

**Notice of City Council Regular Meeting  
AGENDA**

**October 24, 2023 at 6:00 PM**

**NOTICE IS HEREBY GIVEN** that a Meeting of the Montgomery City Council will be held on **Tuesday, October 24, 2023**, at **6:00 PM** at the City of Montgomery City Hall, 101 Old Plantersville Road, Montgomery, Texas.

Members of the public may view the meeting live on the City’s website under Agenda/Minutes and then select **Live Stream Page (located at the top of the page)**. The meeting will be recorded and uploaded to the City’s website.

**CALL TO ORDER**

**INVOCATION**

**PLEDGE OF ALLEGIANCE TO FLAGS**

**VISITOR/CITIZENS FORUM:**

Citizens are invited to speak for three (3) minutes on matters relating to City Government that relate to agenda or non-agenda items. Prior to speaking, each speaker must be recognized by the Presiding Officer. All speakers should approach the podium to address Council and give their name and address before sharing their comments. City Council may not discuss or take any action on an item, but may place the issue on a future agenda.

**CONSENT AGENDA:**

- 1.** Consideration and possible action regarding an Escrow Agreement by and between the City of Montgomery, Texas and Lonebuff Ventures, LLC for a convenience store development to be located at Town Creek Crossing Section One Commercial Reserve “D”, a 1.642-acre parcel of land at the northwest corner of Lone Star Parkway and Buffalo Springs Bridge Drive. (Dev. No. 2306).

**CONSIDERATION AND POSSIBLE ACTION:**

- 2.** Consider Adoption of a Resolution Authorizing the Publication of Notice of Intent to Issue Certificates of Obligation for the Funding of Capital Improvement Projects
- 3.** Consideration and possible action on the appointment of Kristin Gyldenege to Place 1 on the Planning & Zoning Commission.
- 4.** Consideration and possible action on the appointment of Tom Czulewicz to Place 5 on the Planning & Zoning Commission.
- 5.** Application for a City Alcoholic Beverage Permit for 14335 Liberty Street, Montgomery, TX 77356
- 6.** Consideration and possible action approving a resolution for the City of Montgomery to participate in the Texas SmartBuy Membership Program of the Texas Comptroller of Public Accounts, allowing the Police Department to purchase DPS Approved Toxicology Blood and Alcohol Test Kits accepted by the Texas Department of Public Safety Crime Lab.
- 7.** Consideration and possible action on the acceptance of the Waterline Infrastructure for Montgomery Bend Section One.
- 8.** Discussion Only of City Council Term Duration

**DEPARTMENTAL REPORTS:**

- [9.](#) October Sales Tax Report
- [10.](#) Utility Operations Report.
- [11.](#) Municipal Court Report September 2023
- [12.](#) September 2023 PD&CE Report
- [13.](#) Public Works Report
- [14.](#) Special Events Report
- [15.](#) City Engineer Report
- [16.](#) City Administrator Report

**EXECUTIVE SESSION:**

The City Council reserves the right to Adjourn into Closed Executive Session as authorized by the Texas Open Meetings Act, Chapter 551 of the Government Code of the State of Texas.

**Sections 551.071**(consultation with attorney),[Town Creek and Atkins Creek Hydrology project]

**POSSIBLE ACTION FROM EXECUTIVE SESSION:**

Consideration and possible action on items discussed in Executive Session.

**COUNCIL INQUIRY:**

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

**ADJOURNMENT**

/s/ Nici Browe

Nici Browe, City Secretary. TRMC

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 October 20, 2023 at 12:00 p.m.

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

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Montgomery City Council  
**AGENDA REPORT**

<b>Meeting Date:</b> October 24, 2023	<b>Budgeted Amount:</b> N/A
<b>Department:</b> Admin	<b>Prepared By:</b> Dave McCorquodale

**Subject**

Consideration and possible action regarding an Escrow Agreement by and between the City of Montgomery, Texas and Lonebuff Ventures, LLC for a convenience store development to be located at Town Creek Crossing Section One Commercial Reserve “D”, a 1.642-acre parcel of land at the northwest corner of Lone Star Parkway and Buffalo Springs Bridge Drive. (Dev. No. 2306).

**Recommendation**

Approve the Escrow Agreement as presented.

**Discussion**

Issue:

A developer is proposing to build a convenience store on the northwest corner of the intersection in a platted commercial reserve of Town Creek Crossing Section One. This is the city’s standard escrow agreement to cover engineering review costs.

Regulations:

The property is located in a restricted commercial reserve platted as part of Town Creek Crossing Section One (see attached exhibit). The zoning for the property is PD – Planned Development. The PD restrictions allow for commercial uses within the “MU-Mixed Use” area of the PD. The majority of land within the PD district is designated “MU-Mixed Use” allowing for a wide range of allowable uses adjacent to one another in the PD district. A platted 25-foot rear building line and vegetation setback between the homes and the commercial structure will be reviewed for compliance by the city engineers.

Analysis & Conclusion:

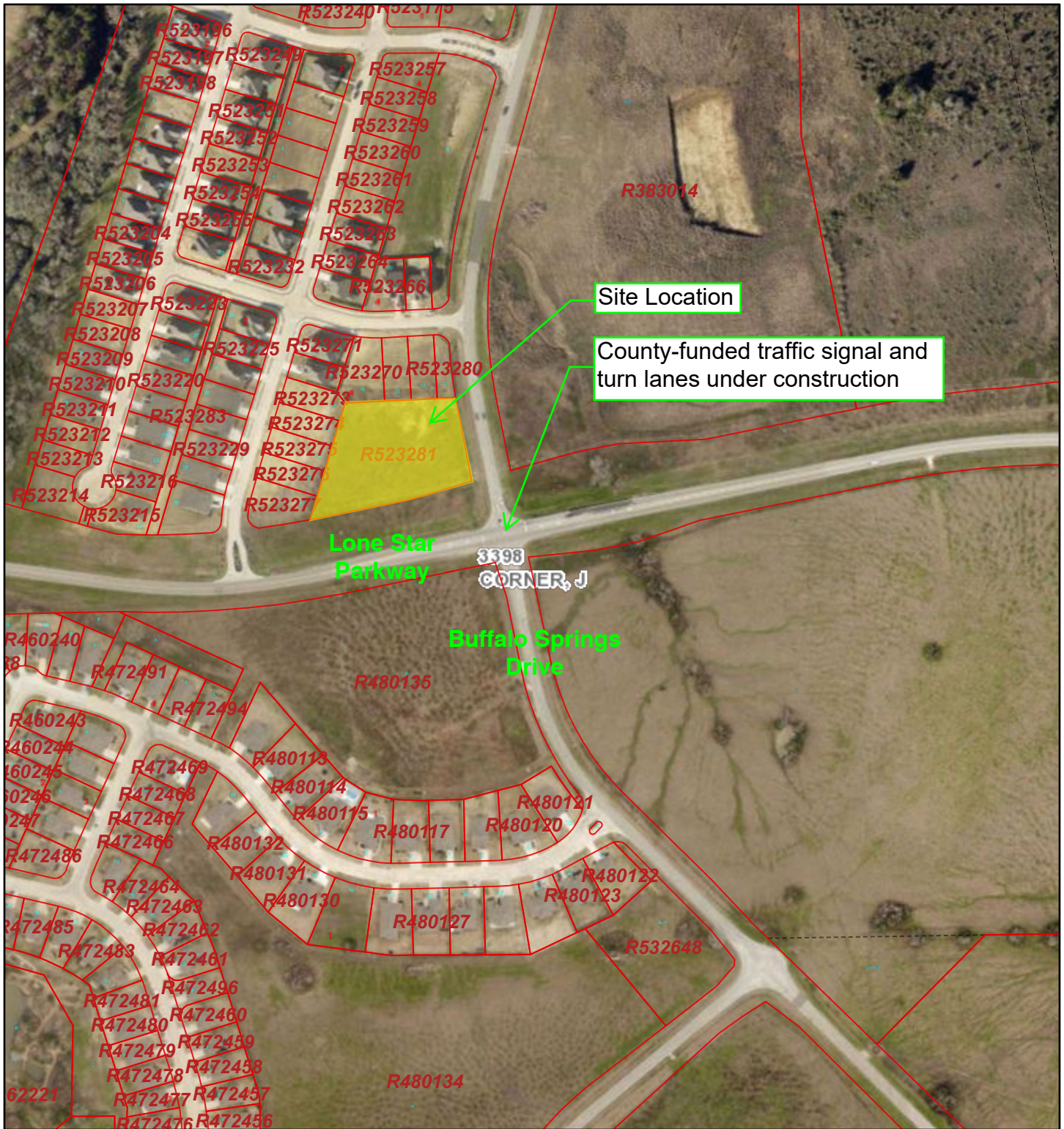
The Agreement ensures that the cost of our city engineer’s review of the civil site plans are paid for by the developer, not with city operating funds. The proposed development is allowed by right under the city’s zoning regulations and staff recommend approval of the Agreement.

**Approved By**

Assistant City Administrator & Planning & Development Director	Dave McCorquodale	Date: 10/20/2023
City Administrator	Gary Palmer	Date: 10/20/2023

# Town Creek Crossing Commercial Reserve D Location Map

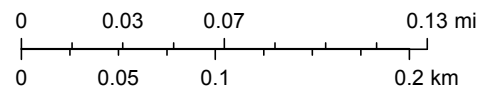
Item 1.



10/20/2023, 10:15:34 AM

1:4,514

- Abstracts
- Parcels
- Lot Lines
- Abstracts



© OpenStreetMap (and) contributors, CC-BY-SA



**ESCROW AGREEMENT**

**BY AND BETWEEN**

**THE CITY OF MONTGOMERY, TEXAS,**

**AND**

**Lonebuff Ventures, LLC**

**Dev. No. 2306**

THE STATE OF TEXAS                    ⊃

COUNTY OF MONTGOMERY            ⊃

This Escrow Agreement is made and entered into as of the 19<sup>th</sup> day OCTOBER, 2023 by and between the CITY OF MONTGOMERY, TEXAS, a body politic, and a municipal corporation created and operating under the general laws of the State of Texas (hereinafter called the "City"), and Lonebuff Ventures, LLC, a Limited Liability Corporation, (hereinafter called the "Developer").

**RECITALS**

WHEREAS, the Developer desires to acquire and develop all or part of Reserve "D" The Town Creek Crossing Section 1 sometimes referred to as the Lonestar Mart Tract, and being more particularly described in Exhibit "A" attached hereto and incorporated herein by reference for all purposes.

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



**AGREEMENT**

ARTICLE I

**SERVICES REQUIRED**

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

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

ARTICLE II

**FINANCING AND SERVICES**

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

Administrative	\$500
City Engineer	\$4,000
Legal	\$500
<hr/>	
TOTAL	\$5,000

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

Section 2.03 The total amount shown above for the Escrow Fund is intended to be a “Not

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

### ARTICLE III,

#### MISCELLANEOUS

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

Section 3.02 If either party is rendered unable, wholly or in part, by *force majeure* to carry out any of its obligations under this Escrow Agreement, then the obligations of such party, to the extent affected by such *force majeure* and to the extent that due diligence is being used to

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

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

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

Section 3.05 Any notice, communication, request, reply or advice (hereafter referred to as "notice") herein provided or permitted to be given, made, or accepted by either party to the other



(except bills) must be in writing and may be given or be served by depositing the same in the United States mail postpaid and registered or certified and addressed to the party to be notified, with return receipt requested, or by delivering the same to an officer of such party. Notice deposited in the mail in the manner herein above described shall be conclusively deemed to be effective, unless otherwise stated in this Escrow Agreement, from and after the expiration of seven (7) days after it is so deposited. Notice given in any other manner shall be effective only when received by the party to be notified. For the purpose of notice, the addresses of the parties shall, until changed as hereinafter provided, be as follows:

If to City, to:	City Administrator City of Montgomery 101 Old Plantersville Rd. Montgomery, Texas 77356
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If to Developer, to:	Mohammed Wasim Lonebuff Ventures, LLC 20114 Elaine Rose Court Spring, Texas 77379
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The parties shall have the right from time to time and at any time to change their respective addresses, and each shall have the right to specify as its address any other address by at least fifteen (15) days written notice to the other party.

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

Section 3.07 This Escrow Agreement shall bind and benefit City and its legal successors

and Developer and its legal successors but shall not otherwise be assignable, in whole or in part, by either party except as specifically provided herein between the parties or by supplemental agreement.

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

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

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

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

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



CITY OF MONTGOMERY, TEXAS

By: \_\_\_\_\_  
Byron Sanford, Mayor

ATTEST:

By: \_\_\_\_\_  
Nici Browe, City Secretary

MOHAMMAD-W. MUNDIA  
Developer

By: Wani  
Signature

Title: OWNER



STATE OF TEXAS {

COUNTY OF MONTGOMERY {

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

GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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

THE STATE OF TEXAS {

COUNTY OF Harris {

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

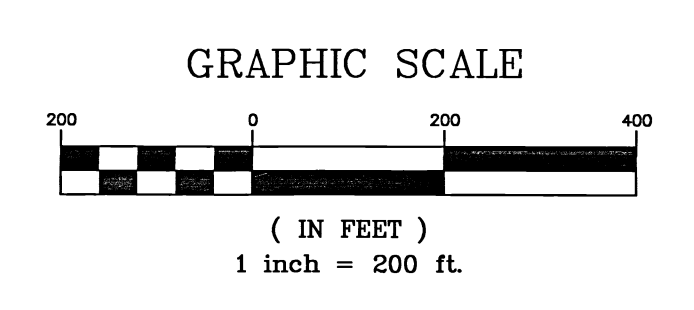
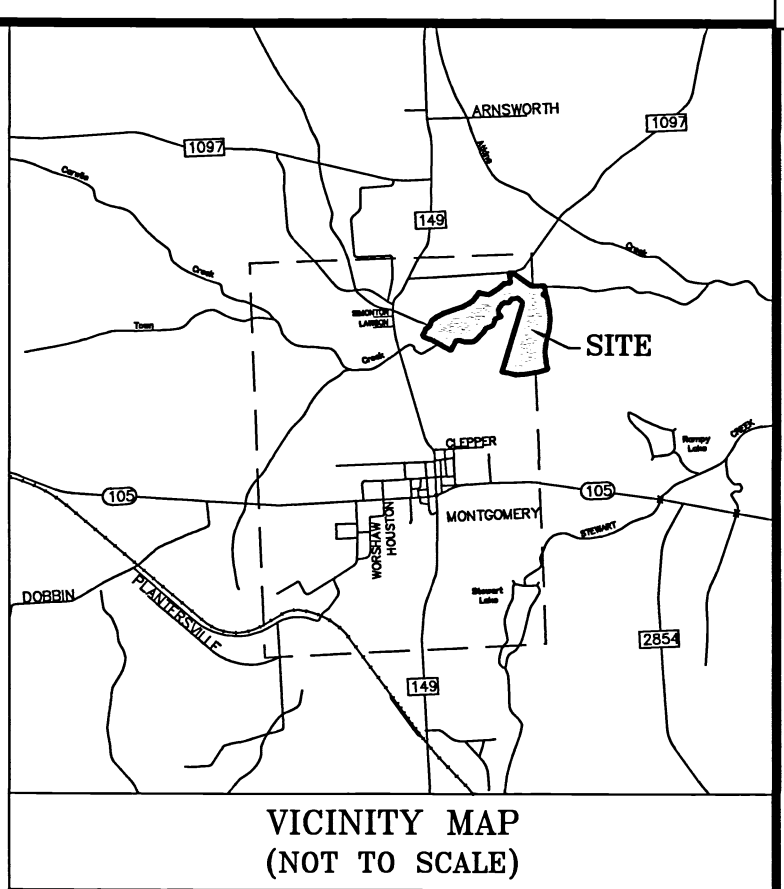
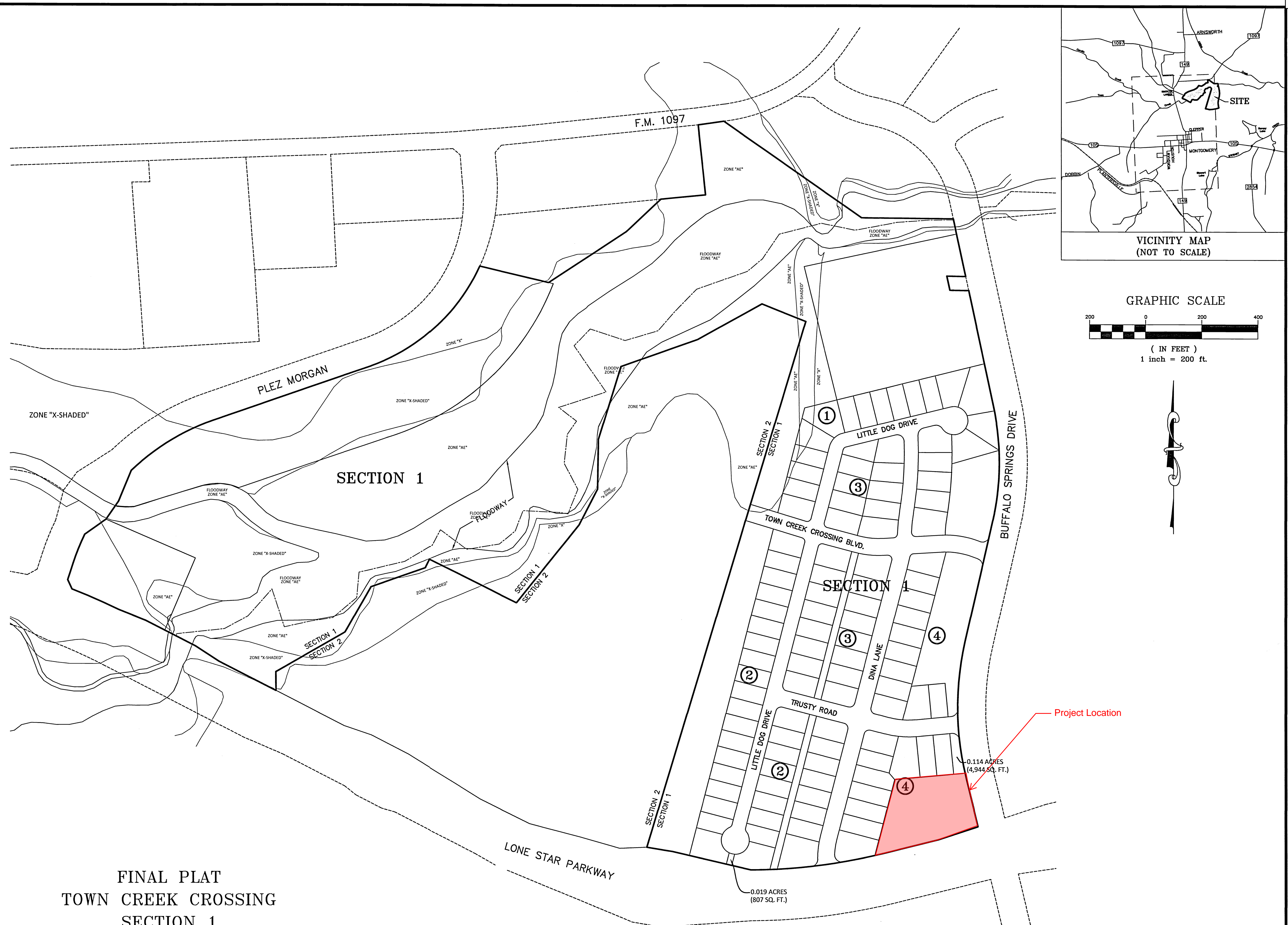
GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the 19 day of Oct, 2023.

[Signature]  
\_\_\_\_\_  
Notary Public, State of Texas





X:\2021\21-0365\WORKING\BASE MAPS\21-0365\_TOWN CREEK CROSSING\_SEC.1 (REV. 06.29.21).DWG Jun. 30, 2021-8:05 AM



**FINAL PLAT  
TOWN CREEK CROSSING  
SECTION 1**

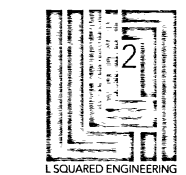
A RESIDENTIAL SUBDIVISION OF  
89.743 ACRES (3,909,186 SQ. FT.)  
OF LAND IN THE  
JOHN CORNER SURVEY, A-8  
MONTGOMERY COUNTY, TEXAS

**4 BLOCKS \* 102 LOTS \* 14 RESERVES**

July 2021

DOC # 2021109947  
Cabinet 00Z Sheet 7645

**ENGINEER:**



L SQUARED ENGINEERING  
3307 WEST DAVIS ST., STE. 100  
CONROE, TX 77304  
(936)647-0420  
www.lsqaredengineering.com

**SURVEYOR:**



525 SAWDUST ROAD, STE. 200  
THE WOODLANDS, TX 77380  
(281)465-8730  
www.landpoint.net

**OWNER:**

LeFevre Development, Inc.  
780 Clepper Drive  
Suite 100  
Montgomery, Texas 77356  
(936)582-1088

TBPELS REG. NO. 10194172

SHEET 1 OF 5

Montgomery City Council  
**AGENDA REPORT**

<b>Meeting Date:</b> October 24, 2023	<b>Budgeted Amount:</b> N/A
<b>Department:</b> Administration	<b>Prepared By:</b> G. Palmer

**Subject**

Consider Adoption of a Resolution Authorizing the Publication of Notice of Intent to Issue Certificates of Obligation for the Funding of Capital Improvement Projects

**Recommendation**

Recommend Approval of the Resolution as Proposed

**Discussion**

We will be reviewing the Capital Improvement Plan (CIP) at your workshop on Monday October 23, 2023. Our financial advisor will be at the workshop to walk us through the process.

The Certificates of Obligation are debt instruments issued by the City for specific projects. In our case, we will be using those funds for the required water infrastructure improvements.

<b>Approved By</b>		
City Administrator	Gary Palmer	Date: October 20, 2023

RESOLUTION NO. 23 - \_\_\_\_\_

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS, AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION; AUTHORIZING THE PREPARATION OF A PRELIMINARY OFFICIAL STATEMENT AND NOTICE OF SALE; AND PROVIDING FOR OTHER MATTERS INCIDENTAL THERETO

THE STATE OF TEXAS §  
COUNTY OF MONTGOMERY §  
CITY OF MONTGOMERY §

WHEREAS, the City Council of the City of Montgomery, Texas (the "City") deems it advisable to issue certificates of obligation (the "Certificates") of the City in accordance with the notice hereinafter set forth; and

WHEREAS, the City desires to authorize the preparation of a preliminary official statement (the "Preliminary Official Statement") and notice of sale (the "Notice of Sale") in anticipation of its issuance of the Certificates; NOW, THEREFORE

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

Section 1. The findings, determinations, definitions and recitations set out in the preamble to this resolution are found to be true and correct and are hereby adopted by City Council and made a part hereof for all purposes.

Section 2. The City Secretary is hereby authorized and directed to cause to be published in the manner required by law and in substantially the form attached hereto as Exhibit A, a notice of the City's intention to issue the Certificates (the "Notice").

Section 3. The Notice shall be published once a week for two (2) consecutive weeks in a newspaper that is of general circulation in the City, the date of the first publication to be at least forty-six (46) days before the date tentatively set in the Notice for the passage of the ordinance authorizing the issuance of the Certificates. In addition, the Notice shall be posted continuously on the City's website for at least forty-five (45) days before the date tentatively set in the Notice for the passage of the ordinance authorizing the issuance of the Certificates.

Section 4. For the purposes of the Notice, the City hereby designates as self-supporting those public securities listed in the attached Exhibit B, the debt service on which the City currently pays from sources other than ad valorem tax collections. The City plans to continue to pay these public securities based on this practice; however, there is no guarantee this practice will continue in future years.

Section 5. The City hereby authorizes the preparation and distribution of a Notice of Sale and Preliminary Official Statement relating to the Certificates and authorizes the City Administrator to approve the contents of and deem final such Preliminary

Official Statement within the meaning and for the purposes of paragraph (b)(1) of Rule 15c2-12 under the Securities Exchange Act of 1934.

Section 6. The City's financial advisor, US Capital Advisors LLC, and bond counsel, Johnson Petrov LLP, are authorized and directed to proceed with the necessary arrangements for the sale of the Certificates in accordance with the aforesaid Notice of Sale and Preliminary Official Statement.

Section 8. The Mayor, City Administrator, City Secretary, and other officers and agents of the City are hereby authorized and directed to do any and all things necessary or desirable to carry out the provisions of this resolution.

Section 9. This resolution shall take effect immediately upon its passage.

*[Execution Page to Follow]*



PASSED AND APPROVED on this the 24<sup>th</sup> day of October, 2023 by the City Council of the City of Montgomery, Texas.

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City Secretary  
City of Montgomery, Texas

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Mayor  
City of Montgomery, Texas

[SEAL]

EXHIBIT ANOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION

NOTICE IS HEREBY GIVEN that the City Council of the City of Montgomery, Texas (the "City"), will meet at the City Council Chambers, 101 Old Plantersville Road, Montgomery, Texas, 77316, at 7:00 p.m., on December 12, 2023, which is the time and place tentatively set for the passage of an ordinance and such other action as may be deemed necessary to authorize the issuance of certificates of obligation, in the maximum aggregate principal amount not to exceed \$5,000,000, payable from ad valorem taxes and from a limited pledge of a subordinate lien, which lien shall be in an amount not to exceed \$1,000, on the surplus revenues of the City's water and sewer system, bearing interest at any rate or rates not to exceed the maximum interest rate now or hereafter authorized by law, as shall be determined within the discretion of the City Council of the City at the time of issuance of the certificates of obligation, and maturing over a period not to exceed forty (40) years from the date of issuance, for the purposes of evidencing the indebtedness of the City for all or any part of the costs associated with (i) the construction, acquisition and equipment of water and sewer system improvements; and (ii) the costs of professional services related thereto. The estimated combined principal and interest required to pay the Certificates on time and in full is \$7,987,833. Such estimate is provided for illustrative purposes only and is based on an assumed interest rate of approximately 5.25%. Market conditions affecting interest rates vary based on factors beyond the control of the City, and the City cannot and does not guarantee a particular interest rate associated with the Certificates. As of the date of this notice, the aggregate principal amount outstanding of tax-supported debt obligations of the City is \$2,739,500. Based on the City's expectations, as of the date of this notice, the combined principal and interest required to pay all of the outstanding tax-supported debt obligations of the City (excluding public securities secured by an ad valorem tax but designated by the City as self-supporting) on time and in full is \$3,196,140.

WITNESS MY HAND AND THE OFFICIAL SEAL OF THE CITY, this 24<sup>th</sup> day of October, 2023.

Nici Browe  
City Secretary  
City of Montgomery, Texas

EXHIBIT B

## SELF-SUPPORTING DEBT

**\$4,915,500**                      **Total Principal Amount Designated as Self-Supporting**

The total principal amount of self-supporting debt is comprised of some or all of the debt from the following series of obligations:

**Series Designation**

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Tax & Surplus Rev CO, Series 2017A  
Tax & Surplus Rev CO, Series 2017B  
General Obligation Refunding Bonds, Series 2021

B-1

CERTIFICATE FOR RESOLUTION

THE STATE OF TEXAS §  
COUNTY OF MONTGOMERY §

I, the undersigned officer of the City Council of the City of Montgomery, Texas, hereby certify as follows:

1. The City Council of the City of Montgomery, Texas, convened in a regular meeting on the 24<sup>th</sup> day of October, 2023, at the regular meeting place of the City Council, and the roll was called of the duly constituted officers and members of said City Council, to wit:

Bryon Sanford	Mayor
Carol Langley	Council Member,
Casey Olson	Council Member,
Sara Countryman	Council Member,
Cheryl Fox	Council Member,
Stan Donaldson	Council Member

and all of said persons were present, except the following absentee(s): \_\_\_\_\_, thus constituting a quorum. Whereupon, among other business, the following was transacted at said meeting: a written

RESOLUTION NO. \_\_\_\_\_

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS, AUTHORIZING PUBLICATION OF NOTICE OF INTENTION TO ISSUE CERTIFICATES OF OBLIGATION; AUTHORIZING THE PREPARATION OF A PRELIMINARY OFFICIAL STATEMENT AND NOTICE OF SALE; AND PROVIDING FOR OTHER MATTERS INCIDENTAL THERETO

was duly introduced for the consideration of said City Council. It was then duly moved and seconded that said resolution be adopted; and, after due discussion, said motion, carrying with it the adoption of said resolution, prevailed and carried by the following vote:

\_\_\_\_\_ Member(s) shown present voted “Aye.”

\_\_\_\_\_ Member(s) shown present voted “No.”

\_\_\_\_\_ Member(s) present abstained from voting.

2. A true, full and correct copy of the aforesaid resolution adopted at the meeting described in the above and foregoing paragraph is attached to and follows this certificate; that said



resolution has been duly recorded in said City Council's minutes of said meeting; that the above and foregoing paragraph is a true, full and correct excerpt from said City Council's minutes of said meeting pertaining to the adoption of said resolution; that the persons named in the above and foregoing paragraph are the duly chosen, qualified and acting officers and members of said City Council as indicated therein; that each of the officers and members of said City Council was duly and sufficiently notified officially and personally, in advance, of the date, hour, place and purpose of the aforesaid meeting, and that said resolution would be introduced and considered for adoption at said meeting, and each of said officers and members consented, in advance, to the holding of said meeting for such purpose; that said meeting was open to the public as required by law; and that public notice of the date, hour, place and subject of said meeting was given as required by Chapter 551, Texas Government Code.

SIGNED AND SEALED this 24<sup>th</sup> day of October, 2023.

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City Secretary  
City of Montgomery, Texas

[SEAL]

Montgomery City Council  
**AGENDA REPORT**

<b>Meeting Date:</b> October 24, 2023	<b>Available Funds:</b> N/A
<b>Department:</b> Admin	<b>Prepared By:</b> Dave McCorquodale

**Subject**

Consideration and possible action on the appointment of Kristin Gyldenege to Place 1 on the Planning & Zoning Commission.

**Recommendation**

Staff recommends the appointment of Kristin Gyldenege to Place 1 on the Planning & Zoning Commission.

**Discussion**

Issue:

The Planning & Zoning Commission currently has two vacancies out of a total of five commissioners.

Regulations:

***Sec. 98-50. - Membership and appointment.***

*The Planning and Zoning Commission shall be composed of five qualified individuals. These individuals shall be residents of the city and be registered to vote in city elections. The City Council will consider for appointment to the commission only those persons who have demonstrated their civic interest, general knowledge of the community, independent judgment, interest in planning and zoning, and availability to prepare for and attend meetings. It is the intent of the city council that members shall, by reason of their diversity, constitute a commission, which is broadly representative of the community...*

Analysis & Conclusion:

A resident of the Historic District, Kristin Gyldenege, expressed initial interest in serving on the MEDC Board of Directors. When contacted by staff about a P&Z Commission vacancy, Ms. Gyldenege affirmed she was also interested in serving on P&Z. Living in the Historic District and being a licensed Realtor brings a potential knowledge base, diversity, and perspective that should enhance the Commission. Staff recommend appointing Mrs. Gyldenege to the Commission. If the applicant is in attendance at the meeting, the Council may wish to provide her with an opportunity to introduce herself and answer any questions from the Council. An excerpt from her application to MEDC is attached. It provides a basic overview of her background and experience.

**Approved By**

Assistant City Administrator & Planning & Development Director	Dave McCorquodale	Date: 10/18/2023
City Administrator	Gary Palmer	Date: 10/18/2023



### City of Montgomery Texas Volunteer Application

Date: Aug 8, 2023

Name of Board/Commission/Committee: P&Z

Name: Kristin Gyldeberg

Home Address: 706 Caroline Montgomery, TX 77356

Mailing Address: Same

Phone Number: 832-236-5365 Email: kristie.trostle@yahoo.com

Occupation: Realtor

Education: Certified in Google Analytics, Licensed Realtor

Related Experience/Community Service: I have been a small business owner for 25 years, including owning a business here in Montgomery.

Areas of Interests Related to this Committee: I want to help encourage new small businesses to come to Montgomery while maintaining the quaintness that makes it unique -  
List Membership on any other Governmental Board/Commission/Committee: \_\_\_\_\_

Please provide a brief narrative outlining your reasons for seeking appointment to this Board/Commission.

Please See attached -

Signature

Aug. 8, 2023  
Date

Some (not all) Boards/Commissions/Committees require members to reside in the City of Montgomery and be a current registered voter. Please return the completed form to the City Secretary's Office for processing either via email at [nbrowe@ci.montgomery.tx.us](mailto:nbrowe@ci.montgomery.tx.us) or via mail 101 Old Plantersville Road, Montgomery, Texas 77316. **Please note when this is filed with City Hall the information included will become public information that may be disclosed per the Texas Public Information Act. City Council will receive this information And no attachments will be retained or forwarded.**

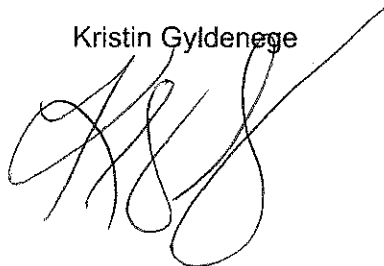
As a former small business owner in Montgomery, I fell in love with this quaint town from day one. Having owned small businesses for 25 years I was confident in my ability to run a business and moreover give people what they want and need. My business was met with adoration and the love I put into my products was met with equal love from the visitors through my doors every day. However, as a business owner I felt excluded, isolated and even bewildered by the politics of this amazing town. I felt welcomed by the citizens, never by the city. I never knew there were grants to help with the cost of improvements like signs and fencing etc....I never felt like the city wanted me here or appreciated what I brought to the town. I sold my business very early on, but vowed I would soon live here and try like hell to make that different for other business owners. I am now very familiar with all of them. I have listened to them. I see what this city can be. I want to maintain the quaint beauty and effervescent history of this great town. I want to help create an open and welcome environment for small business owners all while giving tourists a reason to venture here. I want to encourage families to come here and create memories, and always hold love in their hearts for this sweet town.

I never want anyone to spend their life savings to follow their dream only to be treated like an outsider.

I have some great ideas and I am so excited to offer not only my business expertise but my real estate knowledge to help this city grow....in the right ways.

Thank you for your consideration.

Kristin Gyldenega

A handwritten signature in black ink, appearing to read 'Kristin Gyldenega', written over a horizontal line.

Montgomery City Council  
**AGENDA REPORT**

<b>Meeting Date:</b> October 24, 2023	<b>Budgeted Amount:</b> N/A
<b>Department:</b> Administration	<b>Prepared By:</b> G. Palmer

**Subject**

Consider Appointment of Thomas Czulewicz to the Planning and Zoning Commission Place 5

**Recommendation**

Appoint Mr. Czulewicz to the Montgomery Planning and Zoning Commission Place 5

**Discussion**

On September 27, 2023 Mr. Czulewicz applied to serve on the Planning and Zoning Commission. I subsequently met with Mr. Czulewicz and discussed at length his background, the work of the P&Z Commission and the role of Commissioner.

I find Mr. Czulewicz to be professional, educated, and knowledgeable about local government and the Montgomery community. Moreover Mr. Czulewicz has spent his life serving others through the military and as a volunteer serving veteran organizations. I believe he will be an asset to the Commission and City.

Attached please find Mr. Czulewicz’s application and resume.

<b>Approved By</b>		
		Date:
City Administrator	Gary Palmer	Date: October 16, 2023



City of Montgomery Texas Volunteer Application

Date: 9/27/2023

Name of Board/Commission/Committee: Planning and Zoning

Name: Thomas S Gzulewicz

Home Address: 105 Dinal Lane, Montgomery, TX 77356

Mailing Address: " " " " "

Phone Number: 843 303 6990 Email: submanner635@yahoo.com

Occupation: Retired from U.S. Navy

Education: College (Southern Illinois University)

Related Experience/Community Service: see

Areas of Interests Related to this Committee: Strive to maintain small-town atmosphere

List Membership on any other Governmental Board/Commission/Committee: see attached

Please provide a brief narrative outlining your reasons for seeking appointment to this Board/Commission.

Having served on two different Home Owners Associations I can fully appreciate the value of sound Planning and Zoning.

[Signature]  
Signature

9/27/2023  
Date

Some (not all) Boards/Commissions/Committees require members to reside in the City of Montgomery and be a current registered voter. Please return the completed form to the City Secretary's Office for processing either via email at nbrusse@ci.montgomery.texas or via mail 101 Old Plantersville Road, Montgomery, Texas 77316. Please note when this is filed with City Hall the information included will become public information that may be disclosed per the Texas Public Information Act. City Council will receive this information And no attachments will be retained or forwarded.

#### Related Experience/Community Service:

Served in the U.S. Navy Submarine Service for 34 years. Enlisted and after 15.5 years received a Commission as Limited Duty Officer. Retired in 1995 as a Commander. Served as Executive Officer and then Commanding Officer of (at that time) the largest nuclear weapons facility in the Navy. Base comprised of a 250 enlisted and Officer Navy contingent, 350 Marine Security Detachment and over 250 Federal Civil Service employees and contractor. Closed down the base in January 1995 while successfully finding new employment for 92% of the employees.

Served as Assistant Manager of the Red Cross office at Army Base in Colorado Springs, CO.

Served as CEO of Red Cross Chapter in Huntington, West Virginia.

Served as Assistant 911 Center Administrator for Chester County, Pennsylvania for two years.

Served as Disaster Preparedness Manager for Chester County, Pennsylvania for 1.5 years.

Served as Director of Human Resources for Chester County, Pennsylvania for four years.

Served as PTA President at St. Johns elementary school in North Charlesto, SC for 3 years.  
Served as one of the founding members of the Church Parrish Council for two years.

Established a Church Parrish Council and served as President for five years at the Naval Submarine Base Chapel, Bangor, WA

Founded and served as President of the Kitsap High School Booster Club for four years.

Member of Kitsap County School Board Curriculum Development Committee.

Served on Board of Directors for Home Owners Association in Summerville, SC.

Served on Board of Directors for Home Owners Association in Myrtle Beach, SC.

For over 30 years, my Wife and I hosted multiple Christmas Parties where we had our guests bring gifts for children and provided them to various organizations including Ronald McDonald House, DuPont Childrens' Hospital, Toys-For-Tots and St. Judes Ranch for Children in Las Vegas, NV

Co-Founder of the Gift-A-Vet Foundation (a 501c(3) organization, serving as Chairman/CEO/President. We collect gifts (much like Toys-For-Tots) for residents of the South Carolina Veterans Homes (see [giftavet.com](http://giftavet.com).) While I reside here in Montgomery, I remain overseeing the Foundation. We have grown since established in November 2017 to collecting and delivering gifts to three Veterans Homes where the value in 2022 was over \$35,000 in gifts and cash donations of \$500 for each Home.



**Montgomery City Council  
AGENDA REPORT**

<b>Meeting Date:</b> 10-19-2023	<b>Budgeted Amount:</b> n/a
<b>Department:</b> Administration	<b>Prepared By:</b> Nici Browe

**Subject**  
 Application for a City Alcoholic Beverage Permit for 14335 Liberty Street, Montgomery, TX 77356

**Recommendation**  
 Approval subject to Texas Alcoholic Beverage Commissions final approval.

**Discussion**  
 The applicant is seeking to open a business at a former restaurant location within the City of Montgomery Downtown, located at 14335 Liberty Street.  
  
 The application for the TABC is in process and this item is to seek approval by City Council to operate a business selling alcoholic beverages within the stated location.  
  
 Once the Texas Alcohol Beverage Commission provide a license to the applicant, the city shall receive a copy in order to issue the City Permit.

<b>Approved By</b>		
City Secretary	Nici Browe	Date: 10/18/2023
City Administrator		Date:



City of Montgomery
Alcohol Beverage
License Application

City of Montgomery, Texas
101 Old Plantersville Road
Montgomery, Texas 77316
936-597-3288
www.montgomerytexas.go

Item 5.

APPLICATION FOR THE SALE OF ALCOHOLIC BEVERAGE LICENSE

Date Received by the City: \_\_\_\_\_

1. Type of Alcoholic Beverage License: (attach completed TABC Application Form)

- (1) Category A - Off Premises Consumption Sale of All Alcoholic Beverages - Package Store
(2) Category B - Off Premises Consumption Sale of Wine, Beer or Ale.
(3) Category C - Off Premises Consumption Sale of Beer.
[X] (4) Category D - On Premises Consumption Sale of Beer, Wine and Mixed beverages - Restaurant or Cafe, where the sale of beer, wine and mixed beverage on the premises would be incidental to the restaurant or cafe.
(5) Category E - On Premises Consumption Sale of Beer, Wine and Mixed beverages - Tavern, Lounge, or Bar. The sale of Beer, Wine and Mixed beverages for On-Premises Consumption being the principal business line.
(6) Category F - Warehouse storage of Beer, Wine or Liquor for Distributors - No sale of Beer for on or Off-Premises Consumption permitted on the Premises.

2. Legal Description of the property for which License is sought. (Either by Lot and Block number or by a Metes and Bounds Description: S728002 Montgomery Townsite 02, Tract 27 Area B \_\_\_\_\_)

3. Exact Nature of the Business to be operated. (Must be fully described in cover letter on company letterhead).

4. Attach a Plat of the property to the Application showing the improvements, parking areas, location of signage and other structures on the property and within three hundred (300) feet to scale.

5. Description of signs and the hours they will be operated to be attached as a separate document.

6. Attach floor plan of the building in which the business is to be conducted (showing fixtures, furniture, restrooms, kitchen and other equipment).

7. Attach a verified statement stating that the building is not within three hundred (300) feet of a church, school or hospital and that the building is in compliance with the requirements of this chapter for separate and adequate toilet facilities for men and women if used for on-premises consumption of beer, liquor or wine. This can be included in cover letter.

8. Business Owner: Krawfish Kai LLC (Ryan L Routt, Managing Member) Phone: 936-444-2426
Address: 14355 Liberty Street, Montgomery, Tx 77356
Home Address: 11444 Memorial Springs Ct, Montgomery, Tx 77316 Phone: 281-900-5425
Check if you are leasing property: [X]

9. Land Owner: Racehorse Investments LLC Phone: 832-372-0450
Address: 1817 Saint Beulah Chapel Rd, Montgomery, TX 77316

10. Business Partners: (Krawfish Kai LLC) Joseph Dupree IV (Managing Member) Phone: 936-444-2426
Address: 14335 Liberty Street, Montgomery, Tx 77456
Home Address: 11508 Allison Ct, Montgomery, Tx 77316 Phone: 936-494-5011

This is to certify that I, Ryan L Routt \_\_\_\_\_ have complied with all State, County, Codes and Regulations of the City of Montgomery, Texas.

[Signature]
Business Owner and/or Lessee

or \_\_\_\_\_
Partner if Applicable

Krawfish Kai LLC  
14335 Liberty Street, Montgomery, TX, 77356  
Krawfishkai.com  
Phone: 936-444-2426

From: Ryan Routt, Owner, Krawfish Kai LLC  
To: City of Montgomery, City Council, 101 Old Plantersville Rd, Montgomery, TX, 77316

Subject: City of Montgomery, Alcohol Beverage License Application

We are applying for a Texas Alcohol Beverage Commission license and are requesting approval from the City of Montgomery as well.

The previous owners at the Wings of Montgomery held a license on the same premises and we are asking for the same. We would appreciate your prompt approval on this matter so we may continue our applications.

The nature of our business is: Restaurant, it will be a Cajun/Creole Restaurant.

We have submitted a sign permit to the city previously for approval and are waiting on the committee to meet.

We have attached a floor plan of the restaurant and a land plot as requested.

Please see description and copy of sign that will be on the outside of the building on the top of the building same place as the wings of Montgomery sign currently.

We hereby wish to also state that the building is not within three hundred (300) feet of a church, school, or hospital and that the building is in compliance with the requirements of this chapter for separate and adequate toilet facilities for men and women if used for on-premises consumption of beer, liquor or wine.

Managing Members:  
Ryan L. Routt  
11444 W. Kristina Circle, Montgomery, TX, 77316

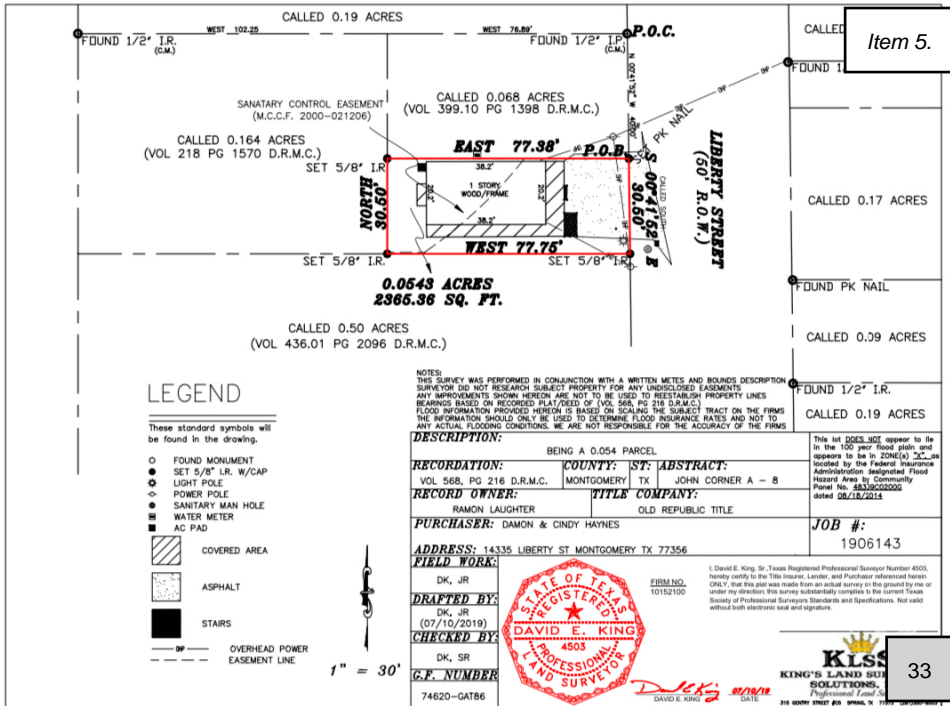
Joseph T. Dupree  
11508 Allison Ct, Montgomery, TX, 77316

The sign is made of all metal and powder coated; it is layered to make it 3D as you can see in the side pictures. Size is 45" wide by 60" tall. This sign design has already been submitted to the city for approval as well as a temporary sign permit.

Hours: Mon-Thur 4pm-10pm; Fri 4pm-10pm; Sat-Sun 12pm-10pm







Item 5.

**LEGEND**

These standard symbols will be found in the drawing.

- FOUND MONUMENT
- SET 5/8" I.R. W/CAP
- ⊙ LIGHT POLE
- ⊕ POWER POLE
- SANITARY MAN HOLE
- WATER METER
- AC PAD
- COVERED AREA
- ASPHALT
- STAIRS
- OVERHEAD POWER EASEMENT LINE



NOTES:  
 THIS SURVEY WAS PERFORMED IN CONJUNCTION WITH A WRITTEN METES AND BOUNDS DESCRIPTION. SURVEYOR DID NOT RESEARCH SUBJECT PROPERTY FOR ANY UNDISCLOSED EASEMENTS. ANY IMPROVEMENTS SHOWN HEREON ARE NOT TO BE USED TO REESTABLISH PROPERTY LINES. BEARINGS BASED ON RECORDED PLAT/DEED OF (VOL. 568, PG. 216 D.R.M.C.) FLOOD INFORMATION PROVIDED HEREON IS BASED ON SCALING THE SUBJECT TRACT ON THE FIRMS. THE INFORMATION SHOULD ONLY BE USED TO DETERMINE FLOOD INSURANCE RATES AND NOT TO ANY ACTUAL FLOODING CONDITIONS. WE ARE NOT RESPONSIBLE FOR THE ACCURACY OF THE FIRMS.

<b>DESCRIPTION:</b>		BEING A 0.054 PARCEL	This lot <u>DOES NOT</u> appear to lie in the 100 year flood plain and appears to be in ZONE(s) <u>X</u> , as located by the Federal Insurance Administration designated Flood Hazard Area by Community Panel No. <u>4833002002</u> dated <u>08/12/2014</u> .
<b>RECORDATION:</b>	<b>COUNTY:</b>	<b>ST: ABSTRACT:</b>	
VOL 568, PG 216 D.R.M.C.	MONTGOMERY TX	JOHN CORNER A - 8	
<b>RECORD OWNER:</b>	<b>TITLE COMPANY:</b>		<b>JOB #:</b> 1906143
RAMON LAUGHTER	OLD REPUBLIC TITLE		
<b>PURCHASER:</b> DAMON & CINDY HAYNES			
<b>ADDRESS:</b> 14335 LIBERTY ST MONTGOMERY TX 77356			
<b>FIELD WORK:</b>			
DK, JR			
<b>DRAFTED BY:</b>			
DK, JR (07/10/2019)			
<b>CHECKED BY:</b>			
DK, SR			
<b>G.F. NUMBER</b>			
74620-GAT86			
		<b>FIRM NO.</b>	
		10152100	
		<b>DATE</b>	
		07/10/19	

I, David E. King, Sr., Texas Registered Professional Surveyor Number 4503, hereby certify to the Title Insurer, Lender, and Purchaser referenced herein ONLY, that this plat was made from an actual survey on the ground by me or under my direction; this survey substantially complies to the current Texas Society of Professional Surveyors Standards and Specifications. Not valid without both electronic seal and signature.

**KLSS**  
 KING'S LAND SURVEY SOLUTIONS,  
 Professional Land Surveyors  
 315 GENTRY STREET #200, WYOMING, TX 77383



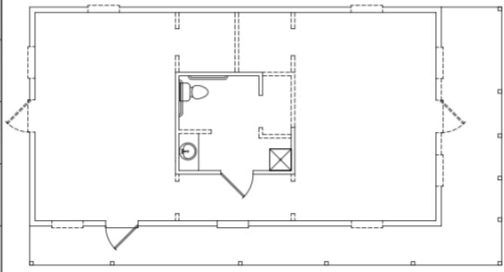


**WINGS OVER MONTGOMERY**  
MONTGOMERY, TEXAS TYPE

REVISION		
DATE	BY	REVISION

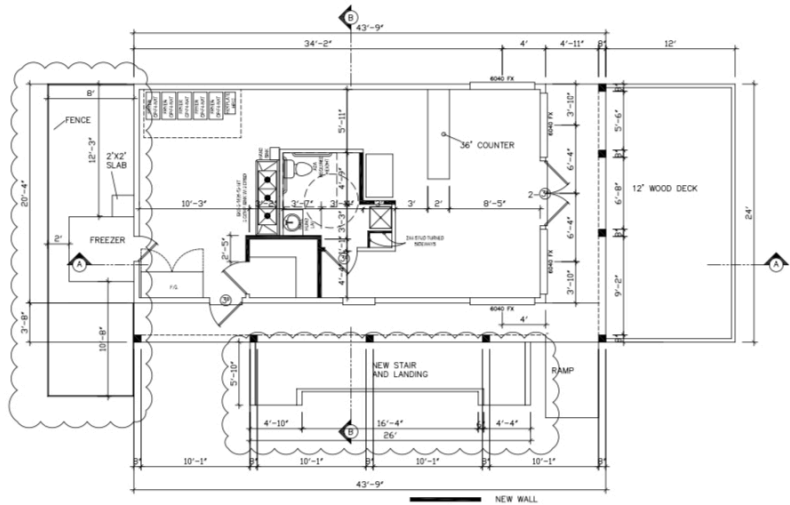
PROJECT NUMBER: 24050000  
 DRAWN BY: JAM, JT  
 CHECKED BY: JAM  
 DATE: 05/23/23

ELEVATIONS/  
SITE PLAN



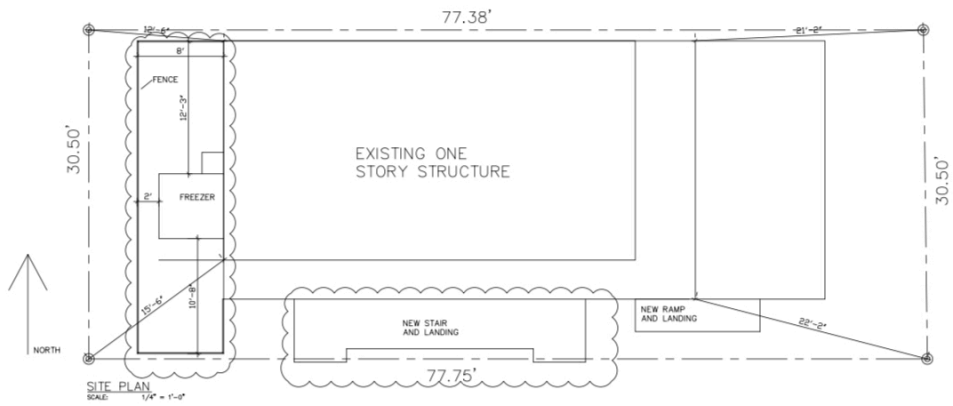
**DEMO PLAN**  
SCALE: 1/4" = 1'-0"

----- DEMO WALL  
 ===== EXISTING TO REMAIN



**FLOOR PLAN**  
SCALE: 1/4" = 1'-0"

— NEW WALL  
 — EXISTING TO REMAIN



**SITE PLAN**  
SCALE: 1/4" = 1'-0"



Montgomery City Council  
**AGENDA REPORT**

<b>Meeting Date:</b> October 24, 2023	<b>Budgeted Amount:</b>
<b>Department:</b> Police Department	<b>Prepared By:</b> Anthony Solomon

**Subject**

Consideration and possible action approving a resolution for the City of Montgomery to participate in the Texas SmartBuy Membership Program of the Texas Comptroller of Public Accounts, allowing the Police Department to purchase DPS Approved Toxicology Blood and Alcohol Test Kits accepted by the Texas Department of Public Safety Crime Lab.

**Recommendation**

Approve this resolution allowing the City of Montgomery to participate in the Texas SmartBuy Membership Program of the Texas Comptroller of Public Accounts.

**Discussion**

When a driver is suspected of driving while intoxicated, the officer will often have a blood draw completed, which will be processed by the State’s Crime Lab. The blood test kits used by the phlebotomist must be supplied by our agency.

As you see in our monthly reports, we have averaged just under 5 DWI arrests per month in 2023, with a total of 43 arrests between January 1 through September 30. November and December are predictably the busiest months when it comes to DWI arrests, which means it’s crucial that we have access to the DPS approved blood test kits that we need.

In February of 2023, our agency was notified via email (see attached email) by our vendor of the State’s updated guidance that going forward the Toxicology blood and alcohol kits must be ordered through Texas SmartBuy.

The State will only accept DPS Approved Toxicology and Blood Alcohol Drug Test Kit sold by the Texas SmartBuy Program for non-DPS personnel (see attached notice). There is an annual fee of \$100.00 payable to the Texas Comptroller’s Office to enroll in this program. The cost per kit is \$7.25 (see attached printout from the Texas SmartBuy website).

While we have a small stock of blood test kits available, they are set to expire in December 2023. We need to purchase more prior to their expiration or the depletion of stock. Our agency must join the Texas SmartBuy program to have access to purchase the DPS Approved Toxicology and Blood Alcohol Drug Test Kits.

**Approved By**

Police Chief	Anthony Solomon	Date:
City Administrator	Gary Palmer	Date:



# Texas SmartBuy Membership Program

## Resolution

State of Texas, County of Montgomery  
*(County Entity Located In)*

Whereas, the Texas Comptroller of Public Accounts is authorized to provide purchasing services for local governments **pursuant to §§271.082 and 271.083 of the Local Government Code.**

Whereas, the City Council  
*(Enter Board of Directors, City Council, Commissioner's Court, School Board, etc..)*

of City of Montgomery  
*(Enter Name of Qualified Applicant/Entity)*, is a:

**(Check One of the Following)**

<input type="radio"/> Appraisal District	<input type="radio"/> Charter/Academy School
<input type="radio"/> Community Supervision/Corrections Department	<input type="radio"/> Council of Governments/Planning Commissions
<input type="radio"/> County	<input type="radio"/> Education Service Center
<input type="radio"/> Fire Prevention District	<input type="radio"/> Hospital District
<input type="radio"/> Judicial District	<input type="radio"/> Junior/Community College
<input type="radio"/> Library District	<input type="radio"/> Mental Health/Mental Disability Organization
<input checked="" type="radio"/> Municipality	<input type="radio"/> School District
<input type="radio"/> State-funded Assistance Organization	<input type="radio"/> Texas Rising Star Care Provider
<input type="radio"/> Special District	<input type="radio"/> Utility District
<input type="radio"/> Emergency Service	<input type="radio"/> Drainage
<input type="radio"/> Housing	<input type="radio"/> Municipal
<input type="radio"/> Political Subdivision	<input type="radio"/> Special
<input type="radio"/> Port or Transportation Authority	
<input type="radio"/> Workforce Development Board	

defined as an entity qualified to participate in the Texas SmartBuy Membership Program of the Texas Comptroller of Public Accounts pursuant to §271.081 of the Local Government Code.

Anthony Solomon - Chief of Police and  
Primary Contact and Title

Kristen Goode - Executive Assistant  
Secondary Contact and Title

is/are authorized to execute all documentation for City of Montgomery pertaining to its participation in the  
*(Entity Name)*

Texas Comptroller of Public Accounts Cooperative Purchasing Program; and

Whereas, City of Montgomery acknowledges its obligation to pay annual participation fees established by the  
*(Entity Name)*

Texas Comptroller of Public Accounts.

Now, Therefore Be it Resolved, that request be made to the Texas Comptroller of Public Accounts to approve  
City of Montgomery for participation in the Texas Comptroller of Public Accounts Cooperative Purchasing Program.  
*(Entity Name)*

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_ by City of Montgomery  
*(Entity Name)*

By: \_\_\_\_\_  
Signature of Chair Printed Name and Title of Chair

\_\_\_\_\_  
Signature of Primary Contact Printed Name and Title of Primary Contact

\_\_\_\_\_  
Signature of Secondary Contact Printed Name and Title of Secondary Contact





# Texas SmartBuy Membership Program

## Texas SmartBuy Membership Application

Please complete this form and return it to [members@cpa.texas.gov](mailto:members@cpa.texas.gov)

### Contact Information

*Name of Primary Contact & Title: Anthony Solomon - Chief of Police	*Name of Secondary Contact & Title: Kristen Goode - Executive Assistant
*Primary Contact Email Address: asolomon@montgomerytexas.gov	*Secondary Contact Email Address: kgoode@montgomerytexas.gov
Shared Phone Number: 973-597-6866	Shared Email box: police@montgomerytexas.gov
<b>Note:</b> Please list TWO individuals who will receive all correspondence from CPA. Asterisks denote mandatory fields.	

### Organization/Qualified Entity Information

Organization/Entity Name: City of Montgomery	
Address: 101 Old Plantersville Rd. Montgomery, TX 77316	
Phone number: 936-597-6434	Fax number: 936-597-7989

### Superusers

Please add contact information for two individuals who will be Superusers.  
Who are Superusers? (Must be set up, edited, and deactivated by Texas SmartBuy Help Desk)

- Can have a Purchaser or Non-Purchaser Role
- Can add and deactivate addresses to the entity address book
- Can edit user roles and application access
- Can add new entity users other than Superuser
- Can deactivate entity users
- Cannot change user email address (contact Texas SmartBuy Help Desk)

**Note:** Please list two individuals (mandatory) who will be Superusers for your organization. May differ from authorized individuals.

*Name of Superuser: (#1) Joe Belmares	*Name of Superuser: (#2) Kristen Goode
*Email Address: jbelmares@montgomerytexas.gov	*Email Address: kgoode@montgomerytexas.gov
*Phone Number: 936-597-3604	*Phone Number: 936-597-4291





# Texas SmartBuy Membership Program

## Texas SmartBuy Membership Application (concluded)

*Role: Select One for Each User	
Superuser #1	Superuser #2
<input type="radio"/> Agency View Only <ul style="list-style-type: none"> <li>• Can view any POs created by their entity.</li> <li>• This access is good for users like accounts payable or others that need to view POs but aren't in a purchaser role.</li> <li>• These users don't typically have access to other SPD applications.</li> </ul>	<input type="radio"/> Agency View Only <ul style="list-style-type: none"> <li>• Can view any POs created by their entity.</li> <li>• This access is good for users like accounts payable or others that need to view POs but aren't in a purchaser role.</li> <li>• These users don't typically have access to other SPD applications.</li> </ul>
<input checked="" type="radio"/> Agency Purchaser <ul style="list-style-type: none"> <li>• Can create POs.</li> <li>• Can view and edit any PO for their entity.</li> <li>• Can cancel any PO for their entity.</li> </ul>	<input checked="" type="radio"/> Agency Purchaser <ul style="list-style-type: none"> <li>• Can create POs.</li> <li>• Can view and edit any PO for their entity.</li> <li>• Can cancel any PO for their entity.</li> </ul>
Payment Details	
<p>The annual membership fee for participation in the Texas SmartBuy Membership Program is:  <b>\$100 – Fee is non-refundable.</b></p> <p><b>Options:</b></p> <ul style="list-style-type: none"> <li>• Credit Card on txsmartbuy.com (preferable)</li> <li>• Check made payable to "Texas Comptroller of Public Accounts"</li> </ul> <p><b>Please mail check to:</b>                      Texas Comptroller of Public Accounts                      P.O. Box 13186                      Austin, TX 78711</p> <p><b>Please return this form with payment and all required documents with signatures, if paying via check.</b></p> <p><b>Note:</b> Please allow up to two weeks for internal processing at our offices.</p> <p>Questions? Please contact our office at 512-463-3368 or <a href="mailto:members@cpa.texas.gov">members@cpa.texas.gov</a></p>	



## TX SmartBuy - Toxicology and Blood Alcohol Kits

1 message

**Angel Kan** <akan@tibh.org>  
To: kgoode@ci.montgomery.tx.us

Fri, Feb 10, 2023 at 12:24 PM

Dear Kristen,

My name is **Angel Kan** and I am your regional contact for **WorkQuest**. I am not sure if you have been contacted by our central store yet, but I wanted to reach out myself.

Due to updated guidance from the Comptroller's office, going forward the Toxicology blood and alcohol kits must be ordered through Texas Smart Buy, the Comptroller's purchasing platform. This platform does require a membership.

I've included the necessary information to get you started on getting your membership. Once a member, the "Super User" can add sub accounts. For example, a purchaser with the city may want to create sub accounts for the Jail, PD, etc. so that the departments may place their own orders.

### Point of Contact at the Comptroller's office

#### **Karen N. Cyphers, CTCD, CTCM**

Texas SmartBuy Marketing Coordinator Outreach Program  
Statewide Procurement Division (SPD)  
Texas Comptroller of Public Accounts  
[Karen.cyphers@cpa.texas.gov](mailto:Karen.cyphers@cpa.texas.gov)  
512-475-0530

### Texas Smartbuy Membership Application

The forms listed below are PDF files. They include fillable form fields and functionality that work best with the free Adobe Reader. While some browsers and viewers may open these files, they may not function as intended unless you download and save the files first and view them with the latest version of [Adobe Reader](#)

- [Texas SmartBuy Membership Program Application \(PDF\)](#)
- [Texas SmartBuy Membership Program Resolution \(PDF\)](#)
- [Documents Required for Proof of Eligibility \(PDF\)](#)
- [Texas SmartBuy Membership Program Agent of Record Name Change Form - EDITED \(PDF\)](#)

We appreciate your patience during this transition.

Ordering tips: Use Google Chrome as your web browser. Don't save Texas SmartBuy passwords to your browser. You may use the WorkQuest website to browse products because we have product photos, whereas the TSB website sometimes doesn't have any product images. Don't use bookmarks, the WorkQuest website updates frequently.

## Link to kits on Smartbuy

[Exclude From Search: false \(txsmartbuy.com\)](#)

Skus: 19348350912-1

Price: \$7.25 each

## Link to kits on Central Store site

[Toxicology and Blood Alcohol Drug Test Kit – WorkQuest](#)

Skus: 19348350912-1

Price: \$8.00 each

Kind Regards,



**Angel Kan**

Product Regional Marketing Manager  
WorkQuest, Region IV - Houston/SE Texas  
[11200 Richmond Avenue, Suite 301](#)  
Houston, Texas 77082  
Office: 832-379-3101  
Cell: 713-498-5962

Item 6.

# TEXAS DEPARTMENT OF PUBLIC SAFETY

5805 N LAMAR BLVD • BOX 4087 • AUSTIN, TEXAS 78773-0001

512/424-2000

[www.dps.texas.gov](http://www.dps.texas.gov)



STEVEN C. McCRAW  
DIRECTOR  
FREEMAN F. MARTIN  
DWIGHT D. MATHIS  
JEFF WILLIAMS  
DEPUTY DIRECTORS



COMMISSION  
STEVEN P. MACH, CHAIRMAN  
NELDA L. BLAIR  
STEVE H. STODGHILL  
DALE WAINWRIGHT

December 17, 2021

SUBJECT: Specimen Testing Kit Requirement (Driving Cases)

In April 2021, the DPS Crime Laboratory was informed by law enforcement agencies that they were unable to purchase toxicology blood alcohol collection kits due to a supply shortage from the DPS approved kit vendor (WorkQuest). WorkQuest confirmed the supply shortage and in May 2021, the DPS Crime Laboratory enacted a temporary measure to allow law enforcement agencies to submit toxicology blood alcohol collection kits purchased from third party vendors. This temporary measure was to allow WorkQuest to replenish their supply. WorkQuest has advised that all back orders have been filled and anticipate being fully operational by January 2022.

Effective March 1, 2022, DPS Crime Laboratory locations will no longer accept toxicology blood evidence collection kits purchased from third party vendors. All toxicology blood evidence must be submitted to DPS Crime Laboratory locations in DPS approved toxicology blood evidence collection kits.

DPS approved toxicology blood evidence collection kits can be purchased through one of the following options.

- 1) DPS General Store (DPS PERSONNEL ONLY)
- 2) Texas Smart Buy
  - a. Questions regarding membership or purchasing can be sent via email to [txsmartbuy@cpa.texas.gov](mailto:txsmartbuy@cpa.texas.gov) or via telephone to 512-463-3034 option 1
  - b. Toxicology and Blood Alcohol Kit: <http://www.txsmartbuy.com/product/5641674>

If you have specific questions, contact your local DPS Crime Laboratory location.



(https://www.txsmartbuy.com)

Commodity Code, Supplier Part #, NIGP or Keyword  Search

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**Toxicology And Blood Alcohol Kit (/product/5641674)**

Commodity Code 19348350612 P

Price **\$7.25** UOM **KIT**

Toxicology And Blood Alcohol Kit; Freight Included. Delivery In 120 Days On 10,000 Or More Kits

Min. Order Qty: 10

[Add to wish list \(/product/5641674\)](#)

ITEM	CONTRACTOR
<b>Contract 193-S1</b> (/contracts/view/2274) <b>Supplier Part 19348350612</b> <b>Number</b>	<b>Contractor</b> WorkQuest, Inc.

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**OTHER STATE SITES**

- texas.gov (https://www.texas.gov)
- Texas Records and Information Accessibility (TRAIL) (https://www.tsl.state.tx.us/trail/)
- State Link Policy (http://publishingext.dir.texas.gov/portal/internal/resources/DocumentLibrary)
- Texas Veterans Portal (https://veterans.portal.texas.gov)

Montgomery City Council  
**AGENDA REPORT**

<b>Meeting Date:</b> October 24, 2023	<b>Budgeted Amount:</b> N/A
<b>Department:</b> Admin	<b>Prepared By:</b> Dave McCorquodale

**Subject**

Consideration and possible action on the acceptance of the Waterline Infrastructure for Montgomery Bend Section One.

**Recommendation**

Staff recommend acceptance of the waterline infrastructure for Montgomery Bend Section One and commencement of the one-year warranty period for waterline project.

**Discussion**

Issue:

The waterline is complete, and the developer has requested acceptance of the infrastructure in order to set up a bulk water account (hydrant meter) to facilitate construction within the development. You may recall the developer paying the utility impact fees for Section One as part of the Final Plat approval two weeks ago.

Regulations:

Chapter 78 – Subdivisions and the city’s Design Criteria Manual prescribe the standards for public infrastructure construction in the city.

Analysis & Conclusion:

Acceptance of the waterline does not allow the builder to begin obtaining building permits to build within Section One. The sewer and roads will also have to be accepted before the homes can begin construction. Staff is working with the developer to allow construction of two model homes and the recreation center that is part of Section One, though the structures will not be provided with utility service prior to acceptance of sewer and roadway infrastructure within Section One.

Staff and the city engineers recommend acceptance of the waterline infrastructure for Montgomery Bend Section One and commencement of the one-year warranty period for the waterline.

**Approved By**

Assistant City Administrator & Planning & Development Director	Dave McCorquodale	Date: 10/20/2023
City Administrator	Gary Palmer	Date: 10/20/2023



October 19, 2023

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

Re: Construction of Montgomery Bend Section 1 Water Infrastructure  
City of Montgomery

Dear Mayor and Council:

We conducted a final inspection of the referenced development and provided the corresponding punch list to the contractor and developer for completion. As of today, we have received the required maintenance bond for the infrastructure and there are no outstanding punch list items remaining. The inspection was performed on the water infrastructure only to allow temporary meters to be set and construction to continue. The developer has requested permission to proceed with construction of model homes following acceptance of the water infrastructure. However, no taps will be completed, nor single family homes constructed until the paving, sanitary, and storm sewer system is completed and accepted. We offer no objections to this request.

If you have any questions or comments, please do not hesitate to contact me.

Sincerely,

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

Chris Roznovsky, PE  
Engineer for the City

CVR/kmv

Z:\00574 (City of Montgomery)\\_900 General Consultation\Correspondence\Letters\2023\2023.10.19 MEMO to Council RE  
Montgomery Bend Sec. 1 Water Only Acceptance.docx

Enclosures: N/A

Cc (via email): Mr. Gary Palmer – City of Montgomery, City Administrator  
Ms. Nicola Browe – City of Montgomery, City Secretary  
Mr. Dave McCorquodale – City of Montgomery, Director of Planning & Development  
Mr. Alan Petrov – Johnson Petrov, LLP, City Attorney

Montgomery City Council  
**AGENDA REPORT**

<b>Meeting Date:</b> October 24, 2023	<b>Budgeted Amount:</b> N/A
<b>Department:</b> ADMIN	<b>Prepared By:</b> G. Palmer

**Subject**  
Discussion Only of City Council Term Duration

**Recommendation**  
Open Discussion and Review of Governing Statutes

**Discussion**  
Councilmember Fox requested this be on the Council agenda for discussion.

<b>Approved By</b>		Date:
Gary Palmer City Administrator		Date: October 16, 2023



## LOCAL GOVERNMENT CODE

## TITLE 2. ORGANIZATION OF MUNICIPAL GOVERNMENT

## SUBTITLE B. MUNICIPAL FORM OF GOVERNMENT

CHAPTER 22. ALDERMANIC FORM OF GOVERNMENT IN TYPE A GENERAL-LAW  
MUNICIPALITY

## SUBCHAPTER A. GENERAL PROVISIONS

Sec. 22.001. CHAPTER APPLICABLE TO TYPE A GENERAL-LAW MUNICIPALITY. This chapter applies only to a Type A general-law municipality.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.002. CONTINUATION OF OFFICES IN MUNICIPALITY CHANGING TO TYPE A GENERAL-LAW MUNICIPALITY. If a municipality changes to a Type A general-law municipality under Subchapter B of Chapter 6, the officers serving in the municipality on the date of the change shall continue in office until their offices are superseded in conformity to the law applying to Type A general-law municipalities.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.003. DATE OF MUNICIPAL ELECTION. An election for officers of the municipality shall be held annually, except as otherwise provided by law, in each ward of the municipality on an authorized uniform election date as provided by Chapter 41, Election Code.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.004. PLURALITY VOTE REQUIRED FOR ELECTION OF MUNICIPAL OFFICER. To be elected to an office of the municipality, a person must receive more votes than any other person for the office.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.005. OATH FOR ELECTED OR APPOINTED OFFICER. (a) A person who is elected or appointed to a municipal office under this code must take

and sign the official oath of office before beginning to perform the duties of the office.

(b) The governing body of the municipality by ordinance may require a municipal officer to take any additional oath that the governing body considers best calculated to secure the faithful performance of the officer's duties.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.006. DATE ON WHICH OFFICERS BEGIN TO PERFORM DUTIES. A newly elected municipal officer may exercise the duties of office beginning on the fifth day after the date of the election, excluding Sundays.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.007. VACANCY CREATED ON FAILURE TO QUALIFY. If a municipal officer-elect fails to qualify for office within 30 days after the date of the officer's election, the office is considered vacant.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.008. DISQUALIFICATION FROM OFFICE. (a) An officer who is entrusted with the collection or custody of funds belonging to the municipality and who is in default to the municipality may not hold any municipal office until the amount of the default, plus 10 percent interest, is paid to the municipality.

(b) If a member of the governing body changes the member's place of residence to a location outside the corporate boundaries of the municipality, the member is automatically disqualified from holding the member's office and the office is considered vacant.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Amended by:

Acts 2017, 85th Leg., R.S., Ch. 1096 (H.B. 3727), Sec. 1, eff. September 1, 2017.

Sec. 22.009. REMOVAL FROM OFFICE FOR MISAPPROPRIATION OF SPECIAL FUNDS. A municipal officer who misappropriates money in a special fund created by the municipality under Section 101.004 is guilty of malfeasance in office. On the complaint of a person who has an interest in the

affected funds, the officer shall be removed from office and is ineligible to hold any office in that municipality after removal.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.010. FILLING VACANCY ON GOVERNING BODY OR IN OTHER MUNICIPAL OFFICE. (a) If for any reason a single vacancy exists on the governing body of the municipality, a majority of the remaining members who are present and voting, excluding the mayor, may fill the vacancy by appointment unless an election to fill the vacancy is required by Section 11, Article XI, Texas Constitution. The mayor may vote on the appointment only if there is a tie.

(a-1) A person serving as a member of the governing body is not, because of that service, ineligible to be appointed to fill a vacancy in the office of mayor of the municipality, but the person may not vote on the person's own appointment.

(b) The person appointed to fill the vacancy serves until the next regular municipal election.

(c) In lieu of appointing a person to fill a vacancy on the governing body, a special election may be ordered to elect a person to fill the vacancy.

(d) If two or more vacancies on the governing body exist at the same time, a special election shall be ordered to fill the vacancies.

(d-1) A member of the governing body is ineligible to vote to fill a vacancy on the governing body by special election after resigning from the governing body.

(e) If a vacancy exists in any other municipal office, the mayor or acting mayor shall appoint a person to fill the vacancy, subject to confirmation by the governing body.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 513 (S.B. 653), Sec. 1, eff. June 16, 2007.

Acts 2017, 85th Leg., R.S., Ch. 1096 (H.B. 3727), Sec. 2, eff. September 1, 2017.

Sec. 22.011. FILLING VACANCY IN MUNICIPAL OFFICE UNDER SPECIAL CIRCUMSTANCES. If a vacancy occurs in a municipal office by a resignation or in another manner and if the vacancy cannot be filled as provided by other law, the commissioners court of the county in which the municipality

is located shall order an election to fill the vacancy if the court is petitioned to do so by at least 26 taxpaying voters residing in the municipality.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.012. RESIGNATION OF ELECTED OR APPOINTED MUNICIPAL OFFICER. A municipal officer elected or appointed under this chapter may resign by submitting the resignation in writing to the governing body of the municipality. The resignation is subject to the approval and acceptance of the governing body. However, a person who is appointed by the mayor may submit the written resignation to the mayor for the mayor's action.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

#### SUBCHAPTER B. GOVERNING BODY

Sec. 22.031. COMPOSITION OF GOVERNING BODY; WARD SYSTEM OPTIONAL.

(a) If the municipality is divided into wards, the governing body of the municipality consists of a mayor who is elected by the qualified voters of the municipality and of two aldermen from each ward who are elected by the qualified voters of the ward.

(b) If the municipality is not divided into wards, the governing body consists of a mayor and five aldermen who are elected by the qualified voters of the municipality, and the provisions of this subchapter relating to proceedings in a ward apply to the whole municipality.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.032. QUALIFICATIONS OF MEMBERS OF GOVERNING BODY. (a) To be eligible for the office of mayor of the municipality, a person must be a registered voter and must have resided within the municipal limits for at least the 12 months preceding the election day. For purposes of this subsection, residency in an area while the area was not within the municipal limits is considered as residency within the limits if the area is a part of the municipality on election day.

(b) To be eligible for the office of alderman of the municipality, a person must be a registered voter and must reside on election day in the ward from which the person may be elected.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.



Sec. 22.033. GOVERNING BODY TO JUDGE ELECTION AND QUALIFICATION OF MEMBERS. The governing body of the municipality is the judge of the election and qualifications of its members.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.034. INITIAL ELECTION AND TERM OF OFFICE. (a) If the municipality is divided into wards, at the initial election for officers of the municipality, the mayor and the two aldermen from each ward shall be elected. The aldermen for each ward are the candidates from that ward who receive the highest and second highest number of votes at the initial election.

(b) The two aldermen elected from each ward shall draw lots at the first regular meeting of the governing body of the municipality to determine which alderman serves for one year and which alderman serves for two years after the initial election. At each following annual election, one alderman shall be elected from each ward for the regular term.

(c) If the municipality is not divided into wards, the governing body by ordinance may determine the number and the manner of deciding which aldermen elected at the initial election for officers serve for one year and which serve for two years.

(d) If the aldermen of the governing body of a municipality are not serving staggered terms of office as provided by Subsection (c), the governing body by majority vote may establish staggered terms by requiring the aldermen to draw lots.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Amended by:

Acts 2023, 88th Leg., R.S., Ch. 405 (H.B. 1434), Sec. 1, eff. June 9, 2023.

Sec. 22.035. REGULAR TERM OF OFFICE. The mayor and aldermen of the municipality are elected for a term of two years unless a longer term is established under Article XI, Section 11, of the Texas Constitution.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.036. INSTALLATION OF GOVERNING BODY. On the fifth day after the date of the election, excluding Sundays, or as soon as possible after

that fifth day, the newly elected governing body of the municipality shall meet at the usual meeting place and shall be installed.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.037. MAYOR AS PRESIDING OFFICER; PRESIDENT PRO TEMPORE. (a) The mayor shall preside at all meetings of the governing body of the municipality and, except in elections, may vote only if there is a tie.

(b) At each new governing body's first meeting or as soon as practicable, the governing body shall elect one alderman to serve as president pro tempore for a term of one year.

(c) If the mayor fails, is unable, or refuses to act, the president pro tempore shall perform the mayor's duties and is entitled to receive the fees and compensation prescribed for the mayor.

(d) If the mayor and the president pro tempore are absent, any alderman may be appointed to preside at the meeting.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.038. MEETINGS. (a) The governing body of the municipality shall meet at the time and place determined by a resolution adopted by the governing body.

(b) The mayor may call a special meeting on the mayor's own motion and shall call a special meeting on the application of three aldermen. Each member of the governing body, the secretary, and the municipal attorney must be notified of the special meeting. The notice may be given personally or left at the person's usual place of residence.

(c) The governing body shall determine the rules of its proceedings and may compel the attendance of absent members and punish them for disorderly conduct.

(d) An alderman shall be fined \$3 for each meeting that the alderman fails to attend unless the absence is caused by the alderman's illness or the illness of a family member.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Amended by:

Acts 2013, 83rd Leg., R.S., Ch. 947 (H.B. 1734), Sec. 1, eff. June 14, 2013.

Sec. 22.039. QUORUM. A majority of the number of aldermen established by Section 22.031 for the municipality constitutes a quorum.

However, at a called meeting or at a meeting to consider the imposition taxes, two-thirds of the number of aldermen established by that section constitutes a quorum unless provided otherwise.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.040. CHANGE OF WARDS. (a) The governing body of the municipality may divide the municipality into as many wards as it considers necessary for the good of the residents and may change ward boundaries. The wards must contain an equal number of voters as far as practicable.

(b) The governing body may not change the number of wards or boundaries of a ward during the three-month period preceding the date of a municipal election.

(c) The wards of a municipality that changes to a Type A general-law municipality under Subchapter B, Chapter 6, are not affected by that action.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.041. VACANCY ON GOVERNING BODY IS CREATED. (a) If an alderman moves from the ward from which the alderman is elected, the alderman's office is considered vacant.

(b) If a member of the governing body is absent for three regular consecutive meetings, the member's office is considered vacant unless the member is sick or has first obtained a leave of absence at a regular meeting.

(c) In addition to an absence described by Subsection (b), a member of a governing body is also considered absent for the purposes of that subsection if the member is not present at the adjournment of a meeting at which a quorum is established, unless the member is first allowed to withdraw by the unanimous vote of the members present. This subsection applies only to a municipality that is located in a county that borders the United Mexican States and contains a municipality with a population of 500,000 or more.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Amended by:

Acts 2013, 83rd Leg., R.S., Ch. 995 (H.B. 2259), Sec. 1, eff. June 14, 2013.

Acts 2023, 88th Leg., R.S., Ch. 644 (H.B. 4559), Sec. 120, eff. September 1, 2023.

Sec. 22.042. POWERS AND DUTIES OF MAYOR. (a) The mayor is the chief executive officer of the municipality. The mayor shall at all times actively ensure that the laws and ordinances of the municipality are properly carried out. The mayor shall perform the duties and exercise the powers prescribed by the governing body of the municipality.

(b) The mayor shall inspect the conduct of each subordinate municipal officer and shall cause any negligence, carelessness, or other violation of duty to be prosecuted and punished.

(c) The mayor shall give to the governing body any information, and shall recommend to the governing body any measure, that relates to improving the finances, police, health, security, cleanliness, comfort, ornament, or good government of the municipality.

(d) The mayor may administer oaths of office.

(e) In the event of a riot or unlawful assembly or to preserve the peace and good order in the municipality, the mayor may order and enforce the closing of a theater, ballroom, or other place of recreation or entertainment, or a public room or building and may order the arrest of a person who violates a state law or a municipal ordinance in the presence of the mayor.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.043. PETITIONS AND REMONSTRANCES PRESENTED TO GOVERNING BODY. Petitions and remonstrances may be presented to the governing body of the municipality and must be in writing.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

#### SUBCHAPTER C. OTHER MUNICIPAL OFFICERS

Sec. 22.071. OTHER MUNICIPAL OFFICERS. (a) In addition to the members of the governing body of the municipality, the other officers of the municipality are the secretary, treasurer, assessor and collector, municipal attorney, marshal, municipal engineer, and any other officers or agents authorized by the governing body.

(b) The governing body by ordinance shall provide for the election or appointment of the officers provided by this section.

(c) The governing body may confer on other municipal officers the powers and duties of an officer provided for by this section.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.072. POWERS AND DUTIES OF MUNICIPAL OFFICERS; BOND. (a) The governing body of the municipality may require a municipal officer whose duties are prescribed by this code to perform additional duties.

(b) The governing body may prescribe the powers and duties of a municipal officer appointed or elected to an office under this code whose duties are not specified by this code.

(c) The governing body may require a municipal officer to execute a bond payable to the municipality and conditioned that the officer will faithfully perform the duties of the office.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.073. POWERS AND DUTIES OF SECRETARY. (a) The secretary of the municipality shall attend each meeting of the governing body of the municipality and shall keep, in a record provided for that purpose, accurate minutes of the governing body's proceedings.

(b) The secretary shall:

(1) engross and enroll all laws, resolutions, and ordinances of the governing body;

(2) keep the corporate seal;

(3) take charge of, arrange, and maintain the records of the governing body;

(4) countersign all commissions issued to municipal officers and all licenses issued by the mayor, and keep a record of those commissions and licenses; and

(5) prepare all notices required under any regulation or ordinance of the municipality.

(c) Repealed by Acts 2011, 82nd Leg., R.S., Ch. 1324, Sec. 5(2), eff. June 17, 2011.

(d) The secretary shall draw all the warrants on the treasurer, countersign the warrants, and keep, in a record provided for that purpose, an accurate account of the warrants.

(e) The secretary serves as the general accountant of the municipality and shall keep regular accounts of the municipal receipts and disbursements. The secretary shall keep each cause of receipt and disbursement separately and under proper headings. The secretary shall also keep separate accounts with each person, including each officer, who has monetary transactions with the municipality. The secretary shall



credit accounts allowed by proper authority and shall specify the particular transaction to which each entry applies. The secretary shall keep records of the accounts and other information covered by this subsection.

(f) The secretary shall keep a register of bonds and bills issued by the municipality and all evidence of debt due and payable to the municipality, noting the relevant particulars and facts as they occur.

(g) The secretary shall carefully keep all contracts made by the governing body.

(h) The secretary shall perform all other duties required by law, ordinance, resolution, or order of the governing body.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 1989, 71st Leg., ch. 1248, Sec. 47, eff. Sept. 1, 1989.

Amended by:

Acts 2011, 82nd Leg., R.S., Ch. 1184 (H.B. 3475), Sec. 3(2), eff. September 1, 2011.

Acts 2011, 82nd Leg., R.S., Ch. 1324 (S.B. 480), Sec. 5(2), eff. June 17, 2011.

Sec. 22.074. CERTIFICATION OF SECRETARIES. (a) In this section, "institution of higher education" has the meaning assigned by Section 61.003, Education Code.

(b) A person may be certified to practice as a municipal secretary in this state. The person shall be granted a certificate on completion of a program of instruction for municipal secretaries conducted at an institution of higher education.

(c) A private association of secretaries of municipalities may contract with an institution of higher education to use the facilities of the institution to provide a program of instruction for municipal secretaries. The association shall develop the program with the assistance of the institution. The institution shall approve a program that meets qualifications for approval developed by the institution. The association shall conduct the program at the institution.

(d) A private association of secretaries that establishes a program of instruction under this section shall pay the costs of the program, including the payment of a reasonable fee to the institution that houses the program for the use of the institution's facilities. State funds may not be appropriated to finance a certification program established under this section.

(e) A private association of secretaries that establishes a program of instruction under this section shall issue a certificate to each person who successfully completes the program. A person who holds a certificate issued under this section must renew the certificate not later than five years after the date on which the original certificate was issued. The person may renew the certificate on completion of a supplementary program of instruction conducted at the institution of higher education.

(f) This section does not require a person to be certified as a municipal secretary in order to practice in that capacity.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.075. BOND AND DUTIES OF TREASURER. (a) The treasurer of the municipality shall execute a bond. The bond must:

- (1) be in favor of the municipality;
- (2) be in the form and amount required by the governing body of the municipality;

(3) have security approved as sufficient by the governing body; and

(4) be conditioned that the treasurer will faithfully discharge the duties of the office.

(b) The treasurer shall receive and securely keep all money belonging to the municipality. The treasurer shall make all payments on the order of the mayor, attested by the secretary of the municipality under the seal of the municipality. The treasurer may not pay an order unless the face of the order shows that the governing body directed the issuance of the order and shows the purpose for which it is issued.

(c) The treasurer shall render to the governing body a full statement of the receipts and payments. The statement must be rendered at the governing body's first regular meeting in every quarter and at other times as required by the governing body.

(d) The treasurer shall perform other acts and duties as the governing body requires.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.076. BOND OF MARSHAL; ABOLITION OF OFFICE. (a) The marshal of the municipality shall execute a bond. The bond must be conditioned that the marshal will faithfully perform the official duties as the governing body of the municipality may require.

(b) The governing body of a municipality with a population of less than 5,000 by ordinance may abolish the office of marshal and, at the same time in the ordinance, confer the duties of the office on a municipal police officer appointed as the governing body directs or on any other peace officer of the county. However, an elected marshal may not be removed from office under this subsection.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987.

Sec. 22.077. REMOVAL OF MUNICIPAL OFFICERS. (a) The governing body of the municipality may remove a municipal officer for incompetency, corruption, misconduct, or malfeasance in office after providing the officer with due notice and an opportunity to be heard.

(b) If the governing body lacks confidence in a municipal officer appointed by the governing body, the governing body may remove the officer at any time. The removal is effective only if two-thirds of the elected aldermen vote in favor of a resolution declaring the lack of confidence.

Acts 1987, 70th Leg., ch. 149, Sec. 1, eff. Sept. 1, 1987. Amended by Acts 2001, 77th Leg., ch. 402, Sec. 4, eff. Sept. 1, 2001.

## THE TEXAS CONSTITUTION

## ARTICLE 11. MUNICIPAL CORPORATIONS

Sec. 11. TERM OF OFFICE EXCEEDING TWO YEARS IN HOME RULE AND GENERAL LAW CITIES; VACANCIES. (a) A Home Rule City may provide by charter or charter amendment, and a city, town or village operating under the general laws may provide by majority vote of the qualified voters voting at an election called for that purpose, for a longer term of office than two (2) years for its officers, either elective or appointive, or both, but not to exceed four (4) years; provided, however, that tenure under Civil Service shall not be affected hereby; provided, however, that such officers, elective or appointive, are subject to Section 65(b), Article XVI, of this constitution, providing for automatic resignation in certain circumstances, in the same manner as a county or district officer to which that section applies.

(b) A municipality so providing a term exceeding two (2) years but not exceeding four (4) years for any of its non-civil service officers must elect all of the members of its governing body by majority vote of the qualified voters in such municipality.

(c) Any vacancy or vacancies occurring on such governing body shall not be filled by appointment but must be filled by majority vote of the qualified voters at a special election called for such purpose within one hundred and twenty (120) days after such vacancy or vacancies occur except that the municipality may provide by charter or charter amendment the procedure for filling a vacancy occurring on its governing body for an unexpired term of 12 months or less.

(Added Nov. 4, 1958; amended Nov. 6, 2001; Subsec. (b) amended and (c) added Nov. 5, 2013.) (TEMPORARY TRANSITION PROVISION for Sec. 11: See Appendix, Note 3.)



# **CITY OF MONTGOMERY, TEXAS**

## **Sales and Use Tax Allocation Report**

**October 2023**



## Sales Taxpayer Information through October 2023

A review of the monthly reports provided by the Comptroller of Public Accounts reflects **6,303** active taxpayer accounts coded to the City of Montgomery. Many of the accounts are either E-Commerce related or are coded as active but have not made a sale yet, and therefore are not reflected in the monthly report(s).

## Total Sales Tax Payers by Month

YEAR	MONTH	SALES TAX FILERS
2022	October	2,341
<b>2022</b>	<b>November</b>	<b>2,355</b>
2022	December	2,246
2023	January	2,398
<b>2023</b>	<b>February</b>	<b>2,478</b>
2023	March	2,333
2023	April	2,297
<b>2023</b>	<b>May</b>	<b>2,437</b>
2023	June	2,305
2023	July	2,342
<b>2023</b>	<b>August</b>	<b>2,419</b>
2023	September	2,315
2023	October	2,367

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

Average number of taxpayers filing each month: 2,356  
**1% increase** in taxpayers over **October 2022**

## Sales Tax Allocations through October 2023

Reviewing the past twelve month reporting period, the City of Montgomery sales tax receipts were derived from an average of **2,356** taxpayers filing local tax returns each month with **February 2023** reflecting the highest taxpayer count of **2,478**.

### Top 25 Sales Tax Filers - Twelve Months Combined

No.	Permit Name	NAICS
1	MCCOY'S BUILDING SUPPLY CENTER #113	444190
2	KROGER # 142	445110
3	CHICK-FIL-A AT 105 & LONESTAR PKWY. FSR	722513
4	ENTERGY TEXAS INC.	221122
5	GOOGLE LLC	518210
6	PIZZA SHACK	722511
7	BROOKSHIRE BROTHERS #73	445110
8	AMAZON.COM SERVICES INC (MARKETPLACE)	454110
9	JIM'S HARDWARE INC.	444130
10	MCDONALD'S 25405	722513
11	PET SUPPLIES PLUS #4134	453910
12	PATTERSON-UTI DRILLING COMPANY LLC	213111
13	CHEWY INC.	453910
14	O'REILLY AUTO PARTS #1838	441310
15	STARBUCKS COFFEE #62996	722515
16	RISE COLLECTIVE LLC	236220
17	EXPRESSWAY	447110
18	AMAZON.COM SERVICES LLC	454110
19	BFI WASTE SERVICES OF TEXAS LP	562111
20	HOME DEPOT U.S.A. INC.	444110
21	AT&T #R1AS	517312
22	CIRCLE K #2742316	447110
23	K. HOVNANIAN OF HOUSTON II L.L.C.	236115
24	JKG LEIGH	811111
25	PANDA EXPRESS #3466	722513

## Top 25 Sales Tax Filers - October 2023

No.	Permit Name	NAICS
1	MCCOY'S BUILDING SUPPLY CENTER #113	444190
2	PATTERSON-UTI DRILLING COMPANY LLC	213111
3	CHICK-FIL-A AT 105 & LONESTAR PKWY. FSR	722513
4	CITRIX SYSTEMS INC.	541519
5	GOOGLE LLC	518210
6	PIZZA SHACK	722511
7	PEAK BUILDING MATERIALS LLC	236116
8	BAR-A-OPERATIONS LLC	
9	JIM'S HARDWARE INC.	444130
10	HOME DEPOT U.S.A. INC.	444110
11	HAIER US APPLIANCE SOLUTIONS INC.	423620
12	MCDONALD'S 25405	722513
13	SCITON INC.	339112
14	AMAZON.COM SERVICES INC (MARKETPLACE)	454110
15	WAL-MART.COM USA LLC	453998
16	PET SUPPLIES PLUS #4134	453910
17	O'REILLY AUTO PARTS #1838	441310
18	WHALECO INC	454110
19	BFI WASTE SERVICES OF TEXAS LP	562111
20	CHEWY INC.	453910
21	BURLESON CONSTRUCTION INC.	236220
22	WORKDAY INC.	518210
23	DAVID YURMAN HOLDINGS LLC	423940
24	STARBUCKS COFFEE #62996	722515
25	EXPRESSWAY	447110

Utilizing data provided by the Texas Comptroller of Public Accounts, this list reflects the top 25 businesses remitting the highest local tax filings within the District and represents **56%** of the total combined sales tax refunds for **October**.

Within the City's most recent sales tax allocation, **72** businesses filed local taxes in excess of **\$1,000.00**. Taxpayer with returns over \$1,000.00 reflects **76%** of the total monthly allocation.

## October 2023 | September 2023 Top 25 Taxpayer Comparison

### October 2023

Non-Quarterly Filer Month

1	MCCOY'S BUILDING SUPPLY CENTER #113
2	MILLENNIUM LLC
3	CHICK-FIL-A AT 105 & LONESTAR PKWY. FSR
4	GOOGLE LLC
5	PIZZA SHACK
6	HOME DEPOT U.S.A. INC.
7	WAL-MART.COM USA LLC
8	RISE COLLECTIVE LLC
9	JIM'S HARDWARE INC.
10	COBURN SUPPLY COMPANY INC.
11	MCDONALD'S 25405
12	HAIER US APPLIANCE SOLUTIONS INC.
13	AMAZON.COM SERVICES INC (MARKETPLACE)
14	PET SUPPLIES PLUS #4134
15	O'REILLY AUTO PARTS #1838
16	WASSERSTROM MARKETING CORP.
17	ETAILDIRECT LLC
18	CHEWY INC.
19	EXPRESSWAY
20	WHALECO INC
21	BFI WASTE SERVICES OF TEXAS LP
22	AMAZON.COM SERVICES LLC
23	STARBUCKS COFFEE #62996
24	PEAK BUILDING MATERIALS LLC
25	WGR OPERATING LP

### September 2023

Non-Quarterly Filer Month

1	MCCOY'S BUILDING SUPPLY CENTER #113
2	MILLENNIUM LLC
3	CHICK-FIL-A AT 105 & LONESTAR PKWY. FSR
4	GOOGLE LLC
5	PIZZA SHACK
6	HOME DEPOT U.S.A. INC.
7	WAL-MART.COM USA LLC
8	RISE COLLECTIVE LLC
9	JIM'S HARDWARE INC.
10	COBURN SUPPLY COMPANY INC.
11	MCDONALD'S 25405
12	HAIER US APPLIANCE SOLUTIONS INC.
13	AMAZON.COM SERVICES INC (MARKETPLACE)
14	PET SUPPLIES PLUS #4134
15	O'REILLY AUTO PARTS #1838
16	WASSERSTROM MARKETING CORP.
17	ETAILDIRECT LLC
18	CHEWY INC.
19	EXPRESSWAY
20	WHALECO INC
21	BFI WASTE SERVICES OF TEXAS LP
22	AMAZON.COM SERVICES LLC
23	STARBUCKS COFFEE #62996
24	PEAK BUILDING MATERIALS LLC
25	WGR OPERATING LP

**October 2023 | 2022 Comparison**

Receipts of Sales Tax Were as Follows:	October 2023	October 2022
	<b>\$440,686.17</b>	<b>\$351,555.11</b>

21% Increase

Total Sales Tax Allocations Received:	2024 FYTD	2024 Budget	% of Budget
	<b>\$440,686.17</b>	<b>\$4,866,616</b>	<b>9%</b>

Fiscal Year Date Range: October-September

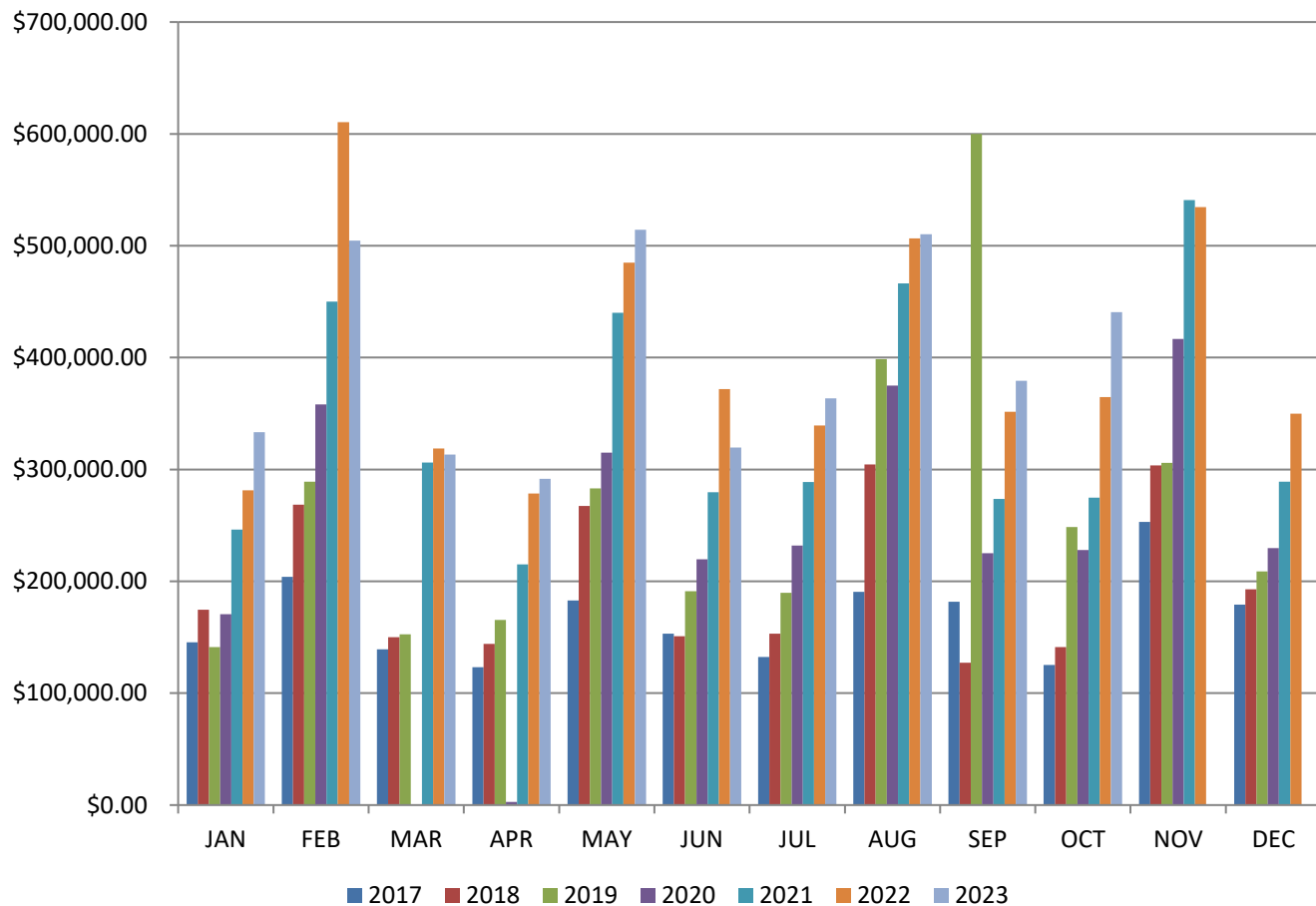
FY 2019 Total Allocations	FY 2018 Total Allocations	FY 2017 Total Allocations	FY 2016 Total Allocations	FY 2015 Total Allocations	2014 Total Allocations
<b>\$3,049,090.59</b>	<b>\$2,298,289.34</b>	<b>\$1,889,285.60</b>	<b>\$1,867,030.18</b>	<b>\$1,699,926.42</b>	<b>\$1,688,374.26</b>
FY 2020 Total Allocations	FY 2021 Total Allocations	FY 2022 Total Allocations	FY 2023 Total Allocations		
<b>\$2,661,447.47</b>	<b>\$3,840,647.17</b>	<b>\$4,648,109.80</b>	<b>\$4,779,192.57</b>		

Total Allocations, 1995-Present
<b>\$45,817,465.03</b>

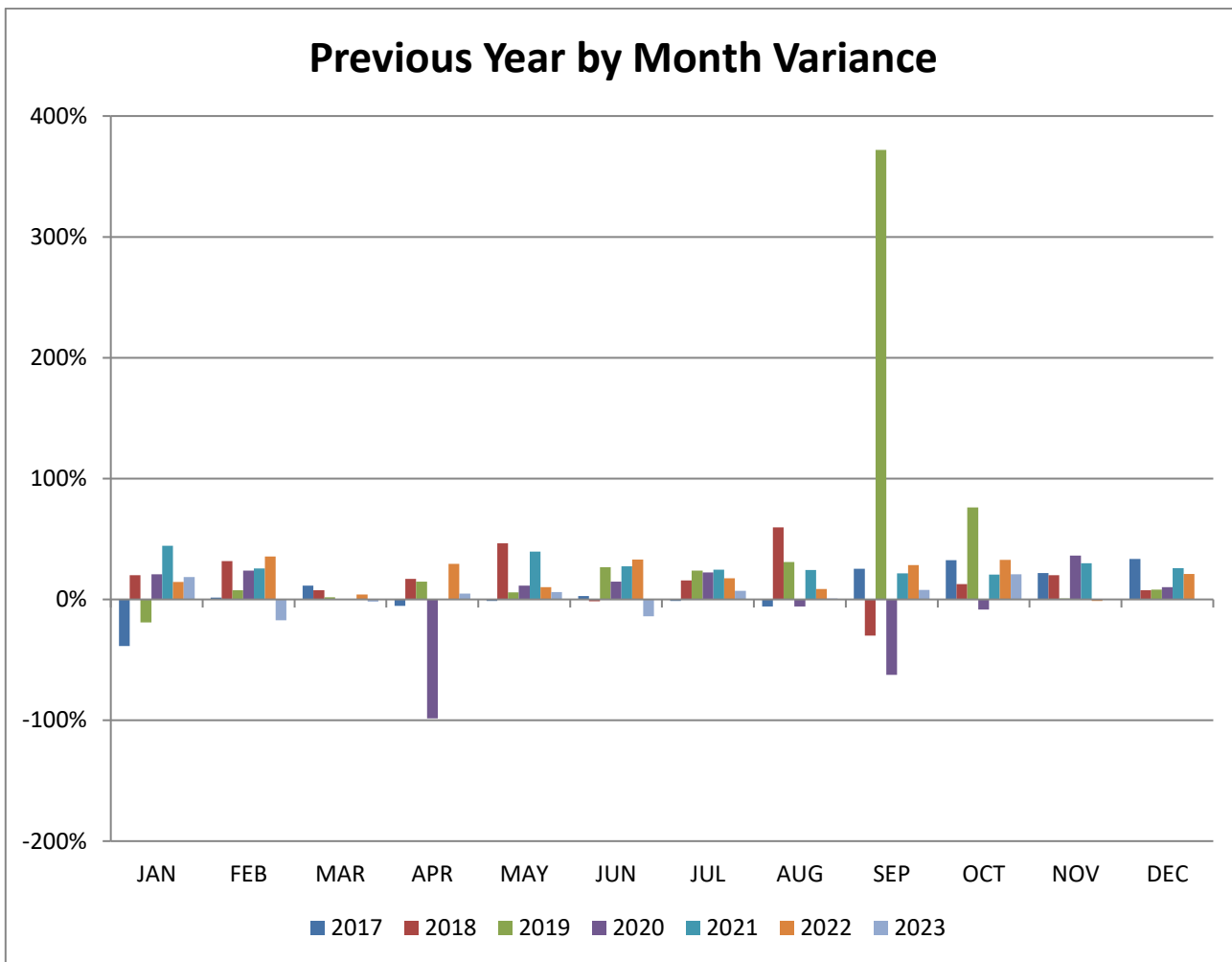
Calendar Year 2023 Sales Tax Averages	Calendar Year 2022 Sales Tax Averages
<b>Total: \$3,970,695.52</b>	<b>Total: \$4,792,612.52</b>
<b>Mean Allocation: \$397,069.55</b>	<b>Mean Allocation: \$399,384.38</b>
<b>Median Allocation: \$371,429.92</b>	<b>Median Allocation: \$358,123.81</b>



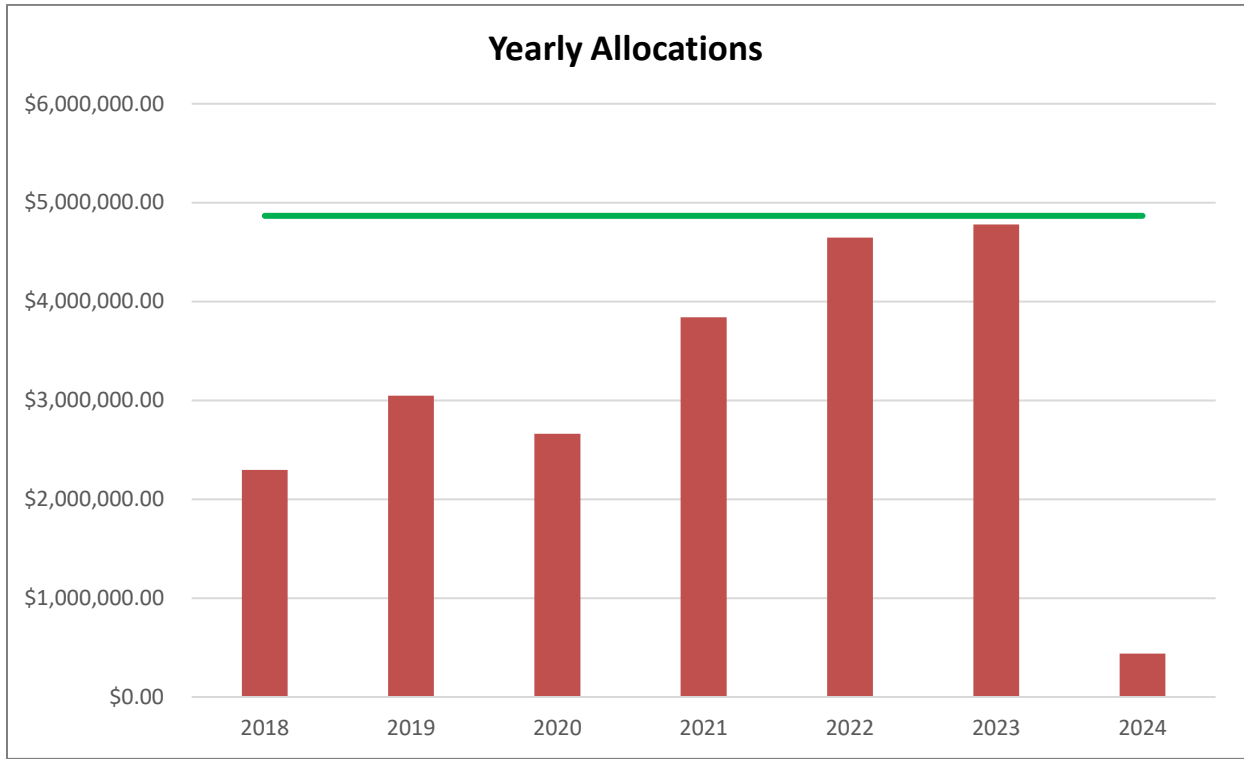
### Monthly Allocations



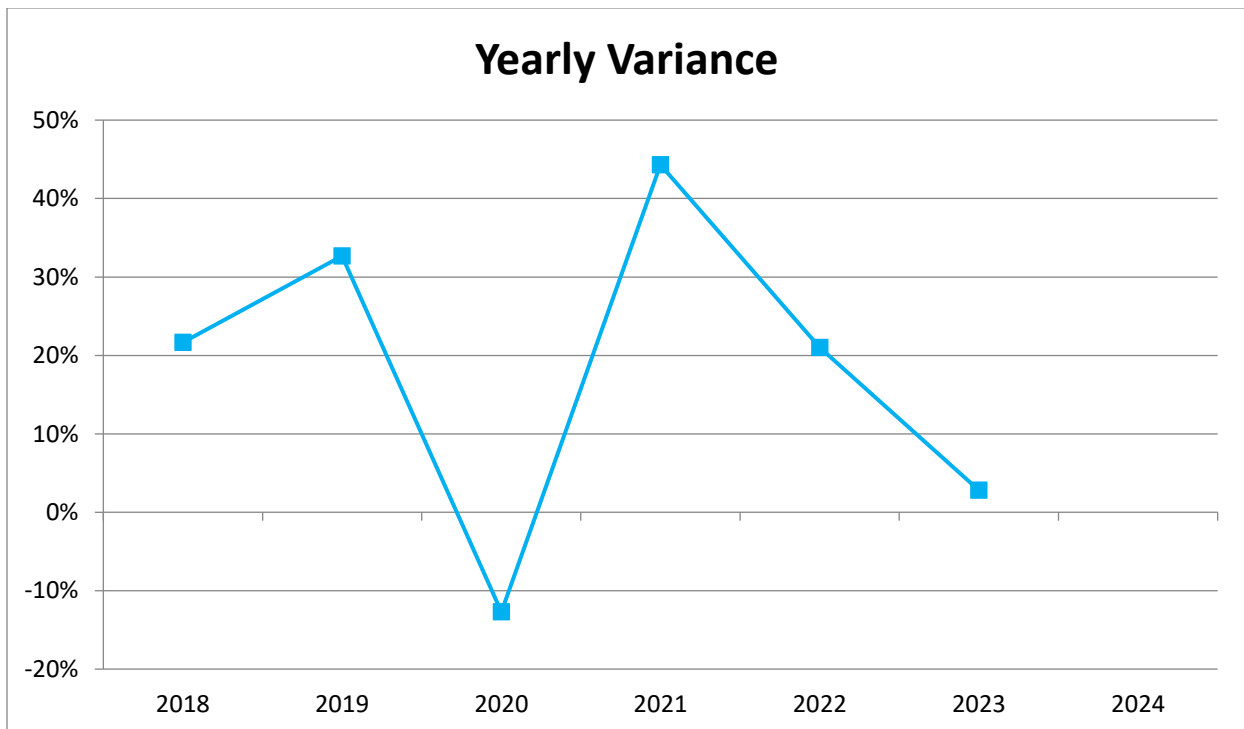
	2017	2018	2019	2020	2021	2022	2023
JAN	\$145,488.55	\$174,487.10	\$141,238.00	\$170,531.07	\$246,166.57	\$281,476.57	\$333,333.42
FEB	\$204,006.24	\$268,635.98	\$289,215.49	\$358,073.66	\$450,079.02	\$610,440.11	\$504,516.03
MAR	\$139,225.65	\$149,964.30	\$152,607.97	\$0.00	\$306,201.64	\$318,775.25	\$313,269.36
APR	\$123,234.01	\$144,205.61	\$165,516.81	\$2,724.55	\$215,206.50	\$278,593.13	\$291,741.42
MAY	\$182,757.15	\$267,397.74	\$283,049.52	\$315,099.96	\$440,192.71	\$484,876.92	\$514,234.18
JUN	\$153,336.53	\$151,071.81	\$191,260.13	\$219,615.98	\$279,583.10	\$371,794.81	\$319,648.21
JUL	\$132,394.32	\$153,156.83	\$189,741.79	\$231,928.50	\$288,879.49	\$339,253.53	\$363,680.86
AUG	\$190,648.43	\$304,422.57	\$398,641.13	\$375,019.12	\$466,305.61	\$506,663.87	\$510,406.89
SEP	\$181,625.33	\$127,165.52	\$599,991.27	\$225,114.39	\$273,783.75	\$351,555.11	\$379,178.98
OCT	\$125,361.52	\$141,162.59	\$248,593.82	\$227,917.54	\$274,762.64	\$364,692.50	\$440,686.17
NOV	\$253,111.48	\$303,708.43	\$305,939.66	\$416,557.44	\$540,960.11	\$534,536.86	
DEC	\$179,308.88	\$192,957.46	\$208,806.76	\$229,773.80	\$288,957.75	\$349,953.86	

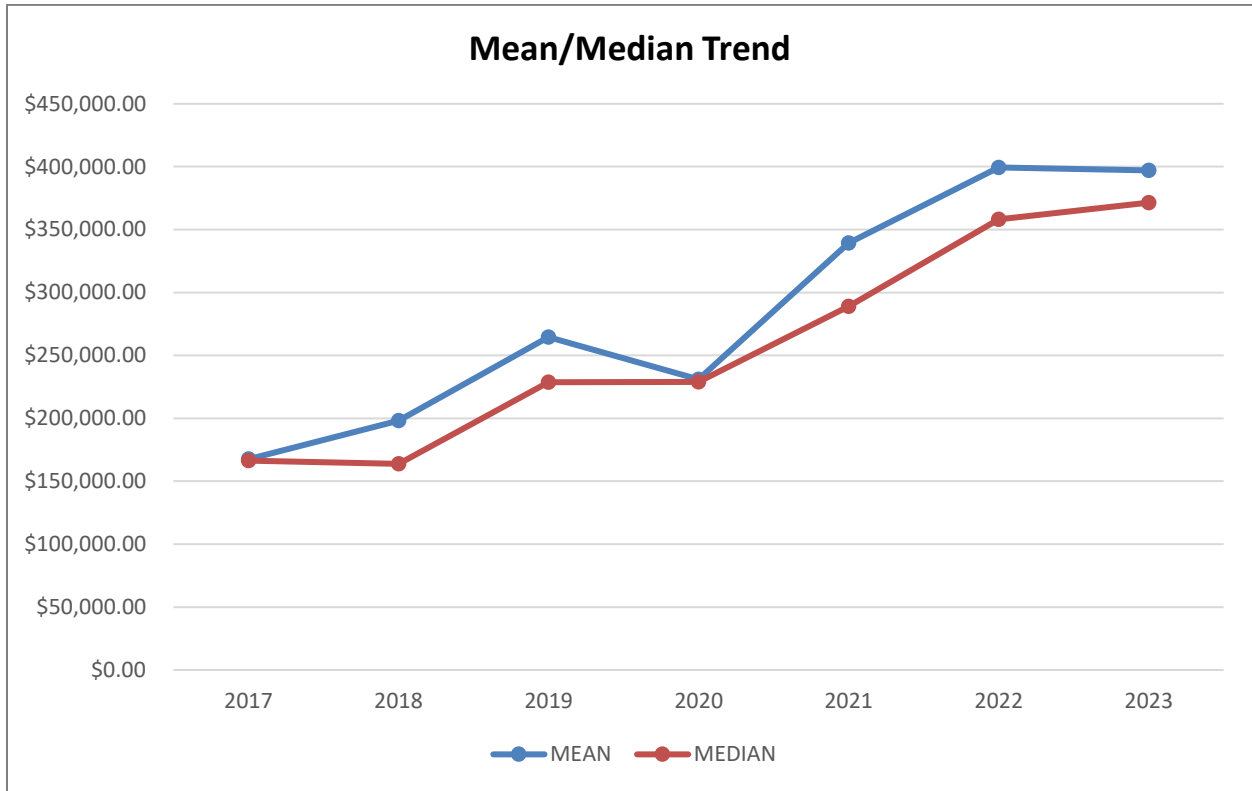


	2017	2018	2019	2020	2021	2022	2023
JAN	-39%	20%	-19%	21%	44%	14%	18%
FEB	2%	32%	8%	24%	26%	36%	-17%
MAR	11%	8%	2%	N/A	N/A	4%	-2%
APR	-5%	17%	15%	-98%	N/A	29%	5%
MAY	-1%	46%	6%	11%	40%	10%	6%
JUN	3%	-1%	27%	15%	27%	33%	-14%
JUL	-1%	16%	24%	22%	25%	17%	7%
AUG	-6%	60%	31%	-6%	24%	9%	1%
SEP	25%	-30%	372%	-62%	22%	28%	8%
OCT	32%	13%	76%	-8%	21%	33%	21%
NOV	22%	20%	1%	36%	30%	-1%	
DEC	34%	8%	8%	10%	26%	21%	



FY2018	FY2019	FY2020	FY2021	FY2022	FY2023	FY2024
\$2,298,289.34	\$3,049,090.59	\$2,661,447.47	\$3,840,647.17	\$4,648,109.80	\$4,779,192.57	\$440,686.17
22%	33%	-13%	44%	21%	3%	





	2017	2018	2019	2020	2021	2022	2023
<b>Mean</b>	\$167,541.51	\$198,194.66	\$264,550.20	\$231,029.67	\$339,256.57	\$399,384.38	\$397,069.55
<b>Median</b>	\$166,322.71	\$163,821.97	\$228,700.29	\$228,845.67	\$288,918.62	\$358,123.81	\$371,429.92

NAICS CODE	NAICS CODE DESCRIPTION
111219	Other Vegetable (except Potato) and Melon Farming
212321	Construction Sand and Gravel Mining
221112	Fossil Fuel Electric Power Generation
236220	Commercial and Institutional Building Construction
238140	Masonry Contractors
238150	Glass and Glazing Contractors
238210	Electrical Contractors and Other Wiring Installation Contractors
238990	All Other Specialty Trade Contractors
334111	Electronic Computer Manufacturing
334614	Software and Other Prerecorded Compact Disc, Tape, and Record Reproducing
423450	Medical, Dental, and Hospital Equipment and Supplies Merchant Wholesalers
423610	Electrical Apparatus and Equipment, Wiring Supplies, and Related Equipment Merchant Wholesalers
423830	Industrial Machinery and Equipment Merchant Wholesalers
441310	Automotive Parts and Accessories Stores
442110	Furniture Stores
442210	Floor Covering Stores
443142	Electronics Stores
444110	Home Centers
444120	Paint and Wallpaper Stores
444130	Hardware Stores
444190	Other Building Material Dealers
444220	Nursery, Garden Center, and Farm Supply Stores
445110	Supermarkets and Other Grocery (except Convenience) Stores
446120	Cosmetics, Beauty Supplies, and Perfume Stores
447110	Gasoline Stations with Convenience Stores
447190	Other Gasoline Stations
448140	Family Clothing Stores
451211	Book Stores
452210	Department Stores
452319	All Other General Merchandise Stores
453210	Office Supplies and Stationery Stores
453910	Pet and Pet Supplies Stores
453998	All Other Miscellaneous Store Retailers (except Tobacco Stores)
454110	Electronic Shopping and Mail-Order Houses

<b>454390</b>	Other Direct Selling Establishments
<b>511210</b>	Software Publishers
<b>515210</b>	Cable and Other Subscription Programming
<b>517311</b>	Wired Telecommunications Carriers
<b>517312</b>	Wireless Telecommunications Carriers (except Satellite)
<b>518210</b>	Data Processing, Hosting, and Related Services
<b>541410</b>	Interior Design Services
<b>561710</b>	Exterminating and Pest Control Services
<b>561730</b>	Landscaping Services
<b>561790</b>	Other Services to Buildings and Dwellings
<b>713940</b>	Fitness and Recreational Sports Centers
<b>722410</b>	Drinking Places (Alcoholic Beverages)
<b>722511</b>	Full-Service Restaurants
<b>722513</b>	Limited-Service Restaurants
<b>811111</b>	General Automotive Repair



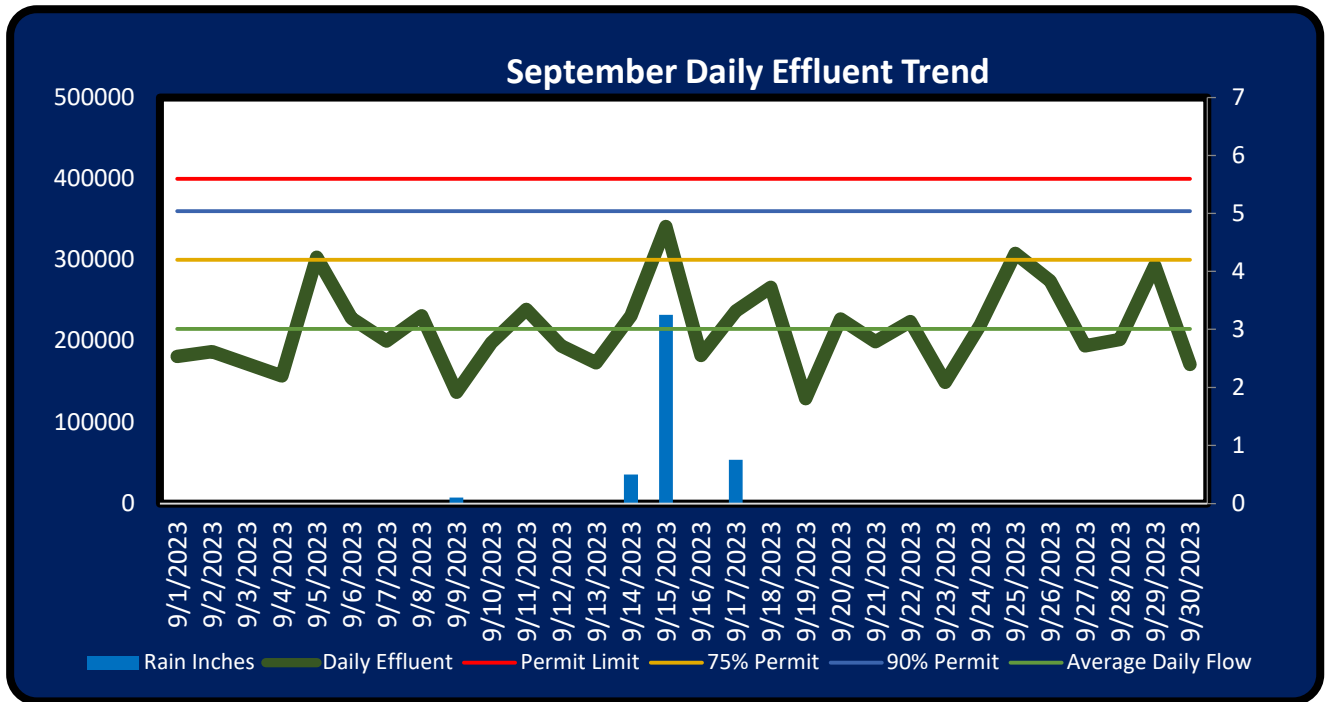


**City of Montgomery**  
**Operations Report**  
**September 2023**  
**09/01/23 – 09/30/23**

**District Alerts**

**NO DISTRICT ALERTS FOR SEPTEMBER**

### Wastewater Plant Flow Detail



- Flow for the month of September was 6,447,000 gallons.
- Daily peak flow was September 15, 2023, was 341,000 gallons.
- Average Daily Flow 214,900 gallons
  - 3-month average flow 207,000 gallons
  - 54% of permitted capacity


Discharge Limitations

- Daily Average Flow 400,000 gallons (0.4 MGD)
- 2-Hour Peak Flow 833 gpm
- CBOD daily average 10 mg/l
- Total Suspended Solids (TSS) 15 mg/l
- Ammonium Nitrogen (NH3) 2 mg/l
- Chlorine Residual >1.0 mg/l < 4.0 mg/l
- The current permit expires 05/10/2027

*Effluent*

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

Buffalo Springs WWTP Effluent Monitoring Report

Effluent Permitted Values	Parameter		Measured	Excursion
Average Monthly CBOD	10	mg/l	2.13	no
Average Monthly T.S.S.	15	mg/l	2.20	no
Average Monthly NH3	2	mg/l	1.74	no
Minimal CL2 Residual	1	mg/l	1.02	no
Max CL2 Residual	4	mg/l	3.42	no
Rainfall for the Month		4.60	inches	

**There was no excursion for the month of September.**

**Water Report:**

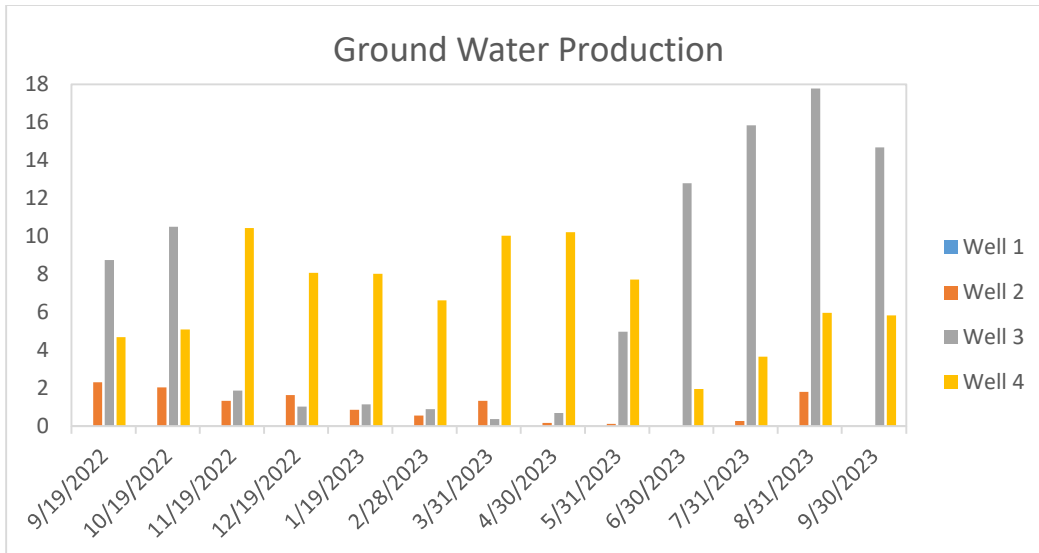
09/01/2023-09/30/2023

2023							
Well Name	Recorded Flow MGD	% of Total	Rating MGD/Day	YTD Pumpage MGD	YTD %	Permitted Value	Remaining Permit %
Well 2	0.000	0.00%	0.864	4.852	3.63%	92.930	21.33%
Well 3	14.668	71.59%	0.864	68.255	51.06%		
Well 4	5.822	28.41%	2.160	60.560	45.31%	90.000	32.71%
Total	20.490	100.00%	3.888	133.667	100%	182.930	
Flushing	0.061						
Subtotal	20.429						
Sold	19.560						
% Accounted	96%						

LSGCD Pumpage Report	
Water Pumped (September):	20,490,000
Permitted Pumpage:	182,930,000
Pumpage Against Permit:	133,667,000
Remaining Amount:	49,263,000

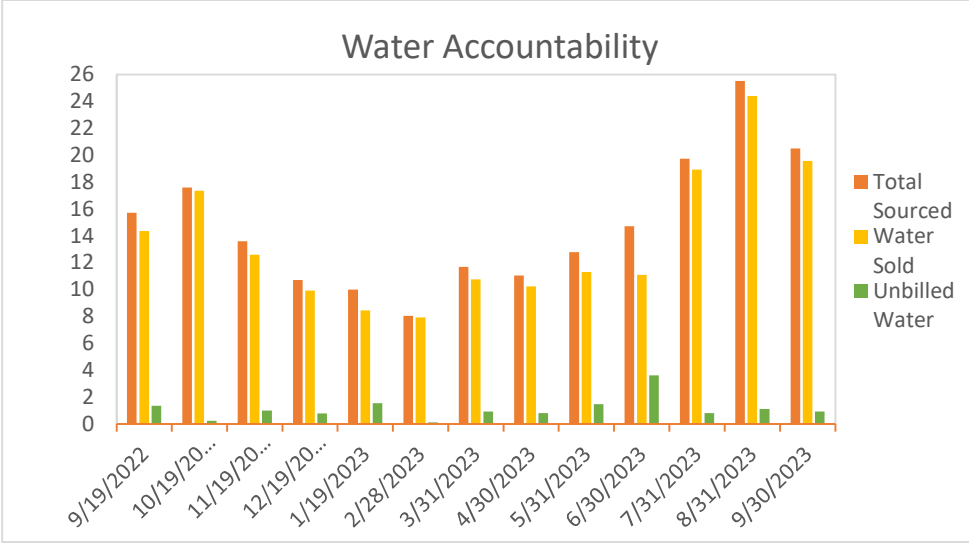
CONNECTIONS	
School	12
Commercial Inside	180
Commercial Outside	2
Residential Inside	956
Residential Outside	32
Church	14
City	18
Hydrant	7
Multifamily	17
n/a	3
<b>Total</b>	<b>1241</b>

Accountability	
Well 2 & 3 Pumpage (Year):	73.107
Well 2 & 3 Permit:	92.930
<b>Well 2 &amp; 3 Permit Left:</b>	<b>19.823</b>
Well 4 Pumpage (Year):	60.560
Well 4 Permit:	90.000
<b>Well 4 Permit Left:</b>	<b>29.440</b>



Date	Total	Well_1	Well_2	Well_3	Well_4
AVG	14.682	0.000	0.945	7.014	6.782
9/19/2022	15.715	0.000	2.306	8.734	4.675
10/19/2022	17.598	0.000	2.024	10.497	5.077
11/19/2022	13.600	0.000	1.318	1.861	10.421
12/19/2022	10.712	0.000	1.623	1.018	8.071
1/19/2023	9.993	0.000	0.843	1.140	8.010
2/28/2023	8.041	0.000	0.546	0.886	6.609
3/31/2023	11.693	0.000	1.318	0.354	10.021
4/30/2023	11.040	0.000	0.154	0.676	10.210
5/31/2023	12.783	0.000	0.106	4.965	7.712
6/30/2023	14.718	0.000	0.000	12.774	1.944
7/31/2023	19.730	0.000	0.252	15.833	3.645
8/31/2023	25.515	0.000	1.792	17.770	5.953
9/30/2023	20.490	0.000	0.000	14.668	5.822
Total	190.868	0.000	12.282	91.176	88.170





Date	Accountability	Unaccounted	Total Sourced	Water Sold	Flushing/Leaks	Unbilled Water
9/19/2022	93%	1.058	15.715	14.364	0.293	1.351
10/19/2022	100%	-0.023	17.598	17.352	0.269	0.246
11/19/2022	95%	0.717	13.600	12.594	0.289	1.006
12/19/2022	96%	0.384	10.712	9.917	0.411	0.795
1/19/2023	88%	1.182	9.993	8.440	0.371	1.553
2/28/2023	103%	-0.214	8.041	7.927	0.328	0.114
3/31/2023	93%	0.845	11.693	10.770	0.078	0.923
4/30/2023	94%	0.684	11.040	10.242	0.114	0.798
5/31/2023	94%	0.792	12.783	11.306	0.685	1.477
6/30/2023	80%	2.965	14.718	11.096	0.657	3.622
7/31/2023	102%	-0.437	19.730	18.927	1.240	0.803
8/31/2023	98%	0.532	25.515	24.391	0.592	1.124
9/30/2023	96%	0.869	20.490	19.560	0.061	0.930

# City of Montgomery Municipal Court Report September 2023

Kimberly Duckett  
Court Administrator



# Comparison Chart

## Citations and Revenue January 2021 - 2023

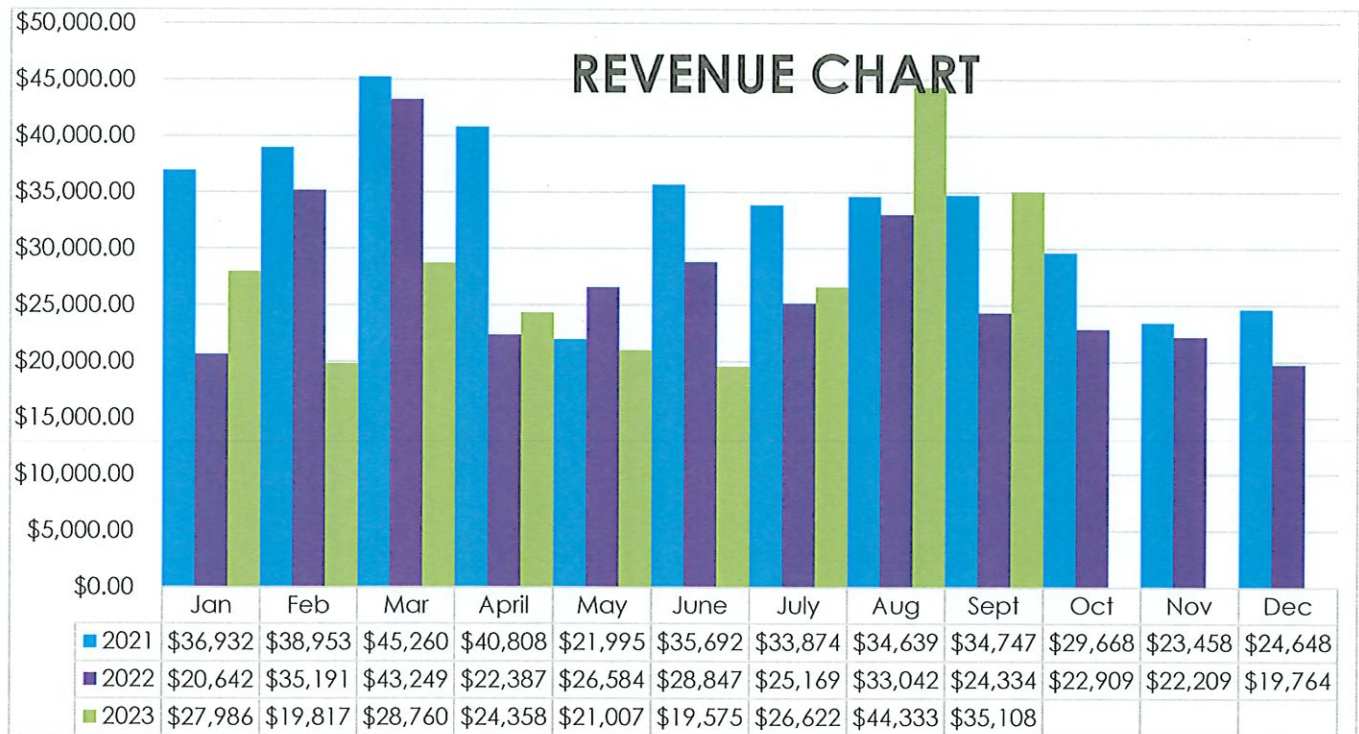
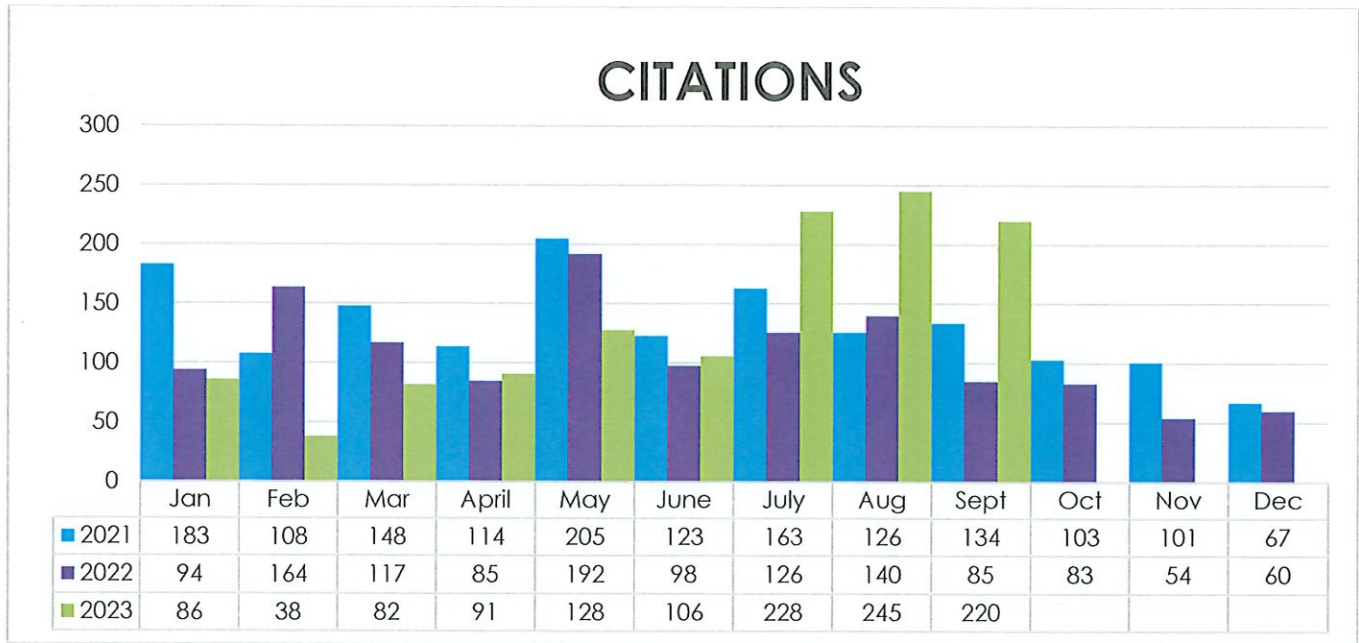
	2021	2022	2023
<i>Jan</i>	183	94	86
<i>Feb</i>	108	164	38
<i>Mar</i>	148	117	82
<i>April</i>	114	85	91
<i>May</i>	205	192	128
<i>June</i>	123	98	106
<i>July</i>	163	126	228
<i>Aug</i>	126	140	245
<i>Sept</i>	134	85	220
<i>Oct</i>	103	83	
<i>Nov</i>	101	54	
<i>Dec</i>	67	60	

**Totals**            1575            1298            1224

	2021	2022	2023
<i>Jan</i>	\$36,932.88	\$20,642.12	\$27,986.26
<i>Feb</i>	\$38,953.88	\$35,191.59	\$19,817.26
<i>Mar</i>	\$45,260.60	\$43,249.60	\$28,760.79
<i>April</i>	\$40,808.03	\$22,387.94	\$24,358.01
<i>May</i>	\$21,995.10	\$26,584.71	\$21,007.77
<i>June</i>	\$35,692.30	\$28,847.75	\$19,575.84
<i>July</i>	\$33,874.84	\$25,169.19	\$26,622.80
<i>Aug</i>	\$34,639.40	\$33,042.07	\$44,333.70
<i>Sept</i>	\$34,747.41	\$24,334.09	\$35,108.51
<i>Oct</i>	\$29,668.47	\$22,909.59	
<i>Nov</i>	\$23,458.35	\$22,209.38	
<i>Dec</i>	\$24,648.00	\$19,764.02	

**Totals**    \$400,679.26    \$324,332.05    \$247,570.94







# Montgomery Police Department

*Chief Anthony Solomon*

## **Activity Report**

September 1, 2023 – September 30, 2023

### **Patrol Division**

• Calls for Service	-	138
• Total Reports	-	31
• Citations Issued	-	184
• Warnings Issued	-	325
• Arrests	-	21
• Accidents	-	10

### **Breakdown by Offense Category**

• DWI/DUI	-	5
• Drug Arrests/Citations	-	6
• Theft	-	2
• Warrant Arrests	-	4
• Assault	-	2
• Driving While License Invalid	-	1
• Criminal Trespass	-	1
• Child Abuse/Discipline	-	2
• Minor in Possession – Alcohol	-	2
• Minor in Possession – Tobacco	-	2
• Public Intoxication	-	1

### **Investigation Division**

Total number of assigned cases to C.I.D. for the month: 4

### **Personnel/Training**

- Officer Henao attended polygraph training in September.
- Mrs. Goode attended Open Records Legislative Update training.
- Code Enforcement Officer Tilley attended Legislative Update for Code Enforcement Officials.

### **Major Incidents**

- No Major Incidents occurred in September.

**Upcoming Events**

- November 18<sup>th</sup> – Lone Star Street Dance
- December 9<sup>th</sup> – Christmas Parade
- December 16<sup>th</sup> – Shop with a Cop

**Traffic and Safety Initiatives**

- With the holidays approaching, staff have plans to begin multiple Traffic and Safety Initiatives over the next few months. We are committed to ensuring the safety of our community and will have a larger presence throughout the city to deter criminals, especially during the holidays.





# City of Montgomery

101 Old Plantersville Rd.  
Montgomery, TX 77316  
936-597-6866



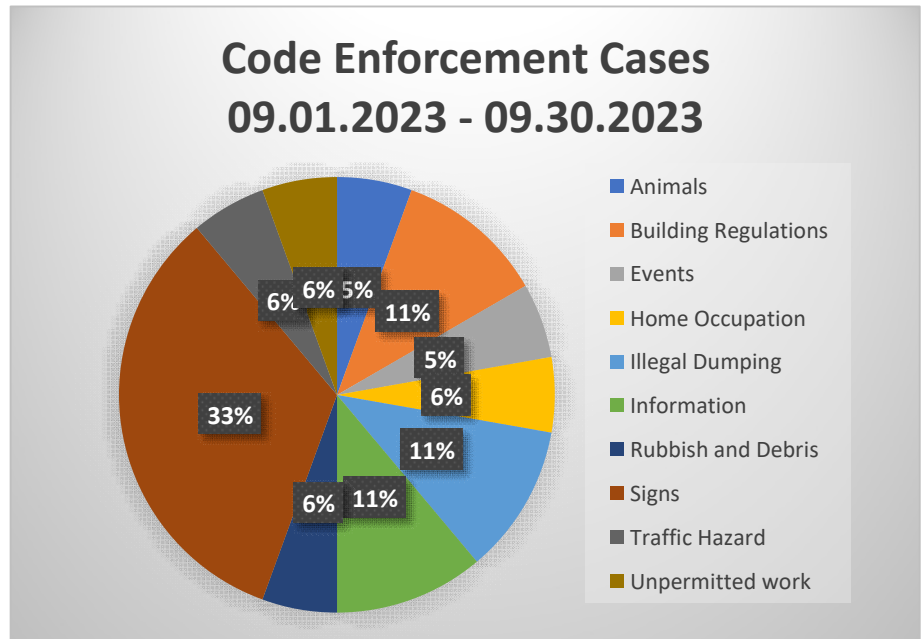
September 2023  
Code Enforcement Officer  
Monthly Report

Mission: To uphold and enforce the Codes and Ordinances established and adopted by the City Council to ensure the health, safety, and welfare of residents, property owners, business owners, and visitors by investigating and inspecting public or private locations for compliance through proactive, prompt, and reasonable enforcement of the codes. Code Enforcement emphasizes achieving voluntary code compliance by educating the public via clear and open communication and cooperation.

Activity:

Nature of Call	Group Total
Animals	1
Building Regulations	2
Events	1
Home Occupation	1
Illegal Dumping	2
Information	2
Rubbish and Debris	1
Signs	6
Traffic Hazard	1
Unpermitted work	1

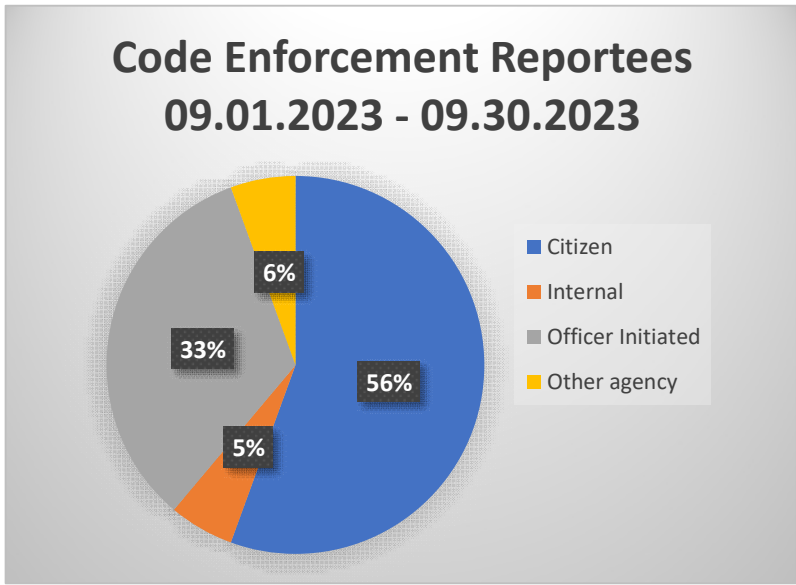
**Total Records: 18**



REP Type	Group Total
----------	-------------

Citizen	10
Internal	1
Officer Initiated	6
Other agency	1

**Total Records: 18**



Violations issued: 0  
Warnings issued: 0

Training: 1 hour – live webinar – Legislative Updates



101 OLD PLANTERSVILLE ROAD, MONTGOMERY, TEXAS 77316  
Telephone: (936) 597-6434

## Public Works Department

### Monthly Report for September 2023

#### Water

- Completed monthly cutoff list for nonpayment.
- Completed monthly leak notification door hangers.
- Completed monthly meter verification list.
- Completed monthly check of idle meter list for consumption. No issues were found.
- Activated/deactivated 14 water accounts.
- Completed 3 work orders for endpoint maintenance issues.
- Completed 6 work orders for water leaks.
- Completed 10 work orders for miscellaneous water issues.
- Completed 4 work orders for water taps.
- Assisted resident on MLK, Dina, and Terra Vista Circle with consumption questions.
- Built 2 additional hydrant meters currently in use for Principal Paving on FM1097 for new subdivision and Cruz Tec at 801 College.
- Assisted resident turn off water at 210 Pond.
- Repaired 6" water main at FM 1097 @ Summit Park.
- Increased calls regarding high consumption from customers. Discussed the Eye On Water program, consumption as seen in Beacon for each account.
- Removed 818 Caroline from TCEQ's testing site list as requested by homeowner.

#### Wastewater

- Completed 3 work orders for sewer taps.
- Completed 1 work order for sewer-stop up.
- Assisted resident with handling backup on Caroline. College and Liberty due to blockage created by boring contractor.

#### Streets/Drainage/ROW

- Completed 2 work orders for Street ROW – Ditch/Drainage.
- Completed daily utility locates as necessary.
- Completed daily removal of bandit signs as necessary.
- Completed items for weed patrol.
- Removed dead tree branches around town following storm 9/15/2023.
- Placed cones at intersections as requested by PD during storm on 9/15/2023.
- Flail mowed MLK and Baja.
- Removed rocks and debris from MLK, Liberty Street and Emma's Way.

### **Building/Facility/Vehicle/Equipment Maintenance**

- Conducted weekly Safety Inspection Reports.
- Completed monthly light bulb check at all facilities.
- Delivered cases of water to City Hall as requested.
- Completed weekly cleaning of Community Center.
- Completed weekly pre-trip inspections of crew trucks.
- Completed monthly check of all irrigation systems and made repairs as necessary.
- Completed 10 work orders for general-City Hall maintenance.
- Achieved capacity by 2 PM Saturday for quarterly Heavy Trash event.
- Delivered and removed barricades for Sip N Stroll events on Thursdays beginning 6/21/2023.
- Delivered and removed barricades for First Community Garage Sale.
- Replaced flush valves and bowl gaskets at Community Center.
- Elevated A/C at Community Center.
- Assembled chair for Finance office.
- Replaced air filters at City Hall.
- Replaced batteries in WWTP#2 keypads.
- Continued to Repaint fire hydrants throughout town.
- Installed 2 A/C units on Baja for residents.
- Assembled grill.
- Prepared and tended burn pile from tree debris accumulated since June.
- Repaired water line to ice machine at PW shop.
- Mowed lot for future well site off Emma's Way.
- Oil & Filter change, CV Axle Front right and right front CV Axle for PW1510.
- PW2001 wheel balance and tire rotation.
- Replaced wiper blades and cabin air filters on PW Fleet.
- Replaced both belts, idler pulley, and tensioner pulley on PW1801.
- Replaced marker light and PCV valve on trailer.
- Repaired leak on PW1201.
- Pre-treated all facilities, generators, City Hall, Water Plants, Lift Stations, and Wastewater Treatment Plant with rat poison.
- Gave potential operating companies tours of the city facilities in preparation for the RFP.

### **Parks/Recreation**

- Posted all park reservation notices.
- Completed 34 work orders for maintenance-parks issues.
- M/W/F cleaning of all restrooms and grounds.
- Fernland docents reported 454 visitors and provided 55 tours for the month.
- Installed 10 Texas Flags in front of new statue for unveiling at Cedar Brake Park.
- Checked all sprinkler heads at Cedar Brake Park, Fernland Historical Park, and Community Center.
- Checked irrigation system at Memory Park, Stage, Welcome Flags, and Welcome Sign.
- Replaced GFCI and push button on water fountain at Cedar Brake Park.
- Replaced lightbulbs in light poles at Cedar Brake Park.
- Treated for wasps at Fernland Historical Park.
- Delivered trailer to Memory Park for Lake Conroe Rotary Club.
- Repaired bridge at Memory Park.
- Added crushed granite to Memory Park walking path.

**General**

- Attended weekly Leadership Team meetings.
- Completed 17 work orders for maintenance-general issues.
- Completed monthly safety meeting with department and safety officer.
- Attended bi-weekly conference calls with utility operator and engineer.
- Lowered and raised flags to half staff to honor Senator Feinstein.
- Attended PR Schedule Discussion meeting.
- Attended CIP Review and Funding Options meeting.
- Lead Operations Bid Opening for Water and Sewer Operations and Maintenance Services.
- Participated in the Water Infrastructure Issues meeting with WGA.
- Participated in multiple budget workshops.
- Participated in LSGCD Board Meeting.
- Attended pre-event meetings for Sip N Stroll, Oil Man Triathlon, Quilt Walk and Trick or Treat.
- Attended Social Media meeting.
- Participated in Well 2 Strategy meeting.
- Attended pre-event meeting for HD Chapter 380 Agreement Review.
- Attended CIP and CO's plan discussion.



101 OLD PLANTERSVILLE ROAD, MONTGOMERY, TEXAS 77316

Telephone: (936) 597-6434

### Events of October 2023

<b>Date of Event</b>	<b>Event Name</b>	<b>Hours</b>	<b>Estimated Attendees</b>	<b>Admission Fee</b>	<b>Vendors</b>	<b>Other</b>
October 5 <sup>th</sup>	Sip N Stroll	4pm-7pm	0	\$0	0	Cancelled due to weather
October 6 <sup>th</sup>	Montgomery Quilt Walk	10am-4pm	1500	\$0	10	
October 7 <sup>th</sup>	Montgomery Quilt Walk	10am-4pm	1000	\$0	10	
October 7 <sup>th</sup>	Fall Festival	1pm-10pm	1000	\$10 -\$125	36-40	Charlie Diggs Entertainment Event
October 11 <sup>th</sup>	Quilt Show at Live Oak Senior Living	10:30am-11:30	15-20	\$0	0	
October 12 <sup>th</sup>	Sip N Stroll	4pm-7pm	50-60	\$0	11	
October 14 <sup>th</sup>	Movie Night at the Park	6pm-10pm At Sunset	30-40	\$0	1	Movie playing was: Puss and Boots The Last Wish
October 14 <sup>th</sup>	Voice of the Past	12pm-3pm	More than last year	\$5-\$10	0	Montgomery Historical Society Event
October 19 <sup>th</sup>	Sip N Stroll	4pm-7pm	60-70	\$0	17	
October 28 <sup>th</sup>	Trick or Treat in Historic Montgomery	1pm-4pm		\$0	5	This Saturday! 🎃

**Mayor,** Byron Sanford

**Councilmembers:** Carol Langley; Casey Olson; Sara Countryman; Cheryl Fox; Stan Donaldson



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### **Special Events Month Updated [October]**

- October 5<sup>th</sup>: Sip N Stroll [Week 3] was cancelled due to weather.
- October 6<sup>th</sup> and 7<sup>th</sup> Montgomery Quilt Walk.
  - Attendees Estimated overall: 2500
  - Guest Speakers for the first time.
- October 7<sup>th</sup>: Montgomery Fall Festival
  - Attendees Estimated: 1000
- October 11<sup>th</sup>: Quilt Show for Live Oak Senior Living
- October 12<sup>th</sup>: Sip N Stroll [Week 4]
  - Attendees: 50-60
- October 14<sup>th</sup>: Movie Night at the Park
  - Attendees Estimated: 40-50
  - Activities: Park amenities and family games provided before the movie starts.
- October 14<sup>th</sup>: Voice of the Past
  - Montgomery Historical Society event
  - Feedback: had more attendees than last year.
- October 19<sup>th</sup>: Sip N Stroll [Week 5]
  - Attendees Estimated: 60 -70

**Mayor**, Byron Sanford

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**Scheduled Upcoming Events:**

- October 28<sup>th</sup> – Trick or Treat in Historic Montgomery [1PM to 4PM]
- November 2<sup>nd</sup> – Sip N Stroll [Week 6 - 4PM to 7PM]
- November 4<sup>th</sup> – Lonestar 1<sup>st</sup> Saturday [9AM- 4PM Montgomery Area Chamber of Commerce Event]
- November 9<sup>th</sup> – Sip N Stroll [Week 7 - 4PM to 7PM]
- November 11<sup>th</sup> – Movie Night at the Park [At Sunset]
- November 16<sup>th</sup> – Sip N Stroll [Week 8 - 4PM to 7PM]
- November 18<sup>th</sup> – Lone Star Street Dance [6:30PM-10PM]
- November 30<sup>th</sup> – Sip N Stroll [Week 9 - 4PM to 7PM]
- December 2<sup>nd</sup> – Light up the Park [6PM to 8PM]
- December 7<sup>th</sup> – Sip N Stroll [Week 10 - 4PM to 7PM]
- December 9<sup>th</sup> – Historic Montgomery Christmas Parade [10AM to 12PM]
- December 9<sup>th</sup> – Christmas in Historic Montgomery [Montgomery Historical Society]
  - Holiday Marketplace [9AM-5PM]
  - 33<sup>RD</sup> Annual Cookie Walk [12PM-5PM]
  - 46<sup>TH</sup> annual Candlelight Tour [4PM-7PM]
- December 16<sup>th</sup> – Montgomery Snow Party [1PM to 4PM]
- December 16<sup>th</sup> – Shop with a Cop [Montgomery Police Department]
- December 22<sup>nd</sup> – Kingwood Tourists [All Day]

**Mayor,** Byron Sanford

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**Trick or Treat in Historic Montgomery Map**

**TRICK OR TREAT HISTORIC MONTGOMERY**  
**COSTUMED CHILDREN WITH ADULTS ARE INVITED TO**  
**TRICK OR TREAT HISTORIC MONTGOMERY BUSINESSES**  
**SATURDAY, OCTOBER 28 FROM 1:00 P.M. TO 4:00 P.M**

**Downtown Business:**

- 01- Burger Fresh
- 02- Rancher's Daughter
- 03- Universal Cuts
- 04- Liberty Bells
- 05- H-Wines
- 06- Petz - **Bring Your Pet In Costume!**
- 07- Montgomery Original Snoballs
- 08- Jim's Hardware
- 09 - Jacob's Properties
- 10- Rustic Cashmere
- 11- Cozy Grapes
- 12- Shades Salon & Boutique
- 13- H-Bistrot
- 14- Slice of Amish
- 15- Arrowhead Photography - **Photo Shop**
- 16- Old Montgomery Steakhouse
- 17- Urban Coffee Culture
- 18- Wine & Design Montgomery
- 19- K-9 Kuts - **Bring your pet in Costume!**
- 20- Montgomery Washeteria Wash N Fold
- 21- The Gypsy Buffalo
- 22- Dominion Pool Group
- 23- ONE Property Grp

**PLEASE WALK WITH CHILDREN TO LOCAL BUSINESSES**

Costume Contest at the Stage @3pm

**School Fundraiser**  
32 - The Quest @ Belles Hollows

**Vendors**

- 31 - Day Flower Photography
- 30- All Forces Jerky
- 29- The Webster Melting Company
- 28- Emergency Sweets
- 27- McDonald's

**Downtown Businesses:**

- 26- Eatery at Hodge Podge Lodge
- 25- Montgomery Quilt Co.
- 24- RE/MAX Distinction

**PLEASE USE CROSSWALK AT 149**

**Mayor, Byron Sanford**

**Councilmembers:** Carol Langley; Casey Olson; Sara Countryman; Cheryl Fox; Stan Donaldson



101 OLD PLANTERSVILLE ROAD, MONTGOMERY, TEXAS 77316

Telephone: (936) 597-6434

**Sip N Stroll Basic Set up:**



**Mayor,** Byron Sanford

**Councilmembers:** Carol Langley; Casey Olson; Sara Countryman; Cheryl Fox; Stan Donaldson



October 20, 2023

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

Re: Monthly Engineering Report  
City Council Meeting October 24, 2023

Dear Mayor and Council:

The following is a brief summary that describes our activities since the September 26, 2023, Council Meeting:

**Capital Projects:**

- 1. Water Plant No. 2 Improvements**— As a reminder, we were authorized to begin the design of the Water Plant No. 2 Improvements, subject to completion of the hydrogeological report by Wet Rock Groundwater Services, LLC. We are currently working with our design team to obtain survey, geotechnical recommendations, and structural recommendations for the ground storage tank replacement. As a reminder, the scope of the project is to abandon and replace the existing water well on site, replace the existing ground storage tank and recoat the hydropneumatic tank on site.
- 2. Lone Star Groundwater Conservation District (LSGCD) Permit Amendment** - As authorized at the September 12<sup>th</sup> Council meeting, Wet Rock Groundwater Services, LLC is proceeding with the hydrogeological study and report for all existing and known proposed future wells within the City. Once the report is complete it will be submitted to LSGCD as part of the permit amendment application package. We expect to have the report back in a few weeks.
- 3. Flagship Boulevard Storm Sewer & Pavement Replacement** – It is our understanding that the contractor is working on addressing punch list items identified during the final walk through on August 30<sup>th</sup>.
- 4. Water Plant No. 3 Improvements** – As a reminder, we attended the one-year warranty inspection of the infrastructure on August 1, 2023, and it is our understanding that the contractor has addressed all punch list items identified at the inspection. We are coordinating with Public Works and Hays Utility to schedule the warranty inspection of the interior of the tanks included in this project, which were not taken offline for the August 1<sup>st</sup> inspection.

- 5. **2023 Sanitary Sewer Rehabilitation Phase I** – As a reminder, the contract was awarded to Cruz Tec, Inc. in the amount of \$837,528.00 and 150 calendar days. The contractor is proceeding with pre-televising and point repairs on the sanitary sewer lines.



*Point Repair to existing Sanitary Sewer Line  
October 13<sup>th</sup>*



*Point Repair to existing Sanitary Sewer Line  
October 13<sup>th</sup>*

- 6. **2023 Sanitary Sewer Rehabilitation Phase II** – We are finalizing the plans and contract documents for the project and expect to be completed next month. As a reminder, the pipe bursting design was resubmitted to TxDOT on August 3<sup>rd</sup>, and we received approval on August 24<sup>th</sup>. The bidding and construction of the project will be held until funding is available for construction.
- 7. **Lift Station No. 10 Improvements** – We are continuing with design and expect to be complete in November and bid on the project in December, pending approvals from Montgomery County. As a reminder, this project is funded by Pulte Homes for the Montgomery Bend Development.
- 8. **Old Plantersville Waterline Extension** – We are continuing with the design of the 12" waterline extension and expect to be complete next month. We are coordinating with MISD to obtain the necessary easements for the waterline extension, and plan to bid the project once the easements have been acquired from MISD and County approval has been received. As a reminder, this project is being funded by Redbird Meadows.
- 9. **Old Plantersville Force Main Extension** – We are continuing with design of the 6" force main, including coordination with the Redbird Meadows Engineer to finalize the tie in location. We expect to complete design and bid this project next month. As a reminder, this project is being funded by Redbird Meadows.



- 10. McCown St. and Caroline St. Waterline Replacement** – We are continuing with our design, and we expect to be complete in November, subject to updates based on the final design of the downtown improvements project. As a reminder, the bidding and construction of the project will be held until the downtown improvements project is nearing design completion so as to minimize the impact of construction.
- 11. Downtown Drainage Master Plan** – We are finalizing our report, including internal reviews and plan to meet with staff to review and discuss in early November.
- 12. TPDES Permit Amendment (Town Creek Wastewater Treatment Plant)** – The TPDES Amendment was submitted to the TCEQ on October 11<sup>th</sup>.and expect additional comments next month and we expect to receive comments or approval from the TCEQ in November. We expect to receive comments or approval from the TCEQ in December.
- 13. Buffalo Springs Dr. Road Reconstruction & Traffic Signal** – It is our understanding the deposit was received from Home Depot last week. We are proceeding with survey and preliminary design as authorized at the September 12<sup>th</sup> Council meeting.

**Developments:**

- 1. Plan Reviews**
- a. **Town Creek Storage II** – We did not receive a revised plan set this month.
  - b. **Pizza Shack Parking Expansion** – We did not receive a revised plan set this month.
  - c. **MUD No. 224 Lift Station (City of Montgomery Lift Station No. 15)** – We received revised plans on September 13<sup>th</sup> and provided plan approval on October 6<sup>th</sup>.
  - d. **Home Depot** – As a reminder, we provided conditional approval to the plans on September 1<sup>st</sup> pending execution of a funding agreement for the intersection improvements to Buffalo Springs and SH 105 intersection. Full plan approval was provided on October 18<sup>th</sup>.
  - e. **Redbird Meadows Phase 1A Water, Sanitary and Drainage** – We received revised plans on October 4<sup>th</sup> and are continuing with our review.
  - f. **Redbird Meadows MCMUD 215 Lift Station No. 1** – We did not receive revised plans this month.
  - g. **Montgomery Bend Subdivision Recreation Center** – We received the site civil plans on October 4<sup>th</sup> and provided comments on October 20<sup>th</sup>.

## 2. Plat Reviews

- a. **Superior Properties Preliminary Plat** – We received a preliminary plat for the development on June 27<sup>th</sup> and provided comments on July 18<sup>th</sup>. We have not received a revised plat.

## 3. Ongoing Construction

- a. **Montgomery Bend (Pulte Group) Mass Grading, Detention, and Offsite Utilities** – The contractor is substantially complete with the mass grading, detention, and offsite waterline for the proposed subdivision. We are working to schedule a final walkthrough in the next few weeks.
- b. **Montgomery Bend Section 1 Water, Sanitary, Paving, and Drainage** – The inspection of the public waterlines was held on October 12<sup>th</sup> with the contractor and public works present. It is our understanding that the contractor has addressed the punchlist items identified at that time and we plan to recommend acceptance of the infrastructure at this council meeting.

We plan to hold an inspection of the public sanitary sewer lines once the proposed public lift station is operational and the connection to FM 1097 is made.

## 4. One-Year Warranty Inspections

- a. **Town Creek Crossing, Section 1** – We held a warranty re-inspection on October 10<sup>th</sup> and it is our understanding that the contractor is working to address the remaining punchlist items identified at the inspection.
- b. **Villas of Mia Lago, Section 2** – We are continuing to coordinate with the developer to ensure the remaining punch list items are addressed.

### General Ongoing Activities:

#### 1. TxDOT:

- a. **FM 1097 & Atkins Creek Drainage Improvements** – We received a draft exhibit of the proposed right-of-way locations. We are reviewing the exhibit and will work with City staff to begin the conversation with impacted property owners.
- b. **Access Management along SH-105 from Grimes County Line to Sheppard Street** – According to TxDOT, the first phase of the project is scheduled to begin in Summer 2025. Construction in Montgomery is included in Phase III of this project.
- c. **FM 1097 and Buffalo Springs Drive Traffic Signal** – It is our understanding the signal is in design. TxDOT does not currently have a construction schedule, but they do not expect construction to begin for a few years.



- 2. **Biweekly Operations and Developments Call** – We are continuing the biweekly operations and developments calls with City Staff and will be working with City Staff to transition the City’s new operator, Hays Utility North Corporation, into these calls.
- 3. **Emergency Preparedness Plan** – No engineering update. We will continue to follow up until plan approval is received.
- 4. **Impact Fee Updates** – We received all required files from Quiddity and are proceeding with Impact Fee updates as required per the City’s Code of Ordinances. We met with City staff in July and are continuing work on the draft of updates and plan to meet with the Capital Improvements Advisory Committee (CIAC) once it is reconvened.
- 5. **Lonestar Parkway Bridge Repair** – It is our understanding that construction is substantially complete, and the contractor has addressed all punch list items with the exception of turf establishment.
- 6. **Lone Star Parkway and Buffalo Springs Signal Improvements** – It is our understanding that Montgomery County received the signal equipment and has begun construction.
- 7. **Lone Star Parkway and Buffalo Springs Roadway Improvements** – The contractor has begun construction on the roadway improvements. As a reminder, the scope of this project includes the addition of turn lanes on Lone Star Parkway.



*Subgrade Preparation (Westbound) October 18, 2023*



*Roadway patchwork (Northbound) October 18, 2023*

Honorable Mayor and City Council  
City of Montgomery  
Page 6 of 6  
October 20, 2023

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Please let me know if you have any questions.

Sincerely,



Chris Roznovsky, PE  
City Engineer

CVR/kv:zlg

Z:\00574 (City of Montgomery)\\_900 General Consultation\Meeting Files\Engineer's Reports\2023\10.2023\Review\10-2023  
Engineer's Report.docx

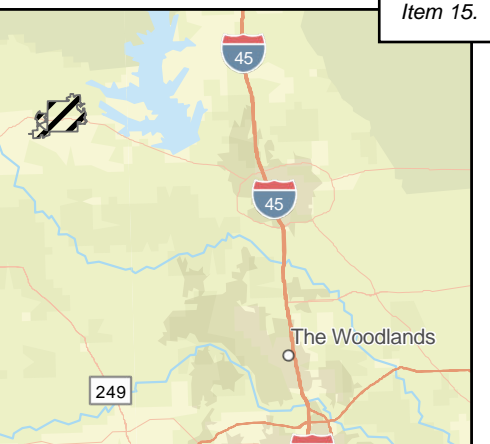
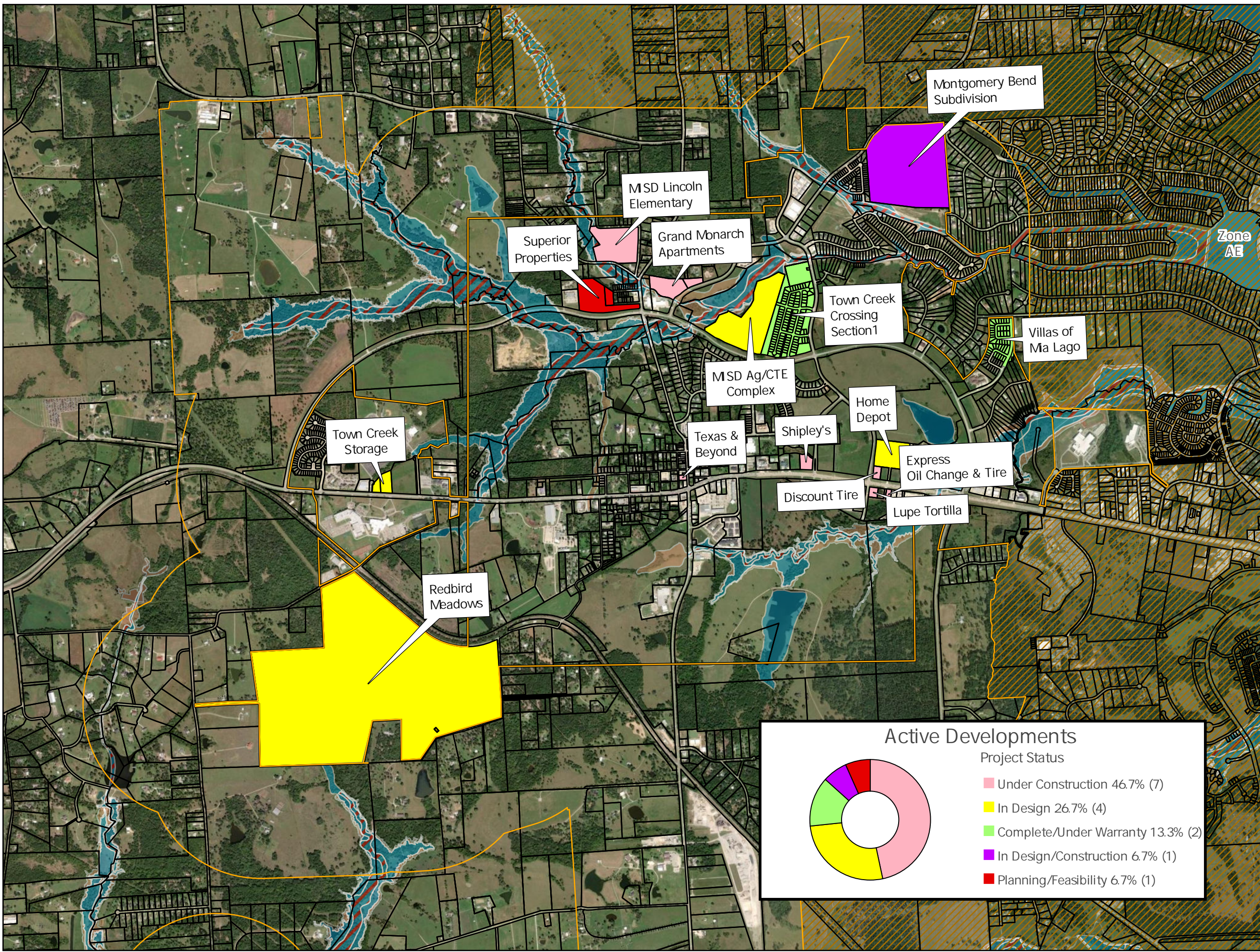
Attachments – Active Developments Map  
Capital Projects Timeline

Cc (via email): The Planning and Zoning Commission – City of Montgomery  
Mr. Gary Palmer – City of Montgomery, City Administrator  
Mr. Dave McCorquodale – City of Montgomery, Director of Planning & Development  
Ms. Nici Browe – City of Montgomery, City Secretary  
Mr. Alan Petrov – Johnson Petrov, LLP, City Attorney

### City of Montgomery Capital Project Schedule

Task	Start	End	Cal. Days	Work Days	Oct-23	Nov-23	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24
<b>McCown St. and Caroline St. Waterline Replacement</b>																
Survey	7/7/2022	4/7/2023	275	196												
Design	4/7/2023	11/21/2023	228	163	█	█										
Approvals	11/22/2023	12/6/2023	14	10		█	█									
Bidding	12/7/2023	12/25/2023	18	13			█	█								
Present ROA to Client	12/26/2023	12/27/2023	1	1			█									
Prepare Contracts	12/28/2023	1/4/2024	7	5			█	█								
Execute Contracts	1/5/2024	2/10/2024	36	26				█	█							
Issue Notice to Proceed	2/15/2024	2/22/2024	7	5					█							
Construction	3/3/2024	4/17/2024	45	33						█	█					
<b>Old Plantersville Waterline Extension</b>																
Design	7/30/2022	11/13/2023	440	336	█	█										
Approvals	11/14/2023	12/14/2023	30	23		█	█									
Bidding	12/15/2023	1/5/2024	21	16			█	█								
Present ROA to Client	1/6/2024	1/8/2024	2	1			█									
Prepare Contracts	1/9/2024	1/16/2024	7	6			█	█								
Execute Contracts	1/17/2024	2/6/2024	20	15				█	█							
Issue Notice to Proceed	2/7/2024	2/14/2024	7	6					█							
Construction	2/15/2024	5/24/2024	99	72						█	█	█				
<b>Old Plantersville Force Main Extension</b>																
Design	8/13/2022	11/17/2023	430	330	█	█										
Approvals	11/18/2023	12/17/2023	29	20		█	█									
Bidding	12/18/2023	1/8/2024	21	16			█	█								
Present ROA to Client	1/9/2024	1/11/2024	2	3			█									
Prepare Contracts	1/12/2024	1/18/2024	6	5			█	█								
Execute Contracts	1/19/2024	2/8/2024	20	15				█	█							
Issue Notice to Proceed	2/9/2024	2/15/2024	6	5					█							
Construction	2/16/2024	5/26/2024	100	71						█	█	█				
<b>Downtown Drainage Analysis</b>																
Survey	7/7/2022	4/7/2023	274	196												
Analysis	4/7/2023	7/5/2023	90	64												
Report	7/6/2023	11/2/2023	120	86	█	█										
<b>2023 Sanitary Sewer Rehabilitation Phase I</b>																
Survey	11/11/2022	2/7/2023	88	63												
Design	2/7/2023	5/11/2023	93	68												
Bidding	5/18/2023	6/1/2023	14	11												
Present ROA to Client	6/13/2023	6/13/2023	0	1												
Prepare Contracts	6/14/2023	6/20/2023	6	5												
Execute Contracts	6/20/2023	11/12/2023	145	104												
Issue Notice to Proceed	11/13/2023	11/17/2023	4	5												
Construction	9/11/2023	2/8/2024	150	109	█	█	█	█								
<b>2023 Sanitary Sewer Rehabilitation Phase II</b>																
Survey	11/11/2022	2/7/2023	88	63												
Design	2/7/2023	6/5/2023	118	85												
Approvals	6/6/2023	9/15/2023	101	74												
Bidding	9/16/2023	9/30/2023	14	10												
Present ROA to Client	10/1/2023	10/1/2023	0	0												
Prepare Contracts	10/2/2023	10/8/2023	6	5	█											
Execute Contracts	10/9/2023	10/23/2023	14	11	█	█										
Issue Notice to Proceed	10/24/2023	10/24/2023	0	1												
Construction	10/25/2023	3/23/2024	150	108						█	█	█				
<b>Lift Station No. 10 Improvements</b>																
Design	2/27/2023	11/14/2023	260	187	█	█										
Approvals	11/15/2023	12/30/2023	45	33		█	█									
Bidding	12/31/2023	1/11/2024	11	9			█	█								
Present ROA to Client	1/12/2024	1/16/2024	4	3			█									
Prepare Contracts	1/17/2024	1/23/2024	6	5			█	█								
Execute Contracts	1/24/2024	1/30/2024	6	5				█	█							
Issue Notice to Proceed	2/11/2024	2/17/2024	6	5					█							
Construction	2/18/2024	5/15/2024	87	63						█	█	█				



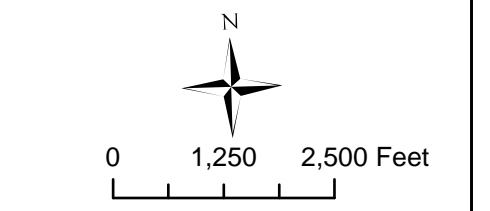


**Legend**

- Parcel Boundary
- City Limits
- Montgomery ETJ
- Conroe ETJ

**Development Status**

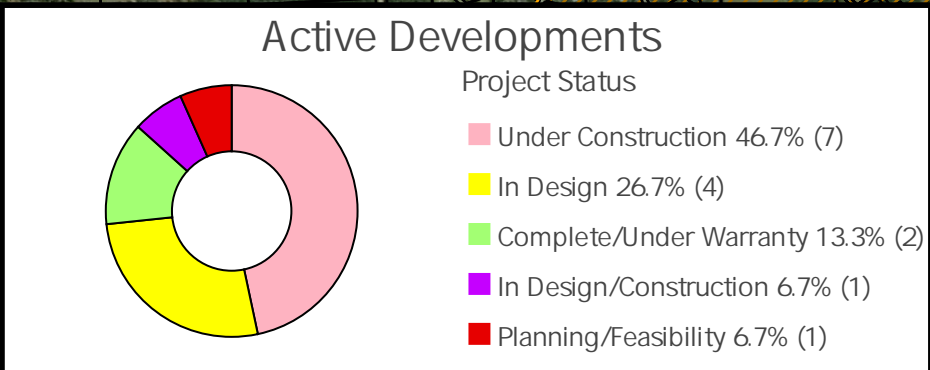
- Complete/Under Warranty
- In Design
- In Design/Construction
- Planning/Feasibility
- Under Construction
- Floodway
- 100-year
- 500-year



Active Developments Map  
October 2023



Disclaimer: This product is offered for graphical purposes only and may not be suitable for legal, engineering, or surveying purposes. The information shown on this exhibit represents the approximate location of property, municipal boundaries or facilities.







October 18, 2023

To: City Council  
From: Gary Palmer, City Administrator  
Subject: October Update

I offer the following highlights:

- Attended the International City Manager's Conference in Austin from Saturday October 07<sup>th</sup> through Wednesday October 11<sup>th</sup>

#### Upcoming Items Reflecting Identified Priorities

- Issue RFQ for Professional Planning Services (Competitive Bid)
  - Zoning Ord Update/Recodification
  - FLU Update/Adoption
  - Small Area Master Plans
- Impact Fee Update to Add Roads (WGA)
- Issue RFQ for Water Rate Study and Fee Update (Competitive Bid)
- Issue RFQ for Classification/Compensation Study (Competitive Bid)
- MEDC Economic Development Director – Job Description Review In Progress
- Create Water Advisor Position
  - TML Reviewing