



City of Garden Ridge

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

AGENDA CITY COUNCIL REGULAR MEETING WEDNESDAY, SEPTEMBER 7, 2022, 6:00 P.M.

The Garden Ridge City Council will meet in a regular session on Wednesday, September 7, 2022, at 6:00 p.m. 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/Roll Call

2. Pledge of Allegiance

3. Citizen Comment Period – limited to 30 minutes total

Rules for Citizens' Participation: The City Council welcomes citizen participation and comments at all City Council Meetings. If you speak, you must follow these guidelines:

a) Respect and courtesy:

1. Direct your comments to the entire City Council, not to an individual member, nor to the audience.
2. Show the City Council 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.

4. 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.

a) Approval of Minutes for the August 3, 2022, City Council Regular Meeting.

b) Approval of Minutes for the August 11, 2022, City Council Special Meeting.

c) Approval of Minutes for the August 29, 2022, City Council Special Meeting.

d) Financial Statement, Summary Report, and Management's Discussion and Analysis of Results of Operations – July 31, 2022.

e) Recommendation related to Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election.

5. Staff Reports

- a) City Administrator Monthly Activity Report.
 - City/employee recognitions, *Volunteer Garden Ridge!*, Community and Event Center report, building permits, citizen concern/input, upcoming events, personnel updates, and continuity of operations.
- b) Finance/HR Monthly Activity Report.
 - Financial reporting, audits, employee benefits, communication efforts, upcoming events, personnel updates, and continuity of operations.
- c) City Secretary Monthly Activity Report.
 - Administrative operations and projects, records management, communication efforts, citizen concern/input, upcoming events, personnel updates, and continuity of operations.
- d) Police Department Monthly Activity Report.
 - Traffic/code compliance enforcement, criminal activity, upcoming events, personnel updates, and continuity of operations.
- e) Public Works Department Monthly Activity Report.
 - Public Facilities: Street/right-of-way maintenance, drainage facility/easement maintenance, City facilities maintenance, animal services, personnel updates, and continuity of operations.
 - Utilities: Water pumping/usage from City wells, system infrastructure maintenance/repairs/projects, leak adjustments, water/drought management, personnel updates, and continuity of operations.
- f) Library Monthly Activity Report.
 - Upcoming events and continuity of operations.

6. City Engineer Projects Status Reports

- a) FM 2252 TxDOT Project.
- b) Land Development Projects.

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

- a) Planning and Zoning Commission:
 - 1. Expiring terms (September 30, 2022) of Commissioners.
 - 1.1. Receive recommendation to reappoint Commissioner Diaz, Commissioner Jacaman, and Commissioner Bates to serve another term with terms expiring September 30, 2024.
 - 1.2. Discuss and take action on recommendation.
 - 2. Receive monthly activity update as applicable.
- b) Quarry Commission:
 - 1. Receive monthly activity update as applicable.
- c) Water Commission:
 - 1. Receive monthly activity update as applicable.
- d) Wildlife Management Advisory Commission:
 - 1. Receive monthly activity update as applicable.
- e) Parks Committee:
 - 1. Proposed Eagle Scout Project at Paul Davis Park.
 - 1.1. Receive presentation by Eagle Scout Noah Bliss.
 - 1.2. Discuss and take action on Eagle Scout Project.
 - 2. Receive monthly activity update as applicable.

8. Approvals and Authorizations

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

- a) Adoption of Home Rule Charter.
 - 1. Receive presentation from City Attorney Zech.
 - 2. Discussion and direction to City Attorney and staff.
- b) Reschedule October City Council Regular Meeting.
- c) Ordinance No. 54-092022 An Ordinance of the City Council of the City of Garden Ridge, Texas, adopting a comprehensive water company for the City of Garden Ridge; providing definitions and statement of organization; establishing a Water Commission; general policies, regulations and rules, and rates and billing cycles; providing for a penalty; providing for severability; and declaring an effective date.
- d) Request from Buckley Powder Co., for a Partial Exemption Permit to conduct blasting activities at the Hanson Quarry for the period of October 1, 2022 – September 30, 2023.
- e) WD Pensionmark Request for Variance to Ordinance No. 7 – Transferable Water Rights Requirement.

9. Updates

- a) City Council Projects.
 - 1. Meeting with Comal County officials concerning new residential development on Bat Cave Road and the impacts on Garden Ridge (Swint and Erickson).
 - 2. Mitigation of growth and encroachment impacts on Garden Ridge (Swint and Erickson).
 - 3. Economic Development/Council Liaison to Tri-County Chamber of Commerce (Smith and Erickson).
 - 4. Alamo Area Metropolitan Planning Organization Technical Advisory Committee Update (Valdez and Erickson).
 - 5. Council Liaison to the Water Company/Utilities Department (Valdez and Erickson).
 - 6. Council Liaison to Comal ISD (Arvidson and Erickson).
 - 7. City Welcome Signage (Bower and Erickson).
 - 8. Parks Recycling (Bower and Erickson).

10. Discussion of Future Agenda Items

11. Citizen Comment Period – limited to 20 minutes total

See “Rules for Citizens’ Participation” under Item 3.

12. 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 School/Danville Middle School/Davenport High School)
Counties (Bexar/Comal/Guadalupe)
Families of Garden Ridge
Garden Ridge Lions Club and Garden Ridge Women’s Club
Garden Ridge Citizen Police Academy Alumni Association/Citizen Patrol
Greater Bexar County Council of Cities
Northeast Partnership
Tri-County Chamber of Commerce

13. 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 seek legal advice regarding pending litigation, Cause No. C2022-0615B, Michael C. Domgard II vs. City Council for the City of Garden Ridge, Texas.
 2. To consult with and receive legal advice regarding variance and Special Use Permit processes related to development project: Guadalupe Readymix – proposed Concrete Batch Plant at 20762 FM 2252.
 3. To deliberate the exchange, lease, or value of real property - 9357 Schoenthal Lease Agreement.
 4. To deliberate the purchase, exchange, lease, or value of real property - Vista Ridge Waterline Project.

14. 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.

15. Adjournment

AGENDA NOTICES:

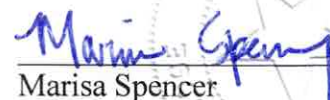
Decorum Required: Any disruptive behavior, including shouting or derogatory statements or comments may be ruled out of order by the Presiding Officer. Continuation of this type of behavior could result in a request by the Presiding Officer that the individual leave the meeting, and if refused, an order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

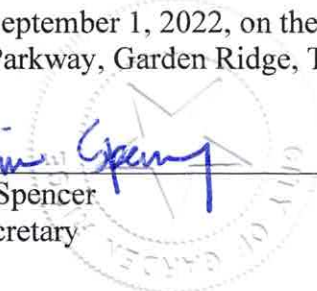
Action by Council Authorized: The Council may vote or act upon any item within this Agenda. The Council reserves the right to adjourn into closed session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Title 5, Chapter 551, of the Texas Government Code.

Executive Sessions Authorized: This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Government Code Chapter 551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

Attendance By Other Elected or Appointed Officials: It is anticipated that members of the other city boards, 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 are 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, Marisa Spencer, posted this Agenda at 1:00 p.m. on September 1, 2022, on the bulletin board located at the entrance to Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas.


Marisa Spencer
City Secretary





City of Garden Ridge

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

MINUTES CITY COUNCIL REGULAR MEETING WEDNESDAY, AUGUST 3, 2022, 6:00 P.M.

Councilmembers Present:

Mayor Robb Erickson
Mayor Pro-Tem Lisa Swint
Councilmember Kelly Smith
Councilmember Jesse Valdez
Councilmember Todd Arvidson
Councilmember Kay Bower

Councilmembers Absent: None

City Staff Present:

Nancy Cain, City Administrator
Marisa Spencer, City Secretary
Michelle Hinojosa, Utility Clerk
Christine Green, Finance/HR Director
Ron Eberhardt, Police Chief
Steven Steinmetz, Public Works Director
Linda Crosland, Library Director
Cynthia Trevino, City Attorney

City Commissioners Present:

Jim Mueller, Chair, Water Commission
Kerim Jacaman, Vice-Chair, Planning and Zoning Commission
Dr. Miller, Planning and Zoning Commissioner

1. Call to Order/Roll Call

With a quorum of the City Councilmembers present, Mayor Erickson called the regular meeting of the Garden Ridge City Council to order at 6:00 p.m. on Wednesday, August 3, 2022, in the City Council Chambers of the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas 78266.

2. Pledge of Allegiance

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

3. Presentations

a) Presentation of City Partnership Plaque by Tri-County Chamber of Commerce.

Executive Director Mindy Paxton presented Mayor Erickson with a City Partnership Plaque on behalf of the Tri-County Chamber of Commerce.

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

5. Consent Agenda

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- a) Approval of Minutes for the June 1, 2022, City Council Regular Meeting.**
- b) Approval of Minutes for the July 13, 2022, City Council Regular Meeting.**

c) Financial Statement, Summary Report, and Management's Discussion and Analysis of Results of Operations – June 30, 2022.

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

6. Staff Reports

a) City Administrator Monthly Activity Report.

City Administrator Nancy Cain reviewed thank you notes recognizing City Staff, employee anniversaries, and stated *Volunteer Garden Ridge!* reported 555 hours for July. She provided City Council with an update on AT&T outages, the budget/tax rate adoption process, and First Friday.

b) Finance/HR Monthly Activity Report.

Finance/HR Director Christine Green spoke regarding continuity of operations related to the Finance/HR Department.

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.

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

7. City Engineer Projects Status Reports

City Engineer Sam Johnson reviewed the Trihydro Engineering Report and spoke regarding the FM 2252 TxDOT Project and Land Development Projects.

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

a) Planning and Zoning Commission:

Mayor Erickson stated the Commission did not meet in July and there is nothing to report at this time.

b) Quarry Commission:

Mayor Erickson stated the Commission did not meet since the July City Council meeting.

c) Water Commission:

1. Receive recommendation regarding the Leak Adjustment Process.

Chair Mueller reviewed the proposed amendments to the Leak Adjustment Process and stated the Commission recommends that the proposed amendments be incorporated into Ordinance No. 54.

1.1. Discuss and take action on the Leak Adjustment Process.

The City Council reviewed the proposed amendments and discussed adding a minimum billed usage of 40,000 gallons for consideration of an adjustment and revising the customer response time to 45 days when additional information is requested.

Motion: A motion was made by Councilmember Valdez, seconded by Councilmember Arvidson, to approve the Leak Adjustment Process as presented with the two (2) additional revisions as discussed and to direct City Staff to incorporate the revisions into Ordinance No. 54. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

2. Receive monthly activity update as applicable.

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

d) Wildlife Management Advisory Commission:

Mayor Erickson stated the Commission did not meet in July and there is nothing to report at this time.

e) Parks Committee:

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

9. Approvals and Authorizations

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

a) City of Garden Ridge Crisis Communications Plan.

Mayor Erickson spoke regarding the City of Garden Ridge Crisis Communications Plan.

Motion: A motion was made by Councilmember Valdez, seconded by Mayor Pro-Tem Swint, to approve the City of Garden Ridge Crisis Communications Plan. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

b) City of Garden Ridge Strategic Marketing Plan.

Mayor Erickson provided background information related to the City of Garden Ridge Strategic Marketing Plan and stated the City of Garden Ridge Strategic Marketing Plan does not require action from City Council.

City Secretary Marisa Spencer reviewed the City of Garden Ridge Strategic Marketing Plan and addressed questions from Councilmembers.

10. Updates

a) City Council Projects.

1. Meeting with Comal County officials concerning new residential development on Bat Cave Road and the impacts on Garden Ridge (Swint and Erickson).

Mayor Erickson and Mayor Pro-Tem Swint provided updates related to meeting with Comal County officials concerning new residential development on Bat Cave Road and the impacts on Garden Ridge.

2. Mitigation of growth and encroachment impacts on Garden Ridge (Swint and Erickson).

Mayor Erickson and Mayor Pro-Tem Swint provided updates related to mitigation of growth and encroachment impacts on Garden Ridge.

3. Economic Development/Council Liaison to Tri-County Chamber of Commerce (Smith and Erickson).

Councilmember Smith provided updates related to Economic Development/Council Liaison to Tri-County Chamber of Commerce.

4. Alamo Area Metropolitan Planning Organization Technical Advisory Committee Update (Valdez and Erickson).

Councilmember Valdez provided updates related to the Alamo Area Metropolitan Planning Organization Technical Advisory Committee.

5. Council Liaison to the Water Company/Utilities Department (Valdez and Erickson).

Councilmember Valdez provided updates related to Council Liaison to the Water Company/Utilities Department.

6. Council Liaison to Comal ISD (Arvidson and Erickson).

Councilmember Arvidson provided updates related to Council Liaison to Comal ISD.

7. City Welcome Signage (Bower and Erickson).

Councilmember Bower provided updates related to City Welcome Signage.

8. Parks Recycling (Bower and Erickson).

Councilmember Bower provided updates related to Parks Recycling.

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

12. Citizen Comment Period

Sharon Stripling, 21729 Forest Waters Circle, spoke regarding recycling and glass along roadways.

Dr. Jim Miller, 9910 Marie Meadow, spoke regarding deer carcass removals and Comal ISD bus routes.

Rod Chamberlain, 8807 Cherokee Path, spoke regarding the FM 2252 TxDOT Project.

13. 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, Tri-County Chamber of Commerce.

Councilmember Valdez spoke regarding the Garden Ridge Citizen Police Academy Alumni Association Annual Car Show. Councilmember Smith spoke regarding Tri-County Chamber of Commerce September Mixer. Mayor Erickson spoke regarding Families of Garden Ridge Adopt-A-Highway Program, County/City Officials Luncheon, Northeast Partnership, Tri-County Chamber of Commerce, and Comal ISD.

14. 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 receive legal advice regarding proposed revisions to Ordinance No. 7 and any potential liability issues.**
- 2. To seek legal advice regarding pending litigation, Cause No. C2022-0615B, Michael C. Domgard II vs. City Council for the City of Garden Ridge, Texas.**
- 3. To consult with and receive legal advice regarding variance and Special Use Permit processes related to development project: Guadalupe Readymix – proposed Concrete Batch Plant at 20762 FM 2252.**

Mayor Erickson announced the City Council will recess at 7:46 p.m. and reconvene into Executive Session at 8:00 p.m., to discuss and seek legal advice on the items stated above.

Mayor Erickson adjourned the Executive Session and reconvened back into Regular Session at 9:26 p.m.

15. 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.

16. Adjournment

There being no further business, the Wednesday, August 3, 2022, City Council regular meeting was adjourned at 9:26 p.m. by Mayor Erickson.

ATTEST

Robb Erickson
Mayor

Marisa Spencer
City Secretary



City of Garden Ridge

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MINUTES CITY COUNCIL SPECIAL MEETING THURSDAY, AUGUST 11, 2022, 6:00 P.M.

Councilmembers Present:

Mayor Robb Erickson
Mayor Pro-Tem Lisa Swint
Councilmember Kelly Smith
Councilmember Jesse Valdez
Councilmember Kay Bower

Councilmembers Absent:

Councilmember Todd Arvidson

City Staff Present:

Nancy Cain, City Administrator
Marisa Spencer, City Secretary
Dan Bellinger, Police Lieutenant
Christine Green, Finance/HR Director
Steven Steinmetz, Public Works Director

1. Call to Order/Roll Call

With a quorum of the City Councilmembers present, Mayor Erickson called the special meeting of the Garden Ridge City Council to order at 6:00 p.m. on Thursday, August 11, 2022, in the City Council Chambers of the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas 78266.

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

3. Citizen Comment Period: No one signed up to speak.

4. 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.

a) Approval of Minutes for the July 25, 2022, City Council Special Meeting.

b) Accept the resignation of Todd Hill from the Planning and Zoning Commission.

Motion: A motion was made by Mayor Pro-Tem Swint, seconded by Councilmember Bower, to approve Consent Agenda items a)-b). The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

5. Business Items

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

a) 2022 Tax Rates.

1. Review the 2022 No-New-Revenue, Voter-Approval, and De Minimis Tax Rate Calculations.

City Administrator Nancy Cain reviewed the 2022 No-New-Revenue, Voter-Approval, and De Minimis Tax Rate Calculations. She spoke regarding the tax rate proposal of \$0.269563 for the 2022 tax year and addressed questions from Councilmembers.

2. Propose, by record vote, a tax rate for the 2022 tax year.

Motion: A motion was made by Councilmember Valdez, seconded by Councilmember Smith, to propose the voter-approval tax rate of \$0.269563 for the 2022 tax year. The City Council voted by roll call:

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

The motion carried unanimously.

3. Announce date, time, and place of 2022 Tax Rate Public Hearing and Adoption.

Mayor Erickson announced the 2022 Tax Rate Public Hearing and Adoption is scheduled for Monday, August 29, 2022, at 6:00 p.m. in the City Council Chambers.

b) Proposed Fiscal Year 2023 Budgets for the City of Garden Ridge General Fund, Water Company Operation and Maintenance Fund, Interest and Sinking Fund, and Capital Improvements Fund.

1. Presentation of budgets.

Mayor Erickson spoke regarding the proposed Fiscal Year 2023 Budgets for the City of Garden Ridge. Finance/HR Director Christine Green and City Administrator Nancy Cain reviewed the proposed Fiscal Year 2023 Budgets for the City of Garden Ridge and addressed questions from Councilmembers.

2. Hold a public hearing.

Mayor Erickson opened the public hearing at 6:28 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 6:29 p.m.

3. Adoption of Fiscal Year 2023 Budgets:

Mayor Erickson presented salary adjustments for the positions of Utility Foreman, Police Clerk, Library Director, Assistant City Secretary/Communications Specialist, City Secretary, and City Administrator.

3.1. Resolution No. 490-082022 A Resolution of the City Council of the City of Garden Ridge, Texas, approving Fiscal Year 2023 General Fund Budget for the period of October 1, 2022, through September 30, 2023.

Motion: A motion was made by Councilmember Bower, seconded by Councilmember Valdez, to approve Resolution No. 490-082022 A Resolution of the City Council of the City of Garden Ridge, Texas, approving Fiscal Year 2023 General Fund Budget for the period of October 1, 2022, through September 30, 2023, to include the salary adjustments as presented. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

3.2. Resolution No. 491-082022 A Resolution of the City Council of the City of Garden Ridge, Texas, approving Fiscal Year 2023 Water Company Operation and Maintenance Fund Budget for the period of October 1, 2022, through September 30, 2023.

Motion: A motion was made by Councilmember Valdez, seconded by Mayor Pro-Tem Swint, to approve Resolution No. 491-082022 A Resolution of the City Council of the City of Garden Ridge, Texas, approving Fiscal Year 2023 Water Company Operation and Maintenance Fund Budget for the period of October 1, 2022, through September 30, 2023, to include the salary adjustments as presented. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

3.3. Resolution No. 492-082022 A Resolution of the City Council of the City of Garden Ridge, Texas, approving Fiscal Year 2023 Interest and Sinking Fund Budget for the period of October 1, 2022, through September 30, 2023.

Motion: A motion was made by Mayor Pro-Tem Swint, seconded by Councilmember Smith, to approve Resolution No. 492-082022 A Resolution of the City Council of the City of Garden Ridge, Texas, approving Fiscal Year 2023 Interest and Sinking Fund Budget for the period of October 1, 2022, through September 30, 2023. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

3.4. Resolution No. 493-082022 A Resolution of the City Council of the City of Garden Ridge, Texas, approving Fiscal Year 2023 Capital Improvements Fund Budget for the period of October 1, 2022, through September 30, 2023.

Motion: A motion was made by Councilmember Smith, seconded by Mayor Pro-Tem Swint, to approve Resolution No. 493-082022 A Resolution of the City Council of the City of Garden Ridge, Texas, approving Fiscal Year 2023 Capital Improvements Fund Budget for the period of October 1, 2022, through September 30, 2023. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

c) Ratify the property tax decrease of \$14,022.00 as reflected in the Fiscal Year 2023 Budgets for the City of Garden Ridge General Fund and Interest and Sinking Fund.

Motion: A motion was made by Councilmember Bower, seconded by Mayor Pro-Tem Swint, to ratify the property tax decrease of \$14,022.00 as reflected in the Fiscal Year 2023 Budgets for the City of Garden Ridge General Fund and Interest and Sinking Fund. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

d) Review Tax Rate adoption process and schedule.

City Administrator Nancy Cain reviewed the tax rate adoption process and schedule.

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

7. Adjournment

There being no further business, the Thursday, August 11, 2022, City Council special meeting was adjourned at 6:53 p.m. by Mayor Erickson.

ATTEST

Robb Erickson
Mayor

Marisa Spencer
City Secretary



City of Garden Ridge

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MINUTES CITY COUNCIL SPECIAL MEETING MONDAY, AUGUST 29, 2022, 6:00 P.M.

Councilmembers Present:

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

Councilmembers Absent:

Councilmember Kelly Smith

City Staff Present:

Nancy Cain, City Administrator
Marisa Spencer, City Secretary
Cynthia Trevino, City Attorney
Christine Green, Finance/HR Director
Steven Steinmetz, Public Works Director

1. Call to Order/Roll Call

With a quorum of the City Councilmembers present, Mayor Erickson called the special meeting of the Garden Ridge City Council to order at 6:00 p.m. on Monday, August 29, 2022, in the City Council Chambers of the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas 78266.

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

3. Citizen Comment Period

Jackie Riley-Baker, 21436 Fairview Circle, spoke regarding the Draft Zoning Ordinance.

4. Business Items

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

a) 2022 Tax Rate.

1. Review and discuss the 2022 Tax Rate Proposal of \$0.269563.

City Administrator Nancy Cain reviewed the 2022 Tax Rate Proposal of \$0.269563.

2. Hold a public hearing.

Mayor Erickson opened the public hearing at 6:07 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 6:09 p.m.

3. Approve \$0.200091 as the 2022 Maintenance and Operation Rate for the City of Garden Ridge.

Motion: A motion was made by Councilmember Valdez, seconded by Councilmember Arvidson, to approve \$0.200091 as the 2022 Maintenance and Operation Rate for the City of Garden Ridge. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

4. Approve \$0.069472 as the 2022 Debt Service Rate for the City of Garden Ridge.

Motion: A motion was made by Mayor Pro-Tem Swint, seconded by Councilmember Valdez, to approve \$0.069472 as the 2022 Debt Service Rate for the City of Garden Ridge. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

5. Take action on Ordinance No. 234-082022 An Ordinance of the City Council of the City of Garden Ridge, Texas, adopting a Tax Rate of \$0.269563 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 2022 Tax Year (Fiscal Year 2023).

Motion: A motion was made by Councilmember Bower, seconded by Councilmember Arvidson, moving that the property tax rate be increased by the adoption of a tax rate of \$0.269563, which is effectively a 1.681 percent increase in the tax rate, and that Ordinance No. 234-082022 is approved to adopt \$0.269563 as the 2022 tax rate for the City of Garden Ridge. The City Council voted by roll call:

Councilmember Smith, Place 1 – absent
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) Ordinance No. 61-082022 An Ordinance of the City Council of the City of Garden Ridge, Texas, establishing the Drought Management Plan for the City of Garden Ridge; establishing trigger points and demand reduction measures; providing a variance procedure; providing a penalty for violations of this Ordinance; providing a cumulative and savings clause; providing for severability; and declaring an effective date.

1. Review proposed revisions.

Mayor Erickson reviewed the proposed revisions to Ordinance No. 61 Drought Management Plan for the City of Garden Ridge.

2. Hold a public hearing.

Mayor Erickson opened the public hearing at 6:20 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 6:20 p.m.

3. Discuss and take action on Ordinance No. 61-082022.

Motion: A motion was made by Councilmember Valdez, seconded by Councilmember Bower, to approve Ordinance No. 61-082022 An Ordinance of the City Council of the City of Garden Ridge, Texas, establishing the Drought Management Plan for the City of Garden Ridge; establishing trigger points and demand reduction measures; providing a variance procedure; providing a penalty for violations of this Ordinance; providing a cumulative and savings clause; providing for severability; and declaring an effective date. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

c) Reschedule October City Council Regular Meeting.

Mayor Erickson spoke regarding the TML Conference conflicting with the regularly scheduled City Council meeting in October. City Council discussed possible dates for rescheduling the meeting and agreed by consensus to table action on this item until the September meeting.

d) Draft Zoning Ordinance.

Mayor Erickson spoke regarding the Draft Zoning Ordinance. City Council discussed revisions to the following sections in the Draft Zoning Ordinance: 1.02.05. Summary of Approval Authorities, 2.05.05. Use Chart, 2.05.06. Use Standards, 2.06.07. Storage and Use of Vehicles and Equipment in Residential Zoning Districts, 2.06.14. Development in the Aquifer Protection Overlay (APO) District, Section 3. Supplemental Development Regulations, and Section 4.02. Words and Terms Defined.

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

6. Adjournment

There being no further business, the Monday, August 29, 2022, City Council special meeting was adjourned at 8:51 p.m. by Mayor Erickson.

ATTEST

Robb Erickson
Mayor

Marisa Spencer
City Secretary

CITY OF GARDEN RIDGE**MONTHLY ACCOUNT BALANCES & INTEREST RATES**

PERIOD ENDED AS OF 07/31/2022

CITY FUNDS	BALANCE	CURRENT INTEREST RATE
GF OPERATING ACCOUNT	\$ 217,918.80	0.00%
GF MONEY MARKET	3,391,748.86	0.70%
PEG CAPITAL FEES	42,810.23	0.65%
TEXPOOL INVESTMENTS	6,623.90	1.52%
SIB LOAN I&S	4,993.50	0.20%
2017 I&S	2,191.31	0.60%
2012 I&S	41,936.10	0.65%
2012 REFI	27,867.15	0.65%
2015 I&S	59,383.63	0.70%
TEXPOOL WATER IMPACT FEES	171,130.12	1.52%
TEXPOOL STREET IMPACT FEES	59,224.99	1.52%
AMERICAN RECOVERY ACCT	498,146.46	0.30%
SIB LOAN FUNDS (TXDOT)	538,537.89	0.30%
ASSET/FORFEITURE - STATE	99.24	0.08%
ASSET/FORFEITURE - FED	47,471.56	0.65%
TOTAL CITY FUNDS	\$ 5,110,083.74	

WATER FUNDS	BALANCE	CURRENT INTEREST RATE
OPERATING ACCOUNT	1,533,244.97	0.70%
WATER SURCHARGE	149,544.62	0.70%
TEXPOOL WATER INVEST	\$ 2,243.22	1.52%
TOTAL WATER FUNDS	\$ 1,685,032.81	

TOTAL ALL ACCOUNTS	\$ 6,795,116.55	
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CITY OF GARDEN RIDGE
CASH & INVESTMENTS STATEMENT
CURRENT AND YEAR TO DATE AS OF 07/31/2022

GENERAL FUND	BALANCE
GF Operational Checking	\$ 217,918.80
GF Money Market	3,391,748.86
TexPool Investments	6,623.90
Restricted Amounts	(294,434.30)
TOTAL AVAILABLE FUNDS	\$ 3,321,857.26

WATER FUND	BALANCE
Operational Checking	\$ 1,533,244.97
TexPool Water Invest	2,243.22
Water Surcharge	149,544.62
Restricted Amounts	(602,175.86)
TOTAL AVAILABLE FUNDS	\$ 1,082,856.95

CITY OF GARDEN RIDGE
 STATEMENT OF ACTIVITIES
 CURRENT AND YEAR TO DATE AS OF 07/31/2022

GENERAL FUND	Jul-22	YTD	FY 2022 BUDGET	% OF BUDGET	BUDGET BALANCE
REVENUES	\$ 87,381.26	\$ 3,165,032.84	\$ 3,140,286.00	100.8%	\$ (24,746.84)
EXPENDITURES					
ADMINISTRATION	69,836.14	655,625.12	889,881.00	73.7%	234,255.88
COURT	6,947.52	68,567.79	96,600.00	71.0%	28,032.21
POLICE	91,060.76	984,015.76	1,383,375.00	71.1%	399,359.24
PUBLIC FACILITIES	52,637.73	441,903.15	601,535.00	73.5%	159,631.85
COMMUNITY CENTER	2,975.73	56,369.48	60,000.00	93.9%	3,630.52
LIBRARY	7,559.34	85,625.34	102,895.00	83.2%	17,269.66
FUND CHANGES/XFER	-	-	-	0.0%	-
TOTAL EXPENDITURES	231,017.22	2,292,106.64	3,134,286.00	73.1%	842,179.36
NET POSITION	\$ (143,635.96)	\$ 872,926.20	\$ 6,000.00		\$ (866,926.20)

WATER FUND	Jul-22	YTD	FY 2022 BUDGET	% OF BUDGET	BUDGET BALANCE
REVENUES	\$ 276,758.22	\$ 1,758,326.54	\$ 1,893,500.00	92.9%	\$ 135,173.46
EXPENDITURES	81,549.84	934,683.06	1,382,555.00	67.6%	447,871.94
REVENUE +/- EXPENDITURES	195,208.38	823,643.48	510,945.00		(312,698.48)

OTHER CASH OUTFLOWS	Jul-22	YTD	FY 2022 BUDGET	% OF BUDGET	BUDGET BALANCE
BOND PRINCIPLE PAYMENTS	504,100.00	504,100.00	505,385.00	99.7%	1,285.00
XEROX LEASE PRINCIPLE PMTS	463.80	4,584.58	5,560.00	82.5%	975.42
TOTAL OTHER CASH OUTFLOWS	\$ 504,563.80	\$ 508,684.58	\$ 510,945.00		\$ 2,260.42

CITY OF GARDEN RIDGE
STATEMENT OF ACTIVITIES - COMMUNITY CENTER
PERIOD ENDED AS OF 07/31/2022

REVENUES	YTD	Budget
RENTALS	\$ 50,965.00	21,000.00
DEPOSITS	17,820.00	13,000.00
CLEAN-UP FEES	4,450.00	1,800.00
DEPOSITS REFUNDED	(17,400.00)	(10,000.00)
DONATIONS	-	-
TOTAL REVENUES	55,835.00	25,800.00
EXPENDITURES		
PAYROLL/TAXES/RETIREMENT	2,228.39	2,480.00
MANAGER FEES	17,514.50	18,000.00
COMPUTER/INTERNET	1,387.00	1,680.00
TELEPHONE	500.00	600.00
UTILITIES	6,985.90	10,820.00
MAINTENANCE	4,819.24	8,000.00
SUPPLIES	716.26	1,200.00
CLEANING	4,500.00	5,720.00
EQUIPMENT	173.84	500.00
MARKETING	-	1,000.00
DONATION EXPENDITURES	-	-
FACILITY ENHANCEMENTS	-	-
TOTAL EXPENDITURES	38,825.13	50,000.00
NET POSITION	\$ 17,009.87	\$ (24,200.00)

Management's Discussion and Analysis of Results of Operations – July 2022

GENERAL FUND

Cash

Total available funds as of July 31, 2022, are \$3,321k.

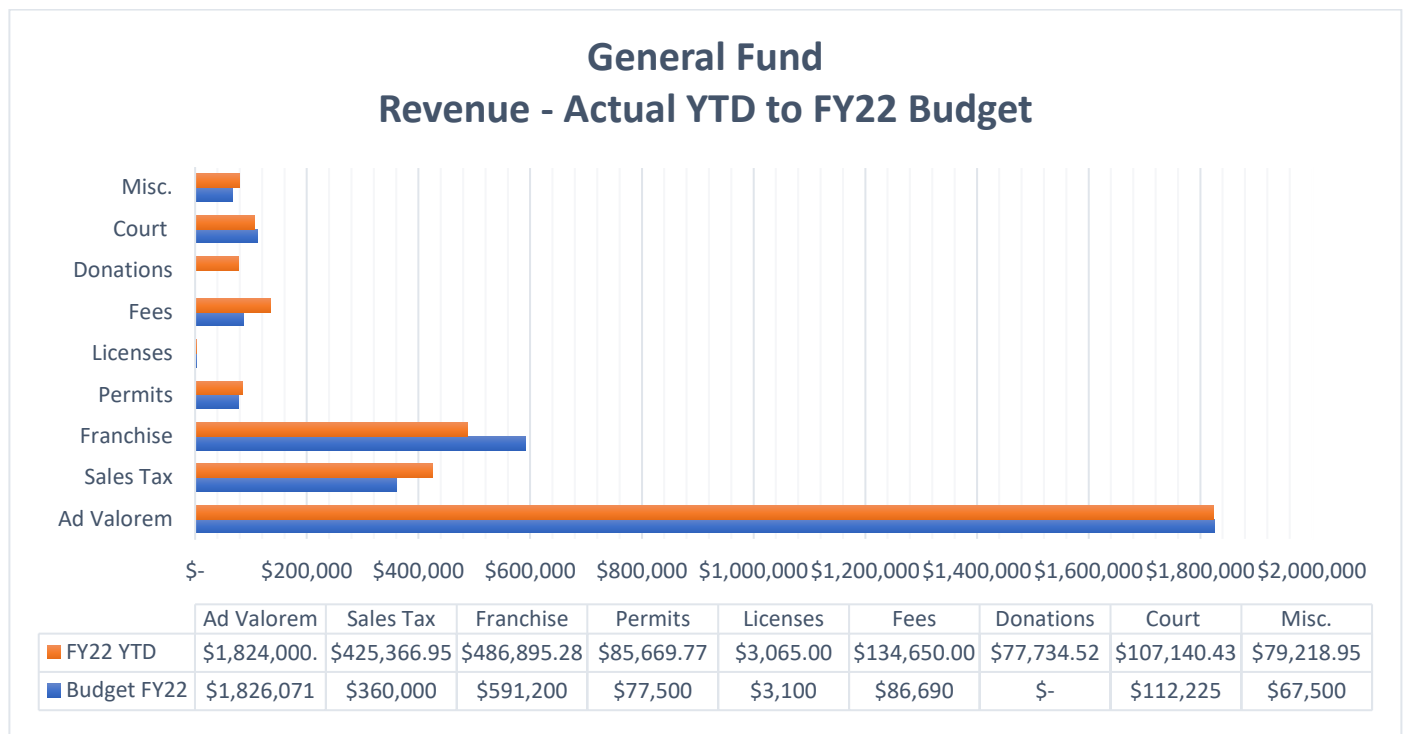
Revenue

Ad Valorem Tax received for July totals \$18.9k YTD collections total \$1,824k or 99.9% of the FY22 budget of \$1.818k

Sales Tax Revenue YTD totals \$425k or 118% of the \$360.0k budgeted for FY22.

Annual Building Permits revenue totals \$84k or 110% of the \$77.5k budgeted for FY22.

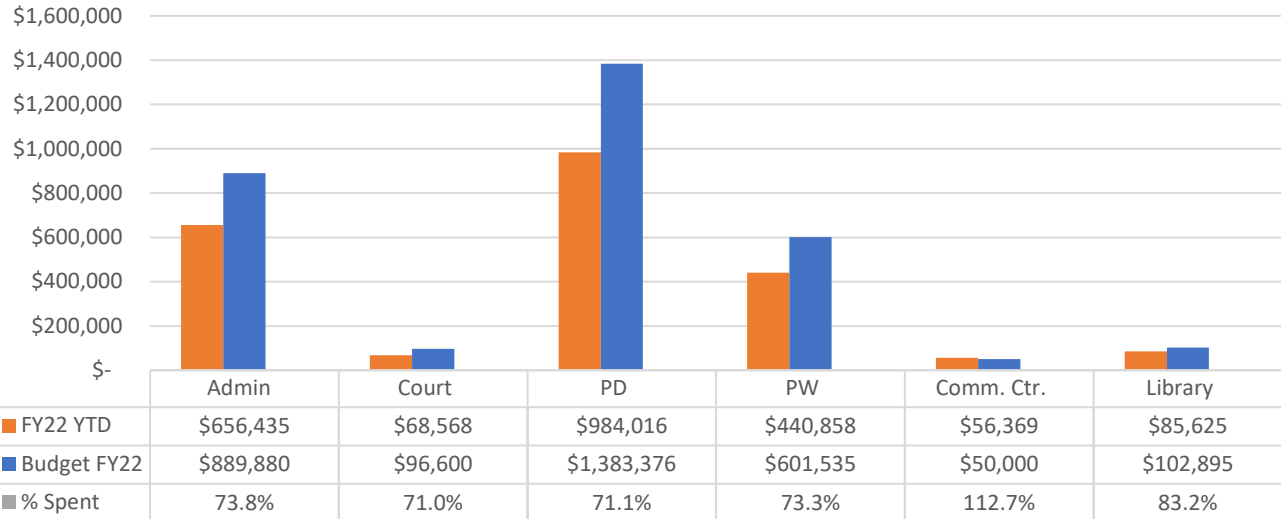
Trash Collections YTD total \$109.8K or 74% of the \$82k budgeted for FY22.



Expenditures

All departments are operating within the FY22 budget.

General Fund Expenditures - Actual YTD to FY22 Budget



WATER FUND

Meters

Current meters for July 2022 total 1681 vs 1673 for July 2021.

Cash

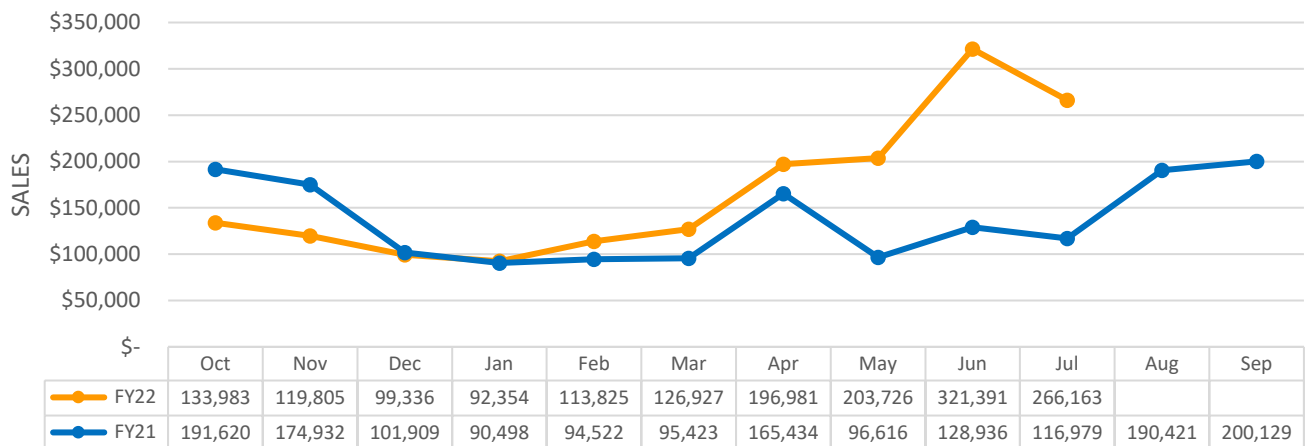
Total available funds as of July 31, 2022, are \$1,082.9k.

Revenue

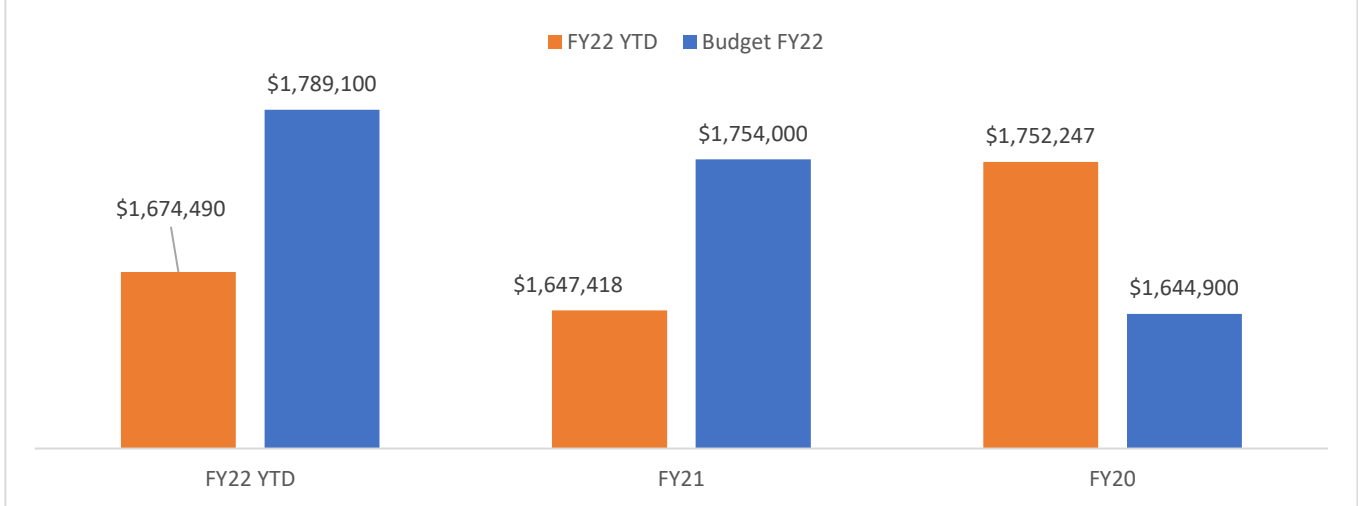
Revenue YTD totals \$1,758k or 92.86% of the \$1,893.5k budgeted for FY22. Total revenue for the same period last year was \$1,075.8k.

Water Sales for the month total \$266k. YTD water sales total \$1,674.4k or 93.5% of the \$1,789.1k budgeted for FY22.

WATER SALES - FY22 VS FY21 VARIANCE \$



Water Sales Actual vs Budget



Meter installation revenue YTD totals \$10.6k or 106% of the \$10k budgeted for FY22.

Expenditures

Expenditures for the month total \$81.5k. YTD expenditures for FY22 total \$934.6k. Next bond payment will be August 2022.

Water Expenditures- Actual YTD vs FY22 Budget

\$1,600,000
\$1,400,000
\$1,200,000
\$1,000,000
\$800,000
\$600,000
\$400,000
\$200,000
\$-

■ FY22 YTD

■ FY22 Budget

■ % Spent

Water

\$934,683

\$1,382,555

67.6%

Interest & Sinking Fund

Revenue

Ad Valorem Tax collections YTD total \$707.3k of the \$718.9k budgeted for FY22.

Expenditures

Next bond payment will be August 2022.

Capital Improvements Fund – (all accounts are restricted)

Cash Balance

Water Impact Fee Balance is \$171.1K.

Street Impact Balance is \$59.2k.

American Recovery Acct. Balance is \$489.1k

SIB Loan (TXDOT) Acct. Balance is \$538.5k

Revenue

No revenue to report for June.

Asset Seizure Fund

Cash Balance

The Restricted Fund Balance is 47.4k. The Restricted Fund Balance is \$47.4k.

Revenue

No revenue reported for July.

Expenditures

No expenditures in July.

Summary

The City of Garden Ridge is financially sound and operating within the Budget set forth by the City Council.



MEMORANDUM:

To: City Council
From: Mayor Erickson
CC: City Administrator Nancy Cain, City Secretary Marisa Spencer
Date: 08/30/2022
Reference: TML Intergovernmental Risk Pool Board of Trustees Election

On Wednesday, 24 August 2022, the Mayors of the Northeast Partnership (NEP) discussed this year's TML Intergovernmental Risk Pool Board of Trustees Election during their monthly workshop.

This election is non-partisan. A City's support for a particular candidate does not indicate support for a political party nor ideology.

Listed below are the NEP Mayors' recommendations for this year's election for Place 6 through Place 9. Of note, Allison Heyward, Place 6, is a sitting Councilmember from the City of Schertz. Mary Dennis, Place 7, is the Mayor of the City of Live Oak. The candidates for Place 8 and Place 9 are the recommendations from Mary Dennis based upon her experience working with each of them. The NEP Mayors concurred with Mayor Dennis' recommendations.

- Place 6 - Allison Heyward
- Place 7 - Mary Dennis
- Place 8 - Marian Mendoza
- Place 9 - Opal Mauldin-Jones

OFFICIAL BALLOT

Texas Municipal League Intergovernmental Risk Pool Board of Trustees Election

This is the official ballot for the election of Places 6 – 9 of the Board of Trustees for the Texas Municipal League Intergovernmental Risk Pool. Each Member of the Pool is entitled to vote for Board of Trustee members. Please record your organization's choices by placing an "X" in the square beside the candidate's name or writing in the name of an eligible person in the space provided. You can only vote for one candidate for each place.

The officials listed on this ballot have been nominated to serve a six-year term on the TML Intergovernmental Risk Pool (Workers' Compensation, Property and Liability) Board of Trustees. The names of the candidates for each Place on the Board of Trustees are listed in alphabetical order on this ballot.

Ballots must reach the office of David Reagan, Secretary of the Board, no later than September 30, 2022. Ballots received after September 30, 2022, cannot be counted. **The ballot must be properly signed and all pages of the ballot must be mailed to: Trustee Election, David Reagan, Secretary of the Board, P.O. Box 149194, Austin, Texas 78714-9194. If the ballot is not signed, it will not be counted.**

PLACE 6

- ☐ **Allison Heyward.** Councilmember for the City of Schertz (Region 7) since 2018. She also serves as the Mayor Pro Tem. Mrs. Heyward was appointed to represent the Texas Municipal League Board of Directors as an ex-officio non-voting member of the Board of Trustees of the Texas Municipal League Intergovernmental Risk Pool. She earned a Bachelor's Degree in Accounting from Texas Southern University in 1990 and is a 2020 graduate of the Chamber Leadership Core Program. She is a TML Leadership Fellow, a Certified Municipal Officer (CMO), as well as a member of the TMRS Advisory Board on Benefit Design.
- ☐ **Kimberly Meisner.** Assistant City Manager for the City of Kerrville (Region 7). Ms. Meisner has over 25 years of public service, which includes serving Kerrville and La Porte. She earned a Master's Degree in Public Administration from the University of Texas at Arlington and a Bachelor's Degree in Human Resource Management from Columbia Southern University. She is a member of TCMA and serves on the Ethics Committee as the Region 8 Representative. She is also serving a second year as the Chair of the Ethics and Integrity Award subcommittee.

WRITE IN CANDIDATE:

PLACE 7

- ☐ **Mary Dennis** (Incumbent). Mayor for the City of Live Oak (Region 7) since 2010. Mayor Dennis has served on the TML Risk Pool Board since 2018. She is currently Vice-Chair of the TML Risk Pool Board, and on October 1, 2022, will begin a two-year term as Chair. Among her numerous civic activities are serving as 2016/2017 President for the Texas Municipal League, 2021-2023 NLC Board Director, Treasurer of the Greater Bexar County Council of Governments, Chair of the Judson ISD Facilities Committee, Chair of the Bexar County Suburban Cities Committee, and President of the Live Oak Economic Development Corporation. She is also a 2019 Inductee of the San Antonio Women's Hall of Fame and the 2019 San Antonio Women's Chamber of Commerce "Comet Award."
- ☐ **James A. Douglas, Ph.D.** City Councilmember for the City of Kenedy (Region 7). Dr. Douglas is a current criminal justice instructor at Kenedy ISD. He is a national Law and Public Safety Education Network (LAPSEN) Honor Teacher who, along with some of his students, recently participated in the Washington, D.C. National Academy of Law and Justice. The LAPSEN Honor Teachers were identified from a national application process to identify educators with a passion for law and justice, excellence in leadership and teaching.
- ☐ **Rebecca (Becky) Haas.** Mayor of Richmond (Region 14). Mayor Haas is a business-owner in the historic downtown district of Richmond. She is a direct descendant of one of Stephen F. Austin's first settlers in Texas who are known as the Old Three Hundred. She is Chaplain for and a charter board member of the Descendants of Austin's Old Three Hundred organization. She is passionate about Texas history, a member of the Fort Bend County Historical Commission, a former member of the Richmond Historical Commission, a member of the Fort Bend County Museum, a board member of the Black Cowboy Museum, member of Historic Richmond Association, and is a Fort Bend Docent.
- ☐ **James Hotopp.** City Manager for Weatherford (Region 8) since 2019. Mr. Hotopp joined the City in 2007 as its Director of Water/Wastewater and Engineering and served the City in several capacities, including Utility Engineer, Director of Planning and Development, and Assistant City Manager. He serves as a voting member of Region C Water Planning Group for Texas, which prepares a regional water plan for a 16-county group in North Texas. Mr. Hotopp is a member of the North Texas City Manager's Association, the North Texas Commission, and a board member of the Texas Public Power Association. Previously, he worked in consulting engineering where he designed water treatment plants, wastewater treatment plants, water pump stations, wastewater lift stations, and distribution/collection lines.

WRITE IN CANDIDATE:

PLACE 8

- ☐ **Chris Coffman.** City Manager of Granbury (Region 8). Mr. Coffman has 24 years in public management. He has served as City Manager for Sealy, Borger, the Village of Timbercreek Canyon, and Panhandle. He has also served as the Director of Local Government Services of the Panhandle Regional Planning Commission and served as Interim City Manager for the Cities of Fritch and Stratford. During his time at the Panhandle Regional Planning Commission, he served 26 counties and 62 cities in the Panhandle. He is a past President of the TCMA. Mr. Coffman holds a Bachelor of Science Degree in Public Administration from West Texas A&M University and has a Certified Public Manager designation through Texas Tech University.
- ☐ **Brett Haney.** City Administrator for the City of Cockrell Hill (Region 13) since 2015. Mr. Haney has been with Cockrell Hill since 2006 and was promoted to Assistant City Administrator in 2011. He is originally from Southern California and moved to North Texas in 2000. Mr. Haney earned Bachelor of Applied Arts and Sciences and Master of Public Administration degrees from the University of North Texas. He is a member of TCMA and currently serves on the Public Policy Committee and has served on the TCMA Advocacy Committee in recent years. He is very active as Cubmaster and Den Leader for Cub Scout Pack 717 in Keller, Texas.
- ☐ **Mike Land.** City Manager for the City of Coppell (Region 13) since 2017, and Deputy City Manager from 2012-2017. Previously, he was Town Manager for Prosper, City Manager for Gainesville, and Executive Director for the Southwestern Diabetic Foundation. Mr. Land has served on the International City/County Management (ICMA) Board of Directors, ICMA's Advisory Board on Graduate Education, Texas A&M University's Development Industry Advisory Council, School Board Trustee for Gainesville Independent School District, and President of TCMA. Currently, he serves on the Texas Women's Leadership Institute Advisory Board and the UTA MPA Advisory Board.
- ☐ **Marian Mendoza.** City Administrator for the City of Helotes (Region 7) since 2020. Ms. Mendoza has held positions with the City of Alamo Heights, as Assistant to the City Manager (2005-2020), and with the City of San Antonio as a Management Analyst (2003-2005). Previously she served as a Director overseeing homeless transition housing programs for the Salvation Army. She also serves as the Ex-Officio Board Member of the Helotes Economic Development Corporation. Ms. Mendoza earned a Bachelor's Degree from St. Mary's University and is part of the Certified Public Management program at Texas State University. She is a member of the ICMA, TCMA, and the International Hispanic Network.
- ☐ **Louis R. Rigby.** Mayor of the City of La Porte (Region 14) since 2010. Mayor Rigby previously served as the District 5 Councilperson from 2004 until 2010, before being elected Mayor. He is a member and past Director of the La Porte-Bayshore Chamber of Commerce and has held the offices of Treasurer, Vice-President, and President of the Harris County Mayors and Councils Association. He graduated from San Jacinto College and the University of Houston before earning an MPA from the University of Houston-Clear Lake. Mayor Rigby served in the U.S. Airforce from 1968-1972. He has actively advocated for the La Porte region on issues including heavy haul and solutions for hurricane damage and management.

WRITE IN CANDIDATE:

PLACE 9

- ☐ **Barry Beard.** Commissioner for the City of Richmond (Region 14) since 2016. Mr. Beard retired from Moody National Bank where he was the Senior Vice President. He has served on many civic and community boards. He was President of the Board for Oak Bend Hospital, past Chair of the Central Fort Bend Chamber Alliance, past Chair of Arc of Fort Bend, Congressman Olson's Service Academy Interview Committee and Fort Bend Partnership for Youth. He also served on the original Richmond Charter Commission, Richmond Parks Commission, Richmond Development Corporation, Richmond Historical Commission, Richmond Comprehensive Planning Advisory Committee, and the Richmond Rosenberg Local Government Corporation.
- ☐ **Stephanie Fisher.** Councilmember for Johnson City (Region 7). In 2021, she was appointed as the Johnson City representative to the General Assembly of the Capital Area Council of Governments. The Executive Committee of the Capital Area COG appointed her to represent the COG on the Unified Scoring Committee of the Texas Department of Agriculture's Community Block Grant program. She serves on the Board of Directors for the Hill Country 100 Club and the Johnson City Community Education Foundation. She also is the Commissioner for the Johnson City Youth Football program and sits on an advisory committee for the Johnson City Youth Sports Association. She is active in her church, as well as multiple activities within Johnson City ISD, and is a member of the Blanco County Eclipse Task Force.
- ☐ **Carl Joiner.** Mayor for the City of Kemah (Region 14) since 2015. Prior to that, he served as a Kemah City Councilmember for three years. He has served as President of the Kemah Community Development Corporation, Chairman of the Bay Area Houston Transportation Partnership, member of the Convention and Visitors Bureau Board, Chairman of the Clear Creek Education Foundation, board member of the Chris Reed Foundation, Chairman of the Clear Lake Area Chamber, and Treasurer of the League City Regional Chamber of Commerce. He has received awards such as the Chairman's Award in 2020 for the League City Regional Chamber of Commerce and the Sam Walton Award for Integrity in Business.
- ☐ **Opal Mauldin-Jones (Incumbent).** City Manager for the City of Lancaster (Region 13) since 2011, and in various other roles for Lancaster since 2003. Under her leadership, the City has experienced two consecutive bond rating increases without issuing debt. The City has been designated a 2019 All-America City and received the CiCi Award. It is one of less than 25 communities with all five Transparency Stars awarded by the Texas Comptroller. Ms. Mauldin-Jones earned her Bachelor Business Administration and Master Public Administration degrees from the University of Texas at Arlington. She currently serves on the TCMA Board as Director-at-Large and as Vice President-Elect, and on the Board of the TML Intergovernmental Risk Pool.
- ☐ **William Linn.** City Manager of Kenedy (Region 7). Mr. Linn is a member of TCMA and ICMA. He earned a Bachelor of Science Degree in Business from Indiana University's Southeast campus. Thereafter, he was accepted to several law schools where he intended to specialize in business and intellectual property law. However, Mr. Linn opted to enroll in Southern New Hampshire University where he earned a Master of Business Administration and Master of Science in Organizational Leadership concurrently. He is a Certified Fraud Examiner and a Certified Public Manager. He is working to complete the Lean Six Sigma Black Belt and Project Manager Professional Certifications.

WRITE IN CANDIDATE:

Certificate

I certify that the vote cast above has been cast in accordance with the will of the majority of the governing body of the public entity named below.

Witness my hand, this _____ day of _____, 2022.

Signature of Authorized Official

Title

Printed Name of Authorized Official

Printed Name of Political Entity

City Secretary

From: Ron Eberhardt
Sent: Wednesday, August 3, 2022 9:22 PM
To: City Secretary
Subject: FW: [EXTERNAL] Thanks to Officer McKenzie

For September Council Meeting please.

Ron Eberhardt
Chief of Police
City of Garden Ridge
Off: 210-651-6441

-----Original Message-----

From: James Sturch <
Sent: Wednesday, August 3, 2022 4:06 PM
To: Ron Eberhardt <reberhardt@ci.garden-ridge.tx.us>
Subject: [EXTERNAL] Thanks to Officer McKenzie

Chief, I want to pass my sincere thanks and appreciation to Officer McKenzie for his service today. My wife and I are in Oregon this week and completed an out of town notice with your office. Today, Officer McKenzie was doing a house check at my home and discovered an unlocked door that the wind had made ajar. As he pulled on the door handle, the house alarm sounded. We observed all of this from our security camera, soon followed by a call from our security monitoring service. Officer McKenzie continued to find a second door we failed to locked, and secured both doors and departed.

It is a blessing to have Officer McKenzie and the entire Garden Ridge Police Department. My deep thanks and appreciation to all of you. The Home Check system worked perfectly as advertised!

Jim Sturch
8511 Wild Wind Park

Sent from my iPad

Garden Ridge Community and Event Center
Monthly Report
August 1st thru August 31st 2022

Utilization (by Days)

FY 21-22	FY 20-21	FY 21-22	FY 20-21
(Current Month)	(Current Month)	(Year to Date)	(Year to Date)
16	12	251	216

Wildflower (Booked Current Month)	Bluebonnet (Booked Current Month)
8	8

Category Count (by Events)	(Current Month)	(Year to Date)
1. Resident / Non-Resident	4	55
2. City Chartered Non-Profit Organizations	0	23
3. Non-Profit Service Organizations	5	65
4. Non-Profit Associations	4	54
5. City Use	3	54

CITY OF GARDEN RIDGE BUILDING REPORT

August-22

Major Permits

Permit #	Address	Builder	Sq. Ft.	Value \$	Permit Fees
2344 -22	21808 Senna Hills	David Weekly Homes	5396	\$ 701,480.00	\$ 4,112.60
		Total	5396	\$ 701,480.00	\$ 4,112.60

Minor Permits

Permit #	Address	Builder	Project	Permit Fees
2243 -22	9415 Gardenia Bend	Alamo Fence	Fence	\$ 125.00
1656 -22	21041 Klein Circle	Aramendia Plumbing	Water Heater	\$ -
2345 -22	8276 Eskimo Forest	Integrated Outdoor Designs	Patio	\$ 365.32
2346 -22	9310 Sumac Lane	Michael Roney	Pergola	\$ 100.00
2347 -22	8214 Garden Arbor	RGM Custom Pools	Pool, Spa, Deck	\$ 667.00
1658 -22	9657 Kurre Way	Wyatt More	Minor HVAC	\$ 100.00
1659 -22	2140 Water Wood	Airtron HVAC	Minor HVAC	\$ 100.00
2348 -22	8750 Bindseil	Cervantes Fencing	Fence	\$ 125.00
2349 -22	20085 Hoya Lane	Yuker Electric	Minor Electric & Spa	\$ 225.00
1662 -22	9434 Teakwood Lane	Airtron HVAC	Minor HVAC	\$ 100.00
1648 -22	20223 Hoya Lane	Aramendia Plumbing	Water Heater	\$ -
2350 -22	8289 Eskimo Forest	Gail Gitcho	Pergola	\$ 100.00
2351 -22	8289 Eskimo Forest	Gail Gitcho	Minor Electric	\$ 125.00
2352 -22	8289 Eskimo Forest	Gail Gitcho	Minor Electric	\$ 125.00
2353 -22	9507 Gloxinia Dr.	A&A Plumbing	Minor Plumbing	\$ 100.00
2354 -22	21340 FM 3009	Gerard Electric	Minor Electric	\$ 125.00
2356 -22	21195 Bat Cave Rd.	Ricky Shelton	Carport	\$ 432.80
2357 -22	19808 Regency Run	Service Home Pros	Sunroom	\$ 497.00
2358 -22	8815 Timmerman Cove	Collaborative Services	Minor Electric & Plumbing	\$ 225.00
				\$ 3,637.12

Total Major Fees for the month	\$ 4,112.60
Total Minor Fees for the month	\$ 3,637.12
TOTAL	\$ 7,749.72

Fiscal Year 2022

Total major projects value	\$ 4,859,270.00
Total major projects sq. ft.	37,379
Total major permit fees	\$ 28,558.60
Total minor permit fees	\$ 49,837.75
Total permit fees	\$ 78,396.35



City of Garden Ridge

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

City Secretary Monthly Activity Report Reporting Period: August 2022

Administrative Operations and Upcoming Events

City Hall Office Hours

- Monday/Wednesday/Thursday: 8am-5pm, Tuesday: 8am-6pm, and Friday: 8am-4pm.
- Upcoming Holidays (City Hall Closed): Monday, October 10th.
- After hours emergency phone number: 210-651-6831.

Crisis Communications Tabletop

- DFW Strategic Communications will be directing a Crisis Communications Tabletop for City Staff and City Council on Wednesday, September 28th from 9am-1pm in the City Council Chambers. It is important that all Councilmembers attend since the purpose of the exercise is to identify roles, responsibilities, and protocols for effective and efficient communications during emergency situations.

City Website Redesign Update

- We are working on finalizing the website redesign, with meetings scheduled for later this month with our team from CivicPlus. Once the design configuration has been finalized, a target launch date will be set.

November Election

- The City of Garden Ridge is a polling location for the November uniform election date. The last day to register to vote is Tuesday, October 11th. Early Voting will be conducted in the City Council Chambers beginning on Monday, October 24th through Friday, November 4th. Election Day Voting will be conducted at the Community and Event Center on Tuesday, November 8th. For additional information about this election, visit the Comal County Clerk's Office Elections and Voter Registration website.

City of Garden Ridge 50th Anniversary

- The City enjoyed celebrating our 50th Anniversary with everyone. If you were unable to attend the event or were unable to check out the various swag items available for a donation, you can come to City Hall during regular business hours to get your limited edition swag while supplies last. See the City website or the City Facebook page for pictures of the various items and their suggested donation amounts.

Communication Efforts

Garden Ridge Emergency Alert System: G.R.E.A.S. enhances the city's ability to communicate with residents during an emergency by sending direct notifications to your phone. This system is used to send alerts for inclement weather, road closures, garbage delays, and so much more! Go to the City's website and click on the "ALERTS" graphic button on the homepage to SIGN UP/MODIFY your communication preferences. When signing up you will receive an email to validate your account, so make sure to complete the validation to receive alerts.

Streaming of Meetings: City Council - 208 views / Commissions - 14 views.

Public Information Act (PIA) Summary

Year	Number of Requests
2022	122
2021	146
2020	207
2019	276
2018	225



POLICE DEPARTMENT MONTHLY BREAKDOWN

August 1 through August 31

Calls for Service

Dispatched: 177 City Ordinance: 36 Total: 213 False Alarms: 22

Arrests

- * 1 – Outstanding warrant of Injury to a Child or Elderly
- * 1 – Driving While Intoxicated

Traffic Enforcement

Crashes: 5 Citations: 81 Warnings: 89 Total: 170

Training / Certifications

- * Sergeant Osborn completed Criminal Intelligence Investigations Course
- * Lieutenant Bellinger and Officer McKenzie completed Family Code- Juvenile Law Officer

Outreach Efforts

- * GRCPAAA Volunteer hours: 49.5 hours
- * Held GRCPAAA social at BJ Brew House in Live Oak
- * Coffee with the Cops
- * Officers have been spending time roaming school campuses and being exposed to staff

Administrative Comments

- * Police Department along with supporting responders held a successful Active Shooter tabletop exercise in Council Chambers
- * Bringing an officer on board as a Reserve Officer pending completion of DEA background
- * Held a training session with City Staff regarding lockdown procedures for city buildings along with procedures for initiating and reacting to Panic system



City of Garden Ridge

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

MONTHLY PUBLIC WORKS REPORT

August, 2022

Activities for the month

Public Works Tasks Completed: 363

Steven Steinmetz
Public Works
Director

Eric Lowman
Public Facilities
Foreman

Stanley Georg
Manuel Troncoso
Ryan Furgason
Andrew Klein

Ongoing Responsibilities

- Parks maintenance
- Facilities maintenance
- Streets
- All public facilities grass and right-of-way's
- Storm water Drainage
- Animal Control
- Oak Wilt monitoring

Upcoming Events

September Dumpster
Schedule

Sep. 3rd. & 4th.

Sep. 10th. & 11th.

Sep. 17th. & 18th.

Sep. 24th. & 25th.

Storm Water Drainage Facility and Easement Maintenance

- Inspected 10 outfalls.
- Inspected 18 detention ponds.
- Drainages mowed: 3.
- Stormwater public outreach: 2 message displayed on FM 2252 sign.
- Trash removed from Right of ways by volunteers: 38 lbs.
- Drainages Cleaned Out : 3.
- Rain fall total : .93 in.

Street Maintenance

- Filled large pot holes in front of Tricon Precast on Old Nacodoches
- Signs replaced: 1.
- Repaired road edges along Bindsiel.
- Put up No Thru Truck signs on Batcave.

Parks Maintenance

- Paul Davis Park: Repair leak at meter.
- Ballfield Maintenance : Drug 2 times and treated for weeds.

City Facility/Property Maintenance

- Replaced ice maker an the Community Center.
- Replace fan motor and fan blade on chiller plant.

Church Buildings

- Replace urinal flush valve.
- Replace deadbolts on main building doors.
- Mowed once.

Oak Wilt

- Positive Tree on Sumac Cove.

Future Projects or Needs

- Sound system upgrades for the community center and Paul Davis Park.
- City Hall needs a new chiller plant.
- More storage space required.
- Covered equipment storage.

Animal Services Monthly Activities

- 10 deer carcasses were disposed of, which makes for the year 84.
- 3 live traps loaned out this month, 23 traps loaned out year-to-date .
- 298 registered/reregistered animals for the year.
- 0 Nuisance complaints received.
- 0 Animal reported bites.

Adoptions

- 0 Dog; 1 year-to-date.
- 0 Cats; 0 year-to-date.

Returned to owners

- 1 Dogs; 13 year-to-date.
- 0 Cats; 2 year-to-date.

Transferred to other agencies

- 0 Dogs for month; 7 year-to-date.
- 1 Cats for month; 14 year-to-date.

Currently in City care

- 3 Dogs; 5 Puppies: 1 Cats:

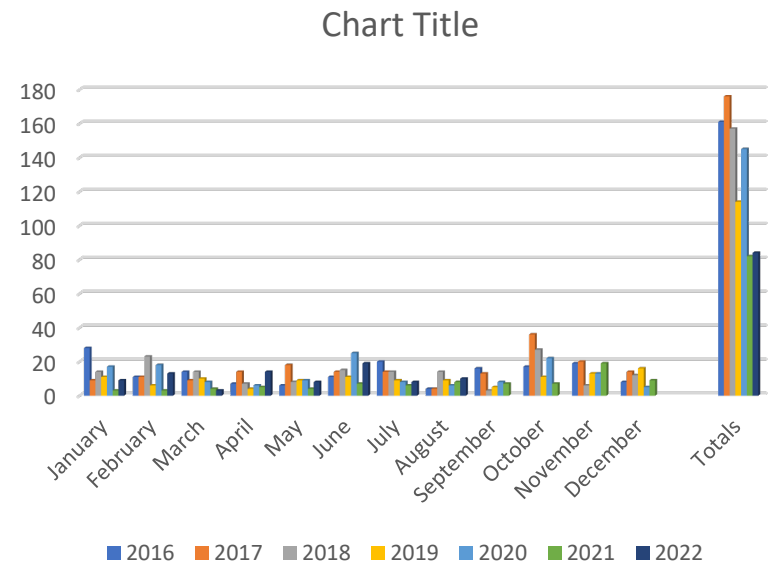


Year to Date Wildlife Report

	Jan	Feb.	Mar	Apr.	May	Jun	Jul	Aug.	Sep.	Oct	Nov	Dec.	Total
Deer	9	13	3	14	8	19	8	10					84
Raccoons	3	3	3	4	5	13	12	5					48
Opossums	2	1	1	7	3	4	3	6					27
Skunks	11	5	2	2	4	6	14	16					60
Wild hogs	0	0	0	0	0	0	3	5					8
Turtles	0	0	0	0	0	0	0	0					0
Squirrels	1	0	3	2	1	2	0	1					10
Foxes	0	0	0	1	1	3	3	0					8
Armadillos	0	0	0	0	1	2	1	4					8
Hawks	0	0	0	1	0	1	0	0					2
Bats	0	0	0	0	0	1	2	0					3
Coyotes	0	0	0	0	0	0	0	0					0
Buzzards	0	0	1	0	0	0	1	1					3
Ringtails	0	0	0	0	0	0	0	0					0
Snakes	0	0	1	0	0	0	0	3					4
Bobcat	0	0	0	0	0	0	0	0					0
Porcupine	0	0	0	0	0	0	0	0					0
Duck	1	0	0	0	0	0	0	0					1
Total	27	22	14	31	23	51	47	51					266

Deer Carcass Removal Totals for 2016-2022

	2016	2017	2018	2019	2020	2021	2022
January	28	9	14	11	17	3	9
February	11	11	23	6	18	3	13
March	14	9	14	10	8	4	3
April	7	14	7	4	6	5	14
May	6	18	8	9	9	4	8
June	11	14	15	11	25	7	19
July	20	14	14	9	8	6	8
August	4	4	14	9	6	8	10
September	16	13	3	5	8	7	
October	17	36	27	11	22	7	
November	19	20	6	13	13	19	
December	8	14	12	16	5	9	
Totals	161	176	157	114	145	82	84

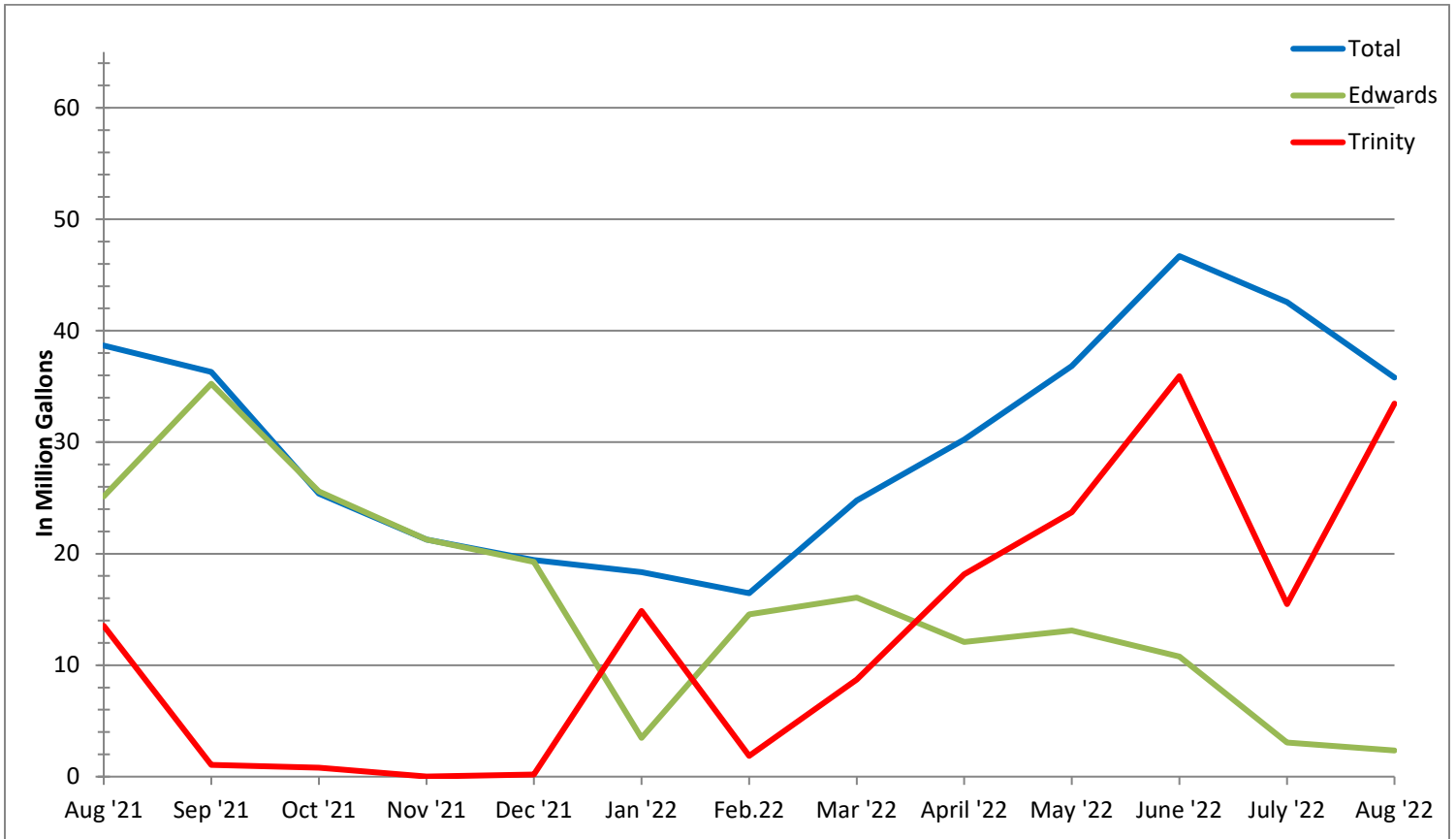




Utilities Department Report

As of August 31, 2022

City of Garden Ridge Aquifer Usage

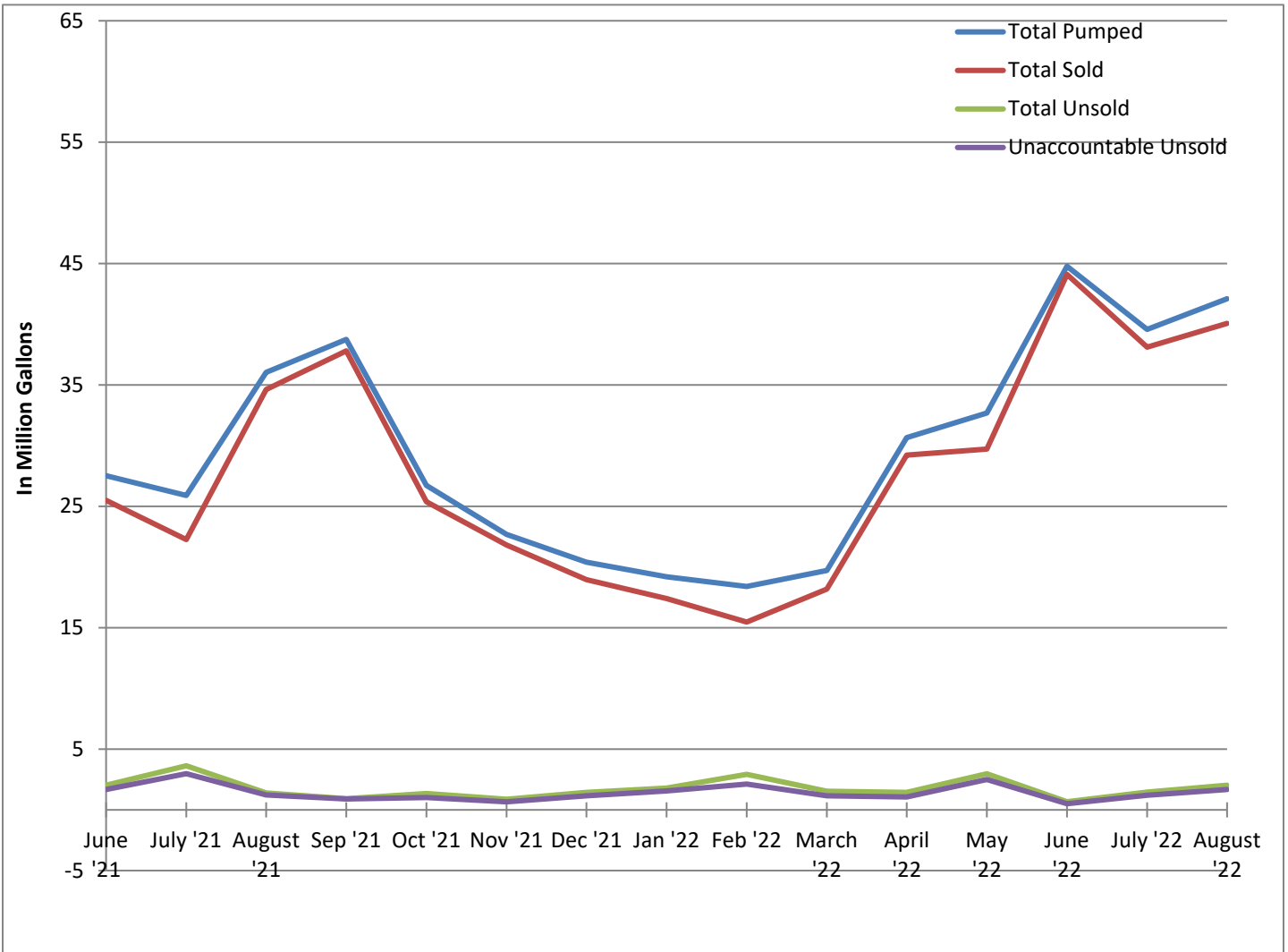


	Month:	Year:	Available:	Stage:
Edwards Well Usage AC/FT:	7.2	231.47	325.24	3
Trinity Well Usage AC/FT:	102.70	540.83	N/A	0

Water Quality

Backteriological Samples	Due :	Missed:	Passed:	Failed:
Distribution Samples :	6	0	6	0
Speacial Samples :	1	0	1	0
Chlorine Residual Test:	31	0	31	0

2021 – 2022 Pumping Report



	Total Pumped (Thousands)	Total Sold (Thousands)	Total Unsold (Thousands)	Unaccountable Unsold (Thousands)	Unaccountable Unsold %
Sept '21	38,746	37,814	9,327	893	2.3%
Oct '21	26,719	25,368	1,351	1,025	3.8%
Nov '21	22,702	21,817	8,858	668	2.9%
Dec '21	20,393	18,955	1,438	1,149	5.6%
Jan '22	19,203	17,414	1,789	1,553	8.1%
Feb '22	18,402	15,471	2,931	2,131	11.6%
Mar '22	19,708	18,182	1,526	1,160	5.9%
April '22	30,656	29,217	1,439	1,073	3.5%
May '22	32,689	29,713	2,976	2,505	7.7%
June '22	44,778	44,108	6,703	506	1.1%
July '22	39,584	38,121	1,463	1,196	3.0%
Aug '22	42,087	40,066	2,021	1,687	4.0%
Yearly Average	30,542	28,021	3,485	1,296	5.0%
Yearly national average					16%

Utilities Department Monthly Activities:

New Installed Meters	0	Work Orders	353
Meter Replacements	0	Locates	37
City Owned Leaks	2	Irrigations Permits Issued	0
Meters Read	1694	Total Rebates	0
Meter Tests	0		

AMI Information

	July	Aug.		July	Aug		
Total AMI Notifications	4374	2272	↓ 2102	Abnormal Usage	366	179	↓ 187
Automatic Draft Customers	685	684	↓ 1	Continuous Flow	99	91	↓ 8
AMI Customer Portal Profiles	690	701	↑ 11	Leak Info Code	676	528	↓ 148
E-Billing Customers	384	384	Same	Usage Trend	310	211	↓ 99

Stage 2 restriction alerts

August 1263

Down 1,660 from July

*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	3	Waiting for Customer	5	Approved	1	Amount Approved	\$250	Denied	0	Sent to Water Commission	0
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Garden Ridge Library

Volume V, Issue 12

September 7, 2022

Monthly Library Update

By Linda Crosland, Library Director

For leisure, for learning, for life!

Upcoming Activities for September

Children's Activities

Tuesdays, Lego Robotics , 3:15 PM

Wednesdays, Lego Club, 3:15 PM

Friday, Preschool Storytime and Stay & Play,
10:30

Special

Adults' Activities

1st Tuesdays, Card-making for Troops, 1:00

3rd Tuesdays, Card-making, 1:00 PM

4th Tuesdays, Crafternoon, 1:00 PM

Thursdays, Adult Coloring, 1:00 PM

Special

Lunch-n-Learn, September 15, @ 12 Noon,
"Wonderful World of Loofahs & Gourds"

Outreach

We have had two successful outreach programs. This summer we had 62 children from **GRES** who, at their request, came for afternoon storytime.

Sodalis, where I go each Thursday to read, has had an extremely positive response. Since beginning in March, we have had 282 people attend. They are so appreciative of the attention and personal touch I've been able to give them.

Department Statistics for August

Visits to the Library	1,237
Items Checked Out	2,317
\$ Saved by checking out hardcopy books during August	\$12,998.90
\$ Saved by using Libby	\$19,660.20
New Patrons Added	17
New Items Added to Physical books	97
-Libby Books + Libby Advantage	604
Volunteer Hours	168

Activity Statistics

Children's Preschool Storytime	168
Children's Lego Robotics & Regular Legos (which only met twice for free time in August)	9
Special - Interactive Movie	34
Adult Classes—Coloring, Sodalis Book club, crafts	105

"Bad libraries build collections, good libraries build services, great libraries build communities."

— R. David Lankes

September is National Library Card Sign-Up month. Would you believe that there are actually people living in Garden Ridge who don't have theirs yet? Incredible, right? Use this month to correct that oversight! They're free, educational, and non-fattening.

Quotable Facts About America's Libraries

From CalPolyPomona

Did You Know?

- 58% to 68% of adults in the U.S. have public library cards
- Americans go to school, public, and academic libraries more than three times more often than they go to the movies.
- Reference librarians in the nation's public and academic libraries answer nearly 6.6 million questions weekly. Standing single file, the line of questioners would span from Ocean City, Maryland to Juneau, Alaska. That doesn't count keeping social distance of 6 feet.
- A 2012 poll conducted for the American Library Association found that 94% respondents agreed that public libraries play an important role in giving everyone a chance to succeed because they provide free access to materials and resources.

Public Libraries

- There are more public libraries than McDonald's in the U.S. – a total of 16,766 including branches.
- Americans spend nearly three times as much on candy as they do on public libraries.
- Americans check out an average of more than eight books a year. They spend \$35.81 a year for the public library – about the average cost of one hardcover book.
- Almost 89 percent of public library outlets now offer wireless Internet access.
- More than 92% of public libraries provide services for job seekers.



The Mayor of Sodalis



A fun resident



Watching "To Kill a Mockingbird"

Interactive Movie Night

**Wendy as an
adorable
Willy Wonka**



**Some goofball
as an
adorable
Oompa
Loompa**



memorandum

To: Garden Ridge City Council
From: Trihydro Corporation
cc: Ms. Nancy Cain, City Administrator, City of Garden Ridge
Date: August 18, 2022
Re: Engineering Report for September 2022 Council Meeting

1. FM 2252 TxDOT Project

- Design plans submitted to utility coordinator for review
 - Trihydro has addressed review comments; awaiting approval of the design plans
 - TxDOT Permit

2. Land Development Projects

- Guadalupe Readymix: The City Engineer reviewed the master development plan and provided comments.
- Potential Developments: The City Engineer has met with a couple of developers to discuss city requirements for potential development projects along FM 2252.

PLANNING AND ZONING COMMISSION TERMS OF OFFICE

Name	Place	Appointment & Expiration	Appointment & Expiration	Appointment & Expiration	Appointment & Expiration	Appointment & Expiration
Dr. Jim Miller	1	March 2016 September 2017	September 2017 September 2019	September 2019 September 2021	September 2021 September 2023	
Karen Diaz (Appointed Chair October 2021-current)	2	October 2017 September 2018 (P)	September 2018 September 2020	October 2020 September 2022		
Kerim Jacaman (Appointed Vice-Chair October 2021-current)	3	July 2019 September 2020	October 2020 September 2022			
Vacant	4	Term expires September 2023				
Michael Crow	5	March 2022 September 2023				
Roy Leatherberry	6	September 2021 September 2023				
Darren Bates	7	April 2022 September 2022 (P)				

(P)= Partial term of less than ½ the term remaining

Paul Davis Park Bike Racks

Noah Bliss

A large, solid dark blue shape that starts from the bottom left corner and extends diagonally upwards towards the right, covering the bottom half of the slide.

My project and why

My project will be to fundraise for, assemble, and install bike racks at Paul Davis Park.

This project will be beneficial to the city because at the moment, there is no place to stand up bikes at the park, so they are littered around the grass. By installing these racks, the park will become a safer and cleaner place for the community.

Plan

- Fundraise by asking for donations from friends and family
- Purchase the items
- Find volunteers
- Drill the holes
- Workday
 - Safety briefing
 - Assign roles
 - Assemble racks
 - Mix concrete
 - Set racks and pour concrete
 - Set up 2x4s to hold in place
 - Set up cones around to keep people away from them

Materials/supplies

- Concrete (8-10 bags) - \$50
- 1 7-bike capacity rack - \$211
- 1 5-bike capacity rack - \$180
- Water cooler (I will provide) - \$0
- First aid kit (I will provide) - \$0
- Gloves (volunteers bring their own) - \$0
- Food - \$60
- \$50 shipping
- Shovels (volunteers bring one and I have extras) - \$0
- Wheelbarrow to mix concrete (I will provide) - \$0
- Screwdriver (I will provide) - \$0
- Hose (at park or I will bring one) - \$0
- Level (I will provide) - \$0
- Wood to prop up after set (I will provide) - \$0

Total: \$551

Safety

Some potential issues are:

- Insect bites
- Heat
- Injuries from stepping into holes
- Injuries from heavy objects

I will prevent these by informing my volunteers, having a first aid kit, and making sure they are drinking lots of water.

October 2022

Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday
						1
2	3	4 NATIONAL NIGHT OUT	5 <i>TML Conference</i> Regularly Scheduled City Council Meeting	6 <i>TML Conference</i>	7 <i>TML Conference</i>	8
9	10 CITY HOLIDAY CITY HALL AND LIBRARY CLOSED	11	12 Planning and Zoning Commission Meeting	13	14	15
16	17	18 Water Commission Meeting	19	20	21	22
23 Polling Location 30	24 Polling Location Polling Location 31	25 County Early Voting Polling Location	26 County Early Voting Polling Location	27 County Early Voting Polling Location Municipal Court	28 County Early Voting Polling Location	29 County Early Voting Polling Location

ORDINANCE NO. 54-092022

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN RIDGE, TEXAS, ADOPTING A COMPREHENSIVE WATER COMPANY FOR THE CITY OF GARDEN RIDGE; PROVIDING DEFINITIONS AND STATEMENT OF ORGANIZATION; ESTABLISHING A WATER COMMISSION, GENERAL POLICIES, REGULATIONS AND RULES, AND RATES AND BILLING CYCLES; PROVIDING FOR A PENALTY; PROVIDING FOR SEVERABILITY; AND DECLARING AN EFFECTIVE DATE.

WHEREAS, the City Council hereby adopts a formal set of policies and procedures for the establishment and operation of a municipal water company for the City of Garden Ridge, Texas; and

WHEREAS, the City Council has determined that maintenance and collection of service within state law is necessary for the public health of the citizens and the protection of the environment and natural resources of the City; and

WHEREAS, the City Council finds that City of Garden Ridge Water Company will comply with all TCEQ requirements; and

WHEREAS, the City Council finds that the proposed revisions promote the health, safety and welfare of the City and Ordinance No. 54 is amended as contained herein.

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. ORDINANCE REVISIONS.

Ordinance No. 54 is revised and provided for below:

<u>TABLE OF CONTENTS</u>	<u>PAGE</u>
<u>SECTION 1 -- FINDINGS</u> -----	1
<u>SECTION 2 -- ORDINANCE REVISIONS</u> -----	1
<u>SECTION 3 -- DEFINITIONS</u> -----	7-14
<u>SECTION 4 -- ORGANIZATION</u> -----	14
4.01 -- Statement of Organization	
4.02 -- The Water Commission	

Water Mains are water pipes installed to carry water to the customer's property, including all fittings, such as T's, crosses, elbows, fire hydrants, valves, etc., needed to install a proper extension system.

Water System Improvements means the laying of a water main with gates, tees, crosses, taps, meter boxes, manholes or extensions, and any appurtenances required to furnish water for domestic or commercial purposes to the area in which the improvements are constructed, but does not include any off-site appurtenances required to connect the improvements to the existing water system operated by the municipality.

Water System Manager means this person is invested with the authority and responsibility for the implementation of an effective cross-connection control program and for the enforcement of the provisions of this section.

SECTION 4. ORGANIZATION.

4.01 -- STATEMENT OF ORGANIZATION.

The City of Garden Ridge Water Department is a municipally-owned public utility established for the purpose of furnishing a water supply for domestic residential use, business use, and general farm use in the City of Garden Ridge, the extraterritorial jurisdiction of the City of Garden Ridge, as well as areas outside the extra-territorial jurisdiction of the City of Garden Ridge where no Certificate of Convenience and Necessity is held by another water supply system.

4.02 -- THE WATER COMMISSION.

There is hereby created and established a Water Commission which shall be composed of **seven (7) members** who shall be City residents appointed by the City Council. A quorum for the conduct of business shall consist of four (4) members of the Commission. Members of the Commission are subject to Ordinance No. 210, as amended, for uniform policies and procedures for boards and commissions. In addition to the seven (7) members of the Commission, the Mayor of the City of Garden Ridge will serve as an ex-officio member.

The purpose of the Commission is to govern the operation of the City-owned water system and to ensure that the water system meets regulatory requirements established by federal, state, and other regulatory agencies for municipally owned water systems. The Commission will be governed by and will report to the City Council, with City Council having sole authority to approve water policy and all changes to this Water Ordinance. All changes to this Water Ordinance will be designed to govern the supplying and taking of water service in such a manner as will secure for each consumer the greatest possible latitude in the enjoyment of the service that is consistent with good practice and safety to other consumers.

SECTION 5. APPLICABILITY OF ORDINANCE.

5.01 -- RELEVANCE OF ORDINANCE.

All provisions of this Ordinance shall be deemed to be incorporated into every contract between the Water Department and its water customers and each customer shall be charged with knowledge of the provisions of this Ordinance and, by applying for and accepting water service from the Water Department shall be deemed to have acceded to the provisions of this Ordinance.

16.06 -- METER TEST ON REQUEST OF THE CUSTOMER.

Upon request of a customer, the Water Department shall test the accuracy of the customer's meter. The test shall be made at the Water Department's test facility. If it is found that the meter does not register in error more than two (2) percent fast, the customer shall pay the amount as set forth in Section 27.05 (L) for making the test and no adjustment of the charges shall be made. If the meter should register more than two (2) percent fast, the consumer shall pay no fee for the meter test and the Water Department shall make appropriate adjustments in the water service charges. Following the completion of any required test, the Water Department shall promptly advise the customer of the date of removal of the meter, and date of the test, the result of the test, and who made the test.

16.07 -- ADJUSTMENT TO BILL

- a) Fast Meter: Whenever any meter tested by the Water Department is found to have an average error of more than two (2) percent fast (in the Water Department's favor), a refund or credit will be issued to the customer for an overcharge based upon previous usage. An overcharge will not be adjusted for a time period longer than three months prior to the testing and only to the present meter owner.
- b) Non-Registering Meter: When a meter is found not to register for any period, unless bypassed or tampered with, the Water Department shall assess the minimum water bill charges to the customer for the billing period and will take immediate action to repair or replace the defective meter.
- c) Water Loss Adjustment: Upon request from a water customer, the City may authorize a partial reduction to a water bill for an unexpected high-water usage resulting from a water loss, such as a leak or criminal activity. Water customers must notify the Utilities Department no later than the due date of the water bill that a Water Loss adjustment will be requested. After notification to the Utilities Department, the water customer must submit a Water Loss Adjustment Request form (Appendix "F") with supporting documentation within 90 days to the Water Department. Water usage resulting from a qualified water loss will be charged at the second-rate tier. All non-qualifying water usage will be charged according to the rate structure in effect during the billing period. Any water loss adjustment spanning more than one billing period shall be considered a single event unless compelling evidence suggests otherwise. The Utilities Department will review each request and investigate the circumstances of each claim. Requests for water loss adjustments that extend 6 months beyond the billing period in which the water loss was detected will not be considered.
 1. If the water loss is determined to be the responsibility of the City in part or in full, the Public Works Director shall adjust the customer's water bill by crediting the amount of water usage determined to be the City's responsibility.
 2. If a qualifying water loss is determined not the responsibility of the City, the Public Works Director may approve a reduction of the customer's water bill up to \$250.00. If a qualifying water loss would result in larger credit, the customer may opt to accept in writing the \$250.00 credit as full settlement, or the request will be forwarded to the Water Commission for review and action.

3. If the Public Works Director determines that the water loss adjustment request lacks sufficient information to complete an investigation, the customer will be notified and allowed to submit additional information within a reasonable time period, but not longer than 45 days. If the Public Works Director cannot establish a qualifying water loss, or substantiate the volume of the qualifying water loss, the Public Works Director shall deny the request and inform the customer of the specific reasons for the denial. The Public Works Director will inform the customer of their right to have their request reviewed by the Water Commission and will forward the request for action if the customer so elects.
4. The Water Commission will review water loss adjustment requests at regularly scheduled meetings. Customers with pending water loss adjustment requests shall be informed of the date, time, and place where their request will be heard, and encouraged to attend in person or remotely, or to submit written statements. The Commission may consider the totality of facts and circumstances and determine whether or not a qualifying loss occurred, and if so the amount of the loss. In making its determination, the Commission shall consider the interests of the requesting customer, the interests of all other Utilities Department customers, and the impact on the Utilities Department, seeking to equitably balance these interests. The Commission will adopt findings and recommendations by majority vote. If the Commission finds that a water loss did not occur, or that the amount of such loss cannot be reasonably established, then no recommendation for adjustment may be made and the customer will be informed of their right to appeal to the City Council. If the Commission finds that a qualifying loss did occur, then the Commission may make a recommendation for adjustment based on the potential amount of the adjustment as follows. Water loss adjustments up to \$500.00 can be recommended to the City Administrator for action. Adjustments over \$500.00 will be forwarded to City Council for review and action. Upon recommendation from the Commission, the City Administrator can approve a Water Loss adjustment up to a maximum of \$500.00 or elect to forward the recommendation to City Council for review. When the Commission recommends a Water Loss Adjustment greater than \$500.00, the City Administrator may offer an adjustment of \$500.00 in lieu of City Council review and action. The customer must accept the adjustment as full settlement in writing.
5. All water loss adjustment requests and actions will be reported to the Water Commission and City Council in the Utilities Department Monthly Report.
6. Water loss adjustments will only be considered qualified if:
 - i. the billed usage amount is greater than 40,000 gallons; and
 - ii. water loss is repaired or corrected; and
 - iii. the water was shut off, if reasonably possible after detection; and
 - iv. all information for a thorough investigation is submitted to the Utilities Department in a timely manner.
7. No water loss adjustment will be made if:
 - i. reasonable indications of a leak existed, customer was notified of a leak (this includes AMI system notifications), and customer did not shut off the water or repair the leak in a timely manner; or

- ii. water loss resulted from customer's violation of Ordinance No. 54, Ordinance No. 61, or plumbing code adopted by the City; or
 - iii. reasonable indications show that a leak continues to exist; or
 - iv. excessive use in lawn irrigation systems as a result of programming errors or controller malfunctions; or
 - v. any water loss associated with the construction of residences or non-residential buildings that occur during construction.
8. If the amount of the water loss cannot be determined, any water loss adjustment should be based upon the average of the same month over the last 3 years (if available) or the highest consumption month in the last 12 months.

16.08 -- RE-READING OF METERS.

The Water Department will re-read a customer's meter upon request of the customer. If the reading is determined to be in error, the Water Department will make the necessary adjustment. No charge is made for re-reading the meter unless the Water Department determines that there is no basis for such requested re-reading.

SECTION 17. CROSS CONNECTION CONTROL.

17.01 -- GENERAL POLICY.

a) PURPOSE

1. To protect the public potable water supply of the City of Garden Ridge, Texas from the possibility of contamination or pollution by isolating within the customer's internal distribution system(s) or the customer's private water system(s) such contaminants or pollutants that could backflow into the public water system.
2. To promote the elimination or control of existing cross connections, actual or potential, between the customer's implant potable water system(s) and non-potable water systems, plumbing fixtures, and industrial piping systems.
3. To provide for the maintenance of a continuing program of cross-connection control that will systematically and effectively prevent the contamination or pollution of all potable water systems.

- b) RESPONSIBILITY. The Water System Manager shall be responsible for the protection of the public potable water distribution system from contamination or pollution due to the backflow of contaminants or pollutants through the water service connection. If, in the judgment of said System Manager an approved backflow prevention assembly is required at the customer's water service connection; or, within the customer's private water system for the safety of the water system, the System Manager or his/her designated agent shall give notice in writing to said customer to install such an approved backflow prevention assembly(s) at his/her own expense; and, failure, refusal, or inability on the part of the customer to install, have tested, and maintain said assembly(s) shall constitute grounds for discontinuing water service to the premises until such requirements have been satisfactorily met.

17.03 -- REQUIREMENTS

a) WATER SYSTEM

- c) Existing beds and /or patios in existence at the time of passage of this ordinance are not eligible.
- d) Patioscape must be at least 200 contiguous feet.
- e) Patioscape must be at least 10 feet wide and cannot be used to create a pathway/walkway.
- f) Foundation for patioscape must be free of debris and be of a hard packed, pervious sub-soil.
- g) Patioscape must be flagstone, steppingstones or pavers. No other materials can be substituted.
- h) A pre inspection of the patioscape location and post inspection of the patioscape must be conducted by the Water Manager.

SECTION 38. CUMULATIVE AND SAVINGS.

This Ordinance is cumulative of all provisions of ordinances of the City of Garden Ridge, Texas, 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. All previous versions of this Ordinance to the extent that they are in conflict herewith are repealed.

SECTION 39. SEVERABILITY.

The provisions of this Ordinance are declared to be severable. If any section, sentence, clause, or phrase of the Ordinance shall for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decisions shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance, but they shall remain in effect; it being the legislative intent that this Ordinance shall remain in effect notwithstanding the validity of any part. In the event that changes are made to state law, the provisions of state law will govern in the event of a conflict.

SECTION 40. EFFECTIVE DATE.

This Ordinance shall take effect immediately upon its passage, approval, and publication according to law.

PASSED AND APPROVED ON this 7th day of September, 2022.

Robb Erickson
Mayor

ATTEST:

Marisa Spencer
City Secretary

APPENDIX “F”
WATER LOSS ADJUSTMENT REQUEST

For Office Use Only
_____-____W

To Be Completed By Customer

Name: _____ Phone: _____

Address: _____ Email: _____

Billing Period: _____ Bill Amount: _____

Please provide the date(s) of the water loss: _____

Was your water usage over 20,000 gallons? Circle: YES or NO

Are you aware of any other high usage on this bill? _____

Do you suspect criminal activity? Circle: YES or NO ***If yes, please submit a copy of your Police Report.***

If the leak was caused by someone else, have you put in a claim to recover the money from the responsible party? _____

What corrective measures/repairs have been made? Please provide documentation/receipts/pictures.

Do you still have a leak on your property? _____

Have you created a login for the AMI Customer Portal to view your usage and receive proper notifications? Circle: YES or NO

When were you first aware there was a leak? And how did you discover the leak? _____

How quickly was the leak repaired after discovery? _____

What are you specifically requesting of the Water Department? _____

Signature

Date

Please attach supporting documentation to this page.

To Be Completed By Water Department

Bill Amount: _____ Average Bill Amount: _____

Date Received: _____ Received By: _____

Historic Usage and Analysis: _____

Customer History of Requests: _____

Public Works Director Review and Comments: _____

Additional information requested: _____ Date Requested: _____

Additional Information submitted: _____ Date Received: _____

Amount Approved: _____

Disapproved: _____

Referred to Water Commission: _____

Public Works Director or Designee Signature

Date

Water Commission Recommendation: _____

Referred to City Administrator: _____ Date: _____

Referred to City Council: _____ Date: _____

Reason referred to City Council: _____

Water Commission Chair

Date

City Council Action: _____

Amount Approved: _____

Mayor

Date



City of Garden Ridge

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

August 2, 2022

To: Mayor Erickson and the City Council

From: City Administrator Cain

In accordance with Ordinance 34 the City Council must set an annual fee for a Partial Exemption Permit for blasting. The fee assessed for the permit issued in fiscal year 2022 was \$28,529.31. It is recommended that the Partial Exemption Permit fee for fiscal year 2023 be increased by 5%. The proposed increase equates to a permit fee of \$29,955.77. The 5% increase offsets the administrative costs incurred by the City as it relates to administrative support associated with blasting that will occur at the Quarry during the 2023 fiscal year.

Respectfully,

Nancy Cain

City Administrator



Buckley Powder Co.

A Dyno Nobel Distributor

P.O. Box 1358 Georgetown, TX 78628 USA Telephone 512-869-0287 Fax: 512-819-9906

DYNO
Dyno Nobel

July 26, 2022

City Administrator
City of Garden Ridge
9400 Municipal Parkway
Garden Ridge, TX 78266

To whom it may concern:

Buckley Powder Company would like to be considered for a Partial Exemption Permit with the City of Garden Ridge. We have four gentlemen that will be our representatives for the purpose of this application, Mr. Steve Ezell, Mr. Riley Pumphrey, Mr. Darryl Borg, and Mr. Dustin Althoff. The complete contact information for these gentlemen is as follows:

Steve Ezell, Health & Safety Manager [REDACTED]
[REDACTED]

Riley Pumphrey, General Manager [REDACTED]
[REDACTED]

Darryl Borg, Senior Technical Representative [REDACTED]
[REDACTED]

Dustin Althoff, Technical Representative [REDACTED]
[REDACTED]

Buckley Powder Company
6305 N. IH-35
New Braunfels, TX 78130

Buckley Powder will be blasting for the crushed stone operation of Lehigh Hanson Aggregates for the 2023 fiscal year. If you have any questions or concerns, please feel free to contact me or Mr. Borg.

Sincerely,

Dustin Althoff
Technical Representative



Buckley Powder Co.

A Dyno Nobel Distributor

P.O. Box 1358 Georgetown, TX 78628 USA Telephone 512-869-0287 Fax: 512-819-9906

DYNO
Dyno Nobel

Date: July 26, 2022

TO: City of Garden Ridge

CC: Steve Ezell, Riley Pumphrey, Darryl Borg

From: Dustin Althoff
Technical Representative
Buckley Powder Company

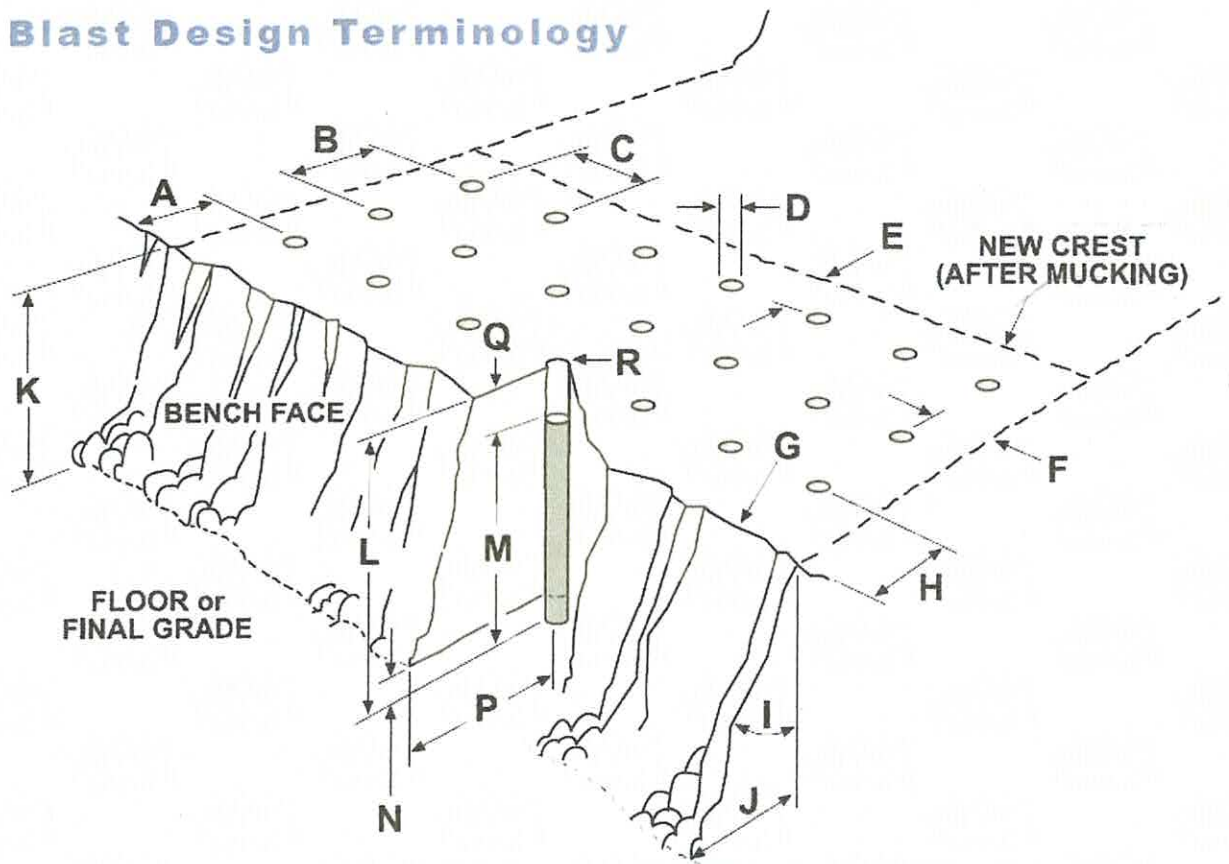
All Buckley Powder blasters are required to attend at least 40 hours of classroom training and testing to ensure they have a complete understanding of these procedures. Along with classroom training, they are provided extensive field training before ever actually being assigned duties as a lead blaster.

The City of Garden Ridge has been supplied a copy of the Open Pit Blaster Training. This course provides a thorough understanding of the fragmentation process and how to minimize vibration and air over pressure which may affect the surrounding community. Blasters are taught all calculations necessary to safely obtain the production goals of the customer while minimizing the environmental effects. Once again they must pass written tests in the classroom and are audited in the field to ensure they are following these calculations and procedures. As new and improved techniques are introduced to the industry, blasters are brought in to be trained on the new information as well as refreshed on previous topics.

Buckley Powder now blasts approximately 30,000,000 tons of rock per year in the San Antonio – New Braunfels area. Our blasters and technical staff are very familiar with the geological abnormalities which must be addressed to keep environmental effects to a minimum. The included documents are quite lengthy – so we will list below the typical process involved for blasting in the Edwards Aquifer area.

Included on the next page is an illustration of a typical bench to be blasted and the terminology for many of the parameters considered in the design of the blast.

Blast Design Terminology



A	Hole - to - Crest	G	Crest	M	Explosive Column Height
B	Apparent Burden*	H	Crest Burden	N	Subdrilling
C	Apparent Spacing*	I	Bank Angle	P	Toe Burden
D	Hole Diameter	J	Toe	Q	Stemming Height
E	Back Break	K	Bench Height	R	Collar
F	Side Break	L	Hole Depth		

* True Burden and True Spacing may be different than Apparent Burden and Apparent Spacing due to delay pattern.

We teach our blasters that there are four things which occur when rock is blasted :

- The rock is broken or fragmented
- There is a heaving affect
- Vibration is created
- Air overpressure is created

If a blast is properly designed, the energy of the explosives will be used to do the first two in the list and there will be less energy left to create vibration and air overpressure. Thus the correct pattern to properly distribute the energy through the rock is the first important consideration. We know from experience how many pounds of explosives per cubic yard or ton of rock (powder factor) will give satisfactory fragmentation. If we under load a blast, it may actually create higher vibration. Extensive research calculations have been developed which aids in predicting

vibration at a given distance based on the pounds of explosives detonated at 8 millisecond intervals. Based on the two above factors a blast pattern can be determined.

Laying out the blast pattern

As illustrated in the diagram, previous blasting will create a face which many times will be irregular; depending on the local geology. A two dimensional laser profiler will be used to determine at what distance from the crest holes should be placed in order to have the proper burden (amount of rock in front of the hole). There will be times when geological abnormalities may be observed and require the holes to have additional burden placed on them in order to minimize any venting of energy through the various seams; which may increase air overpressure. If this is necessary the spacing between holes in this row will be reduced to maintain the proper powder factor. The location of each hole is marked by the blaster.

Drilling

The driller will be given documentation of the pattern. This will include a diagram of the hole locations. The required depth of the holes will be indicated. Depths are determined from the initial data from the laser profiler. In order to properly break the rock at the bottom of the hole, the holes will be drilled slightly deeper than the actual bench height. In areas of vibration concern, this subdrill should be kept to a minimum. Excessive subdrill tends to increase vibration due to the over confinement in this area of the blast. The driller will be asked to provide a log of each hole. These logs will provide information concerning variations in geology; with the depths of these variations noted. This is very important data which aids the blaster in making determinations on how the hole should be loaded.

Loading the blast pattern

Before the blast is loaded, a three dimensional auto scan laser profiler will be used. This unit allows the exact location of each hole to be surveyed. It then can be set up to scan the face and collect upwards of 100,000 data points. If there are any "divots" in the face that requires more refinement of resolution, additional points can be scanned in that area. Various reports will be generated from the data, which will aid the blaster in determining what must be done to eliminate problems (examples included at the end). The most important of these reports are the actual profiles of each front row borehole. These profiles show the exact burden in front of the hole. The software can also be set to look a predetermined distance on either side of the hole for any lesser burdens which might be influenced by this hole. With these reports in hand, the blaster will visually examine the face one more time and make notes on the print outs of any variations in the loading which should take place.

All holes will be checked for proper depth. If any have excessive subdrill which may increase vibration, they will be backfilled to the proper depth. Detonators and cast boosters will be placed in the holes as needed and the hole will be loaded with bulk explosives. The blaster will monitor the rise of the product in the hole. If there any abnormalities such as cracks and voids the powder will stop rising and the blaster will immediately stop to address the issue. In most cases an inert material such as crushed stone will be placed in this area of the borehole to avoid the accumulation of excess explosives. Trucks are equipped with meters as an added check to ensure the proper amount of explosives is being placed in each hole. In the cases where a full column may be too large to maintain the desired vibration level; the load in the hole may be divided into smaller charges separated by inert material. These smaller charges will be timed to detonate separately to reduce vibration. If seams of softer material or clay have been noted on

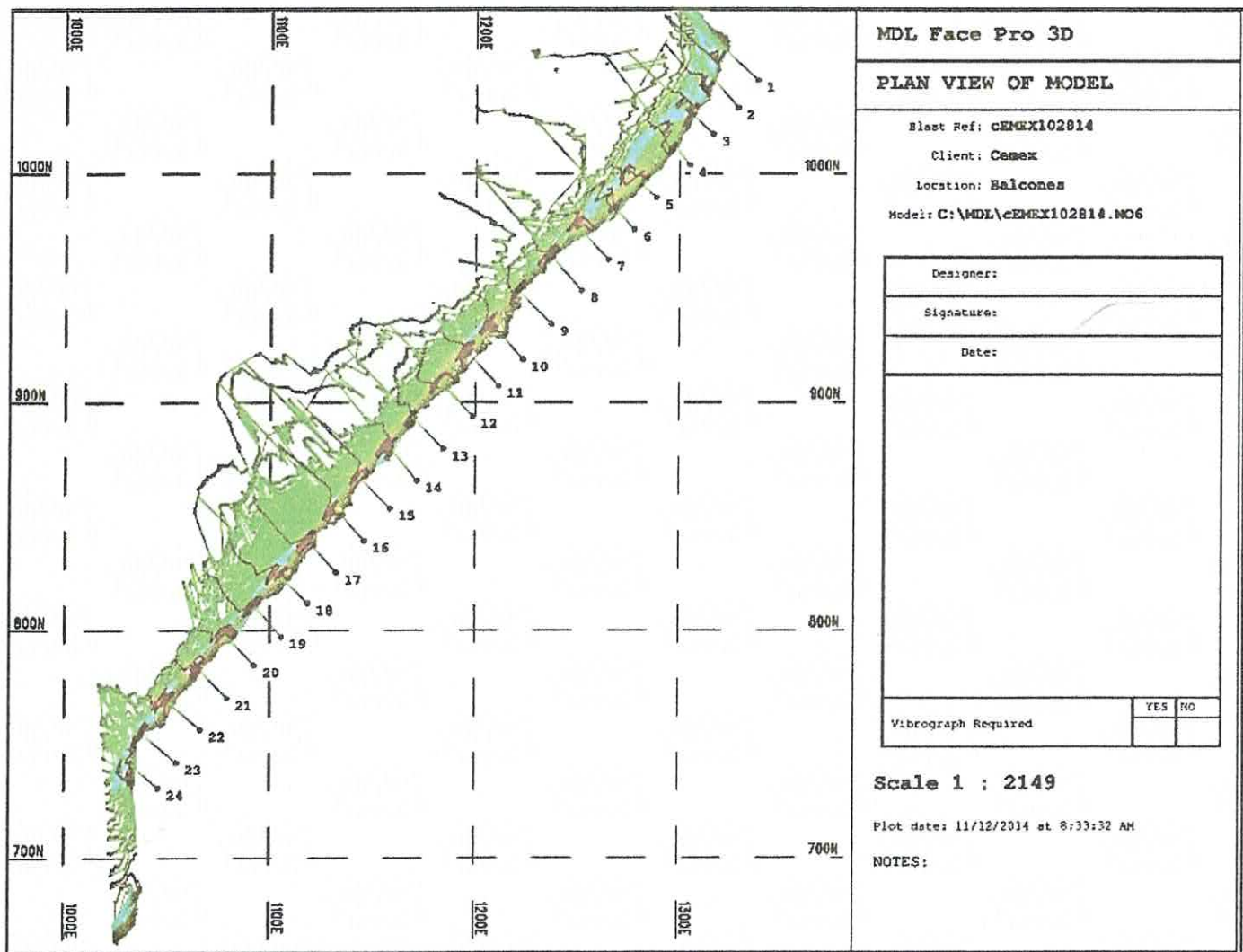
drill logs or observed by the blaster as he inspects the face; inert material will be placed in that area of the column to prevent venting which may increase air overpressure and noise. The powder column will be stopped at a predetermined distance from the top of the hole. This is called the stemming area and will be filled with crushed stone to create confinement at the surface.

Electronic Detonators

The development of electronic detonators has greatly improved the ability of our industry to reduce vibration from blasting. The accuracy of these detonators has allowed us to be very predictive as to our end results. Software has been developed which allows us to blast one hole, collect the vibration data; apply that data to a multiple hole scenario; and with a fair amount of accuracy predict what the results will be from that blast. The software we have allows us to enter the exact parameters of a particular blast pattern, and see what the vibration should be based of various timing sequences. Though our vibration levels are never close to a level which will do damage to a structure, we can many times find a sequence which is less perceivable and acceptable to the community.

Conclusion

There are few places left where our customers have not had developments build around them. Buckley Powder has been very successful helping those customers deal with community concerns. We take great pride in our education program for our personnel concerning safety and technology. If you have further questions concerning our procedures, please contact us.



Aerial view of blast pattern created from 3D profile software



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
06/28/2022

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Marsh USA Inc. 2929 Allen Parkway, Suite 2500 Houston, TX 77019 CN102019137-CAS-22-23	CONTACT NAME: Darla Mensik	FAX (A/C, No):	
	PHONE (A/C, No, Ext):	E-MAIL ADDRESS: Darla.Mensik@marsh.com	
INSURED Buckley Powder Company 42 Inverness Drive E Englewood, CO 80112	INSURER(S) AFFORDING COVERAGE		NAIC #
	INSURER A : Starr Indemnity & Liability Company		38318
	INSURER B : American Guarantee and Liability Insurance Company		26247
	INSURER C : N/A		N/A
	INSURER D :		
	INSURER E :		
INSURER F :			

COVERAGES **CERTIFICATE NUMBER:** HOU-003623519-10 **REVISION NUMBER:** 5

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☒ PROJECT ☒ LOC ☐ OTHER:			1000090348221	07/01/2022	07/01/2023	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY			1000198724221	07/01/2022	07/01/2023	COMBINED SINGLE LIMIT (Ea accident) \$ 2,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
B	☒ UMBRELLA LIAB ☒ OCCUR			AUC3793061-14	04/01/2022	04/01/2023	EACH OCCURRENCE \$ 9,000,000
A	☒ EXCESS LIAB ☐ CLAIMS-MADE			1000095505221 3m XS over Auto	04/01/2022	04/01/2023	AGGREGATE \$ 9,000,000
	☐ DED ☐ RETENTION \$						\$
A	☒ WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below		N/A	1000002255	07/01/2022	07/01/2023	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

Subject always to policy terms, conditions and exclusions, Certificate Holder is named as Additional Insured (excluding Workers' Compensation and Employers' Liability) but only to the extent of risks and liabilities assumed by the Named Insured in a signed written contract. Subject always to policy terms, conditions and exclusions, Waiver of Subrogation is granted in favor of Certificate Holder but only to the extent of risks and liabilities assumed by the Named Insured in a signed written contract. General Liability is primary & Non-Contributory as per Heidelberg insurance requirements. Excess Liability is follow form over General Liability.

CERTIFICATE HOLDER

Hanson Aggregates LLC
c/o Avetta LLC
PO Box 51387
Irvine, CA 92619

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

Marsh USA Inc.

© 1988-2016 ACORD CORPORATION. All rights reserved.

Lehigh Hanson Materials South LLC

Servtex Quarry
21303 FM 2252
P.O. Box 311535
New Braunfels, TX 78132
Phone (940) 233-0642

Email: [REDACTED]

July 28, 2022

Nancy Cain
City Administrator
City of Garden Ridge
9500 Municipal Parkway
Garden Ridge, TX 78266-2600

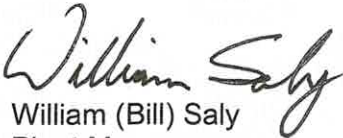
Re: Partial Exemption Permit – Buckley Powder

Dear Nancy:

We have asked Buckley Powder to re-apply for a Partial Exemption Permit for blasting within the City limits of Garden Ridge per Ordinance 34 for the fiscal year of 2023 (October 1, 2022 to September 30, 2023).

We have attached the Property Tax map for the Servtex Quarry. We will assist with any necessary documentation for this permit.

Please feel free to contact me directly for any further assistance.


William (Bill) Saly
Plant Manager

STATE OF TEXAS

§

COUNTY OF Guadalupe

§

ACKNOWLEDGEMENT

§

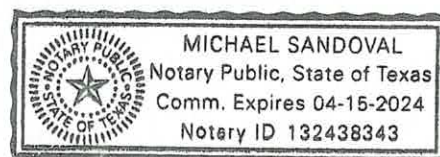
The foregoing instrument was acknowledged before me on the 28 day of July, 2022, by William Saly for the purposes and consideration therein expressed.

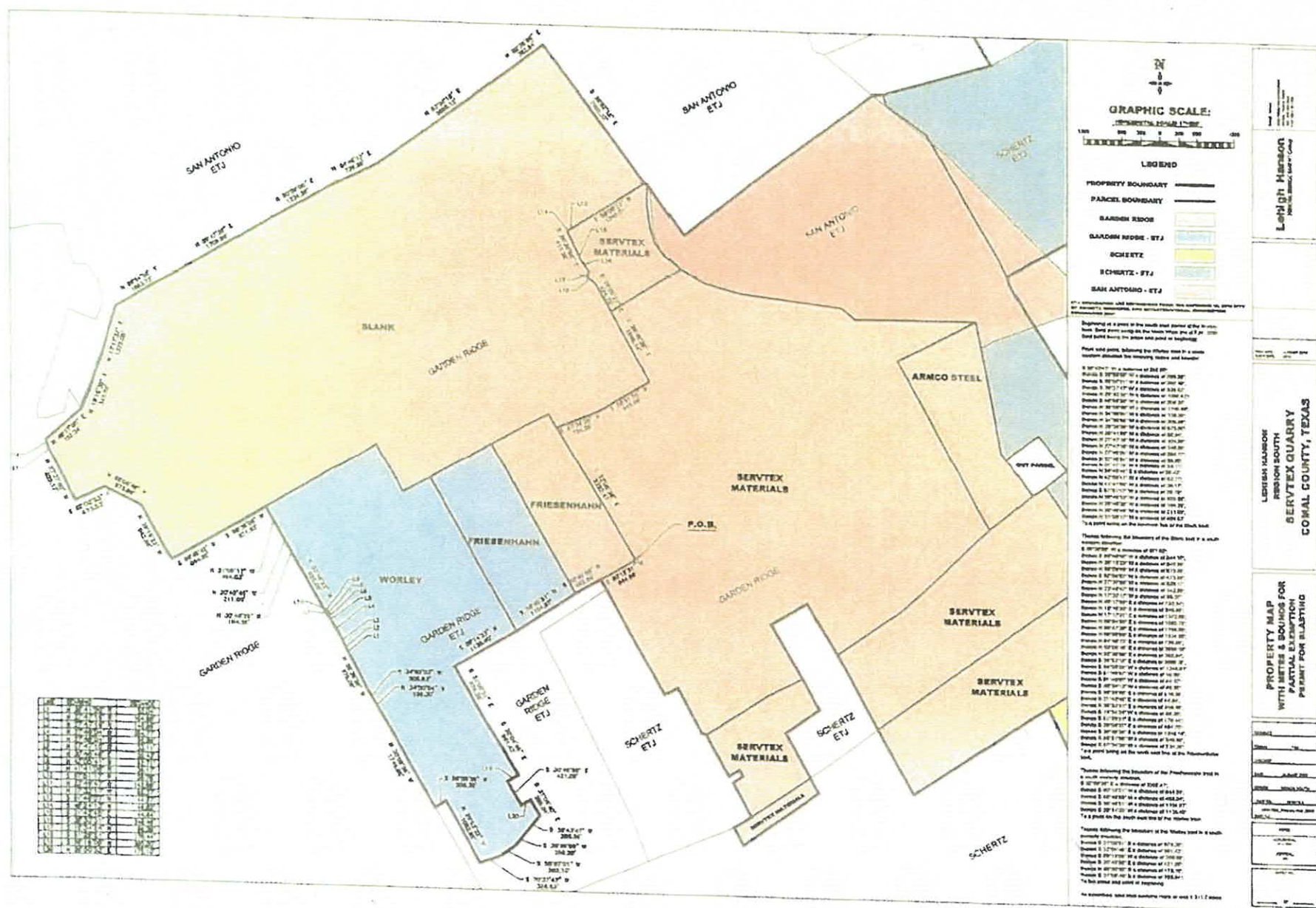
Given under my hand and official seal.


Notary Public, State of Texas

(Seal)

Cc: Clayton Mears, Lehigh Hanson
Lalit Bhatnagar, Lehigh Hanson
Pierre Leversque, Buckley Powder
Dustin Athoff, Buckley Powder





In accordance with the provisions of Title XI, Organized Crime Control Act of 1970, and the regulations issued thereunder (27 CFR Part 555), you may engage in the activity specified in this license or permit within the limitations of Chapter 40, Title 18, United States Code and the regulations issued thereunder, until the expiration date shown. **THIS LICENSE IS NOT TRANSFERABLE UNDER 27 CFR 555.53.** See "WARNINGS" and "NOTICES" on reverse.

Direct ATF ATF - Chief, FELC
Correspondence To 244 Needy Road
 Martinsburg, WV 25405-9431

License/Permit
Number **5-TX-091-20-5J-01236**

Chief, Federal Explosives Licensing Center (FELC)

Expiration
Date **September 1, 2025**

Name
BUCKLEY POWDER CO

Premises Address (Changes? Notify the FELC at least 10 days before the move.)

**6305 IH 35 NORTH
NEW BRAUNFELS, TX 78130-**

Type of License or Permit

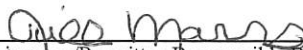
20-MANUFACTURER OF EXPLOSIVES

Purchasing Certification Statement

The licensee or permittee named above shall use a copy of this license or permit to assist a transferor of explosives to verify the identity and the licensed status of the licensee or permittee as provided by 27 CFR Part 555. The signature on each copy must be an original signature. A faxed, scanned or e-mailed copy of the license or permit with a signature intended to be an original signature is acceptable. The signature must be that of the Federal Explosives Licensee (FEL) or a responsible person of the FEL. I certify that this is a true copy of a license or permit issued to the licensee or permittee named above to engage in the business or operations specified above under "Type of License or Permit."

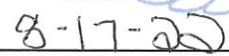
Mailing Address (Changes? Notify the FELC of any changes.)

BUCKLEY POWDER CO
42 INVERNESS DRIVE EAST
ENGLEWOOD, CO 80112-


Licensee/Permittee Responsible Person Signature


Position/Title


Printed Name


Date

Previous Edition is Obsolete BUCKLEY POWDER CO:6305 IH 35 NORTH:78130-5-TX-091-20-5J-01236:September 1, 2025:20-MANUFACTURER OF EXPLOSIVES

ATF Form 5400.14/5400.15 Part I
Revised September 2011

Federal Explosives License (FEL) Customer Service Information

Federal Explosives Licensing Center (FELC)
244 Needy Road
Martinsburg, WV 25405-9431

Toll-free Telephone Number: (877) 283-3352
Fax Number: (304) 616-4401
E-mail: FELC@atf.gov

ATF Homepage: www.atf.gov

Change of Address (27 CFR 555.54(a)(1)). Licensees or permittees may during the term of their current license or permit remove their business or operations to a new location at which they intend regularly to carry on such business or operations. The licensee or permittee is required to give notification of the new location of the business or operations not less than 10 days prior to such removal with the Chief, Federal Explosives Licensing Center. The license or permit will be valid for the remainder of the term of the original license or permit. **(The Chief, FELC, shall, if the licensee or permittee is not qualified, refer the request for amended license or permit to the Director of Industry Operations for denial in accordance with § 555.54.)**

Right of Succession (27 CFR 555.59). (a) Certain persons other than the licensee or permittee may secure the right to carry on the same explosive materials business or operations at the same address shown on, and for the remainder of the term of, a current license or permit. Such persons are: (1) The surviving spouse or child, or executor, administrator, or other legal representative of a deceased licensee or permittee; and (2) A receiver or trustee in bankruptcy, or an assignee for benefit of creditors. (b) In order to secure the right provided by this section, the person or persons continuing the business or operations shall furnish the license or permit for that business or operations for endorsement of such succession to the Chief, FELC, within 30 days from the date on which the successor begins to carry on the business or operations.

(Continued on reverse side)

Cut Here ✂

Federal Explosives License/Permit (FEL) Information Card

License/Permit Name: **BUCKLEY POWDER CO**

Business Name:

License/Permit Number: **5-TX-091-20-5J-01236**

License/Permit Type: **20-MANUFACTURER OF EXPLOSIVES**

Expiration: **September 1, 2025**

Please Note: Not Valid for the Sale or Other Disposition of Explosives.



NOTICE OF CLEARANCE

for individuals transporting, shipping, receiving, or possessing explosive materials.

ISSUED TO: BUCKLEY POWDER CO

Federal Explosives license/permit no.: 5-TX-091-20-5J-01236

NOTICE DATE: 08/09/2022

Expiration Date: **September 1, 2025**

Explosives License/Permit Type: 20-MANUFACTURER OF EXPLOSIVES

EXPIRATION DATE: This Notice expires when superseded by a newer Notice which will list all current responsible persons and employee possessors, or when the license or permit expires - whichever comes first.

- 1 WARNING.** Only those individuals listed below as **RESPONSIBLE PERSONS** and **EMPLOYEE POSSESSORS** with a background clearance status of "CLEARED" or "PENDING" are authorized to transport, ship, receive, or possess explosive materials in the course of employment with you.
- 2 "DENIED" STATUS.** If an employee possessor has a background clearance status of "DENIED", you **MUST** take immediate steps to remove the employee from a position requiring the transporting, shipping, receiving, or possessing of explosive materials. Also, if the employee has been listed as a person authorized to accept delivery of explosive materials, you **MUST** remove the employee from such list and immediately, and in no event later than the second business day after such change, notify distributors of such change, as stated in 27 CFR 555.33(a).
- 3 CHANGE IN RESPONSIBLE PERSONS.** You **MUST** report any change in responsible persons to the Chief, Federal Explosives Licensing Center, within 30 days of the change and new responsible persons **MUST** include "appropriate identifying information" as defined in 27 CFR 555.11. Fingerprints and photos are **NOT** required, however they will be required upon renewal of the license or permit.
- 4 CHANGE OF EMPLOYEES.** You **MUST** report any change of employee/possessors to the Chief, FELC, within 30 days. Reports relating to newly hired employees must be submitted on ATF Form 5400.28 for EACH employee.

Premises Address: 6305 IH 35 NORTH
NEW BRAUNFELS, TX 78130

Mailing Address:
BUCKLEY POWDER CO
42 INVERNESS DRIVE EAST
ENGLEWOOD, CO 80112

This 'Notice of Clearance' is provided to you as required by 18 U.S.C. 843(h) and **MUST** be retained as part of your permanent records and be made available for examination or inspection by ATF officers as required by 27 CFR 555.121. If you receive a Notice subsequent to this Notice, this Notice will no longer be valid.

In accordance with 27 CFR 555.33, Background Checks and Clearances, and 27 CFR 555.57, Change of Control, Change in Responsible Persons, and Change of Employees, ATF's Federal Explosives Licensing Center (FELC) has conducted background checks on the individual(s) you identified as a responsible person(s) and an employee/possessor(s) on your application, or reported after the issuance of your license/permit.

The following is a SUMMARY of the results of the background checks conducted on the individuals you reported as responsible persons and employee/possessors. ATF will be notifying ALL individuals listed on this document of their respective status by separate letter mailed to their residence address.

PLEASE BE ADVISED THAT IT IS UNLAWFUL FOR ANY PERSON REFLECTING A STATUS OF "DENIED" TO TRANSPORT, SHIP, RECEIVE, OR POSSESS EXPLOSIVE MATERIALS.

Please carefully review this Notice to ensure that all the information is accurate. If this Notice is incorrect, please return the Notice to the Chief, FELC, with a statement showing the nature of the error(s). The Chief, FELC, shall correct the error, and return a corrected Notice.

Number of RESPONSIBLE PERSON(S) : 10

Number of EMPLOYEE POSSESSOR(S): 28

LAST NAME, First Name, Middle Name Clearance Status

RESPONSIBLE PERSONS:

10

0001 ADAMS, LANCE HENRY	Cleared
0002 BRETZING, STEPHEN KARL	Cleared
0003 BUCKLEY, JOSEPH STEVEN	Cleared
0004 BUCKLEY, RAYMOND LEE JR	Cleared
0005 BUCKLEY, STEVE LEE	Cleared
0006 KOSTANTEWICZ, JEROME	Cleared
0007 MARRS, JILL BUCKLEY	Cleared
0008 MEDLIN, JASON SCOTT	Cleared

continued

LAST NAME, First Name, Middle Name Clearance Status

0009 PUMPHREY, ADRIAN	Cleared
0010 PUMPHREY, JAY ROY	Cleared

EMPLOYEE POSSESSORS:

28

0001 ALTHOFF, DUSTIN JAMES	Cleared
0002 BORG, DARRYL JOSEPH	Cleared
0003 BROWN, BRADLEY EUGENE	Cleared
0004 CATES, JOSHUA LEE	Cleared
0005 DIRST, SETH RUSTIN	Cleared
0006 ESPINOZA, RANDALL EDWARD	Cleared

NOTICE OF CLEARANCE

08/09/2022

for individuals transporting, shipping, receiving, or possessing explosive materials.

NOTICE DATE: 08/09/2022

EXPIRATION DATE: This Notice expires when superseded by a newer Notice which will list all current responsible persons and employee possessors, or when the license or permit expires - whichever comes first.

This 'Notice of Clearance' is issued to: BUCKLEY POWDER CO
Federal Explosives license/permit no.: 5-TX-091-20-51-01236
Explosives License/Permit Type : 20-MANUFACTURER OF EXPLOSIVES
Expiration Date : September 1, 2025

6305 IH 35 NORTH
NEW BRAUNFELS, TX 78130

continued from previous page

LAST NAME, First Name, Middle Name	Clearance Status	LAST NAME, First Name, Middle Name	Clearance Status
0007 HADLEY, JOSHUA LOUIS	Cleared		
0008 MILLER, JOSHUA MARK	Cleared		
0009 HOPE, JASON LANCE	Cleared		
0010 KELLEY, DAVID KYLE	Cleared		
0011 LEVESQUE, JEAN PIERRE	Cleared		
0012 MIRABILLI, LAWRENCE JOHN	Cleared		
0013 MIRANDA, ZINNIA ADELE	Cleared		
0014 MITCHELL, ETHAN CHASE	Cleared		
0015 O'BRIEN, RYAN RANDAL	Cleared		
0016 PENA, EDWARD DOUGLAS II	Cleared		
0017 POOL, MICHAEL HUNTER	Cleared		
0018 SALMON, BENJAMIN DANIEL	Cleared		
0019 SMITH, GARRETT MICHAEL	Cleared		
0020 SUSTAITA, JOHNATHAN RYAN	Cleared		
0021 VALDEZ, JACOB BENNETT	Cleared		
0022 VASQUEZ, MARCO LORENZO	Cleared		
0023 WEIR, CHRISTOPHER FRANKLIN	Cleared		
0024 ASMUSSEN, JASON ROBERT	Pending		
0025 DAMON, BRANDON EDWARD	Pending		
0026 EMBRY, TRENT OLIN	Pending		
0027 MIMS, JOHN JASON	Pending		
0028 RAMIREZ, CUELLAR, JONATHAN JOSHUA	Pending		



City of Garden Ridge

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

August 23, 2022

To: Mayor Erickson and City Council

From: City Administrator Cain

Re: WD Pensionmark Request for Variance to Ordinance 7-112017
Amendment #5 - Transferable Water Rights Requirement

On March 2, 2022, the City Council approved a recommendation from the Water Commission for the transfer of 11.08-acre feet of Edwards water rights to the City of Garden Ridge for the WD Pensionmark Office Center, 19243 FM 2252. The transfer of the water rights was to occur in the two phases proposed for the development project. Several weeks after City Council action, the developer contacted me concerning unsuccessful attempts to secure water rights due to the limited availability of Edwards water rights on the east side of the Cibolo Creek and that the development project had been placed on hold due to the situation.

On July 19, 2022, a Transferable Water Rights Variance Request was received from Mr. Salyer, property owner and developer for the WD Pensionmark Office Project. I met with Mr. Salyer and his Architect, Shawn Willis, on August 12, 2022, to discuss a possible monetary option for the variance request that would assist the City with ensuring an ample water supply through expansion of water storage infrastructure, water right leases/purchases, or for securing additional water through other sources.

After consideration WD Pensionmark submitted a variance proposal for consideration dated August 16, 2022 (attached). The proposal is to allow a monetary contribution of \$80,167.50 to the City of Garden Ridge in lieu of the transfer of 11.08-acre feet of Edwards water rights. They also request to be allowed to pay the amounts that would be applicable to each of the two phases of the project at the completion of each phase: \$34,357.50 for Phase 1 and \$45,810.00 for Phase 2 of the development project.

The monetary contribution calculation is based on the City's current Water Impact Fee of \$4,581 times 17.5 LUE's projected for the project.



In accordance with Ordinance 7-042006, Article III – Variances, it is recommended that a variance be granted to WD Pensionmark to allow a monetary contribution to the City of Garden Ridge in the amount of \$80,167.50 in lieu of transferring 11.08-acre feet of Edwards water rights and allow the monetary contribution to be paid at the completion of each phase as follows: \$34,357.50 for Phase 1 and \$45,810.00 for Phase 2. The variance request proposal has been reviewed by the City Engineer and he supports the recommendation to grant the variance.

Respectfully,

A handwritten signature in dark ink, which appears to read "Nancy Cain". The signature is fluid and cursive, with the first name and last name clearly distinguishable.

Nancy Cain
City Administrator

City Administrator

From: Shawn Willis [REDACTED]
Sent: Tuesday, August 16, 2022 2:18 PM
To: City Administrator
Cc: Dean Salyer
Subject: [EXTERNAL] WD Pensionmark Water Impact Fee Variance Proposal

Nancy,

Thank you for reaching out and taking the time to discuss the water rights issue for the WD Pensionmark development. We appreciate you trying to work with us in coming to a resolution to get the project moving forward.

After reviewing some of the local neighboring water provider's impact fees we are proposing the following rates per our variance request.

We propose the current impact fee per connection of \$4,581 be multiplied by each LUE required by the development. Per the water commission's approval of the LUE's required the calculations breakdown as follows:

- Phase 1 Cost: 7.5 LUE's = \$34,357.50
- Phase 2 Cost: 10 LUE's = \$45,810.00
- **Total Project Cost: \$80,167.50**

We request these rates be applied to the property as a whole but only to be paid as each phase is completed.

For your review and reference I have provided my findings of two of the local water providers to compare what we are proposing.

SAWS:

- SAWS charges by the tap size which calculates as followed:
 - 1" meter - \$9,816
 - 1.5" meter - \$24,540
- Phase 1 Cost: \$34,356 ((1) 1" meter & (1) 1.5" meter)
- Phase 2 Cost: \$39,264 ((4) 1" meters)
- **Total Project Cost: \$73,620**

New Braunfels Utilities (NBU)

- NBU charges by number of LUE's. Each LUE is \$7,989
 - Phase 1 Cost: 7.5 LUE's = \$59,917.50
 - Phase 2 Cost: 10 LUE's = \$79,890.00
- **Total Project Cost: \$139,807.50**

I hope you find our proposal satisfactory and can recommend approval to the City Council. If you have any questions or would like to discuss the matter further please don't hesitate to call.

Thanks,

Shawn Willis | Principal

Acuform Architecture

17203 Jones Maltsberger Rd., Suite 102, San Antonio, Texas 78247

P: [210.829.1600](tel:210.829.1600) | E: [REDACTED] | [vcard](#) | [Get Files](#) | [Send Files](#)

Planning | Project Management | Architecture | Interiors

July, 19, 2022

City of Garden Ridge
Attn: Nancy Cain, City Administrator
9400 Municipal Parkway
Garden Ridge, TX 78266

RE: TRANSFERABLE WATER RIGHTS VARIANCE REQUEST
Vaquero Grande (WD Pensionmark) Office and Retail Development
19312 FM 2252, Garden Ridge, Texas 78266

Dear Ms. Cain,

As you are aware, per Ordinance 7 the City of Garden requires property developers to provide transferable water rights for use by the City of Garden Ridge to ensure ample water supply is available to support the development. Over the past few months, we have diligently tried to find water rights available for purchase on the open market and have found none available. This issue has now halted the progress of our development and we cannot move forward.

We understand the City is aware of this issue and is working to resolve this matter within the ordinance to allow development to continue. We respectfully ask that the City Council review the request for a variance to ordinance 7 to provide transferable water rights for this project. The granting of the variance will allow us to process the plat and finalize the building permit and proceed with construction.

We are aware that if the City Council approves this variance there could be impact fees that will need to be paid in order to obtain water rights and service to the property.

Please consider this variance request and let us know if you have any questions or need any additional information to pass this on to the City Council for consideration.

Thank you,



W. Dean Salyer
(210) 722-0547




City of Garden Ridge

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

March 3, 2022

Kevin Etheridge
CDS Muery
100 NE Loop 410, Ste.300
San Antonio, Texas 78216

Dear Mr. Etheridge,

The City of Garden Ridge City Council met in regular session on March 2, 2022 and considered the Water Commission's recommendation concerning the transfer of Edwards water rights to the City of Garden Ridge for the Pensionmark Office Center to be constructed at 19243 FM 2252. By unanimous vote the City Council approved the transfer of 4.75 acre-feet of Edwards water rights to the City of Garden Ridge for Phase 1 of the Pensionmark Office Center project prior to the filing of the final plat for the project and 6.33 acre-feet of Edwards water rights to the City of Garden Ridge prior to the issuance of building permits related to Phase 2 of the project.

Should you have any questions concerning this matter please feel free to contact me.

Sincerely,

Nancy Cain
City Administrator



City of Garden Ridge

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

January 27, 2022

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

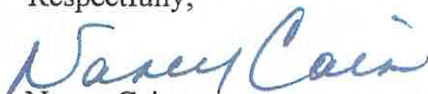
Re: Pensionmark Office Center - Transferable Water Rights Revised

On January 27, 2022, the Pensionmark Office Center project withdrew their request for transferrable water rights prior to the City Council's consideration of the Water Commissions' recommendation on the matter. The Engineer for the project has revised meter sizes for the project and submitted revised calculations for water usage based on the revised meter sizes and the LUE's associated with meter sizes. The revised calculation is attached for consideration on the amount of transferable water rights that will need to be transferred to the City of Garden Ridge for the project.

The project continues to be an office and retail development which will be phased. The Master Development Plan and Final Plat for the project have been approved by City Council. The Application for Water and Wastewater Utility Service is attached and contains a calculation for water use for Phase 1 and Phase 2 of the project development. Due to the revised meter sizes the calculation for Phase 1 is 4.75-acre feet and Phase 2 is 6.33-acre feet of water. At completion of both phases the amount of transferable water rights totals 11.08-acre feet. The water rights calculation is for both internal and external water usage.

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 the Pensionmark Office Center transfers to the City of Garden Ridge at minimum of 4.75-acre feet of Edwards water rights for Phase 1 prior to filing of the final plat for the project and at minimum 6.33-acre feet of Edwards water rights to the City of Garden Ridge prior to the issuance of building permits related to Phase 2 of the project.

Respectfully,


Nancy Cain
City Administrator

Phase 1				
	Meter Size	Number of Meters	LUEs per Meter	Total LUEs
Domestic	1.5"	1	5	5
Irrigation	1"	1	2.5	2.5

1 LUE = 565 Gallons per Day

1 ac/ft = 325,851 Gallons

1 LUE = 0.633 ac/ft

Total	7.5	LUEs
	4.75	ac/ft

Phase 2				
	Meter Size	Number of Meters	LUEs per Meter	Total LUEs
Domestic	1"	3	2.5	7.5
Irrigation	1"	1	2.5	2.5

1 LUE = 565 Gallons per Day

1 ac/ft = 325,851 Gallons

1 LUE = 0.633 ac/ft

Total	10	LUEs
	6.33	ac/ft

4. Leak test or pressure test as recommended by the City Engineer will be conducted on all water and/or sewer mains and lateral water lines prior to backfill of trenches/excluding selected areas where deemed appropriate to backfill before testing. Each fire hydrant will be tested for rated flow at the expense of the developer.

- C. Charges. The developer shall bear the cost of all inspections, re-inspections and testing. The judgment of the City concerning the need for any re-inspection of any part at any stage shall be final. Additional inspections, when directed by the City Engineer, will be at the expense of the City and shall not exceed \$750.00 without further; City Council approval.

Section 9. Requirements for Burning Permit. The developer is responsible for obtaining any required permits from the Texas Natural Resource Conservation Commission, Comal County and/or Bracken Volunteer Fire Department as related to burning of trees, brush, stumps, or any debris or trash at development sites within the City prior to commencement of any burning activities.

ARTICLE III -- VARIANCES

SECTION 1. CONDITIONS FOR GRANTING VARIANCES. The City Council may authorize, upon recommendation of the Planning and Zoning Commission, a variance from these regulations when, in its opinion, undue hardship will, result from requiring strict compliance. In granting a variance, the Council shall prescribe only those conditions that it deems necessary or desirable in the public interest. No variance shall be granted unless the council finds:

- A. Land Use Deprivation. That there are special circumstances or conditions affecting the land involved such that strict application of the provisions of this ordinance would deprive the applicant of the reasonable use of his/her land; and
- B. Preservation Clause. That the variance is necessary for the preservation and enjoyment of a substantial property right of the applicant; and
- C. Public Interest Clause. That the granting of the variance will not be detrimental to the public health safety or welfare, nor injurious to other property in the area; and
- D. Orderly Development Clause. That the granting of the variance will not have the effect of preventing the orderly subdivision of other land in the area in accordance with provisions of this ordinance.

SECTION 2. COUNCIL FINDINGS CONCERNING VARIANCES. The findings of the City Council, together with the specific facts upon which such findings are based, shall be incorporated into the Official Minutes of the Council Meeting; at which such variance is granted or denied. The applicant for a variance shall be advised in writing of the Council's finding.

ARTICLE IV-- THE PRELIMINARY PLAT

SECTION 1. PRELIMINARY CONFERENCE.

- A. General. Prior to the official filing of a preliminary plat, the subdivider and his engineer(s) and/or planner(s) shall consult with, and present a proposed plan of subdivision to, the Chairman of the Planning and Zoning Commission and the City Engineer jointly, for comments and advice on the procedures, specifications, and standards required by the City for the subdivision of land.
- B. Conceptual Presentation. Prior to the official filing of a preliminary plat (or of a final plat under the Short Form Subdivision procedures) the subdivider shall schedule a conceptual presentation with the City Council at an official meeting. The following information shall be furnished by the subdivider at the conceptual presentations:
 - 1. A print or copy of an aerial photograph showing the tract boundaries and conceptual plans for land use, roadways, drainage, utility services, lots and other design features.

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