

## MINUTES OF REGULAR CITY COUNCIL MEETING

### **Call to Order**

The City Council of the City of Katy, Texas, convened in regular session Monday, May 13, 2019, at 6:30 p.m., at Katy City Hall, 901 Avenue C, Katy, Texas. The following City Officials were present:

Chuck Brawner, Mayor  
 Durran Dowdle, Mayor Pro Tem  
 Frank O. Carroll, III, Councilmember  
 Janet Corte, Councilmember  
 Chris Harris, Councilmember  
 Jimmy Mendez, Councilmember  
 Art Pertile, III, City Attorney  
 David Leyendecker, City Engineer  
 Byron Hebert, City Administrator  
 Becky L. McGrew, Assistant City Secretary

The following City Officials was absent:

Melissa A. Bunch, City Secretary

### **Proclamation Recognizing May 2019 as “Older Americans Month” and Recognizing “2019 Senior Citizen of the Year” – Nevelynn Melendy**

Mayor read and presented the Proclamation Recognizing May 2019 as “Older Americans Month” and Recognizing “2019 Senior Citizen of the Year” – Nevelynn Melendy. Nevelynn Melendy and family were present for the award.

### **Proclamation Recognizing May 19-25, 2019 as “National Public Works Week”**

Mayor read and presented the Proclamation and presented to city employees present from the Public Works Department. Byron Hebert, City Administrator spoke about how essential this department is and how hard they work in the background to keep things going. He recanted a recent emergency, which required them to work overnight in the rain and how their diligence meant the public was unaware or affect by the situation. He said they are truly the unsung heroes.

### **Above & Beyond - Recognizing Katy Fire Department Medic 1, Tower 1 and Battalion Chief 1 for Actions Taken to Save a Man’s Life**

Mayor read and presented Above & Beyond Certificate to Katy Fire Department Medic 1, Tower 1 and Battlion Chief 1 for Actions Taken to Save a Man’s Life. Some of the crew members were present and joined him at the front and each was presented with a certificate.

### **Public Comments**

Debbie and Frank Mannion, 3234 Teal: She thanked Mayor Brawner for hard work, dedication and all he has done for the City - especially through Hurricane Harvey. He echoed thanks for all Mayor Brawner had done for the City and said he was proud to consider Chuck a friend.

Gene Neves, 6314 Wolf Run Drive: Explained how he met Chuck two years ago and his experience with Mayor Brawner was: integrity, well-planned, organized and disciplined. He said he updated policy and procedure that works for everybody and not a select few. Mayor Brawner made him feel like he counted as a citizen; his voice counted and that his vote counted.

**Public Comments (cont'd)**

Paul Redmon, 6707 Bartlett Road: Mayor Brawner is my neighbor – he addressed the Mayor directly: It has been nothing but a pure pleasure as having you for a neighbor for 18 years. He spoke about his pond and their shared use agreement. How he got involved in committees and task forces and with that he has the opportunity to serve the City – we are so blessed as a citizenry. He explained how we have got some great character in our former and in our current Mayor. We all need to stop and think and support the people that are up here trying to lead and the people trying to take care of us. He encouraged everyone to: “Be involved. Let’s be a community that works together and moves forward together.”

Carol Adams, 610 Woods Lane: Asked everyone to take a moment to thank Jimmy – it is his last meeting and he has been an amazing councilmember. She recanted about how he came to be a councilmember and his impact on the community during his tenure. She closed by saying, “We should all be thankful to Jimmy.”

Brenda Martin, 2901 Hackberry Lane: She talked about Relay for Life (Event was held April 27<sup>th</sup>) She thanked the Mayor and Council for their participation and support. She reiterated how she really appreciates it and the event made more money than expected - it was a great turnout. Attention from the top down makes a big, big difference.

**Presentation of Fiscal Year 2018 Financial Statement Audit by City Auditor Lupe Garcia, Whitley Penn, Houston, Texas**

City Auditor, Lupe Garcia, Whitley-Penn, Houston, Texas, gave a brief overview and power point presentation of the 2017-2018 Comprehensive Annual Financial Report for the fiscal year ended September 30, 2018. He informed the Council that their audit came back as unmodified, which is the highest rating for financial statements. The presentation covered balances, debt, revenues, property taxes and expenditures. He explained how historically Katy has had a healthy general fund balance and discussed how this was the first time for compliance audit – due to federal awards (SAFER GRANT). There were no significant deficiencies for the Federal level audit associated with that grant award. The Mayor thanked Lupe and his team for all their hard work on the audit.

**Consent Agenda**

Motion was made by Mayor Pro Tem Dowdle, seconded by Councilmember Corte, approving the Consent Agenda as listed below:

- Consider Cancelling the Regular City Council Meeting, Monday, 06-10-2019  
(*Due to Lack of Quorum*)
  - Consider Calling a Special City Council Meeting, Monday, 06-17-2019
  - Consider Approval of Meeting Minutes
    - 02-25-2019 Regular Meeting
    - 03-11-2019 Regular Meeting
    - 03-25-2019 Regular Meeting
    - 04-08-2019 Regular Meeting
  - Consider Approval of Event – No Label Brewing 1<sup>st</sup> Street 5k, Saturday, June 15, 2019  
Begins at 8:00 a.m. (*start/finish at No Label Brewery 5351 1<sup>st</sup> Street*) (*approved by Katy PD*)
  - Consider Acceptance of Public Improvements, Woodcreek Reserve Municipal Utility District, Water, Drainage and Paving Improvements for Cook Field Road
- All voted Aye, and the motion carried.

**Consider a Resolution (No. 957) Authorizing the Mayor to Sign Amendment No. 6 to Business Services Agreement with Consolidated Communications (Katy Police Department – Substation)**

Motion was made by Mayor Pro Tem Dowdle, seconded by Councilmember Mendez, approving as printed and presented a Resolution (No. 957) Authorizing the Mayor to Sign Amendment No. 6 to Business Services Agreement with Consolidated Communications (Katy Police Department – Substation). All voted Aye, and the motion carried.

**Consider a Resolution (No. 958) Authorizing the Mayor to Sign a Software License, Maintenance and Support Agreement with Vermont Systems, Inc.**

Motion was made by Councilmember Corte, seconded by Councilmember Harris, approving as printed and presented a Resolution (No. 958) Authorizing the Mayor to Sign a Software License, Maintenance and Support Agreement with Vermont Systems, Inc. All voted Aye, and the motion carried.

**Consider an Ordinance (No 2900.) Amending the Program to Charge Mitigation Rates for the Deployment of Emergency and Non-Emergency Services by the Katy Fire Department for Services Provided for Persons in Districts or Areas that Do Not Have an Interlocal of Mutual Aide Agreement with the City of Katy**

Motion was made by Councilmember Mendez, seconded by Councilmember Harris, approving as printed and read (*caption*) an Ordinance (No. 2900) Amending the Program to Charge Mitigation Rates for the Deployment of Emergency and Non-Emergency Services by the Katy Fire Department for Services Provided for Persons in Districts or Areas that Do Not Have an Interlocal of Mutual Aide Agreement with the City of Katy. All vote Aye, the motion carried.

**Consider an Ordinance Amending the City of Katy Code of Ordinances to Create Section 1.04.001 “Reemployment of Previously Suspended Employees”**

Councilmember Mendez tagged Agenda Item No. 8A, an Ordinance Amending the City of Katy Code of Ordinances to Create Section 1.04.001 “Reemployment of Previously Suspended Employees”, to the next Regular City Council Meeting. He said he needs additional information to consider same.

**Consider an Ordinance Amending the City of Katy Code of Ordinances to Provide a Penalty for the Public Release of Executive Session information**

Councilmember Mendez tagged Agenda Item No. 8B, an Ordinance Amending the City of Katy Code of Ordinances to Provide a Penalty for the Public Release of Executive Session information, to the next Regular City Council Meeting. Councilmember Carroll requested to discuss the items with no action. Councilmember Harris objected to any discussion and cited Rule 1.01 of the Rules of Procedure. He further explained his packet and the documents being considered were not timely received and he needed additional time to consider same, for both this item and the Ordinance Amending the City of Katy Code of Ordinances to Provide a Penalty for the Public Release of Executive Session Information.

**Consider an Ordinance Amending the City of Katy Code of Ordinances to Provide a Penalty for the Public Release of Executive Session Information**

Councilmember Mendez tagged Agenda Item No. 8C, an Ordinance Amending the City of Katy Code of Ordinances to Provide a Penalty for the Public Release of Executive Session Information, to the next Regular City Council Meeting. No discussion occurred under the Rule 1.01 Objection.

**Executive Session, as Authorized by Chapter 551 of the Texas Government Codes, Section 551.071 Consultation with an City Attorney**

Motion was made by Councilmember Harris, seconded by Councilmember Mendez, to table Executive Session until the next Regular City Council Meeting. Votes were cast as follows: Ayes: Harris and Mendez; and Noes: Carroll, Corte and Dowdle. Motion failed. Councilmember Harris refused to convene in Executive Session and exited the Council Chambers at 7:24 p.m. Councilmember Mendez accompanied him.

**Meeting Adjourned**

Meeting adjourned at 7:24 p.m. due to lack of quorum.

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Mayor *W. J. ...*

ATTEST:

*Deborah McFaw*  
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Assistant City Secretary