

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

REGULAR CITY COUNCIL MEETING TUESDAY, AUGUST 9, 2022 – 7:00 P.M.

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

1. CALL MEETING TO ORDER

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

2. 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.*

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

b. CONSIDERATION – APPROVAL OF PUBLIC FUNDS INVESTMENT PORTFOLIO – 2ND QUARTER ENDING JUNE 2022

c. CONSIDERATION – ACCEPT EXCESS COLLECTIONS FOR 2021 DEBT SERVICE AND CERTIFICATION FOR DEBT SERVICE COLLECTION RATE FOR 2022/2023

4. **CONSIDERATION AND POSSIBLE ACTION TO APPOINT A MUNICIPAL JUDGE FOR THE CITY MUNICIPAL COURT** (Mayor Todd Kana)

5. **BUDGET CONSIDERATION – TAX RATE** (Mayor Todd Kana)

Consideration and possible action if proposed tax rate exceeds the Voter approval rate or the No New Revenue rate (whichever is lower), take record vote to place proposed tax rate/increase on future agenda and set public hearing for August 23, 2022 at 7:00 p.m.

6. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. O-2022-022 AMENDING THE CITY OF MAGNOLIA OFFICIAL ZONING MAP FOR A REZONING OF 0.9183 ACRES OF LAND FROM NEIGHBORHOOD CONSERVATION 2 (NC 2) TO SUBURBAN VILLAGE (SV)** (Mayor Todd Kana)

Consideration and possible action to adopt:

ORDINANCE NO. O-2022-022

AN ORDINANCE OF THE CITY OF MAGNOLIA, TEXAS, AMENDING ITS ZONING ORDINANCE, BY APPROVING ZONING CLASSIFICATIONS CHANGE REQUESTS WITHIN THE CITY OF MAGNOLIA, MONTGOMERY COUNTY, TEXAS; AMENDING THE OFFICIAL ZONING MAP OF THE CITY TO REFLECT THE APPROVED ZONING CLASSIFICATION CHANGES; PROVIDING FOR SEVERABILITY; MAKING FINDINGS OF FACT; AND PROVIDING FOR OTHER RELATED MATTERS.

7. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE MYRTLE GARDENS, FINAL PLAT, +/-27.794 ACRES** (Mayor Todd Kana)

8. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE MAGNOLIA RIDGE, SECTION 15, FINAL PLAT, +/-20.232 ACRES** (Mayor Todd Kana)

9. **CONSIDERATION – APPROVE RESOLUTION NO. R-2022-026 SETTING DATE, TIME AND PLACE FOR TWO PUBLIC HEARINGS ON PROPOSED STRATEGIC PARTNERSHIP AGREEMENT BETWEEN THE CITY OF MAGNOLIA AND MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 174** (Mayor Todd Kana)

Consideration and possible action to adopt:

RESOLUTION NO. R-2022-026

A RESOLUTION OF THE CITY OF MAGNOLIA, TEXAS, SETTING A DATE, TIME AND PLACE FOR PUBLIC HEARINGS ON ADOPTION OF STRATEGIC PARTNERSHIP AGREEMENTS WITH MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NUMBER 174; AND AUTHORIZING AND DIRECTING THE PUBLICATION OF NOTICE OF SUCH PUBLIC HEARING DATES.

10. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE AEI ENGINEERING WORK ORDER NO. 22-008 FOR SUPERVISORY CONTROL AND DATA ACQUISITION (SCADA)**

MASTER PLAN REGARDING EXPANSION OF CITY'S WATER AND WASTEWATER FACILITIES NOT TO EXCEED \$10,000
(Mayor Todd Kana)

11. **PRESENTATION – RECEIVE AN UPDATE ON FM 1774 SEWER EXTENSION PROJECT FROM MAGNOLIA ECONOMIC DEVELOPMENT CORPORATION**
12. **CONSIDERATION AND POSSIBLE ACTION TO APPOINT A MUNICIPAL COURT CLERK FOR THE CITY MUNICIPAL COURT** (Mayor Todd Kana)
13. **CONSIDERATION – APPROVAL OF 2021-2022 BUDGET ADJUSTMENTS**
(Mayor Todd Kana)
14. **CONSIDERATION – APPROVE RESOLUTION NO. R-2022-027 MONTGOMERY COUNTY EMERGENCY COMMUNICATIONS DISTRICT BUDGET FOR FISCAL YEAR 2023**
(Mayor Todd Kana)
Consideration and possible action to adopt:

RESOLUTION NO. R-2022-027
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS, APPROVING THE MONTGOMERY COUNTY EMERGENCY COMMUNICATION DISTRICT BUDGET FOR FISCAL YEAR 2023.

15. **CONSIDERATION – APPROVE RESOLUTION NO. R-2022-028 CASTING VOTE FOR CANDIDATE FOR APPOINTMENT TO GRP CONTRACT REVIEW COMMITTEE**
(Mayor Todd Kana)
Consideration and possible action to adopt:

RESOLUTION NO. R-2022-028
RESOLUTION CASTING VOTE FOR CANDIDATE FOR APPOINTMENT TO GRP CONTRACT REVIEW COMMITTEE

16. 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.)

City Council will convene into executive session under Texas Gov't Code 551.074 to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, City Administrator, City Attorney, City Secretary, Police Chief, and Municipal Court Clerk.

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

18. 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)

19. 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 8.5.22
TIME 4:30 PM
TAKEN DOWN _____

Kandice Garrett
Kandice Garrett, City Secretary

