

**RESOLUTION NO. 25-XX**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MONTGOMERY, TEXAS RESCHEDULING A PUBLIC HEARING CONCERNING AMENDING ARTICLE III, "IMPACT FEES" OF CHAPTER 90 "UTILITIES" OF THE CITY CODE OF ORDINANCES TO REVIEW THE LAND USE ASSUMPTIONS, CAPITAL IMPROVEMENT PLAN, AND IMPACT FEE AMOUNTS WITH THE POSSIBILITY OF AMENDING SUCH AMOUNTS.**

**WHEREAS**, pursuant to Chapter 395 of the Texas Local Government Code, the City approved a Capital Improvement Plan and Land Use Assumptions, and adopted Article III, Impact Fees, Chapter 90, Utilities, of the City's Code of Ordinances and established water and wastewater impact fees for connection to the City's water and wastewater system all in accordance with the requirements of Chapter 395 of the Texas Local Government Code; and

**WHEREAS**, the City has undertaken to update the Capital Improvement Plan and the Land Use Assumptions to determine whether any amendments are advisable and determine whether the impact fees should be amended pursuant to Sec. 395.052 of the Texas Local Government Code; and

**WHEREAS**, pursuant to Secs. 395.053 and 395.054 of the Texas Local Government Code, the City must adopt an order setting a public hearing to discuss and review the update and shall determine whether to amend the plan, assumptions and/or impact fees; and

**WHEREAS**, the City Council (the "Council") of the City of Montgomery, Texas (the "City") previously adopted an Ordinance calling for said public hearing to be held on August 26, 2025; and

**WHEREAS**, the City has determined it necessary to reschedule said hearing for purposes of timely publishing the notice for said hearing; and

**WHEREAS**, the public hearing has been rescheduled and set for September 9, 2025.

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

**SECTION 1. Findings.** The findings and recitations set out hereinabove are found to be true and correct and are hereby adopted by the City Council, and made a part hereof for all purposes as findings of fact.

**SECTION 2. Order of Public Hearing.** The City Council of the City of Montgomery hereby reschedules the public hearing to discuss and review the updates to the Capital Improvement Plan and the Land Use Assumptions and to determine whether to amend the plan and if so, what amendments to make the Capital Improvement Plan, Land Use Assumptions and/or Impact Fees. The hearing shall be rescheduled and set for September 9, 2025 at the City of Montgomery City Hall, 101 Old Plantersville Road, in Montgomery, Texas in the City Council Chambers, and the City Secretary is directed to cause such notices of such public hearing to be given as required by Secs. 395.053, 395.054 and 395.055, of the Texas Local Government Code. A copy of the Notice of Public Hearing is attached hereto as Exhibit "A".

**SECTION 3. Effective Date.** This ordinance shall take effect immediately upon its passage and adoption.

**SECTION 4. Open Meetings.** It is hereby officially found and determined that the meeting at which this Ordinance was passed 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, Texas Government Code.

**PASSED, APPROVED AND ADOPTED** this the \_\_\_\_\_ day of \_\_\_\_\_, 2025.

**CITY OF MONTGOMERY, TEXAS**

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Mayor Sara Countryman

**ATTEST:**

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Ruby Beaven, CPM, MMC, TRMC

Exhibit "A"

**NOTICE OF PUBLIC HEARING ON AMENDMENT OF IMPACT FEES**

The **City Council of The City of Montgomery, Texas** will conduct a Public Hearing at **6:00 p.m. on September 9, 2025**, concerning amending *Article III, "Impact Fees" of Chapter 90 "Utilities" of the City Code of Ordinances*.

Specifically, the Public Hearing will be held at the City of Montgomery City Hall, 101 Old Plantersville Road, in Montgomery, Texas in the City Council Chambers for the purpose of considering the amendment of land use assumptions, a capital improvements plan, and the imposition of impact fees for water and wastewater improvements that are attributable to new development in the City's proposed water and wastewater impact fee service area within the corporate boundaries of the City.

All persons desiring to be heard on the matter will be given an opportunity to be heard and may present evidence for or against the update. Please direct any questions to Corinne Tilley, Planning & Development Coordinator at [ctilley@ci.montgomery.tx.us](mailto:ctilley@ci.montgomery.tx.us) or (936) 597-6434 or at City Hall.