

MINUTES OF REGULAR CITY COUNCIL MEETING

Call to Order

The City Council of the City of Katy, Texas, convened in regular session Monday, June 24, 2013, at 6:30 p.m., at Katy Municipal Complex, 910 Avenue C, Katy, Texas. The following City Officials were present:

Fabol Hughes, Mayor
 Bill Lawton, Mayor Pro Tem
 Chuck Brawner, Councilmember
 Larry Gore, Councilmember
 Jimmy Mendez, Councilmember
 Steve Pierson, Councilmember
 Art Pertile, III, City Attorney
 Missy Bunch, City Secretary
 Johnny Nelson, City Administrator
 David Leyendecker, City Engineer

Reconsider Nomination and Confirmation of Mayor Pro Tem as Authorized by the Home Rule Charter, Article III, Section 2 (not approved 06-10-2013)

The Mayor removed this item from the Agenda and no action was taken.

Keep Katy Beautiful Board Recognized at Keep Texas Beautiful Conference, San Antonio, Texas, June 19, 2013 – Landscape Award in the Amount of \$160,000.00

Sandy Schmidt, Keep Katy Beautiful Board Member, reported on the recent recognition by Keep Texas Beautiful at their Conference held in San Antonio, on June 19, 2013, when Keep Katy Beautiful Board Members and City Representatives received a Landscaping Award in the amount of \$160,000.00. Schmidt gave a brief presentation by way of a video and gave credits to Board Member Julia Barta. She explained the process for the grants application and spoke of this being the fourth recognition to the City of Katy, totaling \$490,000.00. Schmidt recognized the Keep Katy Beautiful Board Members and spoke of the efforts of the entire community towards receiving these awards. Schmidt spoke of numerous recognitions received by the City during the past year including Tree City and Train Town. A photo of City representatives receiving the check was displayed.

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 05-31-2013 (information items only)

There were no comments on the Bank Statement and Check Register thru 05-31-2013.

Consent Agenda

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

- 3) Consider Approval of 06-10-2013 Regular Meeting Minutes
- 4) Consider Approval of 21st Annual Jeff & Brede's Intergalactic Triathlon to be held Saturday, July 27, 2013, Houston Racing Triathlon Club (*start/finish Mary Jo Peckham Park*)
- 5) Consider 2013 Membership Dues for Texas Downtown Association in the Amount of \$245.00

All voted Aye, and the motion carried.

Consider Award Bid for 2013 Sanitary Sewer Rehabilitation Project to Horseshoe Construction Company, LaPorte, Texas, in the Amount of \$159,192.00, for a Total Project Cost of \$194,000.00 (total project cost includes construction, contingencies, engineering, surveying and inspection) (bids received 06-20-2013)

Motion was made by Councilmember Pierson, seconded by Councilmember Brawner, awarding the bid for the 2013 Sanitary Sewer Rehabilitation Project to Horseshoe Construction Company, LaPorte, Texas, in the Amount of \$159,192.00, for a Total Project Cost of \$194,000.00 (total project cost includes construction, contingencies, engineering, surveying and inspection). All voted Aye, and the motion carried.

Consider Award Bid for Painting of the Bridge in the 6000 Block of State Highway 90, Using TXDOT Specifications, to Scott Derr Painting Company, LLC, Friendswood, Texas, in the Amount of \$9,900.00 (Keep Katy Beautiful Project)

Motion was made by Councilmember Lawton, seconded by Councilmember Pierson, awarding the bid for Painting of the Bridge in the 6000 Block of State Highway 90, Using TXDOT Specifications, to Scott Derr Painting Company, LLC, Friendswood, Texas, in the Amount of \$9,900.00 (Keep Katy Beautiful Project). The project is projected to begin this summer, take approximately 4-5 days and use City of Katy funds. All voted Aye, and the motion carried.

Consider Acceptance of Public Improvements in The Reserve at Katy, Section One:

- **Drainage Improvements for Morgan Parkway and Spring Green Boulevard**
- **Water, Sewer and Drainage Improvements for Spring Green Boulevard Phase 1**
- **12" Water Main That Runs Parallel to the East Side of F.M. 1463 from Kingsland Boulevard to Spring Green Boulevard**
- **Water, Sanitary Sewer and Drainage Improvements for The Reserve at Katy, Section One**
- **Paving Improvements, The Reserve at Katy Section One**
- **Paving Improvements for Spring Green Boulevard Phase 1 and Morgan Parkway**
- **Sanitary Sewer Force Main Serving The Reserve at Katy, Section One, from Woodcreek Bend Lane to the City of Katy Wastewater Treatment Plant**

Motion was made by Councilmember Gore, seconded by Councilmember Brawner, approving as printed and presented the acceptance of Public Improvements in The Reserve at Katy, Section One as follows:

- Drainage Improvements for Morgan Parkway and Spring Green Boulevard
- Water, Sewer and Drainage Improvements for Spring Green Boulevard Phase 1
- 12" Water Main That Runs Parallel to the East Side of F.M. 1463 from Kingsland Boulevard to Spring Green Boulevard
- Water, Sanitary Sewer and Drainage Improvements for The Reserve at Katy, Section One
- Paving Improvements, The Reserve at Katy Section One
- Paving Improvements for Spring Green Boulevard Phase 1 and Morgan Parkway
- Sanitary Sewer Force Main Serving The Reserve at Katy, Section One, from WoodCreek Bend Lane to the City of Katy Wastewater Treatment Plant

All voted Aye, and the motion carried.

Resolution No. 520 Authorizing the Mayor to Sign an Interlocal Agreement with Texas Department Of Transportation for Landscaping and Maintenance of Rights-Of-Way along Interstate 10 at the Intersection of Highway 90; Highway 90 at the Intersection Of Cane Island Branch of Buffalo Bayou Bridge; and, Intersection of Interstate 10 at Pin Oak Road Access Road

Motion was made by Councilmember Pierson, seconded by Councilmember Lawton, approving as printed and presented a Resolution (No. 520) Authorizing the Mayor to Sign an Interlocal Agreement with Texas Department Of Transportation for Landscaping and Maintenance of Rights-Of-Way along Interstate 10 at the Intersection of Highway 90; Highway 90 at the Intersection Of Cane Island Branch of Buffalo Bayou Bridge; and, Intersection of Interstate 10 at Pin Oak Road Access Road. City Attorney Pertile explained the agreement allows the City to maintain and place various items in the proposed rights-of-way. All voted Aye, and the motion carried

Resolution No. 521 Approving an Application for Permission to Install Three (3) Groundwater Monitoring Wells in City of Katy Right-of-Way to be Located on the Southeast Corner of Second Street and East Avenue; along the South Right-of-Way of First Street between Avenues A and B; and, along the East Right-of-Way of East Avenue (Thomas Street) South of Highway 90, for a Period of up to Two (2) Years

Motion was made by Councilmember Mendez, seconded by Councilmember Pierson, approving as printed and presented a Resolution (No. 521) approving an Application for Permission to Install Three (3) Groundwater Monitoring Wells in City of Katy Right-of-Way to be Located on the Southeast Corner of Second Street and East Avenue; along the South Right-of-Way of First Street between Avenues A and B; and, along the East Right-of-Way of East Avenue (Thomas Street) South of Highway 90, for a Period of up to Two (2) Years. It was explained the subject property is the former fertilizer plant on the corner of Avenue A and First Street at 802 Avenue A. All voted Aye, and the motion carried.

Ordinance No. 2576 Appointing Members to Various Boards and Commissions

Mayor Hughes read a memo making the corrections to the proposed ordinance. Motion was made by Councilmember Gore, seconded by Councilmember Pierson, approving as printed and read (*caption*) an Ordinance (No. 2576) Appointing Members to Various Boards and Commissions and corrected. All voted Aye, and the motion carried.

Ordinance No. 2577 Increasing Groundwater Reduction User Fee Charged Each Single Family Residential, Multi-Family Residential, Commercial Structure and Unit from \$1.00 to \$1.03 Per One Thousand Gallons Effective July 15, 2013

Motion was made by Councilmember Lawton, seconded by Councilmember Brawner, approving as printed and read (*caption*) an Ordinance (No. 2577) Increasing Groundwater Reduction User Fee Charged Each Single Family Residential, Multi-Family Residential, Commercial Structure and Unit from \$1.00 to \$1.03 Per One Thousand Gallons Effective July 15, 2013. All voted Aye, and the motion carried.

Consider Petition to Abandon Proposed Future City of Katy Right-of-Way on Western Property Line of 5618 Eleventh Street, Applicant is Aristoi Classical Academy, 5618 Eleventh Street

Motion was made by Councilmember Mendez, seconded by Councilmember Gore, approving as printed and presented a Petition to Abandon Proposed Future City of Katy Right-of-Way on

Consider Petition to Abandon Proposed Future City of Katy Right-of-Way on Western Property Line of 5618 Eleventh Street, Applicant is Aristoi Classical Academy, 5618 Eleventh Street (cont'd)

Western Property Line of 5618 Eleventh Street; Applicant is Aristoi Classical Academy, 5618 Eleventh Street. Representatives from Aristoi Classical Academy explained their intentions are to expand the school at its current location and gave a brief description of their proposal. City Attorney Pertile explained there are several options, such as presenting their case to the Zoning Board of Adjustment and asking for a variance to the building setbacks. Councilmember Mendez and Councilmember Gore withdrew their motion. Aristoi Representatives thanked City Council and explained they will pursue their options through the Board of Adjustment.

Councilmembers' Report

Councilmember Lawton commented that Keep Katy Beautiful Board (KKB) always knocks it out of the park and congratulated them on another successful award. He spoke of how proud the City is of their accomplishments. Councilmember Gore also congratulated KKB. Councilmember Brawner gave a brief update on the ISO review, he anticipates a report in October and continued review of the growing needs of Katy in relation to ISO. Councilmember Pierson commented that not enough can be said about how great KKB is and how great an asset they are to the City. He spoke of the wonderful time spent in San Antonio during the Keep Texas Beautiful Conference and announced that on Sunday at 4:00 p.m. at Crosspoint Church there will be a patriotic service, he encouraged all to attend the Annual Fourth of July Fireworks display and commented on the progress of widening Katyland Drive. Councilmember Mendez concurred with all previous comments.

Mayor's Reports

The Mayor announced the local V.F.W. Post will be conducting their annual Independence Day event on July 4th at 10:00 a.m. at the V.F.W. He announced the fireworks display will begin around 9:15 p.m. on the east side of Katy Mills Mall. He reported on his trip to San Antonio with KKB to receive their most recent award and spoke of the attempt to steal the KKB tiger, but they were unsuccessful. The Mayor commented he is looking forward to the proposed new Katy I.S.D. stadium, with seating up to 15,000 and the upcoming Katy Tiger football season. He encouraged all to have a safe Fourth of July.

Adjourn

Motion was made by Councilmember Pierson, seconded by Councilmember Brawner, to adjourn the meeting. All voted Aye, and the motion carried. The meeting adjourned at 7:25 p.m.



Mayor

ATTEST:



City Secretary