

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

WORKSHOP SESSION – TUESDAY, JULY 11, 2023 – 5:30 PM
PUBLIC HEARING & REGULAR CITY COUNCIL MEETING
TUESDAY, JULY 11, 2023 – 6:00 PM
Sewall Smith Council Chambers
18111 Buddy Riley Blvd., Magnolia, Texas 77354

WORKSHOP SESSION AGENDA

- 1. CALL WORKSHOP SESSION TO ORDER**
 - 2. ROLL CALL AND CERTIFICATION OF QUORUM**
 - 3. WORKSHOP SESSION**
 - a. Budget discussion
 - 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. OPEN PUBLIC HEARING**

NOTICE OF PUBLIC HEARING

On July 11, 2023 at 6:00 pm., 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 60.6 acres of land in the Hampton Tillons Survey, Abstract 556, Montgomery County, Texas, and being a portion of the residue of the 100-acre tract described in the deed from Eddie E. Jones, et al., to E. J. Damuth recorded under Volume 326, Page 238 of the Official Public Records of Real Property of Montgomery County, Texas, from Auto-Urban Commercial with Mixed Residential to Auto-Urban Commercial with Semi-Urban Residential.

7. CLOSE PUBLIC HEARING AND CONVENE REGULAR MEETING

8. 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.*

9. 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 June 13, 2023.

b. CONSIDERATION – APPROVAL OF MINUTES

Consideration and possible action to approve the minutes of the Emergency City Council Meeting held June 29, 2023.

10. CONSIDERATION AND POSSIBLE ACTION TO ADOPT ORDINANCE NO. O-2023-008 TO CHANGE THE ZONING CLASSIFICATION FOR 60.6 ACRES OF MAGNOLIA VILLAGE FROM AUTO-URBAN COMMERCIAL WITH MIXED RESIDENTIAL TO AUTO-URBAN COMMERCIAL WITH SEMI-URBAN RESIDENTIAL (Mayor Todd Kana)

11. AUDIT PRESENTATION BY BROOKSWATSON CO. (Mayor Todd Kana)

12. 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)

13. CONSIDERATION AND POSSIBLE ACTION TO FILL THE EXPIRED BOARD TERM FOR POSITION 1 OF THE MAGNOLIA 4A ECONOMIC DEVELOPMENT CORPORATION (Mayor Todd Kana)

14. CONSIDERATION AND POSSIBLE ACTION TO FILL THE UNEXPIRED BOARD TERM FOR POSITION 2 OF THE MAGNOLIA 4A ECONOMIC DEVELOPMENT CORPORATION (Mayor Todd Kana)

15. CONSIDERATION AND POSSIBLE ACTION TO FILL THE UNEXPIRED BOARD TERM FOR POSITION 3 OF THE MAGNOLIA 4A ECONOMIC DEVELOPMENT CORPORATION (Mayor Todd Kana)

- 16. CONSIDERATION AND POSSIBLE ACTION TO APPROVE MEMBERSHIP IN THE TEXAS SMARTBUY PROGRAM** (Mayor Todd Kana)
- 17. CONSIDERATION AND POSSIBLE ACTION TO APPROVE AMENDMENT TO THE 2023-2024 BUDGET AND TAX RATE CALENDAR** (Mayor Todd Kana)
- 18. CONSIDERATION AND POSSIBLE ACTION TO ADOPT ORDINANCE NO. O-2023-009 FOR A CITY COUNCIL AND MAYOR PER MEETING STIPEND** (Mayor Todd Kana)
- 19. CONSIDERATION AND POSSIBLE ACTION TO ADOPT ORDINANCE NO. O-2023-010 FOR A SPEED ZONE CHANGE ALONG FM 1774** (Mayor Todd Kana)
- 20. CONSIDERATION AND POSSIBLE ACTION TO APPROVE INSTALLATION OF A NEW STREET LIGHT AT FM 1774 AND HARLINGEN DRIVE** (Richard Carby)
- 21. PRESENTATION BY MAGNOLIA PARAGON, LLC** (Mayor Todd Kana)
- 22. CONSIDERATION AND POSSIBLE ACTION TO APPROVE DEVELOPMENT AGREEMENT FOR MAGNOLIA PARAGON, LLC** (Mayor Todd Kana)
- 23. 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 notice of Violation and Consent Order by Lone Star Groundwater Conservation District.**
- The City Council may enter into executive session under Texas Government Code Section 551.071 to receive legal advice on MISD v City of Magnolia, Et Al.**
- 24. RECONVENE** into regular session and consider and/or take action on item(s) discussed in executive session.
- 25. CONSIDERATION AND POSSIBLE ACTION TO SIGN LETTER OF INTENT ON CONSTRUCTION OF INFRASTRUCTURE TO 35-ACRE TRACT WITH PARKSIDE 1488, LLC AND CUNNINGHAM INTERESTS II, LTD** (Mayor Todd Kana)

26. CONSIDERATION AND POSSIBLE ACTION TO SIGN LETTER OF INTENT ON CONSTRUCTION OF INFRASTRUCTURE TO 14.24 ACRE TRACT WITH PARKSIDE 1774, LLC (Mayor Todd Kana)

27. CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE BAXTER & WOODMAN, INC. WORK ORDER NO. 23-004 FOR CONSTRUCTION MANAGEMENT SERVICES OF WATER PLANT NO. 3 PHASE II IN AN AMOUNT NOT-TO-EXCEED \$255,241.00 (Mayor Todd Kana)

28. CONSIDERATION AND POSSIBLE ACTION TO AWARD CONSTRUCTION CONTRACT FOR GROUND STORAGE TANK AND HYDROPNEUMATIC TANK ADDITION AT KELLY ROAD WATER PLANT (Mayor Todd Kana)

29. CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE WATER WELL NO. 8 CHANGE ORDER NO. 1 IN THE AMOUNT OF \$256,605.00 FOR A TOTAL INCREASED CONTRACT COST OF \$3,156,105.00 WITH WEISINGER, INC. (Mayor Todd Kana)

**30. 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)

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, in compliance with Chapter 551, Texas Government Code.

DATE _____
TIME _____
TAKEN DOWN _____

Christian Gable, Interim City Secretary

