

## MINUTES OF REGULAR CITY COUNCIL MEETING

### **Call to Order**

The City Council of the City of Katy, Texas, convened in regular session Monday, February 25, 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 Councilmember was absent:

Melissa A. Bunch, City Secretary

### **Consider an Ordinance Appointing a Police Chief**

Motion was made by Councilmember Mendez, seconded by Councilmember Harris, to table Agenda Item No. 12: Consider an Ordinance Appointing a Police Chief. Votes were cast as follows, Ayes: Mendez and Harris; Noes: Carroll, Corte and Dowdle. The motion failed. Councilmember Mendez tagged the Ordinance to the March 11, 2019 City Council Meeting.

### **Public Comments**

Sandra Farris, 6102 Morton Road, spoke about 2017 drainage project that affected her property and ongoing issues, which had not been addressed. She thanked Elaine Lutringer, Public Works Director for all she had done to try and help her with the contractor; but, requested that the City follow-up on the items she listed.

Andy Wohlgemuth, 8201 Shetland Lane Katy discussed his opposition to the police chief appointment before the mayoral election. He listed questions and concerns that he had about the hiring process and requested the decision be delayed until after the May 4, 2019 Election.

Adrienne Davitz, 1030 Dollins Street, discussed her opposition to the police chief appointment before the mayoral election. She listed concerns from the community regarding the process and requested the decision be delayed until after the May 4, 2019 Election.

Ronald Wolfe, 3424 Jan Court, discussed his opposition to the police chief appointment before the mayoral election. He believes the Katy Police Department does an outstanding job and he would like to see the promotion come from within the department and know the recommendation of former Police Chief Bill Hastings.

**Proclamation Recognizing Texas Independence Day, March 2, 2019 – The Sons of the Republic of Texas**

Mayor Brawner read and presented The Sons of the Republic of Texas with a Proclamation Recognizing Texas Independence Day, March 2, 2019.

**Proclamation Recognizing IHOP National Pancake Day, March 12, 2019 – Shriners Hospital for Children**

The Mayor read and presented a Proclamation recognizing March 12, 2019 as “IHOP National Pancake Day” – Benefiting Shriners Hospitals for Children and thanked the Shriner representatives for all they do for this wonderful cause.

**Bank Statement and Check Register Thru 01-31-2019 (information items only)**

There were no comments on the Bank Statement and Check Register Thru 01-31-2019.

**Consent Agenda**

Motion was made by Councilmember Harris, seconded by Councilmember Carroll, approving the Consent Agenda as listed below:

- Consider Approval of Event – BP MS 150 Bike Ride, Saturday & Sunday, April 27-28, 2019 (*portion inside the City limits only – starts Rhodes Stadium/finish Austin, Texas*) (*approved by Katy Police Department*)
- Consider Street Closure for Katy Market Days Monthly Market & Special Events (*approved by Katy Police Department and Katy Marketing & Tourism Department*):
  - Monthly Market Days (*without Special Events*), Closing Avenue B Between Second and Third Street and the Use of Katy Harvest Plaza (*Third Saturday of March; May; June; July; August; September and November 2019 from 10:00 a.m. to 4:00 p.m.*)
  - Monthly Market Days (*with Special Events*):
    - Monthly Market Days & Car Shows, Closing Avenue B Between Second and Third Street, the Use of Katy Harvest Plaza, and Closing Second Street Between Avenue A and Avenue C (*Third Saturday of April and October 2019 from 10:00 a.m. to 4:00 p.m.*)
    - 2019 Katy Old Fashioned Christmas Festival, Saturday December 7, 2019, from 8:00 a.m. until 6:00 p.m., Closing Second Street Between Avenue A and D; Third Street Between Avenue B and C; Avenue B Between Second and Third Street; and Avenue C Between Second and Third Street
- Consider Approval of Final Re-Plat – Woodcreek Commons Shopping Center, Subdivision of 18.2428 Acres Being a Portion of Commercial Reserve “A”, 2 Reserves and 1 Block, in the D.A. Conner Survey, Abstract 159, Fort Bend County
- Consider Acceptance of Public Improvements for The Reserve At Katy, Section 8 (*Water, Sanitary Sewer, Drainage and Concrete Paving*)

All voted Aye, and the motion carried.

**Consider a Resolution (No. 947) Authorizing the Use of General Reserve Funds Up to \$115,362.75 for the Purchase of Emergency Vehicles (Equipment: 2019 Ford F-450 Chassis; Ford F-150 SuperCrew; and 2019 Ford F-150 SuperCab) (Fire Department)**

Motion was made by Councilmember Harris, seconded by Councilmember Corte, approving as printed and presented a Resolution (No. 947) Authorizing the Authorizing the Use of General Reserve Funds Up to \$115,362.75 for the Purchase of Emergency Vehicles (*Equipment: 2019 Ford F-450 Chassis; Ford F-150 SuperCrew; and 2019 Ford F-150 SuperCab*) (*Fire Department*). All voted Aye, and the motion carried.

**Consider a Resolution (No. 948) Authorizing the Issuance of Series 2019A Bonds by Katy Development Authority, Not to Exceed an Amount Up to \$10,160,000**

Motion was made by Councilmember Harris, seconded by Councilmember Corte, approving as printed and presented a Resolution (No. 948) Authorizing the Issuance of Series 2019A Bonds by Katy Development Authority, Not to Exceed an Amount Up to \$10,160,000. All voted Aye, and the motion carried.

**Consider a Resolution (No. 949) Authorizing the Mayor to Sign the Second Amendment to Agreement by and Between the City of Katy Texas, Reinvestment Zone Number One, City of Katy, Texas, and Katy Development Authority ("Tri-Party Agreement")**

Motion was made by Mayor Pro Tem Dowdle, seconded by Councilmember Harris, approving as printed and presented a Resolution (No. 949) Authorizing the Mayor to Sign the Second Amendment to Agreement by and Between the City of Katy Texas, Reinvestment Zone Number One, City of Katy, Texas, and Katy Development Authority ("Tri-Party Agreement"). All voted Aye, and the motion carried.

**Consider an Ordinance (No. 2897) Appointing City Officers: City Treasurer and Municipal Court Clerk**

Motion was made by Councilmember Harris, seconded by Councilmember Mendez, approving as printed and read Ordinance (No. 2897) Appointing City Officers. The Ordinance appointed the following persons and positions: Andrew Vasquez, City Treasurer/Finance Director and Faviola Rodriguez, Municipal Court Clerk. Councilmember Harris thanked the City Administrator, Byron Hebert for filling in during this vacancy. All voted Aye, and the motion carried.

**Consider an Ordinance (No. 2898) Adopting Amendment No. 1 to the Original Budget of the City of Katy for the 2017-2018 Fiscal Year; Providing for Changes in the General Government Fund Budget**

Motion was made by Councilmember Harris, seconded by Mayor Pro Tem Dowdle, approving as printed and read Ordinance (No. 2898) Adopting Amendment No. 1 to the Original Budget of the City of Katy for the 2017-2018 Fiscal Year; Providing for Changes in the General Government Fund Budget; Providing Severability. All voted Aye, and the motion carried.

**Consider an Ordinance (No. 2899) Declaring the Intention of the City of Katy to Remove Certain County Emergency Service District Number 2 for the City of Katy to be the Sole Provider or Emergency Services to the Territory (Willow Creek Farms Municipal Utility District)**

Motion was made by Councilmember Corte, seconded by Mayor Pro Tem Dowdle, approving as printed and read Ordinance (No. 2899) Declaring the Intention of the City of Katy to Remove Certain County Emergency Service District Number 2 for the City of Katy to be the Sole Provider or Emergency Services to the Territory; Repealing All Ordinances or Parts of Ordinances in Conflict Herewith; Providing for Severability. Councilmember Harris clarified we are already providing services to this district and this would just change taxing entities. City Attorney Art Pertile confirmed that we began services under the limited purpose annexation and this would remove the MUD from the emergency service district "ESD" and Willow Creek Farms would no longer pay those ESD taxes. All voted Aye, and the motion carried.

**Consider a Resolution (No. 950) Authorizing the Mayor to Sign an Agreement for Automatic Aid Assistance Between Willow Creek Farms Municipal Utility District and the City of Katy**

Motion was made by Councilmember Mendez, seconded by Councilmember Corte, approving as printed and presented a Resolution (No. 950) Authorizing the Mayor to Sign an Agreement for Automatic Aid Assistance Between Willow Creek Farms Municipal Utility District and the City of Katy. All voted Aye, and the motion carried.

**Consider an Ordinance (No. 2900) Establishing and Implementing a 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 and Areas that Do Not Have an Interlocal or Mutual Aide Agreement with the City of Katy**

Motion was made by Councilmember Harris, seconded by Councilmember Corte, approving as printed and read Ordinance (No. 2900) Establishing and Implementing a 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 and Areas that Do Not Have an Interlocal or Mutual Aide Agreement with the City of Katy; Providing Severability; and Providing an Effective Date. Chief Wilson explained that this Program would allow them to recoup the cost for responding to chemical spills and other hazardous callouts, which provide aide within the city limits, but not to residents. All voted Aye, and the motion carried.

**Consider a Resolution (No. 951) Authorizing the Mayor to Sign a Services Agreement with Fire Recovery USA, LLC**

Motion was made by Mayor Pro Tem Dowdle, seconded by Councilmember Mendez, approving as printed and presented a Resolution (No. 951) Authorizing the Mayor to Sign a Services Agreement with Fire Recovery USA, LLC. All voted Aye, and the motion carried.

**CLOSED MEETING**

**Executive Session as authorized by Chapter 551 of the Texas Government Code, Section 551.074 (Appointment of a Police Chief); and Consultation with an Attorney, Section 551.071**

Motion was made by Councilmember Harris, seconded by Mayor Pro Tem Dowdle to convene in Executive Session and discuss the appointment of a Police Chief. Votes were cast as follows, Ayes: Carroll, Corte, Dowdle and Harris; and Noes: Mendez. Mayor Brawner, Councilmembers, City Administrator Byron Hebert and City Attorney Art Pertile convened in Executive Session at 7:07 p.m., as Authorized by Chapter 551 of the Texas Government Code, Section 551.074 (Appointment of a Police Chief); and Consultation with an Attorney Section 551.071.

**OPEN MEETING**

The Mayor opened the meeting to the public at 8:20 p.m.

**Councilmembers' Reports**

Councilmember Harris reported that he attended the Katy Area Economic Development Council Meeting and congratulated Coach McPherson, Katy Baseball, on his 800<sup>th</sup> win!

**Mayor's Report**

The Mayor had no additional reports – he thanked all for attending.

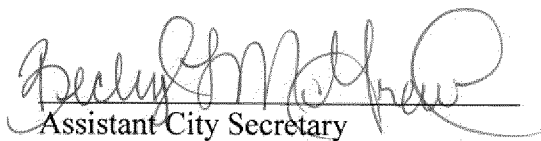
**Adjourn**

Motion was made by Councilmember Corte, seconded by Mayor Pro Tem Dowdle, to adjourn. All voted Aye, and the motion carried. The meeting was adjourned at 8:22 p.m.



Chris Bann  
Mayor

ATTEST:



Becky M. McPherson  
Assistant City Secretary