

**ROSENBERG DEVELOPMENT CORPORATION  
MEETING MINUTES**

On this the 13<sup>th</sup> day of February 2014, the Rosenberg Development Corporation (RDC) of the City of Rosenberg, Fort Bend County, Texas, met in a Regular Session, at the Rosenberg Civic Center located at 3825 Highway 36 South, Rosenberg, Texas 77471.

**DIRECTORS PRESENT**

|                 |                |
|-----------------|----------------|
| Bill Knesek     | President      |
| Allen Scopel    | Vice President |
| Laurie Cook     | Secretary      |
| Ted Garcia      | Treasurer      |
| Vincent Morales | Director       |
| Dwayne Grigar   | Director       |
| Jimmie Peña     | Director       |

**CITY OF ROSENBERG STAFF PRESENT**

|                 |   |
|-----------------|---|
| Rachelle Kanak  | Interim Economic Development Director         |
| Joyce Vasut     | Executive Director of Administrative Services |
| Jeff Trinker    | Executive Director of Support Services        |
| Darren McCarthy | Parks and Recreation Director                 |
| Kaye Supak      | Executive Assistant                           |

**GUEST**

Lupe Uresti  
Bill Smith  
Larry Indermuehle

**CALL TO ORDER.**

President Knesek called the meeting to order at 4:01 p.m.

**STATEMENT OF RULES PERTAINING TO AUDIENCE COMMENTS.**

Kaye Supak, Executive Assistant, read the statement of rules pertaining to audience comments.

**COMMENTS FROM THE AUDIENCE.**

There were no comments from the audience.

**CONSENT AGENDA**

- A. CONSIDERATION OF AND ACTION ON THE REGULAR ROSENBERG DEVELOPMENT CORPORATION MEETING MINUTES FOR JANUARY 9, 2014, AND SPECIAL WORKSHOP MEETING MINUTES FOR JANUARY 18, 2014. (KANAK/SUPAK)
- B. CONSIDERATION OF AND ACTION ON THE MONTHLY ROSENBERG DEVELOPMENT CORPORATION FINANCIAL REPORTS FOR THE PERIOD ENDING JANUARY 31, 2014. (VASUT)
- C. CONSIDERATION OF AND ACTION ON A REPORT FROM THE COMMUNICATIONS DIRECTOR REGARDING THE PREVIOUS MONTH'S COMMUNICATIONS ACTIVITIES AND CONTACTS. (FRITZ)
- D. CONSIDERATION OF AND ACTION ON A FUNDING AGREEMENT WITH THE COASTAL PRAIRIE CHAPTER OF THE TEXAS MASTER NATURALISTS. (KANAK)
- E. CONSIDERATION OF AND ACTION ON A SERVICE CONTRACT WITH THE CENTRAL FORT BEND CHAMBER REGARDING THE ROSENBERG DEVELOPMENT CORPORATION'S BUSINESS APPRECIATION RECEPTION. (KANAK)
- F. CONSIDERATION OF AND ACTION ON RESOLUTION NO. RDC-87, A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ROSENBERG DEVELOPMENT CORPORATION AMENDING THE FISCAL YEAR 2013-14 ANNUAL BUDGET IN THE AMOUNT OF \$44,539.00 FOR THE SEATEX/STATE HIGHWAY 36 DRAINAGE PROJECT. (KANAK)

**Key discussion:**

- Director Garcia requested that Consent Agenda Item B be placed on the Regular Agenda as Item 1A.

**Action:** Director Grigar moved and Director Scopel seconded the motion to approve Consent Agenda Items A, C, D, E, and F. The motion carried by a unanimous vote those present.

**AGENDA**

**1A. CONSIDERATION OF AND ACTION ON THE MONTHLY ROSENBERG DEVELOPMENT CORPORATION FINANCIAL REPORTS FOR THE PERIOD ENDING JANUARY 31, 2014**

**Key discussion points:**

- General discussion was held regarding the Unreserved Fund Balance.
- Project funding transfers that will appear on next month's Financial Statements.
- Clarification regarding certain escrowed funds.
- Clarification regarding RDC Project Funds, particularly Project CP1302 - Business Park Development.

**Action:** Director Cook moved and Director Garcia seconded that the Financial Reports for the period ending January 31, 2014 be approved as presented. The motion carried by a unanimous vote of those present.

**1. HEAR AND DISCUSS PRESENTATION BY FULLER REALTY ON DECLARATION OF COVENANTS CONDITIONS AND RESTRICTIONS AND GRANT OF EASEMENTS FOR ROSENBERG BUSINESS PARK.**

**Key discussion points:**

- Bill Smith of Fuller Realty was in attendance to present information regarding certain other similar developments that will mirror the intended development of Rosenberg Business Park.
- The presentation included examples of building edifices, signage, landscaping, etc.
- Follow-up discussion included some clarification, and the potential addition of design standards that might be a part of the Rosenberg Business Park.

No action was taken.

Note: The Board adjourned the meeting at 5:00 p.m., for a break; and, reconvened the meeting at 5:10 p.m.

**2. HEAR AND DISCUSS PRESENTATION BY IMPERIAL PERFORMING ARTS (IPA) ON STATUS OF PERFORMANCE AGREEMENT.**

**Key discussion points:**

- Lupe Uresti was in attendance to present an overview of the various activities that have occurred in relation to the Imperial Performing Arts group over the last fifteen (15) months.
- She noted that there have been some difficulties with the Cole Theater facility that may prevent opening.
- The Board and IPA agreed to begin dialogue in order to seek solutions that might include a "limited" opening, another location, project phasing, etc.
- The Board indicated that they were open to negotiation.
- Discussion was held about the potential necessity to revise the contract with IPA.
- The Board indicated a desire to hold a workshop in the near future to address some of the concerns with this project and efforts to heal a potential contract default.

No action was taken.

**3. CONSIDERATION OF AND ACTION ON THE PROPOSED PARKS IMPROVEMENT REQUEST TO UPDATE THE BASKETBALL AND TENNIS COURTS IN AREA PARKS.**

**Key discussion points:**

- Parks and Recreation Director Darren McCarthy was in attendance to discuss a proposal to use excess funds from the scoreboard project, along with existing funds to improve park basketball courts, re-surface park tennis courts, and improve park signage.

**Action:** Director Cook moved, and Director Morales seconded a motion that the City of Rosenberg Parks

and Recreation Department be allowed to use \$13,345 in anticipated project savings and \$24,855 from the FY2014 funding for the projects indicated above. The motion carried by a unanimous vote of those present.

4. **CONSIDERATION OF AND ACTION ON THE PROPOSED PARKS IMPROVEMENT REQUEST TO LEASE EQUIPMENT NECESSARY TO RELOCATE DONATED TREES.**

**Key discussion points:**

- Mr. McCarthy presented a request that the Board consider approval of funding a tree removal/relocation project in an amount not to exceed \$9,750.

**Action:** After general discussion, Director Grigar moved and Director Cook seconded a motion that the tree removal/relocation project be funded in an amount not to exceed \$9,750. The motion carried by a unanimous vote of those present.

5. **CONSIDERATION OF AND ACTION ON AMENDED DECLARATION OF COVENANTS CONDITIONS AND RESTRICTIONS FOR WALSH ROAD INDUSTRIAL PARK, LTD.**

**Key discussion points:**

- Larry Indermuehle was in attendance to clarify certain revisions to the declaration of covenants conditions and restrictions for the Walsh Road Industrial Park, Ltd.
- Discussion was held regarding the masonry requirements, portions of buildings that face the street, storage locations and requirements, etc.

**Action:** Director Grigar moved and Director Garcia seconded a motion to authorize Interim Economic Development Director Kanak to revise and amend the Declaration of Covenants Conditions and Restrictions for the Walsh Road Industrial Park, Ltd., in accordance with amendments stated and discussed with the Board of Directors. The motion carried by a unanimous vote of those present.

6. **CONSIDER MOTION TO ADJOURN TO EXECUTIVE SESSION.**

**Action:** Director Grigar moved, and Director Morales seconded that the Board be adjourned into Executive Session at 5:41p.m. The motion carried by a unanimous vote of those present.

7. **HOLD EXECUTIVE SESSION FOR DELIBERATIONS REGARDING THE POTENTIAL PURCHASE, EXCHANGE, LEASE, OR VALUE OF REAL PROPERTY PURSUANT TO TEXAS GOVERNMENT CODE SECTION 551.072; AND, FOR DELIBERATIONS REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS AS AUTHORIZED BY TEXAS GOVERNMENT CODE SECTION 551.087.**

Executive Session was held; though it was determined the discussion and/or deliberation was not necessary, therefore no discussion was held.

8. **ADJOURN EXECUTIVE SESSION, RECONVENE REGULAR SESSION, AND TAKE ACTION AS A RESULT OF EXECUTIVE SESSION.**

Executive Session was adjourned, and the Board reconvened into Regular Session at 5:45 p.m.

No action was necessary or taken as a result of Executive Session.

9. **CONSIDERATION OF AND ACTION ON A REPORT FROM THE ECONOMIC DEVELOPMENT DIRECTOR REGARDING THE PREVIOUS MONTH'S ECONOMIC DEVELOPMENT ACTIVITIES AND CONTACTS.**

**Key discussion points:**

- Ms. Kanak provided an overview of the monthly report.
- General discussion was held regarding transportation and the RDC's Strategic Plan.

No action was taken.

10. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. RDC-86, A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ROSENBERG DEVELOPMENT CORPORATION APPROVING THE FUNDING ARRANGEMENT BETWEEN THE CITY OF ROSENBERG AND THE ROSENBERG DEVELOPMENT CORPORATION FOR INFRASTRUCTURE IMPROVEMENTS TO THE ROSENBERG DEVELOPMENT PARK.**

**Key discussion points:**

- Joyce Vasut, Executive Director of Administrative Services, provided an overview of the proposed funding arrangement, and noted that it was intended that the interest remained fixed.
- Upon additional consideration, staff was directed to amend the Resolution to delete Section 5

which stated "The reduction of debt each year will equal the amount of anticipated property taxes that will be generated from the new improvements.", and to revise former Section 6 to read "That the RDC agrees to the reduction in RDC debt each year until the total amount of \$1,700,000 is reduced from the ~~by the amount of anticipated property tax payments paid to the City for improvements made to the Rosenberg Business Park in the amount of \$1,700,000 and agrees to approve the new RDC debt schedule with the stated reductions as summarized in "Exhibit A" and made a part hereof for all purposes.~~

**Action:** Director Scopel moved, and Director Grigar seconded that a motion that Resolution No. RDC-86 be amended as indicated above. The motion carried by a unanimous vote of those present.

11. **CONSIDERATION OF AND ACTION ON REQUESTS FOR FUTURE AGENDA ITEMS.**

Staff was directed to include the following items on a future RDC Board Meeting Agenda:

- Transportation presentation.
- Strategic Plan presentation.
- Set workshop date for the month of April for discussions regarding IPA.
- City of Rosenberg sidewalk program.

12. **ANNOUNCEMENTS.**

- Ms. Vasut noted that the RDC Finance/Audit Committee is due to meet and review the annual financial report on March 04, 2014.
- President Knesek discussed the rate of return that the RDC is receiving on their investments, with possible future discussion about future investments.

13. **ADJOURNMENT.**

**Action:** Director Scopel moved, and Director Grigar seconded that the Board Meeting be adjourned. The motion carried by a unanimous vote of those present.



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Kaye Supak, Executive Assistant  
City of Rosenberg



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Bill Knesek, President  
Rosenberg Development Corporation