

**MINUTES OF REGULAR CITY COUNCIL MEETING**

**Call to Order**

The City Council of the City of Katy, Texas, convened in regular session Monday, October 13, 2014, at 6:30 p.m., at Katy Municipal Complex, 910 Avenue C, Katy, Texas. The following City Officials were present:

Fabol Hughes, Mayor  
 Chuck Brawner, Mayor Pro Tem  
 Durran Dowdle, Councilmember  
 Bill Lawton, Councilmember  
 Jimmy Mendez, Councilmember  
 Steve Pierson, Councilmember  
 Art Pertile, III, City Attorney  
 David Leyendecker, City Engineer  
 Missy Bunch, City Secretary  
 Byron Hebert, City Administrator

**Proclamation Recognizing October as "Breast Cancer Awareness Month"**

The Mayor read a Proclamation Recognizing October as "Breast Cancer Awareness Month".

**Certificate of Achievement for Excellence in Financial Reporting for its Comprehensive Annual Financial Report for the Fiscal Year Ended 09-30-2013**

City Administrator Byron Hebert explained this was a recognition for the Certificate of Achievement for Excellence in Financial Reporting for the City's Comprehensive Annual Financial Report for the Fiscal Year Ended 09-30-2013.

**Public Hearing for Proposed Ordinance Amending Katy Zoning Ordinance No. 621 and the Zoning Map, Zoning as Industrial District "M" Classification, for a 5.055 Acre Tract, a 19.456 Acre Tract, a 21.844 Acre Tract, all of U.S. Highway 10, Paved and Unpaved, Right-of-Way Line to Right-of-Way Line, Adjacent and Running Parallel to the City of Katy for 21.844 Acre Tract, a 28.685 Acre Tract, all located within Waller County**

The Mayor opened a Public Hearing at 6:38 p.m. for the Proposed Ordinance Amending Katy Zoning Ordinance No. 621 and the Zoning Map, Zoning as Industrial District "M" Classification, for a 5.055 Acre Tract, a 19.456 Acre Tract, a 21.844 Acre Tract, all of U.S. Highway 10, Paved and Unpaved, Right-of-Way Line to Right-of-Way Line, Adjacent and Running Parallel to the City of Katy for 21.844 Acre Tract, a 28.685 Acre Tract, all located within Waller County. All were given an opportunity to be heard and there were none. The Mayor closed the Public Hearing at 6:39 p.m.

**Consider an Ordinance (No. 2665) Amending Katy Zoning Ordinance No. 621 and the Zoning Map, Zoning as Industrial District "M" Classification, for a 5.055 Acre Tract, a 19.456 Acre Tract, a 21.844 Acre Tract, all of U.S. Highway 10, Paved and Unpaved, Right-of-Way Line to Right-of-Way Line, Adjacent and Running Parallel to the City of Katy for 21.844 Acre Tract, a 28.685 Acre Tract, all located within Waller County**

Motion was made by Councilmember Pierson, seconded by Councilmember Brawner, approving as printed and read (*caption*) and Ordinance (No. 2665) Amending Katy Zoning Ordinance No. 621 and the Zoning Map, Zoning as Industrial District "M" Classification, for a

**Consider an Ordinance (No. 2665) Amending Katy Zoning Ordinance No. 621 and the Zoning Map, Zoning as Industrial District "M" Classification, for a 5.055 Acre Tract, a 19.456 Acre Tract, a 21.844 Acre Tract, all of U.S. Highway 10, Paved and Unpaved, Right-of-Way Line to Right-of-Way Line, Adjacent and Running Parallel to the City of Katy for 21.844 Acre Tract, a 28.685 Acre Tract, all located within Waller County (cont'd)**

5.055 Acre Tract, a 19.456 Acre Tract, a 21.844 Acre Tract, all of U.S. Highway 10, Paved and Unpaved, Right-of-Way Line to Right-of-Way Line, Adjacent and Running Parallel to the City of Katy for 21.844 Acre Tract, a 28.685 Acre Tract, all located within Waller County. All voted Aye, and the motion carried.

**Public Hearing for Proposed Ordinance Amending Katy Zoning Ordinance No. 621, Creating the "Young Ranch" Planned Development District, 388.550 Acre Residential and Commercial Development, Located in Fort Bend and Waller Counties**

The Mayor opened a Public Hearing at 6:42 p.m. for a Proposed Ordinance Amending Katy Zoning Ordinance No. 621, Creating the "Young Ranch" Planned Development District, 388.550 Acre Residential and Commercial Development, Located in Fort Bend and Waller Counties. All were given an opportunity to be heard and there were none. The Mayor closed the Public Hearing at 6:42 p.m.

**Consider an Ordinance (No. 2666) Amending Katy Zoning Ordinance No. 621, Creating the "Young Ranch" Planned Development District, 388.550 Acre Residential and Commercial Development, Located in Fort Bend and Waller Counties**

Motion was made by Councilmember Pierson, seconded by Councilmember Brawner, approving as printed and read (*caption*) an Ordinance (No. 2666) Amending Katy Zoning Ordinance No. 621, Creating the "Young Ranch" Planned Development District, 388.550 Acre Residential and Commercial Development, Located in Fort Bend and Waller Counties. All voted Aye, and the motion carried.

**Public Comments**

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

**Consent Agenda**

Motion was made by Councilmember Brawner, seconded by Councilmember Pierson, approving the Consent Agenda as follows:

- 9) Consider Approval of Meeting Minutes
  - A) 09-22-2014 Regular Meeting
  - B) 09-29-2014 Special Meeting
- 10) Consider 2015 City Holidays
- 11) Consider Cancelling Regular Meetings (due to holidays)
  - A) Monday, November 24, 2014 (Thanksgiving)
  - B) Monday, December 22, 2014 (Christmas)
- 12) Consider Events
  - A) Consider Approval of the Annual "The Houston Donut Rally" (*formerly "Tour De Donut"*), Benefiting the Boys & Girls Country of Houston, Sunday, 11-2-2014 (*start/finish at Katy Mills Mall*) (*portion inside city limits only*)
  - B) Consider Approval of the 2015 Fourth Annual No Label Triathlon to be Held on Saturday, 03-28-2015 (*start at Katy High School Natatorium and finish at No Label Brewing Company on First Street*) (*portion inside city limits only*)

All voted Aye, and the motion carried.

**Consider a Resolution (No. 586) Authorizing the Use of Municipal Court Technology Funds to Purchase Four (4) Replacement Computers in the Amount of \$7,200.00 and the Use of Municipal Court Building Security Funds to Purchase a Fire-Proof Commercial Safe (\$1,500.00); a Cell Phone Storage Locker (\$700.00); and, Court Security Services on Thursdays (\$10,000.00) for a Total Amount of Security Funds to be Use being \$12,200.00**

Motion was made by Councilmember Brawner, seconded by Councilmember Dowdle, approving as printed and presented a Resolution (No. 586) Authorizing the Use of Municipal Court Technology Funds to Purchase Four (4) Replacement Computers in the Amount of \$7,200.00 and the Use of Municipal Court Building Security Funds to Purchase a Fire-Proof Commercial Safe (\$1,500.00); a Cell Phone Storage Locker (\$700.00); and, Court Security Services on Thursdays (\$10,000.00) for a Total Amount of Security Funds to be Use being \$12,200.00. City Administrator explained use of the funds must be approved by City Council. All voted Aye, and the motion carried.

**Consider a Resolution (No. 587) Authorizing the Mayor to Enter into a Business Associate Agreement with Specialized Billing and Collection Systems of Texas for The Safeguard of Protected Health Information in Accordance with Health Insurance Portability and Accountability Act (HIPAA) Guidelines**

Motion was made by Councilmember Brawner, seconded by Councilmember Pierson, approving as printed and presented a Resolution (No. 587) Authorizing the Mayor to Enter into a Business Associate Agreement with Specialized Billing and Collection Systems of Texas for The Safeguard of Protected Health Information in Accordance with Health Insurance Portability and Accountability Act (HIPAA) Guidelines. All voted Aye, and the motion carried.

**Consider A Resolution (No. 588) Authorizing the Katy Development Authority to Add, as a Project of the Katy Development Authority, the Construction of Morton Road from Katy-Hockley Cut-Off Road to Pitts Road**

Motion was made by Councilmember Pierson, seconded by Councilmember Brawner, approving as printed and presented a Resolution (No. 588) Authorizing the Katy Development Authority to Add, as a Project of the Katy Development Authority, the Construction of Morton Road from Katy-Hockley Cut-Off Road to Pitts Road. City Administrator Hebert explained the proposed project will widen Morton Road, improve drainage in the area and be funded with Metro tax dollars. Eugene B. Shepherd, RBC Market, City's Financial Advisor, brief Councilmember on the City's current rating with Moody's Investors Services and spoke of how to fund the proposed project with the use of Metro Funds which can only be used for mobility projects and in the case the proposed project includes drainage. The City Engineer anticipates construction to begin in the Summer of 2015, that it will take approximately ten months to complete and if citizens have any questions, they can call his office. Councilmember Pierson commented there were several residents from the Morton Road area present and that are concerned about how they will be affected. The Mayor explained there will be no tax increase, nor will there be any assessment, since the project is being funded with Metro dollars. All voted Aye, and the motion carried.

**Consider an Ordinance (No. 2667) Adopting the City of Katy Investment Policy**

Motion was made by Councilmember Pierson, seconded by Councilmember Brawner, approving as printed and read (*caption*) an Ordinance (No. 2667) Adopting the City of Katy Investment Policy. All voted Aye, and the motion carried.

**CLOSED MEETING**

**Executive Session as Authorized by Texas Government Code, Section 551.072, the Purchase, Exchange, Lease or Value of Real Property on Franz Road**

The Mayor, Councilmembers, City Attorney and City Administrator convened in Executive Session at 6:69 p.m., as authorized by the Texas Government Code, Section 551.072, the Purchase, Exchange, Lease or Value of Real Property on Franz Road.

**OPEN MEETING**

The Mayor reopened the meeting to the public at 7:12 p.m.

**Consider Any Action Deemed Necessary as a Result of the Executive Session**

The Mayor announced no action was deemed necessary as a result of the Executive Session.

**Councilmembers' Reports**

Councilmember Pierson thanked the residents from the Fortuna Road area for their interest in the proposed project near their homes. He thanked Public Works Director Elaine Lutringer for the overlaying on various streets in the City. Pierson spoke of the Rice Harvest Festival and its success, since the weather cooperated. He also complimented Keep Katy Beautiful Board Members for their continued commitment to keep the City beautiful. Councilmember Brawner announced the Fire Department would be holding their annual fundraiser on October 21, 2014, at the Merrell Center and encouraged all to attend. He commented the new Fire Department had been in place for a year and he has seen great benefits. He commended City Administrator Hebert for the great job and the recognition he received for making sure the City is run on sound principles. Councilmember Dowdle complimented the Boy Scouts for their attendance, congratulated Hebert and spoke of the many ways people can pledge towards the fight against breast cancer. Councilmember Mendez reiterated about the Fire Department Fundraiser, thanked the citizens for their attendance and appreciates their participation. He thanked the City Attorney and Public Works Director for their presentation and thanked the Boy Scouts for their attendance. He thanked Ann Hodge and the Chamber for making the Rice Harvest Festival safe for families and children; he thanked her for fanning the flames for the City.

**Mayor's Reports**

The Mayor thanked the residents from the Morton Road area for attending the meeting and wanting to knowledgeable. He explained the Fire Department was receiving their new truck later this week and encouraged all to go to the Fire Station to see it. He spoke of the recent Rice Harvest Festival and his hometown friend who sang at the event.

**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 7:18 p.m.

  
\_\_\_\_\_  
Mayor

ATTEST:

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