

MINUTES OF REGULAR CITY COUNCIL MEETING

Call to Order

The City Council of the City of Katy, Texas, convened in regular session Monday, February 23, 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
 Steve Pierson, Councilmember
 Art Pertile, III, City Attorney
 David Leyendecker, City Engineer
 Byron Hebert, City Administrator
 Melissa A. Bunch, City Secretary

The following City Councilmember was absent:

Jimmy Mendez, Councilmember

Public Hearing for Proposed Ordinance Amending the City of Katy Zoning Ordinance No. 621; Renewing a Special Use Permit that Allows a Special Use of 16,800 Square Feet in a Building Located in a "C-1" Commercial District, To-Wit: an Institution of a Religious Nature (Higher Dimension Church), 5819 Tenth Street, Abstract 205, Harris County – Applicant is Steven Gerald, Superintendent for Higher Dimension Church and Owner is Ormiston Family Properties LLC (approved by CPZ 02-10-2015)

The Mayor opened a Public Hearing at 6:33 p.m. for Proposed Ordinance Amending the City of Katy Zoning Ordinance No. 621; Renewing a Special Use Permit that Allows a Special Use of 16,800 Square Feet in a Building Located in a "C-1" Commercial District, To-Wit: an Institution of a Religious Nature (*Higher Dimension Church*), 5819 Tenth Street, Abstract 205, Harris County, Applicant is Steven Gerald, Superintendent for Higher Dimension Church and Owner is Ormiston Family Properties LLC. All were given an opportunity to be heard and there were no comments. The Public Hearing was closed at 6:34 p.m.

Consider an Ordinance (No. 2683) for a Proposed Ordinance Amending the City of Katy Zoning Ordinance No. 621; Renewing a Special Use Permit that Allows a Special Use of 16,800 Square Feet in a Building Located in a "C-1" Commercial District, To-Wit: an Institution of a Religious Nature (Higher Dimension Church), 5819 Tenth Street, Abstract 205, Harris County – Applicant is Steven Gerald, Superintendent for Higher Dimension Church and Owner is Ormiston Family Properties LLC

Motion was made by Councilmember Brawner, seconded by Councilmember Lawton approving as printed and read (*caption*) an Ordinance (*No. 2683*) Amending the City of Katy Zoning Ordinance No. 621; Renewing a Special Use Permit that Allows a Special Use of 16,800 Square Feet in a Building Located in a "C-1" Commercial District, To-Wit: an Institution of a Religious Nature (*Higher Dimension Church*), 5819 Tenth Street, Abstract 205, Harris County – Applicant is Steven Gerald, Superintendent for Higher Dimension Church and Owner is Ormiston Family Properties LLC. All voted Aye, and the motion carried.

Public Comments

All were given an opportunity to be heard and the following spoke: 1) Natalie DeCesare, 26414 Crescent Cove Lane, encouraged City Council to consider a Youth Advisory Council, comprised of high school students to learn the functions and the departments of the City.

Bank Statement and Check Register Thru 01-31-2015 (information items only)

There were no comments on the Bank Statement and Check Register thru 01-31-2015.

Consent Agenda

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

- 6)A) Consider Approval of Meeting Minutes
 - i) 02-09-2015 Special Workshop
 - ii) 02-09-2015 Regular Meeting

All voted Aye, and the motion carried.

Consider Acceptance of Public Utilities for Cane Island Subdivision, Section 1 (Water, Sanitary Sewer, Storm Sewer System and Concrete Paving) and Section 9 (Water and Sanitary Sewer)

Motion was made by Councilmember Lawton, seconded by Councilmember Brawner, approving as printed and presented Acceptance of Public Utilities for Cane Island Subdivision, Section 1 (Water, Sanitary Sewer, Storm Sewer System and Concrete Paving) and Section 9 (Water and Sanitary Sewer). All voted Aye, and the motion carried.

Consider a Final Plat for Angelle Residence, 5.78 Acres, 1 Lot, 1 Block, J.W. McCutcheon Survey, Abstract 306, Waller County (approved by CPZ 02-10-2015)

Motion was made by Councilmember Pierson, seconded by Councilmember Brawner, approving as printed and presented a Final Plat for Angelle Residence, 5.78 Acres, 1 Lot, 1 Block, J.W. McCutcheon Survey, Abstract 306, Waller County. All voted Aye, and the motion carried.

Consider a Final Plat for Choctaw Lane and Cherokee Road Street Dedication, 3.2893 Acres, 2 Reserves, Located in the W.W. Bains Survey, Abstract 385, Robert T. Vanslyke Survey, Abstract 395, Thomas Cresop Survey, Abstract 405, Waller County (approved by CPZ 02-10-2015)

Motion was made by Councilmember Pierson, seconded by Councilmember Lawton, approving as printed and presented a Final Plat for Choctaw Lane and Cherokee Road Street Dedication, 3.2893 Acres, 2 Reserves, Located in the W.W. Bains Survey, Abstract 385, Robert T. Vanslyke Survey, Abstract 395, Thomas Cresop Survey, Abstract 405, Waller County. All voted Aye, and the motion carried.

Consider a Final Plat for Young Ranch Detention Reserve, 14.123 Acres, 3 Reserves, Located in the Jesse Thompson Survey, Abstracts 414 and 394, Fort Bend and Waller Counties (approved by CPZ 02-10-2015)

Motion was made by Councilmember Pierson, seconded by Councilmember Dowdle, approving as printed and presented a Final Plat for Young Ranch Detention Reserve, 14.123 Acres, 3 Reserves, Located in the Jesse Thompson Survey, Abstracts 414 and 394, Fort Bend and Waller Counties. All voted Aye, and the motion carried.

Consider a Final Plat for Young Ranch, Section 1, 28.2 Acres, 104 Lots, 5 Reserves, 4 Blocks, Located in the Jesse Thompson Survey, Abstracts 414 and 394, Fort Bend and Waller Counties (approved by CPZ 02-10-2015)

Motion was made by Councilmember Pierson, seconded by Councilmember Brawner, approving as printed and presented a Final Plat for Young Ranch, Section 1, 28.2 Acres, 104 Lots, 5 Reserves, 4 Blocks, Located in the Jesse Thompson Survey, Abstracts 414 and 394, Fort Bend and Waller Counties. All voted Aye, and the motion carried.

Consider a Final Plat for Young Ranch, Section 2, 40.2 Acres, 66 Lots, 7 Reserves, 1 Block, Located in the Jesse Thompson Survey, Abstracts 414 and 394, Robert T. Vanslyke Survey, Abstract 395, Fort Bend and Waller Counties (approved by CPZ 02-10-2015)

Motion was made by Councilmember Lawton, seconded by Councilmember Pierson, approving as printed and presented a Final Plat for Young Ranch, Section 2, 40.2 Acres, 66 Lots, 7 Reserves, 1 Block, Located in the Jesse Thompson Survey, Abstracts 414 and 394, Robert T. Vanslyke Survey, Abstract 395, Fort Bend and Waller Counties. All voted Aye, and the motion carried.

Consider a Final Plat for Young Ranch, Section 3, 40.5 Acres, 81 Lots, 4 Reserves, 2 Blocks, Located in the Jesse Thompson Survey, Abstracts 414 and 394, Fort Bend and Waller Counties (approved by CPZ 02-10-2015)

Motion was made by Councilmember Lawton, seconded by Councilmember Pierson, approving as printed and presented a Final Plat for Young Ranch, Section 3, 40.5 Acres, 81 Lots, 4 Reserves, 2 Blocks, Located in the Jesse Thompson Survey, Abstracts 414 and 394, Fort Bend and Waller Counties. All voted Aye, and the motion carried.

Consider a Final Plat for Young Ranch, Section 4, 28.3 Acres, 88 Lots, 2 Reserves, 3 Blocks, Located in the Jesse Thompson Survey, Abstract 394, Fort Bend County (approved by CPZ 02-10-2015)

Motion was made by Councilmember Lawton, seconded by Councilmember Dowdle, approving as printed and presented a Final Plat for Young Ranch, Section 4, 28.3 Acres, 88 Lots, 2 Reserves, 3 Blocks, Located in the Jesse Thompson Survey, Abstract 394, Fort Bend County. All voted Aye, and the motion carried.

Consider a Final Plat for Young Ranch, Section 5, 37.9 Acres, 87 Lots, 5 Reserves, 3 Blocks, Located in the Jesse Thompson Survey, Abstract 394, Robert T. Vanslyke Survey, Abstract 395, Fort Bend County (approved by CPZ 02-10-2015)

Motion was made by Councilmember Pierson, seconded by Councilmember Dowdle, approving as printed and presented a Final Plat for Young Ranch, Section 5, 37.9 Acres, 87 Lots, 5 Reserves, 3 Blocks, Located in the Jesse Thompson Survey, Abstract 394, Robert T. Vanslyke Survey, Abstract 395, Fort Bend County. All voted Aye, and the motion carried.

Consider an Ordinance (No. 2684) Amending Elderly and Disabled Homestead Tax Exemption, by Increasing the Homestead Exemption from \$70,000.00 to \$80,000.00 for Persons 65 Years of Age or Older or Disabled

Motion was made by Councilmember Lawton, seconded by Councilmember Pierson, approving as printed and read (*caption*) an Ordinance (No. 2684) Amending the Elderly and Disabled Homestead Tax Exemption, by Increasing the Exemption from \$70,000.00 to \$80,000.00 for Persons 65 Years of Age or Older or Disabled. All voted Aye, and the motion carried.

Consider a Resolution (No. 606) Approving an Encroachment Agreement with Katy 850 L.L.C. (Cane Island) for Two Steel Arch Monuments

Motion was made by Councilmember Pierson, seconded by Councilmember Brawner, approving as printed and presented a Resolution (No. 606) Approving an Encroachment Agreement with Katy 850 L.L.C. (Cane Island) for Two Steel Arch Monuments. All voted Aye, and the motion carried.

\$5.0 Million Permanent Improvement Bonds, Series 2015 - Receive Bids for the \$5.0 Million Permanent Improvement Bonds, Series 2015

City Financial Advisor, Eugene B. Shepherd, RBC Capital Markets, Houston, Texas, presented Councilmembers with a Report on Sale of Bonds for the \$5.0 Million Permanent Improvement Bonds, Series 2015. Shepherd spoke of the excellent rates on the six bids received for this Bond Series as illustrated on the Bid Results Summary included in the Report prepared by RBC Capital Markets. Shepherd explained the bonds had been assigned an "Aa2" rating by Moody's Investors Service. Shepherd recommends the bid be awarded to the low bidder, Robert W. Baird & Co., Inc., with the NIC (Net Interest Costs) Percentage of 2.267666. Shepherd briefed Councilmembers on the Current Market Review as presented in their Report. He explained that Standards & Poor's Rating Services had moved the City's Rating to "AAA".

\$5.0 Million Permanent Improvement Bonds, Series 2015 - Award the Sale of the \$5.0 Million Permanent Improvement Bonds, Series 2015 to the Lowest Bidder

Motion was made by Councilmember Pierson, seconded by Councilmember Brawner accepting the bids received for the \$5.0 Million Permanent Improvement Bonds, Series 2015, as presented by and recommended by the City's Financial Advisor, Eugene B. Shepard, RBC Capital Markets, to the lowest bidder Robert W. Baird & Co., Inc. All voted Aye, and the motion carried.

\$5.0 Million Permanent Improvement Bonds, Series 2015 - Consider an Ordinance (No. 2685) Authorizing the Issuance of \$5.0 Million City of Katy, Texas, Permanent Improvement Bonds, Series 2015

Motion was made by Councilmember Brawner, seconded by Councilmember Dowdle, approving as printed and read (caption) an Ordinance (No. 2685) Authorizing the Issuance of \$5.0 Million City of Katy, Texas, Permanent Improvement Bonds, Series 2015. 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 (South of Kingsland Boulevard and West of Pin Oak Road)

The Mayor, Councilmembers, City Attorney and City Administrator convened in Executive Session at 6:55 p.m., as authorized by the Texas Government Code, Section 551.072, for the Purchase, Exchange, Lease or Value of Real Property South of Kingsland Boulevard and West of Pin Oak Road.

OPEN MEETING

The Mayor reopened the meeting to the public at 7:07 p.m.

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

There was no action deemed necessary as a result of the Executive Session.

Councilmembers' Report

Councilmember Dowdle hoped all were staying warm, he encouraged the attending Boy Scouts to continuing striving for their Citizenship in Community Badge and thanked other current and former local dignitaries for their attendance. He thanked Ms. DeCesare for her comments about the proposal of a Youth Advisory Council. He asked that all those going through tough times and those who have departed. Councilmember Pierson also thanked Ms. DeCesare for her comments and commented that it is good the city is financially stable. Councilmember Lawton expressed how proud he was of the City, the citizens and the City employees. He thanked Ms. DeCesare for her idea. Councilmember Brawner thanked Ms. DeCesare for her suggestion, thanked people who serve the community. He encouraged all to stay warm, dry and to drive safe.

Mayor's Reports

The Mayor thanked Ms. DeCesare for her interest in the City, encouraged all to attend the Katy Future Farmers' of America rodeo/parade. He spoke of the City's financial strength.

Proposed SiEnergy, L.P. Franchise - Third 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 (First Reading – 01-12-2015 and Second Reading on 01-26- 2015)

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 Third Reading (*First Reading held on January 12, 2015 and Second Reading held on January 26, 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.

Consider an Ordinance (No. 2686) 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

Motion was made by Councilmember Lawton, seconded by Councilmember Pierson, approving as printed and read (*caption*) an Ordinance (*No. 2686*) 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. All voted Aye, and the motion carried.

Adjourn

The Mayor adjourned the meeting at 7:35 p.m.

Fabrice Hugues
Mayor

ATTEST:

Melissa A. Barnes
City Secretary