

NOTICE OF PUBLIC HEARINGS AND REGULAR MEETING

June 26, 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, June 26, 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

PRESENTATION

1. Presentation of promotional film by the Rotary Club of Lake Conroe – Tony Westlake.

PUBLIC HEARING(S):

Convene into Public Hearings for the purpose of giving all interested persons the right to appear and be heard regarding the following:

2. **Public Hearing** – Receive Final Report from the Planning and Zoning Commission resulting from their Public Hearings held on June 25, 2018 regarding the request to rezone a 2.148 acre tract of land located at 1005 Old Plantersville Road, Montgomery, from R1-Single Family to I-Industrial Use, as requested by Theresa Fisher.
Adjourn Public Hearing.
3. **Public Hearing** – Regarding a request to rezone a 2.148 acre tract of land located at 1005 Old Plantersville Road, Montgomery, from R1-Single Family to I-Industrial Use, as requested by Theresa Fisher.
Adjourn Public Hearing.
4. **Public Hearing** – Receive Final Report from the Planning and Zoning Commission resulting from their Public Hearings held on June 25, 2018 regarding a request to rezone a 5-acre tract of land located at 2512 Lone Star Parkway (north/west of 2500 Lone Star Parkway), Montgomery, from I-Industrial Use to R2–Multi-Family Use, as requested by Larry Jacobs for the Star of Texas Seniors Development.
Adjourn Public Hearing
5. **Public Hearing** – Regarding a request to rezone a 5-acre tract of land located at 2512 Lone Star Parkway (north/west of 2500 Lone Star Parkway), Montgomery, from I-Industrial Use to R2–Multi-Family Use, as requested by Larry Jacobs for the Star of Texas Seniors Development.
Adjourn Public Hearing

Convene into Regular Meeting

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:

6. Matters related to the approval of minutes of the Special Meeting held on June 7, 2018, Public Hearing and Regular Meeting held on June 12, 2018 and Workshop Meeting held on June 19, 2018.
7. Consideration and possible action regarding approval of the revised Escrow Agreement.
8. Consideration and possible action regarding authorizing Jones|Carter to perform a Utility and Economic Feasibility Study for the Louisa Lane Single Family Development.
9. Consideration and possible action regarding Change Order No. 1 for the Buffalo Springs Drive Waterline Bridge Crossing Contract.
10. Consideration and possible action regarding adoption of the following Resolution:
A RESOLUTION BY THE CITY COUNCIL FOR THE CITY OF MONTGOMERY, TEXAS, SETTING A DATE, TIME, AND PLACE FOR TWO PUBLIC HEARINGS ON THE PROPOSED ANNEXATION BY THE CITY OF MONTGOMERY, TEXAS OF 1.799 ACRES OF LAND, MORE OR LESS, IN THE PUBLIC ROAD RIGHT-OF WAY OF STATE HIGHWAY 105 EAST WHICH RUNS ADJACENT AND PARALLEL TO THE BOUNDARIES OF THE CITY; AND AUTHORIZING AND DIRECTING THE CITY SECRETARY TO PUBLISH NOTICE OF SUCH PUBLIC HEARINGS.
11. Consideration and possible action regarding scheduling Public Hearings for rezoning of a portion of the property located at the southeast corner of Buffalo Springs Drive and SH 105, a portion of the Montgomery Shoppes Tract, from R1 (single-family), R2 (multi-family), and I (Institutional) to B (commercial) and I (Institutional), as shown on the enclosed exhibits, to be held on July 24, 2018 at 6:00 pm, as requested by Montgomery SH 105 Associates.
12. Consideration and possible action regarding adoption of the following Ordinance:
AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS, (or "City") declining to approve the change in rates requested in Entergy Texas, Inc.'s ("ETI" or "Company") Statement of Intent filed with the City, May 15, 2018 AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS CONSIDERED WAS OPEN TO THE PUBLIC AND IN ACCORDANCE WITH TEXAS LAW.

CONSIDERATION AND POSSIBLE ACTION:

13. 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

14. Consideration and possible action regarding adoption of the following Resolution:
A JOINT RESOLUTION CONCERNING MANAGEMENT, OPERATIONS AND CAPITAL IMPROVEMENTS OF MEMORY PARK.

15. Consideration and possible action regarding adoption of the following Ordinance:
AN ORDINANCE OF THE CITY OF MONTGOMERY, TEXAS, REGARDING PUBLIC WATER SYSTEM BACKFLOW ASSEMBLY PREVENTION REQUIREMENTS FOR CERTAIN ESTABLISHMENTS IN THE CITY OF MONTGOMERY, TEXAS; ADDING NEW DIVISION VI, TO ARTICLE II, ENTITLED "BACKFLOW PREVENTION," TO CITY CODE OF ORDINANCES CHAPTER 90, ENTITLED "UTILITIES;" PROVIDING THE PURPOSE AND REGULATIONS FOR NEW AND EXISTING WATER CONNECTIONS; REQUIRING ANNUAL TESTING; PROVIDING A PENALTY CLAUSE FOR VIOLATING THE ORDINANCE; PROVIDING SEVERABILITY CLAUSE AND TEXAS OPEN MEETINGS ACT CLAUSE; AND PROVIDING AN EFFECTIVE DATE UPON PUBLICATION.

16. Consideration and possible action regarding the Emma's Way 80' R.O.W. Dedication Final Plat.

17. Buffalo Springs Bridge Report by City Engineer.

EXECUTIVE SESSION:

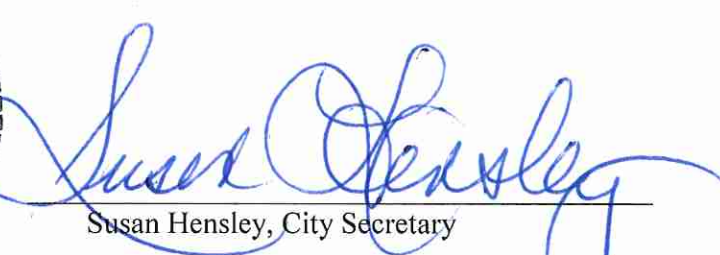
The City Council reserves the right to discuss any of the items listed specifically under this heading or for any items listed above in executive closed session as permitted by law including if they meet the qualifications in Sections 551.071(consultation with attorney), 551.072 (deliberation regarding 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 22nd day of June, 2018 at 5:15 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: June 26, 2018	Budgeted Amount: \$3,000 to MEDC
Prepared By: Jack Yates City Administrator	Exhibits:
Date Prepared: June 22, 2018	

Subject

This is to show you the film that the Rotary Club has been working on for several months.

Description

The Rotary Club of Lake Conroe was approved for \$3000 last fall to produce a film regarding Memory Park in the city of Montgomery. Total cost of the film was \$6000.

The fil was shown to the MEDC on June 18th. They generally approved the film. The film is now ready for your viewing.

I think you'll like the film and be very surprised with the quality.

Recommendation

No action requested or needed.

Approved By

City Administrator	Jack Yates	Date: June 22, 2018
--------------------	------------	---------------------

Montgomery City Council
AGENDA REPORT

Meeting Date: June 26 2018	Budgeted Amount:
Prepared By: Jack Yates City Administrator	Exhibits:
Date Prepared: June 22, 2018	

in

Subject

This is to receive the recommendation/report of the Planning Commission regarding this zoning request that will come from their Monday, June 25th meeting. So it will be an oral report for me to you.

Description

This is to receive the final report of the planning commission regarding the rezoning of 1005 Old Plantersville Road as requested by Theresa Fisher.

No action needs to happen at this time, this is just to receive the report.

Recommendation

No action

Approved By

City Administrator	Jack Yates	Date: June 22, 2018
--------------------	------------	---------------------

Montgomery City Council
AGENDA REPORT

Meeting Date: June 26, 2018	Budgeted Amount:
Prepared By: Jack Yates City Administrator	Exhibits: letter of request for zoning from R-1 to Industrial, information of past request to City to confirm zoning, Original zoning map dated 3-3- 03 showing the property split, aerial map showing the property.
Date Prepared: June 22, 2018	

f

Subject

This is to hold a public hearing for the proposed zoning changes at 1005 Old Plantersville Road.

Description

This is a situation where the original zoning in the city split this piece of property up into one half industrial (x where a large building now sits) and one half R-1 Single-family residential. Mrs. Fisher is wanting to sell the property and the prospective buyer wants it all for Industrial use.

Mrs. Fisher has said to me that she believes that the letter from the city confirms that all the land was zoned industrial at the time. However, the letter speaks about “both uses” (meaning that could have been answered in response to the question about the residential use of the property and the industrial use of the property) plus – – city attorney Larry Forster said that after reading the letter that, even if the answer is considered as for all Industrial use of the property, okayan incorrect answer to a question by a city official does not bind the city to that incorrect answer.

More recent, 2017 zoning maps, I believe are in error and the representation of this area – – by not following the 2003 map – – this is what is called a “scriveners error “ which in this case means that since there was no action since 2003 to change the zoning, just because it is not marked correctly on the 2017 maps that does not change the zoning—also the zoning law is that the routing document, rather than a legal description or any supporting documentation.

Montgomery City Council
AGENDA REPORT

All this is to say that the 2003 map is the ruling map and it shows one half of Mrs. Fisher's property as the West half Industrial and the half Single-family.

While no calls have been placed to City Hall regarding the subject, to area property owners came to the City Council calling their public hearing on this property - and spoke in opposition to the rezoning.

Recommendation

Listen to and consider the public comment.

Approved By

City Administrator

Jack Yates

Date: June 22, 2018

ROBERT L. FISHER

3123 Willowbend Rd.
Montgomery, TX 77356
936-582-4563

October 9, 2003

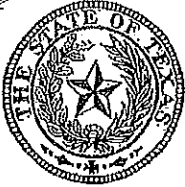
To whom it may concern,

My intent would be to use this property as a location to restore antique/classic automobiles for personal use and possible resale. I also plan to locate a small, residential construction and repair company on the premises.

Sincerely,

Robert L. Fisher





CITY OF MONTGOMERY

P. O. BOX 708 MONTGOMERY, TEXAS 77356

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

FILE COPY

October 31, 2003

M.J. Kammerer
11820 Womack Cemetery Road
Montgomery, Texas 77316

Dear Mr. Kammerer,

I have reviewed the uses proposed, as described in your October 22, 2003 correspondence, for the property located at 1005 Old Plantersville Road. I concur with your determination that both uses seem in compliance with the Permitted Uses as listed in Sec. 98.05 of the City of Montgomery Zoning Ordinances (Ord No 1994-4, table 1, 1/16/1995).

Although neither use appears to present a problem, I invite your prospective buyer to be aware of the Regulations discussed in Section 98.153 and Purpose described in Section 98.212 of the zoning ordinance. I bring these two sections to your attention only because it appears to be a B-1 or commercial use in an area zoned light industrial. Because of the level of scrutiny by neighbors, it is conceivable that they might expect compliance with both aspects of the zoning requirements. If you or your interested buyer have concerns with any aspect of interpretation or compliance with the zoning requirements, assistance by our City Attorney and/or City engineer is readily available.

Please do not hesitate to contact me if I can be of assistance.

Sincerely,

Mary Sue

Mary Sue Timmerman, Mayor

BUYER: _____

BUYER: _____

SELLER: [Signature]

DIVISION 6. DISTRICT L LIGHT INDUSTRIAL*

Sec. 98-211. Description.

District L light industrial is the same area as district L heavy industrial.
(Ord. No. 1994-4, § 10, 12-6-1994)

Sec. 98-212. Purpose.

District L light industrial is established to provide for a range of nonrail industrial uses which are conducted within completely enclosed buildings and where such use will not be objectionable because of excessive light, smoke, dust, noise, vibration or odor.
(Ord. No. 1994-4, § 10, 12-6-1994)

Sec. 98-213. Use regulations.

A building or premises in district L light industrial shall be used only for the purposes specified in table 1 in section 98-65.
(Ord. No. 1994-4, § 10.1, 12-6-1994)

Sec. 98-214. Height regulations.

No building in district L light industrial shall exceed 45 feet in height.
(Ord. No. 1994-4, § 10.2, 12-6-1994)

Sec. 98-215. Area regulations.

(a) *Size of yards.* Size of yard in district L light industrial shall be as follows:

- (1) *Front yard.* All property abutting major and minor streets is to be considered a front yard. A front yard of ten feet from the building line to the property line is required.
- (2) *Side yard.* The side yard shall be ten feet where the lot line abuts lot lines of other business (B) or industrial uses.
- (3) *Rear yard.* The side yard shall be ten feet where the lot line abuts other business (B) or industrial lot lines.

(b) *Size of lots.*

- (1) *Lot area.* The minimum lot area shall be 10,000 square feet.
 - (2) *Lot width.* The minimum lot width shall be 100 feet.
- (Ord. No. 1994-4, § 10.3, 12-6-1994)

*Cross reference—Businesses, ch. 22.

BUYER: _____

CD98:29

BUYER: _____

SELLER:  _____

Sec. 98-152. Purpose.

District B commercial is established to provide for a wide range of retail and wholesale uses within enclosed areas.

(Ord. No. 1994-4, § 8, 12-6-1994)

Sec. 98-153. Use regulations.

A building or premises in district B commercial shall be used only for the following purposes (see table 1 in section 98-65):

Retail stores and other local business uses supplying everyday shopping for the immediate neighborhood, subject to the following:

- (1) The use shall be conducted wholly within the enclosed building.
 - (2) Required yards shall not be used for the storage of merchandise, vehicles or equipment.
 - (3) Such use shall not be objectionable because of excessive light, smoke; dust, noise, vibration, or odor.
 - (4) Storing of containers and waste material will not be permitted in front and side yards.
- (Ord. No. 1994-4, § 8-1, 12-6-1994)

Sec. 98-154. Height regulations.

No building in district B commercial shall exceed 45 feet in height.

(Ord. No. 1994-4, § 8-2, 12-6-1994)

Sec. 98-155. Area regulations.

(a) *Size of yards.* Size of yards in district B commercial shall be as follows:

- (1) *Front yard.* There shall be a front yard having a minimum depth of 25 feet from the front property line if located on a minor street and 35 feet if located on a major thoroughfare. No parking, storage or similar use shall be allowed in front yards, except that automobile parking will be permitted in such yards if separated by at least 100 feet from any R district.
- (2) *Side yard.* A side yard of not less than 15 feet in width shall be provided on the side of a lot adjoining a minor street (not including easements). A side yard of not less than 25 feet in width shall be provided on the side of a lot adjoining an R district. Otherwise, no side yard is required. No parking, storage or similar use shall be allowed in any required side yard or in any required side street adjoining an R district, without proper enclosure.
- (3) *Rear yard.* A rear yard of 25 feet is required on all lots abutting an R-1 district.

BUYER: _____

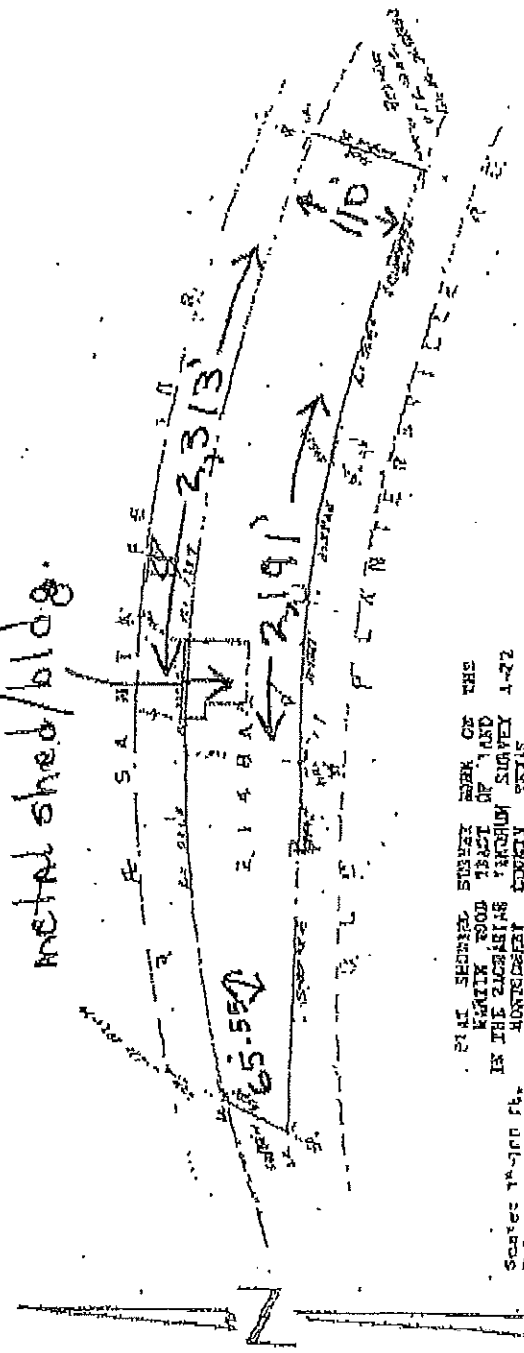
CD98:26

BUYER: _____

SELLER:  _____

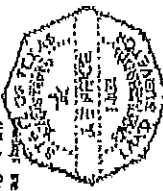
PLAT EXHIBIT
2.148 ACS

metal shed/bldg.



PLAT SHOWING SURVEY MARK ON THE
KATIX FOOD TRACT OF LAND
IN THE CANTON OF TOWN SURVEY 1-22
HONOLULU COUNTY TERRITORY
1856
February 11, 1857

This plat is hereby filed with the purpose of showing the location of the survey mark on the ground of the tract hereby described herein and to certify that the same is in accordance with the original plat on file in the office of the Surveyor General of the Territory of Hawaii, and that the same is in accordance with the original plat on file in the office of the Surveyor General of the Territory of Hawaii.



Respectfully,
Surveyor General

(Handwritten signature or initials)

Table of Contents

Change Status 52
Add/Edit Media..... 52
Broker Functions 54
Edit Assistant..... 58
Change Password..... 61

REPORTS 63
Reports..... 64
Today's Activity..... 64
Days Back..... 64
Hot Sheet..... 65
Statistics..... 66
Agent Property Inventory..... 67
Agent Productivity..... 68

MEMBER INFO..... 70
TEMPO™ Info Area..... 71

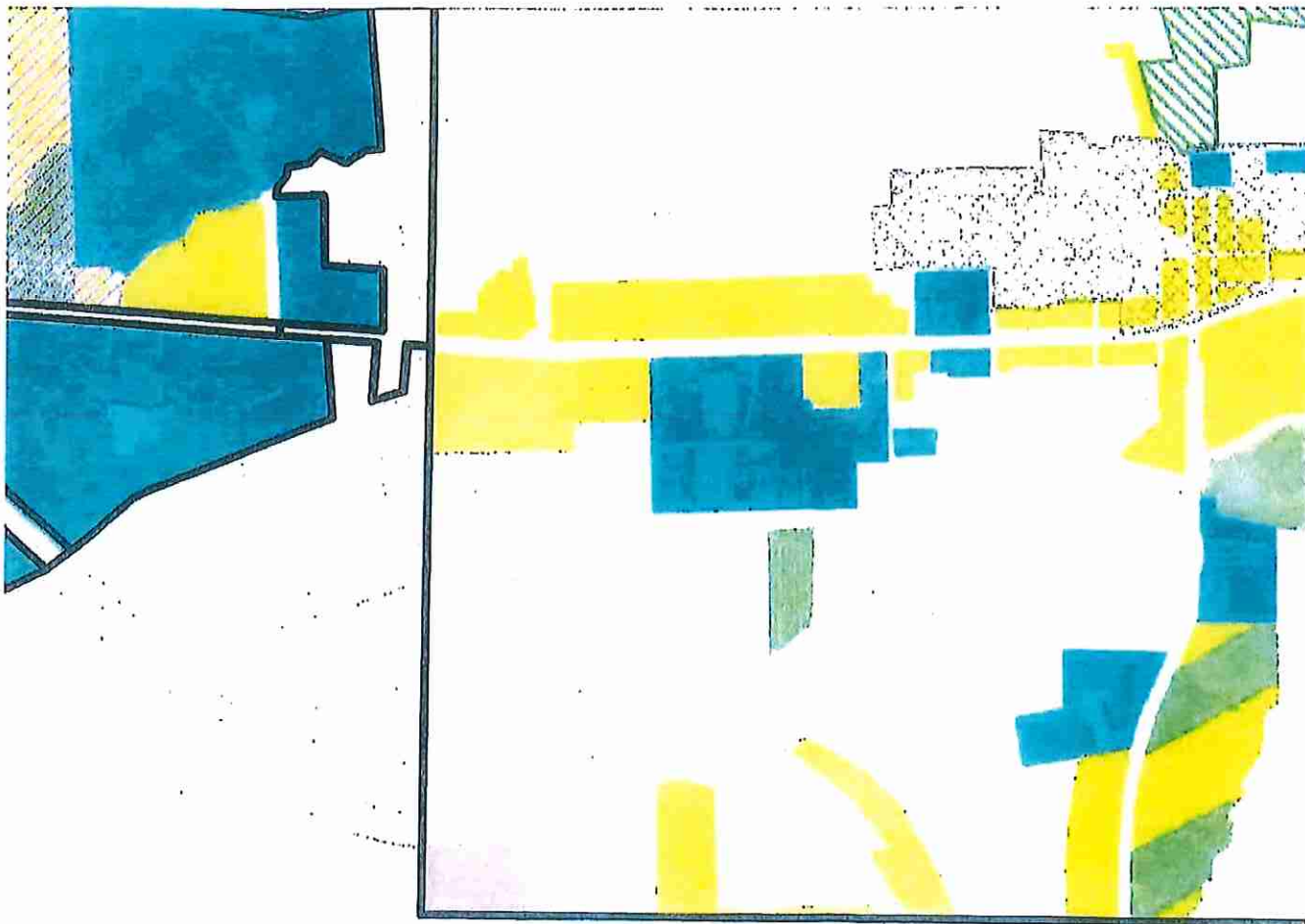
ROSTER..... 72
Roster Area..... 73
Member Search..... 73
Office Search..... 74

GLOSSARY 76

INDEX..... 78







VICINITY MAP
 Scale: 1 inch equals 10 miles

LEGEND

Base Layers

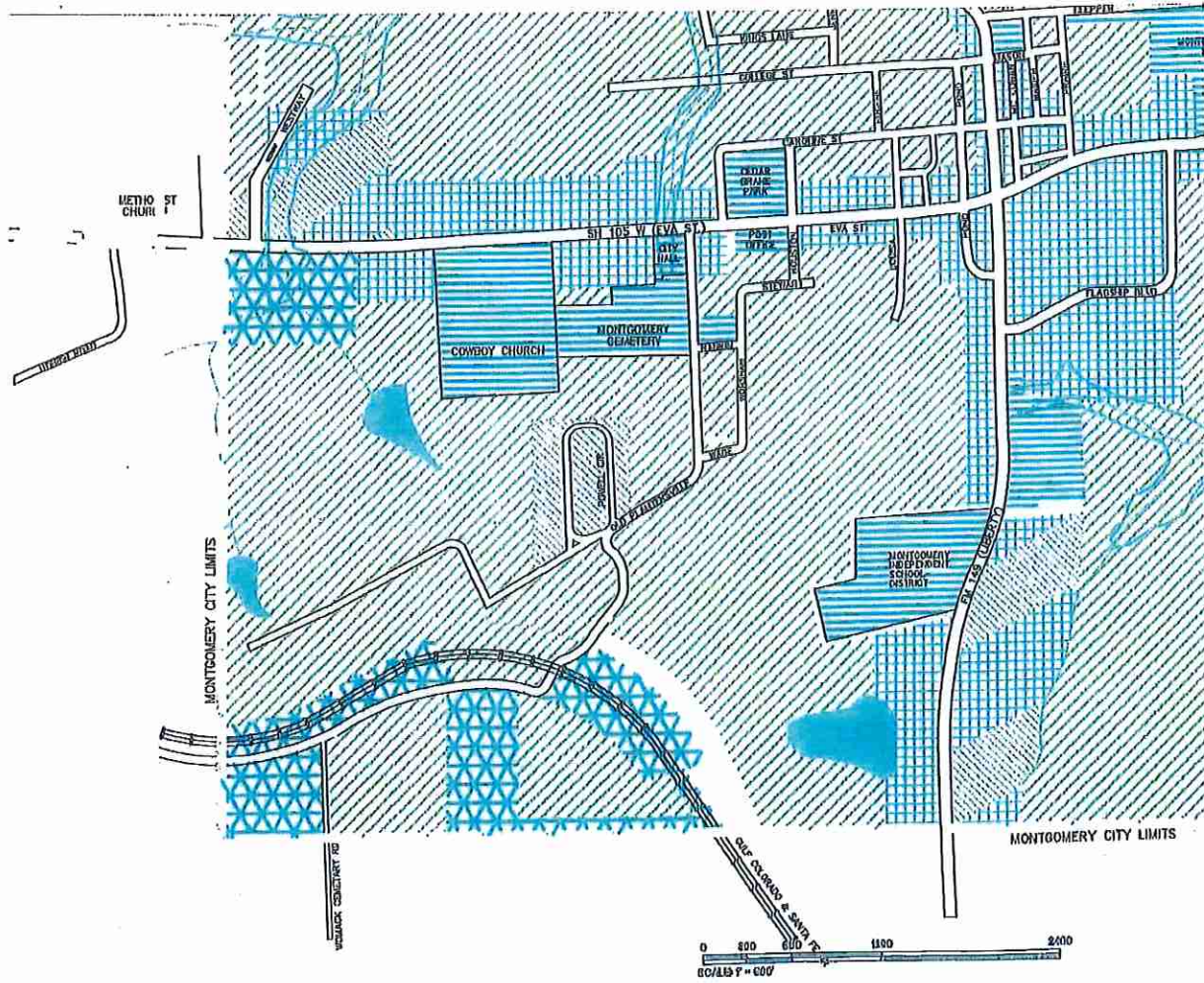
- City Limits
- R.D.D. No. 1 (LaFevre) - 2014
- Bowen Development Agreement - 2006
- Cheatham Development Agreement - 2011
- P.I.D No. 1 (Ogorchock) - 2014
- Historic District
- City ETJ

MCAD Parcels

Zone Classification

- Unknown
- Commercial
- Industrial
- Institutional
- Multi-Family
- Multi-Use
- Residential

LAST AMENDED 11 APRIL 2017
VIA ORDINANCE NO. 2017-10
*Adopted by the Board January 2018



REV	DATE	BY	APP	COMMENT
1	08/19/04	JN	WJK	UPDATE ROADS
0	03/03/03	TC	WJK	ISSUED FOR APPROVAL

PREPARED FOR CITY OF MONTGOMERY	
SCALE: 1"=600'	
DATE: UPDATED MARCH 2005	
DRAWN BY: JIM MORRIS	
PROJECT MANAGER: WILLIAM J. KOTLAN, P.E.	



Zone Classification

- Unknown
- Commercial
- Industrial
- Institutional
- Multi-Family
- Multi-Use
- Residential

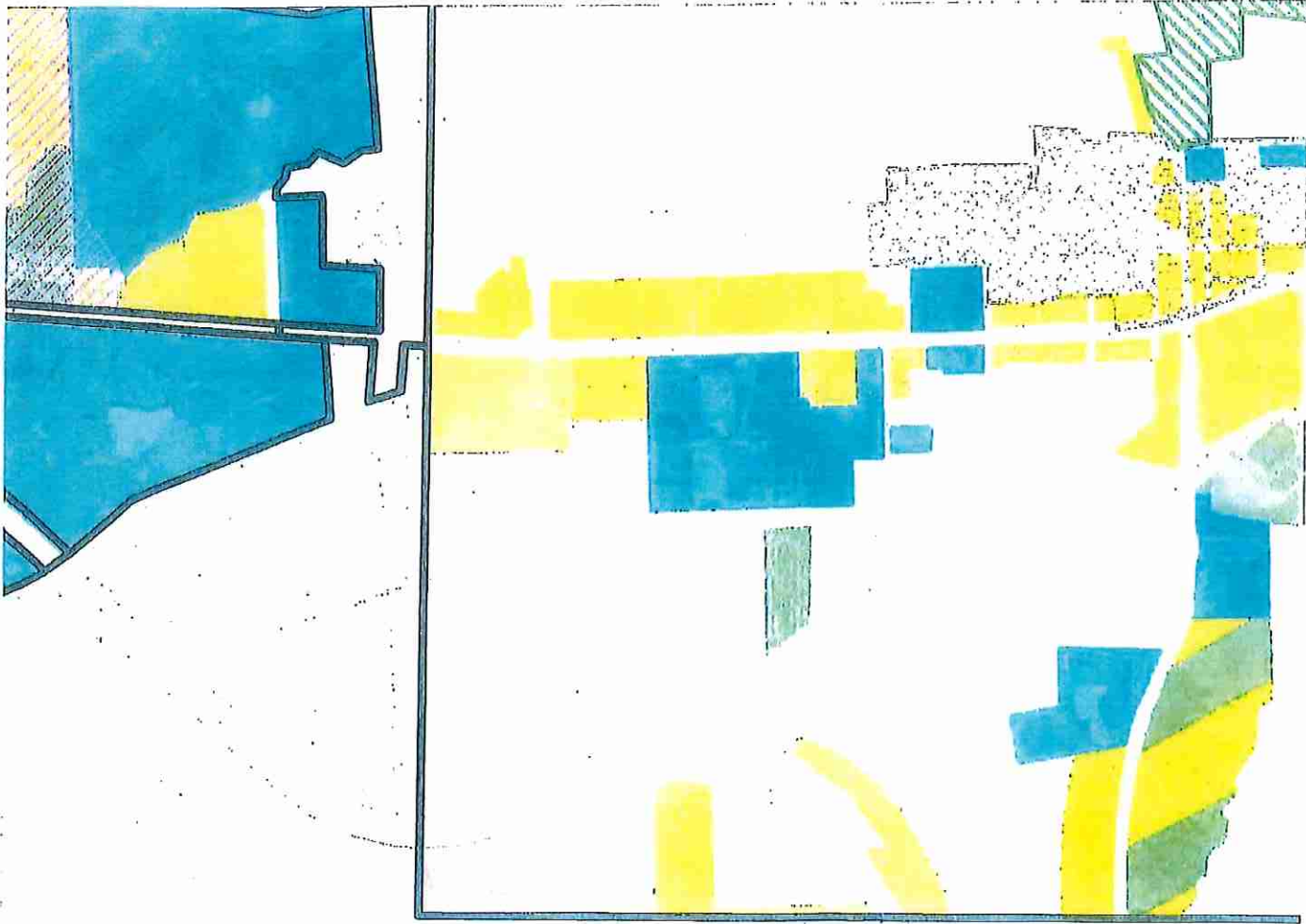
LAST AMENDED 10 OCTOBER 2017
VIA ORDINANCE NO. 2017-22

*Aerial Imagery flown January 2016



**ZONING LAYOUT
(DECEMBER 2017)**





VICINITY MAP
Scale: 1 inch equals 10 miles

LEGEND

- Base Layers**
- City Limits
 - P.D.D. No. 1 (LoFovre) - 2014
 - Bowen Development Agreement - 2006
 - Cheatham Development Agreement - 2011
 - P.D. No. 1 (Ogorchock) - 2014
 - Historic District
 - City EITJ
 - MCAD Parcels
- Zone Classification**
- Unknown
 - Commercial
 - Industrial
 - Institutional
 - Multi-Family
 - Multi-Use
 - Residential

LAST AMENDED 11 APRIL 2017
VIA ORDINANCE NO. 2017-10
*Multi-Use Zone January 2014

Montgomery City Council
AGENDA REPORT

Meeting Date: June 26 2018	Budgeted Amount:
Prepared By: Jack Yates City Administrator	Exhibits:
Date Prepared: June 22, 2018	

in

Subject

This is to receive the recommendation/report of the Planning Commission regarding this zoning request that will come from their Monday, June 25th meeting. So it will be an oral report for me to you.

Description

This is to receive the final report of the planning commission regarding the rezoning of 2512 Lone Star Pkwy. as requested by Emanuel Glockzin

No action needs to happen at this time, this is just to receive the report

Recommendation

No action

Approved By

City Administrator	Jack Yates	Date: June 22, 2018
--------------------	------------	---------------------

Montgomery City Council
AGENDA REPORT

Meeting Date: June 26, 2018	Budgeted Amount:
Prepared By: Jack Yates City Administrator	Exhibits: Letter of request, Map showing the property to be included in the rezoning area including a legal description, Aerial map showing the property, Section zoning ordinance regarding R-2 multifamily zoning, Staff report on the rezoning
Date Prepared: June 22, 2018	

f

Subject

This is to hold a public hearing for the proposed zoning changes at 2512 Lone Star Pkwy.-- this is not for comment by the City Council, only an opportunity for the public speak.

Description

This is a request from Emmanuel Glockzin, to change from the current I – Industrial zone to R-2 Multifamily zoning. This is for the Star of Texas Senior development for this property.
A Staff Report is attached.
The Planning Commission will be considering the item at their June 25 meeting, and I will give you their Report at this meeting, in advance of this public hearing.
No public comment has been received at City Hall regarding this subject.

Recommendation

Listen to and consider the public comment.

Montgomery City Council
AGENDA REPORT

Approved By

City Administrator

Jack Yates

Date: June 22, 2018

Star of Texas Seniors, LTD.

4500 Carter Creek Parkway, Suite 101, Bryan, TX 77805 • Phone (979) 846-8878 • Fax (979) 846-0783

May 4, 2018

City of Montgomery
Jack Yates, City Administrator
101 Old Plantersville Road
Montgomery, TX 77356

Dear Mr. Yates,

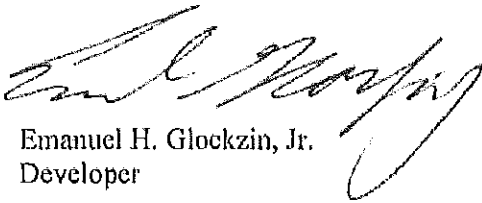
Star of Texas Seniors is a new construction development to have 32 units, to be located on 5 acres on Lone Star Parkway in Montgomery, Montgomery County, Texas. This development will serve the elderly population and all units are income restricted under the Housing Tax Credit program through the Texas Department of Housing and Community Affairs.

The current zoning for the proposed location is "Industrial" and the city's zoning ordinance allows for less restrictive uses. Therefore, I am requesting a ~~special use permit~~ for this senior housing development. Enclosed are a survey, site location map and \$500.00 check for fee.

Multi
Family
zone for

Should you have any questions please feel free to contact me at 979-846-8878. Thank you in advance for your prompt attention to this request.

Sincerely,



Emanuel H. Glockzin, Jr.
Developer

Exhibit "A" Attachment

TRACT 1:

BEING a 5.00 acre tract in the B Rigsby Survey Abstract 31, Montgomery County, Texas and being out of a called 43.86 acre tract of land as recorded under Clerk's File No. 2007-110280 Real Property Records of Montgomery County, Texas, said 5.00 acre tract being more particularly described as follows:

COMMENCING at the southeast corner of replatoted RESERVE "A", as shown on a plat called LONESTAR COMMUNITY CENTER, as recorded in Montgomery County Map Records in Cabinet Z, Sheet 1870 and the southerly line of the said 43.86 acre tract proceeding in a westerly direction along said road the following courses, (1) N 80°28'20"W, 46.20 feet, (2) N 02°09'27"W, 145.98 feet, (3) N 03°37'00"W, 104.73 feet, (4) N 89°09'02"W, 104.62 feet, (5) S 88°03'16"W, 3.98 feet to a 5/8" iron rod capped Surveyor as the southeast corner of a proposed 60 foot access easement, (6) leaving said road and on the east line of said easement N 01°34'48"W, 228.43 feet to a set 5/8" iron rod capped Surveyor as the POINT OF BEGINNING of the herein described 5.00 acres

THENCE N 01 deg, 31' 48" W across the said 43.86 acre tract, a distance of 108.11 feet to a 5/8" iron rod capped "Surveyor" being the northwesterly corner of the herein described tract;

THENCE N 80 deg, 22' 01" E across the said 43.86 acre tract, a distance of 82.62 feet to a 5/8" iron rod capped "Surveyor" being an interior corner of the herein described tract;

THENCE N 03 deg, 37' 58" W across the said 43.86 acre tract, a distance of 512.21 feet to a 5/8" iron rod capped "Surveyor" set in the southerly line of the Evans Heirs tracts of land as recorded in Volume 1068, Page 38 of the Deed Records of Montgomery County, Texas being the upper northwesterly corner of the herein described tract;

THENCE N 88 deg, 44' 24" E along the southerly line of the Evans Tracts, a distance of 304.79 feet to an iron bar for the northwesterly corner of a called 4.00 acre tract of land as recorded in Volume 1000 Page 136, of the Deed Records of Montgomery County Texas, being the northeasterly corner of the herein described tract;

THENCE S 03 deg, 29' 23" E along the westerly line of the said 4.00 acre tract, a distance of 345.78 feet to 5/8" iron rod found for the southwestly corner of the said 4.00 acre tract also being the northwesterly corner of Replatoted Reserve B of the said Lonestar Community Center, being an angle point of the herein described tract;

THENCE S 03 deg, 33' 50" E along the westerly line of said Reserve B, (passing at 224.24' a 5/8" iron rod for the southwestly corner of said Reserve B) a distance of 318.83 feet to a 5/8" iron rod capped "Surveyor" set in the westerly line of the said 60' Access Easement out of Replatoted Reserve A, and being the southeasterly corner of the herein described tract;

THENCE across the said 43.86 acre tract, S 80 deg 22' 01" W, a distance of 381.95 feet to the POINT OF BEGINNING, and containing 5.00 acres of land, more or less.

TRACT 2:

BEING a 0.54 acre tract in the B Rigby Survey Abstract 31, Montgomery County, Texas and being out of a called 43.86 acre tract of land as recorded under Clerk's File No. 2007-110280 Real Property Records of Montgomery County, Texas, said 0.54 acre tract being more particularly described as follows:

COMMENCING at the southeast corner of restricted RESERVE "A", as shown on a plat called LONESTAR COMMUNITY CENTER, as recorded in Montgomery County Map Records in Cabinet Z, Sheet 1570 and the southerly line of the said 43.86 acre tract proceeding in a westerly direction along said road the following courses, (1) N 00°26'28"W, 16.20 feet, (2) N 82°59'27"W, 145.98 feet, (3) N 83°37'00"W, 104.73 feet, (4) N 09°08'02"W, 104.92 feet, (5) S 80°03'10"W, 3.98 feet to a 5/8" iron rod capped Survey as the POINT OF BEGINNING of the herein described 0.54 acres

THENCE S 88 deg. 08' 10" W along the northerly line of Lonestar Parkway, a distance of 60.00 feet to a 5/8" iron rod capped "Survey" being the southwesterly corner of the herein described tract;

THENCE N 01 deg. 31' 48" W across the said 43.86 acre tract, a distance of 392.77 feet to a 5/8" iron rod capped "Survey" being the northwesterly corner of the herein described tract;

THENCE N 88 deg. 22' 01" E across the said 43.86 acre tract, a distance of 60.04 feet to a 5/8" iron rod capped "Survey" being the northeasterly corner of the herein described tract;

THENCE S 01 deg. 31' 48" E across the said 43.86 acre tract, a distance of 394.54 feet to the POINT OF BEGINNING, and containing 0.54 acres of land, more or less.

Note: The Company is prohibited from insuring the area or quantity of the land described herein. Any statement in the legal description contained in Schedule "A" as to area or quantity of land is not a representation that such area or quantity is correct, but is made only for informal identification purposes and does not override Item 2 of Schedule "D" hereof.

which this chapter is derived (December 6, 1994), the regulations in this section shall not prohibit the lot owner from erecting a one-family dwelling thereon or moving a one-family dwelling onto the property.

Sec. 98-94. Parking requirements.

Off-street parking spaces shall be provided in district R-1 in accordance with the requirements for specific uses set forth in article IV of this chapter.

Secs. 98-95—98-120. Reserved.

DIVISION 3. DISTRICT R-2 MULTIFAMILY RESIDENTIAL

Sec. 98-121. Use regulations.

A building or premises in district R-2 shall not be used except for the following purposes (see table 1 in section 98-65):

- (1) Any use permitted in the R-1 district.
- (2) Multifamily dwellings, including duplexes and town homes.
- (3) City homes and condominiums.

Sec. 98-122. Height regulations.

No building in district R-2 shall exceed 45 feet or three stories in height.

Sec. 98-123. Area regulations.

(a) *Size of yards.* Size of yards in district R-2 shall be as follows:

- (1) *Front yard.* Front yard requirements are the same as for district R-1.
- (2) *Side yard.* There shall be a side yard on each side of the lot having a width of not less than ten feet; however, a side yard adjacent to a side street shall not be less than 25 feet on a major thoroughfare and 15 feet on a minor thoroughfare. No side yard for allowable nonresidential uses shall be less than 25 feet.
- (3) *Rear yard.* There shall be a rear yard having a depth of not less than ten feet from the property line.

(b) *Size of lots.*

- (1) *Lot area.* No structure shall be constructed on any lot less than 9,000 square feet. Not building containing two or more dwelling units shall be constructed on any lot or tract of less than 9,000 square feet. No lot shall contain less than 900 square feet per ground level dwelling unit; provided, however, that this shall not be applicable to hotels, apartments, or motels where no cooking is done in any individual
- (2) *Lot width.* The width of the lot shall not be less than 75 feet at the front street building line, nor shall its average width be less than 75 feet before it is

subdivided for construction of townhouses or condominiums.

- (3) *Lot depth.* The average depth of the lot shall not be less than 120 feet, except that any corner lots with a width of not less than 90 feet adjacent to a major thoroughfare must be at least 15 feet wider than the average of interior lot in the block before construction of townhouses or condominiums.

Secs. 98-124—98-150. Reserved.

DIVISION 4. DISTRICT B COMMERCIAL

Sec. 98-151. Description.

A building or premises in district B shall not be used except for business purposes described in the Table of Permitted Uses in Section 98-65, as well as any use permitted in District R-1, Single Family Residential.

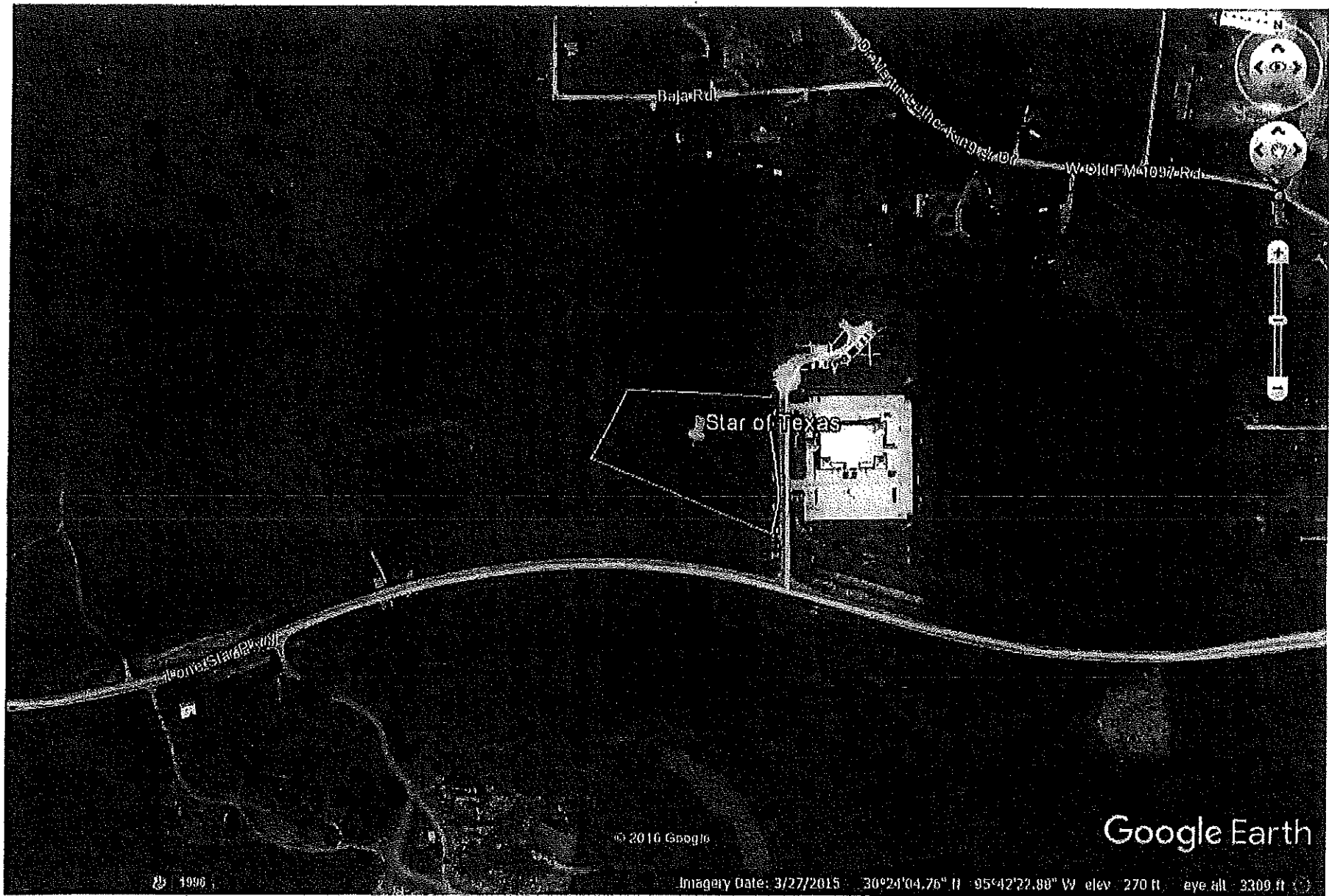
Sec. 98-152. Purpose.

District B is established to provide for a wide range of business uses within enclosed areas as well as the other uses provided for in this section.

Sec. 98-153. Use regulations.

A building or premises in district B shall be used only for the following purposes (see table 1 in section 98-65):

- (a) Retail stores and other local business uses supplying everyday shopping and services, subject to the following restrictions and performance standards:
 - (1) The use shall be conducted wholly within the enclosed building.
 - (2) Required yards shall not be used for the storage of merchandise, vehicles or equipment.
 - (3) No use, activity or process shall produce excessive light, smoke, dust, noise, vibrations or noxious odors that are perceptible without instruments by the average person at the property lines of a site.
 - (4) Storing of containers and waste material will not be permitted in front and side yards
 - (5) All outdoor lighting shall be shielded or directed away so that direct light or glare does not impact adjacent residential land uses.
 - (6) All storage and mechanical equipment shall be enclosed in a structure and completely screened from view.
- (b) Any use permitted in District R-1, Single Family Residential.
- (c) The performance standards set out in Subsection (a) shall not apply to special events formally sanctioned by the City of Montgomery.



2016 Google Map

© 2016 Google. All rights reserved. Imagery Date: 3/27/2015 30°24'04.76" N 95°42'22.88" W elev: 270 ft eye alt: 2309 ft

To: Planning Commission Members
City Council Members
From: Jack Yates
Subject: Staff Report re: Rezoning – 2512 Lone Star Parkway
Date: June 22, 2018

Regarding the planning review of the rezoning of 2512 Lone Star Pkwy. from Industrial to R-2 MultiFamily, the Staff Report is as follows :

General description: The development consists of approximate 5 acres north and west of the Lone Star Community Center from its vacant status now to development of 32 units built 8 four-plexes to be occupied by 50 years of age and over. There is an Economic and Utility Feasibility Study now being undertaken by Jones and Carter Engineering.

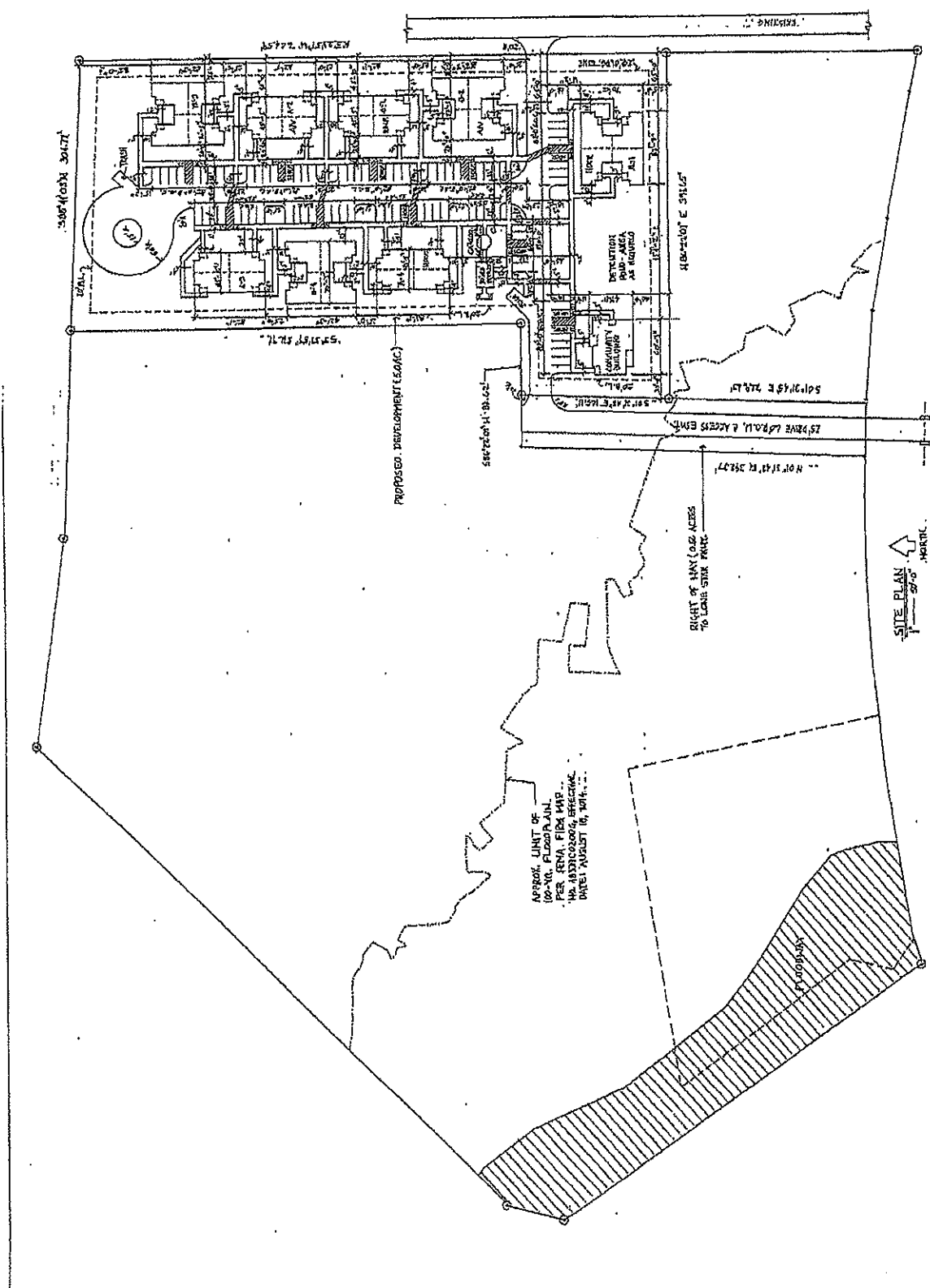
Streets and traffic: There will be two accesses and exits to the property. One is on Community Center Drive and the second is a planned street that will connect to Lone Star Pkwy. west of the Community Center, as shown on the attached site plan. Lone Star Pkwy. is a wide two lane road and can easily accept the increased traffic is estimated to be possibly as much as 150 trips per day from this development.

Public Safety: The construction will be required to meet the building permit codes in place and will require the Fire Marshall's approval prior to opening. From other public safety issues, the Police Department will be able to patrol and protect the area just as any other place in the city.

Health and General Welfare: Because of meeting the building codes, the welfare of the occupants should result in a safe situation. It is not expected that this development will be a threat of any kind to the safety or security of the neighborhood. The developments site plan allows for adequate living area, including adequate light and air circulation.

Density/overcrowding: the R-2 zone states no lot shall contain less than 900 sq. ft. per ground level dwelling unit. The proposed development has 6,405 feet of lot area for its 5 acres divided by the 34 units. Otherwise the site Plan meets all R-2 area regulations.

Public Service Requirements: In a preliminary discussion with the City Engineer there appear to be no issues as far as availability or adequacy of water or sewer service to the development. The availability of parks are; Homecoming Park (approximately one third of a mile in distance), Memory Park (approximately one half mile in distance), Cedar Brake Park (approximately three-fourth mile in distance) and Fernland Park (approximately one-half mile distance). Garbage service will be available on site. School availability is the same as other places in the city.



THIS PLAN HAS BEEN PREPARED TO MEET THE REQUIREMENTS FOR AN ACCESSIBILITY STRATEGY (AS) AND THE FAIR HOUSING ACT

BUILDING: 1 STORY, 4-FLR BUILDING ON 2.00 AC. SPACE

ROOF REQUIREMENTS: 37,330 SQ. FT. UNITS 1-2 BRK 2-1 BRK UNITS 1-2 BRK 2-1 BRK UNITS

ADDITIONAL REQUIREMENTS: 1 UNIT PER 1,000 SQ. FT. 1 UNIT PER 1,000 SQ. FT. 1 UNIT PER 1,000 SQ. FT.

STREETS PER UNIT: 25 STREETS PER UNIT 25 STREETS PER UNIT 25 STREETS PER UNIT

THE PROPOSED PLAN IS IN ACCORDANCE WITH THE CITY OF HOUSTON, TEXAS DEVELOPMENT AND BUILDING CODES AND MEETS THE REQUIREMENTS FOR THE CITY OF HOUSTON.



DATE: 12-12-12
 SHEET: 1 OF 1
 PROJECT: A PROPOSED APARTMENT PROJECT FOR STAR OF TEXAS SENIORS
 LOCATION: LONE STAR PARKWAY HOUSTON, TEXAS

APPROX. LIMIT OF 100-YR. FLOODPLAIN PER FEMA FIRM MAP... PREVIOUS EDITIONS... PREP. AUGUST 10, 2012

PROPOSED DEVELOPMENT (E.A.C.)

RIGHT OF WAY (R.O.W.) ACCESS TO LONE STAR PARKWAY

SITE PLAN 1" = 50'-0"

LONE STAR PARKWAY VARIABLE WIDTH ROAD

MINUTES OF SPECIAL MEETING

June 7, 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
Jon Bickford City Council Place # 1
T.J. Wilkerson City Council Place # 3
Rebecca Huss City Council Place # 4
Dave McCorquodale City Council Place # 5

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

Also Present: Jack Yates City Administrator
Susan Hensley City Secretary
Chris Roznovsky -City Engineer

CONSIDERATION AND POSSIBLE ACTION:

1. Consideration and possible action regarding scheduling a Public Hearing regarding a request to rezone a 5-acre tract of land located at 2500 Lone Star Parkway, Montgomery, from I-Industrial Use to R2-Multi-Family Use, as requested by Larry Jacobs for the Star of Texas Seniors Development to be held at the City of Montgomery City Hall on June 26, 2018 at 6 p.m.

Mr. Yates advised the actual address of the property is 2512 Lone Star Parkway, Montgomery. Rebecca Huss stated that 2500 was the Community Center. Mr. Yates said the way that they will describe it is being located at 2512 Lone Star Parkway and in parenthesis (north/west of 2500 Lone Star Parkway), because 2500 is the Lone Star Community Center. Mayor Countryman thanked Mr. Yates for the clarification.

Rebecca Huss advised there was someone that wanted to address City Council.

Mr. Jacobs said he thought that 2512 was the address Independence Place. Mr. Yates advised Mr. Jacobs that they did not have any address at this time, which is the reason he had added north/west of 2500 Lone Star Parkway. Mr. Yates said the notifications would go out to the exact people that are within 200 feet of the property.

Rebecca Huss asked what would happen with the existing multi-family residences, does the owner of that property that gets notified or the individual residents within that location. Mr. Yates said that it would depend on how it is shown on the property tax rolls. Rebecca Huss said that given how it would impact the people living on that property and asked if it would make sense for the City to also post a notice at that location. Mr. Yates said they could do that by posting a sign on the property. Rebecca Huss said that would show that they are being good stewards of their concern. Mr. Yates said they had also received a letter of support from the property manager at that location. Rebecca Huss said that was good to know. Mr. Yates said they will put a sign up at that location.

Dave McCorquodale moved to schedule a Public Hearing regarding the rezone of the said tract for June 26, 2018 at Montgomery City Hall at 6 p.m. Rebecca Huss seconded the motion.

Discussion: Mayor Countryman allowed Mr. Nathan Kelly to address City Council. Mr. Nathan Kelly introduced himself as the Vice President of Blazer, owner and operator of the Heritage Apartments located at 325 Flagship Boulevard. Mr. Kelly advised they have an application with the Department of Housing and Community Affairs, the State Housing Agency, for an award of housing tax credits for their second phase development, Heritage Seniors, which City Council supported by Resolution on January 23, 2018 under Resolution No. 2018-03.

Mr. Kelly advised that Heritage Seniors is an 80-unit senior apartment community already zoned R2 Multi-Family. Mr. Kelly said currently there are only two applications eligible for award in rural region six, and at this time only one will be funded and move forward this year, which are their 80-unit mix income Heritage Seniors application and the 32-unit Star of Texas Seniors application. Mr. Kelly said the City has called this Special Meeting to schedule a

Public Hearing regarding Star of Texas Seniors because Mr. Larry Jacobs has requested to rezone his site from I-Industrial to R2 –Multi-Family.

Mr. Kelly said that he felt that at this point it was premature to schedule a public hearing before the City Council for June 26, 2018. Mr. Kelly stated that Section 98-30 of the City of Montgomery Code of Ordinances provides that the Planning and Zoning Commission shall make a preliminary report, hold public hearings on that report before submitting a final report to City Council. Mr. Kelly stated that City Council may not hold a public hearing until they receive the final report from the Planning and Zoning Commission, and the City Council cannot take action on the matter until it receives the final report of the Planning and Zoning Commission. Mr. Kelly said that based on this language it is his interpretation that City Council may not take action on this matter, including scheduling a public hearing until the Planning and Zoning Commission has held its own public hearings and finalized their report. Mr. Kelly said that it is currently contemplated that the Planning and Zoning Commission will prepare their preliminary report and hold two back to back public hearings on the report at their June 25, 2018 Meeting. Mr. Kelly said scheduling the public hearing before City Council meets on June 26, 2018 assumes there will be no questions or concerns raised by the Commission members or community at the June 25, 2018 meeting, or that the City will be able to adequately address those issue during the meeting for a final report to be delivered to City Council the following evening.

Mr. Kelly said considering the request is to rezone an Industrial site to Multi-Family, the Planning and Zoning Commission members or the community should have adequate time to diligently review the impacts of the rezoning. Mr. Kelly said Section 211-004 of the Local Government Code requires that zoning regulations be designed to satisfy a number of criteria related to traffic, public safety, health and general welfare and the provision of public requirements, among the number of other things. Mr. Kelly said taking those one at a time, he proposed the following:

- Traffic – the apartments at Lone Star Parkway are likely to cause more traffic than industrial use would and the Parkway has a relatively high speed limit of 45 mph. Mr. Kelly said he wanted to know if a traffic study had been conducted to determine if a signal was going to be warranted or if a left turn lane was going to be installed.

- Public Safety – Mr. Kelly said the tract that is in question is at the dead end of a long waterline and asked if that system has been tested to determine if there is going to be adequate fire water volume and pressure available to serve the apartments or will additional water system improvements be required.
- Health and General Welfare – Mr. Kelly said this is a high density residential use adjacent to an industrial use and asked if that was conducive to promote health and general welfare and when the industrial use does get developed will there be backlash from the residents in the apartments at that point. Mr. Kelly said it has been mentioned that there are apartments adjacent to this site already and he would like to clarify that the 14-unit Independence Place Community is a permanent support housing property for persons with disabilities and not conventional apartments.
- Public Services – Mr. Kelly advised there is no gravity sewer available at the location and Lone Star Parkway, as he understands it, is served by multiple lift stations. Mr. Kelly said another question to be asked is whether or not a provision for sewer service would be handled if power is interrupted. Mr. Kelly asked what services are available to seniors in the immediate area such as parks, stores, walking paths because to his knowledge there is only the Lone Star Community Center.

Mr. Kelly said the rezoning process is meant to be a public process with notice to the landowners and to provide sufficient time and notice for the public to consider the impact surrounding the properties. Mr. Kelly said that for their property, Heritage Apartments, the rezoning process from Commercial to R2 Multi-Family took roughly 90-days to complete and in most instances based on the research he has done, the City of Montgomery handles these requests within a 75-90 day window. Mr. Kelly said it is his opinion that rushing this rezoning request through in half the time serves the interest of a single developer and land owner rather than the residents of the community. Mr. Kelly requested that City Council stay consistent with the established practice and allow the Planning and Zoning Commission time to diligently review the impacts of the requested change and its communities concerns and issue a final report to City Council before City Council schedules its public hearing. Mr. Kelly thanked City Council for the opportunity to present his comments this evening.

Mr. Yates stated that the City Attorney in the past has allowed and thought it proper for the City Council to hold their public hearing and stated that the first item on the City Council Agenda was to receive the Final Report from the Planning and Zoning Commission. Mr. Yates said the City Attorney has stated that has been a proper method. Mr. Yates said he would pass along that information to Mr. Foerster. Mr. Yates said if Mr. Kelly would like to write the City a letter summarizing everything he has stated, that would be good and then he will pass it along to the City Attorney. Mr. Yates said that he feels like, based on past action, that City Council is all right to call a public hearing tonight.

Rebecca Huss said she also felt like where they are now is in part because of at the last meeting they were looking at a Special Use Permit, which they were more or less not objecting to until the Blazer representative brought it up and it was said that City staff had encouraged or brought the Texas Star Senior people down the path of the Special Use Permit, so in some ways where they are now is really an attempt to make amends for bad advice. Rebecca Huss said if they had started this process from the beginning as a rezoning they would have had the typical time that Mr. Kelly had discussed, so this is really government trying not to stand in the way of business because they prefer to do it the best way. Rebecca Huss said that while she agreed that they should not rush into decisions, this is not necessarily a rush but an attempt to make an amends for something that they wish that they had started out differently, which would have gotten the preferred timeline that Mr. Kelly stated. Rebecca Huss said that all the other questions that Mr. Kelly stated were spot on and need answers, but she did not necessarily think that means they can't hold public hearings and make decisions. Mr. Kelly stated he understood. Mayor Countryman thanked Mr. Kelly for his comments. Rebecca Huss asked Mr. Kelly to raise the issues again later because they are worthwhile, especially the quality of life, public safety, water and sewer pressure are all great questions.

Jon Bickford asked if the Planning and Zoning Commission have their June 25, 2018 meeting scheduled already. Mr. Yates said yes their meeting is scheduled. Jon Bickford asked Mr. Yates if the protocol has been that they get that report by the second meeting, but in this case they will get the information by the second meeting. Mr. Yates said that was correct and they would also have another meeting on July 10, 2018. Rebecca Huss said she wanted to note that the Planning and Zoning Commission are no pushovers they are very diligent and thoughtful in the way that review the information, so they will give good advice and a good review.

T.J. Wilkerson asked if this would be single family homes or are they going to be apartments. Mr. Yates said that they are going to be four-plexes that are four apartments with a joint wall, with eight four cluster buildings. Rebecca Huss asked if these applicants proceeding without the City making a preference between them, they are just proceeding on and asked if the City has any other say in the matter. Mr. Yates said no, it is only the State. Rebecca Huss said that if you think about what type of infrastructure that they might have to roll out or you are looking at the value of a 32-unit apartment complex versus an 80-unit apartment complex and said that for the City they might prefer one that has higher taxable land value. Mr. Yates said that was for the City Council to consider and said that unless City Council were to do something with the zoning, as he understands it, the Star of Texas Seniors is first on the list. Mr. Yates said that the City has nothing to do with the list other than the Resolution that City Council passed for both groups the same night.

Mr. Kelly said that he could clarify one item, stating the Texas Department of Housing and Community Affairs is a State agency that governs the program requires that the applicants have an appropriate zoning in place prior to an award of tax credits, so without the evidence of zoning the applicant that is currently one point ahead of their application would not be awarded those credits without the zoning in hand. Rebecca Huss asked why Mr. Kelly was one point behind. Mr. Kelly said that they are one point behind because they are in a census tract that has existing housing tax credits units for their first phase and they are in a census tract that has no existing housing tax credit units.

Mayor Countryman called for a vote on the motion scheduling a Public Hearing regarding a request to rezone a 5-acre tract of land located in and around 2512 Lone Star Parkway, Montgomery, from I-Industrial Use to R2–Multi-Family Use, as requested by Larry Jacobs for the Star of Texas Seniors Development.

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

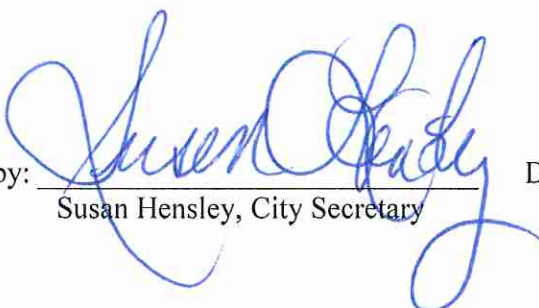
property), 551.073 (deliberation regarding gifts), 551.074 (personnel matters), 551.076 (deliberation regarding security devices), and 551.087 (deliberation regarding economic development negotiations) of Chapter 551 of the Government Code of the State of Texas. *(There are no items at this time.)*

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

Rebecca Huss moved to adjourn the meeting at 6:17 p.m. Dave McCorquodale seconded the motion, the motion carried unanimously. (4-0)

Submitted by:  Date Approved: _____
Susan Hensley, City Secretary

Mayor Sara Countryman

MINUTES OF PUBLIC HEARING and REGULAR MEETING

June 12, 2018

MONTGOMERY CITY COUNCIL

CALL TO ORDER

Mayor Sara Countryman declared a quorum was present, and called the meeting to order at 6:02 p.m.

Present: Sara Countryman Mayor
Jon Bickford City Council Place # 1
John Champagne, Jr. City Council Place # 2
Rebecca Huss City Council Place # 4

Absent: T.J. Wilkerson City Council Place # 3
Dave McCorquodale City Council Place # 5

Also Present: Jack Yates City Administrator
Chris Roznovsky City Engineer

INVOCATION

John Champagne gave the invocation.

PLEDGE OF ALLEGIANCE TO FLAGS

PUBLIC HEARING:

Convene into a Public Hearing:

Mayor Countryman convened the Public Hearing at 6:04 p.m.

1. Public Hearing - regarding for the purpose of hearing public comments regarding a Proposed Budget Amendment to the 2017-2018 City General Fund Operating Budget.

Mr. Yates advised that the primary reason for amending the 2017-2018 Operating Budget is because of the rebate for the Kroger Shopping Center Milestone 380 Agreement, which he thinks is going to be approximately \$150,000 from the City of Montgomery and

approximately \$42,000 from the Montgomery EDC. Mr. Yates said that would reduce the total income of the General Fund from \$3,068,429 to \$2,955,878. Mr. Yates said that with the amendments the adjusted net would be \$25,111. Mr. Yates stated that the actual budget amendment would be presented for adoption at the next meeting, tonight is just the Public Hearing.

Rebecca Huss said if they are \$30,000 to the positive that would be roughly within one percent of being a zero budget. Mr. Yates said that in the line item "contract labor streets" there is \$129,219 and they are probably only going to spend \$30,000. Mr. Yates advised that each year they put the extra general fund reserve funds in that line item, not expecting to spend all the funds, just keeping them there. Mr. Yates said that with the amendment there would be about \$15,000 in carry over at the end of the year.

There were no other comments made during the Public Hearing.

Adjourn Public Hearing

Mayor Countryman adjourned the Public Hearing at 6:07 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.

Matt Fugua, with Blazer, had a question regarding the May 22, 2018 meeting minutes that he brought up as a point of reference, stating that there was a discussion about deliberation on the public hearing for the special use permit regarding a potential rezone. Mr. Fuqua said that one of the items that was discussed was when Council Member McCorquodale asked if the development behind the Lone Star Community Center required rezoning, because presumably that would be in the same zone. Mr. Fugua said that Mr. Yates advised that property was zoned Multi-Family and he wanted to state for the record that to his understanding, the property behind the Lone Star Community Center, the Independence Place Apartments, according to the zoning map shows to be

R1 Residential and does not show to be zoned Multi-Family. Mr. Fugua said that particular property is permanent supportive housing according to their web page with programs for persons with mental illness.

John Champagne asked to confirm that it was on page 28 of the minutes. Rebecca Huss stated that it would be page 32 of the Agenda Pack. John Champagne said that the City had presented the designation of the property incorrectly. Mr. Fuqua said that it was information that was provided to City Council and he just wanted to clarify that information. Mr. Yates said that he would have to check that information to be sure.

Mr. Fuqua said that he wanted to address a brief public comment on behalf of himself, advising that he had been before City Council on May 22, 2018. Mr. Fuqua advised that he was part owner of Heritage Apartments located on Flagship Boulevard. Mr. Fuqua stated that they had received a support Resolution from the City on January 23, 2018 for their application for Heritage Seniors. Mr. Fuqua said that they are currently in a competition for tax credits this year for their senior property. Mr. Fuqua said that the way things are at this point with the State's allocation, only one development will be picked in our region. Mr. Fuqua said that Heritage Seniors has 80 units and the Star of Texas Seniors has 32 units. Mr. Fuqua said that looking at both applications, the Heritage Seniors development is projected to pay almost \$5,000 more in real estate taxes than the Star of Texas Seniors development and \$23,500 to other taxing jurisdictions. Mr. Fuqua said that they are assuming that Heritage Seniors will house 68 more people than the Star of Texas Seniors, using the IRS sales tax estimator and a medium household income of \$30,000, those additional 68 people will pay roughly \$10,000 of incremental level sales tax annually. Mr. Fuqua said that the application also shows Heritage paying a difference of \$44,000 in gross utility payments to the City of Montgomery annually. Mr. Fuqua said that the applications show that Heritage Seniors will serve a broader section of incomes with market grade units included alongside affordable units.

John Champagne stated that Mr. Fuqua had laid out a value proposition and asked the City Secretary if he could go back to the minutes and read the information verbatim on what was discussed. The City Secretary advised that the discussion was in the minutes.

Rebecca Huss asked Mr. Foerster if City Council would be able to pick which application they think would be best for the City. Mr. Foerster stated that they could not, that would be done by the State. Rebecca Huss said that would be based on their score card for them, but it would not necessarily be best for the City. Jon Bickford said that the City Council was not picking anything, to be clear, there is nothing that would be picked as a part of anything that City Council does. Jon Bickford said that there is something potentially on the table that could require approval, but has nothing to do with picking a winner to be absolutely accurate. John Champagne said that was correct.

Mr. Samuel Thompson, stated that they are committee members of the HOA in Lake Creek Village and they have some questions that they would like to get answered regarding their streets if they take over their HOA. Mr. Thompson advised that he was present with Mr. Bill Cassidy who is also a committee member. Mr. Cassidy advised that in 2015 they both purchased homes in Lake Creek Village and said that there were several things that had attracted them to the neighborhood that did not turn out. Mr. Cassidy said that one of the things that was not disclosed to them or any of the people moving there was the drainage and the streets were all private property. Mr. Cassidy said that the drainage area between Racetrack Lane and Abner is a big issue with them because they take on water from Buffalo Springs, Memory Park and Bessie Price Owen, along with all the dirt from the construction on the other streets that has filled up the detention pond with dirt. Mr. Cassidy said that they brought this information up with the developer and Mr. LeFevre has told us that they do not want to give the streets to the City of Montgomery because they won't fix them. Mr. Cassidy said that the people that they have spoken to in their neighborhood have no desire to worry about fixing streets, drainage or anything else. Mr. Cassidy said that apparently Mr. LeFevre has made a deal with the Rotary Club to drain water off of Racetrack into Memory Park and by doing so during heavy rains the pond gets extremely full and comes over the bulkhead and pours large amounts of water down Bessie Price Owen and breaks off large pieces of dirt from that area. Mr. Cassidy said that back in February they met with Mr. LeFevre and they walked the drainage area, which he promised to get the erosion problem fixed. Mr. Cassidy said they met again in May when Mr. LeFevre said that same thing that he was working on it and to this day there has been no progress and nothing has been done with the drainage. Mr. Cassidy said that they are here today wanting to know how they can turn their streets over to the City. Mr. Cassidy said that the people of Lake Creek Village have no desire to keep or maintain the streets. Mr. Cassidy said that

regarding the drainage issue, they did not know if the City would help them take it over and fix the problem or force Mr. LeFevre to fix it. Mr. Cassidy said that they feel that they should not have to pay for it because none of them were told that they would be responsible for fixing the streets and drainage. Mr. Cassidy said that Mr. LeFevre wants them to form an HOA Board and completely take it over, which is why they are here today hoping that the City can help them fix it or force him to fix the problem before he builds something else in the City and does the same thing to future residents.

Jon Bickford asked if the notion that the streets are owned by the HOA or the community is in the deed restrictions and asked if they had seen a copy of the deed restrictions. Mr. Cassidy said that they received a copy when they moved in and the only person on the Board is Mr. LeFevre and the deed restrictions have changed and they did not get the changes. Mr. Cassidy said that they do not have a vote regarding the deed restrictions and said that the only reason that they have three people on their committee is the residents come to them with their problems and they go to Mr. LeFevre because he does not want them to bombard him with phone calls. Jon Bickford said the residents of Buffalo Springs went through the similar situation. Rebecca Huss said that right from the start the streets were platted private streets. Jon Bickford said that was why he asked if they had a copy of the deed restrictions. Mr. Foerster said that if they amended their deed restrictions they should be of record and you can get copies of the amended deed restrictions. Rebecca Huss asked where they could go to get that copy of the filed deed restrictions. Mr. Foerster said that they would need to go to the County Clerk's Office where all the deeds, deed restrictions and other public documents are filed. Mr. Foerster said that the County Clerk can help them find the document. Mr. Foerster said that it sounded like there have been several variations of amended deed restrictions over the past few years.

CONSENT AGENDA:

2. Matters related to the approval of minutes for the Regular Meeting held on May 22, 2018.
3. Consideration and possible action regarding adoption of a Banking Resolution for the City Bank Accounts changing the authorized signors for all accounts with First Financial Bank, N.A., Montgomery, Texas.

4. Consideration and possible action regarding completion of a one-year warranty period and release of maintenance bond for the Water and Sanitary Sewer to Serve Pizza Shack project.
5. Consideration and possible action regarding adoption of an Escrow Agreement by and between the City of Montgomery and Star of Texas Seniors, Ltd.
6. Consideration and possible action regarding authorizing Jones|Carter to perform Utility and Economic Feasibility Study for the Star of Texas Seniors, Ltd. development.
7. Consideration and possible action regarding adoption of an Escrow Agreement by and between the City of Montgomery and Ranier & Son Development Company, LLC.

Jon Bickford said that he had a question regarding Items 5 and 6. Mr. Yates stated that on Item 5, he has in the notes that the Star of Texas paid \$3,000 but they actually paid \$7,000, which is the cost of the Feasibility Study.

Rebecca Huss said that based on their discussion at the Workshop regarding where they were on collections versus expenditures on work done on behalf of developers paid for by City, when exactly do they collect on the Escrow Agreement for work done, because the Escrow Agreement states 10 days after the signing of the Agreement for the total amount. Mr. Yates said they have the funds from the Star of Texas Seniors for the Feasibility Study. Rebecca Huss said that the Escrow Agreement states that whole amount, which is \$16,500 within 10 days. Mr. Yates said that the thought is that they will bill them another \$2,700 based upon the action tonight. Rebecca Huss said that it would be \$18,500, so they are not going to pay the full amount within 10 days. Mr. Yates said that they won't have to pay until they get into the actual engineering. John Champagne asked why do they put "10 days" in the contract and what does it refer to the initial or total payment, because if it doesn't why don't we just take out the 10 day requirement. Mr. Yates said that they should probably take out the 10 day requirement. Rebecca Huss said that they could have the days more specific about the work. Mr. Yates said that he would have a new Escrow Agreement to City Council at the next meeting that will gauge the payments and have a not to exceed amount included.

John Champagne asked if instead of it being subjective in terms of payment, Mr. Yates could outline how incremental payments should be made in the Escrow Agreement. Mr. Yates said that would be done in the new Agreement.

Jon Bickford asked about Item 6, regarding authorizing Jones|Carter to perform the study for the development since the development does not exist and they do not know if it is going to exist and it was not his place to determine how developers chose to spend their money, but there is a chance that the approval of the zoning is either approved or not approved. Jon Bickford said that if the zoning is not approved, he did not want the City to have any obligations associated with the Agreement. Mr. Yates said that he was going to contact the developer of Lone Star development to see if he wanted to wait on the Feasibility Study a few more weeks, it might save them some money should the zoning not be approved. Mr. Yates said that he will have a conversation with the Star of Texas Seniors to confirm that he wants to get started. Jon Bickford asked if they would prefer to defer action on Item 6. Mr. Yates said they had a brief discussion about this before he paid the \$7,000, but that was during the Special Use Permit period and not during the zoning period. Jon Bickford said that he just wanted to make sure that the developer was going into this with their eyes wide open. Mr. Yates said that he understood.

Rebecca Huss said that she wanted to make a comment and say thank you very much for following up with the questions that came up at the last meeting on the outstanding funds and how to resolve all of that and this goes a long way on how to do that and definitely the amounts of money and work that are being done on behalf of the developers by third parties is a surprisingly large amount. Rebecca Huss said that \$18,500 is not small change, but on a development by development basis it is a large amount of money and it is really important for the City to stay on top of it. Rebecca Huss said that she appreciated Mr. Yates making extreme efforts to do so. Mr. Yates said that they have about 15-16 active Escrow Accounts at this time.

John Champagne commented on Item 3 regarding the banking resolution changing the authorized signers for all accounts and asked what is changing. Mr. Yates advised that the Mayor's signature needed to be changed from Mayor Jones to Mayor Countryman.

John Champagne advised a correction to the minutes, stating that where the word “ethical” is used when quoting him, and it should be “unethical.” The City Secretary advised that she would make the correction.

Jon Bickford moved to approve Consent Items 2-7. Rebecca Huss seconded the motion.

Discussion: Rebecca Huss stated that she assumed that the motion included the change to the minutes as stated by John Champagne. Jon Bickford said that was correct.

Rebecca Huss amended the motion to include the change to the minutes as stated by John Champagne as well as Mr. Yates checking on information. Rebecca Huss said that Mr. Yates comment about the R1 versus R2 for Multi-Family zoning is not actually a mistake in the minutes, as opposed to a factual error, so that does not require an amendment. Jon Bickford said that he wanted Mr. Yates to speak with the developer to make sure of the information before they spend \$18,500 they knew that they were going to be spending it on nothing.

Mayor Countryman called for a vote on the motion that they approve the Consent Agenda. The motion carried unanimously. (3-0)

CONSIDERATION AND POSSIBLE ACTION:

8. Consideration and possible action regarding Longview Greens Miniature Golf variance request to allow gravel to be used as a parking surface.

Mr. Yates presented the information to City Council advising that this is a continuation of the original variance granted on March 14, 2017 and then extended for six months on January 9, 2018. Mr. Yates advised that Mr. Long was present tonight.

Rebecca Huss said that she appreciated Mr. Long coming back with all the information that they requested at the last meeting because it is very helpful for her in determining what they are looking at. Rebecca Huss said that she had spoken to Mr. Long the other

day by phone and asked if he was able to determine how much an application of dust suppressant actually costs. Mr. Long said that he started looking through line items, but they rolled the cost into overall parking lot costs. Mr. Long said that he has sent a request to the contractor for the cost but has not received a response. Rebecca Huss said that it has been a gravel parking lot for quite some time and she did not know if the City has received any complaints, but said while she was out campaigning they did not have any complaints about the neighborhood golf course. Rebecca Huss said that she thought that they are good neighbors and it is a good amenity for the City and does not really seem like financially things have changed that much. Rebecca Huss said that she did not really see the point in making Mr. Long come back every six months, however she would note that she would not want it to be a permanent variance, she would prefer to have it expire if there was a change in ownership.

John Champagne said that this variance has been for a year and a half and he would not want to make it evergreen, he appreciates Mr. Long coming in every six months because things do change. John Champagne said that his hope is that Mr. Long will become so successful that paving the parking lot will just be an afterthought. John Champagne said that he would like Mr. Long to come back every six months.

John Champagne said he was not sure that he would want to reject the variance at this point. Rebecca Huss said that if they reject the variance, they are pulling the Certificate of Occupancy, which she felt was totally unacceptable. John Champagne said that Rebecca Huss eluded to a conversation and asked if there was any conversation regarding his ability to pay. Rebecca Huss said that they discussed information and referred to the sales tax numbers that show it has been a difficult spring and switching straight to summer. Jon Bickford asked if tax was charged on every person that plays a round of golf. Mr. Long said yes they were charged. John Champagne asked Rebecca Huss what in the conversation that she had with Mr. Long made her amenable to the variance. Rebecca Huss said that it did in terms of what she has been thinking about with Economic Development Corporation and talking to downtown merchants is that Montgomery needs to capitalize on the tourism aspect of growth and she felt that Mr. Long's business is an important part of getting people here and then making them stay. Rebecca Huss said that

she felt that Mr. Long is part of what we have to offer and he donates tickets or rounds of golf and refers people onto the next business to shop or eat and considers himself a local business that she sees as an asset to the community. Rebecca Huss said that she does not think that they should let a parking lot come between them.

Jon Bickford stated that the parking lot rules were in place before he decided to put a business there. Jon Bickford said that he too hopes that this business is successful and he can do something with the business. Jon Bickford said that the issue is when you start allowing variances to keep continuing then the next business that wants to come in and have a similar variance, you have to grant it again and again. Jon Bickford said then why don't we take all the ordinances out the front door and burn them, because we have variances all over the place. Jon Bickford said that at some point he feels like he does not want anything to happen to the business, but it is also not his job as a City Council Member to help keep someone in business, you have to do what is right for the City. Jon Bickford said that maybe they need to keep this going on a six month basis until they see where they are. Rebecca Huss said that she did not disagree with Jon Bickford's continuing variance problem, but on the other hand this is not a business like McCoy's or Kroger with a multi-million dollar parent company. Jon Bickford said that he totally understands business. Rebecca Huss said that this type of business actually does better with a more natural type of parking lot and in reading the past minutes that talked about a non-traditional parking surface that might actually be a better option for the natural type of business that it is. Rebecca Huss said that a traditional parking lot ordinance does not necessarily match for this use anyway. Jon Bickford said that he wants to know where this stops. Rebecca Huss said this goes back to what Dave McCorquodale had talked about several years ago, that the ordinances are the bare minimum standards. Rebecca Huss said that if you bring something to the table that is better than what the ordinance states, just because it does not fit within the rigid boundaries, does not mean they should say no if they need a variance. John Champagne said that was assuming there are not any differences in opinion as to what is a benefit to the City. John Champagne said that he would just say that Rebecca Huss has done a job keeping this parking lot gravel, which he is not against at this point, but when someone wants to open a burger place on the side of the school or next to a residential location and the traffic is going to be horrendous, what

is going to be your metric for allowing that at that point. Jon Bickford said that when the burger place gets built next to his shop and a Chick-fil-A on the other side and they say gravel is okay, so they are going to say they want gravel too. Rebecca Huss said that Mr. LeFevre wants to put a park on the other side. Jon Bickford said that he did not care about the vision he cares about what could come. John Champagne said that this is all subjective and this is why we have ordinances.

John Champagne moved that they approve this variance for another six months pending Mr. Long's return in stating his ability or inability to pave the parking lot.

Rebecca Huss asked if John Champagne would be willing to extend it for a longer period of time. John Champagne said that he would not.

Mayor Countryman asked that the motion be stated one more time. John Champagne asked the City Secretary to state the motion. Ms. Hensley advised that John Champagne moved to approve the variance for another six months pending Jason Long returning to stating the ability or inability to pave the parking lot.

Rebecca Huss asked if John Champagne was on MEDC when they voted to do the Community Center parking in precisely the same material.

Mayor Countryman asked for a second to the motion. Jon Bickford seconded the motion.

Discussion; Rebecca Huss said that she still felt that they could do better with a longer period of time for the variance given the lack of complaints from neighbors. Rebecca Huss said that she got the point, but a) they have this situation and so what they may or may not be encouraging other people to do is sort of not an argument because we already have the situation and b) they have good relationships with their neighbors and don't have any complaints about dust. John Champagne said that he was not going to debate the difference between the Community Center's parking lot and this, that aside, he asked Rebecca Huss if she believed this extends an unusual hardship for Mr. Long to do this every six months and said that the answer would be no. John Champagne said that he did

not think that it was too much to ask. Rebecca Huss said that she thought that it was unnecessary.

Mr. Foerster advised that one of the things that City Council might want to consider and he is not speaking for or against the variance, is reviewing the ordinance to see if they want to make some changes to the ordinance that would still provide the kind of amenity and surface that is needed for businesses, but might allow for some flexibility from time to time rather than addressing it time after time with variances. Jon Bickford said that he would offer to Mr. Foerster that on a larger scale there are residents north and northwest of that facility and the wind especially in the summer when everything is dry comes out of the south and southeast and blows things to the north and northwest, where there are a lot of homes with more coming. Jon Bickford said that four to six years ago the City went through a situation with the Lone Star Church. Mr. Foerster said that was before his time. Jon Bickford said that every time they had church and they let everybody out it created a dust storm and they finally had to reroute traffic because the facility was not paved. Jon Bickford said that he is not worried about one shop, one shop is okay, but they have to be fair to others because they are going to come, so if they offer it to one shop they have to offer it to more than just one shop and then all of a sudden the entire street becomes gravel. Jon Bickford said that the more shops that come in and the more gravel that they add the more dust is going to be created. Jon Bickford asked that before people buy property, please read the ordinances because if it says that your lot has to be 70 feet wide, guess what that does not mean 50 feet wide it means 70 feet, if it says you have to pave your parking lot, guess what you have to pave your parking lot. Jon Bickford said that this drives him crazy. Jon Bickford said that he appreciates what Mr. Foerster is saying, but his theory is, especially with a commercial space, they have to defend every action that they take when it comes to variances and they have to defend it not only to ourselves but to the next person that comes in, to be fair. Mr. Foerster said that all he was pointing out was that he totally agrees with Jon Bickford's concern that if we give a variance we have to justify it and make it distinct to those circumstances so that when the next person comes along they can't say "you gave a variance here, why don't you give me the same variance?" Jon Bickford said that he has not heard anything yet that would allow him to do that. Rebecca Huss said that they could easily make up something that could. Jon

Bickford said that he was not going to make up a lie or story just to pass something through. Rebecca Huss said that they could craft well intentioned variance based on revenue or patrons or something. Jon Bickford said that he was not going to craft something to be a permanent part of the City's plan going forward. Jon Bickford said that he would say that they either vote on it as is, or he honestly has thoughts of making an amendment to say we approve the variance for 30 days at a time in case somebody else comes and wants to put a business in next to that location. John Champagne requested that they get a vote on the motion.

The motion carried with a vote of 2-Ayes and 1-Nay by Rebecca Huss. (2-1)

John Champagne asked for point of order, asking if they needed three votes to pass the motion. Mr. Foerster advised that they have a quorum present of three members, so all they need is a majority vote. John Champagne said that he thought that the Mayor could go one way or the other. Mayor Countryman said that she can only break a tie vote. Mr. Foerster stated that was correct.

9. Consideration and possible action regarding authorizing Jones|Carter to perform annual water plant inspection.

Mr. Roznovsky presented the information advising that there were different options available for the inspection, one being the minimum inspection that is \$2,000 and a full mechanical and electrical inspection for \$7,500. Mr. Roznovsky advised that the last time the City had a full mechanical inspection was 2016 and there is no record of an electrical inspection for the City. Mr. Roznovsky stated that the City is at the time limit for the internal inspections of the tanks at Water Plant 2, so his recommendation is the full mechanical and electrical inspection for both facilities.

Jon Bickford asked Mr. Muckleroy, Director of Public Works, if he had a chance to review the information. Mr. Muckleroy stated that the inspection needs to be done and feels that it is a good idea and money well spent. Mr. Yates said that he did not realize that they were at the time limit. Mayor Countryman asked how often the inspections are supposed

to be done. Mr. Roznovsky advised that the inspections are annual, with the interior portion of the inspection being required every five years. Mr. Yates asked Mr. Muckleroy if he knew anyone else that travels the State that does this service for a lesser fee. Mr. Muckleroy said that he did not know off the top of his head whether somebody could do it at a lower cost, but said that Jones|Carter is familiar with the system and \$7,500 is not a steep price to pay for a full water plant inspection. John Champagne said that every time something like this comes up he does not see any competitive bids, while he has no doubt that Jones|Carter will do a good job, is this a competitive number. Mr. Yates said that he did not think that they had that information. John Champagne said that he had a problem with that personally. Mr. Yates said he thought that by working with the Rural Water Association and others to get some other quotes, which is what he would suggest that they do.

Jon Bickford asked if they had a time crunch to get this approved tonight. Mr. Yates said they did not have to approve this item tonight. Jon Bickford asked if they could at least look and see what other costs could be. Mr. Roznovsky said that they will be doing the minimum inspection, which is look inside the tank to see if it is good or not, which is \$2,000. John Champagne said the scope of work was another thing and asked whether it has been identified as to what exactly needs to be done. Mr. Yates said that they did not have the scope of work. Mr. Roznovsky said that it is the same format that they have provided in the past. John Champagne said that was fine if they wanted to use that scope to get competitive bids, then he would be good with that. Rebecca Huss said that she thought it was important if they have never done an electrical inspection that they have a record of our water operations working. Jon Bickford asked to clarify that this was an electrical inspection of all the wells. Mr. Roznovsky said that the four largest motors in each facility will be scanned, an electrical engineer will go through the panels and test the relays and an electrical contractor will come out and run scans on the equipment. Jon Bickford asked what they would be scanning on the motor. Mr. Roznovsky stated that he would have to get the details. Jon Bickford asked if they would be Jones|Carter employees or subcontractors. Mr. Roznovsky said the ones that run the scanners would be subcontractors. Jon Bickford asked if the City had a negotiated markup for subcontractors with Jones|Carter in the contract. Mr. Roznovsky said that he would check on that

information. Jon Bickford said that Jones|Carter should get paid for bringing the subs in, but he was just wondering if it was pre-negotiated. Mr. Yates said that this is such a common practice that he is sure there is probably at least four of five individuals that perform this.

Jon Bickford said that he was trying to understand the complexity of this project. Mr. Roznovsky said that the base for looking at tanks is \$2,000, the mechanical inspection, which is looking at the tanks and the pumps for wear and tear is \$4,300 and then \$3,200 more to look at the electrical.

Jon Bickford moved to table taking action regarding authorizing Jones|Carter to perform the annual water plant inspection until they receive more information from the City Administrator. John Champagne seconded the motion.

Discussion: Rebecca Huss asked if they wanted to put a timeline on when it comes back to City Council. Mr. Yates said that he would like a month. Mayor Countryman said that would be mid-July. Mr. Yates said that he should be able to get the information for the first meeting in July 2018. Jon Bickford asked to make sure that they were okay with the State regarding turnaround time. Mr. Roznovsky said that the last inspection was completed in June of last year, so it is an annual action that needs to be done in 2018.

The motion carried unanimously. (3-0)

10. Consideration and possible action regarding completion of a land swap by and between the City of Montgomery and Montgomery SH 105 Associates, LLC, per the 380 Agreement.

Mr. Foerster advised that as part of the Development Agreement the City entered into with First Hartford Realty Corporation, which is doing business as Montgomery SH 105 Associates. Mr. Foerster said that there was an agreed land swap that would allow the City to acquire more property for our sewer plant in exchange for some release of easement land, which this formalizes the approval of the deeds for the land swap.

Rebecca Huss asked Mr. Foerster if he feels this accomplishes everything and this is the final land swap, with no other pieces that will be moved around. Rebecca Huss said that it was her understanding that some of the things that they have done previously was a small piece of this and this would be the final action. Mr. Roznovsky said that this is the physical swap of land but there are still easements to be dedicated and released, but as far as what can be done at this point, this is it. Mr. Foerster said that he had prepared the deeds so he was comfortable with the deeds.

John Champagne moved that they approve the special warranty deed per the 380 Agreement as presented. Jon Bickford seconded the motion.

Discussion: Rebecca Huss asked to hear what Mr. Jonathan White had to say. Mr. Roznovsky said that Mr. White pointed out that there is one piece of land that will have to be done, which the existing lift station is on a site that is actually owned and being used, but once the lift station is relocated that will go back. Rebecca Huss said that as long as it is better for the City then she was okay.

The motion carried unanimously. (3-0)

11. Report regarding the proposed Backflow Prevention Assembly Ordinance by the City Engineer.

Mrs. Katherine Vu presented the information to City Council advising that this is a draft ordinance, which was passed out at the last City Council Meeting for review. Mrs. Vu stated that this ordinance will require the installation and annual testing of a backflow preventer at what is identified as a high health hazard nonresidential user. Mrs. Vu stated that a high health hazard includes restaurants, auto repair shops and commercial kitchens and said that a full list provided by TCEQ has been included in the agenda pack. Rebecca Huss asked if a commercial kitchen located in a residence would have to have this device. Mrs. Vu said that if it was licensed as a commercial kitchen it would be considered. Jon Bickford said that if they have a sprinkler system they already have a device. Rebecca Huss said that it would be on their sprinkler meter not on the house meter.

Mrs. Vu said that this is a very common practice among cities and is actually a State law and so with the ordinance they would be addressing retroactive users. Mrs. Vu said that all the new developments in past four years have been installing backflow preventers just as a general practice, which is common with developers and will not come as a surprise when it is requested. Mrs. Vu said that they have obtained proposals from Gulf Utilities for the various sizes of devices that will be required. Mrs. Vu said that the average cost to most users will be \$600 for the installation of the device and \$80 for the annual testing of the device.

Mrs. Vu said that she has included an example of a drafted handout that could be included in the mail explaining why the device is needed and why they are being requested to have one installed. Mrs. Vu said that they would include a letter with options on how to meet this requirement. Mrs. Vu said that one option would be that they could install it themselves at their own cost, have it tested and certified and submitted to the City. John Champagne asked who would test and certify the devices. Mrs. Vu advised that there are testers that the property owner would have to hire to perform the test. Mr. Yates said that the City would have someone available if the person wanted the City to perform the test.

Jon Bickford asked if the backflow preventers were already required for residential sprinkler systems in the City. Mrs. Vu said that was correct. Jon Bickford said that this is just moving the requirement into commercial as well. Mrs. Vu said that was correct.

Mrs. Vu reviewed the following options:

- Option 1 – the user would install the device, have it tested and submit the certification to the City;
- Option 2 – the user can request the City to install, test and certify the device; and
- Option 3 – would give users until the end of this calendar year to have it installed, tested, certified and turn the information into the City.

Mrs. Vu said that this could be a significant cost to some users so they want to give them ample time to take care of it. Mrs. Vu said that they would also include a letter

to users that currently have a backflow preventer that are not experiencing annual testing that the \$80 charge will be added their water bill for nonresidential users that are specifically high health hazard users. John Champagne said that the miniature golf would not have to do this action. Rebecca Huss said that the antique shops would not be required to do this either. Mrs. Vu said that this will not affect most of the downtown businesses.

Mr. Yates said that they would not want to be responsible for backflow into the system and causing the neighborhood or the entire City to have to be on a boil order for two or three weeks because of backflow. Mr. Yates said that some of the proposal is the law and some is good public water management.

Mrs. Vu said that this was just a presentation tonight. Mrs. Vu said that they have no record of backflow violations, this action is purely preventative. Rebecca Huss said that Corpus Christi had three or four boil notices last year.

Mr. Yates said they would present the ordinance for adoption at the next meeting and then they will give public notification about the terms. Rebecca Huss said that she definitely preferred the delay requirement for adoption to give people a chance to learn about it and save for it. Jon Bickford said that the only ones that are high risk are going to be the ones that will be charged for the annual inspections. Jon Bickford said that there are going to be commercial users that have backflow preventers, and just because they have one does not mean that they have to have the annual inspection, that is just for the high risk users, and asked to make sure that the ordinance reads that way he would be good with it.

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

AN ORDINANCE BY THE CITY COUNCIL OF MONTGOMERY, TEXAS, AMENDING CHAPTER 78, "SUBDIVISIONS," OF THE MONTGOMERY CITY CODE OF ORDINANCES, BY AMENDING SECTION 78-61 OF ARTICLE III, "PLATS" AND SECTION 78-124 OF ARTICLE V, "ENGINEERING AND CONSTRUCTION STANDARDS; BY PROVIDING BENCHMARKS FOR THE FINAL PLATS AND ENGINEERING CONSTRUCTION PLANS OF PUBLIC

FACILITIES; PROVIDING REPEALING AND SEVERABILITY CLAUSES; AND PROVIDING AN EFFECTIVE DATE AFTER PUBLICATION.

Mrs. Vu presented the information advising the proposed ordinance is to require benchmarks for a survey to be tied to the City's benchmarks. Mrs. Vu said that currently what is listed in the Code of Ordinances is that the final plat has to be tied to the City's benchmark system. Mrs. Vu said that what is not listed in the ordinance that is covered in this proposed ordinance is that the final plans also have to be tied to the benchmark system, which would be the same as the final plat. Mrs. Vu said that the reason for this is that when they are tied to the same benchmarks there is less opportunity for error in elevations. Mrs. Vu said this is no extra work for the surveyor it just gives them a different starting point. Mrs. Vu said the proposed ordinance also includes the language that if during the survey there is an error found in the City's benchmark system or a discrepancy it is reported to the City Engineer so that it can be corrected for accuracy.

Jon Bickford moved to approve the Benchmark Ordinance as presented. John Champagne seconded the motion, the motion carried unanimously. (3-0)

13. Buffalo Springs Bridge Report by the City Engineer.

Mr. Roznovsky advised that the bridge is moving along, while they have been delayed due to the weather. Mr. Roznovsky said that as of now they are working on the wall on the south side of the bridge, they have two of the footings poured and have a wall section scheduled for later this week. Mr. Roznovsky said that they are also excavating out the channel between the two wall segments and getting the riprap placed and then they will be done.

Jon Bickford asked how much risk they run with the storm brewing. Mr. Roznovsky said that is why they are working fast to try and get the riprap down before the storm. Rebecca Huss said that she would like to have photos of the bridge.

14. Consideration and possible action regarding Change Order No. 1 on the Buffalo Springs Drive Bridge Embankment Repair Contract.

Mr. Roznovsky presented the information advising that there have been impact dates to the contract and as of the end of May the contractor was up to 35 days lost due to weather. Mr. Roznovsky said that of those 35 days, their recommendation is to provide an additional 22 days to the contract amount to cover the difference in what should have been planned for in the difference of what actually occurred. Mr. Roznovsky said that additionally because there has been additional bypass pumping, dewatering and excavation required so the change order is for the addition of 22 days that would bring the new end date to July 24, 2018 and increase the cost \$14,000.

John Champagne asked if the contract outlined for these contingencies and the addition and is the City on the hook for any additional time and/or problems or was the contractor to assume these irregularities. Mr. Roznovsky said that the costs are based on unit price items, so they were based on days and it was an estimate on the number of days that they would use. Mr. Roznovsky said that the amount of groundwater that they encountered was more than expected, which increased the number of days. Mr. Roznovsky said the bypass pumping and dewatering were bid on a per day cost for pumping, so that number of days was assumed and it turned out to be different and the change order is to cover the additional days. John Champagne said the contractor bid the job, the contingencies he should know he looked at the property. John Champagne said that his question is whether the variable is open ended and could it go on to infinity. John Champagne said that when he bids a job and it is turnkey any additional costs that he incurs are his. John Champagne said that they are saying that because of the additional problems with silt, water and etc., because they had more pumping days the City should have a change order and increased the amount for that falls on the City. Mr. Roznovsky said that was correct. John Champagne said that he was assuming the contract left it open for that contingency and the City to absorb that cost. Mr. Roznovsky said that was correct for certain items, but others such as the system that the contractor used to dam off the water was a lump sum item, so the contractor has had to redo that a couple times at his cost. Mr. Roznovsky said that if the contractor would have come in with less days of pumping he would not have

been paid for those days of pumping. Mr. Roznovsky said that the funds will come from the grant and FEMA amount.

Rebecca Huss said that by changing the end date does the City then push away the City's ability to get the liquidated damages part. Mr. Roznovsky said that it does. Rebecca Huss said that they are giving on both sides, quantity dollars and liquidated damages dollars. Mr. Roznovsky said that was correct the contractor gets paid for the additional quantities of work that he did and then he will not be impacted because it actually changes the date of the period of performance in the contract. Mr. Roznovsky said that now the days that the contractor is late past July 24, 2018 is what he would have in liquidated damages. Mr. Roznovsky said that there are no incentives he is just not having to pay a penalty. Jon Bickford said that they can't control the weather.

Rebecca Huss moved to approve Change Order No. 1 on the Buffalo Springs Drive Bridge Embankment Repair Contract. John Champagne seconded the motion, 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. (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.

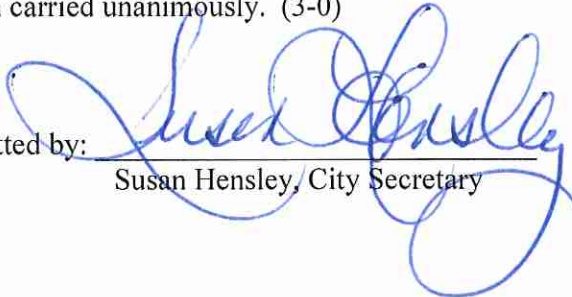
Mr. Yates asked about having a Workshop Meeting regarding the FM 149 Project and he was thinking of either June 19, 2018 or June 21, 2018 at 6 p.m. After discussion, the consensus of City Council was to call the Workshop Meeting to be held on Tuesday, June 19, 2018 at 6 p.m.

John Champagne would like to discuss the ability to respond to permits, electrical or otherwise, in the scope of these permits, in other words if he wanted to change an electrical outlet in the house would he have to get a permit, what are the requirements if he wants to put in a generator. John Champagne said that he would like to know how long it takes to get a response from the City for the permits. John Champagne said that secondly would be the software that is incapable of differentiating the irrigation meters for residential usage. Mr. Yates asked if John Champagne would like that in a report. John Champagne said that would be good. Rebecca Huss asked if the question regarding permitting and whether that would be for homeowners. John Champagne said that he wanted the information for permitting for homeowners. Rebecca Huss said that when they come up with a solution the information should be on the web site and available for everyone. John Champagne said that he wanted to hear about the response time. Rebecca Huss said that she felt that information should be on the website.

ADJOURNMENT

Jon Bickford moved to adjourn the meeting at 7:26 p.m. Rebecca Huss seconded the motion, the motion carried unanimously. (3-0)

Submitted by:



Susan Hensley, City Secretary

Date Approved: _____

Mayor Sara Countryman

MINUTES OF WORKSHOP MEETING

June 19, 2018

MONTGOMERY CITY COUNCIL

CALL TO ORDER

Mayor Sara Countryman called the meeting to order at 6:16 p.m. and advised that Council Member Jon Bickford was on his way.

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

Absent: Jon Bickford City Council Place # 1
John Champagne, Jr. City Council Place # 2
Dave McCorquodale City Council Place # 5

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

WORKSHOP:

- ❖ Discuss and hear public comments regarding the proposed FM 149 Rehabilitation and Construction Project.

Mr. Chris Roznovsky, City Engineer, advised that TxDOT's initial plans for the FM 149 Improvements Project did not include driveways for a lot of the businesses. Mr. Roznovsky advised that City Council had asked TxDOT to reconsider the plans. Mr. Roznovsky stated that TxDOT had taken a walking tour and met with the merchants in Montgomery and changes have been made to the plans, which included the following:

- Added driveways;

- Added left turn lane to SH 105 and FM 149;
- Revised the storm sewer at the Community Center to SH 105; and
- Sidewalks and pavers on each side of the street, to be done in phases.

Mr. Roznovsky advised that TxDOT has identified three potential alternatives for the project for consideration:

1. Full Downtown Improvements Project including SH 105 and FM 149 Intersection Improvements;
2. Mill & Overlay including SH 105 and FM 149 Intersection Improvements; or
3. Mill & Overlay including SH 105 and FM 149 Intersection Improvements (Left Turn Only).

Mr. Roznovsky advised that the mill and overlay would take off the top three inches of the road that would be milled and put back onto the roadway with asphalt on top.

Rebecca Huss advised that she and the Mayor had met with Senator Nichols at his office and he was very supportive of the City and has been communicating with them. Mr. Roznovsky advised that if the City wanted to proceed they would have to notify the State by the end of July or the project would be delayed until 2021. Mr. Roznovsky advised that TxDOT would not need additional Right of Way along FM 149, but said that the sidewalks, curb and gutter would eliminate the street parallel parking.

Jon Bickford arrived at 6:25 p.m.

Rebecca Huss advised that TxDOT would have sidewalks in their Right of Way, but there are also sidewalks in the City area. Mr. Roznovsky said that TxDOT had advised that there would be no crosswalks across FM 149 unless the signalization was no more than ½ mile from the signal intersection. Rebecca Huss asked if that was a law or just a rule by TxDOT. Mr. Yates advised that TxDOT had stated that if the City put in a crosswalk they would not remove it. Mr. Yates added that TxDOT would not allow a signal at the crosswalk. T.J. Wilkerson asked if there would be an exception since that area was in the Historic District. Mayor Countryman stated that Historic Districts usually has a lot of pedestrians.

Mayor Countryman said that she had asked Senator Nichols if the money from the FM 149 Project would be lost if the project was delayed and the Senator had advised that the funds would be set aside and not lost.

Rebecca Huss said that she would like to find out the life of the roadway. Mr. Roznovsky said that due to the increase in traffic and changes in the City, it is unknown at this time.

Mr. Roznovsky advised TxDOT will not use City streets as a detour during the project because they do not have the authority to use someone else's streets.

Mr. James Langley – asked if the street lights were included in the project, because they do have decorative street lights on that road. Mr. Roznovsky advised the street lights have not been included, but TxDOT will provide the conduit and the City will provide the boxes and wiring. Mr. Langley asked whether the project would be a City Council decision or a public referendum.

Rebecca Huss said that their goal was to have a Downtown Comprehensive Master Plan discussion with the residents and business owners and that would include this project. Mayor Countryman said she would prefer that they not just improve this one area to where it will look like a patchwork, but have a Comprehensive Master Plan for the entire City.

Mr. Yates advised that when the City was denied by Texas A&M for the Master Plan Project they were referred to the Community Resilience Group. Mr. Yates stated that the Community Resilience Group will be at the City Council Meeting next Tuesday and advised the cost will be very low for them to produce a Master Plan for the City. Rebecca Huss stated that she felt the Planning and Zoning Commission would take the lead with this group. Mr. Yates advised it would take about six to nine months to complete.

Mrs. Adele Hanson - tenant of the Garrett House, commented that the drainage from SH 105 to Caroline can't take much more and she was concerned. Mr. Roznovsky advised that the underground storm sewer would go under Caroline Street and would be picking up the water and going under SH 105 and then tee into an existing pipe on the south side of SH 105.

Mrs. Hanson said that in certain places there will be two sidewalks and asked why they can't keep the existing sidewalks and only put the sidewalks where they are needed. Mr. Roznovsky said that

the existing sidewalks are on private property and some are located on the line of the State Right of Way. Mr. Roznovsky said on the east side of the street it would be one foot outside the Right of Way and would be up to the property owner or the City to install the sidewalk. Mr. Roznovsky said he did not think that the City had Right of Way there.

Jon Bickford asked if there was any time when TxDOT put in sidewalks with no parking. Mr. Roznovsky said that parking along a TxDOT Right of Way is not allowed. Mr. Roznovsky advised that if the property owner or the City installs the sidewalks it will have to be outside the TxDOT Right of Way.

Rebecca Huss asked if it would be desirable for a third turn lane, in certain locations on FM 149. Mr. Roznovsky said that there would really not be enough room for a turn lane at that location.

Mrs. Hanson said there is a provision in the information that she received which said that the City would keep about \$4,000 for advertising during the process of about six months. Mrs. Hanson said that was not enough money to promote the City and ask people to come to their shops.

Mr. Tom Cronin – owner of Cozy Grape Restaurant stated that nobody is listening to the business owners. Mr. Cronin said that he did not want to be adversarial, but he just found out that he might be losing his balcony for his business due to this project, so he will be contacting his attorney. Mr. Cronin commented that there is not a quorum present for the meeting. Rebecca Huss said that the information regarding his balcony was not correct and she did not want him to contact his attorney.

Jon Bickford said that they needed some alternatives from the public.

Mayor Countryman said that City Council was not required to have a quorum present for a Workshop Meeting and advised that she had checked on that information prior to the meeting. Mayor Countryman said that they had met with Senator Nichols in his office and he is on our side, and expressed that she hoped that they could see that.

Mr. Cronin said that he was concerned that MEDC had spent money to pave a parking lot that has 30 spaces and now they will be losing 20 spaces, which will net 11 spaces. Mayor Countryman said that she understood that issue. Mr. Cronin said that he owns his sidewalk and said that TxDOT will be placing brick pavers where there was parallel parking.

Rebecca Huss said that when TxDOT had their original meeting, they only found out about the meeting the day of the meeting.

Jon Bickford asked if TxDOT would be fully closing FM 149 or whether they would close one side of the street at a time. Mr. Roznovsky said they would be fully closing the road in phases.

Mr. Cronin said that he has been blindsided and that he hopes the project is put off until 2021. Mr. Cronin said that he hopes the City makes it known for all their customers. Mr. Cronin said that he would like to get a Committee of business owners and the City so that they can plan their destiny.

Ms. Susan Fauss – owner of Petz Store stated that she likes our town and feels like she is being pushed and shoved with a plan that they did not know about. Jon Bickford said that any ideas from the public will be helpful to the City. Rebecca Huss said that they need a goal and timeline for the project. Ms. Fauss asked whether TxDOT could do their work at night.

Mr. Roznovsky said that the closure of downtown was due to the storm sewer work. Mayor Countryman asked if they needed drainage work at that location. Mr. Roznovsky said that there were mixed reactions for the drainage work and advised that the storm sewer work is included in the plans.

Rebecca Huss said that the intersection of SH 105 and FM 149 is a disaster and asked what impact fixing the intersection with right and left turn lanes would have on downtown and could they do the work in phases. Mr. Roznovsky said there would still be closures on Caroline to SH 105, but they might be able to close one lane at a time. Mr. Roznovsky said that the work would be similar to the school intersection that was completed on SH 105. Mr. Roznovsky said that the Exxon Station would also be closed.

Mrs. Kelly Cook said that she has been here the longest, since 1990, and has seen a lot of changes during that time. Mrs. Cook said that for progress they have to take into consideration the Historic District. Mrs. Cook said that Pond Street can't take a lot of traffic. Mrs. Cook stated that not having a crosswalk was a concern because she knows of three people who have been hit by cars crossing the street. Mrs. Cook said she sends people to the Cozy Grape Restaurant across the street, so if there is no crosswalk they are in danger crossing the street. Mrs. Cook said that she was in

favor of postponing the project until 2021 and letting some of the business owners to serve on the Committee. Mrs. Cook said she did not want to be sold down the drain.

Ms. Rendy Kerr stated that she will lose parking and that she did not need curb and gutters. Ms. Kerr said there are no large trucks going down College Street. Ms. Kerr said that she was also in favor of postponing the project until 2021.

Mrs. Cook said that in 21 years she has never had a problem with flooding and she has been high and dry.

Brenda Reiland, tenant of the Petz Store, stated that she had moved to historic Montgomery and they needed their parallel parking. Ms. Reiland said they could ask MEDC to extend their sidewalks. Ms. Reiland asked if anyone has seen what was done in the City of Willis and commented that it was a hideous debacle. Ms. Reiland said that she was in favor of tabling this project and just doing the intersection work at night. Ms. Reiland said that they could ask MEDC to do the sidewalks. Ms. Reiland said that 18-wheelers are a problem going through the City at 40 miles per hour and said that they need to build up Lone Star Parkway for the trucks.

Mr. James Ward said that he has experience with road widening. Mr. Ward said that he would suggest that this would be the time to build a nest egg because they will lose revenue during the project and it is going to hurt. Mr. Ward said that he would ask TxDOT to work on one side of the road at a time and said that it would be crazy not to have a crosswalk, because a lot of people park at the Community Center and then cross the street and they will get run over. Mr. Ward said that he did not want people to say Montgomery is dangerous and that parking is a problem. Mr. Ward said that he did not want the reputation of being unsafe.

Jon Bickford asked if the City could put in a crosswalk with flashing lights. Mr. Lonnie Clover advised that they tried to get a crosswalk but TxDOT would not do it. Jon Bickford said that he could paint the sidewalk. Jon Bickford said that in Boulder, Colorado they have a crosswalk with flashing lights and asked if that was something that the City could do. Mr. Yates said that TxDOT had stated that they would not stop the City from painting and the installation of signage. Mayor Countryman asked if the City could find out what type of signs TxDOT would allow them to install. Rebecca Huss asked about temporary signage for the crosswalk. Mr. Yates said that TxDOT will

not let them stop traffic at the crosswalk on the highway. Mr. Yates said they could draw lines showing the crosswalk. Jon Bickford said they could get the solar powered lights for \$1,500 each.

Mrs. Cook asked if the City approves what TxDOT puts before them. Rebecca Huss said that they have gone through an extensive process to get the project delayed.

Jon Bickford said that if they are going to resurface the road, they might have to close the street while they are working, the short segments will take 4 weeks and the longer segments will take eight weeks to complete.

Mayor Countryman requested that the City ask TxDOT for information regarding the longevity of the roadway and whether they can do their paving work during the night.

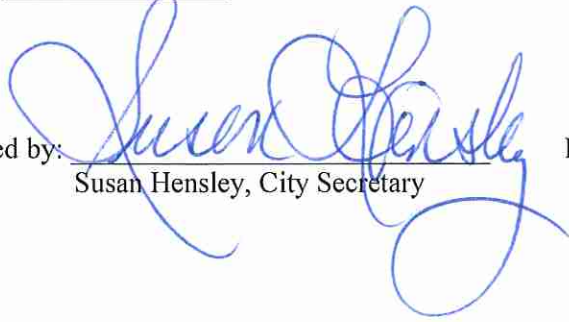
Mr. Roznovsky advised that TxDOT is on full pause until they hear from the City of Montgomery. Rebecca Huss said that the City will need more information in order to make a decision on the project, along with feedback from City Council. Mr. Yates said the best option would be to ask TxDOT if they can pave at night and time the closing of the north side for the overlay. Mr. Yates said that the best option would be to go ahead with the intersection portion of the project and do the mill overlay. Mayor Countryman said that the intersection could be Phase One of the project and would be less time for the road to be closed. Rebecca Huss said that the biggest part of the project was the right turn lane in the intersection. Mayor Countryman asked to get clarification on the street closure information.

Mr. Lonnie Clover said that FM 149 had an overlay just a few years ago, so he would like to know why they need to go down one foot. Mr. Roznovsky said that the south street would be lower. Mr. Clover said that they have the survey and three feet west of the concrete sidewalks there are building supports on private property, so what would happen to that sidewalk. Mr. Roznovsky said that they will fill in those areas and so when you come out of the building you will walk down an incline. Mr. Clover advised that he would like brick sidewalks but not at the expense of the businesses.

Mayor Countryman thanked everyone for their input. Mayor Countryman adjourned the meeting at 6:40 p.m.

ADJOURNMENT

Submitted by:



Susan Hensley, City Secretary

Date Approved: _____

Mayor Sara Countryman

Meeting Date: June 26, 2018	Budgeted Amount:
Prepared By: Jack Yates City Administrator	Exhibits: Proposed escrow agreement
Date Prepared: June 22, 2018	

in

Subject

This is to amend the current Escrow Agreement. The changes are in red type.

Description

This is to amend the current Escrow Agreement between the city and developers in two ways.

First, at the bottom of page 1 it includes more details about what goes into the escrow expenses.

Second at the bottom of page 2, in section 2.03 the intention is that the escrow fund is a “not to exceed” amount unless circumstances created by the developer cause additional fees. Those circumstances are at the top of page 3. However, in the last two sentences of the section 2.03 it says that if additional funds are not deposited that work will stop until the funds are deposited, and that any funds remaining after the completion of the project will be refunded to the developer.

The “Not to Exceed” language was traded after talking with several developers who did not like the open-ended element of the Escrow Agreement. It was suggested that Montgomery use the Conroe system of charging developers, however in reviewing Conroe system and method of operation (meaning that they have in-house engineers, and on a much larger scale) a comparable fee was not possible—so to add the language of a “not to exceed” at least answers there open-ended cost issue.

An item that is not in the agreement but has been discussed is to allow the city administrator to approve the escrow agreements, if there are no changes in the

Montgomery City Council
AGENDA REPORT

wording of the escrow agreement. I will discuss this with Larry Forster between now and the Council meeting to see how to make that change if you want to.

Recommendation

Approve the amended Escrow Agreement.

Approved By

City Administrator

Jack Yates

Date: June 22, 2018

ESCROW AGREEMENT

BY AND BETWEEN

THE CITY OF MONTGOMERY, TEXAS,

AND

xxxxxxx

Dev. No. xxxx

THE STATE OF TEXAS ⤵

COUNTY OF MONTGOMERY ⤵

This Escrow Agreement, is made and entered into as of the _____ day _____, 2018 by and between the CITY OF MONTGOMERY, TEXAS, a body politic, and a municipal corporation created and operating under the general laws of the State of Texas (hereinafter called the "City"), and xxxxxxxxxxxxxxxx, a _____ Corporation, (hereinafter called the "Developer").

RECITALS

WHEREAS, the Developer desires to acquire and develop all or part of a xxxxxxxxxxxxxxxx sometimes referred to as the xxxxxxxxxxx Tract, and being more particularly described in Exhibit "A" attached hereto and incorporated herein by reference for all purposes.

WHEREAS, the City policy requires the Developer to establish an Escrow Fund with the City to reimburse the City for engineering costs, legal fees, consulting fees and administrative expenses incurred for **plan reviews, developer coordination, construction management, inspection services to be provided for during the construction phase, and one-year warranty services.**

AGREEMENT

ARTICLE I

SERVICES REQUIRED

Section 1.01 The development of the xxxxxx Tract will require the City to utilize its own personnel, its professionals and consultants; and the Escrow Fund will be used to reimburse the City its costs associated with these services.

Section 1.02 In the event other contract services are required related to the development from third parties, payment for such services will be made by the City and reimbursed by the Developer or paid directly by the Developer as the parties may agree.

ARTICLE II

FINANCING AND SERVICES

Section 2.01 All estimated costs and professional fees needed by City shall be financed by Developer. **Developer agrees to advance funds to City for the purpose of funding such costs as herein set out:**

Administrative	\$XXX
City Engineer	\$XXX
Legal	\$XXX
<hr/>	
TOTAL	\$XXX

Section 2.02 **Developer agrees to submit payment of the Escrow Fund no later than ten (10) days after the execution of this Escrow Agreement. No work will begin by or on behalf of the City until funds have been received.**

Section 2.03 **The total amount shown above for the Escrow Fund is intended to be a “Not to Exceed” amount unless extenuating, unexpected fees are needed. Examples of extenuating**

circumstances created by the developer that may cause additional fees include, but are not limited to, greater than three plan reviews or drainage analysis reviews; revisions to approved plans; extraordinary number of comments on plans; additional meetings at the request of the developer; variance requests; encroachment agreement requests; construction delays and/or issues; failure to coordinate construction with City; failed testing during construction; failing to address punch list items; and/or excessive warranty repair items. If extenuating circumstances arise, the Developer will be informed, in writing by the City, of the additional deposit amount and explanation of extenuating circumstance. The Developer agrees to tender additional sums within 10 days of receipt of request to cover such costs and expenses. If additional funds are not deposited within 10 days all work by or on behalf of the City will stop until funds are deposited. Any funds which may remain after the completion of the development described in this Escrow Agreement will be refunded to Developer.

ARTICLE III,

MISCELLANEOUS

Section 3.01 City reserves the right to enter into additional contracts with other persons, corporations, or political subdivisions of the State of Texas; provided, however, that City covenants and agrees that it will not so contract with others to an extent as to impair City's ability to perform fully and punctually its obligations under this Escrow Agreement.

Section 3.02 If either party is rendered unable, wholly or in part, by *force majeure* to carry out any of its obligations under this Escrow Agreement, then the obligations of such party, to the extent affected by such *force majeure* and to the extent that due diligence is being used to resume performance at the earliest practicable time, shall be suspended during the continuance of

any inability so caused to the extent provided but for no longer period. As soon as reasonably possible after the occurrence of the *force majeure* relied upon, the party whose contractual obligations are affected thereby shall give notice and full particulars of such *force majeure* relied upon to the other party. Such cause, as far as possible, shall be remedied with all reasonable diligence. The term "*force majeure*," as used herein, shall include without limitation of the generality thereof, acts of God, strikes, lockouts, or other industrial disturbances, acts of the public enemy, orders of any kind of the government of the United States or the State of Texas or any civil or military authority, insurrections, riots, epidemics, landslides, lightning, earthquakes, fires, hurricanes, storms, floods, washouts, droughts, arrests, restraint of government and people, civil disturbances, explosions, breakage, or accidents to machinery, which are not within the control of the party claiming such inability, which such party could not have avoided by the exercise of due diligence and care.

Section 3.03 This Escrow Agreement is subject to all rules, regulations and laws which may be applicable by the United States, the State of Texas or any regulatory agency having jurisdiction.

Section 3.04 No waiver or waivers of any breach or default (or any breaches or defaults) by either party hereto of any term, covenant, condition, or liability hereunder, or of performance by the other party of any duty or obligation hereunder, shall be deemed or construed to be a waiver of subsequent breaches or defaults of any kind, under any circumstance.

Section 3.05 Any notice, communication, request, reply or advice (hereafter referred to as "notice") herein provided or permitted to be given, made, or accepted by either party to the other (except bills) must be in writing and may be given or be served by depositing the same in the

Section 3.08 This Escrow Agreement shall be for the sole and exclusive benefit of City and Developer and is not for the benefit of any third party. Nothing herein shall be construed to confer standing to sue upon any party who did not otherwise have such standing.

Section 3.09 The provisions of this Escrow Agreement are severable, and if any provision or part of this Escrow Agreement or the application thereof to any person or circumstances shall ever be held by any court of competent jurisdiction to be invalid or unconstitutional for any reason, the remainder of this Escrow Agreement and the application of such provision or part of this Escrow Agreement to other person circumstances shall not be affected thereby.

Section 3.10 This Escrow Agreement and any amendments thereto, constitute all the agreements between the parties relative to the subject matter thereof, and may be executed in multiple counterparts, each of which when so executed shall be deemed to be an original.

Section 3.11 This Agreement shall be governed by, construed and enforced in accordance with, and subject to, the laws of the State of Texas without regard to the principles of conflict of laws. This Agreement is performable in Montgomery County, Texas.

IN WITNESS WHEREOF, the parties hereto have executed this Escrow Agreement in three (3) copies, each of which shall be deemed to be an original, as of the date and year first written in this Escrow Agreement.

CITY OF MONTGOMERY, TEXAS

By: _____
Sara Countryman, Mayor

ATTEST:

By: _____
Susan Hensley, City Secretary

Developer

By: _____
Signature

Title: _____

STATE OF TEXAS {

COUNTY OF MONTGOMERY {

BEFORE ME, the undersigned authority, on this day personally appeared Sara Countryman, Mayor of the City of Montgomery, Texas, a corporation, known to me to be the person whose name is subscribed to the foregoing instrument, and acknowledged to me that he executed the same for the purposes and consideration therein expressed, in the capacity therein stated and as the act and deed of said corporation.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the ____ day of _____, 2018.

Notary Public, State of Texas

THE STATE OF TEXAS {

COUNTY OF _____ {

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared _____, _____ of _____, a _____, known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purpose and consideration therein expressed and in the capacity therein stated and as the act and deed of said organization.

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the ____ day of _____, 2018.

Notary Public, State of Texas

Montgomery City Council
AGENDA REPORT

Meeting Date: June 26, 2018	Budgeted Amount:
Prepared By: Jack Yates City Administrator	Exhibits:
Date Prepared: June 22, 2018	

in

Subject

This is to approve a utility and economic feasibility study for the Louisa Lane development.

Description

This is to authorize Jones and Carter to perform a Utility and Economic Feasibility Study for the Louisa Lane Single-family Development. The developer, Josh Cheatham, has deposited \$5,000 toward the study. He does not have an Escrow Agreement, because the staff was waiting on the new Escrow Agreement form before asking them to sign.

Recommendation

Approve the study..

Approved By

City Administrator	Jack Yates	Date: June 22, 2018
--------------------	------------	---------------------

Montgomery City Council
AGENDA REPORT

Meeting Date: June 26, 2018	Budgeted Amount:
Prepared By: Jack Yates City Administrator	Exhibits: Memo from City Engineer, Change order
Date Prepared: June 22, 2018	

in

Subject

This is to consider approval of change order to the Buffalo Springs Drive Waterline Bridge Crossing contractor allowing 105 additional days for him to complete his work.

Description

This is to approve a change order that will result in 105 additional days to the contract period of time to complete his part of the project. As you will remember the water line is a different contract from the bridge itself. Because the bridge is taking as long as it has the water line contractor has not been able to get started. The proposed end date is August 16, 2018.
No money is involved, is a contract time extension only

Recommendation

Motion to approve the Change Order as presented.

Approved By

City Administrator	Jack Yates	Date: June 22, 2018
--------------------	------------	---------------------



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

June 20, 2018

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

Re: Change Order No. 1
Buffalo Springs Drive Waterline Bridge Crossing

Dear Mayor and Council:

We received and recommend approval of Change Order No. 1 to the Buffalo Springs Drive Waterline Bridge Crossing contract. As we have previously discussed, the contractor has experienced approximately 105 days of delays from the Buffalo Springs Drive Bridge Embankment Repair Contractor that have caused him to be delayed in the project. Therefore, we recommend granting the contractor 105 additional days to the contract period of performance.

The change order will result in a \$0.00 increase to the contract amount and the addition of 105 additional days. The contract amount will remain \$86,412.25 and the new contract end date is August 16, 2018.

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

Sincerely,

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

Chris Roznovsky, PE
Engineer for the City

CVR/kmv

K:\W5841\W5841-0900-00 General Consultation\Correspondence\Letters\2018\MEMO to Council RE Buffalo Springs Drive Bridge Waterline Change Order.doc

Enc: Change Order No. 1

Cc (via email): 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



1575 Sawdust Road, Suite 400
 The Woodlands, Texas 77380-3795
 Tel: 281.363.4039
 Fax: 281.363.3459
 www.jonescarter.com



CHANGE ORDER NO. 001
 DATE: June 19, 2018

Project: Construction of Buffalo Springs Drive Waterline Bridge Crossing	JC Job No.: W5841-0021-00
Owner: City of Montgomery	Contractor: Spartan Direct Solutions, LLC

Description of Changes: Contractor shall complete the project within the added time.

Reason for Changes: The contractor was delayed due to another contractor being delayed by weather.

<u>Change in Contract price and time summary:</u>	<u>COST</u>	<u>TIME</u>
Original Contract:	\$86,412.25	120 Calendar Days
Net previous change(s):	\$0.00	0 Calendar Days
Contract prior to this change order:	\$86,412.25	120 Calendar Days
Net Adjustment from this change order:	\$0.00	105 Calendar Days
Revised Contract Amount:	\$86,412.25	225 Calendar Days
Cumulative % Change in Contract:	0.00 %	87.50 %
Revised Project Completion Date:	August 16, 2018	

APPROVED BY: City of Montgomery	RECOMMENDED BY: Jones & Carter, Inc.
_____	
Representative	Chris Roznovsky, PE
_____	_____
Date	Date
	ACCEPTED BY: Spartan Direct Solutions, LLC
	
	Representative

	Date
Enclosures: Attachment No. 001	

K:\W5841\W5841-0021-00 Town Creek Bridge Waterline\3 Construction Phase\Contract Documents\CO\CO 1\CO Spreadsheet.xls)Sheet2

Montgomery City Council
AGENDA REPORT

Meeting Date: June 26, 2018	Budgeted Amount: Requires more enforcement, more opportunity for offenses- revenue. No additional maintenance.
Prepared By: Jack Yates City Administrator	Exhibits: Resolution calling for public hearings to annex w/ exhibits
Date Prepared: June 22, 2018	

in

Subject

This is to consider annexation of the public right-of-way of State Highway 105 from Stewart Creek Road (including the intersection with SH 105) by calling two public hearings.

Description

This is to annex the right-of-way of State Highway 105 from its current location to extend to the eastern boundary of the ETJ of the city as shown on the attached map.

The public hearings are planned for the 10th day of July in the 24th day of July, 2018

Recommendation

Motion to adopt resolution calling for two public hearings of July 10 and July 24, 2018 at the City Council Chamber of the City Hall at 6:00 p.m.

Approved By

City Administrator

Jack Yates

Date: June 22, 2018

RESOLUTION NO. _____

A RESOLUTION BY THE CITY COUNCIL FOR THE CITY OF MONTGOMERY, TEXAS, SETTING A DATE, TIME, AND PLACE FOR TWO PUBLIC HEARINGS ON THE PROPOSED ANNEXATION BY THE CITY OF MONTGOMERY, TEXAS OF 1.799 ACRES OF LAND, MORE OR LESS, IN THE PUBLIC ROAD RIGHT-OF WAY OF STATE HIGHWAY 105 EAST WHICH RUNS ADJACENT AND PARALLEL TO THE BOUNDARIES OF THE CITY; AND AUTHORIZING AND DIRECTING THE CITY SECRETARY TO PUBLISH NOTICE OF SUCH PUBLIC HEARINGS.

WHEREAS, the City of Montgomery, Texas (“the City”) is a Type A general-law municipality of the State of Texas, with a population of 500 or more; and

WHEREAS, the municipal boundaries of the City extend along the north side of and parallel to the 120-foot wide right-of-way of State Highway 105 East, as described in the survey and legal description found in Exhibit “A” attached to this Resolution; and

WHEREAS, Section 43.103 of the Texas Local Government Code (“the Code”) provides that a general-law municipality with a population of 500 or more may annex, by ordinance and without the consent of any person, that part of a street, highway, alley, or other public or private way that is adjacent and runs parallel to the boundaries of the municipality; and

WHEREAS, the City Council finds that the above-described 1.799-acre State Highway 105 right-of-way is parallel and contiguous to the city limits; is within its extraterritorial jurisdiction; and is vacant and without residents; and

WHEREAS, the City Council further finds that it is in the best interest of the public that said highway right-of-way be annexed by the City so that it can provide law enforcement traffic control and protection to those persons traveling along State Highway 105 east of the City; and

WHEREAS, having considered the arguments for and against the proposed annexation, the City Council believes it is appropriate and in the best interest of the City of Montgomery and its citizens that the proposed annexation be granted;

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

SECTION 1. The City Council hereby adopts the above recitals set out in the preamble to this Resolution as true and correct findings.

SECTION 2. The City Council approves the commencement of those procedures described in Chapter 43 of the Code for annexing 1.799 acres of land, more or less, as

described in the Exhibit "A" attached hereto.

SECTION 3. On the 10th day of July 2018, at 6:00 p.m. o'clock and again on the 24th day of July 2018, at 6:00 p.m. o'clock, in the City Council Chamber of the City Hall of the City of Montgomery, Texas, the City Council will hold a public hearing 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 tract of land, to wit:

- a. Being a 1.799acre tract of land, more or less, in the JOHN CORNER SURVEY, Abstract No. 8, of Montgomery County, Texas, further described in the survey and legal description attached hereto in Exhibit "A."

SECTION 4. The City Secretary of the City of Montgomery is hereby authorized and directed to cause notice of each public hearing to be published once in a newspaper having general circulation in the City and in the above described territory not more than twenty days nor less than ten days prior to the date of each such public hearing, in accordance with the Municipal Annexation Act. The City Secretary shall also notify the owners of those properties on both sides of the 1.799-acre State Highway right-of-way.

PASSED AND APPROVED this _____ day of _____, 2018.

CITY OF MONTGOMERY, TEXAS

Sara Countryman, Mayor

ATTEST:

Susan Hensley, City Secretary

APPROVED AS TO FORM:

Larry L. Foerster, City Attorney

Exhibit A

1.799 Acres

John Corner Survey
Abstract Number 8

STATE OF TEXAS §

COUNTY OF MONTGOMERY §

A **METES AND BOUNDS** description of a 1.799 acre tract of land situated in the John Corner Survey, Abstract Number 8, Montgomery County, Texas; being out of and a part of Highway 105 at Stewart Creek Road; said 1.799 acre tract being more particularly described as follows with all bearings being based on South 79°38'53" East along the north line of a called 6.202 acres (Tract 1) as filed for reference under Ordinance No. 2015-06 by the City of Montgomery:

COMMENCING at a point in the north right-of-way of said Highway 105 (width varies) for the southeast corner of said 6.202 acres and the southwest corner of a called 2.039 acres (Tract 2) as filed for reference under Ordinance No. 2015-06 by the City of Montgomery;

THENCE, South 80°18'31" East, along the north right-of-way of said Highway 105 and the south line of said 2.039 acres to the **POINT OF BEGINNING** of the herein described tract;

THENCE, over and across said Highway 105 the following five (5) courses and distances:

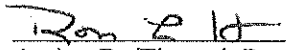
1. South 80°18'31" East, 192.55 feet continuing along the north right-of-way of said Highway 105 to a point for a southeast corner of Restricted Reserve "A", Block 1 of Pizza Shack Montgomery as shown on a plat filed for record in Cabinet Z, Sheet 4068 of the Montgomery County Map Records;
2. South 77°19'49" East, 150.00 feet to a point for a southwest corner of Restricted Reserve "B" of Stewart Creek Partners as shown on a plat recorded in Cabinet Z, Sheet 1657 of the Montgomery County Map Records;
3. South 11°13'50" West, 229.57 feet to a point in the south right-of-way of said Highway 105 and the north line of a called 48.450 acre tract conveyed to Kampgrounds of America, Inc. by General Warranty Deed as filed for record under Clerk's File No. 2007-000741 of the Montgomery County Official Public Records of Real Property;
4. North 78°46'19" West, 335.84 feet along the south right-of-way of said Highway 105, the north line of said 48.450 acres and the north line of a called 5.71 acres conveyed to Peter Hill by Special Warranty Deed with Vendor's Lien as filed for record under Clerk's File No. 2016086083 of the Montgomery County Official Public Records of Real Property to a point;
5. North 09°34'23" East, 228.28 feet to the **POINT OF BEGINNING, CONTAINING 1.799 acres** as shown on drawing number 12141.

1.799 Acres

John Corner Survey
Abstract Number 8

"This document was prepared under 22 TAC 663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."

Jones and Carter
1575 Sawdust Road, Suite 400
The Woodlands, TX 77380
(281) 363-4039


Acting By/Through Ronald L. Hauck
Registered Professional Land Surveyor
No. 5343
rhauck@jonescarter.com
*Texas Board of Professional Land Surveying
Registration No. 10046106*



June 20, 2018

Montgomery City Council
AGENDA REPORT

Meeting Date: June 26, 2018	Budgeted Amount:
Prepared By: Jack Yates City Administrator	Exhibits: Engineer's Memo
Date Prepared: June 22, 2018	

in

Subject

This is to consider calling a public hearing for rezoning the southeast corner of Buffalo Springs Drive and State Highway 105 from a mixture of R-1, R-2 and I-Institutional to B-commercial and I- Institutional as shown in the attached map exhibits.

Description

This is to call the public hearing for July 24 and August 14 regarding this rezoning request.

Recommendation

Motion to hold a public hearing on July 24 and August 14, at 6:00 p.m. at City Hall regarding the rezoning the southeast corner of Buffalo Springs Drive and State Highway 105, a portion of the Montgomery shops tracked from R-1, R-2 and Institutional to B- commercial and I institutionally as described in attached documents.

Approved By

City Administrator	Jack Yates	Date: June 22, 2018
--------------------	------------	---------------------



1575 Sawdust Road, Suite 400
The Woodlands, Texas 77380-3795
Tel: 281.363.4039
Fax: 281.363.3459
www.jonescarter.com

June 21, 2018

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

Re: Proposed Shoppes at Montgomery Rezoning
Southeast Corner of Sh-105 & Buffalo Springs Drive
The City of Montgomery

Dear Mayor and Council:

As you are aware, at the December 15, 2017 meeting of the City Council, you approved an economic development agreement ("380 Agreement") with Montgomery SH-105 Associates, LLC (the "Developer") in regards to the Shoppes at Montgomery development.

Per the 380 Agreement, all land owned by the Developer for the Shoppes at Montgomery must be zoned commercial. Currently, the property is partially zoned commercial, partially zoned single-family residential, and partially zoned multi-family residential. The 380 Agreement also included a land swap between the City of Montgomery and the Developer, which you approved at the June 12th meeting of the City Council.

The proposed rezoning, as shown on the attachments included in your packets, includes the existing property belonging to the Developer as well as the property that will be deeded to the Developer through the previously mentioned land swap. In keeping with the terms of the 380 Agreement, we recommend rezoning the property that is currently owned and will be owned by Montgomery SH-105 Associates, LLC to Commercial, as shown in the enclosed exhibits.

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

Sincerely,

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

Chris Roznovsky, PE
Engineer for the City

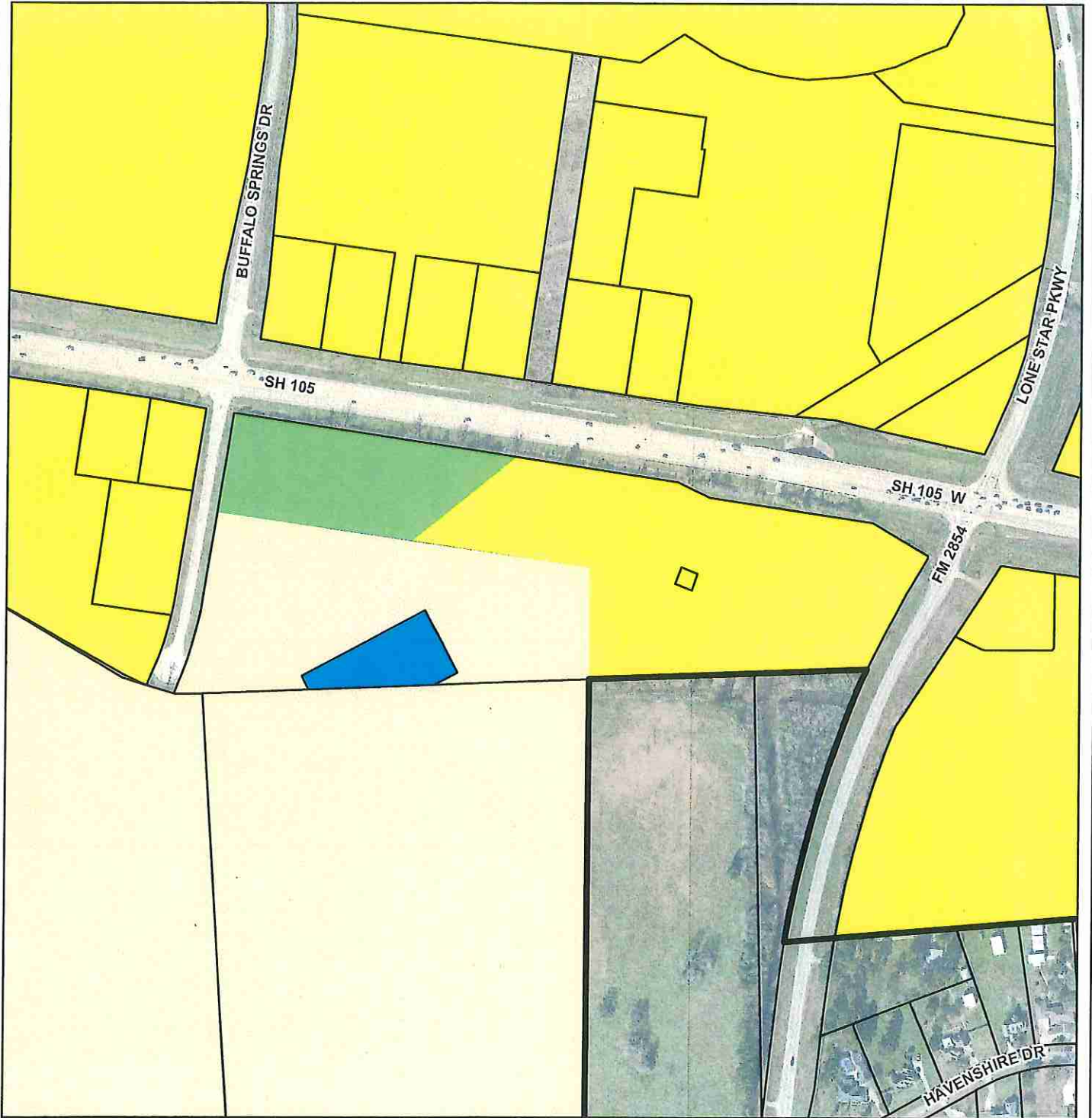
CVR/kmv

K:\W5841\W5841-0900-00 General Consultation\Correspondence\Letters\2018\MEMO to Council RE Shoppes Rezoning.doc

Enc: Shoppes at Montgomery Original Zoning
Shoppes at Montgomery Proposed Zoning
Shoppes at Montgomery Rezoning Notification Map

Cc (via email): 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

EXISTING ZONING CLASSIFICATION (SHOPPES AT MONTGOMERY)



1 inch equals 400 feet

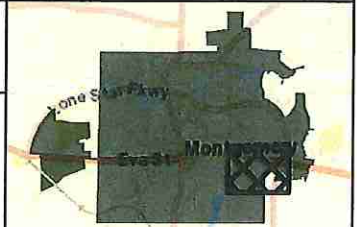
Disclaimer: This product is offered for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property, governmental and/or political 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

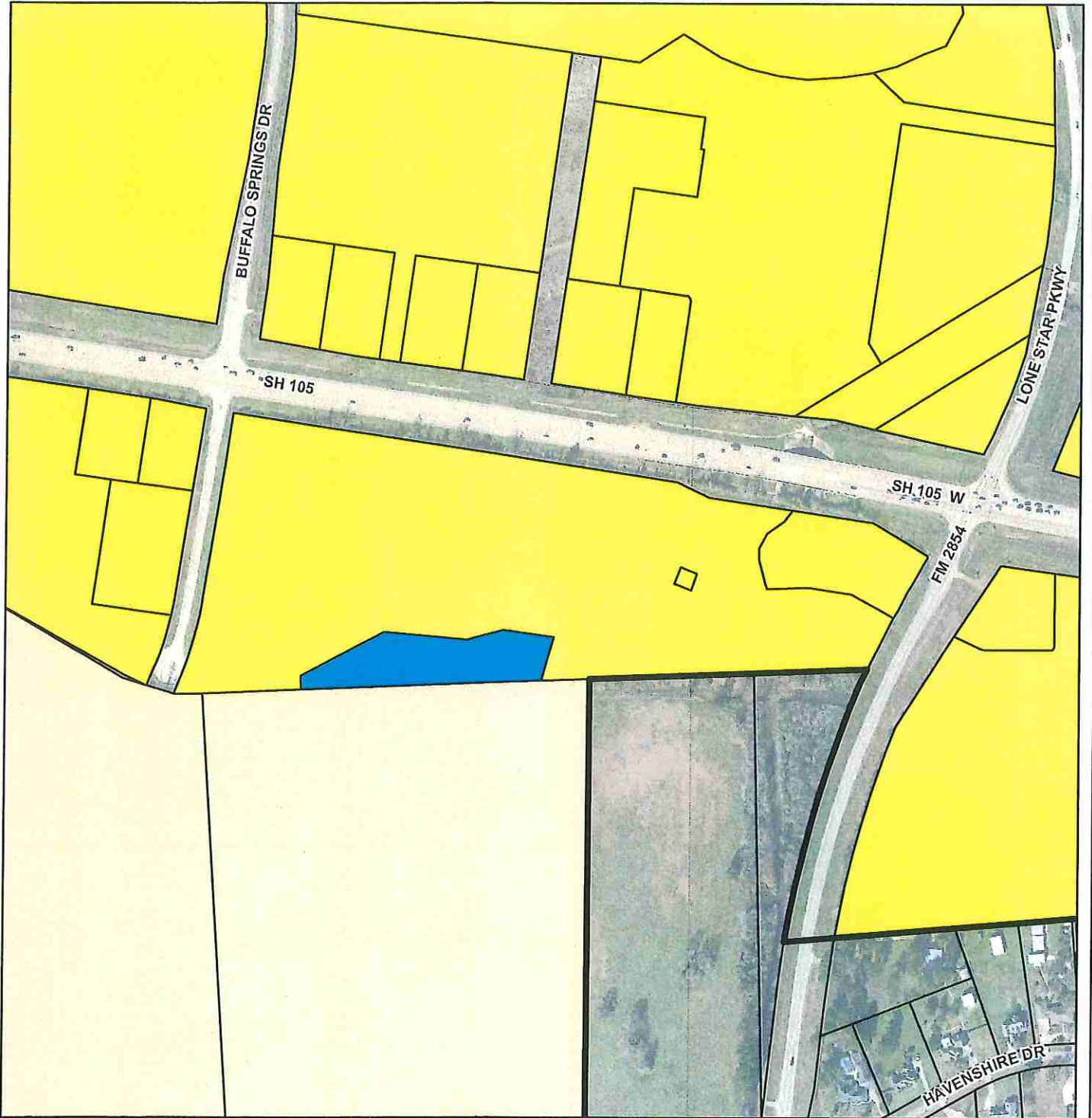
- City Limits
- MCAD Parcels
- COMMERCIAL (B)
- INSTITUTIONAL (I)
- MULTI-FAMILY (R-2)
- SINGLE-FAMILY RESIDENTIAL (R-1)



VICINITY MAP
Scale: 1 inch equals 2 miles



FUTURE ZONING CLASSIFICATION (SHOPPES AT MONTGOMERY)



1 inch equals 400 feet

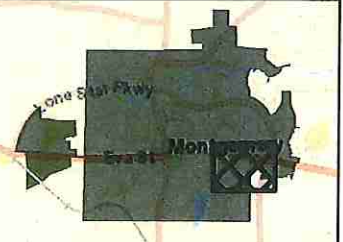
Disclaimer: This product is offered for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property, governmental and/or political 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
- MCAD Parcels
- COMMERCIAL (B)
- INSTITUTIONAL (I)
- MULTI-FAMILY (R-2)
- SINGLE-FAMILY RESIDENTIAL (R-1)



VICINITY MAP
Scale: 1 inch equals 2 miles



**SHOPPES AT MONTGOMERY REZONING
(SOUTHEAST CORNER OF SH 105 & BUFFALO SPRINGS DRIVE)**



1 inch equals 300 feet

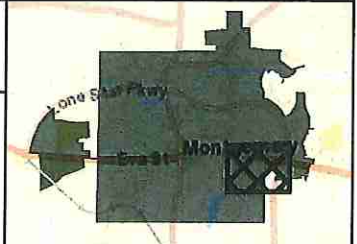
Disclaimer: This product is offered for informational purposes and may not have been prepared for or be suitable for legal, engineering, or surveying purposes. It does not represent an on-the-ground survey and represents only the approximate relative location of property, governmental and/or political 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

- ▭ 200 Ft. Notification Boundary
- ▭ Property being Rezoned
- City Limits
- MCAD Parcels



VICINITY MAP
Scale: 1 inch equals 2 miles



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

Montgomery City Council
AGENDA REPORT

Meeting Date: June 26, 2018	Budgeted Amount:
Prepared By: Jack Yates City Administrator	Exhibits: Ordinance
Date Prepared: June 22, 2018	

in

Subject

This is for you to consider denying the rate increase proposed by Entergy and to pass the issue onto the Lawton Law Firm to represent the city at the Railroad Commission.

Description

This is to officially deny the proposed rate increase from Entergy and to instruct the City Attorney to send a copy of our ordinance to the Railroad Commission and to the Lawton Law Firm, who acts in behalf of many cities regarding such rate increase requests

Recommendation

Motion to approve the ordinance as presented.

Approved By

City Administrator	Jack Yates	Date: June 22, 2018
--------------------	------------	---------------------

ORDINANCE NO. _____

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS, (or "City") declining to approve the change in rates requested in Entergy Texas, Inc.'s ("ETI" or "Company") Statement of Intent filed with the City May 15, 2018 AND FINDING AND DETERMINING THAT THE MEETING AT WHICH THIS ORDINANCE WAS CONSIDERED WAS OPEN TO THE PUBLIC AND IN ACCORDANCE WITH TEXAS LAW.

WHEREAS, ETI notified the City of its intent to file a statement of intent to change rates;

WHEREAS, ETI filed with the City its Statement of Intent and Application for authority to change Rates ("Statement of Intent");

WHEREAS, the City has duly noticed its consideration of the Company's Statement of Intent and is acting within its authority under applicable law;

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF MONTGOMERY, TEXAS THAT the City DECLINES to approve any and all changes in rates requested by ETI and included in ETI's Statement of Intent and that ETI's existing rates should stay in effect.

PASSED AND APPROVED ON THE FIRST READING THIS 26th day of June, 2018.

CITY OF MONTGOMERY, TEXAS

Sara Countryman, Mayor

ATTEST:

Susan Hensley, City Secretary

APPROVED AS TO FORM:

Larry Foerster, City Attorney

CITY ADMINISTRATOR REPORT – JUNE, 2018

- Met with Planning Commission at two meetings.
- Met, took minutes, of two MEDC meetings.
- Attended one Chamber event- Bd. Of Directors meeting.
- 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 grants, TORC Committee, and billing for Escrow Accounts. Completed a Development Handbook for better, more thorough information for developers and staff.
- Drafted and refined a Hotel Ordinance and an incentive type of package, reviewed at the June 5th MEDC meeting (regarding the incentive issue) and Planning Commission meeting (regarding the Ordinance and the incentive package). I plan to present this to the Council at your July 10th meeting.
- Met with several developers during the month regarding: Kenrock property west of Pizza Shack, Emma's Way, Shoppes of Montgomery, and other development possibilities meetings.
- Made several decisions during month as Zoning Administrator, including signs, coordinating variance requests, code enforcement and Historic District activities.
- Worked with City Council individually, the new Mayor and City Staff on a variety of administrative, personnel and coordination efforts. Including budget line item review w/department heads and preparation of upcoming budget and budget amendments to current budget. Spoke with Council member John Champagne regarding building permit time periods and processes.



MIKE MEADOR
COMMISSIONER PRECINCT 1
510 Hwy. 75 N.
WILLIS, TEXAS 77378

Address:
P.O. Box 587
Willis, Texas 77378

Conroe: (936) 539-7815
Metro: (936) 442-7716
commissioner.pct1@mctx.org

June 1, 2018

The Honorable Kirk Jones
The City of Montgomery
101 Old Plantersville Rd.
Montgomery, Texas 77316

RE: Lone Star Parkway and Lone Star Bend

Dear Mayor Jones,

As you know, over the past three years we have expended both County operational funds and 2016 Road Bond funds to reconstruct, stabilize, and widen to provide paved shoulders on Lone Star Parkway. We have also participated in the Lone Star Bend project by constructing the portion of Lone Star Bend through the Villas of Mia Lago to Bois D'Arc Bend.

Since these two roadways are now finished and opened to traffic, the County is now turning over the operation and maintenance of these roadways to the City of Montgomery.

In particular, the portion of Lone Star Parkway from SH 105 east of downtown Montgomery to the Montgomery County City limit located west of FM 149, a total of 15,020 ft, will now be under the operation and maintenance jurisdiction of the City of Montgomery, while the remaining 6,140 ft. of Lone Star Parkway from the City of Montgomery City limit located west of FM 149 to the intersection of SH 105 west of downtown Montgomery will remain under the County's operation and maintenance jurisdiction.

Similarly, the entirety of Lone Star Bend through the Villas of Mia Lago, which is wholly within the City limit of the City Montgomery, is now open to traffic and, therefore, turned over to the City of Montgomery for operation and maintenance jurisdiction.

It has been a productive joint effort between the City and the County to see these two important roadways for mobility in the Montgomery area improved, completed and open for the travelling public. As always, we look forward to working with the City of Montgomery on upcoming mobility projects as the area continues to grow and prosper.

Sincerely,

A handwritten signature in black ink, appearing to read "Mike Meador". The signature is fluid and cursive, with a large initial "M" and a long, sweeping tail.

Mike Meador
Commissioner, Precinct 1

Cc: County Attorney
County Engineer

Montgomery City Council
AGENDA REPORT

Meeting Date: June 26, 2018	Budgeted Amount: (Repairs & Maintenance – W/S Budget)
Department: Public Works	
Prepared By: Mike Muckleroy	Exhibits: Jones Carter Information
Date Prepared: June 20, 2018	

Subject

To consider the approval of water plant inspections to be completed by Jones|Carter at an estimated cost of \$7,500.

Recommendation


Authorize Jones|Carter to perform full mechanical and electrical inspections at both water plants at the estimated cost of \$7,500. This will be billed on an hourly basis.

Discussion

This item was tabled at the June 12, 2018 City Council Meeting. The question was what type of water plant inspections should be performed this year. Jones|Carter is recommending a full mechanical and electrical inspection of both water plants as opposed to the minimum required TCEQ inspection. The options are to allow Jones|Carter to perform the work or go out for formal bids. I have discussed this matter with both Chris Roznovsky and Michael Williams. I am recommending the use of Jones|Carter for a couple of reasons:

1. Familiarity with our water system;
2. Thoroughness of past water plant inspections; and
3. This is an all in one package. Jones|Carter is managing all people involved with this inspection, which eliminates the need for City staff to be on site during each phase.

Approved By

Director of Public Works		Date: 6-20-18
City Administrator		Date:



JONES | CARTER

1575 Sawdust Road, Suite 400
The Woodlands, Texas 77380-3795
Tel: 281.363.4039
Fax: 281.363.3459
www.jonescarter.com

June 6, 2018

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

Re: Completion of Annual Water Plant Inspections
Water Plant Nos. 2 and 3
City of Montgomery

Dear Mayor and Council:

The Texas Commission on Environmental Quality ("TCEQ") requires annual inspections to be performed on all operational water plants. As a reminder, last year we completed the minimum required TCEQ checklist inspection of Water Plant Nos. 2 and 3. This year, we recommend the City proceed with a full mechanical and electrical inspection of the City's water plant facilities. The inspection will include full facility inspection by a Jones|Carter Facilities and Treatment Engineer, Electrical Engineer, and a third party electrical contractor. The estimated cost to complete the mechanical and electrical inspection of Water Plant Nos. 2 & 3 is \$7,500 billed hourly.

The inspection will require the ground storage tank and hydropneumatic tank at Water Plant No. 2 to be taken out of service for an interior inspection. The inspections will be coordinated with Public Works to minimize the down time of the facilities. If Public Works or JC is not comfortable with taking the tanks down, the inspection will be postponed until the fall when the water demand is less.

We request the City authorize us to complete the mechanical and electrical inspection of the City's water plant facilities.

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

Sincerely,

Chris Roznovsky, P.E.
Engineer for the City

CVR:kmv

K:\W5841\W5841-0900-00 General Consultation\Correspondence\Letters\2018\Memo to Council RE Annual Water Plant Inspections.doc

Enclosure: N/A

Cc (via email): 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. Mike Muckleroy – City of Montgomery, Public Works Director

CITY OF
MONTGOMERY

TEXAS



EST 1837

BIRTHPLACE OF THE TEXAS FLAG

City of Montgomery-Public Works Department

May 2018 Monthly Report

General

- Repaired access road to Lift Station 1
- Burned brush pile at Sewer Plant 1
- Replaced or reset several meter endpoints
- Moved city limit sign on 105 west to current boundary line
- Repaired north parking lot at Community Center from previous water leak repair
- Setup/cleanup for Antiques Festival
- Cleaned out and reset several water main valve stacks
- Repaired wiring on PW-0901 lowboy trailer
- Constructed roof for chlorine bottles stored outside at Water Plant 2
- Installed vents at City Hall to cool server room
- Discarded brush from Memory Park cleared by Rotary Club workers
- Pressure washed gazebo at City Hall
- Trimmed brush from corner of Liberty and MLK for better visibility
- Removed dead tree on Worsham St.
- Repaired rain washout under fence at Water Plant 3
- Trimmed limbs around Lift Station D
- Repaired irrigation system at Welcome Sign
- Replace backflow preventer at Welcome Flags
- Installed mulch in beds at City Hall, Welcome Flags, and Welcome Sign
- Installed "Public Parking" signs at Cozy Grape parking lot
- Repaired wiring on PW-1502 dump trailer
- Set new culvert and excavated ditch for better drainage on Mason St.
- Repaired ditch in front of 402 Berkley
- Watered new trees on Flagship
- Extended blow off valve at dead end of Simonton St. for drainage to south side ditch
- Repaired irrigation for roses around Community Center stage

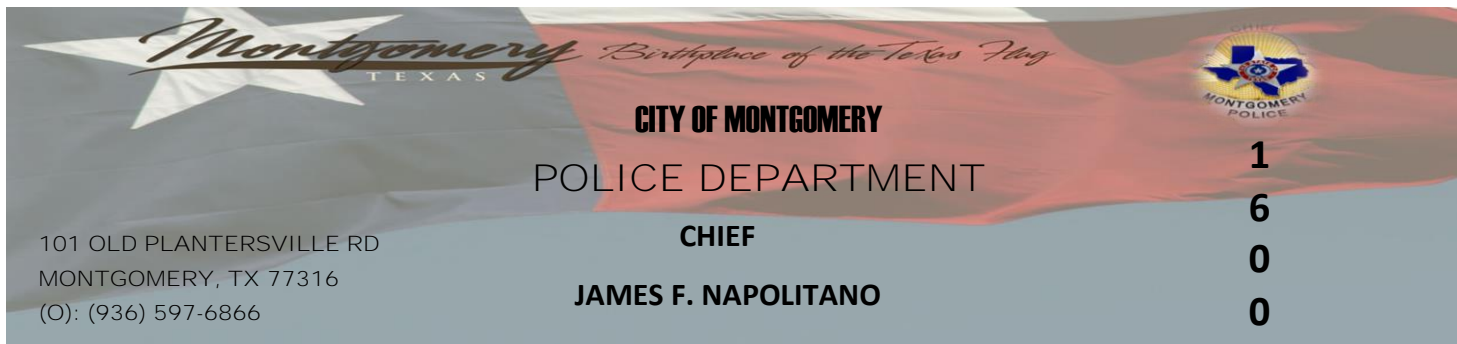
- Installed speed limit sign on Lonestar Bend
- Made several street sign repairs
- Started repainting of stop bars throughout city
- Attended 2 final inspection walkthroughs
- Weekly pre trip inspections of vehicles
- Weekly conference call with engineer and utility operator
- Weekly leak notification list 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
- 3 reported water leaks
- 10 water taps
- 10 sewer taps

Parks and Recreation

- Reworked flower beds in front of Simonton House at Fernland Park
- Sprayed for crazy ants at Memory Park
- Replaced both flags and rope at Homecoming Park
- Removed wagon from Fernland with approval from Sam Houston Museum
- Honored all half-staff alerts
- Sprayed several wasp nests at Fernland Park
- 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

The docents at Fernland Park reported a total of 632 visitors for the month and provided 48 tours.

Report prepared by:
Mike Muckleroy
Director of Public Works
June 19, 2018



POLICE DEPARTMENT REPORT

May 2018

Arrests / Charges Total Shifts A, B & Chief

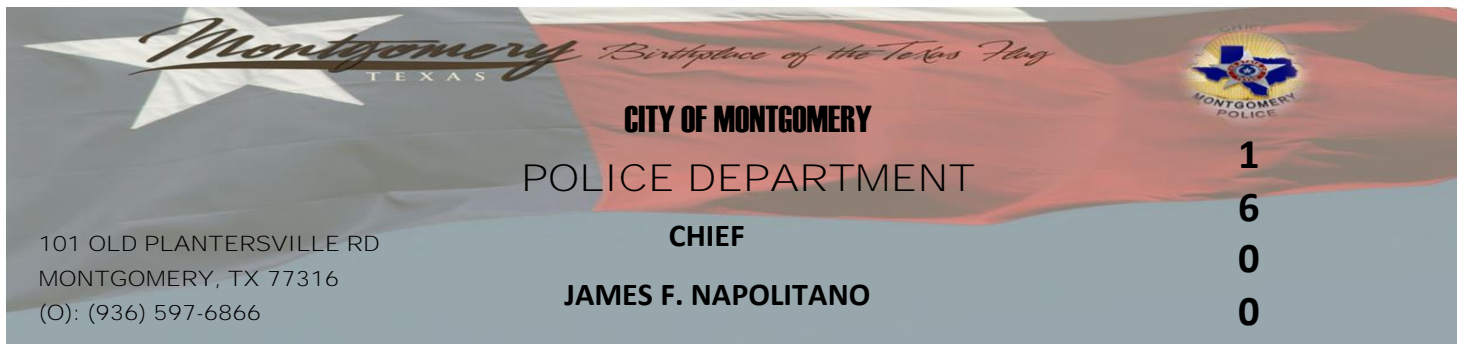
Misdemeanor: 38

Felony: 6

Traffic Enforcement Total Shifts A, B, & Chief

Citations: 227

Warnings: 260



POLICE DEPARTMENT REPORT

May 2018

SHIFT A

During the Month of May "A" Shift generated 33 reports and responded to 307 calls for service and or officer initiated activities. The shift consist of Officers Hernandez, Carswell, Thompson, Bauer and Lt. Belmares.

NARCOTICS

05/26 - Officer Bauer - 20900 Eva St

05/26 - Officer Thompson - 800 MLK

05/25 - Officer Thompson - 10900 Stubby Circle

05/22 - Officer Thompson - 100 Mia Lago

05/21 - Officer Hernandez - 20100 Eva St.

05/13 - Officer Thompson - 20400 Eva St

05/12 - Officer Hernandez - 400 Buffalo Springs Dr.

05/08 - Officer Thompson - 20100 Eva St.

05/03 - Officer Thompson - MLK/McGinnis

THEFT OF MOTOR VEHICLE

05/17 - Officer Hernandez - 21500 Eva St.

EVADING MOTOR VEHICLE

05/07 - Officer Thompson - 22800 Hwy 105 W

THEFT

05/30 - Officer Hernandez - 900 MLK

05/07 - Officer Carswell - 800 Huffman St.

NO DL/NO INSURANCE/TOWED VEHICLE

05/26 - Officer Hernandez - 18000 Hwy 105 W

WARRANT ARREST

05/14 - Officer Thompson - 21500 Eva St.

05/12 - Officer Thompson - Liberty/FM 1097

05/04 - Officer Thompson - Liberty/LSP

STOLEN/RECOVERED MOTOR VEHICLE

05/22 - Officer Bauer - 800 Huffman St.

05/11 - Officer Hernandez - 22900 FM 1097

DRIVING WHILE INTOXICATED

05/22 - Officer Carswell - 21100 Eva St.

05/16 - Officer Bauer - 100 Lone Star Parkway

ASSAULT INJURY FAMILY VIOLENCE

05/08 - Officer Bauer - 600 College St.

MOTOR VEHICLE ACCIDENT INVESTIGATION

05/30 - Officer Thompson - 23000 Eva St.

05/21 - Officer Carswell - 20100 Eva St.

05/17 - Officer Hernandez - 20800 Eva St.

05/11 - Officer Hernandez - 20100 Eva St.

05/02 - Officer Hernandez - 21900 Eva St.

05/02 - Officer Carswell - 21200 Eva St.

DEATH INVESTIGATION

05/27 - Officer Carswell - 1000 MLK

TERRORISTIC THREAT

05/30 - Officer Carswell - 22800 HWY 105 W

INFORMATION CALL

05/03 - Officer Carswell - 300 Flagship Dr.

SUPPLEMENTS

05/30 - Officer Bauer - 400 E. Hunting Tower

05/27 - Officer Hernandez - 10900 Stubby Circle

CITATIONS

Lt. Belmares - 04 Citations / 03 Warnings / 05 Violations

Officer Bauer - 19 Citations / 69 Warnings / 19 Violations

Officer Hernandez - 40 Citations / 39 Warnings / 46 Violations

Officer Thompson - 12 Citations / 08 Warnings / 17 Violations

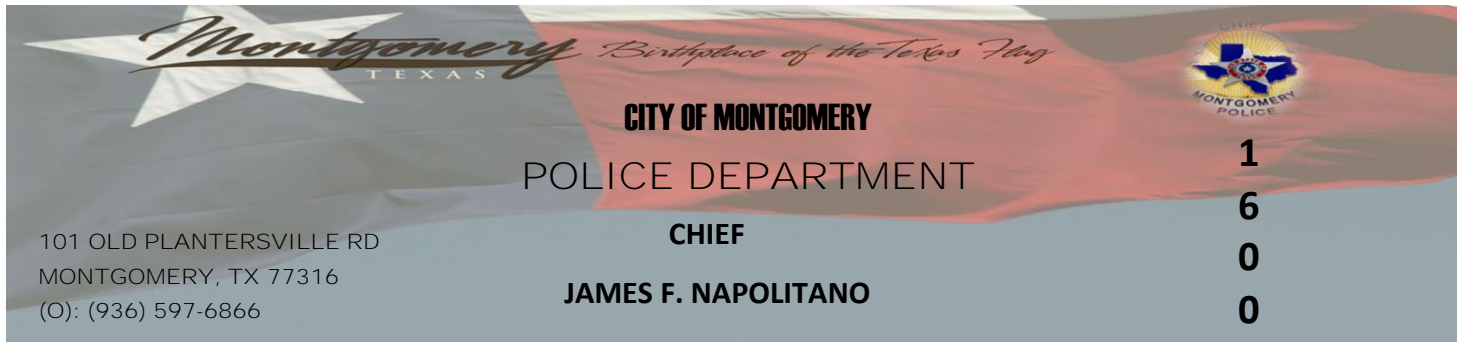
Officer Carswell - 71 Citations / 15 Warnings / 86 Violations

Totals: 146 Citations / 134 Warnings / 173 Violations

ARRESTS

Felony - 5

Misdemeanor - 22



POLICE DEPARTMENT REPORT

May 2018

SHIFT B

During the month of May 2018, The Montgomery Police Department B Shift Patrol Officers (Lt. Rosario, Officer Aguirre, Officer Bracht, and Officer Riley) answered 407 calls for service that include Business Checks, Area Patrols, Building Checks, Welfare Concerns, Medical Calls, Administration Calls, Alarm Calls and Vacation Watches. The shift also generated 31 reports from other calls for service and proactive policing. The reports are as follows:

Narcotics

5/1 Aguirre – FM 1097 / Terra Vista

5/4 Riley – 18600 TX HWY 105 W

5/10 Bracht – 20600 Eva ST

5/15 Riley – 21005 Eva ST

5/24 Aguirre – 100 Emma's Way

No DL / FMFR / Towed Vehicle

5/4 Bracht – Brocks LN / Emma's Way

5/5 Bracht – 21101 Eva ST

5/6 Rosario – 14125 Liberty ST

5/14 Rosario – 14600 Liberty ST

5/19 Riley – 14100 Liberty ST

5/29 Rosario – TX HWY 105 W / Pools RD

Warrant Arrest

5/4 Bracht – Lone Star PKWY / Liberty ST

MVA

5/4 Bracht – 100 Lone Star PKWY

5/5 Aguirre – 21000 Eva ST

5/15 Bracht – 21000 Eva ST

5/23 Aguirre – 13900 Liberty ST

5/29 Bracht – 20168 Eva ST

DWI

5/2 Riley – 20300 Eva ST

5/5 Aguirre – 20100 Eva ST

5/5 Riley – 3000 FM 2854

5/6 Rosario – Eva / Liberty

5/15 Riley – 21005 Eva ST

5/23 Riley – 780 Clepper

Other

5/2 Aguirre – 325 Flagship BLVD (P.I.)

5/5 Bracht – 22800 Eva ST (Recovered Juveniles)

5/5 Rosario – 5 Westway Cir (Theft < \$100)

5/6 Aguirre – 22870 TX HWY 105 W (Harassment)

5/6 Riley – 22870 TX HWY 105 W (Assault Past)

5/10 Bracht – Emma's Way / Brocks LN (Narcotics Info)

5/18 Bracht – 22870 TX HWY 105 W (Found Property)

5/29 Bracht – 20168 Eva ST (FSGI – Unattended Vehicle >\$200)

Arrests / Charges:

Misdemeanor Charges - 16

Felony Charges - 1

Traffic Enforcement

Citations Issued - 81

Warnings Issued - 126

Rosario – 10 Citations / 24 Warnings

Aguirre – 12 Citations / 37 Warnings

Bracht – 43 Citations / 21 Warnings

Riley – 16 Citations / 44 Warnings



CITY OF MONTGOMERY MUNICIPAL COURT REPORT

MAY 2018

KIMBERLY DUCKETT

COURT ADMINISTRATOR

City of Montgomery Municipal Court Report May 2018

REVENUE Category	May-18	Apr-18	Mar-18
Total Cases Filed			
Deposit-City	\$26,119.76	\$19,363.72	\$24,149.08
Deposit-State	\$18,522.96	\$13,548.65	\$16,632.46
Deposit-OMNI	\$293.90	\$203.96	\$231.02
Child Safety Fund	\$0.00	\$0.00	\$25.00
Judicial Efficiency	\$154.67	\$121.60	\$156.97
Court Tech Fund	\$948.45	\$717.07	\$898.25
Court Bldg Security Fund	\$711.32	\$532.52	\$672.98
Collection Agency	\$3,437.29	\$2,222.74	\$4,342.06
TOTAL	\$50,188.35	\$36,710.26	\$47,107.82
Bond Amounts	\$5,132.90	\$3,071.60	\$5,272.30
GRAND TOTAL	\$55,321.25	\$39,781.86	\$52,380.12

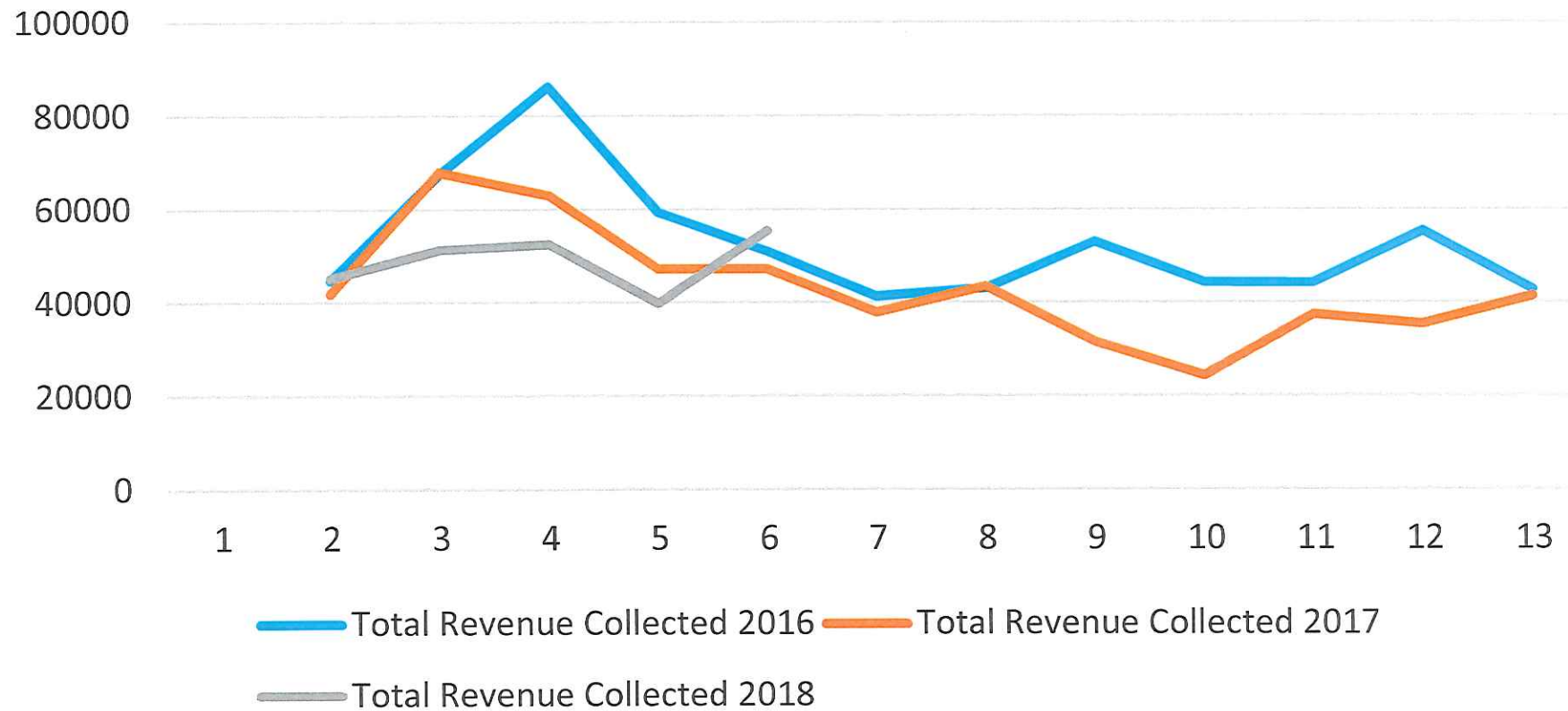
Citations Filed			
	2016	2017	2018
<i>Jan</i>	470	332	207
<i>Feb</i>	351	233	199
<i>Mar</i>	353	394	163
<i>April</i>	323	268	247
<i>May</i>	229	268	229
<i>June</i>	163	254	
<i>July</i>	153	240	
<i>Aug</i>	324	189	
<i>Sept</i>	212	143	
<i>Oct</i>	313	190	
<i>Nov</i>	226	251	
<i>Dec</i>	195	217	

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	
<i>July</i>	\$42,990.97	\$43,405.62	
<i>Aug</i>	\$52,923.17	\$31,540.77	
<i>Sept</i>	\$44,256.40	\$24,281.60	
<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	

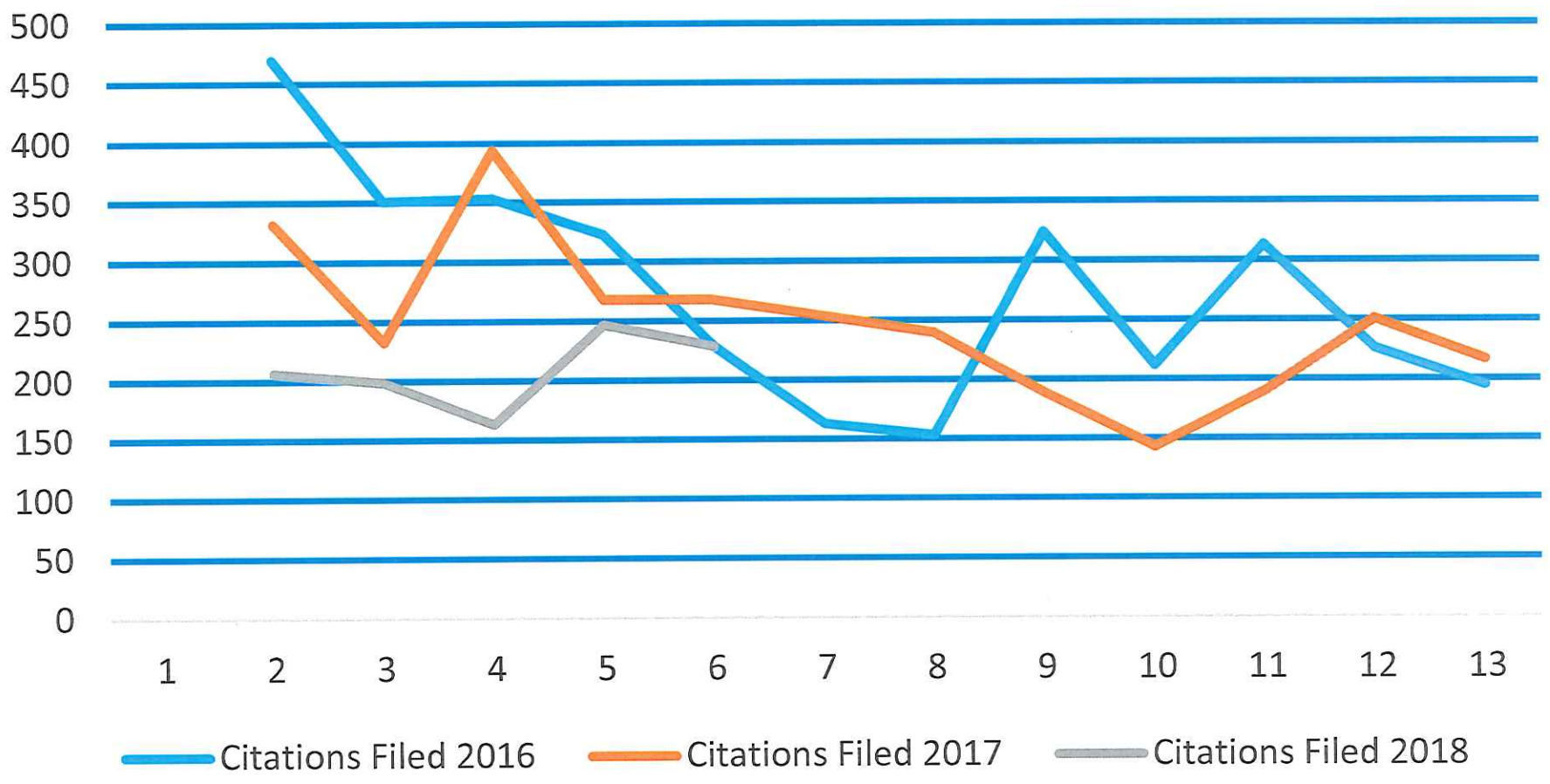
Totals 2164 2402 1045

\$632,082.02 \$518,336.80 \$243,800.22

Total Revenue Collected



Citations Filed



UTILITY REPORTS - MAY 2018

TOTAL REVENUE

Utilities	\$153,673.80
Permits	\$18,108.00
Community Building	\$365.00

UTILITIES

New Water Accts.	23
Disconnected Water Accts.	16
Total Number of Active Accts.	660

PERMITS

Type	Permit Total	Revenue
Building - Residential	13	\$10,372.00
Building - Commercial	2	\$1,334.50

Cert. of Occupancy	0	\$0.00
Golf Cart	0	\$0.00
Irrigation	3	\$294.80
Electrical	10	\$1,888.00
Mechanical	10	\$1,398.00
Plumbing	15	\$2,520.70
Sign	6	\$300.00
Total:	59	\$18,108.00

COMMUNITY BUILDING

Type of Rental	Number of Bookings	Revenue
Profit	2	\$365.00
Non - Profit	14	\$0.00

CITY ACCOUNT CONSUMPTION

	MARCH	APRIL	MAY
Community Building – Irrigation (01-8732-00)	8	10	9
Community Building (01-0130-00)	2	6	9
City Cemetery (01-1110-00)	0	0	0
City Welcome Sign Irrigation at HWY 105 & Prairie – Rose Garden (01-8733-00)	0	0	0
North Liberty Sewer Plant			
Cedar Break Park Irrigation (01-8736-00)	3	4	4
Cedar Break Park Restrooms (01-8735-00)	2	2	2
Ferland (01-8737-00)	1	8	9
Memory Park (01-5885-00)	37	54	127
Community Building Stage Irrigation – Rose Garden (01-6180-00)	0	0	0
City Hall & Irrigation (01-6190-00)	29	31	26
Homecoming Park Restrooms (01-8820-00)	0	1	2
Homecoming Park Drinking Ftn (01-8738-00)	0	0	0
Buffalo Springs Sewer Plant (01-8821-00)	1	3	0



City of Montgomery

Operations Report

May 2018

4/18/18-5/17/18

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

SUMMARY OF OPERATIONS

District Alerts

04/22/2018 – Lift Station 2, High wet well

Operator investigated issue, alarm was due to a rain storm. Operator monitored facility and reset alarms.

04/23/2018 – Lift Station 9, High level

Upon arrival operator found pumps at high level and needed to be pulled. Maintenance pulled equipment and returned facility back to working order.

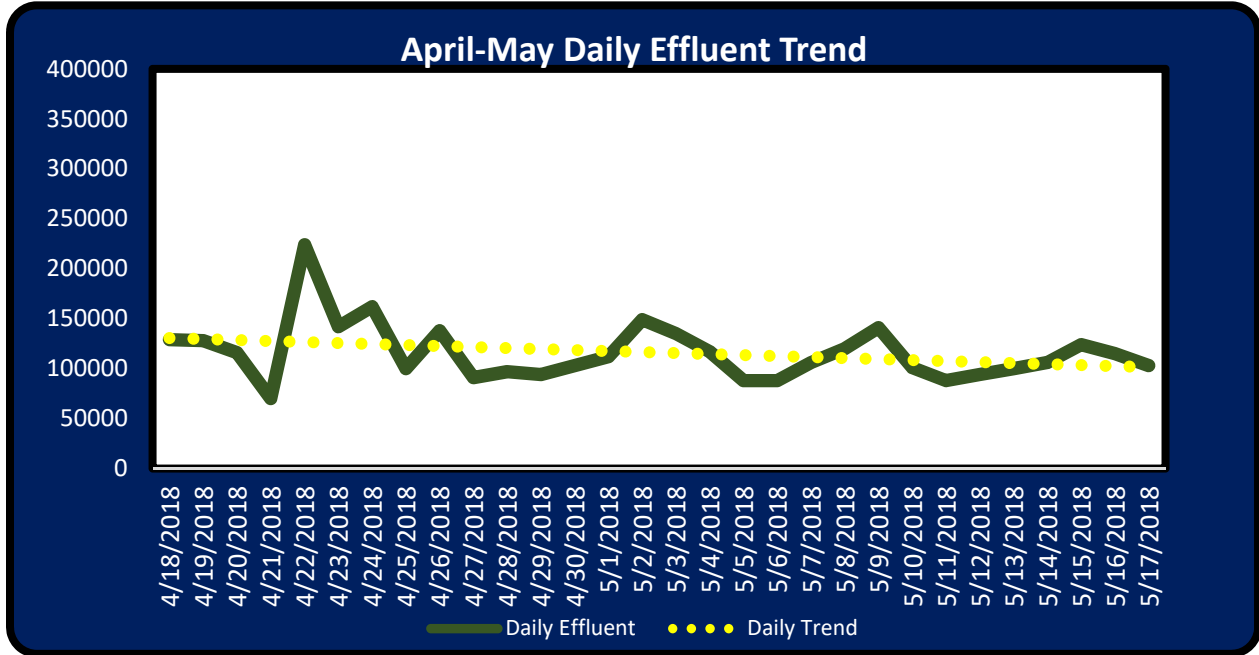
04/24/2018 – Lift Station 2, Verbal frequency drive (VFD) failure

Upon arrival operator found lift station calling out for VFD failure (Variable Frequency Drive). The cause of the issue was due to a power surge. Operator monitored facility and reset alarms.

05/09/2018 – Water Plant 3, Low level Ground storage tank (GST)

Operator investigated issue and found GST was in low level. Maintenance was called on site and found wires in panel lost contact which caused part of the system to lose power. Operator monitored facility until operational.

Wastewater Plant Flow Detail



- Flow for the month of April – May was 3,481,000 gallons
- Daily peak flow April 22, 2018 was 224,000 gallons
 - 56% of permitted value
- Average Daily Flow 116,000 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

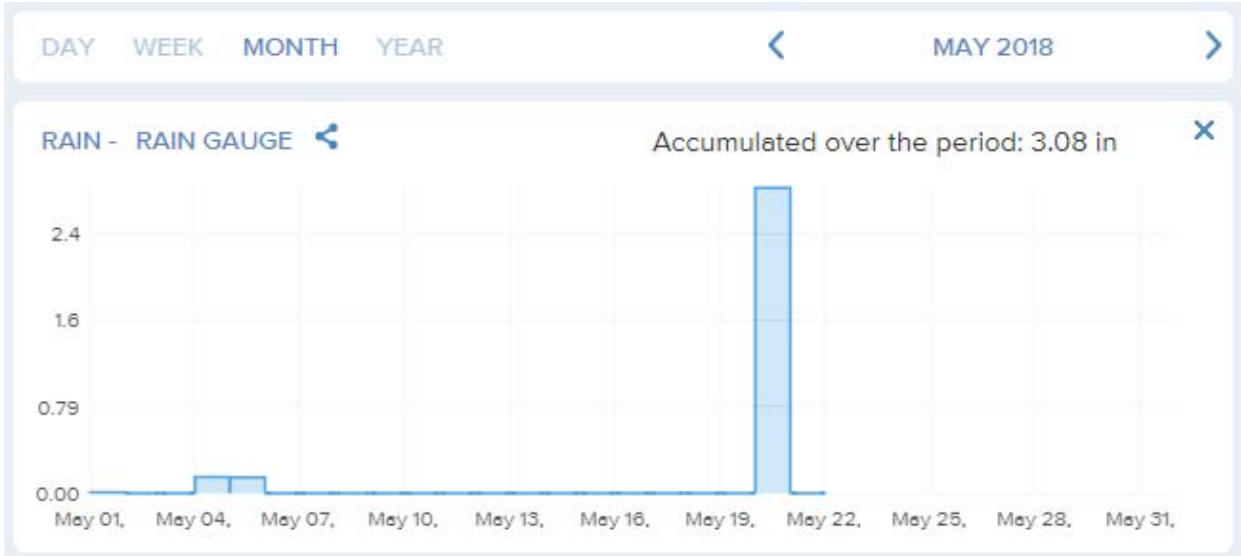
Effluent

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	2.60	no
Average Monthly NH3	2	mg/l	0.10	no
Minimal CL2 Residual	1	mg/l	1.01	no
Max CL2 Residual	4	mg/l	3.80	no
Rainfall for the Month			2.50	inches

There were no excursions for the month of May



Water Report

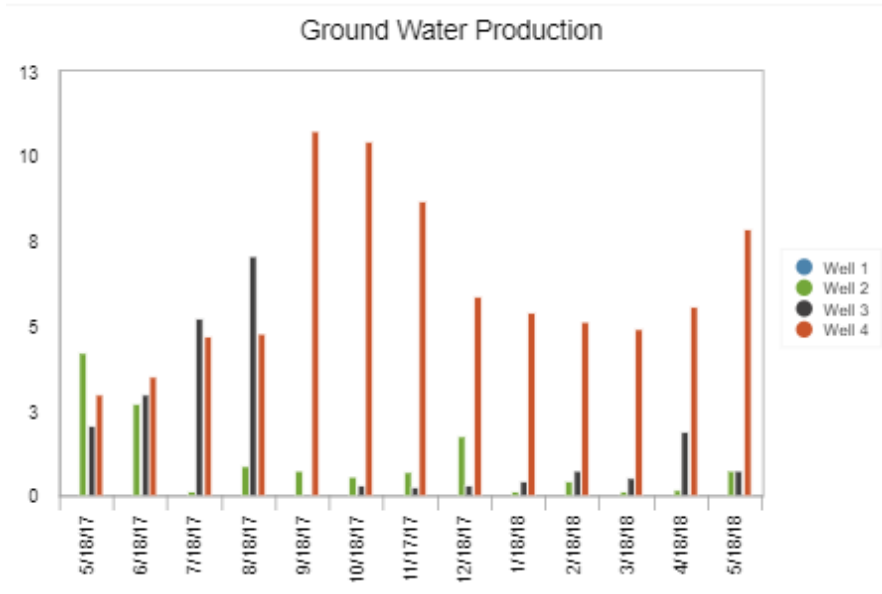
4/18/2017-5/17/2018

2018							
Well Name	Recorded Flow	% of Total	Rating G/Day	YTD Pumpage	YTD %	Permitted Value	Remaining Permit %
Well 2	0.725	7.79%	0.864	1.580	4.55%	47.551	87.63%
Well 3	0.73	7.85%	0.864	4.302	12.38%	47.551	87.63%
Well 4	7.849	84.36%	2.160	28.858	83.07%	75.100	61.57%
Total	9.304	100.00%	3.888	34.740	100%	122.651	
Flushing	0.163						
Subtotal	9.141						
Sold	8.814						
% Accounted	96%						

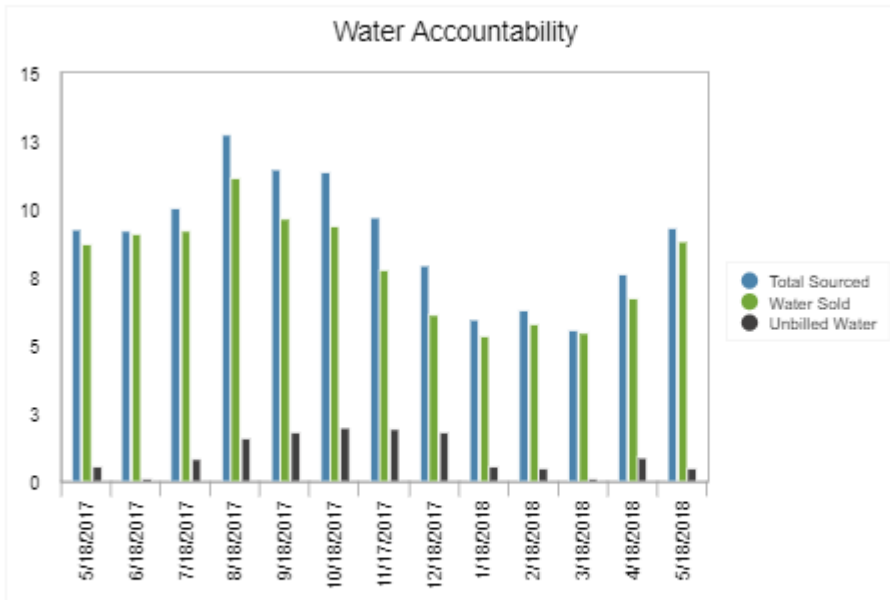
Accountability	
Total Water Sourced	9.303
Flushing	0.163
Subtotal	9.141
Sold	8.814
Accountability %	96%

WATER PRODUCTION

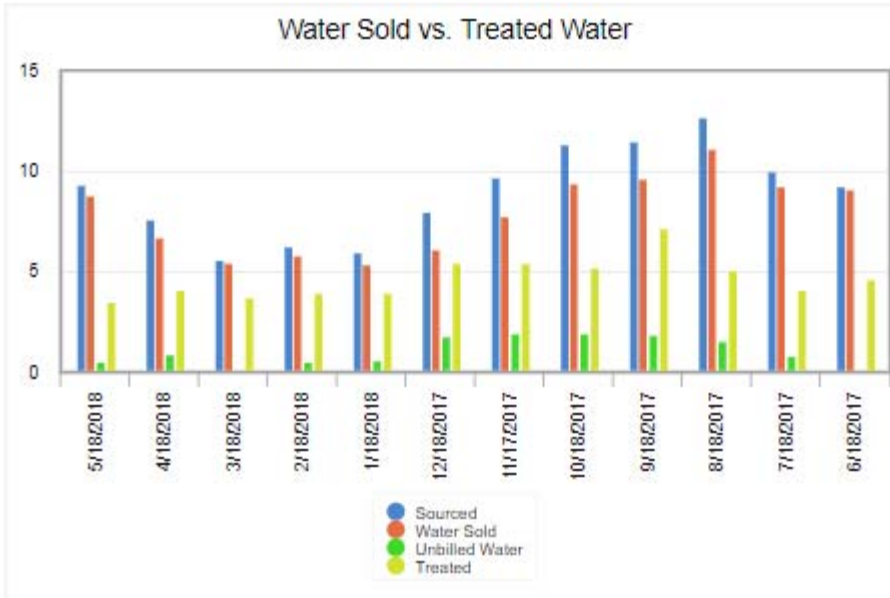
CONNECTIONS	
School	12
Commercial Inside	138
Commercial Outside	1
Residential Inside	562
Residential Outside	26
Church	14
City	16
Hydrant	11
Multifamily	11
n/a	2
Total	793



DATE ▼	TOTAL	WELL 1	WELL 2	WELL 3	WELL 4
AVG	8.471	0.000	0.732	2.380	5.359
5/18/18	9.304	0.000	0.725	0.730	7.849
4/18/18	7.610	0.000	0.160	1.899	5.551
3/18/18	5.584	0.000	0.138	0.515	4.931
2/18/18	6.299	0.000	0.418	0.735	5.146
1/18/18	5.943	0.000	0.139	0.423	5.381
12/18/17	7.951	0.000	1.769	0.299	5.883
11/17/17	9.688	0.000	0.718	0.283	8.687
10/18/17	11.337	0.000	0.581	0.297	10.459
9/18/17	11.463	0.000	0.729	0.001	10.733
8/18/17	12.718	0.000	0.861	7.080	4.777
7/18/17	10.036	0.000	0.124	5.213	4.699
6/18/17	9.226	0.000	2.720	2.994	3.512
5/18/17	9.286	0.000	4.220	2.080	2.986
TOTAL	338.835	0.000	29.271	95.218	214.346



DATE ▼	TOTAL SOURCED	WATER SOLD	UNBILLED WATER	FLUSHING/LEAKS	UNACCOUNTED	ACCTBLTY
5/18/18	9.304	8.814	0.490	0.163	0.327	96%
4/18/18	7.610	6.750	0.860	0.151	0.709	91%
3/18/18	5.584	5.459	0.125	0.202	- 0.077	101%
2/18/18	6.299	5.791	0.508	0.185	0.323	95%
1/18/18	5.943	5.369	0.574	0.185	0.389	93%
12/18/17	7.951	6.138	1.815	0.110	1.705	76%
11/17/17	9.888	7.767	1.921	0.306	1.615	83%
10/18/17	11.337	9.368	1.969	0.690	1.279	80%
9/18/17	11.463	9.628	1.835	1.569	0.266	98%
8/18/17	12.718	11.127	1.591	0.203	1.388	80%
7/18/17	10.036	9.235	0.801	0.039	0.762	92%
6/18/17	9.228	9.105	0.121	0.203	- 0.082	101%
5/18/17	9.286	8.721	0.565	0.250	0.315	97%



DATE ▼	SOURCED	WATER SOLD	UNBILLED WATER	TREATED WATER	RETURN %	RAIN
5/18/18	9.304	8.814	0.490	3.481	39%	2.500
4/18/18	7.610	6.750	0.860	4.098	61%	6.750
3/18/18	5.584	5.459	0.125	3.744	69%	3.750
2/18/18	6.299	5.791	0.508	3.979	69%	3.500
1/18/18	5.943	5.369	0.574	3.956	74%	2.750
12/18/17	7.951	6.136	1.815	5.412	88%	3.740
11/17/17	9.688	7.767	1.921	5.473	70%	4.150
10/18/17	11.337	9.368	1.969	5.204	56%	2.750
9/18/17	11.463	9.628	1.835	7.199	75%	1.410
8/18/17	12.718	11.127	1.591	5.107	46%	14.160
7/18/17	10.036	9.235	0.801	4.092	44%	6.370
6/18/17	9.226	9.105	0.121	4.591	50%	2.990

*This data is available on our website. <http://www.gulfutility.net/commercial-accounts/>

Contact Information

Operations

Michael Williams, *Vice President of Operations – (B) Water, (B) Wastewater*

Phone: (713) 494-1793 Email: michaelw@gulfutility.net

Jeanette Montes, *Operations Administrator- BS Environmental Science*

Phone: (281) 355-1312 *112 Email: jeanette@gulfutility.net

Anthony Freeman, *Chief Operator – (B) Water, (B) Wastewater*

Phone: (346) 300-5282 Email: anthony@gulfutility.net

Administration

Chuck Peterson, *President, Owner & CEO*

Phone: (832) 373-7276 Email: chuck@gulfutility.net

Julie Addison, *Executive Vice President*

Phone: (713) 357-4353 Email: julie@gulfutility.net

Departments

Lizet Ocampo, *Billing Manager*

Phone: (832) 497-1253 Email: lizet@gulfutility.net

Corina Swaim, *Customer Service Supervisor*

Phone: (832) 497-1253 Email: corina@gulfutility.net

Robert Cardinas, *Field Service Supervisor*

Phone: (281) 750-1938 Email: robertc@gulfutility.net

Joe Ortiz, *Maintenance Field Supervisor*

Phone: (281)781-5554 Email: joe@gulfutility.net

June 21, 2018

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

Re: Engineering Report
Council Meeting: June 26, 2018
City of Montgomery

Dear Mayor and Council:

The following information summarizes our activities on your behalf since the May 22, 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)

We received and approved Pay Estimate Nos. 4 & 5 in the amount of \$76,737.01 and \$102,924.19, respectively, to Glenn Fuqua, Inc. The project is scheduled to be complete by the end of July.

b) Geographic Information System (GIS) Build (JACOB)

We are proceeding with the build-out of the Geographic Information System (GIS) for the City, and are on schedule for a July completion.

c) SH-105 Annexation

We completed the preparation of the metes & bounds description of approximately 1.8 acres along SH-105 from the easternmost boundary of the City Limits to the easternmost boundary of the City's Extra Territorial Jurisdiction (ETJ). Enclosed in your packets is a copy of the description and exhibit, as well as a draft resolution from the City Attorney to set 2 public hearings for the annexation.

Agenda Item - Consideration and possible action regarding of the following Resolution:

A RESOLUTION BY THE CITY COUNCIL FOR THE CITY OF MONTGOMERY, TEXAS, SETTING A DATE, TIME, AND PLACE FOR TWO PUBLIC HEARINGS ON THE PROPOSED ANNEXATION BY THE CITY OF MONTGOMERY, TEXAS OF 1.799 ACRES OF LAND, MORE OR LESS, IN THE PUBLIC ROAD RIGHT-OF WAY OF STATE HIGHWAY 105 EAST WHICH RUNS ADJACENT AND PARALLEL TO THE BOUNDARIES OF THE CITY; AND AUTHORIZING AND DIRECTING THE CITY SECRETARY TO PUBLISH NOTICE OF SUCH PUBLIC HEARINGS.

Status of Previously Authorized Projects (cont.):**d) FM 149 Sanitary Sewer Cleaning and Televising**

We presented our recommendations for repairs to the sanitary sewer lines and manholes included in the project scope at the May 22nd meeting of the City Council. We are continuing to work with the contractor and City Staff to reach a resolution regarding the damages to Lift Station No. 3.

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

We anticipate the contractor will begin work in early July, weather permitting. Enclosed in your packets is a copy of Change Order No. 1 for the project to add days to the contract because of the delays caused by the Bridge contractor.

Agenda Item – Consideration and possible action regarding Change Order No. 1 for the Buffalo Springs Drive Waterline Bridge Crossing Contract.

g) 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 July 2018 and receive plan approval in September 2018. We expect construction to begin in November 2018.

h) 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 Summer 2018. We expect construction to begin in Fall 2018.

i) 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. We expect to complete the design by the middle of July 2018 and submit the design for approvals.

j) 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. We expect to complete the design by the end of July 2018 and receive plan approval in September 2018. We expect construction to begin in November 2018.

k) 18” Gravity Sanitary Sewer Extension

We completed the design and are conducting a final review with City staff. We plan to begin advertising for bids for the Phase I project this month.

l) Baja Road Water and Drainage Improvements (CDBG)

We are continuing to work with the GrantWorks to obtain environmental clearance for the project. We expect to complete the design and receive all approvals in August 2018. We expect construction to begin in October 2018.

Status of Previously Authorized Projects (cont.):**m) Baja Road Paving Repairs (FEMA)**

We are preparing a scope and schedule for the project, which will take place following the completion of the Baja Road Water and Drainage Improvements (CDBG) project.

n) Atkins Creek Water, Sanitary, and Storm Sewer Repairs (FEMA)

We continue to work with FEMA on obtaining approvals to proceed with design of the project.

o) GLO Projects

We submitted the required documentation to GrantWorks to complete the review package on March 15th. As a reminder, the projects submitted include the remaining estimated portion of the Buffalo Springs Drive Bridge; sanitary sewer, drainage, and paving improvements along Martin Luther King, Jr. and Baja Road including improvements to a tributary of Town Creek; the addition of a generator at Water Plant No. 3; and improvements to Lift Station No. 3. It is our understanding funding for these projects will not be available until July 2018 at the earliest.

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

- i. **Star of Texas Seniors** – As a reminder, at the June 12th meeting of the City Council, we were authorized to proceed with a Utility and Economic Feasibility Study for the 5-acre multifamily Star of Texas Seniors Development on Lone Star Parkway. We expect to present our findings at the August 14th meeting of the City Council.
- ii. **Louisa Lane Single Family Development** – We met with the developer of a 13.5-acre tract of land at the end of Louisa Lane on June 12th to discuss development of the property into a single-family development. It is our understanding that the developer has deposited funds with the City for the feasibility study. We request authorization to proceed with the preparation of a Utility and Economic Feasibility Study for the development.

Agenda Item - Consideration and possible action regarding authorizing Jones|Carter to perform a Utility and Economic Feasibility Study for the Louisa Lane Single Family Development.

b) Plan Reviews

- i. **BlueWave Express Car Wash** – We received revised plans on June 12th and returned comments on June 20th.
- ii. **The Shoppes at Montgomery Bridge and Phase I Revisions** – We received plans on June 11th and returned plan approval on June 20th.
- iii. **ProCore Developments** – We received plans on May 14th and returned comments on May 29th.

Plan Reviews (cont.):

- iv. **Peter Hill Public Infrastructure** – We did not receive revised plans this month.
- v. **Spirit of Texas Montgomery** – We received revised plans on June 13th and returned comments on June 20th.

c) Plat Reviews

- i. **Samdana Investments Minor Plat** – We did not receive a revised plat this month.
- ii. **Lone Star Parkway North, Sections 1 & 2 Vacating Plat** – We did not receive a revised plat this month.
- iii. **Emma’s Way ROW Dedication Final Plat** – We the revised plat on June 18th and returned plat approval on June 19th.

Agenda Item – Consideration and possible action regarding the Emma’s Way 80’ R.O.W. Dedication Final Plat.

d) Ongoing Construction

- i. **West Side at the Park** – We provided comments to the as-built drawings and requested additional information on May 3, 2017. Once all comments and punch list items are addressed we will recommend the City accept the infrastructure.
- ii. **Villas of Mia Lago, Section 2** – We performed our final inspection of the infrastructure on May 31st, and it is our understanding the contractor is working to address the punch list items identified at the final inspection.
- iii. **Hills of Town Creek, Section 3** – Construction is proceeding on the public improvements to serve the development.
- iv. **Emma’s Way** – Paving of both the northbound and southbound lanes is complete. We are continuing our inspection services for the utility installation. Enclosed in your Council packets is a draft escrow agreement between the City of Montgomery and Christian C. and Mary Cheatham for the Emma’s Way Extension Development.
- v. **Montgomery First Phase I, II, & III** – Construction is proceeding on the private paving, private drainage, and public waterline and sanitary sewer line.

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. Upon completion and final inspection of the lift station, we will recommend the City release the remaining funds to the developer.

Meetings and Ongoing Activities:

- a) **City Council Master Planning Workshop** – We attended the Master Planning workshop of the City Council on June 9th and discussed both the water and sanitary sewer master plans for the City, as prepared in 2015, and the progress that has been made to the system since the creation of the master plans.
- b) **Backflow Prevention Ordinance** – At the June 12th meeting of the City Council, we presented information regarding a proposed backflow prevention ordinance to require all non-residential users identified as a “high health hazard” per TCEQ definitions to install a backflow prevention assembly and undergo annual testing and certification. A draft ordinance is included in your Council Packet.

Agenda Item - Consideration and possible action regarding adoption of the following Ordinance:
AN ORDINANCE OF THE CITY OF MONTGOMERY, TEXAS, REGARDING PUBLIC WATER SYSTEM BACKFLOW PREVENTION ASSEMBLY REQUIREMENTS FOR CERTAIN ESTABLISHMENTS IN THE CITY OF MONTGOMERY, TEXAS; ADDING NEW DIVISION VI, TO ARTICLE II, ENTITLED “BACKFLOW PREVENTION,” TO CITY CODE OF ORDINANCES CHAPTER 90, ENTITLED “UTILITIES;” PROVIDING THE PURPOSE AND REGULATIONS FOR NEW AND EXISTING WATER CONNECTIONS; REQUIRING ANNUAL TESTING; PROVIDING A PENALTY CLAUSE FOR VIOLATING THE ORDINANCE; PROVIDING SEVERABILITY CLAUSE AND TEXAS OPEN MEETINGS ACT CLAUSE; AND PROVIDING AN EFFECTIVE DATE UPON PUBLICATION.

- c) **Well Performance Testing** – We received and reviewed the results of the Catahoula water well performance tests completed in May 2018 by G-M Services. The water well is performing as designed and no action is required at this time.
- d) **2018 GRP Amendment** – We plan to submit the GRP Amendment Application to Lone Star Groundwater Conservation District this week to request additional permit capacity for the Catahoula Well permit to accommodate current demands and future growth within the City.
- e) **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.
- f) **TxDOT FM 149 Widening** – We attended a Workshop of the City Council on June 19th to discuss the latest plans received from TxDOT and to allow the public to voice their concerns regarding the project. It is our understanding TxDOT will not perform any additional work to the project until a clear decision is received in writing from City Council. Enclosed are the exhibits that were displayed at the Workshop.
- g) **Development Handbook and Approval Process** – We are working with the City Administrator and City Secretary to compile a handbook for development in Montgomery. Once complete, the handbook will contain all processes for development within the City from project initiation to close-out.

Meetings and Ongoing Activities (cont.):

- h) **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 cooling tower operations at Water Plant No. 3, 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.
- i) **Technical Operations Review Committee (TORC)** – We did not meet with the Technical Operations Review Committee this month.

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

Sincerely,



Chris Roznovsky, PE
Engineer for the City

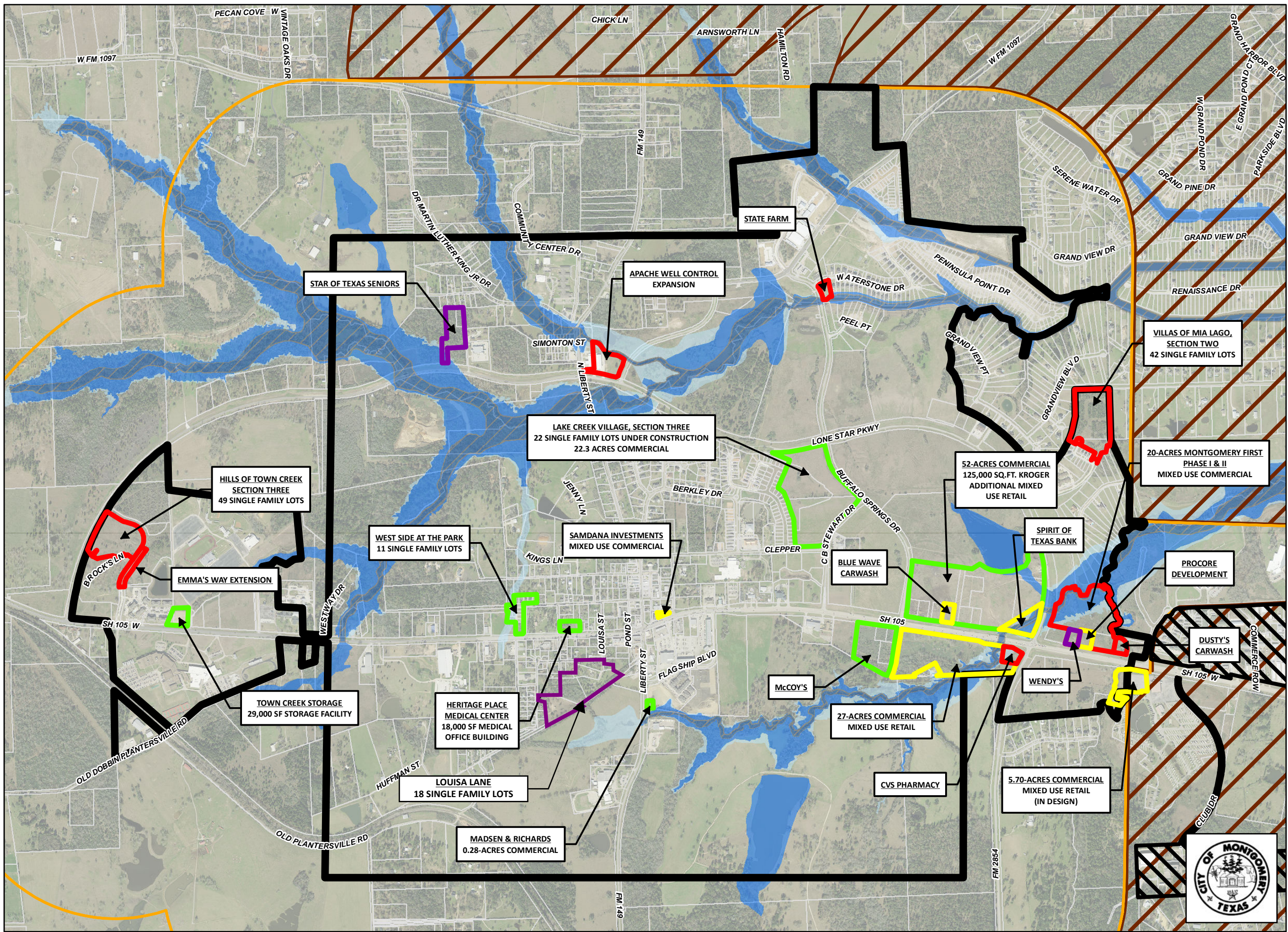
CVR/kmv

Enclosures:

Project Master Schedule
Active Developments Map
Active Capital Projects Map
FM 149 Plan Excerpt

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

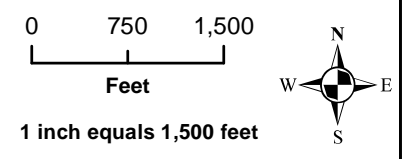


LEGEND

Active Development (Phase)

- Complete/Under Warranty (Green outline)
- Under Construction (Red outline)
- In Design (Yellow outline)
- Planning/Feasibility (Purple outline)
- City Limits (Thick black outline)
- Stanley Lake MUD (Hatched pattern)
- City ETJ (Orange outline)
- City of Conroe ETJ (Brown outline)
- Floodway (Blue shading)
- 100-year (Dark blue shading)
- 500-year (Light blue shading)
- MCAD Parcels (Thin black outline)

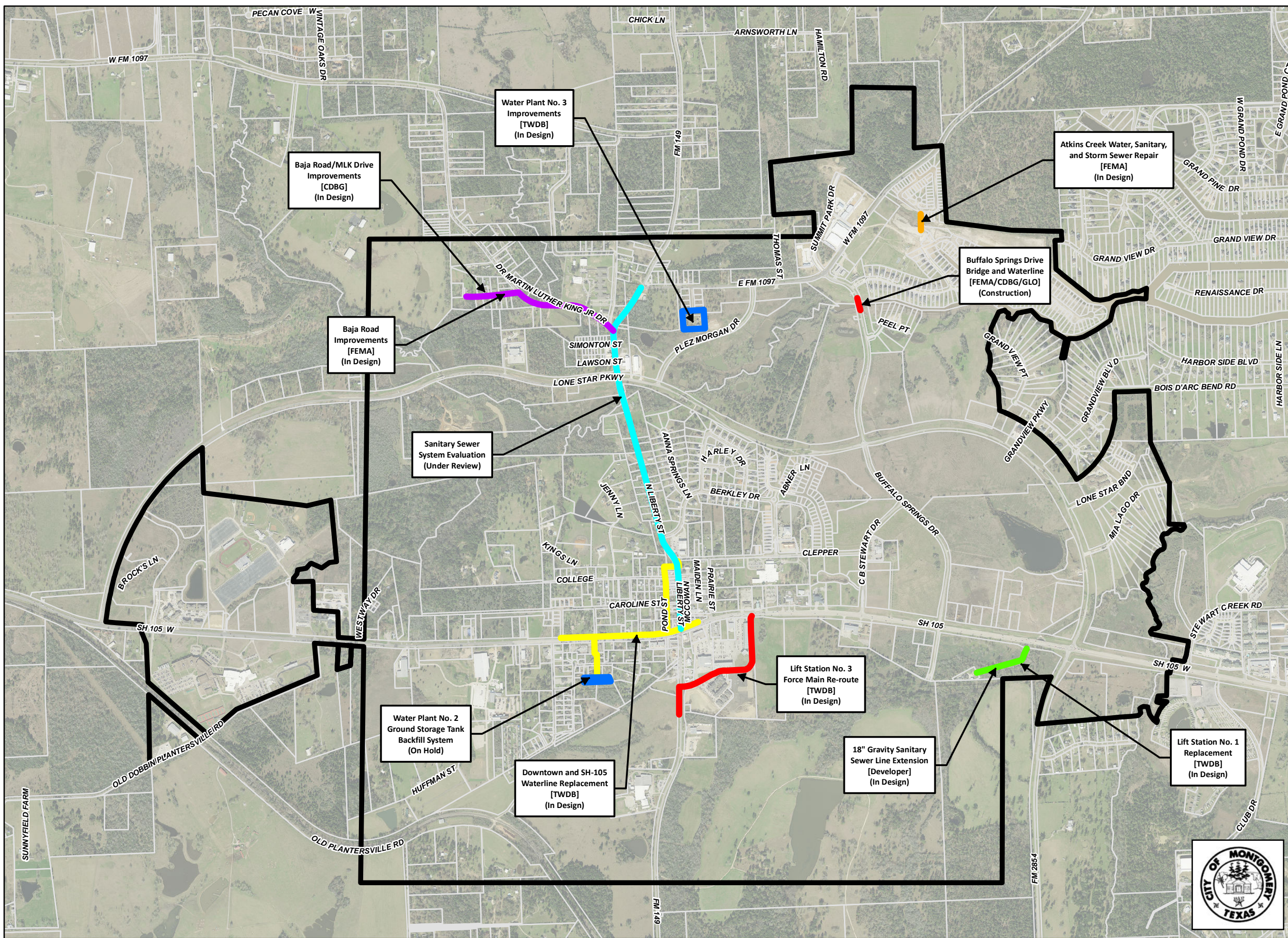
ACTIVE DEVELOPMENTS (JUNE 2018)



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



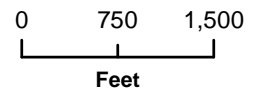
VICINITY MAP

Scale: 1 inch equals 20 miles

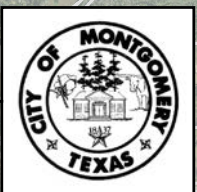
LEGEND

-  City Limits
-  MCAD Parcels

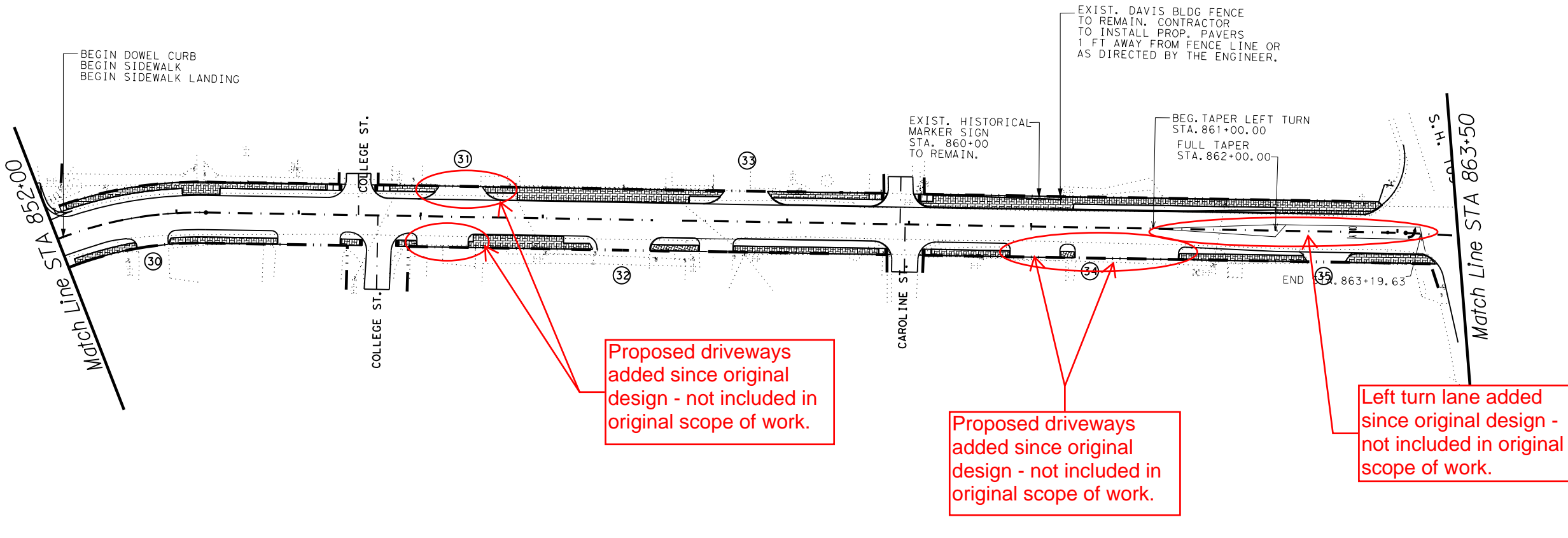
ACTIVE CAPITAL PROJECTS (JUNE 2018)



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.



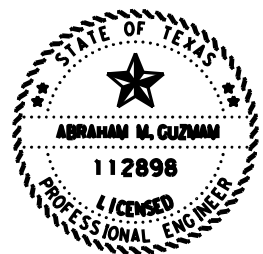
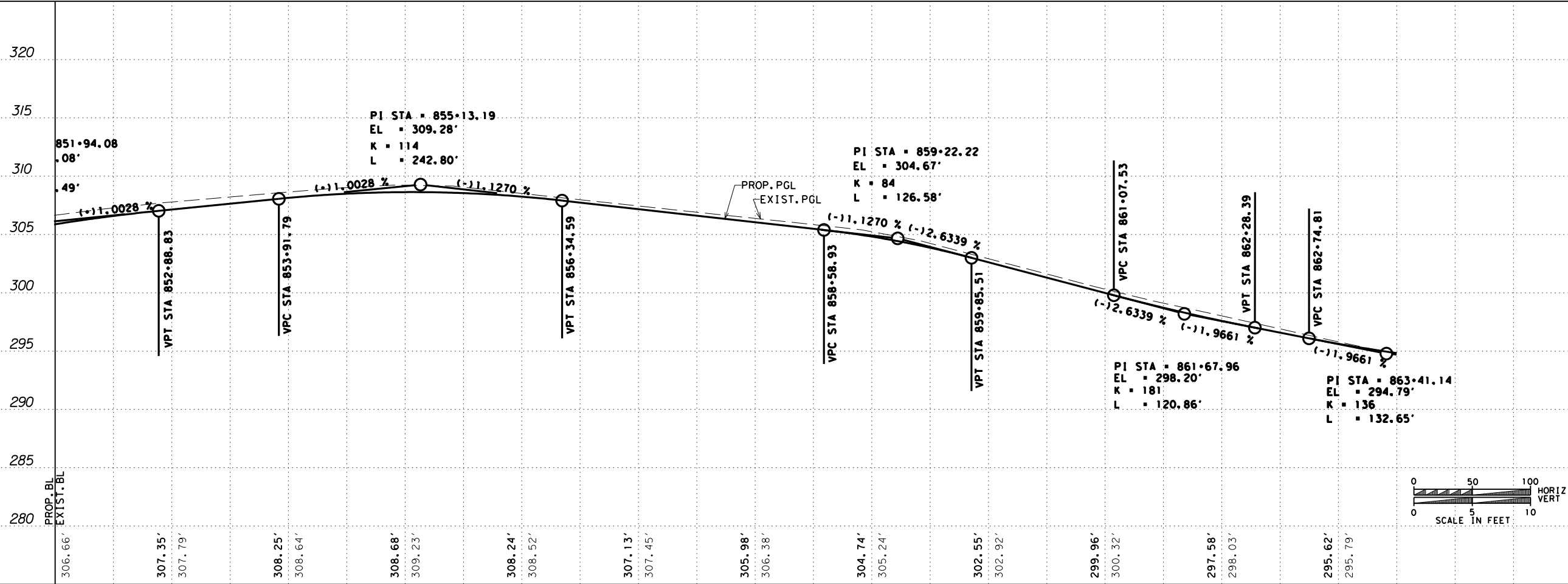
DATE: 04/10/2018 06:49 PM
 FILE: D:\dot\projectwiseonline.com\TxDOT\3\Documents\12 - HOV\Design Projects\072002077\4 - Design\Plan Set\3 - Roadway\pp\plan\pp5.dgn



- NOTES:
- FOR HORIZONTAL ALIGNMENT INFORMATION SEE HORIZONTAL ALIGNMENT DATA SHEETS.
 - ALL STATIONS AND OFFSETS ARE BASED OFF ALIGNMENT. (149 ALIGNMENT)

LEGEND

	EXIST. PAVEMENT
	EXIST. ROW
	EXIST. DITCH
	SAFETY END TREATMENT
	SIGNAL BOX
	TELE. PED.
	POWER POLE
	GAS METER
	UTIL. MARKERS
	TELE PEDESTAL
	MAIL BOX
	PROP. PVMT WIDENING
	TRAFFIC FLOW ARROW
	FACE OF CURB
	EDGE OF PAVEMENT
	DRIVEWAY
	MAILBOX



**FM 149
 PROPOSED
 PLAN & PROFILE**
 STA. 852+00 TO STA. 863+50

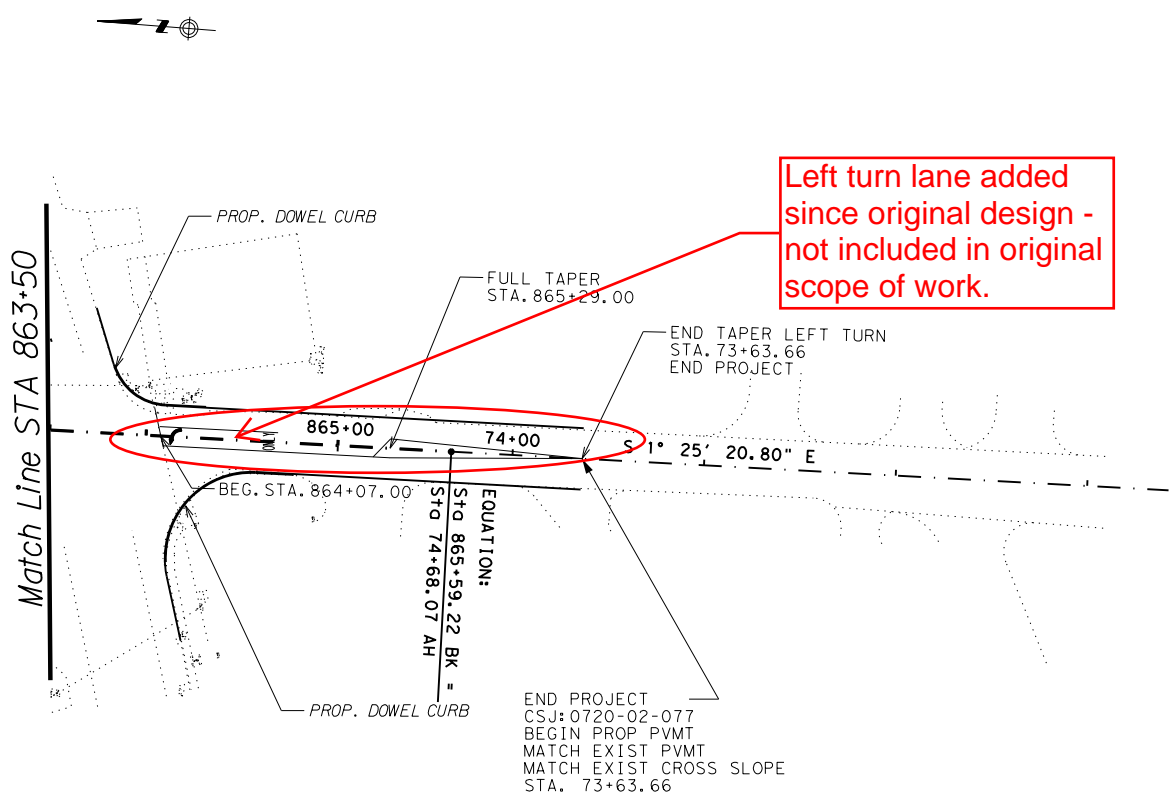
SHEET 5 OF 6



CONT	SECT	JOB	HIGHWAY
0720	02	077	FM 149
DIST	COUNTY	SHEET NO.	
HOU	MONTGOMERY	5AAS	

DATE: 04/10/2018 06:46 PM
 FILE: D:\tdot\projectwiseonline.com\12 - HOU\Design Projects\072002077\4 - Design\Plan Set\3 - Roadway\pp1on\pp5.dgn

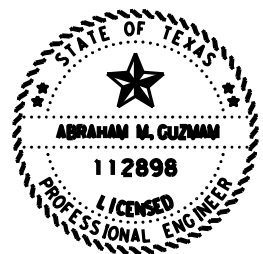
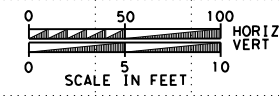
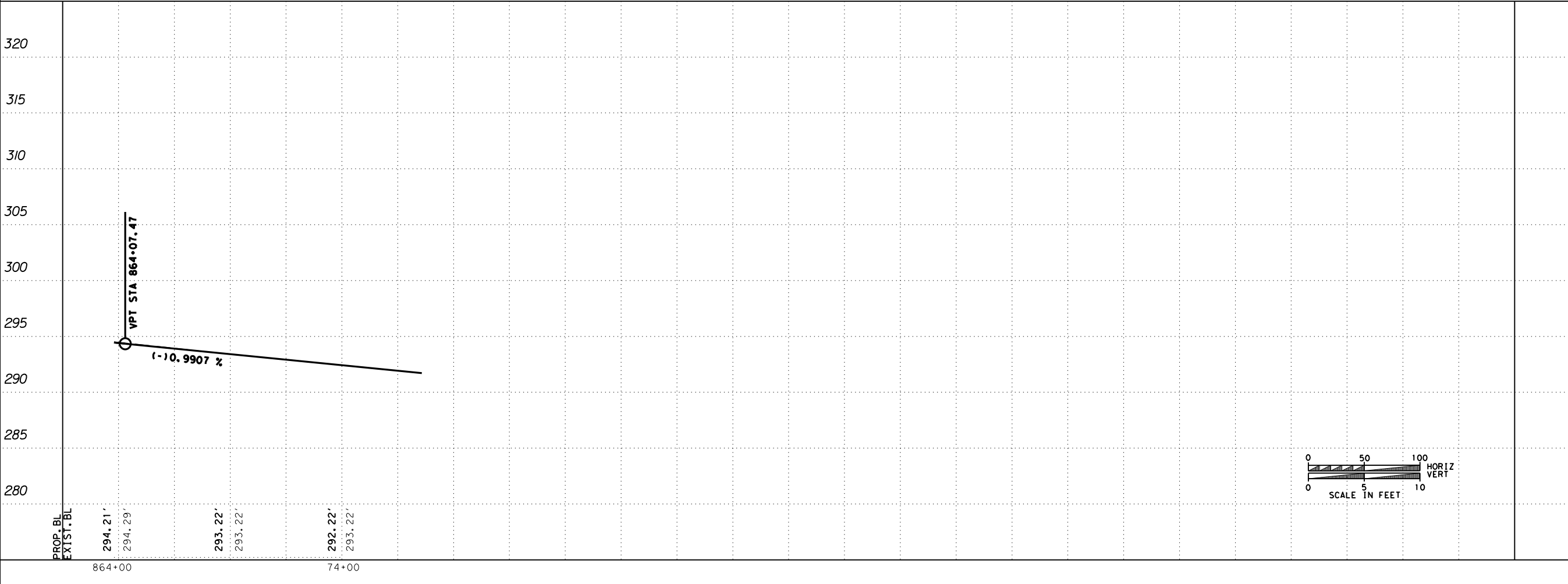
DATE: 04/10/2018 06:46 PM
 FILE: D:\tdot\projectwiseonline.com\12 - HOU\Design Projects\072002077\4 - Design\Plan Set\3 - Roadway\pp1on\pp5.dgn



- NOTES:
1. FOR HORIZONTAL ALIGNMENT INFORMATION SEE HORIZONTAL ALIGNMENT DATA SHEETS.
 2. ALL STATIONS AND OFFSETS ARE BASED OFF ALIGNMENT. (149 ALIGNMENT)

LEGEND

- EXIST. PAVEMENT
- - - EXIST. ROW
- - - EXIST. DITCH
- ▭ SAFETY END TREATMENT
- ⊙ SIGNAL BOX
- ⊠ TELE. PED.
- PP POWER POLE
- ⊙ GAS METER
- ⊙ UTI-MRK UTI. MARKERS
- ⊠ TP TELE PEDESTAL
- ⊠ MB MAIL BOX
- ▭ PROP PVMT WIDENING
- ➔ TRAFFIC FLOW ARROW
- FC-FC FACE OF CURB
- EOP EDGE OF PAVEMENT
- ⊕ DRIVEWAY
- ⊠ MAILBOX



FM 149
 PROPOSED
 PLAN & PROFILE

SHEET 6 OF 6



CONT	SECT	JOB	HIGHWAY
0720	02	077	FM 149
DIST	COUNTY	SHEET NO.	
HOU	MONTGOMERY	\$A\$	

**CITY OF MONTGOMERY
ACCOUNT BALANCES
For Meeting of June 26, 2018**

	<u>CHECKING ACCT BALANCES</u>	<u>PRIOR MONTH END INVESTMENTS</u>	<u>TOTAL FUNDS AVAILABLE</u>
<u>GENERAL FUNDS</u>			
OPERATING FUND #1017375	\$ 317,586.06		\$ 317,586.06
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		\$ 209,138.17	\$ 209,138.17
TEXPOOL - RESERVE FUND # 00005		\$ -	\$ -
TOTAL GENERAL FUND	\$ 328,271.70	\$ 509,138.17	\$ 837,409.87
<u>CONSTRUCTION FUND</u>			
BUILDING FUND #1058528	\$ -		\$ -
CONSTRUCTION ACCOUNT #1058544	\$ 353,358.97		\$ 353,358.97
BOK Financial Series 2017A	\$ 1,012,473.80		\$ 1,012,473.80
BOK Financial Series 2017BA	\$ 1,601,614.95		\$ 1,601,614.95
TEXPOOL - CONST # 00009		\$ 578.88	\$ 578.88
INVESTMENTS - CONSTRUCTION		\$ -	\$ -
TOTAL CONSTRUCTION FUND	\$ 2,967,447.72	\$ 578.88	\$ 2,968,026.60
<u>DEBT SERVICE FUND</u>			
DEBT SERVICE FUND #7024730	\$ 191,578.92		\$ 191,578.92
TEXPOOL DEBT SERVICE # 00008	\$ -	\$ 24,637.81	\$ 24,637.81
TOTAL DEBT SERVICE FUND	\$ 191,578.92	\$ 24,637.81	\$ 216,216.73
<u>COURT SECURITY FUND</u> #1070580	\$ 5,869.64	\$ -	\$ 5,869.64
<u>COURT TECHNICAL FUND</u> #1058361	\$ 30,068.12	\$ -	\$ 30,068.12
<u>GRANT FUND</u>			
HOME GRANT ACCOUNT #1059104	\$ 5,737.63		\$ 5,737.63
GRANT ACCOUNT #1048479	\$ 7,174.81		\$ 7,174.81
TOTAL GRANT FUND	\$ 12,912.44	\$ -	\$ 12,912.44
<u>HOTEL OCCUPANCY TAX FUND</u> #1025253	\$ 10,558.78	\$ -	\$ 10,558.78
<u>MEDC</u>			
CHECKING ACCOUNT #1017938	\$ 283,182.90		\$ 283,182.90
TEXPOOL - MEDC # 00003		\$ 237,458.22	\$ 237,458.22
INVESTMENTS - MEDC		\$ 250,000.00	\$ 250,000.00
TOTAL MEDC	\$ 283,182.90	\$ 487,458.22	\$ 770,641.12
<u>POLICE ASSET FORFEITURES</u> #1047745	\$ 4,272.25		\$ 4,272.25
<u>UTILITY FUND</u>			
UTILITY FUND #1017383	\$ 542,710.09		\$ 542,710.09
CUSTOMER DEPOSITS FUND #1017417	\$ -		\$ -
WATER WORKS & SAN SEWER #7013840	\$ -		\$ -
TEXPOOL - UTILITY FUND # 00002		\$ 18,150.54	\$ 18,150.54
TOTAL UTILITY FUND	\$ 542,710.09	\$ 18,150.54	\$ 560,860.63
TOTAL ALL FUNDS	\$ 4,376,872.56	\$ 1,039,963.62	\$ 5,416,836.18

INVESTMENTS	
TEXPOOL - GENERAL FUND	\$ 209,138.17
INVESTMENTS - GENERAL FUND	\$ 300,000.00
TEXPOOL - CONST # 00009	\$ 578.88
TEXPOOL - DEBT SERVICE # 00008	\$ 24,637.81
TEXPOOL - MEDC	\$ 237,458.22
INVESTMENTS - MEDC	\$ 250,000.00
TEXPOOL - UTILITY	\$ 18,150.54
TOTAL ALL INVESTMENTS	\$ 1,039,963.62



MUNICIPAL ACCOUNTS
& CONSULTING, L.P.

City of Montgomery

Bookkeeper's Report

June 21, 2018

City of Montgomery
Account Balances

As of June 21, 2018

Financial Institution (Acct Number)	Issue Date	Maturity Date	Interest Rate	Account Balance	Notes
Fund: Operating					
Certificates of Deposit					
TEXAS CAPITAL BANK (XXXX0242)	01/08/2018	07/07/2018	0.90 %	100,000.00	
ALLEGIANCE BANK (XXXX3545)	02/06/2018	08/05/2018	0.85 %	100,000.00	
GREEN BANK (XXXX0365)	06/18/2018	12/17/2018	2.00 %	100,000.00	
Money Market Funds					
TEXPOOL (XXXX0003)	08/01/2005		1.71 %	209,138.17	
Checking Account(s)					
FIRST FINANCIAL BANK (XXXX7375)			0.00 %	317,586.06	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:				\$837,409.87	
Fund: Capital Projects					
Money Market Funds					
TEXPOOL (XXXX0009)	12/27/2012		1.71 %	578.88	
Checking Account(s)					
BOK Financial (XXXX3014)			0.00 %	1,012,473.80	BOKF, NA Escrow - Series 2017A
BOK Financial (XXXX4012)			0.00 %	1,601,614.95	BOKF, NA Escrow - Series 2017B
FIRST FINANCIAL BANK (XXXX8528)			0.00 %	0.00	Building Fund
FIRST FINANCIAL BANK (XXXX8544)			0.00 %	353,358.97	Const Ckg-W&S Proj 1058544
Totals for Capital Projects Fund:				\$2,968,026.60	
Fund: Debt Service					
Money Market Funds					
TEXPOOL (XXXX0008)	12/27/2012		1.71 %	24,637.81	
Checking Account(s)					
FIRST FINANCIAL BANK (XXXX4730)			0.00 %	191,578.92	Checking Account
Totals for Debt Service Fund:				\$216,216.73	
Fund: CT Security					
Checking Account(s)					
FIRST FINANCIAL BANK (XXXX0580)			0.00 %	5,869.64	Cash In Bank
Totals for CT Security Fund:				\$5,869.64	
Fund: CT Tech					
Checking Account(s)					
FIRST FINANCIAL BANK (XXXX8361)			0.00 %	30,068.12	Cash In Bank
Totals for CT Tech Fund:				\$30,068.12	
Fund: Grant					
Checking Account(s)					
FIRST FINANCIAL BANK (XXXX8479)			0.00 %	7,174.81	Grant Account

City of Montgomery
Account Balances

As of June 21, 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:				\$12,912.44	
Fund: Hotel Occupancy Tax					
Checking Account(s)					
FIRST FINANCIAL BANK (XXXX5253)			0.00 %	10,558.78	Cash In Bank
Totals for Hotel Occupancy Tax Fund:				\$10,558.78	
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		1.71 %	237,458.22	
Checking Account(s)					
FIRST FINANCIAL BANK (XXXX7938)			0.00 %	283,182.90	MEDC Checking
Totals for MEDC Fund:				\$770,641.12	
Fund: Policy Asset Forfeiture					
Checking Account(s)					
FIRST FINANCIAL BANK (XXXX7745)			0.00 %	4,272.25	Cash In Bank
Totals for Policy Asset Forfeiture Fund:				\$4,272.25	
Fund: Utility					
Money Market Funds					
TEXPOOL (XXXX0002)	08/01/2005		1.71 %	18,150.54	
Checking Account(s)					
FIRST FINANCIAL BANK (XXXX7383)			0.00 %	542,710.09	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:				\$560,860.63	
Grand total for City of Montgomery:				\$5,416,836.18	

City of Montgomery - General
Cash Flow Report - Checking Account

As of June 21, 2018

Num	Name	Memo	Amount	Balance
BALANCE AS OF 05/17/2018				\$512,129.00
Receipts				
	Reimb for Visa Purchase - Susan		24.60	
	Escrow Revenue - Hill of Town Creek III		16,500.00	
	Transfer from Utility to reimburse expenses paid thru 5/11/18		15,678.76	
	Reimbursement of Pay Est #1 Buff Sp Bridge Repair		125,717.85	
	Escrow Revenue - Pizza Shack		1,064.45	
	Escrow Revenue Lae Creek Village Sec 2&3		440.00	
	Escrow Revenue-Star of Texas Seniors		7,000.00	
	Escrow Revenue - Spirit of Texas		3,000.00	
	Tax Revenue CL 5/18		7,670.12	
	Tax P&I Rev 5/18		835.72	
	Tax Revenue OS 5/18		527.86	
	Miscellaneous Rev CL 5/18		26,316.29	
	Miscellaneous Rev OS 5/18		1,929.60	
	Court Revenue CL 5/18		50,870.15	
	Court Revenue OS 5/18		4,451.10	
	Franchise Taxes - Centerpoint		515.04	
	Void check #27123 - Membership not needed		50.00	
	Interest		11.12	
	Sales Tax Revenue 6/8/18		151,071.81	
Total Receipts			413,674.47	
Disbursements				
28213	Card Service Center	First Financial Credit Card Account XXXX 0869 -	(1,648.97)	
28214	Consolidated Communications	Telephone - 597-6434, 043-5910	(880.96)	
28215	Darden,Fowler & Creighton, L.L.P.	Legal Fees 4/18	(3,280.00)	
28216	Davis Investigation Services	Inv 98129791 - Tina Williams	(50.00)	
28217	Entergy	Part Utilities per spreadsheet - 4/18	(1,111.95)	
28218	G & K Services, Inc.	Uniforms - 1/2 Inv 6165325354, 30813, 36271, 417	(197.44)	
28219	IDVille	Inv# 3361119 Badge Reels Qty (25)	(74.50)	
28220	James F. Napolitano	Reimburse of expenses - May 6-11, 2018 Texas Chi	(1,123.41)	
28221	Lone Star Products & Equipment, LLC	Police Equipment Inv 30399	(990.00)	
28222	McCoy's Building Supply Corporation	Iv 11308028,7552,7558,7821,7838,7858,9307	(167.55)	
28223	Northwest Pest Patrol	Mosquito fogging -4/5-4/26/18	(580.00)	
28224	Ogorchock ATH, LLC	PID Reimbursement	(35,375.81)	
28225	Rick Hanna, CBO	17613, 17614	(6,028.50)	
28226	UBEO of East Texas, Inc.	Inv.# 59215786 Acct No. 124715	(1,590.45)	
28227	Valero Marketing & Supply Company-2	1/2 Fuel exp- Acct 7137 8863 1/2 of 4/18	(523.70)	
28228	Verizon 2	Customer ID# PUBL005 (8) Devices	(101.08)	
28229	Verizon Wireless	521590387-00001	(1,498.56)	
28230	VPRO Tinters, LLC	INV 2203 Tint 18 Chevy Crew	(60.00)	
28231	Daspit, Laurence F	Payroll 5/25/18	(110.82)	
28232	Office of the Attorney General	0012541428, 0012011313, 0013412154, 001180485	(2,474.80)	
28233	Applied Concepts, Inc.	Invoice 327494	(419.00)	
28234	Hattie Hatchett	Montgomery Community Bldg refund for 5/19/20	(150.00)	
28235	McCoy's Building Supply Corporation	Acct - 0900-98046487-001 Invoice - 90033329	(3.61)	
28236	Michael Shirley	Court Prosecutor Fee 5/10/18	(450.00)	
28237	Pathmark Traffic Products of Texas, Inc.	Inv 27569 Street sign	(170.81)	
28238	Printek LLC	RT43 Paper 4" Case(36R)	(82.52)	
28239	Public Agency Training Council	Seminar 4/16-4/18/18 ID#15276	(325.00)	
28240	Stowes' Wrecker & Collision	Inv 3149, 3155 Police Auto Repairs	(343.34)	

City of Montgomery - General
Cash Flow Report - Checking Account

As of June 21, 2018

Num	Name	Memo	Amount	Balance
Disbursements				
28241	Texas Top Cop Shop	Inv 25997, 25998	(589.60)	
28242	Tyler Technologies, Inc	Inv 025-223333 Maintenance 7/1/18-6/30/19	(1,671.33)	
28243	Valero Marketing & Supply Company	Acct #6224 9487 - Fuel thru 5/14/18 (police)	(3,158.54)	
28244	Weisinger Materials, Inc	Street Repairs Inv 68094, 67792	(243.00)	
28245	Whitestone Printing	Window & Regular Envelopes, Letterhead, setup	(362.15)	
28246	Braun's	Plaque w/gavel for outgoing Mayor Inv 197252, 26	(164.00)	
28247	Crown Paper and Chemical	Supplies #113928	(176.60)	
28248	DataSource Mobility, LLC	Computer Equip - Police - Inv D040418MTX	(2,389.84)	
28249	Ewing Irrigation Products, Inc.	Inv 7643168A, B, 7737337A	(673.56)	
28250	Ger Nay Pest Control	Pest Control Inv 12746, 48	(212.00)	
28251	Home Depot Credit Services	Acct # ***-9951 Inv 3197285	(427.68)	
28252	Houston Chronicle	Legal Notices 222716074	(45.00)	
28253	Montgomery Central Appraisal District	Share Funding 3rd Qtr Fees 2018	(1,905.75)	
28254	Sam's Club	Acct #040241083268-7, INV 6953	(307.78)	
28255	TML-Multistate Intergovernmental	Health, Life & AD&D Insurance Period 2018-06 -	(11,295.20)	
28256	City of Montgomery - Utility Fund	Water Usage @ Parks, City Hall, Com Center - 4/1	(1,668.61)	
28257	Consolidated Communications	Telephone Service Per Spreadsheet 6/18	(804.58)	
28258	Entergy	Part Utilities per spreadsheet - 5/18	(1,294.72)	
28259	Groggy Dog Tees of Montgomery	19 - City Logo Shirts - Embroidered Inv 298	(574.20)	
28260	GTIN	Fee per service agreement for 5/18 INV 20056	(3,379.50)	
28261	Houston Chronicle	INV 222716073 AD#17068	(322.20)	
28262	McCoy Corporation	Refund of Escrow Balance for Study #1014-00	(1,261.75)	
28263	MHA of Greater Houston/HPD-CIT	Class for Rosario 6/11/18	(125.00)	
28264	Miller Uniforms & Emblems, Inc.	Inv 110452,673,982	(505.02)	
28265	Municipal Accounts & Consulting, L.P.	Bookkeeping 5/18 Inv 52052	(9,315.73)	
28266	NAPA Auto Parts	Account# 1670 Inv#387428	(146.24)	
28267	Personalized Communications, Inc.	Answering Service - 18253-053018	(107.50)	
28268	Purchase Power	Acct-8000-9090-1015-0170 - Postage 05/18	(403.00)	
28269	Rick Hanna, CBO	Inv 17633, 34	(8,298.25)	
28270	Robert Rosenquist	Municipal Court Judge - 5/18	(1,500.00)	
28271	Rotary Club of Lake Conroe	1st Qtr - 1/2 Membership 2018 (Jack Yates)	(95.75)	
28272	Texas Top Cop Shop	Police Supplies	(1,353.11)	
28273	Thomas Lundsten	Cedar Brake Park Garden Maintenance 5/18	(65.00)	
28274	TML-IRP	Contract# 6827 Insurance Premium 6/18	(4,505.53)	
28275	Daspit, Laurence F	Payroll 6/8/18	(182.40)	
28276	Office of the Attorney General	0012541428, 0012011313, 0013412154, 001180485	(2,603.87)	
28277	TMRS	0877, 00877	(12,585.17)	
28278	American Tire Distributors	Tires Inv. S108928279	(622.00)	
28279	Dana Safety Supply, Inc.	Public Works Items Inv 518273-A	(1,453.60)	
28280	Darden,Fowler & Creighton, L.L.P.	Legal Fees 5/18	(1,860.00)	
28281	Easley Enterprises of Texas, Inc.	City Hall General Cleaning May 1-30, 2018	(375.00)	
28282	eLegalSupply.com LLC	Order No. 600019658 Supplies	(69.73)	
28283	Innovative Outdoors	Mowing - Inv# 1470 - 6/18	(6,667.00)	
28284	Iron Mountain	Document Shredding ABNJ354 4/25-5/29/18	(110.73)	
28285	LDC	CM100017 Gas 101 Plantersville	(21.00)	
28286	McCoy's Building Supply Corporation	Acct - 0900-98046487-001 Part May 2018 Invoices	(639.22)	
28287	Milton Weinzettle	Shovel Racks - Inv 225123	(200.00)	
28288	Northwest Pest Patrol	Mosquito fogging -5/4-5/31/18 Inv 323357-32336	(725.00)	
28289	Office Depot Business Credit	Supplies 4/27-5/25/18	(718.91)	
28290	POS Paper.com	Heavy Thermal Paper - Inv 49559	(131.90)	
28291	Postmaster	Yearly P. O. Box #708 renewal fee 7/1/18-6/30/1	(76.00)	
28292	Sales Revenue, Inc.	Sales Tax Tracking 6/18	(1,400.00)	

City of Montgomery - General
Cash Flow Report - Checking Account

As of June 21, 2018

Num	Name	Memo	Amount	Balance
Disbursements				
28293	Sunbelt Rentals, Inc.	Inv 78976753-0001 - Street Repairs	(208.70)	
28294	The Productivity Center, Inc	Inv MPD02342117, 3018	(647.00)	
28295	Thomas Printing & Publishing	1,000 - Court Doc Jackets - Inv 9362	(316.07)	
28296	Tyler Technologies, Inc	Monthly fee - Web Site and On Line Billing Compo	(41.00)	
28297	Uncle Bob's BBQ	City Meeting Expense - Invoice 2199	(173.00)	
28298	Valero Marketing & Supply Company-2	1/2 Fuel exp- Acct 7137 8863 1/2 of 5/18	(544.97)	
28299	Verizon 2	Customer ID# PUBL005 - (4 Devices) Inv OSV00	(75.80)	
28300	Verizon Wireless	521590387-00001	(1,035.63)	
28301	Weisinger Materials, Inc	Inv 068732, 168950	(2,259.00)	
28302	Whitestone Printing	Business Cards-Duckett Inv 2834	(103.00)	
DD	Aguirre, Abel	Payroll 5/25/18	(1,940.52)	
DD	Bauer, Timothy M	Payroll 5/25/18	(1,435.04)	
DD	Belmares, Jose N.	Payroll 5/25/18	(2,006.15)	
DD	Bickford, Dana N	Payroll 5/25/18	(108.06)	
DD	Bracht, James C.	Payroll 5/25/18	(2,131.96)	
DD	Carswell, Christopher M	Payroll 5/25/18	(1,275.93)	
DD	Duckett, Kimberly T.	Payroll 5/25/18	(1,586.39)	
DD	Dupree, April J	Payroll 5/25/18	(1,293.45)	
DD	Hensley, Susan L	Payroll 5/25/18	(1,945.03)	
DD	Hernandez, George J.	Payroll 5/25/18	(1,201.08)	
DD	Kohl, Julie J	Payroll 5/25/18	(192.86)	
DD	Kowarsch, Robert D	Payroll 5/25/18	(131.59)	
DD	Menard, Tara M	Payroll 5/25/18	(1,177.55)	
DD	Muckleroy, Micha D.	Payroll 5/25/18	(2,008.98)	
DD	Napolitano, James F	Payroll 5/25/18	(2,626.94)	
DD	Rather, Regina S.	Payroll 5/25/18	(562.88)	
DD	Redman, Leslie A.	Payroll 5/25/18	(1,268.35)	
DD	Riley, James A.	Payroll 5/25/18	(2,139.90)	
DD	Rosario III, Miguel A.	Payroll 5/25/18	(1,130.48)	
DD	Rosendo, Jose A	Payroll 5/25/18	(1,206.29)	
DD	Salas, Francisco A.	Payroll 5/25/18	(1,267.57)	
DD	Standifer, Eric L.	Payroll 5/25/18	(1,590.18)	
DD	Thomas, Ryan A	Payroll 5/25/18	(1,305.38)	
DD	Thompson, Kevin A.	Payroll 5/25/18	(781.53)	
DD	Williams, Tina M	Payroll 5/25/18	(1,048.24)	
DD	Yates, Jack R	Payroll 5/25/18	(3,614.04)	
DD	Aguirre, Abel	Payroll 6/8/18	(1,686.75)	
DD	Bauer, Timothy M	Payroll 6/8/18	(1,600.46)	
DD	Belmares, Jose N.	Payroll 6/8/18	(1,981.29)	
DD	Bracht, James C.	Payroll 6/8/18	(2,197.69)	
DD	Carswell, Christopher M	Payroll 6/8/18	(1,671.18)	
DD	Duckett, Kimberly T.	Payroll 6/8/18	(1,586.39)	
DD	Dupree, April J	Payroll 6/8/18	(1,180.18)	
DD	Hensley, Susan L	Payroll 6/8/18	(1,945.03)	
DD	Hernandez, George J.	Payroll 6/8/18	(1,381.22)	
DD	Kohl, Julie J	Payroll 6/8/18	(356.25)	
DD	Kowarsch, Robert D	Payroll 6/8/18	(55.41)	
DD	Menard, Tara M	Payroll 6/8/18	(1,187.39)	
DD	Muckleroy, Micha D.	Payroll 6/8/18	(2,008.96)	
DD	Napolitano, James F	Payroll 6/8/18	(2,626.93)	
DD	Rather, Regina S.	Payroll 6/8/18	(252.00)	
DD	Redman, Leslie A.	Payroll 6/8/18	(1,268.35)	

City of Montgomery - General
Cash Flow Report - Checking Account

As of June 21, 2018

Num	Name	Memo	Amount	Balance
Disbursements				
DD	Riley, James A.	Payroll 6/8/18	(1,745.11)	
DD	Rosario III, Miguel A.	Payroll 6/8/18	(1,130.49)	
DD	Rosendo, Jose A	Payroll 6/8/18	(1,333.10)	
DD	Salas, Francisco A.	Payroll 6/8/18	(1,257.06)	
DD	Standifer, Eric L.	Payroll 6/8/18	(1,577.46)	
DD	Thomas, Ryan A	Payroll 6/8/18	(1,407.00)	
DD	Thompson, Kevin A.	Payroll 6/8/18	(947.52)	
DD	Williams, Tina M	Payroll 6/8/18	(1,280.19)	
DD	Yates, Jack R	Payroll 6/8/18	(3,614.04)	
DM	ETS Corporation	Credit Card Fees 5/18	(689.78)	
POL	EFIPS	Payroll Liabilities 5/25/18	(11,908.54)	
POL	EFIPS	Payroll Liabilities 6/8/18	(12,254.80)	
Transfer	City of Montgomery- Capital Projects	Due to Const Fund - FEMA Funds Received for B	(70,716.29)	
Transfer	City of Montgomery - MEDC	Sales Tax Transfer for April and May	(102,900.84)	
Transfer	City of Montgomery- Capital Projects	Trans to Const Fund - to cover Est 3&4 and Grant	(180,487.14)	
Total Disbursements			<u>(608,217.41)</u>	<u>(608,217.41)</u>
BALANCE AS OF 06/21/2018				<u><u>\$317,586.06</u></u>

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

As of June 21, 2018

Num	Name	Memo	Amount	Balance
BALANCE AS OF 05/17/2018				\$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 06/21/2018				\$10,675.64

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

As of June 21, 2018

Num	Name	Memo	Amount	Balance
BALANCE AS OF 05/17/2018				\$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 06/21/2018				<u><u>\$10.00</u></u>

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

	May 18	Budget	\$ Over B...	Oct '17 - ...	YTD Bud...	\$ Over B...	Annual B...
Ordinary Income/Expense							
Income							
14000.1 · Taxes & Franchise Fees							
14103 · Beverage Tax	0.00	0.00	0.00	7,423.18	5,500.00	1,923.18	11,000.00
14111 · Franchise Tax	3,025.42	0.00	3,025.42	12,567.78	36,000.00	-23,432.22	72,000.00
14320 · Ad Valorem Taxes							
14320.1 · PID Tax Revenue	-35,775.81			0.00			
14320 · Ad Valorem Taxes - Other	4,027.71	11,498.78	-7,471.07	398,104.40	377,915.56	20,188.84	402,412.00
Total 14320 · Ad Valorem Taxes	-31,748.10	11,498.78	-43,246.88	398,104.40	377,915.56	20,188.84	402,412.00
14330 · Penalties & Interest on Adv Tax	409.65	208.33	201.32	2,604.93	1,666.68	938.25	2,500.00
14331 · Rendition Penalties	0.00	16.67	-16.67	0.00	133.32	-133.32	200.00
14600 · Sales Tax	200,548.30	181,239.09	19,309.21	1171854.44	1188488.11	-16,633.67	1810800.00
Total 14000.1 · Taxes & Franchise Fees	172,235.27	192,962.87	-20,727.60	1592554.73	1609703.67	-17,148.94	2298912.00
14000.2 · Permits & Licenses							
14105 · Building Permits	20,395.00	17,067.21	3,327.79	136,153.15	114,663.96	21,489.19	175,000.00
14146 · Vendor/Beverage Permits	80.00	8.33	71.67	2,356.00	66.68	2,289.32	100.00
14611 · Sign Fee	50.00	150.00	-100.00	1,635.00	1,200.00	435.00	1,800.00
14612 · Misc Permit Fees(plats,& Zoning	1,000.00	166.67	833.33	2,296.27	1,333.32	962.95	2,000.00
14000.2 · Permits & Licenses - Other	0.00	0.00	0.00	-148.00	0.00	-148.00	0.00
Total 14000.2 · Permits & Licenses	21,525.00	17,392.21	4,132.79	142,292.42	117,263.96	25,028.46	178,900.00
14000.4 · Fees for Service							
14380 · Community Bldg Rental	280.00	458.33	-178.33	3,715.00	3,666.68	48.32	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	1,014.51	175.00	839.51	6,720.64	1,400.00	5,320.64	2,100.00
Total 14000.4 · Fees for Service	1,294.51	633.33	661.18	10,435.64	5,096.68	5,338.96	7,630.00
14000.5 · Court Fines & Forfeitures							
14101 · Collection Fees	3,437.29	2,000.00	1,437.29	24,680.23	16,000.00	8,680.23	24,000.00
14102 · Asset Forfeitures	0.00	0.00	0.00	0.00	250.00	-250.00	500.00
14106 · Child Belt/Safety (Dedicated)	0.00	100.00	-100.00	71.33	800.00	-728.67	1,200.00
14108 · Court Fees	88.71			142.71			
14110 · Fines	49,775.62	45,833.33	3,942.29	313,008.93	366,666.68	-53,657.75	550,000.00
14118 · OMNI	293.90	166.67	127.23	1,721.41	1,333.32	388.09	2,000.00
14125 · Warrant Fees	0.00	0.00	0.00	0.00	50.00	-50.00	50.00
14126 · Judicial Efficiency (Dedicated)	154.67	145.83	8.84	979.21	1,166.68	-187.47	1,750.00
14130 · Accident Reports	0.00	18.00	-18.00	231.41	138.00	93.41	180.00
Total 14000.5 · Court Fines & Forfeitures	53,750.19	48,263.83	5,486.36	340,835.23	386,404.68	-45,569.45	579,680.00
14000.6 · Other Revenues							
15380 · Unanticipated Income	496.55	10.00	486.55	4,816.11	60.00	4,756.11	100.00
15391 · Interest Income	11.12	54.20	-43.08	98.22	497.31	-399.09	707.47
15392 · Interest on Investments	304.35	150.00	154.35	4,270.52	1,200.00	3,070.52	1,800.00
Total 14000.6 · Other Revenues	812.02	214.20	597.82	9,184.85	1,757.31	7,427.54	2,607.47
15350 · Proceeds from sales	0.00	0.00	0.00	0.00	200.00	-200.00	200.00
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	500.00	-500.00	500.00
Total Income	249,616.99	259,466.44	-9,849.45	2089584.14	2120926.30	-31,342.16	3068429.47
Expense							
16000 · Personnel							
16353.1 · Health Ins.	0.00	8,832.54	-8,832.54	70,106.20	70,659.84	-553.64	105,990.00
16353.4 · Unemployment Ins.	70.93	110.57	-39.64	3,377.74	2,517.26	860.48	3,110.00
16353.5 · Workers Comp.	1,866.66	1,285.39	581.27	17,961.25	10,668.48	7,292.77	15,810.00
16353.6 · Dental & Vision Insurance	0.00	1,013.96	-1,013.96	4,138.23	7,724.16	-3,585.93	11,780.00
16353.7 · Life & AD&D Insurance	0.00	80.84	-80.84	148.89	646.64	-497.75	970.00
16353.8 · Crime-Ins	21.96	0.00	21.96	175.67	0.00	175.67	0.00
16560 · Payroll Taxes	7,047.35	7,495.82	-448.47	60,026.81	59,966.72	60.09	89,950.00
16600 · Wages	87,222.64	98,279.17	-11,056.53	732,358.24	786,233.32	-53,875.08	1179350.00
16600.1 · Overtime	3,113.17	1,531.70	1,581.47	32,616.43	12,774.66	19,841.77	20,000.00

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

	May 18	Budget	\$ Over B...	Oct '17 - ...	YTD Bud...	\$ Over B...	Annual B...
16620 · Retirement Expense	5,362.06	4,216.66	1,145.40	44,888.90	33,733.36	11,155.54	50,600.00
Total 16000 · Personnel	104,704.77	122,846.65	-18,141.88	965,798.36	984,924.44	-19,126.08	1477560.00
16001 · Communications							
16338 · Advertising/Promotion							
16338.1 · Legal Notices and Pub	24.48			2,432.23			
16338.2 · Recording Fees	0.00			1,500.00			
16338 · Advertising/Promotion - Other	164.00	468.92	-304.92	2,320.49	3,084.64	-764.15	4,626.98
Total 16338 · Advertising/Promotion	188.48	468.92	-280.44	6,252.72	3,084.64	3,168.08	4,626.98
Total 16001 · Communications	188.48	468.92	-280.44	6,252.72	3,084.64	3,168.08	4,626.98
16002 · Contract Services							
16102 · General Consultant Fees	894.90	2,166.67	-1,271.77	15,911.29	23,333.32	-7,422.03	32,000.00
16220 · Omni Expense	0.00	291.67	-291.67	1,062.00	2,333.32	-1,271.32	3,500.00
16242 · Prosecutors Fees	450.00	958.33	-508.33	6,300.00	7,666.68	-1,366.68	11,500.00
16280 · Mowing	6,667.00	6,716.67	-49.67	53,334.35	53,733.32	-398.97	80,600.00
16281 · Records Shredding	110.73			541.64			
16299 · Inspections/Permits	14,326.75	6,750.00	7,576.75	85,407.15	54,000.00	31,407.15	81,000.00
16310 · Judge's Fee	1,500.00	1,500.00	0.00	12,047.00	12,000.00	47.00	18,000.00
16320 · Legal							
16320.1 · House Abatement Legal	0.00			36.00			
16320 · Legal - Other	2,747.50	2,666.67	80.83	19,994.50	23,833.32	-3,838.82	34,500.00
Total 16320 · Legal	2,747.50	2,666.67	80.83	20,030.50	23,833.32	-3,802.82	34,500.00
16321 · Audit Fees	0.00	0.00	0.00	17,306.25	14,000.00	3,306.25	14,000.00
16322 · Engineering	1,568.75	6,833.34	-5,264.59	95,871.33	54,666.64	41,204.69	82,000.00
16326 · Collection Agency Fees	0.00	6,500.00	-6,500.00	14,261.93	35,200.00	-20,938.07	45,000.00
16333 · Accounting Fees	9,315.73	7,000.00	2,315.73	66,599.90	56,000.00	10,599.90	84,000.00
16335 · Repairs & Maintenance							
16335.1 · Maintenance - Vehicles & Equip							
16334 · Gas/Oil	3,703.51	2,666.66	1,036.85	23,380.53	21,333.36	2,047.17	32,000.00
16343 · Tractor & Mower	0.00	83.33	-83.33	96.50	666.68	-570.18	1,000.00
16357 · Auto Repairs	1,025.34	1,791.66	-766.32	12,970.06	14,333.36	-1,363.30	21,500.00
16373 · Equipment repairs	426.99	791.67	-364.68	2,200.93	6,333.32	-4,132.39	9,500.00
16374 · Building Repairs-City Hall/Comm	557.00	1,541.67	-984.67	19,317.72	12,333.32	6,984.40	18,500.00
16375 · Street Repairs - Minor							
16375.1 · Streets-Preventive Maintenance	0.00	1,500.00	-1,500.00	1,962.80	12,000.00	-10,037.20	18,000.00
16375 · Street Repairs - Minor - Other	283.70	1,250.00	-966.30	3,920.53	10,000.00	-6,079.47	15,000.00
Total 16375 · Street Repairs - Minor	283.70	2,750.00	-2,466.30	5,883.33	22,000.00	-16,116.67	33,000.00
16335.1 · Maintenance - Vehicles & Equip - ...	0.00	125.00	-125.00	178.99	1,000.00	-821.01	1,500.00
Total 16335.1 · Maintenance - Vehicles & Equip	5,996.54	9,749.99	-3,753.45	64,028.06	78,000.04	-13,971.98	117,000.00
16335 · Repairs & Maintenance - Other	1,483.15	-10,357.28	11,840.43	11,998.40	-107.28	12,105.68	6,392.72
Total 16335 · Repairs & Maintenance	7,479.69	-607.29	8,086.98	76,026.46	77,892.76	-1,866.30	123,392.72
16337 · Street Signs	118.85	541.67	-422.82	2,386.65	4,333.32	-1,946.67	6,500.00
16340 · Printing & Office supplies	686.28	600.01	86.27	6,033.21	4,799.96	1,233.25	7,200.00
16342 · Computers/Website	1,182.86	2,483.33	-1,300.47	21,348.17	19,866.68	1,481.49	29,800.00
16350 · Postage/Delivery	423.52	333.33	90.19	4,509.19	3,416.68	1,092.51	5,100.00
16351 · Telephone	1,713.61	1,821.51	-107.90	12,384.09	14,858.96	-2,474.87	22,309.00
16360 · Tax Assessor Fees	0.00	0.00	0.00	3,964.21	7,320.00	-3,355.79	7,320.00
16370 · Election	4,915.00	16,000.00	-11,085.00	4,915.00	16,000.00	-11,085.00	16,000.00
17030 · Mobil Data Terminal	2,677.63	1,333.33	1,344.30	18,153.71	10,666.68	7,487.03	16,000.00
17031 · Police Officer Scheduling Serv	0.00	166.67	-166.67	562.95	1,333.32	-770.37	2,000.00
17040 · Computer/Technology	1,351.74	1,482.49	-130.75	14,019.97	17,706.85	-3,686.88	24,500.00
17510 · State Portion of Fines/Payouts	0.00	0.00	0.00	80,255.11	100,000.00	-19,744.89	200,000.00
Total 16002 · Contract Services	58,130.54	65,538.40	-7,407.86	633,232.06	614,961.81	18,270.25	946,221.72
16003 · Supplies & Equipment							
16244 · Radio Fees	0.00	0.00	0.00	0.00	4,398.24	-4,398.24	4,398.24

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

	May 18	Budget	\$ Over B...	Oct '17 - ...	YTD Bud...	\$ Over B...	Annual B...
16328 · Uniforms	2,372.73	1,166.67	1,206.06	8,793.73	9,833.32	-1,039.59	14,500.00
16328.1 · Protective Gear	0.00	250.00	-250.00	0.00	2,000.00	-2,000.00	3,000.00
16358 · Copier/Fax Machine Lease	1,590.45	1,689.12	-98.67	13,280.88	13,543.52	-262.64	20,300.00
16460 · Operating Supplies (Office)							
16460.1 · Streets and Drainage	184.39	291.67	-107.28	2,389.34	2,333.32	56.02	3,500.00
16460.2 · Cedar Brake Park	67.63	333.33	-265.70	2,034.15	2,666.68	-632.53	4,000.00
16460.3 · Homecoming Park	67.63	166.67	-99.04	908.10	1,333.32	-425.22	2,000.00
16460.4 · Fernland Park	119.59	208.33	-88.74	1,763.33	1,666.68	96.65	2,500.00
16460.5 · Community Building	0.00	333.33	-333.33	588.09	2,666.68	-2,078.59	4,000.00
16460.6 · Tools, Etc	480.94	233.33	247.61	1,976.44	1,866.68	109.76	2,800.00
16460.7 · Memory Park	358.04	250.00	108.04	1,896.75	2,000.00	-103.25	3,000.00
16460 · Operating Supplies (Office) - Other	1,388.36	1,700.01	-311.65	17,633.00	13,572.21	4,060.79	20,428.72
Total 16460 · Operating Supplies (Office)	2,666.58	3,516.67	-850.09	29,189.20	28,105.57	1,083.63	42,228.72
16503 · Code Enforcement Expenses	0.00	83.33	-83.33	0.00	666.68	-666.68	1,000.00
17010 · Emergency Equipment	75.00	472.60	-397.60	2,207.94	1,372.60	835.34	2,000.00
17050 · Radios	0.00	0.00	0.00	0.00	4,100.00	-4,100.00	4,100.00
17100 · Capital Purchase Furniture	0.00	0.00	0.00	109.99	8,873.00	-8,763.01	11,400.00
16003 · Supplies & Equipment - Other	0.00	250.00	-250.00	641.54	2,000.00	-1,358.46	3,000.00
Total 16003 · Supplies & Equipment	6,704.76	7,428.39	-723.63	54,223.28	74,892.93	-20,669.65	105,926.96
16004 · Staff Development							
16241 · Police Training/Education	0.00	1,088.91	-1,088.91	337.99	3,656.31	-3,318.32	6,800.00
16339 · Dues & Subscriptions	608.75	166.67	442.08	3,851.35	2,833.32	1,018.03	3,500.00
16341 · Community Relations	574.20	800.00	-225.80	1,507.42	2,300.00	-792.58	2,700.00
16354 · Travel & Training (Travel)	2,002.57	2,453.61	-451.04	18,454.11	14,480.50	3,973.61	22,500.00
16004 · Staff Development - Other	0.00	0.00	0.00	150.00	0.00	150.00	0.00
Total 16004 · Staff Development	3,185.52	4,509.19	-1,323.67	24,300.87	23,270.13	1,030.74	35,500.00
16005 · Maintenance							
16228 · Park Maint-Memory Pk	0.00	708.33	-708.33	2,594.55	5,666.68	-3,072.13	8,500.00
16229 · Park Maint - Fernland	131.00	1,925.00	-1,794.00	22,653.23	15,400.00	7,253.23	23,100.00
16230 · Park Maint-Cedar Brake Park	1,424.00	500.00	924.00	2,664.70	4,000.00	-1,335.30	6,000.00
16231 · Park Maint. - Homecoming Park	0.00	166.67	-166.67	112.95	1,333.32	-1,220.37	2,000.00
Total 16005 · Maintenance	1,555.00	3,300.00	-1,745.00	28,025.43	26,400.00	1,625.43	39,600.00
16006 · Insurance							
16353.2 · Liability Ins.	1,940.29	1,175.00	765.29	15,522.32	9,400.00	6,122.32	14,100.00
16353.3 · Property Ins.	676.61	458.34	218.27	5,412.87	3,666.64	1,746.23	5,500.00
Total 16006 · Insurance	2,616.90	1,633.34	983.56	20,935.19	13,066.64	7,868.55	19,600.00
16007 · Utilities							
16351.1 · Utilities - Memory Park -Water	0.00	333.33	-333.33	0.00	2,666.68	-2,666.68	4,000.00
16351.2 · Utilities-Fernland Pk-Water	0.00	58.33	-58.33	0.00	466.68	-466.68	700.00
16352.0 · Electronic Sign-City	0.00	50.00	-50.00	359.28	400.00	-40.72	600.00
16352.1 · Street Lights	0.00	1,183.33	-1,183.33	7,881.07	9,466.68	-1,585.61	14,200.00
16352.2 · Downtown Lighting	12.00	28.33	-16.33	220.47	226.68	-6.21	340.00
16352.3 · Cedar Brake Park	69.82	250.00	-180.18	1,459.16	2,000.00	-540.84	3,000.00
16352.4 · Homecoming Park	55.94	108.33	-52.39	982.58	866.68	115.90	1,300.00
16352.5 · Fernland Park	198.41	350.00	-151.59	2,751.10	2,800.00	-48.90	4,200.00
16352.6 · Utilities - City Hall	289.22	875.00	-585.78	6,347.58	7,000.00	-652.42	10,500.00
16352.7 · Utilities - Gas	21.00	68.33	-47.33	374.64	646.68	-272.04	920.00
16352.8 · Utilities - Comm Center Bldg	162.46	450.00	-287.54	4,018.08	3,600.00	418.08	5,400.00
16352.9 · Utilities-Memory Pk	994.69	833.33	161.36	4,468.76	6,666.68	-2,197.92	10,000.00
16007 · Utilities - Other	0.00	0.00	0.00	0.00	100.00	-100.00	100.00
Total 16007 · Utilities	1,803.54	4,588.31	-2,784.77	28,862.72	36,906.76	-8,044.04	55,260.00
16008 · Capital Outlay							
16233 · Cap Outlay- Com Building Proj	0.00	125.00	-125.00	3,243.98	1,000.00	2,243.98	1,500.00
17070 · Capital Outlay - Police Cars							
17070.1 · Emergency Lights, Decals	0.00	0.00	0.00	17,238.94	10,000.00	7,238.94	15,000.00
17070.3 · Watch Guard	0.00	0.00	0.00	55,025.00	37,660.00	17,365.00	48,400.00
17070.4 · Tsf To CPF-Vehicle Replacement	0.00	0.00	0.00	0.00	15,000.00	-15,000.00	15,000.00

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

	May 18	Budget	\$ Over B...	Oct '17 - ...	YTD Bud...	\$ Over B...	Annual B...
17070 · Capital Outlay - Police Cars - Other	0.00	0.00	0.00	28,142.10	31,750.00	-3,607.90	31,750.00
Total 17070 · Capital Outlay - Police Cars	0.00	0.00	0.00	100,406.04	94,410.00	5,996.04	110,150.00
17071 · Cap Purchase - Computers/Equip							
17071.1 · Copsync	0.00	0.00	0.00	0.00	6,500.00	-6,500.00	6,500.00
17071.2 · Radar	0.00	0.00	0.00	299.45	2,000.00	-1,700.55	4,000.00
17071.4 · Laser Fish (Software Equip)	0.00	308.23	-308.23	3,445.87	2,467.08	978.79	3,700.00
17071.6 · Investigative and Testing Equip	0.00	400.00	-400.00	942.17	2,400.00	-1,457.83	4,000.00
17071.7 · Ballistic Vests & Shields	0.00	0.00	0.00	9,881.31	2,350.00	7,531.31	4,700.00
17071 · Cap Purchase - Computers/Equip - Other	41.00	3,083.33	-3,042.33	8,176.52	12,166.68	-3,990.16	17,000.00
Total 17071 · Cap Purchase - Computers/Equip	41.00	3,791.56	-3,750.56	22,745.32	27,883.76	-5,138.44	39,900.00
17071.5 · Patrol Weapons	0.00	0.00	0.00	0.00	5,200.00	-5,200.00	5,200.00
17072 · Capital Outlay-PWorks Items	1,653.60	5,000.00	-3,346.40	52,666.20	40,000.00	12,666.20	60,000.00
17080 · Capital Outlay-Improvements	0.00	0.00	0.00	0.00	15,000.00	-15,000.00	15,000.00
Total 16008 · Capital Outlay	1,694.60	8,916.56	-7,221.96	179,061.54	183,493.76	-4,432.22	231,750.00
16009 · Miscellaneous Expenses							
16590 · Misc. Expense							
16590.2 · Property 149/105	0.00			4,075.06			
16590 · Misc. Expense - Other	689.78	871.58	-181.80	5,468.72	2,919.73	2,548.99	5,447.15
Total 16590 · Misc. Expense	689.78	871.58	-181.80	9,543.78	2,919.73	6,624.05	5,447.15
16009 · Miscellaneous Expenses - Other	0.00			552.67			
Total 16009 · Miscellaneous Expenses	689.78	871.58	-181.80	10,096.45	2,919.73	7,176.72	5,447.15
16010 · Contingency	0.00	10.00	-10.00	0.00	60.00	-60.00	100.00
16356 · Contract Labor- Streets	0.00	10,768.25	-10,768.25	7,112.00	86,146.01	-79,034.01	129,219.01
16500 · Leases - Parks and Recreation							
16504 · Adams Park	2,500.00	0.00	2,500.00	5,458.91	3,400.00	2,058.91	3,400.00
Total 16500 · Leases - Parks and Recreation	2,500.00	0.00	2,500.00	5,458.91	3,400.00	2,058.91	3,400.00
17000 · Capital Purchase	0.00	0.00	0.00	0.00	24,775.62	-24,775.62	24,775.62
17500 · Sales Tax Rebatement	0.00	0.00	0.00	0.00	20,000.00	-20,000.00	20,000.00
Total Expense	183,773.89	230,879.59	-47,105.70	196,335.53	209,830.27	-13,494.74	309,897.44
Net Ordinary Income	65,843.10	28,586.85	37,256.25	126,224.61	22,623.83	103,600.78	-30,557.97
Other Income/Expense							
Other Income							
14000.3 · Transfers In							
14620.2 · Admin Transfer from MEDC	9,375.00	0.00	9,375.00	18,750.00	18,750.00	0.00	37,500.00
14620.4 · Admin Trf from Court Security	0.00	0.00	0.00	1,700.00	1,700.00	0.00	3,400.00
Total 14000.3 · Transfers In	9,375.00	0.00	9,375.00	20,450.00	20,450.00	0.00	40,900.00
Total Other Income	9,375.00	0.00	9,375.00	20,450.00	20,450.00	0.00	40,900.00
Net Other Income	9,375.00	0.00	9,375.00	20,450.00	20,450.00	0.00	40,900.00
Net Income	75,218.10	28,586.85	46,631.25	146,674.61	43,073.83	103,600.78	10,342.03

City of Montgomery - Capital Projects
Cash Flow Report - Const CkgW&S Proj 1058544 Account

As of June 21, 2018

Num	Name	Memo	Amount	Balance
BALANCE AS OF 05/17/2018				\$495,613.01
Receipts				
	FEMA Funds received in Gen for Buff Sp Bridge repair		70,716.29	
	Transfer from Gen Fund to cover Pay Est 3 & 4 - Glen Fuqua & Gra		<u>180,487.14</u>	
Total Receipts				251,203.43
Disbursements				
1237	Grant Works	Contract 7217037 Inv. No. 2 Service Period 03/06/	(3,500.00)	
1238	Glen Fuqua, Inc	Proj 5841-0025-00- Pay Est #3- Const of Buffalo S	(100,250.13)	
1239	Glen Fuqua, Inc	Proj 5841-0025-00- Pay Est #4- Const of Buffalo S	(76,737.01)	
Transfer	City of Montgomery - Utility Fund	Transfer to reimburse for re-assignment of expense	(87,252.48)	
Transfer	City of Montgomery - General Fund	Reimbursement of advance for Pay Est #1 -Glen F	<u>(125,717.85)</u>	
Total Disbursements				<u>(393,457.47)</u>
BALANCE AS OF 06/21/2018				<u><u>\$353,358.97</u></u>

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

As of June 21, 2018

Num	Name	Memo	Amount	Balance
BALANCE AS OF 05/17/2018				\$1,011,500.57
Receipts				
	Interest on acct		973.23	
Total Receipts				973.23
Disbursements				
	No Disbursements Activity		0.00	
Total Disbursements				0.00
BALANCE AS OF 06/21/2018				\$1,012,473.80

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

As of June 21, 2018

Num	Name	Memo	Amount	Balance
BALANCE AS OF 05/17/2018				\$1,600,075.41
Receipts				
	Interest		1,539.54	
Total Receipts			<u>1,539.54</u>	1,539.54
Disbursements				
	No Disbursements Activity		0.00	
Total Disbursements			<u>0.00</u>	<u>0.00</u>
BALANCE AS OF 06/21/2018				<u><u>\$1,601,614.95</u></u>

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

Accrual Basis

May 2018

	May 18	Budget	% of Bud...	Oct '17 - ...	YTD Bud...	% of Bud...	Annual Bu...
Ordinary Income/Expense							
Income							
43901 · Capital Proj Funding Sourc							
43901.1 · Transfer from MEDC-Hou St	0.00			50,012.50			
43901.2 · Transfer from General	0.00			21,627.67			
43947 · Transfer from Utility Fund							
43947A · Tsf from Utility - Capital	0.00	0.00	0.0%	77,400.00	77,400.00	100.0%	154,800.00
43947B · Tsf from Utility - Maint	-50,000.00	0.00	100.0%	18,241.62	45,700.00	39.9%	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			200,000.00			
Total 43947 · Transfer from Utility Fund	-50,000.00	0.00	100.0%	450,927.62	323,100.00	139.6%	446,200.00
43949 · Transfers from General Fund							
43949.1 · Tsf fr Gen - Police Veh Replace	0.00	0.00	0.0%	0.00	15,000.00	0.0%	15,000.00
Total 43949 · Transfers from General Fund	0.00	0.00	0.0%	0.00	15,000.00	0.0%	15,000.00
43952 · Other Fund Reserves/Transfers							
43952.1 · 380 Agm-st Hartford-18" SS line	0.00			57,500.00			
43952.2 · Util Ext Proj-Waterstone on LC	0.00			36,218.91			
43952 · Other Fund Reserves/Transfers - Other	0.00			17,240.10			
Total 43952 · Other Fund Reserves/Transfers	0.00			110,959.01			
Total 43901 · Capital Proj Funding Sourc	-50,000.00	0.00	100.0%	633,526.80	338,100.00	187.4%	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	0.00	0.00	0.0%	70,716.29	1,200,000.00	5.9%	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
Total 43959 · FEMA Grant Revenue	0.00	0.00	0.0%	70,716.29	1,575,000.00	4.5%	1,575,000.00
43961 · Grant Funds-CDBG							
43961.1 · Bridge Repair - CDBG DR 7217037	0.00	0.00	0.0%	55,929.46	300,000.00	18.6%	300,000.00
Total 43961 · Grant Funds-CDBG	0.00	0.00	0.0%	55,929.46	300,000.00	18.6%	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	0.00			3,442.09			
45391.2 · Interest Earned Ser 2017B	1,539.54			7,015.97			
45391 · Interest Earned - Other	974.16	333.33	292.3%	3,347.14	2,666.68	125.5%	4,000.00
Total 45391 · Interest Earned	2,513.70	333.33	754.1%	13,805.20	2,666.68	517.7%	4,000.00
Total Income	-47,486.30	333.33	-14,246.0%	773,977.75	4,821,766.68	16.1%	4,946,200.00
Expense							
43889 · Grant Administrative Expenses							
43889.1 · Bridge-CDBG-DR #7217037	3,500.00	0.00	100.0%	28,000.00	0.00	100.0%	0.00
Total 43889 · Grant Administrative Expenses	3,500.00	0.00	100.0%	28,000.00	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	76,666.68	0.0%	115,000.00
43890.3 · Eng - Lift St #1 Expansion	0.00	7,500.00	0.0%	11,911.90	60,000.00	19.9%	90,000.00
43890.4 · Eng-Waterline replacement/HouSt	0.00			2,697.40	0.00	100.0%	0.00
43890.5 · Eng-LS #3/Force Main Re-Route	0.00	1,583.33	0.0%	0.00	12,666.68	0.0%	19,000.00
43890.7 · Eng-Downtown/SH105 Imp	0.00	7,833.33	0.0%	0.00	62,666.68	0.0%	94,000.00
43890 · Engineering - Other	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00
Total 43890 · Engineering	0.00	26,499.99	0.0%	14,609.30	212,000.04	6.9%	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	24,000.00	0.0%	36,000.00
43995.2 · Cont's-LS#1 Replacement/Expans	0.00	11,666.67	0.0%	0.00	93,333.32	0.0%	140,000.00
43995.3 · Cont's-WP#3 Improvements	0.00	12,833.33	0.0%	0.00	102,666.68	0.0%	154,000.00
43995.4 · Cont's-Downtown/SH105 Improve	0.00	10,500.00	0.0%	0.00	84,000.00	0.0%	126,000.00
43995 · Const Cost-Contingencies - Other	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00

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

Accrual Basis

May 2018

	May 18	Budget	% of Bud...	Oct '17 - ...	YTD Bud...	% of Bud...	Annual Bu...
Total 43995 · Const Cost-Contingencies	0.00	38,000.00	0.0%	0.00	304,000.00	0.0%	456,000.00
44000 · Wastewater System							
44006 · LS #1-Replacement/Expansion	0.00	47,500.00	0.0%	0.00	380,000.00	0.0%	570,000.00
44007 · LS#3 Forcemain Reroute	0.00	12,083.33	0.0%	0.00	96,666.68	0.0%	145,000.00
Total 44000 · Wastewater System	0.00	59,583.33	0.0%	0.00	476,666.68	0.0%	715,000.00
45000 · Water System- Capital Proj							
43976.1 · Downtown/SH 105 Water Line Imp	0.00	41,833.33	0.0%	14,758.40	334,666.68	4.4%	502,000.00
43992.1 · Water Plant #3 - Improvements	0.00	36,666.67	0.0%	0.00	293,333.32	0.0%	440,000.00
43992.4 · WP#3 Improvements - Other Costs	0.00	14,583.33	0.0%	0.00	116,666.68	0.0%	175,000.00
46000.1 · Water - Meters	0.00			0.00	0.00	0.0%	0.00
Total 45000 · Water System- Capital Proj	0.00	93,083.33	0.0%	14,758.40	744,666.68	2.0%	1,117,000.00
46000 · Roadway System Improvements							
46001 · Plez Morgan Street (FEMA4272)	0.00	25,000.00	0.0%	0.00	200,000.00	0.0%	300,000.00
46002 · Buf SpBrg RepFEMA4272-CD7217307	76,737.01	125,000.00	61.4%	353,967.62	1,000,000.00	35.4%	1,500,000.00
Total 46000 · Roadway System Improvements	76,737.01	150,000.00	51.2%	353,967.62	1,200,000.00	29.5%	1,800,000.00
47000 · Capital Costs Projects	0.00	16,666.67	0.0%	0.00	133,333.32	0.0%	200,000.00
47395 · Cost of Issuance Exp							
47395.1 · Cost of Issuance Series 2017A	0.00			0.00	0.00	0.0%	0.00
47395.3 · TWDB Loan Origination Fee 2017A	0.00			0.00	0.00	0.0%	0.00
Total 47395 · Cost of Issuance Exp	0.00			0.00	0.00	0.0%	0.00
48000 · Cap Outlay-Fac, Equip, Etc							
48000.3 · Houston Street Rehab	0.00			96,503.94			
48001 · GRP Capital Projects	0.00	7,483.33	0.0%	37,252.48	59,866.68	62.2%	89,800.00
48002 · Utility Project/ Prev Maint	0.00	0.00	0.0%	88,238.37	45,700.00	193.1%	91,400.00
48003 · Buf Spgs-Water Line-Util ExProj	0.00	5,416.67	0.0%	6,959.58	43,333.32	16.1%	65,000.00
48004 · Police Vehicle Replacement	0.00	1,250.00	0.0%	0.00	10,000.00	0.0%	15,000.00
Total 48000 · Cap Outlay-Fac, Equip, Etc	0.00	14,150.00	0.0%	228,954.37	158,900.00	144.1%	261,200.00
49000 · Impact Fee Projects	0.00	0.00	0.0%	0.00	75,000.00	0.0%	75,000.00
Total Expense	80,237.01	397,983.32	20.2%	640,289.69	3,304,566.72	19.4%	4,942,200.00
Net Ordinary Income	-127,723.31	-397,649.99	32.1%	133,688.06	1,517,199.96	8.8%	4,000.00
Net Income	-127,723.31	-397,649.99	32.1%	133,688.06	1,517,199.96	8.8%	4,000.00

City of Montgomery - Debt Service
Cash Flow Report - Checking Account

As of June 21, 2018

Num	Name	Memo	Amount	Balance
BALANCE AS OF 05/17/2018				\$191,570.78
Receipts				
	Interest		8.14	
Total Receipts				8.14
Disbursements				
	No Disbursements Activity		0.00	
Total Disbursements				0.00
BALANCE AS OF 06/21/2018				<u><u>\$191,578.92</u></u>

8:59 AM

06/22/18

Accrual Basis

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

	<u>May 18</u>	<u>Budget</u>	<u>\$ Over Bu...</u>	<u>Oct '17 - M...</u>	<u>YTD Budget</u>	<u>\$ Over Bu...</u>	<u>Annual Bu...</u>
Income							
34000 - Taxes & Franchise Fees							
34320 - Ad Valorem Taxes	4,170.27	0.00	4,170.27	411,588.16	416,002.00	-4,413.84	416,002.00
34330 - Penalty & Interest	426.07	100.00	326.07	2,704.90	800.00	1,904.90	1,200.00
Total 34000 - Taxes & Franchise Fees	<u>4,596.34</u>	<u>100.00</u>	<u>4,496.34</u>	<u>414,293.06</u>	<u>416,802.00</u>	<u>-2,508.94</u>	<u>417,202.00</u>
34100 - Transfers							
34301.4 - Transfers in-MEDC Fund	0.00	0.00	0.00	80,000.00	80,000.00	0.00	160,000.00
34301.5 - Transfers in - Utility Fund	0.00	0.00	0.00	76,520.00	76,520.00	0.00	153,040.00
Total 34100 - Transfers	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>156,520.00</u>	<u>156,520.00</u>	<u>0.00</u>	<u>313,040.00</u>
35000 - Other Revenues							
35390 - Interest on Checking	0.00			21.47	0.00	21.47	0.00
35391 - Interest on Investments	8.14	25.00	-16.86	244.78	200.00	44.78	300.00
Total 35000 - Other Revenues	<u>8.14</u>	<u>25.00</u>	<u>-16.86</u>	<u>266.25</u>	<u>200.00</u>	<u>66.25</u>	<u>300.00</u>
Total Income	<u>4,604.48</u>	<u>125.00</u>	<u>4,479.48</u>	<u>571,079.31</u>	<u>573,522.00</u>	<u>-2,442.69</u>	<u>730,542.00</u>
Expense							
37000 - Debt Service							
37360 - Interest Payments On Note	0.00	0.00	0.00	22,285.75	117,532.93	-95,247.18	231,595.56
37363 - Paying Agent Fees	0.00	0.00	0.00	650.00	2,500.00	-1,850.00	2,500.00
37365 - Interest 2012 Series Premium	0.00	0.00	0.00	95,246.88	0.00	95,246.88	0.00
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	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>553,182.63</u>	<u>555,032.93</u>	<u>-1,850.30</u>	<u>669,095.56</u>
Total Expense	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>553,182.63</u>	<u>555,032.93</u>	<u>-1,850.30</u>	<u>669,095.56</u>
Net Income	<u>4,604.48</u>	<u>125.00</u>	<u>4,479.48</u>	<u>17,896.68</u>	<u>18,489.07</u>	<u>-592.39</u>	<u>61,446.44</u>

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

As of June 21, 2018

Num	Name	Memo	Amount	Balance
BALANCE AS OF 05/17/2018				\$6,257.14
Receipts				
	No Receipts Activity		0.00	
Total Receipts			<u>0.00</u>	0.00
Disbursements				
1025	GTIN	Inv# 20035	(312.50)	
1026	Johnathan Lawson	Bailiff fee 5/10/18	(75.00)	
Total Disbursements			<u>(387.50)</u>	<u>(387.50)</u>
BALANCE AS OF 06/21/2018				<u><u>\$5,869.64</u></u>

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

Accrual Basis

May 2018

	<u>May 18</u>	<u>Budget</u>	<u>\$ Over ...</u>	<u>Oct '17 ...</u>	<u>YTD B...</u>	<u>\$ Over ...</u>	<u>Annual ...</u>
Ordinary Income/Expense							
Income							
84110 · Court Fines & Forfeitures							
84110.1 · Court Security Fees	711.32	500.00	211.32	4,595.67	4,000.00	595.67	6,000.00
Total 84110 · Court Fines & Forfeitures	711.32	500.00	211.32	4,595.67	4,000.00	595.67	6,000.00
84120 · Other Revenues							
84120.1 · Interest Income	0.00	0.42	-0.42	0.00	3.32	-3.32	5.00
Total 84120 · Other Revenues	0.00	0.42	-0.42	0.00	3.32	-3.32	5.00
Total Income	711.32	500.42	210.90	4,595.67	4,003.32	592.35	6,005.00
Expense							
86000 · Contracted Services							
86439 · Baliff Fees	75.00			300.00			
Total 86000 · Contracted Services	75.00			300.00			
86005 · Miscellaneous Expenses	312.50	41.67	270.83	312.50	333.32	-20.82	500.00
Total Expense	387.50	41.67	345.83	612.50	333.32	279.18	500.00
Net Ordinary Income	323.82	458.75	-134.93	3,983.17	3,670.00	313.17	5,505.00
Other Income/Expense							
Other Expense							
86560 · Interfund Tranfers							
86551 · Baliff Transfer to General Fund	0.00	0.00	0.00	1,700.00	1,800.00	-100.00	3,600.00
Total 86560 · Interfund Tranfers	0.00	0.00	0.00	1,700.00	1,800.00	-100.00	3,600.00
Total Other Expense	0.00	0.00	0.00	1,700.00	1,800.00	-100.00	3,600.00
Net Other Income	0.00	0.00	0.00	-1,700.00	-1,800.00	100.00	-3,600.00
Net Income	<u>323.82</u>	<u>458.75</u>	<u>-134.93</u>	<u>2,283.17</u>	<u>1,870.00</u>	<u>413.17</u>	<u>1,905.00</u>

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

As of June 21, 2018

Num	Name	Memo	Amount	Balance
BALANCE AS OF 05/17/2018				\$30,067.87
Receipts				
	Interest on acct		0.25	
Total Receipts				0.25
Disbursements				
	No Disbursements Activity		0.00	
Total Disbursements				0.00
BALANCE AS OF 06/21/2018				<u><u>\$30,068.12</u></u>

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

Accrual Basis

	May 18	Budget	\$ Over ...	Oct '17 ...	YTD Bu...	\$ Over ...	Annual ...
Ordinary Income/Expense							
Income							
74100 · Court Fines and Forfeitures							
74110 · Court Technology Fees	948.45	833.33	115.12	6,167.55	6,666.68	-499.13	10,000.00
Total 74100 · Court Fines and Forfeitures	948.45	833.33	115.12	6,167.55	6,666.68	-499.13	10,000.00
74200 · Other Revenues							
74291 · Interest Income	0.25	0.17	0.08	1.77	1.32	0.45	2.00
Total 74200 · Other Revenues	0.25	0.17	0.08	1.77	1.32	0.45	2.00
Total Income	948.70	833.50	115.20	6,169.32	6,668.00	-498.68	10,002.00
Expense							
76200 · Contract Services							
76362 · Computer/Website Services	0.00	0.00	0.00	290.98	2,500.00	-2,209.02	5,000.00
Total 76200 · Contract Services	0.00	0.00	0.00	290.98	2,500.00	-2,209.02	5,000.00
76500 · Miscellaneous Expenses							
76560 · Miscellaneous Expense	0.00			10.00			
Total 76500 · Miscellaneous Expenses	0.00			10.00			
Total Expense	0.00	0.00	0.00	300.98	2,500.00	-2,199.02	5,000.00
Net Ordinary Income	948.70	833.50	115.20	5,868.34	4,168.00	1,700.34	5,002.00
Net Income	<u>948.70</u>	<u>833.50</u>	<u>115.20</u>	<u>5,868.34</u>	<u>4,168.00</u>	<u>1,700.34</u>	<u>5,002.00</u>

City of Montgomery - Grant
Cash Flow Report - Grant Account Account

As of June 21, 2018

Num	Name	Memo	Amount	Balance
BALANCE AS OF 05/17/2018				\$7,174.81
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 06/21/2018				<u><u>\$7,174.81</u></u>

City of Montgomery - Grant
Cash Flow Report - Checking Account

As of June 21, 2018

Num	Name	Memo	Amount	Balance
BALANCE AS OF 05/17/2018				\$9,081.85
Receipts				
	No Receipts Activity		0.00	
Total Receipts				0.00
Disbursements				
1038	The Kroger Company	Refund Amt Exceeded on Commitment City on Co	(3,344.22)	
Total Disbursements				(3,344.22)
BALANCE AS OF 06/21/2018				\$5,737.63

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

As of June 21, 2018

Num	Name	Memo	Amount	Balance
BALANCE AS OF 05/17/2018				\$10,558.78
Receipts				
	No Receipts Activity		0.00	
Total Receipts				0.00
Disbursements				
	No Disbursements Activity		0.00	
Total Disbursements				0.00
BALANCE AS OF 06/21/2018				\$10,558.78

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

Accrual Basis

May 2018

	<u>May 18</u>	<u>Budget</u>	<u>\$ Over ...</u>	<u>Oct '17 ...</u>	<u>YTD B...</u>	<u>\$ Over ...</u>	<u>Annual ...</u>
Income							
44300 · Taxes & Franchise Fees							
44330 · Hotel Occupancy Taxes	<u>0.00</u>	<u>50.00</u>	<u>-50.00</u>	<u>1,090.50</u>	<u>400.00</u>	<u>690.50</u>	<u>600.00</u>
Total 44300 · Taxes & Franchise Fees	<u>0.00</u>	<u>50.00</u>	<u>-50.00</u>	<u>1,090.50</u>	<u>400.00</u>	<u>690.50</u>	<u>600.00</u>
44400 · Other Revenues							
44360 · Interest Earned On Checking	<u>0.00</u>	<u>0.42</u>	<u>-0.42</u>	<u>0.00</u>	<u>3.32</u>	<u>-3.32</u>	<u>5.00</u>
44490 · Interest Income	<u>0.00</u>			<u>0.20</u>			
Total 44400 · Other Revenues	<u>0.00</u>	<u>0.42</u>	<u>-0.42</u>	<u>0.20</u>	<u>3.32</u>	<u>-3.12</u>	<u>5.00</u>
Total Income	<u>0.00</u>	<u>50.42</u>	<u>-50.42</u>	<u>1,090.70</u>	<u>403.32</u>	<u>687.38</u>	<u>605.00</u>
Expense							
46600 · Miscellaneous Expenses	<u>0.00</u>	<u>125.00</u>	<u>-125.00</u>	<u>0.00</u>	<u>1,000.00</u>	<u>-1,000.00</u>	<u>1,500.00</u>
Total Expense	<u>0.00</u>	<u>125.00</u>	<u>-125.00</u>	<u>0.00</u>	<u>1,000.00</u>	<u>-1,000.00</u>	<u>1,500.00</u>
Net Income	<u>0.00</u>	<u>-74.58</u>	<u>74.58</u>	<u>1,090.70</u>	<u>-596.68</u>	<u>1,687.38</u>	<u>-895.00</u>

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

As of June 21, 2018

Num	Name	Memo	Amount	Balance
BALANCE AS OF 05/17/2018				\$190,726.88
Receipts				
	Sales Tax Transfer for April & May Revenue		102,900.84	
Total Receipts				102,900.84
Disbursements				
1892	Arnette Marketing	Seasonal Decorations Inv 7207 - Shipping charges f	(71.04)	
1893	Lonestar Plumbing	Soccer Field - water line 5/21/18	(1,500.00)	
1894	Texas Vintmers Group	Montgomery Ghost Tour Rack Cards & Tickets / J	(240.00)	
1895	Montgomery Area Chamber of Commerce	Partnership Grant for Director Services & Office S	(2,566.67)	
1896	Montgomery Soccer Club	Funding Project for Montgomery Soccer Club	(4,050.00)	
1897	Milstead Glass Company, Inv.	Facade & Bldg Imp Grant - Portion Approved for	(2,000.00)	
1898	Office Depot Business Credit	Part May 2018 Invoices (twin Pocket Portfolios -Da	(17.11)	
Total Disbursements				<u>(10,444.82)</u>
BALANCE AS OF 06/21/2018				<u><u>\$283,182.90</u></u>

City of Montgomery - MEDC
Actual to Budget Performance

May 2018

	May 18	Budget	\$ Over Bud...	Oct '17 - Ma...	YTD Budget	\$ Over Bud...	Annual Bud...
Income							
55000 · Taxes & Franchise Fees							
55400 · Sales Tax	66,849.44	50,495.84	16,353.60	390,618.17	346,272.66	44,345.51	530,000.00
Total 55000 · Taxes & Franchise Fees	66,849.44	50,495.84	16,353.60	390,618.17	346,272.66	44,345.51	530,000.00
55300 · Other Revenues							
55391 · Interest Income	345.50	57.50	288.00	2,415.86	463.49	1,952.37	950.00
Total 55300 · Other Revenues	345.50	57.50	288.00	2,415.86	463.49	1,952.37	950.00
Total Income	67,194.94	50,553.34	16,641.60	393,034.03	346,736.15	46,297.88	530,950.00
Expense							
56000 · Pub Infrastructure - Category I							
56000.6 · Downtown Dev Improvements	0.00	8,428.39	(8,428.39)	6,151.38	40,950.03	(34,798.65)	55,000.00
56000.8 · Utility Extensions	0.00	0.00	0.00	142,225.50	105,009.39	37,216.11	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	0.00	0.00	0.00	80,000.00	80,000.00	0.00	160,000.00
Total 56000 · Pub Infrastructure - Category I	0.00	8,428.39	(8,428.39)	232,841.88	233,959.42	(1,117.54)	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	3,500.00	0.00	3,500.00	3,500.00	20,000.00	(16,500.00)	20,000.00
Total 56001 · Business Dev & Ret -Category II	3,500.00	0.00	3,500.00	3,500.00	55,000.00	(51,500.00)	55,000.00
56002 · Quality of Life - Category III							
56404 · Seasonal Decorations	0.00	0.00	0.00	1,261.45	6,000.00	(4,738.55)	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	0.00	0.00	0.00	1,718.00	4,000.00	(2,282.00)	4,000.00
56429 · Removal of Blight	0.00	0.00	0.00	5,032.04	8,571.42	(3,539.38)	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	0.00	0.00	0.00	10,480.98	45,171.42	(34,690.44)	51,600.00
56003 · Marketing & Tourism-Category IV							
56408.1 · Promotional Video	0.00	0.00	0.00	0.00	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	1,250.00	(1,250.00)	5,280.00	5,000.00	280.00	5,000.00
56414 · Wine & Music Fest	0.00	0.00	0.00	0.00	0.00	0.00	10,000.00
56415 · Texian/Heritage Festival	0.00	8,000.00	(8,000.00)	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)	0.00	1,333.32	(1,333.32)	2,000.00
Total 56003 · Marketing & Tourism-Category IV	0.00	9,416.67	(9,416.67)	20,280.00	30,833.32	(10,553.32)	41,500.00
56004 · Administration - Category V							
56004.1 · Admin Transfers to Gen Fund	0.00	0.00	0.00	18,750.00	18,750.00	0.00	37,500.00
56004.2 · MACC Administration & Office	2,566.67	2,666.67	(100.00)	20,533.36	21,333.32	(799.96)	32,000.00
56004.3 · Miscellaneous Expenses	17.11	415.72	(398.61)	5,847.11	4,357.26	1,489.85	6,000.00
56004.5 · Internship Program	0.00	833.33	(833.33)	0.00	6,666.68	(6,666.68)	10,000.00
56327 · Consulting (Professional servi)	0.00	0.00	0.00	11,563.75	6,666.66	4,897.09	10,000.00
56354 · Travel & Training Expenses	0.00	0.00	0.00	840.00	2,240.00	(1,400.00)	2,800.00
Total 56004 · Administration - Category V	2,583.78	3,915.72	(1,331.94)	57,534.22	60,013.92	(2,479.70)	98,300.00
Total Expense	6,083.78	21,760.78	(15,677.00)	324,637.08	424,978.08	(100,341.00)	649,400.00
Net Income	61,111.16	28,792.56	32,318.60	68,396.95	(78,241.93)	146,638.88	(118,450.00)

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

As of June 21, 2018

Num	Name	Memo	Amount	Balance
BALANCE AS OF 05/17/2018				\$4,272.25
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 06/21/2018				<u><u>\$4,272.25</u></u>

City of Montgomery - Water & Sewer
Cash Flow Report - Water & Sewer Fund Account

As of June 21, 2018

Num	Name	Memo	Amount	Balance
BALANCE AS OF 05/17/2018				\$374,142.22
Receipts				
	To reimburse for Impact Fees Tsf 2/20/18 and re-assignment of Capi		87,252.48	
	A/R Revenue Cleared		152,932.62	
	A/R Revenue O/S		5,818.22	
	A/R Revenue		6,913.32	
	ETS Fees OS		13.75	
	Interest		8.18	
Total Receipts				252,938.57
Disbursements				
13874	Consolidated Communications	936-597-4774/0 Recurring Charges 05/11-6/10/2	(37.92)	
13875	Darden, Fowler & Creighton, L.L.P.	Legal Fees 4/18	(2,020.00)	
13876	DXI Industries Inc.	INV DE5003499-18 Chlorine	(100.00)	
13877	G&K Services, Inc.	1/2 invoices 6165325354, 30813, 36271,41724, 308	(197.44)	
13878	Gulf Utility Service, Inc.	Operations - Inv 16297	(24,485.54)	
13879	McCoy's Building Supply	Inv 11307872, 68, 58	(90.79)	
13880	Texas Excavation Safety System, Inc.	Monthly Message Fees for April 2018 18-05781	(72.20)	
13881	Valero Marketing and Supply Company	1/2 Fuel exp- Public Works Dept - Acct 7137 886	(523.69)	
13882	Coburn's Supply Co., Inc.	Supplies - #501162823	(969.42)	
13883	Consolidated Communications	936-597-4826/0 Recurring Charges 05/21/18-6/20	(37.92)	
13884	Neil Technical Services, Inc	Invoice 80550	(680.60)	
13885	DataProse, Inc.	Inv DP1801634 - 5/18	(680.85)	
13886	DXI Industries Inc.	Chemicals - WP #3 -Inv. 055008685-18	(740.19)	
13887	Municipal Accounts & Consulting, L.P.	Accounting Service Inv 52052	(400.00)	
13888	Networkfleet, Inc.	GPS Diagnostics and Harness Kit (Verizon) Inv I	(128.92)	
13889	State Comptroller	TIN 1-74-2063592-6 sales tax - Fees - 5/18	(785.58)	
13890	Waste Management	Residential Garbage Collection 5/18	(7,715.90)	
13891	Waste Management (2)	Acct 7-23166-83000 - Inv 5545184-1792-4	(563.35)	
13892	City of Montgomery - Utility Fund	Water Usage 5/18	(1,097.44)	
13893	Consolidated Communications	Per attached spreadsheet	(73.79)	
13894	Entergy	Utilities per spreadsheet May 2018	(2,743.36)	
13895	TML - IRP	Insurance Premiums 6/18	(2,431.64)	
13896	Accurate Utility Supply, LLC	Inv 142517, 996	(4,155.36)	
13897	Badger Meter	Services for 5/18	(727.13)	
13898	Coburn's Supply Co., Inc.	Supplies - #501228946	(297.50)	
13899	Consolidated Communications	936-597-8846/0 - Stewart Creek WWTP 6/18	(37.92)	
13900	Darden, Fowler & Creighton, L.L.P.	Legal Fees 5/18	(2,420.00)	
13901	Dunhill Builders	Deposit refund	(208.00)	
13902	DXI Industries Inc.	Chemicals - WP #3 -Inv. DE05004422-18	(100.00)	
13903	Edward Flint	Deposit Refund	(76.72)	
13904	Entergy	Utilities per spreadsheet May 2018	(4,127.79)	
13905	EWC Properties	Deposit Refund	(44.95)	
13906	Gabriel Tree Service	Cut & remove trees at WP2 - #839891	(250.00)	
13907	LDC	Inv for 5/18	(55.27)	
13908	Lisa R. Morgan	Deposit refund	(67.06)	
13909	McCoy's Building Supply	Part Invoices - 5/18	(314.14)	
13910	Neil Technical Services, Inc	Invoice 79996	(867.50)	
13911	Smith & Company	Deposit refund EVA, Lonestar Bend	(1,974.15)	
13912	Sprint Waste Services, LP	Sludge Hauling Inv 276282	(4,160.00)	
13913	Stylecraft Builders	Deposit refund 119,127,131,134,218 Brocks Lane	(259.80)	
13914	Texas Excavation Safety System, Inc.	Monthly Message Fees - 18-07397	(71.25)	

City of Montgomery - Water & Sewer
Cash Flow Report - Water & Sewer Fund Account

As of June 21, 2018

Num	Name	Memo	Amount	Balance
Disbursements				
13915	USA BlueBook	Inv 580374, 581869	(486.62)	
13916	Valero Marketing and Supply Company	1/2 Fuel exp- Public Works Dept - Acct 7137 886	(544.98)	
DM	ETS Corporation	ETS Fees Expense	(844.26)	
DM		Due from Bank - Fees	(25.00)	
Transfer	City of Montgomery General Fund	Reimbursement of Expenses thru 5/11/18	(15,678.76)	
Total Disbursements				<u>(84,370.70)</u>
BALANCE AS OF 06/21/2018				<u><u>\$542,710.09</u></u>

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

May 2018

	May 18	Budget	\$ Over Bu...	Oct '17 - ...	YTD Bud...	\$ Over Bu...	Annual B...
Ordinary Income/Expense							
Income							
24000 · Charges for Service							
24100 · Water Revenue	51,220.48	45,000.00	6,220.48	338,099.25	360,000.00	(21,900.75)	540,000.00
24118 · Surface Water Revenue	615.86	500.00	115.86	3,877.72	4,000.00	(122.28)	6,000.00
24119 · Application Fee	0.00	125.00	(125.00)	0.00	1,000.00	(1,000.00)	1,500.00
24120 · Disconnect Reconnect	300.00	458.33	(158.33)	3,825.00	3,666.68	158.32	5,500.00
24200 · Sewer Revenue	45,579.13	37,500.00	8,079.13	304,618.77	300,000.00	4,618.77	450,000.00
24310 · Tap Fees/Inspections	61,090.00	12,500.00	48,590.00	240,961.45	100,000.00	140,961.45	150,000.00
24319 · Grease Trap Inspections	1,100.00	833.33	266.67	8,000.00	6,666.68	1,333.32	10,000.00
24330 · Late Charges	2,073.31	1,250.00	823.31	13,677.91	10,000.00	3,677.91	15,000.00
24333 · Returned Ck Fee	0.00	0.00	0.00	475.00	200.00	275.00	200.00
25403 · Solid Waste Revenue	9,569.87	8,708.33	861.54	72,702.85	69,666.68	3,036.17	104,500.00
Total 24000 · Charges for Service	171,548.65	106,874.99	64,673.66	986,237.95	855,200.04	131,037.91	1,282,700.00
24101 · Taxes and Franchise Fees							
24110 · Sales Tax Rev for Solid Waste	780.95	666.67	114.28	5,936.21	5,333.32	602.89	8,000.00
Total 24101 · Taxes and Franchise Fees	780.95	666.67	114.28	5,936.21	5,333.32	602.89	8,000.00
24121 · Groundwater Reduction Revenue	14,516.70	10,500.00	4,016.70	91,360.50	84,000.00	7,360.50	126,000.00
25000 · Other Revenues							
25000.1 · Impact Fees							
25000.2 · Capital Cost Fees	0.00	0.00	0.00	0.00	100,000.00	(100,000.00)	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	175,000.00	(175,000.00)	275,000.00
25391 · Interest Income	34.54	9.17	25.37	146.45	73.32	73.13	110.00
25392 · Interest earned on Investments	0.00	9.17	(9.17)	95.27	73.32	21.95	110.00
25399 · Miscellaneous Revenue	201.25	30.00	171.25	1,137.62	240.00	897.62	360.00
Total 25000 · Other Revenues	235.79	48.34	187.45	1,379.34	175,386.64	(174,007.30)	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	187,082.09	118,090.00	68,992.09	1,084,914.00	1,165,420.00	(80,506.00)	1,737,780.00
Expense							
26001 · Personnel							
26353.1 · Health Ins.	0.00	1,616.67	(1,616.67)	8,245.20	12,933.32	(4,688.12)	19,400.00
26353.4 · Unemployment Ins	0.00	32.50	(32.50)	323.37	260.00	63.37	390.00
26353.5 · Workers Comp.	0.00	175.00	(175.00)	2,617.37	1,400.00	1,217.37	2,100.00
26353.6 · Dental Insurance	0.00	145.83	(145.83)	890.24	1,166.68	(276.44)	1,750.00
26353.7 · Life & AD&D Insurance	0.00	50.00	(50.00)	402.64	400.00	2.64	600.00
26353.8 · Crime Insurance	0.00			175.59			
26501 · Retirement Expense	498.22	558.33	(60.11)	4,345.60	4,466.68	(121.08)	6,700.00
26560 · Payroll Taxes	624.82	1,058.33	(433.51)	5,551.84	8,466.68	(2,914.84)	12,700.00
26600 · Wages	8,167.56	14,166.67	(5,999.11)	72,572.74	113,333.32	(40,760.58)	170,000.00
Total 26001 · Personnel	9,290.60	17,803.33	(8,512.73)	95,124.59	142,426.68	(47,302.09)	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	2,420.00	1,421.08	998.92	15,000.00	11,368.68	3,631.32	17,053.00
26322 · Engineering	0.00	6,250.00	(6,250.00)	80,125.16	50,000.00	30,125.16	75,000.00
26323 · Operator	0.00	3,365.00	(3,365.00)	23,100.00	26,920.00	(3,820.00)	40,380.00
26324 · Billing and Collections	4,562.01	985.00	3,577.01	15,940.93	7,880.00	8,060.93	11,820.00
26328 · Testing	0.00	955.00	(955.00)	10,234.00	7,640.00	2,594.00	11,460.00
26331 · Sales Tax for Solid Waste	785.58	684.42	101.16	5,972.13	5,475.32	496.81	8,213.00
26333 · Accounting Fees	400.00	400.00	0.00	3,200.00	3,200.00	0.00	4,800.00
26336 · Sludge Hauling	4,160.00	1,458.33	2,701.67	16,224.00	11,666.68	4,557.32	17,500.00
26340 · Printing	0.00			80.28			
26350 · Postage	309.15	266.67	42.48	2,740.15	2,133.32	606.83	3,200.00
26351 · Telephone	296.80	375.00	(78.20)	2,913.77	3,000.00	(86.23)	4,500.00
26370 · Tap Fees & Inspections	0.00	833.33	(833.33)	17,215.00	6,666.68	10,548.32	10,000.00
26399 · Garbage Pickup	8,279.25	7,950.00	329.25	67,603.12	63,600.00	4,003.12	95,400.00
Total 26200 · Contract Services	21,212.79	24,943.83	(3,731.04)	260,348.54	200,455.68	59,892.86	300,231.00
26300 · Communications							

	May 18	Budget	\$ Over Bu...	Oct '17 - ...	YTD Bud...	\$ Over Bu...	Annual B...
26338 · Advertising/Promotion	0.00	0.00	0.00	0.00	1,055.00	(1,055.00)	1,055.00
Total 26300 · Communications	0.00	0.00	0.00	0.00	1,055.00	(1,055.00)	1,055.00
26326 · Permits & Licenses	0.00	1,083.33	(1,083.33)	14,438.67	8,666.68	5,771.99	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	840.19	1,508.33	(668.14)	11,419.21	12,066.68	(647.47)	18,100.00
26358 · Copier/Fax Machine Lease	0.00	0.00	0.00	0.00	3,920.00	(3,920.00)	3,920.00
26460 · Operating Supplies	7,266.20	5,875.00	1,391.20	28,903.03	47,000.00	(18,096.97)	70,500.00
26485 · Uniforms	0.00	266.67	(266.67)	1,844.06	2,133.32	(289.26)	3,200.00
27040 · ComputerTechnology Equipment	0.00	316.67	(316.67)	1,722.93	2,533.32	(810.39)	3,800.00
26400.1 · Supplies & Equipment - Other	0.00	166.67	(166.67)	284.93	1,333.32	(1,048.39)	2,000.00
Total 26400.1 · Supplies & Equipment	8,106.39	8,133.34	(26.95)	44,174.16	68,986.64	(24,812.48)	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)	0.00	416.67	(416.67)	982.95	3,333.32	(2,350.37)	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	0.00	416.67	(416.67)	982.95	3,533.32	(2,550.37)	5,200.00
26600.2 · Maintenance							
26335 · Repairs & Maintenance	2,146.53	17,916.67	(15,770.14)	90,501.00	143,333.32	(52,832.32)	215,000.00
26335.1 · Vehicle Rep. & Maint.	128.92	83.33	45.59	128.92	666.68	(537.76)	1,000.00
26349 · Gas & Oil	544.98	366.67	178.31	3,512.77	2,933.32	579.45	4,400.00
Total 26600.2 · Maintenance	2,820.43	18,366.67	(15,546.24)	94,142.69	146,933.32	(52,790.63)	220,400.00
26700 · Insurance Expense							
26353.2 · Liability Ins.	0.00	166.67	(166.67)	1,607.05	1,333.32	273.73	2,000.00
26353.3 · Property Ins.	0.00	1,000.00	(1,000.00)	15,315.92	8,000.00	7,315.92	12,000.00
Total 26700 · Insurance Expense	0.00	1,166.67	(1,166.67)	16,922.97	9,333.32	7,589.65	14,000.00
26800 · Utilities Expense							
26352.1 · Utilities - Gas for Generators	55.27	58.33	(3.06)	503.51	466.68	36.83	700.00
26352.2 · Utilities-Water Plants	6,228.94	5,500.00	728.94	45,580.50	44,000.00	1,580.50	66,000.00
26352.3 · Utilities-WW Treatment Plants	0.00	3,211.67	(3,211.67)	16,719.08	25,693.32	(8,974.24)	38,540.00
26352.4 · Utilities - Lift Stations	1,736.19	1,016.67	719.52	10,429.25	8,133.32	2,295.93	12,200.00
26352.5 · Utilities - Security Light	15.26	11.67	3.59	64.00	93.32	(29.32)	140.00
26800.1 · Buffalo Springs STP- Water Usag	25.00	29.17	(4.17)	225.36	233.32	(7.96)	350.00
Total 26800 · Utilities Expense	8,060.66	9,827.51	(1,766.85)	73,521.70	78,619.96	(5,098.26)	117,930.00
26900 · Capital Outlay							
26900.2 · Capital Outlay-Vehicles	0.00	2,891.67	(2,891.67)	34,700.00	23,133.32	11,566.68	34,700.00
Total 26900 · Capital Outlay	0.00	2,891.67	(2,891.67)	34,700.00	23,133.32	11,566.68	34,700.00
26901 · Util Projects/Prev Maintenance							
26901.1 · Util Proj/Prev Maint-Tsf to CPF	0.00	0.00	0.00	26,279.50	45,700.00	(19,420.50)	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	(50,000.00)	0.00	(50,000.00)	0.00	75,000.00	(75,000.00)	75,000.00
Total 26901 · Util Projects/Prev Maintenance	(50,000.00)	0.00	(50,000.00)	181,565.50	320,700.00	(139,134.50)	366,400.00
27000 · Miscellaneous Expenses							
26359 · Misc Expense	844.26	83.33	760.93	5,714.84	666.68	5,048.16	1,000.00
Total 27000 · Miscellaneous Expenses	844.26	83.33	760.93	5,714.84	666.68	5,048.16	1,000.00
Total Expense	335.13	84,716.35	(84,381.22)	821,636.61	1,006,610.60	(184,973.99)	1,391,176.00
Net Ordinary Income	186,746.96	33,373.65	153,373.31	263,277.39	158,809.40	104,467.99	346,604.00
Other Income/Expense							
Other Expense							
27001 · Other Expenses							
27001.2 · Transfer to Debt Service	0.00	0.00	0.00	76,520.00	76,520.00	0.00	153,040.00
27002 · Transfer to Construction Fund	0.00	0.00	0.00	77,400.00	77,400.00	0.00	154,800.00
Total 27001 · Other Expenses	0.00	0.00	0.00	153,920.00	153,920.00	0.00	307,840.00

	<u>May 18</u>	<u>Budget</u>	<u>\$ Over Bu...</u>	<u>Oct '17 - ...</u>	<u>YTD Bud...</u>	<u>\$ Over Bu...</u>	<u>Annual B...</u>
Total Other Expense	0.00	0.00	0.00	153,920.00	153,920.00	0.00	307,840.00
Net Other Income	0.00	0.00	0.00	(153,920.00)	(153,920.00)	0.00	(307,840.00)
Net Income	186,746.96	33,373.65	153,373.31	109,357.39	4,889.40	104,467.99	38,764.00

City of Montgomery
District Debt Service Payments

06/01/2018 - 09/30/2019

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		0.00	55,287.50	55,287.50
Amegy Bank of Texas	2012R	09/01/2018		0.00	37,109.38	37,109.38
First National Bank of Huntsville	2015R	09/01/2018		0.00	7,141.25	7,141.25
Bank of Texas	2017A	09/01/2018		0.00	4,767.25	4,767.25
Bank of Texas	2017B	09/01/2018		0.00	9,757.25	9,757.25
Total Due 09/01/2018				0.00	114,062.63	114,062.63
Debt Service Payment Due 03/01/2019						
Amegy Bank of Texas	2012	03/01/2019		125,000.00	55,287.50	180,287.50
Amegy Bank of Texas	2012R	03/01/2019		105,000.00	37,109.38	142,109.38
First National Bank of Huntsville	2015R	03/01/2019		85,000.00	7,141.25	92,141.25
Bank of Texas	2017A	03/01/2019		50,000.00	4,767.25	54,767.25
Bank of Texas	2017B	03/01/2019		80,000.00	9,757.25	89,757.25
Total Due 03/01/2019				445,000.00	114,062.63	559,062.63
Debt Service Payment Due 09/01/2019						
Amegy Bank of Texas	2012	09/01/2019		0.00	53,412.50	53,412.50
Amegy Bank of Texas	2012R	09/01/2019		0.00	35,993.75	35,993.75
First National Bank of Huntsville	2015R	09/01/2019		0.00	6,376.25	6,376.25
Bank of Texas	2017A	09/01/2019		0.00	4,767.25	4,767.25
Bank of Texas	2017B	09/01/2019		0.00	9,757.25	9,757.25
Total Due 09/01/2019				0.00	110,307.00	110,307.00
District Total				\$445,000.00	\$338,432.26	\$783,432.26

City of Montgomery
Summary of Pledged Securities

As of June 21, 2018

Financial Institution: ALLEGIANCE BANK		
Total CDs, MM:	\$200,000.00	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:	\$1,762,783.81	Collateral Security Required: Yes
Less FDIC coverage:	\$250,000.00	Collateral Security Agreement On File: Yes
Total pledged securities:	\$2,653,296.35	Investment Policy Received: Yes
Ratio of pledged securities to investments:	175.39 %	
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:	\$489,963.62	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: June 26, 2018	Budgeted Amount: To be determined- - could be substantial
Prepared By: Jack Yates City Administrator	Exhibits:
Date Prepared: June 22, 2018	

in

Subject

This is to consider a Joint Resolution concerning Management of Operations and Capital Improvements at Memory Park

Description

This is a proposed joint resolution between the Rotary Club of Lake Conroe Foundation and the city regarding operation and maintenance of the Memory Park.

I do not think the Rotary Club is trying to get out from under their current efforts to improve and maintain the park—however the language of the agreement places virtually all the maintenance, extensions and expansions on to the City. Beyond that initial reading, I have not had the time to go paragraph by paragraph to analyze for you the effect of the agreement.

Recommendation

Discuss as you think, direct me to look into the resolution and to report back at the July 10 meeting.

Approved By

City Administrator	Jack Yates	Date: June 22, 2018
--------------------	------------	---------------------

**JOINT RESOLUTION
CONCERNING MANAGEMENT,
OPERATIONS AND CAPITAL IMPROVEMENTS OF
MEMORY PARK.**

WHEREAS; Memory Park (the “Park”) is a public park in the City of Montgomery, Texas, intended, among other things, to recognize, in perpetuity, the memories and donations of members of the public who have in the past, and shall continue in the future, to contribute to the development and beautification of the Park; and

WHEREAS, the Park was originally owned by Montgomery County; and,

WHEREAS, the Rotary Club of Lake Conroe Foundation, during Montgomery County’s ownership and development of the Park, participated extensively in the capital improvement and development of the Park and the construction, erection and maintenance of various memorials and other structures and amenities within the Park, and continues to do so; and

WHEREAS, on or about February 11, 2013, Montgomery County conveyed Memory Park to the City of Montgomery, Texas, subject to the express limitation that the property continue to be used by the City of Montgomery in carrying out purposes that benefit the public interests; and

WHEREAS, the City of Montgomery accepted title to Memory Park with the express intent to continue to own and operate the property as a public park, namely Memory Park; and

WHEREAS, the City of Montgomery and the Rotary Club of Lake Conroe Foundation are interested in continuing to work together to maintain the Park as a public space which, indeed, recognizes the memories and donations of members of the public who have contributed to the development of the park and those who may contribute to the development of the Park in the future; and

WHEREAS, the City of Montgomery, Texas, and the Rotary Club of Lake Conroe Foundation desire to express their current intentions to cooperate jointly, and to mutually work together in an effort to maintain the Park in a condition which exhibits pride for the citizens and residents of the City of Montgomery and surrounding areas, and the entities desire to set out certain intentions to maintain and improve the Park, and regarding potential capital additions and/or contributions to the Park in the future; and

WHEREAS, the City of Montgomery further desires to express certain intentions to maintain Memory Park in a manner and condition which recognizes good husbandry, respect for the environment, aesthetics and the natural ecosystem which has been created within the boundaries of Memory Park, and in part, to encourage the Rotary Club of Lake Conroe Foundation to continue to participate both financially, and through its donated time and efforts, to keep the Park beautiful, and to encourage it to create and participate in future additions of capital improvements to the Park, when approved by the City of Montgomery.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS, AND THE ROTARY CLUB OF LAKE CONROE FOUNDATION AS FOLLOWS:

1. The City of Montgomery intends to mow and maintain Memory Park in accordance with City policies and procedures, which are applicable to all parks owned and/or controlled by the City, and which are located within its corporate boundaries.

2. The City of Montgomery intends to maintain the conceptual design and development of Memory Park, and shall make all reasonable efforts to maintain the Park in a tranquil, ecological retreat, dedicated to nature and the memories of the loved ones who, through donations, time or other charitable conduct, have contributed to the development of specific areas within the Park.

3. The City of Montgomery, Texas hereby resolves that it intends, to the reasonable extent possible, to maintain Memory Park and the monuments and other capital improvements previously constructed, and intends to make efforts to preserve said improvements in perpetuity.

4. The City of Montgomery shall be responsible for the general operational policy and development of the Park in accordance with City policies, but will consult with the Rotary Club of Lake Conroe Foundation regarding such matters, from time to time, as the City of Montgomery desires.

5. The City of Montgomery agrees that basic Park maintenance, including mowing, edging, blowing, general landscaping, litter control, maintenance of walkways, weeding and other lighting maintenance functions, as may be deemed appropriate by the City, shall be the responsibility of the City of Montgomery, as owner of the property, and the City of Montgomery shall be responsible for utilities necessary to operate the Park.

6. The City of Montgomery agrees to perform maintenance, as permitted by the City's budget and other considerations, plant trimmings, additional plantings, lake management, and possible further development or improvements in Memory Park, as the City may determine from time to time.

7. The City of Montgomery agrees to reasonably monitor lake levels of Memory Park and, to extent reasonably practical and within City budget, to ensure that the intended purposes of the lake constructed within the boundaries of Memory Park is maintained in a reasonably suitable and appropriate condition, and water levels for the purpose of maintaining the integrity of the lake and the surrounding ecosystem, and the City additionally intends to maintain and operate the sprinkler system in the Park to the extent necessary and to the extent said maintenance is within the budget of the City of Montgomery, as determined by the City of Montgomery from time to time.

8. The Rotary Club of Lake Conroe Foundation will continue to dedicate future capital, time and volunteer commitments to future proposed developments in Memory Park,

including capital improvements and the addition of other monuments and other improvements which are approved by the City of Montgomery.

9. It is anticipated that the City of Montgomery, in the future, will establish and/or develop a park board or other committee or commission of the City which shall be responsible for this Park, and possibly other parks owned and/or controlled by the City of Montgomery. Upon the establishment of such a park board or other commission, the City of Montgomery intends to direct this commission or committee to work closely with the Rotary Club of Lake Conroe Foundation regarding future conceptual ideas and development of Memory Park, and to continue to further the intent evidenced by this Resolution.

Nothing in this Resolution shall be construed as a contractual obligation of the City of Montgomery, or shall be construed to create any legal duties owing to either party from the other party, but rather, it is intended to express the intent of the City of Montgomery and the Rotary Club of Lake Conroe Foundation, by resolution, with respect to the continued maintenance, operation and development of Memory Park, and to express intentions and desires to continue to maintain the Park in an attractive and prideful manner, and to continue to honor the previous capital improvements, as well as future capital improvements, and other additions to the Park, which were constructed and/or installed to honor the memories of individuals memorialized in said improvements.

PASSED AND APPROVED THIS THE _____ DAY OF _____, 2018.

CITY OF MONTGOMERY, TEXAS

SARA COUNTRYMAN, Mayor

ATTEST:

_____, City Secretary

ROTARY CLUB OF LAKE CONROE

By: _____

Name: _____

Title: _____

Montgomery City Council
AGENDA REPORT

Meeting Date: June 26, 2018	Budgeted Amount:
Prepared By: Jack Yates City Administrator	Exhibits: Ordinance, Information about state law, List of Required connections
Date Prepared: June 22, 2018	

in

Subject

This is to consider adopting an ordinance regarding backflow prevention ordinance.

Description

This is the third time this item has been discussed.

Recommendation

Motion to approve the ordinance as presented.

Approved By

City Administrator

Jack Yates

Date: June 22, 2018

ORDINANCE _____

AN ORDINANCE OF THE CITY OF MONTGOMERY, TEXAS, REGARDING PUBLIC WATER SYSTEM BACKFLOW ASSEMBLY PREVENTION REQUIREMENTS FOR CERTAIN ESTABLISHMENTS IN THE CITY OF MONTGOMERY, TEXAS; ADDING NEW DIVISION VI, TO ARTICLE II, ENTITLED “BACKFLOW PREVENTION,” TO CITY CODE OF ORDINANCES CHAPTER 90, ENTITLED “UTILITIES;” PROVIDING THE PURPOSE AND REGULATIONS FOR NEW AND EXISTING WATER CONNECTIONS; REQUIRING ANNUAL TESTING; PROVIDING A PENALTY CLAUSE FOR VIOLATING THE ORDINANCE; PROVIDING SEVERABILITY CLAUSE AND TEXAS OPEN MEETINGS ACT CLAUSE; AND PROVIDING AN EFFECTIVE DATE UPON PUBLICATION.

WHEREAS, the Texas Commission on Environmental Quality (“TCEQ”) has issued a requirement in Section 290.44, “Water Distribution,” of the Texas Administrative Code for backflow prevention assemblies to protect public water facilities from contamination; and

WHEREAS, the City Council for the City of Montgomery, Texas, desires to provide reasonable regulations concerning backflow prevention which will safeguard the public health, safety and general welfare of the City and its residents from contaminated public water;

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

SECTION I. AMENDMENTS TO CITY CODE

The City Code of Ordinances is hereby amended to add Division VI, “Backflow Prevention,” to Article II, entitled “WATER AND SEWER SERVICE,” of Chapter 90, “UTILITIES,” to read as follows:

Division VI – BACKFLOW PREVENTION

Sec. 90-351- Purpose.

The purpose of this article is to:

1. Require the installation and annual testing of backflow prevention assemblies that will protect and ensure the quality of the City's potable public water system as required by the TCEQ in Section 290.44 (h) of the Texas Administrative Code.
2. Protect the public health, safety and general welfare.

Sec. 90-352 – Applicability

- a) This article applies to all connections that can be identified as potential health hazards, including all strip centers, establishments that prepare and/or sell food, auto repair and parts shops, industrial or manufacturing establishments, apartment buildings, irrigation systems, and as otherwise determined by the City Engineer.

Sec. 90-353 - New Connections - Initial Testing and Certification

- a) Irrigation systems will require a pressure vacuum breaker be installed immediately after the water meter.
- b) Domestic water connections will require a reduced pressure zone backflow prevention assembly to be installed immediately after the water meter.
- c) Fire water connections will require a double detector check backflow prevention assembly installed immediately after the connection to the public waterline.
- d) Customer shall be responsible for the initial installation and testing of all backflow prevention assemblies.
- e) Testing and certification must be completed within 7 days of the physical connection to the City's water system being made.
- f) Customers must submit a test report, completed by a licensed tester, to the City of Montgomery Public Works Director within seven (7) days of completing the test.

Sec. 90-354 - Existing Connections - Initial Testing and Certification

- a) Domestic water connections will require a reduced pressure zone backflow prevention assembly to be installed immediately after the water meter.
- b) Fire water connections will require a double detector check backflow prevention assembly installed immediately after the connection to the public waterline.
- c) Customers shall be notified by the City in writing that they are required to install an appropriate backflow prevention assembly within 90 days of the letter. If the

customer does not comply the City will install the backflow prevention assembly and back-charge the customer for the installation.

- d) After installation, testing and certification must be completed within 7 days at the expense of the Customer.
- e) Customers must submit the Test Report, completed by a licensed tester, to the City of Montgomery Public Works Director within seven (7) days of completing the test.

Sec. 90-355 - Annual Testing and Certification

- a) The City will have all backflow prevention assemblies tested and certified on an annual basis.
- b) The City will keep records of all certifications.
- c) A fee will be placed on the Customer's water bill during the month the testing is completed to cover the cost of the test and certification.
- d) If a Customer's backflow prevention assembly fails the test, the Customer will be notified that repairs are required and will be given 30 days to complete the repairs.
- e) After 30 days, the City will retest the backflow prevention assembly and a penalty fee will be placed on the Customer's water bill.
- f) If a Customer's backflow prevention assembly fails a second time, the Customer will be notified and given 7 days to complete the repairs. The City will retest the backflow prevention assembly and the corresponding fee will be placed on the Customer's water bill during the month the testing is completed.
- g) After a third failure, the City will cause the repairs to be made and the Customer will be charged the cost of the repairs plus 200%. The Customer will also be charged for an additional testing fee, to be placed on the Customer's water bill during the month the repairs and testing are completed.
- h) Any fees listed in this section shall be based on the most current revision of the Fee Schedule Resolution approved by the City of Montgomery City Council.

Section 90-356 – Criminal Penalty

Anyone charged with negligently, recklessly, knowingly, or intentionally violating any provisions of this Ordinance shall be fined by a penalty of not more than \$500, as provided for in Section 1-13 of the Code of Ordinances of the City of Montgomery. Each day that such violation continues shall constitute a separate offense and shall be punishable accordingly.

SECTION II –CODIFICATION OF THIS ORDINANCE

Whenever any provision of this Ordinance provides for the amendment of the Code of Ordinances of the City of Montgomery, Texas, such provision shall be liberally construed to provide for the

codification of the specified provision and for such other provisions of the Ordinance that the codifier in its discretion deems appropriate to codify. The codifier may change the designation or numbering of chapters, articles, divisions or sections as herein specified in order to provide for logical order of similar or related topics and to avoid the duplicative use of chapter, article or section numbers. Neither the codification nor any application of this codified Ordinance shall be deemed invalid on the basis of a variance in the number or section of this Ordinance and its codified provisions. The failure to codify the specified provisions of this Ordinance shall not affect their validity or enforcement.

SECTION III. 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 IV. 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 public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 155, of the Texas Government Code.

SECTION V. EFFECTIVE DATE.

This Ordinance shall take effect and be in force immediately after its publication as provided by law.

PASSED AND APPROVED by the City Council of the City of Montgomery, Texas, on the _____ day of _____, 2018.

THE CITY OF MONTGOMERY, TEXAS

Sara Countryman, Mayor

ATTEST:

Susan Hensley, City Secretary

APPROVED AS TO FORM:

Larry L. Foerster, City Attorney



JONES | CARTER

1575 Sawdust Road, Suite 400
The Woodlands, Texas 77380-3795
Tel: 281.363.4039
Fax: 281.363.3459
www.jonescarter.com

May 17, 2018

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

Re: Proposed Backflow Prevention Ordinance
The City of Montgomery

Dear Mayor and Council:

Over the last several months we have worked with Public Works and Gulf Utilities to prepare an ordinance mandating the installation and annual testing of backflow prevention assemblies for certain customers. A backflow prevention assembly is commonly required by a municipality to be installed at each user that is determined to be a "high health hazard" per Texas Administrative Code 290.44(h) in the interest of protecting the public water supply from potential sources of contamination. Examples of a "high health hazard" user include restaurants, car washes, auto repair shops, swimming pools, and doctor's offices. An excerpt of the referenced code and a listing of "high health hazard" users is included in your meeting packets.

While the City has not experienced a contamination issue in the recent past, the proposed ordinance is commonly accepted by municipalities as a proactive method of protecting the public water supply from potential contamination. Contamination, in general, is not a common occurrence, but can easily happen in the event of a loss of pressure within the water distribution system or in the event of greater water pressure on private property than is distributed in the public water supply. We recommend mandating the installation and annual testing of a backflow prevention assembly by all "high health hazard" users, as defined in TAC 290.44(h).

Currently, the City's Code of Ordinances does not specifically require a backflow prevention assembly to be installed at the point of connection for commercial users; however, over the past few years, commercial users within the City have been required to install a backflow prevention assembly. The proposed ordinance will require certain existing customers and future customers to install and begin annual testing and certification of backflow prevention assemblies, and establishes appropriate fees for installation, testing, and certification services if provided by the City. The backflow prevention assembly is installed on the private service line just behind the meter, and is the property of the private property owner. As detailed in the proposed ordinance, all installation, testing, and maintenance fees are the responsibility of the property owner, and will not be borne by the City. If testing and installation services are provided by the City, the cost of such services will be included on the customer's next water bill to reimburse the City.



May 17, 2018

We have also worked with Public Works to determine which existing customers within the City would be required to have a backflow prevention assembly but do not currently have one. We identified 65 customers that do not currently have a backflow prevention assembly and will be required to install and begin annual testing and certification of an assembly. Based on estimates provided by Gulf Utilities, the average expense to install an appropriate backflow prevention assembly is approximately \$1,000 per connection, and the average expense for annual testing and certification is approximately \$80 per assembly. Enclosed in your meeting packets is a sample notice that will be sent to each applicable user, explaining the need for such an assembly to be installed.

Enclosed in your meeting packets you will find a draft copy of an ordinance prepared by the City Attorney to formally adopt the requirements. As always, should you have any questions or need additional information, please do not hesitate to contact us.

Sincerely,

Chris Roznovsky, PE
Engineer for the City

CVR/kmv

K:\W5841\W5841-0900-00 General Consultation\Correspondence\Letters\2018\MEMO to Council RE Backflow Prevention Ordinance.doc

Enc: Texas Administrative Code 290.44 (h)
SAMPLE Backflow Prevention Assembly Requirement Notice
DRAFT Backflow Prevention Ordinance

Cc (via email): The Planning and Zoning Commission – The 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

Appendix E: Rules Related to Cross-Connection Control and Backflow Prevention

The following rules have been extracted from the TAC and reformatted for ease of use. In the case of any discrepancy between this guide and the rules published at the Texas Secretary of State's website <www.sos.state.tx.us>, the SOS site shall apply.

§290.38. Definitions

The following words and terms, when used in this chapter shall have the following meanings, unless the context clearly indicates otherwise. If a word or term used in this chapter is not contained in the following list, its definition shall be as shown in Title 40 Code of Federal Regulations (CFR) §141.2. Other technical terms used shall have the meanings or definitions listed in the latest edition of *The Drinking Water Dictionary*, prepared by the American Water Works Association.

§290.38(2) Air gap—The unobstructed vertical distance through the free atmosphere between the lowest opening from any pipe or faucet conveying water to a tank, fixture, receptor, sink, or other assembly and the flood level rim of the receptacle. The vertical, physical separation must be at least twice the diameter of the water supply outlet, but never less than 1.0 inch.

...

§290.38(16) Contamination—The presence of any foreign substance (organic, inorganic, radiological or biological) in water which tends to degrade its quality so as to constitute a health hazard or impair the usefulness of the water.

§290.38(17) Cross-connection—A physical connection between a public water system and either another supply of unknown or questionable quality, any source which may contain contaminating or polluting substances, or any source of water treated to a lesser degree in the treatment process.

...

§290.38(20) Disinfection—A process which inactivates pathogenic organisms in the water by chemical oxidants or equivalent agents.

§290.38(21) Distribution system—A system of pipes that conveys potable water from a treatment plant to the consumers. The term includes pump stations, ground and elevated storage tanks, potable water mains, and potable water service lines and all associated valves, fittings, and meters, but excludes potable water customer service lines.

§290.38(22) Drinking water—All water distributed by any agency or individual, public or private, for the purpose of human consumption or which may be used in the preparation of foods or beverages or for the cleaning of any utensil or article used in the course of preparation or consumption of food or beverages for human beings. The term "Drinking Water" shall also include

all water supplied for human consumption or used by any institution catering to the public.

§290.38(23) Drinking water standards—The commission rules covering drinking water standards in Subchapter F of this chapter (relating to Drinking Water Standards Governing Drinking Water Quality and Reporting Requirements for Public Water Systems).

...

§290.38(31) Health hazard—A cross-connection, potential contamination hazard, or other situation involving any substance that can cause death, illness, spread of disease, or has a high probability of causing such effects if introduced into the potable drinking water supply.

§290.38(32) Human consumption—Uses by humans in which water can be ingested into or absorbed by the human body. Examples of these uses include, but are not limited to drinking, cooking, brushing teeth, bathing, washing hands, washing dishes, and preparing foods.

...

§290.38(53) Nonhealth hazard—A cross-connection, potential contamination hazard, or other situation involving any substance that generally will not be a health hazard, but will constitute a nuisance, or be aesthetically objectionable, if introduced into the public water supply.

...

§290.38(57) Plumbing inspector—Any person employed by a political subdivision for the purpose of inspecting plumbing work and installations in connection with health and safety laws and ordinances, who has no financial or advisory interest in any plumbing company, and who has successfully fulfilled the examinations and requirements of the Texas State Board of Plumbing Examiners.

§290.38(58) Plumbing ordinance—A set of rules governing plumbing practices which is at least as stringent and comprehensive as one of the following nationally recognized codes:

§290.38(58)(A) the International Plumbing Code; or

§290.38(58)(B) the Uniform Plumbing Code.

§290.38(59) Potable water customer service line—The sections of potable water pipe between the customer's meter and the customer's point of use.

§290.38(60) Potable water service line—The section of pipe between the potable water main to the customer's side of the water meter. In cases where no customer water meter exists, it is the section of pipe that is under the ownership and control of the public water system.

§290.38(61) Potable water main—A pipe or enclosed constructed conveyance operated by a public water system which is used for the transmission or distribution of drinking water to a potable water service line.

§290.38(62) Potential contamination hazard—A condition which, by its location, piping or configuration, has a reasonable probability of being used incorrectly, through carelessness, ignorance, or negligence, to create or cause to be created a backflow condition by which contamination can be introduced into the water supply. Examples of potential contamination hazards are:

§290.38(62)(A) bypass arrangements;

§290.38(62)(B) jumper connections;

§290.38(62)(C) removable sections or spools; and

§290.38(62)(D) swivel or changeover assemblies.

...

§290.38(73) Service line—A pipe connecting the utility service provider's main and the water meter, or for wastewater, connecting the main and the point at which the customer's service line is connected, generally at the customer's property line.

§290.42. Water Treatment

§290.42(d)(2) All plant piping shall be constructed so as to be thoroughly tight against leakage. No cross-connection or interconnection shall be permitted to exist in a filtration plant between a conduit carrying filtered or post-chlorinated water and another conduit carrying raw water or water in any prior stage of treatment.

§290.42(d)(2)(A) Vacuum breakers must be provided on each hose bibb within the plant facility.

§290.42(d)(2)(B) No conduit or basin containing raw water or any water in a prior stage of treatment shall be located directly above, or be permitted to have a single common partition wall with another conduit or basin containing finished water.

§290.42(d)(2)(C) Make-up water supply lines to chemical feeder solution mixing chambers shall be provided with an air gap or other acceptable backflow prevention device.

§290.42(d)(2)(D) Filters shall be located so that common walls will not exist between them and aerators, mixing and sedimentation basins or clearwells. This rule is not strictly applicable, however, to partitions open to view and readily accessible for inspection and repair.

§290.42(d)(2)(E) Filter-to-waste connections, if included, shall be provided with an air gap connection to waste.

§290.42(d)(2)(F) Air release devices on treated waterlines shall be installed in such a manner as to preclude the possibility of submergence or possible entrance of contaminants. In this respect, all openings to the atmosphere shall be covered with 16-mesh or finer corrosion-resistant screening material or an equivalent acceptable to the executive director.

§290.42(d)(11)(F)(vi) When used, surface filter wash systems shall be installed with an atmospheric vacuum breaker or a reduced pressure principle backflow assembly in the supply line. If an atmospheric vacuum breaker is used it shall be installed in a section of the supply line through which all the water passes and which is located above the overflow level of the filter.

§290.42(d)(13)(A) A plant that is built or repainted after October 1, 2000 must use the following color code. The color code to be used in labeling pipes is as follows:

Letters	Color of Pipe
Potable Water	Light Blue
Compressed Air	Light Green
Instrument Air	Light Green with Dark Green Bands
Chlorine (gas, liquid, or vent)	Yellow
Chlorine (solution)	Yellow with Red Bands
Liquid Alum	Yellow with Orange Bands
Alum (solution)	Yellow with Green Bands
Ammonia	Yellow with Brown Bands
Chlorine Dioxide (solution)	Yellow with Blue Bands
Ferric chloride	Brown with Red Bands
Ferric sulfate	Brown with Yellow Bands
Polymers	White with Green Bands
Liquid caustic	White with Red Bands
Caustic (solution)	White with Orange Bands
Fluoride	White with Yellow Bands
Ozone	Stainless Steel with White Bands
Settled Water	Green
Filter Effluent	Light Blue
Backwash Supply	Light Blue
Backwash Waste	Dark Gray
Drain	Dark Gray
Raw Water	Tan

§290.42(d)(13)(B) A plant that was repainted before October 1, 2000 may use an alternate color code. The alternate color code must provide clear visual distinction between process streams.

§290.42(d)(13)(C) The system must maintain clear, current documentation of its color code in a location easily accessed by all personnel.

§290.43. Water Storage.

§290.43(c)(7) Each clearwell or potable water storage tank shall be provided with a means of removing accumulated silt and deposits at all low points in the bottom of the tank. Drains shall not be connected to any waste or sewage disposal system and shall be constructed so that they are not a potential agent in the contamination of the stored water.

§290.43(c)(9) No tanks or containers shall be used to store potable water that have previously been used for any non-potable purpose. Where a used tank is proposed for use, a letter from the previous owner or owners must be submitted to the Commission which states the use of the tank.

§290.44. Water Distribution.

§290.44(b) Lead ban. The following provisions apply to the use of lead in plumbing.

§290.44(b)(1) The use of pipes and pipe fittings that contain more than 0.25% lead or solders and flux that contains more than 0.2% lead is prohibited in the following circumstances:

§290.44(b)(1)(A) for installation or repair of any public water supply; and

§290.44(b)(1)(B) for installation or repair of any plumbing in a residential or nonresidential facility providing water for human consumption and connected to a public drinking water supply system.

§290.44(b)(2) This requirement will be waived for lead joints that are necessary for repairs to cast iron pipe.

...

§290.44(h) Backflow, siphonage.

§290.44(h)(1) No water connection from any public drinking water supply system shall be allowed to any residence or establishment where an actual or potential contamination hazard exists unless the public water facilities are protected from contamination.

§290.44(h)(1)(A) At any residence or establishment where an actual or potential contamination hazard exists, additional protection shall be required at the meter in the form of an air gap or backflow prevention assembly. The type of backflow prevention assembly required shall be determined by the specific potential hazard identified in §290.47(i) of this title (relating to Appendices).

§290.44(h)(1)(B) At any residence or establishment where an actual or potential contamination hazard exists and an adequate internal cross-connection control program is in effect, backflow protection at the water service entrance or meter is not required.

§290.44(h)(1)(B)(i) An adequate internal cross-connection control program shall include an annual inspection and testing by a certified backflow prevention assembly tester on all backflow prevention assemblies used for health hazard protection.

§290.44(h)(1)(B)(ii) Copies of all such inspection and test reports must be obtained and kept on file by the water purveyor.

§290.44(h)(1)(B)(iii) It will be the responsibility of the water purveyor to ensure that these requirements are met.

§290.44(h)(2) No water connection from any public drinking water supply system shall be connected to any condensing, cooling, or industrial process or any other system of nonpotable usage over which the public water supply system officials do not have sanitary control, unless the said connection is made in accordance with the requirements of paragraph (1) of this subsection. Water from such systems cannot be returned to the potable water supply.

§290.44(h)(3) Overhead bulk water dispensing stations must be provided with an air gap between the filling outlet hose and the receiving tank to protect against back siphonage and cross-contamination.

§290.44(h)(4) All backflow prevention assemblies that are required according to this section and associated table located in §290.47(i) of this title shall be tested upon installation by a recognized backflow prevention assembly tester and certified to be operating within specifications. Backflow prevention assemblies which are installed to provide protection against health hazards must also be tested and certified to be operating within specifications at least annually by a recognized backflow prevention assembly tester.

§290.44(h)(4)(A) Recognized backflow prevention assembly testers shall have completed an executive director approved course on cross-connection control and backflow prevention assembly testing, pass an examination administered by the executive director, and hold a current license as a backflow prevention assembly tester.

§290.44(h)(4)(A)(i) Backflow prevention assembly testers are qualified to test and repair assemblies on any domestic, commercial, industrial, or irrigation service.

§290.44(h)(4)(A)(ii) Backflow prevention assembly testers may test and repair assemblies on firelines only if they are permanently employed by an Approved Fireline Contractor. The State Fire Marshal's office requires that any person performing maintenance on firelines must be employed by an Approved Fireline Contractor.

§290.44(h)(4)(B) Gauges used in the testing of backflow prevention assemblies shall be tested for accuracy annually in accordance with the University of Southern California's Manual of Cross-Connection Control or the American Water Works Association Recommended Practice for Backflow

Prevention and Cross-Connection Control (Manual M14). Public water systems shall require testers to include test gauge serial numbers on "Test and Maintenance" report forms and ensure testers have gauges tested for accuracy.

§290.44(h)(4)(C) A test report must be completed by the recognized backflow prevention assembly tester for each assembly tested. The signed and dated original must be submitted to the public water supplier for recordkeeping purposes. Any form which varies from the format specified in commission Form No. 20700 must be approved by the executive director prior to being placed in use.

§290.44(h)(5) The use of a backflow prevention assembly at the service connection shall be considered as additional backflow protection and shall not negate the use of backflow protection on internal hazards as outlined and enforced by local plumbing codes.

§290.44(h)(6) At any residence or establishment where there is no actual or potential contamination hazard, a backflow prevention assembly is not required.

...

§290.44(i) Water hauling. When drinking water is distributed by tank truck or trailer, it must be accomplished in the following manner.

...

§290.44(i)(2)(E) Connections for filling and emptying the tank shall be properly protected to prevent the possible entrance of contamination. These openings must be provided with caps and keeper chains.

...

§290.44(j) If a structure is connected to a public water supply system and has a rainwater harvesting system, the structure must have appropriate cross-connection safeguards in accordance with subsection (h)(1) of this section.

§290.44(j)(1) A privately owned rainwater harvesting system with a capacity of more than 500 gallons that is connected to a public water system for a back-up supply shall have a backflow prevention assembly or an air gap installed at the storage facility for the harvested rainwater to ensure physical separation between the rainwater harvesting system and the public water system.

§290.44(j)(2) At each residence or facility where water from a rainwater harvesting system is used for potable purposes and there is a connection to a public water system, the public water system shall ensure that the rainwater harvesting system is installed and maintained by a master plumber or journeyman plumber licensed by the Texas State Board of Plumbing Examiners and who holds an endorsement issued by the Texas State Board of Plumbing Examiners as a Water Supply Protection Specialist.

§290.44(j)(3) A person who intends to connect a rainwater harvesting system to a public water system must give written notice of that intention to the municipality or the owner or operator of the public water system in which the rainwater harvesting system is located.

§290.44(j)(4) The public water system used as a back-up supply for the rainwater harvesting system may be connected only to the water storage tank and may not be connected to the plumbing of a structure.

§290.46. Minimum Acceptable Operating Practices for Public Drinking Water Systems

§290.46(f)(3) All public water systems shall maintain a record of operations.

...

§290.46(f)(3)(B) The following records shall be retained for at least three years: ...

§290.46(f)(3)(B)(v) the records of backflow prevention device programs; ...

§290.46(f)(3)(E) The following records shall be retained for at least ten years: ...

§290.46(f)(3)(E)(iv) copies of the Customer Service Inspection reports required by subsection (j) of this section; ...

[CSI Certificate retention: The CSI Certificate requires that it be retained permanently, whereas the rule references 10 years; therefore, a discrepancy exists. The TCEQ recommends that CSI Reports be retained permanently, as long as the inspected facility is in existence.]

...

§290.46(i) Plumbing ordinance. Public water systems must adopt an adequate plumbing ordinance, regulations, or service agreement with provisions for proper enforcement to insure that neither cross-connections nor other unacceptable plumbing practices are permitted (See §290.47(b) of this title (relating to Appendices)). Should sanitary control of the distribution system not reside with the purveyor, the entity retaining sanitary control shall be responsible for establishing and enforcing adequate regulations in this regard. The use of pipes and pipe fittings that contain more than 0.25% lead or solders and flux that contain more than 0.2% lead is prohibited for installation or repair of any public water supply and for installation or repair of any plumbing in a residential or nonresidential facility providing water for human consumption and connected to a public drinking water supply system. This requirement may be waived for lead joints that are necessary for repairs to cast iron pipe.

§290.46(j) Customer service inspections. A customer service inspection certificate shall be completed prior to providing continuous water service to new construction, on any existing service either when the water purveyor has reason to believe that cross-connections

or other potential contaminant hazards exist, or after any material improvement, correction, or addition to the private water distribution facilities. Any customer service inspection certificate form which varies from the format found in commission Form No. 20699 must be approved by the executive director prior to being placed in use.

§290.46(j)(1) Individuals with the following credentials shall be recognized as capable of conducting a customer service inspection certification.

§290.46(j)(1)(A) Plumbing Inspectors and Water Supply Protection Specialists licensed by the Texas State Board of Plumbing Examiners (TSBPE).

§290.46(j)(1)(B) Customer service inspectors who have completed a commission-approved course, passed an examination administered by the executive director, and hold current professional license as a customer service inspector.

§290.46(j)(2) As potential contaminant hazards are discovered, they shall be promptly eliminated to prevent possible contamination of the water supplied by the public water system. The existence of a health hazard, as identified in §290.47(i) of this title, shall be considered sufficient grounds for immediate termination of water service. Service can be restored only when the health hazard no longer exists, or until the health hazard has been isolated from the public water system in accordance with §290.44(h) of this title (relating to Water Distribution).

§290.46(j)(3) These customer service inspection requirements are not considered acceptable substitutes for and shall not apply to the sanitary control requirements stated in §290.102(a)(5) of this title (relating to General Applicability).

§290.46(k) Interconnection. No physical connection between the distribution system of a public drinking water supply and that of any other water supply shall be permitted unless the other water supply is of a safe, sanitary quality and the interconnection is approved by the executive director.

Appendix F: Assessment of Hazard and Selection of Assemblies [from 30 TAC 290.47(f)]

The following table lists many common hazards. It is not an all-inclusive list of the hazards that may be found connected to public water systems.

Premises Isolation: Description of Premises	Assessment of Hazard	Required Assembly
Aircraft and missile plants	Health	RPBA or AG
Animal feedlots	Health	RPBA or AG
Automotive plants	Health	RPBA or AG
Breweries	Health	RPBA or AG
Canneries, packing houses and rendering plants	Health	RPBA or AG
Commercial car wash facilities	Health	RPBA or AG
Commercial laundries	Health	RPBA or AG
Cold storage facilities	Health	RPBA or AG
Connection to sewer pipe	Health	AG
Dairies	Health	RPBA or AG
Docks and dockside facilities	Health	RPBA or AG
Dye works	Health	RPBA or AG
Food and beverage processing plants	Health	RPBA or AG
Hospitals, morgues, mortuaries, medical clinics, dental clinics, veterinary clinics, autopsy facilities, sanitariums, and medical labs	Health	RPBA or AG
Metal manufacturing, cleaning, processing, and fabrication plants	Health	RPBA or AG
Microchip fabrication facilities	Health	RPBA or AG
Paper and paper products plants	Health	RPBA or AG
Petroleum processing or storage facilities	Health	RPBA or AG
Photo and film processing labs	Health	RPBA or AG
Plants using radioactive material	Health	RPBA or AG
Plating or chemical plants	Health	RPBA or AG
Pleasure-boat marinas	Health	RPBA or AG
Private/Individual/Unmonitored Wells	Health	RPBA or AG
Reclaimed water systems	Health	RPBA or AG
Restricted, classified or other closed facilities	Health	RPBA or AG
Rubber plants	Health	RPBA or AG
Sewage lift stations	Health	RPBA or AG
Sewage treatment plants	Health	RPBA or AG
Slaughter houses	Health	RPBA or AG
Steam plants	Health	RPBA or AG
Tall buildings or elevation differences where the highest outlet is 80 feet or more above the meter	Nonhealth	DCVA

Internal Protection: Description of Cross Connection	Assessment of Hazard	Required Assembly
Aspirators	Nonhealth†	AVB
Aspirator (medical)	Health	AVB or PVB
Autoclaves	Health	RPBA
Autopsy and mortuary equipment	Health	AVB or PVB
Bedpan washers	Health	AVB or PVB
Connection to industrial fluid systems	Health	RPBA
Connection to plating tanks	Health	RPBA
Connection to salt-water cooling systems	Health	RPBA
Connection to sewer pipe	Health	AG
Cooling towers with chemical additives	Health	AG
Cuspidors	Health	AVB or PVB
Degreasing equipment	Nonhealth†	DCVA
Domestic space-heating boiler	Nonhealth†	RPBA
Dye vats or machines	Health	RPBA
Fire-fighting system (toxic liquid foam concentrates)	Health	RPBA
Flexible shower heads	Nonhealth†	AVB or PVB
Heating equipment		
Commercial	Nonhealth†	RPBA
Domestic	Nonhealth†	DCVA
Hose bibbs	Nonhealth†	AVB
Irrigation systems		
with chemical additives	Health	RPBA
without chemical additives	Nonhealth†	DCVA, AVB, or PVB
Kitchen equipment—Commercial	Nonhealth†	AVB
Lab bench equipment	Health or Nonhealth†	AVB or PVB
Ornamental fountains	Health	AVB or PVB
Swimming pools		
Private	Nonhealth†	PVB or AG
Public	Nonhealth†	RPBA or AG
Sewage pump	Health	AG
Sewage ejectors	Health	AG
Shampoo basins	Nonhealth†	AVB
Specimen tanks	Health	AVB or PVB
Steam generators	Nonhealth†	RPBA
Steam tables	Nonhealth†	AVB
Sterilizers	Health	RPBA
Tank vats or other vessels containing toxic substances	Health	RPBA
Trap primers	Health	AG
Vending machines	Nonhealth†	RPBA or PVB
Watering troughs	Health	AG or PVB

NOTE: AG = air gap; AVB = atmospheric vacuum breaker; DCVA = double check valve backflow prevention assembly; PVB = pressure vacuum breaker; RPBA = reduced-pressure principle backflow prevention assembly

AVBs and PVBs may be used to isolate health hazards under certain conditions, that is, back-siphonage situations. Additional area of premises isolation may be required.

†Where a greater hazard exists (due to toxicity or other potential health impact) additional area protection with RPBA is required.



City of Montgomery

Backflow Prevention Assembly Requirements

WHAT IS BACKFLOW?

In potable water supply systems, significant pressure is normally maintained to keep water flowing within the system which includes taps, showers or other internal fixtures. Maintaining pressure is critical for consistent water flow, but it is also important to prevent infiltration into the system. Water pressure may drop or fall when a water main breaks, pipes freeze or when there is unexpected high demand. For example, pressure may fluctuate when several fire hydrants are opened at the same time. Reduced pressure in the pipe may allow contaminated water from the soil, from a "cross-connection," or from other sources into the water system.

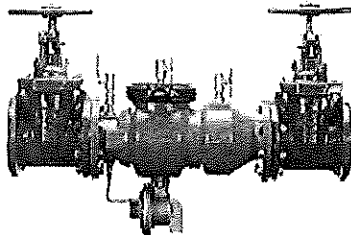
Points where a potable water system connects with a non-potable water system are called cross-connections. Cross-connections are household appliances such as washing machines and dishwashers. Appliances are normally designed and installed to prevent backwash or backflow. Another potential source of contamination would be an irrigation system.

WHAT IS A BACKFLOW PREVENTER?

A backflow preventer does exactly what it sounds like. It prevents the backflow of water from our homes and businesses from returning into the main water system. One way to provide backflow prevention is to provide an air gap. An air gap is simply an open vertical space between any device that connects to a plumbing system like a valve or a faucet or any place where contaminated water can collect or pool. For instance, many plumbing codes specify a minimum air gap distance for the drain connection to a dishwasher.



Backflow devices are used where there is not sufficient vertical clearance or physical space to install an air gap or when pressurized operation or other issues eliminate the use of an air gap. Because the devices have valves with moving parts, they are required to be inspected or tested periodically. If you have an irrigation system for your landscaping, you are familiar with the upside down U shaped device with the metal bell-like object on the top. That is your backflow preventer for your irrigation system.



The Texas Commission on Environmental Quality (TCEQ) has specific requirements for the type of backflow prevention assembly to be installed, depending on the type of service your business or establishment provides. These guidelines, listed in Texas Administrative Code 290.44(h), serve as minimum requirements for the City to follow. The City may require a more stringent method of backflow prevention be installed, as deemed necessary.

WHAT THE CITY DOES FOR YOU REGARDING BACKFLOW PREVENTERS

Our job is to make sure that backflow preventers are installed on commercial buildings and irrigation systems. When a commercial establishment is built, the City of Montgomery is responsible for ensuring the appropriate backflow prevention assembly is installed, tested, and certified.

If there is a backflow preventer installed on one of the commercial customers in the City, we will test it annually. Records on all backflow preventers are kept for three years. A licensed plumber or a licensed irrigator can install a backflow preventer, or the device can be installed by Public Works.

If a licensed third party inspector is used to perform the inspection, a copy of the approved inspection form must be submitted to the City of Montgomery Public Works for filing. Only a certified, licensed backflow preventer inspector can inspect a backflow preventer. Classes must be completed and a license must be issued by TCEQ to become a certified backflow preventer and assembly inspector. A license must be renewed thereafter. It is the responsibility of the commercial user to ensure that the backflow preventer is operational at all times and that they are tested annually.



WHAT IS REQUIRED OF ME?

The City of Montgomery City Council adopted Ordinance No. _____ on _____, 2018, which requires the installation a backflow prevention assembly at certain points of connection to the system. You are receiving this newsletter because you have been identified as a potential "high health hazard" user, as defined in TAC 290.44(h).

Per Ordinance No. _____, you are required to install a [insert backflow prevention device type] on your private water service line, immediately following the water meter. The City will perform annual testing on your device, and a fee will be placed on your water bill to cover the testing expenses. You will be responsible for all maintenance and repairs to the device. All maintenance performed on your backflow prevention assembly must be completed by a licensed backflow preventer inspector. The City of Montgomery Public Works Department can also provide these services, and will include the cost to do so in your water bill.

CONTACT INFORMATION

We thank you for your cooperation to help protect the public water supply of the City of Montgomery. If you have any questions or would like to discuss how to install a backflow prevention assembly, please do not hesitate to contact Mike Muckleroy, Director of Public Works, at (936) 597-6434 or by email at mmuckleroy@ci.montgomery.tx.us.



City of Montgomery - Survey of Backflow Preventers

Acct #	Address	Name of account	Meter #	Device present? (Y/N)	Need device? (Y/N)	Device Type Needed	Meter Size	BFP Cost
01-8727	20212 Eva St.	Buffalo Springs Shop. Center	48818596	Y				
01-8727	20212 Eva St.	Buffalo Springs Shop. Center	48495852	Y				
01-8727	20212 Eva St.	Buffalo Springs Shop. Center	48495851	N	Y	RPZ	1.5"	\$568.56
01-8729	20168 Eva St.	Key Construction	16309375	Y				
01-0010	13755 Liberty St.	Montgomery Middle School	48414330	N	Y	RPZ	5/8"	\$568.56
01-0020	13900 Liberty St.	Montgomery Bus Barn	48316138	N	Y	RPZ	5/8"	\$568.56
01-0040	14030 Liberty St.	Survivalist Emporium	48199326	N (Commercial ice maker)	N			
01-0050	14058 Liberty St.	Gary Roth (Car Wash)	15063989	N	Y	RPZ	5/8"	\$568.56
01-0060	14080 Liberty St.	C&S Feed and Supply	48199281	N	Y	RPZ	5/8"	\$568.56
01-3631	21049 Eva St.	Israel Curtis Auctions	48199305	N	N			
01-0880	21001 Eva St.	Brookshire Bros. Fuel Center	48199304	N	Y	RPZ	5/8"	\$568.56
01-0080	20943 Eva	McDonald's	48414343	Y (Irrigation)				
01-4610	20943 1/2 Eva St.	McDonald's	48128974	N (Domestic)	Y	RPZ	5/8"	\$568.56
01-8741	20901 Eva St.	P.R. Infrastructure	48693796	N	Y	RPZ	1"	\$568.56
01-8741	20901 Eva St.	P.R. Infrastructure	48214923	N	Y	RPZ	2"	\$889.09
01-6250	20869 Eva St.	O'Reilly Auto Parts	48199306	Y				
01-4850	20821 Eva St. A (Woodforest)	Montgomery Trace	48414335	N	Y	RPZ	2"	\$889.09
01-4870	20821 Eva St. B-F	Montgomery Trace	48414344	N	Y	RPZ	2"	\$889.09
01-4860	20821 Eva St. G-L	Montgomery Trace	48414338	N	Y	RPZ	2"	\$889.09
01-5180	20873 Eva St. M	Montgomery Trace	48414334	N	Y	RPZ	2"	\$889.09
01-4890	20821 Eva St.	Montgomery Trace	48316093	Y (Irrigation)				
01-4880	20821 Eva St. P	Montgomery Trace	48316096	N	Y	RPZ	2"	\$889.09
01-5020	20821 Eva St.	Montgomery Trace	48383087	Y (Irrigation)				
01-5110	20873 Eva St. Pizza Shack	Montgomery Trace	48414340	N	Y	RPZ	2"	\$889.09
01-8860	325 Flagship Blvd.	Heritage Plaza Apartments	70309902	Y (Compound)	Y (Neptune Protectus)			
01-8860	325 Flagship Blvd. (Irrigation)	Heritage Plaza Apartments	48214912	Y				
01-4590	21005 Eva St.	Brookshire Bros. Grocery	48316094	N	Y	RPZ	5/8"	\$568.56
01-0090	20423 Eva St.	First Baptist Church	48316137	N	Y	RPZ	2"	\$889.09
01-8821	265 Buffalo Springs Dr.	Buffalo Springs Sewer Plant	48267653	Y				
01-8729	20168 Eva St.	Key Construction	48495850	Y				
01-8825	115 Lone Star Bend	Loal Holdings	48316095	N	Y	RPZ	5/8"	\$568.56
01-8825	115 Lone Star Bend (Irrigation)	Loal Holdings	47761708	Y				
01-8801	951 Lone Star Pkwy.	TEG Enterprises	48178831	N	N			
01-8801	951 Lone Star Pkwy. (Irrigation)	TEG Enterprises	48199312	Y				
01-6051	300 CB Stewart	Mara Moja/Ransom's	60393841	N	Y	RPZ	5/8"	\$568.56
01-7680	20590 Eva St.	Mont. Fire Dept.	48316100	N	N			
01-0340	20600 Eva St.	Masonic Lodge No. 25	48199340	N	N			
01-4130	20800 Eva St.	Amegy Bank	48316110	Y on Irrigation only				
01-5740	20850 Eva St.	Sam Houston Funeral Home	60814688	Y on Irrigation only				
01-8733	20980 Eva St.	Welcome Sign Irrigation	48199356	Y				
01-8734	20980 Eva St.	Welcome Flags Irrigation	48199357	Y				
01-3790	20998 Eva St.	Montgomery Barber Shop	48199320	N	Y	RPZ	5/8"	\$568.56
01-3630	21012 Eva St.	Ruthie Grace Boutique	48199321	N	N			
01-5690	21000 Eva St.	Dominion Pool Group	48199322	N	N			
01-2270	14264 Liberty St.	Mont. Historical Society	48199323	Y on Irrigation only				
01-3550	14340 Liberty St.	Cozy Grape	48199325	N	Y	RPZ	5/8"	\$568.56
01-3980	204 McCown St.	Lloyd Ashbaker (Steakhouse)	48199267	N	Y	RPZ	5/8"	\$568.56
01-4970	202 McCown St.	Fare Thee Well	48199269	N	N			
01-0100	14348 Liberty St.	Small Town Sugar	48199265	N	Y	RPZ	5/8"	\$568.56

Acct #	Address	Name of account	Meter #	Device present? (Y/N)	Need device? (Y/N)	Device Type Needed	Meter Size	BFP Cost
01-0700	14356 Liberty St.	Modern Farmhouse	48199266	N	N			
01-2540	14364 Liberty St.	Jacobs Properties	48199263	N	N			
01-4010	208 McCown St.	Gary Wall	48199264	N	N			
01-5969	401 College	Kemifer Corporation	48414329	N	Y	RPZ	2"	\$889.09
01-6180	FM 149/College	Comm Center Stage Irrigation	15063962	Y				
01-8732	14420 Liberty St.	Comm Center Irrigation	48199066	Y				
01-0130	14420 Liberty St.	Comm Center Building	48199065	N	Y	RPZ	5/8"	\$568.56
01-0170	20774 Eva St.	Montgomery Elementary	70067274	N	Y	RPZ	5/8"	\$568.56
01-6150	780 Clepper	Buffalo Springs Trading	48316111		Y on irrigation only			
01-8737	770 Clepper	Ferland Park	15064013		Y on irrigation only			
01-5880	202 Bessie Price Owens	Mont. County Library	15063978 (irrigation)	Y				
01-5880	202 Bessie Price Owens	Mont. County Library	60820207	Y				
01-5885	202 Bessie Price Owens	Memory Park	48316108	Y				
01-2000	14460 Liberty St.	Jim's Hardware	48414339	N	Y	RPZ	2"	\$889.09
01-8830	14460A Liberty St.	Montgomery Orig. Snowcone	48198940	N	Y	RPZ	5/8"	\$568.56
01-7695	213 Prairie	Knight's Inspections	48199018	N	N			
01-7695	213 Prairie	Knight's Inspections	48199019 (irrigation)	Y				
01-3260	300 Prairie	Hodge Podge Lodge	48199327	N	Y	RPZ	5/8"	\$568.56
01-3260	300 John A Butler	Yo Mama's BBQ	48199328	N	Y	RPZ	5/8"	\$568.56
01-0892	304 Caroline	Cozy Supper Club	48199021	N	Y	RPZ	5/8"	\$568.56
01-0892	304 Caroline	Cozy Supper Club	48199020 (irrigation)	Y				
01-4710	301 Prairie	Lena's Attlc	48199359	N	N			
01-5420	302 John A Butler	Vessel & Threads	48199360	N	N			
01-5423	306 John A Butler	Dominion Pool Group	48199358	N	Y	RPZ	5/8"	\$568.56
01-0241	308 Caroline	Cronin Group, LLC	48198942	N	Y	RPZ	5/8"	\$568.56
01-5190	310 John A Butler	Montgomery Washateria	48316104	N	Y	RPZ	5/8"	\$568.56
01-4490	401 Caroline	Garrett House Antiques	48198943	N	N			
01-0270	312 John A Butler	The Look Salon	48199361	N	Y	RPZ	5/8"	\$568.56
01-0251	314 John A Butler	K9 Kuts	48199363	N	Y	RPZ	5/8"	\$568.56
01-0330	14287 Liberty St.	Consolidated Communication	48198944	N	N			
01-0370	301 Pond St.	Mont. Historical Society	48199367	N	N			
01-5240	309 Pond St.	Living Savior Lutheran Church	48199365	N	Y	RPZ	5/8"	\$568.56
01-8736	901 Caroline	Cedar Brake Irrigation	48581067	Y				
01-8735	921 Caroline St.	Cedar Brake Restrooms	48198959	N	N			
01-6081	308 Louisa	Living Savior	48199051 (irrigation)	N	Y	PVB	5/8"	\$388.56
01-5640	14275 Liberty St.	Southern Roots Salon	48199277	N	Y	RPZ	5/8"	\$568.56
01-3420	308 Pond	Emily Jones(Pecan Hill)	48199048	N	N			
01-3130	21102 Eva St.	P&T Management	48199276	N	Y	RPZ	5/8"	\$568.56
01-4270	21100 Eva St.	Corner Stop Grocery	60810045	N	Y	RPZ	5/8"	\$568.56
01-1011	14351 Liberty St.	Montgomery Emporium	48199272	N	N			
01-1161	210 Pond	Nature's Select Houston	48199362	N	Y	RPZ	5/8"	\$568.56
01-0310	14343 Liberty St.	Petz	48199274	N	Y	RPZ	5/8"	\$568.56
01-4150	14335 Liberty St.	Ironclad Enterprises	48199273	N	N			
01-0300	14363 Liberty St.	Claudina Cook	48199270	N	N			
01-0290	14375 Liberty St.	MP Stultz Properties	48199271	N	N			
01-5960	14387 Liberty St.	The Ranchers Daughter	48199268	N	N			
01-5130	14409 Liberty St.	Burger Fresh	48199096	N	Y	RPZ	1"	\$568.56
01-5032	14427 Liberty St.	In Stitches Drapery	48199064	N	N			
01-1350	14740 Liberty St.	China Chapel Methodist	48199053	N	Y	RPZ	5/8"	\$568.56
01-8789	1950 Lone Star Pkwy.	Apache Well Control	46368996	Y				
01-1370	15030 Liberty St.	Old Ironworks	48266994	N	Y	RPZ	5/8"	\$568.56

Montgomery City Council
AGENDA REPORT

Meeting Date: June 26, 2018	Budgeted Amount:
Prepared By: Jack Yates City Administrator	Exhibits: Engineer's Memo
Date Prepared: June 22, 2018	

in

Subject

This is to consider approving the final plat for Emma's Way Right-of-Way dedication.

Description

This is to approve the final plat for Emma's Way Final Plat dedicating 80 feet feet of right-of-way. Attached is the City Engineer's memo recommending approval.

The only unsettled issue is that Mr. Cheatham has not, to date, signed an escrow agreement. He, as recently as June 21st was requested to sign and he declined. The total amount of the Escrow Agreement is for \$11,000, but a payment of \$5,000 has been made, leaving a balance of \$6,000. The \$11,000 is a "not to exceed" amount—it is expected that a part of the \$11,000 will not be needed and would be returned.

There is, however, approximately \$3,325 ("approximate" only because I am, at this moment unable to get to the file with the precise amount) remaining from the \$5,000 deposit he made following his installation of water and sewer lines that required city inspection.

So, while approval of the Final Plat will not require another deposit, it is expected that another deposit from Mr. Cheatham will be required before the completion of the work on this development concludes.

I will ask Larry Foerster the Council's choices regarding the plat approval without the Escrow Agreement, considering that he has made enough of a deposit to have a current positive balance.



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

June 19, 2018

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

Re: Submission of Final Plat
Emma's Way 80' Right-of-Way Dedication
City of Montgomery

Dear Commission:

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

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

Sincerely,

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

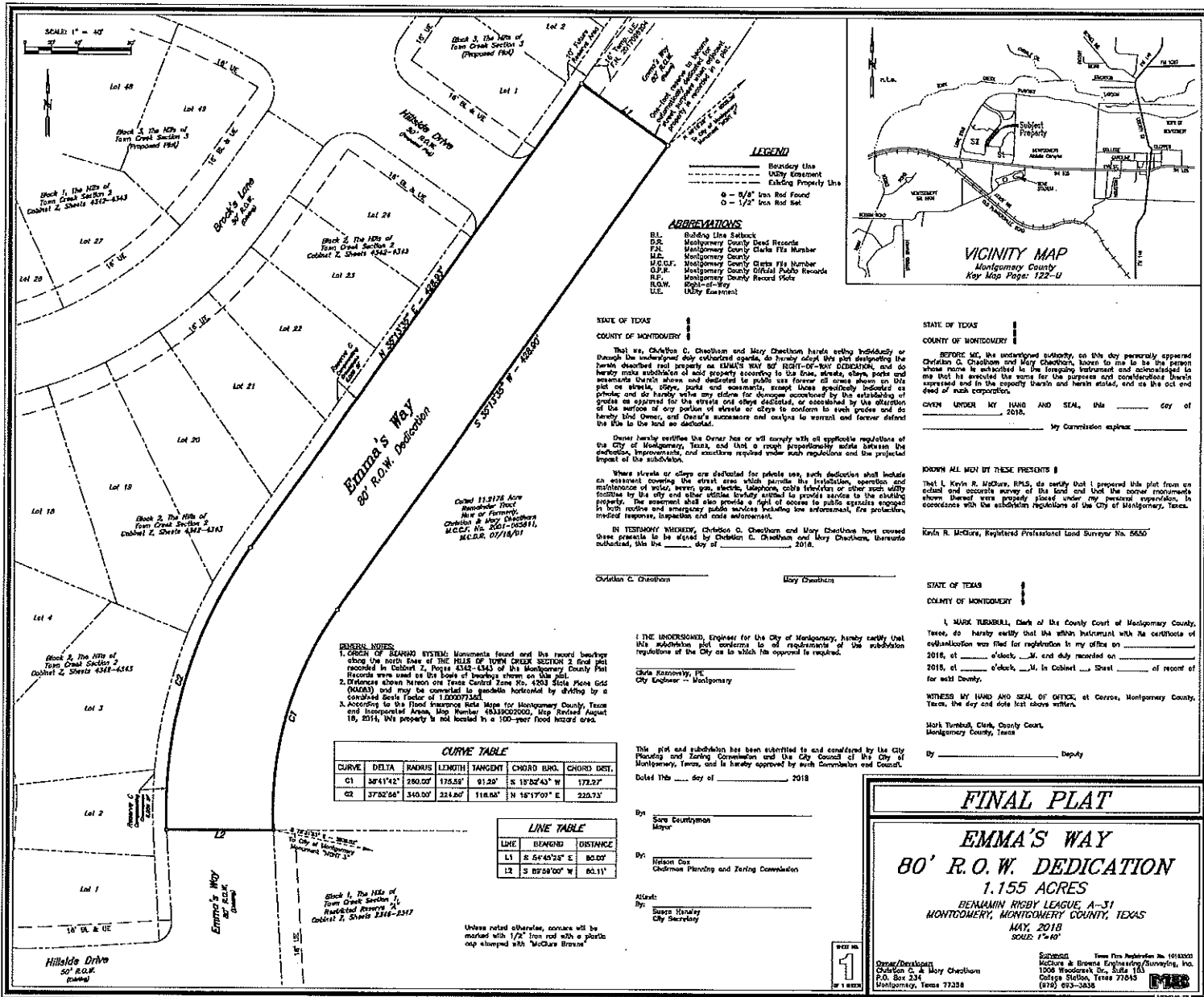
Chris Roznovsky, PE
Engineer for the City

CVR/ab

K:\W5841\W5841-1020-00 Emma's Way Extension\Project Management\Letters\FINAL PLAT APPROVAL Emma's Way 06192018.doc

Enclosures: Final Plat

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. Kevin R. McClure, RPLS – McClure & Browne Engineering/Surveying, Inc.



STATE OF TEXAS
 COUNTY OF MONTGOMERY

That we, Christian C. Cheatham and Mary Cheatham, hereby certify that we have surveyed and laid out the above described street, and do hereby make dedication of said property according to its lines, streets, other parts and easements therein shown and designated for public use forever as shown upon this plat on streets, ways, parts and easements, except those specifically indicated as private and do hereby waive any claims for damages sustained by the dedication of the portions of any portion of streets or ways to conform to such grades and do hereby bind Ourselves, and Ourselves and our successors and assigns to warrant and defend the title to the land so dedicated.

Dedee hereby certifies that the Owner has or will comply with all applicable regulations of the City of Montgomery, Texas, and that a rough topographical map between the dedication, improvements, and easements required under such regulations and the projected impact of the subdivision.

Where streets or ways are dedicated for public use, such dedication shall include an easement covering the street area which permits the installation, operation and maintenance of water, sewer, gas, electric, telephone, cable telegraph or other such utility facilities by the city and other utilities hereby entitled to provide services to the existing property. The easement shall also provide a right of access to public agencies engaged in both routine and emergency public services including law enforcement, fire protection, medical response, inspection and code enforcement.

IN WITNESS WHEREOF, Christian C. Cheatham and Mary Cheatham have caused these presents to be signed by Christian C. Cheatham and Mary Cheatham, Ursurants, this the _____ day of _____, 2016.

Christian C. Cheatham _____ Mary Cheatham _____

STATE OF TEXAS
 COUNTY OF MONTGOMERY

BEFORE ME, the undersigned authority, on this day personally appeared Christian C. Cheatham and Mary Cheatham, known to me to be the persons whose names are subscribed to the foregoing instrument and acknowledged to me that he executed the same for the purposes and considerations therein expressed and in the capacity therein and herein stated, and as the act and deed of each corporation.

GIVEN UNDER MY HAND AND SEAL, this _____ day of _____, 2016.

By _____ Notary Public in and for Montgomery County, Texas

KNOWN ALL MEN BY THESE PRESENTS that I, Kevin R. McClure, R.P.S., do hereby certify that I prepared this plat from an actual and accurate survey of the land and that the corner monuments shown thereon were properly placed under my personal supervision, in accordance with the subdivision regulations of the City of Montgomery, Texas.

STATE OF TEXAS
 COUNTY OF MONTGOMERY

I, MARK TURNBULL, Clerk of the County Court of Montgomery County, Texas, do hereby certify that the above instrument with the certificate of publication was filed for registration in my office on _____, 2016, at _____ o'clock _____ M., and duly recorded on _____, 2016, at _____ o'clock _____ M., in Volume _____ Sheet _____ of record for said County.

WITNESS MY HAND AND SEAL OF OFFICE, at Conroe, Montgomery County, Texas, this day and date last above written.

Mark Turnbull, Clerk, County Court, Montgomery County, Texas

By _____ Deputy

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 as to which this approval is required.

Chris Kazanovsky, P.E.
 City Engineer - 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 both Commission and Council.

Dated this _____ day of _____, 2016

By _____
 Sara Countyman
 Mayor

By _____
 Nelson Cox
 Chairman Planning and Zoning Commission

By _____
 Steve Straley
 City Secretary

GENERAL NOTES:
 1. CHECK THE BENCHMARK SYSTEM: Monuments found and the record bearings show the north end of THE R.I.L.S. OF TOPS (TIER SECTION 2) first set recorded in District 7, Pages 4342-4343 of the Montgomery County Plat Records were used as the basis of bearings shown on this plat.
 2. Reference shown Nelson on Texas Central Zone No. 4303 State Plane Grid (NAD83) and may be converted to specific horizontal by dividing by a constant Scale Factor of 1.00007132.
 3. According to the Flood Insurance Rate Map for Montgomery County, Texas and Incorporated Areas, Map Number 483320000, Map Revised August 18, 2014, this property is not located in a 100-year flood hazard area.

CURVE TABLE

CURVE	DELTA	RADIUS	LENGTH	TANGENT	CHORD BIRD.	CHORD DIST.
C1	30°41'42"	290.00'	116.55'	91.28'	S 19°24'43" W	172.27'
C2	37°32'56"	340.00'	234.80'	118.62'	N 16°17'09" E	220.73'

LINE TABLE

LINE	BEARING	DISTANCE
L1	S 61°45'25" E	80.00'
L2	S 89°28'00" W	80.11'

Unless noted otherwise, corners will be marked with 1/2" iron rod with a plastic cap stamped with McClure Brown



FINAL PLAT

EMMA'S WAY
80' R.O.W. DEDICATION
 1.155 ACRES
 BENJAMIN RIGBY LEAGUE, A-31
 MONTGOMERY, MONTGOMERY COUNTY, TEXAS
 MAY, 2016
 SCALE: 1"=40'

Surveyed by
 Christian C. & Mary Cheatham
 P.O. Box 234
 Montgomery, Texas 77133

Texas Firm Registration No. 1018200
 McClure & Brown Engineering/Surveying, Inc.
 1008 Woodcreek Dr., Suite 103
 College Station, Texas 77845
 (409) 923-3636

Montgomery City Council
AGENDA REPORT

Meeting Date: June 26, 2018	Budgeted Amount:
Prepared By: Jack Yates City Administrator	Exhibits:
Date Prepared: June 22, 2018	

in

Subject

This is a report regarding the Buffalo Springs bridge repair.

Description

This is to hear the engineers explanation of how the bridge project is going. The City Engineer will explain more at the meeting.

Recommendation

Make comments as you feel appropriate.

Approved By

City Administrator	Jack Yates	Date: June 22, 2018
--------------------	------------	---------------------