

## **NOTICE OF REGULAR CITY COUNCIL MEETING**

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

**DATE:** Tuesday, April 5, 2016  
**TIME:** 7:00 p.m.  
**PLACE:** Rosenberg City Hall  
City Hall Council Chamber  
2110 4th Street  
Rosenberg, Texas 77471  
**PURPOSE:** Regular City Council Meeting, agenda as follows:

The City Council reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed below, as authorized by Title 5, Chapter 551, of the Texas Government Code.

Call to order: City Hall Council Chamber

Invocation and Pledge of Allegiance. (Pastor Jason Martin, Calvary Baptist Church, Rosenberg)

Presentation of Proclamation Recognizing April 5, 2016, as Mayor and County Recognition Day for National Service in the City of Rosenberg. (Cynthia A. McConathy, Mayor)

Announcements.

### **GENERAL COMMENTS FROM THE AUDIENCE.**

Citizens who desire to address the City Council 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 is 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 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 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 City Council and may be enacted by one (1) motion. There will be no separate discussion of Consent Agenda items unless a City Council 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 minutes of the Regular Meeting on March 15, 2016, and Workshop Meeting on March 22, 2016. (Linda Cernosek, City Secretary)

- B. Consideration of and action on Ordinance No. 2016-10, an Ordinance amending the Code of Ordinances by deleting all of Section 28-41(a) and (c), Stop Signs Designated, of Article II, Division 2 of Chapter 28, Stop Streets, and substituting therefor a new Section 28-41 (a) and (c) of Article II, Division 2 of Chapter 28 thereof; providing for a three-way stop on Summer Creek Lane at Summerdale Drive, and on Lake Commons Drive at Summer Night Lane; providing a penalty in an amount of not less than \$1.00 or more than \$200.00 for violation of any provision hereof; repealing all ordinances or parts of ordinances inconsistent or in conflict herewith; providing for severability; and providing an effective date. (Rigo Calzoncin, Public Works Director)
- C. Consideration of and action on Ordinance No. 2016-13, an Ordinance establishing speed limits during construction along a portion of IH-69 (US 59) within the corporate limits of the City of Rosenberg, Texas; and providing a penalty of not less than one dollar (\$1.00) or more than four hundred dollars (\$400.00) for violation of any provision hereof; providing for severability; and, providing for an effective date. (John Maresh, Interim City Manager)
- D. Consideration of and action on Resolution No. R-2122, a Resolution accepting the filing of a petition by land owner for annexation of 7.1813 acres of land in the S.A. & M.G.R.R. Company Survey, Abstract 330, Fort Bend County, Texas. (Travis Tanner, Executive Director of Community Development)

#### REGULAR AGENDA

- 2. Review and discuss a presentation regarding a proposed Eagle Scout Project by Andrew Spencer of Troop 1000 to construct a rainwater harvesting system in Brazos Park, and take action as necessary. (Darren McCarthy, Parks and Recreation Director)
- 3. Consideration of and action on Ordinance No. 2016-12, an Ordinance granting consent to the Fort Bend County Municipal Utility District No. 155 for the sale and issuance of Unlimited Tax Bonds, Series 2016A, in an amount not to exceed \$3,970,000. (Charles A. Kalkomey, P.E., City Engineer)
- 4. Consideration of and action on Resolution No. R-2130, a Resolution awarding Bid No. 2016-05 for site plan improvements for Wastewater Treatment Plant Administration Office Facility Expansion; and, authorizing the Interim City Manager to negotiate and execute, for and on behalf of the City, appropriate documents and/or agreements regarding same, including Change Order No. 1. (John Maresh, Interim City Manager)
- 5. Consideration of and action on Resolution No. R-2128, a Resolution awarding Bid No. 2016-07 for construction of the Community Development Block Grant (CDBG) Project related to construction services for the North Side Waterline Improvements Phase III; and, providing authorization for the Interim City Manager to negotiate and execute, for and on behalf of the City, appropriate documents and/or agreements regarding same. (John Maresh, Interim City Manager)
- 6. Consideration of and action on Resolution No. R-2132, a Resolution authorizing the Interim City Manager to execute, for and on behalf of the City, Budget Amendment 16-07 for the additional costs associated with the Community Development Block Grant (CDBG) North Side Water Line Improvements - Phase III Project, Utility Building Site Improvements and Rosenberg Development Corporation Legal Expenses in the amount of \$235,000.00. (Joyce Vasut, Executive Director of Administrative Services)
- 7. Consideration of and action on Resolution No. R-2131, a Resolution approving amendments to the Rosenberg Development Corporation Bylaws. (Randall Malik, Economic Development Director)

8. Hold Executive Session to consult with City Attorney to receive legal advice on pending or contemplated litigation regarding the Rosenberg Dangerous Buildings Program and Rosenberg Police Department Personnel 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 of the Texas Government Code; and, to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of the Municipal Court Judge, and the evaluation and duties of all City employees involved in information services involving City Hall and the Police Department pursuant to Section 551.074 of the Texas Government Code.
9. Adjourn Executive Session, reconvene Regular Session, and take action as necessary as a result of Executive Session.
10. Adjournment.

DATED AND POSTED this the 1<sup>st</sup> day of April 2016, at 10:35 A m.,

by Linda Cernosek

Linda Cernosek

Attest:  
Linda Cernosek, TRMC, City Secretary



John Maresh

Approved for Posting:  
John Maresh, Interim City Manager

Cynthia A. McConathy

Approved:  
Cynthia A. McConathy, Mayor

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.

Executive Sessions: The City Council may retire to executive session in accordance with the Texas Government Code, any time between the meeting's opening and adjournment for the purposes of:

- consultation with legal counsel (Section 551.071);
- deliberation regarding real property (Section 551.072);
- deliberation regarding economic development negotiations (Section 551.087);
- deliberation regarding the deployment or specific occasions for implementation of security personnel or devices (Section 551.076)

Attendance by other elected or appointed officials: It is anticipated that members of other city boards, commissions or committees whose meetings may be governed by the Texas Open Meetings Act may attend this meeting in numbers that may constitute a quorum of the other city boards, commissions or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a possible quorum/meeting of the other boards, commissions or committees of the City, whose members may be in attendance. The members may speak as recognized by the presiding officer, but no action may be taken by any board, commission or committee unless such item is specifically provided for on an agenda designated for that board, commission or committee and posted in compliance with the Texas Open Meetings Act.

This Agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein maybe legally discussed in the closed portion of the meeting considering the available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.