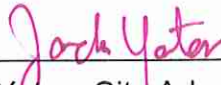


**NOTICE OF REGULAR
MEETING
Montgomery Economic Development Corporation
(MEDC)**

Notice is hereby given that the Board of Directors of the Montgomery Economic Development Corporation will hold a meeting at 6:00 p.m. on July 16, 2018 at the Montgomery City Hall, 101 Old Plantersville Road, in Montgomery, Texas.

1. Call to Order
2. Open Public Comment
3. Approval of Minutes of June 18 and July 9, 2018
4. Monthly Financial Report (June, 2018)
5. Presentation by Historic Montgomery Business Association regarding Antiques Festival
6. Consideration and possible action regarding the Chamber of Commerce and Montgomery Economic Development Corporation Agreement notice of intention to not renew the joint service contract
7. Discussion regarding the first draft of the budget emanating from the MEDC Workshop of July 9, 2018 and possible action regarding the calling of a second workshop to further refine the details of the budget.
8. Consideration of amendments to the MEDC bylaws
9. Consideration of amendments to MEDC Mission and Goals
10. Presentation of draft Quarterly Report – Shannan Reid
11. Economic Development Report – Shannan Reid, Jack Yates
12. Board Inquiry
13. Adjournment



Jack Yates, City Administrator for
Rebecca Huss, President of MEDC



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 12th day of July, 2018 at 3:35 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 accommodation.

MONTGOMERY ECONOMIC DEVELOPMENT CORPORATION
MINUTES
JUNE 18, 2018

Present were:, Cheryl Fox, Amy Brown, Rebecca Huss, John Champagne and Randy Moravec. Bill Hanover and Bob Kerr were absent. Also present were, Shannan Reid and Jack Yates

Call to Order – President Rebecca Huss called the meeting to order at 6:01 p.m.

Open Public Comment --- There was no public comment.

Minutes of June 5, 2018—it was noted that there was a need to place in the motion the \$5000 grant specific amount for Mr. Skinner, and that in the sixth line regarding the Hotel Incentive Program that it should read “direct funding” instead of the “directing funds” and to remove the second ”that” in the fifth line of the Hotel Incentive Program. Motion by Fox, seconded by Brown to approve the minutes with the changes. All in favor.

Monthly Financial Report (May, 2018) – Motion by Moravec, seconded by Fox to approve the Report is presented. All in favor.

Presentation of promotion film by Rotary Club of Lake Conroe -- Gary Milleson was present from the Rotary Club of Lake Conroe and he thanked the Board for their financial assistance in providing the film. Mr. Moravec gave a brief report regarding the history of the Park that started in 2006 and that the Club has placed approximately \$1 million of improvements into the Park. The film was played for the Board. Mr. Don Carter was present to say that a variety of people from across the country are visiting and support the park. President Huss asked who owned the film, and the response from Gary Milleson was that the Rotary Club of Lake Conroe owned the film but would make it available for any use that the City chose.

Jack Yates said that he would pay the Club for the previously approved MEDC \$3,000 contribution toward the film.

Budget process for 2018-2019 Fiscal Year – There was brief discussion regarding the process of the board working together on a budget process. Motion by Moravec, seconded by Brown to schedule a workshop meeting at 9:00 a.m. July 9th at the City Hall. All in favor.

Resolution regarding bank account signatures – there was brief discussion regarding the letter”D” on the second page of the resolution and whether or not that was needed. Motion by Champagne seconded by Brown to approve the Banking Resolution as presented. Discussion followed motion by Moravec seconded by Fox to approve the making resolution with the letter “d” removed from the second page of the resolution. All in favor.

To approve the original motion a vote was taken. All in favor.

Economic Development Report – Shannan Reid, Jack Yates – Jack said he had nothing new to report.

Shannon Reed presented her brief report which included working to install the walking tour beacons for the new Distrx App and calling on several businesses regarding their activity. President Huss asked if the activities fulfilled the halftime time to be spent on economic development projects arrangement with the MEDC. Shannon replied that she thought the activities had been sufficient to meet the time standard.

There was considerable discussion regarding the website that is being prepared by Barbie Joerg. The subject generally was the quality and cost of the website and who was the staff person responsible for working with Barbie. The question was about what to do about the website, how it should be used and who owned the website at this point. There were no decisions reached.

Board Inquiry – Mr. Moravec ask for an executive session regarding the contract for services of the Economic Development Director and the MEDC at the next meeting of the MEDC.

Adjournment –motion by Fox seconded by Brown to adjourn at 7:51 p.m. All in favor.

Jack Yates, Recording Secretary

MONTGOMERY ECONOMIC DEVELOPMENT CORPORATION
MINUTES
JULY 9, 2018

Present were:, Cheryl Fox, Amy Brown, Rebecca Huss, John Champagne, Randy Moravec. Bill Hanover and Bob Kerr were present. Also present were, Shannan Reid and Jack Yates

Call to Order – President Rebecca Huss called the meeting to order at 9:02 a.m.

2018-2019 MEDC Budget Preparation Discussion – There was general discussion regarding the cities listed on the Texas City Research Overview report provided, as accumulated for several members of the Board. The cities of Wimberley, Glen Rose, Canton and Tomball were particularly discussed. The issue of whether or not tourism should be a principal matter of the economic development within the city was discussed at length.

The question of how, or if, the city can control retail development was discussed. How to shape the development of the core of the City, as to appearance and preservation of retail in the core area, was also discussed. The general opinion of the Board was that retail will guide itself to the City, with only slight involvement by the economic development factors coming from the City itself. A discussion was held regarding economic development incentives—such as tax rebates or a special underlying district formation..

The Mission and Goals Statement of the MEDC was presented to the Board and briefly discussed.

Member John Champagne left the meeting at 9:35 a.m

The general opinion of the Board was that the role of tourism, that is getting more people into the City to shop inside the City and particularly in the downtown area, was the best way of using the MEDC funds. That led to a discussion of the Chamber of Commerce and MEDC Agreement regarding the shared position of Economic Development Director of the City and the Executive Director of the Chamber of Commerce. There was discussion regarding Chamber and HMBA relations and if a Promotions person could better deal with both groups and do the promotions function in a more productive manner. The City Administrator was told to put the issue of cancellation of the MEDC/Chamber Agreement on the next MEDC agenda.

There was discussion regarding a spreadsheet provided by Board member Amy Brown regarding possible projects of the MEDC involving: a historic downtown plan, medical/educational facilities, entertainment such as amphitheater, skate Park Sam Houston Forest, enhancement of parks, more festivals, business development incubator program, a parking app, downtown expansion development zone, harnessing of wedding industry in the area and tourism marketing involving a Visitor Center and Travel and Visitors Bureau. These items were briefly discussed.

There was general discussion regarding the remainder of the budget with comments for including to not list the individual events as individual line items but instead to list events as a collective amount with decisions regarding individual funding to be decided by the Board as a later time,

what to do with the brochure/printed literature item, the internship program, that the downtown development improvements line item is meant for downtown for capital improvements, the downtown enhancement projects line item is meant for design of the master plan for that the downtown area, that seasonal decorations and Christmas lighting/civic association be combined in one item and that utility extensions line item be used to balance the MEDC fund for the year to match revenue to expenditures.

Adjournment --Motion by Fox, seconded by Kerr to adjourn the meeting at 10:51 a..m.

Jack Yates, Recording Secretary

CITY OF MONTGOMERY - MEDC
ACCOUNT BALANCES REPORT
Through June 30, 2018

	<u>MONEY MARKET ACCOUNTS</u>	<u>INVESTMENTS</u>	<u>TOTALS</u>
<u>MEDC</u>			
CHECKING ACCOUNT #1017938	\$ 283,010.40		\$ 283,010.40
TOTAL INVESTMENTS	\$ -	\$ 487,811.70	\$ 487,811.70
TOTAL MIDC	\$ 283,010.40	\$ 487,811.70	\$ 770,822.10

*

INVESTMENTS

	Issue Date	Maturity Date	Interest Rate	Balance
Texpool #00006			1.81%	\$ 237,112.72
Certificates				
Allegiance Bank	12/17/2017	6/6/2018	2.00%	\$ 100,000.00
Icon Bank CD #7731	1/27/2018	1/27/2019	1.25%	\$ 150,000.00
Total Investment Balance				\$ 487,112.72

City of Montgomery - MEDC

Cash Flow Report

As of June 30, 2018

Date	Num	Name	Memo	Amount	Balance	
51100 - MEDC Checking					291,816.68	
6/01/2018	1895	Montgomery Area Chamber of Com...	Partnership Grant for Director Services & Office Sp...	-2,566.67	289,250.01	
6/08/2018	1896	Montgomery Soccer Club	Funding Project for Montgomery Soccer Club	-4,050.00	285,200.01	
6/15/2018	1897	Milstead Glass Company, Inv.	VOID: Facade & Bldg Imp Grant - Portion Appro...	0.00	285,200.01	
6/15/2018	1898	Office Depot Business Credit	Part May 2018 Invoices (twin Pocket Portfolios -Dar...	-17.11	285,182.90	
6/22/2018	1899	Braun's	Inv 97280 - 2X8 Plate with name	-12.00	285,170.90	
6/22/2018	1900	Jones & Carter, Inc.	W5841-0001-18 2018 MEDC INV 265219	-160.50	285,010.40	
6/29/2018	1901	China Chapel	Reimbursement for Homecoming Celebration (Actu...	-2,000.00	283,010.40	
Total 51100 - MEDC Checking					-8,806.28	283,010.40
TOTAL					-8,806.28	283,010.40

City of Montgomery - MEDC
Actual to Budget Performance
June 2018

	Jun 18	Budget	\$ Over Bud...	Oct '17 - Ju...	YTD Budget	\$ Over Bud...	Annual Bu...
Income							
55000 · Taxes & Franchise Fees							
55400 · Sales Tax	37,767.95	43,140.68	(5,372.73)	428,386.12	389,413.34	38,972.78	530,000.00
Total 55000 · Taxes & Franchise Fees	37,767.95	43,140.68	(5,372.73)	428,386.12	389,413.34	38,972.78	530,000.00
55300 · Other Revenues							
55391 · Interest Income	353.48	74.41	279.07	2,769.34	537.90	2,231.44	950.00
Total 55300 · Other Revenues	353.48	74.41	279.07	2,769.34	537.90	2,231.44	950.00
Total Income	38,121.43	43,215.09	(5,093.66)	431,155.46	389,951.24	41,204.22	530,950.00
Expense							
56000 · Pub Infrastructure - Category I							
56000.6 · Downtown Dev Improvments	0.00	3,368.64	(3,368.64)	6,151.38	44,318.67	(38,167.29)	55,000.00
56000.8 · Utility Extensions	0.00	74,990.61	(74,990.61)	142,225.50	180,000.00	(37,774.50)	180,000.00
56000.9 · Flagship Dev Improvements	0.00	0.00	0.00	4,465.00	8,000.00	(3,535.00)	8,000.00
56430 · Tsf to Debt Service	0.00	80,000.00	(80,000.00)	80,000.00	160,000.00	(80,000.00)	160,000.00
Total 56000 · Pub Infrastructure - Category I	0.00	158,359.25	(158,359.25)	232,841.88	392,318.67	(159,476.79)	403,000.00
56001 · Business Dev & Ret -Category II							
56001.8 · Sales Tax Reimbursement	0.00	0.00	0.00	0.00	35,000.00	(35,000.00)	35,000.00
56423 · Economic Development Grant Prog	4,050.00	0.00	4,050.00	7,550.00	20,000.00	(12,450.00)	20,000.00
Total 56001 · Business Dev & Ret -Category II	4,050.00	0.00	4,050.00	7,550.00	55,000.00	(47,450.00)	55,000.00
56002 · Quality of Life - Category III							
56404 · Seasonal Decorations	0.00	0.00	0.00	1,261.45	6,000.00	(4,738.55)	6,000.00
56420.2 · Christmas Lighting(Civic Assn)	0.00	0.00	0.00	2,469.49	1,600.00	869.49	1,600.00
56423.1 · Walking Tours	0.00	0.00	0.00	1,718.00	4,000.00	(2,282.00)	4,000.00
56429 · Removal of Blight	0.00	2,142.86	(2,142.86)	5,032.04	10,714.28	(5,682.24)	15,000.00
56433 · Downtown Signs	0.00	0.00	0.00	0.00	1,000.00	(1,000.00)	1,000.00
56435 · Fermland Improvements	0.00	0.00	0.00	0.00	4,000.00	(4,000.00)	4,000.00
56439 · Downtown Enhancement Projects	0.00	0.00	0.00	0.00	20,000.00	(20,000.00)	20,000.00
Total 56002 · Quality of Life - Category III	0.00	2,142.86	(2,142.86)	10,480.98	47,314.28	(36,833.30)	51,600.00
56003 · Marketing & Tourism-Category IV							
56408.1 · Promotional Video	0.00	0.00	0.00	0.00	1,500.00	(1,500.00)	1,500.00
56409 · Antique Show & Fest	0.00	0.00	0.00	10,000.00	10,000.00	0.00	10,000.00
56413 · Brochures/Printed Literature	0.00	0.00	0.00	5,280.00	5,000.00	280.00	5,000.00
56414 · Wine & Music Fest	0.00	0.00	0.00	0.00	0.00	0.00	10,000.00
56415 · Texian/Heritage Festival	0.00	0.00	0.00	0.00	8,000.00	(8,000.00)	8,000.00
56418 · Christmas in Montgomery	0.00	0.00	0.00	5,000.00	5,000.00	0.00	5,000.00
56419 · Website	525.00	166.67	358.33	525.00	1,499.99	(974.99)	2,000.00
Total 56003 · Marketing & Tourism-Category IV	525.00	166.67	358.33	20,805.00	30,999.99	(10,194.99)	41,500.00
56004 · Administration - Category V							
56004.1 · Admin Transfers to Gen Fund	9,375.00	9,375.00	0.00	28,125.00	28,125.00	0.00	37,500.00
56004.2 · MACC Administration & Office	2,566.67	2,666.67	(100.00)	23,100.03	23,999.99	(899.96)	32,000.00
56004.3 · Miscellaneous Expenses	2,012.00	335.69	1,676.31	7,859.11	4,692.95	3,166.16	6,000.00
56004.5 · Internship Program	0.00	833.33	(833.33)	0.00	7,500.01	(7,500.01)	10,000.00
56327 · Consulting (Professional servi)	0.00	1,666.67	(1,666.67)	11,906.75	8,333.33	3,573.42	10,000.00
56354 · Travel & Training Expenses	0.00	0.00	0.00	840.00	2,240.00	(1,400.00)	2,800.00
Total 56004 · Administration - Category V	13,953.67	14,877.36	(923.69)	71,830.89	74,891.28	(3,060.39)	98,300.00
Total Expense	18,528.67	175,546.14	(157,017.47)	343,508.75	600,524.22	(257,015.47)	649,400.00
Net Income	19,592.76	(132,331.05)	151,923.81	87,646.71	(210,572.98)	298,219.69	(118,450.00)

Montgomery City Council
AGENDA REPORT

Meeting Date: July 16, 2018	Budgeted Amount:
Prepared By: Jack Yates City Administrator	Exhibits:
Date Prepared: July 12, 2018	

Subject

This is a report on the finances connected with the Antiques Festival.

Description

The MEDC contributed \$10,000 to the antiques Festival held the last weekend of April.

Recommendation

Hear the Report and discuss and amend as you think necessary.

Approved By

City Administrator	Jack Yates	Date: July 12, 2018
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Montgomery City Council
AGENDA REPORT

Meeting Date: July 16, 2018	Budgeted Amount:
Prepared By: Jack Yates City Administrator	Exhibits: Current Agreement if MEDC And Chamber
Date Prepared: July 12, 2018	

Subject

This is to discuss ending the contract between the MEDC and the Montgomery Area Chamber of Commerce.

Description

In the attached contract copy note Section 1 which is the terms section. It states that the agreement is continuing affect for a period until December 31, 2018, because of its automatic renewal at December 31 of 2017. The MEDC Board could give 90 days notice now and see if the MACC is willing to stop the agreement at the end of October (Counting August, September and October) or if the MACC wants to stay with the agreement until the end of December (with the MEDC board giving notice of cancellation before 90 days until the end of the calendar year).

Recommendation

Discuss and act as you think necessary.

Approved By

City Administrator	Jack Yates	Date: July 12, 2018
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**CONTRACT REGARDING SHARED ADMINISTRATIVE SERVICES AND SHARED OFFICE
LEASE SPACE BY AND BETWEEN MONTGOMERY ECONOMIC DEVELOPMENT
CORPORATION AND MONTGOMERY AREA CHAMBER OF COMMERCE**

THE STATE OF TEXAS

COUNTY OF MONTGOMERY

KNOW ALL MEN BY THESE PRESENTS

THIS CONTRACT is made and entered into this the sixteenth (16) day of January, 2017, by and between MONTGOMERY ECONOMIC DEVELOPMENT CORPORATION (hereinafter the "MEDC") and MONTGOMERY AREA CHAMBER OF COMMERCE (hereinafter the "MACC").

WITNESSETH

WHEREAS, MEDC is the economic development corporation for City of Montgomery, Texas, as set out in Chapter 505 of the Texas Local Government Code (the "LGC"); and

WHEREAS, MEDC requires administrative and management services to effectively conduct the economic development programs of objectives for which the MEDC was formed; and

WHEREAS, Chapter 505.102 of the LGC provides that type B municipal development corporations, such as MEDC, may enter into contracts with other private corporations to (1) carry out an economic development program or objective, and (2) to assist with the development or operation of an economic development program or objective consistent with the purposes and duties specified by Chapter 505 of the LGC; and

WHEREAS, MACC has employed a full-time employee to assist MACC with its purposes and functions, and MACC is willing to permit said employee to devote approximately one half of the time to carrying out the purposes and objectives of MEDC, as directed and requested by MEDC; and

WHEREAS, MEDC and MACC desire to enter into this contract concerning shared administrative services;

NOW THEREFORE, in consideration of the premises set forth herein, MEDC and MACC agree as follows:

Terms of Contract

1. This contract shall become effective January 1, 2017, and shall continue in effect for a period of one year, until December 31, 2017. This contract shall automatically renew for successive one (1) year terms unless one party provides written notice to the other party at least ninety (90) days in advance of the end of the then existing term that it does not wish to renew the term of this contract.

Administrative Services

2. MACC agrees to retain a full time employee of MACC, the ("Employee"), to perform office tasks and administrative services for MACC. MACC shall permit its Employee and agrees to require said Employee, to dedicate and devote the time needed to perform the tasks described in Attachment A, such time estimated to be one thousand forty (1,040) hours per year. Services to MEDC shall include, but not be limited to, office work, project coordination, administrative assistance and other services to be performed by Employee for economic development and planning activities or other work specifically requested by MEDC. Employee shall not be an employee of MEDC, and shall be considered an independent contractor of MEDC, in accordance with the terms of this contract as further delineated in Attachment "A" Scope of Work. MACC agrees to maintain office space within the corporate limits of the City of Montgomery for the Employee to conduct economic development activities and to supply equipment and services necessary for the Employee's optimal service.

Compensation

3. In consideration of the services to be performed by Employee, MEDC agrees to pay MACC the annual sum of Thirty Thousand and Eight Hundred Dollars (\$30,800) to be paid in twelve (12) equal monthly installments of Two Thousand Five Hundred Sixty-six Dollars and Sixty-seven cents (\$2,566.67).

Indemnification

4. MACC will indemnify, save harmless, and defend MEDC from all liability, loss, damage, or injury arising out of incident to the performance of this contract, including, without limitation, all consequential damages.

Termination

5. This contract may be terminated prior to the expiration of the three (3) year term provided herein, in the event Employee is terminated, or for any reason is no longer employed by MACC.

Notices

6. Any notices to be given under this contract by either party to the other may be effected by personal delivery in writing or by mail, registered or certified, postage prepaid with return receipt requested. Notices delivered personally shall be deemed communicated at the time of actual receipt; mailed notices shall be deemed communicated as of two (2) days after mailing.

Entire Agreement

7. This contract constitutes the sole and only agreement of the parties to it, and supersedes any prior understandings or written or oral agreements between the parties respecting this subject matter. Any oral representations or modifications concerning this instrument shall be of no force or effect excepting a subsequent modification in writing, signed by the party to be charged.

Attorney's Fees

8. If any action at law or in equity, including an action for declaratory relief, is brought to enforce or interpret the provisions of this agreement, the prevailing party shall be entitled to reasonable attorney's fees, which maybe set by the court in the same action or in a separate action brought for the purpose, in addition to any other relief to which they may be entitled.

Governing Law

9. This contract shall be construed under and in accordance with the laws of the State of Texas, and all obligations of the parties created by this agreement are performable in Montgomery County, Texas.

Prior Agreements Superseded

10. This contract constitutes the sole and only agreement of the parties and supersedes any prior understandings or written or oral agreements between the parties respecting this subject matter.

EXECUTED this, the sixteenth day of January, 2016, between Montgomery Economic Development Corporation and the Montgomery Area Chamber of Commerce.

MONTGOMERY ECONOMIC DEVELOPMENT CORPORATION

By: Kirk Jones
Name: Kirk Jones
Title: President, Board of Directors

ATTEST:

Bill Hanover
Secretary Bill Hanover

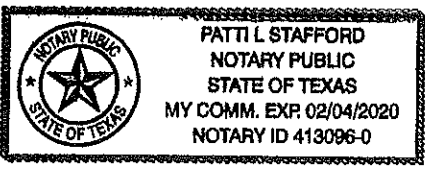
MONTGOMERY AREA CHAMBER OF COMMERCE

By: Cody Nickelson
Name: Cody Nickelson
Title: CHAIRMAN, MONTGOMERY AREA CHAMBER

STATE OF TEXAS §

COUNTY OF MONTGOMERY §

This instrument was acknowledged before me on the 28 day of Feb, 2016, by Cody Nickelson of the MONTGOMERY AREA CHAMBER OF COMMERCE, a Texas corporation, on behalf of said corporation.



Patti L. Stafford
Notary Public, State of Texas

Montgomery City Council
AGENDA REPORT

Meeting Date: July 16, 2018	Budgeted Amount:
Prepared By: Jack Yates City Administrator	Exhibits: Draft 2018-19 Budget page showing original and proposed – based on Work Session
Date Prepared: July 12, 2018	

Subject

Budget discussion

Description

Expectation on sales tax for 2018-2019 is \$590,000 plus \$1,500 revenue for interest = \$591,500 Total Revenue with expectation of \$675,580 as Fund carryover So: Total available to budget is \$1,267,080.

As I understood the discussion.

Recommendation

Discuss and amend as you think necessary. I should have a printed version at the meeting.

Approved By

City Administrator	Jack Yates	Date: July 12, 2018
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2018-19 BUDGET DRAFT

City of Montgomery - MEDC Actual to Budget Performance

June 2018

New

Carry Over

675,000

590,000

1,300

591,300

	Jun 18	Budget	\$ Over Bud...	Oct '17 - Ju...	YTD Budget	\$ Over Bud...	Annual Bu...
Income							
55000 · Taxes & Franchise Fees							
55400 · Sales Tax	37,767.95	43,140.68	(5,372.73)	428,386.12	389,413.34	38,972.78	530,000.00
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Total 56000 · Pub Infrastructure - Category I	0.00	158,359.25	(158,359.25)	232,841.88	392,318.67	(159,476.79)	403,000.00
56001 · Business Dev & Ret -Category II							
56001.8 · Sales Tax Reimbursement	0.00	0.00	0.00	0.00	35,000.00	(35,000.00)	35,000.00
56423 · Economic Development Grant Prog	4,050.00	0.00	4,050.00	7,550.00	20,000.00	(12,450.00)	20,000.00
Total 56001 · Business Dev & Ret -Category II	4,050.00	0.00	4,050.00	7,550.00	55,000.00	(47,450.00)	55,000.00
56002 · Quality of Life - Category III							
56404 · Seasonal Decorations	0.00	0.00	0.00	1,261.45	6,000.00	(4,738.55)	6,000.00
56420.2 · Christmas Lighting(Civic Assn)	0.00	0.00	0.00	2,469.49	1,600.00	869.49	1,600.00
56423.1 · Walking Tours	0.00	0.00	0.00	1,718.00	4,000.00	(2,282.00)	4,000.00
56429 · Removal of Blight	0.00	2,142.86	(2,142.86)	5,032.04	10,714.28	(5,682.24)	15,000.00
56433 · Downtown Signs	0.00	0.00	0.00	0.00	1,000.00	(1,000.00)	1,000.00
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56439 · Downtown Enhancement Projects	0.00	0.00	0.00	0.00	20,000.00	(20,000.00)	20,000.00
Total 56002 · Quality of Life - Category III	0.00	2,142.86	(2,142.86)	10,480.98	47,314.28	(36,833.30)	51,600.00
56003 · Marketing & Tourism-Category IV							
56408.1 · Promotional Video	0.00	0.00	0.00	0.00	1,500.00	(1,500.00)	1,500.00
56409 · Antique Show & Fest	0.00	0.00	0.00	10,000.00	10,000.00	0.00	10,000.00
56413 · Brochures/Printed Literature	0.00	0.00	0.00	5,280.00	5,000.00	280.00	5,000.00
56414 · Wine & Music Fest	0.00	0.00	0.00	0.00	0.00	0.00	10,000.00
56415 · Texian/Heritage Festival	0.00	0.00	0.00	0.00	8,000.00	(8,000.00)	8,000.00
56418 · Christmas in Montgomery	0.00	0.00	0.00	5,000.00	5,000.00	0.00	5,000.00
56419 · Website	525.00	166.67	358.33	525.00	1,499.99	(974.99)	2,000.00
Total 56003 · Marketing & Tourism-Category IV	525.00	166.67	358.33	20,805.00	30,999.99	(10,194.99)	41,500.00
56004 · Administration - Category V							
56004.1 · Admin Transfers to Gen Fund	9,375.00	9,375.00	0.00	28,125.00	28,125.00	0.00	37,500.00
56004.2 · MACC Administration & Office	2,566.67	2,666.67	(100.00)	23,100.03	23,999.99	(899.96)	32,000.00
56004.3 · Miscellaneous Expenses	2,012.00	335.69	1,676.31	7,859.11	4,692.95	3,166.16	6,000.00
56004.5 · Internship Program	0.00	833.33	(833.33)	0.00	7,500.01	(7,500.01)	10,000.00
56327 · Consulting (Professional servi)	0.00	1,666.67	(1,666.67)	11,906.75	8,333.33	3,573.42	10,000.00
56354 · Travel & Training Expenses	0.00	0.00	0.00	840.00	2,240.00	(1,400.00)	2,800.00
Total 56004 · Administration - Category V	13,953.67	14,877.36	(923.69)	71,830.89	74,891.28	(3,060.39)	98,300.00
Total Expense	18,528.67	175,546.14	(157,017.47)	343,508.75	600,524.22	(257,015.47)	649,400.00
Net Income	19,592.76	(132,331.05)	151,923.81	87,646.71	(210,572.98)	298,219.69	(118,450.00)

Figure for balancing rev. exp

Events 35,000

27,500 - City 80,000

Promotions person w/ fringes, supplies

60,000
41,925
160,000

76,875
15,000

7,600
6,000
15,000
0
20,000

0
10,000
3,000

107,500
10,400
1,000
10,000
10,000
2,000

MEDC Project and Expenditure Categories

Category	Category Title	% of Estimated Revenue (less Cat. V)	Category Description
Category I	Public Infrastructure		Projects that participate in public infrastructure improvements necessary to facilitate private development. The end results of these projects will result in a public economic benefit.
Category II	Direct Contributions to Business Development and Retention		Projects will cover expenses supporting the retention, expansion, or recruitment of businesses that will provide a public economic benefit. This can also cover economic and demographic analyses used for developing policies and general information needed to accomplish the goal of such projects.
Category III	Quality of Life		Projects that can be determined to be a catalyst for economic development and provide indirect benefits to the City's economic development activities. Generally, these projects are to be owned by the City of Montgomery. However, a request can be granted if a private (including non-profit) project needs certain amenities for the overall scope of the development to be successful and the product of the project will be accessible to the public. This may also include rehab projects that provide an overall aesthetic benefit to an area.
Category IV	Marketing and Tourism		Projects that cover expenses related to direct marketing services. This can include costs associated with tourism publications, generic annual events (events that serve to promote the City as a whole), site visits, and prospect expenses for economic development.
Category V	Administration and Operating Overhead		Expenses necessary to implement the policies and projects authorized by the Board. This includes personnel costs, legal costs and other items necessary for the day-to-day operations associated with MIDC functions. A majority of these items can be transferred to the general fund for ease of administration.

Montgomery City Council
AGENDA REPORT

Meeting Date: July 16, 2018	Budgeted Amount:
Prepared By: Jack Yates City Administrator	Exhibits: Current By-laws, Original By-laws
Date Prepared: July 12, 2018	

Subject

I understand that you want to amend the by-laws.

Description

I believe the intention is for a discussion to be held by the Board, then get Larry Foerster's opinion about any proposed changes then to adopt the changes in the August MEDC meeting.

Recommendation

Discuss and amend as you think necessary.

Approved By

City Administrator	Jack Yates	Date: July 12, 2018
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PRESENT

BYLAWS
OF
MONTGOMERY ECONOMIC DEVELOPMENT CORPORATION

These Bylaws govern the affairs of MONTGOMERY ECONOMIC DEVELOPMENT CORPORATION (the "Corporation"), a nonprofit corporation organized under Article 5190.6 V.T.C.S., the Development Corporation Act of 1979 (the "Act") and governed by Sec. 4B of the Act.

ARTICLE I

PURPOSES

General Purposes

1.01 The Corporation acts on behalf of the City of Montgomery, Texas in furtherance of the public purposes of the Act and may engage in any project authorized under Sec. 2(10) or Sec. 4B of the Act.

Powers

1.02 The Corporation has all the powers, both express and implied, granted to corporations governed by Sec. 4B of the Act.

ARTICLE II

OFFICES

Principal Office

2.01 The principal office of the corporation in the State of Texas is located at 101 Old Plantersville Road, Montgomery, Texas. The Board of Directors may provide for additional offices or change the location of any office.

Registered Office and Agent

2.02 The Corporation shall comply with the requirements of the Act and maintain a registered office and registered agent in Texas. The registered office may, but need not, be identical with the Corporation's principal office in Texas. The Board of Directors may change the registered office and the registered agent as provided in the Act.

ARTICLE III

BOARD OF DIRECTORS

Management of the Corporation

3.01 The affairs of the Corporation shall be managed by the Board of Directors.

Number, Qualifications and Tenure of Directors

3.02 The Board of Directors shall consist of seven members appointed by the City Council of the City of Montgomery, Texas, for staggered two year terms of office. At least three (3) directors shall be persons who are not employees, officers or members of the governing body of the City of Montgomery, Texas. Two (2) directors shall be members of the governing body of the City. The terms of four (4) directors shall begin on January 1 of each odd numbered year and expire on December 31 of the next following odd numbered year. The terms of three (3) directors shall begin on January 1 of each even numbered year and expire on December 31 of the next following even numbered year. All directors of the Corporation shall be residents of the County of Montgomery with the majority being residents of the City of Montgomery.

Vacancies

3.03 A vacancy occurring upon the Board of Directors shall be filled for the unexpired term.

Annual Meeting

3.04 The annual meeting of the Board of Directors shall be held during the last month of the corporation's fiscal year. The Board of Directors shall designate the time and location of the annual meeting which shall be held in the principal offices of the corporation.

Regular Meetings

3.05 The Board of Directors may provide for regular meetings by resolution stating the time and place of such meetings. The meeting shall be held within the City of Montgomery, Texas, at the principal offices of the corporation or at such other location as the Board of Director may designate.

Special Meetings

3.06 Special meetings of the Board of Director may be called at 'the request of the president or any two directors. A person or persons calling the meeting shall fix the time and location of the meeting, which meeting shall be conducted within the City of Montgomery, Texas. The person or persons calling a special meeting shall notify the secretary of the Corporation of the information required' to be included in the notice of the meeting. In addition to the posting of a meeting notice in accordance with these Bylaws, a copy of each such meeting notice shall be delivered to each director not less than seventy two hours before the time of the meeting. A meeting notice shall be deemed delivered to any director when deposited in the United States mail addressed to the director at his or her address as it appears on the records of

the Corporation. Such additional notice may be waived in writing by a director at any time either before or after the time of the meeting and such additional notice shall be deemed waived the attendance.

Notice of Meetings

3.07 The Board of Director shall be considered a "governmental body" within the meaning of Texas Government Code, Sec. 551.001, a notice of each meeting shall be given in accordance with the provisions of Texas Government Code, Chapter 551 (the Texas Open Meetings Act).

Quorum

3.08 Four (4) directors shall constitute a quorum for the transaction of business at any meeting of the Board of Director. The presence of a director may not be established by proxy. No business shall be conducted, nor shall any action be taken by the Board of Directors in the absence of a quorum.

Duties of Directors

3.09 Director shall exercise ordinary business judgment in managing the affairs of the Corporation. In acting in their official capacity as directors of the Corporation, director shall act in good faith and take actions they reasonably believe to be in the best interest of the Corporation and which are not unlawful and shall refrain from actions not in the best interest of the Corporation or which would be unlawful. A director shall not be liable if, in the exercise of ordinary care, the director acts in good faith relying of written financial and legal statements provided by an accountant or attorney retained by the Corporation.

Actions of Board of Directors

3.10 The Board of Directors shall try to act by consensus. However, the vote of a majority of directors present at a meeting at which a quorum is present shall be sufficient to constitute the act of the Board of Directors.

Proxy Voting Prohibited

3.11 A director may not vote by proxy.

Removal of Directors

3.12 The Board of Directors and each member thereof serves at the pleasure of the City Council of the City of Montgomery, Texas, which may remove any director at any time, either with or without good cause.

Committees of Directors

3.13 The Board of Directors may by resolution establish one or more special or standing committees of its members. Such committees shall have the powers, duties and responsibilities established by the Board. The committees shall keep regular minutes of their meetings and report the same to the Board of Directors when required.

ARTICLE IV

OFFICERS

Officer Positions

4.01 The officers of the Corporation shall be a president, a vice president, a secretary, and a treasurer. The Board of Directors may create additional officers positions, define the authorities and duties of such additional positions and appoint persons to fill such positions. No person may hold more than one such office.

Elections and Terms of Officers

4.02 The officers of the Corporation shall be elected annually by the Board of Directors at the regular annual meeting.

Removal of Officers

4.03 Any officer may be removed by the Board of Directors at any time, with or without good cause. The removal of an officer does not also result in the removal of such person as a director of the Corporation.

Vacancies

4.04 A vacancy in any office may be filled by the Board of Directors for the unexpired portion of the officer's term.

President

4.05 The president shall be the chief executive officer of the Corporation. The president shall supervise and control all of the business and affairs of the Corporation. The president shall preside at all meetings of Board of Directors. When the execution of any contract or instrument shall have been authorized by the Board of Directors, the president shall execute same except where such power is expressly delegated to another officer of the Corporation. The president shall perform other duties prescribed by the Board of Directors and all duties incident to the office of president.

Vice president

4.06 When the president is absent, is unable to act, or refuses to act, the vice president shall perform the duties of the president. When acting in place of the president, the vice president shall have all the powers and duties as the president and be subject to all of the limitations and restrictions placed upon the president.

Secretary

4.07 The Secretary shall:

- a) Give all notices as provided in the bylaws or as required by law.
- b) Take minutes of the meeting of the board of Directors and keep the minutes as part of the corporate records.
- c) Maintain custody of the corporate records, authenticate corporate documents and affix the seal of the Corporation as required.
- d) Keep a register of the mailing address of each director and officer of the Corporation.
- e) Perform duties as assigned by the president or Board of Directors.
- f) Perform all duties incident to the office of secretary.

The Board of Directors may, at their discretion, assign to a member of the City of Montgomery staff the duties of assistant to the Secretary.

Treasurer

4.08 The Treasurer shall:

- a) Have charge and custody of and be responsible for all funds and securities of the Corporation.
- b) Receive and give receipts for moneys due and payable to the Corporation from any source.
- c) Deposit all moneys in the name of the Corporation in banks, trust companies, or other depositories as provided by these bylaws.
- d) Write checks and disburse funds to discharge obligations of the Corporation.
- e) Maintain the financial books and records of the corporation.
- f) Prepare financial reports at least annually.
- g) Perform other duties as assigned by the Board of Directors.
- h) Perform all duties incident to the office of treasurer.

The Board of Directors may, at their discretion, assign to a member of the City of Montgomery staff the duties of assistant to the Treasurer.

ARTICLE V

TRANSACTIONS OF THE CORPORATION

Contracts

5.01 The Board of Directors may authorize any officer or agents of the Corporation to enter into a contract or execute and deliver any instrument in the name of or on behalf of the Corporation. This authority may be limited to a specific contract or instrument or it may extend to any number and type of possible contracts and instruments.

Depository

5.02 The Board of Directors of the corporation shall designate a depository bank. All funds of the Corporation shall be deposited with the depository bank.

Potential Conflicts of Interest

5.03 The members of the Board of Directors are local public officials within the meaning of Texas Government Code Chapter 171. If a director has a substantial interest in a business entity or real property which is the subject of deliberation by the Board of Directors, the director shall file an affidavit with the secretary of the corporation stating the nature and extent of the interest. Such affidavit shall be filed prior to any vote or decision upon the matter by the Board of Directors, and the interested director shall abstain from any vote or decision upon the matter.

ARTICLE VI

BOOKS AND RECORDS

Required Books and Records

6.01 The Corporation shall keep correct and complete books and records of account. The Corporation's books and records shall include:

- a) A file endorsed copy of all documents filed with the Texas Secretary of State relating to the Corporation, including, but not limited to, the articles of incorporation, any articles of amendment, restated articles, articles of merger, articles of consolidation, and statement of change of registered office or agent.
- b) A copy of the bylaws, and any amended versions or amendments to the bylaws.
- c) Minutes of the proceedings of the Board of Directors.
- d) A list of names and addresses of the directors and officers of the Corporation.
- e) A financial statement showing the assets, liabilities, and net worth of the Corporation at the end of the three most recent fiscal years.
- f) A financial statement showing the income and expenses of the Corporation for the three most recent fiscal years.
- g) All rulings, letters, and other documents relating to the Corporation's federal, state and local tax status.
- h) The Corporation's federal, state and local information or income tax returns for each of the Corporation's three most recent tax years.

Records Open to Public

6.02 The Corporation shall be considered a "governmental body" within the meaning of Texas Government Code, Sec. 552.003 and all records of the corporation shall be made available to the public for inspection or reproduction in accordance with the requirements of Texas Government Code, Chapter 552 (The Texas Open Records Act.)

Audits

6.03 The City Council of the City of Montgomery, Texas may at any time require an independent audit of the Corporation's books to be conducted.

ARTICLE VII

FISCAL YEAR

The fiscal year of the corporation shall begin on the first day of October and end on the last day of September.

ARTICLE VIII AMENDMENTS TO BYLAWS

The bylaws may be altered, amended or repealed by the Board of Directors with the consent of the City Council of the City of Montgomery, Texas.

ARTICLE IX

MISCELLANEOUS PROVISIONS

Legal Authorities Governing Construction of Bylaws

9.01 The Bylaws shall be construed in accordance with the laws of the State of Texas. All references in the bylaws to statutes, regulations, or other sources of legal authority shall refer to the authorities cited, or their successors, as they may be amended from time to time. It is expressly provided that the provision of the Development Corporation Act of 1979 applicable to corporations governed under Sec. 4B of that Act are incorporated within these bylaws by reference. In the event of any conflict between the applicable provisions of such Act and these bylaws, then the applicable provisions of such Act shall control.

Legal Construction

9.02 If any bylaw provision is held to be invalid, illegal or unenforceable in any respect, the invalidity, illegality or unenforceability shall not affect any other provision and the bylaws shall be construed as if the invalid, illegal or unenforceable provision had not been included in the bylaws.

Headings

9.03 The headings used in the bylaws are used for convenience and shall not be considered in construing the terms of the bylaws.

Seal

9.04 The Board of Directors may provide for a corporate seal. Such seal would consist of two concentric circles containing the words "Montgomery Economic Development Corporation" and "Texas" in one circle and the "Incorporated" together with the date of incorporation of the Corporation in the other circle.

Parties Bound

9.05 The bylaws shall be binding upon and incur to the benefit of the directors, officers and agents of the Corporation and their respective heirs, executors, administrators, legal representatives, successors and assigns except as otherwise provided in the bylaws.

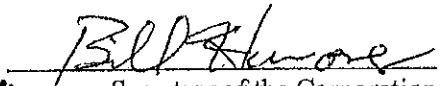
Effective Date

9.06 These bylaws, and any subsequent amendments hereto, shall be effective of and from the date upon which approval has been given both by the Board of Directors and the City Council of the City of Montgomery, Texas.

CERTIFICATE OF SECRETARY

I certify that I am the duly elected and acting secretary of the MONTGOMERY ECONOMIC DEVELOPMENT CORPORATION, and the foregoing Bylaws constitute the Bylaws of the Corporation. These Bylaws were duly amended and adopted at a meeting of the Board of Directors held on the 8th day of May, 2015.

Signed this 20th day of February, 2015.


Secretary of the Corporation



ORIGINAL

BYLAWS
OF
MONTGOMERY INDUSTRIAL DEVELOPMENT CORPORATION

These Bylaws govern the affairs of MONTGOMERY INDUSTRIAL DEVELOPMENT CORPORATION (the "Corporation"), a nonprofit corporation organized under Article 5190.6 V.T.C.S., the Development Corporation Act of 1979 (the "Act") and governed by Sec. 4B of the Act.

ARTICLE I

PURPOSES

General Purposes

1.01 The Corporation acts on behalf of the City of Montgomery, Texas in furtherance of the public purposes of the Act and may engage in any project authorized under Sec. 2(10) or Sec. 4B of the Act.

Powers

1.02 The Corporation has all the powers, both express and implied, granted to corporations governed by Sec. 4B of the Act.

ARTICLE II

OFFICES

Principal Office

2.01 The principal office of the corporation in the State of Texas is located at 905 Stewart, Montgomery, Texas. The Board of Directors may provide for additional offices or change the location of any office.

Registered Office and Agent

2.02 The Corporation shall comply with the requirements of the Act and maintain a registered office and registered agent in Texas. The registered office may, but need not, be identical with the Corporation's principal office in Texas. The Board of Directors may change the registered office and the registered agent as provided in the Act.

ARTICLE III

BOARD OF DIRECTORS

Management of the Corporation

3.01 The affairs of the Corporation shall be managed by the Board of Directors.

Number, Qualifications and Tenure of Directors

3.02 The Board of Directors shall consist of seven members appointed by the City Council of the City of Montgomery, Texas, for staggered two year terms of office. Not less than three (3) directors shall be persons who are not employees, officers or members of the governing body of the City of Montgomery, Texas. Not less than two (2) directors shall be members of the governing body of the City. The terms of four (4) director shall begin on January 1 of each odd numbered year and expire on December 31 of the next following odd numbered year. The terms of three (3) directors shall begin on January 1 of each even numbered year and expire on December 31 of the next following even numbered year. Each director must reside within the City of Montgomery, Texas.

Vacancies

3.03 A vacancy occurring upon the Board of Directors shall be filled for the unexpired term.

Annual Meeting

3.04 The annual meeting of the Board of Directors shall be held during the last month of the corporation's fiscal year. The Board of Director shall designate the time and location of the annual meeting which shall be held in the principal offices of the corporation.

Regular Meetings

3.05 The Board of Directors may provide for regular meetings by resolution stating the time and place of such meetings. The meeting shall be held within the City of Montgomery, Texas, at the principal offices of the corporation or at such other location as the Board of Director may designate.

Special Meetings

3.06 Special meetings of the Board of Director may be called at the request of the president or any two directors. A person or persons calling the meeting shall fix the time and location of the meeting, which meeting shall be conducted within the City of Montgomery, Texas. The person or persons calling a special meeting shall notify the secretary of the

Corporation of the information required to be included in the notice of the meeting. In addition to the posting of a meeting notice in accordance with these Bylaws, a copy of each such meeting notice shall be delivered to each director not less than seventy two hours before the time of the meeting. A meeting notice shall be deemed delivered to any director when deposited in the United States mail addressed to the director at his or her address as it appears on the records of the Corporation. Such additional notice may be waived in writing by a director at any time either before or after the time of the meeting and such additional notice shall be deemed waived the attendance.

Notice of Meetings

3.07 The Board of Director shall be considered a "governmental body" within the meaning of Texas Government Code, Sec. 551.001, a notice of each meeting shall be given in accordance with the provisions of Texas Government Code, Chapter 551 (the Texas Open Meetings Act).

Quorum

3.08 Four (4) directors shall constitute a quorum for the transaction of business at any meeting of the Board of Director. The presence of a director may not be established by proxy. No business shall be conducted, nor shall any action be taken by the Board of Directors in the absence of a quorum.

Duties of Directors

3.09 Director shall exercise ordinary business judgment in managing the affairs of the Corporation. In acting in their official capacity as directors of the Corporation, director shall act in good faith and take actions they reasonably believe to be in the best interest of the Corporation and which are not unlawful and shall refrain from actions not in the best interest of the Corporation or which would be unlawful. A director shall not be liable if, in the exercise of ordinary care, the director acts in good faith relying of written financial and legal statements provided by an accountant or attorney retained by the Corporation.

Actions of Board of Directors

3.10 The Board of Directors shall try to act by consensus. However, the vote of a majority of directors present at a meeting at which a quorum is present shall be sufficient to constitute the act of the Board of Directors.

Proxy Voting Prohibited

3.11 A director may not vote by proxy.

Removal of Directors

3.12 The Board of Directors and each member thereof serves at the pleasure of the City Council of the City of Montgomery, Texas, which may remove any director at any time, either with or without good cause.

Committees of Directors

3.13 The Board of Directors may by resolution establish one or more special or standing committees of its members. Such committees shall have the powers, duties and responsibilities established by the Board. The committees shall keep regular minutes of their meetings and report the same to the Board of Directors when required.

ARTICLE IV

OFFICERS

Officer Positions

4.01 The officers of the Corporation shall be a president, a vice president, a secretary, and a treasurer. The Board of Directors may create additional officers positions, define the authorities and duties of such additional positions and appoint persons to fill such positions. No person may hold more than one such office.

Elections and Terms of Officers

4.02 The officers of the Corporation shall be elected annually by the Board of Directors at the regular annual meeting.

Removal of Officers

4.03 Any officer may be removed by the Board of Directors at any time, with or without good cause. The removal of an officer does not also result in the removal of such person as a director of the Corporation.

Vacancies

4.04 A vacancy in any office may be filled by the Board of Directors for the unexpired portion of the officer's term.

President

4.05 The president shall be the chief executive officer of the Corporation. The president shall supervise and control all of the business and affairs of the Corporation. The

president shall preside at all meetings of Board of Directors. When the execution of any contract or instrument shall have been authorized by the Board of Directors, the president shall execute same except where such power is expressly delegated to another officer of the Corporation. The president shall perform other duties prescribed by the Board of Directors and all duties incident to the office of president.

Vice president

4.06 When the president is absent, is unable to act, or refuses to act, the vice president shall perform the duties of the president. When acting in place of the president, the vice president shall have all the powers and duties as the president and be subject to all of the limitations and restrictions placed upon the president.

Secretary

4.07 The Secretary shall:

- (a) Give all notices as provided in the bylaws or as required by law.
- (b) Take minutes of the meeting of the board of Directors and keep the minutes as part of the corporate records.
- (c) Maintain custody of the corporate records, authenticate corporate documents and affix the seal of the Corporation as required.
- (d) Keep a register of the mailing address of each director and officer of the Corporation.
- (e) Perform duties as assigned by the president or Board of Directors.
- (f) Perform all duties incident to the office of secretary.

Treasurer

4.08 The treasurer shall:

- (a) Have charge and custody of and be responsible for all funds and securities of the Corporation.
- (b) Receive and give receipts for moneys due and payable to the Corporation from any source.
- (c) Deposit all moneys in the name of the Corporation in banks, trust companies, or other depositories as provided by these bylaws.

- (d) Write checks and disburse funds to discharge obligations of the Corporation.
- (e) Maintain the financial books and records of the corporation.
- (f) Prepare financial reports at least annually.
- (g) Perform other duties as assigned by the Board of Directors.
- (h) Perform all duties incident to the office of treasurer.

ARTICLE V

TRANSACTIONS OF THE CORPORATION

Contracts

5.01 The Board of Directors may authorize any officer or agent of the Corporation to enter into a contract or execute and deliver any instrument in the name of or on behalf of the Corporation. This authority may be limited to a specific contract or instrument or it may extend to any number and type of possible contracts and instruments.

Depository

5.02 The Board of Directors of the corporation shall designate a depository bank. All funds of the Corporation shall be deposited with the depository bank.

Potential Conflicts of Interest

5.03 The members of the Board of Directors are local public officials within the meaning of Texas Government Code Chapter 171. If a director has a substantial interest in a business entity or real property which is the subject of deliberation by the Board of Directors, the director shall file an affidavit with the secretary of the corporation stating the nature and extent of the interest. Such affidavit shall be filed prior to any vote or decision upon the matter by the Board of Directors, and the interested director shall abstain from any vote or decision upon the matter.

ARTICLE VI

BOOKS AND RECORDS

Required Books and Records

6.01 The Corporation shall keep correct and complete books and records of account. The Corporation's books and records shall include:

(a) A file endorsed copy of all documents filed with the Texas Secretary of State relating to the Corporation, including, but not limited to, the articles of incorporation, any articles of amendment, restated articles, articles of merger, articles of consolidation, and statement of change of registered office or agent.

(b) A copy of the bylaws, and any amended versions or amendments to the bylaws.

(c) Minutes of the proceedings of the Board of Directors.

(d) A list of names and addresses of the directors and officers of the Corporation.

(e) A financial statement showing the assets, liabilities, and net worth of the Corporation at the end of the three most recent fiscal years.

(f) A financial statements showing the income and expenses of the Corporation for the three most recent fiscal years.

(g) All rulings, letters, and other documents relating to the Corporation's federal, state and local tax status.

(h) The Corporation's federal, state and local information or income tax returns for each of the Corporation's three most recent tax years.

Records Open to Public

6.02 The corporation shall be considered a "governmental body" within the meaning of Texas Government Code, Sec. 552.003 and all records of the corporation shall be made available to the public for inspection or reproduction in accordance with the requirements of Texas Government Code, Chapter 552 (The Texas Open Records Act.)

Audits

6.03 The City Council of the City of Montgomery, Texas may at any time require an independent audit of the Corporation's books to be conducted.

ARTICLE VII

FISCAL YEAR

The fiscal year of the corporation shall begin on the first day of October and end on the last day of September.

ARTICLE VIII

AMENDMENTS TO BYLAWS

The bylaws may be altered, amended or repealed by the Board of Directors with the consent of the City Council of the City of Montgomery, Texas.

ARTICLE IX

MISCELLANEOUS PROVISIONS

Legal Authorities Governing Construction of Bylaws

9.01 The Bylaws shall be construed in accordance with the laws of the State of Texas. All references in the bylaws to statutes, regulations, or other sources of legal authority shall refer to the authorities cited, or their successors, as they may be amended from time to time. It is expressly provided that the provision of the Development Corporation Act of 1979 applicable to corporations governed under Sec. 4B of that Act are incorporated within these bylaws by reference. In the event of any conflict between the applicable provisions of such Act and these bylaws, then the applicable provisions of such Act shall control.

Legal Construction

9.02 If any bylaw provision is held to be invalid, illegal or unenforceable in any respect, the invalidity, illegality or unenforceability shall not affect any other provision and the bylaws shall be construed as if the invalid, illegal or unenforceable provision had not been included in the bylaws.

Headings

9.03 The headings used in the bylaws are used for convenience and shall not be considered in construing the terms of the bylaws.

Seal

9.04 The Board of Directors may provide for a corporate seal. Such seal would consist of two concentric circles containing the words "Montgomery Industrial Development Corporation" and "Texas" in one circle and the "Incorporated" together with the date of incorporation of the Corporation in the other circle.

Parties Bound

9.05 The bylaws shall be binding upon and incur to the benefit of the directors, officers and agents of the Corporation and their respective heirs, executors, administrators,

legal representatives, successors and assigns' expect as otherwise provided in the bylaws.

Effective Date

9.06 These bylaws, and any subsequent amendments hereto, shall be effective of an from the date upon which approval has been given both by the Board of Directors and the City Council of the City of Montgomery, Texas.

CERTIFICATE OF SECRETARY

I certify that I am the duly elected and acting secretary of the MONTGOMERY INDUSTRIAL DEVELOPMENT CORPORATION, and the foregoing Bylaws constitute the Bylaws of the Corporation. These Bylaws were duly adopted at a meeting of the Board of Directors held on the 22 day of December, 1995.

Signed this 22 day of December, 1995.

Timothy W. Hatcher, Jr.
Secretary of the Corporation

Montgomery City Council
AGENDA REPORT

Meeting Date: July 16, 2018	Budgeted Amount:
Prepared By: Jack Yates City Administrator	Exhibits: Missions and Goals
Date Prepared: July 12, 2018	

Subject

I understand that you want to review the Missions and Goals.

Description

I believe the intention is for a discussion to be held by the Board, with changes adopted in the August MEDC meeting.

Recommendation

Discuss and amend as you think necessary.

Approved By

City Administrator	Jack Yates	Date: July 12, 2018
--------------------	------------	---------------------

**City of Montgomery Economic Development
Mission and Goals
Adopted May 2016
Revised and Adopted September 2017**

MISSION STATEMENT: The mission of MEDC is to (a) preserve and promote the high quality of life in the Montgomery Area and (b) plan for a sustainable and vibrant local economy.

GOAL 1 Preserve the small-town atmosphere and quality of life while promoting Montgomery as a convenient location for businesses serving the Houston Metropolitan Area.

Objective 1A: Maintain and improve aesthetic quality of city by supporting city and business efforts to create high standards of development and projects supporting the hometown lifestyle and historic ambiance of Montgomery.

Objective 1B: Support projects that would remove or repair blighted buildings, enhance the Historic Downtown area, and preserve historic buildings.

GOAL 2 Use incentives to encourage investments that create wealth in the Montgomery area while preserving and promoting its quality of life.

Objective 2A: Develop specific criteria for recruiting and incentivizing businesses to expand or relocate to Montgomery.

Objective 2B: Develop Existing Business Program to receive input and provide support to existing Montgomery businesses.

Objective 2C: Encourage and promote special events that attract visitors to become aware of the benefits of the Montgomery community and businesses.

Objective 2D To quantify the progress of economic development efforts, the MEDC will report to the Montgomery City Council, no less frequently than once per calendar quarter, economic development activities and the estimated number and types of jobs brought into or retained by those activities.

GOAL 3

Continue to encourage the maintenance and enhancement of Montgomery area infrastructure, particularly infrastructure associated with business investment.

Objective 3A: Continue support of existing financial obligations and new projects related to the expansion of the water and sewer system to serve commercial areas in the city.

Objective 3B: Prepare effective outreach program to communicate with prospective businesses about the water, sewer, streets, and drainage infrastructure that is available in Montgomery.

Objective 3C: Coordinate maintenance and expansion of streets and highways with Montgomery County and the Texas Department of Transportation to facilitate the optimal movement of vehicular and pedestrian traffic.

Objective 3D: Coordinate the maintenance and expansion of the electric transmission and distribution system with Entergy to ensure reliable electric power and encourage the undergrounding of electric utilities.

GOAL 4

Engage in a strategic, long-term marketing campaign for the Montgomery area. The marketing campaign shall include local community involvement and input, accentuate positive aspects of the Montgomery area and be disseminated to target audiences outside the Montgomery area.

Objective 4A: Prepare and maintain high quality platforms such as website, social media and brochures to communicate the business and development community about the rich cultural, lifestyle, and business amenities in Montgomery.

Objective 4B: Conduct or obtain market and demographic studies to provide information to existing and prospective businesses or residents regarding labor force, customer base, and retail needs of the area.

Objective 4C: Utilize relationship with Historic Montgomery Business Association, Montgomery Area Chamber of Commerce, Montgomery Independent School District, and other local organizations to develop and implement tourism, business recruiting, and marketing plan.

Objective 4D: Utilize existing community events and functions to showcase Montgomery lifestyle and business opportunity.

Montgomery City Council
AGENDA REPORT

Meeting Date: July 16, 2018	Budgeted Amount:
Prepared By: Jack Yates City Administrator	Exhibits: Quarterly Report to Council
Date Prepared: July 12, 2018	

Subject

This is the proposed report as provided by Shannan Reid.

Description

It was rather a light quarter of activity.

Recommendation

Discuss and amend as you think necessary.

Approved By

City Administrator	Jack Yates	Date: July 12, 2018
--------------------	------------	---------------------



Montgomery Economic Development Corporation
2018 Q2 Review

DEVELOPMENTS

	Kroger Center	CVS	Liberty Street Business Park	NE Corner Strip Center	State Farm Insurance		
Status	Opened to public in 2018 Q1	Beginning site work Q3	Completed in May	Completed Q3 2017	Phase I under construction – Open Q4		
++Employment	Message Envy: TBD Taste of China: 3-5 FT Blue Wave: TBD Spirit of Texas Bank: 10-12 FT in bank alone, lease space TBD	FTE: 3-5 PT: 10	Auto Trust Automotive: 3-4 FT Dog Trainer: 1 FT	Dentists of Montgomery: 4 FT	10-20 FT additional anticipated		
**Value of Buildings/ Contents	Fill In Value: Message Envy: \$200K Taste of China: \$150K Blue Wave: \$1.7M Spirit of Texas Bank: \$2.2M <i>Source: Permit filings only</i>	\$1.4M <i>Source: Permit filings only</i>	Auto Trust Automotive: \$15K Dog Trainer: No new investment. Just a shell <i>Source: Permit filings only</i>	Fill In Value: Dentists of Montgomery: \$270K <i>Source: Permit filings only</i>	\$2M <i>Source: Permit filings only</i>		
MEDC Participation	• No new investments	•	• NA	• NA	• NA	•	•
Notes	• SOTB = 2-story building, 4-5K sf Bank space, ~6K lease space Shooting for March completion	•	• 12K sf total building • .279 acres	Coming soon: Mammogram center	• Phase 1 - 5800 sf • Phase 2 – Professional/Office 8-10K sf in 3 years • Phase 3 - Professional/Office 8-10K sf in 6 years		

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

→Totals jobs: 34_FT 10_PT (✓27 of those are Primary Jobs)



DIRECTOR / ADMINISTRATOR ACTIVITIES

- 5 RFP's received, 1 qualified response submitted
 - ✓ Typical proposal includes key criteria identified for site selection, utilities proposal as required, detailed site plan, Montgomery Area demographics, maps of the area/region
- City Administrator / Developer Meetings: 18 total, 10 Commercial + 8 Residential
- Calling on new businesses + active projects around the city = 15
- Keller Williams Lake Conroe Economic Update – April 24, 2018 *Keynote*
- Lake Conroe Rotary speaker – April 26, 2018 *Keynote*
- Attended H-GAC Open for Business seminar for small communities in the surrounding Houston Metro Area
- Met with Lone Star College President – building relationship for future partnership with college and Montgomery Area
- Partnered local business leaders and engineers with MHS Engineering Design students to promote further connection back to Montgomery upon graduation.
- Research of cities across Texas for comparison and review of comprehensive plans, strategic plans, streetscape plans and budget breakdowns

MEDC ACTIVITIES + ACTUAL EXPENSES

- Historic District Improvement grant awarded to SnoBalls for decking and exterior improvements **\$5K approved**
- Rotary Club Historic Video Project partnership grant awarded **\$3K**

FUTURE CONSTRUCTION CONTEMPLATED

- 1 space remaining in Plaza @ Eva
- 1 in-line retail space remaining in Kroger Center
- Kenrock Properties behind CareNow Center
- Stone Creek Medical Center in front of Ransom's Steak House

PERMITS ISSUED + VALUE Q2 only:

- Residential: 38 issued Total Permit Value: **\$31.3K**
- Commercial: 7 issued Total Permit Value: **\$9.9K**

YTD:

- Residential: 57 issued Total Permit Value: **\$51.2K**
- Commercial: 20 issued Total Permit Value: **\$24.2K**

LEGEND

FT = Full Time = 40 hours per week

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

RFP = Request for Proposal

MCAD = Montgomery County Appraisal District

Montgomery City Council
AGENDA REPORT

Meeting Date: July 16, 2018	Budgeted Amount:
Prepared By: Jack Yates City Administrator	Exhibits: City Engineer's Report, Information re: Distrx Launch from Shannan Reid. My Development Status Report "
Date Prepared: July 12, 2018	

in

Subject

This is the report portion of the agenda.

Description

Reports.

Recommendation

Discuss as needed.

Approved By

City Administrator

Jack Yates

Date: July 12, 2018

See answers below for the email written response. as requested.
I've attached a PDF full report for future city personnel going forward.
Shannan

On Tue, Jul 10, 2018 at 8:42 AM, Yates, Jack <jjyates@ci.montgomery.tx.us> wrote:
The MEDC would like a (meaning one) e-mail written report on:

Distrx Launch Update on EXACTLY

- what steps need to be taken in order to make the app live **The app is already live**
- who will be testing the app and what the testing protocol looks like and what was done/will be done to fix any issues and WHO is responsible for fixing what sort of problem and under what time frame **The current ACTIVE businesses with beacons include: Burger Fresh, Pizza Shack, Whitley Vineyards, Fare Thee Well, and The Rancher's Daughter. They have set up their pages and descriptions already with no trouble. We will need customers for this to actually have a full experience. City personnel will liaison as needed, but tech issues and subscription issues go directly to Distrx. City will handle city components. Historic Beacons are already installed and live too.**

- how will any additional purchased beacons be added to the app? **Simply sign up and pay online. <https://greetmart.com/user/signup/price-plan> Beacon will be linked and mailed to merchants. What is the login information? City personnel will get login info from Distrx for city edits. Has nothing to do with merchants. Merchants don't need a city log in. they get their own when they sign up. Do we receive a training manual and any other information? Not necessary. It is simple and straightforward. And Distrx support help is available.**

- how many additional beacons are available for merchants--**unlimited - they scribe and pay - they are in.**, what the terms for purchase are **one-year subscription, cancel anytime**, what the annual costs are **\$120 per year**, and who is responsible for uploading information and making the beacons live **once they subscribe at this link it will be connected to Montgomery and they are live. <https://greetmart.com/user/signup/price-plan>**

- The exact budget and plans for publicizing the Distrx program.

Press releases and articles in paper - free.

Paid FB Ads to geo target audience. For the launch we boost this high for a few months. \$200 over 2 months. Then watch the use and manage the future budget accordingly.

Pole banners for downtown = \$500

Rack cards and supporting materials (design + print) = \$300

Placement on revised city website = free

POS tents and window clings = \$300

****Improvements to Free standing kiosk at Caroline and McCown. 1st stop on the Historic walking tour. Needs a directional map for people to get their bearings. Signage on the back side of the kiosk = \$60**

Beyond that, I don't have any ad campaigns scheduled. This will be something future city personnel will take into consideration within marketing budget in future budget planning years.

Please note: MEDC will not be paying for a 3rd party to be performing these actions at \$25 per hour as it should be entirely within Shannan's skill set to accomplish this task.

I suggest that you discuss this with one another and write one response that can be read to and is **clear as to how to proceed for understanding by the MEDC Board.**

Please consider the following when deciding how to proceed:

The most important advertising will come from the merchants themselves. The app has all the potential in the world, but the merchants have to be comfortable and confident with it to tell customers about it. We don't want them to be frustrated and give up on it.

While this is meant to be a paperless product, there are still many customers and even merchants who like to hold something in their hands.

The merchant can say "download the app." but if that can't happen on the spot, how to help them remember once they walk away? A rack card possibly. Something with a map on it.

Once we get into printed support materials, we will want to address the website URL so that we are circling all things back together seamlessly.

The website concerns aren't finalized yet. Still under review.

--- Don't rush to launch if we are turning around and changing things immediately after. That will frustrate merchants.

Did you discuss this with Barbie?

Jack

Shannan Reid

to me

I reached out to her for the log in credentials to everything so that we would be able to pass that info along to the future city personnel. (distrx and website)

Other than the email she replied to you with, I have not heard back from her.

All this information was discussed over the myriad of emails from the past months, and I was able to pull it from there.

The only components actually missing from her notes would be the advertising budget plan for spreading the word to the community.

We never got to that point in the conversations or emails, because it was after the launch.

So the final piece is what I've added in terms of marketing plan itemized. It can be adjusted of course.

I'm under the impression that we are done with Barbie and she is done with us, other than to be paid.

Her email said that she has provided it all and that we can figure it out. She said has fulfilled her obligation.

I researched all the emails to come to this review and I've made sure that what I've presented in my quick report is accurate. If I don't get log in credentials from her, I will easily be able to call up Distrx and solve it.

Notice I don't site a specific date for the launch and a countdown to that. But once the actual launch date is selected, the cannon after that will flow as described in my full report.

In addition to the questions I answered and the full report, I made a recommendation as to the importance of getting all our ducks in a row...including the website. We can choose anytime we want and have no urgency other than self-inflicted to push this through. We want merchants excited and happy and make sure this is easy and fully presented.

I don't expect to hear from Barbie anymore. Do you? Your last note said that you weren't going to pay her \$25 per hour for this. from her reply I think she took that as she's finished.

I'm still working on my big quarterly report. A few tweaks left.

Shannan

On Thu, Jul 12, 2018 at 8:18 AM, Yates, Jack <[jyates@ci.montgomery.tx.us](mailto: jyates@ci.montgomery.tx.us)> wrote:

Did you discuss this with Barbie?

Jack



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

June 21, 2018

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

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

Dear Mayor and Council:

The following information summarizes our activities on your behalf since the May 22, 2018 Council Meeting:

Status of Previously Authorized Projects:

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

a) Buffalo Springs Drive Bridge Repair (FEMA)

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

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

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

c) SH-105 Annexation

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

As a reminder, this project is included in the TWDB Clean Water State Revolving Fund (“CWSRF”) loan. We expect to complete the design by the middle of July 2018 and submit the design for approvals.

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

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

k) 18” Gravity Sanitary Sewer Extension

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

l) Baja Road Water and Drainage Improvements (CDBG)

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

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

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

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

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

o) GLO Projects

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

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

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

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

b) Plan Reviews

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

Plan Reviews (cont.):

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

c) Plat Reviews

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

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

d) Ongoing Construction

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

e) One-Year Warranty Inspections

- i. **Lift Station No. 14** – We are working with Public Works and Gulf Utilities to bring the lift station to the proper specifications with the funds deposited by the developer for the replacement pumps. Upon completion and final inspection of the lift station, we will recommend the City release the remaining funds to the developer.

Meetings and Ongoing Activities:

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

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

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

Meetings and Ongoing Activities (cont.):

- h) **Weekly Operations Conference Call** – We continue hosting a weekly conference call with representatives from Gulf Utility Service, Inc. and City Staff. Items of note discussed during the previous month included cooling tower operations at Water Plant No. 3, updates on various warranty inspections, general updates on all active design and construction projects, and general operations of the City's water and sanitary sewer facilities.
- i) **Technical Operations Review Committee (TORC)** – We did not meet with the Technical Operations Review Committee this month.

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

Sincerely,



Chris Roznovsky, PE
Engineer for the City

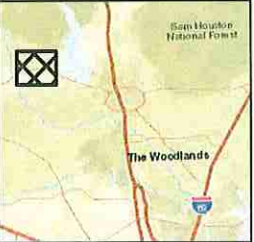
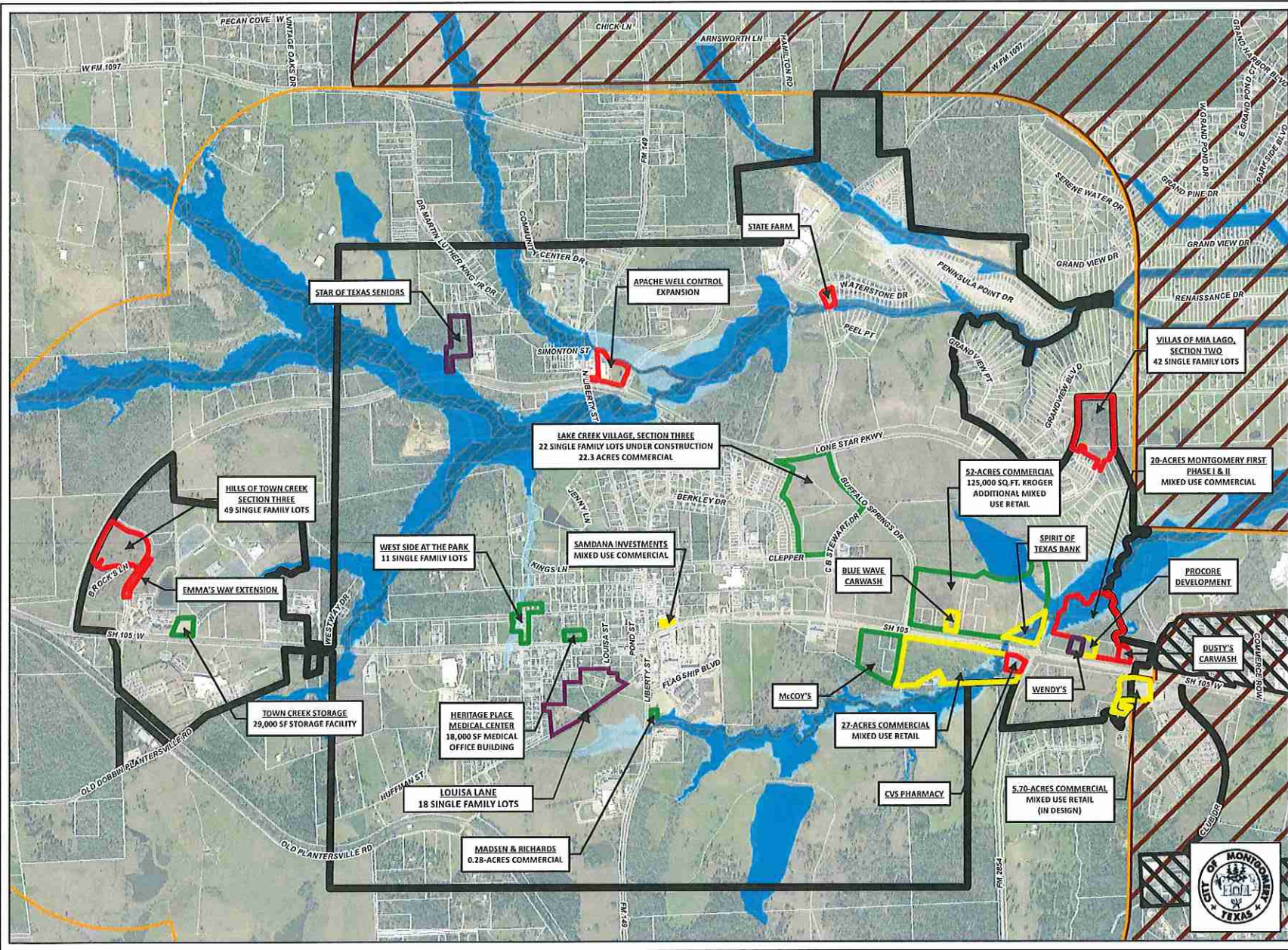
CVR/kmv

Enclosures:

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

Cc (via email):

The Planning and Zoning Commission – City of Montgomery
Mr. Jack Yates – City of Montgomery, City Administrator
Ms. Susan Hensley – City of Montgomery, City Secretary
Mr. Larry Foerster – Darden, Fowler & Creighton, LLP, City Attorney

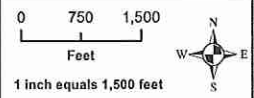


VICINITY MAP
Scale: 1 Inch equals 20 miles

LEGEND

- Active Development (Phase)
 - Complete/Under Warranty
 - Under Construction
 - In Design
 - Planning/Feasibility
- City Limits
- Stanley Lake MUD
- City ETJ
- City of Conroe ETJ
- Floodway
- 100-year
- 500-year
- MCAD Parcels

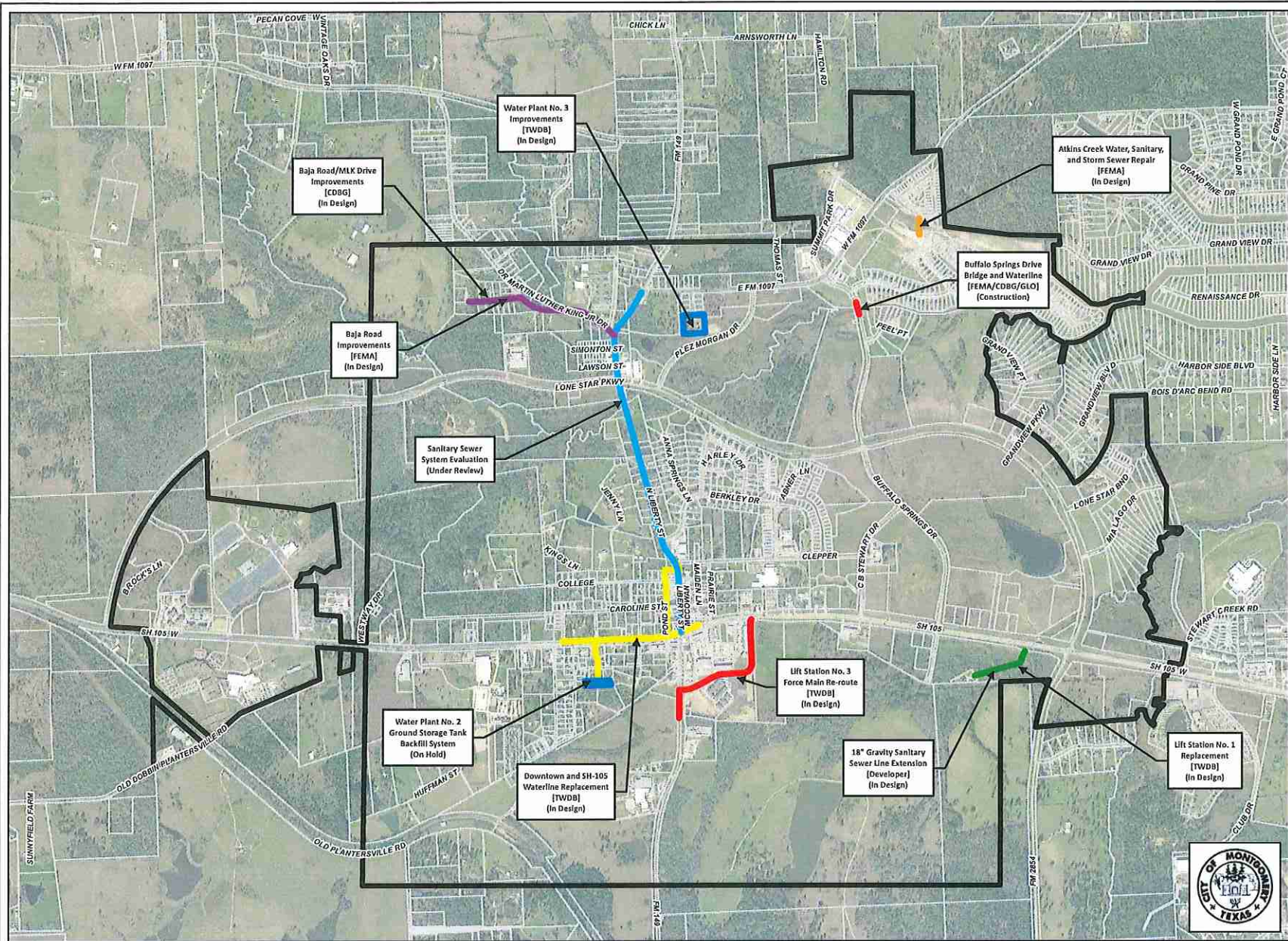
ACTIVE DEVELOPMENTS (JUNE 2018)



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

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 Date: 6/22/2018
 Project Number: W2018-0000138
 User Name: CEM

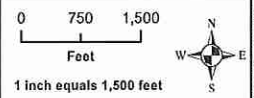


VICINITY MAP
Scale: 1 Inch equals 20 miles

LEGEND

- City Limits
- MCAD Parcels

ACTIVE CAPITAL PROJECTS
(JUNE 2018)

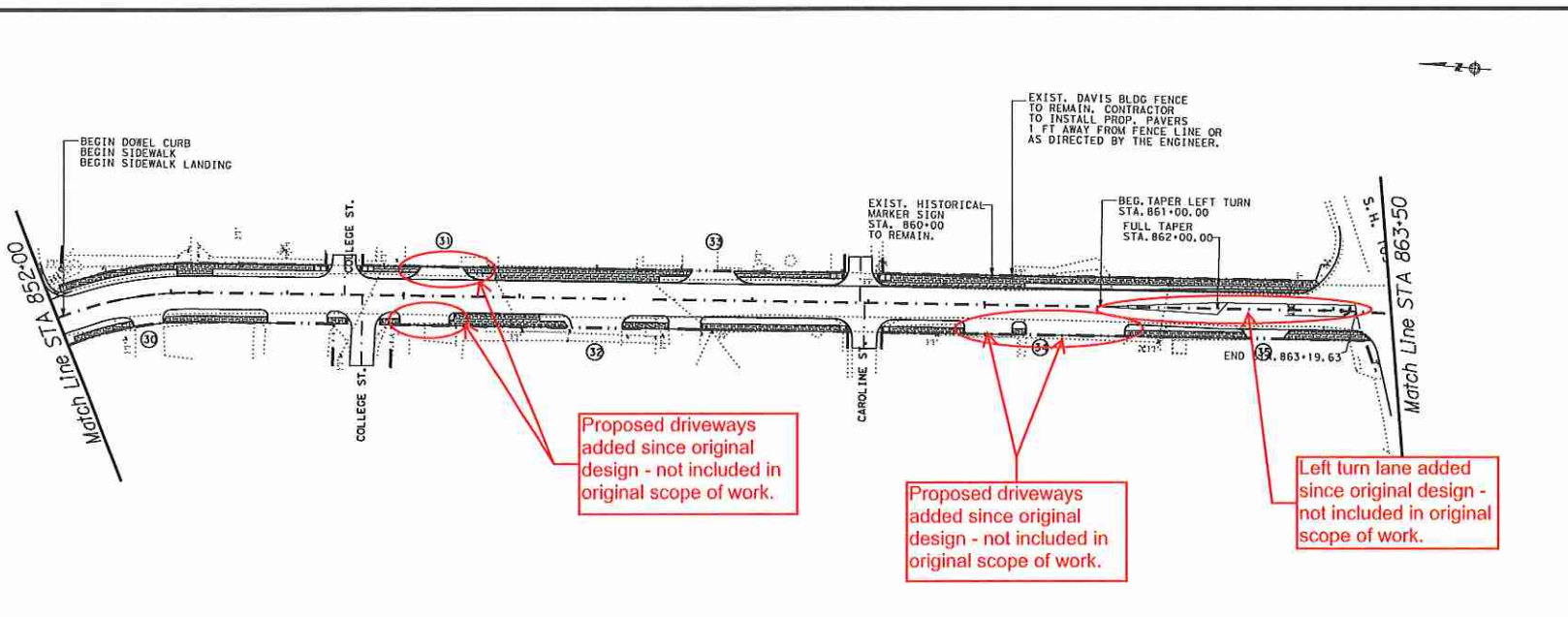


1 inch equals 1,500 feet

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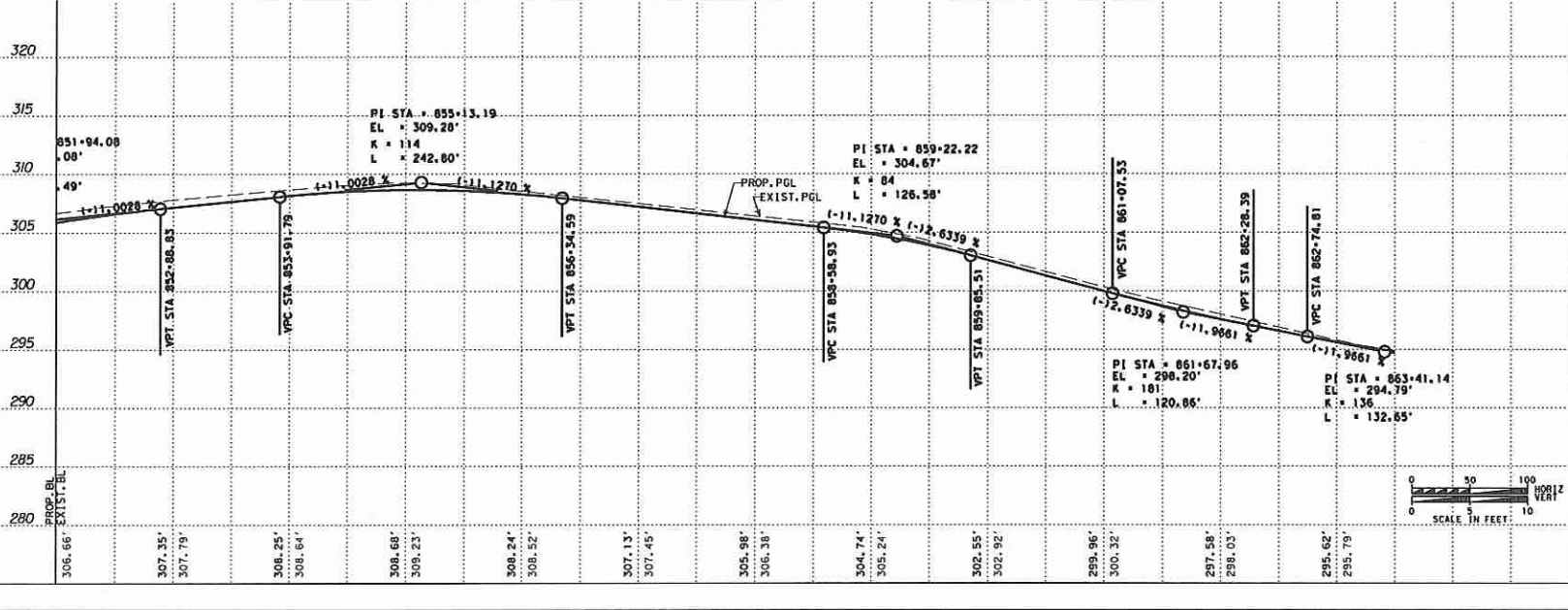
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- NOTES:
- FOR HORIZONTAL ALIGNMENT INFORMATION SEE HORIZONTAL ALIGNMENT DATA SHEETS.
 - ALL STATIONS AND OFFSETS ARE BASED OFF ALIGNMENT. (149 ALIGNMENT)

LEGEND

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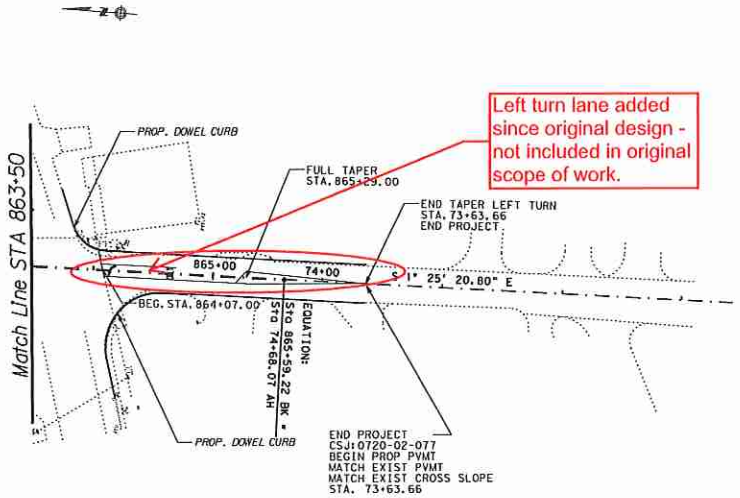
**FM 149
 PROPOSED
 PLAN & PROFILE**
 STA. 852+00 TO STA. 863+50

SHEET 5 OF 6



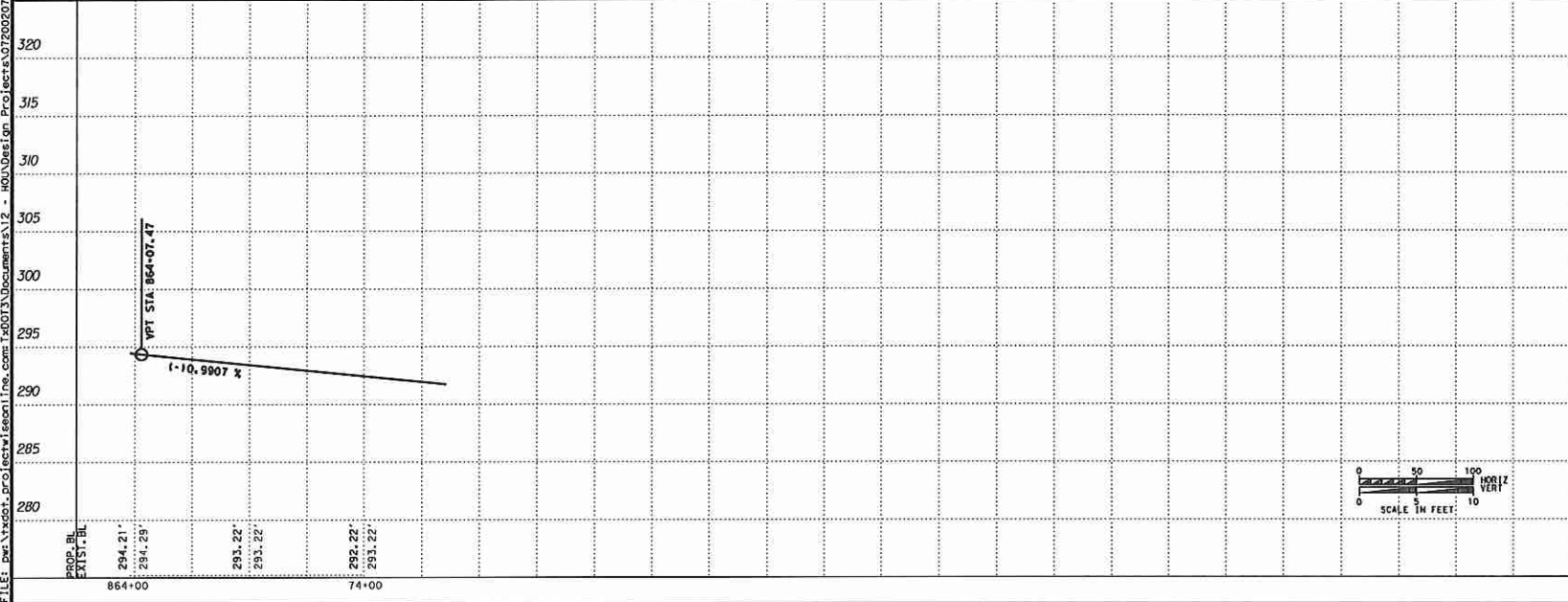
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**FM 149
PROPOSED
PLAN & PROFILE**

SHEET 6 OF 6



CONTRACT NO.	SECTION	SHEET NO.	TOTAL SHEETS
0720.02	077	FM 149	
COUNTY		SHEET NO.	
HOUSTON		MONTGOMERY	
		SAAS	



CITY OF MONTGOMERY

Development Status Report

By: Jack Yates, City Administrator

July 12, 2018

 = New Addition since 6-1-2018 edition

Pizza Shack Construction –The new, expanded beautifully designed Pizza Shack is open, since January 11th. The restaurant is one third larger than their previous site and offers more catering services. The restaurant does not seem to have slowed down much of their customer flow since their opening.

KENROCK Property – This is the approximately 13-acre piece of property that lies immediately west of Pizza Shack and east of the property being developed on the northeast corner of Highway 105 and Lone Star Pkwy. All of the property has been annexed.

The Plat for this project has three pad sites on the Highway 105 frontage and one 16,000 ft. building in one 24,000 ft. building on the north side of this property. The development of Dusty’s Car Wash is now in the construction stage. It is a \$2 million-dollar improvement according to their building permit.

They have started the dirt moving part of construction in the middle part of this tract on what will be a standalone AT&T phone/wireless store. On the extreme west side of this development will be a Wendy’s Restaurant- in very early stages now.

Two accesses to the entirety of the property will be off Highway 105 and they will also share a driveway with the developer of the northeast corner of 105 and Lone Star Parkway for their Lone Star Parkway access.

Montgomery First Shopping Area- Northeast Corner of SH105 and Lone Star Parkway - This is a strip center of approximately 20,000 sq. ft. One third of the building is an emergency medical clinic and another one third a dentist office. The pet supply store between the dentist office in the clinic had their opening in mid-May. This leaves one open space in that strip center.

Southeast Corner of Highway 105 and FM 2854 – This is the HEB corner. HEB representatives met with the city engineers and myself about fifteen months ago and said at that time that they were probably two years away from getting serious about building, so no speculation at all about when they may build.

Peter Hill Annexation – This is a 3.22-acre tract that is immediately south of SH 105 across from Pizza Shack. The total property is approximately 5 acres but 1.8 acres of the property is in the Conroe ETJ, and Conroe would not give up their right to annex.

That left the 3.22 to be annexed into the City of Montgomery. The plan is for businesses to be located on the total 5 acres. In the 3.22 portion located in the City, what is planned is an exercise gym and a tire repair/replacement shop. The owner is saying he is anxious to get started, but as of this date they have not obtained a building permit. The zoning on this property was approved for “B” Commercial at the March 24 Council meeting.

Lone Star Bend -- Road construction -- This is the connection between existing Lone Star Bend and Bois d’ Arc Road. This will open up the Walden area to be more easily accessible to the Montgomery area. Work on the road has begun, with completion in early- May. The road is now open.

Kroger Site - They have approximately six pad sites on their property near Highway 105 and Lone Star Parkway. A Burger King restaurant is in the Kroger Center. The other businesses that is in the retail center next to Kroger is Great Clips, Halo and Coiffure,, Malibu Nails and Spa, Massage Envy, Everbright Dental, Taste of China restaurant, and a Stoney’s Liquor. There are two empty spaces remaining.

West of Kroger/East of Buffalo Springs Road - The developers have placed their interior water and sewer and other interior property utilities now. Blu-Wave Car Wash will be the first building at the southeast corner of the tract. Otherwise the site plan shows a strip center similar to the Kroger strip center and three pad sites up closer to SH 105.

Southwest corner of FM 2854 and State Highway 105- This 26-acre property Developer just reached approval of a development agreement with the City Council. A CVS drugstore will be going to one of the pad sites. **They started** construction work in July.

The City’s 380 Agreement includes relocation of the Lift Station #1 and getting about ¾ of an acre of land for an addition to the Sewer Treatment Plant. That will probably be part of a 380 Agreement between the Developer and the city with their utility feasibility study amount of approx. \$430,000 with the Developer paying \$200,00 toward the relocation of L.S. #1 to open up more developable property since the LS is roughly in the middle of their property now. All totaled, the city is rebating one-half of one cent of the two cents sales tax generated by the entire development

to total 1.1 million dollars, or ten years whichever comes first, while the city is receiving approximately \$850,000 of payments from the Developer. A major announcement regarding a much-anticipated restaurant is expected in July for this tract of land.

South Loop around State Highway 105 – As the city continues to grow, traffic on Highway 105 and FM 149 will continue to get more congested. The City and Montgomery County Commissioners agreed late this past summer to pay for a Mobility Study for the City and the immediate area. The Mobility Study was accepted by the City Council in late-January. One of the items in the Study is the need for a south loop extending from 2854 to Highway 105 west of the city. The loop would probably be outside the city south of the present city limits but could be annexed into the city as time/circumstances allow. The reason to do the planning for the loop now is as development occurs in area of the loop land can be set aside for the right-of-way for the ultimate paving of the road.

Co. Commissioner Meador and Commissioner Riley joined with the city to pay for the preparation of the Plan.

North Loop around SH 105 -- The City Council at its December, 2017 meeting directed the City Administrator and Jones/Carter Engineering to start coordination work with the Houston Galveston Area Council to get either the northern loop and/or the southern loop on the Transportation Improvement Program (TIP) that will provide either 80% funding or 90% funding for these projects. Getting on the TIP involves probably several years of planning to get into the multiyear planning program. The TIP program is how major funding happens for major roads in the region. The first of this this coordination work will began in late-February this week with a meeting at the Houston regional office with TxDOT, HGAC, Montgomery County and City representatives at the first planning meeting.

The first meeting went well with very broad discussions toward what will probably be a four-year program of planning and funding arrangements

Expansion of Sewer Plant Area – The City has received State Department of Environmental Quality approval of a discharge permit for the sewage treatment plant located at the end of Buffalo Springs Road south of Highway 105. At the same time a discharge permit was approved for what is called the Stewart Creek Treatment Plant, the former treatment plant site that has been taken out of operation for about 10 years.

The Sewer Master Plan completed in March 2016 - presented a scenario to where the Stewart Creek Plant was put back in operation. By applying for both discharge permits that leaves that option open.

The need for additional treatment capacity we think is 3 to 5 years away -- allowing time to make a decision about whether or not to expand the Buffalo Springs site or to put the Stewart Creek Plant back into operation.

Part of the Texas Water Development Board borrowing that happened summer, 2017, is to improve lift station number one that now feeds all the city sewage into the Buffalo Springs site. The decision regarding the sewer plant expansion/Stewart Creek operating will probably be in the next 1 to 2 years.

Right now, the sewer plant has a permitted capacity of 400,000 gallons per day with a current usage of approximately 135,000 gallons per day. However, state regulations say that you need to be in the planning/designing stage at 60% of capacity (240,000 gallons per day) and in construction and 80% of capacity (320,000 gallons per day).

With the addition of approximately 75 houses per year plus all the commercial development is not hard to imagine us doubling our flow in the next 3-4 years. How that will be paid for is another entirely different subject.

McCoy's Lumber Development – McCoy's opened on October 8th. Their development has three pad sites in addition to the McCoy's building.

Development speculation is a Jack-in-the-Box restaurant. Nothing else is known on the other pad sites.

Ransom's Area Development- Phillip LeFevre has developed an area for soccer fields immediately north of the Ransom's Restaurant. He plans on having tournaments and league play there. The Montgomery Soccer Club, in November, 2017 received \$9,900 toward purchase of a \$16,500 irrigation system that will allow placement of a safer and more durable turf that will also allow tournaments and heavier use. The MEDC Board made the grant based upon the heavy visitation to the city from outside area residents coming to the practices, games and tournaments.

Ferland Historic Park - The Park is getting more and more popular. I am in discussions with the Ferland Inc. Board regarding a separation between the new housing subdivision on the east side of the park. I am proposing a vegetative barrier of bushes and small trees. Extensive sidewalk improvements were placed in late

March. Part of the sidewalk concrete was donated by Cajun Ready Mix who have also assisted/contributed to several public projects inside the city over the last year- so keep them in mind for your concrete needs.

Memory Park – The Lake Conroe Rotary Club continues to do an excellent job with making improvements, maintaining and essentially managing the Park. They continue to put tens of thousands of dollars into the park every year with the City funding the park maintenance/overall expenses of approximately \$20,000 per year. They just completed a promotion film about the Park_ – you can view the film on Rotary Club of Lake Conroe website.

Downtown Walk Ability/Improvement Plan – This will be an effort to plan for sidewalks, drainage, parking, landscaping with the ornamental lights and overall making it easier to park and get around downtown. Downtown is thought to be the heart and soul of the city and what will keep the Montgomery atmosphere after all of the new development happens. The plan is under way now, funded by the Montgomery Economic Development Corporation. Upon receipt of a plan the intention is to meet with the downtown property owners, the general public and others to decide on a street by street detailed plan of action. The first of these projects is the downtown parking area South of the Cozy Grape Restaurant. The city recently leased the area all the way from Cozy Grape Restaurant South to Caroline Street with the MEDC paying for the parking paving and landscaping around the area.

Hodge Podge Lodge – The owner is no longer planning a 3200 sq. ft. addition on the north side of the present building. He received a building permit to improve and enlarge his kitchen area for what is becoming an event center and has hired the Chef away from the Walden Yacht Club.

Montgomery Trace Shopping Center – The Center recently was sold to another investor. Brookshire Brothers has renewed its lease and also just received a sizeable building permit for several instore upgrades. I think we are all glad that they are able to carve out a market for themselves with Kroger so they can continue their excellent business that they have supported Montgomery with for all these years. An Uncle-Bob's Barbecue Restaurant opened mid-May.

Montgomery on Eva Strip Center --A nail salon was added November, to the existing T-Mobile shop. A mattress sales business is now open, filling in the Center. The building is a fine-looking addition to the frontage area in front of the Shopping Center.

Madsen Commercial building—This is the new building that is going up on South FM 149 adjacent to the pond north of the MISD bus barn. The building will have as dog training business (open now) and an auto repair shop (planning on being open by September, 2018).

Senior Housing Development – Lone Star Senior Housing, that has 11 other locations, and Blazer Development Company, developer of the Heritage Place Apartments, South of Brookshire Brothers Grocery -- the City Council, at its January 23rd meeting, gave support to both of their applications that they intend to make this year. The development would be for over 55 years of age occupancy only.

Baja Street Project - A Community Development Block Grant has been awarded from the state for repaving of Baja Street, replacing a water line and improving the ditches along Baja - and replacing some water line on Martin Luther King Blvd. \$26,000 cash match is required for the \$350,000 our grant. We expect to start work on the project in **September/October** of 2018.

Blight Removal in the Northwest Area – Over the past two years eight structures have been torn down and removed. **One more removal is being planned now.** All of these were with the permission of the owner and demolition costs were paid for by the Montgomery Economic Development Corporation, to the furthering of removal of blight for the overall economic improvement to the city.

HOME Grant --The City Council, at its May 9th meeting approved an application to be made for the state of Texas HOME project. This will fund up to eleven new replacement houses or major renovation) for those who qualify. The qualifications are: have income below the 80% of the average income for the area, be the owner of the house where the person now lives, have a clear title to the property where the new house would go. Preliminary review of the applications have eight that may qualify for the new houses.

The grant has no local match, but MEDC has said that they will front any incidental costs and any cost required by the grant.

The timing of the project is (approximately - remember this is the government and there is lots of coordination that needs to happen): verify qualified awardees in July, coordinate house design in August/September, take bids for house builders in October, finish building in January, move-in of residents in February, paperwork compilation/project closeout in January, 2019.

A meeting was held Thursday, April 19 at the City Hall for all that had applied for the new homes. Prior to the meeting, the 30-day open application period started on Tuesday, March 20.

Each house involves approximately \$100,000 in funding, administration, and cost of legal work, site preparation and construction of the house.

FM 149 Road Improvement – The city staff has been having monthly meetings with TxDOT design engineers.

There have been meetings with TxDOT, individual property owners and businesses over the past several months.

The Council passed a Resolution on July 10th asking TxDOT to proceed as quickly as possible on the SH 105 to Caroline Street section that includes the addition of right hand and left-hand turn lanes only FM 149 as it approaches 105, and to start on the FM 149 project from Clepper St., North to FM1097/FM 149 intersection. For the Caroline Street to Clepper section of the project the Council is requesting TxDOT to wait on this portion of the project until a downtown development streetscape plan is approved by the Council. The Council has directed the city planning commission to work with the community to develop the streetscape plan.

State Highway 105 Widening to Four Lanes West of City Hall – The first planning session was held February 28, 2017 at the Stewart Creek Junior High. This project is probably several years away from construction.

Buffalo Springs Bridge – The status of the bridge repair is that the City Council accepted the bid of Glenn Fuqua, Inc. for \$1,023,747.90 at its November 14th meeting. Construction started in early January (25 days of construction time has been added to the contract due to weather delays) take approximately five months. The bridge decking will come slightly before the ending of the project, so the road should be opened by early-August with completion of the total project by mid – August.

The project includes four inlet drains at the four corners of the bridge and substantial dirt and concrete work to support the four drainage entry ways of water getting to the four corners then down to the receiving channel. The project is funded by FEMA based on FEMA share of 75% of the actual contract price of the project.

A Disaster Relief Community Development Block Grant application for \$300,000 has been awarded that will go towards the city's 25% share of the bridge repair.

Heritage Medical Plaza II - This is the medical building being built by Chris Cheatham at the corner of Houston and State Highway 105. The business is now operating fully.

Land-Use Plan - A land-use plan is an overall broad – based view of how the land use in and around the city in the ETJ area is to be planned. It is not a zoning map although it is often used as a basis for zoning. The City Council approved the Plan on April 24.

Another reason to do this process is to plan for where low density versus high density residential properties may be developed in the city. The Planning Commission and Council have discussed a pre-planned determination of where in the city they would be with agreeable to low density development. By doing this pre-planning the Council and the developer has an idea about how the area should be developed rather than on a one by one application/determination basis.

Town Creek Addition Sections One and Two- This is the new 48 lot addition immediately west of Town Creek Apartments off Emma's Way. Style Craft builders did an excellent job of constructing the subdivisions water, sewer, streets and other improvements. The same group that built Town Creek Addition recently had approval of a Final Plat for Section III, with 48 more lots.

Terra Vista Addition - This is the new 36 lot addition immediately south of Summit Business Park on FM 1097. This addition was completed and accepted by the city in January. There are now 8 housing starts in the subdivision.

Rezoning of Property inside the City - This is an action of the Planning and Zoning Commission to rezone five properties inside the city, primarily on the S Hi105, where the current zoning does not fit the current need for the development of the property.

A joint City Council and Planning and Zoning Commission was held in late July, 2017. The Planning Commission has an idea of what they intend to rezone, but they are going to invite the property owners of the properties being considered to a discussion before starting the formal public hearing process. This discussion is planned for their June meeting. Then determining on the result of those discussions, the Commission will decide which properties to actually initiate rezoning.

Historic Markers – Funded by Montgomery Economic Development

Corporation - The MEDC offers to pay for historic markers as designated by the County or State Historic Societies. This means that anyone with a property with historic enough significance to receive a County or a State approved plaque marker, that the MEDC as part of its promotion and marketing function will pay for the marker and will place the marker on the right-of-way in front of the location involved. This should have significant effect on keeping historic Montgomery in the forefront of people's minds adding to the ambiance and character of the City.

Town Creek Self Storage Units Completed -- The Town Creek Self Storage Unit complex will be open for use by May 1st. Chris Cheatham is the builder/owner of the units.

The Units have 251 rental spaces available (165 climate controlled and 86 nonclimate controlled), sizes ranging from 5' x 5' up to 10' x 30' with 24-hour high tech security and gated access code. In the convenient location on 22852 SH 105 and next to the Town Creek Apartments, across the street from Montgomery High School.

Emma's Way –Extension to Lone Star Pkwy. -- The thought here is for Emma's Way to get another extension with the next subdivision—then at some point the city and the MISD pay for the balance of the extension all the way up to Lone Star Pkwy. The cost of the city/school extension is estimated at \$600,000.

The discussion up to now has been that the school and the city would roughly split that \$600,000. With the basis for that being that Emma's Way will serve the football stadium facility running alongside their Western boundary. The City's desire is simply to get a through street direct from the high school to encourage traffic to Lone Star Pkwy. to relieve some traffic on State Highway 105. The discussions for this project will probably come back up after the subdivision's extension of Emma's Way that is happening now, with completion expected in August.

An extension to Emma's Way of approximately 600' is nearing approval for the purpose of serving Town Creek Subdivision Section III.

Shannon Salsbury New Office at Waterstone – Shannon is planning to place a new office building for his insurance office with two additional for lease spaces. Mr. Salsbury is building immediately north and east of the Buffalo Springs Bridge on Buffalo Springs Road. He now offices in the Montgomery Trace Shopping Center. He is expecting to be in the new Buffalo Springs location by the end of 2018. His long-range plan, he told me, calls for another strip office space center on the north side of Buffalo Spring Road across from his new office.

Texas Water Development Board – Funding -- The TWDB has provided funding of 2.8 million for water and sewer work. The projects are-- for water; connection of the 12-inch line north of Clepper to the 12-inch line immediately west of Cedar Brake Park (which should help the water pressure on the western side of the city and eliminates the six-inch bottleneck in the system), improvements at Well #3 the Catahoula well (that we think will increase production about 25%). For sewer: Lift Station #1 upgrades (all the sewage in the city goes through this station which is already operating beyond design capacity), Lift Station #3 Force Main Reroute will serve to eliminate the need for another lift station and secures capacity in the system). All of the projects are in engineering design now, with a start date of June for completion of the design and construction to be begin mid-summer. The reason for the May to mid-summer period is because TWDB requires their approval of the plans.

Monty West - Plans for retail/office park – Mr. West is planning a U-shaped office and retail space on the west side of FM 149 and Clepper Street. He is working with TxDOT regarding driveways and planning on requesting several variances from the City, so he is not ready for formal presentation.

Cedar Crest Mobile Home Park – An Agreement has been reached with the owners of the Park. A Master water meter will be placed at the entrance to the Park. The city will continue to bill the residential meters inside the park and read the Master meter monthly with the difference being charged to the Owner. The owner will be putting up a large deposit. The city will also acquire an easement for a water line that will be placed by the city to a resident adjacent to the Park that now gets their water through the Park's lines.

This was needed because now there is a supply line on the property of the Park that supplies the individual residents that is not metered, so leaks on that supply line were not being billed by the city.

General Land Office possible grant – In late May we found out about a 22-milliondollar grant that had been offered to Montgomery County from the Texas General Land Office (GLO) for flood related damages. Montgomery was one of six Counties in the state that the GLO had selected because of having the worse flood damages in the past two years. The county organized the GLO offer within the county for how the funds should be allocated. The County, after discussing with the cities in the County and two or three housing groups in the County, decided that the funds should be distributed based on the amount of FEMA damages and the amount of low income in the area involved. The city of Montgomery had the most damage of any city in the County.

As such Montgomery was “allocated” \$2.2 million dollars of GLO dollars. This “allocation” is not a grant, the actual application is made by the City to the GLO, but the money set aside for the City so long as we apply for “correct” type of projects. The GLO grant funds can be used for drainage, water and sewer, generators, and the 25% City match monies spent already on FEMA projects.

The GLO application is prepared and was filed at the end of March. GrantWorks will be the grant writer and administrator of the grant and Jones/Carter is the engineer on the project.