MINUTES OF THE
CONROE CITY COUNCIL

JANUARY 24 & 25, 2018

CALL TO ORDER
CALL OF ROLL

PRESENT: Mayor Powell
Mayor Pro Tem Coon
Council Members Gibson, Martin, Ham, and Snider
City Administrator Paul Virgadamo
City Attorney Marcus Winberry
Deputy City Secretary Liz Patterson

ABSENT: City Secretary Socó M. Gorjón

After a roll call by the Deputy City Secretary establishing a quorum was present, the workshop meeting was called to order at 2:00 p.m. by Mayor Powell.

The meeting agenda, which was posted in accordance with the Texas Government Code, Chapter 551, was presented.

Agenda folders containing data relating to agenda items had been furnished to Council Members prior to the meeting of the Council.

Agenda items were considered by the Council. The action taken concerning such item is shown on the official Council Action Sheet attached hereto and made a part of these Minutes.

After all business properly brought before the Council had been considered, City Council adjourned.

Toby Powell, Mayor

ATTEST:

Liz Patterson, Deputy City Secretary

Minutes
January 24&25, 2018
Workshop & Regular
OFFICIAL MINUTES OF THE CONROE CITY COUNCIL

Mayor Powell called the roll for the CIDC Board.

At 2:01 p.m., Mayor Powell along with Council, City Administrator Paul Virgadamo, City Attorney Marcus Winberry, CIDC Chairman George Waggoner, Interim CIDC Director Danielle Schiener, Assistant City Administrator/CFO Steve Williams, and Deputy City Secretary Liz Patterson, recessed into a Closed Executive Session Chapter 551.074 for the following purpose:

• Consultation concerning the purchase, sale, or value of real property – 551-072

The Closed Executive Session was recessed at 2:30 pm.

PURCHASE, SALE OR VALUE OF REAL PROPERTY

Mayor Powell turned over the meeting to CIDC Board Chairman George Waggoner. CIDC Board Secretary, Marcus Winberry stated the recommendation was for the CIDC Board to approve the contract with JCC Living Trust dated 12/15/2011. To purchase 610 acres of land for $23,058,000.00 and to authorize the CIDC Board President, Paul Virgadamo to execute and deliver the contract subject to City Council’s confirmation of the contract; expected to be approved at City Council meeting on 1/25/2018. Councilman Martin made the motion and Councilman Gibson seconded the motion. Motion carried unanimously. There being no further business for the CIDC Board to consider, a motion was made by Mayor Powell, seconded by Councilman Martin to adjourn the CIDC Board meeting.

At 2:32 p.m., Mayor Powell along with Council, City Administrator Paul Virgadamo, City Attorney Marcus Winberry, Attorney Mike Powell, and Deputy City Secretary Liz Patterson, recessed into a Closed Executive Session Chapter 551.074 for the following purpose:

• Consultation with attorney concerning the following pending claims and litigation: SJRA GRP Contract litigation – Litigation with Lone Star Groundwater Conservation on District Rules – 551-071
• Discuss Performance Evaluation of the Assistant City Administrator/Chief Financial Officer – 551.074

The Closed Executive Session was recessed at 3:25 pm.

OVERSIZED WATER MAIN ALONG SAPP ROAD – AA-AFFORDABLE STORAGE

Engineering Manager Chris Bogert asked Council to consider upsizing the water main to 12-inches. through our Water Development Plan. Mr. Bogert further explained that Bleyl Engineering on behalf of AA-Affordable Storage is requesting to extend a proposed public 8-inch water main from the entrance of The Woods of Conroe, about 930-feet, to serve AA-Affordable Storage located at 3130 Sapp Road. He stated that the City participation would not to exceed $30,000. Staff recommended approval of City participation to extend the water main along Sapp Road to serve AA-Affordable and other prospective customers along Sapp Road.

NAMING EDUCATION POOL AT CONROE AQUATIC CENTER

Director of Parks and Recreation Mike Riggins, on behalf of the Parks Advisory Board and staff, asked Council to consider naming the education pool at the Conroe Aquatic Center in honor of Cherie Angier. Ms. Angier will retire after 30 years and 9 months of employment with the City of Conroe, leaving a legacy of teaching multiple generations about water safety. This program has been recognized at the state, national and international level.

CONVENTION & VISITORS BUREAU BYLAWS AND TOURISM ADVISORY COUNCIL TERM LIMITS

Director of CVB Shannon Overby addressed Council explaining that since she became Director in October, she found that the terms of all but three members of Tourism Advisory Council (TAC) had expired. In addition, she found there were no bylaws for the TAC. Working with City Secretary Soco Gorjón and City Attorney Marcus Winberry, Ms. Overby created bylaws for the TAC for Council’s review and consideration. Ms. Overby also noted
CONVENTION & VISITORS BUREAU BYLAWS AND TOURISM ADVISORY COUNCIL - CONTINUATION

that term limits were added to the bylaws. Councilman Martin stated that he was in agreement with adding term limits to the bylaws. Overby noted a change to the board formation; noting the Parks position and GCEDC position changed from appointed to ex-officio positions so that there would always be voting members from those Departments on the TAC. Ms. Overby also noted that Councilman Snider currently was the City Council representative on the board.

LCRA ENVIRONMENTAL LABORATORY SERVICES FOR EPA UCMR4 TESTING CONTRACT

Director of Public Works Norman McGuire explained that the EPA mandates that all public water systems that supply water to more than 10,000 residents be subject to water quality monitoring requirements. Mr. McGuire asked Council to consider approval of a three-year contract with LCRA Environmental Laboratory Services for EPA UCMR4 Testing services. Staff recommended approval.

RESOLUTION OF ACCEPTANCE OF THE TEXAS OOG GRANT 3441601-RIFLE-RESISTANT BODY ARMOR

Chief of Police Philip Dupuis explained that this was a Governor’s Grant that came out this year with no matching funds. Chief Dupuis pointed out that if approved, the City would receive $76,893.90 in funds to purchase rifle resistant body armor. He stated that currently, there was body armor issued to each car; but this grant would allow each officer to have body armor issued to them.

BID AWARD FOR TRAFFIC SIGNAL AT FM 1488 AND GRACE CROSSING

Interim Director of Engineering Tommy Woolley asked Council to consider awarding the bid to Third Coast Services in the amount of $253,146.67. Mr. Woolley explained this bid was for a traffic signal installation at FM 1488 and Grace Crossing Road. Mayor Powell clarified that this would be a 4-way signal light. City Administrator Paul Virgadamo pointed out that this light would allow the Fire Department to make a left turn onto FM 1488. Mayor Pro Tem Coon inquired if previous issues with Third Coast Services had been resolved. Mr. Woolley reassured Council that he met with Third Coast Services’ Vice President and the City will be working with a designated project manager to eliminate any issues. Staff recommended approval.

BID AWARD FOR SANITARY SEWER OVERFLOW INITIATIVE PROGRAM (SSOI) SECTION 6 PROJECT

Interim Director of Engineering Tommy Woolley asked Council to consider awarding the bid to T Construction in the amount of $1,697,021.65. Mr. Woolley explained there would be approximately 36,000 linear feet of pipe replaced and 75 manholes repaired. Mayor Pro Tem Coon noted concern regarding the longer completion time with T Construction versus shorter completion times with other bidders. Mr. Woolley pointed out that in his professional opinion, the shorter completion times were not always realistic and furthermore the City was very confident in T Construction’s ability to finish the work on time.

FY-18 1ST QUARTER INVESTMENT REPORT

Assistant City Administrator/CFO Steve Williams presented the FY 18-1st Quarter Investment Report for Council’s review and consideration. Staff recommended approval.

FY 17-18 1ST QUARTER REVENUE UPDATE

Assistant City Administrator/CFO Steve Williams presented the FY 17-18-1st Quarter Revenue Update for Council’s review and consideration.

OPEB TRUST (RETIREE INSURANCE) FY 17-18 1ST QUARTER INVESTMENT REPORT

Assistant City Administrator/CFO Steve Williams presented the OPEB Trust (Retiree Insurance) FY 17-18-1st Quarter Investment Report for Council’s review and consideration. Staff recommended approval.

AMEND SECTION 2-383 CONTROL MEASURES FOR APPROVAL OF INVOICES

Assistant City Administrator/CFO Steve Williams asked Council to consider expanding the list of certain routine and repetitive expenditures to include, bonded indebtedness, utility bills, federal income and FICA taxes, TML Retirement System, Conroe FFRR Fund, Self-funded Insurance Fund Claims, contract Solid Waste and City Payroll, in order to clarify and remove any ambiguity of its practices and ensure compliance with the City’s Ordinance.
FINANCIAL MANAGEMENT POLICY REVIEW

MONTGOMERY COUNTY HOSPITAL DISTRICT INTERLOCAL AGREEMENT – PURCHASING CONTRACTS
Assistant Director Internal Services Sam Masiel presented an Interlocal Agreement with Montgomery County Hospital District for Council's review and consideration that would allow both entities; City of Conroe and Montgomery County Hospital District to utilize purchasing contracts of each entity to purchase various types of equipment and services. Justin Evans, a representative from the Montgomery County Hospital District was present to answer any questions. Staff recommended approval.

DOJ AND FBI TO INVESTIGATE ORIGIN AND CREATION OF SJRA/GRP
Councilman Ham asked for this item to be deferred.

SUSPENSION OF GAS RATE INCREASE BY SIENERGY LP
City Attorney Marc Winberry asked Council to consider a Resolution that would suspend for 90 days a gas utility rate increase to be implemented on February 9, 2018 by SiENERGY LP for its customers in Conroe, Texas, and would authorize the City to participate in a review of the proposed rates by the Gulf Coast Coalition of Cities served by SiENERGY as well as it would authorize necessary legal and consulting services to be reimbursed as rate case expenses by SiENERGY. Mr. Winberry pointed out that this rate increase would affect 125 Conroe residents and 1 commercial customer. Staff recommended Council adopt the proposed Resolution.

TAX ABATEMENT AGREEMENT WITH FEDEX FREIGHT, INC AND SCANNELL PROPERTIES #292, LLC
City Attorney Marc Winberry asked Council to consider a Tax Abatement Agreement with FedEx Freight, Inc and Scannell Properties in Conroe Park North Industrial Park. Mr. Winberry pointed out that Scannell will develop and FedEx will lease a new 78,455 sf distribution center to house the FedEx operations. Staff recommended approval.

COUNCIL MEMBERS INQUIRY TIME
None

There being no further business brought before the Council, the meeting was recessed until tomorrow at 9:30 a.m.
RECONVENE
THURSDAY, FEBRUARY 25, 2018 – 9:30 A.M.

OFFICIAL ACTION OF THE CONROE CITY COUNCIL

CALL TO ORDER

CALL OF ROLL

PRESENT:  Mayor Powell
         Mayor Pro Tem Coon
         Council Members Gibson, Martin, Ham and Snider
         City Administrator Paul Virgadamo
         City Attorney Marcus Winberry
         Deputy City Secretary Liz Patterson

ABSENT:  City Secretary Soco M. Gorjón

INVOCATION/PLEDGE:  Pastor Jeff Williams – Eagles Nest Ministry

RECOGNITIONS:  1-Year Service – Heather Geer – Utility Billing Department
                1-Year Service – Nomie Perry – Utility Billing Department
                5-Years’ Service (Part-time) – Denise De La Cerda – Recreation Center
                5-Years’ Service (Part-time) – Jennifer Williams – Recreation Center
                5-Years’ Service – Eric Pelley – Engineering Department
                10-Years’ Service – Lynnette White – Human Resources

Mayor Powell recognized Police Officer D. Burge for his 3-years of service to the Department.

CITIZEN INQUIRY
Dr. Doug Peters, Senior Minister of Grace Crossing Church addressed Council regarding the intersection of FM 488 and Grace Creek Crossing. Dr. Peters presented Council a petition signed by 320 individuals requesting the expedited installation of a traffic light at this intersection. Dr. Peters thanked Mayor and Council for their consideration.

John Wertz, church member of Grace Crossing Church, addressed Council regarding the intersection of FM 1488 and Grace Creek Crossing. Mr. Wertz urged Council to expedite the installation of a traffic light at this intersection.

CITY PARTICIPATION WITH OVERSIZED WATER MAIN ALONG SAPP RD – AA-AFFORDABLE STORAGE
A motion was made by Councilman Ham to approve the City’s participation in the construction cost of an oversized water main, in the city limits, along Sapp Road to serve AA-Affordable Storage and other area properties. Councilman Gibson seconded the motion. Motion carried unanimously.

BID AWARD - TRAFFIC SIGNAL AT FM 1488 AND GRACE CROSSING
A motion was made by Councilman Snider to award the traffic signal installation at FM 1488 and Grace Crossing Bid to Third Coast Services as discussed. Councilman Martin seconded the motion. Motion carried unanimously.

BID AWARD - SANITARY SEWER OVERFLOW INITIATIVE PROGRAM (SSOI) SECTION 6 PROJECT
A motion was made by Mayor Pro Tem Coon to award bid to T Construction for the Sanitary Sewer Overflow Initiative Program (SSOI) Section 6 Project. Councilman Ham seconded the motion. Motion carried unanimously.
SECOND AMENDMENT TO THE CITY’S OPERATING BUDGET FOR FY 17-18
Assistant Finance Director Colling Boothe presented Council the second amendment to the City’s Operating Budget for FY 17-18 for their review and consideration.
A motion was made by Councilman Gibson to approve the amendment as presented. Councilman Martin seconded the motion. Motion carried unanimously.

FIRST AMENDMENT TO THE CITY’S CAPITAL IMPROVEMENT (CIP) BUDGET FOR FY 17-18
Assistant Finance Director Colling Boothe presented Council the first amendment to the City’s Capital Improvement Budget for FY 17-18 for their review and consideration.
A motion was made by Councilman Martin to approve the amendment as presented. Councilman Gibson seconded the motion. Motion carried unanimously.

AMEND SECTION 2-383 CONTROL MEASURES FOR APPROVAL OF INVOICES
A motion was made by Councilman Snider to amend Section 2-383 Control Measures for Approval of Invoices in the City’s Code of Ordinances. Councilman Ham seconded the motion. Motion carried unanimously.

DOJ AND FBI TO INVESTIGATE THE ORIGIN AND CREATION OF SJRA/GRP
This item was deferred

SUSPENDING UTILITY RATE INCREASE BY SIENCE ERGY LP
A motion was made by Councilman Gibson to approve the proposed Resolution suspending for 90 days a gas utility rate increase by SIENCE ERGY LP for its customers in Conroe, Texas, and authorizing the City to participate in a review of the proposed rates by the Gulf Coast Coalition of Cities served by SIENCE ERGY, and authorizing necessary legal and consulting services to be reimbursed as rate case expense by SIENCE ERGY. Councilman Ham seconded the motion. Motion carried unanimously.

CONSENT AGENDA
A motion was made by Councilman Gibson, and Councilman Martin seconded, to approve the Consent Agenda, Items 9 through 20, excluding Item 17. The motion carried unanimously.

- Approve naming the education pool at the Conroe Aquatic Center in honor of Cherie Angier.
- Approve Bylaws for Convention & Visitor Bureau Tourism Advisory Council and term limits.
- Approve a three-year contract with LCRA Environmental Laboratory Services for EPA UCMR4 testing.
- Approve Resolution of acceptance of the Texas OOG Grant 3441601 – Rifle-Resistant Body Armor.
- Approve Interlocal Agreement between the City of Conroe and Montgomery County Hospital District to utilize purchasing contracts of each entity to purchase various types of equipment and services.
- Approve FY 17-18 1st Quarter Investment Report.
- Approve Tax Abatement Agreement with FedEx Freight, Inc. and Scannell Properties #292, LLC
- Authorized Mayor to execute and deliver a document consenting to the assignment of landlord’s interest in a Tax Abatement Agreement with Clay Partners – P.D. Conroe #2 L.P. and Professional Directional Enterprises, Inc

Minutes
January 24&25, 2018
Workshop & Regular
CONSENT AGENDA -- CONTINUATION

- Payment of Statements:
  - Winielectric
    Inv. No. 8748103 – Contract Services                     $135,944.55
  - Sunbelt Rentals, Inc
    Inv. No. 72357064-0006 – Generator Rentals for Treatment Plant $ 68,131.75
  - Lockwood, Andrews & Newman, Inc
    Inv. No. 39 – New WWTP Project                            $ 55,442.78
  - Alcott, Inc dba THC
    Inv. No. 2 – Windsor Lakes Force Main                     $284,574.40
  - Christensen Building Group
    Inv. No. 12 – F.D. #7 Construction                        $284,287.82
  - Christensen Building Group
    Inv. No. 11 – Fire Training Building Construction         $100,014.64
  - Wharton Smith, Inc
    Inv. No. 2 – SW WWTP Flood Restoration and repairs       $386,570.67
  - Triple B Services, LLP
    Inv. No. 9-MP Clark Roadway Construction                   $321,118.64
  - Midas Flow Control
    Inv. No. VTK564-Menhole Rehab at Various Locations in city $163,020.00
  - Stealth Partner Group
    Inv. No. 1-Jan-Stop Loss Coverage                         $  84,749.60

There being no further business to consider, a motion was made by Councilman Gibson, seconded by Councilman Ham to adjourn the meeting.