

**Notice of Special City Council Meeting
AGENDA**

May 15, 2023 at 5:30 PM

NOTICE IS HEREBY GIVEN that a Meeting of the Montgomery City Council will be held on **Monday, May 15, 2023**, at **5:30 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

CONSIDERATION AND POSSIBLE ACTION:

- 1.** Adoption of an ordinance canvassing the results of the May 6, 2023 City Election
- 2.** 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.
- 3.** Consider Approval of an Agreement for Professional Services with Strategic Government Resources (SGR)

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 Thursday, May 11, 2023 at 2:00 p.m.

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

**Montgomery City Council
AGENDA REPORT**

| | |
|-----------------------------------|--------------------------------|
| Meeting Date: 05-15-2023 | Budgeted Amount: N/A |
| Department: Administration | Prepared By: Nici Browe |

Subject
Adoption of an ordinance canvassing the results of the May 6, 2023 City Election

Recommendation
Approve and Adopt the Ordinance

Discussion

The Montgomery County Elections Administrator Suzie Harvey has provided the Certified Official Canvassing Reports for the City of Montgomery, which are attached as Exhibit “A” of the Canvassing Ordinance. There was a total of **218** votes cast.

The Official Canvass of returns of the General Election held on May 6, 2023, reflects that the following named persons received the number of votes for the respective positions as follows:

CITY COUNCIL PLACE 1
Carol Langley 179 Votes

CITY COUNCIL PLACE 3
Sara Countryman 117 Votes
Julie Davis 95 Votes

CITY COUNCIL PLACE 5
Juanita Simmons 100 Votes
Stan Donaldson 110 Votes

The Certified Official Results of the General Election held on May 6, 2023 certify that the following persons were duly elected to their respective positions as follows:

**Carol Langley – City Council Place 1
Sara Countryman – City Council Place 3
Stan Donaldson – City Council Place 5**

| | | |
|--|-------------|--------------------|
| Approved By | | |
| City Secretary & Director of Administrative Services | Nici Browe | Date: May 11, 2023 |
| City Administrator | Gary Palmer | Date: May 11, 2023 |

ORDINANCE NO. 2023-11

AN ORDINANCE CANVASSING THE RETURNS AND DECLARING THE RESULTS OF THE CITY OF MONTGOMERY GENERAL ELECTION HELD ON MAY 6, 2023, FOR THE PURPOSE OF ELECTING MAYOR AND TWO (2) CITY COUNCIL MEMBERS, PLACES 2 AND 4, TO THE CITY COUNCIL FOR THE CITY OF MONTGOMERY, TEXAS.

WHEREAS, a General Election was held in the City of Montgomery, Texas on May 6, 2023, for the purpose of electing three (3) City Council Members to the City Council, Places 1, 3 and 5; and

WHEREAS, said election was duly and legally held in conformity with the election laws of the State of Texas, and the results of said election have been verified and returned by the proper judges and clerks; and

WHEREAS, it appears that a total of **218** ballots were cast in such election; now, therefore **BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS:**

Section 1. The facts set forth in the preamble of this Ordinance are hereby found to be true and correct.

Section 2. The official canvass of the returns of the General Election held on May 6, 2023, reflects that the following named persons received the number of votes set opposite their names in the respective positions to be filled:

CITY COUNCIL PLACE 1

| <u>Candidate</u> | <u>Votes Received</u> |
|------------------|-----------------------|
| Carol Langley | 179 |

CITY COUNCIL, PLACE 3

| <u>Candidate</u> | <u>Votes Received</u> |
|------------------|-----------------------|
| Sara Countryman | 117 |
| Julie Davis | 95 |

CITY COUNCIL, PLACE 5

| <u>Candidate</u> | <u>Votes Received</u> |
|------------------|-----------------------|
| Juanita Simmons | 100 |
| Stan Donaldson | 110 |

Section 3. The Certified Official Final Results, as prepared by Suzie Harvey, Montgomery County Elections Administrator, of the General Election held on May 6, 2023 is attached as Exhibit “A” showing that the following persons were duly elected to their respective positions as follows:

City Council Place 1
Carol Langley

City Council Place 3
Sara Countryman

City Council Place 5
Stan Donaldson

PASSED AND APPROVED this the 15th day of May, 2023.

Byron Sanford, Mayor

ATTEST:

Nicola Browe, City Secretary

APPROVED AS TO FORM:

Alan P. Petrov, City Attorney

EXHIBIT "A"



MONTGOMERY COUNTY ELECTIONS

P. O. Box 2646

Conroe, Texas 77305-2646

Suzie Harvey
Elections Administrator

www.MontgomeryVotes.org
election@mctx.org

(936) 539-7843
Fax (936) 788-8340

May 10, 2023

Re: City of Montgomery General Election

I, Suzie Harvey, Montgomery County Elections Administrator, do hereby certify that the attached pages are the final results of the City of Montgomery General Election held in Montgomery County, Texas, on May 6, 2023.



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

Suzie Harvey
Elections Administrator

City of Montgomery General Election Cumulative Report

May 06, 2023 Results

Run Time 2:56 PM

Run Date 05/09/2023

Montgomery County, Texas

Joint Election

5/6/2023

Page 1

Official Item 1.

Registered Voters

218 of 1759 = 12.39%

Precincts Reporting

2 of 2 = 100.00%

City of Montgomery City Council, Place 1 - Vote for one or for none

| Choice | Party | Early Voting | | Absentee | | Election Day | | Total | |
|---------------|-------------|--------------|---------|----------|---------|--------------|---------|-------|---------|
| Carol Langley | | 128 | 100.00% | 5 | 100.00% | 46 | 100.00% | 179 | 100.00% |
| | Cast Votes: | 128 | 100.00% | 5 | 100.00% | 46 | 100.00% | 179 | 100.00% |
| | Undervotes: | 28 | | 0 | | 11 | | 39 | |
| | Overvotes: | 0 | | 0 | | 0 | | 0 | |

City of Montgomery City Council, Place 3 - Vote for one or for none

| Choice | Party | Early Voting | | Absentee | | Election Day | | Total | |
|-----------------|-------------|--------------|---------|----------|---------|--------------|---------|-------|---------|
| Sara Countryman | | 90 | 59.60% | 2 | 40.00% | 25 | 44.64% | 117 | 55.19% |
| Julie Davis | | 61 | 40.40% | 3 | 60.00% | 31 | 55.36% | 95 | 44.81% |
| | Cast Votes: | 151 | 100.00% | 5 | 100.00% | 56 | 100.00% | 212 | 100.00% |
| | Undervotes: | 5 | | 0 | | 1 | | 6 | |
| | Overvotes: | 0 | | 0 | | 0 | | 0 | |

City of Montgomery City Council, Place 5 - Vote for one or for none

| Choice | Party | Early Voting | | Absentee | | Election Day | | Total | |
|-----------------|-------------|--------------|---------|----------|---------|--------------|---------|-------|---------|
| Juanita Simmons | | 62 | 41.33% | 2 | 40.00% | 36 | 65.45% | 100 | 47.62% |
| Stan Donaldson | | 88 | 58.67% | 3 | 60.00% | 19 | 34.55% | 110 | 52.38% |
| | Cast Votes: | 150 | 100.00% | 5 | 100.00% | 55 | 100.00% | 210 | 100.00% |
| | Undervotes: | 6 | | 0 | | 2 | | 8 | |
| | Overvotes: | 0 | | 0 | | 0 | | 0 | |

*** End of report ***

City of Montgomery General Election Canvass Report

May 06, 2023 Results

Run Time 2:55 PM

Run Date 05/09/2023

Montgomery County, Texas

Joint Election

5/6/2023

Page 1

Official *Item 1.*

Registered Voters

218 of 1759 = 12.39%

Precincts Reporting

2 of 2 = 100.00%

City of Montgomery City Council, Place 1 - Vote for one or for none

| Precinct | Carol Langley | Cast Votes | Undervotes | Overvotes | Early Voting Ballots Cast | Absentee Ballots Cast | Election Day Ballots Cast | Total Ballots Cast | Registered Voters | Turnout Percentage |
|---------------|---------------|------------|------------|-----------|---------------------------|-----------------------|---------------------------|--------------------|-------------------|--------------------|
| D | 179 | 179 | 38 | 0 | 155 | 5 | 57 | 217 | 1,554 | 13.96% |
| E | 0 | 0 | 1 | 0 | 1 | 0 | 0 | 1 | 205 | 0.49% |
| Totals | 179 | 179 | 39 | 0 | 156 | 5 | 57 | 218 | 1,759 | 12.39% |

City of Montgomery General Election Canvass Report

May 06, 2023 Results

Run Time 2:55 PM

Run Date 05/09/2023

Montgomery County, Texas

Joint Election

5/6/2023

Page 2

Official Item 1.

Registered Voters

218 of 1759 = 12.39%

Precincts Reporting

2 of 2 = 100.00%

City of Montgomery City Council, Place 3 - Vote for one or for none

| Precinct | Sara Countryman | Julie Davis | Cast Votes | Undervotes | Overvotes | Early Voting Ballots Cast | Absentee Ballots Cast | Election Day Ballots Cast | Total Ballots Cast | Registered Voters | Turnout Percentage |
|---------------|-----------------|-------------|------------|------------|-----------|---------------------------|-----------------------|---------------------------|--------------------|-------------------|--------------------|
| D | 117 | 95 | 212 | 5 | 0 | 155 | 5 | 57 | 217 | 1,554 | 13.96% |
| E | 0 | 0 | 0 | 1 | 0 | 1 | 0 | 0 | 1 | 205 | 0.49% |
| Totals | 117 | 95 | 212 | 6 | 0 | 156 | 5 | 57 | 218 | 1,759 | 12.39% |

City of Montgomery General Election Canvass Report

May 06, 2023 Results

Run Time 2:55 PM

Run Date 05/09/2023

Montgomery County, Texas

Joint Election

5/6/2023

Page 3

Official Item 1.

Registered Voters

218 of 1759 = 12.39%

Precincts Reporting

2 of 2 = 100.00%

City of Montgomery City Council, Place 5 - Vote for one or for none

| Precinct | Juanita Simmons | Stan Donaldson | Cast Votes | Undervotes | Overvotes | Early Voting Ballots Cast | Absentee Ballots Cast | Election Day Ballots Cast | Total Ballots Cast | Registered Voters | Turnout Percentage |
|---------------|-----------------|----------------|------------|------------|-----------|---------------------------|-----------------------|---------------------------|--------------------|-------------------|--------------------|
| D | 99 | 110 | 209 | 8 | 0 | 155 | 5 | 57 | 217 | 1,554 | 13.96% |
| E | 1 | 0 | 1 | 0 | 0 | 1 | 0 | 0 | 1 | 205 | 0.49% |
| Totals | 100 | 110 | 210 | 8 | 0 | 156 | 5 | 57 | 218 | 1,759 | 12.39% |

**City of Montgomery General
Election Canvass Report**

May 06, 2023 Results

Run Time 2:55 PM

Run Date 05/09/2023

Montgomery County, Texas

Joint Election

5/6/2023

Page 4

Official *Item 1.*

Registered Voters

218 of 1759 = 12.39%

Precincts Reporting

2 of 2 = 100.00%

*** End of report ***

City of Montgomery General Election Precinct Report

May 06, 2023 Results

Run Time 2:55 PM

Run Date 05/09/2023

Montgomery County, Texas

Joint Election

5/6/2023

Page 1

Official Item 1.

Registered Voters

218 of 1759 = 12.39%

Precincts Reporting

2 of 2 = 100.00%

D

217 of 1,554 registered voters = 13.96%

City of Montgomery City Council, Place 1 - Vote for one or for none

| Choice | Party | Early Voting | | Absentee | | Election Day | | Total | |
|---------------|-------------|--------------|---------|----------|---------|--------------|---------|-------|---------|
| Carol Langley | | 128 | 100.00% | 5 | 100.00% | 46 | 100.00% | 179 | 100.00% |
| | Cast Votes: | 128 | 100.00% | 5 | 100.00% | 46 | 100.00% | 179 | 100.00% |
| | Undervotes: | 27 | | 0 | | 11 | | 38 | |
| | Overvotes: | 0 | | 0 | | 0 | | 0 | |

City of Montgomery City Council, Place 3 - Vote for one or for none

| Choice | Party | Early Voting | | Absentee | | Election Day | | Total | |
|-----------------|-------------|--------------|---------|----------|---------|--------------|---------|-------|---------|
| Sara Countryman | | 90 | 59.60% | 2 | 40.00% | 25 | 44.64% | 117 | 55.19% |
| Julie Davis | | 61 | 40.40% | 3 | 60.00% | 31 | 55.36% | 95 | 44.81% |
| | Cast Votes: | 151 | 100.00% | 5 | 100.00% | 56 | 100.00% | 212 | 100.00% |
| | Undervotes: | 4 | | 0 | | 1 | | 5 | |
| | Overvotes: | 0 | | 0 | | 0 | | 0 | |

City of Montgomery City Council, Place 5 - Vote for one or for none

| Choice | Party | Early Voting | | Absentee | | Election Day | | Total | |
|-----------------|-------------|--------------|---------|----------|---------|--------------|---------|-------|---------|
| Juanita Simmons | | 61 | 40.94% | 2 | 40.00% | 36 | 65.45% | 99 | 47.37% |
| Stan Donaldson | | 88 | 59.06% | 3 | 60.00% | 19 | 34.55% | 110 | 52.63% |
| | Cast Votes: | 149 | 100.00% | 5 | 100.00% | 55 | 100.00% | 209 | 100.00% |
| | Undervotes: | 6 | | 0 | | 2 | | 8 | |
| | Overvotes: | 0 | | 0 | | 0 | | 0 | |

City of Montgomery General Election Precinct Report

May 06, 2023 Results

Run Time 2:55 PM

Run Date 05/09/2023

Montgomery County, Texas

Joint Election

5/6/2023

Page 2

Official Item 1.

Registered Voters

218 of 1759 = 12.39%

Precincts Reporting

2 of 2 = 100.00%

E

1 of 205 registered voters = 0.49%

City of Montgomery City Council, Place 1 - Vote for one or for none

| Choice | Party | Early Voting | | Absentee | | Election Day | | Total | |
|---------------|-------------|--------------|-------|----------|-------|--------------|-------|-------|-------|
| Carol Langley | | 0 | 0.00% | 0 | 0.00% | 0 | 0.00% | 0 | 0.00% |
| | Cast Votes: | 0 | 0.00% | 0 | 0.00% | 0 | 0.00% | 0 | 0.00% |
| | Undervotes: | 1 | | 0 | | 0 | | 1 | |
| | Overvotes: | 0 | | 0 | | 0 | | 0 | |

City of Montgomery City Council, Place 3 - Vote for one or for none

| Choice | Party | Early Voting | | Absentee | | Election Day | | Total | |
|-----------------|-------------|--------------|-------|----------|-------|--------------|-------|-------|-------|
| Sara Countryman | | 0 | 0.00% | 0 | 0.00% | 0 | 0.00% | 0 | 0.00% |
| Julie Davis | | 0 | 0.00% | 0 | 0.00% | 0 | 0.00% | 0 | 0.00% |
| | Cast Votes: | 0 | 0.00% | 0 | 0.00% | 0 | 0.00% | 0 | 0.00% |
| | Undervotes: | 1 | | 0 | | 0 | | 1 | |
| | Overvotes: | 0 | | 0 | | 0 | | 0 | |

City of Montgomery City Council, Place 5 - Vote for one or for none

| Choice | Party | Early Voting | | Absentee | | Election Day | | Total | |
|-----------------|-------------|--------------|---------|----------|-------|--------------|-------|-------|---------|
| Juanita Simmons | | 1 | 100.00% | 0 | 0.00% | 0 | 0.00% | 1 | 100.00% |
| Stan Donaldson | | 0 | 0.00% | 0 | 0.00% | 0 | 0.00% | 0 | 0.00% |
| | Cast Votes: | 1 | 100.00% | 0 | 0.00% | 0 | 0.00% | 1 | 100.00% |
| | Undervotes: | 0 | | 0 | | 0 | | 0 | |
| | Overvotes: | 0 | | 0 | | 0 | | 0 | |

*** End of report ***

Montgomery City Council
AGENDA REPORT

| | |
|-----------------------------------|---|
| Meeting Date: May 15, 2023 | Budgeted Amount: See Narrative Below |
| Department: Administration | Prepared By: G. Palmer, City Administrator |

Subject
 FY 2022-2023 Budget Amendment. Adding Funds for Finance Consultant (interim professional services)

Recommendation
 Move to approve the budget amendment and adoption of Ordinance# 2023-12

Discussion

Issue
 As you know we have an unanticipated vacancy in our finance office. We have posted the Finance Director position and have started interviewing candidates; however, it will take some time to complete the recruitment and onboard a new director; approximately 2-3 months.

Narrative
 At this time, we have no one qualified to manage the city finances. Therefore, per our previous discussions the city should retain a qualified firm to provide immediate interim services until we get a new director onboard. We have publicly solicited firms to provide this service and interviewed many.

In your agenda packet please find a proposed agreement with Strategic Government Resources (SGR; you may recall they did my recruitment for the city). In general, the agreement will allow SGR to provide interim Finance Director services until we hire a full-time director. They have a solid candidate with heavy director experience in TX that can start May 22nd. We interviewed that candidate, confident the candidate will fit in well, and confident the candidate can handle the work.

Budget
 We currently have a little under \$200 in our current budget for professional consulting services. Therefore, if the city is going to consider a professional services agreement, we must first amend the budget and allocate the appropriate funds to cover the anticipated professional services cost.

Cost: not greater than \$46,000 total for three months full-time consulting services.

| | | |
|--------------------|-------------|--------------------|
| Approved By | | |
| | | |
| City Administrator | Gary Palmer | Date: May 11, 2023 |

ORDINANCE NO. 2023-12

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

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 are 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. 3 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 5. This Ordinance shall become effective immediately from the date of its adoption.

PASSED AND APPROVED this ___ day of _____ 2023.

Byron Sanford, Mayor

ATTEST:

Nici Browe, TMRC, City Secretary

Exhibit "A" – Ord No. 2023-12FY2022-2023 Budget Amendment No. 3

Transfer \$46,000 from the General Fund savings into the General Consulting line item in the Administration Department Annual Budget. This transfer will cover the unanticipated cost for professional finance consulting (Interim Finance Dir).

General Fund Expenses increasing by \$ 46,000:

| Account # | Account Name | Current Budget | Amended Budget |
|------------------|-------------------|----------------|----------------|
| From: 100 | GF Fund Balance | \$2,719,769.15 | \$2,673,769.15 |
| To: 100-10-16202 | Admin. Consulting | \$194.38 | \$46,194.38 |

Montgomery City Council
AGENDA REPORT

| | |
|-----------------------------------|---|
| Meeting Date: May 15, 2023 | Budgeted Amount: See Narrative Below |
| Department: Administration | Prepared By: G. Palmer, City Administrator |

Subject

Consider Approval of an Agreement for Professional Services with Strategic Government Resources (SGR)

Recommendation

We recommend approving the agreement as proposed and engaging the services of SGR to provide interim finance director services for an amount not to exceed \$46,000.

Discussion

Issue

As you know we have an unanticipated vacancy in our finance office. We have posted the Finance Director position and have started interviewing candidates; however, it will take some time to complete the recruitment and onboard a new director; approximately 2-3 months.

Narrative

At this time, we have no one qualified to manage the city finances. Therefore, per our previous discussions the city should retain a qualified firm to provide immediate interim services until we get a new director onboard. We have publicly solicited firms to provide this service and interviewed many.

In your agenda packet please find a proposed agreement with Strategic Government Resources (SGR; you may recall they did my recruitment for the City). In general, the agreement will allow SGR to provide interim Finance Director services until we hire a full-time director. They have a solid candidate with heavy director experience in TX that can start May 22nd. We interviewed that candidate, confident the candidate will fit in well, and confident the candidate can handle the work.

Budget

Cost: not greater than \$46,000 total for three months full-time consulting services. Funding provided through a budget amendment transferring \$46,000 from the General Fund Fund Balance (savings) into the Administration Dept. professional consulting line item.

Approved By

| | | |
|--------------------|-------------|--------------------|
| | | |
| City Administrator | Gary Palmer | Date: May 11, 2023 |

Date: May 4, 2023

**Agreement for Interim Finance Director Services
By and Between Strategic Government Resources and the City of Montgomery, Texas**

City of Montgomery, Texas
Gary Palmer, City Administrator
GPalmer@Ci.Montgomery.TX.us

Strategic Government Resources
Wendle Medford, President
Interim, Embedded and Consulting Services
WendleMedford@GovernmentResource.com

("City")

("SGR")

Scope of Services. The City of Montgomery, Texas, (referred to as "City") seeks an Interim Finance Director to perform related duties for City. Strategic Government Resources (referred to as "SGR") will provide a highly experienced local government professional to serve as Interim Finance Director for City.

Recommended Candidate. SGR and City will work together to determine a final candidate for consideration. Should City wish to consider an alternate candidate, SGR can provide other experienced local government professionals for City to interview. City may interview candidate(s) by phone, Skype, or in person. City will reimburse all travel, lodging, and per diem expenses for any in-person interviews.

If at any time during the assignment, City wishes to have another candidate provided to serve as Interim Finance Director, SGR will produce additional experienced local government professionals to fill the position, to the satisfaction of City, pending availability of suitable candidates.

Directions and Control. The City is responsible for the direction, supervision, and control of the contractor. It is the City’s responsibility to provide a safe workplace and to furnish the contractor with any equipment/ training needed to perform their role.

Terms and Conditions. SGR will provide an Interim Finance Director at a rate of \$90.00 per hour. The Interim Finance Director will work a maximum of 40 hours per week unless approved by City. Any hours worked in excess of 40 hours per week, will be billed at the standard contract rate of \$90.00 per hour.

City Contact for Invoicing:

Name: _____

Email: _____

Phone: _____

1. SGR will perform a Comprehensive Media Search on the candidate selected by City and provide a comprehensive media report to City. This media report is compiled from information gathered using our proprietary online search process. This is not an automated process and produces far superior results than a standard media or simple Google search. The report length may be as long as 350 pages and may include news articles, links to video interviews, blog posts by residents, etc.
2. The City’s final approval of the interim candidate will be dependent upon client acceptance of

results of the media and background searches conducted, and we recommend a start date after completion of all elements of our background checking process.

Should an organization choose to start an interim candidate prior to completion of media searches and/or any other elements of the standard background investigation, SGR will be held harmless for any unexpected findings.

3. SGR will perform a comprehensive background investigation on the candidate selected by the City. SGR uses a licensed private investigation firm for these services. Through SGR's partnership with FirstCheck, we are able to provide our Cities with comprehensive background screening reports that include detailed information such as:
 - Social Security number trace
 - Address history
 - Driving history/motor vehicle records
 - Credit report
 - Federal criminal search
 - National criminal search
 - Global homeland security search
 - Sex offender registry search
 - State criminal search (for current and previous states of residence)
 - City criminal search (for every City in which candidate has lived or worked)
 - City civil search (for every City in which candidate has lived or worked)
 - Education verification
4. City is responsible for the cost of any drug screening that City may require.
5. All routine business expenses incurred by SGR's representative in their role as Interim Finance Director, will be reimbursed under the same terms and conditions that such expenses would be reimbursed for any other employee of City, such as mileage, hotel, and per diem when traveling at the request of City, and business meals incurred for local meetings. Commute time will not be billed by SGR.
6. The City will provide temporary housing such as a local hotel, direct billed to City, with a roundtrip mileage/travel reimbursement of four times per month between Interim Finance Director's permanent residence and City. Mileage is reimbursed by City at the current IRS mileage reimbursement rate.
7. City will be billed bi-weekly for the previous 2 week's work and any travel/housing reimbursement. Payment will be due within 14 days of each billing. SGR will not be compensated for holidays, vacation time, sick leave, etc.
8. If City hires the candidate placed as Interim Finance Director for a permanent position during the term of this agreement or within 12 months after the conclusion of this agreement, City will pay SGR an employment placement fee of \$10,000.00. This fee is waived if SGR conducts a full-service executive search for this position.

9. City or SGR may terminate the agreement for Interim Finance Director Services with a fourteen (14) day written notice, without cause or penalty.

Cost Summary. SGR will provide Interim Finance Director Services to City as follows:

| | |
|---|---|
| <i>Interim Finance Director Services</i> | <i>\$90.00 per hour</i> |
| <i>Comprehensive Media Search Report</i> | <i>\$500.00</i> |
| <i>Background Investigation</i> | <i>\$400.00</i> |
| <i>Mileage/Temporary Housing</i> | <i>TBD*</i> |
| <i>Travel expenses for in-person interviews, if needed</i> | <i>TBD</i> |
| <i>Per diem for in-person interview, if needed</i> | <i>\$15 breakfast, \$20 lunch, \$30 dinner</i> |

**Mileage will be billed at the Standard Mileage Reimbursement Rate established by the IRS. City will provide temporary housing or a housing stipend, if necessary.*

Confidentiality Agreement. The Interim Finance Director will perform services for City which may require City to disclose confidential and proprietary information to Interim Finance Director or which may require City to grant authorization to the Interim Finance Director to make financial and legal transactions on behalf of the City. Confidential information includes, but is not limited to, any information of any kind, nature, or description concerning any matters affecting or relating to Interim Finance Director’s services for City, the business or operations of City, and/or the products, projects, drawings, plans, processes, or other data of City. Financial and legal information includes, but is not limited to, financial institution wire transfers, deposits, withdrawals, cash handling, investment handling, real property transactions, or other financial or legal transactions of City. The Interim Finance Director, through his/her contract with SGR agrees:

- To hold any and all confidential information received from City in strict confidence and shall exercise a reasonable degree of care to prevent disclosure to others.
- Not to disclose or divulge, either directly or indirectly, the confidential information to others unless first authorized to do so in writing by City. For financial and legal transactions, Interim Finance Director must receive authorization from City verbally and in writing, other than by email, and Interim Finance Director shall maintain reasonable data security controls to protect Interim Finance Director and City from social engineering attacks.
- Not to reproduce the confidential information, nor use this information commercially, or for any purpose other than the performance of his/her duties for City.
- That upon request or upon termination of his/her relationship with City, deliver to City, any drawings, notes, documents, equipment, and materials received from City or originating from his/her activities for City.
- That City shall have the sole right to determine the treatment of any information that is part or project specific received from Interim Finance Director, including the right to keep the same as confidential and proprietary.

Indemnification. To the extent it may be permitted to do so by applicable law, City does hereby agree to defend, hold harmless, and indemnify the designated Interim Finance Director, SGR, and all officers,

employees, and contractors of SGR, from any and all demands, claims, suits, actions, judgments, expenses, and attorneys' fees incurred in any legal proceedings brought against them as a result of action taken in the Interim's individual or official capacity for the City as an independent contractor and as Interim Finance Director, providing the incident(s), which is (are) the basis of any such demand, claim, suit, actions, judgments, expenses, and attorneys' fees, arose or does arise in the future from an act or omission of the Interim Finance Director as an independent contractor of City acting within the course and scope of the Interim Finance Director's engagement with City; excluding, however, any such demand, claim, suit, action, judgment, expense, and attorneys' fees for those claims or any causes of action where it is determined that the Interim Finance Director committed official misconduct, or committed a willful or wrongful act or omission, or an act or omission constituting gross negligence, or acted in bad faith; and excluding any insurance contract, held either by City or SGR. In the case of such indemnified demand, claim, suit, action, or judgment, the selection of the Interim Finance Director's legal counsel shall be with the mutual agreement of the Interim Finance Director and City if such legal counsel is not also City's legal counsel. A legal defense may be provided through insurance coverage, in which case the Interim Finance Director's right to agree to legal counsel provided for him/her will depend on the terms of the applicable insurance contract. The provisions of this paragraph shall survive the termination, expiration, or other end of this agreement and/or the Interim Finance Director's engagement with City.

Venue. The venue for any disputes shall reside in Montgomery County, Texas.

Applicable law. This agreement shall be governed by the laws of the State of Texas.

This agreement represents the full and complete agreement between Strategic Government Resources and the City of Montgomery, Texas, and supersedes any and all prior written or verbal agreements. This agreement may be modified or amended only by a written instrument signed by the parties.

Approved and Agreed to on _____, by and between Strategic Government Resources and the City of Montgomery.

Gary Palmer, City Administrator
City of Montgomery, Texas

Wendle Medford, President
Interim, Embedded and Consulting Services
Strategic Government Resources