

NOTICE OF PUBLIC HEARINGS AND REGULAR MEETING

October 23, 2018

MONTGOMERY CITY COUNCIL

STATE OF TEXAS

AGENDA

COUNTY OF MONTGOMERY

CITY OF MONTGOMERY

NOTICE IS HEREBY GIVEN that Public Hearings and Regular Meeting of the Montgomery City Council will be held on Tuesday, October 23, 2018 at 6:00 p.m. at the City of Montgomery City Hall, 101 Old Plantersville Road, Montgomery, Texas for the purpose of considering the following:

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE TO FLAGS

PUBLIC HEARING(S):

1. Receive the Final Report from the Planning and Zoning Commission, resulting from their two public hearings held on September 24, 2018 and October 22, 2018 regarding the following:
 - a) A request to rezone the property located at 2580 Lone Star Parkway, Montgomery from ID-Industrial to R-2 MultiFamily, by owner Larry Jacobs; and
 - b) A request to rezone the property located at 2560 Lone Star Parkway from ID-Industrial to B-Commercial, by owner Larry Jacobs.

Convene into Public Hearing:

2. **For the purpose of giving all interested persons the right to appear and be heard on the following:**
 - a) A request to rezone the property located at 2580 Lone Star Parkway, Montgomery from ID-Industrial to R-2 MultiFamily, by owner Larry Jacobs; and
 - b) A request to rezone the property located at 2560 Lone Star Parkway from ID-Industrial to B-Commercial, by owner Larry Jacobs.

Adjourn Public Hearing:

Convene into Public Hearing:

3. **For the purpose of giving all interested persons the right to appear and be heard on the proposed annexation by the City of Montgomery, Texas of the following described land:** Being a tract of land containing 1.758 acres comprised of 0.22 acres in the BENJAMIN RIGSBY SURVEY, A-31, and 1.538 acres in the ZACK LANDRUM SURVEY, A-22, both in Montgomery County, Texas. Said 1.758 acres being out of and a part of a 6.75 acre tract conveyed by deed from Mary A. Hooker to Hy. C. Furlow and recorded in Vol. 38, Page 217 of the Deed Records of Montgomery County, Texas, and also being out of and a part of a 0.99 acre tract conveyed by deed dated November 17, 1928 from Mrs. W.H. Bailey to H.C. Furlow and recorded in Vol. 120, Page 202, of the Deed Records of Montgomery County, Texas. *(Second of Two Hearings)*

Adjourn Public Hearing:

Reconvene into Regular Session:

VISITOR/CITIZENS FORUM:

Any citizen with business not scheduled on the agenda may speak to the City Council. Prior to speaking, each speaker must be recognized by the Mayor. Council may not discuss or take any action on an item, but may place the issue on a future agenda. The number of speakers along with the time allowed per speaker may be limited.

CONSENT AGENDA:

4. Matters related to the approval of minutes of the Public Hearing and Regular Meeting held on October 9, 2018.
5. Consideration and possible action to authorize the change of beverage permit classification for the Hodge Podge Lodge Beverage Permit Application.
6. Consideration and possible action regarding adoption of the following Resolution:
Resolution designating the Courier Newspaper as the Official Newspaper of the City and Authorizing the City Administrator to execute a Contract.
7. Consideration and possible action regarding adoption of the following Resolution:
A RESOLUTION OF THE CITY COUNCIL OF MONTGOMERY, TEXAS, AUTHORIZING THE SUBMISSION OF A COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY (CDBG-DR) APPLICATION TO THE TEXAS GENERAL LAND OFFICE, AND AUTHORIZING THE MAYOR AND/OR CITY ADMINISTRATOR TO ACT AS THE CITY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE CDBG – DR PROGRAM.
8. Consideration and possible action on cancelling City Council second meetings of the month for November and December, 2018.

CONSIDERATION AND POSSIBLE ACTION:

9. Consideration and possible action on Department Reports:
 - A. Administrator's Report
 - B. Public Works Report
 - C. Police Department Report
 - D. Court Department Report
 - E. Utility/Development Report
 - F. Water Report
 - G. Engineer's Report
 - H. Financial Report
10. Consideration and possible action regarding the rezoning of the eastern portion of a 2.148 – acre tract of land located at 1005 Old Plantersville Road from R-1 single-family to ID – Industrial as requested by Theresa Fisher. (*Tabled at the 10/09/18 Meeting*)

11. Consideration and possible action regarding adoption of the following Resolution:
Resolution regarding a Petition by Area Landowners Requesting Expansion of the Extraterritorial Jurisdiction of City of Montgomery, Texas from Bethyl Laboratories regarding fourteen contiguous 637.646 acre tracts of land situated in the BENJAMIN RIGBY SURVEY.
12. Consideration and possible action regarding award and execution of construction contract for Water and Drainage Improvements on Dr. Martin Luther King Jr. Drive and Baja.
13. Consideration and possible action regarding the revised final plat for The Shoppes at Montgomery, Section 2.
14. Consideration and possible action regarding adoption of the following Ordinance:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS AMENDING THE RATES TO BE CHARGED FOR GARBAGE AND TRASH PICKUP SERVICE INSIDE THE CITY OF MONTGOMERY, TEXAS; PROVIDING FOR A PENALTY FOR FAILURE TO PAY ACCOUNTS; PROVIDING CONDITIONS UPON WHICH SERVICE WILL BE RESUMED; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A TEXAS OPEN MEETINGS ACT CLAUSE; AND PROVIDING AN EFFECTIVE DATE OF NOVEMBER 20, 2018 AFTER PUBLICATION.
15. Consideration and possible action regarding adoption of the following Ordinance:
AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS, AMENDING ORDINANCE NO. 2017-24, DATED NOVEMBER 14, 2017, BY ESTABLISHING AND ADOPTING NEW MONTHLY SERVICE RATES AND CHARGES FOR WATER AND SEWER SERVICE FOR CONSUMERS INSIDE AND OUTSIDE THE CITY PURSUANT TO CHAPTER 90 OF THE CODE OF ORDINANCES OF THE CITY OF MONTGOMERY, TEXAS; REPEALING ALL CITY ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A TEXAS OPEN MEETINGS ACT CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE OF NOVEMBER 20, 2018 AFTER PUBLICATION.
16. Discussion regarding the vacant City Council, Place 5.
17. Buffalo Springs Bridge Report by City Engineer.

EXECUTIVE SESSION:

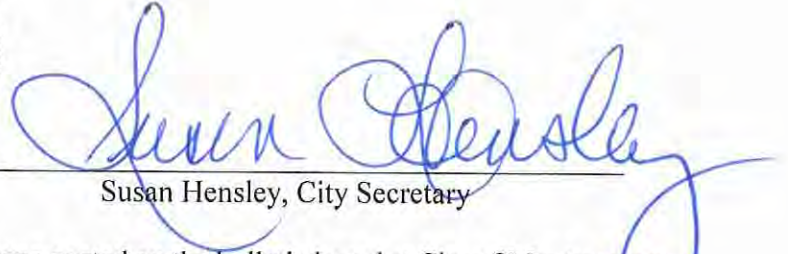
The City Council reserves the right to discuss any of the items listed specifically under this heading or for any items listed above in executive closed session as permitted by law including if they meet the qualifications in Sections 551.071(consultation with attorney), 551.072 (deliberation regarding real property), 551.073 (deliberation regarding gifts), 551.074 (personnel matters), 551.076 (deliberation regarding security devices), and 551.087 (deliberation regarding economic development negotiations) of Chapter 551 of the Government Code of the State of Texas. *(There are no items at this time.)*

COUNCIL INQUIRY:

Pursuant to Texas Government Code Sect. 551.042 the Mayor and Council Members may inquire about a subject not specifically listed on this Agenda. Responses are limited to 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 on the agenda of a future meeting.

ADJOURNMENT




Susan Hensley, City Secretary

I certify that the attached notice of meeting was posted on the bulletin board at City of Montgomery City Hall, 101 Old Plantersville Road, Montgomery, Texas, on the 19th day of October, 2018 at 4:45 o'clock p.m. I further certify that the following news media was notified of this meeting as stated above: The Courier

This facility is wheelchair accessible and accessible parking spaces are available. Please contact the City Secretary's office at 936-597-6434 for further information or for special accommodations.

Montgomery City Council
AGENDA REPORT

Meeting Date: October 22, 2018	Budgeted Amount:
Prepared By: Jack Yates City Administrator	Exhibits:
Date Prepared: October 17, 2018	

Subject

This is the Report from the Planning and Zoning Commission resulting from their consideration of the Larry Jacobs requested rezoning of 2560 and 2580 Lone Star Pkwy. as requested.

Description

The Report will be provided at the meeting because the Planning and Zoning Commission will only be making their recommendation at its October 22, meeting.

Recommendation

Read and consider the Report

Approved By

City Administrator	Jack Yates	Date: October 17, 2018
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Montgomery City Council
AGENDA REPORT

Meeting Date: October 22, 2018	Budgeted Amount:
Prepared By: Jack Yates City Administrator	Exhibits: Basic information about request
Date Prepared: October 17, 2018	

Subject

This is the public hearing regarding the Larry Jacobs request to rezone 2580 Lone Star Pkwy. from ID- Industrial to R-2 Multi-family and 2560 Lone Star Pkwy. from ID- Industrial to B- Commercial.

Description

This is the public hearing regarding the zoning request.

Recommendation

This is for public comment, not for City Council discussion

Approved By

City Administrator	Jack Yates	Date: October 17, 2018
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City of Montgomery
Jack Yates
Montgomery, TX 77356
August 20, 2018

Dear Mr. Yates,

I am the owner of the attached described property. I request that the approximate 5 acres to the north, marked on the map as "R-2", be re-zoned from "I-D-Industrial" to R-2 Multi-family. I also request that the approximate 2 acres on the southern portion, marked "B" be re-zoned from "I-D Industrial" to "B-Commercial".

I look forward to discussing my property with Planning and Zoning members at the next meeting. In the meantime, if you have any questions, please feel free to contact me.

Sincerely,


Larry Jacobs
Owner

Attached:

Check
Property maps- 2

RECEIVED BY:
AUG 20 2018
AUTUMN REDMAN
City of Montgomery

936.597.3301

txland.com

larrytxland@gmail.com

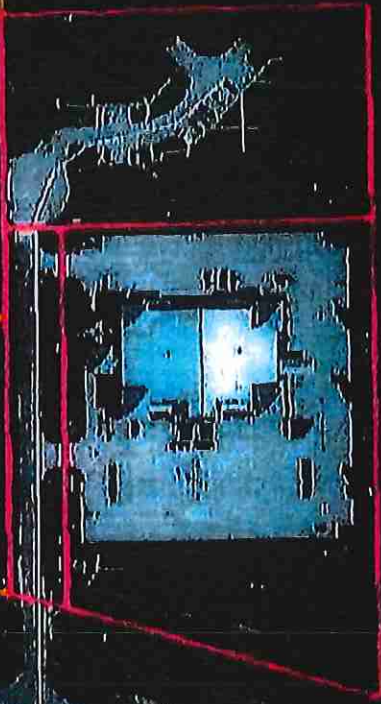


Farms * Ranches * Homesites * Investment * Commercial Services
P.O. Box 1370 14372 Liberty Street Montgomery, TX 77356

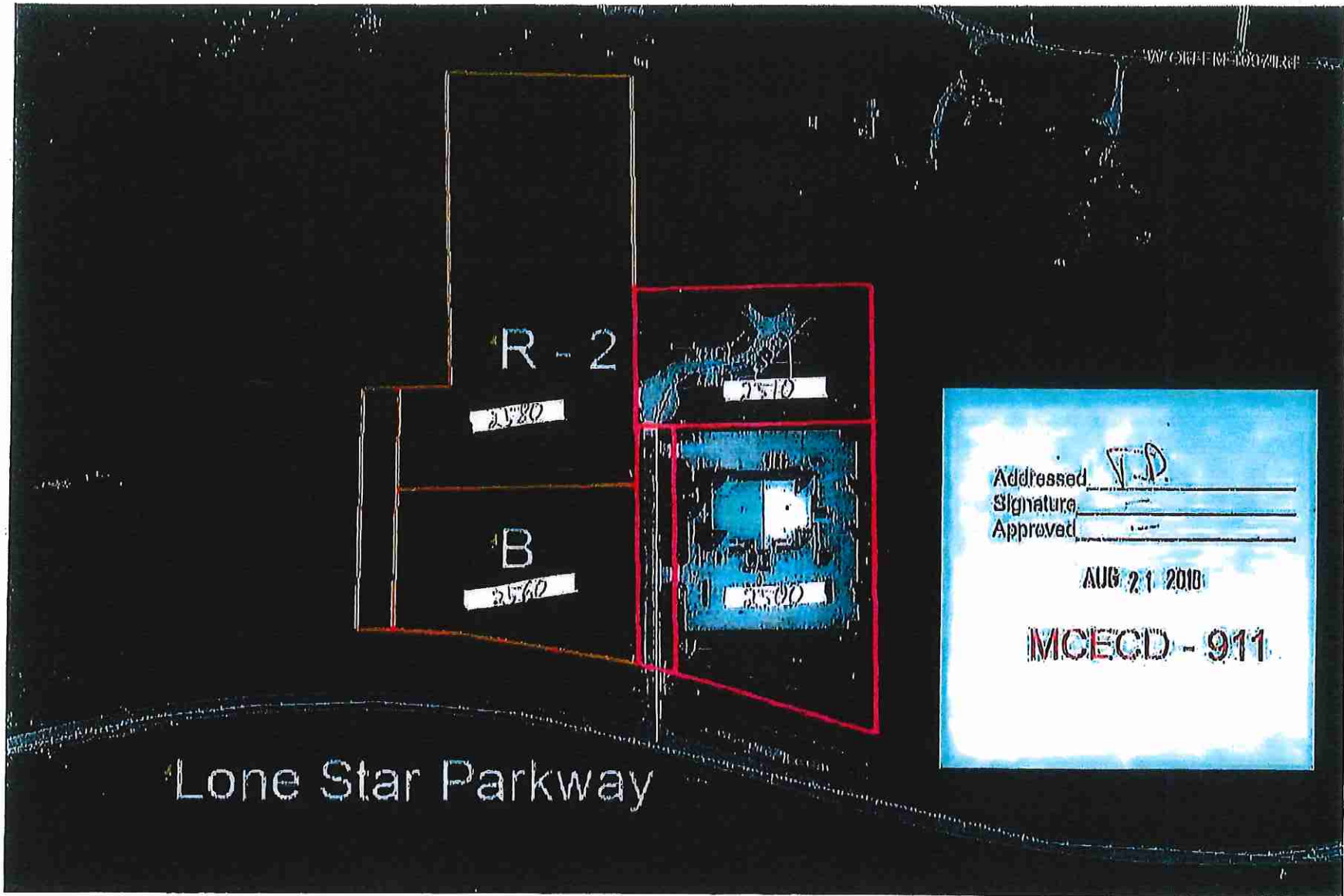
R - 2

B

Lone Star Parkway



2560 & 2580 Lone Star Parkway, Montgomery, Tx, 77358



Addressed V.P.
Signature _____
Approved _____

AUG 21 2010

MCECD - 911

Montgomery City Council
AGENDA REPORT

Meeting Date: October 22, 2018	Budgeted Amount:
Prepared By: Jack Yates City Administrator	Exhibits: Application, map
Date Prepared: October 17, 2018	

Subject

This is the second public hearing regarding this annexation from Al Cade to annex a 1.758 acre tract of land into the city.

Description

This property is located approximately South of the NAPA store on SH 105 tract is completely surrounded by the present city limits.

Recommendation

This is for public comment, not for City Council discussion.

Approved By

City Administrator	Jack Yates	Date: October 17, 2018
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CITY OF MONTGOMERY

P.O. BOX 708 MONTGOMERY, TEXAS 77356

Telephone: (936) 597-6434 / 597-6866

ACCOUNT #

New Commercial Water & Sewer Application

Name of Applicant/Company: Al Cade Cade Country
 Contact Person: Al Cade
 Mailing Address: 22491 Hwy 105W (16018 Arrow Chapel Rd)
 City, State, Zip: Montgomery TX 77356 77816
 Phone# 936-527-2930 Fax# _____
 Driver's License: 11557308 Last 4 digits of SSN/TAX ID 6047
 Service Address: 22491 Hwy 105W Email: ALCADE5@AOL.COM
 Service Requested (circle applicable service): Water _____ Sewer _____ Both _____
 Signature of Applicant: [Signature] Date: 8-27-18

MUST INCLUDE A COPY OF CONSTRUCTION DRAWINGS FOR A TAP FEE QUOTE. APPLICATION WILL NOT BE ACCEPTED WITHOUT IT.

411

FOR CITY USE ONLY

Application received/paid: _____
 Date Service Connected: _____

Domestic Water Tap Fee: _____	App Fee: <u>\$30.00</u>
Fire Line Tap: _____	CSI Fee: <u>\$100.00</u>
Irrigation Water Tap Fee: _____	Deposit: <u>\$250.00</u>
Sewer Tap Fee: _____	Sewer Insp. Fee: <u>\$50.00</u>
Other: _____	

Total Fee: _____

Employee Signature _____

PETITION REQUESTING ANNEXTION BY AREA LANDOWNERS

TO THE MAYOR OF THE GOVERNING BODY OF MONTGOMERY, TEXAS

The undersigned owner of the hereinafter described tract of land, which is vacant and without residents, or on which fewer than three qualified voters reside, hereby petitions your City Council to extend the present city limits so as to include as part of the City of Montgomery, Texas, the following described territory, to wit:

Metes and Bounds attached as Exhibit "A".

I certify that the above described tract of land is contiguous and adjacent to the City of Montgomery, Texas, in the City's Extraterritorial Jurisdiction (ETJ), is not more than one-half mile in width, and that this petition is signed and duly acknowledged by each and every person having an interest in said land.

Signed: *Debra Cole*

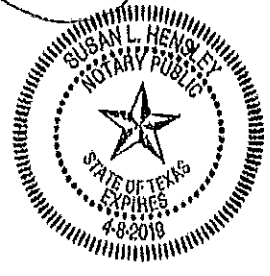
Signed: *[Signature]*

STATE OF TEXAS §
COUNTY OF MONTGOMERY §

BEFORE ME, the undersigned authority, on this day personally appeared *Debra Cole*, known to me to be the person whose name is subscribed to the forgoing instrument and each acknowledged to me that he executed this Petition for the purposes and consideration therein expressed.

GIVEN under my hand and seal of office, this the *5th* day of *September*, 20*18*.

Susan L. Hensley
Notary Public in and for the State of Texas



STATE OF TEXAS §
COUNTY OF MONTGOMERY §

BEFORE ME, the undersigned authority, on this day personally appeared AL CADE, known to me to be the person whose name is subscribed to the forgoing instrument and each acknowledged to me that he executed this Petition for the purposes and consideration therein expressed.

GIVEN under my hand and seal of office, this the 24th day of September, 2018.

Susan L. Jengley
Notary Public in and for the State of Texas



"Exhibit A"

E-Recording Number:
09-17896 MP
Date: _____

NOTICE OF CONFIDENTIALITY RIGHTS: IF YOU ARE A NATURAL PERSON, YOU MAY REMOVE OR STRIKE ANY OR ALL OF THE FOLLOWING INFORMATION FROM ANY INSTRUMENT THAT TRANSFERS AN INTEREST IN REAL PROPERTY BEFORE IT IS FILED FOR RECORD IN THE PUBLIC RECORDS: YOUR SOCIAL SECURITY NUMBER OR YOUR DRIVER'S LICENSE NUMBER.

GENERAL WARRANTY DEED

Date: February 6, 2018

Grantor: ROBERT G. ODEN, Individually and as Independent Administrator of the Estate of BRUCE CARROLL, Deceased, as provided in the Amended Decree Confirming Sale of Real Property attached

Grantor's Mailing Address:

19910 HIGHWAY 30
BEDIAS, TEXAS 77876

Grantee: AL CADE and DEBBIE CADE, a married couple

Grantee's Mailing Address:

16818 RABON CHAPEL ROAD
MONTGOMERY, TEXAS 77316

Consideration:

Cash and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged.

Property (including any improvements):

BEING a tract of land containing 1.758 acres comprised of 0.22 acres in the BENJAMIN RIGSBY SURVEY, A-31, and 1.538 acres in the ZACK LANDRUM SURVEY, A-22, both in Montgomery County, Texas. Said 1.758 acres being out of and a part of a 6.75 acre tract conveyed by deed from Mary A. Hooker to Hy. C. Furlow and recorded in Vol. 38, Page 217 of the Deed Records of Montgomery County, Texas, and also being out of and a part of a 0.99 acre tract conveyed by deed dated November 17, 1928 from Mrs. W. H. Bailey to H. C. Furlow and recorded in Volume 120, Page 202, of the Deed Records of Montgomery County, Texas.

STARTING at a fence corner at the intersection of the South right-of-way line of State Highway No. 105, having a width of 120 feet, with the East right-of-way line of the Old Dobbin Road, having a width of 50 feet. Said fence corner marking the Northwest corner of a 2 acre, more or less, tract conveyed by deed dated January 1, 1949, from H. C. Furlow to Rock Rabon et ux and recorded in Volume 290, Page 492 of the Deed Records of Montgomery County, Texas;

THENCE: S 83 deg. 31' E along the South right-of-way line of said Highway No. 105, a distance of 338.2 feet to a 1" G.I.P. for the Place of Beginning of the tract herein described;

THENCE: Continuing S 83 deg. 31' E along said right-of-way line a now distance of 210 feet to a 1" G.I.P.;

THENCE: S 6 deg. 29' W 323.92 feet to a 1" G.I.P. set on the Northwest edge of old abandoned road;

Received and E-Filed for Record
1/23/2018 4:28 PM
Mark Turnbull
County Clerk
Montgomery County, Texas

16-33866-P

NO. 16-33865-P

IN THE ESTATE OF
BRUCE CARROLL,
DECEASED

§ IN COUNTY COURT AT LAW
§
§ NO. TWO
§
§ MONTGOMERY COUNTY, TEXAS

AMENDED DECREE CONFIRMING SALE OF REAL PROPERTY

On this day the Court heard and considered the Report of Sale of Real Property of the following property:

BEING a tract of land containing 1.758 acres comprised of 0.22 acres in the Benjamin Rigsby Survey, A-31 and 1.538 acres in the Zack Landrum Survey, A-22, both in Montgomery County, Texas and being more fully described by metes and bounds in Exhibit "A" attached hereto and made a part hereof.

The Court finds that at least five (5) days have expired since the filing of the Report of Sale and is in compliance with this Court's previous Order of Sale of Real Property and with the law; and that the real property has been sold for a fair price and such sale was properly made and in conformity with the law.

IT IS ORDERED and DECREED that the sale described in the Report of Sale is hereby APPROVED and CONFIRMED and conveyance of the property is authorized upon compliance by the Purchaser with the terms of sale.

SIGNED _____

Signed: 1/30/2018 02:41 PM

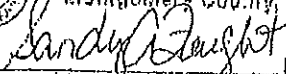


JUDGE PRESIDING

I hereby certify that this is a true and correct copy of the original record on file in my office.



Mark Turnbull, County Clerk
Montgomery County, Texas

by  Deputy

Issued JAN 31 2018

SH 105 W


SH 108

WESTWATER

DODDIN PLANTERSVILLE RD

OLD PLANTERSVILLE RD

ROWACK CEMETERY

 = All
Cade
Property
for
annexation
HUFFMAN

MINUTES OF PUBLIC HEARING and REGULAR MEETING

October 9, 2018

MONTGOMERY CITY COUNCIL

CALL TO ORDER

Mayor Sara Countryman declared a quorum was present, and called the meeting to order at 6:01 p.m.

Present: Sara Countryman Mayor
T.J. Wilkerson City Council Place # 3
Rebecca Huss City Council Place # 4
Dave McCorquodale City Council Place # 5

Absent: Jon Bickford City Council Place # 1
John Champagne, Jr. City Council Place # 2

Also Present: Jack Yates City Administrator
Larry Foerster City Attorney
Susan Hensley City Secretary
Chris Roznovsky City Engineer

INVOCATION

T.J. Wilkerson gave the invocation.

PLEDGE OF ALLEGIANCE TO FLAGS

PUBLIC HEARING:

Convene into Public Hearing:

1. **For the purpose of giving all interested persons the right to appear and be heard on the proposed annexation by the City of Montgomery, Texas of the following described land: Being a tract of land containing 1.758 acres comprised of 0.22 acres in the BENJAMIN RIGSBY SURVEY, A-31, and 1.538 acres in the ZACK LANDRUM SURVEY, A-22, both in Montgomery County, Texas. Said 1.758 acres being out of and a part of a 6.75 acre tract**

conveyed by deed from Mary A. Hooker to Hy. C. Furlow and recorded in Vol. 38, Page 217 of the Deed Records of Montgomery County, Texas, and also being out of and a part of a 0.99 acre tract conveyed by deed dated November 17, 1928 from Mrs. W.H. Bailey to H.C. Furlow and recorded in Vol. 120, Page 202, of the Deed Records of Montgomery County, Texas. (First of Two Hearings)

Mayor Countryman convened the Public Hearing at 6:02 p.m.
There were no comments made during the Public Hearing.

Adjourn Public Hearing:

Mayor Countryman adjourned the Public Hearing at 6:03 p.m.

Reconvene into Regular Session:

Mayor Countryman reconvened the Regular Session at 6:03 p.m.

VISITOR/CITIZENS FORUM:

Any citizen with business not scheduled on the agenda may speak to the City Council. Prior to speaking, each speaker must be recognized by the Mayor. Council may not discuss or take any action on an item, but may place the issue on a future agenda. The number of speakers along with the time allowed per speaker may be limited.

Mr. David Potter stated that he wanted to say that he was still against Mrs. Fisher's place, located at 1005 Old Plantersville Road, requesting to be zoned Industrial use. Mr. Potter said that he found out today that in 2003 the property was zoned Industrial. Mr. Potter said that he has not seen anything on that information and he did not know why it is just now being brought up. Mr. Potter said that he would like to see proof that was changed to Industrial use. Mr. Potter said in 2003 he was not paying City taxes, and it was either 2006 or 2007 when the Planning and Zoning Commission met and in one of those years he started paying City taxes to the City when the City of Montgomery annexed us. Mr. Potter said he is still against the Industrial zoning and said that he does not like it; they have homes in there and they do not need any businesses and industrial work going on in that area. Mr. Potter said that was his feeling and he did not want it to happen. Mr. Potter said he wanted to see proof of the

zoning before it goes any further. Mr. Potter said 2006 and 2007 was when he built his house and all of a sudden he was in the City and started paying City taxes and before he was not paying them.

CONSENT AGENDA:

2. Matters related to the approval of minutes for the Public Hearing and Regular Meeting held on September 25, 2018.
3. Consideration and possible action regarding adoption of an Escrow Agreement by and between the City of Montgomery and NNAC, Inc. (Exxon Station, Dev. No. 1812).
4. Consideration and possible action to reappoint Nelson Cox and William Simpson to the Planning and Zoning Commission.

Rebecca Huss said that she had a question about Item 3 and asked if the owners had paid their Escrow payment. Mr. Yates said they have made the payment. Rebecca Huss asked if the City had spent any time looking into how the plan is different from what the City has been told their plans would be and how it impacts the City's FM 149 and SH 105 intersection ideals. Mr. Roznovsky said the deposit was just received on Thursday last week, but they reviewed the plans today and that is one comment that they will be discussing with Mr. Yates and how they need to address. Mr. Roznovsky said the Exxon Station is not making any accommodations for the FM 149 and SH 105 intersection. Rebecca Huss asked if TxDOT owns the right-of-way and can the City proceed without them doing anything. Mr. Roznovsky said that was to be determined; he did not know the answer to that question. Rebecca Huss said that TxDOT was ready to do what they wanted to do regardless of what the City wanted them to do, so presumably they can continue at least for that corner, which would be beneficial to the City, mobility and a number of other things, which TxDOT was willing to do when it was not beneficial the City or mobility in further northern spots of FM 149. Mr. Roznovsky said he did not know what is available for them to use or if TxDOT needs additional property from Exxon, and said that is one thing that they are going to get ironed out because they also need to plat the property and a handful of other things because it has been there so long. Rebecca Huss asked if Mr. Roznovsky knew what changed Exxon's mind about contributing the property. Mr. Roznovsky said he did not know what had changed, so they made a comment to the designer that they have been using and they have not received much of a response, but again it has taken 2-3 months to get the paperwork back and now that it is back they will make a call to the owner. Mr. Yates said that he also intends to talk to the owner about the right-of-

way and to find out from TxDOT about the property. Mr. Yates said that he intends to talk to the owner right away to get as much information as possible. Rebecca Huss said that if talking did not work with them, then variances and other things that they would want from the City would be the next best way to go. Rebecca Huss said protecting that intersection was a pretty high priority and that was the whole point of activity that the City has undergone and spent money on the southern portion, so it would seem silly to let it all derail for the northern portion.

Dave McCorquodale moved to approve the Consent Agenda as submitted. T.J. Wilkerson seconded the motion, the motion carried unanimously. (3-0)

CONSIDERATION AND POSSIBLE ACTION:

5. Consideration and possible action regarding adoption of the following Ordinance:

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS AMENDING THE CITY CODE OF ORDINANCES BY AMENDING CHAPTER 98, "ZONING," FOR THE SHOPPES OF MONTGOMERY PROPERTY AT THE SOUTHEAST CORNER OF STATE HIGHWAY 105 AND BUFFALO SPRINGS DRIVE FROM "R-1" SINGLE-FAMILY ZONING DISTRICT, "R-2" MULTI-FAMILY ZONING DISTRICT AND "I" INSTIUTIONAL ZONING DISTRICT CLASSIFICATIONS AS FOUND ON THE CITY'S OFFICIAL ZONING MAP TO "B" COMMERCIAL ZONING DISTRICT AND "I" INSTITUIONAL ZONING DISTRICT CLASSIFICATIONS; AND PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE UPON PASSAGE.

Mr. Yates advised this was to rezone the 26 acres known as The Shoppes of Montgomery located at the southwest corner of FM 2854 and SH 105. Mr. Yates said this was mentioned in the 380 Agreement with The Shoppes so this carries forward rezoning of the tract from R-1 Single Family, R-2 Multi-Family and I Institutional to B Commercial and I Institutional. Mr. Yates advised that the Institutional is the City's Sewer Plant and combines the other use to B Commercial, which is all but the City's Sewer Plant. Mr. Yates said this is in keeping with the City's 380 Agreement. Rebecca Huss said that back up material stated that they were going to get the legal description at the meeting. Mr. Yates said they will use the map that is on page 64 of the packet. Rebecca Huss said there was still a small square that is in the right third of the map, and asked if that was the lift station. Mr. Yates said that was the lift station that is

going to be moved to the Institutional location. Rebecca Huss asked if it was going to be Commercial as part of the move or will they have to change it to Commercial. Mr. Yates said that it would all be Commercial.

Rebecca Huss moved to adopt the Ordinance as previously read. Dave McCorquodale seconded the motion, the motion carried unanimously. (3-0)

6. Consideration and possible action regarding the rezoning of the eastern portion of a 2.148 – acre tract of land located at 1005 Old Plantersville Road from R-1 single-family to ID – Industrial as requested by Theresa Fisher.

Mr. Yates said that he had received a call from Mrs. Jenny Stewart after she had attended the last City Council Meeting and she heard the discussion regarding the Fisher property. Mrs. Stewart was on the Planning and Zoning Commission in 2003 to 2005 and she thought that she remembered an action item around that time regarding the property at 1005 Old Plantersville Road. Mr. Yates said that he asked the City Secretary to research the Planning Commission Minutes and that search led to Ordinance 2003-07 that was approved by City Council on April 22, 2003. Mr. Yates said Ordinance 2003-07 rezoned that property from RI Single Family to District L Light Industrial. Mr. Yates said the Ordinance was signed by then Mayor Sue Timmerman and attested and sealed by Carol Langley, City Secretary and approved as to form by William Fowler, City Attorney. Mr. Yates said the reason this ordinance was not found in the earlier research was because it was a “missing ordinance” in the Ordinance book and the applicant never mentioned a possibility of a rezoning. Mr. Yates said the rezoning happened in April and Mrs. Fisher bought the property in December, so she might not have known about the rezoning.

Mr. Yates said he asked the City Attorney for his opinion about the effect of the ordinance. Mr. Foerster said in the City Council’s packet he has provided a summary of his thoughts on this transaction and as it has been confirmed, the 2003 Ordinance by City Council and upon the recommendation of the Planning and Zoning Commission, changed the zoning of this property from Residential to Light Industrial, which we know today as Industrial. Rebecca Huss said as a point of fact that it was against the recommendation of the Planning and Zoning Commission. Mr. Foerster said the City Secretary can confirm that information. Mr. Foerster said that action was passed by City Council on a vote of 4-Ayes to 1-Nay for changing the use

to Light Industrial. Mr. Yates read that the action of the Planning and Zoning Commission was to deny the request to change the zoning to Light Industrial. Mr. Foerster said he stands corrected. Mr. Foerster said that at any rate the vote was 4-1 to change the zoning for the property, so it was changed, which apparently that is why Mrs. Fisher received a letter from Mayor Timmerman confirming the property was zoned Industrial.

Mr. Foerster said that Mr. Yates asked him what had precedence the Amended Official Zoning Map that was just passed at the last City Council Meeting or this 2003 Ordinance. Mr. Foerster said his conclusion is it is the Ordinance. Mr. Foerster said when they discussed with Jones and Carter whether or not we would need to go through the entire process of approving the Official Zoning Map, his conclusion is that the Zoning Map simply addresses what the zoning is for each of the pieces of property that has been previously designated by the City. Mr. Foerster said it would not require any public hearings by the Planning and Zoning Commission because that has already been done by previous City Councils with regard to whatever properties there are in the City. Mr. Foerster said, in his view, the Official Zoning Map was incorrect, and was only based on the best information Jones and Carter had at the time, and they did not have the 2003 Ordinance. Mr. Foerster said in his opinion, the Official Zoning Map is incorrect, but the Zoning Ordinance of 2003 takes precedence with respect to that property. Mr. Foerster said it is his judgement that it is a moot issue for Mrs. Fisher to ask for the property to be zoned Industrial when it already has been approved as Industrial by a previous City Council.

Rebecca Huss said that since the Zoning Map takes precedence it is not actually Industrial because the map says so. Mr. Foerster said no, he is saying the Official Zoning Map does not take precedence over the Zoning Ordinance. Mr. Foerster said that he thinks this City Council needs to amend the previously Amended Zoning Map to make it current with the ordinances that this and previous City Councils have adopted. Rebecca Huss said Mr. Foerster also lays out an option for City Council not to approve the corrected Zoning Map. Mr. Foerster said they have an option as a City Council to change the zoning designation to anything they want by going through the second process that is a statute in the City's Zoning Ordinance that allows them to go back and pursue a process of Planning and Zoning reviewing the property, typically done by petition of a property owner or anyone he supposed. Mr. Foerster said there is a down side of doing that as he pointed out in the memo. Rebecca Huss said that in the discussion last

time with Mr. Jacobs, which was not completely quotable in the minutes because it was abbreviated for the list of items that are permitted in Industrial Uses, and she did not think that it is in the City's best interest to have those across from residential properties and that is the problem of having changed the attitude toward cumulative zoning midway between the zoning of Industrial, at the time, and now because we no longer have cumulative zoning. Rebecca Huss said that one that sticks in her mind is the pecan shelling, but there were many Industrial Uses that were approved that she did not feel were appropriate for the area, based on traffic, noise, and general unsuitability for being next to residential homes. Rebecca Huss said she felt that they were in a kind of quandary on how to find a solution and she felt that jumping in and deciding to reapprove the Official Zoning Map with a limited City Council present is probably not a step that she wants to take right now. Mr. Foerster said that all he is saying is currently that property is Industrial. Rebecca Huss said the Map is the thing that they use. Mr. Foerster said the Map is incorrect and is based on error. Rebecca Huss said the Map is what they use until they change it. Mr. Foerster said he felt the Ordinance is what you use to define what the Map is going to look like. Mr. Foerster said he agreed with Rebecca Huss, given the number of zoning requests that have been made along different areas of the City, he thought it would be wise for City Council or maybe Planning and Zoning to review the Comprehensive Plan, which is the basis upon what you do zone. Mr. Foerster said the Comprehensive Plan was probably done 20 plus years ago and this City has changed dramatically in that time period. Mr. Foerster said he can recall Jon Bickford, who is not present, indicating in a previous zoning issue that he was concerned about changing zoning when you have a Comprehensive Plan. Mr. Foerster said that he thought Jon Bickford's observation is good in that we should look at a Comprehensive Plan to decide whether or not what was good 20 years ago is still relevant today, so he would certainly urge the City through Planning and Zoning and City Council, with the input of the developers and property owners to revisit and get a Comprehensive Plan that speaks to where we are today.

Rebecca Huss said for the issue at hand, she is sympathetic to Mrs. Fisher's desire to sell her property for the highest value that it can achieve, which is obviously as an industrial property rather than residential, but again as the City she feels that they have a need to figure out a solution that works for everyone. Rebecca Huss said that she feels that maybe tonight with the limited Council is not potentially the night to make a decision like that, but she feels that they should make some progress in figuring out what the solution is that might not be quite so black

and white or conflictual. Mr. Foerster said that he thought they could all appreciate her concern and he is not here because he is for or against Mrs. Fisher's proposal, he is just here to state the facts and opinion and the law as he understands it.

Dave McCorquodale said that this brings up something that is not directly related to this property, but the one across the street, adjacent to Mr. Potter's place. Dave McCorquodale said, without cumulative zoning, what do you do with a parcel that is zoned one thing and is currently being used for another. Mr. Foerster said you would have to read the Zoning Ordinance, and for example, his recollection is that if you have Commercial or Industrial, a residence can be used on that property. Mr. Roznovsky said the City's zoning states that specifically for Commercial, so a Commercial Zone can be used for a residence. Mr. Roznovsky said he did not remember about the Industrial section, but to answer Dave McCorquodale's question, across the street from Mrs. Fisher, where the Single Family home is located, it is zoned Industrial. Dave McCorquodale said he tended to think that if there is an ordinance that makes a property one use, that is what it is, and he is of the opinion that there should not be any Industrial in a City the size of Montgomery in any shape or form, and said that was his feelings on the matter, but he did not think the City can without some of the points that Mr. Foerster outlined in his comments, he did not know how they could go back and make something it is not, unfortunately. Mr. Foerster said there is a difficult process to do that, but again, he thought, for example, the property along the north side of the City is zoned one way or the other and there have been efforts made to change that and this City Council has declined to do that based on the Zoning designation. Mr. Foerster said that he is simply stating that it may be time for the City to revisit the zoning across the City and see if it makes sense, because there may be areas in the City that having Industrial areas would be appropriate, such as the Iron Works, and there might be others. Mr. Foerster said the dynamics of this City in terms of its growth and the way it is changing is so rapid that he thinks this City Council and the Planning and Zoning Commission need to get a handle on it so that going forward you can have some vision for what you want the City to look like 20 years from now. Mr. Yates said for approximately a year, the Planning and Zoning Commission has had about four or five pieces of property in mind for a City initiated rezoning for areas where they thought property owners did not realize what the zoning was or that the zoning was out of line with the surroundings, they figured their intention was for City initiated rezoning on those properties rather than require the property owner to rezone.

Rebecca Huss asked Mr. Foerster, as part of the changing of Montgomery space, would it be considered a taking if the City were to revisit what the permissible uses of Industrial property would be. Rebecca Huss said that instead of pecan shelling and jack hammers, what would be considered Industrial would be much more in tune with what the City would consider acceptable within the City limits. Mr. Foerster said he thought that the City Council could redefine the definition of Commercial, R1, R2, Institutional and Industrial to narrow the scope of the development, which is within their prerogative, and generally they go through the Planning and Zoning Commission for that process to get there. Mr. Foerster said Chapter 211 of the Local Government Code gives them some guidance, but the Code states that you start with a Comprehensive Plan, which is the vision of what you want the City to look like and then the Zoning is designed to meet the vision. Rebecca Huss said that might be a solution to have the Industrial uses much more compatible with more densely populated and less noise, less odor type businesses. Rebecca Huss asked if that would be considered a taking if they were to amend the permitted uses. Mr. Foerster said he would state for the record that he would not consider it a taking, now there may be some lawyers that would disagree with him. Mr. Foerster said an inverse condemnation was the term that he used.

T.J. Wilkerson said that right now he is probably leaning toward the Ordinance. T.J. Wilkerson said regarding the north side, he would rather see and he was sure that 90 percent of the people that way would rather see more than just Industrial, like what Mr. Jacobs was trying to do in that area where there is just Iron Works, more nice commercial and residential too, not just centralized in certain parts of town. T.J. Wilkerson said he is sure that Lone Star Parkway will develop. Mr. Foerster said tonight they changed the zoning of The Shoppes of Montgomery from Residential and Industrial to Commercial, and 20 plus years ago he did not think the cow pasture or field of trees was ever going to be anything what it was described, and now this whole area along SH 105 is going to be heavily commercial with a smattering of apartments. Mr. Foerster said the City can have a lot of control over how they want the property developed, and then, when the purchaser of the property will know what they are expected to have there and if not appropriate, they have a means of coming before the Planning and Zoning Commission and ultimately City Council to convince them of the need to change the zoning. Mr. Foerster said typically this City Council has not been inclined to do that without a whole lot of justification.

Rebecca Huss said that she would still feel a whole lot more comfortable with Jon Bickford and John Champagne being here to weigh in on the matter. Mr. Foerster said that was fine, he was just telling City Council that, in his view, Mrs. Fisher's property is Industrial. Mr. Foerster said there are a lot of judges that have ruled against him in his 40 something years, so he won't say that it can't be persuaded otherwise, but that is the way that he looks at it. Rebecca Huss asked if they could table the item until the next meeting. Mr. Foerster said they could certainly move to table the item. Mr. Foerster said he did not think his position was going to change, that the property is Industrial, but she was certainly welcome to table the item and get all five Council members engaged in the conversation. Rebecca Huss said the other Council members present do not have to agree with her, they could do something else.

Rebecca Huss moved to table the item. Dave McCorquodale seconded the motion, the motion carried with 2-Aye votes and 1-Nay vote by T.J. Wilkerson. (2-1)

7. Consideration and possible action regarding the Cade Tract Utility and Economic Feasibility Study.

Mr. Roznovsky presented the Feasibility Study to City Council. Mr. Roznovsky said this is a 1.75 acre tract located between the City limits and the high school on the south side of SH 105. Mr. Roznovsky said currently the City limit line goes all the way around the tract of land, which was done when the High School was annexed, a one foot strip went around the edge of the property. Mr. Roznovsky said the property will require annexation and since it is not zoned, the intention of the zone is Commercial. Mr. Roznovsky said that property will also have to be platted and go through the process. Mr. Roznovsky said as far as water and sewer go, they are only proposing a single bathroom for their onsite office building, so it is minimal impact to the system. Mr. Roznovsky stated there is a sewer line in front of their property that they will be able to tie into and a water line on their side of the street that Public Works has confirmed they will be able to tie into. Mr. Roznovsky said that the only drainage consideration, since it is not within the Flood Plain, is if they are draining into the TxDOT right-of-way, they need to get their approval to do so. Mr. Roznovsky said they have an existing driveway, but if they change it they will need to get TxDOT approval. Mr. Roznovsky said they are not impacted by the Thoroughfare Plan. Mr. Roznovsky said regarding their development costs, they will

have a water and sewer impact fee of \$3,600 and an additional escrow amount to cover plan reviews and the remaining legal and administrative expenses for the zoning and annexation of the property.

Rebecca Huss said what if this is like a Trojan horse and then next year they put in a Wendy's. Mr. Roznovsky said that would be a change in use and it would increase the impact fee. Mr. Roznovsky said the impact fee covers substantial changes, so if a McDonald's is torn down and a water bottle facility goes in, it would change the use, but he would have to look up the information. Mr. Roznovsky said they would still pay the tap fee and the cost to make those taps if they had to upsize. Mr. Roznovsky said he did not remember if they would pay the delta between what they paid and what the new fee would be, he will check on that information.

Mr. Roznovsky said the taxes are relatively minimal so the developer has a \$350,000 property value, which based on the owner's numbers would be \$1,300 per year. Mr. Roznovsky said overall this is a relatively simple development.

T.J. Wilkerson asked if the water and sewer had been hooked up. Mr. Roznovsky said the owner is not allowed to connect until the property is platted and the plans are approved. Mr. Roznovsky said the whole reason the owner is coming to the City is when he bought the property to develop it, he tried to go to the County to get a new septic permit and he was denied because of the use or size of the property or location, and in order for him to get service he has to connect to City utilities.

Rebecca Huss moved to approve the Cade tract Utility and Economic Feasibility Study as presented. T. J. Wilkerson seconded the motion, the motion carried unanimously. (3-0)

8. Consideration and possible action regarding the Lone Star Parkway Expansion and commitment to participate.

Mr. Roznovsky said for the last few months they have been working with TxDOT and the H-GAC regarding the expansion of Lone Star Parkway. Mr. Roznovsky said the idea is since SH 105 is landlocked with businesses using Lone Star Parkway as a bypass and that becoming the State road to bypass around the City. Mr. Roznovsky said there is a process that they have

been working through to receive federal funding to pay for a portion of that project. Mr. Roznovsky said they are talking a 5-10 year project to get the road up to TxDOT's standards, made into a four lane street and then the funding. Mr. Roznovsky said the preliminary schematic that they came up with would have a two lane road that is currently there that would be removed, along with all three of the bridges that are there, two at Town Creek and one at Stewart Creek, and then reconstructing the four miles of four lane highway and new bridges at all three crossings and a new high speed connector. Mr. Roznovsky said the high speed connector coming from the west, would come straight off of SH 105 through what is now open country, and get on Lone Star Parkway without having to go through the turn. Dave McCorquodale asked if the high speed connector would be both ways or would that just be from east bound. Mr. Roznovsky said likely it would be both ways so the thought would be where the current Lone Star Parkway and the high speed connector would meet would be an intersection. Mr. Roznovsky said in Tomball at 249 bypasses to 249 through town. Mr. Roznovsky said the estimate also includes putting signalized intersections at SH 105 and Lone Star Parkway, SH 105 and a future planned thoroughfare that is by the Community Center on Lone Star Parkway, FM 149 and Buffalo Springs Drive and Lone Star Parkway.

Mr. Roznovsky said the total cost of the project is \$45 million dollars. Mr. Roznovsky said the TIP Program will fund up to 80% out of federal funds, with a 20% local match of \$9 million, which would be a partnership with Montgomery County, City of Montgomery and anyone else willing to participate. Mr. Roznovsky said the thought would be if they can go to the County and get an 80/20 share of the County's participation it would leave a \$1.9 to \$2 million dollar share for the City. Rebecca Huss said that would be about \$400,000 per year that they need to save in order to be ready in five years.

Mr. Roznovsky said there needs to be some type of funding mechanism to come up with the funds. Mr. Roznovsky said in order to get on the TIP you have to be on a Regional Transportation Plan; they have already done the studies and have the information. Mr. Roznovsky said they have a meeting with H-GAC and they ran a model to show it, so instead of submitting to be on the TIP this year, they submitted to get on the Regional Transportation Plan. Mr. Roznovsky said it does not have the October 31, 2018 deadline, so they have time to get the score based on points. Mr. Roznovsky said the readiness to proceed is the big think, so the more ready they are when they submit the TIP application, the higher potential they have

to get funding. Mr. Roznovsky said when they submit to TIP they are expecting funding within 0-4 years, to not submit and just get on the list is the 5-10 year range. Mr. Roznovsky said the thought process that has changed since this letter is we do not submit for the TIP this year, we submit on the next call for projects which is 2021 and hit that four year range. Mr. Roznovsky said that will give the City another three years to plan, start acquiring right-of-way, and start setting the limits on connections to the street to help get the readiness score up and then also work on funding mechanisms. Mr. Roznovsky said the other thing is they will get more credit if they can get committed partners between the County and the City and everyone else, and start some of the initial environmental studies and preliminary engineering to help show that readiness for the project is higher.

Mr. Roznovsky said what they are requesting tonight is authorization for the City to sign a letter of support, stating that you have reviewed this project and you see that there is a need and support moving it forward and submitting it through. Mr. Roznovsky said at the same time it is also requesting letters of support from the County, which conversations have already started with Senators Nichols and Metcalf, since they have been a big benefit to the City on the FM 149 Project. Mr. Roznovsky said this was not a commitment of funding, this is supporting the project and moving forward. Rebecca Huss said they talked about this for a long time that this is a critical component to relieving pressure on downtown and moving heavy trucks away from the SH 105 and FM 149 intersection, and having this route would allow the City to do that. Rebecca Huss said \$2 million dollars is an incredible amount of money, but starting early the City can start saving for that expense and then they can borrow too. Mr. Yates said his thought on this is the Impact Study Committee, when they meet in November, this can be part of their discussion about Impact Fees and who you charge them to. Mr. Yates said that maybe they need to start earmarking debt service fund that they keep building up every year for these type of projects. Rebecca Huss said they have been talking about it for years, as they are accumulating their depreciation funds and our maintenance funds, and things like that, it is less painful to save a little bit at a time and expand it as the budget is expanding rather than to have to pay for it in full when you don't have the money in your budget. Mr. Yates said they have a \$4 million dollar borrowing capacity in the debt service fund and he expects that to grow. Rebecca Huss said they have a lot of big water and sewer fund projects to worry about, but putting this one on the list of things that they need to accommodate for, it is good to know early

that this is coming. Mr. Roznovsky said in the next couple of years they will be able to narrow down the cost estimates.

Rebecca Huss moved to authorize the City Administrator, Jack Yates to issue a letter of support to TxDOT and H-GAC to put Lone Star Parkway on the upcoming TIP Program for Lone Star Parkway. Dave McCorquodale seconded the motion, the motion carried unanimously. (3-0)

9. Consideration and possible action regarding approval of the Montgomery Economic Development Corporation 2018-2019 FY Budget as recommended by the MEDC Board of Directors.

Rebecca Huss presented the 2018-2019 MEDC Budget. Rebecca Huss said for 2018-2019 they are estimating the sales tax revenue to be \$575,000 and they will be spending every penny of that, with the utility extensions being the balancing factor. Rebecca Huss said MEDC has approximately \$750,000 in the bank account, so if they have any projects for utility extensions coming through they will come back to City Council to ask for an extension of their budget to fund that project. Rebecca Huss said most of the items are fairly similar to past years, with downtown improvements of \$60,000, the reimbursement for the Kroger estimated at \$76,000 - \$77,000, with the big change this year being the new Tourism Position; total transferred to the City to pay for that person is \$80,000, with \$60,000 being the salary and \$20,000 for expenses, such as benefits.

Mayor Countryman asked how far along MEDC was in the process of finding someone for the Tourism. Rebecca Huss advised that they have spoken with three candidates and they might speak to a fourth, and they are following up with the three to ask them to do a presentation about what their plans would be if they were to be hired on a 30 day, 90 day and one year basis. Rebecca Huss said this presentation would put the candidates on an apples to apples comparison, because when you speak to different people they have different personalities and it can be difficult to compare them, and they are trying to do a good job of comparing them. Rebecca Huss said what they are looking for is more than just tourism, they are looking at tourism as a mechanism for economic development, and there are obviously other types of economic development that they are pursuing. Rebecca Huss said this person needs to be very well rounded, enthusiastic and ready to hit the ground running. Rebecca Huss said they hope

to make a decision at the Monday MEDC Meeting, which will be held here at 6:00 p.m. Dave McCorquodale asked about the festivals. Rebecca Huss said instead of picking festivals themselves, they moved them up to category 3, which is a quality of life, for \$35,000 to cover all the festivals. Rebecca Huss said they anticipate starting three new festivals for the coming year, with one being an additional Wine Festival in April, a Flag Festival in March and October Fest in October, all of which they feel will generate additional funds to help promote additional festivals for the following year or promotional activities during current fiscal year. Mayor Countryman said that it sounds exciting. Rebecca Huss pointed out that the MEDC Board has taken a much more proactive approach to making itself available for feedback and grading itself as well, and they are redoing their 1-3-5 year's goals to quantifiable items and take a look at itself in judging how they are doing. Rebecca Huss said not only will they be giving grades to their new employee, which they intend to do much more strictly, and we will also grade ourselves. Mayor Countryman said she liked the accountability and said it was important.

Dave McCorquodale moved to approve the MEDC 2018-2019 Budget as recommended by the MEDC Board of Directors. T.J. Wilkerson seconded the motion, the motion carried unanimously. (3-0)

10. Discussion regarding the Developers Round Table Discussion.

Mr. Roznovsky advised that on September 14, 2018 they had about 15-20 developers that attended the Round Table Discussion Meeting. Mr. Roznovsky said they had an open discussion regarding ordinances, thought changes and any other items that they wanted to discuss. Mr. Roznovsky said his memo highlights some of the action items that came out of the meeting, and the goal of this discussion tonight is to decide what the City Council wants to further investigate and how to move forward with some of these items.

Mr. Roznovsky said the items that were on the list are as follows:

- Cumulative Zoning – to revisit that option and Mr. Yate's thought is this is a Planning and Zoning Commission type discussion that they can look at the pros and cons. Mr. Roznovsky said there was a reason the City had cumulative zoning and there was a reason they went away from it. Mr. Roznovsky said currently what is in the Code is

just from a B-Commercial to allow residential uses and does not apply across all the zones.

- Electronic Escrow Account Updates - instead of mailing out the updates. Mr. Roznovsky said this will allow everyone to receive the information quicker and more efficiently.
- Trees and Landscaping – were big issues that were discussed, with the main point being it was cumbersome and the cost of doing the tree survey. Mr. Roznovsky said they are quoting \$600 an acre of trees, and with the Mabry tract, which is the 80 acres on FM 1097 that is a tree farm, the tree survey quote was \$80,000 due to the amount of trees on the property. Mr. Roznovsky said the City's tree ordinance is based on a replacement of what you removed and not what you provide, so if you have no trees, you do not have to put anything back, but if you have a lot of trees you have to plant a lot more. Mr. Roznovsky said The Shoppes of Montgomery had a decently wooded site, and for them to meet the requirement they had to plant approximately 600 trees. Mr. Roznovsky said City Council will have to decide if they want to revisit the ordinance to see what options are out there, such as a percentage of coverage requirement. Rebecca Huss said there is obviously a quality thing, because she would not call Kroger's site landscaping and an acceptable substitute for a tree. Mr. Roznovsky said Kroger did not have to follow the tree ordinance, but maybe that is where the coverage requirement says to be in this area you have to do a certain amount of coverage. Mr. Roznovsky said he thought that the City of Conroe required 20 percent. Mr. Roznovsky said the question is essentially is there another way.
- Lighting Ordinance – with the main complaint being the options for the number of fixtures and that maybe it was too soon for a Lighting Ordinance since the City is not that big yet. Rebecca Huss said she thought that was the whole point of the Ordinance was to keep the dark skies.
- Development Handbook – which they reviewed the book that was put together and there were not comments on that material.
- Sidewalk Ordinance – all of the developers generally agreed with the need for a Sidewalk Ordinance, which is more comprehensive and thoughtful of how it is laid out but they all wanted some type of way to pay for it.
- GIS – was discussed and they reviewed the system with the developers and showed them how they could use the system. Mr. Roznovsky advised that there is a link that

they can place on the City's web site. Mayor Countryman said the developers were impressed with the GIS System.

- Reimbursement – Mr. Roznovsky said the developers asked if the City was willing to change the tone on reimbursement mechanisms, either a MUD or a Management District or some other type of reimbursement. Mr. Roznovsky said they discussed the fact that they would be more willing to do more trees or more sidewalks if there was a way to get reimbursed. Rebecca Huss said they are talking about competing against MUD's who are all outside the City, but then they will end up with a cost advantage versus the developers who are already in the City who are already working within the rules the City has, so then they have people who are new to the City that want an advantage versus our existing developers. Mr. Roznovsky said the topic of discussion was brought up by an existing developer.

Mr. Roznovsky said the idea here is to hold an outside workshop with City Council and bring in some outside sources just to have an open discussion of what is available and not available, and if the answer is still no, they can just look at the pros and cons.

Rebecca Huss said for her it is pretty easy to go for looking at the Tree and Landscaping Ordinances, which is something that they have and maybe they can do it better without loosening or ruining what they have or what they are trying to do. Rebecca Huss said this might be a good first round for Planning and Zoning Commission. Rebecca Huss advised Mr. Yates the Planning and Zoning Commission might look at the permitted uses for Zoning. Rebecca Huss said the pros and cons of cumulative zoning and whether to change that should not come from the Planning and Zoning Commission first, it should be decided by City Council and then ask Planning and Zoning Commission to go from there if they need to look for language or whatever. Rebecca Huss said she felt that was a political decision from City Council and the Planning and Zoning Commission should not waste their time unless City Council knows what it wants to do. Dave McCorquodale asked Rebecca Huss if the Planning and Zoning Commission might be helping City Council understand what it is that they want to do. Rebecca Huss said maybe, they would not tell City Council what to do but maybe have a debate on the pros and cons. Rebecca Huss said maybe a third way could be what Mr. Larry Jacobs talked about, where he has a variety of landowners and where they have a PDD, the owner of the property could decide what is best for the overall value. Rebecca Huss said if you have four or five different landowners deciding on a tract of land, you really can only use

zoning to determine what happens, but is there another way to get the idea of a PDD or a District. Mayor Countryman said a workshop is definitely in order. Rebecca Huss said Mr. Jacobs had requested a workshop as well and she felt that he was right. Mayor Countryman agreed.

Dave McCorquodale said that he has often thought of the developers and how they need training on what an elected body does when it represents the citizenry as a whole, and we as the City are in the business of health, safety and welfare, in other words the quality of life. Dave McCorquodale said there was room for conversations on both the City and developer sides. Rebecca Huss said that she has been on calls where the developer wants to have a MUD where all they are providing is the roads and pipes; they are not providing the water in the pipes and they want to charge \$.5 for a period of time. Rebecca Huss said she cannot imagine how angry someone would be in the audience when she explains that someone who lives in another area gets all that service for \$.4 and the others are having to pay \$.9, and saying sorry, that is just what you should have known when you bought your house. Mayor Countryman said surely if they have a good realtor they will know that. Rebecca Huss commented that you could say buyer beware she supposed, but ultimately you are saying what are you getting for that value and you would say the developer got all his money out early rather than getting it out one house at a time in the margin that they sold the house. Rebecca Huss said they are getting it all out in a lump when they leverage all that and it is paid back in the MUD taxes versus getting it all out in a profit margin on the house or the property that they sell one by one. Mr. Roznovsky said everyone's point is having someone show the numbers, so he can do a MUD or a non-MUD, what is the difference in the tax rate, because you are paying for it one way or the other. Rebecca Huss said to her, what they are saying is the buyer does not understand that if they priced the house at \$250,000 and then they charge them \$.5 MUD taxes on top of that versus selling the house for \$280,000 and they just pay the \$.4 that would be the difference, and what they are saying is the buyer is too stupid to know that it is the same number out of their pocket every year. Rebecca Huss said that was why she had a really tough time with that and she will never get over that.

Mr. Roznovsky asked if it was worth having a workshop and what other options are out there; if it is not a MUD, what other options are there that achieve the same goal that developers know they can come to and will give them what they feel is competitive with the surrounding area to

do it and just have that discussion. Rebecca Huss said the City does not make money on big developments where they have lots of small homes in them, it costs a lot of money to roll out services to the residents if they do it well. Rebecca Huss said bringing in these huge developments, they should not be putting out the red carpet to these big developments because that is not what makes the City the high quality place that we live in. Rebecca Huss said the economics are all on their side, not on ours, ours is delivering high quality services. Rebecca Huss said she thought they should focus on doing the things on this list that the City can do and agree on and leave some of the other things for later. Rebecca Huss said they should work on the Zoning, Tree and Landscape Ordinances, pros and cons of cumulative zoning, and see if they can come to some consensus. Rebecca Huss said they can't do it all at once, so focus on the things that they can do.

Mayor Countryman said they would like to have a workshop. Mr. Roznovsky said they will have the Planning and Zoning Commission focus on cumulative zoning, gets some pros and cons and then have a joint workshop and open discussion, start looking at the Tree Ordinance, permitted uses for Zoning. Mr. Roznovsky said they will look at the Landscaping Ordinance options and present potential changes, and make no changes to the Lighting and Sidewalk Ordinances. Mayor Countryman said they can revisit the Sidewalk Ordinance once they get a Comprehensive Master Plan together. Rebecca Huss said they should not put off the Sidewalk Ordinance too long, otherwise they are going to have a bunch of development that needs sidewalks that don't have them.

11. Discussion of Report of proposed Water, Sewer and Garbage Rates amendments.

Mr. Yates advised the City will have a Public Forum on October 18, 2018 to discuss the water and sewer rates. Mr. Yates said that he wanted to give City Council a reminder and assurance that the .50 cents per 1,000 gallons for 2,000 up to 20,000, which has an effect of \$8.00 for the average customer (6,000 gallons). Mr. Yates said the other explanation was \$1.00 per 1,000 gallons for over 20,000 gallons on commercial usage. Mr. Yates said it is estimated that these two changes will bring in approximately \$39,000 to the Utility Fund. Mr. Yates said this information has already been sent out to the City's customers. Mr. Yates said the Ordinances will be brought before City Council at the October 23, 2018 meeting for action.

Rebecca Huss said this is the last of the three year plan that they had in response to the work that Jones & Carter did regarding the actual cost of providing the services. Mr. Yates said that he has not received any comments from the mail out that was sent. Rebecca Huss said she thought the information was very well written and the information provided was very clear.

12. Consideration and possible action regarding a proposal from Municode for City Web Site services.

Ms. Hensley, City Secretary presented the information to City Council. Ms. Hensley advised that she had obtained three proposals for the services, as follows:

- EZTASK (current company) - \$16,901 Initial Investment \$6,120 Annual Subscription (Year 2).
- Saffire - \$5,000 each platform (3-City, Parks & EDC) \$15,000 + \$3,000 Design + \$4,800 Licensing & Hosting. Total - \$22,800
- Municode - Custom Design and additional options at \$10,500. The additional options includes:
 - Email subscriptions/notifications that would allow a resident or visitor to elect to be notified of agendas, legal notices, announcements and changes made on the site.
 - Parks and Trails Directory would be a map of the City with flags showing all the parks that people can scan over to see the amenities of the different parks, or they can click on the flag and go to a separate page for each park.
 - Projects Directory would be a map of the City with flags showing ongoing projects, such as the bridge project or MLK/Baja. The visitor could scan over the flag and get a description of the project. There is the capability of including photos and a timeline showing the history of the project. Ms. Hensley advised this item is very important because it would allow the City to go back and add the history of the projects that have occurred in the past.

Rebecca Huss asked if that included unlimited memory. Ms. Hensley advised this has seven years of backup with additional storage. Mr. Yates advised that Municode also provides the City's Code of Ordinances, and this is an off-shoot of

the Code. Ms. Hensley said one of the blessings of this is that it will allow someone to go on the site, do a search one time and it will search the entire site, ordinances, events and calendars. Ms. Hensley advised if you put in a search for something dealing with signage, it will pull up the sign permit application, section of the Code that deals with signs, announcements; anything related to signs will be shown. Mayor Countryman said it was like a Google Directory, it is pretty intuitive and goes across City-wide anything, whether it is in parks, business, meetings, City Council, it will pull up.

Ms. Hensley advised the custom site will allow them to create web sites inside of our web site, which do not have an additional cost and is part of the custom design. Ms. Hensley stated that would allow the Parks to have their own page, HMBA could have a separate page, and the Police Department could customize their page to look like the Police Department, not just stamped to where the site is all the same template.

Mayor Countryman stated that Ms. Hensley did a great job on this and our current online presence needs a facelift, so given what Municode can do and seeing the disaster that we currently have, it is going to be mind-blowing on how much they can do and how slick and current they are going to look, as well as how user friendly, we are going to be able to provide our citizens, inside and outside the City, as well. Mayor Countryman stated that the City of Montgomery is now a Distrx City, which is a mobile application for all the historical markers, restaurants and businesses that will feed into this and will be on the web site. Mayor Countryman said for all the developers, the GIS will be on the new site. Mayor Countryman said this will also free up the City staff to be able to do what they need to do. Mayor Countryman said this will be very user friendly with tons of information, and part of our City growing up. Mayor Countryman stated that Ms. Hensley did a great job doing all the research and given the dollar amount, it is very palatable to move forward in that direction.

Ms. Hensley advised that she did talk the current web site provider into extending the contract for six months versus a year for half the cost, and the new web site will take three to four months to go live, which will allow for the transition period.

Rebecca Huss said it sounds like Municode site is something that is reasonably user friendly, so any of us with a site, such as the MEDC, will be able to update the site and does not all have to go through Ms. Hensley. Ms. Hensley advised the site will also be viewable on cell phones and tablets so you won't have to adjust your screen.

Mayor Countryman said during the month of August they had a photo contest, which had a large amount of participation. Mayor Countryman said in order to save money and not have to hire a photographer for the web site, they asked the residents, inside and outside of the City, to submit pictures. Mayor Countryman said they have received some beautiful photos that they will be able to use and give credit to those photographers.

Rebecca Huss moved to move forward with the proposal from Municode and go forward with the full site, with the email subscriptions, parks directory, projects directory, and the training. Dave McCorquodale seconded the motion, the motion carried unanimously. (3-0)

13. Buffalo Springs Bridge Report by the City Engineer.

Mr. Roznovsky advised the contractor was ahead of their schedule, the guardrail was being installed today, and the base work for pavement of the road was completed last week so now they are just waiting for the asphalt overlay. Mr. Roznovsky said the majority of the slope paving is in, and the overflow, which is a dedicated channel at all four corners for water to go through, was being formed up this afternoon. Mr. Roznovsky said the guardrail was not supposed to start until October 24th, paving was supposed to start the end of this week, so the revamped crew is ahead of schedule. Mayor Countryman asked if they were still shooting for the October 31, 2018 deadline. Mr. Roznovsky said yes, that was the deadline.

14. Consideration and possible action regarding acceptance of the Resignation by City Council Member Dave McCorquodale.

Dave McCorquodale said he wanted to take this opportunity to say that it has been an absolute pleasure and honor to serve the City on various Boards and Commissions, along with the last five years on City Council. Dave McCorquodale said so no one thinks that they are getting rid of him, he is actually going on just the other side of the dais here and going to work under Mr. Yates as his Assistant, and he hopes what he has to offer will certainly help the City to move forward in a reasonable manner in very uncertain and exciting times with all the development and outside pressures that we face. Dave McCorquodale said that he hopes City Council will all say yes to accept his resignation. Rebecca Huss said she supposed that she and T.J. Wilkerson have the power. T.J. Wilkerson said yes. Mayor Countryman asked when Dave McCorquodale would start working for the City. Mr. Yates advised Dave McCorquodale would be reporting for work tomorrow morning. Mayor Countryman said excellent. Dave McCorquodale said that sounds great.

Rebecca Huss moved to accept the resignation of Dave McCorquodale from City Council. T.J. Wilkerson seconded the motion.

Discussion: Mayor Countryman said Dave McCorquodale will be missed on City Council.

The motion carried unanimously. (3-0)

EXECUTIVE SESSION:

The City Council reserves the right to discuss any of the items listed specifically under this heading or for any items listed above in executive closed session as permitted by law including if they meet the qualifications in Sections 551.071(consultation with attorney), 551.072 (deliberation regarding real property), 551.073 (deliberation regarding gifts), 551.074 (personnel matters), 551.076 (deliberation regarding security devices), and 551.087 (deliberation regarding economic development negotiations) of Chapter 551 of the Government Code of the State of Texas. (No items at this time.)

COUNCIL INQUIRY:

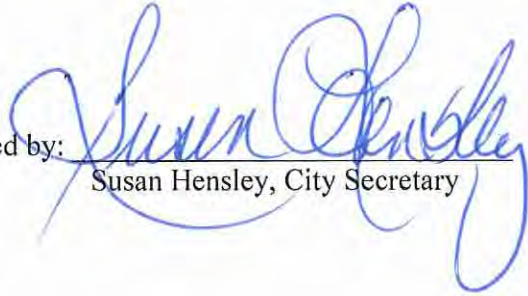
Pursuant to Texas Government Code Sect. 551.042 the Mayor and Council Members may inquire about a subject not specifically listed on this Agenda. Responses are limited to recitation of existing policy or a statement of specific factual information given in response to the inquiry. Any deliberation or decision shall be limited to a proposal to place on the agenda of a future meeting.

There were no comments made.

ADJOURNMENT

Rebecca Huss moved to adjourn the meeting at 7:28 p.m. The motion was seconded by T.J. Wilkerson, and carried unanimously.

Submitted by:



Susan Hensley, City Secretary

Date Approved: _____

Mayor Sara Countryman

Montgomery City Council
AGENDA REPORT

Meeting Date: October 23, 2018	Budgeted Amount:
Department: Administrative	
Prepared By: Susan Hensley, City Secretary	Exhibits: Beverage Permit Application Pack; Resolution approving the previous beverage permit; Letter of approval from MISD.
Date Prepared: October 17, 2018	

Subject

Application by Hodge Podge Lodge to add Mixed Beverage Permit to their current Wine and Beer Permit.

Recommendation

Approval of the Hodge Podge Lodge Mixed Beverage Permit Application.

Discussion



The City of Montgomery longer requires a public hearing for approval of beverage permits applications, per Ordinance 2018-01 adopted in January of this year. The City Code of Ordinances states the following:

City Code - Sec. 6-33. – Approval of license application by City Council. After all the requirements for a license application under the provisions of this article have been met as determined by the City Administrator, the application shall be presented to the City Council for approval at a public meeting.

City Code - Sec. 6-34. - Conversion to different use. Uses permitted under any of the categories designated in this article may be converted to another use only with the approval of City Council.

City Council authorized the previous beverage permit by adopting Resolution 2016-10, which is attached for your reference. The owner has also obtained a letter of approval from Montgomery ISD stating that they have no issue with Hodge Podge Lodge selling alcohol at its location since the building is being repurposed to become the school district's Central Administrative Offices.

Approved By

City Secretary	Susan Hensley, City Secretary 	Date: October 17, 2018
City Administrator	Jack Yates, City Administrator 	Date: October 17, 2018

October 3, 2018



City of Montgomery

To Whom It May concern:

Hodge Podge Lodge (HPL) both the property, bed and breakfast, and the wedding/events business and new restaurant owned by Jeffry and Mistie Angelo. HPL Hospitality the DBA for ZNZ Creative Services LLC provides food and beverage services to clients booking wedding and events, clients of the new Eatery restaurant as well as catered events both on and off-site. We currently hold a BG license with the TABC serving both beer and wine. We are applying for a mixed beverage permit to accommodate all guests of the Eatery as well as provide for wedding and events.

HPL Hospitality (The Eatery@ HPL) is open Tuesday – Saturday from 8 AM – 2:30 PM – Closed on Monday's and Sunday's. We are scheduled to begin dinner services beginning in early 2019.

HPL Catering will be open all hours in compliance with local and state liquor laws.

The Building located at 300 Prairie Rd (Lot One (1), in Block One (1), of MELROSE PLACE, a Subdivision in Montgomery County, Texas) is not located within 300 feet of a church, school or hospital and the building is in compliance with the requirements of the chapter for separate and adequate toilet facilities for men and women when conducting on-premise consumption of beer, liquor or wine.

Thank you for your consideration in approving this permit application.

Sincerely,

Jeffry S. Angelo, President

ZNZ Creative Services d/b/a Hodge Podge Lodge | d/b/a HPL Hospitality

Montgomery Independent School District

13159 Walden Road
P.O. Box 1475 Montgomery, TX 77356
Telephone: (936) 276-2000

Beau Rees, Ed.D.
Superintendent

Bobby Morris
Chief Operating Officer

October 8, 2018

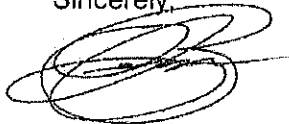
Hodge Podge Lodge
c/o Jeff S. Angelo
300 Prairie St
Montgomery, TX 77356

Mr. Angelo,

Montgomery ISD is aware that Hodge Podge Lodge has applied for a license to sell mixed alcoholic beverages. The school district does not intend to protest the application. The former Montgomery Elementary School has been relocated to another location on HWY 149. The Montgomery Elementary School Building is being repurposed to become the school district's Central Administrative Offices. Since Montgomery Elementary will be repurposed into District Offices and no children will attend the school regularly, MISD has no issue with Hodge Podge Lodge selling alcohol at its location, which is adjacent to school property.

Thank you for your time and consideration. The School District wishes you the best of luck in your business endeavor.

Sincerely,

A handwritten signature in black ink, appearing to be 'Beau Rees', written over a circular scribble.

Beau Rees
Montgomery ISD Superintendent

RESOLUTION NO. 2016-10

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF MONTGOMERY APPROVING A VARIANCE TO THE 300-FOOT DISTANCE REQUIREMENT FOR AN ALCHOL BEVERAGE PERMIT FOR THE HODGE PODGE LODGE LOCATED AT 300 PRAIRIE STREET AND APPROVING THE PERMIT.

WHEREAS, the City Council for the City of Montgomery has received an Application for an Alcohol Beverage Permit from Jeffry S. Angelo, ZNZ Creative Services LLC, dba Hodge Podge Lodge and dba HPL Hospitality; and

WHEREAS, the City Council finds that the Hodge Podge Lodge, which was originally known as "Melrose," is a historic pre-Civil War property that has been serving the City of Montgomery as a venue for community social events for over 100 years; and

WHEREAS, it appears that the property line of the Hodge Podge Lodge is located within 300 feet of the property line of the public Montgomery Elementary School; and

WHEREAS, there are plans by the Montgomery Independent School District to close the elementary school in the next year; and

WHEREAS, the principal of the elementary school has submitted a letter offering no objection to the issuance of an alcohol beverage permit for the Hodge Podge Lodge; and

WHEREAS, a public hearing was held on October 11, 2016, to hear public comment concerning the Application by the Hodge Podge Lodge; and

WHEREAS, the City Council finds that the distance between the Hodge Podge Lodge and the public school building is over 300 feet; and

WHEREAS, Section 109.33(e) of the Texas Alcoholic Beverage Code ("Code") permits a city council to grant a variance to the 300-foot distance requirements found in Section 109.33(b) of the Code if the city council determines that the strict enforcement of the distance requirements does not serve the public interest and is not effective or necessary after considering the health, safety and welfare of the public and the equities of the situation; and

WHEREAS, the City Council finds that the enforcement of the 300-foot distance between the property lines of the Hodge Podge Lodge and the elementary school is not in the best interest of the public; creates an undue hardship on the Hodge Podge Lodge permit applicant; and does not serve its intended purpose of protecting the health, safety and welfare of the children in the public school given the facts and equities of the situation;

NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS THAT:

SECTION 1. The City of Montgomery hereby adopts and incorporates the above findings as true and correct.

SECTION 2. The City Council hereby grants a variance to the 300-foot distance requirement set out in Section 109.33(b) of the Texas Alcoholic Beverage Code and approves the Application for an Alcohol Beverage Permit for the Hodge Podge Lodge located at 300 Prairie Street, Montgomery, Texas.

SECTION 3. It is hereby officially found and determined that the meeting at which this Resolution was considered was open to the public as required and that the public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

PASSED AND APPROVED this 11th day of October 2016.

CITY OF MONTGOMERY, TEXAS

Kirk Jones

Kirk Jones, Mayor

ATTEST:

Susan Hensley
Susan Hensley, City Secretary



APPROVED AS TO FORM:

Larry L. Foerster
Larry L. Foerster, City Attorney



Sign

Eatery Hours: (currently) Tuesday – Saturday | 8-2:30 pm

Hodge Podge Lodge Bed & Breakfast Hours: 24 hours

Venue rentals Daily: 9 am – 11 pm



City of Montgomery
Alcohol Beverage
License Application

City of Montgomery, Texas
P.O. Box 708
Montgomery, Texas 77356
936-597-3288
www.montgomerytexas.gov

APPLICATION FOR THE SALE OF ALCOHOLIC BEVERAGE LICENSE

Date Received by the City: 10/05/18

1. Type of Alcoholic Beverage License: (attach completed TABC Application Form)

- (1) Category A – Off Premises Consumption Sale of All Alcoholic Beverages – Package Store
- (2) Category B – Off Premises Consumption Sale of Wine, Beer or Ale.
- (3) Category C – Off Premises Consumption Sale of Beer.
- (4) Category D – On Premises Consumption Sale of Beer, Wine and Mixed beverages – Restaurant or Café, where the sale of beer, wine and mixed beverage on the premises would be incidental to the restaurant or café.
- (5) Category E – On Premises Consumption Sale of Beer, Wine and Mixed beverages – Tavern, Lounge, or Bar. The sale of Beer, Wine and Mixed beverages for On-Premises Consumption being the principal business line.
- (6) Category F – Warehouse storage of Beer, Wine or Liquor for Distributors – No sale of Beer for on or Off-Premises Consumption permitted on the Premises.

- 2. Legal Description of the property for which License is sought. (Either by Lot and Block number or by a Metes and Bounds Description: Lot DNE(1) in Block Dwell, of McRose Place @ Sub Division of Montgomery County)
- 3. Exact Nature of the Business to be operated. (Must be fully described in cover letter on company letterhead). Convenience
- 4. Attach a Plat of the property to the Application showing the improvements, parking areas, location of signage and other structures on the property and within three hundred (300) feet to scale.
- 5. Description of signs and the hours they will be operated to be attached as a separate document.
- 6. Attach floor plan of the building in which the business is to be conducted (showing fixtures, furniture, restrooms, kitchen and other equipment).
- 7. Attach a verified statement stating that the building is not within three hundred (300) feet of a church, school or hospital and that the building is in compliance with the requirements of this chapter for separate and adequate toilet facilities for men and women if used for on-premises consumption of beer, liquor or wine. This can be included in cover letter.

8. Business Owner: Jeffrey S Angelo Phone: 832-256-5555
 Address: 725 Mountain View DR
 Home Address: 300 Prairie St Phone: 936-203-2200
 Check if you are leasing property: []

9. Land Owner: _____ Phone: _____
 Address: _____

10. Business Partners: _____ Phone: _____
 Address: _____
 Home Address: _____ Phone: _____

 This is to certify that I, Jeffrey S Angelo have complied with all State, County, Codes and Regulations of the City of Montgomery, Texas.

 Business Owner and/or Lessee or Partner if Applicable

11. A cover letter on your company's letterhead shall include a description of the nature of the business to be conducted, the names and address and interests of all persons having a direct or indirect financial interest in the property. The cover letter can include any other requested information that needs further description.

Upon receipt of this application form and confirmation that all items have been received, you will be notified of the date and time of the City Council Public Hearing by the City Secretary.

If the application is not approved by City Council, no new application may be filed for a period of one year from the date of the public hearing and original application, unless City Council shall determine that conditions have so changed that an earlier hearing would be justified.

The provisions of City Code shall be considered concurrent with or in addition to the Texas Alcoholic Beverage Code, and, where a conflict may be found to exist, the provisions of the Texas Alcoholic Beverage Code shall apply. Applicants for a City alcoholic beverage license must comply with all applicable state and county codes and regulations as well as the requirements of the City Code.

It shall be unlawful for any person to manufacture, brew, distill, sell or distribute any wine, beer, liquor or other alcoholic beverage within the City, or engage in any other activity for which a license or permit is required by the Texas Alcoholic Beverage Code, without first obtaining a license so to do from the City. The annual fee for each such license shall be an amount equal to one-half the fee charged by the state for a license or permit to engage in a similar activity.

Note: The Alcoholic Beverage Code, provides that a mixed beverage permit is exempt from City permit fees during the three year period following the issuance of the permit.

If you require any additional information, please contact the City Secretary, Susan Hensley at (936) 597-3288.

Form – REV 06/2017

Sec. 6-31. - Application.

- (a) Written application for the sale of alcoholic beverages shall be made on forms provided by the city and filed with the city secretary. Such application shall be signed by the actual lessee or intended operator of the business for which the license is sought. The owner of the property must file a written consent to the application, unless the owner is making the application. Every such application shall contain the following:
- (1) An adequate legal description of the property for which license is sought, either by lot and block number or by a metes and bounds description.
 - (2) The exact nature of the business to be operated must be fully described.
 - (3) A plat of the property must be attached to the application showing the improvements, parking areas, and location of signs and other structures on the property and within 300 feet, to scale.
 - (4) A description of signs and the hours they will be operated.
 - (5) A floor plan of the building in which the business is to be conducted must be attached to the application, showing fixtures, furniture, restrooms, kitchen and other equipment.
 - (6) A statement giving the names, addresses, email addresses, telephone numbers and interests of all persons having a direct or indirect financial interest in the property and the business to be conducted.
 - (7) A verified statement must be attached to the application stating that the building is not within 300 feet of a church, school or hospital, and that the building is in compliance with the requirements of this chapter for separate and adequate toilet facilities for men and women, if used for on-premises consumption of beer, liquor or wine.
- (b) A filing fee, as fixed by resolution of the city council from time to time to defray the expenses of processing an application filed under this article, must be paid when the application is filed.

(Code 2002, § 6-37; Ord. No. 1989-2, § 3(d), (f), 2-14-1989)

State Law reference— Local fee authorized, V.T.C.A., Alcoholic Beverage Code §§ 11.38, 61.36.

Sec. 6-33. - Approval of license application by city council.

After all the requirements for a license application under the provisions of this article have been met as determined by the city administrator, the application shall be presented to the city council for approval at a public meeting.

(Code 2002, § 6-39; Ord. No. 1989-2, § 3(h), 2-14-1989; Ord. No. 2018-01, § 1, 1-9-2018)



ON-PREMISE PREQUALIFICATION PACKET

Submit this packet to the proper governmental entities to obtain certification for the type of license/permit for which you are applying as required by Sections 11.37, 11.39, 11.46(b), 61.37, 61.38, 61.42 and Rule §33.13

Contact your local TABC office to verify requirements of Sections 11.391 and 61.381 as you may be required to post a sign at your proposed location 60-days prior to the issuance of your license/permit.

All statutory and rule references mentioned in this application refer to and can be found in the Texas Alcoholic Beverage Code or Rules located on our website. www.tabc.texas.gov/laws/code_and_rules.asp

LOCATION INFORMATION

1. Application for: Original Add Late Hours Only License/Permit Number _____
- Reinstatement License/Permit Number _____
- Change of Licensed Location License/Permit Number _____

2. Type of On-Premise License/Permit

- | | |
|---|---|
| <input type="checkbox"/> BG Wine and Beer Retailer's Permit | <input type="checkbox"/> LB Mixed Beverage Late Hours Permit |
| <input type="checkbox"/> BE Beer Retail Dealer's On-Premise License | <input type="checkbox"/> MI Minibar Permit |
| <input type="checkbox"/> BL Retail Dealer's On-Premise Late Hours License | <input checked="" type="checkbox"/> CB Caterer's Permit |
| <input type="checkbox"/> BP Brewpub License | <input type="checkbox"/> FB Food and Beverage Certificate |
| <input type="checkbox"/> V Wine & Beer Retailer's Permit for Excursion Boats | <input checked="" type="checkbox"/> PE Beverage Cartage Permit |
| <input type="checkbox"/> Y Wine & Beer Retailer's Permit for Railway Dining Car | <input type="checkbox"/> RM Mixed Beverage Restaurant Permit with FB |
| <input checked="" type="checkbox"/> MB Mixed Beverage Permit | |
| <input type="checkbox"/> O Private Carrier's Permit – For Brewpubs (BP) with a BG only | |

3. Indicate Primary Business at this Location

- | | | |
|---|--|---|
| <input type="checkbox"/> Restaurant | <input type="checkbox"/> Sporting Arena, Civic Center, Hotel | <input type="checkbox"/> Bar |
| <input type="checkbox"/> Grocery/Market | <input type="checkbox"/> Sexually Oriented | <input checked="" type="checkbox"/> Miscellaneous Venue _____ |

4. Trade Name of Location

HPL HOSPITALITY

5. Location Address

300 PRAIRIE STREET

City MONTGOMERY	County MONTGOMERY	State TX	Zip Code 77356
6. Mailing Address 300 PRAIRIE STREET	City MONTGOMERY	State TX	Zip Code 77356

7. Business Phone No. (832) 256-5555	Alternate Phone No.	E-mail Address florese0511@gmail.com
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OWNER INFORMATION

8. Type of Owner

- | | | |
|--|---|---|
| <input type="checkbox"/> Individual | <input type="checkbox"/> Corporation | <input type="checkbox"/> City/County/University |
| <input type="checkbox"/> Partnership | <input checked="" type="checkbox"/> Limited Liability Company | <input type="checkbox"/> Other _____ |
| <input type="checkbox"/> Limited Partnership | <input type="checkbox"/> Joint Venture | |
| <input type="checkbox"/> Limited Liability Partnership | <input type="checkbox"/> Trust | |

9. Business Owner/Applicant

ZNZ CREATIVE SERVICES LLC

10. Are you, the applicant a veteran-owned business? Yes No

11. Are you, the applicant a Historically Underutilized Business (HUB)? Yes No

12. As indicated on the chart, enter the individuals that pertain to your business type: (For additional space, use Form L-OIC)			
Individual/Individual Owner		Limited Liability Company/All Officers or Managers	
Partnership/All Partners		Joint Venture/Venturers	
Limited Partnership/All General Partners		Trust/Trustee(s)	
Corporation/All Officers		City, County, University/Official	
Last Name ANGELO	First Name JEFFRY	MI S	Title PRES/SECY
Last Name	First Name	MI	Title
Last Name	First Name	MI	Title

MEASUREMENT INFORMATION

Section 109.31 et seq.

13. Will your business be located within 300 feet of a church or public hospital? Yes No

NOTE: For churches or public hospitals measure from front door to front door, along the property lines of the street fronts and in a direct line across intersections.

14. Will your business be located within 300 feet of any private/public school, day care center or child care facility? Yes No

If "YES," are the facilities located on different floors or stories of the building? Yes No

NOTE: For private/public schools, day care centers and child care facilities measure in a direct line from the nearest property line of the school, day care center or child care facility to the nearest property line of the place of business, and in a direct line across intersections.

NOTE: For multistory building: businesses may be within 300 feet of a day care center or child care facility as long as the facilities are located on different floors of the building.

NOTE: If located on or above the fifth story of a multistory building: measure in a direct line from the property line of the private/public school to property line of your place of business in a direct line across intersections vertically up the building at the property line to the base of the floor on which your business is located.

15. Will your business be located within 1,000 feet of a private school? Yes No

16. Will your business be located within 1,000 feet of a public school? Yes No

60-DAY SIGN

17. As required under Section 11.391 and 61.381, enter the exact date the 60-Day sign was posted at your location.

Exact Date (MM/DD/YYYY)

N/A

ALL APPLICANTS

18. IF YOUR LOCATION IS NOT WITHIN THE CITY LIMITS, CHECK HERE

I, the applicant, have confirmed I am not located in the city limits of any city and therefore all city certificates are not required.

WARNING AND SIGNATURE

IF APPLICANT IS SHOWN AS:

- Proprietorship
- Partnership
- Corporation
- Limited Partnership
- Limited Liability Partnership
- Limited Liability Company

WHO MUST SIGN:

- Individual Owner
- Partner
- Officer
- General Partner
- General Partner
- Officer/Manager

WARNING: Section 101.69 of the Texas Alcoholic Beverage Code states: "...a person who makes a false statement or false representation in an application for a permit or license or in a statement, report, or other instrument to be filed with the Commission and required to be sworn commits an offense punishable by imprisonment in the Texas Department of Criminal Justice for not less than 2 nor more than 10 years."

I, UNDER PENALTY OF LAW, HEREBY SWEAR THAT I HAVE READ ALL THE INFORMATION PROVIDED IN THE APPLICATION AND ANY ATTACHMENTS AND THE INFORMATION IS TRUE AND CORRECT. I ALSO UNDERSTAND ANY FALSE STATEMENT OR REPRESENTATION IN THIS APPLICATION CAN RESULT IN MY APPLICATION BEING DENIED AND/OR CRIMINAL CHARGES FILED AGAINST ME. I ALSO AUTHORIZE THE TEXAS ALCOHOLIC BEVERAGE COMMISSION TO USE ALL LEGAL MEANS TO VERIFY THE INFORMATION PROVIDED.

PRINT NAME

JEFFRY S. ANGELO

SIGN HERE

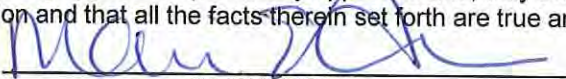


TITLE

PRESIDENT/SECRETARY

Before me, the undersigned authority, on this 29TH day of SEPTEMBER, 2018, the person whose name is signed to the foregoing application personally appeared and, duly sworn by me, states under oath that he or she has read the said application and that all the facts therein set forth are true and correct.

SIGN HERE



NOTARY PUBLIC

SEAL

CERTIFICATE OF CITY SECRETARY (FOR MB, RM, V & Y)

Section 11.37

I hereby certify on this _____ day of _____, 20____, that the location for which the license/permit is sought is inside the boundaries of this city or town, in a "wet" area for such license/permit, and not prohibited by charter or ordinance in reference to the sale of such alcoholic beverages.

SIGN HERE

City Secretary/Clerk

MONTGOMERY

City

TEXAS

SEAL

CERTIFICATE OF CITY SECRETARY (FOR BG & BE)

Section 11.37 & 61.37

I hereby certify on this _____ day of _____, 20____, that the location for which the license/permit is sought is inside the boundaries of this city or town, in a "wet" area for such license/permit, and not prohibited by charter or ordinance in reference to the sale of such alcoholic beverages.

Election for given location was held for:

- legal sale of all alcoholic beverages
- legal sale of all alcoholic beverages except mixed beverages
- legal sale of all alcoholic beverages including mixed beverages
- legal sale of beer/wine (17%) on-premise **AFTER** Sept. 1, 1999
- legal sale of beer/wine (14%) on-premise **BEFORE** Sept. 1, 1999

OR IF ABOVE DOES NOT APPLY:

Be advised the location must have had two election passages per Section 25.14 or Section 69.17 of the TABC Code. One for beer and wine off-premise and one for mixed beverage.

- legal sale of beer and wine for off-premise consumption only

AND EITHER:

- legal sale of mixed beverages

OR

- legal sale of mixed beverages in restaurants by food and beverage certificate holders (applicant must apply for FB with BG or BE)

SIGN HERE

City Secretary/Clerk

City

TEXAS

SEAL

**CERTIFICATE OF CITY SECRETARY FOR LATE HOURS LICENSE/PERMIT
(LB & BL)**

Chapters 29 & 70 et seq.

I hereby certify on this _____ day of _____, 20____, that one of the below is correct:

- The governing body of this city has by ordinance authorized the sale of *mixed beverages* between midnight and 2:00 A.M.; or
- The governing body of this city has by ordinance authorized the sale of *beer* between midnight and _____ A.M.; or
- The population of the city or county where premises are located was 500,000 or more according to the 22nd Decennial Census of the United States as released by the Bureau of the Census on March 12, 2001; or
- The population of the city or county where premises are located was 800,000 or more according to the last Federal Census (2010).

SIGN

HERE

City Secretary/Clerk

City

_____, TEXAS

S E A L

CERTIFICATE OF COUNTY CLERK (FOR MB, RM, V & Y)

Section 11.37

I hereby certify on this _____ day of _____, 20____, that the location for which the license/permit is sought is in a "wet" area for such license/permit, and is not prohibited by any valid order of the Commissioner's Court.

SIGN

HERE

County Clerk

MONTGOMERY

COUNTY

S E A L

CERTIFICATE OF COUNTY CLERK (FOR BG & BE)

Section 11.37 & 61.37

I hereby certify on this _____ day of _____, 20____, that the location for which the license/permit is sought is in a "wet" area and is not prohibited by any valid order of the Commissioner's Court.

Election for given location was held for:

- legal sale of all alcoholic beverages
- legal sale of all alcoholic beverages except mixed beverages
- legal sale of all alcoholic beverages including mixed beverages
- legal sale of beer/wine (17%) on-premise **AFTER** Sept. 1, 1999
- legal sale of beer/wine (14%) on-premise **BEFORE** Sept. 1, 1999

OR IF ABOVE DOES NOT APPLY:

Be advised the location must have had two election passages per 25.14 or 69.17 of the TAB Code. One for beer and wine off-premise and one for mixed beverage.

- legal sale of beer and wine for off-premise consumption only

AND EITHER:

- legal sale of mixed beverages

OR

- legal sale of mixed beverages in restaurants by food and beverage certificate holders
(applicant must apply for FB with BG or BE)

SIGN

HERE

County Clerk

COUNTY

S E A L

CERTIFICATE OF COUNTY CLERK FOR LATE HOURS LICENSE/PERMIT (LB & BL)

Chapters 29 & 70 et seq

I hereby certify on this _____ day of _____, 20____, that one of the below are correct:

- The Commissioner's Court of the county has by order authorized the sale of *mixed beverages* between midnight and 2:00 A.M.; or
- The Commissioner's Court of the county has by order authorized the sale of *beer* between midnight and _____ A.M.; or
- The population of the city or county where premises are located was 500,000 or more according to the 22nd Decennial Census of the United States as released by the Bureau of the Census on March 12, 2001; or
- The population of the city or county where premises are located was 800,000 or more according to the last Federal Census (2010).

SIGN

HERE _____

County Clerk

_____ COUNTY

S E A L

COMPTROLLER OF PUBLIC ACCOUNTS CERTIFICATE

Section 11.46 (b) & 61.42 (b)

This is to certify on this _____ day of _____, 20____, the applicant holds or has applied for and satisfies all legal requirements for the issuance of a Sales Tax Permit under the Limited Sales, Excise and Use Tax Act or the applicant as of this date is not required to hold a Sales Tax Permit.

Sales Tax Permit Number 32-050572885 Outlet Number _____

Print Name of Comptroller Employee _____

Print Title of Comptroller Employee _____

SIGN

HERE _____

FIELD OFFICE _____

S E A L

PUBLISHER'S AFFIDAVIT (FOR MB, LB, RM, BP, BG, BE, BL, V & Y)

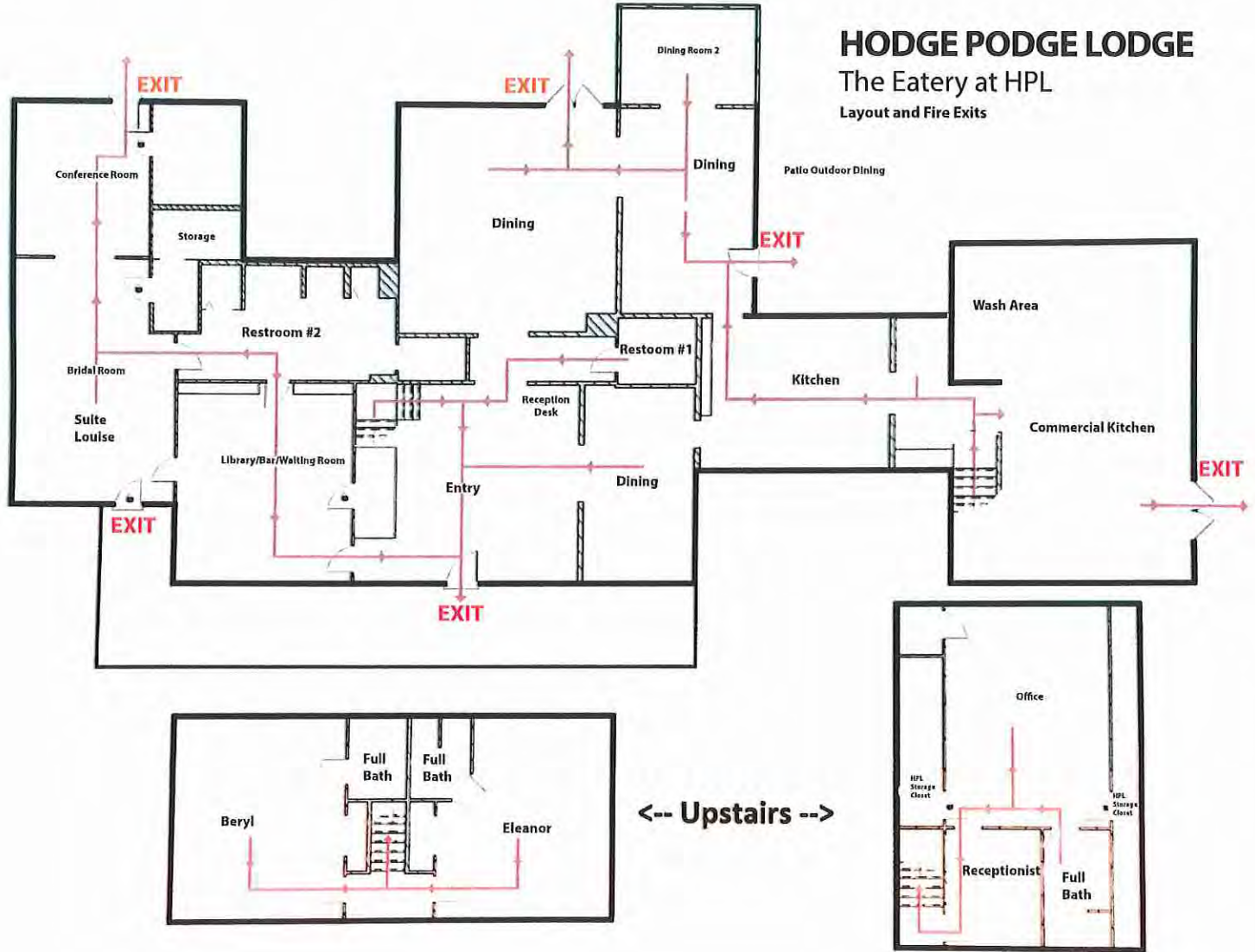
Section 11.39 and 61.38

Name of newspaper		ATTACH PRINTED COPY OF THE NOTICE HERE
City, County		
Dates notice published in daily/weekly newspaper (MM/DD/YYYY)		
<i>Publisher or designee certifies attached notice was published in newspaper stated on dates shown.</i>		
Signature of publisher or designee Sworn to and subscribed before me on this date (MM/DD/YYYY)		
Signature of Notary Public		
S E A L		

HODGE PODGE LODGE

The Eatery at HPL

Layout and Fire Exits



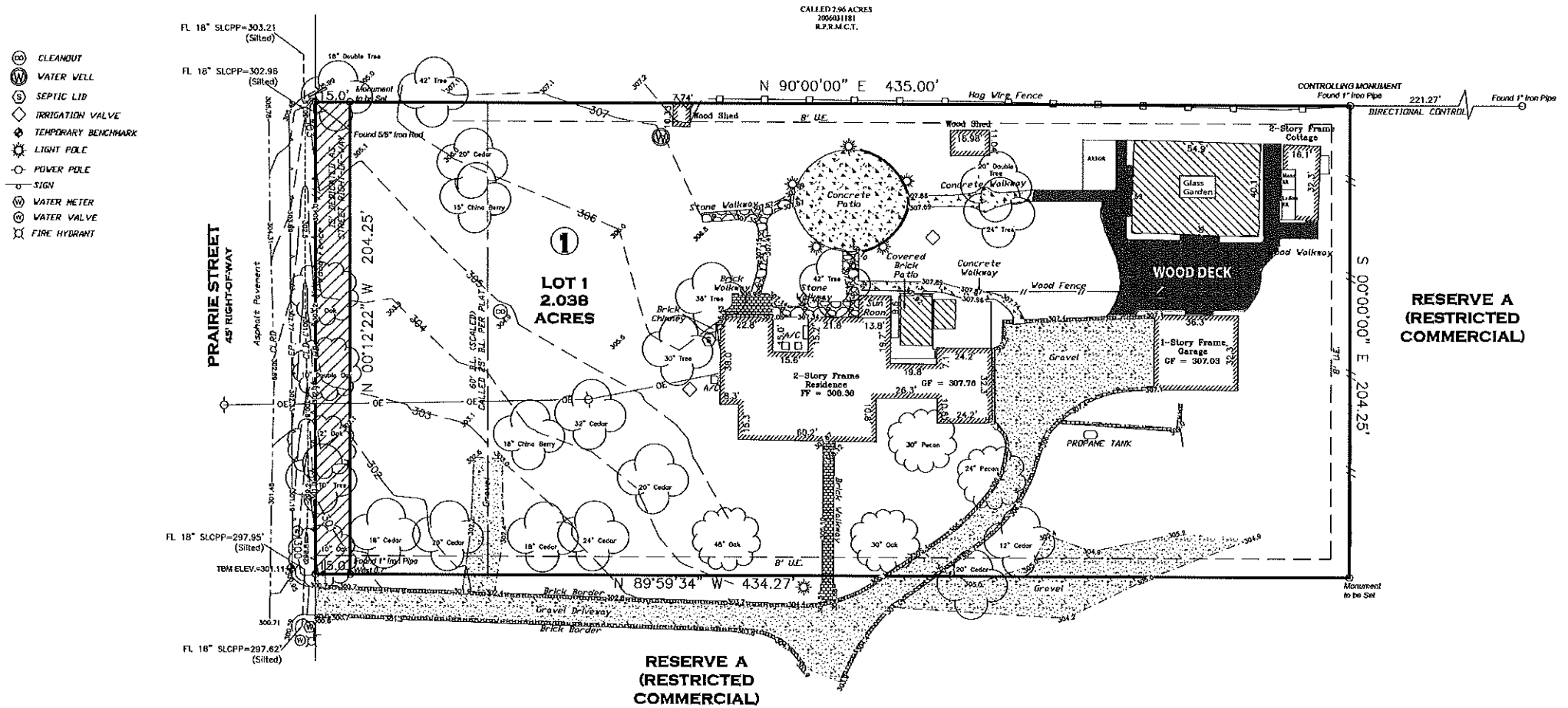
Notes:
 1. Basis of Bearings: North line of Lot 1 per the recorded plat.
 2. Survey performed without the benefit of a title report and may be subject to easements and/or restrictions not shown.
 3. Easements and building lines as shown per the recorded plat.
 4. TBM is a Nag Nolt set in asphalt. Elevation = 301.11 Texas Central State Plane, NAD83, NAVD83, Geoid 03, 2001 Adjusted.

E.P. - EDGE OF PAVEMENT
 C.L.D. - CENTERLINE OF DITCH
 H.B. - HIGH BANK
 B.L. - BUILDING LINE
 U.E. - UTILITY EASEMENT

This property lies with in Unshaded Zone 'X' as SCALED From FEMA Panel Number 48339C0200G dated August 10, 2014.

THIS MEANS THAT THE SUBJECT PROPERTY DOES NOT SCALE WITHIN THE 100 YEAR FLOOD PLAIN.

This determination is made strictly according to the FEMA maps and does not reflect actual on ground flood conditions. Furthermore, this company takes no responsibility for such.



Lot One (1), in Block One (1), of MELROSE PLACE, a subdivision in Montgomery County, Texas, according to the map or plat thereof, recorded in Cabinet K, Sheet 88 of the Map Records of Montgomery County, Texas;

Date: April 10, 2017
 Job No. 17-0118
 Address: 300 Prairie Street
 City: State Montgomery, TX
 Zip: 77358
 Rec: 0

CF No. a/a
 Scale: 1" = 30' (24 x 18)
 Drawn By: CC
 Rec: 0

C & C Surveying, Inc.
 7424 F.M. 1489, Suite A, Magnolia, Texas 77354
 Office: 281-259-4377 Mobile: 281-356-5172
 Fax: 281-358-1036
 Email: ccsurveying@stcglobal.net
 Website: www.ccsurveying.com

Certified by Josh Langley
 Client: Josh Langley

I HEREBY CERTIFY THE SURVEY WAS MADE ON THE GROUND AND THAT THE PLAT CORRECTLY REPRESENTS THE TRUE PLANS AT THE TIME OF SURVEY AND THAT THIS PROFESSIONAL SERVICE CONFORMS TO THE EXISTING SOCIETY OF PROFESSIONAL SURVEYORS STANDARDS AND SPECIFICATIONS FOR A CATEGORY 4, 10, CONTROL SURVEY AND THAT THERE IS NO DISQUALIFYING CAUSE TO SHOW

STEVEN L. CREWS
 4141
 PROFESSIONAL LAND SURVEYOR
 R.P.L.S. Seal

Steven L. Crews R.P.L.S. #1141

Montgomery City Council
AGENDA REPORT

Meeting Date: October 23, 2018	Budgeted Amount:
Department: Administrative	
Prepared By: Susan Hensley, City Secretary	Exhibits: Resolution
Date Prepared: October 10, 2018	

Subject

Adopt of the Official Newspaper for the City of Montgomery

Recommendation

Adopt the Conroe Courier as the official Newspaper for the City of Montgomery.



Discussion

Please find attached, a copy of the proposed resolution to designate the Conroe Courier as the official newspaper for the year. The Texas Local Government Code requires that the City adopt a newspaper as follows:

LGC 52.004. OFFICIAL NEWSPAPER. (a) As soon as practicable after the beginning of each municipal year, the governing body of the municipality shall contract, as determined by ordinance or resolution, with a public newspaper of the municipality to be the municipality's official newspaper until another newspaper is selected.

(b) The governing body shall publish in the municipality's official newspaper each ordinance, notice, or other matter required by law or ordinance to be published.

Approved By

City Secretary	Susan Hensley, City Secretary 	Date: October 10, 2018
City Administrator	Jack Yates, City Administrator 	Date: October 10, 2018

RESOLUTION NO. _____

**RESOLUTION BY THE CITY COUNCIL FOR THE CITY OF MONTGOMERY, TEXAS,
DESIGNATING THE COURIER NEWSPAPER AS THE OFFICIAL NEWSPAPER FOR
THE CITY OF MONTGOMERY AND AUTHORIZING THE CITY ADMINISTRATOR
TO EXECUTE A CONTRACT**

WHEREAS, the City of Montgomery is required to adopt an official municipal newspaper at the beginning of each fiscal year, as per Chapter 52.004 of the Texas Local Government Code; and

WHEREAS, the *Courier*, a newspaper in Montgomery County has a large circulation, is printed daily, and meets the statutory requirements for official newspapers.

**NOW THEREFORE BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF
MONTGOMERY, TEXAS THAT:**

Section 1: The City Council designated the *Courier* as the City of Montgomery's official newspaper for fiscal year 2018-2019.

Section 2: The City of Montgomery shall publish in the *Conroe Courier* each ordinance caption, public notice or other matter required by law or ordinance to be published.

Section 3: The City Council authorizes the City Administrator to execute a contract for services to be provided by the *Courier*.

PASSED AND APPROVED this _____ day of October 2018.

CITY OF MONTGOMERY, TEXAS

Sara Countryman, Mayor

ATTEST:

Susan Hensley, City Secretary

APPROVED:

Larry L. Foerster, City Attorney

Montgomery City Council
AGENDA REPORT

Meeting Date: October 22, 2018	Budgeted Amount:
Prepared By: Jack Yates City Administrator	Exhibits: Resolution, <u>Listing of purposes for grant</u>
Date Prepared: October 17, 2018	

Subject

This Resolution is required by the General Land Office in order to receive the CDBG – DR grant in the amount of \$2,280,000 with a local match of \$9,560.

Description

This is a required Resolution in order to qualify for the funding. The GO has determined, through this past several months of review, that city is qualified and eligible and will receive \$2,280,000 under the budget that is attached.

No reason I can think of not to approve the Resolution. There are no out of the ordinary stipulations to the grant, that the City does not already abide.

Recommendation

To approve the Resolution as presented, as part of the consent item agenda.

Approved By

City Administrator

Jack Yates

Date: October 17, 2018

RESOLUTION

A RESOLUTION OF THE CITY COUNCIL OF MONTGOMERY, TEXAS, AUTHORIZING THE SUBMISSION OF A COMMUNITY DEVELOPMENT BLOCK GRANT DISASTER RECOVERY (CDBG-DR) APPLICATION TO THE TEXAS GENERAL LAND OFFICE; AND AUTHORIZING THE MAYOR AND/OR CITY ADMINISTRATOR TO ACT AS THE CITY'S EXECUTIVE OFFICER AND AUTHORIZED REPRESENTATIVE IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE CDBG-DR PROGRAM.

WHEREAS, the City Council of Montgomery desires to develop a viable community, including decent housing and a suitable living environment and expanding economic opportunities, principally for persons of low-to-moderate income; and

WHEREAS, certain conditions exist related to flooding that occurred during an eligible federally declared disaster in 2016 which represent a threat to the public health and safety; and

WHEREAS, it is necessary and in the best interests of to apply for funding under the CDBG-DR Program;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF MONTGOMERY, TEXAS:

1. That a CDBG-DR application is hereby authorized to be filed with the Texas General Land Office for funding consideration under the 2016 Most-Impacted Counties-(Montgomery) Method of Distribution.
2. That the application be for \$2,280,000.00 of grant funds to provide Drainage, Street, Bridge and Water/Sewer Improvements.
3. That the Mayor and/or City Administrator is designated as the Chief Executive Officer and Authorized Representative to act in all matters in connection with this application and participation in the CDBG-DR Program.
4. That the City Secretary is designated as the overseer of all grant activities so as to ensure there are no Conflicts of Interest.
5. That all funds will be used in accordance with all applicable federal, state, local and programmatic requirements including but not limited to procurement, environmental review, labor standards, real property acquisition, and civil rights requirements.
6. That \$9,560.00 is committed from the general fund as a cash contribution toward the construction activities of this project.

Passed and approved this _____ day of _____, 2018.

Sara Countryman
Mayor

Attest

Susan Hensley
City Secretary

Montgomery Table 1s

As Submitted:

Project	Construction	Engineering	Acquisition	Environmental	Admin	CDBG-DR Total	Other	TOTAL PROJECT
MLK/Baja Sewer	716,200	75,000	-	5,000	40,101	836,301	-	836,301
Ander's Branch Drainage	490,100	124,000	40,000	5,000	33,152	692,252	-	692,252
Lift Station 3	94,440	20,000	-	-	5,800	120,240	115,000	235,240
Water Plant 3	486,000	64,000	-	5,000	27,876	582,876	-	582,876
Buffalo Spings Bridge	46,000	-	-	-	2,331	48,331	1,493,054	1,541,385
	1,832,740	283,000	40,000	15,000	109,260	2,280,000	1,608,054	3,888,054

Revised:

Project	Construction	Engineering	Acquisition	Environmental	Admin	CDBG-DR Total	Other	TOTAL PROJECT
MLK/Baja Sewer	716,100	75,000	-	5,000	40,201	836,301	-	836,301
Ander's Branch Drainage	490,100	124,000	40,000	5,000	33,152	692,252	-	692,252
Lift Station 3	140,440	20,000	-	1,000	7,131	168,571	9,560	178,131
Water Plant 3	486,000	64,000	-	5,000	27,876	582,876	-	582,876
Buffalo Spings Bridge	-	-	-	-	-	-	-	-
	1,832,640	283,000	40,000	16,000	108,360	2,280,000	9,560	2,289,560

Montgomery City Council
AGENDA REPORT

Meeting Date: October 23, 2018	Budgeted Amount:
Prepared By: Jack Yates City Administrator	Exhibits:
Date Prepared: October 17, 2018	

Subject

This is to cancel the second meeting in November and December due to conflicts because of the holidays in both months.

Description

This is a regular action taken by the Council, realizing that if enough or if an emergency were to arise that a special meeting can always be called.

Recommendation

To approve the cancellation of the November 27 and December 25 Council meetings, as part of the consent item agenda.

Approved By

City Administrator	Jack Yates	Date: October 17, 2018
--------------------	------------	------------------------

CITY ADMINISTRATOR REPORT – OCTOBER, 2018

- Met with Planning Commission at one meeting
- Met with Board of Adjustment for one meeting – to set up a hearing on a two height variances at Dusty’s Car Wash (an 80’ flag pole) and Living Savior Lutheran Church (a 54’ hi steeple on the new renovation to the church) development.
- Met with MEDC at one meeting. With others, interviewed prospective Tourism/Promotions employee.
- Attended two Chamber events- Bd. Of Directors meeting, Volunteer lunch
- Met with Fernland Board one meeting
- Met with Historic Society Board regarding statues in Cedar Brake Park

Met with city engineers, city attorney and GrantWorks representatives several times regarding; plats, system management, upcoming projects, bridge improvements, developments throughout the city, FEMA, State Dept. of Emergency Management (DEM), CDBG grant for Baja MLK area project, TORC Committee, and billing for Escrow Accounts.

- Met with several developers during the month regarding: Kenrock property west of Pizza Shack, Living Savior Lutheran Church, Shoppes of Montgomery, Spirit of Texas Bank and other development possibilities meetings.
- Made several decisions during month as Zoning Administrator, including signs, coordinating variance requests, code enforcement and Historic District activities.
- Assisted several citizens with City, other governmental entities, issues.
- Worked with City Council individually, the Mayor and City Staff on a variety of administrative, personnel and coordination efforts. Including budget review and preparation of upcoming budget and budget amendments to current budget. Implemented the new budget.
- I need to bring up that Fernland Park, Inc. board and the Rotary Memory Park Board have written letters (attached) and Lonnie Clover (Cedar Brake Park) have all expressed concerns about the formation/guidelines of the Park Board and have asked for a discussion with the Council. I think their concerns are about hypothetical questions about possible future, possible, actions of the Park Board. Such as, possible changes in decisions about rates, changes in

park operation – to which I have responded that the park is ultimately a city park and while the proposed Park Board Ordinance only gives the Park Board recommendation power to the City Administrator and the Council they have continual hypothetical questions.

What do you want to do? –I have spent about two years massaging the idea of the Park Board to these three Park groups.



Yates, Jack <jyates@ci.montgomery.tx.us>

Request for Open Forum on City Park Board Establishment

1 message

H.W. Newman <mikesan39@yahoo.com>

Mon, Oct 8, 2018 at 11:07 PM

To: "Yates, Jack" <jyates@ci.montgomery.tx.us>

Cc: Larry Daspit <ldaspit@consolidated.net>, Pattii Stafford <patti.stafford@amegybank.com>, Billy Ray Duncan <brd221@consolidated.net>, don carter <donhcarter@gmail.com>, "twestlake@pobox.com" <twestlake@pobox.com>, Gareth Westlake <gareth@fieldfish.com>, brenda beaven <brenda.n.beaven@gmail.com>

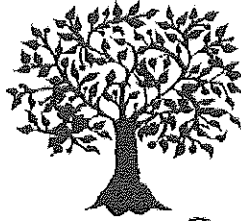
By this E-mail, Fernland Board is formally requesting an open forum to discuss with the City Council and City Administration the proposed City Park. We would appreciate the opportunity to discuss and hear from the Council exactly what they hope to capture from the new proposed Board. In our discussions, we would like to urge the New Board be given guidelines to be proactive in park(s) management and development for the future. Our Fernland Board has other suggestions and would like the opportunity to express our concerns and hopes for how the new Board would help the City and it's people.

Respectfully,

Mike Newman

President Fernland Board Inc.

Sent from my iPad



Memory Park

A Project of
The Rotary Club of Lake Conroe Foundation
"Growing A Memory"
P O Box 1252, Montgomery, TX 77356

October 9, 2018

City of Montgomery
Attention: Jack Yates - City Manager
101 Old Plantersville Road
Montgomery, TX 77316

Via Email: jyates@ci.montgomery.tx.us

Having reviewed the draft of the City of Montgomery Parks Board Ordinance proposal, we, the Memory Park Committee, acting on behalf of the Rotary Club of Lake Conroe, believe it would be highly desirable to convene a round table discussion between the City Council and representatives of the Montgomery Parks. In doing so, we believe we would have a better understanding of the long term aims and aspirations of the parties involved in this proposed development, especially regarding the perpetuity obligations inherent in Memory Park.

Thank you for your consideration and we look forward to such a meeting between the parties involved.

Sincerely,

Gary P. Milleson

cc: Memory Park Committee Members:

Don Carter – Chair DonHCarter@gmail.com
Anthony Westlake twestlake@pobox.com
Charlie Parada cparada68493@cebridge.net
Gary Milleson gpmilleson@gmail.com
Janet Milleson jemilleson@gmail.com



**MONTGOMERY CENTRAL
APPRAISAL DISTRICT**

TONY BELINOSKI, RPA
CHIEF APPRAISER

October 2, 2018

RE: MCAD's Board of Directors Vacancy

This letter is to notify you of the outcome of MCAD's Board of Directors vacancy selection. Ten candidates were nominated by the entitled jurisdictions to fill the one vacancy position. The Board of Directors convened in closed Executive Session of the September 20, 2018 Board of Directors meeting, and the following candidate will serve as a Director for the MCAD's Board of Directors for the remaining 2018-2019 term.

Arthur Bredehoff

Thank you for your participation in this election. Your interest and support is appreciated.

Sincerely,

A handwritten signature in black ink, appearing to read "Tony Belinoski".

Tony Belinoski, RPA
Chief Appraiser

Mayer + Council

*For your
information*

November

8

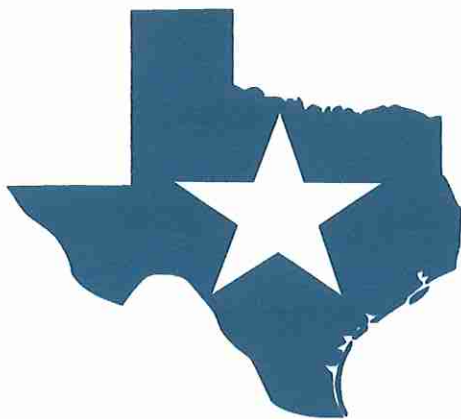
**Grimes County
High-Speed Rail Opposition
Rally & Fundraiser**

**6:30
PM**

**Grimes County Expo Center
5220 FM 3455 Rd, Navasota, TX 77868**

As the 86th Texas Legislative Session is approaching and other key events are happening related to the proposed high-speed rail project, please make plans to attend this important meeting and fundraiser for Texans Against HSR. The success of the opposition depends on your participation and support. Our commitment to you is to identify opportunities for you to have your voice heard and work on your behalf to protect your property rights, tax dollars and way of life.

Light snacks & sweets will be served! See you there!



TEXANS
AGAINST
HIGH-SPEED RAIL

www.TexansAgainstHSR.com

**Can't make it? Madison Oct 16, Leon Oct 23, Harris Nov 15, Ellis Nov 19
Not open to employees, agents or supporters of the Dallas Houston HSR project.**

CITY OF MONTGOMERY TORC WORK LIST

#	TORC TASK ITEMS	COMPLETED DATE/STATUS
1	Develop Work Flow Process & Milestones document for TORC (review w/Jack)	3/17/2018
2	Review Operation of Water Plant #3 Cooling Tower with City	4/1/2018
3	Evaluate use of Memory Pk pond water for Irrigation usage	5/17/2018
4	Research and document equipment needed for City to use Memory Pk pond water for irrigation	9/11/2018
5	Develop Retail Water Usage Examples (for acreages)	7/10/2018
6	Brainstorm ways to improve City Traffic (highlighting school times), send recommendations to City	7/30/2018
7	Memory Pk Joint Resolution Agreement review and recommend changes to City	8/21/2018
8	Review and comment on Relocation of Lift Station #1 (<i>initial review</i>)	Sent Comments to J/C on 8/23/18
9	Monthly Water Billed Report review and follow-up meeting with City Staff	On-Going Monthly
10	Develop Water Usage Projection Tracker Tool (updated monthly)	On-Going Monthly
11	Review and comment on City projected water/sewer usage through year 2023 (<i>numbers are not close</i>)	Sent Comments to J/C on 9/3/18
12	Analyze and recommend changes to City Utility rates for 2018-2019 budget year (water/sewer)	9/10/2018
13	Develop comparison tool for 1 versus 2 residential water meters (irrigation meter), with 2018-2019 rates	9/27/2018
14	Analyze how many current Residential accounts would benefit from having 2 meters with a pay out of 3 years or less, also draft a letter for City to send to accounts owners w/link to 2 Meter Comparison tool)	10/10/2018
15	Analyze existing Arrears issues in the City Utility Billing system and recommend changes	Working
16	Review Water Plant #3 Project Improvements (<i>initial review</i>)	Waiting

City of Montgomery – Public Works Department

September 2018 Monthly Report

General

- Replaced batteries on speed limit trailer for police department
- New decals installed on all crew trucks
- Maintained several endpoint maintenance issues
- Reset/replaced several street signs
- Repaired several potholes throughout city
- Heavy trash weekend completed
- Completed fire hydrant tagging on Lone Star Bend
- Cleaned debris from storm inlets
- Assembled metal detector at City Hall
- Pumped down wet well at Sewer Plant 2 for grinder pump replacement
- Installed backup camera on crew truck PW-1301
- Sprayed for bees in several meter boxes
- Completed in house crack sealing on 5,524 linear feet of roadway (Buffalo Springs Dr. and CB Stewart Dr.)
- Weekly pre-trip inspections of vehicles
- Weekly conference calls with engineer and utility operator
- Weekly leak notifications from Beacon website
- Weekly pumping of Terra Vista manhole
- Daily removal of bandit signs as necessary
- Daily utility locates as necessary
- Monthly air filter and light bulb check of all facilities
- Monthly AED inspections
- Monthly cutoffs
- Monthly safety meetings with safety officer and department
- Continue performing safety inspection reports
- Monthly idle meter checklist for consumption
- Monthly weed killer list

- Monthly grease trap inspections
- Bi-yearly AC drain cleaning at City Hall
- Yearly rodent control inside facility generators
- 8 water taps
- 6 sewer taps
- 4 water leaks
- 0 sewer stop ups

Parks and Recreation

- Checked all electrical outlets downtown for Wine Fest and made repairs as necessary
- Installed bull rock drain at Memory Park handicap parking area
- M/W/F cleaning of all park facilities
- Weekly check of Memory Park irrigation system with repairs as necessary
- Weekly cleaning of Community Center building
- Monthly check of all park facility lights
- Monthly check of all irrigation systems with repairs as needed
- Monthly wasp check at Fernland
- Honored all half-staff alerts

The docents at Fernland reported a total of 363 visitors for the month and provided 35 tours.

Report prepared by:
Mike Muckleroy
Director of Public Works
October 17, 2018

101 Old Plantersville Rd
Montgomery, TX 77356
Mailing Address:
P.O. Box 708
Montgomery, TX 77356

**CITY OF MONTGOMERY
POLICE DEPARTMENT**

Office: (936) 597-6866
Fax: (936) 597-7893

During the month of September, The Montgomery Police Department answered 886 "calls for service" and produced 38 "self-initiated activity" reports / investigations. The reports and traffic contacts are as follows:

Narcotics

- 9/30 Carswell – 20900 Eva ST
- 9/25 Thompson – 105 / Stewart Creek
- 9/19 Hernandez – 300 CB Stewart
- 9/11 Thompson – 20042 Eva ST
- 9/9 Rosario – 2400 Lone Star PKWY
- 9/7 Aguirre – 20700 Eva ST
- 9/4 Riley – 20900 Eva ST

No DL / FMFR / Towed Vehicle

- 9/28 Bauer – 20050 Eva ST
- 9/24 Hernandez – 22800 Highway 105 W

Warrant Arrest

- 9/29 Hernandez – 20400 Eva ST
- 9/21 Thompson – 20200 Eva ST
- 9/6 Hernandez – 20100 Eva ST

DWI

- 9/30 Carswell – 20900 Eva ST
- 9/15 Thompson – HWY 105 / Freeport
- 9/15 Thompson – Eva ST / FM 2854
- 9/8 Bracht – 21101 Eva ST

101 Old Plantersville Rd
Montgomery, TX 77356
Mailing Address:
P.O. Box 708
Montgomery, TX 77356

**CITY OF MONTGOMERY
POLICE DEPARTMENT**

Office: (936) 597-6866
Fax: (936) 597-7893

9/4 Riley – 20900 Eva ST

MVA

9/28 Hernandez – 21100 Eva ST

9/25 Carswell – 21400 Eva ST

9/23 Bracht – 19700 Eva ST

9/13 Riley – 20400 Eva ST

9/7 Bracht – 20800 Eva ST

9/5 Carswell – 21900 Eva ST

9/5 Hernandez – 22000 Eva ST

9/4 Bracht – 200 McCowan

9/1 Hernandez – 21100 Eva ST

Other

9/30 Bauer – 12398 FM 149 (Assault on a Peace Officer)

9/23 Bracht – 605 Old Plantersville RD (Criminal Trespass)

9/22 Bracht – Liberty / Simonton (Reckless Damage)

9/21 Bauer – 901 Old Plantersville RD (Illegal Dumping)

9/16 Thompson – FM 1097 / Watson Ranch (Public Intoxication)

9/15 Bauer – 607 Worsham ST (City Ordinance Investigation)

9/15 Hernandez – 20901 Eva ST (Incident Report)

9/10 Hernandez – 20168 Eva ST (Incident Report)

9/8 Aguirre – 100 Grandview Park (DWLS)

9/4 Bracht – 115 Lone Star Bend (Attempted Suicide)

9/2 Bauer – 21101 Eva ST (Criminal Trespass)

9/1 Thompson – 19088 Grandview DR (Public Intoxication)

101 Old Plantersville Rd
Montgomery, TX 77356
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P.O. Box 708
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**CITY OF MONTGOMERY
POLICE DEPARTMENT**

Office: (936) 597-6866
Fax: (936) 597-7893

Arrests / Charges:

Misdemeanor Charges - 12

Felony Charges - 6

Traffic Enforcement

Citations Issued - 172

Warnings Issued - 143

On 9/12 Lt. Belmares attended the Impaired Driving Mobilization, the IDM grant provides overtime money for officers to work DWI enforcement 4 times a year during 10-day periods.

Officer Hernandez and Officer Bracht took their on-line training mandated update for Texas State and Federal Law Update #3185.



CITY OF MONTGOMERY MUNICIPAL COURT MONTHLY REPORT

SEPTEMBER 2018

KIMBERLY DUCKETT

COURT ADMINISTRATOR

Comparison Chart

Citations and Revenue January 2016 - Present

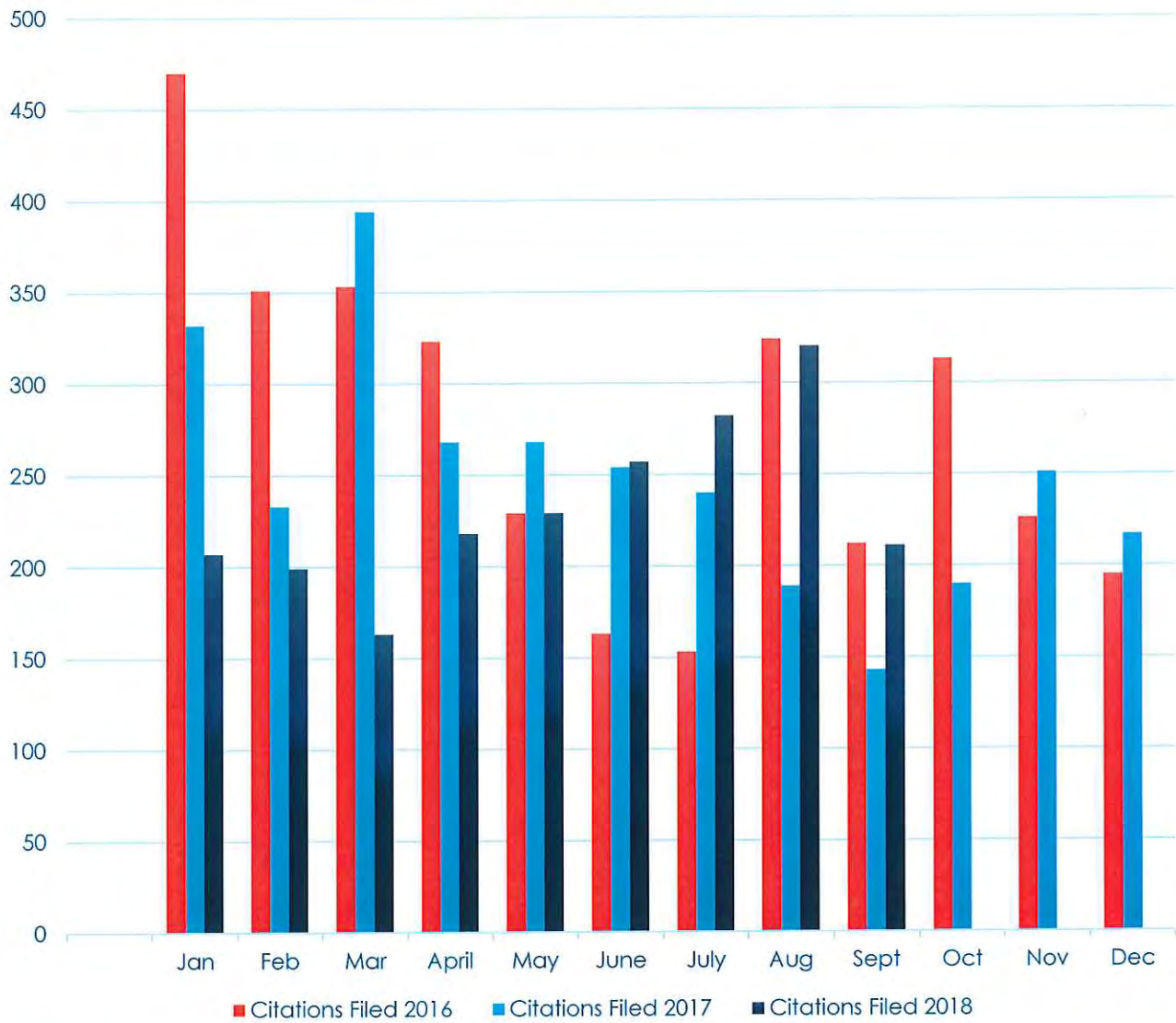
Citations Filed			
	2016	2017	2018
<i>Jan</i>	470	332	207
<i>Feb</i>	351	233	199
<i>Mar</i>	353	394	163
<i>April</i>	323	268	218
<i>May</i>	229	268	229
<i>June</i>	163	254	257
<i>July</i>	153	240	282
<i>Aug</i>	324	189	320
<i>Sept</i>	212	143	211
<i>Oct</i>	313	190	
<i>Nov</i>	226	251	
<i>Dec</i>	195	217	

Totals 2164 2402 2086

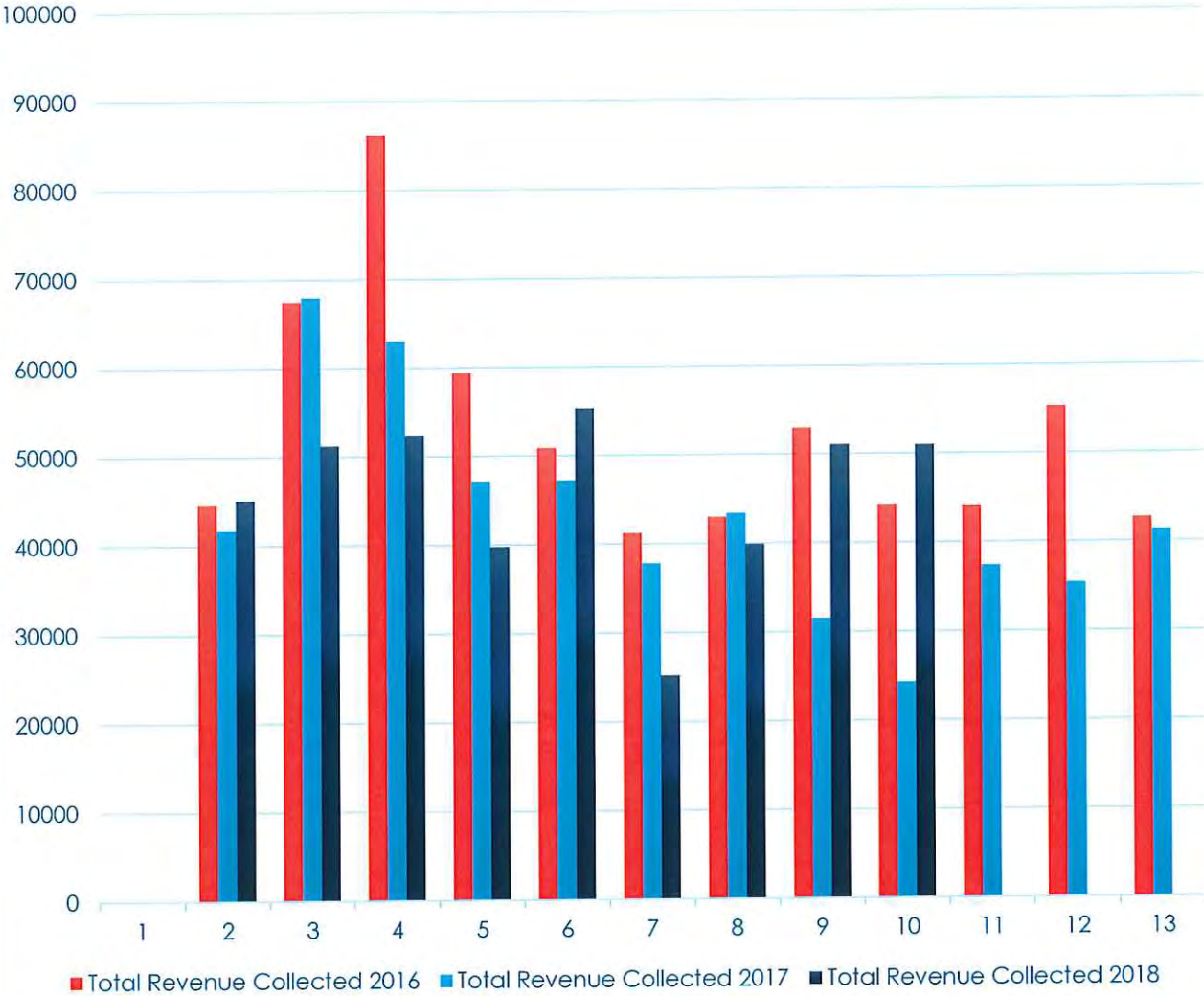
Total Revenue Collected			
	2016	2017	2018
<i>Jan</i>	\$44,702.82	\$41,830.44	\$45,128.89
<i>Feb</i>	\$67,466.54	\$67,937.61	\$51,188.10
<i>Mar</i>	\$86,201.43	\$62,992.57	\$52,380.12
<i>April</i>	\$59,388.14	\$47,163.40	\$39,781.86
<i>May</i>	\$50,854.90	\$47,225.90	\$55,321.25
<i>June</i>	\$41,238.67	\$37,817.25	\$25,193.20
<i>July</i>	\$42,990.97	\$43,405.62	\$39,922.89
<i>Aug</i>	\$52,923.17	\$31,540.77	\$51,021.18
<i>Sept</i>	\$44,256.40	\$24,281.60	\$50,959.23
<i>Oct</i>	\$44,138.80	\$37,395.63	
<i>Nov</i>	\$55,221.23	\$35,410.95	
<i>Dec</i>	\$42,698.95	\$41,335.06	

Totals \$632,082.02 \$518,336.80 \$410,896.72

Citations Filed



Total Revenue Collected



UTILITY REPORTS - SEPTEMBER 2018

TOTAL REVENUE

Utilities	\$185,488.27
Permits	\$32,114.60
Community Building	\$1,440.00

UTILITIES

New Water Accts.	22
Disconnected Water Accts.	10
Total Number of Active Accts.	699

PERMITS

Type	Permit Total	Revenue
Building - Residential	8	\$9,758.50
Building - Commercial	4	\$17,141.50

Photography	3	\$75.00
Golf Cart	1	\$25.00
Irrigation	2	\$189.60
Electrical	10	\$2,238.00
Mechanical	4	\$570.00
Plumbing	8	\$1,867.00
Sign	5	\$250.00
Total:	45	\$32,114.60

COMMUNITY BUILDING

Type of Rental	Number of Bookings	Revenue
Profit	4	\$1,440.00
Non - Profit	10	\$0.00

CITY ACCOUNT CONSUMPTION

	July	August	September
Community Building – Irrigation (01-8732-00)	6	9	8
Community Building (01-0130-00)	1	1	2
City Cemetery (01-1110-00)	0	0	0
City Welcome Sign Irrigation at HWY 105 & Prairie – Rose Garden (01-8733-00)	0	1	0
North Liberty Sewer Plant			
Cedar Break Park Irrigation (01-8736-00)	2	3	3
Cedar Break Park Restrooms (01-8735-00)	2	1	1
Ferland (01-8737-00)	5	6	6
Memory Park (01-5885-00)	189	205	184
Community Building Stage Irrigation – Rose Garden (01-6180-00)	0	2	2
City Hall & Irrigation (01-6190-00)	26	27	29
Homecoming Park Restrooms (01-8820-00)	0	0	0
Homecoming Park Drinking Ftn (01-8738-00)	0	2	0
Buffalo Springs Sewer Plant (01-8821-00)	1	2	1



City of Montgomery

Operations Report

September 2018

8/18/18-9/17/18

TAP

INTO

TECHNOLOGY

Dear City of Montgomery Council Members:

We are pleased to provide you with the monthly operations report. This report summarizes the major events that occurred during the operating month. Our mission, as always, is to assist the district in providing safe and reliable water to the residents.

The water plants, wastewater plant and drinking water quality is checked on a daily basis. Wastewater collection system lift stations are checked three times a week. Alarms are monitored, and our staff is on 24-hour call. Our construction crews are minutes away from the City.

Our operators collect and enter all facility data into Kardia. Our operators note any issues or problems that are observed during the day. Mission Control is instantly aware of the issue and immediately begins the resolution process. This approach benefits our clients because decisions can be made based on relevant data.

All the district's data can be accessed on-line. The data is username and password protected. The data is integrated with Kardia and updated daily. District alerts that are generated by Kardia can be sent to board designated recipients. GUS appreciates the trust and confidence that the board has in our team. We work diligently to provide our clients with accurate and useful information.

Michael Williams



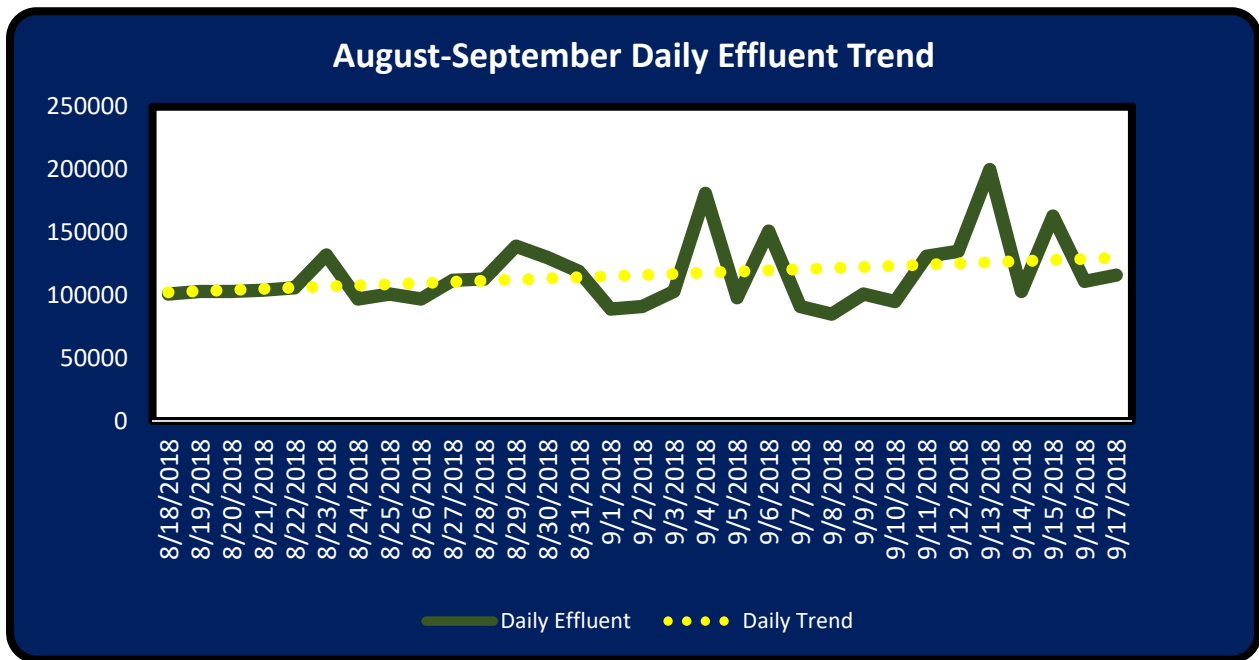
Vice President of Operations
Gulf Utility Service

District Alerts

09/04/2018 – Lift station 2, Variable frequency drive (VFD) failure

Upon arrival operator found lift pump #3 had tripped, the pump was reset and tested. Operator monitored facility and reset alarm.

Wastewater Plant Flow Detail



- Flow for the month of August – September was 3,485,000 gallons
- Daily peak flow September 13, 2018 was 200,000 gallons
 - 50% of permitted value
- Average Daily Flow 116,200 gallons
 - 29% of permitted value


Discharge Limitations

- Daily Average Flow 400,000 gallons (0.4 MGD)
- 2-Hour Peak Flow 833 gpm
- CBOD daily average 10 mg/l
- Total Suspended Solids (TSS) 15 mg/l
- Ammonium Nitrogen (NH3) 2 mg/l
- Chlorine Residual >1.0 mg/l < 4.0 mg/l
- The current permit expires 06/01/2022

Effluent

TSS, DO, E.Coli, NH3N, PH sample results were all comfortable within the parameters set by the State of Texas.

Buffalo Springs WWTP Effluent Monitoring Report

Effluent Permitted Values	Parameter		Measured	Excursion
Average Monthly T.S.S.	15	mg/l	5.45	no
Average Monthly NH3	2	mg/l	0.20	no
Minimal CL2 Residual	1	mg/l	1.04	no
Max CL2 Residual	4	mg/l	3.84	no
Rainfall for the Month			6.31	inches

There were no excursions for the month of September



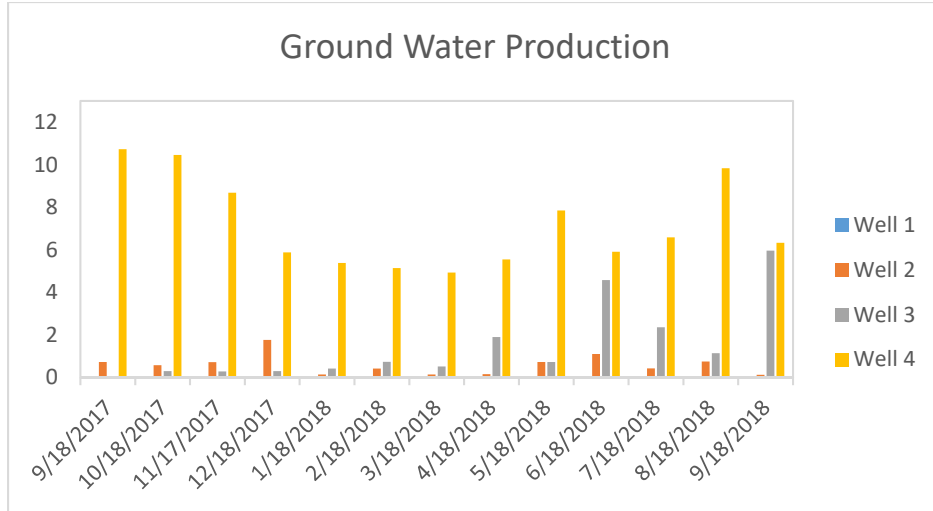
Water Report

8/18/2017-9/17/2018

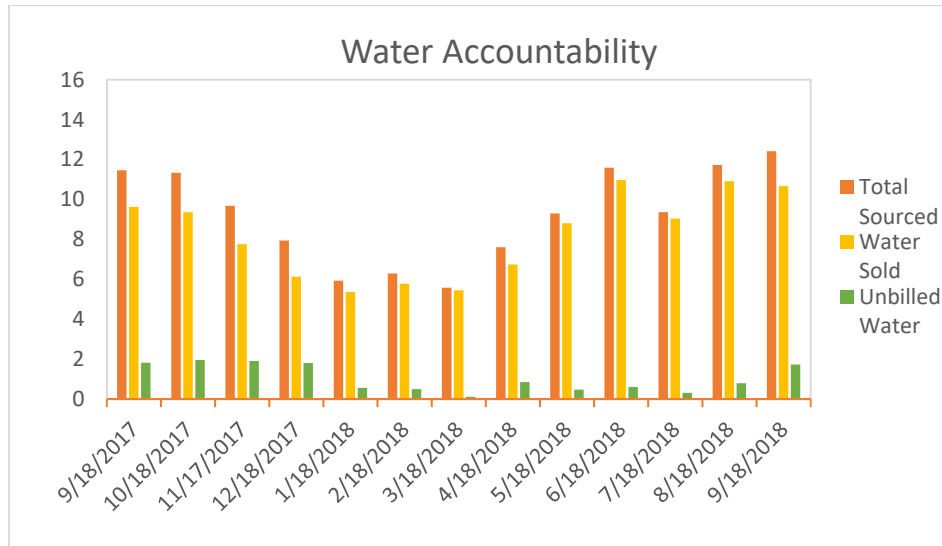
2018							
Well Name	Recorded Flow	% of Total	Rating G/Day	YTD Pumpage	YTD %	Permitted Value	Remaining Permit %
Well 2	0.130	1.05%	0.864	3.991	5.00%	47.551	53.02%
Well 3	5.959	47.97%	0.864	18.349	22.98%	47.551	53.02%
Well 4	6.333	50.98%	2.160	57.515	72.03%	75.100	23.42%
Total	12.422	100.00%	3.888	79.854	100%	122.651	
Flushing	0.123						
Subtotal	12.299						
Sold	10.678						
% Accounted	87%						

Accountability	
Total Water Sourced	12.422
Flushing	0.123
Subtotal	12.299
Sold	10.678
Accountability %	87%

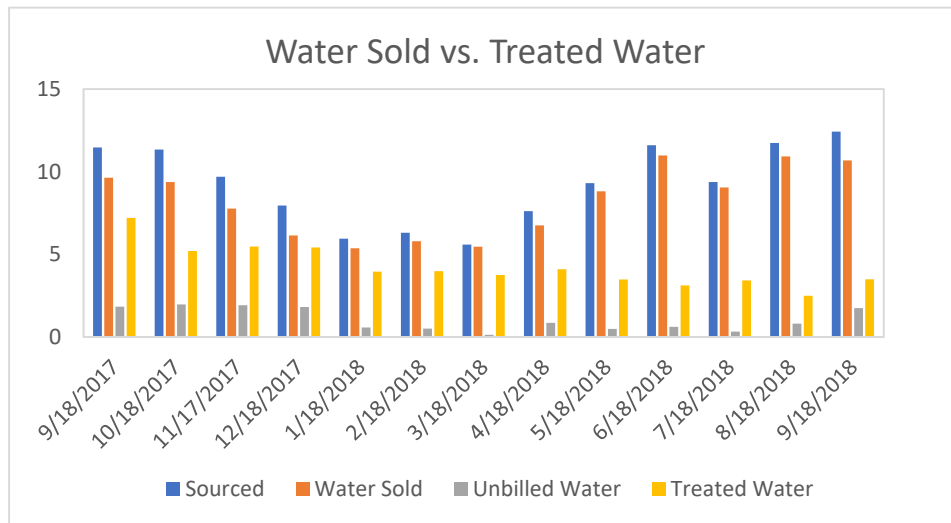
CONNECTIONS	
School	12
Commercial Inside	143
Commercial Outside	1
Residential Inside	588
Residential Outside	25
Church	13
City	15
Hydrant	6
Multifamily	11
n/a	2
Total	816



Date	Total	Well_1	Well_2	Well_3	Well_4
AVG	9.253	0.000	0.599	1.479	7.175
9/18/2017	11.463	0.000	0.729	0.001	10.733
10/18/2017	11.337	0.000	0.581	0.297	10.459
11/17/2017	9.688	0.000	0.718	0.283	8.687
12/18/2017	7.951	0.000	1.769	0.299	5.883
1/18/2018	5.943	0.000	0.139	0.423	5.381
2/18/2018	6.299	0.000	0.418	0.735	5.146
3/18/2018	5.584	0.000	0.138	0.515	4.931
4/18/2018	7.61	0.000	0.160	1.899	5.551
5/18/2018	9.304	0.000	0.725	0.730	7.849
6/18/2018	11.593	0.000	1.105	4.582	5.906
7/18/2018	9.37	0.000	0.425	2.361	6.584
8/18/2018	11.73	0.000	0.751	1.145	9.834
9/18/2018	12.422	0.000	0.13	5.959	6.333
Total	120.29	0.000	7.788	19.229	93.277



Date	Accountability	Unaccounted	Total Sourced	Water Sold	Flushing Leaks	Unbilled Water
9/18/2017	98%	0.266	11.463	9.628	1.569	1.835
10/18/2017	89%	1.279	11.337	9.368	0.690	1.969
11/17/2017	83%	1.615	9.688	7.767	0.306	1.921
12/18/2017	79%	1.7051	7.951	6.136	0.110	1.815
1/18/2018	93%	0.389	5.943	5.369	0.185	0.574
2/18/2018	95%	0.323	6.299	5.791	0.185	0.508
3/18/2018	101%	-0.077	5.584	5.459	0.202	0.125
4/18/2018	91%	0.709	7.610	6.75	0.151	0.860
5/18/2018	96%	0.327	9.304	8.814	0.163	0.490
6/18/2018	96%	0.458	11.593	10.976	0.159	0.617
7/18/2018	98%	0.141	9.370	9.043	0.186	0.327
8/18/2018	96%	0.422	11.730	10.922	0.386	0.808
9/18/2018	87%	1.621	12.422	10.678	0.123	1.744



Date	Sourced	Water Sold	Unbilled Water	Treated Water	Return %	Rain
9/18/2017	11.463	9.628	1.835	7.199	75%	1.41
10/18/2017	11.337	9.368	1.969	5.204	56%	2.75
11/17/2017	9.688	7.767	1.921	5.473	70%	4.15
12/18/2017	7.951	6.136	1.815	5.412	88%	3.74
1/18/2018	5.943	5.369	0.574	3.956	74%	2.75
2/18/2018	6.299	5.791	0.508	3.979	69%	3.50
3/18/2018	5.584	5.459	0.125	3.744	69%	3.75
4/18/2018	7.610	6.750	0.860	4.096	61%	6.75
5/18/2018	9.304	8.814	0.490	3.481	39%	2.50
6/18/2018	11.593	10.976	0.617	3.121	28%	3.25
7/18/2018	9.370	9.043	0.327	3.417	38%	7.00
8/18/2018	11.730	10.922	0.808	2.492	23%	2.75
9/18/2018	12.422	10.678	1.744	3.485	33%	6.31

October 17, 2018

The Honorable Mayor and City Council
City of Montgomery
101 Old Plantersville Road
Montgomery, Texas 77316

Re: Engineering Report
Council Meeting: October 23, 2018
City of Montgomery

Dear Mayor and Council:

The following information summarizes our activities on your behalf since the September 25, 2018 Council Meeting:

Status of Previously Authorized Projects:

All projects discussed below are included in the enclosed master schedule and maps of active developments and capital projects.

a) Buffalo Springs Drive Bridge Repair (FEMA)

The contractor has completed the base installation of the approaches to the bridge and installed the guardrail on both the north and south sides. The contractor is continuing to pour slope paving this week and is scheduled to begin asphalt pavement next week. Enclosed is the most recent construction schedule showing substantial completion by the end of the month. We received and approved Pay Estimate No. 9 in the amount of \$162,205.85 to Glenn Fuqua, Inc. We are continuing to assist City Staff in providing the necessary documentation to FEMA to receive reimbursement.

b) Water Distribution System Analysis and Master Plan - CP No. 2, 12-inch Waterline Across Town Creek Bridge

We met onsite with the contractor, Spartan Direct Solutions, and the contractor for the Buffalo Springs Drive Bridge Repair project on October 12th to discuss mobilization and construction coordination between the two contractors. It is our understanding the contractor mobilized and began installing pipe this week.

c) Water Distribution System Analysis and Master Plan – CP No. 3 – Downtown and SH-105 Waterline Replacement

As a reminder, this project is included in the TWDB Drinking Water State Revolving Fund (“DWSRF”) loan. We expect to complete the design in early November 2018 and receive plan approval in December 2018. We expect construction to begin in February 2019.

Status of Previously Authorized Projects (cont.):

- d) **Water Distribution System Analysis and Master Plan – CP No. 9 - Water Plant No. 3 Improvements**
As a reminder, this project is included in the TWDB DWSRF loan. We expect to complete the design and receive all plan approvals in Winter 2018/early 2019.
- e) **Water Distribution System Analysis and Master Plan-CP No. 1, Water Plant No. 2 GST Backfill**
As a reminder, this project will be rebid with the Water Plant No. 3 Improvements project.
- f) **Sanitary Sewer System Analysis and Master Plan – CP No. 3b – Lift Station No. 1 Replacement**
As a reminder, this project is included in the TWDB Clean Water State Revolving Fund (“CWSRF”) loan. The design is substantially complete and undergoing internal review before being submitted for external review.
- g) **Sanitary Sewer System Analysis and Master Plan – CP No. 10 – Lift Station No. 3 Force Main Re-Route**
As a reminder, this project is included in TWDB CWSRF loan. The design is substantially complete, has received TxDOT approval, and is under final internal review before undergoing TWDB review. We expect construction to begin in January 2019.
- h) **18” Gravity Sanitary Sewer Extension**
The contractor is proceeding with construction of the sanitary sewer pipe and has installed approximately 780 LF of the total 1,030 LF included in the project scope. Change Order No. 2 in the amount of \$4,360.00 was approved by the City Administrator on September 28th.
- i) **Baja Road Water and Drainage Improvements (CDBG)**
We received bids for the project on October 2nd at City Hall. Enclosed under separate cover is a letter to Council regarding the receipt of bids for the Baja Road Water and Drainage Improvements project. The construction cost is less than the original cost estimate for the project, which has created a surplus of funds to be allocated from the grant. We are currently evaluating potential options for a Phase II of the project to utilize the remaining funds that will not be used in this project.
- Action Item** – Consideration and possible action regarding award and execution of construction contract documents for the Baja Road Water and Drainage Improvements project.
- j) **Baja Road Paving Repairs (FEMA)**
We have prepared a scope and schedule for the project, which has been approved by the City Administrator. We are beginning our design of the project and preparation of bid documents. As a reminder, this project will take place following the completion of the Baja Road Water and Drainage Improvements (CDBG) project.
- k) **Atkins Creek Water, Sanitary, and Storm Sewer Repairs (FEMA)**
We submitted preliminary plans to FEMA for review this month and are awaiting results of the scour analysis before proceeding with the environmental clearance process.

Status of Previously Authorized Projects (cont.):**l) GLO Projects**

We received Request for Information No. 1 on October 3rd and worked with the City Administrator and GrantWorks to provide a response on October 10th. We are continuing to coordinate with GrantWorks to determine when funds will become available.

Existing and Upcoming Developments:**a) Feasibility Studies**

There are no active feasibility studies at this time.

b) Plan Reviews

- i. **Peter Hill Public Infrastructure** – We received revised plans on July 3rd and await the deposit of funds from the developer before proceeding with our review.
- ii. **Shoppes at Montgomery, Phase II** – We did not receive revised plans this month.
- iii. **Heritage Seniors Apartments** – We received revised plans on October 3rd and provided plan approval on October 4th.
- iv. **Exxon Eva Street** – We received plans on August 28th and are in discussion with the developer regarding requirements to be shown before completing our review.
- v. **Wendy's (Haza Foods)** – We received plans on October 3rd and provided comments to the plans on October 9th.

c) Plat Reviews

- i. **Samdana Investments Minor Plat** – We did not receive a revised plat this month.
- ii. **Shoppes at Montgomery, Phase II Final Plat (Revised)** – We received the revised plat on September 11th, which modifies the Sanitary Control Easement shown on the previously approved plat. We offer no objections to the plat and recommend approval of the revised final plat as submitted.

Agenda Item – Consideration and possible action regarding the revised final plat for The Shoppes at Montgomery, Section 2.

d) Ongoing Construction

- i. **Hills of Town Creek, Section 3** – Construction is proceeding on the public improvements to serve the development.

Ongoing Construction (cont.):

- ii. **Emma's Way** – We held a final inspection of the infrastructure on August 27th and provided the contractor and developer with the final punch list. It is our understanding the contractor is working to address all punch list items.
- iii. **Shoppes at Montgomery, Phase I** – The Contractor is proceeding with construction of the public waterline and sanitary sewer line along FM 2854.

e) One-Year Warranty Inspections

- i. **Lift Station No. 14** – We are working with Public Works and Gulf Utilities to bring the lift station to the proper specifications with the funds deposited by the developer for the replacement pumps.
- ii. **Gardner Drive** – We conducted a one-year warranty inspection for the public infrastructure installed on August 28th. It is our understanding the contractor is working to address all punch list items identified at the inspection.
- iii. **Lake Creek Village, Section 3** – We plan to conduct a one-year warranty inspection for the public infrastructure on October 19th.
- iv. **Flagship Boulevard Pavement Repair** – We plan to schedule a one-year warranty inspection for the public infrastructure in November.
- v. **Heritage Place Medical Center 12" Waterline** - We plan to schedule a one-year warranty inspection for the public infrastructure in November.
- vi. **Buffalo Springs Shopping Center Phase II Public Water and Sanitary Sewer** - We plan to schedule a one-year warranty inspection for the public infrastructure in November.

Meetings and Ongoing Activities:

- a) **2018 Catahoula Well Permit Amendment** – It is our understanding Lone Star Groundwater Conservation District approved the Catahoula Well permit amendment application at their October 9th Board meeting. It is also our understanding the amended permit will go into effect immediately upon receipt of payment from the City.
- b) **Lone Star Parkway Transportation Improvement Plan (TIP)** – We are working with the H-GAC to discuss planning for the possible acceptance Lone Star Parkway by TxDOT in the future. We plan to attend a meeting with TxDOT on November 6th to discuss including the project on TxDOT's Regional Transportation Plan before including it on the H-GAC TIP.
- c) **2018 Annual Water Plant Inspection** – We are planning to complete the 2018 annual water plant inspection of Water Plant Nos. 2 and 3 on November 6th. As a reminder, this will be a full mechanical and electrical inspection and corresponding report, as approved at the June 26th meeting of the City Council.

Meetings and Ongoing Activities:

- d) **Development Handbook and Approval Process** – We completed all updates to the Development Handbook and have provided a final copy to the City Secretary and City Administrator to publish on the City’s website.
- e) **Developer’s Roundtable** – We are continuing to work with the Mayor and City Administrator to determine if any changes should be made to existing ordinances and processes.
- f) **FM 149 Southbound Turn Lane** – We are coordinating with TxDOT to determine the additional right-of-way that would be required to construct a southbound right turn lane at the intersection of FM 149 and SH-105. As a reminder, this right-of-way would be dedicated from the property owner of the Exxon station at the northwest corner of the intersection.
- g) **Weekly Operations Conference Call** – We continue hosting a weekly conference call with representatives from Gulf Utility Service, Inc. and City Staff. Items of note discussed during the previous month included receiving estimates for repairs to Lift Station No. 14, updates on various warranty inspections, general updates on all active design and construction projects, and general operations of the City’s water and sanitary sewer facilities.

Please contact Katherine Vu or me if you have any questions.

Sincerely,



Chris Roznovsky, PE
Engineer for the City

CVR/kmv

K:\W5841\W5841-0900-00 General Consultation\Meeting Files\Status Reports\2018\Engineer's Reports\Engineer's Report 10-23-18.docx

Enclosures:

Active Capital Projects Map

Active Developments Map

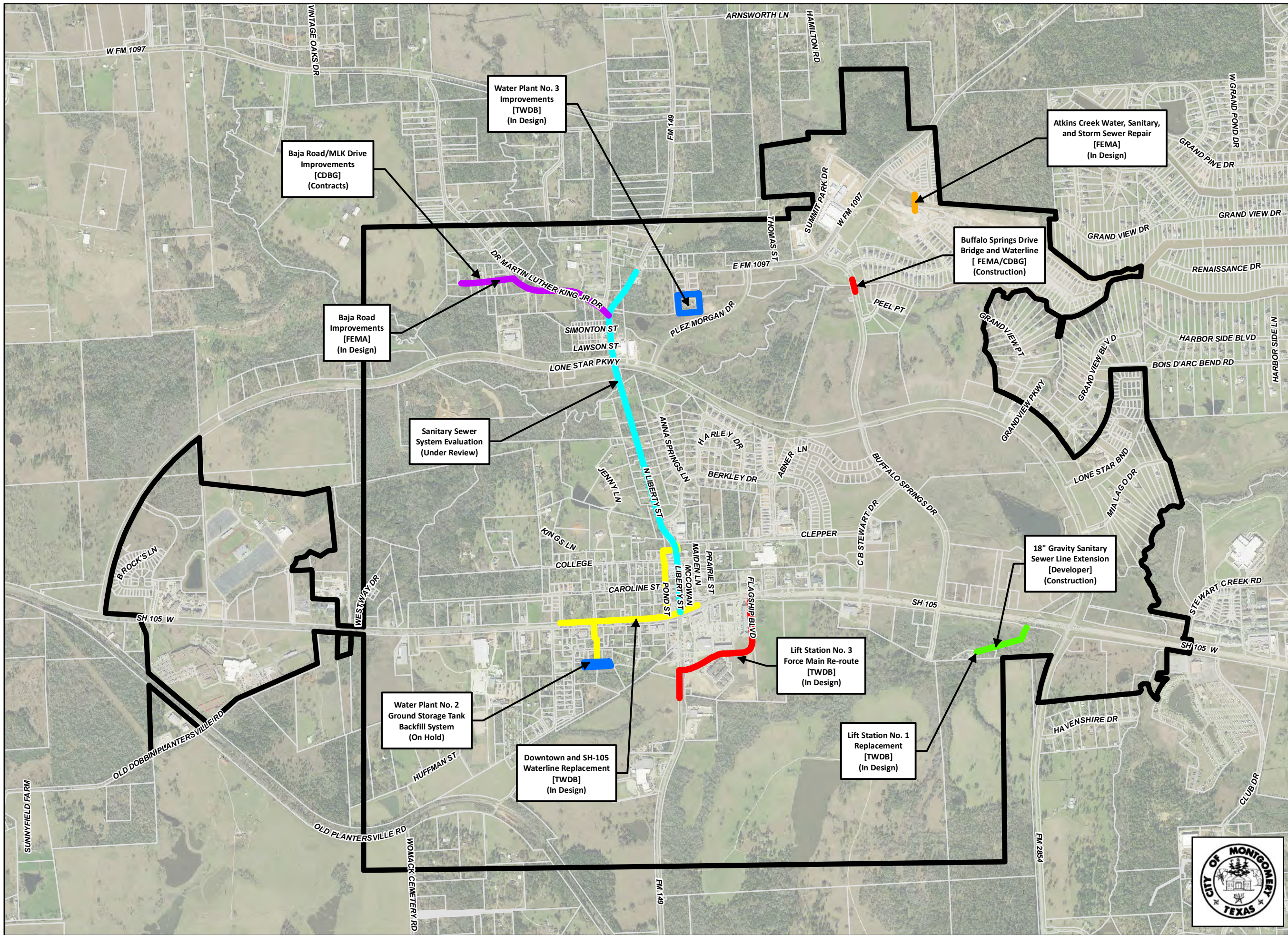
Cc (via email):

The Planning and Zoning Commission – City of Montgomery

Mr. Jack Yates – City of Montgomery, City Administrator

Ms. Susan Hensley – City of Montgomery, City Secretary



Mr. Larry Foerster – Darden, Fowler & Creighton, LLP, City Attorney



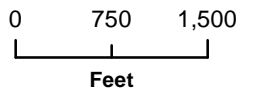
VICINITY MAP

Scale: 1 inch equals 20 miles

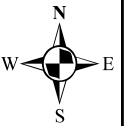
LEGEND

-  City Limits
-  MCAD Parcels

ACTIVE CAPITAL PROJECTS (OCTOBER 2018)

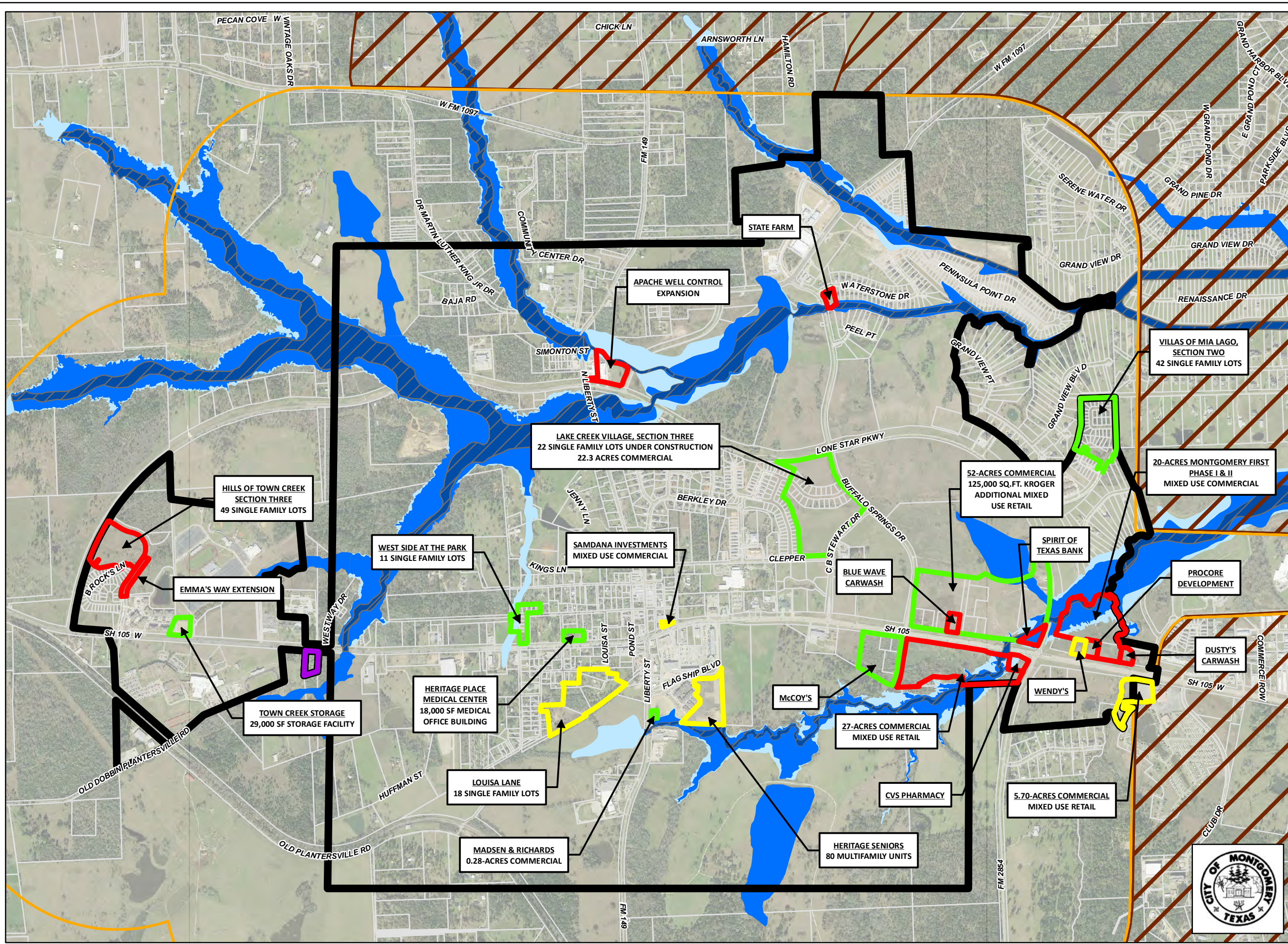


1 inch equals 1,500 feet



Disclaimer: This product is offered for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property, governmental and/or political boundaries or related facilities to said boundary. No express warranties are made by Jones|Carter, Inc. concerning the accuracy, completeness, reliability, or usability of the information included within this exhibit.





LEGEND

- Active Development (Phase)
 - Complete/Under Warranty (Green outline)
 - Under Construction (Red outline)
 - In Design (Yellow outline)
 - Planning/Feasibility (Purple outline)
- City Limits (Black outline)
- Stanley Lake MUD (Black outline with diagonal lines)
- City ETJ (Orange outline)
- City of Conroe ETJ (Brown outline)
- Floodway (Blue shaded area)
 - 100-year (Dark blue)
 - 500-year (Light blue)
- MCAD Parcels (White outline)

ACTIVE DEVELOPMENTS (OCTOBER 2018)

0 750 1,500
Feet

1 inch equals 1,500 feet

Scale bar and north arrow.

Disclaimer: This product is offered for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property, governmental and/or political boundaries or related facilities to said boundary. No express warranties are made by Jones|Carter, Inc. concerning the accuracy, completeness, reliability, or usability of the information included within this exhibit.

JONES | CARTER
Texas Board of Professional Engineers Registration No. F-439

Path: D:\Projects\Districts\CityofMontgomery\October\Development (11417).mxd User Name: JCP Date: 10/17/2018 Project Number: WS841-0900-18

**CITY OF MONTGOMERY
ACCOUNT BALANCES
For Meeting of October 23, 2018**

	<u>CHECKING ACCT BALANCES</u>	<u>PRIOR MONTH END INVESTMENTS</u>	<u>TOTAL FUNDS AVAILABLE</u>
<u>GENERAL FUNDS</u>			
OPERATING FUND #1017375	\$ 279,579.75		\$ 279,579.75
HOME GRANT FUNDS /COPS UNIVERSAL #1032895	\$ 10.00		\$ 10.00
ESCROW FUND #1025873	\$ -		\$ -
PARK FUND #7014236	\$ -		\$ -
POLICE DRUG & MISC FUND #1025675	\$ 10,675.64		\$ 10,675.64
INVESTMENTS - GENERAL FUND		\$ 300,000.00	\$ 300,000.00
TEXPOOL - GENERAL FUND # 00003		\$ 211,395.58	\$ 211,395.58
TEXPOOL - RESERVE FUND # 00005		\$ -	\$ -
TOTAL GENERAL FUND	\$ 290,265.39	\$ 511,395.58	\$ 801,660.97
<u>CONSTRUCTION FUND</u>			
BUILDING FUND #1058528	\$ -		\$ -
CONSTRUCTION ACCOUNT #1058544	\$ 251,606.46		\$ 251,606.46
BOK Financial Series 2017A	\$ 1,017,109.11		\$ 1,017,109.11
BOK Financial Series 2017BA	\$ 1,608,947.48		\$ 1,608,947.48
TEXPOOL - CONST # 00009		\$ 587,912.99	\$ 587,912.99
INVESTMENTS - CONSTRUCTION		\$ -	\$ -
TOTAL CONSTRUCTION FUND	\$ 2,877,663.05	\$ 587,912.99	\$ 3,465,576.04
<u>DEBT SERVICE FUND</u>			
DEBT SERVICE FUND #7024730	\$ 251,557.60		\$ 251,557.60
TEXPOOL DEBT SERVICE # 00008	\$ -	\$ 24,794.96	\$ 24,794.96
TOTAL DEBT SERVICE FUND	\$ 251,557.60	\$ 24,794.96	\$ 276,352.56
<u>COURT SECURITY FUND</u> #1070580	\$ 6,998.00	\$ -	\$ 6,998.00
<u>COURT TECHNICAL FUND</u> #1058361	\$ 34,263.34	\$ -	\$ 34,263.34
<u>GRANT FUND</u>			
HOME GRANT ACCOUNT #1059104	\$ 5,737.63		\$ 5,737.63
GRANT ACCOUNT #1048479	\$ 80.73		\$ 80.73
TOTAL GRANT FUND	\$ 5,818.36	\$ -	\$ 5,818.36
<u>HOTEL OCCUPANCY TAX FUND</u> #1025253	\$ 11,021.23	\$ -	\$ 11,021.23
<u>MEDC</u>			
CHECKING ACCOUNT #1017938	\$ 283,013.21		\$ 283,013.21
TEXPOOL - MEDC # 00003		\$ 238,973.17	\$ 238,973.17
INVESTMENTS - MEDC		\$ 250,000.00	\$ 250,000.00
TOTAL MEDC	\$ 283,013.21	\$ 488,973.17	\$ 771,986.38
<u>POLICE ASSET FORFEITURES</u> #1047745	\$ 6,221.99		\$ 6,221.99
<u>UTILITY FUND</u>			
UTILITY FUND #1017383	\$ 729,310.66		\$ 729,310.66
CUSTOMER DEPOSITS FUND #1017417	\$ -		\$ -
WATER WORKS & SAN SEWER #7013840	\$ -		\$ -
TEXPOOL - UTILITY FUND # 00002		\$ 18,266.34	\$ 18,266.34
TOTAL UTILITY FUND	\$ 729,310.66	\$ 18,266.34	\$ 747,577.00
TOTAL ALL FUNDS	\$ 4,496,132.83	\$ 1,631,343.04	\$ 6,127,475.87
<u>INVESTMENTS</u>			
TEXPOOL - GENERAL FUND			\$ 211,395.58
INVESTMENTS - GENERAL FUND			\$ 300,000.00
TEXPOOL - CONST # 00009			\$ 587,912.99
TEXPOOL - DEBT SERVICE # 00008			\$ 24,794.96
TEXPOOL - MEDC			\$ 238,973.17
INVESTMENTS - MEDC			\$ 250,000.00
TEXPOOL - UTILITY			\$ 18,266.34
TOTAL ALL INVESTMENTS			\$ 1,631,343.04

*Note: Due to General Fund from Construction Fund (for Bridge Repair)
(Advances up to \$600,000.00 approved by Council)

\$286,545.92 @ 10/10/18



MUNICIPAL ACCOUNTS
& CONSULTING, L.P.

City of Montgomery

Bookkeeper's Report

October 23, 2018

City of Montgomery
Account Balances

As of October 5, 2018

Financial Institution (Acct Number)	Issue Date	Maturity Date	Interest Rate	Account Balance	Notes
Fund: Operating					
Certificates of Deposit					
GREEN BANK (XXXX0365)	06/18/2018	12/17/2018	2.00 %	100,000.00	
TEXAS CAPITAL BANK (XXXX0242)	07/07/2018	01/03/2019	2.00 %	100,000.00	
CENTRAL BANK (XXXX0787)	08/06/2018	02/02/2019	2.22 %	100,000.00	
Money Market Funds					
TEXPOOL (XXXX0003)	08/01/2005		1.92 %	211,395.58	
Checking Account(s)					
FIRST FINANCIAL BANK (XXXX7375)			0.00 %	279,579.75	Checking Account
FIRST FINANCIAL BANK (XXXX5675)			0.00 %	10,675.64	Police Drug & Misc Fund
FIRST FINANCIAL BANK (XXXX5873)			0.00 %	0.00	Escrow
FIRST FINANCIAL BANK (XXXX2895)			0.00 %	10.00	Home Grant / COPS Universal
FIRST FINANCIAL BANK (XXXX4236)			0.00 %	0.00	Park
Totals for Operating Fund:				\$801,660.97	
Fund: Capital Projects					
Money Market Funds					
TEXPOOL (XXXX0009)	12/27/2012		1.92 %	587,912.99	
Checking Account(s)					
BOK Financial (XXXX3014)			0.00 %	1,017,109.11	BOKF, NA Escrow - Series 2017A
BOK Financial (XXXX4012)			0.00 %	1,608,947.48	BOKF, NA Escrow - Series 2017B
FIRST FINANCIAL BANK (XXXX8528)			0.00 %	0.00	Building Fund
FIRST FINANCIAL BANK (XXXX8544)			0.00 %	251,606.46	Const Ckg-W&S Proj 1058544
Totals for Capital Projects Fund:				\$3,465,576.04	
Fund: Debt Service					
Money Market Funds					
TEXPOOL (XXXX0008)	12/27/2012		1.92 %	24,794.96	
Checking Account(s)					
FIRST FINANCIAL BANK (XXXX4730)			0.00 %	251,557.60	Checking Account
Totals for Debt Service Fund:				\$276,352.56	
Fund: CT Security					
Checking Account(s)					
FIRST FINANCIAL BANK (XXXX0580)			0.00 %	6,998.00	Cash In Bank
Totals for CT Security Fund:				\$6,998.00	
Fund: CT Tech					
Checking Account(s)					
FIRST FINANCIAL BANK (XXXX8361)			0.00 %	34,263.34	Cash In Bank
Totals for CT Tech Fund:				\$34,263.34	
Fund: Grant					
Checking Account(s)					
FIRST FINANCIAL BANK (XXXX8479)			0.00 %	80.73	Grant Account

City of Montgomery
Account Balances

As of October 5, 2018

Financial Institution (Acct Number)	Issue Date	Maturity Date	Interest Rate	Account Balance	Notes
Fund: Grant					
Checking Account(s)					
FIRST FINANCIAL BANK (XXXX9104)			0.00 %	5,737.63	Checking Account
Totals for Grant Fund:				\$5,818.36	
Fund: Hotel Occupancy Tax					
Checking Account(s)					
FIRST FINANCIAL BANK (XXXX5253)			0.00 %	11,021.23	Cash In Bank
Totals for Hotel Occupancy Tax Fund:				\$11,021.23	
Fund: MEDC					
Certificates of Deposit					
ICON BANK (XXXX5334)	01/27/2018	01/27/2019	1.25 %	150,000.00	
ALLEGIANCE BANK (XXXX2047)	06/06/2018	06/06/2019	2.00 %	100,000.00	
Money Market Funds					
TEXPOOL (XXXX0006)	08/01/2005		1.92 %	238,973.17	
Checking Account(s)					
FIRST FINANCIAL BANK (XXXX7938)			0.00 %	283,013.21	MEDC Checking
Totals for MEDC Fund:				\$771,986.38	
Fund: Policy Asset Forfeiture					
Checking Account(s)					
FIRST FINANCIAL BANK (XXXX7745)			0.00 %	6,221.99	Cash In Bank
Totals for Policy Asset Forfeiture Fund:				\$6,221.99	
Fund: Utility					
Money Market Funds					
TEXPOOL (XXXX0002)	08/01/2005		1.92 %	18,266.34	
Checking Account(s)					
FIRST FINANCIAL BANK (XXXX7383)			0.00 %	729,310.66	Water & Sewer Fund
FIRST FINANCIAL BANK (XXXX7417)			0.00 %	0.00	Customer Deposit Acct
FIRST FINANCIAL BANK (XXXX3840)			0.00 %	0.00	Water Works
Totals for Utility Fund:				\$747,577.00	
Grand total for City of Montgomery:				\$6,127,475.87	

City of Montgomery - General
Cash Flow Report - Checking Account
As of October 5, 2018

Num	Name	Memo	Amount	Balance
BALANCE AS OF 09/26/2018				\$445,514.01
Receipts				
	Transfer		1,700.00	
	Misc Rev CL 9/30		39,601.13	
	Misc Rev O/S 9/30		182.50	
	Court Rev CL 9/30		46,142.73	
	Court Rev O/S 9/30		4,564.50	
	Tax P& I Rev 9/30		77.70	
	Tax Rev CL 9/30		460.53	
	Tax Rev O/S 9/30		30.17	
	Interest		7.61	
Total Receipts				92,766.87
Disbursements				
28598	Office of the Attorney General	0012541428, 0012011313, 0013412154, 001180485	(2,512.05)	
28599	American Timber and Steel	Supplies - Inv 134343	(3,405.55)	
28600	Belles Booster Club, Inc.	Community Building Deposit Refund	(300.00)	
28601	Card Service Center	First Financial Credit Card Account XXXX 0869 -	(2,431.54)	
28602	Crown Paper and Chemical	Supplies #116738	(220.00)	
28603	Davis Investigation Services	Inv 98130830 - E. Rains	(53.14)	
28604	Glen Pool	Community Bldg Deposit Refund	(150.00)	
28605	Gordon B. Dudley, Jr.	Prosecutor 9/20/18	(900.00)	
28606	GTIN	Fee per service agreement for 9/18 INV 20215	(3,379.50)	
28607	Houston Chronicle	Inv# 222716094 & 222716093	(1,007.78)	
28608	Iron Mountain	Document Shredding 9FS6316 7/25-8/18/18	(111.98)	
28609	Jones & Carter, Inc	272138,137,136,135,134,130,121,120,119,129,	(18,454.57)	
28610	Michael Shirley	Court Prosecutor 9/20/18 6 - 8:30 pm	(450.00)	
28611	Omnibase Services of Texas, LP	2nd Qtr Activity - 2018 PS ID # 114170 Report#	(846.00)	
28612	Personalized Communications, Inc.	AnsweringService18253-091918 10/4-10/31/18 25.	(54.14)	
28613	Positive Promotions	Inv 06112849 ID Kit, Glow Sticks	(772.39)	
28614	Purchase Power	Acct-8000-9090-1015-0170 - Postage 7/27/18-9/1	(478.20)	
28615	Sandra Randall	Community Building Deposit Refund	(150.00)	
28616	Stowes' Wrecker & Collision	Inv# 3702,3721,3754	(374.70)	
28617	Thomas Printing & Publishing	1,000 - Court Doc Jackets - Inv 9617	(316.07)	
28618	UniFirst Holdings, Inc.	Several	(220.50)	
28619	Valero Marketing & Supply Company	Acct #6224 9487 -Fuel thru 9/17/18 (police)	(3,157.27)	
28620	Verizon Wireless	521590387-00001	(893.96)	
28621	Dupree, April J	Corrected Payroll 9/28/18	(24.63)	
28622	Rosendo, Jose A	Corrected Payroll 9/28/18	(69.79)	
28623	Standifer, Eric L.	Corrected Payroll 9/28/18	(87.68)	
28624	Williams, Tina M	Corrected Payroll 9/28/18	(2.91)	
28625	TMRS	0877, 00877	(12,654.49)	
28626	ARCIT	Annual Membership Dues 2018-2019	(170.00)	
28627	Crafco, Inc.	Inv# 9401811582 Polyflex Type 3	(2,340.00)	
28628	EZTask.com, Inc.	Inv# 07910404 (6) Months of Website Hosting 9/	(600.00)	
28629	Global Equipment Co. Inc.	Inv#113203398	(111.49)	
28630	Grainger	INV 9905357522 Electronic Ballast	(230.00)	
28631	GTIN	Google Licensing upgrades for October 2018 & Go	(1,070.00)	
28632	Houston Chronicle	Notice of Budget Public INV 222716091 Ad # 17	(102.09)	
28633	Judy Brooks	Community Center Deposit Refund	(150.00)	
28634	Montgomery Ridge	Montgomery Ridge-Signorelli Escrow Account Cre	(543.75)	
28635	Nexem Staffing Inc.	Inv# 40054	(784.00)	

City of Montgomery - General
Cash Flow Report - Checking Account
As of October 5, 2018

Num	Name	Memo	Amount	Balance
Disbursements				
28636	Rick Hanna, CBO	Inv 17778, 17779	(5,711.75)	
28637	Sales Revenue, Inc.	Sales Tax Tracking 10/18 Inv#2356	(1,400.00)	
28638	Sam's Club	Acct #040241083268-7, Inv 001223	(203.14)	
28639	Thomas Lundsten	Cedar Brake Park Garden Maintenance 9/2018	(65.00)	
28640	Tyler Technologies, Inc	Monthly fee - Web Site and On Line Billing Compo	(41.00)	
D/M	ETS Corporation	ETS Fees 9/18	(946.11)	
DD	Aguirre, Abel	Payroll 9/28/18	(1,590.34)	
DD	Bauer, Timothy M	Payroll 9/28/18	(1,502.00)	
DD	Belmares, Jose N.	Payroll 9/28/18	(2,006.18)	
DD	Bracht, James C.	Payroll 9/28/18	(1,886.25)	
DD	Carswell, Christopher M	Payroll 9/28/18	(1,266.74)	
DD	Duckett, Kimberly T.	Payroll 9/28/18	(1,586.39)	
DD	Dupree, April J	Payroll 9/28/18	(1,227.44)	
DD	Hensley, Susan L	Payroll 9/28/18	(1,945.03)	
DD	Hernandez, George J.	Payroll 9/28/18	(1,184.52)	
DD	Kohl, Julie J	Payroll 9/28/18	(271.59)	
DD	Kowarsch, Robert D	Payroll 9/28/18	(136.22)	
DD	Napolitano, James F	Payroll 9/28/18	(2,626.94)	
DD	Rains, Eva S.	Payroll 9/28/18	(189.24)	
DD	Rather, Regina S.	Payroll 9/28/18	(455.29)	
DD	Redman, Leslie A.	Payroll 9/28/18	(1,268.35)	
DD	Riley, James A.	Payroll 9/28/18	(1,657.46)	
DD	Rosario III, Miguel A.	Payroll 9/28/18	(1,130.49)	
DD	Rosendo, Jose A	Payroll 9/28/18	(1,346.85)	
DD	Salas, Francisco A.	Payroll 9/28/18	(1,162.06)	
DD	Standifer, Eric L.	Payroll 9/28/18	(1,753.68)	
DD	Thomas, Ryan A	Payroll 9/28/18	(1,294.63)	
DD	Thompson, Kevin A.	Payroll 9/28/18	(739.28)	
DD	Williams, Tina M	Payroll 9/28/18	(1,389.25)	
DD	Yates, Jack R	Payroll 9/28/18	(3,614.04)	
DD	Muckleroy, Micha D.	Payroll 9/28/18	(2,008.97)	
MEMO	City of Montgomery	Dependent Insurance thru 9/30/18	0.00	
POL	EFIPS	Payroll Liabilities - 09.28.2018	(11,397.04)	
POL	EFIPS	Payroll Liabilities on Corrected payroll 9/28/18	(33.14)	
Transfer	City of Montgomery- Capital Projects	Transfer to cover Pay Est #7 - Bridge Repair	(108,882.82)	
Transfer	City of Montgomery - MEDC	Sales Tax Transfer thru 9/14/18	(31,791.38)	
Transfer	City of Montgomery Court Technology Fund	Court Tech Fees Rev thru 8/18	(971.87)	
Transfer	City of Montgomery Court Security Fund	Transfer of Court Fees Revenue thru 8/18	(728.89)	
Transfer	City of Montgomery - Debt Service	Tax Revenue transfer thru 8/18	(1,709.59)	
Total Disbursements			(258,701.13)	
BALANCE AS OF 10/05/2018				\$279,579.75

City of Montgomery - General
Cash Flow Report - Police Drug & Misc Fund Account

As of October 5, 2018

Num	Name	Memo	Amount	Balance
BALANCE AS OF 09/26/2018				\$10,675.64
Receipts				
	No Receipts Activity		0.00	
Total Receipts				0.00
Disbursements				
	No Disbursements Activity		0.00	
Total Disbursements				0.00
BALANCE AS OF 10/05/2018				\$10,675.64

City of Montgomery - General
Cash Flow Report - Home Grant / COPS Universal Account

As of October 5, 2018

Num	Name	Memo	Amount	Balance
BALANCE AS OF 09/26/2018				\$10.00
Receipts				
	No Receipts Activity		0.00	
Total Receipts			<u>0.00</u>	0.00
Disbursements				
	No Disbursements Activity		0.00	
Total Disbursements			<u>0.00</u>	<u>0.00</u>
BALANCE AS OF 10/05/2018				<u><u>\$10.00</u></u>

City of Montgomery - General Fund
Profit & Loss Budget Performance-All
September 2018

	Sep 18	Budget	\$ Over B...	Oct '17 - S...	YTD Bud...	\$ Over B...	Annual B...
Ordinary Income/Expense							
Income							
14000.1 · Taxes & Franchise Fees							
14103 · Beverage Tax	0.00	2,750.00	-2,750.00	10,656.16	11,000.00	-343.84	11,000.00
14111 · Franchise Tax	0.00	18,000.00	-18,000.00	87,389.55	72,000.00	15,389.55	72,000.00
14320 · Ad Valorem Taxes							
14320.1 · PID Tax Revenue	0.00			35,375.81	35,775.00	-399.19	35,775.00
14320 · Ad Valorem Taxes - Other	238.46	669.69	-431.23	402,438.88	402,412.00	26.88	402,412.00
Total 14320 · Ad Valorem Taxes	238.46	669.69	-431.23	437,814.69	438,187.00	-372.31	438,187.00
14330 · Penalties & Interest on Adv Tax	36.29	208.33	-172.04	3,484.90	3,100.00	384.90	3,100.00
14331 · Rendition Penalties	0.00	16.67	-16.67	0.00	200.00	-200.00	200.00
14600 · Sales Tax	0.00	220,856.20	-220,856.20	1,628,342.85	1,810,800.00	-182,457.15	1,810,800.00
14000.1 · Taxes & Franchise Fees - Other	95,374.14			95,374.14			
Total 14000.1 · Taxes & Franchise Fees	95,648.89	242,500.89	-146,852.00	2,263,062.29	2,335,287.00	-72,224.71	2,335,287.00
14000.2 · Permits & Licenses							
14105 · Building Permits	25,040.10	26,638.40	-1,598.30	241,649.02	205,000.00	36,649.02	205,000.00
14146 · Vendor/Beverage Permits	40.00	625.00	-585.00	2,603.50	2,500.00	103.50	2,500.00
14611 · Sign Fee	0.00	150.00	-150.00	2,035.00	1,800.00	235.00	1,800.00
14612 · Misc Permit Fees(plats,& Zoning	1,700.00	166.67	1,533.33	6,223.76	2,000.00	4,223.76	2,000.00
Total 14000.2 · Permits & Licenses	26,780.10	27,580.07	-799.97	252,511.28	211,300.00	41,211.28	211,300.00
14000.4 · Fees for Service							
14380 · Community Bldg Rental	840.00	458.33	381.67	6,700.00	5,500.00	1,200.00	5,500.00
14381 · Kiosk Revenue	0.00	0.00	0.00	0.00	30.00	-30.00	30.00
14385 · Right of Way Use Fees	0.00	500.00	-500.00	7,991.20	6,000.00	1,991.20	6,000.00
Total 14000.4 · Fees for Service	840.00	958.33	-118.33	14,691.20	11,530.00	3,161.20	11,530.00
14000.5 · Court Fines & Forfeitures							
14101 · Collection Fees	0.00	2,416.66	-2,416.66	26,968.05	29,000.00	-2,031.95	29,000.00
14102 · Asset Forfeitures	0.00	125.00	-125.00	0.00	500.00	-500.00	500.00
14106 · Child Belt/Safety (Dedicated)	226.51	100.00	126.51	297.84	800.00	-502.16	800.00
14108 · Court Fees	0.00			234.71			
14110 · Fines	47,243.10	38,333.33	8,909.77	481,811.35	460,000.00	21,811.35	460,000.00
14118 · OMNI	156.38	166.67	-10.29	2,387.87	2,000.00	387.87	2,000.00
14125 · Warrant Fees	0.00	0.00	0.00	0.00	50.00	-50.00	50.00
14126 · Judicial Efficiency (Dedicated)	151.34	145.83	5.51	1,457.92	1,750.00	-292.08	1,750.00
14130 · Accident Reports	0.00	36.00	-36.00	231.41	240.00	-8.59	240.00
Total 14000.5 · Court Fines & Forfeitures	47,777.33	41,323.49	6,453.84	513,389.15	494,340.00	19,049.15	494,340.00
14000.6 · Other Revenues							
15380 · Unanticipated Income	6.00	375.00	-369.00	5,651.12	4,500.00	1,151.12	4,500.00
15391 · Interest Income	7.61	12.89	-5.28	129.31	200.00	-70.69	200.00
15392 · Interest on Investments	345.08	450.00	-104.92	6,526.86	5,400.00	1,126.86	5,400.00
14000.6 · Other Revenues - Other	5.74			5.74			
Total 14000.6 · Other Revenues	364.43	837.89	-473.46	12,313.03	10,100.00	2,213.03	10,100.00
15350 · Proceeds from sales	0.00	0.00	0.00	0.00	100.00	-100.00	100.00
15352 · Proceeds from FEMA Dissaster Re	0.00	0.00	0.00	-5,718.73	0.00	-5,718.73	0.00
15393 · Police Grant Revenue	0.00	0.00	0.00	0.00	471.00	-471.00	471.00
Total Income	171,410.75	313,200.67	-141,789.92	3,050,248.22	3,063,128.00	-12,879.78	3,063,128.00
Expense							
16000 · Personnel							
16353.1 · Health Ins.	9,383.40	8,832.54	550.86	107,639.80	105,990.00	1,649.80	105,990.00
16353.4 · Unemployment Ins.	36.36	117.17	-80.81	3,482.15	3,110.00	372.15	3,110.00
16353.5 · Workers Comp.	0.00	1,285.38	-1,285.38	25,427.93	15,810.00	9,617.93	15,810.00
16353.6 · Dental & Vision Insurance	1,155.86	1,013.96	141.90	8,761.67	11,780.00	-3,018.33	11,780.00
16353.7 · Life & AD&D Insurance	121.46	80.84	40.62	634.73	970.00	-335.27	970.00
16353.8 · Crime-Ins	0.00	0.00	0.00	263.51	0.00	263.51	0.00
16560 · Payroll Taxes	7,011.82	7,495.82	-484.00	89,939.08	89,950.00	-10.92	89,950.00

City of Montgomery - General Fund
Profit & Loss Budget Performance-All

Accrual Basis

September 2018

	Sep 18	Budget	\$ Over B...	Oct '17 - S...	YTD Bud...	\$ Over B...	Annual B...
16600 · Wages	88,046.24	95,079.75	-7,033.51	1,104,215.36	1,140,957.00	-36,741.64	1,140,957.00
16600.1 · Overtime	2,312.84	2,292.51	20.33	43,617.79	20,000.00	23,617.79	20,000.00
16620 · Retirement Expense	5,394.33	4,216.66	1,177.67	67,890.11	50,600.00	17,290.11	50,600.00
Total 16000 · Personnel	113,462.31	120,414.63	-6,952.32	1,451,872.13	1,439,167.00	12,705.13	1,439,167.00
16001 · Communications							
16338 · Advertising/Promotion							
16338.1 · Legal Notices and Pub	1,105.78	0.00	1,105.78	6,480.30	2,073.00	4,407.30	2,073.00
16338.2 · Recording Fees	0.00			1,500.00	0.00	1,500.00	0.00
16338 · Advertising/Promotion - Other	0.00	302.25	-302.25	2,520.49	4,626.98	-2,106.49	4,626.98
Total 16338 · Advertising/Promotion	1,105.78	302.25	803.53	10,500.79	6,699.98	3,800.81	6,699.98
Total 16001 · Communications	1,105.78	302.25	803.53	10,500.79	6,699.98	3,800.81	6,699.98
16002 · Contract Services							
16102 · General Consultant Fees							
16102.1 · Sales Tax Tracking	1,400.00			5,600.00	0.00	5,600.00	0.00
16102 · General Consultant Fees - Other	898.04	2,166.67	-1,268.63	20,543.96	32,000.00	-11,456.04	32,000.00
Total 16102 · General Consultant Fees	2,298.04	2,166.67	131.37	26,143.96	32,000.00	-5,856.04	32,000.00
16220 · Omni Expense	0.00	225.00	-225.00	1,908.00	2,700.00	-792.00	2,700.00
16242 · Prosecutors Fees	1,350.00	750.00	600.00	11,250.00	9,000.00	2,250.00	9,000.00
16280 · Mowing	6,667.00	6,716.67	-49.67	80,975.43	80,600.00	375.43	80,600.00
16281 · Records Shredding	0.00			877.58			
16299 · Inspections/Permits	10,135.75	10,000.00	135.75	137,091.08	120,000.00	17,091.08	120,000.00
16310 · Judge's Fee	0.00	1,500.00	-1,500.00	16,547.00	18,000.00	-1,453.00	18,000.00
16320 · Legal							
16320.1 · House Abatement Legal	0.00	0.00	0.00	36.00	50.00	-14.00	50.00
16320 · Legal - Other	0.00	0.00	0.00	29,101.18	26,000.00	3,101.18	26,000.00
Total 16320 · Legal	0.00	0.00	0.00	29,137.18	26,050.00	3,087.18	26,050.00
16321 · Audit Fees	0.00	0.00	0.00	25,306.25	22,000.00	3,306.25	22,000.00
16322 · Engineering	0.00	4,166.66	-4,166.66	174,298.16	91,000.00	83,298.16	91,000.00
16326 · Collection Agency Fees	0.00	0.00	0.00	29,052.34	45,000.00	-15,947.66	45,000.00
16333 · Accounting Fees	0.00	7,000.00	-7,000.00	97,140.08	95,000.00	2,140.08	95,000.00
16335 · Repairs & Maintenance							
16335.1 · Maintenance - Vehicles & Equip							
16334 · Gas/Oil	48.97	2,666.66	-2,617.69	38,184.88	35,000.00	3,184.88	35,000.00
16343 · Tractor & Mower	200.00	83.33	116.67	304.49	1,000.00	-695.51	1,000.00
16357 · Auto Repairs	374.70	1,791.66	-1,416.96	19,204.06	21,500.00	-2,295.94	21,500.00
16373 · Equipment repairs	67.00	708.33	-641.33	3,838.13	9,500.00	-5,661.87	9,500.00
16374 · Building Repairs-City Hall/Comm	252.50	1,541.66	-1,289.16	23,040.93	21,000.00	2,040.93	21,000.00
16375 · Street Repairs - Minor							
16375.1 · Streets-Preventive Maintenance	0.00	0.00	0.00	4,662.45	6,000.00	-1,337.55	6,000.00
16375 · Street Repairs - Minor - Other	278.94	0.00	278.94	6,142.04	7,000.00	-857.96	7,000.00
Total 16375 · Street Repairs - Minor	278.94	0.00	278.94	10,804.49	13,000.00	-2,195.51	13,000.00
16335.1 · Maintenance - Vehicles & Equip - O...	870.00	83.33	786.67	1,289.33	1,000.00	289.33	1,000.00
Total 16335.1 · Maintenance - Vehicles & Equip	2,092.11	6,874.97	-4,782.86	96,666.31	102,000.00	-5,333.69	102,000.00
16335 · Repairs & Maintenance - Other	0.00	0.00	0.00	16,403.74	18,000.00	-1,596.26	18,000.00
Total 16335 · Repairs & Maintenance	2,092.11	6,874.97	-4,782.86	113,070.05	120,000.00	-6,929.95	120,000.00
16337 · Street Signs	0.00	316.66	-316.66	7,012.72	3,800.00	3,212.72	3,800.00
16340 · Printing & Office supplies	0.00	600.01	-600.01	8,678.66	6,900.00	1,778.66	6,900.00
16342 · Computers/Website	1,182.86	2,625.00	-1,442.14	33,161.84	32,500.00	661.84	32,500.00
16350 · Postage/Delivery	478.20	508.33	-30.13	6,495.97	5,100.00	1,395.97	5,100.00
16351 · Telephone	1,521.46	1,529.17	-7.71	18,392.59	22,309.00	-3,916.41	22,309.00
16360 · Tax Assessor Fees	0.00	0.00	0.00	7,775.21	7,320.00	455.21	7,320.00
16370 · Election	0.00	0.00	0.00	7,381.00	9,900.00	-2,519.00	9,900.00
17030 · Mobil Data Terminal	0.00	1,333.33	-1,333.33	20,216.26	16,000.00	4,216.26	16,000.00
17031 · Police Officer Scheduling Serv	0.00	133.33	-133.33	562.95	2,000.00	-1,437.05	2,000.00

City of Montgomery - General Fund
Profit & Loss Budget Performance-All

Accrual Basis

September 2018

	Sep 18	Budget	\$ Over B...	Oct '17 - S...	YTD Bud...	\$ Over B...	Annual B...
17040 · Computer/Technology	1,351.74	1,482.50	-130.76	21,260.00	23,000.00	-1,740.00	23,000.00
17510 · State Portion of Fines/Payouts	0.00	38,000.00	-38,000.00	118,958.45	138,000.00	-19,041.55	138,000.00
Total 16002 · Contract Services	27,077.16	85,928.30	-58,851.14	992,692.76	928,179.00	64,513.76	928,179.00
16003 · Supplies & Equipment							
16244 · Radio Fees	0.00	0.00	0.00	0.00	4,398.24	-4,398.24	4,398.24
16328 · Uniforms & Safety Equip	233.49	1,083.33	-849.84	10,454.94	12,500.00	-2,045.06	12,500.00
16328.1 · Protective Gear	0.00	250.00	-250.00	0.00	2,500.00	-2,500.00	2,500.00
16358 · Copier/Fax Machine Lease	1,429.45	1,689.12	-259.67	19,936.37	20,000.00	-63.63	20,000.00
16460 · Operating Supplies (Office)							
16460.1 · Streets and Drainage	0.00	291.67	-291.67	2,807.87	3,500.00	-692.13	3,500.00
16460.2 · Cedar Brake Park	55.87	333.33	-277.46	2,242.43	3,700.00	-1,457.57	3,700.00
16460.3 · Homecoming Park	55.88	166.67	-110.79	1,120.22	1,800.00	-679.78	1,800.00
16460.4 · Fernland Park	55.87	208.33	-152.46	2,064.10	2,500.00	-435.90	2,500.00
16460.5 · Community Building	55.87	225.00	-169.13	1,391.40	2,700.00	-1,308.60	2,700.00
16460.6 · Tools, Etc	54.98	233.33	-178.35	2,446.73	2,600.00	-153.27	2,600.00
16460.7 · Memory Park	55.87	250.00	-194.13	2,747.66	3,000.00	-252.34	3,000.00
16460 · Operating Supplies (Office) - Other	416.07	2,141.65	-1,725.58	23,782.09	25,700.00	-1,917.91	25,700.00
Total 16460 · Operating Supplies (Office)	750.41	3,849.98	-3,099.57	38,602.50	45,500.00	-6,897.50	45,500.00
16503 · Code Enforcement Expenses	0.00	33.33	-33.33	0.00	400.00	-400.00	400.00
17010 · Emergency Equipment	0.00	236.30	-236.30	2,853.33	2,600.00	253.33	2,600.00
17050 · Radios	0.00	0.00	0.00	0.00	100.00	-100.00	100.00
17100 · Capital Purchase Furniture	0.00	0.00	0.00	2,576.81	3,000.00	-423.19	3,000.00
16003 · Supplies & Equipment - Other	139.50	250.00	-110.50	920.54	3,000.00	-2,079.46	3,000.00
Total 16003 · Supplies & Equipment	2,552.85	7,392.06	-4,839.21	75,344.49	93,998.24	-18,653.75	93,998.24
16004 · Staff Development							
16241 · Training/Education	280.00	166.70	113.30	1,482.60	2,000.00	-517.40	2,000.00
16339 · Dues & Subscriptions	418.00	166.67	251.33	5,370.46	3,500.00	1,870.46	3,500.00
16341 · Community Relations	772.39	100.00	672.39	2,667.91	2,000.00	667.91	2,000.00
16354 · Travel & Training (Travel)	1,908.68	2,272.14	-363.46	27,454.80	26,500.00	954.80	26,500.00
16004 · Staff Development - Other	0.00	0.00	0.00	125.00	100.00	25.00	100.00
Total 16004 · Staff Development	3,379.07	2,705.51	673.56	37,100.77	34,100.00	3,000.77	34,100.00
16005 · Maintenance							
16228 · Park Maint-Memory Pk	364.80	708.33	-343.53	3,526.02	8,500.00	-4,973.98	8,500.00
16229 · Park Maint - Fernland	0.00	1,925.00	-1,925.00	22,802.54	23,000.00	-197.46	23,000.00
16230 · Park Maint-Cedar Brake Park	65.00	500.00	-435.00	4,043.38	4,900.00	-856.62	4,900.00
16231 · Park Maint. - Homecoming Park	3,405.55	125.00	3,280.55	4,329.52	1,500.00	2,829.52	1,500.00
Total 16005 · Maintenance	3,835.35	3,258.33	577.02	34,701.46	37,900.00	-3,198.54	37,900.00
16006 · Insurance							
16353.2 · Liability Ins.	0.00	1,116.67	-1,116.67	23,283.48	24,425.00	-1,141.52	24,425.00
16353.3 · Property Ins.	0.00	458.34	-458.34	8,119.31	8,500.00	-380.69	8,500.00
Total 16006 · Insurance	0.00	1,575.01	-1,575.01	31,402.79	32,925.00	-1,522.21	32,925.00
16007 · Utilities							
16352.0 · Electronic Sign-City	46.95	50.00	-3.05	603.57	550.00	53.57	550.00
16352.1 · Street Lights	0.00	1,183.33	-1,183.33	12,333.19	13,000.00	-666.81	13,000.00
16352.2 · Downtown Utilities	100.51	28.33	72.18	583.63	340.00	243.63	340.00
16352.3 · Utilities-Cedar Brake Park	103.63	250.00	-146.37	2,155.37	3,000.00	-844.63	3,000.00
16352.4 · Utilities-Homecoming Park	73.30	108.33	-35.03	1,559.35	1,300.00	259.35	1,300.00
16352.5 · Utilities-Fernland Park	221.06	408.33	-187.27	4,664.49	4,100.00	564.49	4,100.00
16352.6 · Utilities - City Hall	792.16	944.00	-151.84	11,487.70	11,330.00	157.70	11,330.00
16352.8 · Utilities - Comm Center Bldg	269.21	450.00	-180.79	5,612.05	5,200.00	412.05	5,200.00
16352.9 · Utilities-Memory Pk	0.00	750.00	-750.00	8,991.04	9,000.00	-8.96	9,000.00
16007 · Utilities - Other	0.00	0.00	0.00	0.00	100.00	-100.00	100.00
Total 16007 · Utilities	1,606.82	4,172.32	-2,565.50	47,990.39	47,920.00	70.39	47,920.00
16008 · Capital Outlay							
16233 · Cap Outlay- Com Building Proj	0.00	0.00	0.00	3,243.98	3,500.00	-256.02	3,500.00

City of Montgomery - General Fund
Profit & Loss Budget Performance-All

September 2018

	Sep 18	Budget	\$ Over B...	Oct '17 - S...	YTD Bud...	\$ Over B...	Annual B...
17070 · Capital Outlay - Police Cars							
17070.1 · Emergency Lights, Decals	0.00	0.00	0.00	17,238.94	17,240.00	-1.06	17,240.00
17070.3 · Watch Guard	0.00	0.00	0.00	55,025.00	55,025.00	0.00	55,025.00
17070.4 · Tsf To CPF-Vehicle Replacement	0.00	0.00	0.00	15,000.00	15,000.00	0.00	15,000.00
17070 · Capital Outlay - Police Cars - Other	0.00	0.00	0.00	28,142.10	28,145.00	-2.90	28,145.00
Total 17070 · Capital Outlay - Police Cars	0.00	0.00	0.00	115,406.04	115,410.00	-3.96	115,410.00
17071 · Cap Purchase - Computers/Equip							
17071.1 · Copsync	0.00	0.00	0.00	1,200.00	1,200.00	0.00	1,200.00
17071.2 · Radar	0.00	0.00	0.00	299.45	3,000.00	-2,700.55	3,000.00
17071.4 · Laser Fish (Software Equip)	0.00	308.23	-308.23	3,445.87	3,700.00	-254.13	3,700.00
17071.6 · Investigative and Testing Equip	153.00	0.00	153.00	1,434.83	1,500.00	-65.17	1,500.00
17071.7 · Ballistic Vests & Shields	0.00	0.00	0.00	9,881.31	9,880.00	1.31	9,880.00
17071 · Cap Purchase - Computers/Equip - Other	41.00	0.00	41.00	9,250.52	10,000.00	-749.48	10,000.00
Total 17071 · Cap Purchase - Computers/Equip	194.00	308.23	-114.23	25,511.98	29,280.00	-3,768.02	29,280.00
17071.5 · Patrol Weapons	0.00	0.00	0.00	55.98	5,200.00	-5,144.02	5,200.00
17072 · Capital Outlay-PWorks Items	591.93	0.00	591.93	54,221.20	53,630.00	591.20	53,630.00
17080 · Capital Outlay-Improvements	176.86	0.00	176.86	1,222.86	6,000.00	-4,777.14	6,000.00
Total 16008 · Capital Outlay	962.79	308.23	654.56	199,662.04	213,020.00	-13,357.96	213,020.00
16009 · Miscellaneous Expenses							
16590 · Misc. Expense							
16590.2 · Property 149/105	0.00	0.00	0.00	9,173.82	10,300.00	-1,126.18	10,300.00
16590 · Misc. Expense - Other	14,912.50	0.00	14,912.50	23,570.96	9,400.00	14,170.96	9,400.00
Total 16590 · Misc. Expense	14,912.50	0.00	14,912.50	32,744.78	19,700.00	13,044.78	19,700.00
16009 · Miscellaneous Expenses - Other	51.08			124.52	800.00	-675.48	800.00
Total 16009 · Miscellaneous Expenses	14,963.58	0.00	14,963.58	32,869.30	20,500.00	12,369.30	20,500.00
16010 · Contingency	0.00	10.00	-10.00	0.00	100.00	-100.00	100.00
16356 · Contract Labor- Streets	1,504.30	0.00	1,504.30	32,064.03	29,764.78	2,299.25	29,764.78
16500 · Leases - Parks and Recreation							
16504 · Adams Park	0.00	0.00	0.00	5,458.91	5,500.00	-41.09	5,500.00
Total 16500 · Leases - Parks and Recreation	0.00	0.00	0.00	5,458.91	5,500.00	-41.09	5,500.00
17000 · Capital Purchase	0.00	250.00	-250.00	0.00	3,000.00	-3,000.00	3,000.00
17500 · Tax Rebatement							
17500.1 · Sales Tax Rebate	0.00	0.00	0.00	0.00	107,250.00	-107,250.00	107,250.00
17500.2 · 380 Ad Valorem Tax Rebate	0.00	0.00	0.00	0.00	43,118.00	-43,118.00	43,118.00
17500.3 · PID Property Tax Reimbursement	0.00	0.00	0.00	35,403.25	35,775.00	-371.75	35,775.00
Total 17500 · Tax Rebatement	0.00	0.00	0.00	35,403.25	186,143.00	-150,739.75	186,143.00
Total Expense	170,450.01	226,316.64	-55,866.63	2,987,063.11	3,078,917.00	-91,853.89	3,078,917.00
Net Ordinary Income	960.74	86,884.03	-85,923.29	63,185.11	-15,789.00	78,974.11	-15,789.00
Other Income/Expense							
Other Income							
14000.3 · Transfers In							
14620.2 · Admin Transfer from MEDC	9,375.00	18,750.00	-9,375.00	37,500.00	37,500.00	0.00	37,500.00
14620.4 · Admin Trf from Court Security	1,700.00	1,700.00	0.00	3,400.00	3,400.00	0.00	3,400.00
Total 14000.3 · Transfers In	11,075.00	20,450.00	-9,375.00	40,900.00	40,900.00	0.00	40,900.00
Total Other Income	11,075.00	20,450.00	-9,375.00	40,900.00	40,900.00	0.00	40,900.00
Net Other Income	11,075.00	20,450.00	-9,375.00	40,900.00	40,900.00	0.00	40,900.00
Net Income	12,035.74	107,334.03	-95,298.29	104,085.11	25,111.00	78,974.11	25,111.00

City of Montgomery - Capital Projects
Cash Flow Report - Const CkgW&S Proj 1058544 Account
As of October 5, 2018

Num	Name	Memo	Amount	Balance
BALANCE AS OF 09/26/2018				\$360,161.02
Receipts				
	Baja Project CDBG Funds		6,650.00	
	CDBG Funds for Bridge Est #7		<u>27,220.70</u>	
Total Receipts				33,870.70
Disbursements				
1250	Glen Fuqua, Inc	Pay App. No. 7 W5841-0025-00 Buffalo Springs Dr	(108,882.82)	
1251	Grant Works	Contract 7217320 Inv. No. 2 Service Period 6/15-9	(6,650.00)	
1252	Jones & Carter, Inc.	Inv#00272128 & 00272123	(5,529.14)	
1253	Randy Roan Construction, Inc.	Progress Payment Request No. #1 Construction of	<u>(21,363.30)</u>	
Total Disbursements				<u>(142,425.26)</u>
BALANCE AS OF 10/05/2018				<u><u>\$251,606.46</u></u>

City of Montgomery - Capital Projects
Cash Flow Report - BOKF, NA Escrow Series 2017A Account
As of October 5, 2018

Num	Name	Memo	Amount	Balance
BALANCE AS OF 09/26/2018				\$1,015,862.32
Receipts				
	Interest		1,246.79	
Total Receipts				1,246.79
Disbursements				
	No Disbursements Activity		0.00	
Total Disbursements				0.00
BALANCE AS OF 10/05/2018				<u><u>\$1,017,109.11</u></u>

City of Montgomery - Capital Projects
Cash Flow Report - BOKF, NA Escrow Series 2017B Account
As of October 5, 2018

Num	Name	Memo	Amount	Balance
BALANCE AS OF 09/26/2018				\$1,606,975.20
Receipts				
	Interest		1,972.28	
Total Receipts				1,972.28
Disbursements				
	No Disbursements Activity		0.00	
Total Disbursements				0.00
BALANCE AS OF 10/05/2018				<u><u>\$1,608,947.48</u></u>

**City of Montgomery - Capital Projects Acct
Profit & Loss Budget Performance**

Accrual Basis

September 2018

	Sep 18	Budget	% of Bu...	Oct '17 - Se...	YTD Budget	% of Bu...	Annual Bu...
Ordinary Income/Expense							
Income							
43901 · Capital Proj Funding Sourc							
43901.1 · Transfer from MEDC-Hou St	0.00	0.00	0.0%	50,012.50	0.00	100.0%	0.00
43901.2 · Trns from General-Hou St.	0.00	0.00	0.0%	21,627.67	0.00	100.0%	0.00
43947 · Transfer from Utility Fund							
43947A · Tsf from Utility - Capital	77,400.00	38,700.00	200.0%	154,800.00	154,800.00	100.0%	154,800.00
43947B · Tsf from Utility - Maint	0.00	22,850.00	0.0%	18,241.62	91,400.00	20.0%	91,400.00
43947C · Tsf fr Utility - Cap Costs Proj	0.00	0.00	0.0%	155,286.00	200,000.00	77.6%	200,000.00
43947D · Revenue -Lift Sta 1 Replacement	0.00	0.00	0.0%	200,000.00	0.00	100.0%	0.00
Total 43947 · Transfer from Utility Fund	77,400.00	61,550.00	125.8%	528,327.62	446,200.00	118.4%	446,200.00
43948 · Transfer from Grant Fund	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00
43949 · Transfers from General Fund							
43949.1 · Tsf fr Gen - Police Veh Replace	0.00	0.00	0.0%	15,000.00	15,000.00	100.0%	15,000.00
Total 43949 · Transfers from General Fund	0.00	0.00	0.0%	15,000.00	15,000.00	100.0%	15,000.00
43952 · Other Fund Reserves/Transfers							
43952.1 · 380 Agt-1st Hrtford-18" SS line	0.00	0.00	0.0%	443,403.68	0.00	100.0%	0.00
43952.2 · Util Ext Proj-Waterstone on LC	0.00	0.00	0.0%	36,218.91	0.00	100.0%	0.00
43952 · Other Fund Reserves/Transfers - Other	0.00	0.00	0.0%	17,240.30	0.00	100.0%	0.00
Total 43952 · Other Fund Reserves/Transfers	0.00	0.00	0.0%	496,862.89	0.00	100.0%	0.00
Total 43901 · Capital Proj Funding Sourc	77,400.00	61,550.00	125.8%	1,111,830.68	461,200.00	241.1%	461,200.00
43956 · Proceeds - TWDB 2017 A	0.00	0.00	0.0%	0.00	1,000,000.00	0.0%	1,000,000.00
43959 · FEMA Grant Revenue							
43956.1 · FEMA DR4272- Bridge	271,704.51	0.00	100.0%	342,420.80	1,200,000.00	28.5%	1,200,000.00
43956.2 · FEMA-DR4272-Plez Morgan St	0.00	0.00	0.0%	0.00	300,000.00	0.0%	300,000.00
43956.3 · Impact Fees (from Customers)	0.00	0.00	0.0%	0.00	75,000.00	0.0%	75,000.00
43956.4 · FEMA -DR4332-Hurricane Harvey	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00
Total 43959 · FEMA Grant Revenue	271,704.51	0.00	100.0%	342,420.80	1,575,000.00	21.7%	1,575,000.00
43961 · Grant Funds-CDBG							
43961.1 · Bridge Repair - CDBG DR 7217037	40,162.73	0.00	100.0%	210,701.99	300,000.00	70.2%	300,000.00
43961.2 · Baja,W/S Drainag. MLK-CD7217230	6,650.00	0.00	100.0%	28,611.80	0.00	100.0%	0.00
Total 43961 · Grant Funds-CDBG	46,812.73	0.00	100.0%	239,313.79	300,000.00	79.8%	300,000.00
43964 · Proceeds-TWDB 2017 B	0.00	0.00	0.0%	0.00	1,606,000.00	0.0%	1,606,000.00
45391 · Interest Earned							
45391.1 · Interest Earned Ser 2017A	1,246.79	0.00	100.0%	9,967.92	0.00	100.0%	0.00
45391.2 · Interest Earned Ser 2017B	1,972.28	0.00	100.0%	14,348.50	0.00	100.0%	0.00
45391 · Interest Earned - Other	962.56	333.33	288.8%	2,887.05	4,000.00	72.2%	4,000.00
Total 45391 · Interest Earned	4,181.63	333.33	1,254.5%	27,203.47	4,000.00	680.1%	4,000.00
Total Income	400,098.87	61,883.33	646.5%	1,720,768.74	4,946,200.00	34.8%	4,946,200.00
Expense							
43889 · Grant Administrative Expenses							
43889.1 · Bridge-CDBG-DR #7217037	0.00	0.00	0.0%	28,000.00	0.00	100.0%	0.00
43889.2 · Baja Project CDBG #7217320	6,650.00	0.00	100.0%	16,625.00	0.00	100.0%	0.00
Total 43889 · Grant Administrative Expenses	6,650.00	0.00	100.0%	44,625.00	0.00	100.0%	0.00
43890 · Engineering							
43890.1 · Eng-Catahoula Aquifer WW	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00
43890.2 · Eng-WP #3 Improvements	0.00	9,583.33	0.0%	0.00	115,000.00	0.0%	115,000.00
43890.3 · Eng - Lift St #1 Expansion	0.00	7,500.00	0.0%	11,911.90	90,000.00	13.2%	90,000.00
43890.4 · Eng-Waterline replacement/HouSt	0.00	0.00	0.0%	2,956.15	0.00	100.0%	0.00
43890.5 · Eng-LS #3/Force Main Re-Route	0.00	1,583.33	0.0%	0.00	19,000.00	0.0%	19,000.00
43890.7 · Eng-Downtown/SH105 Imp	0.00	7,833.33	0.0%	0.00	94,000.00	0.0%	94,000.00
43890.8 · Eng-18" SS Line	0.00	0.00	0.0%	56,859.22	0.00	100.0%	0.00
43890.9 · Eng-Bridge Water Line	0.00	0.00	0.0%	7,868.90	0.00	100.0%	0.00
43890.A · Eng - Baja Project	0.00	0.00	0.0%	11,986.80	0.00	100.0%	0.00
43890.B · .B Eng- Buff Sp Brdg Emb Repair	0.00	0.00	0.0%	28,399.00	0.00	100.0%	0.00
43890 · Engineering - Other	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00

City of Montgomery - Capital Projects Acct
Profit & Loss Budget Performance

Accrual Basis

September 2018

	Sep 18	Budget	% of Bu...	Oct '17 - Se...	YTD Budget	% of Bu...	Annual Bu...
Total 43890 · Engineering	0.00	26,499.99	0.0%	119,981.97	318,000.00	37.7%	318,000.00
43995 · Const Cost-Contingencies							
43995.1 · Cont's -LS#3 Force Main ReRoute	0.00	3,000.00	0.0%	0.00	36,000.00	0.0%	36,000.00
43995.2 · Cont's-LS#1 Replacement/Expans	0.00	11,666.67	0.0%	0.00	140,000.00	0.0%	140,000.00
43995.3 · Cont's-WP#3 Improvements	0.00	12,833.33	0.0%	0.00	154,000.00	0.0%	154,000.00
43995.4 · Cont's-Downtown/SH105 Improve	0.00	10,500.00	0.0%	0.00	126,000.00	0.0%	126,000.00
43995 · Const Cost-Contingencies - Other	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00
Total 43995 · Const Cost-Contingencies	0.00	38,000.00	0.0%	0.00	456,000.00	0.0%	456,000.00
44000 · Wastewater System							
44006 · LS #1-Replacement/Expansion	0.00	47,500.00	0.0%	0.00	570,000.00	0.0%	570,000.00
44007 · LS#3 Forcemain Reroute	0.00	12,083.33	0.0%	0.00	145,000.00	0.0%	145,000.00
44008 · 18" Gravity S.S. Line Const	21,363.30	0.00	100.0%	21,363.30	0.00	100.0%	0.00
Total 44000 · Wastewater System	21,363.30	59,583.33	35.9%	21,363.30	715,000.00	3.0%	715,000.00
45000 · Water System- Capital Proj							
43976.1 · Downtown/SH 105 Water Line Imp	0.00	41,833.33	0.0%	5,510.00	502,000.00	1.1%	502,000.00
43992.1 · Water Plant #3 - Improvements	0.00	36,666.67	0.0%	0.00	440,000.00	0.0%	440,000.00
43992.4 · WP#3 Improvements - Other Costs	0.00	14,583.33	0.0%	0.00	175,000.00	0.0%	175,000.00
46000.1 · Water - Meters	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00
Total 45000 · Water System- Capital Proj	0.00	93,083.33	0.0%	5,510.00	1,117,000.00	0.5%	1,117,000.00
46000 · Roadway System Improvements							
46001 · Plez Morgan Street (FEMA4272)	0.00	25,000.00	0.0%	0.00	300,000.00	0.0%	300,000.00
46002 · Buf SpBrg RepFEMA4272-CD7217307	108,882.82	125,000.00	87.1%	617,542.74	1,500,000.00	41.2%	1,500,000.00
46003 · Downtown/SH 105 Improvements	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00
Total 46000 · Roadway System Improvements	108,882.82	150,000.00	72.6%	617,542.74	1,800,000.00	34.3%	1,800,000.00
47000 · Capital Costs Projects	0.00	16,666.67	0.0%	0.00	200,000.00	0.0%	200,000.00
47395 · Cost of Issuance Exp							
47395.1 · Cost of Issuance Series 2017A	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00
47395.3 · TWDB Loan Origination Fee 2017A	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00
Total 47395 · Cost of Issuance Exp	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00
48000 · Cap Outlay-Fac, Equip, Etc							
48000.1 · Buffalo Sp Bridge Proj	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00
48000.2 · Kroger Project	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00
48000.3 · Houston Street Rehab	0.00	0.00	0.0%	96,503.94	0.00	100.0%	0.00
48001 · GRP Capital Projects	0.00	7,483.33	0.0%	37,252.48	89,800.00	41.5%	89,800.00
48002 · Utili ProjPrev Maint	0.00	22,850.00	0.0%	65,434.37	91,400.00	71.6%	91,400.00
48003 · Buf Spgs-Water Line-Util ExProj	0.00	5,416.67	0.0%	304.00	65,000.00	0.5%	65,000.00
48004 · Police Vehicle Replacement	0.00	1,250.00	0.0%	0.00	15,000.00	0.0%	15,000.00
48005 · Baja/MLK Wtr & Drg Imp-TXCDBG	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00
48006 · Hurricane Harvey Exp (FEMA)	0.00	0.00	0.0%	996.75	0.00	100.0%	0.00
48007 · Impact Fee-WL Ext-Pkwy/Buf Sp	0.00	0.00	0.0%	0.00	75,000.00	0.0%	75,000.00
Total 48000 · Cap Outlay-Fac, Equip, Etc	0.00	37,000.00	0.0%	200,491.54	336,200.00	59.6%	336,200.00
Total Expense	136,896.12	420,833.32	32.5%	1,009,514.55	4,942,200.00	20.4%	4,942,200.00
Net Ordinary Income	263,202.75	-358,949.99	-73.3%	711,254.19	4,000.00	17,781.4%	4,000.00
Net Income	263,202.75	-358,949.99	-73.3%	711,254.19	4,000.00	17,781.4%	4,000.00

City of Montgomery - Debt Service
Cash Flow Report - Checking Account
 As of October 5, 2018

Num	Name	Memo	Amount	Balance
BALANCE AS OF 09/26/2018				\$250,090.41
Receipts				
	Tax Revenue thru 8/18		1,709.59	
	Interest		<u>7.60</u>	
Total Receipts				1,717.19
Disbursements				
1044	Zions First National Bank	Paying Agent Fee Trust Number 5784522 - Tax &	<u>(250.00)</u>	
Total Disbursements				<u>(250.00)</u>
BALANCE AS OF 10/05/2018				<u><u>\$251,557.60</u></u>

1:00 PM
 10/10/18
 Accrual Basis

**City of Montgomery - Debt Service
 Profit & Loss Budget Performance
 September 2018**

	Sep 18	Budget	\$ Over B...	Oct '17 - ...	YTD Bud...	\$ Over ...	Annual B...
Income							
34000 - Taxes & Franchise Fees							
34320 - Ad Valorem Taxes	0.00	0.00	0.00	414,532.84	416,002.00	-1,469.16	416,002.00
34330 - Penalty & Interest	0.00	100.00	-100.00	2,837.07	1,200.00	1,637.07	1,200.00
Total 34000 - Taxes & Franchise Fees	0.00	100.00	-100.00	417,369.91	417,202.00	167.91	417,202.00
34100 - Transfers							
34301.4 - Transfers in-MEDC Fund	80,000.00	0.00	80,000.00	160,000.00	160,000.00	0.00	160,000.00
34301.5 - Transfers in - Utility Fund	76,520.00	38,260.00	38,260.00	153,040.00	153,040.00	0.00	153,040.00
Total 34100 - Transfers	156,520.00	38,260.00	118,260.00	313,040.00	313,040.00	0.00	313,040.00
35000 - Other Revenues							
35390 - Interest on Checking	7.60			77.23	0.00	77.23	0.00
35391 - Interest on Investments	40.59	25.00	15.59	377.60	300.00	77.60	300.00
Total 35000 - Other Revenues	48.19	25.00	23.19	454.83	300.00	154.83	300.00
Total Income	156,568.19	38,385.00	118,183.19	730,864.74	730,542.00	322.74	730,542.00
Expense							
37000 - Debt Service							
37360 - Interest Payments On Note	0.00	0.00	0.00	43,951.50	43,951.50	0.00	43,951.50
37363 - Paying Agent Fees	250.00	0.00	250.00	1,480.00	2,500.00	-1,020.00	2,500.00
37365 - Interest 2012 Series Premium	0.00	0.00	0.00	187,643.76	187,643.76	0.00	187,643.76
37395 - Principal Note Payments	0.00	0.00	0.00	435,000.00	435,000.00	0.00	435,000.00
Total 37000 - Debt Service	250.00	0.00	250.00	668,075.26	669,095.26	-1,020.00	669,095.26
Total Expense	250.00	0.00	250.00	668,075.26	669,095.26	-1,020.00	669,095.26
Net Income	156,318.19	38,385.00	117,933.19	62,789.48	61,446.74	1,342.74	61,446.74

City of Montgomery - Ct Security Fund
Cash Flow Report - Checking Account

As of October 5, 2018

Num	Name	Memo	Amount	Balance
BALANCE AS OF 09/26/2018				\$8,054.11
Receipts				
	Revenues transfer thru 8/18		728.89	
Total Receipts			<u>728.89</u>	728.89
Disbursements				
1030	Larry Evans	Baliff Fees 9/20/18	(75.00)	
Transfer	City of Montgomery - General Fund	Admin Transfer thru 9/18	(1,700.00)	
Transfer	City of Montgomery - Utility Fund	Transfer to cover reclass amount by Auditor 2017	(10.00)	
Total Disbursements			<u>(1,785.00)</u>	<u>(1,785.00)</u>
BALANCE AS OF 10/05/2018				<u><u>\$6,998.00</u></u>

**City of Montgomery - Ct Security Fund
Profit & Loss Budget Performance**

Accrual Basis

September 2018

	Sep 18	Budget	\$ Over Bu...	Oct '17 - ...	YTD Bud...	\$ Over Bu...	Annual B...
Ordinary Income/Expense							
Income							
84110 · Court Fines & Forfeitures							
84110.1 · Court Security Fees	-75.00	500.00	-575.00	5,151.30	6,000.00	-848.70	6,000.00
Total 84110 · Court Fines & Forfeitures	-75.00	500.00	-575.00	5,151.30	6,000.00	-848.70	6,000.00
84120 · Other Revenues							
84120.1 · Interest Income	0.00	0.42	-0.42	0.00	5.00	-5.00	5.00
Total 84120 · Other Revenues	0.00	0.42	-0.42	0.00	5.00	-5.00	5.00
Total Income	-75.00	500.42	-575.42	5,151.30	6,005.00	-853.70	6,005.00
Expense							
86005 · Miscellaneous Expenses	0.00	41.67	-41.67	312.50	500.00	-187.50	500.00
Total Expense	0.00	41.67	-41.67	312.50	500.00	-187.50	500.00
Net Ordinary Income	-75.00	458.75	-533.75	4,838.80	5,505.00	-666.20	5,505.00
Other Income/Expense							
Other Expense							
86560 · Interfund Tranfers							
86551 · Baliff Transfer to General Fund	1,700.00	900.00	800.00	3,400.00	3,600.00	-200.00	3,600.00
Total 86560 · Interfund Tranfers	1,700.00	900.00	800.00	3,400.00	3,600.00	-200.00	3,600.00
Total Other Expense	1,700.00	900.00	800.00	3,400.00	3,600.00	-200.00	3,600.00
Net Other Income	-1,700.00	-900.00	-800.00	-3,400.00	-3,600.00	200.00	-3,600.00
Net Income	<u>-1,775.00</u>	<u>-441.25</u>	<u>-1,333.75</u>	<u>1,438.80</u>	<u>1,905.00</u>	<u>-466.20</u>	<u>1,905.00</u>

City of Montgomery - Ct Tech Fund
Cash Flow Report - Checking Account
 As of October 5, 2018

Num	Name	Memo	Amount	Balance
BALANCE AS OF 09/26/2018				\$33,291.23
Receipts				
	Revenue Trans from General		971.87	
	Interest		<u>0.24</u>	
Total Receipts				972.11
Disbursements				
	No Disbursements Activity		<u>0.00</u>	
Total Disbursements				<u>0.00</u>
BALANCE AS OF 10/05/2018				<u><u>\$34,263.34</u></u>

City of Montgomery - Ct Tech Fund
Actual to Budget Performance
September 2018

Accrual Basis

	<u>Sep 18</u>	<u>Budget</u>	<u>\$ Over ...</u>	<u>Oct '17 ...</u>	<u>YTD Bu...</u>	<u>\$ Over ...</u>	<u>Annual ...</u>
Ordinary Income/Expense							
Income							
74100 · Court Fines and Forfeitures							
74110 · Court Technology Fees	<u>0.00</u>	<u>833.33</u>	<u>-833.33</u>	<u>8,696.22</u>	<u>10,000.00</u>	<u>-1,303.78</u>	<u>10,000.00</u>
Total 74100 · Court Fines and Forfeitures	<u>0.00</u>	<u>833.33</u>	<u>-833.33</u>	<u>8,696.22</u>	<u>10,000.00</u>	<u>-1,303.78</u>	<u>10,000.00</u>
74200 · Other Revenues							
74291 · Interest Income	<u>0.24</u>	<u>0.17</u>	<u>0.07</u>	<u>2.80</u>	<u>2.00</u>	<u>0.80</u>	<u>2.00</u>
Total 74200 · Other Revenues	<u>0.24</u>	<u>0.17</u>	<u>0.07</u>	<u>2.80</u>	<u>2.00</u>	<u>0.80</u>	<u>2.00</u>
Total Income	<u>0.24</u>	<u>833.50</u>	<u>-833.26</u>	<u>8,699.02</u>	<u>10,002.00</u>	<u>-1,302.98</u>	<u>10,002.00</u>
Expense							
76200 · Contract Services							
76362 · Computer/Website Services	<u>0.00</u>	<u>1,250.00</u>	<u>-1,250.00</u>	<u>290.98</u>	<u>5,000.00</u>	<u>-4,709.02</u>	<u>5,000.00</u>
Total 76200 · Contract Services	<u>0.00</u>	<u>1,250.00</u>	<u>-1,250.00</u>	<u>290.98</u>	<u>5,000.00</u>	<u>-4,709.02</u>	<u>5,000.00</u>
76500 · Miscellaneous Expenses							
76560 · Miscellaneous Expense	<u>0.00</u>			<u>10.00</u>			
Total 76500 · Miscellaneous Expenses	<u>0.00</u>			<u>10.00</u>			
Total Expense	<u>0.00</u>	<u>1,250.00</u>	<u>-1,250.00</u>	<u>300.98</u>	<u>5,000.00</u>	<u>-4,699.02</u>	<u>5,000.00</u>
Net Ordinary Income	<u>0.24</u>	<u>-416.50</u>	<u>416.74</u>	<u>8,398.04</u>	<u>5,002.00</u>	<u>3,396.04</u>	<u>5,002.00</u>
Net Income	<u>0.24</u>	<u>-416.50</u>	<u>416.74</u>	<u>8,398.04</u>	<u>5,002.00</u>	<u>3,396.04</u>	<u>5,002.00</u>

City of Montgomery - Grant
Cash Flow Report - Grant Account Account
 As of October 5, 2018

Num	Name	Memo	Amount	Balance
BALANCE AS OF 09/26/2018				\$10,205.73
Receipts				
	No Receipts Activity		0.00	
Total Receipts				0.00
Disbursements				
1028	Public Management	Inv#TCF7215112-3 Pizza Shack Project (Contract	(10,125.00)	
Total Disbursements				(10,125.00)
BALANCE AS OF 10/05/2018				\$80.73

City of Montgomery - Grant
Cash Flow Report - Checking Account

As of October 5, 2018

Num	Name	Memo	Amount	Balance
BALANCE AS OF 09/26/2018				\$5,737.63
Receipts				
	No Receipts Activity		0.00	
Total Receipts			<u>0.00</u>	0.00
Disbursements				
	No Disbursements Activity		0.00	
Total Disbursements			<u>0.00</u>	<u>0.00</u>
BALANCE AS OF 10/05/2018				<u><u>\$5,737.63</u></u>

City of Montgomery - Hotel Occupancy Tax Fund
Cash Flow Report - Checking Account

As of October 5, 2018

Num	Name	Memo	Amount	Balance
BALANCE AS OF 09/26/2018				\$11,021.15
Receipts				
	Interest		0.08	
Total Receipts			<u>0.08</u>	0.08
Disbursements				
	No Disbursements Activity		0.00	
Total Disbursements			<u>0.00</u>	<u>0.00</u>
BALANCE AS OF 10/05/2018				<u><u>\$11,021.23</u></u>

**City of Montgomery - Hotel Occupancy Tax Fund
Profit & Loss Budget Performance**

Accrual Basis

September 2018

	<u>Sep 18</u>	<u>Budget</u>	<u>\$ Ove...</u>	<u>Oct '1...</u>	<u>YTD ...</u>	<u>\$ Over ...</u>	<u>Annua...</u>
Income							
44300 · Taxes & Franchise Fees							
44330 · Hotel Occupancy Taxes	0.00	50.00	-50.00	1,552.50	600.00	952.50	600.00
Total 44300 · Taxes & Franchise Fees	0.00	50.00	-50.00	1,552.50	600.00	952.50	600.00
44400 · Other Revenues							
44360 · Interest Earned On Checking	0.00	0.42	-0.42	0.00	5.00	-5.00	5.00
44490 · Interest Income	0.08			0.65			
Total 44400 · Other Revenues	0.08	0.42	-0.34	0.65	5.00	-4.35	5.00
Total Income	0.08	50.42	-50.34	1,553.15	605.00	948.15	605.00
Expense							
46600 · Miscellaneous Expenses	0.00	125.00	-125.00	0.00	1,500.00	-1,500.00	1,500.00
Total Expense	0.00	125.00	-125.00	0.00	1,500.00	-1,500.00	1,500.00
Net Income	0.08	-74.58	74.66	1,553.15	-895.00	2,448.15	-895.00

City of Montgomery - MEDC
Cash Flow Report - MEDC Checking Account

As of October 5, 2018

Num	Name	Memo	Amount	Balance
BALANCE AS OF 09/26/2018				\$251,221.83
Receipts				
	Transfer of Sales Tax Revenue 9/18		31,791.38	
Total Receipts				31,791.38
Disbursements				
	No Disbursements Activity		0.00	
Total Disbursements				0.00
BALANCE AS OF 10/05/2018				\$283,013.21

City of Montgomery - MEDC
Actual to Budget Performance
September 2018

	Sep 18	Budget	\$ Over B...	Oct '17 - ...	YTD Bud...	\$ Over Bu...	Annual Bu...
Income							
55000 · Taxes & Franchise Fees							
55400 · Sales Tax	31,791.38	50,212.87	(18,421.49)	574,989.69	530,000.00	44,989.69	530,000.00
Total 55000 · Taxes & Franchise Fees	31,791.38	50,212.87	(18,421.49)	574,989.69	530,000.00	44,989.69	530,000.00
55300 · Other Revenues							
55391 · Interest Income	391.27	100.57	290.70	3,930.81	950.00	2,980.81	950.00
Total 55300 · Other Revenues	391.27	100.57	290.70	3,930.81	950.00	2,980.81	950.00
Total Income	32,182.65	50,313.44	(18,130.79)	578,920.50	530,950.00	47,970.50	530,950.00
Expense							
56000 · Pub Infrastructure - Category I							
56000.6 · Downtown Dev Improvements	0.00	5,861.02	(5,861.02)	34,751.38	55,000.00	(20,248.62)	55,000.00
56000.8 · Utility Extensions	0.00	0.00	0.00	142,225.50	180,000.00	(37,774.50)	180,000.00
56000.9 · Flagship Dev Improvements	0.00	0.00	0.00	4,465.00	8,000.00	(3,535.00)	8,000.00
56430 · Tsf to Debt Service	80,000.00	0.00	80,000.00	160,000.00	160,000.00	0.00	160,000.00
Total 56000 · Pub Infrastructure - Category I	80,000.00	5,861.02	74,138.98	341,441.88	403,000.00	(61,558.12)	403,000.00
56001 · Business Dev & Ret -Category II							
56001.8 · Sales Tax Reimbursement	0.00	0.00	0.00	0.00	35,000.00	(35,000.00)	35,000.00
56423 · Economic Development Grant Prog	0.00	0.00	0.00	22,070.00	20,000.00	2,070.00	20,000.00
Total 56001 · Business Dev & Ret -Category II	0.00	0.00	0.00	22,070.00	55,000.00	(32,930.00)	55,000.00
56002 · Quality of Life - Category III							
56404 · Seasonal Decorations	0.00	0.00	0.00	5,275.89	6,000.00	(724.11)	6,000.00
56420.2 · Christmas Lighting(Civic Assn)	0.00	0.00	0.00	2,469.49	1,600.00	869.49	1,600.00
56423.1 · Walking Tours	(204.49)	0.00	(204.49)	5,170.23	4,000.00	1,170.23	4,000.00
56429 · Removal of Blight	0.00	2,142.86	(2,142.86)	5,413.49	15,000.00	(9,586.51)	15,000.00
56433 · Downtown Signs	0.00	0.00	0.00	0.00	1,000.00	(1,000.00)	1,000.00
56435 · Fermland Improvements	0.00	0.00	0.00	0.00	4,000.00	(4,000.00)	4,000.00
56439 · Downtown Enhancement Projects	0.00	0.00	0.00	0.00	20,000.00	(20,000.00)	20,000.00
Total 56002 · Quality of Life - Category III	(204.49)	2,142.86	(2,347.35)	18,329.10	51,600.00	(33,270.90)	51,600.00
56003 · Marketing & Tourism-Category IV							
56408.1 · Promotional Video	0.00	0.00	0.00	3,000.00	1,500.00	1,500.00	1,500.00
56409 · Antique Show & Fest	0.00	0.00	0.00	10,000.00	10,000.00	0.00	10,000.00
56413 · Brochures/Printed Literature	0.00	0.00	0.00	7,030.00	5,000.00	2,030.00	5,000.00
56414 · Wine & Music Fest	0.00	0.00	0.00	9,500.00	10,000.00	(500.00)	10,000.00
56415 · Texian/Heritage Festival	0.00	0.00	0.00	0.00	8,000.00	(8,000.00)	8,000.00
56418 · Christmas in Montgomery	0.00	0.00	0.00	5,000.00	5,000.00	0.00	5,000.00
56419 · Website	0.00	166.67	(166.67)	525.00	2,000.00	(1,475.00)	2,000.00
Total 56003 · Marketing & Tourism-Category IV	0.00	166.67	(166.67)	35,055.00	41,500.00	(6,445.00)	41,500.00
56004 · Administration - Category V							
56004.1 · Admin Transfers to Gen Fund	9,375.00	0.00	9,375.00	37,500.00	37,500.00	0.00	37,500.00
56004.2 · MACC Administration & Office	2,566.67	2,666.67	(100.00)	30,800.04	32,000.00	(1,199.96)	32,000.00
56004.3 · Miscellaneous Expenses	0.00	635.67	(635.67)	8,156.10	6,000.00	2,156.10	6,000.00
56004.5 · Internship Program	0.00	833.33	(833.33)	0.00	10,000.00	(10,000.00)	10,000.00
56327 · Consulting (Professional servi)	0.00	0.00	0.00	11,950.75	10,000.00	1,950.75	10,000.00
56354 · Travel & Training Expenses	0.00	0.00	0.00	1,015.00	2,800.00	(1,785.00)	2,800.00
Total 56004 · Administration - Category V	11,941.67	4,135.67	7,806.00	89,421.89	98,300.00	(8,878.11)	98,300.00
56338 · Publications	0.00			102.09			
Total Expense	91,737.18	12,306.22	79,430.96	506,419.96	649,400.00	(142,980.04)	649,400.00
Net Income	(59,554.53)	38,007.22	(97,561.75)	72,500.54	(118,450.00)	190,950.54	(118,450.00)

City of Montgomery - Police Asset Forfeiture
Cash Flow Report - Checking Account

As of October 5, 2018

Num	Name	Memo	Amount	Balance
BALANCE AS OF 09/26/2018				\$6,221.99
Receipts				
	No Receipts Activity		0.00	
Total Receipts			<u>0.00</u>	0.00
Disbursements				
	No Disbursements Activity		0.00	
Total Disbursements			<u>0.00</u>	<u>0.00</u>
BALANCE AS OF 10/05/2018				<u><u>\$6,221.99</u></u>

City of Montgomery - Water & Sewer
Cash Flow Report - Water & Sewer Fund Account
As of October 5, 2018

Num	Name	Memo	Amount	Balance
BALANCE AS OF 09/26/2018				\$581,254.91
Receipts				
	A/R Rev CL 9/18		163,534.31	
	A/R Rev O/S 9/18		1,268.49	
	Misc Deposits 9/18		<u>2,707.10</u>	
Total Receipts				167,509.90
Disbursements				
14038	Amazon Capital Services	Acct# 113-9239720-5172244 Inv#11G7-X7RR-1D	(139.99)	
14039	Camino Services	Inv 1734 Clean L/S	(1,514.50)	
14040	Card Service Center	Acct# 0869 closing date 9/7/18 due 10/2/2018	(251.41)	
14041	Jones & Carter, Inc	Iv# 00272130,127,122,118	(15,020.09)	
14042	Ryan Thomas	Travel for Training Mileage Reimb 10/1-10/4/201	(69.76)	
14043	UniFirst Holdings, Inc.	Several	(220.50)	
14044	State Comptroller	TIN 1-74-2063592-6 sales tax - Fees - 9/18	(831.06)	
14045	Consolidated Communications	936-597-4826/0 Recurring Charges 9/21-10/20/18	(37.88)	
D/M	ETS Corporation	ETS Fees 9/18	(1,114.96)	
D/M		Due from Bank Chargeback fees	(12.00)	
D/M	Return Deposit	Returned Deposit	<u>(242.00)</u>	
Total Disbursements				<u>(19,454.15)</u>
BALANCE AS OF 10/05/2018				<u><u>\$729,310.66</u></u>

City of Montgomery - Water & Sewer Fund
Actual to Budget Performance - Utility Fund

September 2018

	Sep 18	Budget	\$ Over Bu...	Oct '17 - Se...	YTD Budget	\$ Over Bud...	Annual Bud...
Ordinary Income/Expense							
Income							
24000 · Charges for Service							
24100 · Water Revenue	66,785.49	45,000.00	21,785.49	578,050.38	540,000.00	38,050.38	540,000.00
24118 · Surface Water Revenue	744.03	500.00	244.03	6,785.59	6,000.00	785.59	6,000.00
24119 · Application Fee	0.00	125.00	(125.00)	0.00	1,500.00	(1,500.00)	1,500.00
24120 · Disconnect Reconnect	1,350.00	458.33	891.67	8,325.00	5,500.00	2,825.00	5,500.00
24200 · Sewer Revenue	56,937.07	37,500.00	19,437.07	499,180.87	450,000.00	49,180.87	450,000.00
24310 · Tap Fees/Inspections	27,655.00	12,500.00	15,155.00	392,641.67	150,000.00	242,641.67	150,000.00
24319 · Grease Trap Inspections	1,100.00	833.33	266.67	12,300.00	10,000.00	2,300.00	10,000.00
24330 · Late Charges	6,410.12	1,250.00	5,160.12	25,442.21	15,000.00	10,442.21	15,000.00
24333 · Returned Ck Fee	100.00	0.00	100.00	625.00	200.00	425.00	200.00
25403 · Solid Waste Revenue	10,123.68	8,708.33	1,415.35	112,416.39	104,500.00	7,916.39	104,500.00
Total 24000 · Charges for Service	171,205.39	106,874.99	64,330.40	1,635,767.11	1,282,700.00	353,067.11	1,282,700.00
24101 · Taxes and Franchise Fees							
24110 · Sales Tax Rev for Solid Waste	826.69	666.67	160.02	9,181.46	8,000.00	1,181.46	8,000.00
Total 24101 · Taxes and Franchise Fees	826.69	666.67	160.02	9,181.46	8,000.00	1,181.46	8,000.00
24121 · Groundwater Reduction Revenue	17,537.85	10,500.00	7,037.85	159,903.15	126,000.00	33,903.15	126,000.00
25000 · Other Revenues							
25000.1 · Impact Fees							
25000.2 · Capital Cost Fees	0.00	0.00	0.00	0.00	200,000.00	(200,000.00)	200,000.00
25000.1 · Impact Fees - Other	0.00	0.00	0.00	0.00	75,000.00	(75,000.00)	75,000.00
Total 25000.1 · Impact Fees	0.00	0.00	0.00	0.00	275,000.00	(275,000.00)	275,000.00
25391 · Interest Income	40.77	9.17	31.60	310.23	110.00	200.23	110.00
25392 · Interest earned on Investments	0.00	9.17	(9.17)	95.27	110.00	(14.73)	110.00
25399 · Misc & ETS Revenue	212.50	30.00	182.50	1,891.37	360.00	1,531.37	360.00
Total 25000 · Other Revenues	253.27	48.34	204.93	2,296.87	275,580.00	(273,283.13)	275,580.00
25394 · Admin Fund Balance (Carry Over)	0.00	0.00	0.00	0.00	45,500.00	(45,500.00)	45,500.00
Total Income	189,823.20	118,090.00	71,733.20	1,807,148.59	1,737,780.00	69,368.59	1,737,780.00
Expense							
26001 · Personnel							
26353.1 · Health Ins.	1,042.60	1,616.67	(574.07)	12,415.60	19,400.00	(6,984.40)	19,400.00
26353.4 · Unemployment Ins	0.00	32.50	(32.50)	476.37	390.00	86.37	390.00
26353.5 · Workers Comp.	294.33	175.00	119.33	3,794.69	2,733.00	1,061.69	2,733.00
26353.6 · Dental Insurance	111.28	145.83	(34.55)	1,335.36	1,750.00	(414.64)	1,750.00
26353.7 · Life & AD&D Insurance	52.67	50.00	2.67	613.32	600.00	13.32	600.00
26353.8 · Crime Insurance	21.94			263.37			
26501 · Retirement Expense	498.22	558.33	(60.11)	8,383.71	6,700.00	1,683.71	6,700.00
26560 · Payroll Taxes	624.82	1,058.33	(433.51)	10,659.73	12,700.00	(2,040.27)	12,700.00
26600 · Wages	8,167.56	14,113.91	(5,946.35)	139,342.47	169,367.00	(30,024.53)	169,367.00
Total 26001 · Personnel	10,813.42	17,750.57	(6,937.15)	177,284.62	213,640.00	(36,355.38)	213,640.00
26200 · Contract Services							
26102 · General Consultant Fees	0.00	0.00	0.00	0.00	905.00	(905.00)	905.00
26320 · Legal Fees	0.00	1,421.08	(1,421.08)	18,360.00	17,053.00	1,307.00	17,053.00
26322 · Engineering	0.00	6,250.00	(6,250.00)	153,847.86	75,000.00	78,847.86	75,000.00
26323 · Operator	3,300.00	3,365.00	(65.00)	36,300.00	40,380.00	(4,080.00)	40,380.00
26324 · Billing and Collections	0.00	985.00	(985.00)	19,378.51	11,820.00	7,558.51	11,820.00
26328 · Testing	1,239.15	955.00	284.15	14,092.15	11,460.00	2,632.15	11,460.00
26331 · Sales Tax for Solid Waste	831.06	684.41	146.65	9,233.66	8,213.00	1,020.66	8,213.00
26333 · Accounting Fees	0.00	400.00	(400.00)	4,400.00	4,800.00	(400.00)	4,800.00
26336 · Sludge Hauling	0.00	1,458.33	(1,458.33)	20,124.00	17,500.00	2,624.00	17,500.00
26340 · Printing	0.00	0.00	0.00	80.28	0.00	80.28	0.00
26350 · Postage	0.00	266.67	(266.67)	4,003.42	3,200.00	803.42	3,200.00
26351 · Telephone	256.81	375.00	(118.19)	4,346.60	4,500.00	(153.40)	4,500.00
26370 · Tap Fees & Inspections	2,450.00	833.33	1,616.67	25,734.00	10,000.00	15,734.00	10,000.00
26399 · Garbage Pickup	0.00	7,950.00	(7,950.00)	96,689.77	95,400.00	1,289.77	95,400.00
Total 26200 · Contract Services	8,077.02	24,943.82	(16,866.80)	406,590.25	300,231.00	106,359.25	300,231.00
26300 · Communications							
26338 · Advertising/Promotion	0.00	0.00	0.00	126.00	1,055.00	(929.00)	1,055.00
Total 26300 · Communications	0.00	0.00	0.00	126.00	1,055.00	(929.00)	1,055.00
26326 · Permits & Licenses	450.00	1,083.33	(633.33)	15,258.67	13,000.00	2,258.67	13,000.00
26371 · Dues & Subscriptions	0.00			0.00	2,000.00	(2,000.00)	2,000.00
26400.1 · Supplies & Equipment							
26342 · Chemicals	1,165.38	1,508.33	(342.95)	20,011.38	18,100.00	1,911.38	18,100.00
26358 · Copier/Fax Machine Lease	46.50	0.00	46.50	93.00	3,920.00	(3,827.00)	3,920.00
26460 · Operating Supplies	0.00	5,875.00	(5,875.00)	39,004.81	70,500.00	(31,495.19)	70,500.00
26485 · Uniforms	220.50	266.67	(46.17)	2,434.51	3,200.00	(765.49)	3,200.00
27040 · ComputerTechnology Equipment	0.00	316.67	(316.67)	2,768.93	3,800.00	(1,031.07)	3,800.00

	Sep 18	Budget	\$ Over Bu...	Oct '17 - Se...	YTD Budget	\$ Over Bud...	Annual Bud...
26400.1 · Supplies & Equipment - Other	139.99	166.67	(26.68)	424.92	2,000.00	(1,575.08)	2,000.00
Total 26400.1 · Supplies & Equipment	1,572.37	8,133.34	(6,560.97)	64,737.55	101,520.00	(36,782.45)	101,520.00
26401 · Groundwater Reduction Expenses	0.00	0.00	0.00	0.00	100.00	(100.00)	100.00
26500 · Staff Development							
26354 · Travel & Training (Travel)	361.42	416.67	(55.25)	1,969.66	5,000.00	(3,030.34)	5,000.00
26355 · Employee Relations (Education)	0.00	0.00	0.00	0.00	200.00	(200.00)	200.00
Total 26500 · Staff Development	361.42	416.67	(55.25)	1,969.66	5,200.00	(3,230.34)	5,200.00
26600.2 · Maintenance							
26335 · Repairs & Maintenance	1,737.50	17,916.66	(16,179.16)	152,417.22	215,000.00	(62,582.78)	215,000.00
26335.1 · Vehicle Rep. & Maint.	259.75	83.33	176.42	1,209.74	1,000.00	209.74	1,000.00
26349 · Gas & Oil	0.00	366.67	(366.67)	5,388.92	4,400.00	988.92	4,400.00
Total 26600.2 · Maintenance	1,997.25	18,366.66	(16,369.41)	159,015.88	220,400.00	(61,384.12)	220,400.00
26700 · Insurance Expense							
26353.2 · Liability Ins.	200.88	166.67	34.21	2,410.57	2,500.00	(89.43)	2,500.00
26353.3 · Property Ins.	1,914.49	1,000.00	914.49	22,973.86	17,000.00	5,973.86	17,000.00
Total 26700 · Insurance Expense	2,115.37	1,166.67	948.70	25,384.43	19,500.00	5,884.43	19,500.00
26800 · Utilities Expense							
26352.1 · Utilities - Gas for Generators	0.00	58.33	(58.33)	794.92	700.00	94.92	700.00
26352.2 · Utilities-Water Plants	0.00	5,500.00	(5,500.00)	65,173.99	66,000.00	(826.01)	66,000.00
26352.3 · Utilities-WW Treatment Plants	0.00	3,240.83	(3,240.83)	26,900.67	38,890.00	(11,989.33)	38,890.00
26352.4 · Utilities - Lift Stations	0.00	1,028.33	(1,028.33)	13,776.38	12,340.00	1,436.38	12,340.00
Total 26800 · Utilities Expense	0.00	9,827.49	(9,827.49)	106,645.96	117,930.00	(11,284.04)	117,930.00
26900 · Capital Outlay							
26900.2 · Capital Outlay-Vehicles	0.00	2,891.67	(2,891.67)	34,700.00	34,700.00	0.00	34,700.00
Total 26900 · Capital Outlay	0.00	2,891.67	(2,891.67)	34,700.00	34,700.00	0.00	34,700.00
26901 · Util Projects/Prev Maint-Transf							
26901.1 · Util Proj/Prev Maint-Tsf to CPF	0.00	22,850.00	(22,850.00)	6,171.20	91,400.00	(85,228.80)	91,400.00
26901.2 · Capital Costs-Tsf to CPF	0.00	0.00	0.00	155,286.00	200,000.00	(44,714.00)	200,000.00
26901.3 · Impact Fees - Tsf to CPF	0.00	0.00	0.00	0.00	75,000.00	(75,000.00)	75,000.00
26901 · Util Projects/Prev Maint-Transf - Other	0.00			22,543.30	0.00	22,543.30	0.00
Total 26901 · Util Projects/Prev Maint-Transf	0.00	22,850.00	(22,850.00)	184,000.50	366,400.00	(182,399.50)	366,400.00
27000 · Miscellaneous Expenses							
26359 · Misc Expense	0.00	83.33	(83.33)	1,929.19	1,000.00	929.19	1,000.00
26361 · Bank Charges/ETS	1,114.96			7,857.27			
Total 27000 · Miscellaneous Expenses	1,114.96	83.33	1,031.63	9,786.46	1,000.00	8,786.46	1,000.00
Total Expense	26,501.81	107,513.55	(81,011.74)	1,185,499.98	1,396,676.00	(211,176.02)	1,396,676.00
Net Ordinary Income	163,321.39	10,576.45	152,744.94	621,648.61	341,104.00	280,544.61	341,104.00
Other Income/Expense							
Other Expense							
27001 · Other Expenses							
27001.2 · Transfer to Debt Service	76,520.00	38,260.00	38,260.00	153,040.00	153,040.00	0.00	153,040.00
27002 · Transfer to Construction Fund	77,400.00	38,700.00	38,700.00	154,800.00	154,800.00	0.00	154,800.00
Total 27001 · Other Expenses	153,920.00	76,960.00	76,960.00	307,840.00	307,840.00	0.00	307,840.00
Total Other Expense	153,920.00	76,960.00	76,960.00	307,840.00	307,840.00	0.00	307,840.00
Net Other Income	(153,920.00)	(76,960.00)	(76,960.00)	(307,840.00)	(307,840.00)	0.00	(307,840.00)
Net Income	9,401.39	(66,383.55)	75,784.94	313,808.61	33,264.00	280,544.61	33,264.00

City of Montgomery
District Debt Service Payments

09/01/2018 - 12/31/2018

Paying Agent	Series	Date Due	Date Paid	Principal	Interest	Total Due
Debt Service Payment Due 09/01/2018						
Amegy Bank of Texas	2012	09/01/2018	08/31/2018	0.00	55,287.50	55,287.50
Amegy Bank of Texas	2012R	09/01/2018	08/31/2018	0.00	37,109.38	37,109.38
First National Bank of Huntsville	2015R	09/01/2018	08/31/2018	0.00	7,141.25	7,141.25
Bank of Texas	2017A	09/01/2018	08/31/2018	0.00	4,767.25	4,767.25
Bank of Texas	2017B	09/01/2018	08/31/2018	0.00	9,757.25	9,757.25
Total Due 09/01/2018				0.00	114,062.63	114,062.63
District Total				\$0.00	\$114,062.63	\$114,062.63

City of Montgomery
Summary of Pledged Securities

As of October 5, 2018

Financial Institution: ALLEGIANCE BANK		
Total CDs, MM:	\$100,000.00	Collateral Security Required: No
Less FDIC coverage:	\$250,000.00	Collateral Security Agreement On File: No
Total pledged securities:	\$0.00	Investment Policy Received: Yes
Ratio of pledged securities to investments:	N/A	
Financial Institution: CENTRAL BANK		
Total CDs, MM:	\$100,000.00	Collateral Security Required: No
Less FDIC coverage:	\$250,000.00	Collateral Security Agreement On File: No
Total pledged securities:	\$0.00	Investment Policy Received: Yes
Ratio of pledged securities to investments:	N/A	
Financial Institution: FIRST FINANCIAL BANK (Depository Bank)		
Total CDs, MM, and Checking Accounts:	\$1,870,076.24	Collateral Security Required: Yes
Less FDIC coverage:	\$250,000.00	Collateral Security Agreement On File: Yes
Total pledged securities:	\$1,367,824.79	Investment Policy Received: Yes
Ratio of pledged securities to investments:	84.42 %	
Financial Institution: GREEN BANK		
Total CDs, MM:	\$100,000.00	Collateral Security Required: No
Less FDIC coverage:	\$250,000.00	Collateral Security Agreement On File: No
Total pledged securities:	\$0.00	Investment Policy Received: Yes
Ratio of pledged securities to investments:	N/A	
Financial Institution: ICON BANK		
Total CDs, MM:	\$150,000.00	Collateral Security Required: No
Less FDIC coverage:	\$250,000.00	Collateral Security Agreement On File: No
Total pledged securities:	\$0.00	Investment Policy Received: Yes
Ratio of pledged securities to investments:	N/A	
Financial Institution: TEXAS CAPITAL BANK		
Total CDs, MM:	\$100,000.00	Collateral Security Required: No
Less FDIC coverage:	\$250,000.00	Collateral Security Agreement On File: No
Total pledged securities:	\$0.00	Investment Policy Received: Yes
Ratio of pledged securities to investments:	N/A	
Financial Institution: TEXPOOL		
Total CDs, MM:	\$1,081,343.04	Collateral Security Required: No
Less FDIC coverage:	\$0.00	Collateral Security Agreement On File: Yes
Total pledged securities:	\$0.00	Investment Policy Received: Yes
Ratio of pledged securities to investments:	N/A	

Montgomery City Council
AGENDA REPORT

Meeting Date: October 9, 2018	Budgeted Amount:
Second Meeting: October 23, 2018	
Prepared By: Jack Yates City Administrator	Exhibits: Minutes of April 22, 2003, Minutes of public hearing on April 22, 2003, Ordinance 2003 – 07
Date Prepared: October 4, 2018	

Subject

This is a discussion and direction item regarding the rezoning of 105⁶ Old Plantersville Road- with consideration of new information regarding the rezoning.

Description

This is another chapter in the saga of this properties zoning. Mrs. Jenny Stewart called me on September 26th or 27th and said that she was a member of the Planning Commission from 2003 to 2005 and that she thought that she remembered an action by them during that time on the property at 1005 Old Plantersville Road. I asked Susan Hensley to research the Planning Commission minutes, and that search led to ordinance 2003 – 07 that was approved by the city Council on April 22, 2003. Ordinance 2003 – 07 rezone to the property from District R-1 single-family residential to District L- light industrial. The ordinances signed by Mary Sue Timmerman, Mayor attested and sealed by Carol Langley, City Secretary, and approved as to form by William Fowler, City Attorney.

The reason that this ordinance was not found in earlier research is because it is a "missing ordinance" in the ordinance book of the city. The applicant, Mrs. Fisher never mentioned the possibility of a rezoning.

I have asked Larry Foerster for his opinion about the effect of the ordinance even though there was no marking on the map showing the rezoning. Mr. Foerster said that he will write a separate opinion, and get that opinion to you next Monday before the meeting—but that his early opinion is that the city is bound by the 2003 – 07 ordinance that was properly considered and passed.

This item was tabled at the October 9, 2018 Meeting.



CITY OF MONTGOMERY

P. O. BOX 708 MONTGOMERY, TEXAS 77356

Telephone: (936) 597-6434 / 597-6866

Montgomery city council-----April 22, 2003

Montgomery community building-----7:15 p.m.

Present:	P.L. Moore	Position # 1
	Timothy McWashington	Position # 2
	David Anderson	Position # 3
	Joe Shockley	Position # 4
	Bonnie Butler	Position # 5
	Mary Sue Timmerman	Mayor
	William Fowler	Attorney
	Bryan Fowler	Attorney
Visitors:	Chapman Baber	Mike Kammerer
	Sonya Clover	Lonnie Clover
	Thomas Knight	Stacy Knight
	Pat Lennon	Bette Harvey
	A. Hudson	Charles Linton
	Bea Rouse	S. Hughes

Mayor Timmerman declared a quorum and called the meeting to order.

Mayor's comment: Mayor Timmerman announced the forum dates and thanked the people that would be helping with it. She also thanked Bill Cummings and Carl Dunaway for helping with the early voting. She announced that the bill for the control of billboards would be going before the senate soon. Two checks were presented to the city from Wal Mart, one for \$750.00 to the police dept. and one for \$500.00 to the city for use at the parks. Rumpy house lease for city hall is still at the attorney's office. Work is still being done on the U.S. Forestry Grant.

Public comment: Jeanie Hargis, bookkeeper for the city presented the report for the month. She stated that it was a short form. Lonnie Clover stated that the flags should be changed they were on the wrong side.

Approval of minutes: none at this time

New Business:

Recommendation from planning and zoning on rezone of 1005 Old Plantersville Rd. from residential to light industrial: Written recommendation was presented to the council from chairman, Pat Lennon. The recommendation from the commission was to deny the rezone request from residential to light industrial.

Discussion and action on rezone request: David Anderson stated that the property is not residential, not commercial, good area for light industrial. The property is not good for anything

Campbell to the MIDC board, seconded by Joe Shockley, motion carried.

Council convened into Executive Session at 8:10.

Council reconvened into regular session at 8:20 and Mayor Timmerman informed the public that no action was taken at this time.

Other matters: Tim McWashington asked about the dirt pile at the end of community drive that has been there for some time and could the city move it. Mayor Timmerman stated that the city would use it at the park. National Day of Prayer will be May 1, 2003 at the city hall.

Tim McWashington made the motion to adjourn, seconded by P. L. Moore, motion carried.

ORDINANCE

(Motion was made by David Anderson, seconded by Bonnie Butler, and passed by a vote of four to one, that the following ordinance be passed.)

ORDINANCE NO. 2003-07

AN ORDINANCE OF THE CITY OF MONTGOMERY AMENDING THE CITY OF MONTGOMERY ZONING ORDINANCE, AS HERETOFORE AMENDED, SO AS TO REZONE 2.148 ACRES OUT OF THE ZACHARIAH LANDRUM SURVEY, ABSTRACT NO. 22, IN THE CITY OF MONTGOMERY, MONTGOMERY COUNTY, TEXAS, FROM DISTRICT R-1, SINGLE-FAMILY RESIDENTIAL TO DISTRICT L, LIGHT INDUSTRIAL; DIRECTING A CHANGE ACCORDINGLY IN THE OFFICIAL ZONING MAP OF THE CITY; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; AND EFFECTIVE DATE.

WHEREAS, the City of Montgomery has received an application for zoning change from the owner(s) of the hereinbelow refereneed real property; and

WHEREAS, the matter was referred to the City of Montgomery Planning and Zoning Commission for consideration and recommendation, and the Planning and Zoning Commission, after due notice and public hearing, did consider and make a recommendation on the request for zoning change; and

WHEREAS, the City Secretary caused to be issued and published the notices of public hearing required by the City of Montgomery Zoning Ordinance (the "Zoning Ordinance") and laws of the State of Texas applicable thereto; and

WHEREAS, the City Council, pursuant to such notices, held its public hearing and heard all persons wishing to be heard both for and against the proposed change in the Zoning Ordinance, on the 22nd day of April, 2003; and

WHEREAS, the City Council, after determining that all legal requirements of notice and hearing have been met, and after considering the recommendations of the Planning and Zoning Commission that the requested zoning change be disapproved, is of the opinion and finds that such change would not be detrimental to the public health, safety, or general welfare, and will promote the best and most orderly development of the properties affected thereby, and to be affected thereby, in the City of Montgomery, Texas, and as well, the owners and occupants thereof, and the City generally;

APPROVED AS TO FORM:

By: William T. Fowler
William T. Fowler, City Attorney

controlling. The Official Zoning Map simply identifies the zoned properties within the City as designated by city zoning ordinances, and therefore there is no need for additional public hearings. I stand by that conclusion.

Therefore, when your city council recently adopted the proposed corrected Official Zoning Map for the City in your meeting on September 25, you did it based upon what you and Jones Carter believed where the previously approved zoning ordinances. We now know that Jones Carter did not have City Ordinance No. 2003-07.

Going forward, I believe your city council has two options:

1. You can approve a corrected Official Zoning Map that properly identifies the Fisher tract as Industrial (the term now used for "Light Industrial"). In that event, Mrs. Fisher's request for a rezoning classification is moot and no other action is necessary by you.
2. In the alternative, you can take steps to reclassify Mrs. Fisher's property as "R-1" Residential. In that event, you will be doing so over her objection and possibly subjecting the City to a claim of inverse condemnation, since the Residential designation would arguably reduce the value of her property.

Respectfully,



Larry L. Foerster
City Attorney

Montgomery City Council
AGENDA REPORT

Meeting Date: October 23, 2018	Budgeted Amount:
Prepared By: Jack Yates City Administrator	Exhibits: memo from City Attorney, Map showing area
Date Prepared: October 18, 2018	

Subject

This is to consider the setting of a public hearing to accept the petition from Carwile family and Bethyl Laboratories, Inc. for property to be brought into the city of Montgomery extraterritorial jurisdiction.

Description

This is to expand the city's extraterritorial jurisdiction to the Northwest as shown on the attached map. As the City Attorney's memo explains, this will extend the City of Montgomery extraterritorial jurisdiction one-half mile northwest of the farthest point of the Carwile and Bethyl properties. By accepting this into the City's extraterritorial jurisdiction creates a large area that can only be annexed by the City of Montgomery in the future rather than by the City of Conroe because the area proposed to be included in the Montgomery ETJ is not currently in the city of Conroe ETJ—thus without a conflict, the property clearly is in the city of Montgomery's ETJ. The land in this consideration, is not being proposed to be annexed to the city limits now or anytime in the near future. The act of approving the petition for inclusion of this property in the city of Montgomery's ETJ has no effect on the requirement that a property owner must request the City for annexation to the city limits.

Recommendation

Motion to set the public hearing date for this petition to be December 11th, 2018 at _____ City Hall, 101 Old Plantersville Rd., Montgomery, Texas.

Approved By

City Administrator	Jack Yates	Date: October 18, 2018
--------------------	------------	------------------------

DARDEN, FOWLER AND CREIGHTON, L.L.P.

ATTORNEYS AT LAW

414 WEST PHILLIPS

SUITE 100

CONROE, TEXAS 77301-2880

GEO B. DARDEN (1904-1994)
WILLIAM E. FOWLER (1924-1982)
GERALD J. CREIGHTON, JR. (1930-2014)
G. MARK CREIGHTON
LARRY L. FOERSTER
ROBERT A. ROSENQUIST

CONROE
(936) 756-3337
HOUSTON - METRO
936-441-1963
FAX NUMBER
(936) 756-2606

October 9, 2018

**MEMO REGARDING EXPANSION OF CARWILE FAMILY PROPERTIES INTO THE
CITY EXTRATERRITORIAL JURISDICTION BY PETITION**

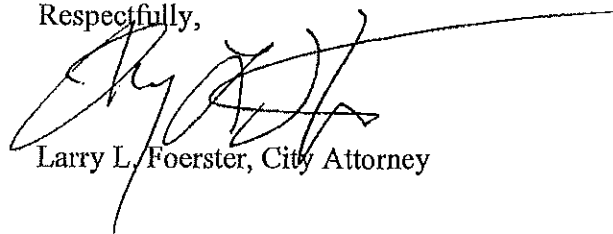
Mayor and City Council:

As you know, Section 42.021(a)(1) of the Texas Local Government Code places the current Extraterritorial Jurisdiction distance limits of the City of Montgomery at one-half mile. Section 42.022(b) of the Code authorizes a Texas municipality such as the city of Montgomery to expand beyond its Extraterritorial Jurisdiction distance limitations of one-half mile if the owners of an area outside but contiguous to the City's Extraterritorial Jurisdiction request that the owners' property be included within the City's Extraterritorial Jurisdiction. The Code does not address the process by which this can be accomplished.

The Carwile family, which owns Bethyl Laboratories, Inc., collectively own several contiguous tracts of land partially inside but largely outside the current Montgomery ETJ on the north and northwest side of the City. Some of these properties are owned by Bethyl Laboratories and some are owned by individual Carwile family members. The Carwile family prefers that their properties be in the City of Montgomery's ETJ rather than possibly be included in the City of Conroe's ETJ as that city expands its city limits through westward annexation.

I propose that the city council consider the Petition by the Carwile family for the City to include their contiguous properties into the City's EJT, and by resolution accept the Petition and set a public hearing on the Petition. After the public hearing, the city council can vote by ordinance to expand its ETJ to include these Carwile properties.

Respectfully,



Larry L. Foerster, City Attorney

**PETITION BY AREA LANDOWNERS REQUESTING EXPANSION OF THE
EXTRATERRITORIAL JURISDICTION OF CITY OF MONTGOMERY, TEXAS**

TO THE MAYOR OF THE GOVERNING BODY OF MONTGOMERY, TEXAS

In accordance with Section 42.022(b) of the Texas Local Government Code, the undersigned owners of the hereinafter described fourteen (14) tracts of land, which are contiguous to the existing Extraterritorial Jurisdiction of the City of Montgomery, hereby petition your City Council to expand the present Extraterritorial Jurisdiction of the City of Montgomery to include as part of the Extraterritorial Jurisdiction of the City of Montgomery, Texas, the following described territory owned by these undersigned Petitioners, to wit:

All that certain 637.646-acre tracts of land, more or less, situated in the BENJAMIN RIGBY SURVEY, Abstract No. 31, Montgomery County, Texas. Said fourteen (14) contiguous tracts being more fully described in the attached Exhibit "A".

We, the undersigned owners of the tracts of land described in Exhibit "A," individually and collectively certify that the above described tracts of land are contiguous to the existing Extraterritorial Jurisdiction of the City of Montgomery, Texas, and that this petition is signed and duly acknowledged by each and every person having an interest in said tracts of land.

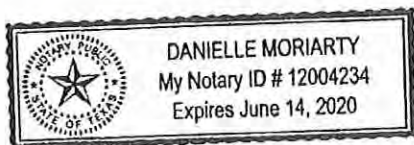
BETHYL LABORATORIES, INC., a Texas corporation

Signed: Henry F. Carwile
Henry F. Carwile, President

STATE OF TEXAS §
COUNTY OF MONTGOMERY §

BEFORE ME, the undersigned authority, on this day personally appeared HENRY FIELDS CARWILE, known to me to be the person whose name is subscribed to the forgoing instrument, as the owner of the land described herein, that he/she has the authority to execute this Petition Requesting Expansion of Montgomery's Extraterritorial Jurisdiction in behalf of BETHYL LABORATORIES, INC., and has acknowledged to me that he/she executed this Petition for the purposes and consideration therein expressed.

GIVEN under my hand and seal of office, this the 5th day of October, 2018.



Danielle Moriarty
Notary Public in and for the State of Texas

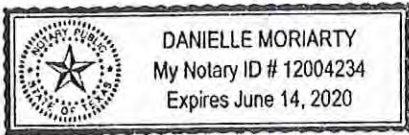
SALLY ANN CARWILE, individually

Sally Ann Carwile
Sally Ann Carwile

STATE OF TEXAS §
COUNTY OF MONTGOMERY §

BEFORE ME, the undersigned authority, on this day personally appeared SALLY ANN CARWILE, known to me to be the person whose name is subscribed to the forgoing instrument, as the owner of the land described herein, that she has the authority to execute this Petition Requesting Expansion of Montgomery's Extraterritorial Jurisdiction, and has acknowledged to me that she executed this Petition for the purposes and consideration therein expressed.

GIVEN under my hand and seal of office, this the 5th day of October, 2018.



Danielle Moriarty
Notary Public in and for the State of Texas

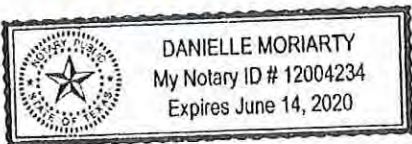
DAVID S. CARWILE, individually

David S. Carwile
David S. Carwile

STATE OF TEXAS §
COUNTY OF MONTGOMERY §

BEFORE ME, the undersigned authority, on this day personally appeared DAVID S. CARWILE, known to me to be the person whose name is subscribed to the forgoing instrument, as the owner of the land described herein, that he has the authority to execute this Petition Requesting Expansion of Montgomery's Extraterritorial Jurisdiction, and has acknowledged to me that he executed this Petition for the purposes and consideration therein expressed.

GIVEN under my hand and seal of office, this the 5th day of October, 2018.



Danielle Moriarty
Notary Public in and for the State of Texas

CRYSTAL D. CARWILE, individually

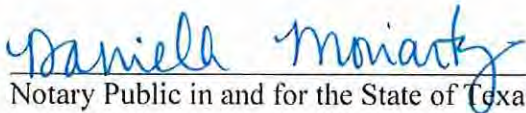


Crystal D. Carwile

STATE OF TEXAS §
COUNTY OF MONTGOMERY §


BEFORE ME, the undersigned authority, on this day personally appeared CRYSTAL D. CARWILE, known to me to be the person whose name is subscribed to the forgoing instrument, as the owner of the land described herein, that she has the authority to execute this Petition Requesting Expansion of Montgomery's Extraterritorial Jurisdiction, and has acknowledged to me that she executed this Petition for the purposes and consideration therein expressed.

GIVEN under my hand and seal of office, this the 5th day of October, 2018.



Notary Public in and for the State of Texas

HENRY FIELDS CARWILE, individually

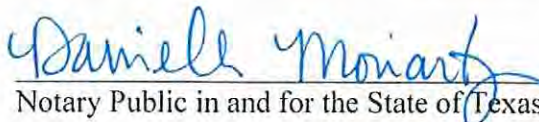
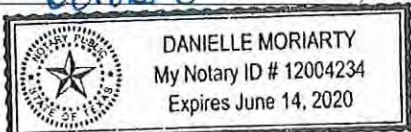


Henry Fields Carwile

STATE OF TEXAS §
COUNTY OF MONTGOMERY §

BEFORE ME, the undersigned authority, on this day personally appeared HENRY FIELDS CARWILE, known to me to be the person whose name is subscribed to the forgoing instrument, as the owner of the land described herein, that he has the authority to execute this Petition Requesting Expansion of Montgomery's Extraterritorial Jurisdiction, and has acknowledged to me that he executed this Petition for the purposes and consideration therein expressed.

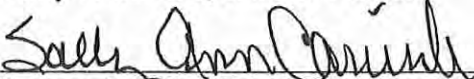
GIVEN under my hand and seal of office, this the 5th day of October, 2018.



Notary Public in and for the State of Texas

**CARWILE FAMILY PARTNERS, L.P.,
a Texas Limited Partnership**

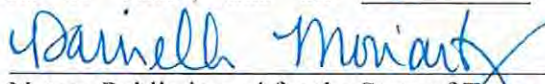

Henry F. Carwile, General Partner

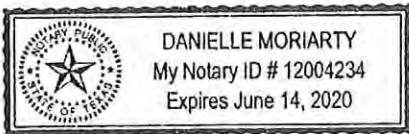

Sally Ann Carwile, General Partner

STATE OF TEXAS §
COUNTY OF MONTGOMERY §

BEFORE ME, the undersigned authority, on this day personally appeared HENRY F. CARWILE and SALLY ANN CARWILE, known to me to be the persons whose names are subscribed to the forgoing instrument, as general partners of the owner of the land described herein, that they have the authority to execute this Petition Requesting Expansion of Montgomery's Extraterritorial Jurisdiction in behalf of CARWILE FAMILY PARTNERS, L. P., and have acknowledged to me that he/she executed this Petition for the purposes and consideration therein expressed.

GIVEN under my hand and seal of office, this the 5th day of October, 2018.


Notary Public in and for the State of Texas



JENNIFER CARWILE BLALOCK


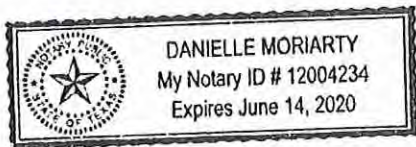


Jennifer Carwile Blalock

STATE OF TEXAS §
COUNTY OF MONTGOMERY §

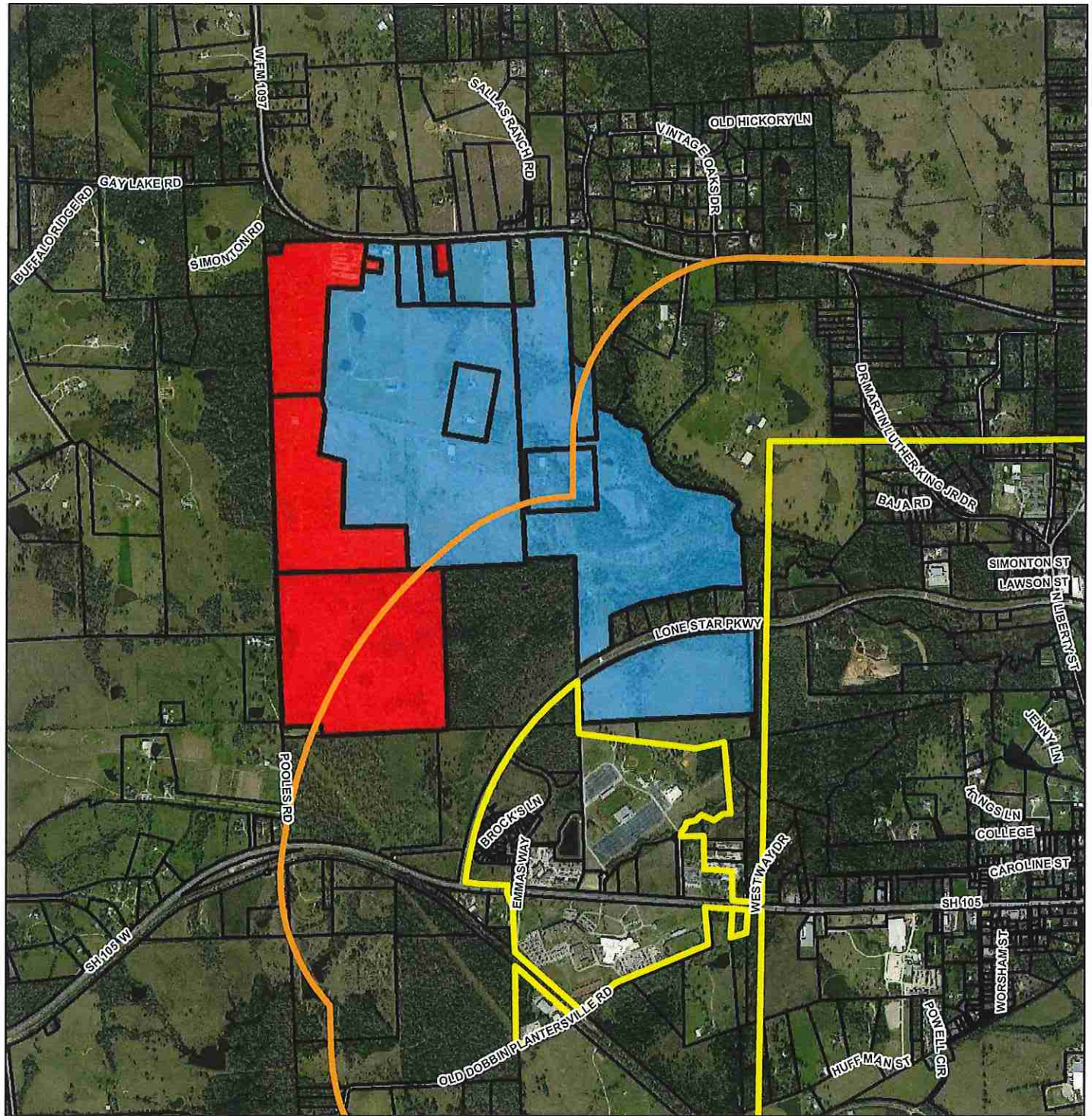
BEFORE ME, the undersigned authority, on this day personally appeared JENNIFER CARWILE BLALOCK, formerly known as JENNIFER HOMANN, and known to me to be the person whose name is subscribed to the forgoing instrument, as the owner of the land described herein, that she has the authority to execute this Petition Requesting Expansion of Montgomery's Extraterritorial Jurisdiction, and has acknowledged to me that she executed this Petition for the purposes and consideration therein expressed.

GIVEN under my hand and seal of office, this the 5th day of October, 2018.



Notary Public in and for the State of Texas

CARWILE / BETHYL PROPERTY ANNEXATION



1 inch equals 2,000 feet

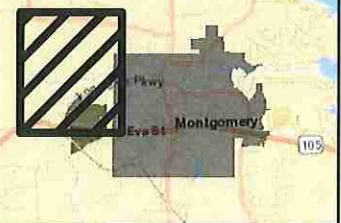
Disclaimer: This product is offered for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property, governmental and/or political boundaries or related facilities to said boundary. No express warranties are made by Jones & Carter, Inc. concerning the accuracy, completeness, reliability, or usability of the information included within this exhibit.



CITY OF MONTGOMERY MONTGOMERY COUNTY, TEXAS

LEGEND

- City Limits
- City ETJ
- MCAD Parcels
- Bethyl Laboratories Property To Be Annexed
- Carwile Family Property To Be Annexed



VICINITY MAP
Scale: 1 inch equals 3 miles



Montgomery City Council
AGENDA REPORT

Meeting Date: October 23, 2018	Budgeted Amount:
Prepared By: Jack Yates City Administrator	Exhibits: Memo from City Engineer, Tabulation of bids, Map showing projects
Date Prepared: October 18, 2018	

Subject

This is to award the bid on the CDBG grant project for MLK water and Baja water and drainage improvements. The bid is low enough to add more MLK water line improvements.

Description

This is to consider awarding the contract to Boretex, LLC in the amount of \$179,213.50. The item is on the agenda because I was wanting to start project in November, however, CDBG rules state all Contractors must be registered with the federal government to receive federal funds at a website called Sam.gov before they can be awarded the bid. Boretex registered with Sam.gov afternoon of October 2 after the bid opening- but it usually takes about two weeks for that registration to be effective and shown on the website.

As explained in the Engineers memo, they have reviewed references on the contractor and recommend the award given to Boretex.

Because of the low amount of the bid (\$280,000 is the amount of the grant available for construction) it is expected that additional water line improvements can be placed on Martin Luther King Blvd., down to McGinnis Lane—those discussions are now underway with the CDBG representatives. It appears as though the additional work will have to be bid out separately because the Change Order percentage only grandest 25%- meaning that if the change order amount is less than 25% it could be simply added to the present bid – as a quantity change on the number of feet involved—however since the available project funds are more than 25% ($\$280,000 - \$179,213.50 = \$100,786.50$ available for additional project) the additional work will have to be bid out again. This will be a nuisance, however it's a good problem to have- more grant funds than project.

Montgomery City Council
AGENDA REPORT

Recommendation

To approve the award of the contract for the Martin Luther King Blvd. and Baja Street improvements to Boretex,LLC and to authorize execution of the contract documents by the City Administrator.

Approved By

City Administrator

Jack Yates

Date: October 18, 2018



1575 Sawdust Road, Suite 400
The Woodlands, Texas 77380
Tel: 281.363.4039
Fax: 281.363.3459
www.jonescarter.com

October 17, 2018

The Honorable Mayor and City Council
City of Montgomery
101 Old Plantersville Road
Montgomery, TX 77316

Re: Construction of Baja Road and Martin Luther King Jr. Drive
City of Montgomery
TIN No. 74-2063592

Dear Mayor and Council:

We received bids for the referenced contract at the Montgomery City Hall on October 2, 2018 at 10:00 AM. Bids were publicly opened and read at that time.

Two (2) contractors submitted proposals for this work. A summary tabulation of the bids is enclosed for your review. Boretex, LLC submitted the lowest Base Bid Plus Alternate Items A1, A2, and A3 proposal in the amount of \$179,213.50.

Although we have never worked with Boretex, LLC, we have reviewed references for their work history, and find them to be a capable contractor. We recommend the referenced contract be awarded to Boretex, LLC on the basis of their proposal in the amount of \$179,213.50.

As always, should you have any questions or need additional information, please do not hesitate to contact us.

Sincerely,

A handwritten signature in black ink, appearing to read 'Nathaniel E. Jackson', with a long horizontal line extending to the right.

Nathaniel E. Jackson, PE

NEJ:kmv/jmr

K:\W5841\W5841-0037-00 Baja Road and Martin Luther King Jr Driv\3 Construction Phase\Contract Documents\1. W5841-0037-00 ROA.doc

Enclosure

Cc (via email): Boretex, LLC
Mr. Jack Yates – City of Montgomery, City Administrator
Ms. Susan Hensley – City of Montgomery, City Secretary
Mr. Larry Foerster – Darden, Fowler and Creighton, LLP, City Attorney



BID TABULATION SHEET

BIDS WERE RECEIVED IN THE OFFICE OF

Construction of Water and Drainage Improvements on Dr. Martin Luther
King Jr. Drive and Baja Road

Montgomery City Hall

The City of Montgomery

Time: 10:00 AM

Job No. W5841-0037-00

Date: 10/2/2018

Public Bid

BIDDERS

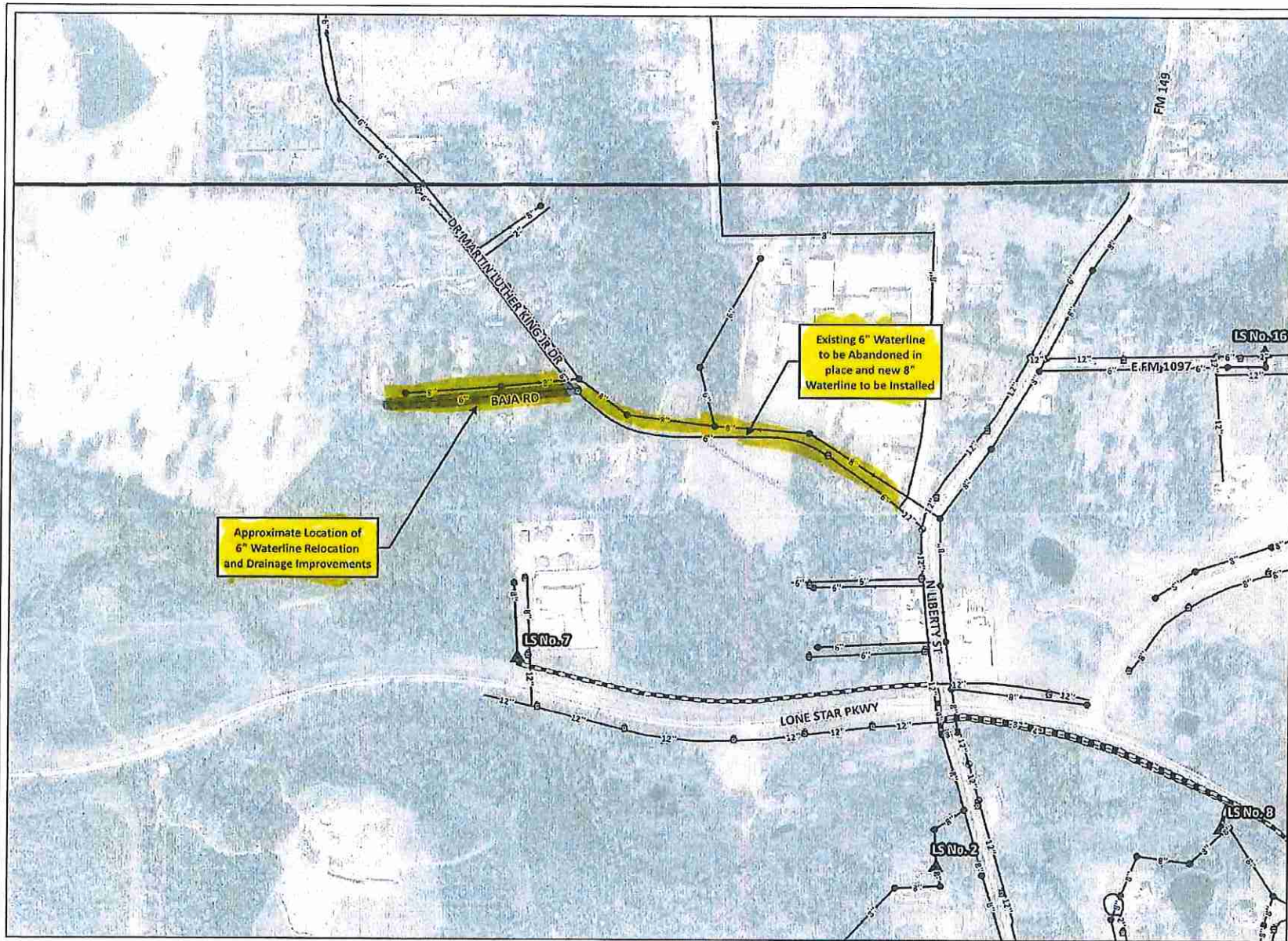
	Boretex, LLC	MMG Contractors, LLC					
Base Bid	\$172,469.50 *	\$326,134.20					
Addendum No.1	X	X					
TOTAL BASE BID PLUS A1,A2, AND A3	\$179,213.50 *	\$337,872.20					
TOTAL BASE BID PLUS A4, MINUS BID ITEM NO.3	\$182,164.50 *	\$356,604.20					
TOTAL BASE BID PLUS A1,A2,A3, AND A4,MINUS BID ITEM NO.3	\$188,908.50 *	\$368,342.20					
TOTAL BASE BID PLUS A5, MINUS BID ITEM NO.3 AND 4	\$196,926.65 *	\$434,306.20					
TOTAL BASE BID PLUS A1, A2, A3, AND A5 MINUS BID ITEM NO.3 AND 4	\$203,670.65 *	\$446,044.20					
Bid Security	X	X					

HB 1295 Form	X **	N/A					
Prohibition on Boycotting Israel Verification	X **	N/A					
Statement of Qualification	X	N/A					
Conflict of Interest Questionnaire	X **	N/A					
Non-Collusion Affidavit of Prime Bidder	X **	N/A					
Certificate of Bidder Regarding Civil Rights Laws and Regulations	X	N/A					
Contractor's Local Opportunity Plan	X	N/A					
Proposed Contracts Breakdown and Estimated Project Workforce Breakdown	X **	N/A					
Certification Regarding Lobbying	X	N/A					
Disclosure of Lobbying Activities	X	N/A					
SAM.gov Registration	X ***	N/A					

*Denotes Mathematical Error by Contractor

** Item not included in original bid packet. Item received 10/09/18.

*** Contractor has submitted application, waiting on confirmation of registration from SAM.gov



VICINITY MAP
Scale: 1 inch equals 2 miles

LEGEND

- ⊕ Flush Valve
- ⊙ Main Valve
- Waterline
- ◆ Cleanout
- Manhole
- ▲ Lift Station
- Force Main
- Gravity Main
- City of Montgomery City Limits

**2017-2018
COMMUNITY
DEVELOPMENT
FUND PROJECT**

CITY OF MONTGOMERY
MONTGOMERY COUNTY, TEXAS



1 inch equals 400 feet

Disclaimer: This product is offered for informational purposes and may not have been prepared for or suitable for legal, engineering, or surveying purposes. It does not represent an independent survey and represents only the approximate relative location of points, geographical and/or political boundaries or related features to land boundaries. No warranty is made by JCD & Co., Inc. concerning the accuracy, completeness, reliability, or validity of the information included herein or its use.



JONES CARTER
Texas Board of Professional Engineers Registration No. F-439

File: I:\Projects\2017-2018\2017-2018_CDDP\Drawings\DWG\2017-2018_CDDP_Waterline_Drainage_Improvements.dwg, Date: 11/17/2017, Time: 10:53:55 AM, Plot: 11/17/2017, 10:53:55 AM

Montgomery City Council
AGENDA REPORT

Meeting Date: October 23, 2018	Budgeted Amount:
Prepared By: Jack Yates City Administrator	Exhibits: Memo from City Engineer. The amended plat sheets, Amended Buffer zone easement
Date Prepared: October 18, 2018	

Subject

This is to consider approval of a revised final plat for The Shoppes at Montgomery, Section 2 that is needed because of the revisions to the plat requires notations of a separate instrument for the buffer area required around the new City property designated for sewer plant expansion.

Description

This is to approve a replat of The Shoppes at Montgomery, Section 2 which covers the western portion of the property. Three plat is necessary because of the buffer area around the sewer plant area that is required to be used for certain type of uses due to TCEQ regulations. Following the transfer of the property for the sewer plant the TCEQ relations require a recording of a separate instrument document so that potential buyers can see what can and cannot be done within easement.

There are five pages of plat related attachments. The only difference between the current plat in the revised plat is the notation "to be recorded by separate instrument" on three locations on the plat. There are no changes to the boundaries of any easements or any boundary lines on this plat.

The attached Amended Buffer Zone Easement document is for your information and does not require your approval- because of your approval of the final plat covers the easement approval.

Recommendation

Motion to approve the revised final plat for The Shoppes at Montgomery, Section 2 as presented.

Montgomery City Council
AGENDA REPORT

Approved By		
City Administrator	Jack Yates	Date: October 18, 2018



1575 Sawdust Road, Suite 400
The Woodlands, Texas 77380
Tel: 281.363.4039
Fax: 281.363.3459
www.jonescarter.com

October 17, 2018

The Planning and Zoning Commission
City of Montgomery
101 Old Plantersville Rd.
Montgomery, Texas 77356

Re: Submission of Revised Final Plat
The Shoppes at Montgomery, Section 2
City of Montgomery

Dear Commission:

We reviewed the revised Final Plat submission for the referenced development on behalf of the City of Montgomery. Our review was based on The City of Montgomery's Code of Ordinances, Chapter 78, Section 61 and any other applicable chapters. The revisions to the plat include recording the buffer zone easement by separate instrument instead of by plat. The reason for this was for the developer to be able to provide a recorded document to potential buyers that clearly defines what can and cannot be done within the easement. We, along with the City Attorney, have reviewed the proposed easement document and provided minor comments to be addressed prior to recordation.

We offer no objection to the plat and recommend the Commission approve the revised plat as submitted.

If you have any questions or comments, please contact me.

Sincerely,

A handwritten signature in blue ink that reads 'Chris Roznovsky'.

Chris Roznovsky, PE
Engineer for the City

CVR

K:\W5841\W5841-1018-00 The Shoppes at Montgomery\Project Management\Letters\Shoppes\FINAL PLAT REVISIONS APPROVAL Shoppes at Montgomery Section 2 101718.doc

Enclosures: The Shoppes at Montgomery Sec. 2 Final Plat
Buffer Zone Easement

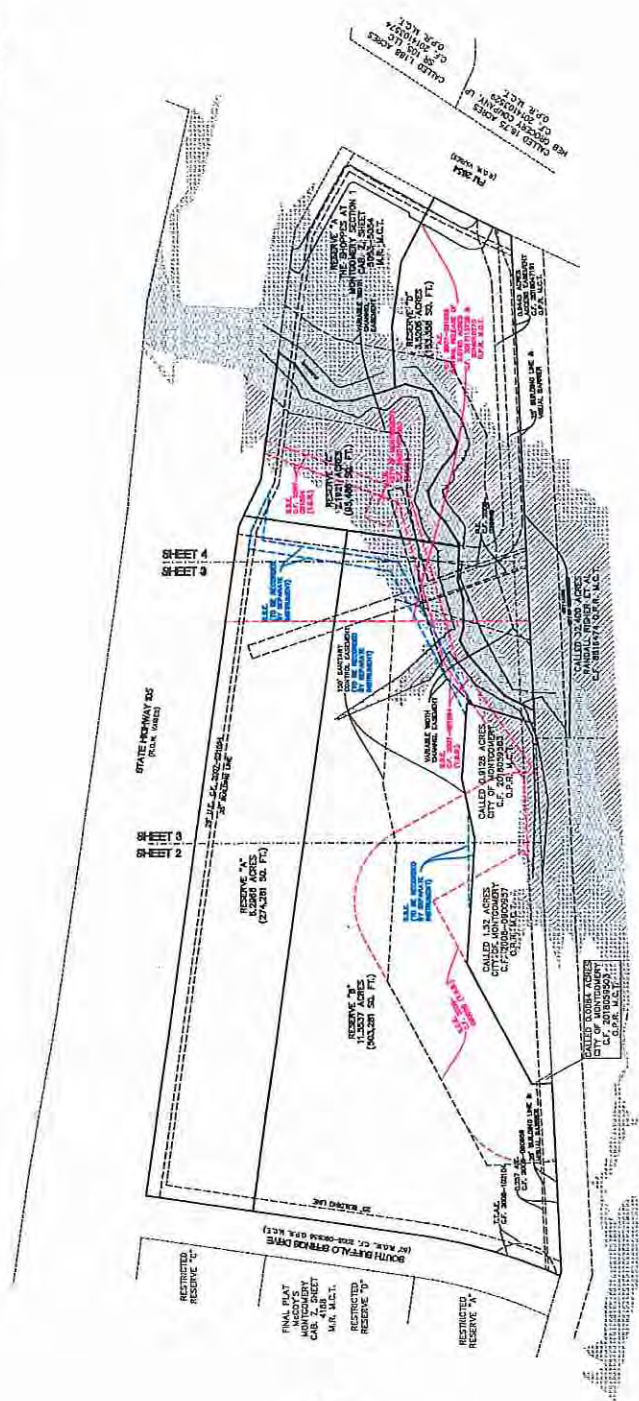
cc: The Honorable Mayor and City Council – City of Montgomery
Mr. Jack Yates – City of Montgomery, City Administrator
Ms. Susan Hensley – City of Montgomery, City Secretary
Mr. Larry Foerster – Darden, Fowler & Creighton, LLP, City Attorney
Mr. Jay Dean Canine, RPLS – Landpoint

LEGEND / ABBREVIATIONS

- CLERK'S FILE NUMBER
- FOUND
- OFFICIAL PUBLIC RECORDS
- MAP RECORDS
- RIGHT OF WAY
- BLDG. TURNS
- BLDG. TURNS
- UTILITY EASEMENT
- PUBLIC UTILITY EASEMENT
- CONCRETE MONUMENT
- TO BE RELEASED BY SEPARATE INSTRUMENT
- SAINTARY CONTROL EASEMENT
- ACCESS EASEMENT
- TEMPORARY TURN-AROUND EASEMENT
- PROPERTY MARKER



GRAPHIC SCALE



FINAL PLAT
THE SHOPPES AT MONTGOMERY
SECTION 2
 A SUBDIVISION OF
 23.5630 ACRES (1,026,406 SQ. FT.)
 IN THE
 JOHN CORNER SURVEY, A-8
 MONTGOMERY COUNTY, TEXAS
1 BLOCK & RESERVES
AUGUST 2018

SURVEYOR:
LANDPOINT
 TOWN AND COUNTY SURVEYORS
 2012 SAMPSON ROAD, STE. 2003
 MONTGOMERY, TEXAS 77103
 www.landpoint.net
 (832) 448-0700

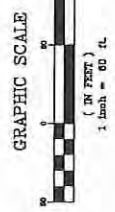
OWNER:
 Montgomery SH 105 Associates, LLC
 149 Colonial Road
 Manchester, CN 06045
 City of Montgomery
 101 Old Plannersville Road
 Montgomery, TX 77356
 (409) 491-1111

TDP13 885, NO. 10184172
 509/20C
 JOB No. 17-0494
SHEET 1 OF 5

- NOTES:**
1. All corners are set 5/8 inch iron rods w/top stamped "Landpoint 10184172" unless otherwise shown or noted.
 2. This property is located in Zone "A-C". Zone "A-C" Flood Zone "A-C" is shown on the attached Flood Hazard Map. This site does lie within a designated Special Flood Hazard Area, inundated by 100 year flood or Other Flood Areas.
 3. Fencing may be used as the visual barrier in accordance with City of Montgomery Ordinance.
 4. Subject to Restrictions recorded under per Montgomery County 2016547150, 2016547152, 2016547151, 2016547153, 2016549205 and 2018049286.



VICINITY MAP
N.T.S.



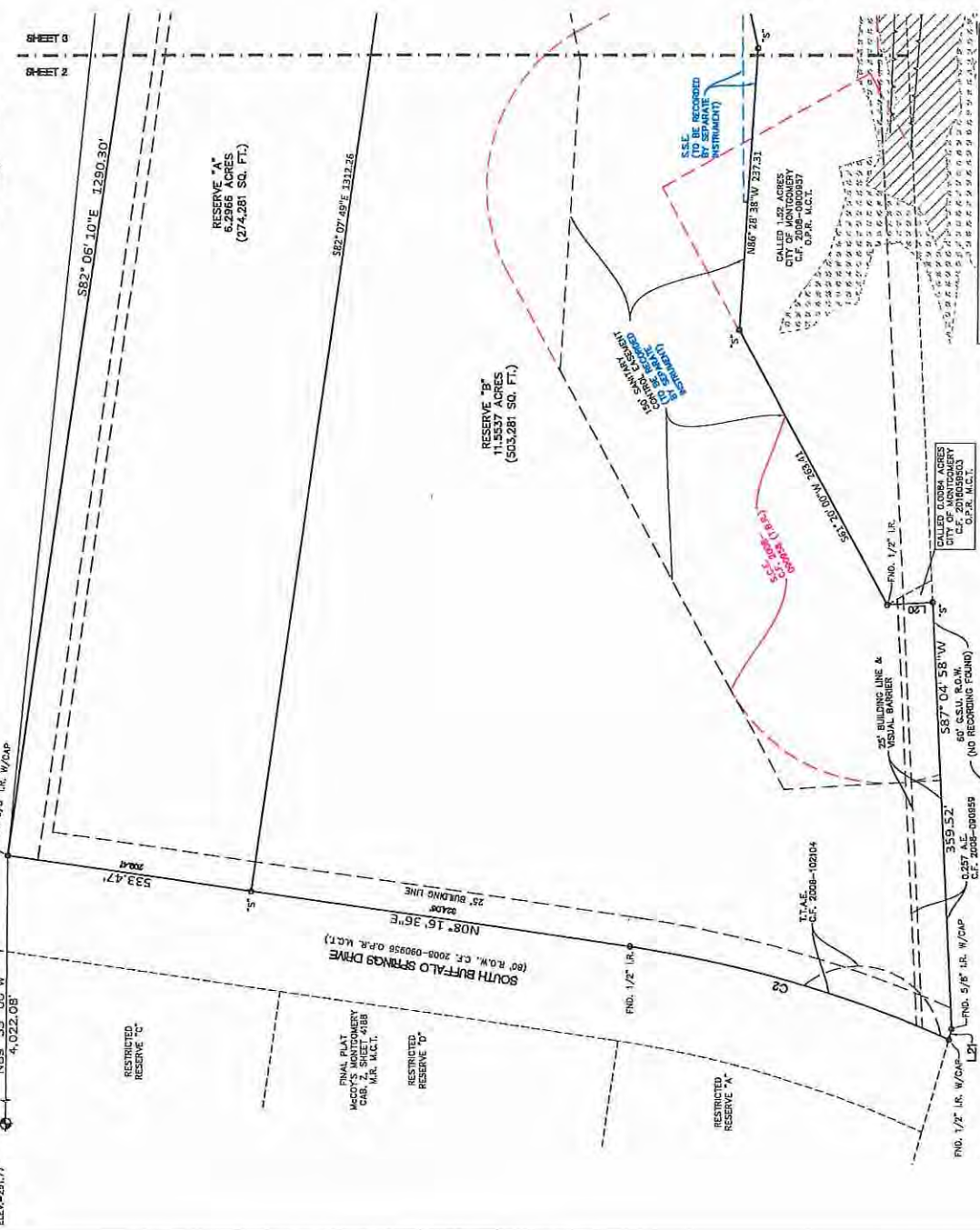
- LEGEND / ABBREVIATIONS**
- CF. CLEK'S FILE NUMBER
 - FN.D. FOUND
 - MAP RECORDS OFFICIAL PUBLIC RECORDS
 - M.S. MAP RECORDS COUNTY, TEXAS
 - R.O.W. RIGHT OF WAY
 - D.R. DEED RECORDS
 - U.E. UTILITY EASEMENT
 - P.E. PATHWAY EASEMENT
 - C.M. CONCRETE MONUMENT
 - S.S. SURVEYING STATION
 - T.E.R. TEMPORARY TURN-AROUND EASEMENT
 - A.E. BASE ELEVATION (100 YEAR)
 - T.T.A.E. TEMPORARY TURN-AROUND EASEMENT SET 5/8" HIGH IRON ROD WITH CAP
 - PROPERTY MARKER

FINAL PLAT
THE SHOPPES AT MONTGOMERY
 SECTION 2
 A SUBDIVISION OF
 23.5630 ACRES (1,026,406 SQ. FT.)
 IN THE
 JOHN CORNER SURVEY, A-8
 MONTGOMERY COUNTY, TEXAS
1 BLOCK 4 RESERVES
 AUGUST 2018

SURVEYOR:
LANDPOINT
 FORMERLY SURVEYORS
 2018 SANDY ROAD, STE. 2000
 THE WOODLANDS, TX 77380
 www.landpoint.com

OWNER:
 Montgomery SH 105 Associates, LLC
 149 Colonial Road
 Manchester, CN 06845
 City of Montgomery
 101 Old Plainesville Road
 Montgomery, TX 77355

STATE HIGHWAY 105
 (R.O.W. VARIES)

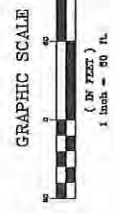


NO.	BEARING	LENGTH	INCL.	DEARING	LENGTH	BEARING	LENGTH
L1	S82°06'10"E	1290.30'		L11	S82°06'10"E	1290.30'	
L2	S82°07'49"E	1322.26'		L12	S82°07'49"E	1322.26'	
L3	S82°07'49"E	1322.26'		L13	S82°07'49"E	1322.26'	
L4	S82°07'49"E	1322.26'		L14	S82°07'49"E	1322.26'	
L5	S82°07'49"E	1322.26'		L15	S82°07'49"E	1322.26'	
L6	S82°07'49"E	1322.26'		L16	S82°07'49"E	1322.26'	
L7	S82°07'49"E	1322.26'		L17	S82°07'49"E	1322.26'	
L8	S82°07'49"E	1322.26'		L18	S82°07'49"E	1322.26'	
L9	S82°07'49"E	1322.26'		L19	S82°07'49"E	1322.26'	
L10	S82°07'49"E	1322.26'		L20	S82°07'49"E	1322.26'	

NO.	LENGTH	RADIUS	DELTA	CHORD	CHORD
C1	100.00'	100.00'	180.00°	100.00'	100.00'
C2	100.00'	100.00'	180.00°	100.00'	100.00'
C3	100.00'	100.00'	180.00°	100.00'	100.00'
C4	100.00'	100.00'	180.00°	100.00'	100.00'



VICINITY MAP
N.T.S.



- LEGEND / ABBREVIATIONS**
- CL. CLERK'S FILE NUMBER
 - CF. COUNTY FILE
 - OP.R. OFFICIAL PUBLIC RECORDS
 - M.C.T. MONTGOMERY COUNTY, TEXAS
 - R.O.W. RIGHT OF WAY
 - B.L. BUILDING LINE
 - U.E. UTILITY EASEMENT
 - P.U.E. PUBLIC UTILITY EASEMENT
 - C.M. CONCRETE MONUMENT
 - S.C. SURVEY CONTROL
 - S.E. SANITARY EASEMENT
 - V.C. VARIABLE WIDTH CHANNEL EASEMENT
 - T.E.R. TEMPORARY TURN-AROUND EASEMENT
 - A.E. ACCESS EASEMENT
 - L.L. L.I.C. LICENSED LAND SURVEYOR
 - S.L. STAMPED LANDPOINT
 - PROPERTY MARKER

FINAL PLAT
THE SHOPPES AT MONTGOMERY
SECTION 2

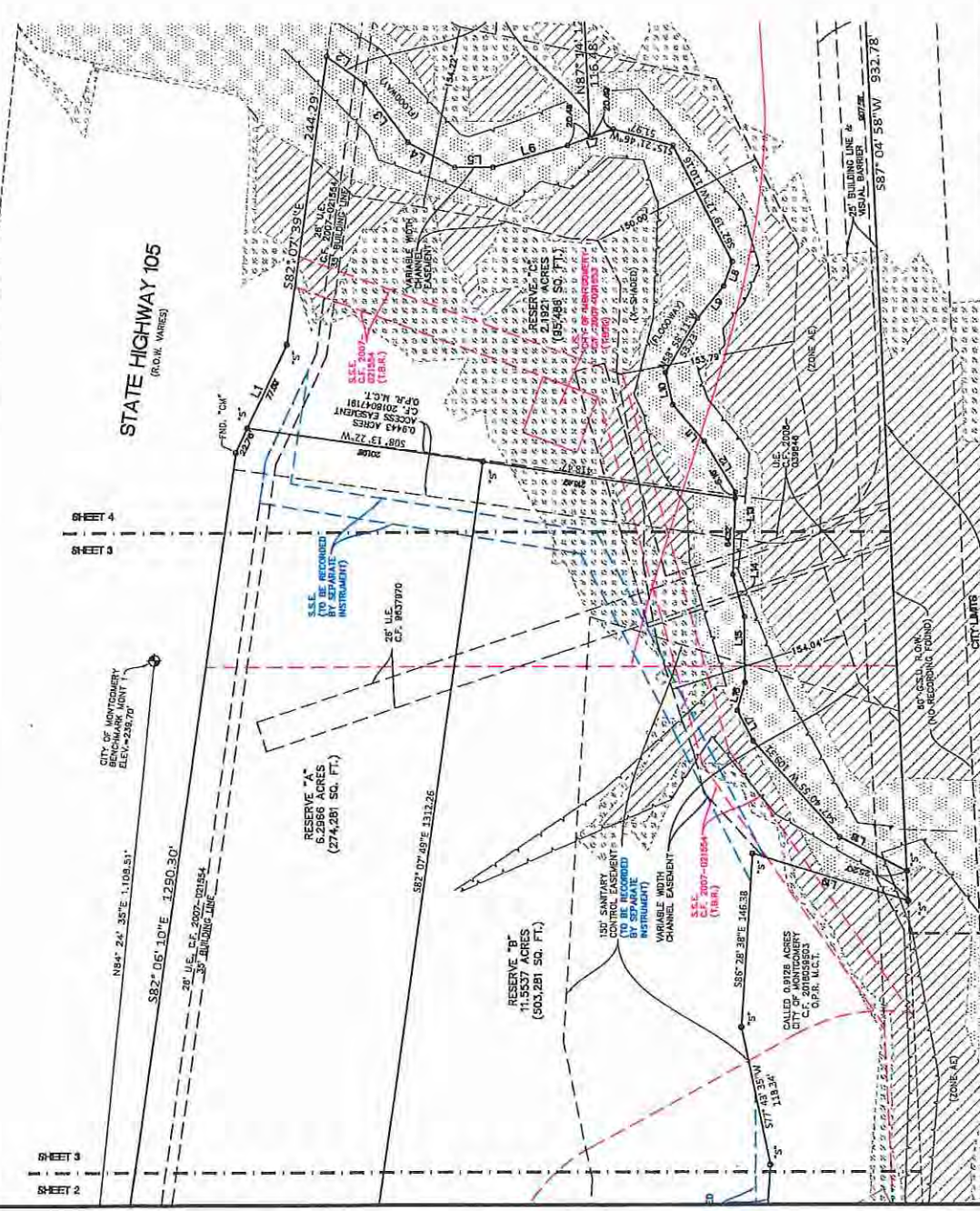
A SUBDIVISION OF
23.5630 ACRES (1,026,406 SQ. FT.)
IN THE
JOHN CORNER SURVEY, A-8
MONTGOMERY COUNTY, TEXAS

1 BLOCK 4 RESERVES
AUGUST 2018

SURVEYOR:
LANDPOINT
Agency Subprocessors
101 Old Placentine Road
Montgomery, TX 77336

OWNER:
Montgomery SH 105 Associates, LLC
149 Colonial Road
Manchester, CN 06045
City of Montgomery
101 Old Placentine Road
Montgomery, TX 77336

TPRS REG. NO. 0054172
JOB No. 17-0484
SHEET 3 OF 5



LINE TABLE

NO.	BEARING	LENGTH	NO.	BEARING	LENGTH
1	S89°07'39"E	244.29'	13	S87°04'58"W	932.78'
2	S89°07'39"E	244.29'	14	S87°04'58"W	932.78'
3	S89°07'39"E	244.29'	15	S87°04'58"W	932.78'
4	S89°07'39"E	244.29'	16	S87°04'58"W	932.78'
5	S89°07'39"E	244.29'	17	S87°04'58"W	932.78'
6	S89°07'39"E	244.29'	18	S87°04'58"W	932.78'
7	S89°07'39"E	244.29'	19	S87°04'58"W	932.78'
8	S89°07'39"E	244.29'	20	S87°04'58"W	932.78'
9	S89°07'39"E	244.29'	21	S87°04'58"W	932.78'
10	S89°07'39"E	244.29'	22	S87°04'58"W	932.78'
11	S89°07'39"E	244.29'	23	S87°04'58"W	932.78'
12	S89°07'39"E	244.29'	24	S87°04'58"W	932.78'

CURVE TABLE

NO.	LENGTH	RADIUS	DELTA	CHD. BCL.	CHORD
1	165.07'	1300.00'	137.04°	1300.00'	100.00'
2	165.07'	1300.00'	137.04°	1300.00'	100.00'
3	165.07'	1300.00'	137.04°	1300.00'	100.00'
4	165.07'	1300.00'	137.04°	1300.00'	100.00'
5	165.07'	1300.00'	137.04°	1300.00'	100.00'
6	165.07'	1300.00'	137.04°	1300.00'	100.00'
7	165.07'	1300.00'	137.04°	1300.00'	100.00'
8	165.07'	1300.00'	137.04°	1300.00'	100.00'
9	165.07'	1300.00'	137.04°	1300.00'	100.00'
10	165.07'	1300.00'	137.04°	1300.00'	100.00'
11	165.07'	1300.00'	137.04°	1300.00'	100.00'
12	165.07'	1300.00'	137.04°	1300.00'	100.00'
13	165.07'	1300.00'	137.04°	1300.00'	100.00'
14	165.07'	1300.00'	137.04°	1300.00'	100.00'
15	165.07'	1300.00'	137.04°	1300.00'	100.00'
16	165.07'	1300.00'	137.04°	1300.00'	100.00'
17	165.07'	1300.00'	137.04°	1300.00'	100.00'
18	165.07'	1300.00'	137.04°	1300.00'	100.00'
19	165.07'	1300.00'	137.04°	1300.00'	100.00'
20	165.07'	1300.00'	137.04°	1300.00'	100.00'
21	165.07'	1300.00'	137.04°	1300.00'	100.00'
22	165.07'	1300.00'	137.04°	1300.00'	100.00'
23	165.07'	1300.00'	137.04°	1300.00'	100.00'
24	165.07'	1300.00'	137.04°	1300.00'	100.00'

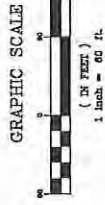
SHEET 3
SHEET 2

STATE HIGHWAY 105
(R.O.M. VARIES)

SHEET 4
SHEET 3



VICINITY MAP
N.T.S.



LEGEND / ABBREVIATIONS

- CLERK'S FILE NUMBER
- FOUND
- OP.R. M.C.T.
- MAP RECORDS
- R.O.M.
- D.I.R.
- U.I.E.
- UTILITY EASEMENT
- CONCRETE MONUMENT
- SAINT JOHN'S EPISCOPAL CHURCH
- BASE FLOOD ELEVATION (100 YEAR)
- TEMPORARY TURN-AROUND EASEMENT
- SET 2/8 INCH IRON ROD WITH CAP
- PROPERTY MARKER

FINAL PLAT
THE SHOPPES AT MONTGOMERY
SECTION 2

A SUBDIVISION OF
23.5630 ACRES (1,026,406 SQ. FT.)

IN THE
JOHN CORNER SURVEY, A-8
MONTGOMERY COUNTY, TEXAS

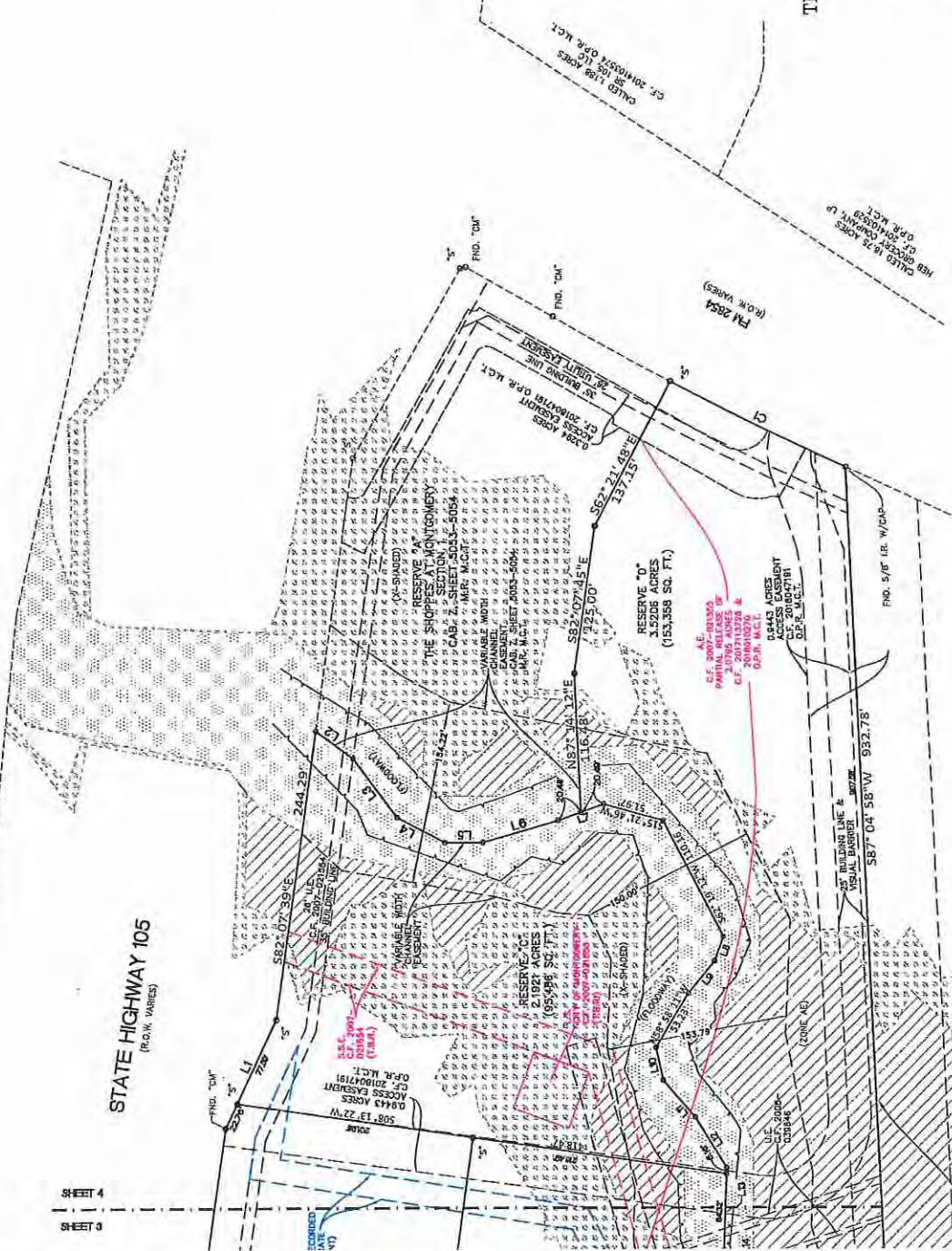
1 BLOCK
AUGUST 2018
4 RESERVES

SURVEYOR:



Montgomery SH 105 Associates, LLC
149 Colonial Road
Manchester, CN 06045
City of Montgomery
101 Old Plumerville Road
Montgomery, TX 77356

PLAT NO. 2018-0781
2018 AUGUST 2018
MONTGOMERY COUNTY, TEXAS



LINE TABLE

LINE	BEARING	LENGTH	INC.	BEARING	LENGTH
1	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
2	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
3	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
4	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
5	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
6	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
7	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
8	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
9	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
10	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
11	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
12	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
13	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
14	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
15	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
16	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
17	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
18	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
19	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
20	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
21	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
22	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
23	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
24	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
25	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
26	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
27	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
28	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
29	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
30	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
31	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
32	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
33	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
34	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
35	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
36	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
37	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
38	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
39	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
40	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
41	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
42	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
43	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
44	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
45	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
46	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
47	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
48	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
49	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
50	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
51	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
52	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
53	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
54	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
55	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
56	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
57	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
58	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
59	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00
60	S 82° 07' 39" E	10.00	1.00	S 82° 07' 39" E	10.00

CURVE TABLE

NO.	LENGTH	RADIUS	DELTA	END. INC.	CURVED
1	10.00	1000.00	90°	0°	0.00
2	10.00	1000.00	90°	0°	0.00
3	10.00	1000.00	90°	0°	0.00
4	10.00	1000.00	90°	0°	0.00
5	10.00	1000.00	90°	0°	0.00
6	10.00	1000.00	90°	0°	0.00
7	10.00	1000.00	90°	0°	0.00
8	10.00	1000.00	90°	0°	0.00
9	10.00	1000.00	90°	0°	0.00
10	10.00	1000.00	90°	0°	0.00
11	10.00	1000.00	90°	0°	0.00
12	10.00	1000.00	90°	0°	0.00
13	10.00	1000.00	90°	0°	0.00
14	10.00	1000.00	90°	0°	0.00
15	10.00	1000.00	90°	0°	0.00
16	10.00	1000.00	90°	0°	0.00
17	10.00	1000.00	90°	0°	0.00
18	10.00	1000.00	90°	0°	0.00
19	10.00	1000.00	90°	0°	0.00
20	10.00	1000.00	90°	0°	0.00
21	10.00	1000.00	90°	0°	0.00
22	10.00	1000.00	90°	0°	0.00
23	10.00	1000.00	90°	0°	0.00
24	10.00	1000.00	90°	0°	0.00
25	10.00	1000.00	90°	0°	0.00
26	10.00	1000.00	90°	0°	0.00
27	10.00	1000.00	90°	0°	0.00
28	10.00	1000.00	90°	0°	0.00
29	10.00	1000.00	90°	0°	0.00
30	10.00	1000.00	90°	0°	0.00
31	10.00	1000.00	90°	0°	0.00
32	10.00	1000.00	90°	0°	0.00
33	10.00	1000.00	90°	0°	0.00
34	10.00	1000.00	90°	0°	0.00
35	10.00	1000.00	90°	0°	0.00
36	10.00	1000.00	90°	0°	0.00
37	10.00	1000.00	90°	0°	0.00
38	10.00	1000.00	90°	0°	0.00
39	10.00	1000.00	90°	0°	0.00
40	10.00	1000.00	90°	0°	0.00
41	10.00	1000.00	90°	0°	0.00
42	10.00	1000.00	90°	0°	0.00
43	10.00	1000.00	90°	0°	0.00
44	10.00	1000.00	90°	0°	0.00
45	10.00	1000.00	90°	0°	0.00
46	10.00	1000.00	90°	0°	0.00
47	10.00	1000.00	90°	0°	0.00
48	10.00	1000.00	90°	0°	0.00
49	10.00	1000.00	90°	0°	0.00
50	10.00	1000.00	90°	0°	0.00
51	10.00	1000.00	90°	0°	0.00
52	10.00	1000.00	90°	0°	0.00
53	10.00	1000.00	90°	0°	0.00
54	10.00	1000.00	90°	0°	0.00
55	10.00	1000.00	90°	0°	0.00
56	10.00	1000.00	90°	0°	0.00
57	10.00	1000.00	90°	0°	0.00
58	10.00	1000.00	90°	0°	0.00
59	10.00	1000.00	90°	0°	0.00
60	10.00	1000.00	90°	0°	0.00

STATE OF TEXAS

COUNTY OF MONTGOMERY
This Montgomery SH 105 Associates, LLC herein calling individually or through the undersigned...

BY: Jonathan Ballock, Vice President
Montgomery SH 105 Associates, LLC

STATE OF TEXAS

COUNTY OF MONTGOMERY
BEFORE ME, the undersigned authority, on this day personally appeared Jonathan Ballock, its Vice President...

Notary Public for Harris County, Texas
Printed name
My commission expires

SURVEYOR'S CERTIFICATION

That I, Joy Dean Goolsby, do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown hereon were properly placed under my personal supervision...

Joy Dean Goolsby
Professional Land Surveyor
Texas Registration No. 43345

CITY OF MONTGOMERY

I, THE UNDERSIGNED, Engineer for the City of Montgomery, hereby certify that this subdivision plat conforms to all requirements of the subdivision regulations of the City on to which the approval is required.

By: Chris Rozovsky, P.E.
City Engineer - City of Montgomery

This plat and subdivision has been submitted to and considered by the City Planning and Zoning Commission and the City Council of the City of Montgomery, Texas and is hereby approved by each commission and the Council.

Dated this 15th day of August, 2018

ATTEST:

By: Sara Countyman, Mayor
Nelson Cox, Chairman - Planning Zoning Commission

By: Susan Henley - City Secretary

COUNTY CLERK

I, Mark Franklin, Clerk of the County Court of Montgomery County, Texas, do hereby certify that this instrument with the certificate of authentication was filed for registration in my office on the 15th day of August, 2018, at 10:00 o'clock A.M., and duly recorded on the 15th day of August, 2018, for said County.

WITNESS MY HAND AND SEAL OF OFFICE at Dallas, Montgomery County, Texas the day and date last before written.

By: Mark Franklin, Clerk, County Court
Montgomery County, Texas

By: Deputy

The Whitney Bank, name and holder of this exhibit, the property described in this plat known as The Shoppes at Montgomery Subdivision Section 2, said plat being evidenced by instrument of record in County Clerk's File Number 2017074577 of the Real Property Records of Montgomery County, Texas, do hereby in all things above and below set out and do not assign the same nor any part thereof.

BY: Whitney Bank

STATE OF MISSISSIPPI
COUNTY OF

BEFORE ME, the undersigned authority, on this day personally appeared _____ of the Whitney Bank, a Mississippi State Chartered bank, known to me to be the person whose name is subscribed to the foregoing instrument, and in the capacity therein expressed, and in the presence of the copily herein and herein set out, and as the act and deed of said corporation.

Notary Public for _____ County, Mississippi
Printed name
My commission expires

FINAL PLAT
THE SHOPPES AT MONTGOMERY
SECTION 2

A SUBDIVISION OF
23.5630 ACRES (1,026,406 SQ. FT.)
IN THE
JOHN CORNER SURVEY, A-8
MONTGOMERY COUNTY, TEXAS

1 BLOCK 4 RESERVES
AUGUST 2018

SURVEYOR:



OWNER:

Montgomery SH 105 Associates, LLC
149 Colonial Road
Manchester, CN 06604
City of Montgomery
101 Old Pharrsville Road
Montgomery, TX 77356

FORM NO. 17-1106
JULY 2009

1. New Grantor, pursuant to the terms of 30 T.A.C. Section 309.13(e) as it may be amended or superseded from time to time, shall not use, or allow any other person or entity to use, any existing or future structure located within the New Easement Property as a residence, either temporarily or permanently. The term "structure" shall include, but not be limited to, a house, apartment, duplex, trailer, mobile home, hotel, motel, shack, tent, garage, or other outbuilding.
2. The covenants, conditions, and restrictions contained herein shall run with and bind the land, and shall inure to the benefit of, and be enforceable by grantee and its successors and assigns.
3. City and its successors and assigns shall have the right to enforce, by proceeding at law or in equity, the covenants, restrictions, and conditions now or hereafter imposed by this Restated Agreement. Failure to enforce any covenant or restriction herein contained shall in an event be deemed a waiver of the right to do so thereafter.

New Grantor, for itself, its successors and assigns, hereby reserves and shall have the right at all times to dedicate, construct, place, maintain, lay, inspect, protect, operate, repair, alter, substitute, replace and remove (i) roads, streets, and sidewalks, in, upon and across the New Easement Property, (ii) electric, cable television, gas and water lines, sanitary and storm sewer drainage pipes, and storm water detention facilities in, upon and across the New Easement Property, (iii) landscaping upon and across the New Easement Property and (iv) any other structures and improvements not expressly prohibited by Paragraph 1 above. New Grantor shall not construct any structures or improvements on the New Easement Property other than permitted above. This is a negative easement. This Restated Agreement prohibits certain activity of New Grantor in and upon the New Easement Property, but does not grant the City any right to engage in any activity or construct or maintain any improvements on or within the New Easement Property.

TO HAVE AND TO HOLD the above described New Buffer Zone Easement, together with all and singular the rights and appurtenances thereto belonging unto the said City, its successors and assigns forever, and New Grantor is hereby bound, together with all of New Grantor's successors and assigns, to Warrant and Forever Defend all and singular the said New Buffer Zone Easement unto City, its successors and assigns, against every person whomsoever lawfully claiming, or to claim the same or any part thereof.

The Original Agreement, is amended and restated by this Restated Agreement. This Restated Agreement replaces the Original Easement completely as if the Original Agreement had not been recorded. It shall not be necessary to refer to the Original Agreement for any reason following the execution and recordation of this Restated Agreement as if the Original Agreement had not been executed and recorded.

The Original Buffer Zone Easement and the Original Easement Property are released by City and shall not be encumbered or burdened by the Original Agreement except to the extent included in New Exhibit A and all portions of the Original Buffer Zone and the Original Easement Property are released as if they had not been included in the Original Agreement.

Only the New Buffer Zone Easement and the New Easement Property shall be burdened and only to the extent set forth in the New Exhibit A.
DATED effective this ____ day of _____, 2018.

[The balance of this page is intentionally left blank. Signatures appear on the following pages.]

SIGNATURE PAGE TO
AMENDED AND RESTATED BUFFER ZONE EASEMENT AND RELEASE

MONTGOMERY SH 105 ASSOCIATES, LLC,
a Texas limited liability company

By: FIRST HARTFORD REALTY
CORPORATION,
a Delaware corporation

By: _____
John Toic, President

STATE OF _____ §

COUNTY OF _____ §

This instrument was acknowledged before me on the ____ day of _____, 2018,
by John Toic, President of First Hartford Realty Corporation, a Delaware corporation, sole member
of Montgomery SH 105 Associates, LLC, a Texas limited liability company in the capacity therein
stated on behalf of said limited liability company.

Notary Public, State of _____

SIGNATURE PAGE TO
AMENDED AND RESTATED BUFFER ZONE EASEMENT AND RELEASE

CITY OF MONTGOMERY,
a Texas general law city

By: _____
Type or
Print Name: _____
Title: _____

STATE OF _____ §

COUNTY OF _____ §

This instrument was acknowledged before me on the ____ day of _____, 2018,
by _____, _____ of City of Montgomery, a Texas general law city in the capacity
therein stated on behalf of said ci.

Notary Public, State of Texas

New Exhibit A
New Easement Property

AFTER RECORDING RETURN TO:

Martin & Drought, P.C.
2500 Bank of America Plaza
San Antonio, Texas 78205

Montgomery City Council
AGENDA REPORT

Meeting Date: October 23, 2018	Budgeted Amount:
Prepared By: Jack Yates City Administrator	Exhibits: Ordinance with rates attached
Date Prepared: October 18, 2018	

Subject

This is to approve the ordinance with new garbage collection rates to \$19.50 per month for one container and \$15.98 for each additional container for residents, and \$20.98 for commercial containers.

Description

This is to adopt an ordinance that will become effective November 20, 2018. The 20th of each month is the time that water consumption is recorded to create a bill that includes the garbage. The larger recycling containers are expected to be delivered to everyone by November 1st. So, with the November 20 effective date, that means that containers will be in use definitely between November 20 to December 20 with the billing sent to the customer on January 1, 2019.

I, personally, have not had any comments regarding the increased cost for the increased size of the recycling container.

In the utility billing envelopes received by every garbage customer on October 1st included a message to the customer of the proposed rate increase, the conversion to the larger recycling container and that there would be a public forum for discussion of the rates on October 16 at City Hall at 4:00 p.m. and 6:00 p.m. No one came to discuss the garbage rates

Recommendation

Approve the ordinance as presented.

Approved By

City Administrator	Jack Yates	Date: October 18, 2018
--------------------	------------	------------------------

Motion was made by _____, seconded by _____, that the following Ordinance be passed:

ORDINANCE NO. 2018-

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS AMENDING THE RATES TO BE CHARGED FOR GARBAGE AND TRASH PICKUP SERVICE INSIDE THE CITY OF MONTGOMERY, TEXAS; PROVIDING FOR A PENALTY FOR FAILURE TO PAY ACCOUNTS; PROVIDING CONDITIONS UPON WHICH SERVICE WILL BE RESUMED; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING A SAVINGS CLAUSE; PROVIDING A TEXAS OPEN MEETINGS ACT CLAUSE; AND PROVIDING AN EFFECTIVE DATE OF NOVEMBER 20, 2018 AFTER PUBLICATION.

WHEREAS, the City Council of the City of Montgomery, Texas has entered into a contract with Waste Management, Inc. for the collection of garbage within the City in those areas served by the City; and

WHEREAS, all residential, commercial and industrial customers of the City are required to use the service provided by Waste Management, Inc.; and

WHEREAS, Waste Management, Inc. has notified the City of a price increase as permitted in its contract with the City;

NOW THEREFORE BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS THAT:

Section. 1. Garbage Rates.

There shall be charged and collected by the City from each resident user and commercial customer for garbage and trash pickup the following rates:

- a. **Residential** \$19.50 per month for one container and \$15.98 per month for each additional container; service to include once weekly pickup and weekly trash collection.
- b. **Commercial:** \$20.98 per month service to include once weekly pickup and extra trash collection service.

Section 2. Time and Place of Payment

All customer accounts for garbage and trash pickup service shall be billed on a monthly basis. Payments shall be due and payable within fifteen (15) days after the bill is mailed. Payment

shall be made at the City Hall, City of Montgomery, Texas, located at 101 Old Plantersville Road, or by mail at P.O. Box 708, Montgomery, Texas 77356. It shall be prima facia evidence that a billing has been received by a customer if the bill has been deposited in the U. S. Mail, postage paid.

Section 3. Penalties for Late Payment.

There shall be added to each account for garbage and trash services which are not paid as provided in Section I herein, a sum equal to ten percent (10%) of the amount of said account, as a penalty for late payment more than fifteen (15) days past the due date.

Section 4. Discontinuance of Service.

Garbage and trash service to any customer whose account is more than twenty (20) days delinquent shall be cut-off, and the charge therefore will be Twenty-Five Dollars (\$25.00) for resumption of service.

Section 5. Repealing Clause.

Any conflicting provisions of any other City ordinance are hereby repealed.

Section 6. Savings Clause.

If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason held to be unconstitutional, void, or invalid, the validity of the remaining portion of this Ordinance shall not be affected hereby, it being the intention of the City Council of the City of Montgomery in adopting and of the Mayor in approving this Ordinance, that no portion hereof or provisions or regulation contained herein shall become inoperative or fail by reason of any unconstitutionality or invalidity of any other portion, provision or regulation.

Section 7. Texas Open Meetings Act.

It is hereby officially found and determined that the meeting at which this Ordinance was considered was open to the public as required and that the public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

Section 8. Effective Date.

The Ordinance shall become effective November 20, 2018 after it has been published as required by law.

PASSED AND APPROVED this _____ day of October 2018.

Sara Countryman, Mayor

ATTEST:

Susan Hensley, City Secretary

APPROVED AS TO FORM:

Larry L. Foerster, City Attorney

SCHEDULE "A"

Base Rates

Residential Services

Residential Curbside Cart Waste Service collected once (1) per week limited to the Cart
Residential Curbside Cart Recycling Service collected once (1) per week limited to the Cart
Two (2) Bulky Items on the resident's collection day of the week
At Your Door Collection (on call program)

\$ 18.53 for Waste & Recycle Cart/Month

\$ 13.53 per Extra Waste Cart/Month

\$ 6.00 PER EXTRA RECYCLING CART/MONTH

Commercial Hand Services

Commercial Hand Load Curbside Cart Waste Service collected once (1) per week limited to the
Cart
Commercial Hand Load Curbside Cart Recycling Service collected once (1) per week limited to
the Cart

\$ 27.21 per Cart/Month

\$ 13.53 per Extra Trash Cart/Month

\$ 6.00 per Extra Recycling Cart/Month

City of Montgomery Roll Off Matrix ONLY

Size	Rate Per Haul	Delivery per container	Rental Per Month
20yd	\$338.41	101.52	NA
30yd	394.80	101.52	NA
40yd	501.96	101.52	NA

Montgomery City Council
AGENDA REPORT

Meeting Date: October 23, 2018	Budgeted Amount:
Prepared By: Jack Yates City Administrator	Exhibits: Ordinance with rates attached
Date Prepared: October 18, 2018	

Subject

This is to approve the ordinance with new water rates that increase water and sewer \$.50 per thousand gallons between 2,000 and 20,000 gallons for inside and outside the city customers and increases one dollar per thousand gallons over 20,000 gallons for commercial customers.

Description

This is to adopt an ordinance that will become effective November 20, 2018. The 20th of each month is the time that water consumption is recorded for billing. So, with the November 20 effective date, that means that the water consumed between November 20 to December 20 is billed and sent to the customer on January 1, 2019.

The new rates are expected to increase water/sewer revenue approximately \$34,000 per year.

This is the third year of a three-year plan to adjust the water and sewer rates in order to get them closer to the actual cost of production and treatment of water and sewer. A discussion during the winter and spring should be held regarding any possible future adjustments—though they probably should be small, if any increases at all.

In the utility billing envelopes received by every water/sewer customer on October 1st included a message to the customer of the proposed rate increase and that there would be a public forum for discussion of the rates on October 16 at City Hall at 4:00 p.m. and 6:00 p.m. Only one person came to both forums and that person was interested in their billing status (question regarded whether or not they should be a multi-family or commercial billing status) and not about the water rates.

Montgomery City Council
AGENDA REPORT

Recommendation

Approve the ordinance as presented.

Approved By

City Administrator

Jack Yates

Date: October 18, 2018

Motion was made by _____, seconded by _____,
and passed by a _____ to _____ vote that the following Ordinance by passed:

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS, AMENDING ORDINANCE NO. 2017-24, DATED NOVEMBER 14, 2017, BY ESTABLISHING AND ADOPTING NEW MONTHLY SERVICE RATES AND CHARGES FOR WATER AND SEWER SERVICE FOR CONSUMERS INSIDE AND OUTSIDE THE CITY PURSUANT TO CHAPTER 90 OF THE CODE OF ORDINANCES OF THE CITY OF MONTGOMERY, TEXAS; REPEALING ALL CITY ORDINANCES IN CONFLICT; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A TEXAS OPEN MEETINGS ACT CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE OF NOVEMBER 20, 2018 AFTER PUBLICATION

WHEREAS, Chapter 90 of the Code of Ordinances of the City of Montgomery, Texas, authorizes City Council, by ordinance, to establish monthly service rates and charges for water and sewer services inside and outside the City; and

WHEREAS, the City Council for the City of Montgomery finds that, to protect the health, safety, and general welfare of the citizens of Montgomery, Texas, and to satisfy the requirement of State and Federal regulatory agencies, the monthly rates and other charges for said water and sewer services should be increased; and

WHEREAS, having previously considered a water and sewer rate study and model prepared by the City Engineer, and receiving advice and input from the City Engineer and City Staff, the City Council has determined appropriate rates and fee schedules for certain utility services based on historical data and other factors related to the costs of providing such services; and

WHEREAS, the City Council believes it is appropriate to amend the existing amending Ordinance No. 2017-24, passed on November 14, 2017, at Sections 1 and 3 of said Ordinance, while concurrently creating this new Ordinance providing for new residential and commercial water and sewer rates and other charges as set out in Appendixes "A" and "B" attached hereto; and

WHEREAS, the City Secretary caused to be posted a notice of public hearing on the proposed amended water and sewer service rates; and

WHEREAS, the City Council, pursuant to such notice, held its public forum and heard all persons wishing to be heard both for and against the proposed amended water and sewer rates on the 16th day of October 2018 at 4:00 p.m. and 6:00 p.m.;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS THAT:

SECTION 1. Findings of Fact. All of the above premises are hereby found to be true and correct legislative and factual findings of the City Council of the City of Montgomery and are hereby approved and incorporated into the body of this Ordinance as if copied in their entirety.

SECTION 2. Amendments to City Ordinance No. 2017-24. City Ordinance No. 2017-24, dated November 14, 2017 is hereby amended at Section 1, related to Water Service monthly rates, and at Section 3, related to Sewer Service monthly rates, to read as follows:

SECTION 1. MONTHLY RATES FOR WATER SERVICE INSIDE AND OUTSIDE CITY.

Monthly rates for water service inside and outside the city are found in the attached APPENDIX "A" and are hereby adopted.

SECTION 3. MONTHLY RATES FOR SEWER SERVICE INSIDE AND OUTSIDE CITY.

Monthly rates for sewer service inside and outside the city are found in the attached APPENDIX "B" and are hereby adopted.

SECTION 3. Construction. This Ordinance shall not be construed so as to conflict with any state or federal statute.

SECTION 4. Repeal of Conflicting Ordinances. All provisions of the ordinances of the City of Montgomery in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Montgomery not in conflict with the provisions of this Ordinance shall remain in full force and effect.

SECTION 5. Severability Clause. If any provision, section, subsection, sentence, paragraph,

sentence, clause or phrase of this Ordinance or the application of same to any person or set of circumstances, shall for any reason be held to be unconstitutional, void, or invalid or otherwise unenforceable, the invalidity or unenforceability shall not affect other provisions of this Ordinance or their application to other sets of circumstances and to this end all provisions of this Ordinance are declared to be severable.

SECTION 6. Texas Open Meetings Clause. It is hereby officially found and determined that the meeting at which this Ordinance was considered was open to the public as required and that the public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

SECTION 7. Effective Date. This Ordinance shall become effective and be in full force from November 20, 2018 after publication as required by law.

PASSED AND APPROVED this _____ day of October 2018.

Sara Countryman, Mayor

ATTEST:

Susan Hensley, City Secretary

APPROVED AS TO FORM:

Larry L. Foerster, City Attorney

Appendix "A"
 Monthly Utility Rates for the City of Montgomery for 2018-19

p 1 of 2

Water Class Rates - 100	Amount	Amount
Residential Consumers	Inside	Outside
	<i>Code 100</i>	<i>Code 110</i>
For the first 2,000 gallons of water used	Up to First 2K-\$16.00	Up to First 2K-\$20.00
Next 2,000 gallons (3 - 4)	Next 2K-\$2.75	Next 2K-\$3.00
Next 2,000 gallons (5 - 6)	Next 2K-\$3.25	Next 2K-\$3.50
Next 2,000 gallons (7 - 8)	Next 2K-\$3.75	Next 2K-\$4.00
Next 2,000 gallons (9 - 10)	Next 2K-\$4.25	Next 2K-\$4.50
Next 5,000 gallons (11 - 15)	Next 5K-\$4.75	Next 5K-\$5.00
Next 5,000 gallons (16 - 20)	Next 5K-\$5.25	Next 5K-\$5.50
For water used in excess of 20,000 gallons, the rate per thousand gallons used	Over 20K-\$5.50	Over 20K-\$5.75
Commercial Consumers	<i>Code 120</i>	<i>Code 130</i>
For the first 2,000 gallons of water used	Up to First 2K-\$21.50	Up to First 2K-\$25.50
Next 2,000 gallons (3 - 4)	Next 2K-\$3.25	Next 2K-\$3.50
Next 2,000 gallons (5 - 6)	Next 2K-\$3.75	Next 2K-\$4.00
Next 2,000 gallons (7 - 8)	Next 2K-\$4.25	Next 2K-\$4.50
Next 2,000 gallons (9 - 10)	Next 2K-\$4.75	Next 2K-\$5.00
Next 5,000 gallons (11 - 15)	Next 5K-\$5.25	Next 5K-\$5.50
Next 5,000 gallons (16 - 20)	Next 5K-\$5.75	Next 5K-\$6.00
For water used in excess of 20,000 gallons, the rate per thousand gallons used	Over 20K-\$6.75	Over 20K-\$7.00
Institutional Consumers (Schools)	<i>Code 140</i>	
For the first 30,000 gallons of water used	Up to First 30K-\$396	
For water used in excess of 30,000 gallons, the rate per thousand gallons used	Over 30K-\$5.35	
Multi-Family Consumers	<i>Code 102</i>	
For the first 30,000 gallons of water used	Up to First 30K-\$500	
For water used in excess of 30,000 gallons, the rate per thousand gallons used	Over 30K-\$5.50	

Appendix "A"
 Monthly Utility Rates for the City of Montgomery for 2018-19

p. 2 of 2

Water Rates (continued)	Amount
<i>Irrigation Consumers (meter less than 1 inch in size)</i>	
	<i>Code 105</i>
For the first 2,000 gallons of water used	Up to First 2K-\$12.00
Next 2,000 gallons (3 - 4)	Next 2K-\$3.00
Next 2,000 gallons (5 - 6)	Next 2K-\$3.50
Next 2,000 gallons (7 - 8)	Next 2K-\$4.00
Next 2,000 gallons (9 - 10)	Next 2K-\$4.50
Next 5,000 gallons (11 - 15)	Next 5K-\$5.00
Next 5,000 gallons (16 - 20)	Next 5K-\$5.50
For water used in excess of 20,000 gallons, the rate per thousand gallons used	Over 20K-\$6.00
<i>Irrigation Consumers (meter 1 inch or larger in size)</i>	
	<i>Code 106</i>
For the first 2,000 gallons of water used	Up to First 2K-\$25.00
Next 2,000 gallons (3 - 4)	Next 2K-\$3.00
Next 2,000 gallons (5 - 6)	Next 2K-\$3.50
Next 2,000 gallons (7 - 8)	Next 2K-\$4.00
Next 2,000 gallons (9 - 10)	Next 2K-\$4.50
Next 5,000 gallons (11 - 15)	Next 5K-\$5.00
Next 5,000 gallons (16 - 20)	Next 5K-\$5.50
For water used in excess of 20,000 gallons, the rate per thousand gallons used	Over 20K-\$6.25
<i>Industrial Consumers</i>	
Rates for this Class will be handled on a case by case basis	

Appendix "B"
 Monthly Utility Rates for the City of Montgomery for 2018-19

10/1

Sewer Class Rates - 200		Amount	Amount
Residential Consumers		Inside	Outside
		<i>Code 100</i>	<i>Code 110</i>
For the first 2,000 gallons of water used		Up to First 2K-\$12.50	Up to First 2K-\$16.00
Next 2,000 gallons (3 - 4)		Next 2K-\$2.75	Next 2K-\$3.00
Next 2,000 gallons (5 - 6)		Next 2K-\$3.25	Next 2K-\$3.50
Next 2,000 gallons (7 - 8)		Next 2K-\$3.75	Next 2K-\$4.00
Next 2,000 gallons (9 - 10)		Next 2K-\$4.25	Next 2K-\$4.50
Next 5,000 gallons (11 - 15)		Next 5K-\$4.75	Next 5K-\$5.00
Next 5,000 gallons (16 - 20)		Next 5K-\$5.25	Next 5K-\$5.50
For water used in excess of 20,000 gallons, the rate per thousand gallons used		Over 20K-\$5.50	Over 20K-\$5.75
Commercial Consumers		<i>Code 120</i>	<i>Code 130</i>
For the first 2,000 gallons of water used		Up to First 2K-\$22.50	Up to First 2K-\$26.00
Next 2,000 gallons (3 - 4)		Next 2K-\$4.50	Next 2K-\$4.75
Next 2,000 gallons (5 - 6)		Next 2K-\$4.75	Next 2K-\$5.00
Next 2,000 gallons (7 - 8)		Next 2K-\$5.00	Next 2K-\$5.25
Next 2,000 gallons (9 - 10)		Next 2K-\$5.25	Next 2K-\$5.50
Next 5,000 gallons (11 - 15)		Next 5K-\$5.50	Next 5K-\$5.75
Next 5,000 gallons (16 - 20)		Next 5K-\$5.75	Next 5K-\$6.00
For water used in excess of 20,000 gallons, the rate per thousand gallons used		Over 20K-\$9.35	Over 20K-\$9.50
Institutional Consumers (Schools)		<i>Code 140</i>	
A fixed rate fee of		Flat rate - \$300	
All usage rate fee at the per thousand		All usage times - \$9.35	
Multi-Family Consumers		<i>Code 102</i>	
A fixed rate fee of		Flat rate - \$300	
All usage rate fee at the per thousand		All usage times - \$9.50	
Industrial Consumers			
Rates for this Class will be handled on a case by case basis			

Montgomery City Council
AGENDA REPORT

Meeting Date: October 23, 2018	Budgeted Amount:
Prepared By: Jack Yates City Administrator	Exhibits: Texas local government code Regarding filling vacancy on governing board, City Sec. handbook regarding filling vacancies in Type "A" General Law cities, Application for Consideration of Appointment form, Qualifications of Office document
Date Prepared: October 18, 2018	

Subject

This is to discuss the method of appointment of a replacement for Place # 5 on the City Council or you may choose not to reappoint a replacement. Place #5 is up for re-election in May, 2019.

Description

Attached is the state law as taken from the Local Government Code directly. Also attached is the handbook for City Secretary's that in a more general sense describes filling vacancies in a Type A General Law City.

As you will see from the law your options are:

- You have from now through May, 2019 to decide about appointing a successor.
- You may make no new appointment in the position open until the May, 2019 election.
- The qualifications of Office for a person to be appointed are attached.
- Make an appointment using any guide about how you select – meaning you could simply make a motion to appoint someone and vote on the appointment with no specific requirements.
- The way that City Council has filled positions, during my 3 ½ years, in its Boards and Commissions is to publish an opening on the website and a press release has been circulated of the opening, with applications due

Montgomery City Council
AGENDA REPORT

by a certain date and then those applications are given for City Council for review.

Recommendation

Discuss if you want to make an appointment, and when ready to make an appointment place the item on the next available agenda.

Approved By

City Administrator

Jack Yates

Date: October 18, 2018



Yates, Jack <jyates@ci.montgomery.tx.us>

Resignation and Appointment of Elected Official

1 message

Hensley, Susan <shensley@ci.montgomery.tx.us>
To: Jack Yates <jyates@ci.montgomery.tx.us>

Fri, Oct 5, 2018 at 10:01 AM

Texas Local Government Code

Sec. 22.010. **FILLING VACANCY ON GOVERNING BODY OR IN OTHER MUNICIPAL OFFICE.** (a) If for any reason a single vacancy exists on the governing body of the municipality, a majority of the remaining members who are present and voting, excluding the mayor, may fill the vacancy by appointment unless an election to fill the vacancy is required by Section 11, Article XI, Texas Constitution. The mayor may vote on the appointment only if there is a tie.

Sec. 22.012. **RESIGNATION OF ELECTED OR APPOINTED MUNICIPAL OFFICER.** A municipal officer elected or appointed under this chapter may resign by submitting the resignation in writing to the governing body of the municipality. The resignation is subject to the approval and acceptance of the governing body.

Sincerely,

Susan Hensley
City Secretary &
Director of Administrative Services
City of Montgomery, Texas
(936) 597-6434

ATTENTION PUBLIC OFFICIALS: A "Reply to All" of this e-mail could lead to violations of the Texas Open Meetings Act. A "Forward" of this e-mail to another public official could also lead to violations of the Texas Open Meetings Act if a quorum is eventually involved. Please reply only to the sender.

§21.001]. The statute provides that the ordinance must be enacted before the 60th day before the date of the first election of aldermen under a place system [see M §11.05].

(g) **Election by plurality vote.** Election to all offices is by plurality vote [EC § 2.001], except in a city which has increased terms of office to more than two years [see M §12.16] or in a city with a population of 200,000 or more [see M §12.21].

(h) **Election of other officers.** The offices of mayor and alderman are always elective offices. Other offices may be either elective or appointive, as determined by the city council [LGC §22.071]; except:

(1) in a city which has adopted the city manager plan of government, where all officers except the mayor and aldermen are appointed as provided by ordinance [LGC §25.051]; and

(2) in certain cities that have adopted municipal courts of record for which the statute requires that the municipal judge be elected.

§12.12. FILLING VACANCIES IN TYPE A GENERAL LAW CITIES.

(a) **Single vacancy on city council.** If a single vacancy exists on the city council of a Type A general law city, a majority of the remaining members, excluding the mayor, may fill the vacancy by appointment unless an election to fill the vacancy is required by Article XI, §11, Texas Constitution, (terms increased to more than two years) [see M §12.16]. The mayor may vote on the appointment only if there is a tie. The appointee serves until the next general municipal election. However, in lieu of filling the vacancy by appointment, the city council may order a special election to fill the vacancy for the remainder of the unexpired term [LGC 22.010(a), (b) and (c)].

(b) **Two or more vacancies on city council.** If two or more vacancies on the city council exist at the same time, a special election must be ordered to fill the vacancies [LGC §22.010(d)]. [See M Ch. 13 on special elections to fill vacancies.]

(c) **Vacancies in other offices.** If a vacancy exists in any other municipal office, the mayor or acting mayor appoints a person to fill the vacancy, subject to confirmation by the city council [LGC §22.010(e)]. However, in a city which has adopted the city manager plan, municipal offices except members of the governing body are appointed as provided by ordinance [LGC §25.051]. In a city which has adopted a municipal court of record for which the municipal judge is elected, the city secretary should consult the statute enabling the court of record to determine how a vacancy in that position is filled.

(d) **Difficulties in filling a vacancy at the general election.** When a vacancy occurs on the city council after the 30th day before the uniform election date that immediately precedes a general election date and before the 30th day preceding the general election date, in a term of office not regularly filled at that general election, a question arises concerning

Texas Secretary of State

Filling Vacancies

Type A City (Local Gov't Code, Section 22.010)

- **Term of office -- 2 years**
- Population -- at least 600 (Local Gov't Code, Section 6.001)
- **One vacancy -- city council may fill vacancy by appointment (majority of remaining members, excluding the mayor, make the appointment) until the next regular city election (at which time office will go on ballot for unexpired term, if any) or call a special election to fill the vacancy for the remainder of the unexpired term.***
- Two vacancies at same time -- city council must order a special election to fill the vacancies for the remainder of the unexpired term.*
- A special election ordered to fill these vacancies is governed by Title 12 of Election Code.

Qualifications for Office

Type A City (Local Gov't Code, Section 22.032)

- **Mayor**
Residence -- 1 year in state prior to the filing deadline; 1 year in city prior to election day
Age -- 18
Must be a registered voter in territory elected from by the filing deadline*
- **Alderman – Council Member**
Residence -- 1 year in state prior to filing deadline; 6 months in the city (or ward) prior to filing deadline (Texas Elec. Code, Section 141.001(a); Brown v. Patterson, 609 SW 2nd 287)
Age -- 18
Must be a registered voter in territory elected from by the filing deadline*

ELECTION CODE

TITLE 9. CANDIDATES

CHAPTER 141. CANDIDACY FOR PUBLIC OFFICE GENERALLY

SUBCHAPTER A. ELIGIBILITY FOR PUBLIC OFFICE

Sec. 141.001. ELIGIBILITY REQUIREMENTS FOR PUBLIC OFFICE.

(a) To be eligible to be a candidate for, or elected or appointed to, a public elective office in this state, a person must:

- (1) **be a United States citizen;**
- (2) **be 18 years of age or older** on the first day of the term to be filled at the election or on the date of appointment, as applicable;
- (3) **have not been determined by a final judgment of a court exercising probate jurisdiction to be:**
 - (A) **totally mentally incapacitated; or**
 - (B) **partially mentally incapacitated without the right to vote;**
- (4) **have not been finally convicted of a felony from which the person has not been pardoned or otherwise released from the resulting disabilities;**
- (5) **have resided continuously in the state for 12 months and in the territory from which the office is elected for six months immediately preceding the following date:**
 - (A) for a candidate whose name is to appear on a general primary election ballot, the date of the regular filing deadline for a candidate's application for a place on the ballot;
 - (B) for an independent candidate, the date of the regular filing deadline for a candidate's application for a place on the ballot;
 - (C) for a write-in candidate, the date of the election at which the candidate's name is written in;

(D) for a party nominee who is nominated by any method other than by primary election, the date the nomination is made; and

(E) for an appointee to an office, the date the appointment is made;

(6) on the date described by Subdivision (5), be registered to vote in the territory from which the office is elected; and

(7) satisfy any other eligibility requirements prescribed by law for the office.

(b) A statute outside this code supersedes Subsection (a) to the extent of any conflict.

(c) Subsection (a) does not apply to an office for which the federal or state constitution or a statute outside this code prescribes exclusive eligibility requirements.

(d) Subsection (a)(6) does not apply to a member of the governing body of a district created under Section 52(b)(1) or (2), Article III, or Section 59, Article XVI, Texas Constitution.

Acts 1985, 69th Leg., ch. 211, Sec. 1, eff. Jan. 1, 1986.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 614 (H.B. 417), Sec. 28, eff. September 1, 2007.

Acts 2015, 84th Leg., R.S., Ch. 504 (H.B. 484), Sec. 1, eff. September 1, 2015.

City of Montgomery
Application for Consideration of Appointment

Name of Board/Commission/Committee: _____

Name: _____

(Last) (First) (Middle)

Home Address: _____

(Street) (Home Phone No.)

Email Address: _____

Mailing Address: _____

(Business Phone /Fax)

Employer: _____

(Name/Address)

Occupation: _____

Do you live inside the city limits of Montgomery?* Yes ___ No ___ If So, How Long? _____

Are you a business owner/operator/employee in the City of Montgomery?* Yes ___ No ___

If So, How Long? _____ Name of Business _____

So the council may know more about you, please complete the following:

Education: _____

Related Experience/Community Service: _____

Areas of Interests Related to this Committee: _____

Please specify membership on any other governmental board/commission/committee:

Please provide a brief narrative outlining your reasons for seeking appointment to this board/ commission.

Signature _____ Date _____

*Some (not all) boards/commissions/committees require members to reside within the city limits. Please return completed form to the City Secretary's office for processing, P.O. Box 708 (mailing); 101 Old Plantersville Rd. (physical), Montgomery, TX 77356. Your application will be kept on file for 12 months. NOTE: When filed at city hall, this will become a public document that may be disclosed per the Texas Public Information Act. NOTE: The city council will receive only this page of information; no attachments will be retained or forwarded.

Montgomery City Council
AGENDA REPORT

Meeting Date: October 23, 2018	Budgeted Amount:
Prepared By: Jack Yates City Administrator	Exhibits:
Date Prepared: October 18, 2018	

Subject

This is to hear the City Engineers report regarding the repairs to the Buffalo Springs Bridge area

Description

This is hopefully the last construction status report, with future reports having to do with closing out of the contract, FEMA funds and grant funds.

Recommendation

Listen to the reporting comment as you think appropriate.

Approved By

City Administrator	Jack Yates	Date: October 18, 2018
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