

**Notice of City Council Regular Meeting  
AGENDA**

**December 12, 2023 at 6:00 PM**

**NOTICE IS HEREBY GIVEN** that a Meeting of the Montgomery City Council will be held on **Tuesday, December 12, 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.** Approval of the City Council Meeting Minutes 11-24-2023.
- 2.** Consideration and possible action regarding an Escrow Agreement by and between the City of Montgomery, Texas and Montgomery ISD for a CTE and agri-sciences campus on a 35.45-acre parcel of land near the northwest corner of Lone Star Parkway and Buffalo Springs Bridge Drive. (Dev. No. 2307).

**CONSIDERATION AND POSSIBLE ACTION:**

- 3.** Consideration and possible action by the Montgomery City Council acting as the Zoning Board of Adjustment regarding a requested appeal of a denial of the use of the property at 502 Louisa Street, currently zoned R1-Single Family Residential, for commercial use.
- 4.** Consideration and possible action by the Montgomery City Council acting as the Zoning Board of Adjustment regarding a requested appeal of a Planning & Zoning Commission action denying the use of synthetic lawn at 504 Caroline Street in the Historic Preservation District.
- 5.** Quarterly Investment Reports for Quarter 1, 2 and 3, 2023
- 6.** CONSIDERATION AND POSSIBLE ACTION ON AN ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY OF MONTGOMERY, TEXAS TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2024; LEVYING AN AD VALOREM TAX AND PLEDGING CERTAIN SURPLUS REVENUES IN SUPPORT OF THE CERTIFICATES; APPROVING AN OFFICIAL STATEMENT, A PAYING AGENT/REGISTRAR AGREEMENT AND OTHER AGREEMENTS RELATING TO THE SALE AND ISSUANCE OF THE CERTIFICATES; AND ORDAINING OTHER MATTERS RELATING TO THE ISSUANCE OF THE CERTIFICATES

- [7.](#) Consideration and possible action on AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS, AMENDING ITS MUNICIPAL BUDGET FOR THE FISCAL YEAR 2022-2023; APPROPRIATING THE VARIOUS AMOUNTS HEREIN, AS ATTACHED IN EXHIBIT A; CONTAINING FINDINGS AND A TEXAS OPEN MEETINGS ACT CLAUSE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.
- [8.](#) Public Hearing On New Water and Sewer Tap Fees  
  
Open Public Hearing.
- [9.](#) Consideration and possible action regarding amending Chapter 90, Sections 90-66 and 90-67 of the Code of Ordinances.
- [10.](#) Consider Amendment to the Personnel Policy (Compensation Section) to Remove Cost of Living Allowance (COLA) Restrictions
- [11.](#) Consideration and possible action on: AN ORDINANCE OF THE CITY OF MONTGOMERY, TEXAS, REPEALING CHAPTER 62 (OFFENSES), ARTICLE II (MINORS), DIVISION 2 (JUVENILE CURFEW), SECTIONS 62-40 THROUGH 62-45 OF THE CITY OF MONTGOMERY CODE OF ORDINANCES IN RESPONSE TO HOUSE BILL 1819, EFFECTIVE SEPTEMBER 1, 2023; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE
- [12.](#) Consider Adoption of a Resolution for the City of Montgomery to join the Houston-Galveston Area Council (H-GAC).
- [13.](#) A RESOLUTION OF THE CITY OF MONTGOMERY, TEXAS AMENDING ITS POLICY FOR INVESTMENT OF MUNICIPAL FUNDS AND THE INVESTMENT STRATEGIES CONTAINED THEREIN.
- [14.](#) Consideration and possible action on the acceptance of the hydrogeological report as performed by Wet Rock Groundwater Services, LLC, and release of the City Engineer to proceed with the design of the Water Plant No. 2 Improvements as originally authorized at the October 10, 2023 meeting of the City Council.

**DEPARTMENTAL REPORTS:**

- [15.](#) November 2023 Utility Report.
- [16.](#) Utility Operations Report
- [17.](#) Public Works Report
- [18.](#) October & November 2023 Monthly Court Report
- [19.](#) City Engineer's Report.
- [20.](#) Finance Report for month end October 31, 2023.
- [21.](#) Oct.-Nov. 2023 Police Dept. & Code Enforce. Reports
- [22.](#) City Administrator Report

**EXECUTIVE SESSION:**



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

**Sections 551.071(consultation with attorney) - Town Creek/Atkins Creek drainage engineering study**

**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 Friday, December 8, 2023 at 4:00 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.*

---

City Council Regular Meeting  
MINUTES

November 14, 2023 at 6:00 PM

**CALL TO ORDER**

Mayor Byron Sanford called the meeting to order at 6:00 p.m.

Present:	Byron Sanford	Mayor
	Carol Langley	City Council Place #1
	Casey Olson	City Council Place #2
	Sara Countryman	City Council Place #3
	Cheryl Fox	City Council Place #4
	Stan Donaldson	City Council Place #5

Also Present:	Dave McCorquodale	Assistant City Administrator
	Alan Petrov	City Attorney
	Diana Titus	Deputy City Secretary

**INVOCATION**

**PLEDGE OF ALLEGIANCE TO FLAGS**

**VISITOR/CITIZENS FORUM:**

Mr. Foy Day, Commander of the new VFW Post 12223 located at 2500 Lone Star Parkway wanted to inform the city they have started a brand-new family-oriented post in the community which focuses on Americanism and working with the elderly.

Ms. Merriam Walker of 608 Old Plantersville Road provided council with a written statement (a copy attached to the formal approved minutes) saying she has lived here for 23 years and currently serves on the Planning & Zoning Commission. Ms. Walker said she would like to bring to the Council’s attention the need for stricter consequences and a means to enforce said consequences.

Ms. Walker stated that currently there are issues with paint color, lighting, ground covering, fencing, re-builds, property lines, parking, noise, and vague explanations for variations. Loose drawings and plans are received for our review and our request to bring back drawings, plans, landscaping, fencing, and vegetation to scale are not adhered to. She then added that we use our city ordinances and historical guidelines to ensure our city stays within its historical culture.

Councilmember Cheryl Fox said a lot of people move into town and do not really understand the historic district or even where it is, maybe when someone applies for water and the address shows as being in the historical district, is there any way information could be given to them that would outline what is required to live in the historic district or have a business there.

Ms. Walker said they do have information to give people but whether they receive them, read them, or acknowledge them is another question. She went on to say literally at every meeting she asks if they know the historical district guidelines.

Mr. John King, a registered professional land surveyor, said he retired here six months ago with his wife. Mr. King said he would like to discuss the topic of pickleball. Mr. King said he and his wife started playing pickleball quite a while ago and sees this as something lacking in this city especially as pickleball has been named the fastest growing sport in the United States by the Sport and Fitness Industry Association and by 2023 it was estimated to have over 4.8 million players.

Mr. King said the key issue is availability of property and, most important, financing for such a project. Mr. King said the actual sizes for the courts are 30 feet by 60 feet and the cost is quite expensive as a tennis court would be between \$25,000 and \$50,000. He went on to state this is a request to the City of Montgomery to possibly coordinate with other entities and see what the possibility is to have either property or financing made available.

### **CONSENT AGENDA:**

Councilmember Sara Countryman said that it was laborious to review and hard to remember from September 19<sup>th</sup>. She added that she would like to ask they do not have seven more meeting minutes to have to review in the future.

1. Approval of the following:
  - (a) City Council Workshop Minutes 09-19-2023
  - (b) City Council Workshop Minutes 09-25-2023
  - (c) City Council Meeting Minutes 09-26-2023
  - (d) Special City Council Meeting Minutes 10-02-2023
  - (e) City Council Meeting Minutes 10-10-2023
  - (f) City Council Workshop Minutes 10-23-2023
  - (g) City Council Meeting Minutes 10-24-2023

Councilmember Casey Olson moved to approve the consent agendas as presented. Councilmember Carol Langley seconded the motion. **Motion Passed (5-0).**

2. Consideration and possible action on a Service Agreement for Building Plan Review and Inspection Services between the City of Montgomery and Rick Hanna CBO Partners, LLC.

Mr. McCorquodale said the agreement is in place and said changing the name and structure will take effect January 1, 2024, for the yearly agreement.

Mr. Rick Hanna said the contract has provision for automatic renewal if no changes are made.

Councilmember Casey Olson moved to approve Item #2 of the Consent Agenda as presented. Councilmember Sara Countryman seconded the motion. **Motion Passed (5-0).**

### **CONSIDERATION AND POSSIBLE ACTION:**

3. Acceptance of the Planning & Zoning Commission Final Report regarding the city-initiated rezoning of 203 Prairie Street from R1-Single Family Residential to B-Commercial.

Mr. McCorquodale said it is recommended to rezone the property to B-Commercial, and that this item must be accepted before calling a public hearing.

Councilmember Sara Countryman moved to accept the rezoning as presented. Councilmember Casey Olson seconded the motion. **Motion Passed (5-0).**

4. Convene into a Public Hearing regarding the preliminary report on the city-initiated rezoning of the property commonly known as 203 Prairie Street, Montgomery, Texas.

Mayor Byron Sanford **OPENED** the Public Hearing at **6:16 P.M.**

Councilmember Sara Countryman stated she has the original inspection report for this property and the inspection report from May where the Code Enforcement Officer highlighted all the issues and deficiencies. She continued by adding that she was Mayor at the time this property was purchased and was told the property was in excellent condition, however, they never saw the inspection report and it was misrepresented.

Councilmember Sara Countryman said as a taxpayer she knows the city took out a \$1.7 million loan and she is not appreciating the fact they were misled to make such a purchase and stated in the future she would like to ensure they have all documents presented when purchasing land.

A public comment was made by Carl Broush who lives next door to 203 Prairie Street. Mr. Broush said it would be a great place for city parking for downtown businesses and to make it part of the downtown historic district.

Councilmember Casey Olson asked if the property is in the historic district.

Mayor Sanford responded it was.

Ms. Stephanie Clevenger asked to clarify the property location.

Mayor Sanford said the property is north of 203 Prairie Street right behind the steakhouse.

Councilmember Carol Langley asked if they received any letters.

Mr. McCorquodale responded that they had not.

Mayor Sanford **CLOSED** the Public Hearing **6:20 P.M.**

5. Consideration and possible action on AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS AMENDING THE ZONING CLASSIFICATIONS AS DEFINED IN THE CITY CODE OF ORDINANCES CHAPTER 98, "ZONING," FOR A 0.225-ACRE TRACT SITUATED IN THE JOHN CORNER SURVEY, ABSTRACT NUMBER A-8, COMMONLY REFERRED TO AS 203 PRAIRIE STREET, MONTGOMERY, TEXAS FROM "R-1" SINGLE-FAMILY RESIDENTIAL ZONING DISTRICT, AS FOUND ON THE CITY'S OFFICIAL ZONING MAP TO "B" COMMERCIAL ZONING DISTRICT CLASSIFICATION; AND TO AMEND THE OFFICIAL ZONING MAP; PROVIDING A SAVINGS CLAUSE; PROVIDING A REPEALING CLAUSE; AND PROVIDING AN EFFECTIVE DATE UPON PASSAGE AND PUBLICATION.

Mr. McCorquodale said this is the ordinance needed to make the rezoning of the property official.

Councilmember Casey Olson asked to clarify, the last three items of the agenda all have to do with rezoning of the same property.

McCorquodale said yes.

Councilmember Casey Olson moved to rezone the property to class B-Commercial and adopt the ordinance in accordance with 203 Prairie Street location map as Exhibit A. Councilmember Stan Donaldson seconded. **Motion Passed (5-0).**

6. Consider Appointment of John Fox to Planning & Zoning Commission Place 1.

Mr. John Fox said he worked with The Woodlands Corporation and is a board member of the Woodlands Design Standards Committee with 45 years' experience in homebuilding and land development adding that he was also a former mayor of Montgomery and councilmember.

Councilmember Sara Countryman moved to appoint John Fox to the Planning and Zoning Commission Place 1. Councilmember Casey Olson seconded the motion. **Motion Passed (4-0-1)**

Councilmember Cheryl Fox did not vote (abstained) on item #6.

7. Presentation of a proposed 96-acre estate lot single-family residential development as submitted by Devpoint, LLC.

Item #7 has been withdrawn.

8. Consideration and possible action on calling a Public Hearing to be held on December 12, 2023 at 6:00 pm related to a rezoning request for approximately 3 acres of land near the intersection of Clepper Street and C.B. Stewart Drive from B-Commercial to I-Institutional.

Mr. McCorquodale said The Woodlands Methodist Church, the potential purchaser has asked to give a presentation regarding their request.

Pastor Jeff Olive who serves as the Pastor of new church development for The Woodlands Methodist Church gave his presentation. Pastor Olive said the church was founded in 1978, has 14,000 members with three locations and their mission as a church is to reach people for Jesus and help those in need.

Pastor Olive said part of the vision for the church is to start three new worship communities within the next three to five years this is part of what they have been doing in their work recently in Montgomery with another church which was launched in Oak Hills Junior High School off of Keenan Cutoff Road on Sunday mornings.

Pastor Olive said they are now looking for a permanent location and considering the 14-acre property at the corner of Clepper Street and C.B. Stewart Drive across from Ransom's Steakhouse, however, this particular property has some timelines and challenges for them which they may not be able to meet.

Mr. Mike Christopher, Project Manager for the church said they are under a feasibility period that expires in late December and said one of the challenges is a portion of the property is zoned commercial and would need to be zoned institutional the other challenge is the property was platted as a restricted reserve for commercial only in which they would need to do a replat of the property.

Councilmember Cheryl Fox asked how this would be done with Ransom's because Ransom's sells alcoholic beverages.

Mr. Christopher said they are grandfathered, and they would be willing to sign a required waiver.

Councilmember Casey Olson said because Ransom's was there first, the church would have to adjust their location to keep 300 feet away.

Councilmember Sara Countryman said currently it is under a Planned Development (PD) that expires in January.

Mr. McCorquodale responded that the actual zoning of the PD will not change the development, but the PD zoning will stay that way until the city changes it.

Councilmember Casey Olson asked if they could do a contingency and agree to rezone on contingent that they move forward otherwise it would not rezone.

Mr. Alan Petrov, City Attorney said that is a possibility.

Councilmember Sara Countryman asked if there are any other considerations to consider.

Mr. Alan Petrov, City Attorney said to keep in mind this meeting is just calling for a public hearing.

Mr. Christopher said if the churches could be in the commercial zone that would give more flexibility.

Councilmember Casey Olson asked if the problem with that would fall on the tax.

Mr. Petrov said just changing the zoning would not change the tax as it would be taxed on actual use of the property.

Councilmember Stan Donaldson asked if the entire parcel is 14-acres and just three acres needs to be rezoned.

Mr. Christopher said yes, the three acres need to be zoned institutional.

Councilmember Stan Donaldson said it looks like there are three structures on the preliminary drawing and asked if they know what size sanctuary they want to build and how many people will it seat because that will determine how much parking will be available.

Mr. Christopher said they are only looking at a 10-acre site so they will have enough room to expand.

Councilmember Carol Langley moved to hold a public hearing on the rezoning request to be held on December 12, 2023, at 6:00 p.m. at City Hall. Councilmember Casey Olson seconded the motion.  
**Motion Passed (5-0).**

9. Consider Amendment to the Personnel Policy to Remove Cost of Living Allowance (COLA Restrictions).

Mr. McCorquodale said it is his understanding they are removing the conditions that COLA would have to be across the board for all employees. He continued stating it allows for any employee and believes this will be tied to the compensation study that will be done this year.

Councilmember Casey Olson stated in order for them to follow through with the COLA they passed earlier with the budget if they have to adjust the policy.

Councilmember Stan Donaldson said he would rather table this item because he does not know what exactly Mr. Palmer is changing.

Councilmember Casey Olson said the biggest change was they had to change the policy from stating across the board or they could select.

Councilmember Sara Countryman moved to table item #9 until further information is provided. Councilmember Carol Langley seconded the motion. **Motion Passed (5-0).**

10. Consideration to Approve a Resolution to Join the Houston-Galveston Area Council (H-GAC)

Mayor Sanford said he has been working to redevelop relations with H-GAC and had a good preliminary meeting with the highest up to try to establish relations enough to where they can get consideration for their needs. He went on to say they are going to follow up with another meeting going around town with various staff.

Mayor Sanford said for now he is in contact with other area mayors and economic development corporation representatives to try and establish a network of people who have the same considerations for their transportation, revitalization. He noted that Montgomery County as a whole is not well represented and especially their end of the County and what they are trying to do is get put on the map.

Mayor Sanford said the meeting he will be having is scheduled for December 15<sup>th</sup> and should be a big part of the future economic developer's task will be to keep this going as it is a full-time effort to get Montgomery's needs front and center to the people who may be able to help them with the money.

Councilmember Sara Countryman asked who is responsible for this relationship moving forward and who will be going to the meetings and be the face of Montgomery at H-GAC.

Mayor Sanford said for now it will be himself and Council.

Councilmember Cheryl Fox asked what the cost is.

Mayor Sanford said he was not sure of the cost.

Councilmember Casey Olson said because they are on the other side of the whole region from where the meetings are generally held, is there a requirement of how many meetings they can or cannot miss?

Mayor Sanford said no it is strictly representation as you see fit.

Councilmember Sara Countryman moved to table item #10 until further information is provided. Councilmember Cheryl Fox seconded the motion. **Motion Passed (5-0).**

**EXECUTIVE SESSION:**

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

**551.072** (deliberation regarding real property) – 905 Stewart Street and 213 Prairie Street

Council Convened into Executive Session at 6:57 P.M.

Council Reconvened into Regular Session at 7:37 P.M.

**POSSIBLE ACTION FROM EXECUTIVE SESSION:**



Consideration and possible action from items discussed in executive session.

There were no motions made.

### **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.

Councilmember Casey Olson said he spoke with Chief Solomon regarding Ms. Walker's concerns with Planning and Zoning regarding enforcing stricter consequences for violations within the historic district. Councilmember Casey Olson said there are ordinances that will allow us to fine them and suggests that they do. Councilmember Sara Countryman said she agrees.

Councilmember Sara Countryman asked Chief Solomon if they have a new Code Enforcement Officer.

Chief Solomon said no.

Councilmember Sara Countryman said she watched the Planning and Zoning meeting and there was a new Code Enforcement Officer introduced she then asked Mr. McCorquodale who was the person he introduced as the Code Enforcement Officer.

Mr. McCorquodale responded that he introduced the Utility and Permit Technician and said she also has a certification in code enforcement.

Councilmember Sara Countryman asked if that was the water utility lady and if so, why is she giving code enforcement advice to Planning and Zoning.

Councilmember Sara Countryman said she had a resident contact her who went on the City website to use their GIS services and it asked for a login from a company called Quiddity. She went on to say that she contacted Quiddity who is Jones and Carter and spoke with Matt who told her he contacted Mr. McCorquodale three months ago to let him know the GIS agreement was expiring. Councilmember Sara Countryman said Mr. McCorquodale has all the files on the thumb drive and asked if he could put that on the city website because there are a lot of people who use it.

Mr. McCorquodale said no they need to find another GIS provider to be able to upload the data.

Councilmember Sara Countryman asked if someone is needing GIS service what is being done for that.

Mr. McCorquodale said they need to submit a public information request.

Councilmember Sara Countryman stated there is no parking for the Cajun restaurant and they have not obtained a variance for it. She asked how they are having a restaurant with no parking.

Mr. McCorquodale said if they want, they can rule on whether or not this business has the right to open at all.

Councilmember Sara Countryman asked if the owner has been advised of the City's parking ordinance.

Mr. McCorquodale said he is not sure what would be done to create space for parking because there is no space for parking.

Councilmember Sara Countryman said they need to adhere to their ordinances no matter the situation as the ordinances must still be followed.

Mr. McCorquodale said he will check with the attorney and if a variance applies, he will bring it back to Council.

Councilmember Sara Countryman said for trash administration fees they approved that 2.5 percent would be added on to Waste Management, adding that fees have been added but her last two bills have not had the 2.5 percent city administration fees printed on there. She then said they based their budget on these fees and asked if they knew when those fees are going to be added.

Mr. McCorquodale said he has nothing to do with that, but he will find out and make sure he gets an answer and would meet with Mr. Palmer, Ms. Carl, and Ms. Browe.

Councilmember Cheryl Fox asked Mr. Petrov how they will move forward with getting the term of Council from two years to three years on an election ballot.

Mr. Petrov said that would take an action item from Council to set it up as a proposition on the next regular election.

Councilmember Cheryl Fox asked if they need to have an action item on the next agenda where they vote for or against it.

Mayor Sanford said you have to decide to move in that direction and then a public hearing needs to take place.

Councilmember Casey Olson said the goal would be to avoid removing the entire Council every three years, they would need to without interrupting a term.

Councilmember Cheryl Fox said in a two-year term not much gets done but a three-year term you could change them out and it would not disrupt everything in Council.

Councilmember Casey Olson said if they get it changed to three, they still will have half the Council changed out in three years.

Councilmember Stan Donaldson said the only way to solve this problem is for the people that are running to keep running.

Mr. Petrov said often times there is the procedure to draw straws for who gets the shorter term and who gets the longer term, he will double check the election code to see if that is still what the procedure is. He stated the last time he had a city that did this they went from two-year terms to four-year terms, which was a bit easier than three years.

Councilmember Sara Countryman asked the Code Enforcement Officer Ms. Corinne Tilley if it is possible if they can have ordinances when they are discussing properties and things like that to make sure historical ordinances and other ordinances are considered.

Councilmember Sara Countryman asked Ms. Tilley if she can she look for any holes or anything they can get ahead of for instance the church, which she likes they are coming to Council to introduce themselves and let Council know what their ideas are then we can say here is all the information you need to know up front and the things that need to be considered.

Councilmember Sara Countryman said that all begins at Planning and Zoning before it gets to Council. She then asked if the Code Enforcement Officer could go to the Planning and Zoning Commission and let them

know all the ordinances and considerations, they need to take part in before presenting it to Council because they need to satisfy those conditions.

Councilmember Sara Countryman said these are the things they need to make sure are done and when they come in front of Council the Code Enforcement Officer can confirm what Council is approving, they know is within the ordinance guidelines.

Councilmember Casey Olson said even if Ms. Tilley did not attend the Planning and Zoning meetings, she could just review the agenda and address the items that may have code issues.

Mr. Chris Roznovsky, City Engineer said in the site planning phase it is relatively easy because they review everything when there are new buildings, green build sites and things like that where the ordinances are covered. He added that the gray area and a lot of the issues are downtown, the historic district, rebuilds and modifications. Mr. Roznovsky concluded these are the areas that need clarification in regard to ordinance guidelines.

Councilmember Sara Countryman said they have most issues with downtown and wants to make sure everything is considered and approved all up front especially when it is pertinent or in the historic district zone, maybe Ms. Tilley could come and present on that item.

Ms. Tilley asked if Councilmember Sara Countryman would like for her to review what is submitted.

Councilmember Sara Countryman said yes to ensure the ordinances are being followed.

Councilmember Sara Countryman asked Chief Solomon if it is possible for Ms. Tilley to review items on the agenda when it is pertinent or in the historic zone.

Chief Solomon responded yes.

Mayor Sanford said the Planning and Zoning Commission were unclear about the direction of the side lights. Mayor Sanford said last night he drove by, and it looked nice and said if it leaves Planning and Zoning it is not brought to Council unless it is right.

Councilmember Carol Langley asked whose idea it was to change the email.

Councilmember Cheryl Fox said Jake with OCS said Gmail was primarily personal and moving to Microsoft made it more business oriented.

Mayor Sanford informed Council he has no plans to run for re-election this next year and will be following the Lord's will for his life.

**ADJOURNMENT**

Councilmember Carol Langley moved to adjourn the meeting. Councilmember Cheryl Fox seconded the motion. **Motion Passed (5-0).**

**Adjourned at: 8:00 P.M.**

Submitted by: Diana Titus  
Deputy City Secretary

Date Approved: \_\_\_\_\_



# Montgomery City Council

## AGENDA REPORT

<b>Meeting Date:</b> December 12, 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 Montgomery ISD for a CTE and agri-sciences campus on a 35.45-acre parcel of land near the northwest corner of Lone Star Parkway and Buffalo Springs Bridge Drive. (Dev. No. 2307).

### Recommendation

Approve the Escrow Agreement as presented.

### Discussion

#### Issue:

MISD has purchased land west of the Town Creek Crossing neighborhood near Lone Star Parkway and Buffalo Springs Drive. This is the city's standard escrow agreement to cover engineering review costs.

#### Regulations:

The property was originally platted as part of Town Creek Crossing. The zoning for the property is PD – Planned Development. The PD restrictions allow for school 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.

#### 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/district, 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: 12/06/2023
City Administrator	Gary Palmer	Date: 12/06/2023

**ESCROW AGREEMENT**

**BY AND BETWEEN**

**THE CITY OF MONTGOMERY, TEXAS,**

**AND**

**Montgomery Independent School District**

**Dev. No. 2307**

THE STATE OF TEXAS                    ⤵

COUNTY OF MONTGOMERY           ⤵

This Escrow Agreement is made and entered into as of the \_\_\_\_\_ day \_\_\_\_\_, 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 Montgomery Independent School District (hereinafter called the "Developer").

**RECITALS**

WHEREAS, the Developer desires to acquire and develop all or part of a 35.45 – acre sometimes referred to as the MISD CTE/Ag 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 MISD CTE/Ag 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	\$7,000
Legal	\$500
<hr/>	
TOTAL	\$8,000

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
If to Developer, to:	Kristopher Lynn Montgomery Independent School District 20774 Eva Street Montgomery, Texas 77356

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

Montgomery ISD  
Developer

By:  \_\_\_\_\_  
Signature

Title: Chief Operations Officer

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.

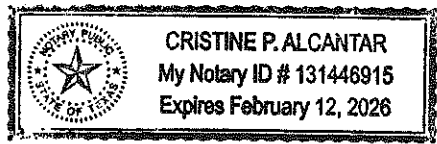
GIVEN UNDER MY HAND AND SEAL OF OFFICE on this the \_\_\_\_\_ day of \_\_\_\_\_, 2023.

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

THE STATE OF TEXAS {  
COUNTY OF Montgomery

BEFORE ME, the undersigned, a Notary Public in and for the State of Texas, on this day personally appeared Kris Lynn of MONTGOMERY ISD, a \_\_\_\_\_, 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 13 day of NOV, 2023.



Cristine Alcantar  
Notary Public, State of Texas

# Montgomery City Council

## AGENDA REPORT

<b>Meeting Date:</b> December 12, 2023	<b>Budgeted Amount:</b> N/A
<b>Department:</b> Admin	<b>Prepared By:</b> Dave McCorquodale

### Subject

Consideration and possible action by the Montgomery City Council acting as the Zoning Board of Adjustment regarding a requested appeal of a denial of the use of the property at 502 Louisa Street, currently zoned R1-Single Family Residential, for commercial use.

### Recommendation

Consider the information and uphold or overturn the staff decision denying the use of the property for commercial use.

### Discussion

#### Issue:

The owner of 502 Louisa Street began using the existing single-family home for a professional office for a commercial trucking company. No one resides on the property. City staff contacted the property owner and business owner occupying the property denying the commercial use and providing information of the right of the property owner to appeal the decision to the Board of Adjustment based on the current zoning of the property.

#### Regulations:

Section 98-121 of the City Code of Ordinances [Single Family Residential Use Regulations]:

Buildings or premises in District R-1 shall be used only for the following purposes:

- (1) Uses permitted in an R-1 district in the table in section 98-88.
- (2) Single-family dwellings, including structures which also house immediate relatives of the family (including their parents, adult children, brothers, sisters, uncles, aunts, nephews and nieces) who are living together and sharing expenses for convenience or necessity and not as commercial renters.
- (3) Existing churches.
- (4) Existing parks, playgrounds, community buildings and other public recreational facilities owned and/or operated by the city or other public agency.
- (5) Existing public buildings, including libraries, museums, police stations and fire stations.
- (6) Existing schools, such as public elementary, intermediate or high schools.
- (7) Water supply reservoirs, pumping plants and towers.
- (8) Accessory uses customarily incident to the uses listed in this section and located on the same lot therewith, not involving the conduct of a retail business, and as defined in this subsection. The term "accessory use" shall include all home occupations which shall comply with the following standards and criteria in addition to any other standards imposed by the city council when such use is permitted by specific use permit:
  - a. The home occupation shall be conducted only within the principal dwelling.
  - b. No more than one additional person other than the residents residing on the premises shall be employed or engaged in the home occupation at the premises.
  - c. There shall be no alteration or change to the outside appearance, character or use of the dwelling or premises, or other visible evidence of the conduct of such home



## Montgomery City Council AGENDA REPORT

occupation, other than one sign not exceeding two square feet in area, non-illuminated, and mounted flat against the wall of the principal building.

- d. No home occupation shall occupy more space than 25 percent of the total floor area of a residence, exclusive of any open porch, attached garage, or similar space not suited for or intended to be occupied as living quarters; provided, however, that in no event shall such home occupation occupy more than 600 square feet.
- e. No equipment or process shall be used in such home occupation which creates noise, vibrations, glare, fumes, odors or electrical interference detectable to the normal senses outside the dwelling unit. No equipment or process shall be used which creates visual or audible interference in any radio or television receivers off the premises.
- f. No articles or materials used in connection with such home occupation shall be stored outside on the premises.
- g. No more than one automobile or truck, whose size shall not be larger than a stock one-ton panel or pickup truck, used in connection with such home occupation, shall be permitted to park on the premises in question, or off the premises in question and within view from surrounding properties.

Section 98-29(3) of the City Code of Ordinances [Powers of Board of Adjustment]:

(3) Special exceptions. The board of adjustment shall have the power to hear and decide special exceptions to the terms of this chapter upon which the board of adjustment is required to pass as follows or elsewhere in this chapter:

- a. Permit a public utility or public service use or structure in any district, or a public utility or public service building of a ground area and of a height at variance with those provided for in the district in which such public utility or public service building is permitted to be located, when found reasonably necessary for the public health, convenience, safety, or general welfare.
- b. Permit a transitional use between a business or residential district where the side of a lot in the R-1 district abuts upon a lot zoned for business or industrial purposes. The transitional use granted to a property is transferable to a subsequent property owner, provided that the property conveyed is the same identical property holding the grant of transitional use.
- c. **Grant a permit for the extension of a use, height or area regulation into an adjoining district, where the boundary line of the district divides a lot in a single ownership on the effective date of the ordinance from which this chapter is derived.**
- d. Permit the reconstruction of a nonconforming building which has been damaged by explosion, fire, acts of God, or the public enemy, to the extent of more than 50 percent of its fair market value, where the board of adjustment finds some compelling necessity requiring a continuance of the nonconforming use is not to continue a monopoly.
- e. Waive or reduce the parking requirements in any of the districts whenever the character of the building is such as to make unnecessary the full provision of parking facilities, or where such regulations would impose an unreasonable hardship upon the use of the lot, as contrasted with merely granting an advantage or a convenience.

### Analysis:

The attached exhibit shows the current zoning in the area of Louisa Street and the property. As shown, the B-Commercial district extends into the rear portion of 502 Louisa Street, and the Board of Adjustment may permit the extension of the Commercial district to the rest of the property.

### Recommendation:

While commercial development lies to the north and east of Louisa Street, the overall character, zoning, and use of the street is residential. Extension of the commercial district to the rest of the property for only professional will likely be difficult to enforce—B-Commercial zoning allows for a

Montgomery City Council  
**AGENDA REPORT**

wide range of uses and limiting the use to professional would require continued monitoring by city staff. Staff recommends denial of the request to use the property for commercial use.

Approved By		
Assistant City Administrator & Planning & Development Director	Dave McCorquodale	Date: 12/07/2023
City Administrator	Gary Palmer	Date: 12/07/2023



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

October 17, 2023

Tanya White  
PO Box 333  
Montgomery, Texas 77316  
(MCAD ID# R123979)

RE: Use of 502 Louisa Street (MCAD ID# R338685) as a professional office

Mrs. White,

After reviewing your request to use the structure at 502 Louisa Street for a professional office, city staff denies the request. This denial is based on *Chapter 98-Zoning* of the City Code of Ordinances. The property zoned R1-Single Family Residential, which does not allow for business use excepting limited home occupation for business use that is incidental to residency at the property.

You do have the right to appeal this decision to the Zoning Board of Adjustment. The City Council serves as the Board of Adjustment and can provide an exception to the zoning regulations in this case because the property is bordered by a B-Commercial zoning district as follows:

Section 98-29(h)(3)(b) [The Board of Adjustment may] permit a transitional use between a business or residential district where the side of a lot in the R-1 district abuts upon a lot zoned for business or industrial purposes. The transitional use granted to a property is transferable to a subsequent property owner, provided that the property conveyed is the same identical property holding the grant of transitional use.

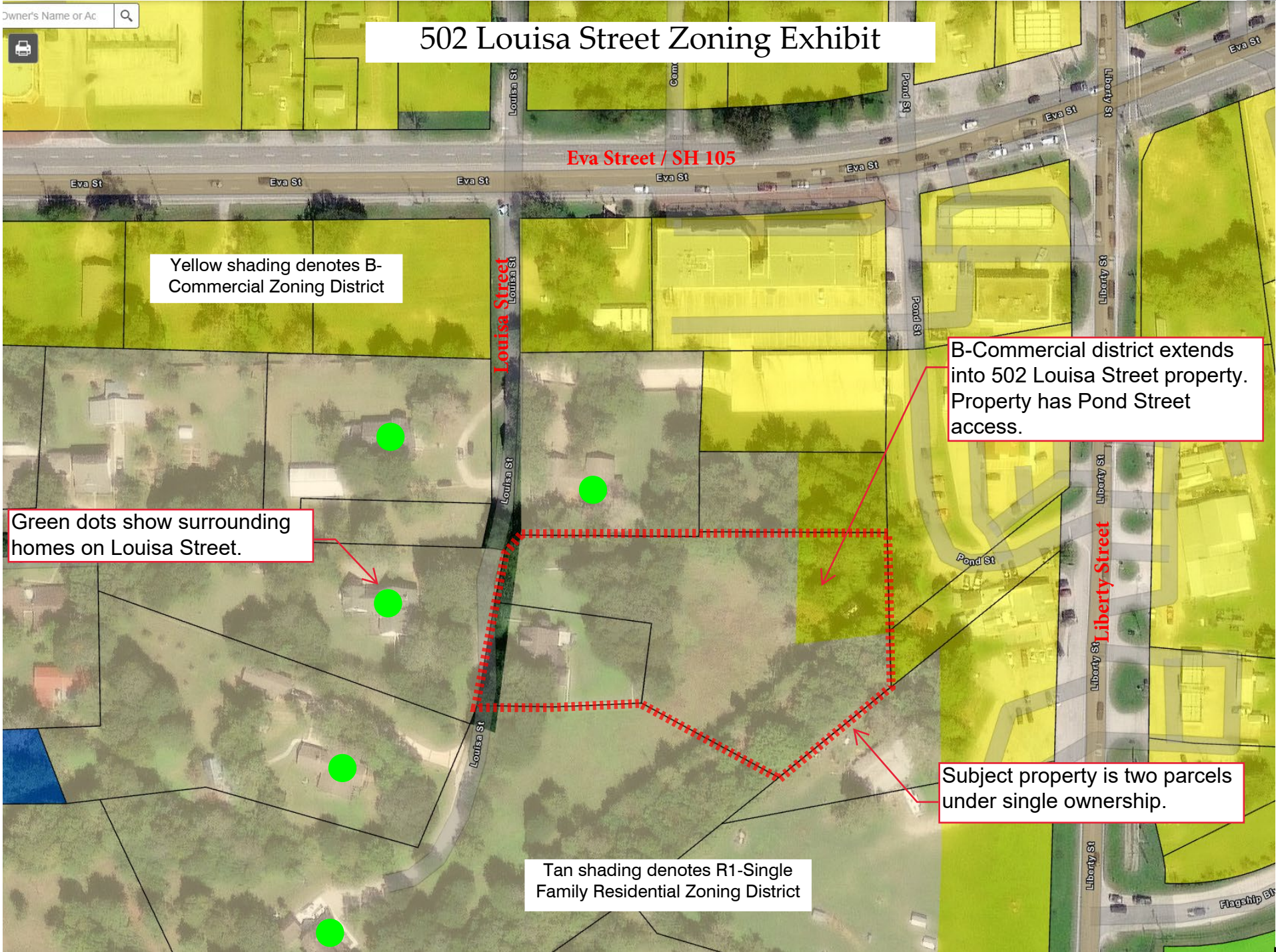
Please feel free to contact me to discuss this decision or the steps required to request a hearing on the matter by the Board of Adjustment. My email address is [dmccorquodale@montgomerytexas.gov](mailto:dmccorquodale@montgomerytexas.gov) and my office phone is (936)597-3235.

Dave McCorquodale, RLA, CPM  
Assistant City Administrator  
Director of Planning & Development  
City of Montgomery, Texas

Mayor, Byron Sanford

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





# 502 Louisa Street Zoning Exhibit

Eva Street / SH 105

Yellow shading denotes B-Commercial Zoning District

B-Commercial district extends into 502 Louisa Street property. Property has Pond Street access.

Green dots show surrounding homes on Louisa Street.

Subject property is two parcels under single ownership.

Tan shading denotes R1-Single Family Residential Zoning District

**Dave McCorquodale**

---

**From:** Glenn Mitchell <barrettmitch@icloud.com>  
**Sent:** Monday, October 23, 2023 9:45 AM  
**To:** Dave McCorquodale  
**Subject:** Re: 502 Louisa St Special Use Permit

Also I forgot to add.

The new owners that will be there are T-Tay and Tanya White. They own CSW and Triple T Cattle.

It will be office for CSW.

On Oct 18, 2023, at 11:10 AM, Barrett Mitchell <barrettmitch@icloud.com> wrote:

Dave,

Please see attached survey and reply to your email. If you can please help us expedite this as we are against the clock.

Thank you for your time.

Owner- Mitchell Built Homes, LLC

Use- We intend you use said property as office for back end work supporting trucking company located in South Texas. This property will not have commercial vehicles or commercial traffic. Monday-Friday it will have 2 employees located indoors performing payroll, invoicing, etc. Occasionally owners will stay in house as a second home in the area. Outside will be used as a typical residential yard and will be maintained as such.

Currently there are two properties 502 Louisa and TBD Louisa. TBD already has commercial use and we intend on combining the two properties. This is just for office use. There will be no "for sale" or commercial vehicle use at this property. We do not intend on placing signage or anything like that. Its just indoor use.

Reason for request- Currently adjacent to commercial zoning, and property already has partial commercial use. We intend on having low-volume of users/employees on site. We will not open to the public, rear portion of property is already zoned commercial. We will not have any impact on current neighbors or other businesses already located on the same street. Right now both houses directly across from 502 Louisa are used as VRBO businesses and one has Business signage outside.

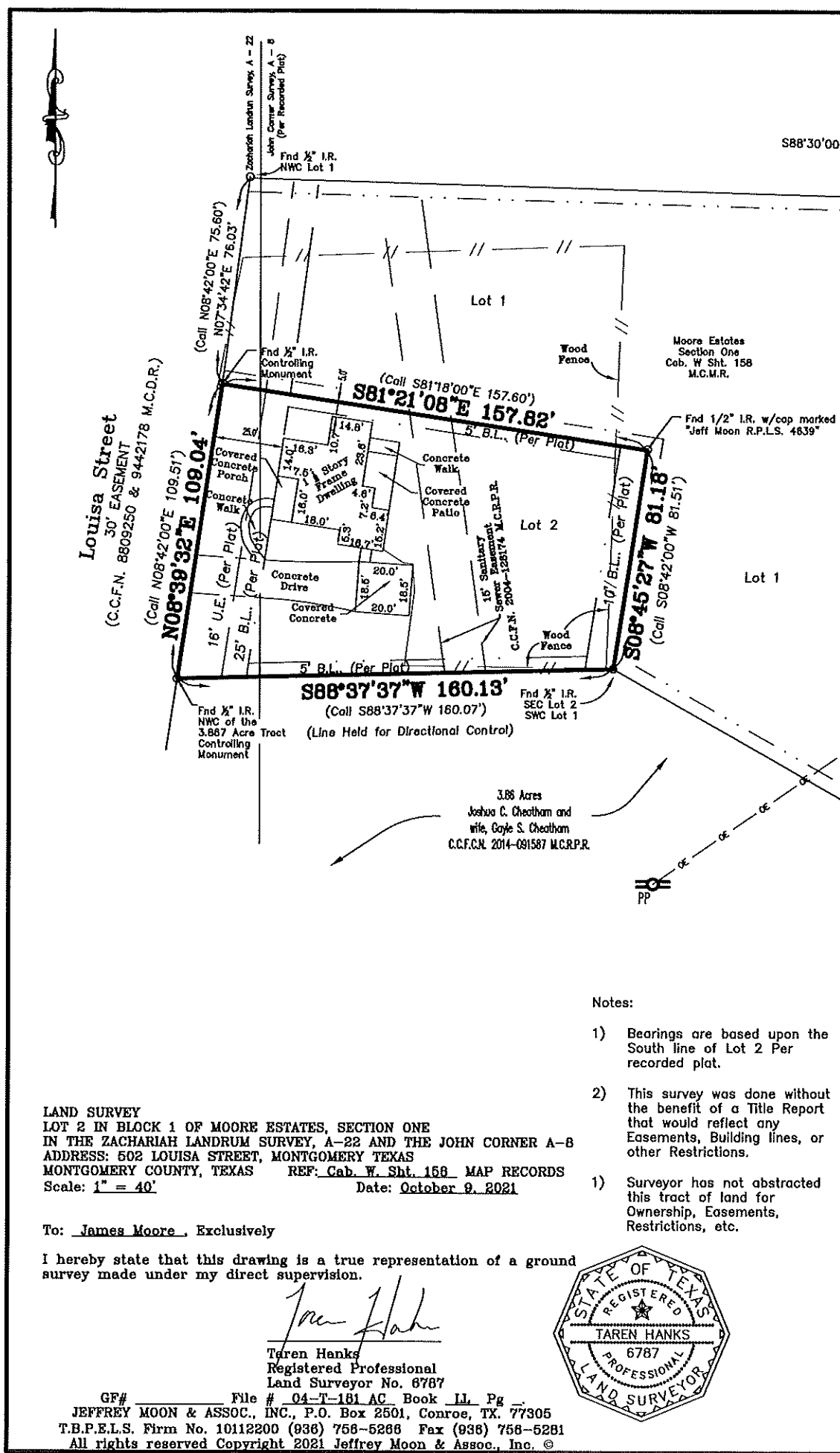
Im attaching survey for reference use. Outside will be a normal house. It is also still a fully punctual house. Kitchen, bedrooms, bathrooms etc.

Thank you,

936-697-5443









## Montgomery City Council AGENDA REPORT

<b>Meeting Date:</b> December 12, 2023	<b>Budgeted Amount:</b> N/A
<b>Department:</b> Admin	<b>Prepared By:</b> Dave McCorquodale

### Subject

Consideration and possible action by the Montgomery City Council acting as the Zoning Board of Adjustment regarding a requested appeal of a Planning & Zoning Commission action denying the use of synthetic lawn at 504 Caroline Street in the Historic Preservation District.

### Recommendation

Consider the information and uphold or overturn the Commission's denial of the synthetic lawn.

### Discussion

#### Issue:

The owner of 504 Caroline Street requested to use synthetic lawn in lieu of natural turf for the landscaped area of the property at the October 3, 2023 Planning & Zoning Commission meeting. The Commission denied the synthetic lawn. The applicants have appealed the decision and requested the matter be heard by the Zoning Board of Adjustment. The P&Z Meeting Minutes are attached for reference. Pages 2-6 of the minutes include discussion of the item.

#### Regulations:

Section 98-347 of the City Code of Ordinances:

No person shall carry out any exterior construction, reconstruction, alteration, restoration, rehabilitation, demolition, or relocation of any historic landmark or any property within an historic preservation district, nor shall any person make **any material change to other exterior elements visible from a public right-of-way** which will affect the appearance and cohesiveness of any historic landmark or any property within an historic preservation district without receiving approval from the Planning and Zoning Commission.

Section 98-29(4) of the City Code of Ordinances [Powers of Board of Adjustment]:

Variances. The Board of Adjustment shall have the power to authorize upon appeal in specific cases such variance from the terms of this chapter as will not be contrary to the public interest, where, owing to special conditions, a literal enforcement of the provisions of this chapter will result in unnecessary hardship, and so that the spirit of this chapter shall be observed, and substantial justice done, including the following:

- a. Permit a variance in the yard requirements of any district where there are unusual and practical difficulties or unnecessary hardships in the carrying out of these provisions due to an irregular shape of the lot, or topographical or other conditions, provided such variance will not seriously affect any adjoining property or the general welfare.
- b. Authorize, upon appeal, wherever a property owner can show that a **strict application of the terms of this chapter relating to the use, construction or alteration of buildings or structures or the use of land will impose upon him unusual and practical difficulties or particular hardship**, such variances from the strict application of the terms of this chapter as are in harmony with its general purpose and intent, but only when the board of adjustment is satisfied that a granting of such variance will not merely serve as a convenience to the

## Montgomery City Council

### AGENDA REPORT

applicant, but will alleviate some demonstrable and unusual hardship or difficulty so great as to warrant a variance from the comprehensive plan as established by this chapter, and at the same time the surrounding property will be properly protected.

#### Analysis:

Following the denial of the material by the P&Z Commission, the contractor installed the synthetic turf on the property. Additionally, the contractor and owner submitted the appeal request being considered tonight. The Commission cited the following reasons for denial:

- The artificial nature of the material is not consistent with the historic structures and elements in the Historic Preservation District.
- The lack of any other examples of artificial turf in the Historic Preservation District poses a risk of losing cohesiveness between this property and surrounding properties.

Neither the Historic Preservation Ordinance or Historic District Guidelines speak directly to the use of alternative landscape materials. The Ordinance is clear on requiring P&Z approval for exterior elements of properties that are visible from the public Right-of-Way within the Historic Preservation District.

#### Recommendation:

The Zoning Board of Adjustment has two options:

1. Uphold the P&Z Commission denial of the synthetic lawn on the grounds that the use of an artificial material used in this manner is not consistent with cohesiveness of the Historic Preservation District, or
2. Grant the applicant's appeal and approve the request to use synthetic turf. As outlined in Section 98-29 of the City Code of Ordinances, approval should be based on:
  - a. The property owner showing that a strict application of the terms of this chapter relating to the use, construction or alteration of buildings or structures or the use of land will impose upon him unusual and practical difficulties or particular hardship.
  - b. A variation from the strict application of the terms of this chapter as are in harmony with its general purpose and intent, but only when the board of adjustment is satisfied that a granting of such variance will not merely serve as a convenience to the applicant, but will alleviate some demonstrable and unusual hardship or difficulty so great as to warrant a variance from the comprehensive plan as established by this chapter, and at the same time the surrounding property will be properly protected.

Staff has no material objections to granting the appeal of the applicant. The use of synthetic turf, while not a common material in Montgomery, is widespread in the landscape industry and provides benefits that include eliminating the use of many pesticides and fertilizers and water conservation through reducing the amount of water used for irrigation purposes.

#### **Approved By**

Assistant City Administrator & Planning & Development Director	Dave McCorquodale	Date: 12/07/2023
City Administrator	Gary Palmer	Date: 12/07/2023

## Formal Request for Appeal

### Property Details:

504 Caroline Street  
Montgomery, TX 77356

Owner: Tom Cox  
281-787-6548  
[tcx@gracepointhomes.com](mailto:tcx@gracepointhomes.com)

Contractor: Big Country Companies  
Jake Butler  
832-474-5226  
[jake@bigcountryllc.com](mailto:jake@bigcountryllc.com)

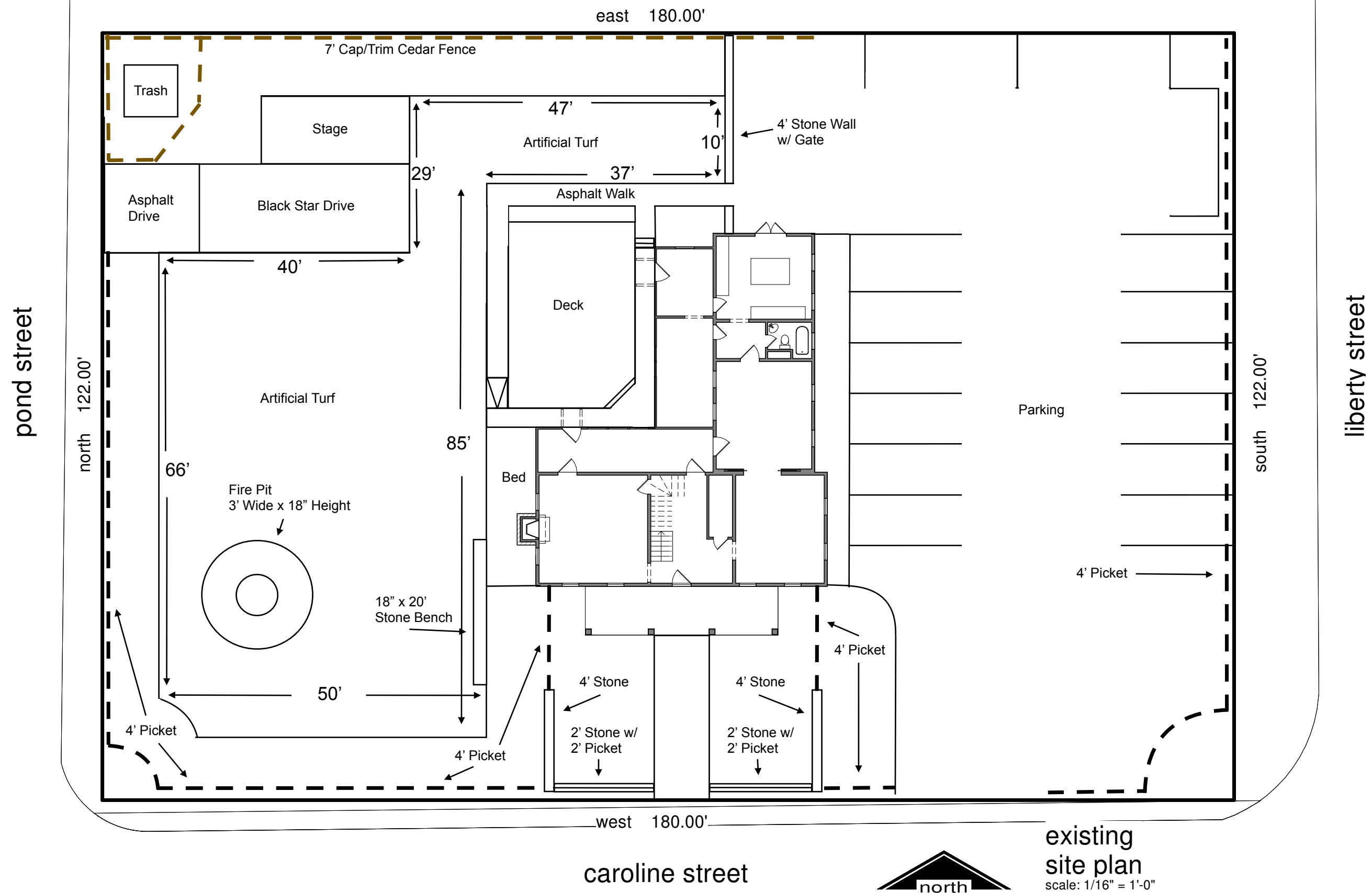
### To Whom It May Concern:

The purpose of this letter is to formally request an appeal/variance for the artificial turf area at the property that Planning and Zoning denied. The main issue and reason for adding the turf is that the large tree canopy won't allow for regular sod to grow. The turf is of very high quality and is made for a natural look. We understand the need to preserve the historical integrity of the district and I believe that this property will be a cornerstone to the historical district.

We would like to add our request to the agenda for the December 5<sup>th</sup> meeting.

Thank you,

Jake Butler





**Applicant-submitted photos of 504 Caroline and the downtown area**

Photo 1: The property before the renovation project.



Photo 2: A recent photo after the renovation project.



Photo 3: A recent photo of the synthetic lawn installed.



Photo 4: A recent photo of the Community Building lawn.





## MINUTES OF REGULAR MEETING

October 3, 2023

### MONTGOMERY PLANNING AND ZONING COMMISSION

#### CALL TO ORDER

Vice-Chairman Simpson declared a quorum was present and called the meeting to order at 6:13 p.m.

Present: Bill Simpson, Merriam Walker, Daniel Gazda

Absent: None (two vacancies on the Commission)

Also Present: Dave McCorquodale, Director of Planning & Development  
Chris Roznovsky, P.E., City Engineer

#### VISITOR/CITIZENS FORUM

None.

1. Consideration and possible action on a proposed sign at 202 McCown Street, located in the Historic Preservation District.

Staff introduced the item and explained that the sign replacement was part of the rebranding of the coffee shop and reminded the Commission that wall signs were allowed to use up to 60% of the total wall area for the sign. The sign is a 4-ft diameter circle in the same location as the previous sign (above the porch roof), the proposed sign met the size regulations. Dan Gazda asked to confirm the sign would not be backlit or have electrical power. Mr. McCorquodale confirmed that is what the applicant provided and there is an existing security-style light already above the sign. Dan Gazda also asked to confirm the material “alumni-panel”. Mr. McCorquodale said it was a composite material that is common in sign making today. Merriam Walker asked if the Commission needed the exact color specification for the red color on the sign or if the submitted information was sufficient. Staff confirmed the information provided was sufficient. Mrs. Walker asked when they planned to install the sign. Staff was not aware of a timeline.

Merriam Walker moved to approve the sign as presented. Dan Gazda seconded the motion, which carried unanimously. (3-0)

**2. Consideration and possible action on proposed exterior improvements to 504 Caroline Street located in the Historic Preservation District.**

Staff introduced the information and noted the applicants were in attendance to answer questions. Mr. Josh Burns, of Big Country Companies, LLC provided the Commission with material samples of stone and synthetic turf that would be referred to during their presentation. Merriam Walker asked about a new circular pit that had been built on the site. Mr. Josh Butler of Big Country Companies, LLC said they built the firepit in order to mock up the stone selection.

Bill Simpson advised the applicants that the Commission would take the improvements one at a time in order of the agenda packet material for clarity. Staff discussed the parking area shown on the site plan and said the existing parking lot was being reconfigured slightly as part of the site improvements. Staff affirmed the parking shown met city requirements.

Merriam Walker moved to approve the revised parking lot as presented. Dan Gazda seconded the motion, which carried unanimously. (3-0)

Staff asked the applicants for clarification on their drainage plan under the turf area. The applicants said they'd be removing asphalt for the proposed synthetic turf area to install subsurface drainage lines. Mr. Butler said the synthetic turf was permeable, allowing water to soak into the grade below and drain toward Pond Street.

Bill Simpson asked the Commission if the Historic District is the best place to install synthetic turf. Merriam Walker asked the applicants if there was a reason they wanted to install synthetic turf. Mr. Butler said they wanted it because it would always be green and look like real turf and required no maintenance. It would also be easier for people walking in the yard and have bare spots and dirt areas. Mr. Butler explained it was not a thin astroturf product but a full surface that was backfilled so that it stands up like real lawn. Bill Simpson said he was concerned about the appropriateness of synthetic turf in the historic district, and his opinion is that it doesn't belong in the historic district. The applicants cited the heavy foot traffic anticipated in the yard as a reason for proposing the turf. Bill Simpson asked how much foot traffic they planned on. The applicants stated the property would host business events for clients. Merriam Walker asked if the material was fire resistant. The applicants stated it was.

The applicants stated the plan they submitted was not to scale and that there would be less synthetic turf than what it looked like on the plan. Additional discussion was had on the distance between



the turf and public right of way, with the applicants indicating that there would be 25 or more feet between the property line and the synthetic turf which would be filled in with natural grass plus shrubs next to the fence. Dan Gazda said there are a lot of good improvements proposed in the plans but this one was not one he could support. The Commission and applicants discussed additional pros and cons of natural versus synthetic turf. Bill Simpson asked who verifies the plans are installed according to plan in cases like this where improvements are not shown to scale on submitted plans. Mr. McCorquodale said city staff would be responsible for it. Merriam Walker said, "Why don't we table it and say it's not to scale and have them bring it back to so that we can scale? And I've heard three people on the panel say that we're not comfortable with the turf so three of us together would mean 'no' if we took a vote, and they'd have to come back to scale and bring it back to us with it to scale and then another suggestion to us or revisit the [synthetic turf]." Bill Simpson asked the applicants if the only thing not to scale on the plan was the artificial turf area or were other things not shown to scale. Mr. Butler said only the proposed synthetic turf area was not to scale and that he hoped to not have to wait to bring a revised plan back next month. Mr. Butler requested if there was a way to get tentative approval without waiting another month. Merriam Walker said if she makes a motion and someone seconds it that will answer number two on the list and we need to suggest to bring it back scaled. She continued, "So if I make a motion, we'll vote...we'll see."

Merriam Walker said, "I make a motion to deny the layout of the artificial turf area and softscape areas pending staff approval of turf sample and drainage plan specifying the artificial turf and the reason we're not...I'm refusing it also is we need a scaled to which the softscape area will be." Dan Gazda asked if this included the location of trees. Mrs. Walker confirmed that it did include location of trees. Dan Gazda seconded the motion. Mr. McCorquodale asked to clarify what information was being asked to be submitted. Merriam Walker said the Commission was saying no to the artificial turf and wanted to see a scaled drawing of the softscape plan showing exact measurements and locations of the trees. The motion carried unanimously. (3-0)

Following the vote, the applicants asked for clarification from the Commission on what needed to be brought back for review. Mrs. Walker explained that she wanted to see a softscape plan that showed the location of trees on the property. The applicants asked the purpose of bringing a softscape plan back for review if the Commission wasn't willing to consider artificial turf. Mrs. Walker indicated that if they were installing softscape items the Commission wanted to review and

approve them. The applicant asked for clarification on why the Commission wouldn't consider artificial turf in the Historic District. Bill Simpson noted that the Commission's review of Historic District elements is for the purpose of protecting and enhancing the landmarks and districts which represent distinctive elements of the city's historic, architectural, and cultural heritage. Mr. Bulter said he believes the work being done on the property [504 Caroline] has done more to protect the historic district than other projects in recent years. Mr. Simpson disagreed.

Bill Simpson asked for a restatement of the motion. Merriam Walker moved to deny the layout of the artificial turf area. Dan Gazda seconded the motion, which again carried unanimously (3-0).

Mr. Simpson said the Commission would move on to Item #3. The applicants reviewed the location of the proposed fences on the property. A 4-ft wood picket fence is planned along Caroline and Liberty Street, with a portion along Pond Street. Merriam Walker asked about the proposed 4-foot stone wall between the parking and lawn area. The applicants affirmed the wall would be a separation between the two areas. The applicants stated the gate in the stone wall would match the picket fence. Merriam Walker asked about staff's note asking about what type of gate was planned for the Pond Street service access. Mr. Butler said his ideas were to either match the picket fence or mimic the 2<sup>nd</sup> story porch balcony on the house.

Merriam Walker moved to approve the picket fence and stone walls as shown on the plans. Dan Gazda seconded the motion, which carried unanimously. (3-0)

Dan Gazda moved to approve the firepit as shown. Merriam Walker seconded the motion, which carried unanimously. (3-0)

Dan Gazda moved to approve the seat wall as shown. Merriam Walker seconded the motion, which carried unanimously. (3-0)

Bill Simpson moved discussion to the proposed stage area. The applicants had additional drawings of the stage that were shown to the Commission. Discussion was also had on a dead tree near the stage. The applicant stated that they were intending to preserve the stump due to a connection they believe exists between one of Sam Houston's visits to Montgomery and the property. Additional discussion was had on trees and the applicants stated they used an arborist to determine whether a

tree was dead or not. The Commission requested a letter from the arborist to affirm that, and the applicants stated they would provide it.

Dan Gazda moved to approve the stage as shown contingent on no permanent lighting being installed as part of the stage. Merriam Walker seconded the motion, which carried 2-1. (Bill Simpson cast the dissenting vote)

On the proposed fountain at the southeast corner, staff asked the applicants for additional information, which was brought to the meeting for review by the Commission. The applicants explained that the fountain was a “disappearing” type fountain with an underground basin that holds rock that the water spills into. There would be no standing pool of water. The applicants stated the fountain would be 18-inches tall with an antique decorative sign accent piece.

Merriam Walker moved to approve the fountain at the southeast corner of the property but not the sign described by the applicant for the focal feature. The sign element proposed to be inside the fountain would be required to be brought back to P&Z for review and approval. Dan Gazda seconded the motion, which carried unanimously. (3-0)

Discussion moved to the Pond Street gate. Mr. Butler said his ideas were to either match the picket fence or mimic the 2<sup>nd</sup> story porch balcony on the house.

Merriam Walker moved to table the Pond Street gate approval until the applicants decided which one they wanted to use and bring it back for approval. The applicant said he had images for both options and would like to discuss them with the Commission and the Commission could pick which gate style they liked best. Mr. Butler showed the Commission an image of the balcony railing and said he would like to build a 4-ft tall gate to match the railing details. Mr. Butler stated he would provide staff

Merriam Walker moved to approve a 4-ft tall gate that mimics the balcony railing. Dan Gazda seconded the motion, which carried unanimously. (3-0)

The Commission stated that concluded all the items presented for consideration. Mr. Butler asked for clarification on the synthetic turf area and that they had limited options on moving forward.

The Commission said it the issue was about preservation of the downtown historic district and the lack of synthetic turf in the historic district. The applicants asked if there was any recourse to appeal the decision. Dan Gazda let them know that they do have the option to appeal to City Council if they want to. The Commission let the applicants know that there was no need to come back to the Commission if the proposed synthetic lawn was changed to real sod.

**3. Consideration and possible action on the Final Plat for Montgomery Bend Section One.**

Mr. Chris Roznovsky reviewed the plat submitted and the engineering memo. He reminded the Commission that they had already seen the Preliminary Plat for the development. Section One includes 69 lots and 7 reserves which include the recreation center for the neighborhood. Mr. Roznovsky reviewed other details that are part of the platting process.

Dan Gazda moved to approve the Final Plat as presented. Merriam Walker seconded the motion, which carried unanimously. (3-0)

**4. Consideration and possible action on the proposed Preliminary Plats for Redbird Meadows Sections One through Three.**

Mr. Chris Roznovsky reviewed the plat submitted and the engineering memo. He also reviewed a general summary of the development terms including lot sizes, setbacks, and street widths. The Commission asked questions on the city's regulations for street widths. Mr. McCorquodale added that the approval for the street width was based on the developer adding an 8-ft wide concrete shared use path. Additional discussion was had on the lot line setbacks and road widths that were approved as part of the Development Agreement approved by City Council. Merriam Walker asked about the plan for the cemetery on the property. Staff did not have any details to provide. Merriam Walker asked for a follow-up from staff on the cemetery.

Merriam Walker moved to approve the Preliminary Plats for Redbird Meadows Sections 1-3 as presented. Dan Gazda seconded the motion, which carried unanimously. (3-0)

5. Consideration and possible action on calling a Public Hearing regarding a preliminary report on the city-initiated rezoning of the property commonly known as 203 Prairie Street, Montgomery, Texas.


Staff introduced the item and explained the property was owned by the city and this was the greenspace north of the building at 213 Prairie Street. Mr. McCorquodale said the Council requested to rezone the property to increase the value of it before selling it.



Dan Gazda moved to call a Public Hearing to be held on November 7, 2023 to be held at city hall regarding the city-initiated rezoning request of the property commonly known as 203 Prairie Street, Montgomery, Texas. Merriam Walker seconded the motion. The motion carried unanimously. (3-0)

Commission Inquiry

Adjournment

Merriam Walker moved to adjourn the meeting at 8:09 p.m. Dan Gazda seconded the motion, which carried unanimously. (3-0)

Prepared by:  Date approved: 12-5-2023  
Dave McCorquodale

Attest:    
Nici Browe, City Secretary Bill Simpson, Vice-Chairman

Montgomery City Council  
**AGENDA REPORT**

<b>Meeting Date:</b> December 12, 2023	<b>Budgeted Amount:</b> N/A
<b>Department:</b> Administration	<b>Prepared By:</b> Maryann Carl

**Subject**

Quarterly Investment Reports for Quarter 1, 2 and 3, 2023

**Recommendation**

Approve quarterly investments reports as submitted.

**Discussion**

Investments reports are required to prepared on a quarterly basis. With the changes that occurred earlier this year, these reports have been delayed. Quarters 1, 2 and 3 are presented for approval.

**Approved By**

Finance Director	Maryann Carl	Date: 12/4/2023
City Administrator	Gary Palmer	Date:



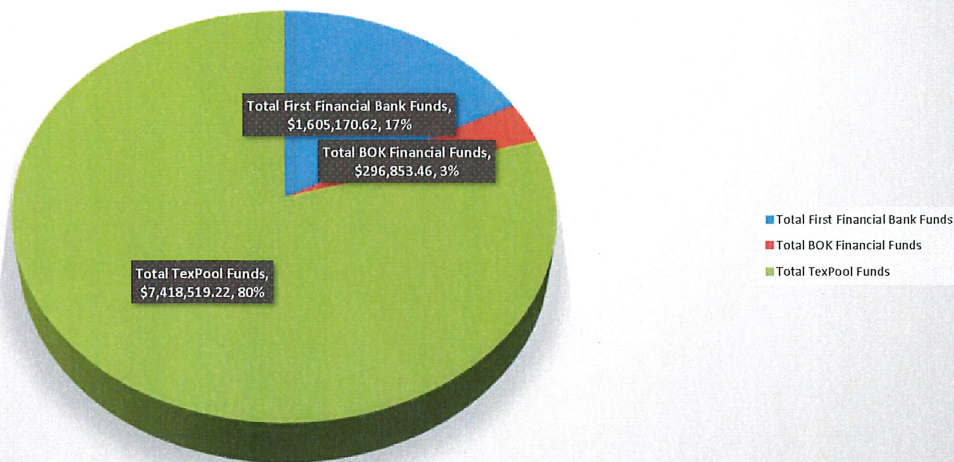
### City of Montgomery Quarterly Investment Report

From January 1 - March 31, 2023

Summary of Funds held at First Financial Bank						
Investments	Beginning Values as of 01/01/23	Ending Values as of 03/31/23	Quarterly Activity	Quarter Interest Earned	YTD Interest Earned	% of Funds
General Fund Checking	\$624,757.46	\$345,769.13	-\$278,988.33	\$612.57	\$612.57	
Utility Fund Checking	\$293,666.00	\$517,750.09	\$224,084.09	\$224.54	\$224.54	
MEDC Fund Checking	\$125,230.07	\$371,938.46	\$246,708.39	\$162.28	\$162.28	
Capital Projects Fund Checking	\$150,129.38	\$132,847.69	-\$17,281.69	\$68.08	\$68.08	
Grant Fund - General Checking	\$10.01	\$10.01	\$0.00	\$0.00	\$0.00	
Grant Fund (1) Checking	\$10.01	\$10.01	\$0.00	\$0.00	\$0.00	
Grant Fund (2) Checking	\$10.01	\$10.01	\$0.00	\$0.00	\$0.00	
Hotel Occupancy Fund Checking	\$20,172.82	\$20,880.74	\$707.92	\$10.47	\$10.47	
Police Asset Forfeiture Fund Checking	\$13,261.05	\$13,266.07	\$5.02	\$5.02	\$5.02	
Court Security Fund Checking	\$3,377.46	\$3,414.12	\$36.66	\$1.29	\$1.29	
Court Technical Fund Checking	\$26,391.52	\$26,556.01	\$164.49	\$13.33	\$13.33	
Police Drug & Misc Fund Checking	\$10,682.08	\$10,686.12	\$4.04	\$4.04	\$4.04	
Debt Service Fund Checking	\$39,851.05	\$162,032.16	\$122,181.11	\$241.99	\$241.99	
<b>Total First Financial Bank Funds</b>	<b>\$1,307,548.92</b>	<b>\$1,605,170.62</b>	<b>\$297,621.70</b>	<b>\$1,343.61</b>	<b>\$1,343.61</b>	<b>17%</b>
Summary of Funds held at BOK Financial						
Investments	Beginning Values as of 01/01/23	Ending Values as of 03/31/23	Quarterly Activity	Quarter Interest Earned	YTD Interest Earned	% of Funds
Series 2017A TWDB	\$104,003.36	\$104,962.77	\$959.41	\$959.41	\$959.41	
Series 2017B TWDB	\$190,136.71	\$191,890.69	\$1,753.98	\$1,753.98	\$1,753.98	
<b>Total BOK Financial Funds</b>	<b>\$294,140.07</b>	<b>\$296,853.46</b>	<b>\$2,713.39</b>	<b>\$2,713.39</b>	<b>\$2,713.39</b>	<b>3%</b>
Summary of Money Market Funds held at TexPool						
Investments	Beginning Values as of 01/01/23	Ending Values as of 03/31/23	Quarterly Activity	Quarter Interest Earned	YTD Interest Earned	% of Funds
General Fund Reimbursement	\$359,963.79	\$363,927.78	\$3,963.99	\$3,963.99	\$3,963.99	
Utility Fund	\$2,186,953.32	\$1,784,463.30	-\$402,490.02	\$22,049.98	\$22,049.98	
General Fund	\$1,231,679.09	\$2,276,061.18	\$1,044,382.09	\$18,127.20	\$18,127.20	
MEDC Reimbursement	\$157,630.84	\$222,245.44	\$64,614.60	\$2,114.60	\$2,114.60	
MEDC General	\$1,503,208.34	\$1,456,883.31	-\$46,325.03	\$16,174.97	\$16,174.97	
Debt Service Fund	\$101,372.68	\$502.88	-\$100,869.80	\$630.20	\$630.20	
Capital Projects American Rescue Plan	\$341,585.85	\$345,347.36	\$3,761.51	\$3,761.51	\$3,761.51	
MEDC Downtown	\$203,205.28	\$205,443.03	\$2,237.75	\$2,237.75	\$2,237.75	
Capital Projects Infrastructure	\$47,445.17	\$47,967.66	\$522.49	\$522.49	\$522.49	
Capital Projects Mobility	\$10,159.50	\$10,271.38	\$111.88	\$111.88	\$111.88	
Capital Projects Building	\$723,714.73	\$705,405.90	-\$18,308.83	\$7,946.06	\$7,946.06	
<b>Total TexPool Funds</b>	<b>\$6,866,918.59</b>	<b>\$7,418,519.22</b>	<b>\$551,600.63</b>	<b>\$77,640.63</b>	<b>\$77,640.63</b>	<b>80%</b>
<b>Total City Funds</b>	<b>\$8,468,607.58</b>	<b>\$9,320,543.30</b>	<b>\$851,935.72</b>	<b>\$81,697.63</b>	<b>\$81,697.63</b>	



### Bank Fund Distribution Summary for Quarter ending 03/31/23



Compliance Statement: This report is presented in accordance and is in compliance with the City of Montgomery's Investment Policy and meets the requirements set forth in Texas Government Code Chapter 2256.023

All Funds are completely insured and/or Collateralized.

*Maryann Carl*

Maryann Carl, Finance Director

Date:

*11/15/23*



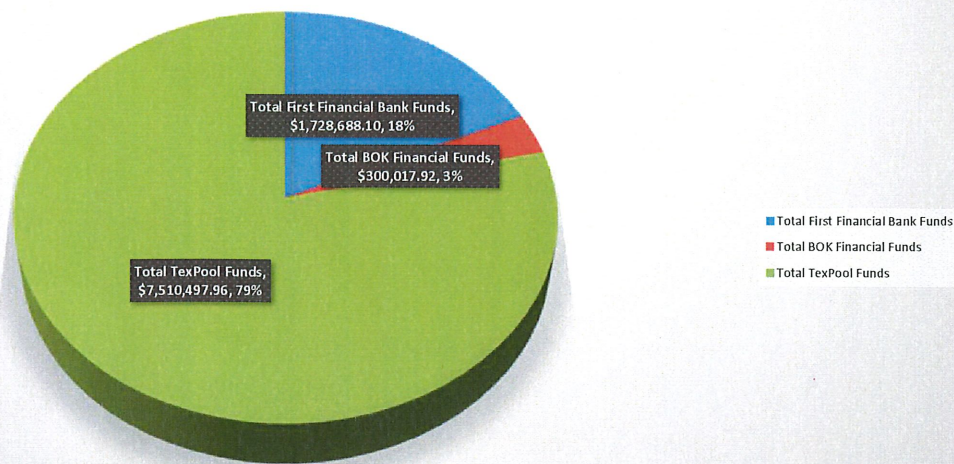


### City of Montgomery Quarterly Investment Report

From April 1 - June 30, 2023

Summary of Funds held at First Financial Bank						
Investments	Beginning Values as of 04/01/23	Ending Values as of 06/30/23	Quarterly Activity	Quarter Interest Earned	YTD Interest Earned	% of Funds
General Fund Checking	\$345,769.13	\$237,007.68	-\$108,761.45	\$242.83	\$855.40	
Utility Fund Checking	\$517,750.09	\$773,860.49	\$256,110.40	\$452.09	\$676.63	
MEDC Fund Checking	\$371,938.46	\$415,902.43	\$43,963.97	\$264.76	\$427.04	
Capital Projects Fund Checking	\$132,847.69	\$56,280.15	-\$76,567.54	\$49.68	\$117.76	
Grant Fund - General Checking	\$10.01	\$10.02	\$0.01	\$0.01	\$0.01	
Grant Fund (1) Checking	\$10.01	\$10.02	\$0.01	\$0.01	\$0.01	
Grant Fund (2) Checking	\$10.01	\$10.02	\$0.01	\$0.01	\$0.01	
Hotel Occupancy Fund Checking	\$20,880.74	\$21,586.92	\$706.18	\$10.75	\$21.22	
Police Asset Forfeiture Fund Checking	\$13,266.07	\$13,271.03	\$4.96	\$4.96	\$9.98	
Court Security Fund Checking	\$3,414.12	\$3,340.38	-\$73.74	\$1.26	\$2.55	
Court Technical Fund Checking	\$26,556.01	\$26,569.26	\$13.25	\$13.25	\$26.58	
Police Drug & Misc Fund Checking	\$10,686.12	\$10,690.11	\$3.99	\$3.99	\$8.03	
Debt Service Fund Checking	\$162,032.16	\$170,149.59	\$8,117.43	\$410.22	\$652.21	
<b>Total First Financial Bank Funds</b>	<b>\$1,605,170.62</b>	<b>\$1,728,688.10</b>	<b>\$123,517.48</b>	<b>\$1,453.82</b>	<b>\$2,797.43</b>	<b>18%</b>
Summary of Funds held at BOK Financial						
Investments	Beginning Values as of 04/01/23	Ending Values as of 06/30/23	Quarterly Activity	Quarter Interest Earned	YTD Interest Earned	% of Funds
Series 2017A TWDB	\$104,962.77	\$106,081.67	\$1,118.90	\$1,118.90	\$2,078.31	
Series 2017B TWDB	\$191,890.69	\$193,936.25	\$2,045.56	\$2,045.56	\$3,799.54	
<b>Total BOK Financial Funds</b>	<b>\$296,853.46</b>	<b>\$300,017.92</b>	<b>\$3,164.46</b>	<b>\$3,164.46</b>	<b>\$5,877.85</b>	<b>3%</b>
Summary of Money Market Funds held at TexPool						
Investments	Beginning Values as of 04/01/23	Ending Values as of 06/30/23	Quarterly Activity	Quarter Interest Earned	YTD Interest Earned	% of Funds
General Fund Reimbursement	\$363,927.78	\$368,439.96	\$4,512.18	\$4,512.18	\$8,476.17	
Utility Fund	\$1,784,463.30	\$1,806,587.95	\$22,124.65	\$22,124.65	\$44,174.63	
General Fund	\$2,276,061.18	\$2,304,280.99	\$28,219.81	\$28,219.81	\$46,347.01	
MEDC Reimbursement	\$222,245.44	\$246,081.50	\$23,836.06	\$3,002.73	\$5,117.33	
MEDC General	\$1,456,883.31	\$1,453,865.89	-\$3,017.42	\$17,815.91	\$33,990.88	
Debt Service Fund	\$502.88	\$509.25	\$6.37	\$6.37	\$636.57	
Capital Projects American Rescue Plan	\$345,347.36	\$349,629.15	\$4,281.79	\$4,281.79	\$8,043.30	
MEDC Downtown	\$205,443.03	\$207,990.26	\$2,547.23	\$2,547.23	\$2,237.75	
Capital Projects Infrastructure	\$47,967.66	\$48,562.40	\$594.74	\$594.74	\$1,117.23	
Capital Projects Mobility	\$10,271.38	\$10,398.73	\$127.35	\$127.35	\$239.23	
Capital Projects Building	\$705,405.90	\$714,151.88	\$8,745.98	\$8,745.98	\$16,692.04	
<b>Total TexPool Funds</b>	<b>\$7,418,519.22</b>	<b>\$7,510,497.96</b>	<b>\$91,978.74</b>	<b>\$91,978.74</b>	<b>\$167,072.14</b>	<b>79%</b>
<b>Total City Funds</b>	<b>\$9,320,543.30</b>	<b>\$9,539,203.98</b>	<b>\$218,660.68</b>	<b>\$96,597.02</b>	<b>\$175,747.42</b>	

# Bank Fund Distribution Summary for Quarter ending 06/30/23



Compliance Statement: This report is presented in accordance and is in compliance with the City of Montgomery's Investment Policy and meets the requirements set forth in Texas Government Code Chapter 2256.023

All Funds are completely insured and/or Collateralized.

*Maryann Carl*  
Maryann Carl, Finance Director

Date: *11/15/23*



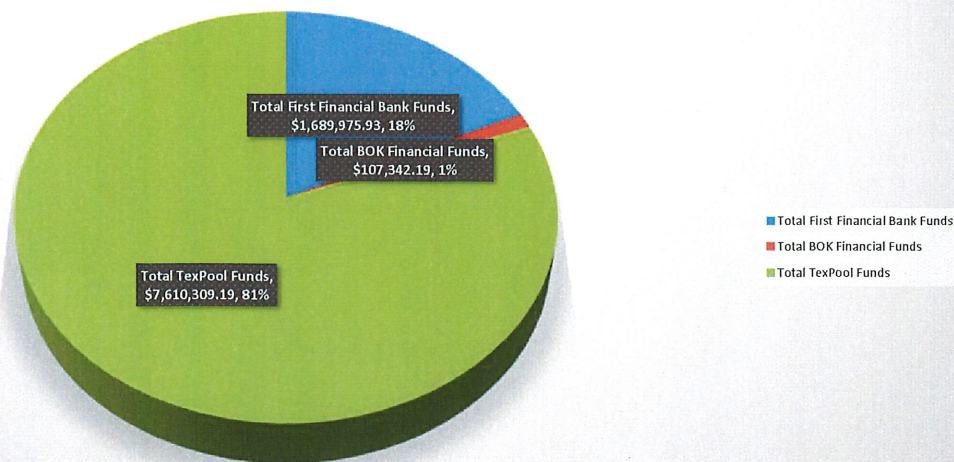


### City of Montgomery Quarterly Investment Report

From July 1 - September 30, 2023

Summary of Funds held at First Financial Bank						
Investments	Beginning Values as of 07/01/23	Ending Values as of 09/30/23	Quarterly Activity	Quarter Interest Earned	YTD Interest Earned	% of Funds
General Fund Checking	\$237,007.68	\$178,591.72	-\$58,415.96	\$165.87	\$1,021.27	
Utility Fund Checking	\$773,860.49	\$721,183.93	-\$52,676.56	\$411.67	\$1,088.30	
MEDC Fund Checking	\$415,902.43	\$397,288.74	-\$18,613.69	\$253.71	\$680.75	
Capital Projects Fund Checking	\$56,280.15	\$267,996.37	\$211,716.22	\$40.07	\$157.83	
Grant Fund - General Checking	\$10.02	\$10.02	\$0.00	\$0.00	\$0.01	
Grant Fund (1) Checking	\$10.02	\$10.02	\$0.00	\$0.00	\$0.01	
Grant Fund (2) Checking	\$10.02	\$10.02	\$0.00	\$0.00	\$0.01	
Hotel Occupancy Fund Checking	\$21,586.92	\$22,189.24	\$602.32	\$11.03	\$32.25	
Police Asset Forfeiture Fund Checking	\$13,271.03	\$13,275.99	\$4.96	\$4.96	\$14.94	
Court Security Fund Checking	\$3,340.38	\$3,341.63	\$1.25	\$1.25	\$3.80	
Court Technical Fund Checking	\$26,569.26	\$26,582.51	\$13.25	\$13.25	\$39.83	
Police Drug & Misc Fund Checking	\$10,690.11	\$10,694.11	\$4.00	\$4.00	\$12.03	
Debt Service Fund Checking	\$170,149.59	\$48,801.63	-\$121,347.96	\$284.54	\$936.75	
<b>Total First Financial Bank Funds</b>	<b>\$1,728,688.10</b>	<b>\$1,689,975.93</b>	<b>-\$38,712.17</b>	<b>\$1,190.35</b>	<b>\$3,987.78</b>	<b>18%</b>
Summary of Funds held at BOK Financial						
Investments	Beginning Values as of 07/01/23	Ending Values as of 09/30/23	Quarterly Activity	Quarter Interest Earned	YTD Interest Earned	% of Funds
Series 2017A TWDB	\$106,081.67	\$107,342.19	\$1,260.52	\$1,260.52	\$3,338.83	
Series 2017B TWDB	\$193,936.25	\$0.00	-\$193,936.25	\$2,614.98	\$6,414.52	
<b>Total BOK Financial Funds</b>	<b>\$300,017.92</b>	<b>\$107,342.19</b>	<b>-\$192,675.73</b>	<b>\$3,875.50</b>	<b>\$9,753.35</b>	<b>1%</b>
Summary of Money Market Funds held at TexPool						
Investments	Beginning Values as of 07/01/23	Ending Values as of 09/30/23	Quarterly Activity	Quarter Interest Earned	YTD Interest Earned	% of Funds
General Fund Reimbursement	\$368,439.96	\$373,336.40	\$4,896.44	\$4,896.44	\$13,372.61	
Utility Fund	\$1,806,587.95	\$1,830,596.76	\$24,008.81	\$24,008.81	\$68,183.44	
General Fund	\$2,304,280.99	\$2,334,903.97	\$30,622.98	\$30,622.98	\$76,969.99	
MEDC Reimbursement	\$246,081.50	\$249,351.82	\$3,270.32	\$3,270.32	\$8,387.65	
MEDC General	\$1,453,865.89	\$1,473,187.10	\$19,321.21	\$19,321.21	\$53,312.09	
Debt Service Fund	\$509.25	\$515.79	\$6.54	\$6.54	\$643.11	
Capital Projects American Rescue Plan	\$349,629.15	\$354,275.63	\$4,646.48	\$4,646.48	\$12,689.78	
MEDC Downtown	\$207,990.26	\$210,754.35	\$2,764.09	\$2,764.09	\$7,549.07	
Capital Projects Infrastructure	\$48,562.40	\$49,207.70	\$645.30	\$645.30	\$1,762.53	
Capital Projects Mobility	\$10,398.73	\$10,536.93	\$138.20	\$138.20	\$377.43	
Capital Projects Building	\$714,151.88	\$723,642.74	\$9,490.86	\$9,490.86	\$26,182.90	
<b>Total TexPool Funds</b>	<b>\$7,510,497.96</b>	<b>\$7,610,309.19</b>	<b>\$99,811.23</b>	<b>\$99,811.23</b>	<b>\$269,430.60</b>	<b>81%</b>
<b>Total City Funds</b>	<b>\$9,539,203.98</b>	<b>\$9,407,627.31</b>	<b>-\$131,576.67</b>	<b>\$104,877.08</b>	<b>\$283,171.73</b>	

# Bank Fund Distribution Summary for Quarter ending 09/30/23



Compliance Statement: This report is presented in accordance and is in compliance with the City of Montgomery's Investment Policy and meets the requirements set forth in Texas Government Code Chapter 2256.023

All Funds are completely insured and/or Collateralized.

*Maryann Carl*

Maryann Carl, Finance Director

Date:

*11/15/23*

Montgomery City Council  
**AGENDA REPORT**

<b>Meeting Date:</b> December 12, 2023	<b>Budgeted Amount:</b> N/A
<b>Department:</b> Administration	<b>Prepared By:</b> G. Palmer

**Subject**

Consider Adoption of an Ordinance Authorizing the Issuance of Certificates of Obligation (debt) to Provide Funding for Our Required Water and Sewer Infrastructure Improvements

**Recommendation**

Recommend Approval of the Ordinance

**Discussion**

You may recall we discussed the needed capital improvements during our budget workshops. In our October workshop we resolved to move forward with issuing Certificates of Obligation in an amount of \$3.5 million dollars to fund the needed capital improvements to the City water and sewer infrastructure.

On October 24, 2023 at your regular meeting, the Council passed a Resolution to move forward with the Certificate of Obligation process (evaluation of bond rating and call for the competitive sale of the debt).

The Ordinance before you is the final step and formally authorizes the issuance of the Certificates of Obligation (debt). Provided there are no issues, we will receive the funds in January 2024.

James Gilley our Financial Advisor will be at your meeting to advise and answer questions.

**Approved By**

City Administrator	Gary Palmer	Date: December 7, 2023

ORDINANCE NO. 2023- \_\_

**ORDINANCE AUTHORIZING THE ISSUANCE OF THE CITY OF MONTGOMERY, TEXAS TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2024; LEVYING AN AD VALOREM TAX AND PLEDGING CERTAIN SURPLUS REVENUES IN SUPPORT OF THE CERTIFICATES; APPROVING AN OFFICIAL STATEMENT, A PAYING AGENT/REGISTRAR AGREEMENT AND OTHER AGREEMENTS RELATING TO THE SALE AND ISSUANCE OF THE CERTIFICATES; AND ORDAINING OTHER MATTERS RELATING TO THE ISSUANCE OF THE CERTIFICATES**

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

**WHEREAS**, the City Council of the City of Montgomery, Texas (the "City") deems it advisable to issue certificates of obligation in the amount of \$3,500,000 (the "Certificates") for the purpose of paying contractual obligations incurred or to be incurred for (i) construction, acquisition and equipment of water and sewer system improvements, and (ii) the payment of professional services in connection therewith including legal, fiscal and engineering fees and the costs of issuing the certificates of obligation; and

**WHEREAS**, the Certificates hereinafter authorized and designated are to be issued and delivered for cash pursuant to Subchapter C of Chapter 271, Local Government Code and Chapter 1502, Texas Government Code, as amended; and

**WHEREAS**, on October 24, 2023 the City Council passed a resolution authorizing and directing the City Secretary to give notice of intention to issue the Certificates; and

**WHEREAS**, the notice was published on \_\_\_\_\_ and \_\_\_\_\_ in \_\_\_\_\_, a newspaper of general circulation in the City and a "newspaper" as defined in Section 2051.044, Government Code; and

**WHEREAS**, the notice was also posted with the City's website continuously for at least 45 days before the date tentatively set for the passage of this Ordinance; and

**WHEREAS**, the City has not received a valid petition from the qualified voters of the City protesting the issuance of the Certificates; and

**WHEREAS**, it is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and public notice of the time, place and purpose of the meeting was given, all as required by Chapter 551, Texas Government Code; and

**WHEREAS**, it is considered to be in the best interest of the City that the interest bearing Certificates be issued; therefor,



**BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS:**

**Section 1. RECITALS, AMOUNT AND PURPOSE OF THE CERTIFICATES.**  
The recitals set forth in the preamble hereof are incorporated herein and shall have the same force and effect as if set forth in this Section. The Certificates of the City of Montgomery, Texas (the "City") are hereby authorized to be issued and delivered in the aggregate principal amount of \$3,500,000 for the purpose of paying contractual obligations incurred or to be incurred for (i) construction, acquisition and equipment for water and sewer system improvements, and (ii) the payment of professional services in connection therewith including legal, fiscal and engineering fees and the costs of issuing the certificates of obligation.

**Section 2. DESIGNATION, DATE, DENOMINATIONS, NUMBERS, AND MATURITIES OF CERTIFICATES.** Each certificate issued pursuant to this Ordinance shall be designated: "CITY OF MONTGOMERY, TEXAS, TAX AND REVENUE CERTIFICATES OF OBLIGATION, SERIES 2024", and initially there shall be issued, sold, and delivered hereunder fully registered certificates, dated January 1, 2024, in the denomination and principal amount hereinafter stated, numbered consecutively from R-1 upward (except the initial Certificate delivered to the Attorney General of the State of Texas which shall be numbered T-1), payable to the respective initial registered owners thereof (as designated in Section 12 hereof), or to the registered assignee or assignees of said Certificates or any portion or portions thereof (in each case, the "Registered Owner"), and the outstanding principal amount of the Certificates shall mature and be payable on March 1 in each of the years and in the principal amount, respectively, as set forth in the following schedule:

YEAR	PRINCIPAL AMOUNT
March 1, 2024	
March 1, 2025	
March 1, 2026	
March 1, 2027	
March 1, 2028	
March 1, 2029	
March 1, 2030	

The term "Certificate" as used in this Ordinance shall mean and include collectively the Certificates initially issued and delivered pursuant to this Ordinance and all substitute Certificates exchanged therefor, as well as all other substitute Certificates and replacement Certificates issued pursuant hereto.

Section 3. **INTEREST.** The Certificates scheduled to mature during the years, respectively, set forth below shall bear interest from the dates specified in the FORM OF CERTIFICATE set forth in this Ordinance to their respective dates of maturity at the following rates per annum:

<b><u>YEAR</u></b>	<b><u>INTEREST RATE</u></b>
2025	
2026	
2027	
2028	
2029	
2030	

Interest shall be payable in the manner provided and on the dates stated in the FORM OF CERTIFICATE set forth in this Ordinance.

Section 4. **CHARACTERISTICS OF THE CERTIFICATES.** (a) **Registration, Transfer, Conversion and Exchange: Authentication.** The City shall keep or cause to be kept at BOKF, N.A., Dallas, Texas (the "Paying Agent/Registrar") books or records for the registration of the transfer, conversion and exchange of the Certificates (the "Registration Books"), and the City hereby appoints the Paying Agent/Registrar as its registrar and transfer agent to keep such books or records and make such registrations of transfers, conversions and exchanges under such reasonable regulations as the City and Paying Agent/Registrar may prescribe; and the Paying Agent/Registrar shall make such registrations, transfers, conversions and exchanges as herein provided. The Paying Agent/Registrar shall obtain and record in the Registration Books the address of the Registered Owner of each Certificate to which payments with respect to the Certificates shall be mailed, as herein provided; but it shall be the duty of each Registered Owner to notify the Paying Agent/Registrar in writing of the address to which payments shall be mailed, and such interest payments shall not be mailed unless such notice has been given. The City shall have the right to inspect the Registration Books during regular business hours of the Paying Agent/Registrar, but otherwise the Paying Agent/Registrar shall keep the Registration Books confidential and, unless otherwise required by law, shall not permit their inspection by any other entity. The Paying Agent/Registrar shall make the Registration Books available within the State of Texas. The City shall pay the Paying Agent/Registrar's standard or customary fees and charges for making such registration, transfer, conversion, exchange and delivery of a substitute Certificate or Certificates. Registration of assignments, transfers, conversions and exchanges of Certificates shall be made in the manner provided and with the effect stated in the FORM OF CERTIFICATE set forth in this Ordinance. Each substitute Certificate shall bear a letter and/or number to distinguish it from each other Certificate.

Except as provided in Section 4(c) of this Ordinance, an authorized representative of the Paying Agent/Registrar shall, before the delivery of any such Certificate, date and manually sign said Certificate, and no such Certificate shall be deemed to be issued or outstanding unless such Certificate is so executed. The Paying Agent/Registrar promptly shall cancel all paid



Certificates and Certificates surrendered for conversion and exchange. No additional ordinances, orders, or resolutions need be passed or adopted by the governing body of the City or any other body or person so as to accomplish the foregoing conversion and exchange of any Certificate or portion thereof, and the Paying Agent/Registrar shall provide for the printing, execution, and delivery of the substitute Certificates in the manner prescribed herein, and said Certificates shall be printed or typed on paper of customary weight and strength. Pursuant to Chapter 1201, Texas Government Code, as amended, and particularly Subchapter D thereof, the duty of conversion and exchange of Certificates as aforesaid is hereby imposed upon the Paying Agent/Registrar, and, upon the execution of said Certificate, the converted and exchanged Certificate shall be valid, incontestable, and enforceable in the same manner and with the same effect as the Certificate which initially was issued and delivered pursuant to this Ordinance, approved by the Attorney General of the State of Texas and registered by the Comptroller of Public Accounts of the State of Texas.

(b) Payment of Certificates and Interest. The City hereby further appoints the Paying Agent/Registrar to act as the paying agent for paying the principal of and interest on the Certificates, all as provided in this Ordinance. The Paying Agent/Registrar shall keep proper records of all payments made by the City and the Paying Agent/Registrar with respect to the Certificates, and of all conversions and exchanges of Certificates, and all replacements of Certificates, as provided in this Ordinance. However, in the event of a nonpayment of interest on a scheduled payment date, and for thirty (30) days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the City. Notice of the past due interest shall be sent at least five (5) business days prior to the Special Record Date by United States mail, first-class postage prepaid, to the address of each Registered Owner appearing on the Registration Books at the close of business on the last business day next preceding the date of mailing of such notice.

(c) In General. The Certificate (i) shall be issued in fully registered form, without interest coupons, with the principal of and interest on such Certificate to be payable only to the Registered Owners thereof, (ii) may be redeemed prior to their scheduled maturities (notice of which shall be given to the Paying Agent/Registrar by the City at least 45 days prior to any such redemption date which shall indicate to which principal installments the redemption shall be applied), (iii) may be converted and exchanged for other Certificates, (iv) may be transferred and assigned in whole, but not in part, (v) shall have the characteristics, (vi) shall be signed, sealed, executed and authenticated, (vii) the principal of and interest on the Certificates shall be payable, and (viii) shall be administered and the Paying Agent/Registrar and the City shall have certain duties and responsibilities with respect to the Certificates, all as provided, and in the manner and to the effect as required or indicated, in the FORM OF CERTIFICATE set forth in this Ordinance. The Certificate initially issued and delivered pursuant to this Ordinance is not required to be, and shall not be, authenticated by the Paying Agent/Registrar, but on each substitute Certificate issued in conversion of and exchange or substitute for any Certificate or Certificates issued under this Ordinance the Paying Agent/Registrar shall execute the PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE, in the form set forth in the FORM OF CERTIFICATE.

(d) Substitute Paying Agent/Registrar. The City covenants with the Registered Owners of the Certificates that at all times while the Certificates are outstanding the City will provide a competent and legally qualified bank, trust company, financial institution, or other agency to act as and perform the services of Paying Agent/Registrar for the Certificates under this Ordinance, and that the Paying Agent/Registrar will be one entity. The City reserves the right to, and may, at its option, change the Paying Agent/Registrar upon not less than 30 days written notice to the Paying Agent/Registrar, to be effective at such time which will not disrupt or delay payment on the next principal or interest payment date after such notice. In the event that the entity at any time acting as Paying Agent/Registrar (or its successor by merger, acquisition, or other method) should resign or otherwise cease to act as such, the City covenants that promptly it will appoint a competent and legally qualified bank, trust company, financial institution, or other agency to act as Paying Agent/Registrar under this Ordinance. Upon any change in the Paying Agent/Registrar, the previous Paying Agent/Registrar promptly shall transfer and deliver the Registration Books (or a copy thereof), along with all other pertinent books and records relating to the Certificates, to the new Paying Agent/Registrar designated and appointed by the City. Upon any change in the Paying Agent/Registrar, the City promptly will cause a written notice thereof to be sent by the new Paying Agent/Registrar to each Registered Owner of the Certificates, by United States mail, first-class postage prepaid, which notice also shall give the address of the new Paying Agent/Registrar. By accepting the position and performing as such, each Paying Agent/Registrar shall be deemed to have agreed to the provisions of this Ordinance, and a certified copy of this Ordinance shall be delivered to each Paying Agent/Registrar.

(e) Book-Entry-Only System. The Certificates issued in exchange for the Certificates initially issued as provided in Section 4(i) shall be issued in the form of a separate single fully registered Certificate for each of the maturities thereof registered in the name of Cede & Co., as nominee of The Depository Trust Company of New York ("DTC") and except as provided in subsection (f) hereof, all of the outstanding Certificates shall be registered in the name of Cede & Co., as nominee of DTC.

With respect to Certificates registered in the name of Cede & Co., as nominee of DTC, the City and the Paying Agent/Registrar shall have no responsibility or obligation to any securities brokers and dealers, banks, trust companies, clearing corporations and certain other organizations on whose behalf DTC was created to hold securities to facilitate the clearance and settlement of securities transactions among DTC participants (the "DTC Participant") or to any person on behalf of whom such a DTC Participant holds an interest in the Certificates. Without limiting the immediately preceding sentence, the City and the Paying Agent/Registrar shall have no responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co. or any DTC Participant with respect to any ownership interest in the Certificates, (ii) the delivery to any DTC Participant or any other person, other than a Registered Owner, as shown on the Registration Books, of any notice with respect to the Certificates, or (iii) the payment to any DTC Participant or any person, other than a Registered Owner, as shown on the Registration Books of any amount with respect to principal of or interest on the Certificates. Notwithstanding any other provision of this Ordinance to the contrary, but to the extent permitted by law, the City and the Paying Agent/Registrar shall be entitled to treat and consider the person in whose name each Certificate is registered in the Registration Books as the absolute owner of such Certificate for the purpose of payment of principal of and interest, with respect to such Certificate, for the purposes of registering transfers with respect to such Certificate, and for all other purposes of

registering transfers with respect to such Certificates, and for all other purposes whatsoever. The Paying Agent/Registrar shall pay all principal of and interest on the Certificates only to or upon the order of the respective Registered Owners, as shown in the Registration Books as provided in this Ordinance, or their respective attorneys duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the City's obligations with respect to payment of principal of and interest on the Certificates to the extent of the sum or sums so paid. No person other than a Registered Owner, as shown in the Registration Books, shall receive a Certificate evidencing the obligation of the City to make payments of principal, and interest pursuant to this Ordinance. Upon delivery by DTC to the Paying Agent/Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., and subject to the provisions in this Ordinance with respect to interest checks being mailed to the registered owner at the close of business on the Record Date the word "Cede & Co." in this Ordinance shall refer to such new nominee of DTC.

(f) Successor Securities Depository: Transfer Outside Book-Entry-Only System. In the event that the City determines to discontinue the book-entry system through DTC or a successor or DTC determines to discontinue providing its services with respect to the Certificate, the City shall either (i) appoint a successor securities depository, qualified to act as such under Section 17(a) of the Securities and Exchange Act of 1934, as amended, notify DTC and DTC Participants of the appointment of such successor securities depository and transfer one or more separate Certificates to such successor securities depository or (ii) notify DTC and DTC Participants of the availability through DTC of Certificates and transfer one or more separate Certificates to DTC Participants having Certificates credited to their DTC accounts. In such event, the Certificates shall no longer be restricted to being registered in the Registration Books in the name of Cede & Co., as nominee of DTC, but may be registered in the name of the successor securities depository, or its nominee, or in whatever name or names the Registered Owner transferring or exchanging Certificate shall designate, in accordance with the provisions of this Ordinance.

(g) Payments to Cede & Co. Notwithstanding any other provision of this Ordinance to the contrary, so long as any Certificate is registered in the name of Cede & Co., as nominee of DTC, all payments with respect to principal of, and interest on such Certificate and all notices with respect to such Certificate shall be made and given, respectively, in the manner provided in the Letter of Representations of the City to DTC.

(h) DTC Blanket Letter of Representations. The City confirms execution of a Blanket Issuer Letter of Representations with DTC establishing the Book-Entry-Only System which will be utilized with respect to the Certificates.

(i) Cancellation of Initial Certificate. On the closing date, one Initial Certificate representing the entire principal amount of the Certificates, payable in stated installments to the order of the purchaser of the Certificates or its designee set forth in Section 12 of this Ordinance, executed by manual or facsimile signature of the Mayor or Mayor Pro-tem and City Secretary, approved by the Attorney General of Texas, and registered and manually signed by the Comptroller of Public Accounts of the State of Texas, will be delivered to such Underwriters set forth in Section 12 of this Ordinance or its designee. Upon payment for the Initial Certificate, the Paying Agent/Registrar shall cancel the Initial Certificate and deliver to DTC on behalf of

such Underwriters one registered definitive Certificate for each year of maturity of the Certificates, in the aggregate principal amount of all the Certificates for such maturity.

Section 5. **FORM OF CERTIFICATE.** The form of the Certificate, including the form of Paying Agent/Registrar's Authentication Certificate, the form of Assignment and the form of Registration Certificate of the Comptroller of Public Accounts of the State of Texas to be attached to the Certificate initially issued and delivered pursuant to this Ordinance, shall be, respectively, substantially as follows, with such appropriate variations, omissions or insertions as are permitted or required by this Ordinance.

FORM OF CERTIFICATE

NO.R-	UNITED STATES OF AMERICA STATE OF TEXAS MONTGOMERY COUNTY CITY OF MONTGOMERY, TEXAS	PRINCIPAL AMOUNT \$	
TAX AND REVENUE CERTIFICATE OF OBLIGATION SERIES 2024			
INTEREST RATE	DATE OF CERTIFICATE January 1, 2024	MATURITY DATE	CUSIP NO.
REGISTERED OWNER:			
PRINCIPAL AMOUNT:		DOLLARS	

ON THE MATURITY DATE specified above, the City of Montgomery, in the Montgomery County, State of Texas (the "City"), being a political subdivision of the State of Texas, hereby promises to pay to the Registered Owner set forth above, or registered assigns (hereinafter called the "Registered Owner") the principal amount set forth above, and to pay interest thereon from the Date of Delivery, and semiannually on each March 1 and September 1 thereafter to the maturity date specified above, or the date of redemption prior to maturity, at the interest rate per annum specified above; except that if this Certificate is required to be authenticated and the date of its authentication is later than the first Record Date (hereinafter defined), such principal amount shall bear interest from the interest payment date next preceding the date of authentication, unless such date of authentication is after any Record Date but on or before the next following interest payment date, in which case such principal amount shall bear interest from such next following interest payment date; provided, however, that if on the date of authentication hereof the interest on the Certificate or Certificates, if any, for which this Certificate is being exchanged or converted from is due but has not been paid, then this Certificate shall bear interest from the date to which such interest has been paid in full.



**THE PRINCIPAL OF AND INTEREST ON** this Certificate are payable in lawful money of the United States of America, without exchange or collection charges. The principal of this Certificate shall be paid to the Registered Owner hereof upon presentation and surrender of this Certificate at maturity, or upon the date fixed for its redemption prior to maturity, at BOKF, N.A., which is the "Paying Agent/Registrar" for this Certificate at its designated office for payment currently, Dallas, Texas (the "Designated Payment/Transfer Office"). The payment of interest on this Certificate shall be made by the Paying Agent/Registrar to the Registered Owner hereof on each interest payment date by check or draft, dated as of such interest payment date, drawn by the Paying Agent/Registrar on, and payable solely from, funds of the City required by the ordinance authorizing the issuance of this Certificate (the "Ordinance") to be on deposit with the Paying Agent/Registrar for such purpose as hereinafter provided; and such check or draft shall be sent by the Paying Agent/Registrar by United States mail, first-class postage prepaid, on each such interest payment date, to the Registered Owner hereof, at its address as it appeared at the close of business on the 15<sup>th</sup> day of the preceding month each such date (the "Record Date") on the registration books kept by the Paying Agent/Registrar (the "Registration Books"). In addition, interest may be paid by such other method, acceptable to the Paying Agent/Registrar, requested by, and at the risk and expense of, the Registered Owner. In the event of a non-payment of interest on a scheduled payment date, and for 30 days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the City. Notice of the Special Record Date and of the scheduled payment date of the past due interest (which shall be 15 days after the Special Record Date) shall be sent at least five business days prior to the Special Record Date by United States mail, first-class postage prepaid, to the address of each owner of a Certificate appearing on the Registration Books at the close of business on the last business day next preceding the date of mailing of such notice. Notwithstanding the foregoing, during any period in which ownership of the Certificate is determined only by a book entry at a securities depository for the Certificate, any payment to the securities depository, or its nominee or registered assigns, shall be made in accordance with existing arrangements between the City and the securities depository.

**ANY ACCRUED INTEREST** due at maturity or upon the redemption of this Certificate prior to maturity as provided herein shall be paid to the Registered Owner upon presentation and surrender of this Certificate for redemption and payment at the Designated Payment/Transfer Office of the Paying Agent/Registrar. The City covenants with the Registered Owner of this Certificate that on or before each principal payment date, interest payment date, and accrued interest payment date for this Certificate it will make available to the Paying Agent/Registrar, from the "Interest and Sinking Fund" created by the Ordinance, the amounts required to provide for the payment, in immediately available funds, of all principal of and interest on the Certificates, when due.

**IF THE DATE** for the payment of the principal of or interest on this Certificate shall be a Saturday, Sunday, a legal holiday or a day on which banking institutions in the city where the principal corporate trust office of the Paying Agent/Registrar is located are authorized by law or executive order to close, then the date for such payment shall be the next succeeding day which is not such a Saturday, Sunday, legal holiday or day on which banking institutions are authorized to close; and payment on such date shall have the same force and effect as if made on the original date payment was due.

**THIS CERTIFICATE** is dated January 1, 2024, authorized in accordance with the Constitution and laws of the State of Texas in the principal amount of \$3,500,000, for the purpose of paying contractual obligations incurred or to be incurred by the City for: (i) construction, acquisition and equipment of water and sewer system improvements; and (ii) payment of professional services in connection therewith including legal, engineering, architectural and fiscal fees and the costs of issuing the Certificates.

**ON MARCH 1, 2033**, or on any date thereafter, the Certificates of this Series maturing on and after March 1, 2034 may be redeemed prior to their scheduled maturities, at the option of the City, with funds derived from any available and lawful source, at par plus accrued interest to the date fixed for redemption as a whole, or in part, and, if in part, the particular maturities to be redeemed shall be selected and designated by the City and if less than all of a maturity is to be redeemed, the Paying Agent/Registrar shall determine by lot the Certificates, or a portion thereof, within such maturity to be redeemed (provided that a portion of a Certificate may be redeemed only in an integral multiple of \$5,000).

**WITH RESPECT TO** any optional redemption of the Certificates, unless certain prerequisites to such redemption required by the Ordinance have been met and moneys sufficient to pay the principal of and premium, if any, and interest on the Certificates to be redeemed shall have been received by the Paying Agent/Registrar prior to the giving of such notice of redemption, such notice shall state that said redemption may, at the option of the City, be conditional upon the satisfaction of such prerequisites and receipt of such moneys by the Paying Agent/Registrar on or prior to the date fixed for such redemption, or upon any prerequisite set forth in such notice of redemption. If a conditional notice of redemption is given and such prerequisites to the redemption and sufficient moneys are not received, such notice shall be of no force and effect, the City shall not redeem such Certificates and the Paying Agent/Registrar shall give notice, in the manner in which the notice of redemption was given, to the effect that the Certificates have not been redeemed.

**NO LESS THAN** 30 days prior to the date fixed for any such redemption, unless the Purchaser (as defined in the Ordinance) is the sole Registered Owner of all of the outstanding principal amount of the Certificates, the City shall cause the Paying Agent/Registrar to send notice by United States mail, first-class postage prepaid to the Registered Owner of each Certificate to be redeemed at its address as it appeared on the Registration Books of the Paying Agent/Registrar at the close of business on the business day next preceding the date of mailing such notice and to major securities depositories, national bond rating agencies and bond information services; provided, however, that the failure to send, mail or receive such notice, or any defect therein or in the sending or mailing thereof, shall not affect the validity or effectiveness of the proceedings for the redemption of the Certificates. By the date fixed for any such redemption due provision shall be made with the Paying Agent/Registrar for the payment of the required redemption price for the Certificates. If due provision for such payment is made, all as provided above, the Certificates thereby automatically shall be treated as redeemed prior to its scheduled maturity, and it shall not bear interest after the date fixed for redemption, and it shall not be regarded as being outstanding except for the right of the Registered Owner to receive the redemption price from the Paying Agent/Registrar out of the funds provided for such payment.

**ALL CERTIFICATES OF THIS SERIES** are issuable solely as fully registered certificates, without interest coupons, in the denomination of \$5,000 and any integral multiple of \$5,000 in excess thereof. As provided in the Ordinance, this Certificate may, at the request of the Registered Owner or the assignee or assignees hereof, be assigned, transferred, converted into and exchanged for a like aggregate principal amount of fully registered certificate, without interest coupons, payable to the appropriate Registered Owner, assignee or assignees, as the case may be, having the same denomination or denominations of \$5,000 and in any integral multiple of \$5,000 in excess thereof as requested in writing by the appropriate Registered Owner, assignee or assignees, as the case may be, upon surrender of this Certificate to the Paying Agent/Registrar for cancellation, all in accordance with the form and procedures set forth in the Ordinance. Among other requirements for such assignment and transfer, this Certificate must be presented and surrendered to the Paying Agent/Registrar, together with proper instruments of assignment, in form and with guarantee of signatures satisfactory to the Paying Agent/Registrar, evidencing assignment of this Certificate or any portion or portions hereof in any denomination of \$5,000 and any integral multiple of \$5,000 in excess thereof to the assignee or assignees in whose name or names this Certificate or any such portion or portions hereof is or are to be registered. The form of Assignment printed or endorsed on this Certificate may be executed by the Registered Owner to evidence the assignment hereof, but such method is not exclusive, and other instruments of assignment satisfactory to the Paying Agent/Registrar may be used to evidence the assignment of this Certificate or any portion or portions hereof from time to time by the Registered Owner. The Paying Agent/Registrar's reasonable standard or customary fees and charges for assigning, transferring, converting and exchanging any Certificate or portion thereof will be paid by the City. In any circumstance, any taxes or governmental charges required to be paid with respect thereto shall be paid by the one requesting such assignment, transfer, conversion or exchange, as a condition precedent to the exercise of such privilege. The Paying Agent/Registrar shall not be required to make any such transfer, conversion, or exchange (i) during the period commencing with the close of business on any Record Date and ending with the opening of business on the next following principal or interest payment date, or (ii) with respect to any Certificate or any portion thereof called for redemption prior to maturity, within 45 days prior to its redemption date; provided, however, such limitation of transfer shall not be applicable to an exchange by the Registered Owner of the unredeemed balance of the Certificates.

**WHENEVER** the beneficial ownership of this Certificate is determined by a book entry at a securities depository for the Certificate, the foregoing requirements of holding, delivering or transferring this Certificate shall be modified to require the appropriate person or entity to meet the requirements of the securities depository as to registering or transferring the book entry to produce the same effect.

**IN THE EVENT** any Paying Agent/Registrar for the Certificates is changed by the City, resigns, or otherwise ceases to act as such, the City has covenanted in the Ordinance that it promptly will appoint a competent and legally qualified substitute therefor, and cause written notice thereof to be mailed to the Registered Owner of the Certificates.

**IT IS HEREBY** certified, recited and covenanted that this Certificate has been duly and validly authorized, issued and delivered; that all acts, conditions and things required or proper to be performed, exist and be done precedent to or in the authorization, issuance and delivery of this Certificate have been performed, existed and been done in accordance with law; and that

annual ad valorem taxes sufficient to provide for the payment of the interest on and principal of this Certificate, as such interest comes due and such principal matures, have been levied and ordered to be levied against all taxable property in said City, and have been pledged for such payment, within the limit prescribed by law, and that this Certificate, together with other obligations of the City, is additionally secured by and payable by a limited pledge of a subordinate lien on the Surplus Revenues of the City's Water and Sewer System, which amount shall not exceed \$1,000 all as provided in the Ordinance.

**BY BECOMING** the Registered Owner of this Certificate, the Registered Owner thereby acknowledges all of the terms and provisions of the Ordinance, agrees to be bound by such terms and provisions, acknowledges that the Ordinance is duly recorded and available for inspection in the official minutes and records of the governing body of the City, and agrees that the terms and provisions of this Certificate and the Ordinance constitute a contract between each Registered Owner hereof and the City.

**IN WITNESS WHEREOF**, the City has caused this Certificate to be signed with the manual or facsimile signature of the Mayor of the City and countersigned with the manual or facsimile signature of the City Secretary of said City, and has caused the official seal of the City to be duly impressed, or placed in facsimile, on this Certificate.

\_\_\_\_\_  
City Secretary  
(CITY SEAL)

\_\_\_\_\_  
Mayor

**FORM OF PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE**

**PAYING AGENT/REGISTRAR'S AUTHENTICATION CERTIFICATE**

(To be executed if this Certificate is not accompanied by  
an executed Registration Certificate of the  
Comptroller of Public Accounts of the State of Texas)

It is hereby certified that this Certificate has been issued under the provisions of the Ordinance described in the text of this Certificate; and that this Certificate has been issued in conversion or replacement of, or in exchange for, a certificate, certificates, or a portion of a certificate or certificates of a Series which originally was approved by the Attorney General of the State of Texas and registered by the Comptroller of Public Accounts of the State of Texas.

Dated

BOKF, NA, Dallas, Texas  
Paying Agent/Registrar

By: \_\_\_\_\_  
Authorized Representative



**FORM OF ASSIGNMENT:**

**ASSIGNMENT**

For value received, the undersigned hereby sells, assigns and transfers unto

\_\_\_\_\_  
Please insert Social Security or Taxpayer  
Identification Number of Transferee

\_\_\_\_\_  
(Please print or typewrite name and address,  
including zip code, of Transferee)

the within Certificate and all rights thereunder, and hereby irrevocably constitutes and appoints \_\_\_\_\_, attorney, to register the transfer of the within Certificate on the books kept for registration thereof, with full power of substitution in the premises.

Dated: \_\_\_\_\_

Signature Guaranteed:

\_\_\_\_\_  
NOTICE: Signature(s) must be guaranteed by a member firm of the New York Stock Exchange or a commercial bank or trust company.

\_\_\_\_\_  
NOTICE: The signature above must correspond with the name of the Registered Owner as it appears upon the front of this Certificate in every particular, without alteration or enlargement or any change whatsoever.

**FORM OF REGISTRATION CERTIFICATE OF  
THE COMPTROLLER OF PUBLIC ACCOUNTS:**

**COMPTROLLER'S REGISTRATION CERTIFICATE: REGISTER NO.**

I hereby certify that this Certificate has been examined, certified as to validity and approved by the Attorney General of the State of Texas, and that this Certificate has been registered by the Comptroller of Public Accounts of the State of Texas.

Witness my signature and seal this

\_\_\_\_\_  
Comptroller of Public Accounts  
of the State of Texas

(COMPTROLLER'S SEAL)

**INSERTIONS FOR THE INITIAL CERTIFICATE**

The Initial Certificate shall be in the form set forth in this Section, except that:

- A. immediately under the name of the Certificates, the headings "INTEREST RATE" and "MATURITY DATE" shall both be completed with the words "As Shown Below" and "CUSIP NO." shall be deleted.
- B. the first paragraph shall be deleted and the following will be inserted:

**"ON THE DATE SPECIFIED BELOW,** the City of Montgomery, Texas (the "City"), being a political subdivision, hereby promises to pay the annual installments set forth below to the Registered Owner specified above, or registered assigns (hereinafter called the "Registered Owner"), on March 1 in each of the years, in the principal installments in the following schedule and bearing interest at the per annum rate stated above:

<u>Year</u>	<u>Principal Amount</u>	<u>Interest Rates</u>
-------------	-------------------------	-----------------------

(Information from Sections 2 and 3 to be inserted)

The City promises to pay interest on the unpaid principal amount hereof (calculated on the basis of a 360-day year of twelve 30-day months) from the Closing Date at the respective Interest Rate per annum specified above. Interest is payable on March 1, 2024 and semiannually on each March 1 and September 1 thereafter to the date of payment of the principal installment specified above; except, that if this Certificate is required to be authenticated and the date of its authentication is later than the first Record Date (hereinafter defined), such principal amount shall bear interest from the interest payment date next preceding the date of authentication, unless such date of authentication is after any Record Date but on or before the next following interest payment date, in which case such principal amount shall bear interest from such next following interest payment date; provided, however, that if on the date of authentication hereof the interest on the Certificate or Certificates, if any, for which this Certificate is being exchanged is due but has not been paid, then this Certificate shall bear interest from the date to which such interest has been paid in full."

- C. The Initial Certificate shall be numbered "T-1."

Section 6. **INTEREST AND SINKING FUND.** A special "Interest and Sinking Fund" is hereby created and shall be established and maintained by the City at an official depository bank of said City. Said Interest and Sinking Fund shall be kept separate and apart from all other funds and accounts of said City, and shall be used only for paying the interest on and principal of said Certificates. All ad valorem taxes levied and collected for and on account of said Certificates shall be deposited, as collected, to the credit of said Interest and Sinking Fund. During each year while any of said Certificates are outstanding and unpaid, the governing body of said City shall compute and ascertain a rate and amount of ad valorem tax which will be sufficient to raise and produce the money required to pay the interest on said Certificates as such interest comes due, and to provide and maintain a sinking fund adequate to pay the principal of said Certificates as such principal matures (but never less than 2% of the original amount of said Certificates as a sinking fund each year); and said tax shall be based on the latest approved tax rolls of said City, with full allowances being made for tax delinquencies and the cost of tax collection. Said rate and amount of ad valorem tax is hereby levied, and is hereby ordered to be levied, against all taxable property in said City, for each year while any of said Certificates are outstanding and unpaid, and said tax shall be assessed and collected each such year and deposited to the credit of the aforesaid Interest and Sinking Fund. Said ad valorem taxes sufficient to provide for the payment of the interest on and principal of said Certificates, as such interest comes due and such principal matures, are hereby pledged for such payment, within the limit prescribed by law. Accrued interest and any premium on the Certificates shall be deposited in the Interest and Sinking Fund and used to pay interest on the Certificates.

Section 7. **REVENUES.** The Certificates together with other obligations of the City, are additionally secured by and shall be payable from a limited pledge of the surplus revenues of the City's Waterworks and Sewer System remaining after payment of all operation and maintenance expenses thereof, and all debt service, reserve, and other requirements in connection with all of the City's revenue bonds or other obligation (now or hereafter outstanding) which are payable from all or any part of the net revenues of the City's Waterworks and Sewer System, with such amount not to exceed \$1,000 constituting "Surplus Revenues." The City shall deposit such Surplus Revenues to the credit of the Interest and Sinking Fund created pursuant to Section 6, to the extent necessary to pay the principal and interest on the Certificates. Notwithstanding the requirements of Section 6, if Surplus Revenues are actually on deposit or budgeted for deposit in the Interest and Sinking Fund in advance of the time when ad valorem taxes are scheduled to be levied for any year, then the amount of taxes which otherwise would have been required to be levied pursuant to Section 6 may be reduced to the extent and by the amount of the Surplus Revenues then on deposit in the Interest and Sinking Fund or budgeted for deposit therein.

The Mayor of the City Council of the City and the City Secretary of the City are hereby ordered to do any and all things necessary to accomplish the transfer of monies to the Interest and Sinking Fund of this issue in ample time to pay such items of principal and interest.

Section 8. **DEFEASANCE OF CERTIFICATES.** (a) Any Certificate and the interest thereon shall be deemed to be paid, retired and no longer outstanding (a "Defeased Certificate") within the meaning of this Ordinance, except to the extent provided in subsections (c) and (e) of this Section 8, when payment of the principal of such Certificate, plus interest thereon to the due date or dates (whether such due date or dates be by reason of maturity, upon redemption, or otherwise) either (i) shall have been made or caused to be made in accordance with the terms

thereof (including the giving of any required notice of redemption or the establishment of irrevocable provisions for the giving of such notice) or (ii) shall have been provided for on or before such due date by irrevocably depositing with or making available to the Paying Agent/Registrar or an eligible trust company or commercial bank for such payment (1) lawful money of the United States of America sufficient to make such payment, (2) Defeasance Securities, certified by an independent public accounting firm of national reputation to mature as to principal and interest in such amounts and at such times as will ensure the availability, without reinvestment, of sufficient money to provide for such payment and when proper arrangements have been made by the City with the Paying Agent/Registrar or an eligible trust company or commercial bank for the payment of its services until all Defeased Certificates shall have become due and payable or (3) any combination of (1) and (2). At such time as a Certificate shall be deemed to be a Defeased Certificate hereunder, as aforesaid, such Certificate and the interest thereon shall no longer be secured by, payable from, or entitled to the benefits of, the ad valorem taxes or revenues herein levied and pledged as provided in this Ordinance, and such principal and interest shall be payable solely from such money or Defeasance Securities.

(b) The deposit under clause (ii) of subsection (a) shall be deemed a payment of a Certificate as aforesaid when proper notice of redemption of such Certificates shall have been given or upon the establishment of irrevocable provisions for the giving of such notice, in accordance with this Ordinance. Any money so deposited with the Paying Agent/Registrar or an eligible trust company or commercial bank as provided in this Section may at the discretion of the City Council of the City also be invested in Defeasance Securities, maturing in the amounts and at the times as hereinbefore set forth, and all income from all Defeasance Securities in possession of the Paying Agent/Registrar or an eligible trust company or commercial bank pursuant to this Section which is not required for the payment of such Certificate and premium, if any, and interest thereon with respect to which such money has been so deposited, shall be remitted to the City Council of the City.

(c) Notwithstanding any provision of any other Section of this Ordinance which may be contrary to the provisions of this Section, all money or Defeasance Securities set aside and held in trust pursuant to the provisions of this Section for the payment of principal of the Certificates and premium, if any, and interest thereon, shall be applied to and used solely for the payment of the particular Certificates and premium, if any, and interest thereon, with respect to which such money or Defeasance Securities have been so set aside in trust. Until all Defeased Certificates shall have become due and payable, the Paying Agent/Registrar shall perform the services of Paying Agent/Registrar for such Defeased Certificates the same as if they had not been defeased, and the City shall make proper arrangements to provide and pay for such services as required by this Ordinance.

(d) Notwithstanding anything elsewhere in this Ordinance, if money or Defeasance Securities have been deposited or set aside with the Paying Agent/Registrar or an eligible trust company or commercial bank pursuant to this Section for the payment of Certificates and such Certificates shall not have in fact been actually paid in full, no amendment of the provisions of this Section shall be made without the consent of the registered owner of each Certificate affected thereby.

(e) Notwithstanding the provisions of subsection (a) immediately above, to the extent that, upon the defeasance of any Defeased Certificate to be paid at its maturity, the City retains the right under Texas law to later call that Defeased Certificate for redemption in accordance with the provisions of this Ordinance, the City may call such Defeased Certificate for redemption upon complying with the provisions of Texas law and upon the satisfaction of the provisions of subsection (a) immediately above with respect to such Defeased Certificate as though it was being defeased at the time of the exercise of the option to redeem the Defeased Certificate and the effect of the redemption is taken into account in determining the sufficiency of the provisions made for the payment of the Defeased Certificate.

As used in this Section, "Defeasance Securities" means (i) Federal Securities, (ii) noncallable obligations of an agency or instrumentality of the United States of America, including obligations that are unconditionally guaranteed or insured by the agency or instrumentality and that, on the date the City Council of the City adopts or approves proceedings authorizing the issuance of refunding bonds or otherwise provide for the funding of an escrow to effect the defeasance of the Certificates are rated as to investment quality by a nationally recognized investment rating firm not less than "AAA" or its equivalent, and (iii) noncallable obligations of a state or an agency or a county, municipality, or other political subdivision of a state that have been refunded and that, on the date the City Council of the City adopts or approves proceedings authorizing the issuance of refunding bonds or otherwise provide for the funding of an escrow to effect the defeasance of the Certificates, are rated as to investment quality by a nationally recognized investment rating firm no less than "AAA" or its equivalent. "Federal Securities" as used herein means direct, noncallable obligations of the United States of America, including obligations that are unconditionally guaranteed by the United States of America (including Interest Strips of the Resolution Funding Corporation).

**Section 9. DAMAGED, MUTILATED, LOST, STOLEN, OR DESTROYED CERTIFICATES.** (a) Replacement Certificates. In the event any outstanding Certificate is damaged, mutilated, lost, stolen or destroyed, the Paying Agent/Registrar shall cause to be printed, executed and delivered, a new certificate of the same principal amount, maturity and interest rate, as the damaged, mutilated, lost, stolen or destroyed Certificate, in replacement for such Certificate in the manner hereinafter provided.

(b) Application for Replacement Certificates. Application for replacement of damaged, mutilated, lost, stolen or destroyed Certificates shall be made by the Registered Owner thereof to the Paying Agent/Registrar. In every case of loss, theft or destruction of a Certificate, the Registered Owner applying for a replacement certificate shall furnish to the City and to the Paying Agent/Registrar such security or indemnity as may be required by them to save each of them harmless from any loss or damage with respect thereto. Also, in every case of loss, theft or destruction of a Certificate, the Registered Owner shall furnish to the City and to the Paying Agent/Registrar evidence to their satisfaction of the loss, theft or destruction of such Certificate, as the case may be. In every case of damage or mutilation of a Certificate, the Registered Owner shall surrender to the Paying Agent/Registrar for cancellation the Certificate so damaged or mutilated.



(c) No Default Occurred. Notwithstanding the foregoing provisions of this Section, in the event any such Certificates shall have matured, and no default has occurred which is then continuing in the payment of the principal of, redemption premium, if any, or interest on the Certificates, the City may authorize the payment of the same (without surrender thereof except in the case of a damaged or mutilated Certificate) instead of issuing a replacement Certificate, provided security or indemnity is furnished as above provided in this Section.

(d) Charge for Issuing Replacement Certificates. Prior to the issuance of any replacement certificate, the Paying Agent/Registrar shall charge the Registered Owner of such Certificate with all legal, printing, and other expenses in connection therewith. Every replacement Certificate issued pursuant to the provisions of this Section by virtue of the fact that any Certificate is lost, stolen or destroyed shall constitute a contractual obligation of the City whether or not the lost, stolen or destroyed Certificate shall be found at any time, or be enforceable by anyone, and shall be entitled to all the benefits of this Ordinance equally and proportionately with any and all other Certificates duly issued under this Ordinance.

(e) Authority for Issuing Replacement Certificates. In accordance with Subchapter B of Chapter 1206, Texas Government Code, this Section 9 of this Ordinance shall constitute authority for the issuance of any such replacement Certificate without necessity of further action by the governing body of the City or any other body or person, and the duty of the replacement of such Certificate is hereby authorized and imposed upon the Paying Agent/Registrar, and the Paying Agent/Registrar shall authenticate and deliver such Certificate in the form and manner and with the effect, as provided in Section 4(a) of this Ordinance for the Certificates issued in conversion and exchange for other Certificates.

Section 10. **CUSTODY, APPROVAL, AND REGISTRATION OF THE CERTIFICATE; BOND COUNSEL'S OPINION; CUSIP NUMBERS AND CONTINGENT INSURANCE PROVISION, IF OBTAINED.** The Mayor of the City Council of the City is hereby authorized to have control of the Certificate initially issued and delivered hereunder and all necessary records and proceedings pertaining to the Certificate pending their delivery and their investigation, examination, and approval by the Attorney General of the State of Texas, and their registration by the Comptroller of Public Accounts of the State of Texas. Upon registration of the Certificate said Comptroller of Public Accounts (or a deputy designated in writing to act for said Comptroller) shall manually sign the Comptroller's Registration Certificate attached to such Certificate, and the seal of said Comptroller shall be impressed, or placed in facsimile, on such Certificate. The approving legal opinion of the City's Bond Counsel and the assigned CUSIP numbers, if any, may, at the option of the City, be printed on the Certificate issued and delivered under this Ordinance, but neither shall have any legal effect, and shall be solely for the convenience and information of the Registered Owners of the Certificate. In addition, if bond insurance is obtained, the Certificate may bear an appropriate legend as provided by the insurer.

Section 11. **COVENANTS REGARDING TAX EXEMPTION OF INTEREST ON THE CERTIFICATES.** (a) Covenants. The City covenants to take any action necessary to assure, or refrain from any action which would adversely affect, the treatment of the Certificates as obligations described in section 103 of the Internal Revenue Code of 1986, as amended (the

"Code"), the interest on which is not includable in the "gross income" of the holder for purposes of federal income taxation. In furtherance thereof, the City covenants as follows:

(1) to take any action to assure that no more than 10 percent of the proceeds of the Certificates or the projects financed therewith (less amounts deposited to a reserve fund, if any) are used for any "private business use," as defined in section 141(b)(6) of the Code or, if more than 10 percent of the proceeds of the Certificates or the projects financed therewith are so used, such amounts, whether or not received by the City, with respect to such private business use, do not, under the terms of this Ordinance or any underlying arrangement, directly or indirectly, secure or provide for the payment of more than 10 percent of the debt service on the Certificates, in contravention of section 141(b)(2) of the Code;

(3) to take any action to assure that in the event that the "private business use" described in subsection (1) hereof exceeds 5 percent of the proceeds of the Certificates or the projects financed therewith (less amounts deposited into a reserve fund, if any) then the amount in excess of 5 percent is used for a "private business use" which is "related" and not "disproportionate," within the meaning of section 141(b)(3) of the Code, to the governmental use;

(4) to take any action to assure that no amount which is greater than the lesser of \$5,000,000, or 5 percent of the proceeds of the Certificates (less amounts deposited into a reserve fund, if any) is directly or indirectly used to finance loans to persons, other than state or local governmental units, in contravention of section 141(c) of the Code;

(5) to refrain from taking any action which would otherwise result in the Certificates being treated as "private activity bonds" within the meaning of section 141(b) of the Code;

(6) to refrain from taking any action that would result in the Certificates being "federally guaranteed" within the meaning of section 149(b) of the Code;

(7) to refrain from using any portion of the proceeds of the Certificates, directly or indirectly, to acquire or to replace funds which were used, directly or indirectly, to acquire investment property (as defined in section 148(b)(2) of the Code) which produces a materially higher yield over the term of the Certificates, other than investment property acquired with --

(A) proceeds of the Certificates invested for a reasonable temporary period of 3 years or less or, in the case of a refunding bond, for a period of 90 days,

(B) amounts invested in a bona fide debt service fund, within the meaning of section 1.148-1(b) of the Treasury Regulations, and



(C) amounts deposited in any reasonably required reserve or replacement fund to the extent such amounts do not exceed 10 percent of the proceeds of the Certificates;

(8) to otherwise restrict the use of the proceeds of the Certificates or amounts treated as proceeds of the Certificates, as may be necessary, so that the Certificates do not otherwise contravene the requirements of section 148 of the Code (relating to arbitrage) and, to the extent applicable, section 149(d) of the Code (relating to advance refundings);

(9) to pay to the United States of America at least once during each five-year period (beginning on the date of delivery of the Certificates) an amount that is at least equal to 90 percent of the "Excess Earnings," within the meaning of section 148(f) of the Code and to pay to the United States of America, not later than 60 days after the Certificates have been paid in full, 100 percent of the amount then required to be paid as a result of Excess Earnings under section 148(f) of the Code; and

(10) to assure that the proceeds of the Certificates will be used solely for new money projects.

(b) Rebate Fund. In order to facilitate compliance with the above covenant (8), a "Rebate Fund" is hereby established by the City for the sole benefit of the United States of America, and such fund shall not be subject to the claim of any other person, including without limitation the bondholders. The Rebate Fund is established for the additional purpose of compliance with section 148 of the Code.

(c) Proceeds. The City understands that the term "proceeds" includes "disposition proceeds" as defined in the Treasury Regulations and, in the case of refunding bonds, transferred proceeds (if any) [and] proceeds of the refunded bonds expended prior to the date of issuance of the Certificates. It is the understanding of the City that the covenants contained herein are intended to assure compliance with the Code and any regulations or rulings promulgated by the U.S. Department of the Treasury pursuant thereto. In the event that regulations or rulings are hereafter promulgated which modify or expand provisions of the Code, as applicable to the Certificates, the City will not be required to comply with any covenant contained herein to the extent that such failure to comply, in the opinion of nationally recognized bond counsel, will not adversely affect the exemption from federal income taxation of interest on the Certificates under section 103 of the Code. In the event that regulations or rulings are hereafter promulgated which impose additional requirements which are applicable to the Certificates, the City agrees to comply with the additional requirements to the extent necessary, in the opinion of nationally recognized bond counsel, to preserve the exemption from federal income taxation of interest on the Certificates under section 103 of the Code. In furtherance of such intention, the City hereby authorizes and directs the City Manager or Director of Finance to execute any documents, certificates or reports required by the Code and to make such elections, on behalf of the City, which may be permitted by the Code as are consistent with the purpose for the issuance of the Certificates. This Ordinance is intended to satisfy the official intent requirements set forth in Section 1.150-2 of the Treasury Regulations.

(d) Allocation Of, and Limitation On, Expenditures for the Project. The City covenants to account for the expenditure of sale proceeds and investment earnings to be used for the purposes described in Section 1 of this Ordinance (the "Project") on its books and records in accordance with the requirements of the Internal Revenue Code. The City recognizes that in order for proceeds to be expended under the Internal Revenue Code, the sale proceeds or investment earnings must be expended no more than 60 days after the earlier of (1) the fifth anniversary of the delivery of the Certificates, or (2) the date the Certificates are retired. The City agrees to obtain the advice of nationally-recognized bond counsel if such expenditure fails to comply with the foregoing to assure that such expenditure will not adversely affect the tax-exempt status of the Certificates. For purposes hereof, the City shall not be obligated to comply with this covenant if it obtains an opinion that such failure to comply will not adversely affect the excludability for federal income tax purposes from gross income of the interest.

(e) Disposition of Project. The City covenants that the property constituting the projects financed with the proceeds of the Certificates will not be sold or otherwise disposed in a transaction resulting in the receipt by the City of cash or other compensation, unless the City obtains an opinion of nationally-recognized bond counsel that such sale or other disposition will not adversely affect the tax-exempt status of the Certificates. For purposes of the foregoing, the portion of the property comprising personal property and disposed in the ordinary course shall not be treated as a transaction resulting in the receipt of cash or other compensation. For purposes hereof, the City shall not be obligated to comply with this covenant if it obtains an opinion that such failure to comply will not adversely affect the excludability for federal income tax purposes from gross income of the interest.

(f) Written Procedures. Unless superseded by another action of the City, to ensure compliance with the covenants contained herein regarding private business use, remedial actions, arbitrage and rebate, the City hereby adopts and establishes the instructions attached hereto as Exhibit "A" as their written procedures for the Certificates and any other tax-exempt debt or obligation outstanding or hereafter issued.

Section 12. **SALE OF CERTIFICATES.** The Certificates are hereby sold to the bidder whose bid produced the lowest net effective interest rate, pursuant to the taking of public bids therefor, on this date, and shall be delivered to a syndicate of the purchaser represented by \_\_\_\_\_ (collectively, the "Purchaser") at a price of \$\_\_\_\_\_, representing the par amount of the Certificates, plus a reoffering premium of \$\_\_\_\_\_, less an underwriter's discount of \$\_\_\_\_\_. The Certificates shall initially be registered in the name of CEDE&Co.

### **Section 13. DEFAULT AND REMEDIES.**

(a) Events of Default. Each of the following occurrences or events for the purpose of this Ordinance is hereby declared to be an Event of Default: (i) the failure to make payment of the principal of or interest on any of the Certificates when the same becomes due and payable; or (ii) default in the performance or observance of any other covenant, agreement or obligation of the City, the failure to perform which materially, adversely affects the rights of the Registered Owners of the Certificates, and the continuation thereof for a period of 60 days after notice of such default is given by any Registered Owner to the City.

(b) Remedies for Default. (i) Upon the happening of any Event of Default, then and in every case, any Registered Owner or an authorized representative thereof, including, but not limited to, a trustee or trustees therefor, may proceed against the City, or any official, officer or employee of the City in their official capacity, for the purpose of protecting and enforcing the rights of the Registered Owners under this Ordinance, by mandamus or other suit, action or special proceeding in equity or at law, in any court of competent jurisdiction, for any relief permitted by law, including the specific performance of any covenant or agreement contained herein, or thereby to enjoin any act or thing that may be unlawful or in violation of any right of the Registered Owners hereunder or any combination of such remedies; (ii) It is provided that all such proceedings shall be instituted and maintained for the equal benefit of all Registered Owners of Certificates then outstanding.

(c) Remedies Not Exclusive. (i) No remedy herein conferred or reserved is intended to be exclusive of any other available remedy or remedies, but each and every such remedy shall be cumulative and shall be in addition to every other remedy given hereunder or under the Certificates or now or hereafter existing at law or in equity; provided, however, that notwithstanding any other provision of this Ordinance, the right to accelerate the debt evidenced by the Certificates shall not be available as a remedy under this Ordinance. (ii) The exercise of any remedy herein conferred or reserved shall not be deemed a waiver of any other available remedy. (iii) By accepting the delivery of a Certificate authorized under this Ordinance, such Registered Owner agrees that the certifications required to effectuate any covenants or representations contained in this Ordinance do not and shall never constitute or give rise to a personal or pecuniary liability or charge against the officers, employees or trustees of the City or the City Council. (iv) None of the members of the City Council, nor any other official or officer, agent, or employee of the City, shall be charged personally by the Registered Owners with any liability, or be held personally liable to the Registered Owners under any term or provision of this Ordinance, or because of any Event of Default or alleged Event of Default under this Ordinance.

**Section 14. ESTABLISHMENT OF CONSTRUCTION FUND AND INTEREST EARNINGS.** (a) Construction Fund. A special fund or account, to be designated the City of Montgomery Series 2024 Certificate of Obligation Construction Fund (the "2024 Construction Fund") is hereby created and shall be established and maintained by the City at a depository bank of the City. The 2024 Construction Fund shall be kept separate and apart from all other funds and accounts of the City. The Construction Fund and the Interest and Sinking Fund shall be invested in accordance with the Public Funds Investment Act, Chapter 2256, Texas Government Code, as amended, and the City's Investment Policy.

(b) Interest Earnings. Interest earnings derived from the investment of proceeds from the sale of the Certificates shall be used along with the Certificate proceeds for the purpose for which the Certificates are issued as set forth in Section 1 hereof or to pay principal or interest payments on the Certificates; provided that after completion of such purpose, if any of such interest earnings remain on hand, such interest earnings shall be deposited in the Interest and Sinking Fund. It is further provided, however, that any interest earnings on bond proceeds which are required to be rebated to the United States of America pursuant to Section 11 hereof in order

to prevent the Certificates from being arbitrage bonds shall be so rebated and not considered as interest earnings for the purposes of this Section.

**Section 15. APPROVAL OF OFFICIAL STATEMENT.** The City hereby approves the form and content of the Official Statement relating to the Certificates and any addenda, supplement or amendment thereto, and approves the distribution of such Official Statement in the reoffering of the Certificates by the Purchaser in final form, with such changes therein or additions thereto as the officer executing the same may deem advisable, such determination to be conclusively evidenced by his execution thereof. The distribution and use of the Preliminary Official Statement dated December \_\_\_\_\_, 2023 prior to the date hereof is confirmed, approved and ratified. The City Council hereby finds and determines that the Preliminary Official Statement and final Official Statement were "deemed final" (as that term is defined in 17 CFR Section 240.15c(2)-12) as of their respective dates.

**Section 16. APPROVAL OF PAYING AGENT/REGISTRAR AGREEMENT.** Attached hereto as "Exhibit B" is a substantially final form of the Paying Agent/Registrar Agreement. The Mayor of the City Council of the City is hereby authorized to amend, complete or modify such agreement as necessary and is further authorized to execute such agreement and the City Secretary is hereby authorized to attest such agreement.

**Section 17. CONTINUING DISCLOSURE UNDERTAKING.** (a) Annual Reports. The City shall provide annually to the MSRB, in an electronic format as prescribed by the MSRB, (i) within six months after the end of each fiscal year of the City ending in or after 2024, financial information and operating data, which information and data may be unaudited, with respect to the City of the general type included in the final Official Statement authorized by Section 15 of this Ordinance, being the information described in Exhibit "C" hereto and (ii) if not provided as part of such financial information and operating data, audited financial statements of the City, within twelve months after the end of each fiscal year of the City ending in or after 2024. Any financial statements to be so provided shall be (1) prepared in accordance with the accounting principles described in Exhibit "A" hereto, or such other accounting principles as the City may be required to employ from time to time pursuant to state law or regulation, and (2) audited, if the City commissions an audit of such statements and the audit is completed within the period during which they must be provided. If the audit of such financial statements is not complete within such period, then the City shall provide unaudited financial statements within such period, and audited financial statements for the applicable fiscal year to the MSRB, when and if the audit report on such statements become available.

If the City changes its fiscal year, it will notify the MSRB of the change (and of the date of the new fiscal year end) prior to the next date by which the City otherwise would be required to provide financial information and operating data pursuant to this Section.

The financial information and operating data to be provided pursuant to this Section may be set forth in full in one or more documents or may be included by specific reference to any document that is available to the public on the MSRB's internet web site or filed with the SEC. All documents provided to the MSRB pursuant to this Section shall be accompanied by identifying information as prescribed by the MSRB.

- (b) Event Notices. The City shall notify the MSRB, in an electronic format as prescribed by the MSRB, in a timely manner not in excess of ten business days after the occurrence of the event, of any of the following events with respect to the Certificates:
- A. Principal and interest payment delinquencies;
  - B. Non-payment related defaults, if material within the meaning of the federal securities laws;
  - C. Unscheduled draws on debt service reserves reflecting financial difficulties;
  - D. Unscheduled draws on credit enhancements reflecting financial difficulties;
  - E. Substitution of credit or liquidity providers, or their failure to perform;
  - F. Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Certificates, or other events affecting the tax status of the Certificates
  - G. Modifications to rights of holders of the Certificates, if material within the meaning of the federal securities laws;
  - H. Certificate calls, if material within the meaning of the federal securities laws;
  - I. Defeasances;
  - J. Release, substitution, or sale of property securing repayment of the Certificates, if material within the meaning of the federal securities laws;
  - K. Rating changes;
  - L. Bankruptcy, insolvency, receivership or similar event of the City;
  - M. The consummation of a merger, consolidation, or acquisition involving the City or the sale of all or substantially all of the assets of the City, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material within the meaning of the federal securities laws; and



- N. Appointment of a successor or additional trustee or the change of name of a trustee, if material within the meaning of the federal securities laws;
- O. Incurrence of a Financial Obligation of the City, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a Financial Obligation of the City, any of which affect security holders, if material; and
- P. Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a Financial Obligation of the City, any of which reflect financial difficulties.

The City shall notify the MSRB, in an electronic format as prescribed by the MSRB, in a timely manner, of any failure by the City to provide financial information or operating data in accordance with subsection (a) of this Section by the time required by such subsection. All documents provided to the MSRB pursuant to this Section shall be accompanied by identifying information as prescribed by the **MSRB**.

(c) Limitations, Disclaimers, and Amendments. The City shall be obligated to observe and perform the covenants specified in this Section for so long as, but only for so long as, the City remains an "obligated person" with respect to the Certificates within the meaning of the Rule, except that the City in any event will give notice of any deposit made in accordance with Section 12.02 of this Ordinance that causes the Certificates no longer to be outstanding.

The provisions of this Section are for the sole benefit of the holders and beneficial owners of the Certificates, and nothing in this Section, express or implied, shall give any benefit or any legal or equitable right, remedy, or claim hereunder to any other person. The City undertakes to provide only the financial information, operating data, financial statements, and notices which it has expressly agreed to provide pursuant to this Section and does not hereby undertake to provide any other information that may be relevant or material to a complete presentation of the City's financial results, condition, or prospects or hereby undertake to update any information provided in accordance with this Section or otherwise, except as expressly provided herein. The City does not make any representation or warranty concerning such information or its usefulness to a decision to invest in or sell Certificates at any future date.

**UNDER NO CIRCUMSTANCES SHALL THE CITY BE LIABLE TO THE HOLDER OR BENEFICIAL OWNER OF ANY CERTIFICATE OR ANY OTHER PERSON, IN CONTRACT OR TORT, FOR DAMAGES RESULTING IN WHOLE OR IN PART FROM ANY BREACH BY THE CITY, WHETHER NEGLIGENT OR WITHOUT FAULT ON ITS PART, OF ANY COVENANT SPECIFIED IN THIS SECTION, BUT EVERY RIGHT AND REMEDY OF ANY SUCH PERSON, IN CONTRACT OR TORT, FOR OR ON ACCOUNT OF ANY SUCH BREACH SHALL BE LIMITED TO AN ACTION FOR MANDAMUS OR SPECIFIC PERFORMANCE.**

No default by the City in observing or performing its obligations under this Section shall comprise a breach of or default under this Ordinance for purposes of any other provision of this Ordinance.



Should the Rule be amended to obligate the City to make filings with or provide notices to entities other than the MSRB, the City hereby agrees to undertake such obligation with respect to the Certificates in accordance with the Rule as amended.

Nothing in this Section is intended or shall act to disclaim, waive, or otherwise limit the duties of the City under federal and state securities laws.

The provisions of this Section may be amended by the City from time to time to adapt to changed circumstances that arise from a change in legal requirements, a change in law, or a change in the identity, nature, status, or type of operations of the City, but only if (1) the provisions of this Section, as so amended, would have permitted an underwriter to purchase or sell Certificates in the primary offering of the Certificates in compliance with the Rule, taking into account any amendments or interpretations of the Rule since such offering as well as such changed circumstances and (2) either (a) the holders of a majority in aggregate principal amount (or any greater amount required by any other provision of this Ordinance that authorizes such an amendment) of the outstanding Certificates consents to such amendment or (b) a person that is unaffiliated with the City (such as nationally recognized bond counsel) determines that such amendment will not materially impair the interest of the holders and beneficial owners of the Certificates. If the City so amends the provisions of this Section, it shall include with any amended financial information or operating data next provided in accordance with paragraph (a) of this Section an explanation, in narrative form, of the reason for the amendment and of the impact of any change in the type of financial information or operating data so provided. The City may also amend or repeal the provisions of this continuing disclosure agreement if the SEC amends or repeals the applicable provision of the Rule or a court of final jurisdiction enters judgment that such provisions of the Rule are invalid, but only if and to the extent that the provisions of this sentence would not prevent an underwriter from lawfully purchasing or selling Certificates in the primary offering of the Certificates.

Section 18. **NO RECOURSE AGAINST CITY OFFICIALS.** No recourse shall be had for the payment of principal of or interest on the Certificates or for any claim based thereon or on this Ordinance against any official of the City or any person executing any Certificates.

Section 19. **FURTHER ACTIONS.** The officers and employees of the City are hereby authorized, empowered and directed from time to time and at any time to do and perform all such acts and things and to execute, acknowledge and deliver in the name and under the corporate seal and on behalf of the City all such instruments, whether or not herein mentioned, as may be necessary or desirable in order to carry out the terms and provisions of this Ordinance, the Certificates, the initial sale and delivery of the Certificates, the Paying Agent/Registrar Agreement, and any insurance commitment letter or insurance policy. In addition, prior to the initial delivery of the Certificates, the Mayor, the City Secretary, the City Manager or Assistant City Manager, the City Attorney and Bond Counsel are hereby authorized and directed to approve any technical changes or corrections to this Ordinance or to any of the instruments authorized and approved by this Ordinance necessary in order to (i) correct any ambiguity or mistake or properly or more completely document the transactions contemplated and approved by this Ordinance and as described in the Official Statement, (ii) obtain a rating from any of the

national bond rating agencies or satisfy requirements of any bond insurer, or (iii) obtain the approval of the Certificates by the Attorney General's office.

In case any officer of the City whose signature shall appear on any Certificate shall cease to be such officer before the delivery of such Certificate, such signature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

Section 20. **INTERPRETATIONS.** All terms defined herein and all pronouns used in this Ordinance shall be deemed to apply equally to singular and plural and to all genders. The titles and headings of the articles and sections of this Ordinance have been inserted for convenience of reference only and are not to be considered a part hereof and shall not in any way modify or restrict any of the terms or provisions hereof. This Ordinance and all the terms and provisions hereof shall be liberally construed to effectuate the purposes set forth herein and to sustain the validity of the Certificates and the validity of the lien on and pledge to secure the payment of the Certificates.

Section 21. **INCONSISTENT PROVISIONS.** All ordinances, orders or resolutions, or parts thereof, which are in conflict or inconsistent with any provisions of this Ordinance are hereby repealed to the extent of such conflict and the provisions of this Ordinance shall be and remain controlling as to the matters contained herein.

Section 22. **INTERESTED PARTIES.** Nothing in this Ordinance expressed or implied is intended or shall be construed to confer upon, or to give to, any person or entity, other than the City and the Registered Owners of the Certificates, any right, remedy or claim under or by reason of this Ordinance or any covenant, condition or stipulation hereof, and all covenants, stipulations, promises and agreements in this Ordinance contained by and on behalf of the City shall be for the sole and exclusive benefit of the City and the registered owners of the Certificates.

Section 23. **INCORPORATION OF RECITALS.** The City hereby finds that the statements set forth in the recitals of this Ordinance are true and correct, and the City hereby incorporates such recitals as a part of this Ordinance.

Section 24. **REPEALER.** All orders, resolutions and ordinances, or parts thereof, inconsistent herewith are hereby repealed to the extent of such inconsistency.

Section 25. **SEVERABILITY.** The provisions of this Ordinance are severable; and in case any one or more of the provisions of this Ordinance or the application thereof to any person or circumstance should be held to be invalid, unconstitutional, or ineffective as to any person or circumstance, the remainder of this Ordinance nevertheless shall be valid, and the application of any such invalid provision to persons or circumstances other than those as to which it is held invalid shall not be affected thereby.

Section 26. **PERFECTION.** Chapter 1208, Government Code, applies to the issuance of the Certificates and the pledge of ad valorem taxes and revenues granted by the City under Sections 6 and 7 of this Ordinance, and such pledge is therefore valid, effective and perfected. If

Texas law is amended at any time while the Certificates are outstanding and unpaid such that the pledge of ad valorem taxes and revenues granted by the City under Sections 6 and 7 of this Ordinance is to be subject to the filing requirements of Chapter 9, Business & Commerce Code, then in order to preserve to the registered owners of the Certificates the perfection of the security interest in said pledge, the City agrees to take such measures as it determines are reasonable and necessary under Texas law to comply with the applicable provisions of Chapter 9, Business & Commerce Code and enable a filing to perfect the security interest in said pledge to occur.

Section 27. **EFFECTIVE DATE.** This Ordinance shall become effect immediately from and after its passage on first and final reading in accordance with Section 1201.028, Texas Government Code, as amended.

Section 28. **NO PERSONAL LIABILITY.** No covenant or agreement contained in the Certificates, this Ordinance or any corollary instrument shall be deemed to be the covenant or agreement of any member of the City Council or any officer, agent, employee or representative of the City Council in his individual capacity, and neither the directors, officers, agents, employees or representatives of the City Council nor any person executing the Certificates shall be personally liable thereon or be subject to any personal liability for damages or otherwise or accountability by reason of the issuance thereof, or any actions taken or duties performed, whether by virtue of any constitution, statute or rule of law, or by the enforcement of any assessment or penalty, or otherwise, all such liability being expressly released and waived as a condition of and in consideration for the issuance of the Certificates.

Section 29. **CUSTODY, APPROVAL, AND REGISTRATION OF CERTIFICATE; BOND COUNSEL'S OPINION; AND CONTINGENT INSURANCE PROVISION, IF OBTAINED.** The Mayor of the City is hereby authorized to have control of the Certificate initially issued and delivered hereunder and all necessary records and proceedings pertaining to the Certificate pending its delivery and their investigation, examination, and approval by the Attorney General of the State of Texas, and their registration by the Comptroller of Public Accounts of the State of Texas. Upon registration of the Certificate said Comptroller of Public Accounts (or a deputy designated in writing to act for said Comptroller) shall manually sign the Comptroller's Registration Certificate attached to such Certificate, and the seal of said Comptroller shall be impressed, or placed in facsimile, on such Certificate. The approving legal opinion of the City's Bond Counsel, at the option of the City, be printed on the Certificate issued and delivered under this Ordinance, but neither shall have any legal effect, and shall be solely for the convenience and information of the Registered Owner of the Certificate. In addition, if bond insurance is obtained, the Certificate may bear an appropriate legend as provided by the insurer.

**IN ACCORDANCE WITH SECTION 1201.028**, Texas Government Code, passed and approved on the final reading on the 12<sup>th</sup> day of December, 2023.

\_\_\_\_\_  
Mayor, City of Montgomery, Texas

ATTEST:

\_\_\_\_\_  
Secretary, City of Montgomery, Texas

[Signature Page]

## EXHIBIT "A"

### **WRITTEN PROCEDURES RELATING TO CONTINUING COMPLIANCE WITH FEDERAL TAX COVENANTS**

A. Arbitrage. With respect to the investment and expenditure of the proceeds of the Bonds, Notes, Certificates, Leases or other Obligations now or hereafter outstanding as having the interest on such debt exempt from Federal income taxes of the debt holder (the "Obligations") the Issuer's City Manager or Director of Finance (the "Responsible Person") will, as applicable to each issuance of Obligations:

- instruct the appropriate person or persons that the construction, renovation or acquisition of the facilities must proceed with due diligence and that binding contracts for the expenditure of at least 5% of the proceeds of the Obligations will be entered into within 6 months of the Issue Date;
- monitor that at least 85% of the proceeds of the Obligations to be used for the construction, renovation or acquisition of any facilities are expended within 3 years of the date of delivery of the Obligations ("Issue Date");
- restrict the yield of the investments to the yield on the Obligations after 3 years of the Issue Date;
- monitor all amounts deposited into a sinking fund or funds, e.g., the Debt Service Fund/Bond Fund/Interest and Sinking Fund, to assure that the maximum amount invested at a yield higher than the yield on the Obligations does not exceed an amount equal to the debt service on the Obligations in the succeeding 12-month period plus a carryover amount equal to one-twelfth of the principal and interest payable on the Obligations for the immediately preceding 12-month period;
- ensure that no more than 50% of the proceeds of the Obligations are invested in an investment with a guaranteed yield for 4 years or more;
- assure that the maximum amount of any reserve fund for any Obligations invested at a yield higher than the yield on the Obligations will not exceed the lesser of (1) 10% of the principal amount of the Obligations, (2) 125% of the average annual debt service on the Obligations measured as of the Issue Date, or (3) 100% of the maximum annual debt service on the Obligations as of the Issue Date;
- monitor the actions of the escrow agent (to the extent an escrow is funded with proceeds) to ensure compliance with the applicable provisions of the escrow agreement, including with respect to reinvestment of cash balances;
- maintain any official action of the Issuer (such as a reimbursement resolution) stating its intent to reimburse with the proceeds of the Obligations any amount expended prior to the Issue Date for the acquisition, renovation or construction of the facilities;
- ensure that the applicable information return (e.g., IRS Form 8038-G, 8038-GC, or any successor forms) is timely filed with the IRS;
- assure that, unless excepted from rebate and yield restriction under section 148(f) of the Code, excess investment earnings are computed and paid to the U.S. government at such time and in such manner as directed by the IRS (i) at least

every 5 years after the Issue Date and (ii) within 30 days after the date the Obligations are retired.

B. Private Business Use. With respect to the use of the facilities financed or refinanced with the proceeds of the Bonds the Responsible Person will:

- monitor the date on which the facilities are substantially complete and available to be used for the purpose intended;
- monitor whether, at any time the Obligations are outstanding, any person, other than the Issuer, the employees of the Issuer, the agents of the Issuer or members of the general public has any contractual right (such as a lease, purchase, management or other service agreement) with respect to any portion of the facilities;
- monitor whether, at any time the Obligations are outstanding, any person, other than the Issuer, the employees of the Issuer, the agents of the Issuer or members of the general public has a right to use the output of the facilities (e.g., water, gas, electricity);
- monitor whether, at any time the Obligations are outstanding, any person, other than the Issuer, the employees of the Issuer, the agents of the Issuer or members of the general public has a right to use the facilities to conduct or to direct the conduct of research;
- determine whether, at any time the Obligations are outstanding, any person, other than the Issuer, has a naming right for the facilities or any other contractual right granting an intangible benefit;
- determine whether, at any time the Obligations are outstanding, the facilities are sold or otherwise disposed of; and
- take such action as is necessary to remediate any failure to maintain compliance with the covenants contained in the Order related to the public use of the facilities.

C. Record Retention. The Responsible Persons will maintain or cause to be maintained all records relating to the investment and expenditure of the proceeds of the Obligations and the use of the facilities financed or refinanced thereby for a period ending three (3) years after the complete extinguishment of the Obligations. If any portion of the Obligations is refunded with the proceeds of another series of tax-exempt obligations, such records shall be maintained until the three (3) years after the refunding obligations are completely extinguished. Such records can be maintained in paper or electronic format.

D. Responsible Persons. Each Responsible Person shall receive appropriate training regarding the Issuer's accounting system, contract intake system, facilities management and other systems necessary to track the investment and expenditure of the proceeds and the use of the facilities financed with the proceeds of the Obligations. The foregoing notwithstanding, the Responsible Persons are authorized and instructed to retain such experienced advisors and agents as may be necessary to carry out the purposes of these instructions.



**EXHIBIT "B"**

**PAYING AGENT/REGISTRAR AGREEMENT**

DRAFT

## EXHIBIT "C"

### DESCRIPTION OF ANNUAL FINANCIAL INFORMATION

The following information is referred to in Section 17 of this Ordinance.

#### **Annual Financial Statements and Operating Data**

The financial information and operating data with respect to the City to be provided annually in accordance with such Section are as specified (and included in the Appendix or under the headings of the Official Statement referred to) below:

- (1) Table 1 - Valuation, Exemptions and General Obligation Debt;
- (2) Table 2 - Valuation and General Obligation Debt History;
- (3) Table 3 - Tax Rate, Levy and Collection History;
- (4) Table 4 - Ten Largest Taxpayers;
- (5) Table 5 -Ad Valorem Tax Debt Service Requirements;
- (6) Table 7 - Interest and Sinking Fund Budget Projections;
- (7) Table 8 - Authorized But Unissued General Obligation Bonds
- (8) Table 9 - General Fund Revenues and Expenditure History;
- (9) Table 10 - Municipal Sales Tax History;
- (10) Table 11 - Current Investments;
- (11) Appendix B - Excerpts from the City's Annual Financial Report

#### **Accounting Principles**

The accounting principles referred to in such Section are the accounting principles described in the notes to the financial statements referred to in the paragraph above.



# City of Montgomery, Texas

---

City Council Budget Workshop - Financing Analysis  
Water & Wastewater Projects

Tax & Revenue Certificates of Obligation, Series 2023

\$2.5 Million v. \$3.5 Million

Debt Service Paid By Utility Revenues

September 11, 2023

James Gilley, Jr.  
Managing Director  
U.S. Capital Advisors, LLC  
300 W 6th Street, Suite 1900  
Austin, Texas 78701  
Office: 512-813-1110  
Mobile: 713-516-8804

This presentation is provided by U.S. Capital Advisors LLC, on behalf of itself and its subsidiaries, USCA Municipal Advisors LLC, USCA Securities LLC and US Capital Wealth Advisors LLC (collectively "USCA"). This presentation and any material accompanying this presentation are highly confidential and may not be reproduced or otherwise disseminated in whole or in part without USCA's prior written consent. We have prepared such information for use solely to illustrate the businesses of USCA. Neither this presentation nor anything contained herein shall form the basis of any contract or commitment nor does it constitute investment advice or a recommendation to purchase or sell any security. The information contained herein is in summary form and does not purport to be complete. Municipal advisory services offered through USCA Municipal Advisors LLC, registered MSRB; Securities offered through USCA Securities LLC, member FINRA/SIPC; Investment advisory services offered through US Capital Wealth Advisors LLC and USCA Asset Management LLC.

## City of Montgomery, Texas

Cash Flow Analysis - \$2.5 Million Water & Sewer Improvements  
Tax & Revenue Certificates of Obligation, Series 20232022 Utility Fund Assumptions <sup>(a)</sup>

Operating Revenues	\$	2,771,714
Operating Expenses		(2,369,713)
ADD: Depreciation		370,243
Net Revenues	\$	772,244

Est. No. Customers 1,100

Financing Assumptions <sup>(b)</sup>

Sale Date	12/14/2023
Closing Date	1/17/2024
First Interest Payment	3/1/2024
First Principal Payment	3/1/2025
Project Funds	\$ 2,500,000
Est. Interest Rate	5.00%

**Scenario I:  
\$2.5 Million Project -  
Paid by Utility  
Revenues**

		<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>	<u>G</u>	<u>H</u>	<u>I</u>	<u>J</u>	<u>K</u>
			Outstanding Debt Service <sup>(c)</sup>			Proposed Debt Service: Tax & Rev CO, Series 2023 <sup>(b)</sup>			Grand Total	Surplus	Coverage	Additional
		Net	LESS:			Tax & Rev CO, Series 2023 <sup>(b)</sup>			Self-Supported	(Shortfall)	of Debt Service	Required
FYE	Tax	Revenues	Total	Tax-Supported	Self-Supported	Principal	Interest	Total	Debt Service	Net Revs. Over	by	Monthly Revs.
9/30	Year									Debt Service	Net Revenues	per Customer
2023	2022	\$ 772,244	\$ 954,739	\$ 530,199	\$ 424,540	\$ -	\$ -	\$ -	\$ 424,540	\$ 347,705	1.82	\$ -
2024	2023	772,244	893,556	467,538	426,018	70,000	87,486	157,486	583,504	188,740	1.32	-
2025	2024	772,244	902,276	472,502	429,774	80,000	119,500	199,500	629,274	142,970	1.23	-
2026	2025	772,244	800,947	374,374	426,573	85,000	115,375	200,375	626,948	145,297	1.23	-
2027	2026	772,244	799,655	373,345	426,309	85,000	111,125	196,125	622,434	149,810	1.24	-
2028	2027	772,244	796,966	371,599	425,367	90,000	106,750	196,750	622,117	150,128	1.24	-
2029	2028	772,244	797,755	374,010	423,744	95,000	102,125	197,125	620,869	151,375	1.24	-
2030	2029	772,244	533,741	107,329	426,412	100,000	97,250	197,250	623,662	148,582	1.24	-
2031	2030	772,244	480,881	92,597	388,284	105,000	92,125	197,125	585,409	186,836	1.32	-
2032	2031	772,244	478,047	92,409	385,638	110,000	86,750	196,750	582,388	189,856	1.33	-
2033	2032	772,244	489,868	95,062	394,806	115,000	81,125	196,125	590,931	181,313	1.31	-
2034	2033	772,244	481,413	91,887	389,527	125,000	75,125	200,125	589,652	182,592	1.31	-
2035	2034	772,244	477,830	91,611	386,219	130,000	68,750	198,750	584,969	187,275	1.32	-
2036	2035	772,244	474,077	91,307	382,771	135,000	62,125	197,125	579,896	192,349	1.33	-
2037	2036	772,244	336,530	50,779	285,751	145,000	55,125	200,125	485,876	286,368	1.59	-
2038	2037	772,244	171,700	49,793	121,907	150,000	47,750	197,750	319,657	452,587	2.42	-
2039	2038	772,244	-	-	-	160,000	40,000	200,000	400,000	372,244	1.93	-
2040	2039	772,244	-	-	-	165,000	31,875	196,875	393,750	378,494	1.96	-
2041	2040	772,244	-	-	-	175,000	23,375	198,375	396,750	375,494	1.95	-
2042	2041	772,244	-	-	-	185,000	14,375	199,375	398,750	373,494	1.94	-
2043	2042	772,244	-	-	-	195,000	4,875	199,875	399,750	372,494	1.93	-
<b>Total</b>			\$ 9,869,977	\$ 3,726,339	\$ 6,143,638	\$ 2,500,000	\$ 1,422,986	\$ 3,922,986	\$ 11,061,124			

(a) Source: City of Montgomery FYE 9/30/2022 audit

(b) Preliminary, subject to change. Interest rate estimated and shown for illustrative purposes only. Assumes S&amp;P 'AA' rated, BQ, scales as of 9-6-23 + 10 bps, flat coupon.

(c) Source of debt service allocation: City of Montgomery

## City of Montgomery, Texas

Cash Flow Analysis - \$3.5 Million Water & Sewer Improvements  
Tax & Revenue Certificates of Obligation, Series 20232022 Utility Fund Assumptions <sup>(a)</sup>

Operating Revenues	\$	2,771,714
Operating Expenses		(2,369,713)
ADD: Depreciation		370,243
Net Revenues	\$	772,244

Est. No. Customers 1,100

Financing Assumptions <sup>(b)</sup>

Sale Date	12/14/2023
Closing Date	1/17/2024
First Interest Payment	3/1/2024
First Principal Payment	3/1/2025
Project Funds	\$ 3,500,000
Est. Interest Rate	5.00%

**Scenario II:  
\$3.5 Million Project -  
Paid by Utility  
Revenues**

		<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>	<u>G</u>	<u>H</u>	<u>I</u>	<u>J</u>	<u>K</u>
			Outstanding Debt Service <sup>(c)</sup>			Proposed Debt Service: Tax & Rev CO, Series 2023 <sup>(b)</sup>			Grand Total	Surplus	Coverage	Additional
FYE	Tax	Net	LESS:			Tax & Rev CO, Series 2023 <sup>(b)</sup>			Self-Supported	Net Revs. Over	of Debt Service	Required
9/30	Year	Revenues	Total	Tax-Supported	Self-Supported	Principal	Interest	Total	Debt Service	Debt Service	by	Monthly Revs.
											Net Revenues	per Customer
2023	2022	\$ 772,244	\$ 954,739	\$ 530,199	\$ 424,540	\$ -	\$ -	\$ -	\$ 424,540	\$ 347,705	1.82	\$ -
2024	2023	772,244	893,556	467,538	426,018	100,000	122,431	222,431	648,448	123,796	1.19	-
2025	2024	772,244	902,276	472,502	429,774	110,000	167,250	277,250	707,024	65,220	1.09	-
2026	2025	772,244	800,947	374,374	426,573	115,000	161,625	276,625	703,198	69,047	1.10	-
2027	2026	772,244	799,655	373,345	426,309	120,000	155,750	275,750	702,059	70,185	1.10	-
2028	2027	772,244	796,966	371,599	425,367	130,000	149,500	279,500	704,867	67,378	1.10	-
2029	2028	772,244	797,755	374,010	423,744	135,000	142,875	277,875	701,619	70,625	1.10	-
2030	2029	772,244	533,741	107,329	426,412	140,000	136,000	276,000	702,412	69,832	1.10	-
2031	2030	772,244	480,881	92,597	388,284	150,000	128,750	278,750	667,034	105,211	1.16	-
2032	2031	772,244	478,047	92,409	385,638	155,000	121,125	276,125	661,763	110,481	1.17	-
2033	2032	772,244	489,868	95,062	394,806	165,000	113,125	278,125	672,931	99,313	1.15	-
2034	2033	772,244	481,413	91,887	389,527	175,000	104,625	279,625	669,152	103,092	1.15	-
2035	2034	772,244	477,830	91,611	386,219	180,000	95,750	275,750	661,969	110,275	1.17	-
2036	2035	772,244	474,077	91,307	382,771	190,000	86,500	276,500	659,271	112,974	1.17	-
2037	2036	772,244	336,530	50,779	285,751	200,000	76,750	276,750	562,501	209,743	1.37	-
2038	2037	772,244	171,700	49,793	121,907	210,000	66,500	276,500	398,407	373,837	1.94	-
2039	2038	772,244	-	-	-	220,000	55,750	275,750	551,500	220,744	1.40	-
2040	2039	772,244	-	-	-	235,000	44,375	279,375	558,750	213,494	1.38	-
2041	2040	772,244	-	-	-	245,000	32,375	277,375	554,750	217,494	1.39	-
2042	2041	772,244	-	-	-	255,000	19,875	274,875	549,750	222,494	1.40	-
2043	2042	772,244	-	-	-	270,000	6,750	276,750	553,500	218,744	1.40	-
<b>Total</b>			\$ 9,869,977	\$ 3,726,339	\$ 6,143,638	\$ 3,500,000	\$ 1,987,681	\$ 5,487,681	\$ 13,015,443			

(a) Source: City of Montgomery FYE 9/30/2022 audit

(b) Preliminary, subject to change. Interest rate estimated and shown for illustrative purposes only. Assumes S&amp;P 'AA' rated, BQ, scales as of 9-6-23 + 10 bps, flat coupon.

(c) Source of debt service allocation: City of Montgomery

**CITY OF MONTGOMERY, TEXAS**  
**TAX & REVENUE CERTIFICATES OF OBLIGATIONS, SERIES 2024**  
**S&P GLOBAL "AA"**  
**COUNCIL MEETS 2<sup>ND</sup> AND 4<sup>TH</sup> TUESDAY OF THE MONTH (6:30PM)**

Draft 4  
10/19/2023

**Tentative Timetable of Events**

OCTOBER						
S	M	T	W	Th	F	S
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30	31				

NOVEMBER						
S	M	T	W	Th	F	S
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30		

DECEMBER						
S	M	T	W	Th	F	S
					1	2
3	4	5	6	7	8	9
10	11	12	13	14	15	16
17	18	19	20	21	22	23
24/31	25	26	27	28	29	30

JANUARY						
S	M	T	W	Th	F	S
	1	2	3	4	5	6
7	8	9	10	11	12	13
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

Complete By	Day	Event	Parties
September 11	Monday	City workshop to discuss capital improvement financing plan.	C, FA
October 24	Tuesday	City of Montgomery, Texas City Council meeting to consider the approval the Resolution authorizing publication of the Notice of Intent ("NOI") to issue the City of Montgomery Tax & Revenue Certificates of Obligation, Series 2024 (the "Certificates").	C, BC, FA
October 25	Wednesday	Send first draft of certificate documents to working group for comments.	FA
October 25	Wednesday	City posts the NOI on the City's website (Posting must remain until after the sale of the Certificates.)	C
October 25	Wednesday	Send the NOI to the local paper for first publication Friday, October 27 <sup>th</sup> .	C
October 25	Wednesday	Send first draft Certificate documents to S&P Global Rating. Request rating call.	FA
October 27	Friday	City's first publication of the NOI in the local paper.	C
November 3	Friday	City's second publication of the NOI in the local paper.	C
November 8	Wednesday	Comments due on the first draft of the Certificate documents.	All



Mid November		S&P rating call with City Officials, Financial Advisor and S&P Analysts.	C, FA
November 13	Monday	Send second and final draft of Certificate documents for comments.	FA
November 30	Thursday	Comments due on second and final draft of Certificate documents.	FA
November 30	Thursday	Receive S&P verbal rating.	All
December 5	Tuesday	Print and mail POS – IPREO, Bloomberg, MAC.	FA
December 5	Tuesday	Request CUSIPs.	FA
December 12	Tuesday	Competitive sale (Bids received until 10:00 a.m.).	All
December 12	Tuesday	City Council adopts Ordinance authorizing the Certificates.	All
December 13	Wednesday	Distribute draft of Final Official Statement (“OS”).	FA
December 18	Monday	Comments due on draft OS.	ALL
December 19	Tuesday	Print and mail Final OS.	FA
January 16	Tuesday	Deliver Certificates.	C, BC

---

**Legend**

City of Montgomery

Johnson Petrov

USCA Municipal Advisors

Issuer (C)

Bond Counsel (BC)

Financial Advisor (FA)

# City of Montgomery CIP Snapshot

## Maintenance

Project	2023	2024	2025	2026	2027	2028	2029
<b>Water Plant No. 2 Improvements</b>		\$ 1,232,000					
<b>Water Plant No. 3 Improvements</b>		\$ 45,000	\$ 400,000	\$ 275,000	\$ 5,000		\$ 5,000
<b>Wastewater Treatment Plant</b>					\$ 30,000		
<b>Lift Station No. 3</b>			\$ 125,000				
<b>Lift Station No. 4</b>				\$ 30,000			
<b>Lift Station No. 5</b>			\$ 225,000				
<b>Lift Station No. 6</b>				\$ 10,000	\$ 30,000		
<b>Lift Station No. 7</b>		\$ 10,000					
<b>Lift Station No. 8</b>		\$ 10,000			\$ 75,000		
<b>Lift Station No. 9</b>			\$ 75,000	\$ 10,000			
<b>Lift Station No. 10</b>			\$ 75,000	\$ 10,000			
<b>Lift Station No. 13</b>				\$ 10,000			
<b>Lift Station No. 14</b>				\$ 10,000			
<b>Sanitary Sewer &amp; Manhole Rehab</b>	\$ 100,000	\$ 600,000	\$ 200,000		\$ 200,000		
<b>Sanitary Sewer Cleaning and Televising</b>			\$ 75,000				
<b>Storm Sewer Conditions Assessment</b>			\$ 30,000				
<b>Storm Sewer Rehab</b>				\$ 25,000			
<b>Total Construction Costs</b>	\$ 100,000	\$ 1,897,000	\$ 1,205,000	\$ 380,000	\$ 340,000	\$ -	\$ 5,000
<b>Contingencies (20%)</b>	\$ 20,000	\$ 379,400	\$ 241,000	\$ 76,000	\$ 68,000	\$ -	\$ 1,000
<b>Inflation (4% per year)</b>	\$ 4,800	\$ 185,754	\$ 180,553	\$ 77,456	\$ 88,394	\$ -	\$ 1,896
<b>Engineering</b>	\$ 18,720	\$ 369,323	\$ 243,983	\$ 80,018	\$ 74,459	\$ -	\$ 1,184
<b>TOTAL ANNUAL COSTS</b>	\$ 143,520	\$ 2,831,477	\$ 1,870,536	\$ 613,474	\$ 570,854	\$ -	\$ 9,080

**Notes:**

(1) The cost for these projects include miscellaneous system wide repairs/improvements, and preventative maintenance needed to keep the City of Montgomery functional.

(2) These estimates is based on my best judgement as a design professional familiar with the construction industry. We cannot and do not guarantee that bids will not vary from this cost estimate.

City of Montgomery CIP Snapshot  
Capital Projects

Project	2023	2024	2025	2026	2027	2028	2029
Water Plant No. 2 Improvements (Disinfection and Well)			\$ 134,500				
Water Plant No. 3 Improvements (Disinfection and Expansion)		\$ 120,000	\$ 150,000				
Water Plant No. 4 Future		\$ 1,500,000	\$ 2,370,000				
Lone Star Parkway 12" Waterline (Plez Morgan to Town Creek Crossing 2)			\$ 212,000				
NW Lone Star Parkway 12" Waterline Loop						\$ 400,000	
Buffalo Springs and CB Stewart 12" Waterlines					\$ 245,000		
Buffalo Springs Drive Waterline From Lone Star Parkway To Abner Lane		\$ 95,000					
Downtown Waterline Replacement (East of FM 149)		\$ 815,000					
Houston Street Waterline Replacement							
Old Plantersville Waterline 12" Replacement (SH-105 To Womack Cemetery)							\$ 1,340,000
Old Plantersville Road Waterline Loop		\$ 520,000					
SH 105 Waterline Replacement (Pond to Prairie)				\$ 315,000			
Pond St and FM 149 Waterline Replacement (SH 105 to Flagship Blvd)							
SH-105 12" Waterline Extension (Buffalo Springs to CB Stewart)			\$ 154,000				
Town Creek WWTP to 0.4 MGD (0.8 MGD Ultimate)		\$ 1,000,000	\$ 8,750,000				
GSA 12 Gravity System Improvements (Gravity to Eliminate LS No. 12)			\$ 151,000				
SH-105 Gravity Sanitary Sewer Extension (Eliminate LS B)						\$ 125,000	
<b>Total Construction Costs</b>	\$ -	\$ 4,050,000	\$ 11,921,500	\$ 315,000	\$ 245,000	\$ 525,000	\$ 1,340,000
<b>Contingencies (20%)</b>	\$ -	\$ 810,000	\$ 2,384,300	\$ 63,000	\$ 49,000	\$ 105,000	\$ 268,000
<b>Inflation (4% per year)</b>	\$ -	\$ 396,576	\$ 1,786,279	\$ 64,207	\$ 63,696	\$ 167,151	\$ 508,018
<b>Engineering</b>	\$ -	\$ 788,486	\$ 2,413,812	\$ 66,331	\$ 53,654	\$ 119,573	\$ 317,403
<b>TOTAL ANNUAL COSTS</b>	\$ -	\$ 6,045,062	\$ 18,505,891	\$ 508,538	\$ 411,350	\$ 916,724	\$ 2,433,421

**Notes:**

(1) The cost for these projects are needed to support future development and growth within the City of Montgomery and are included as projects that can be paid with impact fees based on the City's 2023 Impact Fee Updates.

(2) These estimates is based on my best judgement as a design professional familiar with the construction industry. We cannot and do not guarantee that bids will not vary from this cost estimate.

# Montgomery City Council

## AGENDA REPORT

<b>Meeting Date:</b> December 12, 2023	<b>Budgeted Amount:</b> N/A
<b>Department:</b> Administration	<b>Prepared By:</b> Maryann Carl

### Subject

Consideration and possible action on AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS, AMENDING ITS MUNICIPAL BUDGET FOR THE FISCAL YEAR 2022-2023; APPROPRIATING THE VARIOUS AMOUNTS HEREIN, AS ATTACHED IN EXHIBIT A; CONTAINING FINDINGS AND A TEXAS OPEN MEETINGS ACT CLAUSE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.

### Recommendation

Approve the ordinance present for FY23 Budget Amendment #4 for year-end entries.

### Discussion

This year-end budget amendment is a “housekeeping” item necessary for the FY23 audit process. The adjustments made to the line items included in Exhibit A bring all line items to actual revenue and expense totals for fiscal year 2022-2023.

A few things to keep in mind when reviewing Exhibit A:

- A negative amount under year-end adjustment **revenue** means we fell short of our projected revenue, while a positive amount means we collected more revenue.
- A negative amount under year-end adjustment **expense** means that we did not spend what we expected to, while a positive amount means we spent more.
- In the Capital Projects fund, notes that indicate items were unanticipated expenses refers to original budget and does not reflect items that were brought to council during the year.

Below is a summary of the details in Exhibit A, also found on page 15 of the exhibit:

Fund	Original Total Budget	Current Total Budget	Fiscal Activity	Year End Surplus (Deficit)
100 - General Fund	258.00	(45,742.00)	728,512.56	774,254.56
150 - Montgomery PID	17.00	17.00	225.00	208.00
200 - Capital Projects	0.00	210,338.00	(70,622.88)	(280,960.88)
300 - Water & Sewer	0.00	0.00	(409,599.88)	(409,599.88)
400 - MEDC	0.00	0.00	723,710.63	723,710.63
500 - Debt Service	0.00	0.00	(56,030.44)	(56,030.44)
600 - Grant Acct	0.00	0.00	0.04	0.04
700 - Court Security	10.00	10.00	(202.97)	(212.97)
750 - Court Technology	1,060.00	1,060.00	590.03	(469.97)
800 - Hotel Occupancy	30.00	30.00	3,571.21	3,541.21
850 - Police Asset	10.00	10.00	19.19	9.19
<b>TOTAL</b>	<b>1,385.00</b>	<b>165,723.00</b>	<b>920,172.49</b>	<b>754,449.49</b>

The following is an explanation of each column in the table:

## Montgomery City Council

### AGENDA REPORT

- **Original Total Budget** - projected year-end surplus/(deficit)
- **Current Total Budget** - projected year-end surplus/(deficit) after budget amendments
- **Fiscal Activity** - unaudited surplus/(deficit) based on revenue and expenses
- **Year End Surplus (Deficit)** - the difference between the Current Total Budget (where we projected to be at the end the year) and the Fiscal Activity (where we actually finished the year)

Based on unaudited numbers, General Fund, Montgomery PID, MEDC, Grant Acct, Court Technology, Hotel Occupancy, and Police Asset all have a year-end surplus. Capital Projects, Water & Sewer, Debt Service, and Court Security show a year-end deficit.

The deficit in Capital Projects, Water & Sewer, and Debt Service is attributed to the original budget reflecting a “Use of Surplus Funds” under revenue. Since revenue was recorded in a prior year, the adjustment to fund balance will be made during the audit. In addition, an audit entry was made to Capital Projects and Water & Sewer which artificially inflates the deficit in these two funds. As a result, the amount of surplus to be used will likely be less than originally anticipated.

Approved By		
Finance Director	Maryann Carl	Date: 12/8/2023
City Administrator	Gary Palmer	Date: 12/8/2023

**ORDINANCE NO. 2023- \_\_\_\_**

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS, AMENDING ITS MUNICIPAL BUDGET FOR THE FISCAL YEAR 2022-2023; APPROPRIATING THE VARIOUS AMOUNTS HEREIN, AS ATTACHED IN EXHIBIT A; CONTAINING FINDINGS AND A TEXAS OPEN MEETINGS ACT CLAUSE; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE.**

**WHEREAS**, the City of Montgomery, Texas Fiscal Year 2022-2023 Budget was adopted by Ordinance 2022-21 on September 13, 2022, and later amended by Ordinance 2023-07 on March 28, 2023 and Ordinance 2023-10 on April 25, 2023 and Ordinance 2023-12 on May 15, 2023; and

**WHEREAS**, the Mayor and the City Administrator of the City have submitted to the City Council certain proposed amendments to the municipal budget as permitted by law, which amended budget is set forth in and incorporated herein in the attached Exhibit "A;" and

**WHEREAS**, the City Council finds and determines that the change in the Budget for the stated municipal purpose is warranted and necessary, and that the amendment of the Budget to fund these lines items due to unforeseen situations and a matter of public necessity warranting action at this time;

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

**SECTION 1.** That such proposed municipal budget as amended is hereby approved and adopted as Budget Amendment No. 4 for the City of Montgomery for the fiscal year 2022-2023, as detailed in Exhibit "A."

**SECTION 2.** That the amended municipal budget may be amended from time to time as provided by law for the purposes of authorizing emergency expenditures or for other municipal purposes; provided, however, no obligation shall be incurred or any expenditure made except in conformity with the budget.

**SECTION 3.** It is hereby officially found and determined that the meeting at which this Ordinance was considered was open to the public as required and that the public notice of the time, place, and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

**SECTION 4.** This Ordinance shall become effective immediately from the date of its adoption.

**PASSED AND APPROVED this 12<sup>th</sup> day of December 2023.**

\_\_\_\_\_  
Byron Sanford, Mayor

**ATTEST:**

\_\_\_\_\_  
Nici Browe, TMRC, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Alan P. Petrov, City Attorney



Line Item	Description	Original Total Budget	Current Total Budget	Fiscal Activity	Year End Adjustment	Notes
<b>Fund: 100 - General Fund Revenue</b>						
100-00-14010-0000000	Mixed Beverage Tax	30,000.00	30,000.00	26,404.81	-3,595.19	Decrease to actual revenues received
100-00-14020-0000000	Franchise Tax	100,000.00	100,000.00	11,355.90	-88,644.10	Decrease to actual revenues received
100-00-14030-0000000	Ad Valorem Taxes - Current	1,334,025.00	1,334,025.00	1,310,007.79	-24,017.21	Decrease to actual revenues received
100-00-14050-0000000	Penalties & Interest - Current	10,000.00	10,000.00	9,744.72	-255.28	Decrease to actual revenues received
100-00-14060-0000000	Rendition Penalties	100.00	100.00	0.00	-100.00	No Rendition penalties received
100-00-14070-0000000	Sales Tax	2,443,911.00	2,443,911.00	2,389,602.30	-54,308.70	Decrease to actual revenues received
100-00-14080-0000000	Sales Tax ILO AdVal Tax	1,221,956.00	1,221,956.00	1,194,795.17	-27,160.83	Decrease to actual revenues received
100-00-14110-0000000	Building Permits/MEP	250,000.00	250,000.00	332,372.00	82,372.00	Increase in permits issued
100-00-14120-0000000	Vendor/Beverage Permits	2,500.00	2,500.00	2,395.00	-105.00	Decrease to actual revenues received
100-00-14130-0000000	Sign Fees	1,000.00	1,000.00	2,900.00	1,900.00	Increase to actual revenues received
100-00-14140-0000000	Plats, Zoning, Misc.	3,000.00	3,000.00	2,719.67	-280.33	Decrease to actual revenues received
100-00-14150-0000000	Culverts	3,000.00	3,000.00	1,950.00	-1,050.00	Decrease to actual revenues received
100-00-14210-0000000	Community Building Rental	10,000.00	10,000.00	15,225.00	5,225.00	Increase in rentals
100-00-14230-0000000	Right of Way Use Fees	5,000.00	5,000.00	6,070.32	1,070.32	Increase to actual revenues received
100-00-14310-0000000	Collection Fees	12,000.00	12,000.00	17,144.88	5,144.88	Increase to actual revenues received
100-00-14340-0000000	Child Belt/Safety	200.00	200.00	50.00	-150.00	Decrease to actual revenues received
100-00-14360-0000000	Fines	305,000.00	305,000.00	285,559.88	-19,440.12	Decrease to actual revenues received
100-00-14370-0000000	OMNI	1,200.00	1,200.00	1,040.59	-159.41	Decrease to actual revenues received
100-00-14400-0000000	Judicial Efficiency	100.00	100.00	83.53	-16.47	Decrease to actual revenues received
100-00-14530-0000000	Wrecker Service Fees	250.00	250.00	0.00	-250.00	No Wrecker Service Fees received
100-00-14570-0000000	Lease Funds - PD	1,300.00	1,300.00	1,070.37	-229.63	Decrease to actual revenues received
100-00-14600-0000000	Shop with a Cop	0.00	0.00	3,098.64	3,098.64	Line item added to reflect donations received
100-00-14650-0000000	Unanticipated Income	15,000.00	15,000.00	6,097.40	-8,902.60	Decrease to actual revenues received
100-00-14670-0000000	Interest Income	1,750.00	1,750.00	1,454.00	-296.00	Decrease to actual revenues received
100-00-14680-0000000	Interest on Investments	15,000.00	15,000.00	106,082.14	91,082.14	Higher than anticipated interest rates
100-00-14950-0000000	Admin from MEDC	55,000.00	55,000.00	55,000.00	0.00	n/a
100-00-14960-0000000	Admin from Court Security	1,500.00	1,500.00	0.00	-1,500.00	Bailiff expense recorded in fund 700 so no transfer made
100-00-14980-0000000	Admin from Capital Projects	0.00	35,000.00	23,333.36	-11,666.64	Transfer necessary was less than budget amendment
	<b>TOTAL REVENUE - 100</b>	<b>5,822,792.00</b>	<b>5,857,792.00</b>	<b>5,805,557.47</b>	<b>-52,234.53</b>	
<b>Expense</b>						
<b>Department: 10 - Administration</b>						
100-10-16002-0000000	Health Insurance	74,984.00	74,984.00	54,670.59	-20,313.41	Decrease to reflect actual expense
100-10-16003-0000000	Unemployment Insurance	1,108.00	1,108.00	59.24	-1,048.76	Decrease to reflect actual expense
100-10-16004-0000000	Workers Comp	3,878.00	3,878.00	2,913.32	-964.68	Decrease to reflect actual expense
100-10-16005-0000000	Dental & Vision Insurance	5,040.00	5,040.00	3,846.07	-1,193.93	Decrease to reflect actual expense
100-10-16006-0000000	Life & AD&D Insurance	784.00	784.00	0.00	-784.00	Item included under Health Insurance line 16002
100-10-16008-0000000	Payroll Taxes	50,000.00	50,000.00	36,936.13	-13,063.87	Decrease to reflect actual expense
100-10-16009-0000000	Wages	500,000.00	500,000.00	498,794.04	-1,205.96	Decrease to reflect actual expense

Line Item	Description	Original Total Budget	Current Total Budget	Fiscal Activity	Year End Adjustment	Notes
100-10-16010-0000000	Overtime	1,200.00	1,200.00	1,387.52	187.52	Increase to reflect actual expense
100-10-16011-0000000	Employee Assistance Program	500.00	500.00	900.00	400.00	Increase to reflect actual expense
100-10-16012-0000000	Retirement Expense	53,500.00	53,500.00	50,884.64	-2,615.36	Decrease to reflect actual expense
100-10-16013-0000000	MASA	400.00	400.00	0.00	-400.00	No expense as this is an employee deduction
100-10-16101-0000000	Advertising / Promotion	6,500.00	6,500.00	0.00	-6,500.00	No expense during fiscal
100-10-16102-0000000	Legal Notices & Publications	2,500.00	2,500.00	8,229.80	5,729.80	Increase to reflect actual expense
100-10-16103-0000000	Recording Fees	2,000.00	2,000.00	71.00	-1,929.00	Decrease to reflect actual expense
100-10-16104-0000000	Community Relations	4,000.00	4,000.00	1,022.97	-2,977.03	Decrease to reflect actual expense
100-10-16105-0000000	Codification	2,500.00	2,500.00	1,902.98	-597.02	Decrease to reflect actual expense
100-10-16106-0000000	Records Mgt / Retention	4,000.00	4,000.00	4,872.50	872.50	Increase to reflect actual expense
100-10-16107-0000000	Records Requests FOIA Program	5,205.00	5,205.00	5,205.00	0.00	n/a
100-10-16108-0000000	Vendor Subscriptions	2,000.00	2,000.00	1,737.17	-262.83	Decrease to reflect actual expense
100-10-16202-0000000	General Consultant Fees	25,000.00	71,000.00	58,299.89	-12,700.11	Decrease to reflect actual expense
100-10-16203-0000000	Sales Tax Tracking	16,800.00	16,800.00	16,800.00	0.00	n/a
100-10-16209-0000000	Records Shredding	600.00	600.00	741.37	141.37	Increase to reflect actual expense
100-10-16210-0000000	Inspections/Permits	195,000.00	195,000.00	227,718.90	32,718.90	Increase in permits resulted in increased expense
100-10-16213-0000000	Legal Fees	60,000.00	60,000.00	82,862.83	22,862.83	Increase to reflect actual expense
100-10-16216-0000000	Audit Fees	26,000.00	26,000.00	30,751.00	4,751.00	Increase to reflect actual expense
100-10-16223-0000000	Accounting Fees	15,000.00	15,000.00	1,035.28	-13,964.72	Bookkeeping services no longer used
100-10-16224-0000000	City Hall Cleaning	1,000.00	1,000.00	799.20	-200.80	Decrease to reflect actual expense
100-10-16239-0000000	Printing & Office supplies	9,000.00	9,000.00	6,753.66	-2,246.34	Decrease to reflect actual expense
100-10-16241-0000000	Computers/Website	2,500.00	2,500.00	2,283.56	-216.44	Decrease to reflect actual expense
100-10-16242-0000000	Postage/Delivery	3,000.00	3,000.00	1,884.52	-1,115.48	Decrease to reflect actual expense
100-10-16243-0000000	Telephone	12,000.00	12,000.00	6,185.50	-5,814.50	Decrease to reflect actual expense
100-10-16244-0000000	Tax Assessor Fees	10,000.00	10,000.00	13,664.41	3,664.41	Increase to reflect actual expense
100-10-16245-0000000	Election	16,000.00	16,000.00	25,073.00	9,073.00	Increase to reflect actual expense
100-10-16249-0000000	Computer/Technology	29,700.00	29,700.00	35,299.35	5,599.35	Increase to reflect actual expense
100-10-16254-0000000	Software Upgrades	25,000.00	25,000.00	7,109.00	-17,891.00	Decrease to reflect actual expense
100-10-16404-0000000	Copier/Fax Machine	11,000.00	11,000.00	11,114.60	114.60	Increase to reflect actual expense
100-10-16417-0000000	Capital Pur. Furniture	1,000.00	1,000.00	0.00	-1,000.00	No purchase during fiscal year
100-10-16502-0000000	Dues & Subscriptions	3,500.00	3,500.00	3,044.81	-455.19	Decrease to reflect actual expense
100-10-16503-0000000	Travel & Training Staff	10,000.00	10,000.00	7,538.58	-2,461.42	Decrease to reflect actual expense
100-10-16504-0000000	Travel & Training Council	5,000.00	5,000.00	3,768.37	-1,231.63	Decrease to reflect actual expense
100-10-16701-0000000	Insurance - Liability	7,756.00	7,756.00	6,703.50	-1,052.50	Decrease to reflect actual expense
100-10-16702-0000000	Insurance - Property	5,872.00	5,872.00	5,807.90	-64.10	Decrease to reflect actual expense
100-10-16703-0000000	Insurance - Bond	500.00	500.00	255.00	-245.00	Decrease to reflect actual expense
100-10-16915-0000000	Capital Outlay - Laserfische Software	14,000.00	14,000.00	13,393.91	-606.09	Decrease to reflect actual expense
100-10-17001-0000000	Misc Expenses - Other	1,000.00	1,000.00	8,460.41	7,460.41	Increase due to merchant services CC fees being recorded to GF

Line Item	Description	Original Total Budget	Current Total Budget	Fiscal Activity	Year End Adjustment	Notes
100-10-17004-0000000	Misc Expenses - Capitial Proj Trans Infra 24013	26,100.00	26,100.00	26,100.00	0.00	n/a
100-10-17020-0000000	Misc Expenses - Employee Appreciation	10,000.00	10,000.00	7,820.21	-2,179.79	Decrease to reflect actual expense
100-10-17180-0000000	Leases - Parks and Recreation - Adams Park	0.00	0.00	7,883.52	7,883.52	Unanticipated expense during fiscal
100-10-17310-KROGER0	Tax Abatement -Sales Tax Rebate	250,000.00	250,000.00	165,742.12	-84,257.88	Decrease to reflect actual expense
100-10-17320-380AGR0	Tax Abatement - 380 Ad Valorem Tax Rebate	140,300.00	140,300.00	143,103.74	2,803.74	Increase to reflect actual expense
	<b>TOTAL EXPENSE - 10</b>	<b>1,652,727.00</b>	<b>1,698,727.00</b>	<b>1,601,431.11</b>	<b>-97,295.89</b>	
<b>Department: 11 - Police</b>						
100-11-16002-0000000	Health Insurance	193,592.00	193,592.00	146,477.86	-47,114.14	Decrease to reflect actual expense
100-11-16003-0000000	Unemployment Insurance	2,504.00	2,504.00	177.47	-2,326.53	Decrease to reflect actual expense
100-11-16004-0000000	Workers Comp	29,916.00	29,916.00	40,099.05	10,183.05	Overage due to premium audit
100-11-16005-0000000	Dental & Vision Insurance	13,440.00	13,440.00	11,793.61	-1,646.39	Decrease to reflect actual expense
100-11-16006-0000000	Life & AD&D Insurance	4,704.00	4,704.00	0.00	-4,704.00	Item included under Health Insurance line 16002
100-11-16008-0000000	Payroll Taxes	125,000.00	125,000.00	89,861.44	-35,138.56	Decrease to reflect actual expense
100-11-16009-0000000	Wages	1,304,000.00	1,304,000.00	1,165,619.40	-138,380.60	Decrease to reflect actual expense
100-11-16010-0000000	Overtime	50,000.00	50,000.00	49,670.38	-329.62	Decrease to reflect actual expense
100-11-16011-0000000	Employee Assistance Program	1,020.00	1,020.00	900.00	-120.00	Decrease to reflect actual expense
100-11-16012-0000000	Retirement Expense	134,500.00	134,500.00	123,095.29	-11,404.71	Decrease to reflect actual expense
100-11-16013-0000000	MASA	850.00	850.00	0.00	-850.00	No expense as this is an employee deduction
100-11-16102-0000000	Legal Notices & Publications	0.00	0.00	306.00	306.00	Expense not originally budgeted
100-11-16104-0000000	Community Relations	6,000.00	6,000.00	12,724.97	6,724.97	Increase due to Shop w/a Cop, National Night out expense
100-11-16108-0000000	Vendor Subscriptions	0.00	0.00	561.35	561.35	Expense not originally budgeted
100-11-16209-0000000	Records Shredding	500.00	500.00	338.29	-161.71	Decrease to reflect actual expense
100-11-16227-0000000	Gas/Oil	45,000.00	45,000.00	42,929.64	-2,070.36	Decrease to reflect actual expense
100-11-16229-0000000	Auto Repairs	30,000.00	30,000.00	40,336.83	10,336.83	Increase in repairs during fiscal
100-11-16230-0000000	Equipment repairs	5,000.00	5,000.00	4,702.31	-297.69	Decrease to reflect actual expense
100-11-16239-0000000	Printing & Office supplies	4,000.00	4,000.00	4,265.91	265.91	Increase to reflect actual expense
100-11-16241-0000000	Computers/Website	6,500.00	6,500.00	3,309.31	-3,190.69	Decrease to reflect actual expense
100-11-16242-0000000	Postage/Delivery	500.00	500.00	611.59	111.59	Increase to reflect actual expense
100-11-16243-0000000	Telephone	10,000.00	10,000.00	8,788.13	-1,211.87	Decrease to reflect actual expense
100-11-16247-0000000	Mobile Data Terminals	14,000.00	14,000.00	9,250.22	-4,749.78	Decrease to reflect actual expense
100-11-16249-0000000	Computer/Technology	40,000.00	40,000.00	39,153.04	-846.96	Decrease to reflect actual expense
100-11-16401-0000000	Radio Fees	6,500.00	6,500.00	4,665.00	-1,835.00	Decrease to reflect actual expense
100-11-16402-0000000	Uniforms & Safety Equip	10,000.00	10,000.00	9,726.37	-273.63	Decrease to reflect actual expense
100-11-16403-0000000	Protective Gear	8,000.00	8,000.00	5,220.61	-2,779.39	Decrease to reflect actual expense

Line Item	Description	Original Total Budget	Current Total Budget	Fiscal Activity	Year End Adjustment	Notes
100-11-16404-0000000	Copier/Fax Machine	6,000.00	6,000.00	5,916.44	-83.56	Decrease to reflect actual expense
100-11-16405-0000000	Operating Supplies	7,000.00	7,000.00	7,759.98	759.98	Increase to reflect actual expense
100-11-16411-0000000	Tools, Etc,	300.00	300.00	259.78	-40.22	Decrease to reflect actual expense
100-11-16415-0000000	Emergency Equipment	18,800.00	18,800.00	17,569.48	-1,230.52	Decrease to reflect actual expense
100-11-16416-0000000	Radios	18,000.00	18,000.00	18,345.86	345.86	Increase to reflect actual expense
100-11-16417-0000000	Capital Pur. Furniture	2,000.00	2,000.00	1,845.39	-154.61	Decrease to reflect actual expense
100-11-16502-0000000	Dues & Subscriptions	2,500.00	2,500.00	2,337.65	-162.35	Decrease to reflect actual expense
100-11-16503-0000000	Travel & Training Staff	25,000.00	25,000.00	21,395.04	-3,604.96	Decrease to reflect actual expense
100-11-16701-0000000	Insurance - Liability	18,836.00	18,836.00	21,610.88	2,774.88	Increase to reflect actual expense
100-11-16702-0000000	Insurance - Property	5,540.00	5,540.00	7,237.43	1,697.43	Increase to reflect actual expense
100-11-16907-0000000	Capital Outlay - Emergency Lights, Decals	7,500.00	7,500.00	7,895.00	395.00	Increase to reflect actual expense
100-11-16910-0000000	Capital Outlay - Vehicle Replacement - CPF 24011	15,000.00	15,000.00	0.00	-15,000.00	Item to be booked during audit
100-11-16911-0000000	Capital Outlay - Computers Equipment	20,000.00	20,000.00	19,862.34	-137.66	Decrease to reflect actual expense
100-11-16912-0000000	Capital Outlay - Tyler Public Safety	8,500.00	8,500.00	7,382.21	-1,117.79	Decrease to reflect actual expense
100-11-16913-0000000	Capital Outlay - Radar	8,000.00	8,000.00	7,177.31	-822.69	Decrease to reflect actual expense
100-11-16916-0000000	Capital Outlay - Investigate & Testing Equipment	10,000.00	10,000.00	12,748.42	2,748.42	Increase to reflect actual expense
100-11-16917-0000000	Capital Outlay - Ballistic Vests & Shields	10,500.00	10,500.00	12,448.74	1,948.74	Increase to reflect actual expense
100-11-16919-0000000	Capital Outlay - Patrol Weapons	20,200.00	20,200.00	13,325.22	-6,874.78	Decrease to reflect actual expense
100-11-16920-0000000	Capital Outlay - Traffic Equipment	25,000.00	25,000.00	0.00	-25,000.00	No expense during fiscal
100-11-16921-0000000	Capital Outlay - Office Maintenance	11,800.00	11,800.00	8,889.55	-2,910.45	Decrease to reflect actual expense
	<b>TOTAL EXPENSE - 11</b>	2,286,002.00	2,286,002.00	2,008,590.79	-277,411.21	
<b>Department: 12 - Public Works</b>						
100-12-16002-0000000	Health Insurance	38,000.00	38,000.00	25,116.22	-12,883.78	Decrease to reflect actual expense
100-12-16003-0000000	Unemployment Insurance	550.00	550.00	62.59	-487.41	Decrease to reflect actual expense
100-12-16004-0000000	Workers Comp	8,000.00	8,000.00	8,327.21	327.21	Overage due to premium audit
100-12-16005-0000000	Dental & Vision Insurance	3,000.00	3,000.00	2,319.40	-680.60	Decrease to reflect actual expense
100-12-16006-0000000	Life & AD&D Insurance	400.00	400.00	0.00	-400.00	Item included under Health Insurance line 16002
100-12-16008-0000000	Payroll Taxes	16,500.00	16,500.00	13,919.48	-2,580.52	Decrease to reflect actual expense
100-12-16009-0000000	Wages	206,000.00	206,000.00	166,764.03	-39,235.97	Decrease to reflect actual expense
100-12-16010-0000000	Overtime	5,500.00	5,500.00	3,954.75	-1,545.25	Decrease to reflect actual expense
100-12-16011-0000000	Employee Assistance Program	500.00	500.00	900.00	400.00	Increase to reflect actual expense
100-12-16012-0000000	Retirement Expense	22,000.00	22,000.00	16,321.63	-5,678.37	Decrease to reflect actual expense

Line Item	Description	Original Total Budget	Current Total Budget	Fiscal Activity	Year End Adjustment	Notes
100-12-16013-0000000	MASA	168.00	168.00	0.00	-168.00	No expense as this is an employee deduction
100-12-16101-0000000	Advertising / Promotion	500.00	500.00	343.59	-156.41	Decrease to reflect actual expense
100-12-16102-0000000	Legal Notices & Publications	1,500.00	1,500.00	0.00	-1,500.00	No expense during fiscal
100-12-16104-0000000	Community Relations	1,000.00	1,000.00	0.00	-1,000.00	No expense during fiscal
100-12-16108-0000000	Vendor Subscriptions	0.00	0.00	561.35	561.35	Expense not originally budgeted
100-12-16208-0000000	Mowing	127,600.00	127,600.00	113,271.25	-14,328.75	Decrease to reflect actual expense
100-12-16209-0000000	Records Shredding	150.00	150.00	0.00	-150.00	No expense during fiscal
100-12-16213-0000000	Legal Fees	2,500.00	2,500.00	0.00	-2,500.00	No expense during fiscal
100-12-16217-0000000	Engineering	107,000.00	107,000.00	142,224.57	35,224.57	Increase to reflect actual expense
100-12-16224-0000000	City Hall Cleaning	14,900.00	14,900.00	12,443.64	-2,456.36	Decrease to reflect actual expense
100-12-16225-0000000	Downtown Repairs	1,500.00	1,500.00	618.39	-881.61	Decrease to reflect actual expense
100-12-16226-0000000	Maint - Vehicles & Equipment	3,000.00	3,000.00	2,767.63	-232.37	Decrease to reflect actual expense
100-12-16227-0000000	Gas/Oil	14,000.00	14,000.00	12,507.39	-1,492.61	Decrease to reflect actual expense
100-12-16229-0000000	Auto Repairs	5,500.00	5,500.00	8,617.10	3,117.10	Increase in needed repairs
100-12-16230-0000000	Equipment repairs	6,000.00	6,000.00	4,797.94	-1,202.06	Decrease to reflect actual expense
100-12-16231-0000000	Bldg Repairs-City Hall	19,800.00	19,800.00	8,796.17	-11,003.83	Decrease to reflect actual expense
100-12-16232-0000000	Street Repairs - Minor	20,000.00	20,000.00	1,289.17	-18,710.83	Decrease to reflect actual expense
100-12-16233-0000000	Streets-Preventive Maintenance	7,700.00	7,700.00	0.00	-7,700.00	No expense during fiscal
100-12-16237-0000000	Mosquito Spraying	6,000.00	6,000.00	4,683.50	-1,316.50	Decrease to reflect actual expense
100-12-16238-0000000	Street Signs	3,300.00	3,300.00	2,025.61	-1,274.39	Decrease to reflect actual expense
100-12-16239-0000000	Printing & Office supplies	1,000.00	1,000.00	1,402.51	402.51	Increase to reflect actual expense
100-12-16241-0000000	Computers/Website	750.00	750.00	480.00	-270.00	Decrease to reflect actual expense
100-12-16242-0000000	Postage/Delivery	750.00	750.00	48.66	-701.34	Decrease to reflect actual expense
100-12-16243-0000000	Telephone	8,400.00	8,400.00	7,852.13	-547.87	Decrease to reflect actual expense
100-12-16249-0000000	Computer/Technology	10,500.00	10,500.00	16,311.47	5,811.47	Increase due to work order program subscription
100-12-16255-0000000	Bldg Repairs - Comm Center	0.00	0.00	14,684.05	14,684.05	Unanticipated expense
100-12-16256-0000000	Bldg Repairs - 213 Prairie	0.00	35,000.00	25,133.70	-9,866.30	Expense less than anticipated at time of budget amendment
100-12-16402-0000000	Uniforms & Safety Equip	4,700.00	4,700.00	2,847.96	-1,852.04	Decrease to reflect actual expense
100-12-16405-0000000	Operating Supplies	9,900.00	9,900.00	4,868.58	-5,031.42	Decrease to reflect actual expense
100-12-16406-0000000	Streets & Drainage	3,500.00	3,500.00	0.00	-3,500.00	No expense during fiscal
100-12-16407-0000000	Supplies & Equipment - Cedar Break Park	6,500.00	6,500.00	592.25	-5,907.75	Decrease to reflect actual expense
100-12-16408-0000000	Supplies & Equipment - Homecoming Park	2,000.00	2,000.00	509.29	-1,490.71	Decrease to reflect actual expense
100-12-16409-0000000	Supplies & Equipment - Fernland Park	2,750.00	2,750.00	879.32	-1,870.68	Decrease to reflect actual expense
100-12-16410-0000000	Supplies & Equipment - Community Building	2,000.00	2,000.00	223.37	-1,776.63	Decrease to reflect actual expense
100-12-16411-0000000	Tools, Etc,	3,025.00	3,025.00	3,972.72	947.72	Increase to reflect actual expense

Line Item	Description	Original Total Budget	Current Total Budget	Fiscal Activity	Year End Adjustment	Notes
100-12-16412-0000000	Supplies & Equipment - Memory Park	2,000.00	2,000.00	442.88	-1,557.12	Decrease to reflect actual expense
100-12-16413-0000000	Culverts	3,000.00	3,000.00	1,714.80	-1,285.20	Decrease to reflect actual expense
100-12-16502-0000000	Dues & Subscriptions	2,000.00	2,000.00	2,431.61	431.61	Increase to reflect actual expense
100-12-16503-0000000	Travel & Training Staff	5,000.00	5,000.00	2,746.19	-2,253.81	Decrease to reflect actual expense
100-12-16601-0000000	Park Maint - Memory Pk	24,500.00	24,500.00	19,109.04	-5,390.96	Decrease to reflect actual expense
100-12-16602-0000000	Park Maint - Fernland	69,500.00	69,500.00	51,979.38	-17,520.62	Decrease to reflect actual expense
100-12-16603-0000000	Park Maint - Cedar Brake Park	24,500.00	24,500.00	10,866.73	-13,633.27	Decrease to reflect actual expense
100-12-16604-0000000	Park Maint - Homecoming Park	19,500.00	19,500.00	6,625.47	-12,874.53	Decrease to reflect actual expense
100-12-16701-0000000	Insurance - Liability	2,700.00	2,700.00	2,728.54	28.54	Increase to reflect actual expense
100-12-16702-0000000	Insurance - Property	1,500.00	1,500.00	1,448.67	-51.33	Decrease to reflect actual expense
100-12-16803-0000000	Utilities - Electronic Sign-City	1,500.00	1,500.00	839.09	-660.91	Decrease to reflect actual expense
100-12-16804-0000000	Utilities - Street Lights	13,200.00	13,200.00	13,950.54	750.54	Increase to reflect actual expense
100-12-16805-0000000	Utilities - Downtown Utilities	1,320.00	1,320.00	1,310.56	-9.44	Decrease to reflect actual expense
100-12-16806-0000000	Utilities - Cedar Brake Park	2,420.00	2,420.00	1,961.34	-458.66	Decrease to reflect actual expense
100-12-16807-0000000	Utilities - Homecoming Park	1,650.00	1,650.00	1,240.48	-409.52	Decrease to reflect actual expense
100-12-16808-0000000	Utilities - Fernland Park	6,380.00	6,380.00	5,779.30	-600.70	Decrease to reflect actual expense
100-12-16809-0000000	Utilities - City Hall	14,300.00	14,300.00	14,641.26	341.26	Increase to reflect actual expense
100-12-16811-0000000	Utilities - Community Center Building	5,500.00	5,500.00	6,334.81	834.81	Increase to reflect actual expense
100-12-16812-0000000	Utilities - Memory Park	8,000.00	8,000.00	9,329.39	1,329.39	Increase to reflect actual expense
100-12-16813-0000000	Utilities - 213 Prairie	15,600.00	15,600.00	1,791.93	-13,808.07	Decrease to reflect actual expense
100-12-16911-0000000	Capital Outlay - Computers Equipment	3,000.00	3,000.00	3,235.72	235.72	Increase to reflect actual expense
100-12-16922-0000000	Capital Outlay - Public Works Items	30,000.00	30,000.00	24,815.18	-5,184.82	Decrease to reflect actual expense
100-12-16923-0000000	Capital Outlay - General Improvements	150,000.00	150,000.00	67,771.74	-82,228.26	Decrease to reflect actual expense
100-12-16924-0000000	Capital Outlay - Drainage Improvements	10,000.00	10,000.00	2,474.92	-7,525.08	Decrease to reflect actual expense
100-12-17001-0000000	Misc Expenses - Other	1,000.00	1,000.00	-225.04	-1,225.04	Decrease to reflect actual expense
100-12-17150-0000000	Contract Labor - Streets	250,000.00	250,000.00	157,810.50	-92,189.50	Decrease to reflect actual expense
	<b>TOTAL EXPENSE - 12</b>	<b>1,366,413.00</b>	<b>1,401,413.00</b>	<b>1,045,593.65</b>	<b>-355,819.35</b>	
<b>Department: 13 - Court</b>						
100-13-16002-0000000	Health Insurance	44,632.00	44,632.00	27,963.45	-16,668.55	Decrease to reflect actual expense
100-13-16003-0000000	Unemployment Insurance	600.00	600.00	35.58	-564.42	Decrease to reflect actual expense
100-13-16004-0000000	Workers Comp	2,500.00	2,500.00	1,703.39	-796.61	Decrease to reflect actual expense
100-13-16005-0000000	Dental & Vision Insurance	3,000.00	3,000.00	2,098.82	-901.18	Decrease to reflect actual expense
100-13-16006-0000000	Life & AD&D Insurance	250.00	250.00	0.00	-250.00	Item included under Health Insurance line 16002
100-13-16007-0000000	Crime Insurance	700.00	700.00	488.52	-211.48	Decrease to reflect actual expense
100-13-16008-0000000	Payroll Taxes	18,000.00	18,000.00	12,991.15	-5,008.85	Decrease to reflect actual expense



Line Item	Description	Original Total Budget	Current Total Budget	Fiscal Activity	Year End Adjustment	Notes
100-13-16009-0000000	Wages	197,000.00	197,000.00	172,360.02	-24,639.98	Decrease to reflect actual expense
100-13-16010-0000000	Overtime	5,000.00	5,000.00	2,257.94	-2,742.06	Decrease to reflect actual expense
100-13-16011-0000000	Employee Assistance Program	150.00	150.00	900.00	750.00	Increase to reflect actual expense
100-13-16012-0000000	Retirement Expense	20,500.00	20,500.00	17,745.73	-2,754.27	Decrease to reflect actual expense
100-13-16013-0000000	MASA	350.00	350.00	0.00	-350.00	No expense as this is an employee deduction
100-13-16104-0000000	Community Relations	400.00	400.00	0.00	-400.00	No expense during fiscal
100-13-16202-0000000	General Consultant Fees	7,500.00	7,500.00	4,277.86	-3,222.14	Decrease to reflect actual expense
100-13-16205-0000000	Omni Expense	2,000.00	2,000.00	912.00	-1,088.00	Decrease to reflect actual expense
100-13-16207-0000000	Prosecutors Fees	14,000.00	14,000.00	9,450.00	-4,550.00	Decrease to reflect actual expense
100-13-16209-0000000	Records Shredding	250.00	250.00	0.00	-250.00	No expense during fiscal
100-13-16211-0000000	Judge's Fee	12,000.00	12,000.00	12,000.00	0.00	n/a
100-13-16222-0000000	Collection Agency	15,000.00	15,000.00	16,126.17	1,126.17	Increase to reflect actual expense
100-13-16239-0000000	Printing & Office supplies	1,400.00	1,400.00	842.05	-557.95	Decrease to reflect actual expense
100-13-16241-0000000	Computers/Website	4,500.00	4,500.00	480.00	-4,020.00	Decrease to reflect actual expense
100-13-16242-0000000	Postage/Delivery	2,300.00	2,300.00	4,274.58	1,974.58	Increase to reflect actual expense
100-13-16243-0000000	Telephone	4,000.00	4,000.00	663.94	-3,336.06	Decrease to reflect actual expense
100-13-16249-0000000	Computer/Technology	13,000.00	13,000.00	16,508.70	3,508.70	Increase due to new SETCIC program with Harris County for warrants
100-13-16251-0000000	State Portion of Fines/Payouts	130,000.00	130,000.00	103,150.84	-26,849.16	Decrease to reflect actual expense
100-13-16402-0000000	Uniforms & Safety Equip	100.00	100.00	0.00	-100.00	No expense during fiscal
100-13-16404-0000000	Copier/Fax Machine	8,800.00	8,800.00	10,003.95	1,203.95	Increase due to copy overages
100-13-16405-0000000	Operating Supplies	2,500.00	2,500.00	647.26	-1,852.74	Decrease to reflect actual expense
100-13-16417-0000000	Capital Pur. Furniture	3,000.00	3,000.00	0.00	-3,000.00	No expense during fiscal
100-13-16502-0000000	Dues & Subscriptions	500.00	500.00	354.20	-145.80	Decrease to reflect actual expense
100-13-16503-0000000	Travel & Training Staff	2,000.00	2,000.00	2,442.59	442.59	Increase to reflect actual expense
100-13-16701-0000000	Insurance - Liability	60.00	60.00	387.62	327.62	Increase to reflect actual expense
100-13-16702-0000000	Insurance - Property	1,300.00	1,300.00	363.00	-937.00	Decrease to reflect actual expense
100-13-17001-0000000	Misc Expenses - Other	100.00	100.00	0.00	-100.00	No expense during fiscal
	<b>TOTAL EXPENSE - 13</b>	517,392.00	517,392.00	421,429.36	-95,962.64	
<b>Fund: 150 - Montgomery PID Revenue</b>						
150-00-15000-0000000	Montgomery PID - Tax Revenue	41,100.00	41,100.00	40,807.37	-292.63	Decrease to reflect actual revenue
<b>Expense</b>						
150-15-17500-0000000	Montgomery PID - Property Tax Reimb	41,083.00	41,083.00	40,582.37	-500.63	Decrease to reflect actual expense
<b>Fund: 200 - Capital Projects</b>						

Line Item	Description	Original Total Budget	Current Total Budget	Fiscal Activity	Year End Adjustment	Notes
<b>Revenue</b>						
200-00-24003-0000000	Transfer from MEDC - Other	200,000.00	200,000.00	200,000.00	0.00	n/a
200-00-24005-0000000	Transfer From Utility Fund - Capital	503,500.00	503,500.00	803,525.50	300,025.50	Increase due to FY22 bank transfers recorded in FY23 - per auditors
200-00-24013-0000000	Transfer From General Fund - Infrastructure	26,100.00	26,100.00	26,100.00	0.00	n/a
200-00-24104-0000000	Other - Proceeds GLO	660,563.00	822,901.00	454,323.10	-368,577.90	Decrease to reflect actual revenue
200-00-24111-0000000	Redbird Meadows Deposit	1,375,000.00	1,375,000.00	110,000.00	-1,265,000.00	Decrease to reflect actual revenue, project delay
200-00-24112-0000000	Pulte Homes Deposit	0.00	48,000.00	48,000.00	0.00	n/a
200-00-24203-0000000	Impact Fees Transfer	1,000,000.00	1,000,000.00	0.00	-1,000,000.00	No impact fees received
200-00-24500-0000000	Interest Earned on Investments	1,500.00	36,500.00	51,084.87	14,584.87	Higher than anticipated interest rates
200-00-24501-0062715	Interest Earned on Investments - 2017A	50.00	50.00	3,996.54	3,946.54	Higher than anticipated interest rates
200-00-24502-0073740	Interest Earned on Investments - 2017B	150.00	150.00	7,682.88	7,532.88	Higher than anticipated interest rates
200-00-24600-0000000	Miscellaneous Income	0.00	0.00	1,659.26	1,659.26	Unanticipated Income
200-00-24700-0000000	Developer Contributions	1,138,900.00	1,138,900.00	0.00	-1,138,900.00	Use of surplus funds to be booked during audit to the extent needed
	<b>TOTAL REVENUE - 200</b>	<b>4,905,763.00</b>	<b>5,151,101.00</b>	<b>1,706,372.15</b>	<b>-3,444,728.85</b>	
<b>Expense</b>						
200-20-26003-017B366	Grant Admin Expenses - GLO All Projects	60,444.00	60,444.00	6,736.00	-53,708.00	Decrease to reflect actual expense
200-20-26101-0000000	Engineering - Lift Station 10 Expansion	0.00	0.00	2,982.50	2,982.50	Unanticipated expense
200-20-26102-0062715	Engineering - Water Plant #3 Imp - TWDB	0.00	0.00	7,876.44	7,876.44	Unanticipated expense
200-20-26117-017B366	Engineering - All GLO	45,000.00	45,000.00	14,859.00	-30,141.00	Decrease to reflect actual expense
200-20-26122-0000000	Engineering - Clepper Sidewalks	10,000.00	10,000.00	8,126.75	-1,873.25	Decrease to reflect actual expense
200-20-26123-0000000	Engineering - McCown St & Caroline St Wtr Rep	35,000.00	35,000.00	22,097.50	-12,902.50	Decrease to reflect actual expense
200-20-26124-0000000	Engineering - Downtown Sanitary Sewer Rehab	24,000.00	24,000.00	18,674.63	-5,325.37	Decrease to reflect actual expense
200-20-26125-0000000	Engineering - Old Plantersville Force Main Ext	75,000.00	75,000.00	32,000.00	-43,000.00	Decrease to reflect actual expense
200-20-26126-0000000	Engineering - Old Plantersville Waterline Ext	94,000.00	94,000.00	38,200.00	-55,800.00	Decrease to reflect actual expense
200-20-26127-0000000	Engineering - WP #4	375,000.00	375,000.00	0.00	-375,000.00	No expense during fiscal
200-20-26128-0000000	Engineering - WWTP Expansion	625,000.00	625,000.00	0.00	-625,000.00	No expense during fiscal

Line Item	Description	Original Total Budget	Current Total Budget	Fiscal Activity	Year End Adjustment	Notes
200-20-26130-0000000	Engineering - Sanitary Sewer & Manhole Rehab	60,000.00	60,000.00	41,227.85	-18,772.15	Decrease to reflect actual expense
200-20-26132-0000000	Engineering - Flagship Storm Sewer	35,000.00	35,000.00	54,284.48	19,284.48	Project expense higher than initially projected
200-20-26133-0000000	Engineering - College St. Drainage Repairs	15,000.00	15,000.00	0.00	-15,000.00	No expense during fiscal
200-20-26134-0000000	Engineering - Road Improvements	40,000.00	40,000.00	0.00	-40,000.00	No expense during fiscal
200-20-26136-0000000	Engineering - LS #8 Force Main Repair	25,000.00	25,000.00	605.00	-24,395.00	Decrease to reflect actual expense
200-20-26314-0000000	Wastewater System - Downtown Sanitary Sewer Rehab	153,000.00	153,000.00	113,402.29	-39,597.71	Decrease to reflect actual expense
200-20-26315-0000000	Wastewater System - Old Plantersville Force Main	402,000.00	402,000.00	0.00	-402,000.00	No expense during fiscal
200-20-26317-0000000	Wastewater System - Lift Station 10 Improvements	0.00	0.00	19,248.75	19,248.75	Unanticipated expense
200-20-26318-0000000	Wastewater System - Sanitary Sewer & Manhole Rehab	500,000.00	500,000.00	0.00	-500,000.00	No expense during fiscal
200-20-26320-0000000	Wastewater System - LS #8 Force Main	75,000.00	75,000.00	21,360.00	-53,640.00	Decrease to reflect actual expense
200-20-26401-017B366	Water System - WP #3 Generator - GLO	368,469.00	368,469.00	410,596.48	42,127.48	Increase to reflect actual expense
200-20-26404-0062715	Water System - Water Plant #3 Imp TWDB	0.00	0.00	2,632.50	2,632.50	Unanticipated expense
200-20-26415-0000000	Water System - McCown St & Caroline St WL Rep	311,000.00	311,000.00	0.00	-311,000.00	No expense during fiscal
200-20-26416-0000000	Water System - Old Plantersville Waterline Ext	804,200.00	804,200.00	0.00	-804,200.00	No expense during fiscal
200-20-26509-0000000	Roadway System - Downtown Master Drainage Study	0.00	0.00	48,750.00	48,750.00	Unanticipated expense
200-20-26510-0000000	Roadway System - Clepper Sidewalks	78,000.00	78,000.00	0.00	-78,000.00	No expense during fiscal
200-20-26511-0000000	Roadway System - LS Pkwy & Buffalo Springs Dr Imp	265,000.00	265,000.00	0.00	-265,000.00	No expense during fiscal
200-20-26707-017B366	Capital Outlay - Baja / MLK GLO	180,650.00	180,650.00	376,659.00	196,009.00	Increase to reflect actual expense
200-20-26715-0000000	Capital Outlay - Flagship Storm Sewer	175,000.00	175,000.00	513,342.50	338,342.50	Project expense higher than initially projected
200-20-26716-0000000	Capital Outlay - College St. Drainage Repairs	75,000.00	75,000.00	0.00	-75,000.00	No expense during fiscal
200-20-26810-0000000	Transfer Out - PD / Admin Building	0.00	35,000.00	23,333.36	-11,666.64	Decrease to reflect actual expense
	<b>TOTAL EXPENSE - 200</b>	<b>4,905,763.00</b>	<b>4,940,763.00</b>	<b>1,776,995.03</b>	<b>-3,163,767.97</b>	

Line Item	Description	Original Total Budget	Current Total Budget	Fiscal Activity	Year End Adjustment	Notes
<b>Fund: 300 - Water &amp; Sewer Revenue</b>						
300-00-34110-0000000	Water Revenue	845,000.00	845,000.00	979,506.75	134,506.75	Increase in accounts and consumption
300-00-34130-0000000	Lone Star Ground Water Revenue	8,500.00	8,500.00	11,366.47	2,866.47	Increase in accounts and consumption
300-00-34140-0000000	Application Fee	3,000.00	3,000.00	7,292.50	4,292.50	Increase in accounts
300-00-34150-0000000	Disconnect Reconnect	6,000.00	6,000.00	5,299.54	-700.46	Decrease to reflect actual revenue
300-00-34160-0000000	Sewer Revenue	818,000.00	818,000.00	905,217.62	87,217.62	Increase in accounts and consumption
300-00-34170-0000000	Tap Fees/Inspections	447,000.00	447,000.00	500,502.03	53,502.03	Increase in new accounts
300-00-34180-0000000	Grease Trap Inspections	20,000.00	20,000.00	29,964.87	9,964.87	Increase to reflect actual revenue
300-00-34190-0000000	Late Charges	18,200.00	18,200.00	14,136.86	-4,063.14	Decrease to reflect actual revenue
300-00-34200-0000000	Returned Check Fee	1,200.00	1,200.00	408.03	-791.97	Decrease to reflect actual revenue
300-00-34210-0000000	Backflow Testing	16,000.00	16,000.00	0.00	-16,000.00	No backflow testing revenue collected during fiscal
300-00-34220-0000000	Solid Waste Revenue	200,000.00	200,000.00	233,789.88	33,789.88	Increase in accounts
300-00-34310-0000000	Sales Tax Revenue for Solid Waste	16,600.00	16,600.00	19,172.09	2,572.09	Increase in accounts
300-00-34320-0000000	Groundwater Reduction Revenue	203,000.00	203,000.00	267,780.34	64,780.34	Increase in accounts and consumption
300-00-34410-0000000	Impact Fees - Other	1,000,000.00	1,000,000.00	0.00	-1,000,000.00	No impact fees collected during fiscal
300-00-34430-0000000	Interest Income	778.00	778.00	1,113.40	335.40	Higher than anticipated interest rates
300-00-34440-0000000	Interest earned on Investments	11,000.00	11,000.00	87,245.37	76,245.37	Higher than anticipated interest rates
300-00-34450-0000000	Meter Box Replacement	1,500.00	1,500.00	1,260.00	-240.00	Decrease to reflect actual revenue
300-00-34460-0000000	EndPoint Charge	500.00	500.00	2,155.00	1,655.00	Increase to reflect actual revenue
300-00-34470-0000000	Miscellaneous Revenue & ETS Revenue	11,000.00	11,000.00	6,083.51	-4,916.49	Decrease to reflect actual revenue
300-00-34500-0000000	Use of Surplus Funds	350,000.00	350,000.00	0.00	-350,000.00	Use of surplus funds to be booked during audit to the extent needed
300-00-34530-0000000	Utility Contracts	2,000.00	2,000.00	3,176.57	1,176.57	Increase to reflect actual revenue
	<b>TOTAL REVENUE - 300</b>	<b>3,979,278.00</b>	<b>3,979,278.00</b>	<b>3,075,470.83</b>	<b>-903,807.17</b>	
<b>Expense</b>						
300-30-16002-0000000	Health Insurance	61,000.00	61,000.00	55,713.61	-5,286.39	Decrease to reflect actual expense
300-30-16003-0000000	Unemployment Insurance	700.00	700.00	62.77	-637.23	Decrease to reflect actual expense
300-30-16004-0000000	Workers Comp	6,000.00	6,000.00	8,331.04	2,331.04	Overage due to premium audit
300-30-16006-0000000	Life & AD&D Insurance	1,150.00	1,150.00	0.00	-1,150.00	Item included under Health Insurance line 16002
300-30-16008-0000000	Payroll Taxes	29,000.00	29,000.00	26,564.85	-2,435.15	Decrease to reflect actual expense
300-30-16009-0000000	Wages	385,000.00	385,000.00	375,743.05	-9,256.95	Decrease to reflect actual expense
300-30-16010-0000000	Overtime	5,500.00	5,500.00	3,369.46	-2,130.54	Decrease to reflect actual expense
300-30-16011-0000000	Employee Assitance Program	0.00	0.00	400.00	400.00	Expense not originally budgeted
300-30-16012-0000000	Retirement Expense	40,000.00	40,000.00	36,592.97	-3,407.03	Decrease to reflect actual expense
300-30-36105-0000000	Dental & Vision Insurance	4,200.00	4,200.00	4,244.01	44.01	Increase to reflect actual expense

Line Item	Description	Original Total Budget	Current Total Budget	Fiscal Activity	Year End Adjustment	Notes
300-30-36107-0000000	Crime Insurance	500.00	500.00	488.52	-11.48	Decrease to reflect actual expense
300-30-36116-0000000	MASA	168.00	168.00	0.00	-168.00	No expense as this is an employee deduction
300-30-36202-0000000	General Consultant Fees	10,000.00	10,000.00	214.62	-9,785.38	Decrease to reflect actual expense
300-30-36203-0000000	Legal Fees	15,000.00	15,000.00	0.00	-15,000.00	No legal fee expense during fiscal
300-30-36204-0000000	Engineering	133,000.00	133,000.00	173,564.59	40,564.59	Increase to reflect actual expense
300-30-36208-0000000	Operator	126,500.00	126,500.00	103,895.00	-22,605.00	Decrease to reflect actual expense
300-30-36209-0000000	Billing & Collections	35,000.00	35,000.00	30,225.71	-4,774.29	Decrease to reflect actual expense
300-30-36210-0000000	Backflow Testing	16,000.00	16,000.00	0.00	-16,000.00	No backflow testing expense during fiscal
300-30-36211-0000000	Testing	15,000.00	15,000.00	10,838.62	-4,161.38	Decrease to reflect actual expense
300-30-36212-0000000	Sales Tax for Solid Waste	20,000.00	20,000.00	19,962.98	-37.02	Decrease to reflect actual expense
300-30-36214-0000000	Sludge Hauling	41,500.00	41,500.00	55,138.19	13,638.19	Increase to reflect actual expense
300-30-36215-0000000	Printing	1,200.00	1,200.00	0.00	-1,200.00	No printing expense during fiscal
300-30-36216-0000000	Postage	1,100.00	1,100.00	1,110.84	10.84	Increase to reflect actual expense
300-30-36217-0000000	Telephone	9,500.00	9,500.00	10,291.09	791.09	Increase to reflect actual expense
300-30-36218-0000000	Tap Fees & Inspections	75,000.00	75,000.00	111,053.68	36,053.68	Increase due to increased new accounts
300-30-36221-0000000	Garbage Pickup	200,000.00	200,000.00	254,800.51	54,800.51	Increase due to increased new accounts
300-30-36302-0000000	Advertising/Promotion	1,500.00	1,500.00	520.20	-979.80	Decrease to reflect actual expense
300-30-36303-0000000	Permits & Licenses	25,000.00	25,000.00	25,452.36	452.36	Increase to reflect actual expense
300-30-36307-0000000	Dues & Subscriptions	2,000.00	2,000.00	1,502.57	-497.43	Decrease to reflect actual expense
300-30-36400-0000000	Supplies & Equipment	1,000.00	1,000.00	1,274.48	274.48	Increase to reflect actual expense
300-30-36401-0000000	Chemicals	37,400.00	37,400.00	61,300.69	23,900.69	Increase to reflect actual expense
300-30-36402-0000000	Copier / Fax Machine	3,000.00	3,000.00	1,956.48	-1,043.52	Decrease to reflect actual expense
300-30-36403-0000000	Operating Supplies	80,000.00	80,000.00	62,252.93	-17,747.07	Decrease to reflect actual expense
300-30-36404-0000000	Uniforms	4,700.00	4,700.00	2,847.94	-1,852.06	Decrease to reflect actual expense
300-30-36406-0000000	Computer Technology	24,000.00	24,000.00	20,391.88	-3,608.12	Decrease to reflect actual expense
300-30-36407-0000000	Groundwater Reduction Expenses	100.00	100.00	0.00	-100.00	No expense during fiscal
300-30-36502-0000000	Travel & Training	5,500.00	5,500.00	5,170.76	-329.24	Decrease to reflect actual expense
300-30-36503-0000000	Employee Relations	1,000.00	1,000.00	1,514.10	514.10	Increase to reflect actual expense
300-30-36601-0000000	Repairs & Maintenance	250,000.00	250,000.00	322,721.82	72,721.82	Increase to reflect actual expense
300-30-36602-0000000	Vehicle Repair and Maint.	3,000.00	3,000.00	1,923.25	-1,076.75	Decrease to reflect actual expense
300-30-36604-0000000	Water & Sewer Items	30,000.00	30,000.00	24,815.15	-5,184.85	Decrease to reflect actual expense
300-30-36605-0000000	Gas & Oil	14,000.00	14,000.00	12,507.39	-1,492.61	Decrease to reflect actual expense
300-30-36701-0000000	Liability Insurance	4,250.00	4,250.00	3,774.53	-475.47	Decrease to reflect actual expense
300-30-36702-0000000	Property Insurance	33,250.00	33,250.00	39,416.02	6,166.02	Increase to reflect actual expense
300-30-36801-0000000	Gas For Generators	1,320.00	1,320.00	1,751.26	431.26	Increase to reflect actual expense
300-30-36802-0000000	Water Plants	90,200.00	90,200.00	102,878.64	12,678.64	Increase to reflect actual expense
300-30-36803-0000000	WWTP	66,000.00	66,000.00	60,150.86	-5,849.14	Decrease to reflect actual expense
300-30-36804-0000000	Lift Stations	22,000.00	22,000.00	19,285.77	-2,714.23	Decrease to reflect actual expense
300-30-37000-0000000	Utility Projects - Prev Maint	85,000.00	85,000.00	180,655.77	95,655.77	Increase to reflect actual expense
300-30-37003-0000000	Utility Projects - Impact Fees Transfer to CPF	1,000,000.00	1,000,000.00	0.00	-1,000,000.00	No impact fees collected during fiscal resulting in no transfer being made

Line Item	Description	Original Total Budget	Current Total Budget	Fiscal Activity	Year End Adjustment	Notes
300-30-37102-0000000	Miscellaneous Expenses - Bank Charges	35,000.00	35,000.00	20,334.25	-14,665.75	Decrease to reflect actual expense
300-30-37202-0000000	Other Expense - Transfer to Debt Service	424,540.00	424,540.00	424,540.00	0.00	n/a
300-30-37205-0000000	Other Expense - Transfer to Caipial Projects	503,500.00	503,500.00	803,525.50	300,025.50	Increase due to FY22 bank transfers recorded in FY23 - per auditors
	<b>TOTAL EXPENSE - 300</b>	3,979,278.00	3,979,278.00	3,485,070.71	-494,207.29	
<b>Fund: 400 - MEDC</b>						
<b>Revenue</b>						
400-00-44110-0000000	Sales Tax Revenue	1,200,749.00	1,200,749.00	1,194,795.12	-5,953.88	Decrease to reflect actual revenue
400-00-44230-0000000	Interest Income	1,500.00	1,500.00	86,320.11	84,820.11	Higher than anticipated interest rates
400-00-44300-0000000	Events Revenue	8,500.00	8,500.00	7,135.68	-1,364.32	Decrease to reflect actual revenue
	<b>TOTAL REVENUE - 400</b>	1,210,749.00	1,210,749.00	1,288,250.91	77,501.91	
<b>Expense</b>						
400-40-46103-0000000	Public Infrastructure - Downtown Dev. Imp.	280,249.00	280,249.00	39,956.33	-240,292.67	Decrease to reflect actual expense
400-40-46104-0000000	Public Infrastructure - Utility Extensions	50,000.00	50,000.00	0.00	-50,000.00	No expense during fiscal
400-40-46107-0000000	Public Infrastructure - Transfer to Capital Proj	200,000.00	200,000.00	200,000.00	0.00	n/a
400-40-46111-0000000	Public Infrastructure - Streets & Sidewalks	40,000.00	40,000.00	0.00	-40,000.00	No expense during fiscal
400-40-46205-0000000	Business & Development - Sales Tax Reimb	250,000.00	250,000.00	153,708.12	-96,291.88	Decrease to reflect actual expense
400-40-46206-0000000	Business & Development - Econ Dev Grant Prog	20,000.00	20,000.00	0.00	-20,000.00	No expense during fiscal
400-40-46209-0000000	Business Development - Dntwn & Cor. Fac & Env Enh.	50,000.00	50,000.00	0.00	-50,000.00	No expense during fiscal
400-40-46210-0000000	Business Development - Invest Incentives Growth	20,000.00	20,000.00	0.00	-20,000.00	No expense during fiscal
400-40-46302-0000000	Quality of Life - Removal of Blight	15,000.00	15,000.00	175.29	-14,824.71	Decrease to reflect actual expense
400-40-46303-0000000	Quality of Life - Events	40,000.00	40,000.00	13,215.72	-26,784.28	Decrease to reflect actual expense
400-40-46304-0000000	Quality of Life - Neighborhood Water Party	3,000.00	3,000.00	2,634.71	-365.29	Decrease to reflect actual expense
400-40-46308-0000000	Quality of Life - Light up Montgomery	4,000.00	4,000.00	3,598.78	-401.22	Decrease to reflect actual expense
400-40-46310-0000000	Quality of Life - Mudbugs and Music	8,000.00	8,000.00	8,000.00	0.00	n/a
400-40-46311-0000000	Quality of Life - Christmas Parade	10,000.00	10,000.00	10,245.20	245.20	Increase to reflect actual expense

Line Item	Description	Original Total Budget	Current Total Budget	Fiscal Activity	Year End Adjustment	Notes
400-40-46312-0000000	Quality of Life - Contests / Prizes	1,000.00	1,000.00	0.00	-1,000.00	No expense during fiscal
400-40-46313-0000000	Quality of Life - Events - Equipment	10,000.00	10,000.00	383.58	-9,616.42	Decrease to reflect actual expense
400-40-46314-0000000	Quality of Life - Montgomery Quilt Walk	7,000.00	7,000.00	5,327.18	-1,672.82	Decrease to reflect actual expense
400-40-46315-0000000	Quality of Life - Montgomery Antiques Festival	12,000.00	12,000.00	0.00	-12,000.00	No expense during fiscal
400-40-46316-0000000	Quality of Life - Movie Night	3,000.00	3,000.00	2,903.70	-96.30	Decrease to reflect actual expense
400-40-46318-0000000	Quality of Life - Pet Parade	5,000.00	5,000.00	0.00	-5,000.00	No expense during fiscal
400-40-46319-0000000	Quality of Life - Montgomery Fall Festival	8,000.00	8,000.00	8,000.00	0.00	n/a
400-40-46320-0000000	Quality of Life - Snow in Historic Mont TX	20,000.00	20,000.00	13,222.94	-6,777.06	Decrease to reflect actual expense
400-40-46321-0000000	Quality of Life - Lonestar Flag Fest	5,000.00	5,000.00	1,000.00	-4,000.00	Decrease to reflect actual expense
400-40-46322-0000000	Quality of Life - Downtown Enhancement Proj	30,000.00	30,000.00	0.00	-30,000.00	No expense during fiscal
400-40-46339-0000000	Quality of Life - Trick or Treat Historic Mont.	5,000.00	5,000.00	4,897.62	-102.38	Decrease to reflect actual expense
400-40-46340-0000000	Quality of Life - Ruck for Veterans	500.00	500.00	500.00	0.00	n/a
400-40-46505-0000000	Marketing and Tourism - Brochures / Printed Lit	4,000.00	4,000.00	980.10	-3,019.90	Decrease to reflect actual expense
400-40-46511-0000000	Marketing and Tourism - Website	6,500.00	6,500.00	1,222.80	-5,277.20	Decrease to reflect actual expense
400-40-46514-0000000	Marketing and Tourism - Social Media Advertising	3,000.00	3,000.00	1,380.22	-1,619.78	Decrease to reflect actual expense
400-40-46515-0000000	Marketing and Tourism - Historical Signage	5,000.00	5,000.00	0.00	-5,000.00	No expense during fiscal
400-40-46601-0000000	Administration - Transfers to General Fund	55,000.00	55,000.00	55,000.00	0.00	n/a
400-40-46603-0000000	Administration - Miscellaneous Expenses	500.00	500.00	195.00	-305.00	Decrease to reflect actual expense
400-40-46607-0000000	Administration - Travel & Trainings Expenses	5,000.00	5,000.00	3,985.12	-1,014.88	Decrease to reflect actual expense
400-40-46612-0000000	Administration - Trf to Gen Parks & Rec Salary	35,000.00	35,000.00	34,007.87	-992.13	Decrease to reflect actual expense
	<b>TOTAL EXPENSE - 400</b>	1,210,749.00	1,210,749.00	564,540.28	-646,208.72	
<b>Fund: 500 - Debt Service Revenue</b>						
500-00-54110-0000000	Ad Valorem Taxes - Current	474,822.00	474,822.00	468,602.35	-6,219.65	Decrease to reflect actual revenue
500-00-54120-0000000	Penalty & Interest - Current	3,000.00	3,000.00	4,811.66	1,811.66	Increase to reflect actual revenue



Line Item	Description	Original Total Budget	Current Total Budget	Fiscal Activity	Year End Adjustment	Notes
500-00-54220-0000000	Transfers - Water & Sewer Funds	424,540.00	424,540.00	424,540.00	0.00	n/a
500-00-54410-0000000	Other Revenues - Interest on Checking	0.00	0.00	694.76	694.76	Higher than anticipated interest rates
500-00-54420-0000000	Other Revenues - Interest on Investments	119.00	119.00	1,760.28	1,641.28	Higher than anticipated interest rates
500-00-54500-0000000	Use of Surplus Funds	54,258.00	54,258.00	0.00	-54,258.00	Use of surplus funds to be booked during audit to the extent needed
	<b>TOTAL REVENUE - 500</b>	956,739.00	956,739.00	900,409.05	-56,329.95	
<b>Expense</b>						
500-50-56220-0000000	Debt Service Payments - Int. Payments on Note	254,739.00	254,739.00	254,738.50	-0.50	Decrease to reflect actual expense
500-50-56230-0000000	Debt Service Payments - Paying Agent Fees	2,000.00	2,000.00	1,700.99	-299.01	Decrease to reflect actual expense
500-50-56250-0000000	Debt Service Payments - Principal Payments	700,000.00	700,000.00	700,000.00	0.00	n/a
	<b>TOTAL EXPENSE - 500</b>	956,739.00	956,739.00	956,439.49	-299.51	
<b>Fund: 600 - Grant Acct Revenue</b>						
600-00-64220-0000000	Interest Income	0.00	0.00	0.04	0.04	Unanticipated interest revenue
<b>Fund: 700 - Court Security Revenue</b>						
700-00-74110-0000000	Court Fines & Forfeitures - Court Security Fees	1,500.00	1,500.00	392.14	-1,107.86	Decrease to reflect actual revenue
700-00-74210-0000000	Other Revenues - Interest Income	10.00	10.00	4.89	-5.11	Decrease to reflect actual revenue
	<b>TOTAL REVENUE - 700</b>	1,510.00	1,510.00	397.03	-1,112.97	
<b>Expense</b>						
700-70-76320-0000000	Miscellaneous Expenses	0.00	0.00	0.00	0.00	n/a
700-70-76340-0000000	Bailiff Transfer to General Fund	1,500.00	1,500.00	600.00	-900.00	Decrease to reflect actual expense, paid to bailiff and not transferred to GF
	<b>TOTAL EXPENSE - 700</b>	1,500.00	1,500.00	600.00	-900.00	
<b>Fund: 750 - Court Technology Revenue</b>						
750-00-74120-0000000	Court Technology Fees	1,000.00	1,000.00	534.89	-465.11	Decrease to reflect actual revenue
750-00-74210-0000000	Interest Income	60.00	60.00	55.14	-4.86	Decrease to reflect actual revenue
	<b>TOTAL REVENUE - 750</b>	1,060.00	1,060.00	590.03	-469.97	

Page 15 of 15

Montgomery City Council  
**AGENDA REPORT**

<b>Meeting Date: December 12, 2023</b>	<b>Budgeted Amount: N/A</b>
<b>Department: Public Works</b>	<b>Prepared By: Mike Muckleroy</b>

**Subject**

Consideration and possible action regarding amending Chapter 90, Sections 90-66 and 90-67 of the Code of Ordinances.

**Recommendation**

Approve the listed ordinance amendments as presented.

**Discussion**

Single family residential water and sewer tap costs have changed with our new Water and Sewer Operations contract. Combined water and sewer tap fees for a residential lot are being proposed to increase from \$3,500.00 to \$3,800.00. Verbiage has been added to keep irrigation taps at cost only to help promote separating domestic and irrigation meters. The most recent revision to tap fees was in 2016.

**Approved By**

Public Works Director	Mike Muckleroy	Date: 12/06/2023
City Administrator	Gary Palmer	Date: 12/06/2023

## ORDINANCE NO. 2023 - 23

**AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS, AMENDING SECTION 90-66 AND 90-67, OF THE CODE OF ORDINANCES OF THE CITY OF MONTGOMERY, TEXAS TO PROVIDE FOR AN AMENDED SCHEDULE OF TAP FEES AS REQUIRED BY CHAPTER 90 ARTICLE II OF THE CODE OF ORDINANCES OF THE CITY OF MONTGOMERY, TEXAS; REPEALING ALL ORDINANCES IN CONFLICT; PROVIDING A TEXAS OPEN MEETINGS ACT CLAUSE; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING FOR AN EFFECTIVE DATE AFTER PUBLICATION.**

**WHEREAS**, Chapter 90 of the Code of Ordinances (“City Code”) of the City of Montgomery, Texas (the “City”), at Sections 90-66 and 90-67 authorize the City Council by ordinance to establish charges for residential water and sewer tap fees serving residential customers; and

**WHEREAS**, the City Council, having previously considered advice and input from the City Engineer and City Staff, has determined appropriate rates and tap fee schedules for certain residential water and sewer utility services, based on historical data and other factors related to the costs of providing such services to the customers; and

**WHEREAS**, the City Secretary caused to be posted a notice of public bearing on this matter; and

**WHEREAS**, the City Council, pursuant to such notice, held its public hearing and heard all persons wishing to be heard both for and against the proposed residential water and sewer tap charges, on the 27th day of October 2023;

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

### **SECTION 1.**

#### **RESIDENTIAL WATER AND SEWER TAP FEES**

The following schedule of water and sewer tap charges required by Chapter 90 of the Code of Ordinances of the City of Montgomery is hereby adopted and shall read as follows:

Residential water tap charge (Section 90-66):

\$1,900.00 for ¾ inch plus the cost of the meter  
\$2,100.00 for 1 inch plus the cost of the meter

Residential irrigation tap charge Section (90-66):

\$1,700.00 for ¾ inch irrigation plus the cost of the meter  
 \$1,900.00 for 1 inch irrigation plus the cost of the meter

Residential sewer tap charge (Section 90-67)

\$1,900.00 for 4 inch sewer

\*\*\*Any connection that is required to pay impact fees to the City will only be responsible for actual costs incurred for the tap and/or meter\*\*\*

**SECTION 2 Construction.** This Ordinance shall not be construed so as to conflict with any state or federal statute.

**SECTION 3. Repeal of Conflicting Ordinances.** All provisions of the ordinances of the City of Montgomery in conflict with the provisions of this Ordinance are hereby repealed, and all other provisions of the Ordinances of the City of Montgomery not in conflict with the provisions of this Ordinance shall remain in full force and effect.

**SECTION 4. Severability Clause.** If any provision, section, exception, subsection, paragraph, sentence, clause or phrase of this Ordinance or the application of same to any person or set of circumstances, shall for any reason be held unconstitutional, void, invalid or otherwise unenforceable, the invalidity or unenforceability shall not affect other provisions of this Ordinance or their application to other sets of circumstances and to this end all provisions of this Ordinance are declared to be severable.

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

**SECTION 6. Effective Date.** This Ordinance shall become effective and be in full force from after publication as required by law.

**PASSED AND APPROVED** on the 12th day of December, 2023.

\_\_\_\_\_  
 Byron Sanford, Mayor

ATTEST:

\_\_\_\_\_  
 Nici Browe TRMC, City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
 Alan Petrov, City Attorney

DRAFT

<b>III. COMPENSATION</b>		<b>Reference No.</b>	3.07
<b>SUBJECT</b>	Compensation Plan	<b>Last Revised</b>	June 2022

**STATEMENT OF POLICY:**

The purpose of the Compensation Plan is to ensure that the City is able to attract, retain and motivate Employees through a compensation plan that is fair, representative of ability and performance, and promotes the City's goals and overall vision.

**Applicability**

This policy is applicable for all Employees of the City of Montgomery as indicated with respect to performance, employment status, and job classification. The policy is generally applicable for the position of City Administrator with the understanding that the City Council must approve any changes in the base salary, job description and working conditions of the City Administrator.

**Objectives**

This policy has the following objectives:

- To ensure that Employees of the City of Montgomery have a fair and equitable compensation plan
- To comply with Federal, State, and Local regulations
- To allow for a compensation plan that is fiscally sound and cost-effective
- To provide a pay plan that the City can easily administer and maintain
- To provide a compensation system that provides incentives and recognition consistent with City goals and values
- To establish a pay for performance system to aid in retaining and rewarding quality Employees

**Provisions**

**Pay Plan:** The City of Montgomery hereby adopts a pay plan that is based on salary grades, job descriptions, and uniform evaluations. The City Administrator is authorized to administer the plan and to make interpretations of this plan where specific instructions are not provided. City Council will approve the annual personnel budget, which reflects this plan.

**Budget:** City Council will approve personnel expenditures during the budget process along with a classification system. Operational changes may allow for the City Administrator to authorize different positions within the adopted personnel budget, but any Staffing changes that will result in higher personnel costs must be brought to City Council for approval via a budget amendment.

**Starting Pay:** Starting pay for positions will depend upon relevant education and experience. It is expected that the starting pay will fall somewhere between the Minimum and the Min-to-Mid point of the relevant pay range. A Department Director may recommend hiring an applicant at a salary above minimum based upon factors including but not limited to education, related experience, exceeding minimum qualifications, market factors, City needs, and business necessity. Recommendations for salaries above the minimum salary must be approved by the City Administrator (or designee) prior to extending a job offer to an applicant. The following guidelines apply to all job offers:



Starting Pay Rate	Required Approval Before Job Offer
Minimum rate for pay grade, up to 10% over minimum	Department Director
Over 10% of minimum of pay grade	Department Director & City Administrator
Police on Step Plan	According to Step Plan

**Job Description:** The City will maintain an approved job description for each budgeted/established position. These job descriptions will be the basis for evaluations and will be reviewed as needed. The City Administrator (or designee) will have final approval overall job descriptions, except that the City Council will approve any changes to the job description of the of the City Administrator and City Attorney.

**Certification Pay:** Certain Employees are eligible for extra pay based on certifications and or degrees earned. The amount(s) of extra pay received are based on the highest eligible level attained in each applicable category. This is awarded as a separate stipend that is separate from the Employee's regular rate of pay. The City Administrator has the final authority for approving or disapproving Departmental certification programs.

**Longevity Pay:** The City values retaining good Employees. As a result, the City will pay \$4.00 per month for each full year of continuous service. Longevity pay will be paid the first paycheck of December as a lump sum for service earned through the end of the current calendar year. This policy applies to all Regular Full-Time Employees only who have completed 1 year of consecutive regular Full-Time employment with the City. This policy does not apply to Part-Time, Temporary and Seasonal Employees. Service time used for purposes of calculating longevity pay will be capped at 20 years.

1. Non-uniformed Employees will receive longevity pay after the completion of 1 year of consecutive regular Full-Time employment; retroactive to the first month of employment.
2. Uniformed Police Personnel will receive longevity pay on a monthly basis based on the number of months of service.

Terminating Employees will receive payment for any accrued longevity pay on a pro-rata basis for the number of months worked during the year in which they terminate.

**Evaluations:** All formal Employee evaluations will be conducted using standard evaluation forms approved by the City Administrator. The direct Supervisor of the Employee will conduct the evaluation with final approval given by the appropriate Department Director. The City Administrator will be responsible for completing the evaluations of appropriate subordinates. Evaluations will be conducted on an annual basis at a time designated by the City Administrator. Additional evaluations may be administered on an as-needed basis. The resulting score of an evaluation will determine the appropriate level of a pay increase, if any. An evaluation score that merits a rating of "Unsatisfactory" or Improvement Required" will require the Supervisor to schedule a follow-up review within three months to monitor the progress of the Employee.

The performance evaluation process is intended to accomplish the following:

- a. To enhance individual Employee performance and ensure effective City operations.
- b. To promote and support performance/behavior.
- c. To document formal and informal performance discussions held with Employees throughout the review period.
- d. To document performance areas in which Employees do well and those that require improvement.
- e. To link Employee performance to merit increase considerations.

Each Supervisor is responsible for setting and communicating clear performance standards for his/her Employees at the beginning of, and throughout, the review period. In evaluating Employees, Supervisors shall consider factors such as the experience and training of the Employee, the job description, and the Employee's attainment of previously set goals and objectives.

If an Employee is not meeting expectations, a Performance Improvement Plan may be developed with the Employee in accordance with appropriate City policies.

If an Employee disagrees with a performance evaluation, they may include their own statement to be included in the personnel profile. Performance evaluation results and any related pay increases will not be appealed.

**Pay for Performance:** This manner of tying performance to pay is called "Pay for Performance." Each Department has its own Pay for Performance evaluation criteria for each specific position and function. The City uses Employee performance evaluations to provide a process by which job performance is periodically and regularly appraised for purposes of development, to note areas for improvement, counseling, to establish performance improvement goals, and to support pay decisions. This process enables the City to maintain a high standard of professionalism with competent, well-trained Employees.

**Annual Merit Increases:** The annual budget will include an amount that may be granted to an Employee as a performance incentive. When an evaluation determines that a merit pay increase is appropriate, the Employee's overall rating will determine the percentage increase for which the Employee is eligible. Any Employee hired after February 26, 2008, must complete one full year of service in order to be eligible to receive a merit increase. Merit increases will be effective on January 1 of each year. The Employee's Department Director does have some discretion within the respective ranges. The chart below is an example of how a merit pay increase will be calculated:

Overall Evaluation Rating	Evaluation Score	Percentage Increase
Superior	50-55	5%
Above Expectations	40-49	4%
Meets Expectations	30-39	3%
Below Expectations	20-29	No Pay Increase
Unsatisfactory	10-19	No Pay Increase

**Evaluation Procedure:** Supervisors complete evaluations on subordinate Employees. A member of the "Management Team" from the respective Department must review and approve evaluations prior to review with the Employee. If the Employee's overall rating is below expectations or unsatisfactory, a Performance Improvement Plan must be completed by the Supervisor and reviewed by the Management Team Member, the Department Director, and the City's Human Resources Official prior to review with the Employee. If the Employee's overall rating meets expectations, is above expectations, or is superior, the evaluation and an appropriate form are required to be completed and sent to the City's Human Resources Official for processing. Merit pay increases will be administered in accordance with this and other applicable policies and the current budget.

The City Administrator has the final approval on all merit increase amounts.

**Uniformed Police Pay:** Pay for police will be according to the respective Step Plans.

**Promotions:** An Employee receiving a promotion will not receive a decrease in pay. The minimum raise for an Employee receiving a promotion should be the minimum of the new pay grade or a 10% increase over the current salary, whichever is greater. The only exception to this rule will be if the Employee receiving the promotion and subsequent raise would have a salary that exceeds the maximum of the position's pay range. In this case, the City Administrator will make the final determination of salary/compensation issues. A promotion is defined as moving from a position within the City organization to a position that is assigned a higher pay grade. The promoted Employee's first annual review will be one year from the date of promotion; thereafter, the performance evaluations will occur such that adjustments in pay, if any, are effective as of January 1.

Uniformed Police: If the promotion, by definition, is to a position in a Step Plan in the Police Department, the pay may not result in an increase, but rather the Employee will start at the beginning step of the respective step plan unless otherwise placed in a higher step of that step plan based on experience and/or knowledge applicable to the job position.

**Lateral Transfers:** Lateral transfers can be the result of Departmental reorganization or may be the request of the Employee or City. When an Employee moves into a new position within the same or different Department that is the same pay grade, there is no salary increase or decrease and the Employee will remain on the schedule for further pay increases.

**Demotions:** In accordance with budgetary, performance, and/or Staffing issues, demotions and/or reductions in salary may occur. In the event a demotion occurs, the Employee (who must meet the requirements of the lower position) shall be employed at the Employee's current rate of pay or the maximum salary for the lower position, whichever is lower. In the case of a voluntary demotion, the Employee's rate of pay will be adjusted so as not to create internal equity issues in the new position.

**Reductions in Salary:** In accordance with the documented diminished value of an Employee's service, an Employee's salary may be reduced. The Employee's salary may not be reduced below the minimum of the pay grade of the position.

**Lump Sum Adjustments:** Over the course of an Employee's tenure with the City, there may be times when it is appropriate for the Employee to receive a one-time lump-sum salary adjustment. Specific reasons for such adjustments must be documented and follow any applicable Laws and/or Statutes. These adjustments may also be given to Employees who have reached the maximum pay of their respective pay grade in lieu of a raise. All lump-sum adjustments will be made within the established personnel budget adopted by Council. If such an adjustment causes the personnel budget to be exceeded, then Council's prior approval must be received.

**Cost of Living Adjustments:** The Pay Grades and Salaries schedule may be adjusted automatically in October of each year in accordance with the change in the Consumer Price Index – All Urban Consumers, U.S. City Average for All Items as published by the U.S. Bureau of Labor Statistics. No Employees will see a direct increase from this automatic adjustment unless their current salary is below the minimum of the position's new respective pay grade.

The City Administrator may request that City Council authorize a general cost of living adjustment (COLA) to offset the effects of inflation on City Employee salaries. ~~If granted, the adjustment will be applied to the salary ranges and step plans for all City Employees.~~

**Other Salary Adjustments:** This policy recognizes that other pay adjustments may be necessary at times to address issues of internal equity, competitive market forces or other relevant factors. The City Administrator and/or the City's Human Resources Official will meet as needed to consider such adjustments. The City Administrator (or designee) can authorize other salary adjustments as long as the total approved City personnel budget is not exceeded. If it is projected that such increases will cause the budget to be exceeded, then City Council will be consulted for approval.

**Salary Schedules and Step Plans:** The current salary schedule (pay plan) for general Employees and the step plans for police are available from Supervisors and the City's Human Resources Official.

**Approvals Required:** Any changes to Employee pay and/or classifications must be submitted on the appropriate form and approved by the Department Director, City Administrator and/or the City's Human Resources Official.

The City of Montgomery is an at-will employer. This policy, in whole or in part, does not constitute a contract and is not intended to alter the City's status as an at-will employer.

Montgomery City Council  
**AGENDA REPORT**

<b>Meeting Date:</b> December 12, 2023	<b>Budgeted Amount:</b> N/A
<b>Department:</b> ADMIN	<b>Prepared By:</b> G. Palmer

**Subject**

Consider Amendment to the Personnel Policy to Remove Cost of Living Allowance (COLA) Restrictions

**Recommendation**

Amend the Personnel Policy as Proposed

**Discussion**

The City Council approved a Cost of Living Increase *for certain employees* effective January 01, 2024.

Our current Personnel Policy states *all* employees shall receive a cost of living allowance (COLA) if awarded.

Therefore we must make a minor amendment to the Compensation section of the Personnel Policy to allow for this application of COLA for specific employees.

**Approved By**

		Date:
Gary Palmer City Administrator		Date: November 28, 2023

<b>III. COMPENSATION</b>		<b>Reference No.</b>	3.07
<b>SUBJECT</b>	Compensation Plan	<b>Last Revised</b>	June 2022

**STATEMENT OF POLICY:**

The purpose of the Compensation Plan is to ensure that the City is able to attract, retain and motivate Employees through a compensation plan that is fair, representative of ability and performance, and promotes the City's goals and overall vision.

**Applicability**

This policy is applicable for all Employees of the City of Montgomery as indicated with respect to performance, employment status, and job classification. The policy is generally applicable for the position of City Administrator with the understanding that the City Council must approve any changes in the base salary, job description and working conditions of the City Administrator.

**Objectives**

This policy has the following objectives:

- To ensure that Employees of the City of Montgomery have a fair and equitable compensation plan
- To comply with Federal, State, and Local regulations
- To allow for a compensation plan that is fiscally sound and cost-effective
- To provide a pay plan that the City can easily administer and maintain
- To provide a compensation system that provides incentives and recognition consistent with City goals and values
- To establish a pay for performance system to aid in retaining and rewarding quality Employees

**Provisions**

**Pay Plan:** The City of Montgomery hereby adopts a pay plan that is based on salary grades, job descriptions, and uniform evaluations. The City Administrator is authorized to administer the plan and to make interpretations of this plan where specific instructions are not provided. City Council will approve the annual personnel budget, which reflects this plan.

**Budget:** City Council will approve personnel expenditures during the budget process along with a classification system. Operational changes may allow for the City Administrator to authorize different positions within the adopted personnel budget, but any Staffing changes that will result in higher personnel costs must be brought to City Council for approval via a budget amendment.

**Starting Pay:** Starting pay for positions will depend upon relevant education and experience. It is expected that the starting pay will fall somewhere between the Minimum and the Min-to-Mid point of the relevant pay range. A Department Director may recommend hiring an applicant at a salary above minimum based upon factors including but not limited to education, related experience, exceeding minimum qualifications, market factors, City needs, and business necessity. Recommendations for salaries above the minimum salary must be approved by the City Administrator (or designee) prior to extending a job offer to an applicant. The following guidelines apply to all job offers:

Starting Pay Rate	Required Approval Before Job Offer
Minimum rate for pay grade, up to 10% over minimum	Department Director
Over 10% of minimum of pay grade	Department Director & City Administrator
Police on Step Plan	According to Step Plan

**Job Description:** The City will maintain an approved job description for each budgeted/established position. These job descriptions will be the basis for evaluations and will be reviewed as needed. The City Administrator (or designee) will have final approval overall job descriptions, except that the City Council will approve any changes to the job description of the of the City Administrator and City Attorney.

**Certification Pay:** Certain Employees are eligible for extra pay based on certifications and or degrees earned. The amount(s) of extra pay received are based on the highest eligible level attained in each applicable category. This is awarded as a separate stipend that is separate from the Employee's regular rate of pay. The City Administrator has the final authority for approving or disapproving Departmental certification programs.

**Longevity Pay:** The City values retaining good Employees. As a result, the City will pay \$4.00 per month for each full year of continuous service. Longevity pay will be paid the first paycheck of December as a lump sum for service earned through the end of the current calendar year. This policy applies to all Regular Full-Time Employees only who have completed 1 year of consecutive regular Full-Time employment with the City. This policy does not apply to Part-Time, Temporary and Seasonal Employees. Service time used for purposes of calculating longevity pay will be capped at 20 years.

1. Non-uniformed Employees will receive longevity pay after the completion of 1 year of consecutive regular Full-Time employment; retroactive to the first month of employment.
2. Uniformed Police Personnel will receive longevity pay on a monthly basis based on the number of months of service.

Terminating Employees will receive payment for any accrued longevity pay on a pro-rata basis for the number of months worked during the year in which they terminate.

**Evaluations:** All formal Employee evaluations will be conducted using standard evaluation forms approved by the City Administrator. The direct Supervisor of the Employee will conduct the evaluation with final approval given by the appropriate Department Director. The City Administrator will be responsible for completing the evaluations of appropriate subordinates. Evaluations will be conducted on an annual basis at a time designated by the City Administrator. Additional evaluations may be administered on an as-needed basis. The resulting score of an evaluation will determine the appropriate level of a pay increase, if any. An evaluation score that merits a rating of "Unsatisfactory" or Improvement Required" will require the Supervisor to schedule a follow-up review within three months to monitor the progress of the Employee.

The performance evaluation process is intended to accomplish the following:

- a. To enhance individual Employee performance and ensure effective City operations.
- b. To promote and support performance/behavior.
- c. To document formal and informal performance discussions held with Employees throughout the review period.
- d. To document performance areas in which Employees do well and those that require improvement.
- e. To link Employee performance to merit increase considerations.



Each Supervisor is responsible for setting and communicating clear performance standards for his/her Employees at the beginning of, and throughout, the review period. In evaluating Employees, Supervisors shall consider factors such as the experience and training of the Employee, the job description, and the Employee's attainment of previously set goals and objectives.

If an Employee is not meeting expectations, a Performance Improvement Plan may be developed with the Employee in accordance with appropriate City policies.

If an Employee disagrees with a performance evaluation, they may include their own statement to be included in the personnel profile. Performance evaluation results and any related pay increases will not be appealed.

**Pay for Performance:** This manner of tying performance to pay is called "Pay for Performance." Each Department has its own Pay for Performance evaluation criteria for each specific position and function. The City uses Employee performance evaluations to provide a process by which job performance is periodically and regularly appraised for purposes of development, to note areas for improvement, counseling, to establish performance improvement goals, and to support pay decisions. This process enables the City to maintain a high standard of professionalism with competent, well-trained Employees.

**Annual Merit Increases:** The annual budget will include an amount that may be granted to an Employee as a performance incentive. When an evaluation determines that a merit pay increase is appropriate, the Employee's overall rating will determine the percentage increase for which the Employee is eligible. Any Employee hired after February 26, 2008, must complete one full year of service in order to be eligible to receive a merit increase. Merit increases will be effective on January 1 of each year. The Employee's Department Director does have some discretion within the respective ranges. The chart below is an example of how a merit pay increase will be calculated:

Overall Evaluation Rating	Evaluation Score	Percentage Increase
Superior	50-55	5%
Above Expectations	40-49	4%
Meets Expectations	30-39	3%
Below Expectations	20-29	No Pay Increase
Unsatisfactory	10-19	No Pay Increase

**Evaluation Procedure:** Supervisors complete evaluations on subordinate Employees. A member of the "Management Team" from the respective Department must review and approve evaluations prior to review with the Employee. If the Employee's overall rating is below expectations or unsatisfactory, a Performance Improvement Plan must be completed by the Supervisor and reviewed by the Management Team Member, the Department Director, and the City's Human Resources Official prior to review with the Employee. If the Employee's overall rating meets expectations, is above expectations, or is superior, the evaluation and an appropriate form are required to be completed and sent to the City's Human Resources Official for processing. Merit pay increases will be administered in accordance with this and other applicable policies and the current budget.

The City Administrator has the final approval on all merit increase amounts.

**Uniformed Police Pay:** Pay for police will be according to the respective Step Plans.

**Promotions:** An Employee receiving a promotion will not receive a decrease in pay. The minimum raise for an Employee receiving a promotion should be the minimum of the new pay grade or a 10% increase over the current salary, whichever is greater. The only exception to this rule will be if the Employee receiving the promotion and subsequent raise would have a salary that exceeds the maximum of the position's pay range. In this case, the City Administrator will make the final determination of salary/compensation issues. A promotion is defined as moving from a position within the City organization to a position that is assigned a higher pay grade. The promoted Employee's first annual review will be one year from the date of promotion; thereafter, the performance evaluations will occur such that adjustments in pay, if any, are effective as of January 1.

Uniformed Police: If the promotion, by definition, is to a position in a Step Plan in the Police Department, the pay may not result in an increase, but rather the Employee will start at the beginning step of the respective step plan unless otherwise placed in a higher step of that step plan based on experience and/or knowledge applicable to the job position.

**Lateral Transfers:** Lateral transfers can be the result of Departmental reorganization or may be the request of the Employee or City. When an Employee moves into a new position within the same or different Department that is the same pay grade, there is no salary increase or decrease and the Employee will remain on the schedule for further pay increases.

**Demotions:** In accordance with budgetary, performance, and/or Staffing issues, demotions and/or reductions in salary may occur. In the event a demotion occurs, the Employee (who must meet the requirements of the lower position) shall be employed at the Employee's current rate of pay or the maximum salary for the lower position, whichever is lower. In the case of a voluntary demotion, the Employee's rate of pay will be adjusted so as not to create internal equity issues in the new position.

**Reductions in Salary:** In accordance with the documented diminished value of an Employee's service, an Employee's salary may be reduced. The Employee's salary may not be reduced below the minimum of the pay grade of the position.

**Lump Sum Adjustments:** Over the course of an Employee's tenure with the City, there may be times when it is appropriate for the Employee to receive a one-time lump-sum salary adjustment. Specific reasons for such adjustments must be documented and follow any applicable Laws and/or Statutes. These adjustments may also be given to Employees who have reached the maximum pay of their respective pay grade in lieu of a raise. All lump-sum adjustments will be made within the established personnel budget adopted by Council. If such an adjustment causes the personnel budget to be exceeded, then Council's prior approval must be received.

**Cost of Living Adjustments:** The Pay Grades and Salaries schedule may be adjusted automatically in October of each year in accordance with the change in the Consumer Price Index – All Urban Consumers, U.S. City Average for All Items as published by the U.S. Bureau of Labor Statistics. No Employees will see a direct increase from this automatic adjustment unless their current salary is below the minimum of the position's new respective pay grade.

The City Administrator may request that City Council authorize a general cost of living adjustment (COLA) to offset the effects of inflation on City Employee salaries.

**Other Salary Adjustments:** This policy recognizes that other pay adjustments may be necessary at times to address issues of internal equity, competitive market forces or other relevant factors. The City Administrator and/or the City's Human Resources Official will meet as needed to consider such adjustments. The City Administrator (or designee) can authorize other salary adjustments as long as the total approved City personnel budget is not exceeded. If it is projected that such increases will cause the budget to be exceeded, then City Council will be consulted for approval.

**Salary Schedules and Step Plans:** The current salary schedule (pay plan) for general Employees and the step plans for police are available from Supervisors and the City's Human Resources Official.

**Approvals Required:** Any changes to Employee pay and/or classifications must be submitted on the appropriate form and approved by the Department Director, City Administrator and/or the City's Human Resources Official.

The City of Montgomery is an at-will employer. This policy, in whole or in part, does not constitute a contract and is not intended to alter the City's status as an at-will employer.

Montgomery City Council  
**AGENDA REPORT**

<b>Meeting Date:</b> December 12, 2023	<b>Budgeted Amount:</b> N/A
<b>Department:</b> Police Department	<b>Prepared By:</b> Anthony Solomon

**Subject**

Consideration and possible action on: AN ORDINANCE OF THE CITY OF MONTGOMERY, TEXAS, REPEALING CHAPTER 62 (OFFENSES), ARTICLE II (MINORS), DIVISION 2 (JUVENILE CURFEW), SECTIONS 62-40 THROUGH 62-45 OF THE CITY OF MONTGOMERY CODE OF ORDINANCES IN RESPONSE TO HOUSE BILL 1819, EFFECTIVE SEPTEMBER 1, 2023; PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS ORDINANCE

**Recommendation**

Approve the Ordinance repealing Chapter 62 (Offenses), Article II (Minors), Division 2 (Juvenile Curfew), Section 62-40 through Section 62-45.

**Discussion**

On September 1, 2023, House Bill 1819 became effective. This enacted section 370.007 of the Texas Local Government Code (TLGC), which precludes political subdivisions of the State, such as the City of Montgomery from adopting or enforcing ordinances imposing curfews to regulate the movements or actions of any person under 18 years of age.

In order to align with the newly enacted section of the TLGC, City Council must repeal Chapter 62 (Offenses), Article II (Minors), Division 2 (Juvenile Curfew), Section 62-40 through Section 62-45 in their entirety.

**Approved By**

Chief of Police	Anthony Solomon	Date: 12/7/2023

**ORDINANCE NO. \_\_\_\_\_**

**AN ORDINANCE OF THE CITY OF MONTGOMERY, TEXAS,  
REPEALING CHAPTER 62 (OFFENSES), ARTICLE II (MINORS),  
DIVISION 2 (JUVENILE CURFEW), SECTIONS 62-40 THROUGH 62-45  
OF THE CITY OF MONTGOMERY CODE OF ORDINANCES IN  
RESPONSE TO HOUSE BILL 1819, EFFECTIVE SEPTEMBER 1, 2023;  
PROVIDING FOR REPEALING, SAVINGS AND SEVERABILITY  
CLAUSES; AND PROVIDING FOR AN EFFECTIVE DATE OF THIS  
ORDINANCE**

**WHEREAS**, the City Council of the City of Montgomery, Texas ("City Council") previously adopted a juvenile curfew ordinance as authorized by state law to help protect the public health, safety and general welfare of City of Montgomery, Texas has in place a juvenile curfew ordinance the ("Curfew Ordinance"); and

**WHEREAS**, said Curfew Ordinance is codified in Sections 62-40 through 62-45 of the City of Montgomery, Texas Code of Ordinances; and

**WHEREAS**, in the 2023 regular session of the Texas Legislature the Legislature passed and adopted House Bill 1819; and

**WHEREAS**, the Governor of the State of Texas signed House Bill 1819 into law on June 9, 2023, which bill had an effective date of September 1, 2023; and

**WHEREAS**, House Bill 1819 enacted section 370.007 of the Texas Local Government Code; however, this section does not apply to a curfew implemented under Chapter 418, Texas Government Code, for purposes of emergency management which specifically precludes political subdivisions of the State, such as the City, from adopting or enforcing ordinances imposing curfews to regulate the movements or actions of any person under 18 years of age; and

**WHEREAS**, the City Council has determined that in light of the adoption of House Bill 1819, the City's Curfew Ordinance should be in all things repealed.

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

SECTION 1: Findings Incorporated. The findings set forth above are incorporated into the body of this Ordinance as if fully set forth herein.

SECTION 2: Repeal of Curfew Ordinance. Chapter 62 (Offenses), Article II (Minors), Division 2 (Juvenile Curfew), Section 62-40 through Section 62-45 are hereby repealed in their entirety.

SECTION 3: Reservation of Codified Sections. Sections 62-40 through Sections 62-45 of the City of Montgomery, Texas Code of Ordinances are hereby reserved for future use in codification.

SECTION 4: Savings/Repealing Clause. All provisions of any ordinance in conflict with this Ordinance are hereby repealed.

SECTION 5: Severability. Should any section, subsection, sentence, clause, or phrase of this Ordinance be declared unconstitutional or invalid by a court of competent jurisdiction, it is expressly provided that any and all remaining portions of this Ordinance shall remain in full force and effect. The City hereby declares that it would have passed this Ordinance, and each section, subsection, sentence, clause, or phrase thereof irrespective of the fact that any one or more sections, subsections, sentences, clauses, or phrases be declared unconstitutional or invalid.

SECTION 6: Effective Date. This Ordinance shall become effective upon its passage by City Council.

**DULY PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS**, on this \_\_\_\_ day of \_\_\_\_\_, 2023.

**CITY OF MONTGOMERY, TEXAS**

\_\_\_\_\_  
Byron Sanford, Mayor

**ATTEST:**

\_\_\_\_\_  
Nicola Browe, City Secretary

**APPROVED AS TO FORM:**

\_\_\_\_\_  
Alan Petrov, City Attorney

## Montgomery City Council AGENDA REPORT

<b>Meeting Date:</b> December 12, 2023	<b>Budgeted Amount:</b> not budgeted
<b>Department:</b> Administration	<b>Prepared By:</b> G. Palmer

### Subject

Consider Adoption of a Resolution for the City of Montgomery to join the Houston-Galveston Area Council (H-GAC).

### Recommendation

Recommend Approval of the Resolution as Proposed

### Discussion

The Houston-Galveston Area Council (H-GAC) is the regional organization through which local governments consider issues and cooperate in solving area wide problems. Through H-GAC, local governments also initiate efforts in anticipating and preventing problems, saving public funds.

The 13-county H-GAC service region is growing, becoming more diverse, and constantly changing. In order to address the needs of citizens and businesses, local governments are providing leadership to guide regional development wisely and manage change constructively.

**Annual Membership Cost: \$200**

### Approved By

City Administrator	Gary Palmer	Date: November 30, 2023



## Resolution for Membership in the Houston-Galveston Area Council

**WHEREAS**, the Governor of the State of Texas has identified the Gulf Coast State Planning Region (consisting of the 13 counties of Austin, Brazoria, Chambers, Colorado, Fort Bend, Galveston, Harris, Liberty, Matagorda, Montgomery, Walker, Waller, and Wharton) as a state planning region for purposes of sub-state regional planning; and

**WHEREAS**, the local governments of the Houston-Galveston region, including counties, cities, and school districts created the Houston-Galveston Area Council in 1966 in response to their common interests and concerns and the need for a joint regional approach to resolve areawide problems; and

**WHEREAS**, this voluntary, cooperative venture was intended to assist local governments in serving today and helping to plan for tomorrow to improve their citizens' quality of life by addressing regional issues, problems, and opportunities; by setting priorities and devising policies, plans, and programs to deal with them; and by achieving efficient and effective action on areawide matters and related actions in order to insure the orderly growth and development of the region;

**NOW, THEREFORE, BE IT HEREBY RESOLVED:**

**SECTION 1.** That THE CITY OF MONTGOMERY TEXAS

(Name of local government)

wishes to become a participating member of the Houston-Galveston Area Council created for the purposes set out above, and hereby applies for membership in said organization by submission of this Resolution and payment of annual dues.

**SECTION 2.** That this Resolution shall take effect immediately on its adoption.

**PASSED** on this 12<sup>th</sup> Day of December 2023 by the City Council of the City of Montgomery TX

**ATTEST:**

\_\_\_\_\_  
(Witness)

\_\_\_\_\_  
(Judge, Mayor, or President)

Please mail Resolution to:

Houston-Galveston Area Council  
Attn: Rick Guerrero  
3555 Timmons Ln, Suite 100  
Houston, TX 77027



Montgomery City Council  
**AGENDA REPORT**

<b>Meeting Date:</b> December 12, 2023	<b>Budgeted Amount:</b> N/A
<b>Department:</b> Administration	<b>Prepared By:</b> Nici Browe

**Subject**

A RESOLUTION OF THE CITY OF MONTGOMERY, TEXAS AMENDING ITS POLICY FOR INVESTMENT OF MUNICIPAL FUNDS AND THE INVESTMENT STRATEGIES CONTAINED THEREIN.

**Recommendation**

Approval of the Ordinance amending the Investment policy and designating Maryann Carl, Finance Director as the Investment Officer.

**Discussion**

The City has by resolution Anthony Lasky, former Senior Accounting Clerk listed as its Investment Officer.

Therefore, with Maryann Carl as the Finance Director the City is required to update by Resolution the Investment Policy and designate a new Investment Officer. The proposed new Investment Officer is Maryann Carl, Finance Director.

**Approved By**

City Secretary	Nici Browe	Date: December 6, 2023

**RESOLUTION NO. R 2023-15**

A RESOLUTION OF THE CITY OF MONTGOMERY, TEXAS AMENDING  
ITS THE POLICY FOR INVESTMENT OF MUNICIPAL FUNDS AND THE  
INVESTMENT STRATEGIES CONTAINED THEREIN.

**WHEREAS**, Chapter 2256 of the Texas Government Code, commonly known as the Public Funds Investment Act (“Act”), requires the City Council of the City of Montgomery (“City”) to adopt a written policy governing the investment of its funds and funds under its control; and

**WHEREAS**, the Act requires the City to adopt written investment strategies (“Strategies”) for each fund group or group of funds under its control; and

**WHEREAS**, the City adopted a written investment policy (“Policy”) on October 25, 2005 that complies with the requirements of the Act; and

**WHEREAS**, the City’s Policy includes investment Strategies for each fund or group of funds under the City’s control; and

**WHEREAS**, the Act requires the City to review the Policy and Strategies on at least an annual basis and affirm through a Resolution that such review has occurred; and

**WHEREAS**, any changes to the Policy of the Strategies are required by the Act to be included in this Resolution.

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

**Section 1.** The City Council hereby affirms that it has reviewed the Policy and the Strategies attached, amending Section 2. Appointment of Investment Officer to remove Anthony Lasky, Senior Accounting Clerk of City of Montgomery; and to add Maryann Carl, Finance Director of the City of Montgomery, included and attached as Exhibit “A” ;

**Section 2.** The List of Authorized Brokers is attached as Exhibit “B”; and

**Section 3.** The Resolution shall take effect immediately from and after its adoption.

**PASSED AND ADOPTED** by the City Council of the City of Montgomery, Texas on this the 12th day of December, 2023.

APPROVED:

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

ATTEST:

\_\_\_\_\_  
Nici Browe, City Secretary, TRMC

**AMENDED ORDER ESTABLISHING POLICY FOR  
INVESTMENT OF MUNICIPAL FUNDS  
AND APPOINTING INVESTMENT OFFICER**

**WHEREAS**, the City of Montgomery, Texas (the "City") is a body politic and a type A general law municipality of the state of Texas; and

**WHEREAS**, Chapter 2256, Texas Government Code (sometimes referred to herein as the "Public Funds Investment Act"), requires that the governing body of the City adopt rules, regulations and policies governing the investment of Municipal funds and designate one or more of its officers or employees to be responsible for the investment of such funds;

**NOW, THEREFORE, IT IS ORDERED BY THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS, THAT** the policies, procedures and provisions set forth herein be and are hereby ADOPTED, and that any order, and every amendment thereto, heretofore adopted by the City Council establishing policies for the investment of City funds and appointing an investment officer shall be and are hereby revoked and superseded effective as of December 12, 2023, the effective date of this Order.

**Section 1. Purpose.** The purpose of this Order Establishing Policy for Investment of Municipal Funds and Appointing Investment Officer (the "Investment Policy") is to adopt rules and regulations which set forth the City's policies with regard to the investment and security of City funds or funds under the City's control. It is further the purpose of this Investment Policy to ensure that purchases and sales of City investments are initiated by authorized individuals, conform to investment objectives and regulations, and are properly documented and approved, and to provide for the periodic review of City investments to evaluate investment performance and security, all as required by applicable law.

**Section 2. Appointment of Investment Officer; Standard of Care.** Ms. Maryann Carl the City's Finance Director, shall be and is hereby individually designated the Investment Officer of the City, responsible for the supervision of investment of City funds pursuant to this Investment Policy. In the administration of his or her duties hereunder, the City's Investment Officer shall exercise the judgment and care, under prevailing circumstances, that a person of prudence, discretion and intelligence would exercise in the management of his or her own affairs, not for speculation, but for investment, considering the probable safety of capital and the probable income to be derived; however, the City Council of the City shall retain ultimate responsibility as fiduciaries of the City's assets. The City Council, Tax Assessor-Collector, Financial Advisor and other consultants shall be authorized to assist the Investment Officer in the carrying out of the duties of Investment Officer.

**Section 3. Appointment of Investment Officer and Tax Assessor-Collector for Investment of City Funds.** The City Council hereby designates the City's Investment Officer as the authorized representative of the City to (a) invest and reinvest the funds of the City; (b) withdraw City funds from appropriate accounts of the City for the investment of same in accordance with the terms of this Investment Policy; and (c) arrange for adequate security for uninsured deposits or funds of the City

pursuant to and in compliance with a Public Funds Depositor Collateral Security Agreement which shall be substantially in the form attached hereto as Exhibit "B," and to execute said Agreement(s) and any documentation required in connection therewith on behalf of the City. To the extent that the City's Tax Assessor- Collector is required to perform any of the functions set forth in (a), (b) or (c) above, the Tax Assessor-Collector shall do so in accordance with the provisions of the Public Funds Investment Act and this Investment Policy, and under the supervision of and in consultation with the City's Investment Officer.

**Section 4. Authority and Duties of Investment Officer.** The following rules shall apply to the City's Investment Officer:

- A. The City Council hereby instructs the Investment Officer for the City to maintain the investments of the City in a manner consistent with the rules and regulations set forth in this Investment Policy and the Public Funds Investment Act, as amended.
- B. No persons, other than those designated in Section 3 above, may deposit, invest, transfer, withdraw or otherwise manage City funds without express written authority of the City Council.
- C. The Investment Officer for the City shall invest and reinvest City funds only in those investments authorized under this Investment Policy or by the City Council, and only in the name of and solely for the account of "City of Montgomery, Texas". The Investment Officer for the City shall be authorized to wire transfer funds of the City only (1) for the purchase of investments solely in the name of "City of Montgomery, Texas", (2) for the transfer of all or any portion of the principal of or interest earnings or profits or gains on any investment of the City to one or more previously authorized and established accounts of "City of Montgomery, Texas", (3) for the transfer of City funds to any paying agent of the City for the payment of principal and semiannual interest payments on any outstanding bonds of the City and for the payment of paying agent fees relative to same, or (4) for other purposes, such as the payment of City bills, pursuant to a resolution or other express written instructions of the City Council.
- D. The Investment Officer for the City shall, not later than the first anniversary of the date the Investment Officer takes office or assumes such duties, attend a training session of at least should this not be 10 hours of instruction relating to the Investment Officer's responsibilities under the Public Funds Investment Act, as amended, from an independent source approved by the City Council and thereafter shall attend at least ten hours within each two year period after the first year. Such investment training must include education in investment controls, security risks, diversification of investment portfolio, strategy risks, market risks, and compliance with the provisions of the Public Funds Investment Act, as amended.
- E. Not less frequently than each fiscal quarter, the City's Investment Officer shall prepare and submit to the City Council a written report of investment transactions for all invested funds of the City for the preceding reporting period. Such report must (1) describe in detail the investment position of the City on the date of the report; (2) be prepared by the Investment Officer for the City; (3) be signed by the Investment Officer of the City; (4) contain a summary statement, prepared in compliance with generally accepted

accounting principles, of each pooled fund group, if any has been created by the City, that states the beginning market value for the reporting period, additions and changes to the market value during the period, and ending market value for the period, and fully accrued interest for the reporting period; (5) state the book value and market value of each separately invested asset of the City at the beginning and at the end of the reporting period by the type of asset and fund type invested; (6) state the maturity date of each separately invested asset that has a maturity date; 7) state the account or fund or pooled group fund, if the City has any, for which each individual investment was acquired; and (8) state the compliance of the City's investment portfolio as it relates to the investment strategy for each account of the City as set forth in this Investment Policy and relevant provisions of the Public Funds Investment Act, as amended. Such report must be presented to the City Council within a reasonable period of time after the end of each fiscal quarter. If the City invests in other than (i) money market mutual funds, (ii) investment pools or (iii) accounts offered by its depository bank in the form of certificates of deposit, or money market accounts or similar accounts, all of the type authorized under Section 6 of this Investment Policy, the reports prepared under this Section 4.E. shall be formally reviewed at least annually by an independent auditor, and the result of such review shall be reported to the City Council by that auditor.

- F. In the event City funds are invested or reinvested in Certificates of Deposit, the Bookkeeper or Tax Assessor-Collector, as applicable, shall solicit bids from at least two (2) bidders, either orally, in writing, electronically or in any combination of those methods, for each such investment.
- G. All purchases of investments, except investments in investment pools or in mutual funds, shall be made on a delivery versus payment basis.
- H. Not less frequently than each fiscal quarter, and as close as practicable to the end of such reporting period, the City's Investment Officer shall determine the market value of each City investment. Such market values shall be included in the written reports submitted to the City Council pursuant to Section 4.E hereinabove. The following methods shall be used:
  - (1) Certificates of deposit shall be valued at their face value plus any accrued but unpaid interest.
  - (2) Shares in money market mutual funds and investment pools, if any, shall be valued at par plus any accrued but unpaid interest.
  - (3) Other investment securities may be valued in any of the following ways:
    - (a) The lower of two bids for such security obtained from qualified securities brokers/dealers with whom the City may engage in investment transactions;
    - (b) The average of the bid and asked prices for such security as published in The Wall Street Journal or The New York Times;

- (c) The bid price for such security published by any nationally recognized security pricing service; or
  - (d) The market value quoted by the seller of the security.
- I. A written copy of the City's Investment Policy must be presented to any person offering to engage in an investment transaction with the City and to any investment management firm under contract with the City for the investment and management of its funds. The "qualified representative" of the business organization offering to engage in an investment transaction with the City or an investment management firm shall execute a written instrument in a form acceptable to the City substantially to the effect that the business organization or firm has received and reviewed the Investment Policy of the City and acknowledges that such business organization or firm has implemented reasonable procedures and controls in an effort to preclude investment transactions conducted between the City and such organization or firm that are not authorized by the City's Investment Policy, except to the extent that such authorization is dependent on an analysis of the makeup of the City's entire investment portfolio or requires an interpretation of subjective investment standards. The City's Investment Officer may not acquire or otherwise obtain any authorized investment described in Section 6 hereof from a person who has not delivered to the City the written statement acknowledging receipt of this Investment Policy in a form substantially similar to that attached hereto as Exhibit "A" (the "Certificate of Compliance"). For purposes of this Section 4.1., the "qualified representative" of a business organization offering to engage in an investment transaction with the City means a person who holds a position with a business organization, who is authorized to act on behalf of the business organization, and who is one of the following:
  - (1) for a business organization doing business that is regulated by or registered with a securities commission, a person who is registered under the rules of the National Association of Securities Dealers;
  - (2) for a state or federal bank, a savings bank, or a state or federal credit union, a member of the loan committee for the bank or branch of the bank or a person authorized by corporate resolution to act on behalf of and bind the banking institution;
  - or
  - (3) for an investment pool, the person authorized to sign the written instrument on behalf of the investment pool by the elected official or board with authority to administer the activities of the investment pool.

The "qualified representative" of an investment management firm under contract with the City for the investment and management of its public funds is a person who is an officer or principal of such firm.
- J. The Investment Officer for the City shall disclose in writing to the City Council any (i) "personal business relationship" that they may have with a business organization offering to engage in an investment transaction with the City, or (ii) any relationship within the

second degree by affinity or consanguinity, as determined by Chapter 573, Texas Government Code, as amended, to any individual seeking to sell an investment to the City. Any written disclosure statement filed with the City Council by the Investment Officer pursuant to this section must also be filed with the Texas Ethics Commission. For purposes of this Section 4.J., the Investment Officer has a "personal business relationship" with a business organization if:

- (1) the Investment Officer owns ten percent or more of the voting stock or shares of the business organization or owns \$5,000 or more of the fair market value of the business organization;
- (2) funds received by the Investment Officer from the business organization exceed ten percent of the Investment Officer's gross income for the previous year; or
- (3) the Investment Officer has acquired from the business organization during the previous year investments with a book value of \$2,500 or more for their personal account.

- K. In conjunction with the City's annual financial audit, a compliance audit of management controls on investments and adherence to this Investment Policy must be performed. In connection with said compliance audit, the City Council shall review on an annual basis this Investment Policy and its investment strategies. In connection with said annual review, the City Council shall adopt a written resolution stating that it has reviewed this Investment Policy and the investment strategies set forth herein, and shall indicate in said resolution either the continuance of this Investment Policy without amendment or the changes made to the Investment Policy and/or the investment strategies herein.

**Section 5. General Investment Principles and Objectives.** All investments of City funds or funds under the City's control shall be made in accordance with the following general rules, regulations and policies:

- A. Any moneys in any fund of the City or in any fund established by the City Council in connection with the authorization of the City's bonds, including, but not limited to, proceeds from the sale of such bonds, which funds are not required for the payment of obligations due or to become due immediately, shall be invested and reinvested, from time to time, only in the authorized investments specified in Section 6 hereunder; provided, however, that all such investments shall be secured in the manner provided for the security of the funds of municipalities of the State of Texas (The Public Funds Collateral Act, Chapter 2257, Texas Government Code, as amended) or in such other manner as may be authorized by law from time to time and otherwise suitable for the City's needs.
- B. The policy of the City is to invest City funds only in instruments which further the following investment objectives of the City stated in order of importance: (1) preservation and safety of principal; (2) liquidity; and (3) yield. The City will continuously attempt to diversify its portfolio to reduce risks. The type, conditions and maturity date of City investments shall be consistent with the cash flow needs and operating requirements of the City, as determined from time to time by the City Council,



and consistent with the investment strategy for each City account as set forth in Section 7 hereunder; provided, however, that in no event shall the maximum allowable stated maturity of any individual investment owned by the City exceed two (2) years, unless otherwise specifically set forth in this Investment Policy.

- C. If invested in certificates of deposits, the City's funds shall be secured, to the extent that such funds are not insured by the Federal Deposit Insurance Corporation or the National Credit Union Share Insurance Fund, by the pledge to the City of certain types of securities, as determined in the sole discretion of the City, which under the laws of the State of Texas may be used to secure the deposits of municipalities, pursuant to and in compliance with a Public Funds Depositor Collateral Security Agreement which shall be substantially in the form attached hereto as Exhibit "B", the terms and conditions of which are incorporated herein by reference (the "Public Funds Depositor Collateral Security Agreement").
- D. Securities pledged to the City shall be pledged pursuant to and in compliance with a Public Funds Depositor Collateral Security Agreement to be entered into by and between the City and the institution(s) pledging such securities. Securities pledged to the City shall either be deposited and held in safekeeping at the trust or safekeeping department of a commercial banking institution located in the State of Texas not affiliated with the pledging institution(s) or a federal home loan bank, or shall be held in a restricted securities account, joint safekeeping account or other similar account in a branch of the Federal Reserve Bank pursuant to any and all applicable regulations, operating circulars, bulletins and policies of the Federal Reserve Bank, including the terms and conditions of any applicable forms or agreements, as may exist now or hereafter be enacted, promulgated or issued by the Federal Reserve Bank. The City's Investment Officer and Tax Assessor-Collector shall, within the limits of business practicality and consistent with the Federal Deposit Insurance Corporation Statement of Policy dated March 23, 1993, (or any subsequent applicable Statement of Policy issued by the FDIC) relative to the securing of public funds, ensure that the City's uninsured funds are at all times secured as required by the Public Funds Collateral Act (Chapter 2257, Texas Government Code, as amended) and in the manner set forth in the Public Funds Depositor Collateral Security Agreement. The City's Investment Officer and Tax Assessor-Collector are hereby authorized to execute Public Funds Depositor Collateral Security Agreements and any agreements, documents or forms required by the Federal Reserve Bank on behalf of the City, as and when required, and to approve the substitution of securities pledged to the City as collateral pursuant to and in the manner set forth in any Public Funds Depositor Collateral Security Agreement entered into by the City.
- E. The City Council recognizes that, within the framework of the above rules, decisions must be made concerning the type and duration of each investment transaction, and that such decisions are best made by the person responsible for implementing the transaction, based upon the facts and circumstances prevailing at the time. As a guide to making such decisions, it is hereby declared the policy of the City Council that priority should be given to proper security of the City's funds over maximizing the yield on investments. Furthermore, in cases where the rate of return on an investment security offered by competing banking institutions are substantially equivalent, the City's Investment

Officer shall give preference to those investments and investment institutions offering the greatest degree of administrative convenience and proximity, flexibility of investment arrangements and/or similar intangible benefits and community goodwill.

- F. Except as herein provided, nothing herein shall be deemed or construed to authorize the withdrawal, expenditure or appropriation of funds of the City except by check or draft signed by three (3) members of the City Council, or as otherwise provided by applicable statutes or the resolutions, rules, regulations, policies, orders or proceedings of the City Council. Furthermore, the City Council shall retain sole responsibility for establishing and implementing, from time to time, this Investment Policy, and all investment transactions to be undertaken by the City's Investment Officer pursuant to the Investment Policy shall be subject to the further or more specific directions, instructions, orders, resolutions or actions of the City Council.

**Section 6. Authorized Investments.** The following categories of investment are authorized for investment of City funds:

- A. Obligations, including letters of credit, of the United States or its agencies and instrumentalities;
- B. Direct obligations of the State of Texas or its agencies and instrumentalities;
- C. Other obligations, the principal and interest of which are unconditionally guaranteed or insured by, or backed by the full faith and credit of, the State of Texas, or the United States or obligations that are fully guaranteed or insured by the Federal Deposit Insurance Corporation or by the explicit full faith and credit of the United States, Issued, assumed or guaranteed by the State of Israel or any of their respective agencies and instrumentalities
- D. Obligations of states, agencies, counties, cities, and other political subdivisions of any state rated as to investment quality by a nationally recognized investment rating firm not less than A or its equivalent;
- E. Certificates of deposit issued by a state or national bank domiciled in the State of Texas, a savings bank domiciled in the State of Texas, or a state or federal credit union domiciled in the State of Texas that are:
  - (1) Guaranteed or insured by the Federal Deposit Insurance Corporation or its successor or the National Credit Union Share Insurance Fund or its successor;
  - (2) Secured by obligations of the type described in Section 2256.010(2), Texas Government Code, as amended, or
  - (3) secured in any other manner and amount provided by law for deposits of the City pursuant to a Public Funds Depositor Collateral Security Agreement approved and executed by the City;

- F. Commercial paper with a stated maturity of 270 days or fewer from the date of issuance which meets the requirements set forth in Section 2256.013, Texas Government Code, as amended;
- G. No-load money market mutual funds that:
  - (1) are registered with and regulated by the Securities and Exchange Commission;
  - (2) provide the City with a prospectus and other information required by the Securities Exchange Act of 1934 (15 U.S.C. Section 78a et seq.) or the Investment Company Act of 1940 (15 U.S.C. Section 80a-1 et seq.);
  - (3) have a dollar-weighted average stated maturity of 90 days or fewer; and
  - (4) include in their investment objectives the maintenance of a stable net asset value of \$1.00 for each share;
- H. Investment pools which meet the requirements set forth in Section and Section 2256.019, Texas Government Code, as amended; and
- I. Fully collateralized repurchase agreements meeting the requirements set forth in Section 2256.011, Texas Government Code, as amended, provided that the maximum maturity of same shall not exceed seven (7) days.

**Section 7. Investment Strategies.** City investments shall be made upon the evaluation of the specific investment objectives and strategies of each account of the City, with the primary objective for the selection of any City investment being the understanding of the suitability of such investment to the financial requirements of the City. The City's investment strategy for each of its accounts is as follows:

- A. **Operating/General Account:** The operating/general account is used for all operations and maintenance needs of the City and funds therein shall be invested to meet the operating and cash flow requirements of the City as determined by the City Council. The highest priorities for this account are the liquidity and marketability of an investment if the need arises to liquidate the investment before its maturity. Of equal importance is the preservation and safety of the principal of investments in the operating account. When these priorities are met, the yield on investments held in the operating/general account will next be considered.
- B. **Debt Service/Bond Fund Account;** The City's debt service/bond fund account is used to pay the City's debt service on its outstanding bonds. The highest priority for this account is the preservation and safety of principal. Since the City knows the amount of its debt service requirements and when it becomes due, investments for the debt service/bond fund account should be structured to coincide with the amount and timing of the debt service requirements. When the preservation and safety of principal and liquidity considerations for debt service purposes are assured, including the marketability of debt service/bond fund account investments in the event the need arises to liquidate an investment before its maturity, the yield on debt service/bond fund account investments should be considered. Since the amount of City funds in the debt service/bond fund

account can be significant, diversification of the debt service/bond fund account investment portfolio may be necessary. The City may easily liquidate investments in an investment pool and therefore such investments may be appropriate in combination with longer term investments in the debt service/bond fund account.

- C. **Capital Projects/Construction Fund Account:** The capital projects/construction fund account is used to pay for capital improvements of the City. The highest priority for this account is the preservation and safety of principal. In the event that funds held in the capital projects/construction fund account are for particular improvement projects that have been previously identified by the City Council, the City Council will have an idea of the approximate time when disbursements will be required to be made from this account. In this situation, investments in the capital projects/construction fund account should be structured so that they mature or can be liquidated on or about the dates that disbursements are expected to be made. Once the safety of principal and liquidity and marketability of capital projects/construction fund account investments which are to match certain disbursement dates are assured, the yield on such investments may be considered. Since City funds in the capital projects/construction fund account may not be needed for a year or more, longer term instruments should be considered to increase yield. However, if funds available in the City's capital projects/construction fund account are surplus construction funds from prior bond issues or interest earnings on such funds and are not earmarked for specific improvement projects, but rather viewed by the City Council as an emergency reserve fund for major repairs or rehabilitation projects, investments in the capital projects/construction fund account, at least to the extent that they are for emergency reserve purposes, should be kept in relatively short term investments that can be easily marketed and liquidated if necessary, such as investment pools. Alternatively, bond proceeds that may be deposited in the City's capital projects/construction fund account for reimbursement to a developer and which may be in the capital projects/construction fund account for only one or two days, should be kept in the most liquid investment available. Investment diversification for large amounts of City funds that may be deposited into the capital projects/construction fund account for only one or two days may be achieved through the use of an investment pool. Since investment pools are short term in nature, they would normally be used for City funds in this account only if the City knows that it will be dispersing funds in a relative short period of time. However, on some occasions the yield on investment pools is higher than on longer term investments, so their use may be optimal for funds in the capital projects/construction fund account.

#### **Section 8. Miscellaneous.**

- A. In the event of any conflict or inconsistency between the terms of this Investment Policy and applicable requirements of law, such conflict or inconsistency will be resolved in favor of the more restrictive of this Investment Policy or the applicable requirements of law. In the event of any ambiguity or uncertainty as to the intent and application of any part, section/ paragraph or provision hereof, a written request for clarification or approval of a proposed action describing such circumstances shall be submitted to the City Council for a decision as to a proper course of action.

- B. Investments which are prohibited by Government Code chapter 2270 Prohibition on Investing Public Money in Certain Investments and SB 253 (85<sup>th</sup> Legislature Regular Session). That chapter deals primarily with entities conducting business with Sudan, Iran or Foreign Terrorist Organizations. Such “Listed Companies” are prohibited Investments. The Texas Comptroller will regularly update the list of Listed Companies. The Investment Officer will review the updated list when made available by the Comptroller and will follow the requirements of SB 253 with respect to any existing investments in Listed Companies.
- B. The rules, regulations and policies set forth herein shall be and remain in full force and effect unless and until amended, revised, rescinded or repealed by action of the City Council. The City Council specifically reserves the right to change, alter or amend any provision of this Investment Policy at any time.
- C. The provisions of this Investment Policy are severable, and if any provision or part of this Investment Policy 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 Investment Policy and the application of such provision or part of this Investment Policy shall not be affected thereby.

The Mayor is authorized to execute and the Secretary to attest this Investment Policy on behalf of the City Council.

**PASSED and ADOPTED** this the 12th day of December, 2023.

CITY OF MONTGOMERY, TEXAS

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

ATTEST:

\_\_\_\_\_  
Nici Browe, City Secretary, TRMC

Montgomery City Council  
**AGENDA REPORT**

<b>Meeting Date:</b> December 12, 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 hydrogeological report as performed by Wet Rock Groundwater Services, LLC, and release of the City Engineer to proceed with the design of the Water Plant No. 2 Improvements as originally authorized at the October 10, 2023 meeting of the City Council.

**Recommendation**

Staff recommends acceptance of the report and release of the City Engineers to proceed with the design for the Water Plant No. 2 Improvements project.

**Discussion**Issue:

The attached report contains the technical data that the engineers will use to design the new well and improvements at Water Plant No. 2. City Council authorized the engineers to proceed with design contingent on City Council's review of the completed report.

Regulations:

Regulatory power of water resources is vested with the State of Texas, who administer water rights through agencies such as the Texas Commission on Environmental Quality (TCEQ) and Lone Star Groundwater Conservation District (LSGCD).

Analysis & Conclusion:

The City Engineers will be able to answer questions you have about the technical data in the report. Staff recommends acceptance of the report and allowing the engineers to proceed with the design of the project.

**Approved By**

Assistant City Administrator & Planning & Development Director	Dave McCorquodale	Date: 12/07/2023
City Administrator	Gary Palmer	Date: 12/07/2023



## Wet Rock Groundwater Services, L.L.C.

*Groundwater Specialists*

TBPG Firm No: 50038

317 Ranch Road 620 South, Suite 303

Austin, Texas 78734 • Ph: 512-773-3226

www.wetrockgs.com

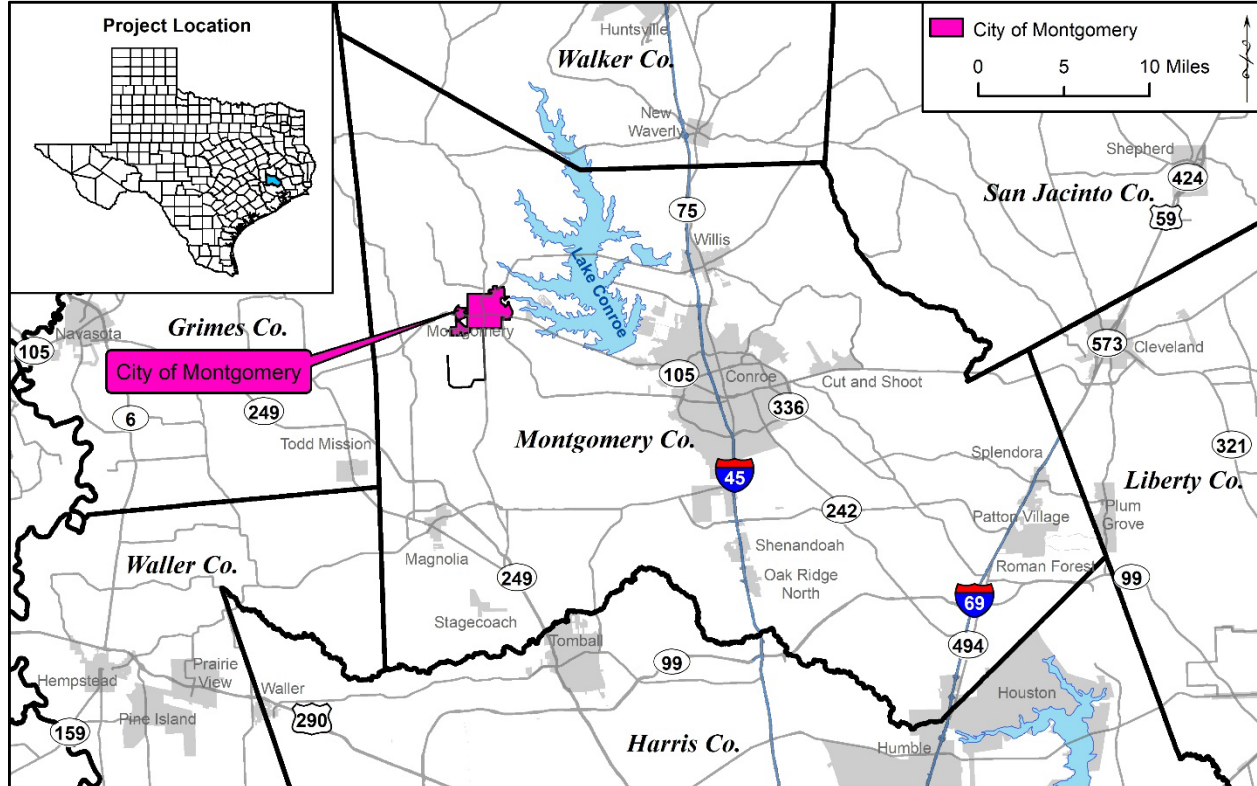
Mr. Zachary Timms, EIT  
Ward, Getz & Associates, PLLC  
2500 Tanglewilde, Suite 120  
Houston, TX 77063

November 8, 2023

**RE: Lone Star Groundwater Conservation District Hydrogeological Report –  
City of Montgomery – Wells No. 2, No. 3, No. 4 and No. 5**

Dear Mr. Timms:

This report details the results of a hydrogeologic report to meet the guidelines mandated by the Lone Star Groundwater Conservation District (LSGCD; the District) for an operating permit application. The City of Montgomery (“the Applicant”) is submitting an application for an operating permit with LSGCD to construct one replacement well of an existing Jasper Aquifer Well (Well No. 2) and one new Jasper Aquifer well (Well No. 6) and incorporate them into the water system, located in northwestern Montgomery County (Figure 1). The Applicant is also proposing to increase the pumping rate and annual volume in their existing permits.



**Figure 1: Location map of the City of Montgomery**



Wet Rock Groundwater Services, LLC



*Groundwater Specialists*

The Applicant is seeking to construct a replacement well of Well No. 2 (Jasper Aquifer), which will be called Well No. 5 and complete one new well (Well No. 6) in the Jasper Aquifer. The City of Montgomery also has another existing Jasper Aquifer well (Well No. 3) and Catahoula Aquifer well (Well No. 4). Table 1 provides a summary of the existing well permits and proposed maximum allowable pumping rates and annual production limits. The total proposed annual allocation from the Jasper Aquifer is 358,750,000 gallons; the proposed annual allocation from the Catahoula Aquifer is 191,250,000 gallons.

**Table 1: Summary of permits with the LSGCD and proposed changes**

Well No.	LSGCD Well ID	Status	Aquifer	Permit No.	Current Max. Allowable Pumping Rate (gpm)	Current Annual Production Limit (gal.)	Proposed Max. Allowable Pumping Rate (gpm)	Proposed Annual Production Limit (gal.)
2	2004071935	Existing	Jasper	HUP040-JSPR	190	41,930,000	0	0
3	2004072104	Existing	Jasper	OP-0407210E-JSPR	500	51,000,000	500	116,875,000
4	2013012801	Existing	Catahoula	AWS-13012801B-CAT	1,208	90,000,000	1,208	191,250,000
5*	-	Proposed Replacement Well	Jasper	*	-	-	500	116,875,000
6	-	Proposed	Jasper	-	-	-	1,000	125,000,000
Notes: gpm = gallons per minute; gal. = gallons; *Proposed Well No. 5 will replace existing Well No. 2								

The purpose of this report is to provide the LSGCD with hydrogeological information addressing the impacts of the proposed well on existing wells in addition to the impacts of increased proposed production limits. According to LSGCD rules, the Hydrogeological Report Requirement will assist with the District's mission to collect data and use the best available data and science in managing aquifers of the District. Pursuant to the adopted LSGCD Rules 2.6(b)(15), 2.12 and 3.4, acquisition of an operating permit requires two hydrogeological reports: 1) prior to drilling; and 2) post drilling. The report parameter guidelines published by the District were used to structure this hydrogeologic report (Pre-Drilling). The objectives of this report are to support the Applicant's application for an operating permit by demonstrating the following:

1. The anticipated specific details of well construction;
2. A discussion of the geologic and hydrogeological properties of the Jasper Aquifer in the area near the proposed wells;
3. A discussion of known water quality in the area based on literature and well reports; and,
4. An interference analysis that shows the projected impacts from production from the proposed well and the water system as a whole for the Jasper Aquifer wells and Catahoula Aquifer well at the proposed production limits.





## Well Spacing

Figures 2 through 5 provide maps displaying the location of the nineteen (19) registered and permitted wells within a 1/2-mile radius of the existing and proposed wells, including all surface water bodies such as streams and ponds; Tables 1, 2, and 3 provides a tabulated summary of the mapped wells. There were no records of springs in the vicinity of the City of Montgomery wells.

District spacing rules for wells completed in the Jasper Aquifer require non-exempt wells to be spaced a minimum of 1.5 feet multiplied by the Maximum Allowable Pumping Rate (500 gpm for Well No. 5; 1,000 gpm for Well No. 6); this results in a spacing of 750 feet from the Well No. 5, and 1,500 feet for Well No. 6. For wells completed in the Catahoula Aquifer, non-exempt wells need to be spaced a minimum of 1.0 feet multiplied by the Maximum Allowable Pumping Rate (1,208 gpm for Well No. 4); this results in a spacing of 1,208 feet from the Well No. 4.

According to the latest well database provided by LSGCD, there are no wells permitted within the required spacing radii of the proposed wells that are not owned/operated by the Applicant (Figures 4 and 5). The proposed Well No. 5 is within 50 feet of the nearest property boundary; prior to finalizing the well permit application, the Applicant will submit proper documentation to the District for an exception to the spacing rules.

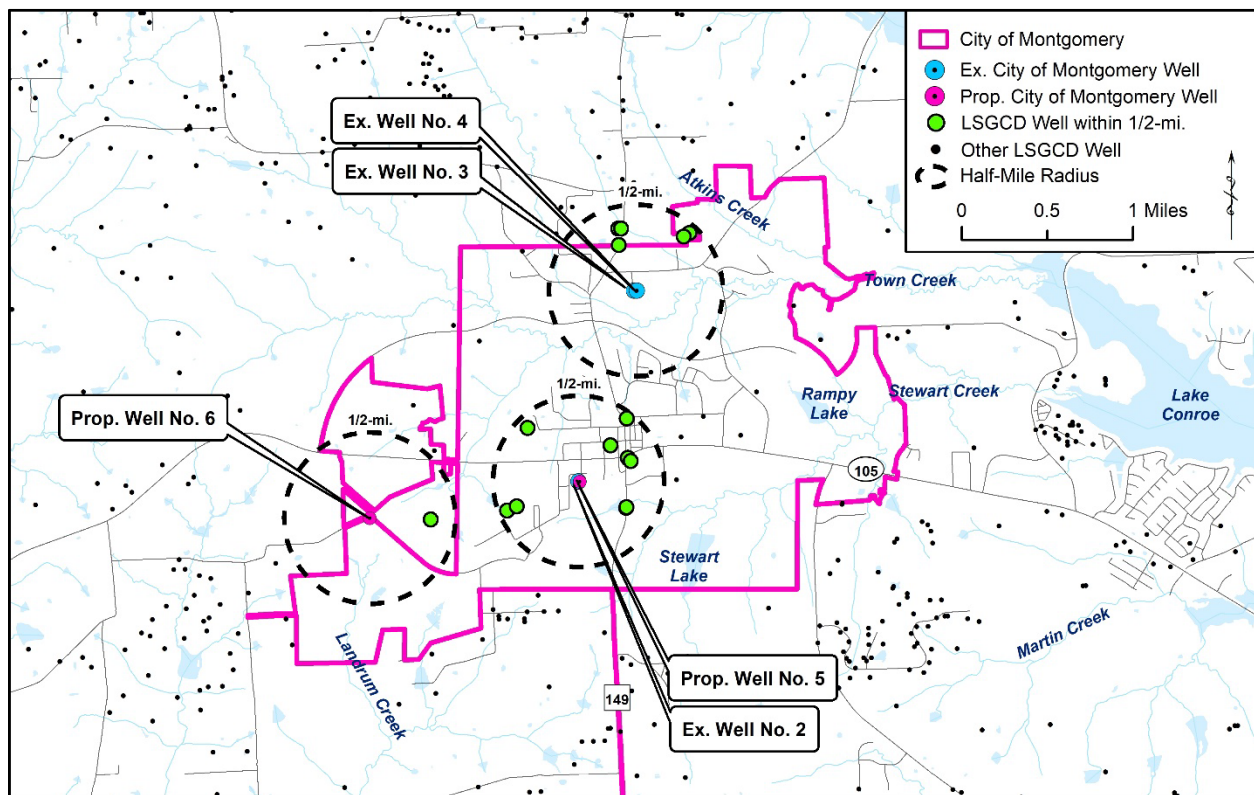


Figure 2: Location map showing reported wells & surface water near the proposed water system well

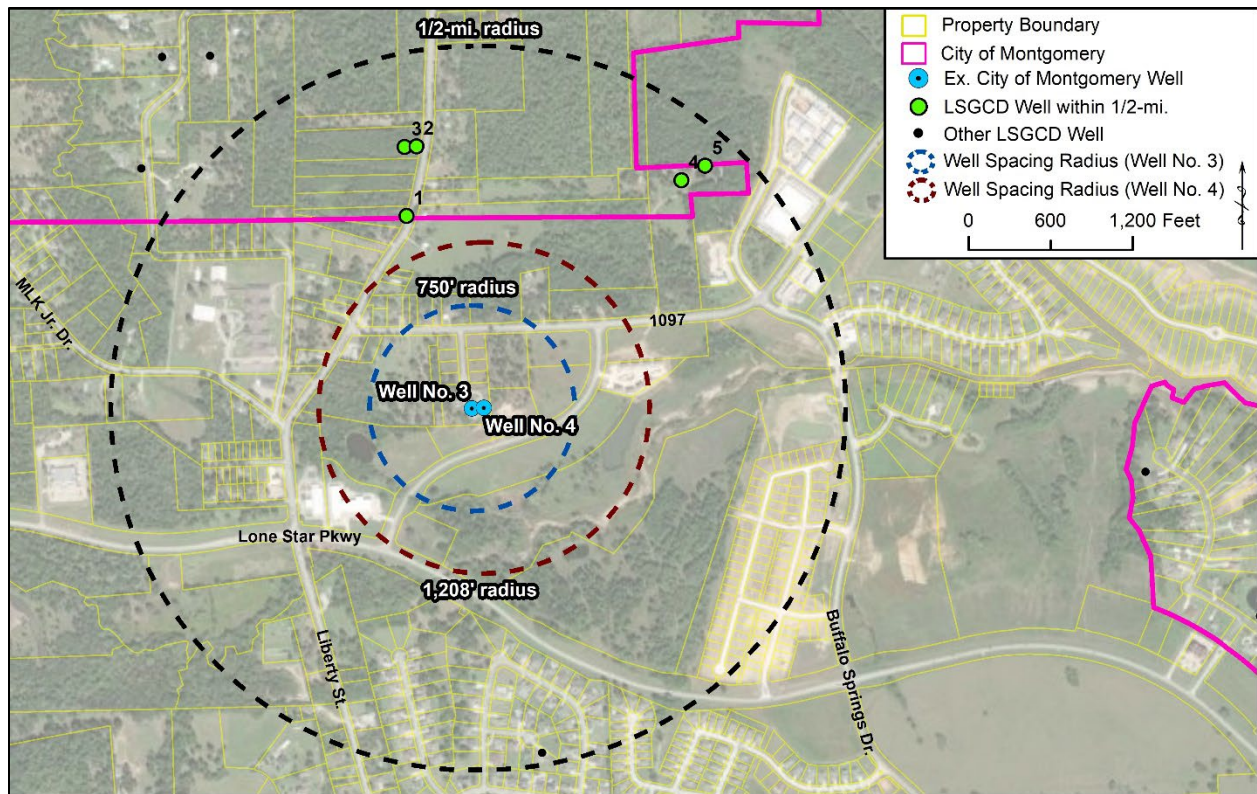


Figure 3: Large-scale map of the City of Montgomery Wells No. 3 and 4

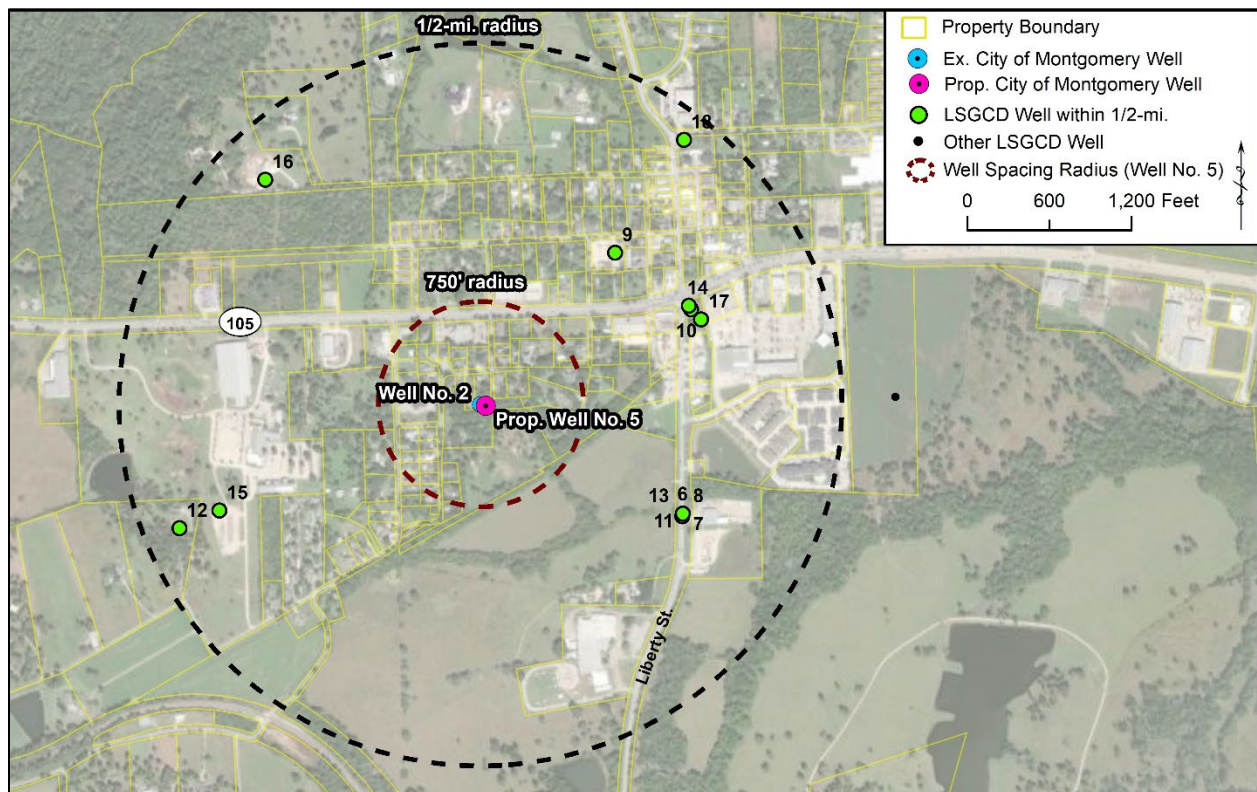


Figure 4: Large-scale map of the City of Montgomery Well No. 2 and proposed No. 5



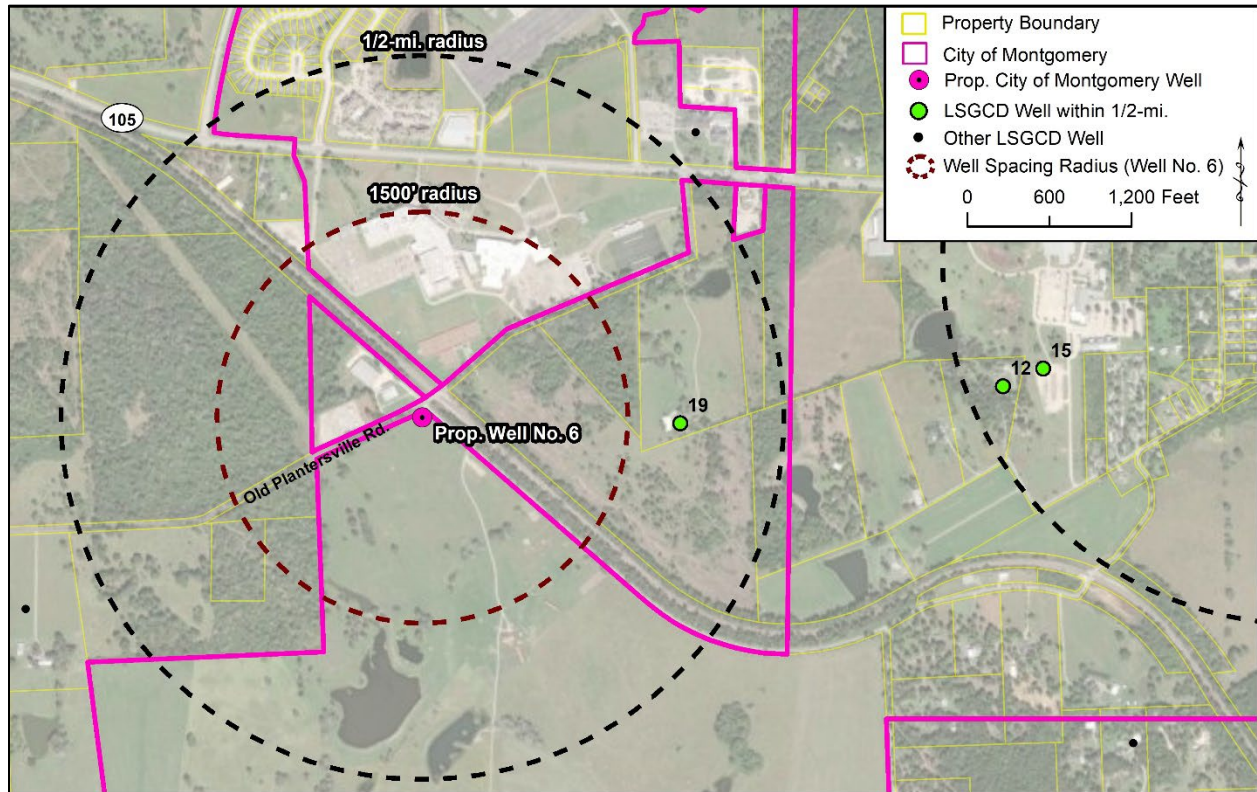


Figure 5: Large-scale map of the proposed City of Montgomery Well No. 6



**Table 2: Summary of wells located within 1/2-mile of the City of Montgomery Wells No. 3 and 4**

Map ID	Well Registration No.	Permit No.	Owner	Address	City	Total Depth (ft.)	Screen Interval (ft. bgl)	Aquifer	Status	Latitude	Longitude	Distance from Well No. 3 (ft.)	Distance from Well No. 4 (ft.)
<b>Nearest Property Boundary</b>												137	50
Well No. 3	2004072104	OP-04072101E	City of Montgomery	101 Old Plantersville Rd.	Montgomery	665	530-600 610-650	Jasper	Operating	30.4025	-95.695278	0	87
Well No. 4	2013012801	AWS-13012801B	City of Montgomery	101 Old Plantersville Rd.	Montgomery	2,580	2,450-2,480 2,486-2,535 2,548-2,560	Catahoula	Operating	30.4025	-95.695	87	0
1	2022112904	Exempt	Wedgman	15451 FM 149	Montgomery	170	140-160	Evangelina	Operating	30.4063889	-95.6966667	1,485	1,513
2	2022031503	Exempt	Arnsworth	15545 FM 149	Montgomery	160	140-160	Evangelina	Operating	30.4077778	-95.6963889	1,957	1,975
3	2021121102	Exempt	Arnsworth	15545 FM 149	Montgomery	160	140-160	Evangelina	Being drilled	30.4077778	-95.6966667	1,975	1,996
4	2005031624	Exempt	Mossier	Post Office Box 954	Montgomery	158	151-157	Evangelina	Operating	30.4069444	-95.6902778	2,260	2,200
5	2005082416	Exempt	Mossier	15308 Thomas Street	Montgomery	168	161-167	Evangelina	Operating	30.4072227	-95.6897201	2,456	2,394



**Table 3: Summary of wells located within 1/2-mile of the City of Montgomery Well No. 2 and proposed No. 5**

Map ID	Well Registration No.	Permit No.	Owner	Address	City	Total Depth (ft.)	Screen Interval (ft. bgl)	Aquifer	Status	Latitude	Longitude	Distance from Well No. 2 (ft.)	Distance from Well No. 5 (ft.)
<b>Nearest Property Boundary</b>												38	27
Well No. 2	2004071935	HUP040	City of Montgomery	101 Old Plantersville Rd.	Montgomery	783	552-595 611-653 687-709 752-771	Jasper	Operating – To Be Replaced	30.386478	-95.701283	0	5
Well No. 5	-	-	City of Montgomery	101 Old Plantersville Rd.	Montgomery	800	552-595 611-653 687-709 752-771	Jasper	Proposed	30.386449	-95.701158	5	0
6	2012051503	Exempt	Randall	13212 Liberty	Montgomery	N/A	N/A	N/A	Void - Application Withdrawn	30.3841143	-95.6966814	1,686	1,684
7	2012040202	Exempt	Randall	13212 Liberty	Montgomery	N/A	N/A	N/A	Operating	30.3841667	-95.6966667	1,680	1,678
8	2012051502	Exempt	Randall	13212 Liberty	Montgomery	N/A	N/A	N/A	Operating	30.3841667	-95.6966667	1,680	1,678
9	2009061805	Exempt	Waller	345 Ridge Lake Scenic	Montgomery	N/A	N/A	N/A	Void - Application Withdrawn	30.3894444	-95.6980591	1,484	1,479
10	2008041702	Exempt	Barber	9621 Seale Lane	Montgomery	N/A	N/A	N/A	Operating	30.3882613	-95.6963355	1,688	1,683
11	2012040203	Exempt	Randall	13212 Liberty	Montgomery	N/A	N/A	N/A	Operating	30.3841667	-95.6966667	1,680	1,678
12	2005031538	Exempt	Schock	860 Huffman	Montgomery	338	318-338	Jasper	Operating	30.3841667	-95.7083333	2,374	2,379



13	2012051501	Exempt	Randall	13212 Liberty	Montgomery	N/A	N/A	N/A	Operating	30.3841667	-95.6966667	1,680	1,678
14	2015071503	Exempt	Lesniak	7788 Aboue Rd	Montgomery	N/A	N/A	N/A	Void - Application Withdrawn	30.3883333	-95.6963889	1,683	1,678
15	2015102201	Exempt	Kiser	868 Huffman	Montgomery	345	325-345	Jasper	Operating	30.3845	-95.7073944	2,055	2,059
16	2016012702	Exempt	Walker	1140 College St	Montgomery	300	Geo-Thermal	Jasper	Operating	30.3911111	-95.7061111	2,273	2,274
17	2018082104	Exempt	Rutland	1915 Robinhood	Montgomery	254	234-254	Evangeline	Operating	30.3880556	-95.6961111	1,727	1,722
18	2020011001	Exempt	Deveraux	17723 N. FM 149	Montgomery	320	N/A	Jasper	Operating	30.3916667	-95.6963889	2,441	2,437

Notes: N/A = information not available from accessible well databases

**Table 4: Summary of wells located within 1/2-mile of the proposed City of Montgomery Well No. 6**

Map ID	Well Registration No.	Permit No.	Owner	Address	City	Total Depth (ft.)	Screen Interval (ft. bgl)	Aquifer	Status	Latitude	Longitude	Distance from Well No. 6 (ft.)
Nearest Property Boundary												50
Well No. 6	-	-	City of Montgomery	101 Old Plantersville Rd.	Montgomery	700	550-700	Jasper	Proposed	30.383882	-95.721802	0
19	2014013101	Exempt	Giles	23503 Old Plantersville Rd	Montgomery	263	243-263	Evangeline	Operating	30.3836111	-95.7158333	1,882



### Well Construction Details

Table 5 provides a summary of the well construction for the existing and proposed City of Montgomery wells; Figures 5 through 7 provide well profiles detailing the existing/proposed construction and the subsurface lithology encountered during drilling at the well location. The anticipated lithology in the proposed wells was interpreted from nearby wells drilled to similar or deeper depths than the proposed well. Note – proposed construction information was provided by the Applicant; specific details may vary upon commencement of construction.

Proposed Well No. 5 will replace the existing Well No. 2 with similar construction specifications. The well will be drilled to an anticipated depth of 800 feet below ground level (ft. bgl) with a 16-inch diameter borehole from 0 to 800 ft. bgl. The well will be completed with 10-inch steel casing pressure cemented to 500 ft. bgl, 10-inch stainless steel screen at various intervals from 552 to 771 ft. bgl. The targeted production zone will be the Jasper Aquifer.

Proposed Well No. 6 will be drilled to an anticipated depth of 700 ft. bgl with a 30-inch borehole from 0 to 550 ft. bgl. The well will be completed with 24-inch steel casing pressure cemented to 550 bgl, with 18-inch steel screen and liner from 550 to 700 ft. bgl within a 28-inch underreamed and filter-packed borehole. The targeted production zone will be the Jasper Aquifer.

**Table 5: Well Construction Summary**

Well	Coordinates	Elev. (ft. MSL)	Well Depth (ft. bgl)	Est. Static Water Level (ft. bgl)	Borehole (diameter; ft. bgl)	Casing diameter; material; ft. bgl)	Screen (diameter; material; ft. bgl)	Filter Pack Interval (ft. bgl)	Aquifer
2	30.386478 -95.701283	311	783	250	N/A	11" Steel 0-492 7" Steel 492-783*	7" Steel 552-783*	492-783	Jasper
3	30.4025 -95.695278	247	665	200	15" 0-665	10" Steel 0-528 8" Steel 490-665*	8" Steel 530-650*	-	Jasper
4	30.4025 -95.695	250	2,580	100	26" 0-2,444 24" 2,444-2,580	20" Steel 0-2,444 14" Steel 2,344-2,580*	14" Steel 2,450-2,560*	2,444-2,580	Catahoula
5	30.386449 -95.701158	311	800	250	16" 0-800	10" Steel 0-550	10" Steel 550-800*	550-800	Jasper
6	30.383882 -95.721802	318	700	250	30" 0-550 28" 550-700	24" Steel 0-550 18" Steel 550-700*	14" Steel 550-700*	525-700	Jasper

Notes: ft. = feet; bgl = below ground level; MSL = Mean Sea Level; \*Various intervals



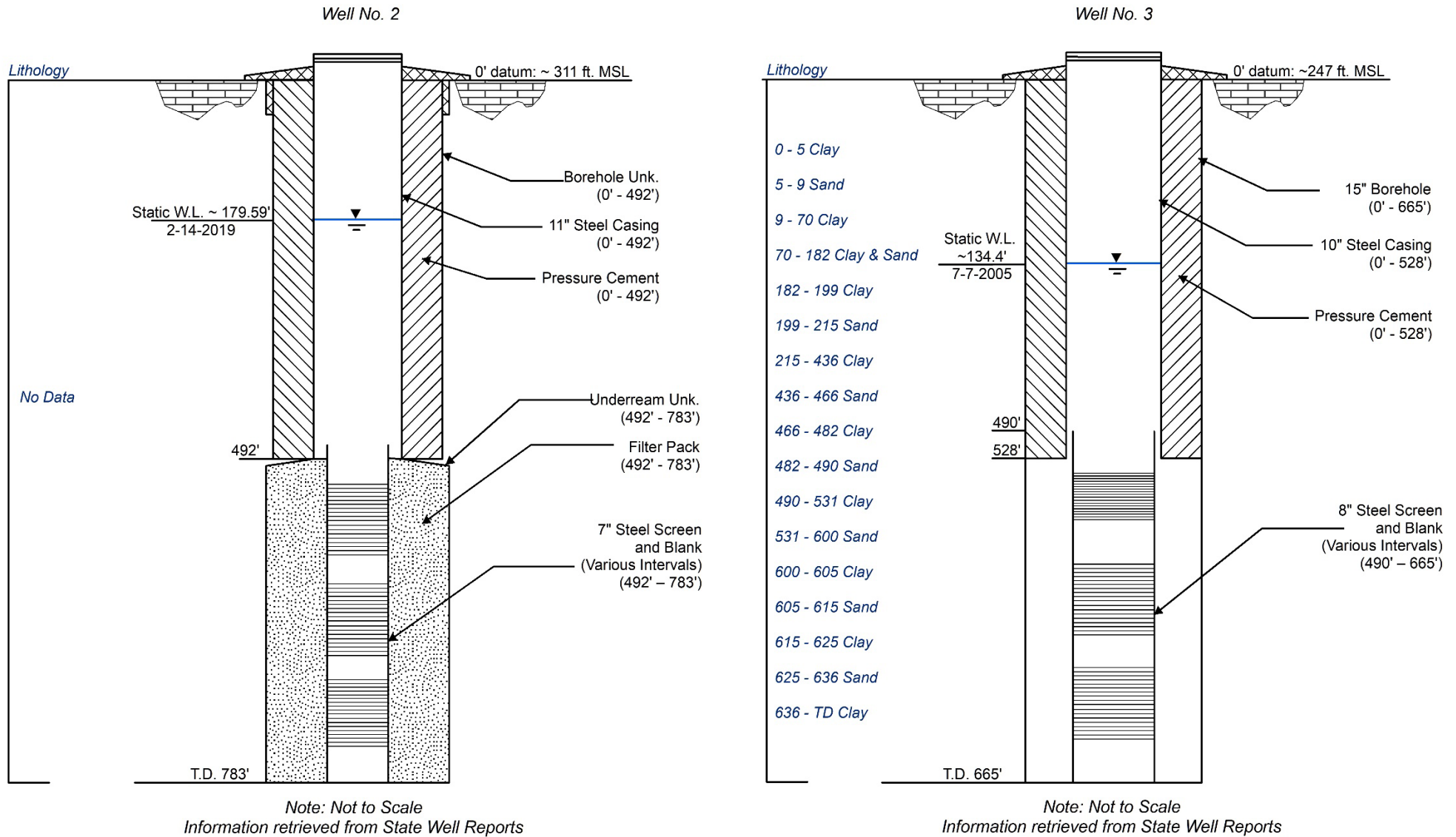


Figure 6: Well profiles the City of Montgomery Well No. 2 and Well No. 3





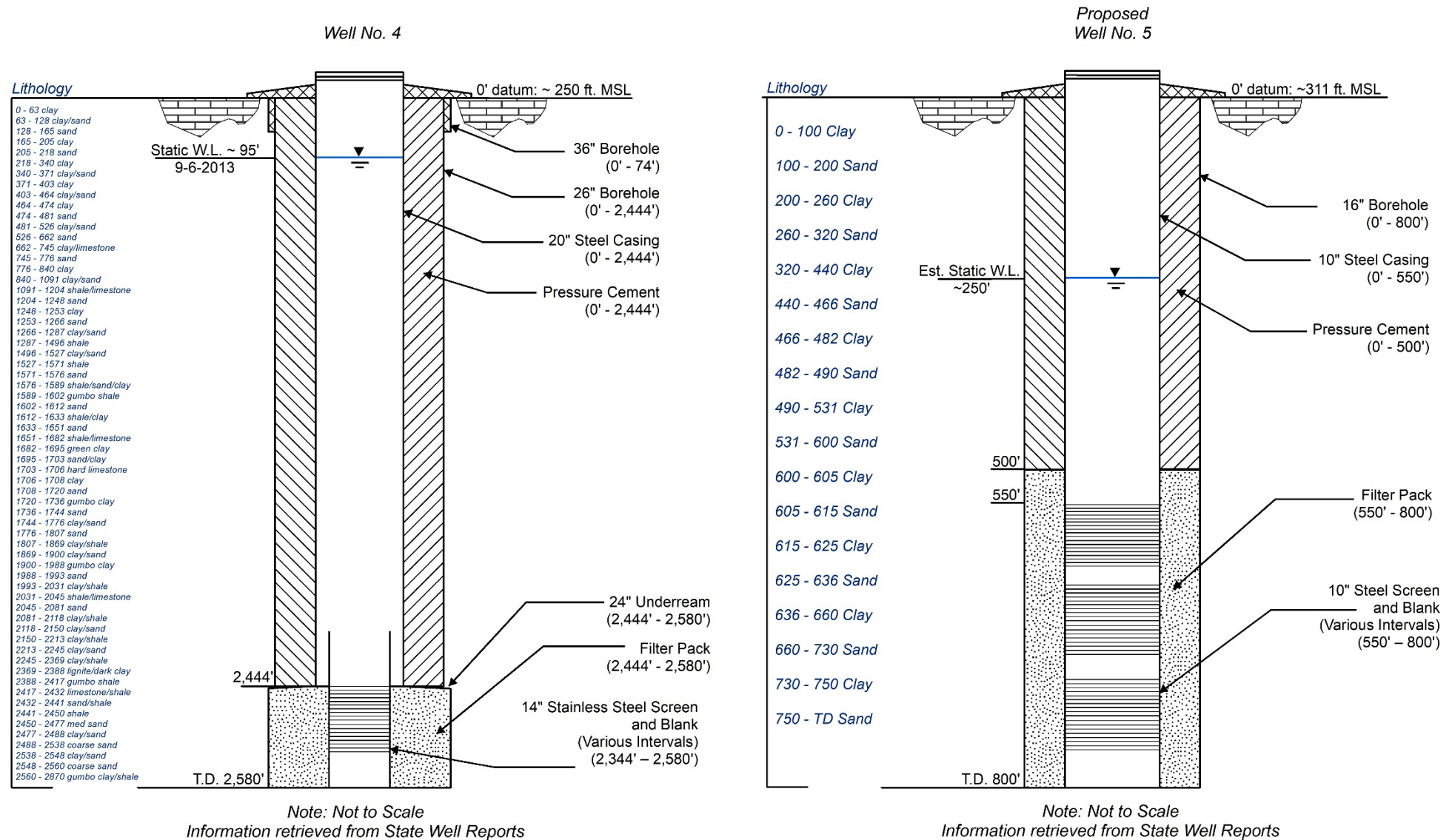


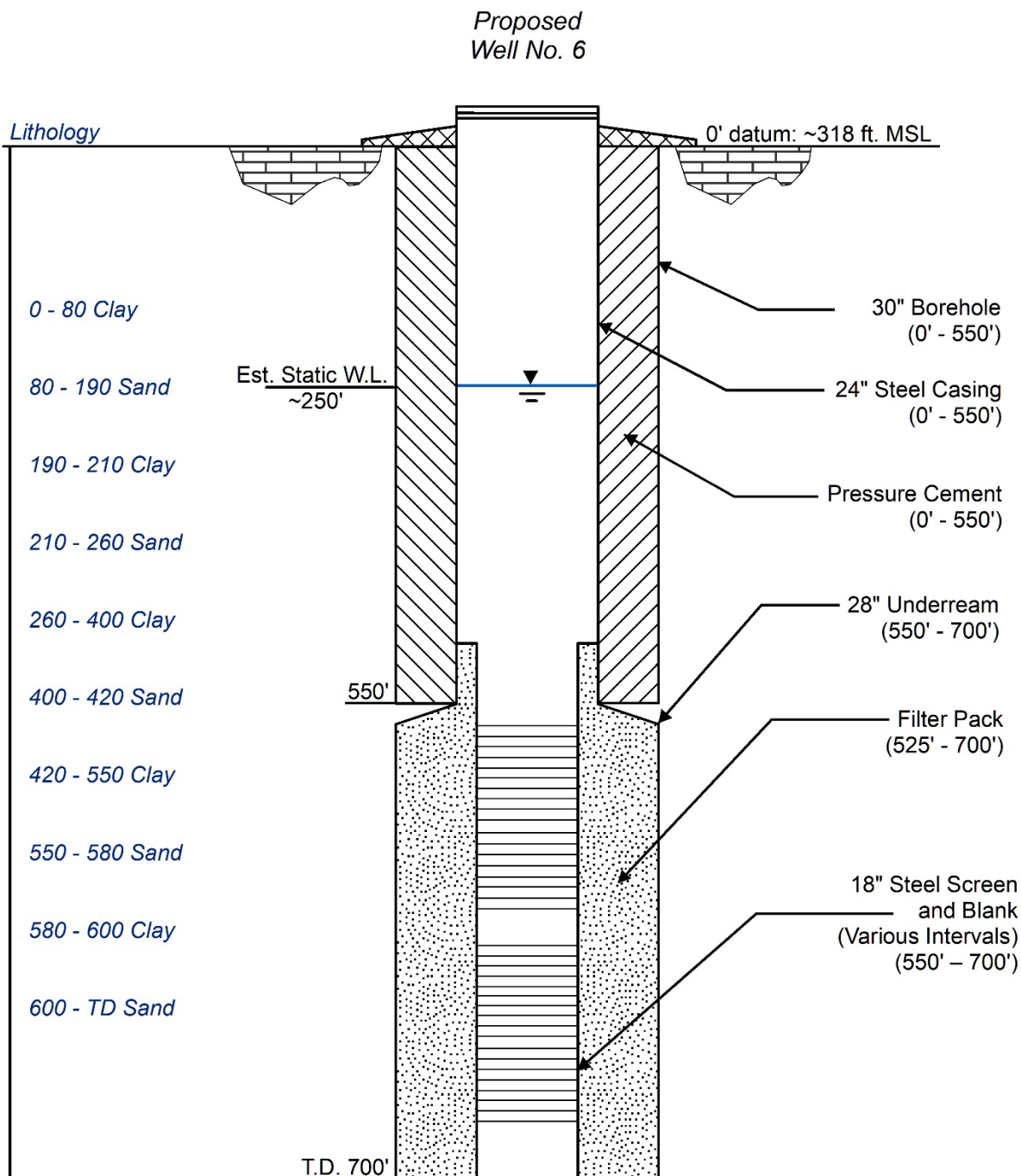
Figure 7: Well profiles for the City of Montgomery Well No. 4 and proposed Well No. 5



Wet Rock Groundwater Services, LLC



Groundwater Specialists



*Note: Not to Scale  
Information retrieved from State Well Reports*

**Figure 8: Well profile for the City of Montgomery proposed Well No. 6**



## **General Hydrogeology**

The Gulf Coast Aquifer is a major aquifer that provides groundwater to the Gulf Coast area of Texas. It extends from the Louisiana border to the Mexico-United States border, and is designated as a major aquifer by the Texas Water Development Board (TWDB). Stratigraphic organization of the Gulf Coast Aquifer in Texas is complex; more than seven stratigraphic classifications have been proposed and debated within the past century. However, Baker Jr.'s (1979) classification based on fauna, electric logs, facies associations, and hydraulic properties of the sediments has received widespread acceptance. He classified the Gulf Coast Aquifer into five hydrogeologic units from youngest to oldest: Chicot Aquifer, Evangeline Aquifer, Burkeville confining unit, Jasper Aquifer, and the Catahoula confining unit (Baker Jr., 1979). The TWDB collectively groups these units as the Gulf Coast Aquifer. Figure 9 provides a map of the surface geology near the proposed well and the stratigraphy of the Gulf Coast Aquifer sediments.

The Chicot Aquifer includes, from the shallowest to deepest, the Beaumont and Lissie formations of Pleistocene age and the Pliocene-aged Willis Formation (Figure 9). These formations consist of sand, clay and gravel layers with similar alternating patterns of sand and clay layers. Stratigraphically lower than the Chicot Aquifer, the Evangeline Aquifer is made up of the Fleming Formation and the upper and lower members of the Goliad Sand (Figure 9). The units that make up the Chicot and Evangeline aquifers are similar in lithology and are difficult to differentiate. The sediments from the Chicot Aquifer are less compacted, less cemented, and have a higher permeability than the Evangeline Aquifer.

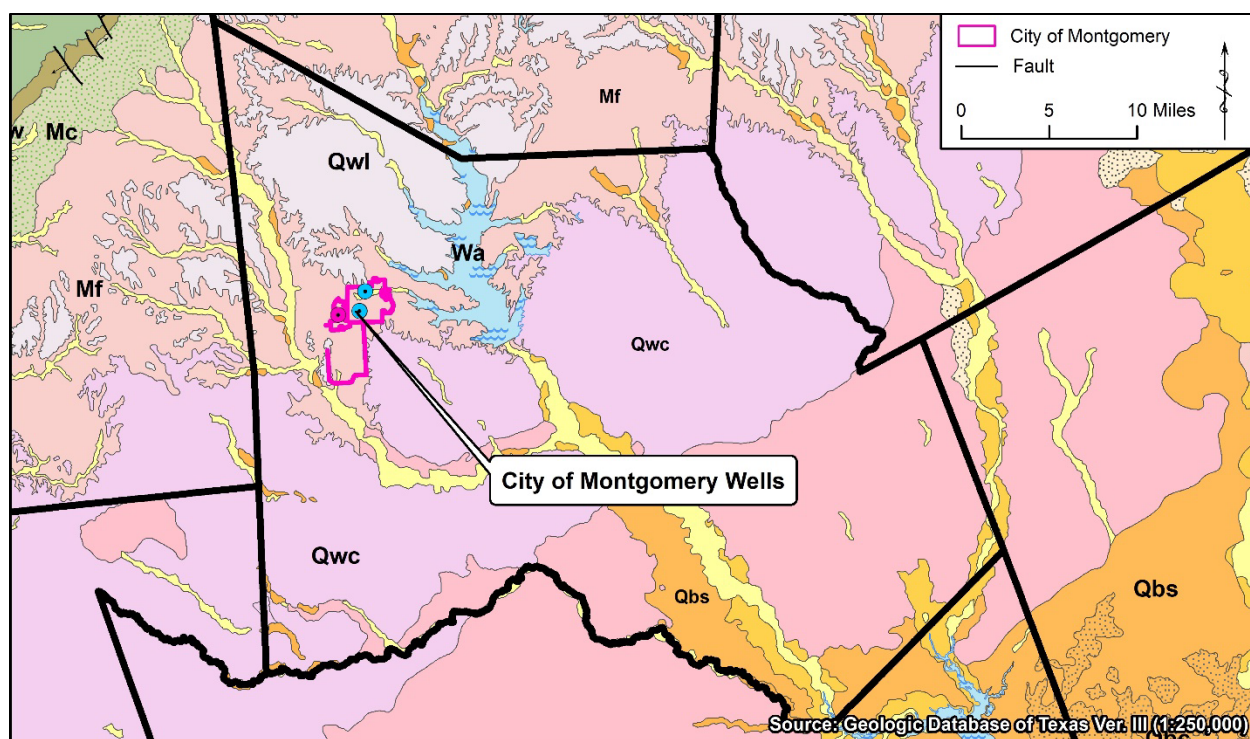
Underlying the Evangeline Aquifer, the upper part of the Fleming Formation is comprised of clays and silts which form the Burkeville confining unit (Figure 9). The Burkeville Confining System acts as the confining zone for the two primary aquifers of the Gulf Coast Aquifer, the Evangeline and Chicot aquifers (Baker Jr., 1979).

The Jasper Aquifer includes the Lower Lagarto unit of early Miocene age, the early Miocene Oakville Sandstone member of the Fleming Group, and portions of the Oligocene-age Catahoula Formation. In some areas where the Catahoula Sandstone contains more sand, it is grouped into the Jasper Aquifer. Above the Catahoula is the Oakville Sandstone and the Fleming Formation both of which are composed of land derived sands and clays.

The Catahoula confining unit is composed of the Catahoula Sandstone (Figure 9). The Catahoula unit is made up of pyroclastic sands and clays that act as a confining unit allowing very little water to pass through. In some localities, the Catahoula is sandier, and may be targeted for large-scale supply. At greater depths, the Catahoula confining unit includes the Anahuac Formation and Frio Formation.

The surface geology in the immediate vicinity of the City of Montgomery wells consists of the sediments comprising the Fleming Formation, which makes up the upper portion of the Jasper Aquifer (Figure 9). According to the groundwater availability model (GAM) for the northern portion of the Gulf Coast Aquifer System, the Evangeline Aquifer crops out at the surface near the City of Montgomery.





ERA	System	Group	Formation	Legend	Member	Hydrogeologic Unit
Cenozoic	Quaternary	Holocene	Alluvium	Qal		Localized Alluvial Aquifers
			Deweyville Formation	Qd	Qdd	
		Pleistocene	Beaumont Formation	Qbb	Qbs	Chicot Aquifer
			Fluvatile terrace deposits	Qc	Qbc	
				Qt		
			Lissie Formation	Ql		
	Tertiary	Pliocene	Willis Sand	Qw	Qwi	Chicot Aquifer
				Qwc		
		Miocene	Goliad Sand	Mg	Upper	Evangeline Aquifer
					Lower	
			Fleming / Lagarto	Mf		Burkeville Confining Unit
			Oakville Sandstone	Mo		Jasper Aquifer
			Catahoula Sandstone	Mc	Upper	Catahoula Confining Unit
			Anahuac Formation			
			Frio Formation			

Figure 9: Surface geology map and stratigraphic column (modified from Kasmarek, 2013)



### **Site-Specific Hydrogeology**

The Evangeline and Jasper aquifers are the most utilized hydrogeologic units in the area near the City of Montgomery. According to publicly available well reports and spatial data used in Version 1.1 of the GAM for the northern portion of the Gulf Coast Aquifer System, the formations comprising the Evangeline Aquifer near the proposed well are located at the surface and extend to approximately 250 ft. bgl (Kasmarek, 2013). It is comprised of alternating layers of fine to medium sands and clay (Baker, 1979). Beneath the Evangeline Aquifer, the Burkeville aquiclude extends to approximately 500 ft. bgl, and the Jasper Aquifer extends to depths of approximately 1,300 ft. bgl.

According to publicly available data from the LSGCD, Texas Water Development Board (TWDB), the Texas Department of Licensing and Registration (TDLR), and the TCEQ well databases, the majority of the domestic wells in the area are completed within the Evangeline and Jasper aquifers to depths of approximately 200 to 300 ft. bgl., public supply wells are completed within the Jasper Aquifer at depths from 550 to 780 ft. bgl, and the Catahoula Aquifer at depths of 2,580 ft. bgl. The proposed wells will target sands within the Jasper Aquifer.

Information from the Gulf Coast Aquifer (Northern Portion) GAM and aquifer test data will be utilized to estimate the site-specific aquifer parameters. Figures 10 through 12 illustrate the transmissivity, hydraulic conductivity, and storativity, respectively from the Gulf Coast Aquifer (Northern Portion) GAM for the Jasper Aquifer (Layer 4 of the GAM). The following values are estimated for the Jasper Aquifer in the immediate vicinity of the City of Montgomery wells:

#### **Well No. 3 (GAM Row 26; Column 110):**

- Transmissivity: 9,943.0 ft.<sup>2</sup>/day (Figure 10);
- Hydraulic Conductivity: 12.2 ft./day (Figure 11);
- Storativity:  $3.21 \times 10^{-4}$  (Figure 12).

#### **Well No. 2 and Proposed Well No. 5 (GAM Row 27; Column 109):**

- Transmissivity: 7,686.1 ft.<sup>2</sup>/day (Figure 10);
- Hydraulic Conductivity: 9.4 ft./day (Figure 11);
- Storativity:  $3.28 \times 10^{-4}$  (Figure 12).

#### **Proposed Well No. 6 (GAM Row 26; Column 108):**

- Transmissivity: 15,892.7 ft.<sup>2</sup>/day (Figure 10);
- Hydraulic Conductivity: 19.3 ft./day (Figure 11);
- Storativity:  $3.3 \times 10^{-4}$  (Figure 12).

For the purposes of this report, the following values will be utilized for modeling the Jasper Aquifer:

- Transmissivity: 11,173.9 ft.<sup>2</sup>/day (average);
- Storativity:  $3.26 \times 10^{-4}$  (average).



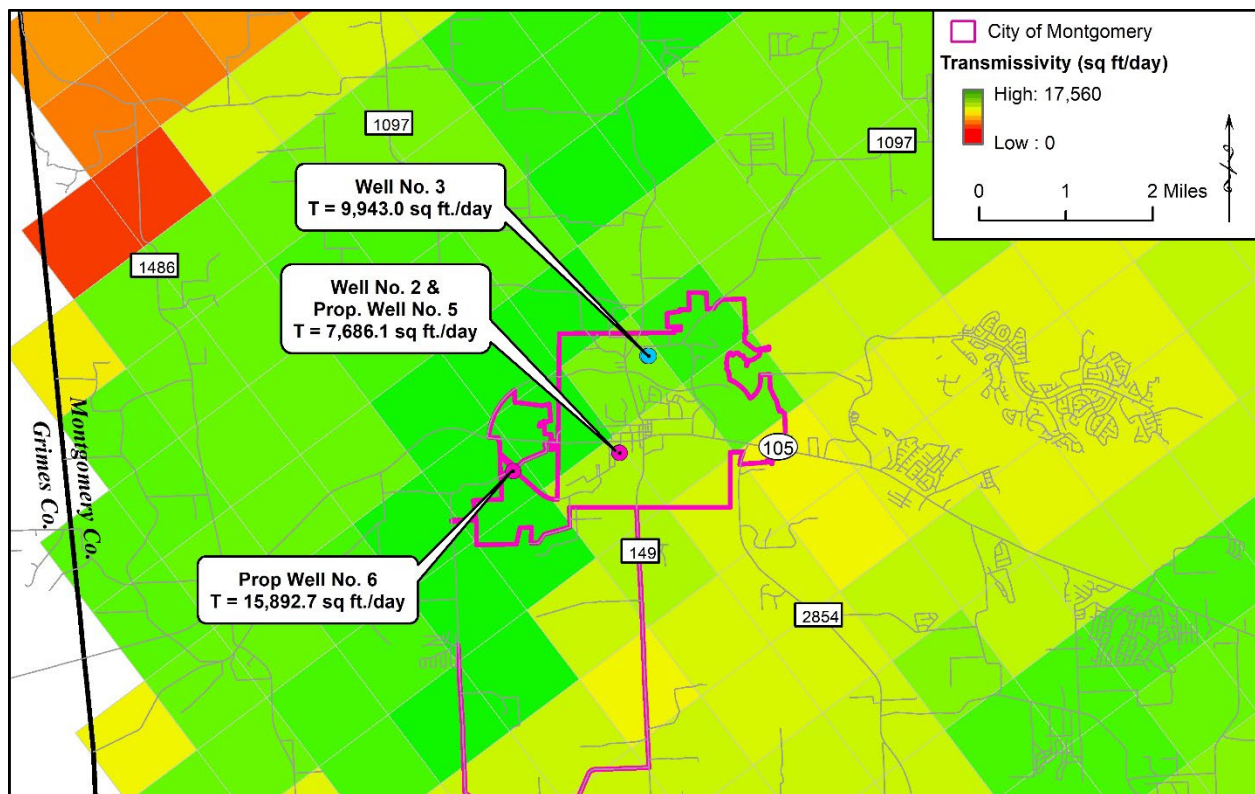


Figure 10: Jasper Aquifer transmissivity near the City of Montgomery (modified from Kasmarek, 2013)

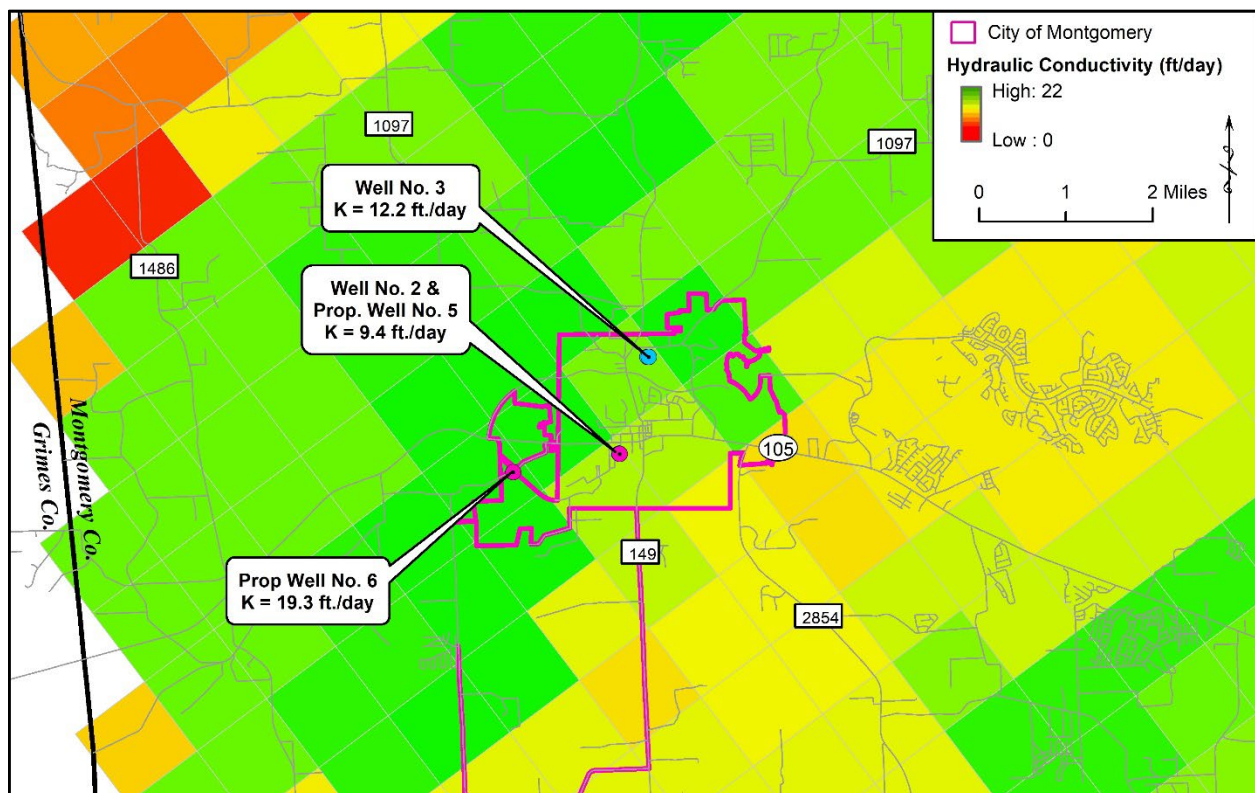


Figure 11: Jasper Aquifer hydraulic conductivity near the City of Montgomery (modified from Kasmarek, 2013)

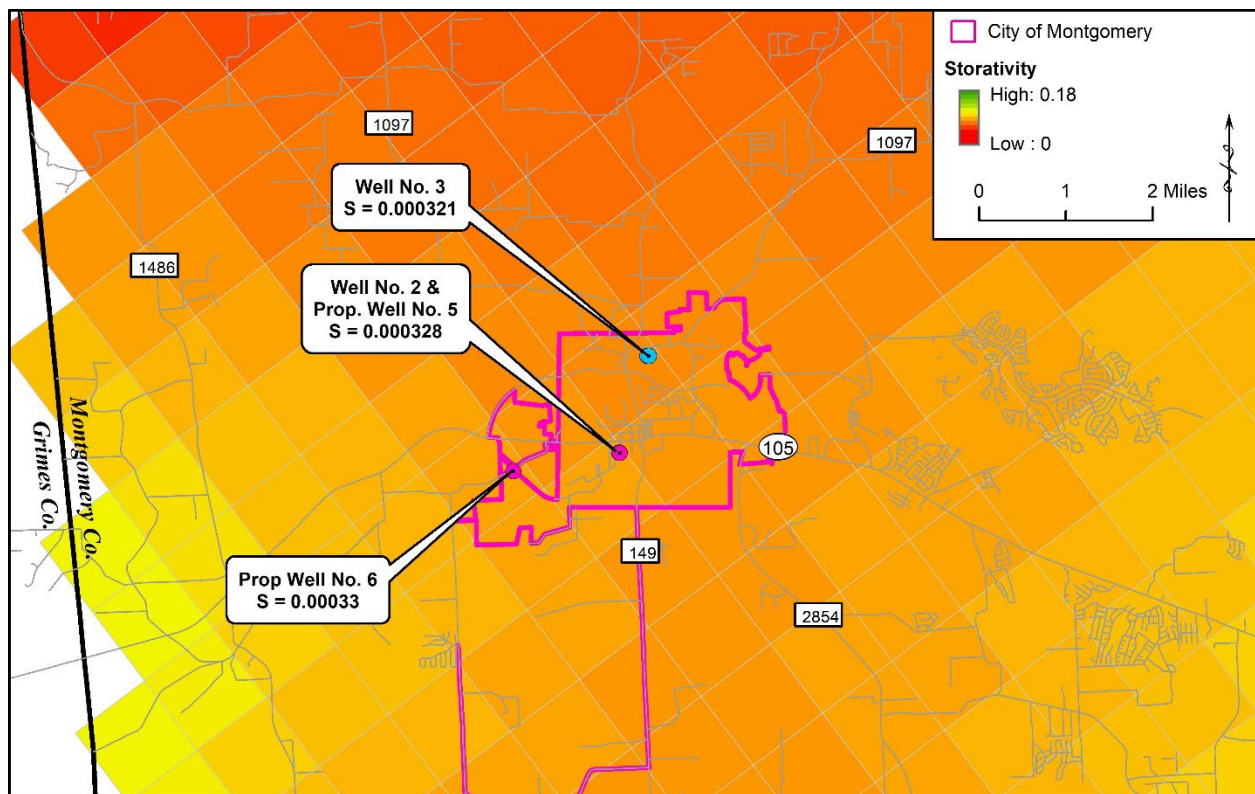


Figure 12: Jasper Aquifer storativity near the City of Montgomery (modified from Kasmarek, 2013)

The Catahoula Aquifer was not included in the GAM; therefore, no aquifer properties are available from the GAM database. Aquifer properties for the Catahoula Aquifer will be calculated from aquifer testing information provided in the Well No. 4 state well report and from an assumed storativity value that is consistent with deep, confined aquifers.

During the aquifer test on September 6, 2013 Well No. 4 was pumped at 1,208 gpm with 399 feet of drawdown after 36 hours, resulting in a specific capacity of 3.03 gpm/ft. No observation well was utilized for the aquifer test. By utilizing a combination of methods published by Mace (2001), the Theis et al., (1963) equation, and a conservative storativity of  $1.0 \times 10^{-5}$  to relate specific capacity to transmissivity (Equation 1), we were able to iteratively solve for transmissivity at Well No. 4:

$$Sc = \frac{4\pi T}{\left[ \ln\left(\frac{2.25Tt}{r^2 S}\right) \right]} \quad (\text{Equation 1})$$

Where:

$S_c$  = specific capacity (gpm/ft);

$T$  = transmissivity (ft<sup>2</sup>/day);

$t$  = time (day);

$r$  = well radius (ft); and





S = storativity (0.0001).

The resulting transmissivity calculated at the well was:

- Well No. 4: 973 ft.<sup>2</sup>/day;

## Water Quality

Water quality within the Gulf Coast Aquifer varies within the different sand layers comprising the respective aquifers. Specifically, total dissolved solids (TDS), arsenic, iron, and radionuclides (gross alpha and beta particles, uranium, combined radium) may be elevated above the TCEQ standards for the Maximum Contaminant (MCL) and Secondary Contaminant Level (SCL) in some areas. Elevated arsenic concentrations are commonly found in wells that contain sediments that hold volcanic ash. According to Scanlon and others (2005), volcanic ash is a source of elevated arsenic in groundwater systems.

### *Total Dissolved Solids*

Figure 13 provides a map displaying reported TDS concentrations from the TCEQ well database for public supply wells in the study area. In the vicinity of the proposed well, the majority of the reported TDS concentrations are under 500 mg/L except for one well east of the City, which had a TDS concentration of 700 mg/L. In wells completed at similar depths to the proposed well, the reported TDS concentration ranges from 330 to 483 mg/L (Figure 13).

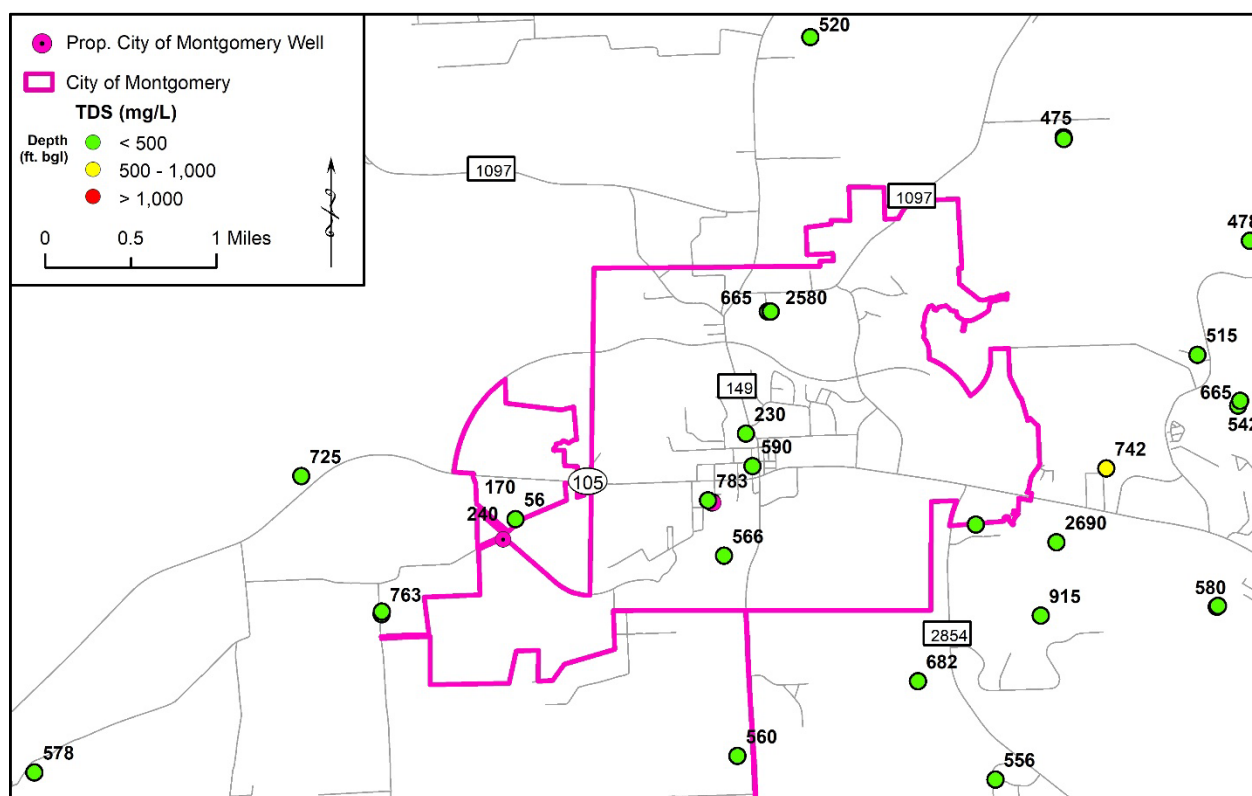
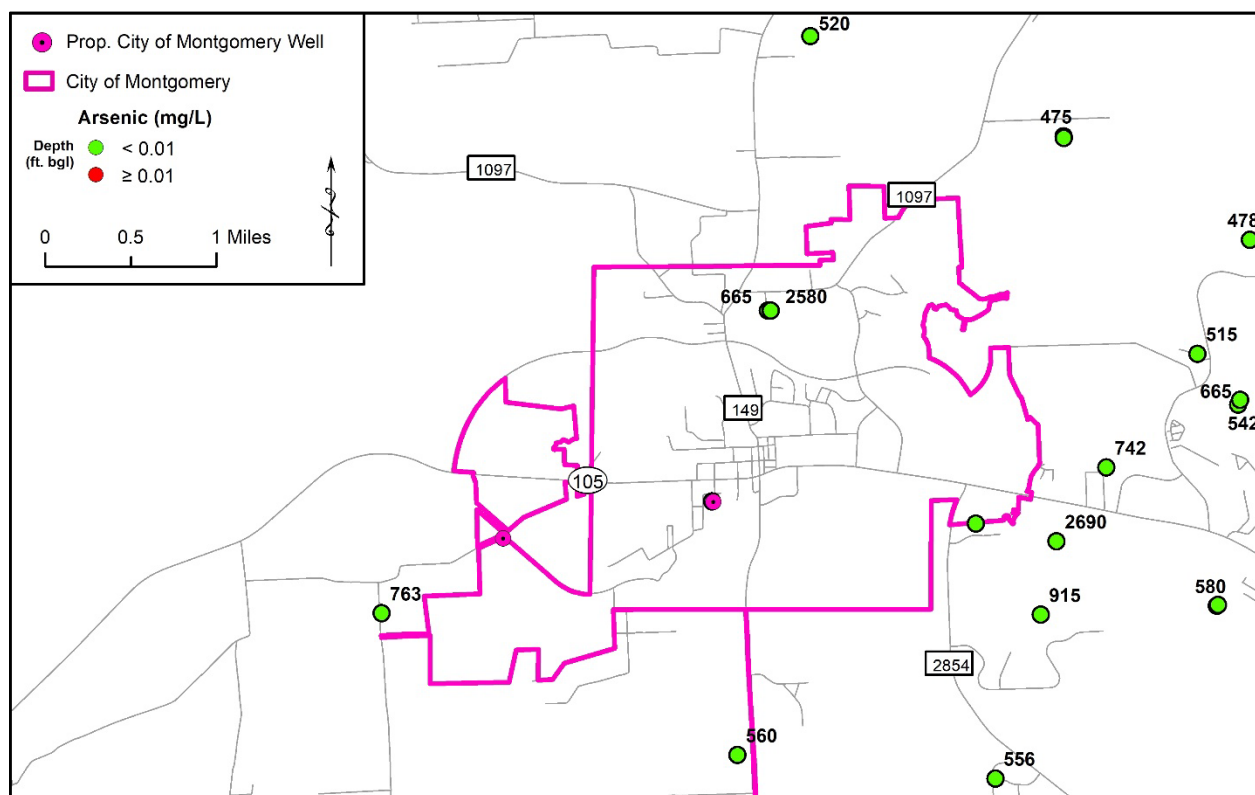


Figure 13: TDS concentrations in the vicinity of the study area

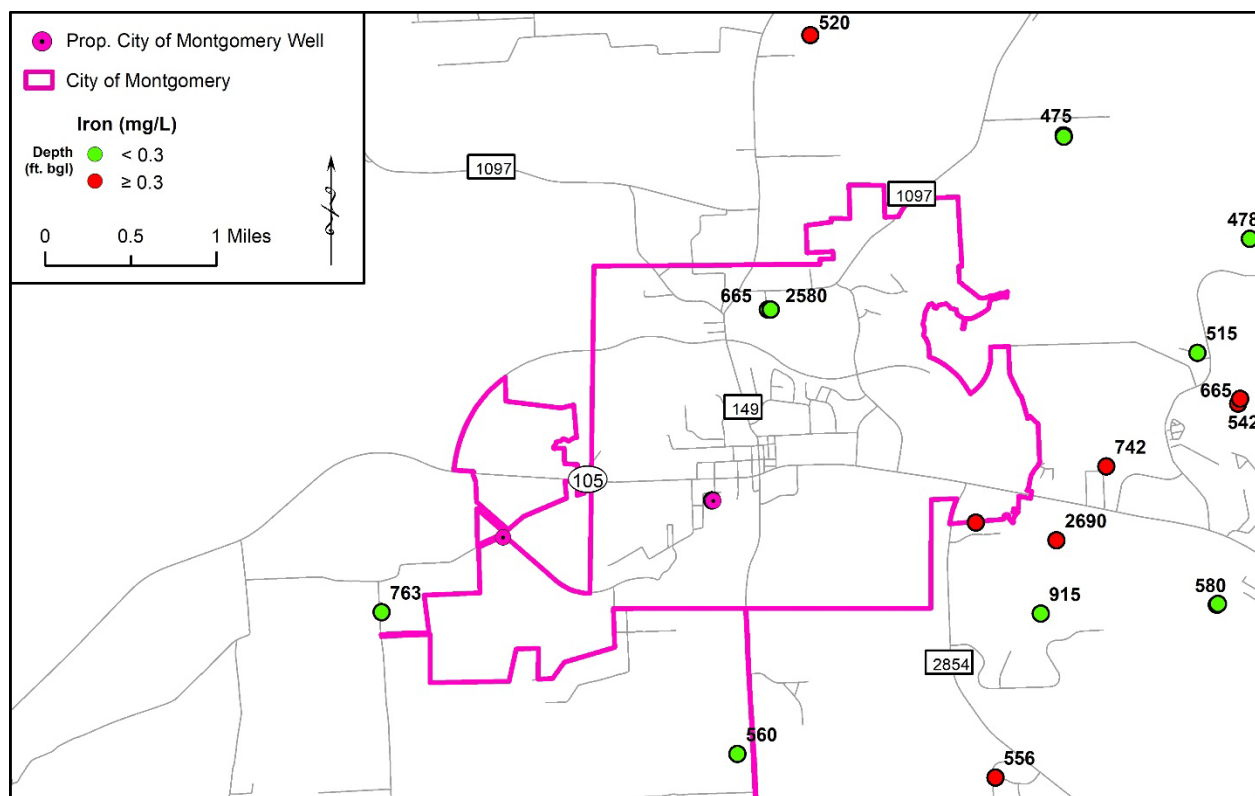


### Arsenic and Iron

Figure 14 provides a map displaying reported arsenic concentrations and Figure 15 provides a map displaying reported iron concentrations from the TWDB and TCEQ well databases for the study area. In the area near the proposed wells, the reported arsenic concentrations are below the TCEQ MCL. Reported concentrations of iron are generally below the TCEQ SCL; however, to the east of the City, the reported iron concentrations increase above the SCL (Figure 15). In wells completed at similar depths to the proposed well, the reported arsenic concentrations all were below the MCL of 0.01 mg/L (Figure 14); iron concentration ranges from 0.02 to 0.3 mg/L (Figure 15);



**Figure 14: Arsenic concentrations in the vicinity of the study area**



**Figure 15: Iron concentrations in the vicinity of the study area**

### *Radionuclides*

Radionuclides and more specifically, combined radium are a constituent of concern in some areas of the Gulf Coast Aquifer. Radium is an alkaline-earth element that is very radioactive and has four naturally occurring isotopes (Rd 223, Rd, 224, Rd 226 and Rd 228). Rd 226 and Rd 288 are the two most common isotopes found in groundwater. The TCEQ regulates combined radium concentration with an MCL set at 5 picocuries per liter (pCi/L).

Figure 16 provides a map displaying reported combined radium concentrations from the TCEQ well database in the study area. All reported concentrations of radionuclides were below the MCL. Table 6 provides a radionuclide summary of the water sample taken at Entry Point 002 by TCEQ officials, which is directly adjacent to Well No. 2. Well No. 2 was completed to a depth of 783 ft. bgl (Jasper Aquifer). According to the reported results, the well had concentrations below all MCLs for radionuclides. Performing a gamma log and a spectral ray log on the pilot hole may allow for identification of potential sand zones producing elevated radionuclide concentrations.

Table 7 provides a water quality summary of the most recent samples taken from the nearby City of Montgomery Entry Point 002 (Well No. 2) and Entry Point 003 (Wells No. 3 and 4). The most recent water samples met all TCEQ MCLs and SCLs in the existing wells.

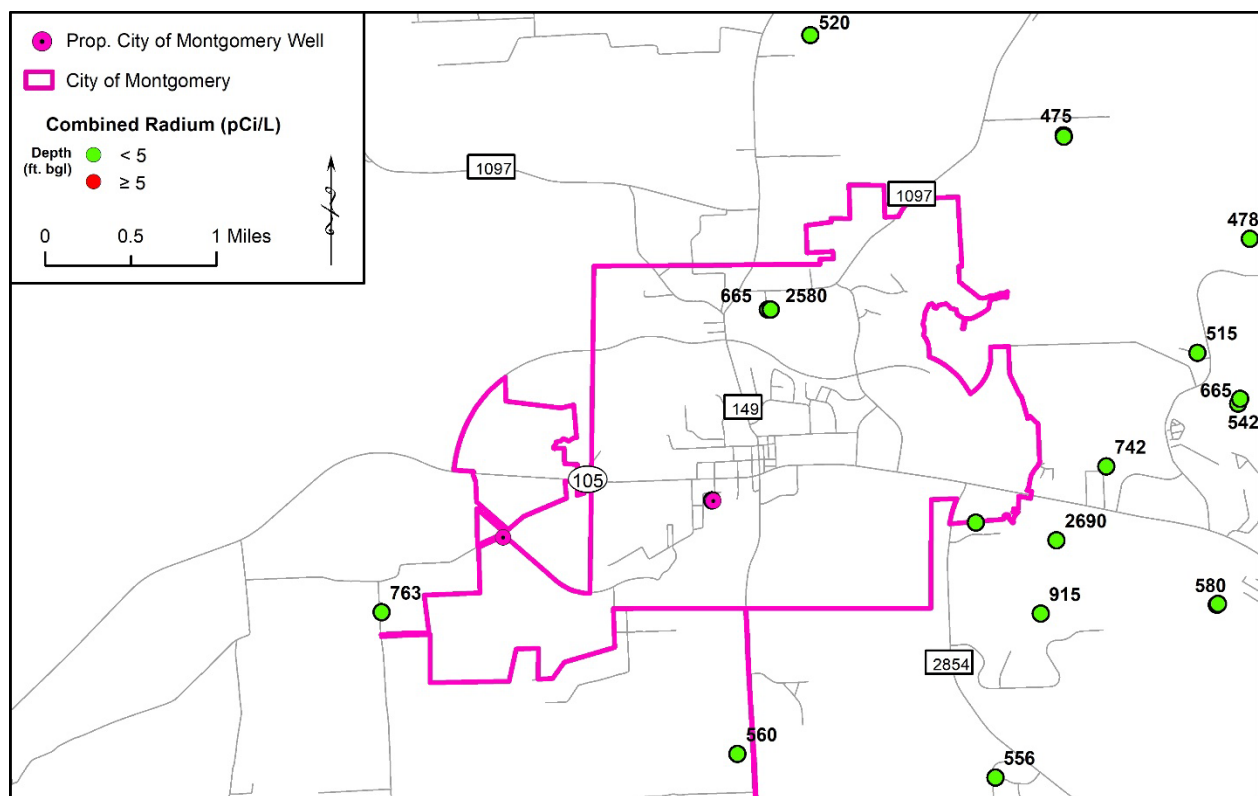


Figure 16: Combined radium concentrations in the vicinity of the study area

Table 6: Summary of radionuclides at Entry Point 002 (near Well No. 2 – Jasper Aquifer)

Facility	Sample Date	Gross Alpha	Gross Beta	Rd 226 & 228	Uranium
		TCEQ MCL (units in pCi/L except uranium; ug/L)			
		15	50	5	30
EP002	3-30-06	2.3	5.0	<1.0	< 0.001
Values in red exceed the TCEQ MCL; NA = Not Available.					

Table 7: Summary of most recent water quality sampling near the City of Montgomery

Facility	pH	TDS	NO <sub>3</sub>	NO <sub>2</sub>	As	F	Al	Cu	Fe	Mn	Zn	Pb	SO <sub>4</sub>	Cl
Facility	TCEQ MCL <sup>1</sup> and SCL <sup>2</sup> (units in mg/L except pH)													
	>7 <sup>2</sup>	1000 <sup>2</sup>	10 <sup>1</sup>	1 <sup>1</sup>	0.01 <sup>1</sup>	2 <sup>2</sup> /4 <sup>1</sup>	0.2 <sup>2</sup>	1 <sup>2</sup>	0.3 <sup>2</sup>	0.05 <sup>2</sup>	5 <sup>2</sup>	NA	300 <sup>2</sup>	300 <sup>2</sup>
EP002	7.2	388	<0.05	<0.05	0.0045	0.16	0.034	<0.002	0.171	0.019	0.049	<0.001	18	66
EP003	7.3	486	<0.05	<0.05	0.002	0.83	<0.02	<0.002	0.082	0.025	0.026	<0.001	17	118
ND = Not Detectable; NA = Not Available; Values in red exceed the TCEQ MCL or SCL														

### Interference Analysis

A groundwater model was constructed using the Aqtesolv software suite (Version 4.5; Duffield, 2007) with the Theis (1935)/Hantush (1961) solution to determine the projected impacts from the proposed wells and increased pumping.

The model calculates drawdown using the Theis Equation,

$$s = \frac{Q}{4\pi T} W(u) \quad (\text{Equation 2})$$

where:

s = drawdown (feet);

Q = discharge (gallons per minute; gpm);

T = transmissivity (ft.<sup>2</sup>/day); and

W(u) = well function.

The well function W(u) is estimated by:

$$W(u) = -0.5772 - \ln u + u - \frac{u^2}{2 \times 2!} + \frac{u^3}{3 \times 3!} - \frac{u^4}{4 \times 4} + \dots \quad (\text{Equation 3})$$

where:

$$u = \frac{r^2 S}{4Tt} \quad (\text{Equation 4})$$

r = the radius at which drawdown is estimated (feet); and

S = storativity (dimensionless).

The Theis Equation has several assumptions used to derive the formula which include (Driscoll, 1986):

1. The water-bearing formation is uniform in character and the hydraulic conductivity is the same in all directions;
2. The aquifer is uniform in thickness and infinite in areal extent;
3. The aquifer receives no recharge from any source;
4. The well penetrates, and receives water from the full thickness of the aquifer;
5. The water from storage is discharged instantaneously when the head is lowered;
6. The pumping well is 100% efficient;
7. All water removed from the well comes from aquifer storage;
8. Laminar flow exists through the well and aquifer; and,
9. The water table or potentiometric surface has no slope.

The assumption that the formation receives no recharge from any source is not necessarily met in this case. Driscoll (1986) states, “*The assumption that an aquifer receives no recharge during the pumping period is one of the six fundamental conditions upon which the nonequilibrium formulas (Theis) are based. Therefore, all water discharged from a well is assumed to be taken from storage within the aquifer... It is known, however that most formations receive recharge. Hydrographs from long-term observation wells monitored by the U.S. Geological Survey, various state agencies, and similar data-gathering agencies in other parts of the world show that most water-bearing formations receive continual*



or intermittent recharge.”

Furthermore, Konikow and Leake (2014) note that with increased pumping time, the fraction of pumpage derived from storage tends to decrease, and the fraction derived from capture (recharge) increases. Eventually a new equilibrium will be achieved when no more water is derived from storage and heads or water levels in the aquifer stabilize (Figure 17). This is achieved when the initial cone of depression formed by discharge reaches a new source of water, typically the recharge zone of the aquifer. The actual response time for an aquifer system to reach a new equilibrium is a function of the dimensions, hydraulic properties, and boundary conditions for each specific aquifer. For example, the response time will decrease as the hydraulic diffusivity of the aquifer increases (Theis 1940; Barlow and Leake 2012). The response time can range from days to millennia (Bredehoeft and Durbin 2009; Walton 2011).

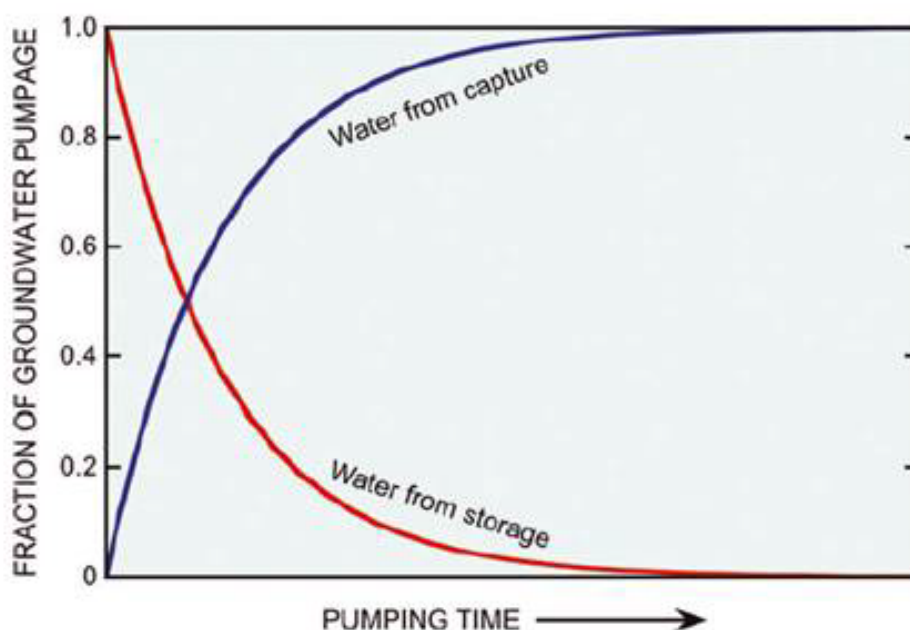


Figure 17: Water sources to a pumping well over time (from Konikow and Leake (2014))

Since the Theis equation assumes (i) that all water is derived from storage and (ii) that the aquifer receives no recharge, the Theis equation may overestimate drawdown within a well that is located in an aquifer that receives recharge. In this case, the Gulf Coast Aquifer is laterally continuous, large, and sufficiently homogeneous and isotropic to warrant the use of the Theis equation.

Interference Modeling: Well No. 3

In an effort to model the aquifer impacts from Well No. 3, the following averaged parameters from the Gulf Coast Aquifer (Northern Portion) GAM were utilized:

- Proposed Well No. 3 production rate: 500 gpm;
- Transmissivity: 11,173.9 ft.<sup>2</sup>/day (average);
- Storativity:  $3.26 \times 10^{-4}$  (average).

The groundwater model was designed to estimate drawdown at full permitted capacity for Well No. 3 pumping for 24 hours (500 gpm; 720,000 gallons total) and 498.26 days (500 gpm; 358,750,000 gallons total) within and in the vicinity of the proposed well. The results of the model are summarized in Table 8, Figure 18, and Figure 19. Table 8 provides a summary of the modeling results on existing water system wells and District registered/permitted wells within a 1/2-mile radius of the proposed well with only Well No. 3 pumping. Map IDs correspond to Tables 1, 2, and 3.

**Table 8: Summary of estimated drawdown from production at Well No. 3**

Map ID	Well Registration No.	Owner	Total Depth (ft.)	Aquifer	Status	Distance from Well No. 3 (ft.)	Drawdown After 24-Hours Pumping (ft.)	Drawdown at Max Permit Volume (ft.)
<b>Property Boundary</b>						137	5.7	10.0
Well No. 2	2004071935	City of Montgomery	783	Jasper	Operating – To Be Replaced	6,145	0.7	4.7
Well No. 3	2004072104	City of Montgomery	665	Jasper	Operating	0	13.4	17.7
Well No. 5	-	City of Montgomery	800	Jasper	Proposed	6,141	0.7	4.7
Well No. 6	-	City of Montgomery	700	Jasper	Proposed	10,764	0.2	4.0
1	2022112904	Wedgman	170	Evangeline	Operating	1,485	2.4	6.7
2	2022031503	Arnsworth	160	Evangeline	Operating	1,957	2.1	6.3
3	2021121102	Arnsworth	160	Evangeline	Being drilled	1,975	2.1	6.3
4	2005031624	Mossier	158	Evangeline	Operating	2,260	1.9	6.1
5	2005082416	Mossier	168	Evangeline	Operating	2,456	1.8	6.0

Based upon the drawdown calculated from the distance-drawdown projections, the drawdown after 24 hours of production at 500 gpm from Well No. 3 results in 13.4 feet of drawdown at the well. At the nearest property boundary, the drawdown is approximately 5.7 feet. Drawdown in nearby water system and registered wells ranges from approximately 0.2 to 2.4 feet.

Based upon the drawdown calculated from distance-drawdown projections, the drawdown after pumping the well approximately 498.26 days to achieve the maximum permitted volume at 500 gpm from Well No. 3 results in 17.7 feet of drawdown at the well. At the nearest property boundary, the drawdown is approximately 10.0 feet. Drawdown in nearby water system and registered wells ranges from approximately 4.0 to 6.7 feet.





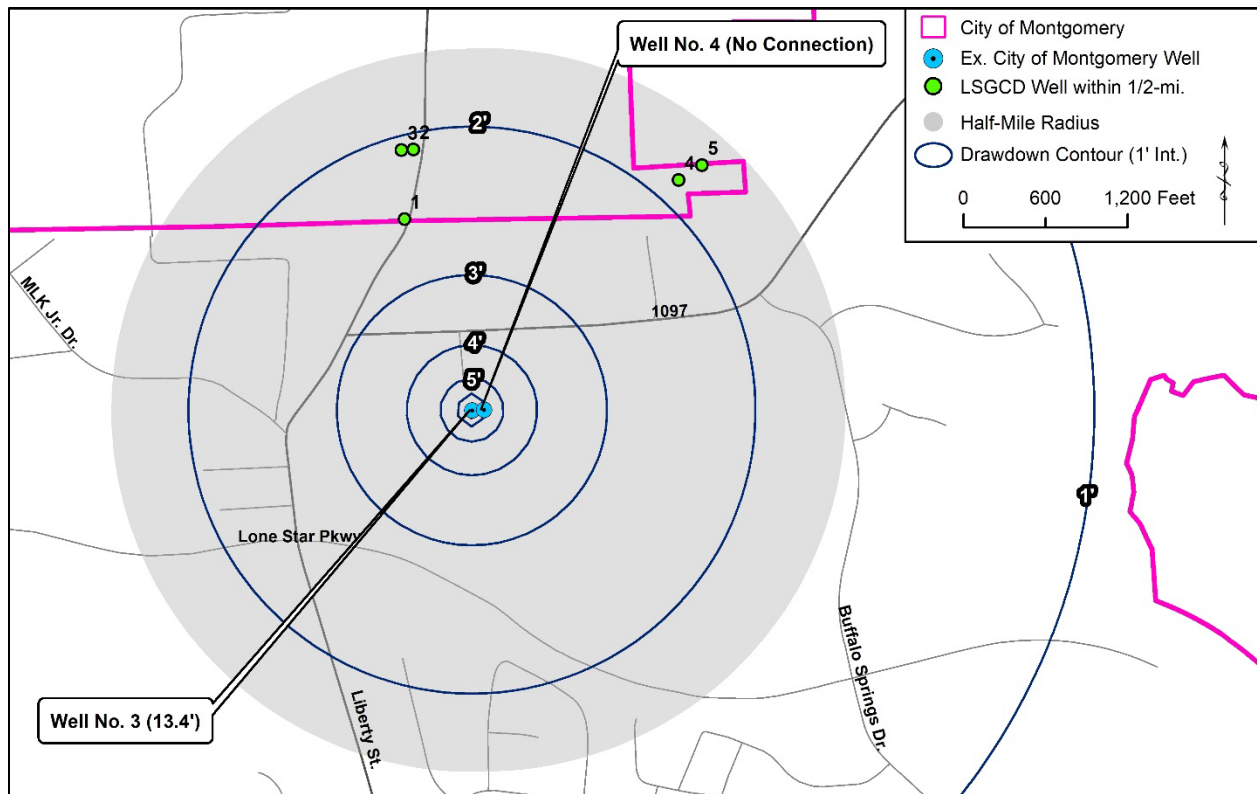


Figure 18: Modeled drawdown after 24 hours from production at the proposed Well No. 3

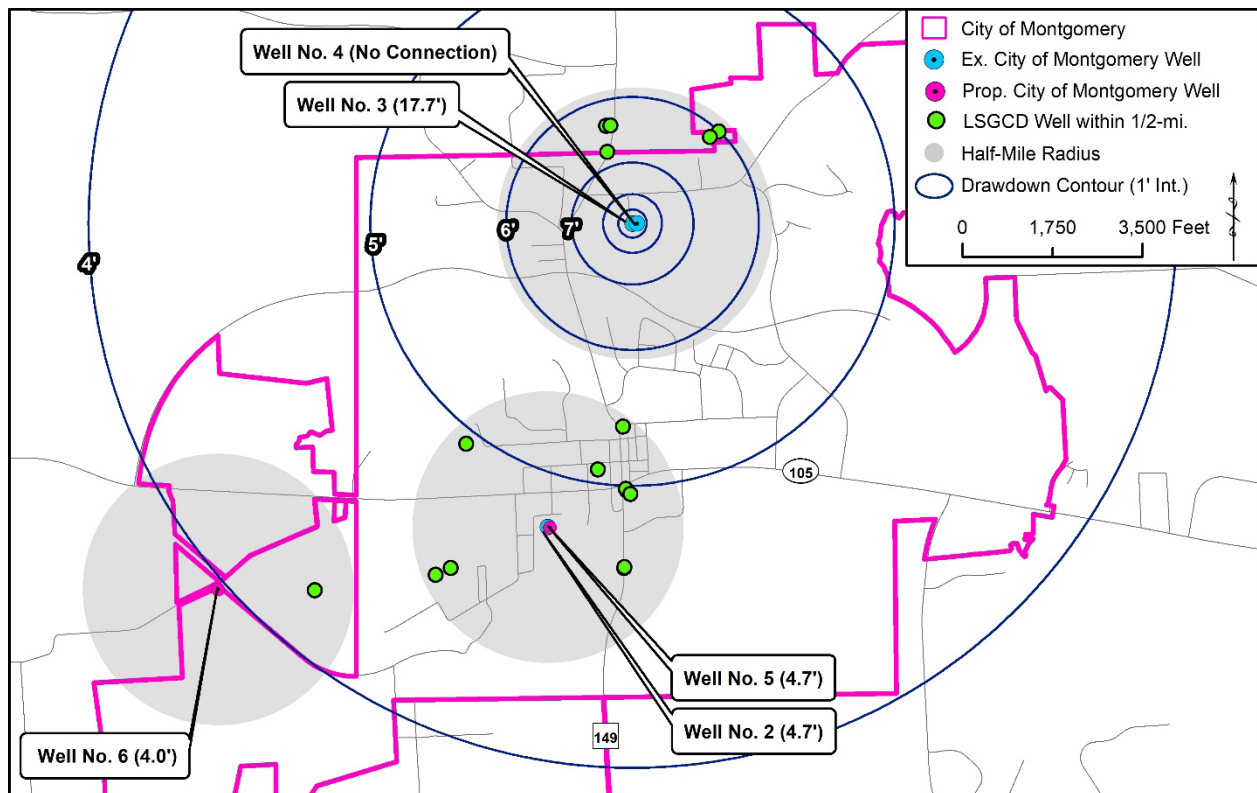


Figure 19: Modeled drawdown after 498.26 days from production at the proposed Well No. 3

Interference Modeling: Well No. 4

In an effort to model the aquifer impacts from the proposed pumping at Well No. 4, the following parameters were utilized for the Catahoula Aquifer:

- Well No. 4 production rate: 1,208 gpm;
- Transmissivity: 973 ft.<sup>2</sup>/day;
- Storativity:  $1.0 \times 10^{-5}$ .

The groundwater model was designed to estimate drawdown at full permitted capacity for Well No. 4 pumping for 24 hours (1,208 gpm; 1,739,520 gallons total) and 109.94 days (1,208 gpm; 191,250,000 gallons total) within and in the vicinity of the well. The results of the model are summarized in Table 9, Figure 20, and Figure 21. Table 9 provides a summary of the modeling results with only Well No. 4 pumping. According to the LSGCD well database, there are no other Catahoula Aquifer wells in the water system nor in the vicinity of Well No. 4.

**Table 9: Summary of estimated drawdown from production at Well No. 4**

Map ID	Well Registration No.	Owner	Total Depth (ft.)	Aquifer	Status	Distance from Well No. 6 (ft.)	Drawdown After 24-Hours Pumping (ft.)	Drawdown at Max Permit Volume (ft.)
<b>Property Boundary</b>						50	216.4	305.8
Well No. 4	2013012801	City of Montgomery	2,580	Catahoula	Operating	0	391.6	481.0

Based upon the drawdown calculated from the distance-drawdown projections, the drawdown after 24 hours of production at 1,208 gpm from Well No. 4 results in 391.6 feet of drawdown at the well. At the nearest property boundary, the drawdown is approximately 216.4 feet.

Based upon the drawdown calculated from distance-drawdown projections, the drawdown after pumping the well approximately 109.94 days to achieve the maximum permitted volume at 1,208 gpm from Well No. 4 results in 481 feet of drawdown at the well. At the nearest property boundary, the drawdown is approximately 305.8 feet.



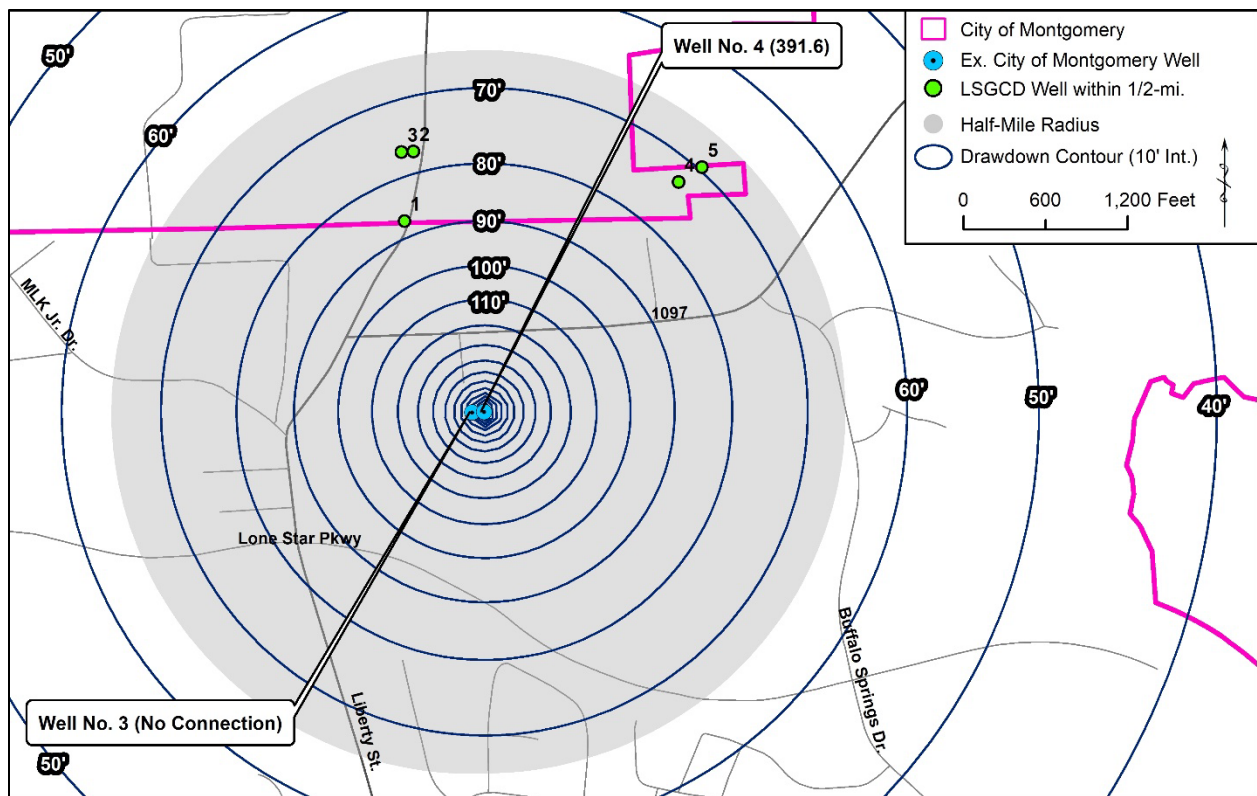


Figure 20: Modeled drawdown after 24 hours from production at Well No. 4

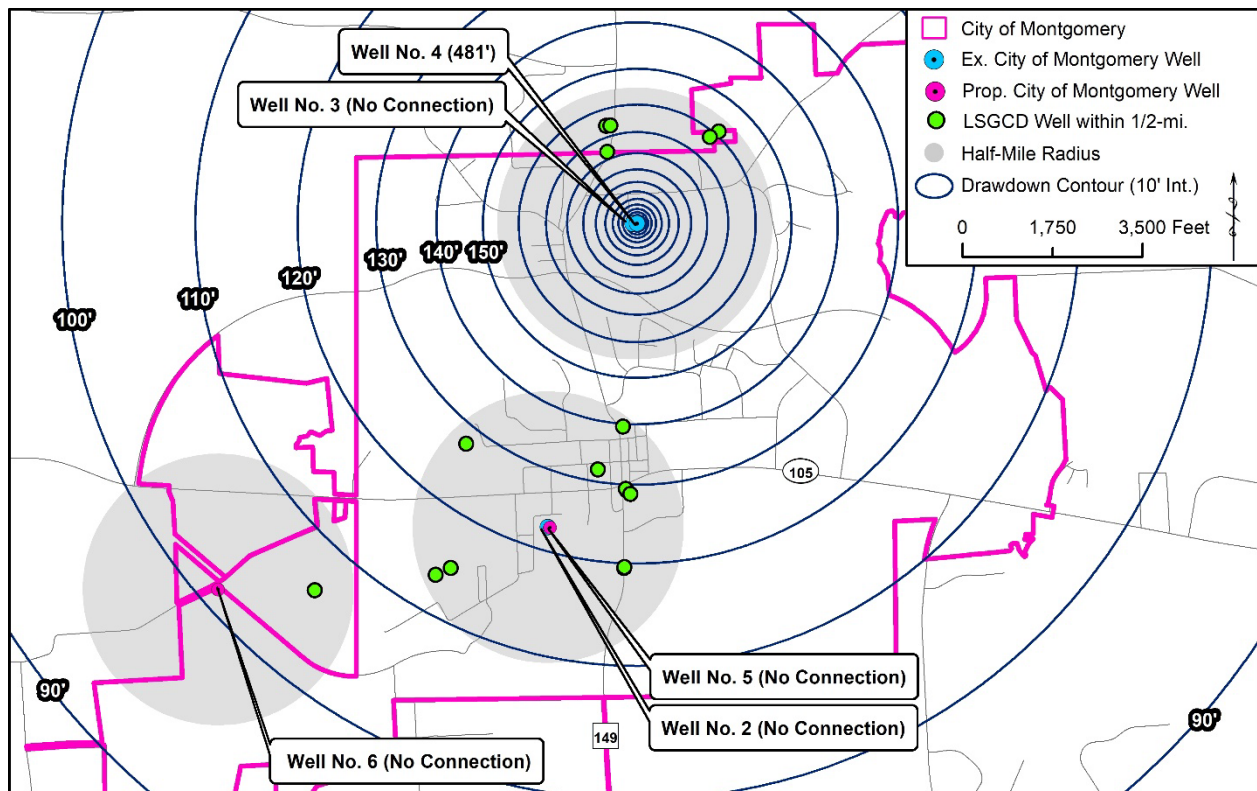


Figure 21: Modeled drawdown after 109.94 days from production at Well No. 4

### Interference Modeling: Proposed Well No. 5

In an effort to model the aquifer impacts from the proposed Well No. 5, the following averaged parameters from the Gulf Coast Aquifer (Northern Portion) GAM were utilized:

- Proposed Well No. 5 production rate: 500 gpm;
- Transmissivity: 11,173.9 ft.<sup>2</sup>/day (average);
- Storativity:  $3.26 \times 10^{-4}$  (average).

The groundwater model was designed to estimate drawdown at full permitted capacity for Well No. 5 pumping for 24 hours (500 gpm; 720,000 gallons total) and 498.26 days (500 gpm; 358,750,000 gallons total) within and in the vicinity of the proposed well. The results of the model are summarized in Table 10, Figure 22, and Figure 23. Table 10 provides a summary of the modeling results on existing water system wells and District registered/permitted wells within a 1/2-mile radius of the proposed well with only Well No. 5 pumping. Map IDs correspond to Tables 1, 2, and 3.

**Table 10: Summary of estimated drawdown from production at the proposed Well No. 5**

Map ID	Well Registration No.	Owner	Total Depth (ft.)	Aquifer	Status	Distance from Well No. 5 (ft.)	Drawdown After 24-Hours Pumping (ft.)	Drawdown at Max Permit Volume (ft.)
<b>Property Boundary</b>						27	7.5	11.8
Well No. 2	2004071935	City of Montgomery	783	Jasper	Operating – To Be Replaced	5	10.2	14.5
Well No. 3	2004072104	City of Montgomery	665	Jasper	Operating	6,141	0.7	4.7
Well No. 5	-	City of Montgomery	800	Jasper	Proposed	0	13.4	17.7
Well No. 6	-	City of Montgomery	700	Jasper	Proposed	6,533	0.6	4.7
6	2012051503	Randall	N/A	N/A	Void - Application Withdrawn	1,684	2.3	6.5
7	2012040202	Randall	N/A	N/A	Operating	1,678	2.3	6.5
8	2012051502	Randall	N/A	N/A	Operating	1,678	2.3	6.5
9	2009061805	Waller	N/A	N/A	Void - Application Withdrawn	1,479	2.5	6.7
10	2008041702	Barber	N/A	N/A	Operating	1,683	2.3	6.5
11	2012040203	Randall	N/A	N/A	Operating	1,678	2.3	6.5
12	2005031538	Schock	338	Jasper	Operating	2,379	1.8	6.0
13	2012051501	Randall	N/A	N/A	Operating	1,678	2.3	6.5
14	2015071503	Lesniak	N/A	N/A	Void - Application Withdrawn	1,678	2.3	6.5
15	2015102201	Kiser	345	Jasper	Operating	2,059	2.0	6.2
16	2016012702	Walker	300	Jasper	Operating	2,274	1.9	6.1
17	2018082104	Rutland	254	Evangelina	Operating	1,722	2.2	6.5
18	2020011001	Deveraux	320	Jasper	Operating	2,437	1.8	6.0





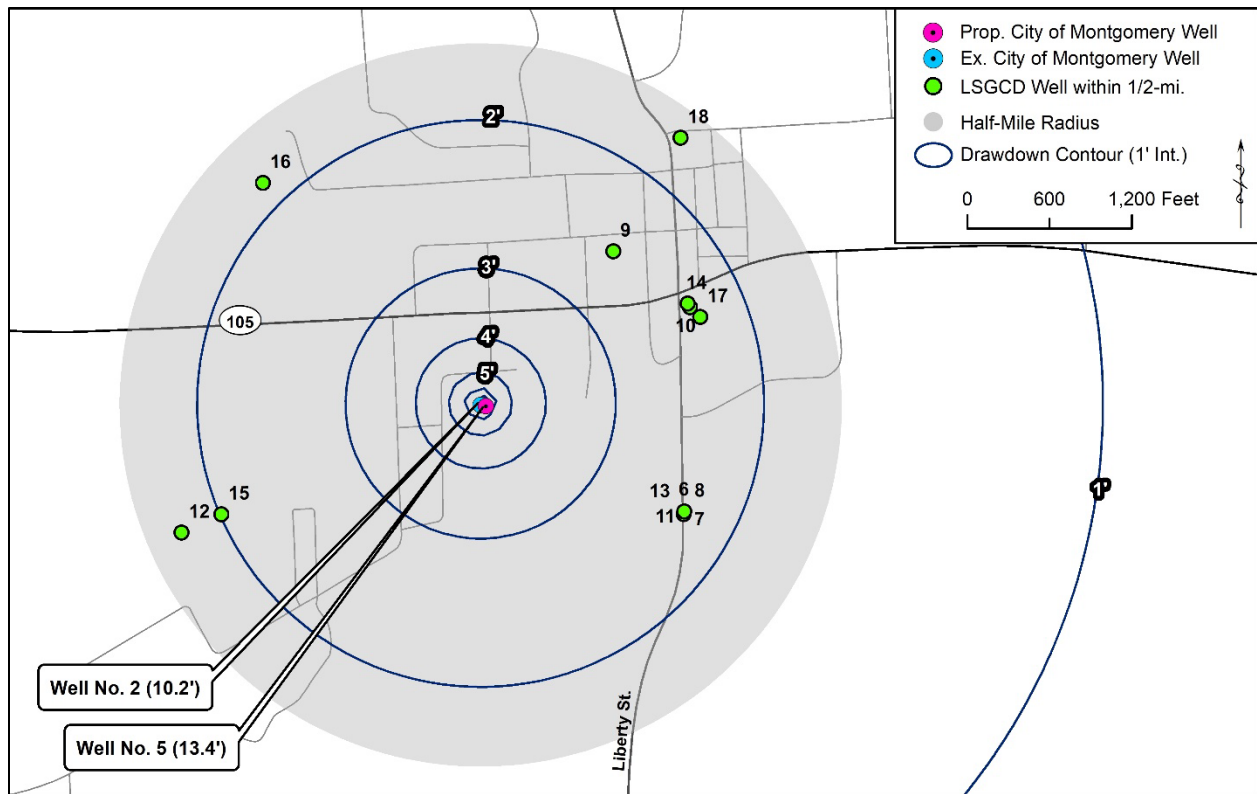


Figure 22: Modeled drawdown after 24 hours from production at the proposed Well No. 5

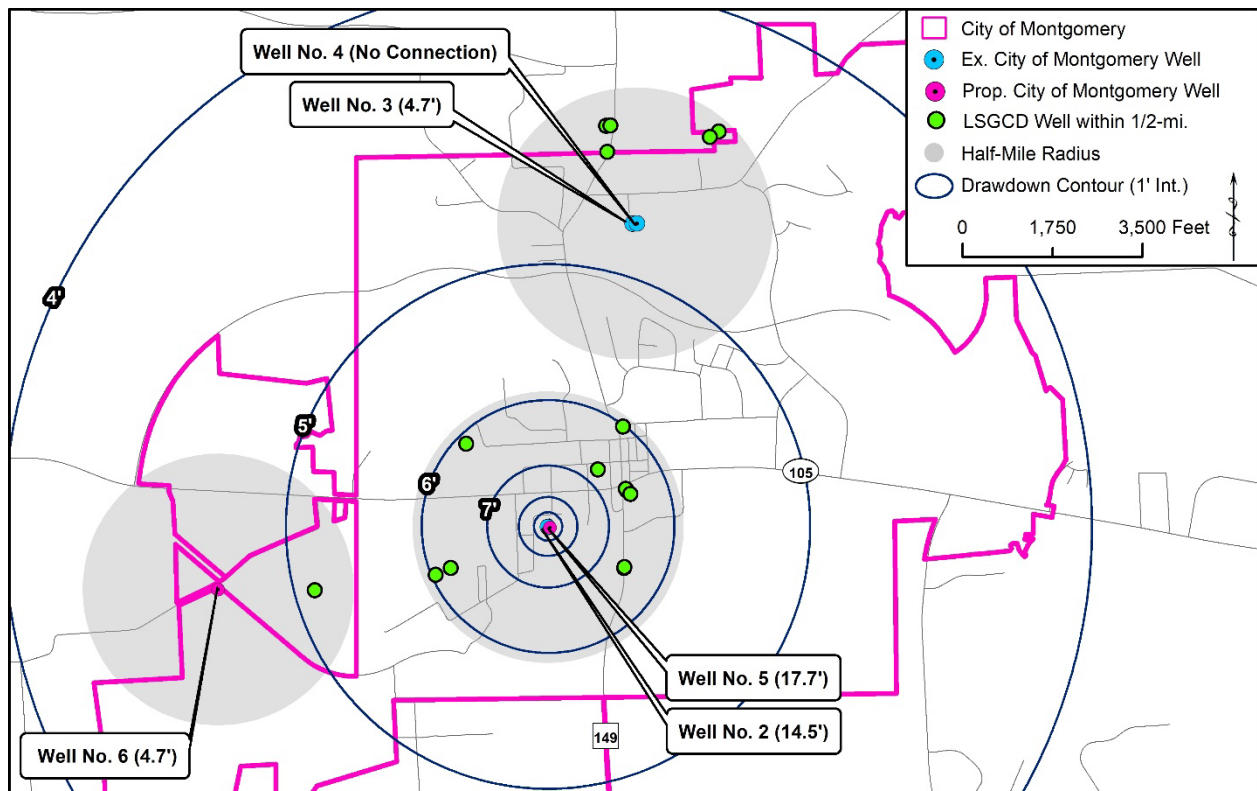


Figure 23: Modeled drawdown after 498.26 days from production at the proposed Well No. 5

Based upon the drawdown calculated from the distance-drawdown projections, the drawdown after 24 hours of production at 500 gpm from the proposed Well No. 5 results in 13.4 feet of drawdown at the well. At the nearest property boundary, the drawdown is approximately 7.5 feet. Drawdown in nearby water system and registered wells ranges from approximately 0.6 to 10.2 feet.

Based upon the drawdown calculated from distance-drawdown projections, the drawdown after pumping the well approximately 498.26 days to achieve the maximum permitted volume at 500 gpm from the proposed Well No. 5 results in 17.7 feet of drawdown at the well. At the nearest property boundary, the drawdown is approximately 11.8 feet. Drawdown in nearby water system and registered wells ranges from approximately 4.7 to 14.5 feet.



### Interference Modeling: Proposed Well No. 6

In an effort to model the aquifer impacts from the proposed Well No. 6, the following averaged parameters from the Gulf Coast Aquifer (Northern Portion) GAM were utilized:

- Proposed Well No. 6 production rate: 1,000 gpm;
- Transmissivity: 11,173.9 ft.<sup>2</sup>/day (average);
- Storativity:  $3.26 \times 10^{-4}$  (average).

The groundwater model was designed to estimate drawdown at full permitted capacity for Well No. 6 pumping for 24 hours (1,000 gpm; 1,440,000 gallons total) and 249.13 days (1,000 gpm; 358,750,000 gallons total) within and in the vicinity of the proposed well. The results of the model are summarized in Table 11, Figure 24, and Figure 25. Table 11 provides a summary of the modeling results on existing water system wells and District registered/permitted wells within a 1/2-mile radius of the proposed well with only Well No. 6 pumping. Map IDs correspond to Tables 1, 2, and 3.

**Table 11: Summary of estimated drawdown from production at the proposed Well No. 6**

Map ID	Well Registration No.	Owner	Total Depth (ft.)	Aquifer	Status	Distance from Well No. 6 (ft.)	Drawdown After 24-Hours Pumping (ft.)	Drawdown at Max Permit Volume (ft.)
<b>Property Boundary</b>						50	14.2	21.7
Well No. 2	2004071935	City of Montgomery	783	Jasper	Operating – To Be Replaced	6,529	1.2	8.4
Well No. 3	2004072104	City of Montgomery	665	Jasper	Operating	10,764	0.4	7.0
Well No. 5	-	City of Montgomery	800	Jasper	Proposed	6,533	1.2	8.4
Well No. 6	-	City of Montgomery	700	Jasper	Proposed	0	26.8	34.4
19	2014013101	Giles	263	Evangeline	Operating	1,882	4.3	11.8

Based upon the drawdown calculated from the distance-drawdown projections, the drawdown after 24 hours of production at 1,000 gpm from the proposed Well No. 6 results in 26.8 feet of drawdown at the well. At the nearest property boundary, the drawdown is approximately 14.2 feet. Drawdown in nearby water system and registered wells ranges from approximately 0.4 to 4.3 feet.

Based upon the drawdown calculated from distance-drawdown projections, the drawdown after pumping the well approximately 249.13 days to achieve the maximum permitted volume at 1,000 gpm from the proposed Well No. 6 results in 34.4 feet of drawdown at the well. At the nearest property boundary, the drawdown is approximately 21.7 feet. Drawdown in nearby water system and registered wells ranges from approximately 7.0 to 11.8 feet.





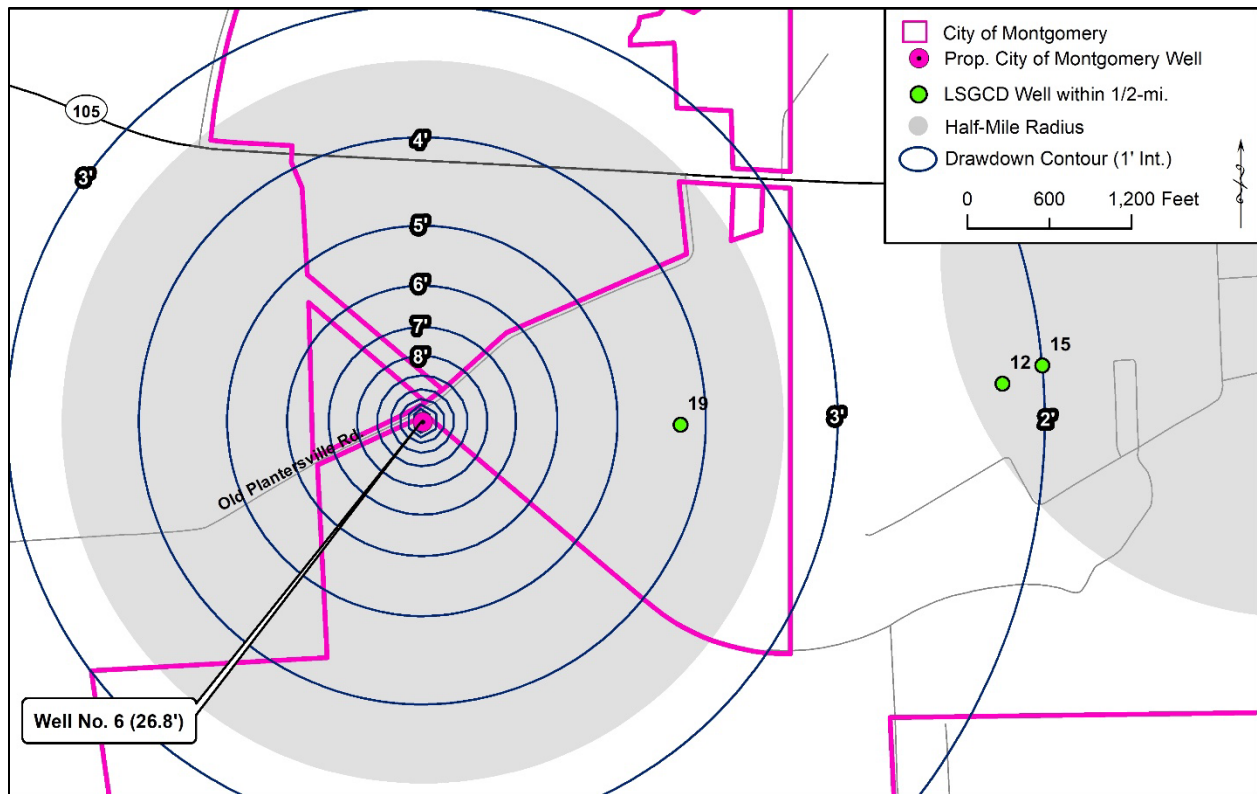


Figure 24: Modeled drawdown after 24 hours from production at the proposed Well No. 6

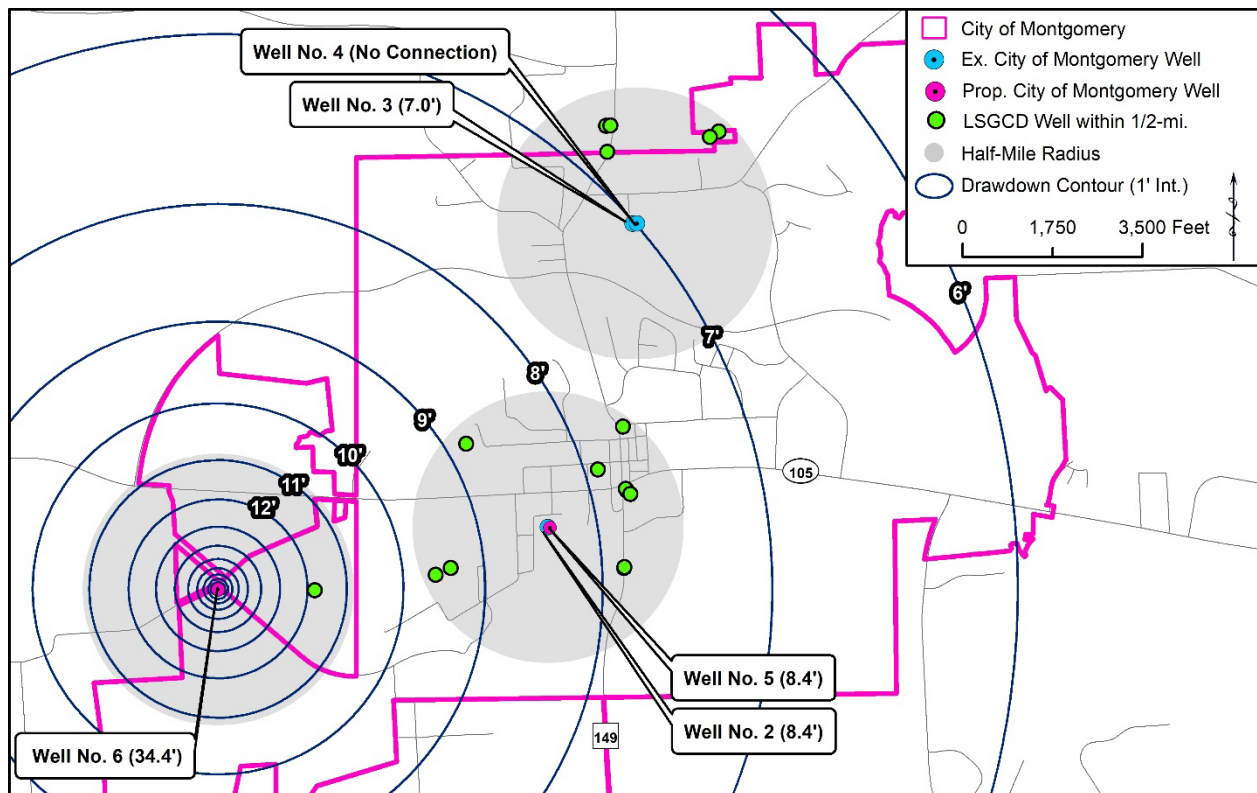


Figure 25: Modeled drawdown after 249.13 days from production at the proposed Well No. 6

Interference Modeling: Water System (Jasper Aquifer wells)

In an effort to model the aquifer impacts from the proposed pumping at Wells No. 3, 5, and 6, the following averaged parameters from the Gulf Coast Aquifer (Northern Portion) GAM were utilized:

- Well No. 3 production rate: 500 gpm;
- Proposed Well No. 5 production rate: 500 gpm;
- Proposed Well No. 6 production rate: 1,000 gpm;
- Transmissivity: 11,173.9 ft.<sup>2</sup>/day (average);
- Storativity:  $3.26 \times 10^{-4}$  (average).

The groundwater model was designed to estimate drawdown at the proposed full permitted capacity for the Jasper Aquifer wells pumping for 24 hours (2,000 gpm; 2,880,000 gallons total) and 124.56 days (2,000 gpm; 358,750,000 gallons total) within and in the vicinity of the wells. The results of the model are summarized in Table 12, Figure 26, and Figure 27. Table 12 provides a summary of the modeling results on existing water system wells and District registered/permitted wells within a 1/2-mile radius of the water system wells during proposed pumping. Map IDs correspond to Tables 1, 2, and 3.

**Table 12: Summary of estimated drawdown from production at the City of Montgomery Jasper Aquifer wells**

Map ID	Well Registration No.	Owner	Total Depth (ft.)	Aquifer	Status	Drawdown After 24-Hours Pumping (ft.)	Drawdown at Max Permit Volume (ft.)
<b>Property Boundary from Well No. 2 (38 ft.)</b>						8.2	20.9
<b>Property Boundary from Well No. 3 (137 ft.)</b>						6.7	18.9
<b>Property Boundary from Well No. 5 (27 ft.)</b>						8.2	20.9
<b>Property Boundary from Well No. 6 (50 ft.)</b>						13.0	25.5
Well No. 2	2004071935	City of Montgomery	783	Jasper	Operating – To Be Replaced	12.3	25.0
Well No. 3	2004072104	City of Montgomery	665	Jasper	Operating	14.4	26.6
Well No. 5	-	City of Montgomery	800	Jasper	Proposed	15.4	27.9
Well No. 6	-	City of Montgomery	801	Jasper	Proposed	28	40.1
1	2022112904	Wedgman	170	Evangeline	Operating	3.2	15.1
2	2022031503	Arnsworth	160	Evangeline	Operating	2.8	14.6
3	2021121102	Arnsworth	160	Evangeline	Being drilled	2.8	14.6
4	2005031624	Mossier	158	Evangeline	Operating	2.5	14.1
5	2005082416	Mossier	168	Evangeline	Operating	2.3	13.9
6	2012051503	Randall	N/A	N/A	Void - Application Withdrawn	3.8	16.2
7	2012040202	Randall	N/A	N/A	Operating	3.8	16.2
8	2012051502	Randall	N/A	N/A	Operating	3.8	16.2
9	2009061805	Waller	N/A	N/A	Void - Application Withdrawn	4.3	16.9



10	2008041702	Barber	N/A	N/A	Operating	3.9	16.4
11	2012040203	Randall	N/A	N/A	Operating	3.8	16.2
12	2005031538	Schock	338	Jasper	Operating	4.4	17.2
13	2012051501	Randall	N/A	N/A	Operating	3.8	16.2
14	2015071503	Lesniak	N/A	N/A	Void - Application Withdrawn	3.9	16.4
15	2015102201	Kiser	345	Jasper	Operating	4.5	17.2
16	2016012702	Walker	300	Jasper	Operating	4.2	17.0
17	2018082104	Rutland	254	Evangeline	Operating	3.8	16.3
18	2020011001	Deveraux	320	Jasper	Operating	3.7	16.2
19	2014013101	Giles	263	Evangeline	Operating	5.5	18.2

Based upon the drawdown calculated from the distance-drawdown projections, the drawdown after 24 hours of full water system production results in 12.3 to 28 feet of drawdown at the water system wells. Drawdown in nearby registered wells ranges from approximately 2.3 to 5.5 feet.

Based upon the drawdown calculated from distance-drawdown projections, the drawdown after approximately 124.56 days of full water system production results in 25 to 40.1 feet of drawdown at the water system wells. Drawdown in nearby registered wells ranges from approximately 13.9 to 18.2 feet.

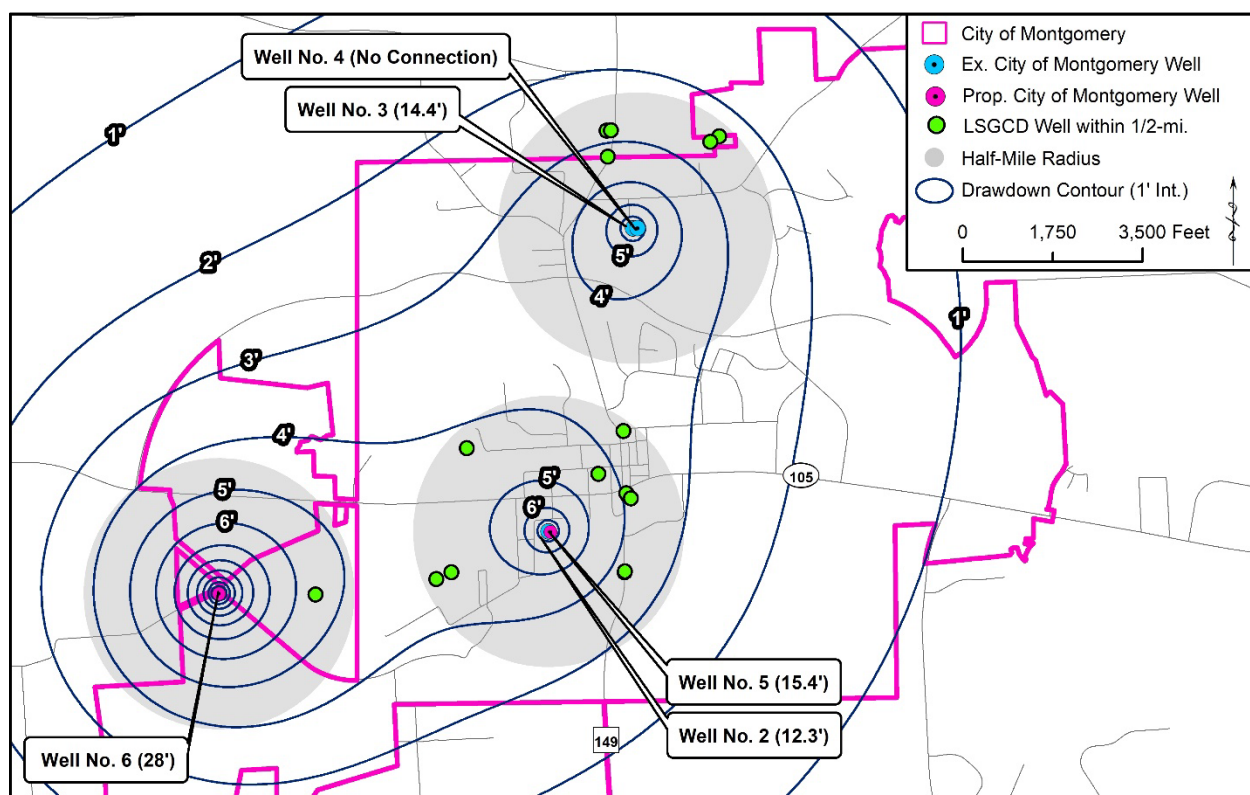


Figure 26: Modeled drawdown after 24 hours from production in the water system wells (Jasper Aquifer)

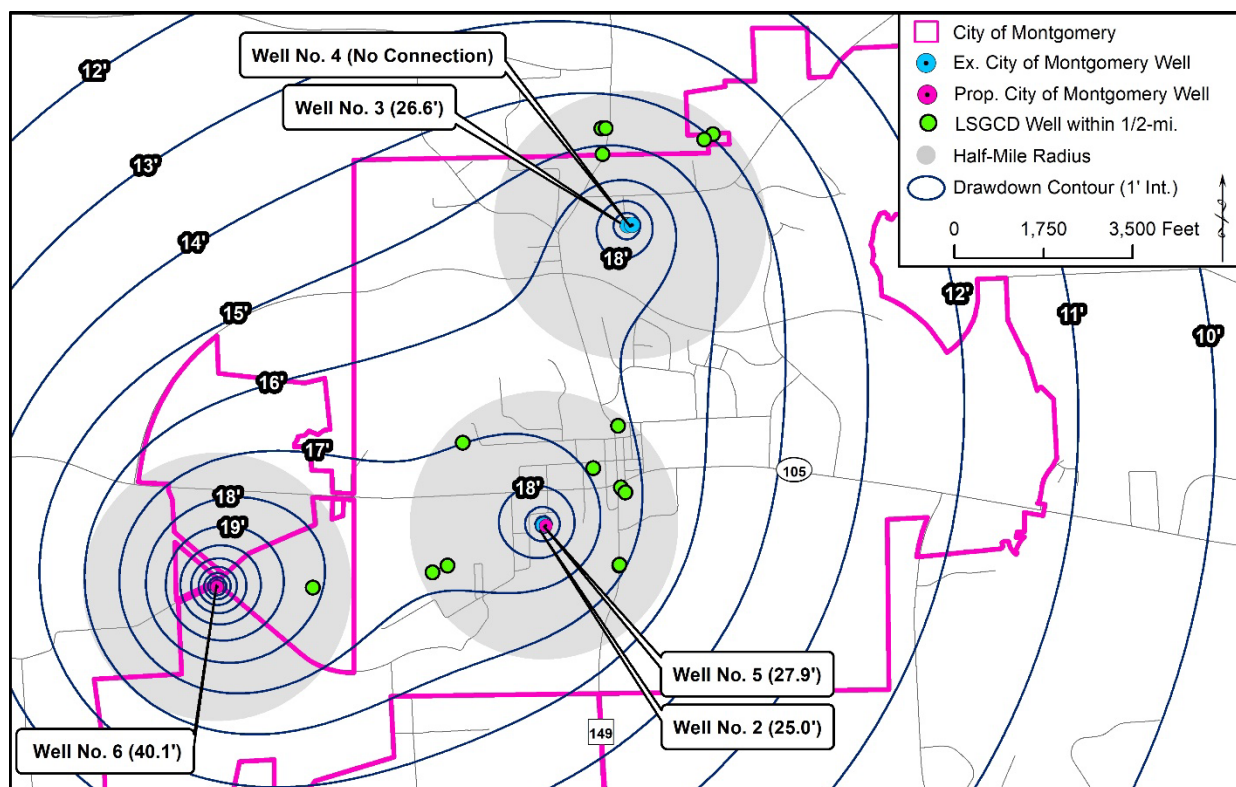
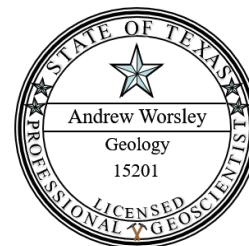


Figure 27: Modeled drawdown after 124.56 days from production in the water system wells (Jasper Aquifer)

Based upon the results of the modeling, we do not anticipate any deleterious impacts from the increased production and from the proposed City of Montgomery Wells No. 5 and 6 on nearby LSGCD wells. The modeling efforts put forth in this report utilized low-resolution data from the GAM and extreme cases of continuous pumping (over 350 million gallons of continuous pumping during the modeling scenarios); real-world results from pumping may be significantly different from the modeled results.

Respectfully,  
Wet Rock Groundwater Services, L.L.C.

Andrew Worsley, P.G.  
Senior Hydrogeologist  
Wet Rock Groundwater Services, LLC  
TBPG Firm Registration No. 50038



The seal appearing on this document was  
authorized by Andrew Worsley, P.G.  
License No. 15201 on November 8, 2023





## References

- Baker, E.T., Jr., 1979, Stratigraphic and hydrogeologic framework of part of the coastal plain of Texas: Texas Department of Water Resources Report 236, 43 p.
- Baker, E.T., 1986, Hydrology of the Jasper Aquifer in the southeast Texas Coastal Plain: Texas Water Development Board Report 295, 64 p.
- Barlow, P.M., and Leake, S.A., 2012. Streamflow depletion by wells—Understanding and managing the effects of groundwater pumping on streamflow. U.S. Geological Survey Circular 1376. Reston, Virginia: USGS.
- Bredehoeft, J.D., and T.J. Durbin. 2009. Ground water development—The time to full capture problem. Ground Water 47, no. 4: 506–514. DOI:10.1111/j.1745-6584.2008. 00538.x
- Driscoll, F.G., 1986. Groundwater and Wells (2nd. Ed.): Johnson Division, St. Paul, Minnesota.
- Duffield, G.M., 2007, *AQTESOLV for Windows Version 4.5--PROFESSIONAL*, HydroSOLVE, Inc., Reston, VA. <http://www.aqtesolv.com/default.htm>
- Hantush, M.S., 1961. Drawdown around a partially penetrating well, Jour. of the Hyd. Div., Proc. of the Am. Soc. of Civil Eng., vol. 87, no. HY4, pp. 83-98.
- Kasmarek, M.C., 2013, Hydrogeology and Simulation of Groundwater Flow and Land-Surface Subsidence in the Northern Part of the Gulf Coast Aquifer System, Texas, 1891–2009: U.S. Geological Survey, Scientific Investigation Report 2012-5154, 55p.
- Konikow L.F. and Leake S.A., 2014, Depletion and Capture: Revisiting “The Source of Water Derived from Wells”, Vol. 52, Groundwater–Focus Issue 2014, p. 100–111.
- Mace, R. E., 2001, Estimating transmissivity using specific-capacity data: The University of Texas at Austin, Bureau of Economic Geology, Geologic Circular 01-2, 44 p.
- Scanlon, B. and others. 2005. Evaluation of Arsenic Contamination in Texas. University of Texas at Austin, Bureau of Economic Geology (for the TCEQ).
- Theis, C. V., 1935, The relation between the lowering of the piezometric surface and the rate and duration of discharge of a well using groundwater storage: Transactions of the American Geophysical Union, v. 16, p. 519-524.
- Theis, C.V., 1940. The source of water derived from wells—Essential factors controlling the response of an aquifer to development. Civil Engineering 10: 277–280.
- Walton, W.C. 2011. Aquifer system response time and groundwater supply management. Ground Water 49, no. 2: 126–127.



## UTILITY/GENERAL FUND REPORT – NOV 2023

TOTAL REVENUE	
Utilities	\$17,029.17
Permits	\$13,486.00
Vendor/Beverage/Street Festival/Photography Permit	\$275.00
Flags Sold	\$150.00
Community Building/ Park Rentals	\$1,525.00
Community Building Deposit	\$750.00
Franchise Fees	\$1,686.45

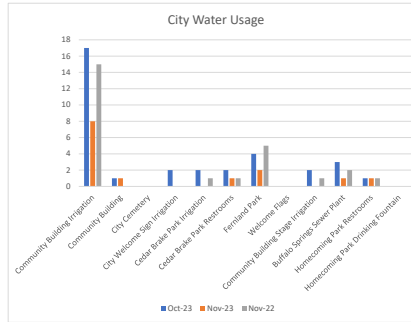
ARREARS			
	60 Days	90 Days	120+ Days
Amount	\$16,386.83	\$2,401.39	\$30,776.81
GRAND TOTAL:			\$49,565.03

PERMITS	
Type	Permit Total
Building-Residential Addition, Generators	\$670.00
Plumbing	\$1,775
Irrigation	\$625
Building-Commercial Remodel	
Solar	
Pool	\$650
Sign	\$50.00
Mechanical	\$400.00
Electrical	\$1,050
<b>TOTAL</b>	<b>\$5,220.00</b>

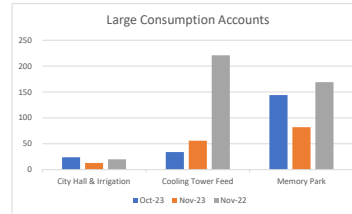
UTILITIES	
New Water Accts.	13
Disconnected Water Accts.	8
<b>Total Number of Active Accts.</b>	<b>1082</b>



CITY ACCOUNT WATER USAGE				
ACCOUNT NAME	ACCT #	Oct-23	Nov-23	Nov-22
Community Building Irrigation	(01-8732-00)	17	8	15
Community Building	(01-0130-00)	1	1	0
City Cemetery	(01-1110-00)	0	0	0
City Welcome Sign Irrigation	(01-8733-00)	2	0	0
Cedar Brake Park Irrigation	(01-8736-00)	2	0	1
Cedar Brake Park Restrooms	(01-8735-00)	2	1	1
Ferland Park	(01-8737-00)	4	2	5
Welcome Flags	(01-8734-00)	0	0	0
Community Building Stage Irrigation	(01-6180-00)	2	0	1
Buffalo Springs Sewer Plant	(01-8821-00)	3	1	2
Homecoming Park Restrooms	(01-8820-00)	1	1	1
Homecoming Park Drinking Fountain	(01-8738-00)	0	0	0
City Hall & Irrigation	(01-6190-00)	24	13	20
Cooling Tower Feed	(01-0355-00)	34	56	221
Memory Park	(01-5885-00)	144	82	169



ACCOUNT NAME	Oct-23	Nov-23	Nov-22
City Hall & Irrigation	24	13	20
Cooling Tower Feed	34	56	221
Memory Park	144	82	169



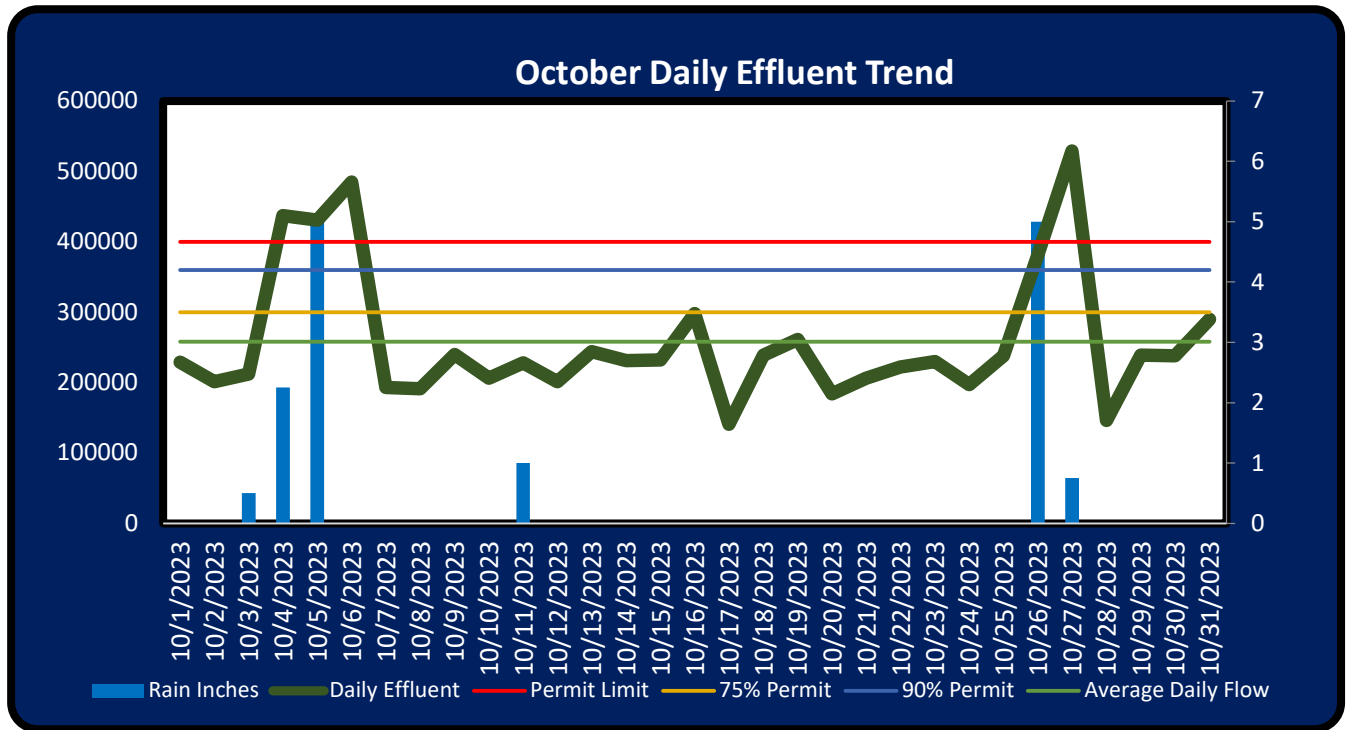


**City of Montgomery**  
**Operations Report**  
**October 2023**  
**10/01/23 – 10/31/23**

**District Alerts**

**NO DISTRICT ALERTS FOR OCTOBER**

### Wastewater Plant Flow Detail



- Flow for the month of October was 8,000,000 gallons.
- Daily peak flow was October 27, 2023, was 529,000 gallons.
- Average Daily Flow 258,100 gallons
  - 3-month average flow 226,933 gallons
  - 65% 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 (NH<sub>3</sub>) 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, NH<sub>3</sub>N, 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	3.30	no
Average Monthly T.S.S.	15	mg/l	3.50	no
Average Monthly NH <sub>3</sub>	2	mg/l	0.27	no
Minimal CL <sub>2</sub> Residual	1	mg/l	1.04	no
Max CL <sub>2</sub> Residual	4	mg/l	3.94	no
Rainfall for the Month		14.50	inches	

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

**Water Report:**

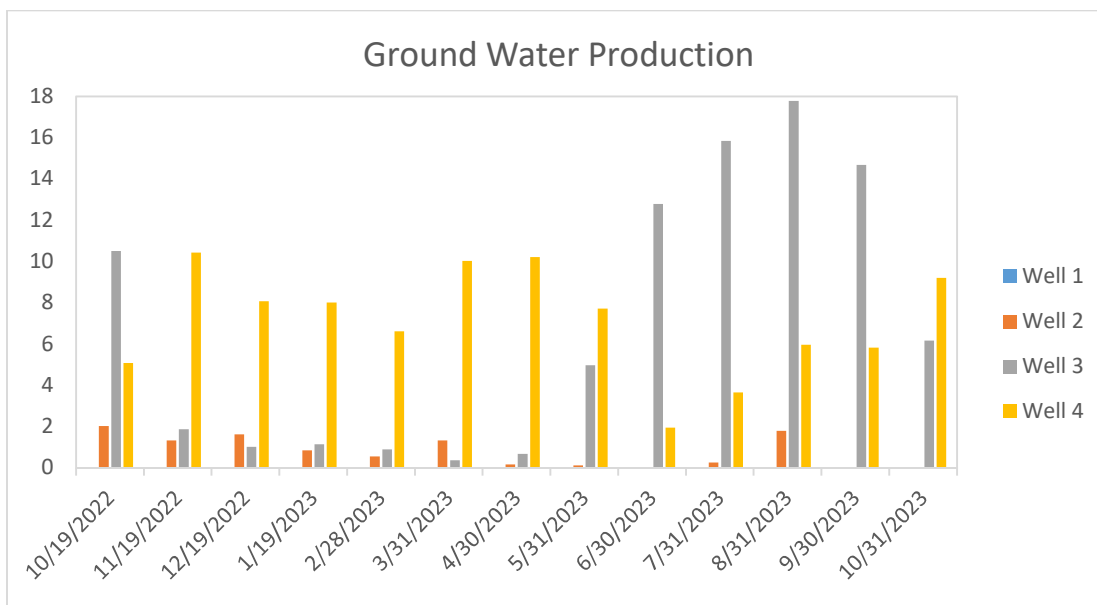
10/01/2023-10/31/2023

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	4.825	3.24%	92.930	14.92%
Well 3	6.153	40.08%	0.864	74.240	49.89%		
Well 4	9.197	59.92%	2.160	69.757	46.87%	90.000	22.49%
Total	15.350	100.00%	3.888	148.822	100%	182.930	
Flushing	0.143						
Subtotal	15.207						
Sold	14.459						
% Accounted	95%						

LSGCD Pumpage Report	
Water Pumped (October):	15,350,000
Permitted Pumpage:	182,930,000
Pumpage Against Permit:	149,017,000
Remaining Amount:	33,913,000

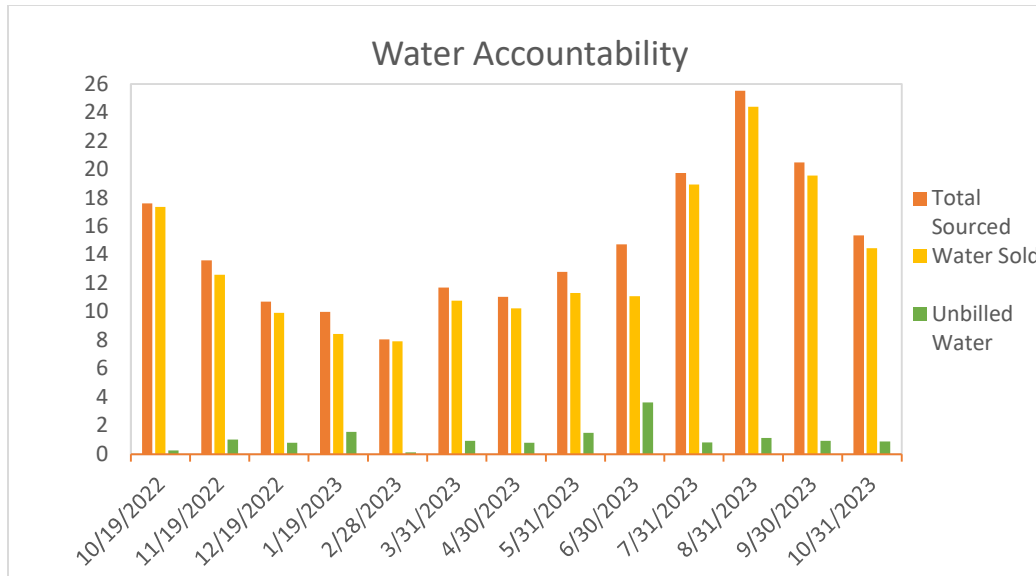
CONNECTIONS	
School	12
Commercial Inside	180
Commercial Outside	2
Residential Inside	957
Residential Outside	32
Church	14
City	18
Hydrant	9
Multifamily	17
n/a	3
<b>Total</b>	<b>1244</b>

Accountability	
Well 2 & 3 Pumpage (Year):	79.065
Well 2 & 3 Permit:	92.930
<b>Well 2 &amp; 3 Permit Left:</b>	<b>13.865</b>
Well 4 Pumpage (Year):	69.757
Well 4 Permit:	90.000
<b>Well 4 Permit Left:</b>	<b>20.243</b>



Date	Total	Well_1	Well_2	Well_3	Well_4
AVG	15.436	0.000	0.767	6.815	7.130
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	19.730	0.000	0.000	14.668	5.822
10/31/2023	15.350	0.000	0.000	6.153	9.197
Total	200.668	0.000	9.976	88.595	92.692





Date	Accountability	Unaccounted	Total Sourced	Water Sold	Flushing/Leaks	Unbilled Water
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
10/31/2023	95%	0.748	15.350	14.459	0.143	0.891



101 OLD PLANTERSVILLE ROAD, MONTGOMERY, TEXAS 77316

Telephone: (936) 597-6434

## Public Works Department

### Monthly Report for October 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 12 water accounts.
- Completed 6 work orders for endpoint maintenance issues.
- Completed 1 work orders for water leaks.
- Completed 8 work orders for miscellaneous water issues.
- Completed 5 work orders for water taps.
- Prepared for transition of all water operations from H2O Innovations to Hays North Utility.
- Attended 1 year waterline walkthrough for Montgomery Bend.
- Assisted numerous residents with water consumption.

#### Wastewater

- Completed 3 work orders for sewer taps.
- Completed 2 work orders for sewer-stop up.
- Prepared for transition of all wastewater operations from H2O Innovations to Hays North Utility.
- Repairs from Cleaning and Televising Sanitary Sewer Project underway.

#### 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.
- 1-Year Walkthrough at Town Creek Crossing.
- Removed silt fencing in front of Bluewave Carwash.
- Checked inlets and drains following storm on 10/4/2023.
- Remove low hanging limb on McCown.
- Dress-up FM 149 @ FM 1097 and FM149 @ Flagship following contractor water main accident.
- Reset sign at Wade and Worsham.
- Removed debris on MLK prior to storm.
- Repaired pothole in front of Waterstone, and on Buffalo Springs and McCown.

## **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 9 work orders for general-City Hall maintenance.
- Replaced lightbulbs in the City Hall foyer across from the women's Restroom.
- Replaced batteries for paper towel dispensers at City Hall.
- Replaced door lock to Utility Billing office.
- Repurposed shelving from Administration to PD.
- Removed dead tree on Worsham St. per homeowner request.
- Removed fallen limbs from property next to the Nat Hart Davis building.
- Continue painting fire hydrants throughout the city.
- Repaired waterline leak at PW shop.
- Replaced battery on WWTP#2 gate.
- Trimmed limbs along fence line at PW yard.
- Added rock to driveway at PW yard.
- Rock wall surrounding Community Center was damaged by vehicles. PD took crash report, responsible party paid for damages and wall was repaired.
- Flail mowed around manhole for lift station #2 and #10 as well as along ROW from track thru curve at Wade.
- Charged LED road flare kits.

## **Parks/Recreation**

- Posted all park reservation notices.
- Completed 39 work orders for maintenance-parks issues.
- M/W/F cleaning of all restrooms and grounds.
- Delivered and retrieved trailer at Memory Park for Lake Conroe Rotary Club.
- Fernland docents reported 675 visitors and provided 77 tours for the month.
- Replaced electrical outlet for fountain at Memory Park.
- Repaired swing at Cedar Brake Park.
- Roof replacement project on Crane Cabin at Fernland Historical Park is complete.
- Repaired lower siding and cement block support for Hulon House at Fernland Historical Park.
- Repaired low voltage lighting at Memory Park.
- Repaired broken sprinkler head at Memory park.
- Repaired pump for waterfall at Memory Park.
- Repaired leak at Memory Park reported by resident.

## **General**

- Attended weekly Leadership Team meetings.
- Completed 23 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.
- Assisted Police Department with Faith & Blue.
- Delivered, setup, and disassembled displays, signs, barricades, etc. for Quilt Walk.
- Delivered, setup, and disassembled barricades for Sip N Stroll every Thursday.
- Delivered, setup, and disassembled for Movie Night.
- Lowered and raised flags throughout town to honor shooting victims.
- Delivered, setup, and disassembled signs, barricades, etc. for Trick or Treat event.
- Attended CIP Review for October 23<sup>rd</sup> Council Workshop.

PUBLIC WORKS

FIRST RESPONDER

- Lead several members of Hays North Utility around town to go over water and wastewater system.
- Lead the Operations Transition Meeting from H2O Innovations to Hays North Utility.
- Attended Trick or Treat Barricade Meeting.
- Attended Conference Call for OCS regarding Microsoft 365 transition.
- Attended meeting regarding Buffalo Springs drainage.

Item 17.



# City of Montgomery Municipal Court Report October 2023 & November 2023

Kimberly Duckett  
Court Administrator



# Comparison Chart

## Citations and Revenue January 2021 - 2023

	2021	2022	2023
<b>Jan</b>	183	94	86
<b>Feb</b>	108	164	38
<b>Mar</b>	148	117	82
<b>April</b>	114	85	91
<b>May</b>	205	192	128
<b>June</b>	123	98	106
<b>July</b>	163	126	228
<b>Aug</b>	126	140	245
<b>Sept</b>	134	85	220
<b>Oct</b>	103	83	212
<b>Nov</b>	101	54	162
<b>Dec</b>	67	60	

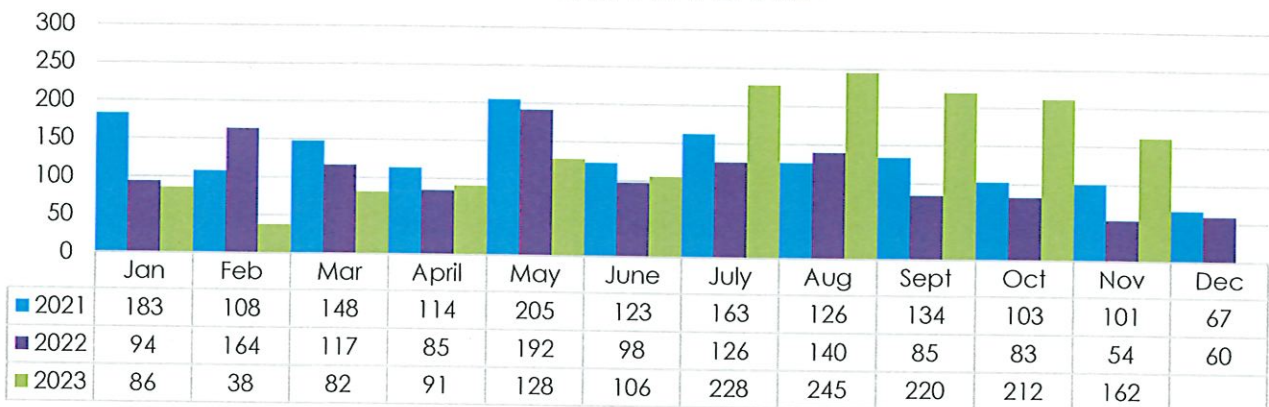
**Totals**      1575      1298      1598

	2021	2022	2023
<b>Jan</b>	\$36,932.88	\$20,642.12	\$27,986.26
<b>Feb</b>	\$38,953.88	\$35,191.59	\$19,817.26
<b>Mar</b>	\$45,260.60	\$43,249.60	\$28,760.79
<b>April</b>	\$40,808.03	\$22,387.94	\$24,358.01
<b>May</b>	\$21,995.10	\$26,584.71	\$21,007.77
<b>June</b>	\$35,692.30	\$28,847.75	\$19,575.84
<b>July</b>	\$33,874.84	\$25,169.19	\$26,622.80
<b>Aug</b>	\$34,639.40	\$33,042.07	\$44,333.70
<b>Sept</b>	\$34,747.41	\$24,334.09	\$35,108.51
<b>Oct</b>	\$29,668.47	\$22,909.59	\$34,210.67
<b>Nov</b>	\$23,458.35	\$22,209.38	\$36,731.64
<b>Dec</b>	\$24,648.00	\$19,764.02	

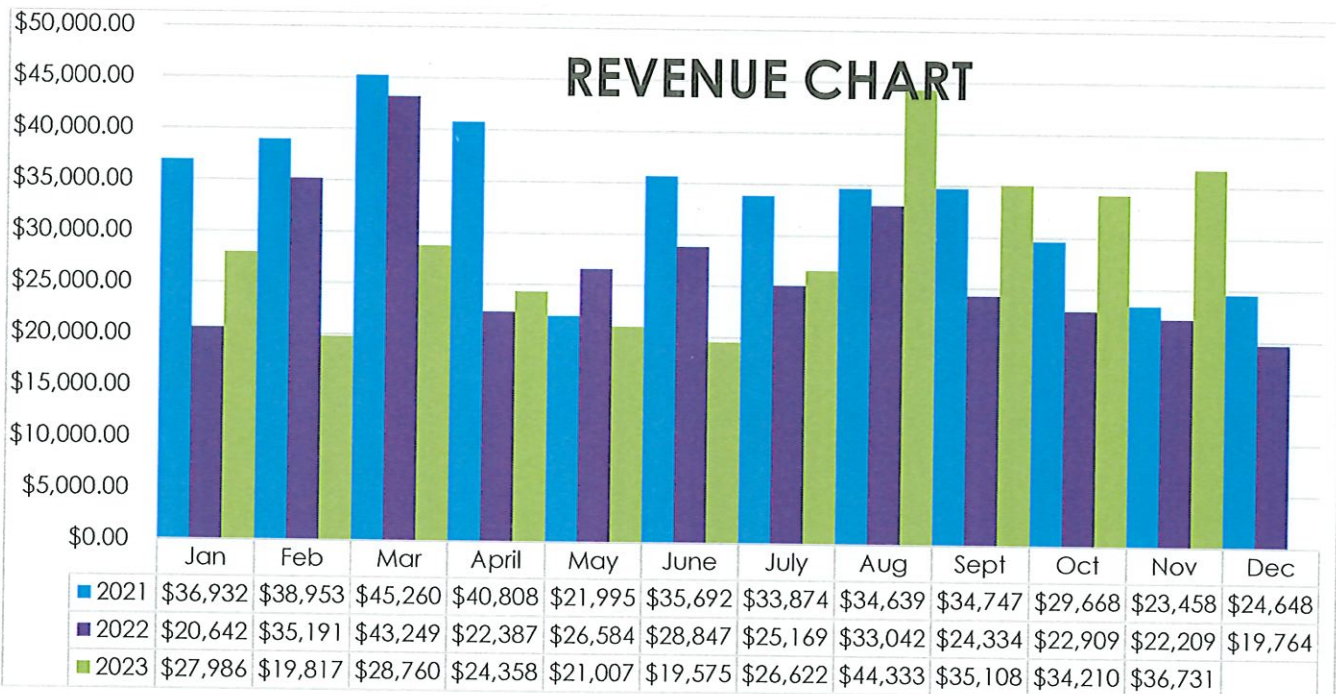
**Totals**      \$400,679.26      \$324,332.05      \$318,513.25



## CITATIONS



## REVENUE CHART







December 7, 2023

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

Re: Monthly Engineering Report  
City Council Meeting December 12, 2023

Dear Mayor and Council:

The following is a brief summary that describes our activities since the October 24, 2023, Council Meeting:

**Capital Projects:**

1. **Water Plant No. 2 Improvements**— As a reminder, we were authorized at the October 10<sup>th</sup> Council meeting to begin the design of the Water Plant No. 2 Improvements, subject to completion of the hydrogeological report by Wet Rock Groundwater Services, LLC. Upon formal release from Council working with our design team to obtain survey, geotechnical, 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** - We received and reviewed the hydrogeological report from Wet Rock Groundwater Services, LLC which found no concerns with the proposed permit amounts for both the Catahoula Well and the Jasper Well. We plan to discuss this in detail under a separate agenda item during this month's Council meeting.
3. **Flagship Boulevard Storm Sewer & Pavement Replacement** – It is our understanding that the contractor is substantially complete and 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** – We received and recommended approval of Pay Estimate No. 1 in the amount of \$207,395.10. The contractor is 31% complete by time and 28% complete by value. The contractor is proceeding with pre-televising, point repairs, and CIPP lining on the sanitary sewer lines.



*By-pass pumping at Sanitary Sewer  
 Manhole No. 37 November 14<sup>th</sup>*



*CIPP Lining at Sanitary Sewer  
 Manhole No. 37 November 14<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 complete with the design of the 8" force main and lift station improvements and plan to receive bids for the project on January 10, 2024. 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 complete with design of the 6" force main, and plan to receive bids for the project on January 10, 2024. As a reminder, this project is being funded by Redbird Meadows.
- 10. McCown St. and Caroline St. Waterline Replacement** – The design is on hold pending completion of the design for the Downtown Improvements project.
- 11. Downtown Drainage Master Plan** – We are finalizing our report, including internal reviews and plan to meet with staff to review and discuss this month.

- 12. TPDES Permit Amendment (Town Creek Wastewater Treatment Plant)** – The TPDES Amendment was submitted to the TCEQ on October 11<sup>th</sup>. On December 4<sup>th</sup> we received additional correspondence from the TCEQ regarding the proposed effluent limits. We are coordinating with the TCEQ to address their concerns and expect to submit comments next week.
- 13. Buffalo Springs Dr. Road Reconstruction** – We are continuing with the design of the roadway improvements project, and plan to submit for agency review this month. As a reminder, this project is being funded by a funding agreement with Home Depot and the City.
- 14. Buffalo Springs Dr. & SH-105 Traffic Signal** – We are nearing completion of the bid package, subject to receipt of the final plans from TxDOT. We plan to submit for agency review upon receipt. As a reminder this project is being funded by a funding agreement with Home Depot and the City.

#### 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 received revised plans on November 7<sup>th</sup> and provided plan approval on November 27<sup>th</sup>.
- c. **Redbird Meadows Phase 1A Water, Sanitary and Drainage** – We received revised plans on October 4<sup>th</sup> and provided comments on November 2<sup>nd</sup>. We have not received a revised plan set.
- d. **Redbird Meadows MCMUD 215 Lift Station No. 1** – We received revised plans on November 17<sup>th</sup> and are proceeding with our review.
- e. **Montgomery Bend Subdivision Recreation Center** – We received the site civil plans on November 7<sup>th</sup> and provided comments on November 22<sup>nd</sup>.
- f. **Lupe Tortilla** – As a reminder we originally provided plan approval on August 2<sup>nd</sup>. On November 14<sup>th</sup> we received revised plans and provided comments on December 5<sup>th</sup>. We have received revised plans on December 6<sup>th</sup> and are continuing with our review.
- g. **MISD CTE/Ag Complex (Earthwork)** – We received plans on November 9<sup>th</sup> and provided comments on November 30<sup>th</sup>. We have not received revised plans.
- h. **MISD CTE/Ag Complex (Civil)** – We received plans on November 30<sup>th</sup> and are proceeding with our review.

## 2. Plat Reviews

- a. **Superior Properties Preliminary Plat** – We did not receive a revised plat this month.
- b. **Montgomery Bend Section 3 Preliminary Plat** – We received the preliminary plat on October 20th and provided comments on November 1<sup>st</sup>. We received a revised plat on November 29<sup>th</sup> and provided further comments November 29<sup>th</sup>. We received a further revised set on November 30<sup>th</sup> and recommended preliminary plat approval to the Planning & Zoning Commission at their December 5<sup>th</sup> meeting.
- c. **Montgomery Bend Section 4 Preliminary Plat** – We received the preliminary plat on October 20th and provided comments on November 1<sup>st</sup>. We received a revised plat on November 29<sup>th</sup> and recommended preliminary plat approval to the Planning & Zoning Commission at their December 5<sup>th</sup> meeting.

## 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 inspected the offsite public waterline on October 12<sup>th</sup> and issued punchlist items at that time. The contractor has since addressed all items punchlist items.
- b. **MUD No. 224 Lift Station (City of Montgomery Lift Station No. 15)** – The contractor has begun construction of the public lift station including excavation and installation of the wet well.



*Excavation of the Lift Station  
wet well October 24th*



*Installation of the Lift Station  
wet well October 25th*

- c. **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.

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 reviewed the exhibit and are discussing next steps with TxDOT.
- b. **Access Management along SH-105 from Grimes County Line to Shepperd Street** – According to TxDOT, the first phase of the project is scheduled to begin in Summer 2026. 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 City's new operator, Hays Utility North Corporation.
- 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. **Lone Star Parkway and Buffalo Springs Signal Improvements** – It is our understanding that Montgomery County received the signal equipment and has begun construction.

Honorable Mayor and City Council  
City of Montgomery  
Page 6 of 6  
December 7, 2023

---

- 6. Lone Star Parkway and Buffalo Springs Roadway Improvements** – The contractor is continuing construction on the roadway improvements. As a reminder, the scope of this project includes the addition of turn lanes on Lone Star Parkway.

Please let me know if you have any questions.

Sincerely,



Chris Roznovsky, PE  
City Engineer

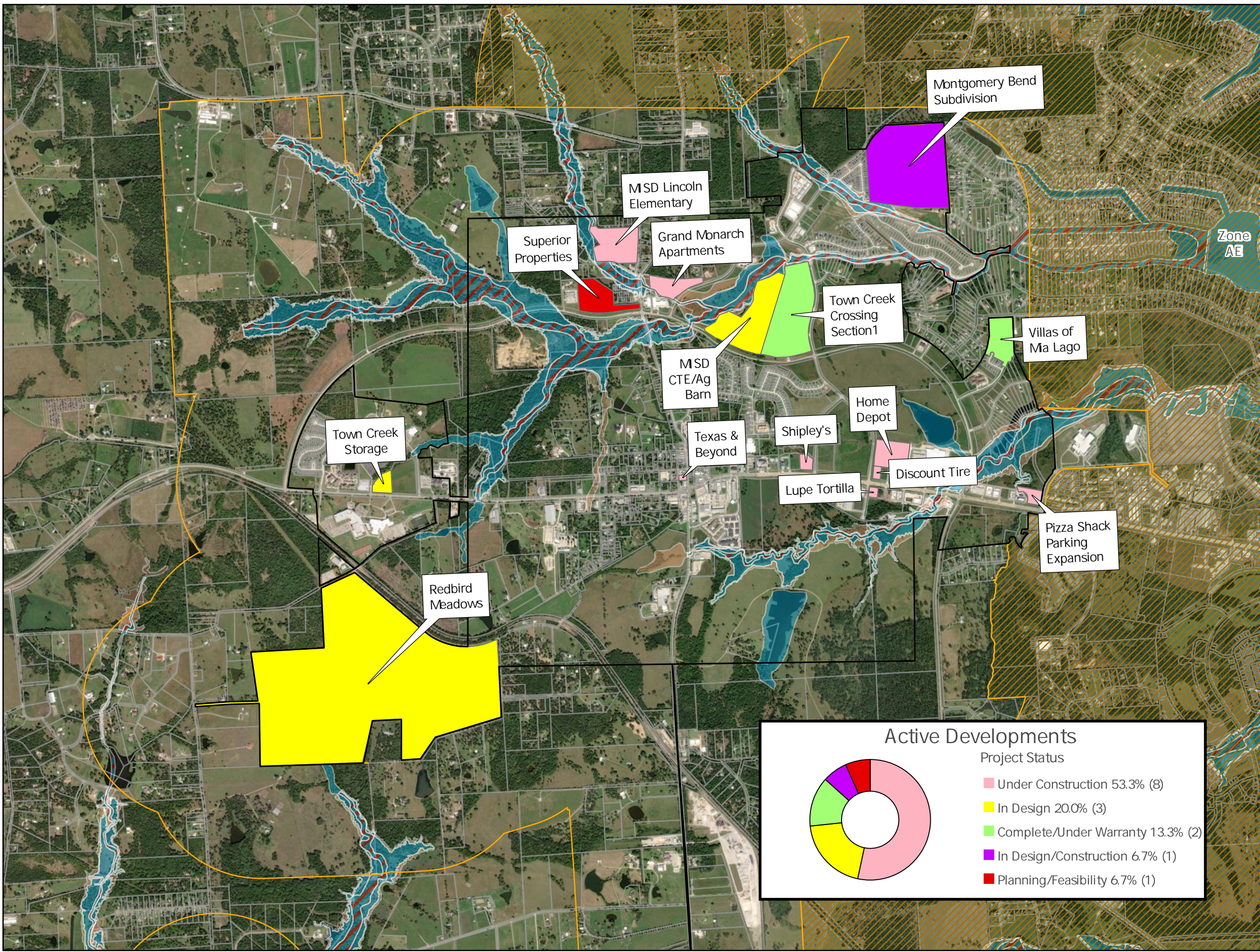
CVR/kv:zlg

Z:\00574 (City of Montgomery)\\_900 General Consultation\Meeting Files\Engineer's Reports\2023\12.2023\Review\12-2023 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



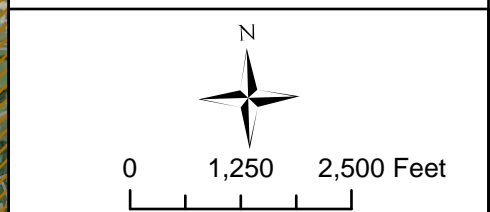


**Legend**

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

**Development Status**

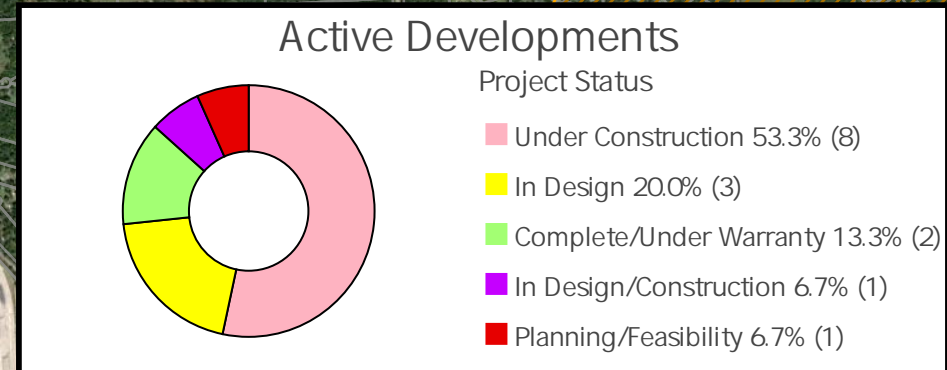
- Complete/Under Warranty
- In Design
- In Design/Construction
- Planning/Feasibility
- Under Construction
- Floodway
- 100-year
- 500-year



Active Developments Map  
December 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.





City of Montgomery Capital Project Schedule

Task	Start	End	Cal. Days	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24
Old Plantersville Waterline Extension																
Design	7/30/2022	12/15/2023	503													
Approvals	12/16/2023	1/15/2024	30													
Bidding	1/16/2024	2/6/2024	21													
Present ROA to Client	2/7/2024	2/9/2024	2													
Prepare Contracts	2/10/2024	2/17/2024	7													
Execute Contracts	2/18/2024	3/9/2024	20													
Issue Notice to Proceed	3/10/2024	3/17/2024	7													
Construction	3/18/2024	6/26/2024	100													
Old Plantersville Force Main Extension																
Design	8/13/2022	11/17/2023	430													
Approvals	11/18/2023	12/5/2023	17													
Bidding	12/6/2023	1/10/2024	35													
Present ROA to Client	1/11/2024	1/13/2024	2													
Prepare Contracts	1/14/2024	1/20/2024	6													
Execute Contracts	1/21/2024	2/10/2024	20													
Issue Notice to Proceed	2/11/2024	2/17/2024	6													
Construction	2/18/2024	5/28/2024	100													
Downtown Drainage Analysis																
Survey	7/7/2022	4/7/2023	274													
Analysis	4/7/2023	7/5/2023	90													
Report	7/6/2023	12/20/2023	168													
2023 Sanitary Sewer Rehabilitation Phase I																
Survey	11/11/2022	2/7/2023	88													
Design	2/7/2023	5/11/2023	93													
Bidding	5/18/2023	6/1/2023	14													
Present ROA to Client	6/13/2023	6/13/2023	0													
Prepare Contracts	6/14/2023	6/20/2023	6													
Execute Contracts	6/20/2023	11/12/2023	145													
Issue Notice to Proceed	11/13/2023	11/17/2023	4													
Construction	9/11/2023	2/8/2024	150													
2023 Sanitary Sewer Rehabilitation Phase II																
Survey	11/11/2022	2/7/2023	88													
Design	2/7/2023	6/5/2023	118													
Approvals	6/6/2023	8/24/2023	79													
Bidding	2/10/2024	3/11/2024	30													
Present ROA to Client	3/12/2024	3/12/2024	0													
Prepare Contracts	3/13/2024	3/19/2024	6													
Execute Contracts	3/20/2024	4/3/2024	14													
Issue Notice to Proceed	4/4/2024	4/4/2024	0													
Construction	4/5/2024	9/2/2024	150													

City of Montgomery Capital Project Schedule

Task	Start	End	Cal. Days	Dec-23	Jan-24	Feb-24	Mar-24	Apr-24	May-24	Jun-24	Jul-24	Aug-24	Sep-24	Oct-24	Nov-24	Dec-24
Lift Station No. 10 Improvements																
Design	2/27/2023	11/14/2023	260													
Approvals	11/15/2023	12/5/2023	20													
Bidding	12/6/2023	1/10/2024	35													
Present ROA to Client	1/11/2024	1/23/2024	12													
Prepare Contracts	1/24/2024	1/30/2024	6													
Execute Contracts	1/31/2024	2/6/2024	6													
Issue Notice to Proceed	2/18/2024	2/24/2024	6													
Construction	2/25/2024	5/22/2024	87													
Buffalo Springs Drive Road Reconstruction																
Design	10/30/2023	1/1/2024	63													
Approvals	1/4/2024	1/10/2024	6													
Bidding	1/25/2024	3/6/2024	41													
Present ROA to Client	3/12/2024	3/18/2024	6													
Prepare Contracts	3/20/2024	4/11/2024	22													
Execute Contracts	4/15/2024	4/19/2024	4													
Issue Notice to Proceed	4/22/2024	4/29/2024	7													
Construction	4/29/2024	9/16/2024	140													
Buffalo Springs Drive & SH-105 Traffic Signal																
Design	10/30/2023	1/20/2024	82													
Approvals*	1/6/2024	1/26/2024	20													
Bidding	1/26/2024	1/31/2024	5													
Present ROA to Client	2/14/2024	2/20/2024	6													
Prepare Contracts	2/22/2024	3/15/2024	22													
Execute Contracts	3/19/2024	3/23/2024	4													
Issue Notice to Proceed	3/26/2024	4/2/2024	7													
Construction	4/2/2024	9/24/2024	175													



# City of Montgomery

## Financial Report

As of October 31, 2023



City of Montgomery, TX

Item 20.

# Budget Report Group Summary

For Fiscal: 2023-2024 Period Ending: 10/31/2023

Departmen...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
<b>Fund: 100 - General Fund</b>						
<b>Revenue</b>						
00 - Revenue	5,921,740.00	5,921,740.00	429,442.81	429,442.81	-5,492,297.19	92.75%
<b>Revenue Total:</b>	<b>5,921,740.00</b>	<b>5,921,740.00</b>	<b>429,442.81</b>	<b>429,442.81</b>	<b>-5,492,297.19</b>	<b>92.75%</b>
<b>Expense</b>						
10 - Administration	2,177,362.00	2,177,362.00	83,388.53	83,388.53	2,093,973.47	96.17%
11 - Police	2,559,776.00	2,559,776.00	175,190.23	175,190.23	2,384,585.77	93.16%
12 - Public Works	866,915.00	866,915.00	33,824.53	33,824.53	833,090.47	96.10%
13 - Court	317,687.00	317,687.00	21,730.05	21,730.05	295,956.95	93.16%
<b>Expense Total:</b>	<b>5,921,740.00</b>	<b>5,921,740.00</b>	<b>314,133.34</b>	<b>314,133.34</b>	<b>5,607,606.66</b>	<b>94.70%</b>
<b>Fund: 100 - General Fund Surplus (Deficit):</b>	<b>0.00</b>	<b>0.00</b>	<b>115,309.47</b>	<b>115,309.47</b>	<b>115,309.47</b>	<b>0.00%</b>
<b>Fund: 150 - Montgomery PID</b>						
<b>Revenue</b>						
00 - Revenue	40,000.00	40,000.00	0.00	0.00	-40,000.00	100.00%
<b>Revenue Total:</b>	<b>40,000.00</b>	<b>40,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>-40,000.00</b>	<b>100.00%</b>
<b>Expense</b>						
15 - Montgomery PID	40,000.00	40,000.00	0.00	0.00	40,000.00	100.00%
<b>Expense Total:</b>	<b>40,000.00</b>	<b>40,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>40,000.00</b>	<b>100.00%</b>
<b>Fund: 150 - Montgomery PID Surplus (Deficit):</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00%</b>
<b>Fund: 200 - Capital Projects</b>						
<b>Revenue</b>						
00 - Revenue	0.00	0.00	22,328.65	22,328.65	22,328.65	0.00%
<b>Revenue Total:</b>	<b>0.00</b>	<b>0.00</b>	<b>22,328.65</b>	<b>22,328.65</b>	<b>22,328.65</b>	<b>0.00%</b>
<b>Fund: 200 - Capital Projects Total:</b>	<b>0.00</b>	<b>0.00</b>	<b>22,328.65</b>	<b>22,328.65</b>	<b>22,328.65</b>	<b>0.00%</b>
<b>Fund: 300 - Water &amp; Sewer</b>						
<b>Revenue</b>						
00 - Revenue	4,281,550.00	4,281,550.00	533,134.80	533,134.80	-3,748,415.20	87.55%
<b>Revenue Total:</b>	<b>4,281,550.00</b>	<b>4,281,550.00</b>	<b>533,134.80</b>	<b>533,134.80</b>	<b>-3,748,415.20</b>	<b>87.55%</b>
<b>Expense</b>						
30 - Water & Sewer	4,281,550.00	4,281,550.00	161,534.95	161,534.95	4,120,015.05	96.23%
<b>Expense Total:</b>	<b>4,281,550.00</b>	<b>4,281,550.00</b>	<b>161,534.95</b>	<b>161,534.95</b>	<b>4,120,015.05</b>	<b>96.23%</b>
<b>Fund: 300 - Water &amp; Sewer Surplus (Deficit):</b>	<b>0.00</b>	<b>0.00</b>	<b>371,599.85</b>	<b>371,599.85</b>	<b>371,599.85</b>	<b>0.00%</b>
<b>Fund: 400 - MEDC</b>						
<b>Revenue</b>						
00 - Revenue	1,167,000.00	1,167,000.00	119,050.54	119,050.54	-1,047,949.46	89.80%
<b>Revenue Total:</b>	<b>1,167,000.00</b>	<b>1,167,000.00</b>	<b>119,050.54</b>	<b>119,050.54</b>	<b>-1,047,949.46</b>	<b>89.80%</b>
<b>Expense</b>						
40 - MEDC	1,167,000.00	1,167,000.00	49,887.94	49,887.94	1,117,112.06	95.73%
<b>Expense Total:</b>	<b>1,167,000.00</b>	<b>1,167,000.00</b>	<b>49,887.94</b>	<b>49,887.94</b>	<b>1,117,112.06</b>	<b>95.73%</b>
<b>Fund: 400 - MEDC Surplus (Deficit):</b>	<b>0.00</b>	<b>0.00</b>	<b>69,162.60</b>	<b>69,162.60</b>	<b>69,162.60</b>	<b>0.00%</b>
<b>Fund: 500 - Debt Service</b>						
<b>Revenue</b>						
00 - Revenue	899,847.00	899,847.00	44,476.01	44,476.01	-855,370.99	95.06%
<b>Revenue Total:</b>	<b>899,847.00</b>	<b>899,847.00</b>	<b>44,476.01</b>	<b>44,476.01</b>	<b>-855,370.99</b>	<b>95.06%</b>
<b>Expense</b>						
50 - Debt Service	895,557.00	895,557.00	0.00	0.00	895,557.00	100.00%

## Budget Report

For Fiscal: 2023-2024 Period Ending: 10/31/2023

Departmen...	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
Expense Total:	895,557.00	895,557.00	0.00	0.00	895,557.00	100.00%
Fund: 500 - Debt Service Surplus (Deficit):	4,290.00	4,290.00	44,476.01	44,476.01	40,186.01	-936.74%
<b>Fund: 700 - Court Security</b>						
Revenue						
00 - Revenue	0.00	1,500.00	12.41	12.41	-1,487.59	99.17%
Revenue Total:	0.00	1,500.00	12.41	12.41	-1,487.59	99.17%
Expense						
70 - Court Security	0.00	1,500.00	0.00	0.00	1,500.00	100.00%
Expense Total:	0.00	1,500.00	0.00	0.00	1,500.00	100.00%
Fund: 700 - Court Security Surplus (Deficit):	0.00	0.00	12.41	12.41	12.41	0.00%
<b>Fund: 750 - Court Technology</b>						
Revenue						
00 - Revenue	690.00	690.00	20.37	20.37	-669.63	97.05%
Revenue Total:	690.00	690.00	20.37	20.37	-669.63	97.05%
Fund: 750 - Court Technology Total:	690.00	690.00	20.37	20.37	-669.63	97.05%
<b>Fund: 800 - Hotel Occupancy</b>						
Revenue						
00 - Revenue	5,030.00	5,030.00	764.20	764.20	-4,265.80	84.81%
Revenue Total:	5,030.00	5,030.00	764.20	764.20	-4,265.80	84.81%
Expense						
80 - Hotel Occupancy	5,000.00	5,000.00	0.00	0.00	5,000.00	100.00%
Expense Total:	5,000.00	5,000.00	0.00	0.00	5,000.00	100.00%
Fund: 800 - Hotel Occupancy Surplus (Deficit):	30.00	30.00	764.20	764.20	734.20	-2,447.33%
<b>Fund: 850 - Police Asset</b>						
Revenue						
00 - Revenue	0.00	0.00	1.64	1.64	1.64	0.00%
Revenue Total:	0.00	0.00	1.64	1.64	1.64	0.00%
Fund: 850 - Police Asset Total:	0.00	0.00	1.64	1.64	1.64	0.00%
Report Surplus (Deficit):	5,010.00	5,010.00	623,675.20	623,675.20	618,665.20	12,348.61%

## Budget Report

For Fiscal: 2023-2024 Period Ending: 10/31/2023

## Fund Summary

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)
100 - General Fund	0.00	0.00	115,309.47	115,309.47	115,309.47
150 - Montgomery PID	0.00	0.00	0.00	0.00	0.00
200 - Capital Projects	0.00	0.00	22,328.65	22,328.65	22,328.65
300 - Water & Sewer	0.00	0.00	371,599.85	371,599.85	371,599.85
400 - MEDC	0.00	0.00	69,162.60	69,162.60	69,162.60
500 - Debt Service	4,290.00	4,290.00	44,476.01	44,476.01	40,186.01
700 - Court Security	0.00	0.00	12.41	12.41	12.41
750 - Court Technology	690.00	690.00	20.37	20.37	-669.63
800 - Hotel Occupancy	30.00	30.00	764.20	764.20	734.20
850 - Police Asset	0.00	0.00	1.64	1.64	1.64
<b>Report Surplus (Deficit):</b>	<b>5,010.00</b>	<b>5,010.00</b>	<b>623,675.20</b>	<b>623,675.20</b>	<b>618,665.20</b>





City of Montgomery, TX

Item 20.

# Cash Analysis Report

## Account Summary

Date Range: 10/01/2023 - 10/31/2023

	Beginning Balance	Bank Drafts	Checks	Deposits	EFTs	SVC Charges	Interest	Misc / None	Net Change	Ending Balance	Avg Daily Bal
<b>100 - General Fund</b>											
100-11100-00000	137,899.49	-156,840.27	-249,476.53	635,464.85	-151,748.41	-1,462.93	51.83	10.71	75,999.25	213,898.74	195,916.23
100-11210-00000	373,336.40	0.00	0.00	0.00	0.00	0.00	1,699.19	0.00	1,699.19	375,035.59	373,391.21
100-11230-00000	2,334,903.97	0.00	0.00	0.00	0.00	0.00	10,626.94	0.00	10,626.94	2,345,530.91	2,335,246.77
<b>Fund 100 Total:</b>	<b>2,846,139.86</b>	<b>-156,840.27</b>	<b>-249,476.53</b>	<b>635,464.85</b>	<b>-151,748.41</b>	<b>-1,462.93</b>	<b>12,377.96</b>	<b>10.71</b>	<b>88,325.38</b>	<b>2,934,465.24</b>	
<b>200 - Capital Projects</b>											
200-21100-00000	122,735.42	0.00	0.00	107,798.24	0.00	0.00	27.98	0.00	107,826.22	230,561.64	223,579.84
200-21110-00000	354,275.63	0.00	0.00	0.00	0.00	0.00	1,612.46	0.00	1,612.46	355,888.09	354,327.64
200-21120-00000	107,342.19	-107,798.24	0.00	0.00	0.00	0.00	456.05	0.00	-107,342.19	0.00	6,513.39
200-21140-00000	49,207.70	0.00	0.00	0.00	0.00	0.00	223.99	0.00	223.99	49,431.69	49,214.93
200-21150-00000	10,536.93	0.00	0.00	0.00	0.00	0.00	47.97	0.00	47.97	10,584.90	10,538.48
200-21160-00000	723,642.74	0.00	0.00	0.00	0.00	0.00	3,293.53	0.00	3,293.53	726,936.27	723,748.98
<b>Fund 200 Total:</b>	<b>1,367,740.61</b>	<b>-107,798.24</b>	<b>0.00</b>	<b>107,798.24</b>	<b>0.00</b>	<b>0.00</b>	<b>5,661.98</b>	<b>0.00</b>	<b>5,661.98</b>	<b>1,373,402.59</b>	
<b>300 - Water &amp; Sewer</b>											
300-31100-00000	728,342.36	0.00	-168,997.40	622,998.83	-100,000.00	-2,746.31	206.98	-162.69	351,299.41	1,079,641.77	1,004,564.56
300-31200-00000	1,830,596.76	0.00	0.00	0.00	0.00	0.00	8,331.71	0.00	8,331.71	1,838,928.47	1,830,865.52
<b>Fund 300 Total:</b>	<b>2,558,939.12</b>	<b>0.00</b>	<b>-168,997.40</b>	<b>622,998.83</b>	<b>-100,000.00</b>	<b>-2,746.31</b>	<b>8,538.69</b>	<b>-162.69</b>	<b>359,631.12</b>	<b>2,918,570.24</b>	
<b>400 - MEDC</b>											
400-41100-00000	394,406.67	0.00	-11,059.74	0.00	0.00	0.00	79.88	0.00	-10,979.86	383,426.81	385,979.75
400-41110-00000	1,473,187.10	0.00	0.00	0.00	0.00	0.00	6,705.01	0.00	6,705.01	1,479,892.11	1,473,403.39
400-41120-00000	249,351.82	0.00	0.00	0.00	0.00	0.00	1,134.91	0.00	1,134.91	250,486.73	249,388.43
400-41130-00000	210,754.35	0.00	0.00	0.00	0.00	0.00	959.20	0.00	959.20	211,713.55	210,785.29
<b>Fund 400 Total:</b>	<b>2,327,699.94</b>	<b>0.00</b>	<b>-11,059.74</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>8,879.00</b>	<b>0.00</b>	<b>-2,180.74</b>	<b>2,325,519.20</b>	
<b>500 - Debt Service</b>											
500-51100-00000	48,801.63	0.00	0.00	0.00	0.00	0.00	20.06	0.00	20.06	48,821.69	48,802.28
500-51110-00000	515.79	0.00	0.00	0.00	0.00	0.00	2.48	0.00	2.48	518.27	515.87
<b>Fund 500 Total:</b>	<b>49,317.42</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>22.54</b>	<b>0.00</b>	<b>22.54</b>	<b>49,339.96</b>	
<b>600 - Grant Acct</b>											
600-61100-00000	10.02	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10.02	10.02
600-61200-00000	10.02	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	10.02	10.02
<b>Fund 600 Total:</b>	<b>20.04</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>20.04</b>	

## Cash Analysis Report

Date Range: 10/01/2023 - 10/31/2023

	Beginning Balance	Bank Drafts	Checks	Deposits	EFTs	SVC Charges	Interest	Misc / None	Net Change	Ending Balance	Avg Daily Bal
<b>700 - Court Security</b>											
700-71100-00000	3,341.63	0.00	0.00	0.00	0.00	0.00	0.41	0.00	0.41	3,342.04	3,341.64
<b>Fund 700 Total:</b>	<b>3,341.63</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.41</b>	<b>0.00</b>	<b>0.41</b>	<b>3,342.04</b>	
<b>750 - Court Technology</b>											
750-71100-00000	26,582.51	0.00	0.00	0.00	0.00	0.00	4.37	0.00	4.37	26,586.88	26,582.65
<b>Fund 750 Total:</b>	<b>26,582.51</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>4.37</b>	<b>0.00</b>	<b>4.37</b>	<b>26,586.88</b>	
<b>800 - Hotel Occupancy</b>											
800-81100-00000	22,189.24	0.00	0.00	760.47	0.00	0.00	3.73	0.00	764.20	22,953.44	22,689.77
<b>Fund 800 Total:</b>	<b>22,189.24</b>	<b>0.00</b>	<b>0.00</b>	<b>760.47</b>	<b>0.00</b>	<b>0.00</b>	<b>3.73</b>	<b>0.00</b>	<b>764.20</b>	<b>22,953.44</b>	
<b>850 - Police Asset</b>											
850-81100-00000	13,275.99	0.00	0.00	0.00	0.00	0.00	1.64	0.00	1.64	13,277.63	13,276.04
<b>Fund 850 Total:</b>	<b>13,275.99</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>1.64</b>	<b>0.00</b>	<b>1.64</b>	<b>13,277.63</b>	

## Cash Analysis Report

Date Range: 10/01/2023 - 10/31/2023

## Fund Summary

Fund	Beginning Balance	Bank Drafts	Checks	Deposits	EFTs	SVC Charges	Interest	Misc / None	Net Change	Ending Balance
100	2,846,139.86	-156,840.27	-249,476.53	635,464.85	-151,748.41	-1,462.93	12,377.96	10.71	88,325.38	2,934,465.24
200	1,367,740.61	-107,798.24	0.00	107,798.24	0.00	0.00	5,661.98	0.00	5,661.98	1,373,402.59
300	2,558,939.12	0.00	-168,997.40	622,998.83	-100,000.00	-2,746.31	8,538.69	-162.69	359,631.12	2,918,570.24
400	2,327,699.94	0.00	-11,059.74	0.00	0.00	0.00	8,879.00	0.00	-2,180.74	2,325,519.20
500	49,317.42	0.00	0.00	0.00	0.00	0.00	22.54	0.00	22.54	49,339.96
600	20.04	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	20.04
700	3,341.63	0.00	0.00	0.00	0.00	0.00	0.41	0.00	0.41	3,342.04
750	26,582.51	0.00	0.00	0.00	0.00	0.00	4.37	0.00	4.37	26,586.88
800	22,189.24	0.00	0.00	760.47	0.00	0.00	3.73	0.00	764.20	22,953.44
850	13,275.99	0.00	0.00	0.00	0.00	0.00	1.64	0.00	1.64	13,277.63
<b>Report Total:</b>	<b>9,215,246.36</b>	<b>-264,638.51</b>	<b>-429,533.67</b>	<b>1,367,022.39</b>	<b>-251,748.41</b>	<b>-4,209.24</b>	<b>35,490.32</b>	<b>-151.98</b>	<b>452,230.90</b>	<b>9,667,477.26</b>



City of Montgomery, TX

Item 20.

# Check Report

By Check Number

Date Range: 10/01/2023 - 10/31/2023

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
<b>Bank Code: AP General-AP General Fund</b>						
2417	Giovanna Guzman	10/03/2023	Regular	0.00	500.00	33947
5480	JC Magical Moonwalks	10/03/2023	Regular	0.00	526.60	33948
5480	JC Magical Moonwalks	10/03/2023	Regular	0.00	-526.60	33948
5145	Kevin Smith.	10/03/2023	Regular	0.00	400.00	33949
1038	Accurate Utility Supply, LLC	10/04/2023	Regular	0.00	11,123.64	33950
1727	City of Montgomery - Utility Fund	10/04/2023	Regular	0.00	7,148.99	33951
1831	Consolidated Communications	10/04/2023	Regular	0.00	146.35	33952
2595	Home Depot	10/04/2023	Regular	0.00	83.64	33953
3343	Luxury Air Commercial Services	10/04/2023	Regular	0.00	16,317.92	33954
3695	NAPA Auto Parts	10/04/2023	Regular	0.00	24.77	33955
4563	Texas Municipal Utilities Association	10/04/2023	Regular	0.00	75.00	33956
4822	UniFirst Holdings, Inc.	10/04/2023	Regular	0.00	256.96	33957
2683	Iron Mountain	10/04/2023	Regular	0.00	244.08	33958
3778	OCS	10/04/2023	Regular	0.00	1,000.00	33959
3893	Perdue, Brandon, Fielder, Collins, & Mott	10/04/2023	Regular	0.00	962.65	33960
3914	Pitney Bowes Global Financial Svcs, LLC	10/04/2023	Regular	0.00	1,005.00	33961
4088	Rick Hanna, CBO	10/04/2023	Regular	0.00	25,631.62	33962
4250	SGR-Strategic Govt Resource, Inc.	10/04/2023	Regular	0.00	3,620.22	33963
4371	Staples Business Credit	10/04/2023	Regular	0.00	179.98	33964
4663	Thomas Printing & Publishing	10/04/2023	Regular	0.00	323.63	33965
4700	TML - IRP	10/04/2023	Regular	0.00	10,451.43	33966
5205	CivicPlus	10/04/2023	Regular	0.00	2,714.98	33967
3778	OCS	10/04/2023	Regular	0.00	2,000.00	33968
3818	Optiquet Internet Services, Inc	10/04/2023	Regular	0.00	176.88	33969
5243	RCI Technologies Inc.	10/04/2023	Regular	0.00	600.00	33970
5236	Chad Peace	10/10/2023	Regular	0.00	684.09	33971
2610	Houston Chronicle	10/10/2023	Regular	0.00	1,236.39	33972
4371	Staples Business Credit	10/10/2023	Regular	0.00	73.18	33973
2206	Entergy	10/10/2023	Regular	0.00	2,110.80	33974
3761	Northwest Pest Patrol	10/10/2023	Regular	0.00	797.50	33975
4150	Rotary Club of Lake Conroe	10/10/2023	Regular	0.00	666.60	33976
4859	Verizon	10/10/2023	Regular	0.00	369.48	33977
4860	Verizon Connect NWF, Inc	10/10/2023	Regular	0.00	95.70	33978
1831	Consolidated Communications	10/11/2023	Regular	0.00	1,655.60	33979
5236	Chad Peace	10/11/2023	Regular	0.00	1,000.00	33980
5173	Corinne A. Tilley	10/11/2023	Regular	0.00	71.26	33981
5483	Crystal Cauthron	10/11/2023	Regular	0.00	150.00	33982
2443	Gordon B. Dudley, Jr.	10/11/2023	Regular	0.00	450.00	33983
3189	Larry Evans	10/11/2023	Regular	0.00	550.00	33984
3430	MCCI	10/11/2023	Regular	0.00	6,967.00	33985
3496	Michael Shirley	10/11/2023	Regular	0.00	450.00	33986
4605	The Courier	10/11/2023	Regular	0.00	17.00	33987
3496	Michael Shirley	10/11/2023	Regular	0.00	450.00	33988
1670	Christian Brothers Automotive	10/13/2023	Regular	0.00	76.52	33989
2663	Innovative Collision and Accessories LLC	10/13/2023	Regular	0.00	667.50	33990
5480	JC Magical Moonwalks	10/13/2023	Regular	0.00	349.00	33991
3436	McCoy's Building Supply Corporation	10/13/2023	Regular	0.00	11.16	33992
5116	Valvoline Instant Oil Change	10/13/2023	Regular	0.00	110.46	33993
1133	Amazon Capital Services	10/13/2023	Regular	0.00	53.02	33994
3450	Medical Air Services Association	10/13/2023	Regular	0.00	196.00	33995
5053	Office Pride	10/13/2023	Regular	0.00	799.20	33996
1786	Cody's Lawn Service LLC	10/19/2023	Regular	0.00	12,530.00	33997
2206	Entergy	10/19/2023	Regular	0.00	1,193.54	33998
2850	Jim's Hardware	10/19/2023	Regular	0.00	968.27	33999

## Check Report

Date Range: 10/01/2023 - 10/31/2023

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
3226	LDC	10/19/2023	Regular	0.00	45.85	34000
3436	McCoy's Building Supply Corporation	10/19/2023	Regular	0.00	1,855.96	34001
3775	O'Reilly Automotive, Inc.	10/19/2023	Regular	0.00	631.54	34002
4975	Wex Bank	10/19/2023	Regular	0.00	1,716.69	34003
1114	Allen's Safe and Lock, LLC	10/19/2023	Regular	0.00	25.00	34004
1125	Always Answer	10/19/2023	Regular	0.00	47.56	34005
1133	Amazon Capital Services	10/19/2023	Regular	0.00	64.99	34006
1266	Auto Trust Repairs	10/19/2023	Regular	0.00	100.50	34007
1876	Crown Paper and Chemical Inc.	10/19/2023	Regular	0.00	120.00	34008
2928	Johnson Petrov LLP	10/19/2023	Regular	0.00	8,617.89	34009
3645	Montgomery SH 105 Associates, LLC	10/19/2023	Regular	0.00	66,736.24	34010
1133	Amazon Capital Services	10/19/2023	Regular	0.00	13.20	34011
5486	Kathy Tucker	10/19/2023	Regular	0.00	150.00	34012
3586	Montgomery County Clerk's Office	10/19/2023	Regular	0.00	1,000.00	34013
3818	Optiquet Internet Services, Inc	10/19/2023	Regular	0.00	410.00	34014
4088	Rick Hanna, CBO	10/19/2023	Regular	0.00	5,900.00	34015
1133	Amazon Capital Services	10/26/2023	Regular	0.00	134.85	34016
4955	Weisinger Materials, Inc.	10/26/2023	Regular	0.00	112.00	34017
1133	Amazon Capital Services	10/26/2023	Regular	0.00	92.56	34018
1831	Consolidated Communications	10/26/2023	Regular	0.00	300.57	34019
2595	Home Depot	10/26/2023	Regular	0.00	767.94	34020
3894	Perez Masonry	10/26/2023	Regular	0.00	1,200.00	34021
4152	Rothco Tree Service, LLC	10/26/2023	Regular	0.00	830.00	34022
4910	Waller County Asphalt	10/26/2023	Regular	0.00	331.10	34023
3431	MCCI, LLC	10/26/2023	Regular	0.00	225.00	34024
2527	Harris County Treasurer	10/26/2023	Regular	0.00	3,000.00	34025
2610	Houston Chronicle	10/26/2023	Regular	0.00	113.60	34026
5311	JustFOIA, Inc.	10/26/2023	Regular	0.00	6,237.00	34027
3762	Northwoods Insurance Agency L.L.C.	10/26/2023	Regular	0.00	425.00	34028
3914	Pitney Bowes Global Financial Svcs, LLC	10/26/2023	Regular	0.00	428.46	34029
4700	TML - IRP	10/26/2023	Regular	0.00	12,603.14	34030
1548	Card Service Center	10/26/2023	Regular	0.00	11,647.42	34031
2174	IRS - EFTPS	10/02/2023	Bank Draft	0.00	-47.50	DFT0000448
2174	IRS - EFTPS	10/02/2023	Bank Draft	0.00	-203.00	DFT0000449
2174	IRS - EFTPS	10/02/2023	Bank Draft	0.00	-196.47	DFT0000450
3789	Office of the Attorney General	10/06/2023	Bank Draft	0.00	830.77	DFT0000451
2174	IRS - EFTPS	10/11/2023	Bank Draft	0.00	2,810.42	DFT0000452
2174	IRS - EFTPS	10/11/2023	Bank Draft	0.00	12,017.10	DFT0000453
2174	IRS - EFTPS	10/11/2023	Bank Draft	0.00	10,065.21	DFT0000454
4591	Texas Workforce Commission	10/11/2023	Bank Draft	0.00	267.52	DFT0000462
4709	TMRS	10/10/2023	Bank Draft	0.00	16,706.07	DFT0000463
4709	TMRS	10/10/2023	Bank Draft	0.00	16,422.27	DFT0000464
4709	TMRS	10/11/2023	Bank Draft	0.00	26.53	DFT0000465
4582	Texas State Comptroller	10/11/2023	Bank Draft	0.00	39,913.12	DFT0000466
2174	IRS - EFTPS	10/23/2023	Bank Draft	0.00	88.72	DFT0000467
2174	IRS - EFTPS	10/23/2023	Bank Draft	0.00	379.38	DFT0000468
2174	IRS - EFTPS	10/23/2023	Bank Draft	0.00	381.91	DFT0000469
3789	Office of the Attorney General	10/20/2023	Bank Draft	0.00	830.77	DFT0000470
2174	IRS - EFTPS	10/25/2023	Bank Draft	0.00	2,673.86	DFT0000471
2174	IRS - EFTPS	10/25/2023	Bank Draft	0.00	11,433.20	DFT0000472
2174	IRS - EFTPS	10/25/2023	Bank Draft	0.00	8,569.38	DFT0000473

## Check Report

Date Range: 10/01/2023 - 10/31/2023

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
4705	TML-Health	10/04/2023	Bank Draft	0.00	33,871.01	DFT0000484

## Bank Code AP General Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	122	85	0.00	246,147.67
Manual Checks	0	0	0.00	0.00
Voided Checks	0	1	0.00	-526.60
Bank Drafts	38	20	0.00	156,840.27
EFT's	0	0	0.00	0.00
	160	106	0.00	402,461.34

## Check Report

Date Range: 10/01/2023 - 10/31/2023

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
Bank Code: AP MEDC-AP MEDC Account						
5091	Charlie Diggs Entertainment	10/04/2023	Regular	0.00	8,000.00	2426
5424	Patricia Campuzano.	10/04/2023	Regular	0.00	50.00	2427
1324	Belles Booster Club, Inc.	10/10/2023	Regular	0.00	50.00	2428
5482	Maria Carmen Machado	10/10/2023	Regular	0.00	-300.00	2429
5482	Maria Carmen Machado	10/10/2023	Regular	0.00	300.00	2429
5481	McKinney Restaurant Mgmt Inc	10/10/2023	Regular	0.00	50.00	2430
5481	McKinney Restaurant Mgmt Inc	10/10/2023	Regular	0.00	-50.00	2430
5253	The Rancher's Daughter.	10/10/2023	Regular	0.00	50.00	2431
5300	Universal Cuts	10/10/2023	Regular	0.00	50.00	2432
1133	Amazon Capital Services	10/10/2023	Regular	0.00	459.74	2433
1860	Cozy Grape Wine Bar	10/10/2023	Regular	0.00	100.00	2434
5145	Kevin Smith.	10/13/2023	Regular	0.00	450.00	2435
5481	McKinney Restaurant Mgmt Inc	10/13/2023	Regular	0.00	50.00	2436
2718	Jacob McRae	10/26/2023	Regular	0.00	200.00	2437
3189	Larry Evans	10/26/2023	Regular	0.00	200.00	2438
4685	Timothy Bauer	10/26/2023	Regular	0.00	200.00	2439
5343	Charles Mistic	10/26/2023	Regular	0.00	200.00	2440
5492	Cody Orum	10/26/2023	Regular	0.00	200.00	2441
5492	Cody Orum	10/26/2023	Regular	0.00	-200.00	2441
5122	Jacory Dozier	10/26/2023	Regular	0.00	200.00	2442
5185	Jessica Edelman	10/26/2023	Regular	0.00	200.00	2443
3089	Kevin Thompson	10/26/2023	Regular	0.00	200.00	2444
5487	Norris Hayter	10/26/2023	Regular	0.00	200.00	2445
4037	Reed Edelman	10/26/2023	Regular	0.00	200.00	2446

## Bank Code AP MEDC Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	25	21	0.00	11,609.74
Manual Checks	0	0	0.00	0.00
Voided Checks	0	3	0.00	-550.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	<b>25</b>	<b>24</b>	<b>0.00</b>	<b>11,059.74</b>



## Check Report

Date Range: 10/01/2023 - 10/31/2023

Vendor Number	Vendor Name	Payment Date	Payment Type	Discount Amount	Payment Amount	Number
<b>Bank Code: AP Water &amp; Sewer-AP Water &amp; Sewer Account</b>						
1284	Badger Meter	10/04/2023	Regular	0.00	1,278.93	16324
2117	DSHS Central Lab MC2004	10/04/2023	Regular	0.00	213.92	16325
2130	DXI Industries Inc.	10/04/2023	Regular	0.00	1,143.78	16326
4801	Tyler Technologies	10/04/2023	Regular	0.00	331.25	16327
4801	Tyler Technologies	10/04/2023	Regular	0.00	41.00	16328
4930	Waste Management of Texas, Inc.	10/04/2023	Regular	0.00	1,316.36	16329
4926	Waste Management	10/10/2023	Regular	0.00	26,699.09	16330
2206	Entergy	10/10/2023	Regular	0.00	9,242.33	16331
4508	Techline Pipe, L.P.	10/10/2023	Regular	0.00	1,216.56	16332
4551	Texas Excavation Safety System, Inc.	10/10/2023	Regular	0.00	111.15	16333
1778	Coburn's Conroe Inc.	10/19/2023	Regular	0.00	188.62	16334
2130	DXI Industries Inc.	10/19/2023	Regular	0.00	100.00	16335
2206	Entergy	10/19/2023	Regular	0.00	37.34	16336
2498	H2O Innovation	10/19/2023	Regular	0.00	51,014.97	16337
3226	LDC	10/19/2023	Regular	0.00	53.03	16338
3436	McCoy's Building Supply Corporation	10/19/2023	Regular	0.00	17.99	16339
5294	Elite Pumps & Mechanical Services, LLC	10/19/2023	Regular	0.00	3,065.64	16340
5484	Northstar Industries	10/19/2023	Regular	0.00	7,126.00	16341
1133	Amazon Capital Services	10/19/2023	Regular	0.00	51.71	16342
2206	Entergy	10/26/2023	Regular	0.00	4,388.54	16343
2498	H2O Innovation	10/26/2023	Regular	0.00	59,030.59	16344
4901	Vulcan Materials Company	10/26/2023	Regular	0.00	738.20	16345

## Bank Code AP Water &amp; Sewer Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	41	22	0.00	167,407.00
Manual Checks	0	0	0.00	0.00
Voided Checks	0	0	0.00	0.00
Bank Drafts	0	0	0.00	0.00
EFT's	0	0	0.00	0.00
	<b>41</b>	<b>22</b>	<b>0.00</b>	<b>167,407.00</b>

## All Bank Codes Check Summary

Payment Type	Payable Count	Payment Count	Discount	Payment
Regular Checks	188	128	0.00	425,164.41
Manual Checks	0	0	0.00	0.00
Voided Checks	0	4	0.00	-1,076.60
Bank Drafts	38	20	0.00	156,840.27
EFT's	0	0	0.00	0.00
	<b>226</b>	<b>152</b>	<b>0.00</b>	<b>580,928.08</b>

## Fund Summary

Fund	Name	Period	Amount
100	General Fund	10/2023	402,461.34
300	Water & Sewer	10/2023	167,407.00
400	MEDC	10/2023	11,059.74
			<b>580,928.08</b>



City of Montgomery, TX

# Budget Report

## Account Summary

For Fiscal: 2023-2024 Period Ending: 10/31/2023

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
<b>Fund: 100 - General Fund</b>							
<b>Revenue</b>							
<b>Department: 00 - Revenue</b>							
<a href="#">100-00-14010-0000000</a>	Mixed Beverage Tax	25,000.00	25,000.00	2,159.72	2,159.72	-22,840.28	91.36 %
<a href="#">100-00-14020-0000000</a>	Franchise Tax	95,000.00	95,000.00	0.00	0.00	-95,000.00	100.00 %
<a href="#">100-00-14030-0000000</a>	Ad Valorem Taxes - Current	1,414,900.00	1,414,900.00	15,254.27	15,254.27	-1,399,645.73	98.92 %
<a href="#">100-00-14035-0000000</a>	Ad Valorem Taxes - Delinquent	0.00	0.00	9,070.02	9,070.02	9,070.02	0.00 %
<a href="#">100-00-14050-0000000</a>	Penalties & Interest - Current	10,000.00	10,000.00	0.00	0.00	-10,000.00	100.00 %
<a href="#">100-00-14055-0000000</a>	Penalties & Interest - Delinquent	0.00	0.00	1,900.17	1,900.17	1,900.17	0.00 %
<a href="#">100-00-14060-0000000</a>	Rendition Penalties	100.00	100.00	0.00	0.00	-100.00	100.00 %
<a href="#">100-00-14070-0000000</a>	Sales Tax	2,300,000.00	2,300,000.00	220,343.09	220,343.09	-2,079,656.91	90.42 %
<a href="#">100-00-14080-0000000</a>	Sales Tax ILO AdVal Tax	1,100,000.00	1,100,000.00	110,171.54	110,171.54	-989,828.46	89.98 %
<a href="#">100-00-14110-0000000</a>	Building Permits/MEP	395,000.00	395,000.00	12,234.00	12,234.00	-382,766.00	96.90 %
<a href="#">100-00-14120-0000000</a>	Vendor/Beverage Permits	2,500.00	2,500.00	625.00	625.00	-1,875.00	75.00 %
<a href="#">100-00-14130-0000000</a>	Sign Fees	3,000.00	3,000.00	0.00	0.00	-3,000.00	100.00 %
<a href="#">100-00-14140-0000000</a>	Plats, Zoning, Misc.	3,000.00	3,000.00	0.00	0.00	-3,000.00	100.00 %
<a href="#">100-00-14150-0000000</a>	Culverts	1,000.00	1,000.00	0.00	0.00	-1,000.00	100.00 %
<a href="#">100-00-14210-0000000</a>	Community Building Rental	15,000.00	15,000.00	2,100.00	2,100.00	-12,900.00	86.00 %
<a href="#">100-00-14230-0000000</a>	Right of Way Use Fees	6,000.00	6,000.00	0.00	0.00	-6,000.00	100.00 %
<a href="#">100-00-14340-0000000</a>	Child Belt/Safety	100.00	100.00	25.00	25.00	-75.00	75.00 %
<a href="#">100-00-14360-0000000</a>	Fines	164,250.00	164,250.00	20,072.31	20,072.31	-144,177.69	87.78 %
<a href="#">100-00-14400-0000000</a>	Judicial Efficiency	90.00	90.00	2.40	2.40	-87.60	97.33 %
<a href="#">100-00-14530-0000000</a>	Wrecker Service Fees	250.00	250.00	0.00	0.00	-250.00	100.00 %
<a href="#">100-00-14570-0000000</a>	Lease Funds - PD	1,050.00	1,050.00	0.00	0.00	-1,050.00	100.00 %
<a href="#">100-00-14600-0000000</a>	Shop with a Cop	2,500.00	2,500.00	0.00	0.00	-2,500.00	100.00 %
<a href="#">100-00-14650-0000000</a>	Unanticipated Income	30,000.00	30,000.00	189.34	189.34	-29,810.66	99.37 %
<a href="#">100-00-14670-0000000</a>	Interest Income	1,500.00	1,500.00	53.15	53.15	-1,446.85	96.46 %
<a href="#">100-00-14680-0000000</a>	Interest on Investments	40,000.00	40,000.00	12,326.13	12,326.13	-27,673.87	69.18 %
<a href="#">100-00-14950-0000000</a>	Admin from MEDC	275,000.00	275,000.00	22,916.67	22,916.67	-252,083.33	91.67 %
<a href="#">100-00-14960-0000000</a>	Admin from Court Security	1,500.00	1,500.00	0.00	0.00	-1,500.00	100.00 %
<a href="#">100-00-14980-0000000</a>	Admin from Capital Projects	35,000.00	35,000.00	0.00	0.00	-35,000.00	100.00 %
<b>Department: 00 - Revenue Total:</b>		<b>5,921,740.00</b>	<b>5,921,740.00</b>	<b>429,442.81</b>	<b>429,442.81</b>	<b>-5,492,297.19</b>	<b>92.75%</b>
<b>Revenue Total:</b>		<b>5,921,740.00</b>	<b>5,921,740.00</b>	<b>429,442.81</b>	<b>429,442.81</b>	<b>-5,492,297.19</b>	<b>92.75%</b>
<b>Expense</b>							
<b>Department: 10 - Administration</b>							
<a href="#">100-10-16002-0000000</a>	Health Insurance	85,144.00	85,144.00	4,388.88	4,388.88	80,755.12	94.85 %
<a href="#">100-10-16003-0000000</a>	Unemployment Insurance	70.00	70.00	0.00	0.00	70.00	100.00 %
<a href="#">100-10-16004-0000000</a>	Workers Comp	1,738.00	1,738.00	123.86	123.86	1,614.14	92.87 %
<a href="#">100-10-16008-0000000</a>	Payroll Taxes	50,161.00	50,161.00	2,977.36	2,977.36	47,183.64	94.06 %
<a href="#">100-10-16009-0000000</a>	Wages	632,944.00	632,944.00	40,534.42	40,534.42	592,409.58	93.60 %
<a href="#">100-10-16010-0000000</a>	Overtime	697.00	697.00	0.00	0.00	697.00	100.00 %
<a href="#">100-10-16011-0000000</a>	Employee Assistance Program	500.00	500.00	0.00	0.00	500.00	100.00 %
<a href="#">100-10-16012-0000000</a>	Retirement Expense	65,265.00	65,265.00	4,175.05	4,175.05	61,089.95	93.60 %
<a href="#">100-10-16101-0000000</a>	Advertising / Promotion	6,500.00	6,500.00	0.00	0.00	6,500.00	100.00 %
<a href="#">100-10-16102-0000000</a>	Legal Notices & Publications	3,500.00	3,500.00	113.60	113.60	3,386.40	96.75 %
<a href="#">100-10-16103-0000000</a>	Recording Fees	2,000.00	2,000.00	1,000.00	1,000.00	1,000.00	50.00 %
<a href="#">100-10-16104-0000000</a>	Community Relations	4,000.00	4,000.00	0.00	0.00	4,000.00	100.00 %
<a href="#">100-10-16105-0000000</a>	Codification	3,000.00	3,000.00	1,464.98	1,464.98	1,535.02	51.17 %
<a href="#">100-10-16106-0000000</a>	Records Mgt / Retention	2,000.00	2,000.00	600.00	600.00	1,400.00	70.00 %
<a href="#">100-10-16107-0000000</a>	Records Requests FOIA Program	2,500.00	2,500.00	0.00	0.00	2,500.00	100.00 %
<a href="#">100-10-16108-0000000</a>	Vendor Subscriptions	2,500.00	2,500.00	17.00	17.00	2,483.00	99.32 %
<a href="#">100-10-16202-0000000</a>	General Consultant Fees	150,000.00	150,000.00	0.00	0.00	150,000.00	100.00 %

## Budget Report

For Fiscal: 2023-2024 Period Ending: 10/31/2023

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
<a href="#">100-10-16209-0000000</a>	Records Shredding	1,000.00	1,000.00	0.00	0.00	1,000.00	100.00 %
<a href="#">100-10-16210-0000000</a>	Inspections/Permits	300,000.00	300,000.00	5,900.00	5,900.00	294,100.00	98.03 %
<a href="#">100-10-16213-0000000</a>	Legal Fees	90,000.00	90,000.00	0.00	0.00	90,000.00	100.00 %
<a href="#">100-10-16216-0000000</a>	Audit Fees	36,000.00	36,000.00	0.00	0.00	36,000.00	100.00 %
<a href="#">100-10-16239-0000000</a>	Printing & Office supplies	7,000.00	7,000.00	66.22	66.22	6,933.78	99.05 %
<a href="#">100-10-16242-0000000</a>	Postage/Delivery	3,500.00	3,500.00	383.23	383.23	3,116.77	89.05 %
<a href="#">100-10-16243-0000000</a>	Telephone	12,000.00	12,000.00	656.53	656.53	11,343.47	94.53 %
<a href="#">100-10-16244-0000000</a>	Tax Assessor Fees	16,000.00	16,000.00	0.00	0.00	16,000.00	100.00 %
<a href="#">100-10-16245-0000000</a>	Election	26,000.00	26,000.00	0.00	0.00	26,000.00	100.00 %
<a href="#">100-10-16249-0000000</a>	Computer/Technology	37,500.00	37,500.00	15,080.22	15,080.22	22,419.78	59.79 %
<a href="#">100-10-16254-0000000</a>	Software Upgrades	11,000.00	11,000.00	0.00	0.00	11,000.00	100.00 %
<a href="#">100-10-16257-0000000</a>	Medical Exams & Testing	2,000.00	2,000.00	0.00	0.00	2,000.00	100.00 %
<a href="#">100-10-16404-0000000</a>	Copier/Fax Machine	11,000.00	11,000.00	882.50	882.50	10,117.50	91.98 %
<a href="#">100-10-16417-0000000</a>	Capital Pur. Furniture	1,000.00	1,000.00	0.00	0.00	1,000.00	100.00 %
<a href="#">100-10-16502-0000000</a>	Dues & Subscriptions	4,000.00	4,000.00	0.00	0.00	4,000.00	100.00 %
<a href="#">100-10-16503-0000000</a>	Travel & Training Staff	20,000.00	20,000.00	1,767.27	1,767.27	18,232.73	91.16 %
<a href="#">100-10-16504-0000000</a>	Travel & Training Council	2,500.00	2,500.00	1,000.00	1,000.00	1,500.00	60.00 %
<a href="#">100-10-16701-0000000</a>	Insurance - Liability	1,855.00	1,855.00	154.59	154.59	1,700.41	91.67 %
<a href="#">100-10-16702-0000000</a>	Insurance - Property	2,579.00	2,579.00	214.89	214.89	2,364.11	91.67 %
<a href="#">100-10-16703-0000000</a>	Insurance - Bond	500.00	500.00	425.00	425.00	75.00	15.00 %
<a href="#">100-10-17001-0000000</a>	Misc Expenses - Other	1,000.00	1,000.00	1,462.93	1,462.93	-462.93	-46.29 %
<a href="#">100-10-17006-0000000</a>	Transfer to Surplus	183,109.00	183,109.00	0.00	0.00	183,109.00	100.00 %
<a href="#">100-10-17020-0000000</a>	Misc Expenses - Employee Appreciat..	5,000.00	5,000.00	0.00	0.00	5,000.00	100.00 %
<a href="#">100-10-17310-KROGERO</a>	Tax Abatement -Sales Tax Rebate	250,000.00	250,000.00	0.00	0.00	250,000.00	100.00 %
<a href="#">100-10-17320-380AGRO</a>	Tax Abatement - 380 Ad Valorem T...	140,300.00	140,300.00	0.00	0.00	140,300.00	100.00 %
<b>Department: 10 - Administration Total:</b>		<b>2,177,362.00</b>	<b>2,177,362.00</b>	<b>83,388.53</b>	<b>83,388.53</b>	<b>2,093,973.47</b>	<b>96.17%</b>
<b>Department: 11 - Police</b>							
<a href="#">100-11-16002-0000000</a>	Health Insurance	225,774.00	225,774.00	13,826.10	13,826.10	211,947.90	93.88 %
<a href="#">100-11-16003-0000000</a>	Unemployment Insurance	162.00	162.00	5.20	5.20	156.80	96.79 %
<a href="#">100-11-16004-0000000</a>	Workers Comp	33,127.00	33,127.00	3,096.17	3,096.17	30,030.83	90.65 %
<a href="#">100-11-16008-0000000</a>	Payroll Taxes	106,538.00	106,538.00	7,440.32	7,440.32	99,097.68	93.02 %
<a href="#">100-11-16009-0000000</a>	Wages	1,332,656.00	1,332,656.00	99,490.58	99,490.58	1,233,165.42	92.53 %
<a href="#">100-11-16010-0000000</a>	Overtime	60,000.00	60,000.00	1,474.19	1,474.19	58,525.81	97.54 %
<a href="#">100-11-16011-0000000</a>	Employee Assistance Program	500.00	500.00	0.00	0.00	500.00	100.00 %
<a href="#">100-11-16012-0000000</a>	Retirement Expense	143,444.00	143,444.00	10,385.13	10,385.13	133,058.87	92.76 %
<a href="#">100-11-16104-0000000</a>	Community Relations	6,000.00	6,000.00	2,146.22	2,146.22	3,853.78	64.23 %
<a href="#">100-11-16108-0000000</a>	Vendor Subscriptions	561.00	561.00	0.00	0.00	561.00	100.00 %
<a href="#">100-11-16209-0000000</a>	Records Shredding	500.00	500.00	0.00	0.00	500.00	100.00 %
<a href="#">100-11-16227-0000000</a>	Gas/Oil	55,000.00	55,000.00	5,851.42	5,851.42	49,148.58	89.36 %
<a href="#">100-11-16229-0000000</a>	Auto Repairs	35,000.00	35,000.00	872.48	872.48	34,127.52	97.51 %
<a href="#">100-11-16230-0000000</a>	Equipment repairs	5,000.00	5,000.00	0.00	0.00	5,000.00	100.00 %
<a href="#">100-11-16239-0000000</a>	Printing & Office supplies	4,000.00	4,000.00	0.00	0.00	4,000.00	100.00 %
<a href="#">100-11-16241-0000000</a>	Computers/Website	6,500.00	6,500.00	0.00	0.00	6,500.00	100.00 %
<a href="#">100-11-16242-0000000</a>	Postage/Delivery	500.00	500.00	11.53	11.53	488.47	97.69 %
<a href="#">100-11-16243-0000000</a>	Telephone	10,000.00	10,000.00	794.99	794.99	9,205.01	92.05 %
<a href="#">100-11-16247-0000000</a>	Mobile Data Terminals	14,000.00	14,000.00	0.00	0.00	14,000.00	100.00 %
<a href="#">100-11-16249-0000000</a>	Computer/Technology	45,000.00	45,000.00	82.00	82.00	44,918.00	99.82 %
<a href="#">100-11-16257-0000000</a>	Medical Exams & Testing	1,000.00	1,000.00	0.00	0.00	1,000.00	100.00 %
<a href="#">100-11-16401-0000000</a>	Radio Fees	6,500.00	6,500.00	0.00	0.00	6,500.00	100.00 %
<a href="#">100-11-16402-0000000</a>	Uniforms & Safety Equip	10,000.00	10,000.00	0.00	0.00	10,000.00	100.00 %
<a href="#">100-11-16403-0000000</a>	Protective Gear	10,500.00	10,500.00	0.00	0.00	10,500.00	100.00 %
<a href="#">100-11-16404-0000000</a>	Copier/Fax Machine	6,000.00	6,000.00	465.00	465.00	5,535.00	92.25 %
<a href="#">100-11-16405-0000000</a>	Operating Supplies	6,000.00	6,000.00	0.00	0.00	6,000.00	100.00 %
<a href="#">100-11-16411-0000000</a>	Tools, Etc,	300.00	300.00	0.00	0.00	300.00	100.00 %
<a href="#">100-11-16415-0000000</a>	Emergency Equipment	22,500.00	22,500.00	0.00	0.00	22,500.00	100.00 %
<a href="#">100-11-16416-0000000</a>	Radios	25,000.00	25,000.00	0.00	0.00	25,000.00	100.00 %
<a href="#">100-11-16417-0000000</a>	Capital Pur. Furniture	2,000.00	2,000.00	0.00	0.00	2,000.00	100.00 %
<a href="#">100-11-16502-0000000</a>	Dues & Subscriptions	2,500.00	2,500.00	0.00	0.00	2,500.00	100.00 %

## Budget Report

For Fiscal: 2023-2024 Period Ending: 10/31/2023

		Original	Current	Period	Fiscal	Variance	Percent
		Total Budget	Total Budget	Activity	Activity	Favorable (Unfavorable)	Remaining
<a href="#">100-11-16503-0000000</a>	Travel & Training Staff	25,000.00	25,000.00	612.50	612.50	24,387.50	97.55 %
<a href="#">100-11-16701-0000000</a>	Insurance - Liability	25,355.00	25,355.00	2,112.90	2,112.90	23,242.10	91.67 %
<a href="#">100-11-16702-0000000</a>	Insurance - Property	10,006.00	10,006.00	833.85	833.85	9,172.15	91.67 %
<a href="#">100-11-16906-0000000</a>	Capital Outlay - Police Cars	150,000.00	150,000.00	0.00	0.00	150,000.00	100.00 %
<a href="#">100-11-16907-0000000</a>	Capital Outlay - Emergency Lights, ...	7,000.00	7,000.00	0.00	0.00	7,000.00	100.00 %
<a href="#">100-11-16910-0000000</a>	Capital Outlay - Vehicle Replacemen...	15,000.00	15,000.00	0.00	0.00	15,000.00	100.00 %
<a href="#">100-11-16911-0000000</a>	Capital Outlay - Computers Equipm...	25,000.00	25,000.00	0.00	0.00	25,000.00	100.00 %
<a href="#">100-11-16912-0000000</a>	Capital Outlay - Tyler Public Safety	17,622.00	17,622.00	0.00	0.00	17,622.00	100.00 %
<a href="#">100-11-16913-0000000</a>	Capital Outlay - Radar	8,000.00	8,000.00	0.00	0.00	8,000.00	100.00 %
<a href="#">100-11-16916-0000000</a>	Capital Outlay - Investigate & Testin...	14,000.00	14,000.00	500.65	500.65	13,499.35	96.42 %
<a href="#">100-11-16917-0000000</a>	Capital Outlay - Ballistic Vests & Shie...	7,560.00	7,560.00	0.00	0.00	7,560.00	100.00 %
<a href="#">100-11-16919-0000000</a>	Capital Outlay - Patrol Weapons	41,871.00	41,871.00	0.00	0.00	41,871.00	100.00 %
<a href="#">100-11-16920-0000000</a>	Capital Outlay - Traffic Equipment	25,000.00	25,000.00	25,000.00	25,000.00	0.00	0.00 %
<a href="#">100-11-16921-0000000</a>	Capital Outlay - Office Maintenance	11,800.00	11,800.00	189.00	189.00	11,611.00	98.40 %
<b>Department: 11 - Police Total:</b>		<b>2,559,776.00</b>	<b>2,559,776.00</b>	<b>175,190.23</b>	<b>175,190.23</b>	<b>2,384,585.77</b>	<b>93.16%</b>
<b>Department: 12 - Public Works</b>							
<a href="#">100-12-16002-0000000</a>	Health Insurance	36,907.00	36,907.00	2,138.02	2,138.02	34,768.98	94.21 %
<a href="#">100-12-16003-0000000</a>	Unemployment Insurance	68.00	68.00	1.54	1.54	66.46	97.74 %
<a href="#">100-12-16004-0000000</a>	Workers Comp	3,937.00	3,937.00	288.98	288.98	3,648.02	92.66 %
<a href="#">100-12-16008-0000000</a>	Payroll Taxes	14,546.00	14,546.00	1,295.24	1,295.24	13,250.76	91.10 %
<a href="#">100-12-16009-0000000</a>	Wages	184,644.00	184,644.00	16,399.98	16,399.98	168,244.02	91.12 %
<a href="#">100-12-16010-0000000</a>	Overtime	5,500.00	5,500.00	549.74	549.74	4,950.26	90.00 %
<a href="#">100-12-16011-0000000</a>	Employee Assistance Program	500.00	500.00	0.00	0.00	500.00	100.00 %
<a href="#">100-12-16012-0000000</a>	Retirement Expense	16,956.00	16,956.00	1,407.19	1,407.19	15,548.81	91.70 %
<a href="#">100-12-16104-0000000</a>	Community Relations	1,000.00	1,000.00	0.00	0.00	1,000.00	100.00 %
<a href="#">100-12-16108-0000000</a>	Vendor Subscriptions	561.00	561.00	0.00	0.00	561.00	100.00 %
<a href="#">100-12-16208-0000000</a>	Mowing	140,000.00	140,000.00	6,655.00	6,655.00	133,345.00	95.25 %
<a href="#">100-12-16217-0000000</a>	Engineering	110,000.00	110,000.00	0.00	0.00	110,000.00	100.00 %
<a href="#">100-12-16224-0000000</a>	City Hall Cleaning	14,900.00	14,900.00	0.00	0.00	14,900.00	100.00 %
<a href="#">100-12-16225-0000000</a>	Downtown Repairs	1,500.00	1,500.00	0.00	0.00	1,500.00	100.00 %
<a href="#">100-12-16226-0000000</a>	Maint - Vehicles & Equipment	3,500.00	3,500.00	50.25	50.25	3,449.75	98.56 %
<a href="#">100-12-16227-0000000</a>	Gas/Oil	14,000.00	14,000.00	0.00	0.00	14,000.00	100.00 %
<a href="#">100-12-16229-0000000</a>	Auto Repairs	6,000.00	6,000.00	0.00	0.00	6,000.00	100.00 %
<a href="#">100-12-16230-0000000</a>	Equipment repairs	4,000.00	4,000.00	25.00	25.00	3,975.00	99.38 %
<a href="#">100-12-16231-0000000</a>	Bldg Repairs-City Hall	18,000.00	18,000.00	319.61	319.61	17,680.39	98.22 %
<a href="#">100-12-16232-0000000</a>	Street Repairs - Minor	10,000.00	10,000.00	331.10	331.10	9,668.90	96.69 %
<a href="#">100-12-16233-0000000</a>	Streets-Preventive Maintenance	7,700.00	7,700.00	0.00	0.00	7,700.00	100.00 %
<a href="#">100-12-16237-0000000</a>	Mosquito Spraying	6,000.00	6,000.00	0.00	0.00	6,000.00	100.00 %
<a href="#">100-12-16238-0000000</a>	Street Signs	3,300.00	3,300.00	0.00	0.00	3,300.00	100.00 %
<a href="#">100-12-16239-0000000</a>	Printing & Office supplies	1,600.00	1,600.00	46.28	46.28	1,553.72	97.11 %
<a href="#">100-12-16241-0000000</a>	Computers/Website	750.00	750.00	0.00	0.00	750.00	100.00 %
<a href="#">100-12-16242-0000000</a>	Postage/Delivery	750.00	750.00	0.00	0.00	750.00	100.00 %
<a href="#">100-12-16243-0000000</a>	Telephone	9,000.00	9,000.00	587.35	587.35	8,412.65	93.47 %
<a href="#">100-12-16249-0000000</a>	Computer/Technology	18,000.00	18,000.00	626.22	626.22	17,373.78	96.52 %
<a href="#">100-12-16255-0000000</a>	Bldg Repairs - Comm Center	5,000.00	5,000.00	23.96	23.96	4,976.04	99.52 %
<a href="#">100-12-16402-0000000</a>	Uniforms & Safety Equip	4,700.00	4,700.00	-214.77	-214.77	4,914.77	104.57 %
<a href="#">100-12-16405-0000000</a>	Operating Supplies	10,900.00	10,900.00	128.82	128.82	10,771.18	98.82 %
<a href="#">100-12-16406-0000000</a>	Streets & Drainage	2,000.00	2,000.00	0.00	0.00	2,000.00	100.00 %
<a href="#">100-12-16407-0000000</a>	Supplies & Equipment - Cedar Break...	2,000.00	2,000.00	30.00	30.00	1,970.00	98.50 %
<a href="#">100-12-16408-0000000</a>	Supplies & Equipment - Homecomi...	2,000.00	2,000.00	30.00	30.00	1,970.00	98.50 %
<a href="#">100-12-16409-0000000</a>	Supplies & Equipment - Fernland Pa...	2,000.00	2,000.00	62.70	62.70	1,937.30	96.87 %
<a href="#">100-12-16410-0000000</a>	Supplies & Equipment - Community...	2,000.00	2,000.00	30.00	30.00	1,970.00	98.50 %
<a href="#">100-12-16411-0000000</a>	Tools, Etc,	3,300.00	3,300.00	426.40	426.40	2,873.60	87.08 %
<a href="#">100-12-16412-0000000</a>	Supplies & Equipment - Memory Pa...	2,000.00	2,000.00	30.00	30.00	1,970.00	98.50 %
<a href="#">100-12-16413-0000000</a>	Culverts	3,000.00	3,000.00	0.00	0.00	3,000.00	100.00 %
<a href="#">100-12-16502-0000000</a>	Dues & Subscriptions	2,000.00	2,000.00	0.00	0.00	2,000.00	100.00 %
<a href="#">100-12-16503-0000000</a>	Travel & Training Staff	5,500.00	5,500.00	153.27	153.27	5,346.73	97.21 %
<a href="#">100-12-16601-0000000</a>	Park Maint - Memory Pk	10,000.00	10,000.00	0.00	0.00	10,000.00	100.00 %

## Budget Report

For Fiscal: 2023-2024 Period Ending: 10/31/2023

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
<a href="#">100-12-16602-0000000</a>	Park Maint - Fernland	10,000.00	10,000.00	0.00	0.00	10,000.00	100.00 %
<a href="#">100-12-16603-0000000</a>	Park Maint - Cedar Brake Park	10,000.00	10,000.00	0.00	0.00	10,000.00	100.00 %
<a href="#">100-12-16604-0000000</a>	Park Maint - Homecoming Park	10,000.00	10,000.00	0.00	0.00	10,000.00	100.00 %
<a href="#">100-12-16701-0000000</a>	Insurance - Liability	4,694.00	4,694.00	391.19	391.19	4,302.81	91.67 %
<a href="#">100-12-16702-0000000</a>	Insurance - Property	1,427.00	1,427.00	118.94	118.94	1,308.06	91.67 %
<a href="#">100-12-16803-0000000</a>	Utilities - Electronic Sign-City	1,500.00	1,500.00	0.00	0.00	1,500.00	100.00 %
<a href="#">100-12-16804-0000000</a>	Utilities - Street Lights	13,200.00	13,200.00	0.00	0.00	13,200.00	100.00 %
<a href="#">100-12-16805-0000000</a>	Utilities - Downtown Utilities	1,320.00	1,320.00	0.00	0.00	1,320.00	100.00 %
<a href="#">100-12-16806-0000000</a>	Utilities - Cedar Brake Park	2,420.00	2,420.00	0.00	0.00	2,420.00	100.00 %
<a href="#">100-12-16807-0000000</a>	Utilities - Homecoming Park	1,650.00	1,650.00	0.00	0.00	1,650.00	100.00 %
<a href="#">100-12-16808-0000000</a>	Utilities - Fernland Park	6,500.00	6,500.00	300.57	300.57	6,199.43	95.38 %
<a href="#">100-12-16809-0000000</a>	Utilities - City Hall	14,300.00	14,300.00	0.00	0.00	14,300.00	100.00 %
<a href="#">100-12-16811-0000000</a>	Utilities - Community Center Buildi...	6,000.00	6,000.00	0.00	0.00	6,000.00	100.00 %
<a href="#">100-12-16812-0000000</a>	Utilities - Memory Park	8,000.00	8,000.00	0.00	0.00	8,000.00	100.00 %
<a href="#">100-12-16813-0000000</a>	Utilities - 213 Prairie	1,885.00	1,885.00	0.00	0.00	1,885.00	100.00 %
<a href="#">100-12-16911-0000000</a>	Capital Outlay - Computers Equipm...	3,000.00	3,000.00	0.00	0.00	3,000.00	100.00 %
<a href="#">100-12-16922-0000000</a>	Capital Outlay - Public Works Items	10,000.00	10,000.00	0.00	0.00	10,000.00	100.00 %
<a href="#">100-12-16923-0000000</a>	Capital Outlay - General Improvem...	20,000.00	20,000.00	761.95	761.95	19,238.05	96.19 %
<a href="#">100-12-16924-0000000</a>	Capital Outlay - Drainage Improvem...	10,000.00	10,000.00	0.00	0.00	10,000.00	100.00 %
<a href="#">100-12-16926-0000000</a>	Capital Outlay - Park Improvements	40,000.00	40,000.00	0.00	0.00	40,000.00	100.00 %
<a href="#">100-12-17001-0000000</a>	Misc Expenses - Other	1,000.00	1,000.00	0.00	0.00	1,000.00	100.00 %
<a href="#">100-12-17150-0000000</a>	Contract Labor - Streets	0.00	0.00	830.00	830.00	-830.00	0.00 %
<b>Department: 12 - Public Works Total:</b>		<b>866,915.00</b>	<b>866,915.00</b>	<b>33,824.53</b>	<b>33,824.53</b>	<b>833,090.47</b>	<b>96.10%</b>
<b>Department: 13 - Court</b>							
<a href="#">100-13-16002-0000000</a>	Health Insurance	34,433.00	34,433.00	2,305.02	2,305.02	32,127.98	93.31 %
<a href="#">100-13-16003-0000000</a>	Unemployment Insurance	27.00	27.00	0.00	0.00	27.00	100.00 %
<a href="#">100-13-16004-0000000</a>	Workers Comp	452.00	452.00	41.28	41.28	410.72	90.87 %
<a href="#">100-13-16007-0000000</a>	Crime Insurance	500.00	500.00	40.71	40.71	459.29	91.86 %
<a href="#">100-13-16008-0000000</a>	Payroll Taxes	12,890.00	12,890.00	963.05	963.05	11,926.95	92.53 %
<a href="#">100-13-16009-0000000</a>	Wages	166,096.00	166,096.00	12,519.00	12,519.00	153,577.00	92.46 %
<a href="#">100-13-16010-0000000</a>	Overtime	2,400.00	2,400.00	410.09	410.09	1,989.91	82.91 %
<a href="#">100-13-16011-0000000</a>	Employee Assistance Program	500.00	500.00	0.00	0.00	500.00	100.00 %
<a href="#">100-13-16012-0000000</a>	Retirement Expense	17,355.00	17,355.00	1,331.69	1,331.69	16,023.31	92.33 %
<a href="#">100-13-16104-0000000</a>	Community Relations	400.00	400.00	0.00	0.00	400.00	100.00 %
<a href="#">100-13-16108-0000000</a>	Vendor Subscriptions	250.00	250.00	0.00	0.00	250.00	100.00 %
<a href="#">100-13-16202-0000000</a>	General Consultant Fees	12,000.00	12,000.00	0.00	0.00	12,000.00	100.00 %
<a href="#">100-13-16207-0000000</a>	Prosecutors Fees	10,000.00	10,000.00	900.00	900.00	9,100.00	91.00 %
<a href="#">100-13-16209-0000000</a>	Records Shredding	250.00	250.00	0.00	0.00	250.00	100.00 %
<a href="#">100-13-16211-0000000</a>	Judge's Fee	12,000.00	12,000.00	1,000.00	1,000.00	11,000.00	91.67 %
<a href="#">100-13-16239-0000000</a>	Printing & Office supplies	1,400.00	1,400.00	0.00	0.00	1,400.00	100.00 %
<a href="#">100-13-16241-0000000</a>	Computers/Website	4,500.00	4,500.00	0.00	0.00	4,500.00	100.00 %
<a href="#">100-13-16242-0000000</a>	Postage/Delivery	2,600.00	2,600.00	406.01	406.01	2,193.99	84.38 %
<a href="#">100-13-16243-0000000</a>	Telephone	4,000.00	4,000.00	0.00	0.00	4,000.00	100.00 %
<a href="#">100-13-16249-0000000</a>	Computer/Technology	15,000.00	15,000.00	626.22	626.22	14,373.78	95.83 %
<a href="#">100-13-16402-0000000</a>	Uniforms & Safety Equip	100.00	100.00	0.00	0.00	100.00	100.00 %
<a href="#">100-13-16404-0000000</a>	Copier/Fax Machine	8,000.00	8,000.00	817.50	817.50	7,182.50	89.78 %
<a href="#">100-13-16405-0000000</a>	Operating Supplies	2,500.00	2,500.00	0.00	0.00	2,500.00	100.00 %
<a href="#">100-13-16417-0000000</a>	Capital Pur. Furniture	3,000.00	3,000.00	0.00	0.00	3,000.00	100.00 %
<a href="#">100-13-16502-0000000</a>	Dues & Subscriptions	500.00	500.00	0.00	0.00	500.00	100.00 %
<a href="#">100-13-16503-0000000</a>	Travel & Training Staff	2,000.00	2,000.00	0.00	0.00	2,000.00	100.00 %
<a href="#">100-13-16701-0000000</a>	Insurance - Liability	1,855.00	1,855.00	154.59	154.59	1,700.41	91.67 %
<a href="#">100-13-16702-0000000</a>	Insurance - Property	2,579.00	2,579.00	214.89	214.89	2,364.11	91.67 %
<a href="#">100-13-17001-0000000</a>	Misc Expenses - Other	100.00	100.00	0.00	0.00	100.00	100.00 %
<b>Department: 13 - Court Total:</b>		<b>317,687.00</b>	<b>317,687.00</b>	<b>21,730.05</b>	<b>21,730.05</b>	<b>295,956.95</b>	<b>93.16%</b>
<b>Expense Total:</b>		<b>5,921,740.00</b>	<b>5,921,740.00</b>	<b>314,133.34</b>	<b>314,133.34</b>	<b>5,607,606.66</b>	<b>94.70%</b>
<b>Fund: 100 - General Fund Surplus (Deficit):</b>		<b>0.00</b>	<b>0.00</b>	<b>115,309.47</b>	<b>115,309.47</b>	<b>115,309.47</b>	<b>0.00%</b>

## Budget Report

For Fiscal: 2023-2024 Period Ending: 10/31/2023

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
<b>Fund: 150 - Montgomery PID</b>							
<b>Revenue</b>							
<b>Department: 00 - Revenue</b>							
<a href="#">150-00-15000-0000000</a>	Montgomery PID - Tax Revenue	40,000.00	40,000.00	0.00	0.00	-40,000.00	100.00 %
	<b>Department: 00 - Revenue Total:</b>	<b>40,000.00</b>	<b>40,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>-40,000.00</b>	<b>100.00%</b>
	<b>Revenue Total:</b>	<b>40,000.00</b>	<b>40,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>-40,000.00</b>	<b>100.00%</b>
<b>Expense</b>							
<b>Department: 15 - Montgomery PID</b>							
<a href="#">150-15-17500-0000000</a>	Montgomery PID - Property Tax Re...	40,000.00	40,000.00	0.00	0.00	40,000.00	100.00 %
	<b>Department: 15 - Montgomery PID Total:</b>	<b>40,000.00</b>	<b>40,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>40,000.00</b>	<b>100.00%</b>
	<b>Expense Total:</b>	<b>40,000.00</b>	<b>40,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>40,000.00</b>	<b>100.00%</b>
	<b>Fund: 150 - Montgomery PID Surplus (Deficit):</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00</b>	<b>0.00%</b>
<b>Fund: 200 - Capital Projects</b>							
<b>Revenue</b>							
<b>Department: 00 - Revenue</b>							
<a href="#">200-00-24003-0000000</a>	Transfer from MEDC - Other	0.00	0.00	16,666.67	16,666.67	16,666.67	0.00 %
<a href="#">200-00-24500-0000000</a>	Interest Earned on Investments	0.00	0.00	5,205.93	5,205.93	5,205.93	0.00 %
<a href="#">200-00-24501-0062715</a>	Interest Earned on Investments - 20...	0.00	0.00	456.05	456.05	456.05	0.00 %
	<b>Department: 00 - Revenue Total:</b>	<b>0.00</b>	<b>0.00</b>	<b>22,328.65</b>	<b>22,328.65</b>	<b>22,328.65</b>	<b>0.00%</b>
	<b>Revenue Total:</b>	<b>0.00</b>	<b>0.00</b>	<b>22,328.65</b>	<b>22,328.65</b>	<b>22,328.65</b>	<b>0.00%</b>
	<b>Fund: 200 - Capital Projects Total:</b>	<b>0.00</b>	<b>0.00</b>	<b>22,328.65</b>	<b>22,328.65</b>	<b>22,328.65</b>	<b>0.00%</b>
<b>Fund: 300 - Water &amp; Sewer</b>							
<b>Revenue</b>							
<b>Department: 00 - Revenue</b>							
<a href="#">300-00-34110-0000000</a>	Water Revenue	881,000.00	881,000.00	92,480.35	92,480.35	-788,519.65	89.50 %
<a href="#">300-00-34130-0000000</a>	Lone Star Ground Water Revenue	9,000.00	9,000.00	1,104.67	1,104.67	-7,895.33	87.73 %
<a href="#">300-00-34140-0000000</a>	Application Fee	6,000.00	6,000.00	452.50	452.50	-5,547.50	92.46 %
<a href="#">300-00-34150-0000000</a>	Disconnect Reconnect	5,000.00	5,000.00	1,050.00	1,050.00	-3,950.00	79.00 %
<a href="#">300-00-34160-0000000</a>	Sewer Revenue	853,000.00	853,000.00	84,414.45	84,414.45	-768,585.55	90.10 %
<a href="#">300-00-34170-0000000</a>	Tap Fees/Inspections	450,000.00	450,000.00	1,107.32	1,107.32	-448,892.68	99.75 %
<a href="#">300-00-34180-0000000</a>	Grease Trap Inspections	25,000.00	25,000.00	2,325.25	2,325.25	-22,674.75	90.70 %
<a href="#">300-00-34190-0000000</a>	Late Charges	18,200.00	18,200.00	2,235.61	2,235.61	-15,964.39	87.72 %
<a href="#">300-00-34200-0000000</a>	Returned Check Fee	1,000.00	1,000.00	50.00	50.00	-950.00	95.00 %
<a href="#">300-00-34210-0000000</a>	Backflow Testing	16,000.00	16,000.00	0.00	0.00	-16,000.00	100.00 %
<a href="#">300-00-34220-0000000</a>	Solid Waste Revenue	229,500.00	229,500.00	21,894.09	21,894.09	-207,605.91	90.46 %
<a href="#">300-00-34320-0000000</a>	Groundwater Reduction Revenue	205,000.00	205,000.00	26,038.65	26,038.65	-178,961.35	87.30 %
<a href="#">300-00-34420-0000000</a>	Impact Fees - Capital Cost	1,500,000.00	1,500,000.00	292,317.00	292,317.00	-1,207,683.00	80.51 %
<a href="#">300-00-34430-0000000</a>	Interest Income	850.00	850.00	206.98	206.98	-643.02	75.65 %
<a href="#">300-00-34440-0000000</a>	Interest earned on Investments	70,000.00	70,000.00	8,331.71	8,331.71	-61,668.29	88.10 %
<a href="#">300-00-34450-0000000</a>	Meter Box Replacement	1,500.00	1,500.00	0.00	0.00	-1,500.00	100.00 %
<a href="#">300-00-34460-0000000</a>	EndPoint Charge	500.00	500.00	0.00	0.00	-500.00	100.00 %
<a href="#">300-00-34470-0000000</a>	Miscellaneous Revenue & ETS Reve...	8,000.00	8,000.00	737.50	737.50	-7,262.50	90.78 %
<a href="#">300-00-34530-0000000</a>	Utility Contracts	2,000.00	2,000.00	-1,611.28	-1,611.28	-3,611.28	180.56 %
	<b>Department: 00 - Revenue Total:</b>	<b>4,281,550.00</b>	<b>4,281,550.00</b>	<b>533,134.80</b>	<b>533,134.80</b>	<b>-3,748,415.20</b>	<b>87.55%</b>
	<b>Revenue Total:</b>	<b>4,281,550.00</b>	<b>4,281,550.00</b>	<b>533,134.80</b>	<b>533,134.80</b>	<b>-3,748,415.20</b>	<b>87.55%</b>
<b>Expense</b>							
<b>Department: 30 - Water &amp; Sewer</b>							
<a href="#">300-30-16002-0000000</a>	Health Insurance	82,908.00	82,908.00	4,889.07	4,889.07	78,018.93	94.10 %
<a href="#">300-30-16003-0000000</a>	Unemployment Insurance	61.00	61.00	1.07	1.07	59.93	98.25 %
<a href="#">300-30-16004-0000000</a>	Workers Comp	7,961.00	7,961.00	577.96	577.96	7,383.04	92.74 %
<a href="#">300-30-16008-0000000</a>	Payroll Taxes	32,121.00	32,121.00	2,185.98	2,185.98	29,935.02	93.19 %
<a href="#">300-30-16009-0000000</a>	Wages	414,388.00	414,388.00	29,490.26	29,490.26	384,897.74	92.88 %
<a href="#">300-30-16010-0000000</a>	Overtime	5,500.00	5,500.00	477.73	477.73	5,022.27	91.31 %
<a href="#">300-30-16012-0000000</a>	Retirement Expense	43,248.00	43,248.00	2,918.37	2,918.37	40,329.63	93.25 %
<a href="#">300-30-36107-0000000</a>	Crime Insurance	500.00	500.00	40.71	40.71	459.29	91.86 %



## Budget Report

For Fiscal: 2023-2024 Period Ending: 10/31/2023

		Original	Current	Period	Fiscal	Variance	Percent
		Total Budget	Total Budget	Activity	Activity	Favorable (Unfavorable)	Remaining
<a href="#">300-30-36204-0000000</a>	Engineering	133,000.00	133,000.00	0.00	0.00	133,000.00	100.00 %
<a href="#">300-30-36208-0000000</a>	Operator	126,500.00	126,500.00	9,445.00	9,445.00	117,055.00	92.53 %
<a href="#">300-30-36209-0000000</a>	Billing & Collections	35,000.00	35,000.00	2,554.16	2,554.16	32,445.84	92.70 %
<a href="#">300-30-36210-0000000</a>	Backflow Testing	16,000.00	16,000.00	0.00	0.00	16,000.00	100.00 %
<a href="#">300-30-36211-0000000</a>	Testing	15,000.00	15,000.00	1,045.00	1,045.00	13,955.00	93.03 %
<a href="#">300-30-36214-0000000</a>	Sludge Hauling	100,000.00	100,000.00	0.00	0.00	100,000.00	100.00 %
<a href="#">300-30-36215-0000000</a>	Printing	1,200.00	1,200.00	0.00	0.00	1,200.00	100.00 %
<a href="#">300-30-36216-0000000</a>	Postage	2,000.00	2,000.00	204.23	204.23	1,795.77	89.79 %
<a href="#">300-30-36217-0000000</a>	Telephone	10,500.00	10,500.00	656.49	656.49	9,843.51	93.75 %
<a href="#">300-30-36218-0000000</a>	Tap Fees & Inspections	75,000.00	75,000.00	21,834.09	21,834.09	53,165.91	70.89 %
<a href="#">300-30-36221-0000000</a>	Garbage Pickup	225,000.00	225,000.00	1,316.36	1,316.36	223,683.64	99.41 %
<a href="#">300-30-36302-0000000</a>	Advertising/Promotion	1,500.00	1,500.00	0.00	0.00	1,500.00	100.00 %
<a href="#">300-30-36303-0000000</a>	Permits & Licenses	25,000.00	25,000.00	0.00	0.00	25,000.00	100.00 %
<a href="#">300-30-36307-0000000</a>	Dues & Subscriptions	2,000.00	2,000.00	0.00	0.00	2,000.00	100.00 %
<a href="#">300-30-36400-0000000</a>	Supplies & Equipment	1,500.00	1,500.00	46.28	46.28	1,453.72	96.91 %
<a href="#">300-30-36401-0000000</a>	Chemicals	45,000.00	45,000.00	6,539.30	6,539.30	38,460.70	85.47 %
<a href="#">300-30-36402-0000000</a>	Copier / Fax Machine	3,000.00	3,000.00	135.00	135.00	2,865.00	95.50 %
<a href="#">300-30-36403-0000000</a>	Operating Supplies	80,000.00	80,000.00	1,191.11	1,191.11	78,808.89	98.51 %
<a href="#">300-30-36404-0000000</a>	Uniforms	4,700.00	4,700.00	-214.77	-214.77	4,914.77	104.57 %
<a href="#">300-30-36406-0000000</a>	Computer Technology	24,000.00	24,000.00	667.22	667.22	23,332.78	97.22 %
<a href="#">300-30-36407-0000000</a>	Groundwater Reduction Expenses	100.00	100.00	0.00	0.00	100.00	100.00 %
<a href="#">300-30-36502-0000000</a>	Travel & Training	5,500.00	5,500.00	268.69	268.69	5,231.31	95.11 %
<a href="#">300-30-36503-0000000</a>	Employee Relations	2,000.00	2,000.00	0.00	0.00	2,000.00	100.00 %
<a href="#">300-30-36601-0000000</a>	Repairs & Maintenance	300,000.00	300,000.00	32,279.05	32,279.05	267,720.95	89.24 %
<a href="#">300-30-36602-0000000</a>	Vehicle Repair and Maint.	3,500.00	3,500.00	50.25	50.25	3,449.75	98.56 %
<a href="#">300-30-36604-0000000</a>	Water & Sewer Items	9,708.00	9,708.00	0.00	0.00	9,708.00	100.00 %
<a href="#">300-30-36605-0000000</a>	Gas & Oil	14,000.00	14,000.00	0.00	0.00	14,000.00	100.00 %
<a href="#">300-30-36701-0000000</a>	Liability Insurance	4,694.00	4,694.00	391.19	391.19	4,302.81	91.67 %
<a href="#">300-30-36702-0000000</a>	Property Insurance	45,677.00	45,677.00	3,806.44	3,806.44	41,870.56	91.67 %
<a href="#">300-30-36801-0000000</a>	Gas For Generators	1,320.00	1,320.00	0.00	0.00	1,320.00	100.00 %
<a href="#">300-30-36802-0000000</a>	Water Plants	110,000.00	110,000.00	0.00	0.00	110,000.00	100.00 %
<a href="#">300-30-36803-0000000</a>	WWTP	73,000.00	73,000.00	0.00	0.00	73,000.00	100.00 %
<a href="#">300-30-36804-0000000</a>	Lift Stations	24,200.00	24,200.00	26.54	26.54	24,173.46	99.89 %
<a href="#">300-30-37000-0000000</a>	Utility Projects - Prev Maint	150,000.00	150,000.00	386.50	386.50	149,613.50	99.74 %
<a href="#">300-30-37003-0000000</a>	Utility Projects - Impact Fees Transf...	1,500,000.00	1,500,000.00	0.00	0.00	1,500,000.00	100.00 %
<a href="#">300-30-37101-0000000</a>	Miscellaneous Expenses - Misc	1,000.00	1,000.00	0.00	0.00	1,000.00	100.00 %
<a href="#">300-30-37102-0000000</a>	Miscellaneous Expenses - Bank Cha...	35,000.00	35,000.00	2,909.00	2,909.00	32,091.00	91.69 %
<a href="#">300-30-37202-0000000</a>	Other Expense - Transfer to Debt Se...	425,500.00	425,500.00	35,416.67	35,416.67	390,083.33	91.68 %
<a href="#">300-30-37206-0000000</a>	Transfer to Surplus	63,764.00	63,764.00	0.00	0.00	63,764.00	100.00 %
Department: 30 - Water & Sewer Total:		4,281,550.00	4,281,550.00	161,534.95	161,534.95	4,120,015.05	96.23%
Expense Total:		4,281,550.00	4,281,550.00	161,534.95	161,534.95	4,120,015.05	96.23%
Fund: 300 - Water & Sewer Surplus (Deficit):		0.00	0.00	371,599.85	371,599.85	371,599.85	0.00%
Fund: 400 - MEDC							
Revenue							
Department: 00 - Revenue							
<a href="#">400-00-44110-0000000</a>	Sales Tax Revenue	1,100,000.00	1,100,000.00	110,171.54	110,171.54	-989,828.46	89.98 %
<a href="#">400-00-44230-0000000</a>	Interest Income	60,000.00	60,000.00	8,879.00	8,879.00	-51,121.00	85.20 %
<a href="#">400-00-44300-0000000</a>	Events Revenue	7,000.00	7,000.00	0.00	0.00	-7,000.00	100.00 %
Department: 00 - Revenue Total:		1,167,000.00	1,167,000.00	119,050.54	119,050.54	-1,047,949.46	89.80%
Revenue Total:		1,167,000.00	1,167,000.00	119,050.54	119,050.54	-1,047,949.46	89.80%
Expense							
Department: 40 - MEDC							
<a href="#">400-40-46103-0000000</a>	Public Infrastructure - Downtown D...	90,000.00	90,000.00	0.00	0.00	90,000.00	100.00 %
<a href="#">400-40-46104-0000000</a>	Public Infrastructure - Utility Extens...	50,000.00	50,000.00	0.00	0.00	50,000.00	100.00 %
<a href="#">400-40-46107-0000000</a>	Public Infrastructure - Transfer to C...	200,000.00	200,000.00	16,666.67	16,666.67	183,333.33	91.67 %
<a href="#">400-40-46111-0000000</a>	Public Infrastructure - Streets & Sid...	40,000.00	40,000.00	0.00	0.00	40,000.00	100.00 %
<a href="#">400-40-46205-0000000</a>	Business & Development - Sales Tax...	250,000.00	250,000.00	0.00	0.00	250,000.00	100.00 %

## Budget Report

For Fiscal: 2023-2024 Period Ending: 10/31/2023

		Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
<a href="#">400-40-46206-0000000</a>	Business & Development - Econ Dev...	20,000.00	20,000.00	0.00	0.00	20,000.00	100.00 %
<a href="#">400-40-46209-0000000</a>	Business Development - Dntwn & C...	50,000.00	50,000.00	0.00	0.00	50,000.00	100.00 %
<a href="#">400-40-46303-0000000</a>	Quality of Life - Events	113,200.00	113,200.00	10,304.60	10,304.60	102,895.40	90.90 %
<a href="#">400-40-46505-0000000</a>	Marketing and Tourism - Brochures ...	4,000.00	4,000.00	0.00	0.00	4,000.00	100.00 %
<a href="#">400-40-46511-0000000</a>	Marketing and Tourism - Website	6,500.00	6,500.00	0.00	0.00	6,500.00	100.00 %
<a href="#">400-40-46514-0000000</a>	Marketing and Tourism - Social Med...	3,000.00	3,000.00	0.00	0.00	3,000.00	100.00 %
<a href="#">400-40-46515-0000000</a>	Marketing and Tourism - Historical S...	5,000.00	5,000.00	0.00	0.00	5,000.00	100.00 %
<a href="#">400-40-46601-0000000</a>	Administration - Transfers to Gener...	275,000.00	275,000.00	22,916.67	22,916.67	252,083.33	91.67 %
<a href="#">400-40-46603-0000000</a>	Administration - Miscellaneous Exp...	500.00	500.00	0.00	0.00	500.00	100.00 %
<a href="#">400-40-46604-0000000</a>	Administration - Consulting/Profess...	51,800.00	51,800.00	0.00	0.00	51,800.00	100.00 %
<a href="#">400-40-46607-0000000</a>	Administration - Travel & Trainings ...	8,000.00	8,000.00	0.00	0.00	8,000.00	100.00 %
<b>Department: 40 - MEDC Total:</b>		<b>1,167,000.00</b>	<b>1,167,000.00</b>	<b>49,887.94</b>	<b>49,887.94</b>	<b>1,117,112.06</b>	<b>95.73%</b>
<b>Expense Total:</b>		<b>1,167,000.00</b>	<b>1,167,000.00</b>	<b>49,887.94</b>	<b>49,887.94</b>	<b>1,117,112.06</b>	<b>95.73%</b>
<b>Fund: 400 - MEDC Surplus (Deficit):</b>		<b>0.00</b>	<b>0.00</b>	<b>69,162.60</b>	<b>69,162.60</b>	<b>69,162.60</b>	<b>0.00%</b>
<b>Fund: 500 - Debt Service</b>							
<b>Revenue</b>							
<b>Department: 00 - Revenue</b>							
<a href="#">500-00-54110-0000000</a>	Ad Valorem Taxes - Current	471,847.00	471,847.00	5,103.30	5,103.30	-466,743.70	98.92 %
<a href="#">500-00-54115-0000000</a>	Ad Valorem Taxes - Delinquent	0.00	0.00	3,245.62	3,245.62	3,245.62	0.00 %
<a href="#">500-00-54120-0000000</a>	Penalty & Interest - Current	3,000.00	3,000.00	0.00	0.00	-3,000.00	100.00 %
<a href="#">500-00-54125-0000000</a>	Penalty & Interest - Delinquent	0.00	0.00	687.88	687.88	687.88	0.00 %
<a href="#">500-00-54220-0000000</a>	Transfers - Water & Sewer Funds	425,000.00	425,000.00	35,416.67	35,416.67	-389,583.33	91.67 %
<a href="#">500-00-54410-0000000</a>	Other Revenues - Interest on Check...	0.00	0.00	20.06	20.06	20.06	0.00 %
<a href="#">500-00-54420-0000000</a>	Other Revenues - Interest on Inves...	0.00	0.00	2.48	2.48	2.48	0.00 %
<b>Department: 00 - Revenue Total:</b>		<b>899,847.00</b>	<b>899,847.00</b>	<b>44,476.01</b>	<b>44,476.01</b>	<b>-855,370.99</b>	<b>95.06%</b>
<b>Revenue Total:</b>		<b>899,847.00</b>	<b>899,847.00</b>	<b>44,476.01</b>	<b>44,476.01</b>	<b>-855,370.99</b>	<b>95.06%</b>
<b>Expense</b>							
<b>Department: 50 - Debt Service</b>							
<a href="#">500-50-56220-0000000</a>	Debt Service Payments - Int. Payme...	228,557.00	228,557.00	0.00	0.00	228,557.00	100.00 %
<a href="#">500-50-56230-0000000</a>	Debt Service Payments - Paying Age...	2,000.00	2,000.00	0.00	0.00	2,000.00	100.00 %
<a href="#">500-50-56250-0000000</a>	Debt Service Payments - Principal P...	665,000.00	665,000.00	0.00	0.00	665,000.00	100.00 %
<b>Department: 50 - Debt Service Total:</b>		<b>895,557.00</b>	<b>895,557.00</b>	<b>0.00</b>	<b>0.00</b>	<b>895,557.00</b>	<b>100.00%</b>
<b>Expense Total:</b>		<b>895,557.00</b>	<b>895,557.00</b>	<b>0.00</b>	<b>0.00</b>	<b>895,557.00</b>	<b>100.00%</b>
<b>Fund: 500 - Debt Service Surplus (Deficit):</b>		<b>4,290.00</b>	<b>4,290.00</b>	<b>44,476.01</b>	<b>44,476.01</b>	<b>40,186.01</b>	<b>-936.74%</b>
<b>Fund: 700 - Court Security</b>							
<b>Revenue</b>							
<b>Department: 00 - Revenue</b>							
<a href="#">700-00-74110-0000000</a>	Court Fines & Forfeitures - Court Se...	1,500.00	1,500.00	12.00	12.00	-1,488.00	99.20 %
<a href="#">700-00-74210-0000000</a>	Other Revenues - Interest Income	0.00	0.00	0.41	0.41	0.41	0.00 %
<a href="#">700-00-74300-0000000</a>	Transfers	-1,500.00	0.00	0.00	0.00	0.00	0.00 %
<b>Department: 00 - Revenue Total:</b>		<b>0.00</b>	<b>1,500.00</b>	<b>12.41</b>	<b>12.41</b>	<b>-1,487.59</b>	<b>99.17%</b>
<b>Revenue Total:</b>		<b>0.00</b>	<b>1,500.00</b>	<b>12.41</b>	<b>12.41</b>	<b>-1,487.59</b>	<b>99.17%</b>
<b>Expense</b>							
<b>Department: 70 - Court Security</b>							
<a href="#">700-70-76340-0000000</a>	Baliff Transfer to General Fund	0.00	1,500.00	0.00	0.00	1,500.00	100.00 %
<b>Department: 70 - Court Security Total:</b>		<b>0.00</b>	<b>1,500.00</b>	<b>0.00</b>	<b>0.00</b>	<b>1,500.00</b>	<b>100.00%</b>
<b>Expense Total:</b>		<b>0.00</b>	<b>1,500.00</b>	<b>0.00</b>	<b>0.00</b>	<b>1,500.00</b>	<b>100.00%</b>
<b>Fund: 700 - Court Security Surplus (Deficit):</b>		<b>0.00</b>	<b>0.00</b>	<b>12.41</b>	<b>12.41</b>	<b>12.41</b>	<b>0.00%</b>
<b>Fund: 750 - Court Technology</b>							
<b>Revenue</b>							
<b>Department: 00 - Revenue</b>							
<a href="#">750-00-74120-0000000</a>	Court Technology Fees	650.00	650.00	16.00	16.00	-634.00	97.54 %

## Budget Report

For Fiscal: 2023-2024 Period Ending: 10/31/2023

	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)	Percent Remaining
<a href="#">750-00-74210-0000000</a>						
Interest Income	40.00	40.00	4.37	4.37	-35.63	89.08 %
<b>Department: 00 - Revenue Total:</b>	<b>690.00</b>	<b>690.00</b>	<b>20.37</b>	<b>20.37</b>	<b>-669.63</b>	<b>97.05%</b>
<b>Revenue Total:</b>	<b>690.00</b>	<b>690.00</b>	<b>20.37</b>	<b>20.37</b>	<b>-669.63</b>	<b>97.05%</b>
<b>Fund: 750 - Court Technology Total:</b>	<b>690.00</b>	<b>690.00</b>	<b>20.37</b>	<b>20.37</b>	<b>-669.63</b>	<b>97.05%</b>
<b>Fund: 800 - Hotel Occupancy</b>						
<b>Revenue</b>						
<b>Department: 00 - Revenue</b>						
<a href="#">800-00-84100-0000000</a>						
Taxes and Franchise Fees	5,000.00	5,000.00	0.00	0.00	-5,000.00	100.00 %
<a href="#">800-00-84110-0000000</a>						
Taxes and Franchise Fees - Hotel Oc...	0.00	0.00	760.47	760.47	760.47	0.00 %
<a href="#">800-00-84210-0000000</a>						
Other Revenues - Interest on Check...	30.00	30.00	3.73	3.73	-26.27	87.57 %
<b>Department: 00 - Revenue Total:</b>	<b>5,030.00</b>	<b>5,030.00</b>	<b>764.20</b>	<b>764.20</b>	<b>-4,265.80</b>	<b>84.81%</b>
<b>Revenue Total:</b>	<b>5,030.00</b>	<b>5,030.00</b>	<b>764.20</b>	<b>764.20</b>	<b>-4,265.80</b>	<b>84.81%</b>
<b>Expense</b>						
<b>Department: 80 - Hotel Occupancy</b>						
<a href="#">800-80-86200-0000000</a>						
Tourism Expenses	5,000.00	5,000.00	0.00	0.00	5,000.00	100.00 %
<b>Department: 80 - Hotel Occupancy Total:</b>	<b>5,000.00</b>	<b>5,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>5,000.00</b>	<b>100.00%</b>
<b>Expense Total:</b>	<b>5,000.00</b>	<b>5,000.00</b>	<b>0.00</b>	<b>0.00</b>	<b>5,000.00</b>	<b>100.00%</b>
<b>Fund: 800 - Hotel Occupancy Surplus (Deficit):</b>	<b>30.00</b>	<b>30.00</b>	<b>764.20</b>	<b>764.20</b>	<b>734.20</b>	<b>-2,447.33%</b>
<b>Fund: 850 - Police Asset</b>						
<b>Revenue</b>						
<b>Department: 00 - Revenue</b>						
<a href="#">850-00-84130-0000000</a>						
Police Asset Forfeitures - Interest	0.00	0.00	1.64	1.64	1.64	0.00 %
<b>Department: 00 - Revenue Total:</b>	<b>0.00</b>	<b>0.00</b>	<b>1.64</b>	<b>1.64</b>	<b>1.64</b>	<b>0.00%</b>
<b>Revenue Total:</b>	<b>0.00</b>	<b>0.00</b>	<b>1.64</b>	<b>1.64</b>	<b>1.64</b>	<b>0.00%</b>
<b>Fund: 850 - Police Asset Total:</b>	<b>0.00</b>	<b>0.00</b>	<b>1.64</b>	<b>1.64</b>	<b>1.64</b>	<b>0.00%</b>
<b>Report Surplus (Deficit):</b>	<b>5,010.00</b>	<b>5,010.00</b>	<b>623,675.20</b>	<b>623,675.20</b>	<b>618,665.20</b>	<b>12,348.61%</b>

## Budget Report

For Fiscal: 2023-2024 Period Ending: 10/31/2023

## Fund Summary

Fund	Original Total Budget	Current Total Budget	Period Activity	Fiscal Activity	Variance Favorable (Unfavorable)
100 - General Fund	0.00	0.00	115,309.47	115,309.47	115,309.47
150 - Montgomery PID	0.00	0.00	0.00	0.00	0.00
200 - Capital Projects	0.00	0.00	22,328.65	22,328.65	22,328.65
300 - Water & Sewer	0.00	0.00	371,599.85	371,599.85	371,599.85
400 - MEDC	0.00	0.00	69,162.60	69,162.60	69,162.60
500 - Debt Service	4,290.00	4,290.00	44,476.01	44,476.01	40,186.01
700 - Court Security	0.00	0.00	12.41	12.41	12.41
750 - Court Technology	690.00	690.00	20.37	20.37	-669.63
800 - Hotel Occupancy	30.00	30.00	764.20	764.20	734.20
850 - Police Asset	0.00	0.00	1.64	1.64	1.64
<b>Report Surplus (Deficit):</b>	<b>5,010.00</b>	<b>5,010.00</b>	<b>623,675.20</b>	<b>623,675.20</b>	<b>618,665.20</b>



## Montgomery Police Department

*Chief Anthony Solomon*

### **Activity Report**

October 1, 2023 – October 31, 2023

#### **Patrol Division**

• Calls for Service	-	143
• Total Reports	-	37
• Citations Issued	-	167
• Warnings Issued	-	295
• Arrests	-	20
• Accidents	-	11

#### **Breakdown by Offense Category**

• DWI/DUI	-	4
• Drug Arrests/Citations	-	4
• Warrant Arrests	-	4
• Assault	-	3
• Driving While License Invalid	-	1
• Criminal Trespass	-	5
• Violate Protective Order	-	1
• Theft from Motor Vehicles	-	2
• Dog Bite	-	1
• Theft	-	3
• Fail to Stop & Render Aid	-	1

#### **Investigation Division**

Total number of assigned cases to C.I.D. for the month: 6

#### **Personnel/Training**

- Officers Mayhugh & Galindo attended Advanced Roadside Impaired Driving Enforcement (ARIDE) training in October.
- Sgt. McRae attended Managing Criminal Investigations training in October.
- Sgt. Voytko attended the TCOLE Conference in October.

**Major Incidents**

- Our first ever Faith & Blue occurred on October 3<sup>rd</sup>! Despite the rain, it was a great turnout by the community, and we expect a bigger crowd next year! We're happy to start a new tradition in the City of Montgomery!

**Upcoming Events**

- December 9<sup>th</sup> – Christmas Parade
- December 16<sup>th</sup> – Shop with a Cop

**Traffic and Safety Initiatives**

- The police department is currently running multiple traffic and safety initiatives. Staff evaluates data regularly to ensure that we are focusing on the current problem areas. If there's an area in town that we should focus on, please submit a Traffic Concern through our website.



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



October 2023  
 Code Enforcement Officer  
 Monthly Report

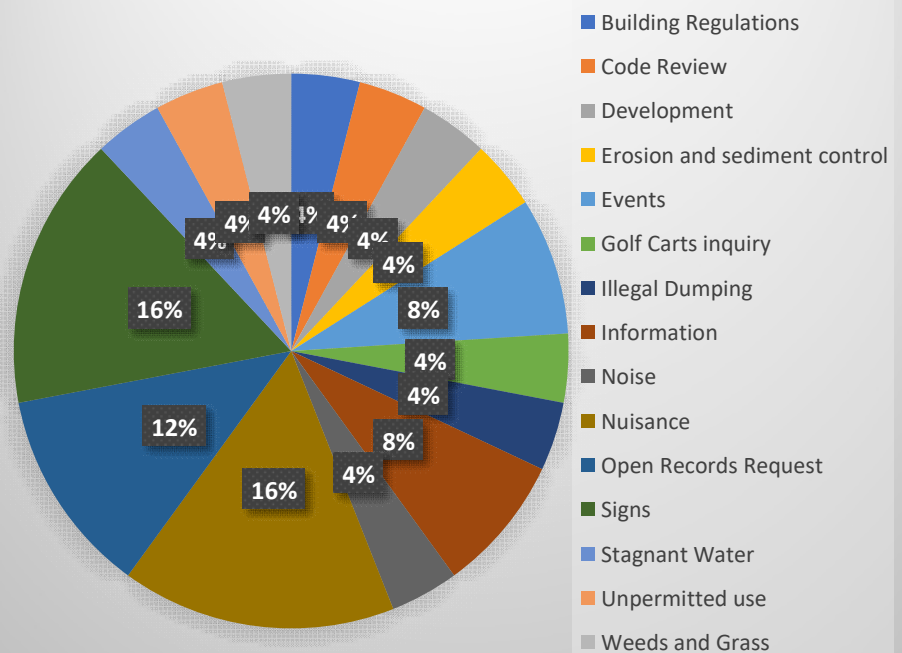
**Mission:** To uphold and enforce the Codes and Ordinances established and adopted by the City Council to ensure the health, safety, and welfare of residents, property owners, business owners, and visitors by investigating and inspecting public or private locations for compliance through proactive, 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
Building Regulations	1
Code Review	1
Development	1
Erosion and sediment control	1
Events	2
Golf Carts inquiry	1
Illegal Dumping	1
Information	2
Noise	1
Nuisance	4
Open Records Request	3
Signs	4
Stagnant Water	1
Unpermitted use	1
Weeds and Grass	1

**Total Records: 25**

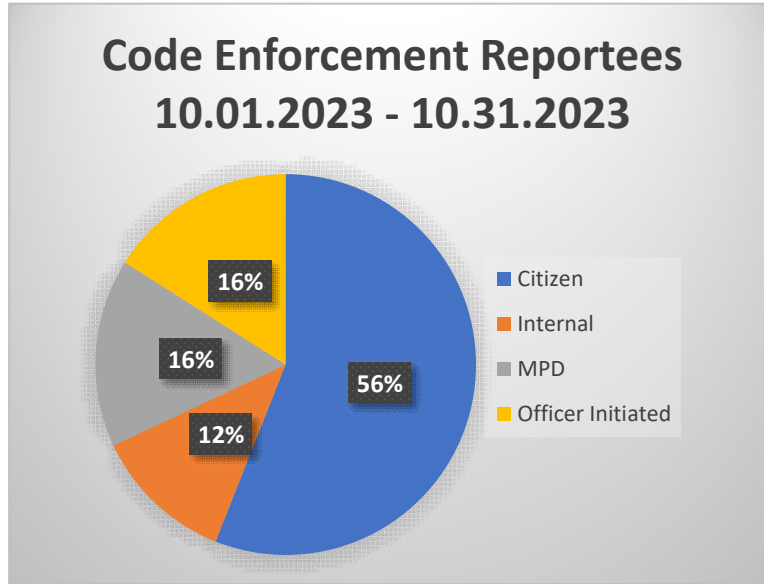
**Code Enforcement Cases  
 10.01.2023 - 10.31.2023**





REP Type	Group Total
Citizen	14
Internal	3
MPD	4
Officer Initiated	4

**Total Records: 25**



Violations issued: 1  
Warnings issued: 0

Training: 1 hour – FEMA grant training  
1 hour – AACE quarterly zoom check-in and meeting

Meeting attended: Transportation Advisory Committee



## Montgomery Police Department

*Chief Anthony Solomon*

### **Activity Report**

November 1, 2023 – November 30, 2023

#### **Patrol Division**

• Calls for Service	-	109
• Total Reports	-	38
• Citations Issued	-	165
• Warnings Issued	-	284
• Arrests	-	16
• Accidents	-	8

#### **Breakdown by Offense Category**

• DWI/DUI	-	4
• Drug Arrests/Citations	-	9
• Assault	-	2
• Driving While License Invalid	-	3
• Criminal Trespass	-	1
• Theft	-	2
• Criminal Mischief	-	1
• Indecent Exposure	-	1
• Industrial Accident	-	1
• Minor in Possession – Alc/Tob	-	2
• Sexual Assault	-	1
• Public Intoxication	-	1

#### **Investigation Division**

Total number of assigned cases to C.I.D. for the month: 6

#### **Personnel/Training**

- Sgt. Graves and Officer Mayhugh attended Basic Instructor Training in November.
- Sgt. Voytko attended Managing Patrol Operations & Impact Munitions Instructor training in November.
- Sgt. McRae attended Child Abuse Investigations training in November.

**Major Incidents**

- No major incidents in November.

**Upcoming Events**

- December 9<sup>th</sup> – Christmas Parade
- December 16<sup>th</sup> – Shop with a Cop

**Traffic and Safety Initiatives**

- With it being the holiday season, we have increased patrols. The increased patrols are focused on safety while driving and will actively be looking for people driving without a seatbelt, speeding, etc. We have also initiated our Citizen Patrol Initiative and now have citizens driving around the city in the marked Citizens Patrol unit.



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



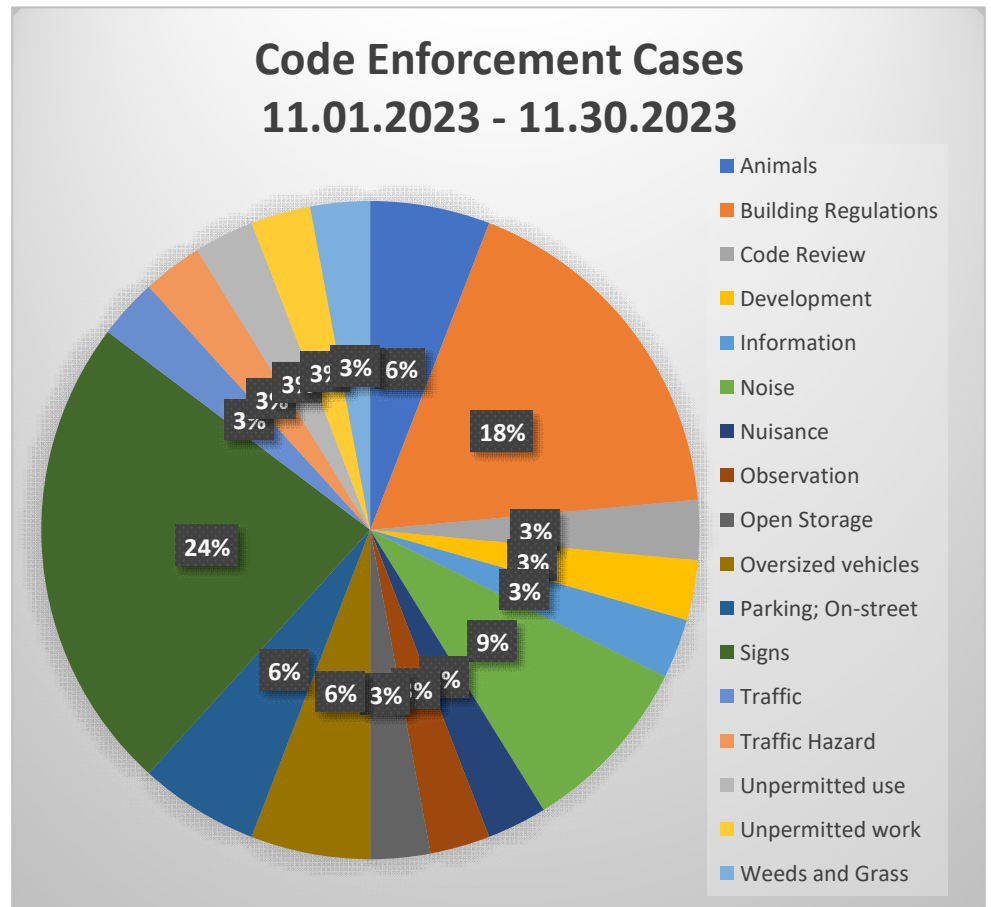
November 2023  
 Code Enforcement Officer  
 Monthly Report

**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	2
Building Regulations	6
Code Review	1
Development	1
Information	1
Noise	3
Nuisance	1
Observation	1
Open Storage	1
Oversized vehicles	2
Parking; On-street	2
Signs	8
Traffic	1
Traffic Hazard	1
Unpermitted use	1
Unpermitted work	1
Weeds and Grass	1

**Total Records: 34**

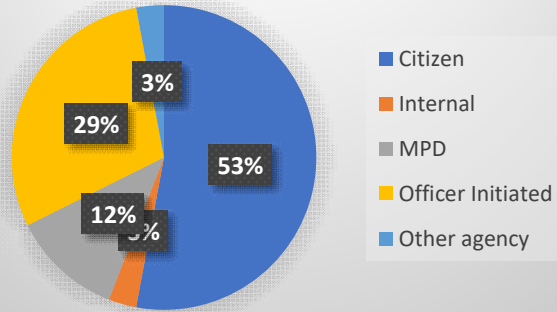


REP Type	Group Total
----------	-------------

Citizen	18
Internal	1
MPD	4
Officer Initiated	10
Other agency	1

**Total Records: 34**

## Code Enforcement Reportees 11.01.2023 - 11.30.2023



Violations issued: 0

Warnings issued: 0

Training: 2 hours – live webinar - City Hall Essentials Short Term Rentals



December 7, 2023

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

I offer the following highlights:

- Completed my annual American Institute of Certified Planners (AICP) credentialing
- Attended the American Planning Association TX Chapter Planning Conference Nov 08-11 in Corpus Christi
  - Collaborative Training Conference (attended session on master planning, current SCOTUS rulings affecting zoning/cities in general, and short term rental issues (AirBNB))
- Attended regional city managers meeting in Tomball
- Montgomery Area Chamber Leadership Class: Attended and served on a panel to facilitate discussion about current issues/development trends in Montgomery and in cities in general.
- Issued and RFQ for Professional Planning Services (responses due on December 15)
- Kicked off the Transportation Advisory Committee meetings
- Reviewing incoming Economic Development Dir. resumes