

ROSENBERG DEVELOPMENT CORPORATION MEETING MINUTES

On this the 12th day of March 2015, the Rosenberg Development Corporation (RDC) of the City of Rosenberg, Fort Bend County, Texas, met in Regular Session, at the Rosenberg Civic Center, 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
Bill Knesek	President, Rosenberg Development Corporation
Cynthia McConathy	Director, Rosenberg Development Corporation
Jimmie J. Peña	Director, Rosenberg Development Corporation
Allen Scopel	Vice President, Rosenberg Development Corporation

STAFF PRESENT

Jasmine Bowens	Secretary II
Angela Fritz	Executive Director of Information Services
Robert Gracia	City Manager
Jeremy Heath	Assistant Economic Development Director
James Lewis	Director of Technology
Randall Malik	Executive Director, Rosenberg Development Corporation
John Maresh	Assistant City Manager of Public Services
Cynthia Sullivan	Secretary II
Kaye Supak	Executive Assistant
Travis Tanner	Executive Director of Community Development
Jeff Trinker	Executive Director of Support Services
Joyce Vasut	Executive Director of Administrative Services
Scott Tschirhart	City of Rosenberg Attorney (via conference call)

GUEST:

John Manning Pattillo, Brown & Hill L.L.P.

CALL TO ORDER.

President Knesek called the meeting to order at 4:05 p.m.

STATEMENT OF RULES PERTAINING TO AUDIENCE COMMENTS.

Cynthia Sullivan, Secretary II, 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 FEBRUARY 12, 2015.
- B. CONSIDERATION OF AND ACTION ON THE MONTHLY ROSENBERG DEVELOPMENT CORPORATION FINANCIAL REPORTS FOR THE PERIOD ENDING FEBRUARY 28, 2015.

Executive Summary: The February 28, 2015 RDC Financial Reports are attached for your review and consideration. Staff recommends approval.

- C. CONSIDERATION OF AND ACTION ON RESOLUTION NO. RDC-92, A RESOLUTION AMENDING THE AUTHORIZED REPRESENTATIVES OF THE ROSENBERG DEVELOPMENT CORPORATION IN THE TEXAS LOCAL GOVERNMENT INVESTMENT POOL (TEXPOOL) ACCOUNT.

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

- Randall Malik, Executive Director, Rosenberg Development Corporation
- Robert Gracia, City Manager
- Joyce Vasut, Executive Director of Administrative Services
- Luis Garza, Accounting Supervisor

Staff recommends approval of Resolution No. RDC-92 as presented.

President Knesek requested that Consent Agenda Item B be placed on the Regular Agenda as Item 1A.

Action: Director McConathy moved, and Director Scopel seconded a motion to approve Consent Agenda Items A and C. The motion passed by a unanimous vote.

REGULAR AGENDA

- 1A. (This item was taken out of order after Item C)
CONSIDERATION OF AND ACTION ON THE MONTHLY ROSENBERG DEVELOPMENT CORPORATION FINANCIAL REPORTS FOR THE PERIOD ENDING FEBRUARY 28, 2015.

Executive Summary: The February 28, 2015 RDC Financial Reports are attached for your review and consideration. Staff recommends approval.

Key discussion points:

- President Knesek asked for clarification on the total amount reserved for projects and the amount available to spend.
- President Knesek inquired about the Business Park Development project management fee of \$85,000. Ms. Vasut explained it is on the report because it was budgeted, but the City of Rosenberg- is only charging the actual invoices received from engineers or for inspections.

Action: Director Scopel moved and Director Garcia seconded a motion to approve the Financial Reports for the period ending February 28, 2015, as presented. The motion passed by a unanimous vote.

1. (This item was taken out of order after Item No. 5.)
HOLD EXECUTIVE SESSION TO RECEIVE LEGAL ADVICE FROM THE CITY ATTORNEY CONCERNING CONTEMPLATED LITIGATION, NAMELY DISPUTE WITH IMPERIAL PERFORMING ARTS, INC. PURSUANT TO SECTION 551.071 OF THE TEXAS GOVERNMENT CODE; TO DELIBERATE 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 PURSUANT TO SECTION 551.087 OF THE TEXAS GOVERNMENT CODE.

Regular Session was adjourned for Executive Session at approximately 4:20 p.m.

2. **ADJOURN EXECUTIVE SESSION, RECONVENE REGUALR SESSION, AND TAKE ACTION AS NECESSARY AS A RESULT OF EXECUTIVE SESSION.**

Executive Session was adjourned and the RDC Board reconvened Regular Session at approximately 4:53 p.m. President Knesek asked for the Board's desire to take action on the purchase of BNSF property.

Action: Director McConathy moved and Director Garcia seconded to approve funding for the purchase of the BNSF property on Avenue F between 3rd and 6th Streets in an amount not to exceed \$166,787. The motion passed by a unanimous vote.

3. **CONSIDERATION OF AND ACTION ON AN AGREEMENT FOR TRANSPORTATION SERVICE BY AND BETWEEN ROSENBERG DEVELOPMENT CORPORATION AND FORT BEND COUNTY FOR BUS SERVICES IN ROSENBERG.**

Executive Summary: This agenda item includes a proposed agreement between Fort Bend County and the Rosenberg Development Corporation for Transportation Services. Transportation services include the operation of a bus route through Rosenberg and Richmond.

At the January 8, 2015 RDC Meeting, the Rosenberg Development Corporation Board of Directors approved allocating \$75,000 for transportation services provided by the Fort Bend County Transportation Department and authorizing the RDC Attorney to review the contract. The agreement has been approved by the RDC Attorney. The RDC Attorney will be available to answer any questions on the agreement at the meeting.

Key discussion points:

- City Attorney Tschirhart commented that he approved the current version of the Agreement between RDC and Fort Bend County as to form.

Action: Director Scopel moved and Director Barta seconded a motion to approve the Agreement for Transportation Service by and between RDC and Fort Bend County. The motion passed by a unanimous vote.

4. **REVIEW AND DISCUSS SECTION 551.041 OF THE TEXAS OPEN MEETINGS ACT – NOTICE OF MEETING REQUIRED AS IT RELATES TO DEPARTMENTAL REPORTS BEING REMOVED FROM MEETING AGENDAS AND TAKE ACTION AS NECESSARY.**

Executive Summary: This item has been included to provide the Economic Development Director the opportunity to update the Board on the removal of departmental reports from meeting agendas as per Section 551.041 of the Texas Open Meeting Act.

Key discussion points:

- The City Attorney provided a document, an Attorney General Opinion, to the Board and explained Section 551.041 of the Texas Open Meeting Act and gave examples of other cases regarding this item.
- The City Attorney further explained that a member of the public needs to be able to read the agenda and be able to determine what the subject matter of the discussion is going to be.
- A Director's Report is permissible if it includes a list(s) of categories of specific topics that are included in said report.
- The general consensus of the Board was to include categories of information to be discussed within reports on future Agendas in order to properly inform the general public.

No action was taken.

5. (This item was taken out of order after Item 1A)
CONSIDERATION OF AND ACTION ON DRAFT COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR THE ROSENBERG DEVELOPMENT CORPORATION FOR FISCAL YEAR ENDED SEPTEMBER 30, 2014, SUBMITTED BY PATTILLO, BROWN AND HILL, L.L.P.

Executive Summary: The Finance Committee (Committee) met on Tuesday, March 03, 2015, to review the draft Comprehensive Annual Financial Report (CAFR). The Committee recommended several amendments for clarification, and subsequently unanimously recommended the acceptance of the document as revised. You will find the draft CAFR attached for your review and consideration.

Key discussion points:

- Ms. Vasut updated the Board on the Finance Committee meeting and introduced John Manning of Pattillo, Brown and Hill, L.L.P.
- Mr. Manning distributed the Corporation's management letter and explained the RDC received the unmodified opinion, which is positive.

Action: Director McConathy moved and Director Scopel seconded a motion to accept the RDC Comprehensive Annual Financial Report. The motion passed by a unanimous vote.

RECESS SESSION, RECONVENE SESSION.

President Knesek recessed the Session at 5:15 p.m., and reconvened the Session at 5:35 p.m.

6. **REVIEW AND DISCUSS THE UPDATE OF CITY NEWSLETTER, AND TAKE ACTION AS NECESSARY.**

Executive Summary: This item has been included to allow staff to provide the Board with an update on the City of Rosenberg newsletter following a staff presentation to City Council at the February 24 City Council Workshop.

Key discussion points:

- Ms. Fritz presented an update of the purpose of the reconfiguration of the City newsletter.

No action was taken.

7. **REVIEW AND DISCUSS THE INFRASTRUCTURE BRANDING, AND TAKE ACTION AS NECESSARY.**

Executive Summary: This item has been included to allow staff to provide the Board with an update on opportunities related to infrastructure branding following a staff presentation at the February 17 City Council Meeting.

Key discussion points:

- Ms. Fritz gave an update on infrastructure branding for the City of Rosenberg.

No action was taken.

8. **REVIEW AND DISCUSS OLD RICHMOND ROAD AND JENNETTA STREET RECONSTRUCTION, AND TAKE ACTION AS NECESSARY.**

Executive Summary: This item was brought back to RDC Board of Directors for consideration of RDC funding for the reconstruction of Old Richmond Road.

The project was included in the City of Rosenberg FY2014 Capital Improvement Project list. The FY 2014 Capital Improvement Project list was approved by City Council on September 17, 2013. On October 15, 2013, City Council approved Resolution No. R-1705, which approved the reconstruction of Old Richmond Road and Jennetta Street, including necessary drainage improvements with the participation of Fort Bend County Road and Bridge. However, Fort Bend County Road and Bridge has not been able to schedule the roadway reconstruction due to their workload.

In an effort to move the project forward, on January 20, 2015, City Council approved Resolution No. R-1898 for an Engineering Services Agreement with CivilCorp, LLC, in the amount of \$177,262.00 for the Old Richmond Road and Jennetta Street Reconstruction Project.

Sealed bids would have to be solicited from contractors for the construction phase of the project. The engineer's preliminary construction cost estimate for this portion of the project is \$1.8 million. Additional drainage improvements will also be required in the vicinity of Jennetta Street and the dead end of Avenue F. Preliminary construction cost estimates for the drainage improvements and easements are approximately \$200,000.

Key discussion points:

- The Board discussed the need for the road repair, and the consensus was RDC did not budget for this project.
- Old Richmond Road is not within the scope of RDC's objective and goals to fund.

No action was taken.

9. REVIEW AND DISCUSS CITY SIDEWALK PLAN UPDATE, AND TAKE ACTION AS NECESSARY.

Executive Summary: This agenda item was requested by the RDC Board at the February RDC Meeting. The Board requested that staff update the map to provide anticipated cost figures of each proposed sidewalk segment and to recommend the amount of sidewalk costs to be included in the Fiscal Year 2016 Budget. On the next page is the sidewalk map with cost figures. Below, are the costs associated with the two highest sidewalk segments:

Priority #1: Reading Road Segment - estimated cost \$33,982.50.
Priority #2: Town Center Boulevard - estimated cost of \$60,892.50
Total Cost: \$94,875

Key discussion point:

- Mr. Tanner presented a map of proposed areas of sidewalks that would benefit commercial development and major commercial centers.
- The consensus of the Board was to postpone moving forward on this item until the Fiscal Year 2016 budget is reviewed.

No action was taken

10. REVIEW AND DISCUSS LONG TERM OPTIONS FOR ECONOMIC DEVELOPMENT OFFICE SPACE, AND DIRECT STAFF AS NECESSARY

Executive Summary: This item was requested by Bill Knesek, RDC Board President, to discuss future Economic Development office space.

Key discussion point:

- President Knesek explained that the RDC will celebrate their 20th year in July.
- President Knesek also requested that the RDC build an office including a conference room and he brought pictures of houses that could be built for this purpose.
- Mr. Gracia stated the move of the Economic Development staff to the Civic Center was a temporary solution and the City is working on a facility plan that would include Economic Development, and the plan will be taken to City Council.
- The Board will discuss this in a future meeting.

No action was taken.

11. CONSIDERATION OF AND ACTION ON RESOLUTION NO. RDC-93, A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ROSENBERG DEVELOPMENT CORPORATION, IN SUPPORT OF TEXAS HOUSE BILL NO. 658 RELATING TO THE CREATION OF A CAMPUS OF THE TEXAS STATE TECHNICAL COLLEGE SYSTEM IN FORT BEND COUNTY.

Executive Summary: Representative John Zerwas of Texas House District 28 has filed Texas House Bill No. 658 relating to the creation of a campus of the Texas State Technical College (TSTC) in Fort Bend County. TSTC is working

with the George and Henderson-Wessendorff Foundations on building a new TSTC Fort Bend Campus.

Staff recommends approval of Resolution No. RDC-93 as presented.

Key discussion points:

- Mr. Malik explained House Bill No. 658 and those entities that are going to present this and those that have approved it.

Action: Director McConathy moved, and Director Scopel seconded to approve Resolution No. RDC-93. The motion passed by a unanimous vote.

12. REVIEW AND DISCUSS REQUESTS FOR FUTURE AGENDA ITEMS, AND TAKE ACTION AS NECESSARY.

Executive Summary: This item provides the RDC Board the opportunity to request future agenda items.

Key discussion points:

- President Knesek requested to discuss Senate Bill 581

13. ANNOUNCEMENTS.

No Announcements

14. ADJOURNMENT.

Action: Director Garcia moved and Director Barta seconded a motion to adjourn the RDC Board Meeting. The motion carried by a unanimous vote. The meeting adjourned at 6:45 p.m.



Jasmine Bowens
Secretary II