

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
Christian Gable, City Secretary



NOTICE OF PUBLIC MEETING OF THE MAGNOLIA CITY COUNCIL

AGENDA

PUBLIC HEARINGS & REGULAR CITY COUNCIL MEETING

TUESDAY, MARCH 12, 2024 – 6:00 PM

Sewall Smith Council Chambers

18111 Buddy Riley Blvd., Magnolia, Texas 77354

1. CALL MEETING TO ORDER

- a. INVOCATION
- b. PLEDGE OF ALLEGIANCE
- c. ROLL CALL AND CERTIFICATION OF A QUORUM

2. 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.*

3. OPEN 1ST PUBLIC HEARING

NOTICE OF PUBLIC HEARING

On February 15, 2024 at 4:30 pm., Magnolia Planning & Zoning Commission 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 11.6899 acres of land from Rural to Auto-Urban Commercial:

Being 7.4128 acres of land in the Hampton Tillons Survey, Abstract 556, in Montgomery County, Texas, and being out of the MAGNOLIA VILLAGE SOUTH SUBDIVISION, UNRESTRICTED RESERVE "A" according to the plat thereof recorded in Cabinet 00Z, Sheets 9281-9283, of the Map Records of Montgomery County, Texas, and being a portion of the Remainder of a called 107.715 acre tract described in the deed to BBQ Equity Partners, LLC recorded under File Number 2017015767 of the Official Public Records of Real Property of Montgomery County, Texas,

And;

Being 4.2771 acres of land in the Hampton Tillons Survey, Abstract 556, in Montgomery County, Texas, and being out of the MAGNOLIA VILLAGE SOUTH SUBDIVISION, UNRESTRICTED RESERVE "A" according to the plat thereof recorded in Cabinet 00Z, Sheets 9281-9283, of the Map Records of Montgomery County, Texas, and being a portion of the Remainder of a called 107.715 acre tract described in the deed to BBQ Equity Partners, LLC recorded under File Number 2017015767 of the Official Public Records of Real Property of Montgomery County, Texas.

4. CLOSE 1ST PUBLIC HEARING AND OPEN 2ND PUBLIC HEARING

NOTICE OF PUBLIC HEARING

On February 15, 2024 at 4:30 p.m. City of Magnolia Planning and Zoning Commission 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, and to discuss:

- Conditional Use Permit for BBQ Equity Partners, LLC in Magnolia Village South concerning use of self-storage in a nonresidential, Auto-Urban Commercial (AC) zoned district.
Legal Description: S710800 – Magnolia Village South – Reserve A
(+/- 2.44 acres of 11.6894 acre property)

5. CLOSE 2ND PUBLIC HEARING AND CONVENE REGULAR MEETING

6. CONSIDERATION AND POSSIBLE ACTION TO ADOPT ORDINANCE NO. O-2024-002 AMENDING THE CITY OF MAGNOLIA OFFICIAL ZONING MAP FOR MAGNOLIA VILLAGE SOUTH, BEING 11.6899 ACRES OF LAND, FROM RURAL TO AUTO-URBAN COMMERCIAL (Mayor Todd Kana)

7. CONSIDERATION AND POSSIBLE ACTION TO ADOPT ORDINANCE NO. O-2024-003 APPROVING THE CONDITIONAL USE PERMIT FOR SELF-STORAGE WITHIN MAGNOLIA VILLAGE SOUTH (Mayor Todd Kana)

8. 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 February 13, 2024.

b. CONSIDERATION AND POSSIBLE ACTION TO APPROVE THE OAKS ON 6TH STREET, FINAL PLAT

c. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ESCONDIDO SECTION 7, FINAL PLAT, +/- 37.006 ACRES

d. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ESCONDIDO SECTION 9, FINAL PLAT, +/- 13.344 ACRES

e. CONSIDERATION AND POSSIBLE ACTION TO APPROVE MUSTANG RIDGE SECTION 3, PARTIAL REPLAT, +/- 1.724 ACRES

9. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ALCOHOL SALES AND CONSUMPTION FOR THE MAGNOLIA EDUCATION FOUNDATION EVENT AT UNITY PARK ON APRIL 20TH (Mayor Todd Kana)

10. CONSIDERATION AND POSSIBLE ACTION TO APPROVE ALCOHOL SALES AND CONSUMPTION FOR THE MONTGOMERY COUNTY REPUBLICAN PARTY OF TEXAS EVENT AT UNITY PARK ON MAY 11TH (Mayor Todd Kana)

11. CONSIDERATION AND POSSIBLE ACTION TO APPROVE RESOLUTION NO. R-2024-002 ADOPTING THE 2024 MONTGOMERY COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN (Mayor Todd Kana)

12. DISCUSS AND DIRECT STAFF TO PREPARE A STREETLIGHT ACCEPTANCE ORDINANCE FOR CITY COUNCIL APPROVAL (Mayor Todd Kana)

13. CONSIDERATION AND POSSIBLE ACTION TO ACCEPT CONVEYANCE OF INFRASTRUCTURE BY MAGNOLIA EAST 149, LLC (Mayor Todd Kana)

14. 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 to receive legal advice on to consult and receive legal advice from its attorneys on MISD v City of Magnolia, et al and SJRA v Cities of Conroe and Magnolia; and to receive legal advice on sanitary sewer force main and water line easement from Audubon Magnolia Development, LLC; and to receive legal advice concerning the Wholesale Water Supply and Sanitary Sewer Agreement and addendums between the City of Magnolia and Audubon and Demand Letter by Audubon;

15. RECONVENE into regular session and consider and/or take action on item(s) discussed in executive session.

16. CONSIDERATION AND POSSIBLE ACTION TO APPROVE BAXTER & WOODMAN, INC. WORK ORDER NO. 24-003 TO PERFORM LIMITED CONSTRUCTION MANAGEMENT SERVICES IN AN HOURLY NOT-TO-EXCEED AMOUNT OF \$87,741.00 (Mayor Todd Kana)

17. 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)

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, in compliance with Chapter 551, Texas Government Code.

DATE _____
TIME _____
TAKEN DOWN _____

Christian Gable, City Secretary

