

MINUTES OF REGULAR CITY COUNCIL MEETING

Call to Order

The City Council of the City of Katy, Texas, convened in regular session on Monday, July 26, 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
 M. H. "Hank" Schmidt, Jr., Mayor Pro Tem
 Carol Adams, Councilmember
 Kenneth Berger, Councilmember
 Larry Gore, Councilmember
 Fabol R. Hughes, Councilmember
 Art Pertile, City Attorney
 Linda Vourazeris, Assistant City Secretary
 Johnny Nelson, City Administrator

The following City officials were absent:

Melissa A. "Missy" Bunch, City Secretary
 David Leyendecker, City Engineer

Keep Katy Beautiful Board – Presentation of "Katy Proud Business" Award to Heritage Park of Katy Autumn Care Retirement Center, 6001 George Bush Drive

Board member Jacalyn Warner presented the Katy Proud Business Award to Heritage Park of Katy Nursing and Rehab Center, privately owned and operated by Katy Gotcher Investments. Warner said the facility opened in June 2009 and is a Medicare, Medicaid and private nursing facility offering rehabilitation services for short- and long-term stays. The facility is located adjacent to Katy Heritage Park and offers a serene home-like setting, beautiful landscaping and old-fashioned street lights.

Keep Katy Beautiful Board - Recognize Keep Texas Beautiful Award Winners from 43rd Annual Keep Texas Beautiful Conference, Austin, TX, June 2010

Board Vice Chairman Kay Callender said Absolutely!Katy magazine received the 1st Place Media Award for its commitment to litter prevention, cleanup, education, publicity of environmental issues and community beautification. Callender said the magazine is being honored for the third time for its efforts to enhance the community and protect the environment, and congratulated Beth Nightingale and Claudia Richter for their dedication in keeping the public informed on environmental issues.

Keep Katy Beautiful Board – Recognize Keep Texas Beautiful 2010 1st Place Youth Individual Award – Amy Sesar

Board Secretary Jamie Wolman said Amy Sesar, a senior at Morton Ranch High School in Fall 2009, was on a mission to begin a recycling program at her high school. Sesar was also working on receiving her Gold Award from the Girl Scouts and decided this was a great way to achieve both goals. She worked with school administrators to plan a recycling program, with her Scout leader for shipping costs for the recycling bins, with the San Jacinto Council of Girls Scouts for a grant for the bins, and with Green Arrow Recycling for accepting the recycled items. Sesar recruited fellow classmates and started the Ready to Recycle Club at the high school to accomplish her goals. Wolman said Morton Ranch High School recycled more than 1800 gallons of plastic and aluminum during the past school year.

Recognize Keep Texas Beautiful 2010 2nd Place Hunt for FESTIVITREES Award - Keep Katy Beautiful Board

Board President Sandy Schmidt said Keep Katy Beautiful received the 2nd Place Award for the Hunt for FESTIVITREES community event, which featured Christmas trees created by local businesses from recycled items during last year's holiday season. Maps and ballots were provided for public voting and winners were presented with ribbons created from beverage cans. Katy was also recognized as a Gold Star Affiliate, one of only 53 out of more than 350 communities involved in the Keep Texas Beautiful program.

Recognize Keep Texas Beautiful 2010 Governor's Community Achievement Award (GCAA) - 1st Place Category 5 - Keep Katy Beautiful, \$180,000

Board President Sandy Schmidt said the Governor's Community Achievement Award is one of the most coveted annual environmental and community improvement honors in Texas. The winners share \$2 million in landscape grants from the Texas Department of Transportation. Katy will receive \$180,000 for a landscaping project along a local state right-of-way. Communities apply in one of ten population categories and winners are picked based on achievements in environmental and community improvement areas. Communities are only eligible to win the top landscaping prize every three years, and Katy has been a three-time recipient of the GCAA award. Schmidt said the first grant was utilized for the landscaping along FM 1463 near Katy High School and the second award is being used for a project involving a new entrance sign, including a bronze sculpture and landscaping, at the intersection of Katy Mills Boulevard and Interstate 10. The audience watched a video showcasing the City of Katy that was prepared by TxDOT and presented at the annual Keep Texas Beautiful conference.

Presentation of Awards Received from Texas Municipal Courts Education Center - 2010 Municipal Traffic Safety Award to Katy Municipal Court - Low Volume Court Category; Certification from Court Management Program from the Institute for Court Management

The Mayor acknowledged Elaine Brown, Municipal Court Clerk, and her staff for receiving the 2010 Municipal Traffic Safety Award for outstanding accomplishments in the area of traffic safety. The Mayor also congratulated Brown for achieving certification in the Court Management Program from the Institute for Court Management and co-sponsored by the Texas Municipal Courts Education Center.

Comments from the Audience

All were given an opportunity to be heard and there were no comments from the audience.

FY 2009-2010 Third Quarter Operating Statement and Third Quarter Investment Report; Bank Statement and Check Register for 06-30-2010 (information items only)

Finance Director Byron Hebert said the reports are generated quarterly for the City's investment portfolio under the Public Funds Investment Act, Chapter 2256, Texas Government Code. Councilmembers had no questions or comments.

Consent Agenda

Motion was made by Councilmember Berger, seconded by Councilmember Adams, approving the Consent Agenda as follows: Regular meeting minutes of 06-14-2010 and 06-28-2010, and the Chamber of Commerce Annual Katy Rice Harvest Festival parade route for Saturday, October 2, 2010, 10:00 a.m. All voted Aye, and the motion carried.

Consider Approval of Auditor's Engagement Letter for Fiscal Year Ending 09-30-2010, Null-Lairson, P.C., Certified Public Accountants

Motion was made by Councilmember Schmidt, seconded by Councilmember Hughes, approving the Auditor's Engagement Letter for fiscal year ending 09-30-2010, as printed and presented by Null-Lairson, CPAs, Houston, Texas. All voted Aye, and the motion carried.

Consider Convention and Tourism Bureau Grant Application – City of Katy Advertising and Promotion, 2010 Group Tour Manual, East Texas Tourism Association – Amount Requested: \$1,775.00 (approved by CTB 07-21-2010)

Motion was made by Councilmember Hughes, seconded by Councilmember Schmidt, approving the Convention and Tourism Bureau grant application submitted by the City of Katy in the amount of \$1,775.00 for advertising and promotion. All voted Aye, and the motion carried.

Consider Convention and Tourism Bureau Grant Application – City of Katy Depot Visitor Center, Change Order to Approved Contract – Landing from Depot Visitor Center Office to Parking, Including Handrails, ADA Slope and Additional Brick Area for Sidewalk Connection (\$4,370.00); Texas Accessibility Standards (TAS) Code Inspection Report (\$425.00) – Total Amount Requested: \$4,795.00 (approved by CTB 07-21-2010)

Motion was made by Councilmember Schmidt, seconded by Councilmember Berger, approving the Convention and Tourism Bureau grant application submitted by the City of Katy for a change order to the approved contract for renovations at the Depot Visitor Center in the amount of \$4,370.00 and the TAS Code Inspection report in the amount of \$425.00, for a total of \$4,795.00. All voted Aye, and the motion carried.

Consider Convention and Tourism Bureau Grant Application – Katy Area Chamber of Commerce 2010 Rice Harvest Festival – Amount Requested: \$67,752.00 (denied by CTB 07-21-2010)

Mayor Elder pulled item from consideration.

Consider a Resolution Authorizing a Change Order (3.6175% Increase) to Agreement with Junction Landscape for Grounds Maintenance and Mowing of City Property by Adding the Social Services Property to the Agreement and Terminating the Separate Agreement with Junction Landscape for Grounds Maintenance and Mowing of the Social Services Property

Motion was made by Councilmember Berger, seconded by Councilmember Schmidt, to approve the Resolution authorizing a change order to the agreement with Junction Landscape for grounds maintenance and mowing of City property by adding the Social Services property to the agreement, and terminating the separate agreement with Junction Landscape for grounds maintenance and mowing of the Social Services property. Councilmember Gore about the changes and City Attorney Pertile said the City currently has two agreements with Junction Landscape for grounds maintenance and mowing—one for the Social Services property and a second contract for other City property. Pertile said the properties are being combined under one single agreement, so a change order is necessary to terminate the contract for the Social Services property. He said this allows the City's renewal of the grounds maintenance and mowing contract without having to renew two separate contracts. All voted Aye, and the motion carried.

Consider an Ordinance Appointing City Planning and Zoning Commissioners (Regular Commissioners Cathy Stewart, Eric Paulsen, and Raymond Webb; Alternate Commissioner Robert Hodge)

Motion was made by Councilmember Schmidt, seconded by Councilmember Adams, approving the Ordinance appointing City Planning and Zoning Regular Commissioners Cathy Stewart, Eric Paulsen and Raymond Webb, and Alternate Commissioner Robert Hodge. All voted Aye, and the motion carried.

Councilmembers' Reports

Councilmembers congratulated the winners of awards presented at the 2010 Keep Texas Beautiful Conference in Austin. They thanked the Keep Katy Beautiful members for their hard work and determination, and Councilmember Gore thanked them for bringing in the big bucks. Councilmembers congratulated Elaine Brown on being recognized as a Certified Court Manager and for the Municipal Traffic Safety Award received from the Texas Municipal Courts Education Center. Councilmembers thanked the members of the City Planning and Zoning Commission for their time and service to the City.

Mayor's Reports

Mayor Elder thanked all the volunteers and groups for taking great pride in what they do and for the countless hours devoted to making Katy a better place in which to live.

Adjourn

Motion was made by Councilmember Adams, seconded by Councilmember Gore, to adjourn the meeting. All voted Aye, and the meeting adjourned at 7:05 p.m.



Mayor

ATTEST:



Assistant City Secretary