

Mayor Todd Kana
Daniel Miller, Position 1
Matthew Dantzer, Position 2
Richard Carby, Mayor Pro Tem, Position 3
Brenda Hoppe, Position 4
Jack L. Huit 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

PUBLIC HEARING & REGULAR CITY COUNCIL MEETING
TUESDAY, NOVEMBER 8, 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. CITIZENS 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. OPEN PUBLIC HEARING

NOTICE OF PUBLIC HEARING

On November 8, 2022 at 7:00 pm., City of 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 a combination of 4.926 acres of land being Property ID R201670, R201671, R201672, R481609 and R40491 situated in the Gamble Dawson Survey, Abstract No. 177, of Montgomery County, Texas, from Industrial, Public Use and Rural to Auto-Urban Commercial.

4. CLOSE PUBLIC HEARING

5. ADJOURN PUBLIC HEARING AND CONVENE OPEN REGULAR MEETING

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 October 11, 2022.

b. CONSIDERATION – APPROVE INVESTMENT PORTFOLIO FOR 3RD QUARTER ENDING SEPTEMBER 2022

7. CONSIDERATION AND POSSIBLE ACTION TO ADOPT ORDINANCE NO. O-2022-029 TO CHANGE THE ZONING CLASSIFICATION FOR 4.926 ACRES OF LAND BEING PROPERTY ID R201670, R201671, R201672, R481609 AND R40491 SITUATED IN THE GAMBLE DAWSON SURVEY, ABSTRACT NO. 177, OF MONTGOMERY COUNTY, TEXAS, FROM INDUSTRIAL, PUBLIC USE AND RURAL TO AUTO-URBAN COMMERCIAL (Mayor Todd Kana)

Consideration and possible action to adopt:

ORDINANCE NO. O-2022-029

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.

8. CONSIDERATION AND POSSIBLE ACTION TO REVIEW AND APPROVE MAGNOLIA RIDGE FOREST, SECTION 17, FINAL PLAT, +/- 50.434 ACRES (Mayor Todd Kana)

9. CONSIDERATION AND POSSIBLE ACTION TO REVIEW AND APPROVE MUSTANG RIDGE, SECTION 3, FINAL PLAT, +/- 25.522 ACRES (Mayor Todd Kana)

10. CONSIDERATION AND POSSIBLE ACTION TO AUTHORIZE ADVERTISEMENT OF WATER WELL NO. 8 (Mayor Todd Kana)

11. CONSIDERATION AND POSSIBLE ACTION TO APPROVE BALLAST POINT CONSTRUCTION CHANGE ORDER NO. 2 FOR MODIFICATIONS TO CONTRACT DOCUMENTS IN THE AMOUNT OF \$364,168.00 (Mayor Todd Kana)

12. **CONSIDERATION AND POSSIBLE ACTION REGARDING HEB AGREEMENT WITH CITY OF MAGNOLIA FOR THE PUMP STATION** (Mayor Todd Kana)
13. **CONSIDERATION, DISCUSSION AND POSSIBLE ACTION ON TEMPORARY SOLUTION TO ADDRESS PRESSURE ISSUES ON THE EAST SIDE OF THE CITY, INCLUDING AMOUNT OF PARTICIPATION OF THE CITY** (Mayor Todd Kana)
14. **CONSIDERATION AND POSSIBLE ACTION TO ENGAGE LJA ENGINEERING ON ACQUISITION OF POTENTIAL WATER PLANT NO. 4 SITE LOCATED SOUTHEAST OF THE INTERSECTION OF WHISTLE STOP LANE AND MAGNOLIA BEND TRACE** (Mayor Todd Kana)
15. **CONSIDERATION AND POSSIBLE ACTION FOR CITY COUNCIL TO APPOINT INDIVIDUALS/ENTITIES TO THE TEAM REVIEWING AND MAKING RECOMMENDATIONS FOR CHANGES TO THE UNIFIED DEVELOPMENT CODE** (Mayor Todd Kana)
16. **CONSIDERATION, DISCUSSION, AND POSSIBLE ACTION TO APPROVE DROUGHT CONTINGENCY PLAN AMENDMENTS** (Mayor Todd Kana)
17. **CONSIDERATION – DESIGNATION OF REPRESENTATIVE AND ALTERNATE FOR HOUSTON-GALVESTON AREA COUNCIL 2022 GENERAL ASSEMBLY** (Mayor Todd Kana)
18. **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 TCEQ notice of potential violations on utility services and legal advice on water connections.
19. **RECONVENE** into regular session and consider action, if any, on item(s) discussed in executive session.
20. **ADMINISTRATION - DEPARTMENT REPORTS
ACTIVITIES/ UPDATES/ ANNOUNCEMENTS AND ITEMS OF COMMUNITY INTEREST**
 - a. **POLICE DEPARTMENT** (Chief of Police, Kyle Montgomery)
 - b. **PUBLIC WORKS DEPARTMENT** (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 11.2.22
TIME 6:30 PM
TAKEN DOWN _____

Kandice Garrett
Kandice Garrett, City Secretary

