

MINUTES OF REGULAR CITY COUNCIL MEETING

Call to Order

The City Council of the City of Katy, Texas, convened in regular session Monday, January 25, 2016, 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
 J. Gary Jones, 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
 Brian Begle, City Attorney – Personnel Issues

Certificate of Achievement Recognizing Katy American Legion “Firefighter of the Year”

Dana Massey

The Mayor read and presented a Certificate of Achievement Recognizing Katy American Legion “Firefighter of the Year” Dana Massey.

Public Comments

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

Consent Agenda

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

- Consider Approval of 01-11-2016 Regular Meeting Minutes
- Consider Events
 - Consider Mayde Creek High School Ram Band Boosters 14th Annual Cycling Event, Katy Ram Challenge, Saturday, April 9, 2016 (*start/finish Sun & Ski Sports*) (*portion inside city limits only*)
 - Consider Approval of City of Katy Parks and Recreation Department Events Requests for Street Closures (*around City Hall and Harvest Plaza*)
 - Avenues B & C between 2nd & 3rd Streets; and, 2nd & 3rd Streets between Avenues A & D
 - Baskets and Bunnies, Saturday, 03-19-2016, 6 a.m.–6 p.m.
 - Katy Summer Tailgate, Friday, 08-12-2016, Noon–11 p.m.
 - Katy Summer Tailgate, Saturday, 08-13-2016, Noon–11 p.m.
 - Katy Old-Fashioned Christmas, Saturday, 12-03-2016, 6 a.m.-10 p.m.
 - George Bush Drive West of Avenue D - Katy Freedom Celebration, Monday, 07-04-2016, 6 a.m.–3 p.m.

All voted Aye, and the motion carried.

Consider Proposed Change Order(s) in the Amount of \$11,363.40 to the Original Contract for the 2015 Sanitary Sewer Project (original bid awarded 05-18-2015) (pulled from 01-11-2016 City Council Agenda)

Motion was made by Councilmember Pierson, seconded by Councilmember Brawner, approving as printed and presented the Proposed Change Order(s) in the Amount of \$11,363.40 to the Original Contract for the 2015 Sanitary Sewer Project (original bid awarded 05-18-2015). All voted Aye, and the motion carried.

Consider the Installation of Three (3) Overhead Bracket Street Lights in the Area of Block Three of "A" Street, Robertson Subdivision

Motion was made by Councilmember Brawner, seconded by Councilmember Mendez, approving as printed and presented the installation of three (3) overhead bracket street lights in the area of Block Three of "A" Street, Robertson Subdivision. All voted Aye, and the motion carried.

Consider a Resolution (No. 666) Designating the Mayor and a Councilmember as Representative and as Alternate Representative to Houston-Galveston Area Council 2016 General Assembly

Motion was made by Councilmember Pierson, seconded by Councilmember Mendez, approving as printed and presented a Resolution (No. 666) Designating the Mayor and a Councilmember as Representative and as Alternate Representative to Houston-Galveston Area Council 2016 General Assembly. All voted Aye, and the motion carried.

Consider a Resolution (No. 667) Authorizing the Mayor to Sign an Agreement with The Payment Group, LLC, and its Division, TrafficPayment.com ("TP"), for Municipal Court Payments

Motion was made by Councilmember Mendez, seconded by Councilmember Brawner, approving as printed and presented a Resolution (No. 667) Authorizing the Mayor to Sign an Agreement with The Payment Group, LLC, and its Division, TrafficPayment.com ("TP"), for Municipal Court Payments. Finance Director Becky Wilkins explained the proposed is an agreement with a new company to the City for various types of payments. All voted Aye, and the motion carried.

Consider a Resolution (No. 668) Authorizing the Encroachment of Pool Pavement into the City of Katy's Utility Easement at 3106 Brant Drive

Motion was made by Councilmember Brawner, seconded by Councilmember Pierson, approving as printed and presented a Resolution (No. 668) Authorizing the Encroachment of Pool Pavement into the City of Katy's Utility Easement at 3106 Brant Drive. All voted Aye, and the motion carried.

Consider a Resolution (No. 669) Authorizing Katy Development Authority to Amend the Original Development Agreement with Sueba Land 152, LP

Motion was made by Councilmember Brawner, seconded by Councilmember Dowdle, approving as printed and presented a Resolution (No. 669) Authorizing Katy Development Authority to Amend the Original Development Agreement with Sueba Land 152, LP. All voted Aye, and the motion carried.

Consider a Resolution (No. 670) Authorizing the Use of METRO Funds by the Katy Development Authority for the 2016 Morton Road Expansion Project in the Amount of \$6,344,695.50, for a Total Project Cost of \$7,563,088.00 (Includes contingencies, engineering, surveying, inspections and bid advertisement)

Motion was made by Councilmember Jones, seconded by Councilmember Brawner, approving as printed and presented a Resolution (No. 670) Authorizing the Use of METRO Funds by the Katy Development Authority for the 2016 Morton Road Expansion Project in the Amount of \$6,344,695.50, for a Total Project Cost of \$7,563,088.00 (Includes contingencies, engineering, surveying, inspections and bid advertisement).

All voted Aye, and the motion carried.

Consider a Resolution (No. 671) Authorizing the Use of 2014-2015 Sales Tax Revenue Funds to be Used for Building Change Orders, Furniture, and Filing Systems for the New City Hall in an Amount Not to Exceed \$415,719.00

Motion was made by Councilmember Dowdle, seconded by Councilmember Mendez, approving as printed and presented a Resolution (No. 671) Authorizing the Use of 2014-2015 Sales Tax Revenue Funds to be Used for Building Change Orders, Furniture, and Filing Systems for the New City Hall in an Amount Not to Exceed \$415,719.00. All voted Aye, and the motion carried.

Consider an Ordinance (No. 2734) Approving Emergency Repairs to Water Well Number Eight at Water Plant Number Six Located at 27515 Highway Boulevard

Motion was made by Councilmember Pierson, seconded by Councilmember Brawner, approving as printed and read (*caption*) an Ordinance (No. 2734) Approving Emergency Repairs to Water Well Number Eight at Water Plant Number Six Located at 27515 Highway Boulevard. All voted Aye, and the motion carried. City Engineer Leyendecker explained the exact cause of the need for repairs is unknown at this time.

CLOSED MEETING

Executive Session for Personnel Matters, as authorized by Texas Open Meetings Act, Section 551.074, for the purpose of a private hearing on reinstatement, as provided in Article IV, Section 7, of the Home Rule Charter, as requested by Tonio Myers

The Mayor, Councilmembers, City Attorney – Personnel, City Human Resources Director, Katy Police Chief, Assistant Police Chief, Katy Police Captain, Appellant and Appellant's Attorney convened in Executive Session at 6:47 p.m. as Authorized by Texas Open Meetings Act, Section 551.074, for the purpose of a private hearing on reinstatement, as provided in Article IV, Section 7, of the Home Rule Charter, as requested by Tonio Myers.

OPEN MEETING

The Mayor reopened the meeting to the public at 8:36 p.m.

Consider Reinstatement of Tonio Myers, as provided in Article IV, Section 7, of the Home Rule Charter

Motion was made by Councilmember Brawner, seconded by Councilmember Jones, approving to uphold as printed and presented the final termination letter, dated December 3, 2015, of former Katy Police Officer Tonio Myers. Motion was made by Councilmember Brawner, seconded by Councilmember Jones, amending the main motion to read, in the final termination

Consider Reinstatement of Tonio Myers, as provided in Article IV, Section 7, of the Home Rule Charter (cont'd)

letter, dated December 3, 2015, the word "untruthfulness" would be taken out of the recommendation and the letter would show terminated for the various action over the past year for temperament as confirmed by other agencies and citizens. A Roll Call Vote was taken and the votes were cast as follows: Ayes, Brawner, Dowdle, Jones, Mendez and Pierson; Noes – none. The termination was upheld.

Councilmembers' Reports

There were no Councilmembers' reports.

Mayor's Reports

There were no Mayor's reports.

Adjourn

Motion was made by Councilmember Dowdle, seconded by Councilmember Jones, adjourning the meeting. All voted Aye, and the motion carried. The meeting adjourned at 8:48 p.m.



Mayor

ATTEST:



City Secretary