

MINUTES OF REGULAR CITY COUNCIL MEETING

Call to Order

The City Council of the City of Katy, Texas, convened in regular session Monday, April 28, 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
 Byron Hebert, City Administrator
 David Leyendecker, City Engineer

Proclamation Recognizing Texas Girl Scout Troop 129007 for "Taking Action to Make the World a Better Place!"

The Mayor read a Proclamation recognizing Texas Girl Scout Troop 129007 for "Taking Action to Make the World a Better Place?" and presented it to Girl Troop 129007, and representatives, including Troop Leaders and H-E-B Manager Andy Wohlgemuth.

Presentation by Keep Katy Beautiful Board – Legacy Trees

Sandy Schmidt gave a brief presentation on legacy trees recognized since 2012.

Proclamation declaring the Stand of Heritage Oaks at 1003 Carnation, as "City of Katy Legacy Trees" and extending Special Recognition and Congratulations to Cullen and Alice Dauchy

The Mayor read a Proclamation declaring the Stand of Heritage Oaks at 1003 Carnation as "City of Katy Legacy Trees" and extending Special Recognition and congratulations to Cullen and Alice Dauchy. He presented the Proclamation to Dauchy family.

Proclamation declaring the Stand of Live Oaks at 5806 Fourth Street, as "City of Katy Legacy Trees" and extending Special Recognition and Congratulations to Dave and Nancy Gillespie

The Mayor read a Proclamation declaring the Stand of Live Oaks at 5806 Fourth Street, as "City of Katy Legacy Trees" and extending Special Recognition and Congratulations to Dave and Nancy Gillespie. He presented the Proclamation to the Gillespie family.

Public Comments

All were given an opportunity to be heard and there were no public comments.

FY 2013-2014 Second Quarter Investment Report; Bank Statement and Check Register Thru 03-31-2014 (information items only)

City Administrator 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 Gore, seconded by Councilmember Pierson, approving as printed and presented the Consent Agenda as follows:

- 8) Consider Approval of a Request for No Label Brewing 5K Run benefiting Rotaract Club of West Houston/Katy, to be held Saturday, 06-14-2014 (*start/finish No Label Brewery, 5351 First Street*)
- 9) Declare Surplus Property - Miscellaneous Equipment to be Sold at Auction (*light bar, divider with sliding window, lap bars, console with Code3 control head and plastic rear seats*)

All voted Aye, and the motion carried.

Consider Final Plat for Shops At The Reserve, Subdivision of 22.2650 Acres, Abstract 448, and Abstract 157, One Block, Four Reserves in Fort Bend County

Motion was made by Councilmember Pierson, seconded by Councilmember Lawton, approving as printed and presented the Final Plat for Shops At The Reserve, Subdivision of 22.2650 Acres, Abstract 448, and Abstract 157, One Block, Four Reserves in Fort Bend County. All voted Aye, and the motion carried.

Consider Award Bid for 2014 Sanitary Sewer Rehabilitation Project to Horseshoe Construction, Inc., LaPorte, Texas, in the Amount of \$260,400.00, for a Total Project Cost of \$316,652.00 (total project cost includes construction, contingencies, engineering, surveying and inspection) (bids received 04-23-2014)

Motion was made by Councilmember Pierson, seconded by Councilmember Brawner, awarding the bid for the 2014 Sanitary Sewer Rehabilitation Project to Horseshoe Construction, Inc., LaPorte, Texas, in the Amount of \$260,400.00, for a Total Project Cost of \$316,652.00 (*total project cost includes construction, contingencies, engineering, surveying and inspection*) and authorizing the use of Reserve Funds to complete the project. All voted Aye, and the motion carried.

Consider Award Bid for Repair and Renovation of Water Well No. 5 to Alsay, Inc., Houston, Texas, in the Amount of \$99,535.00, for a Total Project Cost of \$118,218.00 (total project cost includes construction, contingencies, engineering, bid coordination and inspection) (bids received 04-23-2014)

Motion was made by Councilmember Pierson, seconded by Councilmember Mendez, awarding the bid for the Repair and Renovation of Water Well No. 5 to Alsay, Inc., Houston, Texas, in the Amount of \$99,535.00, for a Total Project Cost of \$118,218.00 (*total project cost includes construction, contingencies, engineering, bid coordination and inspection*). The project was budgeted, the bid was below the original estimate, the contractor has previously worked for the City and the job should be completed within two months. All voted Aye, and the motion carried.

Convention and Tourism Bureau Hotel Occupancy Tax Grant Application - Southland Conference - 2015 Basketball Tournament, March 11-15, 2015, Leonard E. Merrell Center, Fort Bend County, Amount Requested is \$120,000.00 (Tourism-Related Advertising and Promotion of the City of Katy and its Vicinity; Sporting Events in Which Majority of Participants are Tourists in Cities Located in a County with Population of One Million or Less) (approved by CTB 04-23-2014)

The Mayor pulled this item from consideration.

Convention and Tourism Bureau Hotel Occupancy Tax Grant Application - Turn To Productions, LLC - The Katy Cajun Invasion, May 16-18, 2014 - Katy Mills Mall, Amount Requested is \$55,500.00 (\$30,000.00 for Tourism-Related Advertising and Promotion of the City of Katy and its Vicinity, and \$25,500.00 for Funding Programs that Enhance the Arts) (approved by CTB 04-23-2014)

Motion was made by Councilmember Lawton. The motion died for the lack of a second.

Convention and Tourism Bureau Hotel Occupancy Tax Grant Application - City of Katy - Visitor Information Center Restoration and Maintenance MKT Caboose Repair and Re-Paint, Amount Requested is \$2,850.00 (Funding the Establishment, Improvement or Maintenance of Convention Center or Visitor Information Center) (approved by CTB 04-23-2014)

Motion was made by Councilmember Pierson, seconded by Councilmember Mendez, approving as printed and presented the Convention and Tourism Bureau Hotel Occupancy Tax Grant Application - City of Katy - Visitor Information Center Restoration and Maintenance MKT Caboose Repair and Re-Paint, Amount Requested is \$2,850.00 (Funding the Establishment, Improvement or Maintenance of Convention Center or Visitor Information Center). It was explained the restoration is need because of wear and tear. All voted Aye, and the motion carried.

Convention and Tourism Bureau Hotel Occupancy Tax Grant Application - City of Katy – Katy Times Newcomers/Visitors Guide 2014, Amount Requested is \$575.00 (Tourism-Related Advertising and Promotion of the City of Katy and its Vicinity) (approved by CTB 04-23-2014)

Motion was made by Councilmember Lawton, seconded by Councilmember Pierson, approving as printed and presented the Convention and Tourism Bureau Hotel Occupancy Tax Grant Application - City of Katy – Katy Times Newcomers/Visitors Guide 2014, Amount Requested is \$575.00 (Tourism-Related Advertising and Promotion of the City of Katy and its Vicinity) (approved by CTB 04-23-2014). All voted Aye, and the motion carried.

Discuss the Town Park Drainage Ditch Improvement Project (south drainage ditch of Town Park Subdivision, adjacent to Katy Junior High School)

The Mayor explained the bids received for the Town Park drainage ditch improvement project came in over the cost estimate and the additional funds would have to be taken out of reserve funds, if City Council wants to move forward with the project. Discussion was held on the phasing of the project, residential fences falling into the ditch, installation of storm pipe and the overall cost of the proposed project. The City Engineer explained the majority of the water flowing into this ditch is from the Town Park Subdivision. Consideration to award the bid for Town Park drainage ditch improvements (south drainage ditch of Town Park Subdivision, adjacent to Katy Junior High School) will be placed on the 05-12-2014 Regular City Council Meeting Agenda.

Consider a Resolution (No. 560) Authorizing the Encroachment of a Waterline into the City of Katy's Utility Easement Located at the Corner of Katy-Flewellen Road and WoodCreek Bend Lane

Motion was Councilmember Brawner, seconded by Councilmember Gore, approving as printed and presented a Resolution (No. 560) Authorizing the Encroachment of a Waterline into the City of Katy's Utility Easement Located at the Corner of Katy-Flewellen Road and WoodCreek Bend Lane. All voted Aye, and the motion carried.

Consider a Resolution (No. 561) Authorizing the Katy Development Authority to add, as a Project of the Katy Development Authority, the Construction of Franz Road From Avenue D to Cane Island Branch

Motion was made by Councilmember Gore, seconded by Councilmember Pierson, approving as printed and presented a Resolution (No. 561) Authorizing the Katy Development Authority to add, as a Project of the Katy Development Authority, the Construction of Franz Road From Avenue D to Cane Island Branch. Councilmember discussed the use of Metro Sales Tax funding of the project, mobility plan, noise to adjacent homeowners, protecting the large oak tree and the traffic safety of the tree. I was explained the Developer is assisting in funding the project. All voted Aye, and the motion carried.

Consider a Resolution Declaring the Intention of the City of Katy, Texas, to Annex Certain Territory Located South of the City Limits across Interstate 10 also known as the Hoover and Holiday World Tracts in Waller County, Texas and, Fort Bend County, Texas

The Mayor explained that city staff was hopeful in receiving letters from both the Hoover and Holiday World tract owners requesting voluntary annexation of their respective properties. City Attorney Pertile explained City Council is not ready at this time to move forward with the involuntary annexation. Pertile explained there is a 400 acre tract proposing to develop and wanting to be annexed by the City of Katy; however, in order for the City to annex the 400 acres the property must abut current city limits. He commented that in order for this to happen, the proposed Hoover and Holiday World tracts would need to be annexed. Pertile suggested City Council conduct a workshop on proposed future growth and the necessity of involuntary annexation. Pertile spoke of deferring any action at this time and waiting until the next meeting for the 28 acre tract to petition; however, if not voluntary, both need to go involuntary. The City Attorney recommending removing consideration of a Resolution declaring the intention of the City of Katy, Texas, to annex certain territory located south of the city limits across Interstate 10 also known as the Hoover and Holiday World Tracts in Waller County, Texas and, Fort Bend County, Texas and placing consideration on a future City Council Agenda.

Consider an Ordinance (No. 2634) Restating Chapter 1 General Provisions, Article 1.100 Code of Ordinances, Section 1.106 Entitled General Penalty for Code Violations

Motion was made by Councilmember Lawton, seconded by Councilmember Brawner, approving as printed and read (*caption*) an Ordinance (No. 2634) Restating Chapter 1 General Provisions, Article 1.100 Code of Ordinances, Section 1.106 Entitled General Penalty for Code Violations. All voted Aye, and the motion carried.

Councilmembers' Report

Councilmember Mendez complimented the Girl Scouts on their bravery; he thanked them for presenting the pledge and for coming in front of City Council. Councilmember Pierson thanked the Girl Scouts and noted they would be the future leaders of the community. He thanked Parks and Recreation Director Brad Barnes for the great Easter event held for families. Councilmember Lawton spoke of how he is always preaching about citizens getting involved and how it is always adults and this time is different. He thanked the Girl Scouts for paying attention and taking it to the next level. Councilmember Gore also thanked the Girl Scouts for a good job, he asked the Mayor to keep up the good work and thanked everyone for their attendance. Councilmember Brawner commended the Girl Scouts for their actions. He spoke of attending the Katy Jazz Festival, he complimented the performers and students from Katy ISD who were absolutely outstanding and playing at a college level and spoke of their numerous hours of practice. Brawner complimented Bob Bryant for a good job with event.

Mayor's Reports

The Mayor thanked Girl Scouts for doing the right thing and encouraged them to continue doing the right thing. He spoke of attending a Skeeters Baseball game at Constellation Park in Sugar Land and being a part of the Stike Out Autism Parade. The Mayor thanked Assistant Fire Chief Kenneth Redding and Emergency Management Coordinator Maria Galvez for their efforts in gathering donations to send injured Houston Fire Captain Bill Dowling to San Diego, California, to witness his son's graduation from Marine Boot Camp. The Mayor spoke of the moving event in which two ladder trucks were extended for Dowling to drive under. The Mayor expressed how proud he was of the Fire Department.

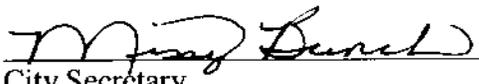
Adjourn

Motion was made by Councilmember Pierson, seconded by Councilmember Mendez, to adjourn the meeting. All voted Aye, and the motion carried. The meeting adjourned at 7:27 p.m.



Mayor

ATTEST:



City Secretary