

**MINUTES OF THE
CONROE CITY COUNCIL**

JULY 24 & 25, 2013

**CALL TO ORDER
CALL OF ROLL**

**PRESENT: Mayor Melder
Mayor Pro Tem Martin
Council Members, Gibson, Porter, Snider, and Gentry
City Administrator Paul Virgadamo
City Attorney Marcus L. Winberry
City Secretary Marla J. Porter**

ABSENT: Assistant City Secretary Soco M. Gorjón

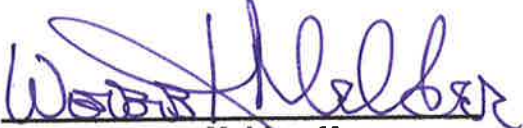
After a roll call by the City Secretary establishing a quorum was present, the meeting was called to order at 2:00 p.m. by Mayor Melder.

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.


Webb K. Melder, Mayor

ATTEST:


Marla J. Porter, TRMC, City Secretary

OFFICIAL MINUTES OF THE CONROE CITY COUNCIL

SAN JACINTO RIVER AUTHORITY – SUPPLEMENTAL AGREEMENT

Public Works Director Dean Towery presented a second supplemental agreement for Council's review and consideration. Mr. Towery advised these were improvements necessary for the City to take surface water to our six plants in order to maintain balance.

LAN ENGINEERING SERVICES – SURFACE WATER SYSTEM IMPROVEMENT

Public Works Director Dean Towery asked Council to consider approval of LAN to provide basic services such as preliminary design, final design, bidding, and limited construction phase services. Mr. Towery informed that this work should not exceed \$857,810.00.

FUTURE WASTEWATER TREATMENT PLANT – ENGINEERING SERVICES

Public Works Director Dean Towery asked Council to consider the proposed contract agreement with Lockwood, Andrews & Newnam, Inc. for preliminary engineering of the future wastewater treatment plant. Mr. Towery informed that LAN's proposal would accomplish the basic service tasks for a proposed sum of \$1,684,550.00. Mr. Towery pointed out that he was also recommending additional services that included USACE and TCEQ items that would be completed on a time and materials basis at an estimated fee of \$451,000.00 as well as additional reimbursable expenses at an estimated fee of \$20,000.00. Staff recommended approving LAN's contract at a total estimated cost of \$2,155,550.00, which was already budgeted in the CIP.

WATER WELL NO. 14 & 17 – EMERGENCY REPAIR

Water and Sewer Superintendent Jason Miller asked Council to consider Weisinger Water Well, Inc. for the repairs needed for both wells since Weisinger was the low bidder. Mr. Miller pointed out that Water Well No. 14 (Wedgewood) with alternative items came in at a cost of \$141,724 and Water Well No. 17 (Lewis Park) with alternative items came in at a cost of \$132,976.00. Staff recommended awarding the emergency repair bid to Weisinger Water Well, Inc.

LAN – ON-CALL WASTEWATER MODELING AGREEMENT

Public Works Director Dean Towery asked Council to consider approval of LAN – On-Call Wastewater Modeling Agreement since they are already under contract and will continue without exceeding contract price of \$200,000 over a 2-year period.

LAN – ON-CALL WATER MODELING AGREEMENT

Public Works Director Dean Towery asked Council to consider approval of LAN – On-Call Water Modeling Agreement since they are already under contract and will continue without exceeding contract price of \$200,000 over a 2-year period.

RIGHT-OF-WAY MOWING CONTRACT BID

Street and Drainage Superintendent Norman McGuire informed Council that due to the current right-of-way mowing contractor, Pro Green Landscape Solutions, being unable to fulfill their contract, new bids were requested. After reviewing all bids, staff recommended awarding the bid to B & C Constructors L.P. in the amount of \$161,506.38. Mr. McGuire pointed out that this contract would be awarded on an annual basis for a maximum of four years with no change in pricing, and extra work will be negotiated at the price-per-acre as listed in the bid proposal sheet.

F.M. 1488 – DEVELOPMENT ALONG CORRIDOR

City Engineer Erwin Burden discussed development along F.M. 1488 corridor and the utility service plan.

WEST FORK SUBDIVISION – PARTIAL ABANDONMENT OF EASEMENT – SEC. 3, BLOCK 8

City Engineer Erwin Burden informed Council that ACES requested abandonment of the utility easement in block 7 & 8 of West Fork, Section 3. Mr. Burden informed that existing utilities were located in all but block 8, lots 13-18 of the easement, outside the drainage area. He pointed out that the only area of the easement that could be abandoned was the area outside of the drainage easement that was located in block 8, lots 13-18.

RENAMING ARK FAMILY BOULEVARD

City Engineer Erwin Burden informed Council that representatives from the Ark Church requested that the City rename "Ark Family Boulevard" to "Ark Drive" and the street signs be changed accordingly. Mr. Burden presented Council a proposed Ordinance for their review and consideration.

REVISIONS TO CHAP. 94 – STORM WATER DETENTION

City Engineer Erwin Burden discussed revisions to Chapter 94 of City of Conroe Codes and Ordinances that give drainage credit for tree preservation zones, which reduces storm water runoff. Mr. Burden pointed out that the proposed changes also met requirements for participation in FEMA's NIFP/CRS programs.

UNION PACIFIC AGREEMENT – MUD 95/S.H. 242

City Engineer Erwin Burden informed Council that the proposed agreement would permit the City to install a bore for the waterline and forcemain crossing.

SCHEDULE OF EVENTS – WATER & SEWER REVENUE BONDS

A Schedule of Events outlining the process for issuing the 2013 Water & Sewer Revenue Bonds was presented to Council for their review and consideration. Mr. John Roebuck with BOSCO informed Council that the total amount being advertised was \$6,995,000; however, the actual issue could be lower.

FY 12-13 3RD QUARTER REVENUE UPDATE

Finance Director Steve Williams presented the 3rd Quarter Revenue Update Report through June 31, 2013 for Council's review and information.

FY 12-13 3RD QUARTER INVESTMENT REPORT

Assistant Director of Finance Collin Boothe presented the Quarterly Investment Report for the third quarter of FY 12/13 for Council's review.

OPEB TRUST (RETIREE INSURANCE) FY 12-13 3RD QUARTER INVESTMENT REPORT

Assistant Director of Finance Collin Boothe addressed Council and presented the FY 12-13 3rd Quarter Investment Report for the OPEB Trust (Retiree Insurance) for their review and information.

LUCIA OAKS DEVELOPER AGREEMENT

This item was deferred.

At 3:05 p.m. Mayor Melder, along with Council, City Administrator Paul Virgadamo, and City Secretary Marla J. Porter recessed into a closed meeting for the following purpose:

- Section 551.074 – City Attorney's Performance Appraisal

The Open Meeting reconvened at 3:08 p.m.

COUNCIL BRIEFING

None

COUNCIL INQUIRY

None

There being no further business to be brought before the Council the Open Meeting was recessed until tomorrow at 9:30 a.m.

RECONVENE

THURSDAY, JULY 25, 2013 – 9:30 A.M.

OFFICIAL ACTION OF THE CONROE CITY COUNCIL

CALL TO ORDER
CALL OF ROLL

PRESENT: Mayor Melder
Mayor Pro Tem Martin
Council Members Gibson, Porter, Snider, and Gentry
City Administrator Paul Virgadamo
City Attorney Marcus L. Winberry
City Secretary Maria J. Porter

ABSENT: Assistant City Secretary Soco M. Gorjón

INVOCATION/PLEDGE: Rev. Warzell Booty – Jones Chapel Baptist Church

SERVICE AWARD: 1-Year Service: Tommy Woolley – Public Works

RECOGNITIONS: Lane Johnson – Employee of the Month

PROCLAMATION: Dean Towery – 32-yr Retirement

CITIZEN INQUIRY

None

SAN JACINTO RIVER AUTHORITY SUPPLEMENTAL AGREEMENT

A motion was made by Councilman Gibson, seconded by Councilman Snider, to approve the proposed San Jacinto River Authority Supplemental Agreement as discussed. Motion carried unanimously.

WASTEWATER TREATMENT PLANT – CONTRACT AGREEMENT

A motion was made by Councilman Gentry, seconded by Councilwoman Porter, to award contract agreement with Lockwood, Andrews & Newman, Inc. (LAN) for preliminary engineering of the future wastewater treatment plant as discussed. The motion carried unanimously.

LAN – SURFACE WATER SYSTEM IMPROVEMENTS – ENGINEERING SERVICES

Mayor Pro Tem Martin made a motion to approve LAN surface water system improvements professional engineering services as discussed. The motion was seconded by Councilman Gibson. Motion carried unanimously.

WATER WELL NOS. 14 AND 17 – EMERGENCY REPAIRS

Councilman Snider made a motion to award bid to Weisinger Water Well, Inc. for the emergency repairs to Water Wells Nos. 14 and 17 as discussed. The motion was seconded by Councilwoman Porter. Motion carried unanimously.

LAN – ON-CALL WASTEWATER MODELING AGREEMENT

A motion was made by Mayor Pro Tem Martin, seconded by Councilman Gentry, to approve LAN On-Call Wastewater Modeling Agreement not to exceed \$200,000 over a 2-year period as discussed. The motion carried unanimously.

LAN – ON-CALL WASTER MODELING AGREEMENT

A motion was made by Councilwoman Porter, seconded by Councilman Gibson, to approve LAN On-Call Water Modeling Agreement not to exceed \$200,000 over a 2-year period as discussed. The motion carried unanimously.

BID AWARD – RIGHT-OF-WAY MOWING CONTRACT

Mayor Pro Tem Martin made a motion to award the right-of-way mowing contract bid to B & C Constructors L.P. for their bid amount of \$\$161,506.38 as discussed. The motion was seconded by Councilman Gibson. Motion carried unanimously.

PUBLIC HEARING – ABANDONMENT OF UTILITY EASEMENT IN WEST FORK SUBDIVISION

At 9:48 a.m., Mayor Melder recessed the Open Meeting in order to conduct a Public Hearing for the purpose of discussing partial abandonment of a utility easement in West Fork Subdivision, Section 3, Blk. 8.

Mayor Melder asked for questions from the public. Hearing none, he closed the public hearing and reconvened the open meeting at 9:49 a.m.

PARTIAL ABANDONMENT OF UTILITY EASEMENT IN WEST FORK SUBDIVISION

Councilman Gibson made a motion to approve partial abandonment of utility easement in West Fork Subdivision Section 3, Block 8 as discussed. The motion was seconded by Councilwoman Porter. Motion carried unanimously.

PUBLIC HEARING – RENAMING ARK FAMILY BLVD. TO ARK DRIVE

At 9:49 a.m., Mayor Melder recessed the Open Meeting in order to conduct a Public Hearing on proposed Ordinance renaming Ark Family Boulevard to Ark Drive.

Mayor Melder asked for questions from the public. Hearing none, he closed the public hearing and reconvened the open meeting at 9:50 a.m.

RENAMING ARK FAMILY BLVD. TO ARK DRIVE

Councilman Gentry made a motion to approve the proposed Ordinance renaming Ark Family Boulevard to Ark Drive as requested. The motion was seconded by Councilman Snider. Motion carried unanimously.

PUBLIC HEARING – CHAP. 94 REVISIONS - DRAINAGE FACILITIES & STORM WATER DETENTION

At 9:51 a.m., Mayor Melder recessed the Open Meeting in order to conduct a Public Hearing on proposed revisions to Chapter 94 of the Conroe Code of Ordinances related to drainage facilities and storm water detention requirements.

Mayor Melder asked for questions from the public. Hearing none, he closed the public hearing and reconvened the open meeting at 9:52 a.m.

REVISIONS – CHAP. 94 – DRAINAGE FACILITIES & STORM WATER DETENTION

Councilwoman Porter made a motion to approve the proposed revisions to Chapter 94 of the Conroe Code of Ordinance related to drainage facilities and storm water detention requirements as discussed. The motion was seconded by Mayor Pro Tem Martin. Motion carried unanimously.

UNION PACIFIC AGREEMENT – MUD 95/SH 242

A motion was made by Councilman Gibson, seconded by Mayor Pro Tem Martin, to approve the proposed Union Pacific Agreement related to MUD 95/SH 242 as discussed. The motion carried unanimously.

LUCIA OAKS DEVELOPER AGREEMENT

This item was deferred.

JUNE 2013 MONTHLY FINANCIAL SUMMARY REPORT

Finance Director Steve Williams presented a detailed monthly financial summary report for the month of June 2013 to Mayor and Council for review and consideration.

Following Mr. Williams' presentation, Mayor Pro Tem Martin made a motion to approve the June 2013 Monthly Financial Summary Report as presented. Councilwoman Porter seconded, and the motion carried unanimously.

FY 12-13 3RD QUARTER INVESTMENT REPORT

Mayor Pro Tem Martin made a motion to approve the FY 12-13 3rd Quarter Investment Report as presented. Councilwoman Porter seconded, and the motion carried unanimously.

THIRD AMENDMENT TO THE CITY'S CAPITAL IMPROVEMENT PROGRAM BUDGET FOR FY 12-13

Finance Director Steve Williams presented Council the third budget amendment to the City's Capital Improvement Program Budget for their review and consideration.

Mayor Pro Tem Martin made a motion to approve the third amendment to the City's Capital Improvement Program Budget for FY 12-13 as presented. The motion was seconded by Councilman Snider. Motion carried unanimously.

CONSENT AGENDA

A motion was made by Mayor Pro Tem Martin, seconded by Councilman Gibson, to approve Consent Agenda Items 19 and 20 as presented. The motion carried unanimously.

- Minutes of Council Meetings held July 10 & 11, 2013.

Payment of Statements:

• San Jacinto River Authority/GRP	Division Surface Water Fee	\$438,170.43
• Huff & Mitchell, Inc.	Pay No. 4 – LaSalle to League Line Rd	\$662,445.28
• Horseshoe Construction	Pay No. 8 – SSOI Sewer Main Reh.	\$ 73,703.24
• Game Time	Inv. No. 794848 – Carl Barton Prk & OJC	\$199,854.49

There being no further business to consider, Councilwoman Porter made a motion, seconded by Councilman Snider, to adjourn. The motion carried unanimously.