

Mayor Todd Kana
Daniel Miller, Position 1
Matthew Dantzer, Position 2
Richard Carby, Mayor Pro Tem, Position 3
Brenda Hoppe, Position 4
Jack L Huit Jr., Position 5



Don Doering, City Administrator
Kandice Garrett, City Secretary
Leonard Schneider, City Attorney
Kyle Montgomery, Police Chief
Beverly Standley, Finance/HR Administrator
Mike Kurzy, AEI Engineering

NOTICE OF PUBLIC MEETING OF THE MAGNOLIA CITY COUNCIL

AGENDA

BUDGET WORKSHOP SESSION - TUESDAY, JULY 12, 2022 – 5:30 P.M.
PUBLIC HEARING AND REGULAR CITY COUNCIL MEETING
TUESDAY, JULY 12, 2022 – 7:00 P.M.
Sewall Smith Council Chambers
18111 Buddy Riley Boulevard, Magnolia, Texas 77354

WORKSHOP SESSION AGENDA

1. **CALL WORKSHOP SESSION TO ORDER**
 2. **ROLL CALL AND CERTIFICATION OF QUORUM**
 3. **BUDGET WORKSHOP SESSION**
 - a. Discuss the Budget for Fiscal Year 2022-2023 and provide any modifications.
 - b. Discuss 2022 Tax Rate.
 4. **ADJOURN WORKSHOP SESSION**
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PUBLIC HEARING AND REGULAR MEETING AGENDA

5. **CALL MEETING TO ORDER**
 - a. INVOCATION
 - b. PLEDGE OF ALLEGIANCE
 - c. ROLL CALL AND CERTIFICATION OF A QUORUM
 6. **CITIZENS COMMENTS, REQUESTS OR PETITIONS FROM THE PUBLIC**

(This agenda item provides an opportunity for citizens to address the City Council on any matter not on the agenda). Comments shall be limited to three (3) minutes per person. Comments by the governing body shall be limited to:

 - a. *Statements of specific factual information given in response to an inquiry;*
 - b. *A recitation of existing policy in response to an inquiry;*
 - c. *A proposal to place the subject on a future agenda.*
 7. **OPEN PUBLIC HEARING**
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NOTICE OF PUBLIC HEARING

On July 12, 2022 at 7 pm., City of Magnolia City Council will hold a public hearing in the Council Chambers of Magnolia City Hall, 18111 Buddy Riley, Blvd., Magnolia, Texas 77354, giving all interested persons the right to appear and be heard to discuss a rezoning to the City of Magnolia Official Zoning Map for 0.9183 acres of land being Reserve "A" and the east 55.25 feet of Reserve "D" of Magnolia Business Center, Gamble Dawson Survey, Abstract Number 177, of MONTGOMERY County, Texas, from Neighborhood Conservation 2 to Suburban Village.

8. CLOSE PUBLIC HEARING

9. ADJOURN PUBLIC HEARINGS AND CONVENE OPEN REGULAR MEETING

10. 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 Joint Public Hearing with City Council and Planning & Zoning Commission and Regular City Council Meeting held June 14, 2022.

11. CONSIDERATION – REZONING TO THE CITY OF MAGNOLIA OFFICIAL ZONING MAP FOR SM DADA ENTERPRISES, LLC (Mayor Todd Kana)

Consideration and possible action to review and approve rezoning to the City of Magnolia Official Zoning Map for 0.9183 acres of land being Reserve "A" and the east 55.25 feet of Reserve "D" of Magnolia Business Center, Gamble Dawson Survey, Abstract Number 177, of MONTGOMERY County, Texas, from Neighborhood Conservation 2 (NC 2) to Suburban Village (SV).

12. CONSIDERATION AND POSSIBLE ACTION TO APPROVE MILL CREEK ESTATES, SECTION 6A, FINAL PLAT, +/-30.239 ACRES (Mayor Todd Kana)

13. CONSIDERATION AND POSSIBLE ACTION TO APPROVE MILL CREEK ESTATES, SECTION 6B, FINAL PLAT, +/-8.706 ACRES (Mayor Todd Kana)

14. CONSIDERATION AND POSSIBLE ACTION TO APPROVE MILL CREEK ESTATES, SECTION 6C, FINAL PLAT, +/-13.110 ACRES (Mayor Todd Kana)

15. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE MAGNOLIA PLACE SECTION 1, PARTIAL REPLAT OF RESERVE A NO. 1, +/-1.184 ACRES (Mayor Todd Kana)**
16. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE CHAPTER 82 VARIANCE REQUEST TO ALLOW 45-FOOT LOT WIDTHS FOR RESIDENTIAL DEVELOPMENT IN MAGNOLIA EAST (PLACE) (Mayor Todd Kana)**
17. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE CHANGE ORDER NO. 2 FOR BALLAST POINT FOR THE MAGNOLIA CDBG - DR NO. 19-076-015-B364 (Mayor Todd Kana)**
18. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE CITY OF MAGNOLIA FINANCIAL POLICIES AND PROCEDURES (CDBG) (Mayor Todd Kana)**
19. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE CITY OF MAGNOLIA PROCUREMENT POLICIES AND PROCEDURES (CDBG) (Mayor Todd Kana)**
20. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. R-2022-025 ALLOCATING LOCAL FUNDS TOWARDS THE NICHOLS SAWMILL PHASE NO. 2 SEWER IMPROVEMENTS PROJECT (Mayor Todd Kana)**
Consideration and possible action to adopt:

RESOLUTION NO. R-2022-025
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAGNOLIA
COMMITTING LOCAL FUNDS FOR THE COMMUNITY DEVELOPMENT
BLOCK GRANT DISASTER RECOVERY (CDBG-DR) PROJECT WITH THE
GENERAL LAND OFFICE (GLO), STATE CONTRACT NO. 19-076-015-B364
21. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE AEI ENGINEERING CHANGE ORDER NO. 1 FOR WATER PLANT NO. 3 CLEARING AND GRUBBING (Mayor Todd Kana)**
22. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE AEI ENGINEERING WORK ORDER NO. 22-007 FOR CREATING AN UPDATED BOUNDARY MAP OF THE CITY LIMITS AND ETJ TO INCLUDE ZONING INFORMATION (Mayor Todd Kana)**
23. **DISCUSSION AND TAKE ACTION TO FILL THE REMAINING TERM OF POSITION 7 FOR THE MAGNOLIA 4B COMMUNITY DEVELOPMENT CORPORATION BOARD OF DIRECTORS (Mayor Todd Kana)**
24. **CONSIDERATION – APPROVE RESOLUTION NO. R-2022-026 MONTGOMERY COUNTY EMERGENCY COMMUNICATIONS DISTRICT BUDGET FOR FISCAL YEAR 2023**

(Mayor Todd Kana)

Consideration and possible action to adopt:

RESOLUTION NO. R-2022-026

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF
MAGNOLIA, TEXAS, APPROVING THE MONTGOMERY COUNTY
EMERGENCY COMMUNICATION DISTRICT BUDGET FOR FISCAL
YEAR 2023

25. CONSIDERATION – MONTGOMERY COUNTY EMERGENCY COMMUNICATION DISTRICT NOMINATION (Mayor Todd Kana)

Consideration and possible action to make nomination to the 9-1-1 Board of Managers to serve the two-year term currently held by Richard Tramm from October 1, 2022 to September 30, 2024.

26. CLOSED EXECUTIVE SESSION

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.)

The City Council may enter into executive session under Texas Government Code Section 551.071 to consult and receive legal advice from its attorneys regarding the following contracts with Audubon Magnolia Development LLC and any amendment thereto: Wholesale Water Supply and Sanitary Sewer Agreement and the Land Use Planning and Cooperation Agreement.

27. RECONVENE into regular session and consider action, if any, on item(s) discussed in executive session.

28. ADMINISTRATION - DEPARTMENT REPORTS

ACTIVITIES/ UPDATES/ ANNOUNCEMENTS AND ITEMS OF COMMUNITY INTEREST

- a. POLICE DEPARTMENT (Chief of Police, Kyle Montgomery)
- b. PUBLIC WORKS DEPARTMENT (Don Doering)
- c. ADMINISTRATION DEPARTMENT (City Administrator, Don Doering)

29. ADJOURN

If, during the course of the meeting and discussion of any items covered by this notice, City Council determines that a Closed or Executive Session of the Council is required, then such closed meeting will be held as authorized by Texas Government Code, Chapter 551, Section 551.071 – consultation with counsel on legal matters; Section 551.072 – deliberation regarding purchase, exchange, lease or value of real property; Section 551.073 – deliberation regarding a prospective gift; Section 551.074 – personnel matters regarding the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; Section 551.076 – implementation of security personnel or devices; Section 551.086 – deliberation regarding competitive matters of a public power utility ; Section 551.087 – deliberation regarding economic development negotiation; and/or other matters as authorized under Texas Government

Code. If a Closed or Executive Session is held in accordance with the Texas Government Code as set out above, the City Council will reconvene in Open Session in order to take action, if necessary, on the items addressed during Executive Session.

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services are requested to contact the City Secretary's office at (281-305-0550), two working days prior to the meeting for appropriate arrangements.

CERTIFICATE

I certify that a copy of the *Notice of Meeting* was posted on the City Hall bulletin board, a place convenient and readily accessible to the general public at all times, and to the City's website, www.cityofmagnolia.com, in compliance with Chapter 551, Texas Government Code.

DATE 7/8/2022
TIME 4:00 PM
TAKEN DOWN _____

Kandice Garrett
Kandice Garrett, City Secretary

