

Mayor Todd Kana  
Daniel Miller, Position 1  
Matthew Dantzer, Position 2  
Richard Carby, Mayor Pro Tem, Position 3  
Brenda Hoppe, Position 4  
Josh Abernathy, Position 5



Don Doering, City Administrator  
Kandice Garrett, City Secretary  
Leonard Schneider, City Attorney  
Kyle Montgomery, Police Chief  
Beverly Standley, Finance/HR Administrator  
Tana Ross, Planning Tech

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## NOTICE OF PUBLIC MEETING OF THE MAGNOLIA CITY COUNCIL

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### AGENDA

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**BUDGET WORKSHOP SESSION - TUESDAY, AUGUST 10, 2021 – 6:00 P.M.**  
**REGULAR CITY COUNCIL MEETING - TUESDAY, AUGUST 10, 2021 – 7:00 P.M.**  
Sewall Smith Council Chambers  
18111 Buddy Riley Boulevard, Magnolia, Texas 77354

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### 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 2021-2022 and provide any modifications.
    - b. Discuss 2021 Tax Rate.
  4. **ADJOURN WORKSHOP SESSION**
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### REGULAR MEETING AGENDA

5. **CALL MEETING TO ORDER**
  - a. INVOCATION
  - b. PLEDGE OF ALLEGIANCE
  - c. ROLL CALL AND CERTIFICATION OF A QUORUM
6. **PUBLIC COMMENTS** *(Generally limited to three minutes per person; in accordance with state law, the time may be reduced if there is a high number of speakers or other considerations.)*
7. **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 July 13, 2021.
  - b. **CONSIDERATION – APPROVE INVESTMENT PORTFOLIO FOR 2<sup>ND</sup> QUARTER ENDING JUNE 2021**
  - c. **CONSIDERATION – ACCEPT EXCESS COLLECTIONS FOR 2020 DEBT SERVICE AND CERTIFICATION FOR DEBT SERVICE COLLECTION RATE FOR 2021/2022**
  - d. **CONSIDERATION – APPROVE DISPOSAL OF LOW VALUE SURPLUS**
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- 8. **CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON PETITION FOR ANNEXATION OF 13.00 ACRES BY THE CITY OF MAGNOLIA SUBMITTED BY PARKSIDE MAGNOLIA EAST LLC** (Mayor Todd Kana)
  - 9. **CONSIDERATION, DISCUSSION AND POSSIBLE ACTION TO ADOPT RESOLUTION NO. R-2021-020 TO SET PUBLIC HEARING DATE ON ANNEXATION OF 13.00 ACRES INTO THE CITY OF MAGNOLIA, TEXAS AND PUBLISH NOTICE** (Mayor Todd Kana)
- RESOLUTION NO. R-2021-020
- 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
- 10. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE MILL CREEK ESTATES SECTION 5, FINAL PLAT +/- 20.074 ACRES** (Mayor Todd Kana)
  - 11. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE MUSTANG RIDGE SECTION 2, FINAL PLAT +/- 12 ACRES** (Mayor Todd Kana)
  - 12. **CONSIDERATION – APPROVE UTILITY/INFRASTRUCTURE CONVEYANCE BY FORESTAR (USA) REAL ESTATE GROUP INC ON BEHALF OF MUNICIPAL UTILITY DISTRICT NO. 165** (Mayor Todd Kana)
  - 13. **CONSIDERATION - REVIEW REQUEST FOR QUALIFICATIONS SUBMITTALS AND SELECT A NEW ENGINEERING FIRM FOR THE CITY OF MAGNOLIA**  
(Mayor Todd Kana)

14. **CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION TO ACCEPT AEI ENGINEERING WATER PLANT NO. 3 SITE STUDY AND RECOMMENDATION FROM AEI TO MOVE FORWARD WITH ACQUISITION OF NEW WELL SITE APPROXIMATELY +/- 2.0 ACRES FOR \$60,000 PURCHASE PRICE**  
(Mayor Todd Kana)

15. **CONSIDERATION – APPROVE RESOLUTION NO. R-2021-021 AUTHORIZING THE APPLICATION OF STATE INFRASTRUCTURE BANK (SIB) LOAN FOR ADVANCE FUNDING AGREEMENT – UTILITY RELOCATION FM 1488 (SECOND SEGMENT), CSJ 0523-09-009 WITH TXDOT**  
(Mayor Todd Kana)

**RESOLUTION NO. R-2021-021**

RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION FOR FINANCIAL ASSISTANCE FROM THE STATE INFRASTRUCTURE BANK; AUTHORIZING THE MAYOR, TODD KANA TO ACT ON BEHALF OF THE CITY OF MAGNOLIA, TEXAS IN ALL MATTERS RELATING TO THE APPLICATION

16. **CONSIDERATION AND POSSIBLE ACTION TO ADOPT ORDINANCE NO. O-2021-016 AMENDING ORDINANCE NO. O-2021-011** (Mayor Todd Kana)

**ORDINANCE NO. O-2021-016**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS, AMENDING ORDINANCE NO. O-2021-011 AUTHORIZING THE ISSUANCE OF CITY OF MAGNOLIA, TEXAS WATERWORKS AND SEWER SYSTEM REVENUE BONDS, SERIES 2021

17. **CONSIDERATION – APPROVE RECOMMENDATION TO ACCEPT MAINTENANCE OF ROADWAY MUSTANG RIDGE TERRACE AT FM 1774 AS PLACED WITHIN DEDICATED RIGHT OF WAY** (Mayor Todd Kana)
18. **CONSIDERATION – APPROVE RESOLUTION NO. R-2021-022 NOMINATING CANDIDATE FOR APPOINTMENT TO GROUNDWATER REDUCTION PLAN CONTRACT REVIEW COMMITTEE** (Mayor Todd Kana)

**RESOLUTION NO. R-2021-022**

A RESOLUTION REGARDING NOMINATING CANDIDATE FOR APPOINTMENT TO GROUNDWATER REDUCTION PLAN CONTRACT REVIEW COMMITTEE



19. **CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION TO ADOPT RESOLUTION NO. R-2021-023 DESIGNATING AN ADMINISTRATION/PROJECT DELIVERY SERVICE PROVIDER TO COMPLETE PROJECT IMPLEMENTATION FOR THE AMERICAN RESCUE PLAN ACT (ARP ACT) FUNDING ADMINISTERED BY THE US DEPARTMENT OF TREASURY, OTHER FEDERAL OR STATE AGENCY** (Mayor Todd Kana)

**RESOLUTION NO. R-2021-023**

A RESOLUTION OF CITY OF MAGNOLIA, TEXAS, AUTHORIZING PROFESSIONAL SERVICE PROVIDER(S) SELECTION FOR AMERICAN RESCUE PLAN ACT (ARP ACT) PROGRAM(S)

20. **CONSIDERATION – APPROVAL OF 2020-2021 BUDGET ADJUSTMENTS**  
(Mayor Todd Kana)

21. **CONSIDERATION – APPROVE ORDINANCE NO. O-2021-017 AMENDING THE FISCAL YEAR 2020-2021 ANNUAL BUDGET, ORDINANCE NO. O-2020-022, TO AMEND ADOPTED EXPENDITURES AND REVENUES BUDGET** (Mayor Todd Kana)

**ORDINANCE NO. O-2021-017**

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS, AMENDING THE FISCAL YEAR 2020-2021 ANNUAL BUDGET, ORDINANCE NO. O-2020-022, TO AMEND ADOPTED EXPENDITURES AND REVENUES OF THE BUDGET; AND DECLARING AN EFFECTIVE DATE

22. **CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON RECOMMENDATION OF APPOINTMENT(S) TO PLANNING AND ZONING COMMISSION** (Mayor Todd Kana)
23. **CONSIDERATION – ANNUAL ELECTION OF MAYOR PRO TEM** (Mayor Todd Kana)
24. **CONSIDERATION – APPROVE RESOLUTION NO. R-2021-024 AMENDMENTS TO PERSONNEL POLICY MANUAL REGARDING MENTAL HEALTH LEAVE FOR PEACE OFFICERS** (Mayor Todd Kana)

**RESOLUTION NO. R-2021-024**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAGNOLIA TO AMEND THE CITY OF MAGNOLIA PERSONNEL POLICY MANUAL

25. **CONSIDERATION AND POSSIBLE ACTION TO SELECT NOMINEE FOR MCAD BOARD OF DIRECTORS ELECTION FOR THE 2022-2023 TERM** (Mayor Todd Kana)
26. **CONSIDERATION – APPOINTMENT OF ALTERNATE JUDGE TO THE CITY OF MAGNOLIA MUNICIPAL COURT** (Councilmember Dantzer)
27. **CONSIDERATION - APPROVE LEXIS NEXIS CONTRACT FOR ONLINE CRASH REPORT SYSTEM TO BE ADDED WITH NEW PD SUBSITE** (Mayor Todd Kana)

28. **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.)*

**a. §551.071 - (Legal Advice) - Consultation with Attorney to receive legal advice on pending litigation, Case No. D-1-GN-18-006882; Ex Parte City of Magnolia.**

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

30. **ADMINISTRATION - DEPARTMENT REPORTS**

**ACTIVITIES/ UPDATES/ ANNOUNCEMENTS AND ITEMS OF COMMUNITY INTEREST**

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

31. **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](http://www.cityofmagnolia.com), in compliance with Chapter 551, Texas Government Code.

DATE 8/6/2021  
TIME 5:15 p.m.  
TAKEN DOWN \_\_\_\_\_

Kandice Garrett  
Kandice Garrett, City Secretary

