

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
Kandice Garrett, 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

SPECIAL CITY COUNCIL MEETING WEDNESDAY, DECEMBER 21, 2022 – 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. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. O-2022-031 ENACTING A TEMPORARY MORATORIUM (SECOND READING) (Mayor Todd Kana)**

Consideration and possible action to adopt:

ORDINANCE NO. O-2022-031

AN ORDINANCE OF THE CITY OF MAGNOLIA, TEXAS, ("CITY") ENACTING A TEMPORARY MORATORIUM ON THE ACCEPTANCE, AUTHORIZATION, AND APPROVALS NECESSARY FOR THE SUBDIVISION, SITE PLANNING, DEVELOPMENT, AND CONSTRUCTION IN THE CITY LIMITS AND EXTRATERRITORIAL JURISDICTION, PROVIDING FOR FINDINGS OF FACT, DEFINITIONS, APPLICABILITY, PURPOSE, ENACTMENT, DURATION, EXTENSION, EXCEPTIONS AND EXEMPTIONS, DETERMINATION AND APPEALS, REPEALER, SEVERABILITY, ENFORCEMENT, EFFECTIVE DATE, AND PROPER NOTICE AND MEETING.

- 3. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ORDINANCE NO. O-2022-033 AMENDING CHAPTER 2 "ADMINISTRATION" OF THE CODE OF ORDINANCES OF THE CITY OF MAGNOLIA (Mayor Todd Kana)**

Consideration and possible action to adopt:

ORDINANCE NO. O-2022-033
AN ORDINANCE OF THE CITY OF MAGNOLIA, TEXAS, AMENDING
CHAPTER 2 "ADMINISTRATION" OF THE CODE OF ORDINANCES
OF THE CITY OF MAGNOLIA, TEXAS; PROVIDING A SEVERABILITY
CLAUSE; AND MAKING OTHER PROVISION RELATED THERETO

4. CONSIDERATION AND POSSIBLE ACTION TO INSTRUCT STAFF TO TAKE ALL NECESSARY ACTION TO SECURE ADDITIONAL WATER SUPPLIES AND REPORT BACK TO COUNCIL (Mayor Todd Kana)

5. 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 declaratory action filed by the SJRA Ex Parte in the 98th Judicial District in Travis County, Texas; Cause No. D-1-GN-16-004151

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 water pressure issue in Mill Creek Subdivision

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

7. 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 _____

Don Doering, Interim City Secretary



ORDINANCE NO. O-2022-031

AN ORDINANCE OF THE CITY OF MAGNOLIA, TEXAS, (“CITY”) ENACTING A TEMPORARY MORATORIUM ON THE ACCEPTANCE, AUTHORIZATION, AND APPROVALS NECESSARY FOR THE SUBDIVISION, SITE PLANNING, DEVELOPMENT, AND CONSTRUCTION IN THE CITY LIMITS AND EXTRATERRITORIAL JURISDICTION, PROVIDING FOR FINDINGS OF FACT, DEFINITIONS, APPLICABILITY, PURPOSE, ENACTMENT, DURATION, EXTENSION, EXCEPTIONS AND EXEMPTIONS, DETERMINATION AND APPEALS, REPEALER, SEVERABILITY, ENFORCEMENT, EFFECTIVE DATE, AND PROPER NOTICE AND MEETING.

WHEREAS, the City Council of the City of Magnolia (“City Council”), Texas as a duly-elected legislative body, finds that it is facing significant historic commercial and residential growth; and

WHEREAS, the City Council finds that it is in the best interest of the City and its citizens to adopt and enact a moratorium in order to temporarily suspend the acceptance, authorization, and approvals necessary for the subdivision, site planning, development, zoning, and construction on real property in the City limits and extraterritorial jurisdiction; and

WHEREAS, Texas Local Government Code Section 51.001 provides the City general authority to adopt an Ordinance or police regulations that is for the good government, peace or order of the City and is necessary or proper for carrying out a power granted by law to the City; and

WHEREAS, the Texas Local Government Code, including Chapter 212 grants the City certain regulation authority concerning construction, land use, nuisances, structures and development-related activities; and

WHEREAS, the City seeks to ensure that impending and future development is conducted in a fiscally-sustainable and environmentally responsible manner; and

WHEREAS, the City Limits and Extraterritorial Jurisdiction (ETJ) of the City are comprised of a combination of topographical and ecological features that create significant development challenges; and

WHEREAS, the City conducted an analysis to determine the adequacy of the City’s current regional water facilities and the need beyond the estimated capacity that is expected to result from new property development; and

WHEREAS, upon review of the analysis by the City’s Water Engineer and City Administrator, contained herein as **Attachment “A”**, the City Council has made findings related to the inadequacy of existing essential public facilities in accordance with Section 212.135 of the Texas Local Government Code;

and

WHEREAS, the City Council finds that certain essential public and private infrastructure, being water facilities throughout the City Limits and ETJ, are inadequate and insufficient to adequately serve new development; and

WHEREAS, relying on the analysis provided by the City's Water Engineer and City Staff, the outstanding permits issued by the City prior to this moratorium, and the City's impact fee analysis, the City Council makes the following findings:

1. Taking into account all water that has been committed by contract, the City's water facilities are at capacity; and
2. Based on the contractual commitments that will utilize all additional capacity of the City's water plants, there is currently no additional capacity available to commit to development of lots; and
3. This moratorium should be reasonably limited to property located in the City limits and the ETJ.

WHEREAS, until actions can be taken to increase the water capacity of the City of Magnolia, allowing for additional water service connections will only exacerbate the situation; and

WHEREAS, the City Council finds that a temporary moratorium on the acceptance, authorization, and approvals necessary for the subdivision, site planning, development, and construction in the City Limits and ETJ will prevent the situation from becoming worse, and will allow the City time to address the measures needed to remedy the shortage of essential public facilities, water capacity, and to secure funds to pay for such remedial measures; and

WHEREAS, the City Council has authorized the building of two additional water wells scheduled to come online in 2023; and

WHEREAS, additional evaluation of the existing infrastructure and development are needed to allow for growth and development within the City Limits and ETJ while protecting the health, safety, environment, quality of life, and general welfare of its residents; and

WHEREAS, in recognition of the importance of development permits and/or approvals to the community, the City desires to implement this moratorium for a stated and fixed time period, and to include a waiver provision in accordance with Local Government Code Chapter 212, Subchapter E; and

WHEREAS, all notices and hearings, including a hearing by the Planning & Zoning Commission, have been published and held in accordance with applicable statutes, laws, and regulations; and

WHEREAS, the City Council finds that the enactment of this Ordinance is directly related

to the immediate preservation of the public peace, health or safety.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS THAT:

SECTION 1. FINDINGS OF FACT: That the City Council of the City of Magnolia does hereby adopt as a part of this Ordinance the several findings of fact as set out in the preamble to this Ordinance and finds that the several conclusions reached therein are true, correct and accurate and are incorporated into this Ordinance by reference as legislative findings of fact as if expressly set forth herein.

SECTION 2. DEFINITIONS: As used in this Ordinance, these terms shall be defined as follows. Terms appearing in this Ordinance but not defined herein shall have the meanings provided in the City's Code of Ordinances, or if not defined by the City, then the common meanings in accordance with ordinary usage.

A. Commercial property: means property zoned for or otherwise authorized for use other than single-family use, multifamily use, heavy industrial use, or use as a quarry.

B. Essential public facilities: means water, sewer/wastewater, or storm drainage facilities or street improvements provided by a municipality or private utility.

C. Permit: means a license, certificate, approval, registration, consent, permit, contract or other agreement for construction related to, or provision of, service from a water or wastewater utility owned, operated, or controlled by a regulatory agency, or other form of authorization required by law, rule, regulation, order, or ordinance that a person must obtain to perform an action or initiate, continue, or complete a project for which the permit is sought.

D. Project: means an endeavor over which a regulatory agency exerts its jurisdiction and for which one (1) or more permits are required to initiate, continue, or complete the endeavor.

E. Property development: means the construction, reconstruction, or other alteration or improvement of residential or commercial buildings or the subdivision or replatting of a subdivision of residential or commercial property.

F. Residential property: means property zoned for or otherwise authorized for single-family or multi-family use.

SECTION 3. APPLICABILITY: The City of Magnolia hereby enacts this Ordinance in order to implement a temporary moratorium on the acceptance and processing of certain applications and issuance of particular permits and other forms of municipal authorizations related to specific construction and land development activities. This temporary moratorium applies to all city zoning district uses within the City Limits and to the ETJ.

Unless a project falls within an Exception (as provided below), this temporary moratorium applies to all applications for property development permits. Permits that are affected or not affected by the Moratorium are attached as **Attachment “A”**. The applicability of the moratorium to any permit not listed shall be determined based on the purpose of the moratorium and may be added to the list by the City Administrator.

SECTION 4. PURPOSE: This temporary moratorium is being enacted to: (i) prevent a shortage of essential public facilities, namely water facilities that are operating at capacity taking into account all water committed with permits and by contract; and (ii) for the protection of the health, safety and well-being of the residents, citizens and inhabitants of the City of Magnolia, Texas, to prevent a shortage of essential public facilities being water services.

SECTION 5. ENACTMENT: The City of Magnolia hereby enacts this Ordinance implementing a temporary moratorium on the City’s acceptance, review, approval, and issuance of permits, authorizations, and approvals necessary for the subdivision of, site planning of, or construction on real property for residential and commercial property development in the City of Magnolia and its ETJ.

SECTION 6. DURATION: The initial duration of this temporary moratorium shall be for a period of one hundred twenty (120) days after enactment of this Ordinance, or repeal of this Ordinance by the City, whichever is sooner. During said period of moratorium, the City shall cease accepting permits, authorizations, and approvals necessary for the subdivision of, site planning of, or construction on real property for residential and commercial property development in the City of Magnolia and its ETJ as provided under all Ordinances that may be related thereto of the City of Magnolia, including all amendments thereto during the period of moratorium.

SECTION 7. EXTENSION: If the City determines that the initial period is insufficient for the City to fully complete its study and planning, this Ordinance may be renewed or extended for an additional period of time, necessary to complete the study and implement the recommended changes to City codes, policies, and processes in accordance with the time limits as provided by law upon a majority vote of the City Council.

SECTION 8. ADOPTIONS OF PROVISION OF CHAPTER 212: Further, the City of Magnolia adopts verbatim the waiver procedures required by Local Government Code, Section 212.137 on the date the moratorium takes effect and, as applicable, the limitations on the moratorium as specified in the Local Government Code, Section 212.139(a) and (b).

SECTION 9. EXCEPTIONS AND EXEMPTIONS:

A. Exceptions. Any property owner who believes that they fall within the below exceptions shall provide notice of the exception at time of application for any permit with the city-approved form. Exceptions are administratively approved or denied. Any exception that is denied may be appealed to the City Council. Exceptions will be determined within the same time period as the administrative completeness check for each project, or within ten business days, whichever is

sooner. If a Grandfathered Development Status Determination Request is required, then the exception can be applied concurrently with the Request but the time frame of the Request shall be controlling.

1. No Impact Projects. The temporary moratorium implemented by this Ordinance does not apply to a project that does not:

- Impact water capacity

To make a determination of whether a project is no impact as listed, an applicant shall apply for an exception to the moratorium.

2. Ongoing Projects. The temporary moratorium implemented by this Ordinance does not apply to any projects that are currently, actively in progress for which valid City permits have been issued and have not expired as of December 16, 2022, such being the fifth business day after the date on which the City published notice of the public hearings to consider this Ordinance. The provisions of this Ordinance do not apply to any completed application or plan for development for a permit, plat, verification, rezoning, site plan, approved wastewater plan, or new or revised certificate of occupancy for Property Development that were filed prior to December 16, 2022. New permits applied for as part of a previously approved project may proceed once an exception is applied for and approved as described herein.

3. Grandfathered Projects. The temporary moratorium implemented by this Ordinance shall not apply to projects that are grandfathered under as provided by state law. Property owners asserting grandfathered rights under Texas Local Government Code Chapter 245 must submit an application claiming an exception to this temporary moratorium to the planning department for review in accordance with City policy. Grandfathered status can be approved through an approved Grandfathered Development Status Determination Request. New permits applied for as part of a previously vested project may proceed once an exception is applied for and approved as described herein.

4. Development Agreement: Property owners with a negotiated approval granted by the City Council providing for construction standards, platting, water, and development rules pursuant to Local Government Code Chapter 212, Subchapter G may apply for an exception in accordance with City policy. New permits applied for as part of a Development Agreement project may proceed once an exception is applied for and approved as described herein.

B. Waivers. Any property owner who does not assert rights under Texas Local Government Code Chapter 245, but who seeks authorization to proceed with the development permitting process during the time of the temporary moratorium can request a waiver. Property owners agreeing to construct certain water infrastructure at property owners' sole expense and who do not require land use modifications inconsistent with the updated comprehensive planning, in accordance with Local Government Code Chapter 212, Subchapter E may apply

for waiver in accordance with City policy.

SECTION 10. DETERMINATIONS & APPEALS:

A. Exceptions. The Planning Director or their designee shall make all initial determinations regarding the status of all projects seeking to apply for permits during this temporary moratorium and recognition of all Exceptions (as provided herein). Exceptions for projects filed within thirty (30) days of the effective date of this ordinance may be filed without a corresponding permit application. Any exception application filed within this period will be decided within ten (10) business days of receipt. Any exception that is denied may be appealed to City Council or the applicant may apply for a Waiver. An exception may be applied for by lot, project, plat, or all area covered by a particular permit or agreement.

B. City Council. City Council shall make a final decision on waivers within 10 days of filing of application.

C. Waivers. The decision to approve an Exemption (as provided for above) shall rest solely with the City Council. Any denial will stand until the moratorium is lifted unless the project requesting the waiver has a substantial change and reapplies for a waiver.

SECTION 11. REPEALER: In the case of any conflict between the other provisions of this Ordinance and any existing Ordinance of the City, the provisions of this Ordinance will control.

SECTION 12. SEVERABILITY: If any provision of this Ordinance or the application thereof to any person or circumstances is held invalid, that invalidity or the unenforceability will not affect any other provisions or applications of this Ordinance that can be given effect without the invalid provision.

SECTION 13. ENFORCEMENT: The City shall have the power to administer and enforce the provisions of this Ordinance as may be required by governing law. Any person violating any provision of this temporary moratorium is subject to suit for injunctive relief as well as prosecution for criminal violations, and such violation is hereby declared to be a nuisance.

Nothing in this Ordinance shall be construed as a waiver of the City's right to bring a civil action to enforce the provisions of this Ordinance and to seek remedies as allowed by law and/or equity.

SECTION 14. EFFECTIVE DATE: This Ordinance shall be effective immediately upon passage.

SECTION 15. PROPER NOTICE & MEETING: It is hereby officially found and determined that the meeting at which this Ordinance was passed was open to the public, and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Texas Government Code, Chapter 551. Notice and public hearings

were also provided as required by Texas Government Code Chapter 212, Subchapter E.

READ & ACKNOWLEDGED on First Reading on the 13th day of December, 2022.

READ & APPROVED on the Second Reading on the 21st day of December, 2022.



THE CITY OF MAGNOLIA, TEXAS

Todd Kana, Mayor

ATTEST:

Don Doering, Interim City Secretary



December 9, 2022

Liles Parker PLLC
2261 Northpark Dr., Ste 445
Kingwood, Texas 77339

Attn: Mr. Leonard Schneider

**SUBJECT: City of Magnolia
Water Capacity Summary**

Mr. Schneider:

On May 7, 2021, AEI Engineering, a Baxter & Woodman Company (AEI/B&W) presented a report on the capacity of the City of Magnolia (the "City") water system. The report indicated that the capacity of the City was limited to 3,693 equivalent single family connections (ESFCs) due to well capacity per Texas Commission on Environmental Quality (TCEQ) rules. While there are other limiting factors, the well capacity is currently the limiting factor. As of October 21, 2022, the City was providing services to 3,467 ESFCs with additional connections being added each day. The City currently has commitments for future connections that will add more than 20,000 additional connections to the system (capacity analysis attached).

During the months of July through September, the water usage in the City required the City to enter into drought contingency measures. In addition, the City is aware of low pressures on the east side of the City due to both heavy demands between the water plants and the east end of the City limits and the extreme distance from the existing water plants. As drought contingency measures have been enacted, the pressure has improved; however, it is still a significant concern for the City.

The City is currently contracted with R&B Construction to construct and put in service an additional well on the east side of the City. The expected well completion is August of 2023. The City has also engaged AEI/B&W to design and bid a. Water Plant 3 Phase II that will add ground storage tank capacity, booster pump capacity and hydro-pneumatic tank capacity, b. Water Well No. 8 (bidding in December) which will add well capacity, c. Kelly Water Plant Ground Storage Tank Addition for more ground storage tank capacity. The City is actively engaged in securing additional water plant sites to supply capacity to the future connections. The City and AEI/B&W continue to look at all options available to provide additional water capacity; however, immediate additional capacity appears to be unavailable.

It is the intention of the City to serve the additional growth by providing water facilities ahead of the growth. The City will continue to utilize drought contingency plans to ensure adequate water to the entities currently served. Unfortunately, the City's water system capacity is being fully utilized currently to serve the City's existing customers, and it does not have any water system capacity available to provide water service to any due development within its water service area. It is the recommendation of AEI/B&W that a moratorium on new connections in the City's water



service area be enacted until additional water capacity is available.

The City impact fee account currently has \$10,458,016. These funds and any additional impact fees will be applied to the current Well No. 7 construction project and the following future projects: a. Water Plant No. 3 facilities, b. Well No. 8, c. Water Plant No. 2 Hydro-pneumatic Tank, d. Water Plant No. 2 Ground Storage Tank, e. Wastewater Treatment Plant Expansion No. 2, and f. planned future water plants.

If you have questions, please contact the undersigned at 281-350-7033 or at Mkurzy@baxterwoodman.com.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Michael A. Kurzy'.

Michael A. Kurzy, P.E.
Executive Vice President

AEI Engineering, a Baxter & Woodman Company
TBPE Registration No. F-21783

xc: Don Doering – City Administrator

Attachment A



CITY OF MAGNOLIA CONNECTION SUMMARY AND CAPACITY 12/13/2022

TYPE OF DEVELOPMENT	Acreage ⁽¹⁾	Total Units	Existing Water (ESFC)	Existing Wastewater (ESFC)	Committed Water	Committed Wastewater	Ultimate Water (ESFC)	Ultimate Wastewater (ESFC)	Ultimate Water Demand ⁽²⁾ (GPD)	Ultimate Wastewater Demand ⁽³⁾ (GPD)
A. Residential										
Arnold Estates Section 1	42.069	43	37	37	Existing	Existing	43	43	15,480	12,900
Audubon Creekside North Section 1	3.183	5	5	5	Existing	Existing	5	5	1,800	1,500
Audubon Creekside North Section 2A	11.530	67	60	60	Existing	Existing	67	67	24,120	20,100
Audubon Creekside North Section 2B	6.622	40	35	35	Existing	Existing	40	40	14,400	12,000
Audubon Creekside North Section 3A	8.920	44	37	37	Existing	Existing	44	44	15,840	13,200
Audubon Creekside North Section 3B	11.850	56	51	51	Existing	Existing	56	56	20,160	16,800
Audubon Creekside North Section 4	7.407	48	3	3	Existing	Existing	48	48	17,280	14,400
Audubon Creekside North Section 5	10.700	50	31	31	Existing	Existing	50	50	18,000	15,000
Audubon Park Section 1	5.819	12	4	4	Existing	Existing	12	12	4,320	3,600
Audubon Park Section 2	20.010	81	43	43	Existing	Existing	81	81	29,160	24,300
Audubon Park Section 3	12.790	45	29	29	Existing	Existing	45	45	16,200	13,500
Audubon Park Section 6	2.881	12	6	6	Existing	Existing	12	12	4,320	3,600
Church Acres	10.100	14	4	4	Existing	Existing	14	14	5,040	4,200
Deer Crossing Section 1	3.100	9	9	9	Existing	Existing	9	9	3,240	2,700
Deer Crossing Section 2	3.300	10	10	10	Existing	Existing	10	10	3,600	3,000
Deer Crossing Section 3	8.900	5	5	5	Existing	Existing	5	5	1,800	1,500
Dogwood Patches Section 1	134.800	59	57	57	Existing	Existing	59	59	21,240	17,700
Dogwood Patches Section 2	46.600	19	19	19	Existing	Existing	19	19	6,840	5,700
Dogwood Patches Section 3	28.600	18	13	13	Existing	Existing	18	18	6,480	5,400
Dogwood Patches Section 4	34.800	22	11	11	Existing	Existing	22	22	7,920	6,600
Dogwood Patches Section 5	27.500	30	22	22	Existing	Existing	30	30	10,800	9,000
Escondido Section 1	31.638	71	44	44	Existing	Existing	71	71	25,560	21,300
Escondido Section 2	20.281	82	36	36	Existing	Existing	82	82	29,520	24,600
Escondido Section 3	33.040	35	19	19	Existing	Existing	35	35	12,600	10,500
Escondido Section 4	21.858	99	30	30	Existing	Existing	99	99	35,640	29,700
Glen Oaks Section 1	23.290	104	104	104	Existing	Existing	104	104	37,440	31,200
Glen Oaks Section 2	15.780	77	77	77	Existing	Existing	77	77	27,720	23,100
Glen Oaks Section 3	42.040	124	124	124	Existing	Existing	124	124	44,640	37,200
Glen Oaks Section 4	8.705	60	60	60	Existing	Existing	60	60	21,600	18,000
Grand Oaks Sections 1 - 3	78.603	190	190	190	Existing	Existing	190	190	68,400	57,000
Lee	8.100	15	13	13	Existing	Existing	15	15	5,400	4,500
Magnolia Crossing	94.354	81	41	41	Existing	Existing	81	81	29,160	24,300
Magnolia Melton	18.800	4	4	4	Existing	Existing	4	4	1,440	1,200
Magnolia Ridge Forest Section 1	14.8000	43	34	34	Existing	Existing	43	43	15,480	12,900
Magnolia Ridge Forest Section 2	6	25	25	25	Existing	Existing	25	25	9,000	7,500
Magnolia Ridge Forest Section 3	7	21	19	19	Existing	Existing	21	21	7,560	6,300
Magnolia Ridge Forest Section 4	7.9	35	32	32	Existing	Existing	35	35	12,600	10,500
Magnolia Ridge Forest Section 5	7.1	25	25	25	Existing	Existing	25	25	9,000	7,500
Magnolia Ridge Forest Section 6	5.8	21	21	21	Existing	Existing	21	21	7,560	6,300
Magnolia Ridge Forest Section 7	19.8	39	39	39	Existing	Existing	39	39	14,040	11,700
Magnolia Ridge Forest Section 8	6.1	27	23	23	Existing	Existing	27	27	9,720	8,100
Magnolia Ridge Forest Section 9	7.7	32	28	28	Existing	Existing	32	32	11,520	9,600
Magnolia Ridge Forest Section 10	27.2	90	86	86	Existing	Existing	90	90	32,400	27,000
Magnolia Ridge Forest Section 11	26.25	112	77	77	Existing	Existing	112	112	40,320	33,600
Magnolia Ridge Forest Section 12	28.247	58	41	41	Existing	Existing	58	58	20,880	17,400
Magnolia Ridge Forest Section 13	13.034	47	10	10	Existing	Existing	47	47	16,920	14,100
Magnolia Ridge Forest Section 16	12.297	53	4	4	Existing	Existing	53	53	19,080	15,900
Magnolia Ridge Section 4	36.0861	145	145	145	Existing	Existing	145	145	52,200	43,500
Magnolia Ridge Section 5	29.7426	95	92	92	Existing	Existing	95	95	34,200	28,500
Magnolia Ridge Section 14	30.239	113	48	48	Existing	Existing	113	113	40,680	33,900
Mill Creek Estates Section 1	46.48	139	139	139	Existing	Existing	139	139	50,040	41,700
Mill Creek Estates Section 2	22.469	72	72	72	Existing	Existing	72	72	25,920	21,600
Mill Creek Estates Section 3	17.987	87	86	86	Existing	Existing	87	87	31,320	26,100

TYPE OF DEVELOPMENT	Acreage ⁽¹⁾	Total Units	Existing Water (ESFC)	Existing Wastewater (ESFC)	Committed Water	Committed Wastewater	Ultimate Water (ESFC)	Ultimate Wastewater (ESFC)	Ultimate Water Demand ⁽²⁾ (GPD)	Ultimate Wastewater Demand ⁽³⁾ (GPD)
Mill Creek Estates Section 4	25.966	126	64	64	Existing	Existing	126	126	45,360	37,800
Mill Creek Estates Section 5	20.074	104	35	35	Existing	Existing	104	104	37,440	31,200
Mustang Ridge Section 1	33.528	97	83	83	Existing	Existing	97	97	34,920	29,100
Mustang Ridge Section 2	12	50	8	8	Existing	Existing	50	50	18,000	15,000
Oak Forest Terrace 320	3.400	19	12	12	Existing	Existing	19	19	6,840	5,700
Pecan Village	4.970	17	10	10	Existing	Existing	17	17	6,120	5,100
Rolling Hills Magnolia	18.200	8	6	6	Existing	Existing	8	8	2,880	2,400
Timberbrook Estates	49.099	97	80	80	Existing	Existing	97	97	34,920	29,100
Timber Hollow Phase 1 and 2 (Satterwhite)	68.706	105	22	22	Existing	Existing	105	105	37,800	31,500
Windmill Estates	87.2071	170	111	111	Existing	Existing	170	170	61,200	51,000
Residential Not within Subdivision ⁽⁴⁾		217	217	217	Existing	Existing	217	217	78,120	65,100
Subtotal	1533.351	3920	2927	2927			3,920	3,920	1,411,200	1,176,000
B. City Facilities										
Magnolia City Hall		1	1	1	Not Applicable	Not Applicable	1	1	360	300
Magnolia Historical Society		1	1	1	Not Applicable	Not Applicable	1	1	360	300
Magnolia Sewer Plant		1	1	1	Not Applicable	Not Applicable	1	1	360	300
Sullivan Park/Magnolia City Ha		1	1	1	Not Applicable	Not Applicable	1	1	360	300
Unity Park 4A Edc/4B Cdc		1	1	1	Not Applicable	Not Applicable	1	1	360	300
Subtotal		5	5	5			5	5	1,800	1,500
C. Multi-Family ⁽⁵⁾										
Love On'Em Assisted Living	6.390	16	16	16	Existing	Existing	16	16	5,760	4,800
Magnolia Manor Apartments	0.700	16	16	16	Existing	Existing	16	16	5,760	4,800
Magnolia Plaza Apartments	2.000	36	36	36	Existing	Existing	36	36	12,960	10,800
Magnolia Trails Apartments	10.180	80	80	80	Existing	Existing	80	80	28,800	24,000
Park at Walkers Landing	3.680	64	64	64	Existing	Existing	64	64	23,040	19,200
Timber Ridge Apartments	0.670	16	16	16	Existing	Existing	16	16	5,760	4,800
Subtotal		228	228	228			228	228	82,080	68,400
D. Institutional ⁽⁶⁾										
School, Church, Library, etc		41	63	63	Existing	Existing	63	63	22,781	18,984
Subtotal		41	63	63			63	63	22,781	18,984
E. Commercial ⁽⁶⁾										
Commercial (Inside and outside City Limits without Irrigation)		171	263	263	Existing	Existing	263	263	94,444	78,704
Subtotal		171	263	263			263	263	94,444	78,704
F. Irrigation ⁽⁷⁾										
Irrigation (Inside and outside City Limits)		22	104	0	Existing	Existing	104	0	32,906	0
Subtotal		22	104	0			104	0	32,906	0
TOTAL EXISTING		4,387	3,591	3,486			4,584	4,479	1,645,211	1,343,588

TYPE OF DEVELOPMENT	Acreage ⁽¹⁾	Total Units	Existing Water (ESFC)	Existing Wastewater (ESFC)	Committed Water	Committed Wastewater	Ultimate Water (ESFC)	Ultimate Wastewater (ESFC)	Ultimate Water Demand ⁽²⁾ (GPD)	Ultimate Wastewater Demand ⁽³⁾ (GPD)
G. Future Developments with Commitments										
Escondido Section 5	29.567	123	0	0	Yes	Yes	123	123	44,280	36,900
Escondido Section 7	32.206	114	0	0	Yes	Yes	114	114	41,040	34,200
Escondido Section 9	13.100	53	0	0	Yes	Yes	53	53	19,080	15,900
Escondido Sections 6 & 8	83.457	480	0	0	Yes	Yes	480	480	172,800	144,000
Escondido Commercial (Resere D of Section 1)	10.078	61	0	0	Yes	Yes	61	61	21,960	18,300
Escondido Commercial	14.500	87	0	0	Yes	Yes	87	87	31,320	26,100
Escondido Lone Star	13.200	125	0	0	Yes	Yes	125	125	45,000	37,500
Escondido Girasol Street Dedication	2.100	0	0	0	Yes	Yes	0	0	0	0
Glen Oaks Section 5	35.200	145	0	0	Yes	Yes	145	145	52,200	43,500
Glen Oaks Section 6	47.600	202	0	0	Yes	Yes	202	202	72,720	60,600
Glen Oaks Commercial	3.700	9	0	0	Yes	Yes	9	9	3,240	2,700
Heritage Green - Tract 1 Reserve A (Multi-Family)	12.81	208	0	0	Yes	Yes	208	208	74,880	62,400
Heritage Green - Tract 2 Reserve B (Townhomes)	4.70	34	0	0	Yes	Yes	34	34	12,240	10,200
Heritage Green - Pad 1 Reserve A (Bank)	0.84	1	0	0	Yes	Yes	1	1	360	300
Heritage Green - Pad 2 Reserve A (Clearwater Express Car Wash)	1.35	1	0	0	Yes	Yes	12	12	4,320	3,600
Heritage Green - Pad 3 Reserve A (QSR)	0.95	1	0	0	Yes	Yes	5	5	1,800	1,500
Heritage Green - Pad 4 Reserve A (QSR)	0.99	1	0	0	Yes	Yes	8	8	2,880	2,400
Heritage Green - Pad 5 Reserve A (QSR)	1.31	1	0	0	Yes	Yes	9	9	3,240	2,700
Heritage Green - Pad 6 Reserve B (QSR)	0.93	1	0	0	Yes	Yes	4	4	1,440	1,200
Heritage Green - Pad 7 Reserve B (Retail)	3.45	1	0	0	Yes	Yes	6	6	2,160	1,800
Heritage Green - Pad 8 Reserve B (CVS Pharmacy)	2.12	1	0	0	Yes	Yes	4	4	1,440	1,200
Heritage Green - Pad 9 Reserve B (Office/Retail)	1.21	1	0	0	Yes	Yes	2	2	720	600
Heritage Green - ROW Dedication, Lake Easement & Signage	18.40	1	0	0	Yes	Yes	0	0	0	0
Magnolia M3 Ranch (Magnolia Woods)	585.5	2,000	0	0	Yes	Yes	2,000	2,000	720,000	600,000
Magnolia East - H-E-B (East Reserve 1)	19.05	1	0	0	Yes	Yes	104	104	37,440	31,200
Magnolia Place Section 1 - Pad 2 Reserve B-2	1.537	1	0	0	Yes	Yes	28	28	10,172	8,476
Magnolia Place Section 1 - Pad 3 Reserve B-1	1.905	1	0	0	Yes	Yes	34	34	12,089	10,074
Magnolia Place Section 1 - Pad 4 Reserve A	2.000	1	0	0	Yes	Yes	33	33	11,880	9,900
Magnolia Place Section 1 - Pad 5 Reserve A	2.110	1	0	0	Yes	Yes	33	33	11,880	9,900
Magnolia Place Section 1 - Pad 6 Reserve A	0.800	1	0	0	Yes	Yes	17	17	6,120	5,100
Magnolia Place Section 1 - Pad 7 Reserve A (Christian Automotive)	1.189	1	0	0	Yes	Yes	2	2	720	600
Magnolia Place Section 1 - Reserve C (Phase II Multi-Family)	13.884	308	0	0	Yes	Yes	308	308	110,880	92,400
Magnolia Place Section 1 - Reserve D (Phase I Multi Family)	14.580	224	0	0	Yes	Yes	224	224	80,640	67,200
Magnolia Place Section 1 - Reserve E (Detention)	10.763	0	0	0	Yes	Yes	0	0	0	0
Magnolia Place Section 2 - Single Family Homes	27.600	124	0	0	Yes	Yes	124	124	44,640	37,200
Magnolia Place - Additional Multi-Family	11.233	285	0	0	Yes	Yes	285	285	102,600	85,500
Magnolia Place - Remaining Commercial	39.746	10	0	0	Yes	Yes	75	75	27,059	22,549
Magnolia Place - ROW Dedication, Misc.	14.594	0	0	0	Yes	Yes	0	0	0	0
Magnolia Ridge Forest Section 14	20.693	72	0	0	Yes	Yes	72	72	25,920	21,600
Magnolia Ridge Forest Section 15	27.294	78	0	0	Yes	Yes	78	78	28,080	23,400
Magnolia Ridge Forest Section 17	30.6	94	0	0	Yes	Yes	94	94	33,840	28,200
Magnolia Ridge Forest Section 18	27.589	103	0	0	Yes	Yes	103	103	37,080	30,900
Magnolia Ridge Forest Section 19	33.709	149	0	0	Yes	Yes	149	149	53,640	44,700
Magnolia Ridge Forest Section 20	41.3	132	0	0	Yes	Yes	132	132	47,520	39,600
Magnolia Ridge Section 2	38.1203	0	0	0	Yes	Yes	0	0	0	0
Magnolia Ridge Section 3	1.532	0	0	0	Yes	Yes	0	0	0	0
Magnolia Ridge Section 13	107.6982	0	0	0	Yes	Yes	0	0	0	0
Magnolia Ridge Section 15	20.231	112	0	0	Yes	Yes	112	112	40,320	33,600
Magnolia Village - Pad A Reserve D (Retail)	1.770	1	0	0	Yes	Yes	7	7	2,520	2,100
Magnolia Village - Pad B Reserve A (Retail)	1.590	1	0	0	Yes	Yes	3	3	1,080	900
Magnolia Village - Pad C Reserve A (Retail)	2.980	1	0	0	Yes	Yes	7	7	2,520	2,100
Magnolia Village - Pad E Reserve A (QSR)	0.940	1	0	0	Yes	Yes	4	4	1,440	1,200
Magnolia Village - Pad F Reserve A (QSR)	0.750	1	0	0	Yes	Yes	2	2	720	600
Magnolia Village - Pad G Reserve A (QSR)	1.000	1	0	0	Yes	Yes	6	6	2,160	1,800
Magnolia Village - Pad H Reserve A (QSR)	1.020	1	0	0	Yes	Yes	5	5	1,800	1,500
Magnolia Village - Pad I Reserve A (QSR)	0.950	1	0	0	Yes	Yes	8	8	2,880	2,400
Magnolia Village - Pad J Reserve A (QSR)	1.090	1	0	0	Yes	Yes	10	10	3,600	3,000
Magnolia Village - Pad K Reserve B (Bank)	0.930	1	0	0	Yes	Yes	1	1	360	300
Magnolia Village - Pad L Reserve B (QSR)	0.840	1	0	0	Yes	Yes	5	5	1,800	1,500
Magnolia Village - Pad M Reserve B (Car Wash)	1.230	1	0	0	Yes	Yes	8	8	2,880	2,400
Magnolia Village - Pad N Reserve B (Restaurant)	1.520	1	0	0	Yes	Yes	19	19	6,840	5,700
Magnolia Village - Pad O Reserve B (No Layout)	0.680	1	0	0	Yes	Yes	0	0	0	0

TYPE OF DEVELOPMENT	Acreage ⁽¹⁾	Total Units	Existing Water (ESFC)	Existing Wastewater (ESFC)	Committed Water	Committed Wastewater	Ultimate Water (ESFC)	Ultimate Wastewater (ESFC)	Ultimate Water Demand ⁽²⁾ (GPD)	Ultimate Wastewater Demand ⁽³⁾ (GPD)
Magnolia Village - Pad P Reserve B (C-Store / Gas Station)	1.380	1	0	0	Yes	Yes	12	12	4,241	3,534
Magnolia Village - Pad R Reserve A (Office)	1.350	1	0	0	Yes	Yes	6	6	2,160	1,800
Magnolia Village - Pad S Reserve E (Retail)	1.510	1	0	0	Yes	Yes	6	6	2,160	1,800
Magnolia Village - Tract A Reserve D (3 Restaurants)	6.730	1	0	0	Yes	Yes	99	99	35,640	29,700
Magnolia Village - Tract B Reserve E (Retail)	6.140	1	0	0	Yes	Yes	18	18	6,480	5,400
Magnolia Village - Tract C Reserve E (Retail)	9.590	1	0	0	Yes	Yes	31	31	11,160	9,300
Magnolia Village - Tract D Reserve F (Allora Multi-Family)	11.799	290	0	0	Yes	Yes	290	290	104,400	87,000
Magnolia Village - Reserve C (No Layout)	0.249	1	0	0	Yes	Yes	0	0	0	0
Magnolia Village - Streets and Future ROW Dedication	4.965	0	0	0	Yes	Yes	0	0	0	0
Magnolia Village South - Pad A (Daycare)	1.470	1	0	0	Yes	Yes	1	1	360	300
Magnolia Village South - Pad B (Retail)	1.510	1	0	0	Yes	Yes	3	3	1,080	900
Magnolia Village South - Pad C (Retail)	2.170	1	0	0	Yes	Yes	4	4	1,440	1,200
Magnolia Village South - Pad D (Auto)	0.800	1	0	0	Yes	Yes	1	1	360	300
Magnolia Village South - Pad E (QSR)	1.170	1	0	0	Yes	Yes	7	7	2,520	2,100
Magnolia Village South - Pad F (QSR)	0.980	1	0	0	Yes	Yes	7	7	2,520	2,100
Magnolia Village South - Pad G (Pharmacy)	2.050	1	0	0	Yes	Yes	4	4	1,440	1,200
Magnolia Village South - Tract 1 (Medical Office)	3.600	1	0	0	Yes	Yes	5	5	1,800	1,500
Magnolia Village South - Tract 2 (Magnolia Cottages)	15.004	182	0	0	Yes	Yes	182	182	65,520	54,600
Magnolia Village South - Detention, ROW, Future ROW Dedication & UE	48.239	1	0	0	Yes	Yes	0	0	0	0
MHT Homes Magnolia	1.565	1	0	0	Yes	Yes	1	0	360	0
Mill Creek Estates Section 6A	21.885	102	0	0	Yes	Yes	102	102	36,720	30,600
Mill Creek Estates Section 6B	8.706	48	0	0	Yes	Yes	48	48	17,280	14,400
Mill Creek Estates Section 6C	13.11	69	0	0	Yes	Yes	69	69	24,840	20,700
Mill Creek Estates Section 7	47.307	176	0	0	Yes	Yes	176	176	63,360	52,800
Mill Creek Estates Section 8	19.2	76	0	0	Yes	Yes	76	76	27,360	22,800
Mill Creek Estates Section 9	13.114	53	0	0	Yes	Yes	53	53	19,080	15,900
Mill Creek Estates Section 10	11.6	39	0	0	Yes	Yes	39	39	14,040	11,700
Mill Creek Remaining Sections (Sections 11 through 16)	110.0	505	0	0	Yes	Yes	505	505	181,800	151,500
Mustang Ridge Section 3	25.522	80	0	0	Yes	Yes	80	80	28,800	24,000
Myrtle Gardens [Pulte Homes of Texas] (Single Family)	27.794	122	0	0	Yes	Yes	122	122	43,920	36,600
Subtotal	1856.747	7,122	0	0			21,029	20,692	7,555,422	6,207,020
TOTAL EXISTING + FUTURE COMMITTED		11,509	3,591	3,486			25,612	25,172	9,200,634	7,550,608
H. Future Developments without Commitments										
Audubon Park Section 4	16.020	66	0	0	-	-	66	66	23,760	19,800
Audubon Park Section 5	8.678	27	0	0	-	-	27	27	9,720	8,100
Audubon (Residential, Commercial and School)	2874	10153	0	0	-	-	10,153	10,153	3,655,080	3,045,900
Freh Hut	3.150	3	0	0	-	-	3	3	1,080	900
G. Bucio Properties	4.064	3	0	0	-	-	3	3	1,080	900
La Preferida Meat Market		3	0	0	-	-	3	3	1,080	900
Magnolia Road Investments - Mixed Use	56.96	105	0	0	-	-	105	105	37,800	31,500
PHP 316 Commerce Street - Multi-Family	2.000	119	0	0	-	-	119	119	42,840	35,700
PHP 316 Commerce Street - Commercial		1	0	0	-	-	6	6	2,160	1,800
Rubicon	6.620	33	0	0	-	-	33	33	11,880	9,900
The Woodard Tract	5900	1,250	0	0	-	-	1,250	1,250	450,000	375,000
15 Acre FM1486 Tract - Duplex and Townhomes	15	150	0	0	-	-	150	150	54,000	45,000
94.4 Acre Tract Development - Single-Family	65	246	0	0	-	-	246	246	88,560	73,800
94.4 Acre Tract Development - Multi-Family		303	0	0	-	-	303	303	109,080	90,900
94.4 Acre Tract Development - Retail	11	1	0	0	-	-	14	14	5,040	4,200
94.4 Acre Tract Development - Office	4	1	0	0	-	-	12	12	4,320	3,600
Subtotal	8965.282	12,464	0	0	-	-	12,493	12,493	4,497,480	3,747,900
TOTAL FUTURE		19,586	0	0			33,522	33,185	12,052,902	9,954,920
GRAND TOTAL (EXISTING, FUTURE COMMITTED AND FUTURE NON-COMMITTED)		23,973	3,591	3,486			59,134	37,665	13,698,114	11,298,508

TYPE OF DEVELOPMENT	Acreage ⁽¹⁾	Total Units	Existing Water (ESFC)	Existing Wastewater (ESFC)	Committed Water	Committed Wastewater	Ultimate Water (ESFC)	Ultimate Wastewater (ESFC)	Ultimate Water Demand ⁽²⁾ (GPD)	Ultimate Wastewater Demand ⁽³⁾ (GPD)
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Notes:

(1) Acreage based on final plat, estimated based on subdivision boundary depicted on Montgomery County Appraisal District Map, or preliminary information from developer's engineer.

(2) TCEQ Water Demand Factor

(3) TCEQ Wastewater Factor

(4) Single-Family homes that are not located within a subdivision but receive City of Magnolia water and wastewater service.

(5) Multi-Family homes ESFC is based on information provided by apartment complex manager or based on reseach of facility address. 1 Apartment unit = 1 ESFC.

(6) ESFC for commercial and institutional facilities was backcalculated from actual usage during the period of October 2019 to September 2020.

(7) ESFC for irrigation was backcalculated from actual usage during the period of October 2019 to September 2020. The number of independent irrigation accounts (total units) equals 8 i.e. a total of 119 irrigaton accounts minus 111 accounts included elsewhere as part of commercial developments.

360 gpd/ESFC
300 gpd/ESFC

Attachment A

Revisions:			
Revision #	Revised By	Date	Comments
1	REG	10/8/21	* City of Magnolia provided information that Myrtle Gardens is part of BBQ and has an agreement. Therefore, moved Myrtle Gardens to committed. * LIA Engineering provided Agreement for Magnolia Ridge and it appears that the agreement cover Magnolia Ridge and Magnolia Ridge Forest. Therefore, moved Magnolia Ridge to committed.
2	REG	10/11/21	Revised from "No MUD" to "MC MUD 108" for Magnolia Ridge Sec 14 & 15 per Agreement.
3	REG	10/15/21	Revised Magnolia Ridge Sec 17 acreage and lot count based on Preliminary Plat submitted for review.
4	REG	10/29/21	* Mill Creek Master Agreement shows 650 proposed lots; Amendment (July 2021) shows 1600 proposed lots; Revised lots for subdivisions accordingly. The lot breakdown for each subdivisions was from plats that are in review process in COM encode. * Escondido Sec 3 subdivision lot count updated from plat that is in review process in COM encode.
5	REG	11/8/21	* Revised Magnolia Ridge Forest Sec 15 acreage (acreage changed due to plat boundary revision) * Magnolia Ridge Forest Sec 18 & 19 were previously combined. The two sections are shown in separate rows with their respective acreage and number of lots (info based on preliminary plat in review) * Magnolia Ridge Sec 14 info revised per final plat in review. * Magnolia Ridge Sec 15 Acreage and number of lots minor modification based on preliminary plat in review.
6	REG	11/9/21	* Revised Parkside Capital / GC Magnolia now revised to be shown as Magnolia Village per Land Development layout. Previous total ESFC of 300 was from City of Magnolia projection spreadsheet (all multi-family). Total ESFC per Land Development conceptual layout is approximately 809 (290 for multi-family and remaining for misc. including Restaurant, QSR, Retail, Office). Updated acreage to include street and future ROW dedication.
7	REG	12/16/21	* Magnolia Village has an Ordinance (O-2019-009) creating a Planned Development District (PD-1). The Ordinance also includes a Development Agreement. There are no ESFCs established in the PD-1 or the agreement. Number of connections are calculated as shown on Revision Record No. 9 above. * Mustang Ridge has a Development Agreement. The Development Agreement is between the City and E. Dean Rosier. However, the agreement states that if the agreement may be assigned to a subsequent purchaser.
8	REG	1/25/22	* Moved Heritage Green to committed section. Utility Agreement does not have ESFC. A commitment letter for one pad site (Clearwater Express Car Wash) was issued on 01/25/22. There is one retail center and six pad sites remaining for Phase I and 190 single family lots for Phase II.
9	REG	2/4/22	* Updated acreages for the following subdivisions per recently recorded final plats: Magnolia Ridge Forest Sec 13 & 14, Escondido Sec 3, and Mill Creek Estates Sec 2 & 3. Updated acreage for Escondido overall based on conceptual layout provided by Developer's Engineer on 2/3/22.
10	REG	3/4/22	* Revised Mustang Ridge Section 3 acreage and number of lots based on preliminary plat submitted for review. * Revised Magnolia Ridge Forest Sec 20 number of lots based on preliminary plat submitted for review. * Updated acreage for Escondido Sections 7 & 9 based on preliminary plat submitted for review (conceptual layout submitted with plat review). * The two previous entries to the spreadsheet shown as BBQ Equity are now shown as Myrtle Gardens (owner is Pulte Homes of Texas) and Magnolia Village South (owner is BBQ Equity Partners & LCP Magnolia Cottage 146 PROP, LLCPartners). The names Myrtle Garden and Magnolia Village South are per approved plat and preliminary plat submitted for review, respectively. Number of connections remain the same but acreage for Magnolia Village South was slightly adjusted to reflect preliminary plat.
11	REG	3/9/22	* Mill Creek Estates Sec 6 has been broken out to Sec 6 A, B, and C per final plat submitted for review. Total acreage and number of lots remained the same. * Add new connections per January and February monthly new connection report. Moved Escondido Sec 1, Escondido Sec 2, Mustang Ridge Sec 1, Magnolia Ridge Forest Sec 6, 8, and 10, and Mill Creek Estates to existing.
12	REG	4/6/22	* Updated ownership information for Magnolia Village.
13	REG	5/3/22	* Update connections based on City's meter report.
14	REG	5/4/22	* Updated acreage for Magnolia Ridge Forest Sections 18 & 19 based on preliminary plat in review.
15	REG	5/23/22	* Updated per email from Diego Burgos, Grand Oaks MUD has Grand Oaks Sections 1 to 3 and Glen Oaks Section 1 to 4. Glen Oaks has future sections (Glen Oaks 5 & 6) and 9 commercial connections.
16	REG	6/3/22	* Updated connections based on New Meters Report from City; Audubon connections report shows the same as last month.
17	REG	6/20/22	* Updated connections based on Audubon connections report (May - June Report)
18	REG	8/29/22	* Updated connections based on City's meter report. Updated connections based on Audubon Connections report (June - July & July - August). Updated Mill Creek Estates Sec 4 & 5 acreage per final plat. Updated Heritage Green breakdown per conceptual layout shown in DA. Updated Magnolia Village South based on most recent plan & plat.
19	REG	9/8/22	*Updated to add Audubon Park Sec 4 & 5. Update Magnolia Place per most current land layout provided by Engineer. Revised Mill Creek Sec 7, Escondido Sec 5,7&9, and Mustange Ridge Sec 3 acreage and lot per final plat in review. Updated Heritage Green, Magnolia Village and Magnolia Village South per recent site layouts. Added 15 Acre FM1486 Tract - Duplex and Townhomes to development without commitment (info from META). Added 94.4 Acre Tract Development - Single Family, Multi-Family, & Commercial to development without commitment (info from Half)
20	REG	9/21/22	*Updated Heritage Green per layout from 380 agreement and plans submitted for review.
21	REG	9/26/22	*Updated info source in preparation of tables for GIS
22	REG	9/27/22	* Added 124 acre Discovery Tract Development (70 acres plus 54 acres)
23	REG	10/5/22	* Updated connections based on Audubon Connections report (August - September)
24	REG	10/13/22	*Updated Magnolia Road Investments acreage based on spreadsheet from City and number of connections based on 2019 Water System Master Plan by Strand. *Updated PHP 316 Commerce Street to split commercial and multi-family.
25	REG	10/21/22	* Updated connections based on City's meter report (based on August and September report).
26	REG	11/29/22	*Updated connections based on City's meter report (based on October and November report). *Removed Discovery Tract Development from Future Development (Cristin has confirmed that the development will not go forward)
27	REG	12/8/22	*Updated connections based on Audubon Connections (based on September, October and November Usage).

Attachment A

City of Magnolia
Estimated Growth Based on last 235 days
As of 12/28/2021

as of	Connections	growth	Days	Rate	Capacity	Reserve	Comments
5/1/2021	1330				2742	1412	Growth based on last 235 days
12/22/2021	1718	388	235	1.65	2742	1024	
6/1/2022	1983.65	265.65	161	1.65	2742	758.35	
7/1/2022	2033.15	49.5	30	1.65	2742	708.85	
8/1/2022	2084.3	51.15	31	1.65	2742	657.7	
9/1/2022	2135.45	51.15	31	1.65	2742	606.55	
10/1/2022	2184.95	49.5	30	1.65	2742	557.05	
11/1/2022	2236.1	51.15	31	1.65	2742	505.9	
12/1/2022	2285.6	49.5	30	1.65	2742	456.4	
1/1/2023	2336.75	51.15	31	1.65	2742	405.25	
2/1/2023	2387.9	51.15	31	1.65	2742	354.1	
3/1/2023	2434.1	46.2	28	1.65	2742	307.9	
4/1/2023	2485.25	51.15	31	1.65	2742	256.75	
5/1/2023	2534.75	49.5	30	1.65	2742	207.25	
6/1/2023	2585.9	51.15	31	1.65	4408	1822.1	WP3 on-line
7/1/2023	2635.4	49.5	30	1.65	4408	1772.6	
8/1/2023	2686.55	51.15	31	1.65	4408	1721.45	
9/1/2023	2737.7	51.15	31	1.65	4408	1670.3	
10/1/2023	2787.2	49.5	30	1.65	4408	1620.8	
11/1/2023	2838.35	51.15	31	1.65	4408	1569.65	
12/1/2023	2887.85	49.5	30	1.65	4408	1520.15	
1/1/2024	2939	51.15	31	1.65	4408	1469	
2/1/2024	2990.15	51.15	31	1.65	4408	1417.85	
3/1/2024	3038	47.85	29	1.65	4408	1370	
4/1/2024	3089.15	51.15	31	1.65	4408	1318.85	
5/1/2024	3138.65	49.5	30	1.65	4408	1269.35	
6/1/2024	3189.8	51.15	31	1.65	5714	2524.2	New Well & EST
7/1/2024	3239.3	49.5	30	1.65	5714	2474.7	
8/1/2024	3290.45	51.15	31	1.65	5714	2423.55	
9/1/2024	3341.6	51.15	31	1.65	5714	2372.4	
10/1/2024	3391.1	49.5	30	1.65	5714	2322.9	
11/1/2024	3442.25	51.15	31	1.65	5714	2271.75	
12/1/2024	3491.75	49.5	30	1.65	5714	2222.25	
1/1/2025	3542.9	51.15	31	1.65	5714	2171.1	
2/1/2025	3594.05	51.15	31	1.65	5714	2119.95	

ORDINANCE NO. O-2022-033

**AN ORDINANCE OF THE CITY OF MAGNOLIA, TEXAS, AMENDING CHAPTER 2
“ADMINISTRATION” OF THE CODE OF ORDINANCES OF THE CITY OF
MAGNOLIA, TEXAS; PROVIDING A SEVERABILITY CLAUSE; AND MAKING
OTHER PROVISION RELATED THERETO**

* * * * *

WHEREAS, the City Council of the City of Magnolia, Texas has studied the present provisions of Chapter 2 “Administration” of the Code of Ordinances of the City of Magnolia; and

WHEREAS the City Council is continually reviewing the provisions of the Code of Ordinances relating to circumstances which generally impact the health, safety and well-being of residents, citizens, and inhabitants; and

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF MAGNOLIA, TEXAS:

Section 1. Findings. The foregoing recitals are hereby found to be true and correct and are hereby adopted as findings of fact and conclusions of law by the City Council and made a part hereof for all purposes.

Section 2. Amendments. Article II, “City Council,” of Chapter 2 of the City of Magnolia Code of Ordinances is hereby amended as shown in attached Exhibit “A” and incorporated herein for all purposes.

Section 3. Repealing Clause. All ordinances and parts of ordinances in conflict with the provisions of this ordinance are hereby repealed; provided, however, that such repeal shall be only to the extent of such inconsistency and in all other respects this ordinance shall be cumulative of other ordinances regulating and governing the subject matter covered by this ordinance.

Section 4. Severability. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this ordinance be severable, and if any phrase, clause, sentence, paragraph or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences or sections of this ordinance, and the remainder of this Ordinance shall be enforced as written.

Section 5. Compliance Clause and Effective Date. The City Council finds, determines, and declares that a sufficient written notice was posted, and this Ordinance was passed in accordance with the Open Meetings Act. The City Secretary is instructed to publish this Ordinance in the Official Newspaper of the City of Magnolia in the manner

provided and for the time required by Section 52.011(a) of the Local Government Code, at which time this Ordinance takes effect.

PASSED, APPROVED and ADOPTED on this the 21st day of December, 2022.



THE CITY OF MAGNOLIA, TEXAS

Todd Kana, Mayor

ATTEST:

Don Doering, Interim City Secretary

EXHIBIT “A”
CHAPTER 2
ADMINISTRATION

ARTICLE II. CITY COUNCIL

Sec. 2-25(1)(a) Rules of Procedure

(1) Rule 1: Meetings, regular and special.

a. The city council shall meet in the council chambers of the city hall on ~~the second~~ each Tuesday of each month, with the second Tuesday regular meeting commencing at 7:00 p.m. On all other Tuesdays, each meeting time will be at 7:00 p.m. unless when deemed necessary, prudent and in the public interest the city council may occasionally opt to make the time different and/or move to a different date. In the event a regular meeting falls on a holiday, or during Spring Break, Thanksgiving or Christmas week, the meeting for that day may be rescheduled as determined by the council. Any meeting of the council may be recessed from hour to hour, for a period of time not to exceed 24 hours, by affirmative vote of four or more members of the council present at such meeting, and such recessed meeting shall be held without further posted notice. Cancellation. When no item is set for a specific agenda, the meeting may be cancelled at the direction of the mayor or mayor pro tem if the mayor is unavailable. For all other meetings, when deemed necessary, prudent, and in the public interest, the city council may cancel a meeting.