

MINUTES OF REGULAR CITY COUNCIL MEETING

Call to Order

The City Council of the City of Katy, Texas, convened in regular session Monday, June 24, 2024, at 6:30 p.m. at Katy City Hall, 901 Avenue C, Katy, Texas the following City Officials were present:

William H. Thiele, Mayor
Chris Harris, Mayor Pro Tem
Janet Corte, Councilmember
Rory A. Robertson, Councilmember
Dan Smith, Councilmember
David Kasper, City Engineer
Justin Pruitt, Acting City Attorney
Byron J. Hebert, City Administrator
Becky L. McGrew, City Secretary

The following were absent:

Gina Hicks, Councilmember
Andrew Vasquez, City Finance Director

Invocation, Pledge to the U.S. Flag and to the Texas Flag

Reverend Mark Wilkinson of Saint Paul's Episcopal Church gave the invocation for Katy City Council, staff, and all in attendance. Boy Scout Troop No. 73 led everyone in reciting the Pledge to the U.S. Flag and to the Texas Flag.

Public Comments

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

Recognition of Katy High School Theater Group for Advancing to 2024 Texas UIL Finals with Production of "Ghetto"

Recognition of Katy High School Theater Group for advancing to 2024 Texas UIL Finals with production of "Ghetto" was presented by Councilmember Robertson and Councilmember Corte. Robertson discussed what an amazing performance this was and shared his Jewish family history and love for all things theater. He recognized the Katy High School Theater Group for advancing to the 2024 Texas UIL Finals and remarked that it been the first time in twenty (20) years that Katy High School had made it to State. He congratulated Katy Tagliabue, Head Theatre Director, and Charlie Woods, Fine Arts PAC Director on their achievement. He thanked the Mayor, Councilmember Corte, Kathy Jo Stewart, Mayor's Executive Assistant, and their spouses for attending the performance. Robertson encouraged everyone to attend one of their shows in the upcoming year; Peter and the Star Catcher, in the Fall, and Little Women the Musical, in the Spring. The Mayor echoed Robertson's comments regarding the performance; it had an amazing ending. Councilmember Corte congratulated the group and expressed how talented each cast member was; the show was deep, moving, and sobering with an amazing ending, all based on true events. She is excited to attend the upcoming performance. The Mayor, Mayor Pro Tem Harris, Councilmembers Robertson, Smith, Corte, and the members of the Katy High School Theater Group came forward for recognition and pictures.

Public Hearing on Petition for Annexation Filed By Katy Keystone Investments, LLC., Providing for the Extension of Certain Boundary Limits of the City of Katy, Texas to Include Approximately 1.82 Acres of Land and Approximately 0.983 Acres of Right-of-Way, Located in the James Conner Survey, Abstract 157, Fort Bend County (2611 Katy Flewellen Road)

The Mayor opened the public hearing at 6:46 p.m. on Petition for Annexation Filed By Katy Keystone Investments, LLC., Providing for the Extension of Certain Boundary Limits of the City of Katy, Texas to Include Approximately 1.82 Acres of Land and Approximately 0.983 Acres of Right-of-Way, Located in the James Conner Survey, Abstract 157, Fort Bend County. All were given the opportunity to be heard and there were no comments from the public. The Mayor closed the Public Hearing at 6:47 p.m.

Consider an Ordinance (No. 3142) Petition for Annexation Filed By Katy Keystone Investments, LLC., Providing for the Extension of Certain Boundary Limits of the City of Katy, Texas to Include Approximately 1.82 Acres of Land and Approximately 0.983 Acres of Right-of-Way, Located in the James Conner Survey, Abstract 157, Fort Bend County (2611 Katy Flewellen Road)

Motion was made by Mayor Pro Tem Harris, seconded by Councilmember Corte, approving as printed and read (*caption*) an Ordinance (*No. 3142*) Granting the Petition for Annexation Filed by Katy Keystone Investments, LLC.; Providing for the Extension of Certain Boundary Limits of the City of Katy and Annexation of Approximately 1.82 Acres of Land, More or Less, Out of the James Conner Survey, Abstract Number 157, Fort Bend County, Texas and the Annexation of Approximately 0.983 Acres of Land Being a Portion of Katy-Flewellen Road (Right-of-Way Varies). All voted Aye, and the motion carried.

Public Hearing on Petition for Annexation Filed By Joe A. Lara & Nasrollah Amir Kavian, Providing for the Extension of Certain Boundary Limits of the City of Katy, Texas to Include Approximately 0.71 Acres of Land and Approximately 0.47 Acres of Right-of-Way, Located in the James Conner Survey, Abstract 157, Fort Bend County (2713 Katy Flewellen Road)

The Mayor opened the public hearing at 6:48 p.m. on Petition for Annexation Filed By Joe A. Lara & Nasrollah Amir Kavian, Providing for the Extension of Certain Boundary Limits of the City of Katy, Texas to Include Approximately 0.71 Acres of Land and Approximately 0.47 Acres of Right-of-Way, Located in the James Conner Survey, Abstract 157, Fort Bend County.

Rick Gutierrez, 2711 Katy Flewellen Rd.: asked if the cell towers are allowed to be annexed by the City of Katy. Rachel Lazo, City Planner, stated there is one (1) cell tower and an existing shopping center on the subject property, all uses that are in existence at the time of annexation would be annexed as legally nonconforming uses and could continue legally and perpetuity until abandoned or changed in the future, so the cell tower can remain. All were given the opportunity to be heard and there were no additional comments from the public. The Mayor closed the Public Hearing at 6:49 p.m.

Consider an Ordinance (No. 3143) Petition for Annexation Filed By Joe A. Lara & Nasrollah Amir Kavian, Providing for the Extension of Certain Boundary Limits of the City of Katy, Texas to Include Approximately 0.71 Acres of Land and Approximately 0.47 Acres of Right-of-Way, Located in the James Conner Survey, Abstract 157, Fort Bend County (2713 Katy Flewellen Road)

Motion was made by Mayor Pro Tem Harris, seconded by Councilmember Robertson, approving as printed and read (*caption*) an Ordinance (*No. 3143*) Granting the Petition for Annexation Filed by Joe A. Lara and Nasrollah Amir Kavian.; Providing for the Extension of Certain Boundary Limits of the City of Katy and Annexation of Approximately 0.71 Acres of Land, More or Less, Out of the James Conner Survey, Abstract Number 157, Fort Bend County, Texas, and the Annexation of Approximately 0.47 Acres of Land Being a Portion of Katy-Flewellen Road (Right-of-Way Varies). All voted Aye, and the motion carried.

Consent Agenda

Motion was made by Councilmember Robertson, seconded by Mayor Pro Tem Harris approving the Consent Agenda listed below.

- Consider Acceptance of Public Improvements for Katy Court Offsite Water Line & Force Main in Katy Court (*water & sanitary sewer improvements*)
- Consider Approval of Membership Dues (*July 1, 2024 – June 30, 2025*)
 - Texas Municipal League (TML) in the Amount of \$3,761.00
 - Waller County Economic Development Partnership (WCEDP) in the Amount of \$15,000.00
- Consider Approval of Final Plat of Katy ISD Educational Campus, Subdivision of 108.453 Acres, 1 Reserve, 1 Block, Situated in the D.A. Conner Survey, Abstract No. 159, J.C. Paul Survey, Abstract No. 386, James Crawford Survey, Abstract No. 155, and Jesse Thompson Survey, Abstract No. 393, Fort Bend and Waller Counties (*approval recommended by City Planning and Zoning (CPZ) on 06-11-2024*)

All voted Aye, and the motion carried.

Consider a Resolution (No. 1621) Awarding Bid for Primary Contractor for Debris Removal Services to Ceres Environmental Services, Inc. (bids rec'd 05-08-2024) (two-year term)

Motion was made by Councilmember Smith, seconded by Councilmember Corte, approving as printed and presented Resolution (*No. 1621*) Awarding Bid for Primary Contractor for Debris Removal Services to Ceres Environmental Services, Inc. Councilmember Corte asked if there would be an annual fee on the agreement or will it be paid only when the services are used. Jason Rivera, Public Works Director, stated it is a FEMA (Federal Emergency Management Agency) guideline that must be followed and a contract needs to be in place. We are currently proposing the Debris Removal and the monitoring groups; there will be no cost and the contract will be for two (2) years. Corte inquired if this would be used for disasters such as a flood. Rivera stated it is primarily for disaster response however it can be used for other services; the City would be responsible for those costs associated with the response. For a disaster, it is eligible for reimbursement up to a certain percentage; federal funds will be given to the State then the State will give it to the City. All voted Aye, and the motion carried.

Consider a Resolution (No. 1622) Awarding Bid for Secondary Contractor for Debris Removal Services to TFR Enterprises, Inc. (bids rec'd 05-08-2024) (two-year term)

Motion was made by Councilmember Corte, seconded by Councilmember Smith, approving as printed and presented Resolution (*No. 1622*) Awarding Bid for Secondary Contractor for Debris Removal Services to TFR Enterprises, Inc. All voted Aye, and the motion carried.

Consider a Resolution (No. 1623) Awarding Bid for Monitoring of Debris Removal and Related Services to Tetra Tech (bids rec'd 05-08-2024) (two-year term)

Motion was made by Councilmember Smith, seconded by Councilmember Corte, approving as printed and presented Resolution (*No. 1623*) Awarding Bid for Monitoring of Debris Removal and Related Services to Tetra Tech. All voted Aye, and the motion carried.

Consider a Resolution (No. 1624) Authorizing the Mayor to Execute Motorcycle Lease Agreement(s) by and Between the City of Katy as "Lessor" and Named Motorcycle Officer(s) Within the City of Katy Police Department as "Lessee" (provide TML insurance on motorcycles while on duty)

Motion was made by Councilmember Robertson, seconded by Councilmember Corte, approving as printed and presented Resolution (*No. 1624*) Authorizing the Mayor to Execute Motorcycle Lease Agreement(s) by and Between the City of Katy as "Lessor" and Named Motorcycle Officer(s) Within the City of Katy Police Department as "Lessee". Councilmember Corte inquired why it is leasing versus purchasing. Byron J. Hebert, City Administrator, stated they have had a leasing program with the officers since 1997; this is a modification to insure the vehicles while on duty. All voted Aye, and the motion carried.

TABLED - Consider a Resolution Authorizing the Mayor to Sign a Sales Agreement with Express Evaluations, Inc. for Employee Performance Management Software

Motion was made by Councilmember Corte, seconded by Councilmember Smith, to discuss as printed and presented Resolution Authorizing the Mayor to Sign a Sales Agreement with Express Evaluations, Inc. for Employee Performance Management Software. Councilmember Corte asked what is currently being used for performance management? Rachel Garcia, Human Resources Director, responded that it is done on paper and only for the six (6) month evaluation for new hires. Corte asked if it would be full evaluations. Garcia responded yes, it would be done annually for all departments. Corte inquired what benefits this would provide. Garcia stated it would all be electronic, it is customizable for all departments as each department has their own requirements, includes goal tracking, goal setting, surveys, and exit interviews; more analytics than we currently have. Corte asked if approved how long it would take to get it set up and start using it. Garcia stated the goal is to have it ready by October 2024 with the first round completed by January 2025. Corte questioned if any training would be needed. Garcia replied that the program was selected for its ease of use and there is training offered if needed. Corte wanted to know if she had used the program before. Garcia responded no, they have talked to other cities that have used it and had a demo. Councilmember Smith inquired if this would be merit or performance-based pay adjustments. Garcia stated it is not the intent but it could be used for that; due to the step structure, it would be difficult. Smith asked why this is needed. Garcia replied that it is to ensure that the employees are performing at the level they are needed to; some employees are working hard and wanting to learn and grow, and some are not. This is to help give the growth mindset so that as an organization we can achieve the goals being set. Smith inquired if paying forty-two dollars (\$42.00) per employee per year is for an annual appraisal. Garcia stated there are several points; an annual evaluation with the manager to set goals based on the departments and individual needs. There is a component that tracks performance management issues such as having difficulty with a task. Smith inquired if it includes writeups. Garcia responded that it would be the documentation to get to that point. Smith wanted to know if it would support the existing performance management policy that is in place or will it be created around this program. Garcia stated there is not one currently but will be developed and updated in the policies when issued as part of the budget. Smith inquired what the time frame would be. Garcia replied that it would be when the budget approval time comes. Smith asked how an employee is currently held accountable. Garcia stated there is documentation and a conversation; there is no goal setting to help them reach their ideal potential. Smith asked if there was a bid put out for this. Garcia replied no but that a few systems were looked into; the current UKG System is being used internally and has been tested and is not user-friendly. Performance Pro was also taken into consideration but was determined that it was more robust than needed; one of the reasons Express Evaluations was selected was for its ease of use. Smith inquired if it was currently in the budget. Garcia stated we would not be invoiced until the fiscal year 2025; the budget for the billing will start then. Corte commented that having documentation of employee performances would be useful due to prior instances where documentation was lacking. Mayor Pro Tem Harris inquired if the Directors had been made aware of this tool or asked for it. Garcia stated that there have been conversations had with several directors and that the feedback is that it would be beneficial to have especially during our exit interviews; it will help encourage and enforce the conversation to take place. Harris asked if the employees had been made aware of this new system. Garcia responded no. Harris wanted to know how we have gotten to this point. Garcia stated it has been something HR (Human Resources) had been wanting for years and has finally been able to move forward with it. Harris commented that the cost is expensive per employee and asked if this is about the same rate as other programs. Garcia stated the cost is less than other programs. Councilmember Robertson echoed Harris regarding the cost being high and stated that one of the largest employers, Katy ISD (Independent School District), uses a similar program; he described how it is used.

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TABLED - Consider a Resolution Authorizing the Mayor to Sign a Sales Agreement with Express Evaluations, Inc. for Employee Performance Management Software (cont'd)

Robertson commented how this program could be beneficial to the employees; if we have better employees we have a better City, life, and community. It is a big expense but he would like to give it a chance and if no improvements are shown, other programs can be considered. Smith stated that we do need a tool like this; employees need to know what is expected of them, to be recognized and rewarded for their great work, and to be coached and directed when off track. He asked if other comprehensive programs have been looked at that could do more. Garcia stated UKG Ready is currently being used and is similar to Workday; we don't need anything as robust to perform annual evaluations and performance management. Smith summarized that other programs have been looked into but were not considered because they are not user-friendly. Garcia confirmed. Smith asked what it is compared cost-wise. Garcia stated it is currently built in and will be cancelling if this is approved. Smith asked if this would be a contract or month-to-month. Garcia responded it is annually and can be cancelled any time. Corte inquired if this was for private companies or can any company use it. Garcia replied that it is not specific to private or public users. Harris asked if approved and then later cancelled where would all the data go. Garcia answered we would keep the data due to the record retention requirements; it can be downloaded at any time. Smith asked if this was also for the fire and police department. Garcia confirmed. Smith asked Katy Police Chief, Noe Diaz, and Katy Fire Chief, Kenneth Parker, if they had been made aware of the program. Diaz replied no, it was the first time hearing about it, and preferred not to comment. Smith asked how he currently does the evaluations. Diaz responded it is done manually on paper and done twice a year. Parker stated he has been made aware of the program; it would be a switch from paper but likes that it would make things consistent. Motion was made by Councilmember Smith, seconded by Councilmember Robertson, to table this item until all Directors have been informed and have been given the chance to provide feedback. Harris commented that he liked the concept of moving forward to paperless; he would like to get something more inclusive of all our operations in the City. He agreed with Parker regarding having one system that is uniform for the entire City. All voted Aye, and the motion carried. Item tabled.

Consider a Resolution (No. 1625) Authorizing Purchase of FY 23-24 Fleet Vehicles for Katy Police Department (ratifying purchase of seven (7) Chevy Tahoes and purchase of one (1) Chevy Silverado) (source of funds - American Rescue Plan Act (ARPA) Grant Funds in the amount of \$562,173.75)

Motion was made by Mayor Pro Tem Harris, seconded by Councilmember Smith, approving as printed and presented Resolution (No. 1625) Authorizing Purchase of FY 23-24 Fleet Vehicles for Katy Police Department. Mayor Pro Tem Harris asked if we are down one (1) vehicle due to a fleet accident. Katy Police Chief Noe Diaz confirmed and stated it would fill the gap for the older vehicles; he has been in communication with Byron J. Hebert, City Administrator, regarding adding additional vehicles. He stated this is needed because the prices during COVID were too expensive and it was decided not to purchase during that time. He expressed gratitude to Elaine Lutringer, Executive Director Public Works & Community Development, and her team along with the auto shop for helping to maintain the vehicles in running condition. Unfortunately they are getting older and expensive to fix. Harris inquired if officers who are working extra jobs inside the city limits get to use these vehicles. Diaz replied yes when cars are available. He stated that the vehicles getting replaced will get stripped and parts will be reused, such as computers and lightbars. If a vehicle is still in good condition it will be used as a decoy at different locations in the community. Harris asked if it was beneficial to hold out on more than one (1) vehicle for decoys; to have them available to drive to extra job locations. Diaz confirmed that within the City it adds protection and visibility in the community. Councilmember Robertson asked what type of return is shown when auctioned off. Diaz stated between \$14,000.00 - \$15,000.00. Robertson wanted to know how many would be sent to auction. Diaz responded to get rid of what is over one hundred and twenty thousand (120,000) miles. ...next page

Consider a Resolution (No. 1625) Authorizing Purchase of FY 23-24 Fleet Vehicles for Katy Police Department (ratifying purchase of seven (7) Chevy Tahoes and purchase of one (1) Chevy Silverado) (source of funds - American Rescue Plan Act (ARPA) Grant Funds in the amount of \$562,173.75) (cont'd)

Robertson inquired if some vehicles could be kept. Diaz responded yes as long as it is in good condition. Councilmember Smith asked for verification on the wrap and branding, will it stay the same? Diaz confirmed. Smith inquired about how the ARPA (American Rescue Plan Act) funds. Hebert responded that the funds are spoken for and a tally is being kept. All voted Aye, and the motion carried.

Mayor & Councilmembers' Reports

Councilmember Smith attended Coffee with the Mayors and had a great time and was able to learn more about the YMCA at Katy; it is a great organization that is not just for working out but to engage and has a positive impact on the community. Summer camps are in full swing, he thanked Kevin Browne, Parks and Recreation Director, and his department for their hard work; all the information can be found on the City of Katy website. He wished everyone a safe and Happy 4th of July and reminded all in attendance of the Freedom Celebration; fireworks will be hosted by the City and will start at 9:00 P.M. Councilmember Corte spoke on pool safety, drowning is silent and quick. Please have a responsible adult watch over the pool, and swim with a buddy. Our local YMCA offers scholarships for swimming lessons for those who are interested. Councilmember Robertson commented that due to the rain, the Juneteenth Parade was cancelled and stated Brenda Washington is keeping them informed on their upcoming events. He attended the Frosty Fiesta event, it was small and intimate but fun. The Katy Champions on the Square is coming up and are planning cool activities. The Katy Rice Harvest Festival is approaching and we will be needing volunteers; if you are interested please sign up. Mayor Pro Tem Harris thanked the men and women in uniform in attendance who are always quick to respond to emergencies in the City. The Mayor, Councilmember Corte, and himself attended the groundbreaking for the Brookshire-Katy Drainage District administration building on June 17th. He commented that he drove down Katy Fort Bend and witnessed the Katy Fire Department doing the Emergency Vehicle Operations Course; it was interesting to watch. The Mayor attended the Katy Area Chamber of Commerce State of Higher Education on June 13th. It is outstanding to know that you can get a four-year (4) degree going to Houston Community College, University of Houston at Katy, and University of Houston Victoria for twenty-five thousand dollars (\$25,000.00). The Mayor announced City Hall will be closed on July 4th in observance of Independence Day.

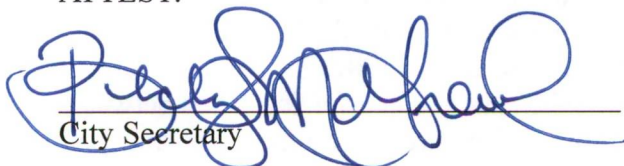
Adjourn

Motion was made by Councilmember Smith, seconded by Councilmember Corte, to adjourn. All voted Aye, and the Motion carried. The meeting was adjourned at 7:32 p.m.



Mayor

ATTEST:


City Secretary