City of Garden Ridge

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

AGENDA
WATER COMMISSION REGULAR MEETING
TUESDAY, OCTOBER 18, 2022, 6:00 PM

The Water Commission will meet in a regular session on Tuesday, October 18, 2022 at 6:00 PM in the City Council Chambers, 9400 Municipal Parkway, Garden Ridge, Texas. This is an open meeting, open to the public, subject to the Open Meetings Law of the State of Texas, and as required by law, notice is hereby posted providing time, place, date, and agenda thereof. The meeting facility is wheelchair accessible and accessible parking spaces are provided. Requests for accommodations or interpretative services must be made to the City Secretary 48 hours prior to this meeting.

1. **Call to Order**

2. **Roll Call**

3. **Pledge of Allegiance**

4. **Citizen Comment Period - limited to 30 minutes total**
   Rules for Citizens' Participation: The Commission welcomes citizen participation and comments at all Commission Meetings. The Commission offers citizens the opportunity to address them by signing up to speak prior to the meeting. If you speak, you must follow these guidelines:
   a) Respect and courtesy:
      1. Direct your comments to the entire Commission, not to an individual member, nor to the audience.
      2. Show the Commission the same respect that you would like to be shown.
      3. End your speaking at the time allotted below.
   b) Speaking:
      1. First citizen comment period
         1.1. You are required to sign up to speak and you are limited to one 3-minute period.
      2. Second citizen comment period
         2.1. You are not required to sign up and you are limited to one 2-minute period.
      3. State your name and address before your comments begin.
      4. You are only allowed to speak once per topic, unless also speaking during a posted Public Hearing.

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

5. **Business Items**
   The following items are for discussion, consideration, and/or action.
   a. Approvals
      1. Approval of Minutes for September 20, 2022, Water Commission Regular Meeting.

b. Discussions/Reports/Updates

1. Utility Department Monthly Activity Report.

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

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

c. Recommendations

1. Request for water leak adjustment for 7933 Garden North for the billing period of March 23, 2022 – April 23, 2022.

   i. Review and make recommendation regarding the request.

2. Water Rate Structure.

   i. Review and make possible recommendations regarding Water Rate Structure.

3. Request for a variance to Ordinance No. 61, Drought Demand Reduction Measures for 22168 Via Posada Dr. to allow an exception to Stage 2 watering restrictions for the watering of newly installed sod.

   i. Discuss and make possible recommendations for variance to Ordinance No. 61 for 22168 Via Posada Dr.

4. Water Commission activities and projects.

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

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

5. Ordinance No. 210-102022 An Ordinance of the City Council of the City of Garden Ridge, Texas, adopting board and commission policies and procedures; providing a cumulative and savings clause; providing for severability; and declaring an effective date.

   i. Receive recommendations and consideration of the appointment of Water Commission Chair and Vice-Chair for a one-year term effective October 2022.

d. Future Agenda Items

1. Commissioners input on agenda items.

2. Announce the date, time, and location for next meeting (November 15, 2022, at 6:00 p.m. at City Hall).

6. Citizen Comment Period

7. Adjournment

AGENDA NOTICES:

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

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

Attendance By Other Elected or Appointed Officials: It is anticipated that members of the City Council, other city board, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also

noticed as a meeting of the City Council, other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action is specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.

This is to certify that I, Michelle Hinojosa, posted this Agenda at 9:30 a.m. on October 12, 2022, on the bulletin board located at the entrance to the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas.

Michelle Hinojosa
Utility Clerk

MINUTES
WATER COMMISSION REGULAR MEETING
TUESDAY, SEPTEMBER 20, 2022, 6:00 P.M.

Commissioners Present:
Chair James Mueller
Vice-Chair Keven Harshbarger
Commissioner Joseph Haltaman
Commissioner Dr. Richard Carmichael
Commissioner Don Stone
Mayor Robb Erickson, Ex-Officio

Commissioners Absent: Vacant Position

City Staff, City Councilmembers, and Other Commissioners Present:
Nancy Cain, City Administrator
Marisa Spencer, City Secretary
Michelle Hinojosa, Utility Clerk
Steven Steinmetz, Public Works Director
Jesse Valdez, City Councilmember

1. Call to Order
With a quorum of the Water Commissioners present, Chair Mueller called the regular meeting of the Garden Ridge Water Commission to order at 6:00 p.m. on Tuesday, September 20, 2022, in the City Council Chambers of the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas 78266.

2. Roll Call: See above.

3. Pledge of Allegiance: Chair Mueller led the Pledge of Allegiance.

4. Citizen Comment Period: None wished to speak.

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

a) Approvals

1. Minutes for July 19, 2022, Water Commission Regular Meeting.

Motion: A motion was made by Vice-Chair Harshbarger, seconded by Commissioner Dr. Carmichael, to approve the minutes for the July 19, 2022, Water Commission Regular Meeting. The Commission voted four (4) for and none (0) opposed. The motion carried unanimously.

b) Discussions/Reports/Updates

1. Utility Department Monthly Activity Report.

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

Duane Scognio, Utilities Foreman, reviewed the monthly activity report and answered questions from the Commission.

2. Items applicable to the Water Commission discussed at the August and September City Council Meeting.

Chair Mueller updated the Commission on the items applicable to the Commission discussed at the August and September City Council Meeting.

c) Recommendations

1. Water Commission activities and projects.

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

The Commissioners updated the Commission on their activities and projects.

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

The Commission had none at this time.

2. Ordinance No. 210-042022 An Ordinance of the City Council of the City of Garden Ridge, Texas, adopting board and commission policies and procedures; providing a cumulative and savings clause; providing for severability; and declaring an effective date.

i. Accept the resignation of Commissioner Reynolds.

Motion: A motion was made by Commissioner Haltaman, seconded by Commissioner Stone, to recommend to City Council to accept the resignation of Commissioner Reynolds. The Commission voted four (4) for and none (0) opposed. The motion carried unanimously.

ii. Discuss expiring terms (September 30, 2022) of Commissioner Stone and Commissioner Haltaman.

Commissioner Stone and Commissioner Haltaman volunteered to continue serving on the Water Commission.

iii. Make recommendations to City Council for consideration of reappointment.

Motion: A motion was made by Vice-Chair Harshbarger, seconded by Commissioner Dr. Carmichael, to recommend to City Council the reappointment of Commissioner Stone and Commissioner Haltaman to serve an additional term on the Water Commission with terms expiring September 30, 2024. The Commission voted four (4) for and none (0) opposed. The motion carried unanimously.

d) Future Agenda Items

1. Commissioners input on agenda items.

Vice-Chair Harshbarger requested annual review of the Water Rate Structure.

2. Announce the date, time, and location for next meeting (Tuesday, October 18, 2022 at 6:00 p.m. at City Hall).

Chair Mueller announced the next Water Commission Regular Meeting will be held on Tuesday, October 18, 2022, at 6:00 p.m. at City Hall in the City Council Chambers.

6. <u>Citizen Comment Period:</u> None wished to speak.

7. <u>Adjournment</u>

Motion: A motion was made by Vice-Chair Harshbarger, seconded by Commissioner Stone, to adjourn. The Commission voted four (4) for and none (0) opposed. The motion carried unanimously. There being no further business, the Tuesday, September 20, 2022, Water Commission Regular Meeting was adjourned at 6:23 p.m. by Chair Mueller.

_____
James Mueller
Chair

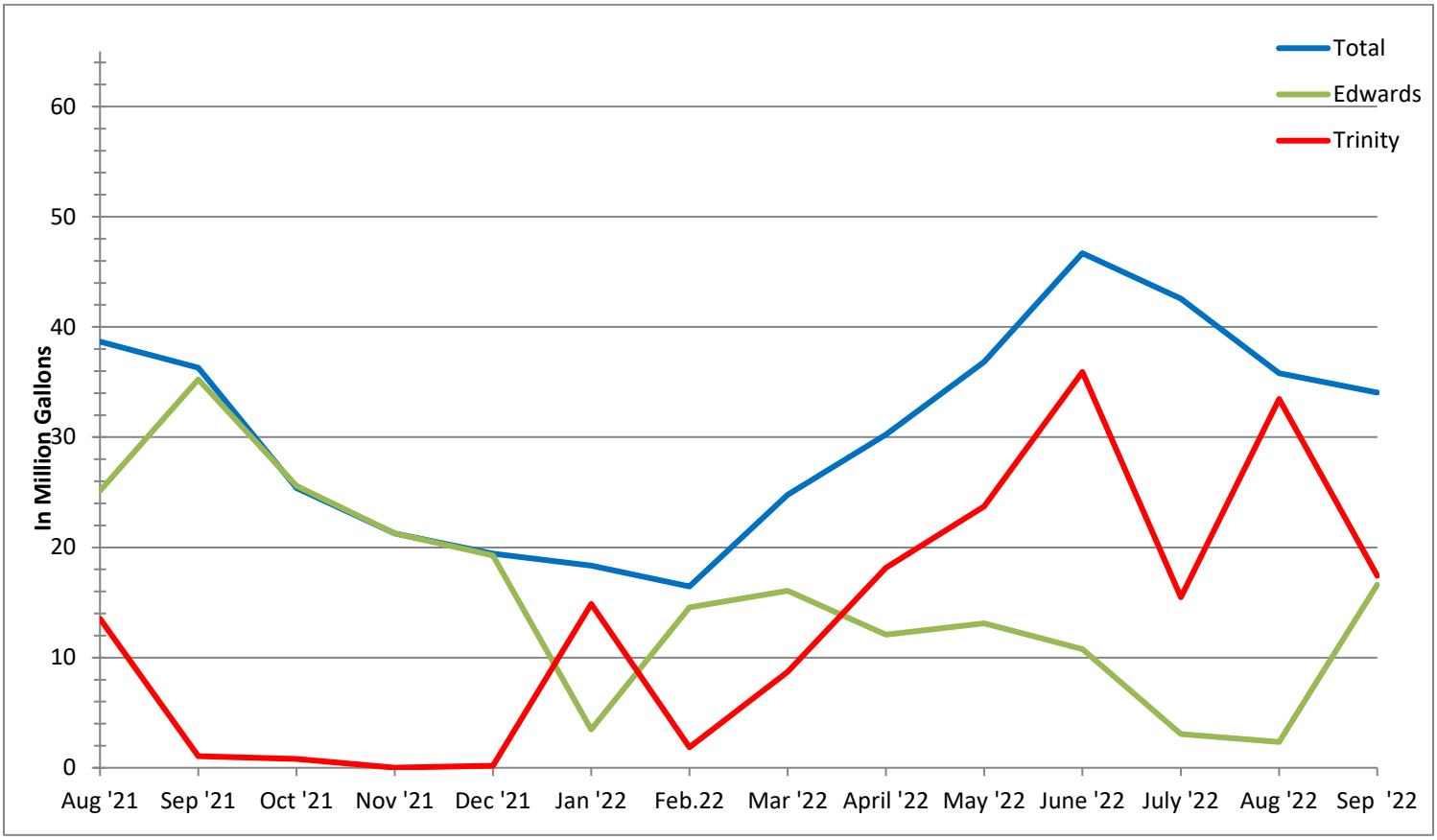
ATTEST:

_____
Michelle Hinojosa
Utility Clerk

Utilities Department Report

As of September 30, 2022

City of Garden Ridge Aquifer Usage

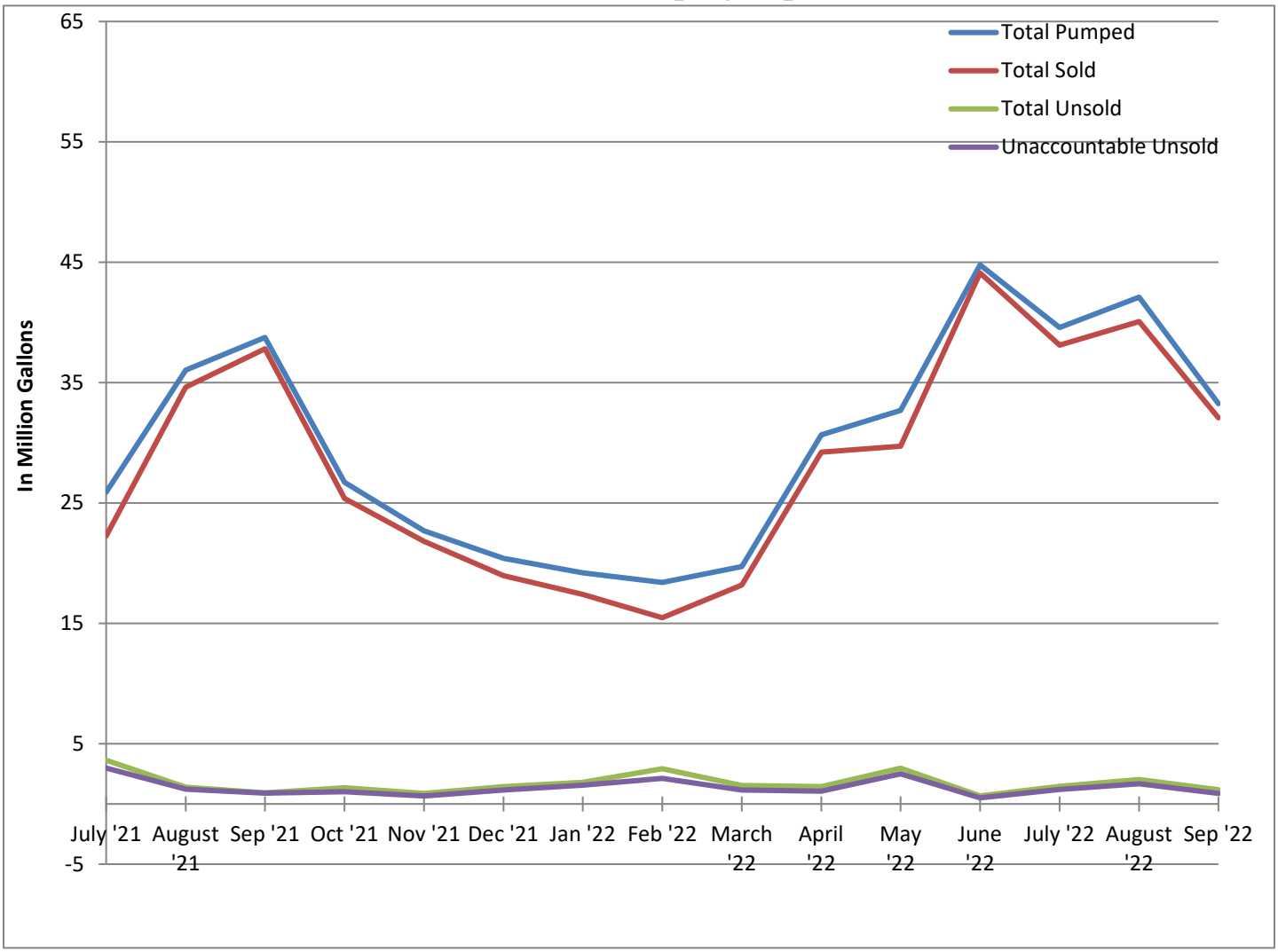


	Month:	Year:	Available:	Stage:
Edwards Well Usage AC/FT:	51	282.47	254.97	3
Trinity Well Usage AC/FT:	53.47	594.3	N/A	0

Water Quality

Backterialogical Samples	Due:	Missed:	Passed:	Failed:
Distribution Samples:	6	0	6	0
Speacial Samples:	0	0	0	0
Chlorine Residual Test:	30	0	30	0

2021 – 2022 Pumping Report



	Total Pumped (Thousands)	Total Sold (Thousands)	Total Unsold (Thousands)	Unaccountable Unsold (Thousands)	Unaccountable Unsold %
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%
Sep '22	33,266	32,087	1,179	879	2.6%
Yearly Average	**30,044**	**27,543**	**2,806**	**1,294**	**5.0%**
		Yearly national average			**16%**

Utilities Department Monthly Activities:

New Installed Meters	**1**	Work Orders	**483**
Meter Replacements	**1**	Locates	**42**
City Owned Leaks	**2**	Irrigations Permits Issued	**2**
Meters Read	**1694**	Total Rebates	**1**
Meter Tests	**0**		

AMI Information

	Aug.	Sep.			Aug.	Sep.	
Total AMI Notifications	**2272**	**1,719**	↓ **553**	Abnormal Usage	**179**	**154**	↓ **25**
Automatic Draft Customers	**684**	**687**	↑ **3**	Continuous Flow	**91**	**88**	↓ **3**
AMI Customer Portal Profiles	**701**	**717**	↑ **16**	Leak Info Code	**528**	**565**	↑ **37**
E-Billing Customers	**384**		**Same**	Usage Trend	**211**	**150**	↓ **61**

Stage 2 restriction alerts
September 762
Down 501 from August

*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	1	Waiting for Customer	5	Approved	3	Amount Approved	$113.96	Denied	0	Sent to Water Commission	0

ORDINANCE NO. 210-102022

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

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

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

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

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

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

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

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

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

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

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

SECTION 3. VACANCIES.

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

When a vacancy occurs, the City will seek qualified candidates from the public via all reasonable means. All applicants will be reviewed by City Staff to validate qualifications and eligibility. Qualified applicants will then be interviewed by an Interview Panel composed of the Mayor or Mayor Pro-Tem, Chair of the applicable Commission, and the City Administrator.

After qualified applicants have been interviewed, the Interview Panel will make a recommendation for appointment to City Council for their consideration and a final determination.

SECTION 4. PREPARATION AND PROCEDURES.

a) Attendance

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

b) Preparation

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

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

c) Procedures and Decorum

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

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

d) Agendas

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

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

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

e) Chair/Vice-Chair

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

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

f) Ex-Officio

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

g) Dress Code

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

h) Social Media

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

i) Training and Education

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

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

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

j) Dissolution

The City Council will periodically review boards/commissions for continued operations. If the City Council determines that a commission has completed its charge, the City Council may dissolve the commission. City Council will issue notice of dissolution to the chair of the board/commission, and the notice will provide for a reasonable wind down period. During this period the board/commission will work with City Staff to ensure the completion of board/commission business including completion of meeting minutes, proper archival of commission records with the City Secretary, and submission of a close out report to City Council.

Commission members will have the opportunity to apply for vacancies on another commission. Additionally, commission members may have the opportunity to participate in a technical committee if the City Council determines it has an issue that requires subject matter expertise. Technical committees created by City Council will be tasked with a specific purpose and shall operate for a specific time period. A technical committee will automatically dissolve upon completion of its charge, or the time prescribed by the City Council, without any further action by the City Council.

k) At-Will Appointments

The appointment provisions contained within this Ordinance are not contractual in nature. Appointments made by the City Council are "at-will", meaning that appointments may be terminated at any time, with or without notice, for any reason or no reason, by either a majority vote of the City Council or the appointed member. No verbal statements or promises made by anyone at the time of appointment or thereafter, contrary to this Ordinance, are binding on the City in any manner.

SECTION 5. INTERPRETATION OF RULES.

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

SECTION 6. CUMULATIVE AND SAVINGS.

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

SECTION 7. SEVERABILITY.

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

SECTION 8. EFFECTIVE DATE.

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

PASSED AND APPROVED ON this 12th day of October, 2022.

_____
Robb Erickson
Mayor

ATTEST:

_____
Marisa Spencer
City Secretary

Future Agenda Items
Water Commission

November 15, 2022 Regular Meeting

14 days before Meeting	(11/01/2022)	Water Commission and Staff items are due.
11 days before Meeting	(11/04/2022)	Water Commission Chair reviews agenda. City Attorney is sent agenda.
7 days before Meeting	(11/08/2022)	Post agenda on bulletin board. Water Commission receives packet (allowing a day for corrections/ request additional information be added)
5 days before Meeting	(11/10/2022)	Post agenda packet to City Website.
4 days before Meeting	(11/11/2022)	(72 hours) – Local Government Code requirement for posting

City Council = Red
Planning & Zoning = Green
Water Commission = Blue
Municipal Court = Dark Gray
City Holiday = Orange
City Event = Yellow (First Friday)
Comal County Election Early Voting = Light Gray

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

December 20, 2022 Regular Meeting

14 days before Meeting	(12/06/2022)	Water Commission and Staff items are due.
11 days before Meeting	(12/09/2022)	Water Commission Chair reviews agenda. City Attorney is sent agenda.
7 days before Meeting	(12/13/2022)	Post agenda on bulletin board. Water Commission receives packet (allowing a day for corrections/ request additional information be added)
5 days before Meeting	(12/15/2022)	Post agenda packet to City Website.
4 days before Meeting	(12/16/2022)	(72 hours) – Local Government Code requirement for posting

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

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

PENDING FUTURE AGENDA ITEMS