

MINUTES OF REGULAR CITY COUNCIL MEETING

Call to Order

The City Council of the City of Katy, Texas, convened in regular session Monday, January 26, 2015, 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
 Byron Hebert, City Administrator
 Melissa A. Bunch, City Secretary

Public Hearing for Proposed Amendment to the Project Plan and Reinvestment Zone Financing Plan, Reinvestment Zone Number One, City Of Katy, Texas; Authorizing the City Secretary to Distribute Such Plans; and Containing Various Provisions Related to the Foregoing Project

The Mayor opened at 6:32 p.m. a Public Hearing for a Proposed Amendment to the Project Plan and Reinvestment Zone Financing Plan, Reinvestment Zone Number One, City Of Katy, Texas; Authorizing the City Secretary to Distribute Such Plans; and Containing Various Provisions Related to the Foregoing Project. All were given an opportunity to be heard and there were no public comments. The Mayor closed the Public Hearing at 6:33 p.m.

Consider an Ordinance (No. 2677) Approving the Third Amended Project Plan and Reinvestment Zone Number One

Motion was made by Councilmember Pierson, seconded by Councilmember Lawton, approving as printed and read (*caption*) an Ordinance (*No. 2677*) Approving the Third Amended Project Plan and Reinvestment Zone Number One. Steve Robinson, Attorney, Allen Boone Humphries Robinson LLP, explained the amendment to the Project Plan and the Tax Reinvestment Zone Number One is considered a road map for moving forward with various projects in the Zone and any commitments would be done with an agreement. He explained the city participation is through 2018, along with Fort Bend County and Katy Independent School District through 2025; however, the School District cannot extend their participation because of new laws. All voted Aye, and the motion carried.

Public Hearing for Proposed Abandoning of an Alley and Sewer Line that Runs from Avenue D to Avenue C, Located between Fourth Street and Third Street; Finding No Duty to Maintain; Retaining All Existing Utility Easements in the Abandoned Alley, Including Storm Drainage Utility Easements (Memorial Lutheran Church Katy)

The Mayor opened a Public Hearing at 6:34 p.m. for a Proposed Abandoning of an Alley and Sewer Line that Runs from Avenue D to Avenue C, Located between Fourth and Third Streets; Finding No Duty to Maintain; Retaining All Existing Utility Easements in the Abandoned

Public Hearing for Proposed Abandoning of an Alley and Sewer Line that Runs from Avenue D to Avenue C, Located between Fourth Street and Third Street; Finding No Duty to Maintain; Retaining All Existing Utility Easements in the Abandoned Alley, Including Storm Drainage Utility Easements (Memorial Lutheran Church Katy)

Alley, Including Storm Drainage Utility Easements (*Memorial Lutheran Church Katy*). All were given an opportunity to be heard and there were no public comments. The Mayor closed the Public Hearing at 6:34 p.m.

Consider an Ordinance (No. 2678) Abandoning an Alley and Sewer Line that Runs from Avenue D to Avenue C, Located Between Fourth Street and Third Street

Motion was made by Councilmember Brawner, seconded by Councilmember Mendez, approving as printed and read (*caption*) an Ordinance (*No. 2678*) Abandoning an Alley and Sewer Line that Runs from Avenue D to Avenue C, Located Between Fourth Street and Third Street. All voted Aye, and the motion carried.

Keep Katy Beautiful Board Presentation Recognizing Dixie McDonald for Serving on Keep Katy Beautiful Board from 2002-2014

Sharon Rhoads, Keep Katy Beautiful Board Member, gave a brief presentation on the many accomplishments of Dixie McDonald and she was presented with an award for a job well done. It was noted that Mrs. McDonald had won the O.P. Schnabel Senior City Award from the Keep Texas Beautiful organization for her outstanding senior leadership.

Keep Katy Beautiful Board Presentation of Katy Proud Business Award – Wells Fargo Bank, N.A., Located at 5622 Third Street

Jaclyn Warner, Keep Katy Beautiful Board Member, presented Katy Proud Business Award to Wells Fargo, N.A., located at 5622 Third Street for their continued commitment to the beautification of the City. She commented they were participants in the City's First Annual Adopt-A-Wreath event held in 2014.

Public Comments

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

FY 2014-2015 First Quarter Investment Report and Check Register thru 12-31-2014 (information items only)

There were no questions or comments on the FY 2014-2015 First Quarter Investment Report and Check Register thru 12-31-2014.

Consent Agenda

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

A) Consider Approval of Meeting Minutes

- i) 12-08-2014 Regular Meeting
- ii) 12-09-2014 Special Meeting
- iii) 01-12-2015 Special Meeting
- iv) 01-12-2015 Regular Meeting

B) Consider Approval of Ready to Roll Cycle Club Training Ride Saturday, 03-21-2015 (*start/finish Sun & Ski Sports*) (*portion inside city limits only*)

All voted Aye, and the motion carried.

Consider Acceptance of Public Utilities for Falls At Green Meadows, Section 5 (Water, Sewer, Drainage and Pavement)

Motion was made by Councilmember Brawner, seconded by Councilmember Mendez, approving the Acceptance of Public Utilities for Falls At Green Meadows, Section 5 (*Water, Sewer, Drainage and Pavement*). All voted Aye, and the motion carried.

Consider Final Plat for Avalon At Spring Green, Section 3, Subdivision of 37.8156 Acres Located in Abstract 157, 79 Lots, 2 Blocks, 5 Reserves, Fort Bend County

Motion was made by Councilmember Pierson, seconded by Councilmember Dowdle, approving as printed and presented the Final Plat for Avalon At Spring Green, Section 3, Subdivision of 37.8156 Acres Located in Abstract 157, 79 Lots, 2 Blocks, 5 Reserves, Fort Bend County. All voted Aye, and the motion carried.

Consider Approval of Street Lighting Layout Along Cane Island Parkway, Phase One and Phase Two, Cane Island Master Planned Community

Motion was made by Councilmember Brawner, seconded by Councilmember Pierson, approving as printed and presented the Street Lighting Layout along Cane Island Parkway, Phase One and Phase Two, Cane Island Master Planned Community. All voted Aye, and the motion carried.

Review and Approve the Preliminary Official Statement (“POS”) Regarding the Sale and Delivery of \$5,000,000 City of Katy, Texas, Permanent Improvement Bonds, Series 2015

Motion was made by Councilmember Lawton, seconded by Councilmember Pierson, approving as printed and presented the Preliminary Official Statement (“POS”) Regarding the Sale and Delivery of \$5,000,000 City of Katy, Texas, Permanent Improvement Bonds, Series 2015. All voted Aye, and the motion carried.

Consider a Resolution (No. 602) Authorizing the Mayor to Enter Into a Contract/Agreement with Durotech, Inc., Houston, Texas, at the Guaranteed Maximum Price Amount of \$7,526,426.00 for the Construction of the New Katy City Hall (Reserve Funds)

Motion was made by Councilmember Pierson, seconded by Councilmember Lawton, approving as printed and presented a Resolution (*No. 602*) Authorizing the Mayor to Enter Into a Contract/Agreement with Durotech, Inc., Houston, Texas, at the Guaranteed Maximum Price Amount of \$7,526,426.00 for the Construction of the New Katy City Hall (*Reserve Funds*). All voted Aye, and the motion carried.

Consider a Resolution Authorizing the Mayor to Enter Into an Agreement with Waller-Harris Emergency Services District Number 200 for the City of Katy to Provide Fire Protection, Fire Suppression and Emergency Medical Services in the Amount of \$75,000.00 for One Year Effective 01-01-2015 thru 12-31-2015 (pulled from consideration)

Councilmember Brawner removed from the Agenda consideration of the proposed Resolution Authorizing the Mayor to Enter Into an Agreement with Waller-Harris Emergency Services District Number 200 for the City of Katy to Provide Fire Protection, Fire Suppression and Emergency Medical Services in the Amount of \$75,000.00 for One Year Effective 01-01-2015 thru 12-31-2015, until additional information could be obtained.

Consider a Resolution (No. 603) Authorizing the Use of Metro Funds by Katy Development Authority for the First Street Concrete Mobility Project in the Amount of \$475,110.00, for a Total Project Cost of \$566,851.00 (includes contingencies, engineering, surveying, inspections and bid advertisement)

Motion was made by Councilmember Brawner, seconded by Councilmember Pierson, approving as printed and presented a Resolution (No. 603) Authorizing the Use of Metro Funds by Katy Development Authority for the First Street Concrete Mobility Project in the Amount of \$475,110.00, for a Total Project Cost of \$566,851.00 (includes contingencies, engineering, surveying, inspections and bid advertisement). All voted Aye, and the motion carried. City Engineer Leyendecker commented he will be monitoring the job closely.

Consider a Resolution (No. 604) Declaring the Intention of the City of Katy, Texas, to Annex Certain Territory Located West of the City to Igloo Road, Bounded on the North by Highway 90 and Bounded on the South by U.S. Interstate 10, Including the Rights-of-Way, Paved and Unpaved, of Brookline/Brooklyn Road, Igloo Road, Highway 90 and U.S. Interstate 10, but Excluding the I-10 NE Partners LP and C-2 Pederson West, LLC Tracts (Phase III)

Motion was made by Councilmember Pierson, seconded by Councilmember Lawton, approving as printed and presented a Resolution (No. 604) Declaring the Intention of the City of Katy, Texas, to Annex Certain Territory Located West of the City of Katy to Igloo Road, Bounded on the North by Highway 90 and Bounded on the South by U.S. Interstate 10, Including the Rights-of-Way, Paved and Unpaved, of Brookline/Brooklyn Road, Igloo Road, Highway 90 and U.S. Interstate 10, but Excluding the I-10 NE Partners LP and C-2 Pederson West, LLC Tracts (Phase III). All voted Aye, and the motion carried.

Consider an Ordinance (No. 2679) Providing for a Cost Recovery Program and Fee Schedule for Services for Emergency Rescue Operations and Fire Protection Services (Tagged at 01-12-2015 Regular City Council Meeting)

Motion was made by Councilmember Brawner, seconded by Councilmember Mendez, approving as printed and read (caption) an Ordinance (No. 2679) Providing for a Cost Recovery Program and Fee Schedule for Services for Emergency Rescue Operations and Fire Protection Services. All voted Aye, and the motion carried.

Consider an Ordinance (No. 2680) Calling the Regular Officers' Election for Saturday, May 9, 2015, for the Purpose of Electing a Mayor, Electing One Councilmember from Ward A and One Councilmember from Ward B

Motion was made by Councilmember Pierson, seconded by Councilmember Mendez, approving as printed and read (caption) an Ordinance (No. 2680) Calling the Regular Officers' Election for Saturday, May 9, 2015, for the purpose of Electing a Mayor, Electing One Councilmember from Ward A and One Councilmember from Ward B. All voted Aye, and the motion carried.

Consider una Ordenanza (el No 2680) Vocación de la Elección de los Oficiales Regulares para el sábado, 9 de mayo de 2015, para Elección de un Alcalde, Decidiendo Un Councilmember de Sala A y Un Councilmember de Sala B

El movimiento fue hecho por Councilmember Pierson, seconded por Councilmember Mendez, aprobando como imprimido y leído (el título) una Ordenanza (el No 2680) Vocación de la Elección de los Oficiales Regulares para el sábado, 9 de mayo de 2015, para la Elección de un Alcalde, Decidiendo Un Councilmember de la Sala A y Un Councilmember de la Sala B. Todos votado Sí, y el movimiento llevado.

Consider an Ordinance (No. 2681) Amending the Ordinance Creating the Keep Katy Beautiful Board by Adding an Ex-Officio Position and Appointing Dixie McDonald to the Keep Katy Beautiful Board as an Ex-Officio Member

Motion was made by Councilmember Lawton, seconded by Councilmember Dowdle, approving and printed and read (*caption*) an Ordinance (No. 2681) Amending the Ordinance Creating the Keep Katy Beautiful Board by Adding an Ex-Officio Position and Appointing Dixie McDonald to the Keep Katy Beautiful Board as an Ex-Officio Member. All voted Aye, and the motion carried.

Consider an Ordinance (No. 2682) Amending the Employee Classification and Compensation Plan by Adding an Additional Captain Position in the Police Department, and by Amending the Pay Range and Wage-Hour Exemption Schedule

Motion was made by Councilmember Brawner, seconded by Councilmember Pierson, approving as printed and read (*caption*) an Ordinance (No. 2682) Amending the Employee Classification and Compensation Plan by Adding an Additional Captain Position in the Police Department, and by Amending the Pay Range and Wage-Hour Exemption Schedule. All voted Aye, and the motion carried.

Convention Tourism Bureau (action as a result of 12-16-2014 CTB meeting) (Tagged at 01-12-2015 City Council Meeting)

- A) **Consider Financing Options and Possible Revenue Sources to Meet the Obligations for Construction of a Convention Center (Tagged at 01-12-2015 Regular City Council Meeting)**
- B) **Consider Resolution Authorizing Katy Development Authority to Enter Into an Agreement for the Acquisition of Land for a Convention Center (Tagged at 01-12-2015 Regular City Council Meeting)**

Both Convention Tourism Bureau items were removed from consideration, until additional information could be obtained; therefore, no action was taken on either item.

Councilmembers' Reports

Councilmember Pierson thanked Mrs. McDonald for her service to the City and Keep Katy Beautiful Board. He spoke about the church meeting in Katy, The Church @ Cane Island. Councilmember Brawner spoke of the successful "City in Progress" presentation made at the Katy Economic Development monthly meeting held on Tuesday, January 20, 2015. He stated there needs to be something done about the traffic on F.M. 1463 at the I-10 approach and how he has witnessed the free-for-all at the Stockdick Road intersection with F.M. 1463. He believes this is not a safe environment for people traveling on F.M. 1463. Councilmember Mendez suggested a Traffic Impact Study be done on F.M. 1463. He complimented the Mayor on the "City in Progress" presentation and how he has only received positive comments about it. He thanked Mrs. McDonald for her continued service and commented that the New City Hall Ground Breaking Event seemed like a family event. Councilmember Dowdle reported he was a new Grandpa with the birth of his new granddaughter Beverly Ryann Stephenson born the day before and how proud he and his wife were. He reiterated the previous comments about the "City in Progress" Event. Dowdle spoke of the remaining nine million dollars in unissued 2000 Bonds. He referred to the building of a civic center, various water/sewer improvements and his hopes these projects move forward. He believes the economy is good at this time and thanked the Mayor for his very informative comments.

Mayor's Reports

The Mayor reported on laying the groundwork for several projects, building new city hall, various street improvements, for the 2015 year. He commented it would be a good year for the City of Katy and several of these projects will be funded without raising taxes.

Second Reading of a Proposed Ordinance Granting to SiEnergy, L. P., a Franchise Until January 27, 2023 for the Purpose of Transporting, Distributing, Supplying and Selling Gas (natural and/or artificial and/or mixed) for Heating, Lighting, Power and for All Other Purposes for Which Gas May Be Used, to the Said Municipality and its Inhabitants, Providing Use of Public Thoroughfares and Extensions; Establishing Standards of Service

City Attorney Art Pertile explained the City of Katy's Home Rule Charter requires the proposed franchise Ordinance be read in its entirety on three separate meeting dates. Becky McGrew, Assistant City Secretary read the Second Reading (*First Reading held on January 12, 2015*) of a Proposed Ordinance Granting to SiEnergy, L. P., a Franchise Until January 27, 2023 for the Purpose of Transporting, Distributing, Supplying and Selling Gas (*natural and/or artificial and/or mixed*) for Heating, Lighting, Power and for All Other Purposes for Which Gas May Be Used, to the Said Municipality and its Inhabitants, Providing Use of Public Thoroughfares and Extensions; Establishing Standards of Service.

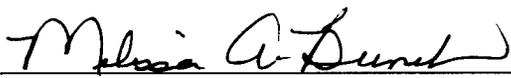
Adjourn

Motion was made by Councilmember Dowdle, 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