

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
Leonard Schneider, City Attorney
Kyle Montgomery, Police Chief
Beverly Standley, Finance/HR Administrator
Tim Robertson, City Engineer
Mike Kurzy, Baxter & Woodman
Christian Gable, Interim City Secretary

NOTICE OF PUBLIC MEETING OF THE MAGNOLIA CITY COUNCIL

AGENDA

REGULAR CITY COUNCIL MEETING TUESDAY, JUNE 13, 2023 – 6:00 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 City Council Meeting held May 9, 2023.

4. CONSIDERATION AND POSSIBLE ACTION TO ADOPT RESOLUTION R-2023-003 4B PROJECT FOR THE ISSUANCE OF AN RFQ AND PLANNING STUDY TO UPDATE THE CITY OF MAGNOLIA PARKS AND RECREATION MASTER PLAN

(Mayor Todd Kana)

5. CONSIDERATION AND POSSIBLE ACTION TO APPROVE 2023 TRF SPONSERSHIP AGREEMENT (Mayor Todd Kana)

6. CONSIDERATION AND POSSIBLE ACTION TO CLOSE LIQUIDITY ACCOUNT
(Mayor Todd Kana)

7. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AMENDMENT TO PLANNED DEVELOPMENT DISTRICT AGREEMENT WITH MAGNOLIA VILLAGE
(Mayor Todd Kana)

8. CONSIDERATION AND POSSIBLE ACTION TO ADOPT ORDINANCE NO. O-2023-006 FOR GFL ENVIRONMENTAL RATE INCREASE (Mayor Todd Kana)

9. CONSIDERATION AND POSSIBLE ACTION TO ADOPT ORDINANCE NO. O-2023-007 APPROVING A BILLING VARIANCE TO EPCOR'S AD VALOREM TAX ADJUSTMENT TARIFF (Mayor Todd Kana)

10. CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE THE MASTER PROFESSIONAL SERVICES CONTRACT AND ACCEPTANCE OF TERMS BETWEEN THE CITY OF MAGNOLIA AND AXON FOR PURCHASE OF BODY WORN CAMERAS, IN-CAR CAMERAS, AND TASERS (Mayor Todd Kana)

11. CONSIDERATION AND POSSIBLE ACTION TO RATIFY THE APPOINTMENT AND HIRING OF TIM ROBERTSON AS CITY ENGINEER (Mayor Todd Kana)

12. 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 receive legal advice on Cause No. 19-09-12611 Quadvest v SJRA v. Conroe, et al., Montgomery County, Texas and Cause no. 20-08-10189 SJRA v Quadvest, et al, Montgomery County, Texas; and MISD v City of Magnolia, Et Al.

The City Council may enter into executive session under Texas Government Code Section 551.071 to receive legal advice on future water and sanitary sewer connection distribution.

The City Council may enter into executive session under Texas Government Code Section 551.071 to receive legal advice on the Moratorium and on possible acquisition of additional water and sewer plant sites and under Section 551.072 to deliberate the purchase, exchange, lease, or value of real property for a city utility plant site for water and/or sewer.

13. RECONVENE into regular session and consider and/or take action on item(s) discussed in executive session.

14. CONSIDERATION AND POSSIBLE ACTION FOR LONE STAR GROUNDWATER CONSERVATION DISTRICT NOTICE OF VIOLATION OF PUMPAGE OF WATER AND PROPOSED CONSENT ORDER (Mayor Todd Kana)

15. CONSIDERATION AND POSSIBLE ACTION TO AWARD CONSTRUCTION CONTRACT FOR WATER PLANT NO.3 PHASE II (Mayor Todd Kana)

16. CONSIDERATION AND POSSIBLE ACTION TO DETERMINE TYPE OF ELEVATED STORAGE TANK AS PART OF WATER PLANT NO.3 PHASE III (Mayor Todd Kana)

17. CONSIDERATION AND POSSIBLE ACTION TO APPROVE CHANGE ORDER NO. 3 FOR WATER PLANT NO. 3 PHASE I IN THE AMOUNT OF \$120,460.73 (Mayor Todd Kana)

18. CONSIDERATION AND POSSIBLE ACTION TO APPROVE CHANGE ORDER NO. 4 FOR FM 1488 FORCE MAIN CONSTRUCTION AND WATER LINE RELOCATION IN THE AMOUNT OF \$54,800 (Mayor Todd Kana)

19. CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE BAXTER AND WOODMAN, INC. WORK ORDER NO. 23-004 TO DESIGN THE WASTEWATER TREATMENT PLANT EXPANSION TO 2.00 MGD FOR AN AMOUNT OF \$925,000, CONTINGENT UPON THE TWDB ALLOWING THE CITY TO REIMBURSE ENGINEERING FEES AFTER THE ENGINEER IS SELECTED (Mayor Todd Kana)

20. 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)

21. 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, Interim City Secretary

