

**NOTICE OF PUBLIC HEARING and REGULAR MEETING**

**April 24, 2018**

**MONTGOMERY CITY COUNCIL**

**STATE OF TEXAS**

**AGENDA**

**COUNTY OF MONTGOMERY**

**CITY OF MONTGOMERY**

NOTICE IS HEREBY GIVEN that a Public Hearing and Regular Meeting of the Montgomery City Council will be held on Tuesday, April 24, 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**

**CONSIDERATION AND POSSIBLE ACTION:**

1. **Receive Final Report from the Planning and Zoning Commission** on a request to zone the newly annexed 3.22 acre tract of land as District "B" commercial use, situated in the John Corner Survey, Abstract No. 8, Montgomery County, Texas, being out of a 5.71 acre tract as recorded under Clerk's File No. 2016-086083, also being out of a called 111.857 acre tract of land as recorded under Clerk's File No. 9512940 Deed Records Montgomery County, Texas, (*property located south of SH 105 across from Stewart Creek Road*) known as the Peter Hill property

**PUBLIC HEARING:**

**Convene into Public Hearing**

2. **Public Hearing** to receive citizen input regarding a request to zone newly annexed 3.22 acre tract of land as District "B" commercial use, situated in the John Corner Survey, Abstract No. 8, Montgomery County, Texas, being out of a 5.71 acre tract as recorded under Clerk's File No. 2016-086083, also being out of a called 111.857 acre tract of land as recorded under Clerk's File No. 9512940 Deed Records Montgomery County, Texas, (*property located south of SH 105 across from Stewart Creek Road*) known as the Peter Hill property

**Adjourn Public Hearing**

**Reconvene into Regular Session**

**VISITOR/CITIZENS FORUM:**

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

**PRESENTATION:**

3. Presentation of Lifesaving Awards regarding Police Officer George Hernandez by Chief of Police James Napolitano.

**CONSENT AGENDA:**

4. Matters related to the approval of minutes for the Regular Meeting held on March 27, 2018 and Regular Meeting held on April 10, 2018
5. Consideration and possible action regarding the July 4, 2018 Freedom Festival Street Closures.
6. Consideration and possible action regarding adopting an Escrow Agreement by and between the City of Montgomery and Samdana Investments, L.P.
7. Consideration and possible action regarding adopting an Escrow Agreement by and between the City of Montgomery and Procore Developments 105, LLC.
8. Consideration and possible action regarding adopting a Lease Agreement by and between the City of Montgomery and Virginia Lee Adams for the property located on the corner of McCown, FM149 and SH 105.
9. Consideration and possible action regarding building to be moved from 20998 Eva Street as requested by Sonja Spottswood.

**CONSIDERATION AND POSSIBLE ACTION:**

10. Consideration and possible action regarding adoption of the following Resolution:  
A RESOLUTION BY THE CITY COUNCIL OF CITY OF MONTGOMERY, TEXAS  
RECOGNIZING AND SUPPORTING THE MONTGOMERY COUNTY VETERANS  
MEMORIAL PARK AND VISITORS CENTER.
11. 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
  - I. MEDC Economic Development Report
12. Consideration and possible action regarding appointment of Gary Scott as Associate Judge of the City of Montgomery Municipal Court.

13. Consideration and possible action regarding distribution of 1% sales tax collected in the newly annexed areas due to the ESD #2 Sales Tax Agreement.
14. Consideration and possible action regarding hiring Sales Tax Contractor Assistance.
15. Consideration and possible action regarding adoption of Land-Use Plan.
16. Consideration and possible action for the approval of the Certificate of Acceptance for Houston Street Rehabilitation Project.
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 20<sup>th</sup> day of April, 2018 at 2:30 o'clock p.m. I further certify that the following news media was notified of this meeting as stated above: The Courier

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*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.*

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Montgomery City Council  
**AGENDA REPORT**

<b>Meeting Date: April 23, 2018</b>	<b>Budgeted Amount:</b>
<b>Prepared By: Jack Yates</b> <b>City Administrator</b>	<b>Exhibits:</b>
<b>Date Prepared: April 20, 2018</b>	

**Subject**

This is consideration of a recommendation/report to the City Council regarding the Peter Hill zoning ordinance that will be considered by the City Council at its May 9<sup>th</sup> meeting

**Description**

This is to receive the report of the consideration of the Planning Commission regarding the subject

**Recommendation**

Motion to accept the report.

**Approved By**

City Administrator	Jack Yates	Date: April 20, 2018
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Montgomery City Council  
**AGENDA REPORT**

<b>Meeting Date: April 24, 2018</b>	<b>Budgeted Amount:</b>
<b>Prepared By: Jack Yates</b> City Administrator	<b>Exhibits:</b> map
<b>Date Prepared: April 20, 2018</b>	

**Subject**

This is the only public hearing regarding the zoning of the 3.2 to acre tract of land owned by Peter Hill.

**Description**

This is a public hearing for the public to speak

**Recommendation**

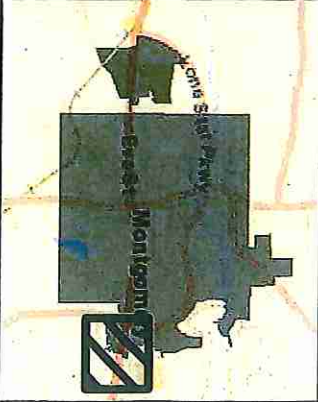
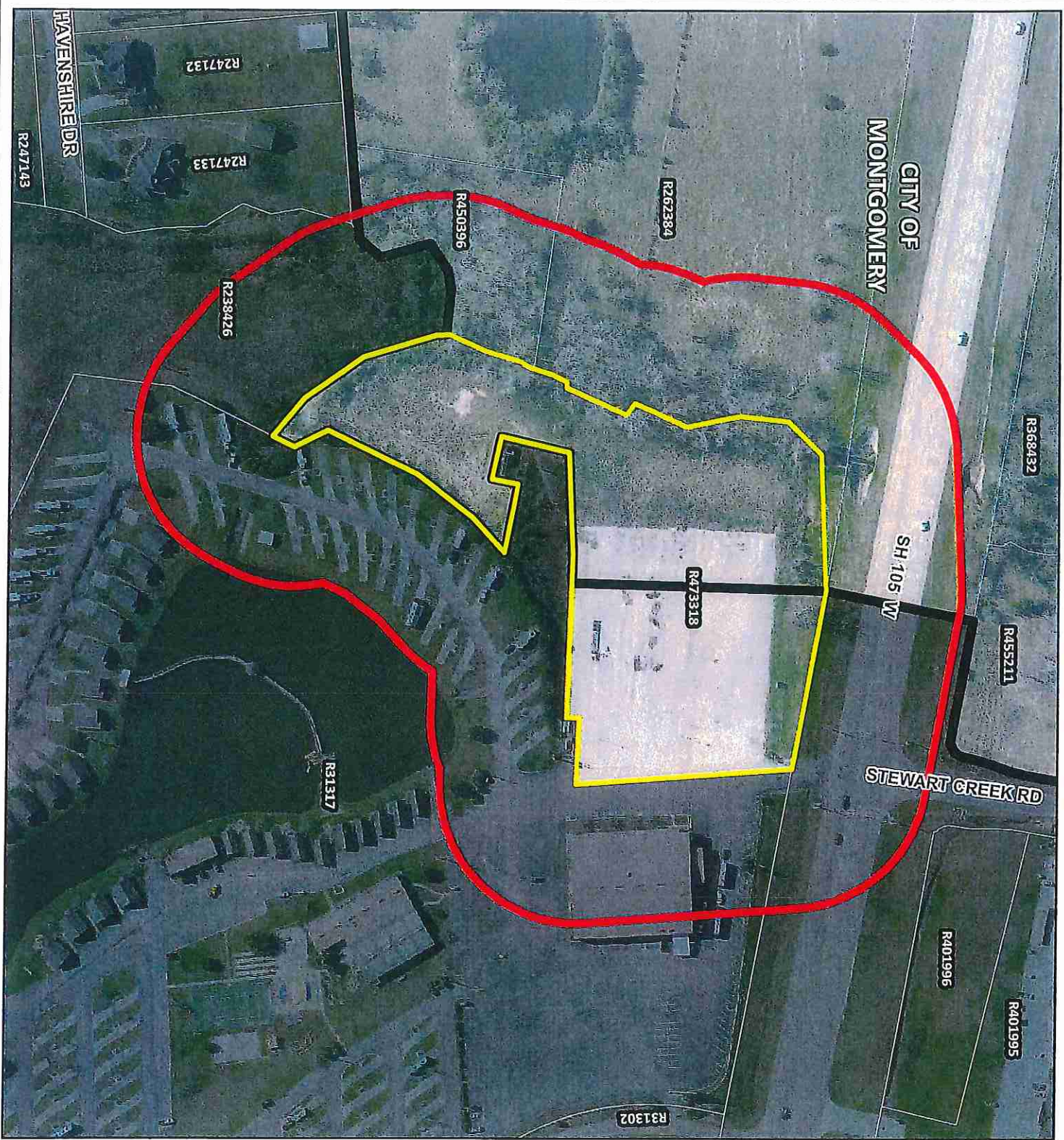
Listen to any comments, consider accordingly

**Approved By**

City Administrator

Jack Yates

Date: April 20, 2018



**VICINITY MAP**

Scale: 1 inch equals 2 miles

**LEGEND**

-  200-ft Notification Boundary
-  Tract Boundary
-  City of Montgomery City Limits
-  MCAD Parcel

Aerial Imagery from January 2016

**INITIAL ZONING  
"B" - COMMERCIAL**

**CITY OF MONTGOMERY  
MONTGOMERY COUNTY, TEXAS**



1 inch equals 200 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.



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

## NOTICE OF PUBLIC HEARINGS

1. The **City of Montgomery Planning and Zoning Commission will conduct a Public Hearings at 6:00 p.m.** on the **23rd day of April, 2018** at the City of Montgomery City Hall, 101 Old Plantersville Road, in Montgomery, Texas in the City Council Chambers for the purpose of giving all interested persons the right to appear and be heard regarding the following:
  - a. A request to zone the newly annexed 3.22 acre tract of land as District “B” commercial use, situated in the John Corner Survey, Abstract No. 8, Montgomery County, Texas, being out of a 5.71 acre tract as recorded under Clerk’s File No. 2016-086083, also being out of a called 111.857 acre tract of land as recorded under Clerk’s File No. 9512940 Deed Records Montgomery County, Texas, (*property located south of SH 105 across from Stewart Creek Road*) known as the Peter Hill property; and
  - b. Prepare a Final Report to be submitted to City Council on April 24, 2018.
  
2. The **City of Montgomery City Council**, upon receiving the Final Report from the Planning and Zoning Commission, **will conduct a Public Hearing at 6:00 p.m.** on the **24th day of April, 2018** at the City of Montgomery City Hall, 101 Old Plantersville Road, in Montgomery, Texas in the City Council Chambers for the purpose of giving all interested persons the right to appear and be heard regarding the following:
  - a. A request to zone newly annexed 3.22 acre tract of land as District “B” commercial use, situated in the John Corner Survey, Abstract No. 8, Montgomery County, Texas, being out of a 5.71 acre tract as recorded under Clerk’s File No. 2016-086083, also being out of a called 111.857 acre tract of land as recorded under Clerk’s File No. 9512940 Deed Records Montgomery County, Texas, (*property located south of SH 105 across from Stewart Creek Road*) known as the Peter Hill property

/s/ Susan Hensley, City Secretary  
[shensley@ci.montgomery.tx.us](mailto:shensley@ci.montgomery.tx.us)

**For reference only, not for publication:**

Publication dates: April 2<sup>nd</sup> and April 9<sup>th</sup>

**CITY OF MONTGOMERY CODE OF ORDINANCES**  
**CHAPTER 98 - ZONING**  
**DIVISION 4. - DISTRICT B COMMERCIAL**

**Sec. 98-178. - 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 division.

(Ord.No.2014-03, § 1, 5-20-2014)

**Sec. 98-179. - Use regulations.**

A building or premises in District B shall be used only for the following purposes:

- (1) Uses permitted in a B district in the table in section 98-88.
- (2) Retail stores and other local business uses supplying everyday shopping and services, subject to the following restrictions and performance standards:
  - a. The use shall be conducted wholly within the enclosed building.
  - b. Required yards shall not be used for the storage of merchandise, vehicles or equipment.
  - c. 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.
  - d. Storing of containers and waste material will not be permitted in front and side yards.
  - e. All outdoor lighting shall be shielded or directed away so that direct light or glare does not impact adjacent residential land uses.
  - f. All storage and mechanical equipment shall be enclosed in a structure and completely screened from view.
- (3) Any use permitted in District R-1, single-family residential.
- (4) The performance standards set out in subsection (2) of this section shall not apply to special events formally sanctioned by the city.

(Ord. No. 2014-03, § 1, 5-20-2014)

**Sec. 98-180. - Height regulations.**

No building in District B shall exceed 45 feet in height.

(Ord. No. 2014-03, § 1, 5-20-2014)



**Sec. 98-181. - Area regulations.**

**(a) *Size of yards. Size of yards in District B 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 or adjoining any lot located in the District B that is being used for an R district purpose. 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 or abutting any lot located in the District B that is being used for an R district purpose. No storage or similar use shall be allowed in any required rear yard adjoining or abutting an R district.
- (4) *Barrier.* A visual barrier shall be constructed and permanently maintained on any lot adjoining or abutting an R district.

**(b) *Size of lots; minimum building size.***

- (1) There are no limitation requirements; except, there shall be a minimum building size of 750 square feet. Where a commercial lot existed on the effective date of the ordinance from which this chapter is derived that was too small to accommodate a 750-square-foot structure, a smaller structure would be allowed.
- (2) Existing residential structures located in District B on the effective date of the ordinance from which this chapter is derived can be converted to commercial or professional use, even if they are below the minimum building size specified in this section.
- (3) Residential, commercial or institutional buildings in existence for more than 25 years, located inside or outside the city limits, may be moved into District B for commercial or professional use, even if they are below the minimum building size specified in this section, as long as they comply with all other ordinances of the city.  
(Ord. No. 2014-03, § 1, 5-20-2014)

Secs. 98-182—98-200. - Reserved.

## Sec. 98-88. - Table of permitted uses and special uses.

(a) Permitted uses and special uses in the various zoning districts are as specified in the following table:

Permitted Uses	R-1	R-2	B	ID	I	CC
Accessory uses						X
Aerial or ground survey			X			
Air conditioning sales, retail, complete enclosed (services incidental)			X			
Air conditioning-refrigeration services repair (completely enclosed) with no installation of central units — heating or cooling						X
Airport (nongovernmental)						X
Air product manufacturing				X		
Alcoholic beverage sales off premises			X			
Alcoholic beverage sales on premises						X
Alcoholic beverage storage			X			
Altering and repairing of wearing apparel			X			
Ambulance service			X			
Amusement arcade						X
Amusement park (commercial)						X

Animal shelter or dog pound (nongovernmental)						X
Antique store (completely enclosed)			X			
Apartment hotel						X
Apothecary, limited to the sale of pharmaceutical and medical supplies			X			
Apparel and accessory store			X			
Appliance repair (completely enclosed)			X			
Armory						X
Art gallery and/or museum (commercial retail sale of objects d'art only)			X			
Asphalt or creosote manufacturing or treatment						X
Assisted living		X	X			
Automobile and truck sales and service (new and used) (service completely enclosed)			X			
Automobile car wash			X			
Automobile filling station and/or service (all repair in district to be completely enclosed)			X			
Automobile glass sales and installation			X			

Automobile muffler sales and installation (completely enclosed)			X			
Automobile parking lots or parking garages (commercial)						X
Automobile rental			X			
Automobile repair			X			
Automobile upholstery sales and installation (completely enclosed)			X			
Automobile wrecking, dismantling or salvage (enclosed by fence)						X
Aviary						X
Bait store			X			
Bakery (retail)			X			
Bakery (wholesale)			X			
Barber shop			X			
Beauty salon			X			
Bed and breakfast	X		X			
Churches					X	
Community home as required by V.T.C.A., Human Resources Code § 123.003	X	X				

Compressed gas manufacturing, repacking and/or storage					X
Dairy equipment (wholesale) (completely enclosed)			X		
Dairy products sales (retail)			X		
Dairy products sales (wholesale)			X		
Delicatessen			X		
Department store			X		
Dog pound or animal shelter (nongovernmental)					X
Drug manufacture					X
Drug sales (wholesale)			X		
Drugstore			X		
Dry cleaning pickup and pressing shops			X		
Dry cleaning plant					X
Dry goods store			X		
Dry goods (wholesale) (completely enclosed)			X		
Electric power generator station (primary station)					X
Electric repair (appliances) (completely enclosed)			X		

Electric repair shop (heavy equipment)				X		
Electrical substation, to be enclosed by a fence or wall of minimum six feet in height, with physical installation being enclosed by a barrier which constitutes a visual screen. Visual screening would not be required in ID district				X		
Electrician			X			
Electroplating			X			
Elevator maintenance and service				X		
Exterminator (completely enclosed)			X			
Farm equipment sales and service (completely enclosed in B-2 district)			X			
Farm supplies			X			
Farming and truck gardening, but not for retail sales (permitted in any district)				X		
Feed store or seed and fertilizer			X			
Felt manufacture (cloth)				X		
Fish market (fenced outside storage)				X		
Fish market (retail)			X			
Fish market (wholesale)			X			
Fix-it shop (completely enclosed)			X			

Floor covering sales (retail completely enclosed)			X			
Floral shop (completely enclosed)			X			
Florist (wholesale) (completely enclosed)			X			
Food locker plant (retail)			X			
Food products (wholesale storage and sales)			X			
Food products manufacture and processing (not rendering)				X		
Food store			X			
Food to go (retail, no curb service)			X			
Foundry						X
Freight depot (railroad and/or truck)				X		
Fruit and produce (wholesale)			X			
Fruit and vegetable stand or store			X			
Funeral home, mortuary or undertaking establishment			X			
Fur dyeing, finishing and storing (no tanning, no hide storage)				X		
Furniture (wholesale sales)			X			
Furniture repair and upholstering (completely enclosed)			X			

Furniture repair and upholstery (fenced outside storage)			X			
Furniture store, retail (completely enclosed) (no repair)			X			
Furniture store, retail (fenced outside storage)			X			
Garage, public or storage				X		
Garden specialty store			X			
Gas filling station and/or service (all repairs to be completely enclosed)			X			
Gas regulation station (screening)				X		
Gift shop (completely enclosed)			X			
Glass (retail sales) (service incidental to sales) (completely enclosed)			X			
Glass (wholesale sales)			X			
Glass manufacturing and glass products manufacturing				X		
Golf course and country club, but no driving range, pitch and putt or miniature golf course						X
Golf driving range, pitch-and-putt or miniature golf course						X
Greenhouse or nursery, retail			X			



Greenhouse or nursery, wholesale				X		
Grocery (wholesale)			X			
Grocery store			X			
Gymnasium (commercial)			X			
Hair products manufacturing and processing				X		
Hardware manufacture				X		
Hardware sales (wholesale)			X			
Hardware store			X			
Heliport			X			
Hobby supply store			X			
Hosiery manufacture			X			
Hospital or sanitarium			X			
Hotel			X			
Ice cream and ice milk (retail)				X		
Ice cream manufacturer (wholesale)				X		
Ice cream store			X			
Ice house (no on-premises consumption of alcoholic beverages in B-1 district)			X			
Ice manufacture				X		

Insulation manufacture and fabrication			X		
Interior decorating studio			X		
Jewelry store			X		
Junkyard, salvage yard, including storage, baling or selling of rags, papers, iron or junk, need not be enclosed within a structure, but must be enclosed within a fence at least six feet high and adequate to obstruct view, noise and passage of persons; chain-link or similar fencing may be permitted if screen planting is provided					X
Laboratory (dental or medical)			X		
Laboratory (research)			X		
Laboratory (testing)			X		
Landfill					X
Laundry and dry cleaning (self service)			X		
Laundry or dry cleaning (pickup station)			X		
Laundry plant				X	
Leather goods or luggage store			X		
Library (nongovernmental)					X
Linen supply, diaper service or uniform supply			X		

Loan office			X			
Locksmith			X			
Lumber yard and building materials (wholesale)			X			
Machine shop				X		
Machine, tools and construction equipment sales and service			X	X		
Marine and boat manufacturing				X		
Marine and boat storage						X
Mattress manufacturing and rebuilding				X		
Massage parlor			X			
Metal products fabrication				X		
Milliner (custom)			X			
Millinery manufacture				X		
Millwork and similar wood products manufacture				X		
Motel			X			
Motorcycle sales and service			X			
Moving and transfer company				X		
Music store			X			

Nail salon			X			
News stand			X			
Night club/dance hall						X
Novelty and souvenir manufacture				X		
Nursery, daycare, or kindergarten (care of up to six children)	X	X				
Nursery, daycare, or kindergarten (care of up to 20 children)			X			
Nursery, daycare, or kindergarten (care of over 20 children)			X			
Nursing home		X	X			
Office equipment and furniture manufacture				X		
Office equipment and supplies (retail)			X			
Office equipment and supplies (wholesale)			X	X		
Offices (professional)			X			
Oil and well supplies and machinery sales				X		
Optical goods (retail)			X			
Optical goods (wholesale)			X			
Optician			X			

Packing and gasket manufacture				X		
Packing plant (no rendering)						X
Paint and wallpaper store			X			
Paper produce manufacture				X		
Paper supplies (wholesale)				X		
Parks, playgrounds, community buildings and other public recreational facilities owned and/or operated by the city or other public agency					X	
Passenger depot (railroad or bus)						X
Pawnshop (completely enclosed)			X			
Pecan shelling				X		
Pet shop (completely enclosed)			X			
Petroleum storage (wholesale)				X		
Photographic equipment and supplies sales			X	X		
Photographic studio			X			
Picture framing			X			
Pipe storage				X		X
Pipeline and electrical transmission lines						X
Playground equipment manufacture				X		

Plumber			X			
Plumbing fixture sales (completely enclosed) (retail)			X			
Plumbing fixture sales (wholesale)			X	X		
Printer			X	X		
Public buildings, including libraries, museums, police stations and fire stations					X	
Radio station or studio, without transmitter tower						X
Radio station with transmitter tower						X
Reading room			X			
Recycling plant						X
Reducing salon			X			
Refrigerator equipment manufacture				X		
Restaurant			X			
Riding stable or academy						X
Roominghouse or boardinghouse						X
Rug and/or carpet sales			X			
Rug cleaning				X		
Sand or gravel storage yard				X		

Schools					X	
Shoe manufacture				X		
Shoe repair shop			X			
Shoe sales (retail)			X			
Shoe sales (wholesale) (completely enclosed)			X			
Sign, advertising (excluding business signs)			X			
Sign shop			X	X		
Sign shop (completely enclosed)			X			
Skating facility (outdoor)						X
Skating rink (enclosed)			X			
Small animal clinic or kennel			X			
Small animal clinic or kennel (completely enclosed)			X			
Sporting goods store			X			
Sporting goods (wholesale) (completely enclosed)			X	X		
Stamp, coin sales (retail)			X			
Stationery sales			X			

Stone cutting or monument manufacturing				X		
Stone monument sales			X			
Stone quarry or gravel pit				X		
Studio for professional work or teaching of any form of fine arts, photography, music, drama, dance, painting, etc.			X			
Surgical or dental supplies store			X			
Tanning salon			X			
Tattoo parlor						X
Tavern						X
Taxidermist						X
Television station or studio without transmitter tower			X			
Television station with transmitter tower						X
Textile manufacture				X		
Theater (indoor)			X			
Theater (outdoor, including drive-in theaters)						X
Tile manufacturer (ceramic)				X		
Tobacco processing				X		



Tobacco store			X			
Tool manufacture				X		
Tool rental (completely enclosed)			X			
Tool rental (fence outside storage)			X	X		
Toy manufacture			X	X		
Toy store			X			
Trailer manufacture				X		
Trailer sales			X			
Transit vehicle storage and service				X		
Truck repair and maintenance			X	X		
Truck stop						X
Variety store			X			
Venetian blinds and metal awning fabrication, repair and cleaning				X		
Veterinarian (animal on premises)			X			
Warehousing				X		
Watch repair			X			
Water or sewage pumping (nongovernmental)						X
Water storage (overhead)						X

Welding shop				X		
Well drilling contractors			X	X		

(b) Any use not specifically permitted in this table or in the use regulations of each district set out below, shall require a special use permit, after approval by city council.

( Ord. No. 2014-03, § 1, 5-20-2014)

Montgomery City Council  
AGENDA REPORT

<b>Meeting Date: April 24, 2018</b>	<b>Budgeted Amount:</b>
<b>Prepared By: Jack Yates City Administrator</b>	<b>Exhibits:</b>
<b>Date Prepared: April 19, 2018</b>	

**Subject**

This is a presentation to the persons who provided assistance officer George Hernandez.

**Description**

*Napolitano*  
This is a presentation by Chief of Police James to the persons who offered assistance George Hernandez in January when he had his heart attack. Officer Hernandez is back on full-duty as of mid April.  
I believe the intention is to you for the Chief to give life-saving pins.

**Recommendation**

Acknowledge the life-giving efforts.

**Approved By**

City Administrator	Jack Yates	Date: April 19, 2018
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# MINUTES OF REGULAR MEETING

March 27, 2018

## MONTGOMERY CITY COUNCIL

### CALL TO ORDER

Mayor Kirk Jones declared a quorum was present, and called the meeting to order at 6:00 p.m.

Present:       Kirk Jones               Mayor  
                  Jon Bickford           City Council Place # 1  
                  John Champagne, Jr.   City Council Place # 2  
                  T.J. Wilkerson           City Council Place # 3  
                  Rebecca Huss            City Council Place # 4

Absent:         Dave McCorquodale   City Council Place # 5

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

### INVOCATION

John Champagne gave the invocation.

### PLEDGE OF ALLEGIANCE TO FLAGS

### 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.

Mayor Jones recognized John Tannin, with the Boy Scouts who was present at the meeting. Mr. Tannin advised that he was with Boy Scout Troop 491 and was attending the meeting as part of his requirement in earning his Citizen and Community Badge.

Mrs. Cheryl Fox advised that she wanted to speak during an item on the agenda.

Mr. Phillip LeFevre addressed City Council and advised that he had a couple of points that he wanted to make. Mr. LeFevre stated that nothing against Jones and Carter but, in principal, he wanted to speak about how the City changed the rules from being a City where the City Engineer reviewed plans, put out RFP's and stayed neutral versus this City Council that changed it, allowing the City Engineer to basically design and do their own proposals without essentially going out to other parties. Mr. LeFevre stated that he along with a lot of people have felt that the sheet piling was cheaper and quicker, because if they get a big storm it does not wash out and they have to restart. Mr. LeFevre said that because of the system that they have, he does not think that the City went out for proposals to the bridge companies, and companies that are used by the Corp of Engineers, so they got one thing, and he felt that it was a very expensive and cumbersome way to go.

Mr. LeFevre also spoke about the Bois D'Arc Bend extension, where they have the City Engineer reviewing the City's plans, and the same engineering company reviewing the County's plans. Mr. LeFevre said that the road came to a complete halt because one part of the same company did not deal properly with the other part. Mr. LeFevre said that it was not until Rebecca Huss met with Mr. John Holzworth, consultant engineer for the County, and the property owner, after which Mr. Holzworth got the project going. Mr. LeFevre said that the City should revert to having a City Engineer that is completely independent, puts out bids, RFP's and reviews what other people do, otherwise there is a conflict of interest and it does not work.

Mr. LeFevre said that his second point was dealing with annexations. Mr. LeFevre said that they have property owners that are in the City who own commercial properties that have paid taxes for years and now the City consistently starts annexing other properties. Mr. LeFevre said that he was shocked at the recent annexation with the one percent tax, because the City already gets two percent tax. Mr. LeFevre said that every business that goes in with the one percent tax, any business that it takes from the City is essentially taking two percent income into the City and reducing it to one percent. Mr. LeFevre gave an example of a larger business coming in at the lower rate resulting in the City getting

less revenue, and the larger business could potentially take business away from the existing smaller businesses in the City, and everything that they take away from the smaller business is hurting the City. Mr. LeFevre said that he felt that if the City was going to annex, they should annex on the level income basis.

**CONSENT AGENDA:**

1. Matters related to the approval of minutes for the Regular Meeting held on March 13, 2018.
2. Consideration and possible action regarding completion of a one-year warranty period and release of maintenance bond for Hills of Town Creek Section 2.

John Champagne asked for information on Item 2 on the Consent Agenda. Mr. Roznovsky advised that all the punch list items were addressed, so it is ready to be accepted.

John Champagne moved to accept the consent agenda as presented. T.J. Wilkerson seconded the motion, the motion carried unanimously. (4-0)

**CONSIDERATION AND POSSIBLE ACTION:**

3. Consideration and possible action to receive the Annual Audit for the year ending September 30, 2017 as prepared by Belt Harris Pechacek, LLLP.

Mrs. Darla Dear, with Belt Harris Pechacek, LLLP, presented the Annual Financial Report. Mrs. Dear thanked Ms. Hensley for being able to come through with the requests for information and making it a smooth transition from prior year auditors. Mrs. Dear stated that first year clients are usually a little harder, but they made it through the process and next year should be very smooth.

Mrs. Dear advised that the opinion page is what they consider to be the most important out of the audit. Mrs. Dear stated that the City received an unmodified opinion that is the highest level of assurance that you can receive that there are no material misstatements and all the disclosures have made it into the report.

Mrs. Dear reviewed the revenues and expenditures page, which is on page 22, and she focused on the General Fund Account. Mrs. Dear stated that the total revenues for the year were

\$2,850,477, and the total expenditures were \$2,810,325, with a transfer in and with those changes, left a net change in fund balance of \$43,552 and an ending fund balance of \$1,256,463. Mrs. Dear stated that was a great job on the positive change to the fund balance.

Mrs. Dear then reviewed the budget to actual report, on page 59, where they are comparing the actual expenditures to what was budgeted. Mrs. Dear advised that there were two areas that were flagged as the areas that were over budget, which included Municipal Court and Public Works. Mrs. Dear stated that if you go to the final line of the budget, it will show that the City is way under budget by \$162,245. Jon Bickford stated that their budget was to expend \$2,972,000 and they spent \$2,800,000, so they under spent their budget by \$162,245. Jon Bickford said that they overspent in Municipal Court by \$8,000, and in Public Works they overspent \$191,000.

Mrs. Dear said that where most cities are recording net pension liabilities, this City has the net pension asset, which you are still recording and is shown on page 14. Jon Bickford stated that the City starting that six or seven years ago, so that when people retire they will have the funds.

John Champagne asked if the Audit will be on the web site. Mr. Yates advised that it would be posted on the City's web site.

Mayor Jones thanked Mrs. Dear for completing the Audit in a timely manner and for the report. Mrs. Dear stated that she expected the report to be even better next year. Rebecca Huss said that an issue that she had last year and she still has this year, is that it has the net position for the general account as negative. Rebecca Huss said that on page 14 they are basically imputing all of the liabilities to the General Account, whereas most of the assets that the City holds are from the Water and Sewer Fund, i.e., the water wells, sewage plant, etc., so it is a mismatch on where the assets are held and where the liabilities are shown. Mrs. Dear said that this is the net position page where compared to the fund balance, that is where they are taking all the capital assets and bringing them up to that net position page, so it is not real cash, if you are looking at the real cash of the City then you are looking at the fund balance page. Rebecca Huss asked why it had the debt under governmental activities but the asset under business type of activities instead of having the debt under business type activities. Mrs. Dear said that whenever the City

went out for the bond that was the way that it was sourced out for pay, from the general fund, which is how they have to classify it.

Mr. Yates said that he would like to point out on page 31, the depreciation in the water and sewer funds was \$345,190, which is an item that they have been trying to cover each year in the water and sewer fund in revenues versus expenses. Rebecca Huss said that she thought that this was the first year that they have achieved that goal and had it in the budget.

Rebecca Huss moved to accept the Annual Audit for the year ending September 30, 2017. Jon Bickford seconded the motion, the motion carried unanimously. (4-0)

4. Consideration and possible action on Department Reports.

- A. Administrator's Report – Mr. Yates presented his report to City Council. Mr. Yates reported that the City had made their first application for funds for the bridge project. Mr. Yates said that he had worked with the Building Inspector/Code Officer regarding dilapidated housing found unfit for habitation.

Mr. Yates said that he prepared the HOME grant information for the open application period that started on March 20, 2018 and will go through April 19, 2018. Mr. Yates said that there really won't be a deadline on the HOME grant because it will go until they have 11 people qualify for homes. Rebecca Huss asked if that was solely for City residents. Mr. Yates said that was correct.

Mr. Yates said that he worked with Cathy Branco to process the first Buffalo Springs Bridge pay request. Mr. Yates reminded City Council that they were going to make the payments themselves, up to \$400,000, so now that they have paid that amount, they are applying for the funds through the State.

Mr. Yates announced that for the May 22, 2018 City Council Meeting, the County Elections will be conducting the Runoff Election at City Hall, so the meeting will be moved to the Community Center. Mr. Yates said that the estimated cost for the City's General Election has come in at \$8,192, and the City has budgeted \$16,000. Mr. Yates



said that the cost depends on how many elections are held in the County, because the cost is divided between all the entities.

Mr. Yates stated that the City's interest rate at TexPool went up to 1.54% and last year it was .4%.

Rebecca Huss said that some months ago they had talked about transportation information that they were going to seek out partnering with the County or other counties, and asked if Mr. Yates had any update on those meetings. Rebecca Huss said that they were supposed to provide them with money to participate and the City declined to do so. Mr. Yates said that he has not heard anything more, plus he has checked with the other City Administrators at his monthly meetings and no one has heard anything more.

- B. Public Works Report – Mr. Mike Muckleroy, Director of Public Works presented his report. Mr. Muckleroy advised that they had assisted Gulf Utility with pulling the lift pump at Lift Station #1 for repairs. Mr. Muckleroy stated that they have continued with the fire hydrant tagging project. Mr. Muckleroy advised that for the month they had six water leaks, four water taps, four sewer taps and one sewer stoppage. Mr. Muckleroy stated that Fernland Park had 410 visitors for the month and they provided 28 tours.

Mr. Muckleroy advised that when they assisted Gulf Utility with the pumps, they were unable to get the crane truck down the muddy road so they were able to use the mini excavator to pull the pump and get Lift Station #1 up and going. Mr. Yates said that they are using that piece of equipment two - three times a week.

- C. Police Department Report – In the absence of Chief Napolitano, Lt. Joe Belmares presented the report. Mayor Jones said that it seems tickets are way down and asked why. Lt. Belmares said that they are having a lot of calls for service, and he knew that just on his shift they had 103 calls for service, including arrest reports and vacation watches, which meant getting called away for a call instead of traffic duty. John Champagne said that they are putting units in other places to monitor speeding. Lt.

Belmares said that was correct, they have been on Old Plantersville. Lt. Belmares said that he believed that there was a meeting with Mr. Yates and Dr. Rees, MISD Superintendent, and he thought that there was some positive outcome from that meeting. John Champagne said that they could camp out on SH 105 and write tickets every five minutes. Mayor Jones said that he knew that Officer Hernandez was out for a while and asked if that was also a contributing factor to the low number of tickets. Lt. Belmares said that was correct, and said that they are hoping to have Officer Hernandez back out on the streets mid to late April.

Rebecca Huss said that in times past they were not really that far off in terms of the number of arrests per month, and asked if something has changed in the amount of paperwork or the time that it takes to book someone. Lt. Belmares said no it has not changed, but said that he knew that they have changed the jail procedures, and he is not sure if it is taking the officers longer or if it is just busy at the jail. Lt. Belmares said if they take a prisoner to the jail that is a Class B or above they have to meet with the District Attorney, and they will type up the details of the case and then once the bond is issued, they will have to go through the property and once that is done the officer is free to go. Rebecca Huss said that she was just curious, because it did not seem like the volume on that side has changed and she was wondering if there was something else. Lt. Belmares said that the number of calls for service is picking up. Mayor Jones asked about the nature of the calls for service. Lt. Belmares said that it could be a disturbance, earlier in the week they had a discharge of fire arms where they recovered two pistols, and today they had a suspicious package in Waterstone that turned out to be nothing of concern. Lt. Belmares said they get a lot of be on the lookout calls for reckless driving and DWI drivers that are coming into the City, so as soon as they get those calls stating that they are outside the City, they have a policy that they will respond due to the nature that it is possibly a DWI. Lt. Belmares said that since we are the number one County for DWI fatalities they want the officers on the ball. John Champagne asked if that was for the entire State. Lt. Belmares said that was correct. Mayor Jones said that as they put more bodies in the City, there is more potential for more mischief. Lt. Belmares said that they prefer two officers respond to disturbances. Rebecca Huss said that they have not had Officer Bracht's amazing

spreadsheet for a couple months and asked if that was in the works. Lt. Belmares said that he would find out about the spreadsheet tomorrow when Officer Bracht comes in.

- D. Court Department Report – Mrs. Kimberly Duckett, Interim Court Administrator, presented her report. Mrs. Duckett stated that even though the tickets are down, the Court numbers are up approximately \$5,000. Mrs. Duckett said that they had a great Court docket this past week, with about 80% attendance. Mrs. Duckett said that they are looking for new ways to stream line their Court process to make it more efficient and effective for the defendants. Mrs. Duckett advised that she had worked with the Judge to add more Court dates, and in June they will have Court every week, which is going to help with their juvenile cases, show cause, jury trials and bench trials, which they will do twice a month.

Rebecca Huss asked about Officer Bauer going more from the Court side to back out on the street, and whether that was going to change the warrant numbers that they have been seeing. Mrs. Duckett said that it does fluctuate a bit, but they have started not just issuing warrants, they have a better FTA process so when someone misses their initial Court appearance date, they will call and send letter as reminders.

Jon Bickford said that he was looking at the total cases filed and they are trending down, but the revenue is trending up, and asked if there was a connection. Mrs. Duckett said they were working a lot of the older cases. Mrs. Duckett said that they just signed up for a new TLO System, which is a skip-tracing system that will help them and the collections department find people that have moved. Jon Bickford asked if the case numbers keep going down, will the Court revenue start going down. Mrs. Duckett said that they were going to have that resolved another way by working the warrants. John Champagne said that Mrs. Duckett was doing a great job, and said that since Officer Bauer is out more on the road do they have someone making phone calls for warrants when there is free time. Mrs. Duckett said that they do not have anyone making phone calls, but they are going to start making calls when they have time. John Champagne asked if a script could be put in place for someone to make calls. Mrs. Duckett said that if someone goes to renew their driver's license and it is on hold because of a warrant,

they will automatically contact the Court, so there are different ways that they can pick up in Officer Bauer's absence.

Mr. Foerster advised that he had spoken to the Municipal Judge, Robert Rosenquist, the other day and he volunteered that Mrs. Duckett and the staff are doing a great job and he is very pleased with the transition. Rebecca Huss said that it was really an important point for us to do an efficient job because it does have a huge impact on people's lives; if they make a mistake, it could affect them getting a job or keeping their kids; it is really great that they are doing so well. Mayor Jones said that they are getting it done with less people.

- E. Utility/Development Report – Mr. Yates reported that last month they took in \$132,326 in utilities, \$22,762 collected for 46 permits, and \$1,805 collected for use of the Community Building. Mr. Yates said that there are 634 active water accounts, up about seven from last month. Mr. Yates said that water consumption for the City accounts was very low, with Memory Park at 34,000 gallons. Mr. Yates said that the Technical Operations Review Committee, Mike Muckleroy and the City Engineer are working on how to use the pond water at Memory Park for irrigation eight months out of the year. John Champagne said that was a good idea.

Rebecca Huss asked if this included the billing cycle where they did not use the door hanger. Mr. Yates said that they put the notice in this past newsletter that they will be stopping the use of the door hangers in April.

- F. Water Report – Mr. Michael Williams, with Gulf Utility Service, Inc., presented his report. Mr. Williams advised that they only had one district alert due to a lift station issue. Mr. Williams said that this was possibly due to a power surge in the area.

Mr. Williams said the daily effluent trend for both January and February was 3.979 million gallons, and the daily peak flow was January 28, 2018 at 202,000 gallons, which is 51% of the permitted value and the daily average flow was 133,000 gallons, which is 33% of the permitted value. Mr. Williams said that the effluent monitor report showed that everything was in compliance for the month of February with three and

one-half inches of rain. Mr. Williams reported that the City sourced a total of 6.299 million gallons, with 185,000 gallons for flushing, and they sold 5.791 million gallons totaling 95% accountability. Mr. Williams said that they still have about five percent loss, but the numbers have come up significantly from when they fixed the cooling tower.

Rebecca Huss said that Mr. Muckleroy had mentioned that the meter on the cooling tower had caught another leak and asked if there were other places in the City where they should be installing meters. Mr. Williams said that the cooling tower was the only place that they have that is a water user as far as facilities are concerned. Mr. Williams said that he did not see a particular value to a City in putting a meter on the main line due to the sheer cost of the meter and being able to see where the water is going.

Mr. Williams said that they were on track with Well #4, and they have used more percentage of the permit on Well #4 than combined Wells #2 and #3. Mr. Williams advised that this month they had a 69% return to the sewer plant from water sold. Rebecca Huss said that the treated water says that it is almost 4 million gallons, but on page 4 it stated that they had only treated 2.1 million gallons. Mr. Williams said that there was a revised report sent out, and that error had been corrected. Mr. Williams said that the corrected figure was 3.97 million.

John Champagne asked if they could get the report more current. Mr. Williams said that due to some of the items that they have to bring to City Council, as far as the lab numbers, they want to provide a complete picture. Mr. Williams said that the reports are typically one month behind. Rebecca Huss said that everyone was more interested in the pumping and the efficiency, so she agreed that something timelier would be better. Mr. Williams said that the lab numbers were just one thing, another item is the water with all the meters that are read, these are the most current numbers that they have. Mr. Williams said that they won't get the next set of numbers until the first of the month because it is based on the billing cycle. John Champagne asked how many meters they have going into Fernland. Mr. Muckleroy advised there was only one meter. John Champagne said that he saw three, two in front. Mr. Muckleroy advised those were probably meter boxes with a valve in it, the meter is outside the fence.

G. Engineer's Report – Mr. Roznovsky presented his report. Mr. Roznovsky advised that he wanted to mention that the bridge project is progressing and on schedule, and said that the contractor, Craig Karonka with Fugua Contractors, was present and wanted to attend the meeting to answer any questions that City Council might have. Mayor Jones asked if they experienced heavy rains this evening will the bridge be all right. Mr. Roznovsky advised that it should be okay and the contractor has been prepping for the weather for the last couple of days.

John Champagne asked if the Baja Project was on schedule. Mr. Roznovsky advised that it was on schedule.

Mr. Roznovsky announced that the asphalt work on Houston Street was complete and the final punch list items will be done. Rebecca Huss commented on the striping down the middle and asked if Public Works has done the work. Rebecca Huss said that if you are going north on Houston Street it looks a little off. Mr. Muckleroy advised that the line follows the contour of the road and one portion of the road is wider and then it narrows down, and the road is wider at the curve in the road. Rebecca Huss said that Mr. Muckleroy should go and look at the road. Mr. Muckleroy said that they took measurements and went to the centerline. John Champagne said that he watched them stripe the road and said that it was done very professionally.

Mr. Roznovsky advised that the Baja Road water and drainage project is under way; the survey has been completed and they expect the design to be completed today. Mr. Roznovsky stated that they are continuing to coordinate with TxDOT on the FM 149 Project, and they had meetings with the commercial properties and tenants a couple of weeks ago to go over the plans and updates and where their driveways would be located, which is an ongoing process. Rebecca Huss asked what “ongoing process” meant. Mr. Roznovsky said that TxDOT made numerous revisions; those revisions were then taken to be discussed with the property owners and the next step is meeting with the single family property owners, north of downtown and FM 1097, which is scheduled for the first part of April 2018. Mr. Roznovsky said that following that meeting TxDOT will make a final set of plan revisions based on the comments they

received at their meetings and then submit them to the City. Mayor Jones asked about the deadline; what were they looking at as far as getting the FM 149 Project back on schedule. Mr. Yates said that they are expecting to get the TxDOT plans in a week or two, and he was thinking that they could have a meeting with the people north of Clepper Street on April 5<sup>th</sup> and before City Council at their meeting on April 10<sup>th</sup>. Rebecca Huss asked if City Council was going to weigh in at any point about the maintenance responsibility that is implied in this project, because from what she read in one of the meeting notes is that the scope of the project and the type of work being done, the City of Montgomery would be responsible for the maintenance of the pavers, planters, etc., that are still in the Project. Mr. Yates said that could be discussed at the meeting. Rebecca Huss said that the City has a number of their own roads that have not been maintained, and taking on a large project that did not have a large buy in without discussion is premature. Mr. Roznovsky said that the next round of revisions that the City will receive from TxDOT will hopefully provide what the scope is so that they can have a better discussion.

T.J. Wilkerson asked about the Baja Project, and asked if they would start work in August. Mr. Roznovsky said that was correct, the project design will be complete in May and then it will go through approvals, bidding and contracts, which would put the project starting in August. Mr. Roznovsky said that would be the first phase of the Baja area; there would be a second round with the General Land Office (GLO) funds, and that application has been submitted to the State by Grantworks. Mr. Roznovsky said that once the GLO funds become available, the sanitary permits, road improvements and drainage permits will be obtained for that area. T.J. Wilkerson asked if they were looking at how the water drains down toward that area. Mr. Roznovsky said that the first phase is mainly water and roadside ditch improvements, and the second phase is more large scale drainage improvements. T.J. Wilkerson asked if they were going to dig the ditches out or put pipe in. Mr. Roznovsky said that right now it is to improve the ditches, not put in storm sewers, which was not in the grant budget.

Rebecca Huss asked if there were going to be GLO funds related to Harvey, as well. Mr. Yates said yes, there would be. T. J. Wilkerson asked if they looked at any drainage

improvements on FM 149 and MLK. Mr. Roznovsky said that the biggest part of what was looked at was improving the culvert under FM 149, which is what they have been discussing with TxDOT to see if they can get that put into their project. Mr. Roznovsky said that they have gone back and forth; TxDOT's original answer was no, but there is a potential that they can do a larger drainage study and be able to improve that culvert, but right now it would be improvements from FM 149 and north, and creating some additional volume within the canal, and to clean out the canal to improve drainage. T.J. Wilkerson asked if the canal goes back to the Buffalo Springs Bridge. Mr. Roznovsky said yes it does, and it crosses FM 149 and Plez Morgan. T.J. Wilkerson said they have to address that part, otherwise that bridge might get washed out again. Mr. Roznovsky said that he did not think the bridge would wash out again, but the silt will continue.

John Champagne said that it seems like they have been talking about Baja for years, and said that there is no shoulder on a lot of that road, so he was under the impression that they were going to put a culvert in. Mr. Roznovsky said that was not within the scope of this project. John Champagne said that the drop is abrupt. Rebecca Huss said that was the problem with Montgomery County's work; once they were done, the ditch was a hazard, especially approaching the intersection. Mayor Jones asked if the large hole at the corner of MLK and Baja was going to go away. Mr. Roznovsky said that they would see what they can find out. John Champagne said that before they leave that location like that, they need to consider where the funds might be to cover that location up because it is unacceptable and ridiculous, and was ridiculous three years ago. Mr. Yates said that he thought that some of the GLO funds could go toward a storm sewer for that location. Mayor Jones said even if they only cover the corner. Mr. Roznovsky said that they would check on it. Rebecca Huss said that if there is GLO funds to follow, there is a possibility of combining projects and then to get the job done properly, even if they are spending more and putting other projects on the back burner until the second or third round. T.J. Wilkerson asked if when they build out those houses in that area, are they going to come back and redo them. Mr. Roznovsky said the current plan for the houses at the end of Baja is they are not going to be putting in any public infrastructure; it is just going to be three lots that they are subdividing, so there won't be any public utility extensions or roads. Mr. Roznovsky



said that there is no easement there for them, so he advised the developer that they could obtain an easement to the south to get out toward Lone Star Parkway, but now that they are not putting in public streets, the only process that they will go through is to subdivide the parcels. Mr. Roznovsky said that their drainage will go to the roadside ditch and run east. Mayor Jones said that Baja should be able to handle it if they fix the road. T.J. Wilkerson asked if the natural flow was toward the Creek. Mr. Roznovsky said that on the back of those properties there was some fall to the east, but the front of the properties was going toward MLK and then Baja.

- H. Financial Report - Mr. Yates advised that the General Fund is doing quite well and is \$188,000 over the expected revenues for the first five months of the year. Mr. Yates said that the General Fund Surplus of revenues versus expenditures is \$273,105. Mr. Yates said that the Utility Fund has a negative balance this month, but that is because of a one-time \$205,000 transfer from the GRP and the Utility Projects and the Maintenance Fund. Rebecca Huss asked if by the GRP transfer, she assumed that Mr. Yates was referring to the fact that the City is collecting GRP funds so they are moving it to a separate account so that it will only be used for GRP Projects. Mr. Yates said that was correct, and advised that fund was the Capital Projects Fund. Mr. Yates said that as far as the departments themselves, virtually every function in the General Fund and Utility Fund are under budget.

Mayor Jones asked about the revenue on Franchise Tax. Mr. Yates said that they collect almost all of the franchise tax by September in the later part of the fiscal year, which is why there is not much in there.

Rebecca Huss asked about the sales tax, stating that she did not see an offsetting greater amount for the City to account for what we owe to our Kroger obligations. Mr. Yates said that he still needed to figure out what that amount will be. Rebecca Huss said that they should not be too excited about being above expectations with the budget when they might owe quite a bit of that amount.

Rebecca Huss moved to approve the Departmental Reports as presented. Jon Bickford seconded the motion, the motion carried unanimously. (4-0)

5. Consideration and possible action regarding an Encroachment and Maintenance Agreement by and between the City of Montgomery and Montgomery SH 105 Associates, LLC regarding a storm sewer line easement located at FM 2854 and SH 105.

Mr. Yates advised that this is the third meeting that this item has been on the agenda. Mr. Yates said that since the March 13, 2018 Meeting, CVS has again stated that they will not place a store in the City unless the City is responsible for the pavement repair. Mr. Yates said that just as the last meeting, there appears to be three options: 1) require the water and sewer lines to be put in the property and paving and replacement borne totally by CVS; 2) require the water and sewer to be placed within the property and the City's offer at the last meeting was to split the pavement replacement costs 50/50 by the City and CVS; and 3) move the water and sewer facilities into the right-of-way of FM 2854, which exposes the City to relocation costs should FM 2854 be expanded, and that cost could easily be \$175,000 to \$200,000. Mr. Yates said that he thought that the initial statement of \$50,000 to \$75,000 estimate from the City Engineers was considerably higher than he expected it would cost. Mr. Yates said that he would remind City Council that this is a part of a larger 26-acre development, in which they have a 380 Agreement that involves the payment of \$200,000 to the City toward the replacement of Lift Station No. 1 and also includes the transfer of some property for the sewer plant. Mr. Yates said the likelihood of repair is unlikely for at least 10 to 15 years. Mr. Yates said that the repairs could involve two parking spaces if it was a particular leak, and they would not have to tear up the entire parking lot. Mr. Yates said that what he would ask City Council to consider is just the grand total of the 380 Agreement and what all is at stake.

Rebecca Huss said that she would like to make some factual adjustments to a couple of his statements, as follows:

- 1) the 380 Agreement has already been signed, which means that the City did the land swap and the Agreement specifically states that the land swap is permanent and there is no going back, regardless of whether the rest of the 380 Agreement falls apart because CVS does not open;
- 2) the comment on how much money is at stake, and said that Mr. Yates needed to adjust that amount downward significantly, because he had added \$100,000 to \$120,000 in sales tax. Mr. Yates said that amount of sales tax was for the entirety

of the 26 acres, not just CVS. Rebecca Huss said that CVS, in particular, has a number of nontaxable items that run through it. Rebecca Huss said that she was curious why the City has the entire burden of the repairs; and

- 3) Exhibit "C" summary of assets makes it look like the City is getting \$860,000 and only contributing \$533,000, but yet the relocation of Lift Station No. 1, Texas Water Development Board funds is being borrowed by the taxpayers to pay back the money for the Lift Station that they are moving.

Rebecca Huss said that the economics of this are not quite as rosy as might have been previously anticipated. Rebecca Huss said that, having said that, she agreed that the likelihood of the repairs is low and the amount of money is low.

John Champagne said that Rebecca Huss made some good points, and commented that Mr. Yates had indicated three options, but he felt that there were only two per the information from Mr. Jonathan White. John Champagne said that some exchange might be appropriate at this point.

Mr. Jonathan Bellock, with First Hartford, said that the big issue is the sewer line, which CVS does not benefit from, so the City is driving it through their property and asking them to repair their own property for damage to a line that they are not using, which in their opinion is an unreasonable position. Mr. Bellock said that CVS will not purchase the property unless they agree to some restorative measure, or relocating the utilities outside of the parking lot. Mr. Bellock said that the City has already imposed a 150 foot channel easement on their western boundary, and they have utilities on the northern boundary already, so now the City has wedged them into a space that they can't fit. Mr. Bellock said that they are here to say that they are okay with accepting the utility easement, if the City restores it if they have to tear up the parking lot. Jon Bickford asked if the City wedged them into that spot or did the developer say that was their space. Mr. Bellock said that he was the developer. Jon Bickford asked if Mr. Bellock wedged CVS into that spot. Mr. Bellock said no, they accepted the channel easement that the City asked for. Jon Bickford asked if there was more property available that CVS could have. Mr. Bellock said no, there is a Creek on the west side, and they are bordered on the east by FM 2854. Mayor Jones said that he assumed that CVS has insisted on that corner lot for a reason. Mr. Bellock said that was correct. John Champagne asked Mr.

Bellock if he platted the property to the west, and said that it is not centered in the plat. Mr. Roznovsky said that the drainage easement has been shifted over so it is not centered on the existing channel, it was requested to shift it more over to the east for the purpose of development. Mr. Bellock advised that the utility easement was shifted to make the land west of the Creek more usable because one of the curb cuts has to be in a certain area.

Mayor Jones said that at the last meeting City Council made an offer of a 50/50 split and obviously CVS has rejected that. Mr. Bellock said that they are not asking for a variance, and said that there is nothing that states they have to accept that utility easement on their property, so they are here in response to a staff comment that asked them to accept that. Mr. Roznovsky said that he believed that there is a City Ordinance that states that upon review by the Planning and Zoning Commission, it can be required that an easement be placed for the placement of utilities; there is also a section that states that developers have to extend utilities to the furthest boundary for future development. Mr. Roznovsky said the idea of having utilities within an easement is not something that is unheard of, because the entire north and south side of SH 105 are within a 26 foot utility easement, and FM 2854 is just now starting to get developed.

Mayor Jones said that CVS does not want any potential liability as far as potential repairs. Rebecca Huss said that CVS does not have to pay for the line, because that is the City's responsibility. Mr. Bellock said that, as the Encroachment Agreement states, the City has the right to go on the property at any time and tear up whatever the City needs to do repairs, which could potentially severely impact CVS. Jon Bickford stated that if they had to dig up the waterline, CVS is using the waterline, just not the sewer line. Mr. Levi Love, Engineer with L Squared, said that at this time those lines are just for future extensions for development that have been extended to the south with oversized 12-inch lines, so the City should not have to repair, remove or replace that line at any time in the near future. Mr. Love said that the sewer line was a 10-inch line and CVS does not connect to that line. Mr. Love advised that the developer has honored everything, and said that if you look around the City and even in front of this tract, the waterline that was done with the former company is out in the right-of-way, and it is not unheard of for them to use the TxDOT right-of-way for City improvements; in fact the City has been doing that instead of acquiring easements. Mr. Love said that they are saying that they can't find anything in the Code that would prohibit them from using public right-of-way or TxDOT right-of-way for utility. Mr. Love said that they do not have any

problem acquiring a utility easement; their issue is about removing the concrete and putting it back. Mr. Love said that what would solve everything would be to let them put the utilities in the TxDOT right-of-way. Rebecca Huss said that was not happening, just because they have done bad things in the past does not give them the confidence to do that in the future.

Mr. Wade Nelson, developer of the property, said that the big difference is being public versus private, and said that in most instances you are not asking a resident of the house to be responsible for the utilities out in front of their home, and to him there is no difference with CVS because they are a public extension and it is the City's responsibility, should it need to be repaired or maintained.

Jon Bickford asked where Kroger's utility lines were located. Mr. Roznovsky said that they were along the front of the property within an easement, with most of their parking lot not over that area, just the driveway. Jon Bickford asked if the City had to break into that driveway to make repairs who would replace that driveway. Mr. Roznovsky said that right now there is not an agreement in place that says that it is supposed to encroach into an easement, so it could be put on the developer. Jon Bickford said that he would like to understand that matter and to be consistent. Mr. Foerster said that the City's ordinance states what is required for a public utility easement across a property owner's property, and in most instances, aside from this kind of circumstance, if a City acquires an easement they have an obligation to return the property to the condition that it was in before, so this is not unheard of. Mr. Foerster said that he does easements all the time for a lot of different cities, and probably he has done some for the City of Montgomery, but if the standard language is if they put an easement in somebody's property and we disturb the property, we are responsible for bringing it back to the reasonable condition that it was in before they had to perform the repairs. Mayor Jones said that is an assumption that he would normally make for any situation like that, but from the beginning the City changed that with this agreement, so here we are for the third time. Mr. Nelson said that it was truly a marriage between the parties involved to try and make this work, CVS and the City are bringing value to the property and it is something that they have worked on pretty well to this point. Mr. Nelson said that now they are asking CVS to bear costs that they would never have expected.

Rebecca Huss said that she would like to point out that the 380 Agreement that the City entered into was primarily driven by the City's interest in right sizing the land, because they felt that there was an economic interest in having all of the water and sewer activities concentrated at the existing sewage treatment plant, to increase the size of the sewage treatment plant to accommodate future growth, which would also increase the value of the plot itself because it did not have the easements covering a third of the property because it did not have a lift station in the middle of the property. Rebecca Huss said that what they are talking about, to her, seems like a logical extension, and the sewer line is planning for the City's growth, and she does not necessarily think that CVS should bear the burden of it, depending on how they work things out with the main developer. Rebecca Huss said that she also did not think that the City should bear the burden of it either, because she thought that they had covered everything that the City was going to give in the 380 Agreement.

Jon Bickford said that he believed the only issue here is that the City is going to have the developer put the pipes in the easement, where it needs to be so that the City does not have to move the pipes later because of TxDOT and start over again. Jon Bickford said that the issue is once you put the pipes in there and something happens and the City has to dig up the parking lot, CVS wants the concrete replaced. Jon Bickford said that his question was, is the City under the same obligation to Kroger, and it sounds like they are lacking an agreement with Kroger. Rebecca Huss said that they have the changed language in the agreement, in the new paragraph. Mayor Jones advised Rebecca Huss that she put the paragraph with her motion, and said that this would not be discussed if it was not for that motion stating that CVS would take care of any restoration. Rebecca Huss said that they said that they would have the agreement the way it is with all the other ones. Mayor Jones said that was not the way that the motion was stated, which is why they are here. Mr. Nelson said to Rebecca Huss that the sewer treatment plant did not increase the value of the property, so they are having to work around that and there was a lot of give and take on both sides. Rebecca Huss said that having access to 1/3 of the property that was previously covered by an easement that would not have allowed any building on it at all, certainly increases the value of the property. Mr. Nelson said that it did increase the value to a degree, but it is not exponential; they are still dealing with the sewer treatment plant.

Mr. Yates said that for minor clarification, the only access easement that has been vacated so far is the CVS portion and not the entirety. Mr. Nelson said that CVS might not increase a lot in tax value for sales tax, but CVS is a huge driver for other users. Mr. Nelson said that they are in jeopardy of losing their other end-users, which they are working on some fairly unique concepts, and that is a huge driver. Mayor Jones said that if CVS does not get their way what will they do. Mr. Bellock said that they will not buy this tract. Mr. Nelson said that they will move on to another track, which will probably be outside the City. Mayor Jones asked if CVS does not go into the property would it change the way it will be developed. Mr. Nelson said that it would absolutely change the way that they would develop the property. Mr. Bellock said that they were here to represent CVS. T.J. Wilkerson asked if the pipes that are underground had casings. Mr. Nelson advised that they did not. Mr. Love said that the pipe meets all the standards, and it would take a lot for the pipe to have any problem and said that all the modern methods are being used so, generally, they do not have a lot of issues with these pipes.

Jon Bickford asked if there was any development along SH 105 that they are aware of that the property owner has an obligation to repair the cement if the City has to dig it up for utility repairs. Mr. Roznovsky said that most of the locations are driveways and this is a parking lot. Mayor Jones said that a wide driveway could withstand the same type of restoration possibilities as a parking lot. Jon Bickford said that he wanted to know for consistency, is there any other property where they expect the owner of the property to repair the concrete after the City has made repairs. Mr. Foerster said that he was not aware of any. John Champagne said that for the City to put the utilities in a right-of-way, the exposure is just too much.

John Champagne moved that the City's Agreement is that the City replaces the line and repairs the parking lot, if in fact, and when damage should result to that water or sewer line. Mr. Yates said that he would just state that the agreement be approved as presented.

John Champagne changed his motion to approve the agreement as presented. Rebecca Huss seconded the motion.

Discussion: Mayor Jones asked for confirmation of what the motion covers, by stating that the agreement as presented. Mr. Yates said that it includes the paragraph. Mayor Jones said that the City will pay to install the pipe, and asked who will fix the concrete after the repairs are done. Mr. Yates said that in the agreement, as presented, the City pays for the repairs to the concrete.

John Champagne moved that the line that is accepted by CVS, the City runs the water and sewer line on their property, and if any damage occurs to the water or sewer line, and as a result of that damage to their parking lot, the City will remediate and make the parking lot whole, and the City will be responsible. Rebecca Huss seconded the motion.

Discussion: Mayor Jones said that it was City Council that changed the original agreement. Mr. Roznovsky said that to be clear, the wording of the agreement in the agenda packet is worded slightly different because there were a lot of versions that changed the responsibilities to other entities, but John Champagne's motion is that regardless of what the agreement states, the pavement within the easement as a result of a repair by the City is the same responsibility. Mayor Jones said that was why he wanted to clarify that the City would be the one responsible, because there was action at the first and second meeting. Rebecca Huss said that the previous agreements, which is what she was originally under the impression that they were going to stick to, left the City in the exact same position that they are in right now, i.e. responsible, then there is no difference between the way that they looked at it four weeks ago and today. John Champagne said that he agreed with that.

The motion carried unanimously. (4-0)

6. Consideration and possible action regarding an Encroachment and Maintenance Agreement by and between the City of Montgomery and BW Montgomery Investment, LLC regarding the encroachment of a proposed private storm sewer within a public utility easement located at SH 105 and Gardner Drive.

Mr. Roznovsky said that they are requesting to table this item because the developer did not return the signed agreement.



Rebecca Huss moved to table this item. T.J. Wilkerson seconded the motion, the motion carried unanimously. (4-0)

7. Consideration and possible action regarding Samdana Investments, LP request for variance from 35 feet to 25 feet along SH 105 and from 15 feet to 10 feet along John A. Butler Street all within the property bounded by John A. Butler Street to the north, SH 105 to the south, and Prairie Street to the east.

Mr. Yates said that the Planning and Zoning Commission has met and recommended approval of the variance request. Mr. Yates said that since the March 13, 2018 City Council Meeting he has met with the owner, Mr. Chen. Mr. Yates said that they went to the site and measured cars going in and out of the existing driveway entrance off SH 105, and have also driven cars into and out of the proposed driveway on the subject property. Mr. Yates said that the driveway that is 40 feet wide, and in his opinion, makes the variance very feasible and practical. Mr. Yates said that he looked at different configurations for the building on the property, but even with reducing the size of the building, he could not come up with a better configuration than Mr. Chen had already submitted.

Rebecca Huss said that as they know, TxDOT sometimes, if you change or remove a building, removes or alters their driveway permit, and asked if they knew for sure that TxDOT will allow the 40-foot wide driveway. Mr. Roznovsky said that it was his understanding that if they do not modify the existing driveway they can keep it that way, but if they modify the driveway they will have to go to TxDOT's rules, and this driveway is wider than what TxDOT requires. Mr. Roznovsky said that the standard driveway width with TxDOT is 28 feet.

Mayor Jones said that Dave McCorquodale had a question about turn radius around the building. Mr. Roznovsky said that as far as the driveway goes, it is not an ideal situation, but due to the site, especially with the extra width of the driveway that is there, if it were a smaller driveway it would be difficult to make that turn. Mr. Roznovsky said that people that are trying to get back out onto SH 105 and head west could go out to McCown as well and make that turn if they don't want to make the tight turn. Mr. Roznovsky said they have a written agreement with an access easement with the neighboring property owner, so they both have access across both properties. Mayor Jones said that there was also an entrance off of John A. Butler. Mr.

Roznovsky said that would be a new driveway, and their proposed layout shows in and out onto John A. Butler, SH 105 and McCown. Mr. Roznovsky advised that the existing barber shop would be removed.

John Champagne said that this property is going to be exposed a great deal to visitors and traffic in general, and asked if it would be inappropriate to ask for and maybe work with the owner to make this very appealing in terms of landscaping and architecture. Mr. Yates said that it is located in the Historic District so that can be worked out. Rebecca Huss said that the school house has undergone a refinishing that does not really enhance its appearance. Mayor Jones said that the Planning and Zoning Commission will get the opportunity to look at the architectural façade, and the school house only changed their siding. Jon Bickford said that they are not approving the building or what the building looks like, just the variance.

Jon Bickford moved to accept the request for variance for the setbacks from 35 feet to 25 feet along SH 105 and from 15 feet to 10 feet along John A. Butler Street all within the property bounded by John A. Butler Street to the north, SH 105 to the south, and Prairie Street to the east, as written. T.J. Wilkerson seconded the motion.

Discussion: Rebecca Huss thanked Mr. Yates for going out and getting the information regarding the cars and for providing the visual information on the variances. Mr. Yates said that he appreciated that and apologized for not doing that the first time the variance was presented. John Champagne asked the City Secretary to note that Jon Bickford made a motion to approve a variance.

The motion carried unanimously. (4-0)

8. Consideration and possible action regarding approval of the proposed Montgomery EDC funded sidewalk project on Clepper Street.

Mr. Yates said that this item is to place a sidewalk from the old grade school on Clepper Street to the east side of Prairie Street. Mr. Yates stated that MEDC on March 19, 2018, approved \$19,886, which is the expected cost to place the sidewalks. Mr. Yates said that this item is approval of the expenditure of the MEDC funds.

Mr. Yates advised that this project has been discussed for several years and was specifically placed in the MEDC budget for the 2017-2018 fiscal year. Mr. Yates said that the rationales for this being an MEDC budget are that 1) it helps generate foot traffic between Fernland and Memory Park and the downtown area, 2) during special events the area immediately east of the school is used for visitor parking, causing those who parked there and want to walk downtown, to walk on Clepper Street, causing a dangerous situation for the pedestrians and vehicles.

Mr. Yates stated that during the MEDC Meeting there was a discussion regarding this matter, and he advised that Mrs. Fox had asked about the wisdom of sidewalk cost versus McCown Street improvements. President Jones and John Champagne had answered that they felt that people would use the sidewalk for general use and for special events. Mrs. Fox again reiterated at the meeting that the funds would be better put to use on downtown centered projects first. Mr. Yates advised MEDC that the sidewalks were specifically mentioned and \$20,000 was included in the MEDC Budget. Mr. Yates said that the MEDC Board approved the project with a 4-1 vote, with Mrs. Fox voting nay, and Ms. Brown was absent.

Mrs. Cheryl Fox was present and stated that she knew that the MEDC Board had approved the project and she was an assenting vote. Mrs. Fox stated that there were a couple of things that she wanted to address. Mrs. Fox said that if they have not already seen the street, she asked that they at least table the item until they can lay eyes on the street, because the street is way higher than the ditch. Mrs. Fox said that she has lived in the City for a long time and she knows that project was funded one time before and it failed. Mrs. Fox said that she was not sure why the project failed, but she thought that it had flooded a resident's yard. Mrs. Fox said that she was not opposed to the sidewalk itself, what she is opposed to is spending that money on the outside side of the City, when instead you could be working from the inside of the City and working out, or possibly over on Baja; she just did not think that it was a good project or that the funds were being well spent. Mrs. Fox said that she did not think that they were being good stewards of money in doing this project. Mrs. Fox said that part of that money was hers; she buys locally, at the Mayor's floral shop, she is a VIP at the Montgomery Steakhouse, and she buys at the feed store and she supports Montgomery locally with tax dollars, and she did not feel that this was a good project and she felt that the money could be spent better elsewhere.

Mrs. Fox said that once they get the sidewalk to the school, then what are you going to do. Mayor Jones said that he hoped in the future that they would plan to put a sidewalk in front of Mr. LeFevre's building up to Fernland, but that is another time. Mrs. Fox asked why they did not wait and do it all at one time, and take that money and apply it somewhere else that is much more needed in the City. Mrs. Fox said that she knew that there were people that walked, but said that she goes down that street and she really does not see that many people walking. Mrs. Fox said that she felt that the City Council should consult their voting constituents and see if they approve of this project and their money being spent like that.

Mayor Jones provided some history of this project, stating that it has been on MEDC's radar for many years, and on many budgets, but has not been a very high priority. Mayor Jones stated that some work was done on the project. Mayor Jones said that Mrs. Fox had mentioned about the street and where the sidewalk would go as not being level, but said that it was a lot better than it used to be due to some preliminary work that has been done that buried drainage lines as well as putting dirt over it. Mayor Jones said that he thought what had happened was that they had budgeted a specific amount and that was all the work that could be done at that time, which is where they left the project. Mayor Jones said that it would be a much more expensive project if they had not already done that work. Mayor Jones said that the proposal does include bringing in more dirt and packing it, and putting in the sidewalks. Mayor Jones said that the idea was that they have some nice amenities downtown, the library, Fernland and Memory Parks, and said that it would be nice to have a walkable community. Mayor Jones said that in order to walk down Clepper Street you either have to walk in the ditch or on the street, and neither one is favorable, which is why it has been on the radar for quite some time.

John Champagne said that he was generally in favor of the project because it does connect, but Mrs. Fox made a pretty good point, and said that he would be open to taking these funds that are budgeted for this if it was earmarked for Baja to cover that ditch. Rebecca Huss said that she also thought that City Council approved MEDC's budget, and yes, the sidewalks are in there, but MEDC chose to use that money for the paving projects, which they decided were higher priority, so they are looking to take this money out of another category to use on the sidewalks. Mayor Jones said that he had to address using the funds for Baja because the MEDC funds can't be used for Baja. Rebecca Huss said that everyone knows that Clepper Street is a failed street, so they will eventually have to tear out Clepper Street and she felt that it was a

waste of money to do the sidewalks at this time. Rebecca Huss said that generally speaking, people do not desire to walk from place to place. Mayor Jones said that the sidewalk project has been pushed back several years. John Champagne said that Clepper Street was not a failed road, and just because they put a sidewalk in place does not mean that you can't repair a road and keep the sidewalk, because it is done all over the City. John Champagne said that he sees people walking around and taking photos and they want to get to Fernland, and said that a sidewalk would be used, but he did not know to what degree. Jon Bickford said that the area behind Fernland and Buffalo Springs is developing out, with more houses going in there, and he thinks that the reason they don't see people walking is because they are out at 4 a.m. walking. Jon Bickford said that he is out riding his bike at that time and there are no lights and you can't see a thing. Mayor Jones said that MEDC funds can be used for quality of life and things like having sidewalks is part of that. Rebecca Huss said that she did not think that they should be moving money from utility extension line item projects.

Rebecca Huss moved to table this item. T.J. Wilkerson seconded the motion. The motion failed with the following vote:

T.J. Wilkerson – Aye

John Champagne – Nay

Rebecca Huss – Aye

Jon Bickford – Nay

Mayor Jones broke the tie with a Nay Vote to not table the item. (2-3)

John Champagne moved to approve the funding for the sidewalks.

Mayor Jones stated that the motion died for lack of a second.

Rebecca Huss moved to deny the request for \$19,886 for sidewalks from this year's budget.

T.J. Wilkerson seconded the motion.

Discussion: Jon Bickford stated that he wanted to ask a question before he voted. Jon Bickford said that if they table the idea, they are saying not to put in sidewalks, specifically this sidewalk. Mayor Jones said that was correct. Jon Bickford asked if that action was being tabled until they gather more information or just period. Mayor Jones said that it means they are denying the action. Rebecca Huss said that her idea on tabling this was because Mrs. Fox's

recommendation was to go out and take a look at things and to visit with the constituents. Jon Bickford said that he did not get a chance to get a question in before they voted and he was trying to understand what the tabling was, because that would make more sense to him if there is truly an issue with the road. Jon Bickford said that he did not know if there was an issue or not, but if there is an issue and the sidewalk is going to make it worse, then he would say do not do it. Jon Bickford said if there is not an issue with the road, and the sidewalk is going to make it safer, then he would say do it. Jon Bickford said that he did not know what the answer is. Mayor Jones said that the money that has been spent on the project is sitting there being wasted. Rebecca Huss said that if they made a bad decision and spent the money, that does not mean that you should spend more money because you have already spent money and wasted it. John Champagne asked who said that it was a bad decision. Rebecca Huss said that having spent the money should not form their decision on whether they go forward.

Jon Bickford asked that the motion that is on the table be clarified. Rebecca Huss said that there was a motion to table that did not pass, another motion to approve that did not get seconded, and now there is a motion on the table to deny the project. The City Secretary stated that the motion was to deny the funds for the project.

Jon Bickford asked if that was for a period of the whole year or until they collect further data. Rebecca Huss said that she would make her motion to deny the request, until it comes back to City Council.

The motion passed with three Aye votes and 1-Nay vote by John Champagne. (3-1)

9. Consideration and possible action regarding Madsen and Richards, LLC variance request regarding the rear building line from the required 15 feet to 5 feet and the vegetative setback from the required 15 feet to 5.8 feet at 610 Liberty Street.

Mr. Yates presented the information to City Council. Mr. Yates stated that this variance involve a building permit improperly issued, funds expended by the builder based upon the improperly issued permit, an attempt by the City Administrator to correct actions to prevent suit against the City, while also attempting to follow the proper procedure. Mr. Yates advised that Mr. Madsen received a building permit signed by Autumn Redman, Utility Development

Clerk, who did not have authority to sign the permit. Mr. Yates stated that the building plan review had not occurred, nor had the City Engineer been notified. Mr. Yates stated that when Mr. Madsen called for water service and the Director of Public Works, Mike Muckleroy, was notified, he advised that he did not know of the project being reviewed by the City Engineer.

Mr. Madsen was advised of the lack of approval for the project, and was advised that he could not proceed with construction. Mr. Madsen was very concerned and stated that he had installed the rough-in plumbing and had purchased a \$100,000 metal frame building, and was planning on having the concrete poured on January 8, 2018. Mr. Yates said that he met with Mr. Madsen on January 9, 2018, and after conversations with Mr. Madsen, Mr. Roznovsky and Mr. Rick Hanna, Building Inspector, he wrote the January 9, 2018 memo to Mr. Madsen, to which Mr. Madsen agreed to comply.

Mr. Yates said that his thought process was to not get the City sued by Mr. Madsen, while also wanting to hold to the City ordinances, which he believed he had done except for the rear building setback. Mr. Yates said that because of the location of the building, the rear of the building is adjacent to the pond put in by the Heritage Apartments, and because of the height of the building in the rear, all there was, was air. Mr. Yates said that regarding the required vegetation barrier between commercial property and residential property, he admitted that he had given it no thought because of the distance of 1,000 feet between the apartments and Mr. Madsen's building.

Mr. Yates said that Mr. Madsen has complied with every stipulation in the memo and in all other requests made of him.

Mr. Yates said that the reason for the variance is because the City Engineer, in reviewing the site plan, pointed out the lack of the 15-foot rear yard setback and vegetation barrier. Mr. Yates said that last Thursday Mr. Madsen had agreed to plant bushes or whatever could grow in the 5 foot 8 inch area in the rear of the building.

Rebecca Huss asked if Mr. Madsen was present. Mr. Madsen stated that they are doing the process in reverse, and said that if they had known about the due diligence in the first place, when they were developing this building, they would have been able to address these things,

but they did not have an opportunity to address them. Mr. Madsen said that the minute that they were notified by the City that there was an issue, they jumped right on it and they hired Bleyl Engineering to do their civil engineering, which they thought had been done. Mr. Madsen said that Mr. Roznovsky has been gracious and talked to them on how to do everything and they put all that information together. Mr. Madsen said that this is a nice building. Mr. Yates said that they also did the Escrow Agreement. Rebecca Huss said judging from the correspondence and the timeline of events, she wanted to say thank you to Mr. Madsen, because it does seem like he was very willing to work with the City to get everything fixed. Mr. Madsen said that they have not removed any trees, so they have good trees on the back of the property that have been there for years. Mr. Madsen said that they intend to make it look prettier with vegetation and sod on the sides. Mr. Madsen advised that he felt the property will be pleasing to the community and will provide a more affordable location for smaller businesses on SH 105 to come out and generate business in the City. Mr. Madsen said that Mr. Yates and Ms. Hensley have been in contact on the procedures on how to accomplish these things.

John Champagne asked whether there was anything else out of compliance other than the variance. Mr. Yates said that there was nothing else out of compliance.

Jon Bickford asked if the Planning and Zoning Commission had reviewed the building and the plans. Mr. Yates said that they had looked at the information last night at their meeting and they recommended approval. Jon Bickford asked if they also did not look at it until it was built. Mr. Yates said that was correct. Jon Bickford asked how they got this far. John Champagne asked if the architecture was within what the City would have hoped for. Mr. Yates said yes, they are putting stucco and Austin bricks on the front and sides of the building. Mr. Madsen said that if they had to, it would be the nicest building torn down in the City of Montgomery.

Mr. Yates said that part of the reason that he did what he did was because they already had their rough-in plumbing and bought the building based upon the size of the property. Mr. Madsen said that basically they had four inspections at the site, and the City did not catch it until they were ready to pour concrete, which they were delayed for quite some time. Mr. Madsen said that Mr. Muckleroy pinpointed that there was an issue with the utility and so his plumber contacted them to say they had a problem and they could not get a permit, which is



when they jumped into action with the City. Mr. Madsen said that the City has been great to work with and they learned what they need to do so it will never happen again.

Mr. Madsen said that one request that he did have was that he would appreciate it if they could have Mr. Roznovsky's group expedite the process, because they want to finish the project, get it cleaned up and get the parking lot in. Mr. Madsen said that all of their submittals from Bleyl should be in today. Mayor Jones said that he was sure that the City Engineer would take care of the project with speed, as they always do.

Rebecca Huss moved to approve the rear set back variance request. T.J. Wilkerson seconded the motion, the motion carried unanimously. (4-0)

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

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS, AMENDING ARTICLE III, "IMPACT FEES" OF CHAPTER 90 "UTILITIES" OF THE CITY CODE OF ORDINANCES BY DECREASING THE IMPACT FEES FOR WATER AND WASTEWATER IMPROVEMENTS THAT ARE ATTRIBUTABLE TO NEW DEVELOPMENT IN THE CITY'S WATER AND WASTEWATER IMPACT FEE SERVICE AREA WITHIN THE CORPORATE BOUNDARIES OF THE CITY; AMENDING CITY ORDINANCE NO. 2016-21, DATED DECEMBER 13, 2016; PROVIDING A TEXAS OPEN MEETINGS ACT CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE AFTER PUBLICATION.

Mr. Yates advised that this is the Ordinance adopting the Impact Fees.

John Champagne moved to adopt the Ordinance as presented. Rebecca Huss seconded the motion, the motion carried unanimously. (4-0)

11. Buffalo Springs Bridge Report by City Engineer.

Mr. Roznovsky advised that the contractor is on schedule and preparing for the rain that they are expecting in the next few days. Rebecca Huss said that every time that it has rained the

contractor has basically had to re-dig everything. Mr. Roznovsky said not every time, but the excavation pit fills in with water, so the contractor has modified his technique so the last few rains have been mostly water and only delayed them for half a day.

Mayor Jones asked about the wall that was built down the channel, and it looks like they are packing sand on both sides of it, and asked if they were going to pour a cap over the packed sand. Mr. Roznovsky said that the backside is being filled with stabilized sand on top of that, so from there up toward the street will be slope paving like it was before, but now it will be tied into the concrete to help.

## 12. Reckless Driving Report.

Mr. Yates said that since the last Council Meeting, the Police Department continues their enforcement on Old Plantersville Road. Mr. Yates advised that Dr. Rees, Superintendent for MISD, stated that he is ready to move forward in the spring with the following:

- Suspend parking privileges for any student arrested for reckless driving between the hours of 7 a.m. and 3 p.m. or during a school sponsored event, for six weeks, and any subsequent moving violation ticket will result in an additional six week suspension. A third ticket will result in the parking privileges being removed for the remainder of the that school year;
- Suspend parking privileges for any student who is ticketed for speeding two or more times in a six month period in and around the high school between the hours of 7 a.m. and 3 p.m. The suspension will last for six weeks. A subsequent ticket for any reason will result in parking privileges being removed for the remainder of the that school year; and
- Montgomery Police Department will coordinate with MISD Police Department and provide the names of any high school student who receives a reckless driving ticket or speeding tickets. The students will start out with a clean slate, so no past offenses will be counted against the student.

Rebecca Huss said that she has noticed an increase in the last week of volume and speed of the vehicles at 3 p.m. Mr. Yates said that he had told Dr. Rees that they would need to advertise this information. Mayor Jones asked about the startup date for the program. Mr. Yates advised that he would talk to the Chief and find out that information.

Rebecca Huss said that she still feels that a more responsive traffic signal at SH 105 and FM 149, to increase the amount of time for the east/west traffic for that 15 minutes when school lets out and on FM 149 north/south when MES lets out and when the Lone Star Cowboy Church lets out from their activities. Rebecca Huss said that if they had the timing for 35-45 more seconds for each green direction to move traffic, she felt that would fix the problem. Rebecca Huss said that they are only taking the backroads because they assume they are going faster in that direction. Rebecca Huss said that they need to hurry up that intersection project and the upgraded signal box.

**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.

13. Convene into Closed Executive Session as authorized by the Texas Open Meetings Act, Chapter 551 of the Government Code, in accordance with the authority contained in the following:
  - a) 551.071 (confidential consultation with the City Attorney); and
  - b) 551.072 (deliberation regarding real property).

Mayor Jones convened into Closed Executive Session at 8:05 p.m.

14. Convene into Open Session.

Mayor Jones reconvened the Open Session at 8:29 p.m.

**POSSIBLE ACTION FROM EXECUTIVE SESSION:**

15. Consideration and possible action, if necessary, on matters deliberated on during Closed Executive Session with the City Attorney.

Jon Bickford moved to authorize the City Administrator and City Attorney to move forward with crafting a contract for purchase of commercial property for public usage. John Champagne seconded the motion, the motion carried unanimously. (4-0)

**ADJOURNMENT**

Jon Bickford moved to adjourn the meeting at 8:30 p.m. T.J. Wilkerson seconded the motion, the motion carried unanimously. (4-0)

Submitted by:  Date Approved: \_\_\_\_\_

Susan Hensley, City Secretary

\_\_\_\_\_  
Mayor Kirk Jones

# MINUTES OF REGULAR MEETING

April 10, 2018

## MONTGOMERY CITY COUNCIL

### CALL TO ORDER

Mayor Kirk Jones declared a quorum was present, and called the meeting to order at 6:10 p.m.

Present:        Kirk Jones                    Mayor  
                  John Champagne, Jr.    City Council Place # 2  
                  T.J. Wilkerson            City Council Place # 3  
                  Rebecca Huss            City Council Place # 4

Absent:         Jon Bickford                City Council Place # 1  
                  Dave McCorquodale    City Council Place # 5

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

### INVOCATION

T.J. Wilkerson gave the invocation.

### PLEDGE OF ALLEGIANCE TO FLAGS

### 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.

There were no comments made during this item.

## **CONSENT AGENDA:**

1. Matters related to the approval of minutes for the Regular Meeting held on March 27, 2018.

Rebecca Huss moved to table approval of the minutes. T.J. Wilkerson seconded the motion, the motion carried unanimously. (3-0)

2. Consideration and possible action regarding street closure of a part of North McCown, on April 22, 2018 from 10:00 a.m. to 8:00 p.m., for the One Year Anniversary Celebration of Whitley Winery as submitted by Gina Whitley.

Rebecca Huss asked if the Chief of Police had been consulted regarding this event. Mr. Yates advised that he had not had a chance to talk to the Chief. Rebecca Huss said that she agreed that it was a very quiet period of time when the streets would be closed.

Rebecca Huss moved to approve the street closure of a part of North McCown, on April 22, 2018, from 10:00 a.m. to 8:00 p.m., for the One Year Anniversary Celebration of Whitley Winery as submitted by Gina Whitley. John Champagne seconded the motion, the motion carried unanimously. (3-0)

## **CONSIDERATION AND POSSIBLE ACTION:**

3. Consideration and possible action regarding approval of an Encroachment and Maintenance Agreement by and between the City of Montgomery and BW Montgomery Investment, LLC.

Mr. Roznovsky advised that this was the proposed Blue Wave Car Wash on the west side of Gardner Drive by Kroger. Mr. Roznovsky said that they were proposing to place a private storm sewer within the existing utility easement. Mr. Roznovsky said that the agreement has been reviewed by the City Attorney and the developer has signed, along with the required additional forms.

Rebecca Huss said that unlike the previous agreement that they discussed last week, this one does not require the City to pay, should the items that they are putting into the City's easement

is damaged. Mr. Roznovsky said that was correct. Mayor Jones said that was because they own the storm sewer.

Mr. Roznovsky said that they have reviewed the plans and have no objections to this, so their recommendation is to approve this action.

Rebecca Huss moved to approve the sewer Encroachment and Maintenance Agreement by and between the City of Montgomery and BW Montgomery Investment, LLC. Blue Wave Express Car Wash. T.J. Wilkerson seconded the motion, the motion carried unanimously. (3-0)

4. Consideration and possible action regarding participation in the Texas Target Communities program in conjunction with Texas A&M University regarding City Master Planning.

Mr. Yates advised that this is a letter of interest to Texas A&M to participate in the Texas Target Communities Program where students and faculty of Texas A&M produce a community-wide master plan. Mr. Yates advised this would gain a quality master plan at no cost to the City. Mr. Yates advised that the need for a master plan has been discussed several times, but has been held up each time because of the costs involved. Mr. Yates said that there is a no cost to the City for this program other than incidental costs of holding the meetings, which would probably be less than \$5,000.

Mr. Yates said that the master plan is different from the water and sewer master plan and mobility plan and would look at the entirety of the City for items such as park needs, financial planning, street work, downtown planning, social needs (such as senior citizen's needs, lower income needs and transportation network needs) and City facilities (such as the needs of the police department, public works and City administration needs). Mr. Yates said that there might be other subjects that could arise during the public meetings.

Mr. Yates advised that this is a participatory process with the Community coordinated and facilitated by A&M staff and students, where the persons attending the meetings are asked their opinions about various community subjects, then are put into committees to work on those particular community subjects. The City Council would be the ultimate approver of the

community plan as written by the various committees. Mr. Yates said that planning work would be coordinated with each community between June 2018 and September 2019.

John Champagne asked about the scope of the project and whether it was specifically focused on the City. Mr. Yates said that it was specifically on the City. Mr. Yates advised that the committees would be formed and facilitated by the Texas A&M staff. Mr. Yates said that they would send out a notice to the citizens regarding attending 1-3 general meetings, and then from those meetings committees would be formed on specific items. Mr. Yates said that each of the committees would come up with the needs and the goals, and make a recommendation on how the City would accomplish them. Mr. Yates said that this would be about a 6-8 month process.

Rebecca Huss said that she had read several of the previous studies and the ones that had community participation were the only ones that had any valuable information, otherwise it was things that you could have found on the internet and a total waste of money. Rebecca Huss said that bringing a small community together, where everyone has very strong opinions, and coming up with a plan where people agree to move forward can be challenging, but she felt that it could also be very valuable to break everything down into small sections that they could afford to move forward on. Mr. Yates said that one of the benefits will be a specific action plan and planning for the future.

John Champagne asked how much staff time, and specifically, the City Administrator, would be necessary to be devoted to this project. John Champagne then asked if A&M would spearhead and pretty much facilitate the program, so all the City would do would be to provide the venue. Mr. Yates said that primarily that was correct, and he might attend some of the meetings. John Champagne said that if they had a clash of ideas that would not come to the City Administrator that would be vetted out with A&M. Mr. Yates said that was correct.

T. J. Wilkerson asked what they would do differently that the Planning and Zoning Commission could not do. Mr. Yates said that they would organize and recruit the citizens. T.J. Wilkerson asked Mr. Yates if he did not think that the Commission could recruit the people better. T. J. Wilkerson asked if the Commission ever went out into the community and asked people for ideas. Mr. Yates said that they have had a couple neighborhood meetings,



but not very many. John Champagne said that the way he understood it, they would bring a template and/or scope and what drives the plan is the community involvement, which is what it sounds like, and if that is the case, that is a good thing. Mr. Yates said that they are the facilitator, not the decider.

Mayor Jones said that the City did go through this type of project before where they paid a company to do the same thing, and they attempted to get community involvement. Mayor Jones said that it started out good, but as time went on the community became less involved and they ended up with a boiler plate that was just something that they could have researched on the internet. Mayor Jones said that since this is free of charge, and as long as they can keep the enthusiasm up he felt that it would be a good thing for the community. Mr. Yates said that he felt the primary difference between this and the other master plans that he has seen, similar to the one that was attempted a couple of years ago, is that the thoughts before all seemed to be from the person writing the plan rather than from the community. Mr. Yates said that he felt that what the City will get from this process is a specific 5-10 items that they can use as budgetary planning points.

John Champagne moved to approve the letter of interest regarding the A&M the Texas Target Communities program in conjunction with Texas A&M University regarding City Master Planning, with the caveat that it does not entail a large amount of City staff and City Administrator's time. Rebecca Huss seconded the motion, the motion carried unanimously. (3-0)

5. Buffalo Springs Bridge Report by the City Engineer.

Mr. Roznovsky gave an update on the Buffalo Springs Bridge, stating that the contractor has poured a section of the wall and they will begin forming the next section. Mr. Roznovsky advised that the contractor continues to be on schedule with the original completion date to be June 2018.

Rebecca Huss asked how far underground the rebar is placed. Mr. Roznovsky advised that there is a concrete footing, that has three-foot deep toe walls on either end, and they have begun working on the backfilling.

Mr. Roznovsky said that the reason they are doing short chunks is because of the amount of groundwater that they are having to deal with; based on what they have seen they will not have that problem on the other side of the creek, so hopefully they will be able to do larger chunks and pick up some time. Mr. Roznovsky said that they have scheduled weekly updates. John Champagne asked if they have fallen behind on the schedule. Mr. Roznovsky said that the contractor is right on schedule.

Rebecca Huss asked about the dirt that is being poured behind the wall to make it sounder. Mr. Roznovsky said that it was a mixture of cement stabilized sand and some is land fill, to build up the area. Rebecca Huss asked if once the wall is finished, whether they had to worry about any more rain, because the slope will be protected from rain. Mr. Roznovsky stated that the water would still be coming between, but all the work will be above normal water level, because right now they are six feet below the 201 elevation of Lake Conroe. Mr. Roznovsky said that once they have the footings completed there will be rock placed 24-36 inches deep to help protect against erosion around the base.

T. J. Wilkerson said that looking at Plez Morgan Road, they are cleaning and asked if that was part of the bridge project. Mr. Roznovsky said that was not the City's contractor, the landowner is doing improvements to help because a lot of the silt has been coming down from there. T. J. Wilkerson asked if Mr. Roznovsky knew how far the owner was going to go upstream. Mr. Roznovsky said that he did not know, but he did see some preliminary information from the property owner and he did not think that they were going all the way to Plez Morgan Road, because most of the issues were further downstream, but a good section is being stabilized. Mayor Jones asked if the owner is reshaping the channel instead of having it up and down. Mr. Roznovsky said that is what he understood, that they were going to be sloping it back to try and stabilize it so it stops the erosion. Mr. Roznovsky said that one of the property owner's ponds is breached to drain out and allow more capacity in that area, because he thinks that the property owner is going to try to do a revision to the floodplain maps to help reclaim some land out of the floodway. T. J. Wilkerson asked if that would help the water drain faster from FM 149. Mr. Roznovsky said that it would help that drainage, and would help the capacity, but he felt that the owner's main goal was to stop the erosion, so that the water does not continue to eat away at his property and end up downstream. Mayor Jones

asked if the owner was going to plant something on the new slopes. Mr. Roznovsky said that he did not know, but said that typically they would go in with some type of seed to get vegetation established. Rebecca Huss asked if the property owner had the approval of the Corp. of Engineers to do the work. Mr. Roznovsky said that he did have approval. Mayor Jones said that the City Administrator is receiving a lot of calls, so that is what is going on and all is okay.

Mr. Roznovsky advised that they had received the second pay estimate. Rebecca Huss asked if the City had been reimbursed by FEMA for the first pay estimate that the City paid. Mr. Yates advised that they had not received funds yet, but the paperwork has been sent. Rebecca Huss asked how close they were to the maximum that the City had set as the limit on how much the City could pay out before they have to borrow funds. Mr. Yates said that, at this point, they were at \$75,000. Mr. Roznovsky said that the first pay estimate was \$115,000 and 25% of that has already come back, and the second pay estimate that was just sent to the City today is \$50,000, and the third pay estimate will be coming in the next few weeks, which will be approximately the \$100,000 to \$150,000 range.

**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.

6. Convene into Closed Executive Session as authorized by the Texas Open Meetings Act, Chapter 551 of the Government Code, in accordance with the authority contained in the following:
  - a) 551.071 (confidential consultation with the City Attorney); and
  - b) 551.072 (deliberation regarding real property).

Mayor Jones convened into Closed Executive Session at 634 p.m.

7. Convene into Open Session.

Mayor Jones reconvened into Open Session at 7:07 p.m.

**POSSIBLE ACTION FROM EXECUTIVE SESSION:**

8. Consideration and possible action, if necessary, on matters deliberated on during Closed Executive Session with the City Attorney.

Rebecca Huss moved that the City enter into a commercial improved earnest money contract to purchase property located at 21049 Eva Street in Montgomery. John Champagne seconded the motion, the motion carried unanimously. (3-0)

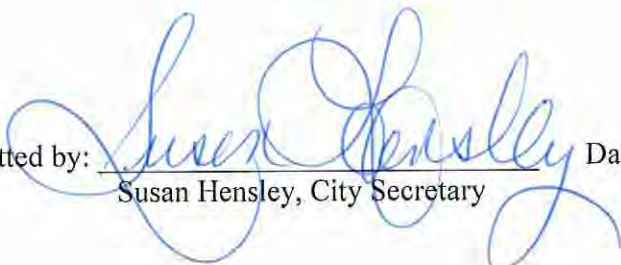
**COUNCIL INQUIRY:**

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

There were no inquiries.

**ADJOURNMENT**

Rebecca Huss moved to adjourn the meeting at 7:08 p.m. T.J. Wilkerson seconded the motion, the motion carried unanimously. (3-0)

Submitted by:  Date Approved: \_\_\_\_\_  
Susan Hensley, City Secretary

\_\_\_\_\_  
Mayor Kirk Jones

Montgomery City Council  
**AGENDA REPORT**

<b>Meeting Date: April 24, 2018</b>	<b>Budgeted Amount:</b>
<b>Prepared By: Jack Yates</b> <b>City Administrator</b>	<b>Exhibits:</b> letter of request, days events, Map showing streets closed
<b>Date Prepared: April 19, 2018</b>	

**Subject**

This is a request to close certain streets on July 4 for the Freedom Fest parade and events.

**Description**

This is a request from the Freedom Fest sponsor, the Montgomery Area Chamber of Commerce, to close Prairie St., College Street McCown Street, Caroline Street, John A. Butler Street and the FM 149 on Wednesday, July 4 from 9 AM to 4 PM.

This is the same street closure and parade route as last year.

**Recommendation**

Approve the closure.

**Approved By**

City Administrator

Jack Yates

Date: April 19, 2018

# Freedom Fest



July 4, 2018

Dear City Council,

Wednesday, July 4, 2018 marks our 5th annual Freedom Fest including parade, children's area, BBQ cook-off, baking contest, and crafter's market vendors. Due to the 4<sup>th</sup> falling exactly mid-week, we have elected to move Freedom Fest to Wednesday instead of traditional 1<sup>st</sup> Saturday. We are requesting permission to close the streets for the parade route at the times listed.

Following the parade, we would like to enclose the "T" of **College and McCown** for the remainder of the day for the safety of festival goers. The "T" is marked in green on the attached map and will allow for ease of traffic flow along McCown to circle in and out of the parking lot in front of the Steak House. During the past 5 years, we have had no problems with this set up. Festival goers and business owners alike, have had good success. Should there be any special deliveries on this holiday, we will manage road blocks to accommodate the drivers.

The entire event will be closed by 4pm this year. This leaves plenty of time for families to rest and wash up if they want to view fireworks over the lake in the evening.

We recognize that with the growth of the community, hosting events like this has become increasingly difficult or potentially painful as we attempt to offer quality of life benefits to our local residents. This event brings the community together as a family and we want to be good stewards of the opportunity.

Over the years, we have made note of the increase in trash, the strain of finding ample parade line up space, and the inconvenience of closing down streets. As any community would, we try to minimize the negatives, while still managing to bring the positives of hosting a traffic draw like this to our Historic District. The Freedom Fest planning team has made every effort to address the concerns of the community residents, business owners, and council leadership. We have increased our volunteer staff with a focused effort on **trash clean up** as well as manning the **road blocks** before and after the parade. MISD has graciously offered us the opportunity to utilize their **property to manage parade line up**. We are also **researching alternate routes** in the future that will enable the festival to divert this congestion in another direction, and possibly give us a few more years to enjoy the "small town life" that we cherish so much.

Thanks so much for your support!

Respectfully yours,  
Shannan Reid  
Montgomery Area Chamber of Commerce

# Freedom Fest



July 4, 2018

## Overview of Events

**9am – 4pm**

*Hosted by Montgomery Area Chamber of Commerce  
Partnered with National Charity League  
Masonic Lodge #25  
Montgomery Christian Academy  
First Montgomery Baptist Church*

### **FREEDOM PARADE**

ABT Parade = “Anything but a Trailer” IE golf carts, walking, bikes, cars, tractor  
10am Line Up at Prairie St and Clepper St  
11am Start Time  
Theme: Star Spangled Salute

### **CRAFTERS MARKET**

Open 9am – 4pm  
Lone Star 1st Saturday Vendors and more!  
Old Community Center Lot

### **BBQ COOK-OFF**

Open to public for tastings 12:30pm  
Announcements on Main Stage begin at 3pm  
Teams will be stationed in the lot behind the stage and along the parking spaces on College St.

### **BAKING CONTEST**

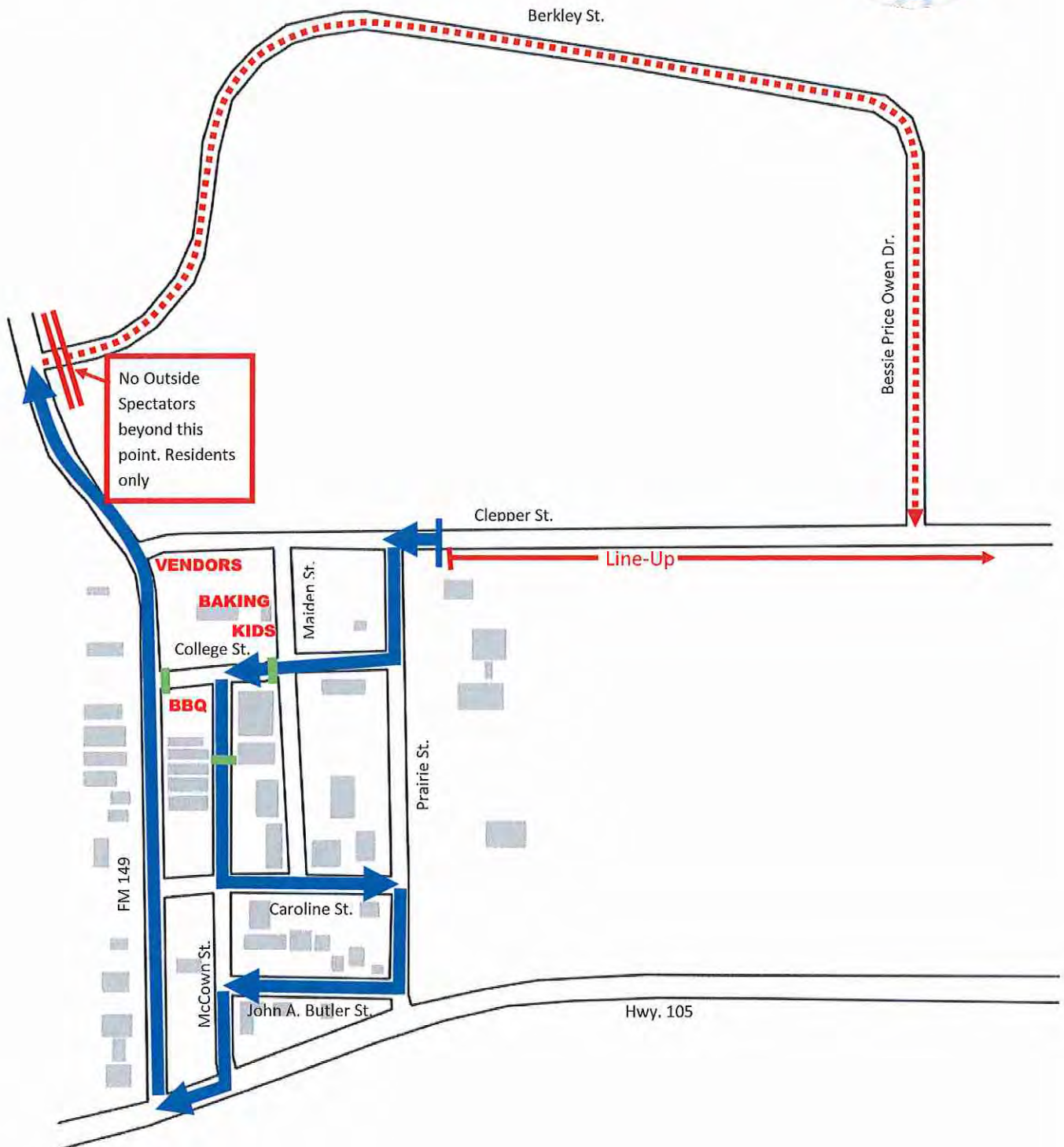
Inside Community Center  
Entries submitted starting at 8am  
Open to public for tastings 12:00pm  
Judging: Cakes, Pies, Red, White & Blue, Open  
Announcements on Main Stage begin at 3pm

### **KIDZONE**

Open 9am-3pm  
Family fun activities  
Inflatables, Pet Adoptions

# Freedom Fest

July 4, 2018 Parade Route





Montgomery City Council  
**AGENDA REPORT**

<b>Meeting Date: April 24, 2018</b>	<b>Budgeted Amount:</b>
<b>Prepared By: Jack Yates</b> <b>City Administrator</b>	<b>Exhibits: Escrow agreement</b>
<b>Date Prepared: April 19, 2018</b>	

**Subject**

This is to approve a standard escrow agreement between the city and Samdana, Investments, L.P.

**Description**

This is approval of the escrow agreement. The funds have already been deposited with the City.

**Recommendation**

Approve the Escrow Agreement.

**Approved By**

City Administrator	Jack Yates	Date: April 19, 2018
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**ESCROW AGREEMENT**  
**BY AND BETWEEN**  
**THE CITY OF MONTGOMERY, TEXAS,**  
**AND**  
**Samdana Investments, L.P.**  
**Dev. No. 1801**

THE STATE OF TEXAS            ⊃

COUNTY OF MONTGOMERY       ⊃

This Escrow Agreement, is made and entered into as of the 25<sup>TH</sup> day January, 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 Samdana Investments, L.P., a Texas Corporation, (hereinafter called the "Developer").

**RECITALS**

WHEREAS, the Developer desires to acquire and develop all or part of a subdivision of 0.2907 acres of land out of the John Corner Survey, Abstract No. 8, City of Montgomery, Montgomery County, Texas, sometimes referred to as the Samdana Investments 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 and inspection services to be provided

for during the construction phase; and,

WHEREAS, City has determined that the estimated cost of providing such services will be approximately \$3,000.

**AGREEMENT**

ARTICLE I

**SERVICES REQUIRED**

Section 1.01 The development of the Samdana Investments 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:

Plan Review	\$ 2,000
Developer Coordination	\$ 500
Construction Inspection	\$ 500
<hr/>	
TOTAL	\$3,000

Section 2.02 Developer agrees to submit payment of the Escrow Fund to City no later than ten (10) days after the execution of this Escrow Agreement.

Section 2.03 In the event the funds advanced are insufficient to cover the City's costs and expenses, Developer agrees to tender additional sums upon request to cover such costs and expenses. 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 United States mail postpaid and registered or certified and addressed to the party to be notified, with return receipt requested, or by delivering the same to an officer of such party. Notice deposited in the mail in the manner herein above described shall be conclusively deemed to be effective, unless otherwise stated in this Escrow Agreement, from and after the expiration of seven (7) days after it is so deposited. Notice given in any other manner shall be effective only when received by the party to be notified. For the purpose of notice, the addresses of the parties shall, until changed as hereinafter provided, be as follows:

If to City, to: City Administrator  
City of Montgomery  
101 Old Plantersville Rd.  
Montgomery, Texas 77356

If to Developer, to: Mr. Sopheap Chem  
Samdana Investments, L.P.  
9326 Brentwood Lakes Circle  
Spring, Texas 77379

The parties shall have the right from time to time and at any time to change their respective addresses, and each shall have the right to specify as its address any other address by at least fifteen (15) days written notice to the other party.

Section 3.06 This Escrow Agreement shall be subject to change or modification only in writing and with the mutual consent of the governing body of City and the management of Developer.

Section 3.07 This Escrow Agreement shall bind and benefit City and its legal successors and Developer and its legal successors but shall not otherwise be assignable, in whole or in part, by either party except as specifically provided herein between the parties or by supplemental agreement.

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: \_\_\_\_\_  
Kirk Jones, Mayor

ATTEST:

By: \_\_\_\_\_  
Susan Hensley, City Secretary

Samdana Investments, L.P.  
Developer

By: \_\_\_\_\_  
Signature

Title: president

STATE OF TEXAS {

COUNTY OF MONTGOMERY {

BEFORE ME, the undersigned authority, on this day personally appeared Kirk Jones, 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.

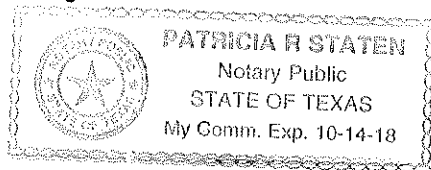
\_\_\_\_\_  
Notary Public, State of Texas

THE STATE OF TEXAS . {

COUNTY OF Harris {

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared SOLHEAP CHEM, \_\_\_\_\_ 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 25<sup>TH</sup> day of January 2018.



Patricia R. Staten  
Notary Public, State of Texas



## Prohibition on Boycotting Israel Verification

This Verification is hereby incorporated into the terms of the contract by and between City of Montgomery and Samdana Investments entered into this the 25 day of January 2018.

1. Samdana Investments, in conjunction with the execution of the above referenced contract and in accordance with Chapter 2270 of the Texas Government Code, effective September 1, 2017, does hereby agree, confirm, and verify that it:

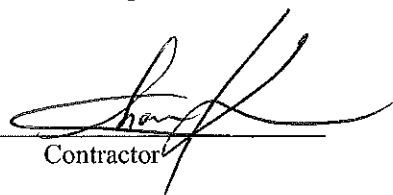
- A. Does not Boycott Israel; and
- B. Will not Boycott Israel during the term of the contract.

"Boycott Israel" has the meaning given to it in Chapter 808 of Subtitle A, Title 8 of the Texas Government Code. As of the effective date of the statute, the term means "refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action make for ordinary business purposes."

2. Contractor hereby acknowledges and agrees that this verification is a material term of the contract and Owner is expressly relying on this verification in agreeing to enter into the contract with Contractor.
3. **TO THE MAXIMUM EXTENT PERMITTED BY LAW, CONTRACTOR AGREES TO INDEMNIFY, DEFEND AND HOLD HARMLESS OWNER FROM ALL CLAIMS, CAUSES OF ACTION, LEGAL PROCEEDINGS, DAMAGES, COSTS, FEES AND EXPENSES ARISING OUT OF OR RELATED TO AN ACTUAL OR ALLEGED MISREPRESENTATION BY CONTRACTOR PROVIDED HEREUNDER.**

[Signatures on Following Page]

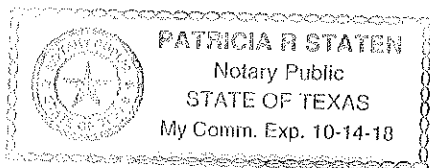
Prohibition on Boycotting Israel Verification [Continued]

  
Contractor

State of Texas  
County of Harris

Before me, a notary public, on this day personally appeared Sopheap Chem known to me to be the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that the statements therein contained in Paragraph 1A and B are true and correct.

(Personalized Seal)



  
Notary Public's Signature

Receipt and incorporation into the above referenced contract hereby agreed to and acknowledged by:

\_\_\_\_\_  
Owner

# CERTIFICATE OF INTERESTED PARTIES

FORM 1295

1 of 1

Complete Nos. 1 - 4 and 6 if there are interested parties.  
Complete Nos. 1, 2, 3, 5, and 6 if there are no interested parties.

## OFFICE USE ONLY CERTIFICATION OF FILING

**1 Name of business entity filing form, and the city, state and country of the business entity's place of business.**  
Samdana Investments, L.P.  
Montgomery, TX United States

Certificate Number:  
2018-305016

Date Filed:  
01/23/2018

**2 Name of governmental entity or state agency that is a party to the contract for which the form is being filed.**  
City of Montgomery

Date Acknowledged:

**3 Provide the identification number used by the governmental entity or state agency to track or identify the contract, and provide a description of the services, goods, or other property to be provided under the contract.**  
1801  
Escrow Agreement

4 Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
		Controlling	Intermediary
Chem, Sopheap	Spring, TX United States	X	

**5 Check only if there is NO Interested Party.**

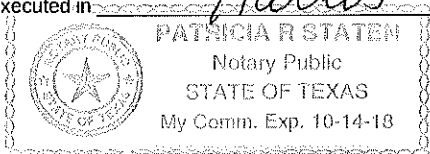
**6 UNSWORN DECLARATION**

My name is Sopheap Chem, and my date of birth is 01-01-1971

My address is 27503 Blue Cedar Lan. Spring TX 77386 Montgomery  
(street) (city) (state) (zip code) (country)

I declare under penalty of perjury that the foregoing is true and correct.

Executed in Harris County, State of Texas, on the 25 day of January, 2018  
(month) (year)



Patricia R. Staten  
Signature of authorized agent of contracting business entity  
(Declarant)

# Amegy Bank

of Texas

AMEGY BANK, a division of ZB, N.A.  
PO BOX 27459 HOUSTON, TEXAS 77227-7459

## CASHIER'S CHECK

No. 490002

Notice to Purchaser: As a condition to this institution's issuance of this check, Purchaser agrees to provide an Indemnity Bond prior to the refund or replacement of this check in the event it is lost, misplaced, or stolen.

35-1125/1130

PURCHASER: SAMDANA INVESTMENT L.P.

Void if over \$3,000.00

**PAY  
EXACTLY**



THREE THOUSAND ZERO ZERO ZERO PERIOD ZERO ZERO

**DATE**  
1/25/2018

**AMOUNT**  
\$3,000.00

Three Thousand Dollars and Zero Cents

**PAY TO THE ORDER OF** THE CITY OF MONTGOMERY TEXAS

CHECKS OVER \$25,000.00 MUST HAVE 2 SIGNATURES



*Kay Yeager*  
MP AUTHORIZED SIGNATURE

⑈ 490002 ⑈ ⑆ 1130 11258 ⑆

⑈ 190 1125 ⑈

Details on Back Security Features Included

Montgomery City Council  
**AGENDA REPORT**

<b>Meeting Date: April 24, 2018</b>	<b>Budgeted Amount:</b>
<b>Prepared By: Jack Yates</b> <b>City Administrator</b>	<b>Exhibits: Escrow agreement</b>
<b>Date Prepared: April 19, 2018</b>	

**Subject**

This is to approve a standard escrow agreement between the city and Procor Development 105, LLC.

**Description**

This is approval of the escrow agreement. This property is the property north of the Dusty's Car Wash tract and other pad sites along State Highway 105. The funds have already been deposited with the City.

**Recommendation**

Approve the Escrow Agreement.

**Approved By**

City Administrator	Jack Yates	Date: April 19, 2018
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**ESCROW AGREEMENT**  
**BY AND BETWEEN**  
**THE CITY OF MONTGOMERY, TEXAS,**  
**AND**  
**PROCORE DEVELOPMENTS 105, LLC**  
**Dev. No. 1804**

THE STATE OF TEXAS            ⊃

COUNTY OF MONTGOMERY    ⊃

This Escrow Agreement, is made and entered into as of the 15th day March, 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 PROCORE DEVELOPMENTS 105, LLC, a Texas Corporation, (hereinafter called the "Developer").

**RECITALS**

WHEREAS, the Developer desires to acquire and develop all or part of a commercial tract containing 1.0198 acres of land situated in the John Corner Survey, Abstract Number 8, Montgomery County, Texas, being out of the easterly portion of Reserve "C", Block 1 of Montgomery First, a subdivision of record at Cabinet Z, Sheet 4633 of the Map Records of Montgomery County, Texas, sometimes referred to as the ProCore 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, and inspection services to be provided for during the construction phase; and,

WHEREAS, City has determined that the estimated cost of providing such services will be approximately \$3,000.

**AGREEMENT**

ARTICLE I

**SERVICES REQUIRED**

Section 1.01 The development of the ProCore 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:

Plan Review	\$ 2,000
Developer Coordination	\$ 500
Construction Inspection	\$ 500
<hr/>	
TOTAL	\$ 3,000

Section 2.02 Developer agrees to submit payment of the Escrow Fund to City no later than ten (10) days after the execution of this Escrow Agreement.

Section 2.03 In the event the funds advanced are insufficient to cover the City's costs and expenses, Developer agrees to tender additional sums upon request to cover such costs and expenses. 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 United States mail postpaid and registered or certified and addressed to the party to be notified, with return receipt requested, or by delivering the same to an officer of such party. Notice deposited in the mail in the manner herein above described shall be conclusively deemed to be effective, unless otherwise stated in this Escrow Agreement, from and after the expiration of seven (7) days after it is so deposited. Notice given in any other manner shall be effective only when received by the party to be notified. For the purpose of notice, the addresses of the parties shall,

until changed as hereinafter provided, by as follows:

If to City, to: City Administrator  
City of Montgomery  
101 Old Plantersville Rd.  
Montgomery, Texas 77356

If to Developer, to: Mr. Andy S. Friedman  
ProCore Developments 105, LLC  
16331 Dexter Point Dr  
Cypress, Texas 77429

The parties shall have the right from time to time and at any time to change their respective addresses, and each shall have the right to specify as its address any other address by at least fifteen (15) days written notice to the other party.

Section 3.06 This Escrow Agreement shall be subject to change or modification only in writing and with the mutual consent of the governing body of City and the management of Developer.

Section 3.07 This Escrow Agreement shall bind and benefit City and its legal successors and Developer and its legal successors but shall not otherwise be assignable, in whole or in part, by either party except as specifically provided herein between the parties or by supplemental agreement.

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: \_\_\_\_\_  
Kirk Jones, Mayor

ATTEST:

By: \_\_\_\_\_  
Susan Hensley, City Secretary

ProCore Developments 105, LLC  
Developer: \_\_\_\_\_

By:  \_\_\_\_\_ as manager  
Signature

Title: Managing Member \_\_\_\_\_

STATE OF TEXAS {

COUNTY OF MONTGOMERY {

BEFORE ME, the undersigned authority, on this day personally appeared Kirk Jones, 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

STATE OF TEXAS {

COUNTY OF MONTGOMERY {

BEFORE ME, the undersigned authority, on this day personally appeared Kirk Jones, 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

## Prohibition on Boycotting Israel Verification

This Verification is hereby incorporated into the terms of the contract by and between ProCore Development, Inc. and KCS, Inc. entered into this the 15 day of March, 2018.

1. KCS, Inc., in conjunction with the execution of the above referenced contract and in accordance with Chapter 2270 of the Texas Government Code, effective September 1, 2017, does hereby agree, confirm, and verify that it:

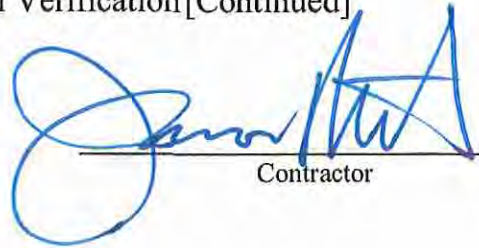
- A. Does not Boycott Israel; and
- B. Will not Boycott Israel during the term of the contract.

"Boycott Israel" has the meaning given to it in Chapter 808 of Subtitle A, Title 8 of the Texas Government Code. As of the effective date of the statute, the term means "refusing to deal with, terminating business activities with, or otherwise taking any action that is intended to penalize, inflict economic harm on, or limit commercial relations specifically with Israel, or with a person or entity doing business in Israel or in an Israeli-controlled territory, but does not include an action made for ordinary business purposes."

2. Contractor hereby acknowledges and agrees that this verification is a material term of the contract and Owner is expressly relying on this verification in agreeing to enter into the contract with Contractor.
3. **TO THE MAXIMUM EXTENT PERMITTED BY LAW, CONTRACTOR AGREES TO INDEMNIFY, DEFEND AND HOLD HARMLESS OWNER FROM ALL CLAIMS, CAUSES OF ACTION, LEGAL PROCEEDINGS, DAMAGES, COSTS, FEES AND EXPENSES ARISING OUT OF OR RELATED TO AN ACTUAL OR ALLEGED MISREPRESENTATION BY CONTRACTOR PROVIDED HEREUNDER.**

[Signatures on Following Page]

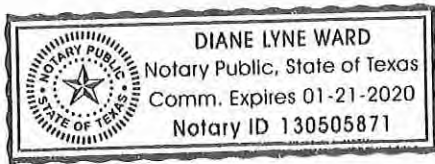
Prohibition on Boycotting Israel Verification [Continued]

  
Contractor

State of Texas  
County of Harris

Before me, a notary public, on this day personally appeared Jason Keenan, known to me to be the person whose name is subscribed to the foregoing document and, being by me first duly sworn, declared that the statements therein contained in Paragraph 1A and B are true and correct.

(Personalized Seal)



  
Notary Public's Signature

Receipt and incorporation into the above referenced contract hereby agreed to and acknowledged by:

  
Owner





Montgomery City Council  
**AGENDA REPORT**

<b>Meeting Date: April 24, 2018</b>	<b>Budgeted Amount:</b>
<b>Prepared By: Jack Yates</b> City Administrator	<b>Exhibits:</b> Proposed Lease document <i>e-mail from Shanna Reid</i> <i>re: lease history</i>
<b>Date Prepared: April 20, 2018</b>	

**Subject**

This is for a 5-year leasing of the property south of the Davis Museum-bordered by McCown Street on the east, SH 105 to the south and FM 149 to the west.

**Description**

The attached Lease is for a three-year period at a cost of \$2500 per year. This amount is up from the present annual cost of \$1,000. The city has leased this property for many years (not sure how many, more than five though) The area leased includes the electronic sign location.

The cost of the lease also includes the payment of the taxes due on the property, \$2,950 this year.

The Lease allows full use of the land, including use for overflow parking, use by civic groups (with city permission) to use for fairs and other events—almost anything including asphaltting a parking area (not a recommendation, just a comment)..

**Recommendation**

Approve the Lease as presented.

**Approved By**

City Administrator	Jack Yates	Date: April 20, 2018
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**LEASE AGREEMENT BETWEEN CITY OF MONTGOMERY,  
TEXAS AND VIRGINIA LEE ADAMS**

**Date:** May \_\_\_\_, 2018

**Landlord:** VIRGINIA LEE ADAMS

**Landlord's Address:**

1309 Broadway Street  
Galveston, Texas 77550

**Tenant:** CITY OF MONTGOMERY, TEXAS

**Tenant's Address:**

P. O. Box 708  
Montgomery, Texas 77356

**Premises:** BEING an approximate 0.71-acre tract of land described in the attached Exhibit "A" and being further described as two separate tracts referred to herein as Tract One and Tract Two. Tract One shall be that portion of the Premises lying north of the 0.25-acre tract conveyed to the Montgomery Historical Society by instrument filed under clerk's file no. 8411306. Tract Two shall be that portion of the Premises lying south of the 0.25-acre tract conveyed to the Montgomery Historical Society by instrument filed under clerk's file no. 8411306.

**Term (months):** Sixty (60) months

**Commencement Date:** May 1, 2018

**Termination Date:** April 30, 2021. Notwithstanding anything herein to the contrary, Landlord shall have the right to terminate this Lease as to Tract One by providing Tenant thirty (30) days written notice but only in the event Landlord pays to Tenant, in advance, the value of all improvements erected and installed on Tract One pursuant to this Lease. Landlord shall have the right to terminate this Lease as to Tract Two by providing Tenant thirty (30) days written notice. In the event Landlord terminates the Lease prior to the Termination Date, Tenant will be relieved of its responsibility to pay the Rent and ad valorem property taxes on the Tract in which the Lease is terminated early.

**Rent:** Tenant shall pay to Landlord each year an amount equal to the Landlord's ad valorem tax liability for the Premises, with the first Rent payment being equal to the tax liability on the Premises for the 2013 tax year. Landlord shall present tax invoices each year to Tenant for payment, and Tenant shall remit payment within thirty (30) days of said presentment.

**Additional Annual Rent Fee:** Tenant shall pay to Landlord an additional rent fee in the amount of Two Thousand Five Hundred and No/100 (\$2,500.00) upon the execution of this Lease; and Tenant shall pay this same amount each year on the anniversary date of the Lease, during the term of the Lease.

**Permitted Use of Tract One:** Tenant shall be permitted to construct, install, maintain, utilize and operate an asphalt parking lot, sidewalks, and/or monuments on Tract One, along with related appurtenances, including, but not limited to, overhead lighting, fencing, benches, gazebos and other improvements necessary to promote Tenant's use of Tract One as an overflow parking area and events area for the City of Montgomery and the public.

**Permitted Use of Tract Two:** Tenant shall be permitted to construct, install, erect, and maintain signage on Tract Two, in the sizes and location as desired by Tenant, as well as removable improvements such as park benches, gazebos and similar structures.

### **Clauses and Covenants**

**A. Tenant agrees to—**

1. Lease the Premises for the entire Term beginning on the Commencement Date and ending on the Termination Date.
2. Accept the Premises in their present condition "AS IS," the Premises being currently suitable for the Permitted Use.
3. Obey (a) all laws relating to Tenant's use, maintenance of the condition, and occupancy of the Premises and Tenant's use of any common areas and (b) any requirements imposed by utility companies serving or insurance companies covering the Premises.
4. Pay annually, upon presentation by Landlord to Tenant of the ad valorem tax bill on the Premises within thirty (30) days of said presentation, the Rent.
5. Obtain and pay for all utility services used by Tenant and not provided by Landlord.
6. Allow Landlord to enter the Premises to perform Landlord's obligations, inspect the Premises, and show the Premises to prospective purchasers.
7. Repair, replace, and maintain any part of the Premises that Landlord is not obligated to repair, replace, or maintain, normal wear excepted.
8. Vacate the Premises on the last day of the Term.
9. Maintain a liability insurance policy covering the Premises in an amount similar to other property owned and or lease by Tenant and provide Landlord certificates of insurance or

other proof of said insurance on request. The liability policy must be endorsed to name Landlord as an additional insured.

10. Maintain the premises in a neat and attractive condition, and reasonably mowed and maintained.

**B. Tenant agrees not to—**

1. Use the Premises for any purpose other than the Permitted Use.
2. Create a nuisance.
3. Permit any waste.
4. Allow a lien to be placed on the Premises.
5. Assign this lease or sublease any portion of the Premises without Landlord's written consent.

**C. Landlord agrees to—**

1. Lease to Tenant the Premises subject to the Term and Termination Date provisions.
2. Obey all laws relating to Landlord's operation of the Premises.

**D. Landlord agrees not to—**

1. Interfere with Tenant's possession of the Premises as long as Tenant is not in default.
2. Unreasonably withhold consent to a proposed assignment or sublease.

**E. Landlord and Tenant agree to the following:**

1. *Alterations.* Any physical additions or improvements to the Premises made by Tenant will become the property of Landlord. Landlord may require that Tenant, at the end of the Term and at Tenant's expense, remove any physical additions and improvements, repair any alterations, and restore the Premises to the condition existing at the Commencement Date, normal wear excepted.

2. *Abatement.* Tenant's covenant to pay Rent and Landlord's covenants are independent. Except as otherwise provided, Tenant will not be entitled to abate Rent for any reason.

3. *Default by Landlord/Events.* Defaults by Landlord are failing to comply with any provision of this lease within thirty days after written notice within ten days after written notice.

4. *Default by Landlord/Tenant's Remedies.* Tenant's remedies for Landlord's default are to sue for damages.

5. *Default by Tenant/Events.* Defaults by Tenant are (a) failing to pay timely Rent, (b) abandoning or vacating a substantial portion of the Premises, and (c) failing to comply within ten days after written notice with any provision of this lease other than the defaults set forth in (a) and (b).

6. *Default by Tenant/Landlord's Remedies.* Landlord's remedies for Tenant's default are to terminate this lease by written notice and sue for damages.

7. *Default/Waiver/Mitigation.* It is not a waiver of default if the nondefaulting party fails to declare immediately a default or delays in taking any action. Pursuit of any remedies set forth in this lease does not preclude pursuit of other remedies in this lease or provided by applicable law. Landlord and Tenant have a duty to mitigate damages.

8. *Holdover.* If Tenant does not vacate the Premises following termination of this lease, Tenant will become a tenant at will and must vacate the Premises on receipt of notice from Landlord. No holding over by Tenant, whether with or without the consent of Landlord, will extend the Term.

9. *Alternative Dispute Resolution.* Landlord and Tenant agree to mediate in good faith before filing a suit for damages.

10. *Attorney's Fees.* If either party retains an attorney to enforce this lease, the party prevailing in litigation is entitled to recover reasonable attorney's fees and other fees and court and other costs.

11. *Venue.* Exclusive venue is in the county in which the Premises are located.

12. *Entire Agreement.* This lease constitutes the entire agreement of the parties concerning the lease of the Premises by Landlord to Tenant. There are no representations, warranties, agreements, or promises pertaining to the lease of the Premises by Landlord to Tenant that are not in this lease.

13. *Amendment of Lease.* This lease may be amended only by an instrument in writing signed by Landlord and Tenant.

14. *Limitation of Warranties.* THERE ARE NO IMPLIED WARRANTIES OF MERCHANTABILITY, OF FITNESS FOR A PARTICULAR PURPOSE, OR OF ANY OTHER KIND ARISING OUT OF THIS LEASE, AND THERE ARE NO WARRANTIES THAT EXTEND BEYOND THOSE EXPRESSLY STATED IN THIS LEASE.

15. *Notices.* Any notice required or permitted under this lease must be in writing. Any notice required by this lease will be deemed to be delivered (whether actually received or not) when deposited with the United States Postal Service, postage prepaid, certified mail, return receipt requested, and addressed to the intended recipient at the address shown in this lease. Notice

may also be given by regular mail, personal delivery, courier delivery, facsimile transmission, or other commercially reasonable means and will be effective when actually received. Any address for notice may be changed by written notice delivered as provided herein.

16. *Abandoned Property.* Landlord may retain, destroy, or dispose of any property left on the Premises at the end of the Term.

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VIRGINIA LEE ADAMS

CITY OF MONTGOMERY, TEXAS

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KIRK JONES, Mayor

***ATTEST:***

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SUSAN HENSLEY, City Secretary

**e-mail from Shannan Reid**

We have just ended a 5 year lease on Ms. Adams property which is why we are renewing the lease. The date on the original lease agreement was May 14, 2013.

The Electronic Sign was constructed during the winter holiday season of 2014. I took a picture of the first message I displayed on it January 20, 2015.

We adopted the LED Sign Guidelines (in strict keeping with the other appropriate city ordinances of LED signs) at City Council in January 2015.

The entire sign falls inside Ms. Adams property and she approved the placement of the sign as well as the electrical to support it. Surveys were done to ensure the sign was far enough back from TxDOT ROW so that should they do anything to Hwy 105 or FM 149, the sign would not have to move.

It was always a semi-permanent situation with the understanding that if Ms. Adams decided to not renew, or build upon the property, or sell the property, that the sign would be ours, but it would have to be removed and potentially relocated.

So, all the components involved in the sign belong to the city.

Montgomery City Council  
**AGENDA REPORT**

<b>Meeting Date: April 24, 2018</b>	<b>Budgeted Amount:</b>
	<b>Exhibits:</b> Building moving permit Application, Picture of building to be Moved Minutes of Council mtg of 10-24-17
<b>Prepared By: Jack Yates City Administrator</b>	
<b>Date Prepared: April 20, 2018</b>	

**Subject**

This is to approve the moving/removal of a building at 220998 Eva St., most recently used as the Montgomery Barbershop. The Planning Commission will consider this side of on their April 23 agenda.

**Description**

This is a request to move an existing building. This is the tan building remaining on the corner property, after your approval of another building on this site at your October , 2017 meeting (those minutes are attached). This building is being moved in anticipation of a donut shop to be placed on the site.

Ms. Spottswood, the applicant, has bought the building and desires to move to another location outside the city. She said her intention is to remove the building from the property and to smooth out the land following the removal.

The Historic Preservation Ordinance requires Planning Commission consideration and City Council approval before the removal or demolition of any building inside the Historic District.

**Recommendation**

Approve the sign permit as submitted.



Montgomery City Council  
**AGENDA REPORT**

**Approved By**

City Administrator

Jack Yates

Date: April 20, 2018

CITY OF MONTGOMERY

P.O. BOX 708  
MONTGOMERY, TX 77356  
PHONE: 936-597-6434 |  
Permits@ci.montgomery.tx.us  
www.montgomerytexas.gov

CONSTRUCTION/DEMO PERMIT APPLICATION  
For the erection of buildings, accessories, repairs, demolition,  
moving, etc.

Expires in 6 months (180 days)  
Non-Transferable

DATE OF APPROVAL: \_\_\_\_\_

PERMIT NUMBER: \_\_\_\_\_

Owner: Sonja Spottswood | Owner Phone #: (232) 692-1463

Contractor: Bobby Lethe | Cont. Phone #: (214) 691-3694

Contractor Mailing Address: \_\_\_\_\_

City: Montgomery | State: Texas | Zip: 77316

Job Site Address: 2099 Eva St. Montgomery, Tex

Residential or Commercial Project: Residential | Zoned: \_\_\_\_\_

LOT #: \_\_\_\_\_ | BLOCK #: \_\_\_\_\_ | LOT SIZE: \_\_\_\_\_ | BLDG. SIZE (SQ. FT.): \_\_\_\_\_

Description of work (Including Class & Construction Types):

This building is to be moved  
to 23929 Wecker Rd. Montgomery Texas 77316

VALUE OF TOTAL WORK: \$ 9,000.00  
Moving Cost

\$0 - \$1000	\$60 FLAT FEE
\$1,001 - \$50,000	\$16.00 FOR FIRST \$1,000 + \$5.00 FOR EACH ADDTL \$1,000 OR FRACTION THEREOF
\$50,001 - \$100,000	\$260.00 FOR FIRST \$50,000 + \$4.00 FOR EACH ADDTL \$1,000 OR FRACTION THEREOF
\$100,001 - \$500,000	\$460.00 FOR FIRST \$100,000 + \$3.00 FOR EACH ADDTL \$1,000 OR FRACTION THEREOF
OVER \$500,001	\$1,660.00 FOR FIRST \$500,000 + \$2.00 FOR EACH ADDTL \$1,000 OR FRACTION THEREOF
PLAN REVIEW FEE	EQUAL TO ONE-HALF OF THE PERMIT FEE WHEN VALUATION EXCEEDS \$70,000.00

NOTICE: SEPARATE PERMITS ARE REQUIRED FOR PUBLIC UTILITIES, ELECTRICAL, PLUMBING, HEATING, VENTILATION, AIR CONDITIONING, GRADING, ALARMS, ROOFING, LANDSCAPING, FIRE SPRINKLERS AND LAWN SPRINKLERS.

I hereby certify that I have read and examined this application and know the same to be true & correct. All provisions of law and ordinances governing this type of work will be complied with whether or not specified herein. The granting of this permit does not presume to give authority to violate or cancel the provisions of any state or local law or ordinance regulating construction or the performance of construction.

Name of Applicant: SONJA SPOTTSWOOD

Applicant Signature: [Signature]

OFFICE USE ONLY

Plan Review Fee: \$ \_\_\_\_\_

Accepted By: \_\_\_\_\_

Permit Fee: \$ \_\_\_\_\_

Issued By: \_\_\_\_\_

PERMIT FEE TOTAL: \$ \_\_\_\_\_



for sales tax was \$1,650,000 because they thought they were going to have six more months from Kroger. Mayor Jones said that he understood the numbers and was good with the information.

Jon Bickford moved to accept the Departmental Reports as presented. John Champagne seconded the motion, the motion carried unanimously. (4-0)

12. Consideration and possible action regarding a Demolition/Moving Permit for 304 John A. Butler Street to remove a building from the City of Montgomery as submitted by Joe Shockley.

Mr. Yates advised that it was a requirement in the Historic District Ordinance that any building that is removed or demolished in the Historic District has to be approved by the Planning and Zoning Commission and City Council. Mr. Yates said that the Planning and Zoning Commission met last night and approved the demolition of the building at 304 John A. Butler Street. Mr. Yates said that this is the Evolution PC building that has drainage issues, where water is getting into the building, and the building is leaning and the owner is having problems getting insurance, which is the reason that Mr. Shockley wants to remove the building. Mr. Yates said that Mr. Shockley also got approval from the Planning and Zoning Commission last night to put in another building at that location.

Mayor Jones asked if the building had any real historic significance. Mr. Yates said that he did not know of any historic significance for the building. John Champagne said that he thought Mr. Shockley brought that building to the City. Mr. Lonnie Clover said that he believed that Mr. Shockley moved that building into the City and it used to be the Kings Café years ago. Mayor Jones said that he would assume that whatever Mr. Shockley replaces would have some sort of historic architectural flavor. Dave McCorquodale said that it would have to pass the required guidelines for this Historic District.

Jon Bickford said that if the citizens had any feedback they would have stated something. Mayor Jones said that he did not think that anyone had said anything.

John Champagne moved to approve the Demolition/Removal Permit for 304 John A. Butler Street to remove a building from the City of Montgomery as submitted by Joe Shockley. Jon Bickford seconded the motion, the motion carried unanimously. (4-0)

13. Consideration and possible action regarding a Demolition/Moving Permit for 21000 Eva Street to remove the building from the City of Montgomery as submitted by Sonja Spottswood.

Mr. Yates said that this was the tan building that sits next to the Ruthie Grace building, which is across the street from Brookshire Bros. fuel station. Mr. Yates said that the building is being moved in anticipation of another building being replaced on the site. Mr. Yates said that no one has applied for the permit for the new building. Mr. Yates said that Ms. Spottswood intends on moving the building to another location outside the City and to smooth out the property.

Jon Bickford asked if the building had any historical significance that they are aware of. Mr. Yates said that there are no issues. Mayor Jones asked if the owner plans on putting another building in place of the one being removed. Mr. Yates said that he understands that a donut shop might go into that location.

John Champagne moved to approve a Demolition/Moving Permit for 21000 Eva Street to remove the building from the City of Montgomery as submitted by Sonja Spottswood. Jon Bickford seconded the motion, the motion carried unanimously. (4-0)

14. Consideration and possible action regarding approval of Hills of Town Creek Section 3 construction plans, conditional upon final comments being addressed.

Mr. Roznovsky advised that a majority of the comments have been addressed, with the only thing outstanding was regarding the landscaping and tree ordinance, so they are recommending conditional approval subject to the final comments being addressed. Mr.

Montgomery City Council  
**AGENDA REPORT**

<b>Meeting Date: April 24, 2018</b>	<b>Budgeted Amount:</b>
<b>Prepared By: Jack Yates</b> <b>City Administrator</b>	<b>Exhibits: Proposed Resolution</b>
<b>Date Prepared: April 19, 2018</b>	

**Subject**

This is a presentation from the Montgomery County Veterans Memorial Park Commission.

**Description**

The Resolution announces the Council's recognition in support of the Veterans Memorial Park, to be placed in Conroe, and the Montgomery County Veterans Memorial Commission and to offer any available resources in this endeavor. No funds are requested from the Commission.

**Recommendation**

Approve the Resolution as presented.

**Approved By**

City Administrator	Jack Yates	Date: April 19, 2018
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RESOLUTION NO. \_\_\_\_\_

**A RESOLUTION BY THE CITY COUNCIL OF CITY OF MONTGOMERY, TEXAS  
RECOGNIZING AND SUPPORTING THE MONTGOMERY COUNTY VETERANS  
MEMORIAL PARK AND VISITORS CENTER.**

**Whereas**, The Montgomery County Veterans Memorial Commission, as recognized by the State of Texas, Montgomery County Commissioners Court, and the Municipalities of Montgomery County, is working to establish a new Montgomery County Veterans Memorial Park in Montgomery County to honor all Veterans who have served these United States with Honor and Distinction; and

**Whereas**, The Montgomery County Veterans Memorial Commission has established a site for the new Montgomery County Veterans Memorial Park and Visitors Center to be located on land owned by the State of Texas and City of Conroe, adjacent to the intersection of Interstate 45 North and Texas State Highway 105; and,

**Whereas**, The Montgomery County Veterans Memorial Commission will govern the new memorial and visitors center with the advice and counsel of the State of Texas, Montgomery County, recognized Veterans Organizations, and its Communities and citizenry; and

**Whereas**, The Montgomery County Veterans Memorial will pay tribute and recognize the sacrifices, both past and present, of the United States Veteran and her/her families, dependents, and children of those who served and are now serving. This Memorial will be a historical touchstone for the general public to have a forum for education, edification, and inspiration on their visit to Montgomery County Veterans Memorial Park;

**NOW THEREFORE, BE IT RESOLVED**, that the City Council of the City of Montgomery, Texas, representing all the citizenry of Montgomery, Texas, hereby announces its recognition and support of the new Montgomery County Veterans Memorial Park and the Montgomery County Veterans Memorial Commission in its endeavors on behalf of the United States Veterans. The City of Montgomery pledges its assistance, and any available resources in this great endeavor;

**THEREFORE BE IT FURTHER RESOLVED**, that the City Council of the City of Montgomery, Texas, urges, post haste, all the Communities across this great County to join the City of Montgomery in its support of the Montgomery County Veterans Memorial Park.

**PASSED AND ADOPTED** by the City Council of the City of Montgomery, Texas on this the 24<sup>th</sup> day of April, 2018.

APPROVED:

By: \_\_\_\_\_  
Kirk Jones, Mayor

ATTEST:

\_\_\_\_\_  
Susan Hensley, City Secretary

## **CITY ADMINISTRATOR REPORT – April, 2018**

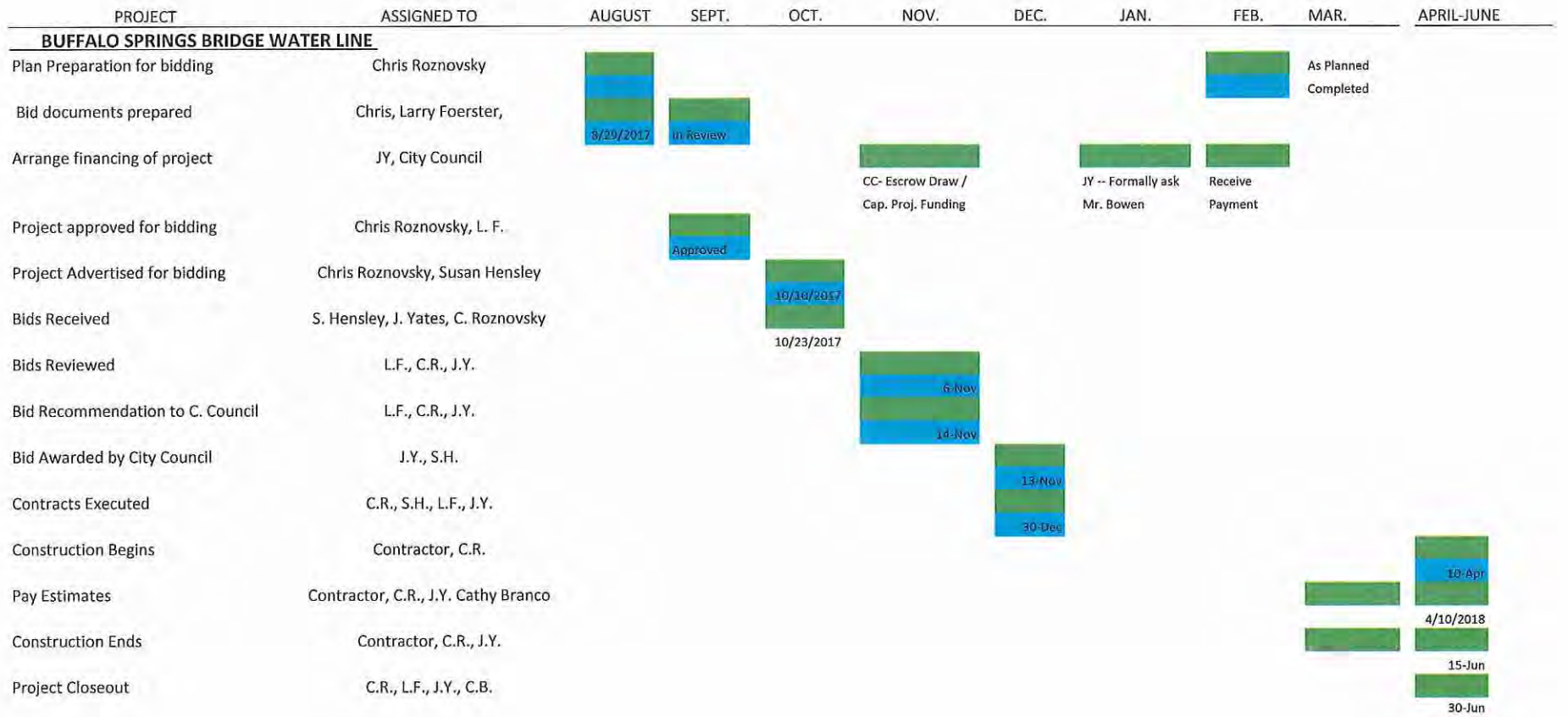
- Met with Planning Commission at two meetings. Prepared information flashing electronic sign ordinance revision.
- Met, took minutes, of one MEDC meeting.
- Attended two Chamber events- Coffee Club and Bd. Of Directors meeting.
- Attended one Montgomery County Leadership Class activity regarding social agencies in the County.
- 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, General Land Office grant possibility and billing for Escrow Accounts. Coordinated HOME grant information for the application period.
- Drafted a Hotel Ordinance and an incentive type of package, now in review for presentation at first meeting in May.
- Met with several developers during the month regarding: Villas of Mia Lago, Kenrock property west of Pizza Shack, Exxon Convenience Store, Shoppes of Montgomery, downtown building permits and other development possibilities meetings .
- Made several decisions during month as Zoning Administrator, including signs, coordinating variance requests, code enforcement, Historic District activities, land use plan, and working on Zoning/Corridor Enhancement Area changes
- Worked with City Council individually and City Staff on a variety of administrative, personnel and coordination efforts. Including budget line item review w/department heads. Including review of possible new software for Court, Utility Billing, Finance.





## PROJECT SCHEDULES

PROJECT	ASSIGNED TO	FEBRUARY	MARCH	APRIL	MAY	JUNE	JULY	AUGUST	SEPTEMBER	OCTOBER	NOVEMBER	JANUARY
<b>GENERAL LAND OFFICE GRANT</b>												
Prepare Application	J.Yates, C. Roznovsky, GrantWorks	In process										
Applicatin	J.Yates, C. Roznovsky, GrantWorks		Application Submitted									
Application In Review	GLO Office			In Review	In Review							
Grant Awarded/Contract Signed	GrantWorks					Awarded	Awarded					
Specific Engineering Design of Projects	C. Roznovsky						Design	Design	Design			
Bidding of some Projects	J.Y, C.R., GrantWorks							Bidding	Bidding			
Construction Begins on Projects	C.R.								Construction	Construction		
Construction Ends on Projects	J.Y., C.R.									Construction	Construction	
Project Closeout/final payments cose out of grant											Closeout	Closeout



# City of Montgomery – Public Works Department

## March 2018 Monthly Report

### General

- Heavy trash weekend to begin the month
- Installed smoker receptacles at City Hall and Community Center
- Replaced a section of chain link fence at Sewer Plant 1 from fallen tree damage
- Cleared brush from fence line at Womack Cemetery and Old Plantersville for better visibility and added to monthly weed control list
- Completed hydrant tagging project and turned over information to Jones and Carter for GIS updating
- Potholed and mapped water line at Liberty and MLK
- Cleared debris from storm drain inlets
- Repaired a washout around fence line at Water Plant 3
- Replaced roof on control room at Water Plant 2 and repaired siding on walls
- Excavated ditch for better drainage on MLK north of McGinnis
- Topped off all facility generators with fuel
- Repaired sections of asphalt roadway on Community Center Dr. and Old Plantersville Rd.
- Replaced 7 – 2” Neptune meters with Badger meters
- Trimmed several tree limbs around city for better visibility
- Repaired several meter endpoint issues
- Weekly pre-trip inspections of crew trucks
- 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 at all facilities
- Monthly AED inspections

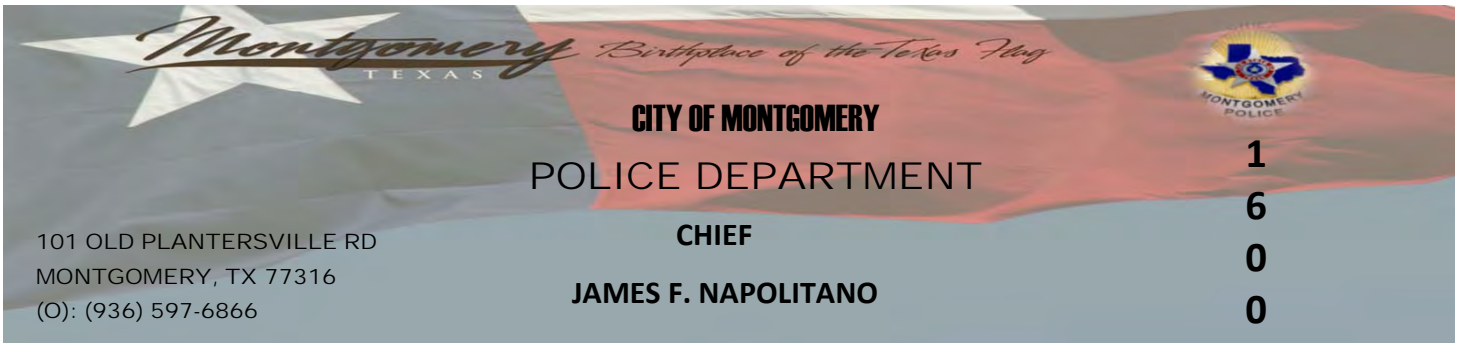
- Monthly door hangers and cutoffs (last month of door hanger notifications)
- Monthly safety meetings with safety officer and department
- Continue performing safety inspection reports
- Monthly idle meter checklist for consumption
- Monthly weed killer list
- Monthly grease trap inspections
- Bi-yearly rat poison at all generators
- Yearly cleaning of AC drains at City Hall
- 4 water leaks
- 9 water taps
- 8 sewer taps
- 0 sewer stop ups

## Parks and Recreation

- Honored all half staff alerts
- Repaired door closers at Cedar Brake Park
- Repaired wheel chair ramp at Fernland Park
- Made several spot repairs at Fernland as reported by docents
- Cleaned drains at Cedar Brake Park
- Assembled and installed baby changing station in Community Center
- Installed grass sod along new sidewalks at Fernland to prevent erosion
- M/W/F cleaning of all park facilities
- Weekly check of Memory Park irrigation system with repairs as needed
- Weekly cleaning of Community Center building
- Monthly check of all park lights
- Monthly check of all irrigation systems with repairs as needed

The docents at Fernland reported a total of 1446 for the month and provided 101 tours.

Report prepared by:  
Mike Muckleroy  
Director of Public Works  
April 18, 2018



## POLICE DEPARTMENT REPORT

March 2018

### Arrests / Charges Total Shifts A, B & Chief

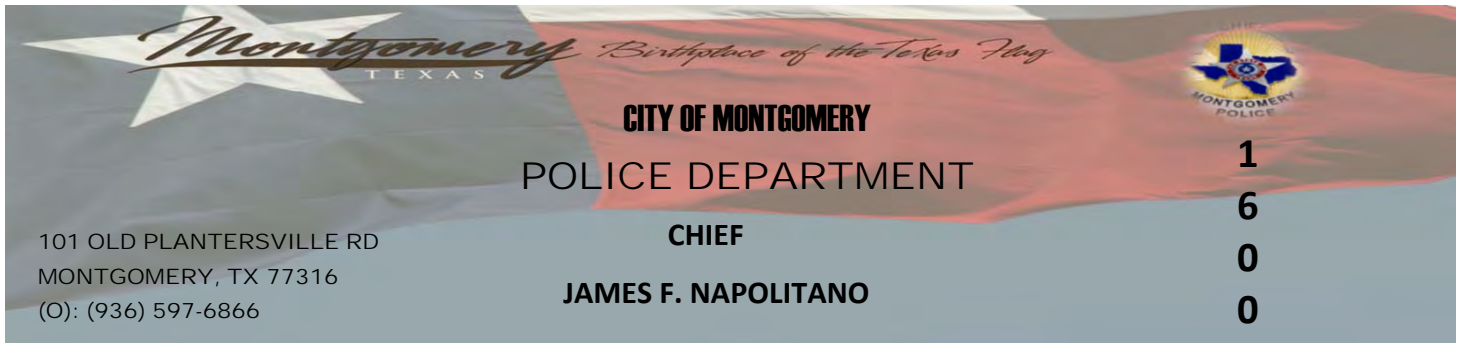
Misdemeanor: 22

Felony: 12

### Traffic Enforcement Total Shifts A, B, & Chief

Citations: 165

Warnings: 150



## POLICE DEPARTMENT REPORT

March 2018

SHIFT A

During the month of March 2018 "A Shift" - Lt. Belmares, Officer Bauer, Officer Thompson, Officer Carswell, and Officer Hernandez responded to 183 Calls for service resulting in 20 reports generated.

The reports are as follows:

### **Evading Motor Vehicle**

3/31 - Officer Thompson - Lone Star Parkway / Hwy 105 - Arrest

### **Criminal Trespass**

03/30 - Officer Carswell - 20100 Eva St. - Arrest

### **Terroristic Threat**

03/22 - Officer Carswell - 20100 Eva St. - Arrest

### **Motor Vehicle Accident**

03/22 - Officer Carswell - 19800 Eva St.

### **Driving While Intoxicated (DWI)**

03/23 - Officer Thompson - 14900 Liberty St. - Arrest

### **Family Disturbance**

03/21 - Officer Thompson - 12800 Northmont Dr. - Supplement

### **Warrant Arrest**

03/03 - Officer Thompson - Powell Circle

03/18 - Officer Thompson - Old River Rd./Paradise

### **Disturbance Other**

03/16 - Officer Carswell - 21100 Eva St. - Open Investigation

### **Discharge of Firearm**

03/16 - Officer Carswell - West Way Dr. - Open Investigation

### **Forgery**

03/08 - Officer Carswell - 20100 Eva St. - Open Investigation

03/12 - Lt. Belmares - 21300 Eva St. - Open Investigation

### **Theft**

03/08 - Officer Carswell - 300 Berkley - Arrest

### **Narcotics**

03/04 - Officer Carswell - 18400 Lindas Place

03/08 - Officer Thompson - Wladen Rd@Freeport Dr.

03/31 - Officer Carswell - Lone Star Parkway@Hwy 105

### **Criminal Mischief**

03/02 - Officer Bauer - 1000 Old Plantersville Rd. - Closed

### **Supplement Reports**

03/19 - Officer Bauer - 400 East Hunting Tower Run

03/21 - Officer Hernandez - 101 Old Plantersville Rd.

03/27 - Officer Carswell - 300 Berkley

03/30 - Officer Bauer - 20100 Eva St.

### **Arrests**

Misdemeanor - 5

Felony - 5

### **Traffic Enforcement**

Citations Issued - 87

Warnings Issued - 56

Officer Carswell - 57 Citations / 14 Warnings - 65 Violations / 50 Calls for Service

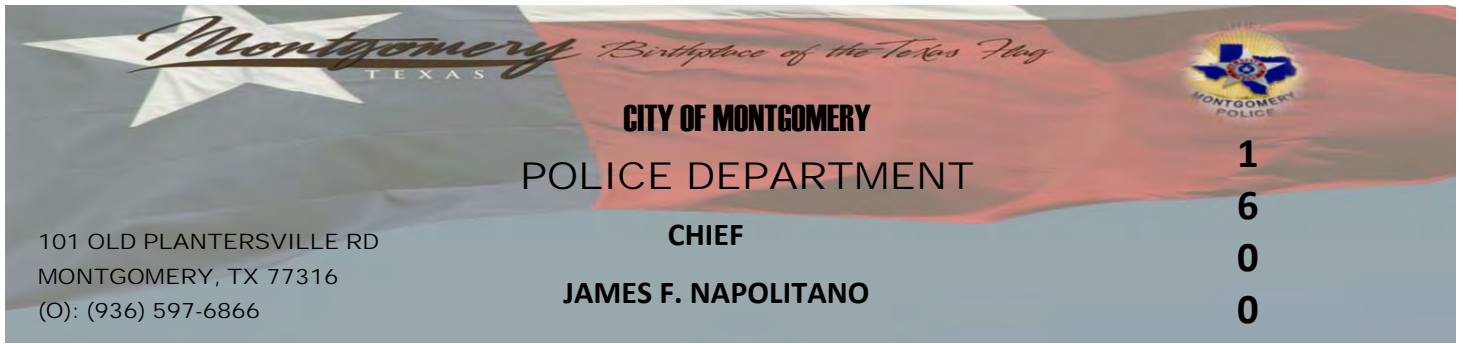
Officer Thompson - 19 Citations / 02 Warnings - 27 Violations / 77 Calls for Service

Officer Bauer - 11 Citations / 40 Warnings - 11 Violations / 38 Calls for Service

Officer Hernandez - N/A

19 Citations Issued to Minors





## POLICE DEPARTMENT REPORT

March 2018

SHIFT B

During the month of March 2018, The Montgomery Police Department B Shift Patrol Officers (Lt. Rosario, Officer Aguirre, Officer Bracht, and Officer Riley) answered 107 calls for service that include Business Checks, Area Patrols, Building Checks, Welfare Concerns, Medical Calls, Administration Calls, and Alarm Calls. The shift as a whole generated 31 reports on top of the calls for service. The reports are as follows:

### **Narcotics**

3/1 Aguirre – 943 Eva ST  
 3/10 Rosario – 2500 Lone Star PKWY  
 3/19 Rosario – 22150 Eva ST  
 3/19 Rosario – 12600 FM 149  
 3/20 Aguirre – 21500 Eva ST  
 3/25 Aguirre – 21500 Eva ST  
 3/25 Riley – 22800 Eva ST  
 3/29 Riley – 15300 Liberty ST

### **No DL / FMFR / Towed Vehicle**

3/11 Rosario – 20200 Eva ST  
 3/14 Rosario – 20000 Eva ST  
 3/15 Rosario – 20000 Eva ST  
 3/19 Rosario – 21101 Eva ST  
 3/25 Riley – 1500 Lone Star PKWY  
 3/24 Riley – 21300 Eva ST

### **Warrant Arrest**

3/20 Rosario – 21101 Eva ST  
 3/23 Rosario – 22400 FM 1097  
 3/23 Rosario – 21101 Eva ST  
 3/25 Riley – 13900 Liberty ST  
 3/29 Bracht – 25220 Tisdal RD

**MVA**

3/5 Bracht – 19900 Eva ST  
3/10 Bracht – 21100 Eva ST  
3/14 Rosario – 20160 Eva ST  
3/19 Bracht – 21000 Eva ST  
3/23 Riley – 22500 Eva ST  
3/29 Bracht – 21600 Eva ST  
3/29 Bracht – 22800 Eva ST  
3/29 Bracht – 19800 Eva ST

**DWI**

3/10 Bracht – 22700 Eva ST  
3/11 Riley – 21500 Eva ST

**Other**

3/1 Aguirre – 1950 Lone Star PKWY (Evading)  
3/14 Rosario – 20160 Eva ST (FSRA)

**Arrests / Charges:**

Misdemeanor Charges - 17  
Felony Charges - 7

**Traffic Enforcement**

Citations Issued - 78  
Warnings Issued - 94

Rosario – 14 Citations 15 Warnings  
Aguirre – 23 Citations 28 Warnings  
Bracht – 24 Citations 22 Warnings  
Riley – 17 Citations 29 Warnings



CITY OF MONTGOMERY MUNICIPAL COURT REPORT

MARCH 2018

KIMBERLY DUCKETT

INTERIM COURT ADMINISTRATOR

City of Montgomery Municipal Court Report March 2018

REVENUE Category	Mar-18	Feb-18	Jan-18
Total Cases Filed	163	199	207
Deposit-City	\$24,149.08	\$22,204.72	\$20,345.05
Deposit-State	\$16,632.46	\$16,969.51	\$15,198.34
Deposit-OMNI	\$231.02	\$279.48	\$225.08
Child Safety Fund	\$25.00		\$0.00
Judicial Efficiency	\$156.97	\$143.76	\$130.55
Court Tech Fund	\$898.25	\$897.40	\$795.51
Court Bldg Security Fund	\$672.98	\$658.04	\$596.64
Collection Agency	\$4,342.06	\$4,234.39	\$3,856.72
TOTAL	\$47,107.82	\$45,387.30	\$41,147.89
Bond Amounts	\$5,272.30	\$5,800.80	\$3,981.00
<b>GRAND TOTAL</b>	<b>\$52,380.12</b>	<b>\$51,188.10</b>	<b>\$45,128.89</b>

# Comparison Chart

## Citations/Warrants/Revenue January 2016 - Present

	<b>Citations Filed</b>		
	<b>2016</b>	<b>2017</b>	<b>2018</b>
<i>Jan</i>	470	332	207
<i>Feb</i>	351	233	199
<i>Mar</i>	353	394	163
<i>April</i>	323	268	
<i>May</i>	229	268	
<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	

	<b>Total Revenue Collected</b>		
	<b>2016</b>	<b>2017</b>	<b>2018</b>
	\$44,702.82	\$41,830.44	\$45,128.89
	\$67,466.54	\$67,937.61	\$51,188.10
	\$86,201.43	\$62,992.57	\$52,380.12
	\$59,388.14	\$47,163.40	
	\$50,854.90	\$47,225.90	
	\$41,238.67	\$37,817.25	
	\$42,990.97	\$43,405.62	
	\$52,923.17	\$31,540.77	
	\$44,256.40	\$24,281.60	
	\$44,138.80	\$37,395.63	
	\$55,221.23	\$35,410.95	
	\$42,698.95	\$41,335.06	

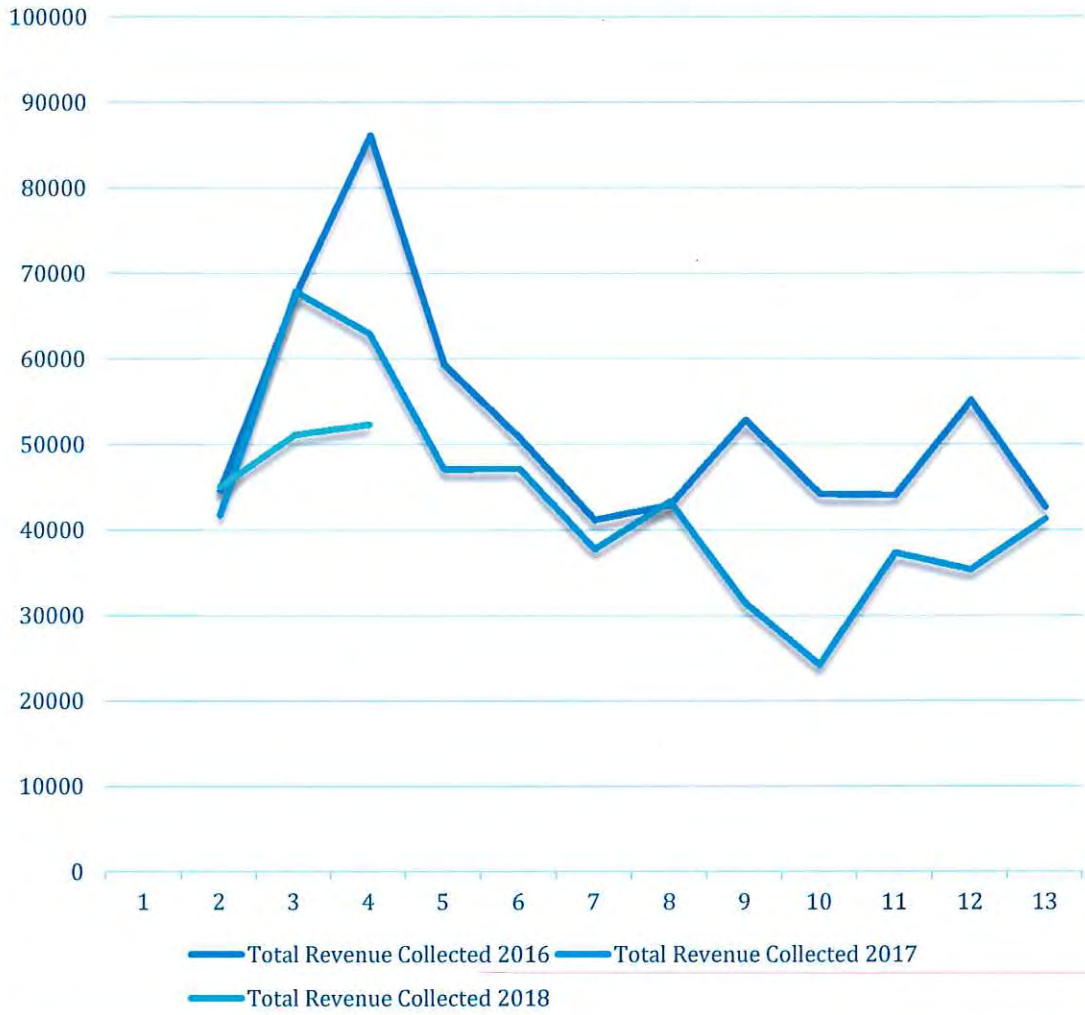
**Totals**      2164      2402      569

\$632,082.02    \$518,336.80      \$148,697.11

# Citations Filed



# Total Revenue Collected



## UTILITY REPORTS - MARCH 2018

### TOTAL REVENUE

Utilities	\$134,308.94
Permits	\$17,935.80
Community Building	\$1,030.00

### UTILITIES

New Water Accts.	19
Disconnected Water Accts.	9
Total Number of Active Accts.	643

### PERMITS

Type	Permit Total	Revenue
Building - Residential	8	\$8,982.00
Building - Commercial	2	\$670.00



Cert. of Occupancy	2	\$120.00
Golf Cart	1	\$25.00
Irrigation	3	\$283.80
Electrical	17	\$2,958.00
Mechanical	10	\$1,412.00
Plumbing	15	\$3,035.00
Sign	4	\$200.00
Parade	1	\$0.00
Photography	1	\$250.00
<b>Total:</b>	<b>64</b>	<b>\$17,935.80</b>

## COMMUNITY BUILDING

Type of Rental	Number of Bookings	Revenue
Profit	5	\$1,030.00
Non - Profit	11	\$0.00

## CITY ACCOUNT CONSUMPTION

	January	February	March
Community Building – Irrigation (01-8732-00)	18	15	8
Community Building (01-0130-00)	1	2	2
City Cemetery (01-1110-00)	0	0	0
City Welcome Sign Irrigation at HWY 105 & Prairie – Rose Garden (01-8733-00)	5	0	0
North Liberty Sewer Plant			
Cedar Break Park Irrigation (01-8736-00)	3	4	3
Cedar Break Park Restrooms (01-8735-00)	1	1	2
Ferland (01-8737-00)	1	1	1
Memory Park (01-5885-00)			
Community Building Stage Irrigation – Rose Garden (01-6180-00)	15	34	37
City Hall & Irrigation (01-6190-00)	15	20	29
Homecoming Park Restrooms (01-8820-00)	0	1	0
Homecoming Park Drinking Ftn (01-8738-00)	0	0	0
Buffalo Springs Sewer Plant (01-8821-00)	2	2	1



# City of Montgomery

## Operations Report

March 2018

2/18/18-3/17/18

**TAP**

**INTO**

**TECHNOLOGY**

**Dear City of Montgomery Council Members:**

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

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

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

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

Michael Williams



Vice President of Operations  
Gulf Utility Service

## **District Alerts**

### **02/25/2018 – Lift Station 2, High wet well**

Operator investigated issue and found pumps and check valves needed to be pulled and cleaned. Maintenance pulled and cleaned all equipment and returned facility to normal working order.

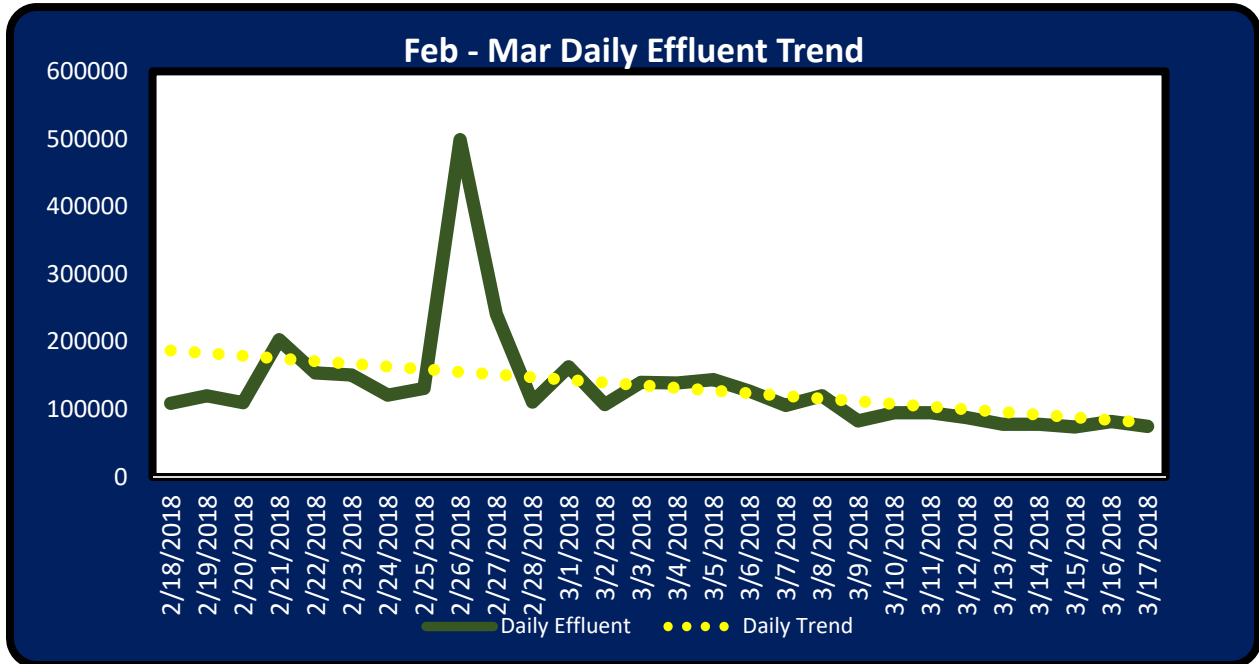
### **02/25/2018 – Lift Station 1, High wet well**

Operator investigated issue and found that pumps needed to be pulled and cleaned but maintenance could not access lift station due to the condition of the road after the last rain storm. The maintenance department met public works and were able to pull the pumps with the city's mini excavator.

### **03/05/2018 – Lift Station 2**

Upon arrival the operator found LS calling out VFD failure and lift pump 2 with a seal fail alarm on the panel, lift pump 2 was taken in for further diagnosis. The cause of the issue was found to be the electrical cord which was replaced and the pump was returned to service.

**Wastewater Plant Flow Detail**



- Flow for the month of February - March was 3,744,000 gallons
- Daily peak flow February 26, 2018 was 499,000 gallons
  - 100% of permitted value
- Average Daily Flow 133,700 gallons
  - 33% 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	MGD	4.00	no
Average Monthly NH3	2	mg/l	0.11	no
Minimal CL2 Residual	1	mg/l	1.05	no
Max CL2 Residual	4	mg/l	3.88	no
Rainfall for the Month		3.75	inches	

**There were no excursions for the month of March**





**Water Report**

2/18/2017-3/17/2018

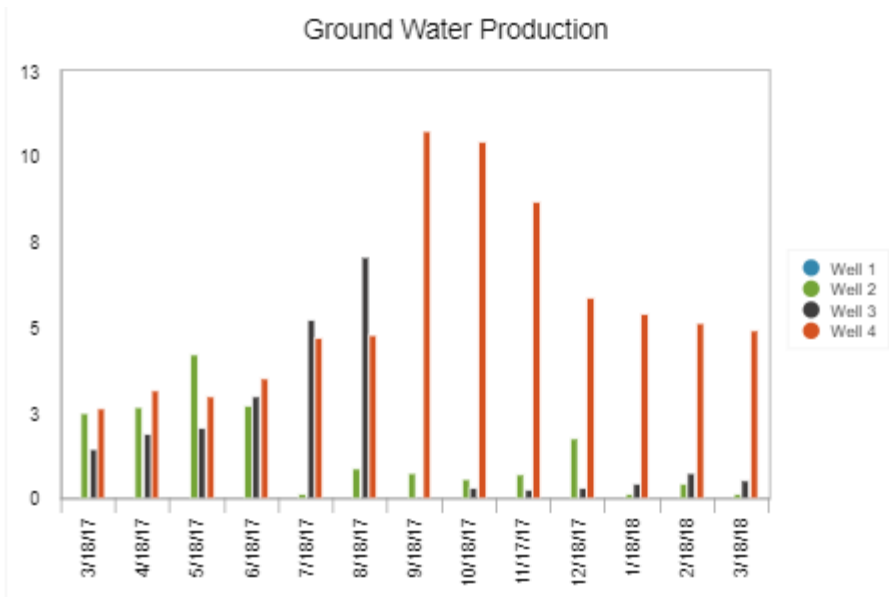
2018							
Well Name	Recorded Flow	% of Total	Rating G/Day	YTD Pumpage	YTD %	Permitted Value	Remaining Permit %
Well 2	0.138	2.47%	0.864	0.695	3.90%	47.551	95.02%
Well 3	0.515	9.22%	0.864	1.673	9.39%	47.551	95.02%
Well 4	4.931	88.31%	2.160	15.458	86.72%	75.100	79.42%
Total	5.584	100.00%	3.888	17.826	100%	122.651	
Flushing	0.202						
Subtotal	5.382						
Sold	5.459						
% Accounted	101%						

Accountability	
Total Water Sourced	5.584
Flushing	0.202
Subtotal	5.382
Sold	5.459
Accountability %	101%

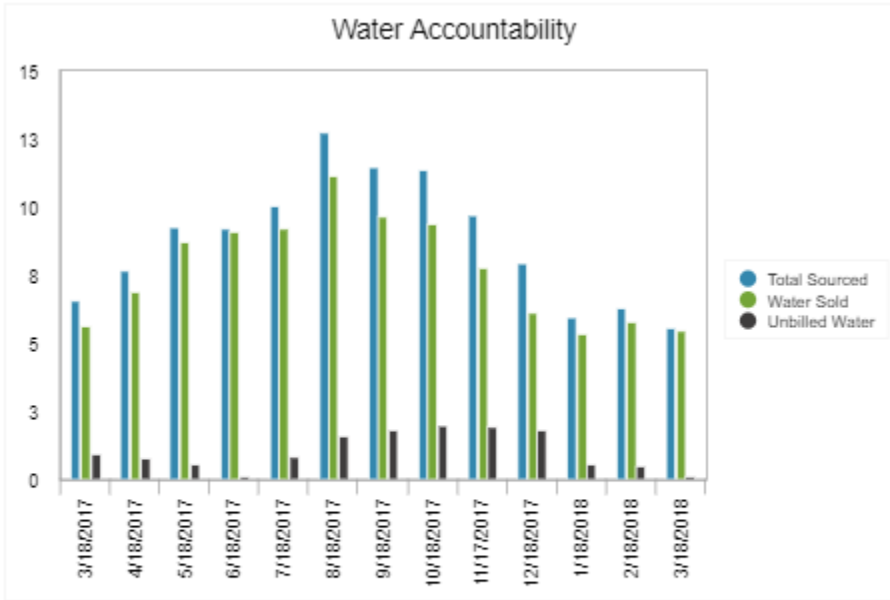
**Well Motor Run Times**

Well Name	Total Hrs	% Total	Peak Day
2	4.9	6.20%	2/20/2018
3	14.5	18.35%	3/1/2018
4	59.6	75.44%	2/27/2018
Total	79	100%	

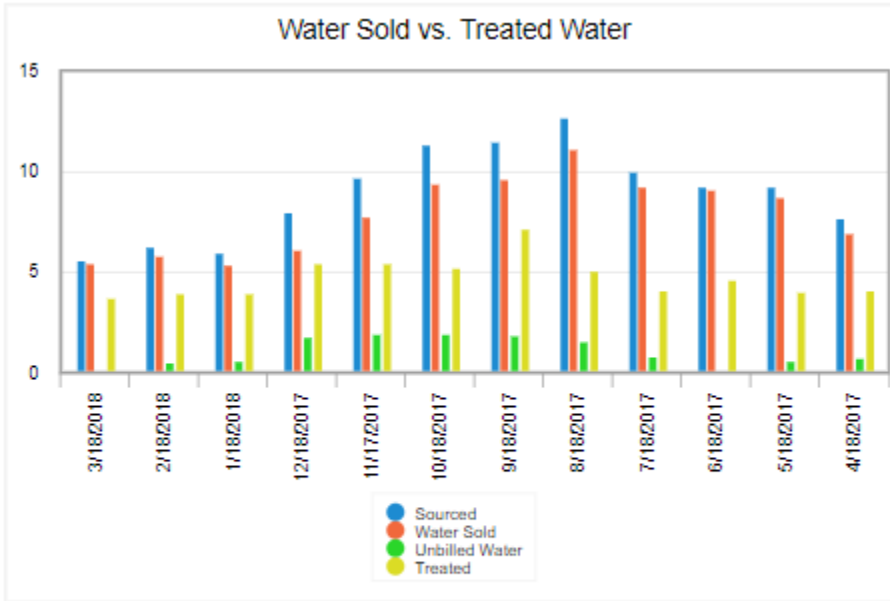
CONNECTIONS	
School	12
Commercial Inside	138
Commercial Outside	1
Residential Inside	535
Residential Outside	25
Church	17
City	15
Hydrant	5
Multifamily	13
<b>Total</b>	<b>761</b>



DATE	TOTAL	WELL 1	WELL 2	WELL 3	WELL 4
AVG	8.472	0.000	0.747	2.437	5.288
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
4/18/17	7.686	0.000	2.665	1.865	3.156
3/18/17	6.571	0.000	2.489	1.465	2.617
TOTAL	321.921	0.000	28.386	92.589	200.946



DATE	TOTAL SOURCED	WATER SOLD	UNBILLED WATER	FLUSHING/LEAKS	UNACCOUNTED	ACCTBLTY
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	6.136	1.815	0.110	1.705	79%
11/17/17	9.688	7.767	1.921	0.306	1.615	83%
10/18/17	11.337	9.368	1.969	0.690	1.279	89%
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	89%
7/18/17	10.036	9.235	0.801	0.039	0.762	92%
6/18/17	9.226	9.105	0.121	0.203	- 0.082	101%
5/18/17	9.288	8.721	0.565	0.250	0.315	97%
4/18/17	7.886	6.910	0.776	0.467	0.309	96%
3/18/17	6.571	5.626	0.945	0.910	0.035	99%



DATE ▼	SOURCED	WATER SOLD	UNBILLED WATER	TREATED WATER	RETURN %	RAIN
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
5/18/17	9.286	8.721	0.565	4.058	47%	6.240
4/18/17	7.686	6.910	0.776	4.115	60%	4.780

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

## Contact Information

### Operations

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

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

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### Administration

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**Julie Addison**, *Executive Vice President*

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### Departments

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

April 19, 2018

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

Re: Engineering Report  
Council Meeting: April 24, 2018  
City of Montgomery

Dear Mayor and Council:

The following information summarizes our activities on your behalf since the March 27, 2018 Council Meeting:

**Status of Previously Authorized Projects:**

All projects discussed below are included on 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 No. 2 in the amount of \$50,931.88 to Glenn Fuqua, Inc. The contractor is continuing construction on the concrete bulkhead. The contractor continues to battle groundwater and storm water runoff but is still on schedule for a middle of June 2018 completion.

**b) Houston Street Rehabilitation**

We received and approved Pay Estimate No. 3 & Final in the amount of \$4,825.20 to ECB Development, LP. The contractor has completed all punch list items identified at the final inspection, and we recommend acceptance of the infrastructure.

*Agenda Item* – Consideration and possible action regarding the approval of the Certificate of Acceptance for the Houston Street Rehabilitation Project.

**c) FM 149 Sanitary Sewer Cleaning and Televising**

We are finalizing our recommendations for repairs to the sanitary sewer lines included in the project scope and plan to present our findings at the May 8<sup>th</sup> 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.

**d) 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.

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

- e) **Water Distribution System Analysis and Master Plan - CP No. 2, 12-inch Waterline Across Town Creek Bridge**  
We continue to receive and review submittals from the contractor. It is our understanding the contractor is prepared to begin construction once the bridge construction has progressed sufficiently.
- f) **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 May 2018 and receive plan approval in June 2018.
- g) **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 in June 2018 and receive all plan approvals in July 2018. We expect construction to begin in October 2018.
- h) **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 end of May 2018 and submit the design for approvals. Completion of the design is subject to the completion of the land swap at the wastewater treatment plant and receipt of the developer’s contribution to the project.
- i) **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 in May 2018 and receive plan approval in June 2018. We expect construction to begin in August 2018.
- j) **18” Gravity Sanitary Sewer Extension**  
We expect to complete the design in May 2018 and receive all approvals in June 2018, subject to the completion of the exchange of property at the wastewater treatment plant with Montgomery SH 105 Associates, LLP.
- k) **Baja Road (CDBG)**  
We are continuing to work with the GrantWorks to obtain environmental clearance for the project. We expect to complete the design in May 2018 and receive all approvals in June 2018. We expect construction to begin in August 2018.
- l) **GLO Projects**  
We submitted the required documentation to GrantWorks to complete the review package on March 15<sup>th</sup>. 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.



**Status of Previously Authorized Projects (cont.):****m) Plez Morgan (FEMA)**

We submitted another request to the state to approved the funding of the repairs to Plez Morgan upon completion of the Buffalo Springs Drive repairs.

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

There are no active feasibility studies at this time.

**b) Plan Reviews**

- i. **BlueWave Express Car Wash** – We did not receive revised plans this month.
- ii. **The Shoppes at Montgomery** – We returned comments to the revised plans on March 8<sup>th</sup>.
- iii. **Montgomery First, Phase II** – We received revised plans on April 16<sup>th</sup> and returned plan approval on April 17<sup>th</sup>.
- iv. **Montgomery First, Phase III** – We received plans on April 10<sup>th</sup> and expect to return comments this week.
- v. **Madsen & Richards** – We received revised plans on March 29<sup>th</sup> and returned plan approval on April 4<sup>th</sup>.
- vi. **Peter Hill Public Infrastructure** – We received plans on April 3<sup>rd</sup> and returned comments on April 18<sup>th</sup>.
- vii. **Spirit of Texas Montgomery** – We received plans on April 18<sup>th</sup> and are working with the owner to schedule a meeting to discuss the development process including entering into an escrow agreement with the City.

**c) Plat Reviews**

- i. **Samdana Investments Minor Plat** – We did not receive a revised plat this month.
- ii. **Madsen & Richards Minor Plat** – We returned plat approval on April 10<sup>th</sup>.
- iii. **Lone Star Parkway North, Sections 1 & 2 Replat** – We received the plat on April 6<sup>th</sup> and expect to return comments this week.
- iv. **Gulf Coast Estates, Section 2 Minor Plat** – We received the minor plat on April 16<sup>th</sup> and expect to return comments this week.

**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** – The contractor has recently completed paving of Minero Lane and Villa Lane.
- iii. **Hills of Town Creek, Section 3** – It is our understanding the developer is planning to proceed with construction within the next few weeks. It is also our understanding the City is working with the developer to enter into an escrow agreement prior to the beginning of construction.
- iv. **Emma's Way** - It is our understanding construction has begun. The developer has not entered into an escrow agreement with the City therefore we have not performed any inspections and have advised the developer that any paving or utility work completed without inspections will need to be fully exposed to be inspected and verified prior to acceptance.
- v. **Montgomery First Phase I & II** – Construction has begun on the private paving, private drainage, and public waterline.

**e) One-Year Warranty Inspections**

- i. **Terra Vista, Section 1** – As a reminder, City Council authorized the release of the Letter of Credit for Terra Vista, Section 1 conditional upon the repair of a waterline leak. It is our understanding the waterline has not yet been repaired.
- ii. **Lift Station No. 14** – It is our understanding the City has received funds from the developer for the cost of repairs to the lift station. Upon completion and final inspection of the lift station, we will recommend release of the remaining funds deposited with the City.

**Meetings and Ongoing Activities:**

- a) **2018 GRP Audit** – We are coordinating with Gulf Utilities to complete and submit the annual audit of the City's Groundwater Reduction Plan to Lone Star Groundwater Conservation District.
- b) **Lone Star Bend Extension and Bois D' Arc Bend Rehabilitation** – It is our understanding construction of Lone Star Bend is underway and should be complete by the middle of May.
- c) **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.
- c) **TxDOT FM 149 Widening** – We received revised plans from TxDOT on April 11<sup>th</sup>, and await additional revised plans that identify the proposed locations of storm sewer. We are also working with TxDOT to enter into an Advance Funding Agreement (AFA) to incorporate the City's required utility relocation needs with TxDOT's project.

**Meetings and Ongoing Activities (cont.):**

- d) **Development Handbook and Approval Process** – We are working with the City Administrator 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.
- e) **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.

Please contact Ed Shackelford or me if you have any questions.

Sincerely,



Chris Roznovsky, PE  
Engineer for the City

CVR/kmv

Enclosures:

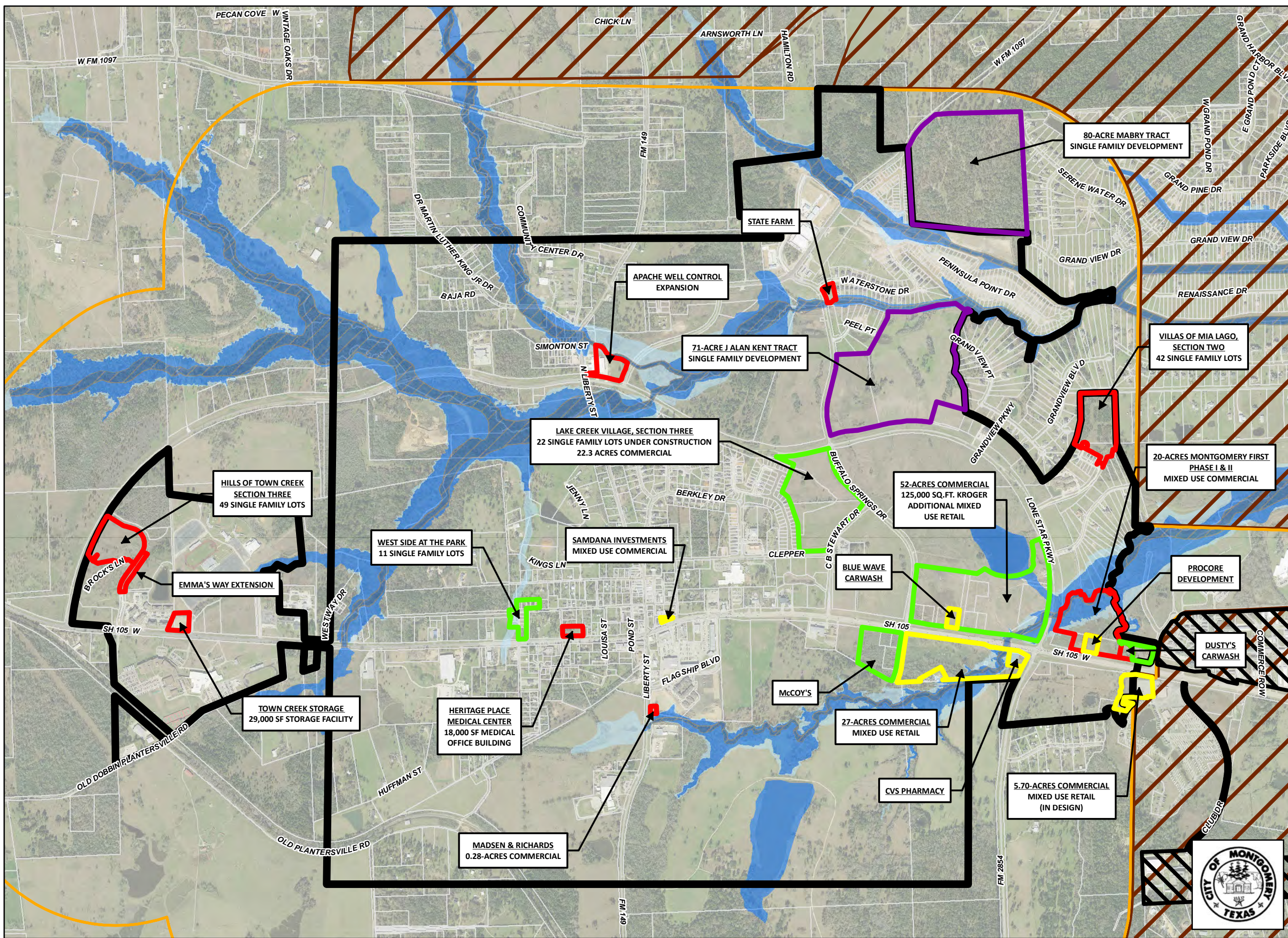
Project Master Schedule  
Active Developments Map  
Active Capital Projects Map

cc/enc.:

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)
  - 500-year (Light blue)
- MCAD Parcels (Thin black outline)

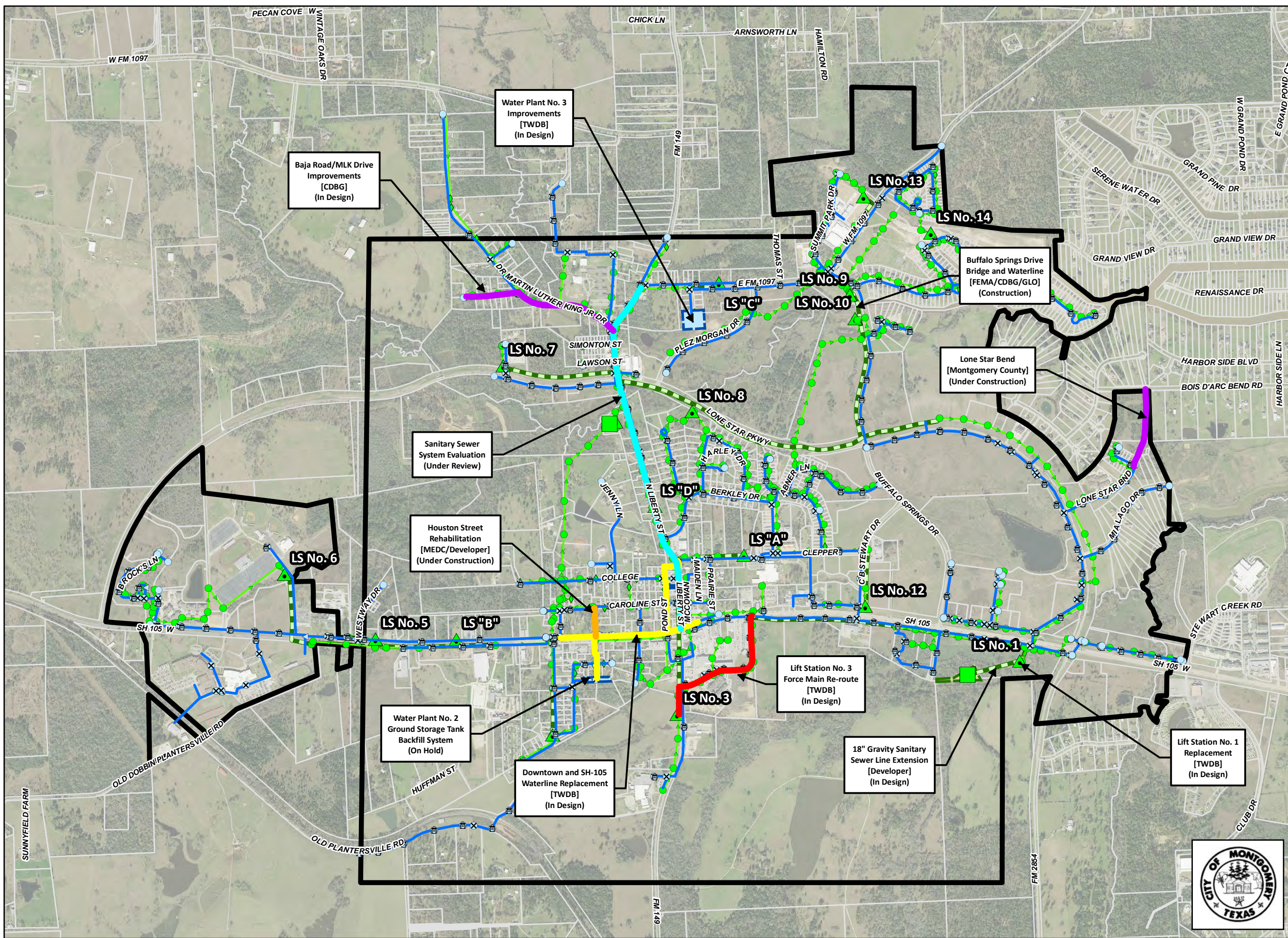
**ACTIVE DEVELOPMENTS (APRIL 2018)**

0 750 1,500  
Feet

1 inch equals 1,500 feet

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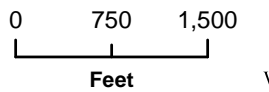
**VICINITY MAP**

Scale: 1 inch equals 20 miles

**LEGEND**

- Blowoff/Plug
- Flush Valve
- Main Valve
- Reducer
- Waterline
- WP Boundary
- Cleanout
- Manhole
- Lift Station
- WWTP
- Force Main
- Abd Force Main
- Gravity Main
- LS/WWTP Boundary
- City Limits
- MCAD Parcels

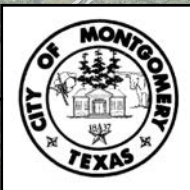
**ACTIVE CAPITAL PROJECTS (MARCH 2018)**



1 inch equals 1,500 feet



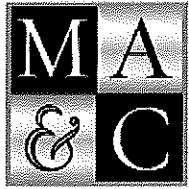
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CITY OF MONTGOMERY  
ACCOUNT BALANCES  
For Meeting of April 24, 2018

	<u>CHECKING ACCT BALANCES</u>	<u>PRIOR MONTH END INVESTMENTS</u>	<u>TOTAL FUNDS AVAILABLE</u>
<b>GENERAL FUNDS</b>			
OPERATING FUND #1017375	\$ 350,725.79		\$ 350,725.79
HOME GRANT FUNDS /COPS UNIVERSAL #103289	\$ 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		\$ 208,547.49	\$ 208,547.49
TEXPOOL - RESERVE FUND # 00005		\$ -	\$ -
<b>TOTAL GENERAL FUND</b>	<b>\$ 361,411.43</b>	<b>\$ 508,547.49</b>	<b>\$ 869,958.92</b>
<b>CONSTRUCTION FUND</b>			
BUILDING FUND #1058528	\$ -		\$ -
CONSTRUCTION ACCOUNT #1058544	\$ 341,614.51		\$ 341,614.51
BOK Financial Series 2017A	\$ 1,010,583.28		\$ 1,010,583.28
BOK Financial Series 2017BA	\$ 1,598,624.36		\$ 1,598,624.36
TEXPOOL - CONST # 00009		\$ 577.05	\$ 577.05
INVESTMENTS - CONSTRUCTION		\$ -	\$ -
<b>TOTAL CONSTRUCTION FUND</b>	<b>\$ 2,950,822.15</b>	<b>\$ 577.05</b>	<b>\$ 2,951,399.20</b>
<b>DEBT SERVICE FUND</b>			
DEBT SERVICE FUND #7024730	\$ 114,301.77		\$ 114,301.77
TEXPOOL DEBT SERVICE # 00008	\$ -	\$ 24,568.19	\$ 24,568.19
<b>TOTAL DEBT SERVICE FUND</b>	<b>\$ 114,301.77</b>	<b>\$ 24,568.19</b>	<b>\$ 138,869.96</b>
<b>COURT SECURITY FUND #1070580</b>			
	<b>\$ 6,104.48</b>	<b>\$ -</b>	<b>\$ 6,104.48</b>
<b>COURT TECHNICAL FUND #1058361</b>			
	<b>\$ 27,476.49</b>	<b>\$ -</b>	<b>\$ 27,476.49</b>
<b>GRANT FUND</b>			
HOME GRANT ACCOUNT #1059104	\$ 9,081.85		\$ 9,081.85
GRANT ACCOUNT #1048479	\$ 7,174.81		\$ 7,174.81
<b>TOTAL GRANT FUND</b>	<b>\$ 16,256.66</b>	<b>\$ -</b>	<b>\$ 16,256.66</b>
<b>HOTEL OCCUPANCY TAX FUND #1025253</b>			
	<b>\$ 10,083.20</b>	<b>\$ -</b>	<b>\$ 10,083.20</b>
<b>MEDC</b>			
CHECKING ACCOUNT #1017938	\$ 196,833.57		\$ 196,833.57
TEXPOOL - MEDC # 00003		\$ 236,787.65	\$ 236,787.65
INVESTMENTS - MEDC		\$ 250,000.00	\$ 250,000.00
<b>TOTAL MEDC</b>	<b>\$ 196,833.57</b>	<b>\$ 486,787.65</b>	<b>\$ 683,621.22</b>
<b>POLICE ASSET FORFEITURES #1047745</b>			
	<b>\$ 4,272.25</b>		<b>\$ 4,272.25</b>
<b>UTILITY FUND</b>			
UTILITY FUND #1017383	\$ 353,955.13		\$ 353,955.13
CUSTOMER DEPOSITS FUND #1017417	\$ -		\$ -
WATER WORKS & SAN SEWER #7013840	\$ -		\$ -
TEXPOOL - UTILITY FUND # 00002		\$ 18,099.28	\$ 18,099.28
<b>TOTAL UTILITY FUND</b>	<b>\$ 353,955.13</b>	<b>\$ 18,099.28</b>	<b>\$ 372,054.41</b>
<b>TOTAL ALL FUNDS</b>	<b>\$ 4,041,517.13</b>	<b>\$ 1,038,579.66</b>	<b>\$ 5,080,096.79</b>
<b>INVESTMENTS</b>			
TEXPOOL - GENERAL FUND			\$ 208,547.49
INVESTMENTS - GENERAL FUND			\$ 300,000.00
TEXPOOL - CONST # 00009			\$ 577.05
TEXPOOL - DEBT SERVICE # 00008			\$ 24,568.19
TEXPOOL - MEDC			\$ 236,787.65
INVESTMENTS - MEDC			\$ 250,000.00
TEXPOOL - UTILITY			\$ 18,099.28
<b>TOTAL ALL INVESTMENTS</b>			<b>\$ 1,038,579.66</b>





MUNICIPAL ACCOUNTS  
& CONSULTING, L.P.

## City of Montgomery

### Bookkeeper's Report

April 24, 2018

City of Montgomery  
Account Balances

As of April 19, 2018

Financial Institution (Acct Number)	Issue Date	Maturity Date	Interest Rate	Account Balance	Notes
<b>Fund: Operating</b>					
<b>Certificates of Deposit</b>					
GREEN BANK (XXXX0365)	12/18/2017	06/18/2018	0.95 %	100,000.00	
TEXAS CAPITAL BANK (XXXX0242)	01/08/2018	07/07/2018	0.90 %	100,000.00	
AJIEGIANCF BANK (XXXX3545)	02/06/2018	08/05/2018	0.85 %	100,000.00	
<b>Money Market Funds</b>					
TEXPOOL (XXXX0003)	08/01/2005		1.51 %	208,547.49	
<b>Checking Account(s)</b>					
FIRST FINANCIAL BANK (XXXX7375)			0.00 %	350,725.79	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
<b>Totals for Operating Fund:</b>				<b>\$869,958.92</b>	
<b>Fund: Capital Projects</b>					
<b>Money Market Funds</b>					
TEXPOOL (XXXX0009)	12/27/2012		1.51 %	577.05	
<b>Checking Account(s)</b>					
BOK Financial (XXXX3014)			0.00 %	1,010,583.28	BOKF, NA Escrow - Series 2017A
BOK Financial (XXXX4012)			0.00 %	1,598,624.36	BOKE, NA Escrow - Series 2017B
FIRST FINANCIAL BANK (XXXX8528)			0.00 %	0.00	Building Fund
FIRST FINANCIAL BANK (XXXX8544)			0.00 %	341,614.51	Const Clg-W&S Proj 1058544
<b>Totals for Capital Projects Fund:</b>				<b>\$2,951,399.20</b>	
<b>Fund: Debt Service</b>					
<b>Money Market Funds</b>					
TEXPOOL (XXXX0008)	12/27/2012		1.51 %	24,568.19	
<b>Checking Account(s)</b>					
FIRST FINANCIAL BANK (XXXX4730)			0.00 %	114,301.77	Checking Account
<b>Totals for Debt Service Fund:</b>				<b>\$138,869.96</b>	
<b>Fund: CT Security</b>					
<b>Checking Account(s)</b>					
FIRST FINANCIAL BANK (XXXX0580)			0.00 %	6,104.48	Cash In Bank
<b>Totals for CT Security Fund:</b>				<b>\$6,104.48</b>	
<b>Fund: CT Tech</b>					
<b>Checking Account(s)</b>					
FIRST FINANCIAL BANK (XXXX8361)			0.00 %	27,476.49	Cash In Bank
<b>Totals for CT Tech Fund:</b>				<b>\$27,476.49</b>	
<b>Fund: Grant</b>					
<b>Checking Account(s)</b>					
FIRST FINANCIAL BANK (XXXX8479)			0.00 %	7,174.81	Grant Account

City of Montgomery  
Account Balances

As of April 19, 2018

Financial Institution (Acct Number)	Issue Date	Maturity Date	Interest Rate	Account Balance	Notes
<b>Fund: Grant</b>					
<b>Checking Account(s)</b>					
FIRST FINANCIAL BANK (XXXX9104)			0.00 %	9,081.85	Checking Account
<b>Totals for Grant Fund:</b>				<b>\$16,256.66</b>	
<b>Fund: Hotel Occupancy Tax</b>					
<b>Checking Account(s)</b>					
FIRST FINANCIAL BANK (XXXX5253)			0.00 %	10,083.20	Cash In Bank
<b>Totals for Hotel Occupancy Tax Fund:</b>				<b>\$10,083.20</b>	
<b>Fund: MEDC</b>					
<b>Certificates of Deposit</b>					
ALLEGIANCE BANK (XXXX2047)	12/17/2017	06/06/2018	0.85 %	100,000.00	
ICON BANK (XXXX5334)	01/27/2018	01/27/2019	1.25 %	150,000.00	
<b>Money Market Funds</b>					
TEXPOOL (XXXX0006)	08/01/2005		1.51 %	236,787.65	
<b>Checking Account(s)</b>					
FIRST FINANCIAL BANK (XXXX7938)			0.00 %	196,833.57	MEDC Checking
<b>Totals for MEDC Fund:</b>				<b>\$683,621.22</b>	
<b>Fund: Policy Asset Forfeiture</b>					
<b>Checking Account(s)</b>					
FIRST FINANCIAL BANK (XXXX7745)			0.00 %	4,272.25	Cash In Bank
<b>Totals for Policy Asset Forfeiture Fund:</b>				<b>\$4,272.25</b>	
<b>Fund: Utility</b>					
<b>Money Market Funds</b>					
TEXPOOL (XXXX0002)	08/01/2005		1.51 %	18,099.28	
<b>Checking Account(s)</b>					
FIRST FINANCIAL BANK (XXXX7383)			0.00 %	353,955.13	Water & Sewer Fund
FIRST FINANCIAL BANK (XXXX7417)			0.00 %	0.00	Customer Deposit Acct
FIRST FINANCIAL BANK (XXXX3840)			0.00 %	0.00	Water Works
<b>Totals for Utility Fund:</b>				<b>\$372,054.41</b>	
<b>Grand total for City of Montgomery:</b>				<b>\$5,080,096.79</b>	

City of Montgomery - General  
Cash Flow Report - Checking Account

As of April 19, 2018

Num	Name	Memo	Amount	Balance
BALANCE AS OF 03/24/2018				\$557,156.06
<b>Receipts</b>				
	Tax Rev CL 3/18		10,064.34	
	Tax Rev OS 3/18		534.84	
	Tax P&I 3/18		852.72	
	Tax Rev EOM 3/18		1,081.16	
	Misc. Revenue O/S		571.00	
	Miscellaneous Revenue CL		57,328.37	
	Court Revenue		49,414.62	
	Court Revenue - O/S		3,081.50	
	Interest		15.83	
<b>Total Receipts</b>				122,944.38
<b>Disbursements</b>				
28065	Redman, Leslie A.	Payroll (Court Time) 3/29/18	(113.49)	
28066	Office of the Attorney General	0012541428, 0012011313, 0013412154, 001180485	(2,544.73)	
28067	Accurate Utility Supply, LLC	Invoice 141791	(334.65)	
28068	Bates Air Conditioning	Refund - Mechanical Permit Application (McDoal	(148.00)	
28069	Belt Harris Pechacek L.L.P.	INV 13620 Audit-09/30/2017 Financial Statement	(10,150.00)	
28070	Gordon B. Dudley, Jr.	Prosecutor Fee 03/22/2018	(450.00)	
28071	Innovative Outdoors	Mowing Contract - 3/18	(6,667.00)	
28072	Jamie Leden	03/23/2018 Community Bldg Rental Refund	(150.00)	
28073	Montgomery Area Chamber of Commerce	Membership dues 2018 Invoice 1158	(125.00)	
28074	Montgomery County Elections Administrator	60% Deposit for May 5, 2018 Election Cost Estima	(4,915.00)	
28075	Petty Cash	Petty Cash - Miscellaneous 03/2018	(500.00)	
28076	Texas Specialties/Lone Star Signs	INV # 11719 (1) Sign 18" X 24" - No Parking	(37.50)	
28077	TML-Multistate Intergovernmental	Health, Life & AD&D Insurance Period 2018-04 -	(11,295.20)	
28078	UBCO of East Texas, Inc.1	INV614420 Sales Order SO110781 Refill Staple Ty	(61.56)	
28079	Waller County Asphalt	INV 13768 - ASPPM Grade IV Performance Cold	(359.10)	
28080	Watch Guard Video	INV BCMINV0004914 & INV 4REINV0007047	(13,800.00)	
28081	TMRS	0877, 00877	(18,840.78)	
28082	American Tire Distributors	Tires Inv. S105585014 Acct No. 216359	(523.36)	
28083	Children's Safe Harbor	INV 2059 CSH#18028 (Due from AG)	(531.00)	
28084	Coburn's Conroe	Supplies - Inv 501008332	(57.69)	
28085	Consolidated Communications	March 2018 Telephone Service Per Spreadsheet 4/	(787.40)	
28086	Crown Paper and Chemical	INV # 112408 & INV #112446	(326.31)	
28087	Ditttert Rubber Stamp, Ltd.	Inv 251491, 251522	(71.40)	
28088	Easley Enterprises of Texas, Inc.	City Hall General Cleaning March 1-31	(375.00)	
28089	Evident Crime Scene Products, Inc	Invoice 129994A	(121.00)	
28090	Ewing Irrigation Products, Inc.	Fernaland Park - Order No. 7301737A	(33.02)	
28091	Houston Chronicle	INV 222716068 AD# 165616	(136.80)	
28092	James Riley	Reimbursement for Firearms Qualification @ Shoo	(12.99)	
28093	Miller Uniforms & Emblems, Inc.	INV 104886	(3,221.89)	
28094	Purchase Power	Acct-8000-9090-1015-0170 - Postage 03/2018	(299.00)	
28095	Rick Hanna, CBO	Inv 17573, 17574	(4,617.00)	
28096	Robert Rosenquist	Municipal Court Judge - 3/18	(1,500.00)	
28097	Sam's Club	Acct #040241083268-7, INV 953, PO CM5955	(263.57)	
28098	Solomon Electric, Inc.	Inv 14048, 14049	(7,732.95)	
28099	TDCAA	Invoice 46875, Order No. 21836, PO # CM5994	(202.38)	
28100	Thomas Lundsten	Cedar Brake Park Garden Maintenance 3/2018	(115.00)	
28101	TML-IRP	Contract #6827 - Ins Premium 4/18	(4,505.53)	
28102	UBFO of East Texas, Inc.1	INV616287	(646.07)	

City of Montgomery - General  
Cash Flow Report - Checking Account

As of April 19, 2018

Num	Name	Memo	Amount	Balance
<b>Disbursements</b>				
28103	Verizon Wireless	521590387-00001	(56.52)	
28104	Weisinger Materials, Inc	INV 064184 Wholesale Topsoil	(665.00)	
28105	Daspit, Laurence F	Payroll 4/13/18	(87.73)	
28106	Office of the Attorney General	0012541428, 0012011313, 0013412154, 001180485	(2,710.05)	
28107	City of Montgomery - Utility Fund	Water Usage @ Parks, City Hall, Com Center - 3/1	(868.29)	
28108	Darden,Fowler & Creighton, L.L.P.	Legal Fees 3/18	(2,640.00)	
28109	Easley Enterprises of Texas, Inc.	City Hall General Cleaning January 1-31 2018	(375.00)	
28110	Entergy	Part Utilities per spreadsheet - 3/28/2018	(1,168.03)	
28111	GTTN	Fee per service agreement for 3/18 #6510	(3,360.50)	
28112	Houston Chronicle	INV 222716065 thur 222716070	(456.75)	
28113	Iron Mountain	Document Shredding PYM9678 02/21/2018 - 03	(106.86)	
28114	LDC	CM100017 - Gas Service 101 Plantersville 3/18	(15.29)	
28115	MCCI	Software Inv 00013515 - Annual Support Renewal	(5,168.80)	
28116	McCoy's Building Supply Corporation	Acct - 0900-98046487-001 March 2018 Invoices	(1,273.65)	
28117	Municipal Accounts & Consulting, L.P.	Bookkeeping 3/18 Inv 51513	(12,237.48)	
28118	NAPA Auto Parts	Acct # 1670 - Inv 384792	(4.78)	
28119	Odom Trailer Mfg. Co., Inc.	INV 18001058 6" Rapid Hitch	(199.98)	
28120	Office Depot Business Credit	Supplies 3/18	(591.43)	
28121	Pecan Hill Florist	INV 5725	(75.00)	
28122	Personalized Communications, Inc.	Answering Service - 18253-040418	(58.84)	
28123	Stowes' Wrecker & Collision	Repairs - Police Inv 2898	(108.00)	
28124	Susan Hensley	Reimbursement for mileage & per diem - TMCCP	(365.42)	
28125	Techline, Inc	Order 2523951-00 - Safety Glasses	(43.79)	
28126	Verizon Wireless	521590387-00001	(1,499.59)	
DD	Yates, Jack R	Payroll 3/29/18	(3,514.71)	
DD	Aguirre, Abel	Payroll 3/29/18	(1,595.01)	
DD	Bauer, Timothy M	Payroll 3/29/18	(1,331.90)	
DD	Belmares, Jose N.	Payroll 3/29/18	(2,006.16)	
DD	Bickford, Dana N	Payroll 3/29/18	(368.47)	
DD	Bracht, James C.	Payroll 3/29/18	(1,831.99)	
DD	Carswell, Christopher M	Payroll 3/29/18	(1,745.14)	
DD	Duckett, Kimberly T.	Payroll 3/29/18	(1,408.85)	
DD	Dupree, April J	Payroll 3/29/18	(1,272.77)	
DD	Hensley, Susan L	Payroll 3/29/18	(1,945.03)	
DD	Hernandez, George J.	Payroll 3/29/18	(1,160.17)	
DD	Kohl, Julie J	Payroll 3/29/18	(238.65)	
DD	Kowarsch, Robert D	Payroll 3/29/18	(147.76)	
DD	Muckleroy, Micha D.	Payroll 3/29/18	(2,012.52)	
DD	Napolitano, James F	Payroll 3/29/18	(2,626.94)	
DD	Rather, Regina S.	Payroll 3/29/18	(474.66)	
DD	Redman, Leslie A.	Payroll 3/29/18	(1,221.65)	
DD	Riley, James A.	Payroll 3/29/18	(1,969.34)	
DD	Rosario III, Miguel A.	Payroll 3/29/18	(1,130.49)	
DD	Rosendo, Jose A	Payroll 3/29/18	(1,207.08)	
DD	Salas, Francisco A.	Payroll 3/29/18	(1,257.06)	
DD	Standifer, Eric L.	Payroll 3/29/18	(1,577.46)	
DD	Thomas, Ryan A	Payroll 3/29/18	(1,285.78)	
DD	Thompson, Kevin A.	Payroll 3/29/18	(888.37)	
DD	Mcnaard, Tara M	Payroll 3/29/18	(1,166.71)	
DD	Aguirre, Abel	Payroll 4/13/18	(1,755.30)	
DD	Bauer, Timothy M	Payroll 4/13/18	(1,426.91)	
DD	Belmares, Jose N.	Payroll 4/13/18	(2,006.16)	

City of Montgomery - General  
**Cash Flow Report - Checking Account**  
As of April 19, 2018

Num	Name	Memo	Amount	Balance
<b>Disbursements</b>				
DD	Bickford, Dana N	Payroll 4/13/18	(55.41)	
DD	Bracht, James C.	Payroll 4/13/18	(2,111.49)	
DD	Carswell, Christopher M	Payroll 4/13/18	(1,332.37)	
DD	Duckett, Kimberly T.	Payroll 4/13/18	(1,408.87)	
DD	Dupree, April J	Payroll 4/13/18	(1,180.18)	
DD	Hensley, Susan L	Payroll 4/13/18	(1,945.03)	
DD	Hernandez, George J.	Payroll 4/13/18	(1,134.85)	
DD	Kohl, Julie J	Payroll 4/13/18	(343.40)	
DD	Kowarsch, Robert D	Payroll 4/13/18	(166.23)	
DD	Menard, Tara M	Payroll 4/13/18	(1,182.48)	
DD	Muckleroy, Micha D.	Payroll 4/13/18	(2,012.50)	
DD	Napolitano, James F	Payroll 4/13/18	(2,626.94)	
DD	Rather, Regina S.	Payroll 4/13/18	(417.57)	
DD	Redman, Leslie A.	Payroll 4/13/18	(1,239.13)	
DD	Riley, James A.	Payroll 4/13/18	(1,855.07)	
DD	Rosario III, Miguel A.	Payroll 4/13/18	(1,130.48)	
DD	Rosendo, Jose A	Payroll 4/13/18	(1,207.07)	
DD	Salas, Francisco A.	Payroll 4/13/18	(1,339.23)	
DD	Standifer, Eric L.	Payroll 4/13/18	(1,577.45)	
DD	Thomas, Ryan A	Payroll 4/13/18	(1,285.79)	
DD	Thompson, Kevin A.	Payroll 4/13/18	(847.49)	
DD	Yates, Jack R	Payroll 4/13/18	(3,614.04)	
DM	ETS Corporation	Credit Card Fees 3/18	(697.15)	
DM	Return Item	Returned Item	(150.00)	
POL	EFTPS	Payroll Liabilities 3/29/18	(11,289.90)	
POL	EFTPS	Payroll Liabilities 4/13/18	(11,293.26)	
Transfer	City of Montgomery - MEDC	Sales Tax Transfer thru 3/31/18	(104,650.08)	
<b>Total Disbursements</b>			<u>(329,374.65)</u>	<u>(329,374.65)</u>
<b>BALANCE AS OF 04/19/2018</b>				<u><u>\$350,725.79</u></u>

City of Montgomery - General  
**Cash Flow Report - Police Drug & Misc Fund Account**  
 As of April 19, 2018

Num	Name	Memo	Amount	Balance
BALANCE AS OF 03/24/2018				\$10,675.64
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 04/19/2018				<u><u>\$10,675.64</u></u>

City of Montgomery - General  
**Cash Flow Report - Home Grant / COPS Universal Account**  
 As of April 19, 2018

Num	Name	Memo	Amount	Balance
BALANCE AS OF 03/24/2018				\$10.00
<b>Receipts</b>				
	No Receipts Activity		0.00	
<b>Total Receipts</b>			<u>0.00</u>	0.00
<b>Disbursements</b>				
	No Disbursements Activity		0.00	
<b>Total Disbursements</b>			<u>0.00</u>	<u>0.00</u>
BALANCE AS OF 04/19/2018				<u><u>\$10.00</u></u>



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

Accrual Basis

March 2018

	Mar 18	Budget	\$ Over ...	Oct '17 - ...	YTD Bud...	\$ Over B...	Annual B...
<b>Ordinary Income/Expense</b>							
<b>Income</b>							
14000.1 · Taxes & Franchise Fees							
14103 · Beverage Tax	0.00	2,750.00	-2,750.00	4,484.28	5,500.00	-1,015.72	11,000.00
14111 · Franchise Tax	0.00	18,000.00	-18,000.00	7,623.40	36,000.00	-28,376.60	72,000.00
14320 · Ad Valorem Taxes							
14320.1 · PD Tax Revenue	0.00			35,775.81			
14320 · Ad Valorem Taxes - Other	5,743.14	13,719.32	-7,976.18	387,471.24	353,159.66	34,311.58	402,412.00
<b>Total 14320 · Ad Valorem Taxes</b>	<b>5,743.14</b>	<b>13,719.32</b>	<b>-7,976.18</b>	<b>423,247.05</b>	<b>353,159.66</b>	<b>70,087.39</b>	<b>402,412.00</b>
14330 · Penalties & Interest on Adv Tax	419.27	208.33	210.94	1,477.32	1,250.02	227.30	2,500.00
14331 · Rendition Penalties	0.00	16.67	-16.67	0.00	99.98	-99.98	200.00
14600 · Sales Tax	112,473.22	148,590.47	-36,117.25	863,151.93	870,652.28	-7,500.35	1,810,800.00
<b>Total 14000.1 · Taxes &amp; Franchise Fees</b>	<b>118,635.63</b>	<b>183,284.79</b>	<b>-64,649.16</b>	<b>1,299,983.98</b>	<b>1,266,661.94</b>	<b>33,322.04</b>	<b>2,298,912.00</b>
14000.2 · Permits & Licenses							
14105 · Building Permits	18,839.30	18,671.01	168.29	94,470.20	81,327.16	13,143.04	175,000.00
14146 · Vendor/Beverage Permits	40.00	8.33	31.67	2,156.00	50.02	2,105.98	100.00
14611 · Sign Fee	425.00	150.00	275.00	1,485.00	900.00	585.00	1,800.00
14612 · Misc Permit Fees(plats & Zoning	1,364.20	166.67	1,197.53	1,296.27	999.98	296.29	2,000.00
14000.2 · Permits & Licenses - Other	-148.00	0.00	-148.00	-148.00	0.00	-148.00	0.00
<b>Total 14000.2 · Permits &amp; Licenses</b>	<b>20,520.50</b>	<b>18,996.01</b>	<b>1,524.49</b>	<b>99,259.47</b>	<b>83,277.16</b>	<b>15,982.31</b>	<b>178,900.00</b>
14000.4 · Fees for Service							
14380 · Community Bldg Rental	130.00	458.33	-328.33	3,070.00	2,750.02	319.98	5,500.00
14381 · Kiosk Revenue	0.00	0.00	0.00	0.00	30.00	-30.00	30.00
14385 · Right of Way Use Fees	0.00	175.00	-175.00	5,431.38	1,050.00	4,381.38	2,100.00
<b>Total 14000.4 · Fees for Service</b>	<b>130.00</b>	<b>633.33</b>	<b>-503.33</b>	<b>8,501.38</b>	<b>3,830.02</b>	<b>4,671.36</b>	<b>7,630.00</b>
14000.5 · Court Fines & Forfeitures							
14101 · Collection Fees	4,342.06	2,000.00	2,342.06	19,020.20	12,000.00	7,020.20	24,000.00
14102 · Asset Forfeitures	0.00	125.00	-125.00	0.00	250.00	-250.00	500.00
14106 · Child Belt/Safety (Dedicated)	25.00	100.00	-75.00	71.33	600.00	-528.67	1,200.00
14108 · Court Fees	24.00			24.00			
14110 · Fines	46,169.84	45,833.33	336.51	227,251.34	275,000.02	-47,748.68	550,000.00
14118 · OMNI	231.02	166.67	64.35	1,223.55	999.98	223.57	2,000.00
14125 · Warrant Fees	0.00	0.00	0.00	0.00	50.00	-50.00	50.00
14126 · Judicial Efficiency (Dedicated)	156.97	145.83	11.14	702.94	875.02	-172.08	1,750.00
14130 · Accident Reports	0.00	24.00	-24.00	231.41	90.00	141.41	180.00
<b>Total 14000.5 · Court Fines &amp; Forfeitures</b>	<b>50,948.89</b>	<b>48,394.83</b>	<b>2,554.06</b>	<b>248,524.77</b>	<b>289,865.02</b>	<b>-41,340.25</b>	<b>579,680.00</b>
14000.6 · Other Revenues							
15380 · Unanticipated Income	0.00	10.00	-10.00	3,319.56	40.00	3,279.56	100.00
15391 · Interest Income	15.83	53.56	-37.73	75.17	391.25	-316.08	707.47
15392 · Interest on Investments	268.10	150.00	118.10	3,679.84	900.00	2,779.84	1,800.00
<b>Total 14000.6 · Other Revenues</b>	<b>283.93</b>	<b>213.56</b>	<b>70.37</b>	<b>7,074.57</b>	<b>1,331.25</b>	<b>5,743.32</b>	<b>2,607.47</b>
15350 · Proceeds from sales	0.00	0.00	0.00	0.00	200.00	-200.00	200.00
15352 · Proceeds from FEMA Disaster 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
<b>Total Income</b>	<b>190,518.95</b>	<b>251,522.52</b>	<b>-61,003.57</b>	<b>1,657,625.44</b>	<b>1,645,665.39</b>	<b>11,960.05</b>	<b>3,068,429.47</b>
<b>Expense</b>							
16000 · Personnel							
16353.1 · Health Ins.	17,724.20	8,832.54	8,891.66	61,244.10	52,994.76	8,249.34	105,990.00
16353.4 · Unemployment Ins.	3,065.18	200.00	2,865.18	3,260.79	2,295.90	964.89	3,110.00
16353.5 · Workers Comp.	1,866.67	1,285.39	581.28	14,223.24	8,097.70	6,125.54	15,810.00
16353.6 · Dental & Vision Insurance	2,218.44	1,013.96	1,204.48	7,901.36	5,696.24	2,205.12	11,780.00
16353.7 · Life & AD&D Insurance	234.66	80.84	153.82	822.06	484.96	337.10	970.00
16353.8 · Crime-Ins	21.96	0.00	21.96	131.75	0.00	131.75	0.00
16560 · Payroll Taxes	10,430.38	7,495.82	2,934.56	46,163.18	44,975.08	1,188.10	89,950.00
16600 · Wages	129,285.98	98,279.17	31,006.81	560,414.04	589,674.98	-29,260.94	1,179,350.00
16600.1 · Overtime	5,272.16	2,121.52	3,150.64	26,097.86	9,826.29	16,271.57	20,000.00

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

Accrual Basis

March 2018

	Mar 18	Budget	\$ Over ...	Oct '17 - ...	YTD Bud...	\$ Over B...	Annual B...
16620 · Retirement Expense	8,057.57	4,216.66	3,840.91	34,287.04	25,300.04	8,987.00	50,600.00
<b>Total 16000 · Personnel</b>	<b>178,177.20</b>	<b>123,525.90</b>	<b>54,651.30</b>	<b>754,545.42</b>	<b>739,345.95</b>	<b>15,199.47</b>	<b>1,477,560.00</b>
<b>16001 · Communications</b>							
16338 · Advertising/Promotion							
16338.1 · Legal Notices and Pub	516.60			1,951.00			
16338.2 · Recording Fees	1,500.00			1,500.00			
16338 · Advertising/Promotion - Other	0.00	468.92	-468.92	2,040.89	2,313.47	-272.58	4,626.98
<b>Total 16338 · Advertising/Promotion</b>	<b>2,016.60</b>	<b>468.92</b>	<b>1,547.68</b>	<b>5,491.89</b>	<b>2,313.47</b>	<b>3,178.42</b>	<b>4,626.98</b>
<b>Total 16001 · Communications</b>	<b>2,016.60</b>	<b>468.92</b>	<b>1,547.68</b>	<b>5,491.89</b>	<b>2,313.47</b>	<b>3,178.42</b>	<b>4,626.98</b>
<b>16002 · Contract Services</b>							
16102 · General Consultant Fees	560.09	5,166.67	-4,606.58	10,502.55	18,999.98	-8,497.43	32,000.00
16220 · Omni Expense	0.00	291.67	-291.67	326.00	1,749.98	-1,423.98	3,500.00
16242 · Prosecutors Fees	450.00	958.33	-508.33	5,400.00	5,750.02	-350.02	11,500.00
16280 · Mowing	6,667.00	6,716.67	-49.67	40,000.35	40,299.98	-299.63	80,600.00
16281 · Records Shredding	106.86			320.18			
16299 · Inspections/Permits	10,903.00	6,750.00	4,153.00	58,911.68	40,500.00	18,411.68	81,000.00
16310 · Judge's Fee	1,500.00	1,500.00	0.00	9,047.00	9,000.00	47.00	18,000.00
16320 · Legal							
16320.1 · House Abatement Legal	0.00			36.00			
16320 · Legal - Other	1,940.00	2,666.67	-726.67	15,787.00	18,499.98	-2,712.98	34,500.00
<b>Total 16320 · Legal</b>	<b>1,940.00</b>	<b>2,666.67</b>	<b>-726.67</b>	<b>15,823.00</b>	<b>18,499.98</b>	<b>-2,676.98</b>	<b>34,500.00</b>
16321 · Audit Fees	14,306.25	0.00	14,306.25	17,306.25	12,000.00	5,306.25	14,000.00
16322 · Engineering	7,323.62	6,833.34	490.28	65,780.20	40,999.96	24,780.24	82,000.00
16326 · Collection Agency Fees	0.00	2,900.00	-2,900.00	14,261.93	25,900.00	-11,638.07	45,000.00
16333 · Accounting Fees	7,681.23	7,000.00	681.23	47,411.39	42,000.00	5,411.39	84,000.00
16335 · Repairs & Maintenance							
16335.1 · Maintenance - Vehicles & Equip							
16334 · Gas/Oil	2,663.59	2,666.66	-3.07	15,664.15	16,000.04	-335.89	32,000.00
16343 · Tractor & Mower	0.00	83.33	-83.33	96.50	500.02	-403.52	1,000.00
16357 · Auto Repairs	2,367.36	1,791.66	575.70	11,824.16	10,750.04	1,074.12	21,500.00
16373 · Equipment repairs	645.85	791.67	-145.82	1,164.04	4,749.98	-3,585.94	9,500.00
16374 · Building Repairs-City Hall/Comm	393.12	1,541.67	-1,148.55	11,516.44	9,249.98	2,266.46	18,500.00
16375 · Street Repairs - Minor							
16375.1 · Streets-Preventive Maintenance	0.00	1,500.00	-1,500.00	1,962.80	9,000.00	-7,037.20	18,000.00
16375 · Street Repairs - Minor - Other	359.10	1,250.00	-890.90	3,636.83	7,500.00	-3,863.17	15,000.00
<b>Total 16375 · Street Repairs - Minor</b>	<b>359.10</b>	<b>2,750.00</b>	<b>-2,390.90</b>	<b>5,599.63</b>	<b>16,500.00</b>	<b>-10,900.37</b>	<b>33,000.00</b>
16335.1 · Maintenance - Vehicles & Equip - O...	58.91	125.00	-66.09	143.99	750.00	-606.01	1,500.00
<b>Total 16335.1 · Maintenance - Vehicles &amp; Equip</b>	<b>6,487.93</b>	<b>9,749.99</b>	<b>-3,262.06</b>	<b>46,008.91</b>	<b>58,500.06</b>	<b>-12,491.15</b>	<b>117,000.00</b>
16335 · Repairs & Maintenance - Other	375.00	2,000.00	-1,625.00	6,143.90	9,000.00	-2,856.10	6,392.72
<b>Total 16335 · Repairs &amp; Maintenance</b>	<b>6,862.93</b>	<b>11,749.99</b>	<b>-4,887.06</b>	<b>52,152.81</b>	<b>67,500.06</b>	<b>-15,347.25</b>	<b>123,392.72</b>
16337 · Street Signs	37.50	541.67	-504.17	2,267.80	3,249.98	-982.18	6,500.00
16340 · Printing & Office supplies	166.26	600.01	-433.75	5,183.38	3,599.94	1,583.44	7,200.00
16342 · Computers/Website	1,675.16	2,483.33	-808.17	15,918.90	14,900.02	1,018.88	29,800.00
16350 · Postage/Delivery	310.50	508.33	-197.83	3,257.21	2,750.02	507.19	5,100.00
16351 · Telephone	1,748.55	1,862.51	-113.96	10,071.91	11,174.94	-1,103.03	22,309.00
16360 · Tax Assessor Fees	1,904.00	0.00	1,904.00	3,964.21	7,320.00	-3,355.79	7,320.00
16370 · Electiou	0.00	0.00	0.00	0.00	0.00	0.00	16,000.00
17030 · Mobil Data Terminal	1,408.83	1,333.33	75.50	15,476.08	8,000.02	7,476.06	16,000.00
17031 · Police Officer Scheduling Serv	0.00	166.67	-166.67	562.95	999.98	-437.03	2,000.00
17040 · Computer/Technology	1,788.49	1,479.16	309.33	10,987.98	14,744.37	-3,756.39	24,500.00
17510 · State Portion of Fines/Payouts	0.00	50,000.00	-50,000.00	34,946.98	100,000.00	-65,053.02	200,000.00
<b>Total 16002 · Contract Services</b>	<b>67,340.27</b>	<b>111,508.35</b>	<b>-44,168.08</b>	<b>439,880.74</b>	<b>489,939.23</b>	<b>-50,058.49</b>	<b>946,221.72</b>
<b>16003 · Supplies &amp; Equipment</b>							
16244 · Radio Fees	0.00	4,398.24	-4,398.24	0.00	4,398.24	-4,398.24	4,398.24

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

Accrual Basis

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	Mar 18	Budget	\$ Over ...	Oct '17 - ...	YTD Bud...	\$ Over B...	Annual B...
16328 · Uniforms	1,331.84	1,166.67	165.17	6,031.51	7,499.98	-1,468.47	14,500.00
16328.1 · Protective Gear	0.00	250.00	-250.00	0.00	1,500.00	-1,500.00	3,000.00
16358 · Copier/Fax Machine Lease	2,236.52	1,689.12	547.40	10,099.98	10,165.28	-65.30	20,300.00
16460 · Operating Supplies (Office)							
16460.1 · Streets and Drainage	13.99	291.67	-277.68	2,077.26	1,749.98	327.28	3,500.00
16460.2 · Cedar Brake Park	112.06	333.33	-221.27	905.10	2,000.02	-1,094.92	4,000.00
16460.3 · Homecoming Park	112.06	166.67	-54.61	469.14	999.98	-530.84	2,000.00
16460.4 · Fernland Park	777.06	208.33	568.73	1,227.66	1,250.02	-22.36	2,500.00
16460.5 · Community Building	0.00	333.33	-333.33	66.05	2,000.02	-1,933.97	4,000.00
16460.6 · Tools, Etc	448.61	233.33	215.28	1,097.61	1,400.02	-302.41	2,800.00
16460.7 · Memory Park	112.04	250.00	-137.96	1,333.72	1,500.00	-166.28	3,000.00
16460 · Operating Supplies (Office) - Other	2,345.25	1,700.01	645.24	14,541.50	10,172.19	4,369.31	20,428.72
<b>Total 16460 · Operating Supplies (Office)</b>	<b>3,921.07</b>	<b>3,516.67</b>	<b>404.40</b>	<b>21,718.04</b>	<b>21,072.23</b>	<b>645.81</b>	<b>42,228.72</b>
16503 · Code Enforcement Expenses	0.00	83.33	-83.33	0.00	500.02	-500.02	1,000.00
17010 · Emergency Equipment	248.00	400.00	-152.00	332.94	900.00	-567.06	2,000.00
17050 · Radios	0.00	0.00	0.00	0.00	0.00	0.00	4,100.00
17100 · Capital Purchase Furniture	0.00	3,500.00	-3,500.00	0.00	8,873.00	-8,873.00	11,400.00
16003 · Supplies & Equipment - Other	0.00	250.00	-250.00	641.54	1,500.00	-858.46	3,000.00
<b>Total 16003 · Supplies &amp; Equipment</b>	<b>7,737.43</b>	<b>15,254.03</b>	<b>-7,516.60</b>	<b>38,824.01</b>	<b>56,408.75</b>	<b>-17,584.74</b>	<b>105,926.96</b>
16004 · Staff Development							
16241 · Police Training/Education	0.00	1,742.60	-1,742.60	0.00	2,525.70	-2,525.70	6,800.00
16339 · Dues & Subscriptions	676.38	1,166.67	-490.29	3,242.60	2,416.64	825.96	3,500.00
16341 · Community Relations (Education)	0.00	100.00	-100.00	783.22	1,400.00	-616.78	2,700.00
16354 · Travel & Training (Travel)	2,699.31	2,867.34	-168.03	12,580.30	10,256.89	2,323.41	22,500.00
16004 · Staff Development - Other	0.00	0.00	0.00	150.00	0.00	150.00	0.00
<b>Total 16004 · Staff Development</b>	<b>3,375.69</b>	<b>5,876.61</b>	<b>-2,500.92</b>	<b>16,756.12</b>	<b>16,599.23</b>	<b>156.89</b>	<b>35,500.00</b>
16005 · Maintenance							
16228 · Park Maint-Memory Pk	316.00	708.33	-392.33	826.82	4,250.02	-3,423.20	8,500.00
16229 · Park Maint - Fernland	21,286.86	1,925.00	19,361.86	22,166.25	11,550.00	10,616.25	23,100.00
16230 · Park Maint-Cedar Brake Park	115.00	500.00	-385.00	963.55	3,000.00	-2,036.45	6,000.00
16231 · Park Maint. - Homecoming Park	0.00	166.67	-166.67	0.00	999.98	-999.98	2,000.00
<b>Total 16005 · Maintenance</b>	<b>21,717.86</b>	<b>3,300.00</b>	<b>18,417.86</b>	<b>23,956.62</b>	<b>19,800.00</b>	<b>4,156.62</b>	<b>39,600.00</b>
16006 · Insurance							
16353.2 · Liability Ins.	1,940.29	1,175.00	765.29	11,641.74	7,050.00	4,591.74	14,100.00
16353.3 · Property Ins.	676.61	458.34	218.27	4,059.65	2,749.96	1,309.69	5,500.00
<b>Total 16006 · Insurance</b>	<b>2,616.90</b>	<b>1,633.34</b>	<b>983.56</b>	<b>15,701.39</b>	<b>9,799.96</b>	<b>5,901.43</b>	<b>19,600.00</b>
16007 · Utilities							
16351.1 · Utilities - Memory Park -Water	0.00	333.33	-333.33	0.00	2,000.02	-2,000.02	4,000.00
16351.2 · Utilities-Fernland Pk-Water	0.00	58.33	-58.33	0.00	350.02	-350.02	700.00
16352.0 · Electronic Sign-City	41.58	50.00	-8.42	317.53	300.00	17.53	600.00
16352.1 · Street Lights	1,081.11	1,183.33	-102.22	5,657.17	7,100.02	-1,442.85	14,200.00
16352.2 · Downtown Lighting	60.43	28.33	32.10	118.53	170.02	-51.49	340.00
16352.3 · Cedar Brake Park	160.45	250.00	-89.55	1,210.30	1,500.00	-289.70	3,000.00
16352.4 · Homecoming Park	106.81	108.33	-1.52	807.87	650.02	157.85	1,300.00
16352.5 · Fernland Park	168.30	350.00	-181.70	1,877.95	2,100.00	-222.05	4,200.00
16352.6 · Utilities - City Hall	840.88	875.00	-34.12	5,189.37	5,250.00	-60.63	10,500.00
16352.7 · Utilities - Gas	0.00	68.33	-68.33	315.40	510.02	-194.62	920.00
16352.8 · Utilities - Comm Center Bldg	380.48	450.00	-69.52	3,481.75	2,700.00	781.75	5,400.00
16352.9 · Utilities-Memory Pk	277.39	833.33	-555.94	3,061.19	5,000.02	-1,938.83	10,000.00
16007 · Utilities - Other	0.00	0.00	0.00	0.00	100.00	-100.00	100.00
<b>Total 16007 · Utilities</b>	<b>3,117.43</b>	<b>4,588.31</b>	<b>-1,470.88</b>	<b>22,037.06</b>	<b>27,730.14</b>	<b>-5,693.08</b>	<b>55,260.00</b>
16008 · Capital Outlay							
16233 · Cap Outlay- Con Building Proj	0.00	125.00	-125.00	3,243.98	750.00	2,493.98	1,500.00
17070 · Capital Outlay - Police Cars							
17070.1 · Emergency Lights, Decals	0.00	5,000.00	-5,000.00	15,888.94	5,000.00	10,888.94	15,000.00
17070.3 · Watch Guard	13,800.00	10,000.00	3,800.00	55,025.00	23,760.00	31,265.00	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  
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Accrual Basis

March 2018

	Mar 18	Budget	\$ Over ...	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
<b>Total 17070 · Capital Outlay - Police Cars</b>	<b>13,800.00</b>	<b>15,000.00</b>	<b>-1,200.00</b>	<b>99,056.04</b>	<b>75,510.00</b>	<b>23,546.04</b>	<b>110,150.00</b>
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	299.45	0.00	299.45	299.45	2,000.00	-1,700.55	4,000.00
17071.4 · Laser Fish (Software Equip)	3,445.87	308.23	3,137.64	3,445.87	1,850.62	1,595.25	3,700.00
17071.6 · Investigative and Testing Equip	135.06	400.00	-264.94	411.17	1,600.00	-1,188.83	4,000.00
17071.7 · Ballistic Vests & Shields	4,397.18	0.00	4,397.18	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	8,094.52	8,500.02	-405.50	17,000.00
<b>Total 17071 · Cap Purchase - Computers/Equip</b>	<b>8,318.56</b>	<b>3,791.56</b>	<b>4,527.00</b>	<b>22,132.32</b>	<b>22,800.64</b>	<b>-668.32</b>	<b>39,900.00</b>
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	0.00	5,000.00	-5,000.00	49,879.41	30,000.00	19,879.41	60,000.00
17080 · Capital Outlay-Improvements	0.00	0.00	0.00	0.00	15,000.00	-15,000.00	15,000.00
<b>Total 16008 · Capital Outlay</b>	<b>22,118.56</b>	<b>23,916.56</b>	<b>-1,798.00</b>	<b>174,311.75</b>	<b>149,260.64</b>	<b>25,051.11</b>	<b>231,750.00</b>
16009 · Miscellaneous Expenses							
16590 · Misc. Expense							
16590.2 · Property 149/105	700.00			2,255.06			
16590 · Misc. Expense - Other	886.54	619.05	267.49	4,001.29	1,398.67	2,602.62	5,447.15
<b>Total 16590 · Misc. Expense</b>	<b>1,586.54</b>	<b>619.05</b>	<b>967.49</b>	<b>6,256.35</b>	<b>1,398.67</b>	<b>4,857.68</b>	<b>5,447.15</b>
16009 · Miscellaneous Expenses - Other	84.00			552.67			
<b>Total 16009 · Miscellaneous Expenses</b>	<b>1,670.54</b>	<b>619.05</b>	<b>1,051.49</b>	<b>6,809.02</b>	<b>1,398.67</b>	<b>5,410.35</b>	<b>5,447.15</b>
16010 · Contingency	0.00	10.00	-10.00	0.00	40.00	-40.00	100.00
16356 · Contract Labor- Streets	0.00	10,768.25	-10,768.25	7,090.00	64,609.51	-57,519.51	129,219.01
16500 · Leases - Parks and Recreation							
16504 · Adams Park	0.00	0.00	0.00	2,958.91	3,400.00	-441.09	3,400.00
<b>Total 16500 · Leases - Parks and Recreation</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>2,958.91</b>	<b>3,400.00</b>	<b>-441.09</b>	<b>3,400.00</b>
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	20,000.00	-20,000.00	0.00	20,000.00	-20,000.00	20,000.00
<b>Total Expense</b>	<b>309,888.48</b>	<b>321,469.32</b>	<b>-11,580.84</b>	<b>1,508,362.93</b>	<b>1,625,421.17</b>	<b>-117,058.24</b>	<b>3,098,987.44</b>
<b>Net Ordinary Income</b>	<b>-119,369.53</b>	<b>-69,946.80</b>	<b>-49,422.73</b>	<b>149,262.51</b>	<b>20,244.22</b>	<b>129,018.29</b>	<b>-30,557.97</b>
Other Income/Expense							
Other Income							
14000.3 · Transfers In							
14620.2 · Admin Transfer from MEDC	0.00	9,375.00	-9,375.00	9,375.00	18,750.00	-9,375.00	37,500.00
14620.4 · Admin Trf from Court Security	850.00	850.00	0.00	1,700.00	1,700.00	0.00	3,400.00
<b>Total 14000.3 · Transfers In</b>	<b>850.00</b>	<b>10,225.00</b>	<b>-9,375.00</b>	<b>11,075.00</b>	<b>20,450.00</b>	<b>-9,375.00</b>	<b>40,900.00</b>
<b>Total Other Income</b>	<b>850.00</b>	<b>10,225.00</b>	<b>-9,375.00</b>	<b>11,075.00</b>	<b>20,450.00</b>	<b>-9,375.00</b>	<b>40,900.00</b>
<b>Net Other Income</b>	<b>850.00</b>	<b>10,225.00</b>	<b>-9,375.00</b>	<b>11,075.00</b>	<b>20,450.00</b>	<b>-9,375.00</b>	<b>40,900.00</b>
<b>Net Income</b>	<b>-118,519.53</b>	<b>-59,721.80</b>	<b>-58,797.73</b>	<b>160,337.51</b>	<b>40,694.22</b>	<b>119,643.29</b>	<b>10,342.03</b>

City of Montgomery - Capital Projects  
**Cash Flow Report - Const CkgW&S Proj 1058544 Account**  
As of April 19, 2018

Num	Name	Memo	Amount	Balance
BALANCE AS OF 03/24/2018				<b>\$314,328.80</b>
<b>Receipts</b>				
	Draw #1 - Tx Agriculture - CDBG 7217037 - Buffalo Springs Bridge		55,929.46	
<b>Total Receipts</b>				<b>55,929.46</b>
<b>Disbursements</b>				
1231	Jones & Carter, Inc.	Proj 5841-0033-00 Houston St. Widening and Reha	(4,143.75)	
1232	Grant Works	CDBG # 7217037 Inv. # 1 For Period 02/14/2017	(24,500.00)	
<b>Total Disbursements</b>				<b>(28,643.75)</b>
BALANCE AS OF 04/19/2018				<b><u><u>\$341,614.51</u></u></b>

City of Montgomery - Capital Projects  
**Cash Flow Report - BOKF, NA Escrow Series 2017A Account**  
 As of April 19, 2018

Num	Name	Memo	Amount	Balance
BALANCE AS OF 03/24/2018				\$1,009,884.22
<b>Receipts</b>				
	Interest		699.06	
<b>Total Receipts</b>			<u>699.06</u>	699.06
<b>Disbursements</b>				
	No Disbursements Activity		0.00	
<b>Total Disbursements</b>			<u>0.00</u>	<u>0.00</u>
BALANCE AS OF 04/19/2018				<u><u>\$1,010,583.28</u></u>

City of Montgomery - Capital Projects  
**Cash Flow Report - BOKF, NA Escrow Series 2017B Account**  
As of April 19, 2018

Num	Name	Memo	Amount	Balance
BALANCE AS OF 03/24/2018				\$1,597,518.53
Receipts				
	Interest		1,105.83	
Total Receipts			<u>1,105.83</u>	1,105.83
Disbursements				
	No Disbursements Activity		0.00	
Total Disbursements			<u>0.00</u>	<u>0.00</u>
BALANCE AS OF 04/19/2018				<u><u>\$1,598,624.36</u></u>

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

Accrual Basis

March 2018

	Mar 18	Budget	% of ...	Oct '17 -...	YTD Bud...	% of ...	Annual B...
<b>Ordinary Income/Expense</b>							
<b>Income</b>							
43901 · Capital Proj Funding Sourc							
43901.1 · Transfer from MEDC	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	38,700.00	0.0%	77,400.00	77,400.00	100.0%	154,800.00
43947B · Tsf from Utility - Maint	0.00	22,850.00	0.0%	50,000.00	45,700.00	109.4%	91,400.00
43947C · Tsf fr Utility - Cap Costs Proj	0.00	200,000.00	0.0%	155,286.00	200,000.00	77.6%	200,000.00
<b>Total 43947 · Transfer from Utility Fund</b>	<b>0.00</b>	<b>261,550.00</b>	<b>0.0%</b>	<b>282,686.00</b>	<b>323,100.00</b>	<b>87.5%</b>	<b>446,200.00</b>
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
<b>Total 43949 · Transfers from General Fund</b>	<b>0.00</b>	<b>0.00</b>	<b>0.0%</b>	<b>0.00</b>	<b>15,000.00</b>	<b>0.0%</b>	<b>15,000.00</b>
43952 · Other Fund Reserves/Transfers							
43952.1 · 380 Agmt - 1st Hartford	0.00			57,500.00			
43952.2 · Util Ext Proj-Waterstone on LC	35,176.87			36,218.91			
43952 · Other Fund Reserves/Transfers - Ot...	0.00			17,240.10			
<b>Total 43952 · Other Fund Reserves/Transfers</b>	<b>35,176.87</b>			<b>110,959.01</b>			
<b>Total 43901 · Capital Proj Funding Sourc</b>	<b>35,176.87</b>	<b>261,550.00</b>	<b>13.4%</b>	<b>465,285.18</b>	<b>338,100.00</b>	<b>137.6%</b>	<b>461,200.00</b>
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 - Bridge	0.00	1,200,000.00	0.0%	0.00	1,200,000.00	0.0%	1,200,000.00
43956.2 · FEMA-Plcz Morgan St	0.00	300,000.00	0.0%	0.00	300,000.00	0.0%	300,000.00
43956.3 · Impact Fees	0.00	75,000.00	0.0%	0.00	75,000.00	0.0%	75,000.00
<b>Total 43959 · FEMA Grant Revenue</b>	<b>0.00</b>	<b>1,575,000.00</b>	<b>0.0%</b>	<b>0.00</b>	<b>1,575,000.00</b>	<b>0.0%</b>	<b>1,575,000.00</b>
43961 · Grant Funds-CDBG							
43961.1 · CDBG Disaster Relief	0.00	0.00	0.0%	0.00	300,000.00	0.0%	300,000.00
<b>Total 43961 · Grant Funds-CDBG</b>	<b>0.00</b>	<b>0.00</b>	<b>0.0%</b>	<b>0.00</b>	<b>300,000.00</b>	<b>0.0%</b>	<b>300,000.00</b>
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	699.06			3,442.09			
45391.2 · Interest Earned Ser 2017B	1,105.83			5,476.43			
45391 · Interest Earned - Other	0.00	333.33	0.0%	3.74	2,000.02	0.2%	4,000.00
<b>Total 45391 · Interest Earned</b>	<b>1,804.89</b>	<b>333.33</b>	<b>541.5%</b>	<b>8,922.26</b>	<b>2,000.02</b>	<b>446.1%</b>	<b>4,000.00</b>
<b>Total Income</b>	<b>36,981.76</b>	<b>1,836,883.33</b>	<b>2.0%</b>	<b>474,207.44</b>	<b>4,821,100.02</b>	<b>9.8%</b>	<b>4,946,200.00</b>
<b>Expense</b>							
43889 · Grant Administrative Expenses							
43889.1 · CDBG Contract #7217037	24,500.00			24,500.00			
<b>Total 43889 · Grant Administrative Expenses</b>	<b>24,500.00</b>			<b>24,500.00</b>			
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	57,500.02	0.0%	115,000.00
43890.3 · Eng - Lift St #1 Expansion	0.00	7,500.00	0.0%	0.00	45,000.00	0.0%	90,000.00
43890.4 · Eng - Waterline replacement	0.00			-5,115.75	0.00	100.0%	0.00
43890.5 · Eng-LS #3/Force Main Re-Route	0.00	1,583.33	0.0%	0.00	9,500.02	0.0%	19,000.00
43890.7 · Eng-Downtown/SH105 Imp	0.00	7,833.33	0.0%	0.00	47,000.02	0.0%	94,000.00
43890 · Engineering - Other	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00
<b>Total 43890 · Engineering</b>	<b>0.00</b>	<b>26,499.99</b>	<b>0.0%</b>	<b>-5,115.75</b>	<b>159,000.06</b>	<b>-3.2%</b>	<b>318,000.00</b>



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

Accrual Basis

March 2018

	Mar 18	Budget	% of ...	Oct '17 -...	YTD Bud...	% of ...	Annual B...
43995 · Const Cost-Contingencies							
43995.1 · Cont's -LS#3 Force Main ReRoute	0.00	3,000.00	0.0%	0.00	18,000.00	0.0%	36,000.00
43995.2 · Cont's-LS#1 Replacement/Expans	0.00	11,666.67	0.0%	0.00	69,999.98	0.0%	140,000.00
43995.3 · Cont's-WP#3 Improvements	0.00	12,833.33	0.0%	0.00	77,000.02	0.0%	154,000.00
43995.4 · Cont's-Downtown/SH105 Improve	0.00	10,500.00	0.0%	0.00	63,000.00	0.0%	126,000.00
43995 · Const Cost-Contingencies - Other	0.00	0.00	0.0%	0.00	0.00	0.0%	0.00
<b>Total 43995 · Const Cost-Contingencies</b>	<b>0.00</b>	<b>38,000.00</b>	<b>0.0%</b>	<b>0.00</b>	<b>228,000.00</b>	<b>0.0%</b>	<b>456,000.00</b>
44000 · Wastewater System							
44006 · LS #1-Replacement/Expansion	0.00	47,500.00	0.0%	0.00	285,000.00	0.0%	570,000.00
44007 · LS#3 Forcemain Reroute	0.00	12,083.33	0.0%	0.00	72,500.02	0.0%	145,000.00
<b>Total 44000 · Wastewater System</b>	<b>0.00</b>	<b>59,583.33</b>	<b>0.0%</b>	<b>0.00</b>	<b>357,500.02</b>	<b>0.0%</b>	<b>715,000.00</b>
45000 · Water System- Capital Proj							
43976.1 · Downtown/SH 105 Water Line Imp	0.00	41,833.33	0.0%	14,758.40	251,000.02	5.9%	502,000.00
43992.1 · Water Plant #3 - Improvements	0.00	36,666.67	0.0%	0.00	219,999.98	0.0%	440,000.00
43992.4 · WP#3 Improvements - Other Costs	0.00	14,583.33	0.0%	0.00	87,500.02	0.0%	175,000.00
46000.1 · Water - Meters	0.00			0.00	0.00	0.0%	0.00
<b>Total 45000 · Water System- Capital Proj</b>	<b>0.00</b>	<b>93,083.33</b>	<b>0.0%</b>	<b>14,758.40</b>	<b>558,500.02</b>	<b>2.6%</b>	<b>1,117,000.00</b>
46000 · Roadway System Improvements							
46001 · Plcz Morgan Street (FEMA)	0.00	25,000.00	0.0%	0.00	150,000.00	0.0%	300,000.00
46002 · Buffalo Springs Bridge Repair	0.00	125,000.00	0.0%	126,048.60	750,000.00	16.8%	1,500,000.00
<b>Total 46000 · Roadway System Improvements</b>	<b>0.00</b>	<b>150,000.00</b>	<b>0.0%</b>	<b>126,048.60</b>	<b>900,000.00</b>	<b>14.0%</b>	<b>1,800,000.00</b>
47000 · Capital Costs Projects	0.00	16,666.67	0.0%	0.00	99,999.98	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
<b>Total 47395 · Cost of Issuance Exp</b>	<b>0.00</b>			<b>0.00</b>	<b>0.00</b>	<b>0.0%</b>	<b>0.00</b>
48000 · Cap Outlay-Fac, Equip, Etc							
48000.3 · .3 Houston Street Rehal	0.00			91,678.74			
48001 · GRP Capital Projects	0.00	7,483.33	0.0%	0.00	44,900.02	0.0%	89,800.00
48002 · Utility Project/ Prev Maint	0.00	22,850.00	0.0%	51,596.75	45,700.00	112.9%	91,400.00
48003 · Buffalo Springs Connection	0.00	5,416.67	0.0%	3,908.33	32,499.98	12.0%	65,000.00
48004 · Police Vehicle Replacement	0.00	1,250.00	0.0%	0.00	7,500.00	0.0%	15,000.00
<b>Total 48000 · Cap Outlay-Fac, Equip, Etc</b>	<b>0.00</b>	<b>37,000.00</b>	<b>0.0%</b>	<b>147,183.82</b>	<b>130,600.00</b>	<b>112.7%</b>	<b>261,200.00</b>
49000 · Impact Fee Projects	0.00	0.00	0.0%	0.00	75,000.00	0.0%	75,000.00
<b>Total Expense</b>	<b>24,500.00</b>	<b>420,833.32</b>	<b>5.8%</b>	<b>307,375.07</b>	<b>2,508,600.08</b>	<b>12.3%</b>	<b>4,942,200.00</b>
<b>Net Ordinary Income</b>	<b>12,481.76</b>	<b>1,416,050.01</b>	<b>0.9%</b>	<b>166,832.37</b>	<b>2,312,499.94</b>	<b>7.2%</b>	<b>4,000.00</b>
<b>Net Income</b>	<b>12,481.76</b>	<b>1,416,050.01</b>	<b>0.9%</b>	<b>166,832.37</b>	<b>2,312,499.94</b>	<b>7.2%</b>	<b>4,000.00</b>

City of Montgomery - Debt Service  
**Cash Flow Report - Checking Account**  
 As of April 19, 2018

Num	Name	Memo	Amount	Balance
BALANCE AS OF 03/24/2018				\$114,296.76
Receipts				
	Interest		5.01	
Total Receipts			<u>5.01</u>	5.01
Disbursements				
	No Disbursements Activity		0.00	
Total Disbursements			<u>0.00</u>	<u>0.00</u>
BALANCE AS OF 04/19/2018				<u><u>\$114,301.77</u></u>

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04/19/18

Accrual Basis

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

	Mar 18	Budget	\$ Over Bud...	Oct '17 - M...	YTD Budget	\$ Over Bu...	Annual Bu...
<b>Income</b>							
34000 · Taxes & Franchise Fees							
34320 · Ad Valorem Taxes	5,937.20	41,600.20	-35,663.00	400,569.84	416,002.00	-15,432.16	416,002.00
34330 · Penalty & Interest	433.45	100.00	333.45	1,527.31	600.00	927.31	1,200.00
<b>Total 34000 · Taxes &amp; Franchise Fees</b>	<b>6,370.65</b>	<b>41,700.20</b>	<b>-35,329.55</b>	<b>402,097.15</b>	<b>416,602.00</b>	<b>-14,504.85</b>	<b>417,202.00</b>
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	38,260.00	-38,260.00	76,520.00	76,520.00	0.00	153,040.00
<b>Total 34100 · Transfers</b>	<b>0.00</b>	<b>38,260.00</b>	<b>-38,260.00</b>	<b>156,520.00</b>	<b>156,520.00</b>	<b>0.00</b>	<b>313,040.00</b>
35000 · Other Revenues							
35390 · Interest on Checking	0.00			16.29	0.00	16.29	0.00
35391 · Interest on Investments	36.59	25.00	11.59	167.02	150.00	17.02	300.00
<b>Total 35000 · Other Revenues</b>	<b>36.59</b>	<b>25.00</b>	<b>11.59</b>	<b>183.31</b>	<b>150.00</b>	<b>33.31</b>	<b>300.00</b>
<b>Total Income</b>	<b>6,407.24</b>	<b>79,985.20</b>	<b>-73,577.96</b>	<b>558,800.46</b>	<b>573,272.00</b>	<b>-14,471.54</b>	<b>730,542.00</b>
<b>Expense</b>							
37000 · Debt Service							
37360 · Interest Payments On Note	22,285.75	0.00	22,285.75	22,285.75	117,532.93	-95,247.18	231,595.56
37363 · Paying Agent Fees	400.00	0.00	400.00	650.00	2,500.00	-1,850.00	2,500.00
37365 · Interest 2012 Series Premium	95,246.88	0.00	95,246.88	95,246.88	0.00	95,246.88	0.00
37395 · Principal Note Payments	435,000.00	0.00	435,000.00	435,000.00	435,000.00	0.00	435,000.00
<b>Total 37000 · Debt Service</b>	<b>552,932.63</b>	<b>0.00</b>	<b>552,932.63</b>	<b>553,182.63</b>	<b>555,032.93</b>	<b>-1,850.30</b>	<b>669,095.56</b>
<b>Total Expense</b>	<b>552,932.63</b>	<b>0.00</b>	<b>552,932.63</b>	<b>553,182.63</b>	<b>555,032.93</b>	<b>-1,850.30</b>	<b>669,095.56</b>
<b>Net Income</b>	<b>-546,525.39</b>	<b>79,985.20</b>	<b>-626,510.59</b>	<b>5,617.83</b>	<b>18,239.07</b>	<b>-12,621.24</b>	<b>61,446.44</b>

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

As of April 19, 2018

Num	Name	Memo	Amount	Balance
BALANCE AS OF 03/24/2018				\$6,254.48
<b>Receipts</b>				
	No Receipts Activity		0.00	
<b>Total Receipts</b>			<u>0.00</u>	0.00
<b>Disbursements</b>				
1023	Larry Evans	Bailiff Fees for March 22 & March 27, 2018	(150.00)	
<b>Total Disbursements</b>			<u>(150.00)</u>	<u>(150.00)</u>
BALANCE AS OF 04/19/2018				<u><u>\$6,104.48</u></u>

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

Accrual Basis

March 2018

	Mar 18	Budget	\$ Over ...	Oct '17 ...	YTD B...	\$ Over ...	Annual ...
Ordinary Income/Expense							
Income							
84110 · Court Fines & Forfeitures							
84110.1 · Court Security Fees	0.00	500.00	-500.00	1,424.17	3,000.00	-1,575.83	6,000.00
Total 84110 · Court Fines & Forfeitures	0.00	500.00	-500.00	1,424.17	3,000.00	-1,575.83	6,000.00
84120 · Other Revenues							
84120.1 · Interest Income	0.00	0.42	-0.42	0.00	2.48	-2.48	5.00
Total 84120 · Other Revenues	0.00	0.42	-0.42	0.00	2.48	-2.48	5.00
Total Income	0.00	500.42	-500.42	1,424.17	3,002.48	-1,578.31	6,005.00
Expense							
86005 · Miscellaneous Expenses	0.00	41.67	-41.67	0.00	249.98	-249.98	500.00
Total Expense	0.00	41.67	-41.67	0.00	249.98	-249.98	500.00
Net Ordinary Income	0.00	458.75	-458.75	1,424.17	2,752.50	-1,328.33	5,505.00
Other Income/Expense							
Other Expense							
86560 · Interfund Transfers							
86551 · Baliff Transfer to General Fund	0.00	900.00	-900.00	0.00	1,800.00	-1,800.00	3,600.00
Total 86560 · Interfund Transfers	0.00	900.00	-900.00	0.00	1,800.00	-1,800.00	3,600.00
Total Other Expense	0.00	900.00	-900.00	0.00	1,800.00	-1,800.00	3,600.00
Net Other Income	0.00	-900.00	900.00	0.00	-1,800.00	1,800.00	-3,600.00
Net Income	<u>0.00</u>	<u>-441.25</u>	<u>-441.25</u>	<u>1,424.17</u>	<u>952.50</u>	<u>471.67</u>	<u>1,905.00</u>

City of Montgomery - Ct Tech Fund  
**Cash Flow Report - Checking Account**  
 As of April 19, 2018

Num	Name	Memo	Amount	Balance
BALANCE AS OF 03/24/2018				\$27,476.49
<b>Receipts</b>				
	No Receipts Activity		0.00	
<b>Total Receipts</b>			<u>0.00</u>	0.00
<b>Disbursements</b>				
	No Disbursements Activity		0.00	
<b>Total Disbursements</b>			<u>0.00</u>	<u>0.00</u>
BALANCE AS OF 04/19/2018				<u><u>\$27,476.49</u></u>

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

Accrual Basis

March 2018

	Mar 18	Budget	\$ Over ...	Oct '17 ...	YTD Bu...	\$ Over ...	Annual ...
<b>Ordinary Income/Expense</b>							
<b>Income</b>							
74100 · Court Fines and Forfeitures							
74110 · Court Technology Fees	0.00	833.33	-833.33	1,910.87	5,000.02	-3,089.15	10,000.00
<b>Total 74100 · Court Fines and Forfeitures</b>	0.00	833.33	-833.33	1,910.87	5,000.02	-3,089.15	10,000.00
74200 · Other Revenues							
74291 · Interest Income	0.00	0.17	-0.17	1.30	0.98	0.32	2.00
<b>Total 74200 · Other Revenues</b>	0.00	0.17	-0.17	1.30	0.98	0.32	2.00
<b>Total Income</b>	0.00	833.50	-833.50	1,912.17	5,001.00	-3,088.83	10,002.00
<b>Expense</b>							
76200 · Contract Services							
76362 · Computer/Website Services	0.00	1,250.00	-1,250.00	290.98	2,500.00	-2,209.02	5,000.00
<b>Total 76200 · Contract Services</b>	0.00	1,250.00	-1,250.00	290.98	2,500.00	-2,209.02	5,000.00
76500 · Miscellaneous Expenses							
76560 · Miscellaneous Expense	0.00			10.00			
<b>Total 76500 · Miscellaneous Expenses</b>	0.00			10.00			
<b>Total Expense</b>	0.00	1,250.00	-1,250.00	300.98	2,500.00	-2,199.02	5,000.00
<b>Net Ordinary Income</b>	0.00	-416.50	416.50	1,611.19	2,501.00	-889.81	5,002.00
<b>Net Income</b>	0.00	-416.50	416.50	1,611.19	2,501.00	-889.81	5,002.00

City of Montgomery - Grant  
**Cash Flow Report - Grant Account Account**  
 As of April 19, 2018

Num	Name	Memo	Amount	Balance
BALANCE AS OF 03/24/2018				\$7,174.81
<b>Receipts</b>				
	No Receipts Activity		0.00	
<b>Total Receipts</b>				0.00
<b>Disbursements</b>				
	No Disbursements Activity		0.00	
<b>Total Disbursements</b>				0.00
BALANCE AS OF 04/19/2018				<u>\$7,174.81</u>



City of Montgomery - Grant  
**Cash Flow Report - Checking Account**  
 As of April 19, 2018

Num	Name	Memo	Amount	Balance
BALANCE AS OF 03/24/2018				\$9,081.85
<b>Receipts</b>				
	No Receipts Activity		<u>0.00</u>	
<b>Total Receipts</b>				0.00
<b>Disbursements</b>				
	No Disbursements Activity		<u>0.00</u>	
<b>Total Disbursements</b>				<u>0.00</u>
BALANCE AS OF 04/19/2018				<u><u>\$9,081.85</u></u>

City of Montgomery - Hotel Occupancy Tax Fund  
**Cash Flow Report - Checking Account**  
 As of April 19, 2018

Num	Name	Memo	Amount	Balance
BALANCE AS OF 03/24/2018				\$10,083.11
<b>Receipts</b>				
	Int on acct		0.09	
<b>Total Receipts</b>			<u>0.09</u>	0.09
<b>Disbursements</b>				
	No Disbursements Activity		0.00	
<b>Total Disbursements</b>			<u>0.00</u>	<u>0.00</u>
BALANCE AS OF 04/19/2018				<u><u>\$10,083.20</u></u>

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

Accrual Basis

March 2018

	<u>Mar 18</u>	<u>Budget</u>	<u>\$ Ove...</u>	<u>Oct '1...</u>	<u>YTD ...</u>	<u>\$ Over...</u>	<u>Annua...</u>
<b>Income</b>							
44300 · Taxes & Franchise Fees							
44330 · Hotel Occupancy Taxes	0.00	50.00	-50.00	615.00	300.00	315.00	600.00
<b>Total 44300 · Taxes &amp; Franchise Fees</b>	0.00	50.00	-50.00	615.00	300.00	315.00	600.00
44400 · Other Revenues							
44360 · Interest Earned On Checking	0.00	0.42	-0.42	0.00	2.48	-2.48	5.00
44490 · Interest Income	0.09			0.12			
<b>Total 44400 · Other Revenues</b>	0.09	0.42	-0.33	0.12	2.48	-2.36	5.00
<b>Total Income</b>	0.09	50.42	-50.33	615.12	302.48	312.64	605.00
<b>Expense</b>							
46600 · Miscellaneous Expenses	0.00	125.00	-125.00	0.00	750.00	-750.00	1,500.00
<b>Total Expense</b>	0.00	125.00	-125.00	0.00	750.00	-750.00	1,500.00
<b>Net Income</b>	<u>0.09</u>	<u>-74.58</u>	<u>74.67</u>	<u>615.12</u>	<u>-447.52</u>	<u>1,062.64</u>	<u>-895.00</u>

City of Montgomery - MEDC  
**Cash Flow Report - MEDC Checking Account**  
As of April 19, 2018

Num	Name	Memo	Amount	Balance
BALANCE AS OF 03/24/2018				\$113,916.25
<b>Receipts</b>				
	Sales Tax Transfer thru 3/31/18		104,650.08	
<b>Total Receipts</b>				104,650.08
<b>Disbursements</b>				
1881	City of Montgomery- Utility Fund	2" Irrigation: Tap & Meter @ Soccer Field Utility E	(4,350.00)	
1882	Waste Management of Texas, Itc.	INV 1419480-1792-8 Blight Removal	(98.09)	
1883	Distrx, Inc.	17 Self-Guided Historic Walking Tours - Inv 34856	(1,718.00)	
1884	Montgomery Area Chamber of Commerce	Partnership Grant for Director Services & Office S	(2,566.67)	
1885	China Chapel	Homecoming Celebration 2018	(3,000.00)	
1886	Historic Montgomery Business Association	HMBA - Antiqnc Festival 2018	(10,000.00)	
<b>Total Disbursements</b>				(21,732.76)
BALANCE AS OF 04/19/2018				<u>\$196,833.57</u>

City of Montgomery - MEDC  
Actual to Budget Performance  
March 2018

	Mar 18	Budget	\$ Over B...	Oct '17 - ...	YTD Bod...	\$ Over B...	Annual Bu...
<b>Income</b>							
55000 · Taxes & Franchise Fees							
55400 · Sales Tax	37,491.08	39,612.96	(2,121.88)	287,717.33	260,161.77	27,555.56	530,000.00
<b>Total 55000 · Taxes &amp; Franchise Fees</b>	<b>37,491.08</b>	<b>39,612.96</b>	<b>(2,121.88)</b>	<b>287,717.33</b>	<b>260,161.77</b>	<b>27,555.56</b>	<b>530,000.00</b>
55300 · Other Revenues							
55391 · Interest Income	304.41	28.11	276.30	1,745.29	364.47	1,380.82	950.00
<b>Total 55300 · Other Revenues</b>	<b>304.41</b>	<b>28.11</b>	<b>276.30</b>	<b>1,745.29</b>	<b>364.47</b>	<b>1,380.82</b>	<b>950.00</b>
<b>Total Income</b>	<b>37,795.49</b>	<b>39,641.07</b>	<b>(1,845.58)</b>	<b>289,462.62</b>	<b>260,526.24</b>	<b>28,936.38</b>	<b>530,950.00</b>
<b>Expense</b>							
56000 · Pub Infrastructure - Category I							
56000.6 · Downtown Dev Improvments	0.00	0.00	0.00	6,151.38	27,154.75	(21,003.37)	55,000.00
56000.8 · Utility Extensions	4,350.00	0.00	4,350.00	142,225.50	25,006.26	117,219.24	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
<b>Total 56000 · Pub Infrastructure - Category I</b>	<b>4,350.00</b>	<b>0.00</b>	<b>4,350.00</b>	<b>232,841.88</b>	<b>140,161.01</b>	<b>92,680.87</b>	<b>403,000.00</b>
56001 · Business Dev & Ret -Category II							
56001.8 · Sales Tax Reimbursement	0.00	0.00	0.00	0.00	35,000.00	(35,000.00)	35,000.00
56423 · Economic Development Grant Prog	0.00	0.00	0.00	0.00	20,000.00	(20,000.00)	20,000.00
<b>Total 56001 · Business Dev &amp; Ret -Category II</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>55,000.00</b>	<b>(55,000.00)</b>	<b>55,000.00</b>
56002 · Quality of Life - Category III							
56404 · Seasonal Decorations	0.00	0.00	0.00	1,190.41	6,000.00	(4,809.59)	6,000.00
56420.2 · Christmas Lighting(Civic Assn)	0.00	0.00	0.00	2,295.89	1,600.00	695.89	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	2,598.09	2,142.86	455.23	3,974.87	8,571.42	(4,596.55)	15,000.00
56433 · Downtown Signs	0.00	0.00	0.00	0.00	1,000.00	(1,000.00)	1,000.00
56435 · Fernland Improvements	0.00	0.00	0.00	0.00	4,000.00	(4,000.00)	4,000.00
56439 · Downtowu Enhancement Projects	0.00	0.00	0.00	0.00	20,000.00	(20,000.00)	20,000.00
<b>Total 56002 · Quality of Life - Category III</b>	<b>2,598.09</b>	<b>2,142.86</b>	<b>455.23</b>	<b>9,179.17</b>	<b>45,171.42</b>	<b>(35,992.25)</b>	<b>51,600.00</b>
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	0.00	10,000.00	(10,000.00)	10,000.00
56413 · Brochures/Printed Literature	0.00	1,250.00	(1,250.00)	4,440.00	3,750.00	690.00	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	0.00	0.00	0.00	0.00	0.00	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	999.98	(999.98)	2,000.00
<b>Total 56003 · Marketing &amp; Tourism-Category IV</b>	<b>0.00</b>	<b>1,416.67</b>	<b>(1,416.67)</b>	<b>9,440.00</b>	<b>21,249.98</b>	<b>(11,809.98)</b>	<b>41,500.00</b>
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	0.00	2,666.67	(2,666.67)	15,400.02	15,999.98	(599.96)	32,000.00
56004.3 · Miscellaneous Expenses	0.00	366.44	(366.44)	2,830.00	3,621.25	(791.25)	6,000.00
56004.5 · Internship Program	0.00	833.33	(833.33)	0.00	5,000.02	(5,000.02)	10,000.00
56327 · Consulting (Professional servi)	0.00	0.00	0.00	9,254.50	4,999.99	4,254.51	10,000.00
56354 · Travel & Training Expenses	340.00	560.00	(220.00)	1,440.00	2,240.00	(800.00)	2,800.00
<b>Total 56004 · Administration - Category V</b>	<b>340.00</b>	<b>4,426.44</b>	<b>(4,086.44)</b>	<b>47,674.52</b>	<b>50,611.24</b>	<b>(2,936.72)</b>	<b>98,300.00</b>
<b>Total Expense</b>	<b>7,288.09</b>	<b>7,985.97</b>	<b>(697.88)</b>	<b>299,135.57</b>	<b>312,193.65</b>	<b>(13,058.08)</b>	<b>649,400.00</b>
<b>Net Income</b>	<b>30,507.40</b>	<b>31,655.10</b>	<b>(1,147.70)</b>	<b>(9,672.95)</b>	<b>(51,667.41)</b>	<b>41,994.46</b>	<b>(118,450.00)</b>

City of Montgomery - Police Asset Forfeiture  
**Cash Flow Report - Checking Account**  
 As of April 19, 2018

Num	Name	Memo	Amount	Balance
BALANCE AS OF 03/24/2018				\$4,272.25
Receipts				
	No Receipts Activity		0.00	
Total Receipts				0.00
Disbursements				
	No Disbursements Activity		0.00	
Total Disbursements				0.00
BALANCE AS OF 04/19/2018				\$4,272.25

City of Montgomery - Water & Sewer  
**Cash Flow Report - Water & Sewer Fund Account**  
As of April 19, 2018

Num	Name	Memo	Amount	Balance
<b>BALANCE AS OF 03/24/2018</b>				<b>\$260,878.11</b>
<b>Receipts</b>				
	A/R Revenue Cleared		129,113.88	
	A/R Revenue O/S		374.73	
	A/R Revenue		12,146.25	
	ETS Fees Revenue		3.00	
	Interest		6.24	
<b>Total Receipts</b>				<b>141,644.10</b>
<b>Disbursements</b>				
13808	Accurate Utility Supply, I.L.C	Inv 141656, 141699	(6,425.52)	
13809	Camino Services	INVOICE 1599, 1600, 1601, 1602 Clean I/S #1, 2	(3,400.00)	
13810	Consolidated Communications	936-597-4826/0 Recurring Charges 03/21/2018-04	(38.03)	
13811	DXI Industries Inc.	INV 055004652-18 Chlorine	(298.40)	
13812	Lone Star Groundwater Conservation Dist	INV 18-1659 Redemption of Early Conservation C	(92.61)	
13813	Neil Technical Services, Inc	Inv 78644, 79294	(4,794.00)	
13814	Waste Management (2)	Acct 7-23166-83000 - Inv 5534792-1792-7	(563.35)	
13815	Consolidated Communications	Per attached spreadsheet	(113.90)	
13816	Neil Technical Services, Inc	Invoice 79647 & Invoice 79375	(1,820.50)	
13817	TEEX	Class: WWW203-299 Pump & Motor Maintenance	(300.00)	
13818	TML - IRP	Insurance Premiums 4/2018	(2,431.64)	
13819	State Comptroller	TIN 1-74-2063592-6 sales tax - Fees - 3/18	(756.11)	
13820	Accurate Utility Supply, I.L.C	INV 141988	(2,661.99)	
13821	Ashley Hollingsworth	Deposit Refund - 13 Powell Circle	(18.78)	
13822	Badger Meter	Orion Cellular Serv Unit Inv 80017537	(679.07)	
13823	City of Montgomery - Utility Fund	Water Usage 3/18	(745.38)	
13824	Coburn's Supply Co., Inc.	Supplies - #50854018	(169.76)	
13825	Darden, Fowler & Creighton, L.L.P.	Legal Fees 3/2018	(1,720.00)	
13826	DataProsc, Inc.	Inv DP1800891 - 3/18	(793.07)	
13827	DXI Industries Inc.	INV 055001809-18 Chlorine	(492.00)	
13828	Entergy	Utilities per spreadsheet March 2018	(8,014.37)	
13829	Kyle Thomman	Deposit Refund - 161 Waterstone Dr.	(53.62)	
13830	LDC	CM100264 149 SOUTH, CM100268 hwy 105 WES	(65.17)	
13831	Madsen & Richards Development	Deposit Refund - 13944 Liberty	(2,974.50)	
13832	Mark Hudgens	Deposit Refund - 115 Racetrack Lane	(53.62)	
13833	Montgomery Original Snowballs	Deposit Refund - 14460A Liberty	(206.28)	
13834	Municipal Accounts & Consulting, L.P.	Accounting Service Inv 51513	(400.00)	
13835	Stylecraft Builders	Deposit refund - 122 Abner, 309 Brocks, 215 Racet	(186.26)	
13836	Techline Pipe, L.P.	INV 58146-00	(120.00)	
13837	Waste Management	Residential Garbage Collection billing 03/18	(7,715.90)	
D/M	ETS Corporation	To record ETS Fees Expense	(366.87)	
D/M		Enhanced Business OLB	(25.00)	
DM	Return Deposit	Returned deposit items	(71.38)	
<b>Total Disbursements</b>				<b>(48,567.08)</b>
<b>BALANCE AS OF 04/19/2018</b>				<b>\$353,955.13</b>

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

March 2018

	Mar 18	Bndget	\$ Over B...	Oct '17 - ...	YTD Bud...	\$ Over Bu...	Annual B...
<b>Ordinary Income/Expense</b>							
<b>Income</b>							
24000 · Charges for Service							
24100 · Water Revenue	33,816.04	45,000.00	(11,183.96)	248,088.98	270,000.00	(21,911.02)	540,000.00
24118 · Surface Water Revenue	381.99	500.00	(118.01)	2,790.06	3,000.00	(209.94)	6,000.00
24119 · Application Fee	0.00	125.00	(125.00)	0.00	750.00	(750.00)	1,500.00
24120 · Disconnect Reconnect	225.00	458.33	(233.33)	2,625.00	2,750.02	(125.02)	5,500.00
24200 · Sewer Revenue	34,720.68	37,500.00	(2,779.32)	223,619.92	225,000.00	(1,380.08)	450,000.00
24310 · Tap Fees/Inspectionns	32,955.00	12,500.00	20,455.00	143,261.45	75,000.00	68,261.45	150,000.00
24319 · Grease Trap Inspections	1,000.00	833.33	166.67	5,900.00	5,000.02	899.98	10,000.00
24330 · Late Charges	2,797.79	1,250.00	1,547.79	10,856.62	7,500.00	3,356.62	15,000.00
24333 · Returned Ck Fee	0.00	0.00	0.00	425.00	200.00	225.00	200.00
25403 · Solid Waste Revenue	9,210.80	8,708.33	502.47	53,726.91	52,250.02	1,476.89	104,500.00
<b>Total 24000 · Charges for Service</b>	<b>115,107.30</b>	<b>106,874.99</b>	<b>8,232.31</b>	<b>691,293.94</b>	<b>641,450.06</b>	<b>49,843.88</b>	<b>1,282,700.00</b>
24101 · Taxes and Franchise Fees							
24110 · Sales Tax Rev for Solid Waste	754.31	666.67	87.64	4,387.84	3,999.98	387.86	8,000.00
<b>Total 24101 · Taxes and Franchise Fees</b>	<b>754.31</b>	<b>666.67</b>	<b>87.64</b>	<b>4,387.84</b>	<b>3,999.98</b>	<b>387.86</b>	<b>8,000.00</b>
24121 · Groundwater Reduction Revenue	9,004.05	10,500.00	(1,495.95)	65,722.80	63,000.00	2,722.80	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	75,000.00	(75,000.00)	0.00	75,000.00	(75,000.00)	75,000.00
<b>Total 25000.1 · Impact Fees</b>	<b>0.00</b>	<b>75,000.00</b>	<b>(75,000.00)</b>	<b>0.00</b>	<b>175,000.00</b>	<b>(175,000.00)</b>	<b>275,000.00</b>
25391 · Interest Income	6.24	9.17	(2.93)	80.26	54.98	25.28	110.00
25392 · Interest earned on Investments	23.25	9.17	14.08	94.67	54.98	39.69	110.00
25399 · Miscellaneous Revenue	181.25	30.00	151.25	753.87	180.00	573.87	360.00
<b>Total 25000 · Other Revenues</b>	<b>210.74</b>	<b>75,048.34</b>	<b>(74,837.60)</b>	<b>928.80</b>	<b>175,289.96</b>	<b>(174,361.16)</b>	<b>275,580.00</b>
25394 · Admin Fund Balance (Carry Over)	0.00	0.00	0.00	0.00	45,500.00	(45,500.00)	45,500.00
<b>Total Income</b>	<b>125,076.40</b>	<b>193,090.00</b>	<b>(68,013.60)</b>	<b>762,333.38</b>	<b>929,240.00</b>	<b>(166,906.62)</b>	<b>1,737,780.00</b>
<b>Expense</b>							
26001 · Personnel							
26353.1 · Health Ins.	2,085.20	1,616.67	468.53	7,202.60	9,699.98	(2,497.38)	19,400.00
26353.4 · Unemployment Ins	307.98	32.50	275.48	323.37	195.00	128.37	390.00
26353.5 · Workers Comp.	294.32	175.00	119.32	2,028.72	1,050.00	978.72	2,100.00
26353.6 · Dental Insurance	222.56	145.83	76.73	778.96	875.02	(96.06)	1,750.00
26353.7 · Life & AD&D Insurance	105.34	50.00	55.34	349.97	300.00	49.97	600.00
26353.8 · Crime Insurance	21.95			131.69			
26501 · Retirement Expense	819.28	558.33	260.95	3,349.16	3,350.02	(0.86)	6,700.00
26560 · Payroll Taxes	1,027.43	1,058.33	(30.90)	4,302.20	6,350.02	(2,047.82)	12,700.00
26600 · Wages	13,430.75	14,166.67	(735.92)	56,237.62	84,999.98	(28,762.36)	170,000.00
<b>Total 26001 · Personnel</b>	<b>18,314.81</b>	<b>17,803.33</b>	<b>511.48</b>	<b>74,704.29</b>	<b>106,820.02</b>	<b>(32,115.73)</b>	<b>213,640.00</b>
26200 · Contract Services							
26102 · General Consultant Fees	0.00	0.00	0.00	0.00	905.00	(905.00)	905.00
26320 · Legal Fees	0.00	1,421.08	(1,421.08)	8,840.00	8,526.52	313.48	17,053.00
26322 · Engineering	0.00	6,250.00	(6,250.00)	44,557.04	37,500.00	7,057.04	75,000.00
26323 · Operator	0.00	3,365.00	(3,365.00)	16,500.00	20,190.00	(3,690.00)	40,380.00
26324 · Billing and Collections	481.75	985.00	(503.25)	9,392.90	5,910.00	3,482.90	11,820.00
26328 · Testing	0.00	955.00	(955.00)	8,445.00	5,730.00	2,715.00	11,460.00
26331 · Sales Tax for Solid Waste	756.11	684.42	71.69	4,414.43	4,106.48	307.95	8,213.00
26333 · Accounting Fees	800.00	400.00	400.00	2,800.00	2,400.00	400.00	4,800.00
26336 · Sludge Hauling	0.00	1,458.33	(1,458.33)	12,064.00	8,750.02	3,313.98	17,500.00
26340 · Printing	0.00			80.28			
26350 · Postage	349.35	266.67	82.68	2,129.64	1,599.98	529.66	3,200.00
26351 · Telephone	181.82	375.00	(193.18)	1,029.79	2,250.00	(1,220.21)	4,500.00
26370 · Tap Fees & Inspections	0.00	833.33	(833.33)	13,650.00	5,000.02	8,649.98	10,000.00
26399 · Garbage Pickup	9,382.59	7,950.00	1,432.59	51,607.97	47,700.00	3,907.97	95,400.00
<b>Total 26200 · Contract Services</b>	<b>11,951.62</b>	<b>24,943.83</b>	<b>(12,992.21)</b>	<b>175,511.05</b>	<b>150,568.02</b>	<b>24,943.03</b>	<b>300,231.00</b>
26300 · Communications							



	Mar 18	Budget	\$ Over B...	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	92.61	1,083.33	(990.72)	14,438.67	6,500.02	7,938.65	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	298.40	1,508.33	(1,209.93)	7,232.90	9,050.02	(1,817.12)	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	2,995.07	5,875.00	(2,879.93)	21,005.80	35,250.00	(14,244.20)	70,500.00
26485 · Uniforms	675.19	266.67	408.52	1,454.56	1,599.98	(145.42)	3,200.00
27040 · Computer Technology Equipment	1,722.93	316.67	1,406.26	1,722.93	1,899.98	(177.05)	3,800.00
26400.1 · Supplies & Equipment - Other	0.00	166.67	(166.67)	284.93	999.98	(715.05)	2,000.00
Total 26400.1 · Supplies & Equipment	5,691.59	8,133.34	(2,441.75)	31,701.12	52,719.96	(21,018.84)	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)	682.00	416.67	265.33	682.00	2,499.98	(1,817.98)	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	682.00	416.67	265.33	682.00	2,699.98	(2,017.98)	5,200.00
26600.2 · Maintenance							
26335 · Repairs & Maintenance	12,169.93	17,916.67	(5,746.74)	94,043.63	107,499.98	(13,456.35)	215,000.00
26335.1 · Vehicle Rep. & Maint.	0.00	83.33	(83.33)	0.00	500.02	(500.02)	1,000.00
26349 · Gas & Oil	389.92	366.67	23.25	1,791.41	2,199.98	(408.57)	4,400.00
Total 26600.2 · Maintenance	12,559.85	18,366.67	(5,806.82)	95,835.04	110,199.98	(14,364.94)	220,400.00
26700 · Insurance Expense							
26353.2 · Liability Ins.	200.88	166.67	34.21	1,205.29	999.98	205.31	2,000.00
26353.3 · Property Ins.	1,914.49	1,000.00	914.49	11,486.94	6,000.00	5,486.94	12,000.00
Total 26700 · Insurance Expense	2,115.37	1,166.67	948.70	12,692.23	6,999.98	5,692.25	14,000.00
26800 · Utilities Expense							
26352.1 · Utilities - Gas for Generators	63.60	58.33	5.27	310.77	350.02	(39.25)	700.00
26352.2 · Utilities-Water Plants	5,743.44	5,500.00	243.44	33,487.43	33,000.00	487.43	66,000.00
26352.3 · Utilities-WW Treatment Plants	1,895.84	3,211.67	(1,315.83)	14,197.92	19,269.98	(5,072.06)	38,540.00
26352.4 · Utilities - Lift Stations	1,093.75	1,016.67	77.08	7,676.76	6,099.98	1,576.78	12,200.00
26352.5 · Utilities - Security Light	0.00	11.67	(11.67)	48.74	69.98	(21.24)	140.00
26800.1 · Buffalo Springs STP- Water Usag	26.72	29.17	(2.45)	167.20	174.98	(7.78)	350.00
Total 26800 · Utilities Expense	8,823.35	9,827.51	(1,004.16)	55,888.82	58,964.94	(3,076.12)	117,930.00
26900 · Capital Outlay							
26900.2 · Capital Outlay-Vehicles	0.00	2,891.67	(2,891.67)	34,700.00	17,349.98	17,350.02	34,700.00
Total 26900 · Capital Outlay	0.00	2,891.67	(2,891.67)	34,700.00	17,349.98	17,350.02	34,700.00
26901 · Util Projects/Prev Maintenance							
26901.1 · Util Proj/Prev Maint-Tsf to CPF	6,171.20	22,850.00	(16,678.80)	6,171.20	45,700.00	(39,528.80)	91,400.00
26901.2 · Capital Costs-Tsf to CPF	0.00	0.00	0.00	155,286.00	200,000.00	(44,714.00)	200,000.00
26901.3 · Impact Fees - Tsf to CPF	0.00	0.00	0.00	50,000.00	0.00	50,000.00	75,000.00
26901 · Util Projects/Prev Maintenance - Other	128.30			20,108.30	0.00	20,108.30	0.00
Total 26901 · Util Projects/Prev Maintenance	6,299.50	22,850.00	(16,550.50)	231,565.50	245,700.00	(14,134.50)	366,400.00
27000 · Miscellaneous Expenses							
26359 · Misc Expense	388.87	83.33	305.54	4,337.32	500.02	3,837.30	1,000.00
Total 27000 · Miscellaneous Expenses	388.87	83.33	305.54	4,337.32	500.02	3,837.30	1,000.00
Total Expense	66,919.57	107,566.35	(40,646.78)	732,056.04	762,177.90	(30,121.86)	1,391,176.00
Net Ordinary Income	58,156.83	85,523.65	(27,366.82)	30,277.34	167,062.10	(136,784.76)	346,604.00
Other Income/Expense							
Other Expense							
27001 · Other Expenses							
27001.2 · Transfer to Debt Service	0.00	38,260.00	(38,260.00)	76,520.00	76,520.00	0.00	153,040.00
27002 · Transfer to Construction Fund	0.00	38,700.00	(38,700.00)	77,400.00	77,400.00	0.00	154,800.00
Total 27001 · Other Expenses	0.00	76,960.00	(76,960.00)	153,920.00	153,920.00	0.00	307,840.00

	<u>Mar 18</u>	<u>Budget</u>	<u>\$ Over B...</u>	<u>Oct '17 - ...</u>	<u>YTD Bud...</u>	<u>\$ Over Bu...</u>	<u>Annual B...</u>
Total Other Expense	0.00	76,960.00	(76,960.00)	153,920.00	153,920.00	0.00	307,840.00
Net Other Income	0.00	(76,960.00)	76,960.00	(153,920.00)	(153,920.00)	0.00	(307,840.00)
Net Income	<u>58,156.83</u>	<u>8,563.65</u>	<u>49,593.18</u>	<u>(123,642.66)</u>	<u>13,142.10</u>	<u>(136,784.76)</u>	<u>38,764.00</u>

City of Montgomery  
**District Debt Service Payments**  
03/01/2018 - 09/30/2045

Paying Agent	Series	Date Due	Date Paid	Principal	Interest	Total Due
<b>Debt Service Payment Due 03/01/2018</b>						
Amegy Bank of Texas	2012	03/01/2018	02/28/2018	120,000.00	57,087.50	177,087.50
Amegy Bank of Texas	2012R	03/01/2018	02/28/2018	105,000.00	38,159.68	143,159.68
First National Bank of Huntsville	2015R	03/01/2018	02/28/2018	80,000.00	7,761.25	87,761.25
Bank of Texas	2017A	03/01/2018	02/28/2018	50,000.00	4,767.25	54,767.25
Bank of Texas	2017B	03/01/2018	02/28/2018	80,000.00	9,757.25	89,757.25
<b>Total Due 03/01/2018</b>				<b>435,000.00</b>	<b>117,532.93</b>	<b>552,532.93</b>
<b>Debt Service Payment Due 09/01/2018</b>						
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
<b>Total Due 09/01/2018</b>				<b>0.00</b>	<b>114,062.63</b>	<b>114,062.63</b>
<b>Debt Service Payment Due 03/01/2019</b>						
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
<b>Total Due 03/01/2019</b>				<b>445,000.00</b>	<b>114,062.63</b>	<b>559,062.63</b>
<b>Debt Service Payment Due 09/01/2019</b>						
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
<b>Total Due 09/01/2019</b>				<b>0.00</b>	<b>110,307.00</b>	<b>110,307.00</b>
<b>Debt Service Payment Due 03/01/2020</b>						
Amegy Bank of Texas	2012	03/01/2020		130,000.00	53,412.50	183,412.50
Amegy Bank of Texas	2012R	03/01/2020		110,000.00	35,993.75	145,993.75
First National Bank of Huntsville	2015R	03/01/2020		85,000.00	6,376.25	91,376.25
Bank of Texas	2017A	03/01/2020		50,000.00	4,767.25	54,767.25
Bank of Texas	2017B	03/01/2020		80,000.00	9,757.25	89,757.25
<b>Total Due 03/01/2020</b>				<b>455,000.00</b>	<b>110,307.00</b>	<b>565,307.00</b>
<b>Debt Service Payment Due 09/01/2020</b>						
Amegy Bank of Texas	2012	09/01/2020		0.00	51,462.50	51,462.50
Amegy Bank of Texas	2012R	09/01/2020		0.00	34,756.25	34,756.25
First National Bank of Huntsville	2015R	09/01/2020		0.00	5,526.25	5,526.25
Bank of Texas	2017A	09/01/2020		0.00	4,767.25	4,767.25

City of Montgomery  
**District Debt Service Payments**  
03/01/2018 - 09/30/2045

Paying Agent	Series	Date Due	Date Paid	Principal	Interest	Total Due
<b>Debt Service Payment Due 09/01/2020</b>						
Bank of Texas	2017B	09/01/2020		0.00	9,753.25	9,753.25
		<b>Total Due 09/01/2020</b>		<b>0.00</b>	<b>106,265.50</b>	<b>106,265.50</b>
<b>Debt Service Payment Due 03/01/2021</b>						
Amegy Bank of Texas	2012	03/01/2021		130,000.00	51,462.50	181,462.50
Amegy Bank of Texas	2012R	03/01/2021		115,000.00	34,756.25	149,756.25
First National Bank of Huntsville	2015R	03/01/2021		80,000.00	5,526.25	85,526.25
Bank of Texas	2017A	03/01/2021		50,000.00	4,767.25	54,767.25
Bank of Texas	2017B	03/01/2021		80,000.00	9,753.25	89,753.25
		<b>Total Due 03/01/2021</b>		<b>455,000.00</b>	<b>106,265.50</b>	<b>561,265.50</b>
<b>Debt Service Payment Due 09/01/2021</b>						
Amegy Bank of Texas	2012	09/01/2021		0.00	49,512.50	49,512.50
Amegy Bank of Texas	2012R	09/01/2021		0.00	33,318.75	33,318.75
First National Bank of Huntsville	2015R	09/01/2021		0.00	4,646.25	4,646.25
Bank of Texas	2017A	09/01/2021		0.00	4,767.25	4,767.25
Bank of Texas	2017B	09/01/2021		0.00	9,681.25	9,681.25
		<b>Total Due 09/01/2021</b>		<b>0.00</b>	<b>101,926.00</b>	<b>101,926.00</b>
<b>Debt Service Payment Due 03/01/2022</b>						
Amegy Bank of Texas	2012	03/01/2022		135,000.00	49,512.50	184,512.50
Amegy Bank of Texas	2012R	03/01/2022		115,000.00	33,318.75	148,318.75
First National Bank of Huntsville	2015R	03/01/2022		85,000.00	4,646.25	89,646.25
Bank of Texas	2017A	03/01/2022		50,000.00	4,767.55	54,767.55
Bank of Texas	2017B	03/01/2022		80,000.00	9,681.25	89,681.25
		<b>Total Due 03/01/2022</b>		<b>465,000.00</b>	<b>101,926.30</b>	<b>566,926.30</b>
<b>Debt Service Payment Due 09/01/2022</b>						
Amegy Bank of Texas	2012	09/01/2022		0.00	47,487.50	47,487.50
Amegy Bank of Texas	2012R	09/01/2022		0.00	31,881.25	31,881.25
First National Bank of Huntsville	2015R	09/01/2022		0.00	3,647.50	3,647.50
Bank of Texas	2017A	09/01/2022		0.00	4,742.25	4,742.25
Bank of Texas	2017B	09/01/2022		0.00	9,521.25	9,521.25
		<b>Total Due 09/01/2022</b>		<b>0.00</b>	<b>97,279.75</b>	<b>97,279.75</b>
<b>Debt Service Payment Due 03/01/2023</b>						
Amegy Bank of Texas	2012	03/01/2023		140,000.00	47,487.50	187,487.50
Amegy Bank of Texas	2012R	03/01/2023		120,000.00	31,881.25	151,881.25
First National Bank of Huntsville	2015R	03/01/2023		90,000.00	3,647.50	93,647.50
Bank of Texas	2017A	03/01/2023		50,000.00	4,742.25	54,742.25
Bank of Texas	2017B	03/01/2023		80,000.00	9,521.25	89,521.25
		<b>Total Due 03/01/2023</b>		<b>480,000.00</b>	<b>97,279.75</b>	<b>577,279.75</b>

City of Montgomery  
**District Debt Service Payments**  
03/01/2018 - 09/30/2045

Paying Agent	Series	Date Due	Date Paid	Principal	Interest	Total Due
<b>Debt Service Payment Due 09/01/2023</b>						
Amegy Bank of Texas	2012	09/01/2023		0.00	45,387.50	45,387.50
Amegy Bank of Texas	2012R	09/01/2023		0.00	30,231.25	30,231.25
First National Bank of Huntsville	2015R	09/01/2023		0.00	2,522.50	2,522.50
Bank of Texas	2017A	09/01/2023		0.00	4,669.75	4,669.75
Bank of Texas	2017B	09/01/2023		0.00	9,285.25	9,285.25
<b>Total Due 09/01/2023</b>				<b>0.00</b>	<b>92,096.25</b>	<b>92,096.25</b>
<b>Debt Service Payment Due 03/01/2024</b>						
Amegy Bank of Texas	2012	03/01/2024		145,000.00	45,387.50	190,387.50
Amegy Bank of Texas	2012R	03/01/2024		125,000.00	30,231.25	155,231.25
First National Bank of Huntsville	2015R	03/01/2024		90,000.00	2,522.50	92,522.50
Bank of Texas	2017A	03/01/2024		50,000.00	4,669.75	54,669.75
Bank of Texas	2017B	03/01/2024		80,000.00	9,285.25	89,285.25
<b>Total Due 03/01/2024</b>				<b>490,000.00</b>	<b>92,096.25</b>	<b>582,096.25</b>
<b>Debt Service Payment Due 09/01/2024</b>						
Wells Fargo Bank, NA	2005A	09/01/2024	03/22/2006	0.00	6,000.00	6,000.00
Amegy Bank of Texas	2012	09/01/2024		0.00	43,212.50	43,212.50
Amegy Bank of Texas	2012R	09/01/2024		0.00	28,512.50	28,512.50
First National Bank of Huntsville	2015R	09/01/2024		0.00	1,330.00	1,330.00
Bank of Texas	2017A	09/01/2024		0.00	4,549.75	4,549.75
Bank of Texas	2017B	09/01/2024		0.00	8,973.25	8,973.25
<b>Total Due 09/01/2024</b>				<b>0.00</b>	<b>92,578.00</b>	<b>92,578.00</b>
<b>Debt Service Payment Due 03/01/2025</b>						
Amegy Bank of Texas	2012	03/01/2025		145,000.00	43,212.50	188,212.50
Amegy Bank of Texas	2012R	03/01/2025		130,000.00	28,512.50	158,512.50
First National Bank of Huntsville	2015R	03/01/2025		95,000.00	1,330.00	96,330.00
Bank of Texas	2017A	03/01/2025		55,000.00	4,549.75	59,549.75
Bank of Texas	2017B	03/01/2025		85,000.00	8,973.25	93,973.25
<b>Total Due 03/01/2025</b>				<b>510,000.00</b>	<b>86,578.00</b>	<b>596,578.00</b>
<b>Debt Service Payment Due 09/01/2025</b>						
Amegy Bank of Texas	2012	09/01/2025		0.00	41,037.50	41,037.50
Amegy Bank of Texas	2012R	09/01/2025		0.00	26,562.50	26,562.50
Bank of Texas	2017A	09/01/2025		0.00	4,373.75	4,373.75
Bank of Texas	2017B	09/01/2025		0.00	8,573.75	8,573.75
<b>Total Due 09/01/2025</b>				<b>0.00</b>	<b>80,547.50</b>	<b>80,547.50</b>
<b>Debt Service Payment Due 03/01/2026</b>						
Amegy Bank of Texas	2012	03/01/2026		150,000.00	41,037.50	191,037.50
Amegy Bank of Texas	2012R	03/01/2026		130,000.00	26,562.50	156,562.50
Bank of Texas	2017A	03/01/2026		55,000.00	4,373.75	59,373.75
Bank of Texas	2017B	03/01/2026		85,000.00	8,573.75	93,573.75
<b>Total Due 03/01/2026</b>				<b>420,000.00</b>	<b>80,547.50</b>	<b>500,547.50</b>

City of Montgomery  
**District Debt Service Payments**

03/01/2018 - 09/30/2045

Paying Agent	Series	Date Due	Date Paid	Principal	Interest	Total Due
<b>Debt Service Payment Due 09/01/2026</b>						
Amegy Bank of Texas	2012	09/01/2026		0.00	38,412.50	38,412.50
Amegy Bank of Texas	2012R	09/01/2026		0.00	24,612.50	24,612.50
Bank of Texas	2017A	09/01/2026		0.00	4,159.25	4,159.25
Bank of Texas	2017B	09/01/2026		0.00	8,114.75	8,114.75
		<b>Total Due 09/01/2026</b>		<b>0.00</b>	<b>75,299.00</b>	<b>75,299.00</b>
<b>Debt Service Payment Due 03/01/2027</b>						
Amegy Bank of Texas	2012	03/01/2027		155,000.00	38,412.50	193,412.50
Amegy Bank of Texas	2012R	03/01/2027		135,000.00	24,612.50	159,612.50
Bank of Texas	2017A	03/01/2027		55,000.00	4,159.25	59,159.25
Bank of Texas	2017B	03/01/2027		85,000.00	8,114.75	93,114.75
		<b>Total Due 03/01/2027</b>		<b>430,000.00</b>	<b>75,299.00</b>	<b>505,299.00</b>
<b>Debt Service Payment Due 09/01/2027</b>						
Amegy Bank of Texas	2012	09/01/2027		0.00	35,700.00	35,700.00
Amegy Bank of Texas	2012R	09/01/2027		0.00	22,418.75	22,418.75
Bank of Texas	2017A	09/01/2027		0.00	3,917.25	3,917.25
Bank of Texas	2017B	09/01/2027		0.00	7,613.25	7,613.25
		<b>Total Due 09/01/2027</b>		<b>0.00</b>	<b>69,649.25</b>	<b>69,649.25</b>
<b>Debt Service Payment Due 03/01/2028</b>						
Amegy Bank of Texas	2012	03/01/2028		160,000.00	35,700.00	195,700.00
Amegy Bank of Texas	2012R	03/01/2028		140,000.00	22,418.75	162,418.75
Bank of Texas	2017A	03/01/2028		55,000.00	3,917.25	58,917.25
Bank of Texas	2017B	03/01/2028		85,000.00	7,613.25	92,613.25
		<b>Total Due 03/01/2028</b>		<b>440,000.00</b>	<b>69,649.25</b>	<b>509,649.25</b>
<b>Debt Service Payment Due 09/01/2028</b>						
Amegy Bank of Texas	2012	09/01/2028		0.00	32,900.00	32,900.00
Amegy Bank of Texas	2012R	09/01/2028		0.00	20,143.75	20,143.75
Bank of Texas	2017A	09/01/2028		0.00	3,645.00	3,645.00
Bank of Texas	2017B	09/01/2028		0.00	7,065.00	7,065.00
		<b>Total Due 09/01/2028</b>		<b>0.00</b>	<b>63,753.75</b>	<b>63,753.75</b>
<b>Debt Service Payment Due 03/01/2029</b>						
Amegy Bank of Texas	2012	03/01/2029		165,000.00	32,900.00	197,900.00
Amegy Bank of Texas	2012R	03/01/2029		145,000.00	20,143.75	165,143.75
Bank of Texas	2017A	03/01/2029		55,000.00	3,645.00	58,645.00
Bank of Texas	2017B	03/01/2029		85,000.00	7,065.00	92,065.00
		<b>Total Due 03/01/2029</b>		<b>450,000.00</b>	<b>63,753.75</b>	<b>513,753.75</b>
<b>Debt Service Payment Due 09/01/2029</b>						
Amegy Bank of Texas	2012	09/01/2029		0.00	30,012.50	30,012.50
Amegy Bank of Texas	2012R	09/01/2029		0.00	17,425.00	17,425.00
Bank of Texas	2017A	09/01/2029		0.00	3,345.25	3,345.25

City of Montgomery  
**District Debt Service Payments**  
03/01/2018 - 09/30/2045

Paying Agent	Series	Date Due	Date Paid	Principal	Interest	Total Due
<b>Debt Service Payment Due 09/01/2029</b>						
Bank of Texas	2017B	09/01/2029		0.00	6,474.25	6,474.25
		<b>Total Due 09/01/2029</b>		<b>0.00</b>	<b>57,257.00</b>	<b>57,257.00</b>
<b>Debt Service Payment Due 03/01/2030</b>						
Amegy Bank of Texas	2012	03/01/2030		170,000.00	30,012.50	200,012.50
Amegy Bank of Texas	2012R	03/01/2030		155,000.00	17,425.00	172,425.00
Bank of Texas	2017A	03/01/2030		55,000.00	3,345.25	58,345.25
Bank of Texas	2017B	03/01/2030		90,000.00	6,474.75	96,474.75
		<b>Total Due 03/01/2030</b>		<b>470,000.00</b>	<b>57,257.50</b>	<b>527,257.50</b>
<b>Debt Service Payment Due 09/01/2030</b>						
Amegy Bank of Texas	2012	09/01/2030		0.00	27,037.50	27,037.50
Amegy Bank of Texas	2012R	09/01/2030		0.00	14,518.75	14,518.75
Bank of Texas	2017A	09/01/2030		0.00	3,018.00	3,018.00
Bank of Texas	2017B	09/01/2030		0.00	5,803.75	5,803.75
		<b>Total Due 09/01/2030</b>		<b>0.00</b>	<b>50,378.00</b>	<b>50,378.00</b>
<b>Debt Service Payment Due 03/01/2031</b>						
Amegy Bank of Texas	2012	03/01/2031		175,000.00	27,037.50	202,037.50
Amegy Bank of Texas	2012R	03/01/2031		110,000.00	14,518.75	124,518.75
Bank of Texas	2017A	03/01/2031		55,000.00	3,018.00	58,018.00
Bank of Texas	2017B	03/01/2031		90,000.00	5,803.75	95,803.75
		<b>Total Due 03/01/2031</b>		<b>430,000.00</b>	<b>50,378.00</b>	<b>480,378.00</b>
<b>Debt Service Payment Due 09/01/2031</b>						
Amegy Bank of Texas	2012	09/01/2031		0.00	23,975.00	23,975.00
Amegy Bank of Texas	2012R	09/01/2031		0.00	12,456.25	12,456.25
Bank of Texas	2017A	09/01/2031		0.00	2,666.00	2,666.00
Bank of Texas	2017B	09/01/2031		0.00	5,092.75	5,092.75
		<b>Total Due 09/01/2031</b>		<b>0.00</b>	<b>44,190.00</b>	<b>44,190.00</b>
<b>Debt Service Payment Due 03/01/2032</b>						
Amegy Bank of Texas	2012	03/01/2032		180,000.00	23,975.00	203,975.00
Amegy Bank of Texas	2012R	03/01/2032		115,000.00	12,456.25	127,456.25
Bank of Texas	2017A	03/01/2032		55,000.00	2,666.00	57,666.00
Bank of Texas	2017B	03/01/2032		90,000.00	5,092.75	95,092.75
		<b>Total Due 03/01/2032</b>		<b>440,000.00</b>	<b>44,190.00</b>	<b>484,190.00</b>
<b>Debt Service Payment Due 09/01/2032</b>						
Amegy Bank of Texas	2012	09/01/2032		0.00	20,825.00	20,825.00
Amegy Bank of Texas	2012R	09/01/2032		0.00	10,300.00	10,300.00
Bank of Texas	2017A	09/01/2032		0.00	2,292.00	2,292.00

City of Montgomery  
**District Debt Service Payments**  
03/01/2018 - 09/30/2045

Paying Agent	Series	Date Due	Date Paid	Principal	Interest	Total Due
<b>Debt Service Payment Due 09/01/2032</b>						
Bank of Texas	2017B	09/01/2032		0.00	4,345.75	4,345.75
		<b>Total Due 09/01/2032</b>		<b>0.00</b>	<b>37,762.75</b>	<b>37,762.75</b>
<b>Debt Service Payment Due 03/01/2033</b>						
Amegy Bank of Texas	2012	03/01/2033		190,000.00	20,825.00	210,825.00
Amegy Bank of Texas	2012R	03/01/2033		125,000.00	10,300.00	135,300.00
Bank of Texas	2017A	03/01/2033		60,000.00	2,292.00	62,292.00
Bank of Texas	2017B	03/01/2033		90,000.00	4,345.75	94,345.75
		<b>Total Due 03/01/2033</b>		<b>465,000.00</b>	<b>37,762.75</b>	<b>502,762.75</b>
<b>Debt Service Payment Due 09/01/2033</b>						
Amegy Bank of Texas	2012	09/01/2033		0.00	17,500.00	17,500.00
Amegy Bank of Texas	2012R	09/01/2033		0.00	7,800.00	7,800.00
Bank of Texas	2017A	09/01/2033		0.00	1,863.00	1,863.00
Bank of Texas	2017B	09/01/2033		0.00	3,567.25	3,567.25
		<b>Total Due 09/01/2033</b>		<b>0.00</b>	<b>30,730.25</b>	<b>30,730.25</b>
<b>Debt Service Payment Due 03/01/2034</b>						
Amegy Bank of Texas	2012	03/01/2034		190,000.00	17,500.00	207,500.00
Amegy Bank of Texas	2012R	03/01/2034		125,000.00	7,800.00	132,800.00
Bank of Texas	2017A	03/01/2034		60,000.00	1,863.00	61,863.00
Bank of Texas	2017B	03/01/2034		95,000.00	3,567.25	98,567.25
		<b>Total Due 03/01/2034</b>		<b>470,000.00</b>	<b>30,730.25</b>	<b>500,730.25</b>
<b>Debt Service Payment Due 09/01/2034</b>						
Amegy Bank of Texas	2012	09/01/2034		0.00	14,175.00	14,175.00
Amegy Bank of Texas	2012R	09/01/2034		0.00	5,300.00	5,300.00
Bank of Texas	2017A	09/01/2034		0.00	1,416.00	1,416.00
Bank of Texas	2017B	09/01/2034		0.00	2,717.00	2,717.00
		<b>Total Due 09/01/2034</b>		<b>0.00</b>	<b>23,608.00</b>	<b>23,608.00</b>
<b>Debt Service Payment Due 03/01/2035</b>						
Amegy Bank of Texas	2012	03/01/2035		195,000.00	14,175.00	209,175.00
Amegy Bank of Texas	2012R	03/01/2035		120,000.00	5,300.00	125,300.00
Bank of Texas	2017A	03/01/2035		60,000.00	1,416.00	61,416.00
Bank of Texas	2017B	03/01/2035		95,000.00	2,717.00	97,717.00
		<b>Total Due 03/01/2035</b>		<b>470,000.00</b>	<b>23,608.00</b>	<b>493,608.00</b>
<b>Debt Service Payment Due 09/01/2035</b>						
Amegy Bank of Texas	2012	09/01/2035		0.00	10,762.50	10,762.50
Amegy Bank of Texas	2012R	09/01/2035		0.00	2,700.00	2,700.00
Bank of Texas	2017A	09/01/2035		0.00	954.00	954.00



City of Montgomery  
**District Debt Service Payments**

03/01/2018 - 09/30/2045

Paying Agent	Series	Date Due	Date Paid	Principal	Interest	Total Due
<b>Debt Service Payment Due 09/01/2035</b>						
Bank of Texas	2017B	09/01/2035		0.00	1,843.00	1,843.00
		<b>Total Due 09/01/2035</b>		<b>0.00</b>	<b>16,259.50</b>	<b>16,259.50</b>
<b>Debt Service Payment Due 03/01/2036</b>						
Amegy Bank of Texas	2012	03/01/2036		200,000.00	10,762.50	210,762.50
Amegy Bank of Texas	2012R	03/01/2036		135,000.00	2,700.00	137,700.00
Bank of Texas	2017A	03/01/2036		60,000.00	954.00	60,954.00
Bank of Texas	2017B	03/01/2036		95,000.00	1,843.00	96,843.00
		<b>Total Due 03/01/2036</b>		<b>490,000.00</b>	<b>16,259.50</b>	<b>506,259.50</b>
<b>Debt Service Payment Due 09/01/2036</b>						
Amegy Bank of Texas	2012	09/01/2036		0.00	7,262.50	7,262.50
Bank of Texas	2017A	09/01/2036		0.00	480.00	480.00
Bank of Texas	2017B	09/01/2036		0.00	950.00	950.00
		<b>Total Due 09/01/2036</b>		<b>0.00</b>	<b>8,692.50</b>	<b>8,692.50</b>
<b>Debt Service Payment Due 03/01/2037</b>						
Amegy Bank of Texas	2012	03/01/2037		205,000.00	7,262.50	212,262.50
Bank of Texas	2017A	03/01/2037		60,000.00	480.00	60,480.00
Bank of Texas	2017B	03/01/2037		100,000.00	950.00	100,950.00
		<b>Total Due 03/01/2037</b>		<b>365,000.00</b>	<b>8,692.50</b>	<b>373,692.50</b>
<b>Debt Service Payment Due 09/01/2037</b>						
Amegy Bank of Texas	2012	09/01/2037		0.00	3,675.00	3,675.00
		<b>Total Due 09/01/2037</b>		<b>0.00</b>	<b>3,675.00</b>	<b>3,675.00</b>
<b>Debt Service Payment Due 03/01/2038</b>						
Amegy Bank of Texas	2012	03/01/2038		210,000.00	3,675.00	213,675.00
		<b>Total Due 03/01/2038</b>		<b>210,000.00</b>	<b>3,675.00</b>	<b>213,675.00</b>
<b>Debt Service Payment Due 09/01/2038</b>						
Amegy Bank of Texas	2012	09/01/2038		0.00	3,675.00	3,675.00
		<b>Total Due 09/01/2038</b>		<b>0.00</b>	<b>3,675.00</b>	<b>3,675.00</b>
		<b>District Total</b>		<b>\$9,285,000.00</b>	<b>\$2,667,843.99</b>	<b>\$11,952,843.99</b>

City of Montgomery  
**Summary of Pledged Securities**

As of April 19, 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:	\$1,432,309.49	Collateral Security Required:	Yes
Less FDIC coverage:	\$250,000.00	Collateral Security Agreement On File:	Yes
Total pledged securities:	\$2,654,767.75	Investment Policy Received:	Yes
Ratio of pledged securities to investments:	224.54 %		
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:	\$488,579.66	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**

<b>Meeting Date: April 24, 2018</b>	<b>Budgeted Amount:</b>
<b>Prepared By: Jack Yates</b> <b>City Administrator</b>	<b>Exhibits: MEDC 1<sup>st</sup> qtr. Report</b>
<b>Date Prepared: April 19, 2018</b>	

**Subject**

This is the proposed Report to the City Council from the MEDC as presented by Randy Moravec.

**Description**

The Report is attached.

**Recommendation**

Make comments/suggestions as you feel appropriate

**Approved By**

City Administrator	Jack Yates	Date: April 19, 2018
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Montgomery Economic Development Corporation  
2018 Q1 Review

DEVELOPMENTS

	Kroger Center	Apache Machine Solutions	Plaza @ Eva	Heritage Place II	Dusty's Car Wash	Liberty Street Business Park	NE Corner Strip Center	Town Creek Storage	Uncle Bob's BBQ
Status	Opened to public in 2018 Q1	Under construction	Opened to Public in 2018 Q1	Completed March 2018	Under Construction	Under Construction: Anticipating May opening	Completed Q3 2017	Under construction: Anticipating May opening	Under construction: Anticipating Q2 Opening
++Employment	<b>Halo Coiffure:</b> 5 FTE Stylist + Mgr <b>Everbright Dental:</b> 3 FT 2 dentist + 1 asst <b>Burger King:</b> 2 FT Mgrs + 15-20 PT. Only 6 students 10-15 carry 35+ hrs	8-10 FTE ✓	<b>Lavender Nail Salon:</b> 5 FTE <b>Hometown Mattress:</b> 2 FTE	<b>Houston Methodist Primary Care Group:</b> 3 new FTE and interviewing new dr/nurse ✓ <b>Montgomery Dermatology:</b> 2 FTE ✓ <b>Cheatham Mgmt:</b> (moving over from previous location)	TBD: anticipating August open	TBD: ✓ (Goal is Construction Trades – Office warehouse space) • Dog Trainer currently considering	<b>Pet Supplies Plus:</b> Now Hiring, 5 FTE, 10-12 PT scheduled opening mid May	FTE: 2	FTE: 5-8 PT: 15 anticipated
**Value of Buildings/Contents	<b>Fill In Value:</b> <b>Halo Coiffure:</b> \$268K <b>Everbright Dental:</b> \$218K <b>Burger King:</b> \$602K Source: Permit filings only	\$937K Source: Permit filings only	<b>Fill In Value:</b> <b>Nail Salon:</b> \$95K <b>Mattress:</b> \$42K Source: Permit filings only	<b>Fill In Value:</b> <b>HouMethodist:</b> \$594 <b>Dermatology:</b> \$465 <b>Cheatham:</b> \$240 Source: Permit filings only	\$2M Source: Permit filings only	\$327K Source: Permit filings only	\$182K Source: MCAD + Permit filings	\$1.7M Source: Permit filings only	\$25K Source: Permit filings only
MEDC Participation	• No new investments	• NA	• NA	• \$55K Houston Street improvements	• NA	• NA	• NA	• NA	• NA
Notes	• 2 small + 1 large space remaining inline with Kroger • Coming soon ✓ Spirit of Texas Bank		• Space 4 not yet under contract. • 39Ksf • .904 acres	•	• 3 pad sites-front • 16Ksf bldg.-behind • 24Ksf bldg.-behind	• 12K sf • .279 acres	• 88K sf • 2.02 acres	• 66K sf • 1.52 acres	

\*\* More accurate accounting of building and contents will be available in 2019 MCAD appraisals

→ Totals jobs: 52 FT 35 PT (✓ 12 of those are Primary Jobs)



## DIRECTOR / ADMINISTRATOR ACTIVITIES

- 2 RFP's received, 0 qualified responses submitted
  - ✓ Typical proposal includes key criteria identified for site selection, utilities proposal as required, detailed site plan, Montgomery Area demographics, maps of the area/region
- Site selector/developer coordination for a large mixed used retail/professional project including windshield tour, City admin visit, property owner visit, conference calls
- City Administrator / Developer Meetings: 25 total, 20 Commercial + 5 Residential
- Calling on new businesses + active projects around the city = 20
- Shifting Boundaries Economic Update event – Navasota, Montgomery, Magnolia – February 1, 2018 *Keynote*
- Lake Conroe Summit Economic Development Conference – March 23, 2018 *Organizer*
- Attended Community Development Institute (CDI) Year 3 toward earning Professional Community Economic Developer Certification (PCED) – March 5-8, 2018 *Participant*  
\*\*Received Scholarship for free tuition for the 3<sup>rd</sup> time

## MEDC ACTIVITIES + ACTUAL EXPENSES

- Façade grant for Rancher's Daughter improvements not to exceed **\$2K approved**
- Paving for Larry Jacobs Parking Lot **\$29K approved**
- Purchase of Historic Beacons + initiation of merchant beacons to launch Distrx Mobile App for city tourism initiative **\$1.7K actual**
- Grant awarded to Homecoming Celebration organized by Arnett Easley and local churches. Growing event to be community wide during Memorial Weekend  
**\$3K grant approved + up to \$2K reimbursed with receipts**

## FUTURE CONSTRUCTION CONTEMPLATED

- CVS Pharmacy (beginning construction Q2)
- Completion of Plaza @ Eva Leasing – 1 space remaining
- Lone Star Bend Street Construction – Q2 opening
- 3 additional in-line retail spaces remaining in Kroger Center
- Kenrock Properties between Pizza Shack and Care Now Strip

## PERMITS ISSUED + VALUE

- Residential: 19 issued      Total Permit Value: **\$19.9K**
- Commercial: 13 issued      Total Permit Value: **\$14.3K**

## LEGEND

FT = Full Time = 40 hours per week

PT = Part Time = below 40 hours per week/ avg 20-30 hours per week

RFP = Request for Proposal

MCAD = Montgomery County Appraisal District

Montgomery City Council  
**AGENDA REPORT**

<b>Meeting Date: April 24, 2018</b>	<b>Budgeted Amount:</b>
<b>Prepared By: Jack Yates City Administrator</b>	<b>Exhibits:</b>
<b>Date Prepared: April 19, 2018</b>	

**Subject**

This is approval of the appointment of Gary Scott as Associate Judge of Municipal Court.

**Description**

With the additional Municipal Court sessions that are planned in order to have speedier trials, the scheduling of the regular Judge Rehnquist  
As given to me by court Administrator Kimberly Duckett:

*---- Judge Rosenquist has suggested that Judge Scott be sworn in as our Associate Judge. He has prior experience with the City of Montgomery Municipal court. Currently he is the Judge at the City of Willis and City of Conroe. We would not need him on a full time basis; his services will be needed if Judge Rosenquist is on vacation or has other engagements. Judge Rosenquist has agreed that Judge Scott's services would not be an additional fee to the city, but in the event that we use him Judge Rosenquist would render his pay to Judge Scott. I think having an Associate Judge would be a great idea for the court, this will allow us to continue to add more court dates and become more efficient.*

The City Attorney knows and recommends approval of Mr. Scott.

**Recommendation**

Approve the appointment of Gary Scott as Associate Judge of the City of Montgomery Municipal Court.

**Approved By**

City Administrator	Jack Yates	Date: April 19, 2018
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Montgomery City Council  
**AGENDA REPORT**

<b>Meeting Date: April 24, 2018</b>	<b>Budgeted Amount:</b>
<b>Prepared By: Jack Yates</b> <b>City Administrator</b>	<b>Exhibits: Memo attached</b>
<b>Date Prepared: April 19, 2018</b>	

**Subject**

This is for the Council to consider, and possibly act regarding the distribution of the 1% sales tax collected in newly annexed areas due to the ESD #2 sales tax agreement.

**Description**

The attached memo explains this item.

The item was discussed by the MEDC Board at its April 19<sup>th</sup> meeting. The minutes of the MEDC discussion are as follows:

“Jack Yates presented an informational memo regarding the question of the distribution of the 1% sales tax in newly annexed areas of the city, based on the ESD #2 sales tax agreement. There was a brief discussion regarding the limited expenditure categories available for the MEDC, future MEDC budgets and the need for the city’s funds to find all the needs of the city. Motion by Moravec, seconded by Fox that the MEDC has no claim on the funds and will defer to the city Council and how the funds will be distributed. All in favor”

**Recommendation**

Approve the City retainage of the full 1% in the newly annexed areas agreement with ESD 2 .

**Approved By**

**Analysis of City Finances – In Consideration of How to Distribute the One Percent To Be Collected by the City in Newly Annexed Areas Due to ESD #2 Agreement**

**Base information** – The ESD agreement calls for the evenly splitting of the 2% sales tax in areas newly annexed beyond last month's agreement execution date. Meaning that the City will receive one cent in the newly annexed areas.

The ESD agreement has no effect on the property taxes. The City will continue to receive 100% of the property tax in the newly annexed areas. The property tax is now distributed by maintenance and operation receiving .2043 cents and debt service receiving .2112. There exist proceeds available for debt service needs for approximately \$2 million of improvements. Property tax increased collections due to higher assessments is thought to be a way that the city can maintain growth costs, which has been the case with the rapidly rising assessments of the last three years, but if that rise reduces, that will not be the case.

The MEDC budget for 2017-2018 is \$530,950 in revenue and \$649,400 in expenses, with the difference coming from a fund balance of approximately \$700,000. The MEDC's only revenue source is the sales tax, expected to be \$530,000 in 2017 – 2018. The MEDC range of expenses are limited and may only spend money for Public Infrastructure, Business Development and Retention, Quality of Life, Marketing and Tourism and Administration.

The MEDC is contributing \$160,000 this year to the debt service of the entirety of the city. \$120,000 of this debt service is for the Catahoula well and \$40,000 is toward the TWDB loan. The MEDC also contributes annually to various infrastructure improvements, usually by paying a "gap" amount for items such as over sizing of utility lines or paying the final 5% or 10% of a development cost for a development.



The decision is a local decision and has nothing to do with the State Comptroller's Office distribution of the sales tax. The City receives all the sales tax in one lump sum and is then distributed by the City finance department based upon a City Council/MEDC Interlocal Agreement. Currently the distribution of the 2.0 cents collected is 1.5 cents to the city and .5 cents to MEDC. If the city wanted to share any part of the 1.0 cent ESD #2 area tax there would have to be an additional, or different, Interlocal Agreement approved.

It appears that a Jurisdiction code can be established with the State Comptroller's office that will differentiate the ESD #2 area from the City's "normal" 2 cent area. This will involve some management/verification of accuracy time to the City.

Financial needs of the city -- The 1.5 cents of the sales tax for the fiscal year 2017-2018 is \$1,810,800. The total revenue/expenditure of General Fund is \$3,069,091. Sales tax equals 59% of the revenue total. Other than inflation rising with income being roughly the same as the expenses, the only possible growth of the General Fund is the sales tax. Remember, not that it makes a difference to me in consideration of this question, but for your information, .5 cents of the City's 1.5 cents is a property tax allowance approved by the citizens to keep property taxes lower. Property tax growth, at its current split is thought to match the level of growth of city services.

Using the projection of the budget doubling in 10 years, not a stretch of the imagination, that would mean that the City General Fund budget will be \$6,138,182 and sales tax will be, say 49% ( based on 1/10<sup>th</sup> of the total sales tax being in the 1. cents EST area) of that amount \$3,007,709 rather than keeping the 59% amount to be \$3,621,903 – leaving \$614,194 the City short of budget revenue to meet expenses.

**Projections** -- It is impossible to accurately predict the future sales tax receipts for the city, meaning the amount of MEDC funding for the future. If we were to project that 10 years from now the inside the current city limits, sales tax will double then the MEDC funding will be \$1,100,000 per year. With the limited expense choices/responsibilities of the MEDC, they should be able to continue funding the \$160,000 debt service present now as well as contribute toward future debt service needs that expand the utility service of the city, opening future economic development of the City.

The City through its property tax increase due to assessment and growth increases, along with the utility impact fees and rate increases should be able to fund most of the utility expansions of the city, with or without the MEDC's funding assistance.

**Opinion** – The City needs the full 1.0% of the newly annexed areas to help fund the full city operations compared to the limited expense realm of the MEDC.

### **Options for the New Annexed Areas**

**Option One** – Continue the existing sales tax split of .75% to the City and .25% to the MEDC.

**Option Two** -- Allow the City to receive the full 1.0%.

**Option Three** – Figure out a different percentage from the .75% to the City and .25% to the MEDC.

Montgomery City Council  
**AGENDA REPORT**

<b>Meeting Date: April 24, 2018</b>	<b>Budgeted Amount:</b>
	<b>Exhibits:</b> Memo attached, Information from Sales Revenue, Inc. regarding services, Example of reports available
<b>Prepared By: Jack Yates</b> <b>City Administrator</b>	
<b>Date Prepared: April 19, 2018</b>	

**Subject**

This is for the Council to consider, and possibly act regarding the use of a Sales Tax Contractor to assist the city in proper management of the sales tax collection system.

**Description**

The attached memo explains this item. Also available in the packet is information regarding a sales tax contractor and examples of his reports that would be available.

**Recommendation**

Approve the selection of a Sales Tax Contractor either (1) by Jack Yates and Cathy Branco or (2) by the Council.

**Approved By**

City Administrator

Jack Yates

Date: April 19, 2018

To: Mayor and City Council  
From: Jack Yates  
Subject: Sales Tax Contractor Assistance  
Date: April 5, 2018

To give you a measure of relevance to the issue, a recent six-month report received from the State Comptroller's office I reviewed showed approximately 4,000 different companies had paid anywhere from .05 cents to \$100. to \$20,000 of sales tax dollars to the City of Montgomery. This large number of sales tax payers is primarily due to internet sales. Such as a direct order to Nike for a pair of \$60.00 shoes results in a sales tax of \$1.20 to the City. Or if you lease a Porsche (as someone does) in Montgomery for \$1,500 per month the city gets a sales tax from the leasing dealership in Chicago of \$30.00. Buried deep in the Report were local businesses such as Brookshire Grocery on page 64 of the 180 page Report. Keeping up with these amounts is the job of the State Comptroller's office who audits and collects city sales tax in Texas then distributes the monies to the City.

The question of using an outside contractor to review the sales tax collections for the city has been discussed several times over the past several years. There are several companies that do work in reviewing; accuracy of collection amounts from individual businesses, accuracy assurance including audits if necessary, correction and recovery which includes discovery of correctness of sales tax payors in or outside the City, confirm accuracy of franchise payments to the city based upon gross sales and recovery of sales tax receipts.

Two other services that they can provide in Montgomery's specific case is the determination and confirmation of the 1% payment of sales tax collections in connection with ESD #2's sharing of sales tax and determination and confirmation of sales tax receipts having to do with the two 380 Agreements with Kroger and The Shoppes at Montgomery developments. For the 1% payment sharing with ESD #2, they can confirm specific businesses sales tax collections and confirm that they are distributed correctly by the State Comptroller. For the 380 Agreements, they can confirm each specific business producing sales tax for each month and produce the required report called for in the agreement.

The cost of such services is usually in one of two methods. It is either a flat rate of approximately \$1,200 per month or a higher amount paid based upon an

incentive basis of how much sales tax they produce by their audits and review methods. My preference is the flat rate method of payment. I think that knowing how much we would be charged per year is the more honest, and verifiable, method.

Previously, I have not been particularly favorable toward using such a service. I now have changed my opinion based upon five reasons:

- 1) The city sales tax revenue has increased to \$2.3 million this year and probably \$2.6 million next year and probably doubling over the next 10 years. The amount is getting larger with more at stake on the collections and catching mistakes made by the State in jurisdiction problems on over or under payments.
- 2) With the ESD #2 Agreement regarding sharing of sales tax, a few mistakes there, can make a sizable difference in amounts of dollars. Also, a Jurisdiction Code will need to be established with the State Comptroller's office to delineate the 1 cent area aside from the normal 2 cents area of the City. I am setting up the Jurisdiction Code agreement with the State Comptroller's office now but, that will require slight management/confirming correct amounts based on monthly reports.
- 3) The 380 Agreements required detailed accuracy of every business on the 380 properties on a monthly basis so that budgets and annual cost can be carefully monitored. Also, the two Agreements are legal documents and must be thoroughly and completely accurate considering the sizable amounts involved.
- 4) Knowledge about sales tax collections in general is a good financial management tool for the City. Under State Comptroller and City Council direction rules only one person, the City Administrator, can see the individual account payments. Getting that information now monthly is bureaucratically very difficult, time-consuming and simply does not happen but once or twice a year. With a sales tax contractor a listing of every business in town every month would be a normal process. What the City Administrator can do with such information is to analyze, for instance, if a large business were to open or close its doors the effect on tax revenue and if there were large tax swings is it a growing/softening of the local economy or maybe a one-time payment.

- 5) Sales tax reports to the Council could be produced monthly or quarterly for the City Council to also use as a financial management tool. The sales tax reports can list the top sales tax producers, (without giving specific amounts), the amount of the 1% collections versus the 2% collections and collections by types of business.

There are several companies that provide such services, ranging in price from \$12,000 per year to \$30,000 per year. I propose that two alternatives be considered for selecting the Sales Tax Review Contractor:

- 1) Cathy Branco and I are both familiar with such services and we stand ready to recommend Sales Tax Revenue, Inc. as the company to hire at a not to exceed cost of \$1,600 per month, or
- 2) That a Request for Proposals be prepared and advertised and reviewed by the Review Committee of the Council – namely Rebecca Huss, TJ Wilkerson, Susan Hensley and myself plus adding Cathy Branco to do a detailed review of the proposals then make a recommendation to the full Council.

Attached is information from Sales Tax Revenue, Inc. regarding their services plus a contract that can be cancelled with 30 days' notice by either party. Other company's services are almost the same.

I stand ready for the Council's direction but I do think that hiring a Sales Tax Review contracting service is certainly worth the cost and should happen fairly quickly, due to 380 Kroger payments due in October, 2018.

February 26, 2018

**To:** The City of Montgomery, Texas  
Mr. Jack Yates, City Administrator,  
Honorable Mayor Kirk Jones  
City Council

**From:** Sales Revenue Inc.  
Ryan Fortner

**Re:** Sales Tax Administration and Recovery Services

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Members of the City Council,

Thank you for allowing Sales Revenue Inc. to provide the City of Montgomery with information about our company, clients, and the services we provide in the field of sales and use tax administration.

Since 2003, our comprehensive sales tax auditing process has benefitted Municipal Utility Districts, Tax Increment Reinvestment Zones, Improvement Districts, County Assistance Districts, Economic Impact Areas, and Emergency Services Districts.

Our service entails many aspects that we have listed in this packet. We are a local; Houston based company, dedicated to providing our clients with personal and professional sales tax accuracy.

Should you ever want to reach us my contact information is listed below. Again, thank you for the opportunity to present Sales Revenue Inc. and its services.

Sincerely,



Ryan M. Fortner  
President, Sales Revenue Inc.  
Registered Texas Collector  
*Direct:* 281.682.4913  
*Office:* 713.934.3199  
[Ryan.fortner@sales-revenue.com](mailto:Ryan.fortner@sales-revenue.com)  
[Ryan.fortner@wheelerassoc.com](mailto:Ryan.fortner@wheelerassoc.com)  
[www.sales-revenue.com](http://www.sales-revenue.com)

# Ensure your District is receiving the proper local tax from the State Comptroller's Office

## Errors Happen

IN MARCH AND APRIL OF 2014 AN ERROR AT THE STATE LEVEL RESULTED IN MILLIONS OF ERRONEOUS SALES TAX DOLLARS BEING ALLOCATED TO JURISDICTIONS STATE-WIDE.

VARYING LOCAL TAX RATES AND OVERLAPPING TAXING AUTHORITIES CREATE AN ENVIRONMENT FOR ERRORS

### Working Hand-in-Hand with the State Comptroller

SRI has established a long history of working directly with the State and the documentation associated with the District's local tax receipts. SRI will serve as a representative for the District in all matters regarding correspondence with the State Comptroller and business owners.



### Inspection of Business Entities-Nexus is Everything



SRI sets itself apart by physically auditing the client's District. This physical canvas ensures the business entities notated by the State are operational and compliant within the client's boundary. Many allocation mistakes are made due to the fact there is little done to physically monitor business operations and physical locations.

### Review, Audit, Correct & Recover

SRI will review all past and present sales tax allocations and monthly State reports. This includes the discovery, auditing of non-compliant business entities within the District boundaries and, most importantly, the recovery of any missed allocations due to the District.



### Dynamic Report Generation



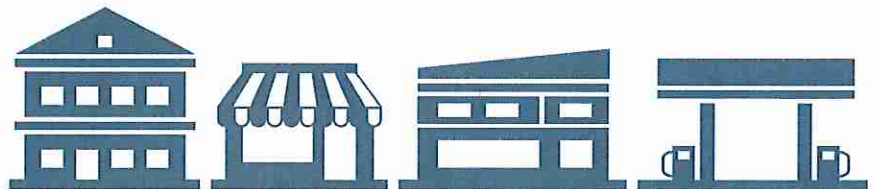
SRI provides a detailed report to our clients. This includes graphical representations of allocations and summaries of current business operations, allocation history, revenue recovered, as well as revenue forecasting. The reports may also be tailored to include any information or graphical reports desired by the client.

### Accuracy Assurance

SRI continuously monitors and tracks all local tax allocations received by the client to ensure sales tax compliance and accurate local tax administration. All issues that arise reported to the State immediately. SRI works directly with business owners and the Governing Body to prevent found errors from happening in the future.



SRI has recovered over **\$3.6 Million** dollars in missing revenue for their clients since 2011.



SRI understands the importance sales tax revenue has for our clients and the communities they serve.

**SRI**

Sales  
Revenue  
Inc.





Mr. Jack Yates, City Administrator; Montgomery, Texas

**SRI** (Sales Revenue Inc.) was incorporated for the purpose of tracking Sales and Use Tax for governmental entities. Created in 2003 under a different name, this service was the first of its kind in the City of Houston. Our service has been very beneficial in recovering revenue for Municipal Utility Districts that have agreements with the City of Houston, and share in the local Sales and Use Tax collected. We have served as a full time tracking and recovery company since 2004 and continue to expand our service to other jurisdictions and counties that have a similar need for sales tax accuracy. **SRI** clients include Emergency Services Districts, County Assistant Districts, Improvement Districts, Economic Impact Areas, Tax Increment Reinvestment Zones, and Municipal Utility Districts.

Working together with the State Comptroller's office **SRI** has been successful in accurately recovering revenue and correcting errors that had otherwise been overlooked. Every client served has realized the benefit of our recovery efforts. **SRI** also prevents the liability of refunding revenues belonging to other governing entities that our clients would have received in error.

Our initial service entails a physical, door to door audit, of all businesses located within the District's sales tax boundary to add businesses otherwise omitted in the permit list provided by the Comptroller's office. Additionally, we ask to inspect each Sales and Use Tax permit to verify inclusion of Montgomery County ESD 9 as a Local Sales Tax Authority. This information is then cross referenced with the State Comptroller for accuracy.

**SRI** will request monthly Confidential Reports from the Comptroller's office as well as provide new permit drop lists and county wide collection figures. Each quarter a report will be drafted listing payment issues and new businesses not included in the Districts sales tax refund check and sent to the Comptroller for review.

Quarterly detailed reports are also generated, giving you a clear understanding of the scope of businesses generating sales tax, as well as any missed or erroneous payments that should have been received. All information is validated using GIS software and data programs with detailed information pertaining to each business. Additionally, various graphs are created showing monthly receipts of Sales and Use Tax funds and positive or negative variances.

6935 Barney Road  
Houston, Texas 77092  
(713) 934-3199  
[Ryan.fortner@sales-revenue.com](mailto:Ryan.fortner@sales-revenue.com)

In addition to the physical in district audits, our program also takes an appraisal approach to your sales tax boundary. We look beyond the District boundary lines at surrounding areas to ensure that sales tax revenues are not routed incorrectly to neighboring jurisdictions and to look for retail areas that are not currently annexed by the District but could be included.

We realize that there are other agencies in the field of Sales and Use Tax tracking however we believe that you will not find another service more comprehensive or detail oriented. Sales Revenue Inc. is committed to helping our clients realize the maximum potential of their sales tax, understanding how this helps the community at large. Sales Revenue Inc. is a local company that strives to set ourselves apart from others; we do so by the following:

- **SRI does not charge a setup or supply fee of any kind.**
- **SRI has several billing options for our clients**
- SRI is bonded and insured. Our agreement contains language that protects the City should one of our staff be injured while performing any required service.
- SRI performs a comprehensive Sales and Use Tax audit of all businesses within the District; this includes physically walking into each place of business and recording the Sales and Use Tax permit currently in place.
- We contact the State Comptroller with sales tax payment issues that exceed six months. SRI will present evidence to the State Comptroller of missed and erroneous payment to the District and assist in ongoing recovery efforts on behalf of the District.
- Report to the Client with updates as to the collection and correction efforts performed. All reports include graphical representations of Sales and Use Tax trends within the District.
- Serve as a representative of the District in all matters involving Sales and Use Tax when addressing the State Comptroller.

A proposal for services provided follows:

## **SALES REVENUE INC. COMPANY OVERVIEW**

Founded in 2003, Sales Revenue Inc. (SRI), was the only company in Texas to create a highly detailed and effective auditing procedure, custom tailored to assist the City of Houston and its ETJ's in monitoring sales tax compliance for Jurisdictions participating in the (then) newly created Strategic Partnership Agreements (SPA's). Sales Revenue Inc. swiftly became the recovery leader for sales and use revenues shared between the State, City, and ETJ, resulting in over 3.1 Million Dollars of unrealized annual revenue for the City and the local Jurisdictions participating in the SPA. Our service to the City and the Municipal Utility Districts was so successful that it prompted SRI to seek other Districts with sales tax collection where our auditing procedures would be beneficial.

Sales Revenue Inc. prides itself in the ability to offer many levels of service and achievement to our clients without the confusing, and many times questionable, multi-tier pricing and reporting options other companies implement. Sales Revenue Inc. aids local governments in recognizing the full extent of the revenues they are due, realizing that all recovered revenue recovered revenue directly benefits the governing body and the community they serve.

Sales Revenue Inc.'s full range auditing and recovery services have benefited over 100 Special Purpose Districts since its inception. Our proprietary auditing methods were designed to be multifaceted in nature as well as their application; ensuring uniform results in any sized jurisdiction. Clients of Sales Revenue Inc. include: County Assistance Districts, Emergency Services Districts, Economic Impact Areas, Tax Increment Reinvestment Zones, Development Districts, Improvement Districts, Public Utility Districts, and Municipal Utility Districts. Sales Revenue Inc. is a Texas based company located in Houston, a U.S. Veteran Employer, and member of SAFE-D, Katy EDC, TAAO, AWBD, and Texas Municipal League.

## **QUALIFICATIONS OF SALES REVENUE INC.**

**Sales Revenue Inc. hereby certifies the following to the City of Montgomery as of February 2018:**

SRI is a full time local tax monitoring and recovery company, specializing in Texas sales and use tax, fully capable to fulfil any requirements set forth by the governing body.

- SRI is fully bonded and insured.
- SRI is not currently, nor has ever been in receivership.
- SRI is not indebted to any City, County, or State for taxes or license fees in any manner.
- SRI affirms its understanding and continuous review of State and local governing codes pertaining to sales and use tax in Texas.
- SRI affirms ownership and utilization of current versions of Microsoft and Apple platforms.
- SRI affirms that all client data is stored, on-site, in secure servers, and backed up nightly.
- SRI affirms the possession of on-site, secure document storage warehouses for storage of client documents and reports.
- SRI performs all services in-house and does not contract with a third party.

All employees of Sales Revenue Inc. are fully insured, carry identification badges when in clients Districts, and have no past or current legal scenarios that preclude them from performing any aspect of our service at any location.

## **OBJECTIVE AND METHODOLOGY**

### **Services Provided**

Sales Revenue Inc. is able to provide the District with a wide range of services that both correct existing problems in revenue streams not realized, but also correct future errors, ensuring that the governing body is able to obtain the most benefit from the sales tax imposed on qualifying goods and services. Sales Revenue Inc. works directly with local business owners/operators, designated District staff, and the State Comptroller's Office to obtain precise data on the current landscape of revenue generation versus current receipts by the District. Our service includes, but is not limited to, the following features:

### **Initiation of Service**

Sales Revenue Inc. works with Special Purpose Districts which have recently implemented a local tax but have not begun to receive revenue. SRI works with the State Comptroller to create tax payer lists and ensure that all businesses within the client's sales tax boundary are notified of the new local tax levy.

Sales Revenue Inc. will submit documentation, signed by the governing body, to the State Comptroller listing SRI as a representative of the District and additional documentation requesting receipt of monthly confidential reports from the State. SRI will work to obtain any additional data that the State requests or that is missing. SRI will also work with the Comptroller and County Tax Assessor to obtain a boundary map of the local tax area with all additional sales tax levy areas outlined for exclusion of sales tax.

SRI representatives then perform a physical, on-site, examination of the sales tax area and all brick and mortar stores operating within the District's sales tax boundary. SRI will cross reference our findings with the State Comptroller's records of active businesses operating within the District. The entire initiation process and District audit takes no more than two months to complete.

All residential or multi-family housing that was included in the sales tax boundary is referenced with the Comptroller for active sales tax permits and recorded.

Every client served by Sales Revenue Inc. is verified, in person by qualified field auditors with the necessary knowledge of laws and local codes to accurately assess each entity. Every nonresidential business is inspected, and all sales and use tax permit status and remittance schedules are recorded and included in our reports. Additional information pertaining to new construction, sales tax errors, and the qualifying status of each business is reported as well.

## **OBJECTIVE AND METHODOLOGY**

### **Data Retrieval, Entry, and Comparison**

During the State Comptroller provided tax payer list review, each account is assessed on the following attributes:

- Physical address of business versus the address listed on sales tax permit
- Type of business
- Service provided
- Qualifying status for sales tax levy
- Name and address of corporate sales tax office
- Sales tax rate compliance
- Inspection for multiple operating in one location i.e. post office boxes
- Communication with cable, gas, telecommunication and waste companies regarding the local tax rate.
- Reporting of non-compliant businesses
- Game rooms (casino style entertainment) report
- Other nefarious businesses discovered reported to the governing body
- Review of Interlocal Agreements between governing bodies

When performing the sales tax audit, Sales Revenue Inc. representatives are provided with access to non-public information allowing for real-time error discovery. Our representatives are knowledgeable of Texas sales tax laws and codes and utilize that knowledge in assessing areas where additional revenue is not being collected. Each representative is equipped with information packets to provide to businesses owners who are unaware of the aspects for sales and use tax administration, local codes, and laws, as well as contact information for the State Comptroller's Office. It has always been the position of SRI that an educated business sector results in fewer missed allocations in the future.

If a business has closed or an owner refuses to provide information the SRI representative can easily access the Comptroller database and record the information, along with the above criteria eliminating additional time added to the final analysis.

Sales Revenue Inc.'s jurisdictional mapping department will divide the District's sales tax boundary into four grids. Each grid will be designated as a "Zone" and color coded, this ensures accuracy in data collection and gives the governing body a precise understanding of business locations utilizing our Geographical Information Software supplied by ArcGIS, in addition to our proprietary mapping software.

## **OBJECTIVE AND METHODOLOGY**

### **Creation of District Business Operations Database**

All permit information obtained is researched at the State level, list filers are identified, and non-compliant businesses and owners are reported to the State Comptroller and governing body. SRI will input all information recorded during the audit along with state zip code drops and create a database listing all businesses qualifying for the additional sales tax.

### **Monitoring of Sales Tax Receipts**

Sales Revenue Inc., working with the State Comptroller, will request any historical data with regards to sales tax allocations, not presently held by the District. Our audit requests documentation from the implementation of the sales tax kept by the Comptroller's Office. SRI will furthermore request that monthly reports are sent to our office listing businesses, in the District, whose sales tax receipts were remitted to the Comptroller during the month. A master list will be created listing each business in the District showing individual taxable status, payment history, filing status, address and suite information, compliance status, permit activation dates, permit holder information-if different from business, errors found, and remedies taken to correct the error. SRI will create month over month and year over year tables allowing missing revenue to be quickly ascertained.

### **Analytical Reporting Model Creation**

SRI, utilizing the multiple data sets acquired from the local business owners/operators, County Tax Assessor records, and State Comptroller reports, will design graphical models listing a breakdown of businesses by type of service, MoM and YoY collection graphs, variance charts showing monthly and yearly receipts and the over/under variance of each. All graphs are presented on paper and in electronic formats with all appropriate information clearly listed; SRI will provide any additional analysis on particular businesses or areas if requested at no charge. Each report will contain the following analysis:

- Business breakdown by category.
- Business listing showing top 25 contributors of sales tax.
- Year over Year listing of sales tax received with dollar amounts.
- Month over Month listing of sales tax received with dollar amounts.
- Trends model.
- Forecasting model.
- Recovery model.
- Report on activity taken on behalf of the District.

## **OBJECTIVE AND METHODOLOGY**

### **Reports Delivered to the Governing Body**

Sales Revenue Inc. will prepare for the governing body reports listing all activities and correspondence taken on behalf of the District pertaining to sales tax auditing and recovery. SRI will present to the governing body the revenue recovery and analysis report semi-annually with all graphical models, trend projections, lists of active taxpayers, as well as any supporting documentation received from the City or Comptroller necessary to validate the reported information.

All reports are delivered by hand or electronically\* by a representative of Sales Revenue Inc. unless instructed otherwise by the governing body.

### **Programs Used in Reporting and Recovering Revenue**

Sales Revenue Inc. currently uses a wide range of software programs to perform our reporting, tracking, mapping, forecasting, and data storage process that are applied to each client. SRI certifies that each program is licensed to Sales Revenue Inc. and monthly/annual fees are current.

Sales Revenue Inc., in performing the services mentioned utilizes one or more of the following software applications in part or in whole:

- Microsoft Office 2010
- Apple OS X Yosemite
- VidCad 2D
- SmartDraw VP 2013
- Adobe Illustrator
- Dream Weaver
- Adobe Creative Suit
- Proprietary Software
- ArcGis
- **Phantom 5 Drone**

*\*When submitting electronic reports or information to the governing body SRI will insure that they are accessible regardless of the operating system(s) currently utilized by the District.*



## **OBJECTIVE AND METHODOLOGY**

### **Billing for Service**

Sales Revenue Inc. understands that each client has differences in how they chose to pay for rendered services. Traditionally, Sales Revenue Inc. has charged a flat-rate, monthly fee, based on the scope of work requested. SRI has also worked with clients on a contingency basis utilizing a quarterly retainer fee with a percentage of total revenue recovered by our services being billed to the client.

It is the business policy of SRI that our service billing, at no time, would become a detriment to the revenue stream of our clients. Therefore Sales Revenue Inc. does not charge a fee of any kind for set up, mileage, reporting, in-person visits, document creation or storage. Special requests from the governing body above and beyond the scope of work set forth in the finalized agreement are discussed with the governing body and priced conservatively. Our agreements are one year evergreen contracts with a 30 day termination clause.

### **Sales Revenue Inc. keeps current, and can provide copies of the following insurance:**

- (1) Commercial General Liability: \$1,000,000 per occurrence with \$1,000,000 aggregate.
- (2) Automobile Liability: combined single limit \$1,000,000.
- (3) Workers Compensation & Employers Liability: each accident \$1,000,000, disease-each employee \$1,000,000, and disease-policy limit \$1,000,000.
- (4) Professional Liability: \$1,000,000 per occurrence with \$1,000,000 aggregate.

**Clients Served by Sales Revenue Inc.**

Harris County Emergency Services District No. 47	Harris County MUD No. 120
Harris County Emergency Services District No. 48	Harris County MUD No. 144
Montgomery County Emergency Service District No. 02	Harris County MUD No. 150
Montgomery County Emergency Services District No. 07	Harris County MUD No. 152
Montgomery County Emergency Services District No. 09	Harris County MUD No. 179
Montgomery County Emergency Services District No. 10	Harris County MUD No. 185
Harris County MUD 390 Economic Impact Area 1 & 2	Harris County MUD No. 189
Creekside Tax Increment Reinvestment Zone	Harris County MUD No. 221
Brazos Town Center	Harris County MUD No. 285
Stone Hill Town Center	Harris County MUD No. 342
Fort Bend County Assistance District No. 1	Harris County MUD No. 345
Fort Bend County Assistance District No. 2	Harris County MUD No. 346
Fort Bend County Assistance District No. 4	Harris County MUD No. 368
Fort Bend County Assistance District No. 5	Harris County UD No. 6
Fort Bend County Assistance District No. 6	Harris County UD No. 15
Newly Created Fort Bend County Assistance Districts 7,8,9,10 and 11	
Westwood Magnolia Parkway Improvement District	
Barker Cypress MUD	Harris County WCID No. 109
Castlewood MUD	Harris County WCID No. 110
Champions MUD	Jackrabbit Road PUD
Cinco MUD No. 12	Kingsbridge MUD
Cypress Forest PUD	Kleinwood MUD
El Dorado Utility District	Longhorn Town MUD
Fort Bend MUD No. 119	Louetta North PUD
Fort Bend MUD No. 116	Louetta Road UD
Fort Bend MUD No. 142	Morton Road MUD
Forest Hills MUD	North Forest UD
Fountainhead MUD	NW HC MUD No. 24
Grand Lakes MUD No. 4	NW HC MUD No. 29
Green Trails MUD	West Harris County MUD 2
Harris County MUD No. 18	West Harris County MUD 9
Harris County MUD No. 61	West Harris County MUD 21
Harris County MUD No. 62	Wood Creek MUD
Harris County MUD No. 64	
Harris County MUD No. 81	
Harris County MUD No. 118	

## **CERTIFICATION REGARDING DEBARMENT, SUSPENSION, AND OTHER RESPONSIBILITY MATTERS**

Sales Revenue Inc. certifies that the principals in the Firm, and the Firm itself:

1. Are not presently debarred, suspended, proposed for debarment, declared ineligible from providing audit services, record review and examination services, financial advisory services, associated management services, and or voluntarily surrendered their license to provide such related services in the State of Texas and or the United States of America.
2. Are not presently debarred, suspended, proposed for debarment, and declared ineligible or voluntarily excluded from conducting any business and or financial transactions by any department or agency of Federal, State, and or local government.
3. Have not been convicted of, had a civil judgement rendered against them for commission of fraud or a criminal offense in connection with obtaining, attempting to obtain, or performing a public (Federal, State, and or local) transaction or contract under a public transaction; violation of Federal or State antitrust states or commission of embezzlement, theft, forgery, bribery, falsification or destruction of records, making false statements, or receiving stolen property.
4. Are not presently indicted for or otherwise criminally or civilly charged by a government entity (Federal, State, Local) with commission of any of the offenses enumerated in item 3 above of the certification; and
5. Have not, within a five year period preceding this proposal had one or more public transactions (Federal, State, Local) terminated for cause or default.



**HARRIS COUNTY EMERGENCY  
SERVICES DISTRICT No. 48**

Sales and Use Tax Administration Report

February 2018

**February 20, 2018**

**To:** Harris County Emergency Services District No. 48. Commissioners and Staff

**From:** Sales Revenue Inc., Ryan Fortner

**Re:** February Sales Tax Administration Report

### Sales Tax Allocations through February

**February 2018:** A review of the monthly reports provided by the Comptroller of Public Accounts reflects 2,587 active taxpayer accounts coded to Harris County Emergency Services District No. 48. Many of the accounts are coded as active have not made a sale under those particular sales and use tax permits, and therefore are not reflected in the monthly report.

### Total Sales Tax Payers by Month

YEAR	MONTH	SALES TAX FILERS
<b>2017</b>	<b>February</b>	<b>1,117</b>
2017	March	1,051
2017	April	1,082
<b>2017</b>	<b>May</b>	<b>1,250</b>
2017	June	1,128
2017	July	1,165
<b>2017</b>	<b>August</b>	<b>1,285</b>
2017	September	1,166
2016	October	1,175
<b>2017</b>	<b>November</b>	<b>1,333</b>
2017	December	1,291
2018	January	1,285
<b>2018</b>	<b>February</b>	<b>1,464</b>

The number of taxpayers filing local taxes fluctuates throughout the year, February and quarterly filing months traditionally reflect the highest number of sales tax payers. Represented here is a listing of each month and the number of taxpayer returns filed within the District, quarterly filing months are listed in **BOLD**.

Average number of taxpayers filing each month: 1,215

## Sales Tax Allocations through February

Sales tax receipts for calendar year 2018 total **\$740,413.71**.

For tax year 2017, which is now over, (March 2017 -February 2018) sales tax receipts totaled **\$3,335,848.05**.

During the past twelve month reporting period, sales tax allocations were derived from an average of 1,215 taxpayers filing local tax returns each month with February 2018 reflecting the highest taxpayer count of 1,464.

## Top 25 Sales Tax Filers-Twelve Months Combined

1	DICK'S SPORTING GOODS, INC.
2	WAL-MART STORES TEXAS, LLC
3	COMCAST OF HOUSTON, LLC
4	HEB GROCERY COMPANY, LP
5	AMAZON.COM LLC
6	BED BATH & BEYOND, INC.
7	AMERICAN BUILDERS & CONTRACTORS
8	NEW CINGULAR WIRELESS PCS, LLC
9	SOUTHWESTERN BELL TELEPHONE CO
10	APPLE INC.
11	GTE MOBILNET OF SOUTH TEXAS LP
12	BUY BUY BABY INC.
13	LONG LAKE, LTD.
14	THE SHERWIN-WILLIAMS COMPANY
15	O'REILLY AUTO ENTERPRISES, LLC
16	DSW SHOE WAREHOUSE, INC.
17	MCI COMMUNICATIONS SERVICES
18	PETSMART, INC.
19	CAMPBELL CONCRETE & MATERIALS
20	LAKE PRO, INC.
21	AMB SERVICES, INC.
22	WALGREEN CO.
23	BRIDGESTONE AMERICAS TIRE
24	NELSON WATER GARDENS & NURSERY
25	RRB, INC.

\$100,000-\$300,000.00	9
\$50,000-\$99,999.99	3
\$10,000-\$49,999.99	13

**Combined Total Local Taxes Filed: \$2,446,491.83**

**Top 25 Sales Tax Filers-February 2018**

1	WAL-MART STORES TEXAS, LLC
2	DICK'S SPORTING GOODS, INC.
3	AMAZON.COM LLC
4	COMCAST OF HOUSTON, LLC
5	HEB GROCERY COMPANY, LP
6	BED BATH & BEYOND, INC.
7	NEW CINGULAR WIRELESS PCS, L
8	AMERICAN BUILDERS & CONTRACTORS
9	SOUTHWESTERN BELL TELEPHONE CO
10	APPLE INC.
11	OUTBACK STEAKHOUSE OF FLORIDA
12	GTE MOBILNET OF SOUTH TEXAS
13	PACIFIC DENTAL SERVICES, LLC
14	WALGREEN CO.
15	THE SHERWIN-WILLIAMS COMPANY
16	DSW SHOE WAREHOUSE, INC.
17	PETSMART, INC.
18	O'REILLY AUTO ENTERPRISES, LL
19	J. C. PENNEY CORPORATION, INC.
20	BUY BUY BABY INC.
21	KIRKLAND'S STORES, INC.
22	MCI COMMUNICATIONS SERVICES
23	DHG UNLIMITED, LLC
24	AMAZON DIGITAL SERVICES LLC
25	KATY STONE & GRAVEL, INC.

**Breakdown of Top 25 Tax Payers:**

\$10,000-\$50,000.00	8
\$5,000-\$9,999.99	7
\$1,000-\$4,999.99	10

**Combined Total Local Taxes Filed: \$267,889.18**

Utilizing data provided by the Texas Comptroller of Public Accounts, this list reflects the top 25 businesses remitting the highest local tax filings within the District, and represents 67% of the total January sales tax refund.

Out of the District's current sales tax allocation, fifty-four (54) businesses filed local taxes in excess of \$1,000.00. It is important to note that the 54 taxpayers with returns over \$1,000.00 reflect 79% of the total monthly allocation, with combined filings of \$314,194.35.



January | February Top 25 Taxpayer Comparison

January 2018

February 2018

1	WAL-MART STORES TEXAS, LLC
2	DICK'S SPORTING GOODS, INC.
3	AMERICAN BUILDERS & CONTRACTORS SUPPLY
4	COMCAST OF HOUSTON, LLC
5	AMAZON.COM LLC
6	NEW CINGULAR WIRELESS PCS, LLC
7	HEB GROCERY COMPANY, LP
8	BED BATH & BEYOND, INC.
9	APPLE INC.
10	SOUTHWESTERN BELL TELEPHONE COMPANY
11	GTE MOBILNET OF SOUTH TEXAS LP
12	THE SHERWIN-WILLIAMS COMPANY
13	BUY BUY BABY INC.
14	O'REILLY AUTO ENTERPRISES, LLC
15	DSW SHOE WAREHOUSE, INC.
16	LONG LAKE, LTD.
17	LAKE PRO, INC.
18	DHG UNLIMITED, LLC
19	PETSMART, INC.
20	GREAT SOUTHWEST EQUESTRIAN CENTER, L.P.
21	COMCAST IP PHONE, LLC
22	KIRKLAND'S STORES, INC.
23	MCI COMMUNICATIONS SERVICES, INC.
24	AMAZON DIGITAL SERVICES LLC
25	ABUELO'S INTERNATIONAL, L.P.

1	WAL-MART STORES TEXAS, LLC
2	DICK'S SPORTING GOODS, INC.
3	AMAZON.COM LLC
4	COMCAST OF HOUSTON, LLC
5	HEB GROCERY COMPANY, LP
6	BED BATH & BEYOND, INC.
7	NEW CINGULAR WIRELESS PCS, L
8	AMERICAN BUILDERS & CONTRACTORS
9	SOUTHWESTERN BELL TELEPHONE CO
10	APPLE INC.
11	OUTBACK STEAKHOUSE OF FLORIDA
12	GTE MOBILNET OF SOUTH TEXAS
13	PACIFIC DENTAL SERVICES, LLC
14	WALGREEN CO.
15	THE SHERWIN-WILLIAMS COMPANY
16	DSW SHOE WAREHOUSE, INC.
17	PETSMART, INC.
18	O'REILLY AUTO ENTERPRISES, LL
19	J. C. PENNEY CORPORATION, INC.
20	BUY BUY BABY INC.
21	KIRKLAND'S STORES, INC.
22	MCI COMMUNICATIONS SERVICES
23	DHG UNLIMITED, LLC
24	AMAZON DIGITAL SERVICES LLC
25	KATY STONE & GRAVEL, INC.

Allocation: \$341,581.58

Allocation: \$398,852.13



**Sales Tax Receipts by Business Type/Nexus Twelve Month Totals**

During the past twelve months, **80%** of all sales tax receipts received came from service providers that are charging the local sales tax to individuals within the District, but whose physical tax office is located either out of the District or, in several cases, out of State. These businesses have been reviewed and been determined by the Comptroller of Public Accounts to have a significant enough presence to constitute charging the local tax.

In February **245** companies filed sales tax receipts from locations that are physically located within the District, the remaining 1,219 filings came from out of District goods and service providers.



**Sales Tax Receipts 2014-Present**

Harris County Emergency Services District No. 48 has received **\$8,191,546.06** in sales tax receipts since the October 1, 2014 effective date.

**The February 2018 local tax allocation to be refunded to the District totals**

**\$398,852.13**

## February 2018 | 2017 Comparison

Receipts of Sales Tax Were as Follows	February 2018*	February 2017
	\$398,581.58	\$327,427.75

\*22% increase over 2017

Total Sales Tax Allocations received	2018 FYTD*	2018 Budgeted	% of Budget
	\$740,413.71	\$3,000,000.00	24.68

\*Ten months remaining for FY 2018

FY 2016 Total Allocations	FY 2015 Total Allocations	2014 Total Allocations
\$2,126,629.68	\$1,779,335.42	\$160,304.90

Total Allocations, 2014-Present
\$8,191,546.06 (Includes amounts recovered by SRI)

TY 2017 Sales Tax Averages		TY 2016 Sales Tax Averages	
Total: \$2,543,421.15		Total: \$2,126,629.68	
Mean Allocation:	\$259,392.95	Mean Allocation:	\$148,277.95
Median Allocation:	\$247,943.58	Median Allocation:	\$162,693.54

*\*Tax Year (TY) refers to the actual months when sales tax is received for the sales tax calendar year. In this case, March 2017-February 2018 make up the District's annual receipts period. Recovery from a prior month or year may be received at any time.*

## Telecommunications Companies by Category

### Reselling Telecommunications services without operating a network:

FUZE, INC.  
ACN COMMUNICATION SERVICES, LLC  
MCLEODUSA TELECOMMUNICATIONS SERVICES, LLC  
TRACFONE WIRELESS, INC.  
AMERIVISION COMMUNICATIONS, INC.  
EN-TOUCH SYSTEMS, INC.  
VOICE RUNNER, INC.  
WORKING ASSETS FUNDING SERVICES  
FLASH WIRELESS, LLC  
BLUE JAY WIRELESS, LLC  
GOOGLE NORTH AMERICA INC.  
WIRELESS ADVOCATES, LLC  
WEST IP COMMUNICATIONS, INC.

**Total allocations received:           \$2,727.57**

### Provide internet access via client supplied telecommunications connections:

HUGHES TELEMATICS INC  
AOL INTERNET SERVICES INC.  
AOL FULFILLMENT SERVICES LLC  
8X8 INC  
SPOK, INC  
EPOCRATES INC.  
PHONOSCOPE GLOBAL, INC.  
CISCO OPENDNS LLC  
SKYPE COMMUNICATIONS US CORPORATION  
SANGOMA US INC.  
CLASSIC PERCEPTIONS, L.L.C.  
ZOOM VIDEO COMMUNICATIONS, INC.  
COMCAST OTR1, LLC

**Total allocations received: \$1,665.92**

## Telecommunications Companies by Category-Continued

### Reselling satellite communications

NEW MEXICO RSA 6-1 PARTNERSHIP  
DISH NETWORK SERVICE L.L.C.  
SPOT LLC  
GLOBALSTAR USA, LLC

**Total allocations received: \$39.04**

### Cable, satellite, and local telephone carriers

FRONTIER SOUTHWEST INCORPORATED  
COMCAST IP PHONE, LLC  
STARZ ENCORE GROUP LLC  
VERIZON WIRELESS (VAW) LLC  
PRESS 8, LP  
TECHNETIX INC  
AT&T CORP.  
PAETEC COMMUNICATIONS, LLC  
CFM ENTERPRISES LLC  
ACUATIVE CORPORATION  
TOSHIBA AMERICA INFORMATION SYSTEMS, INC.  
SOUTHWESTERN BELL TELEPHONE COMPANY  
SPRINT COMMUNICATIONS COMPANY L.P.  
MCI COMMUNICATIONS SERVICES, INC.  
MCIMETRO ACCESS TRANSMISSION SERVICES CORP.  
US LEC COMMUNICATIONS LLC

**Total allocations received: \$174,761.60**

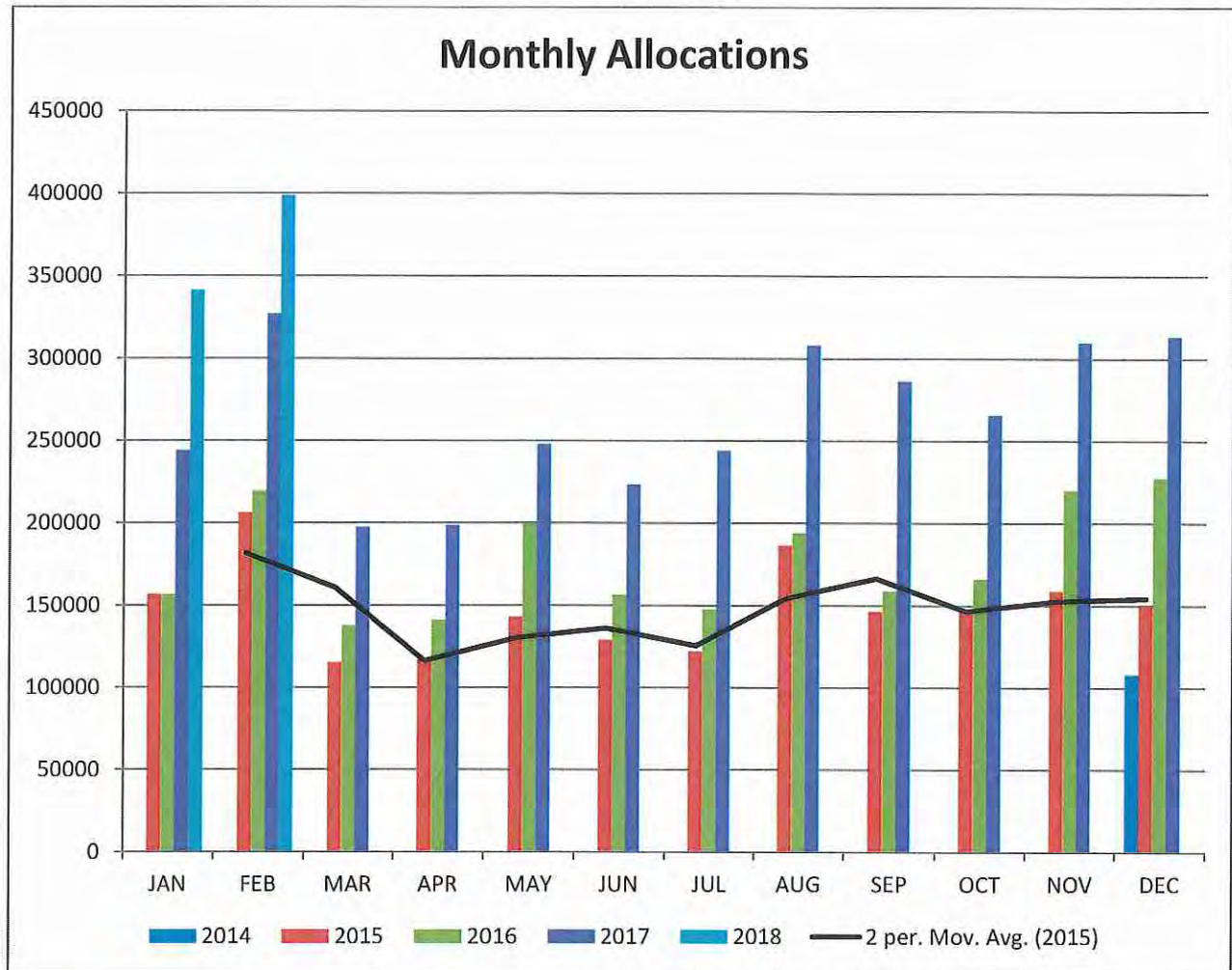


## Telecommunications Companies by Category-Continued

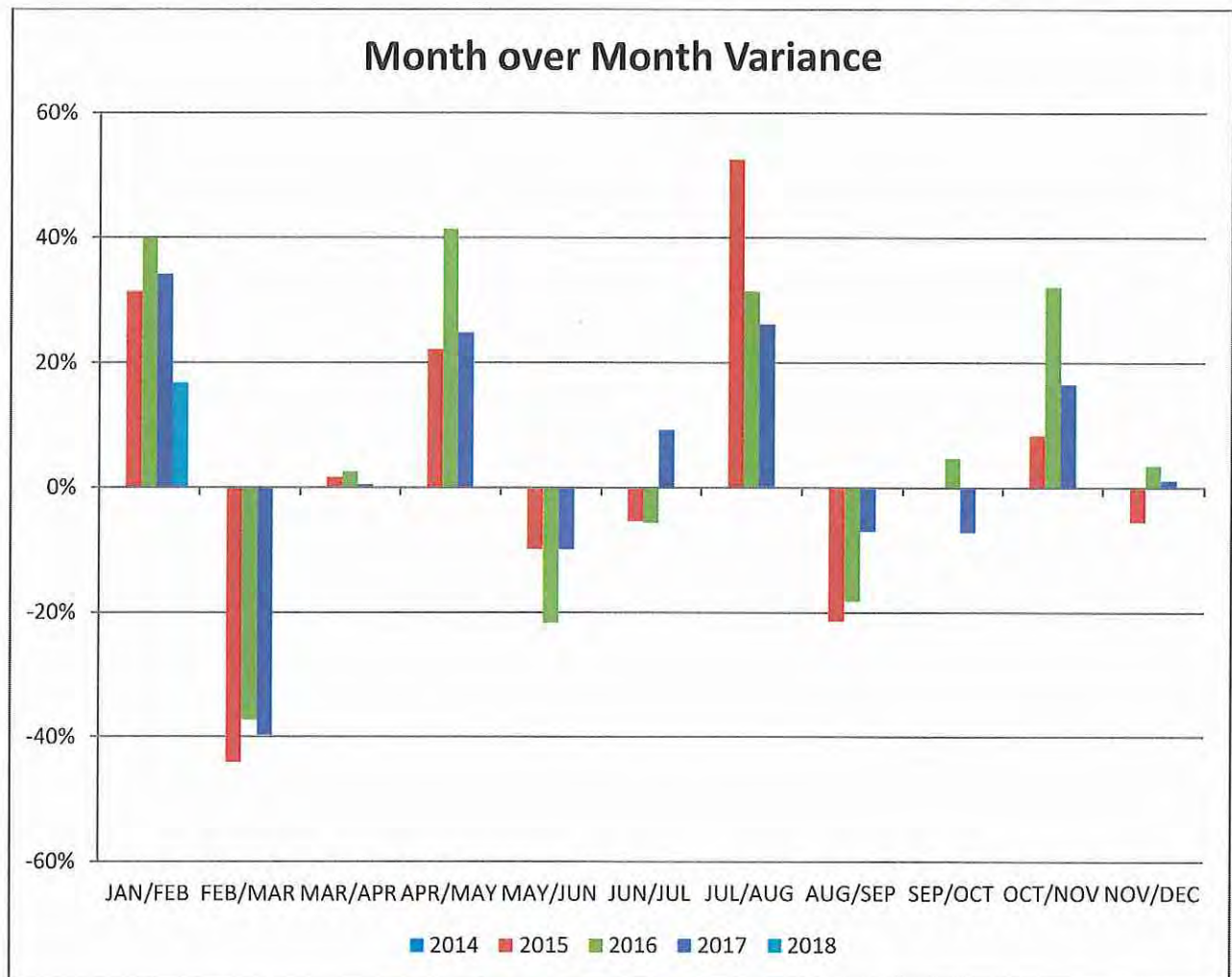
### Wireless telecommunications carriers

GTE MOBILNET OF SOUTH TEXAS LIMITED PARTNERSHIP  
CINGULAR WIRELESS OF TEXAS RSA #11 LIMITED PARTNER  
CINGULAR WIRELESS OF TEXAS RSA #16 LIMITED PARTNER  
GTE MOBILNET OF TEXAS RSA #17 LIMITED PARTNERSHIP  
NEW CINGULAR WIRELESS PCS, LLC  
VERIZON WIRELESS TEXAS, LLC  
CAUSE BASED COMMERCE INC.  
NETZERO WIRELESS INC  
TYLER/LONGVIEW/MARSHALL MSA LIMITED PARTNERSHIP  
TEXAS RSA 11B LIMITED PARTNERSHIP  
SPRINT SPECTRUM L.P.  
ALLTEL COMMUNICATIONS, LLC  
TEXAS RSA NO. 2 LIMITED PARTNERSHIP  
WAYPORT, LLC  
LUBBOCK SMSA LIMITED PARTNERSHIP  
TEXAS RSA 18 LIMITED PARTNERSHIP  
TEXAS RSA 19 LIMITED PARTNERSHIP  
TEXAS RSA 9B1 LIMITED PARTNERSHIP  
TEXAS RSA 7B1 LIMITED PARTNERSHIP  
TEXAS RSA 6 LIMITED PARTNERSHIP  
TEXAS RSA 20B1 LIMITED PARTNERSHIP  
DALLAS MTA, L.P.  
SAN ANTONIO MTA, L.P.  
MCALLEN-EDINBURG-MISSION SMSA LIMITED PARTNERSHIP  
CRICKET WIRELESS LLC  
COMCAST PHONE OF TEXAS, LLC  
WWC TEXAS RSA LLC  
VIRGIN MOBILE USA, L.P.  
AT&T MOBILITY OF GALVESTON LLC  
PATRIOT MOBILE LLC  
T-MOBILE FINANCIAL LLC

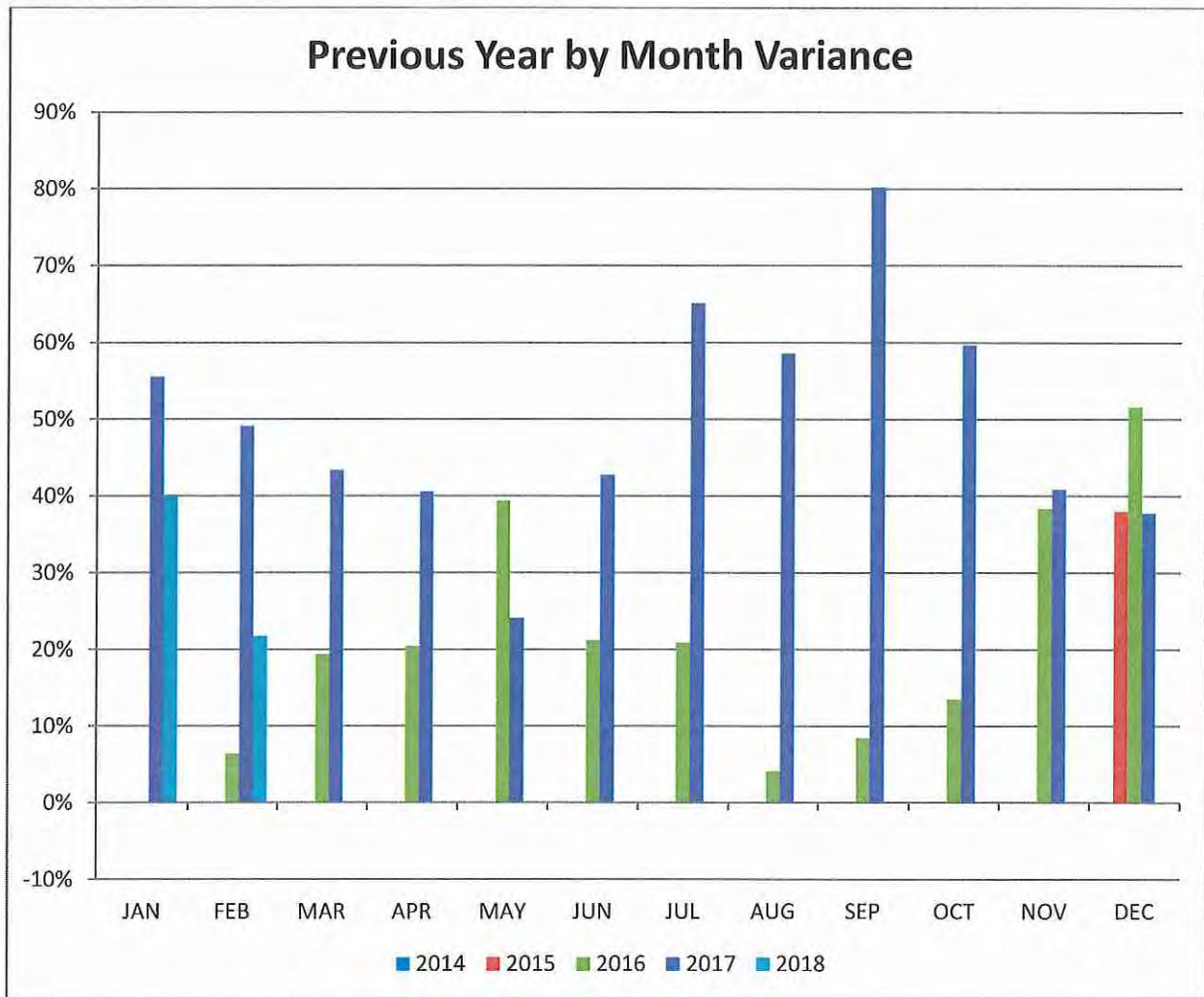
**Total allocation received: \$210,050.90**



	2014	2015	2016	2017	2018
JAN		\$157,006.18	\$156,882.35	\$244,023.60	\$341,581.58
FEB		\$206,317.32	\$219,531.96	\$327,427.75	\$398,832.13
MAR		\$115,377.37	\$137,785.55	\$197,601.64	
APR		\$117,273.90	\$141,272.16	\$198,613.37	
MAY		\$143,279.45	\$199,715.02	\$247,943.58	
JUN		\$129,129.01	\$156,503.07	\$223,370.69	
JUL		\$122,209.10	\$147,765.88	\$244,072.93	
AUG		\$186,484.71	\$194,257.28	\$308,056.49	
SEP		\$146,540.71	\$158,934.53	\$286,424.62	
OCT		\$146,654.11	\$166,452.55	\$265,886.48	
NOV		\$158,899.39	\$219,909.49	\$309,901.35	
DEC	\$108,281.73	\$150,164.17	\$227,619.84	\$313,563.02	

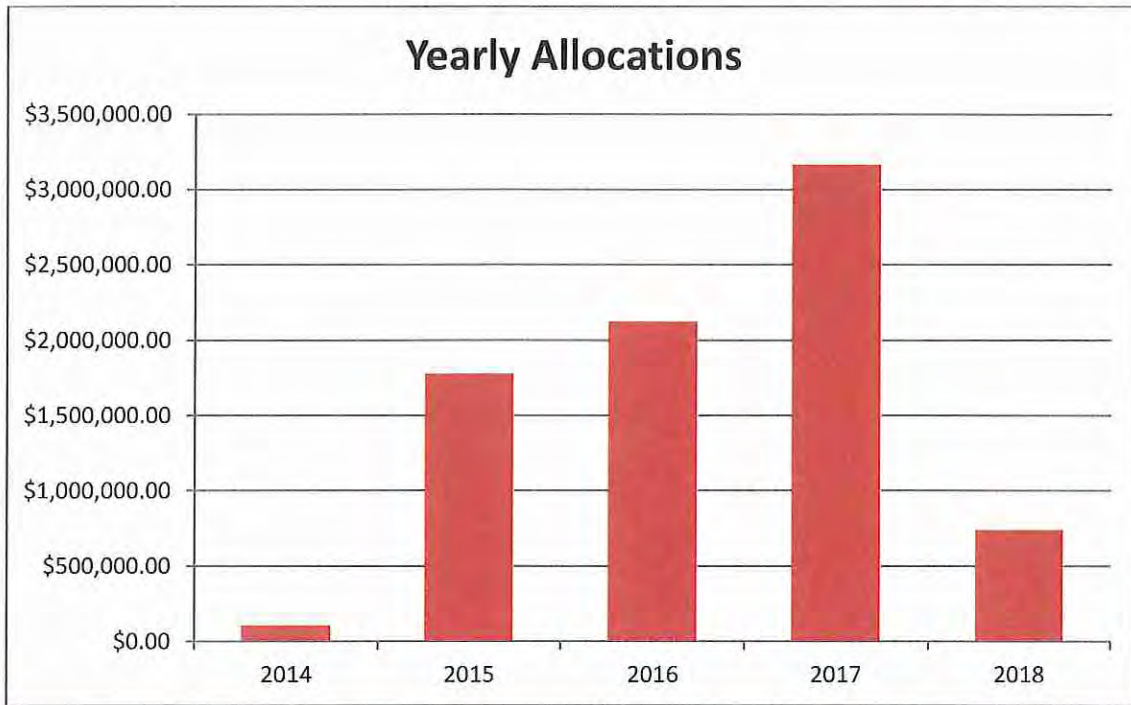


	2014	2015	2016	2017	2018
JAN/FEB	N/A	31%	40%	34%	17%
FEB/MAR	N/A	-44%	-37%	-40%	-40%
MAR/APR	N/A	2%	3%	1%	1%
APR/MAY	N/A	22%	41%	25%	25%
MAY/JUN	N/A	-10%	-22%	-10%	-10%
JUN/JUL	N/A	-5%	-6%	9%	9%
JUL/AUG	N/A	53%	31%	26%	26%
AUG/SEP	N/A	-21%	-18%	-7%	-7%
SEP/OCT	N/A	0%	5%	-7%	-7%
OCT/NOV	N/A	8%	32%	17%	17%
NOV/DEC	N/A	-5%	4%	1%	1%

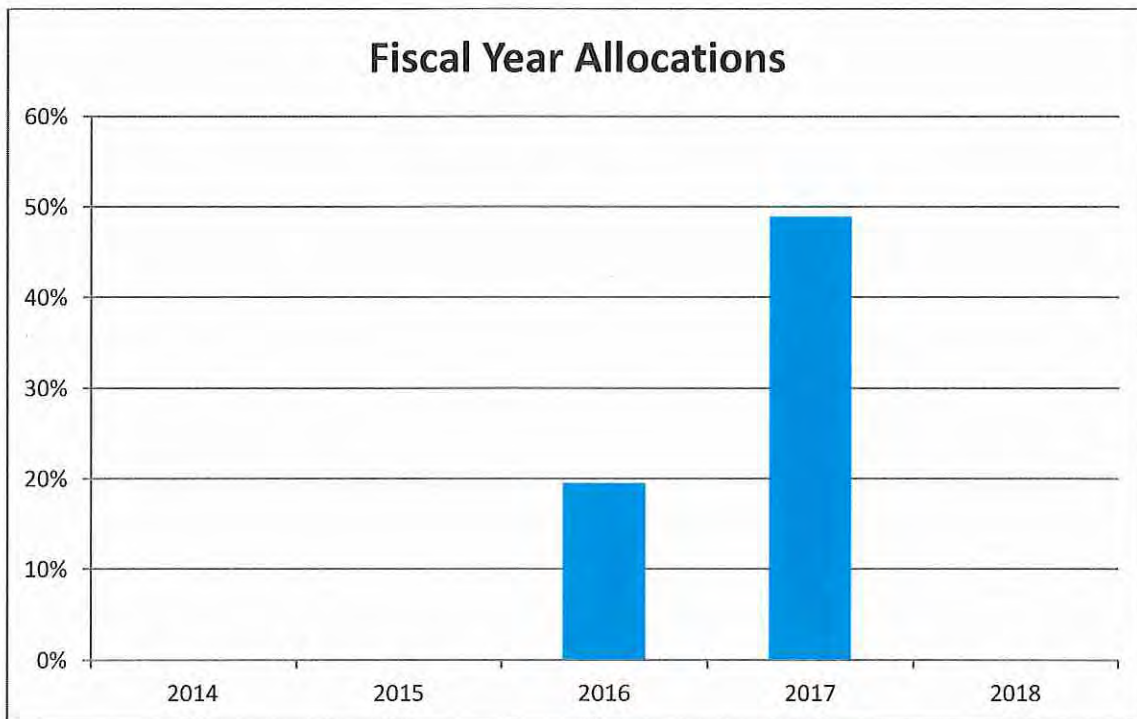


	2014	2015	2016	2017	2018
JAN	N/A	N/A	0%	56%	40%
FEB	N/A	N/A	6%	49%	22%
MAR	N/A	N/A	19%	43%	
APR	N/A	N/A	20%	41%	
MAY	N/A	N/A	39%	24%	
JUN	N/A	N/A	21%	43%	
JUL	N/A	N/A	21%	65%	
AUG	N/A	N/A	4%	59%	
SEP	N/A	N/A	8%	80%	
OCT	N/A	N/A	14%	60%	
NOV	N/A	N/A	38%	41%	
DEC	N/A	38%	52%	38%	





FY 2014	FY 2015	FY 2016	FY 2017	FY 2018
\$108,281.73	\$1,779,335.42	\$2,126,629.68	\$3,166,885.52	\$740,413.71
N/A	N/A	20%	49%	



## **AGREEMENT FOR SERVICES FOR SALES TAX MONITORING**

This AGREEMENT FOR SERVICES FOR SALES TAX MONITORING is made and entered into effective as of \_\_\_\_\_, 2018 (the "Effective Date"), by and between **Montgomery, Texas** (the "District" or the "City") and **SALES REVENUE, INC.** ("SRI" or the "Firm"). The District and SRI are sometimes collectively referred to herein as the "Parties" or either individually referred to as a "Party". In consideration of the mutual covenants and agreements contained herein, the District and the Firm agree as follows:

### **AGREEMENT**

The District hereby appoints the Firm as the District's sales tax consultant pursuant to the terms of this Agreement. The Firm hereby agrees to serve as the District's sales tax representative and provide such other related services as set forth in this Agreement.

#### ***I. Services of the Firm***

(A) The District authorizes Sales Revenue Inc. to request, receive, and report all matters involving sales tax; including any information that is confidential, with the State Comptroller's Office (the "Comptroller"), and any other Governmental entity. SRI will represent the District in all correspondence and reviews with individuals for the purposes of assuring that all sales and use tax is collected and remitted to the District correctly.

(B) The Firm shall provide general services necessary for the routine assessment of the District's sales tax as follows:

- (1) Obtain a detailed map of the Districts territorial boundary lines including retail locations and any jurisdictions omitted from the Districts for the purposes of collecting sales tax.
- (2) Obtain the listing of all businesses located in the zip codes of the District from the State Comptroller's Office.
- (3) Physical audit of businesses within the District's boundary referencing the State Comptroller's zip code drop for errors and additions.
- (4) Submission of corrected business list, including all businesses that were found by SRI, to the Comptroller for review.
- (5) Request that the Comptroller create Area Reports for the District and send a monthly copy to the office of Sales Revenue Inc.
- (6) Research any additional sales taxes imposed within the District, including, but not limited to, Telecommunications tax.
- (7) Creation of spreadsheet listing all businesses operating within the Districts boundary and the tax status of each. Include information on mobile businesses including food trucks and fireworks stands.
- (8) Represent the District as its sales and use tax consultant with the State Comptroller's Office (the "Comptroller"), business owners, and all other parties involved.

- (9) Cross-reference all accounts with the Comptroller for accuracy in sales tax reporting schedule.
- (10) Receipt of monthly Comptroller report and enter listings of all payees into the District database. Creation of a list of non-payments from businesses.
- (11) Site inspections of commercial property within the District to verify business operations and/or openings and closings.
- (12) Obtain all business sales tax identification numbers and include information in the quarterly report to the District's Board of Directors (the "Board") for review.
- (13) Research any erroneous payments to the District from businesses outside the District boundary and correspond with the Comptroller and the Board regarding findings.
- (14) Store all listings of commercial property within the District by tax category.
- (15) Prepare quarterly report, including listing of all commercial property, recovery work performed, as well as all graphical information and deliver report to the Board.

## ***II. Compensation***

The District shall compensate the Firm for all services rendered for and/or on behalf of the District, within forty-five (45) days of submission of an invoice from the Firm. For, and in consideration of the services described, the fees are: A cost of **\$1,200.00** per month will be incurred by the District. **NO OTHER FEES, COSTS, POSTAGE, EXPENSES, OR CHARGES FOR THE PERFORMANCE OF SRI'S DUTIES SHALL BE PAID BY THE DISTRICT TO SRI.** To the extent permitted by law, the payment of all invoices shall be governed by the Texas Prompt Payment Act, Chapter 2251, Texas Government Code. SRI will be responsible for providing the District with updates, reports, drafting, and reporting to the Comptroller. The general schedule of services to be performed is provided as follows:

### ***Monthly***

- Monitor and cross reference payments received by the District. Contact the Comptroller with any changes in business information.
- Receipt of new sales and use tax permit approvals from the Comptroller.
- Update all graphical lists and payment databases.
- Submission of report to Comptroller detailing missing revenue and submission to the Board for review.
- Review monthly receipt of sales tax revenue and report any discrepancies to the Comptroller and Board of Directors.

### *Quarterly*

- Physical audit of new businesses operating within the District and correct any businesses not coded to the District in the Comptrollers database.
- Updated listing of businesses operating within the Districts boundary.
- Drafting of sales tax trend graphic as well as variance reports and graphs.
- Drafting of report to be delivered to the Board by an SRI representative.

### *III. Term and Termination*

This Agreement may be terminated by either Party hereto, with or without cause, by providing thirty (30) days' written notice to the other Party.

### *IV. General Provisions*

(A) This Agreement is not intended to and does not prohibit the Firm or any representative of the Firm from accepting employment by and/or performing services for individuals or organizations other than the District; provided, however, that such employment shall not interfere with the proper performance of the duties, expressed and implied, of the Firm hereunder.

**(B) TO THE FULLEST EXTENT PERMITTED BY LAW, SRI, FOR ITSELF AND ITS SUCCESSORS AND ASSIGNS, AGREES TO DEFEND, INDEMNIFY, AND HOLD HARMLESS THE DISTRICT AND ITS OFFICERS, DIRECTORS, REPRESENTATIVES, AND AGENTS, FROM EVERY LOSS, DAMAGE, INJURY, COST, EXPENSE, CLAIM, JUDGMENT, OR LIABILITY OF EVERY KIND OR CHARACTER, WHETHER IN CONTRACT, TORT, OR OTHERWISE, WHICH ARISES DIRECTLY OR INDIRECTLY FROM SRI'S WILLFUL, INTENTIONAL, RECKLESS, OR NEGLIGENT (WHETHER ACTIVE, PASSIVE, OR GROSS) ACTS OR OMISSIONS RELATED TO OR ARISING FROM THIS AGREEMENT. THIS INDEMNITY AND HOLD HARMLESS PROVISION WILL APPLY WHETHER SUCH ACTS OR OMISSIONS ARE CONDUCTED BY SRI OR ANY SUBCONTRACTOR OR AGENT OF SRI.**

**THIS INDEMNITY AGREEMENT IS INTENDED TO MEET THE TEXAS "EXPRESS NEGLIGENCE RULE" BECAUSE SRI AGREES THAT IT APPLIES AND IS ENFORCEABLE EVEN AS TO LOSSES, DAMAGES, INJURIES, EXPENSES, CLAIMS, CAUSES OF ACTION, JUDGMENTS, OR LIABILITIES JOINTLY OR CONCURRENTLY CAUSED BY THE NEGLIGENCE OR OTHER FAULT OF THE DISTRICT. THE TERM "FAULT" IN THE PREVIOUS SENTENCE INCLUDES THE VIOLATION OR BREACH BY THE DISTRICT OF ANY COMMON LAW DUTY, ANY TERM OF THIS AGREEMENT, OR ANY STATUTE OR REGULATION.**

**THIS INDEMNIFICATION OBLIGATION IS IN ADDITION TO ALL OTHER LEGAL, EQUITABLE, OR INDEMNIFICATION REMEDIES**

**AVAILABLE TO THE DISTRICT. THIS INDEMNIFICATION OBLIGATION SURVIVES THE TERMINATION OR EXPIRATION OF THIS AGREEMENT.**

**SRI DOES HEREBY WAIVE, RELEASE AND FOREVER RELINQUISH AND DISCHARGE THE DISTRICT FROM ALL OF SRI'S CAUSES OF ACTION ARISING FROM BODILY INJURY OR DEATH OR DAMAGE TO ANY PROPERTY ARISING OUT OF THE WORK, REGARDLESS OF WHETHER THE INJURY OR DAMAGE IS CAUSED IN FULL OR IN PART BY THE NEGLIGENCE OR OTHER FAULT OF THE DISTRICT.**

(C) Following execution of this Agreement, SRI shall furnish the District with a Certificate(s) of Insurance evidencing the following insurance coverages and SRI shall at all times during the term of this Agreement maintain such coverages:

- (1) Commercial General Liability: \$1,000,000 per occurrence with \$1,000,000 aggregate.
- (2) Automobile Liability: combined single limit \$1,000,000.
- (3) Workers Compensation & Employers Liability: each accident \$1,000,000, disease-each employee \$1,000,000, and disease-policy limit \$1,000,000.
- (4) Professional Liability: \$1,000,000 per occurrence with \$1,000,000 aggregate.

The Certificate(s) of Insurance shall provide that the District shall be provided thirty (30) days written notice of any cancellation or diminution of insurance coverage. The District and the District's agents and employees shall be added as additional insureds to all coverages required above except those in (3) above. All policies written on behalf of SRI shall contain a waiver of subrogation in favor of the District and the District's agents and employees. In addition, all of the aforesaid policies shall be endorsed to provide that they are primary coverages and not in excess of any other insurance available to the District, and without rights of contribution or recovery against the District or from any such other insurance available to the District. SRI, and not the District, shall be responsible to pay the premiums and deductibles, if any, that may from time to time be due under all of the insurance policies required of SRI.

(D) If any provision or term of this Agreement is held to be invalid or unenforceable by final judgment or decree of a court of competent jurisdiction, the remaining provisions and terms hereof shall remain in force and effect and binding upon the Parties.

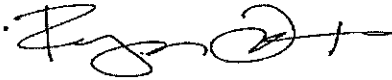
(E) All documents, whether in paper or electronic format, prepared pursuant to SRI's performance under this Agreement, shall become and remain the property of the District, unless otherwise agreed by the Parties in writing. SRI shall maintain all records of the District in accordance with the requirements of the Public Information Act, Ch. 552, Texas Government Code, and the Local Government Records Act, Ch. 201-205, Texas Local Government Code, each as amended, and all applicable rules,

regulations, policies and record retention schedules adopted pursuant thereto with respect to the District's records. Upon termination of this Agreement, SRI shall relinquish and turn over to the District, without unnecessary delay, all records related to SRI's performance hereunder, including, without limitation, all reports, maps, store listings and correspondence.

[SIGNATURES ON NEXT PAGE]

IN WITNESS WHEREOF, the Parties have approved this Agreement which may be executed in multiple counterparts, each of which shall be deemed to be an original.

**SALES REVENUE, INC.**



By: \_\_\_\_\_  
Ryan Fortner, President

**MONTGOMERY TEXAS**

By: \_\_\_\_\_  
Mayor, City of Montgomery

ATTEST:

\_\_\_\_\_  
Secretary

cil  
**Montgomery City Council**  
**AGENDA REPORT**

<b>Meeting Date: April 24, 2018</b>	<b>Budgeted Amount:</b>
<b>Prepared By: Jack Yates</b> City Administrator	<b>Exhibits:</b> e-mails with City Attorney, Land Use Plan
<b>Date Prepared: April 19, 2018</b>	

**Subject**

This is for consideration of the approval of Land Use Plan as an informal guide to development in the City. This item was first presented to the Council at its February 27<sup>th</sup> meeting. The Planning Commission has recommended adoption of the plan

**Description**

The emails between the City Administrator and City Attorney are attached which gives the background to this item. Basically, the memos state that unless a Comprehensive Plan has been adopted by the City, a Land-Use Plan cannot be adopted as a formal document. Taken this as a premise, the City Administrator asked the City Attorney if this if the Planning Commission could recommend to the City Council that the Council adopt the land use plan as an internal document such as a Drainage Study or Mobility Study that following adoption is used as an internal guide -- but not as a formal requirement -- for any actions regarding planning or zoning. The City Attorney replied that the City Council can adopt that the land-use plan is an informal guide.

**Recommendation**

Approve the Land Use Plan as presented.

**Approved By**

City Administrator	Jack Yates	Date: April 19, 2018
--------------------	------------	----------------------



RE: Land Use Plan -  
Inbox x

Larry Foerster

to me

I agree, Jack. I think the city council could adopt it as an informal guide.

Larry L. Foerster  
Darden, Fowler & Creighton, LLP  
414 West Phillips, Suite 100  
Conroe, Texas 77301  
Office 936-756-3337  
Fax 936-756-2606  
Email foerster@dfcllp.com

Sept. 21st  
2:00 p.m.

For more information about our law firm, please go to [www.dfcllp.com](http://www.dfcllp.com)

\*\*\*\*\*CONFIDENTIAL NOTICE\*\*\*\*\*

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**From:** Yates, Jack [mailto:[yates@ci.montgomery.tx.us](mailto:yates@ci.montgomery.tx.us)]  
**Sent:** Thursday, September 21, 2017 10:49 AM  
**To:** Larry Foerster <[foerster@dfcllp.com](mailto:foerster@dfcllp.com)>  
**Subject:** Land Use Plan -

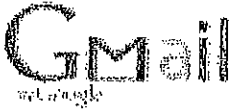
Larry, since we are unable to find where the city has ever adopted a Comprehensive Plan, nor a Land Use Plan--- Where does that put us for adopting a Land Use Plan now. I don't think that a formal adoption is necessary as long as the Planning Commission and City Council, by a formal Resolution or as a simple motion in a meeting- agree to use the proposed Land Use Plan as an informal guide for consideration of future land use decisions. As such, it would not be binding in any way on the Planning Commission or the City Council but could simple be an "internal document" approved such as a Drainage Study or Mobility Study that is approved by the Council.

Sept.  
21st  
10:49  
a.m.

What do you think??

Larry, I need an ordinance that accomplishes this intent.

Jack



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

Re: Land Use Map

1 message

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

Thu, Aug 31, 2017 at 2:58 PM

To: Larry Foerster <foerster@dfcllp.com>

Cc: "Ed Shackelford (EShackelford@jonescarter.com)" <EShackelford@jonescarter.com>, Chris Roznovsky <CRoznovsky@jonescarter.com>, Susan Hensley <shensley@ci.montgomery.tx.us>

The Planning Commission and City Council want to determine a planned (but not required only for planning purposes) use for the land in the city and in the ETJ not to be binding but for them to give some advance thought to how the land would be agreeable to the Commission and the Council. The basic reason for the Plan is to pre-think about where high density and low density land would be approved for variances. I suppose that if there was another way to give a decision (even through a resolution that was non binding) that would be all right and accomplish part of the purpose. In city planning it is thought a good action to have a long-range plan for your in-city and ETJ planned uses, to give an assistance to property owners and the Commission and Council about how to consider zoning requests and development.

Aug. 31st

Jack

On Thu, Aug 31, 2017 at 10:51 AM, Larry Foerster <foerster@dfcllp.com> wrote:

I need more information before I can prepare an ordinance or the city can call a hearing. Chapter 212.044 provides that there must be detailed plans and rules that are incorporated into an ordinance which can be passed after the hearing. The Land Map without more information explaining the Map is not helpful. What is the Planning Commission wanting to accomplish?

Aug. 31st

I would expect 15 days published notice would be satisfactory (the statute does not say).

Larry L. Foerster  
Darden, Fowler & Creighton, LLP

From: Yates, Jack [mailto:jyates@ci.montgomery.tx.us]  
Sent: Tuesday, August 29, 2017 3:48 PM  
To: Larry Foerster <foerster@dfcllp.com>; shensley <shensley@ci.montgomery.tx.us>  
Subject: Fwd: Message from "RNP002673A87377"

Larry and Susan:

The Planning Commission wants to adopt a Land Use Map (attached). Last night the Commission called a public hearing for September 25, 2017 I think (the state law that applies for Land Use Plan adoption is 212.044 of the Local Government Code (attached). Do you agree?

Aug. 29th

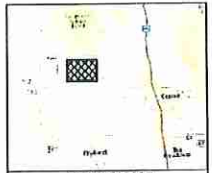
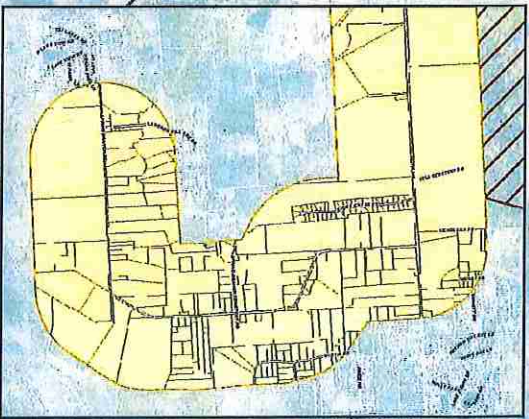
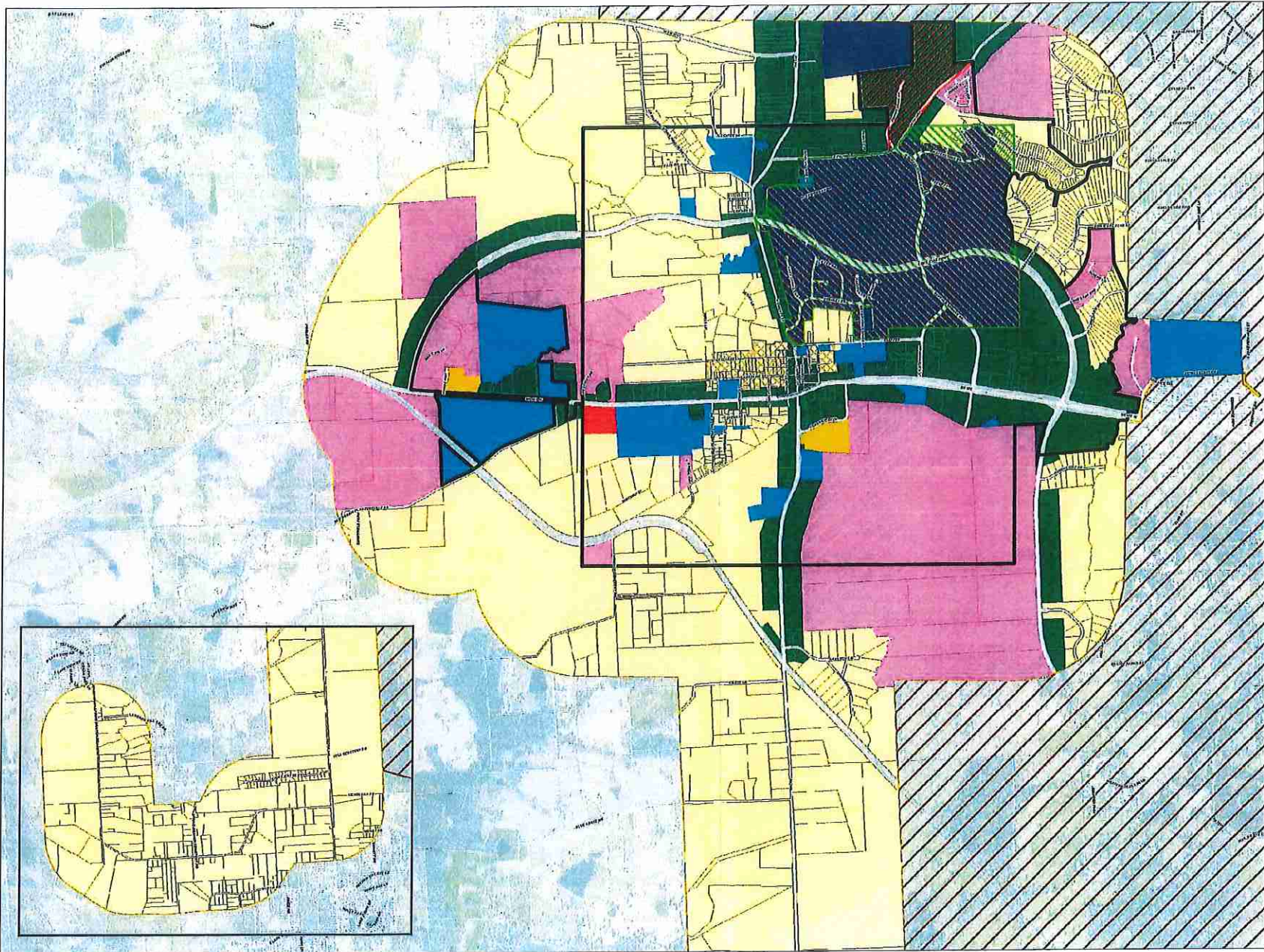
If so, who, how do I notify/advertise the public hearing??

Larry Foerster

to me, EShackelford, Chris, Susan

Jack, Section 211.004 TLGC provides that zoning regulations must be adopted in accordance with a "comprehensive plan." None of us were around when the zoning ordinance was passed years ago, but I assume that there was a comprehensive plan that was approved by city council which could now be updated to include the long-range plan that the City Planning Commission wants for the City.

*Larry L. Foerster*



VICINITY MAP

Scale: 1 inch equals 10 miles

LEGEND

- Data Layers**
- City Limits
  - Planned Development District No. 1 (LeFevre) - 2014
  - Planned Improvement District No. 1 (Ogorchock) - 2014
  - Historic District
  - City ETJ
  - City of Control ETJ
  - MCAD Parcels
  - Commercial
  - Industrial
  - Institutional
  - Multi-Family
  - Planned Development District
  - Residential - High Lots less than 9,000 SF
  - Residential - Low Lots greater than 9,000 SF

\*Aerial Imagery from February 2018



**JONES & CARTER**  
 National and International Engineers, Architects & Planners, P.C.

**FUTURE LAND USE PLAN**  
**OCTOBER 2017**



1 inch equals 1,000 feet

**Disclaimer:**  
 This project is intended for informational purposes and may not have been prepared for or be suitable for legal, engineering, or planning purposes. It does not represent an offer of insurance or any other financial product. It is not intended to be used for any other purpose. The user assumes all liability for any use of this information. The user assumes all liability for any use of this information. The user assumes all liability for any use of this information.

Coordinate System: NAD 83 UTM Zone 18N  
 Vertical Datum: NAVD 83 - Mean Sea Level

Montgomery City Council  
**AGENDA REPORT**

<b>Meeting Date: April 24, 2018</b>	<b>Budgeted Amount:</b>
<b>Prepared By: Jack Yates</b> City Administrator	<b>Exhibits:</b> Engineer's Memo, Certificate of Substantial Completion For Houston Street Rehabilitation
<b>Date Prepared: April 20, 2018</b>	

**Subject**

This is for acceptance of the Houston Street Rehabilitation Project.

**Description**

The attached Certificate of Acceptance states that the project was built according to plans and is now entering the one-year maintenance period.

**Recommendation**

Approve the Certificate as presented.

**Approved By**

City Administrator	Jack Yates	Date: April 20, 2018
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CERTIFICATE OF SUBSTANTIAL COMPLETION FOR  
CONSTRUCTION OF HOUSTON STREET REHABILITATION  
CITY OF MONTGOMERY

February 21, 2018

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

CONTRACTOR: ECB Development, LP  
1908 Sawdust Rd.  
The Woodlands, TX 77380

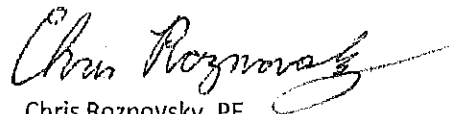
CONTRACT: Construction of Houston Street Rehabilitation  
City of Montgomery  
TIN No. 74-2063592

We have observed the subject project constructed by the **CONTRACTOR** and find it to be substantially complete in accordance with the approved plans and specifications. The project was periodically observed during construction by our field project representative.

We recommend that the **OWNER** issue the **CONTRACTOR** a Certificate of Acceptance of the Work, and that final payment be made to the **CONTRACTOR**. We also recommend that the Contractor's guarantee period of 1 year begin January 29, 2018.



Sincerely,

  
Chris Roznovsky, PE  
Engineer for the City



JONES | CARTER

1575 Sawdust Road, Suite 400, The Woodlands, Texas 77380  
TBPE Registration No. F-439

**CERTIFICATE OF ACCEPTANCE**

ECB Development, LP  
1908 Sawdust Rd.  
The Woodlands, TX 77380

Re: Construction of Houston Street Rehabilitation  
City of Montgomery  
TIN No. 74-2063592

Gentlemen:

This is to certify that **CITY OF MONTGOMERY** accepts the subject project on the basis of the Certificate of Substantial Completion issued by our engineers, Jones|Carter, and understands that a guarantee shall cover a period of one (1) year beginning April 10, 2018.

By: \_\_\_\_\_  
Mr. Jack Yates  
City Administrator, City of Montgomery

Approved by City Council on: \_\_\_\_\_

K:\W5841\W5841-0033-00 Houston Street Widening and Rehabilitation\3 Construction Phase\Contract Documents\Pay App\Final Pay App Letter.doc  
cc: Mr. Jack Yates – City of Montgomery, City Administrator  
Ms. Susan Hensley – City of Montgomery, City Secretary  
Mr. Larry Foerster – Darden, Fowler and Creighton, LLP, City Attorney

Montgomery City Council  
**AGENDA REPORT**

<b>Meeting Date:</b> April 24, 2018	<b>Budgeted Amount:</b>
<b>Prepared By:</b> Jack Yates City Administrator	<b>Exhibits:</b>
<b>Date Prepared:</b> April 26, 2018	

**Subject**

This is a report regarding Buffalo Springs Bridge repair.

**Description**

The construction is going according to schedule, even with three days added to the contract because of wet weather. The city engineer will explain more at the meeting.

**Recommendation**

Make comments as you feel appropriate

**Approved By**

City Administrator

Jack Yates

Date: April 26, 2018