JOINT CITY COUNCIL AND ROSENBERG DEVELOPMENT CORPORATION MEETING MINUTES

On this the 11th day of September 2014, the City Council and the Rosenberg Development Corporation (RDC) of the City of Rosenberg, Fort Bend County, Texas, met in a Joint Session, at the Rosenberg Civic Center, located at 3825 SH 36S, Rosenberg, Texas.

PRESENT

Teresa Bailey	Secretary, Rosenberg Development Corporation
Amanda J. Barta	Director, Rosenberg Development Corporation
Ted Garcia	Treasurer, Rosenberg Development Corporation
Dwayne Grigar	Councilor, District 3
Bill Knesek	President, Rosenberg Development Corporation
Jimmie J. Pena	Director, Rosenberg Development Corporation
Cynthia McConathy	Director, Rosenberg Development Corporation
Vincent M. Morales, Jr.	Mayor
Allen Scopel	Vice President, Rosenberg Development Corporation

STAFF PRESENT

Robert Gracia	City Manager
Luis Garza	Accounting Supervisor
Jeremy Heath	Assistant Economic Development Director
Randall D. Malik	Economic Development Director
Maritza Salazar	Budget Analyst
Cynthia Sullivan	Secretary II
Kaye Supak	Executive Assistant
Travis Tanner	Executive Director of Community Development
Scott Tschirhart	City Attorney (Video Conference)

GUESTS

Jeanne H. McDonald, P.C.	Attorney
Paul Reed	Paragon Outlet Partners, LLC

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.
RDC President Bill Knesek called the meeting to order at 4:00 p.m.

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 Rosenberg Development Corporation and may be enacted by one (1) motion. There will be no separate discussion of Consent Agenda items unless a Rosenberg Development Corporation Board 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 THE JOINT CITY COUNCIL AND ROSENBERG DEVELOPMENT CORPORATION MEETING MINUTES FOR AUGUST 14, 2014.**

B. **CONSIDERATION OF AND ACTION ON THE MONTHLY ROSENBERG DEVELOPMENT CORPORATION FINANCIAL REPORTS FOR THE PERIOD ENDING AUGUST 31, 2014.**
Executive Summary: **The August 2014 RDC Financial Reports are attached for your review and consideration. Staff recommends approval.**

C. **CONSIDERATION OF AND ACTION ON A REPORT FROM THE COMMUNICATIONS DEPARTMENT REGARDING THE PREVIOUS MONTH'S COMMUNICATIONS ACTIVITIES.**
Executive Summary: **This item has been included to provide an overview of Communication activities in the previous month, as they relate to economic development.**

Action: RDC Director Cynthia McConathy moved and RDC Director Ted Garcia seconded a motion to approve the Consent Agenda items A, B, and C. The motion carried unanimously.

2. **HOLD JOINT EXECUTIVE SESSION PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE TO RECEIVE LEGAL ADVICE FROM THE CITY ATTORNEY CONCERNING CONTEMPLATED LITIGATION, NAMELY DISPUTE WITH IMPERIAL PERFORMING ARTS, INC.; AND, PURSUANT TO SECTION 551.087 OF THE TEXAS GOVERNMENT CODE FOR DELIBERATIONS REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS.**

Action: RDC Director Ted Garcia moved and RDC Director Allen Scopel seconded the motion to adjourn for Joint Executive Session at 4:05 p.m. The motion carried unanimously.

A Joint Executive Session was held pursuant to Section 551.071 of the Texas Government Code to receive legal advice from the City Attorney concerning contemplated litigation, namely dispute with Imperial Performing Arts, Inc.; and, pursuant to Section 551.087 of the Texas Government Code for deliberations regarding Economic Development negotiations.

3. **ADJOURN JOINT EXECUTIVE SESSION, RECONVENE INTO REGULAR SESSION, AND THE ROSENBERG DEVELOPMENT CORPORATION BOARD MAY TAKE ACTION AS NECESSARY AS A RESULT OF EXECUTIVE SESSION.**

RDC President Bill Knesek adjourned the Joint Executive Session and reconvened into Joint Session at 5:35 p.m.

RECESS SESSION, RECONVENE SESSION.
RDC President Bill Knesek recessed the Session at 5:35 p.m., and reconvened the Session at 5:45 p.m.

Note: Randall Malik introduced Jeremy Heath, recently hired to serve as Assistant Economic Development Director.

Action: RDC Director Cynthia McConathy moved and RDC Director Ted Garcia seconded a motion to approve a contribution of one million dollars ($1,000,000.00) to the proposed Texas State Technical College Project to assist with technical training and workforce needs for the benefit of Fort Bend County residents with ten annual equal payments to be allocated to the project over ten years. The motion carried unanimously.

Action: RDC Director Teresa Bailey moved and RDC Director Cynthia McConathy seconded a motion to execute a Memorandum of Understanding with Paragon Outlet Partners, LLC, regarding a proposed outlet mall development to be located on approximately 63 acres of land generally located at US 59/I-69 and Spacek Road. The motion carried unanimously.

4. **RECEIVE A REPORT ON THE CITY OF ROSENBERG WATER PLAN, AND THE ROSENBERG DEVELOPMENT CORPORATION MAY TAKE ACTION AS NECESSARY.**
Executive Summary: **This item has been requested by RDC Board President Bill Knesek to discuss the City of Rosenberg's Water Plan.**

Key discussion points:
RDC President Bill Knesek opened the discussion asking the Mayor and/or City Council members to update the RDC Board on issue related to the Rosenberg Water Plan. Comments included the following:

- Certain cities have indicated that they have chosen alternative plans.
- City's need to complete an agreement with Brazosport Water Authority to fulfill the 30% reduction mandate to meet the 2016 deadline.
- Water and water planning is important to Rosenberg's economic viability.
- Appreciation expressed to staff and attorney for their efforts on the City's behalf.
- City Council is and has participated in all water-related efforts and is due to be briefed at the next Council meeting.
- Staff was recognized for creative and innovative approach related to the Rosenberg Water Plan since the water plan applies to current residents and the future of Rosenberg's Economic Development.

No action was necessary or taken.

5. **REVIEW AND DISCUSS PROCEDURES FOR JOINT CITY COUNCIL AND ROSENBERG DEVELOPMENT CORPORATION MEETINGS AND PARTICIPATION/ATTENDANCE IN EXECUTIVE SESSIONS, AND THE ROSENBERG DEVELOPMENT CORPORATION MAY TAKE ACTION AS NECESSARY.**
Executive Summary: **This item has been requested by RDC Director Jimmie Pena to discuss the procedures for future RDC Meetings and attendance in Executive Sessions which could include members of the City Council.**

Key discussion points:
RDC Director Jimmie Pena noted concern regarding City Council's potential participation in Executive Sessions held during joint meetings of the City Council and RDC. City Attorney Tschirhart indicated that though the agenda is jointly posted, that the action items relate only to the Rosenberg Development Corporation. He added that though the meetings are posted as a joint meeting of City Council and the Rosenberg Development Corporation, the potential that there could be a quorum of City Council in attendance makes the meeting subject to the Open Meetings Act, thus requiring the posting of a City Council Meeting. He continued that the structure of the joint posting for this meeting would allow City Council to participate in the meeting, but not vote on action items.

After general discussion, Mayor Vincent Morales indicated that he will not attend future RDC meetings unless his presence is necessary to address a specific agenda item, and/or as requested by the RDC Board.

No action was necessary or taken.

6. **REVIEW AND DISCUSS CITY SIDEWALK PLAN, AND THE ROSENBERG DEVELOPMENT CORPORATION MAY TAKE ACTION AS NECESSARY.**
Executive Summary: **This item has been added by RDC President Knesek to provide the Board an opportunity to discuss sidewalk projects in the City of Rosenberg, and take action if necessary.**

By general consensus of the RDC Board, this item was tabled to the next RDC Board meeting.

7. **REVIEW AND DISCUSS WAYFINDING SIGNS, AND THE ROSENBERG DEVELOPMENT CORPORATION MAY TAKE ACTION AS NECESSARY.**
Executive Summary: **This item has been included on the Agenda to follow-up on the Board of Director's previous discussion regarding Wayfinding Signage. Included in the supporting documents are examples of wayfinding signage. Additionally, task four of the Livable Centers Study is included in the supporting documents. Task 4.4 of the Livable Centers Study consists of developing designs for wayfinding signage. A PowerPoint consisting of possible location for the Wayfinding Signage will be provided at the meeting.**

By general consensus of the RDC Board, this item was tabled to the next RDC Board meeting.

8. **REVIEW AND DISCUSS AMENDING THE WALSH ROAD INDUSTRIAL PARK DEVELOPMENT AGREEMENT, AND THE ROSENBERG DEVELOPMENT CORPORATION MAY TAKE ACTION AS NECESSARY.**
Executive Summary: **The Developer of the Walsh Road Industrial Park has requested an extension of six months to extend utilities to the Industrial Park. The current development agreement requires infrastructure to be completed for the project by December 31, 2014.**

Key discussion points:
Randall Malik opened the discussion explaining the developer, Larry Indermuehle, submitted a request for an extension of six months in order to extend utilities to the Walsh Road Industrial Park.

Action: RDC Director Cynthia McConathy moved and RDC Director Allen Scopel seconded a motion to extend the Walsh Road Industrial Park Development Agreement to June 30, 2015, as requested. The motion carried unanimously.

9. **REVIEW AND DISCUSS APPOINTING ONE MEMBER OF THE ROSENBERG DEVELOPMENT CORPORATION BOARD OF DIRECTORS TO SERVE ON THE CITY OF ROSENBERG COMPREHENSIVE PLAN ADVISORY COMMITTEE, AND THE ROSENBERG DEVELOPMENT CORPORATION MAY TAKE ACTION AS NECESSARY.**
Executive Summary: **This item has been included to provide the RDC Board of Directors the opportunity to appoint one member of the RDC Board to serve on the City of Rosenberg Comprehensive Plan Advisory Committee.**

Key discussion points:
Travis Tanner, Executive Director of Community Development, presented a brief background on efforts to produce an updated Comprehensive Plan for the City of Rosenberg. The Planning Commission will serve as the primary participants on an advisory committee. City of Rosenberg staff is requesting that a member of the RDC Board serve as a committee member at four (4) planned meetings. RDC Board Member Jimmie Pena volunteered to serve on this committee.

Action: RDC Director Cynthia McConathy moved and RDC Director Amanda Barta seconded a motion to nominate

RDC Director Jimmie Pena to serve as the RDC's representative to the Comprehensive Plan Advisory Committee. The motion carried unanimously.

10. CONSIDERATION OF AND ACTION ON A REPORT FROM THE ECONOMIC DEVELOPMENT DIRECTOR REGARDING THE PREVIOUS MONTH'S ECONOMIC DEVELOPMENT ACTIVITIES AND CONTACTS. ***Executive Summary:*** **This item has been included to provide the Economic Development Director the opportunity to update the Board on the previous month's activities, contacts, and projects.**

Key discussion points:

- Randall Malik announced the Business Assistance Grant Program has awarded all the funding for the Fiscal year 2013-2014.
- A representative of Fort Bend Transit is scheduled to present an update to the RDC Board at the next regular meeting.
- The Livable Centers Study has chosen Morris Architects, and will begin their process soon.
- West Fort Bend Management District will meet next week to appoint two members to serve on the new committee with RDC Directors Scopel and Pena.
- Sales tax revenue is about 30% ahead of this time last year.
- Tax Abatement Guidelines are reviewed and reapproved every two years; the guidelines are due to expire in November 2014; and, will be presented to City Council in the near future.
- The general consensus was that the Windshield Survey Report has been informative.

No action was necessary or taken.

11. CONSIDERATION OF AND ACTION ON REQUESTS FOR FUTURE AGENDA ITEMS.
Executive Summary: **This item provides the Rosenberg Development Corporation Board the opportunity to request future agenda items.**

Key discussion points:

- Imperial Performing Arts.
- Sidewalk plan.
- Fort Bend Transit System schedule.
- Wayfinding Signs.
- Alternatives for additional Downtown parking.
- Dangerous Building enforcement.

12. ANNOUNCEMENTS.

The Comprehensive Plan Workshop has been set for Thursday, October 09, 2014, at 7:00 p.m., at the Rosenberg Civic Center.

13. ADJOURNMENT.

Action: RDC Director Cynthia McConathy moved and RDC Director Allen Scopel seconded a motion to adjourn the RDC Board Meeting. The motion carried unanimously and the meeting was adjourned at 6:41 p.m.

Kaye Supak, Acting City Secretary