

NOTICE OF PUBLIC HEARING and REGULAR MEETING

January 23, 2018

MONTGOMERY CITY COUNCIL

STATE OF TEXAS

AGENDA

COUNTY OF MONTGOMERY

CITY OF MONTGOMERY

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

CALL TO ORDER

INVOCATION

PLEDGE OF ALLEGIANCE TO FLAGS

PUBLIC HEARING(S):

Convene into Public Hearing:

1. **Receive Final Report from Planning and Zoning Commission their Public Hearing held on January 22, 2018** for the purpose of giving all interested persons the right to appear and be heard regarding the proposed expansion of the right-of-way of the City's Corridor Enhancement District from 300 feet to 750 feet. Two amendments to the District guidelines have been proposed to be added. There are no changes recommended for the District of FM 149. The two proposed amendments to the District guidelines that have been proposed to be added are:
 - a. A new area for the District is proposed on FM 1097 from the east boundary of the City limits to FM 149. The District boundaries will be 300 feet on both sides of FM 1097; and
 - b. To extend the District boundary area from 300 feet to 750 feet on both sides of SH 105 within the City limits.

2. **Public Hearing** - for the purpose of giving all interested persons the right to appear and be heard regarding the proposed expansion of the right-of-way of the City's Corridor Enhancement District from 300 feet to 750 feet. Two amendments to the District guidelines have been proposed to be added. There are no changes recommended for the District of FM 149. The two proposed amendments to the District guidelines that have been proposed to be added are:
 - a. A new area for the District is proposed on FM 1097 from the east boundary of the City limits to FM 149. The District boundaries will be 300 feet on both sides of FM 1097; and
 - b. To extend the District boundary area from 300 feet to 750 feet on both sides of SH 105 within the City limits.

Adjourn Public Hearings

Convene into Regular Meeting

VISITOR/CITIZENS FORUM:

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

CONSENT AGENDA:

3. Matters related to the approval of minutes for the Public Hearings and Regular Meeting held on January 9, 2018.
4. Consideration and possible action regarding adoption of the following Resolution:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS REGARDING STAR OF TEXAS SENIORS LTD. AT LONE STAR PARKWAY FOR SUPPORT AND LOCAL POLITICAL SUBDIVISION FUNDING.
5. Consideration and possible action regarding adoption of the following Resolutions:
 - a) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS REGARDING BLAZER BUILDING TEXAS, LLC FOR SUPPORT AND LOCAL POLITICAL SUBDIVISION FUNDING; and
 - b) A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS REGARDING BLAZER BUILDING TEXAS, LLC FOR SUPPORT OF TWO TIMES PER CAPITA
6. Consideration and possible action to declare two (2) stoves from the Community Center to be declared surplus property.
7. Consideration and possible action regarding adoption of an Escrow Agreement by and between the City of Montgomery, Texas and Madsen & Richards, LLC (Dev. No. 1803) for development located at 610 Liberty Street, Montgomery, Texas 77356.
8. Consideration and possible action regarding adoption of an Escrow Agreement by and between the City of Montgomery, Texas and BW Montgomery Investment LLC for development located at Restricted Reserve "H1" of the Buffalo Springs Shopping Center, Phase 2, for BlueWave Express Car Wash located at 20210 Eva Street, Montgomery, Texas 77356.
9. Consideration and possible action regarding adoption of the following Resolution:
A RESOLUTION BY THE DESIGNATING AUTHORIZED SIGNATORIES FOR CONTRACTUAL DOCUMENTS AND DOCUMENTS FOR REQUESTING FUNDS PERTAINING TO THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (TXCDBG) CONTRACT NUMBER 7217320.

CONSIDERATION AND POSSIBLE ACTION:

10. Consideration and possible action regarding Montgomery Economic Development Corporation Report - Randy Moravec, MEDC Treasurer.
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 and Quarterly Investment Report
12. Consideration and possible action regarding adoption of the following Ordinance:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS, AMENDING AND MODIFYING ORDINANCE NO. 2008-02, AS AMENDED BY ORDINANCE NO. 2014-03, AND AMENDING ARTICLE VII, "CORRIDOR ENHANCEMENT," OF CHAPTER 98 OF THE CODE OF ORDINANCES OF THE CITY OF MONTGOMERY, TEXAS; BY AMENDING REGULATIONS ESTABLISHING AN OVERLAY CORRIDOR ENHANCEMENT DISTRICT FOR THE PURPOSE OF INFLUENCING CERTAIN EXTERIOR ARCHITECTURAL ASPECTS OF BUILDING CONSTRUCTION; EXPANDING THE 300-FOOT CORRIDOR ENHANCEMENT TO 750 FEET FROM THE CENTER OF THE RIGHT OF WAY OF STATE HIGHWAY 105 IN THE CITY; DESIGNATING TEXAS STATE FARM ROAD 1097 EAST FROM THE CENTER OF THE RIGHT OF WAY IN THE CITY AS WITHIN THE CORRIDOR ENHANCEMENT DISTRICT; PROVIDING FOR THE REPEAL OF ALL ORDINANCES IN CONFLICT HEREWITH; PROVIDING FOR SEVERABILITY; PROVIDING A TEXAS OPEN MEETINGS ACT CLAUSE; AND EFFECTIVE DATE AFTER PUBLICATION AS PROVIDED BY LAW.
13. Consideration and possible action regarding adoption of the following Ordinance:

AN ORDINANCE OF THE CITY OF MONTGOMERY, TEXAS, PROVIDING FOR THE HOLDING OF A GENERAL ELECTION TO BE HELD ON MAY 5, 2018, FOR THE PURPOSE OF ELECTING A MAYOR AND TWO (2) CITY COUNCIL MEMBERS, PLACES 2 AND 4; APPROVING ELECTION SERVICE AGREEMENTS WITH MONTGOMERY COUNTY, TEXAS: AND PROVIDING DETAILS RELATING TO THE HOLDING OF SUCH ELECTION.
14. Consideration and possible action to schedule a Public Hearing to be held on February 27, 2018, for the purpose of reviewing the need to continue City of Montgomery Ordinance 2015-03, Juvenile Curfew Ordinance, Codified in Division 2 of Chapter 62 of the Code of Ordinances of the City of Montgomery, Texas in accordance with Section 370.002 of the Texas Local Government Code, and to determine whether the City shall abolished, continue or modify the ordinance.

15. Consideration and possible action regarding the final Mobility Study, as prepared by Jones and Carter on behalf of the City of Montgomery and Montgomery County Precincts 1 and 2.
16. Consideration and possible action regarding approval of The Shoppes at Montgomery Section 1 Final Plat.
17. Buffalo Springs Bridge Report by City Engineer.

EXECUTIVE SESSION:

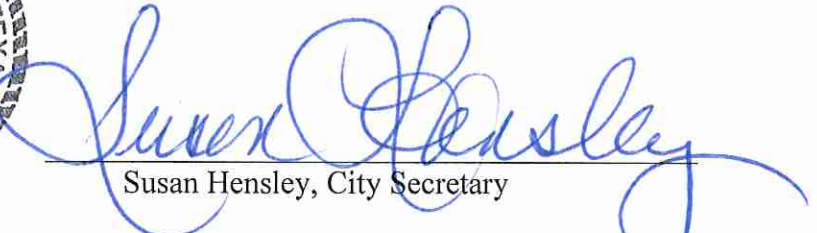
The City Council reserves the right to discuss any of the items listed specifically under this heading or for any items listed above in executive closed session as permitted by law including if they meet the qualifications in Sections 551.071(consultation with attorney), 551.072 (deliberation regarding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

COUNCIL INQUIRY:

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

ADJOURNMENT




Susan Hensley, City Secretary

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

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

Montgomery City Council
AGENDA REPORT

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

Subject

This is a written final report on the recommendation from the Planning and Zoning Commission regarding the Corridor Enhancement District issue

Description

I will have a written report for you on Tuesday night, following the Monday night Planning and Zoning Commission meeting. I will read the report out loud at the meeting.

Recommendation

Accept the report as presented.

Approved By

City Administrator

Jack Yates

Date: January 17, 2018

Montgomery City Council
AGENDA REPORT

Meeting Date: January 23 2018	Budgeted Amount:
Department:	
Prepared By: Jack Yates City Administrator	Exhibits: Information packet as mailed to citizens in affected area and within 200 feet of the new areas
Date Prepared: January 17, 2018	

Subject

This is the public hearing regarding the Corridor Enhancement District being extended from 300 feet to 750 feet on both sides of State Highway 105 and a new area east of FM 149 to city limits on FM 1097 extending 300 feet from 1097.

Description

This is the opportunity for the public to comment, with little or no discussion from the Council.
As of 2:30 p.m., January 17th, I have had nine calls – five are already in the Corridor, two outside the Corridor wondering why they received a letter, one is in the new area of the SH 105 Corridor District but did not seem that concerned, one had not picked up his letter yet and was upset about having to wait in the post office line to pick up a letter that he did not know what it was about (he was alright after I explained and showed him what was in the information).

Recommendation

Listen and consider any comments.

Approved By

City Administrator	Jack Yates	Date: January 17, 2018
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January 10, 2018

«FIRST_NAME» «LAST_NAME»
«STREET»
«CITY», «STATE» «ZIP»

Property ID: «PROPERTY_ID»

Dear Property Owner:

You are receiving this notice because you are a property owner with property that is located either within the 200-foot notice area outside the Corridor Enhancement District **or** inside the Corridor Enhancement Area, which is being considered for amendments as described in the attached legal notice.

The Corridor Enhancement District Map, which has been attached, shows the areas with a **RED Line detailing the 200 foot notification boundary** and the **YELLOW Line shows the boundary of the area included in the Corridor Enhancement Area.**

Attached you will also find a copy of the legal notice that was published in the Conroe Courier, which is the City's Official Newspaper and posted on the City's website at www.montgomerytexas.gov detailing the following Public Hearings regarding the Corridor Enhancement Area Amendments that will be held at City of Montgomery City Hall at 101 Old Plantersville Road, Montgomery, 77316:

- **01/22/18 - Planning and Zoning Commission Public Hearing at 6 p.m.: and**
- **01/23/18 - City Council Public Hearing at 6 p.m.**

If you have any questions or would like additional information, please contact Jack Yates at (936) 597-3962.

Sincerely,

Susan Hensley
City Secretary

*Certified Mail No. «CERTIFIED_NO»
RETURN RECEIPT REQUESTED*

**NOTICE OF PUBLIC HEARINGS
CORRIDOR ENHANCEMENT DISTRICT**

The **City of Montgomery Planning and Zoning Commission** will hold a **Public Hearing** at 6:00 p.m. on the **22nd day of January, 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 proposed expansion of the right-of-way of the City's Corridor Enhancement District from 300 feet to 750 feet.

The **City of Montgomery City Council** will hold a **Public Hearing** at 6:00 p.m. on the **23rd day of January, 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 proposed expansion of the right-of-way of the City's Corridor Enhancement District from 300 feet to 750 feet.

The areas involved in the Montgomery Corridor Enhancement District are SH 105 extending from the eastern boundary of the City limits to the western boundary of the City limits, FM 149 extending from the northern boundary of the City limits to the southern boundary of the City limits and the entire Lone Star Parkway extending from SH 105 on the east to SH 105 on the west.

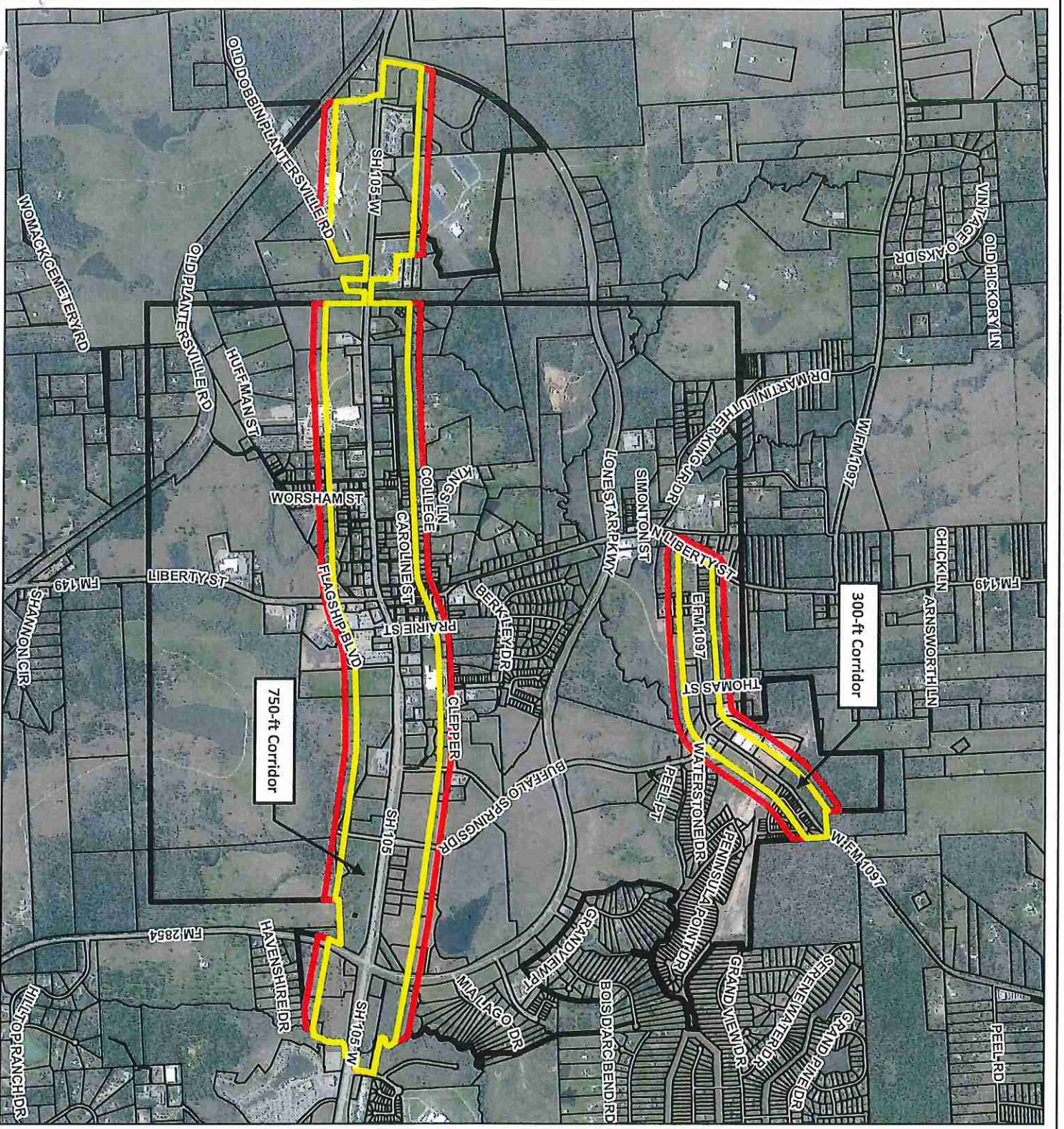
Two amendments to the District guidelines have been proposed to be added. There are no changes recommended for the District on FM 149.

1. A new area for the District is proposed on FM 1097 from the east boundary of the City limits to FM 149. The District boundaries will be 300 feet on both sides of FM 1097; and
2. To extend the District boundary area from 300 feet to 750 feet on both sides of SH 105 within the City limits.

Additional information can be viewed at City Hall, Monday – Friday, 8 am to 5 pm. If you have questions, please contact Jack Yates at (936) 597-6434.

/s/ Susan Hensley, City Secretary

Publication Dates: January 2nd & January 9th



VICINITY MAP
Scale: 1 inch equals 2 miles

- LEGEND**
- Corridor Boundary
 - 200-ft Notification Boundary
 - City of Montgomery
 - City Limits
 - MCAD Parcels

**CORRIDOR
ENHANCEMENT
AREAS**

CITY OF MONTGOMERY
MONTGOMERY COUNTY, TEXAS



DRAWING NOT TO SCALE

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

Montgomery City Council
AGENDA REPORT

Meeting Date: January 23 2018	Budgeted Amount:
Department:	
Prepared By: Jack Yates City Administrator	Exhibits: Letter and supporting Materials, Letter from January, 2017 Resolution
Date Prepared: January 19, 2018	

Subject

This is a required Resolution from the Texas Department of Housing and Community Affairs in support of Housing Tax Credit Application made by Star of Texas Seniors, Ltd. to the Department.

Description

This is to place an unknown number of senior housing units on the property adjacent to the existing Montgomery county senior housing unit immediately behind the Lone Star Community Center off Lone Star Parkway. The city's Resolution supposedly provides extra points for the very competitive tax credit granting. Although not mentioned in the letter, Star of Texas asks for \$2,000 worth of credit for water taps, in order to help on their application. The MEDC can provide the \$2,000 payment on the water taps.

Recommendation

Approve the Resolution as presented with an allowance of \$2,000 on water taps. If you pass a Resolution regarding Blazer and Star of Texas Seniors there is no harm, each entity will be applying for the housing credits—you are not prioritizing the applications in any way.

Approved By

City Administrator	Jack Yates	Date: January 19, 2018
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Wade Bienski

to me

Good afternoon Mr. Yates,

This is Wade Bienski with Homestead Development. We were the group trying to get funding for the Senior Development off Lonestar Parkway last year that the City supported. We are putting in an application again this year, and would like to request support again from the City. Everything is still the same as it was last year, and we would need the same resolution of support again as attached. Can we get scheduled on the agenda for one of the upcoming meetings in late January or early February? Thanks!

Wade Bienski
Homestead Development
979-324-7775

**CITY OF MONTGOMERY, TEXAS
RESOLUTION NO. _____**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTGOMERY,
TEXAS REGARDING STAR OF TEXAS SENIORS LTD AT LONE STAR PARKWAY
FOR SUPPORT AND LOCAL POLITICAL SUBDIVISION FUNDING**

WHEREAS, Star of Texas Seniors Ltd. has proposed a development for a Senior Housing Development located on Lone Star Parkway, named Star of Texas Seniors, in the city of Montgomery, Montgomery County, Texas;

WHEREAS, Star of Texas Seniors Ltd. has advised that it intends to submit an application to the Texas Department of Housing and Community Affairs (TDHCA) for 2017 Competitive 9% Housing Tax Credits for Star of Texas Seniors;

WHEREAS, Chapter 380 of the Texas Local Government Code authorizes municipalities to administer programs to establish and provide for the making of loans and grants of public funds for the purpose of promoting state and local economic development and to stimulate business and commercial activity in the municipality;

It is hereby RESOLVED, that the City of Montgomery, acting through its governing body, hereby confirms that it supports the proposed development of Star of Texas Seniors, located on Lone Star Parkway, in the City of Montgomery, Montgomery County, Texas and its application to the TDHCA.

FUTHER RESOLVED, that the City of Montgomery, acting through its Governing Body for the purposes of Local Political Subdivision Funding, will grant a reduction of \$2,000 towards water/sewer tap fees.

FUTHER RESOLVED, that for and on behalf of the Governing Body, Mayor Kirk Jones is hereby authorized, empowered, and directed to certify these resolutions to TDHCA. This formal action has been taken to put on record the opinion expressed by the City of Montgomery on 23rd day of January, 2018.

PASSED AND APPROVED by the City Council of the City of Montgomery, Texas on the 23 day of January, 2018.

Kirk Jones, Mayor

ATTEST:

Susan Hensley, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Larry Foerster, City Attorney

Montgomery City Council
AGENDA REPORT

Meeting Date: January 23 2018	Budgeted Amount:
Department:	
Prepared By: Jack Yates City Administrator	Exhibits: Resolutions, Letter and supporting materials,
Date Prepared: January 19, 2018	

Subject

This is a require resolution from the Texas Department of Housing and Community Affairs in support of a Housing Tax Credit Application

Description

This is to place 44 one-bedroom units and 36 two-bedroom units on the property adjacent to the existing Heritage Apartments on Flagship Boulevard. The city's resolution supposedly provides extra points for the very competitive tax credit granting. Although not mentioned in the letter, Blazer asked for \$2000 worth of credit for water taps, in order to gain points for their application. MEDC can provide the \$2000 payment to the city. The second resolution having to do with the 2X Per Capita is also part of the application, that will gain extra points.

Recommendation

Approve the Resolutions as presented.

Approved By

City Administrator

Jack Yates

Date: January 19, 2018

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS
REGARDING BLAZER BUILDING TEXAS, LLC FOR SUPPORT AND LOCAL POLITICAL
SUBDIVISION FUNDING

WHEREAS, NH Heritage LP has proposed a senior living development for affordable rental housing at 325 Flagship Blvd. named Heritage Seniors in the City of Montgomery, Texas, located in Montgomery County;

WHEREAS, NH Heritage LP has arrived that it intends to submit an application to the Texas Department of Housing and Community Affairs for 2018 Competitive 9% Housing Tax Credits for Heritage Seniors development;

It is hereby RESOLVED, that the City of Montgomery, acting through its governing body, hereby confirms that it supports the proposed Heritage Seniors development located at 325 Flagship Blvd, Montgomery, Montgomery County, Texas and that this formal action has been taken to put on record the opinion expressed by the City of Montgomery, Texas.

FURTHER RESOLVED, that for and on behalf of the Governing Body, Kirk Jones, Mayor are hereby authorized, empowered, and directed to certify these resolutions to the Texas Department of Housing and Community Affairs.

FURTHER RESOLVED, that the City of Montgomery, acting through its Governing Body, for the purposes of Local Political Subdivision Funding, will grant a reduction of \$2,000 towards water/sewer tap fees.

FURTHER RESOLVED, that for and on behalf of the Governing Body, Mayor Kirk Jones is hereby authorized, empowered, and directed to certify these resolutions to TDHCA. This formal action has been taken to put on record the opinion expressed by the City of Montgomery on 23rd day of January, 2018. PASSED AND APPROVED by the City Council of the City of Montgomery, Texas on the 23rd day of January, 2018.

Kirk Jones, Mayor

ATTEST:

Susan Hensley, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Larry Foerster, City Attorney

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS
REGARDING BLAZER BUILDING TEXAS, LLC FOR SUPPORT OF TWO TIMES PER CAPITA

WHEREAS, NH Heritage LP has proposed a development for affordable rental housing at 325 Flagship Blvd. named Heritage Seniors in the City of Montgomery, Texas;

WHEREAS, NH Heritage LP has communicated that it intends to submit an application to the Texas Department of Housing and Community Affairs (TDHCA) for 2018 Housing Tax Credits or Private Activity Bonds for Heritage Seniors;

It is hereby RESOLVED, that as provided for in §11.3(b) of the Qualified Allocation Plan, it is expressly acknowledged and conformed that the City of Montgomery has more than twice the state average of units per capita supporting by Housing Tax Credits or Private Activity Bonds.

FURTHER RESOLVED, that the City of Montgomery hereby supports the proposed Heritage Seniors, and confirms that its governing body has voted specifically to approve the construction and/or rehabilitation of the Development and to authorize an allocation of housing Tax Credits for the Development pursuant to Tex. Gov't Code §2306.6703(a)(4).

FURTHER RESOLVED, that for and on behalf of the Governing Body, Kirk Jones, Mayor are hereby authorized, empowered, and directed to certify these resolutions to the Texas Department of Housing and Community Affairs.

FURTHER RESOLVED, that for and on behalf of the Governing Body, Mayor Kirk Jones is hereby authorized, empowered, and directed to certify these resolutions to TDHCA. This formal action has been taken to put on record the opinion expressed by the City of Montgomery on 23rd day of January, 2018. PASSED AND APPROVED by the City Council of the City of Montgomery, Texas on the 23rd day of January, 2018.

Kirk Jones, Mayor

ATTEST:

Susan Hensley, City Secretary

APPROVED AS TO FORM AND LEGALITY:

Larry Foerster, City Attorney



January 5, 2018

City of Montgomery
c/o Jack Yates, City Manager
101 Old Plantersville Rd.
Montgomery, TX 77356

RE: Heritage Seniors (TDHCA #18 ____)

Dear Mr. Yates,

Heritage Seniors is seeking an allocation of 9% Housing Tax Credits from the Texas Department of Housing & Community Affairs (TDHCA). Pursuant to our meeting, we submit the following documentation to substantiate our request for consideration, to be placed on the City’s next council meeting agenda for their consideration of a Resolution of Local Government Support and Resolution of 2x Per Capita.

Heritage Seniors is a proposed 80-unit apartment home community that will include 44 one-bedroom units (65%) and 36 two-bedroom units (35%). Heritage Seniors will be situated on 4.5 acres at approximately 325 Flagship Blvd, Montgomery, TX 77536. Aerials of the area and site have been attached for reference as Exhibits A.1 and A.2. A preliminary site plan has also been attached as Exhibit B.

Heritage Seniors is being designed to feature lots of creek views, lush landscaping and outdoor activity areas. As detailed in Exhibit C, Heritage Seniors will be equipped with all the amenities and features found in a ‘Class A’ multi-family development.

Further, Heritage Seniors will serve households across the following range of incomes of \$14,580- \$44,400+

Income Level	# of Units Set Aside
30% of Area Median Income	5
50% of Area Median Income	13
60% of Area Median Income	46
Market	16

Heritage Seniors is being co-developed by Education Based Housing, Inc., a 501(c)(3) organization and Nantucket Housing, LLC, an affiliate of Blazer. Blazer was founded in 1978 as a general contracting company focused on building high-quality multifamily communities. Since then, Blazer has grown into a fully-integrated real estate services company handling all phases of a property’s life cycle. Blazer has developed twenty-three communities since the mid-

Heritage Seniors (TDHCA #18 __)
January 3, 2018

1990's, including twenty-four housing tax credit properties and five market rate properties. These include nearly 4,500 apartment homes with a combined value of over \$350 million.

Further, Blazer has overseen the construction of over 33,000 apartment homes in twelve states across the south, east coast and mid-west. Blazer also provides comprehensive property management services to over 3,700 units in twenty-six properties across the state of Texas.

Again, we appreciate the City of Montgomery's consideration of our request for a 'Resolution of Local Government Support' & Resolution of 2x Per Capita; and we are happy to provide any additional information or background. With that, please feel free to call or email with any questions.

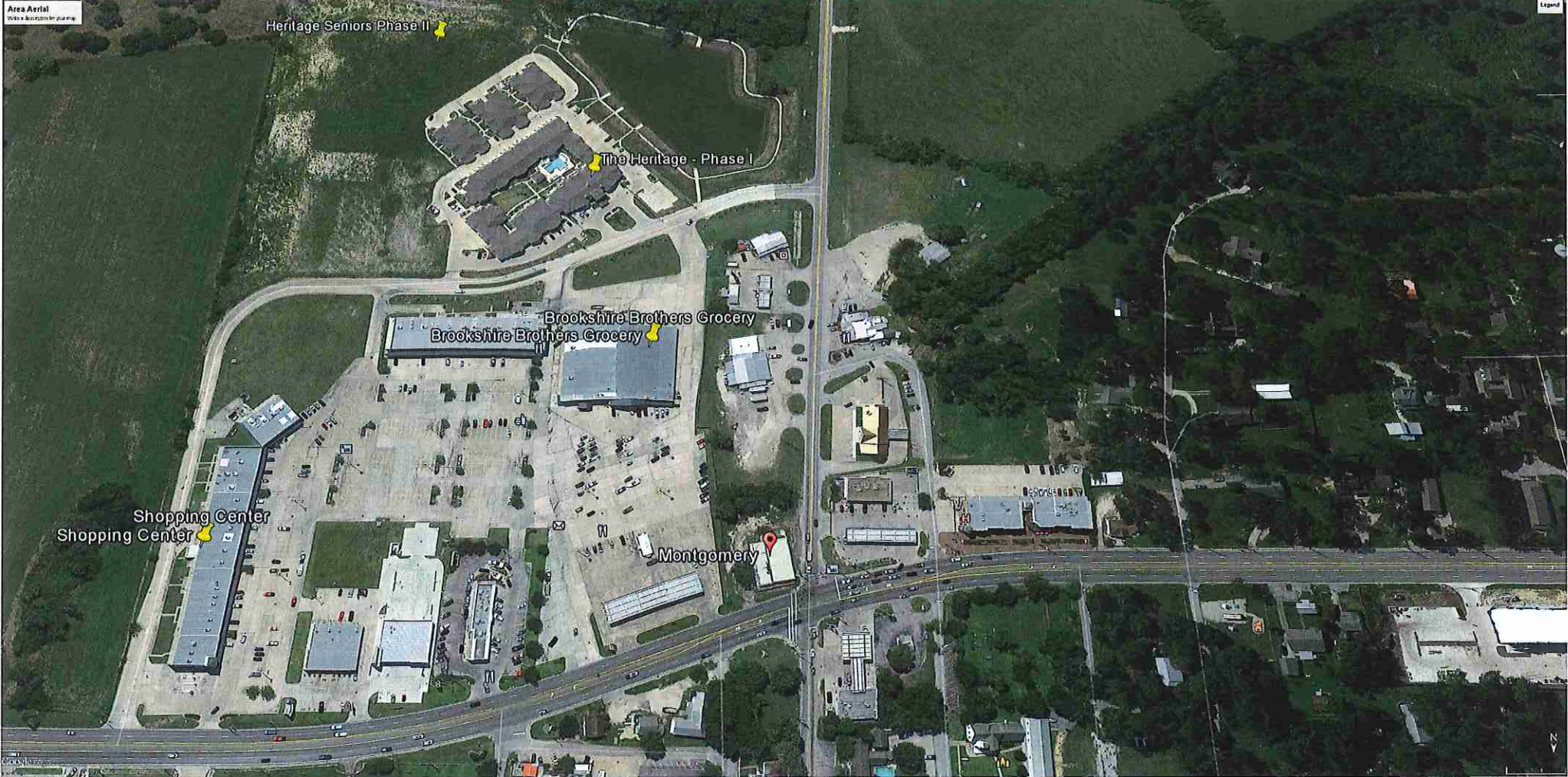
Sincerely,



Matt Fuqua
Vice President
Nantucket Housing, LLC
Blazer Building Texas, LLC
4001 W. Sam Houston Pkwy. N., Suite 100
Houston, TX 77043
713-914-9200 (O)
mfuqua@blazerbuilding.com

Attachments

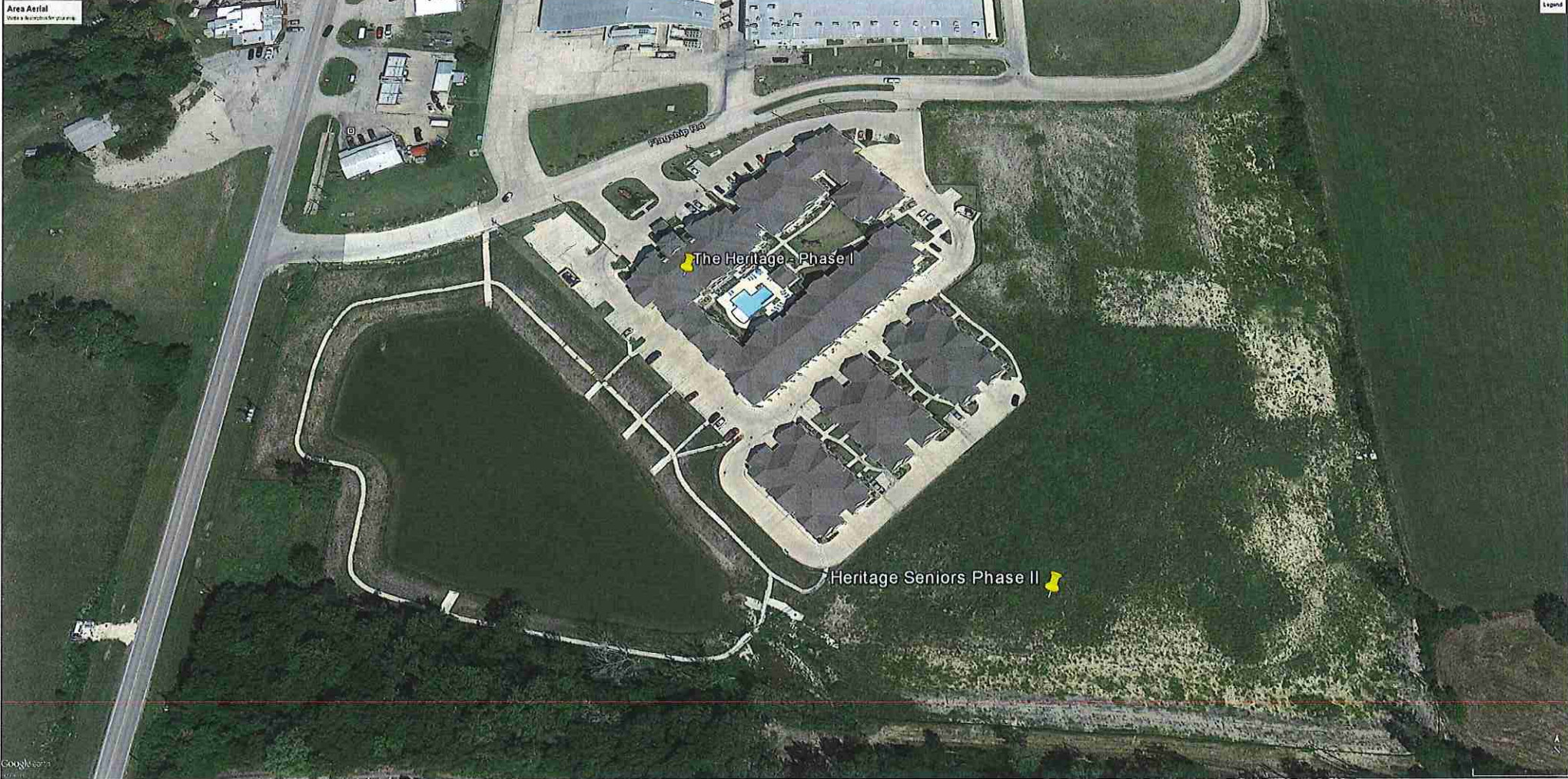
- Exhibit A.1 – Area Aerial
- Exhibit A.1 – Site Aerial
- Exhibit B – Preliminary Site Plan
- Exhibit C – Support Resolution/2x Per Capita Template
- Exhibit D – Company Summary



Area Aerial

View > Satellite > Street View

Legend



The Heritage - Phase I

Heritage Seniors Phase II

Google

Project Summary

Apartments:

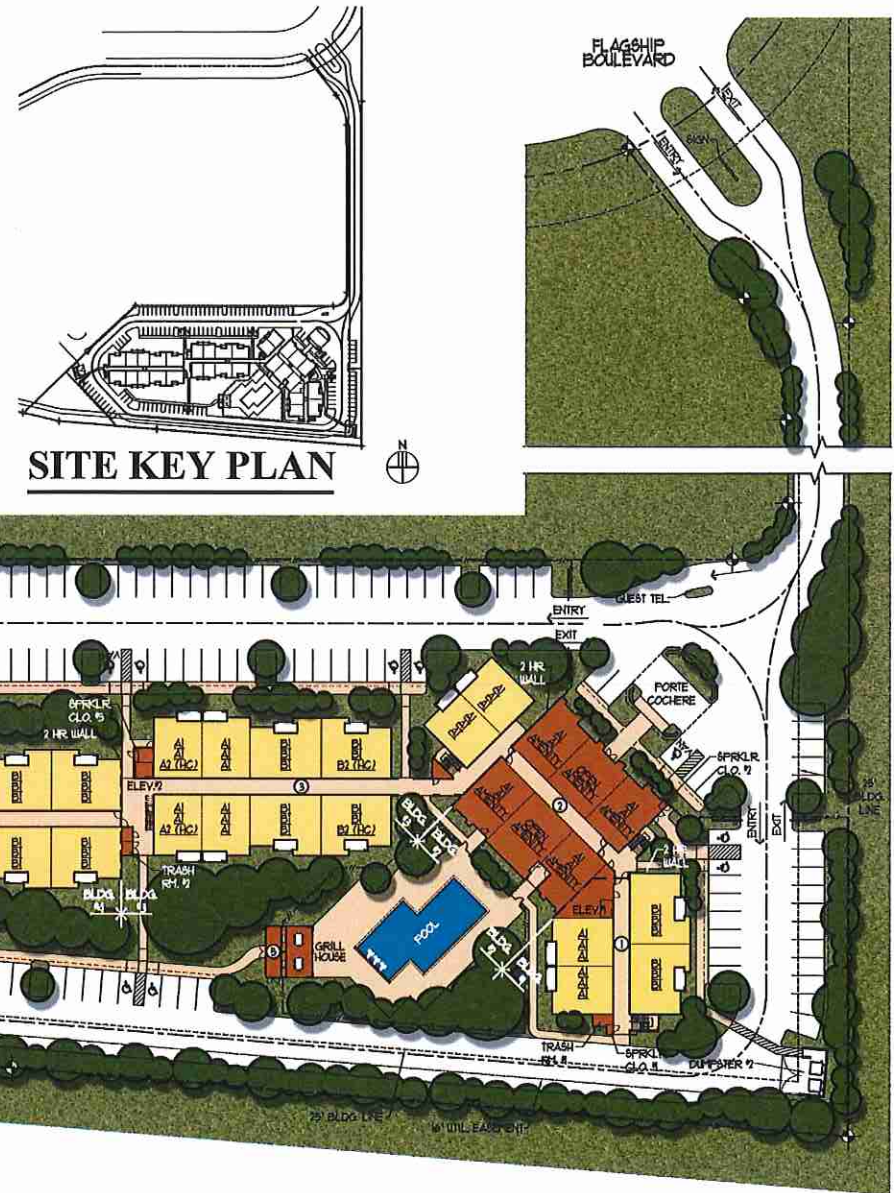
Type	Description	Qty	Area
A1	One Bedroom, 1 Bath	38	705 s.f.
A2	One Bedroom, 1 Bath (H.C.)	2	706 s.f.
Total One Bedroom Units		40 Units	
B1	Two Bedroom, 2 Bath	38	921 s.f.
B2	Two Bedroom, 2 Bath (H.C.)	2	921 s.f.
Total Two Bedroom Units		40 Units	
Apartments Net Rentable Total		80 Units	65,042 s.f.

Parking:

Parking required :
1.45 cars per Unit @ 80 Units = 116 cars

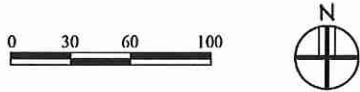
Total Parking Required: 116 cars

Total Parking Provided:	Van Accessible	H.C. Accessible	Standard	Total
Open Parking (secured):	1	8	97	106 cars
Amenity Parking (non-secured):	1	0	9	10 cars
Total Parking Provided:	2	8	106	116 cars



SITE PLAN

Heritage Seniors
Mucasey & Associates, Architects



TDHCA Disclosure: In accordance with the rules of the Texas Department of Housing and Community Affairs, aspects of this development may be subject to change, including but not limited to, changes in the amenities ultimately selected and provided.

Nantucket Housing, LLC
Blazer Building Texas, LLC





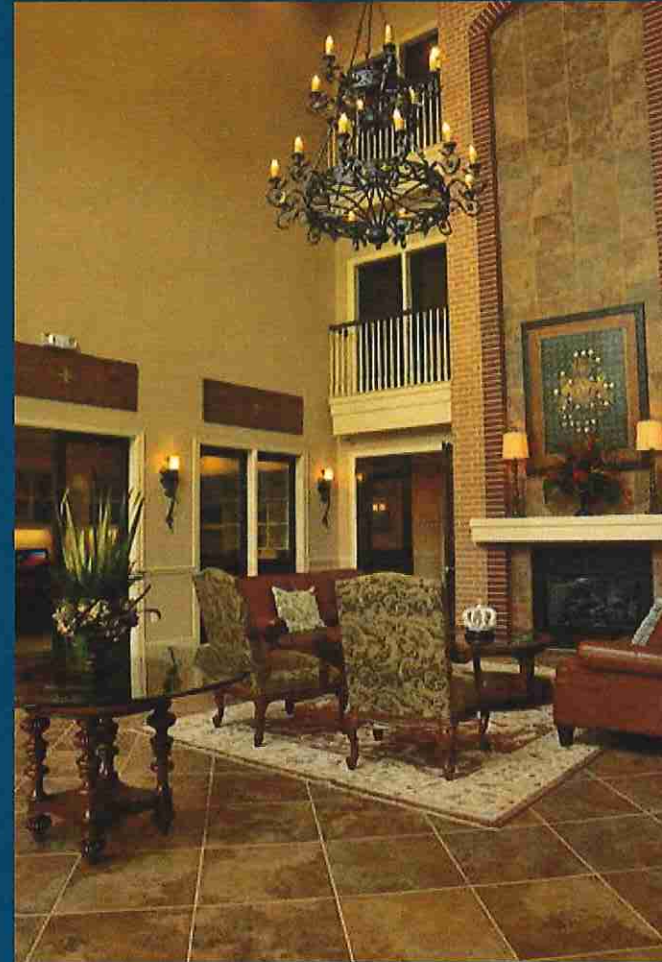
Chris Richardson, President, founded Blazer in 1978 as a general contracting company focused on building high-quality multifamily communities and other commercial product. Since then, the Blazer family of companies has grown into a fully-integrated real estate services company handling all phases of a property's life cycle.

Development – Blazer has built a strong record of success based around a strong belief in relationship driven business; whether it be with our investors, vendors or public partners. These relationships are the cornerstone of our operating strategy and foster an intense knowledge of the markets where we operate. From there, Blazer focuses on creating value for our partners at each phase of the development process; through site selection, entitlements, design and project capitalization.

Blazer has developed over thirty (30) communities since the mid-1990s, totaling roughly 4,200 apartment homes with a combined value of over \$300 million. Our communities are primarily located in the greater Houston area with apartment homes also available in Austin, Dallas and San Marcos.

As market influences have required, Blazer has adapted its product to include a mix of traditional-family, active-adult and workforce housing communities.

Our consistently high-quality product has includes low-rise, garden-style designs and mid-rise designs with structured parking.





Construction – Since its founding in 1978, Blazer Building has provided general construction and construction administration services for developers and project owners across a variety of property types. Over its 38+ history, Blazer Building has overseen the construction of over 33,000 apartment homes in twelve different states across the south, east coast and mid-west. Blazer has also been directly involved in the construction of various commercial, educational and single-family projects.

Blazer Building is made up of a highly experienced team of professionals with decades of construction industry experience. The company executes all stages of the building process including the following services.

Pre-Construction

- Design Management
- Agency Coordination
- Budget Analysis
- Cost Estimating
- Value Engineering
- Constructability Review
- HUD & Tax Credit Preparation
- Schedule Development
- Construction Phasing
- Building Information Modeling
- Bid Package/Process Management

Construction

- Project Management
- Site Logistics
- Coordination of Subcontractors
- Quality Control
- Construction Supervision
- Contract & Document Administration
- HUD & Tax Credit Documentation
- Cost & Schedule Control
- Management Reporting
- Building Information Modeling
- Bid Package/Process Management

Post-Construction

- Inspections & Certificates of Occupancy
- Commissioning
- Warranty Service



Property & Asset Management – Blazer Real Estate Services provides comprehensive property management solutions for all types of multi-family communities including market-rate family, independent senior living, Bond and Low Income Housing Tax Credit properties. Blazer Real Estate Services designs and implements a sophisticated marketing and management strategy that ensures the successful operation of our communities. Blazer Real Estate Services currently manages over 3,600 units in 23 properties across the State of Texas.

Blazer Real Estate Services recruits highly trained and qualified management professionals. The company supervises on-site teams, completes a thorough analysis of operations and financial performance, and manages maintenance and renovation services. Blazer Real Estate Services also develops financial controls and produces monthly financial reports for each property and the portfolio as a whole. In addition, Blazer Real Estate Services provides training, education, software support, IT services, and administration support for Blazer communities.

Blazer Real Estate Services provides the following solutions to array of property management needs for both Blazer-owned and third-party-owned properties.

- Staff & Train Property Personnel
- Drive Leasing Efforts
- Tailored Marketing Strategies
- Publish Leasing Activity Reports
- Billing & Collections
- Review of Payables
- Cash Management
- Safety Training & Site Inspection
- Scheduled Maintenance Programs
- Production of Financial Statements
- Preparation of Annual Budgets
- Furniture & Equipment Inventory
- Insurance Claim Preparation
- Federal, State and Local Compliance Reporting
- LIHTC/Bond Compliance Reporting



Leadership

Chris Richardson, President, moved to Houston and began a construction career in the fall of 1972 after graduating from Louisiana Tech University (Ruston, Louisiana). Mr. Richardson then founded Blazer in 1978. Under Mr. Richardson's leadership, Blazer focuses on personalized attention, believing strongly in relationship based business with owners, investors, vendors and public partners. Further, Mr. Richardson has worked with many of our vendor partners for decades and has fine-tuned a list of firms who understand our commitment to quality and desire to provide residents a quality living environment.

Mr. Richardson has built a team of experienced, knowledgeable and driven staff members with decades of experience. Following on his passion for the business, the Blazer team focuses relentlessly on delivering quality in all phase of development from pre-construction through completion and stabilization, employing forward thinking problem solving skills.

Mr. Richardson and his wife, Anne, of 35 years raised three children in Houston and have become very aware of the importance of well-run community affairs in society. Both devote countless hours to various not-for-profit and charitable organizations.

Jim Wanja, Construction, has spent roughly half of his 35 year construction career with Blazer. Mr. Wanja's commercial and residential construction experience includes ground-up design and development as well as comprehensive rehabilitation programs. Mr. Wanja has managed the construction of virtually all types of real estate including, garden and mid-rise multi-family, tract and custom single-family homes, and industrial and office properties.

Under Mr. Wanja's leadership, Blazer Building has implemented strict cost control procedures, forward-thinking construction management practices and successfully tackled a variety of complex design and build projects. Over the years, Mr. Wanja has built an extensive base of subcontractor relationships that share Blazer's passion for delivering quality product consistently within budget.



Matt Fuqua, Development, has spent roughly 15 years with Blazer building a diverse resume of construction and development industry experience. Mr. Fuqua focuses on developing a pipeline of business both in-house and third-party related work. Matt researches and locates developable land tracts, negotiates purchase contracts and liaises between all involved parties. Mr. Fuqua also assists in the coordination and preparation of tax credit applications, completing due diligence requirements and feasibility analysis.

Matt also builds relationships with neighborhood and civic groups and municipalities to maintain a consistent level of support from those interested parties. In addition, Mr. Fuqua works with architects and engineers to design Blazer's communities and implements controls to manage the contract buyout, budget monitoring and construction processes. Since starting with Blazer, Mr. Fuqua has overseen the construction and development of more than 3,000 apartment homes across the State of Texas.

Nathan Kelley, Development, joined Blazer in 2012, and has co-led the development of over 1,000 units in Texas; including conventional multi-family, independent senior living and workforce housing. Nathan's Capital Markets responsibilities include the structuring and origination of debt and equity capital for new developments and the recapitalization of existing developments. Nathan's experience includes transactions involving private and institutional equity, as well as bank, agency, HUD and CMBS debt. He has also facilitated the disposition of numerous developments. Nathan has also been instrumental in improving the operating performance of Blazer's more than 4,000 unit portfolio.

Prior to joining Blazer, Nathan was Vice President for Regions Financial. During his seven-year tenure, he was actively involved in underwriting, structuring and origination of over \$1 billion of commercial real estate credit.

Completed Projects



<u>Project</u>	<u>Units</u>	<u>Location</u>	<u>Year</u>	<u>Project</u>	<u>Units</u>	<u>Location</u>	<u>Year</u>
River Oaks Place	144	Houston, TX	1979	Chesapeake Village	120	Houston, TX	1983
Spring Meadows	304	Houston, TX	1979	Crossroads Place	442	Mesquite, TX	1983
Winterset	408	Houston, TX	1980	Enclave at Pavillion	384	Houston, TX	1983
Westvale	124	Houston, TX	1980	Bayou Bend	96	Houston, TX	1983
Northwest Park I	152	Houston, TX	1980	Deerbrook Forest	208	Houston, TX	1983
Cypress Run	64	Houston, TX	1980	Parque Del Oro	144	Houston, TX	1983
Cherry Creek	276	Houston, TX	1980	Pineloch Apartments	440	Clear Lake, TX	1983
Northborough Station	300	Houston, TX	1980	Enclave at Arlington	348	Arlington, TX	1983
Klein Oaks I	174	Houston, TX	1981	The Colonies	210	Dallas, TX	1983
Rushereek Village	200	Houston, TX	1981	Village Green	125	San Marcos, TX	1983
Rockwood Landing	208	Houston, TX	1981	Ivystone	124	Houston, TX	1984
Bent Tree I	216	Houston, TX	1981	The Summit	58	Huntsville, TX	1984
Klein Oaks II	116	Houston, TX	1981	Lakeview Apartments	304	LaMarque, TX	1984
Northwest Park II	152	Houston, TX	1981	Northlake Apartments	124	Houston, TX	1984
Green Creek	144	Houston, TX	1981	Timberpark	160	The Woodlands, TX	1984
Oaks of Westchase	182	Houston, TX	1981	Northgate Village	264	Houston, TX	1984
Stoney Creek Landing	212	Houston, TX	1982	Creekwood Landing	256	Victoria, TX	1984
Cranbrook Forest	264	Houston, TX	1982	Northborough Trails	194	Houston, TX	1985
Oaklane	222	Huntsville, TX	1982	Green Tree Apartments	137	Houston, TX	1985
The Highlands	62	Houston, TX	1983	Ridgecrest	300	Ft. Worth, TX	1985
The Oaks	264	Houston, TX	1983	Enclave at Bear Creek	308	Ft. Worth, TX	1985
Northpark Apartments	144	Houston, TX	1983	Green Oaks	272	Houston, TX	1985
Cedar Bay	120	Houston, TX	1983	Mt. Vernon Apartments	384	Mt. Vernon, TX	1985
Bent Tree II	252	Houston, TX	1983	Creekside	296	Dallas, TX	1985
South Green	268	Houston, TX	1983	Clarewood Apartments	142	San Marcos, TX	1986
London Park	254	Houston, TX	1983	Cove at Lynn Lake	225	Raleigh, NC	1987
Willowbrook	260	Houston, TX	1983	Plantation at Northwoods Club	128	Houston, TX	1987
Hartford Park	324	Raleigh, NC	1983	Hartford Hills	398	Raleigh, NC	1987
Enclave at Cypress Park	384	Houston, TX	1983	Brentridge Apartments	327	Nashville, TN	1987
St. James	10	Austin, TX	1983	Highland Green	171	Houston, TX	1987
Stoney Creek II	212	Houston, TX	1983	Guion Road	324	Indianapolis, IN	1987
The Chancellor	224	Houston, TX	1983	Belmont Apartments	300	Fredricksburg, VA	1987
Streamside Place	200	Houston, TX	1983	Lincoln Park Center	236	Kettering, OH	1988

Completed Projects



<u>Project</u>	<u>Units</u>	<u>Location</u>	<u>Year</u>	<u>Project</u>	<u>Units</u>	<u>Location</u>	<u>Year</u>
Oaks of Eagle Creek I	312	Indianapolis, IN	1988	Timbermill Apartments	216	The Woodlands, TX	1992
Park Forest	151	Atlanta, GA	1988	Park @ Cliff Creek	280	Dallas, TX	1994
Skipper Road East	256	Tampa, FL	1988	Park Yellowstone Townhomes	210	Houston, TX	1996
Timber Hollow	368	Prince William, MD	1988	HBU Campus Housing	76	Houston, TX	1996
Sherwood Crossing	636	Baltimore, MD	1988	New Hope Housing-Phase III	40	Houston, TX	1997
Henderson Place	264	Columbia, MD	1988	Westlake Residential Apts.	256	Pearland, TX	1997
Falls at Bells Ferry I	208	Atlanta, GA	1989	Plum Creek Townhomes	152	Houston, TX	1997
Falls at Bells Ferry II & III	512	Atlanta, GA	1989	Schreiner College Housing	101	Kerrville, TX	1998
Rolling Brook	352	Houston, TX	1989	Houston Baptist University Ph II	24	Houston, TX	1998
Sugar Mill Creek	212	Tampa, FL	1989	Post Oak Park II	142	Houston, TX	1999
Beacon Ridge	144	Nashville, TN	1989	Parkwood Village Apts.	360	Webster, TX	2000
Live Oak Plantations I	400	Tampa, FL	1989	Park at Clear Creek	76	Hempstead, TX	2001
Hamilton Park	316	Blue Ash, OH	1989	Georgetown Place Apts.	176	Georgetown, TX	2001
Oaks of Eagle Creek II	320	Indianapolis, IN	1990	Villas at Costa Brava	250	San Antonio, TX	2001
Providence Place I	228	Atlanta, GA	1990	Villas at Willow Springs	220	San Marcos, TX	2001
Plantation at Baymeadows	400	Orlando, FL	1990	Timber Ridge I	192	Houston, TX	2002
Union Station	346	Wilmington, DE	1990	Windsor Gardens	192	South Houston, TX	2003
Asbury Commons	204	Atlanta, GA	1990	Woodway Village	160	Austin, TX	2003
Rivergate	316	Dallas, TX	1990	Woodway Square	240	Austin, TX	2004
Live Oak Plantations II	400	Tampa, FL	1990	Timber Ridge II	124	Houston, TX	2004
Bristol Bay	256	Sarasota, FL	1990	Tranquility Bay Apartments	246	Pearland, TX	2005
The Summit	362	Raleigh, NC	1990	Tranquility Bay Phase II	28	Pearland, TX	2005
Parkway Village	288	Webster, TX	1990	Providence Place Apartments	174	Katy, TX	2006
Ashton Meadow	178	Columbia MD	1991	Quail Ridge Apartments	76	Hempstead, TX	2006
Providence Place II	216	Atlanta, GA	1991	Providence Place II Apartments	78	Katy, TX	2007
Live Oak Plantations III	98	Tampa, FL	1991	Falls at Copper Lake Apts.	374	Houston, TX	2008
Sterling Place	300	Columbus, OH	1991	The Grand Parkway	250	Katy, TX	2009
Ashton Woods	202	Columbia, MD	1991	Glenwood Trails Apartments	114	Deer Park, TX	2010
Waterloo Place	196	Baltimore, MD	1991	Campanile on Eldridge	144	Houston, TX	2011
Palm Lake	304	Bradenton, FL	1992	Palms at Cinco Ranch	200	Richmond, TX	2011
Regents Square Apartments	242	Atlanta, GA	1992	Purgatory Creek Apartments	266	San Marcos, TX	2011
Sabal Walk Apartments	164	Orlando, FL	1992	Providence Town Square	188	Deer Park, TX	2012
Forest View Apartments	256	The Woodlands, TX	1992	Town Square North	76	Deer Park, TX	2012

Completed Projects



<u>Project</u>	<u>Units</u>	<u>Location</u>	<u>Year</u>
Brazos Senior Villas	80	Rosenberg, TX	2012
Two Rivers Apartments	179	Georgetown, TX	2012
Independence Village	80	Port Lavaca, TX	2013
Campanile on Justice Park	144	Houston, TX	2013
Valencia Place	246	Houston, TX	2014
Faudree Ranch	300	Odessa, TX	2014
Grand Fountains	198	Richmond, TX	2015
Katy Ranch Crossing	318	Katy, TX	2015
Creekside Park	150	New Braunfels, TX	2015
Campanile at Jones Creek	78	Richmond, TX	2015
Grand Mason	229	Richmond, TX	2016
The Heritage	80	Montgomery, TX	2016
Plantation Park	238	Lake Jackson, TX	2016
Belle Towers	76	Brenham, TX	2016
Baywood Village II	192	Pasadena, TX	2016
Meadows at Cypress Creek	170	Cypress, TX	2016
Glenwood Trails II Apartments	114	Deer Park, TX	2016
The Brittmoore Apartments	150	Houston, TX	2017
Providence Kuykendahl Ct.	170	Conroe, TX	2017
Altura Heights	124	Houston, TX	2017
Cypressbrook Temple	200	Temple, TX	2017
TOTAL UNITS	33,413		

Montgomery City Council
AGENDA REPORT

Meeting Date: January 23 2018	Budgeted Amount:
Department:	
Prepared By: Jack Yates City Administrator	Exhibits:
Date Prepared: January 19, 2018	

Subject

This is required under state law that the Council designate property of value that is in excess of the city's need as "Surplus Property".

Description

The property being considered as surplus is:

- Frigidaire electric stove serial number VF70533061 - \$75. value
- Frigidaire gas stove serial number VF 41042525 - \$75 value

Recommendation

Approve the above listed items as Surplus Property with no minimum value before selling, but to legally advertise for sealed bids.

Approved By

City Administrator

Jack Yates

Date: January 19, 2018

Montgomery City Council
AGENDA REPORT

Meeting Date: January 23 2018	Budgeted Amount:
Department:	
Prepared By: Jack Yates City Administrator	Exhibits: Escrow Agreement with Madsen and Richards, LLC.
Date Prepared: January 18, 2018	

Subject

This is an Escrow Agreement by Madsen and Richards LLC for 610 Liberty St.

Description

The escrow is in the amount of \$3000 for a minor development happening at 610 Liberty St.

Recommendation

Approve the Escrow Agreement as presented.

Approved By

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

ESCROW AGREEMENT
BY AND BETWEEN
THE CITY OF MONTGOMERY, TEXAS,
AND
Madsen & Richards, LLC
Dev. No. 1803

THE STATE OF TEXAS ⤵

COUNTY OF MONTGOMERY ⤵

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

RECITALS

WHEREAS, the Developer desires to acquire and develop all or part of a 0.28 acre tract of land situated in the John Corner Survey, Abstract No. 8, Montgomery County, Texas, sometimes referred to as the 610 Liberty Street 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 610 Liberty Street 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. Allen Madsen
Madsen & Richards. LLC
[Address] 23660 Spring Branch Trail
[City, State, Zip Code] Montgomery, TX 77316

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

Madsen & Richards, LLC
Developer

By: Donald Celer
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.

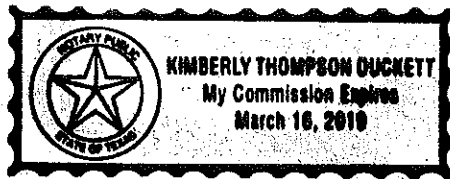
GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the _____ day of _____, 2018.

Notary Public, State of Texas

THE STATE OF TEXAS {
COUNTY OF Montgomery {

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared, Donald Allen Madsen, President of Madsen Richards Dev, a LLC, 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 11 day of Jan, 2018.



Kimberly Duckett
Notary Public, State of Texas

Prohibition on Boycotting Israel Verification

This Verification is hereby incorporated into the terms of the contract by and between
 [Owner] and [Contractor] entered into this the _____ day of _____,
2018. *ALLEN MADSEN MADSEN RICHARDS DEVELOPMENTS LLC.*

1. MADSEN/RICHARDS DEVELOPMENTS LLC
 [Contractor] , 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]

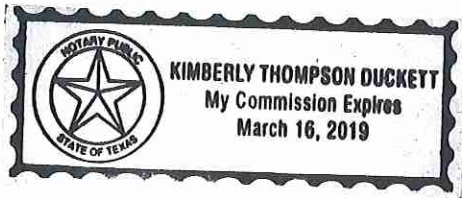
Donald Ann Mcd
Contractor

State of Texas
County of Montgomery

Before me, a notary public, on this day personally appeared Donald Madsen 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)

Kimberly Duckett
Notary Public's Signature



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

Donald Ann Mcd
Owner

Montgomery City Council
AGENDA REPORT

Meeting Date: January 23 2018	Budgeted Amount:
Department:	
Prepared By: Jack Yates City Administrator	Exhibits: Escrow Agreement with BW Montgomery Investment LLC
Date Prepared: January 18, 2018	

Subject

This is an Escrow Agreement by Montgomery Investment LLC for 20210 Eva.

Description

The escrow is in the amount of \$3000 for a minor development happening on the northwest corner of Gardner Drive and State Highway 105, north across the street from McCoy's Lumber.

Recommendation

Approve the Escrow Agreement as presented.

Approved By

City Administrator

Jack Yates

Date: January 18, 2018



BAKER MONROE
— PLLC —

1300 S. University Drive, Suite 318
Fort Worth Texas 76107

Stephanie Lada
D 817.632.6310
F 817.900.8585
E slada@bamolaw.com

November 9, 2017

VIA LONE STAR OVERNIGHT
Z4279278

Mr. Jack Yates, City Administrator
City of Montgomery
101 Old Plantersville Road
Montgomery, Texas 77356

Re: BW Montgomery Investment, LLC
City of Montgomery Escrow Account

Dear Mr. Yates:

Enclosed please find the Escrow Agreement between the City of Montgomery, Texas and MW Montgomery Investment, LLC, with the developer's original signature

Please call with any questions.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Stephanie Lada', written in a cursive style.

Stephanie Lada
Paralegal

ESCROW AGREEMENT

BY AND BETWEEN

THE CITY OF MONTGOMERY, TEXAS,

AND

BW Montgomery Investment, LLC

THE STATE OF TEXAS ⊃

COUNTY OF MONTGOMERY ⊃

This Escrow Agreement, is made and entered into as of the 9th day November, 2017 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 BW Montgomery Investment, LLC, a Texas limited liability company, (hereinafter called the "Developer").

RECITALS

WHEREAS, the Developer desires to acquire and develop all or part of a tract of land located in Restricted Reserve "H1", Amended Plat of Buffalo Springs Shopping Center, Phase 2, a Commercial Subdivision of 18.48 acres in the John Corner Survey, A-8, Montgomery County, Texas sometimes referred to as the BlueWave Express Car Wash 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 during the preliminary and final platting phase and for construction management 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 BlueWave Express Car Wash 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: BW Montgomery Investment, Ltd
c/o J. Cody Acuff, Esq.
1300 S. University, Suite 318
Fort Worth, Texas 76107

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

BW Montgomery Investment, LLC
Developer

By:  _____
Signature

Title: J. Cody Acuff - attorney-in-fact

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 _____, 2017.

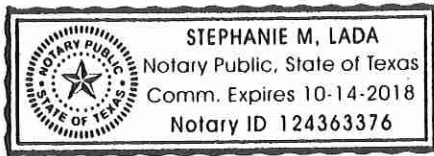
Notary Public, State of Texas

THE STATE OF TEXAS {

COUNTY OF Tarrant {

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared J. Cody Acuff, attorney-in-fact of BW Montgomery Investments, LLC, a Texas limited liability company, 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 9th day of Nov., 2017.



Stephanie M. Lada
Notary Public, State of Texas

EXHIBIT "A"

PROPOSED WATER METER EASEMENT
METES AND BOUNDS DESCRIPTION
0.01 ACRES (300 SQ. FT.)
JOHN CORNER SURVEY, A-8
MONTGOMERY COUNTY, TEXAS

BEING 0.01 acres (300 square feet) of land, out of a portion of Restricted Reserve "H1" Amended Plat of Buffalo Springs, Shopping Center, Phase II, a subdivision recorded under Cabinet Z, Sheet 4804-4805 in the Map Records of Montgomery County, Texas, located in the John Corner Survey, Abstract 8, Montgomery County, Texas, said 0.01 acre tract of land being more particularly described by metes and bounds as follows:

COMMENCING at a 5/8-inch iron rod with cap, found in the north Right-of-Way (R.O.W.) line of State Highway 105 (public R.O.W. varies), marking the southeast corner of said Restricted Reserve "H1" and the northwest corner of the intersection of State Highway 105 and Gardner Drive, (80 foot Public ROW);

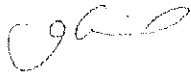
THENCE North 07°54'30" East, along and with the common line of said Restricted Reserves "H1" and the west right of way line of Gardner Drive a distance of 26.00 feet to a point for the southeast corner and POINT OF BEGINNING of the herein described tract;

THENCE North 82°05'30" West, over and across said Restricted Reserve "H1", a distance of 20.00 feet to the southwest of the herein described tract;

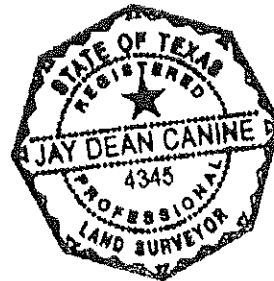
THENCE North 07°54'30" East, a distance of 15.00 feet to a point for the northwest corner of the herein described tract;

THENCE South 82°05'30" East, a distance of 20.00 feet to a point for the northeast corner of the herein described tract;

THENCE South 07°54'30" West, a distance of 15.00 feet to the POINT OF BEGINNING, containing a computed 0.01 acres (300 square feet) of land.



Jay Dean Canine, RPLS #4345
Town and Country Surveyors
- A Landpoint Company
2219 Sawdust Road, Suite 2003
The Woodlands, TX 77380
www.landpoint.net
(281) 465-8730
TBPLS Firm No. 10194172
Job No. 17-1758



Prohibition on Boycotting Israel Verification

This Verification is hereby incorporated into the terms of the contract by and between _____ and BW Montgomery Invst entered into this the 9 day of Nov, 2017.

1. BW Montgomery Invst, 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

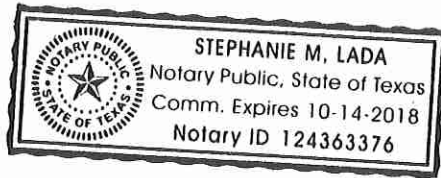
State of Texas
County of Tarrant

Before me, a notary public, on this day personally appeared J. Cody Acuff, 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.
BW Montgomery Investment, LLC
Montgomery, TX United States

Certificate Number:
2017-266991

Date Filed:
09/29/2017

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, Texas

Date Acknowledged:
12/11/17

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.

092817 - Escrow Account
Carwash

20210 Eva Street, Montgomery, Tx 77356

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

5 Check only if there is NO Interested Party.

6 AFFIDAVIT

I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.

[Handwritten Signature]

Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said See attached, this the 9 day of Oct., 2017, to certify which, witness my hand and seal of office.

California Jurat

Signature of officer administering oath Printed name of officer administering oath Title of officer administering oath

CALIFORNIA JURAT WITH AFFIANT STATEMENT

GOVERNMENT CODE § 8202

- See Attached Document (Notary to cross out lines 1-6 below)
- See Statement Below (Lines 1-6 to be completed only by document signer[s], *not* Notary)

1 _____

2 _____

3 _____

4 _____

5 _____

6 _____

[Handwritten Signature]

 Signature of Document Signer No. 1

 Signature of Document Signer No. 2 (if any)

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
 County of San Francisco

Subscribed and sworn to (or affirmed) before me
 on this 9th day of October, 2017,
 by _____, _____, _____
 Date Month Year
 (1) Bruce Poland

(and (2) _____),
 Name(s) of Signer(s)



proved to me on the basis of satisfactory evidence
 to be the person(s) who appeared before me.

Signature [Handwritten Signature]
 Signature of Notary Public

Seal
 Place Notary Seal Above

OPTIONAL

Though this section is optional, completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: Form 1295 Document Date: Oct. 9, 2017
 Number of Pages: _____ Signer(s) Other Than Named Above: _____

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**

Certificate Number:
 2017-266991

Date Filed:
 09/29/2017

Date Acknowledged:
 12/11/2017

1 Name of business entity filing form, and the city, state and country of the business entity's place of business.

BW Montgomery Investment, LLC
 Montgomery, TX United States

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, Texas

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.

092817 - Escrow Account
 Carwash

4	Name of Interested Party	City, State, Country (place of business)	Nature of interest (check applicable)	
			Controlling	Intermediary

5 Check only if there is NO Interested Party.

6 AFFIDAVIT I swear, or affirm, under penalty of perjury, that the above disclosure is true and correct.

 Signature of authorized agent of contracting business entity

AFFIX NOTARY STAMP / SEAL ABOVE

Sworn to and subscribed before me, by the said _____, this the _____ day of _____, 20_____, to certify which, witness my hand and seal of office.

 Signature of officer administering oath Printed name of officer administering oath Title of officer administering oath

Montgomery City Council
AGENDA REPORT

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

Subject

This is a required Resolution from the CDBG grant for the Baja Road in MLK Road project—it designates who can sign documents regarding the grant.

Description

You have, in the past designated the City Administrator as the applicable person to sign on items regarding the grant. The Council retains control over the contracts involved.

Recommendation

Approve the Resolution as presented.

Approved By

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

RESOLUTION AUTHORIZING SIGNATORIES

A RESOLUTION BY THE DESIGNATING AUTHORIZED SIGNATORIES FOR CONTRACTUAL DOCUMENTS AND DOCUMENTS FOR REQUESTING FUNDS PERTAINING TO THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (TXCDBG) CONTRACT NUMBER 7217320.

WHEREAS, the City of Montgomery has received a 2017 Texas Community Development Block Grant award to provide Water and Flood and Drainage Improvements; and

WHEREAS, it is necessary to appoint persons to execute contractual documents and documents requesting funds from the Texas Department of Agriculture, and;

WHEREAS, an original signed copy of the TxCDBG Depository/Authorized Signatories Designation Form (Form A202) is to be submitted with a copy of this Resolution, and;

WHEREAS, the City of Montgomery acknowledges that in the event that an authorized signatory of the City changes (elections, illness, resignations, etc.) the City must provide TxCDBG with the following:

- a resolution stating who the new authorized signatory is (not required if this original resolution names only the title and not the name of the signatory); and
- a revised TxCDBG *Depository/ Authorized Signatories Designation Form (Form A202)*.

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

The City Administrator be authorized to execute contractual documents between the Texas Department of Agriculture and the City for the 2017 Texas Community Development Block Grant Program

The City Administrator and City Secretary be authorized to execute the *State of Texas Purchase Voucher* and *Request for Payment Form* documents required for requesting funds approved in the 2017 Texas Community Development Block Grant Program

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS,
on _____, 2018.

APPROVED:

Mayor

ATTEST:

City Secretary

EXHIBIT A

PERFORMANCE STATEMENT

CITY OF MONTGOMERY

All activities funded with TxCDBG funds must meet one of the CDBG program's National Objectives: benefit low- and moderate-income (LMI) persons, aid in the prevention or elimination of slums or blight, or meet community development needs having a particular urgency.

Contractor shall carry out the following activities in the target area identified in the Application. The Contractor shall ensure that the amount of funds expended for each activity described does not exceed the amount specified for such activity in the Budget.

CURRENT NEED

The City of Montgomery has undersized and deteriorated water lines. In addition it has areas prone to flooding, resulting in a threat to public health.

The Contractor certifies that the activity (ies) carried out under this contract will meet the National Objective of benefitting LMI persons with at least 51% of the beneficiaries qualifying as LMI.

ACTIVITIES

Water Improvements Contractor shall replace undersized and deteriorated water lines to increase pressure and remove a potential threat to public safety. Contractor shall replace two thousand three hundred eighty-five linear feet (2,385 l.f.) of eight-inch (8") and six-inch (6") water line including service reconnections and all associated appurtenances. Construction shall take place in the following locations:

STREET	FROM	TO
Baja Street	Martin Luther King, Jr. Drive	Dead end of street
Martin Luther King, Jr. Drive	McGinnis Lane	500 l.f. east of Baja Street

These activities shall benefit seventy-six (76) persons, of which sixty-two (62) or eighty-two percent (82%) are of low- to moderate-income.

Flood and Drainage Improvements Contractor shall replace deteriorated drainage to remove a potential threat to public safety. Contractor shall replace one hundred sixty linear feet (160 l.f.) of culvert, including eight hundred linear feet (800 l.f.) of ditch regrading and restoration and all related appurtenances. Construction shall take place in the following location:

STREET	FROM	TO
Baja Street	Martin Luther King, Jr. Drive	Dead end of street

These activities shall benefit fourteen (14) persons, of which fourteen (14) or one hundred percent (100%) are of low- to moderate-income.

Engineering

Contractor shall ensure that the amount of Department funds expended for all eligible project-related engineering services, including preliminary and final design plans and specifications, all interim and final inspections, and all special services does not exceed the amount specified for engineering in the Budget.

EXHIBIT B

BUDGET

CITY OF MONTGOMERY

<u>Project Activities</u>	<u>Contract Funds</u>	<u>Other Funds</u>	<u>Total Funds</u>
03J_W Water Improvements - Total	\$226,010	\$0	\$226,010
Water Improvements-Construction	\$196,010	\$0	\$196,010
Water Improvements-Engineering	\$30,000	\$0	\$30,000
03I Flood and Drainage Improvements - Total	\$90,740	\$17,500	\$108,240
Flood and Drainage Improvements-Construction	\$76,900	\$17,500 ¹	\$94,400
Flood and Drainage Improvements-Engineering	\$13,840	\$0	\$13,840
21A General Program Administration - Total	\$33,250	\$0	\$33,250
TOTALS	\$350,000	\$17,500	\$367,500

Source of Other Funds:

1 – City of Montgomery, Utility Fund

Montgomery City Council
AGENDA REPORT

Meeting Date: January 23 2018	Budgeted Amount:
Department:	
Prepared By: Jack Yates City Administrator	Exhibits: MEDC 2017 Report
Date Prepared: January 19, 2018	

Subject

This is a Report that's called for in the Missions and Goals Statement of the MEDC

Description

MEDC Board member Randy Moravec will present the Report.
Please feel free to comment on the information or format of the report. Such as what information you would like to see in the report and what the frequency of the report should be.
This report is for the entirety of the year of 2017, but the intention is to give you one of these reports every three months unless you want a different time such as every six months.

Recommendation

Listen to the report then make any comments you think appropriate.

Approved By

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



Montgomery Economic Development Corporation
2017 Year in Review

DEVELOPMENTS

	Kroger Center	McCoy's Building Supply	Pizza Shack	T-Mobile Strip Center	Longview Greens Miniature Golfing	Care Now Strip Center	Heritage Place II
Status	Open to public August 2017	Open to public October 2017	Under Construction, Est Open Date Feb 2018	Ready for Tenants	Open to public May 2017	Open to public October 2017	Under Construction, Est Open Date February 2018
++Employment	Kroger:64 FT + 137 PT (42 transferred from Conroe store-the rest local) Stoney's: 1 FT + 3 PT(local) Sports Clips: 6 FT + 2 PT (all local except 1 mgmt) Malibu: 7 FT (regional) Great Clips: 6 FT + PT (regional)	5 FT Salaried 20 FT Hourly 14 PT 77316 = 5 77356 = 15	5 current FT+ 13 NEW FT, 8 current PT+ 6 NEW PT	T-Mobile: 4 FT+ 1 PT Nail Salon: TBD 2018 Space 3: TBD	2 FT 4 PT		Houston Methodist Primary Care Group: TBD The Woodlands Dermatology: TBD
**Value of Buildings/Contents	\$7 M Source: MCAD + Permit filings	\$5 M Source: MCAD + Permit filings	\$710 K Source: MCAD only	\$193K Source: MCAD only	\$146K Source: MCAD only	\$1.26 M Source: MCAD + Permit filings	\$890K Source: MCAD only
MEDC Participation	<ul style="list-style-type: none"> 100% Sales Tax rebate per 380 agreement with developer Texas Capital Fund Grant for Water and Sewer Line Extensions down Hwy 105 \$750K 	<ul style="list-style-type: none"> Upgrade of Sewer Line to 12" \$100K 	<ul style="list-style-type: none"> Texas Capital Fund Grant for Water and Sewer Line Extensions down Hwy 105 \$325K Extend Water and Sewer Lines to Stewart Creek Rd. \$75K Signage \$9520 		<ul style="list-style-type: none"> Water and Sewer Line Tap Fees \$15K 		<ul style="list-style-type: none"> Road improvements to Houston Street \$9K YTD
Notes	<ul style="list-style-type: none"> Section 1 of Shopping center to host 24K sq ft of inline store front space, with 5 currently leased Center to accommodate 7 pad sites, with 3 currently under development: <ul style="list-style-type: none"> ✓ Spirit of Texas Bank ✓ Burger King ✓ Blue Wave Car Wash 		<ul style="list-style-type: none"> Both locations to be closed the last week of January to transition for grand opening at new location by first week of February. 	<ul style="list-style-type: none"> Space 3 not yet under contract. Developer looking to bring in national chain 			

** More accurate accounting of building and contents will be available in 2018 MCAD appraisals

++Totals jobs:

128 FT

167 PT



DIRECTOR / ADMINISTRATOR ACTIVITIES

- 50 RFP's received, 11 qualified responses submitted, 2 inquiries for follow up info
 - ✓ Typical proposal includes key criteria identified for site selection, utilities proposal as required, detailed site plan, Montgomery Area demographics, maps of the area/region
- Director / Developer Meetings: 15 Commercial—land use, zoning, traffic counts, gap analysis, hotel development, acquisition of turn lane ROW
- City Administrator / Developer Meetings: 45 total, 29 Commercial + 16 Residential
- Lake Conroe Area Real Estate Brokers – Keller Williams – February 21, 2017 *Keynote*
- Lake Conroe Summit Economic Development Conference – March 31, 2017 *Organizer*
- Community Development Institute Year 2 – July 16-21, 2017 *Participant*
- Real Estate Brokers Annual Lake Conroe Presentation – July, 27, 2017 *Keynote*
- Edward Jones Economic Development Presentation – August 24, 2017 *Keynote*

MEDC ACTIVITIES + ACTUAL EXPENSES

- Additional Parking on North wall of Old Community Center on Clepper St. **\$12K**
- Paving for Cozy Grape Parking Lot **\$38K**
- Removal of Blight – Removed 2 dilapidated structures **\$10,791**

FUTURE CONSTRUCTION CONTEMPLATED

- Burger King (Opening January 2018)
- CVS Pharmacy (beginning construction)
- Blue Wave Car Wash
- Completion of T-Mobile Strip Center Leasing
- Lone Star Bend Street Construction
- 4 additional in-line retail spaces leased in Kroger Center
- Dentist office in Care Now Strip Center

PERMITS ISSUED + VALUE

- Residential: **294** issued Total Value: **\$9.6M**
- Commercial: **159** issued Total Value: **\$19.4M**

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

CITY ADMINISTRATOR REPORT – January, 2018

- Met with Planning Commission at one meeting. Prepared information regarding flashing electronic sign ordinance revision.
- Met, took minutes, of two MEDC meetings.
- Attended one Fernland Board meeting.
- Attended Montgomery Area Chamber of Commerce Board of Director's meeting..
- Attended one Montgomery County Leadership Class activity regarding infrastructure in the County.
- Met with city engineers and city attorney several times regarding; plats, system management, upcoming projects, bridge improvements, developments throughout the city, TxDOT 149 planning, FEMA, CDBG grants, LDC billing issues, General Land Office grant possibility, Facilities tour and billing for Escrow Accounts.
- Met with several developers during the month regarding; Heritage Plaza Medical Center, Villas of Mia Lago, Kenrock property west of Pizza Shack, Waterstone, Shoppes of Montgomery, and other development possibilities meetings, Jacobs/Rose parking area and Soccer Club.
- 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 implementing a new Municipal Court staff. Budget line item review,



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

Re: Wp3 bp1 replacement quote

1 message

To: Council
From: JACK YATES
Re: Emergency Expenditure

Fri, Jan 19, 2018 at 8:35 AM

Yates, Jack <jyates@ci.montgomery.tx.us>
To: Mike Muckleroy <mmuckleroy@ci.montgomery.tx.us>

★ The expenditure is approved.
Jack

On Thu, Jan 18, 2018 at 8:58 PM, Mike Muckleroy <mmuckleroy@ci.montgomery.tx.us> wrote:

Jack,

★ { Water plant 3 has a booster pump that went down and needs replaced. The pump is obsolete and will cost as much to repair as it will to replace. It is over the \$5000 mark but I consider this an emergency repair. This is our main well and water supply for the City. It has 3 booster pumps that alternate every time they are activated. We are currently running on 2 so if another were to go down we would be in a serious situation with only one pump running 24 hours a day. I recommend that you authorize this expense as an emergency repair to get it back online as soon as possible.

Mike Muckleroy, CWP
City of Montgomery
Director of Public Works
Main: 936-597-6434
Cell: 936-521-5294
Fax: 936-597-6437
mmuckleroy@ci.montgomery.tx.us

Booster Pump Replacement
Well # 3
Expense \$5,900.

On Jan 17, 2018, at 2:29 PM, Yates, Jack <jyates@ci.montgomery.tx.us> wrote:

★ { Mike, could you give me a brief synopsis of why this is an emergency purchase.
Jack

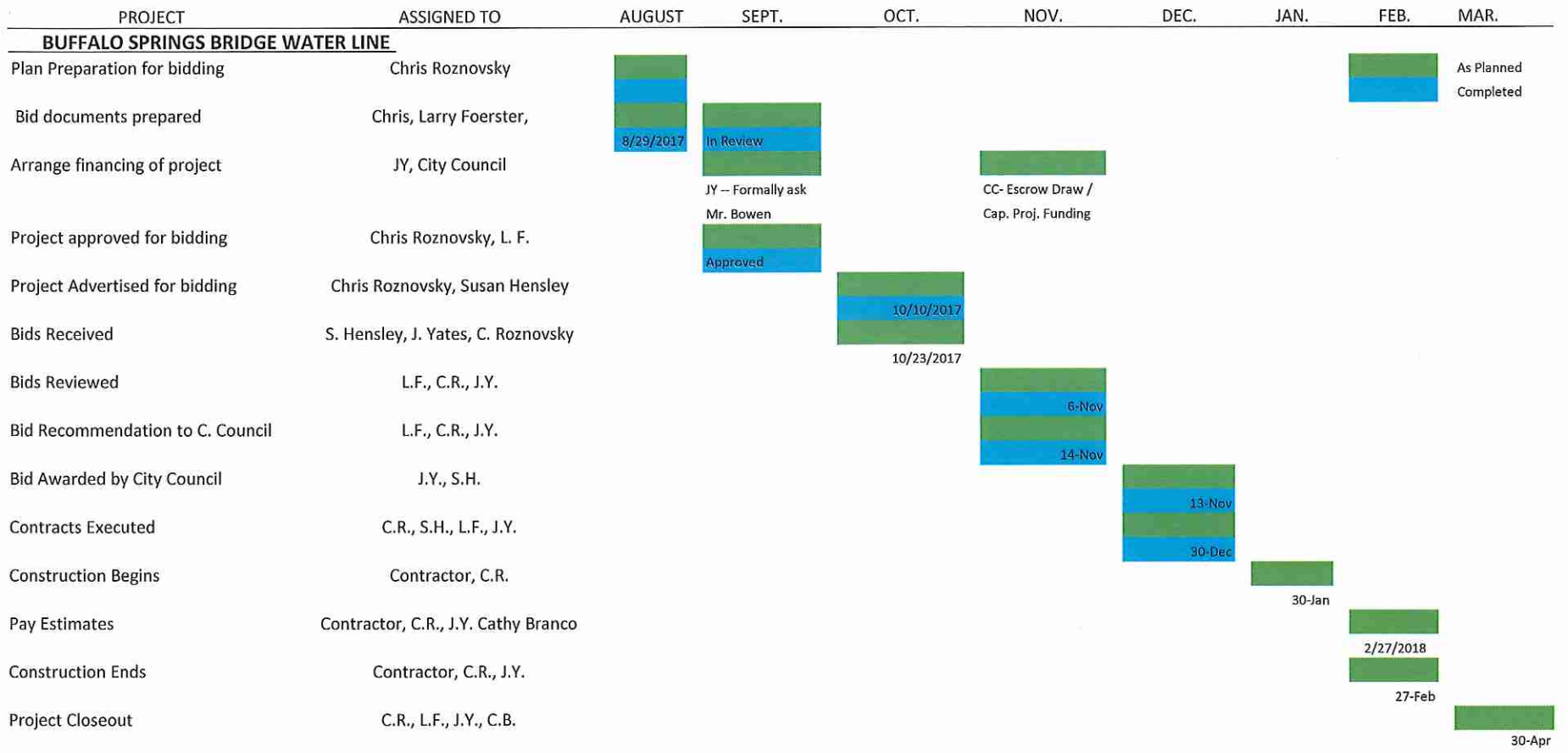
On Wed, Jan 17, 2018 at 2:10 PM, Mike Muckleroy <mmuckleroy@ci.montgomery.tx.us> wrote:

Mike Muckleroy, CWP
City of Montgomery
Director of Public Works
Main: 936-597-6434
Cell: 936-521-5294
Fax: 936-597-6437
mmuckleroy@ci.montgomery.tx.us

Begin forwarded message:

From: Michael Williams <michaelw@gulfutility.net>
Date: January 13, 2018 at 3:23:50 PM CST
To: Mike Muckleroy <mmuckleroy@ci.montgomery.tx.us>
Subject: Wp3 bp1 replacement quote

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Public Works

December 2017 Monthly Report

- Heavy trash weekend had low turnout due to rain
- Planted wax myrtles around border of Cozy Grape parking lot and constructed mulch bed around large tree along Liberty St.
- Located and replaced stuck manhole lid for televising project
- Installed smoke detectors at City Hall
- Winterized all facilities for hard freeze
- Replaced damaged stop sign and post at Lone Star Pkwy and Mia Lago
- Striped area for loading zone at Cozy Grape parking lot
- Repaired sinkhole on sewer line on Eva St. across from Lift Station 5
- Continued with hydrant tagging project
- Ryan Thomas and Francisco Salas passed Wastewater Collections II test and received licenses
- Replaced stop signs at CB Stewart and Buffalo Springs Dr.
- Located source of water accountability issue
- Disinfected City Hall during flu epidemic and replaced all air filters
- Lift Station 4 had dead tree fall on power line causing meter pole to break. Pole was replaced and is operational again.
- Assisted homeowner on Anna Springs with locating leak on irrigation system and turned off backflow preventer for them
- Completed drainage ditch improvements on MLK and McGinnis
- Completed pressure test on College St. for homeowner
- Set culverts @ 809 College St. for new home
- Insulated all blow off valves
- Monthly air filter and light bulb check at City Hall
- Monthly AED inspections
- Monthly check of all irrigation systems
- Monthly door hangers and cutoffs
- Monthly weed control list
- Monthly hydrant reads

- Monthly grease trap inspections
- Weekly conference calls with engineer and utility operator
- Weekly vehicle pre-trip inspections
- Weekly idle meter check list
- Weekly leak notifications from Beacon website
- Daily line locates as necessary
- 5 water taps
- 3 sewer taps
- 4 water leaks
- 1 sewer stop up

Parks and Recreation

- Added to Christmas decorations at Cedar Brake Park
- Christmas in Montgomery setup and cleanup
- Turned off pumps at Memory Park during hard freeze days

The docents at Fernland Park reported a total of 467 visitors for the month and provided 20 tours. Calendar year 2017 totals are: 8277 visitors and 498 visitors.

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

Montgomery Birthplace of the Texas Flag
TEXAS

CITY OF MONTGOMERY POLICE DEPARTMENT



101 OLD PLANTERSVILLE RD
MONTGOMERY, TX 77316
(O): (936) 597-6866

CHIEF

JAMES F. NAPOLITANO

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POLICE DEPARTMENT REPORT

DECEMBER 2017

Arrests / Charges Total Shifts A, B & Chief

Misdemeanor: **38**

Felony: **8**

Traffic Enforcement Total Shifts A, B & Chief

Citations: **216**

Warnings: **200**



CITY OF MONTGOMERY POLICE DEPARTMENT

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POLICE DEPARTMENT REPORT

December 2017

During the month of December 2017 "A" shift officers responded to 205 calls for service and generated 16 reports. The officers filed 7 Misdemeanor and 2 Felony cases with the District Attorney's Office.

Driving While Intoxicated

- 12/04 - Officer Carswell - [20100 Eva St.](#)
- 12/09 - Officer Thompson - [2500 Lone Star Parkway](#)
- 12/10 - Officer Thompson - [18600 Hwy 105 W](#)

Motor Vehicle Accident

- 12/04 - Officer Hernandez - Eva St.@Houston St.
- 12/04 - Officer Hernandez - Fm 1097@Plez Morgan
- 12/09 - Officer Hernandez - [20300 Eva St.](#)
- 12/13 - Officer Hernandez - FM 1097@Liberty St.

Driving While License Invalid

- 12/04 - Officer Thompson - [20600 Eva St.](#)
- 12/18 - Officer Thompson - 300 Flagship Dr.

Forgery

- 12/13 - Officer Hernandez - [20900 Eva St.](#)

CITY OF MONTGOMERY POLICE DEPARTMENT



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JAMES F. NAPOLITANO

Narcotics

12/15 - Officer Thompson - [21100 Eva St.](#)

12/20 - Officer Thompson - [21000 Eva St.](#)

12/28 - Officer Thompson - [21400 Eva St.](#)

Criminal Trespass

12/19 - Officer Hernandez - 14600 Liberty St.

Lost Property

12/19 - Lt. Belmares - [20100 Eva St.](#)

Unlawful Carry of a Weapon

12/19 - Officer Thompson - Hwy 105@Freeport Dr.

Arrests

Felony - 2

Misdemeanor - 7

Traffic

Lt. Belmares - 1 Warnings, 11 Calls for Service

G. Hernandez - 29 Warnings/32 Citations/38 Violations, 92 Calls for Service

C. Carswell - 33 Warnings/103 Citations/118 Violations, 38 Calls for Service

K. Thompson - 6 Warnings/8 Citations/14 Violations, 64 Calls for Service

Training News

Montgomery Birthplace of the Texas Flag
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Lt. Belmares attended the Sex Offender Registration Annual Conference in Galveston
Dec. 11 - 14.



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CHIEF

JAMES F. NAPOLITANO

POLICE DEPARTMENT REPORT

December 2017

SHIFT B

During the month of December, The Montgomery Police Department B Shift Patrol Officers (Lt. Rosario, Officer Aguirre, Officer Bracht, and Officer Riley) generated 52 reports, responded to 109 calls for service, and 148 self-initiated incidents outside of traffic stops. The reports are as follows:

Narcotics

- 12/2 Riley – 100 Plez Morgan
- 12/3 Aguirre – [22490 HWY 105 W](#)
- 12/7 Aguirre – 300 Flagship BLVD
- 12/11 Aguirre – [1800 Lone Star PKWY](#)
- 12/11 Riley – [21200 Eva ST](#)
- 12/12 Riley – [21100 FM 1097](#)
- 12/12 Aguirre – 15400 Liberty ST
- 12/12 Riley – [21101 Eva ST](#)
- 12/16 Riley – 14700 Liberty ST
- 12/17 Riley – 850 Community Center DR
- 12/20 Riley – [19900 Eva ST](#)
- 12/21 Aguirre – 15030 Liberty ST



CITY OF MONTGOMERY POLICE DEPARTMENT

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CHIEF

JAMES F. NAPOLITANO

- 12/22 Aguirre – [21101 Eva ST](#)
- 12/26 Riley – 600 DR MLK JR DR
- 12/27 Aguirre – 131 Lone Star PKWY
- 12/29 Riley – [22800 Eva ST](#)
- 12/31 Riley – [21600 Eva ST](#)
- No DL / FMFR / Towed Vehicle**
- 12/15 Riley – [1850 Lone Star PKWY](#)
- 12/16 Rosario – [21100 Eva ST](#)
- 12/17 Rosario – 14600 Liberty ST
- 12/30 Riley – [15100 Highway 105 W](#)

Warrant Arrest

- 12/3 Riley – [20400 Eva ST](#)
- 12/4 Aguirre – [20200 Eva ST](#)
- 12/30 Riley – [22400 FM 1097](#)

MVA

- 12/1 Bracht – [22500 FM 2854](#)
- 12/15 Riley – [1950 Lone Star PKWY](#)
- 12/17 Riley – [21600 Eva ST](#)
- 12/29 Aguirre – [20100 Eva ST](#)

CITY OF MONTGOMERY POLICE DEPARTMENT



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CHIEF

JAMES F. NAPOLITANO

Theft / Forgery/Burglary

12/11 Bracht – 735 Clepper ST

12/7 Bracht – 118 Dudley ST

DWI

12/31 Riley – 14075 Liberty ST

Assault/Disturbance

12/6 Bracht – [20168 Eva ST](#)

Other

12/12 Bracht – 152 Waterstone (Information)

12/20 Bracht – [22870 Highway 105 W](#) (Credit Card Abuse)

Arrests / Charges:

Misdemeanor Charges - 21

Felony Charges - 6

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TEXAS

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CHIEF

JAMES F. NAPOLITANO

Traffic Enforcement

Citations Issued - 71

Warnings Issued - 127

Rosario – 5 Citations 16 Warnings

Aguirre – 30 Citations 20 Warnings

Bracht – 7 Citations 15 Warnings

Riley – 29 Citations 76 Warnings

Call Type Report

MONTGOMERY POLICE DEPARTMENT

From: 01/01/2017

To: 12/31/2017

Call Type Description	Number of Calls
911 HANG-UP	21
ABANDONED VEHICLE	4
ALARM	211
ALARM PANIC	10
ALARM/ HOLD UP/ BANK	1
ANIMAL CALL	24
ANIMAL CRUELTY	7
ASSAULT IN PROGRESS	2
ASSAULT PAST	10
ASSIST DPS	5
ASSIST MCHD	3
ASSIST MCSO	29
ASSIST MONTGOMERY FIRE	2
ASSIST MONTGOMERY PD	18
ASSIST OTHER AGENCY	30
ASSIST PERSON/AGENCY	14
ASSIST THE OFFICER	10
ATTEMPTED SUICIDE	1
ATTEMPTED SUICIDE WEAPON	1
BE ON THE LOOKOUT	59
BUILDING CHECK	16
BURGLARY OF MOTOR VEHICLE	4
BURGLARY PAST	4
CHILD DISCIPLINE	2
CIVIL SERVICE	16
CREDIT CARD ABUSE PAST	1
CRIMINAL MISCHIEF IN PROGRESS	2

Call Type Report

MONTGOMERY POLICE DEPARTMENT

From: 01/01/2017

To: 12/31/2017

Call Type Description	Number of Calls
CRIMINAL MISCHIEF PAST	11
DEAD PERSON	2
DISTURBANCE IN PROGRESS	66
DISTURBANCE NOISE	9
DISTURBANCE PAST	13
DISTURBANCE VEHICLE	5
DRIVING WHILE INTOXICATED	4
EMERGENCY MESSAGE	3
ESCORT	17
FAMILY VIOLENCE IN PROGRESS	10
FAMILY VIOLENCE PAST	3
FIRE CALL	26
FORGERY	1
FOUND PROPERTY	3
FRAUD	18
HARASSMENT	5
ILLEGAL DUMPING PAST	3
INFORMATION CALL	152
INVESTIGATION	13
LOST PERSON	3
MEDICAL CALL	102
MISCELLANEOUS CALL	40
MVA - FATALITY	2
MVA - INJURY	28
MVA - NO INJURY	56
MVA - UNKNOWN	61
NARCOTICS	6

Call Type Report

MONTGOMERY POLICE DEPARTMENT

From: 01/01/2017

To: 12/31/2017

Call Type Description	Number of Calls
OPEN DOOR	5
PARKING VIOLATION	3
PUBLIC INTOXICATION	1
ROBBERY IN PROGRESS	2
SELECT	1
SEX OFFENDER COMPLIANCE CHECK	4
SEXUAL ASSAULT PAST	2
SHOTS FIRED IN AREA	4
SUICIDE IN PROGRESS	2
SUSPICIOUS PACKAGE	2
SUSPICIOUS PERSON	37
SUSPICIOUS VEHICLE	44
THEFT IN PROGRESS	2
THEFT OF A MOTOR VEHICLE	1
THEFT PAST	18
THREAT	4
TRAFFIC CONTROL	40
TRAFFIC HAZARD	47
TRAFFIC STOP	6
TRANSPORT PERSON	1
TRESPASSER IN PROGRESS	12
TRESPASSER PAST	4
WARRANT SERVICE	8
WELFARE CHECK	140

w/warning

Racial Profile Report

MONTGOMERY POLICE DEPARTMENT

01/01/2017 to 12/31/2017

Number of motor vehicle stops:

1. 5,173 citation only
2. 0 arrest only
3. 5 both

4. 5,178 Total

Race or Ethnicity:

5. 588 African
6. 69 Asian
7. 3,812 Caucasian
8. 685 Hispanic
9. 19 Middle Eastern
10. 5 Native American

11. 5,178 Total

Race or Ethnicity known prior to stop?

12. 7 Yes
13. 5,171 No

14. 5,178 Total

Search conducted:

15. 214 Yes
16. 4,964 No

17. 5,178 Total

Was search consented?

18. 107 Yes
19. 107 No
20. 214 Total Must equal #15

Racial Profile Report

MONTGOMERY POLICE DEPARTMENT

01/01/2017 to 12/31/2017

Number of motor vehicle stops:

1. 2,653 citation only
2. 0 arrest only
3. 5 both

4. 2,658 **Total**

Race or Ethnicity:

5. 298 African
6. 30 Asian
7. 1,884 Caucasian
8. 430 Hispanic
9. 13 Middle Eastern
10. 3 Native American

11. 2,658 **Total**

Race or Ethnicity known prior to stop?

12. 1 Yes
13. 2,657 No

14. 2,658 **Total**

Search conducted:

15. 144 Yes
16. 2,514 No

17. 2,658 **Total**

Was search consented?

18. 71 Yes
19. 73 No
20. 144 **Total Must equal #15**

Offense	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov.	Dec.	Total
INTERFER W/PUBLIC DUTIES	0	0	0	1	1	0	0	0	0	1	0	0	3
MAN DEL CS PG 1>=4G<200G	0	0	0	0	0	1	0	1	0	0	0	0	2
MAN DEL SELL/POSS CONTROLLED SUBSTANCE	0	0	0	0	0	0	0	1	0	0	0	0	1
POSS CS NOT IN PG	0	0	1	0	1	0	0	0	0	0	0	0	2
POSS CS PG 1 <1G	1	2	0	0	2	0	1	2	0	2	1	3	14
POSS CS PG 1 >=1G<4G	0	0	0	0	3	0	0	0	0	1	0	0	4
POSS CS PG 1 >=200G<400G	0	0	0	0	0	0	0	0	1	0	0	0	1
POSS CS PG 1>=4G<200G	0	0	1	0	0	0	0	0	0	0	0	0	1
POSS CS PG 2 <1G ANALOGUE	0	0	0	1	0	0	0	0	0	1	1	1	4
POSS CS PG 2 >=4G<400G	0	0	0	0	0	0	0	0	1	0	0	1	2
POSS CS PG 2 <1G	0	0	0	0	1	0	1	2	0	0	1	1	6
POSS CS PG 3 <28G	0	0	0	0	1	0	0	0	2	1	0	2	6
POSS CS PG 4 <28G	0	0	1	0	0	0	0	0	0	0	0	0	1
POSS CS PG 4 >=28G<200G	1	0	0	0	0	0	0	0	0	0	0	0	1
POSS DANGEROUS DRUG	0	0	0	0	3	2	0	0	0	1	0	2	8
POSS MARIJ <2OZ	0	0	0	0	0	0	0	0	0	0	0	0	0
POSS MARIJ >2OZ<=4OZ	5	2	5	3	5	8	4	7	5	6	11	8	69
POSS MARIJ >4OZ<=5LBS	0	0	0	0	0	1	0	1	0	0	0	0	1
POSSESSION OF NARCOTIC PARAPHERNALIA	0	1	1	0	0	1	1	1	0	2	0	0	7
POSSESSION OF A CONTROLLED SUBSTANCE, PENALTY GROUP 2A < 2 OZ	0	0	1	0	0	0	0	0	0	0	0	0	1
PROH SUBSTANCE/ITEM IN CORR/CIV COM FACILITY	0	0	0	1	1	0	0	0	0	0	0	0	2
PROH WEAPON KNUCKLES	0	0	0	0	0	0	0	0	0	0	1	0	1
PUBLIC INTOXICATION	0	1	0	0	0	0	0	1	0	1	1	1	5
RECKLESS DRIVING	0	0	0	0	0	0	2	0	0	0	0	0	2
RESIST ARREST SEARCH OR TRANSPORT	0	0	1	0	1	1	0	0	0	1	0	0	4
TAMPER FABRICATE PHYS EVID/FAILS REP HUMAN REMAINS	0	0	0	0	0	0	0	0	1	0	0	0	1
TAMPER FABRICATE PHYSICAL EVID W/INTENT TO IMPAIR	0	0	0	0	0	0	0	1	0	0	0	0	1
TAMPER/FABRICATE PHYS EVID W/INTENT TO IMPAIR	0	0	0	0	0	0	0	0	0	0	0	1	1
UNL CARRY HANDGUN LIC HOLDER	1	0	0	0	0	0	0	0	0	0	2	0	3
UNL CARRYING WEAPON	0	0	0	0	1	0	0	0	1	1	0	0	3
UNL RESTRAINT EXPOSE TO SBI	1	0	0	0	0	0	0	0	0	0	0	0	1
UNL USE OF CRIMINAL INSTRUMENT	0	0	0	0	0	0	0	0	0	0	1	0	1
VIOL BOND/PROTECTIVE ORDER	0	0	0	0	0	0	0	0	1	0	0	0	1
Total	18	9	17	9	28	25	16	24	26	29	28	29	258

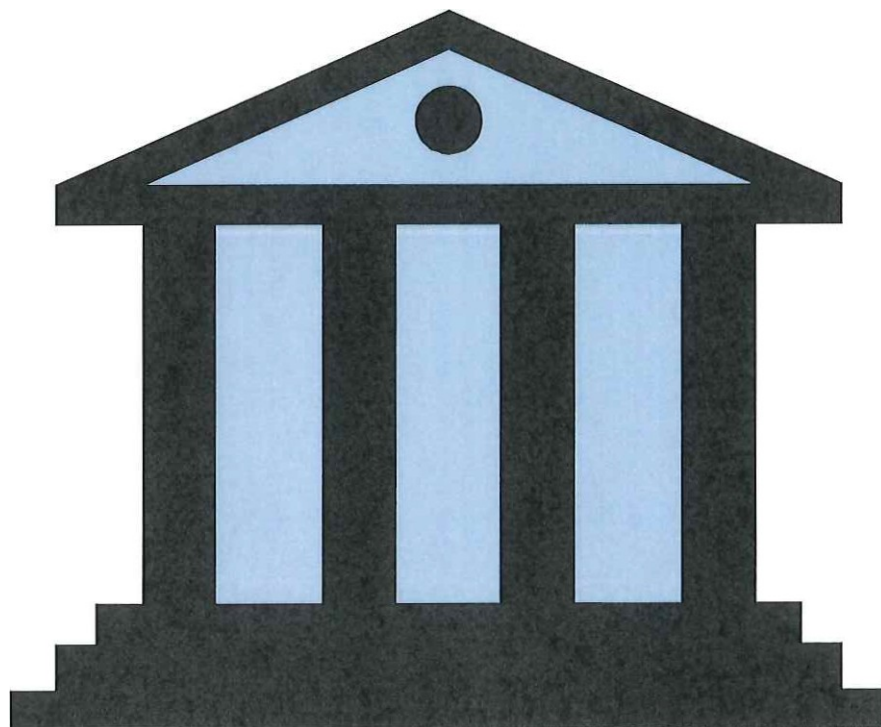
Municipal Court-Monthly Report

December 2017

1/1/2018

Kimberly Duckett

Interim Court Administrator



TO: City Council and Finance Department
 FROM: Municipal Court
 RE: Monthly Court Fines and Costs Collected
 and Number of Cases Filed
 Report for the Month of December 2017

Court Collections	CURRENT
<i>FINES OTHER THAN TRAFFIC (FINES)</i>	\$ 3,291.40
<i>TRAFFIC FINES (TF and FI)</i>	\$ 10,390.85

Dedicated Funds

Building Security (\$3.00) (MCSB)	\$ 538.63
Court Technology (\$4.00) (CTF)	\$ 718.19
Child Safety Fund (\$25.00 & \$20.00) (CS & CS2)	\$ 21.33
Judicial Efficiency (\$2.50) (TP-L-C)	\$ 54.14
Judicial Efficiency (\$0.60) (JFCI) (Judicial Support Fee)	\$ 105.30

Non-Dedicated Funds (General Fund)

Traffic Fund Costs (\$3.00) (TFC)	\$ 386.30
Arrest Fees (\$5.00) (AR)	\$ 853.24
Warrant Fees (\$50.00) (WRNTFE)	\$ 1,643.48
Summons Fees \$35.00 (SF)	
Administrative Fees (\$10.00) (DSC) (Driving Safety Course Fee)	\$ 670.00
Administrative Fees (\$20.00 & \$10.00) (AF & AF2) (Dismissal Fees)	\$ 130.00
Special Expense Fees (different amounts) (ADMIN) (Held in Bond)	\$ 954.80
Local Jury Fee \$3.00 (LJF)	
Local Omni Fee (\$4.00) (TLFTA3)	\$ 137.97
Moving Violation Fee (\$0.01) (CJFC)	\$ 1.33
OverPayment (OP)	
Time Payment Fee (\$10.00) (TP-L)	\$ 216.30
Service Fees (for handling court costs for state)	\$

STATE COURT COSTS

Consolidated Court Costs (\$40.00) (CCC04)	\$ 7,021.62
State Traffic Fee (\$30.00) (STF)	\$ 3,862.98
State Juror Reimbursement Fee (\$4.00) (SJF)	\$ 694.19
Judicial Support Fee (\$5.40) (JFCT2 & JFCT)	\$ 945.91
Indigent Defense Fee (\$2.00) (JDF)	\$ 349.08
Moving Violation Fee (\$0.09) (CJFS)	\$ 12.03
Child Psgn Safety Seat Sys. Fee (\$0.15)(CSS)	
Time Payment Fee (\$12.50) (TP-S)	\$ 270.38
OmniBase FTA (\$20.00) (TLFTAI)	\$ 689.84
Fees Assessed between 1997 & 2004 (FA, CCC, CMI, CVC, JV, JCPT2)	

Truancy Prevention Fund (\$2.00) (TPF 2014)	\$	320.67
	\$	
Child Safety Seat Fines (half to state)		
(Paid at end of city fiscal year)		
VENDOR PAYMENTS		
OrnniBase (DPS FTA Program Vendor) (\$6.00) (TLFTA2)	\$	206.94
Collection Agency (30% of amount past due) (COLAGY)	\$	2 769.96
	\$	
NonCash Transactions Uail credit & coInnmunity service)		
Cash Appearance Bonds Collected		
Cash Bonds Applied to Fines (<u>both appearance /deD</u>)		
Cash Bonds Refunded		
Overage Collected		
Adjustn1ents		
TOTAL	\$	37,256.86
Number of Citations		217
Number of Violations		264

Total Revenue Collected

	2015	2016	2017
JAN	\$44,544.59	\$44,702.82	\$41,830.44
FEB	\$56,555.03	\$67,466.54	\$67,937.61
MAR	\$63,838.40	\$86,201.43	\$62,992.57
APRIL	\$56,577.20	\$59,388.14	\$47,163.40
MAY	\$48,760.60	\$50,854.90	\$47,225.90
JUNE	\$67,656.40	\$41,238.67	\$37,817.25
JULY	\$64,193.80	\$42,990.97	\$43,405.62
AUG	\$47,484.40	\$52,923.17	\$31,540.77
SEPT	\$61,912.50	\$44,256.40	\$24,281.60
OCT	\$63,688.50	\$44,138.80	\$37,395.63
NOV	\$51,170.47	\$55,221.23	\$35,410.95
DEC	\$53,315.66	\$42,698.95	\$41,335.06
TOTALS	\$679,697.55	\$632,082.02	\$518,336.80

UTILITY REPORTS – DECEMBER 2017

TOTAL REVENUE

Utilities	\$ 104,540.85
Permits	\$8,624.00
Community Building	\$795.00

UTILITIES

New Water Accts.	15
Disconnected Water Accts.	6
Total Number of Active Accts.	627

PERMITS

Type	Permit Total	Revenue
Building - Residential	4	\$4,751.50
Building - Commercial	1	\$60.00

Photography	2	\$500.00
Golf Cart	0	\$0
Irrigation	2	\$188.00
Electrical	7	\$1,130.00
Mechanical	4	\$422.00
Plumbing	8	\$1,372.50
Sign	4	\$200.00
Total:	32	\$8,624.00

COMMUNITY BUILDING – JULY

Type of Rental	Number of Bookings	Revenue
Profit	3	\$450.00
Non - Profit	0	\$0.00

CITY ACCOUNT CONSUMPTION

	October	November	December
Community Building – Irrigation (01-8732-00)	19	21	14
Community Building (01-0130-00)	1	2	1
City Cemetery (01-1110-00)	0	0	0
City Welcome Sign Irrigation at HWY 105 & Prairie – Rose Garden (01-8733-00)	0	1	0
North Liberty Sewer Plant			
Cedar Break Park Irrigation (01-8736-00)	5	5	3
Cedar Break Park Restrooms (01-8735-00)	2	1	2
Fernland (01-8737-00)	6	5	6
Memory Park (01-5885-00)	150	116	50
Community Building Stage Irrigation – Rose Garden (01-6180-00)	0	0	0
City Hall & Irrigation (01-6190-00)	31	36	34
Homecoming Park Restrooms (01-8820-00)	9	1	0
Homecoming Park Drinking Ftn (01-8738-00)	0	0	1
Buffalo Springs Sewer Plant (01-8821-00)	1	2	2



City of Montgomery

Operations Report

December 2017

11/18/17-12/17/17

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

Michael Williams

Vice President of Operations
Gulf Utility Service

SUMMARY OF OPERATIONS

District Alerts

12/11/2017 – Lift Station 5 Pump Failure

Operator found lift pump #2 tripping and tried resetting. The pump was found to be bad and a rental pump was installed.

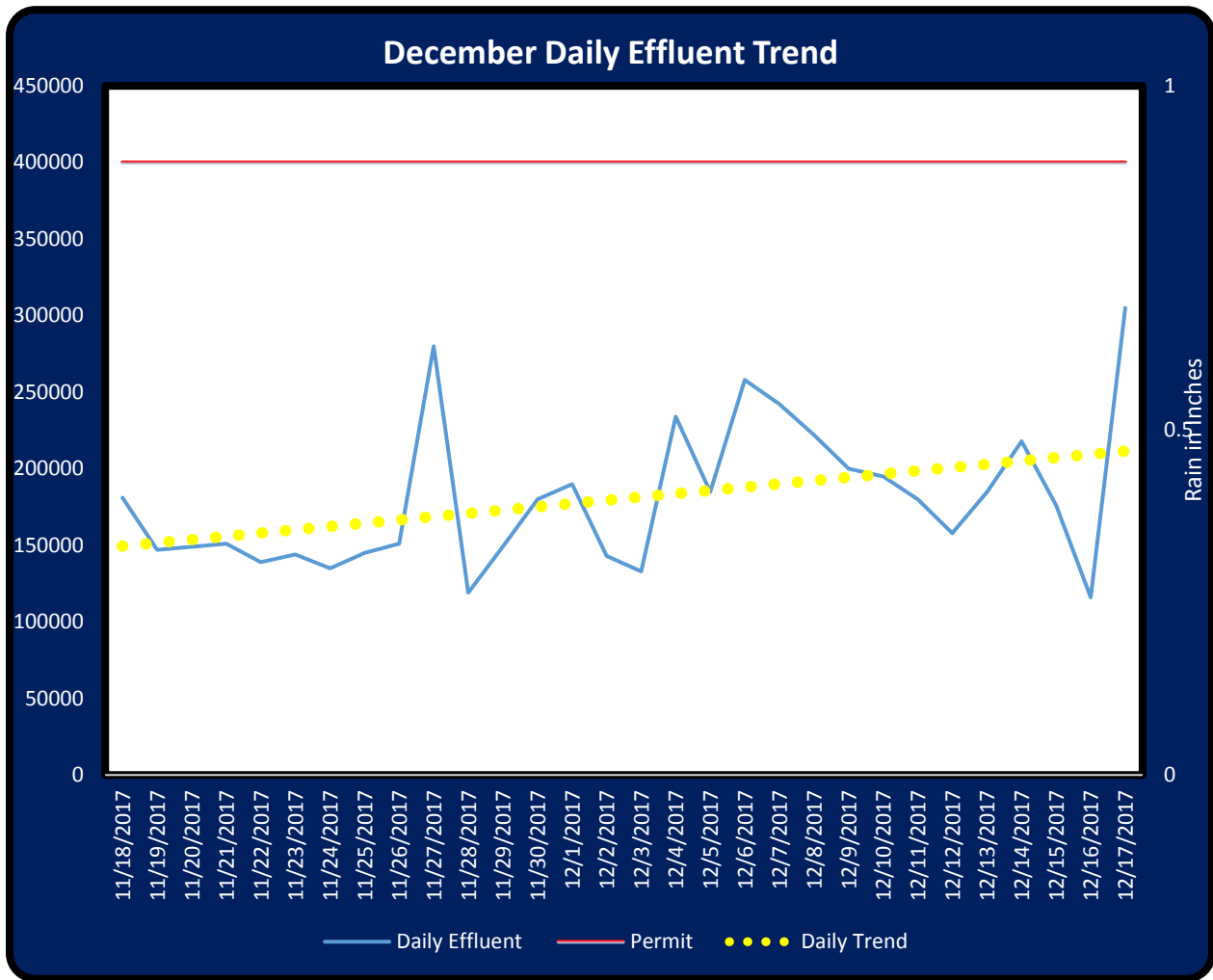
12/12/2017 – Water Plant 3 Well 4 Fail to Prime

Auto dialer call out to well #4 fail to prime. Operator reset panels and tested the well, all systems back to normal.

12/16/2017 – Lift Station 2 High Wet Well

Arrived on site to find high level alarm due to heavy rain in the area. All pumps were pumping, operator monitored wet well until back to normal level.

OPERATIONS DETAIL



- Flow for the month of December was 5,261,000 gallons
- Daily peak flow December 17, 2017 was 305,000 gallons
 - 76% of permitted value
- Average Daily Flow 170,000 gallons
 - 42% of permitted value

The current permit expires 06/01/2022

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

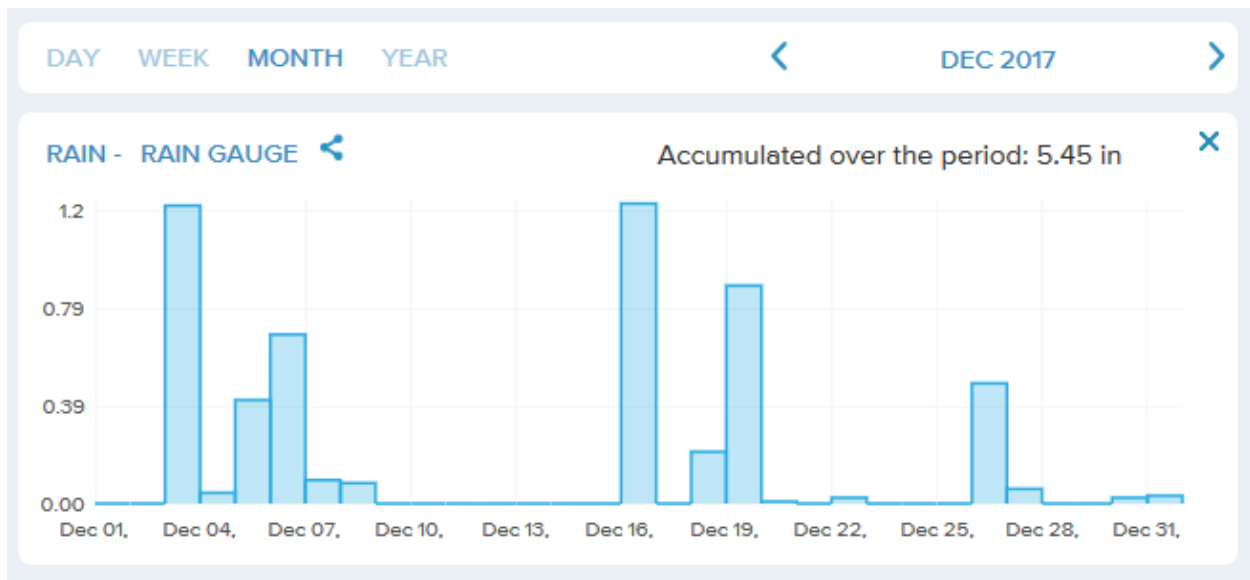
Effluent

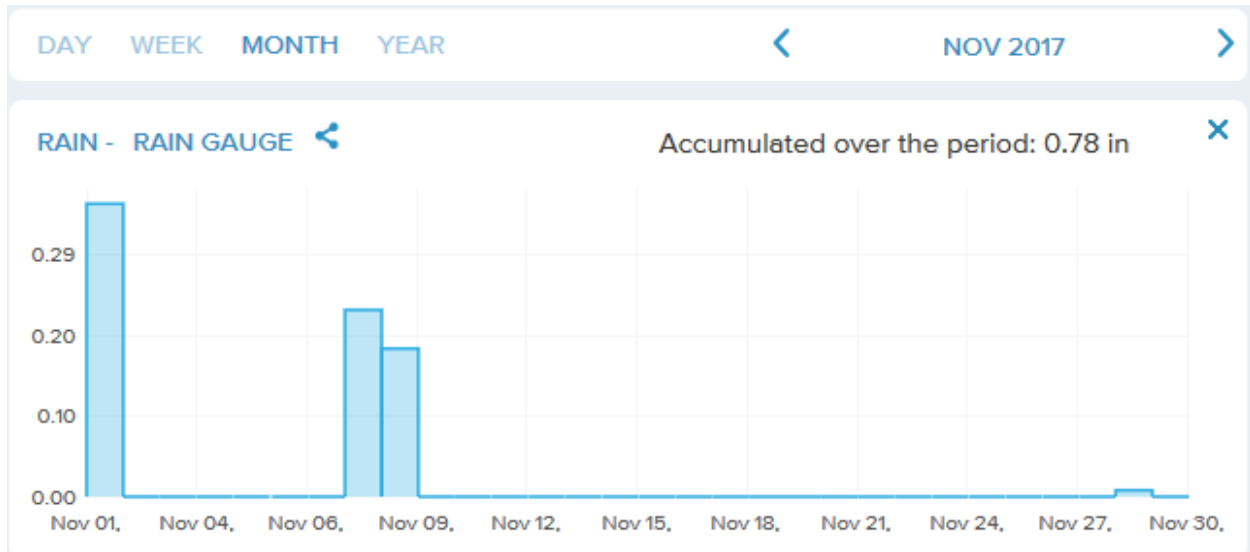
TSS, DO, E.Coli, NH3N, PH sample results were all comfortable within the parameters set by the State of Texas.

Buffalo Springs WWTP Effluent Monitoring Report

Effluent Permitted Values	Parameter		Measured	Excursion
Average Monthly T.S.S.	15	MGD	8.0	no
Average Monthly NH3	2	mg/l	.10	no
Minimal CL2 Residual	1	mg/l	1.04	no
Max CL2 Residual	4	mg/l	3.83	no
Rainfall for the Month	⚡ 5.45		inches	

There were no excursions for the month of





Water Report

11/18/2017-12/17/2017

2017							
Well Name	Recorded Flow	% of Total	Rating G/Day	YTD Pumpage	YTD %	Permitted Value	Remaining Permit %
Well 2	1.769	22.25%	0.864	18.282	17.21%	47.551	2.86%
Well 3	0.299	3.76%	0.864	27.910	26.28%	47.551	2.86%
Well 4	5.883	73.99%	2.160	60.017	56.51%	75.100	20.08%
Total	7.951	100.00%	3.888	106.209	100%	122.651	
Flushing	0.109						
Subtotal	7.841						
Sold	6.136						
% Accounted	79%						

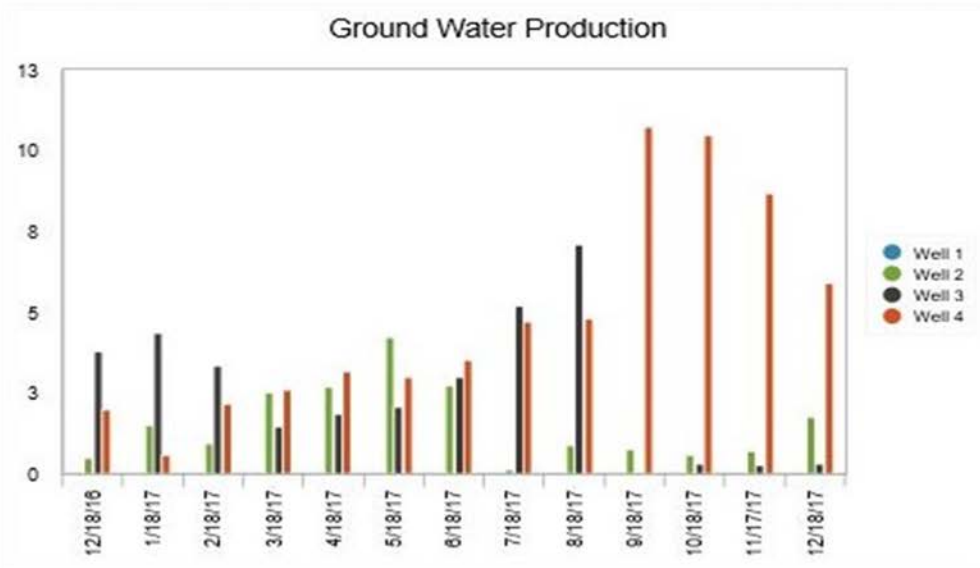
Accountability	
Total Water Sourced	7.951
Flushing	0.110
Subtotal	7.853
Sold	6.136
Accountability %	79%

Well Motor Run Times

Well Name	Total Hrs	% Total	Peak Day
2	56.5	42.20%	11/27/2017
3	7.6	5.68%	12/13/2017
4	69.8	52.13%	12/1/2017
Total	133.9	100%	

WATER PRODUCTION

CONNECTIONS	
School	12
Commercial Inside	134
Commercial Outside	1
Residential Inside	515
Residential Outside	25
Church	14
City	14
Hydrant	8
Multifamily	11
Total	734

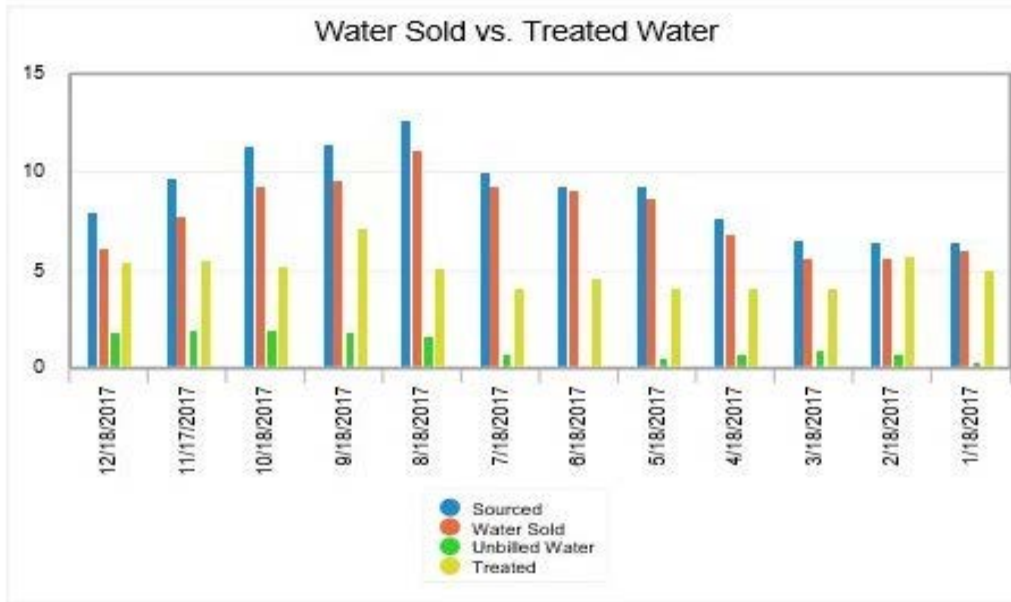


DATE ▼	TOTAL	WELL 1	WELL 2	WELL 3	WELL 4
AVG	8.688	0.000	0.791	2.598	5.300
12/18/17	7.951	0.000	1.769	0.299	5.883
11/17/17	9.688	0.000	0.718	0.283	8.687
10/18/17	11.337	0.000	0.581	0.297	10.459
9/18/17	11.463	0.000	0.729	0.001	10.733
8/18/17	12.718	0.000	0.861	7.080	4.777
7/18/17	10.036	0.000	0.124	5.213	4.699
6/18/17	9.228	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
2/18/17	6.418	0.000	0.916	3.340	2.162
1/18/17	6.407	0.000	1.476	4.341	0.590
12/18/16	6.228	0.000	0.486	3.769	1.973
TOTAL	304.095	0.000	27.691	90.916	185.488

Gulf Utility Services Operations Report
December 31, 2017



DATE ▼	TOTAL SOURCED	WATER SOLD	UNBILLED WATER	FLUSHING/LEAKS	UNACCOUNTED	ACCTBLTY
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	10.038	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	7.686	6.910	0.776	0.467	0.309	96%
3/18/17	6.571	5.626	0.945	0.910	0.035	99%
2/18/17	6.418	5.626	0.792	0.421	0.371	94%
1/18/17	6.407	6.064	0.343	0.160	0.183	97%
12/18/16	6.228	5.653	0.575	0.433	0.142	98%



DATE ▼	SOURCED	WATER SOLD	UNBILLED WATER	TREATED WATER	RETURN %	RAIN
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	10.038	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	9.288	8.721	0.565	4.058	47%	6.240
4/18/17	7.886	6.910	0.776	4.115	60%	4.780
3/18/17	6.571	5.626	0.945	4.022	71%	1.420
2/18/17	6.418	5.626	0.792	5.736	102%	3.900
1/18/17	6.407	6.064	0.343	5.04	83%	4.540

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

January 17, 2018

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

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

Dear Mayor and Council:

The following information summarizes our activities on your behalf since the December 12, 2017 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) Joint Mobility Study

We distributed copies of the final Joint Mobility Study at the December 12th meeting of the City Council. A summary of the edits made from the draft report submitted in July 2017 is enclosed with this report. We will present the final Joint Mobility Study to the Planning and Zoning Commission at their January 22nd meeting for approval. We request approval and adoption of the final Joint Mobility Study.

Agenda Item – Presentation of the Final Joint Mobility Study, as prepared by Jones|Carter on behalf of the City of Montgomery and Montgomery County Precinct Nos. 1 and 2.

b) Buffalo Springs Drive Bridge Repair (FEMA)

We issued the contractor a Notice to Proceed on January 4th and held a pre-construction meeting onsite on January 9th. The contractor began demolition of the existing slope paving and damaged asphalt on January 15th. The contract period of performance ends on July 4, 2018.

c) Houston Street Rehabilitation

The contractor has been significantly delayed due to weather. The contractor is currently scheduled to be substantially complete and ready for asphalt placement by January 26th. We have reached out to Montgomery County Precinct No. 1 to coordinate asphalt paving soon after the contractor is substantially complete.

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

The contractor is continuing to address the outstanding information he is requested to provide. We sent a letter to the contractor and his bonding company to advise that he is in default of his contract and inform him of his responsibility to pay for the repairs made to the damaged lift station.

e) Water Distribution System Analysis and Master Plan-CP No. 1, Water Plant No. 2 GST Backfill

As a reminder, this project will be rebid with the Water Plant No. 3 Improvements project.

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

We issued the contractor a Notice to Proceed on January 4th and the 120-day contract period has begun. We held the pre-construction meeting concurrently with the Buffalo Springs Bridge Repair pre-construction meeting on January 9th.

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

As a reminder, this project is included in the TWDB Drinking Water State Revolving Fund (“DWSRF”) loan. We expect to complete the design in January 2018 and receive plan approval in March 2018.

h) Water Distribution System Analysis and Master Plan – CP No. 9 - Water Plant No. 3 Improvements

As a reminder, this project is included in the TWDB DWSRF loan. We expect to complete the design in February 2018 and receive all plan approvals in April 2018. We expect construction to begin in June 2018.

i) Sanitary Sewer System Analysis and Master Plan – CP No. 3b – Lift Station No. 1 Replacement

As a reminder, this project is included in the TWDB Clean Water State Revolving Fund (“CWSRF”) loan. We expect to complete the design by the end of March and receive plan approval by the end of May 2018.

j) Sanitary Sewer System Analysis and Master Plan – CP No. 10 – Lift Station No. 3 Force Main Re-Route

As a reminder, this project is included in TWDB CWSRF loan. We expect to complete the design by the end of the month and receive plan approval in early 2018. We expect construction to begin in April 2018.

k) 18” Gravity Sanitary Sewer Extension

We expect to complete the design in April 2018 and receive all approvals in May 2018. We expect construction to begin in August 2018.

l) Baja Road (CDBG)

We are continuing to coordinate with GrantWorks and the Texas Department of Agriculture to determine the project requirements before design can begin. We are currently awaiting receipt of the grant agreement with the US Department of Housing and Urban Development (HUD).

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

We submitted the selected projects to be included in the grant application to GrantWorks for review. As a reminder, the projects submitted include the remaining estimated portion of the Buffalo Springs Drive Bridge; water, 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 GrantWorks is completing an income survey in the area affected by each project to determine if the residences meet the Low to Moderate Income (LMI) requirements. It is also our understanding funding for these projects will not be available until May 2018 at the earliest.

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

- i. **Westmont Square** – As a reminder, at the August 22, 2017 meeting of the City Council, we were authorized to proceed with preparation of a Utility and Economic Feasibility Study for the Westmont Square property along FM 149. The developer has not deposited funds with the City to begin the study. This study will be completed within 45-60 days of receipt of funding.
- ii. **Ark Machine** – As a reminder, at the August 22, 2017 meeting of the City Council, we were authorized to proceed with preparation of a Utility and Economic Feasibility Study for the Ark Machine Shop located on Plez Morgan Drive. The developer has not deposited funds with the City to begin the study. This study will be completed within 45-60 days of receipt of funding.

b) Plan Reviews

- i. **Living Savior Lutheran Church** – We did not receive revised plans this month.
- ii. **BlueWave Express Car Wash** – We did not receive revised plans this month.
- iii. **Dusty's Car Wash** - We received revised plans on December 21, 2017 and returned plan approval on January 3rd.
- iv. **Burger King** – We received and reviewed revised plans on December 22, 2017. We are prepared to approve the plans upon receipt of a recorded sanitary sewer easement.
- v. **CVS Pharmacy** – We received plans on December 14, 2017 and returned comments to the plans on January 4th.
- vi. **The Shoppes at Montgomery** – We received plans on December 18th for the proposed site improvements and returned comments to the plans on January 12th.

c) Plat Reviews

- i. **The Shoppes at Montgomery Preliminary Plat** – The preliminary plat was conditionally approved by the Planning and Zoning Commission at their September 25th meeting, subject to all comments being addressed and submission of a tree preservation plan. We received a revised submission with all comments addressed on January 17th.
- ii. **The Shoppes at Montgomery Section 1 Final Plat** – We received a revised final plat on January 17th and are prepared to approve the plat, subject to City approval.

Agenda Item – Consideration and possible action regarding approval of The Shoppes at Montgomery Section 1 Final Plat.

- iii. **Samdana Investments** – We received a minor plat on January 8th and returned comments on January 17th.
- iv. **Mitchell Corner Replat** – We did not receive a revised plat this month.

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** – It is our understanding the contractor has substantially completed construction of water and sanitary utilities, and will begin preparing Minero Lane to be paved this week.

e) One-Year Warranty Inspections

- i. **Lake Creek Village, Section 2** – We completed the one-year warranty inspection of the development on October 13, 2017. The contractor is continuing to address final punch list items, and we plan to recommend the release of all warranty and maintenance bonds issued for the project at the February 13th meeting of the City Council.
- ii. **Hills of Town Creek, Section 2** – We completed the one-year warranty inspection of the water and sanitary sewer facilities on January 17th and are preparing a punchlist of repairs to be made prior to final acceptance.
- iii. **Terra Vista, Section 1** – We plan to complete our one-year warranty inspection of the water, sanitary sewer, drainage, and paving facilities on January 30th.
- iv. **Waterstone, Section 2** – We plan to complete our one-year warranty inspection of the water and sanitary sewer facilities on January 30th.

One-Year Warranty Inspections (cont.):

- v. **Lift Station No. 14** – We plan to complete our one-year warranty inspection of the lift station on January 30th.

Meetings and Ongoing Activities:

- a) **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 end of March.
- b) **Lone Star Parkway Transportation Improvement Plan (TIP)** – We plan to meet with the City, H-GAC, and TxDOT in February to discuss the addition of the roadway onto the H-GAC TIP and future acceptance of the road by TxDOT.
- c) **Plez Morgan Drive Repair and Resurfacing** – As a reminder, the project information has been submitted to FEMA for approval for funding.
- e) **TxDOT FM 149 Widening** – We did not hold a regular December meeting due to scheduling conflicts around the holidays. We are coordinating with TxDOT to schedule a meeting and walk through of the downtown area to visit with property owners and hear their individual concerns about the project. 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.
- f) **Terra Vista Aerial Water and Sanitary Sewer Crossing** – We submitted all required documentation to FEMA to begin the review and approval process. We are coordinating with the City Administrator to ensure all procedures are being followed and all required documents are submitted.
- g) **Facility Tour** – The first of two facility tours was held on January 13th for members of City Council, Planning & Zoning Commission, Montgomery EDC, and the Capital Improvements Advisory Committee to see various water and wastewater facilities in the City. The second tour was originally scheduled for January 17th, but was rescheduled due to the weather. We are coordinating with City staff to schedule the second tour.
- h) **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.
- i) **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 replacement of the hydropneumatic tank probe at Water Plant No. 3, coordination with MagnaFlow regarding the FM 149 Cleaning and Televising project, identification and repair of a prolonged leak in the water distribution system, and creation of a standard lift station specification for all future repairs and new construction.

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

Sincerely,

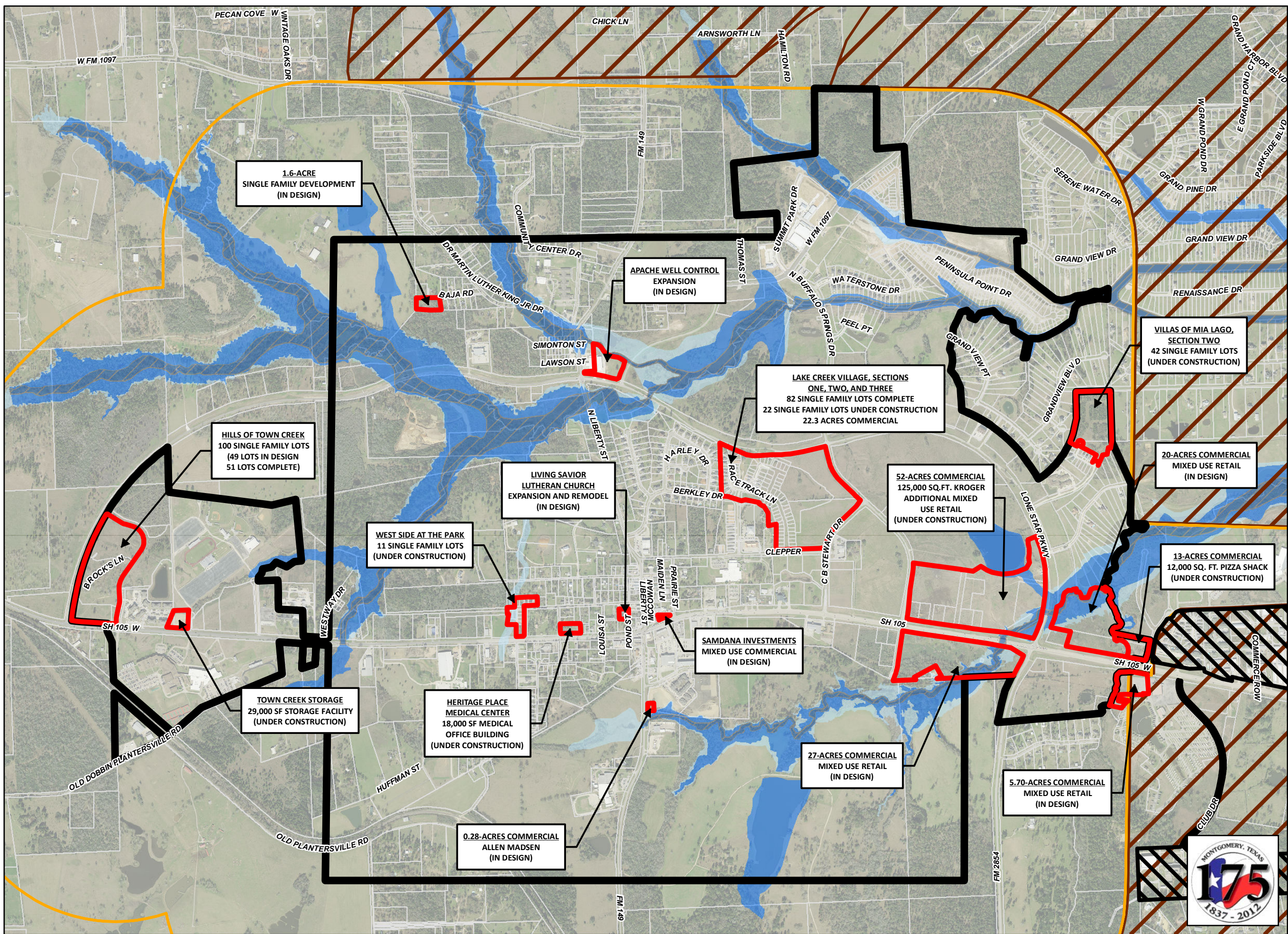


Chris Roznovsky, PE
Engineer for the City

CVR/ehs:kmv

Enclosures: Project Master Schedule
Active Developments Map
Active Capital Projects Map
Mobility Study Cover Letter

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



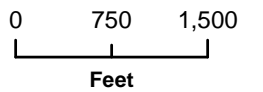
VICINITY MAP

Scale: 1 inch equals 20 miles

LEGEND

- Active Developments
- City Limits
- Stanley Lake MUD
- City ETJ
- City of Conroe ETJ
- City Limits
- Floodway
- 100-year
- 500-year
- MCAD Parcels

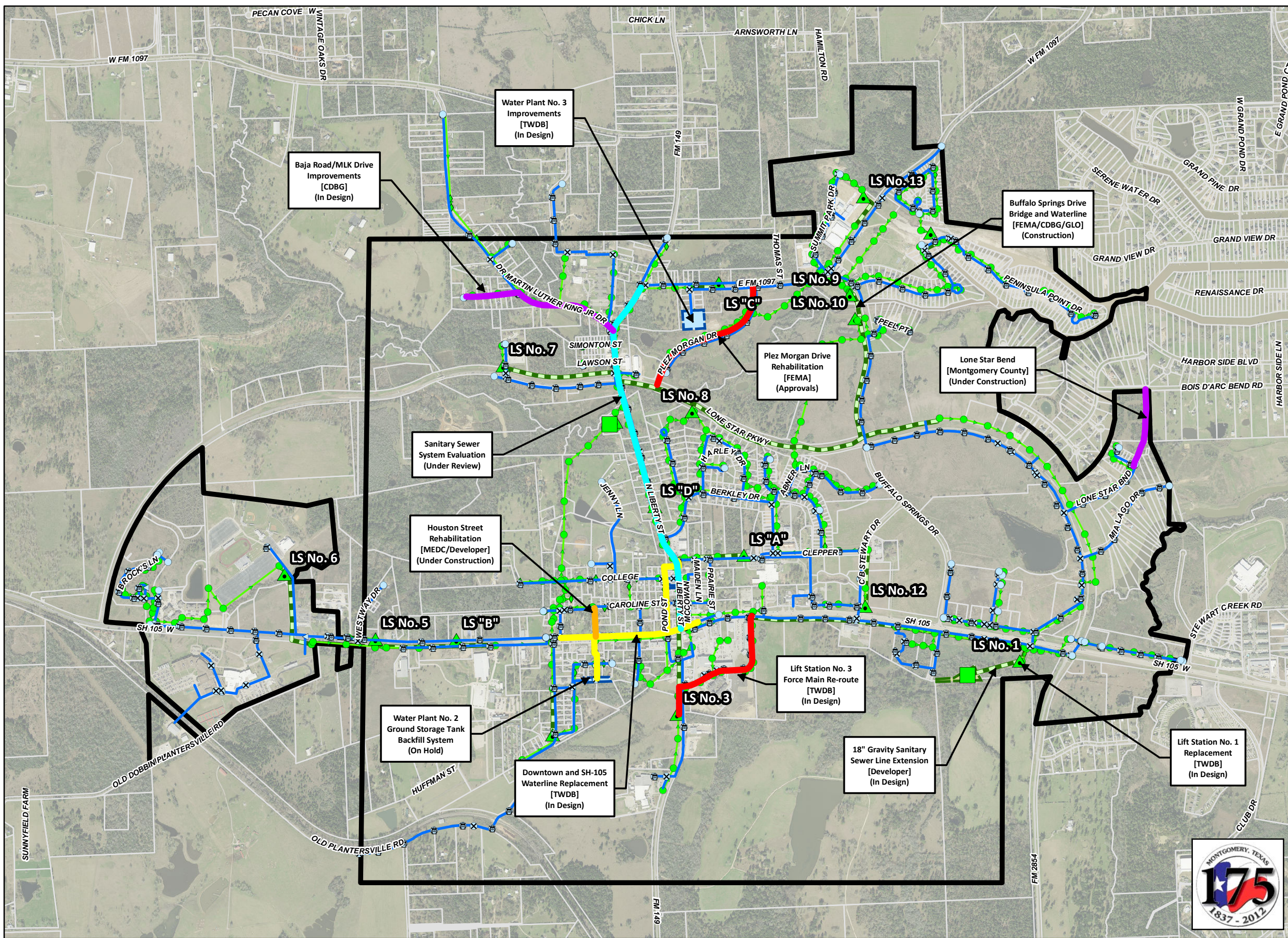
ACTIVE DEVELOPMENTS (JANUARY 2018)



1 inch equals 1,500 feet

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





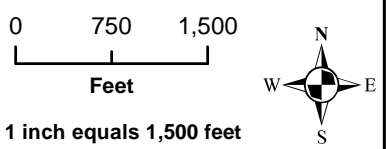
VICINITY MAP

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 (JANUARY 2018)



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



January 10, 2018

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

Re: Mobility Study – Summary of Changes
City of Montgomery

Dear Mayor and Council:

As you are aware, we recently completed the Joint Mobility Study between the City of Montgomery and Montgomery County Precincts No. 1 and 2. A draft study was presented at the July 13, 2017 Joint Workshop between the City Council and the Planning and Zoning Commission, and it was concluded that various minor edits were needed as well as the major changes outlined in this letter.

Since the time of the meeting, we have gathered comments from Montgomery County Precincts No. 1 & 2 and have made all requested changes, including performing an additional traffic count at the intersection of SH-105 and FM 149 during peak school traffic and an analysis of the data from the count. Below is a summary of the major changes to the Mobility Study:

- Page 3 – Updated traffic count data text regarding new traffic count taken
 - An additional turning movement count was collected at SH 105 and FM 149 on Tuesday, October 24, 2017 from 1:00 PM to 5:00 PM to determine if there was a significant peak that occurred due to the various schools in the area. The count was collected when Lone Star Parkway was under construction; therefore, the westbound to northbound and southbound to eastbound turning movements were elevated with the count. The hourly volumes steadily increased each hour from 1:00 to 4:00 indicating that the 5:00-6:00 PM is still the peak hour in the afternoon; therefore, this new count was not utilized in the analysis.
- Pages 5 & 11 – Added new count at FM 149 at SH 105
- Page 13 – Added percent growth rate to figure
- Page 17 – Updated LOS descriptions from table
- Page 18 – Updated recommended improvements, including:
 - FM 2854 at SH 105 – Added northbound right turn lane
 - SH 105 at FM 149 – Removed northbound and southbound right turn lanes
 - Lone Star Parkway at Buffalo Springs – removed eastbound and westbound left turn lanes (already constructed)
- Page 19 – Updated LOS table based on revised recommended improvements
- Page 20 – Updated to note recommended improvements by others
- Page 22-25 – Updated schematics
- Page 28 – Updated construction timeframes



Honorable Mayor and Council

Page 2

January 10, 2018

- Page 31 – 32 – Updated Thoroughfare Plan
 - Added Railroad
 - Revised collector roadways northwest of City
- Page 33 – Updated Recommendations and Improvements
 - Added recommendations
 - Added short and long-range improvements
 - Added estimated costs
- Appendix D – Updated development map
- Appendix J – Updated scheduled projects information

Should you have any questions or need any additional information, please do not hesitate to contact me or Chris Roznovsky, at 281-363-4039.

Sincerely,

A handwritten signature in blue ink, appearing to read 'C. Wright', followed by the printed text 'P.E., P.T.O.E.' in blue ink.

Colby Wright, PE, PTOE
Division Manager, Traffic Engineering

CWW/cvr/dch

K:\W5841\W5841-0024-00 Mobility Plan\2 Design Phase\Reports\Montgomery Mobility Plan Letter 20180110.docx

cc: 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
City of Montgomery Planning & Zoning Commission

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

	<u>CHECKING ACCT BALANCES</u>	<u>PRIOR MONTH END INVESTMENTS</u>	<u>TOTAL FUNDS AVAILABLE</u>
GENERAL FUNDS			
OPERATING FUND #1017375	\$ 350,746.30		\$ 350,746.30
TEMP GRANT FUNDS - Home Grant #1032895	\$ 10.00		\$ 10.00
ESCROW FUND #1025873	\$ -		\$ -
PARK FUND #7014236	\$ -		\$ -
POLICE DRUG & MISC FUND #1025675	\$ 10,675.64		\$ 10,675.64
INVESTMENTS - GENERAL FUND		\$ 300,000.00	\$ 300,000.00
TEXPOOL - GENERAL FUND # 00003		\$ 206,285.33	\$ 206,285.33
TEXPOOL - RESERVE FUND # 00005		\$ -	\$ -
TOTAL GENERAL FUND	\$ 361,431.94	\$ 506,285.33	\$ 867,717.27
CONSTRUCTION FUND			
BUILDING FUND #1058528	\$ -		\$ -
CONSTRUCTION ACCOUNT #1058544	\$ 4,908.96		\$ 4,908.96
BOKF, NA Escrow- Series 2017-A	\$ 108,549.40	\$ -	\$ 108,549.40
BOKF, NA Escrow- Series 2017-B	\$ 1,595,400.87	\$ -	\$ 1,595,400.87
TEXPOOL - CONST # 00009		\$ 573.93	\$ 573.93
INVESTMENTS - CONSTRUCTION		\$ -	\$ -
TOTAL CONSTRUCTION FUND	\$ 1,708,859.23	\$ 573.93	\$ 1,709,433.16
DEBT SERVICE FUND			
DEBT SERVICE FUND #7024730	\$ 153,905.09		\$ 153,905.09
TEXPOOL DEBT SERVICE # 00008	\$ -	\$ 24,438.75	\$ 24,438.75
TOTAL DEBT SERVICE FUND	\$ 153,905.09	\$ 24,438.75	\$ 178,343.84
COURT SECURITY FUND #1058361			
	\$ 6,210.80	\$ -	\$ 6,210.80
COURT TECHNICAL FUND #1058361			
	\$ 25,426.17	\$ -	\$ 25,426.17
GRANT FUND			
HOME GRANT ACCOUNT #1059104	\$ 4,464.66		\$ 4,464.66
GRANT ACCOUNT #1048479	\$ 5,074.81		\$ 5,074.81
TOTAL GRANT FUND	\$ 9,539.47	\$ -	\$ 9,539.47
HOTEL OCCUPANCY TAX FUND #1025253			
	\$ 9,624.00	\$ -	\$ 9,624.00
MEDC			
CHECKING ACCOUNT #1017938	\$ 123,268.88		\$ 123,268.88
TEXPOOL - MEDC # 00003		\$ 235,979.34	\$ 235,979.34
INVESTMENTS - MEDC		\$ 250,000.00	\$ 250,000.00
TOTAL MEDC	\$ 123,268.88	\$ 485,979.34	\$ 609,248.22
POLICE ASSET FORFEITURES #1047745			
	\$ 4,272.25		\$ 4,272.25
UTILITY FUND			
UTILITY FUND #1017383	\$ 740,701.09		\$ 740,701.09
CUSTOMER DEPOSITS FUND #1017417	\$ -		\$ -
WATER WORKS & SAN SEWER #7013840	\$ -		\$ -
TEXPOOL - UTILITY FUND # 00002		\$ 18,004.01	\$ 18,004.01
TOTAL UTILITY FUND	\$ 740,701.09	\$ 18,004.01	\$ 758,705.10
TOTAL ALL FUNDS	\$ 3,143,238.92	\$ 1,035,281.36	\$ 4,178,520.28
INVESTMENTS			
TEXPOOL - GENERAL FUND		1.02%	\$ 206,285.33
INVESTMENTS - GENERAL FUND			\$ 300,000.00
TEXPOOL - CONST # 00009		1.02%	\$ -
TEXPOOL - DEBT SERVICE # 00008		1.02%	\$ 24,438.75
TEXPOOL - MEDC		1.02%	\$ 235,979.34
INVESTMENTS - MEDC			\$ 250,000.00
TEXPOOL - UTILITY		1.02%	\$ 18,004.01
TOTAL ALL INVESTMENTS			\$ 1,034,707.43

Montgomery City Council
AGENDA REPORT

Meeting Date: January 23 2018	Budgeted Amount:
Department:	
Prepared By: Jack Yates City Administrator	Exhibits: Ordinance - will be presented at meeting.
Date Prepared: January 18, 2018	

Subject

This is the ordinance to adopt the amended Corridor Enhancement District.

Description

Again, this increases the district on State Highway 105 from 300 feet to 750 feet wide, and adds the District to FM 1097 from the East city limits to the east side of FM 149.

The fundamental reason for going to 750 feet on State Highway 105 is the realization, as shown by the metal building at McCoy's, that the development of 105 is much deeper than what was originally thought when the 300 foot dimension was used.

For the 300 feet on FM 1097 – the realization that this is probably going to be a commercial area and the desire is to maintain a good appearance for the area.

Recommendation

If you feel confident in your consideration--Approve the ordinance as presented. Waiting until the next meeting is perfectly fine if you consider that worthwhile for your own confidence in the matter or to give the public more opportunity to consider the issue.

Approved By

City Administrator	Jack Yates	Date: January 18, 2018
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Montgomery City Council
AGENDA REPORT

Meeting Date: January 23 2018	Budgeted Amount: \$16,000
Department:	
	Exhibits: Ordinance
Prepared By: Jack Yates City Administrator	
Date Prepared: January 19, 2018	

Subject

This is required under election laws to announce the holding of the general election to be held on May 5, 2018 to elect a Mayor and two City Council members, Places 2 and 4 – and approving an agreement with Montgomery County, Texas to conduct the election

Description

The ordinance is attached, .. Just as a reminder of the cost of having in the election is approximately \$16,000.

Recommendation

Approve the ordinance .

Approved By

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

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF MONTGOMERY, TEXAS, PROVIDING FOR THE HOLDING OF A GENERAL ELECTION TO BE HELD ON MAY 5, 2018, FOR THE PURPOSE OF ELECTING A MAYOR AND TWO (2) CITY COUNCIL MEMBERS, PLACES 2 AND 4; APPROVING ELECTION SERVICE AGREEMENTS WITH MONTGOMERY COUNTY, TEXAS; AND PROVIDING DETAILS RELATING TO THE HOLDING OF SUCH ELECTION.

WHEREAS, the City Council for the City of Montgomery desires to call an election for May 5, 2018 in accordance with the election laws of the State of Texas; and

WHEREAS, the City Council desires to engage the services of the County Election Officer of Montgomery County to conduct the election pursuant to a *Joint Elections Agreement* and an *Election Services Agreement* with Montgomery County, Texas;

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

Section 1. In accordance with the Texas Constitution and general laws of the State of Texas, a General City Election is hereby called and ordered for the first Saturday in May, 2018, that being May 5, 2018, at which Election all qualified voters of the City may vote for the purpose of electing a Mayor and two (2) City Council Members, Places 2 and 4, for full terms.

Section 2. The City Council hereby approves the *Joint Elections Agreement* and *Election Services Agreement* with Montgomery County, Texas, which authorizes the County Election Officer to conduct the General City Election on May 5, 2018 and early voting.

Section 3. No person's name shall be placed upon the official ballot as a candidate for any of the above mentioned positions unless such person has filed his or her sworn application, as provided by Section 141.031, Section 143.004, and Section 143.007 of the Texas Election Code, with the City Secretary at the City Hall, located at 101 Old Plantersville Road, Montgomery, Texas, 77316, adjusted for weekends and holidays no earlier than January 17, 2018 or later than five o'clock (5:00) p.m. on February 16, 2018. The City Secretary shall note on the face of each such application, the date and time of its filing. A declaration of write-in candidacy must be filed with the City Secretary, as provided by Section 146.054 of the Texas Election Code. The last day for a write-in candidate to declare candidacy with the City Secretary is Tuesday, February 20, 2018

by five o'clock (5:00) p.m. In addition, the last day for a candidate to withdraw must be received by the City Secretary by February 23, 2018 by five o'clock (5:00) p.m.

Section 4. The polls shall be open for voting from seven o'clock (7:00) a.m. until seven o'clock (7:00) p.m. at the following polling places, to be conducted by the officers appointed by the Contracting Officer as provided in the *Election Services Agreement* between the City of Montgomery, Texas and the County Election Officer of Montgomery, Texas, as follows:

For persons located in Voting Precinct 19:

Polling Place: Montgomery City Hall

Address: 101 Old Plantersville Road, Montgomery, TX 77316

For persons located in Voting Precinct 38:

Polling Place: West Montgomery County Annex

Address: 19380 Highway 105 W., Suite 507, Montgomery, TX 77356

For persons located in Voting Precinct 39:

Polling Place: Lone Star Elementary School

Address: 16600 FM 2854, Montgomery, TX 77316

Said election officers shall also serve as the early voting ballot board for such election; the Presiding Judge of such election shall also serve as the presiding officer of the early voting ballot board.

The County Election Officer for Montgomery County is authorized to change the above polling locations should there be a need to consolidate them for both early voting and for Election Day.

Section 5. In accordance with the Texas Election Code and the *Election Services Agreement*, the Contracting Officer shall serve as the regular early voting clerk to receive ballot applications by mail. All ballots by mail applications received by the City Secretary must be hand delivered or faxed to the Contracting Officer as provided in the *Election Services Agreement* on the day of receipt and the original application mailed or delivered to the Contracting Officer.

Further those persons voting early can vote in any of the designated early voting locations and at the times set out in Exhibit "A" as made a part hereof for all purposes. The early voting locations will be open from Monday, April 23, 2018 through Saturday, April 28, 2018, Monday through Saturday, 8:00 a.m. to 5:00 p.m., and Monday, April 30, 2018 and Tuesday, May 1, 2018, 7:00 a.m. to 7:00 p.m. Ballots voted by mail shall be sent to:

Election Central

Attn: Suzie Harvey, Elections Administrator– Early Voting Clerk (Contracting Officer)

P.O. Box 2646

Conroe, Texas 77305-2646

Section 6. Voting shall be conducted by the Contracting Officer utilizing the voting machines and equipment supplied by the Contracting Officer. All expenditures necessary for conducting the election, the purchase of materials, and the employment of all election officials is hereby authorized in accordance with the Texas Election Code and in accordance with the provisions of the *Election Services Agreement* and the *Joint Services Agreement*.

Section 7. The City Secretary is hereby authorized and directed (i) to furnish all necessary election supplies to conduct such election, (ii) to post notice of the election, and (iii) to publish notice of the election, as provided by Chapter 4 and Chapter 51 of the Texas Election Code except as may be provided in the *Election Services Agreement* referred to above.

Section 8: The order in which the names of the candidates are to be printed on the ballot shall be determined by a drawing by the City Secretary, as provided by Section 52.094 of the Texas Election Code. The City Secretary shall post a notice at City Hall at least seventy-two (72) hours prior to the date on which the drawing is to be held with the time and place of the drawing, and shall also give personal notice to any candidate who makes written request for such notice and furnishes the City Secretary a self-addressed, stamped envelope. Each candidate involved in the drawing or representative designated by him/her, shall have a right to be present and observe the drawing.

Section 9. The candidates for a Mayor and two (2) City Council Members, Places 2 and 4, receiving the highest number of votes in each of the positions to be filled shall be declared elected to such positions.

Section 10. Notice of this election shall be given in accordance with the provisions of the Texas Election Code and returns of such notice shall be made as provided for in said Code. The Mayor shall issue all necessary orders and writs for such election, and returns of such election shall be made to the City Secretary immediately after the closing of the polls.

Section 11. Said election shall be held in accordance with the Texas Election Code, as amended, except as modified by the Federal Voting Rights Act of 1965, as amended.

Section 12. The Council finds that notice of the date, place, and subject of this meeting was posted in accordance with the terms and provisions of the Texas Open Meetings Act at least 72 hours proceeding the scheduled time of this meeting.

Section 13. This Ordinance is effective immediately upon its passage.

PASSED AND APPROVED THIS 23rd DAY OF JANUARY, 2018.

Mayor Kirk Jones

ATTEST:

Susan Hensley, City Secretary

APPROVED AS TO FORM:

/s/Larry Foerster, City Attorney

Montgomery City Council
AGENDA REPORT

Meeting Date: January 23, 2018	Budgeted Amount:
Department:	
Prepared By: Jack Yates City Administrator	Exhibits: Ordinance
Date Prepared: January 19, 2018	

Subject

This is required under state law that the juvenile curfew ordinance be reviewed every three years. This is to call a public hearing before the third anniversary of the ordinance passage in 2015.

Description

The current times are:

- (1) From 11:00 PM on a Sunday, Monday, Tuesday, Wednesday or Thursday until 6:00 AM of the following day and
- (2) From 12:01 AM until 6:00 AM on a Friday or Saturday

Chief Napolitano agreed with these times, with no serious issues since the three years ago when the Council less it these hours.

Recommendation

Approve setting the public hearing for 27th of February

Approved By

City Administrator

Jack Yates

Date: January 19, 2018

(Motion was made by John Champagne, seconded by Rebecca Huss,
that the following ordinance be passed.)

ORDINANCE NO. 2015-03

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS, RENEWING THE JUVENILE CURFEW ORDINANCE CODIFIED IN DIVISION 2 OF CHAPTER 62 OF THE CODE OF ORDINANCES OF THE CITY OF MONTGOMERY, TEXAS, IN ACCORDANCE WITH SECTION 370.002 OF THE TEXAS LOCAL GOVERNMENT CODE; AFTER A PUBLIC HEARING ON THE NEED TO CONTINUE THE ORDINANCE, CONTINUING THE JUVENILE CURFEW ORDINANCE; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES INCONSISTENT OR IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; DECLARING COMPLIANCE WITH TEXAS OPEN MEETINGS ACTS; AND PROVIDING AN EFFECTIVE DATE AFTER PUBLICATION.

WHEREAS, the City Council of the City of Montgomery, Texas established a curfew for persons under the age of seventeen (17) years by City Ordinance 2006-03, dated March 14, 2006, and codified in Division 2 of Chapter 62 of the Code of Ordinances of the City of Montgomery, Texas; and

WHEREAS, in accordance with Section 370.002 of the Texas Local Government Code, the City Council has conducted a public hearing this date on the need to continue the Ordinance; and

WHEREAS, the City Council believes that it is in the best interest of the citizens and minors in Montgomery that the Ordinance be continued and ratified;

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

SECTION 1. Findings. The forgoing recitals are incorporated into this Ordinance as findings of fact.

SECTION 2. Continuation of Juvenile Curfew. City Ordinance No. 2006-03, dated March 14, 2006, and codified in Division 2 of Chapter 62 of the Code of Ordinances of the City of Montgomery, Texas is hereby approved and continued by the City Council.

SECTION 3. Repealing All Ordinances in Conflict. All other ordinances or parts of ordinances inconsistent or in conflict herewith, or to the extent of such inconsistency or conflict

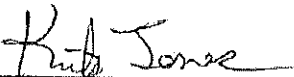
are hereby repealed.

SECTION 4. Savings Clause. This City Council of the City of Montgomery, Texas does hereby declare that if any section, subsection, paragraph, sentence, clause, phrase, work or portion of this Ordinance is declared invalid, or unconstitutional, by a court of competent jurisdiction, that, in such event that it would have passed and ordained any and all remaining portions of this Ordinance without the inclusion of that portion or portions which may be so found to be unconstitutional or invalid, and declare that its intent is to make no portion of this Ordinance dependent upon the validity of any portion thereof, and that all said remaining portions shall continue in full force and effect.

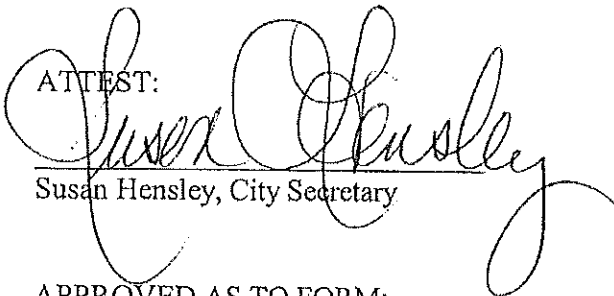
SECTION 5. Compliance with Open Meetings Act. It is hereby officially found and determined that the meeting at which this Ordinance was considered was open to the public as required and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

SECTION 6. Effective Date. This Ordinance shall become effective upon its passage by the City Council and ten days after the publication of the caption of said ordinance, as the law provides.

PASSED AND APPROVED this 28th day of April, 2015.



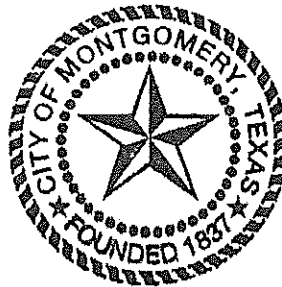
Kirk Jones, Mayor Pro Tem

ATTEST:


Susan Hensley, City Secretary

APPROVED AS TO FORM:

Lary L. Foerster, City Attorney



Montgomery City Council
AGENDA REPORT

Meeting Date: January 23 2018	Budgeted Amount:
Department:	
Prepared By: Jack Yates City Administrator	Exhibits: Mobility Study (you have from several months ago), Letter Update (attached)
Date Prepared: January 19, 2018	

Subject

This is the final submittal of the Mobility Plan from the City Engineers.

Description

The Report reflects current traffic patterns and projects a 10 year estimate of traffic in 2017.
The report also shows a listing of proposed projects that would improve the mobility of the city and the area.
The study was paid for by County Commissioner District 1 and 2 equally paying \$15,000 for the cost of the study.

Recommendation

Make comments as you think appropriate, and approve the Mobility Plan as presented and direct the staff to implement the plan.

Approved By

City Administrator	Jack Yates	Date: January 19, 2018
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6330 West Loop South, Suite 150
Bellaire, Texas 77401
Tel: 713.777.5337
Fax: 713.777.5976
www.jonescarter.com

January 10, 2018

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

Re: Mobility Study – Summary of Changes
City of Montgomery

Dear Mayor and Council:

As you are aware, we recently completed the Joint Mobility Study between the City of Montgomery and Montgomery County Precincts No. 1 and 2. A draft study was presented at the July 13, 2017 Joint Workshop between the City Council and the Planning and Zoning Commission, and it was concluded that various minor edits were needed as well as the major changes outlined in this letter.

Since the time of the meeting, we have gathered comments from Montgomery County Precincts No. 1 & 2 and have made all requested changes, including performing an additional traffic count at the intersection of SH-105 and FM 149 during peak school traffic and an analysis of the data from the count. Below is a summary of the major changes to the Mobility Study:

- Page 3 – Updated traffic count data text regarding new traffic count taken
 - An additional turning movement count was collected at SH 105 and FM 149 on Tuesday, October 24, 2017 from 1:00 PM to 5:00 PM to determine if there was a significant peak that occurred due to the various schools in the area. The count was collected when Lone Star Parkway was under construction; therefore, the westbound to northbound and southbound to eastbound turning movements were elevated with the count. The hourly volumes steadily increased each hour from 1:00 to 4:00 indicating that the 5:00-6:00 PM is still the peak hour in the afternoon; therefore, this new count was not utilized in the analysis.
- Pages 5 & 11 – Added new count at FM 149 at SH 105
- Page 13 – Added percent growth rate to figure
- Page 17 – Updated LOS descriptions from table
- Page 18 – Updated recommended improvements, including:
 - FM 2854 at SH 105 – Added northbound right turn lane
 - SH 105 at FM 149 – Removed northbound and southbound right turn lanes
 - Lone Star Parkway at Buffalo Springs – removed eastbound and westbound left turn lanes (already constructed)
- Page 19 – Updated LOS table based on revised recommended improvements
- Page 20 – Updated to note recommended improvements by others
- Page 22-25 – Updated schematics
- Page 28 – Updated construction timeframes



Honorable Mayor and Council

Page 2

January 10, 2018

- Page 31 – 32 – Updated Thoroughfare Plan
 - Added Railroad
 - Revised collector roadways northwest of City
- Page 33 – Updated Recommendations and Improvements
 - Added recommendations
 - Added short and long-range improvements
 - Added estimated costs
- Appendix D – Updated development map
- Appendix J – Updated scheduled projects information

Should you have any questions or need any additional information, please do not hesitate to contact me or Chris Roznovsky, at 281-363-4039.

Sincerely,

A handwritten signature in blue ink that reads 'C. Wright P.E. PTOE'. The signature is stylized and includes the initials 'P.E. PTOE' written in a separate, slightly larger font to the right of the main signature.

Colby Wright, PE, PTOE

Division Manager, Traffic Engineering

CWW/cvr/dch

K:\W5841\W5841-0024-00 Mobility Plan\2 Design Phase\Reports\Montgomery Mobility Plan Letter 20180110.docx

cc: 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
City of Montgomery Planning & Zoning Commission

Montgomery City Council
AGENDA REPORT

Meeting Date: January 23 2018	Budgeted Amount:
Department:	
Prepared By: Jack Yates City Administrator	Exhibits: Section One Final Plat of The Shoppes at Montgomery - <i>will be provided before meeting.</i>
Date Prepared: January 19, 2018	

Subject

This is the Final Plat for Section One of the Shoppes at Montgomery located at the southwest corner of FM 2854 and SH 105.

Description

The Section One Final Plat carves out a building site on this corner. The remainder of the property will be accomplished in probably three or four Final Plats in the future
A CVS pharmacy is to be built on the site of Section One.

Recommendation

Approve the Shoppes at Montgomery Section 1 Final Plat as presented.

Approved By

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



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

January 17, 2018

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

Re: Submission of Final Plat
The Shoppes at Montgomery, Section 1
City of Montgomery

Dear Commission:

We reviewed the Final Plat submission for the referenced development on behalf of the City of Montgomery. Our review was based on The City of Montgomery's Code of Ordinances, Chapter 78, Section 61 and any other applicable chapters. We offer no objection to the plat and recommend the Commission approve the plat as submitted.

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

Sincerely,

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

Chris Roznovsky, PE
Engineer for the City

CVR/ab

K:\W5841\W5841-1018-00 The Shoppes at Montgomery\Project Management\Letters\FINAL PLAT APPROVAL Shoppes at Montgomery Section 1 011718.doc

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

LEGEND / ABBREVIATIONS

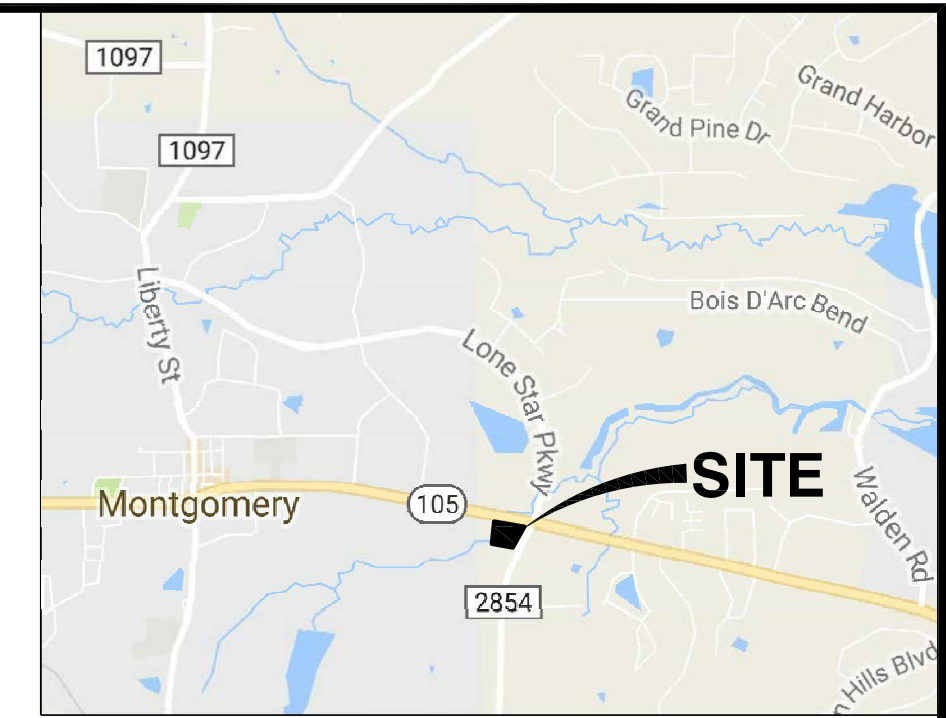
- C.F. CLERK'S FILE NUMBER
- FND. FOUND
- I.R. IRON ROD
- O.P.R. M.C.T. OFFICIAL PUBLIC RECORDS
- M.R. MAP RECORDS
- M.C.T. MONTGOMERY COUNTY, TEXAS
- R.O.W. RIGHT OF WAY
- D.R. DEED RECORDS
- B.L. BUILDING LINE
- U.E. UTILITY EASEMENT
- P.E. PATHWAY EASEMENT
- P.U.E. PUBLIC UTILITY EASEMENT
- CM CONCRETE MONUMENT
- G.S.U. GULF STATE UTILITY
- S.C.E. SANITARY CONTROL EASEMENT TO BE RELEASED
- T.B.R. TO BE RELEASED
- PROPERTY MARKER

NOTES:

1. All corners are set 5/8 inch iron rods w/cap stamped "Landpoint 10194172" unless otherwise shown or noted.
2. This property is located in Zone "AE", Zone "X" and "Zone X-Shaded", determined to be inside 100 year flood plain. This plat does lie within a designated Special Flood Hazard Area, inundated by 100 year flood or Other Flood Areas.

LINE TABLE		
NO.	BEARING	LENGTH
L1	S 12°48'02" E	4.93'
L2	S 19°22'45" E	20.48'
L3	N 16°05'33" W	65.89'
L4	N 00°14'23" W	32.40'
L5	N 27°59'13" E	45.34'
L6	N 53°27'12" E	61.49'
L7	N 35°25'09" E	39.55'

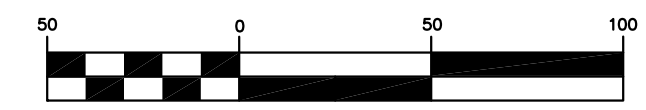
CURVE TABLE					
NO.	LENGTH	RADIUS	DELTA	CHD. BRG.	CHORD
C1	113.83'	2,934.79	2°13'20"	S 28°42'29" W	113.82'



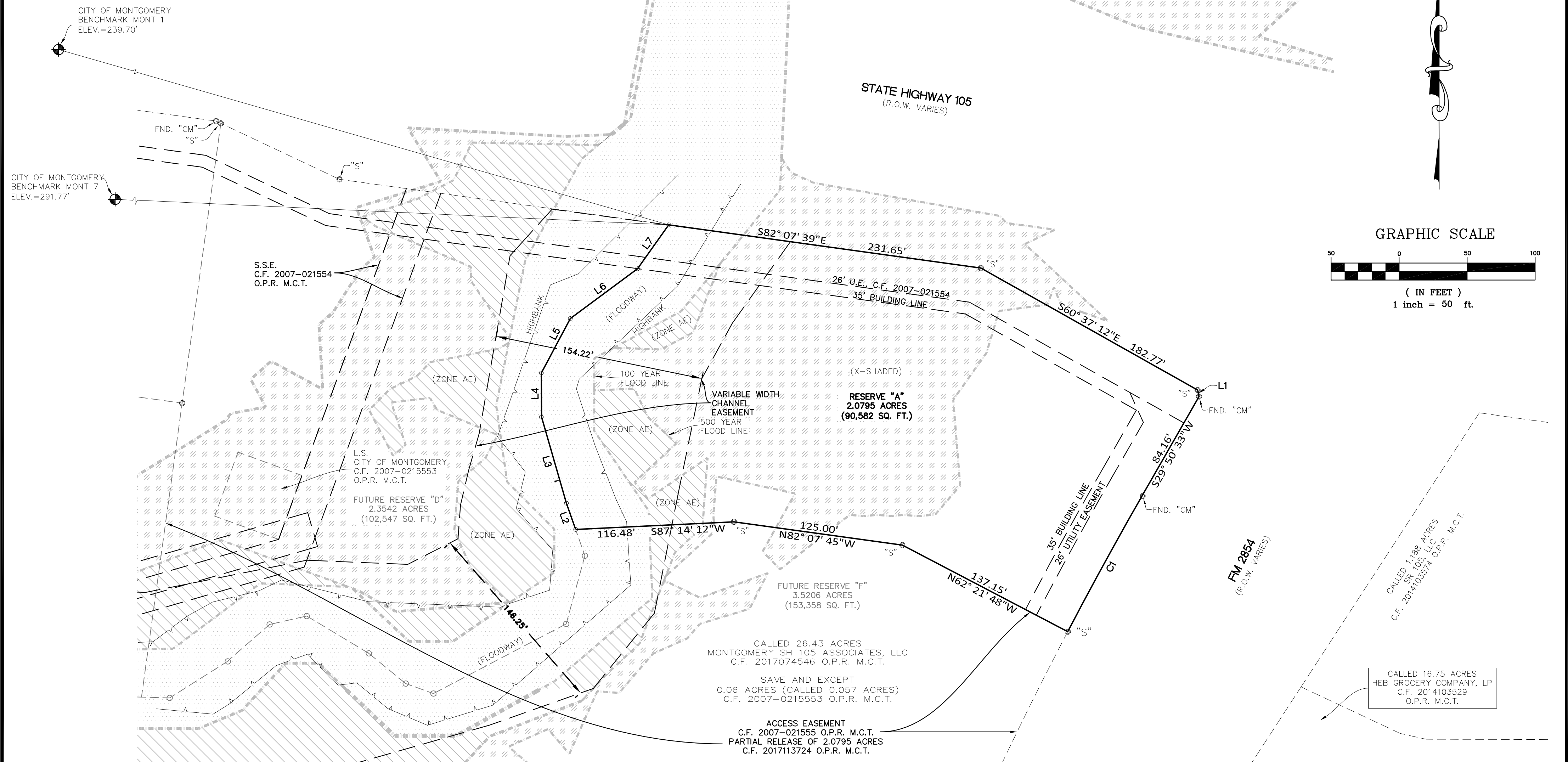
VICINITY MAP
N.T.S.



GRAPHIC SCALE



(IN FEET)
1 inch = 50 ft.



SURVEYOR:



TBPLS REG. NO. 10194172

OWNER:

Montgomery SH 105 Associates, LLC
149 Colonial Road
Manchester, CN 06045

FINAL PLAT
THE SHOPPES AT MONTGOMERY SECTION 1

A SUBDIVISION OF 2.0795 ACRES (90,582 SQ. FT.)

IN THE
JOHN CORNER SURVEY, A-8
MONTGOMERY COUNTY, TEXAS
1 BLOCK 1 RESERVE

JANUARY 2018

STATE OF TEXAS
COUNTY OF MONTGOMERY

That Montgomery SH 105 Associates, LLC herein acting individually or through the undersigned duly authorized agents, does hereby adopt this plat designating the herein described real property as the The Shoppes at Montgomery Section 1 Subdivision, and does hereby make subdivision of said property according to the lines, streets, alleys, parks, and easements therein shown, and dedicate to public use forever all areas shown on this plat as streets, alleys, parks, and easements, except those specifically indicated as private; and does hereby waive any claims for damages occasioned by the establishing of grades as approved for the streets and alleys dedicated, or occasioned by the alteration of the surface of any portion of streets or alleys to conform to such grades and does hereby bind Owner, and Owner's successors and assigns to warrant and forever defend the title to the land so dedicated.

Owner hereby certifies that Owner has or will comply with all applicable regulations of the city, and that a rough proportionality exists between the dedications, improvements, and exactions required under such regulations and the projected impact of the subdivision.

IN TESTIMONY WHEREOF, the Montgomery SH 105 Associates, LLC has caused these presents to be signed by _____, its _____, there unto authorized, attested by its _____ and its _____ common seal hereunto affixed this _____ day of _____, 2018.

Montgomery SH 105 Associates, LLC

BY: _____

Attest: _____

STATE OF TEXAS
COUNTY OF MONTGOMERY

BEFORE ME, the undersigned authority, on this day personally appeared _____, and _____ of the The Shoppes at Montgomery Section 1, known to me to be the persons whose names are subscribed to the foregoing instrument, and acknowledged to me that they executed the same for the purposes and considerations therein expressed, and in the capacity therein and herein set out, and as the act and deed of said corporation.

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

Notary Public for Harris County, Texas

Printed name _____

My commission expires _____

SURVEYOR'S CERTIFICATION

This is to certify that I, Jay Dean Canine, a licensed Surveyor of the State of Texas, have plotted the above subdivision from an actual survey on the ground; and that all block corners, angle points, and points of curve properly marked with iron rods of minimum 5/8 inch diameter and 3 foot long, and that this plat correctly represents that survey made under my direction.

Jay Dean Canine
Registered Professional Land Surveyor
Texas Registration No. 4345

CITY OF MONTGOMERY

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

BY: _____
Chris Roznovsky, P.E.
City Engineer - City of Montgomery

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

Dated this _____ Day of _____, 2018

ATTEST:

By: _____ By: _____
Kirk Jones Mayor Nelson Cox
Chairman - Planning Zoning Commission

By: _____
Susan Hensley - City Secretary

COUNTY CLERK

I, Mark Turnbull, Clerk of the County Court of Montgomery County, Texas, do hereby certify that the within instrument with its certificate of authentication was filed for registration in my office on _____ day of _____, 2018, at _____ o'clock ____M., and duly recorded on _____ day of _____, 2018, at _____ o'clock ____M., in cabinet _____, sheet _____ of Records of _____ for said County.

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

BY: _____
Mark Turnbull, Clerk, County Court,
Montgomery County, Texas

By: _____ Deputy

FINAL PLAT
THE SHOPPES AT MONTGOMERY
SECTION 1
A SUBDIVISION OF
2.0795 ACRES (90,582 SQ. FT.)
IN THE
JOHN CORNER SURVEY, A-8
MONTGOMERY COUNTY, TEXAS
1 BLOCK 1 RESERVE
JANUARY 2018

SURVEYOR:



Formerly
TOWN AND COUNTRY SURVEYORS
2219 SAWDUST ROAD, STE. 2003
THE WOODLANDS, TX 77380
(281)465-8730
www.landpoint.net

OWNER:

Montgomery SH 105 Associates, LLC
149 Colonial Road
Manchester, CN 06045

Montgomery City Council
AGENDA REPORT

Meeting Date: January 23 2018	Budgeted Amount:
Department:	
Prepared By: Jack Yates City Administrator	Exhibits:
Date Prepared: January 19, 2018	

Subject

This is a Report from the City Engineer regarding the bridge repair construction.

Description

The Contractor is in construction now. There were two or three days for cold weather allowance from last weeks weather.
No request for payment has been made yet, so no reason to act regarding the loan possibility.

Recommendation

Listen to the Report, comment as you feel appropriate

Approved By

City Administrator	Jack Yates	Date: January 19, 2018
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