

NOTICE OF REGULAR & JOINT MEETING OF CONROE CITY COUNCIL AND CONROE LOCAL GOVERNMENT CORPORATION WORK SESSION CITY HALL COUNCIL CHAMBERS - 300 WEST DAVIS ST. CONROE TX

CONVENES: WEDNESDAY, FEBRUARY 21, 2024 - 2:00 P.M. - RECESS
RECONVENES: THURSDAY, FEBRUARY 22, 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

CONVENE MEETING OF THE CITY COUNCIL OF CONROE, TEXAS AND THE CONROE LOCAL GOVERNMENT CORPORATION (CLGC).
MEETING AGENDA

1. Vendor: DPR Construction Pay App 26 through November 30, 2023.
   C. Boothe

ADJOURN CLGC MEETING, RESUME CITY COUNCIL MEETING

WORK SESSION

2. Discuss a Resolution expressing support for a proposed low-income to moderate-income housing project to be located at 601 W. Lewis Street and providing for related matters.
   D. Scheiner

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

4. Discuss a Resolution authorizing the application and acceptance of the FY 24/25 Office of the Governor Crime Victim Assistance Program Grant.
   J. Christy

5. Discuss a Resolution with Meals on Wheels and New Danville for use of the FY21-23 Section 5310 apportionment for the Conroe-Woodlands Urbanized Area.
   N. Mikeska

6. Discuss negative Change Order with Ameresco for Automated Metering Infrastructure (AMI) Project.
   C. Boothe

7. Discuss January 2024 Monthly Financial Summary Report.
   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:

8. *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).
   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: 02/21/2024
Department: Finance
Contact: Collin Boothe, Asst. City Administrator and Director of Finance
Submitted By: Cassie Smith, Asst. Director of Finance

Workshop

Item Type: Other

C. Boothe

Joint Meeting: CLGC

Description

Vendor: DPR Construction Pay App 26 through November 30, 2023.

Summary / Recommendation

Invoice No.: DPR000398D3 November 26-A.

Fiscal Impact

Expenditure Amount:	$55,250.00
Revenue Amount:	
Account Number:	609-8080-9020 H90-XP
Budget Amendment Required Y/N:	N
Financial Review Complete:	CS
Financial Review Notes:	

Attachments

DPR Pay App 26

Meeting Date: 02/21/2024
Department: Conroe Economic Development Council
Contact: Danielle Scheiner, Executive Director CEDC
Submitted By: Danielle Scheiner, Executive Director CEDC

Workshop

Item Type: PRES,RES

Item Type: Presentation, Resolution
D. Scheiner
Joint Meeting: No Joint Meeting

Description

Discuss a Resolution expressing support for a proposed low-income to moderate-income housing project to be located at 601 W. Lewis Street and providing for related matters.

Summary / Recommendation

The former Sam Houston School building, located at 601 W. Lewis Street, is proposed to be transformed into a residential project consisting of low-income to moderate-income housing units using the Tax Credit Reservation Award from the Texas Department of Housing and Community Affairs (a historic tax credit program). This resolution of support is required for application submission to the program. The developer is currently working on a similar project that received a similar resolution of support at 301 S. First Street, which will be geared towards senior living affordable housing. The project will keep the historic structure intact, while retrofitting it for a desired public purpose. This project meets the requirements of Local Government Code section 272.001(g): "A political subdivision may acquire or assemble land or real property interest, except by condemnation, and sell, exchange, or otherwise convey the land or interests to an entity for the development of low-income or moderate-income housing. The political subdivision shall determine the terms and conditions of the transactions so as to effectuate and maintain the public purpose. If conveyance of land under this subsection serves a public purpose, the land may be conveyed for less than its fair market value. In this subsection, "entity" means an individual, corporation, partnership, or other legal entity." The property is being sold for more than appraised market value. Staff recommends approval of the Resolution of Support.

Attachments

Landmark 601 Presentation
Landmark 601 Resolution

Meeting Date: 02/21/2024
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: 02/21/2024
Department: Police
Contact: Jeff Christy, Police Chief
Submitted By: Jeff Christy, Police Chief

Workshop

Item Type: Resolution

J. Christy

Joint Meeting: No Joint Meeting

Description

Discuss a Resolution authorizing the application and acceptance of the FY 24/25 Office of the Governor Crime Victim Assistance Program Grant.

Summary / Recommendation

Discuss a resolution authorizing the application and acceptance of the FY 24/25 Office of the Governor Crime Victim Assistance Program Grant. This is a continuous grant that funds two (2) Crime Victim Liaison positions and needed equipment annually. The 24/25 grant requires a 20% (twenty percent) City of Conroe funding match.

Fiscal Impact

Expenditure Amount:	$200,670.00
Revenue Amount:	$160,536.00
Account Number:	001-1204
Budget Amendment Required Y/N:	N
Financial Review Complete:	
Financial Review Notes:	

Attachments

Crime Victim Resolution
CEO Certification Letter

Meeting Date: 02/21/2024
Department: Community Development
Contact: Nancy Mikeska, Asst. City Administrator and Community Development Director
Submitted By: Shawn Davis, Asst. Director Transportation

Workshop

Item Type: Other

N. Mikeska

Joint Meeting: No Joint Meeting

Description

Discuss a Resolution with Meals on Wheels and New Danville for use of the FY21-23 Section 5310 apportionment for the Conroe-Woodlands Urbanized Area.

Summary / Recommendation

The City of Conroe proposes to use FY 2021-2023 Section 5310 Enhanced Mobility of Seniors & Individuals with Disabilities Program funds within the Conroe-Woodlands Urbanized Area. Staff conducted public meetings announcing the availability of funding and requested applications for projects. The Conroe/Woodlands UZA received applications from Montgomery County Meals on Wheels - Senior Rides for $602,418 (federal) and Texas New Community Alliance - New Danville for $160,000 (federal) for a total of $762,418 in requested funds. Approval is recommended for Montgomery County Meals on Wheels - Senior Rides and New Danville's proposed program of projects.

Fiscal Impact

Expenditure Amount: $762,418
Revenue Amount:
Account Number: 247-1044-8055
Budget Amendment Required Y/N: Y
Financial Review Complete: CS
Financial Review Notes:
this funding will come from a grant fund and a true-up budget amendment is needed to align the fund with the award.

Attachments

FY21-23 5310 Resolution
Meals on Wheels 5310 Application
New Danville 5310 Application

Meeting Date: 02/21/2024
Department: Finance
Contact: Collin Boothe, Asst. City Administrator and Director of Finance
Submitted By: Collin Boothe, Asst. City Administrator and Director of Finance

Workshop

Item Type: Presentation

C. Boothe

Joint Meeting: No Joint Meeting

Description
Discuss negative Change Order with Ameresco for Automated Metering Infrastructure (AMI) Project.

Summary/Recommendation
This agenda item includes a negative change order in the amount of $361,857, which lowers the total contract amount from $16,209,428 to $15,847,571. The change order is to reconcile final quantities at the end of the project. It includes a final reconciliation of meters and monopoles installed during the project and deductions for labor. It also includes a deduction for a monopole that was anticipated to be installed near Grand Central Park, but instead was installed on top of the Hyatt Regency Conroe hotel.

1. Is the request necessary?
Yes

2. Why was the item not budgeted in the normal budget process?
This is a deduct item that will lower the expenses associated with this contract.

3. Why can a transfer not be made within the department?
N/A

Source of Funds & Amount of Amendment Needed:

Reserves: -$361,857	Grants: $
Bond Proceeds: $	Additional Revenues: $

5-Year Budget Impact

	Year 1	Year 2	Year 3	Year 4	Year 5	Total
Revenues	$					
Expenditures						
Personnel	$	$	$	$	$	$
Supplies						
Contractual						
Capital	(361,857)					(361,857)
Total	**($361,857)**	**$**	**$**	**$**	**$**	**($361,857)**
Net Impact	**$361,857**	**$**	**$**	**$**	**$**	**$361,857**

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: ($361,857)
Revenue Amount:
Account Number: Various
Budget Amendment Required Y/N: Y
Financial Review Complete: CS
Financial Review Notes:
This will impact the Water & Sewer CIP budget and the Operating Fund. The negative change order will affect the transfer out and have the net effect of increasing fund balance in the W&S Operating Fund.

Attachments

Ameresco Change Order #2

Meeting Date: 02/21/2024
Department: Finance
Contact: Collin Boothe, Asst. City Administrator and Director of Finance
Submitted By: Claudia Curtis, Senior Accountant

Workshop

Item Type: Presentation

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

Description
Discuss January 2024 Monthly Financial Summary Report.

Summary / Recommendation
Consider January 2024 Monthly Financial Summary Report.

Attachments
MFSR - January 2024

Meeting Date: 02/21/2024
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).

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).