

ROSENBERG DEVELOPMENT CORPORATION MEETING MINUTES

On this the 14th day of April 2016, the Rosenberg Development Corporation (RDC) of the City of Rosenberg, Fort Bend County, Texas, met in Regular Session, at the Rosenberg Civic Center, located at 3825 Highway 36 South, Rosenberg, Texas.

PRESENT

Teresa Bailey	Secretary, Rosenberg Development Corporation
Ted Garcia	Treasurer, Rosenberg Development Corporation
Lynn Moses	Director, Rosenberg Development Corporation
Jimmie J. Pena	Director, Rosenberg Development Corporation

ABSENT

Amanda J. Barta	Director, Rosenberg Development Corporation
Bill Knesek	President, Rosenberg Development Corporation
Allen Scopel	Vice President, Rosenberg Development Corporation

STAFF PRESENT

Jasmine Bowens	Senior Administrative Specialist
Dan Kelleher	Main Street Manager
Jeremy Heath	Assistant Economic Development Director
Randall Malik	Executive Director, Rosenberg Development Corporation
Darren McCarthy	Parks and Recreation Director
Travis Tanner	Executive Director of Community Development
Joyce Vasut	Executive Director of Administrative Services
Jeanne H. McDonald	Jeanne H. McDonald, P.C. Attorneys at Law

GUESTS

Karl Baumgartner	Texas Master Naturalist Coastal Prairie Chapter
Dave Johnston	Highway 36A Coalition
Charles Kalkomey	City Engineer, Jones & Carter, Inc.
Craig Kalkomey	Department Manager, Municipal and District Services Practice, Jones & Carter, Inc.
Cynthia McConathy	Mayor, City of Rosenberg
Dr. Alex Medcalf	
Dianne Russel	Texas Master Naturalist Coastal Prairie Chapter
Jeff Wiley	President/CEO, Greater Fort Bend Economic Development Council

CALL TO ORDER.

Director Teresa called the meeting to order at 4:10 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 ROSENBERG DEVELOPMENT CORPORATION MEETING MINUTES FOR MARCH 10, 2016.**
- B. **CONSIDERATION OF AND ACTION ON THE MONTHLY ROSENBERG DEVELOPMENT CORPORATION FINANCIAL REPORTS FOR THE PERIOD ENDING MARCH 31, 2016.**
Executive Summary: The March 2016 RDC Financial Reports are attached for your review and consideration. Staff recommends approval.

Action: Director Moses moved, seconded by Director Garcia, to approve Consent Agenda Items A and B. The motion carried by a unanimous vote of those present.

REGULAR AGENDA

1. **REVIEW AND DISCUSS PROGRAMMING AND CONCEPTUAL DESIGN OF SEABOURNE CREEK PARK NATURE CENTER, AND TAKE ACTION AS NECESSARY TO DIRECT STAFF.**

Executive Summary: Darren McCarthy, Parks and Recreation Director, will present a proposal from Gensler regarding design services for the Seabourne Creek Nature Center. The RDC budgeted \$100,000 towards this project in support of the proposed Nature Center in the FY 2016 budget. The attached agreement with Gensler would authorize the expenditure of up to \$35,000 for the design phases of the project.

Key discussion points:

Darren McCarthy, Parks and Recreation Director, gave a presentation on the Seabourne Creek Nature Center project's progress and the proposal from Gensler. The Board complimented him on the work they have done.

Action: Director Pena moved, seconded by Director Garcia, to authorize the expenditure of up to \$35,000 for the design phases of the project for the Seabourne Creek Park Nature Center. The motion carried by a unanimous vote of those present.

2. **CONSIDERATION OF AND ACTION ON A PERFORMANCE AGREEMENT BY AND BETWEEN THE ROSENBERG DEVELOPMENT CORPORATION AND TEXAS MASTER NATURALIST, COASTAL PRAIRIE CHAPTER.**

Executive Summary: The RDC has budgeted \$25,000 in the Fiscal Year 2016 budget towards improvements for the Seabourne Creek Nature Park, carried out by the Texas Master Naturalist, Coastal Prairie Chapter. The annual Performance Agreement specifies the improvements that are to be made to the Seabourne Creek Nature Park for Fiscal Year 2016. Representatives of the Texas Master Naturalist, Coastal Prairie Chapter will attend the meeting to answer any questions related to the FY2016 improvements.

Staff recommends authorizing the RDC President to execute the Performance Agreement by and between the RDC and the Texas Master Naturalist, Coastal Prairie Chapter.

Key discussion points:

- Director Malik briefly reviewed the Texas Master Naturalist, Coastal Prairie Chapter Performance Agreement. He noted the funding amount was reduced from \$50,000 to \$25,000 in Exhibit C, due to the RDC Board providing \$100,000 in the funding to the Nature Center this Fiscal Year.
- Director Garcia inquired about the statement on page two (2) section two (2): "*As provided for under the RPRD Agreement, the Chapter shall bear no financial obligation or liability pursuant to the implementation or completion of projects and activities.*" His concern was for the liability of RDC.
- Director Pena inquired if the RDC attorney reviewed the Performance Agreement.
- Director Malik answered yes, and directed the Board to page four (4) section nine (9): "*The Chapter understands and agrees that if the Chapter is convicted of a violation under 8 U.S.C> Section 1324a(f), the Chapter will reimburse the RDC the total amount of any payment or incentive made to the Chapter...*" .

Action: Director Pena moved, seconded by Director Moses, to approve the Performance Agreement by and between the RDC and the Texas Master Naturalist, Coastal Prairie Chapter, in the revised amount of \$25,000 on Exhibit C. The motion carried by a unanimous vote of those present.

3. **REVIEW AND DISCUSS PRESENTATION FROM DR. ALEX MEDCALF REGARDING POTENTIAL ROSENBERG MULTI-MODAL STUDY, AND TAKE ACTION AS NECESSARY.**

Executive Summary: At the March RDC meeting, the Board requested a presentation from Dr. Alex Medcalf regarding a proposed Rosenberg Multi-Modal Study (Study). The purpose of the Study would be to build upon the results of the initial SH 36A Rail Development Study and begin to identify the steps necessary to implement the Rosenberg Multi-Modal Hub. Dr. Medcalf will attend the meeting to present the scope of work for the proposed Study to the RDC Board.

Key discussion points:

- Dr. Alex Medcalf gave the Board an overview of the impact that the widening of the Panama Canal could have on the Port of Freeport. Dr. Medcalf noted that the Port of Freeport has an advantage

in that is already at a depth of 45 ft., which will allow access to the Port by the Post-Panamax and New-Panamax vessels.

- Dr. Medcalf mentioned that the recently completed SH 36A Rail Development Study called for a short-line rail system from the Port of Freeport. Rosenberg would be an ideal location to place a short-line railroad, as it is currently served by three Class-1 rail lines.
- The purpose of the Rosenberg Multi-Modal study would be to plan for and begin the assessment on the impact of a short-line rail system to Rosenberg. Dr. Medcalf also mentioned the possibility of an air cargo study. Noting that once the population of Houston reaches 8 million, the region will need a third airport. It would be ideal for the airport to be dedicated solely to cargo and located in the southwest Houston region. Dr. Medcalf noted that Rosenberg or slightly west of Rosenberg would be the preferred location.
- The cost of Multi-Modal study would be \$70,000 and the cost of the Air Cargo Study would be \$50,000.
- Director Moses inquired if there will be growth past 3.2 TEU (Twenty Foot Equivalent Unit).
- Dr. Medcalf replied that growth is possible, but it would take time.
- Director Garcia asked would the deepening of Houston's ports affect Freeport.
- Dr. Medcalf responded that the deepening of Houston's ports is highly unlikely.

No action was taken

4. **CONSIDERATION OF AND ACTION ON A RECOMMENDATION TO CITY COUNCIL FOR THE AWARD OF BID NO. 2016-13 FOR THE CONSTRUCTION OF PHASE I OF THE AVENUE F/3RD STREET DOWNTOWN PARKING LOT PROJECT.**

Executive Summary: At the February Joint Council and RDC Meeting, the Board directed staff to move forward with the current design of the Avenue F/3rd Street Downtown Parking Lot Project (Project). Sealed bids for the Project were received on Wednesday, March 23rd. The bids were opened and tabulated as indicated on the attached bid summary. The following two (2) bids were received:

- Excel Paving
- Total Base Bid \$334,458.00
 - Alt. A, \$337,922.00
 - Alt. B, \$342,886.00
- Mills Equipment
- Total Base Bid, \$398,737.10
 - Alt. A, \$395,860.25
 - Alt. B, \$363,729.85

Bids for the Project will be presented to the City Council at the April 19th Meeting. This agenda item provides the opportunity for the RDC to make a recommendation to City Council for the award of Bid No. 2016-13.

Key discussion points:

- Craig Kalkomey introduced the item and discussed specifics with the base bid, Alt. A bid, and Alt. B bid. He indicated that the total base bid is for asphalt paving to the parking lot and the Alt. B bid would be for a concrete parking lot. He further mentioned that the difference between paving the parking lot with asphalt versus concrete was a little over \$8,000.
- Director Pena mentioned that due to the small difference in pouring concrete, he would prefer this option as it would help with the life-span of the project.
- Mr. Kalkomey noted that if the Board wanted to concrete this phase, it would also need to utilize concrete in additional phases of the parking lot.
- The consensus of the RDC Board was to move forward with the Alt. B bid option

Action: Director Pena moved, seconded by Director Moses, to approve the award of Bid No. 2016-13 to Excel Paving for the construction of Phase I of the Avenue F/3rd Street Downtown Parking Lot Project, and authorize submittal to City Council with a recommendation of approval. The motion carried by a unanimous vote of those present.

5. **CONSIDERATION OF AND ACTION ON RESOLUTION NO. RDC-102, A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ROSENBERG DEVELOPMENT CORPORATION AMENDING THE FISCAL YEAR 2015-16 ANNUAL BUDGET IN THE AMOUNT OF \$130,000 FOR THE AVENUE F/3RD STREET DOWNTOWN PARKING LOT PROJECT.**

Executive Summary: RDC Project Fund has \$250,000 budgeted for the Livable Centers project. Expenses related to the Downtown Parking Lot Project have already been expensed to the Livable Centers line item. After the remaining engineering costs are paid, the RDC will have \$207,855 remaining in the Livable Centers line item for the Downtown Parking Lot Project. The low bid received for the project was \$334,458, therefore, the RDC will need additional funding in the amount of \$126,603 to fund the Downtown Parking Lot Project.

This budget amendment would provide the additional funds for the Downtown Parking Lot Project. Staff recommends approval of Resolution No. RDC-102.

Key discussion points:

- Ms. Vasut introduced the item and explained that this amount is already in the Project Fund and the amendment is necessary in order to reallocate the funds to a different account.
- The Board indicated that they would prefer to pursue the concrete paving option due to the minimal difference in price from the asphalt to the concrete paving option. The concrete paving option would require the RDC to provide additional funding of \$20,000 towards the project.
- Director Malik mentioned that the \$150,000 could come from savings identified in the Transportation Gateway line item and the Fort Bend Transit line item.

Action: Director Moses moved, seconded by Director Garcia, to approve Resolution No. RDC-102, a Resolution to amend the Fiscal Year 2015-16 annual budget, in the revised amount of \$150,000, for the Avenue F/3rd Street Downtown Parking Lot Project. The motion carried by a unanimous vote of those present.

6. **REVIEW AND DISCUSS PROPOSED ROSENBERG MAGAZINE, AND TAKE ACTION AS NECESSARY.**

Executive Summary: At recent meetings, the Board has discussed the need to create a Rosenberg Magazine similar to the Fulshear Magazine. The purpose of the magazine would be showcase new development and tourism opportunities in Rosenberg. Staff will provide a presentation at the meeting on the basic terms that would be required to move forward with publication of the Rosenberg Magazine.

Key discussion points:

- Director Malik introduced the item and explained the startup cost would estimate to about \$100,000 quarterly.
- Director Pena believes the Magazine would aid substantially in marketing Rosenberg.
- Director Bailey inquired if there was a biannual option instead of quarterly.
- Director Malik explained it would depend on the advertising companies.

No action was taken

7. **REVIEW AND DISCUSS THE "WELCOME TO ROSENBERG" ENTRANCE SIGN OFF OF US 90A, AND TAKE ACTION AS NECESSARY TO DIRECT STAFF.**

Executive Summary: TxDOT representatives have recently notified City of Rosenberg staff that the City of Rosenberg "Welcome" sign on US 90A will no longer be visible with the new elevated T-intersection bridge being proposed to replace the existing SH 36 and US 90A railroad underpass. This agenda item provides the Board an opportunity to discuss the options to relocate or remove the current "Welcome to Rosenberg" sign on US 90A.

This item was tabled, by consensus of the Board, till the next Regular Meeting.

8. **REVIEW AND DISCUSS THE ADMINISTRATIVE SERVICES AGREEMENT BY AND BETWEEN THE ROSENBERG DEVELOPMENT CORPORATION AND THE CITY OF ROSENBERG, AND TAKE ACTION AS NECESSARY.**

Executive Session: At the March RDC Board Meeting, the Board requested an agenda item to discuss the RDC/City Administrative Service Agreement and to discuss increasing the RDC funding of economic development staff to 100%. Currently, the RDC funds economic development staff at the following levels:

Economic Development Director: 85%

Assistant Economic Development Director: 90%

Senior Administrative Specialist: 90%

This item was tabled, by consensus of the Board, till the next Regular Meeting.

9. **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 TEXAS GOVERNMENT CODE SECTION 551.072; AND REGARDING ECONOMIC DEVELOPMENT NEGOTIATIONS PURSUANT TO SECTION 551.087 OF THE TEXAS GOVERNMENT CODE.**

Regular Session was adjourned for Executive Session at approximately 5:38 p.m.

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

Executive Session: The Executive Session was adjourned and the RDC Board reconvened Regular Session at approximately 5:47 p.m.

11. **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 (RANDALL MALIK, EXECUTIVE DIRECTOR):**

- a. **ECONOMIC INDICATORS;**
- b. **BUSINESS RETENTION VISITS;**
- c. **NEW AND EXPANDED BUSINESSES; AND,**
- d. **RDC PROJECTS.**

Executive Session: 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:

- Director Malik presented the item and reviewed the report.

No action was taken.

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:

The following items were deferred to the next regular RDC meeting:

- Welcome to Rosenberg entrance sign off of Hwy 90A.
- Administrative Service Agreement.

No action was taken.

13. **ANNOUNCEMENTS.**

- Director Pena announced the Town Hall Meeting on April 27, 2016.

14. **ADJOURNMENT.**

Action: Director Pena moved, seconded by Director Garcia, to adjourn the Regular Meeting of the Rosenberg Development Corporation. The motion passed by a unanimous vote of those present and the meeting adjourned at 6:08 p.m.



Jasmine Bowers
Senior Administrative Specialist