City of Garden Ridge

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

AGENDA
WATER COMMISSION REGULAR MEETING
TUESDAY, NOVEMBER 16, 2021, 6:00 PM

The Water Commission will meet in a regular session on Tuesday, November 16, 2021 at 6:00 PM in the City Council Chambers, 9400 Municipal Parkway, Garden Ridge, Texas. This is an open meeting, open to the public, subject to the Open Meetings Law of the State of Texas, and as required by law, notice is hereby posted providing time, place, date, and agenda thereof. The meeting facility is wheelchair accessible and accessible parking spaces are provided. Requests for accommodations or interpretative services must be made to the City Secretary 48 hours prior to this meeting.

1. **Call to Order**

2. **Roll Call**

3. **Pledge of Allegiance**

4. **Citizen Comment Period - limited to 30 minutes total**

   Rules for Citizens' Participation: The Commission welcomes citizen participation and comments at all Commission Meetings. The Commission offers citizens the opportunity to address them by signing up to speak prior to the meeting. If you speak, you must follow these guidelines:

   a) Respect and courtesy:
      1. Direct your comments to the entire Commission, not to an individual member, nor to the audience.
      2. Show the Commission the same respect that you would like to be shown.
      3. End your speaking at the time allotted below.

   b) Speaking:
      1. First citizen comment period
         1.1. You are required to sign up to speak and you are limited to one 3-minute period.
      2. Second citizen comment period
         2.1. You are not required to sign up and you are limited to one 2-minute period.
      3. State your name and address before your comments begin.
      4. You are only allowed to speak once per topic, unless also speaking during a posted Public Hearing.

   NOTE: The Texas Open Meetings Act permits a member of the public or a member of the governmental body to raise a subject that has not been included in the notice for the meeting. However, any discussion of the subject must be limited to a proposal to place the subject on the agenda for a future meeting and any response to a question posed to the City Council is limited to either a statement of specific factual information or a recitation of existing policy. TEX. GOV'T CODE § 551.042.

5. **Business Items**

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

   a. Approvals
      1. Approval of Minutes for October 26, 2021, Water Commission Regular Meeting

b. Discussions/Reports/Updates

1. Utility Department Monthly Activity Report.

    i. Water Pumping/usage from City wells, Water system infrastructure maintenance, repairs and/or projects, and Water and/or Drought Management (current Watering Stage).

2. Items applicable to the Water Commission discussed at the November City Council Regular Meeting.

c. Recommendations

1. Request for water leak adjustment for 21926 Park View Dr. for the billing period of March 23, 2021 – April 23, 2021.

    i. Review and make recommendation regarding the request.

2. Water Commission activities and projects.

    i. Discuss and make possible recommendations on Water Rate Structure for commercial development.

    ii. Discuss and make possible recommendations on the amount of Transferable Water Rights for proposed QuikTrip development.

    iii. Update Commissioner's activities and projects list and receive update from Commissioners.

    iv. Discuss and make possible recommendations on future meetings or direction regarding Water Commission activities and projects.

    v. Discuss and make possible recommendations on scheduling monthly Water Commission Regular meetings.

d. Future Agenda Items

1. Commissioners input on agenda items.

2. Announce the date, time, and location for next meeting (December 21, 2021, at 6:00 p.m. at City Hall).

6. Citizen Comment Period

7. Adjournment

AGENDA NOTICES:

Decorum Required: Any disruptive behavior, including shouting or derogatory statements or comments may be ruled out of order by the Presiding Officer. Continuation of this type of behavior could result in a request by the Presiding Officer that the individual leave the meeting, and if refused, an order of removal.

Action by Commission Authorized: The Commission may vote or act upon any item within this Agenda.

Attendance By Other Elected or Appointed Officials: It is anticipated that members of the City Council, other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the City Council, other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.

This is to certify that I, Michelle Hinojosa, posted this Agenda at 9:15 a.m. on November 9, 2021, on the bulletin board located at the entrance to the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas.

Michelle Hinojosa
Utility Clerk

MINUTES
WATER COMMISSION REGULAR MEETING
TUESDAY, OCTOBER 26, 2021, 6:00 P.M.

Commissioners Present:
Chair James Mueller
Vice-Chair Keven Harshbarger
Commissioner Joseph Haltaman
Commissioner Dr. Richard Carmichael
Commissioner Brenda Reynolds

Commissioners Absent:
Mayor Robb Erickson, Ex-Officio, Voluntary Announced Absence
Commissioner Don Stone, Voluntary Announced Absence

City Staff, City Councilmembers, and Other Commissioners Present:
Nancy Cain, City Administrator
Marisa Spencer, City Secretary
Kat Balbi, Assistant City Secretary/Communications Specialist
Karen Ford, Finance/Human Resources
Michelle Hinojosa, Utility Clerk
Steven Steinmetz, Public Works Director
Jesse Valdez, City Councilmember

1. **Call to Order**

With a quorum of the Water Commissioners present, Chair Mueller called the regular meeting of the Garden Ridge Water Commission to order at 6:00 p.m. on Tuesday, October 26, 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:** Chair Mueller led the Pledge of Allegiance.

4. **Citizen Comment Period:** No one signed up to speak.

5. **Business Items**

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

a) Approvals

1. Minutes for September 28, 2021, Water Commission Regular Meeting.

Motion: A motion was made by Commissioner Haltaman, seconded by Commissioner Reynolds, to approve the minutes for the September 28, 2021, Water Commission Regular Meeting. The Commission voted four (4) for and none (0) opposed. The motion carried unanimously.

b) Discussions/Reports/Updates

1. Utility Department Monthly Activity Report.

i. Water Pumping/usage from City wells, Water system infrastructure maintenance, repairs and/or projects, and Water and/or Drought Management (current Watering Stage).

Steven Steinmetz, Public Works Director, reviewed the monthly activity report and answered questions from the Commission.

2. Items applicable to the Water Commission discussed at the October City Council Meeting.

Chair Mueller updated the Commission on the items applicable to the Commission discussed at the October City Council Meeting.

c) Recommendations

1. Request for water leak adjustment for 21926 Park View Dr. for the billing period of March 23, 2021 – April 23, 2021.

i. Review and make recommendation regarding the request.

The Commission reviewed the leak adjustment for 21926 Park View Dr. Steven Steinmetz, Public Works Director, answered questions from the Commission.

Motion: A motion was made by Commissioner Dr. Carmichael, seconded by Commissioner Reynolds, to recommend to City Council the approval of a leak adjustment credit of $892.84 for 21926 Park View Dr. for the billing period of March 23, 2021 – April 23, 2021. The Commission voted four (4) for and none (0) opposed. The motion carried unanimously.

2. Water Commission activities and projects.

i. Discuss and make possible recommendations for Water Rate Structure.

Vice-Chair Harshbarger reviewed a presentation regarding the Water Rate Structure and answered questions from Commissioners.

Motion: A motion was made by Commissioner Dr. Carmichael, seconded by Commissioner Reynolds, to recommend to City Council the Water Rate Structure be increased to rates classified as rate option "Case C", a $2.50 increase to the base rate and a restructuring of the tiers by dropping each tier by 5,000 gallons, with tier 1 being 1 – 10,000. The Commission voted four (4) for and none (0) opposed. The motion carried unanimously.

ii. Update of Commissioner's activities and projects list and receive update from Commissioners.

The Commissioners updated the Commission on their activities and projects.

iii. Discuss and make possible recommendations on future meetings or direction regarding Water Commission activities and projects.

Chair Mueller requested Vice-Chair Harshbarger present the Water Rate Structure for City Council.

3. Ordinance No. 210-022018 An Ordinance of the City Council of the City of Garden Ridge adopting board and commission policy and procedures; providing that this Ordinance shall be cumulative of all Ordinances; providing a severability clause; providing a savings clause; and providing an effective date.

i. Discuss and make recommendations related to application of Ordinance provisions to Commission members, if needed.

The Commission had none at this time.

d) Future Agenda Items

1. Commissioners input on agenda items.

Commissioner Dr. Carmichael requested to discuss the Water Rate Structure for commercial properties.

2. Reschedule Tuesday, November 23, 2021 and Tuesday, December 28, 2021, Regular Meetings.

Motion: A motion was made by Vice-Chair Harshbarger, seconded by Commissioner Dr. Carmichael, to reschedule the upcoming regular meetings to Tuesday, November 16, 2021, and Tuesday, December 21, 2021. The Commission voted four (4) for and none (0) opposed. The motion carried unanimously.

3. Announce the date, time, and location for next meeting.

Chair Mueller announced the next Water Commission Regular Meeting will be held on Tuesday, November 16, 2021, at 6:00 p.m. at City Hall in the City Council Chambers.

6. <u>Citizen Comment Period:</u> No one wished to speak.

7. Adjournment

Motion: A motion was made by Commissioner Reynolds, seconded by Commissioner Haltaman, to adjourn. The Commission voted four (4) for and none (0) opposed. The motion carried unanimously. There being no further business, the Tuesday, October 26, 2021, Water Commission Regular Meeting was adjourned at 8:00 p.m. by Chair Mueller.

_____
James Mueller
Chair

ATTEST:

_____
Michelle Hinojosa
Utility Clerk

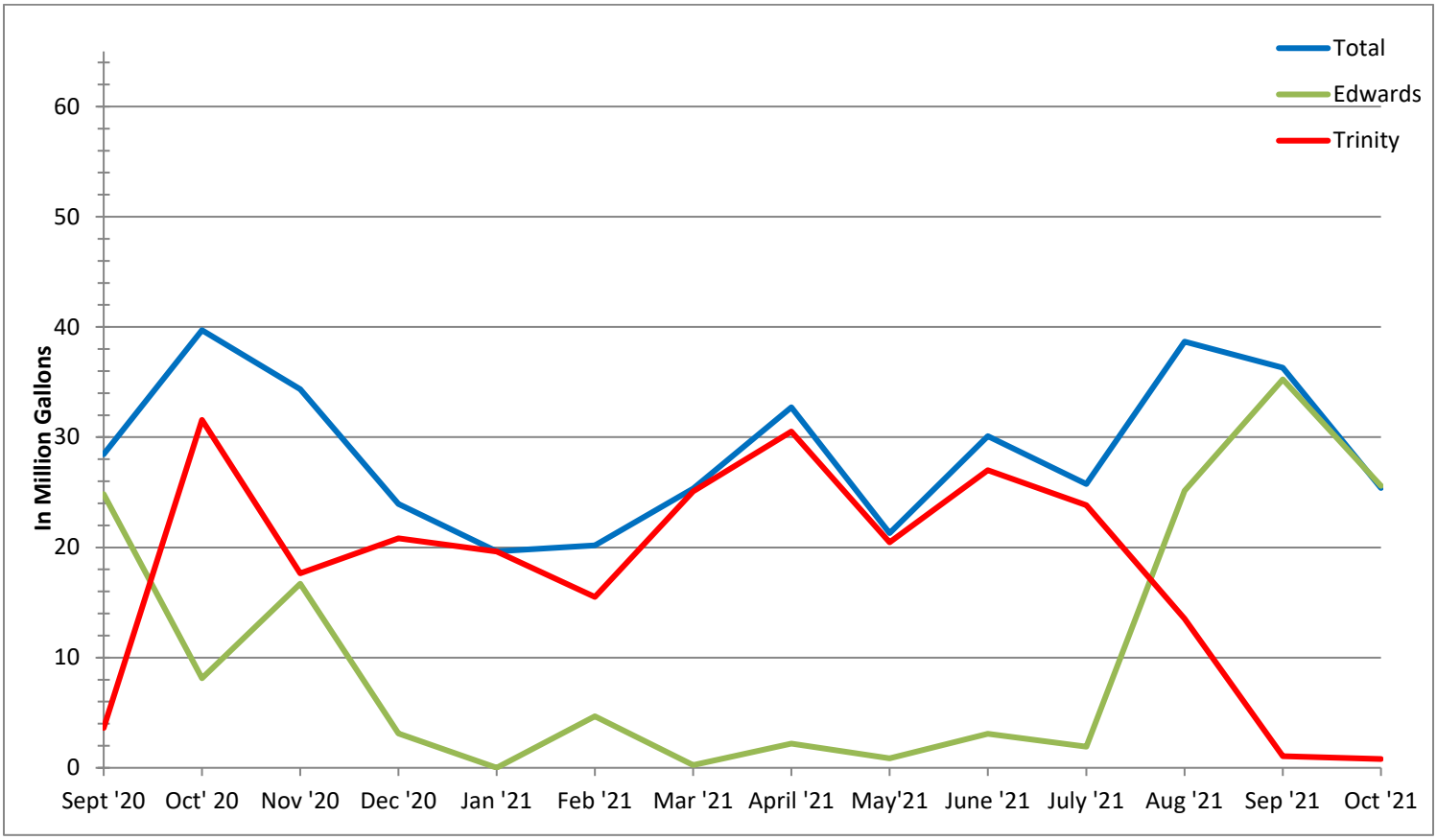
City of Garden Ridge

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

Water Department Report

As of October 31, 2021

City of Garden Ridge Aquifer Usage

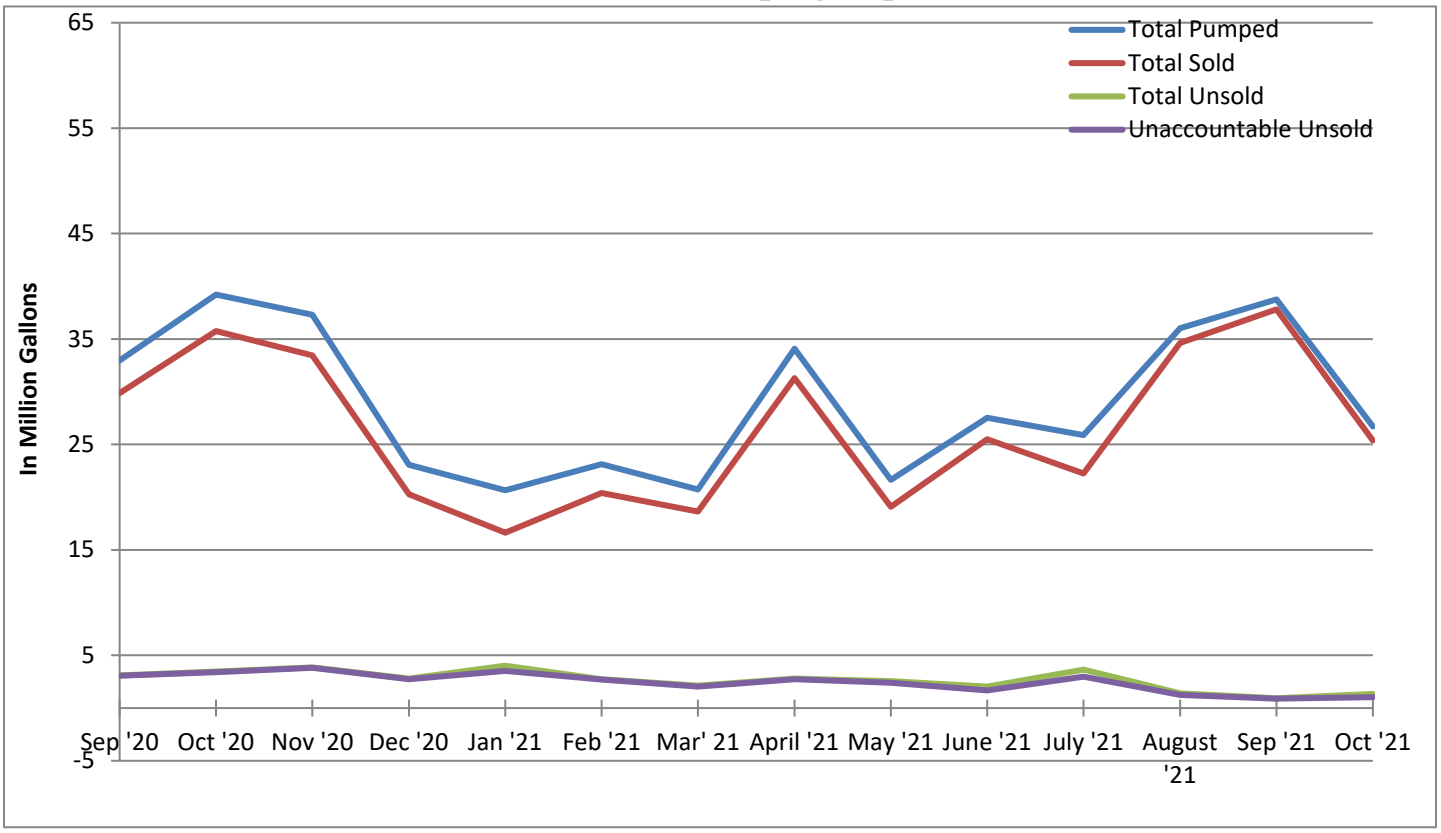


	Month:	Year:	Available:	Stage:
Edwards Well Usage AC/FT:	75.47	300.46	332.96	0
Trinity Well Usage AC/FT:	2.45	436.55	N/A	0

Water Quality

Backterialogical Samples	Due:	Missed:	Passed:	Failed:
Distribution Samples:	6	0	6	0
Raw Water Samples:	4	0	4	0
Chlorine Residual Test:	31	0	31	0

2021 – 2021 Pumping Report



Nov '20	37,299	33,440	3,860	3,821	10.2%
Dec '20	23,077	20,270	2,807	2,736	11.9%
Jan '21	20,655	Insufficient	Data	-	
Feb '21	23,123	20,390	2,733	2,696	11.7%
Mar '21	20,744	18,627	2,117	2,030	9.8%
April '21	34,076	31,287	2,789	2,728	8.0%
May '21	21,642	19,080	2,562	2,391	11.0%
June '21	27,531	25,505	2,026	1,684	6.1%
July '21	25,895	22,262	3,633	1,883	7.3%
Aug '21	36,036	34,630	1,406	1,236	3.4%
Sept '21	38,746	37,814	9,327	893	2.3%
Oct '21	26,719	25,368	1,351	1,025	3.8%
Yearly Average	27,838	25,647	2,910	2,644	8.0%
	Yearly national average				**16%**

Water Department Monthly Activities:

New Installed Meters	0	Work Orders	294
Meter Replacements	1	Locates	36
City Owned Leaks	2	Irrigations Permits Issued	1
Meters Read	1687	Total Rebates	3
Meter Tests	0	Active Leak info code alerts	169
Automatic Draft Customers	674	E-Billing Customers	367
AMI Customer Portal Profiles	565		

*Active Leak Info Code Alerts – The firmware on the meter is measuring the flow rate through the meter and will only be triggered if water is flowing continuously above the configurable parameter of the meter's max-flow rate threshold for 24 hours. The city has set a standard max-flow rate of .1% and is notified of any triggered alert.

Leak Adjustments

New Requests	6	Waiting for Customer	0	Approved	0	Amount Approved	$0	Denied	0	Sent to Water Commission	1

Projects & Announcements:

Project	Status Update	Estimated Completion	Issues/Required Actions
2252 Wastewater Project	Ongoing	Contractor has installed 100% of the Wastewater Main	
2252 TxDOT Water Line	Ongoing		Working on Funding

COVID-19 Pandemic

The Water Department is continuing to be vigilant to keep our staff and infrastructure safe from the spread of the Coronavirus. We are still cleaning facilities, vehicles, and equipment daily to ensure our staff and water system stay safe.

ORDINANCE NO. 210-112021

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN RIDGE, TEXAS, ADOPTING BOARD AND COMMISSION POLICIES AND PROCEDURES; PROVIDING A CUMULATIVE AND SAVINGS CLAUSE; PROVIDING FOR SEVERABILITY; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, City Council and Commissions represent the City of Garden Ridge and should strive to present transparent, professional, efficient, and consistent meetings; and

WHEREAS, there are numerous City Commissions created to assist in the governance of the City of Garden Ridge, each independent of one another, created at different times with different procedures of operation; and

WHEREAS, the City Council has determined that a policy is needed to establish uniform standards and operating procedures for Boards and Commissions.

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

SECTION 1. FINDINGS.
The findings set out herein are found to be true and correct and are hereby adopted by the City Council and made a part of this Ordinance for all purposes.

SECTION 2. QUALIFICATIONS/TERMS OF OFFICE.
Candidates seeking appointment to a City Board or Commission must meet the following qualifications:

1. Be a registered voter in Garden Ridge, Comal County, Texas.
2. Reside in the City for at least six (6) months prior to appointment date.
3. Not have been convicted of a felony for which he or she has not been pardoned or acquitted.
4. Not have been found mentally incompetent by a final judgment of a court.

If a Commissioner becomes ineligible as stipulated above, the position is considered vacant and an update is provided to City Council.

Commission appointments are made by City Council for a term of two (2) years with overlapping terms to create staggered terms of office. The staggered terms in effect at the time of the adoption of this policy will remain in effect. When a new Board or Commission is created, each place will be assigned a number. For the purpose of establishing staggered terms of office, the odd numbered positions will initially serve a term of one (1) year and the even numbered positions will serve a term of two (2) years. Thereafter, all terms will be two (2) year terms.

A Chair and Vice-Chair will be appointed by each Commission on an annual basis for a maximum of four (4) consecutive years. The Chair and Vice-Chair may remain on the Commission as regular members after completing terms as Chair and Vice-Chair. A Chair may be reappointed as Chair after remaining out of that position for one (1) year, and a Vice-Chair may be reappointed as Vice-Chair after remaining out of that position for one (1) year.

SECTION 3. VACANCIES.

It is the intent of the City Council that collectively members to each Commission shall, by diversity of their individual occupations and experience, be broadly representative of the City. The City Council may establish specific qualifications and amend such qualifications as needed to meet the objective of each Board or Commission.

When a vacancy occurs, the City will seek qualified candidates from the public via all reasonable means after such vacancy has been advertised. All applicants will be reviewed by City Staff to validate qualifications and eligibility then qualified applicants will be interviewed during a public Commission meeting for which there is a vacancy.

After qualified applicants have been interviewed by the Commission during a public Commission meeting, the Commission will make a recommendation for appointment based on the majority vote of the Commission. The Commission's recommendation for appointment will be forwarded to City Council for consideration and a final determination.

SECTION 4. PREPARATION AND PROCEDURES.

a) Attendance

Regular attendance is vital in order to conduct meetings in accordance with the Texas Open Meetings Act; therefore, Commissioners are expected to limit the number of absences and make every effort to notify the City Secretary and the Commission Chair as soon as possible of any absences. The Commission may make a recommendation, by a majority vote of the Commission, to have a Commissioner terminated for cause due to excessive absences that hinder the Commission's ability to conduct meetings or make informed recommendations.

b) Preparation

All Commissioners will be prepared for each meeting with the ability to spontaneously run any meeting should the need arise in the absence of the Chair and Vice-Chair. Preparation should include:

1. Thoroughly reviewing the agenda packet and any other pertinent material before the meeting.
2. Knowing the responsibilities of the Commission as well as the limitations of Commissioners' individual authority. Commissioners are members of an advisory body, which requires informed recommendations to City Council.
3. Being familiar with the Texas Open Meetings Act (TOMA), and be cautious with electronic communication regarding any issue, notably the risk of "walking quorums" that can occur unintentionally.
4. Maintaining familiarity with Robert's Rules of Order and the Commission's annual calendar reflecting the regular meeting dates of City Council and Commission meetings.

c) Procedures and Decorum

City Council is dependent on each Commission to make recommendations to the City Council. It is through not only the City Council meetings but through input from Commission meetings that City Council can receive citizen input.

Robert's Rules of Order will be followed in all cases where applicable to ensure the Chair as leader can conduct an efficient procedural meeting. However, strict adherence to the rules is not necessary for the orderly conduct of meetings. When a joint City Council/City Commission meeting is held, the Mayor will chair the meeting.

d) Agendas

In accordance with the Texas Open Meetings Act (TOMA), items not on the agenda cannot be discussed at that meeting. Items will be placed on the agenda by the Chair and the City Administrator adhering to established deadlines. The deadline for submission of an agenda item is fourteen (14) days prior to the meeting. Items may be placed on the agenda through unanimous consent or majority vote during a Commission meeting or outside of a public meeting, paying particular attention to adhering to the Texas Open Meetings Act, by:

1. The Chair;
2. The Chair and one (1) Commissioner. The Chair may consider nominations to the agenda from an individual Commissioner; or
3. Two (2) Commissioners. Both Commissioners must contact the City Administrator prior to the established deadline to nominate an agenda item. The Chair may not remove an item placed on an agenda by prior direction of the Commission.

Commission packets will be sent electronically to Commissioners prior to the meeting. Commissioners are expected to review the packet documents and notify the City Secretary of any corrections or amendments by established deadlines.

e) Chair/Vice-Chair

When the Chair is absent, the Vice-Chair will assume the duties of the Chair. In the absence of both the Chair and Vice Chair, assuming there remains a quorum, a temporary Chair will be selected from the remaining Commissioners for the meeting. The Chair is responsible for:

1. Beginning meetings on time and allowing agenda items to be appropriately considered.
2. Maintaining procedure and decorum while ensuring that fair, impartial review and respect for all Commissioners, Staff, and the public is maintained.
3. Ensuring all comments are electronically recorded for the record by having all participants speak into a microphone.
4. Ensuring that the use of other electronic devices is limited to pertinent, urgent, or emergency use only.
5. Remaining a non-voting member unless voting in the case of a tie.
6. Reporting Commission recommendations and updates to City Council. If the Chair is unavailable to appear before City Council, the Chair must ensure the Vice-Chair or an available representative from the Commission appears before City Council. Absent an available representative, the Chair will deliver a written summary of the recommendations and updates to the City Secretary prior to the City Council meeting.

f) Ex-Officio

A City Council member will serve as an Ex-Officio Member of each Commission except the Planning and Zoning Commission. Ex-Officio Members are non-voting advisory positions.

g) Dress Code

The dress code for all scheduled Commission meetings will be “business casual”, except when an offsite meeting necessitates other appropriate attire as directed by the Chair.

h) Social Media

Commissioners should be judicious in their use of social media. Commissioners, in their official capacity representing the City, will not respond, comment, or post opinions, views, or information on social media that relates to any matter the Commission is considering, discussing, or recommending to City Council.

i) Training and Education.

Within two (2) months of appointment, Commissioners must complete Texas Open Meetings Act Training and Texas Public Information Act Training as provided by The Office of the Attorney General of Texas.

The City Administrator, with input from the Commission Chair, will advise Commissioners of any additional training opportunities, and will facilitate Commissioners' registration and attendance. Due to specific legal requirements associated with participation on the Planning and Zoning Commission, Commissioners will attend training related to Planning and Zoning as deemed appropriate by the City Administrator. The Commissioners will be entitled to reimbursement for reasonable costs of attending approved training opportunities.

Commissioners are encouraged to attend at least two (2) regular City Council meetings during each calendar year, and to also view monthly City Council meetings online.

SECTION 5. INTERPRETATION OF RULES.

The City of Garden Ridge City Council adopts the aforementioned as its policy for the operating procedures and the appointment of citizens to City Boards and Commissions. In the event of any dispute related to the interpretation or application of the policy established herein, the City Council will hear and make such determinations as needed.

SECTION 6. CUMULATIVE AND SAVINGS.

This Ordinance shall be cumulative of all provisions of ordinances of the City except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed. Any and all previous versions of this Ordinance to the extent that they are in conflict herewith are repealed.

SECTION 7. SEVERABILITY.

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance is declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality will not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrases, clause, sentence, paragraph, or section.

SECTION 8. EFFECTIVE DATE.

This ordinance shall become effective immediately upon its passage and approval.

PASSED AND APPROVED ON this 3rd day of November, 2021.

Robb Erickson
Mayor

ATTEST:

Marisa Spencer
City Secretary

ORDINANCE NO. 7-112017 AMENDMENT #5

AN ORDINANCE AMENDING ORDINANCE 7-042006, 7-062017 AMENDMENT #4 AND ALL AMENDMENTS THEREAFTER ADOPTED, RELATED TO THE RULES AND REGULATIONS GOVERNING PLATS, PLANS AND SUBDIVISIONS OF LAND WITHIN THE INCORPORATED AREA AND EXTRATERRITORIAL JURISDICTION OF THE CITY OF GARDEN RIDGE, TEXAS; ESTABLISHING A REQUIREMENT TO PROVIDE TRANSFERABLE WATER RIGHTS OR OTHER WATER RESOURCE ACCEPTABLE TO THE CITY AS AN ALTERNATE WATER SOURCE TO ADD T TO THE WATER SYSTEM INFRASTRUCTURE, TO ALLOW AMPLE WATER SUPPLY TO THE SUBDIVISION, APPLICABLE TO ALL SUBDIVISIONS OF LAND AS PROVIDED; INCORPORATING SIGN REGULATIONS HEREIN; PROVIDING A SEVERABILITY CLAUSE; AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, under the provisions of the Constitution and laws of the State of Texas, including particularly Chapter 212 of the Local Government Code, as heretofore or hereafter amended, the owner of a tract of land within the limits or in the extraterritorial jurisdiction of a municipality who divides the tract in two or more parts to lay out a **subdivision** of the tract, including an addition to a municipality, to lay out suburban, building, or other **lots**, or to lay out **streets**, **alleys**, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of **lots** fronting on or adjacent to the **streets**, **alleys**, squares, parks, or other parts, must have a plat of the **subdivision** prepared and have the plat approved by the City;

WHEREAS, pursuant to the Ordinances of the City of Garden Ridge, which require the provision of an adequate water supply when subdividing land, including Ordinance 7-042006, 7-062017 Amendment #4 and any amendment thereto; and pursuant to the requirements contained in Chapter 212 of the Texas Local Government Code requiring that a plat conform with the municipality's access to and extension of water mains and the instrumentalities of public utilities, a plat proposed for final approval is not considered to conform with these requirements and the application for plat approval is not considered complete for purposes of consideration by the City Council for approval unless the subdivision is also shown to comply with this Ordinance and any other Ordinance and/or Rule promulgated by the City under its authority provided by §212.002 of the Texas Local Government Code.

WHEREAS, Ordinance No. 7-042006, 07-062017 Amendment #4 and all amendments thereafter adopted, prescribing the rules and regulations governing plats and **subdivisions** of land, must be amended to adequately promote and protect the general health, safety, and welfare of persons residing in and adjacent to the City of Garden Ridge, Texas; and,

WHEREAS, the City of Garden Ridge, Texas, held a public hearing on the subject matter of this ordinance:

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARDEN RIDGE, TEXAS, THAT ORDINANCE 7-042006, 7-062017 AMENDMENT #4 AND ALL AMENDMENTS THEREAFTER ADOPTED, IS HEREBY FURTHER AMENDED TO READ AS FOLLOWS:

DEFINITIONS APPLICABLE TO THIS AMENDMENT:

Alley: A minor public right-of-way not intended to provide the primary means of access to abutting **lots**, which is used primarily for vehicular service access to the back or sides of properties otherwise abutting on a **street**.

Lot: An undivided tract or parcel of land having frontage on a public **street** or an approved open space having direct **street** access, and which is, or in the future may be, offered for sale, conveyance, transfer, or improvement, which is designated as a distinct and separate tract, and which is identified by a tract number, lot number, or other symbol in a duly approved **subdivision plat** which has been properly filed of record.

Private Street: A **street** that is not a public thoroughfare.

Subdivider: Any person or any agent thereof, dividing or proposing to divide land so as to constitute a **subdivision** as that term is defined herein. In any event, the term "subdivider" shall be restricted to include only the owner, equitable owner or authorized agent of such owner or equitable owner, of land sought to be subdivided.

Subdivision: A division of any tract of land situated within the corporate limits, or within the extraterritorial jurisdiction of the City of Garden Ridge, in two or more parts to lay out a subdivision of the tract, including an addition to the municipality, to lay out suburban, building, or other **lots**, or to lay out **streets**, **alleys**, squares, parks, or other parts of the tract intended to be dedicated to public use or for the use of purchasers or owners of **lots** fronting on or adjacent to the **streets**, **alleys**, squares, parks, or other parts. "Subdivision" includes a division of a tract regardless of whether it is made by using a metes and bounds description in a deed of conveyance or in a contract for a deed, by using a contract of sale or other executory contract to convey, or by using any other method. "Subdivision" includes **resubdivision**, but it does not include a division of land for agricultural purposes into parts greater than five acres where each part has **street** access and no public improvement is being dedicated.

Street: A public right-of-way, however designated, other than an **alley**, which carries vehicular traffic or provides vehicular access to adjacent land. All streets are classified by other definitions in this section.

Resubdivision: The division of an existing **subdivision**, together with any change of **lot** size therein, or with the relocation of any **street** lines.

TRANSFERABLE WATER RIGHTS - REQUIREMENT:

In addition to any and all other obligations provided by local ordinance, or other law, the **subdivider** of property must provide transferable water rights or accessible water rights or sources for use by the City of Garden Ridge, Texas to ensure ample water supply necessary to support the **subdivision.** Such source must meet or exceed all standards, requirements and specifications applicable to a water source used by an approved public water supply system pursuant to Texas law and regulations.

The City of Garden Ridge, based on use and intensity of water consumption reasonably anticipated through the examination of the subdivision and land use project as presented in the master planning process, annexation process or request for extension of service within the extraterritorial jurisdiction of the City, shall define the ample water supply necessary for the proposed subdivision or land use project. The amount of accessible or transferable water rights necessary to ensure ample water supply for the City, considering and including the additional water demands placed on the system by the **subdivision** or land use project shall be determined by the City of Garden Ridge at the time of master plan or land use project approval or upon obtaining service through a voluntary annexation agreement, or upon obtaining service within the extraterritorial jurisdiction of the City, which is within the City's existing or proposed extension of the Certificated of Convenience and Necessity (CCN) establishing the water service area.

In defining the ample water supply necessary for a proposed subdivision or land use project the City of Garden Ridge shall use as the minimum for calculating the ample water supply necessary to support the subdivision or land use project at 1.6 acre feet of water per each connection planned for a project. The City of Garden Ridge may as it deems in the best interest of the city adjust the amount of water necessary for any project that includes schools, churches, hospitals, medical facilities, landscape nurseries, agricultural or livestock activities, commercial or industrial activities or for any project for which a master meter is requested or will be installed and utilized and/or if it is anticipated that water usage will exceed the minimum amount of water based on 1.6 acre feet of water per connection.

All subdividers or property owners requesting water service from the City of Garden Ridge for new residential development or commercial development, to include annexation of property into the city limits or extension of the city's existing CCN must submit a master plan for the property before the City Water Commission prior to submission of such plan is complete for consideration by the Planning and Zoning Commission. The City Water Commission shall determine the use and intensity of water consumption reasonably anticipated through the examination of the land use project presented. After such determination has been made the City Water Commission shall make recommendation to the City Council of the amount of accessible or transferable water rights necessary to ensure ample water supply to the subdivision, land use project, annexation or CCN extension. The City Council shall make the final finding on the City Water Commission recommendation prior to submission of the master plan, land use project or annexation request to the Planning and Zoning Commission. Any extension of CCN that does not involve subdivision, platting or annexation of property or the extension of any city infrastructure or services other than water may not require Planning and Zoning consideration therefore the finding by the City Council shall be final.

SUBDIVISION SIGN – REQUIREMENTS

Subdivision Signs (advertising lots for sale): Two (2) ground signs, not exceeding twenty-four (24) feet (each) in perimeter and ten (10) feet in height may be erected to announce a legally approved subdivision or land development and must be removed when eighty percent (80%) of the lots or parcels are sold. While subdivision-signs may have indirect lighting, flashing lights, or moving parts are not permitted. A parcel of land must be at least ten (10) acres in size

or have at least ten (10) separately platted lots in order to qualify as a subdivision for the purposes of sign regulations.

SEVERABILITY CLAUSE:

If any section, paragraph, subdivision, clause or phrase of this ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this ordinance as a whole or any part of any provision thereof other than the part so decided to be invalid or unconstitutional.

EFFECTIVE DATE:

This Ordinance shall take effect immediately upon passage and the publication of its caption, as required by state law.

PUBLICATION:

The caption of this ordinance shall be published as required by law.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF GARDEN RIDGE, TEXAS, this, the 1st day of November, 2017.

Larry Thompson, Mayor

ATTEST:

Shelley Goodwin, City Secretary

City of Garden Ridge

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

November 2, 2021

To: Chair Mueller and Water Commission
From: City Administrator Cain

Re: QuikTrip - Transferable Water Rights

QuikTrip has provided the City with estimated water consumption for a proposed QuikTrip site in Garden Ridge. The water consumption estimates are based on water consumption from several QuikTrip stores located in the surrounding area. The monthly estimate is 45,000 gallons of internal usage and 32,000 gallons of external usage. The external usage is based on a location with xeriscape landscaping which QuikTrip has indicated would be installed in Garden Ridge. Based on the information provided the amount of water that would be used internally and externally equates to 2.83 acre feet.

Garden Ridge Ordinance 7 requires that the developer provide the City with transferable water rights to support their development and ensure an adequate supply of water is maintained for existing customers. The transferable water rights will need to be Edwards water rights. It is recommended that QuikTrip transfer at minimum 2.83 acre feet of Edwards water rights to the City of Garden Ridge prior to the filing of a final plat for the proposed project.

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

QT Water Commission Request

Letter of Intent

Purpose: The purpose of this submittal is to allow for the development of a 2.236-acre tract of land for the purpose of constructing a 4,993 SF convenience store with retail motor fuel and diesel sales. The provisions of the B-1 Zoning District and all other applicable regulations as stated in the City of Garden Ridge's Zoning Ordinance shall govern this tract of land.

Proposed Use: The property is currently zoned B-1. QuikTrip is proposing to construct and operate a 4,993 SF 24-hour Convenience Store with Beer and Wine Sales for off-premise consumption only and retail motor fuel sales. The proposed project is consistent with the City's Master Plan and our use is will also compliment the proposed hotel and restaurant developments.

Water Commission: QuikTrip is respectfully requesting to be placed on the next Water Commission Agenda in order to determine how many transferable water rights will need to be gifted to the city for the 2.236-acre QuikTrip Development.

In closing, I will be pleased to meet with you or your staff to discuss this matter as requested. Your consideration and support in these matters will be greatly appreciated. We stand ready to assist in your review.

Best regards,

QuikTrip | *Real Estate*

JD Dudley | Real Estate Project Manager II – ASA

742 NW Loop 410 Suite 102 | San Antonio, TX 78216

O: 210.332.4036 | [redacted]

Overman Properties

City of Garden Ridge
Attn: Nancy Cain
City Administrator
administrator@ci.garden-ridge.tx.us
210-651-6632

Re: Proposed Development of approximately 2.236 acres located at Southeast corner of FM 3009 and FM 2252 in the City of Garden Ridge, TX ("Property")

To Whom It May Concern:

At the request of QuikTrip Corporation, applicant for a proposed development of the Property, you are authorized to accept this correspondence as confirmation by Tony Overman, President, of CUSTOM CLINICS, LLC ("Owner"), that JD Dudley and Mike Wooten, of QuikTrip Corporation are authorized and approved to make an application to the Water Commission for the 2.236 acres that are under contract for the QuikTrip Development.

Please do not hesitate to contact the undersigned if you should have any questions.

Sincerely,

Tony Overman
President

City Administrator

From: Dudley, JD [redacted]
Sent: Monday, October 25, 2021 11:45 AM
To: City Administrator
Subject: RE: [EXTERNAL] FW: [External] Garden Ridge Water Commission

There are a total of 6 faucets. We do not do lot washing in this market.

Thank you,

QT QuikTrip. | *Real Estate*
JD Dudley | Real Estate Project Manager II – ASA
[redacted]

From: City Administrator <administrator@ci.garden-ridge.tx.us>
Sent: Monday, October 25, 2021 11:32 AM
To: Dudley, JD [redacted]
Subject: RE: [EXTERNAL] FW: [External] Garden Ridge Water Commission

[WARNING]: External Email

Mr. Dudley,

Could you provide me with a number of water consuming fixtures there will be in restrooms and the kitchen prep area of the location proposed for Garden Ridge? Will there be any outdoor use of water other than for landscaping, such as washing of the impervious area?

Thanks,
Nancy Cain
City Administrator
City of Garden Ridge
administrator@ci.garden-ridge.tx.us
210-651-6632

From: Dudley, JD [redacted]
Sent: Friday, October 22, 2021 3:13 PM
To: City Administrator <administrator@ci.garden-ridge.tx.us>
Subject: RE: [EXTERNAL] FW: [External] Garden Ridge Water Commission

Good Afternoon,

I got with my Facility Support Department and we checked several stores in the surrounding area. We use on average about 45,000 gallons inside and 60,000 gallons outside per month. However, this will be a xeriscape store. The average xeriscape store runs 45,000 gallons inside and 32,000 gallons per month outside.

For this site I would use the 45,000 and 32,000.

Thank you,

QuikTrip | Real Estate
JD Dudley | Real Estate Project Manager II – ASA
[redacted]

From: Wooten, Mike <[redacted]
Sent: Thursday, October 21, 2021 12:27 PM
To: Dudley, JD <[redacted]
Subject: FW: [External] Garden Ridge Water Commission

FYI

Thank you,

Mike

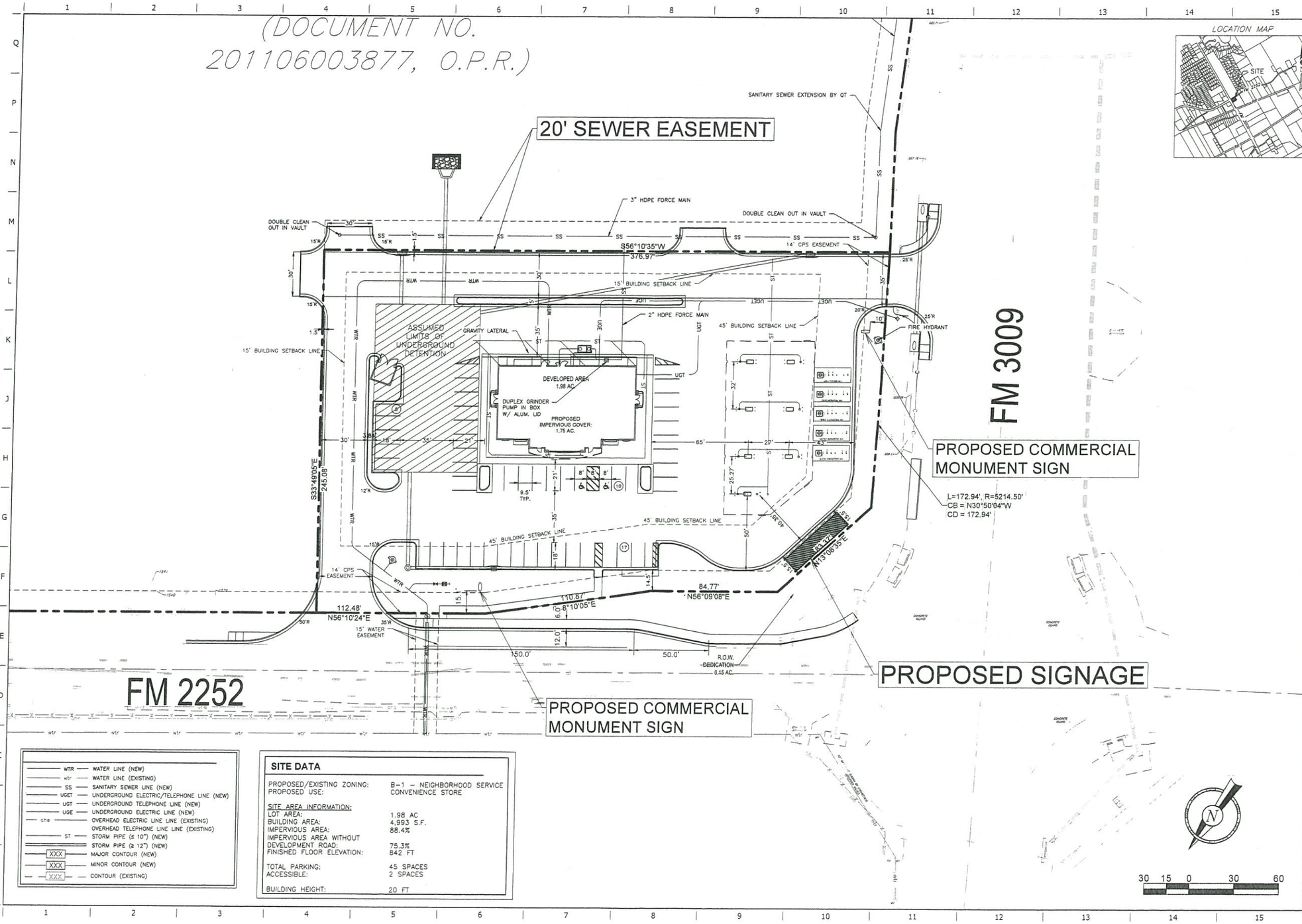
From: City Administrator <administrator@ci.garden-ridge.tx.us>
Sent: Thursday, October 21, 2021 12:14 PM
To: Wooten, Mike <[redacted]
Subject: [External] Garden Ridge Water Commission

[WARNING]: External Email

Mr. Wooten,

Received your voicemail concerning a conflict with the November 23, 2021 Water Commission meeting. The Water Commission will be considering changing their meeting date in November at their October 26 meeting. After the meeting I will let you know if the meeting date is changed and what the new date will be if changed. Also I am still awaiting information from QuikTrip concerning the amount of water that QuikTrip anticipates to be using for both internal and external uses before your request can go before the Water Commission. I will need this information at least 2 weeks prior to the Water Commission meeting so that the information provided can be reviewed by the City and the City Engineer.

Thanks,
Nancy Cain
City Administrator
City of Garden Ridge
administrator@ci.garden-ridge.tx.us
210-651-6632



WTR	WATER LINE (NEW)
wtr	WATER LINE (EXISTING)
SS	SANITARY SEWER LINE (NEW)
UGET	UNDERGROUND ELECTRIC/TELEPHONE LINE (NEW)
UGT	UNDERGROUND TELEPHONE LINE (NEW)
UGE	UNDERGROUND ELECTRIC LINE (NEW)
ohe	OVERHEAD ELECTRIC LINE LINE (EXISTING)
	OVERHEAD TELEPHONE LINE LINE (EXISTING)
ST	STORM PIPE (≤ 10") (NEW)
	STORM PIPE (≥ 12") (NEW)
XXX	MAJOR CONTOUR (NEW)
XXX	MINOR CONTOUR (NEW)
XXX	CONTOUR (EXISTING)

SITE DATA

PROPOSED/EXISTING ZONING:	B-1 – NEIGHBORHOOD SERVICE
PROPOSED USE:	CONVENIENCE STORE
SITE AREA INFORMATION:	
LOT AREA:	1.98 AC
BUILDING AREA:	4,993 S.F.
IMPERVIOUS AREA:	88.4%
IMPERVIOUS AREA WITHOUT DEVELOPMENT ROAD:	75.3%
FINISHED FLOOR ELEVATION:	842 FT
TOTAL PARKING:	45 SPACES
ACCESSIBLE:	2 SPACES
BUILDING HEIGHT:	20 FT

FOR REVIEW ONLY

PROJECT NO.:######

QuikTrip No. 4077

FM 3009 & FM 2252
GARDEN RIDGE, TX

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PROTOTYPE: P-105 (02/01/21)
DIVISION:
VERSION: 001
DESIGNED BY:
DRAWN BY:
REVIEWED BY:

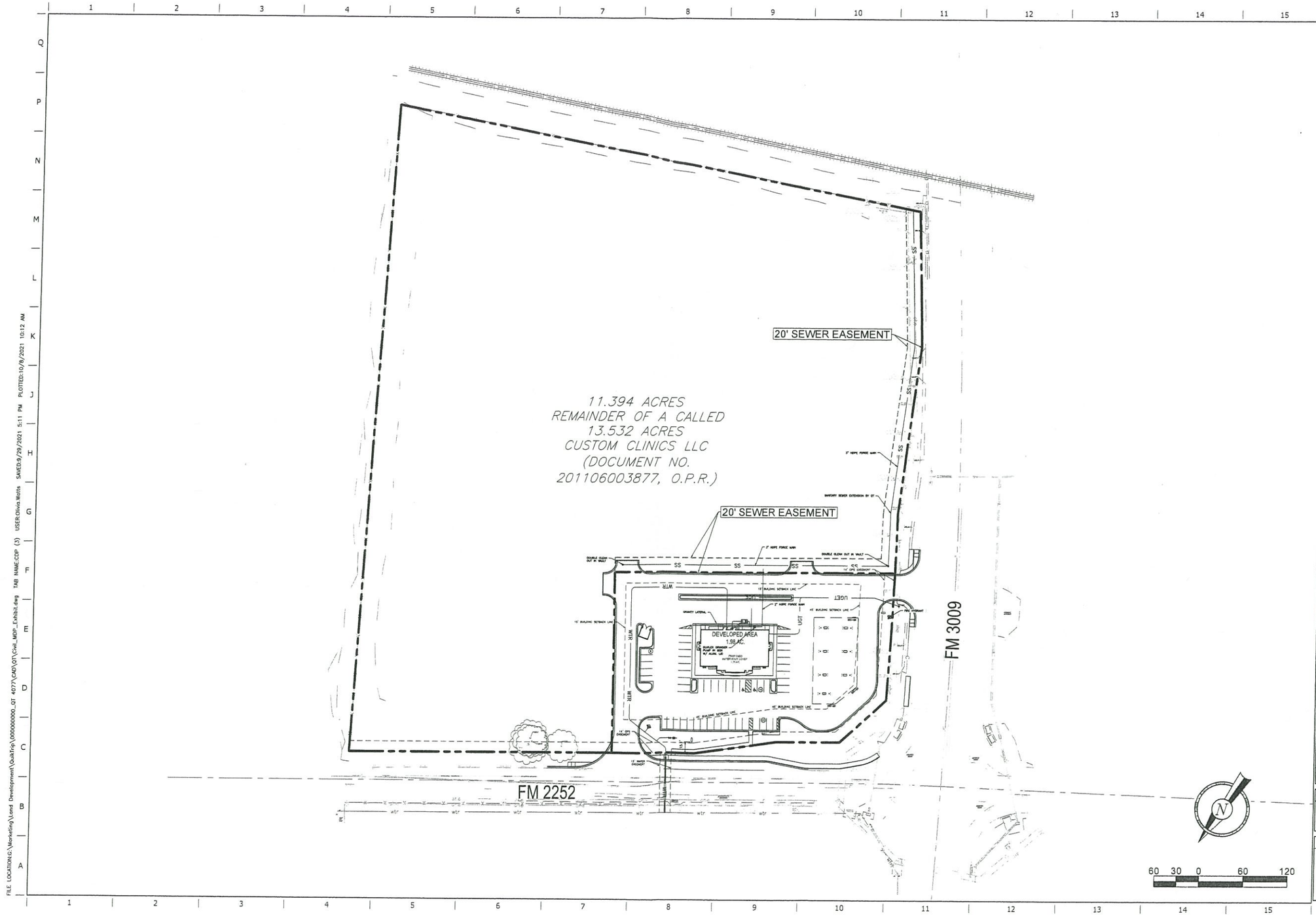
REV	DATE	DESCRIPTION

ORIGINAL ISSUE DATE:

SHEET TITLE:
SITE/DEMO PLAN

SHEET NUMBER:
1

FILE LOCATION:G:\Marketing\Land Development\QuikTrip\000000000_QT 4077\CAD\QT\Civil_MDP_Exhibit.dwg TAB NAME:CDP USER:Olivia.Watts SAVED:9/29/2021 5:11 PM PLOTTED:10/8/2021 10:31 AM



FOR REVIEW ONLY

PROJECT NO.:######

QuikTrip No. 4077

FM 3009 & FM 2252
GARDEN RIDGE, TX

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FILE LOCATION:G:\Marketing\Land Development\QuikTrip\000000000_QT 4077\CAD\QT\Civil_MDP_Exhibit.dwg TAB NAME:CDP (3) USER:Olivia.Watts SAVED:9/29/2021 5:11 PM PLOTTED:10/8/2021 10:12 AM

Future Agenda Items
Water Commission

December 21, 2021 Regular Meeting

14 days before Meetings	(12/07/2021)	Water Commission and Staff items are due.
11 days before Meetings	(12/10/2021)	Water Commission Chair reviews agenda. City Attorney is sent agenda.
7 days before Meetings	(12/14/2021)	Post agenda on bulletin board. Water Commission receives packet (allowing a day for corrections/ request additional information be added)
5 days before Meetings	(12/16/2021)	Post agenda packet to City Website.
4 days before Meetings	(12/17/2021)	(72 hours) – Local Government Code requirement for posting

City Council = Red
Planning & Zoning = Green
Water Commission = Blue
Wildlife Management Advisory Commission = Brown
Municipal Court = Gray
Events = Yellow (Tree Lighting)
City Holiday = Orange

Sun	Mon	Tues	Wed	Thur	Fri	Sat
			1	2	3	4
5	6	7	8	9	10	11
12	13	14	15	16	17	18
19	20	21	22	23	24	25
26	27	28	29	30	31	

January 25, 2022 Regular Meeting

14 days before Meetings	(01/11/2022)	Water Commission and Staff items are due.
11 days before Meetings	(01/14/2022)	Water Commission Chair reviews agenda. City Attorney is sent agenda.
7 days before Meetings	(01/18/2022)	Post agenda on bulletin board. Water Commission receives packet (allowing a day for corrections/ request additional information be added)
5 days before Meetings	(01/20/2022)	Post agenda packet to City Website.
4 days before Meetings	(01/21/2022)	(72 hours) – Local Government Code requirement for posting

City Council = Red
Planning & Zoning = Green
Water Commission = Blue
Quarry Commission = Purple
Municipal Court = Gray
Events = Yellow (Tree Lighting)
City Holiday = Orange

Sun	Mon	Tues	Wed	Thur	Fri	Sat
						1
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

PENDING FUTURE AGENDA ITEMS