

NOTICE OF REGULAR CONROE CITY COUNCIL MEETING
WORK SESSION
CITY HALL COUNCIL CHAMBERS - 300 WEST DAVIS ST.

CONVENES: WEDNESDAY, FEBRUARY 22, 2023 - 2:00 P.M. - RECESS
RECONVENES: THURSDAY, FEBRUARY 23, 2023 9:30 A.M.

VIDEO CONFERENCE PARTICIPATION ALLOWED:

It is intended that a quorum of the City Council be physically present in the City Council Chambers at all times during the meeting. If a quorum of the Council is physically present then, any other member of the Council, officer or employee of the City may participate in the meeting from a remote location by means of a video conference call if the video and audio feed of the remote participant is broadcast live at the meeting and complies with the provisions of Texas Gov. Code Section 551.127.

EXECUTIVE SESSION

At any time during the WORK SESSION or ACTION AGENDA the City Council may announce it will go into closed session pursuant to Chapter 551 of the Texas Government Code to receive advice from legal counsel, to discuss matters of land acquisition, personnel matters or other lawful matters that are specifically related to items listed on this agenda. Prior to any such closed session the Mayor, in open session, will identify the agenda item to be discussed and the section or sections of Chapter 551 under which the closed discussion is authorized.

CALL TO ORDER

CALL OF ROLL

CITIZEN INQUIRIES – NOT TO EXCEED 30 MINUTES

Citizen inquiries are limited to 3 minutes per person. Preference is given to speakers addressing agenda items. Responses are limited to a recitation of existing policy or a statement of specific factual information given in response to the inquiry. Any deliberation or decision by Council shall be limited to a proposal to place the subject on the agenda of a future meeting.

WORK SESSION

1. Discuss awarding grant & sponsorships from Hotel Occupancy Tax.
   S. Overby

2. Discuss an Ordinance for the Annexation of Parcel 2023-01, which includes an area known as the Ferrell Rd. extension; located South of FM 830 Rd. and West of FM 2432 Rd., as presented in a Public Hearing held on February 08, 2023 effective February 23, 2023 at 11:59 p.m., located south of FM 830 Rd and west of FM 2432 Rd.
   N. Mikeska

3. Discuss an Ordinance for the Annexation of Parcel 2023-02, which includes an area known as the Mackenzie Creek Section 4; located North of Creighton Rd, East of S Loop 336 E and West of FM 3083 Rd, as presented in a Public Hearing held on February 08, 2023 effective February 23, 2023 at 11:59 p.m.
   N. Mikeska

4. Discuss an Ordinance for the Annexation of Parcel 2023-03, which includes an area known as The Woodlands Hills, MUD 128-A; located South of FM 1097 Rd, West of Old Montgomery Rd.; Tracts 5-6 located East of Old Montgomery

Rd. and West of Interstate 45; as presented in a Public Hearing held on February 08, 2023 effective February 23, 2023 at 11:59 p.m.

N. Mikeska

5. Discuss bids received for the Street Rehab - Service Center Area project.
   C. Bogert

6. Discuss the design proposal from Kimley-Horn for Intersection Improvements at IH 45 and N. Loop 336
   C. Bogert

7. Discuss requested partial release of a 20-ft. Combination Utility Easement in the proposed Grand Central Park Subdivision.
   C. Bogert

8. Conduct a Public Hearing for requested partial release of a 20-ft. Combination Utility Easement in the proposed Grand Central Park Subdivision.
   C. Bogert

9. Discuss WaterSmart Program.
   C. Boothe

10. Discuss a contract with Robert Half to fill the IT Application and Business Analyst position.
    C. Boothe

11. Annual Comprehensive Financial Report (ACFR) and Single Audit (Compliance Report) for FYE 9/30/2022.
    C. Boothe

Recess Open Meeting in order to conduct Closed Executive Session for consultation with attorney to receive legal advice concerning the following threatened, contemplated or pending claims and litigation, and to deliberate other matters as authorized by Texas Government Code Chapter 551.071, 551.072, and 551.074 relating to:

12. *SJRA GRP Contract litigation (Sec. 551.071)
    *QUADVEST, LP, et al vs. SJRA vs. CITY OF CONROE, ET AL (Sec. 551.071)
    *TRIPLE B SERVICES vs. CITY OF CONROE (Sec. 551.071)
    *Deliberation concerning the purchase, exchange, lease or value of real property (Sec. 551.072)
    *Personnel Matters (Sec 551.074)
    Mayor Czajkoski

Reconvene Open Meeting

Briefing – The Council will be briefed on and may discuss any item on the Action Agenda.

Council Members Inquiry Time – Pursuant to Tex. Gov. Code Sec. 551.042 the Mayor or Council Members may inquire about a subject not specifically listed on this agenda. Responses are limited to a recitation of existing policy or a statement of specific factual information given in response to the inquiry. Any deliberation or decision shall be limited to a proposal to place the subject on the agenda of a future meeting.

RECESS

Meeting Date: 02/22/2023
Department: Administration
Contact: Shannon Overby, CVB Manager
Submitted By: Shannon Overby, CVB Manager

Workshop

Item Type: Presentation

S. Overby

Joint Meeting: No Joint Meeting

Description

Discuss awarding grant & sponsorships from Hotel Occupancy Tax.

Summary / Recommendation

The Tourist Advisory Council met and reviewed 3 applications for grants & sponsorships at their February 7th meeting. 1. Blessing of the Wines Event – March 4, 2023 • TAC is recommending a $1000 sponsorship of this 3rd Annual Event in Heritage Place. The funds are used for marketing the event outside of our community. Conroe is recognized as a sponsor on all marketing materials and on merchandise at the event. 2. Montgomery County Fair Association – March 23-Apr 3, 2023 • TAC is recommending a $15,000 grant for this annual event in Conroe. This is the second year that they have received a grant through Visit Conroe. The funds will be used to primarily market the concerts and other aspects of the fair & rodeo that would be a draw for visitors from outside of Montgomery County. Conroe will also receive marketing exposure in exchange for the grant funds. 3. Texas Custom Knife Show – November 4-5, 2023 • TAC is recommending a $7500 marketing sponsorship of this event that has been held in Conroe since 2019. They have outgrown their space at Southern Star and will be moving to the Fairgrounds. They also have caught the attention of the Forged in Fire television show with the possibility of on-site filming of the event and will have at least two celebrity judges this year which has the potential to draw more attendance. • Due to the quick growth of this event and the need to market in advance, TAC is recommending that this event be paid prior to the event in order for them to secure social media posts and placements in national publications to market the event effectively in advance.

Fiscal Impact

Expenditure Amount: $23,500
Revenue Amount:
Account Number: 004-4010-8060
Budget Amendment Required Y/N: N
Financial Review Complete: CS
Financial Review Notes:
This is in our existing budget. $15,000 from grant line item and $8,500 from sponsorships.

Attachments

Texas Custom Knife Show Sponsor Letter
Blessing of the Wines Sponsor letter

Meeting Date: 02/22/2023
Department: Community Development
Contact: Nancy Mikeska, Community Development Director
Submitted By: Nancy Mikeska, Community Development Director

Workshop

Item Type: Ordinance

Item Type: Ordinance
N. Mikeska
Joint Meeting: No Joint Meeting

Description

Discuss an Ordinance for the Annexation of Parcel 2023-01, which includes an area known as the Ferrell Rd. extension; located South of FM 830 Rd. and West of FM 2432 Rd., as presented in a Public Hearing held on February 08, 2023 effective February 23, 2023 at 11:59 p.m., located south of FM 830 Rd and west of FM 2432 Rd.

Summary / Recommendation

Consider an Ordinance for the Annexation of Parcel 2023-01, which includes an area known as the Ferrell Rd. extension; located South of FM 830 Rd. and West of FM 2432 Rd., as presented in a Public Hearing held on February 08, 2023 effective February 23, 2023 at 11:59 P.M. located south of FM 830 Rd and west of FM 2432 Rd.

Attachments

M & B Ferrell Rd
Ferrell Extension
2023 01 Ferrell Rd Annexation Ordinance

Meeting Date: 02/22/2023
Department: Community Development
Contact: Nancy Mikeska, Community Development Director
Submitted By: Nancy Mikeska, Community Development Director

Workshop

Item Type: Ordinance

Item Type: Ordinance
N. Mikeska
Joint Meeting: No Joint Meeting

Description

Discuss an Ordinance for the Annexation of Parcel 2023-02, which includes an area known as the Mackenzie Creek Section 4; located North of Creighton Rd, East of S Loop 336 E and West of FM 3083 Rd, as presented in a Public Hearing held on February 08, 2023 effective February 23, 2023 at 11:59 p.m.

Summary / Recommendation

Consider an Ordinance for the Annexation of Parcel 2023-02, which includes an area known as the Mackenzie Creek Section 4; located North of Creighton Rd, East of S Loop 336 E and West of FM 3083 Rd, as presented in a Public Hearing held on February 08, 2023 effective February 23, 2023 at 11:59 P.M.

Attachments

2023 02 Mackinzie Creek Ordinance
2023 02 M & Bs
2023 02 Mackenzie Creek Service Agreement
2023 02 Mackenzie Creek Map

Meeting Date: 02/22/2023
Department: Community Development
Contact: Nancy Mikeska, Community Development Director
Submitted By: Nancy Mikeska, Community Development Director

Workshop

Item Type: Ordinance

Item Type: Ordinance
N. Mikeska
Joint Meeting: No Joint Meeting

Description

Discuss an Ordinance for the Annexation of Parcel 2023-03, which includes an area known as The Woodlands Hills, MUD 128-A; located South of FM 1097 Rd, West of Old Montgomery Rd.; Tracts 5-6 located East of Old Montgomery Rd. and West of Interstate 45; as presented in a Public Hearing held on February 08, 2023 effective February 23, 2023 at 11:59 p.m.

Summary / Recommendation

Consider an Ordinance for the Annexation of Parcel 2023-03, which includes an area known as The Woodlands Hills, MUD 128-A; located South of FM 1097 Rd, West of Old Montgomery Rd.; Tracts 5-6 located East of Old Montgomery Rd. and West of Interstate 45; as presented in a Public Hearing held on February 08, 2023 effective February 23, 2023 at 11:59 P.M.

Attachments

2023 03 Woodlands Hills Survey
2023 03 Woodlands Hills Map
2023 03 Woodlands Hills
Woodlands Hills Annexation Ordinance
2023 03 Service Plan

Meeting Date: 02/22/2023
Department: Engineering
Contact: Chris Bogert, City Engineer
Submitted By: Brandy Taylor, Engineering Projects Coordinator

Workshop

Item Type: Bid Award

C. Bogert

Joint Meeting: No Joint Meeting

Description
Discuss bids received for the Street Rehab - Service Center Area project.

Summary/Recommendation
This project consists of resurfacing approximately 35,000 linear feet of asphalt streets, including pavement structure repairs and repairs of localized base failures. Work will also include approximately 500 linear feet of fast track pavement, drainage repair and replacing culverts. On February 2, four bids were received. The committee met to review and score the bids. Staff recommends the construction contract be awarded to Larry Young Paving in the amount of $4,070,039.50 to be substantially complete in 150 days and fully complete in 165 days.

1. Is the request necessary?
Yes, this is a Capital Improvement Project. Bids came in higher due to inflation.

2. Why was the item not budgeted in the normal budget process?
This was budgeted during the normal process. Additional funds are needed to complete the project. Use project savings from 602-8060-9030-I24=$716,435 and 608-8060-9030-I52=$713,604.50.

3. Why can a transfer not be made within the department?
This is a capital expense.

Source of Funds & Amount of Amendment Needed:

Reserves: $0	Grants: $0
Bond Proceeds: $1,430,039.50	Additional Revenues: $0

5-Year Budget Impact

	Year 1	Year 2	Year 3	Year 4	Year 5	Total
Revenues						
Expenditures						
Personnel	$	$	$	$	$	$
Supplies						
Contractual						
Capital	1,430,039.50					1,430,039.50
Total	**$1,430,039.50**	**$**	**$**	**$**	**$**	**$1,430,039.50**
Net Impact	**($1,430.039.50)**	**$**	**$**	**$**	**$**	**($1,430,039.50)**

City of Conroe Financial Management Policy, Section V.B. - The budget may be amended by using the following criteria for evaluation of requests. The following questions must be answered by the appropriate department head prior to submittal to the City Council for approval and shall be included as a part of the agenda packet:

The Director of Finance certifies that there are available revenues in excess of those estimated in the budget or that unreserved/unencumbered fund balance is available.

Fiscal Impact

Expenditure Amount: $4,070,039.50
Revenue Amount: $0
Account Number: 608-8060-9030-I60
Budget Amendment Required Y/N: Y
Financial Review Complete:
Financial Review Notes:
Budget Amendment Info:
602-8060-9030-I24=$716,435
608-8060-9030-I52=$713,604.50

Attachments

Bid Tabulation
CIP Sheet

Meeting Date: 02/22/2023
Department: Engineering
Contact: Chris Bogert, City Engineer
Submitted By: Brandy Taylor, Engineering Projects Coordinator

Workshop

Item Type: Bid Award

C. Bogert

Joint Meeting: No Joint Meeting

Description

Discuss the design proposal from Kimley-Horn for Intersection Improvements at IH 45 and N. Loop 336

Summary / Recommendation

The consultant will provide a design that widens pavement limits on the south side of N. Loop 336 to include a proposed shoulder, realign the intersection with pavement marking modifications; proposed median and modifications; and replace the existing sidewalk and driveways on the south side of N Loop 336 impacted by the widening. the signal optimization will be for size signals at the following locations. 1) Westview Blvd. at N. Loop 336; 2) Montgomery Plaza at N. Loop 336; 3) IH 45 SB Frontage Road at N. Loop 336; 4) IH 45 NB Frontage Road at N. Loop 336; 5) Kroger/Hobby Lobby at N. Loop 336; 6) Plantation Drive at N. Loop 336. Staff recommends approval of this proposal in the amount of $139,500.

Fiscal Impact

Expenditure Amount:	$139,500
Revenue Amount:	$0
Account Number:	608-8070-9030-I76
Budget Amendment Required Y/N:	N
Financial Review Complete:	
Financial Review Notes:	

Attachments

Proposal
CIP Sheet

Meeting Date: 02/22/2023
Department: Engineering
Contact: Chris Bogert, City Engineer
Submitted By: Melannie Borbon, Engineering Aide

Workshop

Item Type: Other

Item Type: Other

C. Bogert

Joint Meeting: No Joint Meeting

Description

Discuss requested partial release of a 20-ft. Combination Utility Easement in the proposed Grand Central Park Subdivision.

Summary / Recommendation

On behalf of the developer, LJA Engineering has requested the partial abandonment of a 20-ft. Utility Easement (Doc No. 2002-009262 O.P.R.M.C.) in the proposed Grand Central Park Subdivision. When the Ivy Steel right-of-way extension is recorded in the Phase 2 Street Dedication final plat, the portion of the existing easement located within those rights-of-way will become obsolete. Therefore, the existing easement is not needed and must be released prior to final plat approval. LJA Engineering, Inc. has secured the required releases for the easements from all utility companies. The partial abandonment is a condition which must be addressed prior to final plat approval. The existing easement is not needed and must be released prior to final plat approval. A “Release of Easement” has been provided for the Mayor’s signature. Staff recommends approval.

Attachments

20ft Partial Easement Release GCP Workshop

Meeting Date: 02/22/2023
Department: Engineering
Contact: Chris Bogert, City Engineer
Submitted By: Melannie Borbon, Engineering Aide

Workshop

Item Type: Hearing

Item Type: Hearing

C. Bogert

Joint Meeting: No Joint Meeting

Description

Conduct a Public Hearing for requested partial release of a 20-ft. Combination Utility Easement in the proposed Grand Central Park Subdivision.

Summary / Recommendation

On behalf of the developer, LJA Engineering has requested the partial abandonment of a 20-ft. Utility Easement (Doc No. 2002-009262 O.P.R.M.C.) in the proposed Grand Central Park Subdivision. When the Ivy Steel right-of-way extension is recorded in the Phase 2 Street Dedication final plat, the portion of the existing easement located within those rights-of-way will become obsolete. Therefore, the existing easement is not needed and must be released prior to final plat approval. LJA Engineering, Inc. has secured the required releases for the easements from all utility companies. The partial abandonment is a condition which must be addressed prior to final plat approval. The existing easement is not needed and must be released prior to final plat approval. A “Release of Easement” has been provided for the Mayor’s signature. Staff recommends approval.

Attachments

20ft Partial Easement Release GCP Public Hearing

Meeting Date: 02/22/2023
Department: Finance
Contact: Collin Boothe, Director of Finance
Submitted By: Karl Brosch, Utility Billing Mgr

Workshop

Item Type: Presentation

Item Type: Presentation
C. Boothe
Joint Meeting: No Joint Meeting

Description
Discuss WaterSmart Program.

Summary / Recommendation
Staff will provide a presentation of the WaterSmart Program. The WaterSmart program provides water utility customers the ability to receive water usage notifications and view detailed consumption information.

Attachments

Meeting Date: 02/22/2023
Department: Finance
Contact: Collin Boothe, Director of Finance
Submitted By: Pam Cobb, IT Manager

Workshop

Item Type: Presentation

C. Boothe

Joint Meeting: No Joint Meeting

Description

Discuss a contract with Robert Half to fill the IT Application and Business Analyst position.

Summary / Recommendation

Contract with an IT professional staffing company to fill the open Application and Business Analyst position. After six months, there is no additonal cost to transition to permanent City staff. This method has been used in the past successfully. The cost can be covered within the IT budget with salary savings from the open position. Recommendation is to move forward with utilizing contract staff. Three quotes were obtained: Robert Half bill rate is $57.75 per hour Burnett bill rate is $67.47 per hour Murray bill rate is $67.00 per hour

Fiscal Impact

Expenditure Amount:	$62,000.00
Revenue Amount:	
Account Number:	1130-8060
Budget Amendment Required Y/N:	N
Financial Review Complete:	CS
Financial Review Notes:	

Attachments

Quote Robert Half

Meeting Date: 02/22/2023
Department: Finance
Contact: Collin Boothe, Director of Finance
Submitted By: Cassie Smith, Asst. Director of Finance

Workshop

Item Type: Presentation

Item Type: Presentation
C. Boothe
Joint Meeting: No Joint Meeting

Description
Annual Comprehensive Financial Report (ACFR) and Single Audit (Compliance Report) for FYE 9/30/2022.

Summary / Recommendation
Presentation of Annual Comprehensive Financial Report (ACFR) and Single Audit (Compliance Report) for FYE 9/30/2022 by Cassie Smith, Assistant Director of Finance.

Attachments
ACFR FY22

Meeting Date: 02/22/2023
Department: Legal
Contact: Gary Scott, City Administrator
Submitted By: Pamela Brown, Adm. Assistant - Legal

Workshop

Item Type: Executive Session

Item Type: Executive Session

Mayor Czajkoski

Joint Meeting: No Joint Meeting

Description

*SJRA GRP Contract litigation (Sec. 551.071)
*QUADVEST, LP, et al vs. SJRA vs. CITY OF CONROE, ET AL (Sec. 551.071)
*TRIPLE B SERVICES vs. CITY OF CONROE (Sec. 551.071)
*Deliberation concerning the purchase, exchange, lease or value of real property (Sec. 551.072)
*Personnel Matters (Sec 551.074)

Summary / Recommendation

*SJRA GRP Contract litigation (Sec. 551.071) *QUADVEST, LP, et al vs. SJRA vs. CITY OF CONROE, ET AL (Sec. 551.071) *TRIPLE B SERVICES vs. CITY OF CONROE (Sec. 551.071) *Deliberation concerning the purchase, exchange, lease or value of real property (Sec. 551.072) *Personnel Matters (Sec 551.074)