

## EXHIBIT A - SCOPE OF WORK

In accordance with the terms of the Professional Services Agreement (the “Agreement”) with the City of Montgomery, Kendig Keast Collaborative (KKC) will provide professional land use planning and ordinance writing services to assist the City in creating a new Unified Development Ordinance. This work effort will be centered on producing future land use, thoroughfare and open space plans and updating and rewriting the following chapters of the Code of Ordinances:

- Chapter 42, Floods
- Chapter 54, Manufactured Homes and Trailers (Division 3, Park Regulations and Standards)
- Chapter 66, Signs
- Chapter 78, Subdivisions
- Chapter 98, Zoning

### Project Administration

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KKC will coordinate with City staff to develop a project schedule for completion of the services, which will include the dates of deliverables, periods of review, and meetings for the duration of the project. The Project Schedule will be coordinated so that the City’s Project Director can provide status reports to the Planning and Zoning Commission, City Council and other boards and commissions at regular milestones in the ordinance development process.

KKC will complete project management activities to ensure schedule adherence, cost control, and quality assurance. These activities will include:

- Preparation and maintenance of the Project Schedule.
- Frequent communication and coordination with the City’s Project Director.
- Submittal of written progress reports in conjunction with each monthly invoice.

### Core Project Services

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The core services are divided into three distinct stages:

1. Near-Term Plans and Ordinance Amendments
2. UDO Drafting and Mapping
3. UDO Implementation

Within each stage is a series of tasks and subtasks set out below.

#### Stage 1. Near-Term Plans and Ordinance Amendments

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**1.1 Project Orientation.** This task will initiate work with City staff and include research and background studies, field reconnaissance and ground truthing, policy analysis and validation, collection of data and mapping, and mobilization of resources.

Meet with City staff to:

- Establish the project logistics, methods and timing of communications and schedule adherence.
- Discuss the structure, membership, and roles of an Advisory Committee.

- Prepare a project schedule detailing the dates of meetings and deliverables, staff review time, staff calls and meetings, and other project activities.
- Identify needed data and information, such as:
  - Five-year history of variance requests and decisions;
  - Five-year history of zoning cases; and
  - List of staff comments and changes noted to date.

Meeting(s): Staff teleconference

Deliverable(s): Project schedule

### **1.2 Field Reconnaissance.** Observe built conditions in the context of the existing zoning districts.

- Acquire and review all existing conditions data, case information, and GIS mapping.
- Attend a tour lead by City staff to learn about planned infrastructure improvements, proposed and pending developments, and areas noted for future projects.
- Visit development sites that represent good zoning outcomes and pending project sites for discussion of how the new regulations may achieve outcomes that are in line with community and Council expectations.
- Develop a photographic inventory to capture development types, forms, and patterns.

Meeting(s): Staff-led tour  
Self-guided reconnaissance

Deliverable(s): None for this task

### **1.3 Introductory Meetings.**

- Attend a City staff meeting to hear about their experiences in administering and enforcing the current zoning, subdivision, flood and sign ordinances, solicit recommendations for needed improvements, and review the processes for application intake, review, commenting, problems encountered, and the timeline for each step for each application type.
- Arrange a kick-off meeting with the Advisory Committee to confirm their review and meeting commitments and to initiate conversations about the future of Montgomery.
- Facilitate a joint work session with the Planning and Zoning Commission, Board of Adjustment and City Council (and applicable committees) to discuss their use of the current regulations and to identify void or vague provisions, conflicts and inconsistencies, and limitations.
- Meet with members of the four Home Owners Associations (HOAs) to familiarize them with the project purpose and to solicit their ongoing input as the UDO is drafted.
- Attend three, one-hour focus group meetings with the following key stakeholders:
  - Landowners, developers and builders;
  - Engineers, architects and planners;
  - Business owners and operators;

Meeting(s): Advisory Committee Meeting No. 1 (in-person)  
Planning and Zoning Commission, BOA and City Council Work Session (in-person)  
HOA meetings (4) (in-person)

### Focus Groups (3) (in-person)

**1.4 Future Land Use, Thoroughfare and Open Space Plans.** The plan maps will guide city decisions relative to zone changes and land development proposals, future street alignments and rights-of-way dedications, and preservation of parks, open space and natural greenways.

- Graphically summarize the character of existing development as a basis for creating the Future Land Use Plan.
- Assess the long-range development outlook and context for the community, including:
  - Identification of areas available, most suitable, and preferred for new growth, accounting for flood hazard areas and other physical and environmental factors, the transportation network, and infrastructure and public service capacities and availability;
  - Means to coordinate growth management and future land use and ensuring linkages to infrastructure and service capacities, land use balance, economic development needs, and rural/agricultural preservation and other resource conservation priorities;
  - Orderly improvement of the transportation system to enhance safety and relieve congestion, considering facilities for automobiles and pedestrian/bicycle circulation.
  - Maintaining the integrity of existing neighborhoods while setting appropriate standards for quality new residential areas.
  - Strengthen the City’s tax base and its “quality of place” appeal, including consideration of future growth and development patterns and associated upgrades to or extension of public infrastructure and services.
  - A capacity outlook for the City’s infrastructure and its timing based on projected growth activity.
  - Place-making, urban design, and image/appearance opportunities in terms of development quality along SH 105, FM 149 and Lone Star Parkway and at “gateway” locations.
- Develop a map that visually depicts the desired future development pattern, including provision for protecting natural resource and valued open space areas, conservation of existing neighborhoods, preservation of the historic downtown and original town neighborhoods, corridor commercial design, and mixed-use neighborhood and town centers.
- Create a parks and open space plan to protect the environs along existing resource features, meet standards for the provision of future parks and recreation facilities, and reserve linear connections to link neighborhoods, parks, schools and other community facilities.
- Build on the Montgomery County Thoroughfare Plan to identify the future locations and alignment of collector streets, along with their rights-of-way and street design requirements.

Meeting(s):           Advisory Committee Meeting No. 2 (in-person)  
                              Joint Planning and Zoning Commission and City Council Workshop and Open House (1) (in-person)  
                              Interest group meetings (2), scheduled to occur on the same day as the Workshop and Open House. (in-person)

Deliverable(s):       Future Land Use Plan  
                              Modified Thoroughfare Plan  
                              Parks and Open Space Plan

**1.5 Illustrated Master Plan.** This task will result in a schematic master land plan covering the undeveloped and noncommitted areas of the Buffalo Springs Planned Unit Development (PUD). Its purpose is to establish conditional approval procedures and design guidance for use during the interim period prior to UDO adoption. Proposed applications for developments will require demonstrate as to the adherence of their plan with the land use, street and open space patterns and design principles expressed by the master plan and implementation guide.

- *On an Additional Services basis, facilitate a three-day design workshop to involve nearby stakeholders in sketching planning exercises and ideas creation consisting of before, during and after meetings with surrounding neighbors, landowners and businesses.*
- Develop an early concept schematic for presentation and feedback. This work-product will be conceptual in nature and focus on developing a general organizing framework for the plan including a proposed road system, proposed land use “bubbles”, open space systems and other organizing features. The concept plan will be presented in PowerPoint and will be supplemented with a wide selection of development character images to communicate suggested development types and densities.
- Assimilate the feedback and recommended changes from the early concept schematic into a draft design alternative. This will still be at an intermediate (40-50%) level of detail for obtaining further feedback and for confirming consensus to proceed into detailed design.
- Synthesize proposed adjustments into a 90% plan version for official presentation. Based on any final feedback received, prepare a single (100%) version of a Final Plan for official adoption.
- Prepare interim ordinance language for a conditional approval process for use during the period from Final Plan to UDO adoption.
- Produce design guidelines and decision criteria for use by staff in reviewing, by the Planning and Zoning Commission in recommending, and by the City Council in deciding approval of proposed development applications. The guidelines may cover, but are not limited to:
  - Cross sections of different street profiles, building frontage types, pedestrian improvements and streetscape amenities.
  - Block and lot proportions relative to walkability, traffic and pedestrian circulation and safety, property access, on- and off-street parking and loading, and building footprints and lot coverage.
  - Building and use types relative to their scale and operational requirements, location and proximity to existing and planned or proposed land use typologies, parking and loading demands, access to public spaces and transit, stormwater management impacts/needs and compatibility with natural resources.
  - Amenities that may be used in different contexts to fulfill objectives: aesthetics, screening, landscaping, use transitions, green infrastructure, stormwater management, parking, public art, recreation, etc.
- *On an Additional Services basis, develop a 3D computer model of the master plan to illustrate and simulate the City’s new design and development standards. The model would be integrated within the UDO and posted on the City’s website to aid applicants in their preparations for plan submittal.*
- *On an Additional Services basis, work alongside City staff to manage the implementation of the plan. In this capacity, KKC’ role would be to serve as lead (adjunct) project manager as part of a*

*larger project management team consisting of other city departments. Services could include among others:*

- *performing development/design/zoning reviews;*
- *communicating directly with developers;*
- *creating project marketing materials and requests-for-proposals (RFPs);*
- *performing developer due diligence;*
- *reviewing developer financial statements, project pro-formas and budgets;*
- *helping determine the reasonableness of developer incentives requests;*
- *performing project feasibility gap analysis;*
- *creating developer incentives packages;*
- *generating project terms sheets and draft development agreements;*
- *presenting information to the City Council and/or various other boards and committees and generally shepherding the city's internal development review process.*

Meeting(s): Staff calls (2) (virtual)  
Joint Planning and Zoning Commission / City Council meeting (1) (in person)  
City Council adoption (1) (Add Alternate)

Deliverable(s): Concept schematic plan  
Design alternative  
Final Plan  
Design guidelines and decision criteria

#### **1.6 Interim Ordinance Amendments.**

- Provide track-change edits to the current version of Chapter 97, Zoning, to establish new standards where the ordinance is vague or void. In particular, these amendments will address:
  - New zoning district, land uses and area regulations for Downtown (Sec. 98-84)
  - Development standards for planned development (Div. 7)
  - District R-2, Multifamily residential district site and building design standards
  - District B, Commercial district site and building design standards
- Attend a public hearing of the Planning and Zoning Commission to present the proposed text amendments and to gain their recommendation of adoption.
- Present the proposed text amendments for City Council adoption.

Meeting(s): Staff calls (2) (virtual)  
Advisory Committee Meeting No. 3 (virtual)  
Planning and Zoning Commission public hearing (1)  
City Council meeting (1)

Deliverable(s): Interim ordinance amendments

## Stage 2. UDO Drafting and Adoption

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**2.1 Web-Based Platform.** Build the online platform for use in drafting and editing, documenting internal comments, and publishing interim drafts and the final adopted UDO.

- Build the public-facing site using a template design (or upgraded custom design).
- Consult with staff on City branding and style guide.
- Create a stylesheet to standardize the font, format and numbering system.
- Migrate the Code of Ordinances into the software platform to repeal Chapters 42, 54, 66, 78, and 98 and replace them with a new chapter for the Unified Development Ordinance.
- Build the interactive functionality including tags of all definitions and cross-references for the purpose of internal/external hyperlinking.
- Train staff on the use of the password-protected maintenance module to provide comments and to edit text.
- Build the following premium features:
  - Development calculators for:
    - Number of dwelling units per acre and per development, as applicable;
    - Total parking space quantities for cars, trucks and bicycles; and
    - Landscaping material types and quantities by location.
  - eReader: Optimized mobile and desktop document reading with navigation, printing, linking.
  - Zoning Navigator to organize the UDO in understandable sections and categories.
  - GeoZone (OPTIONAL): Esri-based GIS map application designed for planning and zoning queries, analyses, and display including:
    - *District Summary*: GIS display of applicable land uses and height, area and bulk standards for a zoning district or user-defined area.
    - *Land-Use Lookup*: GIS map of districts where specific land uses are permitted by-right or by condition or special exception.
    - *Parcel Summary*: Instant access to parcel details like ownership, land and building value and district standards.
    - *Smart Web URLs*: Automatically links zoning districts and parcels dynamically to reflect real-time updates on the interactive map.

Meeting(s): None for this task

Deliverable(s): Premium features listed above

**2.2 UDO Drafting.** Draft and deliver two modules for review and discussion.

- Review the current text to determine provisions that may be carried through as-is along with those warranting modified or new text, tables or graphics to clearly articulate the regulations and standards.
- Perform research of related provisions in the Code of Ordinances to identify needed cross-referencing or provisions that warrant amendment or repeal and replacement.
- Review the newly drafted regulations for consistency with applicable statutes.
- Build tables and matrices to organize and improve the readability of standards and embed

graphics to illustrate the application of the regulations.

- Generate custom graphics, where needed, to illustrate the application of standards.
- Prepare applicable definitions and acronyms.

Meeting(s): Monthly staff teleconferences (6) (virtual)  
Advisory Committee Meeting Nos. 4, 5 and 6 (two in person; one virtual)  
City Council midpoint briefing (in-person)

Deliverable(s): Two UDO Modules

**2.3 Zoning Map Amendment.** Make changes to the zoning map to reflect the new districts and match the guidance of the Future Land Use Plan.

- Review the GIS map files acquired from the city to verify their currentness, accuracy and consistency with the Montgomery County Central Appraisal District. *On an Additional Services basis, KKC can create an ArcGIS Online GIS Map, which may be integrated with the online ordinance.*
- Provide updates to the district boundaries of any zone change ordinances adopted but not yet implemented on the map.
- Make notation of the district boundaries that will remain the same albeit a change in the nomenclature.
- Track changes of existing district boundaries, where adjusted, to accommodate new zoning districts.
- Prepare and deliver a draft revised zoning map for staff review.
- Seek approval of the zoning map subsequent to adoption of the ordinance.

Meeting(s): Staff meeting to review draft zoning map

Deliverable(s): Draft and final zoning map

**2.4 UDO Text and Map Adoption.** A public hearing will be held with the Planning and Zoning Commission and City Council, during which the public may be heard and may enter their comments into the record.

- Present the Public Hearing Draft to the Planning and Zoning Commission prior to a public hearing, at which time the Commission may recommend changes. Upon completion, present the proposed UDO to the City Council together with the Commission's recommended changes.
- Present the Public Hearing Draft, including the amendments recommended by the Planning and Zoning Commission, before a public hearing of the City Council.
- Make changes and corrections to the Public Hearing Draft as directed by the City Council and publish the final adopted version of the UDO.

Meeting(s): Planning and Zoning Commission Public Hearing (1) (in-person)  
City Council Public Hearing (1) (in-person)

Deliverable(s): Public Hearing Draft  
Final adopted Ordinance

**2.5 Codification.** The UDO will be integrated within and codified as part of the Code of Ordinances.

- Codify any adopted but uncoded ordinances.

- Repeal Chapters 42, 54, 66, 78, and 98 and replace them with a new chapter for the Unified Development Ordinance.
- Produce a Code Comparative Table to compare the Code of Ordinances prior to and after adoption of the UDO.
- Incorporate hyperlinked cross-references.
- *On an Additional Services basis, perform a legal review of the Code of Ordinances, issue a memorandum of recommended changes and updates to bring the code current with state and federal laws, and update the State Law Reference Table*

### Stage 3. UDO Implementation (OPTIONAL)

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**3.1 Development Manual.** Produce a Development Manual to include:

- A summary description of each application type;
- Flow diagrams to illustrate the individual steps and timelines for each process;
- Updated or new checklists outlining the applicant submission requirements;
- New application forms; and
- A schedule of submittal dates, response and public notice types and timelines, and corresponding dates of meetings or hearings.

Meetings: None for this task

Deliverable: Web-Based Development Manual

**3.2 Start-Up Period Assistance.** Provide assistance to City staff during the first six months (or more as requested) following adoption of the UDO. The time associated with this task and any encumbered direct expenses would be on an hourly basis, billed against the escrow fee established for this service. Assistance may include:

- Review of all or select development applications;
- Participation via video-conferences with City staff to express our comments on reviewed applications and to respond to staff questions;
- Provision of verbal or written interpretations for application of the regulations to specific developments;
- Interactions with City staff and upon request, virtual meetings with development applicants;
- Attendance by request at Planning and Zoning Commission and/or City Council meetings; and
- Observe and advise on the City's administrative procedures.

Meetings:     Zoom conferences  
                   Interdepartmental project review meetings  
                   Application meetings  
                   Commission and Council meetings

Deliverables: To be determined

**3.3 UDO Training.** Provide training for back-office functions including application intake, distribution, departmental review and comment, and reporting and applicant coordination, together with one facilitated training session with the Planning and Zoning Commission and City Council. Time associated with this task would be on an hourly rate basis as the needs and level of effort vary widely.



- Interview those responsible for application intake and front counter interactions to identify standard practices and discuss means to improve effectiveness and efficiencies.
- Observe inter- and intra-departmental review functions and meetings and issue a technical memorandum with recommended improvements.
- Review inter-departmental documentation, written correspondence with applicants, and reports for Commission or Council consideration, and issue a technical memorandum noting best practices and recommended changes.
- Arrange mock meetings with the Planning and Zoning Commission and City Council to review the materials provided, methods of case review and comment/question documentation, staff presentation, Commission /Council discussion, hearing procedures, and criteria and issuance of decisions.
- Provide layperson guides to the zoning ordinance, which could be assembled into a booklet upon adoption.

## Tentative Budget

MONTGOMERY, TEXAS UNIFIED DEVELOPMENT ORDINANCE				
Key Personnel	Principal	Project Manager	Senior Associate	TOTAL
Title				
<b>Scope Tasks</b>				
<b>Phase 1. Kick-Off</b>				
1.1 Project Orientation				\$1,030
1.2 Field Reconnaissance				\$950
1.3 Introductory Meetings				\$11,700
1.4 Future Land Use, Thoroughfare and Open Space Plans				\$32,800
1.5 Illustrated Master Plan				\$42,000
1.6 Interim Ordinance Amendments				\$23,800
<b>Subtotal</b>				<b>\$112,280</b>
<i>Direct Expenses</i>				\$8,843
<b>TOTAL FOR STAGE 1</b>	<b>\$13,200</b>	<b>\$45,080</b>	<b>\$54,000</b>	<b>\$121,123</b>
<b>Stage 2. UDO Drafting and Adoption</b>				
2.1 Web-Based Platform		Premium Features		\$23,250
2.2 UDO Drafting				\$73,000
2.3 Zoning Map Amendment				\$14,500
2.4 UDO Text and Map Adoption				\$11,700
2.5 Codification				\$5,260
<b>Subtotal</b>				<b>\$127,710</b>
<i>Direct Expenses</i>				\$2,811
<b>TOTAL FOR STAGE 2</b>	<b>\$10,200</b>	<b>\$38,640</b>	<b>\$55,620</b>	<b>\$130,521</b>
<b>TOTAL FOR STAGES 1 &amp; 2</b>				<b>\$251,643</b>
<b>Stage 3. UDO Implementation (OPTIONAL)</b>				
3.1 Development Manual				\$16,400
3.2 Start-Up Period Assistance (Applicant Escrow)				\$0
3.3 UDO Training				\$8,000
<b>Subtotal</b>	<b>\$8,000</b>	<b>\$5,600</b>	<b>\$10,800</b>	<b>\$24,400</b>
<i>Direct Expenses</i>				\$513
<b>TOTAL FOR STAGE 3</b>	<b>\$8,000</b>	<b>\$5,600</b>	<b>\$10,800</b>	<b>\$24,913</b>