

**City Council Regular Meeting
MINUTES
July 23, 2024 at 6:00 PM**

CALL TO ORDER:

Mayor Sara Countryman declared a quorum was present and called the meeting to order at 6:00 p.m.

Present:	Sara Countryman	Mayor
	Casey Olson	Mayor Pro Tem
	Carol Langley	City Council Place #1
	Cheryl Fox	City Council Place #4
	Stan Donaldson	City Council Place #5
Also Present:	Gary Palmer	City Administrator
	Dave McCorquodale	Director of Planning & Development
	James Greene	City Secretary
	Maryann Carl	Finance Director
	Alan Petrov	City Attorney
	Katherine Vu	City Engineer

INVOCATION:

PLEDGE OF ALLEGIANCE TO FLAGS:

VISITOR/CITIZENS FORUM:

Mr. Ryan Londeen, 709 College Street, Montgomery, Texas, said he wanted to commend the public works department. He lost a tree during hurricane Beryl and right after the hurricane passed the public works team was out there to clear the tree, move it to the street, and the next day it was gone. He said Mr. Muckleroy's team was professional, courteous, and he loved working with them too. The other topic he wanted to address was in regard to agenda item #6 for the Village of Montgomery development. He said at the end of College Street and Caroline Street he has some concerns about the capacity. He does not know how much traffic this development could potentially introduce on those streets. College Street is roughly 16-18 feet wide; it is narrow and he already thinks it is at capacity. Mr. Londeen also said the condition of the road is questionable and not sure it can handle more traffic. He does not know if this is something Ms. Katherine Vu and Mr. Chris Roznovsky's group can do or if they can do a traffic impact analysis. He said it sounds like it is more on the developer but he would like to see some type of evaluation done by the engineer on traffic capacity of College Street and Caroline Street as a result of this development.

Mr. Bill Cassidy, 128 Racetrack Lane, Montgomery, Texas, said he had a nice discussion regarding the video he sent the Mayor and Mr. Palmer about the drainage issue on Harley Street. He said nine years ago when he moved into his house on Racetrack Lane in Lake Creek Village they had the same issue. The water was coming down and hitting a high spot where the manhole cover is and the drainage ditch and taking a left hand turn all the water going down between the two houses, under his fence and in his backyard almost flooding his house. He said Mr. Muckleroy came out and met with him. He said he dug that ditch out nine years ago and they did not have a problem

up until April and May. The ditch now has filled with soot and looks like it did nine years ago. He sent the video back in May with the water pouring through his fence with him and his wife pushing the water away from their house, there was another time also and now they did it again tonight. He said in the video water is coming down the ditch from Harley Street where it goes to the manhole cover and takes a left hand turn where there is a river of water that goes down between the house and directly into his backyard. He said the drainage is not his problem, it is the City's. He said he was told he is responsible for the drainage up to Harley Street so not only does he have to handle his yard which drains really well, but he cannot handle all the water coming from Harley Street. When it gets to his house it is going to flood. He said they talked about it and the City said they would take care of it but it is going to take time. He said he and his wife do not have time anymore. He said you have seen the video and the same thing happened as it just washed out all the dirt from the flower beds again, all the mulch, and there is no dirt underneath his fence anymore as it was washed all away. Every time it rains since May this happens. His yard did not even flood during Harvey and there was 20 inches of rain in a 12 hour period. He said he is here to ask City Council and maybe public works to try and find a solution for the drainage on Harley Street.

CONSENT AGENDA:

1. Approval of the minutes as written for:
 - a) City Council Budget Workshop 05-16-2024
 - b) City Council First Regular Meeting 07-09-2024
 - c) City Council Capital Improvement Plan Workshop 07-09-2024
2. Accept the 2024 Second Quarter Investment Report.
3. Approve an Escrow Agreement between the City of Montgomery and Dunhill Builders, LLC for a proposed Single-Family development on 75 acres, referred to as the Mia Lago Reserve (Dev. No. 2411).
4. Approve an escrow agreement by and between the City of Montgomery and Devpoint, LLC for a proposed Mixed-Use development on 50 acres, referred to as the Villages of Montgomery (Dev. No. 2412).

Ms. Katherine Vu said page 68 of the packet shows their preliminary land plan. This was presented two weeks ago to the Planning & Zoning Commission. Ms. Vu said the typical process is to establish an escrow agreement before the feasibility study is completed and the reason for this is because the developer is responsible for the cost of the feasibility study and any plan reviews, meetings with them, the staff, or attorney. Any fees generated as a result of the development come out of this escrow account. The developer will put up their deposit for the feasibility amount and all invoices will be billed against that account.

Mayor Countryman said they have not really discussed this. Ms. Vu said a feasibility study is typically the first step in the development process. The developer coming beforehand to ask questions is not necessarily a requirement but the feasibility study is something the City does. Again, the developer pays for it so there really is no reason not to do a feasibility study. She said they look at it from the City's perspective of the water, sewer, and drainage capacity, and streets on a global picture just for that development and how it impacts the City in general. They look at the City's ad valorem tax revenue and impact fees that are going to be considered in the feasibility study as well. When we present this to you that is

a good time to ask questions. The developer is usually present whenever the feasibility study is presented and so between them and the developer they can answer any question you have at that time. Authorizing a feasibility study is not a commitment to letting the development go forward and it does not allow them to review any plans. It is just one step that is allowed at that time until the feasibility study is completed.

Councilmember Stan Donaldson asked if the mixed use is part of the parcel. Ms. Vu said yes. Ms. Vu said this parcel includes some single family with a mixture of ally load and front load lots, some commercial along SH 105, some mixed use on the west side, and detention throughout to accommodate the flood plain. Councilmember Stan Donaldson asked if this property is going to line up to the Cheatham Stewart tract which they just approved for Tri Point Homes. Ms. Vu said yes this is just east of that development.

Councilmember Cheryl Fox asked if one of the entrances will be over by SH 105. Ms. Vu said yes the main entrance is that boulevard entrance on SH 105 and they are wanting to work with TxDOT to see if they can get a left turn lane. Per their land plan they are proposing to connect to Caroline and College Streets.

Councilmember Stan Donaldson asked if the feasibility study will include the fact they have the infrastructure to support the development. Ms. Vu said correct; however the feasibility study does not include a traffic impact analysis done by them. That is usually done by the developer but they do look at trip generations or how many in and out is expected from a development of this size based on typical travel patterns. Councilmember Carol Langley said so the drainage that is horrible on College Street as of tonight again you honestly think the detention pond is going to going to take care of all that or is that going to be in the feasibility study that the detention pond is going to take care of that flooding on College Street. Ms. Vu said with the feasibility study they are not necessarily saying how big their pond has to be, they are not sizing it, they are not designing it in the feasibility study. She said what they do during the plan review stage they have to provide them a drainage analysis that shows how much water is coming off of their site beforehand and how much would be leaving after the proposed development is completely finished including their detention ponds and how much they will be releasing from the ponds. They are not allowed to increase the amount of flow leaving their property. They have to detain however much additional flow from their development and control the release so that it is not greater than it is today.

Councilmember Stan Donaldson said they have a proposal to move lift station #5 and that is right in between this proposal and the Cheatham tract. He asked if that is going to effect that in any way. Ms. Vu said she has not had a chance to look at where this property sewer would go specifically as that is part of the feasibility study but if it does impact lift station #5 it would not necessarily impact the location of it but if there is additional flow that goes in there that will definitely be brought up in the feasibility study. They look at what lift stations does any development flow into, do those lift stations have capacity, they look at the wastewater plan as a whole and does that have capacity.

Councilman Stan Donaldson said he thinks the agreement calls for \$8,000 and asked where did that figure come from. Ms. Vu said they produced that figure and it is based on how much it costs them to produce the feasibility study and there is also some time in there for the developer coordination such as answering questions along the way, working with them and after the study is completed there is usually follow-up questions or follow-up meetings

before they are necessarily ready to take the next step to discuss the feasibility study and what all was in it. Councilmember Carol Langley asked if she thinks when they get the feasibility study that the people who are involved in this will be at that meeting. Ms. Vu said yes.

Councilmember Casey Olson said the second entrance poses a question for later. Councilmember Carol Langley said yes, very much so.

Ms. Vu said the feasibility study gives you a snapshot into the impact this development will have on your city all at the cost of the developer.

Councilmember Casey Olson moved to approve items 4 and 6 as presented.

Councilmember Cheryl Fox seconded the motion. **Motion Passed (5-0).**

5. Authorize the City Engineer to complete a Utility and Economic Feasibility study for the proposed Mia Lago Reserve development (Dev. No. 2411).
6. Authorize the City Engineer to complete a Utility and Economic Feasibility study for the proposed Villages of Montgomery development (Dev. No. 2412).

Councilmember Casey Olson moved to accept items 1, 2, 3, and 5 on the Consent Agenda as presented. Councilmember Cheryl Fox seconded the motion. **Motion Passed (5-0).**

PUBLIC HEARING:

7. Hear public comments on the Crime Control and Prevention District Proposed Crime Control Plan and Budget for Fiscal Year 2024-2025 and Fiscal Year 2025-2026.

James Greene, City Secretary stated there are no speakers.

Mayor Countryman opened the public hearing at 6:19 p.m.

Mayor Countryman closed the public hearing at 6:19 p.m.

REGULAR AGENDA

8. AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS, APPROVING THE PROPOSED MONTGOMERY CRIME CONTROL AND PREVENTION DISTRICT CRIME CONTROL PLAN AND BUDGET FOR FISCAL YEARS 2024-2025 AND 2025-2026; PROVIDING A REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING AN EFFECTIVE DATE.

Councilmember Casey Olson said they are looking at a budget for 2024-2025 and 2025-2026 yet he did not see any budget change for 2025 in their normal budget and the whole point of the Crime District was to offset costs from this budget to the Crime District and he wants to understand why there is no offset. Ms. Tilley, Code Enforcement Officer said she will ask Chief Solomon for him to answer.

Mayor Countryman said for the record they have an emergency out on FM 1097 so Chief Solomon is there at this time.

Ms. Tilley said the main point for that budget to be submitted to City Council was within 10 days so it was submitted to City Council within 10 days but City Council has the time to deliberate. James Greene asked if there is a date, so many days before the beginning of the fiscal year the budget has to be adopted. Ms. Tilley said she does not have that date. James Greene said that would be his only remaining question. Mayor Countryman said they are going to skip this item until Chief Solomon is on his way back.

Councilmember Casey Olson said the reason for the Crime District was to offset some of the costs from the City budget to the Crime Prevention budget and it did not offset anything yet. Chief Solomon said absolutely. First of all when you put this in here tonight on a public hearing, it is not a public hearing. We are going through the motions of getting the Crime Prevention District started. Council has not even approved that budget. Councilmember Casey Olson said that is this motion right here and that is why he is asking the question. He said he is not going to approve a budget that burns both ends of the candle. Chief Solomon said you are not approving a budget that is burning both ends of the candle. Chief Solomon said the budget that they gave Council was a projection. We talked to you about that on several occasions. It is a projection. They cannot touch any of that money until after the election and besides that \$550,000 still went to MEDC and none of that money came to them. However, when you start the Crime Prevention you have to do a budget projection. They did the budget projection for two years. The District called for a hearing and approved the budget, then Council needs to approve the budget. Councilmember Casey Olson said he understands the process but they are talking about the budget. Mayor Countryman said this is not the general fund balance this is for his projection. Chief Solomon said there is no way they could spend any of this money until Council has approved it, there has been an election, and the citizens have said yes there is a Crime Prevention District. Councilmember Casey Olson said they are passing a budget that they would have not been able to pull back if we pass it right now. Chief Solomon said you are approving a Crime Prevention budget but you were told time and time again that budget is a projection. It has to be approved by the governing body. Once it is approved by the governing body the next thing is to call a joint election. Once the joint election is called and the voters vote that is the only time that they as a department can start spending any money and that will not happen until next year. Councilmember Casey Olson said he is looking at the future and the fact the minute it is passed that Crime Prevention District is created. They get their sales tax quarterly and not in one chunk and then they are done. So you are going to get funding for this budget within the quarter. Chief Solomon said they will get funding for that budget and will not use any of that money. The money they are going to use for this year's police budget is the money that is being approved in the general fund. Councilmember Casey Olson said he understands and that is his problem. They are funding a budget that you will get paid for 2025 immediately within you getting your Crime District you will have money in your budget and have not offset one penny from the general fund. Chief Solomon said there was no way they could offset any money because that is money they do not have. Councilmember Casey Olson said it is a proposed budget. Chief Solomon said when they talked about this District you understood. Councilmember Casey Olson said he understood that it would offset the costs. Chief Solomon said they talked about it the other day when he talked to MEDC and that it would not be for two or three years before that is going to offset the entire budget. He said also you were looking to use whatever money came into that for the leasing of this property on the building so that would

have taken up all of that and still yet you are approving a budget because in order to go by legislature and what the legislature approved you have to go by this. Councilmember Casey Olson said he is not saying they do not have to approve it but what he is saying is he does not want to approve the budget. Chief Solomon said you are not going to approve a budget that they are going to use money from. They are not going to use any money from that budget for this year. They are going to use the money from the budget that they talked about in the budget meeting yesterday. They will not use any money from this budget at all. Mayor Countryman said it is just a placeholder. Councilmember Casey Olson said the fact of the matter is the money will be there. Chief Solomon said it is a formality.

Caleb Villarreal, City Attorney said if you feel more comfortable you can postpone this until the August 13th meeting as long as the budget is adopted prior to the election being called you can deliberate the budget and hash out whatever you need to.

Chief Solomon said the deal is they cannot use any of this money without City Council's approval and that is why there is a Board and anything that comes from that Board comes to you guys. The formality of this is that you have to put together a two-year budget along with a strategy plan. He said as far as them looking back to start double dipping is as you say are using this money, they cannot do that. Councilmember Casey Olson said he is going to read this ordinance to you so you understand exactly what it says. It says: "An ordinance of the City Council of the City of Montgomery, Texas approving the proposed Montgomery Crime Prevention District Crime Control plan budget for the fiscal year of 2024-2025. Chief Solomon said that is exactly what it says. Councilmember Casey Olson said so if they approve that budget it is open. Chief Solomon said no it is not. Councilmember Casey Olson said yes it is because it is approved. Chief Solomon said if you approve that budget they cannot use any of that budget money without permission. Councilmember Casey Olson said once they approve this budget it is an approved budget. Mr. Villarreal said yes and you can still move money around be he would recommend the proposed budget should be pretty close to what your final budget is. They should match up. Councilmember Casey Olson said if it gets passed it would start to offset the general fund. If we are approving the budget as the wording says approving budget, not approving a budget that we can change later. It says approved. Mayor Countryman said yes but if it does not pass then there is no benefit but if it does pass. Councilmember Casey Olson said that is exactly the contingent he wants to be prepared for is when it does pass. Chief Solomon said if this budget passes, unless the Crime Prevention Board along with City Council approve any use of that money they cannot use that money so that is not what it is for. It is for the formality of going through the steps of how the legislature is drawn up. It is not for them for after it gets approved to start using money and that is not the way it works.

Councilmember Cheryl Fox moved to approve item #8 as presented. Councilmember Stan Donaldson seconded the motion. **The Motion carried with 4-ayes and 1-nay vote by Councilmember Casey Olson. (4-1). Councilmember Carol Langley abstained.**

Councilmember Carol Langley said she did not vote and is not comfortable voting on this. Councilmember Carol Langle asked Mr. Villarreal if he is positive that if they waited until the next meeting and saw what Councilmember Casey Olson is talking about in the budget that they still have plenty of time and are not holding them up. Mr. Villarreal said all the law requires is that the proposed budget is approved before you call the election so you can have that agenda item before you call the election. Mayor Countryman asked is this the

structure of it what we are presenting but then it can change later. Councilmember Cheryl Fox said to her it is a no-brainer as you have to propose this budget to be able to create the District. Chief Solomon said you have to have a projected budget. MEDC last year made \$1.1 million and if that had been a split that \$550,000 would have gone to Crime Prevention. When you start setting it up the way the legislature says you have to draw up a two-year budget along with a strategy plan. Councilmember Casey Olson said he is not arguing with that fact, but he is arguing with the content of the budget. Chief Solomon said he understands what he is saying when it says that are we going to start using that money. At no time has that been a plan of theirs as to start using that money until after Council has approved it and the election has approved it. As he said earlier, the projection of this Council was to use that money for building so they had no intentions of using that money at least for the next two years. Councilmember Cheryl Fox said on the other hand you really cannot be spending money from both sides but if you do not have a budget for the city then you have no money. Chief Solomon said if that money would have been available, they would have come to Council and said they have this amount of money available and can they use it on these items here. If Council would have approved those items, they would have used it on those items which would have offset the budget from the general fund. There is no way they would have come back okay now they have this money here, so they are going to use it. No. They would have come to Council and said look we have this \$550,000 and the Board has approved for them to use this money on cars for instance so they are going to use \$265,000 on cars and then Council would have to approve that. That is the only way they would be able to do that. Mayor Countryman asked if he is stating he would only use it for the police and Court facilities. Chief Solomon said yes. Chief Solomon said he gets the confusion and gets what Councilmember Casey Olson is saying, but all this was a projection, and they talked about that on a few occasions on how that worked. Councilmember Casey Olson said but it is a very conservative projection. Chief Solomon said it is very conservative, but they had nothing to go on. If they go by some projection of next year, they do not know what that is going to be or when that money starts rolling in they have no idea what that is going to be. There is Lupe Tortilla, Home Depot, and other businesses that are opening so you are going to have more and more tax and sales dollars and have no idea what that is going to be. They have to go with what is their present which was \$1.1 million. Councilmember Stan Donaldson said the Board itself is temporary. Councilmember Casey Olson said no it is not it is approved. Councilmember Stan Donaldson said he thought they had another Board if it was approved by the electors. Chief Solomon said they have a temporary Directors Board that was approved by the Council and there are some City councilmembers on that Board as well. He said Councilmember Casey Olson stepped down and one of the local DA's is on that Board and everything goes through that Board. They had a public hearing and gave them the budget. Now it is time for City Council to approve the budget because they have to send it back to the governing body. What they should be doing at the next Council meeting is approving a joint election which is for them to start getting the elections going. That is when they can start advertising that there is going to be at that point when they can start having town hall meetings to talk with anyone in the public about the CCP. This is just the formality of approving the budget. Councilmember Casey Olson asked how hard is it to amend that budget once they approve it. Mr. Villarreal said they are just approving the proposed budget and you can just make a motion based on whatever changes you want at the next meeting. Mayor Countryman said they can amend the budget anytime. Mr. Villarreal said true. Councilmember Casey Olson said the CCP Board can. Mayor Countryman said yes that is correct. Mr. Villarreal said he would have to look into it. He thinks it is 45 days or something you have to amend the budget after it is approved by Council. You can make changes for whatever the best interest

of the taxpayer is. Councilmember Casey Olson said they are approving this budget right now. Councilmember Carol Langley said but to answer your question there is not going to be any money transferring anywhere for another year or two. Councilmember Casey Olson said no because they get paid in sales tax on the quarter so if this passes in November the minute it goes into effect they start getting their payments. Councilmember Carol Langley said no it takes the State a whole lot longer than that and it all has to be approved. Chief Solomon said if you are looking at the spending of the money from this budget, Council has projected that would be the money that you use to start the lease of that building. He said at some point three years from now (this will be a five year deal and after that you can revote it after that five years) yes they can probably take their entire police budget and use it out of the CCP District which takes that money off of Council and puts the money back into the general fund. Mayor Countryman said Chief Solomon also stated that say your budget is \$2 million next year and there is \$800,000 here. You would not put the \$800,000 in your budget you would take this so we should see your annual budget decreasing. Chief Solomon said when they first started this that was one of the ways to offset the lease of this building. It was not for them to start using right away, but in the long run it is going to help the City and Police Department because now you can take them off of the general budget and that is what it was about. If they were going to do just a one time deal they could have gone to MEDC. There is a clause in MEDC and your ordinance that says that MEDC could have paid for that building. Chief Solomon said just to do a one time thing is not it and that is why they needed something long-term that is not only going to be good for the Police Department as a budget but also for the City to take them off of the general fund.

Councilmember Casey Olson said he has no problems with the CCPD with the theory of it and how it works. His problem was with the budget. He understands it is a proposed budget but it is a two-year budget. Chief Solomon said right and you are also right when you say that projection but there is nothing else to go off of with that projection. We could come and say next year they are going to have \$2 million but we do not know that. We have to go with what we have at that particular time. Mayor Countryman said your crystal ball says you have \$550,000 but what if you get \$1 million. Would you come back and amend that or that is what CCPD would have to amend saying there is more money in there. Chief Solomon said if it comes to back for that budget, yes Council would have to amend that. Councilmember Casey Olson said it is just like MEDC's budget. Once they approve it they have no control over it. He said this is two years and if they approve it they do not have to bring back anything to Council because it has been approved. Chief Solomon said the Crime Prevention Board would have to bring it back to Council. He said each time each year comes up for the use of budget money that Crime Prevention Board of Directors have to bring that to Council. Councilmember Casey Olson said that is his misunderstanding of this because it is a two-year budget and they only approve one-year budgets. Chief Solomon said yes but you have to have a two-year projection and Council has to approve a two-year budget. Chief Solomon said the Board of Directors can only look at what it is they are doing but have to bring it back to Council. Mayor Countryman said and then moving forward since this is the framework for the two-year it would be year to year to year just like a normal budget. Chief Solomon said he gets it as it is a lot. He said they are trying to follow a timeline from the legislature and with that timeline you have to put together Boards and get approval from City Council and put together elections.

Councilmember Casey Olson said to James Greene he would like to rescind his nay and change it to a yes. James Greene said they already have a motion and a second on the motion and the vote was conducted so they need to leave it as it is. James Greene said

Councilmember Casey Olson will be recorded as a nay and Councilmember Carol Langley will be recorded as an abstain. The motion still carries. James Greene said technically speaking after the vote they should not have gone back into deliberation. Mayor Countryman asked if they have to have three yeases for the quorum for it to be majority. Mr. Palmer said no because you have five people. Councilmember Cheryl Fox said since Councilmember Carol Langley abstained it is two to one. James Greene said there are provisions especially when it comes to budgets that require a super majority which would be three. Mayor Countryman said three voted. James Greene said let him defer to Mr. Villarreal. James responded it is okay, the vote is good.

Mayor Countryman declared item #8 has passed as presented.

9. Discussion regarding a Development Agreement for a proposed 86-acre single family residential project by Morning Cloud Investments (Dev. No. 2403).

Ms. Marjorie Cox said they have the concepts from recommendations Council has made. She said they will go through a more formal process in August if this is something Council would be agreeable to in terms of granting variances which they will look for. She said they started off in January with around 50 to 55 foot lot sizes and Council gave them input there was enough of that density in the community and were looking for a larger lot size so they started off with about 300 plus lots and were down to about 250, 260. Other changes came through the feasibility study so now they are down to 235 lots, which is the minimum they can develop in order to make the project work for them. Price points of 235 lots and homes would be below \$400's and that would bring a tax value into the community of \$94-\$105 million. They have done the feasibility study and have a builder at Woods who are still very interested in the community. They have them under a conditional contract and other builders as they move forward. She presented a configuration with the two tracts where they are able to combine the two properties that gives them two entrances or two access points. The properties were put under contract in December 2023 and in January they met with the planning and engineering folks and City Council where they received feedback and went through City Council for an escrow agreement. WGA was engaged on behalf of the City to do an outline of what would be needed in terms of utilities, street size, and lot width. In order to be able to maximize the use of the density of the property, 65-foot lots looking for a request of a variance of 65x120 lots or 7,800 square feet so that would be another variance and then a side yard setback. She said she knows it was important to have at least 15 feet between homes so they would be looking at a 7.5 side setback which would be a total of 15 feet. She said there is capacity in the utilities and it was identified that potentially the project could tie into. There is capacity and there is a cost for the developer to connect to those and that would be part of their cost which is built into the project. There is the Montgomery Comprehensive Plan that was put together by the community and professionals in 2020 and that was in order to help in planning for the benefit of the community with community members, stakeholders and others with planning expertise. Some of the items they noticed as they looked how to benefit their project and community is that there would be a demand of 500 new houses over 20 years. The recommendations were to create new zones to allow for a variety of lot sizes and housing types. The plan did recommend more affordable housing. She looked at the Houston Association of Realtors and saw the current average listing price for homes in Montgomery ISD is over \$600,000 and average sales price over the last six months is over \$500,000. The value for the homes in this project would be in the low \$400,000 to \$420,000. They have a clip of the land plan, three detention basins, interior streets, and the access to the

two major streets. Another item was to include in the project all the streets that would be required for the development and there is also a street from the major thoroughfare plan. The HGAC works every County in the region to plan out the transportation network over a 50 year period and so there had been a collector street on that as it goes from West Way south down through Old Dobbin and Old Plantersville Roads. They have not anticipated that initially as they thought it was partially on the track and partially on other tracks. This is typical in the planning industry. This would give the planning department to have the right of way dedicated via flat and then a portion of the street built at that time through the expense of the developer but otherwise the street would have to be planned out over the next 50 years so right of way acquired at the expense of the City or the County and built at that time. She knows the former planning director for the City of Houston always took the opportunity to take on these right of ways if they could through their department. That is what the major thoroughfare plan for Montgomery County outlines. The plan recommends that the County jurisdictions require right of way in advance and encourage landowners to donate right of ways and recommend cities collaborate with the development community to ensure the roadways are constructed and dedicated to the City and to the jurisdiction. Again, within the major thoroughfare plan recommends that through the platting approval process cities should appropriate the dedication of right of way and have that constructed by private land owners.

The next slide is how that collector street is a 70 foot right of way and how that would go through the property.

Ms. Cox said the next section relates to the amenities they plan for 235 lots that they would recommend. If they come back in August with the development agreement they would ask for a variance for 65 foot lots and 7,800 versus 9,000 square foot. They have three detention basins of eight acres that would include walking trails and park seating and then they have seven open areas and park spaces of 7.2 acres. They have over 15 acres that would be that compensating green space or compensating open space for the lot size variance. The properties are along the railroad and the property owners have planted trees and they are old growth trees which are very tall so they intend to keep those and they would have within the plat a tree buffer which would be an easement along the railroad of about 20 to 30 feet that would create some type of barrier.

Ms. Cox said the next step based on feedback for you all tonight would be to capture all these items into a development agreement between the City and the developer which would include the annexation of one of the tracks that are right now in the ETJ and that expands the City limits and the tax base. Also, there is identified within the feasibility study capacity of utilities and that development agreement would dedicate that capacity to this development subject to their payment of the share of the cost and impact fees there. The variance of lot size, variance of the square footage size and then a side yard setback. The detention bases and space would compensate for that.

Another item they discussed in January with the City was be to create a public improvement district which would be a tax for the residents there and over a 25 year period to reimburse the developer for the cost that would roll in the cost of water and sanitary lines, drainage, streets, and engineering costs. There are about 15 other PIDS within Montgomery County and other cities and this is the means that, for example Conroe has used to expand their city.

Next is where the property is located and annexation. Also, the feasibility study that was completed by WGA that outlines the utilities that they would connect to their cost for that.

Information on the public improvement district that is specific to the geography of 86 acres would be included and that is the service and assessment plan the fee would give the service area benefits for those property owners only and are the only members that would be taxed by that. That tax is limited by a 25 year period and is in comparison to other improvement areas where other developers may use a MUD for special purpose districts that is a way to reimburse for costs. In order to complete the development, build a thoroughfare, and other expenses there would be that reimbursement to the developers to do that to fund the development.

Ms. Cox said currently they have the property in the contract since December 2023. The studies completed in April. They had other discussions with the City on different alternatives for the development and felt like just what they were able to develop according to this plan would be the most feasible to get through and get approval on. The next steps would be coming back to Council for a variance request, the approval of the annexation of the additional acreage, the utilities, and the PID which would all go into that next step.

Councilman Casey Olson asked if this development would be under HOA. Ms. Cox said there would be a property owner association, POA yes. Councilmember Casey Olson also asked if all parks in open spaces would belong to the POA. Ms. Cox said that is usually how it is done and other times to get something for a city they can be dedicated to a city. If they are going to be used strictly by the residents of the development they would typically be dedicated to the POA. Councilmember Cheryl Fox asked who makes that decision. Councilmember Casey Olson said it is done in the development. When the development is completed and they turn the HOA over to the residents they would then deed those pieces of property from the developer to the HOA. Councilmember Stan Donaldson asked if it takes about 90 percent residency of the development before they can develop the HOA. Councilmember Casey Olson said he is not sure of the exact numbers but at some point the developer will just turn it over to the residents and then leave it up to the HOA to manage.

Mayor Countryman asked if that thoroughfare plan change anything for you if it is there or not there. Ms. Cox said yes it did. She said it caused some loss of lots but it is still a feasibility development subject to having the PID go through. Mayor Countryman said the one on the north on the Cheatham Stewart tract they did not take that into consideration in working with developers so she did not know if it would make a difference in taking it in consideration. Ms. Cox said just to point out the streets are wider.

Councilmember Casey Olson asked with the green spaces he is assuming they take up the difference with the variance right. Ms. Cox said yes.

Casey Olson said he does appreciate them taking their recommendations to heart and coming back with what Council recommended. Ms. Cox said the items need to be approved by City Council so they need to be able to work with you and take your input and incorporate that which works for the developer and they are pleased with that and present it to you as they are now to see if it is something you would have an interest in them going forward.

Councilmember Casey Olson asked Ms. Vu if from the feasibility study they are in good shape and they do not have to do anything immediately. Ms. Vu said no nothing to do immediately. The improvements that need to be done to the City we already knew about, the water plant and wastewater plant. Nothing out of the ordinary came up.

10. Calling a Public Hearing related to a Special Use Permit application for a paramedical and fine-line tattooing business located at 14375 Liberty Street, Montgomery, Texas.

Mr. McCorquodale said the owner is moving and has a letter from the city that says she was in compliance but does not have a special use permit. She is moving from one business in town to another and wants to expand her services. The owner was operating under microblading and wants to expand into what is known as paramedical and fine line tattooing. Mr. McCorquodale said it is a micro tattoo like a single needle decorative tattoo. It is not like a big tattoo parlor. According to the owner the biggest piece of what she does is the paramedical tattooing that is a full on tattoo but for a wholly different purpose than what an artistic tattoo is.

Mr. McCorquodale said the action for tonight is to call the public hearing just to let the process move forward as they have to go in front of the Planning & Zoning Commission and get that recommendation. She will then come back to Council where you receive it, hold your public hearing, and then take action on an ordinance and as with all issues there are conditions that are really at your discretion that you can place on that.

Councilmember Cheryl Fox asked if Mr. McCorquodale would define paramedical. Mr. McCorquodale said the most common explanation that he has heard the most of is areola tattooing so for a breast cancer survivor who has to have some type of surgery that leaves them with scarring or removal of some type of thing. It is to help these people feel whole again after some very serious surgery. Mr. McCorquodale said the State has a paramedical classification. If she did not have this special use permit the state laws do allow her to go to a doctor's office to do this and it really does fall more into the medical sphere than a cosmetic tattoo. Mayor Countryman said her business is very referral based and not an LED light or a strobe light trying to get business. Mr. McCorquodale said it is really a by appointment only type of business.

Councilmember Carol Langley moved to call the public hearing for August 27, 2024 at 6:00 p.m. to be held at Montgomery City Hall on item #10. Councilmember Stan Donaldson seconded the motion. **Motion Passed (5-0).**

11. RESOLUTION RENEWING THE SERVICE AGREEMENT BETWEEN THE CITY OF MONTGOMERY AND WASTE MANAGEMENT OF TEXAS, INC. FOR CITY-WIDE TRASH AND RECYCLING SERVICES; PROVIDING A REPEALER; PROVIDING FOR SEVERABILITY; AND PROVIDING AND EFFECTIVE DATE.

Tiana Smith, the City's Waste Management representative said she would review where they were at during the workshop and what was decided in the month of June. She said she also wanted Council to consider an alternative for how they calculate their annual adjustments. During workshop whenever they approach an extension or renewal or any type of agreement she does her due diligence and talk to the crews asking them what are they seeing in the streets and do they see changes. She does site evaluations and in doing

some of that she decided she wanted to approach Council with considering some alternative options to what they currently have for service. As they noticed bulky was not used each and every week and the thought was why not change it to once month. The great thing about this is they are not changing the volume. Every week today they pick up to two items each week. As they decided to change per month they change up to eight items so they are not taking any volume away. They are just picking it up one time a month because she has noticed and crews have noticed that they do not have much participation each and every week. Bulky items are furniture and you are not getting a new couch every week so that was the rationale for changing to option three. There is a cost efficiency with it so if you were to stick with your current state it is about a 50 cent difference so there is a cost savings with it too. That is where they started off. We started a new agreement and writing that up. The other thing Ms. Smith considered is something new as an alternative which she explained on the next slide of how they calculate adjustments each year. Currently when she calculates the adjustment for the year she takes the first column which is the CPI and looks at one month during that year which is whenever they entered into the agreement or considered pricing and looks at that change. She also looks at fuel. The only way fuel is added at this point is if diesel fuel goes over \$4.25 so it is a one percent change increase for every 25 cents fuel goes up. One thing they need to change is to use natural gas however if they were doing that like they do today the diesel price for the previous year was \$3.47 and for the current year is \$3.45 so it does not go above and there is no adjustment for fuel this year. That total adjust if they were using what they do today in the current agreement is 5.76 percent and that is what would be applied. The next thing is an alternative for you to consider. Currently you are almost taking 100 percent of both CPI and fuel. The bottom for CPI and fuel is weighted so whatever CPI comes out to be they take 90 percent of that and fuel they take 10 percent because yes fuel is a big component for the cost of their goods and services but certainly not 100 percent of it like they currently do now. Also, currently they only look at one month. She is proposing to look at all 12 months and look at the average. In looking at the table the average is 7.069 for the entire year. If you look back to page 143 the high for that 12 month period is 8.8 percent and the low in March is 5.76 percent and that is where this is better to take the 12 month average. If you take the 7.06 and multiply it by 90 percent it brings it down to the 6.36 percent so that is your CPI piece. Your natural gas is the exact same thing. They are taking that cost for natural gas over the 12-month period which is the change you can see as we all know fuel has gone down but it is -23 percent and if you multiply that by 10 percent it is -2.37. Add those up and it is 3.99 percent which would be your adjustment for this year.

Ms. Smith said the proposed calculation is what is in the agreement today and if you feel that is a good option they will keep it in there. If not and you feel like what we have currently is what we need to keep then they will put that in the agreement.

Councilmember Casey Olson said this is pretty standard using CPI to do cost adjustment. He said he question lies with the amount of weight you put on your fuel which seems low. Generally when you are dealing with vehicles it is higher than that. He asked why is your weight only 10 percent on the fuel. Ms. Smith said CPI does consider some fuel but certainly not all of it. If you were to compare the changes in fuel and CPI they do not follow along with each other. Councilmember Casey Olson said not the CPI as he gets the 90 percent but why so low of the 10 percent fuel cost. Ms. Smith said because CPI does bear some of the fuel. Councilmember Casey Olson said fuel is actually one of your highest expenses yet they are only getting a 10 percent weight of it. Ms. Smith said she neglected to say this but with the current there is no mechanism for going down now obviously that

trigger you know then they would take the next year and would not if it did not reach that but that is the benefit of this too as it does go down. Councilmember Casey Olson said a comment he had with Mr. Palmer is that this does allow for it to go down once a year. It is just the weight seems low.

Councilmember Casey Olson said he has a couple questions with the contract. He said it is a five-year contract so he would assume if they are going to commit for five years that they would get some sort of a discount but it is not really it is the same rate so he does not see the benefit of going past on their regular two. At your door special collection is part of the sales pitch for this. There is a clause F on page eight of paragraph 5.03 that says contractor will provide a household hazardous waste on demand collection program to resident units under the terms and conditions as set forth in the document entitled at your door special collection program. See exhibit A. Then it goes on to say contractor has the right to discontinue this service offering on 30 days written notice to the City. He asked if that includes a rate adjustment. Ms. Smith said correct. Councilmember Casey Olson said it does not say that. Ms. Smith said she would be happy to add something like that in there as it was an oversight.

Councilmember Casey Olson said the bulky trash is a bit confusing. It says you bag it up, make sure it is under 35 pounds and that it is tied good for pick up. When you go to section 5.05 paragraph B it says contractors shall not be required to collect any waste or recycles that are not placed in the cart. He said that bulky trash is not going to fit in the cart if it is in a bag tied up next to it so you are not going to pick it up. Ms. Smith said she does understand the definition of bulky and it should be tied or bundled. Councilmember Casey Olson said it says that they will be picked up, but then it goes on to say that you will not pick it up. Ms. Smith said that would be for just regular garbage collection and it would not apply to bulky. Councilmember Casey Olson said in one point of the contract it says you will and then another point it says you will not. Ms. Smith said she will look at it and asked what section he is referring to. Councilmember Casey Olson said it is 5.05 commercial hand collect unit carts but it never states in bulky whether it is commercial or not it just says if it is bulky it has to be tied up and it gets picked up twice a month. Ms. Smith said because it is part of the scope of service. It is a description instead of like the definition. Councilmember Casey Olson said which is the scope of your general services but then there is this clause that says you are not going to pick it up so is it part of the service or is it not. Ms. Smith said it is and they will definitely get that fixed.

Councilmember Casey Olson said regarding 5.07 overage collection he is not really sure what that is about. He said it reads contractors shall have no obligation to collect unusual accumulations or overages. He asked what is an unusual accumulation. Ms. Smith said that would be if they came to a house and someone was evicted and there is way more than eight items. You would want them to pick that up and they would be willing to do that but would have to charge above the normal charge.

Councilmember Casey Olson asked if bulky waste was once a month and right now it is twice a month. Ms. Smith said it is each week. She said to your point there are alternate solutions which were on that first slide which she did not cover. For most of the time once a month is going to work but sometimes you have graduation parties or a crawfish boil so it is a temporary need. What they would offer now that would be new is what they call a pink tag and you purchase it through the City for \$2.25. You put whatever you need in your bag if you have a pink tag on it then the driver will stop after he empties the cart he will

stop put it back down and put it in the cart and lift again because you are paying for that. She said it is just a temporary need. They also have a second cart for someone who may move their mom in or someone who has three teenage boys, or a birthday party. You can have a second cart and it does not put pressure on everyone to have this additional service and additional cost and those are the additional services that are in that contract.

Councilmember Casey Olson said if you look at the 2024-2025 rates our 2024 rate is 23.75 and it has not been adjusted he assumes for 2025. He said so we want to take less services except for adding a service that the citizen pays for and then the rate would go up. He said he is trying to understand the benefit of it. Ms. Smith said if you were to keep each week that rate would be 25.41 and if it is once a month it is 24.94 and that is where the cost difference is. The difference your adjustment over the last five years average has been about 5.1 percent so option three keeps you where you have been over the last five years. She said they have had wages go up by 30, 40, 60 percent even in some cases in some years so they are just trying to find a way to offset some of that particularly after she has observed, her team has told her that it is not utilized each week.

Councilmember Casey Olson said there is section 9.03 additional adjustments. He asked what is an uncontrollable increase. Ms. Smith said something where there is a law passed or it is a change in fee for disposal, something that they cannot control necessarily and that is something she would bring to you to either approve or disapprove. It is not something that is immediate or automatic. She said she would write up something that you would understand what this uncontrollable circumstance is and you evaluate whether that is reasonable or not and would either approve or disapprove. It is something they had in the last contract. Councilmember Casey Olson said based on that comment though the next line in that exact paragraph says if the City denies or takes no action so if the City denied or took no action then the contractor shall have the right to terminate the agreement upon 90 days. Ms. Smith said correct. Councilmember Casey Olson said so they really do not have a choice is what you are saying. Ms. Smith said no that is not it at all. She said she has done this in the past with different municipalities or utility districts. They worked towards a solution. She said Council has done this with whoever has come with her before. They will come to you with a problem and work their way through it.

Councilmember Stan Donaldson asked if they have done away with the two men crews that pick up trash manually and load it. Ms. Smith said no you would still have a crew for the bulky items. On a bulky day you will have two different types of trucks picking up. One is for the garbage cart and then a second bulky item with a rear load which has the two men on the back and a driver.

Councilmember Casey Olson said to Mr. Muckleroy concerning the quarterly heavy trash event that the last two times both dumpsters have been overflowing and they had more trash on the side as much as what was in the dumpsters. He said he does not know if they can increase it to every 60 days. Mr. Muckleroy said they are increasing the number of dumpsters. Ms. Smith said the last contract had four and they are increasing it by one for each quarter so now it is five.

Mr. Palmer said what he would recommend and if Council is okay with the agreement that if there are changes you want made just do it by condition so they get it approved. Obviously, our contract with them expires next month and time is of the essence with this one. Councilmember Casey Olson said this contract is only a 5 year agreement and asked

if they can do a shorter deal. Mr. Palmer said he actually requested 5 years. Councilmember Casey Olson said the only difference is the natural gas way of figuring things which is fairly straightforward and that would be the way they do it. Ms. Smith asked if he would like 85.15. Councilmember Casey Olson said no this is what is proposed in the contract. Ms. Smith said that is correct. Councilmember Casey Olson said they do not have to change it because you said this would be option three. Ms. Smith said option three is adopted in the contract you have there. Ms. Smith said they truly appreciate this partnership. It has been 17 years. You entrust our crews every week and hopefully it has been good for you. She said one thing she can say about WM is the people respond and take action. She said thank you and they appreciate the opportunity.

Councilmember Casey Olson said 5.03 section F had to do with the contractor has a right to discontinue services after offering of 30 days written notice. He asked what is the reason you would discontinue service. Ms. Smith said they collect this stuff and it goes to a place for processing and if that processing facility said they cannot take this anymore they would have to be able to adjust to that. They would try and find a different alternative. Councilmember Casey Olson asked if the rate would then be adjusted. Ms. Smith said yes and for 5.03 section F they would need to add some kind of verbiage that said a consideration change in rate or something to that effect. Councilmember Casey Olson said and then clarification on the commercial when it comes to the bulky trash what will be picked up and what will not be picked up. Ms. Smith said for bulky there is no bulky collection provision for the commercial.

Councilmember Casey Olson moved to accept item #11 as presented with the addition of 5.03 stating that the rate would be adjusted for lack of service changes. Councilmember Stan Donaldson seconded the motion. **Motion Passed (5-0).**

12. Selection of a service provider responsive to the submittals received from Primary Depository Bank Services Request for Proposals published June 20, 2024.

Maryann Carl, Finance Director stated on July 10, 2024 they received two proposals. One from First Financial Bank and the other from Woodforest National Bank. Ms. Carl said the evaluation matrix is attached. First Financial came in with much higher scoring than Wood forest and First Financial is their current depository. She said they are suggesting to stay with First Financial.

Ms. Carl said one of the things in their proposal currently as she explained before that our contract with them is very old, almost 20 years, they were currently getting 0.15 percent and that has now been adjusted in this proposal. They way that it works which is a very common thing in the banking world is they take an average it is an 80 percent of the average 91 day T bill from the previous month which is this complicated formula that goes into it but in the month of June our interest rate in all funds at our local branch would have been 4.3158 percent which is pretty comparable to what they see at TexPool, slightly less then what they see at TexPool so they would definitely be maximizing the interest on those local funds as well.

Councilmember Casey Olson moved to accept the proposal from First Financial Bank for primary depository bank services. Councilmember Stan Donaldson seconded the motion. **Motion Passed (5-0).**

13. Approval of expenses for improvements at Memory Park.

Mr. Muckleroy said they did a budget for this last year \$40,000 capital for the project at the park. This is a project that they have done phase one and phase two on so far around the edge of the pond with the erosion. A contractor came in and made a sack creek bulkhead and capped it with rock and filled it in with dirt and grass. He said this is the area around the deck that goes out over the water which has eroded severely over the years. This project will completely surround that with bulkhead and then fill it all back in with dirt and get it back to where it was originally. Once it is all filled in then they will have the dirt to be able to lift that back up. Councilmember Stan Donaldson said no water underneath then. Mr. Muckleroy said exactly as that is the way it originally was. This is the same contractor that has done the other two projects for them and he has done great. They supplemented the cost a bit by providing the dirt themselves as they have a stock pile at the old sewer plant. Councilmember Carol Langley asked if the \$29,900 is the grand total amount. Mr. Muckleroy said yes. He said the other projects he did exactly for what the quote was. It went up a little bit as the original quote was about \$800 less but they asked for a fresh quote a couple weeks ago and it went up just a little bit and this is current.

Councilmember Stan Donaldson moved to approve expenses for improvements of Memory Park of \$29,900. Councilmember Casey Olson seconded the motion. **Motion Passed (5-0).**

14. Acceptance of the Lift Station No. 10 Force Main Improvements and commencement of one-year warranty period.

Ms. Katherine Vu, City Engineer said this project was completed for the Montgomery Bend development and this project was paid for by Pulte Homes. They completed the inspection on June 18, 2024 and have found the project to be substantially complete. They issued the punch list and at that time there were three items which are listed on page 161 of the packet. All three of those items have since been addressed and they recommend accepting the infrastructure and beginning the one-year warranty period.

Councilmember Stan Donaldson moved to accept the Lift Station No. 10 Force Main Improvements and commencement of one-year warranty period. Councilmember Cheryl Fox seconded the motion. **Motion Passed (5-0).**

15. Discuss extending the terms of office of the Mayor and Councilmembers from two to four years.

Mr. Greene said they have discussed the cost of elections and the rising costs thereof and from purely a dollar and cents standpoint outside of political issues with short terms campaigning every other year, they think it is best that they extend the terms to four years which allows them to skip an election every year. Now they are on an annual election schedule this would put them to every other year for elections. Mayor Countryman said to be clear this would be voted on in November and then instituted in the May 2025 election. Mr. Green said it depends on when you want to order this election for and thinks Council should put some thought into that with November being a presidential election and May not being a presidential election. He thinks there are very valid considerations should

happen of when you would decide to put that on the ballot, but ultimately that is up to Council. He said it would not affect any of your terms right now and you would have to be elected back into your seats. He said technically they will have the next two annual elections like they occur normally the difference being whoever is elected in 2025 will be elected into essentially a four-year term if it goes to November and that is what you all decide when that would start. If obviously it is on the ballot in May we would have the next three elections. Mayor Countryman asked if it is cheaper to go now versus paying for three more elections. James Greene said what he is saying is Council should consider whether you want to put it on the November ballot or the May ballot or at all. He said the other consideration is you do not have to go four-year terms, you could go to three-year terms, however that completely defeats the purpose of skipping the election because they would still have annual elections under three-year terms. Councilmember Carol Langley said if they do it in November they also have the Crime District one and the presidential. Carol had further questions about the process and stated she didn't want the election in November. Olson explained the election would still remain in May and that the election date would not change. Discussion amongst the Council ensued for a minute. Greene stated the election order would be at the next regular meeting for consideration. No action.

16. Discussion on the consistent power outages that occur behind the commercial strip on South 105 just West of 2854 (Chic Fil A to McCoy's).

Palmer outlined the issues with the storms and the delicate power lines behind the commercial strip on 105 west of 2854. Palmer explained the discussions between the businesses and Entergy. Joe Piotrowski the owner of Chic Fila spoke about the issues and lack of response from Entergy. Piotrowski went through the history. In the past year they have lost power 13 times. Some was due to storms but some was without reasonable cause. Discussion ensued. Recommended Piotrowski and other businesses contact the Public Utilities Commission. Discussed economic impact. Discussed doing a resolution supporting the businesses and encouraging Entergy resolving these problems immediately. No action.

DEPARTMENTAL REPORTS:

17. Public Works June 2024 Report

Mike Muckleroy provided an update based on the packet report. Limited discussion.

18. Utility Operations June 2024 Report

Mike Muckleroy provided an update based on the packet report. Limited discussion.

19. City Engineer June 2024 Report

Katherine Vu provided an update based on the packet report. Buffalo Springs improvements update: Sara asked if an HD sign was going in the island on Buffalo Springs. Vu responded no. Vu expressed concerns about Entergy not providing a firm delivery date for power and TXDOT signal warrant analysis delay. Discussed TXDOT projects. Sara asked about MISD fuel station.

20. PD & CE June 2024 Report

Chief Solomon provided an update based on the packet report. Solomon informed the Council that TXDOT just closed 1097 due to Atkins Creek bridge failure from the storms. Minor discussion ensued regarding storms.

21. Court June 2024 Report

Kimberly Duckett provided an update based on the packet report. Limited discussion. Sara, going back to the code enforcement report, asked about code enforcement with regard to property maintenance, debris in yards. Solomon stated we will focus on the issues. Tilley stated she has been in communication with the offenders. We are looking for compliance first and possibly providing resources for blight removal. Discussion ensued. Sara brought up loud music complaints coming from the Anna Springs residents about the Cornerstone Church on FM149 practicing music very late. Tilley recommended complainants call the PD non-emergency line to report and have PD respond. Discussion ensued.

22. Finance June 2024 Report

Maryann Carl provided an update based on the packet report. Carl provided an update on Waste Management mis-billing and rectification.

Councilmember Olson moved to accept all departmental reports. Councilmember Donaldson seconded the motion. **Motion Passed (5-0).**

COUNCIL INQUIRY:

Sara provided some updates on Commissioners Court and storm debris pickup. Sara reviewed the Simmons Bank flag inquiries. Sara reviewed Navasota ED workshop.

EXECUTIVE SESSION:

Adjourn into Closed Executive Session as authorized by the Texas Open Meetings Act, Chapter 551 of the Government Code of the State of Texas.

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 qualification in:

23. **551.071:** (Consultation with Attorney): Discuss Town Hydrology Enforcement Options with City Attorney.

24. **551.072** (Deliberations regarding Real Property): The sale of 213 Prairie Street.

City Council adjourned into Executive Session at 8:41 p.m.

City Council reconvened into Regular Session at 9:14 p.m.

ACTION FROM EXECUTIVE SESSION:

Councilmember Olson moved to approve moving forward with the item discussed in executive session related to 551.071. Councilmember Fox seconded the motion. **Motion passed (5-0).**

ADJOURNMENT:

Councilmember Fox moved to adjourn the meeting. Councilmember Olson seconded the motion. Motion Passed (5-0).

The meeting was adjourned at 9:20 P.M.

Date Approved: 8-27-2024

Submitted by: Diana Titus
Diana Titus, Deputy City Secretary



Mayor, Sara Countryman