



NOTICE OF PUBLIC MEETING OF THE MAGNOLIA CITY COUNCIL

AGENDA

REGULAR CITY COUNCIL MEETING
TUESDAY, FEBRUARY 09, 2021 – 7:00 P.M.

Sewall Smith Council Chambers
18111 Buddy Riley Boulevard, Magnolia, Texas 77354

The City Council of the City of Magnolia, Texas, reserves the right to adjourn into Executive Session at any time during the course of this meeting to discuss any of the matters listed below as authorized by Title 5, Chapter 551, of the Texas Government Code. §551.071(Consultation with Attorney), §551.072 (Deliberations about Real Property), §551.073 (Deliberations about Gifts and Donations), §551.074 (Personnel Matters), §551.076 (Deliberations about Security Devices), §551.086 (Deliberations about competitive matters), and §551.087 (Deliberation about Economic Development Matters).

1. CALL MEETING TO ORDER

- a. INVOCATION
- b. PLEDGE OF ALLEGIANCE
- c. ROLL CALL AND CERTIFICATION OF QUORUM

2. PUBLIC COMMENTS (Limited to three minutes per person)

Residents may address the Council regarding an item that is not listed on the agenda. Residents must complete a speaker form and turn it in to the City Secretary three (3) minutes before the start of the meeting. The Rules of Procedure states that comments are to be limited to five (5) minutes. The Texas Open Meetings Act provides the following:

(a) If, at a meeting of a governmental body, a member of the public or of the governmental body inquiries about a subject for which notice has not been given as required by this subchapter, the notice provisions of this subchapter do not apply to:

- (1) A statement of specific factual information given in response to the inquiry; or
- (2) A recitation of existing policy in response to the inquiry.

(b) Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting.

3. CONSENT AGENDA

This portion of the agenda consists of items considered routine and will be enacted by one motion unless separate discussion is requested by a member of the City Council or a citizen. If discussion is desired, that item will be removed from the consent agenda and will be considered separately.

a. CONSIDERATION – APPROVAL OF MINUTES

Consideration and possible action to approve the minutes of the Regular City Council Meeting held January 12, 2021.

b. CONSIDERATION – ADOPT ORDINANCE NO. O-2021-003 – CALLING GENERAL ELECTION

(Mayor Todd Kana)

Consideration and possible action to adopt:

ORDINANCE NO. O-2021-003

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS, PROVIDING FOR THE HOLDING OF A GENERAL ELECTION ON MAY 1, 2021, FOR THE PURPOSE OF ELECTING THREE (3) COUNCILMEMBERS; DESIGNATING THE POLLING PLACES AND APPOINTING ELECTION OFFICIALS FOR SUCH ELECTION; PROVIDING THE FORM OF THE BALLOTS AT SUCH ELECTION; DIRECTING THE GIVING OF NOTICE OF SUCH ELECTION; AND CONTAINING OTHER PROVISIONS RELATING TO THE SUBJECT

c. CONSIDERATION – AUTHORIZE ELECTION SERVICES AGREEMENT WITH MONTGOMERY COUNTY TO HOLD MAY 1, 2021 JOINT ELECTION

(Mayor Todd Kana)

Consideration and possible action to authorize Election Services Agreement to hold a May 1, 2021 Joint Election with Montgomery County and all other participating Political Subdivisions and authorize Mayor to execute.

d. CONSIDERATION – AUTHORIZE JOINT ELECTION AGREEMENT WITH MONTGOMERY COUNTY AND ALL PARTICIPATING ENTITIES

(Mayor Todd Kana)

Consideration and possible action to authorize Joint Election Agreement with Montgomery County and all participating entities and authorize Mayor to execute.

e. CONSIDERATION – AUTHORIZE AGREEMENT TO CONDUCT JOINT ELECTION BETWEEN MAGNOLIA INDEPENDENT SCHOOL DISTRICT AND CITY

(Mayor Todd Kana)

Consideration and possible action to authorize Agreement to Conduct Joint Election between MISD and City, and authorize Mayor to execute.

f. CONSIDERATION – APPROVE CONTRACT WITH HOUSTON COMMUNITY NEWSPAPERS & MEDIA GROUP

(Mayor Todd Kana)

Consideration and possible action to approve contract with Houston Community Newspapers & Media Group for advertising.

4. CONSIDERATION - APPROVE 2ML - MAGNOLIA FINAL PLAT, 6.5838 ACRES IN THE G. W. LONIS SURVEY A-320

(Tana Ross, Planning Technician)

Consideration to approve final plat submitted by 2ML – Magnolia of 6.5838 acres in the G. W. Lonis Survey A-320, Montgomery County Texas and being Tract 3 of 25.125 acres, Block 1, 3 unrestricted reserves.

5. CONSIDERATION - APPROVE MI HOMES MAGNOLIA RIDGE FOREST FINAL PLAT, SECTION 8 FOR 6.096 ACRES

(Tana Ross, Planning Technician)

Consideration to approve final plat submitted by MI Homes for Magnolia Ridge Forest, Section 8 being 6.096 acres in the Edward Taylor Survey, Abstract 554, Montgomery County Texas.

6. CONSIDERATION - APPROVE MI HOMES MAGNOLIA RIDGE FOREST FINAL PLAT, SECTION 9 FOR 7.657 ACRES

(Tana Ross, Planning Technician)

Consideration to approve final plat submitted by MI Homes for Magnolia Ridge Forest, Section 9 being 7.657 acres in the Edward Taylor Survey, Abstract 544, Montgomery County Texas.

7. CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION TO ADOPT RESOLUTION NO. R-2021-004 TO SET PUBLIC HEARING DATE ON ANNEXATION OF 69.53 ACRES INTO THE CITY OF MAGNOLIA, TEXAS AND PUBLISH NOTICE

Consideration, discussion, and possible action to adopt Resolution No. R-2021-004 to set public hearing date on annexation of 69.53 acres into the City of Magnolia, Texas and publish notice.

RESOLUTION NO. R-2021-004

A RESOLUTION SETTING A DATE, TIME, AND PLACE FOR A PUBLIC HEARING ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTY BY THE CITY OF MAGNOLIA, TEXAS, AND AUTHORIZING AND DIRECTING THE MAYOR TO PUBLISH NOTICE OF SUCH PUBLIC HEARING

8. CONSIDERATION, DISCUSSION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. O-2021-004 TO ALLOW THE CITY OF MAGNOLIA ECONOMIC DEVELOPMENT CORPORATION (TYPE A) TO UNDERTAKE PROJECTS OF A TYPE B ECONOMIC DEVELOPMENT CORPORATION AND DECLARING AN EFFECTIVE DATE

(Don Doering, City Administrator)

Consideration and possible action to adopt:

ORDINANCE NO. O-2021-004

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS PURSUANT TO SECTION 504.171, LOCAL GOVERNMENT CODE TO ALLOW THE CITY OF MAGNOLIA ECONOMIC DEVELOPMENT CORPORATION (TYPE A) TO UNDERTAKE PROJECTS OF A TYPE B ECONOMIC DEVELOPMENT CORPORATION AND DECLARING AN EFFECTIVE DATE

9. CONSIDERATION, DISCUSSION AND POSSIBLE ACTION FOR CLARIFICATION OF THE ACTION TO WAIVE ALL CITY BUILDING PERMIT/INSPECTION FEES AND INSPECTIONS FOR THE NEW COUNTY JAIL FACILITIES
(Mayor Todd Kana)
Consideration, discussion and possible action for clarification of the action to waive all City building permit/inspection fees and inspections for the new county jail facilities approved at the Regular City Council Meeting on September 8, 2020.
10. CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION TO APPROVE A PROPOSAL WITH LLOYD GOSSELINK FOR LEGISLATIVE MONITORING AND TRACKING OF TEXAS LEGISLATIVE MEASURES
(Mayor Todd Kana)
Consideration, discussion and possible action to approve a proposal with Lloyd Gosselink for legislative monitoring and tracking of Texas Legislative measures that pertain to the City.
11. CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION TO APPROVE A CODIFICATION AGREEMENT WITH FRANKLIN PUBLISHING SERVICES
(Mayor Todd Kana)
Consideration, discussion and possible action to approve an agreement for codification services with Franklin Legal Publishing and replacing Municode which does save the City costs for this type of product.
12. CONSIDERATION - TO APPROVE APPOINTMENT TO 4B COMMUNITY DEVELOPMENT CORPORATION
(Mayor Todd Kana)
Consideration to appoint or reappoint a member to the 4B Community Development Corporation.
13. CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION TO APPROVE AGREEMENT REGARDING FUTURE ANNEXATION WITH FORESTAR (USA) REAL ESTATE GROUP, INC
(Mayor Todd Kana)
Consideration, discussion and possible action to approve agreement regarding future annexation with Forestar (USA) Real Estate Group, Inc.
14. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ENGINEERING RECOMMENDATION TO INSTALL SEWER LINE
(Mayor Todd Kana)
Consideration and possible action to approve engineering recommendation to install 16" force main sewer line.

15. CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION TO AUTHORIZE CITY ADMINISTRATOR TO ISSUE REQUEST FOR QUALIFICATIONS FOR ENGINEERING SERVICES FOR THE 2.0 MGD WASTEWATER TREATMENT PLANT EXPANSION FOR THE CITY OF MAGNOLIA

(Mayor Todd Kana)

Consideration, discussion and possible action to authorize City Administrator to issue a Request for Qualifications for engineering services for the 2.0 MGD Wastewater Treatment Plant expansion for the City of Magnolia.

16. CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION TO AUTHORIZE THE CITY ADMINISTRATOR AND CITY STAFF TO ISSUE REQUESTS FOR QUALIFICATIONS FOR PROFESSIONAL ENGINEERING SERVICES FOR FUTURE WATER AND WASTEWATER TREATMENT PROJECTS FOR THE CITY OF MAGNOLIA

(Mayor Todd Kana)

Consideration, discussion and possible action to authorize the City Administrator and City staff to issue requests for proposal for professional engineering services for future water and wastewater treatment projects for the City of Magnolia.

17. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. O-2021-005 AUTHORIZING THE ISSUANCE OF CITY OF MAGNOLIA, TEXAS, GENERAL OBLIGATION REFUNDING BONDS, SERIES 2021; SETTING CERTAIN PARAMETERS FOR THE BONDS; AUTHORIZING THE REDEMPTION PRIOR TO MATURITY OF CERTAIN OUTSTANDING OBLIGATIONS; AUTHORIZING AN AUTHORIZED REPRESENTATIVE TO APPROVE THE TERMS THEREOF AND CERTAIN OTHER PROCEDURES AND PROVISIONS RELATING THERETO

(Mayor Todd Kana)

Consideration and possible action to adopt:

ORDINANCE NO. O-2021-005

ORDINANCE AUTHORIZING THE ISSUANCE OF CITY OF MAGNOLIA, TEXAS, GENERAL OBLIGATION REFUNDING BONDS, SERIES 2021; SETTING CERTAIN PARAMETERS FOR THE BONDS; AUTHORIZING THE REDEMPTION PRIOR TO MATURITY OF CERTAIN OUTSTANDING OBLIGATIONS; AUTHORIZING AN AUTHORIZED REPRESENTATIVE TO APPROVE THE TERMS THEREOF AND CERTAIN OTHER PROCEDURES AND PROVISIONS RELATING THERETO

18. ADMINISTRATION - DEPARTMENT REPORTS
ACTIVITIES/UPDATES/ANNOUNCEMENTS AND ITEMS OF COMMUNITY INTEREST

a. POLICE DEPARTMENT - (Chief of Police, Kyle Montgomery)

(1). Monthly Report — January 2021 — provided in packet

(2). General Announcements

b. PUBLIC WORKS DEPARTMENT - (City Administrator, Don Doering)

(1). Public Works Department Activity Report — provided in packet

(2). Monthly Building Permit Report — provided in packet

- (3). Monthly Utility Transaction Report — provided in packet
- c. ADMINISTRATION DEPARTMENT - (City Administrator, Don Doering)
- (1). Administration Department Activity — provided in packet
 - (2). Monthly Council Financial Report — provided in packet
 - (3). Monthly Municipal Court Report — provided in packet
 - (4). Code Compliance Report — provided in packet

19. CLOSED EXECUTIVE SESSION

The City Council of the City of Magnolia may convene into a Closed Executive Session in accordance with the Texas Government Code Sections 551.071 and 551.072 to deliberate the purchase, exchange, lease, or value of real property and to receive legal advice from its attorneys regarding the Wholesale Water Supply and Sanitary Sewer Agreement between the City of Magnolia, Audubon Magnolia Development, LLC, and Montgomery County MUD Nos. 130, 131, 154A, and 154B.

20. ADJOURN CLOSED EXECUTIVE SESSION AND RECONVENE OPEN MEETING


21. CONSIDERATION, DISCUSSION AND POSSIBLE ACTION AS A RESULT OF CLOSED EXECUTIVE SESSION REGARDING THE WHOLESALE WATER SUPPLY AND SANITARY SEWER AGREEMENT BETWEEN THE CITY OF MAGNOLIA, AUDUBON MAGNOLIA DEVELOPMENT, LLC, AND MONTGOMERY COUNTY MUD NOS. 130, 131, 154A, AND 154B

22. ADJOURN

CERTIFICATE OF AGENDA POSTING

I, the undersigned authority, do hereby certify that this City of Magnolia "Notice of Public Meeting" was posted on the bulletin board of City Hall located at 18111 Buddy Riley Blvd., Magnolia, Texas 77354 on February 5 by 5:00 pm, and remained so posted continuously for at least seventy-two (72) hours proceeding the scheduled time of said meeting.




Kandice Garrett, City Secretary

Disabled Accommodations: In compliance with the Americans with Disabilities Act ("ADA"), if you need special assistance to participate in this meeting, please contact the City Secretary's office at (281) 305-0550. Notification 48 hours prior to the meeting will enable the City to make reasonable arrangements to ensure accessibility to this meeting. Braille is unavailable.