

**MINUTES OF REGULAR CITY COUNCIL MEETING**

**Call to Order**

The City Council of the City of Katy, Texas, convened in regular session Monday, September 9, 2013, at 6:30 p.m., at Katy Municipal Complex, 910 Avenue C, Katy, Texas. The following City Officials were present:

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

**Presentation of Certificate of Heroism to Dan Rutledge**

Mayor Hughes and Councilmember Pierson presented a Certificate of Heroism to Dan Rutledge for saving the life of Glenda Krueger, a teacher during Vacation Bible School at First Baptist-Katy, as she was having a massive heart attack in the church hall. Pierson explained Mr. Rutledge is a Houston Fire Department Captain who went above and beyond, while off duty. Ms. Krueger expressed gratitude to Mr. Rutledge and considers him to be her guardian angel. Mr. Rutledge thanked the City for this recognition and spoke of the powers of the Lord.

**Public Comments**

Laure (*last name and address not given*) spoke of her differences with Katy I.S.D. and her attempt to protect the children. She referred to the changes to the City Council sign in sheet and the Public Comments on the Agenda, which she believes shows no more disrespect to the people. She thanked those involved in the change and the removal of the narc on your neighbor previously on the City's website.

**Consent Agenda**

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

- 6) Consider Approval of 07-23-2013 Joint Workshop
- 7) Consider Declaring Surplus Equipment to be Sold at Auction (*misc. electronic equipment - Fire Department*)

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, in WoodCreek Reserve, Section Eight, Crest Management Company for 8 Lights (41 of 41 lots built on as of 2013 Tax Roll)**

Motion was made by Councilmember Pierson, seconded by Councilmember Lawton, approving as printed and presented the request from WoodCreek Reserve Community Association, Inc., for the City to Pay Monthly Operating Costs for Street Lights, in WoodCreek Reserve, Section Eight, Crest Management Company for 8 Lights (*41 of 41 lots built on as of 2013 Tax Roll*). All voted Aye, and the motion carried.

**Consider Award Bid for 2013 Digester Solids Removal to Terra Renewal, Houston, Texas, in the Amount of \$0.044 (4.4 cents) per Gallon or \$158,400.00 for 3,600,000 Gallons (bids received 09-04-2013)**

Motion was made by Councilmember Pierson, seconded by Councilmember Brawner, approving as printed and presented awarding of bid for 2013 Digester Solids Removal to Terra Renewal, Houston, Texas, in the Amount of \$0.044 (4.4 cents) per Gallon or \$158,400.00 for 3,600,000 Gallons (bids received 09-04-2013). All voted Aye, and the motion carried.

**Consider a Resolution (No. 530) Authorizing the Mayor to Execute an Agreement with Turner Duran Architects, LP, for Professional Services to Design the Proposed New City Hall**

Motion was made by Councilmember Pierson, seconded by Councilmember Lawton, approving as printed and presented a Resolution (No. 530) Authorizing the Mayor to Execute an Agreement with Turner Duran Architects, LP, for Professional Services to Design the Proposed New City Hall. All voted Aye, and the motion carried.

**Consider a Resolution (No. 531) Authorizing the Mayor to Enter into an Agreement Extending the Contract with John L. Nelson to Serve as City Administrator**

Motion was made by Councilmember Lawton, seconded by Councilmember Brawner, approving as printed and presented a Resolution (No. 531) Authorizing the Mayor to Enter into an Agreement Extending the Contract with John L. Nelson to serve as City Administrator. The extended contract is thru March 31, 2014. All voted Aye, and the motion carried.

**Consider Hotel Occupancy Tax Grant Application for Katy Rice Harvest Festival, 33<sup>rd</sup> Annual Katy Rice Harvest Festival, October 12-13, 2013, Amount Requested was \$83,800.00, Amount Approved was \$67,107.00 (Tourism-Related Advertising and Promotion of the City of Katy and its Vicinity; Funding Programs that Enhance the Arts), (approved by CTB 08-28-2013)**

Bob Hodge, Representative for the Chamber of Commerce, spoke of their request for HOT funds to help offset costs for the upcoming 33<sup>rd</sup> Annual Katy Rice Harvest Festival to be held October 12-13, 2013. He spoke of ticket proceeds being divided among the local high schools, the various contests, the parade and his hopes for good weather. Hodge showed a brief slide show, spoke of the various types of advertising, the shuttle parking, the strong association with local hotels and the numerous entertainers proposed for the event. Motion was made by Councilmember Lawton, seconded by Councilmember Pierson, approving as printed, presented and approved by the Convention Tourism Bureau, the Hotel Occupancy Tax Grant Application for Katy Rice Harvest Festival, 33<sup>rd</sup> Annual Katy Rice Harvest Festival, October 12-13, 2013, Amount Requested was \$83,800.00, Amount Approved was \$67,107.00 (Tourism-Related Advertising and Promotion of the City of Katy and its Vicinity; Funding Programs that Enhance the Arts). Councilmember Gore noted the City is getting a dollar for each ticket sold. Finance Director Byron Hebert referred to the formula used by the CTB in calculating the amount of funds to give for the promotion of the arts. City Attorney Pertile explained that CTB voted on the formula and based on the calculation, they make recommendation to City Council and City Council has the final authority to accept, increase or decrease the amount. All voted Aye, and the motion carried.

**Consider Hotel Occupancy Tax Grant Application for City Of Katy, Advertising, Texas Sports Radio Network (TSRN), September 2013 – July 2014, Amount Requested was \$9,600.00 (Tourism-Related Advertising and Promotion of the City of Katy and its Vicinity) (approved by CTB 08-28-2013)**

Motion was made by Councilmember Lawton, seconded by Councilmember Brawner, approving as printed and presented the Hotel Occupancy Tax Grant Application for City Of Katy, Advertising, Texas Sports Radio Network (TSRN), September 2013 – July 2014, Amount Requested was \$9,600.00 (Tourism-Related Advertising and Promotion of the City of Katy and its Vicinity). All voted Aye, and the motion carried.

**Consider Hotel Occupancy Tax Grant Application for City Of Katy, Maintenance and Operations of Visitor Information Center - The Depot Fiscal Year 2013-2014; Contractual; Advertising, Amount Requested was \$44,861.00 (Establishment, Improvement or Maintenance of Convention Center or Visitor Information Center) (approved by CTB 08-28-2013)**

Motion was made by Councilmember Pierson, seconded by Councilmember Brawner, approving as printed and presented the Hotel Occupancy Tax Grant Application for City Of Katy, Maintenance and Operations of Visitor Information Center - The Depot Fiscal Year 2013-2014; Contractual; Advertising, Amount Requested was \$44,861.00 (Establishment, Improvement or Maintenance of Convention Center or Visitor Information Center). All voted Aye, and the motion carried.

**TAX ASSESSOR-COLLECTOR (FOR THE RECORD ONLY, NO ACTION REQUIRED)  
2013 Certified Appraisal Roll (Certified Approved Taxable Value \$1,145,155,313)**

The Mayor presented the 2013 Certified Appraisal Roll (Certified Approved Taxable Value \$1,145,155,313).

**2013 Certified Collection Rate (100 Percent Debt Tax Collection Rate)**

The Mayor announced the 2013 Certified Collection Rate (100 Percent Debt Tax Collection Rate).

**PROPOSED 2013-2014 BUDGET**

**Announce Public Hearing on Proposed 2013-2014 Budget - September 23, 2013, Regular City Council Meeting**

The Mayor announced there would be a Public Hearing on the Proposed 2013-2014 Budget on September 23, 2013, at the Regular City Council Meeting

**Discuss Proposed Tax Rate [Since the proposed 2013 Tax Rate of \$0.56672 does not exceed the 2013 Effective Tax Rate of \$0.57807, a Record Vote (Roll Call Vote) on the proposed 2013 Tax Rate and Scheduling of Two Public Hearings is not required this year]**

The Mayor announced in relation to the proposed tax rate, that since the proposed 2013 Tax Rate of \$0.56672 does not exceed the 2013 Effective Tax Rate of \$0.57807, a Record Vote (Roll Call Vote) on the proposed 2013 Tax Rate and scheduling of two public hearings is not required this year.

**Discuss & Consider City Code, Permits and Permit Fees – Mayor Pro Tem Larry Gore**

Vince Morelli, Building and Standards Commissioner, spoke of the Board reviewing the proposed codes and spoke highly of the knowledge of the Permits/Inspection Department employees and the proposed changes will make it more public service oriented and more up to

**Discuss & Consider City Code, Permits and Permit Fees – Mayor Pro Tem Larry Gore cont'd**

date. Councilmember Gore believes that has been one of the problems. Morelli spoke of being a contractor and how each city has its own set of laws. Councilmember Brawner spoke of the proposed updated codes assisting with the ISO Rating. Steve Schilder, Building and Standards Commissioner, spoke of being involved in building and he has seen the good and the bad in the different law by numerous cities and the City of Katy is above average in this region of the State. Ron Gerdes, Dean Builders, referenced the two projects he is involved with Avalon and The Reserve At Katy totaling approximately \$2.5 million and his experience with getting a permit and the Permits/Inspection Department always worked with them on their request for specific times for the various inspections. Councilmember Gore expressed appreciation for the comments and explained his concern was not about the personnel, but the negative comments he has heard about building in Katy. Councilmember Mendez reported he had ridden with Inspector Roy Frankum and watched inspections and believes the city is doing a good job and found that most of the complaints were a zoning issue and not a permits issue.

**Discuss and Consider City Council Meeting Procedures – Councilmember Jimmy Mendez**

Motion was made by Councilmember Mendez, seconded by Councilmember Pierson, tabling Discuss and Consider City Council Meeting Procedures, to allow for research. All voted Aye, and the motion to table carried.

**CLOSED MEETING**

**Executive Session as Authorized by Texas Government Code, Section 551.072 , the Purchase, Exchange, Lease or Value of Real Property near Katy Main Street**

The Mayor, City Councilmembers, City Attorney and City Administrator convened in Executive as Authorized by Texas Government Code, Section 551.072, the Purchase, Exchange, Lease or Value of Real Property near Katy Main Street at 7:35 p.m.

**OPEN MEETING**

The Mayor reopened the meeting to the Public at 7:46 p.m.

**Councilmembers' Report**

Councilmember Mendez congratulated Dan Rutledge on his recognition. Councilmember Pierson also congratulated Rutledge on his recognition and spoke of his disappointment with the lesser amount that requested being given to the Chamber of Commerce. Councilmember Lawton also congratulated Rutledge on saving Glenda Krueger's life. Lawton spoke of Norris Merchant and the boots received from A&M, hats off to the Building and Standards Commission along with the city employees who poured out blood to get through the updated codes. Councilmember Gore thanked all for attending the meeting and the staff in attendance. Councilmember Brawner spoke of ISO Ratings, Inspectors, ISO consultant and the transition in the Fire Department. He welcomed Interim Chief Rufus Summers and spoke about proposed changed in the Fire Department.

**Mayor's Reports**

The Mayor recognized Interim Fire Chief Rufus Summers and the new Parks and Recreation Director Brad Barnes. He spoke of being on the cusp of an explosion with growth to the north and west. He spoke of the City being open for business and embracing the businesses.

**Adjourn**

Motion was made by Councilmember Gore, seconded by Councilmember Lawton, to adjourn the meeting. All voted Aye, and the motion carried. The meeting adjourned at 7:55 p.m.

  
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Mayor

ATTEST:

  
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City Secretary