



City of Garden Ridge

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

MINUTES CITY COUNCIL REGULAR MEETING WEDNESDAY, SEPTEMBER 7, 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
Karen Diaz, Chair, Planning and Zoning Commission
Dr. Miller, Planning and Zoning Commissioner
Roy Leatherberry, Planning and Zoning Commissioner
Michael Crow, 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, September 7, 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:

Linda Potts, 8142 Ridge North Drive, spoke regarding demand reduction measures.

Sherilyn Krivka, 20631 FM 3009, spoke regarding auto accidents and contract work along FM 3009.

Teresa Jetter, 20839 FM 3009, spoke regarding the City of Garden Ridge Police Department, speeding, and auto accidents.

Missy Davis, Veteran Air Texas, spoke regarding Veteran Air Texas and thanked the City of Garden Ridge for welcoming Veteran Air Texas into the community.

Mayor Erickson stated he would like to hear the following agenda item at this time.

8. Approvals and Authorizations

a) Adoption of Home Rule Charter.

1. Receive presentation from City Attorney Zech.

City Attorney Zech presented information related to the process of adopting a home rule charter.

2. Discussion and direction to City Attorney and staff.

City Attorney Zech addressed questions from Councilmembers.

Motion: A motion was made by Councilmember Bower, seconded by Councilmember Smith, to begin the process of appointing a home rule charter commission. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

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.

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

5. 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 313 hours for August. She provided City Council with an update on AT&T outages and the TML Annual Conference in San Antonio.

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.

Mayor Erickson and Councilmember Valdez spoke regarding consumption and pumping levels. Mayor Erickson stated the City will not enter Stage 3 restrictions at this time and will remain in Stage 2 until further notice.

f) Library Monthly Activity Report.

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

6. 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.

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.

Chair Diaz stated the Commission recommends reappointment of Commissioner Diaz, Commissioner Jacaman, and Commissioner Bates to serve another term on the Planning and Zoning Commission.

1.2. Discuss and take action on recommendation.

Motion: A motion was made by Councilmember Valdez, seconded by Councilmember Bower, to approve the Planning and Zoning Commission's recommendation and reappoint Commissioner Diaz, Commissioner Jacaman, and Commissioner Bates to serve another term on the Planning and Zoning Commission with terms expiring September 30, 2024. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

2. Receive monthly activity update as applicable.

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

b) Quarry Commission:

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

c) Water Commission:

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

d) Wildlife Management Advisory Commission:

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

e) Parks Committee:

1. Proposed Eagle Scout Project at Paul Davis Park.

1.1. Receive presentation by Eagle Scout Noah Bliss.

Eagle Scout Noah Bliss presented his proposed Eagle Scout Project of two bike racks at Paul Davis Park and answered questions from Councilmembers.

1.2. Discuss and take action on Eagle Scout Project.

Motion: A motion was made by Councilmember Bower, seconded by Councilmember Smith, to approve the proposed Eagle Scout Project at Paul Davis Park presented by Eagle Scout Noah Bliss with an amendment of both bike racks being seven bike capacity. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

2. Receive monthly activity update as applicable.

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

8. Approvals and Authorizations

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

b) Reschedule October City Council Regular Meeting.

Mayor Erickson spoke regarding rescheduling the October City Council Regular Meeting.

Motion: A motion was made by Councilmember Bower, seconded by Councilmember Valdez, to reschedule the October City Council Regular Meeting to Wednesday, October 12, 2022. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

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.

Mayor Erickson spoke regarding the proposed amendments to Ordinance No. 54.

Motion: A motion was made by Councilmember Valdez, seconded by Councilmember Arvidson, to approve 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. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

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.

City Administrator Nancy Cain spoke regarding the 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, and stated it is recommended that the permit fee be set at \$29,955.77 for Fiscal Year 2023.

Motion: A motion was made by Councilmember Bower, seconded by Mayor Pro-Tem Swint, to approve the 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, and to set the permit fee at \$29,955.77. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

e) WD Pensionmark Request for Variance to Ordinance No. 7 – Transferable Water Rights Requirement.

City Administrator Nancy Cain spoke regarding the WD Pensionmark Request for Variance to Ordinance No. 7 – Transferable Water Rights Requirement and addressed questions from Councilmembers.

Motion: A motion was made by Councilmember Valdez, seconded by Mayor Pro-Tem Swint, to approve the WD Pensionmark Request for Variance to Ordinance No. 7 – Transferable Water Rights Requirement 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, with the monetary contribution being paid at the completion of each phase as follows: \$34,357.50 for Phase 1 and \$45,810.00 for Phase 2. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

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).

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. Mayor Pro-Tem Swint indicated this item could be combined with mitigation of growth and encroachment impacts on Garden Ridge for future agendas.

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 and stated this could be removed from the agenda at this time.

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

11. Citizen Comment Period:

John McCaw, 21649 Forest Waters Circle, thanked the City Council for their volunteer service to the City.

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/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 Arvidson spoke regarding the Scouts road clean-up, Eagle Scouts, and Davenport High School events. 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.

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.

Mayor Erickson announced the City Council will recess at 8:23 p.m. and reconvene into Executive Session at 8:33 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 9:32 p.m.

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.

No action taken.

15. Adjournment

There being no further business, the Wednesday, September 7, 2022, City Council regular meeting was adjourned at 9:32 p.m. by Mayor Erickson.

ATTEST


Marisa Spencer
City Secretary


Robb Erickson
Mayor