

# **NOTICE OF REGULAR ROSENBERG DEVELOPMENT CORPORATION MEETING**

**NOTICE IS HEREBY GIVEN THAT THE ROSENBERG DEVELOPMENT CORPORATION OF THE CITY OF ROSENBERG, FORT BEND COUNTY, TEXAS, WILL MEET IN REGULAR SESSION OPEN TO THE PUBLIC AS FOLLOWS:**

**DATE:** Thursday, April 9, 2015

**TIME:** 4:00 p.m.

**PLACE:** Rosenberg Civic Center  
3825 Highway 36 South  
Rosenberg, Texas 77471

**PURPOSE:** Regular Rosenberg Development Corporation Meeting

Call to order.

Statement of rules pertaining to audience comments.

Comments from the audience.

## **CONSENT AGENDA**

- A. Consideration of and action on the Regular Rosenberg Development Corporation Meeting Minutes for March 12, 2015. (Jasmine Bowens, Secretary II)
- B. Consideration of and action on the monthly Rosenberg Development Corporation Financial Reports for the period ending March 31, 2015. (Joyce Vasut, Executive Director of Administrative Services)

## **AGENDA**

- 1. 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.
- 2. Adjourn Executive Session, reconvene Regular Session, and take action as necessary as a result of Executive Session.
- 3. Consideration of and action on authorizing the RDC Executive Director to execute Non-Disclosure Agreements on behalf of the Rosenberg Development Corporation for prospective economic development negotiations. (Randall Malik, Rosenberg Development Corporation Executive Director)
- 4. Consideration of and action on Resolution No. RDC-94, a Resolution of the Board of Directors of the Rosenberg Development Corporation, in support of Texas Senate Bill No. 581 relating to the creation of a campus of the Texas State Technical College System in Fort Bend County. (Randall Malik, Rosenberg Development Corporation Executive Director)

5. 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 the following (Randall Malik, Rosenberg Development Corporation Executive Director):
  - a. Update on Economic Indicators
  - b. Update on Business Retention Visits
  - c. Update on Livable Centers Study
  - d. Update on Rosenberg Business Park
  - e. Update on Walsh Road Industrial Park
  - f. Update on Richmond – Rosenberg Bus Route
  - g. Update on BNSF Downtown Property
  - h. Update on New and Expanded Businesses
  - i. Update on Existing Businesses
6. Review and discuss requests for future agenda items, and take action as necessary.
7. Announcements.
8. Adjournment.

{EXECUTION PAGE TO FOLLOW}

DATED AND POSTED this the \_\_\_\_\_ day of \_\_\_\_\_, 2015, at \_\_\_\_\_ m.

by \_\_\_\_\_.

Attest:

\_\_\_\_\_  
Linda Cernosek, City Secretary

Approved for posting:

\_\_\_\_\_  
Randall Malik, Executive Director

**Reasonable accommodation for the disabled attending this meeting will be available; persons with disabilities in need of special assistance at the meeting should contact the City Secretary at (832) 595-3340.**

# **ITEM A**

# **Minutes:**

- 1. Regular Rosenberg Development Corporation Meeting  
Minutes – March 12, 2015**

# ROSENBERG DEVELOPMENT CORPORATION MEETING MINUTES

On this the 12<sup>th</sup> 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                      Patisillo, 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 REGULAR 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 3<sup>rd</sup> and 6<sup>th</sup> 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 20<sup>th</sup> 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.

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Jasmine Bowens  
Secretary II



## COMMUNICATION FORM

April 09, 2015

<b>ITEM #</b>	<b>ITEM TITLE</b>
<b>B</b>	<b>Rosenberg Development Corporation Financial Reports</b>
<b>ITEM/MOTION</b>	
Consideration of and action on the monthly Rosenberg Development Corporation Financial Report for the period ending March 31, 2015.	
<b>APPROVAL</b>	<b>SUPPORTING DOCUMENTS</b>

**SUBMITTED BY :**

1) RDC Financial Report – March 2015

Joyce Vasut  
Executive Director of Administrative  
Services

### EXECUTIVE SUMMARY

The March 2015 RDC Financial Reports are attached for your review and consideration. Staff recommends approval.

**CITY OF ROSENBERG, TEXAS**  
**ROSENBERG DEVELOPMENT CORPORATION**  
**AS OF MARCH 31, 2015**

Classification	2014-15 Adopted Budget	2014-15 Act. Rev/Exp YTD	2014-15 Encumbered	2014-15 YTD Budget Remaining	% of Budget Target 50%
<b>REVENUES:</b>					
<i>Sales Taxes</i>	\$ 2,840,000	\$ 1,508,209	\$ -	\$ 1,331,791	53.11%
<i>Sales Taxes BTC I</i>	575,000	324,420	-	250,580	56.42%
<i>Sales Taxes BTC II</i>	425,000	255,899	-	169,101	60.21%
<i>Downtown Sales Taxes</i>	-	19,571	-	(19,571)	
<i>Sales Tax Total</i>	3,840,000	2,108,098	-	1,731,902	
<i>Interest Earnings</i>	5,000	900	-	4,100	18.00%
<b>TOTAL REVENUES</b>	<b>3,845,000</b>	<b>2,108,999</b>	<b>-</b>	<b>1,736,001</b>	<b>54.85%</b>
<b>EXPENDITURES:</b>					
<b>Administration (max 10%):</b>					
<i>Office Supplies</i>	1,000	688	-	312	68.80%
<i>Computer Supplies</i>	2,000	1,588	-	412	79.40%
<i>Board Meeting and Directors' Expenses</i>	1,700	948	-	752	55.77%
<i>General Insurance</i>	400	277	-	123	69.15%
<i>Education and Travel</i>	8,250	4,213	-	4,037	51.07%
<i>Administrative Services</i>	244,374	109,208	-	135,166	44.69%
<b>Subtotal for Administration Expenses</b>	<b>257,724</b>	<b>116,922</b>	<b>-</b>	<b>140,802</b>	<b>45%</b>
<b>Marketing:</b>					
<i>Greater Fort Bend Economic Development</i>	12,500	12,500	-	-	100.00%
<i>Postage</i>	200	0.48	-	200	0.24%
<i>Freight and Express</i>	100	13	-	87	12.75%
<i>Advertising</i>	30,500	12,671	-	17,829	41.54%
<i>Printing and Binding</i>	4,500	340	-	4,160	7.56%
<b>Subtotal for Marketing Accounts</b>	<b>47,800</b>	<b>25,524</b>	<b>-</b>	<b>22,276</b>	<b>53.40%</b>
<b>Memberships &amp; Services:</b>					
<i>Business Recruitment</i>	9,000	-	-	9,000	0.00%
<i>Dues, Subscriptions &amp; Service Contracts</i>	17,627	17,752	-	(125)	100.71%
<i>RDC Memberships</i>	83,000	22,639	-	60,361	27.28%
<i>Business Retention</i>	10,000	-	-	10,000	0.00%
<b>Subtotal for Memberships &amp; Services Accounts</b>	<b>119,627</b>	<b>40,391</b>	<b>-</b>	<b>79,236</b>	<b>34%</b>
<b>Professional Services:</b>					
<i>Professional Services - Legal Fees</i>	40,000	18,995	-	21,005	47.49%
<b>Subtotal for Professional Services</b>	<b>40,000</b>	<b>18,995</b>	<b>-</b>	<b>21,005</b>	<b>47%</b>
<b>Infrastructure:</b>					
<i>Prospective Business Incentive</i>	500,000	-	-	500,000	0.00%
<i>Debt Service - Principal</i>	767,235	383,618	-	383,617	50.00%
<i>Debt Service - Interest</i>	197,708	98,854	-	98,854	50.00%
<i>Transfer to RDC Projects Fund</i>	1,485,375	1,100,375	-	385,000	74.08%
<b>Subtotal for Infrastructure Accounts</b>	<b>2,950,318</b>	<b>1,582,847</b>	<b>-</b>	<b>1,367,471</b>	<b>54%</b>
<b>TOTAL EXPENDITURES</b>	<b>\$ 3,415,469</b>	<b>\$ 1,784,679</b>	<b>\$ -</b>	<b>\$ 1,630,790</b>	<b>52%</b>

**ROSENBERG DEVELOPMENT CORPORATION**  
**2014-15 ACTUAL**  
**PERIOD ENDED MARCH 31, 2015**

Classification	RDC Actual	RDC Projects	Total
<b>Resources:</b>			
Total Beginning Fund Balance @ 10/01/14 (audited)	\$ 3,755,279	\$ 4,887,495	\$ 8,642,774
Revenues and Transfers In	2,108,999	1,101,421	3,210,420
Total Funds Available	<u>\$ 5,864,278</u>	<u>\$ 5,988,916</u>	<u>\$ 11,853,194</u>
<b>Uses/Deductions:</b>			
Expenditures and Transfers Out	1,784,679	640,721	2,425,399
<b>Ending Fund Balance:</b>			
Total Ending Fund Balance	\$ 4,079,599	\$ 5,348,195	\$ 9,427,794
Reserved for Debt Service	964,943	\$ -	964,943
Reserved for RDC Projects	-	\$ 5,348,195	5,348,195
<b>Unreserved Fund Balance Total</b>	<u>\$ 3,114,656</u>	<u>\$ -</u>	<u>\$ 3,114,656</u>

**Synopsis of Current Revenues and Expenditures  
Rosenberg Development Corporation  
For the Month Ended March 31, 2015**

Account Number	Description	Amount
<b>Revenues</b>		
219-0000-402-0000	Sales Taxes	\$ 288,675.69
<b>Total Current Period Revenues</b>		<b><u>\$ 288,675.69</u></b>
<b>Expenditures</b>		
219-1000-540-3110	Office Supplies (Administration)	424.71
219-1000-540-3120	Computer Supplies (Administration)	1,588.00
219-1000-540-3135	Board Meeting and Directors' Expenses (Administration)	267.12
219-1000-540-5120	General Insurance (Administration)	-
219-1000-540-5510	Education and Travel (Administration)	1,269.96
219-1000-540-5710	Administrative Services (Administration)	83.52
<b>Total Administration</b>		<b><u>\$ 3,633.31</u></b>
219-2000-540-4391	Greater Fort Bend Economic Development (Marketing)	12,500.00
219-2000-540-5220	Postage (Marketing)	-
219-2000-540-5230	Freight and Express (Marketing)	-
219-2000-540-5310	Advertising (Marketing)	600.00
219-2000-540-5410	Printing and Binding (Marketing)	-
<b>Total Marketing</b>		<b><u>\$ 13,100.00</u></b>
219-3000-540-3135	Business Recruitment (Memberships and Services)	-
219-3000-540-4235	Dues/Subscriptions/Service Contracts (Memberships and Services)	3,952.00
219-3000-540-4390	RDC Memberships (Memberships and Services)	-
219-3000-540-5730	Business Retention (Memberships and Services)	-
<b>Total Business Recruitement</b>		<b><u>\$ 3,952.00</u></b>
219-6000-540-4390	Other Professional Services - Legal Fees (Professional Services)	1,380.00
<b>Total Professional Services</b>		<b><u>\$ 1,380.00</u></b>
219-7000-540-5725	Prospective Business Incentive (Infrastructure)	-
219-7000-540-8110	Debt Service - Principal (Infrastructure) - March 2015	63,936.00
219-7000-540-8120	Debt Service - Interest (Infrastructure) - March 2015	16,476.00
219-7000-540-9225	Transfer to RDC Projects Fund (Infrastructure)	-
<b>Total Infrastructure</b>		<b><u>\$ 80,412.00</u></b>
<b>Total Current Period Expenditures</b>		<b><u>\$ 102,477.31</u></b>

**CITY OF ROSENBERG, TEXAS  
RDC SALES TAX REVENUES**

Monthly Total Actual Receipts	Cumulative YTD Receipts	Budgeted Receipts		Total YTD Percent of Budget	Prior Year Pct. Increase (Decrease)	
		Monthly	YTD		Month	YTD
(1)	(2)	(3)	(4)	(5)	(6)	(7)
Cumulative (1)		Cumulative (3)		(2)/(4)		

Monthly BTC - I Receipts	Monthly BTC - II Receipts	Monthly Downtown Receipts
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**Fiscal Year 2012-13**

Oct	\$ 253,488	\$ 253,488	\$ 206,329	\$ 206,329	122.86%	17.3%	17.3%	\$ 39,879	\$ 22,088
Nov	300,245	553,733	268,681	475,010	116.57%	6.7%	11.3%	41,673	56,236
Dec	267,903	821,636	206,328	681,337	120.59%	24.0%	15.1%	48,344	18,259
Jan	240,399	1,062,035	217,242	898,579	118.19%	5.6%	12.8%	40,056	20,626
Feb	357,120	1,419,155	326,707	1,225,286	115.82%	4.3%	10.6%	76,617	71,043
Mar	240,499	1,659,655	211,174	1,436,460	115.54%	8.7%	10.3%	39,397	17,709
Apr	254,107	1,913,762	214,541	1,651,001	115.92%	13.1%	10.7%	40,281	19,444
May	334,041	2,247,802	298,699	1,949,700	115.29%	6.8%	10.1%	49,039	57,367
Jun	277,134	2,524,936	232,209	2,181,909	115.72%	13.9%	10.5%	38,850	21,572
Jul	288,843	2,813,779	250,468	2,432,378	115.68%	10.1%	10.4%	43,577	23,776
Aug	339,032	3,152,811	298,843	2,731,220	115.44%	8.3%	10.2%	49,537	59,166
Sep	281,355	3,434,166	238,780	2,970,000	115.63%	12.5%	10.4%	41,584	23,507
Total								\$ 548,834	\$ 410,794

**Fiscal Year 2013-14**

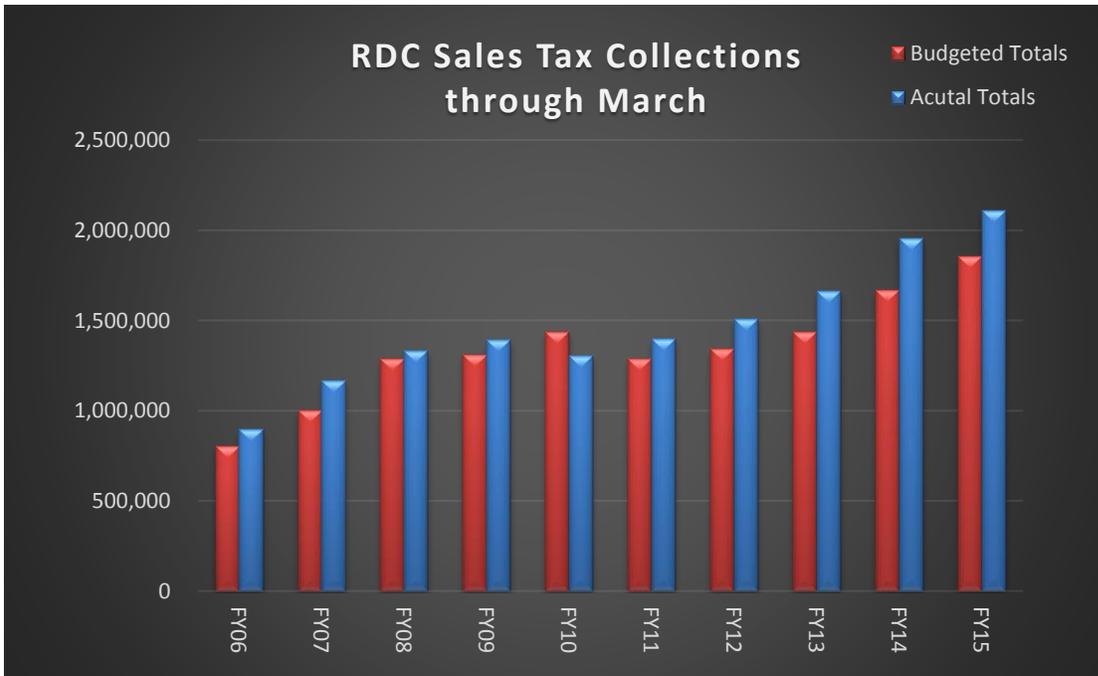
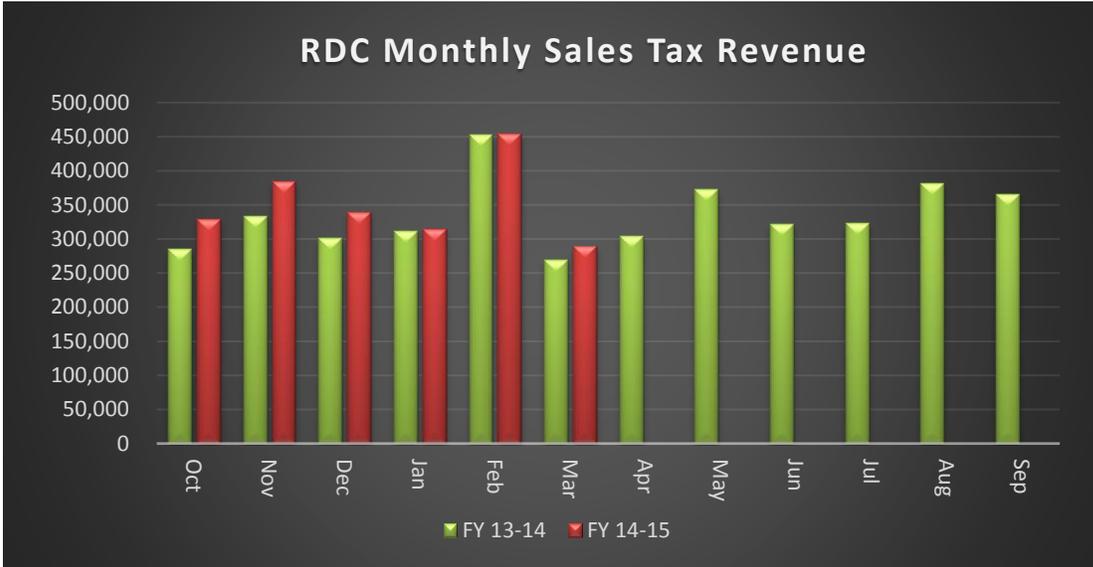
Oct	\$284,645	\$ 284,645	\$ 254,303	\$ 254,303	111.93%	12.3%	12.3%	\$ 45,426	\$ 26,206	\$ 2,678
Nov	332,266	616,912	301,210	555,512	111.05%	10.7%	11.4%	43,511	62,113	2,709
Dec	300,765	917,676	268,764	824,276	111.33%	12.3%	11.7%	41,356	23,209	2,873
Jan	311,275	1,228,951	241,171	1,065,447	115.35%	29.5%	15.7%	55,706	27,306	3,558
Feb	452,793	1,681,744	358,268	1,423,715	118.12%	26.8%	18.5%	81,972	80,410	5,100
Mar	269,503	1,951,247	241,272	1,664,988	117.19%	12.1%	17.6%	35,930	21,835	2,401
Apr	304,220	2,255,468	254,923	1,919,911	117.48%	17.9%	17.9%	44,267	23,697	3,481
May	372,069	2,627,537	335,114	2,255,025	116.52%	11.4%	16.9%	50,765	60,332	2,784
Jun	321,933	2,949,470	278,024	2,533,049	116.44%	16.2%	16.8%	42,815	24,392	3,429
Jul	322,644	3,272,114	289,771	2,822,820	115.92%	11.7%	16.3%	43,395	26,561	3,439
Aug	381,528	3,653,642	340,121	3,162,941	115.51%	12.5%	15.9%	50,943	63,637	2,954
Sep	365,422	4,019,064	282,259	3,445,200	116.66%	29.9%	17.0%	44,345	26,570	2,944
Total								\$ 580,432	\$ 466,269	\$ 38,351

**Fiscal Year 2014-15**

Oct	\$328,597	\$ 328,597	\$ 283,444	\$ 283,444	115.93%	15.4%	15.4%	\$ 47,153	\$ 27,876	\$ 2,454
Nov	383,604	712,201	\$ 335,726	619,171	115.02%	15.5%	15.4%	48,133	66,466	3,267
Dec	338,699	1,050,900	\$ 299,563	918,734	114.39%	12.6%	14.5%	42,177	24,526	2,589
Jan	314,787	1,365,687	\$ 268,808	1,187,542	115.00%	1.1%	11.1%	58,756	28,549	3,443
Feb	453,735	1,819,423	\$ 399,323	1,586,865	114.66%	0.2%	8.2%	87,501	85,910	4,580
Mar	288,676	2,108,098	\$ 268,921	1,855,785	113.60%	7.1%	8.0%	40,699	22,571	3,237
Apr	-		\$ 284,136	2,139,921						
May	-		\$ 373,516	2,513,437						
Jun	-		\$ 309,884	2,823,322						
Jul	-		\$ 322,977	3,146,299						
Aug	-		\$ 379,097	3,525,396						
Sep	-		\$ 314,604	3,840,000						
Total								\$ 324,420	\$ 255,899	\$ 19,571

**ROSENBERG DEVELOPMENT CORPORATION  
SALES TAX REVENUES**

**GRAPHS**



**Rosenberg Development Corporation  
Outstanding Debt Service  
2014-2015 Budget**

<b>Fiscal Year</b>	<b>Principal Due</b>	<b>Total Interest</b>	<b>Total Principal &amp; Interest</b>	<b>Adjustment for Business Park</b>	<b>Adjusted Principal &amp; Interest</b>
2014-15	802,235	197,708	999,943	(35,000)	964,943
2015-16	652,770	177,221	829,991	(35,000)	794,991
2016-17	657,305	160,476	817,781	(113,000)	704,781
2017-18	672,840	147,957	820,797	(113,000)	707,797
2018-19	687,875	126,890	814,765	(113,000)	701,765
2019-20	703,410	104,444	807,854	(113,000)	694,854
2020-21	382,980	85,627	468,607	(191,000)	277,607
2021-22	387,515	71,341	458,856	(191,000)	267,856
2022-23	284,800	59,162	343,962	(270,000)	73,962
2023-24	297,835	48,994	346,829	(270,000)	76,829
2024-25	228,190	39,216	267,406	(256,000)	11,406
2025-26	236,225	29,874	266,099		266,099
2026-27	247,295	19,974	267,269		267,269
2027-28	255,330	9,557	264,887		264,887
2028-29	71,400	2,621	74,021		74,021
2029-30	23,005	489	23,494		23,494
<b>Total</b>	<b>\$6,591,010</b>	<b>\$1,281,551</b>	<b>\$7,872,561</b>	<b>(1,700,000)</b>	<b>\$6,172,561</b>

**Rosenberg Development Corporation  
RDC Projects Fund  
For the Period Ended March 31, 2015**

CP0705		Total	Amount Paid	Encumbrance	Remaining
Project Description	G/L Account	Project Cost	Project To Date	Amount	Funds
Transportation Gateway Improvements	225-7000-540-7030	\$ 676,392	\$ 651,287	\$ 25,105	\$ -
FY15 Transportation Gateway Improvements	225-7000-540-7038	80,000	1,480	11,571	66,949
Project Management Fee		4,016	4,016	-	-
Totals		<u>\$ 760,408</u>	<u>\$ 656,783</u>	<u>\$ 36,676</u>	<u>\$ 66,949</u>

CP1301		Total	Amount Paid	Encumbrance	Remaining
Project Description	G/L Account	Project Cost	Project To Date	Amount	Funds
FY2013 Park Improvements	225-7000-540-7030	\$ 251,177	\$ 234,596	\$ -	\$ 16,581
Totals		<u>\$ 251,177</u>	<u>\$ 234,596</u>	<u>\$ -</u>	<u>\$ 16,581</u>

CP1302		Total	Amount Paid	Encumbrance	Remaining
Project Description	G/L Account	Project Cost	Project To Date	Amount	Funds
Business Park Development	225-7000-540-7030	\$ 3,849,783	\$ 348,144	\$ -	\$ 3,501,639
Project Management Fee	225-7000-540-4395	85,000	4,038	-	80,962
Totals		<u>\$ 3,934,783</u>	<u>\$ 352,181</u>	<u>\$ -</u>	<u>\$ 3,582,602</u>

CP1316		Total	Amount Paid	Encumbrance	Remaining
Project Description	G/L Account	Project Cost	Project To Date	Amount	Funds
Downtown Parking Lot	225-7000-540-7030	\$ 250,000	\$ 95,713	\$ -	\$ 154,287
Project Management Fee		12,500	-	-	12,500
Totals		<u>\$ 262,500</u>	<u>\$ 95,713</u>	<u>\$ -</u>	<u>\$ 166,787</u>

CP1317		Total	Amount Paid	Encumbrance	Remaining
Project Description	G/L Account	Project Cost	Project To Date	Amount	Funds
Bamore Road Phase IV	225-7000-540-7031	\$ 750,000	\$ 209,690	\$ 540,310	\$ -
Totals		<u>\$ 750,000</u>	<u>\$ 209,690</u>	<u>\$ 540,310</u>	<u>\$ -</u>

CP1402		Total	Amount Paid	Encumbrance	Remaining
Project Description	G/L Account	Project Cost	Project To Date	Amount	Funds
Aldi Project	225-7000-540-7032	\$ 500,000	\$ -	\$ -	\$ 500,000
Totals		<u>\$ 500,000</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 500,000</u>

CP1501		Total	Amount Paid	Encumbrance	Remaining
Project Description	G/L Account	Project Cost	Project To Date	Amount	Funds
Livable Centers	225-7000-540-7035	\$ 250,000	\$ -	\$ -	\$ 250,000
Totals		<u>\$ 250,000</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 250,000</u>

CP1503		Total	Amount Paid	Encumbrance	Remaining
Project Description	G/L Account	Project Cost	Project To Date	Amount	Funds
Traffic Signal at Reading Rd and Town Ctr Blvd	225-7000-540-7037	\$ 115,375	\$ -	\$ -	\$ 115,375
Totals		<u>\$ 115,375</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 115,375</u>

CP1507		Total	Amount Paid	Encumbrance	Remaining
Project Description	G/L Account	Project Cost	Project To Date	Amount	Funds
Macario Garcia Park Restrooms	225-7000-540-7036	\$ 150,000	\$ -	\$ -	\$ 150,000
Totals		<u>\$ 150,000</u>	<u>\$ -</u>	<u>\$ -</u>	<u>\$ 150,000</u>

<b>Total</b>		<b>\$ 6,872,727</b>	<b>\$ 1,540,909</b>	<b>\$ 576,987</b>	<b>\$ 4,754,831</b>
<b>Total Project Management Fees</b>		<b>\$ 101,516</b>	<b>\$ 8,054</b>	<b>\$ -</b>	<b>\$ 93,462</b>

# **ITEM 1**

**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.**

# **ITEM 2**

**Adjourn Executive Session, reconvene Regular Session, and take action as necessary as a result of Executive Session.**



# COMMUNICATION FORM

April 9, 2015

ITEM #	ITEM TITLE
3	<b>Non-Disclosure Agreements Authorization</b>
<b>ITEM/MOTION</b>	
Consideration of and action on authorizing the RDC Executive Director to execute Non-Disclosure Agreements on behalf of the Rosenberg Development Corporation for prospective economic development negotiations.	
<b>APPROVAL</b>	<b>SUPPORTING DOCUMENTS</b>

**SUBMITTED BY :**

Randall Malik  
Executive Director

1) Confidentiality and Non-Disclosure Agreement

## EXECUTIVE SUMMARY

Economic Development staff has received a Non-Disclosure Agreement from a site selector interested in Rosenberg. Legal Counsel has recommended that the Board authorizes the Executive Director to execute Non-Disclosure Agreements on behalf of the Board. Jeanne McDonald, P.C., Attorneys at Law is planning to attend the meeting and will discuss Non-Disclosure Agreements with the Board of Directors.

Staff recommends authorizing the RDC Executive Director to execute Non-Disclosure Agreements on behalf of the RDC for prospective economic development negotiations.

## **CONFIDENTIALITY AND NON-DISCLOSURE AGREEMENT**

THIS CONFIDENTIALITY AND NON-DISCLOSURE AGREEMENT (this "Agreement"), effective as of the \_\_\_\_ day of \_\_\_\_\_, 20\_\_ (the "Effective Date"), is made by and between \_\_\_\_\_ (the "Disclosing Party"), and the [City of Rosenberg, Texas (the "City"), or the Rosenberg Development Corporation (the "RDC")]. The Disclosing Party and the [City or RDC] are collectively referred to herein as the "Parties."

### **BACKGROUND:**

- A. The Parties desire to engage in discussions and possibly exchange information for the purpose of determining the feasibility of [insert general project information, e.g. entering into a lease agreement whereby the Disclosing Party would lease space located at \_\_\_\_\_ within the boundaries of the City] (the "Prospective Transaction"). During these discussions, the Disclosing Party may find it necessary to reveal to the [City or RDC] certain proprietary and/or confidential information.
- B. The Parties desire to enter into this Agreement to govern the treatment of such proprietary and/or confidential information that may be shared between them in connection with discussing the Prospective Transaction.

### **AGREEMENT:**

The Parties agree as follows:

1. As used anywhere in this Agreement, the term "Verbal Confidential Information" means any and all information or data related to the Prospective Transaction which is disclosed by the Disclosing Party to the [City or RDC] by means of unrecorded verbal or oral communications, provided that Verbal Confidential Information shall not include any information or data which: (a) is or becomes publicly available without any breach of this Agreement; (b) was already in the [City's or RDC's] possession prior to any disclosure hereunder; (c) is obtained by the [City or RDC] from a third party who the [City or RDC] has no reason to believe is not lawfully in possession of the Verbal Confidential Information or who delivers such information without the [City or RDC] seeking or soliciting such information; and (d) is independently developed by the [City or RDC] without the benefit or use of any Verbal Confidential Information received hereunder. If only a portion of the Verbal Confidential Information falls under one of the above Subsections 1(a) - 1(d), then only that portion shall be excluded from the terms and conditions of this Agreement. The [City or RDC] will not disclose the Verbal Confidential Information to anyone except as permitted in this Agreement, provided that the Disclosing Party, at the time of the disclosure, notifies the [City or RDC] that such information is Verbal Confidential Information.
2. The Parties acknowledge that the [City or RDC] is subject to the Texas Public Information Act (the "Act") and may be required to disclose any and all non-verbal information or data related to the Prospective Transaction ("Non-Verbal Information") to a party who makes a written request for such Non-Verbal Information which the [City or RDC] has in its possession or to which the [City or RDC] has a right of access. Non-Verbal Information includes, but is no limited to, documents, papers, emails, internet postings, test messages, instant messages, other electronic communications, printouts,

photographs, films, tapes, sound recordings, maps, drawings, and data held in computer memory. The Parties agree that the [City or RDC] shall not violate this Agreement by disclosing Non-Verbal Information pursuant to a valid request for such information made pursuant to the Act. Non-Verbal Information is not subject to this Agreement, and the Parties further acknowledge that the [City or RDC] shall not be obligated by this Agreement to object to the disclosure of Non-Verbal Information by means of a request to the Texas Attorney General's Office, alleging that the information or data sought falls within one of the Act's exemptions from disclosure, or otherwise.

3. Any Verbal Confidential Information that the Disclosing Party provides or has provided to the [City or RDC] shall be considered to be confidential and proprietary except to the extent otherwise provided in this Agreement. The [City or RDC] shall hold in confidence Verbal Confidential Information received from the Disclosing Party and use care with respect to such Verbal Confidential Information to prevent its disclosure unless prior written approval of the Disclosing Party is obtained. Verbal Confidential Information received shall not be used by the [City or RDC] for any reason other than related to the Prospective Transaction. The [City or RDC] may only disclose Verbal Confidential Information to its employees, officers, board members, council members, attorneys, consultants, accountants and potential financing sources (collectively, "Representatives") who reasonably have a need to know related to the Prospective Transaction and who are advised by the [City or RDC] that the Verbal Confidential Information is confidential and are directed by the [City or RDC] to treat the Verbal Confidential Information consistent with the terms of this Agreement.
4. If the [City or RDC] receives a request for Non-Verbal Information related to the Prospective Transaction, as discussed in Section 2 above, or otherwise becomes legally compelled to disclose any of the Verbal Confidential Information, then the [City or RDC] will provide Disclosing Party with prompt notice of same. The [City or RDC] agrees to only disclose Verbal Confidential Information related to the Prospective Transaction to the degree required by law.
5. Nothing in this Agreement limits the ability of either party to enter into negotiations or agreements with any other person or entity or perform any business operations whatsoever regardless that such other persons, entities or business operations may be in direct competition with the other party.
6. This Agreement shall be governed by and construed in accordance with the laws of the State of Texas without regard to any conflicts or choice of law principles that might otherwise apply.
7. All rights heretofore or hereafter acquired under the patent or copyright laws of the United States or of a foreign country with respect to the Verbal Confidential Information are hereby expressly reserved to the owner of such information. Nothing in this Agreement shall be construed as granting a license, expressly, impliedly, or otherwise for any invention, discovery, or improvement made, conceived or acquired prior to, on, or after the Effective Date of this Agreement. The disclosure of Verbal Confidential Information shall likewise not be construed as any representation, warranty, assurance, guaranty, or inducement by the Disclosing Party with respect to infringement of any patent or other proprietary right.

8. Nothing in this Agreement obligates either party to enter into a definitive agreement regarding the Prospective Transaction.
9. This Agreement shall be binding upon and inure to the benefit of parties, their successors and assigns.
10. If the [City or RDC], or anyone acting with the express or implied consent of the [City or RDC], breaches this Agreement, the Disclosing Party shall have the right, without posting any bond, to injunctive relief enjoining any further acts or attempts to breach this Agreement, it being acknowledged by the Parties that legal remedies are inadequate.
11. This Agreement sets forth the entire understanding of the Parties regarding confidentiality. Any amendments must be in writing and signed by all Parties. This Agreement shall not be assignable by any party, and no party may delegate its duties under this Agreement, without the prior written consent of the other Parties. In no event will the failure of either party to object to any unauthorized disclosure or use of Verbal Confidential Information, or to enforce any provision of this Agreement, operate as a modification of this Agreement or as a waiver of its provisions with respect to any then past, present, or future unauthorized disclosure or use.
12. This Agreement supersedes all prior agreements, either oral or in writing between the Parties relating to the subject matter described herein. This Agreement constitutes the entire agreement between the Parties relating to the subject matter described herein and shall not be modified except by a writing signed by both Parties.
13. All notices, requests, approvals, and other communications required or permitted to be delivered under this Agreement must be in writing and are effective:
  - (a) upon receipt if delivered personally; or
  - (b) one Business Day after delivery to a nationally recognized courier service on a Business Day during business hours for delivery on the next Business Day; or
  - (c) if orderly delivery of the mail is not then disrupted or threatened in which event some method of delivery other than the mail must be used, three Business Days after being deposited in the United States mail, certified, return receipt requested, postage prepaid on a Business Day during business hours;

in each instance addressed to \_\_\_\_\_, as the case may be, at the following addresses, or to any other address either party may designate by notice to the other party:

If to \_\_\_\_\_:

\_\_\_\_\_  
 \_\_\_\_\_  
 \_\_\_\_\_  
 Attn.: \_\_\_\_\_

If to \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
Attn.: \_\_\_\_\_

If any party hereto is represented by legal counsel, such legal counsel is authorized to deliver written notice directly to the other party on behalf of his or her client, and the same will be deemed proper notice hereunder if delivered in the manner specified in this Section.

Any party hereto may, at any time by giving ten days written notice to the other party hereto, designate any other address in substitution of the foregoing address to which such notice shall be given and other parties to whom copies of all notices hereunder shall be sent. The term "Business Day" means any weekday other than a federal holiday.

14. EACH OF THE PARTIES KNOWINGLY, VOLUNTARILY AND INTENTIONALLY WAIVE ANY RIGHT TO WHICH EITHER OF THEM MAY HAVE TO A TRIAL BY JURY WITH RESPECT TO ANY LITIGATION OR LEGAL PROCEEDING BASED UPON OR ARISING DIRECTLY, INDIRECTLY OR OTHERWISE IN CONNECTION WITH, OUT OF, RELATED TO OR FROM THIS AGREEMENT INCLUDING, BY WAY OF EXAMPLE BUT NOT LIMITATION, ANY COURSE OF CONDUCT, COURSE OF DEALINGS, VERBAL OR WRITTEN STATEMENTS OR ACTS OR OMISSIONS OF EITHER PARTY WHICH IN ANY WAY RELATE TO THIS AGREEMENT. FURTHERMORE, EACH OF THE PARTIES AGREE THAT THEY WILL NOT SEEK TO CONSOLIDATE ANY SUCH ACTION IN WHICH A JURY TRIAL HAS BEEN WAIVED WITH ANY OTHER ACTION IN WHICH A JURY TRIAL CANNOT OR HAS NOT BEEN WAIVED. EACH OF THE PARTIES HAVE SPECIFICALLY DISCUSSED AND NEGOTIATED FOR THIS WAIVER AND UNDERSTAND THE LEGAL CONSEQUENCES OF IT.
15. This Agreement may be executed in multiple counterparts, each of which shall constitute an original but when taken together constitute one and the same instrument. Facsimile signatures or digital images of signatures constitute originals for all purposes under this Agreement.

[Signature page follows.]

IN WITNESS WHEREOF, this Agreement has been executed in by the duly authorized representatives of the parties hereto.

**[CITY or RDC]**

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

\_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_



# COMMUNICATION FORM

April 9, 2015

ITEM #	ITEM TITLE
4	<b>Resolution No. RDC-94 – Support for S.B. 581 for Texas State Technical College</b>
<b>ITEM/MOTION</b>	
Consideration of and action on Resolution No. RDC-94, a Resolution of the Board of Directors of the Rosenberg Development Corporation, in support of Texas Senate Bill No. 581 relating to the creation of a campus of the Texas State Technical College System in Fort Bend County.	
<b>APPROVAL</b>	<b>SUPPORTING DOCUMENTS</b>

**SUBMITTED BY :**

Randall Malik  
Executive Director

- 1) Resolution No. RDC-94 – Support for S.B. 581 for Texas State Technical College
- 2) Texas Senate Bill No. 581 – Filed by Senator Lois Kolkhorst

## EXECUTIVE SUMMARY

Senator Lois Kolkhorst of Texas Senate District 18 has filed Texas Senate Bill No. 581 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-94 as presented.

**RESOLUTION NO. RDC-94**

**A RESOLUTION OF THE BOARD OF DIRECTORS OF THE ROSENBERG DEVELOPMENT CORPORATION, IN SUPPORT OF TEXAS SENATE BILL NO. 581 RELATING TO THE CREATION OF A CAMPUS OF THE TEXAS STATE TECHNICAL COLLEGE SYSTEM IN FORT BEND COUNTY.**

**WHEREAS**, the Rosenberg Development Corporation (RDC), an economic development corporation organized pursuant to Section 4B of the Development Corporation Act of 1979, as amended, has established policies to adopt such reasonable projects, as are permitted by law, to include land and infrastructure for primary job training facilities for use by institutions of higher education; and,

**WHEREAS**, the expansion of the Fort Bend Texas State Technical College will have a positive impact on the local and regional economy; and,

**WHEREAS**, the Rosenberg Development Corporation has adopted numerous Strategic Plans identifying expanded technical training as a top priority; and,

**WHEREAS**, the Rosenberg Development Corporation desires to partner with Texas State Technical College and affiliated organizations on a Texas State Technical College campus to be located in Fort Bend County.

**NOW THEREFORE, BE IT RESOLVED BY THE ROSENBERG DEVELOPMENT CORPORATION:**

**Section 1.** That the Rosenberg Development Corporation supports Senate Bill 581 for the creation of an expanded Texas State Technical College located in Fort Bend County.

**PASSED, APPROVED, and RESOLVED** this \_\_\_\_\_ day of \_\_\_\_\_ 2015.

**ATTEST:**

**APPROVED:**

\_\_\_\_\_

\_\_\_\_\_

Linda Cernosek, **City Secretary**

Bill Knesek, **President**

By: Kolkhorst

S.B. No. 581

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the creation of a campus of the Texas State Technical  
3 College System in Fort Bend County.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 135.02(a), Education Code, is amended to  
6 read as follows:

7 (a) The Texas State Technical College System is composed of:

8 (1) a system office located in the city of Waco in  
9 McLennan County;

10 (2) a campus located in the city of Harlingen in  
11 Cameron County;

12 (3) a campus serving West Texas that operates as a  
13 collective unit of strategically positioned permanent locations in  
14 the city of Sweetwater in Nolan County, the city of Abilene in  
15 Taylor County, the city of Brownwood in Brown County, and the city  
16 of Breckenridge in Stephens County;

17 (4) a campus located in the city of Marshall in  
18 Harrison County;

19 (5) a campus located in the city of Waco in McLennan  
20 County;

21 (6) a campus located in the city of Richmond in Fort  
22 Bend County;

23 (7) an extension center located in Ellis County; and

24 (8) [~~7~~] campuses assigned to the system from time to

1 time by specific legislative Act.

2 SECTION 2. Section 135.04(b), Education Code, is amended to  
3 read as follows:

4 (b) Before any program may be offered by a campus or  
5 extension center within the tax district of a public junior college  
6 that is operating a vocational and technical program, it must be  
7 established that the public junior college is not capable of  
8 offering or is unable to offer the program. After it is  
9 established that a need for the program exists and that the program  
10 is not locally available, the campus or extension center may offer  
11 the program, provided approval is secured from the coordinating  
12 board. Approval of technical-vocational programs under this  
13 section does not apply to Brown, McLennan, Cameron, Fort Bend, and  
14 Potter counties.

15 SECTION 3. This Act takes effect immediately if it receives  
16 a vote of two-thirds of all the members elected to each house, as  
17 provided by Section 39, Article III, Texas Constitution. If this  
18 Act does not receive the vote necessary for immediate effect, this  
19 Act takes effect September 1, 2015.



# COMMUNICATION FORM

April 9, 2015

ITEM #	ITEM TITLE
5	<b>Economic Development Director's Report</b>
<b>ITEM/MOTION</b>	
<p>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 the following (Randall Malik, Rosenberg Development Corporation Executive Director):</p> <ul style="list-style-type: none"><li>a. Update on Economic Indicators</li><li>b. Update on Business Retention Visits</li><li>c. Update on Livable Centers Study</li><li>d. Update on Rosenberg Business Park</li><li>e. Update on Walsh Road Industrial Park</li><li>f. Update on Richmond – Rosenberg Bus Route</li><li>g. Update on BNSF Downtown Property</li><li>h. Update on New and Expanded Businesses</li><li>i. Update on Existing Businesses</li></ul>	
<b>APPROVAL</b>	<b>SUPPORTING DOCUMENTS</b>

SUBMITTED BY :

A handwritten signature in black ink, appearing to read 'R Malik', is written over the printed name.

Randall Malik  
Executive Director

1) Director's Report – April 2015

## 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.



## **Rosenberg Development Corporation Economic Development Director's Update March 2015**

### **Economic Indicators:**

City Housing Starts in 2015:	57
City Housing Starts in February:	28
ETJ Housing Starts in 2015:	98
ETJ Housing Starts in February:	34
Unemployment for February 2015:	3.7%
Non-Adjusted Employment for February 2015:	15,954
February Sales Tax Receipts (December 2014 sales):	\$1,149,563.99
Percentage Change From Previous Year:	+ 7.10%
Annual Sales Tax Receipts for 2015 (December 2014 sales):	\$ 4,213,535.28
Percentage Change From Previous Year:	+ 2.28%

### **Business Retention Visits**

Encapsulite  
Seatex  
Mellon Real Estate  
Spray and Forget (New company)  
Finnegan Auto Group

### **Department Activity**

- Attended Highway 36A Coalition luncheon.
- Attended West Fort Bend Management District Meeting and West Fort Bend Management District Wayside Horns Committee Meeting
- Toured Port of Freeport facilities.
- Hosted RDC table at annual State of the County Address.
- Attended Greater Fort Bend EDC board meeting and monthly membership meeting.
- Hosted Rosenberg tour for Greater Houston Partnership Economic Development Team.
- Attended Fort Bend Chamber Board of Directors meeting.
- Attended Central Fort Bend Chamber Board of Directors Meeting.



- Met with Central Fort Bend Chamber regarding planning of RDC Business Appreciation Reception.

### **Projects Update:**

***Livable Centers*** - We have a client meeting scheduled for April 14th to review recommendations provided by the livable centers architects.

***Rosenberg Business Park*** – Council has awarded bids for construction of the Phase 1 infrastructure improvements and lift station improvements.

***Walsh Road Industrial Park*** – The developer has completed the infrastructure to the industrial park. In accordance with the performance agreement, we have reimbursed ICO Commercial \$300,000 for infrastructure improvements.

***Richmond – Rosenberg Bus Route:*** Public hearings for the bus route are expected to be held in April. The bus route is anticipated to start on July 1st, 2015.

***BNSF Downtown Property-*** The property purchase will be discussed at an upcoming council meeting.



# COMMUNICATION FORM

April 9, 2015

ITEM #	ITEM TITLE
6	Future Agenda Items
ITEM/MOTION	
Review and discuss requests for future agenda items, and take action as necessary.	
APPROVAL	SUPPORTING DOCUMENTS

SUBMITTED BY :

1) None

A handwritten signature in black ink, appearing to read 'R. Malik'.

Randall Malik  
Economic Development Director

## EXECUTIVE SUMMARY

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

# **ITEM 7**

**Announcements.**

# **ITEM 8**

**Adjournment.**