

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/Interim 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, MARCH 14, 2023 – 7:00 PM

Sewall Smith Council Chambers
18111 Buddy Riley Blvd., Magnolia, Texas 77354

1. CALL MEETING TO ORDER

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

2. CITIZEN 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 Regular City Council Meeting held February 14, 2023.

b. CONSIDERATION OF UNOPPOSED CANDIDATES

Consideration and possible action to accept and approve Certificate of Unopposed Candidates for the May 6, 2023 General City Election.

c. CONSIDERATION – APPROVAL OF ORDINANCE NO. O-2023-002 – DECLARING UNOPPOSED CANDIDATES AND CANCELLING THE MAY 6, 2023 GENERAL CITY ELECTION

Consideration and possible action to adopt:

ORDINANCE NO. O-2023-002

AN ORDINANCE OF THE CITY OF MAGNOLIA, TEXAS, DECLARING UNOPPOSED CANDIDATES AND CANCELLING THE MAY 6, 2023 GENERAL CITY ELECTION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

4. **CONSIDERATION AND POSSIBLE ACTION TO RETAIN FOCUSED ADVOCACY AS LEGISLATIVE CONSULTANT GROUP** (Mayor Todd Kana)
5. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE WINDMILL ESTATES PARTIAL REPLAT, FINAL PLAT, +/- 8.164 ACRES.** (Mayor Todd Kana)
6. **CONSIDERATION AND POSSIBLE ACTION TO ADD SMITH STREET FROM AMARILLO DRIVE TO CORPUS DRIVE TO THE AMARILLO PAVING PROJECT** (Councilman Daniel Miller)
7. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE WATER PLANT NO. 3, PHASE I, CHANGE ORDER NO. 2 IN THE AMOUNT OF \$167,310.00 FOR TEMPORARY WATER WELL FEED SYSTEM CONSISTING OF A 500 GPM PUMP, MOTOR, GENERATOR AND ALL NECESSARY EQUIPMENT TO PUMP WATER INTO THE CITY OF MAGNOLIA SYSTEM.** (Mayor Todd Kana)
8. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE CONTRACTUAL AGREEMENT WITH HYDRO CLEAR FOR CITY OF MAGNOLIA SLUDGE OPERATION** (Mayor Todd Kana)
9. **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 on proposed well being built by Audubon.

The City Council may enter into executive session under Texas Government Code Section 551.071 to consult and receive legal advice from its attorneys on proposed public improvements to the City Water system and Wastewater system and expansion of current Wastewater Treatment Plants.

The City Council will enter into executive session under Texas Government Code Section 551.072 to deliberate the possible purchase of real property for a future water plant site and under Section 551.071 to consult and receive legal advice from its attorneys' legal process to purchase property.

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

11. **CONSIDERATION AND POSSIBLE ACTION ON PREVIOUS APPROVAL OF A SUPPLEMENT TO WHOLESALE WATER SUPPLY AND SANITARY SEWER AGREEMENT WITH AUDUBON MAGNOLIA DEVELOPMENT LLC REGARDING A WATER WELL.** (Mayor Todd Kana)

12. **CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE CITY ENGINEER TO BEGIN PLANNING FOR WASTEWATER TREATMENT PLANT EXPANSION RESULTING IN A TASK ORDER NEXT MONTH WITH INITIAL PLANNING NOT TO EXCEED \$25,000.00** (Mayor Todd Kana)

13. **CONSIDERATION AND POSSIBLE ACTION TO INSTRUCT STAFF TO NEGOTIATE ACQUISITION OF REAL PROPERTY FOR A FUTURE WATER PLANT ON THE EAST SIDE OF THE CITY** (Mayor Todd Kana)

14. **CONSIDERATION AND POSSIBLE ACTION TO APPROVE STRATEGIC GOVERNMENT RESOURCES PROPOSAL FOR EXECUTIVE RECRUITMENT SERVICES FOR CITY ENGINEER** (Mayor Todd Kana)

15. **CONSIDERATION AND POSSIBLE ACTION TO APPOINT CHRISTIAN GABLE TO INTERIM CITY SECRETARY POSITION** (Councilman Jack Huitt)

16. **ADMINISTRATION - DEPARTMENT REPORTS**
ACTIVITIES/ UPDATES/ ANNOUNCEMENTS AND ITEMS OF COMMUNITY INTEREST
 - a. POLICE DEPARTMENT (Chief of Police, Kyle Montgomery)
 - b. PUBLIC WORKS DEPARTMENT (City Administrator, Don Doering)
 - c. ADMINISTRATION DEPARTMENT (City Administrator, Don Doering)

17. 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 _____
TIME _____
TAKEN DOWN _____

Christian Gable, Asst. Interim City Secretary

