CITY OF CONROE

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

CONVENES: WEDNESDAY, JANUARY 24, 2024 - 2:00 P.M. - RECESS
RECONVENES: THURSDAY, JANUARY 25, 2024 - 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.

DECLARE CONFLICTS OF INTEREST

WORK SESSION

1. Discuss the status of the existing Capital Improvements Projects.
   C. Bogert

2. Discuss requested release of a 20-ft. Utility Easement from 9th Street eastwardly into the property being platted as Angel Reach.
   C. Bogert

3. Conduct a Public Hearing for requested release of a 20-ft. Utility Easement from 9th Street eastwardly into the property being platted as Angel Reach.
   C. Bogert

4. Discuss a Resolution Authorizing Grant Applications and Designating an Authorized Official and Representative.
   C. Bogert

5. Discuss a Resolution amending Chapter 4, Benefits, of the Employee Handbook.
   N. Mikeska

6. Discuss bids for engineered wood fiber for city playgrounds.
M. Riggens

7. Discuss a variance request to allow an increase in the maximum allowable apartment density for Conroe Waterfront Multifamily.
N. McGuire

8. Discuss action for an interlocal agreement between the City of Conroe and Harris County Department of Education for membership into the Choice Partners Purchasing Cooperative.
N. McGuire

9. Discuss the approval of Blanket Purchase Order to Municipal Emergency Services for the Hurst Jaws of Life. MES is a sole source for this equipment.
K. Kreger

10. Discuss the first amendment to the FY 23-24 Operating Budget.
C. Boothe

11. Present December 2023 Monthly Financial Summary Report.
C. Boothe

12. Conduct the second Public Hearing and reading pursuant to Sec. 10.02, Home Rule Charter, City of Conroe, Texas, of an Ordinance in consideration of a natural gas franchise to be granted to Universal Gas, LLC.
M. Garner

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:

13. *SJRA GRP Contract litigation (Sec.551.071).
*QUADVEST, LP, et al vs. SJRA vs. CITY OF CONROE, ET AL (Sec.551.071).
*Legal advice concerning contract provisions related to Hotel Convention Center project (Sec.551.071).
*Deliberation concerning the purchase, exchange, lease or value of real property (Sec.551.072).
*Personnel Matters (Sec.551.074).
*Discuss FEMA Audit (Sec. 551.071)
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: 01/24/2024
Department: Public Works
Contact: Chris Bogert, Asst. Director Engineering/Capital Imprvmts
Submitted By: Cindy Cheek, Engineering Aide

Workshop

Item Type: Presentation

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

Description
Discuss the status of the existing Capital Improvements Projects.

Summary / Recommendation
Update the Mayor and City Council on the status of the existing Capital Improvements Projects

Meeting Date: 01/24/2024
Department: Public Works
Contact: Chris Bogert, Asst. Director Engineering/Capital Imprvmts
Submitted By: Julie Smith, Engineering Aide

Workshop

Item Type: Other

Item Type: Other
C. Bogert
Joint Meeting: No Joint Meeting

Description
Discuss requested release of a 20-ft. Utility Easement from 9th Street eastwardly into the property being platted as Angel Reach.

Summary / Recommendation
On behalf of the developer, Quest Engineering has requested the abandonment of a 20-ft. Utility Easement (Doc No. 7918865 O.P.R.M.C.) in the proposed Angel Reach. The 20-foot easement was established in 1979. The easement is not being utilized for utilities by the City. Public Works does not oppose the abandonment. The preliminary plat of Angel Reach has been conditionally approved by the Planning Commission and the abandonment is a condition which must be addressed prior to final plat approval. A "Release of Easement" has been provided for the Mayor's signature. Staff recommends approval.

Attachments
Workshop - Release of 20 foot Utility Easement

Meeting Date: 01/24/2024
Department: Public Works
Contact: Chris Bogert, Asst. Director Engineering/Capital Imprvmts
Submitted By: Julie Smith, Engineering Aide

Workshop

Item Type: Hearing

Item Type: Hearing
C. Bogert
Joint Meeting: No Joint Meeting

Description
Conduct a Public Hearing for requested release of a 20-ft. Utility Easement from 9th Street eastwardly into the property being platted as Angel Reach.

Summary / Recommendation
On behalf of the developer, Quest Engineering has requested the abandonment of a 20-ft. Utility Easement (Doc No. 7918865 O.P.R.M.C.) in the proposed Angel Reach. The 20-foot easement was established in 1979. The easement is not being utilized for utilities by the City. Public Works does not oppose the abandonment. The preliminary plat of Angel Reach has been conditionally approved by the Planning Commission and the abandonment is a condition which must be addressed prior to final plat approval. A "Release of Easement" has been provided for the Mayor's signature. Staff recommends approval.

Attachments
Public Hearing 20FT Utility Easement_Angel Reach

Meeting Date: 01/24/2024
Department: Public Works
Contact: Chris Bogert, Asst. Director Engineering/Capital Imprvmts
Submitted By: Cindy Cheek, Engineering Aide

Workshop

Item Type: Resolution

Item Type: Resolution
C. Bogert
Joint Meeting: No Joint Meeting

Description
Discuss a Resolution Authorizing Grant Applications and Designating an Authorized Official and Representative.

Summary / Recommendation
Discuss a Resolution authorizing applications to the Federal Emergency Management Agency (FEMA), Flood Mitigation Assistance (FMA) and Building Resilient Infrastructure and Communities (BRIC) Programs and to designate City Engineer and Assistant City Engineer as the City's Authorized Representative to act in all matters in connection with the application and participation with the grant. This resolution is necessary to streamline the application process and to avoid the necessity of a new resolution each fiscal year.

Attachments
Resolution - FEMA_BRIC FY 23-24
Previous Resolution Designating Authorized Official and Rep

Meeting Date: 01/24/2024
Department: Community Development
Contact: Nancy Mikeska, Asst. City Administrator and Community Development Director
Submitted By: Nancy Mikeska, Asst. City Administrator and Community Development Director

Workshop

Item Type: Resolution

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

Description
Discuss a Resolution amending Chapter 4, Benefits, of the Employee Handbook.

Summary / Recommendation
Discuss a Resolution amending Chapter 4, Benefits, of the Employee Handbook.

Meeting Date: 01/24/2024
Department: Parks & Recreation
Contact: Mike Riggens, Parks & Recreation Director
Submitted By: Mike Riggens, Parks & Recreation Director

Workshop

Item Type:

M. Riggens

Joint Meeting:

Description

Discuss bids for engineered wood fiber for city playgrounds.

Summary / Recommendation

A request for bids was advertised for fall surface for city playgrounds and five firms responded. The scope of work includes providing all materials, labor and equipment to install engineered wood fiber at 18 park locations. Staff recommend Mulch Matters as the best value for the city. Although Mulch Matters did not supply proof of insurance with its bid, staff requested and received a copy of insurance per the direction of the purchasing department (proof of insurance included in this agenda item).

Fiscal Impact

Expenditure Amount:	$60,840
Revenue Amount:	N/A
Account Number:	1450-8060
Budget Amendment Required Y/N:	N
Financial Review Complete:	
Financial Review Notes:	

Attachments

Engineered Wood Fiber Bids
Mulch Matters Proof of Insurance

Meeting Date: 01/24/2024
Department: Public Works
Contact: Norman McGuire, Asst. City Administrator and Public Works Director
Submitted By: John Mangiameli, Asst. Director Building Inspect. and Permits

Workshop

Item Type: Other

Item Type: Other
N. McGuire
Joint Meeting: No Joint Meeting

Description
Discuss a variance request to allow an increase in the maximum allowable apartment density for Conroe Waterfront Multifamily.

Summary / Recommendation
This request was originally placed on the June 7th/8th 2023 council workshop/meeting agenda where it was subsequently deferred. The project is a proposed multifamily development located along the new portion of Plantation Drive between Bryant Rd. and Teas Rd. and the variance request was to consider an increase in the maximum unit density from 12 units/acre to 19 units/acre. Attached to this memo is the updated variance request letter from Ptah Harding, Senior Develop Manager of Venterra Realty, dated July 3rd, 2023, for your review and consideration. For reference purposes, I have also included the original request dated May 16th, 2023.

Attachments
Variance Memo
Modified Variance Request
Original Request for Reference

Meeting Date: 01/24/2024
Department: Public Works
Contact: Norman McGuire, Asst. City Administrator and Public Works Director
Submitted By: Kristina Colville, Purchasing Mgr

Workshop

Item Type: Other

Item Type: Other
N. McGuire
Joint Meeting: No Joint Meeting

Description
Discuss action for an interlocal agreement between the City of Conroe and Harris County Department of Education for membership into the Choice Partners Purchasing Cooperative.

Summary / Recommendation
Staff is requesting approval for an interlocal agreement between the City of Conroe and Harris County Department of Education for membership into the Choice Partners Purchasing Cooperative. Pursuant to Local Government Code 791.011 CONTRACTING AUTHORITY; TERMS. (a) A local government may contract with or agree with another local government.

Attachments
Choice Partners Interlocal Agreement
Choice Partners Due Diligence
Local Government Code 791

Meeting Date: 01/24/2024
Department: Fire
Contact: Gary Scott, City Administrator
Submitted By: Lisa Blatt, Secretary - Fire

Workshop

Item Type: Bid Award

K. Kreger

Joint Meeting: No Joint Meeting

Description

Discuss the approval of Blanket Purchase Order to Municipal Emergency Services for the Hurst Jaws of Life. MES is a sole source for this equipment.

Summary / Recommendation

This is an budgeted item, but in excess of $50,000 that requires Council approval. Purchase will be for two complete sets of vehicle extrication rescue tools and will complete a third set.

Fiscal Impact

Expenditure Amount:	$88,141.33
Revenue Amount:	
Account Number:	001-1300-9050
Budget Amendment Required Y/N:	N
Financial Review Complete:	CS
Financial Review Notes:	

Attachments

Jaws of Life
Verification Letter Jaws of life
Jaws of Life Pricing

Meeting Date: 01/24/2024
Department: Finance
Contact: Collin Boothe, Asst. City Administrator and Director of Finance
Submitted By: Michael Monteilh, Financial Manager

Workshop

Item Type: O,PRES

C. Boothe

Joint Meeting: No Joint Meeting

Description
Discuss the first amendment to the FY 23-24 Operating Budget.

Summary/Recommendation
Below is a listing of proposed amendments to the FY 23-24 Operating Budget. Staff recommends approval of these amendments.

1. Is the request necessary?
Yes

2. Why was the item not budgeted in the normal budget process?
These changes are a result of the shifting needs and priorities of the City since the beginning of the fiscal year.

3. Why can a transfer not be made within the department?
A budget amendment is needed, therefore a transfer is not necessary.

Source of Funds & Amount of Amendment Needed:

Reserves: $4,195,463	Grants: $1,686,315
Bond Proceeds: $16,294,466	Additional Revenues: $1,800,211

5-Year Budget Impact

	Year 1	Year 2	Year 3	Year 4	Year 5	Total
Revenues	$18,094,677					
Expenditures						
Personnel	$ 0	$	$	$	$	$
Supplies	102,913					
Contractual	4,930,811					
Transfers Out	709,088					
Capital	2,894,478					
Debt Service	15,339,165					
Total	**$23,976,455**	**$**	**$**	**$**	**$**	**$**
Net Impact	**$(5,881,778)**	**$**	**$**	**$**	**$**	**$**

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: $23,976,455
Revenue Amount: $18,094,677
Account Number: Various
Budget Amendment Required Y/N: Y
Financial Review Complete: CS
Financial Review Notes:

Attachments

Amendment Details
Amendment Ordinance

Meeting Date: 01/24/2024
Department: Finance
Contact: Collin Boothe, Asst. City Administrator and 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
Present December 2023 Monthly Financial Summary Report.

Summary / Recommendation
December 2023 Monthly Financial Summary Report.

Attachments
December 23 MFSR

Meeting Date: 01/24/2024
Department: Legal
Contact: Mike Garner, Interim City Attorney
Submitted By: Mike Garner, Interim City Attorney

Workshop

Item Type: O,H

Item Type: Ordinance, Hearing
M. Garner
Joint Meeting: No Joint Meeting

Description
Conduct the second Public Hearing and reading pursuant to Sec. 10.02, Home Rule Charter, City of Conroe, Texas, of an Ordinance in consideration of a natural gas franchise to be granted to Universal Gas, LLC.

Summary / Recommendation
This is the second public hearing and reading, pursuant to Sec. 10.02, Home Rule Charter, City of Conroe, Texas, of an ordinance in consideration of an ordinance by City Council to grant a natural gas franchise to Universal Gas, LLC (Universal). Universal seeks a franchise to distribute natural gas to customers through facilities to be constructed, maintained and regulated in the City's rights-of-way. If approved tomorrow by City Council, this ordinance will go into thirty (30) days after its final passage and the ordinance is published once each week for four (4) consecutive weeks in the official newspaper of the City of Conroe.

Attachments
H:\Dynamic:Garner:FRANCHISE

Meeting Date: 01/24/2024
Department: Legal
Contact: Mike Garner, Interim City Attorney
Submitted By: Yanira Peres-Gutierrez, 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).
*Legal advice concerning contract provisions related to Hotel Convention Center project (Sec.551.071).
*Deliberation concerning the purchase, exchange, lease or value of real property (Sec.551.072).
*Personnel Matters (Sec.551.074).
*Discuss FEMA Audit (Sec. 551.071)

Summary / Recommendation

*SJRA GRP Contract litigation (Sec.551.071). *QUADVEST, LP, et al vs. SJRA vs. CITY OF CONROE, ET AL (Sec.551.071). *Legal advice concerning contract provisions related to Hotel Convention Center project (Sec.551.071). *Deliberation concerning the purchase, exchange, lease or value of real property (Sec.551.072). *Personnel Matters (Sec.551.074). *Discuss FEMA Audit (Sec. 551.071)