

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 Consultant

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

### **AGENDA**

**PUBLIC HEARING AND REGULAR CITY COUNCIL MEETING**  
**TUESDAY, OCTOBER 12, 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. **OPEN PUBLIC HEARING**

#### **NOTICE OF PUBLIC HEARING**

On October 12, 2021, at 7:00 p.m. the City of Magnolia City Council will hold a public hearing in the City Council Chambers of Magnolia City Hall, 18111 Buddy Riley Blvd., Magnolia, Texas, 77354 to discuss text amendments to the Unified Development Code, Chapter 8 Sec. 8-2-1.03 Development Landscaping, giving all interested persons the right to appear and be heard.

3. **CLOSE PUBLIC HEARING**

4. **ADJOURN PUBLIC HEARING AND CONVENE OPEN REGULAR MEETING**

5. **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.)*

6. **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 September 14, 2021.

**b. CONSIDERATION – APPROVAL OF MINUTES**

Consideration and possible action to approve the minutes of the Special City Council Meeting held September 15, 2021.

7. **CONSIDERATION – APPROVE TEXT AMENDMENT TO UNIFIED DEVELOPMENT CODE SEC. 8-2-1.03 DEVELOPMENT LANDSCAPING** (Mayor Todd Kana)
8. **CONSIDERATION – APPROVE RESUBMITTAL ESCONDIDO SECTION 4, FINAL PLAT +/- 21.858 ACRES** (Mayor Todd Kana)
9. **CONSIDERATION – APPROVE RESUBMITTAL MAGNOLIA RIDGE FOREST SECTION 13, FINAL PLAT +/- 13.034 ACRES** (Mayor Todd Kana)
10. **CONSIDERATION – APPROVE RESUBMITTAL MAGNOLIA RIDGE FOREST SECTION 14, FINAL PLAT +/- 20.693 ACRES** (Mayor Todd Kana)
11. **CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION TO APPROVE THE UPDATED CONCEPT PLAN AND PLANNED DEVELOPMENT AGREEMENT FOR WINDMILL LAKE ESTATES BY DAVIDSON HOMES LLC** (Mayor Todd Kana)  
Consideration, discussion, and possible action to approve the updated Concept Plan and Planned Development Agreement between the City of Magnolia and Davidson Homes, for approximately 8.2 acres at the corner of Amarillo Drive and Smith Street, in Windmill Estates.
12. **CONSIDERATION AND POSSIBLE ACTION TO ACCEPT EASEMENT FROM MAGNOLIA ESCONDIDO, LLC TO THE CITY OF MAGNOLIA FOR WATER, SEWER AND FORCE MAIN SANITARY SEWER LINES** (Mayor Todd Kana)
13. **CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION TO APPROVE SECOND AMENDMENT TO UTILITY AGREEMENT WITH CITY OF MAGNOLIA AND MONTGOMERY COUNTY MUNICIPAL UTILITY DISTRICT NO. 174** (Mayor Todd Kana)
14. **CONSIDERATION, DISCUSSION AND POSSIBLE ACTION TO APPROVE AMENDMENT NO. 2 FOR STRAND ASSOCIATES, INC. ON THE WWTP EXPANSION PROJECT** (Mayor Todd Kana)  
Consideration, discussion, and possible action to approve Amendment No. 2 to the August 20, 2018, Owner-Engineer Agreement for the Wastewater Treatment Plant Expansion project.



15. **CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION TO APPROVE SENTINEL COMMUNICATIONS PROPOSAL PLACING AN INTERNET ANTENNAE ON A CITY ELEVATED WATER STORAGE TANK** (Mayor Todd Kana)
16. **CONSIDERATION – APPROVAL TO SELL ALCOHOL AT THE PATRIOTS OF TEXAS FEST COOKOFF AND CONCERT EVENT AT UNITY PARK OCTOBER 22-24, 2021**  
(Mayor Todd Kana)
17. **CONSIDERATION – DESIGNATION OF REPRESENTATIVE AND ALTERNATE FOR HOUSTON-GALVESTON AREA COUNCIL 2022 GENERAL ASSEMBLY**  
(Mayor Todd Kana)
18. **CONSIDERATION – APPOINTMENT(S) TO ZONING BOARD OF ADJUSTMENT**  
(Mayor Todd Kana)  
Consideration and possible action to appoint member(s) to the Zoning Board of Adjustment.
19. **CONSIDERATION – APPOINTMENT(S) TO 4A ECONOMIC DEVELOPMENT CORPORATION** (Mayor Todd Kana)  
Consideration and possible action to appoint member(s) to the Board of Adjustment.
20. **CONSIDERATION – APPOINTMENT(S) TO 4B COMMUNITY DEVELOPMENT CORPORATION** (Mayor Todd Kana)  
Consideration and possible action to appoint member(s) to the Board of Adjustment.

**21. 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 Change Order No. 3 requested by Triple B Services, LLP for the GLO CDBG-DR Nichols Sawmill Sanitary Sewer Interceptor Replacement - Phase 2, Contract 1-2020 and pending and threatened litigation by Triple B Services, LLP regarding same.**

**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 following contracts with Audubon: Wholesale Water Supply and Sanitary Sewer Agreement and the Land Use Planning and Cooperation Agreement.**

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

23. **ADMINISTRATION - 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)

24. **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 10.8.2021  
TIME 4 PM  
TAKEN DOWN \_\_\_\_\_

Kandice Garrett  
Kandice Garrett, City Secretary

