CITY OF ROSENBERG
JOINT CITY COUNCIL MEETING MINUTES

On this the 11th day of February, 2016, the City Council of the City of Rosenberg, Fort Bend County, Texas, met in a Joint Session with the Rosenberg Development Corporation (RDC), in the Rosenberg Civic Center, located at 3825 Highway 36 South, Rosenberg, Texas.

Present:	Cynthia A. McConathy, Mayor
	William Benton, Councilor at Large, Position 1
	Jimmie J. Pena, Councilor, District 1, Director, Rosenberg Development Corporation
	Lynn Moses, Councilor, District 4, Director, Rosenberg Development Corporation
	Bill Knesek, President, Rosenberg Development Corporation
	Teresa Bailey, Director, Rosenberg Development Corporation
	Ted Garcia, Director, Rosenberg Development Corporation
	Allen J. Scopel, Director, Rosenberg Development Corporation
Absent:	Amanda J. Barta, Councilor at Large, Position 2
	Susan Euton, Councilor, District 2
	Lisa Wallingford, Councilor, District 3
Staff Present:	Scott M. Tschirhart, City Attorney
	Linda Cernosek, City Secretary
	Jeff Trinker, Executive Director of Support Services
	Joyce Vasut, Executive Director of Administrative Services
	Travis Tanner, Executive Director of Community Development
	Darren McCarthy, Parks and Recreation Director
	Randall Malik, Economic Development Director
	Jeremy Heath, Assistant Economic Development Director

Call to order: Rosenberg Civic Center.
Vice President Allen J. Scopel called the meeting to order at 4:01 p.m.

GENERAL COMMENTS FROM THE AUDIENCE.
Citizens who desire to address the City Council and Rosenberg Development Corporation 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 and Rosenberg Development Corporation are 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 and Rosenberg Development Corporation 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 and Rosenberg Development Corporation 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 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 Regular Rosenberg Development Corporation Meeting Minutes for January 14, 2016.**

C. **Review and discuss the quarterly Investment Report for the period ending December 31, 2015, and the Rosenberg Development Corporation may take action as necessary.**

EXECUTIVE SUMMARY
The Rosenberg Development Corporation quarterly Investment Report for the period ending December 31, 2015, is attached for review. Staff recommends approval of the Investment Report as presented.

ACTION
Motion by Councilor, District 1, Director, Rosenberg Development Corporation Jimmie J. Pena, seconded by Councilor, District 4, Director, Rosenberg Development Corporation Lynn Moses to approve Items A and C on the Consent Agenda.

Vote: 6 - 0 Carried

REGULAR AGENDA

2. *Consent Agenda Item B was moved into the Regular Agenda for discussion.*
Consideration of and action on the monthly Rosenberg Development Corporation Financial Reports for the period ending January 31, 2016.

EXECUTIVE SUMMARY
The January 2016 RDC Financial Report is attached for your review and consideration. Staff recommends the Board approve the report as presented.

KEY DISCUSSION POINTS
Director Garcia asked what the expense was for under Professional Services, which Randall Malik explained was for the RDC Business Appreciation Luncheon.

ACTION
Motion by Councilor, District 1, Director, Rosenberg Development Corporation Jimmie J. Pena, seconded by Director, Rosenberg Development Corporation Ted Garcia to approve the monthly Rosenberg Development Corporation Financial Reports for the period ending January 31, 2016.

Vote: 6 - 0 Carried

3. **Review and discuss the proposed purchase of two (2) multi-purpose tents, and the Rosenberg Development Corporation may take action as necessary.**

EXECUTIVE SUMMARY
This item has been placed on the Agenda at the request of Councilor Benton to discuss the potential RDC purchase of two (2) multi-purpose tents for use at City and RDC events. Samples of multi-purpose tents proposed for this use are included for review and discussion.

KEY DISCUSSION POINTS
Councilor Benton presented the idea to the RDC to purchase a tent for use at City and RDC functions. Jeremy Heath and Director Garcia presented some examples of different sized tents and styles. Darren McCarthy, Parks and Recreation Director, had a concern about manpower to set up and take down the tent, and the storage of the tent when not in use. The life of a tent is usually about twenty (20) years and it takes at least two men or more to erect and take down the tent. The 10 foot by 20 foot tent is the smaller tent and the 20 foot by 40 foot is the larger tent.

The general consensus of the RDC was to purchase one (1) large tent (20 foot by 40 foot size) with sidewalls, and to have both the City and the RDC logos printed on the tent.

Discussion was held on where the funding would come from. The cost to have the logos printed on the tent is approximately $2,000 maximum for each logo.

ACTION
Motion by Councilor, District 1, Director, Rosenberg Development Corporation Jimmie J. Pena, seconded by Director, Rosenberg Development Corporation Ted Garcia to approve $5,000 from the RDC 2015 Parks fund to purchase a large tent with sidewalls, with both the City and the RDC logos printed on the tent. The City will pay the remainder of the cost for the tent. The tent will be used for City and RDC events only.

Vote: 6 - 0 Carried

4. **Review and discuss the design for the Downtown Parking Lot Project, and the Rosenberg Development Corporation may take action as necessary.**

EXECUTIVE SUMMARY
At the December 10, 2015 RDC Meeting, the Board recommended revising the Downtown Parking Lot Project design to eliminate the entrance and exit off 3rd Street. Jones & Carter, Inc., have provided an updated design of the Downtown Parking Lot Project which removes this driveway.

Additionally, Councilor Wiliam Benton has requested that the RDC consider incorporating a right-turn only lane at the intersection of 3rd Street and Avenue F.

Staff recommends the Board discuss the revised design and provide direction to staff.

KEY DISCUSSION POINTS
Randall Malik, Economic Development Director, explained the current parking configuration and the potential changes if a right turn only lane was incorporated at the intersection of 3rd Street and Avenue F. By incorporating the right turn only lane, it would eliminate eleven (11) parking spaces. There will need to be a fire lane incorporated with an island for widening.

The general consensus was not to incorporate the right turn only lane, which would eliminate additional parking spaces.

ACTION
Motion by Councilor, District 1, Director, Rosenberg Development Corporation Jimmie J. Pena, seconded by Director, Rosenberg Development Corporation Ted Garcia to approve the design for the Downtown Parking Lot Project, including the fire lane, and to not put the right turn only lane at the intersection of 3rd Street and Avenue F, allowing for additional parking spaces.

Vote: 6 - 0 Carried - Unanimously

5. **Review and discuss a presentation by the Coastal Prairie Chapter of the Texas Master Naturalists on current activities and projects for Seabourne Creek Nature Park, and the Rosenberg Development Corporation may take action as necessary.**

EXECUTIVE SUMMARY
Representatives of the Coastal Prairie Chapter of the Texas Master Naturalists will make a presentation regarding improvements to the Seabourne Creek Nature Park.

KEY DISCUSSION POINTS
Karl Baumgartner with the Coastal Prairie Chapter of the Texas Master Naturalists gave a presentation on the current and past activities and projects for the Seabourne Creek Nature Park.

The RDC members thanked Karl Baumgartner and the Texas Master Naturalists for their continued dedication and hard work in making the Seabourne Creek Nature Park and the Nature Center one of the best nature parks in the area. It was discussed to have a brochure prepared, showcasing the Seabourne Creek Nature Park and what it has to offer.

No action was taken.

6. **Review and discuss proposed amendments to the Rosenberg Development Corporation Bylaws, and the Rosenberg Development Corporation may take action as necessary.**

EXECUTIVE SUMMARY
At the January 14, 2016 RDC Meeting, the Board considered the proposed amendments to the Bylaws as recommended by the RDC Policy Committee. The Board requested additional discussion at the February meeting regarding Article 4.09 as it relates to the oversight structure of the RDC Executive Director and Article 3.03 as it relates to the number of Council members serving on the RDC Board of Directors. The Board further

requested that City Attorney Scott Tschirhart review scenarios in which the RDC Executive Director could serve under the RDC Board yet still maintain City of Rosenberg employee benefits.

Currently, the RDC Bylaws and the Administrative Services Agreement with the City indicate that the RDC Executive Director is to be an employee of the City of Rosenberg. Further, Resolution No. RDC-82 (adopted 08-13-13) designates the Economic Development Director of the City of Rosenberg as the Executive Director of the RDC.

KEY DISCUSSION POINTS
Randall Malik read the Executive Summary and stated that two items were not discussed and decided upon at the last meeting, 1) Article 4.09 as it relates to the oversight structure of the RDC Executive Director; and 2) Article 3.03 as it related to the number of Council members serving on the RDC Board of Directors.

Scott Tschirhart, City Attorney, presented a memo concerning the Executive Director's position. President Knesek asked that the discussion be delayed until the next meeting, so the board could read and review the memo handed out at the meeting. Mr. Tschirhart mentioned he has additional information to the memo and will have Randall Malik email the additional information to the RDC Board.

Discussion was held concerning the number of Council members on the RDC Board. There was concern that if there were only two Council members on the Board, then there would not be a problem with a quorum of Council members attending if one more Councilor decided to attend the meeting. Scott Tschirhart stated that if the Council members do not have an item on the agenda for discussion, a phrase could be added to each agenda that states "A quorum of City Council Members may be present at the meeting". Then the RDC meeting would not be a joint meeting of the RDC and Council.

ACTION
Motion by Councilor, District 4, Director, Rosenberg Development Corporation Lynn Moses, seconded by Councilor, District 1, Director, Rosenberg Development Corporation Jimmie Pena, to leave the number of Council members serving as Directors of the RDC as is, (3 Councilor Directors). The motion tied 3-3, as follows: Yeses: Directors Moses, Pena, and Scopel. Noes: Directors Bailey, Garcia, and Knesek.

It was decided to table this item until a full board was present to vote. (Director Amanda Barta was absent).

ACTION
Motion by Director, Rosenberg Development Corporation Ted Garcia, seconded by Councilor, District 4, Director, Rosenberg Development Corporation Lynn Moses to table the discussion on the number of Council Directors to serve on the Rosenberg Development Corporation and the Executive Director (Article 3.03) and the oversight structure of the RDC Executive Director (Article 4.09) until the March 2016 RDC meeting.

Vote: 6 - 0 Carried

President Knesek adjourned for a break at 5:32 p.m.

7. **Hold Executive Session to receive legal advice from the City Attorney concerning pending 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 Section 551.072; and, regarding economic development negotiations pursuant to Section 551.087 of the Texas Government Code.**

8. **Adjourn Executive Session, reconvene Regular Session, and the Rosenberg Development Corporation may take action as necessary as a result of Executive Session**
President Knesek adjourned the Executive Session and reconvened into Regular Session.
No action was taken as a result of the Executive Session.

9. **Review and discuss a report from the Rosenberg Development Corporation Executive Director regarding the previous month's activities and contacts, which includes updates on the following:**

   a. **Economic Indicators;**
   b. **Business Retention Visits;**
   c. **New and Expanded Businesses;**
   d. **Existing Businesses; and,**
   e. **Past and Current RDC Projects.**
   This item has been included to provide the Executive Director an opportunity to update the Board on the previous month's activities, contacts, and projects.

KEY DISCUSSION POINTS
Randall Malik reported that:

- The RDC, City Council, and staff will be touring the Port of Freeport on Thursday, February 18, 2016. Randall Malik had the opportunity to represent the RDC Board in Panama. The canal is 90% complete. The Port of Freeport is positioned in the Gulf of Mexico to handle some of the larger vessels. Some of the shippers will require two sets of rail lines. At the present time, they are using one rail line, Union Pacific Rail, that runs through Arcola, Texas. With the expanded Panama Canal, the vessels can now go through the Port of Freeport.
- Mayor McConathy stated that the intermodal rail lines in both Kendleton and Rosenberg will stay very busy when the Panama Canal vessels use the Port of Freeport.
- On March 10, 2016, the Highway 36 Coalition will talk about the Port of Freeport and give updates.

No action was taken.

10. **Review and discuss requests for future Agenda items, and the Rosenberg Development Corporation may take action as necessary.**

EXECUTIVE SUMMARY
This item provides the RDC Board an opportunity to request future Agenda items.

KEY DISCUSSION POINTS

- Director Pena stated the committee has met on the RDC office and they plan to present a report to the board at the next meeting.
- President Knesek asked Jeremy Heath for a brief report on the statistics on how the housing is doing.
- President Knesek is concerned about the Fort Bend County buses not having an identity on the buses. He would like to see "Rosenberg transit" written on the buses. Mayor McConathy stated the feedback she has received is that people don't know the buses are available and think they are by appointment only. There needs to be more awareness made of the transit bus service.
- President Knesek asked that public transit be put on a future agenda and to get a route brochure.
- President Knesek mentioned that I-69 is being built and as you pass the FM 762 exit, the sign reads "Rosenberg next 3 exits". He would like to see the sign read "Rosenberg next 4 exits". There is supposed to be some nice landscaping coming in around the FM 762 exit and he would like that landscaping identified with Rosenberg.
- President Knesek mentioned he would like to see the feasibility of signage for the Rosenberg Business Park (possibly with discussions with TXDOT).
- RDC By Law amendments (Article 3.03 Relating to number of City Council Members on the RDC Board; and Article 4.09 Executive Director).

No action was taken.

11. **Announcements.**
There were no announcements.

12. **Adjournment.**

ACTION
Motion by Director, Rosenberg Development Corporation Allen J. Scopel, seconded by Councilor, District 1, Director, Rosenberg Development Corporation Jimmie J. Pena to adjourn at 6:15 p.m.

Vote: 6 - 0 Carried

Linda Cernosek

Linda Cernosek, TRMC, City Secretary