



City of Garden Ridge

"A way of life, not just a place to live"

MINUTES CITY COUNCIL REGULAR MEETING WEDNESDAY, SEPTEMBER 1, 2021, 6:00 P.M.

Councilmembers Present:

Mayor Robb Erickson
Mayor Pro-Tem Lisa Swint
Councilmember John McCaw
Councilmember Jesse Valdez
Councilmember Todd Arvidson
Councilmember Kay Bower

Councilmembers Absent: None

City Staff Present:

Nancy Cain, City Administrator
Marisa Spencer, City Secretary
Kat Balbi, Assistant City Secretary
Karen Ford, Finance/HR Director
Ron Eberhardt, Police Chief
Steven Steinmetz, Public Works Director
Linda Crosland, Librarian
Cynthia Trevino, City Attorney

City Commissioners Present:

Dr. Jim Miller, Chair, Planning and Zoning Commission
Dr. Denise Miner-Williams, Wildlife Management Advisory Commissioner

1. Call to Order

With a quorum of the City Councilmembers present, Mayor Erickson called the regular meeting of the Garden Ridge City Council to order at 6:01 p.m. on Wednesday, September 1, 2021, in the City Council Chambers of the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas 78266.

2. Roll Call: See above.

3. Pledge of Allegiance: Mayor Erickson led the Pledge of Allegiance and the Texas Pledge.

4. City/Employee Recognitions/Employee Introductions

a) Recognition of Employee Service Years with the City of Garden Ridge.

City Administrator Nancy Cain recognized employees with anniversary dates in the month of September for their hard work, dedication, and tenure with the City of Garden Ridge. This recognition included: Jill Wollenzin-3 years of service and Sgt. Keith Osborn-5 years of service.

5. Citizen Comment Period

Maggie Titterington, 1730 Schertz Parkway, introduced herself as the Schertz-Cibolo-Selma Area Chamber of Commerce President and spoke regarding the Chamber of Commerce working with the City of Garden Ridge.

Rod Chamberlain, 8807 Cherokee Path, spoke regarding Hurricane Ida.

6. Consent Agenda

THESE ITEMS MAY BE ACTED UPON IN A SINGLE MOTION. NO SEPARATE DISCUSSION OR ACTION ON THESE ITEMS WILL BE HELD UNLESS REQUESTED BY A COUNCILMEMBER. PUBLIC COMMENT ON THESE ITEMS MAY BE HEARD DURING CITIZENS' PARTICIPATION; HOWEVER, THAT DOES NOT MEAN THE ITEM WILL BE CONSIDERED OUTSIDE THE CONSENT AGENDA.

9400 Municipal Parkway * Garden Ridge, Texas 78266-2600
Phone (210) 651-6632 * Fax (210) 651-9638 * www.ci.garden-ridge.tx.us

- a) **Approval of Minutes for the August 4, 2021, City Council Regular Meeting.**
- b) **Approval of Minutes for the August 17, 2021, City Council Special Meeting.**
- c) **Financial Statement, Summary Report, and Management's Discussion and Analysis of Results of Operations – July 31, 2021.**
- d) **Destruction of City records in accordance with the City of Garden Ridge Records Retention Plan.**
- e) **Designation of Assistant City Secretary/Public Relations Kat Balbi as an authorized signer on bank accounts held by the City of Garden Ridge with First United Bank.**

Motion: A motion was made by Councilmember Bower, seconded by Councilmember McCaw, to approve Consent Agenda items a)-e). The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

7. Staff Reports

a) City Administrator Monthly Activity Report.

City Administrator Nancy Cain provided City Council with an update on upcoming events and spoke regarding the City of Garden Ridge maintaining a AA- municipal bond rating.

b) Finance/HR Monthly Activity Report.

Finance/HR Director Karen Ford provided City Council with an update regarding the American Rescue Plan.

c) City Secretary Monthly Activity Report.

City Secretary Marisa Spencer reviewed the monthly activity report and spoke regarding continuity of operations related to the Administrative Department.

d) Police Department Monthly Activity Report.

Chief Eberhardt reviewed the monthly activity report and spoke regarding continuity of operations related to the Police Department.

e) Public Works Department Monthly Activity Report.

Public Works Director Steven Steinmetz reviewed the monthly activity report and spoke regarding continuity of operations related to the Public Works Department.

f) Library Monthly Activity Report.

Librarian Linda Crosland reviewed the monthly activity report and spoke regarding continuity of operations related to the Library.

8. City Engineer Projects Status Reports

City Engineer Sam Johnson reviewed the Trihydro Engineering Report. He spoke regarding the FM 2252 TxDOT Project and FM 2252 Wastewater Project and addressed questions from Councilmembers.

9. City Commission and Committee Reports/Recommendations/Possible Actions

a) Planning and Zoning Commission:

1. Planning and Zoning Commission Place 6 Vacancy.

1.1. Receive recommendation to appoint Roy Leatherberry to the Planning and Zoning Commission Place 6 Vacancy with term expiring September 30, 2023.

Chair Dr. Miller stated the Commission recommends the appointment of Roy Leatherberry to the Planning and Zoning Commission Place 6 Vacancy.

1.2. Take action on recommendation.

Motion: A motion was made by Councilmember Valdez, seconded by Councilmember Arvidson, to approve the Planning and Zoning Commission's recommendation and appoint Roy Leatherberry to the Planning and Zoning Commission Place 6 Vacancy with term expiring September 30, 2023. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

2. Expiring terms (September 30, 2021) of Commissioners.

2.1. Receive recommendation to reappoint Commissioner Dr. Miller, Commissioner Hill, and Commissioner Deaver to serve another term with terms expiring September 30, 2023.

Chair Dr. Miller stated the Commission recommends the reappointment of Commissioner Dr. Miller, Commissioner Hill, and Commissioner Deaver to serve another term.

2.2. Take action on recommendation.

Motion: A motion was made by Councilmember Arvidson, seconded by Mayor Pro-Tem Swint, to approve the Planning and Zoning Commission's recommendation and reappoint Commissioner Dr. Miller, Commissioner Hill, and Commissioner Deaver to serve another term with terms expiring September 30, 2023. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

3. Master Development Plan for Pensionmark Office Center located approximately 440 feet southwest of the intersection of Nacogdoches Road (FM 2252) and Nacogdoches Loop (Old Nacogdoches Road).

3.1. Receive recommendation from the Commission.

Shawn Willis presented the Master Development Plan for Pensionmark Office Center and addressed questions from Councilmembers. Chair Dr. Miller stated the Commission recommends the approval of the Master Development Plan for Pensionmark Office Center.

3.2. Take action on recommendation.

Motion: A motion was made by Councilmember Bower, seconded by Councilmember Valdez, to approve the Planning and Zoning Commission's recommendation and approve the Master Development Plan for Pensionmark Office Center located approximately 440 feet southwest of the intersection of Nacogdoches Road (FM 2252) and Nacogdoches Loop (Old Nacogdoches Road) under the current zoning ordinance in effect (Ordinance No. 13-122018). The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

4. Receive monthly activity update as applicable.

Chair Dr. Miller provided City Council with an update on topics discussed at the Commission's August meeting.

b) Quarry Commission:

Mayor Erickson stated the Commission did not meet in August and does not have anything to report at this time.

c) Water Commission:

1. Expiring terms (September 30, 2021) of Commissioners.

1.1. Receive recommendation to reappoint Commissioner Mueller, Commissioner Harshbarger, and Commissioner Dr. Carmichael to serve another term with terms expiring September 30, 2023.

City Administrator Nancy Cain stated the Commission recommends the reappointment of Commissioner Mueller, Commissioner Harshbarger, and Commissioner Dr. Carmichael to serve another term.

1.2. Take action on recommendation.

Motion: A motion was made by Councilmember McCaw, seconded by Councilmember Arvidson, to approve the Water Commission's recommendation and reappoint Commissioner Mueller, Commissioner Harshbarger, and Commissioner Dr. Carmichael to serve another term with terms expiring September 30, 2023. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

2. Request for water leak adjustment for 19023 Seminole Pass for the billing period of October 23, 2020 – November 23, 2020.

City Secretary Marisa Spencer spoke regarding H.B. 872 essentially reversing the confidentiality requirements on utility accounts, making customer information confidential unless the customer opts to make it public by filling out a form requesting disclosure of their personal information. Therefore, leak adjustment requests and related documentation are no longer provided in the public packet.

2.1. Receive recommendation from the Commission.

Public Works Director Steven Steinmetz provided City Council with a summary of the Commission's discussion regarding this request. He stated the Commission recommends the proposal of a credit in the amount of \$1,600.07 for approval by City Council, adding the amount is based on calculating the cost of water using the leak adjustment policy and water rates in effect at the time the request was submitted.

2.2. Take action on recommendation.

Motion: A motion was made by Councilmember Valdez, seconded by Mayor Pro-Tem Swint, to approve the Water Commission's recommendation for request for water leak adjustment for 19023 Seminole Pass for the billing period of October 23, 2020 – November 23, 2020, and credit the account in the amount of \$1,600.07. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

3. Receive monthly activity update as applicable.

City Administrator Nancy Cain provided City Council with an update on topics discussed at the Commission's August meeting.

d) Wildlife Management Advisory Commission:

1. Expiring terms (September 30, 2021) of Commissioners.

1.1. Receive recommendation to reappoint Commissioner Krawczynski, Commissioner Sullivan, and Commissioner Lemmers to serve another term with terms expiring September 30, 2023.

City Administrator Nancy Cain stated the Commission recommends the reappointment of Commissioner Krawczynski, Commissioner Sullivan, and Commissioner Lemmers to serve another term.

1.2. Take action on recommendation.

Motion: A motion was made by Mayor Pro-Tem Swint, seconded by Councilmember Arvidson, to approve the Wildlife Management Advisory Commission's recommendation and reappoint Commissioner Krawczynski, Commissioner Sullivan, and Commissioner Lemmers to serve another term with terms expiring September 30, 2023. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

2. Receive monthly activity update as applicable.

Commissioner Dr. Miner-Williams provided City Council with an update on topics discussed at the Commission's August meeting.

e) Parks Committee:

Rod Chamberlain, Parks Committee, provided City Council with an update on the Parks Committee's projects.

f) *Volunteer Garden Ridge!*

City Administrator Nancy Cain stated *Volunteer Garden Ridge!* reported 206 hours for the month of August.

10. Approvals and Authorizations

The following items are for discussion, consideration, and action.

a) 2021 Tax Rate.

1. Review and discuss the 2021 Tax Rate Proposal of \$0.305149.

City Administrator Nancy Cain spoke regarding the 2021 Tax Rate Proposal of \$0.305149 and reminded City Council of the legislation requiring specific language for tax rate adoption.

2. Hold a public hearing.

Mayor Erickson opened the public hearing at 7:04 p.m.

No one wished to speak, and City Secretary Marisa Spencer stated no written comments were submitted.

Mayor Erickson closed the public hearing at 7:05 p.m.

3. Approve \$0.219497 as the 2021 Maintenance and Operation Rate for the City of Garden Ridge.

Motion: A motion was made by Councilmember McCaw, seconded by Mayor Pro-Tem Swint, to approve \$0.219497 as the 2021 Maintenance and Operation Rate for the City of Garden Ridge. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

4. Approve \$0.085652 as the 2021 Debt Service Rate for the City of Garden Ridge.

Motion: A motion was made by Councilmember McCaw, seconded by Councilmember Valdez, to approve \$0.085652 as the 2021 Debt Service Rate for the City of Garden Ridge. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

5. Take action on Ordinance No. 230-092021 An Ordinance of the City Council of the City of Garden Ridge, Texas, adopting a Tax Rate of \$0.305149 per one hundred dollars (\$100.00) consisting of the approved Maintenance and Operation Rate and Debt Service Rate of assessed valuation for the City of Garden Ridge to be effective for the 2021 Tax Year (Fiscal Year 2022).

Mayor Erickson spoke regarding legislation requiring specific language be used when adopting a tax rate and reminded Councilmembers that the City Secretary provided the required motion language to ensure the action taken satisfies all legal requirements.

Motion: A motion was made by Councilmember Bower, seconded by Councilmember Valdez, moving that the property tax rate be increased by the adoption of a tax rate of \$0.305149, which is effectively a 4.288 percent increase in the tax rate, and that Ordinance No. 230-092021 is approved to adopt \$0.305149 as the 2021 tax rate for the City of Garden Ridge. The City Council voted by roll call:

Councilmember McCaw, Place 1 – aye
Mayor Pro-Tem Swint, Place 2 – aye
Councilmember Valdez, Place 3 – aye
Councilmember Arvidson, Place 4 – aye
Councilmember Bower, Place 5 – aye

The motion carried unanimously.

b) Comal Appraisal District Board of Directors Election.

The City Council discussed nominations for the Comal Appraisal District Board of Directors Election.

Motion: A motion was made by Councilmember Valdez, seconded by Councilmember McCaw, to nominate Randy Maschek for the Comal Appraisal District Board of Directors Election. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

City Administrator Nancy Cain stated a resolution will be prepared and placed on the October City Council Agenda to officially nominate Randy Maschek for the Comal Appraisal District Board of Directors Election.

c) CenterPoint Energy.

City Administrator Nancy Cain spoke regarding gas utilities across the state filing applications to collect the incremental gas costs incurred during Winter Storm Uri from ratepayers through a unique form of financing referred to as securitization. City Attorney Cynthia Trevino spoke regarding gas securitization filings and addressed questions from Councilmembers.

The City Council agreed by consensus for the City of Garden Ridge to join the gas securitization filings.

d) Amendments to City of Garden Ridge Personnel Policy Manual.

Finance/HR Director Karen Ford presented amendments to the City of Garden Ridge Personnel Policy Manual and addressed questions from Councilmembers.

Motion: A motion was made by Councilmember McCaw, seconded by Councilmember Arvidson, to approve the amendments to the City of Garden Ridge Personnel Policy Manual as presented. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

e) Paid Time Off (PTO) Donations.

Mayor Erickson spoke regarding City employees supporting Officer Corey Hackenberg and stated 373 Paid Time Off hours are being donated to Officer Corey Hackenberg.

f) Authorize the City Administrator and Mayor to negotiate and execute an agreement between the City of Garden Ridge and Davenport High School for placement of the school mascot on the water tower.

Mayor Erickson spoke regarding working with Davenport High School Booster Club for the placement of the school mascot on the water tower.

Motion: A motion was made by Mayor Pro-Tem Swint, seconded by Councilmember Bower, to authorize the City Administrator and Mayor to negotiate and execute an agreement between the City of Garden Ridge and Davenport High School for placement of the school mascot on the water tower. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

11. Updates

a) City Council Projects.

1. City of Garden Ridge 50th Anniversary (Bower).

Councilmember Bower spoke regarding the City of Garden Ridge 50th Anniversary.

2. Pet Registrations at National Night Out (Bower).

Councilmember Bower spoke regarding Pet Registrations at National Night Out.

The City Council agreed by consensus to waive the pet registration fee for calendar year 2022 for residents who receive a stamped form at National Night Out on October 5, 2021, and present that form to City Hall when registering their pets.

12. Discussion of Future Agenda Items: None at this time.

13. Citizen Comment Period: No one wished to speak.

14. Reports and Comments from Mayor and City Councilmembers

The Mayor and/or City Councilmembers may comment, make general announcements, and/or provide progress reports on events, activities and/or committees/board meetings concerning the following:

Alamo Area Metropolitan Planning Organization, Boy Scouts and/or Girl Scouts, City of Garden Ridge sponsored events and outreach efforts, Comal ISD (Garden Ridge Elementary/Danville Middle School/Davenport High School), Counties (Bexar/Comal/Guadalupe), Families of Garden Ridge, Garden Ridge Lions Club, Garden Ridge Citizen Police Academy Alumni Association/Citizen Patrol, Garden Ridge Women's Club, Greater Bexar County Council of Cities, Northeast Partnership.

Councilmember Valdez spoke regarding the Garden Ridge Citizen Police Academy Alumni Association Annual Open Car Show. Mayor Erickson spoke regarding Families of Garden Ridge Adopt-A-Highway Program and Davenport High School's homecoming parade.

15. Executive Session

The City Council will recess its open meeting and reconvene in Executive Session:

a) Pursuant to Texas Government Code Section 551.071(1) and 551.071(2) – Consultation with Attorney and 551.072 – Deliberations About Real Property.

1. To deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person and legal advice on same: wastewater utility easement acquisition and property acquisition for city building project and related matters.
2. A matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Texas Government Code Chapter 551 regarding possible computer/data breach (Mayor's Access & PC) and related investigation.

Mayor Erickson announced the City Council will recess at 7:54 p.m. and reconvene into Executive Session at 8:05 p.m., in accordance with Texas Government Code Sections 551.071 – Consultation with Attorney and 551.072 – Deliberations About Real Property to discuss and seek legal advice on the items stated above.

Mayor Erickson adjourned the Executive Session and reconvened back into Regular Session at 8:13 p.m.

16. Business Items

The City Council will reconvene into Regular Session upon conclusion of the Executive Session and may recall any item posted for Executive Session for action, as necessary.

No action taken.

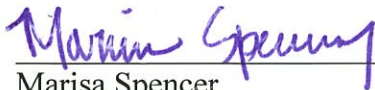
17. Adjournment

Motion: A motion was made by Councilmember Bower, seconded by Councilmember McCaw, to adjourn. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously. There being no further business, the Wednesday, September 1, 2021, City Council regular meeting was adjourned at 8:13 p.m. by Mayor Erickson.



Robb Erickson
Mayor

ATTEST



Marisa Spencer
City Secretary