

MINUTES OF REGULAR CITY COUNCIL MEETING

Call to Order

The City Council of the City of Katy, Texas, convened in regular session Monday, January 27, 2014, 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
 Chuck Brawner, Councilmember
 Bill Lawton, Councilmember
 Jimmy Mendez, Councilmember
 Steve Pierson, Councilmember
 Art Pertile, III, City Attorney
 Missy Bunch, City Secretary
 Johnny Nelson, City Administrator
 David Leyendecker, City Engineer

Proclamation Recognizing the Retirement of Mary Bargas, Parks and Recreation Department

The Mayor read and presented a Proclamation recognizing the Retirement of Mary Bargas, Parks and Recreation Department for her 33 years of service. He expressed that she had been an asset to the City of Katy. Sandy Schmidt, Keep Katy Beautiful Board Chairman, spoke of Mary being a team player, assisting with the copier, Governor's Achievement Awards and numerous other projects with the Board. Bargas was presented with a Keep Texas Beautiful Ornament from the Keep Katy Beautiful Board Members.

Recognition of Sandra Bradley for Receiving the Texas Court Clerks Association Certified Court Clerk Level II

The Mayor read a Certification recognizing Sandra Bradley for her accomplishment of receiving the Texas Court Clerks Association Certified Court Clerk Level II distinction. Municipal Court Clerk Elaine Brown spoke briefly of the dedication it takes to complete the program and the training that is required for such a Certification.

Public Comments

The following spoke under Public Comments: 1) Cara Bonin, 5409 East Fourth Street, spoke of running for Harris County Precinct 639 Chairman, an upcoming local event to meet the four candidates running for Texas State Representatives for District 132 and believes this is a good opportunity for the people to come face to face with the candidates.

Consider Final Plat for Cane Island Parkway, Phase 2, 8.450 Acres, Abstract 203, Waller County, Katy 850 LLC, Owner (approved by CPZ 01-14-2014)

Motion was made by Councilmember Lawton, seconded by Councilmember Brawner, approving as printed and presented the Final Plat for Cane Island Parkway, Phase 2, 8.450 Acres, Abstract 203, Waller County, Katy 850 LLC, Owner. City Engineer Leyendecker explained the City of Katy's Thoroughfare Plan is being proposed to realign with the proposed Cane Island Parkway located in Cane Island Master Planned Community. Councilmember

Consider Final Plat for Cane Island Parkway, Phase 2, 8.450 Acres, Abstract 203, Waller County, Katy 850 LLC, Owner (approved by CPZ 01-14-2014) (cont'd)

Gore understood that Waller County has proposed for the parkway to go farther west. City Attorney Pertile explained that City Council had previously voted for the development to move forward as presented. The City Engineer explained if the parkway goes farther west, the city will be unable to use Metro funds to assist in funding the project. Councilmember Gore had understood that Waller County was willing to pay. Leyendecker explained the proposed project will get a large amount of traffic of Avenue D and the downtown area. All voted Aye, and the motion carried.

Public Hearing for Proposed Amendment to the Thoroughfare Plan of the City of Katy's Comprehensive Plan to Change the Route of Cane Island Parkway to Conform to the Route of the Final Plat of Cane Island Parkway Phase 2

The Mayor opened a Public Hearing at 6:52 p.m. for Proposed Amendment to the Thoroughfare Plan of the City of Katy's Comprehensive Plan to change the route of Cane Island Parkway to conform to the route of the Final Plat of Cane Island Parkway Phase 2. All were given an opportunity to be heard and there were none. The Public Hearing was closed at 6:52 p.m.

Consider an Ordinance (No. 2612) for Proposed Amendment to the Thoroughfare Plan of the City of Katy's Comprehensive Plan to Change the Route of Cane Island Parkway to Conform to the Route of the Final Plat of Cane Island Parkway Phase 2

Motion was made by Councilmember Brawner, seconded by Councilmember Pierson, approving as printed and read (*caption*) an Ordinance (*No. 2612*) for an Amendment to the Thoroughfare Plan of the City of Katy's Comprehensive Plan to Change the Route of Cane Island Parkway to Conform to the Route of the Final Plat of Cane Island Parkway Phase 2. All voted Aye, and the motion carried.

FY 2013-2014 First Quarter Investment Report; Bank Statement and Check Register Thru 12-31-2013 (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 Mendez, approving as printed and presented the Consent Agenda as follows:

- 9) Consider Approval of Minutes
 - A) 12-09-2013 Regular Meeting
 - B) 01-13-2014 Regular Meeting
- 10) Consider Approval of Event for Third Annual No Label Triathlon to be held Saturday, March 29th (*start at Katy High School Natatorium and finish at No Label Brewery*)
- 11) Declare Surplus Property
 - A) Miscellaneous Equipment to be Sold at Auction (*miscellaneous mowers, tires, weed eaters, edgers, blowers, chainsaws, air filters, bushings, gaskets, tools, manuals, vehicle parts, equipment parts, etc.*)
 - B) Miscellaneous Equipment to be Discarded and Sold for Scrap Metal (*boom mower and hydraulic car lift*)

All voted Aye, and the motion carried.

Consider Cane Island Master Planned Community Katy 850 LLC-Owners – Final Plats located in Waller County (all were approved by CPZ 01-14-2014):

Cane Island, Section 1, 16.032 Acres, 62 Lots, 3 Blocks, 3 Reserves, Abstract 306

Cane Island, Section 2, 20.836 Acres, 83 Lots, 4 Blocks, 4 Reserves, Abstract 306

Cane Island, Section 3, 13.773 Acres, 48 Lots, 1 Block, 2 Reserves, Abstract 306

Cane Island, Section 4, 14.485 Acres, 55 Lots, 3 Blocks, 6 Reserves, Abstract 306

Cane Island, Section 5, 21.253 Acres, 72 Lots, 4 Blocks, 3 Reserves, Abstract 306

Cane Island, Section 6, 34.587 Acres, 84 Lots, 4 Blocks, 5 Reserves, Abstract 203

Cane Island, Section 7, 19.551 Acres, 47 Lots, 2 Blocks, 2 Reserves, Abstract 203

Cane Island, Section 8, 20.577 Acres, 39 Lots, 4 Blocks, 4 Reserves, Abstract 203

Cane Island, Section 9, 21.485 Acres, 45 Lots, 2 Blocks, 1 Reserve, Abstract 203

Cane Island Detention Pond A, 6.008 Acres, 1 Block, 1 Reserve, Abstract 306

Cane Island Detention Pond B, 5.362 Acres, 1 Block, 1 Reserve, Abstract 306

Cane Island Detention Pond C, 12.614 Acres, 1 Block, 1 Reserve, Abstract 203

Cane Island Detention Pond D, 2.970 Acres, 1 Block, 1 Reserve, Abstract 203

Cane Island Detention Pond E, 6.629 Acres, 1 Block, 1 Reserve, Abstract 203

Cane Island Recreational Center, 4.863 Acres, 1 Block, 1 Reserve, Abstract 203

City Engineer David Leyendecker explained all changes had been made including the requirement to change the name of the proposed Goldeneye Street, since the City currently has a street with that name. Leyendecker highlighted proposed sections in Cane Island Master Planned Community on the large screen for those attending to see. Motion was made by Councilmember Gore, seconded by Councilmember Brawner, approving as printed and presented Cane Island, Section 1, 16.032 Acres, 62 Lots, 3 Blocks, 3 Reserves, Abstract 306, Waller County; Cane Island, Section 2, 20.836 Acres, 83 Lots, 4 Blocks, 4 Reserves, Abstract 306, Waller County; Cane Island, Section 3, 13.773 Acres, 48 Lots, 1 Block, 2 Reserves, Abstract 306, Waller County; Cane Island, Section 4, 14.485 Acres, 55 Lots, 3 Blocks, 6 Reserves, Abstract 306, Waller County; Cane Island, Section 5, 21.253 Acres, 72 Lots, 4 Blocks, 3 Reserves, Abstract 306, Waller County; Cane Island, Section 6, 34.587 Acres, 84 Lots, 4 Blocks, 5 Reserves, Abstract 203, Waller County; Cane Island, Section 7, 19.551 Acres, 47 Lots, 2 Blocks, 2 Reserves, Abstract 203, Waller County; Cane Island, Section 8, 20.577 Acres, 39 Lots, 4 Blocks, 4 Reserves, Abstract 203, Waller County; Cane Island, Section 9, 21.485 Acres, 45 Lots, 2 Blocks, 1 Reserve, Abstract 203, Waller County; Cane Island Detention Pond A, 6.008 Acres, 1 Block, 1 Reserve, Abstract 306, Waller County; Cane Island Detention Pond B, 5.362 Acres, 1 Block, 1 Reserve, Abstract 306, Waller County; Cane Island Detention Pond C, 12.614 Acres, 1 Block, 1 Reserve, Abstract 203, Waller County; Cane Island Detention Pond D, 2.970 Acres, 1 Block, 1 Reserve, Abstract 203, Waller County; Cane Island Detention Pond E, 6.629 Acres, 1 Block, 1 Reserve, Abstract 203, Waller County; and, Cane Island Recreational Center, 4.863 Acres, 1 Block, 1 Reserve, Abstract 203, Waller County. Councilmember Brawner understood the proposed sections included 535 lots and 3 gated communities. He asked about the 24 foot access easement and recommended the gated communities be required to have a “Click to Enter” for emergency services to access the area more rapidly. Fire Chief Summers prefers that both the knock box and the “Click to Enter” be required. An amendment to the main motion was made by Councilmember Gore, seconded by Councilmember Brawner to include in the ordinance that a knock box and a “click to enter” systems be placed on all gated communities in the Cane Island Master Planned Community, as long as it is not in conflict with any other requirements. The City Attorney will confirm there is or is not a conflict. All voted Aye, and the motion carried.

Consider an Ordinance (No. 2613) Amending Katy Code of Ordinances, Chapter 3 “Building and Construction,” by Adding a New Article 3.1400 “Storm Water Discharge from Construction Sites” Regulating Discharge of Storm Water Associated with Construction Activities into City’s Municipal Separate Storm Sewer System (MS4)

Motion was made by Councilmember Pierson, seconded by Councilmember Mendez, approving as printed and read (*caption*) an Ordinance (No. 2613) Amending Katy Code of Ordinances, Chapter 3 “Building and Construction,” by Adding a New Article 3.1400 “Storm Water Discharge from Construction Sites” Regulating Discharge of Storm Water Associated with Construction Activities into City’s Municipal Separate Storm Sewer System (MS4). All voted Aye, and the motion carried

Consider an Ordinance (No. 2614) Calling the Regular Officers’ Election for Saturday, May 10, 2014, for the purpose of electing One Councilmember At Large, Electing One Councilmember from Ward A and One Councilmember from Ward B

(Considere una Ordenanza (no. 2614) que Llama la Elección de los Oficiales Regulares para el sábado, 10 de mayo de 2014, para elección de Un Councilmember en Libertad, Decidiendo Un Councilmember de Sala A y Un Councilmember de Sala B)

Motion was made by Councilmember Gore, seconded by Councilmember Pierson, approving as printed and read (*caption*) an Ordinance (No. 2614) Calling the Regular Officers’ Election for Saturday, May 10, 2014, for the purpose of electing One Councilmember At Large, Electing One Councilmember from Ward A and One Councilmember from Ward B. All voted Aye, and the motion carried.

(El movimiento fue hecho por Councilmember Gore, secundó por Councilmember Pierson, aprobando según lo impreso y leído (subtítulo) una ordenanza (no. 2614) llamando la elección de los oficiales Regulares para el sábado, 10 de mayo de 2014, para elección de Un Councilmember en Libertad, Decidiendo Un Councilmember de Sala A y Un Councilmember de Sala B).

Consider a Resolution (No. 544) Authorizing the Mayor to sign a Mutual Aid Interlocal Agreement with Fort Bend County for Fire/EMS Services for October 1, 2013 through September 30, 2014, in the Amount of \$18,382.82

Motion was made by Councilmember Pierson, seconded by Councilmember Brawner, approving as printed and presented a Resolution (No. 544) authorizing the Mayor to sign a Mutual Aid Interlocal Agreement with Fort Bend County for Fire/EMS Services for October 1, 2013 through September 30, 2014, in the Amount of \$18,382.82. All voted Aye, and the motion carried.

Consider a Resolution (No. 545) Authorizing the Mayor to enter an Agreement with Waller–Harris Emergency Services District No. 200 for the City to Provide Fire Protection, Fire Suppression and Emergency Medical Services in the Amount of \$75,000.00

Motion was made by Councilmember Brawner, seconded by Councilmember Pierson, approving as printed and presented a Resolution (No. 545) authorizing the Mayor to enter an Agreement with Waller–Harris Emergency Services District No. 200 for the City to provide Fire Protection, Fire Suppression and Emergency Medical Services in the Amount of \$75,000.00. All voted Aye, and the motion carried.

Consider a Resolution (No. 546) Authorizing the Mayor to Sign the Second Amendment to the Utilities Functions and Services Agreement with Fort Bend-Waller Counties Municipal Utility District No. 2 and Parkside-Stratford/I10, Ltd for the Construction of Two Exit and Two Entrance Ramps and a Two Lane Bridge over IH-10 and the Construction of Cane Island Parkway

Motion was made by Councilmember Pierson, seconded by Councilmember Lawton, approving as printed and presented a Resolution (No. 546) authorizing the Mayor to sign the Second

Consider a Resolution (No. 546) Authorizing the Mayor to Sign the Second Amendment to the Utilities Functions and Services Agreement with Fort Bend-Waller Counties Municipal Utility District No. 2 and Parkside-Stratford/I10, Ltd for the Construction of Two Exit and Two Entrance Ramps and a Two Lane Bridge over IH-10 and the Construction of Cane Island Parkway (cont'd)

Amendment to the Utilities Functions and Services Agreement with Fort Bend-Waller Counties Municipal Utility District No. 2 and Parkside-Stratford/I10, Ltd for the construction of two exit and two entrance ramps and a two lane bridge over IH-10 and the Construction of Cane Island Parkway. All voted Aye, and the motion carried.

Consider a Resolution (No. 547) Authorizing the Mayor to accept a Special Warranty Deed from Fort Bend-Waller Counties Municipal Utility District No. 2 for 2.79 Acres Of Land for the Construction of Cane Island Parkway

Motion was made by Councilmember Lawton, seconded by Councilmember Pierson, approving as printed and presented a Resolution (No. 547) authorizing the Mayor to accept a Special Warranty Deed from Fort Bend-Waller Counties Municipal Utility District No. 2, for 2.79 acres of land for the construction of Cane Island Parkway. All voted Aye, and the motion carried.

Consider a Resolution (No. 548) Approving an Application for Permission to Install Five (5) Groundwater Monitoring Wells in City Right-of-Way, to be located on Northwest Corner of Third Street and East Avenue; on the Northwest Corner of Avenue A and Third Street; along the South Right-of-Way of First Street between Avenues B and C; on the Northwest Corner of Second Street between Avenue A; and, on the Northwest Corner of Second Street and Avenue B, for a Period of up to Two Years

Motion was made by Councilmember Brawner, seconded by Councilmember Mendez, approving as printed and presented a Resolution (No. 548) an application for permission to install five (5) groundwater monitoring wells in city right-of-way, to be located on the northwest corner of Third Street and East Avenue; on the northwest corner of Avenue A and Third Street; along the south right-of-way of First Street between Avenues B and C; on the northwest corner of Second Street between Avenue A; and, on the northwest corner of Second Street and Avenue B, for a period of up to two years. All voted Aye, and the motion carried.

Consider a Resolution (No. 549) Declaring the Intention of the City to Annex Territory Located in H&TC RR Co. Survey, Section 107, Block 1, Abstract 170, Waller County, Describing Territory; Setting Dates, Times and Places for Two Public Hearings; Providing for Publication of Notices of Public Hearings; and Directing Preparation of a Municipal Service Plan for Territory Proposed to be Annexed

City Attorney Pertile explained the proposed Resolution is a directive to begin the process for involuntary annexation of property just west of Medline's property, which would extend the City's E.T.J. west and on both sides of IH-10. City Engineer Leyendecker pointed out the specific area on a map and commented that he had spoken with the property owners who were very supportive; however, he had not received a letter of request, which would expedite the process. Pertile noted the pressure is coming from the south and the proposed area is prime for commercial development and it is imperative to get into the City's E.T.J. Motion was made by Councilmember Pierson, seconded by Councilmember Brawner, approving as printed and presented a Resolution (No. 549) Declaring the Intention of the City to Annex Territory Located in H&TC RR Co. Survey, Section 107, Block 1, Abstract 170, Waller County, Describing Territory; Setting Dates, Times and Places for Two Public Hearings; Providing for

Consider a Resolution (No. 549) Declaring the Intention of the City to Annex Territory Located in H&TC RR Co. Survey, Section 107, Block 1, Abstract 170, Waller County, Describing Territory; Setting Dates, Times and Places for Two Public Hearings; Providing for Publication of Notices of Public Hearings; and Directing Preparation of a Municipal Service Plan for Territory Proposed to be Annexed (cont'd)

Publication of Notices of Public Hearings; and Directing Preparation of a Municipal Service Plan for Territory Proposed to be Annexed. Votes were cast as follows: Ayes – Brawner, Lawton, Pierson; and, Noes – Gore, Mendez. The motion carried.

Consider Use of Municipal Court Technology Funds for CCTV Monitors in the Jury Assembly Room in the Amount of \$2,000.00

Motion was made by Councilmember Pierson, seconded by Councilmember Lawton, approving as printed and presented the use of Municipal Court Technology Funds for CCTV Monitors in the Jury Assembly Room in the Amount of \$2,000.00. All voted Aye, and the motion carried.

Consider Use of Municipal Court Building Security Funds for Stand-Alone Metal Detector/Hand-Held Wand with Equipment and Labor in the Amount of \$7,065.00, Additional Monitors to be used in the City Marshal and Court Administrator Offices in the Amount of \$1,682.00; and, Labor and Materials for Installation of Door from Courtroom to conference Room in the Amount of 2,800.00

Motion was made by Councilmember Pierson, seconded by Councilmember Lawton, approving as printed and presented the use of Municipal Court Building Security Funds for Stand-Alone Metal Detector/Hand-Held Wand with Equipment and Labor in the Amount of \$7,065.00, Additional Monitors to be used in the City Marshal and Court Administrator Offices in the Amount of \$1,682.00; and, Labor and Materials for Installation of Door from Courtroom to conference Room in the Amount of 2,800.00. All voted Aye, and the motion carried.

Councilmembers' Report

Councilmember Mendez gave kudos to Maria Galvez, Assistant Emergency Management Coordinator, for putting together the City Council Emergency Management training session and for coordinating with the local hospitals and he believes we are in safe hands. Councilmember Pierson thanked Mary Bargas for her many years of service and that he will miss her during the Easter, Christmas, and trash-off events. He suggested that she volunteer for a city board. Pierson thanked those involved with getting the street light repaired at the new Contemporary Museum. He complimented the City Council meeting packet and said it was the best packet he had seen put together. Councilmember Lawton expressed compliments to Mary Bargas for all of her years of service and how she was appreciated. Lawton also complimented the packet and thanked those involved. Councilmember Gore thanked Mary Bargas for all her year of service, her help and he hopes to see her and Johnnie around. Gore expressed congratulations to Sandra Bradley for her new Court Certification Level II and thanked her for taking the time to give better service to the community. Councilmember Brawner congratulated Mary Bargas for her long service, thanked David Leyendecker and Art Pertile for all the hard work with the Cane Island Plats and assisting in moving them forward to the next phase of construction.

Mayor's Reports

The Mayor echoed the comments about Mary Bargas. He spoke of having ice and how pleased he was with the Public Works Department who were on top of the situation.

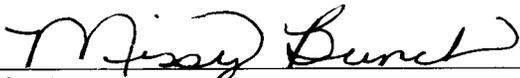
Adjourn

Motion was made by Councilmember Brawner, seconded by Councilmember Mendez, to adjourn the meeting. All voted Aye, and the motion carried. The meeting adjourned at 7:22 p.m.



Mayor

ATTEST:



City Secretary