

**Notice of Special Called City Council
AGENDA**

February 06, 2023 at 6:00 PM

NOTICE IS HEREBY GIVEN that a Meeting of the Montgomery City Council will be held on **Monday, February 06, 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.

CONSIDERATION AND POSSIBLE ACTION:

In accordance with our adopted City of Montgomery Policies and Procedures Manual, consider approval of the emergency procurement process for the City Administrator to pursue professional financial management services from qualified firms/contractors in an amount exceeding \$25,000.

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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 Wednesday, February 1, 2023 at 3:00 p.m.

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

Montgomery City Council
AGENDA REPORT

Meeting Date: February 06, 2023	Budgeted Amount: over \$25,000
Department: Administration	Prepared By: Gary Palmer

Subject

In accordance with our adopted City of Montgomery Policies and Procedures Manual, consider approval of the emergency procurement process for the City Administrator to pursue professional financial management services from qualified firms/contractors in an amount exceeding \$25,000.

Recommendation

Authorize the City Administrator to solicit professional financial management services and engage in contract negotiations with the most qualified firm/contractor for an amount exceeding \$25,000.

Discussion

See related memo

Approved By

		Date:
Gary Palmer City Administrator		Date: February 01, 2023



February 1, 2023

To: Mayor and City Council
From: Gary Palmer, City Administrator
Subject: February 06, 2023 Special City Council Meeting Agenda Item
 In accordance with our adopted City of Montgomery Policies and Procedures Manual, consider approval of the emergency procurement process for the City Administrator to pursue professional financial management services from qualified firms/contractors in an amount exceeding \$25,000.

Issue

Our Senior Accountant and sole financial management staff member is out on leave indefinitely. We have no in-house backup or financial management consultants to cover the workload. Additionally, we lack the necessary and required written financial procedures needed for adequate continuity of services during an extended unforeseen absence of our financial manager. This unforeseen absence, lack of internal capacity and procedures creates an administrative emergency which if left unresolved, will quickly create internal and external service issues.

Rules (applicable laws/policies/practices)

Generally, City of Montgomery Policies and Procedures Manual, Section IX Financial Policies, (page 118)

Specifically, City of Montgomery Policies and Procedures Manual, Section IX Financial Policies, Budget Development, Subsection B(1) Budget Amendments (pages 120-121)

Specifically, City of Montgomery Policies and Procedures Manual, Section IX Financial Policies, Financial Consultants (pages 142-143)

Specifically, City of Montgomery Policies and Procedures Manual, Section IX Financial Policies, General Purchasing Policy, Types of Purchases and Purchases Exceeding \$25,000 (page 149-151)

Specifically, City of Montgomery Policies and Procedures Manual, Section IX Financial Policies, Emergency and Exempt Procedures

Analysis

At all times, we should have the internal capacity to absorb the work generated by the absence of a city staff member. As a matter of policy we should also have up to date financial management procedures so we at the least have a written guide to use to continue services.

We neither have the internal capacity or adopted procedures to fall back on in cases such as in the immediate case.

Our policy provides for the retention of professional finance consultants to assist with our finance operations. While we have retained audit services and bond counsel, we have not retained professional on-call services which could be utilized to come in and assist with financial operations. As a best practice in local government management, we should have on-call service contracts for all of our critical services. Long term, we need to address the lack of procedures, on-call contracts, and redundancy issues; however short term we need immediate professional financial assistance. To me, this presents an emergency administrative situation that needs to be resolved as soon as possible.

Our adopted policies provide guidance for retaining emergency professional services. Emergency Defined: *“An emergency situation is commonly described as an unforeseen situation, which adversely and unduly affects the life, health, or convenience of the citizens of the City of Montgomery, or circumstance that would cause a loss to the City (such as, but not limited to, an inordinate amount of down time)”* and *“If an emergency or exempted purchase occasion arises, contact your Division Director, explaining the proposed purchase. The Department Director will then contact the City Administrator, who will in turn seek approval from the City Council if over \$25,000”* (See City of Montgomery Policies and Procedures Manual, Section IX Financial Policies, Emergency and Exempt Procedures). Therefore, City Council approval is required for us to solicit professional services for an amount exceeding \$25,000.

Conclusion/Recommendation

In my professional assessment as your city administrator, we need to immediately retain the services of a professional, experienced finance consulting firm/experienced finance manager contractor under the emergency purchase provisions outlined in City of Montgomery Policies and Procedures Manual, Section IX Financial Policies, Emergency and Exempt Procedures. Upon approval, we will solicit and evaluate service providers with the intent of engaging in contract negotiations with the most qualified firm/contractor. A budget amendment in the amount to cover the services, and resulting draft professional service contract will be back before the City Council for consideration of approval.