

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



## **NOTICE OF PUBLIC MEETING OF THE MAGNOLIA CITY COUNCIL**

### **AGENDA**

#### **REGULAR CITY COUNCIL MEETING TUESDAY, APRIL 13, 2021 – 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. **PROCLAMATIONS AND SPECIAL RECOGNITIONS** (Mayor Todd Kana)  
April Fair Housing Month
3. **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.)*
4. **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 March 9, 2021.
  - b. **CONSIDERATION – APPROVAL OF ORDINANCE NO. O-2021-007 – DECLARING UNOPPOSED CANDIDATES AND CANCELLING THE MAY 1, 2021 GENERAL CITY ELECTION**  
Consideration and possible action to adopt:

ORDINANCE NO. O-2021-007  
AN ORDINANCE OF THE CITY OF MAGNOLIA, TEXAS,  
DECLARING UNOPPOSED CANDIDATES AND CANCELLING THE

MAY 1, 2021 GENERAL CITY ELECTION; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

5. **CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION TO ADOPT ORDINANCE NO. O-2021-008 - APPROVE CHANGES TO OFFICIAL ZONING MAP** (Tana Ross, PlanningTech)  
Consideration, discussion, and possible action to adopt:

ORDINANCE NO. O-2021-008

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.

6. **CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION TO APPROVE ESCONDIDO, SECTION 1, FINAL PLAT +/-31.638 ACRES** (Tana Ross, Planning Tech)  
Consideration, discussion, and possible action to review and approve resubmittal of Escondido, Section 1, Final Plat, +/-31.638 acres.

7. **CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION ON PETITION FOR ANNEXATION OF TWO SEPARATE PARCELS OF LAND BY THE CITY OF MAGNOLIA SUBMITTED BY AUDUBON MAGNOLIA DEVELOPMENT LLC** (Mayor Todd Kana)  
Consideration, discussion, and possible action to accept petition for annexation of 0.44 acres by the City of Magnolia submitted by Audubon Magnolia Development LLC

8. **CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION TO ADOPT RESOLUTION NO. R-2021-007 TO SET PUBLIC HEARING DATE ON ANNEXATION OF TWO SEPARATE PARCELS OF LAND INTO THE CITY OF MAGNOLIA, TEXAS AND PUBLISH NOTICE**  
Consideration, discussion, and possible action to approve:

RESOLUTION NO. R-2021-007

A RESOLUTION SETTING A DATE, TIME, AND PLACE FOR TWO SEPARATE PUBLIC HEARINGS ON THE PROPOSED ANNEXATION OF CERTAIN PROPERTIES BY THE CITY OF MAGNOLIA, TEXAS, AND AUTHORIZING AND DIRECTING THE MAYOR TO PUBLISH NOTICE OF SUCH PUBLIC HEARINGS.

9. **CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. R-2021-008 AUTHORIZING SUBMISSION OF THE 2021-2022 TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION** (Mayor Todd Kana)



Consideration, discussion, and possible action to approve:

**RESOLUTION NO. R-2021-008**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS, AUTHORIZING THE SUBMISSION OF A TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM APPLICATION TO THE TEXAS DEPARTMENT OF AGRICULTURE FOR THE 2021-2022 COMMUNITY DEVELOPMENT FUND; AND AUTHORIZING THE MAYOR OR CITY ADMINISTRATOR TO ACT AS THE CITY'S EXECUTIVE OFFICERS AND AUTHORIZED REPRESENTATIVES IN ALL MATTERS PERTAINING TO THE CITY'S PARTICIPATION IN THE TEXAS COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM.

**10. CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION TO ADOPT A CITIZEN PARTICIPATION PLAN FOR THE CITY OF MAGNOLIA** (Mayor Todd Kana)

Consideration, discussion, and possible action to adopt a Citizen Participation Plan for the City of Magnolia.

**11. CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION TO ADOPT ORDINANCE NO. O-2021-009 TO PROHIBIT THE OVERNIGHT PARKING OF TRUCKS ON PRIVATE PROPERTY IN THE CITY** (Mayor Todd Kana)

Consideration, discussion, and possible action to adopt:

**ORDINANCE NO. O-2021-009**

AN ORDINANCE OF THE CITY OF MAGNOLIA, TEXAS, AMENDING CHAPTER 90 "TRAFFIC AND VEHICLES" OF THE CODE OF ORDINANCES OF THE CITY OF MAGNOLIA, TEXAS; PROHIBITING OVERNIGHT PARKING OF COMMERCIAL MOTOR VEHICLES AND CAMPERS UPON PRIVATE PROPERTY; CREATING OFFENSES AND PROVIDING PENALTIES FOR VIOLATION; PROVIDING FOR PUBLICATION; PROVIDING A SEVERABILITY CLAUSE; AND MAKING OTHER PROVISION RELATED THERETO.

**12. CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION TO APPROVE THE INTERLOCAL AGREEMENT BETWEEN CITY OF MAGNOLIA, TEXAS AND MONTGOMERY COUNTY, TEXAS REGARDING COUNTY SHERIFF SUBSTATION** (Mayor Todd Kana)

Consideration, discussion, and possible action to approve the Interlocal Agreement between City of Magnolia, Texas and Montgomery County, Texas regarding County Sheriff Substation.

13. **CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION TO APPROVE AN ORDINANCE NO. O-2021-010 TO AMEND CHAPTER 22-1 TO APPOINT MORE THAN ONE ALTERNATE JUDGE** (Mayor Todd Kana)

Consideration, discussion, and possible action to adopt:

ORDINANCE NO. O-2021-010  
AN ORDINANCE OF THE CITY OF MAGNOLIA, TEXAS,  
AMENDING CHAPTER 22 "COURTS" OF THE CODE OF  
ORDINANCES OF THE CITY OF MAGNOLIA, TEXAS;  
PROVIDING A SEVERABILITY CLAUSE; AND MAKING OTHER  
PROVISION RELATED THERETO

14. **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)

15. **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 regarding the lawsuit *Ex Parte City of Magnolia*, Cause No. D-1-GN-18-006882 (201st District Court, Travis County) and Magnolia Bible Church, et al.**

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

17. **CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION TO APPROVE AN ORDINANCE NO. O-2021-011 AUTHORIZING THE ISSUANCE AND SALE OF CITY OF MAGNOLIA, TEXAS, WATERWORKS AND SEWER SYSTEM REVENUE BONDS, SERIES 2021 AND OTHER MATTERS RELATED TO THE SUBJECT** (Mayor Todd Kana)

Consideration, discussion, and possible action to adopt:

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



## 18. 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 4/9/2021  
TIME 3:57 p.m.  
TAKEN DOWN \_\_\_\_\_

Kandice Garrett  
Kandice Garrett, City Secretary

