

MINUTES OF REGULAR CITY COUNCIL MEETING

Call To Order

The City Council of the City of Katy, Texas, convened in regular session Monday, June 28, 2010, at 6:30 p.m., at Katy Municipal Complex, 910 Avenue C, Katy, Texas. The following City Officials were present:

Don Elder Jr., Mayor
 Hank Schmidt, Mayor Pro Tem
 Carol Adams, Councilmember
 Kenneth Berger, Councilmember
 Larry Gore, Councilmember
 Fabol R. Hughes, Councilmember
 Art Pertile, City Attorney
 Missy Bunch, City Secretary
 Johnny Nelson, City Administrator
 David Leyendecker, City Engineer

Comments from the Audience

Comments from the audience included: 1) Steve Pierson, 1401 Hudgens, announcing the First Baptist Church – Katy musical honoring the men and women in uniform, to be held on Sunday July 4, 2010.

Presentation from H-E-B Public Affairs Houston

Joey Garcia, H-E-B Marketing Department, spoke of their new 85,000 square foot store to be located at Pin Oak Road and I-10. He spoke of the various services and products that will be offered. He commented on the numerous community outreach projects H-E-B is involved in. He spoke of meeting with the Katy Police Department and the Keep Katy Beautiful Board. Garcia explained the facility is energy efficient and recycles all cardboard and plastic bags. The facility is anticipated to hire over 400 employees. He looks forward to what H-E-B can provide to the City.

Public Hearing for Proposed Plat Amendment to Katy Mills Planned Development District, Unrestricted Reserve "K", 3rd Replat, 6.7312 Acres, 1 Block, 2 Reserves, Located South of Katy Mills Parkway, East of Pin Oak Road, Fort Bend County

The Mayor opened a Public Hearing at 6:40 p.m. for Proposed Plat Amendment to Katy Mills Planned Development District, Unrestricted Reserve "K", 3rd Replat, 6.7312 Acres, 1 Block, 2 Reserves, Located South of Katy Mills Parkway, East of Pin Oak Road, Fort Bend County. All were given an opportunity to be heard and there were no comments. The Mayor closed the Public Hearing at 6:41 p.m.

Proposed Plat Amendment to Katy Mills Planned Development District, Unrestricted Reserve "K", 3rd Replat, 6.7312 Acres, 1 Block, 2 Reserves, Located South of Katy Mills Parkway, East of Pin Oak Road, Fort Bend County

Motion was made by Councilmember Schmidt, seconded by Councilmember Adams, approving the Plat Amendment to Katy Mills Planned Development District, Unrestricted Reserve "K", 3rd Replat, 6.7312 Acres, 1 Block, 2 Reserves, Located South of Katy Mills Parkway, East of Pin Oak Road, Fort Bend County. All voted Aye, and the motion carried.

Final Plat for Proposed Plat Amendment to Katy Mills Planned Development District, Unrestricted Reserve "K", 3rd Replat, 6.7312 Acres, 1 Block, 2 Reserves, Located South of Katy Mills Parkway, East of Pin Oak Road, Fort Bend County

Motion was made By Councilmember Berger, seconded by Councilmember Hughes, approving the Final Plat for a Plat Amendment to Katy Mills Planned Development District, Unrestricted Reserve "K", 3rd Replat, 6.7312 Acres, 1 Block, 2 Reserves, located south of Katy Mills Parkway, east of Pin Oak Road, in Fort Bend County. All voted Aye, and the motion carried.

Bank Statement and Check Register for 05-30-2010

Councilmembers had no questions or comments.

Authorize Use of Reserve Funds to Replace Fuel Dispensers and Increase Capacity of Gasoline Storage At Public Works Facilities located at 5454 Franz Road

Motion was made by Councilmember Schmidt, seconded by Councilmember Hughes, authorizing the use of Reserve Funds to Replace Fuel Dispensers and Increase Capacity of Gasoline Storage at the Public Works Facilities, 5454 Franz Road. Councilmember Gore asked if the City was still using the local Exxon dealer. City Administrator Johnny Nelson explained the City currently uses a company located in Colorado County. Councilmember Gore understands the proposed improvements will allow the City to be better supplied if there would be a hurricane. City Administrator Nelson replied yes. All voted Aye, and the motion carried.

Authorize Preparation of Bid Specifications and Proceed with Bid Process to Replace Fuel Dispensers and Increase Capacity of Gasoline Storage At Public Works Facilities located at 5454 Franz Road

Motion was made by Councilmember Hughes, seconded by Councilmember Berger, authorizing preparation of bid specifications and proceeding with the bid process to replace the fuel dispensers and increase capacity of gasoline storage at public works facilities located at 5454 Franz Road. All voted Aye, and the motion carried.

Resolution No. 431 Authorizing Katy Development Authority to Hold Public Hearings on Behalf of the City of Katy on the Use of Metro Funds for Transportation Projects; Make Recommendations City Council on Use of Metro Funds for Transportation Projects and to Implement, with City Council Approval, Funding of Transportation Projects with Metro Funds

Motion was made by Councilmember Schmidt, seconded by Councilmember Berger, approving a Resolution (No. 431) Authorizing Katy Development Authority to hold Public Hearings on behalf of the City of Katy on the use of Metro Funds for transportation projects; make recommendations to City Council on use of Metro Funds for Transportation Projects and to implement, with City Council approval, funding of transportation projects with Metro Funds. Councilmember Hughes asked if there were any strings attached. City Attorney Pertile explained the Katy Development Authority was appointed to act on the City's behalf; therefore, use of these funds must be approved by City Council. Councilmember Gore understood that the Katy Development Authority was appointed by City Council. City Administrator Nelson replied yes. Councilmember Gore understood the Katy Development Authority was similar to the Zoning Board. City Attorney Pertile explained it is a separate entity. All voted Aye, and the motion carried.

Resolution No. 432 Authorizing Use of Metro Funds for Construction of Cane Island Parkway

Motion was made by Councilmember Schmidt, seconded by Councilmember Gore, approving a Resolution (No. 432) authorizing the use of Metro Funds for the construction of Cane Island Parkway. All voted Aye, and the motion carried.

Update on the Application by the City of Katy for the Energy Efficiency and Conservation Block Grant Program Administered by the United States Department of Energy (Resolution No. 427, Authorizing Support approved 12-14-2009, information item only)

City Treasurer Byron Hebert reported the grant had been signed, returned to the State, awaiting their signatures and explained the State does not expense funds until all paperwork is complete.

Award Bid to Retrofit City Hall Municipal Complex Air Conditioning Systems to CAS Companies, LP, Stafford, Texas, in the Amount of \$53,150.00 (bids received 06-22-2010)

Motion was made by Councilmember Hughes, seconded by Councilmember Schmidt, Award Bid to Retrofit City Hall Municipal Complex Air Conditioning Systems to CAS (Clean Air Solutions) Companies, LP, Stafford, Texas, in the Amount of \$53,150.00 (bids received 06-22-2010). Councilmember Adams asked if the previous agenda item, grant monies, would apply to this project. City Treasurer Hebert explained the City would receive the contract and then start the process with the use of Reserve Funds and then receive reimbursement from the State. All voted Aye, and the motion carried.

Authorize Use of Reserve Funds to Retrofit City Hall Municipal Complex Air Conditioning Systems

Motion was made by Councilmember Hughes, seconded by Councilmember Berger, authorizing the use of Reserve Funds to Retrofit City Hall Municipal Complex air conditioning systems. All voted Aye, and the motion carried.

Award Bid for Sale and Removal of a 1000 Gallon Propane Tank and Propane from the Katy Police Station to Katy Propane (dba Katy Butane), Katy, Texas, in the Amount of \$1,500.00 (bids received 06-22-2010)

Motion was made by Councilmember Berger, seconded by Councilmember Adams, Awarding Bid for the Sale and Removal of a 1000 Gallon Propane Tank and Propane from the Katy Police Station to Katy Propane (dba Katy Butane), Katy, Texas, in the Amount of \$1,500.00 (bids received 06-22-2010). Councilmember Gore asked if there was only one bid received. City Engineer David Leyendecker replied yes. All voted aye and the motion carried.

Award Bid to Furnish and Install Bullet Proof Glass and Frames at the City of Katy Police Station, located at 5456 Franz Road, to HouTex Glass & Mirror Co., Houston, Texas, in the Amount of \$150,722.71 (bids received 06-22-2010)

Motion was made by Councilmember Schmidt, seconded by Councilmember Berger, Awarding Bid to Furnish and Install Bullet Proof Glass and Frames at the City of Katy Police Station, located at 5456 Franz Road, to HouTex Glass & Mirror Co., Houston, Texas, in the Amount of \$150,722.71 (bids received 06-22-2010). Mike Murdoch, M & M Glass & Mirror, addressed City Council. He spoke of bidding the project in February 2010. He believes, after speaking with the glass supplier, that the new glass can be placed in the existing frames, saving the City approximately \$35,000.00. He had his son demonstrate the placement of the new bullet proof glass in the existing frames, mock-up sized. He guarantees no water can penetrate once the gaskets and caulking are put in place. Councilmember Gore asked if the project would have to be rebid again, if the bid was not accepted. City Attorney Pertile replied yes, if all bids are rejected. Votes were cast as follows: Ayes – Schmidt; Noes – Adams, Berger, Gore and Hughes. The motion did not pass. Motion was made by Councilmember Hughes, seconded by Councilmember Gore, to reject all bids received to Furnish and Install Bullet Proof Glass and Frames at the City of Katy Police Station, located at 5456 Franz Road. All voted Aye, and the motion carried. All voted aye, and the motion carried. The project will be rebid.

Award Bid for 2010 Sanitary Sewer Line Replacement Project to Huff & Mitchell Inc., Cypress, Texas, in the Amount of \$128,845.00 (bids received 06-22-2010)

Motion was made by Councilmember Berger, seconded by Councilmember Gore, Awarding Bid for 2010 Sanitary Sewer Line Replacement Project to Huff & Mitchell Inc., Cypress, Texas, in the Amount of \$128,845.00 (bids received 06-22-2010). Councilmember Hughes asked where the sewer line replacement project was located. City Engineer Leyendecker explained there were various locations, such as Lilac Street, Avenue D, Cedar Street and a few others. All voted Aye, and the motion carried.

Councilmembers' Reports

Councilmember Gore commented there was no election held this year and he wanted to take the time to thank the citizens, City Staff and all City Departments for their support and making his job easier for his first two years in office. He looks forward to serving this additional two years.

Mayor's Reports

The Mayor expressed thanks to those who donated money towards the Annual Fourth of July Fireworks Celebration. He reminded all to remain safe during this holiday.

Adjourn

Motion was made by Councilmember Schmidt, seconded by Councilmember Hughes, to adjourn the meeting. All voted Aye, and the motion carried. The meeting adjourned at 7:00 p.m.



Mayor

ATTEST:



City Secretary