

**MINUTES OF REGULAR CITY COUNCIL MEETING**

**Call to Order**

The City Council of the City of Katy, Texas, convened in regular session Monday, June 25, 2012, at 6:30 p.m., at Katy Municipal Complex, 910 Avenue C, Katy, Texas. The following City Officials were present:

Don Elder Jr., Mayor  
 Carol Adams, Councilmember  
 Fabol R. Hughes, Councilmember  
 Bill Lawton, Councilmember  
 Steve Pierson, Councilmember  
 Art Pertile, III, City Attorney  
 Missy Bunch, City Secretary  
 Johnny Nelson, City Administrator  
 David Leyendecker, City Engineer

The following City Councilmember was absent:

Larry Gore, Councilmember

**Nomination and Confirmation of Mayor Pro Tem as Authorized by the Home Rule Charter, Article III, Section 2**

The Mayor nominated and asked for confirmation of Fabol Hughes as Mayor Pro Tem. Motion was made by Councilmember Lawton, seconded by Councilmember Hughes, accepting the nomination of Councilmember Fabol Hughes as Mayor Pro Tem. All voted Aye, and the motion carried.

**Public Hearing for Proposed Consent to Annex Land into Fort Bend County Municipal Utility District No. 58, Approximately 182.856 Acres Located in the Extraterritorial Jurisdiction of the City of Katy, Situated South of Crossover Road and West of Katy-Flewellen Road, Fort Bend County, Record Owner is Nash Cinco NW, LLC**

The Mayor opened a Public Hearing at 6:35 p.m. for Proposed Consent to Annex Land into Fort Bend County Municipal Utility District No. 58, approximately 182.856 acres located in the extra-territorial jurisdiction of the City of Katy, situated south of Crossover Road and west of Katy-Flewellen Road, Fort Bend County, Record Owner is Nash Cinco NW, LLC. City Attorney Art Pertile gave a brief summary of the property which had requested to be released from the City of Katy's extra-territorial jurisdiction, staff recommended against the release and City Council voted not to release the property. However, later a compromise was received for the property to be developed under the City of Houston guidelines, but remain within the City of Katy's extra-territorial jurisdiction. The Mayor closed the Public Hearing at 6:37 p.m.

**Ordinance No. 2535 for Proposed Consent to Annex Land into Fort Bend County Municipal Utility District No. 58, Approximately 182.856 Acres Located in the Extraterritorial Jurisdiction of the City of Katy, Situated South of Crossover Road and West of Katy-Flewellen Road, Fort Bend County, Record Owner is Nash Cinco NW, LLC**

Motion was made by Councilmember Lawton, seconded by Councilmember Pierson, approving as printed and read (*caption*) an Ordinance (*No. 2535*) for Proposed Consent to Annex Land into Fort Bend County Municipal Utility District No. 58, Approximately 182.856 Acres

**Ordinance No. 2535 for Proposed Consent to Annex Land into Fort Bend County Municipal Utility District No. 58, Approximately 182.856 Acres Located in the Extraterritorial Jurisdiction of the City of Katy, Situated South of Crossover Road and West of Katy-Flewellen Road, Fort Bend County, Record Owner is Nash Cinco NW, LLC (cont'd)**

Located in the Extraterritorial Jurisdiction of the City of Katy, Situated South of Crossover Road and West of Katy-Flewellen Road, Fort Bend County, Record Owner is Nash Cinco NW, LLC. All voted Aye, and the motion carried.

**Comments from the Audience**

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

**Bank Statement and Check Register thru 05-31-2012 (information items only)**

There were no comments on the Bank Statement and Check Register thru 05-31-2012.

**Consent Agenda**

Motion was made by Councilmember Pierson, seconded by Councilmember Hughes, approving the consent agenda as printed and presented.

8) Consider Approval of Meeting Minutes

A) 05-14-2012 Regular Meeting

B) 05-21-2012 Special Meeting

All voted aye, and the motion carried.

**Consider Awarding a Bid for 2012 Asphalt Overlay Program to Forde Construction, Company, Houston, Texas, in the Amount of \$206,595.00 (total cost of project including construction, contingencies, engineering, inspection is \$240,682.00)**

Motion was made by Councilmember Pierson, seconded by Councilmember Lawton, awarding the bid for the 2012 Asphalt Overlay Program to Forde Construction, Company, Houston, Texas, in the amount of \$206,595.00 (total cost of project including construction, contingencies, engineering, inspection is \$240,682.00). City Engineer David Leyendecker commented that Forde Construction Company had done work for the City last year with no problems. He listed several streets involved, such as Morton Road, broken curbing on Fifth Street and Tenth Street bridge approaches. Leyendecker anticipates the project to begin in late July or early August. Brief discussion was held on the high ridge, ruts and possible future concreting of Morton Road with Metro funds and low areas east of Fortuna. All voted Aye, and the motion carried.

**Consider Final Plat for TXI-Katy 30.33 Acres, 5 Reserves in 1 Block, Abstract 1348, Harris County, Record Owners are TXI Structural Products, Inc., Bonsal American, Inc., and Harris County R-O-W Department; Applicant is Jones & Carter, Inc.**

Motion was made by Councilmember Pierson, seconded by Councilmember Hughes, approving as printed and presented the Final Plat for TXI-Katy 30.33 Acres, 5 Reserves in 1 Block, Abstract 1348, Harris County, Record Owners are TXI Structural Products, Inc., Bonsal American, Inc., and Harris County R-O-W Department; Applicant is Jones & Carter, Inc. Clayton Black, Project Manager/Land Development, Jones & Carter Inc., explained it is the desire of TXI to subdivide their property into five reserves for potential commercial businesses and commented there are currently several business units on the property. City Attorney Art Pertile explained the proposed subdivision is in compliance with City subdivision ordinances and; therefore, by law City Council has to approve the request. Pertile does not see any negatives with approving the request for subdividing, but commented all zoning requirements must be met. All voted aye, and the motion carried.

**Ordinance No. 2536 Amending Private Street Subdivision Requirements, Including Reducing the Minimum Lot Size from 11,500 Square Feet and Reducing the Minimum Lot Width from 75 Foot on Rectangular Lots**

Motion was made by Councilmember Lawton, seconded by Councilmember Pierson, approving as printed and read (*caption*) an Ordinance (*No. 2536*) amending Private Street Subdivision Requirements, including reducing the minimum lot size from 11,500 square feet and reducing the minimum lot width from 75 foot on rectangular lots. All voted Aye, and the motion carried.

**Ordinance No. 2537 Adding New Stop Sign Locations and Placing Stop Signs on Katy Mills Circle at its Intersection with Katy Mills Boulevard, Northbound and Southbound, Creating a 3-Way Stop Intersection**

Motion was made by Councilmember Hughes, seconded by Councilmember Lawton, approving as printed and read (*caption*) an Ordinance (*No. 2537*) adding new stop sign locations and placing stop signs on Katy Mills Circle at its intersection with Katy Mills Boulevard, northbound and southbound, creating a 3-way stop intersection. All voted Aye, and the motion carried.

**Ordinance No. 2538 Approving the City of Katy's Investment Policy**

Financial Director Byron Hebert explained that Chapter 2256 of the Texas Government Code requires the Investment Policy be reviewed by City Council. Motion was made by Councilmember Pierson, seconded by Councilmember Hughes, approving as printed and read (*caption*) an Ordinance (*No. 2538*) Approving the City of Katy's 2005 Investment Policy. All voted Aye, and the motion carried.

**Resolution No. 489 Approving the Extension of the Contract with Amegy Bank of Texas for Depository Contract Services for One Additional Year, Thru 09-30-2013**

Motion was made by Councilmember Hughes, seconded by Councilmember Lawton, approving as printed and presented a Resolution (*No. 489*) approving the extension of the Contract with Amegy Bank of Texas for Depository Contract Services for one additional year, thru 09-30-2013. All voted Aye, and the motion carried.

**Councilmembers' Report**

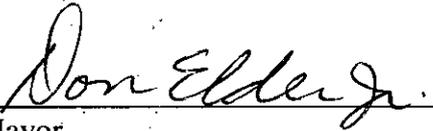
Councilmember Hughes thanked the Mayor for having confidence in him and will do the best he can in the position of Mayor Pro Tem. Councilmember Pierson congratulated Councilmember Hughes on his nomination and confirmation as Mayor Pro Tem. He thanked all city employees and spoke of Katy as being a great city and continuing to be a good place to live, work and play. Councilmember Lawton expressed congratulations to Councilmember Hughes on his appointment and believes he will do a good job. He again commented that he is continually thankful for being on City Council and spoke of the outstanding job the city staff and City Attorney perform. He believes the City is gaining momentum in growth and thanks city staff for keeping up with the growth.

**Mayor's Reports**

The Mayor thanked all city employees and how they make Katy a safer place to live. He reported the Keep Katy Beautiful Board is in San Antonio at the annual state convention and hopes they once again will return home with beautification funds. He announced the annual V.F.W. Fourth July event to be held by the local post at the V.F.W. Park. He asked all to keep these veterans in mind, since it because of them we are allowed to walk free.

**Adjourn**

Motion was made by Councilmember Lawton, seconded by Councilmember Pierson, to adjourn the meeting. All voted Aye, and the motion carried. The meeting adjourned at 6:54 p.m.

  
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Mayor

ATTEST:

  
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City Secretary