

MINUTES OF REGULAR CITY COUNCIL MEETING**Call to Order**

The City Council of the City of Katy, Texas, convened in regular session Monday, January 14, 2019, at 6:30 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
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
Melissa A. Bunch, City Secretary

Public Comments

All were given an opportunity to be heard and the following spoke during Public Comments:

Oto Cantu stated he had some harsh words that need to be said about Mr. Hastings, who is running for Mayor. He believes Hastings is running for Mayor to reinstate the previous Emergency Management personnel and is not why he should be running. He said for the betterment of the City he needed to speak and talk about Hastings and he does not believe he is the correct thing for the City of Katy. He encouraged to keep Katy honest.

Karri Schneider, 2911 Patna, explained she lives across Morton Road from Aristoi School. She thanked the Mayor and Chief Hastings for their efforts in correcting the numerous problems with the students and their parents.

Jane Lebo, 2810 Fortuna, spoke about drainage in her subdivision, Riceland Terrace. She understands there has been miscalculations and the drainage is too small. She spoke briefly of the drainage bond money, city staff, contacting a Senator and the Texas General Land Office. She believes the residents in her neighborhood are not being kept informed of the drainage work to be done and that they are sitting like ducks waiting for the next rain.

Brad Hubbard, 2918 Redbud, spoke about flooding and commended the City for the drainage work done in 2018, getting the bond issue passed and getting funding for Pine Forest and Riceland Terrace residents. He was concerned there has been no activity recently. He suggested there should be stricter design requirement on plans. Hubbard commented the railroad berm is still in place and service as a dam. He stated the upstream drainage is of concern to him and the drainage projects for future development, since development is moving faster than drainage. He believes the increase in flooding leave everyone fearful and he encouraged City Council to address drainage issues. He agrees the trucks coming out of the Village At Katy development project need to wash down their trucks prior to when they are leaving the project, instead of just leaving the mud on the streets.

Public Comments (cont'd)

Orville Schonefeld, 6320 Magnolia, expressed concern about the drainage construction in Pine Forest and understood there is a gas line causing problems. He spoke of the street intersection at Franz Road and Avenue D and that the radius on the concrete curb is terrible, it needs to be torn out and a larger radius installed. He reported his wife had ruined a tire on her car because of the terrible design. He believes it needs to be made safer for cars making the turn.

Above & Beyond Recognition PetSmart Plush Toy Drive – Officers Robert Hughes, Chris Mohr, Matt Newport and Helper Priscilla Gonzalez, Katy Police Department

The Mayor presented a going Above & Beyond Certificate for the PetSmart Plush Toy Drive to Katy Police Department Police Officers Robert Hughes, Chris Mohr, Matt Newport and Katy Police Department Administrative Secretary Priscilla Gonzalez. These individuals went to numerous locations around Katy being the bearers of good tidings, dressed as a reindeer, The Grinch and elves all to help obtain donations for PetSmart Plush Toy Drive.

Presentation of Retirement Appreciation Award to William “Bill” M. Hastings, Chief of Police, Katy Police Department

The Mayor read and presented a retirement plaque to Police Chief Bill Hastings. The plaque referenced his years of service. The Mayor proclaimed Tuesday, January 15, 2019 as Police Chief Hastings Day in the City of Katy. Hastings thanked all who he had worked with in during his 32 years in the Police Department. He owes thanks to the citizens of Katy and so many others. He stated the officers are the finest in the State of Texas, because of the Katy Police Department’s culture. He honored Time Tyler for taking the reigns as Police Chief. He again thanked all in the room who have played a part in his career.

Presentation by Greater Katy Area Chamber of Commerce

Sam Schultze, Country Park Portraits, and Vice-Chairman to the Board of Directors for the Katy Chamber of Commerce, gave a brief update on the status of the Chamber and thanked the City of Katy for their support and renewal of their membership. He believes the Chamber is in the best position they have been in, financially and membership wise. He reported renewals are strong and the calendar is full thru out the year. He commented the Chamber is very excited to the City of Katy State of the City event. He thanked the City for their continued support.

Public Hearing for Proposed Amendment to Zoning Ordinance Number 621, Establishing a Special Use Permit to Crossings Community Church, a Use of a Religious Nature in the “M” Industrial District, Within 9,942 Square Feet of Space at 1016 FM 1463

The Mayor opened at 7:04 p.m. a Public Hearing for Proposed Amendment to Zoning Ordinance Number 621, Establishing a Special Use Permit to Crossings Community Church, a Use of a Religious Nature in the “M” Industrial District, Within 9,942 Square Feet of Space at 1016 FM 1463. All were given an opportunity to be heard and there were none. The Mayor closed the Public Hearing at 7:05 p.m.

Consider an Ordinance (No. 2886) for an Amendment to Zoning Ordinance Number 621, Establishing a Special Use Permit to Crossings Community Church, a Use of a Religious Nature in “M” Industrial District, Within 9,942 Square Feet of Space at 1016 FM 1463

Motion was made by Councilmember Dowdle, seconded by Councilmember Corte, approving as printed and read (*caption*) an Ordinance (No. 2886) for an Amendment to Zoning Ordinance Number 621, Establishing a Special Use Permit to Crossings Community Church, a Use of a Religious Nature in “M” Industrial District, Within 9,942 Square Feet of Space at 1016 FM 1463. All voted Aye, and the motion carried.

Consent Agenda

Motion was made by Councilmember Harris, seconded by Councilmember Dowdle, approving as printed and presented the following items listed under the Consent Agenda:

- Consider Approval of Event – Annabelle’s 5k Run/1 Mile Walk Benefit, Saturday, April 13, 2019 (*start/finish No Label Brewery*) (*approved by Katy Police Department*)
- Consider Approval of Convention & Tourism Bureau Applications (*CTB approved 12-11-2018*)
 - The University of Southern Mississippi/NCS4 – National Interscholastic Athletics Safety and Security Summit, April 3-5, 2019, Katy ISD Legacy Stadium, Harris County, Amount Requested: \$2,500.00 (*Paying for Tourism-Related Advertising and Promotion of the City of Katy and Local Hotels*)
 - Ainsley’s Angels of America – 2019 Katy Half Marathon, February 2, 2019, Katy Mills Mall and Surrounding Area, Fort Bend County, Amount Requested: \$15,000.00 (*Paying for Tourism-Related Advertising and Promotion of the City of Katy and Local Hotels; Sporting Events in Which Majority of Participants are Tourists in Cities Located in a County with Population of One Million or Less*)
 - Ainsley’s Angels – Typhoon Texas Kids’ Triathlon, May 5, 2019, Katy Mills Mall and Typhoon Texas Waterpark, Fort Bend County, Amount Requested: \$10,000.00 (*Paying for Tourism-Related Advertising and Promotion of the City of Katy and Local Hotels; Sporting Events in Which Majority of Participants are Tourists in Cities Located in a County with Population of One Million or Less*)
 - Champion Gymnastics Foundation – 2019 RD761 Jr. International Team Cup and Men’s and Women’s Invitational Gymnastics Competition, January 15-20, 2019, Leonard E. Merrell Center, Fort Bend County, Amount Requested: \$60,000.00 (*Sporting Events in Which Majority of Participants are Tourists in Cities Located in a County with Population of One Million or Less*)
 - Southland Conference – 2019 Basketball Tournament, March 13-17, 2019, Leonard E. Merrell Center, Fort Bend County, Amount Requested: \$150,000.00 (*Paying for Tourism-Related Advertising and Promotion of the City of Katy and Local Hotels; Sporting Events in Which Majority of Participants are Tourists in Cities Located in a County with Population of One Million or Less*)
 - The Wild West Brewfest – The Wild West Brewfest, April 26-27, 2019, Katy Mills Mall Amount Requested: \$120,000.00 (*Paying for Tourism-Related Advertising and Promotion of the City of Katy and Local Hotels; Funding Programs that Enhance the Arts*)
- Consider Approval of Street Light Layout – Young Ranch, Section Six
- Consider Approval of Final Plats
 - Fastenal Company, Subdivision of 2.7879 Acres, 2 Reserves and 1 Block, Located in the P.M. Cuny Survey, Tract 355, Waller County
 - Cane Island Detention Pond H, Subdivision of 17.764 Acres, 2 Reserves, Situated in the H.&T.C.R.R. Survey, Abstract 196, Waller and Harris County

All voted Aye, and the motion carried.

Consider Acceptance of Donations to Keep Katy Beautiful Board, in the Amount of \$1,875, for the Memorial of Grant Carroll (Donations received by Brawner Family - \$50 and Katy Community Fellowship - \$1,825)

Councilmember Carroll had asked for the removal from the Consent Agenda the item Consider of Acceptance of Donations to Keep Katy Beautiful Board, in the Amount of \$1,875, for the Memorial of Grant Carroll Councilmember Carroll explained his wife had lost their baby four days before the due date in December. Councilmember Carroll spoke of the donation he had

Consider Acceptance of Donations to Keep Katy Beautiful Board, in the Amount of \$1,875, for the Memorial of Grant Carroll (Donations received by Brawner Family - \$50 and Katy Community Fellowship - \$1,825) (cont'd)

received towards a memorial for his son and the donation was presented to Keep Katy Beautiful for a memorial. He thanked the Mayor, Chiefs Hastings and Wilson and numerous other community members for their thoughtfulness during his family's loss. Motion was made by Councilmember Carroll, seconded by Councilmember Dowdle, approving as printed and presented Acceptance of Donations to Keep Katy Beautiful Board, in the Amount of \$1,875, for the Memorial of Grant Carroll (Donations received by Brawner Family - \$50 and Katy Community Fellowship - \$1,825). All voted Aye, and the motion carried.

Consider a Resolution (No. 930) Appointing Doyle Callender to Serve as the City of Katy's Representative to the Governing Board of Katy Management District No. 1

Motion was made by Councilmember Carroll, seconded by Councilmember Corte, approving as printed and presented a Resolution (No. 930) Appointing Doyle Callender to Serve as the City of Katy's Representative to the Governing Board of Katy Management District No. 1. All voted Aye, and the motion carried.

2016 Community Development Block Grant – Disaster Recovery (CDBG-DR) Grant (Tax Day Floods)

Motion was made by Councilmember Dowdle, seconded by Councilmember Corte, approving as printed and presented the following Resolutions:

- **Consider a Resolution (No. 931) Authorizing the Selection of a Professional Service Provider for Grant Administration Services to Public Management (RFP's received 12-07-2018) -2016 Community Development Block Grant – Disaster Recovery (CDBG-DR) Grant (Tax Day Floods)**
- **Consider a Resolution (No. 932) Authorizing the Award of Professional Service Provider for Engineering Services to Costello Engineering (RFQ's received 12-07-2018) - 2016 Community Development Block Grant – Disaster Recovery (CDBG-DR) Grant (Tax Day Floods)**

All voted Aye, and the motion that approved the two Resolutions, carried.

Community Development Block Grant-Disaster Recovery (CDBG-DR) Grant (Hurricane Harvey)

Motion was made by Councilmember Corte, seconded by Councilmember Harris, approving as printed the following Resolutions:

- **Consider a Resolution (No. 933) Authorizing the Selection of a Professional Service Provider for Grant Administration Services to Public Management (RFP's received 12-07-2018)**
- **Consider a Resolution (No. 934) Authorizing the Award of Professional Service Provider for Engineering Services to Costello Engineering (RFQ's received 12-07-2018)**

All voted Aye, and the motion that approved the two Resolutions, carried.

Consider a Resolution (No. 935) Authorizing Use of 2018 Drainage Bond Funds for City of Katy's Portion of Harris County Community Development Block Grant Allocation for Drainage Project on Patna Drive (Additional Funds Authorized by Resolution No. 909, 10/08/2018 – General Fund)

Motion was made by Councilmember Corte, seconded by Councilmember Mendez, approving as printed and presented a Resolution (No. 935) Authorizing Use of 2018 Drainage Bond Funds

Consider a Resolution (No. 935) Authorizing Use of 2018 Drainage Bond Funds for City of Katy's Portion of Harris County Community Development Block Grant Allocation for Drainage Project on Patna Drive (Additional Funds Authorized by Resolution No. 909, 10/08/2018 – General Fund) (cont'd)

for City of Katy's Portion of Harris County Community Development Block Grant Allocation for Drainage Project on Patna Drive (Additional Funds Authorized by Resolution No. 909, 10/08/2018 – General Fund). All voted Aye, and the motion carried.

Consider a Resolution (No. 936) Authorizing the Mayor to Sign an Agreement with Costello Engineering & Surveying for Engineering Design Services for Execution of Alternative to Project No. 3

Motion was made by Councilmember Dowdle, seconded by Councilmember Corte, approving as printed and presented a Resolution (No. 936) Authorizing the Mayor to Sign an Agreement with Costello Engineering & Surveying for Engineering Design Services for Execution of Alternative to Project No. 3. Motion was made by Councilmember Harris, seconded by Councilmember Corte, amending the main motion by including the use of Drainage Bond Monies for the project. All voted Aye, and the main and the amended motions, both carried.

Consider a Resolution (No. 937) Authorizing the Mayor to Sign an Equipment Rental Agreement with Marlin Business Bank for City Telephone System (co-branded with Spectrum VOIP)

Motion was made by Councilmember Corte, seconded by Councilmember Harris, approving as printed and presented a Resolution (No. 937) Authorizing the Mayor to Sign an Equipment Rental Agreement with Marlin Business Bank for City Telephone System (co-branded with Spectrum VOIP). All voted Aye, and the motion carried.

Consider a Resolution (No. 938) Authorizing the Mayor to Sign a New Monitoring Agreement with American Fire Protection Group, Inc., for Katy Fire Station No. 2

Motion was made by Councilmember Harris, seconded by Councilmember Mendez, approving as printed and presented a Resolution (No. 938) Authorizing the Mayor to Sign a New Monitoring Agreement with American Fire Protection Group, Inc., for Katy Fire Station No. 2. All voted Aye, and the motion carried.

Consider an Ordinance (No. 2887) Declaring the Intention of the City of Katy to Remove Certain Territory Annexed by the City of Katy from Waller-Harris Emergency Service District Number 200 and for the City of Katy to be the Sole Provider of Emergency Services to the Territory (Costco)

Motion was made by Councilmember Dowdle, seconded by Councilmember Corte, approving as printed and read (caption) an Ordinance (No. 2887) Declaring the Intention of the City of Katy to Remove Certain Territory Annexed by the City of Katy from Waller-Harris Emergency Service District Number 200 and for the City of Katy to be the Sole Provider of Emergency Services to the Territory (Costco). All voted Aye, and the motion carried.

Consider an Ordinance (No. 2888) Establishing a Curfew for Persons Under the Age of 17 Years, Between 11:00 p.m. of any Sunday, Monday, Tuesday, Wednesday or Thursday and 6:00 a.m. of the Following Day, Between 12:01 a.m. and 6:00 a.m. on any Saturday or Sunday, and Between the Hours of 9:00 a.m. and 2:30 p.m. for School-Aged Children on School Days

Motion was made by Councilmember Harris, seconded by Councilmember Corte, approving as printed and read (caption) an Ordinance (No. 2888) Establishing a Curfew for Persons Under

Consider an Ordinance (No. 2888) Establishing a Curfew for Persons Under the Age of 17 Years, Between 11:00 p.m. of any Sunday, Monday, Tuesday, Wednesday or Thursday and 6:00 a.m. of the Following Day, Between 12:01 a.m. and 6:00 a.m. on any Saturday or Sunday, and Between the Hours of 9:00 a.m. and 2:30 p.m. for School-Aged Children on School Days (cont'd)

the Age of 17 Years, Between 11:00 p.m. of any Sunday, Monday, Tuesday, Wednesday or Thursday and 6:00 a.m. of the Following Day, Between 12:01 a.m. and 6:00 a.m. on any Saturday or Sunday, and Between the Hours of 9:00 a.m. and 2:30 p.m. for School-Aged Children on School Days. All voted Aye, and the motion carried.

Consider an Ordinance (No. 2889) Conforming the Language of Section 2 “Regular Elections” of Article VII “Elections” of the City of Katy Home Rule Charter to the Charter Amendments Approved on the 6th Day of May 2017

Motion was made by Councilmember Carroll, seconded by Councilmember Corte, approving as printed and read (*caption*) an Ordinance (No. 2889) Conforming the Language of Section 2 “Regular Elections” of Article VII “Elections” of the City of Katy Home Rule Charter to the Charter Amendments Approved on the 6th Day of May 2017. All voted Aye, and the motion carried.

Consider an Ordinance (No. 2890) Appointing an Interim Police Chief

Motion was made by Councilmember Mendez, seconded by Councilmember Corte, approving as printed and read (*caption*) an Ordinance (No. 2890) Appointing an Interim Police Chief. All voted Aye, and the motion carried.

CLOSED SESSION

Executive Session as Authorized by Chapter 551 of the Texas Government Code, Section 551.087 to Discuss or Deliberate the Offer of Financial or Other Business Prospect to Expand in or Near the Territory of the Governmental Body and with Which the Governmental Body is Conducting Economic Development Negotiation; and Consultation with an Attorney, Section 551.071 (Katy Boardwalk)

The Mayor, Mayor Pro Tem, Councilmembers, City Administrator, City Attorney, Steve Robinson, Attorney and Christina Miller, Attorney, both from Allen Boone Humphries Robinson Law Firm, convened in Executive Session at 7:35 p.m. to Discuss or Deliberate the Offer of Financial or Other Business Prospect to Expand in or Near the Territory of the Governmental Body and with Which the Governmental Body is Conducting Economic Development Negotiation; and Consultation with an Attorney, Section 551.071 (*Katy Boardwalk*).

OPEN SESSION

The Mayor opened the meeting to the public at 8:14 p.m.

Consider a Resolution (No. 939) Authorizing the Mayor to Sign a Master Development Agreement Among Katy Development Authority, the City of Katy, and KBH Venture, LLC for Katy Boardwalk Hotel, Conference Center, and Parking Facilities

Motion was made by Councilmember Dowdle, seconded by Councilmember Corte, approving as printed and presented a Resolution (No. 939) Authorizing the Mayor to Sign a Master Development Agreement Among Katy Development Authority, the City of Katy, and KBH Venture, LLC for Katy Boardwalk Hotel, Conference Center, and Parking Facilities. All voted Aye, and the motion carried.

Consider a Resolution (No. 940) Authorizing the Katy Development Authority to Enter Into 3rd Amendment to Development Agreement (Original Agreement 10/02/2015; Amended 01/25/2016 and 05/16/2016)

Motion was made by Councilmember Dowdle, seconded by Councilmember Harris, approving as printed and presented a Resolution (No. 940) Authorizing the Katy Development Authority to Enter Into 3rd Amendment to Development Agreement (Original Agreement 10/02/2015; Amended 01/25/2016 and 05/16/2016). All voted Aye, and the motion carried.

Consider a Resolution (No. 941) Authorizing the Katy Development Authority to Sign a Letter Agreement for Primary Project Power

Motion was made by Councilmember Dowdle, seconded by Councilmember Corte, approving as printed and presented a Resolution (No. 941) Authorizing the Katy Development Authority to Sign a Letter Agreement for Primary Project Power. All voted Aye, and the motion carried.

Councilmembers' Reports

Councilmembers had no reports.

Mayor's Reports

The Mayor had no reports.

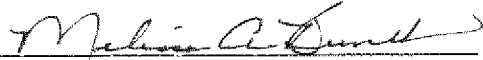
Adjourn

Motion was made by Councilmember Carroll, seconded by Councilmember Dowdle, to adjourn. All voted Aye, and the motion carried. The meeting was adjourned at 8:17 p.m.



 Mayor

ATTEST:



 City Secretary