

**MINUTES OF REGULAR CITY COUNCIL MEETING**

**Call to Order**

The City Council of the City of Katy, Texas, convened in regular session Monday, October 22, 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  
 Fabol R. Hughes, Mayor Pro Tem  
 Carol Adams, Councilmember  
 Bill Lawton, Councilmember  
 Steve Pierson, Councilmember  
 Paula J. Alexander, Olson & Olson, City Attorney  
 Missy Bunch, City Secretary  
 Johnny Nelson, City Administrator  
 David Leyendecker, City Engineer

The following City Officials were absent:

Larry Gore, Councilmember  
 Art Pertile, III, City Attorney

**Comments from the Audience**

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

**FY 2011-2012 Fourth Quarter Operating Statement and Fourth Quarter Investment Report; Bank Statement and Check Register Thru 09-30-2012 (information items only)**

City Financial Director Byron Hebert announced the reports are a part of the Public Funds Investment Act, Chapter 2256 of the Texas Government Code. There were no comments.

**Consent Agenda**

Motion was made by Councilmember Pierson, seconded by Councilmember Lawton, approving as printed and presented the Consent Agenda as follows:

- 6) Consider Approval of 10-08-2012 Regular Meeting Minutes
- 7) Consider Approval of 2013 Annual Membership Dues to Harris County Mayors' & Councils' Association in the Amount of \$690.00
- 8) Consider Events
  - A) Consider Approval of Katy Market Day's Request to Close Avenue B between Second and Third Streets for "A Katy Old Fashioned Christmas Festival", Saturday, 12-15-2012, from 11:00 a.m. to 6:00 p.m.
  - B) Consider Approval of City of Katy Parks and Recreation Department Request to Close Second Street, Third Street and Avenue B for "Holiday on the Plaza", Thursday, 11-29-2012, from 5:30 p.m. to 7:30 p.m.

All voted Aye, and the motion carried.

**Consider Approval of Request from WoodCreek Reserve Community Association, Inc., for the City to Pay Monthly Operating Costs for Street Lights, KPM Management - WoodCreek Reserve, Section Six, 17 Lights (60 of 80 lots built on as of 2012 Tax Roll); Section Seven, 2 Lights (19 of 19 lots built on as of 2012 Tax Roll); and, Streetlights along Kingsland Blvd west of the Willow Fork of Buffalo Bayou Bridge to F.M. 1463, 44 Lights**

Motion was made by Councilmember Hughes, seconded by Councilmember Pierson, approving as printed and presented request from WoodCreek Reserve Community Association, Inc., for the City to Pay Monthly Operating Costs for Street Lights, KPM Management - WoodCreek Reserve, Section Six, 17 Lights (60 of 80 lots built on as of 2012 Tax Roll); WoodCreek Reserve, Section Seven, 2 Lights (19 of 19 lots built on as of 2012 Tax Roll); and, WoodCreek Reserve, Streetlights along Kingsland Blvd west of the Willow Fork of Buffalo Bayou Bridge to F.M. 1463, 44 Lights. All voted Aye, and the motion carried.

**Award Bid to Trans-Tex Construction, Pattison, Texas, for 12-Inch Water Line and Appurtenances Along Cane Island Parkway in the Amount of \$136,280.00 (total project cost is \$163,723.00, includes construction, contingencies, engineering and inspection) bids received 10-04-2012)**

Motion was made by Councilmember Hughes, seconded by Councilmember Adams, approving as printed and presented awarding of the bid to Trans-Tex Construction, Pattison, Texas, for 12-Inch Water Line and Appurtenances along Cane Island Parkway in the Amount of \$136,280.00 (total project cost is \$163,723.00 and includes construction, contingencies, engineering and inspection). Financial Director Byron Hebert reminded Councilmember this project would be funded from the Enterprise Reserve, which had been approved by City Council prior to starting the bidding process. All voted Aye, and the motion carried.

**Award Bid to Supak Construction, Inc., Orchard, Texas, for 27-Inch Sanitary Sewer Line and Appurtenances Along Cane Island Parkway in the Amount of \$323,085.00 (total project cost is \$353,915.00, includes construction, engineering, surveying and inspection)(bids received 10-04-2012)**

Motion was made by Councilmember Lawton, seconded by Councilmember Hughes, approving as printed and presented awarding of the bid to Supak Construction, Inc., Orchard, Texas, for 27-Inch Sanitary Sewer Line and Appurtenances Along Cane Island Parkway in the Amount of \$323,085.00 (total project cost is \$353,915.00 and includes construction, engineering, surveying and inspection). Financial Director Byron Hebert reminded Councilmember this project would be funded from the Enterprise Reserve, which had been approved by City Council prior to starting the bidding process. All voted Aye, and the motion carried.

**Resolution No. 504 Authorizing the Mayor to Enter Into an Interlocal Agreement with Harris County for Use of Public Safety Radio System**

Motion was made by Councilmember Pierson, seconded by Councilmember Adams, approving as printed and presented a Resolution (No. 504) authorizing the Mayor to enter into an Interlocal Agreement with Harris County for use of the Public Safety Radio System. All voted Aye, and the motion carried.

**Resolution No. 505 Authorizing the Mayor to Enter Into an Interlocal Cooperation Contract with The State of Texas, Department of Information Resources, Allowing The City Of Katy, Texas, to Purchase Information Resources Technologies through the Department of Information Resources Contracts**

Motion was made by Councilmember Adams, seconded by Councilmember Lawton, approving as printed and presented a Resolution (No. 505) authorizing the Mayor to Enter into an Interlocal

**Resolution No. 505 Authorizing the Mayor to Enter Into an Interlocal Cooperation Contract with The State of Texas, Department of Information Resources, Allowing The City Of Katy, Texas, to Purchase Information Resources Technologies through the Department of Information Resources Contracts (cont'd)**

Cooperation Contract with The State of Texas, Department of Information Resources, allowing the City of Katy, Texas, to purchase Information Resources Technologies through the Department of Information Resources Contracts. All voted Aye, and the motion carried.

**Resolution No. 506 Increasing the Amount of Funds the Katy Development Authority is Authorized to Spend on the Katyland Drive "Select Project" Under the Assignment Agreement By and Between the City Of Katy, Texas and the Katy Development Authority**

Motion was made by Councilmember Pierson, seconded by Councilmember Hughes, approving as printed and presented a Resolution (No. 506) increasing the amount of funds the Katy Development Authority is authorized to spend on the Katyland Drive "Select Project" under the Assignment Agreement By and Between the City of Katy, Texas and the Katy Development Authority. Councilmember Lawton understood that the previously approved amount of \$4,230,000.00 was an estimate and the request is to increase that amount to \$5,736,963.00 which is based on the one bid received for the project. City Engineer David Leyendecker explained the estimate was from two years ago. Councilmember Lawton agreed with the project; however, he was concerned there had only been one bid received. Leyendecker explained there had been eight bid packets picked by contractors and that is not uncommon in this day and time to have fewer bids being received, sometimes even begging contractors to bid various projects. It was agreed upon that the contractor for the project is a good contractor and the project needs to move forward. All voted Aye, and the motion carried.

**Councilmembers' Report**

Councilmember Lawton thanked Ann and Bob Hodge for the high performance of the endeavor the excellent job they had done with the Annual Rice Harvest Festival and he was sorry the rain had hit. Councilmember Adams thanked Bob Hodge for the great job with the Rice Harvest Festival and congratulated the Fire Department on their successful dinner and auction. Adams spoke highly of Katy Municipal Court Clerk Elaine Brown and her recent heading up the recent Texas Court Clerks Association Conference held in Galveston. Adams announced she had received confirmation that Katy had been named as a Train City USA by Union Pacific. She thanked Parks and Recreation Department Interim Director Jamie Wolman for her assistance in making this recognition happen and commented this is a major accomplishment. Councilmember Pierson commented there are a lot of wonderful things happening in Katy, along with being a great place to live and work. He believes the Katyland project will be wonderful, once it is complete. He thanked Bob Hodge for the Rice Harvest Festival and its volunteers. Pierson spoke of the loss of a pillar in the community, Randall Rocket, he was active in the Boy Scout and YMCA organizations. He reminded all that early voting started today for the upcoming primary election and encouraged all to exercise their responsibility to vote. Councilmember Hughes explained he had missed the last City Council meeting, because his oldest daughter had a mild heart attack, and had two stints put in to open the blockages, she is celebrating her 48<sup>th</sup> birthday. Hughes and wife, Paula, thanked all for the best wishes and prayers during this episode.

Mayor's Reports

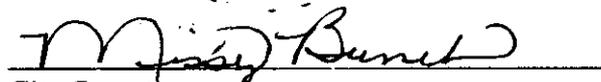
The Mayor announced the Howl A Ween At The Dog Park would be held on Wednesday, 10-24-2012, from 6:00 p.m. – 7:00 p.m., and reminded all to dress up their dogs for the event. He announced that on Monday, November 5, 2012, the Katy Municipal Court, 5432 Franz Road, would have an Open House between the hours of 10:00 a.m. to 2:00 p.m., in recognition of Municipal Court Week. The Mayor asked everyone to keep Danny and Marilyn Harris in their thoughts and prayers; she is suffering lymphoma of the bone. He suggested sending cards, notes, messages or even calling her. He commented she was a high school classmate of his. The Mayor announced that a long time friend of the City, Dot Larsen had passed away.

Adjourn

Motion was made by Councilmember Adams, seconded by Councilmember Hughes, to adjourn the meeting. All voted Aye, and the motion carried. The meeting adjourned at 6:50 p.m.

  
\_\_\_\_\_  
Mayor

ATTEST:

  
\_\_\_\_\_  
City Secretary