

MINUTES OF REGULAR CITY COUNCIL MEETING

Call to Order

The City Council of the City of Katy, Texas, convened in regular session Monday, August 12, 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
 Gina Hicks, Councilmember
 Rory A. Robertson, Councilmember
 Dan Smith, Councilmember
 David Kasper, City Engineer
 Justin Pruitt, Acting City Attorney
 Byron J. Hebert, City Administrator
 Andrew Vasquez, City Finance Director
 Becky L. McGrew, City Secretary

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

Paster Bret Gowen of Gateway Church Houston gave the invocation for Katy City Council, staff, and all in attendance. Captain Bryon Woytek, Katy Police Department, 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 the following spoke:

Phil Malsbary, 20727 Chestnut Hills Drive (Nottingham Country): invited the Mayor and Council to the American Legion Post 164 Family Grand Re-Opening on Saturday, September 14, 2024. Open House will be from 12:00 P.M. – 5:00 P.M. and Opening Ceremony will be at 3:00 P.M. He concluded by letting everyone know he is now Vice Commander Emeritus for the American Legion Post 164. All were given the opportunity to be heard and there were no additional public comments.

Presentation of Certificate of Appreciation to Jose Noe Diaz, Jr., Chief of Police, Katy Police Department

The Mayor presented Jose Noe Diaz Jr., Chief of Police for the Katy Police Department, with a Certificate of Appreciation. The Mayor commented that Chief Diaz has been a remarkable public servant, dedicating his career to the safety and well-being of our community. Throughout his tenure, he has made significant improvements to the City of Katy Police Department, enhancing its efficiency, responsiveness, and community engagement. Under his leadership, our police force has become a model of excellence and a pillar of our city's safety. The city's loss is undoubtedly the City of Houston's gain. He wished him the best in his new role as the City of Houston Police Chief. Mayor Pro Tem Harris reminisced on knowing Diaz for twenty-five (25) years; Harris was a dispatcher for DPS (Texas Department of Public Safety) and Diaz was a Highway Patrol Trooper when they first met. They have come a long way in their professional roles and friendship. He showed appreciation to Diaz for everything he has done and wished him well on his new venture. Councilmember Hicks stated it has been an honor to know Diaz for the past four (4) years. Public safety is something the Council has run on with their campaigns. She thanked him for all he has done and for the transparency and communication he has provided which has made their job easy. She stated he will be missed. Councilmember Robertson congratulated Diaz on his new position at the City of Houston; it is a loss for the City of Katy but he knows he will do great things for Houston. He thanked him for his dedication and for the work he did for the community. People do not realize how much support Diaz provided and that he educated them on how they can support the Police Department and city services. He always answered their calls and texts and provided transparent answers.

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Presentation of Certificate of Appreciation to Jose Noe Diaz, Jr., Chief of Police, Katy Police Department (cont'd)

Councilmember Corte stated Diaz has been a great Chief and friend. When making a decision Diaz always took the time to explain the reason why it was being done and how it would benefit our residents. He always made sure our residents were protected and put them first. When opportunity knocks you have to go but she wishes he would not; he will be greatly missed and she knows he will do great things for Houston and they are lucky to have him. Councilmember Smith hopes that Houston's residents and officers know how fortunate they are to have you; the ones who are not aware yet will soon know once he has the opportunity to lead the department and make a difference. Diaz has done so much for Katy; one thing that stuck out to him was Diaz's care for the residents and staff. He is not just a great Police Chief but a great man. He thanked Diaz for his genuine care for everything he does and the pride he takes; Houston is beyond fortunate to have you. It is wonderful to have him in our community. Noe Diaz, Katy Police Chief, stated it is a bittersweet moment; he thanked Byron J. Hebert, City Administrator, and the community for giving him a chance. He thanked Councilmember Corte for always asking the hard questions that would make him do research, making him a better Police Administrator. He mentioned it all starts with the Council believing in the Katy Police Department, giving the team the power to do good, be responsible, and engage with the community. He showed appreciation to a few of the staff members who helped him along the way; Michele Miller, Bryon Woytek, Tim Tyler, Javier Martinez, and David Brown. He also thanked the Mayor and Council for investing in the team. He stated it was rough at first but is grateful to have had help from Former Mayor Hank Schmidt and Former Police Chief/Former Mayor Bill Hastings along the way. The Mayor, Councilmembers, and Chief Diaz came forward for recognition and pictures.

Consider an Ordinance (No. 3148) Appointing Steve Anthony Ho Lung and Fredda Anne Doder as Members to the Social Services Advisory Board

Motion was made by Mayor Pro Tem Harris, seconded by Councilmember Corte, approving as printed and read (*caption*) an Ordinance (*No. 3148*) Appointing Steve Anthony Ho Lung and Fredda Anne Doder as Members to the Social Services Advisory Board. The Mayor recognized both members and thanked them for volunteering their time. All voted Aye, and the motion carried.

Public Hearing on Annexing a Parcel of Land into the Corporate Boundaries of the City of Katy, Texas, With Said Area of Land Being Generally Described as Approximately 5.81 Acres of Land in the Thomas Cresap Survey, Abstract No. 369, in Fort Bend County, Texas (petition filed 07-26-2024) (Volvo Annexation) (27735 Katy Freeway)

The Mayor opened the public hearing at 6:52 p.m. on Annexing a Parcel of Land into the Corporate Boundaries of the City of Katy, Texas, With Said Area of Land Being Generally Described as Approximately 5.81 Acres of Land in the Thomas Cresap Survey, Abstract No. 369, in Fort Bend County, Texas. All were given the opportunity to be heard and there were no comments from the public. The Mayor closed the Public Hearing at 6:53 p.m.

Consider an Ordinance (No. 3149) Annexing a Parcel of Land into the Corporate Boundaries of the City of Katy, Texas, With Said Area of Land Being Generally Described as Approximately 5.81 Acres of Land in the Thomas Cresap Survey, Abstract No. 369, in Fort Bend County, Texas (petition filed 07-26-2024) (Volvo Annexation) (27735 Katy Freeway)

Motion was made by Councilmember Corte, seconded by Councilmember Hicks, approving as printed and read (*caption*) an Ordinance (*No. 3149*) Granting the Petition for Annexation Filed by DNJ Houston Investment Partners I LTD. ET AL, Providing for the Extension of Certain Boundary Limits of the City of Katy and Annexation of Approximately 5.803 Acres of Land, More or Less, out of the Thomas Cresap Survey, Abstract No. 369, in Fort Bend County, Texas. The Mayor stated this is a part of our smart economic development plan; this is bringing in businesses that are in other ETJ's (extra-territorial jurisdiction) that wish to come into the City of Katy. All voted Aye, and the motion carried.

Consent Agenda

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

- Consider Approval of Meeting Minutes
 - 06-10-2024 Regular Meeting
 - 06-24-2024 Regular Meeting
- Consider Approval of Events and Street Closures (*approved by Katy Police Department*)
 - City of Katy - Katy Champions on the Square – Saturday, August 24, 2024, Updating Street Closures to Reflect Closing Ave C Between 2nd and 3rd St from 12:00 p.m. – 10:30 p.m.; Closing 3rd St Between Ave D & Ave B; Ave C Between Amegy Bank & 4th St; and 2nd St Between Ave B & Ave C from 4:00 p.m. – 10:30 p.m. (*original event approved 05-13-2024*)
 - Aristoi Booster Club - Griffin Virtue Walk & Run - Saturday, September 21, 2024, Utilizing Various Streets Between 1st and 11th Street, and Avenue C and Drexel Drive Beginning at 8:00 a.m. (*start/end No Label*)
- Consider Approval of 2024 - 2025 Harris County Mayors' & Councils' Association Membership Dues in the Amount of \$1,500.00
- Consider Acceptance of Public Improvements for Katy Court Section 1B (*water, sanitary sewer, paving and drainage improvements*)

All voted Aye, and the motion carried.

Fiscal Year 2023-2024 Third Quarterly Financial & Investment Report as of June 30, 2024
(information item only)

Mayor read agenda item Fiscal Year 2023-2024 Third Quarterly Financial & Investment Report as of June 30, 2024. There was no discussion on this item.

Consider a Resolution (No. 1639) Ratifying a Proposal from Weisinger, Inc. for the Rehabilitation of Water Well 9A at City Water Plant No. 6 in the Amount of \$261,152.00 (source of funds – Enterprise Funds) (Buy Board Contract No. 672-22) (27515 Highway Boulevard)

Motion was made by Councilmember Smith, seconded by Councilmember Corte, approving as printed and presented Resolution (No. 1639) Ratifying a Proposal from Weisinger, Inc. for the Rehabilitation of Water Well 9A at City Water Plant No. 6 in the Amount of \$261,152.00. All voted Aye, and the motion carried.

Consider a Resolution (No. 1562-01) Authorizing the Mayor to Sign Quote #073024BU for Emergency Repair with Alsay Incorporated for Additional Repairs to Water Well No. 7 at Water Plant No. 5 in the Amount of \$140,305.00 (source of funds – Enterprise Funds) (3300 Katy Hockley Road)

Motion was made by Mayor Pro Tem Harris, seconded by Councilmember Corte, approving as printed and presented Resolution (No. 1562-01) Authorizing the Mayor to Sign Quote #073024BU for Emergency Repair with Alsay Incorporated for Additional Repairs to Water Well No. 7 at Water Plant No. 5 in the Amount of \$140,305.00. All voted Aye, and the motion carried.

Consider a Resolution (No. 1640) Authorizing the Mayor to Accept a 15' Sanitary Sewer Easement With Penske Truck Leasing Co., L.P. for Extension of the City of Katy's Sanitary Sewer System to the Property Located at 29335 Highway Boulevard (west of Pederson)

Motion was made by Councilmember Hicks, seconded by Mayor Pro Tem Harris, approving as printed and presented Resolution (No. 1640) Authorizing the Mayor to Accept a 15' Sanitary Sewer Easement With Penske Truck Leasing Co., L.P. for Extension of the City of Katy's Sanitary Sewer System to the Property Located at 29335 Highway Boulevard. All voted Aye, and the motion carried.

Consider a Resolution (No. 1641) Authorizing the Mayor to Approve a Proposal with ARKK Engineers, LLC for Engineering Design and Construction Phase Services for Water Well No. 11 in the Amount of \$241,610.00 (source of funds – 2019 Bonds) (Levendecker Landing - northeast corner of Pitts/Morton)

Motion was made by Councilmember Smith, seconded by Councilmember Corte, approving as printed and presented Resolution (No. 1641) Authorizing the Mayor to Approve a Proposal with ARKK Engineers, LLC for Engineering Design and Construction Phase Services for Water Well No. 11 in the Amount of \$241,610.00. David Kasper, City Engineer, stated this is the first phase of the water supply facility located on the northeast corner of Pitts Road and Morton Road. This project will be designing and constructing a new water supply well with a large capacity of one thousand four hundred (1,400) gallons per minute. This will help with droughts and avoid going into emergency conditions. Within a three to four-year period, we will start putting in tanks and pump stations depending on the greater development of the City; this is the first phase of the project. Mayor Pro Tem Harris asked if it would be elevated? Kasper responded no, it would just be a water supply well that would pump into our system. Harris inquired if there would be a pressure benefit to the additional water. Kasper responded that it would deliver pressure at sixty PSI (pounds per square inch). Councilmember Smith asked for a timeline. Kasper stated the goal is to get this operational by summer 2025. Smith commented we have been blessed this summer to not be in any drought phases. All voted Aye, and the motion carried.

Consider a Resolution (No. 1642) Authorizing the Mayor to Approve a Proposal with ARKK Engineers, LLC for Engineering Design and Construction Phase Services for Municipal Court Parking Lot Improvements Project in the Amount of \$53,330.00 (Capital Improvement Project (CIP)) (5432 Franz Rd)

Motion was made by Councilmember Corte, seconded by Councilmember Hicks, approving as printed and presented Resolution (No. 1642) Authorizing the Mayor to Approve a Proposal with ARKK Engineers, LLC for Engineering Design and Construction Phase Services for Municipal Court Parking Lot Improvements Project in the Amount of \$53,330.00. Councilmember Corte asked how long will the engineering take? David Kasper, City Engineer, responded ninety days; the survey is lined up for tomorrow, August 13th, and then it will go into engineering to get a set of plans and then go out for bids. Construction would start in early January 2025 and finish in May 2025. Corte inquired if parking spaces would be added. Kasper answered yes, they will curve around to the backside of Municipal Court; it is currently a grass area. It will have a security gate with a card entry. Mayor Pro Tem Harris recalled that under the original proposal which was a COVID differed project that it would take part of the dog park and inquired if it had been reconfigured. Kasper confirmed. Byron J. Hebert, City Administrator, commented that we would not be taking any part of the dog park. All voted Aye, and the motion carried.

Consider a Resolution (No. 1643) Authorizing the Mayor to Approve a Proposal with ARKK Engineers, LLC for Engineering Design and Construction Phase Services for Parking Lot Improvements - Second Street at Avenue A in the Amount of \$64,675.00 (source of funds - General Fund Reserves) (CIP)

Motion was made by Councilmember Corte, seconded by Councilmember Hicks, approving as printed and presented Resolution (No. 1643) Authorizing the Mayor to Approve a Proposal with ARKK Engineers, LLC for Engineering Design and Construction Phase Services for Parking Lot Improvements - Second Street at Avenue A in the Amount of \$64,675.00. Councilmember Corte asked how many spaces would come from that lot. David Kasper, City Engineer, answered seventy-two. Corte asked if improvements will be made to the sidewalks. Kasper responded yes, we are replacing it with wider five-foot sidewalks. Corte asked if he was working with the adjacent property owners to contain trash and trash cans. Kasper responded no, it is a great idea, and will be looking into it. All voted Aye, and the motion carried.

Consider Any Action Deemed Necessary as a Result of Executive Session - Consider an Ordinance (No. 3150) Appointing an Interim Police Chief

Motion was made by Councilmember Smith, seconded by Councilmember Robertson, approving as printed and read (*caption*) an Ordinance (No. 3150) Appointing Bryon Woytek as Interim Chief of Katy Police Department. All voted Aye, and the motion carried.

Mayor & Councilmembers' Reports

Councilmember Smith joked about surviving another summer and now its back to school; he stated his son is a 6th grader this year at Katy Junior High and he is looking forward to many events coming up. He announced the first band concert will be on December 13th. He commented on his excitement for the Katy Rice Harvest Festival; parade entry registration opened up last week. All information can be found at katyriceharvestfestival.com. Councilmember Corte commented on school safety; to make a full stop when a bus is conducting a pickup or drop off and keeping a watchful eye at school crossings. We do not want any accidents this year. She announced that on Monday, August 26th, 10th Street will be closed for the rebuilding of the bridge. Mayor Pro Tem Harris stated he and the Mayor attended the State of the Schools given by the Katy Area Chamber of Commerce on Thursday, August 8th. He commented Katy ISD (Independent School District) did an excellent job and we are lucky to be served by our local school district. He extended condolences to former City of Katy Police Chief Pat Adams; the service was on Wednesday, August 31st. Adams gave many years of dedicated service to the State of Texas as well as to the City of Katy. Councilmember Hicks stated she enjoyed going to the Woodsland Park Playground Ribbon Cutting on Friday, August 2nd. She expressed appreciation to the Parks Department for revitalizing the area. She stated her kids were able to go to some summer programs at the community center over the summer which were great events. She read the stats from the Katy Library's Summer Reading Program: there were 648 readers with over 19,000 books read. She thanked everyone at the Katy Library for everything they did this summer. These are very impressive stats! Councilmember Robertson echoed Councilmember Corte's comments regarding bus safety and encouraged everyone to be careful, our kids are valuable and it takes five seconds to stop. He stated he attended the Fort Bend County Mayor and Council Association along with Councilmember Hicks and the Mayor on July 5th, and it was great meeting the Fort Bend Council. He commented that he is proud to be part of this Council, they may disagree at times but there is always respect. He thanked Keep Katy Beautiful (KKB) for doing an awesome job on the Historic Town Square murals. They are incredible! He invited everyone to attend the KKB Mural Ribbon Cutting on August 24th, at 7:00 P.M. He expressed his excitement for the drone show happening at the Katy Champions on the Square event on August 24th, at 9:45 P.M. The Mayor stated he and Mayor Pro Tem Haris attended the Harris County Commissioner Court on August 6th for the first time. He stated he and Mayor Pro Tem Harris participated in passing out 1,200 backpacks filled with school supplies at the Katy Christian Ministries Red Apple School Supply Distribution on August 8th. This was his third year participating and it is always great to help families that cannot afford school supplies. He commented that Paulette Nelson's Birthday at Snappy's was a great event.

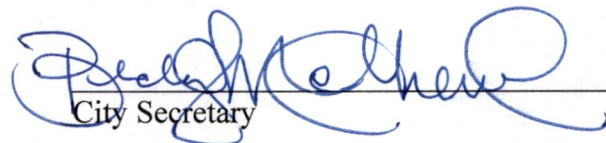
Adjourn

Motion was made by Councilmember Smith, seconded by Councilmember Corte, to adjourn. All voted Aye, and the Motion carried. The meeting was adjourned at 7:52 p.m.

ATTEST:



Mayor



City Secretary