

MINUTES OF SPECIAL CITY COUNCIL MEETING
(Regular Meeting to have been held August 28, 2017 rescheduled due to Hurricane Harvey)

Call to Order

The City Council of the City of Katy, Texas, convened in special session Thursday, August 31, 2017, at 4:30 p.m., at Katy City Hall, 901 Avenue C, Katy, Texas. The following City Officials were present:

Chuck Brawner, Mayor
Durrant Dowdle, Mayor Pro Tem
Ray Boothe, Councilmember
J. Gary Jones, Councilmember
Jimmy Mendez, Councilmember
Art Pertile, III, City Attorney
David Leyendecker, City Engineer
Byron Hebert, City Administrator
Melissa A. Bunch, City Secretary

The following Councilmember was absent:

Steve Pierson, Councilmember

Public Comments

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

Consider Approval of Event Request-Typhoon Texas Kids Triathlon, Sunday, 5-20-2018
(start/finish Typhoon Texas) (bike & run courses on Katy Mills Circle & Katy Mills Drive)

Motion was made by Councilmember Jones, seconded by Councilmember Mendez, approval as printed and presented the (start/finish Typhoon Texas) (bike & run courses on Katy Mills Circle & Katy Mills Drive). All voted Aye, and the motion carried.

Consider Acceptance of Public Improvements for:

- **Cane Island, Section 21, Water, Sanitary Sewer, Storm Sewer System and Paving**
- **Cane Island, Section 24, Water, Sanitary Sewer, Storm Sewer System and Paving**
- **West Ten Business Park, Paving and Appurtenances on Morris Oliver Way, Parkside Street and Buc-ee's Boulevard Street Dedication**

Motion was made by Councilmember Mendez, seconded by Councilmember Jones, approving as printed and presented Acceptance of Public Improvements for:

- Cane Island, Section 21, Water, Sanitary Sewer, Storm Sewer System and Paving
- Cane Island, Section 24, Water, Sanitary Sewer, Storm Sewer System and Paving
- West Ten Business Park, Paving and Appurtenances on Morris Oliver Way, Parkside Street and Buc-ee's Boulevard Street Dedication

All voted Aye, and the motion carried.

Consider a Resolution (No. 798) Awarding Bid and Authorizing Mayor Sign an Agreement with Colorado County Oil Company, Columbus, Texas, for Contract Delivery of Gasoline and Diesel Fuel (10-01-2017 to 09-30-2019) (bids received 8-17-2017)

Motion was made by Councilmember Dowdle, seconded by Councilmember Mendez, approving as printed and presented a Resolution (No. 798) Awarding Bid and Authorizing Mayor Sign an Agreement with Colorado County Oil Company, Columbus, Texas, for Contract Delivery of Gasoline and Diesel Fuel (10-01-2017 to 09-30-2019). (bids received 8-17-2017) All voted Aye, and the motion carried.

Consider a Resolution (No. 799) Authorizing Mayor to Sign a Contract with Republic Services, Extending Service Three Years for Solid Waste Collection with Rate Increase (09-01-2017 to 08-31-2020)

Motion was made by Councilmember Mendez, seconded by Councilmember Jones, approving as printed and presented a Resolution (No. 799) Authorizing Mayor to Sign a Contract with Republic Services, Extending Service Three Years for Solid Waste Collection with Rate Increase (09-01-2017 to 08-31-2020). All voted Aye, and the motion carried.

Consider a Resolution (No. 800) Authorizing Mayor to Sign Interlocal Agreements Between City of Katy and Katy Development Authority for Katy Hockley Cut-Off Road Extension

Motion was made by Councilmember Mendez, seconded by Councilmember Dowdle, approving as printed and presented a Resolution (No. 800) Authorizing Mayor to Sign Interlocal Agreements Between City of Katy and Katy Development Authority for Katy Hockley Cut-Off Road Extension. City Administrator Hebert explained the proposed left turn lane into Heritage Park West will widen the road, put in a middle turn lane, line up with Heritage Park West Boulevard and the City will be reimbursed when bonds are sold. All voted Aye, and the motion carried.

Consider a Resolution (No. 801) Authorizing Mayor to Sign Interlocal Agreements Between City of Katy and Katy Development Authority for Waller County Mobility Plan

Motion was made by Councilmember Mendez, seconded by Councilmember Dowdle, approving as printed and presented a Resolution (No. 801) Authorizing Mayor to Sign Interlocal Agreements Between City of Katy and Katy Development Authority for Waller County Mobility Plan. All voted Aye, and the motion carried.

Consider a Resolution (No. 802) Approving Memorandum of Understanding Between KBH Ventures, LLC and Katy Development Authority for Development of Hotel and Conference Center (With Parking Facilities)

Motion was made by Councilmember Jones, seconded by Councilmember Mendez, approving as printed and presented a Resolution (No. 802) Approving Memorandum of Understanding Between KBH Ventures, LLC and Katy Development Authority for Development of Hotel and Conference Center (With Parking Facilities). All voted Aye, and the motion carried.

Consider a Resolution (No. 803) Authorizing Use of Reserve Funds to Pre-Fund Staffing for Adequate Fire and Emergency Response (SAFER) Grant in an Amount Up to \$884,424.00 for Salaries, Benefits and Equipment for New Employees Hired Under Grant

Motion was made by Councilmember Jones, seconded by Councilmember Boothe, approving as printed and presented a Resolution (No. 803) Authorizing Use of Reserve Funds to Pre-Fund Staffing for Adequate Fire and Emergency Response (SAFER) Grant in an Amount Up to \$884,424.00 for Salaries, Benefits and Equipment for New Employees Hired Under Grant. All voted Aye, and the motion carried.

Consider a Resolution (No. 804) Authorizing the Mayor to Sign an Agreement with Parkside-Stratford/I-10 Ltd. for the Development of Approximately 42.83 Acres

Motion was made by Councilmember Jones, seconded by Councilmember Boothe, approving as printed and presented a Resolution (No. 804) Authorizing the Mayor to Sign an Agreement with Parkside-Stratford/I-10 Ltd. for the Development of Approximately 42.83 Acres. All voted Aye, and the motion carried.

Consider a Resolution (No. 805) Authorizing the Mayor to Execute a Tax Abatement with PME Oakmont West Ten, LLC for Development of Approximately 42.83 Acres

Motion was made by Councilmember Boothe, seconded by Councilmember Jones, approving as printed and read a Resolution (No. 805) Authorizing the Mayor to Execute a Tax Abatement Agreement with PME Oakmont West Ten, LLC for Development of Approximately 42.83 Acres. All voted Aye, and the motion carried.

Consider a Resolution (No. 806) Authorizing the Mayor to Execute a Quit Claim Deed to Kickerillo Companies for Property Located at 851 Dominion Drive, Houston, Texas

City Attorney Pertile explained that in 1977, Kickerillo Companies deeded the property at 851 Dominion Drive to Katy Volunteer Fire Department (KVFD). At that time KVFD was servicing the area. Since KVFD became a department within the City of Katy the deed became the City's. He explained there is a final judgement filed against Katy Fire Department. Pertile recommended the City deed the property back to Kickerillo, since the City has no interest in the property and it is outside the city limits. Motion was made by Councilmember Jones, seconded by Councilmember Mendez, approving as printed and presented a Resolution (No. 806) Authorizing the Mayor to Execute a Quit Claim Deed to Kickerillo Companies for Property Located at 851 Dominion Drive, Houston, Texas. All voted Aye, and the motion carried.

Consider an Ordinance (No. 2815) Amending and Replacing Article 3.10 Streets and Sidewalks of Chapter 3, Building Regulations of Code of Ordinances, Regulating the Use, Occupancy and Maintenance of the City's Rights-of-way by All Users, Including Telecommunications Service and Wireless Network Providers and Establishing Permit Procedures and Fees

City Attorney Pertile explained during the last Legislative Session, there were amendments to the use of City rights-of-way in relation to telecommunication service and wireless network providers. Motion was made by Councilmember Mendez, seconded by Councilmember Dowdle, approving as printed and read (*caption*) an Ordinance (No. 2815) Amending and Replacing Article 3.10 Streets and Sidewalks of Chapter 3, Building Regulations of Code of Ordinances, Regulating the Use, Occupancy and Maintenance of the City's Rights-of-way by All Users, Including Telecommunications Service and Wireless Network Providers and Establishing Permit Procedures and Fees. All voted Aye, and the motion carried.

Consider an Ordinance (No. 2816) Changing Portion of Franz Road to Franz Court (From Avenue D to Cane Island Branch)

Councilmember Boothe and Councilmember Jones abstained from action, since their properties are affected. Motion was made by Councilmember Mendez, seconded by Councilmember Dowdle, approving as printed and read (*caption*) an Ordinance (No. 2816) Changing a Portion of Franz Road to Franz Court (*From Avenue D to Cane Island Branch*). All voted Aye, and the motion carried. The addresses will remain as close as possible to the current address number.

Consider a Resolution (No. 807) Extending the Declaration of Disaster Issued by Mayoral Proclamation on August 26, 2017 to September 1, 2017, in Response to Hurricane Harvey.

Motion was made by Councilmember Dowdle, seconded by Councilmember Mendez, approving as printed and presented a Resolution (807) Extending the Declaration of Disaster Issued by Mayoral Proclamation on August 26, 2017 to September 1, 2017, in Response to Hurricane Harvey (*extension is for September 2, 2017 to September 8, 2017*). All voted Aye, and the motion carried.

Councilmembers' Reports

Councilmember Jones commented that Hurricane Harvey did a number on the City of Katy. He commended the Police Department and Fire Department stood tall in his opinion, by working to keep all safe. He is proud of Katy people helping with the damages and he also, thanked City employees. Councilmember Boothe echoed Jones comments. Boothe reported he had flooded again and how the community helped. He believes this is a great community and he was amazed at how the community helped all affected. He complimented City staff for the great job done. Councilmember Mendez thanked all for attending. He was amazed how people came from local communities to help him clean out his house because of his posting on Facebook. He spoke of it being an emotional experience getting his family to safety. He thanked all of the volunteers. Councilmember Dowdle understood it was an emotional event and hopes all will begin the healing process.

Mayor's Reports

The Mayor spoke of how within a matter of a few hours the Fire Station was inoperable causing them to relocate to the second floor and 9-1-1 was inundated with calls for help. Councilmember Mendez called a friend with an airboat and got them in touch with the Fire Chief. The Mayor spoke of help from numerous organizations, such as District 48, individuals, the National Guard, Texas Department of Transportation, the Military and numerous others. The Mayor spoke of meetings with various State Officials about the Cypress Watershed. He reported there were numerous volunteers from other States, such as Orange County California, Kansas, Indiana, Pennsylvania, along with Tasks Forces. He commented on the decontamination process they were going through after being in the flood waters. He announced the Governor had signed a Declaration of Disaster. The Mayor named a few of the local businesses, Walmart, Buc-ee's, Brookshire Brothers, Bass Pro Shop and numerous other that volunteered supplies. The Mayor wished Councilmember Mendez and his family the best, as they are displaced from their home. Police Chief Hastings complimented the Emergency Management Coordinator Maria Galvez for how she handled the event. She knew her house was flooded and she continued to do an excellent job of keeping it all together and she never left the Emergency Operations Center located at Katy Police Department. Public Works did an excellent job of keeping the Police Department informed and how and where streets were blocked off.


Adjourn

Motion was made by Councilmember Mendez, seconded by Councilmember Boothe, adjourning the meeting. All voted Aye, and the motion carried. The meeting adjourned at 5:43 p.m.



Mayor

ATTEST:



City Secretary