

**ROSENBERG DEVELOPMENT CORPORATION  
MEETING MINUTES**

On this the 13<sup>th</sup> day of August, 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
Bill Knesek	President, Rosenberg Development Corporation
Lynn Moses	Director, Rosenberg Development Corporation
Jimmie J. Peña	Director, Rosenberg Development Corporation
Allen Scopel	Vice President, Rosenberg Development Corporation

**ABSENT**

Ted Garcia	Treasurer, Rosenberg Development Corporation
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**STAFF PRESENT**

Jasmine Bowens	Senior Administrative Specialist
Jeremy Heath	Assistant Economic Development Director
Dan Kelleher	Main Street Manager
Randall Malik	Executive Director, Rosenberg Development Corporation
Joyce Vasut	Executive Director of Administrative Services

**GUESTS PRESENT**

Mandi Bronsell	Executive Director, West Fort Bend Management District
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**CALL TO ORDER.**

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

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

Jasmine Bowens, Senior Administrative Specialist, 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 JULY 09, 2015.**
- B. **CONSIDERATION OF AND ACTION ON THE MONTHLY ROSENBERG DEVELOPMENT CORPORATION FINANCIAL REPORTS FOR THE PERIOD ENDING JULY 31, 2015.**  
*Executive Summary:* The July 2015 RDC Financial Reports are attached for your review and consideration. Staff recommends approval.

**Action:** Director Scopel moved, seconded by Director Pena, to approve the Consent Agenda items A and B. The motion carried by a unanimous vote of those present.

**REGULAR AGENDA**

- 1. (This item was taken out of order after Item 4)  
**HOLD PUBLIC HEARING REGARDING THE DESIGNATION OF PROJECTS FOR THE ROSENBERG DEVELOPMENT CORPORATION.**
  - a. **AS A PROJECT OF THE CORPORATION, FOR THE OPERATION OF AN EXPANDED BUS ROUTE THROUGH RICHMOND AND ROSENBERG BY FORT BEND TRANSIT. THE**

ESTIMATED AMOUNT OF EXPENDITURES FOR SUCH TYPE OF GENERAL PROJECT IN FISCAL YEAR 2015-2016 IS \$75,000.

- b. AS A PROJECT OF THE CORPORATION, IMPROVEMENTS TO ENHANCE THE CITY OF ROSENBERG'S "GATEWAYS" BY LANDSCAPING AND RELATED MAINTENANCE OF ENTRANCES AND COMMERCIAL ROADWAYS WITHIN THE CITY (OPEN SPACE IMPROVEMENTS), FOUND BY THE BOARD OF DIRECTORS TO BE REQUIRED OR SUITABLE FOR OPEN SPACE IMPROVEMENTS. THE ESTIMATED AMOUNT OF EXPENDITURES FOR SUCH TYPE OF GENERAL PROJECT IN FISCAL YEAR 2015-2016 IS \$75,000.
- c. AS A PROJECT OF THE CORPORATION, LAND, BUILDINGS, EQUIPMENT, FACILITIES, AND IMPROVEMENTS TO ENHANCE THE CITY OF ROSENBERG'S PUBLIC PARK FACILITIES, FOUND BY THE CORPORATION TO BE REQUIRED OR SUITABLE FOR AMATEUR SPORTS, ATHLETIC, ENTERTAINMENT, TOURIST, CONVENTION, AND PUBLIC PARK PURPOSES AND EVENTS, INCLUDING BALL PARKS, PARKS AND PARK FACILITIES, OPEN SPACE IMPROVEMENTS, AND RELATED PARKING FACILITIES, ROADS, WATER AND SEWER FACILITIES, AND OTHER RELATED IMPROVEMENTS THAT ENHANCE ANY OF THOSE ITEMS. THE ESTIMATED AMOUNT OF EXPENDITURES FOR SUCH TYPE OF GENERAL PROJECT IN FISCAL YEAR 2015-2016 IS \$125,000.
- d. AS A PROJECT OF THE CORPORATION, DIRECT INCENTIVES TO PARAGON OUTLETS ROSENBERG LIMITED PARTNERSHIP FOR INFRASTRUCTURE RELATED TO THE DEVELOPMENT OF THE PARAGON OUTLET MALL, FOUND BY THE BOARD OF DIRECTORS TO BE REQUIRED OR SUITABLE AND NECESSARY TO PROMOTE OR DEVELOP SUCH NEW OR EXPANDED BUSINESS ENTERPRISES. THE ESTIMATED AMOUNT OF EXPENDITURES FOR SUCH TYPE OF GENERAL PROJECT IN FISCAL YEAR 2015-2016 IS \$3,000,000.
- e. AS A PROJECT OF THE CORPORATION, DIRECT INCENTIVES TO MARQUEZ ENTERPRISES, LLC RELATED TO THE EXPANSION OF SUPERIOR TANK COMPANY, FOUND BY THE BOARD OF DIRECTORS TO BE REQUIRED OR SUITABLE AND NECESSARY TO PROMOTE OR DEVELOP SUCH NEW OR EXPANDED BUSINESS ENTERPRISES. THE ESTIMATED AMOUNT OF EXPENDITURES FOR SUCH TYPE OF GENERAL PROJECT IN FISCAL YEAR 2015-2016 IS \$25,000.
- f. AS A PROJECT OF THE CORPORATION, DIRECT INCENTIVES TO TEXAS STATE TECHNICAL COLLEGE FOUNDATION RELATED TO THE DEVELOPMENT OF A TEXAS STATE TECHNICAL COLLEGE IN ROSENBERG, FOUND BY THE BOARD OF DIRECTORS TO BE SUITABLE FOR THE DEVELOPMENT OF PRIMARY JOB TRAINING FACILITIES FOR USE BY INSTITUTIONS OF HIGHER EDUCATION. THE ESTIMATED AMOUNT OF EXPENDITURES FOR THE TEXAS STATE TECHNICAL COLLEGE FOUNDATION IN FISCAL YEAR 2015-2016 IS \$200,000.
- g. AS A PROJECT OF THE CORPORATION, TO DESIGN AND CONSTRUCT NEW SIDEWALKS ON 8<sup>TH</sup> STREET CONNECTING AVENUES M AND N, ON DAMON STREET CONNECTING AVENUES K AND N, AND ON AVENUE N CONNECTING DAMON STREET AND RADIO LANE. THE ESTIMATED AMOUNT OF EXPENDITURES IN FISCAL YEAR 2015-2016 IS \$200,000.

**Executive Summary:** State law requires that Type B economic development corporations must formally designate their projects by published notice and then must wait sixty (60) days after the published notice to expend funds on the designated projects. A public hearing regarding the projects must also be held during the 60-day waiting period.

Pursuant to said requirements, the requisite public notice was published in Fort Bend Herald on Sunday, August 9, 2015, this beginning the 60-day waiting period as required by state law.

This item has been included on the Agenda to accommodate the required public hearing as advertised in the published notice.

**The public hearing was opened by President Knesek at 4:18 p.m. As there were no speakers, the public**

hearing was closed by President Knesek at 4:22 p.m.

2. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. RDC-97, A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ROSENBERG DEVELOPMENT CORPORATION AMENDING THE FISCAL YEAR 2014-15 ANNUAL BUDGET IN THE AMOUNT OF \$120,000 FOR OTHER PROFESSIONAL SERVICES.**

**Executive Summary:** The amended budget for Other Professional Services in FY2014-2015 is \$80,000. Invoices received through July 31, 2015, total \$151,605.80. Payments were made to the following:

• Denton Navarro Rocha Bernal Hyde & Zech, P.C.:	\$ 76,282.62
• Jeanne M. McDonald, Attorney:	\$ 32,822.68
• Jones & Carter, Inc.:	\$ 37,500.50
• <u>Texas Municipal League:</u>	<u>\$ 5,000.00</u>
Total	\$151,605.80

Denton Navarro Rocha Bernal Hyde and Zech, P.C., provides services for general legal matters and litigation services regarding Imperial Arts. Jeanne McDonald provides legal services for development and performance agreements. Jones & Carter, Inc., provides infrastructure reviews, most recently for the Paragon Outlet Mall. The Texas Municipal League expenditure provided for the insurance deductible for Imperial Arts litigation.

Although we anticipate that some of the attorneys' fees for litigation may be reimbursed, the reimbursement would most likely not take place during FY2015. Therefore, this budget adjustment increases the budget without considering any reimbursement during the fiscal year.

This budget amendment would provide the additional funds for the Other Professional Services line item. Staff recommends approval of Resolution No. RDC-97.

**Key discussion points:**

- Joyce Vasut discussed the amendment for the Fiscal Year 2014-15 annual budget for Other Professional Services, explaining that the request to make a budget adjustment in the amount of \$120,000 is necessary due to receiving invoices totaling \$150,000 through July 31, 2015.

**Action:** Director Scopel moved, seconded by Director Pena to approve Resolution No. RDC-97, a Resolution of the Board of Directors of the Rosenberg Development Corporation amending the Fiscal Year 2014-15 Annual Budget in the amount of \$120,000 for other professional services. The motion carried by a unanimous vote of those present.

3. (This item was taken out of order after Item B)

**REVIEW AND DISCUSS ROSENBERG GATEWAY MAINTENANCE, AND TAKE ACTION AS NECESSARY TO DIRECT STAFF.**

**Executive Summary:** At the July RDC Board Meeting, the Board requested to discuss Gateway Maintenance at the Hwy 36 and US90-A intersection at a future meeting. Z-Best Lawns (Z-Best) currently has the contract for mowing the entryway where SH36 and US90-A converge. Starting in June because of the heavy rains, Z-Best has increased mowing of that segment from monthly to twice a month. Currently, the triangular esplanade that divides FM 529 from the SH36/US90-A convergence is not part of the mowing services provided by Z-Best Lawns. This esplanade needs edging, and debris and dirt needs to be cleared from the paver stones.

For your information and review, a chart of all current mowing and maintenance contracts funded by the RDC is included below.

Description	Duration	Cost	Contractor
Finish-cut mowing along FM 2218 from I-69 north to City Limits, including the grassy center median as well as the grassy strips between the road and the inner edge of the sidewalk.	Bi-Weekly	\$450.00	Z-Best Lawns
Finish-cut mowing for gateways at Hwy 36 and I-69, and FM 2218 and I-69.	Bi-Weekly	\$1,000.00	Z-Best Lawns

Finish-cut mowing for Gateway at Hwy 36 and Hwy 90.	Bi-Weekly	\$250.00	Z-Best Lawns
Mulch change-out for all landscaping beds FM 2218 and I-69, and Hwy 36 and I-69. Oleander and rose- bush trimming at all landscaping beds at FM 2218 and I-69, and Hwy 36 and I-69.	Annually	\$506.25	Z-Best Lawns
Rough cut mowing of the 147 acre unpaved area along the right-of-way at I-69 from Hwy 36 to Spur 10.	As Needed	\$3,012.00	Reliant Sand & Construction
Rough Cut mowing of the 34.3 acre area along I-69 from FM 762 to Reading Road.	As Needed	\$891.45	Reliant Sand & Construction
Rough cut mowing of the 17.8 acre area along I-69 from Reading Road to FM 2218.	As Needed	\$462.62	Reliant Sand & Construction
Rough cut mowing of the 21.8 acre area along I-69 from FM 2218 to Hwy 36.	As Needed	\$566.68	Reliant Sand & Construction
Landscape maintenance of planters along Avenue H (90A) and 3 <sup>rd</sup> Street.	Monthly	\$115.00	Shawn Wleczyk

**Key discussion points:**

- Jeremy Heath inquired about negotiating a contract with Z-Best Lawns, to maintain the additional triangular esplanade which divides FM 529 from the SH36/US90-A convergence.
- President Kneseck stated he would like to see improved performance by Z-Best Lawns.

**Action:** Director Barta moved, seconded by Director Moses, to authorize to negotiate an addition to the RDC Contract with Z-Best Lawns to maintain the triangular esplanade, which divides FM 529 from the SH36/US90-A convergence, at a price not to accede \$100 per cycle. The motion passed unanimously by those present.

**4. CONSIDERATION OF AND ACTION ON AWARDING A BID FOR BARRIER FENCING FOR THE DOWNTOWN PARKING PROJECT.**

**Executive Summary:** In accordance with the purchase agreement to acquire a 2.25 acre site in Downtown from BNSF, we are in the process of erecting a barrier fence on the northern border of the property. We have received multiple bids for the following three (3) fencing options:

- a basic six-foot, nine-gage chain link fence
- a six-foot, nine-gage, vinyl-coated chain link fence
- an eight-foot, wrought iron fence (which matches the fence at the Railroad Museum)

Houston Fence Company was the lowest bidder on all three (3) options at \$11,935.00, \$18,325.00 and \$40,925.00, respectively.

This expenditure will be applied to the Livable Centers Account, which currently has a balance of \$250,000.

**Key discussion points:**

- Jeremy Heath discussed the three (3) fencing options.
- Randall Malik stated that the contract with BNSF Railway Company requires that we place six-foot high fences within sixty (60) days of executing the contract.
- Director Scopel suggest to look at the wrought iron at a later date, possibly after the parking lot is paved.

**Questions/Answers:**

- Director Moses asked about the current state of the Railroad Museums fence.
- Jeremy Heath explained there is a powder coating on the fence which comes with a warranty to reapply the coating, every few years, and the Railroad Museums fence has held up well.

- Director Bailey asked if the wrought iron has to be repainted every five (5) to ten (10) years.
- Jeremy Heath stated that it is quite possible the wrought iron will have to be repainted.

**Action:** Director Barta moved, seconded by Director Moses, to approve the six-foot, nine-gauge, vinyl-coated chain link fence in the amount of \$18,325.00. The motion passed unanimously by those present.

**5. REVIEW AND DISCUSS ROSENBERG DEVELOPMENT CORPORATIONS (RDC) ECONOMIC DEVELOPMENT INCENTIVE GUIDELINES, AND TAKE ACTION AS NECESSARY TO DIRECT STAFF.**

**Executive Summary:** This agenda item allows for the RDC Board to discuss potential incentive guidelines for the RDC. At the February RDC Meeting, Directors Garcia and Pena agreed to assist with a review of RDC incentive policies. We recently met to discuss RDC incentives and the types of incentives typically offered by economic development corporations in the Houston region.

Staff will provide a presentation of examples of local and state incentives available to qualifying businesses at the RDC Meeting.

**Key discussion points:**

- Randall Malik presented information regarding a potential incentive guidelines for the RDC, through a slide presentation. He proposed providing a questionnaire, online, which could include some incentive guidelines.
- Director Bailey suggested including non-specific guidelines without including actual figures.
- President Knesek mentioned that by providing minimal qualifications to businesses, might deter them.

No action was taken.

**6. REVIEW AND DISCUSS QUARTERLY ECONOMIC DEVELOPMENT PARTNERSHIP MEETINGS, AND TAKE ACTION AS NECESSARY TO DIRECT STAFF.**

**Executive Summary:** At the July 2015 RDC Board Meeting, the Board requested to discuss the concept of the economic development office hosting quarterly meetings. The purpose of the quarterly meeting would be to facilitate the sharing of economic development related projects with our stakeholders. Attached is a draft agenda for a potential Quarterly Economic Development Partnership Meeting.

**Key discussion points:**

- President Knesek stated that he feels the Rosenberg Business Appreciation Event has evolved more into a networking event, but the Economic Development Partnership Meetings can possibly be taken to a higher level by developing relationships with Rosenberg businesses.

**Action:** Director Pena moved, seconded by Director Moses, to approve the Quarterly Economic Development Partnership Meetings on a trial bases. The motion passed unanimously by those present.

**7. CONSIDERATION OF AND ACTION ON A REPORT FROM THE ROSENBERG DEVELOPMENT CORPORATION EXECUTIVE DIRECTOR REGARDING THE PREVIOUS MONTH'S ECONOMIC DEVELOPMENT ACTIVITIES AND CONTACTS, WHICH INCLUDES UPDATES ON THE FOLLOWING:**

- ECONOMIC INDICATORS;**
- BUSINESS RETENTION VISITS;**
- LIVABLE CENTERS STUDY;**
- BUSINESS APPRECIATION LUNCHEON;**
- NEW AND EXPANDED BUSINESSES; AND,**
- EXISTING BUSINESSES.**

**Executive Summary:** This item has been included to provide the Executive Director the opportunity to update the Board on the previous month's activities, contacts, and projects.

**Key discussion points:**

- Randall Malik updated the Board on economic development activities.

No action was taken.

**8. 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.

No discussion was held regarding this item.

**9. ANNOUNCEMENTS.**

- Randall Malik mentioned that during the City's Budget workshop meetings, the consensus among City Council was to move the RDC meeting to City Hall, in order to potentially video the meetings.
- Director Barta indicated that City Council would need to have additional discussion on the location of the meetings.

**10. ADJOURNMENT.**

**Action:** Director Scopel moved, seconded by Director Moses, to adjourn the RDC Board Meeting. The motion carried by a unanimous vote of those present. The meeting adjourned at 5:14 p.m.

  
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Jasmine Bowers  
Secretary II

Meeting Minute attachments:

1. Draft Agenda for Proposed Economic Development Partnership Meeting

## Draft Agenda for Economic Development Partnership Meeting

**Purpose:** To facilitate the sharing of information on economic development and community projects with the Rosenberg business community, economic development stakeholders, and elected & appointed officials.

**Meeting Location:** Rosenberg Civic Center – Multi-Media Room

**Meeting Frequency:** Quarterly

### **Sample Agenda:**

7:45-8am: Breakfast Served & Networking

8-8:20 - Guest Speaker discussing economic development related topics

8:20-8:30 - Question and Answer Session for guest speaker

8:30-8:45 - Overview of Economic Development Activity from Economic Development Staff and Q&A.

8:45-9:00- Updates from Stakeholders

9:00- Adjournment