenditures of federal awards and that you have reviewed and approved the financial statements, schedule of expenditures of federal awards, and related notes prior to their issuance and have accepted responsibility for them. Further, you are required to designate an individual with suitable skill, knowledge, or experience to oversee any non-audit services we provide and for evaluating the adequacy and results of those services and accepting responsibility for them.

Management is responsible for establishing and maintaining effective internal controls, including internal controls over compliance, and for evaluating and monitoring ongoing activities, to help ensure that appropriate goals and objectives are met and that there is reasonable assurance that government programs are administered in compliance with compliance requirements. You are also responsible for the selection and application of accounting principles; for the fair presentation in the financial statements of the respective financial position of the governmental activities, the business-type activities, the aggregate discretely presented component units, each major fund, and the aggregate remaining fund information of the City of Rosenberg, Texas and the respective changes in financial position and, where applicable, cash flows in conformity with U.S. generally accepted accounting principles; and for compliance with applicable laws and regulations and the provisions of contracts and grant agreements.

Management is also responsible for making all financial records and related information available to us and for ensuring that management and financial information is reliable and properly recorded. Your responsibilities also include identifying significant vendor relationships in which the vendor has responsibility for program compliance and for the accuracy and completeness of that information. Your responsibilities include adjusting the financial statements to correct material misstatements and confirming to us in the representation letter that the effects of any uncorrected misstatements aggregated by us during the current engagement and pertaining to the latest period presented are immaterial, both individually and in the aggregate, to the financial statements taken as a whole.

You are responsible for the design and implementation of programs and controls to prevent and detect fraud, and for informing us about all known or suspected fraud or illegal acts affecting the government involving (1) management, (2) employees who have significant roles in internal control, and (3) others where the fraud or illegal acts could have a material effect on the financial statements. Your responsibilities include informing us of your knowledge of any allegations of fraud or suspected fraud affecting the government received in communications from employees, former employees, grantors, regulators, or others. In addition, you are responsible for identifying and ensuring that the entity complies with applicable laws, regulations, contracts, agreements, and grants. Additionally, as required by OMB Circular A-133, it is management's responsibility to follow up and take corrective action on reported audit findings and to prepare a summary schedule of prior audit findings and a corrective action plan. The summary schedule of prior audit findings should be available for our review on January 25, 2013. You are responsible for the preparation of the supplementary information in conformity with U.S. generally accepted accounting principles. You agree to include our report on the supplementary information in any document that contains and indicates that we have reported on the supplementary information. You also agree to include the audited financial statements with any presentation of the supplementary information that includes our report thereon.

Management is responsible for establishing and maintaining a process for tracking the status of audit findings and recommendations. Management is also responsible for identifying for us previous financial audits, attestation engagements, performance audits, or other studies related to the objectives discussed in the Audit Objectives section of this letter. This responsibility includes relaying to us corrective actions taken to address significant findings and recommendations resulting from those audits, attestation engagements, performance audits, or studies. You are also responsible for providing management's views on our current findings, conclusions, and recommendations, as well as your planned corrective actions, for the report, and for the timing and format for providing that information. With regard to using the auditor's report, you understand that you must obtain our prior written consent to reproduce or use our report in bond offering official statements or other documents. With regard to the electronic dissemination of audited financial statements, including financial statements published electronically on your website, you understand that electronic sites are a means to distribute information and, therefore, we are not required to read the information contained in these sites or to consider the consistency of other information in the electronic site with the original document.

Audit Procedures—General

An audit includes examining, on a test basis, evidence supporting the amounts and disclosures in the financial statements; therefore, our audit will involve judgment about the number of transactions to be examined and the areas to be tested. We will plan and perform the audit to obtain reasonable rather than absolute assurance about whether the financial statements are free of material misstatement, whether from (1) errors, (2) fraudulent financial reporting, (3) misappropriation of assets, or (4) violations of laws or governmental regulations that are attributable to the entity or to acts by management or employees acting on behalf of the entity. Because the determination of abuse is subjective, *Government Auditing Standards* do not expect auditors to provide reasonable assurance of detecting abuse.

Because an audit is designed to provide reasonable, but not absolute assurance and because we will not perform a detailed examination of all transactions, there is a risk that material misstatements or noncompliance may exist and not be detected by us. In addition, an audit is not designed to detect immaterial misstatements or violations of laws or governmental regulations that do not have a direct and material effect on the financial statements or major programs. However, we will inform you of any material errors and any fraudulent financial reporting or misappropriation of assets that come to our attention. We will also inform you of any violations of laws or governmental regulations that come to our attention, unless clearly inconsequential, and of any material abuse that comes to our attention. We will include such matters in the reports required for a Single Audit. Our responsibility as auditors is limited to the period covered by our audit and does not extend to any later periods for which we are not engaged as auditors.

Our procedures will include tests of documentary evidence supporting the transactions recorded in the accounts, and may include tests of the physical existence of inventories, and direct confirmation of receivables and certain other assets and liabilities by correspondence with selected individuals, funding sources, creditors, and financial institutions. We will request written representations from your attorneys as part of the engagement, and they may bill you for responding to this inquiry. At the conclusion of our audit, we will require certain written representations from you about the financial statements and related matters.

Audit Procedures—Internal Controls

Our audit will include obtaining an understanding of the entity and its environment, including internal control, sufficient to assess the risks of material misstatement of the financial statements and to design the nature, timing, and extent of further audit procedures. Tests of controls may be performed to test the effectiveness of certain controls that we consider relevant to preventing and detecting errors and fraud that are material to the financial statements and to preventing and detecting misstatements resulting from illegal acts and other noncompliance matters that have a direct and material effect on the financial statements. Our tests, if performed, will be less in scope than would be necessary to render an opinion on internal control and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to *Government Auditing Standards*.

As required by OMB Circular A-133, we will perform tests of controls over compliance to evaluate the effectiveness of the design and operation of controls that we consider relevant to preventing or detecting material noncompliance with compliance requirements applicable to each major federal award program. However, our tests will be less in scope than would be necessary to render an opinion on those controls and, accordingly, no opinion will be expressed in our report on internal control issued pursuant to OMB Circular A-133.

An audit is not designed to provide assurance on internal control or to identify significant deficiencies. However, during the audit, we will communicate to management and those charged with governance internal control related matters that are required to be communicated under AICPA professional standards, *Government Auditing Standards*, and OMB Circular A-133.

Audit Procedures—Compliance

As part of obtaining reasonable assurance about whether the financial statements are free of material misstatement, we will perform tests of City of Rosenberg, Texas' compliance with applicable laws and regulations and the provisions of contracts and agreements, including grant agreements. However, the objective of those procedures will not be to provide an opinion on overall compliance and we will not express such an opinion in our report on compliance issued pursuant to *Government Auditing Standards*.

OMB Circular A-133 requires that we also plan and perform the audit to obtain reasonable assurance about whether the auditee has complied with applicable laws and regulations and the provisions of contracts and grant agreements applicable to major programs. Our procedures will consist of tests of transactions and other applicable procedures described in the *OMB Circular A-133 Compliance Supplement* for the types of compliance requirements that could have a direct and material effect on each of City of Rosenberg, Texas' major programs. The purpose of these procedures will be to express an opinion on City of Rosenberg, Texas' compliance with requirements applicable to each of its major programs in our report on compliance issued pursuant to OMB Circular A-133.

Engagement Administration, Fees, and Other

We understand that your employees will prepare all cash, accounts receivable, or other confirmations we request and will locate any documents selected by us for testing.

At the conclusion of the engagement, we will complete the appropriate sections of the Data Collection Form that summarizes our audit findings. It is management's responsibility to submit the reporting package (including financial statements, schedule of expenditures of federal awards, summary schedule of prior audit findings, auditors' reports, and corrective action plan) along with the Data Collection Form to the federal audit clearinghouse. We will coordinate with you the electronic submission and certification. If applicable, we will provide copies of our report for you to include with the reporting package you will submit to pass-through entities. The Data Collection Form and the reporting package must be submitted within the earlier of 30 days after receipt of the auditors' reports or nine months after the end of the audit period, unless a longer period is agreed to in advance by the cognizant or oversight agency for audits.

The audit documentation for this engagement is the property of Pattillo, Brown & Hill, L.L.P. and constitutes confidential information. However, pursuant to authority given by law or regulation, we may be requested to make certain audit documentation available to a federal agency providing direct or indirect funding, or the U.S. Government Accountability Office for purposes of a quality review of the audit, to resolve audit findings, or to carry out oversight responsibilities. We will notify you of any such request. If requested, access to such audit documentation will be provided under the supervision of Pattillo, Brown & Hill, L.L.P. personnel. Furthermore, upon request, we may provide copies of selected audit documentation to the aforementioned parties. These parties may intend, or decide, to distribute the copies or information contained therein to others, including other governmental agencies.

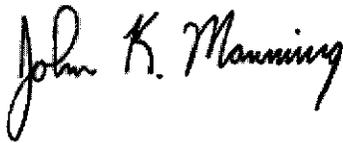
The audit documentation for this engagement will be retained for a minimum of five years after the report release or for any additional period requested. If we are aware that a federal awarding agency, pass-through entity, or auditee is contesting an audit finding, we will contact the party(ies) contesting the audit finding for guidance prior to destroying the audit documentation.

We expect to begin our audit on approximately December 3, 2012 and to issue our reports no later than February 22, 2013. John K. Manning is the engagement partner and is responsible for supervising the engagement and signing the reports or authorizing another individual to sign them. Our fee for these services will be at our standard hourly rates plus out-of-pocket costs (such as report reproduction, word processing, postage, travel, copies, telephone, etc.) except that we agree that our gross fee, including expenses, will not exceed \$39,350. Our standard hourly rates vary according to the degree of responsibility involved and the experience level of the personnel assigned to your audit. Our invoices for these fees will be rendered each month as work progresses and are payable on presentation. In accordance with our firm policies, work may be suspended if your account becomes 30 days or more overdue and may not be resumed until your account is paid in full. If we elect to terminate our services for nonpayment, our engagement will be deemed to have been completed upon written notification of termination, even if we have not completed our report(s). You will be obligated to compensate us for all time expended and to reimburse us for all out-of-pocket costs through the date of termination. The above fee is based on anticipated cooperation from your personnel and the assumption that unexpected circumstances will not be encountered during the audit. If significant additional time is necessary, we will discuss it with you and arrive at a new fee estimate before we incur the additional costs.

Government Auditing Standards require that we provide you with a copy of our most recent external peer review report and any letter of comment, and any subsequent peer review reports and letters of comment received during the period of the contract. Our 2010 peer review letter of comment accompanies this letter.

We appreciate the opportunity to be of service to City of Rosenberg, Texas and believe this letter accurately summarizes the significant terms of our engagement. If you have any questions, please let us know. If you agree with the terms of our engagement as described in this letter, please sign the enclosed copy and return it to us.

Very truly yours,
Pattillo, Brown & Hill, L.L.P.



John K. Manning, CPA

JKM/ac

RESPONSE:

This letter correctly sets forth the understanding of City of Rosenberg, Texas.

By: _____

Title: _____

Date: _____

Staff recommends approval of Resolution No. R-1513 adopting the Addendum to the Fort Bend County DDMP.

E. CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1515, A RESOLUTION AUTHORIZING THE SUBMISSION OF DOCUMENTATION OF EMINENT DOMAIN AUTHORITY IN TEXAS TO THE TEXAS COMPTROLLER; SUCH DOCUMENTATION WILL DETAIL THE CITY'S LEGAL AUTHORITY TO EXERCISE EMINENT DOMAIN IN COMPLIANCE WITH SENATE BILL 18.

Executive Summary: As a result of the passage of Senate Bill 18 by the Texas Legislature (effective September 01, 2011), it is necessary for cities to complete and submit documentation to the Texas Comptroller of Public Accounts in order to maintain the authority to use eminent domain to acquire property for a public purpose or necessity. Said documentation must be submitted no later than December 31, 2012.

Staff has prepared Resolution No. R-1515 and Exhibit "A" which includes the basic documentation necessary to retain the authority to exercise eminent domain by the City of Rosenberg. Staff recommends approval of Resolution No. R-1515 as presented.

Action: Councilor Segura made a motion, seconded by Councilor McConathy to approve the Consent Agenda. The motion carried by a unanimous vote.

REGULAR AGENDA

2. CONSIDERATION OF AND ACTION ON RESOLUTION NO. R-1518, A RESOLUTION AUTHORIZING THE CITY MANAGER TO EXECUTE, FOR AND ON BEHALF OF THE CITY, AN ENGAGEMENT LETTER WITH PATTILLO, BROWN & HILL, L.L.P., FOR THE PROVISION OF AUDITING SERVICES FOR THE CITY FOR FISCAL YEARS ENDING SEPTEMBER 30, 2012, SEPTEMBER 30, 2013, AND SEPTEMBER 30, 2014.

Executive Summary: On May 25, 2012, the City received six (6) proposals from qualified firms of certified public accountants for auditing services. Proposals were submitted by the following:

- BKD, LLP (Houston)
- Brooks Cardiel PLLC (The Woodlands)
- Harrison, Waldrop & Uherek, L.L.P. (Victoria)
- Pattillo, Brown & Hill L.L.P. (Waco)
- Sanderson Knox & Company, L.L.P. (Sugar Land)
- Whitley Penn (Sugar Land)

City staff reviewed all of the proposals received. Although many criteria were reviewed, the key areas that played a role in the selection process were strengths and qualifications of the firm, current local government clients, adequacy of proposed hours, average hourly rate, cost of additional services (single audit, Rosenberg Development Corporation audit and Richmond-Rosenberg Local Government Corporation audit) and recommended auditor rotation. These items are noted on the Summary of Audit Proposals.

A Summary on Auditor Rotation is also included to note Rosenberg's history of auditor rotation, as well as, auditor rotation practices used by other cities. The accepted practice for cities is to rotate audit firms periodically. This provides a fresh set of eyes to review the City's financial procedures and records. Secondly, it assumes that the City auditor retains independence with City personnel and elected officials can rely on said independence to identify areas of internal controls that should be improved. Staff fully supports a rotation of auditors every three (3) to five (5) years.

Based upon the criteria for evaluation and the audit qualifications and questions as discussed in the proposals, staff determined the two proposals that were the most advantageous to the City. Harrison, Waldrop & Uherek, L.L.P., and Pattillo, Brown & Hill, L.L.P., were selected to make a presentation to the Finance/Audit Committee on Thursday, June 21, 2012.

The Finance/Audit Committee, recommends entering into an engagement with Pattillo, Brown & Hill, L.L.P., for auditing services for fiscal year ending September 30, 2012, and the following two (2) subsequent fiscal years ending September 30, 2013, and September 30, 2014, with a possible two-year extension not to exceed a total of five (5) years.

Staff recommends approval of Resolution No. R-1518 authorizing the City Manager to execute an Engagement Letter thus entering into an engagement with Pattillo, Brown & Hill , LLP for auditing services for the fiscal years ending September 30, 2012, September 30, 2013, and September 30, 2014.

Key discussion points:

- Joyce Vasut, Finance Director read the Executive Summary regarding Resolution No. R-1518.

Action: Councilor McConathy made a motion, seconded by Councilor Salazar to approve Resolution No. R-1518, a Resolution authorizing the City Manager to execute, for and on behalf of the City, an engagement letter with Pattillo, Brown & Hill, L.L.P., for the provision of Auditing Services for the City for fiscal years ending September 30, 2012, September 30, 2013, and September 30, 2014.

Questions/Comments:

- Councilor McConathy stated that both companies presented to the Finance Audit Committee were equally qualified. She was particularly impressed with Pattillo, Brown and Hill because the two presenting had also previously worked for the City of Rosenberg. The learning curve will not be there. They are familiar with our accounts and will be a benefit along with their other excellent qualifications.
- Councilor Salazar agreed both companies were qualified.
- Councilor Suter agreed it is good to have a fresh set of eyes. He would like to see a statement in the Resolution that assures a “not to exceed”, specifically each year as they break down their costs. There should be a “not to exceed” clause to be inclusive of the RDC, Richmond/Rosenberg Local Government Corporation and the City of Rosenberg as specified in the Executive Summary.
- Joyce Vasut clarified that the fee amount submitted does include the City’s and RDC’s financial audit. At this time, the amount does not include the RRLGC. None of the firms proposed on the RRLGC. The proposal was set up but is something that would be negotiated later when the time comes to do that audit.
- Councilor Suter referenced the Executive Summary and asked if (single audit, Rosenberg Development Corporation audit and Richmond-Rosenberg Local Government Corporation audit) should be removed. Joyce Vasut stated those are additional services and she wanted to make Council aware that RRLGC is something we will probably need them to do an audit on. At the time of the proposals we were not prepared enough to provide them details of that audit. Jack Hamlett agreed that if it was not in the proposal we need to strike what was in the Executive Summary. A section can be added to the Resolution to cover that.
- Councilor Segura stated the Committee did a good job in choosing the firm.
- Councilor Benton stated the company chosen was \$40,000 cheaper than the last firm that did the audit. Joyce Vasut clarified that was the three year total for all services and that is including a single audit. Our current firm charged an additional amount for a single audit. Pattillo, Brown and Hill’s proposal does not charge an additional amount for the single audit. The City has not had a single audit in nine years. That is why the final line item was added which shows about a \$23,000 difference.
- Mayor Morales thanked the Committee for their work on this. He saw that Pattillo, Brown and Hill did our auditing previously. Our current auditor showed 400 hours in their proposal and Pattillo, Brown and Hill shows 370 hours. There is probably not that much difference if you take our existing auditor and his hourly rate which is less times the 370 hours it will probably be in line. He does understand the rotation and agrees with it. The only other thing we might want to do it add a thirty day clause in case there is a situation where we are not satisfied. Jack Hamlett stated this has to be re-extended annually. You are authorizing it up to three years, but if we are not satisfied after the first year we can recommend terminating at that point.
- Joyce Vasut explained the Resolution authorizes the City Manager to sign off on an engagement letter for those three fiscal years. It is a separate letter each year. If we are not satisfied with the 2012 audit, we do not have to sign the engagement letter for 2013.

Upon voting the motion carried by a unanimous vote.

ITEM 15

Hold Executive Session to deliberate the employment, evaluation, or duties of the City Manager pursuant to Section 551.074 of the Texas Government Code.

ITEM 16

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

ITEM 17

Announcements.

ITEM 18

Adjournment.