

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

The City Council of the City of Katy, Texas, convened in special session on Monday, October 26, 2020, at 4:03 p.m. at Katy City Hall, 901 Avenue C, Katy, Texas via teleconference in accordance with Order of the Office of the Governor issued March 16, 2020, and extended October 7, 2020 by telephone conference in order to advance the public health goal of limiting face-to-face meetings (also called “social distancing”) to slow the spread of the Coronavirus (COVID-19). Public access to participate was provided via Zoom Meeting ID No. 845 8738 2179. The following City officials were present via teleconference:

Bill Hastings, Mayor
Chris Harris, Mayor Pro Tem
Frank O. Carroll III, Councilmember
Janet Corte, Councilmember
Durrant C. Dowdle, Councilmember
Jennifer Jordan Stockdick, Councilmember
Art Pertile, III, City Attorney
Byron J. Hebert, City Administrator
Becky L. McGrew, City Secretary

The following City officials were absent:

David Leyendecker, City Engineer
Andrew Vasquez, City Finance Director

Proclamation Recognizing October 2020 as Domestic Violence Awareness Month

The Mayor read a Proclamation Designating October 2020 as Domestic Violence Awareness Month in the City of Katy, Texas. Mayor Thanked the ladies from Katy Christian Ministries in the audience for all they do for our community and the victims of domestic violence.

Presentation of Katy Police Department’s State Accreditation by Texas Police Chiefs Association (received October 16, 2020)

The Mayor read the item and Presented Texas Police Chiefs Association via Zoom. Max Westbrook, Director of the Texas Police Chiefs Association Program (TPCA), and retired Austin Police Officer joined the meeting and spoke about the recognition. He stated how he was honored to be representing the TPCA and the Recognition Committee. TPCA is an Association made of over 1,400 professional law enforcement executives throughout the state who are dedicated to improving the delivery of police services. I am here this afternoon to present the Katy Police Department a Certificate of Recognition for achieving compliance with Texas Law Enforcements Best Practices Program. TCPA has 168 challenging standards that Law Enforcement Agencies must meet. These standards address the full range of law enforcement operations such as use of force, protection of citizens rights, vehicle pursuits,

Presentation of Katy Police Department's State Accreditation by Texas Police Chiefs Association (received October 16, 2020) (cont'd)

officer training, arrest search and seizures, patrol and investigation operation and property and evidence management just to name a few. This program has become the new gold standard for professional law enforcement in the State of Texas and agencies across the state are working diligently to meet these requirements. Approximately two years ago Chief Diaz and the Katy Police Department began the process of proving its compliance with these difficult standards. The Agency had to do a complete audit of all its policies, procedures, training, and operations in order to meet these standards. The process culminated in September 2020 when two trained assessors police executives from other parts of the state made an onsite visit to Katy Police Department. These assessors interviewed staff, inspected facilities and operations, interviewed field officers, and ensured compliance with all these standards. Their report was then sent to the recognition committee to review report and voted to award recognized status to the Katy Police Department. The vote was unanimous. During this process, the Katy Police Department has proven that it meets or exceeds all these standards. There are currently over 2,700 law enforcement agencies in the state of Texas and only 170 are recognized in this program. This evening we officially recognize the Katy Police Department as the 170th recognized agency in the state of Texas. The Recognition Committee assures this council and the citizens of Katy Texas that your agency is operating in a manner that reflects current best practices in law enforcement for the state of Texas. The certificate we present this afternoon is a symbol of professional excellence however the real value in the program is the process they went through to obtain it. Katy Police Chief Noe Diaz thanked Westbrook for lending the talent of his staff. He stated the recognition process was not easy, our team worked tirelessly to accomplish the accreditation. Assistant Chief Tyler, Corporal Patruska, Officer Molar, Michelle Miller, Crista Cooper, Priscilla Gonzalez to name a few, wore two or three hats to accomplish this. Our success was an entire team effort. I want to thank the Mayor, City Council, City Administrator for their public safety commitment. I am honored to be a member of the Katy Police Department (KPD). On behalf of the women and men of the KPD we are extremely grateful to have received this recognition on behalf on the entire City of Katy.

Public Comments

All were given the opportunity to be heard and there were no comments from the public on any items on the agenda.

Comments from the Public on Any Item on the Agenda

All were given the opportunity to be heard and there were no comments from the public on any items on the agenda.

Discuss and Consider Creating a Capital Improvement Project Fund from Approximately \$2 (Two) Million in Reserve Funds (for capital improvement projects as approved by City Council) (Requested by Councilmember Corte and Councilmember Dowdle on 10-05-2020) (tagged by Councilmember Carroll at 10-12-2020 City Council Meeting)

• **Discussion**

Byron Hebert, City Administrator opened discussion by announcing he was available to Council to answer any questions as Andrew Vasquez, Finance Director was out for personal reasons. He explained how they have worked together on the project and believed he could answer any questions and how we wish him well in his absence.

Councilmember Corte asked about any changes since the workshop? Hebert replied, there've been no changes but stated we're setting this thing up and have had an opportunity to talk with City Attorney, Art Pertile, and to get this structured the way we want we will designate create Fund 4 and we'll create both departmental and capital improvement projects under this Fund. He explained we were able to get that into ordinance form and bring that to you. We've talked about what current things we have that we could maybe start the Fund 4 and things we would put in Fund 4 that we know of, today. Then we would return and talk to council about maybe doing some things that were on the deferred plan. But anything we do is going to have to come back to you as a Council. Even if we discuss and decide to move money over from Fund 01 to Fund 04. He further explained that anything we spend out of Fund 04 has to come back to Council. Art Pertile, City Attorney confirmed this statement saying yes, when you move it over into capital improvement plan fund, the Council approves that budget amendment, and the council approves everything that's bought out of that budget (the projects). Also, when setting it up for future you divide it by years, like if funding something in 2020 and partially funding in 2021, 2022, 2024 you can also set that up then and you as Council can move funds. But anything we do you would have to approve. Councilmember Stockdick asked Hebert today we're voting to agree to set this up, but in the presentation, we talked about three different buckets. She asked if additionally, and moving forward, are going to set up the other accounts as well? Hebert stated the other leg I had on that was the reserve funds, and after talking to Pertile that is a policy on how to handle the Reserve Funds and not an account (or third bucket). Right now we have an ordinance that says you will have half your budget as a Reserve, we then would come back with a policy that says we want to use this reserve and bring it up to \$20 million. It wouldn't necessarily be a Fund; it would be a policy that you as a Council would adopt. Pertile confirmed, you'd adopt that as a policy because that's your general fund that's designating as Reserve and you adopt how you want to spend that. So now you have two separate funds Capital Improvement Fund that you put your capital projects into; then you have your Department Capital Improvement Fund. Those are your two actual funds that you as a Council will decide how much you're going to fund those capital improvement legs that you talk about. Hebert mentioned the policy that would be the Reserve, Pertile confirmed. That's the reserve policy that you've been operating on for years. It would just now be a written policy. Mayor Pro Tem Harris thanked Hebert for the

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one-on-one meetings and glad we were able to work together. In the last two weeks we went from having 1/3 of the plan to having the complete plan. The addition of the other two legs of the whole stool added to it and the workshop was great. Real happy with this final product of step 1 of the process. Thank you!

• **Consider an Ordinance (No. 2959) Amending 2020-2021 Budget by Designating Fund 04 as the Capital Improvement Plan Fund (Capital Improvement Project Fund and Departmental Capital Reserve Fund)**

Motion was made by Councilmember Dowdle, seconded by Councilmember Corte, approving as printed and read (*caption*) an Ordinance (*No. 2959*) Amending 2020-2021 Budget by Designating Fund 04 as the Capital Improvement Plan Fund (Capital Improvement Project Fund and Departmental Capital Reserve Fund). All voted Aye, and the motion carried.

Bank Statement Summary & Check Register Through 09-30-2020 (Information Items only)

There were no comments on the Bank Statement Summary and Check Register thru 09-30-2020.

Consent Agenda

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

Consider Approval of Meeting Minutes

- 08-27-2020 Budget Workshop
- 09-02-2020 Special Meeting
- 09-08-2020 Special Meeting
- 09-14-2020 Special Meeting
- 09-23-2020 Special Meeting
- 09-28-2020 Special Meeting

Consider Cancelling Regular Meetings (due to holidays)

- Monday, November 23, 2020 (Thanksgiving Holidays)
- Monday, December 28, 2020 (Christmas Holidays)

Consider Approval of Final Plats

- Cane Island, Section 26, Subdivision of 5.416 Acres, 2 Reserves, 2 Blocks, and 20 Lots in the H. & T. C. R.R. Co. Survey, Abstract 196, Waller County (*Denied by City Planning and Zoning Commission (CPZ) on 10-13-2020; denied pending City Engineer's recommendations*)
- Cane Island, Section 27, Subdivision of 15.58 Acres, 3 Reserves, 5 Blocks, and 73 Lots in the H. & T. C. R.R. Co. Survey, Abstract 196, Waller County (*Denied by City Planning and Zoning Commission (CPZ) on 10-13-2020; denied pending City Engineer's recommendations*)

All voted Aye, and the motion carried.

Consider a Resolution (No. 1129) Authorizing the Issuance of Unlimited Tax Road Bonds, Series 2020 By Harris-Waller Counties Municipal Utility District No. 3 Not to Exceed \$3,600,000 (Cane Island)

Motion was made by Mayor Pro Tem Harris, seconded by Councilmember Corte, approving as printed and presented Resolution (No. 1129) Authorizing the Issuance of Unlimited Tax Road Bonds, Series 2020 By Harris-Waller Counties Municipal Utility District No. 3 Not to Exceed \$3,600,000 (Cane Island). All voted Aye, and the motion carried.

Consider a Resolution (No. 1130) Authorizing the Mayor to Sign a Proposal with SwagIt Productions, LLC for Video Streaming Services (equipment and services to record City Council Meetings in Council Chambers at Katy City Hall) (to be funded by the CARES Act)

Motion was made by Councilmember Stockdick, seconded by Councilmember Corte, approving as printed and presented Resolution (No. 1130) Authorizing the Mayor to Sign a Proposal with SwagIt Productions, LLC for Video Streaming Services (equipment and services to record City Council Meetings in Council Chambers at Katy City Hall) (to be funded by the CARES Act). Councilmember Corte asked if there was some kind of a maintenance agreement included in the contract, like if the camera fails? Hebert stated he would get the information, since Richard Oliva, IT Manager couldn't be on the call. Hebert asked Council to entertain this because if this is something that would qualify with CARES, we've got to have the money spent and complete by December 31, 2020. This is a company we looked at and brought to Council and asked if you want to do it the right way to video your meetings this is the company that does that. They do probably 90% of the cities and school districts out there. We have an opportunity here to have CARES Act pay for the bones of it, cameras, set up, recordings, audio. We are going to ask for 1 year, and then Becky if I'm not mistaken it's 24 meetings about \$17,000? City Secretary, Becky L. McGrew, stated yes that's the annual meeting fee then we can purchase additional meetings a la carte. She explained that if we decide in the future to expand to all boards, we would consider alternative packets in a future budget. Hebert said he'd get back to Council with maintenance. Pertile interrupted to inform the Council that he did not recall there being a separate maintenance agreement but did see the warranty. It was a 1-year warranty on cameras and equipment but did not see a separate maintenance agreement. Councilmember Corte asked Pertile if he had seen in the contact that was attached to the packet. Art had seen it in the contract given to him to review, but was not in the packet. Corte stated she may be overreacting but the contract in the packet is just a form and nothing filled out, so what's the actual dollars? Is it \$17,130 that was talked about? McGrew stated that it would be \$61,730. That \$44,600 is the hardware, software and their set up for the system. And right now, that 24 meetings that Byron was talking about they have 24 /7 technical support we wouldn't need city staff to help operate the equipment because they do it remotely. That's that \$17,130. Corte asked if we would just be signing for one year at this point? McGrew stated part of that decision was the unique opportunity to fund that almost \$44,000 through the CARES Act. Corte explained as long as there was a warranty, she was good. Hebert asked that the CARES Act pay for the one-year to assist COVID-19 and keeping people away from the building for public safety. Stockdick expressed concern about

Consider a Resolution (No. 1130) Authorizing the Mayor to Sign a Proposal with SwagIt Productions, LLC for Video Streaming Services (equipment and services to record City Council Meetings in Council Chambers at Katy City Hall) (to be funded by the CARES Act) (cont'd)

getting the cameras in time for December 15th – are they in stock? Hebert confirmed that SwagIt is saying they will be able to get to us and McGrew echoed by the Oliva said it would have to be approved at this Agenda to meet that deadline. All voted Aye, and the motion carried.

Councilmembers' Reports

Councilmember Stockdick congratulated Chief Diaz for his award and remarked how he does an exceptional job, and we are blessed to have him. She thanked Katy Christian Ministries for all the work they do with the victims of domestic violence. Stockdick closed by hoping everyone has a great week! Councilmember Corte congratulated Katy Police Department for receiving this honor. She announced she was proud to say she lives in Katy and how we have one of the best police departments in the state! She also congratulated Katy Market Days on the great job done at their event: keeping social distance and everyone was wearing masks. She closed by wishing everyone have a happy and safe Halloween. Councilmember Dowdle echoed the sentiments about Chief Diaz and the Katy PD. He remarked how he knew a lot of work went into it – it is quite an honor to get that recognition. He spoke about domestic violence and it is something that challenges our community and thanked Katy Christian Ministries for carrying the torch for everyone. Also, thank you staff Andy, Art, Byron and everyone else who worked on getting this Capital Improvement Plan moving forward. He closed by hoping Andy gets well soon! Mayor Pro Tem Harris echoed all comments on KPD and the team effort – really proud of them! He remarked on attending events in Cane Island and Young Ranch this weekend with Councilmember Corte and Katy PD, good time. He then announced the Core of Engineers released their report on the third reservoir and you can go to the Katy Prairie Conservancy website to view it. He urged all to stay abreast, would be a lot of work and stay educated and aware! He wished all a safe Halloween and thanked staff for all their hard work this last week. Councilmember Carroll announced when you are fifth at the table there is not a lot of meat on the bones; but he too wanted to congratulate our fine police department on the job their doing. And City Staff! He closed by wishing Andy a quick recovery.

Mayor's Report

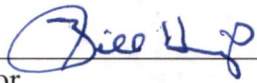
Mayor echoed Frank's sentiments and the comments of others. Once again, he wanted to congratulate the Katy Police Department – they are a fine organization and they always have been, and they always will be! Katy Christian Ministries, I know personally how much work and how much advocacy you put into your work and this community. I am also very aware that with this Coronavirus y'all have had a terrible season with domestic violence and child abuse. My hat goes off to every one of you ladies for the find job you do: the hours, and the time and the tears you put into your job. He announced he visited the American Legion Post

Mayor's Report (cont'd)

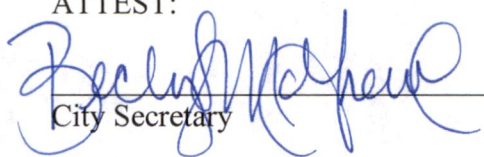
164 who now had a home in old West-I 10 Fire Department Building on Kingsland. He explained they do so much and have so many programs in the Katy Area that benefit the community and closed by welcoming them home and congratulating them for finding a "home". He also remarked what a good job Betsey Proctor did with Katy Market Days and thanked Captain Bryon Woytek for all his work to help make it happen.

Adjourn

Motion was made by Mayor Pro Tem Harris, seconded by Councilmember Stockdick, to adjourn. All voted Aye, and the Motion carried. The meeting was adjourned at 4:40 p.m.



Mayor

ATTEST:


City Secretary