

**MINUTES OF THE  
CONROE CITY COUNCIL**

**JUNE 13 & 14, 2018**

**CALL TO ORDER  
CALL OF ROLL**

**PRESENT:** Mayor Powell  
Mayor Pro Tem Coon  
Council Members Gibson, Ham, and Czajkoski  
City Administrator Paul Virgadamo  
City Attorney Marcus Winberry  
Assistant City Secretary Sami H. Quinlan

**ABSENT:** City Secretary Soco M. Gorjón  
Councilman Martin

After a roll call by the Assistant 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:**

  
Sami H. Quinlan, Assistant City Secretary

## OFFICIAL MINUTES OF THE CONROE CITY COUNCIL

Mayor Powell recognized Police Officer J. O'Farrell for his 9 years of service.

### RIDE RIGHT LLC – EXPANDED SERVICE COMPENSATION

Director of Capital Projects/Transportation Tommy Woolley presented Council the expanded service compensation for Ride Right, LLC in accordance with the contract in the amount of \$76,841. Mr. Woolley stated this was partially funded by a grant.

### HGAC (TIP) PROGRAM CALL – CONROE CONNECTION MAINTENANCE FACILITY

This item was deferred.

### CHANGE ORDER – HOTMIX AREA PROJECT

Director of Capital Projects/Transportation Tommy Woolley presented Council the proposed change order to extend the Hotmix Area Project to overlay additional areas in the amount of \$306,045.69. Mayor Pro Tem Coon thanked City Administrator Paul Virgadamo and Mr. Woolley for their work to help our citizens. Councilman Ham suggested that the Lewis Street job be completed before school starts.

### CHANGE ORDER – PRE-TV – SSOI PROJECT

Director of Capital Projects/Transportation Tommy Woolley presented Council the proposed change order to Pre-TV the next section of the SSOI Project in the amount of \$122,312.51. Staff recommended approval of the change order as presented.

### LIVING WAY CHURCH OF MONTGOMERY DEVELOPER AGREEMENT

Engineering Manager Chris Bogert presented Council the proposed Developer Agreement with Living Way Church of Montgomery, Inc. This agreement would allow the developer to design and construct a privately owned and maintained detention pond on 10-acre tract. Mr. Bogert stated there was no cost to the City. Mayor Pro Tem Coon inquired about the size of the easement and requested the total square footage by tomorrow's meeting.

### CIP UPDATE

Director of Capital Projects/Transportation Tommy Woolley presented Council the CIP Update (attached as Exhibit "A"). Parks and Recreation Director Mike Riggins updated Council on the progress of the Aquatic Center. Public Works Director Norman McGuire updated Council on the progress of the Wastewater Treatment plant after Hurricane Harvey. Mr. McGuire stated the repairs were 80-85% complete and the design of the new Administration Building was 95% complete. Mayor Pro Tem Coon inquired about the overhead electrical project at I-45 to Downtown. Mr. Woolley stated a quote had been received with a customized 25%. Mayor Pro Tem Coon requested that City Administrator Paul Virgadamo help push this issue with TxDOT.

### NOTICE OF JUNE 30, 2018 RUNOFF ELECTION

Assistant City Secretary Sami H. Quinlan presented Council the proposed Ordinance of Notice of the June 30, 2018 Runoff Election for Council's review and consideration.

### WOODFOREST MUD 121 STRATEGIC PARTNERSHIP AGREEMENT

City Attorney Marcus Winberry presented Council the proposed Woodforest MUD 121 Strategic Partnership Agreement for their review and consideration. Mr. Winberry pointed out that under the terms of the Development Agreement, each MUD must enter into a Strategic Partnership Agreement with the City. Mr. Winberry presented a proposed SPA that was similar to the MUD 113 SPA. Mayor Powell inquired when MUD 113 SPA was originated and if it was a 30-year agreement. Mr. Winberry stated the SPA was entered in 2008 and that it was a 30-year agreement. Rich Muller, representative of the MUD, addressed Mayor and Council for questions or concerns. Mayor Powell inquired about the length of time for the SPA MUD 121 Agreement and Mr. Muller stated it was 30 years. Mayor Powell inquired about city limits and Marcus stated we were contiguous because of various Development Agreements. Mayor Pro Tem Coon stated the 30-year term was too long and suggested a lower term of 15 years or 19 years. Councilman Czajkoski inquired about Westlake to which Mr. Winberry replied that the City did not have a SPA with them. Councilman Ham stated that this partnership was

## WOODFOREST MUD 121 STRATEGIC PARTNERSHIP AGREEMENT - CONTINUATION

brought to the City to be annexed and the negotiation process was for the best interest of the citizens. Councilman Gibson mentioned this was similar to Fosters Ridge. Council requested for Mr. Muller to work on alternative solutions and follow up with Mr. Winberry.

### APPOINTMENT OF DIRECTOR TO WESTWOOD MAGNOLIA PARKWAY IMP. DISTRICT BOARD

City Attorney Marcus Winberry presented Council the proposed appointment of Brent Everson to serve as the Director to the Board of the Westwood Magnolia Parkway Improvement District. Councilman Gibson inquired who the other representative was and Mr. Winberry stated he would provide that information tomorrow. Mayor Powell requested that City Administrator Paul Virgadamo check on a conflict of interest to which Mr. Virgadamo replied he didn't see any conflict of interest. Councilman Czajkoski stated he knew Mr. Everson and thought he was a good choice with a real estate background.

### COUNCIL MEMBERS HEALTH INSURANCE

City Administrator Paul Virgadamo discussed Health Insurance for Council members. He presented the current cost that employee's pay of \$75 a month. Mr. Virgadamo stated currently if a Council member does not have insurance on his own, they could pay full price while they are active Council members. Mayor Pro Tem Coon requested more history. Human Resources Director Andre Houser addressed Council to discuss the changes and history. He stated that at one time, Council members were covered and treated as retirees, then a committee was formed and it was decided to remove coverage after retiring, but could pay full price if they wanted to. He pointed out that a couple years ago it was discussed that Council members could keep insurance after retiring, if they served 8 years on Council and paid the full premium. Mr. Houser pointed out that new employees can only be on HSA or Kelsey plan. Councilman Ham stated there are no benefits to a new Council member. City Administrator Paul Virgadamo stated that Council members were not technically considered employees and were treated as contract positions, and if this was approved, the Municipal Judge would need to be included as well. Mr. Virgadamo also pointed out that part time employees were not insured and this would cost approximately \$135,000 per year. Assistant City Administrator/CFO Steve Williams stated it would cost \$16,929 per person. Councilman Czajkoski inquired if this could be a future vote for citizens and City Attorney Marcus Winberry replied that it had not been done in the past; but could be done.

At 3:14 p.m., Mayor Powell along with Council, City Administrator Paul Virgadamo, City Attorney Marc Winberry, and Assistant City Secretary Sami H. Quinlan, recessed into a Closed Executive Session Chapter 551.071 and 551.072 for the following purpose:

- Discuss future land acquisition
- SJRA GRP Contract Litigation
- Litigation with Lone Star Groundwater Conservation on District Rules
- Claim of North Frazier Development, LLC and TA Business Ventures, LLC related to 701-705 N. Frazier

The Closed Executive Session was recessed at 4:09 p.m.

### BRIEFING

Mayor Pro Tem Coon informed the citizens that the SJRA bill for the month of May was almost 1 million dollars for water fees.

### COUNCIL MEMBERS INQUIRY TIME

None

There being no further business brought before the Council, the meeting was recessed until tomorrow at 6:00 p.m.

**RECONVENE**

**THURSDAY, JUNE 14, 2018 – 6:00 P.M.**

**OFFICIAL ACTION OF THE CONROE CITY COUNCIL**

**CALL TO ORDER**

**CALL OF ROLL**

**PRESENT:** Mayor Powell  
Mayor Pro Tem Coon  
Council Members Gibson, Ham and Czajkoski  
City Administrator Paul Virgadamo  
City Attorney Marcus Winberry  
Assistant City Secretary Sami H. Quinlan

**ABSENT:** City Secretary Soco M. Gorjón  
Councilman Martin

**INVOCATION/PLEDGE:** Pastor Jeff Williams – Eagles Nest Ministry

Mayor Powell recognized Police Officer Hughes for his 4 years of service to the Conroe Police Department.

**CITIZEN INQUIRY**

Annie Burnett addressed Council and requested a handicap ramp on the North side of City Hall to accommodate guest for tower rentals on the 6<sup>th</sup> floor. She also requested the ditches and culverts to be cleaned on Ave. F, 10<sup>th</sup>, 11<sup>th</sup>, 12<sup>th</sup> and 13<sup>th</sup> Street. Mrs. Burnett stated that after a flood the water remains standing in these areas. Mayor Powell asked Public Works Director Norman McGuire to look into the culverts.

**SERVICE COMPENSATION FOR RIDE RIGHT LLC**

Mayor Pro Tem Coon made a motion to approve the proposed expanded service compensation for Ride Right, LLC in accordance with the contract as presented. Councilman Ham seconded the motion. Motion carried unanimously.

**HGAC (TIP) PROGRAM CALL**

This item was deferred.

**CHANGE ORDER HOTMIX AREA PROJECT**

Councilman Ham made a motion to approve the proposed change order to extend the Hotmix Area Project to overlay additional areas as presented. Councilman Gibson seconded the motion. Motion carried unanimously.

**CHANGE ORDER - PRE-TV SSOI PROJECT**

Mayor Pro Tem Coon made a motion to approve the change order to Pre-TV the next section of the SSOI Project as presented. Councilman Czajkoski seconded the motion. Motion carried unanimously.

**DEVELOPER AGREEMENT – LIVING WAY CHURCH OF MONTGOMERY**

Councilman Czajkoski made a motion to approve the proposed Developer Agreement with Living Way Church of Montgomery, Inc., as presented. Councilman Gibson seconded the motion. Motion carried unanimously.

**APPOINT DIRECTOR TO THE WESTWOOD MAGNOLIA PARKWAY IMPROVEMENT DISTRICT**

Mayor Pro Tem Coon made a motion to approve the proposed appointment of Brent Everson to serve as the Director to the Board of the Westwood Magnolia Parkway Improvement District, as presented. Councilman Ham seconded the motion. Motion carried unanimously.

## CONSENT AGENDA

A motion was made by Councilman Gibson, seconded by Councilman Ham to approve the Consent Agenda, Items 7 through 10 as presented. The motion carried unanimously.

- Approve Notice of June 30, 2018 Runoff Election.
- Approve Council Minutes held April 11, 2018, April 25 & 26, 2018 and May 16, 2018.
- Approve Commission and Board Meeting absences
  - May 3, 2018 Meeting: Steve Hailey and Chris Caywood
  - May 15, 2018 Meeting: Curt Maddux, Dr. Bob Rabuck, and Chris Caywood

- **Payment of Statements :**

• San Jacinto River Authority/ GRP Division	Surface Water Fee	\$872,143.88
• Stealth Partner Group	Inv. No.1-May – Stop Loss Coverage	\$ 86,106.80
• T Construction LLC	Inv. No. 1 – SSOI Section 6 Sewer Rehab/ Construction	\$136,273.77
• Triple B Services LLP	Inv. No. 13 – MP Clark Roadway Construction	\$488,642.76
• Triple B Services LLP	Inv. No. 2 – Wilson Rd. Widening project	\$ 84,491.99
• LEM Construction Co.	Inv. No. 11 – 2014-17 Windsor Lakes Liftstation project	\$581,922.50
• Fused Industries LLC	Inv. No. 9 – Sanitary Sewer SH105 & I-45 Phase 2	\$548,162.82
• Traf-Tex Inc.	Inv. No. 3A Traffic Signal Installation at FM 1484 & League Line Rd/Deison Pk	\$ 55,243.71
• Angel Brothers Enterprises LTD	Inv. No. 3 – Pavement Repairs and Asphalt Overlay	\$953,553.74
• Traf-Tex Inc.	Inv. No. 4A – Traffic Signal Install. FM 1484 & League Line Rd/Deison Pk	\$ 53,191.58
• Wharton Smith, Inc.	Inv. No. 6 – Southwest WWTP Plant Flood Restoration and Repairs	\$427,843.75
• Creative Bus Sales	Inv. No. 1530506/1530507 – 2015 & 2016 ARBOC Sprit of Freedom 27 Shuttle/Cutaway Shuttle	\$234,160.00
• Precise Services Inc.	Inv. No. 2 – Construction/ League Line & Plantation Sidewalks	\$ 65,458.78

There being no further business to consider, a motion was made by Mayor Pro Tem Coon, seconded by Councilman Czajkoski to adjourn the meeting.

# CIP Updates

## Windsor Lake Lift Station

- Finished lining the wet well, Electrical components started
- Building installed, interior and exterior painting; forming driveway & sidewalk
- Scheduled completion August 2018

## Windsor Force Main

- Installed 13,000' of line; continuing long bore under FM 1488.
- Continue installing pipe hangers on the TxDOT bridges
- Scheduled completion July 2018

## IH 45 Sanitary Sewer 105 to Hillcrest.

- Installed 3,200' up IH 45; contractor is working at Weisner Property
- Scheduled completion June 2018

## MP Clark

- Traffic switch onto new pavement February 12th.
- Start storm sewer and stabilizing SB lanes from Shadow Lake to FM 830.
- Scheduled completion April 2018

## N Thompson Pavers

- Street section is complete and open
- Working on sidewalk paver repairs downtown

## SH 105 Access Management Project (TxDOT)

- Duct Bank complete; working on tie-ins and boxes
- Started work on driveways & sidewalks
- New traffic signals turned on

## Smaller Projects or Projects that just started

- Asphalt Overlay project (Milltown, Holly Hills, Robinwood) – hot mix overlaying
- Downtown signals working on contract Traffic System Inc. – ordered mast arm poles
- FM 1484 at Technology Parkway Signal – installing poles and mast arms; an sidewalks
- Safe Route to School sidewalks (Tx Wall & Landscape) - began staking for sidewalks
- League Line & Plantation sidewalks (Precise Services) - begins installation on N LP 336
- Wilson Road Widening (Triple B) – Start project March 14<sup>th</sup>, processing submittals.
- Grace Crossing Signal (Third Coast) – Contractor has ordered materials. Reviewing submittals.
- SSOI Section-6 Sanitary Sewer Rehab – Processing submittals.
- FM 2854 Water Relocation, Sewer Relocation, and Pipe Bursting – Working on Contracts
- Effluent Outfall Structure – Working on Contracts

## Design

- Grace Crossing Ext – 100% plans finalizing property acquisitions paperwork
- Longmire Road widening 100% plans schedule to bid in March or April 2018
- Veterans Memorial Park Drive – 100% plans ready to bid
- New WWTP scheduled for an August 2018 bid advertisement
- Old Conroe Road – Reviewing 6 proposals from RFQ for preliminary design services.

Exhibit "A"  
(1061)