

## **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, December 6, 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 Plaque Honoring the Service of Retiring Rosenberg Police Department K-9, Rex. (Dallis Warren, Police Chief)

Presentation of Rosenberg Image Committee Fall Decorating Contest Awards and December Beautification Award. (William Benton, Councilor at Large, Position One)

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 Regular Meeting Minutes for November 15, 2016. (Linda Cernosek, City Secretary)

- B. Consideration of and action on Ordinance No. 2016-40, an Ordinance amending the Code of Ordinances by deleting all of Section 28-41 (b) and (d), Stop Signs Designated, of Article II, Division 2 of Chapter 28, Stop Streets, and substituting therefor a new Section 28-41 (b) and (d) of Article II, Division 2 of Chapter 28 thereof; providing for a two-way stop at the intersection of Avenue K and Allen Street; providing for a four-way stop at the intersection of Avenue K and James Street; 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 a Final Plat of Bonbrook Plantation South Section Six, a subdivision of 38.506 acres of land situated in the Wiley Martin League, Abstract 56, Fort Bend County, Texas; 70 lots, 10 reserves (17.817 acres) and 5 blocks. (Ian Knox, Planning Administrator)
- D. Consideration of and action on a Final Plat of Bonbrook Plantation South Section Nine, subdivision of 35.335 acres of land situated in the Wiley Martin League, Abstract 56, Fort Bend County, Texas; 96 lots, 2 reserves (6.553 acres) and 5 blocks. (Ian Knox, Planning Administrator)
- E. Consideration of and action on a Final Plat of Summer Lakes Section Six Partial Replat Number One, being a subdivision of 0.8406 acres out of the Jane H. Long League, A-55 and the WM. Lusk Survey, A-276 in the City of Rosenberg, in Fort Bend County, Texas. Being a replat of Lot 4, Lot 5 and Lot 24, Block 1, Summer Lakes Section Six, recorded in Plat No. 20150058 F.B.C.P.R.; 3 lots, 1 block and 0 reserves. (Ian Knox, Planning Administrator)
- F. Consideration of and action on Resolution No. R-2254, a Resolution authorizing the Interim City Manager to execute, for and on behalf of the City, an Agreement for Community Development Block Grant funding for Water Line Improvements – Phase IV, by and between the City and Fort Bend County, in the amount of \$330,285.00. (John Maresh, Interim City Manager)
- G. Consideration of and action on Resolution No. R-2253, a Resolution authorizing the Interim City Manager to execute, for and on behalf of the City, a release and abandonment of sanitary sewer easement in Lots 4, 5, and 24 of Block 1 of Summer Lakes Section Six, filed for record under Plat No. 20150058 of the Plat Records of Fort Bend County, Texas, and under Clerk's File No. 2015021695 in the Official Public Records of Fort Bend County, Texas. (Travis Tanner, Executive Director of Community Development)

#### REGULAR AGENDA

- 2. Review and discuss an update on Animal Control Shelter operations, and take action as necessary. (William Benton, Councilor at Large, Position One / Dallis Warren, Police Chief)
- 3. Review and discuss a presentation regarding Rosenberg's far western City Limit/Extraterritorial Jurisdiction and the Industrial District Agreement with Hudson Products, and take action as necessary. (Richard Morrison, Fort Bend County Commissioner, Precinct One)
- 4. Review and discuss an update on the railroad crossing directional horns/quiet zones project, and take action as necessary. (Richard Morrison, Fort Bend County Commissioner, Precinct One)
- 5. Consideration of and action on Ordinance No. 2016-41, an Ordinance granting consent to the Fort Bend County Municipal Utility District No. 144 (Summer Lakes/Park) for the issuance of a Bond Anticipation Note, Series 2016, in an amount not to exceed \$4,007,000. (Travis Tanner, Executive Director of Community Development)
- 6. Review and discuss proposed City Charter amendments as recommended by the Charter Review Committee, and take action as necessary. (Scott M. Tschirhart, City Attorney)

7. Consideration of and action on Resolution No. R-2245, a Resolution authorizing the Interim City Manager to execute, for and on behalf of the City, a Contract for Engineering Services for the Community Development Block Grant funded North Side Water Line Improvements - Phase IV, by and between the City and Kelly R. Kaluza and Associates, Inc., in the amount of \$42,900.00. (John Maresh, Interim City Manager)
8. Consideration of and action on Resolution No. R-2238, a Resolution awarding Bid No. 2016-22 for Right-of-Way Rough Cut, Right-of-Way Finish Cut, Open Acreage and Wastewater Treatment Plant Mowing for the contracted term of March 01, 2017, through April 30, 2018; and, authorizing the Interim City Manager to negotiate and execute, for an on behalf of the City, appropriate documents and/or agreements regarding same. (Rigo Calzoncin, Public Works Director)
9. Consideration of and action on Resolution No. R-2252, a Resolution suspending the December 21, 2016, effective date of the Statement of Intent of CenterPoint Energy to increase rates within the Houston and Texas Coast Divisions and consolidate the Houston and Texas Coast Divisions to permit the City time to study the request and to establish reasonable rates; finding that the City's reasonable rate case expenses shall be reimbursed by the Company; authorizing participation with the Gulf Coast Coalition of Cities; hiring legal and consulting services to negotiate with the Company and direct any necessary litigation and appeals; finding that the meeting at which this Resolution is passed is open to the public as required by law; requiring notice of this Resolution to the Company and legal counsel. (John Maresh, Interim City Manager)
10. Consideration of and action on Resolution No. R-2250, a Resolution to terminate the General Services Contract for Janitorial Services, by and between the City and C&S Janitorial Services, Inc.; awarding the remaining General Services Contract term ending September 30, 2017, to the second lowest qualified bidder, Agape Cleaning Enterprises, Inc.; and, authorizing the Interim City Manager to negotiate and execute appropriate documents and/or agreements regarding same. (Danyel Swint, Executive Assistant)
11. Hold Executive Session to consult with City Attorney to seek or receive advice on legal matters regarding pending or contemplated litigation regarding pending condemnation matters related to Bryan/Spacek Road Expansion Project 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, to deliberate the appointment, employment and duties of the City Manager pursuant Texas Government Code Section 551.074.
12. Adjourn Executive Session, reconvene Regular Session, and take action as necessary as a result of Executive Session.
13. Adjournment.

DATED AND POSTED this the 2nd day of December 2016, at 11:15a. m.,

by Cynthia A. Sullivan



Cynthia A. Sullivan  
Attest:  
Cynthia Sullivan, Assistant 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 may be 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.