



City of Garden Ridge

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

AGENDA REGULAR CITY COUNCIL MEETING, OCTOBER 4, 2017 AT 6:00 P.M.

The Garden Ridge City Council will meet in a regular session on Wednesday, October 4, 2017 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 on October 1, 2017 before 5:00 p.m., 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 48 hours prior to this meeting.

1. Call to Order
2. Roll Call
3. Pledge of Allegiance –Cub Scout Pack #828
4. City/Employee Recognitions
5. Citizen's Participation – Limited to thirty (30) minutes

Rules for Citizen's Participation:

The City Council welcomes citizen participation and comments at all of their Meetings. The City Council offers citizens the opportunity to address them by signing up to speak prior to the meeting. As a courtesy to your fellow citizens and out of respect for our elected officials, we request that if you speak, you follow these guidelines:

- a) Respect and courtesy:
 - i. Direct your comments to the entire City Council, not to an individual member, nor to the audience.
 - ii. Show the City Council the same respect that you would like to be shown.
 - iii. Show the City Council courtesy by ending your speaking at the time allotted below.
- b) Speaking:
 - i. First citizen comment period
 - a. You are required to sign up to speak.
 - b. You are limited to three (3) minutes per citizen.
 - ii. Business item period
 - a. You are required to sign up to speak.
 - b. You are limited to three (3) minutes per citizen.
 - iii. Second citizen comment period
 - a. You are not required to sign up.
 - b. You are limited to two (2) minutes per citizen.
 - iv. State your name and address before your comments begin.
 - v. Citizens are only allowed to speak once, 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.*

6. Consent Agenda

THE FOLLOWING ITEMS MAY BE ACTED UPON IN A SINGLE MOTION. NO SEPARATE DISCUSSION OR ACTION ON ANY OF THESE ITEMS WILL BE HELD UNLESS REQUESTED BY A MEMBER OF CITY COUNCIL. PUBLIC COMMENT ON CONSENT AGENDA ITEMS MAY BE HEARD DURING CITIZEN'S PARTICIPATION, BUT COMMENTS HEARD DURING CITIZEN'S PARTICIPATION DOES NOT MEAN THAT THE ITEM WILL BE CONSIDERED OUTSIDE THE CONSENT AGENDA.

a) Approval of Minutes:

- i. August 28, 2017 City Council and Planning and Zoning Commission Joint Meeting
- ii. August 30, 2017 City Council Special Meeting
- iii. September 6, 2017 City Council Regular Meeting

b) Financial Statement and Investment Report –August 31, 2017

ACTION ON THE CONSENT AGENDA

7. Business Items

The following items are for discussion, consideration and action.

a) Action on items pulled from the Consent Agenda

b) Staff Reports:

- i. City Administrator Monthly Activity Report
 - Community Center usage and financial report
 - Building Permits issued to date for residential, commercial and minor Construction projects
 - City Council Idea/Suggestions
 - Communication efforts
 - Citizen Concern/Input
 - Website
 - Upcoming events
- ii. Police Department Monthly Activity Report
 - Traffic Enforcement
 - Criminal activity within city
 - Code Compliance Enforcement
- iii. Public Works Monthly Activity Report
 - Street and Right-Of-Way Maintenance
 - Drainage Facility and Easement Maintenance
 - Animal Control (domestic and wild)
 - Public Works Projects
- iv. Water Manager Monthly Activity Report
 - Water pumping/usage from city wells
 - Water system infrastructure maintenance, repairs and/or projects
 - Water and/or Drought Management (current Watering Stage)
- v. Library Monthly Activity Report
 - Upcoming events

- c) City Engineer Projects Status Reports:
 - i. CIP Project for 2013
 - ii. CIP Project for 2015
 - a. Phase I
 - b. Phase II
 - c. Trinity Wells #9 and #10 Project
 - d. Waterline extension project to Winco/Naco Loop
 - e. Consideration and possible action on Change Order #2 for the 2015 CIP Streets, Drainage, and Waterline project.
 - iii. Sewer System (FM 2252)
- d) Consideration and possible action concerning an Ordinance Authorizing the issuance of City of Garden Ridge, Texas, General Obligation Refunding Bonds, Series 2017; authorizing the refunding of certain outstanding obligations; levying a continuing direct annual Ad Valorem Tax on all taxable property within the City for the payment thereof and the assessment and collection of such taxes; creating a Sinking Fund for the redemption thereof; Authorizing the sale thereof; authoring an Escrow Agreement; and enacting other provisions relating to the purposes of this Ordinance (203-102017).
- e) Consideration and possible action amending Ordinance 139-102017 creating a noise prohibition ordinance; creating minimum and maximum penalties for noise violations; providing for severability; and providing for an effective date hereof.
- f) Consideration and possible action concerning Resolution 423-102017 of the City of Council of the City of Garden Ridge, Texas, adopting procedures for its volunteer program.
- g) Consideration and possible action concerning a Book Sale Agreement between the City of Garden Ridge and Linda Crosland.
- h) Legislative Update and Discussion regarding small cell network wireless infrastructure, direct staff as necessary.
- i) Planning and Zoning Commission Recommendations and Possible Action:
 - i. A petition by Gary Miller for variances for the establishment of Lot 1RB through the proposed replat of Lot 1, Miller Estates, Comal County, Texas located in the Extraterritorial Jurisdiction (ETJ) of the City of Garden Ridge, Texas and further located on the northeast side of F.M. 3009 and northwest side of Schoenthal Road at the intersection of F.M. 3009 and Schoenthal Road. Variances requested are as follows:
 - City of Garden Ridge Ordinance 7-042006, 7. I.1. requires a minimum lot size of 32,670 sq. Lot 1RB is 0.039 AC (1,698.84 sq. ft.) and therefore does not meet the minimum lot size requirement.
 - City of Garden Ridge Ordinance 7-042006, 7.I.2. requires each lot to front on a public street and have a 120 foot frontage. Lot 1RB does not front on a public street and does not meet the minimum frontage requirement.
 - City of Garden Ridge Ordinance 7-042006, 2. D.11 requires front setback lines to be provided for all lots. Lot 1RB does not provide building setback lines. Lot 1RB contains a structure and tower, both of which require setbacks from the adjoining property lines.
 - a. Receive recommendation from the Planning and Zoning Commission.
 - b. Hold a public hearing to receive comments for or against the petitions.
 - c. Consider the recommendation from the Planning and Zoning Commission on the petitions.

- ii. A petition by Gary Miller to replat a 1.769 acre tract known as Lot 1, Miller Estates, Comal County, Texas to establish Lot 1RA and Lot 1RB. The property is located in the Extraterritorial Jurisdiction (ETJ) of the City of Garden Ridge, Texas and further located on the northeast side of F.M. 3009 and northwest side of Schoenthal Road at the intersection of F.M. 3009 and Schoenthal Road.
 - a. Receive recommendation from the Planning and Zoning Commission.
 - b. Hold a public hearing to receive comments for or against the petitions.
 - c. Consider the recommendation from the Planning and Zoning Commission on the petition.
 - iii. Reappointment of Commissioner Miller due to expiring term of office (September 30, 2017) to serve a two- term of office (expiring September 30, 2019).
 - a. Consider the recommendation from the Planning and Zoning Commission on appointment.
 - iv. Appointment of Karen Diaz to Planning and Zoning Commission Place 2 vacancy (term expiring September 30, 2018)
 - a. Consider the recommendation from the Planning and Zoning Commission for appointment to fill a vacancy for Place 2.
- j) Quarry Commission Recommendations and Possible Action:
 - i. Request from Buckley Powder Company for a Partial Exemption Permit to conduct blasting activities at the Hanson Quarry.
 - a. Receive recommendation from Quarry Commission.
 - b. Discussion and action on Partial Exemption Permit with amount set as annual fee.
 - ii. Reappointment of Commissioners Shands, Haddad, Holloway and Mudge due to expiring terms of office (September 30, 2017) for a two-year term of office (expiring September 30, 2019).
 - a. Receive and consider the recommendation from the Quarry Commission.
- k) Water Commission recommendations and Possible Action:
 - i. Request from Leon and Evelyn Timmermann, 9926 Trophy Oaks Dr., for the City of Garden Ridge to consider leasing their 25 acre feet of Edwards Aquifer Water which is located east of Cibolo Creek.
 - a. Receive and consider the recommendation from the Water Commission and authorize the City Administrator to negotiate and execute the contract.
 - ii. Resignation of Commissioner Pat Ramirez.
 - a. Receive and consider the recommendation from the Water Commission
- j) Wildlife Management Advisory Commission:
 - i. Receive monthly activity update.
- k) Garden Ridge Parks Committee:
 - i. Upcoming activities

- l) City Administration Project Updates:
 - i. Master Land Use Plan Update
 - a. Steering Committee Meeting-Public Hearing-Monday, October 23, 2017, at 6:00 p.m. in the City Council Chambers, 9400 Municipal Parkway, Garden Ridge, Texas
 - m) City Council Discussions/Project Updates:
 - i. Mayor's communication efforts
 - ii. Volunteer Program
 - iii. Update on CISD activities/concerns (Thompson)
 - iv. Creation of list of items for discussion with TxDOT at a public meeting (Arvidson)
 - v. Joint Base Land Use Study-Randolph Update (McCaw)
 - vi. Future Agenda Items
8. Citizen's Participation – Limited to twenty (20) minutes
See "Rules for Citizen's Participation" under Item 5.
9. 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 ("AAMPO")
Boy Scouts and/or Girl Scouts
City Commissions (Planning and Zoning, Quarry, Water, and Wildlife Management)
Comal ISD/Garden Ridge Elementary
Counties (Bexar, Comal and Guadalupe)
Garden Ridge Lions Club
Garden Ridge Police Academy Alumni Association/Citizen Patrol
Greater Bexar County Council of Cities
Joint Base Land Use Study-Randolph
Northeast Partnership
10. 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:

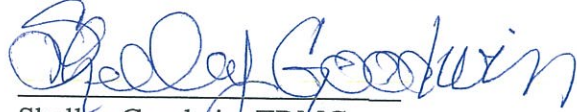
The Council may vote or act upon any item within this Agenda. The Council reserves the right to adjourn into closed session at any time during the course of this meeting to discuss any of the matter listed below, as authorized by Title 5, Chapter 55, of the Texas Government Code.

Executive Sessions Authorized:

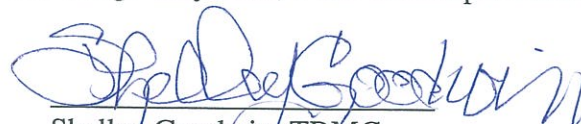
This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the 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 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.


Shelley Goodwin, TRMC
City Secretary

This is to certify that I, Shelley Goodwin, posted this Agenda at 3:55 p.m. on September 27, 2017 on the bulletin board located at the entrance to the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas.


Shelley Goodwin, TRMC
City Secretary

City Administrator

From: Water
Sent: Tuesday, September 12, 2017 1:46 PM
To: Public Works
Cc: City Administrator
Subject: Thank You Steven!

Steven,

Rose Andrews on 9403 Gloxinia came in & wanted to Thank You for all your help when the construction crew was paving Gloxinia & she had out of town guests & was having a reception for a funeral at her house. You & the Construction crew were great, very helpful. Thanks to all of you!

Jan Harborth
Utility Billing
City of Garden Ridge Texas
210-651-6831
210-651-9638 fax

City Administrator

From: Mayor
Sent: Monday, September 18, 2017 2:42 PM
To: City Administrator; Public Works
Subject: FW: Animal Control Officer

Nancy/Steven,
Great feedback and certainly no surprise regarding Eric's professionalism and value to our city!
Please pass on Cyndie and my thanks!
larry

*Larry Thompson
Mayor
City of Garden Ridge
210-651-6632*

From: Cyndie Segovia ~~XXXXXXXXXXXXXXXXXXXX~~
Sent: Monday, September 18, 2017 12:44 PM
To: Mayor <Mayor@ci.garden-ridge.tx.us>
Subject: Animal Control Officer

Mr Mayor

I wanted to commend our Garden Ridge Animal Control Officer, Eric, who was very helpful to me last week in pursuing information on our wild pig problem.

Eric met with me and took me to Trophy Oaks to review the most recent damage to property caused by the wild hogs. He explained how the hogs come into the neighborhood and how we are combatting them. Eric showed me the large pen that they were repairing and some of the smaller pens. I got a quick lesson on baiting the traps and what changes he made to help deter deer from getting caught in the traps.

I have a much better understanding the issue facing the Trophy Oaks residents now.

I really appreciated his time, thoroughness and commitment to the citizens of our City. I wanted to let you know.

Regards,

Cyndie Segovia
GR Wildlife Commission

From: 
Sent: Saturday, September 02, 2017 2:53 PM
To: Mayor <Mayor@ci.garden-ridge.tx.us>
Subject: Dumpster today FYI

Hi Larry, I know that you can't do anything about this, but wanted you to be aware of how this morning went with the brush dumpsters. Roy and I took 8 loads starting around 9 this morning. When we arrived, Manuel and another guy were working getting things off and into the dumpsters. When we went back the second time Manuel was there by himself and the dumpsters were almost overflowing. We did see one dumpster leaving at that time, but by the time we did our last run around 1:00 the dumpsters were more than full and Manuel was having people leave the brush and stuff on the street. Manuel was working as hard and fast as he could but he did not receive any help from the company that is responsible for the dumpsters. Manuel told us that the helper left without even telling him, we are not sure how he managed taking care of all the stuff. Roy and I take brush every month and we have noticed that this new company doesn't operate at the same standard as Bexar Waste. Bottom line is that there was one city employee busting his ass, all containers full, and putting the brush in

the street. I know that you need one more complaint so I am just trying to help you out. 
Roy said that he thought you were a smart guy until you decided to run for mayor, thought you should have gone to the garage and hit your toe with a large hammer. Take care and have a good weekend. RoseGail



**MINUTES OF TOWN HALL AND JOINT CITY COUNCIL AND
PLANNING AND ZONING COMMISSION MEETING,
AUGUST 28, 2017**

Councilmembers Present:

Mayor Larry Thompson
Mayor Pro-Tem John McCaw
Councilmember Todd Arvidson
Councilmember Kay Bower
Councilmember Robb Erickson
Councilmember Bryan Lantzy

Member Absent:

None

Commissioners Present:

Chairman Sam Stocks
Vice Chairman Shawn Willis
Commissioner Dr. Jim Miller
Commissioner Kitty Owen
Commissioner David Ringle

Commissioners Absent:

Commissioner David Heier

City Staff Present:

Nancy Cain, City Administrator
Shelley Goodwin, City Secretary

1. Call to Order

With a quorum of the City Councilmembers present and a quorum of the Planning and Zoning Commission Members present, Mayor Thompson called the joint meeting of the Garden Ridge City Council and Planning and Zoning Commission to order at 7:00 p.m. on Monday, August 28, 2017, in the Garden Ridge Community Center, 9400 Municipal Parkway, Garden Ridge, Texas 78266.

2. Welcome

Mayor Thompson stated the City Council hired experts to assist us with planning for the future growth of Garden Ridge. He stated tonight's meeting is the presentation of the Draft Master Land Use Plan with an opportunity for the residents to provide their input. He announced the upcoming dates of additional meetings and public hearing on the Master Land Use Plan. He stated that, in addition to the revealing of the Draft Master Land Use Plan, there are three other things happening tonight:

- 1) Mayor Thompson announced that over the weekend, Hurricane Harvey made land fall outside Rockport, Texas. He stated the City of Garden Ridge was prepared for the hurricane, but it changed directions and now caused disasters from Port Aransas to Louisiana. He announced a Hurricane Harvey Relief effort that will take place from Tuesday through Thursday, 7:00 a.m. to 7:00 p.m., at the Community Center. He asked that if you can assist, please see Shelby Trial.
- 2) Mayor Thompson stated that there is a table in the back area for residents to write down concerns with issues that deal with TxDOT. He stated these comments will be gathered and then a meeting will be arranged with TxDOT to address these issues.
- 3) There is also a table in the back area for *Volunteer Garden Ridge!* This is the soft roll out for the program and the hard roll out will be on October 3, 2017 at National Night Out. He stated this is a way to allow residents to use their expertise in areas that can assist the City in areas of need.

Dan Sefko, Freese and Nichols, Inc., introduced Chelsea Irby, Assistant Project Manager, who provided a PowerPoint presentation (see attached).

Chelsea Irby, Freese and Nichols, Inc., described the process for the meeting tonight (see attached Meeting Notes). She explained the Public Input Board (see attached summary).

3. Citizen's Participation - 3 minute limit per citizen.

Pam Fritz, 8927 Garden Ridge Dr., inquired about tax abatements and percentage of impervious coverage.

Mayor Thompson stated tax abatements are currently not in the future of Garden Ridge. He also stated the percentage of impervious coverage will change when and if a commercial sewer line is put in along FM-2252.

Bruce Stanfill, 8602 Turner Ridge, spoke regarding lot sizes, his concern with patio homes and linear parks.

Mayor Thompson stated there are a lot of residents who love Garden Ridge, but later in life want to sell their homes because they can no longer take care of a large home and yard. He stated these smaller homes will be upscale and have zero lot lines, so residents will have the opportunity to remain in Garden Ridge later in life. He also stated the City is proposing using the land located in the power line right-of-way for trails and jogging paths.

David Padden, 10002 Calley Circle, spoke regarding his concern about retail being across from current subdivisions and that he felt those areas should be offices.

Lee Tucker, 9654 Meadow Rue, spoke regarding the need to increase City Staff when the Master Land Use Plan is implemented. He also inquired to where the new High School will be located.

Mayor Thompson stated the new High School will be located on FM 3009 going towards Natural Bridge Caverns on the left, just outside the City limits. He stated during the budget process, the City Council looked at adding additional staff, but the budget did not allow for that. He stated this is one of the reasons why the City is asking for volunteers since a very conservative budget for FY2018 was just

adopted. He stated the Master Land Use Plan will provide the opportunity to manage growth while keeping the Garden Ridge look and increasing our sales tax base.

David Lefforge, 21919 Castano Cove, spoke regarding the importance of saving trees and the cost to residents for the implementation of the Master Land Use Plan and sewer.

Mayor Thompson agreed it is important to keep the look of Garden Ridge the same. He stated that impact fees will offset the expenses of the water and wastewater system..

Mark Hausheer, 20914 Misty Arbor, thanked the Steering Committee for putting the Plan online. He also inquired to the meaning of ETJ.

Mayor Thompson stated ETJ stands for extraterritorial jurisdiction and allows the legal ability of a government to exercise authority beyond its incorporated boundaries.

Lawrence Sansone, 19462 Arrowood Place, spoke regarding the retail area on the Master Land Use Plan and issues with Doerr Lane.

Mayor Thompson stated Doerr Lane has been an issue, but they will discuss these issues with TxDOT.

Fred Moos, 19106 Nacogdoches Loop, spoke regarding a small cemetery in the back of Naco Loop and he stated he supports managing our growth.

Jerry Barucky, 20806 Woodland Cove, spoke regarding Doerr Lane and inquired as to whether a traffic study has been done for the new high school.

Mayor Thompson stated he is not aware of a traffic study for the new high school but that TxDot does need to do one. He also stated that we will need to control the traffic on Doerr Lane and we are examining the methods available.

Richard Blanco, 21460 Park Lane Court, spoke regarding the train in Bracken creating a traffic jam in Garden Ridge.

Mayor Thompson stated F.M. 2252 is a TxDOT road and Bracken is not in the city limits and out of our control.

Luis Castellanos, 9608 Kurre Way, spoke regarding the proposed light rail station in Schertz and the effect it will have on Garden Ridge.

Mayor Thompson stated the light rail station is currently not on the books.

Mayor Thompson encouraged everyone to participate in the input boards and to stop by the Volunteer Garden Ridge! and TxDOT input tables.

4. Adjournment

With no other business the Mayor adjourned the joint meeting of the Garden Ridge City Council and Planning and Zoning Commission at 8:15 p.m.

Larry Thompson, Mayor

Sam Stocks, Chair

ATTEST:

Shelley Goodwin, TRMC
City Secretary

PLEASE SIGN IN
WE WOULD LIKE TO KNOW WHO ATTENDED.

	NAME	ADDRESS
1.	Bruce STANFILL	8602 TURNER RIDGE.
2.	Evelyn Miller	20011 CEDAR BRANCH
3.	MARIANN STRATTON	9364 Blazing Star Trail
4.	Heath McDONALD	22025 PASEO CORTE DR
5.	Lynn Suggs	9411 Goldenrod LN
6.	Linda Suggs	"
7.	Gregory J-Douglas	9427 Frederick Bend Dr
8.	Vanessa J-Douglas	"
9.	BRAD WESTPHALL	20423 CIGURIA Drive
10.	ART EVANS	9405 AZALEA GATE
11.	Wilbert + Jeanne Morgan	19822 Lloyd's Park
12.	Rose Leatherbury	20711 FM 3009 -

PLEASE SIGN IN
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	NAME	ADDRESS
1.	Steve Moos	19159 Nacogdoches Loop
2.	Denise Fox	22133 Pasco Corto Drive
3.	Aurora Fox	"
4.	KEN SMITH	19435 Arrowood Pl.
5.	DAVID RACEY	19110 SELEST CV.
6.	Vanessa Ward	19903 Wild Crest
7.	SHAWN WILLIS	22119 CRISTOBAL DR.
8.	Steve White	9345 Osage Circle
9.	Patty White	"
10.	Linda & Malcolm Crossland	25807 Lewis Ranch Rd
11.	Dan MUMFET (TRIHYDRO CARPENTER)	CITY ENGINEER
12.	WILFRED & DIANE SCHMEIDT	22125 Senna Hills Dr

PLEASE SIGN IN
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	NAME	ADDRESS
1.	Denise Miner-Williams	9063 Schoenthal Rd
2.	Crubbals	21302 Hampton Park
3.	Theodore K. Arnet	21011 Plum Ranch Rd
4.	James Bilbro	9002 Tuscan Hills
5.	Anna Rivers	8812 Wild Wind Park
6.	Joanne McKay	8316 Wild Wind Park
7.	SIDNEY ARMSTRONG	14715 HEARSE Selma TX 78154
8.	JAMES W. VENTERS	22003 CRISTOBAL Dr, 78266
9.	Jim Solomon	20026 BUCKLE UP LAND 78266
10.	Ron Nage	11450 Park Lane Ct.
11.	Lily BAREUCKY	20806 Woodland Cove 78266
12.	ED BLANCO	21460 PARK CN CT 78266

PLEASE SIGN IN
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	NAME	ADDRESS
1.	George Brannon	9233 GLOXINIA
2.	Jean Brann	9233 GLOXINIA DR.
3.	Mary Louley	9207 Cipriani Way
4.	William Edwards	22302 LARMONA COVE
5.	Kenneth-Barbara Kneupper	8891 Schoenthal Rd
6.	Russ Sanders	9358 Blazing Star Tr
7.	Dave Bird	9042 Blazing Star
8.	Deb & Dave Lettorge	21919 Castano Cove
9.	John & Rose Andrews	9403 Gloxinia
10.	Larry & Lynn Rheinfelder	8950 Garden Ridge Drive
11.	BONNIE MAYBORN	CEDAR BRANCH
12.	VIRGIL & DOREEN COOK	8804 TUSCAN HILLS DRIVE

PLEASE SIGN IN
WE WOULD LIKE TO KNOW WHO ATTENDED.

	NAME	ADDRESS
1.	Charles and Barbara Elia	9427 Gloxinia CR
2.	BODIE & MARTHA BODENHEIM	20819 Glen Cove
3.	FLOYD D. WILLIAMS	9063 SCHENCK RD.
4.	Sharon Stripling	21729 Forest Waters Cir.
5.	Candace Lawrence Santone	19462 Arrowood Place
6.	Bob & Velma Vesseliza	21911 Cistano Cove
7.	Jim & Elaine Leitchman	9232 Cuckoo Trail
8.	Clyde & DAVIDA TURNER	8111 Wild Wind Park
9.	Richard & Leta Holloway	9307 Teakwood LN.
10.	Adam & Kathryn Schwab	9322 Blazing Star Trail
11.	Steve Martin	20418 Dahl Lane
12.	CHARLES SCOTT	9860 TROPHY OAKS DR

PLEASE SIGN IN
WE WOULD LIKE TO KNOW WHO ATTENDED.

NAME	ADDRESS
1. John Sullivan	513 Triple Crown, Schaefer
2. PANDY Jones	8115 Tuscan Hills
3. KAREN DIAZ	21010 Gunther GROVE
4. PAMELA FRITZ	8927 GARDEN Ridge DR.
5. Carole Presco	21250 Forest Waters Cir.
6. David McCormick	19902 Regency Run
7. Marie McCormick	"
8. Carol De Arment	19451 Arrowood Place
9. Rick De Arment	✓ ✓
10. RICHARD BLANCO	21460 PARK LN CT 28266
11. Duane E BYRD	8822 Timmerman Cove
12. Yolanda BYRD	" "

PLEASE SIGN IN
WE WOULD LIKE TO KNOW WHO ATTENDED.

NAME	ADDRESS
1. DAVE PROFFER	10002 CALLEY CIRCLE
2. Sandy Brown	9233 Gloxinia Dr.
3. Alex Smith	20114 Regency Run
4. Richards Scholtz	20117 Hoya Lane
5. Cyndie Segura	8435 Twisted Oaks
6. Valerie Faleski	20552 TIMBER ROSE
7. JESUS VALDEZ	9035 CINNABAR CT.
8. Dan Reina	8263 Pe-L Lane Dr
9. Bob + Leigh Doerr	10009 Calley Circle DR
10. KAY + JIM BOWER	8947 GARDEN RIDGE DR.
11. PAT + Simon Ramirez	8827 Cherokee Path
12. Fred Snowflake	19106 NAUGDOCHES Loop

PLEASE SIGN IN
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	NAME	ADDRESS
1.	John Terry	9218 Blue Bell Drive
2.	MISSY CANTZY	20515 WAHL LN
3.	Janie + Leo Tucker	9614 Meadow Rue
4.	JACK BURE.	9762 TROPHY OAKS DR
5.	MALCOLM FRENCH	20519 CEDAR CAVERN
6.	JUDD EARLEY	9364 CINCINNATI TR
7.	SHEILA EARLEY	
8.	Dennis Ford	9329 GLOXINIA DR
9.	KAREN FORD	
10.	Darin Bengert	9436 Goldenrod
11.	Bonnie Bengert	
12.	JOHN & BARBARA HOLLY	9916 TROPHY OAK DR.

PLEASE SIGN IN
WE WOULD LIKE TO KNOW WHO ATTENDED.

NAME	ADDRESS
1. Stephen Bell	22211 Via Posada Dr
2. Susan Bell	22211 Via Posada Dr.
3. JERRY BARUCKY	20806 WOODLAND COVE
4. Mark & Lilia Haysheer	20914 Misty Arbor
5. Patrick Brothals	18447 NW 2252
6. Eric Fischer	7703 Ramble Ridge
7. Cyssim Baker	21029 Hickory Bend
8. Rickie Baker	21029 Hickory Bend
9. Luis Castellanos	9608 KUNNE WAY.
10. Lyle GARCIA	21111 KLEIN CIRCLE
11.	
12.	

MEETING NOTES | Public Meeting #2

Monday, August 29, 2017

6:30 p.m.

Garden Ridge Community Center

- The Consultant gave a presentation with a project update, summary of the draft Master Land Use Plan, and the next steps of the planning process. A copy of the presentation can be viewed [here](#).
- A copy of the draft Master Land Use Plan can be viewed [here](#).
- Members of the audience were invited to ask questions or give input at the microphone. The following is a summary of the questions, suggestions, and comments by residents:

Questions

- Find out what types of incentives would be offered for developers, want to make sure it is fair for homeowners
- Maintain the current restriction on sewer system and impervious cover
- With all the stores in special planning area #2, will it increase or decrease property value?
- How large will city staff have to increase to make this plan happen?
- What are the limits to development underneath utility lines? (Special planning area #1)
- Will sales tax impact property tax?
- Will the impact of development match up with the roadway system?
- Has there been a Traffic Impact Analysis done for the new high school?
- What is the Extraterritorial Jurisdiction (ETJ)?
- Can there be a specific discussion at the September steering committee meeting about the cost of service for new development?
-

Comments/Suggestions

- Garden Ridge like large lots, reconsider the idea of 10,000 sq. ft. lots in special planning area #1
- Concerned about townhome/patio homes
- Supports the linear park idea in special planning area #1

- Non-retail commercial park type environments wanted
 - Traffic and light pollution would cause disruption
 - Offices should go on north side of FM 3009 and FM 2252 because they will not stay open later (less disruption to adjacent residential areas)
 - Already have retail on the other side of FM 2252, putting more retail there will not be as intrusive as putting it across from residential
 - Have light residential and garden homes
 - Likes garden homes, but does not like townhomes and row homes
 - Traffic lights and traffic concerns with the development
 - Concerned about trees
 - We won't get that much from sales tax because we don't get to keep it all
 - Thanks for putting it online early
 - Special planning areas #3 and #4 should be flip-flopped and correctly placed because of traffic flow. Wants retail space to be closer to FM 3009.
 - Manage access to FM 2252: needs crosswalks, lights, traffic control, and pedestrian access
 - Doerr Lane has truck traffic restrictions. Possibly close Doerr Lane.
 - Close Doerr Lane and widen the street
 - Concerned with railroad crossing
 - Concerned with sewer infrastructure and needs to have proper infrastructure for commercial space
 - Worried about trains and the traffic on FM 2252: nothing you can do to fix it because it is out of the City
- After the presentation, the attendees had the opportunity to give additional input on boards throughout the room. The input boards can be viewed [here](#) and input received can be viewed [here](#).

SUMMARY OF PUBLIC INPUT BOARDS | Public Meeting #2

Monday, August 28, 2017

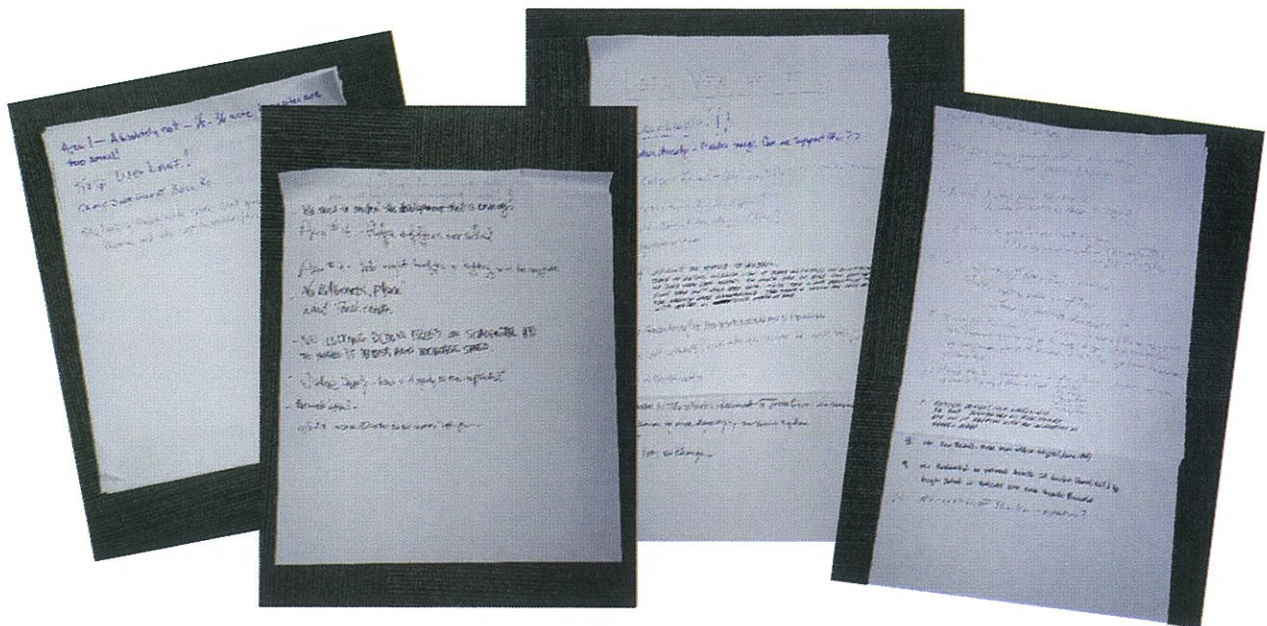
6:30 p.m.

Garden Ridge Community Center

Handwritten Comments for Special Planning Areas

- Area 1 – Absolutely not, 1/5 to 1/4 acre home sites are too small!
- Keep Doer Lane!
- Close Doer Lane at Bell Rd.
- Bike/walking trails invite crime, don't generate revenue, and will cost to maintain/hire bike cops
- Moved to Garden Ridge because its quiet, low crime, little traffic, wildlife, birds – what does all this building and development bring?
- We need to control the development that is coming
- Area 4 – Prefer offices over retail
- Area 4 – Late night traffic and lighting will be negative
- No billboards, please!
- Limit truck traffic
- No cutting down trees on Schoenthal Road to make it wider and increase speed
- Water supply – how is it going to be impacted?
- Street lights?
- Widen/improve Schoenthal Road to improve traffic flow
- Let's vote on it
- No apartments!!!
- Population density = water usage. Can we support this?
- No garden homes
- Tax abatements for developers?
- Impervious cover rules should stay in place
- Area 2 – No garden homes, no townhouses – keep City as is
- Area 4 – Should be office vs retail. There is retail on south side of FM 3009 already. On south side of FM 3009 there are very few homes. On north side of FM 3009, put offices since they don't stay open late. Cuts the light pollution to the Regency Oaks neighborhood. The traffic would be less with offices on FM 2252, north of FM 3009.
- We need garden homes and options for our aging population
- No row or condo units
- Area 5 would make a nice location for small shops with park space and trail connectivity
- Close access to The Woods easement to Twisted Oaks with a permanent wall
- No townhomes – too much density and no sewer system

- No apartments
- $\frac{3}{4}$ acre lots – no change
- Area 4 – No row or condo/apartments
- Will this increase property value in the area or decrease value of the homes?
- Will this increase sales tax base, decrease or increase property tax?
- Will the size of city government increase? If so, by how much?
- Will roads be improved for increased traffic before or after shopping areas develop?
- Area 3 – This is across from a residential HOA that only has on way in and out. Special consideration must be made for the safety (safe egress out of Arrowood Place) Additionally, mitigation factors should be applied to limit noise and light pollution from commercial entities in special planning area #3.
- Area 3 – Should be zoned for a park – residents can walk, exercise with family and friends (bike park, dog park, jogging park, picnic area, and walking area)
- Garden homes (nice ones) would be good. Townhomes or row homes are not in keeping with the aesthetics of Garden Ridge
- No row retail. Make more office-styled (home-like)
- No residential on railroad tracks. Garden homes should be built by high school or Batcave Road area, even toward Bracken
- Annexation of Bracken - what is the status?



Plan Goals



Protect existing residential neighborhoods.



Develop the vacant areas to the highest potential, in a quality manner, to provide an increase in tax base and services for residents.



Provide pathways for residents to safely move through the City on foot and bicycle.



Maintain the community character of the City through natural protection and design guidelines.



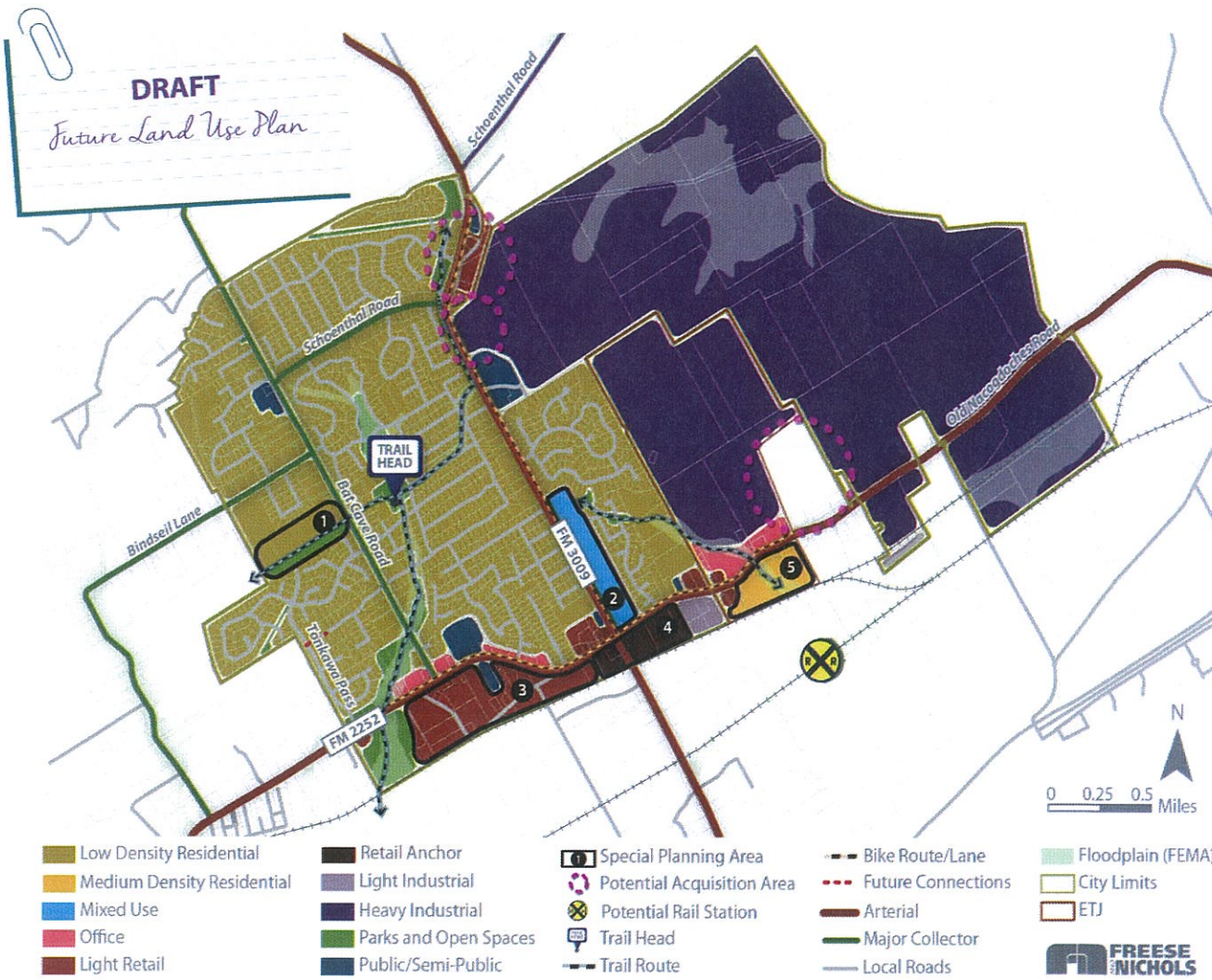
Develop strategies for expansion within the ETJ.



Make the City an inviting and unique place through gateways and corridor development.



Improve the social and physical health of the City by creating gathering places and recreational areas for residents to enjoy.



FUTURE LAND USE DEFINITIONS & DISTRIBUTION



LOW DENSITY RESIDENTIAL

Low density residential refers to single-family detached homes on 3/4 acre lots or larger.



MEDIUM DENSITY RESIDENTIAL

Medium density residential refers to single-family attached homes on 3/4 acre lots and less.



MIXED USE

The mixed-use category provides for a mixture of residential and non-residential uses in one area. The mix of uses can be horizontal or vertical.



OFFICE

Office uses are situated along major corridors and provide services for the residents and neighboring communities. These uses typically include insurance, banking, accounting, law, and smaller medical practices like dental care.



RETAIL (LIGHT RETAIL/RETAIL ANCHOR)

Retail uses are also situated along major corridors for exposure and ease of access. These uses provide shopping and entertainment opportunities for the residents and neighboring communities, while some areas may attract from the greater region.



LIGHT INDUSTRIAL

Light Industrial refers to industrial uses that are not of a manufacturing scale. These uses are few in Garden Ridge and should be situated near the Heavy Industrial uses.



HEAVY INDUSTRIAL

Heavy Industrial refers to all areas associated with the Rock Quarry.



PARKS AND OPEN SPACE

This category refers to parks and open space areas that are used for recreation. Some of these areas are owned and maintained by the City of Garden Ridge, while others are owned and maintained by the HOAs.



PUBLIC/SEMI-PUBLIC

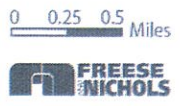
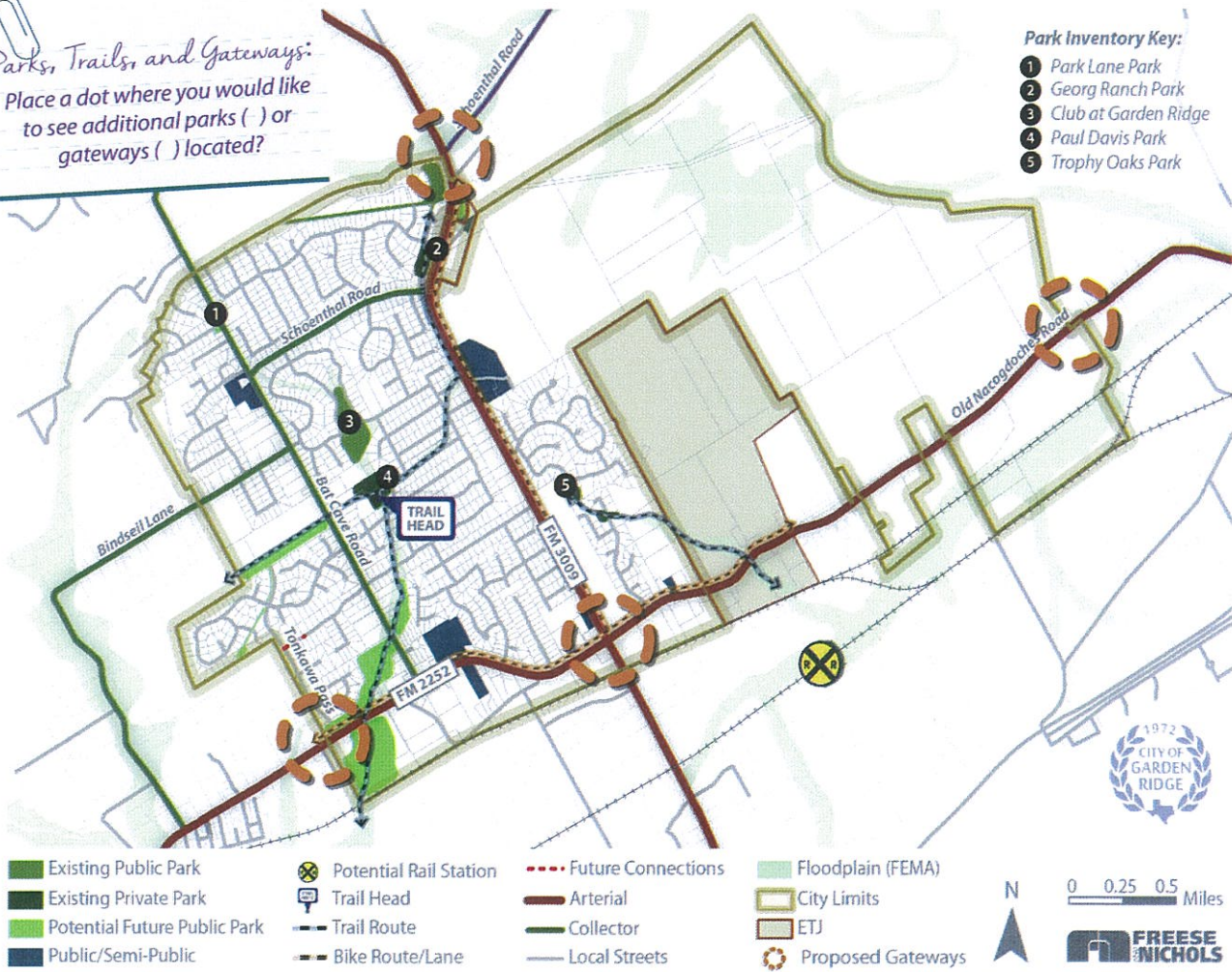
This category refers to uses that are generally open to the public. Public uses include city facilities and schools and semi-public uses refer to churches.

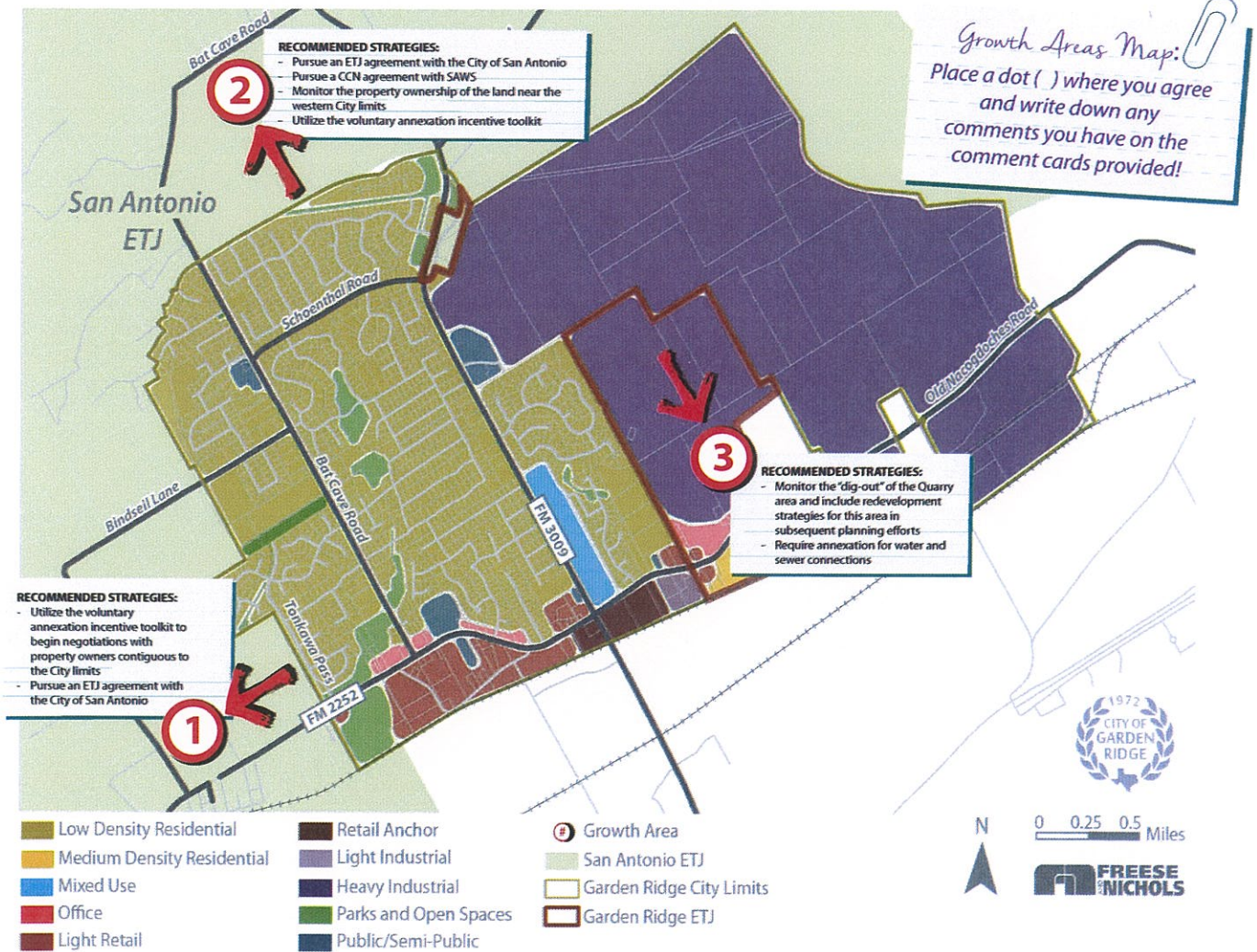
Map Key	Land Use	ETJ	City Limits	Total Planning Area (Acres)	Total Planning Area*	Acres per 100 Persons
Residential Uses						
	Low Density Residential	0	2,060	2,060	77.8%	56.6
	Medium Density Residential	51	0	51	1.9%	1.4
Public Uses						
	Parks and Open Space	0	159	159	6.0%	4.4
	Private Recreation	0	5	5	0.2%	0.1
	Public/Semi-Public	0	61	61	2.3%	1.7
Non-Residential Uses						
	Mixed Use	0	58	58	2.2%	1.6
	Office	22	19	41	1.5%	1.1
	Light Retail	6	145	151	5.7%	4.2
	Retail Anchor	0	41	41	1.5%	1.1
	Light Industrial	0	22	22	0.8%	0.6
	Heavy Industrial	435	2,113	2,548	-	70.1
	Total	514	4,683	5,197	100%	

*Note: The land use proportion percentages shown for the total planning area were calculated using the total planning area acreage minus the land dedicated to the quarry. This allows for a more accurate representation of the land use proportions.

Parks, Trails, and Gateways:
Place a dot where you would like to see additional parks () or gateways () located?

- Park Inventory Key:**
- 1 Park Lane Park
 - 2 Georg Ranch Park
 - 3 Club at Garden Ridge
 - 4 Paul Davis Park
 - 5 Trophy Oaks Park

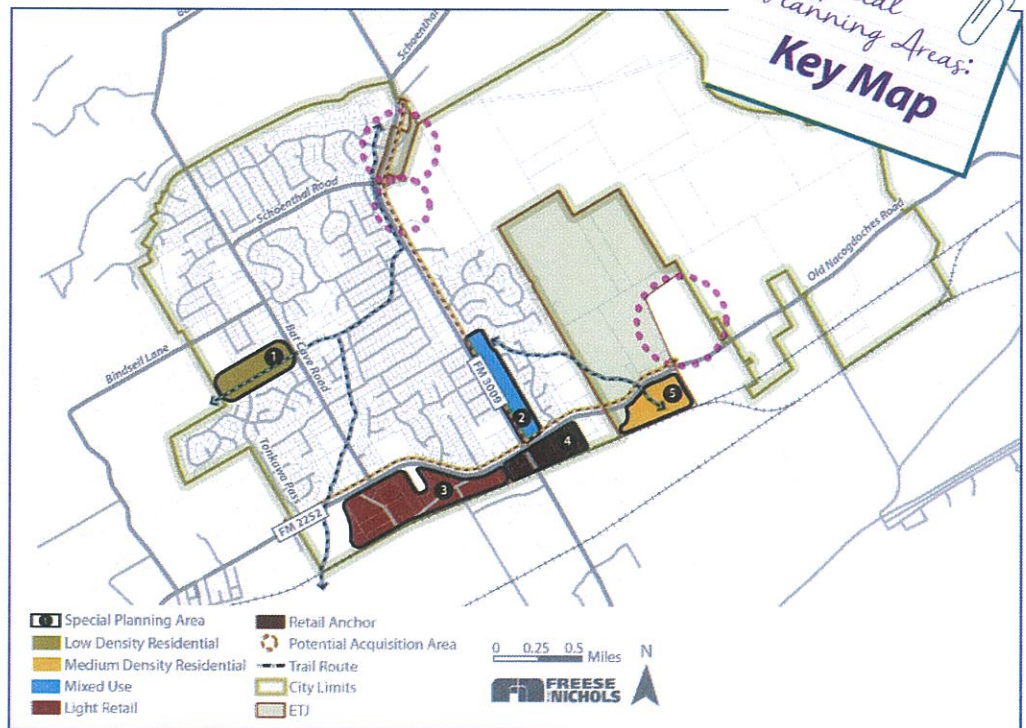




SPECIAL PLANNING AREAS

GENERAL INTENT:

Garden Ridge is 78 percent built-out and is primarily made up of single-family residential uses. While these uses help to maintain the character of the City, it is important to strategically plan for the remaining tracts of vacant land. These vacant tracts have been divided up into seven planning areas to better cast a vision for each area. These vision for these areas are not concrete, but are the outcome of the planning process for this Master Use Plan which included guidance from City Staff, City Council, the Planning and Zoning Commission, and the residents of Garden Ridge. The City cannot control the development market, but it can assist by painting a picture of how the residents desire these areas to develop. This vision will be used by the City Council and the Planning and Zoning Commission when they are reviewing development proposals and rezoning cases.



Did we miss anything?

WRITE DOWN YOUR COMMENTS ON THE FLIP-CHARTS PROVIDED!

SPECIAL PLANNING AREA 1

GENERAL INTENT:

To fill in vacant areas within existing neighborhoods with compatible residential development that protects the character of the neighborhood and provides more housing choices in Garden Ridge.

Example Images



RECOMMENDED ZONING:

Low Density Residential

KEY ELEMENTS:

- Single-family homes
- 10,000 sq. ft. lots or larger
- Front porches
- Variation in front facade
- Park and trail amenities



*Special
Planning Area 1:
Single-Family Infill*

GIVE US YOUR FEEDBACK ON THE FLIP-CHART PROVIDED

SPECIAL PLANNING AREA 2

GENERAL INTENT:
To create an area within the City that allows for housing choices and provides proximity to non-residential uses.

RECOMMENDED ZONING:
Mixed Use

KEY ELEMENTS:

- Townhomes
- Garden/patio homes
- Coffee shop/bistro
- Boutique
- Professional office
- Shared parking
- Minimal yard space
- Pedestrian-friendly
- Access to parks/trail amenities
- Uniform architectural features

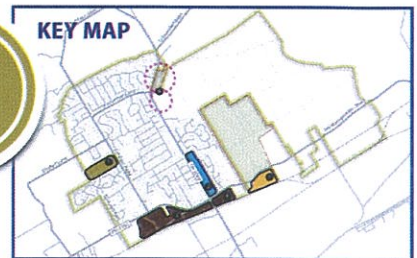
Example Images



GIVE US YOUR FEEDBACK ON THE FLIP-CHART PROVIDED

SPECIAL PLANNING AREA

3



GENERAL INTENT:

To create a non-residential node along FM 2252 that provides non-residential uses to serve residents and helps increase the sales tax base in the City.

Example Images



RECOMMENDED ZONING:

Retail

KEY ELEMENTS:

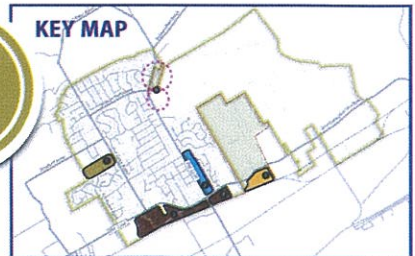
- Shared parking
- Access management
- Parking lot landscaping
- Parking lot buffers
- Outdoor seating
- Architectural design standards
- Pedestrian connections
- Neighborhood services



GIVE US YOUR FEEDBACK ON THE FLIP-CHART PROVIDED

SPECIAL PLANNING AREA

4



GENERAL INTENT:

To create a key non-residential node at a highly visible intersection/gateway into Garden Ridge.

Example Images



RECOMMENDED ZONING:

Mixed Use or Retail

KEY ELEMENTS:

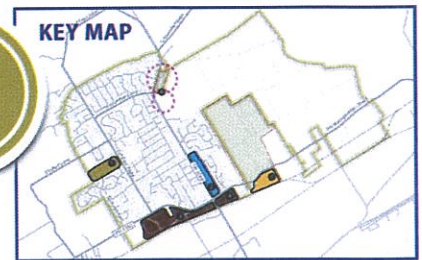
- Gateway to the City
- Unique architectural details
- Cohesiveness with Area #3
- Neighborhood services
- Mixed use



GIVE US YOUR FEEDBACK ON THE FLIP-CHART PROVIDED

SPECIAL PLANNING AREA

5



GENERAL INTENT:

To provide an area within Garden Ridge for a range of housing options other than single-family homes.

RECOMMENDED ZONING:

Medium Density Residential

KEY ELEMENTS:

- Medium density residential (townhomes, rowhomes, etc.)

Example Images



GIVE US YOUR FEEDBACK ON THE FLIP-CHART PROVIDED

POTENTIAL ACQUISITION AREAS

GENERAL INTENT:

To acquire more City-owned land to provide community services & amenities.

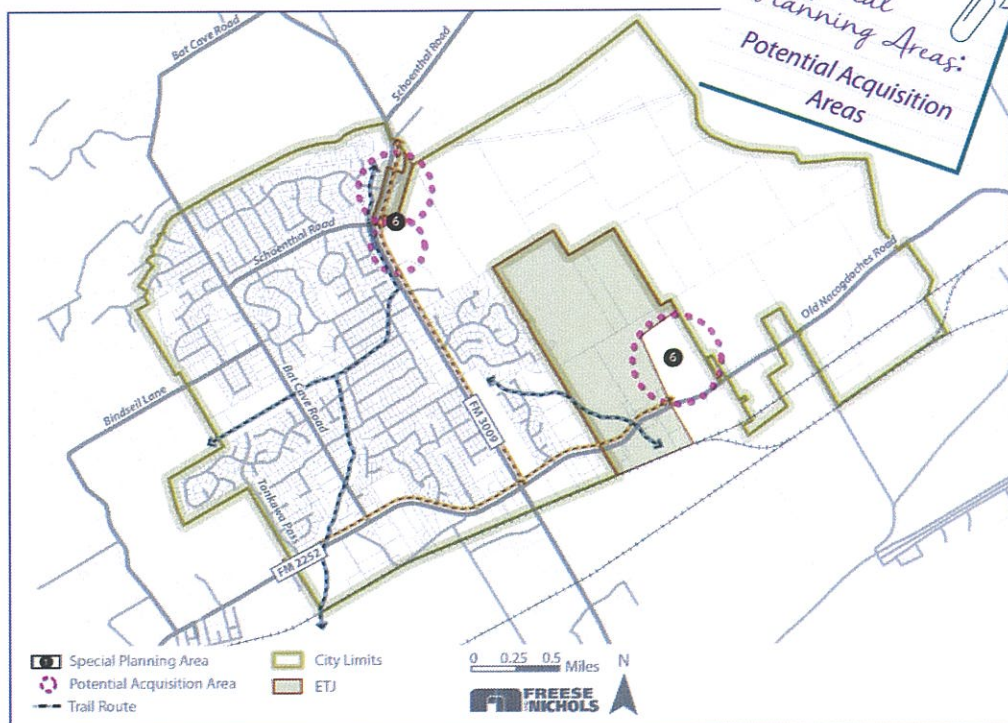
RECOMMENDED ZONING:

Low Density Residential or Office

KEY ELEMENTS:

- Community Center
- Library
- Park/Open Space

Example Images



Did we miss anything?

WRITE DOWN YOUR COMMENTS ON THE FLIP-CHARTS PROVIDED!

AGENDA | Public Meeting #2

Monday, August 28, 2017

6:30 p.m.

Garden Ridge Community Center

1. Open House
2. Opening Remarks by Mayor Thompson (at 7:00 p.m.)
3. Presentation of the Draft Master Land Use Plan
4. Public Comments
5. Input Boards

Visit the project website!

clients.freese.com/gardenridge



Use your smartphone to scan the QR code to be directed to the website

**SIGN IN TO SPEAK FOR ALL WHO WISH TO ADDRESS THE CITY COUNCIL
CITY COUNCIL AND P&Z COMMISSION SPECIAL MEETING August 28, 2017**

NAME	ADDRESS
1. Pam Fritz	8927 Garden Ridge DR.
2. BRUCE STANFILL	8602 TURNER RIDGE.
3. DAVID TADDEN	10002 CALLEY CIRCLE
4. Leo Tucker	9614 Meadow Rue
5. DAVE LOTTORRE	21919 CASTANO CAVES
6. Mark the sheer	20914 Misty Arbor
7. LAWRENCE SANSONE	19462 Arrowood PL
8. Trip Moon	19106 NAUOGUCKES LOOP.
9. Jimmy Barucky	20806 Woodland Cove
10. David Blum	21460 PK LN CT.
11. Luis CASTELLANOS	9608 KURKE WAY.
12.	
13.	



City of Garden Ridge

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

MINUTES OF CITY COUNCIL SPECIAL MEETING, AUGUST 30, 2017

Members Present:

Mayor Larry Thompson
Mayor Pro-Tem John McCaw
Councilmember Todd Arvidson
Councilmember Kay Bower
Councilmember Robb Erickson
Councilmember Bryan Lantzy

Member Absent:

None

City Staff Present:

Nancy Cain, City Administrator
Ron Eberhardt, Police Chief
Royce Goddard, Water Manager
Karen Ford, Finance/HR
Shelley Goodwin, City Secretary

1. Call to Order

With a quorum of the City Council Members present, Mayor Thompson called the special meeting of the Garden Ridge City Council to order at 6:00 p.m. on Wednesday, August 30, 2017, in the City Council Chambers of the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas 78266.

2. Pledge of Allegiance

Councilmember Lantzy led the Pledge of Allegiance.

3. Citizen's Participation – Limited to three (3) minutes.

No one wished to speak.

4. Business Items:

a) Proposed 2017 Property Tax Rate

i. Presentation on tax rate proposal

Nancy Cain, City Administrator, provided a presentation on the proposed 2017 Fiscal Year (FY) Tax Rate. She reviewed the FY2016 Tax Rate, FY 2017 Effective Tax Rate and the FY2017 Roll Back Tax Rate. She also reviewed the impact on property owners and the percentages each entity receives from a Garden Ridge tax payer's bill. She stated the proposed 2017 Fiscal Year (FY) Tax Rate is \$.323146 and will fund the adopted budgets.

ii. Public Hearing to receive comments

Mayor Thompson opened the public hearing at 6:08 p.m. and asked if anyone wished to speak. No one did, so Mayor Thompson closed the public hearing at 6:08 p.m.

iii. Announce date, time and place of:

City Council vote on the 2017 Property Tax Rate (Wednesday, September 6, 2017, 6:00 p.m., City Council Chambers, 9400 Municipal Parkway, Garden Ridge, Texas)

Mayor Thompson announced the City Council will be voting on the 2017 Property Tax Rate at their Regular City Council Meeting on Wednesday, September 6, 2017, 6:00 p.m., City Council Chambers, 9400 Municipal Parkway, Garden Ridge, Texas.

b) Approval and recognition:

i. Officer Joseph Thoemke for completing 6-month probationary period on September 1, 2017, with a 5% salary increase on that date.

Nancy Cain, City Administrator, reviewed the Memo from Police Chief Eberhardt.

Motion: Upon a motion made by Councilmember Lantzy and a second by Councilmember Erickson, to approve the release of Officer Joseph Thoemke from 6-month probationary period on September 1, 2017, with a 5% salary increase. The City Council voted five (5) for and none (0) against. The motion passed unanimously.

ii. Chris Graef, Water Rep., for completing 90-day probationary period on September 9, 2017, with a 5% salary increase on that date.

Nancy Cain, City Administrator, reviewed the Memo from Royce Goddard, Water Manager.

Motion: Upon a motion made by Councilmember Lantzy and a second by Councilmember McCaw, to approve the release of Chris Graef, Water Rep., from 90-day probationary period on September 9, 2017, with a 5% salary increase. The City Council voted five (5) for and none (0) against. The motion passed unanimously.

c) Approval of Resolution 421-082017 nominating a candidate for the Comal Appraisal District Board of Directors.

Nancy Cain, City Administrator, reviewed the letter from Comal Appraisal District Board of Directors and stated the City has 39 votes to cast. She stated in the past the City has put all their votes towards their nominated representative.

Motion: Upon a motion made by Councilmember McCaw and a second by Councilmember Arvidson, to approve Resolution 421 nominating Randy Maschek as a candidate for the Comal Appraisal District Board of Directors. The City Council voted five (5) for and none (0) against. The motion passed unanimously.

d) Discussion on redefining the definition of structure as it pertains to City Zoning Ordinance 13 and possible direction to City Staff (Councilmember Bower).

Councilmember Bower stated she requested this discussion because she feels the City is losing ground with structure issues due to the definition of structure in Ordinance 13. She feels the definition should be tighter to avoid allowing several structures on a property to be counted as one because the concrete connects.

Cynthia Trevino, City Attorney, stated Ordinance 13 will soon be rewritten due to the Master Land Use Plan. She stated once that Ordinance is rewritten it will then go to Planning and Zoning Commission to review and make a recommendation to the City Council.

The City Council agreed by consensus to have Planning and Zoning Commission review the definition of structure in Ordinance 13 and make a recommendation to City Council.

e) Discussion regarding usage of electronic devices during City Council and Commission meetings (Councilmember Bower).

Councilmember Bower stated she requested this discussion after she attended the TML class. She stated electronic devices and respect of one another was a discussion in the class. She stated she feels it is a distraction to others when Councilmembers spend meeting time texting or emailing others during the meeting.

Cynthia Trevino, City Attorney, stated with changes in legislation the public has a right to know what is going on during meetings. She recommended the City Council consider adopting a policy regarding use of electronic devices at the dais during meetings.

The City Council discussed other uses of electronic devices during meetings, respect for others and limiting texting from the dais to emergency uses only. The City Council discussed self-policing when it comes to electronic devices at the dais.

Mayor Thompson stated this has become noticeable lately during meetings when you look at the dais. He stated this is not just a City Council issue, but a Commission issue as well.

After considerable discussion, the City Council agreed by consensus to honor and respect one another and to limit personal use of electronic devices to emergencies. They further agreed to informally speak to each Commission Chair to do the same.

f) Discussion regarding beautification of water storage tank and possible future park at FM 3009 and Schoenthal Road (Councilmember Bower).

Councilmember Bower stated she requested this discussion after she returned from her trip up north and saw what other cities had done with their water storage tanks.

Mayor Thompson stated this issue is on the radar and he has been talking to the City Engineers about the water storage tanks. Mayor Thompson asked Councilmember Bower to lead an effort to study the options available to the City. Councilmember Bower agreed and this matter will be discussed in future City Council meetings and City Council will be involved in the decisions concerning the beautification of the water storage tanks.

6. Citizen's Participation – Limited to twenty (20) minutes.

Dr. Jim Miller, stated he enjoyed the discussion tonight and feels everyone should be respectful of each other. He also stated perception is everything.

7. Executive Session

The City Council will recess its open meeting and reconvene in Executive Session pursuant to Texas Government Code Chapter 551.071 (Consultation with Attorney) and 551.074 (Personnel Matters) to deliberate the duties, roles, and responsibilities related to City Council School Liaison and to seek or receive legal advice regarding same.

Mayor Thompson announced the City Council would recess into Executive Session at 7:01 p.m., in accordance with Texas Government Code Chapters 551.071 (Consultation with Attorney) and 551.074 (Personnel Matters) to deliberate the duties, roles, and responsibilities related to City Council School Liaison and to seek or receive legal advice regarding same.

Mayor Thompson adjourned the Executive Session at 7:48 p.m. and the City Council reconvened back into regular session.

8. Business Items (continued)

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.

Motion: A motion was made by Councilmember Erickson, seconded by Councilmember Arvidson, for the City Attorney to draft an ordinance regarding ethics, responsibilities and guidance for City Officials. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

9. Adjournment

There being no further business, the Monday, August 30, 2017 Garden Ridge City Council Special Meeting was adjourned at 7:49 p.m. by Mayor Thompson.

Larry Thompson
Mayor

ATTEST

Shelley Goodwin, TRMC
City Secretary



MINUTES OF CITY COUNCIL REGULAR MEETING,
SEPTEMBER 6, 2017

Members Present:

Mayor Larry Thompson
Mayor Pro-Tem John McCaw
Councilmember Todd Arvidson
Councilmember Kay Bower
Councilmember Robb Erickson

Member Absent:

Councilmember Bryan Lantzy

City Staff Present:

Nancy Cain, City Administrator
Cynthia Trevino, City Attorney
Ron Eberhardt, Police Chief
Royce Goddard, Water Department Manager
Steven Steinmetz, Public Works Director
Shelley Goodwin, City Secretary

Commission Chairs Present:

Johnell Holly, Quarry Commissioner

1. Call to Order

With a quorum of the City Council members present, Mayor Thompson called the regular meeting of the Garden Ridge City Council to order at 6:00 p.m. on Wednesday, September 6, 2017, in the City Council Chambers of the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas 78266.

Mayor Thompson stated he was moving up part of Agenda Item 3 in order to recognize the volunteers of the Harvey Relief Team.

City/Employee Recognitions

Mayor Thompson stated the video that was showing before the City Council meeting was of the Garden Ridge Harvey Relief Drive. He stated the Community collected 31 pallets of food, hygiene products, pet food, cleaning supplies and clothes with an estimated total value of over \$70,000 as well as \$4,000 in monetary donations. He stated on September 1st 11 vehicles, two 6-foot trailers and one 32-foot gooseneck trail caravanned to the San Antonio Food Bank. He stated once we arrived at the Food Bank, Eric Cooper, President and CEO of the San Antonio Food Bank, provided us with a tour of their operation. He stated this drive would not have been

possible without the help of some great volunteers like some of those present: Dr. Jim Miller, Ken Kneupper, Councilmember Bower and the Shelby Trial, Volunteer Coordinator.

2. Pledge of Allegiance

Dr. Jim Miller, Ken Kneupper, Councilmember Bower and Shelby Trial joined Mayor Thompson in leading the Pledge of Allegiance.

3. City/Employee Recognitions

Nancy Cain, City Administrator, stated she received an email thanking Steven Steinmetz, Public Works Director, for assistance with Trophy Oaks Drainage Easement. She also received a letter thanking Brian Horne, Public Works, for his assistance in the Library remodeling

4. Citizen's Participation – Limited to (30) minutes

One citizen signed up to speak but requested his time be deferred to the Public hearing.

5. Consent Agenda

THE FOLLOWING ITEMS MAY BE ACTED UPON IN A SINGLE MOTION. NO SEPARATE DISCUSSION OR ACTION ON ANY OF THESE ITEMS WILL BE HELD UNLESS REQUESTED BY A MEMBER OF CITY COUNCIL. PUBLIC COMMENT ON CONSENT AGENDA ITEMS MAY BE HEARD DURING CITIZEN'S PARTICIPATION, BUT COMMENTS HEARD DURING CITIZEN'S PARTICIPATION DOES NOT MEAN THAT THE ITEM WILL BE CONSIDERED OUTSIDE THE CONSENT AGENDA.

a) Approval of Minutes:

- i. August 2, 2017 City Council Regular Meeting**
- ii. August 7, 2017 City Council Special Meeting**
- iii. August 7, 2017 City Council and Planning and Zoning Commission Joint Meeting**
- iv. August 21, 2017 City Council Special Meeting**

b) Financial Statement and Investment Report –July 31, 2017

- c) Consider approval of Resolution No. 421-092017 ratifying City Council's finding of an emergency regarding Water Well 2 equipment failure and determination that immediate repairs to Water Well 2 were necessary to protect and preserve the public health and safety; authorizing the City Staff to forego the competitive bidding process and to retain a contractor to undertake necessary repairs to Water Well 2.**

Motion: A motion was made by Councilmember McCaw, seconded by Councilmember Arvidson, to approve the Consent Agenda items 6. a) - c). The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

7. Business Items

The following items are for discussion, consideration and action.

a) Action on items pulled from the Consent Agenda

No Consent Agenda items were previously pulled.

b) Staff Reports:

i. City Administrator Monthly Activity Report

- **Sign approvals since prior Council meeting**
- **Community Center usage and financial report**
- **Building Permits issued to date for residential, commercial and minor Construction projects**
- **City Council Idea/Suggestions**
- **Communication efforts**
 - Citizen Concern/Input**
 - Website**
- **Upcoming events**

Nancy Cain, City Administrator, stated she has no additional information from her report she provided in the Agenda Packet.

ii. Police Department Monthly Activity Report

- **Traffic Enforcement**
- **Criminal activity within city**
- **Code Compliance Enforcement**
- **Upcoming events-National Night Out**

Ron Eberhardt, Police Chief, stated he has provided his report in the Agenda Packet, but reminded everyone about National Night Out on October 3, 2017. He also reported that TxDOT will be moving the stop lines on F.M. 2252 by the EZ Mart back 10 feet to help with traffic flow.

Mayor Thompson stated he declared this a public safety issue in order to obtain quick action and he appreciates the Chief's help to get TxDOT to make the change.

iii. Public Works Monthly Activity Report

- **Street and Right-Of-Way Maintenance**
- **Drainage Facility and Easement Maintenance**
- **Animal Control (domestic and wild)**
- **Public Works Projects**

Steven Steinmetz, Public Works Director, stated he has no additional information to add to his report he provided in the Agenda Packet.

iv. Water Manager Monthly Activity Report

- **Water pumping/usage from city wells**
- **Water system infrastructure maintenance, repairs and/or projects**
- **Water and/or Drought Management (current Watering Stage)**

Royce Goddard, Water Manager, stated his report is in the City Council packet.

Mayor Thompson stated Edwards Aquifer Authority currently is not in a water demand reduction stage, but the San Antonio Water System remains in Water Stage 1, and the City of Garden Ridge will also remain in Water Stage 1. He stated that while this will allow the City to pump more out of Edwards until the Authority goes back into Water Stage 1, he felt it would be far less

confusing to leave the City in Water Stage 1 since EAA will soon be going back into Water Stage 1 once the water level drops 1 1/2 feet.

v. Library Monthly Activity Report

- Upcoming events

Linda Crosland, Librarian, stated the Garden Ridge Library will host an Open House from 2 p.m.-4 p.m. on September 17, 2017.

c) City Engineer Projects Status Reports:

- i. CIP Project for 2013**
- ii. CIP Project for 2015**
 - a. Phase I**
 - b. Phase II**
 - c. Trinity Wells #9 and #10 Project**
 - d. Municipal Parkway Seal Coating**
 - e. Waterline extension project to Winco/Naco Loop**

Daniel Mummert, Trihydro, City Engineers, reviewed his report on updates of CIP projects. He highlighted:

- CIP Project for 2015 is currently finishing up and they will soon be working through a punch list of items in order to complete this project.

Mayor Thompson stated he has received a lot of comments regarding this project. He stated the City Council has the final authority on the final payment and feels we must not pay this final payment until the City and residents are taken care of. He asked that anyone who has issues that haven't been taken care of to contact him.

The City Council asked for an explanation on overruns and underruns on ribbon curb and asphalt driveways.

Daniel Mummert explained the differences and the percentage.

- Municipal Parkway Seal Coating stated the white marks people are now seeing in heavy traffic areas are due to materials rising and tire marks from people turning in those areas. He stated this is normal.
- Phase II material and construction project timeline.
- 2015 CIP Street Preliminary coring sampling locations are being determined.
- Trinity Wells #9 and #10 Project foundation and electrical work for the booster pump station and generator has begun. The cost for chain link fencing was higher than anticipated and they are working with contractor to make adjustments. He also provided alternative tank screening/landscaping and encouraged the Council to start thinking about that area.
- Sewer System (F.M. 2252) updated on the meeting staff, Trihydro and a pump supplier had regarding the pumping equipment and how it works. The design for Naco-Loop water line is currently going through the process.
- TxDOT FM 2252 is an ongoing project and they have received no new updates from TxDOT.
- Update on City of Garden Ridge Debt Issuance and CIP Project allocations.

Mayor Thompson stated the City Council needs to consider options for alternative tank screening/landscaping for Trinity Wells #9 and #10. He also provided some options we could do to help pay for the project and to possibly make it into a competition. He asked Councilmember Bower to head up this project and investigate different alternatives to bring back to Council

Councilmember Bower stated she would be happy to head up this project and possibly get master gardeners involved.

The City Council discussed using bond funds or other alternative funds to pay for the projects and use this area as a gateway welcoming people into and exiting the City. The City Council also discussed using local artist and turning this project into a competition with residents' input.

iii. Sewer System (FM 2252)

Mayor Thompson stated with the previous discussion of coordinating TxDOT work on F.M. 2252 and the proposed water/wastewater line project the City would like to be updated on the timelines. He also stated with the closing out of the Master Land Use Plan the City will have a better idea of the zoning and what could be located in this area and the capacity and the design that will be needed. Mayor Thompson stated the City Council has never formally declared water and sewer, so a decision needs to be made on whether it is sewer only or sewer and water the City wants to pursue.

The City Council agreed by consensus to move forward with pursuing water and sewer for F.M. 2252.

Mayor Thompson inquired to an update on the Waterline extension project to Winco/Naco Loop that was previously overlooked.

Daniel Mummert updated the City Council on the process for obtaining the proper easements and the design process for the waterline extension. He stated he can provide a schedule for this project at the next City Council meeting.

The City Council discussed the actual cost of the water and sewer project.

Daniel Mummert stated he can work on a draft timeline and rough cost of the project.

Mayor Thompson stated once we get a timeline from TxDOT then we can get a better timeline for our project.

d) 2017 Tax Rate

- i. Review and discussion on the 2017 Effective and Rollback Tax Rate Calculations**
- ii. Motion to ratify the property tax increase of \$ 0.323146 as reflected in the 2018 Budget for the General Fund and Interest and Sinking Fund of the City of Garden Ridge**

Motion: A motion was made by Councilmember McCaw, seconded by Councilmember Bower, to ratify the property tax increase to \$ 0.323146 as reflected in the 2018 Budget for the General Fund and Interest and Sinking Fund of the City of Garden Ridge. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

iii. Motion to approve Ordinance 202-092017 of the City Council of the City of Garden Ridge adopting a Tax Rate of \$ 0.323146 per one hundred dollars (\$100.00) of assessed valuation for the City of Garden Ridge, Texas to be effective for the Tax Year 2017 (Fiscal Year 2018)

Motion: A motion was made by Councilmember Erickson, seconded by Councilmember Arvidson, to approve Ordinance 202-092017 of the City Council of the City of Garden Ridge adopting a Tax Rate of \$ 0.323146 per one hundred dollars (\$100.00) of assessed valuation for the City of Garden Ridge, Texas to be effective for the Tax Year 2017 (Fiscal Year 2018). The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

iv. Motion to adopt .211012 as the 2017 Maintenance and Operation Rate for the City of Garden Ridge; and

Motion: A motion was made by Councilmember Arvidson, seconded by Councilmember McCaw, to adopt .211012 as the 2017 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.

v. Motion to adopt .112134 as the 2017 Debt Service Rate for the City of Garden Ridge

Motion: A motion was made by Councilmember Bower, seconded by Councilmember Erickson, to adopt .112134 as the 2017 Debt Service Rate for the City of Garden Ridge. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

e) Consider Ordinance 70-092017 amending Ordinance 70-072016 section 7, establishing a revised rank structure for the police department's sworn officer command staff; providing that this ordinance shall be cumulative of all ordinances; providing a severability clause; providing a savings clause; and providing an effective date.

i. Discussion and action on Ordinance 70-092017.

Mayor Thompson stated when he sat down with the Police Department he discovered that our Investigator is currently a Corporal which can make it difficult when dealing with external entities and agencies. He then found out to change our Investigator from a Corporal to a Sergeant it would cost the City \$869.23 a year.

Motion: A motion was made by Councilmember McCaw, seconded by Councilmember Arvidson, to approve Ordinance 70-092017 amending Ordinance 70-072016 section 7, establishing a revised rank structure for the police department's sworn officer command staff; providing that this ordinance shall be cumulative of all ordinances; providing a severability

clause; providing a savings clause; and providing an effective date. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

f) Planning and Zoning Commission Recommendations and Possible Action:

- i. Receive a recommendation from the Planning and Zoning Commission for the reappointment of Commissioners Ringle, Heier, and Willis due to expiring terms of office (September 30, 2017).**

Nancy Cain, City Administrator, stated Commissioners Ringle, Heier, and Willis terms of office expire on September 30, 2017, and they have expressed an interest to serve another term which will expire on September 30, 2019. The Commission voted unanimously to recommend to City Council the reappointment of Commissioners Ringle, Heier, and Willis to a 2 year term with their terms of office expiring on September 30, 2019.

Motion: A motion was made by Councilmember Erickson, seconded by Councilmember Arvidson, to reappoint Commissioners Ringle, Heier, and Willis to a 2 year term with their terms of office expiring on September 30, 2019. The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

- ii. A petition by Anthony J. Colatarci for a variance to Ordinance 13-062017, Section 5, Residential, Paragraph 5.1.7.2.4.2, Interior Lots, there shall be a side yard of all interior lots of not less than fifteen (15) feet. The request is for the encroachment of an existing storage building into the 15 foot side yard at 8838 Cherokee Path, Garden Ridge, Texas 78266 and further described as Lot 10, Block 10, Forest of Garden Ridge.**

- a. Receive recommendation from Planning and Zoning Commission on the petition.**

Absent a representative from the Planning and Zoning Commission, Nancy Cain, City Administrator, stated the Planning and Zoning Commission received a variance request from Anthony Colatarci for Ordinance 13 regarding Interior Lots. She stated Mr. Colatarci's storage building encroaches the 15 foot side yard setback. She stated the Commission held 2 public hearings due to one property owner within 200' not being notified about the first public hearing. She stated one neighbor spoke and several neighbors provided letters in support of the variance request. She stated the Commission voted unanimously to recommend to City Council the approval of the variance request from Anthony Colatarci.

- b. Hold a public hearing to receive comments for or against the petition.**

Mayor Thompson opened the public hearing at 6:57 p.m. and asked if anyone wished to speak.

Shelby Trial, 21657 Forest Waters Circle, stated he wished the Chair of Planning and Zoning Commission was present so he could address six questions to him. He then inquired to the following:

- What was unique about this request that they approved and set a precedence?
- In what condition would similar request not be granted?

- Should Ordinance 13 be revised to eliminate the 15 foot setback so people do not have to apply for a variance?
- Should Garden Ridge Architectural Committee (Garden Ridge/Bracken HOA) approve these variances after the Planning and Zoning Commission?
- The Garden Ridge Architectural Committee (Garden Ridge/Bracken HOA) received the site drawing, I didn't see where the permit application received the site drawing.
- How many Planning and Zoning Commissioners actually viewed the property?

He also stated while no Councilmembers want to be the bad guy, they should please remember they represent all residents when voting on this variance request.

Anthony J. Colatarci stated he was the petitioner and was asking for a variance to Ordinance 13-062017 side yard for a storage building, which has been a 15-month process because he accidentally applied for a permit but never completed the process. He stated originally he had plans to put the building on pavers, but poured a concrete pad instead. The 10x16 shed was built and then he received a letter from the Building Inspector regarding closing out the permit application and requesting a final inspection. He stated this is when he learned of the side yard requirements because the building installed encroaches 6.5 feet into the required 15 foot side yard. He also stated with the shape of his yard the location of the building is the best area for the building.

The City Council inquired to the documents Mr. Colatarci signed stating "The builder must comply with City Ordinances and Codes", original submission of the required property owners within 200 feet, and what are the unique circumstances for placing the shed in that location. They also inquired as to the impact on the requestor if the variance was denied, type of contractor used and why the contractor did not ask for setback requirements.

Mayor Thompson explained the permit application process and the builder/homeowners' responsibilities. He also stated even though the neighbors are fine with the shed, the next owners might not be and the issue should be whether or not he violated a city ordinance/city law.

Mayor Thompson asked if anyone else wished to speak. No one did, so Mayor Thompson closed the public hearing at 7:32 p.m.

c. Discussion and action on the variance petition.

Motion: A motion was made by Councilmember Bower, seconded by Councilmember McCaw, to deny the petition by Anthony J. Colatarci for a variance to Ordinance 13-062017, Section 5, Residential, Paragraph 5.1.7.2.4.2, Interior Lots, there shall be a side yard of all interior lots of not less than fifteen (15) feet. The request is for the encroachment of an existing storage building into the 15 foot side yard at 8838 Cherokee Path, Garden Ridge, Texas 78266 and further described as Lot 10, Block 10, Forest of Garden Ridge.

The City Council discussed setting precedence and what might happen when this property or the neighbor's property sells.

Mayor Thompson stated he has conferred with the Building Inspector and in the future anyone who applies for a permit will receive a note reiterating their responsibility for complying with Ordinance 13.

The City Council voted two (2) for denial and two (2) opposed to the denial (Councilmember Arvidson and Councilmember Erickson), to break the tie Mayor Thompson voted to oppose the denial. The motion to deny failed and the Variance was granted.

g) Quarry Commission Recommendations and Possible Action:

i. Request from Orica USA, Inc. for a Partial Exemption Permit to conduct blasting activities at the Hanson Quarry and to include setting annual fee for the Partial Exemption Permit

a. Receive recommendation from Quarry Commission.

Johnell Holly, Quarry Commissioner, stated the Quarry Commission reviewed the request from Orica regarding the Partial Exemption Permit. He stated the request was in disarray, but the request was administratively complete. The Quarry Commission voted unanimously to recommend to City Council the approval of the Partial Exemption Permit to conduct blasting activities at the Hanson Quarry.

b. Discussion and action on annual fee.

Motion: A motion was made by Councilmember Erickson, seconded by Councilmember Arvidson, to increase the annual fee for the Partial Exemption Permit by 5% (\$18,690). The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

c. Discussion and action on Partial Exemption Permit

Mayor Thompson stated he wants all contractors to know that this will be the last time the City will adjust to the permitting process by having the Commission hold a Special Meeting to meet the timeframe deadline.

Motion: A motion was made by Councilmember Erickson, seconded by Councilmember Arvidson, to approve the request from Orica USA, Inc. for a Partial Exemption Permit to conduct blasting activities at the Hanson Quarry.

The City Council discussed this continual issue regarding the filing of the request for the permit in a manner that caused the Commission and/or City Council to have to hold a special meeting in order to make their deadline.

The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

h) Water Commission recommendations and Possible Action:

No report.

i) Wildlife Management Advisory Commission:

Councilmember Erickson reported that the Wildlife Management Advisory Commission held an educational training and scheduled deer counts during their last meeting. The next meeting is scheduled for September 18, 2017 at 6:00 p.m. and he encouraged everyone to attend. They will soon be working on additional education and survey questions.

Mayor Thompson stated the Commission is doing a great job and really working hard to get up to speed with new training.

j) Garden Ridge Parks Committee:

i. Upcoming activities

Shelby Trial, Parks Committee Chair, reported the following:

- Grant writing class was cancelled but two committee members will be going to a different class.
- Parks sign- received a rendering of the sign and the Committee is currently reviewing the design. The cost of the sign is \$800.00 and after investigating the cost of the sign, it was determined that the price was fair.
- Christmas Tree Lighting is coming up and they will soon be working on that event.
- Paul Davis Parks video will soon be posted to the City website.

Mr. Trial asked to be informed whenever anything related to Parks is involved.

k) City Administration Project Updates:

i. Master Land Use Plan Update

- a. Steering Committee Meeting-Monday, September 25, 2017, at 6:00 p.m. in the City Council Chambers, 9400 Municipal Parkway, Garden Ridge, Texas**
- b. Steering Committee Meeting-Public Hearing-Monday, October 23, 2017, at 6:00 p.m. in the City Council Chambers, 9400 Municipal Parkway, Garden Ridge, Texas**

Mayor Thompson announced there will be a Steering Committee Meeting on Monday, September 25, 2017, at 6:00 p.m. and another Steering Committee Meeting for the purpose of holding a Public Hearing on Monday, October 23, 2017, at 6:00 p.m. in the City Council Chambers, 9400 Municipal Parkway, Garden Ridge, Texas. He reiterated that all of these meetings are public and he encouraged Citizens to attend.

l) City Council Discussions/Project Updates:

i. Mayor's communication efforts

Mayor Thompson stated there will not be a Mayor's Coffee on Monday, September 11, 2017, but they will resume on Monday, September 18, 2017 at the normal time 9:30 a.m.-11:00 a.m.

ii. Volunteer Program

Mayor Thompson stated the Volunteer Program had a soft kickoff at the Town Hall Meeting-Master Land Use Plan Meeting. He stated the main kick off for the program will be held at

National Night Out. This program got a big start with Hurricane Harvey Relief Efforts in which the program shined and was a big success.

iii. Update on CISD activities/concerns (Thompson)

Mayor Thompson stated it has been seven weeks since he sent the letter to Superintendent Andrew Kim and President of Board Trustee Cody Mueller, which he still has not received a response from the Superintendent. He stated the Board President has suggested a meeting. The CISD has been active in telling the parents that the City is not allowing the parents to park in our parking lot on the first day of school. There has been a lot of misinformation regarding the situation. The decision to not allow people to use the parking lot and walk across the street is founded in an Ordinance that the City Council passed to ensure the safety of the children.

iv. Creation of list of items for discussion with TxDOT at a public meeting (Arvidson)

Councilmember Arvidson stated he has reviewed the concerns he received at the Town Hall Meeting, but only a few pertained to TxDOT issues. He proposed having a table at the National Night Out event which would give residents an opportunity to express their concerns.

Mayor Thompson stated once all concerns are gathered then they need to decide if the meeting should be held at the Community Center or Council Chambers. He stated this will be the City Council's effort of getting the residents with TxDOT to get their questions answered.

v. Future Agenda Items

- Review the definition structure (Bower)
- Consider a presentation on the new High School Architectural Design (Arvidson)
- Possibly annexation of Tommy Trail and Park Lane (McCaw)

8. Citizen's Participation – Limited to 20 minutes

Shelby Trial, 21657 Forest Waters Circle, thanked Dr. Miller and Ken Kneupper for their assistance during the Harvey Relief Efforts.

9. 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 ("AAMPO")

Boy Scouts and/or Girl Scouts

City Commissions (Planning and Zoning, Quarry, Water, and Wildlife Management)

Comal ISD/Garden Ridge Elementary

Counties (Bexar, Comal and Guadalupe)

Garden Ridge Lions Club

Garden Ridge Police Academy Alumni Association/Citizen Patrol

**Greater Bexar County Council of Cities
Joint Base Land Use Study-Randolph
Northeast Partnership**

Councilmember McCaw expressed how proud he was with all that Garden Ridge and others did for the Hurricane Harvey Relief efforts that were held at the Community Center.

Councilmember Erickson inquired to the need of Joint Base Land Use Study-Randolph on the Agenda as a report. Cynthia Trevino, City Attorney, stated previously Mayor Knaus and others attended these meetings and this was added to the agenda so they could give a report.

Councilmember McCaw stated he will provide a report in October on the status of the Joint Base Land Use Study-Randolph.

Councilmember Arvidson stated the local Cub Scout Pack would like to lead the Pledge of Allegiance at the next City Council Regular Meeting and meet with the Mayor before the City Council Meeting. Mayor Thompson stated he will be very glad to meet with the Cub Scouts and he will put the Scouts down for the October 4, 2017 Pledge.

Councilmember Bower stated she uses the Inquiry/Finding formula that was provided by the City Attorney to use when deciding on variances. She was lead to believe that this formula was our legal guideline. Cynthia Trevino, City Attorney, stated the formula was a legal opinion, but the City Council has the discretion when it comes to their decisions on variances.

10. Adjournment

There being no further business, the Wednesday, September 6, 2017 Garden Ridge City Council regular meeting was adjourned at 8:11 p.m. by Mayor Thompson.

Larry Thompson
Mayor

ATTEST

Shelley Goodwin, TRMC
City Secretary

SIGN IN TO SPEAK FOR ALL WHO WISH TO ADDRESS THE CITY COUNCIL

CITY COUNCIL REGULAR MEETING SEPTEMBER 6, 2017

Rules for Citizen's Participation:

The City Council welcomes citizen participation and comments at all of their Meetings. The City Council offers citizens the opportunity to address them by signing up to speak prior to the meeting. As a courtesy to your fellow citizens and out of respect for our elected officials, we request that if you speak, you follow these guidelines:

- a) Respect and courtesy:
 - i. Direct your comments to the entire City Council, not to an individual member, nor to the audience.
 - ii. Show the City Council the same respect that you would like to be shown.
 - iii. Show the City Council courtesy by ending your speaking at the time allotted below.
- b) Speaking:
 - i. First citizen comment period
 - a. You are required to sign up to speak.
 - b. You are limited to three (3) minutes per citizen.
 - ii. Business item period
 - a. You are required you to sign up to speak.
 - b. You are limited to three (3) minutes per citizen.
 - iii. Second citizen comment period
 - a. You are not required to sign up.
 - b. You are limited to two (2) minutes per citizen.
 - iv. State your name and address before your comments begin.
 - v. Citizens are only allowed to speak once, 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.*

NAME

ADDRESS

1. SHELBY TRIAL 21657 FOREST WATERS CIR : PUBLIC HEARING
ON P&Z VARIANCE
 2. _____
 3. _____
 4. _____
 5. _____
 6. _____
- Handwritten note: FIRST FROM [initials]*



CITY OF GARDEN RIDGE

SEPTEMBER 2017

ENGINEERING UPDATE



STREETS AND DRAINAGE UPDATE



MUNICIPAL PARKWAY UPDATE



MUNICIPAL PARKWAY UPDATE



WELLS 9 & 10 UPDATE



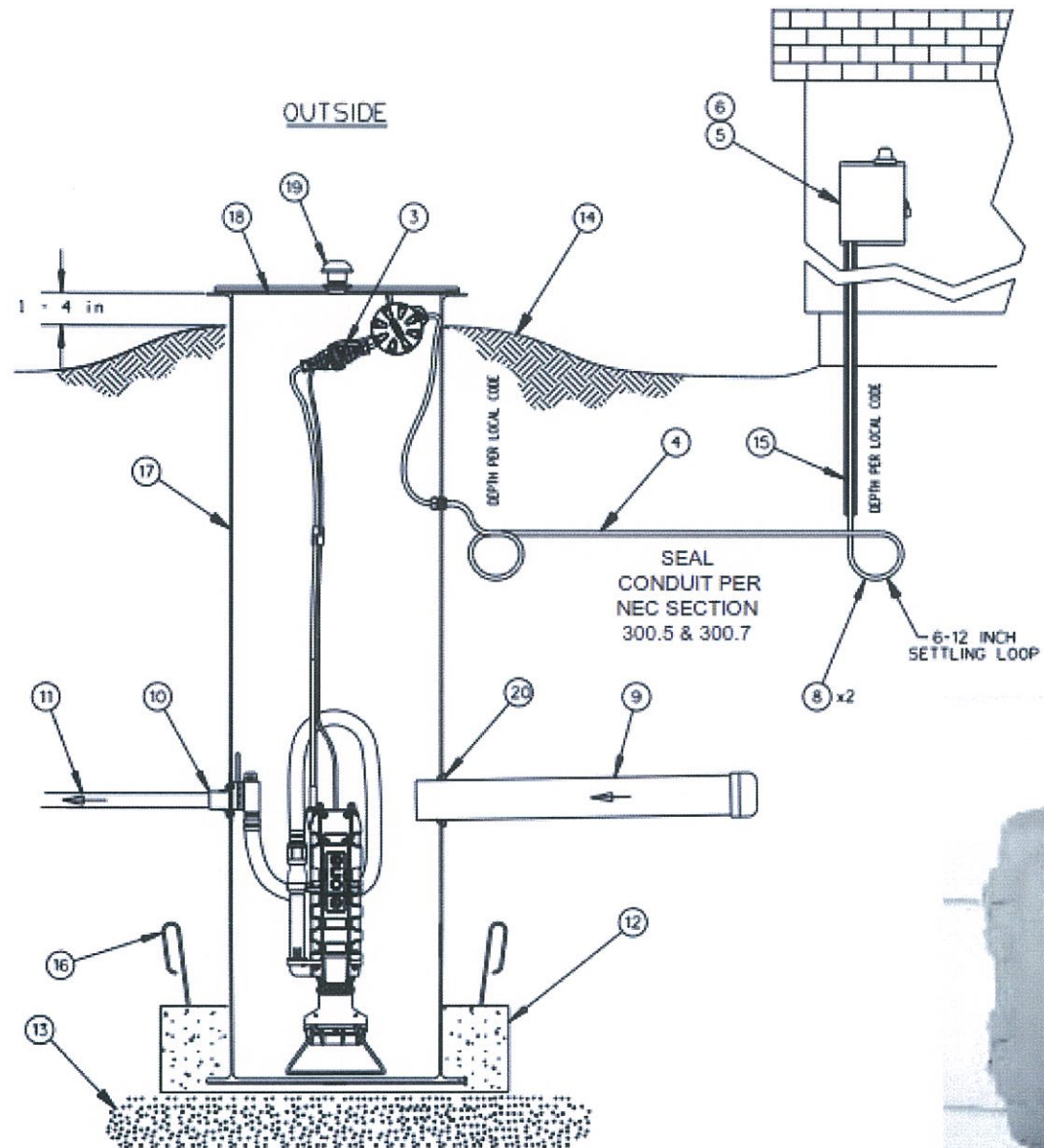
WELLS 9 & 10 UPDATE



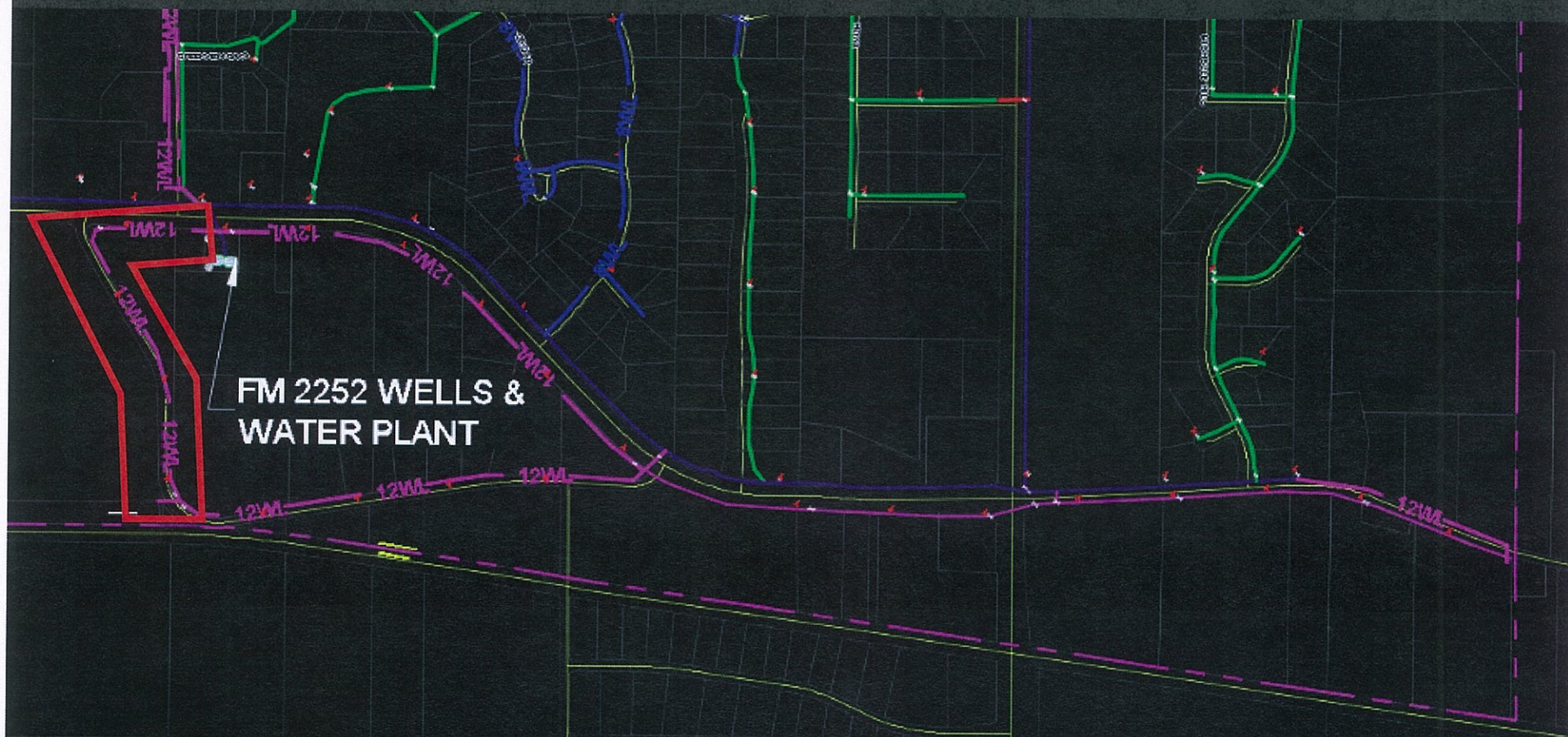
WELLS 9 & 10 UPDATE



SEWER PLAN UPDATE



SEWER PLAN UPDATE



WATER IMPROVEMENTS

Total Project Funding Needed:	\$8,312,558	Q1 2015
Remaining from 2013 CIP Bond:	<u>\$1,475,000</u>	Balance on July 1, 2015
Required 2015 Funding:	\$6,837,558	Net of remaining 2013 CIP Bond
Deposited Bond Proceeds	<u>\$6,560,936</u>	
Additional Funding Sources Required	\$276,622	
Additional Funding Sources Available: As of 9/2017		
Water Fund Reserves Committed (May 2015)	\$ 1,000,000.00	
Water Impact Fees	\$ 324,422.00	
Street Impact Fees	\$ 38,205.00	
Total	\$ 1,362,627.00	
Total Available Funds (all sources):	\$ 9,398,563.00	(Total of Remaining Funds 2013 CIP Bond + 2015 Bond Proceeds + Water Fund Commitment + Water and Street Impact Fees)
Projects Awarded as of 9/2017:		
2015 CIP	\$ 4,762,497.32	(Awarded \$445,000 under budget)
2015 CIP CO NO. 1	\$ 315,772.78	
2015 CIP Closeout CO	\$ 50,000.00	(Estimated quantitiy overages for driveway and paving changes)
2016 Well 9 & 10	\$ 2,524,511.40	(Original 2015 Estimate total 1,685,000)
Well Drill Contract	\$ 704,549.07	
Municipal Parkway	\$ 61,053.00	(Complete)
Hickory Bend	\$ 24,600.00	(was not originally scoped in this debt issuance)
Park and Community Center	\$ 102,519.00	(\$100,000 was budgeted)
Total	\$ 8,545,502.57	
Total Remaining Funds as of 9/2017	\$ 853,060.43	
Remaining Projects to be funded:		
Naco Loop	\$ 240,000.00	(Council entered agreement with developer for \$205,000 of waterline extension for future development)
Total Remaining Projects:	\$ 240,000.00	
Remaining Unallocated Project Funds	\$ 613,060.43	

DEBT ISSUANCE AND CIP PROJECT ALLOCATIONS

CITY OF GARDEN RIDGE
MONTHLY ACCOUNT BALANCES & INTEREST RATES
PERIOD ENDED AS OF 08/31/2017

CITY FUNDS	BALANCE	CURRENT INTEREST RATE
GF OPERATING ACCOUNT	\$ 125,789.17	0.0000%
GF MONEY MARKET	268,915.02	0.1500%
TEXPOOL INVESTMENTS	1,639,776.76	0.9961%
ASSET/FORFEITURE - STATE	97.72	0.0000%
ASSET/FORFEITURE - FED	112,450.43	0.1500%
2009 REFI	62,179.71	0.1000%
2009 I&S	45,232.64	0.0500%
2012 REFI	139,480.08	0.1500%
2012 I&S	40,004.93	0.0500%
2015 I&S	4,810.61	0.0500%
2012 CIP PROJECT	29,894.63	0.0500%
2015 CIP PROJECT	9,457.61	0.1300%
STREET IMPACT FEES	6,872.74	0.0500%
CONSTRUCTION BOND	313,356.44	0.1500%
TEXPOOL 2015 CIP PROJECT	2,359,839.96	0.9961%
TEXPOOL STREET IMPROV	31,464.46	0.9961%
PEG CAPITAL FEES	94,539.99	0.0000%
TOTAL CITY FUNDS	\$ 5,284,162.90	
AVERAGE INTEREST RATES - CITY		0.2906%

WATER FUNDS	BALANCE	CURRENT INTEREST RATE
WATER IMPACT FEES	\$ 6,217.25	0.0500%
TEXPOOL WATER INVEST	1,603,156.34	0.9961%
TEXPOOL IMPACT FEES	1,638.63	0.9961%
TEXPOOL WATER RIGHTS	4,951.43	0.9961%
WATER SURCHARGE	144,833.98	0.1500%
OPERATING ACCOUNT	610,917.36	0.1500%
TOTAL WATER FUNDS	\$ 2,371,714.99	
AVERAGE INTEREST RATES - WATER		0.5564%

TOTAL ALL ACCOUNTS	\$ 7,655,877.89	
AVERAGE INTEREST RATES - ALL ACCOUNTS		0.3527%

CITY OF GARDEN RIDGE
CASH & INVESTMENTS STATEMENT
PERIOD ENDED AS OF 08/31/2017

GENERAL FUND	BALANCE
GF Operational Checking	\$ 125,789.17
GF Money Market	268,915.02
TexPool Investments	1,639,776.76
TOTAL General Fund Reserves	\$ 2,034,480.95

WATER FUND	BALANCE
Operational Checking	\$ 610,917.36
TexPool Water Invest	1,603,156.34
TOTAL Water Company Reserves	\$ 2,214,073.70

CITY OF GARDEN RIDGE
 STATEMENT OF ACTIVITIES
 CURRENT AND YEAR TO DATE AS OF 08/31/2017

GENERAL FUND	Aug-17	YTD	FY 2017 BUDGET	% OF BUDGET	BUDGET BALANCE
REVENUES	\$ 186,181.67	\$ 2,544,598.68	\$ 2,670,121.00	95.3%	\$ 125,522.32
EXPENDITURES					
ADMINISTRATION	52,825.14	561,122.21	742,067.00	75.6%	180,944.79
COURT	8,022.08	66,518.65	77,592.00	85.7%	11,073.35
POLICE	87,487.73	1,011,895.68	1,206,236.00	83.9%	194,340.32
PUBLIC FACILITIES	50,280.97	363,989.59	437,111.00	83.3%	73,121.41
COMMUNITY CENTER	3,970.78	45,462.66	55,948.00	81.3%	10,485.34
LIBRARY	5,544.42	47,906.32	59,522.00	80.5%	11,615.68
TOTAL EXPENDITURES	208,131.12	2,096,895.11	2,578,476.00	81.3%	481,580.89
NET POSITION	<u>\$ (21,949.45)</u>	<u>\$ 447,703.57</u>	<u>\$ 91,645.00</u>		<u>\$ (356,058.57)</u>

WATER FUND	Aug-17	YTD	FY 2017 BUDGET	% OF BUDGET	BUDGET BALANCE
REVENUES	\$ 217,862.61	\$ 1,392,378.80	\$ 1,414,035.00	98.5%	\$ 21,656.20
EXPENDITURES	66,573.66	1,433,571.97	2,906,014.00	49.3%	1,472,442.03
NET POSITION	<u>\$ 151,288.95</u>	<u>\$ (41,193.17)</u>	<u>\$ (1,491,979.00)</u>		<u>\$ (1,450,785.83)</u>

CITY OF GARDEN RIDGE
STATEMENT OF ACTIVITIES - COMMUNITY CENTER
PERIOD ENDED AS OF 08/31/2017

REVENUES	YTD
RENTALS	\$ 30,100.00
DEPOSITS	18,105.00
DEPOSITS REFUNDED	(11,805.00)
DONATIONS	500.00
TOTAL REVENUES	36,900.00
EXPENDITURES	
MANAGER FEES	14,746.50
TELEPHONE	517.00
UTILITIES	6,637.85
MAINTENANCE	5,651.23
SUPPLIES	878.48
CLEANING	4,380.00
EQUIPMENT	346.60
MARKETING	-
DONATION EXPENDITURES	-
FACILITY ENHANCEMENTS	-
TOTAL EXPENDITURES	33,157.66
NET POSITION	<u><u>\$ 3,742.34</u></u>

GARDEN RIDGE COMMUNITY CENTER MONTHLY REPORT

2017

August 21st thru September 20th

New Events Booked in Current Month	Charged	7
	No Charge	2

2016-2017

Total Number of Events Year to Date	71
Total Number of Events for the Month	4
Total Number of Days used in the Month	5
Total Number cancelled for the Month	0

2015-2016

Total Number of Events for the Year	74
Total Number of Days Used for the Year	248
Total Number cancelled for the Year	2
Wildflower and Bluebonnet Room	

2014-2015

Total Number of Events for the Year	81
Total Number of days Used for the Year	261
Total Number cancelled for the Year	4
Wildflower and Bluebonnet Room	

Past years	# of Events	# of Days
2013-2014	77	258
2012-2013	73	252
2011-2012	76	257
2010-2011	72	241
2009-2010	65	208
2008-2009	67	199

CITY OF GARDEN RIDGE BUILDING REPORT

8/21/2017 THRU 9/20/2017

MAJOR PERMITS

Permit #	Address	Builder	Sq Ft.	Value \$	Permit Fees
1235 -17	8921 Tuscan Hills	Michael B. Dawson Inc.	5,412	\$ 703,560.00	\$ 4,197.20
1236 -17	20890 Misty Arbor	Chesmar Homes	4,437	\$ 576,810.00	\$ 3,612.20
1237 -17	20891 Misty Arbor	Chesmar Homes	3,863	\$ 502,190.00	\$ 3,267.80
TOTAL			13,712	\$ 1,782,560.00	\$ 11,077.20

MINOR PERMITS

Permit #	Address	Builder	Project	Permit Fees
1238 -17	22215 Quiet Moon	Cavazos Electric	Minor Electric	\$ 125.00
1239 -17	8810 Tuscan Hills	Lawn Masters of Home Depot	Pavilion/Pergola	\$ 125.44
1240 -17	9944 Mitchell Hill	Innovative Kitchens & Baths	Remodel	\$ 225.00
1241 -17	8811 Timmerman Cove	Tuff Shed	Outbuilding	\$ 100.00
1242 -17	22133 Paseo Corto	Cody Pools	Pool, Deck	\$ 535.96
1243 -17	19406 Arrowood Pl.	KC Concrete	Driveway	\$ 125.00
1244 -17	9015 Tuscan Hills	Quality Custom Decks	Deck	\$ 225.00
1245 -17	22411 Oro Viejo Ct.	A&A Plumbing	Minor Plumbing	\$ 100.00
1246 -17	20479 Wahl Ln.	William bondurant	Fence	\$ 125.00
1247 -17	8511 Wild Wind Park	Advanced Solar & Elect.	Minor Electric	\$ 125.00
6117 -17	19365 FM 2252 #2	Bantz Heating & AC	Minor HVAC	\$ 100.00
1248 -17	20811 Wahl Lane	HC Design	Fence	\$ 125.00
1249 -17	20523 Cedar Cavern	Mark Friesenhahn	Retaining Wall	\$ 125.00
1250 -17	8810 Tuscan Hills	AM 1 Electrical Services	Minor Electric	\$ 125.00
1251 -17	8614 Wild Wind Park	Artisian Pool & Spa	Pool, Spa	\$ 475.00
'0062 -17	21909 Senna Hills	Airtron	Minor HVAC	\$ 100.00
TOTAL				\$ 2,861.40

TOTAL MAJOR FEES FOR THE MONTH	\$ 11,077.20
TOTAL MINOR FEES FOR THE MONTH	\$ 2,861.40
TOTAL ALL PERMIT FEES FOR THE MONTH	\$ 13,938.60

TOTAL MAJOR PROJECTS VALUE 10/1/2016 thru 9/20/2017	\$ 17,521,010.00
TOTAL MAJOR PROJECTS SQ FT. 10/1/2016 thru 9/20/2017	134,777

TOTAL MAJOR PERMIT FEES 10/1/2016 thru 9/20/2017	\$ 105,698.76
TOTAL MINOR PERMIT FEES 10/1/2016 thru 9/20/2017	\$ 30,827.79
TOTAL ALL PERMIT FEES FOR THE FISCAL YEAR	\$ 136,526.55

Council Ideas/Suggestions List by Category

Updated: September 25, 2017

Ongoing items

Items	Status	Completed Council Approval
1. Personnel Policy (Mayor Knaus) Incentive Pay (Councilman Thompson)	Meeting scheduled for May 18, 2016 with City Council, staff, City Attorney to begin review of draft document Incentive Pay will be discussed during Personnel Policy draft document discussions 6/15/16 – City Attorney looking at another possible policy for Council Consideration and to bring back to Council upon completion of review City Attorney continues work on revising policy with proposed revised chapters to Council for comment City staff working on plan to complete policy for presentation to Council Presenting City Council (4/5/17) with proposal from SeeKing to complete Employee Handbook and Policy Further discussion and direction on proposal to be provided by City Council on May 3, 2017 Staff reviewing a policy reviewed by an attorney at Hogwild for possible presentation to City Council Staff working on a draft policy for Council consideration prior to beginning of new fiscal year Staff continues work on a draft policy for City Council consideration	
2. Electronic Water Billing (Councilman Thompson)	Software upgrade on May 19 Include in FY 2017 Budget Begin implementation FY 2017 Full implementation TBD Online water bill payments active September 14, 2016 Online Court payments active October 2016	Software upgrade completed
3. Community Center (Councilman Lantzy)	Comparing pricing of similar venues Developing fully loaded cost for facility Acquiring estimates for removal of overhead doors, sound system, commercial stove, AC system Developing list of aesthetical improvements to center that may affect lighting, energy and electrical improvements Staff working on maintenance items Comparing contracts from other venues for revisions to current contract Bring information at hand to Council in June for	

	discussion and direction Councilman Lantzy discussed Community Center with Council on 6/6/16 Proposals for door removal, new air conditioning and ducting received and to be presented to City Council with funding through CIP Council approved funding on August 3, 2016 through CIP. Doors removed, new air conditioning installed. Awaiting install of duct work on September 12, 2016 Duct work installation completed September 12/13, 2016 City Attorney revising Community Center Contract per Council direction 10/5/16 – Marketing and future projects being discussed by Council Work continues on revising Community Center Contract Council to consider revised agreement in Feb. Council meeting Revised agreement approved Feb. 13, 2017 and being utilized Interior door/window frames and doors painted a neutral color to enhance appearance Rate structure for Community Center and presence on the City's webpage are being worked on	
4. Training for Commissioners (Councilman Thompson)	Continuous/Ongoing Staff will advise Commissioners of training/seminars as information available Budget Training/Travel annually Councilman Thompson to attend TML Newly Elected Officials training August 18 Councilmen Thompson and Trial attended August 18, 2016 training Two P&Z members and Councilman attended AACOG Planning & Zoning training P&Z Chair Stocks to attend a training session in February 2017 Councilman Trial, P&Z Commissioner Bower, City Secretary and City Administrator participated in a TML Webinar on economic development in February Councilwoman Bower attended the TML Newly Elected Officials training in August	
5. Update Ordinances (Councilmen Thompson and Lantzy)	Cost for Codifying to be included in FY 2017 Budget Work with legal to develop plan for updating Identify ordinances to be updated Codifying of ordinances postponed due to budgetary constraints A revised Animal Control Ordinance is being worked by staff for consideration by City Council	
6. Quarterly Issues Town Hall Meeting	Determine dates for Meetings	

(Councilman Lantzy)		
7. Bat Cave Road widening (Councilman McCaw)	General briefing on future agenda	

Pending	Status	Completed Council Approval
1. Annual or semi-annual inspection of buildings and other City facilities (Councilman Thompson)	To be implemented semi-annually	Implemented Monthly
2. Disaster recovery plan for City (Councilman Thompson)	Discuss at future Council meeting to determine the scope of recovery plan To be incorporated into the Emergency Management Plan for the City	
3. Disaster recovery plan for Water Department (Councilman Thompson)	Discuss at future Council meeting to determine the scope of recovery plan To be incorporated into the Emergency Management Plan for the City	
4. Video stream Council meetings (Councilman Thompson)	Discuss with legal pros/cons Sound system in Council room can be planned for future streaming capabilities Requires additional technology upgrades and equipment Budget impact Video streaming of Council meetings will be studied during the fiscal year	
5. Videos for website (Councilman Thompson)	Maybe prepared by GRES or students to increase civic involvement	
6. Coffee with Mayor and Council (Councilman Thompson)	Discuss at future Council meeting and determine dates Mayor Thompson began conducting Coffee with the Mayor the first Monday in July	
7. Business outreach by Council – walk businesses (Councilman Thompson)	Discuss at future Council meeting	



GARDEN RIDGE POLICE DEPARTMENT

OCTOBER AUGUST 21ST – SEPTEMBER 19TH CALLS FOR SERVICE

Location	Calls	Code	Water	Total
ARROWOOD	2	0	0	2
BAT CAVE ROAD	4	0	0	4
BINDSEIL	0	0	0	0
COUNTRY OAK ESTATES	0	2	0	2
ENCLAVE AT GARDEN RIDGE	0	1	0	1
FM 2252	27	0	0	27
FM 3009	11	0	0	11
FOREST WATERS	11	0	1	12
GARDEN RIDGE ESTATES	26	1	0	27
GEORG RANCH	13	2	0	15
MUNICIPAL COMPLEX	8	0	0	8
NACOGDOCHES LOOP	1	0	0	1
OAK MEADOW ESTATES	1	1	0	2
PARK LANE ESTATES	2	0	0	2
REGENCY OAKS	3	0	0	3
SCHOENTHAL ROAD	1	0	0	1
THE FOREST OF GARDEN RIDGE	5	0	0	5
THE PARK AT GARDEN RIDGE	1	0	0	1
TROPHY OAKS	0	1	0	1
TWISTED OAKS	0	0	0	0
WILD WIND	3	0	0	3
WOODS OF GARDEN RIDGE	1	0	0	1
COUNTY	16	0	0	16
OTHER	2	0	0	2
TOTALS	138	8	1	147

ARRESTS – 8
ALARM PERMITS – 1
CRASHES – 7

ALARMS – 22
SOLICITOR PERMITS – 0

Location	Units	Injury	Fatal	Type
9200 BLK Schoenthal Road	2 vehicles	0	0	CR3
21600 BLK FM 3009	vehicle vs. tire	0	0	CR3
8500 BLK Schoenthal Road	2 vehicles	0	0	CR3
18800 BLK FM 2252	3 vehicles	0	0	CR3
19500 BLK FM 3009	2 vehicles	0	0	CR3
3009 & 2252	2 vehicles	0	0	CR3
18800 BLK FM 2252	2 vehicles	0	0	CR2

ENFORCEMENT (159) ***Citations –64** ***Warnings –95**

INCIDENTS and ARRESTS

- 8/21/2017- After being stopped for reckless driving, Ofc. Hackenberg arrested Kevin Carpenter for Driving While License Invalid with Previous Convictions, Possession of Marijuana < 2oz, Possession of a Controlled Substance PG 1 < 1G, and Tamper/Fabricate Physical Evidence with Intent to Impair.
- 8/21/2017- After being stopped for a defective brake light, Ofc. Oehler arrested Curtis Dawson for two Garden Ridge municipal court warrants.
- 8/22/2017- After being stopped for expired registration, Ofc. Oehler arrested Demeture Delane for an active warrant out of Bexar County.
- 9/8/2017- After being stopped for no license plates, Ofc. McKay arrested and transferred custody of Jose Torres to Bulverde PD for active warrants out of Bulverde.
- 9/9/2017- After being stopped for expired registration, Ofc. McKay arrested Jonathen Banda for Driving While License Invalid with an Alcohol Related Suspension and an active warrant out of Bexar County.
- 9/15/2017- After being stopped for no front license plate, Ofc. Sanchez arrested and transferred custody of Joe Velez to Bulverde PD for active warrants out of Bulverde.
- 9/16/2017- After being stopped for an emissions violation, Ofc. Pelata arrested Roberto Perez for an active warrant out of Guadalupe County.
- 9/18/2017- After being stopped for expired registration, Ofc. Oehler arrested Steven Letsinger for Display Altered Registration Sticker.

CASES FILED WITH DISTRICT ATTORNEY'S OFFICE

- CASE #: 16-01185 / OFFENSE: Possession of Controlled Substance PG1 >= 1G < 4G
- CASE #: 17-00504 / OFFENSE: Possession of Controlled Substance PG1 < 1G
- CASE #: 17-00653 / OFFENSE: Possession of Marijuana < 2oz.
- CASE #: 17-00776 / OFFENSE: Possession of Controlled Substance PG1 < 1G & Fraudulent Use or Possession of Identifying Information
- CASE #: 17-00777 / OFFENSE: Possession of Controlled Substance PG1 < 1G and PG3 < 28G
- CASE #: 17-00981 / OFFENSE: Possession of Controlled Substance PG1 < 1G, Possession of Dangerous Drugs, Unlawfully Carrying a Weapon, and Possession of Marijuana < 2 oz.
- CASE #: 17-00989 / OFFENSE: Possession of Marijuana < 2oz.
- CASE #: 17-01019 / OFFENSE: Possession of Controlled Substance PG1 >= 4G < 200G
- CASE #: 17-01032 / OFFENSE: Driving While Intoxicated 3rd or more
- CASE #: 17-01038 / OFFENSE: Possession of Marijuana < 2oz.
- CASE #: 17-01086 / OFFENSE: Driving While Intoxicated
- CASE #: 17-01161 / OFFENSE: Assault – Family Violence

TRAINING

- ♦ **“Standardized Field Sobriety Test (SFST) Refresher”**
 - Sgt. Osborn
 - Sgt. Dennis
 - Ofc. Hackenberg
 - Ofc. McKay
 - Ofc. McMahan
 - Ofc. Oehler
 - Ofc. Pelata
 - Ofc. Sanchez
 - Ofc. Thoemke



City of Garden Ridge

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

MONTHLY PUBLIC WORKS REPORT

August 20-September 20, 2017

Steven Steinmetz
Public Works
Director

Eric Lowman
Animal Control

Stanley Georg
Brian Horn
Manuel Troncoso

Ongoing Responsibilities

- Mowing parks
- Mowing r-o-w
- Mowing facilities
- Setting up and breaking down Community Center events
- Setting up and breaking down Council Chambers as needed.
- Maintaining parks
- Oak Wilt monitoring
- Monitoring Stormwater Drainage
- Monitor street conditions and construction
- General facility cleaning (sweeping and taking out the trash)

Activities for the month

Streets

In preparation of Hurricane Harvey the Public Works Department prepared equipment and pre-staged barricades for possible severe weather.

We also mowed 5 right-of-ways within the City.

Stormwater Drainage Facility and Easement Maintenance

Staff inspected 19 outfalls, 18 detention/retention ponds, and mowed 2 drainages.

Parks Maintenance

Paul Davis Park was mowed 2 times and the flag light at Park Lane Park was replaced.

City Facility/Property Maintenance

The entrance of City Hall was power washed and repainted. Routine maintenance was performed on the chiller plant. Routine maintenance was performed on City Hall lighting and 2 ballasts and 4 battery packs were replaced. The parking lot curbs were painted to designate spaces for City Hall Business.

City Hall/Library, Community Center and Old City Hall grounds were mowed 2 times.

Library carpet was cleaned as part of the Library facelift project.

Community Center received repairs to the men's restroom (urinal and toilet).

Assisted with weekend dumpsters for the month of September.

Oak Wilt

Inspection was done on a possible case, but the results came up negative.

Animal Control Activities

	Dogs	Year to date	Cats	Year to date
Domestic apprehended:	2	30	4	46
Nuisance complaint calls	0		0	0
Animal bite calls	0		0	0
Animals transferred to adoption agencies	0	5	0	0
Animals returned to owners	2	22	0	0
Adopted	0	4	3	4
Current animals in City care	0		20	
Animals ready for adoption	0		8	

Year to Date Wildlife Report

	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug. 21- Sept. 14	Sep.	Oct.	Nov	Dec.	Total
Deer	9	11	9	14	18	14	14	4					93
Raccoons	2	3	6	4	4	14	10	8					51
Opossums	5	5	9	10	3	3	1	8					44
Skunks	12	2	0	0	3	7	12	17					53
Wild hogs	0	0	0	0	12	1	5	0					18
Turtles	0	0	3	0	0	0	0	0					3
Squirrels	0	0	0	0	0	0	1	7					8
Foxes	1	0	1	0	0	0	1	0					3
Armadillos	0	0	0	3	5	4	4	0					16
Hawks	0	0	0	0	0	0	0	0					0
Bats	0	0	0	0	0	0	0	0					0
Coyotes	1	0	0	0	0	0	0	0					1
Buzzards	2	0	0	0	0	0	1	0					3
Ringtails	0	0	0	0	3	0	1	0					4
Snakes	0	0	2	2	1	0	1	0					6
Total	32	21	30	33	49	43	51	44	0	0	0	0	

YTD 303

This month 6 deer carcasses were disposed of, which makes 95 for the year.

No deer or wild hogs were donated this month to Hunters for the Hungry, but the year to date total of combined wild hogs and deer are 16.

The City rented out 5 live traps this month, making a total of 14 traps rented for the year.

The City has registered/reregistered 366 animals for the year.

Reports Submitted:

Wildlife Management Advisory Commission Report
Construction Stormwater Inspection Report

Education/Training for Staff:

Steven Steinmetz attended the Alamo-Texas Revolution Leadership Workshop.



City of Garden Ridge

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

Water Department Report

As of September 21, 2017

2017 City of Garden Ridge Well Usage						
	Edwards		Trinity		Total Acre Feet	Quarterly Acre Feet
	Gallons	Acre Feet	Gallons	Acre Feet		
January	3,046,000	9.35	13,005,000	39.91	49.26	
February	1,132,000	3.47	15,007,000	46.05	49.53	
March	2,014,000	6.18	17,236,000	52.90	59.08	157.86
April	2,470,000	7.58	20,512,000	62.95	70.53	
May	4,670,000	14.33	29,430,000	90.32	104.65	
June	6,331,000	19.43	28,148,000	86.38	105.81	280.99
July	31,979,000	98.14	13,888,000	42.62	140.76	
August	26,207,000	80.43	10,067,000	30.89	111.32	
September	17,632,000	54.11	4,513,000	13.85	67.96	320.04
October	-	0.00	-	0.00	0.00	
November	-	0.00	-	0.00	0.00	
December	-	0.00	-	0.00	0.00	0.00

TOTAL 95,481,000 293.02 151,806,000 465.88 758.90

July 13, 2017 the City of Garden Ridge entered into EAA Stage 1. As of September 21, 2017 the City has available 667.066 (after 20% reduction) Acre Feet (380.726 Acre Feet unused).

2016 City of Garden Ridge Well Usage						
	Edwards		Trinity		Total Acre Feet	Quarterly Acre Feet
	Gallons	Acre Feet	Gallons	Acre Feet		
January	15,309,000	46.98	431,000	1.32	48.30	
February	512,000	1.57	19,825,000	60.84	62.41	
March	3,234,000	9.92	16,359,000	50.20	60.13	170.84
April	494,000	1.52	18,620,000	57.14	58.66	
May	4,348,000	13.34	14,693,000	45.09	58.43	
June	29,247,000	89.76	1,608,000	4.93	94.69	211.78
July	38,544,000	118.29	12,725,000	39.05	157.34	
August	24,439,000	75.00	7,880,000	24.18	99.18	
September	23,578,000	72.36	1,715,000	5.26	77.62	334.14
October	27,951,000	85.78	0	0.00	85.78	
November	17,929,000	55.02	895,000	2.75	57.77	
December	14,578,000	44.74	888,000	2.73	47.46	191.01

TOTAL 200,163,000 614.28 95,639,000 293.51 907.78

In 2016 the City of Garden Ridge did not enter into an EAA Stage and at the end of 2016 the City had an available 882.77 Acre Feet (268.49 Acre Feet unused)

Monthly Averages

Average usage per connection

Average usage per day

September 2017

13,849.28 gallons

1,054,523.80 gallons

2 Year Comparisons

2017 Year to Date

2016 up to September

Edwards:

95,481,000 gals 293.02 ac/ft.

139,705,000 gals 428.74 ac/ft.

Trinity

151,806,000 gals 465.88 ac/ft.

93,856,000 gals 288.01 ac/ft.

Totals

247,287,000 gals 758.90 ac/ft.

233,561,000 gals 716.75 ac/ft.

Difference from 2016–2017:

13,726,000 gallons

42.15 ac/ft. **more** usage

	Year to date for 2017	2016
Water Connections	1599	1560

Monthly Well Progress

	September 1 st	September 21 st	(Decrease)/Increase
Trinity			
Static Level	202.5'	201.6'	(0.9')
GPM 867			
Pumping Level	169.2' (September 14 th)	167.4'	(1.8')
Edwards			
Static Level	121.5'	115.2'	(6.3')
GPM 1,244			
Pumping Level	119.7"	117.0'	(2.7)

Edwards Permits

The City of Garden Ridge has total allocated 682.77 Acre Feet through year to date Edwards Permits

Type of Permit	TCEQ Permit #	EAA Permit #	Acre Feet
Allocated	CO 00139	P100-767	511.951
Purchased	BE 00109I	P100-327	2.000
Purchased	ME 00417D	P101-185	1.301
Purchased	ME 00479I	P101-315	3.895
Purchased	UV 00437I	P101-699	2.000
Purchased	UV 00461I	P101-752	4.000
Purchased	UV 00478I	P101-801	2.000
Purchased	UV 00537H	P101-959	2.000
Purchased	UV 00576I	P102-040	14.000
Purchased	UV 00630G	P102-146	1.760
Purchased	BE 00081AE	P100-200	62.000
Transfer	CO00119AA	P102-564	0.660
Transfer		P103-312	4.500
Transfer		P102-416	2.000
Transfer	Keith Zars Pools	P106-186	1.000
Lease	Lloyd Loehman	P107-429	3.000
Lease	M. Friesenhahn	P100-745	65.000
Lease	BVFD	P102-302	-0.300

Water Department Monthly Activities:

Water		Plumbing	
New Meter Installations	3	New Service Line Inspections	15
Meter Replacement	5	Irrigation System Inspections	12
Main Breaks	0	Water Heater Safety Inspections	4
Service Line Replacement	0	New Home Inspections	45
Service Line Leak Repair	4	Toilet Rebates	1
Fire Hydrant Maintenance	2	Washing Machine Rebates	0
Leak Adjustment	0		
Meters Read	1599		

Projects:

2016 CIP-Electrical conduit is installed at the new 3009 well site

Reports Submitted:

EAA Drought Condition Monthly Report
State Water Report
Disinfectant Level Quarterly Operating Report

Employee Updates:

Duane Scognio passed his Ground Water “C” test this month.



Monthly Library Update

By Linda Crosland, Librarian



Upcoming events:

- Lunch-n-Learn:
Managing Health,
Seniors Living
Alone 10/11/17
- Card-making Class
10/17/17
- Lunch-n-Learn:
- Making Decorative
Stepping Stones,
10/25/17
- Thursday Adult
Coloring, Hooks &
Needles, other
Craft Classes to be
added
- A new BOOK
CLUB will begin
Oct. 16 @ 10:30
to meet in the Li-
brary

Come see the new us!

The Library got a Facelift! As many of you are aware, the library is undergoing quite a few changes. The new paint highlighted the modern furniture and open space. The Children's area is redone in bright primary colors, while the other section sports red and blue accents. Rounding out the new look is a 1950's-style diner. It has a booth, compete with a tabletop jukebox. In the back overlooking an oak-studded lot are comfortable chairs with sport small tabletops and storage space underneath each.

We thank you for your patience during the transition! Hopefully, everyone will find his or her way here to see it first-hand.

Then on September 17, 2017 the Library held an Open House. It was a delight to have over 120-people join us to celebrate with us.

Special thanks for helping with this event are Suzan Eubank and Laura Ochoa for their vision and decorations. We are indebted to realtors Angel and Erika Rodriguez of KW Heritage Realtors for funding the refreshments.

You can find magic wherever you look.

Sit back and relax, all you need is a book. -Dr. Seuss

Summer Reading Program

We have completed the Summer Reading Program and collected our statistics. We were encouraged by the number of children who participated. This was the first year we rolled out the program and the kiddos read a total of 247.66 hours!

GRES Time

With the beginning of the new school year comes the opportunity to begin our Garden Ridge Elementary School programs again. These programs include :



After-School Science Club

Shiraz, the reading therapy dog



Ever-popular LEGO ROBOTICS

Department Statistics (August 18-September 18)

Visits to the Library	708
Items Checked Out	2,051
New Patrons Added	45
New Items Added to the Collection	1,033
Volunteer hours	219
Summer Reading Recap	22
Preschool Story Time	27
Pokemon Club	23
Board Games	7
GRES Book Club	50
GRES Story Time & Crafts	16
Card-Making	6
Lego Robotics	52



MEMORANDUM

To: Garden Ridge City Council
Cc: Nancy Cain, City Administrator – City of Garden Ridge
From: Patrick Lackey, P.E./Daniel Mummert, P.E. – Trihydro Corporation
Date: September 25, 2017
Re: Trihydro Corporation –Engineering Report October, 2017

1. 2015 CIP Street, Water and Drainage Project – Qro Mex Construction

- Street paving is complete.
- Punch lists were completed on 9/11/17 for Phase I and 9/19/17 for Phase II
- A project walkthrough was conducted with Qro-Mex on 9/22/17 to review completion items.
- Qro-Mex anticipates completing punch list items and final cleanup by 10/13/17
- Pay estimate #15 was submitted and is being evaluated.
- Change Order #2 is presented to reconcile final quantities.

2. 2016 Wells and Booster Pump Facility – Pesado Construction

- Pesado Construction is continuing with building electrical work, foundations and site grading.
- Project is on schedule for February 2018 completion.
- Tank screening/site landscape alternatives evaluations are ongoing.

3. Naco – Loop Water Line (Winco)

- Bidding document preparation is underway.
- Right-of-way agent is working to acquire 20-foot permanent easement and 10-foot construction easement.

4. FM 2252 TXDOT Project

- TXDOT presented updated plans in preparation for the September 27 Open House.
- Design changes discussed during the meeting may require additional right-of-way adjacent to several intersections.



5. SAWS Vista Ridge Pipeline Floodplain Permit

- Awaiting SAWS permit submittal.

6. Sewer Project

- Alignments and cost estimates have been updated.
- Evaluation of pumping equipment and administration approaches are ongoing.
- Preliminary wholesale agreement discussion are underway with Cibolo Creek Municipal Authority (CCMA).
- TXDOT was contacted on September 18th regarding right-of-way needs within Garden Ridge limits. No additional right-of-way was anticipated at the that time; however, during the September 21st meeting with TXDOT design changes were discussed that may require additional right-of-way.

September 27, 2017

To: Mayor Thompson and City Council

From: City Administrator Cain

Ordinance 203 (agenda item 7.d.) is attached for your initial review prior to the City Council meeting. You will note that there are a number of areas in the ordinance that have been left blank and this is due to the transaction not being finalized by the time Council packets were produced. The City's Bond Counsel will provide a copy of the finalized ordinance at the City Council meeting.

Please let me know if you have any questions.

ORDINANCE NO. 203-102017

ORDINANCE AUTHORIZING THE ISSUANCE OF \$ _____
CITY OF GARDEN RIDGE, TEXAS GENERAL OBLIGATION REFUNDING
BONDS, SERIES 2017; AUTHORIZING THE REFUNDING OF CERTAIN
OUTSTANDING OBLIGATIONS; LEVYING A CONTINUING DIRECT
ANNUAL AD VALOREM TAX ON ALL TAXABLE PROPERTY WITHIN THE
CITY FOR THE PAYMENT THEREOF AND THE ASSESSMENT AND
COLLECTION OF SUCH TAXES; CREATING A SINKING FUND FOR THE
REDEMPTION THEREOF; AUTHORIZING THE SALE THEREOF;
AUTHORIZING AN ESCROW AGREEMENT; AND ENACTING OTHER
PROVISIONS RELATING TO THE PURPOSES OF THIS ORDINANCE

WHEREAS, the City of Garden Ridge, Texas (the "City") has heretofore issued its:

City of Garden Ridge, Texas Combination Tax and Revenue Certificates of
Obligation, Series 2009, dated September 1, 2009 (the "Series 2009
Certificates"); and

WHEREAS, the City desires to refund a portion of its outstanding Series 2009
Certificates in the principal amount of \$2,620,000 (the "Refunded Obligations"); and

WHEREAS, on October 4, 2017, the City Council of the City of Garden Ridge,
Texas, convened at ____ p.m. and considered passage of an ordinance (the "Ordinance")
authorizing the issuance of its General Obligation Refunding Bonds, Series 2017 (the
"Bonds"); and

WHEREAS, Chapter 1207, Texas Government Code (the "Act"), as amended,
authorizes the City to issue refunding bonds payable from taxes, without an election, for
the purpose of refunding the Refunded Obligations in advance of their maturities and to
accomplish such refunding by depositing directly with any paying agent for the Refunded
Obligations or any other authorized trust company or commercial bank the proceeds of
such refunding bonds, together with other available funds, in an amount sufficient to
provide for the payment or redemption of the Refunded Obligations, and provides that
such deposit shall constitute the making of firm banking and financial arrangements for
the discharge and final payment or redemption of the Refunded Obligations; and

WHEREAS, the City desires to achieve a present value savings and to restructure
the City's debt service obligations; and

WHEREAS, as the City desires to authorize the execution of an escrow agreement
to provide for the deposit of proceeds of the Bonds to pay the principal of and interest on
the Refunded Obligations with a commercial bank named in the Escrow Agreement; and

WHEREAS, The Bank of New York Mellon Trust Company, N.A., Dallas, Texas,
is the paying agent for the Refunded Obligations; and

WHEREAS, upon the issuance of the refunding bonds herein authorized and the deposit of funds referred to above, the Refunded Obligations shall no longer be regarded as being outstanding, except for the purpose of being paid pursuant to such deposit, and the pledges, liens, trusts and all other covenants, provisions, terms and conditions of the ordinance authorizing the issuance of the Refunded Obligations shall be, with respect to the Refunded Obligations, discharged, terminated and defeased; and

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

SECTION 1. Recitals; Consideration. It is hereby found and determined that the matters and facts set out in the preamble to this Ordinance are true and correct.

It is hereby found and determined that the transactions contemplated in this Ordinance result in a restructuring of the City's debt service and in a gross savings of \$_____ and net present value savings in the debt service payable by the City in the amount of \$_____ and that such benefits are sufficient consideration for the refunding of the Refunded Obligations.

SECTION 2. Definitions. Throughout this Ordinance the following terms and expressions as used herein shall have the meanings set forth below:

The term "Act" shall mean Chapter 1207, Texas Government Code, as amended.

The term "Bonds" or "Bond" shall mean the \$_____ City of Garden Ridge, Texas General Obligation Refunding Bonds, Series 2017, as authorized in this Ordinance, unless the context clearly indicates otherwise.

The term "Business Day" shall mean any day which is not a Saturday, Sunday, or a day on which the Registrar is authorized by law or executive order to close, or a legal holiday.

The term "City" shall mean the City of Garden Ridge, Texas.

The term "Code" shall mean the Internal Revenue Code of 1986, as amended.

The term "Comptroller" shall mean the Comptroller of Public Accounts of the State of Texas.

The term "Dated Date" shall mean the dated date of the Bonds, October 1, 2017.

The term "Defeasance Securities" means (i) direct, noncallable obligations of the United States of America, including obligations that are unconditionally guaranteed by the United States of America, (ii) noncallable obligations of an agency or instrumentality of the United States of America, including obligations that are unconditionally guaranteed or

insured by the agency or instrumentality and that, on the date the governing body of the City adopts or approves the proceedings authorizing the purchase thereof are rated as to investment quality by a nationally recognized investment rating firm not less than "AAA" or its equivalent, (iii) noncallable obligations of a state or an agency or a county, municipality, or other political subdivision of a state that have been refunded and that, on the date the governing body of the City adopts or approves the proceedings authorizing the purchase thereof are rated as to investment quality by a nationally recognized investment rating firm not less than "AAA" or its equivalent, and (iv) any other then authorized securities or obligations under applicable laws of the State of Texas that may be used to defease obligations such as the Bonds.

The term "Designated Payment/Transfer Office" shall mean the office of the Paying Agent which is designated for the presentment of the Bonds.

The term "DTC" shall mean The Depository Trust Company, New York, New York, or any successor securities depository.

The term "DTC Participant" shall mean any broker, dealer, bank, trust company, clearing corporation or certain other organizations with bonds credited to an account maintained on its behalf by DTC.

The term "Escrow Agreement" shall mean the agreement between the City and The Bank of New York Mellon Trust Company, N.A., Dallas, Texas (the "Escrow Agent") to hold the deposit for redemption of a portion of the outstanding Series 2009 Certificates, dated September 1, 2009, maturing February 15 in the years 2020 through 2030, inclusive, in the aggregate principal amount of \$2,620,000.

The term "Interest and Sinking Fund" shall mean the interest and sinking fund for payment of the Bonds established by the City in Section 18 of this Ordinance.

The term "Interest Payment Date", when used in connection with any Bond, shall mean February 15, 2018, and each August 15 and February 15 thereafter until maturity or earlier redemption.

The term "Issuer" shall mean the City.

The term "Mayor" means the Mayor of the City.

The term "Ordinance" as used herein and in the Bonds shall mean this ordinance authorizing the Bonds.

The term "Owner" or "Registered Owner" shall mean any person who shall be the registered owner of any outstanding Bond, as shown in the Register.

The term "Paying Agent/Registrar" shall mean the Registrar.

The term "Record Date" for the interest payable on any Interest Payment Date shall mean the close of business on the last business day of the preceding month.

The term "Refunded Obligations" shall mean the 2020 through 2030 maturities, inclusive, of the outstanding Series 2009 Certificates in the aggregate principal amount of \$2,620,000.

The term "Register" shall mean the books of registration kept by the Registrar, in which are maintained the names and addresses of and the principal amounts of the Bonds registered to each Owner.

The term "Registrar" shall mean initially The Bank of New York Mellon Trust Company, N.A., Dallas, Texas, and its successors in that capacity.

The term "Underwriter" shall mean George K. Baum & Company, Incorporated.

SECTION 3. Authorization, Maturities, Interest Rates and Interest Payment Dates. The Bonds shall be issued pursuant to the Act as fully registered obligations, without coupons. The Bonds shall be issued in the aggregate principal amount of \$_____ for the purpose of refunding the Refunded Obligations, and in order to restructure and level the combined debt service of the City, to provide a present value savings to the City, and to pay costs of issuance for the Bonds.

(a) The Bonds (other than the Initial Bond which shall be numbered T-1) shall be in denominations of \$5,000 or any integral multiple (within a Stated Maturity) thereof, shall be lettered "R" and numbered consecutively from One (1) upward, and principal shall become due and payable on February 15 in each of the years and in amounts (the "Stated Maturities") and bear interest at the rate(s) per annum in accordance with the following schedule:

<u>Stated Maturity</u>	<u>Principal Amount</u>	<u>Interest Rate(s)</u>
2018	\$	%
2019		%
2020		%
2021		%
2022		%
2023		%
2024		%
2025		%
2026		%
2027		%
2028		%
2029		%
2030		%

(b) The Bonds shall bear interest on the unpaid principal amounts from the later of the Dated Date, or from the most recent Interest Payment Date to which interest has been paid or duly provided for, at the rates per annum shown in the above schedule (calculated on the basis of a 360-day year of twelve 30-day months). Interest on the Bonds shall be payable on February 15 and August 15 in each year, commencing February 15, 2018.

SECTION 4. Designation and Date. The Bonds shall be designated as the "CITY OF GARDEN RIDGE, TEXAS GENERAL OBLIGATION REFUNDING BONDS, SERIES 2017," and shall be dated October 1, 2017.

SECTION 5. Execution of Bonds; Seal. The Bonds shall be signed by the Mayor and City Secretary of the City, by their manual, lithographed, or facsimile signatures, and the official seal of the City shall be impressed or placed in facsimile thereon. Such facsimile signatures on the Bonds shall have the same effect as if each of the Bonds had been signed manually and in person by each of said officers, and such facsimile seal on the Bonds shall have the same effect as if the official seal of the City had been manually impressed upon each of the Bonds. If any officer of the City whose manual or facsimile signature shall appear on the Bonds shall cease to be such officer before the authentication of such Bonds or before the delivery of such Bonds, such manual or facsimile signature shall nevertheless be valid and sufficient for all purposes as if such officer had remained in such office.

SECTION 6. Approval by Attorney General; Registration by Comptroller. The Initial Bond shall be delivered to the Attorney General of Texas for approval and shall be registered by the Comptroller. The manually executed registration certificate of the Comptroller substantially in the form provided in Section 21 of this Ordinance shall be attached or affixed to the Initial Bond.

SECTION 7. Authentication. Except for the Initial Bond, which need not be authenticated by the Registrar, only such Bonds which bear thereon a certificate of authentication, substantially in the form provided in Section 21 of this Ordinance, manually executed by an authorized representative of the Registrar, shall be entitled to the benefits of this Ordinance or shall be valid or obligatory for any purpose. Such duly executed certificate of authentication shall be conclusive evidence that the Bonds so authenticated were delivered by the Registrar hereunder.

SECTION 8. Payment of Principal and Interest. The Registrar is hereby appointed as the Paying Agent and Registrar for the Bonds. The principal of the Bonds shall be payable, without exchange or collection charges, in any coin or currency of the United States of America which on the date of payment is legal tender for the payment of debts due the United States of America, upon their presentation and surrender as they respectively become due and payable, whether at maturity or by prior redemption, at the Designated Payment/Transfer Office of the Registrar. The interest on each Bond shall

be payable on each Interest Payment Date, by check mailed by the Registrar on or before the Interest Payment Date to the Owner of record as of the Record Date, to the address of such Owner as shown on the Register, or by such other method acceptable to the Registrar, requested by, and at the risk and expense of, the Owner.

If the date for payment of the principal of or interest on any Bond is not a Business Day, then the date for such payment shall be the next succeeding Business Day with the same force and effect as if made on the date payment was originally due.

SECTION 9. Successor Registrars. The City covenants that at all times while any Bonds are outstanding it will provide a commercial bank or trust company organized under the laws of the State of Texas or other entity duly qualified and legally authorized to serve as and perform the duties and services of the Registrar and Paying Agent for the Bonds. The City reserves the right to change the Registrar on not less than 60 days written notice to the Registrar, so long as any such notice is effective not less than 60 days prior to the next succeeding principal or Interest Payment Date on the Bonds. Promptly upon the appointment of any successor Registrar, the previous Registrar shall deliver the Register or copies thereof to the new Registrar, and the new Registrar shall notify each Owner, by United States mail, first class postage prepaid, of such change and of the address of the new Registrar. Each Registrar hereunder, by acting in that capacity, shall be deemed to have agreed to the provisions of this Section.

SECTION 10. Special Record Date. If interest on any Bond is not paid on any Interest Payment Date and continues unpaid for thirty (30) days thereafter, the Registrar shall establish a new record date for the payment of such interest, to be known as a Special Record Date. The Registrar shall establish a Special Record Date when funds to make such interest payment are received from or on behalf of the City. Such Special Record Date shall be fifteen (15) days prior to the date fixed for payment of such past due interest, and notice of the date of payment and the Special Record Date shall be sent by United States mail, first class, postage prepaid, not later than five (5) days prior to the Special Record Date, to each affected Owner of record as of the close of business on the date prior to the mailing of such notice.

SECTION 11. Ownership; Unclaimed Principal and Interest. The City, the Registrar and any other person may treat the person in whose name any Bond is registered as the absolute owner of such Bond for the purpose of making and receiving payment of the principal of or interest on such Bond, and for all other purposes, whether or not such Bond is overdue, and neither the City nor the Registrar shall be bound by any notice or knowledge to the contrary. All payments made to the person deemed to be the Owner of any Bond in accordance with this Section 11 shall be valid and effectual and shall discharge the liability of the City and the Registrar upon such Bond to the extent of the sums paid.

Amounts held by the Registrar which represent principal of and interest on the Bonds remaining unclaimed by the Owner after the expiration of three years from the date such amounts have become due and payable shall be reported and disposed of by the

Registrar in accordance with the applicable provisions of Texas law including, to the extent applicable, Title 6 of the Texas Property Code, as amended.

SECTION 12. Registration, Transfer, and Exchange. So long as any Bonds remain outstanding, the Registrar shall keep the Register at its Designated Payment/Transfer Office and, subject to such reasonable regulations as it may prescribe, the Registrar shall provide for the registration and transfer of Bonds in accordance with the terms of this Ordinance.

Each Bond shall be transferable only upon the presentation and surrender thereof at the Designated Payment/Transfer Office of the Registrar, duly endorsed for transfer, or accompanied by an assignment duly executed by the Registered Owner or his authorized representative in form satisfactory to the Registrar. Upon due presentation of any Bond for transfer, the Registrar shall, to the extent possible and under reasonable circumstances, authenticate and deliver in exchange therefor, within 72 hours after such presentation, a new Bond or Bonds, registered in the name of the transferee or transferees, in authorized denominations and of the same maturity and aggregate principal amount and bearing interest at the same rate as the Bond or Bonds so presented.

All Bonds shall be exchangeable upon presentation and surrender thereof at the Designated Payment/Transfer Office of the Registrar for a Bond or Bonds of the same maturity and interest rate and in any authorized denomination, in an aggregate amount equal to the unpaid principal amount of the Bond or Bonds presented for exchange. The Registrar shall be and is hereby authorized to authenticate and deliver exchange Bonds in accordance with the provisions of this Section 12. Each Bond delivered in accordance with this Section 12 shall be entitled to the benefits and security of this Ordinance to the same extent as the Bond or Bonds in lieu of which such Bond is delivered.

The City or the Registrar may require the Owner of any Bond to pay a sum sufficient to cover any tax or other governmental charge that may be imposed in connection with the transfer or exchange of such Bond. Any fee or charge of the Registrar for such transfer or exchange shall be paid by the City.

SECTION 13. Mutilated, Lost, or Stolen Bonds. Upon the presentation and surrender to the Registrar of a mutilated Bond, the Registrar shall authenticate and deliver in exchange therefor a replacement Bond of like maturity, interest rate, and principal amount, bearing a number not contemporaneously outstanding. If any Bond is lost, apparently destroyed, or wrongfully taken, the City, pursuant to the applicable laws of the State of Texas and in the absence of notice or knowledge that such Bond has been acquired by a bona fide purchaser, shall authorize and the Registrar shall authenticate and deliver a replacement Bond of like maturity, interest rate and principal amount, bearing a number not contemporaneously outstanding.

The City or the Registrar may require the Owner of a mutilated Bond to pay a sum sufficient to cover any tax or other governmental charge that may be imposed in

connection therewith and any other expenses connected therewith, including the fees and expenses of the Registrar. The City or the Registrar may require the Owner of a lost, apparently destroyed or wrongfully taken Bond, before any replacement Bond is issued, to:

- (1) furnish to the City and the Registrar satisfactory evidence of the ownership of and the circumstances of the loss, destruction or theft of such Bond;
- (2) furnish such security or indemnity as may be required by the Registrar and the City to save them harmless;
- (3) pay all expenses and charges in connection therewith, including, but not limited to, printing costs, legal fees, fees of the Registrar and any tax or other governmental charge that may be imposed; and
- (4) meet any other reasonable requirements of the City and the Registrar.

If, after the delivery of such replacement Bond, a bona fide purchaser of the original Bond in lieu of which such replacement Bond was issued presents for payment such original Bond, the City and the Registrar shall be entitled to recover such replacement Bond from the person to whom it was delivered or any person taking therefrom, except a bona fide purchaser, and shall be entitled to recover upon the security or indemnity provided therefor to the extent of any loss, damage, cost or expense incurred by the City or the Registrar in connection therewith.

If any such mutilated, lost, apparently destroyed or wrongfully taken Bond has become or is about to become due and payable, the City in its discretion may, instead of issuing a replacement Bond, authorize the Registrar to pay such Bond.

Each replacement Bond delivered in accordance with this Section 13 shall be entitled to the benefits and security of this Ordinance to the same extent as the Bond or Bonds in lieu of which such replacement Bond is delivered.

SECTION 14. Cancellation of Bonds. All Bonds paid in accordance with this Ordinance, and all Bonds in lieu of which exchange Bonds or replacement Bonds are authenticated and delivered in accordance herewith, shall be canceled and destroyed upon the making of proper records regarding such payment. The Registrar shall furnish the City with appropriate certificates of destruction of such Bonds.

SECTION 15. Book-Entry-Only System.

(a) The definitive Bonds shall be initially issued in the form of a separate single fully registered Bond for each of the maturities thereof. Upon initial issuance, the ownership of each such Bond shall be registered in the name of Cede & Co., as nominee

of DTC, and except as provided in Section 16 hereof, all of the outstanding Bonds shall be registered in the name of Cede & Co., as nominee of DTC.

(b) With respect to the Bonds registered in the name of Cede & Co., as nominee of DTC, the City and the Paying Agent/Registrar shall have no responsibility or obligation to any DTC Participant or to any person on behalf of whom such a DTC Participant holds an interest in the Bonds, except as provided in this Ordinance. Without limiting the immediately preceding sentence, the City and the Paying Agent/Registrar shall have no responsibility or obligation with respect to (i) the accuracy of the records of DTC, Cede & Co., or any DTC Participant with respect to any ownership interest in the Bonds, (ii) the delivery to any DTC Participant or any other person, other than an Owner, as shown on the Register, of any notice with respect to the Bonds, including any notice of redemption, or (iii) the payment to any DTC Participant or any other person, other than an Owner, as shown in the Register of any amount with respect to principal of, premium, if any, or interest on the Bonds. Notwithstanding any other provision of this Ordinance to the contrary, the City and the Paying Agent/Registrar shall be entitled to treat and consider the person in whose name each Bond is registered in the Register as the absolute Owner of such Bond for the purpose of payment of principal of, premium, if any, and interest on the Bonds, for the purpose of giving notices of redemption and other matters with respect to such Bond, for the purpose of registering transfers with respect to such Bond, and for all other purposes whatsoever. The Paying Agent/Registrar shall pay all principal of, premium, if any, and interest on the Bonds only to or upon the order of the respective Owners, as shown in the Register as provided in this Ordinance, or their respective attorneys duly authorized in writing, and all such payments shall be valid and effective to fully satisfy and discharge the City's obligations with respect to payment of, premium, if any, and interest on the Bonds to the extent of the sum or sums so paid. No person other than an Owner, as shown in the Register, shall receive a certificate evidencing the obligation of the City to make payments of amounts due pursuant to this Ordinance. Upon delivery by DTC to the Paying Agent/Registrar of written notice to the effect that DTC has determined to substitute a new nominee in place of Cede & Co., and subject to the provisions in this Ordinance with respect to interest checks or drafts being mailed to the Registered Owner at the close of business on the Record Date, the word "Cede & Co." in this Ordinance shall refer to such new nominee of DTC.

SECTION 16. Successor Securities Depository; Transfer Outside Book-Entry-Only System. In the event that the City or the Paying Agent/Registrar determines that DTC is incapable of discharging its responsibilities described herein and in the Representation Letter by and between the City, the Paying Agent/Registrar and DTC (the "Representation Letter"), and that it is in the best interest of the Owners of the Bonds that they be able to obtain certificated Bonds, or in the event DTC discontinues the services described herein, the City or the Paying Agent/Registrar shall (i) appoint a successor securities depository, qualified to act as such under Section 17(a) of the Securities and Exchange Act of 1934, as amended; notify DTC and DTC Participants, as identified by DTC, of the appointment of such successor securities depository and transfer one or more separate Bonds to such successor securities depository; or (ii) notify DTC and DTC Participants, as identified by DTC, of the availability through DTC of Bonds and transfer

one or more separate Bonds to DTC Participants having Bonds credited to their DTC accounts, as identified by DTC. In such event, the Bonds shall no longer be restricted to being registered in the Register in the name of Cede & Co., as nominee of DTC, but may be registered in the name of the successor securities depository, or its nominee, or in whatever name or names Owners transferring or exchanging Bonds shall designate, in accordance with the provisions of this Ordinance.

SECTION 17. Payments to Cede & Co. Notwithstanding any other provision of this Ordinance to the contrary, so long as any Bonds are registered in the name of Cede & Co., as nominee of DTC, all payments with respect to principal of, premium, if any, and interest on such Bonds, and all notices with respect to such Bonds, shall be made and given, respectively, in the manner provided in the Representation Letter.

SECTION 18. Interest and Sinking Fund; Tax Levy. There is hereby established a separate fund of the City to be known as the City of Garden Ridge, Texas General Obligation Refunding Bonds, Series 2017 Interest and Sinking Fund (the "Interest and Sinking Fund"), which shall be kept separate and apart from all other funds of the City. The proceeds from all taxes levied, assessed and collected for and on account of the Bonds authorized by this Ordinance shall be deposited, as collected, in the Interest and Sinking Fund. While the Bonds or any part of the principal thereof or interest thereon remain outstanding and unpaid, there is hereby levied and there shall be annually assessed and collected in due time, form and manner, and at the same time as other City taxes are assessed, levied and collected, in each year, beginning with the current year, a continuing direct annual ad valorem tax, within the limits prescribed by law, upon all taxable property in the City, sufficient to pay the current interest on the Bonds as the same becomes due and to provide and maintain a sinking fund of not less than two percent of the principal amount of the Bonds or the amount required to pay each installment of principal of the Bonds as the same matures, whichever is greater, full allowance being made for delinquencies and costs of collection, and said taxes are hereby irrevocably pledged to the payment of the interest on and principal of the Bonds and to no other purpose.

SECTION 19. Effect of Pledge. Chapter 1208, Texas Government Code, applies to the issuance of the Bonds and the pledge of the taxes thereof granted by the City under Section 18 of this Ordinance, and such pledge is therefore valid, effective, and perfected. If Texas law is amended at any time while the Bonds are outstanding and unpaid such that the pledge of the taxes granted by the City under Section 18 of this Ordinance is to be subject to the filing requirements of Chapter 9, Business & Commerce Code, then in order to preserve to the Registered Owners of the Bonds the perfection of the security interest in said pledge, the City agrees to take such measures as it determines are reasonable and necessary under Texas law to comply with the applicable provisions of Chapter 9, Business & Commerce Code, and enable a filing to perfect the security interest in said pledge to occur.

SECTION 20. Redemption.

(a) *Optional Redemption.* The Bonds maturing on and after February 15, 2028 shall be subject to optional redemption, in whole or from time to time in part, in integral multiples of \$5,000, on February 15, 2027, or any date thereafter at a price of par plus accrued interest to the redemption date.

The Bonds may be redeemed only in integral multiples of \$5,000. If a Bond subject to redemption is in a denomination larger than \$5,000, a portion of such Bond may be redeemed, but only in integral multiples of \$5,000. Upon surrender of any Bond for redemption in part, the Registrar, in accordance with Section 12 hereof, shall authenticate and deliver in exchange therefore a Bond or Bonds of like maturity and interest rate in an aggregate principal amount equal to the unredeemed portion of the Bond so surrendered.

(b) *Partial Redemption.* If less than all of the Bonds are to be redeemed and if less than all of a maturity is to be redeemed, the Registrar shall determine by lot the Bonds, or portions thereof, within such maturity to be redeemed.

(c) *Notice of Redemption to Owners.* Notice of any redemption identifying the Bonds to be redeemed shall be given by the Registrar at least thirty (30) days prior to the date fixed for redemption by sending written notice by United States mail, first class, postage prepaid, to the Owner of each Bond to be redeemed in whole or in part at the address of the Registered Owner appearing on the Register at the close of business on the Business Day next preceding the date of mailing such notice. Such notices shall state the redemption date, the redemption price, the place at which the Bonds are to be surrendered for payment and, if less than all the Bonds of a particular maturity are to be redeemed, the numbers of the Bonds or portions thereof of that maturity to be redeemed. Any notice given as provided in this Section 20 shall be conclusively presumed to have been duly given, whether or not the Owner receives such notice. By the date fixed for redemption, due provision shall be made with the Registrar for payment of the redemption price of the Bonds or portions thereof to be redeemed. When Bonds have been called for redemption in whole or in part and due provision has been made to redeem same as herein provided, the Bonds or portions thereof so redeemed shall no longer be regarded as outstanding except for the purpose of receiving payment solely from the funds so provided for redemption, and the rights of the Owners to collect interest which would otherwise accrue after the redemption date on any Bond or portion thereof called for redemption shall terminate on the date fixed for redemption.

The City reserves the right to give notice of its election or direction to optionally redeem Bonds conditioned upon the occurrence of subsequent events. Such notice may state (i) that the redemption is conditioned upon the deposit of moneys and/or authorized securities, in an amount equal to the amount necessary to effect the redemption, with the Paying Agent/Registrar, or such other entity as may be authorized by law, no later than the redemption date or (ii) that the City retains the right to rescind such notice at any time prior to the scheduled redemption date if the City delivers a certificate of the City to the Paying Agent/Registrar instructing the Paying Agent/Registrar to rescind the redemption

notice, and such notice of redemption shall be of no effect if such moneys and/or authorized securities are not so deposited or if the notice is rescinded. The Paying Agent/Registrar shall give prompt notice of any such rescission of a conditional notice of redemption to the affected owners. Any Bonds subject to conditional redemption where redemption has been rescinded shall remain outstanding.

SECTION 21. Forms.

(a) *Form Generally.* The Bonds, including the Registration Certificate of the Comptroller of Public Accounts of the State of Texas, the Authentication Certificate of the Paying Agent/Registrar, and the Assignment form to appear on each of the Bonds, (i) shall be substantially in the form set forth in this Section with such appropriate insertions, omissions, substitutions, and other variations as are permitted or required by this Ordinance, and (ii) may have such letters, numbers, or other marks of identification (including identifying numbers and letters of the Committee on Uniform Securities Identification Procedures of the American Bankers Association) and such legends and endorsements (including any reproduction of an opinion of counsel) thereon as, consistently herewith, may be determined by the City or by the officers executing such Bonds, as evidenced by their execution thereof.

(b) *Placement of Text.* Any portion of the text of any Bonds may be set forth on the reverse side thereof, with an appropriate reference thereto on the face of the Bonds.

(c) *Definitive Bonds.* The definitive Bonds shall be typed, printed, lithographed, or engraved, and may be produced by any combination of these methods or produced in any other similar manner, all as determined by the officers executing such Bonds, as evidenced by their execution thereof.

(d) *Initial Bond.* The Initial Bond submitted to the Attorney General of the State of Texas may be typewritten and photocopied or otherwise reproduced.

(e) *Form of the Bonds.* The form of the Bonds, including the form of the Registrar's Authentication Certificate, the form of Assignment and the form of Registration Certificate of the Comptroller, which shall be attached or affixed to the Bonds initially issued, shall be, respectively, substantially as follows, with such additions, deletions and variations as may be necessary or desirable and not prohibited by this Ordinance:

REGISTERED
NO. R-__

REGISTERED PRINCIPAL
AMOUNT \$_____

UNITED STATES OF AMERICA
STATE OF TEXAS
CITY OF GARDEN RIDGE, TEXAS
GENERAL OBLIGATION REFUNDING BOND
SERIES 2017

Dated Date: Interest Rate: Stated Maturity: CUSIP No.:

October 1, 2017 _____ % _____

Registered Owner:

Principal Amount: _____ DOLLARS

THE CITY OF GARDEN RIDGE, TEXAS (hereinafter referred to as the "City"), for value received, acknowledges itself indebted to and hereby promises to pay to the order of the Registered Owner named above, or the registered assigns thereof, on the Stated Maturity date specified above the Principal Amount hereinabove stated (or so much thereof as shall not have been paid upon prior redemption), and to pay interest on the unpaid principal amount hereof from the later of the Dated Date, or from the most recent Interest Payment Date to which interest has been paid or duly provided for, at the per annum rate of interest specified above computed on the basis of a 360-day year of twelve 30-day months; such interest being payable on February 15 and August 15 in each year, commencing February 15, 2018. Principal of this Bond is payable at its Stated Maturity or redemption to the Registered Owner hereof, upon presentation and surrender, at the Designated Payment/Transfer Office of the Paying Agent/Registrar executing the registration certificate appearing hereon, or its successor. Interest is payable to the Registered Owner of this Bond whose name appears on the "Register" maintained by the Paying Agent/Registrar at the close of business on the "Record Date," which is the last business day of the month next preceding each Interest Payment Date, and interest shall be paid by the Paying Agent/Registrar by check sent by United States mail, first class postage prepaid, to the address of the Registered Owner recorded in the Register or by such other method, acceptable to the Paying Agent/Registrar, requested by, and at the risk and expense of, the Registered Owner. All payments of principal of and interest on this Bond shall be without exchange or collection charges to the Registered Owner hereof and in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts.

THIS BOND is one of the duly authorized issue of General Obligation Refunding Bonds, Series 2017, in the aggregate amount of \$_____ (the "Bonds"), issued for the purpose of refunding the Refunded Obligations, and in order to restructure and level the combined debt service of the City, to provide a present value savings to the City, and to pay costs of issuance for the Bonds, pursuant to an ordinance adopted by the City Council on October 4, 2017 (the "Ordinance").

THE BONDS maturing on and after February 15, 2028, may be redeemed prior to their Stated Maturities, at the option of the City, in whole or in part, in principal amounts of \$5,000 or any integral multiple thereof (and if within a Stated Maturity selected by lot by the Paying Agent/Registrar), on February 15, 2027 or on any date thereafter, at the redemption price of par, together with accrued interest to the date of redemption and upon thirty (30) days prior written notice being sent by United States mail, first class postage

prepaid, to the Registered Owners of the Bonds to be redeemed, and subject to the terms and provisions relating thereto contained in the Ordinance.

If this Bond (or any portion of the principal sum hereof) shall have been duly called for redemption and notice of such redemption duly given, then upon such redemption date this Bond (or the portion of the principal sum hereof to be redeemed) shall become due and payable, and interest thereon shall cease to accrue from and after the redemption date therefor, provided moneys for the payment of the redemption price and the interest on the principal amount to be redeemed to the date of redemption are held for the purpose of such payment by the Paying Agent/Registrar.

Notice of any redemption identifying the Bonds to be redeemed shall be given by the Registrar at least thirty (30) days prior to the date fixed for redemption by sending written notice by United States mail, first class, postage prepaid, to the Holder of each Bond to be redeemed in whole or in part at the address of the registered Holder appearing on the Register at the close of business on the Business Day next preceding the date of mailing such notice. Such notices shall state the redemption date, the redemption price, the place at which Bonds are to be surrendered for payment and, if less than all Bonds of a particular maturity are to be redeemed, the numbers of the Bonds or portions thereof of that maturity to be redeemed. Any notice given shall be conclusively presumed to have been duly given, whether or not the Holder receives such notice. By the date fixed for redemption, due provision shall be made with the Registrar for payment of the redemption price of the Bonds or portions thereof to be redeemed. When the Bonds have been called for redemption in whole or in part and due provision has been made to redeem same as herein provided, the Bonds or portions thereof so redeemed shall no longer be regarded as outstanding except for the purpose of receiving payment solely from the funds so provided for redemption, and the rights of the Holders to collect interest which would otherwise accrue after the redemption date on any Bond or portion thereof called for redemption shall terminate on the date fixed for redemption.

IN THE EVENT OF A PARTIAL REDEMPTION of the principal amount of this Bond, payment of the redemption price of such principal amount shall be made to the Registered Owner only upon presentation and surrender of this Bond to the Paying Agent/Registrar at its Designated Payment/Transfer Office, and there shall be issued to the Registered Owner hereof, without charge, a new Bond or Bonds of like maturity and interest rate in any authorized denominations provided by the Ordinance for the then unredeemed balance of the principal sum hereof. If this Bond is selected for redemption, in whole or in part, the City and the Paying Agent/Registrar shall not be required to transfer this Bond to an assignee of the Registered Owner within forty-five (45) days of the redemption date therefore; provided, however, such limitation on transferability shall not be applicable to an exchange by the Registered Owner of the unredeemed balance hereof in the event of its redemption in part.

The City reserves the right to give notice of its election or direction to optionally redeem Bonds conditioned upon the occurrence of subsequent events. Such notice may state (i) that the redemption is conditioned upon the deposit of moneys and/or authorized securities, in an amount equal to the amount necessary to effect the redemption, with the

Paying Agent/Registrar, or such other entity as may be authorized by law, no later than the redemption date or (ii) that the City retains the right to rescind such notice at any time prior to the scheduled redemption date if the City delivers a certificate of the City to the Paying Agent/Registrar instructing the Paying Agent/Registrar to rescind the redemption notice, and such notice of redemption shall be of no effect if such moneys and/or authorized securities are not so deposited or if the notice is rescinded. The Paying Agent/Registrar shall give prompt notice of any such rescission of a conditional notice of redemption to the affected owners. Any Bonds subject to conditional redemption where redemption has been rescinded shall remain outstanding.

THE BONDS are payable from the proceeds of an ad valorem tax levied, within the limits prescribed by law, upon all taxable property in the City. Reference is hereby made to the Ordinance, a copy of which is on file in the Designated Payment/Transfer Office of the Paying Agent/Registrar, and to all of the provisions of which the Registered Owner or Holder of this Bond by the acceptance hereof hereby assents, for definitions of terms; the description of and the nature and extent of the tax levied for the payment of the Bond; the terms and conditions relating to the transfer or exchange of this Bond; the rights, duties, and obligations of the City and the Paying Agent/Registrar; the terms and provisions upon which this Bond may be discharged at or prior to its maturity, and deemed to be no longer outstanding thereunder; and for other terms and provisions contained therein. Capitalized terms used herein have the meanings assigned in the Ordinance.

THIS BOND, subject to certain limitations contained in the Ordinance, may be transferred on the Register only upon its presentation and surrender at the Designated Payment/Transfer Office of the Paying Agent/Registrar, with the Assignment hereon duly endorsed by, or accompanied by a written instrument of transfer in form satisfactory to the Paying Agent/Registrar duly executed by, the Registered Owner hereof, or his duly authorized agent. When a transfer on the Register occurs, one or more new fully registered Bonds of the same Stated Maturity, of authorized denominations of \$5,000 or any integral multiple thereof, bearing the same rate of interest, and of the same aggregate principal amount will be issued by the Paying Agent/Registrar to the designated transferee or transferees.

THE CITY AND THE PAYING AGENT/REGISTRAR, and any agent of either, shall treat the Registered Owner whose name appears on the Register (i) on the Record Date as the owner entitled to payment of interest hereon, (ii) on the date of surrender of this Bond as the owner entitled to payment of principal at the Stated Maturity, or its redemption, in whole or in part, and (iii) on any other date as the owner for all other purposes, and neither the City nor the Paying Agent/Registrar, or any agent of either, shall be affected by notice to the contrary. In the event of nonpayment of interest on a Bond on a scheduled payment date and for thirty (30) days thereafter, a new record date for such interest payment (a "Special Record Date") will be established by the Paying Agent/Registrar, if and when funds for the payment of such interest have been received from the City. Notice of the Special Record Date and of the scheduled payment date of the past due interest (which shall be 15 days after the Special Record Date) shall be sent at least five (5) business days prior to the Special Record Date by United States mail, first

class postage prepaid, to the address of each Registered Owner of a Bond appearing on the Register at the close of business on the last business day next preceding the date of mailing of such notice.

IT IS HEREBY CERTIFIED AND RECITED that the issuance of this Bond and the series of which it is a part is duly authorized by law; that all acts, conditions and things to be done precedent to and in the issuance of this Bond and the series of which it is a part, have been properly done, have happened and have been performed in regular and due time, form and manner as required by law; that proper provisions have been made for the levy and collection annually of taxes upon all taxable property in said City sufficient, within the limits prescribed by law, to pay the interest on this Bond and the series of which it is a part as due and to provide for the payment of the principal as the same matures; and that the total indebtedness of the City, including the Bonds, does not exceed any constitutional or statutory limitation.

IN WITNESS WHEREOF, the City has caused this Bond to be executed by the manual or facsimile signature of the Mayor of the City and countersigned by the manual or facsimile signature of the City Secretary, and the official seal of the City has been duly impressed or placed in facsimile on this Bond.

Mayor
City of Garden Ridge, Texas

City Secretary
City of Garden Ridge, Texas

[CITY SEAL]

Form of Registration Certificate
of Comptroller of Public Accounts

The following Comptroller's Registration Certificate may be deleted from the definitive Bonds if such certificate on the Initial Bond is fully executed.

COMPTROLLER'S REGISTRATION CERTIFICATE: REGISTER NO. _____

I hereby certify that this Bond has been examined, certified as to validity, and approved by the Attorney General of the State of Texas, and that this Bond has been registered by the Comptroller of Public Accounts of the State of Texas.

WITNESS MY SIGNATURE AND SEAL this _____.

(SEAL)

XXXXXXXXXX

Comptroller of Public Accounts
of the State of Texas

Form of Registrar's Authentication Certificate

The following Authentication Certificate of Paying Agent/Registrar may be deleted from the Initial Bond if the Comptroller's Registration Certificate appears thereon.

AUTHENTICATION CERTIFICATE

It is hereby certified that this Bond has been delivered pursuant to the Ordinance described in the text of this Bond.

THE BANK OF NEW YORK MELLON
TRUST COMPANY, N.A.
Dallas, Texas
as Paying Agent/Registrar

By: _____
Authorized Signature

Date of Authentication _____

Form of Assignment

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned hereby sells, assigns, and transfers unto

_____/

(Please print or typewrite name and address, including zip code, of Transferee)

(Please insert Social Security or Taxpayer Identification Number)

the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints _____, attorney, to register the transfer of the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

Dated: _____

Signature Guaranteed:

NOTICE: Signature(s) must be guaranteed by an eligible guarantor institution as defined by SEC Rule 17Ad-15 (17 CFR 240-17Ad-15).

NOTICE: The signature above must correspond with the name of the Registered Owner as it appears upon the front of this Bond in every particular, without alteration or enlargement or any change whatsoever.

(f) *Form of the Initial Bond.* The Initial Bond shall be in the form set forth therefor in paragraph (e) of this Section, except as follows:

Heading and paragraph one shall be amended to read as follows:

REGISTERED
No. T-1

\$ _____

UNITED STATES OF AMERICA
STATE OF TEXAS
CITY OF GARDEN RIDGE, TEXAS
GENERAL OBLIGATION REFUNDING BOND
SERIES 2017

Dated Date: October 1, 2017

Registered Owner:

Principal Amount: _____ THOUSAND DOLLARS

THE CITY OF GARDEN RIDGE, TEXAS (hereinafter referred to as the "City"), for value received, acknowledges itself indebted to and hereby promises to pay to the order of the Registered Owner named above, or the registered assigns thereof, the Principal Amount hereinabove stated on February 15 in the years and in principal installments in accordance with the following schedule:

<u>STATED</u> <u>MATURITY</u>	<u>PRINCIPAL</u> <u>AMOUNT</u>	<u>INTEREST</u> <u>RATE(S)</u>
----------------------------------	-----------------------------------	-----------------------------------

[information to be inserted from Section 3(a) hereof]

(or so much principal thereof as shall not have been prepaid prior to maturity) and to pay interest on the unpaid principal installments hereof from the later of the Dated Date, or from the most recent Interest Payment Date to which interest has been paid or duly provided for, at the per annum rates of interest specified above computed on the basis of a 360-day year of twelve 30-day months; such interest being payable on February 15 and August 15 in each year, commencing February 15, 2018. Principal installments of this Bond are payable in the year of maturity or on a prepayment date to the Registered Owner hereof by The Bank of New York Mellon Trust Company, N.A. (the "Paying Agent/Registrar"), upon presentation and surrender, at its designated office in Dallas, Texas (the "Designated Payment/Transfer Office"). Interest is payable to the Registered Owner of this Bond whose name appears on the "Register" maintained by the Paying Agent/Registrar at the close of business on the "Record Date," which is the last business day of the month next preceding each Interest Payment Date, and interest shall be paid by the Paying Agent/Registrar by check sent by United States mail, first class postage

prepaid, to the address of the Registered Owner recorded in the Register or by such other method, acceptable to the Paying Agent/Registrar, requested by, and at the risk and expense of, the Registered Owner. All payments of principal of, premium, if any, and interest on this Bond shall be without exchange or collection charges to the Registered Owner hereof and in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts.

(g) *Form of Statement of Insurance.* A statement relating to a municipal bond insurance policy, if any, to be issued for the Bonds may be printed on each Bond.

(h) *CUSIP Numbers.* The City may secure identification numbers and letters of the Committee on Uniform Securities Identification Procedures of the American Bankers Association ("CUSIP numbers"), and may authorize the printing of such numbers on the face of the Bonds. It is expressly provided, however, that the presence or absence of CUSIP numbers on the Bonds shall be of no significance or effect as regards the legality thereof and neither the City nor the attorneys approving said Bonds as to legality are to be held responsible for CUSIP numbers incorrectly printed on the Bonds.

(i) *Legal Opinion.* The approving legal opinion of Bickerstaff Heath Delgado Acosta LLP, Bond Counsel, may be printed on the reverse side of each Bond or may be attached to each Bond.

SECTION 22. Further Proceedings. After the Bonds to be initially issued shall have been executed, it shall be the duty of the Mayor and other appropriate officials and agents of the City to deliver the Bonds to be initially issued and all pertinent records and proceedings to the Attorney General of the State of Texas, for examination and approval. After the Bonds to be initially issued shall have been approved by the Attorney General, they shall be delivered to the Comptroller for registration. Upon registration of the Bonds to be initially issued, the Comptroller (or the Comptroller's bond clerk or an assistant bond clerk lawfully designated in writing to act for the Comptroller) shall manually sign the Comptroller's Registration Certificate prescribed herein and the seal of said Comptroller shall be impressed, or placed in facsimile, thereon.

SECTION 23. Sale of the Bonds.

The Bonds are hereby sold and shall be delivered to George K. Baum & Company, Incorporated (the "Underwriter") at a price of \$_____ (representing the par amount of the Bonds plus an original issue/net reoffering premium in the amount of \$_____ and less an underwriting discount of \$_____), in accordance with a Purchase Contract of even date herewith, presented to and hereby approved by the City Council which price and terms are hereby found and determined to be the most advantageous and reasonably obtainable by the City. The Mayor is authorized to execute the Purchase Contract. In addition, other appropriate officials of the City are hereby authorized and directed to execute such Purchase Contract on behalf of the City. The Mayor and other appropriate officers, agents, and representatives of the City are hereby authorized to do any and all things necessary or desirable to satisfy the conditions set out

therein and to provide for the issuance and delivery of the Bonds. The Initial Bond shall be registered in the name of _____.

SECTION 24. Covenants Regarding Tax Exemption of Interest on the Bonds. The City covenants to take any action necessary to secure, or refrain from any action which would adversely affect, the treatment of the Bonds as obligations described in section 103 of the Code, the interest on which is not includable in the "gross income" of the holder for purposes of federal income taxation. In furtherance thereof, the City covenants as follows:

(a) to take any action to assure that no more than 10 percent of the proceeds of the Bonds or the projects financed therewith (less amounts deposited to a reserve fund, if any) are used for any "private business use," as defined in section 141(b)(6) of the Code or, if more than 10 percent of the proceeds of the projects financed therewith are so used, such amounts, whether or not received by the City, with respect to such private business use, do not, under the terms of this Ordinance or any underlying arrangement, directly or indirectly, secure or provide for the payment of more than 10 percent of the debt service on the Bonds, in contravention of section 141(b)(2) of the Code;

(b) to take any action to assure that in the event the "private business use" described in subsection (a) hereof exceeds 5 percent of the proceeds of the Bonds or the projects licensed therewith (less amounts deposited into a reserve fund, if any) then the amount in excess of 5 percent is used for a "private business use" which is "related" and not "disproportionate," within the meaning of section 141(b)(3) of the Code, to the governmental use;

(c) to take any action to assure that no amount which is greater than the lesser of \$5,000,000, or 5 percent of the proceeds of the Bonds (less amounts deposited into a reserve fund, if any) is directly or indirectly used to finance loans to persons, other than state or local governmental units, in contravention of section 141(c) of the Code;

(d) to refrain from taking any action which would otherwise result in the Bonds being treated as "private activity bonds" within the meaning of section 141(b) of the Code;

(e) to refrain from taking any action that would result in the Bonds being "federally guaranteed" within the meaning of section 149(b) of the Code;

(f) to refrain from using any portion of the proceeds of the Bonds, directly or indirectly, to acquire or to replace funds which were used, directly or indirectly, to acquire investment property (as defined in section 148(b)(2) of the Code) which produces a materially higher yield over the term of the Bonds, other than investment property acquired with--

(1) proceeds of the Bonds invested for a reasonable temporary period of 3 years or less or, in the case of a refunding bond, for a period of

30 days or less until such proceeds are needed for the purpose for which the Bonds are issued,

- (2) amounts invested in a bona fide debt service fund, within the meaning of section 1.148-1(b) of the Treasury Regulations, and
- (3) amounts deposited in any reasonably required reserve or replacement fund to the extent such amounts do not exceed 10 percent of the proceeds of the Bonds;

(g) to otherwise restrict the use of the proceeds of the Bonds or amounts treated as proceeds of the Bonds, as may be necessary, so that the Bonds do not otherwise contravene the requirements of section 148 of the Code (relating to arbitrage) and, to the extent applicable, section 149(d) of the Code (relating to advance refundings);

(h) to pay to the United States of America at least once during each five-year period (beginning on the date of delivery of the Bonds) an amount that is at least equal to 90 percent of the "Excess Earnings," within the meaning of section 148(f) of the Code and to pay to the United States of America, not later than 60 days after the Bonds have been paid in full, 100 percent of the amount then required to be paid as a result of Excess Earnings under section 148(f) of the Code; and

(i) to maintain such records as will enable the City to fulfill its responsibilities under this section and section 148 of the Code and to retain such records for at least six years following the final payment of principal and interest on the Bonds.

In order to facilitate compliance with the above covenants (h) and (i), a "Rebate Fund" is hereby authorized to be established by the City for the sole benefit of the United States of America, and such fund shall not be subject to the claim of any other person, including, without limitation, the Owners. The Rebate Fund is authorized to be established for the additional purpose of compliance with section 148 of the Code.

It is the understanding of the City that the covenants contained herein are intended to assure compliance with the Code and any regulations or rulings promulgated by the U.S. Department of the Treasury pursuant thereto. In the event that regulations or rulings are hereafter promulgated which modify or expand provisions of the Code, as applicable to the Bonds, the City will not be required to comply with any covenant contained herein to the extent that such failure to comply, in the opinion of nationally recognized bond counsel, will not adversely affect the exemption from federal income taxation of interest on the Bonds under section 103 of the Code. In the event that regulations or rulings are hereafter promulgated which impose additional requirements which are applicable to the Bonds, the City agrees to comply with the additional requirements to the extent necessary, in the opinion of nationally recognized bond counsel, to preserve the exemption from federal income taxation of interest on the Bonds under section 103 of the Code. In furtherance of such intention, the City hereby authorizes and directs the Mayor and the City Secretary to execute any documents, certificates or reports required by the

Code and to make such elections, on behalf of the City, which may be permitted by the Code as are consistent with the purpose for the issuance of the Bonds.

SECTION 25. Official Statement. The form and substance of the Official Statement for the Bonds and any addenda, supplement or amendment thereto (the "Official Statement") presented to and considered at this meeting is hereby in all respects approved and adopted. The Mayor and the City Secretary are hereby authorized and directed to execute the same and deliver appropriate numbers of executed copies thereof and of any closing certificates to the Underwriter. The use and distribution of the Preliminary Official Statement by the Underwriter is hereby ratified, approved and confirmed and is hereby deemed final as of its date (except for the omission of pricing and related information) within the meaning and for the purposes of paragraph (b)(1) of Rule 15c2-12 under the Securities Exchange Act of 1934, as amended, by the City Council. The Underwriter is hereby authorized to use and distribute the Official Statement in the reoffering, sale, and delivery of the Bonds to the public. The City Secretary is hereby authorized and directed to include and maintain a copy of the Official Statement and any addenda, supplement or amendment thereto thus approved among the permanent records of this meeting.

SECTION 26. Use of Proceeds. Proceeds from the sale of the Bonds shall, promptly upon receipt by the City, be applied as follows:

(a) \$_____ from premium to pay the costs of issuance, consisting of:

\$_____ of general costs of issuance; and

\$_____ of Underwriter's Discount;

(b) _____ rounding amount to the Interest and Sinking Fund; and

(c) The balance of the proceeds from the sale of the Bonds shall be applied to establish a deposit with the Escrow Agent to refund the Refunded Obligations, as more fully provided below, and, to the extent not otherwise provided for, to pay all expenses arising in connection with the issuance of the Bonds, the establishment of such deposit and the refunding of the Refunded Obligations. Any proceeds of the Bonds remaining after making all such deposits and payments shall be deposited into the Interest and Sinking Fund.

SECTION 27. Escrow Agreement Approval and Execution. The discharge and defeasance of the Refunded Obligations shall be effectuated pursuant to the terms and provisions of an Escrow Agreement to be entered into by and between the City and the Escrow Agent, which shall be substantially in the form attached hereto as *Exhibit A*, the terms and provisions of which are hereby approved, subject to such insertions, additions and modifications as shall be necessary (a) to carry out the program designed for the City by the Financial Advisor, and which shall be certified as to mathematical accuracy by Grant Thornton LLP, Certified Public Accountants, whose Report (as defined in the

Escrow Agreement) shall be attached to the Escrow Agreement, (b) to maximize the City's present value savings and/or to minimize the City's costs of refunding, (c) to comply with all applicable laws and regulations relating to the refunding of the Refunded Obligations, and (d) to carry out the other intents and purposes of this Ordinance, and the Mayor is hereby authorized to execute and deliver such Escrow Agreement on behalf of the City in multiple counterparts and the City Secretary is hereby authorized to attest thereto and affix the seal of the City.

SECTION 28. Redemption/Defeasance of Refunded Obligations.

(a) The City hereby calls the following obligations of the City for redemption prior to maturity on the date set forth below, at a price of par plus accrued interest to the date fixed for redemption, and authorizes and directs notice of such redemption to be given in accordance with the ordinance authorizing the issuance of such obligations:

Obligations to be Refunded

Redemption Date

Combination Tax and Revenue
Certificates of Obligation, Series 2009
Maturities 2020 - 2030

February 15, 2019

The City hereby authorizes and instructs the Mayor, City Secretary, City Administrator, the Escrow Agent, and the paying agent for the Refunded Obligations to take such steps as are necessary to accomplish the redemption of the Refunded Obligations in accordance with the provisions hereof.

(b) *Notice of Defeasance/Redemption.* The City hereby ratifies (1) its authorization to give notice of redemption of the Refunded Obligations in the manner and within the time required by the ordinance authorizing the issuance thereof. The notice of redemption for the Refunded Obligations will be substantially in the form set out in *Exhibit B*.

SECTION 29. Refunding of Refunded Obligations. It is hereby found and determined that the refunding of the Refunded Obligations is advisable and necessary in order to restructure the principal and interest requirements of the City, and the City further finds and determines that the City will receive a present value savings on the debt service of the Refunded Obligations.

SECTION 30. Refunding.

(a) *Purchase of Escrowed Securities.* To assure the purchase of the Escrowed Securities referred to in the Escrow Agreement, the Mayor and the Escrow Agent are hereby authorized to subscribe for, agree to purchase, and purchase Escrowed Securities, in such amounts and maturities and bearing interest at such rates as may be provided for in the Report, and to execute any and all subscriptions, purchase agreements, commitments, letters of authorization and other documents necessary to

effectuate the foregoing, and any actions heretofore taken for such purpose are hereby ratified and approved.

(b) *Related Matters.* To satisfy in a timely manner all of the City's obligations under this Ordinance and the Escrow Agreement, the Mayor, the City Secretary, the City Administrator, and all other appropriate officers and agents of the City are hereby authorized and directed to take all other actions that are reasonably necessary to provide for the refunding of the Refunded Obligations, including, without limitation, executing and delivering on behalf of the City all certificates, consents, receipts, requests, and other documents as may be reasonably necessary to satisfy the City's obligations under the Escrow Agreement and this Ordinance and to direct the application of funds of the City consistent with the provisions of such Escrow Agreement and this Ordinance.

(c) *Transfer from Interest and Sinking Fund.* On the date of delivery of and payment for the Bonds there shall be transferred from the interest and sinking fund for the Refunded Obligations to the Escrow Agent, an amount sufficient, if any, when added to the proceeds of the Bonds, to provide for the refunding of the Refunded Obligations, all as set out in the Report.

SECTION 31. Defeasance

(a) Any Bond and the interest thereon shall be deemed to be paid, retired and no longer outstanding (a "Defeased Bond") within the meaning of this Ordinance, except to the extent provided in subsection (d) of this Section, when payment of the principal of such Bond, plus interest thereon to the due date (whether such due date be by reason of maturity or otherwise) either (i) shall have been made or caused to be made in accordance with the terms thereof, or (ii) shall have been provided for on or before such due date by irrevocably depositing with or making available to the Paying Agent/Registrar in accordance with an escrow agreement or other instrument (the "Future Escrow Agreement") for such payment (1) lawful money of the United States of America sufficient to make such payment or (2) Defeasance Securities that mature as to principal and interest in such amounts and at such times as will insure the availability, without reinvestment, of sufficient money to provide for such payment, and when proper arrangements have been made by the City with the Paying Agent/Registrar for the payment of its services until all Defeased Bonds shall have become due and payable. At such time as a Bond shall be deemed to be a Defeased Bond hereunder, as aforesaid, such Bond and the interest thereon shall no longer be secured by, payable from, or entitled to the benefits of the ad valorem taxes herein levied and pledged as provided in this Ordinance, and such principal and interest shall be payable solely from such money or Defeasance Securities. Notwithstanding any other provision of this Ordinance to the contrary, it is hereby provided that any determination not to redeem Defeased Bonds that is made in conjunction with the payment arrangements specified in subsection (a)(i) or (ii) of this Section shall not be irrevocable, provided that: (1) in the proceedings providing for such payment arrangements, the City expressly reserves the right to call the Defeased Bonds for redemption; (2) gives notice of the reservation of that right to the owners of the Defeased Bonds immediately following the making of the payment arrangements; and (3)

directs that notice of the reservation be included in any redemption notices that it authorizes.

(b) Any moneys so deposited with the Paying Agent/Registrar may at the written direction of the City be invested in Defeasance Securities, maturing in the amounts and times as hereinbefore set forth, and all income from such Defeasance Securities received by the Paying Agent/Registrar that is not required for the payment of the Bonds and interest thereon, with respect to which such money has been so deposited, shall be turned over to the City, or deposited as directed in writing by the City. Any Future Escrow Agreement pursuant to which the money and/or Defeasance Securities are held for the payment of Defeased Bonds may contain provisions permitting the investment or reinvestment of such moneys in Defeasance Securities or the substitution of other Defeasance Securities upon the satisfaction of the requirements specified in subsection (a)(i) or (ii) of this Section. All income from such Defeasance Securities received by the Paying Agent/Registrar which is not required for the payment of the Defeased Bonds, with respect to which such money has been so deposited, shall be remitted to the City or deposited as directed in writing by the City.

(c) Until all Defeased Bonds shall have become due and payable, the Paying Agent/Registrar shall perform the services of Paying Agent/Registrar for such Defeased Bonds the same as if they had not been defeased, and the City shall make proper arrangements to provide and pay for such services as required by this Ordinance.

(d) In the event that the City elects to defease less than all of the principal amount of Bonds of a maturity, the Paying Agent/Registrar shall select, or cause to be selected, such amount of Bonds by such random method as it deems fair and appropriate.

SECTION 32. Continuing Disclosure Undertaking.

(a) *Definitions.* As used in this Section, the following terms have the meanings ascribed to such terms below:

"EMMA" means the Electronic Municipal Market Access System established by the MSRB.

"MSRB" means the Municipal Securities Rulemaking Board.

"Rule" means SEC Rule 15c2-12, as amended from time to time or officially interpreted by the SEC.

"SEC" means the United States Securities and Exchange Commission.

(b) *Annual Reports.* The City shall provide annually to the MSRB through EMMA, within six months after the end of each fiscal year ending in or after 2017, financial information and operating data with respect to the City that is of the general type included in the Official Statement authorized by Section 25, being the information described in

Table 1 and Tables 3 through 12 in Appendix A of the Official Statement. The City shall additionally provide annual financial statements when and if available, and in any event, within 12 months after the end of each fiscal year ending in and after 2017. Any financial statements so to be provided shall be (1) prepared in accordance with the accounting principles the City may be required to employ from time to time in accordance with State law, and (2) audited, if the City commissions an audit of such statements and the audit is completed within the period during which they must be provided. If the audit of such financial statements is not complete within such period, then the City shall provide (1) unaudited financial statements for such fiscal year within such twelve month period, and (2) audited financial statements for the applicable fiscal year to the MSRB through EMMA when and if the audit report on such statements becomes available.

If the City changes its fiscal year, it will notify the MSRB through EMMA of the change (and of the date of the new fiscal year end) prior to the next date by which the City otherwise would be required to provide financial information and operating data pursuant to this Section.

The financial information and operating data to be provided pursuant to this Section may be set forth in full in one or more documents or may be included by specific reference to any document (including an official statement or other offering document, if it is available from the MSRB, that theretofore has been provided to the MSRB through EMMA or filed with the SEC).

(c) *Notices.* The City shall provide notice of any of the following events with respect to the Bonds to the MSRB in a timely manner and not more than ten (10) business days after the occurrence of the event:

1. Principal and interest payment delinquencies;
2. Non-payment related defaults, if material;
3. Unscheduled draws on debt service reserves reflecting financial difficulties;
4. Unscheduled draws on credit enhancements reflecting financial difficulties;
5. Substitution of credit or liquidity providers, or their failure to perform;
6. Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the Bonds or other material events affecting the tax-exempt status of the Bonds;
7. Modifications to rights of holders of the Bonds, if material;

8. Bond calls, if material, and tender offers;
9. Defeasances;
10. Release, substitution, or sale of property securing repayment of the Bonds, if material;
11. Rating changes;
12. Bankruptcy, insolvency, receivership or similar event;
13. The consummation of a merger, consolidation, or acquisition involving an obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material; and
14. Appointment of a successor or additional trustee or the change of name of a trustee, if material.

For these purposes, any event described in the immediately preceding subsection (c)(12) is considered to occur when any of the following occur: the appointment of a receiver, fiscal agent, or similar officer for the City in a proceeding under the United States Bankruptcy Code or in any other proceeding under state or federal law in which a court or governmental authority has assumed jurisdiction over substantially all of the assets or business of the City, or if such jurisdiction has been assumed by leaving the existing governing body and officials or officers in possession but subject to the supervision and orders of a court or governmental authority, or the entry of an order confirming a plan of reorganization, arrangement, or liquidation by a court or governmental authority having supervision or jurisdiction over substantially all of the assets or business of the City.

The City shall notify the MSRB through EMMA, in a timely manner, of any failure by the City to provide financial information or operating data in accordance with subsection (b) of this Section by the time required by such Section.

(d) *Filings with the MSRB.* All financial information, operating data, financial statements, notices, and other documents provided to the MSRB in accordance with this Section shall be provided in an electronic format prescribed by the MSRB and shall be accompanied by identifying information as prescribed by the MSRB.

(e) *Limitations, Disclaimers, and Amendments.* The City shall be obligated to observe and perform the covenants specified in this Section with respect to the City and the Bonds while, but only while, the City remains an "obligated person" with respect to the Bonds within the meaning of the Rule, except that the City in any event will give notice

required by subsection (c) of this Section of any bond calls and defeasances that cause the City to no longer be such an "obligated person."

The provisions of this Section are for the sole benefit of the Holders and Beneficial Owners of the Bonds, and nothing in this Section, express or implied, shall give any benefit or any legal or equitable right, remedy, or claim hereunder to any other person. The City undertakes to provide only the financial information, operating data, financial statements, and notices which it has expressly agreed to provide pursuant to this Section and does not hereby undertake to provide any other information that may be relevant or material to a complete presentation of the financial results, condition, or prospects of the City or the State of Texas or hereby undertake to update any information provided in accordance with this Section or otherwise, except as expressly provided herein. The City does not make any representation or warranty concerning such information or its usefulness to a decision to invest in or sell Bonds at any future date.

UNDER NO CIRCUMSTANCES SHALL THE CITY BE LIABLE TO THE HOLDER OR BENEFICIAL OWNER OF ANY BOND OR ANY OTHER PERSON, IN CONTRACT OR TORT, FOR DAMAGES RESULTING IN WHOLE OR IN PART FROM ANY BREACH BY THE CITY, WHETHER NEGLIGENT OR WITHOUT FAULT ON ITS PART, OF ANY COVENANT SPECIFIED IN THIS SECTION, BUT EVERY RIGHT AND REMEDY OF ANY SUCH PERSON, IN CONTRACT OR TORT, FOR OR ON ACCOUNT OF ANY SUCH BREACH SHALL BE LIMITED TO AN ACTION FOR *MANDAMUS* OR SPECIFIC PERFORMANCE.

No default by the City in observing or performing its obligations under this Section shall comprise a breach of or default under the Ordinance for purposes of any other provision of this Ordinance.

Nothing in this Section is intended or shall act to disclaim, waive, or otherwise limit the duties of the City under federal and state securities laws.

The provisions of this Section may be amended by the City from time to time to adapt to changed circumstances resulting from a change in legal requirements, a change in law, or a change in the identity, nature, status, or type of operations of the City, but only if (1) the provisions of this Section, as so amended, would have permitted an underwriter to purchase or sell Bonds in the primary offering of the Bonds in compliance with the Rule, taking into account any amendments or interpretations of the Rule to the date of such amendment, as well as such changed circumstances, and (2) either (a) the Holders of a majority in aggregate principal amount (or any greater amount required by any other provision of this Ordinance that authorizes such an amendment) of the outstanding Bonds consent to such amendment or (b) a person that is unaffiliated with the City (such as nationally recognized bond counsel) determines that such amendment will not materially impair the interests of the Holders and Beneficial Owners of the Bonds. If the City so amends the provisions of this Section, it shall include with any amended financial information or operating data next provided in accordance with subsection (b) an

explanation, in narrative form, of the reasons for the amendment and of the impact of any change in the type of financial information or operating data so provided.

SECTION 33. Ordinance a Contract; Amendments. The Ordinance shall constitute a contract with the Owners, from time to time, of the Bonds, binding on the City and its successors and assigns, and shall not be amended or repealed by the City as long as any Bond remains outstanding except as permitted in this Section. The City may amend the Ordinance without the consent of or notice to any Owners to (i) cure any ambiguity, defect or omission therein that does not materially adversely affect the interests of the holders; (ii) grant additional rights or security for the benefit of the holders; (iii) add events of default as shall not be inconsistent with the provisions of the Ordinance that do not materially adversely affect the interests of the holders; (iv) qualify the Ordinance under the Trust Indenture Act of 1939, as amended, or corresponding provisions of federal laws from time to time in effect; or (v) make such other provisions in regard to matters or questions arising under the Ordinance that are not inconsistent with the provisions thereof and which, in the opinion of Bond Counsel for the City, do not materially adversely affect the interests of the holders. In addition, the City may amend the Ordinance in ways not described above with the consent of the holders of a majority of the aggregate principal amount of the Bonds outstanding if it is deemed necessary or desirable by the City; provided, however, that without the consent of the holders of 100% of the then outstanding Bonds, no amendment may be made for the purpose of: (i) making any change in the maturity of any of the outstanding Bonds; (ii) reducing the rate of interest borne by any of the outstanding Bonds; (iii) reducing the amount of the principal of, or redemption premium, if any, payable on any outstanding Bonds; (iv) modifying the terms of payment of principal, interest or redemption premium on outstanding Bonds, or imposing any condition with respect to such payment; or (v) changing the minimum percentage of the principal amount of the Bonds necessary for consent to such amendment.

SECTION 34. Qualified Tax-Exempt Obligations. The City hereby designates the Bonds as "qualified tax-exempt obligations" for purposes of Section 265(b) of the Code. In connection therewith, the City represents (a) that the aggregate amount of tax-exempt obligations issued by the City during calendar year 2017, including the Bonds, which have been designated as "qualified tax-exempt obligations" under section 265(b)(3) of the Code do not exceed \$10,000,000, and (b) that the reasonably anticipated amount of its tax-exempt obligations which will be issued by the City during calendar year 2017, including the Bonds, will not exceed \$10,000,000. For purposes of this Section 34, the term "tax-exempt obligations" does not include "private activity bonds" within the meaning of section 141 of the Code, other than "qualified 501(c)(3) bonds" within the meaning of section 145 of the Code. In addition, for purposes of this Section 34, the City includes all governmental units which are aggregate with the City under section 265(b) of the Code.

SECTION 35. Investments and Investment Income.

a) Money in the Funds established by this Ordinance, at the option of the City, may be invested in such securities or obligations as permitted under applicable law.

(b) Any securities or obligations in which money is so invested shall be kept and held in trust for the benefit of the Owners and shall be sold and the proceeds of sale shall be timely applied to the making of all payments required to be made from the fund from which the investment was made.

(c) Interest and income derived from investment of any fund created by this Ordinance shall be credited to such fund.

SECTION 36. Remedies in Event of Default. In addition to all the rights and remedies provided by the laws of the State of Texas, the City covenants and agrees particularly that in the event the City (a) defaults in the payment of the principal, premium, if any, or interest on the Bonds, (b) defaults in the payments to be made to the Interest and Sinking Fund, or (c) defaults in the observance or performance of any other of the covenants, conditions, or obligations set forth in this Ordinance, the holders of any of the Bonds shall be entitled to a writ of mandamus issued by a court of proper jurisdiction compelling and requiring the governing body of the City and other officers of the City to observe and perform any covenant, condition, or obligation prescribed in this Ordinance.

No delay or omission to exercise any right or power accruing upon any default shall impair any such right or power or shall be construed to be a waiver of any such default or acquiescence therein, and every such right and power may be exercised from time to time and as often as may be deemed expedient. The specific remedies herein provided shall be cumulative of all other existing remedies and the specification of such remedies shall not be deemed to be exclusive.

SECTION 37. Related Matters. The Mayor, City Secretary, City Administrator, and all other officers, employees, and agents of the City, and each of them, shall be and they are hereby expressly authorized, empowered, and directed from time to time and at any time to do and perform all such acts and things and to execute, acknowledge, and deliver in the name and under the seal and on behalf of the City all such instruments, whether or not herein mentioned, as may be necessary or desirable in order to carry out the terms and provisions of this Ordinance, the Bonds, the sale of the Bonds, the Official Statement, the Escrow Agreement and the Paying Agent/Registrar Agreement. In addition, prior to the initial delivery of the Bonds, the Mayor, City Secretary, City Administrator and Bond Counsel are hereby authorized and directed to approve any technical changes or corrections to this Ordinance or to any of the instruments authorized and approved by this Ordinance necessary in order to (i) correct any ambiguity or mistake or properly or more completely document the transactions contemplated and approved by this Ordinance and as described in the Official Statement, (ii) obtain a rating from any of the national bond rating agencies or satisfy any requirements of the provider of a municipal bond insurance policy, if any, or (iii) obtain the approval of the Bonds by the Attorney General's office. In case any officer whose signature shall appear on any Bond shall cease to be such officer before the delivery of such Bond, such signature shall nevertheless be valid and sufficient for all purposes the same as if such officer had remained in office until such delivery.

SECTION 38. No Personal Liability. No recourse shall be had for payment of the principal of or interest on any Bonds or for any claim based thereon, or on this Ordinance, against any official or employee of the City or any person executing any Bonds.

SECTION 39. Open Meeting. It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public, and that public notice of the time, place and purpose of said meeting was given, all as required by Chapter 551, Texas Government Code.

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PASSED AND APPROVED this 4th day of October, 2017.

Mayor
City of Garden Ridge, Texas

ATTEST:

City Secretary
City of Garden Ridge, Texas

[CITY SEAL]

EXHIBIT A

Escrow Agreement

EXHIBIT B

Notice of Redemption

Combination Tax and Revenue Certificates of Obligation Series 2009

NOTICE IS HEREBY GIVEN that the City of Garden Ridge, Texas has called for redemption a portion of its outstanding series of Combination Tax and Revenue Certificates of Obligation, Series 2009 described as follows:

<u>CUSIP</u>	<u>RATE</u>	<u>CERTIFICATES MATURING</u>	<u>PRINCIPAL AMOUNT OUTSTANDING</u>	<u>PRINCIPAL AMOUNT REFUNDED</u>	<u>REDEMPTION DATE</u>
365415DY1	4.000%	02/15/2020	\$ 190,000	\$ 190,000	02/15/2019
365415DZ8	4.000%	02/15/2021	200,000	200,000	02/15/2019
365415EA2	4.000%	02/15/2022	210,000	210,000	02/15/2019
365415EB0	4.000%	02/15/2023	215,000	215,000	02/15/2019
365415EC8	4.000%	02/15/2024	225,000	225,000	02/15/2019
365415ED6	5.000%	02/15/2025	235,000	235,000	02/15/2019
365415EE4	4.100%	02/15/2026	245,000	245,000	02/15/2019
365415EF1	4.200%	02/15/2027	255,000	255,000	02/15/2019
365415EG9	4.300%	02/15/2028	270,000	270,000	02/15/2019
365415EH7	4.375%	02/15/2029	280,000	280,000	02/15/2019
365415EJ3	4.375%	02/15/2030	<u>295,000</u>	<u>295,000</u>	02/15/2019
			\$2,620,000	\$2,620,000	

Redemption will occur **February 15, 2019**, and interest thereon shall cease to accrue from and after said redemption date. The Certificates will be redeemed at par plus accrued interest.

The above described Certificates should be surrendered on the redemption date for payment of the redemption price of the principal amount thereof plus accrued interest at the following addresses:

First Class/Registered/Certified

Bank of New York Mellon
Trust Company, N.A.
Global Corporate Trust
P.O. Box 396
East Syracuse, NY 13057

Express Delivery Only

Bank of New York Mellon
Trust Company, N.A.
Global Corporate Trust
111 Sanders Creek Parkway
East Syracuse, NY 13057

By Hand Only

Bank of New York Mellon
Trust Company, N.A.
Global Corporate Trust
Corporate Trust Window
101 Barclay Street
1st Floor East
New York, NY 10286

IMPORTANT TAX NOTICE

Withholding of 28% of gross redemption proceeds of any payment made within the United States may be required by the Jobs and Growth Tax Relief Reconciliation Act of 2003 (the "Act"), unless the Paying Agent has the correct taxpayer identification number (social security or employer identification number) or exemption certificate of the payee. Please furnish a properly completed Form W-9 or exemption certificate or equivalent when presenting your securities.

**Note: The Issuer and Paying Agent shall not be responsible for the selection or use of the CUSIP numbers selected, nor is any representation made as to their correctness indicated in the notice or as printed on any Certificate. They are included solely for the convenience of the holders.*

CITY OF GARDEN RIDGE, TEXAS

ORDINANCE NO. 139-102017

AN ORDINANCE OF THE CITY OF GARDEN RIDGE, TEXAS; CREATING A NOISE PROHIBITION ORDINANCE; CREATING MINIMUM AND MAXIMUM PENALTIES FOR NOISE VIOLATIONS; PROVIDING FOR SEVERABILITY; AND PROVIDING FOR AN EFFECTIVE DATE HEREOF.

WHEREAS, the City Council for the City of Garden Ridge has determined that a need exists to establish noise and sound regulations; and

WHEREAS, the use of amplified sound devices in public places creates a public nuisance, interfering with the quiet enjoyment of parks, waterways and public spaces; and

WHEREAS, the City of Garden Ridge wishes to protect its citizens from loud and excessive sounds and noises that disturb the peace and quiet of their neighborhoods; and

WHEREAS, the Council has decided that sound and noise levels should be established by ordinance in order to preserve the peace and quiet of our residential and commercial communities and neighborhoods.

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

I.

SECTION ONE. Purpose.

This ordinance is enacted to protect, preserve, and promote the health, safety, welfare, peace, and quiet of the citizens of the City of Garden Ridge through the reduction, control, and prevention of loud and raucous noise, or any noise which unreasonably disturbs, injures, or endangers the comfort, repose, health, peace, or safety of reasonable persons of ordinary sensitivity.

SECTION TWO. Findings.

(a) Loud and raucous noise degrades the environment of the City of Garden Ridge to a degree that it:

- (1) May be harmful to the health, welfare, and safety of its inhabitants and visitors;
- (2) May interfere with the comfortable enjoyment of life and property;
- (3) May interfere with the wellbeing, tranquility, and privacy of the home; and

(4) May cause and aggravate health problems.

(b) Both the effective control and the elimination of loud and raucous noise are essential to the health and welfare of the City of Garden Ridge's inhabitants and visitors, and to the conduct of the normal pursuits of life, including recreation, work, and communication.

(c) The use of sound amplification equipment creates loud and raucous noise that may, in a particular manner and at a particular time and place, substantially and unreasonably invade the privacy, peace, and freedom of inhabitants of, and visitors to, the City of Garden Ridge.

(d) Certain short-term easing of noise restrictions is essential to allow the construction and maintenance of structures, infrastructure, and other elements necessary for the physical and commercial vitality of the City of Garden Ridge.

SECTION THREE. Definitions.

"Emergency" means any occurrence or set of circumstances involving actual or imminent physical trauma or property damage demanding immediate attention.

"Emergency Work" means any work performed for the purpose of preventing or alleviating physical trauma or property damage, whether actually caused or threatened by an emergency, or work by private or public utilities when restoring utility service.

"City Administrator" means the City Administrator of the City of Garden Ridge or the City Administrator's designee.

"Noise Sensitive Area" includes, but is not limited to, a posted area where a school, hospital, nursing home, church, court, public library, or similar institution is located.

"Person" means any individual, firm, association, partnership, joint venture, or corporation.

"Public right-of-way" means any street, avenue, boulevard, highway, sidewalk, alley, or similar place normally accessible to the public which is owned or controlled by a government entity.

"Public space" means any real property or structures on real property, owned by a government entity and normally accessible to the public, including but not limited to parks and other recreational areas.

"Residential area" means any real property which contains a structure or building in which one or more persons reside, provided that the structure or building is properly zoned, or is legally nonconforming, for residential use in accordance with the terms and maps of the City of Garden Ridge's zoning ordinance.

“*Sunset*” means the time in the evening at which the sun begins to fall below the horizon as determined by the U.S. Naval Observatory for the geographic location of San Antonio, Texas.

SECTION FOUR. General Prohibition.

- (a) No person shall make, continue, or cause to be made or continued:
 - (1) Any unreasonably loud or raucous noise; or
 - (2) Any noise which unreasonably disturbs, injures, or endangers the comfort, repose, health, peace, or safety of reasonable persons of ordinary sensitivity, within the jurisdictional limits of the City of Garden Ridge; or
 - (3) Any noise which is so harsh, prolonged, unnatural, or unusual in time or place as to occasion unreasonable discomfort to any persons within the neighborhood from which said noises emanate, or as to unreasonably interfere with the peace and comfort of neighbors or their guests, or operators or customers in places of business, or as to detrimentally or adversely affect such residences or places of business.
- (b) Factors for determining whether a sound is unreasonably loud and raucous include, but are not limited to, the following:
 - (1) The proximity of the sound to sleeping facilities, whether residential or commercial;
 - (2) The land use, nature, and zoning of the area from which the sound emanates and the area where it is received or perceived;
 - (3) The time of day or night the sound occurs;
 - (4) The duration of the sound; and
 - (5) Whether the sound is recurrent, intermittent, or constant.

SECTION FIVE. Noises Prohibited.

The following acts are declared to be per se violations of this Ordinance. This enumeration does not constitute an exclusive list:

- (a) **Unreasonable Noises:** The unreasonable making of, or knowingly and unreasonably permitting to be made, any unreasonably loud, boisterous or unusual noise, disturbance, commotion or vibration in any boarding facility, dwelling, place of business or other structure, or upon any public street, park, or other place or building. The ordinary and usual sounds, noises, commotion or vibration incidental to the operation of these places when conducted in accordance with the usual standards of practice for such business are exempted from this provision.
- (b) **Vehicle Horns, Signaling Devices, and Similar Devices:** The sounding of any horn, signaling device, or other similar device, on any automobile, motorcycle, or other vehicle on any right-of-way or in any public space of the City of Garden Ridge, for more

than ten (10) consecutive seconds. The sounding of any horn, signaling device, or other similar device, as a danger warning is exempt from this prohibition.

(c) Non-Emergency Signaling Devices: Sounding or permitting sounding any amplified signal from any bell, chime, siren, whistle or similar device, intended primarily for non-emergency purposes, from any place for more than ten (10) consecutive seconds in any hourly period. The reasonable sounding of such devices by houses of religious worship or by the City of Garden Ridge for traffic control purposes are exempt from the operation of this provision.

(d) Emergency Signaling Devices: The intentional sounding or permitting the sounding outdoors of any emergency signaling device including fire, burglar, civil defense alarm, siren, whistle, or similar emergency signaling device, except in an emergency or except as provided in Subsections (1) and (2), below.

(1) Testing of an emergency signaling device shall occur between 7:00 a.m. and 7:00 p.m. Any testing shall use only the minimum cycle test time. In no case shall such test time exceed five (5) minutes. Testing of the emergency signaling system shall not occur more than once in each calendar month.

(2) Sounding or permitting the sounding of any exterior burglar or fire alarm or any motor vehicle burglar alarm, shall terminate within fifteen (15) minutes of activation unless an emergency exists. If a false or accidental activation of an alarm occurs more than twice in a calendar month, the owner or person responsible for the alarm shall be in violation of this Ordinance.

(e) Radios, Televisions, Boomboxes, Phonographs, Stereos, Musical Instruments and Similar Devices: The use or operation of a radio, television, boombox, stereo, musical instrument, or similar device that produces or reproduces sound in a manner that is plainly audible to any person other than the player(s) or operator(s) of the device, and those who are voluntarily listening to the sound, and which unreasonably disturbs the peace, quiet, and comfort of neighbors and passers-by, or is plainly audible at a distance of 50 feet from any person in a commercial, industrial area, or public space. The use or operation of a radio, television, boombox, stereo, musical instrument, or similar device that produces or reproduces sound in a manner that is plainly audible to any person other than the player(s) or operator(s) of the device, and those who are voluntarily listening to the sound, and unreasonably disturbs the peace, quiet, and comfort of neighbors in residential or noise sensitive areas, including multi-family or single-family dwellings.

(f) Loudspeakers, Amplifiers, Public Address Systems, and Similar Devices: The unreasonably loud and raucous use or operation of a loudspeaker, amplifier, public address system, or other device for producing or reproducing sound between the hours of 10:00 p.m. and 7:00 a.m. on weekdays, Sunday through Thursday, and 10:00 p.m. and 10:00 a.m. on weekends, Friday through Saturday, and holidays in the following areas:

- (1) Within or adjacent to residential or noise-sensitive areas;
- (2) Within public space if the sound is plainly audible across the real property line of the public space from which the sound emanates, and is unreasonably loud and raucous.

(3) This section shall not apply to any public performance, gathering, or parade for which a permit has been obtained from the City of Garden Ridge.

(4) This section shall also not apply to any authorized gathering taking place in or on the grounds of the City of Garden Ridge Community Center during hours authorized by an executed Community Center Agreement. Any use of loudspeakers, amplifiers, public address systems and similar devices after 11:00 p.m. must not exceed 60db, as measured at a point outside of the Center's front doors with the door closed.

(g) Yelling, Shouting, and Similar Activities: Yelling, shouting, hooting, whistling, or singing in residential or noise sensitive areas or in public places, between the hours of 10:00 p.m. and 7:00 a.m., or at any time or place so as to unreasonably disturb the quiet, comfort, or repose of reasonable persons of ordinary sensitivities.

(h) Animals and Birds: Unreasonably loud and raucous noise emitted by an animal or bird for which a person is responsible. A person is responsible for an animal if the person owns, controls or otherwise cares for the animal or bird. Sounds made by animals or birds in animal shelters, kennels, veterinary hospitals, pet shops or pet kennels, [licensed under and in compliance with any required local, state or federal licensing and permitting regulations] are exempt from this subsection.

(i) Loading or Unloading Merchandise, Materials, Equipment: The creation of unreasonably loud, raucous, and excessive noise in connection with the loading or unloading of any vehicle at a place of business or residence.

(j) Construction or Repair of Buildings, Excavation of Streets and Highways: The construction, demolition, alteration or repair of any building or the excavation of streets and highways other than between the hours of 7:00 a.m. and sunset plus thirty (30) minutes. In cases of emergency, construction or repair noises are exempt from this provision. In non-emergency situations, the Building Inspector/City of Garden Ridge Manager may issue a permit, upon application, if the Building Inspector/City of Garden Ridge Administrator determines that the public health and safety, as affected by loud and raucous noise caused by construction or repair of buildings or excavation of streets and highways between the hours of sunset plus thirty (30) minutes and 7:00 a.m. will not be impaired, and if the Building Inspector/City of Garden Ridge Administrator further determines that loss or inconvenience would result to a party in interest. The permit shall grant permission in non-emergency cases for a period of not more than three (3) days. The permit may be renewed once for a period of three (3) days or less.

(k) Noise Sensitive Areas - Schools, Courts, Churches, Hospitals, and Similar Institutions: The creation of any unreasonably loud and raucous noise adjacent to any noise sensitive area while it is in use, which unreasonably interferes with the workings of the institution or which disturbs the persons in these institutions; provided that conspicuous signs delineating the boundaries of the noise sensitive area are displayed in the streets surrounding the noise sensitive area.

(l) Blowers, and Similar Devices: In residential or noise sensitive areas, between the hours of sunset plus thirty (30) minutes and 7:00 a.m., the operation of any noise-creating blower, power fan, or any internal combustion engine, the operation of which causes noise due to the explosion of operating gases or fluids, provided that the noise is unreasonably loud and raucous and can be heard across the property line of the property from which it emanates.

(m) Commercial Establishments Adjacent to Residential Property: Unreasonably loud and raucous noise from the premises of any commercial establishment, including any outdoor area which is part of or under the control of the establishment, between the hours of 10:00 p.m. and 7:00 a.m. which is plainly audible at a distance of five (5) feet from any residential property.

SECTION SIX. Exemptions.

Sounds caused by the following are exempt from the prohibitions set out in Section Five and are in addition to the exemptions specifically set forth in Section Five:

(a) Motor vehicles on traffic ways of the City of Garden Ridge provided that the prohibition of Section Five (b) continues to apply.

(b) Repairs of utility structures which pose a clear and immediate danger to life, health, or significant loss of property.

(c) Sirens, whistles, or bells lawfully used by emergency vehicles, or other alarm systems used in case of fire, collision, civil defense, police activity, or imminent danger, provided that the prohibition contained in Section Five (d) continues to apply.

(d) The emission of sound for the purpose of alerting persons to the existence of an emergency or the emission of sound in the performance of emergency work or as a safety device in the backing of any vehicle or equipment.

(e) Repairs or excavations of bridges, streets or highways by or on behalf of the City of Garden Ridge, the State, or the federal government, between the hours of sunset plus thirty (30) minutes and 7:00 a.m., when public welfare and convenience renders it impractical to perform the work between 7:00 a.m. and sunset plus thirty (30) minutes.

(f) Outdoor School and Playground Activities. Reasonable activities conducted on public playgrounds and public or private school grounds, which are conducted in accordance with the manner in which such spaces are generally used, including but not limited to, school athletic and school entertainment events.

(g) Other Outdoor Events. Outdoor gatherings, public dances, shows and sporting events, and other similar outdoor events, provided that a permit has been obtained from the appropriate permitting authority.

SECTION SEVEN Enforcement.

(a) The following individuals shall enforce this Ordinance: The of City Garden Ridge Police Department and its officers will have primary responsibility for the enforcement of the noise regulations contained herein. Nothing in this Ordinance shall prevent the City Garden Ridge Police Department and its officers from obtaining voluntary compliance by way of warning, notice or education.

(b) If a person's conduct would otherwise violate this Ordinance and consists of speech or communication; of a gathering with others to hear or observe speech or communication; or of a gathering with others to picket or otherwise express in a non-violent manner a position on social, economic, political or religious questions; the person must be ordered to, and have the opportunity to, move, disperse, or otherwise remedy the violation prior to arrest or a citation being issued.

SECTION EIGHT. Penalties.

(a) A person who violates a provision of this Ordinance is guilty of a misdemeanor which is punishable by a fine not less than \$100.00 and not to exceed \$500.00

(b) Each occurrence of a violation, or, in the case of continuous violations, each day a violation occurs or continues, constitutes a separate offense and may be punished separately.

II.

This Ordinance shall be cumulative of all provisions of ordinances of the City of Garden Ridge, Texas, except where the provisions of the Ordinance are in direct conflict with the provisions such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

III.

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 shall be declared unconstitutional by the valid

judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs and 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 phrase, clause, sentence, paragraph or section.

IV.

This ordinance shall become effective immediately upon its passage, approval and publication as provided by law.

PASSED AND APPROVED this ____ day of _____, 2017.

CITY OF GARDEN RIDGE, TEXAS

LARRY THOMPSON, MAYOR

ATTEST:

SHELLEY GOODWIN, TRMC, CITY SECRETARY

Prepared for Garden Ridge City Council Meeting October 4, 2017

From: Garden Ridge Planning and Zoning Commission
Meeting in Regular Session Tuesday September 12, 2017

To: Garden Ridge City Council

Subjects:

- a) A petition by Gary Miller for variances for the establishment of Lot IRB through the proposed replat of Lot 1, Miller Estates, Comal County, Texas located in the Extraterritorial Jurisdiction (ETJ) of the City of Garden Ridge, Texas and further located on the northeast side of F.M. 3009 and northwest side of Schoenthal Road at the intersection of F.M. 3009 and Schoenthal Road:
 - i. City of Garden Ridge Ordinance 7-042006, 7. I.I. requires a minimum lot size of 32,670 sq. Lot IRB is 0.039 AC (1,698.84 sq. ft.) and therefore does not meet the minimum lot size requirement.
 - ii. City of Garden Ridge Ordinance 7-042006, 7.I.2. requires each lot to front on a public street and have a 120 foot frontage. Lot IRB does not front on a public street and does not meet the minimum frontage requirement.
 - iii. City of Garden Ridge Ordinance 7-042006, 2. D.11 requires front setback lines to be provided for all lots. Lot IRB does not provide building setback lines. Lot IRB contains a structure and tower, both of which require setbacks from the adjoining property lines.
 - a. Hold a public hearing to receive comments for or against the petitions.
 - b. Make a recommendation to the City Council on the petitions.
- b) A petition by Gary Miller to replat a 1.769 acre tract known as Lot 1, Miller Estates, Comal County, Texas to establish Lot IRA and Lot IRB. The property is located in the Extraterritorial Jurisdiction (ETJ) of the City of Garden Ridge, Texas and further located on the northeast side of F.M. 3009 and northwest side of Schoenthal Road at the intersection of F.M. 3009 and Schoenthal Road.
 - i. Hold a public hearing to receive comments for or against the petition.
 - ii. Make a recommendation to the City Council on the petition.
- c) Discussion and possible recommendation of reappointment of Commissioner Miller due to expiring terms of office (September 30, 2017).
- d) Interview possible candidate for Planning and Zoning Commission Place 2 vacancy (term expiring September 30, 2018)
 - i. Consideration on recommendation to the City Council for appointment of Commissioner.

Commission Discussion a. Variance request for lot size (does not meet minimum) and 120 foot frontage (does not meet minimum and does not front on a public street) and setback lines (too small to meet setback lines).

Mr. Miller explained his reasons for requesting the variances. They are his desire is to sell the property with restrictions to protect the ambiance and character of The City of Garden Ridge while retaining his revenue stream from the cell tower lease. To do so he must own the property containing the cell tower - Lot 1RB.

The Commission questioned Mr. Miller extensively. It was clear Mr. Miller has made a concerted effort, by placing restrictions on the property, to make the use of the property compatible with the area where it is located. However, reservations were expressed by more than one Commissioner whether or not the variances requested are in the best interest of the City.

A Public Hearing was held. The one person who spoke expressed concern that whatever use the property was put to would be appropriate for and not disruptive to the two subdivisions just across the street.

After, considerable discussion, motion was made and seconded to recommend disapproval to Council of the request for variances.

Motion failed in a three (3) to three (3) tie. Sent with evenly split recommendation.

Commission Discussion b. Petition to replat Lot 1 to establish Lot 1RA and Lot 1RB.

Mr. Miller again stated his addition of restrictions in the sale of the property will insure there is a positive use of the land - currently vacant except for the cell tower.

Public Hearing was held with no speakers.

Motion made and seconded to recommend disapproval to Council.

Motion failed in a three (3) to three (3) tie. Sent with evenly split recommendation.

Commission Discussion C. Reappointment of Commissioner Miller.

Commissioner Jim Miller indicated he was a volunteer to serve a two-year term October 1, 2017 to September 30, 2019. Motion to recommend approval to Council was made and seconded. Vote was five yea with one abstention (Miller).

Commission Discussion d. Interview of candidates for vacant Place 2.

Two volunteer candidates were interviewed - Jesse Valdez & Karen Diaz. It was clear both were highly qualified and very impressive. Vote by Commissioners was three (3) for each candidate. Mr. Valdez graciously withdrew his candidacy to resolve the tie vote.

Motion made and seconded to recommend approval to Council for Ms. Diaz to fill Place 2 for a one-year term ending September 30, 2018. Yea vote was unanimous.

Samuel E. Stocks
Chairman

- (2) it conforms to the general plan for the extension of the municipality and its roads, streets, and public highways within the municipality and in its extraterritorial jurisdiction, taking into account access to and extension of sewer and water mains and the instrumentalities of public utilities;
 - (3) a bond required under Section 212.0106, if applicable, is filed with the municipality; and
 - (4) it conforms to any rules adopted under Section 212.002.
- (b) However, the municipal authority responsible for approving plats may not approve a plat unless the plat and other documents have been prepared as required by Section 212.0105, if applicable.

DISCUSSION:

ISSUE 1:

The replat does not comply with the City's subdivision regulations as it does not front on a public street and does not meet the minimum frontage requirements (*See City Ordinance 7-042006, section 7.I.2*).

ISSUE 2:

The replat does not comply with the City's subdivision regulations as it does not meet the minimum setback requirements (*See City Ordinance 7-042006, section 2.D.11*).

Issue 3:

The replat documents do not provide enough information to determine if there is an easement that grants ingress/egress rights. Without confirmation of easement access, granting the variances and replat would be creating a landlocked property that does not conform to City regulations.

Issue 4:

The variance requests are not consistent with the Article III of Ordinance 7-42006 which states the following:

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.

In this case, other than the Property Owner's financial interests, there are no special conditions affecting the land and the property may be subdivided in a manner that complies with City ordinances. Additionally, the proposed configuration does not fall in line with the orderly development clause.

CONCLUSION:

The replat documents show that the lot configuration is not a logical extension of the City's street or utility system plans, does not comply with City platting requirements and would be creating a prohibited landlocked parcel. The standards of approval outlined in Section 212.010 of the Local Government Code are not met.



September 5, 2017

Ms. Nancy Cain, City Administrator
City of Garden Ridge
9400 Municipal Parkway
Garden Ridge, Texas 78266

RE: Miller Estates, Lot 1RA & 1RB Re-plat and Variance Request Review

Ms. Cain:

Trihydro Corporation reviewed the Miller Estates, Lot 1RA & 1RB re-plat and variance request submitted by HMT Engineering and Survey on behalf of Mr. Gary Miller. We are providing the following comments for your consideration:

- 1) The City of Garden Ridge (City) Ordinance 7-042006, 7,11 requires a minimum lot size of 32,670 sq.ft. The proposed Lot 1RB is 0.039 AC (1698.84 sq. ft.) and therefore does not meet the minimum lot size requirement as noted in the variance request. While the lot size does not adversely affect the health, welfare and safety of the Garden Ridge residents and visitors, the current property use does raise a safety concern.

A cellular communications tower is currently located within the existing Lot 1 of the Miller Subdivision and would be contained within the proposed Lot 1RA requiring the variance. The City Zoning Ordinance 13-062017, 9.1.3.4 limits the placement of towers to be at least two times the tower height away from the adjoining property line. The proposed Lot 1RA does not provide two times the tower height offset from the proposed property lines. While the proposed lots are located outside the City limits and within the City's extra territorial jurisdiction, where the zoning ordinance is not enforceable, the safety concerns raised under this ordinance should be considered when evaluating whether to grant the variance.

- 2) City Ordinance 7-042006, 7,12 requires each lot to front on a public street and have a 120 foot frontage. Lot 1RB does not front on a public street and does not meet the minimum frontage requirement. A variance request should also be submitted for this item.
- 3) City Ordinance 7-042006, 2, D, 11 requires front setback lines be provided for all lots. Lot 1RB does not provide building setback lines. Lot 1RB contains a structure and tower, both of which require setbacks from the adjoining property lines.



Ms. Nancy Cain
September 5, 2017
Page 2

Setback distances are established by the City Zoning Ordinance. While this area is within the ETJ, where zoning is not enforceable, it should be considered when evaluating the variance that the minimum front yard setback for Commercial Zones (B-1 and B-2) is 45-feet.

If you have any questions, please do not hesitate to contact us.

Sincerely,
Trihydro Corporation

Daniel C. Mummert
Senior Engineer



410 N. Seguin Ave.
New Braunfels, TX 78130
HMTNB.COM
830.625.8555 • FAX: 830.625.8556
TBPE FIRM F-10961

August 25, 2017

City of Garden Ridge
Planning Department
9400 Municipal Pkwy
San Antonio, Texas 78266

RE: Waiver Request – Miller Estates, Lot 1RA & 1RB
Re: Lot Size, Lot Frontrage, Front Setback

To Whom It May Concern:

Please accept this letter as a waiver request to the above mentioned Plat. HMT is requesting a waiver per the request of the City of Garden Ridge for this piece of property that is located in the ETJ of the City. This waiver is a request to allow for a reduction in the minimum lot area of Lot 1RB, for lot frontrage for Lot 1RB, and for the front setback on Lot 1RB (please reference the attached plat).

This request is due to the existing cell tower located on the property. The owner would like to retain ownership of the lease area (Lot 1RB) and sell the remainder of the property (Lot 1RA). No other structures will be built on Lot 1RB and it is strictly used for the location of the cell tower making these items that are pertaining to these waivers not necessary for this limited use.

In my professional opinion, the granting of this waiver will not adversely affect the health, welfare and safety of the Garden Ridge residents and visitors. We feel this waiver request is in harmony with the intent of the City of Garden Ridge Platting Ordinance.

Please contact me if you have any questions or comments.

Thank you,

A handwritten signature in blue ink, appearing to read "Mark Conlan". The signature is fluid and stylized, with a long horizontal stroke at the end.

Mark Conlan, RPLS
Project Manager



410 N. Seguin Ave.
New Braunfels, TX 78130
HMTNB.COM
830.625.8555 • FAX: 830.625.8556
TBPE FIRM F-10961

REC#: 00197600 7/24/2017 11:49 AM
TRAN: 112.0000 P&Z VARIANCE FEES
OPER: CASH TERM: 001
REF#: 1305 LC
REPLAT-MILLER EST.
P&Z VARIANCE FILING 250.00DR
TENDERED: 250.00 1 CHECK(S)
APPLIED: 250.00
CHANGE: 0.00

July 17, 2017

City of Garden Ridge
Planning Department
9400 Municipal Pkwy
San Antonio, Texas 78266

RE: Reason for Platting – Miller Estates, Lot 1RA & 1RB

To Whom It May Concern:

Please accept this letter as an explanation of platting to the above mentioned Plat. HMT is submitting a replat to establish Miller Estates, Lot 1RA & 1RB that is located in the ETJ of the City.

As discussed with City Staff, this plat is due to the existing cell tower located on the property. The owner would like to retain ownership of the lease area around the tower (Lot 1RB) and sell the remainder of the property (Lot 1RA). It is the owners intention to retain ownership of the cell tower lot, as long as the use remains. Once the area is no longer used for the location for a cell tower (Lot 1RB), the intention is for the ownership of the cell tower lot to revert to current owner of the remainder lot (Lot 1RA).

Please contact me if you have any questions or comments.

Thank you,

A handwritten signature in blue ink, appearing to read "Mark Conlan", written over a horizontal line.

Mark Conlan, RPLS
Project Manager



410 N. Seguin Ave.
New Braunfels, TX 78130
HMTNB.COM
830.625.8555 • FAX: 830.625.8556
TSPE FIRM F-10961

July 17, 2017

City of Garden Ridge
Planning Department
9400 Municipal Pkwy
San Antonio, Texas 78266

RE: Waiver Request – Miller Estates, Lot 1RA & 1RB
Re: Lot Area

To Whom It May Concern:

Please accept this letter as a waiver request to the above mentioned Plat. HMT is requesting a waiver per the request of the City of Garden Ridge for this piece of property that is located in the ETJ of the City. This waiver is a request to allow for a reduction in the minimum lot area of Lot 1RB on the attached plat.

This request is due to the existing cell tower located on the property. The owner would like to retain ownership of the lease area (Lot 1RB) and sell the remainder of the property (Lot 1RA).

In my professional opinion, the granting of this waiver will not adversely affect the health, welfare and safety of the Garden Ridge residents and visitors. We feel this waiver request is in harmony with the intent of the City of Garden Ridge Platting Ordinance.

Please contact me if you have any questions or comments.

Thank you,

A handwritten signature in blue ink, appearing to read "Mark Conlan".

Mark Conlan, RPLS
Project Manager



410 N. Seguin Ave.
New Braunfels, TX 78130
HMTNB.COM
830.625.8555 • FAX: 830.625.8556
TSPE FIRM F-10961

July 17, 2017

Mr. Gary L. Miller
21111 Tree Top Cove
Garden Ridge, TX 78266

Re: Owner Authorization – Miller Estates. Site located along F.M 3009, Garden Ridge, TX.

I, Mr. Gary Miller, authorize HMT Engineering and Surveying to act as the authorized agent for the platting process with the City of Garden Ridge. The legal description of the property is Lot 1, Miller Estates, City of Garden Ridge, Comal County, Texas.

Thank you,



Gary Miller



City of Garden Ridge

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

September 15, 2017

NOTICE OF PUBLIC HEARINGS

Dear Property Owner,

The City Council of the City of Garden Ridge, Texas will conduct public hearings on October 4, 2017 at 6:00 p.m. The public hearings will be held in the Garden Ridge City Hall Council Chambers, 9400 Municipal Parkway, Garden Ridge, Texas.

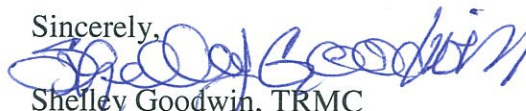
The purpose of the public hearings will be to consider:

1. A petition by Gary Miller for variances for the establishment of Lot 1RB through the proposed replat of Lot 1, Miller Estates, Comal County, Texas located in the Extraterritorial Jurisdiction (ETJ) of the City of Garden Ridge, Texas and further located on the northeast side of F.M. 3009 and northwest side of Schoenthal Road at the intersection of F.M. 3009 and Schoenthal Road:
 - a) City of Garden Ridge Ordinance 7-042006, 7. I.1. requires a minimum lot size of 32,670 sq.ft. Lot 1RB is 0.039 AC (1,698.84 sq. ft.) and therefore does not meet the minimum lot size requirement.
 - b) City of Garden Ridge Ordinance 7-042006, 7.I.2. requires each lot to front on a public street and have a 120 foot frontage. Lot 1RB does not front on a public street and does not meet the minimum frontage requirement.
 - c) City of Garden Ridge Ordinance 7-042006, 2. D.11 requires front setback lines to be provided for all lots. Lot 1RB does not provide building setback lines. Lot 1RB contains a structure and tower, both of which require setbacks from the adjoining property lines.
2. A petition by Gary Miller to replat a 1.769 acre tract known as Lot 1, Miller Estates, Comal County, Texas to establish Lot 1RA and Lot 1RB. The property is located in the Extraterritorial Jurisdiction (ETJ) of the City of Garden Ridge, Texas and further located on the northeast side of F.M. 3009 and northwest side of Schoenthal Road at the intersection of F.M. 3009 and Schoenthal Road.

A location map, adjacent property owner list and preliminary replat are contained as attachments.

The public is invited to attend and submit oral or written comments on this matter.

Sincerely,


Shelley Goodwin, TRMC
City Secretary

Enclosures:

Location Map

Adjacent Property Owner List

Preliminary Replat

Properties adjacent to Miller Estates, Lot 1RA & 1RB

Address of Property	Owner Name	Address of Owner				
22302 Larmona Cove	William and Queen Edwards	Same as Property				
9200 Tuscan Drive	POA Georg Ranch Inc	6391 De Zavala Road, Ste 223D, San Antonio, TX 78249				
Schoenthal Road	Don Green	979 Oak Park, Schertz, TX 78154				
21326 Hampton Park	Denise and Scott Cooper	Same as Property				
21322 Hampton Park	Helario Melchior Jr	Same as Property				
21318 Hampton Park	Hector and Karen Esteves	Same as Property				
FM 3009	Hanson Aggregates	PO Box 660225, Dallas, TX 75266				
FM 3009	Rittimann Ranches, LLC	875 Coyote Run, New Braunfels, TX 78132				
9292 Schoenthal Road	Rittimann Ranches, LLC	875 Coyote Run, New Braunfels, TX 78132				
9324 Schoenthal Road	Rittimann Ranches, LLC	875 Coyote Run, New Braunfels, TX 78132				
9229 Schoenthal Road	Gary and Paulette Miller	21111 Tree Top CV, Garden Ridge, TX 78266				

PLAT NOTES:

- ALL LOTS WITHIN THE SUBDIVISION WILL BE PROVIDED ELECTRIC SERVICE BY CPS. TELEPHONE AND CABLE SERVICES FOR THE SUBDIVISION WILL BE PROVIDED BY AT&T COMMUNICATIONS AND/OR SPECTRUM. WATER SERVICES WILL BE SUPPLIED BY CITY OF GARDEN RIDGE. THIS SUBDIVISION WILL BE SERVED BY INDIVIDUAL ON-SITE SEWAGE FACILITIES.
- ALL BEARINGS AND COORDINATES SHOWN HEREON ARE BASED UPON THE TEXAS COORDINATE SYSTEM, SOUTH CENTRAL ZONE (4204), NORTH AMERICAN DATUM 1983, GRID DISTANCES SHOWN HEREON ARE BASED UPON SURFACE MEASUREMENTS. TO CONVERT SURFACE DISTANCES TO GRID, APPLY A COMBINED SCALE FACTOR OF 1.00015.
- MONUMENTS WERE FOUND OR SET AT EACH CORNER OF THE SURVEY BOUNDARY OF THE SUBDIVISION. MONUMENTS AND LOT MARKERS WILL BE SET WITH 1/2" IRON PINS WITH PLASTIC CAP STAMPED "HMT" IMMEDIATELY AFTER COMPLETION OF UTILITY INSTALLATION AND STREET CONSTRUCTION UNLESS NOTED OTHERWISE.
- THIS SUBDIVISION IS NOT LOCATED WITHIN THE EDWARDS AQUIFER RECHARGE ZONE.
- THIS SUBDIVISION IS WITHIN THE EXTRATERRITORIAL JURISDICTION OF THE CITY LIMITS OF GARDEN RIDGE, TEXAS.
- THIS SUBDIVISION IS WITHIN THE COMAL INDEPENDENT SCHOOL DISTRICT.
- NO PORTION OF THE SUBDIVISION IS LOCATED WITHIN ANY SPECIAL FLOOD HAZARD AREA (100 YR. FLOOD), AS DEFINED BY THE COMAL COUNTY, TEXAS, FLOOD INSURANCE RATE MAP NUMBER 48091C0420F, EFFECTIVE DATE SEPTEMBER 02, 2009 AS PREPARED BY THE FEDERAL EMERGENCY MANAGEMENT AGENCY.
- NO STRUCTURES, WALLS OR OTHER OBSTRUCTIONS OF ANY KIND SHALL BE PLACED WITHIN THE LIMITS OF THE DRAINAGE EASEMENTS SHOWN ON THIS PLAT. NO LANDSCAPING, FENCES, OR OTHER TYPE OF MODIFICATIONS WHICH ALTER THE CROSS SECTIONS OF THE DRAINAGE EASEMENTS OR DECREASE THE HYDRAULIC CAPACITY OF THE EASEMENT, AS APPROVED, SHALL BE ALLOWED WITHOUT THE APPROVAL OF THE CITY ENGINEER. THE CITY OF NEW BRAUNFELS SHALL HAVE THE RIGHT OF INGRESS AND EGRESS OVER GRANTOR'S ADJACENT PROPERTY TO REMOVE ANY OBSTRUCTIONS PLACED WITHIN THE LIMITS OF SAID DRAINAGE EASEMENTS AND TO MAKE ANY MODIFICATIONS OR IMPROVEMENTS WITHIN SAID DRAINAGE EASEMENTS.

CPS NOTES:

- THE CITY OF SAN ANTONIO, AS A PART OF ITS ELECTRIC SYSTEM (CITY PUBLIC SERVICE BOARD) IS HEREBY DEDICATED THE EASEMENTS AND RIGHTS-OF-WAY FOR ELECTRIC DISTRIBUTION AND GAS DISTRIBUTION AND SERVICE FACILITIES IN THE AREAS DESIGNATED ON THIS PLAT AS "ELECTRIC EASEMENT", "GAS EASEMENT", "ANCHOR EASEMENT", "SERVICE EASEMENT", "OVERHANG EASEMENT", "UTILITY EASEMENT", AND "TRANSFORMER EASEMENT", FOR THE PURPOSE OF INSTALLING, CONSTRUCTING, RECONSTRUCTING, MAINTAINING, REMOVING, INSPECTING, PATROLLING, AND ERECTING POLES, HANGING OR BURYING WIRES, CABLES, CONDUITS, PIPELINES OR TRANSFORMERS, EACH WITH ITS NECESSARY APPURTENANCES, TOGETHER WITH THE RIGHT OF INGRESS AND EGRESS OVER GRANTOR'S ADJACENT LAND, THE RIGHT TO RELOCATE SAID FACILITIES WITHIN SAID EASEMENT AND RIGHT-OF-WAY AREAS, AND THE RIGHT TO REMOVE FROM SAID LANDS ALL TREES OR PARTS THEREOF, OR OTHER OBSTRUCTIONS WHICH ENDANGER OR MAY INTERFERE WITH THE EFFICIENCY OF SAID LINES OR APPURTENANCES THERETO. IT IS AGREED AND UNDERSTOOD THAT NO BUILDINGS, CONCRETE SLABS, OR WALLS WILL BE PLACED WITHIN SAID EASEMENT AREAS.
- ANY CPS MONETARY LOSS RESULTING FROM MODIFICATIONS REQUIRED OF CPS EQUIPMENT, LOCATED WITHIN SAID EASEMENT, DUE TO GRADE CHANGES OR GROUND ELEVATION ALTERATIONS SHALL BE CHARGED TO THE PERSON OR PERSONS DEEMED RESPONSIBLE FOR SAID GRADE CHANGES OR GROUND ELEVATION ALTERATIONS.
- THIS PLAT DOES NOT AMEND, ALTER, RELEASE OR OTHERWISE AFFECT ANY EXISTING ELECTRIC, GAS, WATER, SEWER, DRAINAGE, TELEPHONE, CABLE EASEMENTS OR ANY OTHER EASEMENTS FOR UTILITIES UNLESS THE CHANGES TO SUCH EASEMENTS ARE DESCRIBED BELOW.
- CONCRETE DRIVEWAY APPROACHES ARE ALLOWED WITHIN THE FIVE (5) FOOT WIDE ELECTRIC AND GAS EASEMENTS WHEN LOTS ARE SERVED ONLY BY REAR LOT UNDERGROUND ELECTRIC AND GAS FACILITIES.
- ROOF OVERHANGS ARE ALLOWED WITHIN FIVE (5) FOOT WIDE ELECTRIC, GAS, TELEPHONE AND CABLE T.V. EASEMENTS WHEN ONLY UNDERGROUND ELECTRIC, GAS, TELEPHONE AND CABLE T.V. FACILITIES ARE PROPOSED OR EXISTING WITHIN THOSE FIVE (5) FOOT WIDE EASEMENTS.

KNOW ALL MEN BY THESE PRESENTS:

I, THE UNDERSIGNED MARK F. CONLAN, A REGISTERED PROFESSIONAL LAND SURVEYOR IN THE STATE OF TEXAS, HEREBY CERTIFY THAT THIS PLAT IS TRUE AND CORRECTLY MADE ON THE GROUND UNDER MY SUPERVISION AND IN COMPLIANCE WITH CITY AND STATE SURVEY REGULATIONS AND LAWS AND THAT THE CORNER MONUMENTS WERE PROPERLY PLACED UNDER MY SUPERVISION.

PRELIMINARY, THIS DOCUMENT SHALL NOT BE RECORDED FOR ANY PURPOSE.

MARK F. CONLAN
REGISTERED PROFESSIONAL LAND SURVEYOR NO. 6342
410 N. SEGUIN AVE., NEW BRAUNFELS, TEXAS 78130

PLAT PREPARED JUNE 21, 2017



410 N. SEGUIN AVE.
NEW BRAUNFELS,
TEXAS 78130
WWW.HMTNB.COM
PH: (830)625-8555
TBPE FIRM F-10961
TBPLS FIRM 10153600

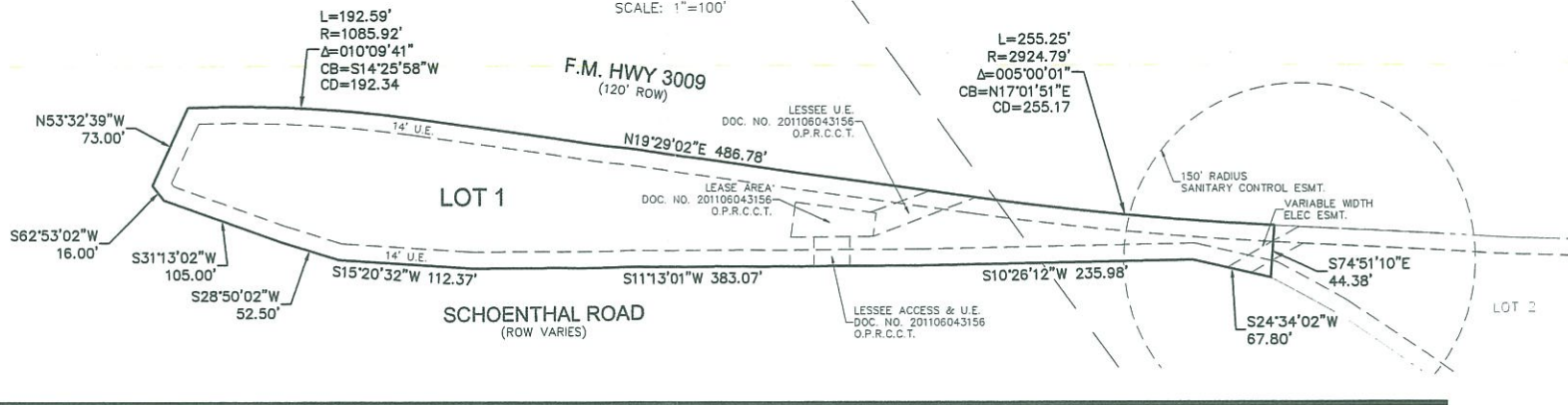
REPLAT ESTABLISHING MILLER ESTATES, LOT 1RA & 1RB

BEING LOT 1, MILLER ESTATES, REPLAT RECORDS, IN VOLUME 12, COUNTY, TEXAS

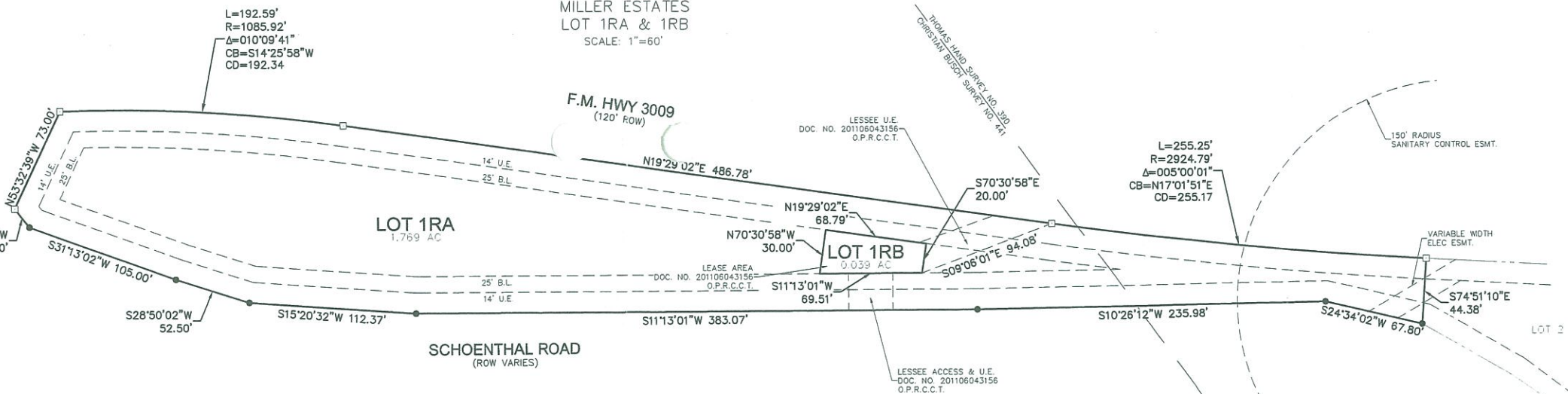
AREA BEING REPLATTED

THIS AREA BEING REPLATTED HAS BEEN PREVIOUSLY PLATTED ON A PLAT KNOWN AS MILLER ESTATES, AS RECORDED IN VOLUME 12, PAGE 179, MAP AND PLAT RECORDS, COMAL COUNTY, TEXAS.

SCALE: 1"=100'



REPLAT MILLER ESTATES LOT 1RA & 1RB SCALE: 1"=60'



TXDOT NOTES:

- FOR RESIDENTIAL DEVELOPMENT DIRECTLY ADJACENT TO STATE RIGHT-OF-WAY, THE DEVELOPER SHALL BE RESPONSIBLE FOR ADEQUATE SETBACK AND/OR SOUND ABATEMENT MEASURES FOR FUTURE NOISE MITIGATION.
- OWNER/DEVELOPER IS RESPONSIBLE FOR PREVENTING ANY ADVERSE IMPACT TO THE EXISTING DRAINAGE SYSTEM WITHIN THE HIGHWAY RIGHT-OF-WAY. FOR PROJECTS IN THE EDWARDS AQUIFER RECHARGE OR CONTRIBUTING ZONES, OUTFALLS FOR WATER QUALITY AND/OR DETENTION PONDS TREATING IMPERVIOUS COVER RELATED TO THE DEVELOPMENT, WILL NOT ENROACH BY STRUCTURE OR GRADING INTO STATE R.O.W. PLACEMENT OF PERMANENT STRUCTURAL BEST MANAGEMENT PRACTICE DEVICES OR VEGETATIVE FILTER STRIPS WITHIN STATE R.O.W. WILL NOT BE ALLOWED.
- MAXIMUM ACCESS POINTS TO STATE HIGHWAY FROM THIS PROPERTY WILL BE REGULATED AS DIRECTED BY TXDOT'S "ACCESS MANAGEMENT MANUAL". THE PROPERTY IS ELIGIBLE FOR MAXIMUM COMBINED TOTAL OF XXX (2) ACCESS POINT(S), BASED ON OVERALL PLATTED HIGHWAY FRONTAGE APPROXIMATELY 935 FEET, WHERE TOPOGRAPHY OR OTHER EXISTING CONDITIONS MAKE IT INAPPROPRIATE OR NOT FEASIBLE TO CONFORM TO THE CONNECTION SPACING INTERVALS, THE LOCATION OF REASONABLE ACCESS WILL BE DETERMINED WITH CONSIDERATION GIVEN TO TOPOGRAPHY, ESTABLISHED PROPERTY OWNERSHIPS, UNIQUE PHYSICAL LIMITATIONS, AND/OR PHYSICAL CONSTRAINTS. THE SELECTED LOCATION SHOULD SERVE AS MANY PROPERTIES AND INTERESTS AS POSSIBLE TO REDUCE THE NEED FOR ADDITIONAL DIRECT ACCESS TO THE HIGHWAY. IN SELECTING LOCATIONS FOR FULL MOVEMENT INTERSECTIONS, PREFERENCE WILL BE GIVEN TO PUBLIC ROADWAYS THAT ARE ON LOCAL THOROUGHFARE PLANS.
- IF SIDEWALKS ARE REQUIRED BY APPROPRIATE CITY ORDINANCE, A SIDEWALK MUST BE APPROVED BY TXDOT, PRIOR TO CONSTRUCTION WITHIN STATE RIGHT-OF-WAY. LOCATIONS OF SIDEWALKS WITHIN STATE RIGHT-OF-WAY SHALL BE AS DIRECTED BY TXDOT.
- ANY TRAFFIC CONTROL MEASURES (LEFT-TURN LANE, RIGHT-TURN LANE, SIGNAL, ETC.) FOR ANY ACCESS FRONTING A STATE MAINTAINED ROADWAY SHALL BE THE RESPONSIBILITY OF THE DEVELOPER/OWNER.

STATE OF TEXAS
COUNTY OF COMAL

I, THE UNDERSIGNED OWNER OF THE LAND SHOWN ON THIS PLAT, AND DESIGNATED HEREIN AS REPLAT ESTABLISHING MILLER ESTATES, LOTS 1RA & 1RB, A SUBDIVISION TO THE CITY OF GARDEN RIDGE, COUNTY OF COMAL, TEXAS, AND WHOSE NAME IS SUBSCRIBED HERETO, DO HEREBY SUBDIVIDE SUCH PROPERTY AND DEDICATE TO THE USE OF THE PUBLIC ALL ALLEYS, STREETS, PARKS, DRAINS, EASEMENTS, AND PUBLIC PLACES THEREON SHOWN FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED.

GARY L. MILLER
21111 TREE TOP COVE
GARDEN RIDGE, TEXAS 78266

STATE OF TEXAS
COUNTY OF COMAL

THIS INSTRUMENT WAS ACKNOWLEDGED BEFORE ME ON THIS _____ DAY OF _____, 20____.

NOTARY PUBLIC, STATE OF TEXAS
MY COMMISSION EXPIRES: _____

THE CITY ENGINEER OF THE CITY OF GARDEN RIDGE, COMAL COUNTY, TEXAS HEREBY CERTIFIES THAT THIS SUBDIVISION PLAT CONFORMS TO ALL THE REQUIREMENTS OF THE SUBDIVISION REGULATIONS OF THE CITY AS TO WHICH HIS APPROVAL IS REQUIRED.

CITY ENGINEER

STATE OF TEXAS
COUNTY OF COMAL

I, _____ DO HEREBY CERTIFY THAT THE FOREGOING INSTRUMENT WAS FILED FOR RECORD IN THE MAP AND PLAT RECORDS, DOC# _____ OF COMAL COUNTY ON THE _____ DAY OF _____, 20____, AT _____ M.

WITNESS MY HAND AND OFFICIAL SEAL, THIS THE _____ DAY OF _____, 20____.

COUNTY CLERK, COMAL COUNTY, TEXAS

DEPUTY

September 6, 2017

**To the City of Garden Ridge, Texas
Planning and Zoning Commission**

**The following is an application to be considered for the current
open position on the Planning and Zoning Commission.**

My name is Denise Karen Diaz. I live at 21010 Gunther Grove and have been a resident of Garden Ridge since 1999.

I am a former Assistant Vice President of the Federal Reserve Bank of Dallas, San Antonio Office. I retired in 2012 after 32 years of service. I had oversight responsibility for the operations at the Bank, which included Financial Management, Human Resources, Building Services, Law Enforcement and Cash Services.

In addition, during my tenure at the Federal Reserve, I represented the Bank on numerous boards and task forces of civic organizations. Some of which were the following:

Society for Human Resource Management

American Society for Industrial Security

San Antonio Chamber of Commerce – Education Council Task Force

San Antonio Women's Chamber of Commerce

San Antonio ISD – Leadership Team Business Member

Northeast ISD – Community Education Advisory Council

Over the last two years I have been a Board member of the Trophy Oaks Home Owners Association. In year one I served as Secretary, and currently serve as the Vice President and Secretary.

While my previous experience does not include planning and zoning, as can be seen by my previous business and civic experience, I am quite able to study and learn the issues associated with diverse issues. I am most interested in joining the Planning and Zoning Commission, at this time, as I believe this commission is a key player in the City's Master Land Use Plan.



Buckley Powder Co.

A Dyno Nobel Distributor

DYNO
Dyno Nobel

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

August 24, 2017

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 Davis, Mr. Riley Pumphrey, Mr. Rich Weaver and Mr. Bebo Dutton. The complete contact information for these gentlemen is as follows:

Steve Davis, Health & Safety Manager (512) 818-7731
steved@buckleypowder.com

Riley Pumphrey, General Manager (512) 864-4185
riley.pumphrey@buckleypowder.com

Rich Weaver, Senior Technical Representative (830) 708-2511
richw@buckleypowder.com

Bebo Dutton, Technical Representative (512) 591-1021
b.dutton@icloud.com

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 2018 fiscal year. If you have any questions or concerns, please feel free to contact either Mr. Davis or Mr. Weaver.

Sincerely,

Steve Davis
Health & Safety Manager



Buckley Powder Co.

A Dyno Nobel Distributor

DYNO
Dyno Nobel

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

TO: City of Garden Ridge

CC: Riley Pumphrey, Bebo Dutton, Joe Crownover

From: Steve Davis
Health & Safety Manager
Buckley Powder Company

Date: August 24, 2017

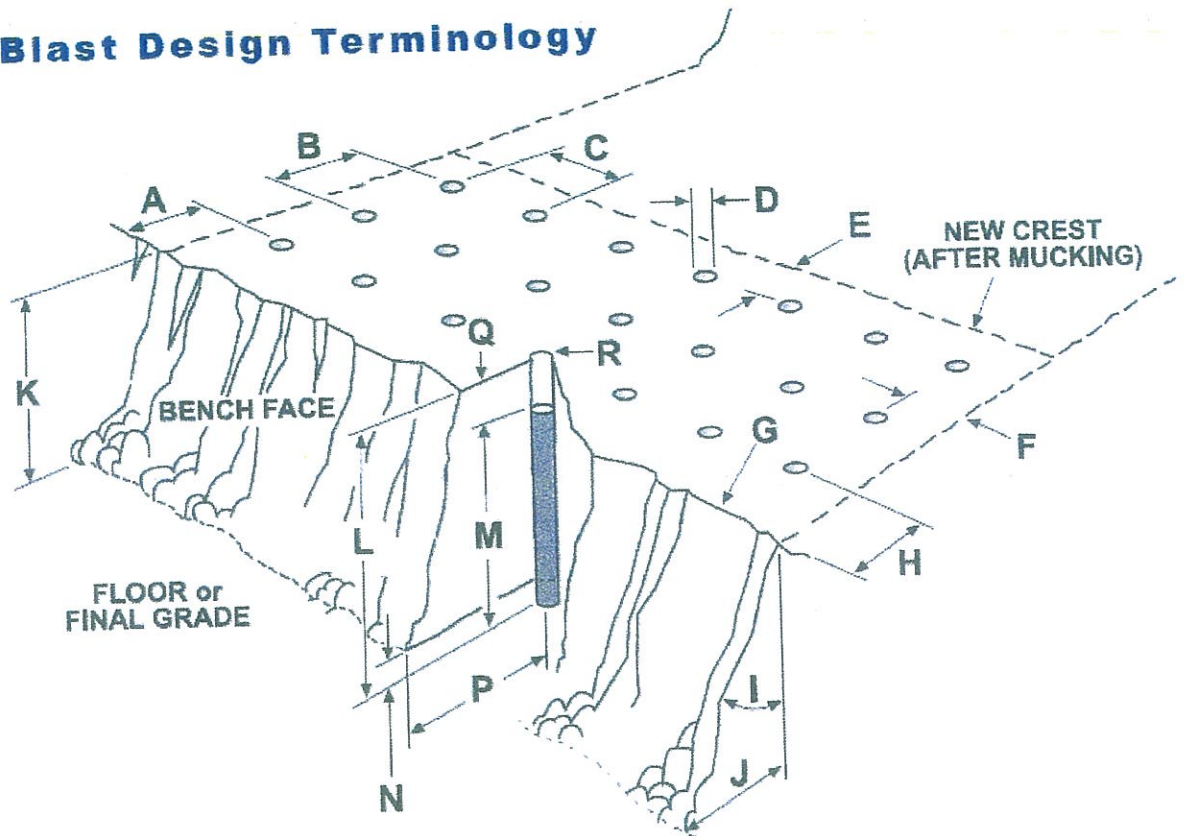
Included with this packet is a copy of the Buckley Powder Blasting Standard Operating Procedures. This document is very specific as to the proper procedures required to provide optimum results for our customer while also providing a safe environment for Buckley Powder employees, those employed by our customer, and the surrounding community. 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.

Also included is a copy of 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

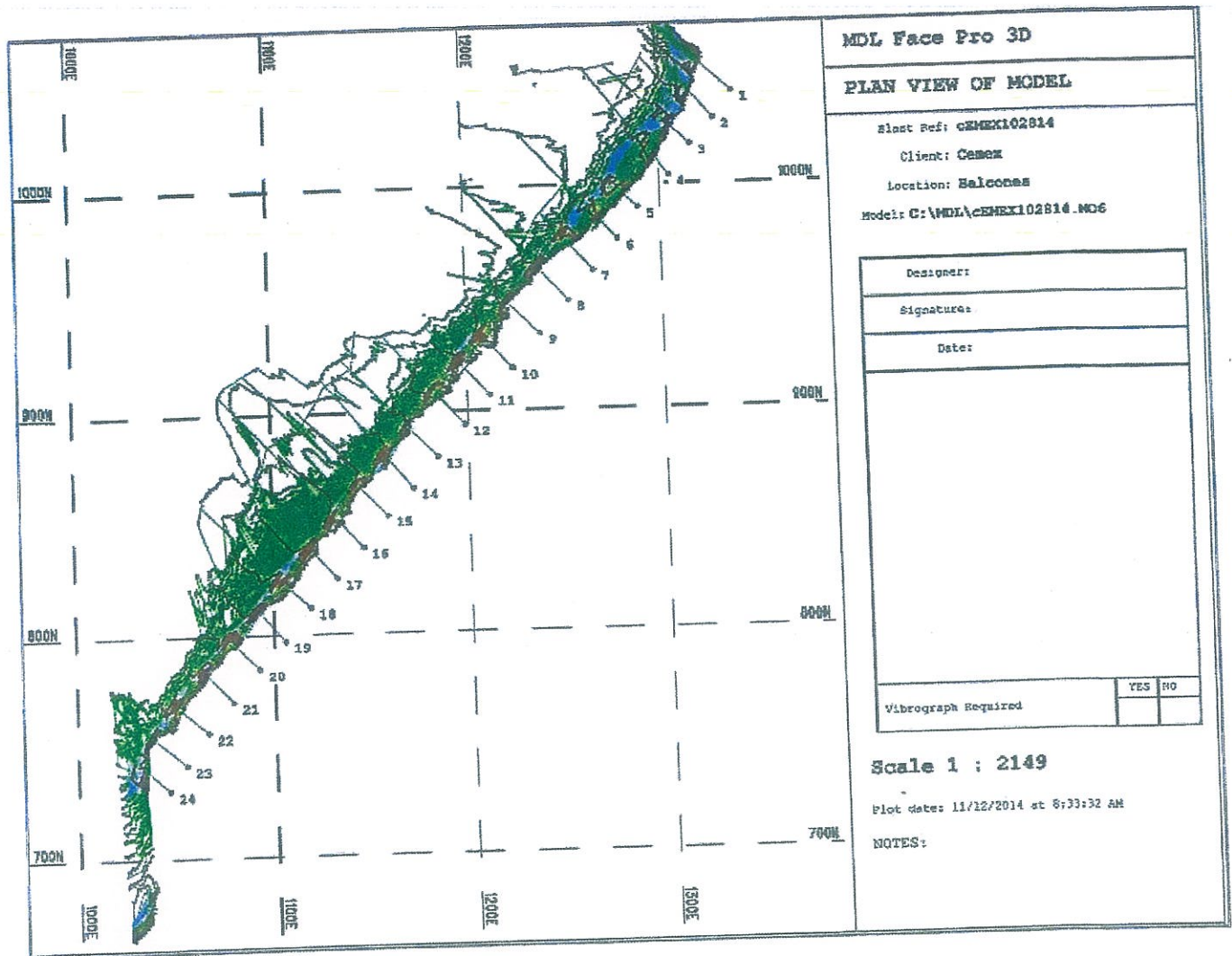
material such as crushed stone will be placed in this area of the borehole to avoid the accumulation of excess explosives. Trucks are equipped with meters as an added check to ensure the proper amount of explosives is being placed in each hole. In the cases where a full column may be too large to maintain 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

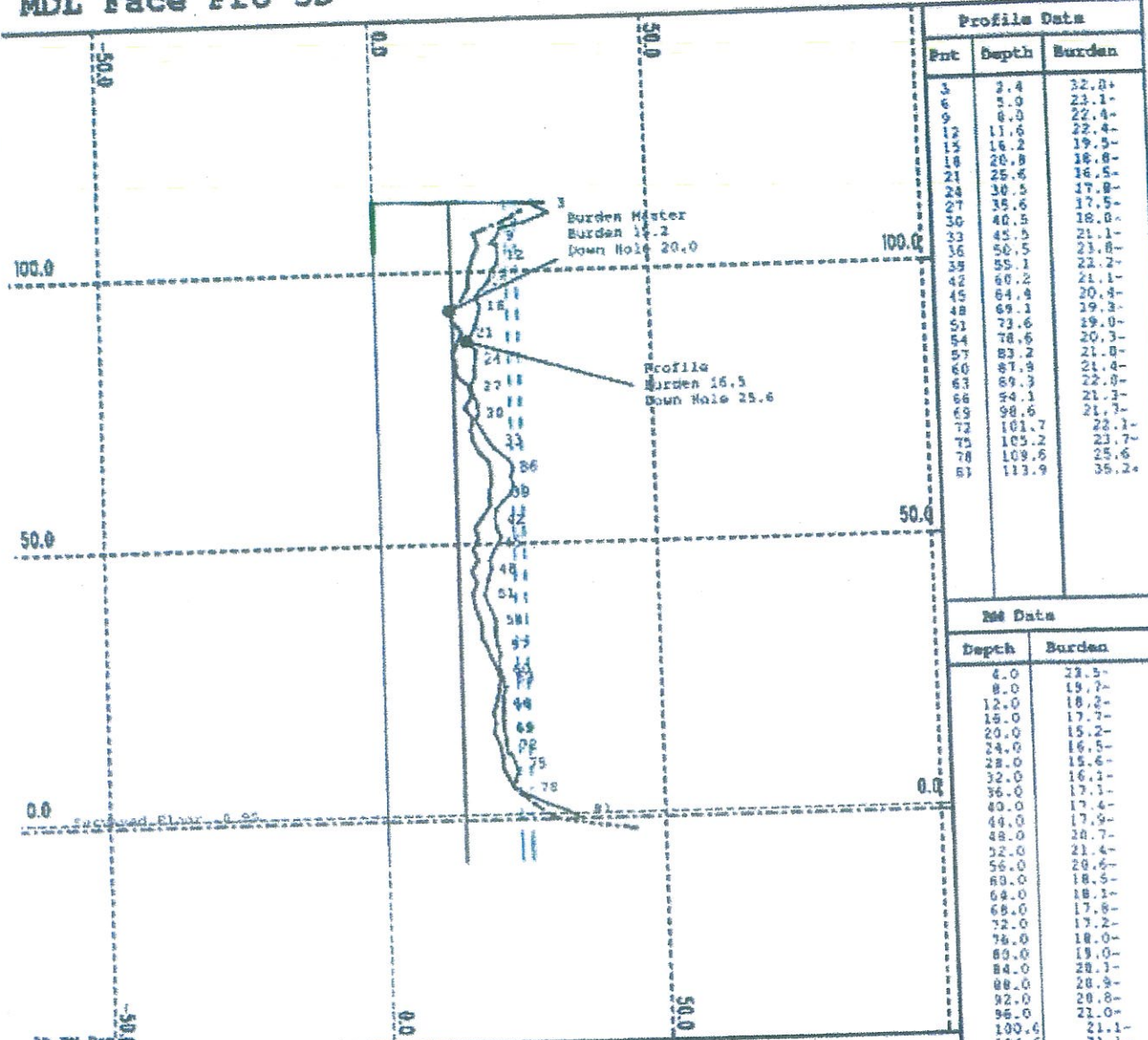
There are few places left where our customers have not had developments build around them. Buckley Powder has been very successful helping those customers deal with community concerns. We take great pride in our education program for our personnel concerning safety and technology. If you have further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



Aerial view of blast pattern created from 3D profile software

Shothole No: 2

Shothole No: 2



Profile Data		
Ent	Depth	Burden
3	3.4	32.8+
6	5.0	23.1-
9	6.9	22.4-
12	11.6	22.4-
15	16.2	19.5-
18	26.8	16.8-
21	25.6	16.5-
24	30.5	17.8-
27	35.6	17.5-
30	40.5	18.8-
33	45.5	21.1-
36	50.5	23.6-
39	55.1	22.2-
42	60.2	21.1-
45	64.4	20.4-
48	69.1	19.3-
51	73.6	19.0-
54	78.6	20.3-
57	83.2	21.0-
60	87.8	21.4-
63	89.3	22.8-
66	94.1	21.3-
69	98.6	21.3-
72	101.7	22.1-
75	105.2	23.7-
78	109.6	25.6-
81	113.9	35.2-

200 Data

Depth	Burden
4.0	22.5-
8.0	19.7-
12.0	16.8-
16.0	17.3-
20.0	15.2-
24.0	16.8-
28.0	15.6-
32.0	16.1-
36.0	17.1-
40.0	17.4-
44.0	17.9-
48.0	20.7-
52.0	21.4-
56.0	20.6-
60.0	18.5-
64.0	18.1-
68.0	17.8-
72.0	17.2-
76.0	18.0-
80.0	19.0-
84.0	20.1-
88.0	20.9-
92.0	20.8-
96.0	22.0-
100.0	21.1-
104.0	21.1-
108.0	23.0-
112.0	26.4+
116.0	45.2+

Client : Cemex
Location : Balcones
From Model : C:\MDL\CEMEX\102614.M06

Scale 1:1000
Collar to Surveyed Floor: 111.9

Character Number:

Shothole Number:	2	Shothole Offset:	0.0
East:	1928.5	Lateral:	0.0
North:	1928.9	Vert Face Height:	113.3
Height:	113.0	Sectional Area:	2421.9m2
Azimuth:	316.6	PLanned Burden:	25.0
Drill Angle:	0.0	Burden Tolerance:	3.6%
Hole Depth:	121.6	Proposed Bench:	N/A
		Critical Burden:	14.0
		Stemming:	9.00
		Sub Drill:	4.0
BM Settings			
Search Width:	7.0		
Separation:	H:2.0 V:2		
Burden to report:	15.0		

Notes: Hole Diameter : 6.50

Profile of a blasthole. Burden master data is from searching 7' on either side of hole



CERTIFICATE OF LIABILITY INSURANCE

BUCKPOW-01

OMOHLE

DATE (MM/DD/YYYY)

6/22/2017

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 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

JLT Specialty Insurance Services Inc.
5847 San Felipe St.
Suite 2800
Houston, TX 77057

CONTACT NAME: Olivia Mohle
PHONE (A/C, No. Ext.): (713) 325-7633
FAX (A/C, No.):
E-MAIL: olivia.mohle@ltus.com
ADDRESS:

INSURER(S) AFFORDING COVERAGE

NAIC #

INSURER A: Starr Indemnity & Liability Company 38318

INSURER B: American Guarantee and Liability Insurance Company 26247

INSURER C:

INSURER D:

INSURER E:

INSURER F:

INSURED

Buckley Powder Co.
42 Inverness Dr. East
Englewood, CO 80112

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

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 SUBR INSD. WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY CLAIMS-MADE ☒ OCCUR		1000090348171	07/01/2017	07/01/2018	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
	GEN'L AGGREGATE LIMIT APPLIES PER ☒ POLICY ☐ PROJ ☐ LOC OTHER:					
A	☒ AUTOMOBILE LIABILITY ANY AUTO ALL OWNED AUTOS HIRED AUTOS	SCHEDULED AUTOS NON-OWNED AUTOS	1000198724171	07/01/2017	07/01/2018	COMBINED SINGLE LIMIT (Ea accident) \$ 2,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
B	☒ UMBRELLA LIAB ☒ OCCUR EXCESS LIAB CLAIMS-MADE		AUC 3793061-09	10/01/2016	04/01/2018	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000
	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	Y/N N N/A	1000002255	07/01/2017	07/01/2018	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.

CERTIFICATE HOLDER

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

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

JLT Specialty Insurance Services Inc.

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Hanson Aggregates
Servtex Quarry

August 22, 2017

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

RE: Buckley's Application for a Partial Exemption Permit for Blasting in October 2017 through September 2018.

Nancy,

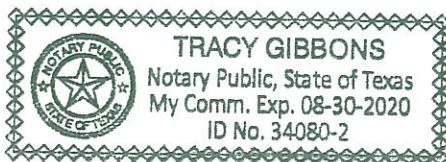
We have asked Buckley to pursue obtaining a Partial Exemption Permit for Blasting within the City Limits of Garden Ridge per Ordinance 34 for the fiscal year of 2018. We will assist with any necessary documentation for the permit. If there is any questions or concerns, please contact me directly at hal.halamuda@lehighhanson.com or my office phone (210) 658-7461.

Best Regards


Hal Halamuda

CC: Jason Mims, Buckley Explosives

Sworn to and subscribed before me by Hal Halamuda, on this the 22nd day of August, 2017.





Tracy Gibbons
Notary Public in and for
The State of Texas
My commission expire 8-30-2020



NOTICE OF CLEARANCE

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

ISSUED TO: BUCKLEY POWDER CO

NOTICE DATE: 08/10/2017

Federal Explosives license/permit no.: 5-TX-091-20-9J-01236

Expiration Date: **September 1, 2019**

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.

- 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.
- "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).
- 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.
- 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.

Promises Address: 8305 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) : 7
Number of EMPLOYEE POSSESSOR(S): 26

LAST NAME, First Name, Middle Name
RESPONSIBLE PERSONS: 7

0001 ADAMS, LANCE HENRY	Cleared
0002 BRETZING, STEPHEN KARL	Cleared
0003 BUCKLEY, RAYMOND LEE JR	Cleared
0004 BUCKLEY, STEVE LEE	Cleared
0005 HERMAN, SCOTT EDWARD	Cleared
0006 MEDLIN, JASON SCOTT	Cleared
0007 PUMPHREY, JAY ROY	Cleared

continued

LAST NAME, First Name, Middle Name
EMPLOYEE POSSESSORS: 26

0001 BATES, DUSTIN WARREN	Cleared
0002 BORG, DARRYL JOSEPH	Cleared
0003 BROWN, BRADLEY EUGENE	Cleared
0004 CATES, JOSHUA LEE	Cleared
0005 CORTEZ, ISAAC	Cleared
0006 DAVIS, STEVEN EDWARD	Cleared
0007 DIRST, SETH RUSTIN	Cleared
0008 DUTTON, DENNIS SAMUEL	Cleared
0009 ESPINOZA, DARRELL JIM	Cleared

NOTICE OF CLEARANCE

08/10/2017

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

NOTICE DATE: 08/10/2017

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-091-20-9J-01236
Explosives License/Permit Type : 20-MANUFACTURER OF EXPLOSIVES
Expiration Date : September 1, 2019

6305 IH 35 NORTH
NEW BRAUNFELS, TX 78130

continued from previous page

LAST NAME, First Name, Middle Name	Clearance Status
0010 HADLEY, JOSHUA LOUIS	Cleared
0011 HOPE, JASON LANCE	Cleared
0012 MARRS, JILL	Cleared
0013 MIMS, JOHN J	Cleared
0014 MIRABELL, LAWRENCE JOHN	Cleared
0015 MITCHELL, ETHAN CHASE	Cleared
0016 PUMPHREY, ADRIAN RILEY	Cleared
0017 SCHUCH, RODNEY ALBERT	Cleared
0018 SIEVERS, BRANDON JAMES	Cleared
0019 SNIDER, CLINTON DAVID	Cleared
0020 STAUFFER, LANE DOSS	Cleared
0021 VALDEZ, JACOB BENNETT	Cleared
0022 WALDROP, DIANN RACHELLE	Cleared
0023 WEAVER, RICHARD ALLEN	Cleared
0024 WEIR, CHRISTOPHER FRANKLIN	Cleared
0025 OUMA, ROY O	Pending
0026 WILLIAMS, JOSHUA CHAD	Pending

LAST NAME, First Name, Middle Name	Clearance Status
------------------------------------	------------------

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-091-20-9J-01236

Chief, Federal Explosives Licensing Center (FELC)

Expiration
Date

September 1, 2019

Name
BUCKLEY POWDER CO

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

6305 1H 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 1H 35 NORTH 78130-12 TX 091-20-9J-01236 September 1, 2019 20-MANUFACTURER OF EXPLOSIVES

ATF Form 5400.14-5400.15 Part I
Revised October 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 X

Federal Explosives License/Permit (FEL) Information Card

License/Permit Name: BUCKLEY POWDER CO

Business Name:

License/Permit Number: 5-TX-091-20-9J-01236

License/Permit Type: 20-MANUFACTURER OF EXPLOSIVES

Expiration: September 1, 2019

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



City of Garden Ridge

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

September 15, 2017

To: Garden Ridge Water Commission

From: City Administrator Cain

Mr. and Mrs. Leon Timmermann submitted an offer to the City of Garden Ridge Water Commission for the lease of 35 acre feet of Edwards water rights. The Water Commission considered and discussed the lease offer at their July 2017 meeting. As a result of the discussions the Water Commission directed me to further negotiate the lease offer with the Timmermann's.

After discussion with Mr. and Mrs. Timmermann the following offer was negotiated:

Lease of twenty-five (25) acre feet of Edwards water rights at \$135 per acre foot for a lease period of two (2) years. The City of Garden Ridge would be given the first right for purchase when Mr. and Mrs. Timmermann decide to sell their Edwards water rights.

The budgetary impact to the City of Garden Ridge Water Company would be \$3,375 annually for 2 years resulting in a total expenditure of \$6,750.

JULY 11, 2017

TO THE CITY OF GARDEN RIDGE WATER COMMISSION

I'M LEON TIMMERMANN AND WE HAVE 35 ACRE FEET
OF EDWARDS AQUIFER WATER THAT WE ARE INTERESTED IN
LEASING.

THESE 35 ACRE FEET OF WATER IS WATER EAST OF THE CIBOLO
CREEK.

I'M HOPING THE CITY OF GARDEN RIDGE WOULD BE
INTERESTING IN LEASING IT FROM US, SINCE WE LIVE
IN GARDEN RIDGE.

I'M HOPING THE WATER COMMISSION WOULD MAKE
US A OFFER IF THE CITY OF GARDEN RIDGE COULD USE IT.

THANK YOU,

LEON & EVELYN TIMMERMANN
9926 TROPHY OAKS DRIVE
GARDEN RIDGE, TEXAS 78266

210-651-1615

City Administrator

From: City Secretary
Sent: Friday, July 21, 2017 6:13 PM
To: David Heier
Cc: City Administrator
Subject: FW: Water Commission Agenda Packet

From: Patricia Ramirez [mailto:Patricia.Ramirez@ci.garden-ridge.tx.us]
Sent: Friday, July 21, 2017 5:58 PM
To: City Secretary
Subject: Re: Water Commission Agenda Packet

I would like to resign from the water commission.

Pat Ramirez

On Fri, Jul 21, 2017 at 10:51 AM, City Secretary <CitySecretary@ci.garden-ridge.tx.us> wrote:

Attached is the Agenda Packet for the Water Commission Regular Meeting on Tuesday, August 25, 2017. This packet can also be found online under the Agenda tab.

See you Tuesday,

Shelley Goodwin, TRMC

City Secretary

9400 Municipal Parkway

Garden Ridge, Texas 78266

citysecretary@ci.garden-ridge.tx.us

(210)651-6632 <[tel:\(210\)20651-6632](tel:(210)20651-6632)> office

Future Agenda Items

October 23, 2017 @ 6 p.m.

Joint City Council and Planning & Zoning Meeting
Public Hearing Master Land Use Plan

November 1, 2017

Agenda deadlines:

- 14 business days before Meetings (10/18/17) - City Council and Staff items are due
- 9 business days before Meetings (10/23/17) - City Administrator and Mayor review agenda.
Mayor sets the agenda.
City Attorney is sent the agenda to approval
- 7 business days before Meetings (10/25/17) - Post Agenda on bulletin board City Council will receive packet (allowing a day and half for corrections and to request additional information to be added)
- 5 business days before Meetings (10/27/17) - Post Agenda Packet to City Website
@ noon
- 3 business days before (10/29/17) Meetings (72 hours) – Local Government Code requirement for posting
Days of (11/1/17) Meeting - Mayor and City Administrator meet with Department Heads
Wednesday @ 10 a.m.

Red=City Council Purple=Quarry Commission
Planning & Zoning =Green Water Commission= Blue
Pink=Impact Fee Committee
Wildlife Management Advisory Commission=Brown
City Events= Yellow

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		

Proclamations/Awards (Before Citizen Comment Period)

Consent Agenda

1. Minutes 10-4-17 and 10-23-17
2. Financial Report

Public Hearings

Non-Consent Agenda

1. Staff Reports (Admin, Library, Public Works, Water, PD)
2. Adoption of Master Land Use Plan

Ordinances and Resolutions and CIP presentation

1. CIP Presentation
 - a) CIP Project for 2013
 - b) CIP Project for 2015
 - i. Phase I
 - ii. Phase II
 - iii. Trinity Wells #9 and #10 Project
 - c) CIP Project for 2016
 - i. Sewer System (FM 2252)

- ii. Waterline extension project to Winco

Commission Items

P&Z-

Quarry

Water

Wildlife Management Advisory Commission

Discussion

Updates

1. Parks Committee Activities/Project Updates
2. City Administration Project Updates:
Website Announcement
3. City Council Discussions/Project Updates:
Mayor's Communication
Future Agenda Items

Executive Session

December 6, 2017

Agenda deadlines:

- 14 business days before Meetings (11/22/17) - City Council and Staff items are due
- 9 business days before Meetings (11/27/17) - City Administrator and Mayor review agenda.
Mayor sets the agenda.
City Attorney is sent the agenda to approval
- 7 business days before Meetings (11/29/17) - Post Agenda on bulletin board City Council will receive packet (allowing a day and half for corrections and to request additional information to be added)
- 5 business days before Meetings (12/1/17) - Post Agenda Packet to City Website
@ noon
- 3 business days before (12/3/17) Meetings (72 hours) – Local Government Code requirement for posting
Days of (12/6/17)Meeting - Mayor and City Administrator meet with Department Heads
Wednesday @ 10 a.m.

Red=City Council Purple=Quarry Commission
 Planning & Zoning =Green Water Commission= Blue
 Pink=Impact Fee Committee
 Wildlife Management Advisory Commission=Brown
 City Events= Yellow

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						

Proclamations/Awards (Before Citizen Comment Period)

Consent Agenda

1. Minutes 11-1-17
2. Financial Report

Public Hearings

Non-Consent Agenda

1. Staff Reports (Admin, Library, Public Works, Water, PD)
2. Adoption of Master Land Use Plan

Ordinances and Resolutions and CIP presentation

1. CIP Presentation
 - d) CIP Project for 2013
 - e) CIP Project for 2015
 - iv. Phase I
 - v. Phase II
 - vi. Trinity Wells #9 and #10 Project
 - f) CIP Project for 2016
 - iii. Sewer System (FM 2252)
 - iv. Waterline extension project to Winco

Commission Items

P&Z-

Quarry

Water

Wildlife Management Advisory Commission

Discussion

Updates

1. Parks Committee Activities/Project Updates
2. City Administration Project Updates:
Website Announcement
3. City Council Discussions/Project Updates:
Mayor's Communication
Future Agenda Items

Executive Session

PENDING FUTURE AGENDA ITEMS

- 1) 2/2/16 Discussion of issues surrounding Bat Cave Road will be placed on future Council agenda... *McCaw*
- 2) Ordinance update plan....*Trevino & Goodwin*
- 3) Daily cost per animal that Garden Ridge keeps...*Mayor (Trial)*
- 4) Ordinance 54-Water Leak Adjustments.... *Mayor*
- 5) Discussion on Annexation (waiting until MLUP is developed)..... *McCaw*
- 6) Logo and Seal Ordinance... *Cain*
- 7) Friends of Library and Parks Committee Donation Ordinance... *Trevino*
- 8) Alarm Permits....*Cain*
- 9) Animal Control Ordinance....*Cain*
- 10) Personnel Policy....*Ford*
- 11) FY 2019 Budget Calendar and Vacations....*Mayor*
- 12) Ordinance 24 Parks
- 13) Ethic Ordinance ... *8-30-17 City Council motion*
- 14) Ordinance 31 Tax Assessor...*Cain*
- 15) Website and Social Media Policy....*Goodwin*
- 16) Contract for rewriting zoning, subdivision etc....Ordinance (after adoption of MLUP)....*Cain*

Items for further discussion before adding to list

State of City..... *Cain*