



City of Garden Ridge

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

AGENDA

REGULAR CITY COUNCIL MEETING, NOVEMBER 1, 2017 AT 6:00 P.M.

The Garden Ridge City Council will meet in a regular session on Wednesday, November 1, 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 27, 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
4. City/Employee Recognitions

Thank you from Live Oak Police Department for monetary donation for Dt. Sgt. Kevin McGuire.

Thank you to Library for hosting American Girl Tea Party.

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. September 25, 2017 City Council Special Meeting
 - ii. October 4, 2017 City Council Regular Meeting
- b) Financial Statement and Investment Report –September 30, 2017
- c) Consider Resolution 424-112017- appointing New Braunfels Herald as the Official Newspaper of the City of Garden Ridge.
- d) Consider the Official Ballot to elect Board of Directors for Comal Appraisal District for the years 2018-2019 and to cast the City of Garden Ridge's 39 total available votes for Randy Maschek.
- e) Consider Certification of Tax Levy for the Tax Year 2017 for the City of Garden Ridge.

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 in the amount of \$65,818.71 for the 2015 CIP Project.
 - iii. Sewer System (FM 2252)
- d) Discussion and consideration of design manual and ordinance and fee schedule related to small cell network wireless infrastructure.
 - i. Consider approval of Ordinance 205-112017 approving a design manual for the installation of network nodes, node support poles and transport facilities; and approving a pole attachment agreement regulating the installation of network nodes and transport facilities on city service poles and utility poles; declaring governing law; providing repealing and savings clauses; providing a Texas Open Meetings Act clause; declaring an emergency and providing an effective date of November 1, 2017.
 - ii. Consider approval of Ordinance 206-112017 a public right-of-way management ordinance; regulating the physical use, occupancy and maintenance of city rights-of-way by wireless network providers; describing the purpose; providing definitions; requiring compliance with the city design manual and applicable codes for the installation of network nodes and node support poles pursuant to Chapter 284 of the Texas Local Government code; providing city procedures for applications for permits; establishing time periods for approval of permit applications; providing application fees and annual public right-of-way rental rates; providing restrictions on placement of network nodes and node support poles in municipal parks, residential areas, historic districts and design districts; providing indemnity for the city; providing repealing and savings clauses; providing a Texas Open Meetings Act Clause; declaring an emergency and providing an effective date of November 1, 2017.
 - iii. Consider approval of Ordinance 207-112017 establishing fees for wireless network nodes, node support poles and transport facilities desiring to be placed in the public right of way, declaring an emergency and setting an effective date.
- e) Consider approving Ordinance 7-112017 Amendment #5 amending Ordinance 7-042006, 7-062017 Amendment #4 and all amendments thereafter adopted, related to the rules and regulations governing plats, plans and subdivisions of land within the incorporated area and extraterritorial jurisdiction of the City of Garden Ridge, Texas; establishing a requirement to provide transferable water rights or other water resource acceptable to the City as an alternate water source to add to the water system infrastructure, to allow ample water supply to the subdivision, applicable to all subdivisions of land as provided; incorporating sign regulations herein; providing a severability clause; and providing an effective date.
- f) Consideration and possible action on a Resolution 425-112017 adopting policies and procedures for a Donation Acceptance Program and providing for an effective date.
- g) Planning and Zoning Commission Recommendations and Possible Action:
No report.

- h) Quarry Commission Recommendations and Possible Action:
No report.
- i) Water Commission recommendations and Possible Action:
 - i. Renewal of water lease with Lloyd Loehman for 3 acre feet of Edwards Water Rights at \$138.50 acre feet for a term of 3 years with option to purchase.
 - ii. Receive a recommendation to amend Ordinance 61 Establishing the Drought Management Plan; providing definitions, establishing trigger points for Stages 1 through 5, restricting the use of water upon implementation of specific Stages of said Plan; establishing Water Surcharge Rates for Stage 3 through 5 of said Plan; providing a variance procedure; providing a penalty clause; providing for severability and providing an effective date and amending Ordinance 61-012014 adopted January 9, 2014.
 - a. Review, discuss and take action on the recommendation.
- j) Wildlife Management Advisory Commission:
 - i. Receive monthly activity update.
 - ii. Receive a recommendation on the 2017 Survey
 - iii. Review of Deer Population Summary (census)
 - iv. Update on October 23, 2017 Texas Parks and Wildlife educational session.
- k) Garden Ridge Parks Committee:
 - i. Upcoming activities
- l) City Administration Project Updates:
 - i. Water and Wastewater Rate Analysis Study
- m) City Council Discussions/Project Updates:
 - i. Mayor's communication efforts
 - ii. Volunteer Program
 - iii. Garden Ridge Lions Club usage of the Community Center (Lantzy)
 - iv. TxDOT at a public meeting (Arvidson)
 - v. Impact of Vulcan Quarry at F.M. 3009 and Hwy. 46 (Arvidson)
 - vi. Well site beautification (Bower)
 - vii. 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. Executive Session

The City Council will recess its open meeting and reconvene in Executive Session:

- a) Pursuant to Texas Government Code 551.071 to seek legal advice in connection with settlement negotiations and other issues related to Hanson Aggregates operations, blasting, enforcement and possible amendments to Ordinance 34.

11. 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.

12. Adjournment

AGENDA NOTICES:

Decorum Required:

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

Action by Council Authorized:

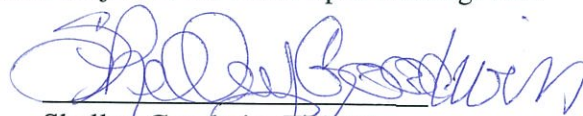
The Council may vote or act upon any item within this Agenda. The Council reserves the right to adjourn into closed session at any time during the course of this meeting to discuss any of the matters listed below, as authorized by Title 5, Chapter 55, of the Texas Government Code.

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 boards, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the City Council, other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action 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 2:45 p.m. on October 25, 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



Live Oak Police Department

8022 Shin Oak Drive • Live Oak, Texas 78233 • (210) 945-1700 • www.liveoaktx.net
Dispatch (210) 653-0033

October 12, 2017

Mayor Larry Thompson
City of Garden Ridge
9400 Municipal Parkway
Garden Ridge, TX 78266

Dear Mayor Thompson:

Thank you and the Garden Ridge Citizens Police Academy Alumni Association for the generous monetary donation in support of the fundraising efforts for Detective Sergeant Kevin McGuire's stage 4 cancer medical bill fund.

We appreciate your support.

Sincerely,

A handwritten signature in blue ink, appearing to read "M. B. Pue".

Dan Pue
Chief of Police

City Administrator

From: Library
Sent: Tuesday, October 24, 2017 10:49 AM
To: Library
Subject: FW: The American Girl tea party was AMAZING!

I hope that you don't mind my sharing this email. It is so gratifying when someone enjoys something we do AND expresses their thanks.

~Linda

Linda Crosland
Garden Ridge Library
210-651-6570
library@ci.garden-ridge.tx.us



"Without libraries what have we? We have no past and no future." ~Ray Bradbury

From: Karen Kolivosky Gardner [REDACTED]
Sent: Monday, October 23, 2017 8:59 AM
To: Library; Library2
Subject: The American Girl tea party was AMAZING!

Hi Linda & Kelly –

Just wanted to say THANK YOU so much for the wonderful event on Saturday! Hailey enjoyed it tremendously and so did I! Everything was so beautifully done with so many special touches, it was truly magical. Please also thank Ms. Karen and Ms. Doreen for their wonderful contributions, they added so much to the experience. You ladies are doing an amazing job with the library! Thank you for everything you do!

Karen



City of Garden Ridge

9400 Municipal Parkway
Garden Ridge, Texas 78266-2600
(210) 651-6632
Fax (210) 651-9638

MINUTES OF JOINT CITY COUNCIL AND PLANNING AND ZONING COMMISSION MEETING, SEPTEMBER 25, 2017

Councilmembers Present:

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

Members Absent:

None

Commissioners Present:

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

Commissioners Absent:

None

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 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 6:00 p.m. on Monday, September 25, 2017, in the City Council Chambers of the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas 78266.

2. Citizen's Participation

Shelby Trial, 21657 Forest Waters Circle, spoke regarding the draft plan and getting works of art to be placed in the Master Land Use Plan.

3. Development of Master Land Use Plan

- a. Project update**
- b. Review public input from August 28, 2017 Town Hall/Public Meeting**
- c. Review plan edits**

Chelsea Irby, Assistant Project Manager, provided a Project Update and reviewed citizen input from Public Meeting #2 which occurred on Monday, August 28, 2017.

The Steering Committee reviewed the plan and discussed designating the north side for offices. They also discussed a previous plan to put a two-story building at the corner of FM 2252 and FM3009, close to the water tower.

The Steering Commission discussed the differences between a “townhome” and a “garden home”.

Mayor Thompson stated there have been several comments from residents who are interested in staying in Garden Ridge when they downsize later in life. Presently, Garden Ridge does not offer them a way to remain in Garden Ridge when they age.

The Steering Committee discussed the option of creating an area for mixed use which could include garden homes or zoning for retail or commercial for sales tax purposes. They also discussed the different types of zoning and what can be built in those zoning areas.

Chelsea Irby stated the Master Land Use Plan could reflect mixed use or garden homes with an explanation of the intent of the Steering Committee.

The Steering Committee agreed by consensus to change pages 46-47 to reflect the recommendations of Special Planning Area #2: Mixed Use or Garden Homes.

Mayor Thompson stated that at the last meeting, installing high speed internet service was mentioned. He feels this should be considered when laying the water and wastewater lines.

Chelsea Irby stated adding high speed internet service is a revenue generator.

Mayor Thompson stated TxDOT shows bike lanes on their plans for widening of FM 2252, but the NTSB has studied bike lanes and have found there are more bike-auto accidents in areas with unprotected bike lanes. He has requested TxDOT design a wide recreational path for walking and bikes on one side of the road, separated from the road by a green area. He feels this is a safety issue as well as enhancement to the Garden Ridge way of life. He reminded the group that they stated trail connections are a high priority to connecting parks, per the Master Land Use Plan. He also spoke to the County about putting in a park close to Garden Ridge, but TxDOT parks come from donated land.

The Steering Committee discussed having an area for bikes and walking on FM 2252 that can be designated for disasters and emergency vehicles if needed. They also discussed the TxDOT timeline for the FM 2252 widening project and how it could affect the development of the FM 2252 area.

Dan Sefko, Project Manager, reviewed the next step for the project.

The Steering Committee agreed by consensus to make the following changes:

- Page 26 - changing last bullet from Bat Cave Road to Bindseil Road
- Page 55 - removing Townhomes from the list of Key Elements
- Page 75 - the Dark Skies Ordinance should reference residential

d. Recommendation for Steering Committee/Joint Meeting Public Hearing scheduled for October 23, 2017 at 6:30 p.m.

The Steering Committee agreed by consensus to move forward with the Steering Committee/Joint Meeting Public Hearing scheduled for October 23, 2017 at 6:00 p.m.

Nancy Cain, City Administrator, reviewed the different types of advertising and communications that will be done to help get the word out about the Public Hearing on October 23, 2017.

e. General discussion - What's next?

Chelsea Irby provided the upcoming timeline.

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

See "Rules for Citizen's Participation" under Item 3.

Norm Pallister, 8606 Turner Ridge, stated he feels no one wants smaller lots and residents should have the opportunity to vote for or against the proposed $\frac{3}{4}$ acre lot size.

Jesse Valdez, 9035 Cinnabar Court, stated he feels the areas at the corners of FM 2252 and FM 3009 should be zoned for the purpose of office space and retail.

Carolyn Cohen, 10041 Trophy Oaks, stated she supports the smaller homes and lots being located in a specific area only, as long as they are developed correctly.

4. Adjournment

Motion: Upon a motion made by Councilmember Lantzy and a second by Councilmember McCaw, the meeting was adjourned at 7:21 p.m.

Larry Thompson, Mayor

Sam Stocks, Chair

ATTEST:

Shelley Goodwin, TRMC
City Secretary

**SIGN IN TO SPEAK FOR ALL WHO WISH TO ADDRESS THE CITY COUNCIL AND
PLANNING & ZONING COMMISSION
STEERING COMMITTEE MEETING SEPTEMBER 25, 2017**

Rules for Citizen's Participation:

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- a) Respect and courtesy:
 - i. Direct your comments to the entire City Council, not to an individual member, nor to the audience.
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 - 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.
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*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. ✓ SNELBY TRAIL	21657 FOREST WATERS CIR.
2.	
3.	
4.	
5.	
6.	

LAST ITEM

AGENDA | Steering Committee Meeting #4

Monday, September 25, 2017

6:00 p.m.

Garden Ridge City Hall

1. Project Update
2. Review Public Input from 08/28 Public Meeting
3. Review Plan Edits
4. Recommendation for Joint Public Hearing on October 23
5. What's Next?

City of Garden Ridge

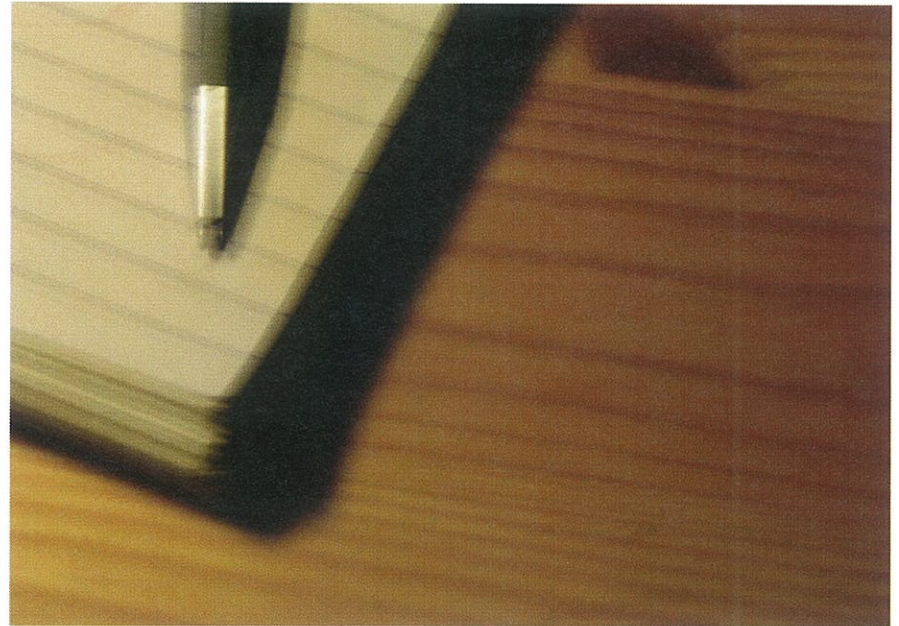


Master Land Use Plan

Steering Committee Meeting #4 • September 25, 2017

Agenda

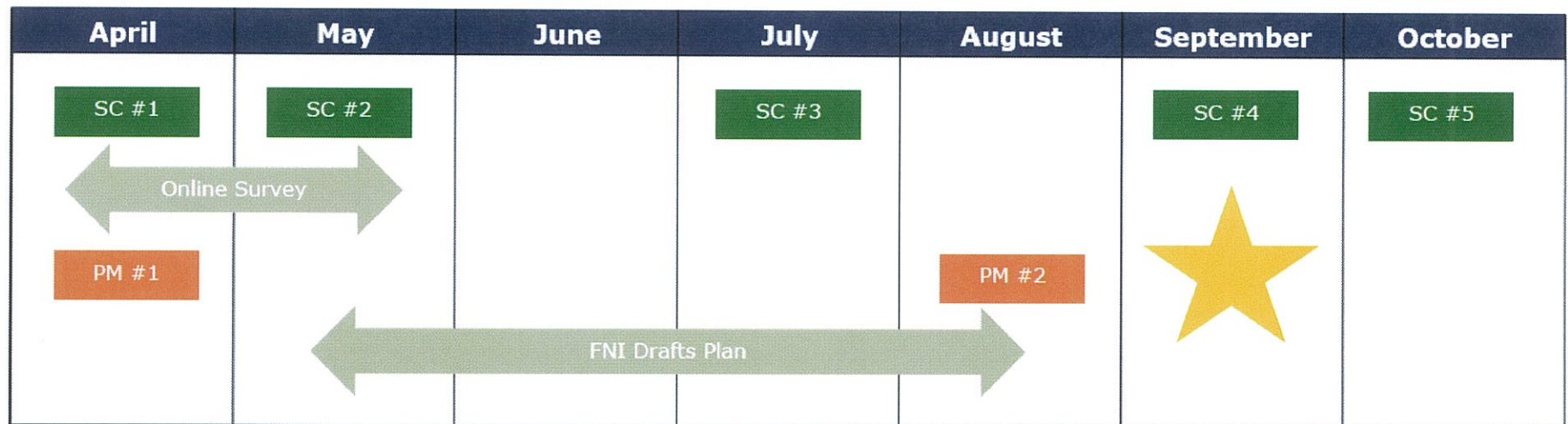
- » Project Update
- » Review Public Input from 08/28 Public Meeting
- » Review Plan Edits
- » Recommendation for Joint Public Hearing on October 23
- » What's Next?





Project Update

Schedule





Review Public Input

What We Heard

- Issues with Doerr Lane
- Concerns with Special Planning Area #5
- Water/Wastewater
- Effects of development

What We Heard

- Office on north side of FM 2252
- Mixed thoughts on garden/town homes
- Impacts to sales tax

Overall, most comments are zoning related



Review Plan Edits

Plan Edits



- Updated FLUP plan and acreage chart (pg. 46-47)
- Updated acreage in sidebar (pg. 53)
- Added definition of ETJ (pg. 64)
- Added recommendation for high-speed internet infrastructure (pg. 77)
- Added recommendation for regional trail connections (pg. 80)

Plan Edits

- Updates to Special Planning Area #5?
- Regional trail connections?
- Others?



MINUTES OF CITY COUNCIL REGULAR MEETING,
OCTOBER 4, 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
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:

Sam Stocks, Chair, Planning and Zoning Commission
David Heier, Chair, Water Commission
Cynthia Shanahan-Segovia, Vice-Chair, Wildlife Management Advisory Commission

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, October 4, 2017, in the City Council Chambers of the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas 78266.

2. Pledge of Allegiance

Cub Scout Pack 828 joined Mayor Thompson in leading the Pledge of Allegiance.

3. City/Employee Recognitions

Nancy Cain, City Administrator, stated she received three emails this month thanking the following:

- Steven Steinmetz, Public Works Director, for assistance with the construction crew.

- Eric Lowman, Animal Control, for his assistance in the education regarding wild hogs in Trophy Oaks.
- Manuel Troncoso, Public Works, for his assistance with brush dumpsters.

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

Milann Guckian, 30954 FM 3009, New Braunfels, spoke regarding TCEQ receiving another Air Quality Permit for blasting at the corner of FM 3009 and Hwy. 46. She announced a Public Awareness Meeting to be held on Tuesday, October 17, 2017 at 7:00 p.m. at the Courtyard River Center Village Marriot (Guadalupe/Comal Room), 750 IH 35 North, New Braunfels, TX 78130.

Chris Hoffman, 30323 FM 3009, New Braunfels, spoke regarding TCEQ receiving another Air Quality Permit for blasting at the property located at FM 3009 and Hwy. 46. He encouraged everyone to attend the Public Awareness Meeting.

Ken Kneupper, Schoenthal Rd., thanked the Police Department for their professionalism and for their hard work with National Night Out.

Mayor Thompson reviewed the rules of Texas Open Meetings Act and Texas Government Code §551.042.

5. Consent Agenda

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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

Motion: A motion was made by Councilmember Arvidson, seconded by Councilmember Erickson, to approve the Consent Agenda items 6. a) - b). The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

6. 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:

Mayor Thompson stated the Agenda layout has undergone changes and now the Staff Reports are undergoing changes. The purpose of these changes is to provide the information in a clearer format to ensure Council remains informed. He stated if anyone wants to see additional information on the Staff Reports, or if they have any other thoughts on the reports, please contact the City Secretary.

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 the website facelift deadline for content changes is October 6, 2017. She encouraged City residents and City Council to review the website and let us know if there is anything that needs attention before the deadline.

Mayor Thompson announced that he will be holding Cyber Security Training sessions. Attendance at one of the sessions is mandatory for City employees and any volunteers who will be using the City computers. He stated there will be three sessions: October 24th, 26th and 31st from 11:30 a.m. to 1:00 p.m. in the Wildflower Room at the Community Center.

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 provided his report in the Agenda Packet, but he also reported on the following:

- He thanked everyone for their help in making National Night Out a success. He stated 30 children participated in the I.D. kit program and in the future they are hoping to include other Citizens who might benefit from the program.
- He also stated he will be meeting with the manager at FedEx to work on some of the through truck traffic issues and new legislative rules.
- He thanked TxDOT for expediting the issue with the moving of traffic markers back at the intersection of FM 2252 and FM 3009.
- “Coffee with a Cop” will take place on the second and fourth Wednesday of each month from 9:00 a.m. to 10:30 a.m. at First United Bank. This is another opportunity for residents to come and visit informally with the Police Department.

Mayor Thompson thanked TxDOT for making the traffic stop change at FM 2252 and FM 3009. He also thanked the Chief for stepping up enforcement of the truck ordinance issues and for implementing the “Coffee with a Cop” program.

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 contained in the Agenda Packet.

Mayor Thompson thanked the Public Works and Water Department crews, especially Stanley Georg for painting and enhancing the entrance and the lobby of City Hall.

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.

v. Library Monthly Activity Report

- **Upcoming events**

Linda Crosland, Librarian, stated the Garden Ridge Library will host a Veteran’s Day event on November 9, 2017 at 10:30 a.m. in the City Council Chambers. She also stated that a Wall of Honor will be on display to honor those who have served in the Military, so if you have not submitted your name and rank, please contact the Library.

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**
 - f. Consideration and possible action on Change Order #2 for the 2015 CIP Streets, Drainage, and Waterline project.**
- iii. Sewer System (FM 2252)**

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

- 2015 CIP Street and Drainage Project- Change Order is currently at an estimate of \$60,000. They are still finalizing the punch list items and anticipate closing out the project in 3 weeks.
- Trinity Wells #9 and #10 Project - a picture of the foundation was provided, and electrical work for the booster pump station and generator has begun.

- Naco Loop Project - a preliminary schedule for the project was provided.
- Sewer System (F.M. 2252) - update on coordination with TxDOT and a picture of what TxDOT is proposing was provided. He also provided a layout of items that have to occur before construction of the water and sewer system. He also stated TxDOT will be buying up rights-of-way and the City will be responsible for 10% of the cost for the property in the city limits. He recommended using the leftover CIP funds for the City's share of the rights-of-ways. A meeting with CCMA is scheduled for the MLUP.

Mayor Thompson stated we need to make sure the City and the residents' issues have been addressed before final payment is made to the contractor. He inquired about the council approved testing of certain trouble areas. He also asked about the Blazing Star Trail surface issues.

Daniel Mummert stated the testing will be conducted on Thursday, October 5, 2017. He also stated the Blazing Star issues will be taken care of by the contractor.

Mayor Thompson inquired about the timeline for Trinity Wells #9 and #10.

Daniel Mummert stated the projected completion date is still set for February 2018. .

- 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; authorizing an Escrow Agreement; and enacting other provisions relating to the purposes of this Ordinance (203-102017).**

Bob Henderson, RBC Capital Markets, provided the City Council with the Final Sale Results: General Obligation Refunding Bonds, Series 2017 packet (attached). He reviewed the packet and stated the first payment is due February 2018. He stated this refinancing will save the City \$200,900 and the City maintained an AA- rating.

Gregory Miller, Bickerstaff, Heath and Smiley, stated he is here tonight to help get all the documents signed if the Ordinance is passed. Once the documents are signed, they need to be sent to the Attorney General's Office by the end of October.

Mayor Thompson stated he met with Mr. Henderson and received an education on bonds. He also stated even though this item is technically called a refunding, it is essentially refinancing a current bond at a lower rate.

The City Council discussed the cost savings, payments and principle of the Bond.

Motion: A motion was made by Councilmember McCaw, seconded by Councilmember Lantzy, to approve Ordinance 203-102017 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. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

Mayor Thompson announced Ordinance 203 passed at 7:03 p.m. (requirement for the Bond packet).

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.

Nancy Cain, City Administrator, stated the contract for the Community Center was amended to include extended hours. Ordinance 139 needs to be amended to reflect the extended hours.

Motion: A motion was made by Councilmember Lantzy, seconded by Councilmember Bower, to approve 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.

The City Council discussed the enforcement of the noise part of the Ordinance.

Chief Eberhardt stated the noise levels can be tracked with a sound meter.

The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

f) Consideration and possible action concerning Resolution 423-102017 of the City Council of the City of Garden Ridge, Texas, adopting procedures for its volunteer program.

Mayor Thompson stated with the creation of Volunteer Garden Ridge! the City needed to create a Resolution providing procedures for the volunteers and the process for volunteering.

Motion: A motion was made by Councilmember Lantzy, seconded by Councilmember Arvidson, to approve Resolution 423-102017 of the City Council of the City of Garden Ridge, Texas, adopting procedures for its volunteer program. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

g) Consideration and possible action concerning a Book Sale Agreement between the City of Garden Ridge and Linda Crosland.

Mayor Thompson stated Linda Crosland researched the history of Garden Ridge and then wrote a book. She has offered to share the profits of the sales of her book in exchange for assistance with the promotion of the book.

Motion: A motion was made by Councilmember McCaw, seconded by Councilmember Bower, to approve the Book Sale Agreement between the City of Garden Ridge and Linda Crosland.

The City Council discussed the possibility of setting a precedent. They also discussed the percentage amount (50%) as noted in the Agreement.

Cynthia Trevino, City Attorney, stated the City Council can set parameters that will need to be followed and anyone that qualifies can also receive the City's participation.

The City Council voted three (3) for and two (2) opposed (Bower and Lantzy). The motion carried.

h) Legislative Update and Discussion regarding small cell network wireless infrastructure, direct staff as necessary.

Nancy Cain, City Administrator, stated that in the Legislative Session, a bill was passed that changes the way a City can regulate small cell node placement.

Cynthia Trevino, City Attorney, stated the wireless companies can now place nodes on any poles and wires. She also stated the fee paid a wireless network is no longer at fair market value. She stated she recommends the City adopt an Ordinance that would limit the locations and the number of nodes allowed.

Nancy Cain, City Administrator, stated she will forward the proposed Ordinance and the details of the legislation for review before the November City Council meeting.

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.**

Sam Stocks, Planning and Zoning Commission Chair, reviewed his report. He stated the Commission received a variance request from Mr. Miller. The Commission held a public

hearing and then voted to recommend approval of the request and the vote result was three (3) for and three (3) against.

The City Council inquired as to whether the Zoning Ordinance allows for restrictions or contingencies on variances.

Cynthia Trevino, City Attorney, stated the Ordinance does not provide for contingencies. She also stated the property owner can put restrictions on his property, but the City cannot enforce the restrictions.

The City Council asked about the reasons for the opposition of the three Commissioners who voted against the variance request.

Sam Stocks, Planning and Zoning Commission Chair, stated three members voted for the approval because the variance request does not hurt Garden Ridge since it is in the ETJ.

b. Hold a public hearing to receive comments for or against the petitions.

Mayor Thompson opened the public hearing at 7:35 p.m. and asked if anyone wished to speak.

Gary Miller, 2111 Tree Top Cove, stated he is the petitioner and asked the City Council to approve his request. He stated he is requesting these variances so he can keep ownership of the portion of the property where the tower is located. He stated he has a contract with the tower company which cannot be transferred to another owner. He stated that on the deed for the portion of the property he wants to sell, he will add a covenant that ownership of the smaller property will pass to the owner of the larger property upon expiration of the contract. He stated the revenue from the tower rental contract is his retirement plan.

The City Council discussed the option of annexation or keeping an acre with the tower on it.

Mr. Miller stated he would prefer the property not be in the City. He also stated he wants to keep a smaller portion of the property; however he will look at other options if he needs to.

Shelby Trial, 21657 Forest Waters, encouraged the City Council to approve the request.

Mayor Thompson asked if anyone else wished to speak. No one did, so he closed the public hearing at 7:57 p.m.

c. Consider the recommendation from the Planning and Zoning Commission on the petitions.

Motion: A motion was made by Councilmember Lantzy, seconded by Councilmember Bower, to disapprove the 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 line.

The City Council voted three (3) for and two (2) opposed (Erickson and Arvidson) to disapprove the variance petition. The motion carried.

- 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.**

Mayor Thompson stated that although the replat of the property cannot occur without the variance approval, the matter still must be considered out of formality.

Sam Stocks, Planning and Zoning Commission Chair, stated the Commission held a public hearing and then voted three (3) for the recommendation to approve the replat and three (3) opposed.

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

Mayor Thompson opened the public hearing at 7:59 p.m. and asked if anyone wished to speak.

Gary Miller, 2111 Tree Top Cove, stated he understands this cannot occur without the variances.

Mayor Thompson asked if anyone else wished to speak. No one did, so Mayor Thompson closed the public hearing at 8:00 p.m.

- c. **Consider the recommendation from the Planning and Zoning Commission on the petition.**

The City Council discussed the options of dividing out a one acre lot with the tower on it or bringing the property into the City limits.

Motion: A motion was made by Councilmember Lantzy, seconded by Councilmember Bower, to disapprove the 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. The City Council voted three (3) for and two (2) opposed (Erickson and Arvidson). The motion carried.

iii. Reappointment of Commissioner Dr. Jim Miller due to expiring term of office (September 30, 2017) to serve a two-year term of office (expiring September 30, 2019).

a. Consider the recommendation from the Planning and Zoning Commission on appointment.

Sam Stocks, Planning and Zoning Commission Chair, stated the Commission voted to recommend the reappointment for a two-year term of Commissioner Dr. Miller due to expiring term of office.

Motion: A motion was made by Councilmember Bower, seconded by Councilmember McCaw to approve the recommendation of the Planning and Zoning Commission to reappoint Commissioner Dr. Miller due to expiring term of office (September 30, 2017) to serve a two-year term of office (expiring September 30, 2019). The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

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.

Sam Stocks, Planning and Zoning Commission Chair, stated the Commission received one candidate resume in the agenda packet and another resume a few days later. He stated the Commission agreed by consensus to interview both candidates. He stated the Commission interviewed Karen Diaz and Jesse Valdez and then voted three (3) for Karen Diaz and three (3) for Jesse Valdez. Jesse Valdez then withdrew his candidacy so the nomination of Karen Diaz could move forward. The Commission then voted unanimously for Karen Diaz to fill the Place 2 vacancy.

Motion: A motion was made by Councilmember McCaw, seconded by Councilmember Erickson to appoint Karen Diaz to Planning and Zoning Commission Place 2 vacancy (term expiring September 30, 2018). The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

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.

Nancy Cain, City Administrator, stated the Quarry Commission received and approved a request from Buckley Powder Company for a Partial Exemption Permit to conduct blasting activities at the Hanson Quarry.

b. Discussion and action on Partial Exemption Permit with amount set as annual fee.

Motion: A motion was made by Councilmember Lantzy, and seconded by Councilmember McCaw to approve the request from Buckley Powder Company for a Partial Exemption Permit to conduct blasting activities at the Hanson Quarry. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

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.

Nancy Cain, City Administrator, stated the Quarry Commission considered the reappointment of those Commissioners whose terms were expiring and asked if they wished to serve another term. The Commissioners stated they were interested in serving another term, so the Commission voted unanimously to recommend to City Council the reappointment of Commissioners Shands, Haddad, Holloway and Mudge to a two-year term of office.

Motion: A motion was made by Councilmember Lantzy, and seconded by Councilmember Arvidson to approve the recommendation from the Quarry Commission for the reappointment of Commissioners Shands, Haddad, Holloway and Mudge due to expiring terms of office on September 30, 2017, for a two-year term of office expiring September 30, 2019. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

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.

David Heier, Water Commission Chair, reported the Water Commission received a request from Leon and Evelyn Timmermann for the City to consider leasing 25 acre feet of Edwards Aquifer Water rights. He stated the Commission postponed the original discussion with the Timmermanns until they could work out the details of the lease with the City Administrator. He stated after the agreement details were worked out, the Water Commission voted unanimously to recommend that City Council approve the request and to authorize the City Administrator to negotiate the contract.

Motion: A motion was made by Councilmember Lantzy, and seconded by Councilmember Erickson, to approve the recommendation from the Water Commission to approve the 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 the Cibolo Creek at \$135 per acre foot for a period of two years and the City will have first rights on purchase when they sell it. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

i. Resignation of Commissioner Pat Ramirez.

a. Receive and consider the recommendation from the Water Commission

David Heier, Water Commission Chair, reported the Water Commission received the resignation of Commissioner Pat Ramirez. He stated the Water Commission voted unanimously to recommend the City Council approve the resignation of Pat Ramirez.

Motion: A motion was made by Councilmember Lantzy, and seconded by Councilmember Bower, to approve the recommendation from the Water Commission to approve resignation of Commissioner Pat Ramirez. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

The City Council returned to Agenda Item k) i.

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.**

Motion: A motion was made by Councilmember Erickson, and seconded by Councilmember Bower, to authorize the City Administrator to negotiate and execute the contract to the previous motion. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

j) Wildlife Management Advisory Commission:

- i. Receive monthly activity update.**

Cynthia Shanahan-Segovia, Wildlife Management Advisory Commission Vice Chair, provided the City Council with an update on the activities of the Commission. She stated the Commission completed a deer count and those numbers have been sent to Texas Parks and Wildlife for their review and recommendation. She stated the Commission also compiled a list of questions they would like to be included on a survey and forwarded them to TPW for assistance with the formulation of the survey. A copy of the compiled questions was provided to the City Council. She stated the Commission feels that an education session by TPW should be held before the survey is mailed out so the residents can be educated before they complete the survey.

Councilmember Erickson stated from his calculations, the deer population for the City is one deer per two deer per acre, but he believes the exact ratio is 1 deer per 2.02 acres in Garden Ridge. He also provided a timeline for the education session, deer counts, survey and permit process. He reported on the presentation the Commission received on the City of Hollywood Park Deer Management Program. He let the City Council know Hollywood Park started out doing TTP until the deer population was under control, and now they do TTT, which costs an estimated \$250 per deer.

The City Council agreed by consensus for the Wildlife Management Advisory Commission to hold a public educational workshop.

k) Garden Ridge Parks Committee:

- i. Upcoming activities**

Shelby Trial, Parks Committee Chair, reported on the upcoming activities:

- Parks Committee will be hosting a Park Clean Up Day on November 11, 2017. He stated this Clean Up Day will focus on the walking trails in Paul Davis Park.

- The Third Annual Christmas Tree Lighting will be held on December 5, 2017, and a third Christmas tree will be added this year.

Mayor Thompson thanked the Parks Committee for helping with the National Night Out.

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**

Mayor Thompson announced the Steering Committee Meeting-Public Hearing date and time. He stated several good things have come out of the Steering Committee Meetings and one is adding high speed internet service along FM 2252 while the waterlines and sewer lines are being put in.

m) City Council Discussions/Project Updates:

i. Mayor's communication efforts

Mayor Thompson stated the VA has a representative come to Garden Ridge every third Wednesday of the month to assist veterans with their needs and questions. He stated he is going to try and meet with the representative and help him get the word out to our residents.

ii. Volunteer Program

Shelby Trial, *Volunteer Garden Ridge!* Coordinator, stated seven residents signed up for the program at National Night Out and three maybes signed up as well. He stated he is moving forward to getting more volunteers placed in areas in which they are knowledgeable.

Mayor Thompson stated the *Volunteer Garden Ridge!* now has an official logo. National Night Out was the kick-off for the Volunteer Program and some of the volunteers were already working. He thanked Shelby Trial for coordinating this program and working with the volunteers.

iii. Update on CISC activities/concerns (Thompson)

Mayor Thompson stated he met Julie Cronkhite, Garden Ridge Elementary School Principal last night. He stated they are going to meet soon to look for ways to work together.

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

Councilmember Arvidson stated he compiled the questions he had collected from residents (see attached list). He stated several questions were answered at the TxDOT public meeting last week.

Mayor Thompson stated he has spoken with Will Lockett, TxDOT District 13, and he is willing to come and answer any questions the residents might have regarding State roads within the City.

The City Council discussed the questions and maps that TxDOT displayed at their public meeting last week concerning the widening of F.M. 2252 project.

The City Council agreed by consensus that the meeting with TxDOT should be a special meeting.

v. Joint Base Land Use Study-Randolph Update (McCaw)

Councilmember McCaw reported on the Joint Base Land Use Study-Randolph Update. He stated the study began because of infrastructures around Randolph Air Force Base and the flight training paths. He reported that the study is now complete and Garden Ridge was a part of the study because it is at the end of the flight path. He also reported the study limited the development and air space around Randolph.

vi. Future Agenda Items

- Garden Ridge Lions Club using the Community Center for free (Lantzy).
- Redefining Structure in the City ordinances (Bower).
- Commission studies and roles (Bower).
- Discussion on Vulcan mining and effects on Garden Ridge (Arvidson).

7. Citizen's Participation – Limited to 20 minutes

Shelby Trial, 21657 Forest Waters Circle, read a report from San Antonio News that listed the top 10 surrounding cities with serious crime and Garden Ridge did not make the list.

8. 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**

Mayor Thompson reminded the Council and residents that the Garden Ridge Lions Club Fish Fry and BBQ Auction will be October 7, 2017 at 3:00 p.m. for food and at 6:00 p.m., a raffle and live auction.

Mayor Thompson also thanked everyone for their assistance and attendance at National Night Out. He stated he will be holding an after-action session with several people to discuss what worked and what could be improved for next year.

9. Adjournment

There being no further business, the Wednesday, October 4, 2017, Garden Ridge City Council regular meeting was adjourned at 8:59 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 OCTOBER 4, 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 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. ^{"MILANN"} Milann Guckian ^{NEW BRANFORS}	30954 FM 3009 78132
2. WAKS HORNMAN	30323 FM 3009 78132
3. KEN KNEUTER	8891 SCIENTIAL R 79246
4.	
5.	
6.	

LAST ITEM

2252/3009 traffic concerns

1. Expand 3009 in preparation for increased traffic
2. Speed limit signs too close with drastic change in speed on 3009
3. Arrowood place access only to 2252
 - a. How will traffic work during/after 2252 expansion
 - b. How much will 2252 expansion encroach on property
 - c. Is another exit possible
4. Truck traffic on Doer lane
5. Quiet pavement on 3009/2252
6. When will expansion of 2252 begin (4)
7. Rail road stops traffic on 2252 (4)
8. Set back for stop on 2252 to close to 3009 (2) Already been addressed
9. Bike lanes on 2252/3009
 - a. Need to be separated from road
 - b. Connectivity with schools and retail (2)
10. Repair and level off 2252/482 (2)
11. 3009 busier than 2252 why 2252 first
12. Turn lanes on 3009 too short
13. Sound barrier for homes along 3009 (2)
14. Truck traffic on 3009
15. Speed limit on 3009 to high (3)
16. Traffic study of High school impact on 3009
17. Need more stoplights (Tonkawa, Bat Cave and Trophy Oaks)
18. Not about traffic concerns on 2252/3009 (6)

36 total recieved

CITY OF GARDEN RIDGE
MONTHLY ACCOUNT BALANCES & INTEREST RATES
PERIOD ENDED AS OF 09/30/2017

CITY FUNDS	BALANCE	CURRENT INTEREST RATE	QTR AVG INT RATE
GF OPERATING ACCOUNT	\$ 120,365.69	0.0000%	0.0000%
GF MONEY MARKET	129,285.55	0.1500%	0.1500%
TEXPOOL INVESTMENTS	1,641,144.93	1.0151%	0.9929%
ASSET/FORFEITURE - STATE	97.74	0.0800%	0.0267%
ASSET/FORFEITURE - FED	116,327.55	0.1500%	0.1467%
2009 REFI	62,324.97	0.1000%	0.1000%
2009 I&S	45,234.56	0.0500%	0.0767%
2012 REFI	139,708.99	0.1500%	0.1500%
2012 I&S	40,519.87	0.0500%	0.0767%
2015 I&S	5,139.23	0.0500%	0.0833%
2012 CIP PROJECT	29,895.90	0.0500%	0.0500%
2015 CIP PROJECT	190,993.06	0.1300%	0.1300%
STREET IMPACT FEES	6,873.03	0.0500%	0.0500%
CONSTRUCTION BOND	313,401.51	0.1500%	0.1500%
TEXPOOL 2015 CIP PROJECT	2,361,808.95	1.0151%	0.9929%
TEXPOOL STREET IMPROV	31,490.73	1.0151%	0.9929%
PEG CAPITAL FEES	94,539.99	0.0000%	0.0000%
TOTAL CITY FUNDS	\$ 5,329,152.25		
AVERAGE INTEREST RATES - CITY		0.2804%	0.2779%

WATER FUNDS	BALANCE	CURRENT INTEREST RATE	QTR AVG INT RATE
WATER IMPACT FEES	\$ 6,217.51	0.0500%	0.0500%
TEXPOOL WATER INVEST	1,104,326.13	1.0151%	0.9929%
TEXPOOL IMPACT FEES	1,640.13	1.0151%	0.9929%
TEXPOOL WATER RIGHTS	4,955.63	1.0151%	0.9929%
WATER SURCHARGE	144,852.43	0.1500%	0.1500%
OPERATING ACCOUNT	249,464.59	0.1500%	0.1500%
TOTAL WATER FUNDS	\$ 1,511,456.42		
AVERAGE INTEREST RATES - WATER		0.5659%	0.5548%

TOTAL ALL ACCOUNTS	\$ 6,840,608.67		
AVERAGE INTEREST RATES - ALL ACCOUNTS		0.3619%	0.3570%

CITY OF GARDEN RIDGE
CASH & INVESTMENTS STATEMENT
PERIOD ENDED AS OF 09/30/2017

GENERAL FUND	BALANCE
GF Operational Checking	\$ 120,365.69
GF Money Market	129,285.55
TexPool Investments	1,641,144.93
TOTAL General Fund Reserves	\$ 1,890,796.17

WATER FUND	BALANCE
Operational Checking	\$ 249,464.59
TexPool Water Invest	1,104,326.13
TOTAL Water Company Reserves	\$ 1,353,790.72

CITY OF GARDEN RIDGE
STATEMENT OF ACTIVITIES
CURRENT AND YEAR TO DATE AS OF 09/30/2017
PRE-AUDIT

GENERAL FUND	Sep-17	YTD	FY 2017 BUDGET	% OF BUDGET	BUDGET BALANCE
REVENUES	\$ 98,818.19	\$ 2,643,416.87	\$ 2,670,121.00	99.0%	\$ 26,704.13
EXPENDITURES					
ADMINISTRATION	101,221.94	662,344.15	742,067.00	89.3%	79,722.85
COURT	6,961.38	73,480.03	77,592.00	94.7%	4,111.97
POLICE	132,425.03	1,144,320.71	1,206,236.00	94.9%	61,915.29
PUBLIC FACILITIES	43,213.31	407,202.90	437,111.00	93.2%	29,908.10
COMMUNITY CENTER	3,467.72	48,930.38	55,948.00	87.5%	7,017.62
LIBRARY	6,719.37	54,625.69	59,522.00	91.8%	4,896.31
TOTAL EXPENDITURES	294,008.75	2,390,903.86	2,578,476.00	92.7%	187,572.14
NET POSITION	\$ (195,190.56)	\$ 252,513.01	\$ 91,645.00		\$ (160,868.01)

WATER FUND	Sep-17	YTD	FY 2017 BUDGET	% OF BUDGET	BUDGET BALANCE
REVENUES	\$ 142,973.15	\$ 1,535,351.95	\$ 1,414,035.00	108.6%	\$ (121,316.95)
EXPENDITURES	1,091,260.58	2,524,832.55	2,906,014.00	86.9%	381,181.45
NET POSITION	\$ (948,287.43)	\$ (989,480.60)	\$ (1,491,979.00)		\$ (502,498.40)

CITY OF GARDEN RIDGE
STATEMENT OF ACTIVITIES - COMMUNITY CENTER
PERIOD ENDED AS OF 09/30/2017
PRE-AUDIT

REVENUES	YTD
RENTALS	\$ 32,675.00
DEPOSITS	20,405.00
DEPOSITS REFUNDED	(12,205.00)
DONATIONS	500.00
TOTAL REVENUES	41,375.00
EXPENDITURES	
MANAGER FEES	16,105.25
TELEPHONE	564.00
UTILITIES	7,497.00
MAINTENANCE	5,629.62
SUPPLIES	1,133.47
CLEANING	4,740.00
EQUIPMENT	556.04
MARKETING	-
DONATION EXPENDITURES	500.00
FACILITY ENHANCEMENTS	-
TOTAL EXPENDITURES	36,725.38
NET POSITION	<u><u>\$ 4,649.62</u></u>

RESOLUTION NO. 424-112017

**A RESOLUTION TO DESIGNATE THE OFFICIAL NEWSPAPER
FOR THE CITY OF GARDEN RIDGE**

WHEREAS, the City of Garden Ridge, Texas, is required to cause to be published in a public newspaper ordinances, and other matters required by law or ordinance; and

WHEREAS, the governing body is directed to annually contract with a public newspaper serving the municipality to be the municipality's official newspaper as soon as practicable after the beginning of each municipal year; and

WHEREAS, the New Braunfels Herald-Zeitung is a daily publication which suitably fits the needs of the City of Garden Ridge for required publications and/or legal notices and receives distribution within the corporate city limits of Garden Ridge; and

NOW THEREFORE BE IT RESOLVED, that the New Braunfels Herald-Zeitung is designated as the official newspaper for the City of Garden Ridge. This resolution shall take effect immediately upon its passage and approval by the City Council.

PASSED AND APPROVED this 1st day of November, 2017.

ATTEST:

Larry Thompson, Mayor

Shelley Goodwin, City Secretary

COMAL APPRAISAL DISTRICT

900 S. SEGUIN AVENUE
NEW BRAUNFELS, TEXAS 78130

RUFINO H. LOZANO, RPA-RTA
CHIEF APPRAISER

October 12, 2017

Mayor Larry Thompson
City of Garden Ridge
9400 Municipal Parkway
Garden Ridge, TX 78266

RE: 2018-2019 Board of Directors Election Ballot

Dear Honorable Larry Thompson:

Enclosed is the 2018-2019 Board of Directors ballot for the City of Garden Ridge. As per Section 6.03(d) of the Texas Property Tax Code, "The voting entitlement of a taxing unit that is entitled to vote for directors is determined by dividing the total dollar amount of property taxes imposed in the district by the taxing unit for the preceding tax year by the sum of the total dollar amount of property taxes imposed in the district for that year by each taxing unit that is entitled to vote, by multiplying the quotient by 1,000, and by rounding the product to the nearest whole number. That number is multiplied by the number of directorships to be filled. A taxing unit participating in two or more districts is entitled to vote in each district in which it participates, but only the taxes imposed in a district are used to calculate voting entitlement in that district."

Also, Section 6.03 (k) of the Texas Property Tax Code requires that "The governing body of each taxing unit entitled to vote shall determine its vote by resolution and submit it to the chief appraiser before December 15." Therefore please submit results of that vote to the Chief Appraiser of the Comal Appraisal District by December 15, 2017.

In calculating this year's votes, it is determined that the City of Garden Ridge has **39 votes** to cast in this election.

Sincerely,



Rufino H. Lozano, RPA-RTA
Chief Appraiser

Enclosure

Cc: Ms. Nancy Cain

OFFICIAL BALLOT

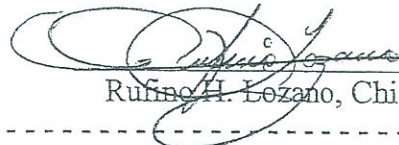
Issued to: City of Garden Ridge

TO ELECT
BOARD OF DIRECTORS FOR THE COMAL APPRAISAL DISTRICT
FOR THE YEARS 2018-2019

Directions: Please enter the number of votes cast on the blank space opposite the name of the candidate or divide those votes amount any number of the candidates. You have 39 total available votes.

	CANDIDATES	NOMINATING BODY	VOTES CAST
1.	Wade Cleary	CISD	_____
2.	Dan Krueger	CISD	_____
3.	John Kuntz	CISD	_____
4.	Randy Maschek	City of Garden Ridge	_____
5.	Nancy Pappas	CISD, NBISD	_____
6.	John Tyler	Comal County	_____

Issued under my hand this 16th day of October, 2017.


Rufino H. Lozano, Chief Appraiser

RESOLUTION OF VOTES CAST TO ELECT DIRECTORS FOR THE COMAL APPRAISAL DISTRICT
FOR THE YEARS 2018-2019

WHEREAS, Section 6.03(k), of the Texas Property Tax Code requires that each taxing unit entitled to vote cast their vote by Resolution and submits results of that vote to the Chief Appraiser of the Comal Appraisal District by December 15, 2017.

THEREFORE, the City of Garden Ridge submits the above Official Ballot, as issued by the Chief Appraiser, stating the vote for candidates for the election of the Board of Directors for the Comal Appraisal District.

ACTION TAKEN this _____ day of _____, 2017, in _____ Session of the governing body of the above mentioned taxing unit; as authorized under Section 6.03 of the Texas Property Tax Code for the purpose of casting votes to elect the Board of Directors of the Comal Appraisal District.

ATTEST:



2018-2019

BOARD OF DIRECTORS

NOMINATIONS

The nominees for the upcoming 2018-2019 Comal Appraisal District Board of Directors are as follows:

Wade Cleary

Dan Krueger

John D. Kunz

Randal (Randy) P. Maschek

Nancy Pappas

John Tyler

Wade Cleary, PE, LEED® AP

Managing Principal, Cleary Zimmermann Engineers

Wade Cleary, PE, managing principal of Cleary Zimmermann Engineers, is no stranger to leadership both professionally or in the community. He is involved and holds leadership positions not only locally in New Braunfels with his church, homeowner's association, and Comal ISD schools, but in the greater San Antonio area and across Texas. Wade graduated from Texas A&M University in 1994 with a B.S. in Mechanical Engineering, and upon joining Marmon Mok Architecture after graduation, worked his way up to become Principal of the Engineering Division. Following a reorganization of the firm in 2006, Wade Cleary founded Cleary Zimmermann Engineers, a consulting engineering firm specializing in mechanical, electrical and plumbing (MEP) building systems. A Comal County resident for over 20 years, Wade lives in the Riverforest neighborhood with his wife Jennifer and their family. Their son Hunter is a sophomore at Texas A&M University and their daughter Caitlyn attends Canyon High School.

► NEW BRAUNFELS

- Active Member of First United Methodist Church
 - Former Secretary of Staff, Parish Relations Committee
 - Former Secretary of the Administrative Council
- Riverforest Home Owner's Association
 - Former President
- Active Member of the Canyon Aristocat Parent Association
- Active Involvement with Comal Education Foundation
- Former Comal ISD Citizens Bond Committee Member
- Comal County Appraisal District Board Vice Chairman
- Former Spring Branch Volunteer Fire Fighter
- Former Upwards Basketball Coach
- Former Little League Coach
- Former President of Pinnacle Home Owner's Association

► SAN ANTONIO AREA

- Northside Education Foundation
 - Currently serving as Immediate Past President
- North San Antonio Chamber of Commerce
 - Former Executive Board Small Business Council Chair
- Bond Oversight Committee member for Northside ISD's 2014 Bond Program
- Frequent Science Fair Judge for Northside ISD
- San Antonio Stock Show & Rodeo Grounds and Security Committee member and Life Member
- Former President of the Governor's Club



Education

Bachelor of Science, Mechanical Engineering, Texas A&M University

Years with the Firm

11 years

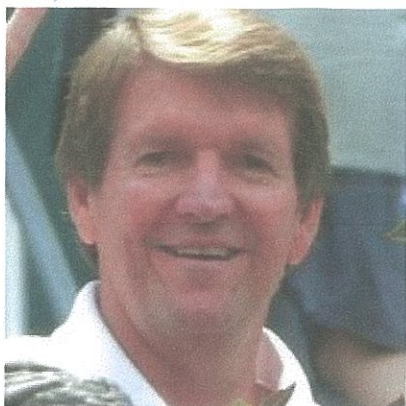
Registrations/Certifications

Registered Professional Engineer in TX, #84606

LEED® AP

City of Residence

New Braunfels, TX



DAN K. KRUEGER

PERSONAL:

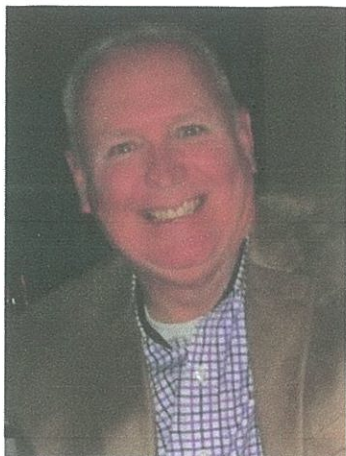
- Married to love of my life Becky Lynn for 44 years, 3 wonderful daughters and 2 super son-in-laws, 4 fun grandkids (2 each)
- Thrall High School (played and lettered in football, baseball, track and basketball)
- Played for a semi-pro baseball team (Noack Bears)
- Blinn Jr. College (AA degree) and attended The University of Texas
- Worked for HEB & State of Texas while going to college, also managed apartment complexes
- State of Texas part time job became a full time for 12 years
- Prior to my career with the Hobart Corporation, I worked as an independent rep
- Garnering many awards for marketing and sales, I retired from Hobart after 25 years
- Absolutely love to volunteer and help others
- Golf is fun, but I excel at gardening
- Did a video clip for NBU on rainwater harvesting
- Teach classes on composting (Certified Compost Specialist)
- Started a gardening center for special need students (Texas Master Gardeners deemed it 1st place statewide)

CURRENT COMMUNITY INVOLVEMENT:

- Comal Appraisal District, Board of Trustees - 2010 - 2017 (currently Board Chairman)
- Wursthfest Association, Board President - 2017
- Comal Public Education Foundation, Board of Trustees - 2004-2017 (currently Board Secretary)
- The Center for Entrepreneurship (Spark Center), Board of Trustees - 2006-2017
- Friends of Landa Park, Board Member - 2012 - 2017
- St. Paul Lutheran Church, Personnel Board - 2008-2012 (current ss leader)
- Comal Master Gardeners, Executive Board – 2011, 2012 (active presenter & gardener)
- CoCoRaHS (National Weather Service) - 2008-2017
- N.B. Noon Lions Club - 2012 - 2017 (board member)
- Canyon High School, Spotter/assist announcer at football games - 2009 - 2017

PAST COMMUNITY INVOLVEMENT:

- 15 years on the CISD Board of Trustees (1994-2009), Served all executive offices, 8 years as Board President.
- Protect Lake Dunlap Board of Trustees - 2009 - 2011
- I have worked with many civic & charitable organizations in the past, will provide extensive list if interested.



JOHN D. KUNZ

John D. Kunz has resided and served the New Braunfels community for 25+ years. In the past, he has served as a board member for the Comal Foundation Scholarship, Canyon High School Athletic Booster, and American Subcontractors Association. He is particularly selective which boards he will participate so that he will be focused, energized, and supportive to be a positive asset for a board/organization. He is the CEO of a thriving and successful concrete contractor company for 20+ years.

John has an amazing, supportive family, including his wife and four children. Three of our children are attending college, while the oldest has graduated college and recently became engaged. He firmly believes he would not be where he would be now without family, friends, and business associates that have encouraged and challenged him to reach his personal goals in life.

John Kunz proudly served the U.S. Marine Corps. He is a member of New Braunfels Chamber of Commerce, American Society of Concrete Contractors and Ducks Unlimited Organization. He is an avid supporter to the Junior Livestock Auction and the local 4-H Club annually for many years.



RANDALL (RANDY) P. MASCHEK

Randall (Randy) P. Maschek served 30 years active duty in the US Army and retired as a Colonel in 2005. He was an Army Medical Service Corp officer and aeromedical evacuation aviator who fell in love with Texas, building a home in Garden Ridge in 2005. Randy continued to work as an Army Health Care Information Systems Analyst in pursuit of a digitized health care record for the battlefield until his final retirement in January 2016. He has been a Commissioner on the Comal County Emergency Service District No 6 for the past 7 years and served on the Comal County Appraisal Board for the past 5 ½ years. Randy has been actively involved in the Garden Ridge Lions Club for the past 9 years. Additionally, during the months of February through April 15th of each year, Randy spends 3 or 4 days a week volunteering with AARP preparing free tax returns for Texans. He received a BS in Biology from Loyola University of Chicago many years ago and while on active duty he earned a Masters in Systems Management from the University of Southern California. Randy is also a graduate of the Army War College in Carlisle Pennsylvania and the Command and General Staff College in Leavenworth Kansas.



NANCY PAPPAS

Nancy Pappas is the Managing Director of NBU's Headwaters at the Comal which has become an environmental showcase where people can experience history and nature in New Braunfels. She has been employed by New Braunfels Utilities since December 2016.

Prior to the Headwaters project, Nancy was the owner of a non-profit consulting group working for organizations focused primarily on creating healthier communities. Currently, she serves as the President of the Comal Trails Alliance, an elected member of the Comal Appraisal District Board, a former Comal Independent School District School Trustee and a lifetime Texas PTA member.

She is a graduate of Emory University with a Bachelor of Arts degree in Economics. In her free time, Nancy she likes to work in her yard, read, or go on road trips with her family to hike and enjoy the great outdoors.



JOHN TYLER

John Tyler currently serves on the Appraisal Districts Board Directors after joining in the board in early 2017. Mr. Tyler is a graduate of Texas Tech University and is a professional engineer specializing in transportation related projects. He is active in the community serving on several STEM and education related boards and outreach organizations. A Texas native he has lived in Central Texas most of his life. Mr. Tyler currently resides with his family in Bulverde.

**CERTIFICATION OF TAX LEVY FOR THE TAX YEAR 2017
CITY OF GARDEN RIDGE**

Total Appraised Value @ 100% of Market Value	\$ 795,848,721
Less: Ag-Use account value loss	<u>(\$ 11,037,717)</u>
Total Net Appraised Value	\$ 784,811,004
Assessment Ratio	100%
Total Taxable Value	\$ 693,244,461
2017 Adopted Tax Rate per \$100 assess value	<u>.323146</u>
2017 Ad Valorem Tax Levy	\$ 2,240,191.74
Less: Over-65 Homestead Frozen Levy Loss	<u>(0.00)</u>
2017 Total Ad Valorem Tax Levy	<u>\$ 2,240,362.11</u>

Submission of the Tax Levy for 2017 for approval by the City of Garden Ridge in accordance with Section 26.09(e) of the Texas Property Tax Code.


Cathy C. Talcott, PCC
Comal County
Tax Assessor-Collector

GARDEN RIDGE COMMUNITY CENTER
MONTHLY REPORT
September 21st thru October 20th, 2017

Events for Month	Number of Events	Electronics Used	Extended Hours Contracts	City Staff Setup/Breakdown for Event
Weddings/Receptions				
Parties	2		1	2 hour breakdown
Fund Raising				
Shows/Trade Shows				
Business Meetings				
Memorial Services				
Garden Ridge Women's Club	1	1		1 hour breakdown
City Sponsored	2	2		2 hour breakdown
Other Lions Club	1	1		
Extended Hour Contracts	1			

Fiscal Year 2016-2017	Month	Year to Date
Events	7	78
Days Used	13	
Cancelled		
New Events Booked	7	
No Charge Events	2	
Rental Inquiries	18	
Facility Showings	12	

Past Fiscal Years	Events	Days Used
2015-2016	74	248
2014-2015	81	261
2013-2014	77	258
2012-2013	73	252
2011-2012	76	257
2010-2011	72	241
2009-2010	65	208
2008-2009	67	199

Facility Maintenance Performed During Month:

Painting

Facility Marketing Efforts for the Month:

Web page

Community Center Challenges/Issues:

Squirrels

CITY OF GARDEN RIDGE BUILDING REPORT

10/1/2017 THRU 10/20/2017

MAJOR PERMITS

Permit #	Address	Builder	Sq Ft.	Value \$	Permit Fees
1254 -17	20906 Misty Arbor	Chesmar Homes	4610	\$ 483,080.00	\$ 3,716.00
TOTAL			4,610	\$ 483,080.00	\$ 3,716.00

MINOR PERMITS

Permit #	Address	Builder	Project	Permit Fees
1252 -17	9110 Tuscan Hills	Sout Texas Solar System	Minor Electric	\$ 125.00
1253 -17	8419 Orchard Glen	Gregory Karamianian	Fence	\$ 125.00
0064 -17	22115 Cristobal	Airtron	Minor HVAC	\$ 100.00
1255 -17	20515 Cedar Cavern	Kell Finney	Chicken coop run	\$ 125.00
1256 -17	22010 Las Cimas	Cody Pools	Pool, Spa, Deck	\$ 846.84
1257 -17	21017 Hickory Bend	Solarator Electric	Minor Electric	\$ 125.00
1258 -17	8301 Eskimo Forest	Keith Zars Pools	Pool, Spa, Deck	\$ 582.84
0060 -17	21520 Forest Waters Cir.	Airtron	Minor HVAC	\$ 100.00
1259 -17	9329 Gloxinia Dr.	R. A. Flores Electric	Minor Electric	\$ 125.00
1260 -17	8226 Shining Elk	Keith Zars Pools	Pool, Deck	\$ 555.16
1261 -17	20810 Timber Rose	Shed Brothers	Outbuilding	\$ 100.00
1262 -17	9419 Teakwood	Reliable Electric Co.	Minor Electric	\$ 125.00
0067 -17	9027 Cinnabar Ct.	Airtron	Minor HVAC	\$ 100.00
TOTAL				\$ 3,134.84

TOTAL MAJOR FEES FOR THE MONTH	\$ 3,716.00
TOTAL MINOR FEES FOR THE MONTH	\$ 3,134.84
TOTAL	\$ 6,850.84

Fiscal Year 2018

TOTAL MAJOR PROJECTS VALUE	\$ 483,080.00
TOTAL MAJOR PROJECTS SQ FT.	4,610
TOTAL MAJOR PERMIT FEES	\$ 3,716.00
TOTAL MINOR PERMIT FEES	\$ 3,134.84
TOTAL ALL PERMIT FEES	\$ 6,850.84

CITY OF GARDEN RIDGE BUILDING REPORT

9/21/2017 THRU 9/30/2017

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 Depo	Pavilion/Pergola	\$ 125.44
TOTAL				\$ 250.44

TOTAL MAJOR FEES FOR THE MONTH	\$ 11,077.20
TOTAL MINOR FEES FOR THE MONTH	\$ 250.44
TOTAL ALL PERMIT FEES FOR THE MONTH	\$ 11,327.64

FISCAL YEAR 2017

TOTAL MAJOR PROJECTS VALUE FISCAL YEAR 2017	\$ 19,303,570.00
TOTAL MAJOR PROJECTS SQ FT. FOR FISCAL YEAR 2017	148,489
TOTAL MAJOR PERMIT FEES FOR FISCAL YEAR 2017	\$ 116,775.96
TOTAL MINOR PERMIT FEES FOR FISCAL YEAR 2017	\$ 31,078.23
TOTAL ALL PERMIT FEES FOR THE FISCAL YEAR 2017	\$ 147,854.19

Council Ideas/Suggestions List by Category

Updated: October 23, 2017

Ongoing items

Items	Status	Completed Council Approval
1. Personnel Policy (Mayor Knaus) Incentive Pay (Mayor 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 (Mayor 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 Electronic utility billing being researched for implementation during 2018 Fiscal Year	Software upgrade completed for online utility and court payments
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	New A/C installed, inside doors replaced with windows, interior door frames and doors painted

	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 Additional renovations to the Community Center being discussed and evaluated	
4. Rental Agreement and Pricing Structures (Mayor Thompson)	Proposed changes to the Community Center Rental Agreement related to event security being discussed and prepared Pricing structure for the Center is in the process of being reviewed for future adjustment	
5. Update Ordinances (Mayor Thompson)	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 City Attorney's office preparing for the rewrite of the City's Zoning and Subdivision ordinances upon adoption of the Land Use Master Plan	
6. Video stream Council meetings (Mayor 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	

	Mayor and City Staff researching process and equipment for video streaming Council and Commission meetings	
7. Videos for website (Mayor Thompson)	Maybe prepared by GRES or students to increase civic involvement Volunteer Garden Ridge! Coordinator Shelby Trial has been filming videos that have been placed on City Website and NextDoor. City Secretary Goodwin is working on a YouTube channel for the City	
8. Coffee with Mayor and Council (Mayor Thompson)	Discuss at future Council meeting and determine dates Mayor Thompson began conducting Coffee with the Mayor the first Monday in July	
9. Quarterly Issues Town Hall Meeting (Councilman Lantzy)	Determine dates for Meetings	

Pending	Status	Completed Council Approval
1. Annual or semi-annual inspection of buildings and other City facilities (Mayor Thompson)	To be implemented semi-annually	Implemented Monthly
2. Disaster recovery plan for City (Mayor 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 (Mayor 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. Business outreach by Council – walk businesses (Mayor Thompson)	Discuss at future Council meeting	



City of Garden Ridge

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

POLICE DEPARTMENT MONTHLY BREAKDOWN

November 2017

Calls for Service

Dispatched: 118 City Ordinance: 10 (Water): 1 Total: 128

Arrests

- * 2 Arrests for Driving While License Invalid
- * 1 Arrest for DWI (2nd Offense)

Traffic Enforcement

Crashes: 4 Citations: 63 Warnings: 54 Total: 117

Training / Certifications

- * Chief attended the Texas Commission on Law Enforcement Conference (40 hrs).
- * Officer Oehler and Officer Pelata received their Intermediate Peace Officer Licenses.

Recent Challenges

- * The city has had an increase regarding dealing with individuals who are mentally ill.
- * The department has had to complete Emergency Detentions on multiple subjects posing a threat to either themselves or the public.

Outreach Efforts

- * NNO was a huge success. After action report brief was conducted with all departments.
- * Coffee with a Cop kicked off. On track for every 2nd and 4th Wednesday of each month.
- * Working on Coffee with a Cop public service announcement video.
- * The GRCPAAA received AED/CPR training so the new AED device could be placed and implemented in the Citizens Patrol vehicle.

Administrative Comments

- * New Administrative vehicle purchased to replace Chief's Tahoe is now on the road.
- * Unit was purchased with Drug Money saving taxpayer funds.
- * Tahoe will be transitioned and turned over to the Citizens Patrol vehicle within 2 weeks.



City of Garden Ridge

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

MONTHLY PUBLIC WORKS REPORT

Steven Steinmetz
Director

Eric Lowman
Animal Control

Stanley Georg
Brian Horn
Manuel Troncoso

Ongoing Responsibilities

- Parks maintenance
- Facilities maintenance
- Streets
- All public facilities grass and right-of-ways
- Stormwater Drainage
- Oak Wilt monitoring

Upcoming Events

Nov. 4th & 5th
Dumpster Weekend

Nov. 11th Parks
Clean Up-Trails

Nov. 11th & 12th
Dumpster Weekend

Nov. 18th & 19th
Dumpster Weekend

Nov. 23rd no trash or
recycling pickup

Nov. 25th & 26th
Dumpster Weekend

September 20-October 18, 2017

Activities for the month

Streets

- Mowed 3 medians within the city.
- Mowed 4 right-of-way's within the City.
- Repaired one pothole.

Stormwater Drainage Facility and Easement Maintenance

- Inspected 19 outfalls, 18 detention/retention ponds, and mowed 3 drainages.
- Repaired washout areas on Garden Ridge Dr.
- Regency Run detention pond mowed.

Parks Maintenance

- Paul Davis Park was mowed twice
- Park Lane Park mowed once
- Paul Davis Park Pavilion's cleaned seven time due to rentals.

City Facility/Property Maintenance

- City Hall lobby painted
- City Hall and the Community Center mowed twice
- Assisted with weekend dumpsters for the month of September

Oak Wilt

- No new cases

Reports Submitted

- Wildlife Management Advisory Commission Report
- Construction Stormwater Inspection Report

Education/Training for Staff

- Manuel Troncoso and Stanley Georg attended training at Cooper Equipment for asphalt lay down machine operation.

Events/Conducted Education to residents

- Steven Steinmetz and Eric Lowman attended National Night Out at the Garden Ridge Community Center.

Future Projects or Needs

- Completion of 2015 CIP
- Preparation for Christmas Lighting Event

Animal Control Monthly Activities

- 15 deer carcasses were disposed of, which makes 110 for the year.
- 2 deer or wild hogs donated this month to Hunters for the Hungry, year-to-date combined totals for wild hogs and deer are 18
- 2 live traps loaned out this month, 16 traps loaned out year-to-date
- 377 registered/reregistered animals for the year
- 0 nuisance complaints received
- 0 animal reported bites

Adoptions

- 0 dogs; 4 year-to-date
- 3 cats; 4 year-to-date

Returned to owners

- 2 dogs; 24 year-to-date
- 1 cats; 1 year-to-date

Transferred to other agencies

- 0 dogs for month; 5 year-to-date
- 8 cats for month; 8 year-to-date

Currently in City care

- 1 dogs; 13 cats

Juno is looking for a forever home.



Ted is looking for a forever home. And so are 8 other cats.



Year to Date Wildlife Report

	Jan.	Feb.	Mar.	Apr.	May	Jun.	Jul.	Aug.	Sep.	Oct.	Nov	Dec.	Total
Deer	9	11	9	14	18	14	14	6	15				110
Raccoons	2	3	6	4	4	14	10	9	11				63
Opossums	5	5	9	10	3	3	1	8	11				55
Skunks	12	2	0	0	3	7	12	19	8				63
Wild hogs	0	0	0	0	12	1	5	0	0				18
Turtles	0	0	3	0	0	0	0	0	0				3
Squirrels	0	0	0	0	0	0	1	7	0				8
Foxes	1	0	1	0	0	0	1	0	0				3
Armadillos	0	0	0	3	5	4	4	1	1				18
Hawks	0	0	0	0	0	0	0	0	0				0
Bats	0	0	0	0	0	0	0	0	0				0
Coyotes	1	0	0	0	0	0	0	0	0				1
Buzzards	2	0	0	0	0	0	1	0	0				3
Ringtails	0	0	0	0	3	0	1	0	0				4
Snakes	0	0	2	2	1	0	1	0	1				7
Total	32	21	30	33	49	43	51	50	47	0	0	0	
												YTD Total	356



City of Garden Ridge

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

Water Department Report

As of October 18, 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	25,256,000	77.50	5,656,000	17.36	94.86	346.94
October	14,873,000	45.64	0.00	0.00	45.64	
November	-	0.00	-	0.00	0.00	
December	-	0.00	-	0.00	0.00	0.00
TOTAL	117,978,000	362.06	152,949,000	469.38	831.44	

October 17, 2017 the City of Garden Ridge returned to normal watering hours. As of September 30, 2017 the City has available 566.35 Acre Feet,

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

October 2017

9,284.02 gallons

874,882.35 gallons

2 Year Comparisons

Edwards:

Trinity

Totals

2017 Year to Date

117,978,000 gals 362.06 ac/ft.

151,806,000 gals 465.88 ac/ft.

269,784,000 gals 828.48 ac/ft.

2016 up to September

167,656,000 gals 514.52 ac/ft.

93,856,000 gals 288.01 ac/ft.

261,512,000 gals 802.53 ac/ft.

Difference from 2016–2017:

8,272,000 gallons

25.95 ac/ft. **more** usage

	Year to date for 2017	2016
Water Connections	1602	1560

Monthly Well Progress

	October 1 st	October 17 th	(Decrease)/Increase
Trinity			
Static Level	201.6'	202.5'	0.9
GPM 867			
Pumping Level	No pumping this month	0'	0
Edwards			
Static Level	120.6'	120.6'	0
GPM 1,244			
Pumping Level	118.8"	118.8'	0

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	9	New Service Line Inspections	8
Meter Replacement	6	Irrigation System Inspections	9
Main Breaks	0	Water Heater Safety Inspections	3
Service Line Replacement	1	New Home Inspections	39
Service Line Leak Repair	5	Toilet Rebates	1
Fire Hydrant Maintenance	3	Washing Machine Rebates	0
Leak Adjustment	0		
Meters Read	1602		
Work Orders	167		

Projects:

2016 CIP-Concrete is poured for the building foundations at the new 3009 well site, Grading is in work at the new site.

Reports Submitted:

EAA Drought Condition Monthly Report
State Water Report
Disinfectant Level Quarterly Operating Report
Comal County Trinity Ground Water Conservation District (CCTGWCD)

Employee Updates:

No new updates at this time.



Monthly Library Update

By Linda Crosland, Librarian

Upcoming events:

- Veterans Day Celebration, 11/9/17 @ 10:30
- Lunch-n-Learn: Kanani Thompson "5 Techniques for Better Sleep" 11/15/17, noon
- Thursday Adult Coloring, Hooks & Needles, other Craft Classes to be added
- Library BOOK CLUB will meet in the Library 11/27/17, 10:30



Come see the new us!

The Library not only got a physical facelift, it is undergoing a renewal of activities in addition to checking books in and out. Striving to make our Library more cutting-edge, Linda and Kelly have initiated many new programs to be launched in the upcoming fiscal year. Some will be wildly popular while others may not take off, but the intent is to provide as many experiences as possible.

A library of today is more than simply books. It is a place where people instinctively go to learn new skills, catch up on the latest trends, and even to socialize with others who share the same interests. We are here to help with technology, cultivate creativity and to soak up new ideas.

This month we are focusing on our VETERANS. We are proud to host the 6th annual Veterans Day Celebration, November 9 at 10:30 am.

Everyone is welcome to come to say "Thank You" to our servicemen and women!



A library is not a luxury, but one of the necessities of life.
-Henry Ward Beecher

Outreach

We have been happy to welcome Home-schoolers to participate in Lego Robotics this fall. The association has asked us to create a Fine Arts class for the students. They are willing to pay for all supplies. It is a pleasure to reach out to ALL children of our community

GRES Time



After-School Science

Shiraz, the read-to dog



Ever-popular LEGO ROBOTICS

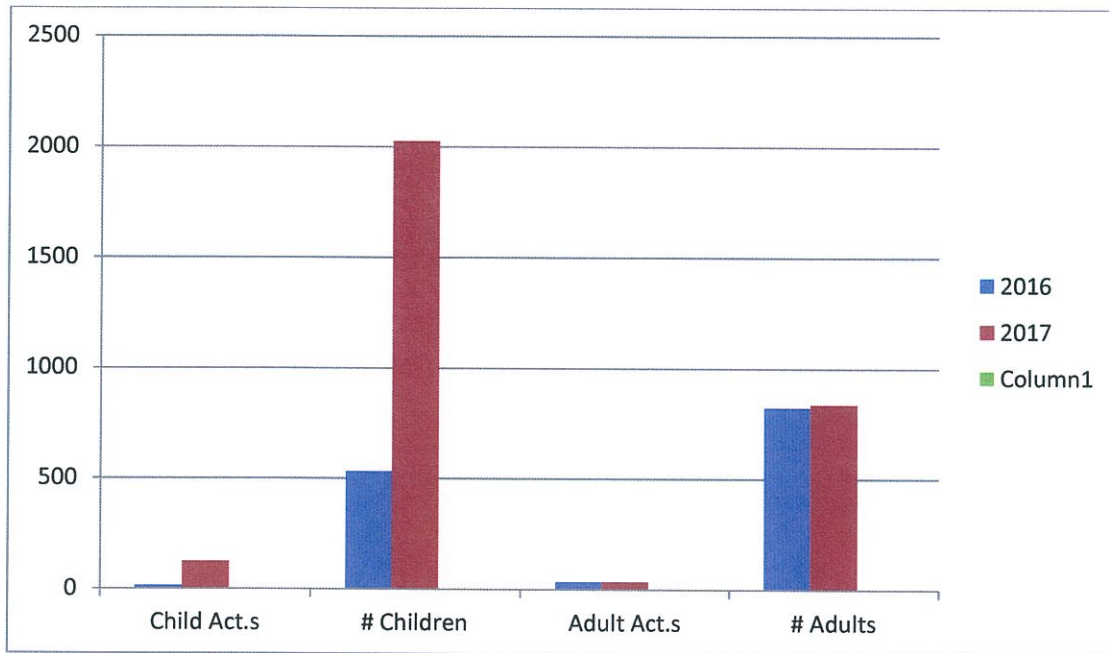


Every second Saturday @ 10:30

Department Statistics (September 18 — October 18)

Visits to the Library	1,297
Items Checked Out	2,442
New Patrons Added	44
New Items Added to the Collection	51
Volunteer hours	209
Preschool Story Time	35
Pokemon Club	14
Card-Making	9
Lego Robotics	110
Science Club	28
Shiraz	5
Lunch-n-Learn on Aging	7

Comparison of Library Activities and Participants, 2016-2017



-In 2016 the Library hosted 15 Children's Activities. The Story times were limited to summers and 3 special holidays. Science club was begun in September of 2016. There was a total attendance of 533 for these activities.

-In 2017 there were 125 Children's Activities which included year-round story times, Lego Robotics, Shiraz (the Reading Dog), Science Club, American Doll Tea Party, Stuffed Animal Sleepover, and several others. There was a total attendance of 2,026 children. Note: One meeting counted as one event. For example, each time a Story Time was held, it counted as one event.

-In 2016 the Library hosted 36 Adult Activities which were mostly Lunch-n-Learns. The total attendance was 823 adults.

-In 2017 the Library hosted 37 Adult Activities with a total attendance of 845.

-Visits to the Library went up from 7,230 in 2016 to 10,662 in 2017. Checkouts rose from 9,925 to 16,997!

Children's Activities*, 2016-2017 and Intended Classes for 2018

2016	2017	2018
<i>Storytimes, summer only Plus 3 holidays*</i>	<i>Preschool Storytimes, including holidays</i>	<i>Preschool Storytimes, including holidays</i>
<i>GRES Library tours, instigated by their librarian.</i>		
<i>GRES Storytime, summer only</i>	<i>GRES Storytime & Craft, summer only</i>	<i>GRES Storytime & Craft, summer only</i>
<i>Science Club – begun in September, 2015</i>	<i>Science Club, entire school year</i>	<i>Science Club, entire school year</i>
	<i>After school Board Games</i>	
	<i>Lego Robotics</i>	<i>Lego Robotics</i>
	<i>Shiraz Reading Dog</i>	<i>Shiraz Reading Dog</i>
	<i>Pokemon Club</i>	<i>Pokemon Club</i>
	<i>American Doll & Friends Tea Party</i>	<i>American Doll & Friends Tea Party</i>
	<i>Stuffed Animal Sleepover</i>	<i>Stuffed Animal Sleepover</i>
	<i>GRES Summer Book Club, parent-sponsored</i>	<i>Pending</i>
	<i>Summer Reading Program Kickoff</i>	<i>Summer Reading Program Kickoff</i>
	<i>Summer Reading Program Wrap-up</i>	<i>Summer Reading Program Wrap-up</i>
	<i>Card-making for Kiddos</i>	<i>Card-making for Kiddos</i>
		<i>Hour of Code</i>
		<i>Bluebonnet Book Club</i>
		<i>American Girl Doll Club</i>
	<i>Home school Robotics</i>	<i>Pending</i>
		<i>Home school Fine Arts Classes</i>
		<i>Model Car-Making for Classic Car Show</i>

Activities were counted each time a group met. For instance, we had many storytimes, and each meeting counted once.

Adult Activities for 2016-2017, plus Intended Activities for 2018

2016	2017	2018
<i>7 Lunch-n-Learns</i>	<i>10 Lunch-n-Learns</i>	<i>12 Lunch-n-Learns</i>
<i>Adult Coloring</i>	<i>Adult Coloring</i>	<i>Adult Coloring</i>
<i>4 Computer Classes</i>		<i>Various Tech Classes</i>
<i>Veterans Day</i>	<i>Veterans Day</i>	<i>Veterans Day</i>
	<i>P.A.T.S</i>	
	<i>Card-Making with Angie, monthly</i>	<i>Card-Making with Angie, monthly</i>
	<i>Crafts with Morena</i>	<i>Crafts with Morena, bi-monthly</i>
		<i>Tech Tuesday</i>
		<i>Hooks and Needles</i>
		<i>Craft Day</i>
		<i>Adult Wii Tournaments</i>
		<i>Library Book Club</i>
		<i>Scrapbooking on computers</i>
		<i>Chair Exercises</i>
		<i>Adult Lego Robotics</i>
		<i>Reading Passport around the World</i>



RECENCY OF TRAINING

In order to maintain accreditation and to remain current and professionally updated, Linda Crosland has done the following eleven courses during FY 2017:

- 1. Getting Started with Edge***, a management and leadership toolkit designed to help public libraries better serve their communities through improved public access technology services.
- 2. STEAM with an Emphasis on “A,”*** bringing art into the STEM program
- 3. Five Things You Didn’t Know about Tech Soup’s Donation Programs***, an exploration of a program called Tech Soup where computer programs and items are available for libraries at a reduced rate
- 4. Bots & Books***, an all-day course on using the Lego Robotics equipment and picking up the Legos and tablets which were awarded by a grant
- 5. With Friends like These: Pointing Your Friend’s Group in the Right Direction***
- 6. Listen Up! Turning Library Agnostics into True Believers***, a course emphasizing politically savvy public awareness
- 7. Building a 21st Century Library***, a look at how the digital shift is transforming libraries and schools.
- 8. Small Libraries, Big Impact***, an emphasis on keeping the focus on where you want to go
- 9. Libraries Transforming Communities***
- 10. Designing Interactive Library Spaces on Limited Budgets***, emphasizing ways to do things inexpensively, but not on limited spaces
- 11. 7 Deadly Sins of Productivity***



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: October 25, 2017
Re: Trihydro Corporation –Engineering Report November, 2017

1. 2013 CIP Street, Water and Drainage Project – Qro Mex Construction

- Wagner Materials and Construction reapplied the chip seal on Blazing Star Trail and Grass Creek Road on October 24. The excess rock chips will be swept off approximately a week later. The condition of the chip seal will be evaluated again after the excess rock chips are removed.

2. 2015 CIP Street, Water and Drainage Project – Qro Mex Construction

- A second project walkthrough is planned with Qro-Mex Construction on 10/31/17 to review completion items.
- Pavement testing is underway and results are anticipated early next week.
- Change Order #2 has complete and presented to reconcile final quantities.
- Pay estimate #15 was submitted to the City for payment.
- Pay estimate #16 will be the final pay estimate and include Change Order #2
- The retainage for the project will be approximately \$450,000 and will not be released until outstanding punch list items are addressed.

3. 2016 Wells and Booster Pump Facility – Pesado Construction

- Pesado Construction is continuing with building electrical work, foundations and site grading.
- Foundations and concrete pads were poured for the wells, chlorination building, and generator pad.
- Tank screening/site landscape alternatives evaluations are ongoing.
- Landscape restoration along George Ranch is planned over the next 2-3 weeks.



4. Naco – Loop Water Line (Winco)

- Bidding documents are being finalized.
- Right-of-way agent is negotiating the 20-foot permanent easement and 10-foot construction easement with Sutton Producing Corp.

5. FM 2252 TXDOT Project

- No additional updates this month.

6. Sewer Project

- Trihydro, the City Attorney and the City met with Cibolo Creek Municipal Authority (CCMA) on October 6, 2017 to review wholesale agreement details.
- Additional outfall alignments are currently being evaluated.
- Evaluation of pumping equipment and administration approaches are ongoing.



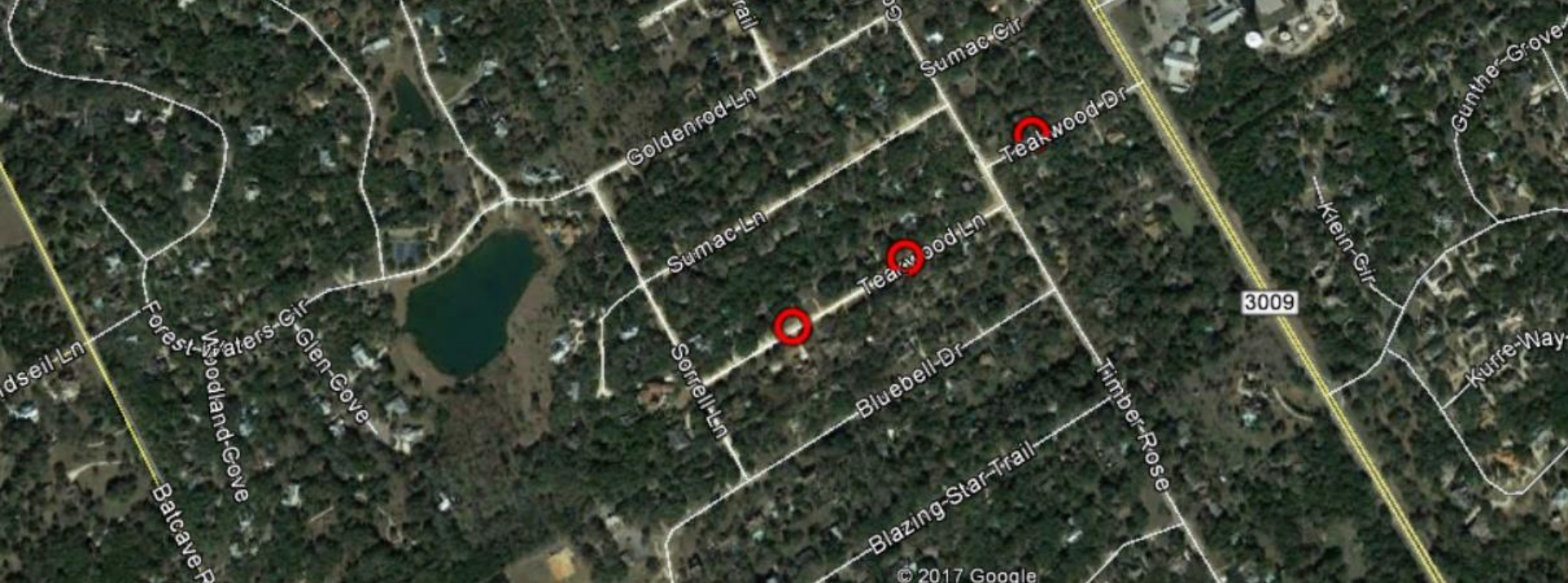
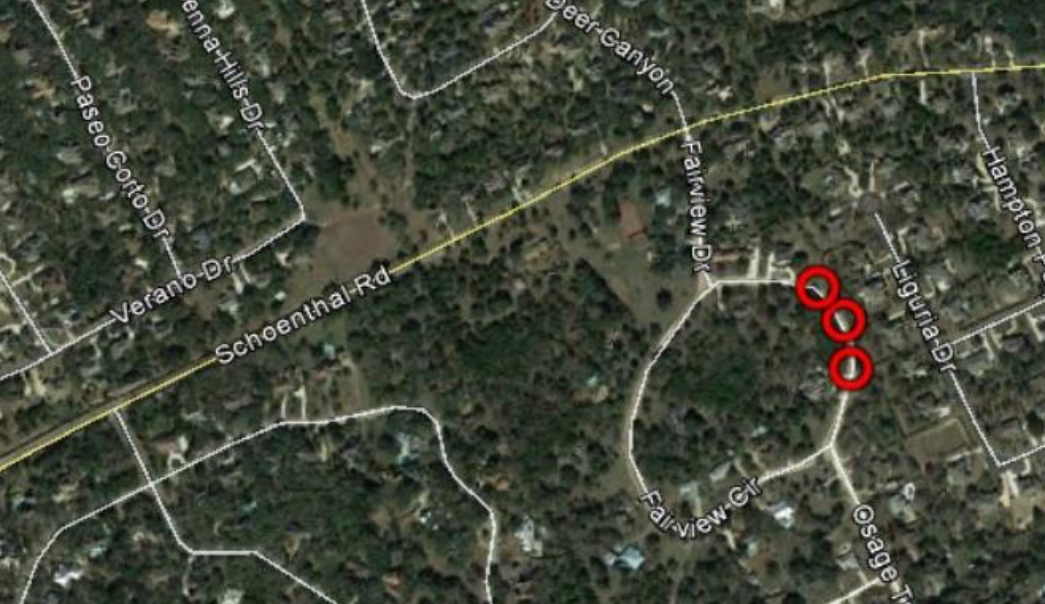
CITY OF GARDEN RIDGE

NOVEMBER 2017

ENGINEERING UPDATE



2013 CIP UPDATE



2015 CIP - STREETS AND DRAINAGE UPDATE

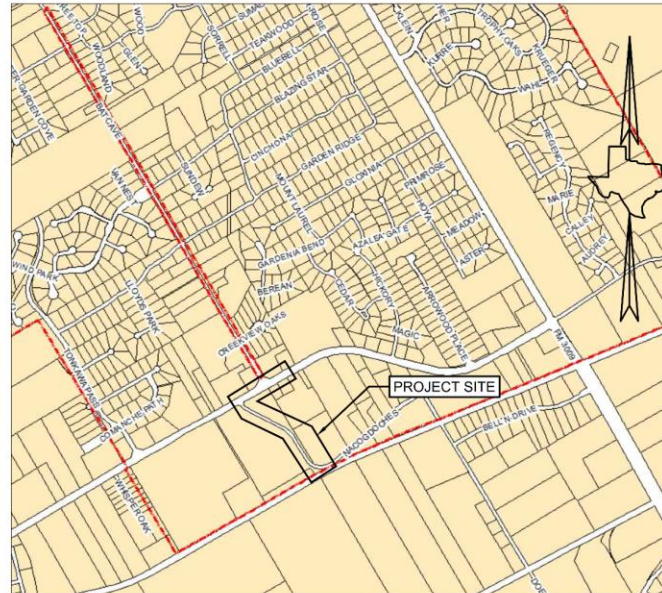


WELLS 9 & 10 UPDATE

CONSTRUCTION PLANS FOR CITY OF GARDEN RIDGE NACO LOOP WATERLINE BID SET



MAYOR: LARRY THOMPSON
MAYOR PRO-TEM/
ALDERMAN PLACE 1: JOHN McCAW
ALDERMAN PLACE 2: ROBB ERICKSON
ALDERMAN PLACE 3: BRYAN LANTZY
ALDERMAN PLACE 4: TODD ARVIDSON
ALDERMAN PLACE 5: KAY BOWER
CITY ADMINISTRATOR: NANCY CAIN
PUBLIC WORKS DIRECTOR: STEVEN STEINMETZ
WATER MANAGER: ROYCE GODDARD



LOCATION MAP
N.T.S.

PATRICK A. LACKEY
LICENSE NO. 56363
September 26, 2017

Sheet List Table	
Sheet Number	Sheet Title
1	COVER SHEET
2	SUMMARY OF QUANTITIES
3	GENERAL NOTES
4	INDEX
5	STA. 1+00.00 - STA. 4+50.00
6	STA. 4+50.00 - STA. 6+50.00
7	STA. 6+50.00 - STA. 10+00.00
8	STA. 10+00.00 - STA. 13+00.00
9	STA. 13+00.00 - STA. 17+00.00
10	STA. 17+00.00 - STA. 21+00.00
11	STA. 21+00.00 - STA. 21+77.99
12	DETAILS
13	STORM WATER POLLUTION AND PREVENTION PLAN NOTES
14	STORM WATER POLLUTION AND PREVENTION PLAN DETAILS

PRELIMINARY FOR REVIEW ONLY

THESE DOCUMENTS ARE FOR DESIGN REVIEW ONLY AND
NOT INTENDED FOR CONSTRUCTION, BIDDING OR
PERMITTING PURPOSES. THEY WERE PREPARED BY, OR
UNDER THE SUPERVISION OF:

TYPE OR PRINT NAME

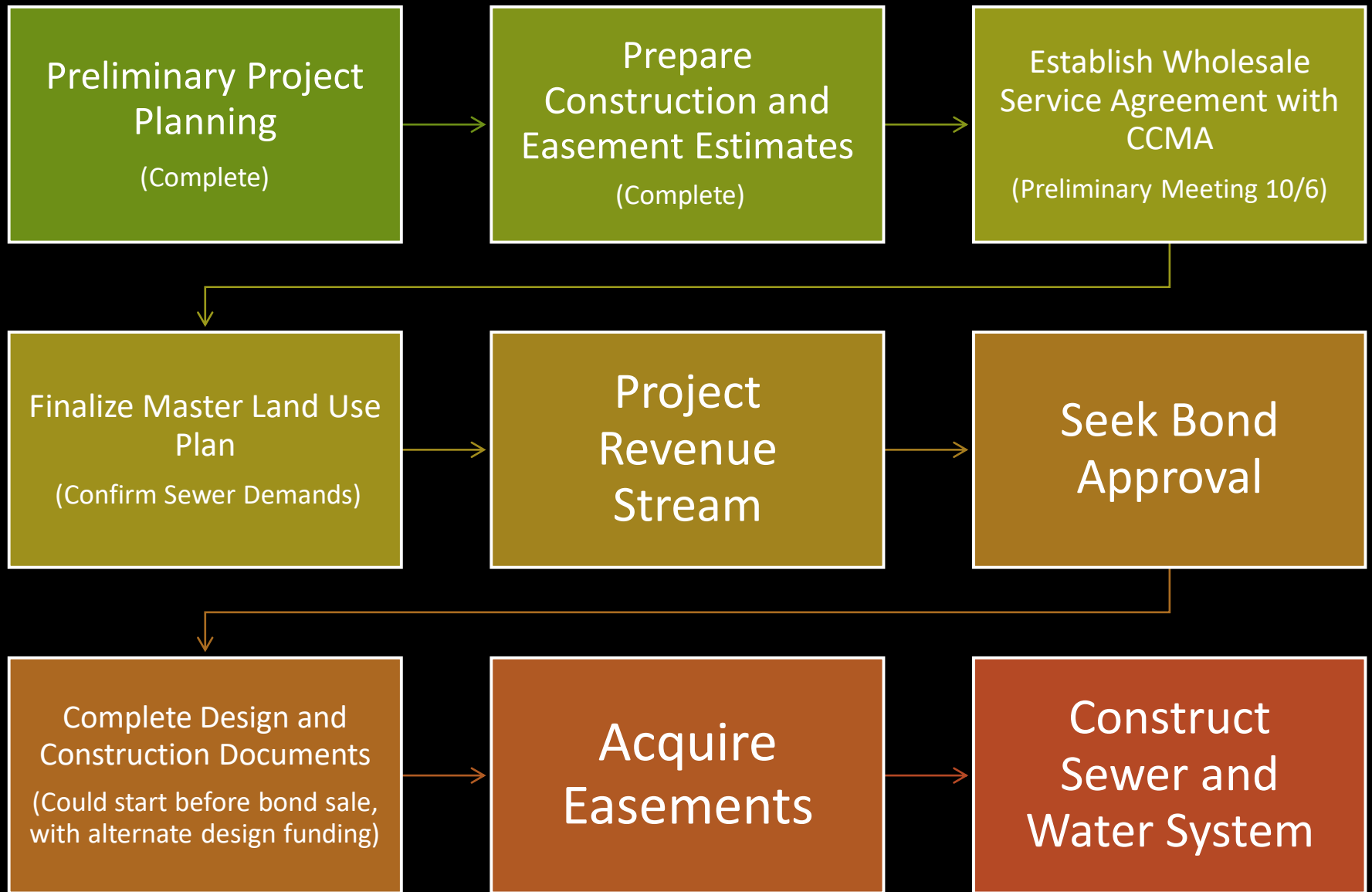
PE# _____ DATE _____

JOB NO. 609-212-800
SHEET 1 OF 14

JOB NO. 609-212-800 CITY OF GARDEN RIDGE
NACO LOOP WATERLINE



FM 2252 SEWER AND WATER PLAN UPDATE





MEMORANDUM

To: Garden Ridge City Council
Cc: Nancy Cain, City Administrator – City of Garden Ridge
From: Daniel Mummert, P.E. – Trihydro Corporation
Date: October 24, 2017
Re: 2015 CIP Street, Water and Drainage Project – Change Order No. 2

2015 CIP Street, Water and Drainage Project Change Order Summary

Change Order No. 2 is provided to reconcile the unit cost construction quantities for Phase I and Phase II of the 2015 CIP Street, Water and Drainage Project. During construction, field changes were incorporated to improve driveway grades, address property owner drainage concerns, repair deteriorated hardscape, and avoid disturbing valued landscape features. These changes increased quantities for several bid items and reduced others. This change order will adjust the contract quantities to reflect the actual quantities installed for the project in preparation for close-out.

Budget Impact:

The 2015 CIP Street, Water and Drainage Project was awarded approximately \$445,000 under the amount budgeted for the project. Change Order No. 2 will modify the total contract value from \$4,413,855.10 to \$4,479,673.81, increasing the project total by \$65,818.71. The modified project cost is within the original amount budgeted for the project and will not require additional funding sources.



PROJECT: **City of Garden Ridge 2015 CIP Project**
 OWNER: **City of Garden Ridge**
 CONTRACTOR: **Qro Mex Construction Co., Inc.**
 ENGINEER: **Trihydro Corporation**
 DATE: **10/24/2017**

CHANGE ORDER No. 2

Item	Description	Unit	Quantity	Unit Costs	Total Costs
1	Bid Item 6 - Trench Excavation Safety Protection, complete and in place	LF	9	\$ 36.00	\$ 324.00
2	Bid Item 7 - Furnish and Install 8" C909 PVC Waterline, restraints and appurtenances, complete and in place	LF	66	\$ 36.00	\$ 2,376.00
3	Bid Item 14 - Furnish and Install 6" C900 PVC Waterline for Fire Hydrant Extensions, complete and in place per linear foot	LF	79	\$ 70.00	\$ 5,530.00
4	Bid Item 17 - Complete all Testing and Disinfection on the Water Pipe as described herein	LF	9	\$ 1.00	\$ 9.00
5	Bid Item 18 - Furnish and Install Warning Tape as described herein	LF	9	\$ 0.35	\$ 3.15
6	Bid Item 19 - Furnish and Install Tracer Wire as described herein	LF	9	\$ 0.49	\$ 4.41
7	Bid Item 30 - Remove Asphalt Driveways, complete in place as shown on the drawings	SY	1162	\$ 8.00	\$ 9,296.00
8	Bid Item 31 - Replace Asphalt Driveways, complete in place as shown on the drawings	SY	1162	\$ 26.00	\$ 30,212.00
9	Bid Item 32 - Remove Concrete Driveways, complete in place as shown on the drawings	SY	456	\$ 12.00	\$ 5,472.00
10	Bid Item 33 - Replace Concrete Driveways, complete in place as shown on the drawings	SY	-207	\$ 63.00	\$ (13,041.00)

11	Bid Item 37 - Furnish and Install 2" (compacted depth) HMA roadways, including labor, materials and tack coat, complete and in place as shown on the drawings	SY	-647	\$ 11.00	\$ (7,117.00)
12	Bid Item 38 - Furnish and Install Machine Laid Ribbon Curb, complete and in place	LF	2536	\$ 15.50	\$ 39,308.00
13	Bid Item 47 - Replace the Existing Xeriscaping within the Right of Way to Match Existing, complete and in place	SY	246	\$ 15.00	\$ 3,694.65
14	Bid Item 53 - Remove and Repair Concrete Pavers, complete and in place as required	SY	28	\$ 100.00	\$ 2,800.00
15	Bid Item 57 - Erosion Control (Matting) Supply and Installation of Matting and all necessary labor, complete in place as instructed by the Engineer	SY	-5221	\$ 2.50	\$ (13,052.50)
TOTAL CHANGE ORDER No. 02					\$ 65,818.71

ORIGINAL CONTRACT AMOUNT:	\$ 4,098,082.32
CHANGE ORDER NO. 01 AMOUNT:	\$ 315,772.78
CHANGE ORDER NO. 02 AMOUNT:	\$ 65,818.71
REVISED CONTRACT AMOUNT:	\$ 4,479,673.81

ENGINEER - TRIHYDRO CORPORATION

DATE

CONTRACTOR - QRO MEX CONSTRUCTION CO., INC.

DATE

OWNER - CITY OF GARDEN RIDGE

DATE

ORDINANCE NO. 205-112017

AN ORDINANCE BY THE CITY OF GARDEN RIDGE, TEXAS, APPROVING A DESIGN MANUAL FOR THE INSTALLATION OF NETWORK NODES, NODE SUPPORT POLES AND TRANSPORT FACILITIES; AND APPROVING A POLE ATTACHMENT AGREEMENT REGULATING THE INSTALLATION OF NETWORK NODES AND TRANSPORT FACILITIES ON CITY SERVICE POLES AND UTILITY POLES; DECLARING GOVERNING LAW; PROVIDING REPEALING AND SAVINGS CLAUSES; PROVIDING A TEXAS OPEN MEETINGS ACT CLAUSE; AND PROVIDING AN EFFECTIVE DATE OF NOVEMBER 1, 2017.

WHEREAS, the City of Garden Ridge, Texas (“City”) recognizes that the State of Texas has delegated to the City the fiduciary duty, as a trustee, to manage the public right-of-way for the health, safety, and welfare of the public to Texas municipalities; and

WHEREAS, Chapter 284 of the Texas Local Government Code (“the Code”) allows certain wireless network providers to install in the public rights-of-way their wireless facilities, described and defined in Section 284.002 of the Code as “Micro Network Nodes”, “Network Nodes”, “Node Support Poles”, and “Transport Facilities”; and

WHEREAS, as expressly allowed by Section 284.108 of the Code and pursuant to its police power authority reserved in Sec. 284.301 of the Code, the City desires to enact a *Design Manual by the City of Garden Ridge, Texas for the Installation of Network Nodes, Node Support Poles and Transport Facilities* (“the Design Manual”) in order to meet its fiduciary duty to the citizens of the City, and to give assistance and guidance to wireless telecommunications network providers to assist such companies in the timely, efficient, safe and aesthetically pleasing installation of technologically competitive equipment; and

WHEREAS, the City Council desires to approve a *Pole Attachment Agreement* by which wireless telecommunication network providers may attach and collocate their network nodes on city service and utility poles subject to the Code, the Design Manual, and the City Right-of-Way Management Ordinance.

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

SECTION I
FINDINGS OF FACT

The forgoing recitals are incorporated into this Ordinance as true and correct findings of fact.

SECTION II.
APPROVING DESIGN MANUAL

The City Council hereby approves the *Design Manual by the City of Garden Ridge, Texas for the Installation of Network Nodes and Node Support Poles*, which is attached here as Exhibit “A.”

SECTION III.
APPROVING POLE ATTACHMENT AGREEMENT

The City Council hereby approves the *Pole Attachment Agreement*, which is attached here as Exhibit “B.”

SECTION IV.
GOVERNING LAW

This Ordinance shall be construed in accordance with Chapter 284 of the Texas Local Government Code (“the Code”) to the extent not in conflict with the Constitution and laws of the United States or of the State of Texas.

SECTION V.
REPEALING ALL ORDINANCES IN CONFLICT

All other ordinances or parts of ordinances inconsistent or in conflict herewith, or to the extent of such inconsistency or conflict are hereby repealed.

SECTION VI.
SAVINGS CLAUSE

This City Council of the City of Garden Ridge, Texas does hereby declare that if any section, subsection, paragraph, sentence, clause, phrase, work or portion of this Ordinance is

declared invalid, or unconstitutional, by a court of competent jurisdiction, that, in such event that it would have passed and ordained any and all remaining portions of this Ordinance without the inclusion of that portion or portions which may be so found to be unconstitutional or invalid, and declare that its intent is to make no portion of this Ordinance dependent upon the validity of any portion thereof, and that all said remaining portions shall continue in full force and effect.

SECTION V.
COMPLIANCE WITH OPEN MEETINGS ACT

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

SECTION VI.
EFFECTIVE DATE.

This Ordinance shall become effective on November 1, 2017.

PASSED AND APPROVED ON THIS THE 1st DAY OF NOVEMBER 2017.

Larry Thompson, Mayor

ATTEST:

Shelley Goodwin, City Secretary
(SEAL OF THE CITY)

Design Manual by the City of Garden Ridge, Texas

for the

*Installation of Network Nodes, Node Support Poles and
Transport Facilities*

pursuant to Tex. Loc. Gov. Code, Chapter 284.

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SECTION 1. PURPOSE AND APPLICABILITY.

The City of Garden Ridge, Texas (“City”) recognizes that the State of Texas has delegated to the City the fiduciary duty, as a trustee, to manage the public right-of-way for the health, safety, and welfare of the public to Texas municipalities.

Purpose: Loc. Gov. Code, Chapter 284 allows certain wireless Network Providers to install in the public rights-of-way their wireless facilities, described and defined in Tex. Loc. Gov. Code, Chapter 284, Sec. 284.002 as “Micro Network Nodes”, “Network Nodes”, and “Node Support Poles”.

As expressly allowed by Tex. Loc. Gov. Code, Chapter 284, Section 284.108, and pursuant to its police power authority reserved in Sec. 284.301¹, the City enacts these Design Guidelines in order to meet its fiduciary duty to the citizens of the City, and to give assistance and guidance to wireless telecommunications providers to assist such companies in the timely, efficient, safe and aesthetically pleasing installation of technologically competitive equipment.

Applicability: This Design Manual is for siting and criteria for the installation Wireless Facilities, including Micro Network Nodes, Network Nodes, Node Support Poles and related ground equipment being installed pursuant to Loc. Gov. Code, Chapter 284

This Design Manual shall apply to any sitings, installations, collocations in, on, over or under the public rights-of-way of Network nodes, Node support poles, Micro network nodes, Transport Facilities, Distributed Antenna Systems, microwave communications or other Wireless Facilities, by whatever nomenclature, whether they are installed pursuant to Chapter 284, or installed pursuant to an agreement as agreed to and consented to by the City in its discretion, or installed as may otherwise be allowed by state law.

City Rights-of-Way Management Ordinance: A Network Provider shall comply with the City’s Rights-of-Way Management Ordinance except where in conflict with this Design Manual or Chapter 284, Subchapter C.

SECTION 2. DEFINITIONS.

The definitions as used in Tex. Loc. Gov. Code, Chapter 284, Sec. 284.002 shall be used in this Design Manual, unless otherwise noted in this Section 2, below.²

Abandon and its derivatives means the facilities installed in the right-of-way (including by way of example but not limited to: poles, wires, conduit, manholes, handholes, cuts, network nodes and node support poles, or portion thereof) that have been left by Provider in an unused or non-functioning condition for more than 120 consecutive calendar days unless, after notice to Provider, Provider has established to the reasonable satisfaction of the City that the applicable facilities, or portion thereof, is still in active use.

Antenna means communications equipment that transmits or receives electromagnetic radio frequency signals used in the provision of wireless services.

Applicable codes means:

- (A) uniform building, fire, electrical, plumbing, or mechanical codes adopted by a recognized national code organization; and
- (B) local amendments to those codes to the extent not inconsistent with Chapter 284.

Assimilation means the process by which the City allows for the placement of *Network Nodes* on poles within the public ROW by a *Network Provider* within the scope of SB1004.

Broadband Operations Representative Group means any *Network provider* within the scope of SB1004.

City means the City of Garden Ridge, Texas or its lawful successor.

City Council means the municipal governing body of the City of Garden Ridge, Texas.

City Administrator means the Administrator or his/her designee for the City of Garden Ridge, Texas, or designee.

Chapter 284 means Tex. Loc. Gov. Code, Chapter 284.

The Collective means the entire system of *network providers and network nodes*, in total, by all providers and in all locations within the scope of SB1004.

Collocate and *collocation* mean the installation, mounting, maintenance, modification, operation, or replacement of network nodes in a public right-of-way on or adjacent to a pole.

Concealment, Cloaking Device or Camouflaged means any Wireless Facility or Pole that is covered, blended, painted, disguised, camouflaged or otherwise concealed such that the Wireless Facility blends into the surrounding environment and is visually unobtrusive as allowed as a condition for City advance approval under Chapter 284, Sec. 284.105 in Historic or Design Districts. A Concealed, Cloaked or Camouflaged Wireless Facility or Pole also includes any Wireless Facility or Pole conforming to the surrounding area in which the Wireless Facility or Pole is located and may include, but is not limited to hidden beneath a façade, blended with surrounding area design, painted to match the supporting area, or disguised with artificial tree branches or as owls or other appropriate Bird of Prey.

Decorative pole means a streetlight pole specially designed and placed for aesthetic purposes and on which no appurtenances or attachments, other than specially designed informational or directional signage or temporary holiday or special event attachments, have been placed or are permitted to be placed according to nondiscriminatory municipal codes.

Design District means an area that is zoned, or otherwise designated by municipal code, and for which the city maintains and enforces unique design and aesthetic standards on a uniform and

nondiscriminatory basis, including Planned Development and/or Main Street areas with decorative pole standards.

Disaster emergency or *disaster* or *emergency* means an imminent, impending, or actual natural or humanly induced situation wherein the health, safety, or welfare of the residents of the city is threatened, and includes, but is not limited to any declaration of emergency by city state or federal governmental authorities.

Distributed Antenna System or DAS shall be included as a type of "Network Node."

Easement means and shall include any public easement or other compatible use created by dedication, or by other means, to the city for public utility purposes or any other purpose whatsoever. "Easement" shall include a private easement used for the provision of utilities.

Federal Communications Commission or FCC means the Federal Administrative Agency, or lawful successor, authorized to oversee cable television and other multi-channel regulation on a national level.

Highway right-of-way means right-of-way adjacent to a state or federal highway.

Historic district means an area that is zoned or otherwise designated as a historic district under municipal, state, or federal law.

Law means common law or a federal, state, or local law, statute, code, rule, regulation, order, or ordinance.

Local means within the geographical boundaries of the City.

Location means the City approved and lawfully permitted location for the Network Node.

Macro tower means a guyed or self-supported pole or monopole greater than the height parameters prescribed by Chapter 284, Section 284.103 and that supports or is capable of supporting antennas.

Micro network node means a network node that is not larger in dimension than 24 inches in length, 15 inches in width, and 12 inches in height, and that has an exterior antenna, if any, not longer than 11 inches.

Municipal park means an area that is zoned or otherwise designated by municipal ordinances as a public park for the purpose of recreational activity.

Municipally owned utility pole means a utility pole owned or operated by a municipally owned utility, as defined by Section 11.003, Utilities Code, and located in a public right-of-way.

MUTCD means Manual of Uniform Traffic Control Devices.

Network node means equipment at a fixed location that enables wireless communications between user equipment and a communications network. The term:

(A) includes:

- (i) equipment associated with wireless communications;
- (ii) a radio transceiver, an antenna, a battery-only backup power supply, and comparable equipment, regardless of technological configuration; and
- (iii) coaxial or fiber-optic cable that is immediately adjacent to and directly associated with a particular collocation; and

(B) does not include:

- (i) an electric generator;
- (ii) a pole; or
- (iii) a macro tower

Network provider means:

(A) a wireless service provider; or

(B) a person that does not provide wireless services and that is not an electric utility but builds or installs on behalf of a wireless service provider:

- (i) network nodes; or
- (ii) node support poles or any other structure that supports or is capable of supporting a network node.

Next Generation means future broadband technologies not yet identified in this Design Manual.

Node support pole means a pole installed by a network provider for the primary purpose of supporting a network node.

Permit means a written authorization for the use of the public right-of-way or collocation on a service pole required from a municipality before a network provider may perform an action or initiate, continue, or complete a project over which the municipality has police power authority.

Pole means a service pole, municipally owned utility pole, node support pole, or utility pole.

Private easement means an easement or other real property right that is only for the benefit of the grantor and grantee and their successors and assigns.

Provider has the same meaning as “Network Provider.”

Public right-of-way means the area on, below, or above a public roadway, highway, street, public sidewalk, alley, waterway, or utility easement in which the municipality has an interest. The term does not include:

- (A) a private easement; or
- (B) the airwaves above a public right-of-way with regard to wireless telecommunications.

Public right-of-way management ordinance means an ordinance that complies with Chapter 284, Subchapter C.

SCADA or Supervisory Control and Data Acquisition systems means a category of software

application programs and hardware used by the City for process control and gathering of data in real time from remote locations in order to monitor equipment and conditions of the City public water and wastewater utility facilities. These systems may utilize both cable and wireless communications.

Service pole means a pole, other than a municipally owned utility pole, owned or operated by a municipality and located in a public right-of-way, including:

- (A) a pole that supports traffic control functions;
- (B) a structure for signage;
- (C) a pole that supports lighting, other than a decorative pole; and
- (D) a pole or similar structure owned or operated by a municipality and supporting only network nodes.

Small cell shall be included as a type of “Network Node.”

Street means only the paved portion of the right-of-way used for vehicular travel, being the area between the inside of the curb to the inside of the opposite curb, or the area between the two parallel edges of the paved roadway for vehicular travel where there is no curb. A “Street” is generally part of, but smaller in width than the width of the entire right-of-way, while a right-of-way may include sidewalks and utility easements, a “Street” does not. A “street” does not include the curb or the sidewalk, if either are present at the time of a permit application or if added later.

SWPPP shall mean Storm Water Pollution Prevention Plan.

TAS means Texas Accessibility Standards.

Traffic Signal means any device, whether manually, electrically, or mechanically operated by which traffic is alternately directed to stop and to proceed.

Transport facility means each transmission path physically within a public right-of-way, extending with a physical line from a network node directly to the network, for the purpose of providing backhaul for network nodes.

Underground Requirement Area shall mean means an area where poles, overhead wires, and associated overhead or above ground structures have been removed and buried or have been approved for burial underground pursuant to municipal ordinances, zoning regulations, state law, private deed restrictions, and other public or private restrictions, that prohibit installing aboveground structures in a public right-of-way.

User means a person or organization which conducts a business over facilities occupying the whole or a part of a public street or right-of-way, depending on the context.

Utility pole means a pole that provides:

- (A) electric distribution with a voltage rating of not more than 34.5 kilovolts; or
- (B) services of a telecommunications provider, as defined by Chapter 284, Section 51.002, Utilities Code.

Wireless service means any service, using licensed or unlicensed wireless spectrum, including the use of Wi-Fi, whether at a fixed location or mobile, provided to the public using a network node.

Wireless service provider means a person that provides wireless service to the public.

Wireless facilities mean “Micro Network Nodes,” “Network Nodes,” and “Node Support Poles” as defined in Texas Local Government Code Chapter 284.

SECTION 3. PROHIBITED AND PREFERRED LOCATIONS OF MICRO NETWORK NODE, NETWORK NODE, NODE SUPPORT POLE AND RELATED GROUND EQUIPMENT.

A. Prohibited or Restricted Areas for Certain Wireless facilities, except with Separate City Agreement or Subject to Concealment Conditions.

1. *Municipal Parks and Residential Areas.* In accordance with Chapter 284, Sec. 284.104 (a), a Network Provider may not install a Node Support Pole in a public right-of-way without the City's discretionary, nondiscriminatory, and written consent if the public right-of-way is in a Municipal park or is adjacent to a street or thoroughfare that is:

a. not more than 50 feet wide of paved street surface, being the area measured as the shortest distance between the inside of the curb to the inside of the opposite curb, or the area measured as the shortest distance between the two parallel edges of the paved roadway for vehicular travel where there is no curb; and

b. adjacent to single-family residential lots or other multifamily residences or undeveloped land that is designated for residential use by zoning or deed restrictions.

1.1 In accordance with Chapter 284, Sec. 284.104 (b), a Network Provider installing a Network Node or Node Support Pole in a public right-of-way described above shall comply with private deed restrictions and other private restrictions in the area that apply to those facilities.

1.2 Each permit application shall disclose if it is within a Municipal Park and Residential Areas as described above.

2. *Design Districts and Historic Districts.* In accordance with Chapter 284, Sec. 284.105, a Network Provider must obtain advance written approval from the City before collocating Network Nodes or installing Node Support Poles in a Design District with Decorative Poles or in an area of the City zoned or otherwise designated as a Design District and/or or Historic District.

2.1. As a condition for approval of Network Nodes or Node Support Poles in Design Districts with Decorative Poles or in a Historic District, the City shall require reasonable design or Concealment measures for the Network Nodes or Node Support Poles. Therefore, any request

for installations in a Design District with Decorative Poles or in a Historic District, must be accompanied with proposed Concealment measures in the permit applications.

2.2. The City request that a Network Provider explore the feasibility of using Camouflage measures to improve the aesthetics of the Network Nodes, Node Support Poles, or related ground equipment, or any portion of the nodes, poles, or equipment, to minimize the impact to the aesthetics in Design Districts or in an Historic District.

2.3. A Network Provider shall comply with and observe all applicable City, State, and federal historic preservation laws and requirements.

2.4. Each permit application shall disclose if it is within a Design District with Decorative Poles or in an area of the City zoned or otherwise designated as a Design District or Historic District.

3. **Historic Landmarks.** A Network Provider is discouraged from installing a Network Node or Node Support Pole within 300 feet of a historic site or structure or Historic Landmark recognized by the City, state or federal government (*see, for example, and not limited to* §442.001(3) of the Texas Government Code, and 16 U.S.C. §470), as of the date of the submission of the permit. It is recommended that each permit application disclose if it is with 300 feet of such a structure.

4. **Compliance with Undergrounding Requirements.** In accordance with Chapter 284, Sec. 284.107, a Network Provider shall comply with nondiscriminatory undergrounding requirements, including municipal ordinances, zoning regulations, state law, private deed restrictions, and other public or private restrictions, that prohibit installing aboveground structures in a public right-of-way without first obtaining zoning or land use approval.

4.1 Areas may be designated from time to time by the City as Underground Requirement Areas in accordance with filed plats, and or conversions of overhead to underground areas, as may be allowed by law.

4.2 Each permit application shall disclose if it is within an area that has undergrounding requirements.

B. Least preferable locations.

1. **Residential Areas and Parks.** A Network Provider is discouraged from installing a Network Node on an existing pole in a public right-of-way without written consent from the City Council if the public right-of-way is located in or adjacent to a street or thoroughfare that is adjacent to a municipal park or single-family residential lots or other multifamily residences or undeveloped land that is designated for residential use by zoning or deed restrictions.

1.1 In accordance with Chapter 284, Sec. 284.104 (b) a Network Provider installing a Network Node or a Node Support Pole in a public right-of-way shall comply with private deed restrictions and other private restrictions in the area that apply to those facilities. It is the responsibility of the Network Provider to ensure full compliance with all private deeds

restrictions. Such private deed restrictions, however, are not enforced by the City and remain the enforcement responsibility of the party with standing and not the City.

2. **Historic Districts and Design Districts.** A Network Provider is discouraged from installing a Network Node or a Node Support Pole in the public right-of-way in any area designated by the City as a Design Districts or in an area of the City zoned or otherwise designated as a Historic District unless such a Network Node or a new Node Support Pole is camouflaged.

C. Most preferable locations

1. *Industrial areas* if not adjacent to a Municipal Park, Residential area, Historic District or Design District.

2. *Highway Rights-of-Way* areas if not adjacent to a Municipal Park, Residential area, Historic District or Design District.

3. *Retail and Commercial areas* if not adjacent to a Municipal Park, Residential area, Historic District or Design District.

D. Designated Areas.

1. The City Council may designate an area as a Historic District or a Design District under Chapter 284.105 at any time.

2. The failure to designate an area in this Chapter shall not mean that such an area is not within a defined district, if so designated by the City Council. Future areas may be designated as one of these Districts at any time. Such a designation does not require a zoning case.

3. While not required under Chapter 284 to designate Underground Compliance Areas to prohibit above ground Wireless facilities, the City may also, from time to time, also designate Underground Compliance Areas.

E. Exceptions

The City by its discretionary consent and agreement may grant exceptions to the above prohibited locations and sizes, but only in a non-exclusive, and non-discriminatory manner, as allowed or required by Chapter 284, Sec. 284.109 and Sec. 284.110.

F. Order of Preference regarding Network Node attachment to existing facilities and New Node Support Poles.

1. *Existing telephone or electrical lines between existing utility poles.* Micro Network Nodes shall only be lashed on existing telephone or electrical lines between existing utility poles

(electric poles or telephones poles), with notice to the pole owner as required by the Federal Pole Attachment Act, and not placed on Utility Poles, Node Support Poles or Service Poles.

2. *Existing Utility Poles* (electric poles or telephones poles), shall be the preferred support facility for Network Nodes and related ground equipment.

3. *Municipal Service Poles*:

a. *Non-decorative street lights* with a height of more than 20 feet.

b. *Traffic signal structures* when such installation will not interfere with the integrity of the facility and will not interfere with the safety of public and in accordance with an agreement as allowed by Chapter 284, Sec. 285.056 and Sec. 284.101 (a) (3), and (b).

c. *Street signage* shall be a low priority use for attachment of a Network Node.

d. *Other municipal Service pole* use is discouraged.

4. *New node support poles* shall be the least preferred type of allowed facility for attachment of Network Nodes.

5. *Ground Equipment*. Ground equipment should be minimal and the least intrusive.

SECTION 4. GUIDELINES ON PLACEMENT.

A. Generally.

In accordance with Chapter 284.102, a Network Provider shall construct and maintain Network Nodes and Node Support Poles in a manner that does not:

1. obstruct, impede, or hinder the usual travel or public safety on a public right-of-way;
2. obstruct the legal use of a public right-of-way by other utility providers;
3. violate nondiscriminatory applicable codes;
4. violate or conflict with the City's publicly disclosed public right-of-way management ordinance or this Design Manual.
5. violate the federal Americans with Disabilities Act of 1990 (42 U.S.C. Section 12101 et seq.).

B. General Requirements and Information:

1. *Size Limits*. Network Providers shall provide detailed drawings, with calculations to show strict conformity to the size limitations as set forth in Chapter 284, in accordance with, but not limited to Chapter 284, Sec. 284.002, size of a Micro Network Node, Sec. 284.003, Size of Network Nodes, and Sec. 284.103, Max. pole height, with each application and with each request for a permit for each location.³

2. *State and Federal Rights-of-way permit.* If the project lies within a Highway Right-of-Way, the applicant must provide evidence of a permit from the State or Federal Government.

3. *Confirmation of non-interference with City Safety Communication or SCADA Networks.*

a. The Network Provider needs to provide analysis that the proposed network node shall not cause any interference with City public safety radio system, traffic signal light system, SCADA system, or other city safety communications components in accordance with Chapter 284, Sec. 284.304.

b. It shall be the responsibility of the Network Provider to evaluate, prior to making application for permit, the compatibility between the existing City infrastructure and Provider's proposed Network Node. A Network Node shall not be installed in a location that causes any interference. Network Nodes shall not be allowed on City's public safety radio infrastructure.

4. *Improperly Located Network Node facilities, Node Support Poles and related ground equipment:*

a. Improperly Located Network Node facilities, Node Support Poles and related ground equipment shall not impede pedestrian or vehicular traffic in the Right-of-Way. If any Network Node facilities, Node Support Poles or ground equipment is installed in a location that is not in accordance with the plans approved by the City Administrator or his/her designee and impedes pedestrian or vehicular traffic or does not comply or otherwise renders the Right-of-Way non-compliant with applicable Laws, including the American Disabilities Act, then Network Provider shall promptly remove the Network Node facilities, Node Support Poles or ground equipment.

b. Notice to Remove unauthorized facilities and relocate and penalty: After 30 days' notice to remove of Network Node facilities, Node Support Poles or ground equipment that is located in the incorrect permitted location, if not relocated the Network Provider shall be subject to a penalty of \$500.00 per day penalty until the Network Node facilities, Node Support Poles or ground equipment is relocated to the correct area within the permitted Location, regardless of whether or not the Network Provider's contractor, subcontractor, or vendor installed the Network Node facilities, Node Support Poles or ground equipment in strict conformity with the City Rights-of-way management ord., and other applicable ordinances concerning improperly located facilities in the rights-of-way.

B. Underground Requirement Areas.

1. In accordance with Chapter 284.107, a Network Provider shall, in relation to installation for which the City approved a permit application, comply with nondiscriminatory undergrounding requirements, including municipal ordinances, zoning regulations, state law, private deed restrictions, and other public or private restrictions, that prohibit installing aboveground structures in a public right-of-way without first obtaining zoning or land use approval.

2. If a location is designated by the City to transits to be an Underground Requirement Area, then a Network Provider's permit for the location of the Micro

Network Node, Network Node, Node Support Pole, and related ground equipment at such location will be revoked 90 days after the designation, with removal of said the Micro Network Node, Network Node, Node Support Pole, and related ground equipment at such location within 90 days of such designation, or as otherwise reasonably allowed by the City for the transition of other overhead facilities.

3. Before commencing underground installation, 811 Dig Tess must be called so that the area can be flagged for underground utilities.

C. Network Node facilities placement:

1. *Right-of-Way*: Network Node facilities, Node Support Poles and related ground equipment shall be placed, as much as possible, within two feet of the outer edge of the Right-of-Way line to minimize any obstruction, impediment, or hindrance to the usual travel or public safety on a public right-of-way.

2. *Height above ground*. Network Node attachments to a pole shall be installed at least eight (8) feet above the ground in accordance with Chapter 284, Sec. 284.108, and if a Network Node attachment is projecting toward the street, for the safety and protection of the public and vehicular traffic, the attachment shall be installed no less than sixteen (16) feet above the ground.

3. *Protrusions*. In accordance with Chapter 284, Sec. 284.003 (a) (1) (C), Sec. 284.003 (a) (2) (C) and Sec. 284.003 (a) (3) (B) no protrusion from the outer circumference of the existing structure or pole shall be more than two (2) feet.

4. *Limit on number of Network Nodes per Site*. There shall be no more than one Network Node on any one Pole.

D. New Node Support Poles.

1. *New Node Support Poles Spacing*. New node support poles shall be spaced apart from existing utility poles or Node Support poles at the same as the spacing between utility poles in the immediate proximity, but no less than at a minimum 300 feet from a utility pole or another Node Support Pole to minimize the hazard of poles adjacent to road ways and to minimize effect on property values and aesthetics on the area.

2. *Height of Node Support Poles or modified Utility Pole*. In accordance with Chapter 284, Sec. 284.103 a Node support pole or modified Utility Pole may not exceed the lesser of:

- a. 10 feet in height above the tallest existing utility pole located within 500 linear feet of the new pole in the same public right-of-way; or
- b. 55 feet above ground level.

E. Ground Equipment.

1. *Ground Equipment near street corners and intersections*: Ground equipment should be minimal and the least intrusive. In accordance with Chapter 284.102 (1), to minimize any obstruction, impediment, or hindrance to the usual travel or public safety on a public right-of-way the maximum line of sight required to add to safe travel of

vehicular and pedestrian traffic and in order to maximize that line of sight at street corners and intersections and to minimize hazards at those locations, ground equipment may not be installed within 250 feet of a street corner or a street intersection.

2. *Ground Equipment near Municipal Parks.* For the safety of Municipal park patrons, particularly small children, and to allow full line of sights near Municipal park property, the Network Provider shall not install Ground Equipment in a Right-of-Way that is within a Park or within 250 feet of the boundary line of a Park, unless approved by the City Administrator or his/her designee in writing.

3. *Minimize Ground equipment density:*

In accordance with Chapter 284, Sec. 284.102 (1) to enhance the safety requirements of line of sight of pedestrians, particularly small children, the City Administrator or his/her designee, or designee, may deny a request for a proposed Location if the Network Provider installs Network Node ground equipment where existing ground equipment within 300 feet already occupies a footprint of 25 sq. ft. or more.

4. *Water, Sewer and Storm Drainage Lines:*

Special precautions must be taken where underground fiber optic cable is installed in public street right-of-ways commonly used for utility corridors.

- a. Underground utilities and service connections must be identified prior to excavation. "811", "Dig Alert," "One Call," "Dig Tess," or similar underground utility contractor must be contacted to identify the locations of subsurface utilities.
- b. If temporary disruption of service is required, the installation contractor must notify the City, the service provider, and customers at least 24 hours in advance. No service on such lines may be disrupted until prior approval from the City and the service provider.
- c. At locations where the fiber optic cable will cross other subsurface utilities or structures, the cable must be installed to provide a minimum of 12 inches of vertical clearance between it and the other subsurface utilities or structures, while still maintaining the other applicable minimum depth requirement. To maintain the minimum depth requirement, the cable must be installed under the existing utility. If the minimum 12-inch clearance cannot be obtained between the proposed cable facility and the existing utility, the fiber optic cable must be encased in steel pipe of avoid future damage.
- d. *Existing Water Lines:* No communication lines shall be placed on top of a water line but may be placed to the side of a water line at least 4 feet from the center line of the water line but at least 3 ½ feet from the edge of the water line unless the line is greater than 36" and then the placement shall be at least 6 ½ feet from the edge of the water line. When crossing a water line, a 12-inch vertical or horizontal clearance must be maintained. Poles

must be at least 3 ½ feet from the outside edge of a water line unless that water line is greater than 36" diameter and then the placement shall be at least 6 ½ feet from the outside edge of the water line.

- e. *Existing Sewer Lines:* No communication lines shall be placed on top of a sewer line but may be placed to the side of a sewer line at least 4 feet from the center line of the sewer line but at least 3 ½ feet from the edge of the sewer line unless the line is greater than 36" and then the placement shall be at least 6 ½ feet from the edge of the sewer line. When crossing a sewer line, a 12-inch vertical or horizontal clearance must be maintained. Poles must be at least 3 feet from a sewer line.
- f. *Existing Storm Drainage Lines:* No communication lines shall be placed on top of a storm drainage line but may be placed to the side of a storm drainage line at least 4 feet from the center line of the storm drainage line but at least 3 ½ feet from the edge of the storm drainage line unless the line is greater than 36" and then the placement shall be at least 6 ½ feet from the edge of the storm drainage line. When crossing a storm drainage line, a 12-inch vertical or horizontal clearance must be maintained. Poles must be at least 3 feet from a storm drainage line.

5. Blocking streets, roads, alleys or lanes:

Texas Department of Transportation (TxDOT) standards must be followed for work zone areas that will block streets, roads, alleys or lanes. A traffic plan must be submitted to the City prior to construction.

F. Municipal Service Poles:

1. *In accordance with Agreement:* Installations on all Service Poles shall be in accordance with an agreement as allowed by Chapter 284, Sec. 285.056 and Sec. 284.101 (a) (3), and (b).

2. *Required industry standard pole load analysis:* Installations on all Service Poles shall have an industry standard pole load analysis completed and submitted to the municipality with each permit application indicating that the Service Pole to which the Network Node is to be attached will safely support the load, in accordance with Chapter 284.108.

3. *Height of attachments:* All attachments on all Service Poles shall be at least 8 feet above grade, in accordance with Chapter 284, Sec. 285.108 (a) (1) - (2) and if a Network Node attachment is projecting toward the street, for the safety and protection of the public and vehicular traffic, the attachment shall be installed no less than sixteen (16) feet above the ground.

4. *Installations on Traffic Signals:* Installations on all Traffic signal structures must not interfere with the integrity of the facility in any way that may compromise the safety of the public and must be in accordance with an agreement as allowed by Chapter 284, Sec. 285.056 and Sec. 284.101 (a) (3), and (b). Installation of Network Node facilities on any traffic signal structures shall:

- a. Be encased in a separate conduit than the traffic light electronics;
- b. Have a separate electric power connection than the traffic signal structure; and
- c. Have a separate access point than the traffic signal structure; and

5. *Installations on Street signage:* Installations on all street signage structures must not interfere with the integrity of the facility in any way that may compromise the safety of the public. Installation of Network Node facilities on any street signage structures that has electrics shall:

- a. Be encased in a separate conduit than any City signage electronics;
- b. Have a separate electric power connection than the signage structure;
- c. Have a separate access point than the signage structure; and

6. *Restoration of City facilities and private property:* The Network Provider shall be responsible for repairing any damage to any street, street right-of-way, ditch or any structure to its original condition immediately upon completing the installation. Any change to the slope of the land must be remedied, and there must be replacement of top soil and grass to its original and also non-erosive condition.

SECTION 5. GENERAL AESTHETIC REQUIREMENTS

A. Concealment.

1. Concealment of Network Nodes and Node support poles shall be required by the City in Design Districts with Decorative Poles and in Historic Districts pursuant to Chapter 284.105.

2. It is also the City's preference that all new node support poles be camouflaged, except those located in an area zoned or predominantly industrial area. Companies shall submit their proposal for camouflage with the permit application.

3. The Network Node facilities shall be concealed or enclosed as much as reasonably possible in an equipment box, cabinet, or other unit that may include ventilation openings. External cables and wires hanging off a pole shall be sheathed or enclosed in a conduit, so that wires are protected and not visible or visually minimized to the extent possible in strict accordance with the City's rights-of-way management ordinance, and other applicable ordinances, except to the extent not consistent with Chapter 284.

4. The Network Node facilities shall be concealed or enclosed as much as possible in an equipment box, cabinet, or other unit that may include ventilation openings. External cables and wires hanging off a pole shall be sheathed or enclosed in a conduit, so that wires are protected and not visible or visually minimized to the extent possible, except to the extent not consistent with Chapter 284.

B. New Node Support Pole Spacing.

New node support poles shall be at a minimum 300 feet from a utility pole or another Node Support Pole to minimize the hazard of poles adjacent to road ways and to minimize effect on property values and aesthetics on the area.

C. Minimize Ground Equipment Concentration.

In order to minimize negative visual impact to the surrounding area, and in accordance with Chapter 284, Sec. 284.102 (1) to enhance the safety requirements of line of sight of pedestrians, particularly small children, the City's designee may deny a request for a proposed Location if the Network Provider installs Network Node ground equipment where existing ground equipment within 300 feet already occupies a footprint of 25 sq. ft. or more to minimize effect on property values and aesthetics on the area.

D. Allowed Colors.

1. Colors in Historic Districts and Design Districts must be in strict accordance with the City's rights-of-way management ordinance, and other applicable ordinances, except to the extent not consistent with Chapter 284

2. Colors in Historic Districts and Design Districts must be approved by the City Administrator or his/her designee from a palette of approved colors if such palettes are contained within the Historic District and/or Design Districts guidelines. Unless otherwise provided, all colors shall be earth tones or shall match the background of any structure the facilities are located upon and all efforts shall be made for the colors to be inconspicuous.

3. Colors in areas other than in Historic Districts and Design Districts shall conform to colors of other installations of telecommunication providers in the immediately adjacent areas or by approved concealment or camouflage.

SECTION 6. ELECTRICAL SUPPLY

A. Network Provider shall be responsible for obtaining any required electrical power service to the Micro Network Node, Network Node facilities, Node Support Poles and ground equipment. The City shall not be liable to the Network Provider for any stoppages or shortages of electrical power furnished to the Micro Network Node, Network Node facilities, Node Support Poles or ground equipment, including without limitation, stoppages or shortages caused by any act, omission, or requirement of the public utility serving the structure or the act or omission of any other tenant or Network Provider of the structure, or for any other cause beyond the control of the City.

B. Network Provider shall not allow or install generators or back-up generators in the Public Right-of-Way in accordance with Chapter 284, Sec. 284.002 (12) (B) (1).

SECTION 7. INSURANCE, INDEMNITY, BONDING AND SECURITY DEPOSITS.

A. Insurance, bonding and security deposits shall be in strict accordance with the City's rights-of-way management ordinance, and other applicable ordinances, except to the extent not consistent with Chapter 284.

B. Indemnity shall be in accordance with Chapter 284, Sec. 284.302, as provided for in Chapter 283, Sec. 283.057 (a) and (b) of the Texas Loc. Gov't Code.

SECTION 8. REQUIREMENTS IN REGARD TO REMOVAL, REPLACEMENT, REPLACEMENT, MAINTENANCE AND REPAIR

A. REMOVAL OR RELOCATION BY NETWORK PROVIDER.

1. Removal and relocation by the Network provider of its Micro Network Node, Network Node facilities, Node Support Pole or related ground equipment at its own discretion, shall be in strict accordance with the City's rights-of-way management ordinance, and other applicable ordinances, except to the extent not consistent with Chapter 284

2. If the Network Provider removes or relocates a Micro Network Node, Network Node facilities, Node Support Pole or related ground equipment at its own discretion, it shall notify the City Administrator or his/her designee in writing not less than 10 business days prior to removal or relocation. Network Provider shall obtain all Permits required for relocation or removal of its Micro Network Node, Network Node facilities, Node Support Poles and related ground equipment prior to relocation or removal.

3. The City shall not issue any refunds for any amounts paid by Network Provider for Micro Network Node, Network Node facilities, Node Support Poles or related ground equipment that have been removed.

B. REMOVAL OR RELOCATION REQUIRED FOR CITY PROJECT.

1. Removal and Relocation of Network Provider's Micro Network Node, Network Node, Node Support Pole or related ground equipment, or portion thereof required for a City project shall be in strict accordance with the City's rights-of-way management ordinance, and other applicable ordinances, except to the extent not consistent with Chapter 284, Sec. 284.107, except as provided in existing state and federal law.

2. In accordance with Chapter 284, Sec. 284.107, except as provided in existing state and federal law, a Network Provider shall relocate or adjust Micro Network Node, Network Node, Node Support Pole and related ground equipment in a public right-of-way in a timely manner and without cost to the City managing the public right-of-way

3. Network Provider understands and acknowledges that the City may require Network Provider to remove or relocate its Micro Network Node, Network Node, Node Support Pole and related ground equipment, or any portion thereof from the Right-of-Way for City construction projects as allowed by state and federal law, including the common-law.

4. Network Provider shall, at the City Administrator or his/her designee's direction, remove or relocate the same at Network Provider's sole cost and expense, except as otherwise provided in existing state and federal law, whenever the City Administrator or his/her designee reasonably determines that the relocation or removal is needed for any of the following purposes: Required for the construction, completion, repair, widening, relocation, or maintenance of, or use in connection with, any City construction or maintenance project of a street or public rights-of-way to enhance the traveling public's use for travel and transportation.

5. If Network Provider fails to remove or relocate the Micro Network Node, Network Node, Node Support Pole or related ground equipment, or portion thereof as requested by the City Administrator or his/her designee within 90 days of Network Provider's receipt of the request, then the City shall be entitled to remove the Micro Network Node, Network Node, Node

Support Pole or related ground equipment, or portion thereof at Network Provider's sole cost and expense, without further notice to Network Provider.

6. Network Provider shall, within 30 days following issuance of invoice for the same, reimburse the City for its reasonable expenses incurred in the removal (including, without limitation, overhead and storage expenses) of the Micro Network Node, Network Node, Node Support Pole or related ground equipment, or portion thereof.

C. REMOVAL REQUIRED BY CITY FOR SAFETY AND IMMINENT DANGER REASONS.

1. Network Provider shall, at its sole cost and expense, promptly disconnect, remove, or relocate the applicable Micro Network Node, Network Node, Node Support Pole and related ground equipment within the time frame and in the manner required by the City Administrator or his/her designee if the City Administrator or his/her designee reasonably determines that the disconnection, removal, or relocation of any part of a Micro Network Node, Network Node, Node Support Pole and related ground equipment (a) is necessary to protect the public health, safety, welfare, or City property, (b) the Micro Network Node, Network Node, Node Support Pole and related ground equipment, or portion thereof, is adversely affecting proper operation of streetlights or City property, or (c) Network Provider fails to obtain all applicable licenses, Permits, and certifications required by Law for its Micro Network Node, Network Node, Node Support Pole and related ground equipment, or use of any Location under applicable law in strict accordance with the City's rights-of-way management ordinance, and other applicable ordinances, except to the extent not consistent with Chapter 284.

2. If the City Administrator or his/her designee reasonably determines that there is imminent danger to the public, then the City may immediately disconnect, remove, or relocate the applicable Micro Network Node, Network Node, Node Support Pole and related ground equipment at the Network Provider's sole cost and expense in strict accordance with the City's rights-of-way management ordinance, and other applicable ordinances, except to the extent not consistent with Chapter 284.

3. Network Provider shall, at its sole cost and expense, promptly disconnect, remove, or relocate the applicable Micro Network Node, Network Node, Node Support Pole and related ground equipment within the time frame and in the manner required by the City Administrator or his/her designee if the City Administrator or his/her designee reasonably determines that the disconnection, removal, or relocation of any part of a Micro Network Node, Network Node, Node Support Pole and related ground equipment (a) is necessary to protect the public health, safety, welfare, or City property, (b) the Micro Network Node, Network Node, Node Support Pole and related ground equipment, or portion thereof, is adversely affecting proper operation of streetlights or City property, or (c) Network Provider fails to obtain all applicable licenses, Permits, and certifications required by Law for its Micro Network Node, Network Node, Node Support Pole and related ground equipment, or use of any Location under applicable law. If the City Administrator or his/her designee reasonably determines that there is imminent danger to the public, then the City may immediately disconnect, remove, or relocate the applicable Micro Network Node, Network Node, Node Support Pole and related ground equipment at the Network Provider's sole cost and expense.

4. The City Administrator or his/her designee shall provide 90 days written notice to the Network Provider before removing a Micro Network Node, Network Node, Node Support Pole and related ground equipment under this Section, unless there is imminent danger to the public health, safety, and welfare.

5. Network Provider shall reimburse City for the City's actual cost of removal of Micro Network Node, Network Node, Node Support Pole and related ground equipment within 30 days of receiving the invoice from the City.

SECTION 9. INSTALLATION AND INSPECTIONS

A. INSTALLATION.

1. Network Provider shall, at its own cost and expense, install the Micro Network Node, Network Node facilities, Node Support Poles and related ground equipment in a good and workmanlike manner in strict accordance with the City's rights-of-way management ordinance, and other applicable ordinances, except to the extent not consistent with Chapter 284

2. Network Provider shall, at its own cost and expense, install the Micro Network Node, Network Node facilities, Node Support Poles and related ground equipment in a good and workmanlike manner and in accordance with the requirements promulgated by the City Administrator or his/her designee, as such may be amended from time to time. Network Provider's work shall be subject to the regulation, control and direction of the City Manager or his/her designee. All work done in connection with the installation, operation, maintenance, repair, modification, and/or replacement of the Micro Network Node, Network Node facilities, Node Support Poles and related ground equipment shall be in compliance with all applicable laws, ordinances, codes, rules and regulations of the City, applicable county, the state, and the United States ("Laws").

B. INSPECTIONS.

1. The City Administrator or his/her designee, or designee, may perform visual inspections of any Micro Network Node, Network Node, Node Support Pole or related ground equipment located in the Right-of-Way shall be allowed in strict accordance with the City's rights-of-way management ordinance, and other applicable ordinances, except to the extent not consistent with Chapter 284

2. The City Administrator or his/her designee, or designee, may perform visual inspections of any Micro Network Node, Network Node, Node Support Pole or related ground equipment located in the Right-of-Way as the City Administrator or his/her designee deems appropriate without notice. If the inspection requires physical contact with the Micro Network Node, Network Node, Node Support Poles or related ground equipment, the City Administrator or his/her designee shall provide written notice to the Network Provider within five business days of the planned inspection. Network Provider may have a representative present during such inspection.

3. All permitted work shall be performed in strict adherence to all "applicable codes" and permit requirements. Upon completion of all permitted installations, a letter sealed by an engineer certifying that the installation has been inspected and does conform to all "applicable

codes” and permit requirements shall be issued to the City of Anytown by the Network Provider who will be utilizing the installation.

4. The issuance of a permit is not a guarantee of placement. Another Network Provider may also obtain a permit from the City, issued in a non-exclusive, and non-discriminatory manner, for the same location. Such conflicts as may be discovered from time to time are opportunities for appropriate colocation and it is encouraged that each of the effected the Broadband Operators Representative Groups collocate as may be possible. All disputes over locations are between each provider and are private matters not the responsibility of the City.

SECTION 10. REQUIREMENTS UPON ABANDONMENT OF OBSOLETE MICRO NETWORK NODE, NETWORK NODE, NODE SUPPORT POLE AND RELATED GROUND EQUIPMENT.

1. Abandoned or obsolete Micro Network Node, Network Node, Node Support Pole and related ground equipment shall be removed in strict accordance with the City’s rights-of-way management ordinance, and other applicable ordinances, except to the extent not consistent with Chapter 284.

2. Network Provider shall remove Micro Network Node, Network Node, Node Support Pole and related ground equipment when such facilities are Abandoned regardless of whether or not it receives notice from the City. Unless the City sends notice that removal must be completed immediately to ensure public health, safety, and welfare, the removal must be completed within the earlier of 90 days of the Micro Network Node, Network Node, Node Support Pole and related ground equipment being abandoned or within 90 days of receipt of written notice from the City. When Network Provider removes, or abandons permanent structures in the Right-of-Way, the Network Provider shall notify the City Administrator or his/her designee in writing of such removal or Abandonment and shall file with the City Administrator or his/her designee the location and description of each Micro Network Node, Network Node, Node Support Pole and related ground equipment removed or Abandoned. The City Administrator or his/her designee may require the Network Provider to complete additional remedial measures necessary for public safety and the integrity of the Right-of-Way.

SECTION 11. GENERAL PROVISIONS.

1. **As Built Maps and Records.** Network Provider’s as built maps and records shall be in strict accordance with the City’s rights-of-way management ordinance, and other applicable ordinances, except to the extent not consistent with Chapter 284.

2. A Network Provider shall maintain accurate maps and other appropriate records of its Network Node facilities, Node Support Poles and related ground equipment as they are actually constructed in the Rights-of-Way, including, upon request, the use of Auto CAD/GIS digital format. Network Provider will provide additional maps to the City upon request.

3. For purposes of ROW safety for both the general public and of workers performing work in the ROW, a Network Provider shall provide the City with a listing and associated CAD/GIS digital format map of all active equipment annually. Such listing and digital map shall be submitted by January 20th of each calendar year.

3. Courtesy and Proper Performance. Courtesy and Proper Performance of Network provider's personnel, and contractors shall be in strict accordance with the City's rights-of-way management ordinance, and other applicable ordinances, except to the extent not consistent with Chapter 284.

3.1 A Network Provider shall make citizen satisfaction a priority in using the Right-of-Way. Network Provider shall train its employees to be customer service-oriented and to positively and politely interact with citizens when dealing with issues pertaining to its Micro Network Node, Network Node, Node Support Pole and related ground equipment in the Right-of-Way. Network Provider's employees shall be clean, courteous, efficient, and neat in appearance and committed to offering the highest quality of interaction with the public. If, in the opinion of the City Manager or his/her designee or designee, Network Provider is not interacting in a positive and polite manner with citizens, he or she shall request Network Provider to take all remedial steps to conform to these standards.

3. DRUG POLICY. Drug policy of Network provider's personnel, and contractors in the public rights-of-way shall be in strict accordance with the City's rights-of-way management ordinance, and other applicable ordinances, except to the extent not consistent with Chapter 284.

3.1 It is the policy of the City to achieve a drug-free workforce and workplace. The manufacture, distribution, dispensation, possession, sale, or use of illegal drugs or alcohol by Network Provider's employees, contractors, subcontractors, sub-Network Provider's, or vendors while on City rights-of-way is prohibited.

4. ALLOCATION OF FUNDS FOR REMOVAL AND STORAGE. The City Council has currently appropriated no funds to pay for the cost of any removal or storage of Micro Network Node, Network Node, Node Support Pole and related ground equipment, as authorized under the law.

5. OWNERSHIP. Ownership of Network Node and related equipment shall be in strict accordance with the City's rights-of-way management ordinance, and other applicable codes and ordinances, except to the extent not consistent with Chapter 284.

5.1 No part of a Micro Network Node, Network Node, Node Support Pole and related ground equipment erected or placed on the Right-of-Way by Network Provider will become, or be considered by the City as being affixed to or a part of, the Right-of-Way. All portions of the Micro Network Node, Network Node, Node Support Pole and related ground equipment constructed, modified, erected, or placed by Network Provider on the Right-of-Way will be and remain the property of Network Provider and may be removed by Network Provider at any time, provided the Network Provider shall notify the City Administrator or his/her designee prior to any work in the Right-of-Way.

6. Tree Maintenance. Tree maintenance shall be in strict accordance with the City's rights-of-way management ordinance, and other applicable ordinances, except to the extent not consistent with Chapter 284. Tree and vegetation maintenance shall comply with all applicable State regulations as may be promulgated from time to time, and as amended.

6.1 A Network Provider, its contractors, and agents shall obtain written permission from the City Administrator or his/her designee before trimming trees hanging over its Micro Network Node, Network Node, or Node Support Pole, to prevent branches of such trees from contacting attached Micro Network Node, Network Node, or Node Support Pole. The Network Provider

shall trim trees and vegetation under the supervision and direction of a Certified Arborist. The City shall not be liable for any damages, injuries, or claims arising from Network Provider's actions under this section.

7. Signage. Signage shall be in strict accordance with the City's rights-of-way management ordinance, and other applicable ordinances, except to the extent not consistent with Chapter 284.

7.1 Network Provider shall post its name, location identifying information, and emergency telephone number in an area on the cabinet of the Network Node facility that is visible to the public. Signage required under this section shall not exceed 4" x 6", unless otherwise required by law (e.g. RF ground notification signs) or the City Manager or his/her designee.

7.2 Except as required by law or by the Utility Pole owner, a Network Provider shall not post any other signage or advertising on the Micro Network Node, Network Node, Node Support Pole, Service pole or Utility Pole.

8. Graffiti Abatement. Graffiti abatement shall be in strict accordance with the City's rights-of-way management ordinance, and other applicable ordinances, except to the extent not consistent with Chapter 284.

8.1 As soon as practical, but not later than fourteen (14) calendar days from the date Network Provider receives notice thereof, Network Provider shall remove all graffiti on any of its Micro Network Node, Network Node, Node Support Pole, and related ground equipment located in the Right of Way. The foregoing shall not relieve the Network Provider from complying with any City graffiti or visual blight ordinance or regulation.

9. Restoration.

9.1 A Network Provider shall restore and repair of the public rights-of-way from any damage to the Right-of-Way, or any facilities located within the Right-of-Way, and the property of any third party resulting from Network Provider's removal or relocation activities (or any other of Network Provider's activities hereunder) in strict accordance with the City's rights-of-way management ordinance, and other applicable ordinances, except to the extent not consistent with Chapter 284.

9.2 A Network Provider shall repair any damage to the Right-of-Way, or any facilities located within the Right-of-Way, and the property of any third party resulting from Network Provider's removal or relocation activities (or any other of Network Provider's activities hereunder) within 10 calendar days following the date of such removal or relocation, at Network Provider's sole cost and expense, including restoration of the Right-of-Way and such property to substantially the same condition as it was immediately before the date Network Provider was granted a Permit for the applicable Location or did the work at such Location (even if Network Provider did not first obtain a Permit), including restoration or replacement of any damaged trees, shrubs or other vegetation. Such repair, restoration and replacement shall be subject to the sole, reasonable approval of the City Administrator or his/her designee.

10. Network provider's responsibility.

10.1 A Network Provider shall be responsible and liable for the acts and omissions of the Network Provider's employees, temporary employees, officers, directors, consultants, agents,

Affiliates, subsidiaries, sub-Network Provider's and subcontractors in connection with the installations of any Micro Network Node, Network Node, Node Support Pole and related ground equipment, as if such acts or omissions were Network Provider's acts or omissions in strict accordance with the City's rights-of-way management ordinance, and other applicable ordinances, except to the extent not consistent with Chapter 284.

10.2 A Network Provider shall be responsible and liable for the acts and omissions of the Network Provider's employees, temporary employees, officers, directors, consultants, agents, Affiliates, subsidiaries, sub-Network Provider's and subcontractors in connection with the installations of any Micro Network Node, Network Node, Node Support Pole, Transport Facility and related ground equipment, as if such acts or omissions were Network Provider's acts or omissions.

SECTION 12. ADMINISTRATIVE HEARING – REQUEST FOR EXEMPTION

12.1 Should the Network Provider desire to deviate from any of the standards set forth in the Design Manual, the Network Provider may request an Administrative Hearing before a Board of Appeals. The City Council shall act as the Board of Appeals for a Request for Exemption.

12.2 The process for an application, hearing and vote shall follow the process set out for a plat appeal to the City Council.

SECTION 13-19 RESERVED

SECTION 20. DESIGN MANUAL - UPDATES

Placement or Modification of Micro Network Node, Network Node, Node Support Pole, Transport Facility, and related ground equipment shall comply with the City's Design Manual at the time the Permit for installation or Modification is approved and as amended from time to time.

¹ Sec. 284.301. LOCAL POLICE-POWER-BASED REGULATIONS. (a) Subject to this chapter and applicable federal and state law, a municipality may continue to exercise zoning, land use, planning, and permitting authority in the municipality's boundaries, including with respect to utility poles.

(b) A municipality may exercise that authority to impose police-power-based regulations for the management of the public right-of-way that apply to all persons subject to the municipality.

(c) A municipality may impose police-power-based regulations in the management of the activities of network providers in the public right-of-way only to the extent that the regulations are reasonably necessary to protect the health, safety, and welfare of the public.

² The definitions as used in Tx. Loc. Gov. Code, Chapter 284, Sec. 284.002 shall be used in this Design Manual.

Tex. Loc. Gov. Code, Chapter 284, Sec. 284.002. DEFINITIONS. In this chapter:

(1) "Antenna" means communications equipment that transmits or receives electromagnetic radio frequency signals used in the provision of wireless services.

(2) "Applicable codes" means:

(A) uniform building, fire, electrical, plumbing, or mechanical codes adopted by a recognized national code organization; and

(B) local amendments to those codes to the extent not inconsistent with this chapter.

(3) "Collocate" and "collocation" mean the installation, mounting, maintenance, modification, operation, or replacement of network nodes in a public right-of-way on or adjacent to a pole.

(4) "Decorative pole" means a streetlight pole specially designed and placed for aesthetic purposes and on which no appurtenances or attachments, other than specially designed informational or directional signage or temporary holiday or special event attachments, have been placed or are permitted to be placed according to nondiscriminatory municipal codes.

(5) "Design district" means an area that is zoned, or otherwise designated by municipal code, and for which the city maintains and enforces unique design and aesthetic standards on a uniform and nondiscriminatory basis.

(6) "Historic district" means an area that is zoned or otherwise designated as a historic district under municipal, state, or federal law.

(7) "Law" means common law or a federal, state, or local law, statute, code, rule, regulation, order, or ordinance.

(8) "Macro tower" means a guyed or self-supported pole or monopole greater than the height parameters prescribed by Section 284.103 and that supports or is capable of supporting antennas.

(9) "Micro network node" means a network node that is not larger in dimension than 24 inches in length, 15 inches in width, and 12 inches in height, and that has an exterior antenna, if any, not longer than 11 inches.

(10) "Municipally owned utility pole" means a utility pole owned or operated by a municipally owned utility, as defined by Section 11.003, Utilities Code, and located in a public right-of-way.

(11) "Municipal park" means an area that is zoned or otherwise designated by municipal ordinances as a public park for the purpose of recreational activity.

(12) "Network node" means equipment at a fixed location that enables wireless communications between user equipment and a communications network. The term:

(A) includes:

(i) equipment associated with wireless communications;

(ii) a radio transceiver, an antenna, a battery-only backup power supply, and comparable equipment, regardless of technological configuration; and

(iii) coaxial or fiber-optic cable that is immediately adjacent to and directly associated with a particular collocation; and

(B) does not include:

(i) an electric generator;

-
- (ii) a pole; or
 - (iii) a macro tower.
 - (13) "Network provider" means:
 - (A) a wireless service provider; or
 - (B) a person that does not provide wireless services and that is not an electric utility but builds or installs on behalf of a wireless service provider:
 - (i) network nodes; or
 - (ii) node support poles or any other structure that supports or is capable of supporting a network node.
 - (14) "Node support pole" means a pole installed by a network provider for the primary purpose of supporting a network node.
 - (15) "Permit" means a written authorization for the use of the public right-of-way or collocation on a service pole required from a municipality before a network provider may perform an action or initiate, continue, or complete a project over which the municipality has police power authority.
 - (16) "Pole" means a service pole, municipally owned utility pole, node support pole, or utility pole.
 - (17) "Private easement" means an easement or other real property right that is only for the benefit of the grantor and grantee and their successors and assigns.
 - (18) "Public right-of-way" means the area on, below, or above a public roadway, highway, street, public sidewalk, alley, waterway, or utility easement in which the municipality has an interest. The term does not include:
 - (A) a private easement; or
 - (B) the airwaves above a public right-of-way with regard to wireless telecommunications.
 - (19) "Public right-of-way management ordinance" means an ordinance that complies with Subchapter C.
 - (20) "Public right-of-way rate" means an annual rental charge paid by a network provider to a municipality related to the construction, maintenance, or operation of network nodes within a public right-of-way in the municipality.
 - (21) "Service pole" means a pole, other than a municipally owned utility pole, owned or operated by a municipality and located in a public right-of-way, including:
 - (A) a pole that supports traffic control functions;
 - (B) a structure for signage;
 - (C) a pole that supports lighting, other than a decorative pole; and
 - (D) a pole or similar structure owned or operated by a municipality and supporting only network nodes.
 - (22) "Transport facility" means each transmission path physically within a public right-of-way, extending with a physical line from a network node directly to the network, for the purpose of providing backhaul for network nodes.
 - (23) "Utility pole" means a pole that provides:
 - (A) electric distribution with a voltage rating of not more than 34.5 kilovolts; or
 - (B) services of a telecommunications provider, as defined by Section 51.002, Utilities Code.
 - (24) "Wireless service" means any service, using licensed or unlicensed wireless

spectrum, including the use of Wi-Fi, whether at a fixed location or mobile, provided to the public using a network node.

(25) "Wireless service provider" means a person that provides wireless service to the public.

³ Sec. 284.002. DEFINITIONS (8) "Micro network node" means a network node that is not larger in dimension than 24 inches in length, 15 inches in width, and 12 inches in height, and that has an exterior antenna, if any, not longer than 11 inches.

Sec. 284.003. LIMITATION ON SIZE OF NETWORK NODES. (a) Except as provided by Section 284.109, a network node to which this chapter applies must conform to the following conditions:

- (1) each antenna that does not have exposed elements and is attached to an existing structure or pole:
 - (A) must be located inside an enclosure of not more than six cubic feet in volume;
 - (B) may not exceed a height of three feet above the existing structure or pole; and
 - (C) may not protrude from the outer circumference of the existing structure or pole by more than two feet;
 - (2) if an antenna has exposed elements and is attached to an existing structure or pole, the antenna and all of the antenna's exposed elements:
 - (A) must fit within an imaginary enclosure of not more than six cubic feet;
 - (B) may not exceed a height of three feet above the existing structure or pole; and
 - (C) may not protrude from the outer circumference of the existing structure or pole by more than two feet;
 - (3) the cumulative size of other wireless equipment associated with the network node attached to an existing structure or pole may not:
 - (A) be more than 28 cubic feet in volume; or
 - (B) protrude from the outer circumference of the existing structure or a node support pole by more than two feet;
 - (4) ground-based enclosures, separate from the pole, may not be higher than three feet six inches from grade, wider than three feet six inches, or deeper than three feet six inches; and
 - (5) pole-mounted enclosures may not be taller than five feet.
- (b) The following types of associated ancillary equipment are not included in the calculation of equipment volume under Subsection (a):
- (1) electric meters;
 - (2) concealment elements;
 - (3) telecommunications demarcation boxes;
 - (4) grounding equipment;
 - (5) power transfer switches;
 - (6) cut-off switches; and
 - (7) vertical cable runs for the connection of power and other services.
- (c) Equipment attached to node support poles may not protrude from the outer edge of the node support pole by more than two feet.

(d) Equipment attached to a utility pole must be installed in accordance with the National Electrical Safety Code, subject to applicable codes, and the utility pole owner's construction standards.

ORDINANCE NO. 206-112017

A PUBLIC RIGHT-OF-WAY MANAGEMENT ORDINANCE BY THE CITY OF GARDEN RIDGE, TEXAS; REGULATING THE PHYSICAL USE, OCCUPANCY AND MAINTENANCE OF CITY RIGHTS-OF-WAY BY WIRELESS NETWORK PROVIDERS; DESCRIBING THE PURPOSE; PROVIDING DEFINITIONS; REQUIRING COMPLIANCE WITH THE CITY DESIGN MANUAL AND APPLICABLE CODES FOR THE INSTALLATION OF NETWORK NODES AND NODE SUPPORT POLES PURSUANT TO CHAPTER 284 OF THE TEXAS LOCAL GOVERNMENT CODE; PROVIDING CITY PROCEDURES FOR APPLICATIONS FOR PERMITS; ESTABLISHING TIME PERIODS FOR APPROVAL OF PERMIT APPLICATIONS; PROVIDING APPLICATION FEES AND ANNUAL PUBLIC RIGHT-OF-WAY RENTAL RATES; PROVIDING RESTRICTIONS ON PLACEMENT OF NETWORK NODES AND NODE SUPPORT POLES IN MUNICIPAL PARKS, RESIDENTIAL AREAS, HISTORIC DISTRICTS AND DESIGN DISTRICTS; PROVIDING INDEMNITY FOR THE CITY; PROVIDING REPEALING AND SAVINGS CLAUSES; PROVING A TEXAS OPEN MEETINGS ACT CLAUSE; PROVIDING AN EFFECTIVE DATE OF NOVEMBER 1, 2017.

WHEREAS, the City of Garden Ridge, Texas (“City”) recognizes that the State of Texas has delegated to the City the fiduciary duty, as a trustee, to manage the public right-of-way for the health, safety, and welfare of the public to Texas municipalities; and

WHEREAS, Chapter 284 of the Texas Local Government Code (“the Code”) allows certain wireless network providers to install in the City’s public rights-of-way their wireless facilities, described and defined in Section 284.002 of the Code as “Micro Network Nodes”, “Network Nodes”, “Node Support Poles”, and “Transport Facilities”; and

WHEREAS, as expressly allowed by Section 284.108 of the Code and pursuant to its police power authority reserved in Sec. 284.301 of the Code, the City has enacted a *Design Manual for the Installation of Network Nodes, Node Support Poles and Transport Facilities* (“the Design Manual”) in order to meet its fiduciary duty to the citizens of the City, and to give assistance and guidance to wireless telecommunications network providers to assist such

companies in the timely, efficient, safe and aesthetically pleasing installation of technologically competitive equipment; and

WHEREAS, the City Council desires to regulate the installation of Network Nodes, Network Support Poles and Transport Facilities pursuant to Chapter 284 of the Code in a way that is fair, reasonable and nondiscriminatory.

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

SECTION I
FINDINGS OF FACT

The forgoing recitals are incorporated into this Right-of-Way Management Ordinance as findings of fact.

SECTION II.
USE OF PUBLIC RIGHTS-OF-WAY

The City hereby adopts the provisions set forth the in the attached Exhibit A, governing the use of the public right of way by wireless network providers.

SECTION III.
REPEALING ALL ORDINANCES IN CONFLICT

All other ordinances or parts of ordinances inconsistent or in conflict herewith, or to the extent of such inconsistency or conflict are hereby repealed.

SECTION IV.
SAVINGS CLAUSE

This City Council of the City of Garden Ridge, Texas does hereby declare that if any section, subsection, paragraph, sentence, clause, phrase, work or portion of this Ordinance is declared invalid, or unconstitutional, by a court of competent jurisdiction, that, in such event that it would have passed and ordained any and all remaining portions of this Ordinance without the

inclusion of that portion or portions which may be so found to be unconstitutional or invalid, and declare that its intent is to make no portion of this Ordinance dependent upon the validity of any portion thereof, and that all said remaining portions shall continue in full force and effect.

SECTION V.
COMPLIANCE WITH OPEN MEETINGS ACT

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

SECTION VI.
EFFECTIVE DATE.

This Ordinance shall become effective on November 1, 2017.

PASSED AND APPROVED ON THIS THE 1st DAY OF NOVEMBER 2017.

Larry Thompson, Mayor

ATTEST:

Shelley Goodwin, City Secretary

(SEAL OF THE CITY)

EXHIBIT A
USE OF PUBLIC RIGHTS-OF-WAY

§ 1.01 PURPOSE.

The purpose of this chapter is to:

- (A) Assist the City in the competitively neutral and nondiscriminatory management of the physical use, occupancy and maintenance of its public rights-of-way by wireless network providers;
- (B) Secure fair and reasonable compensation for the physical use and occupancy of the public rights-of-way by wireless network providers in a nondiscriminatory and competitively neutral manner; and
- (C) Assist the City in protecting the public health, safety, and welfare.

§ 1.02 GOVERNING LAW.

This chapter shall be construed in accordance with Chapter 284 of the Texas Local Government Code (“the Code”) to the extent not in conflict with the Constitution and laws of the United States or of the State of Texas.

§ 1.03 DEFINITIONS.

For the purpose of this chapter, the definitions found in the *City Design Manual for the Installation of Network Nodes and Node Support Poles* (“the Design Manual”) are hereby incorporated into this chapter and shall apply unless the context clearly indicates or requires a different meaning. The following definitions as found in the Design Manual are specifically applicable to this chapter:

Applicable codes means:

- (A) the City uniform building, fire, electrical, plumbing, or mechanical codes adopted by a recognized national code organization; and
- (B) local amendments to those codes to the extent not inconsistent with Chapter 284.

City means the City of Garden Ridge, Texas.

City Council means the municipal governing body of the City of Garden Ridge, Texas.

City Administrator means the Administrator or his/her designee for the City of Garden Ridge, Texas.

Chapter 284 means Texas Local Government Code, Chapter 284.

Code means the Texas Local Government Code.

Collocate and *collocation* mean the installation, mounting, maintenance, modification, operation, or replacement of Network Nodes in a public right-of-way on or adjacent to a pole.

Decorative pole means a streetlight pole specially designed and placed for aesthetic purposes and on which no appurtenances or attachments, other than specially designed informational or directional signage or temporary holiday or special event attachments, have been placed or are permitted to be placed according to nondiscriminatory City codes and ordinances.

Design District means an area that is zoned, or otherwise designated by municipal code, and for which the City maintains and enforces unique design and aesthetic standards on a uniform and nondiscriminatory basis.

Easement means and shall include any public easement or other compatible use created by dedication, or by other means, to the City for public utility purposes or any other purpose whatsoever. "Easement" shall include a private easement used for the provision of utilities.

Federal Communications Commission or FCC means the Federal Administrative Agency, or lawful successor, authorized to oversee cable television and other multi-channel regulation on a national level.

Highway right-of-way means right-of-way adjacent to a state or federal highway.

Historic district means an area that is zoned or otherwise designated as a historic district under municipal, state, or federal law.

Law means common law or a federal, state, or local law, statute, code, rule, regulation, order, or ordinance.

Local means within the geographical boundaries of the City.

Location means the City-approved and lawfully permitted location for the Network Node.

Mayor means the mayor of the City of Garden Ridge, Texas, or designee.

Micro network node means a Network Node that is not larger in dimension than 24 inches in length, 15 inches in width, and 12 inches in height, and that has an exterior antenna, if any, not longer than 11 inches.

Municipal park means an area that is zoned or otherwise designated by the City as a public park for the purpose of recreational activity.

Network node means equipment at a fixed location that enables wireless communications

between user equipment and a communications network. The term:

(A) includes:

- (i) equipment associated with wireless communications;
- (ii) a radio transceiver, an antenna, a battery-only backup power supply, and comparable equipment, regardless of technological configuration; and
- (iii) coaxial or fiber-optic cable that is immediately adjacent to and directly associated with a particular collocation; and

(B) does not include:

- (i) an electric generator;
- (ii) a pole; or
- (iii) a macro tower

Network provider means:

(A) a wireless service provider; or

(B) a person that does not provide wireless services and that is not an electric utility but builds or installs on behalf of a wireless service provider:

- (i) Network Nodes; or
- (ii) Node Support Poles or any other structure that supports or is capable of supporting a network node; or
- (iii) Transport Facilities

Node support pole means a pole installed by a network provider for the primary purpose of supporting a Network Node.

Permit means a written authorization for the use of the public right-of-way or collocation on a service pole required from the City before a network provider may perform an action or initiate, continue, or complete a project over which the municipality has police power authority.

Pole means a service pole, City-owned utility pole, node support pole, or utility pole.

Private easement means an easement or other real property right that is only for the benefit of the grantor and grantee and their successors and assigns.

Provider has the same meaning as “Network Provider.”

Public right-of-way means the area on, below, or above a public roadway, highway, street, public sidewalk, alley, waterway, or utility easement in which the City has an interest. The term does not include:

- (A) a private easement; or
- (B) the airwaves above a public right-of-way with regard to wireless telecommunications.

Service pole means a pole, other than a City-owned utility pole, owned or operated by the City and located in a public right-of-way, including:

- (A) a pole that supports traffic control functions;
- (B) a structure for signage;

- (C) a pole that supports lighting, other than a decorative pole; and
- (D) a pole or similar structure owned or operated by a municipality and supporting only network nodes.

Street means only the paved portion of the right-of-way used for vehicular travel, being the area between the inside of the curb to the inside of the opposite curb, or the area between the two parallel edges of the paved roadway for vehicular travel where there is no curb. A “Street” is generally part of, but smaller in width than the width of the entire right-of-way, while a right-of-way may include sidewalks and utility easements. A “Street” does not include the curb or the sidewalk, if either are present at the time of a permit application or if added later.

Traffic Signal means any device, whether manually, electrically, or mechanically operated by which traffic is alternately directed to stop and to proceed.

Transport facility means each transmission path physically within a public right-of-way, extending with a physical line from a Network Node directly to the network, for the purpose of providing backhaul for network nodes.

User means a person or organization which conducts a business over facilities occupying the whole or a part of a public street or right-of-way, depending on the context.

Utility pole means a pole that provides:

- (A) electric distribution with a voltage rating of not more than 34.5 kilovolts; or
- (B) services of a telecommunications provider, as defined by Chapter 284, Section 51.002, Utilities Code.

Wireless service means any service, using licensed or unlicensed wireless spectrum, including the use of Wi-Fi, whether at a fixed location or mobile, provided to the public using a Network Node.

Wireless service provider means a person that provides wireless service to the public.

Wireless facilities mean “Micro Network Nodes”, “Network Nodes”, “Node Support Poles”, and “Transport Facilities” as defined in Texas Local Government Code, Chapter 284.

§ 1.04 USE AND OCCUPANCY OF PUBLIC RIGHTS-OF-WAY.

Pursuant to this chapter and subject to the Design Manual and the Code, a wireless network provider has the nonexclusive right to use and occupy the public rights-of-way in the City for the purpose of constructing, maintaining, and operating its facilities used in the provision of Wireless Facilities.

The terms of this chapter shall apply to all wireless network providers’ facilities used, in whole or part, in the provision of wireless services throughout the City, including any annexed areas upon the effective date of annexation or the date the City provides the company written notice, whichever date occurs later.

§ 1.05 COMPLIANCE WITH DESIGN MANUAL AND APPLICABLE CODES.

All wireless network providers shall comply with the terms of this right-of-way management ordinance, City applicable codes, and the terms and conditions of the City's Design Manual.

§ 1.06 GENERAL CONSTRUCTION AND MAINTENANCE REQUIREMENTS.

A network provider shall construct and maintain Network Nodes, Network Support Poles and Transport Facilities described in the Code in a manner that does not:

- (A) Obstruct, impede, or hinder the usual travel or public safety on a public right-of-way;
- (B) Obstruct the legal use of a public right-of-way by other utility providers;
- (C) Violate nondiscriminatory applicable codes;
- (D) Violate or conflict with the City's publicly disclosed public right-of-way design specifications; or
- (E) Violate the federal Americans with Disabilities Act of 1990 (ADA).

§ 1.07 PERMIT APPLICATIONS.

- (A) Except as otherwise provided in Chapter 284 of the Code, a network provider shall obtain a permit or permits from the City to install a Network Node, Node Support Pole, or Transport Facility in a City public right-of-way.
- (B) As required by Chapter 284 of the Code, the City shall not require a network provider to perform services for the City for which the permit is sought.
- (C) A network provider that wants to install or collocate multiple Network Nodes inside the municipal limits of the City is entitled to file a consolidated permit application with the City for not more than 30 Network Nodes and upon payment of the applicable fee(s), receive a permit or permits for the installation or collocation of those Network Nodes.
- (D) The network provider shall provide the following information in its permit applications:
 - (1) Applicable construction and engineering drawings and information to confirm that the applicant will comply with the City's Design Manual and applicable codes;
 - (2) Any additional information reasonably related to the network provider's use of the public rights-of-way to ensure compliance with the Design Manual and this chapter;

- (3) A certificate that the Network Node(s) complies with applicable regulations of the Federal Communications Commission; and certification that the proposed Network Node(s) will be placed into active commercial service by or for the network provider not later than the 60th day after the date of construction and final testing of each Network Node is completed.
 - (4) A certificate of insurance that provides that the Network Provider and its contractor has at least \$1,000,000.00 in general liability coverage.
- (E) **Exception:** As provided in Section 284.157 of the Code, a network provider is not required to apply, obtain a permit, or pay a rate to the City for:
- (1) Routine maintenance that does not require excavation or closing of sidewalks, recreational trails or vehicular lanes in a public right-of-way;
 - (2) Replacing or upgrading a Network Node or Network Pole with a node or pole that is substantially similar in size or smaller and that does not require excavation or closing of sidewalks, recreational trails or vehicular lanes in a public right-of-way; or
 - (3) The installation, placement, maintenance, operation, or replacement of Micro Network Nodes that are strung on cables between existing poles or Node Support Poles in compliance with the National Electrical Safety Code;
 - (4) Notwithstanding Subdivision (E) above, the network provider or its contractors shall notify the City at least 24 hours in advance of work described in this Subdivision (E).

§ 1.08 INSTALLATION IN HISTORIC DISTRICTS OR DESIGN DISTRICTS

A network provider must obtain advance written consent from the City Council before collocating new Network Nodes or installing new Node Support Poles in an area of the City that has been zoned or otherwise designated as a historic district; or an area that has been designated as a design district if the district has decorative poles. The network provider shall be required to comply with the General Aesthetic Requirements described in the City's Design Manual. The City has the authority to designate new historic districts and design districts at a future date.

§ 1.09 INSTALLATION IN MUNICIPAL PARKS AND RESIDENTIAL AREAS

A network provider may not install a new Node Support Pole in a public right-of-way without the City Council's discretionary, nondiscriminatory and written consent if the public right-of-way:

- (1) Is in a municipal park; or
- (2) Is adjacent to a street or thoroughfare that is:
 - i. Not more than 50 feet wide; and
 - ii. Adjacent to single-family residential lots or other multifamily residences or undeveloped land that is designated for residential use by zoning or deed restrictions.
- (3) In addition to the above, a network provider installing a Network Node, Node Support Pole or Transport Facilities in a public right-of way shall comply with private deed restrictions and other private restrictions in the area that apply to those facilities.
- (4) The network provider shall be further required to comply with guidelines set out in the City's Design Manual.

§ 1.10 MUNICIPAL REVIEW PROCESS BY THE CTIY.

(A) **Determination of Application Completeness:** The City shall determine whether the permit application is complete and notify the applicant of that determination:

- (1) *For Network Nodes and Note Support Poles:* no later than 30 days after the date the City receives the permit application.
- (2) *For a Transport Facility:* no later than 10 days after the date the City receives the permit application.

(B) **Approval or Denial of Application:** The City shall approve or deny a completed application after the date it is submitted to the City:

- (1) *For Network Nodes:* No later than 60 days after the date the City receives the complete application.
- (2) *For Network Support Poles:* No later than 150 days after the date the City receives the complete application.
- (3) *For Transport Facilities:* No later than 21 days after the City receives the complete application.

(C) **Basis for Denial of Application:** If an application is denied by the City, the City shall document the basis for the denial, including the specific applicable City code provisions or other City rules, regulations, or other law on which the denial is based. The documentation for the denial must be sent by electronic mail to the applicant on or before the date that the City denies the application.

(D) **Resubmission of Denied Application:** The applicant may cure the deficiencies identified in the denied application.

- (1) The applicant has 30 days from the date the City denies the completed application to cure the deficiencies identified in the denial documentation without paying an additional application fee, other than any fee for actual costs incurred by the City.
- (2) The City shall approve or deny the revised completed application after a denial not later than the 90th day after the City receives the revised completed application. The City's review shall be limited to the deficiencies cited in the denial documentation.

(E) **Nondiscriminatory Review:** Each completed application shall be processed by the City on a nondiscriminatory basis.

§ 1.11 TIME OF INSTALLATION.

A network provider shall begin installation for which a permit is granted not later than six months after final approval of the application and shall diligently pursue installation to completion. The City Administrator may in his/her sole discretion grant reasonable extensions of time as requested by the network provider.

§ 1.12 APPLICABLE FEES AND RENTAL RATES TO THE CITY.

- (A) As compensation for the network provider's use and occupancy of the City public rights-of-way, the network provider shall pay application fees and annual public right-of-way rental rates as set forth in the City's Fee Schedule, which shall not be in lieu of any lawful tax, license, charge, right-of-way permit, use, construction, street cut or inspection fee; or other right-of-way related charge or fee, whether charged to the network provider or its contractor(s) within the City, except the usual general ad valorem taxes, special

assessments and sales tax levied in accordance with state law and equally applicable to all general businesses in the City.

(B) The City Fee Schedule shall list rates for the following:

a. **Network Nodes:**

- (1) **Application Fee:** The application fee shall be for each Network Node for up to but not more than 30 Network Nodes. The fee shall encompass up to five (5) nodes with an additional fee for each node after that on the same application.
- (2) **Annual Public Right-of-Way Rate Fee:** The annual public right-of-way shall be per Network Node installed in the City public rights-of-way.
- (3) **Public Right-of-Way Rate Adjustment:** As provided in Section 284.054 of the Code, the City may adjust the amount of the annual public right-of-way rate not more than annually by an amount equal to one-half the annual change, if any, in the Consumer Price Index (CPI) for All Urban Consumers for Texas. The City shall provide written notice to each network provider of the new rate; and the rate shall apply to the first payment due to the City on or after the 60th day following the written notice.

(C) **Node Support Poles:**

- (1) The application fee for a Network Support Pole shall be a separate fee per pole

(D) **Transport Facilities:**

- (1) An application fee shall be paid for each Transport Facility.
- (2) The may be assessed a monthly Transport Facility rental rate for each Network Node site located in a public right-of-way. However, no rate is required if the network provider is already paying the City an amount equal to or greater than the amount of other City right-of-way fees for access lines under Chapter 283 of the Code or cable franchise fees under Chapter 66 of the Texas Utility Code.

(E) **Micro Network Nodes:**

- (1) No application fee is required for a Micro Network Node if the installation is attached on lines between poles or node support poles.

(F) **Collocation of Network Nodes on Service Poles**

- (1) Subject to the City's Pole Service Agreement, there shall be a fee assessed per year per pole for collocation of Network Nodes on City service poles.

(G) City-Owned Municipal Utility Poles:

- (1) A network provider shall pay an annual pole attachment rate for the collocation of a Network Node supported by or installed on a City-owned utility pole based upon the pole attachment rate consistent with Section 54.024 of the Texas Utilities Code, applied on a per-foot basis.

(H) The City shall not seek or accept in-kind services in lieu of or as additional payment or consideration from any user of the public rights-of-way for use of the public rights-of-way.

§ 1.13 INDEMNITY.

As provided in Section 284.302 of the Code, a wireless Network Provider shall indemnify, defend, and hold the City harmless from and against all liability, damages, cost, and expense, including reasonable attorney's fees, arising from injury to person or property proximately caused by the negligent act or omission of the Network Provider. The City shall promptly notify the Network Provider of any claims, demands, or actions ("claims") covered by this indemnity after which the Network Provider shall defend the claims. The Network Provider shall have the right to defend and compromise the claims. The City shall cooperate in the defense of the claims. The foregoing indemnity obligations shall not apply to claims arising solely from the negligence of City; however, they shall apply in the case of all claims which arise from the joint negligence of the Network Provider and the City; provided that in such cases, the amount of the claims for which the City shall be entitled to indemnification shall be limited to that portion attributable to the Network Provider. Nothing in this section shall be construed as waiving any governmental immunity available to the City under state law or waiving any defenses of the parties under state law.

§ 1.14 EFFECT ON OTHER UTILITIES AND TELECOMMUNICATION PROVIDERS.

Nothing in this Ordinance shall govern attachment of Network Nodes on poles and other structures owned or operated by investor-owned electric utilities, electric cooperatives, telephone cooperatives, or telecommunication providers.

ORDINANCE NO. 207-112017

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF GARDEN RIDGE, TEXAS AMENDING THE CITY OF GARDEN RIDGE ORDINANCE 11-102015 BY ESTABLISHING FEES FOR WIRELESS NETWORK NODES, NODE SUPPORT POLES AND TRANSPORT FACILITIES DESIRING TO BE PLACED IN THE PUBLIC RIGHT OF WAY, DECLARING AN EMERGENCY AND SETTING AN EFFECTIVE DATE

WHEREAS, the City of Garden Ridge, Texas (“City”) recognizes that the State of Texas has delegated to the City the fiduciary duty, as a trustee, to manage the public right-of-way for the health, safety, and welfare of the public to Texas municipalities; and

WHEREAS, Chapter 284 of the Texas Local Government Code (“the Code”) allows certain wireless network providers to install in the City’s public rights-of-way their wireless facilities, described and defined in Section 284.002 of the Code as “Micro Network Nodes”, “Network Nodes”, “Node Support Poles”, and “Transport Facilities”; and

WHEREAS, the City of Garden Ridge (the “City”) has established by ordinances and resolutions for fees for licenses, permits, and services provided by the City; and

WHEREAS, Chapter 284 of the Code allows the City to charge fees for permit applications, right of way usage and rental, placing poles within the right of way and placing transport facilities within the right of way; and

WHEREAS, the City Council desires to regulate the installation of Network Nodes, Network Support Poles and Transport Facilities pursuant to Chapter 284 of the Code in a way that is fair, reasonable and nondiscriminatory.

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

SECTION 1.

All persons, firms, or corporations applying for licenses or permits or receiving other City services described on Exhibit A that require the payment of a fee incident to such application or service shall pay the fees as prescribed in the Fee Schedule attached hereto as Exhibit A and made a part of hereof. It shall be a violation of this Ordinance to conduct any activity or commence any use or receive any service for which payment of a fee described herein is required until such fee has been paid (if required to be paid in advance) or to fail to pay such fee when properly billed.

SECTION 2.

This Ordinance shall be cumulative of all provisions of ordinances of the City of Garden Ridge, Texas as to the fees set forth on Exhibit A effect on the effective date of this

Ordinance, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

SECTION 3.

The City Council may, from time to time, by ordinance add to the fees set forth on Exhibit A, and the fees now or hereafter set forth on Exhibit A may be modified from time to time by resolution of the City Council.

SECTION 4.

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.

SECTION 5.

Subject to the last sentence of this Section, any person, firm, or corporation who violates, disobeys, omits, neglects, or refuses to comply with or who resists the enforcement of any of provisions of this Ordinance shall be fined not more than Five Hundred Dollars (\$500.00) for each offense. Each day that a violation is permitted to exist shall constitute a separate offense. If any other ordinance, establishes a different penalty for the failure to pay any fee on Exhibit A, the provisions of such other ordinance shall control with respect to such penalty.

SECTION 6.

All rights and remedies of the City are expressly saved as to any and all violations of the provisions of ordinances in effect on the effective date of this Ordinance and modified by this Ordinance or any other ordinances in effect on the effective date of this Ordinance and modified by this Ordinance and requiring the payment of fees for licenses, permits, and other services provided by the City which have accrued on the effective date of this Ordinance; and any and all accrued violations and all pending litigation, both civil and criminal, whether pending in court or not, under such ordinances, shall not be affected by this Ordinance but may be prosecuted until final disposition by the courts.

SECTION 7.

This Ordinance shall be in full force and effect as of November 1, 2017.

Larry Thompson, Mayor

ATTEST:

Shelley Goodwin, City Secretary

ORDINANCE NO. 207-112017

EXHIBIT “A”

Permit Application and Fees – Network Nodes

The following fees are due at time of submittal of the application for the small cell right-of-way permit:

- \$500.00 for each permit application containing up to five (5) network nodes; maximum of 30 network nodes per application.
- \$250.00 for each additional network nodes beyond five (5).
- \$250.00 per year per network node site rental fee; annual CPI adjustment with 60 days written notice

Permit Application and Fees – Nodes Support Poles

- \$1,000.00 for each new network-node-support pole.
- \$250.00 per year per network node site rental fee; annual CPI adjustment with 60 days written notice

Transfer Facility Application and Fees

- \$500.00 for each permit application containing up to five (5) network nodes; maximum of 30 network nodes per application.
- \$250.00 for each additional network nodes beyond five (5).
- \$28.00 per node, per month rental fee for transport facilities

ORDINANCE NO. 7-112017 AMENDMENT #5

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

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

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

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

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

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

DEFINITIONS APPLICABLE TO THIS AMENDMENT:

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

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

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

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

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

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

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

TRANSFERABLE WATER RIGHTS - REQUIREMENT:

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

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

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

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

SUBDIVISION SIGN – REQUIREMENTS

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

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

SEVERABILITY CLAUSE:

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

EFFECTIVE DATE:

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

PUBLICATION:

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

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

Larry Thompson, Mayor

ATTEST:

Shelley Goodwin, City Secretary

RESOLUTION NO. 425-112017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF GARDEN RIDGE, TEXAS, ADOPTING POLICIES AND PROCEDURES FOR A DONATION ACCEPTANCE PROGRAM AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City of Garden Ridge ("City) is a Type A General Law City and may accept gifts as authorized by statute and other law; and

WHEREAS, the City Council recognizes that individuals, community groups and businesses may wish to make Donations to the City in cash, real property or in-kind contributions to enhance projects, facilities and programs; and

WHEREAS, the City Council recognizes that in most instances it is acceptable and appropriate to accept Donations, in order to enhance City programs and facilities to provide a higher level of service to the public; and

WHEREAS, the City Council also recognizes that accepting certain types of Donations may be inconsistent with the City's policies and mission due to the nature of the Donation, administrative costs, or ethical considerations; and

WHEREAS, the City Council finds that protecting the integrity of City property is paramount to the residents in Garden Ridge and necessary for the health, safety and welfare of the City; and

WHEREAS, the City Council finds that a City-wide policy is useful in determining which Donations will best further municipal growth, service and facility enhancements.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL FOR THE CITY OF GARDEN RIDGE, COMAL COUNTY, TEXAS, THAT:

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

Section 2. Donation Program. The following shall be considered the City of Garden Ridge's policy regarding the acceptance of Donations offered to the City:

GARDEN RIDGE DONATION POLICY

Policy and Purpose: The City of Garden Ridge shall establish a program designated for the evaluation and acceptance of Donations offered or made to the City. The intent of this policy is to provide guidelines for accepting Donations in a responsible, transparent, and accountable manner that is consistent with the City's strategic goals.

Objectives:

1. To establish and guide relationships with donors who share the City's commitment to provide a high quality civic environment;
2. To enrich our community by responsibly and efficiently managing Donations;
3. To generate revenue to fund new and existing facilities, projects, programs and activities for the benefit of the City and its residents; and
4. To work with non-profits whose missions support the City's strategic goals.

Definitions:

For purposes of this policy:

Donation means a monetary (cash) contribution, endowments, personal property, real property, financial securities, equipment, in-kind goods or services, or any other asset that the City has accepted and for which the donor has not received any goods or services in return.

Donor means a person or other legal entity that proposes or provides a donation to the City.

Restricted Donation means Donations designated at donor request for a particular City department, location, or purpose.

Unrestricted Donation means a Donation to the City without any limitations being placed upon its use.

General Regulations:

1. This policy regulates the manner in which Donations are accepted on behalf of the City.
2. All Donations will be evaluated by the City prior to acceptance to determine whether the Donation is in the City's best interest and is consistent with applicable state laws, City laws, policies, ordinances, and resolutions.
3. Donations do not become property of the City until accepted by the City Council.
4. The City has no obligation to accept any Donation proposed by a donor. The City reserves the right to decline any Donation if, upon review, it is determined in the sole discretion of the City, acceptance of the Donation is not in the best interest of the City.

5. The City Administrator is authorized by this policy to evaluate Donations for acceptance prior to submittal to Council for review and acknowledgment.
6. The City does not provide legal, accounting, tax or other such advice to donors. Each Donor is ultimately responsible for ensuring the donor's proposed Donation meets and furthers the Donor's charitable, financial, and estate planning goals. As such, each Donor is encouraged to meet with a professional advisor before making any Donation to the City.
7. The City must determine whether an expenditure of City funds, either a direct outlay of City funds or the use of City forces and materials, is associated with or required by acceptance of the Donation prior to acceptance.
8. A Donor may restrict a Donation for a particular City department, location or purpose, but not designate the City official who may use the Donation.
9. Funds or items donated to the City become City property, subject to all the restrictions that attach to City property.

Distribution of Donation:

1. At the discretion of the City Administrator, tangible items will be distributed to appropriate City departments for use or disposed of in an appropriate manner.
2. Designated Donations in the form of cash will be deposited into the appropriate revenue account for the designated City department.
3. Undesignated Donations in the form of cash will be deposited into the City's general fund.

Corresponding Procedures and Policies: The following laws will be considered in order to determine the acceptance of a Donation:

1. Texas Penal Code, Chapter 36 and 39.
2. Personnel Policy, Gifts and Gratuities.
3. Local Government Code, Chapter 176.

Section 3. This Resolution takes effect immediately upon passage.

PASSED AND APPROVED this _____ day of _____ 2017.

LARRY THOMPSON, MAYOR

ATTEST:

SHELLEY GOODWIN, CITY SECRETARY

DRAFT



City of Garden Ridge

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

October 18, 2017

To: Water Commission

From: City Administrator Cain

The lease agreement between the City of Garden Ridge and Lloyd Loehman for three (3) acre feet of Edwards water rights is due to expire on December 31, 2017. Mr. Loehman desires to continue leasing to the City of Garden Ridge three (3) acre feet of Edwards water rights for \$138.50 per acre foot for three (3) years. The lease equates to \$415.50 annually for a total of \$1,246.50 over the full term of the lease. The term of the lease would be January 1, 2018 through December 31, 2020. Mr. Loehman also agrees to give the City the first right for purchase of the Edwards water rights when he decides to offer them for sale.

It is recommended that the City of Garden Ridge renew the lease agreement with Mr. Lloyd Loehman for three (3) acre feet of Edwards water rights at \$138.50 per acre foot for a lease term of three (3) years with the City having first rights for purchase of the water rights.

AN ORDINANCE ESTABLISHING THE DROUGHT MANAGEMENT PLAN FOR THE CITY OF GARDEN RIDGE; PROVIDING DEFINITIONS, ESTABLISHING TRIGGER POINTS FOR STAGES 1 THROUGH 5, RESTRICTING THE USE OF WATER UPON IMPLEMENTATION OF SPECIFIC STAGES OF SAID PLAN; ESTABLISHING WATER SURCHARGE RATES FOR STAGES 3 THROUGH 5 OF SAID PLAN; PROVIDING A VARIANCE PROCEDURE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE AND AMENDING ORDINANCE NO. 61-012014 ADOPTED January 9, 2014

WHEREAS, The City of Garden Ridge is a Type A, General Law Municipality located in Comal County, Texas, and;

WHEREAS, the 2010 estimated population of the City of Garden Ridge is approximately 3,259 residents. It is anticipated that the City of Garden Ridge will have a population of 4,450 in the year 2015, and;

WHEREAS, the Edwards Aquifer Authority is a regional authority managing water pumped out of the Edwards Aquifer by the City of Garden Ridge and has set standards for the Emergency Water Use Reduction Program in the region;

WHEREAS, the City of Garden Ridge uses both water from the Edwards Aquifer and from the Trinity Aquifer to provide water to residents of the City of Garden Ridge as well as persons residing within the Certificate of Convenience and Necessity (CCN) of the City of Garden Ridge;

WHEREAS, the Trinity Aquifer is currently an unregulated water source;

WHEREAS, the City of Garden Ridge relies on the Trinity Aquifer for the majority of its water resources;

WHEREAS, the level of the Trinity well affects the ability of the city to provide unrestricted water sources; and

WHEREAS, The City of Garden Ridge has determined that certain restrictive measures are required to delay potentially serious water shortage problems from impacting to the detriment of the health, safety and welfare of the Garden Ridge community.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE City of Garden Ridge, TEXAS;

SECTION 1 – Previous Ordinances

City of Garden Ridge Ordinance Number 61-012014 dated, January 9, 2014 including all attachments and amendments thereto, is hereby amended.

SECTION 2 – Definitions

The following words and terms, when used in this plan, shall have the following meanings unless the context clearly indicates otherwise:

ACT. The Act creating the Edwards Aquifer Authority, namely the Edwards Aquifer Authority Act of May 30, 1993, 73rd Leg.R.S. Ch. 626, 1993 Texas General Laws 2353, as amended.

AESTHETIC USE. The use of water for fountains, waterfalls, and landscape lakes and ponds where such use is entirely ornamental and serves no other functional purpose.

AGRICULTURAL IRRIGATION. Irrigation for the purpose of growing crops commercially for human consumption or to use as feed for livestock or poultry.

BUCKET. Bucket or other container holding five gallons or less, used singly by one person.

CONNECTION. A metered or unmetered delivery point to a customer or other receiver of water from an organized water distribution system.

CONSERVATION. Those practices, techniques, and technologies that will reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water, or increase the recycling and reuse of water so that a water supply is made available for future or alternative uses.

DEMAND REDUCTION MEASURE. A specific action to be taken by defined categories of users to reduce the pumpage demand on the Edwards Aquifer during a drought.

DOMESTIC TYPE USE. The use of water, other than uses in the outdoor category, for personal needs or for household purposes, such as drinking, bathing, heating, cooking, sanitation or cleaning, whether the use occurs in a residence or in a commercial or industrial facility.

DROUGHT. A period of shortage of precipitation of seasonal or longer duration.

EDWARDS AQUIFER. That portion of an arcuate belt of porous, water-bearing limestones composed of the Edwards Group Limestone and Associated Formations trending from west to east to northeast through Kinney, Uvalde, Medina, Bexar, Comal and Hays Counties.

HAND-HELD HOSE. A hose attended by one person, fitted with a manual or automatic shutoff nozzle.

HEALTHCARE FACILITY. Any hospital, clinic, nursing home or other healthcare or medical research facility.

IMPERVIOUS SURFACE AREA. Any structure or any street, driveway, sidewalk, patio or other surface area covered with brick, paving, tile or other impervious material.

INDUSTRIAL USE. The use of water integral to the production of primary goods and services provided by industrial or commercial facilities, Industrial facilities include facilities which perform such process-specific activities as cooling, boiler feed, cleaning and washing, pollution control, extraction and separation of desirable material from products and waste materials and the incorporation of water into final products, Commercial facilities include, but are not limited to, food service facilities, hotels, retail facilities and nursery operations.

INDUSTRIAL USER. An industrial or commercial water user whose use of water is integral to the production of primary goods and services provided by industrial or commercial facilities.

INDUSTRIAL WELL USER. An industrial user who owns one or more wells that produce water used for industrial or commercial facilities.

IRRIGATOR. A well owner who uses water to irrigate land for growing commercial crops.

LANDSCAPE WATERING. The application of water to grow landscaping plants.

LANDSCAPE PLANT. Any member of the plant kingdom, including any tree, shrub, vine, herb, flower, succulent, groundcover or grass species that grows or has been planted out-of-doors and is used for landscaping purposes or for the support of intensive recreational areas such as playgrounds and playing fields.

LIVESTOCK. Cattle, sheep, goats, hogs, poultry, horses and game, domestic, exotic and other animals and birds, including zoo animals, used for commercial or personal purposes.

LIVESTOCK USE. The use of water for drinking by or washing of livestock.

MSL. Mean sea level.

MUNICIPALITY. A city or other governmental unit with the authority to make and enforce ordinances.

ORDER. A written order of the City Council or Mayor of the City of Garden Ridge, Texas.

OTHER OUTSIDE USE. The use of water outdoors for the maintenance, cleaning and washing of structures and mobile equipment, including automobiles and boats, the washing of streets, driveways, sidewalks, patios and other similar areas.

PERSON. Any individual, firm, entity, corporation, municipal corporation, governmental or proprietary body, including the United States or the State of Texas, or association of persons.

REDUCTION GOAL. The amount of reduction in pumpage volume, expressed in a percentage from baseline pumpage volume for each drought stage.

REUSE. The use by any user of Edwards Aquifer water that has been recycled or reclaimed for any beneficial purpose, after such water has been previously used for any beneficial purpose, whether or not any treatment of such groundwater may be required in connection with such recycling or reclamation.

STAGE. One of the five designated drought stages, which may be declared by the City or the Edwards Aquifer Authority.

SUPPLIER. Any person who supplies water to customers for residential, commercial, industrial, military or other uses, including a public or private water company, water supply corporation, municipality and water district.

TRIGGER CONDITIONS. Those specific conditions of rainfall amounts, Edwards Aquifer water level elevations, spring discharges and water quality which the Authority will monitor and use as indicators of the occurrence of drought conditions for purposes of declaring the various stages.

TRIGGER POINTS. Special conditions experienced by the City of Garden Ridge, which authorize the city to initiate Stage 1 through 5 of the City of Garden Ridge Drought Management Plan.

TRINITY AQUIFER WELL. A source of water for the City of Garden Ridge which is located in the Cow-Creek formation of the Trinity Aquifer.

USE FOR A BENEFICIAL PURPOSE. Water which is used, without regard to priority, for:

- (1) agricultural, commercial, domestic, gardening, industrial, manufacturing, mining, municipal, pleasure, recreational or stock raising purposes-
- (2) exploring for, producing, handling or treating oil, gas, sulfur or other materials; or
- (3) any other purpose that is useful and beneficial to the user.

USER. A person, public or private, who produces, distributes or uses water from an Edwards Aquifer well or from the Trinity Aquifer well.

VARIANCE. An authorized exception from compliance by the user with any provision of the Rules granted by this Ordinance.

WASTE.

- (1) The flowing or producing of groundwater from wells in the Edwards Aquifer or Trinity Aquifer if the water flowing or produced is not used for a beneficial purpose by any user,

- (2) The unreasonable loss of groundwater through faulty design or negligent operation of a well or water delivery or application system; or
- (3) Using quantities of groundwater for a purpose that otherwise would be considered beneficial in excess of quantities reasonably necessary for that purpose.

WATER UTILITY USE. Water used for withdrawal, treatment, transmission and distribution by potable water systems.

SECTION 3 – Demand Reduction Measures

The demand reduction measures for all water uses for Stages 1, 2, 3, 4 and 5 are set out in Appendix A, provided. For clarification, certain permitted and exempt water uses are listed.

Listed below are the trigger points for the various stages of the Drought Management Plan.

TABLE 1	
Reduction Stage	J-17 Well Level
1	660'
2	650'
3	640'
4	630'
5	As Declared by Edwards

SECTION 4 – Emergency Water Use Reduction

4.01 -- Declaration of Emergency Stages

The Mayor of Garden Ridge is authorized to order, by proclamation, implementation of provisions of Stages 1 through 5 of the City of Garden Ridge Drought Management Plan when the appropriate trigger points as established in this Ordinance are met.

The City of Garden Ridge shall determine when conditions warrant implementation of the Emergency Water Use Reduction Program. The program is implemented when any one of the below Trigger Points is reached. The City of Garden Ridge may advance stages, as needed to effect compliance with pumping limit goals. The various stages may be declared as shown in Appendix A.

TRIGGER POINTS:

- 1) Declaration of Stages 1 through 5 by the Edwards Aquifer Authority and/or at the discretion of the Mayor, City of Garden Ridge.
- 2) The level of the Edwards Aquifer Authority Test Well J-17 reaches a level of Stages 1 through 5 Emergency Water Use Reduction as defined by Edwards Aquifer Authority.
- 3) When the pumping ability of the Trinity Aquifer well drops to 600 GPM or draw down level of the well reaches seventy-five (75) feet above the transponder.
- 4) When the city's pumping capacity is reduced by infrastructure damage or equipment failure.

4.02 -- Public Issuance of Drought Stage Declaration

The Declaration of a critical use stage will be publicly issued by the City of Garden Ridge. Such declaration shall be placed on the City signs and distributed by phone (CTY system), posted on city website and/or published in the official city newspaper.

4.03 -- Restricting the Use of Water

- a. Upon declaration of a critical use stage by the City of Garden Ridge, compliance with the Emergency Water Use Reduction Program demand reduction measures shall be required and compliance with the voluntary measures shall be encouraged.
- b. Demand reduction measures are attached as Appendix A, and are herein incorporated for all purposes.
- c. Upon declaration of a critical use stage by the City of Garden Ridge, the sale of water to a temporary user for use outside the city shall be prohibited. The sale of water to a temporary user for use within the City of Garden Ridge shall be at the discretion of the Public Works Director.

4.04 -- Water Rate Surcharges

- a. Critical Period Surcharges will be implemented in accordance with the following schedule:
 - (1) Stage 3: Customers will be charged the current water rate plus a 100% surcharge for use over 45,000 gallons.
 - (2) Stage 4: Customers will be charged the current water rate plus a 200% surcharge for use over 45,000 gallons.
 - (3) Stage 5: Customers will be charged the current water rate plus a 200% surcharge for use over 45,000 gallons.
- b. Water rate surcharges will remain in effect only so long as the City is in Stages 3, 4 or 5 of the Drought Management Plan.
- c. Water rate surcharges shall coincide with the normal billing cycle of the Garden Ridge Water Department. Surcharges shall be applied to the next billing cycle following the implementation of Stages 3, 4 or 5.
- d. Surcharge revenues shall be held in a reserve fund to be created within the current fiscal year budget. Such revenue is to be used for the following purposes:
 - (1) For the payment of any legal fees, consultant fees, studies, etc. that are incurred because the city is using more water than the allowable rate/amount established by an authorized political entity.
 - (2) For the payment of any fines or administrative penalties imposed by a legal or judicial entity related to excess pumpage, or;
 - (3) For the payment of any fees incurred to pursue alternate water sources.

4.05 – Payment of City-wide Fines and/or Penalties

- a. In the event that a governmental agency levies a fine or penalty against the City of Garden Ridge associated with water usage, the amount of the fine or penalty shall be pro-rated amongst all customers *exceeding the average use and* having an active account with the City during the time period subject to the fine as a recovery assessment.
- b. Each active account holder who exceeds the average water usage for the period subject to the fine, shall have an assessment placed on their water bill during the month immediately following the levy of such a fine or penalty.
- c. The amount of the assessment for any customer shall be based on usage above the average of all customers' water usage for the fine/penalty month. In computing the assessment, the City shall use the following variables: the amount of the fine/penalty (fine); the average usage per water connection for the period of the fine (average); the individual customer's usage above the average; and the total of all customers' usage above the average.

The assessment for any individual customer shall be the amount of the fine, multiplied by the ratio of the individual customers' usage above the average to the total of all customers' usage above the average.

- d. Customers that have received an adjustment to their water bill for a fast meter, customer leaks, etc. in accordance with Ordinance 54, Paragraph 14.07 shall have their assessment based upon the approved adjusted amount.
- e. For the purposes of this assessment, average use for the time period of the fine will be determined by the total gallons pumped divided by the number of water customers. Usage below the average shall not be subject to an assessment.

4.06 -- End of Emergency Use Restrictions

a. Trinity Aquifer

The program and/or each stage may be terminated or changed at the discretion of the City of Garden Ridge after the trigger condition of a stage has been exceeded and after considering the 10 day rolling average of the appropriate index well level, pumping trends, current precipitation and the outlook for additional precipitation.

b. Edwards Aquifer

The program and /or each stage may be terminated or changed upon declaration of the Edwards Aquifer Authority (EAA) and/or at the discretion of the Mayor, City of Garden Ridge.

SECTION 5 – Penalties

- a. A person who knowingly or intentionally violates the provisions of this Ordinance shall be deemed guilty of a misdemeanor offense and upon conviction be punished by a fine of not less than twenty-five dollars (\$25.00) and not more than two thousand dollars (\$2,000). Each day's violation constitutes a separate offense. Compliance may also be sought through injunctive relief in the District Court.
- b. No violation, definition or penalty under this section shall have bearing on any violation, definition or penalty under any other section of this Ordinance.

SECTION 6 – Enforcement

a. Applicable to Resident and Non-Resident Customers

For purposes of this Ordinance, it shall be presumed that any person, corporation or association in whose name a water meter connection is registered with the City of Garden Ridge Water Company, has knowingly made, caused, used or permitted to use the water received from the City and that use of said water in a manner contrary to the provisions of Ordinance No.61, or in an amount in excess of the use permitted by the conservation stage in effect, is considered a violation of Ordinance No.61 by that resident person, non-resident person, corporation or association. Proof that the particular premises have a water meter connection registered in the name of the defendant named in a complaint issued under the auspices of Ordinance No.61 shall constitute in evidence a prima facie presumption that the person in whose name such water connection was registered was the person who permitted the illegal use of water to occur on the premises.

b. Applicable to Non-Resident Customers Only

Any non-resident person, corporation or association in whose name a water meter connection is registered with the City of Garden Ridge Water Company who shall violate a provision of Ordinance No.61 and orders promulgated there under when Stage I, Stage II, Stage III, Stage IV, or Stage V are in effect, shall be held strictly liable, and shall be subject to an Administrative Hearing before the City Water Commission to show cause whether water service should be discontinued for all or any part of a day or consecutive days to such non-resident person, corporation or association. Provisions shall be made to allow for the provision of water in an amount necessary to provide for human health and safety requirements. In the event termination is ordered, an appeal to the City Council may be made if filed in

writing with the Mayor within three (3) days of the termination order. Compliance may also be sought through injunctive relief in District Court.

SECTION 7 – Variances

a. Request for Variance

A person may file a written request for a variance from these rules with the City of Garden Ridge. The request must contain the following information;

- (1) The specific nature of the variance requested
- (2) A detailed explanation of why the person believes he/she should be granted the variance, including any supporting documentation;
- (3) A signed statement that the facts contained in the request are true and within the person's personal knowledge.

b. Additional Information

The City of Garden Ridge may request the variance requester to provide additional information, which must be filed within ten calendar days of the request or as otherwise directed in the request.

c. When Variance May be Granted

- (1) The variance is necessary to avoid an unusual, direct and substantial hardship
- (2) There are no other reasonably available means for avoiding the hardship without a variance;
- (3) Granting the variance is consistent with the goals of this Ordinance; and
- (4) Granting the variance will not cause significant harm to any other person or group of persons or result in the City of Garden Ridge being in violation of regulatory requirements.

d. Terms and Conditions of the Variance

- (1) The City of Garden Ridge may grant a variance for such a term and in accordance with any conditions the City of Garden Ridge deems appropriate.
- (2) It shall be a term of every variance granted by the City of Garden Ridge that the variance may be rescinded based on changed circumstances, new information, or failure of the holder of the variance to abide by the terms and conditions of the variance or to comply with these rules or any other order or rule of the City of Garden Ridge.
- (3) The City of Garden Ridge may require a person granted a variance to file reports with the City of Garden Ridge containing such information as the City of Garden Ridge believes relevant to monitoring the continuing appropriateness of the variance.

SECTION 8 – Severability

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

SECTION 9 – Effective Date

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

PASSED AND APPROVED THIS 1st DAY OF NOVEMBER, 2017.

ATTEST:

Larry Thompson, Mayor

Shelly Goodwin, City Secretary

**APPENDIX A
DEMAND REDUCTION MEASURES**

Watering by automated irrigation systems is restricted year round
between the hours of 10 am and 8 pm.

STAGE 1

Stage One Alert begins when the Edwards Aquifer Authority Test Well J-17 level reaches **660** feet mean sea level at the monitored well and is declared by the Edwards Aquifer Authority (EAA) and/or at the discretion of the Mayor, City of Garden Ridge.

1. Water waste is prohibited to include, allowing water to run off onto a gutter, ditch, or drain; or failing to repair a controllable leak.
2. Watering with an irrigation system or sprinkler, permitted only during the hours of 12 a.m. to 10 a.m. and 8 p.m. to 12 a.m.:
3. Watering with an irrigation system or sprinkler, permitted only once a week on the designated watering day:

Last Digit of Address	Day
0	Monday
1&2	Tuesday
3&4	Wednesday
5&6	Thursday
7&8	Friday
9	Saturday

Areas without a street address, such as medians, neighborhood entryways or common areas water on Wednesdays.

4. Watering with hand-held hose or drip irrigation permitted any day, any time.
5. Residential, commercial, industrial, and agricultural Edwards Aquifer water users should reduce water consumption by any means available.
6. Washing impervious cover such as parking lots, driveways, streets or sidewalks is prohibited.
7. Non-commercial washing of vehicles and mobile equipment (e.g. washing vehicles at a residence) is permitted any day at any time over landscape or other surface where run off is minimized and with the use of a hose using an automatic shut-off nozzle or bucket of 5 gallons or less.
8. Restaurants and other eating establishments are prohibited from serving groundwater to customers except upon request of the customer.
9. No building permits will be issued to homeowners or pool contractors for the construction of new swimming pools unless verification is provided that 100% of water for filling of pool will be brought in from a water source outside of Garden Ridge.
10. Restrictions apply to well users.

This does not apply to non- potable water, gray water, or treated effluent.

Stage 1 restrictions continue until there is an announcement that Stage 1 has been canceled or that Stage 2 is in effect.

STAGE 2

Stage Two Alert begins when the Edwards Aquifer Authority Test Well J-17 level reaches **650** feet mean sea level at the monitored well and is declared by the Edwards Aquifer Authority (EAA) and/or at the discretion of the Mayor, City of Garden Ridge.

1. Water waste is prohibited to include, allowing water to run off onto a gutter, ditch, or drain; or failing to repair a controllable leak.
2. Watering with an irrigation system or sprinkler, permitted only once a week on the designated watering day during the hours of 4 a.m. to 8 a.m. and 8 p.m. to 11 p.m.:

Last Digit of Address	Day
0	Monday
1&2	Tuesday
3&4	Wednesday
5&6	Thursday
7&8	Friday
9	Saturday

Areas without a street address, such as medians, neighborhood entryways or common areas water as if their address ended in a 2.

3. Watering with drip irrigation or a 5 gallon bucket permitted during the hours of 4 a.m. to 8 a.m. and 8 p.m. to 11 p.m. any day.
4. Watering with a hand held hose permitted any day, any time.
5. Washing impervious cover such as parking lots, driveways, streets or sidewalks is prohibited.
6. Non-commercial washing of vehicles and mobile equipment (e.g. washing vehicles at a residence) is permitted any day at any time over landscape or other surface where run off is minimized and with the use of a hose using an automatic shut-off nozzle or bucket of 5 gallons or less.
7. Restaurants and other eating establishments are prohibited from serving groundwater to customers except upon request of the customer.
8. No building permits will be issued for the construction of new swimming pools. The City Administrator may grant a variance for the construction of a swimming pool with proof that water for construction and filling of the pool will be brought in from a water source outside of the city.
9. Filling of existing swimming pools is prohibited unless at least 30% of the water is obtained from a source other than City provided. Groundwater may be used to replenish swimming

pools to maintenance levels. Drainage of swimming pools is permitted only onto a permeable surface or onto a pool deck where water is transmitted directly to a permeable surface.

10. Restrictions apply to well users.

This does not apply to non-potable water, gray water, or treated effluent.

Stage 2 restrictions continue until there is an announcement that Stage 2 has been canceled or that Stage 3 is in effect.

STAGE 3

Stage Three Alert begins when the Edwards Aquifer Authority Test Well J-17 level reaches **640** feet mean sea level at the monitored well and is declared by the Edwards Aquifer Authority (EAA) and/or at the discretion of the Mayor, City of Garden Ridge.

1. Watering with an irrigation system, soaker hose or sprinkler is permitted every other week beginning on the second Monday after Stage III has been declared and only on designated watering day from 4 a.m. – 8 a.m. and 8 p.m. – 11 p.m.

A watering day calendar based upon the last digit of each address will be prepared, distributed and posted monthly during Stage 3 watering restrictions with the following watering schedule as reflected below.

0	Monday
2	Tuesday
4	Wednesday
6	Thursday
8	Friday

1	Tuesday
3	Wednesday
5	Thursday
7	Friday
9	Saturday

Areas without a street address, such as medians, neighborhood entryways or common areas water as if their address ended in a 2.

2. Watering with a drip irrigation or 5 gallon bucket permitted during the hours of 4 a.m. to 8 a.m. and 8 p.m. to 11 p.m. Monday, Wednesday and Friday.
3. Watering with a hand held hose permitted any day, any time.
4. Watering newly planted landscapes permitted only with a variance from Garden Ridge City Council.
5. Washing cars at home is permitted any day at any time over landscape or other surface where run off is minimized and with the use of hose using automatic shut-off nozzle or bucket of 5 gallons or less. Water runoff into streets is prohibited.

6. Restaurants and other eating establishments are prohibited from serving groundwater to customers except upon request of the customer.
7. Water runoff onto streets is prohibited.
8. No person may use groundwater or city provided water for an ornamental outdoor fountain or similar feature.
9. No building permits will be issued for the construction of new swimming pools. The City Administrator may grant a variance for the construction of a swimming pool with proof that water for construction and filling of the pool will be brought in from a water source outside of the city.
10. Filling of existing swimming pools is prohibited unless at least 30% of the water is obtained from a source other than City provided. Groundwater may be used to replenish swimming pools to maintenance levels. Drainage of swimming pools is permitted only onto a permeable surface or onto a pool deck where water is transmitted directly to a permeable surface.
11. Water customers subject to a 100% surcharge for use over 45,000 gallons.

This does not apply to non- potable water, gray water, or treated effluent.

Stage 3 restrictions continue until there is an announcement that Stage 3 has been canceled or that Stage 4 is in effect.

STAGE 4

Stage Four Alert begins when the Edwards Aquifer Authority Test Well J-17 level reaches **630** feet mean sea level at the monitored well and is declared by the Edwards Aquifer Authority (EAA) and/or at the discretion of the Mayor, City of Garden Ridge.

1. All restrictions in Stage 3.
2. Water customers subject to a 200% surcharge for use over 45,000 gallons.
3. Additional restrictions on water use may be established at the discretion of the City Council.

This does not apply to non- potable water, gray water, or treated effluent.

Stage 4 restrictions continue until there is an announcement that Stage 4 has been canceled or that Stage 5 is in effect.

STAGE 5

Stage Five Alert begins when declared by the Edwards Aquifer Authority (EAA) and/or at the discretion of the Mayor, City of Garden Ridge.

1. All restrictions in Stage 4.
2. Restaurants and other eating establishments are prohibited from serving groundwater to customers except upon request of the customer.

3. Conditions as directed by the Mayor and City Council.
4. Use Necessary for Public Health or Safety.
5. Notwithstanding any provision of these rules, groundwater may be used when and to the extent it is necessary to prevent danger to public health, safety or welfare or to the extent required by State or Federal law.
6. Water customers subject to a 200% surcharge for use over 45,000 gallons.

This does not apply to non- potable water, gray water, or treated effluent.

CITY OF GARDEN RIDGE WATER CONSERVATION PLAN

Watering by automated irrigation systems is restricted year round
between the hours of 10 a.m. and 8 p.m.

	Stage 1	Stage 2	Stage 3	Stage 4	Stage 5
Watering	Permitted: Watering with hand-held hose or drip irrigation permitted any day, any time.	Permitted: Watering with 5 gallon bucket or drip irrigation permitted 4 a.m. to 8 a.m. and 8 p.m. to 11 p.m. any day. Permitted: with a hand-held hose any day, any time.	Permitted: Watering with 5 gallon bucket or drip irrigation permitted 4 a.m. to 8 a.m. and 8 p.m. to 11 p.m. Monday, Wednesday and Friday. Permitted: with a hand-held hose any day, any time. Variance request: watering newly planted landscapes.	Permitted: Watering with 5 gallon bucket or drip irrigation permitted 4 a.m. to 8 a.m. and 8 p.m. to 11 p.m. Monday, Wednesday and Friday. Permitted: with a hand-held hose any day, any time. Variance request: watering newly planted landscapes	Permitted: Watering with 5 gallon bucket or drip irrigation permitted 4 a.m. to 8 a.m. and 8 p.m. to 11 p.m. Monday, Wednesday and Friday. Permitted: with a hand-held hose any day, any time. Variance request: watering newly planted landscapes
Watering irrigation system or sprrinkler	Once a week. Last Digit Day of address 0 Monday 1 & 2 Tuesday 3 & 4 Wednesday 5 & 6 Thursday 7 & 8 Friday 9 Saturday	Once a week. Last Digit Day of address 0 Monday 1 & 2 Tuesday 3 & 4 Wednesday 5 & 6 Thursday 7 & 8 Friday 9 Saturday	Every other beginning the second Monday after Stage 3 is called. Last Digit Day of address 0 Monday 2 Tuesday 4 Wednesday 6 Thursday 8 Friday 1 Monday 3 Tuesday 5 Wednesday 7 Friday 9 Saturday	Every other beginning the second Monday after Stage 4 is called. Last Digit Day of address 0 Monday 2 Tuesday 4 Wednesday 6 Thursday 8 Friday 1 Monday 3 Tuesday 5 Wednesday 7 Friday 9 Saturday	Every other beginning the second Monday after Stage 5 is called. Last Digit Day of address 0 Monday 2 Tuesday 4 Wednesday 6 Thursday 8 Friday 1 Monday 3 Tuesday 5 Wednesday 7 Friday 9 Saturday
Landscaping Irrigation	Permitted: on designated days Irrigation or sprinkler 12 a.m. to 10 a.m. and 8 p.m. to 12 a.m. on designated days.	Permitted: on designated days and once a week. Irrigation or sprinkler 4 a.m. to 8 a.m. and 8 p.m. to 11 p.m. on designated days.	Permitted: on designated days and once every other week. Irrigation or sprinkler 4 a.m. to 8 a.m. and 8 p.m. to 11 p.m. on designated days.	Permitted: on designated days and once every other week. Irrigation or sprinkler 4 a.m. to 8 a.m. and 8 p.m. to 11 p.m. on designated days.	Permitted: on designated days and once every other week. Irrigation or sprinkler 4 a.m. to 8 a.m. and 8 p.m. to 11 p.m. on designated days.
Washing Impervious cover	Prohibited: such as parking lots, driveways, streets or sidewalks.	Prohibited: such as parking lots, driveways, streets or sidewalks.	Prohibited: such as parking lots, driveways, streets or sidewalks.	Prohibited: such as parking lots, driveways, streets or sidewalks.	Prohibited: such as parking lots, driveways, streets or sidewalks.
Vehicle Washing	Permitted: non-commercial washing of vehicles and mobile equipment any day at any time if over landscape or other surface where run off is minimized and with a hose using automatic shut-off nozzle or bucket of 5 gallons or less.	Permitted: non-commercial washing of vehicles and mobile equipment any day at any time if over landscape or other surface where run off is minimized and with a hose using automatic shut-off nozzle or bucket of 5 gallons or less..	Permitted: non-commercial washing of vehicles and mobile equipment any day at any time if over landscape or other surface where run off is minimized and with a hose using automatic shut-off nozzle or bucket of 5 gallons or less.	Permitted: any day at any time if over non-commercial washing of vehicles and mobile equipment over landscape or other surface where run off is minimized and with a hose using automatic shut-off nozzle or bucket of 5 gallons or less.	Permitted: any day at any time if over non-commercial washing of vehicles and mobile equipment over landscape or other surface where run off is minimized and with a hose using automatic shut-off nozzle or bucket of 5 gallons or less.
Swimming Pools	Variance required: for building or contracting to build a swimming pool unless verification is provided that 100% of water for filling the pool is brought in from an outside source.	Variance required: for building or contracting to build a swimming pool if verification is provided that 100% of water for filling the pool is brought in from an outside source. Prohibited: refilling swimming pool requires 30% water come from an outside sources.	Variance required: for building or contracting to build a swimming pool if verification is provided that 100% of water for filling the pool is brought in from an outside source. Prohibited: refilling swimming pool requires 30% water come from an outside sources.	Variance required: for building or contracting to building a swimming pool unless verification is provided that 100% of water for filling the pool is brought in from an outside source. Prohibited: refilling swimming pool requires 30% water come from an outside sources.	Variance required: for building or contracting to building a swimming pool unless verification is provided that 100% of water for filling the pool is brought in from an outside source. Prohibited: refilling swimming pool requires 30% water come from an outside sources.
Outdoor fountain or similar features:			Prohibited: no person may use groundwater or city provided water.	Prohibited: no person may use groundwater or city provided water	Prohibited: no person may use groundwater or city provided water.
Waste	Prohibited: water run off onto a gutter, ditch, or drain; or failing to repair a controllable leak.	Prohibited: water run off onto a gutter, ditch, or drain; or failing to repair a controllable leak.	Prohibited: water run off onto streets	Prohibited: water run off onto streets	Prohibited: water run off onto streets
Commercial Use	Prohibited: Restaurants and other eating establishment from serving groundwater to customers without a request from customer.	Prohibited: Restaurants and other eating establishment from serving groundwater to customers without a request from customer.			

Misc.:	All restrictions apply to well users, but does not apply to non-portable water, gray water or treated effluent.	All restrictions apply to well users, but does not apply to non-portable water, gray water or treated effluent.	All restrictions apply to well users, but does not apply to non-portable water, gray water or treated effluent.	All restrictions apply to well users, but does not apply to non-portable water, gray water or treated effluent. <u>Additional restrictions on water use may be established at the dicreation of the City Council.</u>	All restrictions apply to well users, but does not apply to non-portable water, gray water or treated effluent. <u>Additional restrictions on water use may be established at the dicreation of the City Council.</u>
Penalties			100% surcharge for use over 45,000 gallons.	200% surcharge for use over 45,000 gallons.	200% surcharge for use over 45,000 gallons.
Trigger Points	Declared by the EAA and/or at the discretion of the Mayor. Levels at J-17 Well reaches 660'	Declared by the EAA and/or at the discretion of the Mayor. Levels at J-17 Well reaches 650'	Declared by the EAA and/or at the discretion of the Mayor. Levels at J-17 Well reaches 640'	Declared by the EAA and/or at the discretion of the Mayor. Levels at J-17 Well reaches 630'	Declared by the EAA and/or at the discretion of the Mayor.

Water Conservation Tips

- Stop Leaks-** Check for dripping faucets, toilet tank leaks; look for broken sprinkler heads or dripping sprinkler heads.
- Change Behaviors-** take 4 minute showers; turn off water while shampooing your hair or shaving or brunching teeth; thaw food out in refrigerator instead of running water; only washing clothes or laundry with full loads. Sweep sidewalks, patios or driveways instead of hosing them off.
- Replace your equipment with water-efficient equipment-** see City website for rebate programs.
- Plant xeriscape**

Help the City of Garden Ridge by calling in leaks and running water.

Every Drop Counts

WILDLIFE MANAGEMENT ADVISORY COMMISSION

TO: MAYOR THOMPSON AND CITY COUNCIL

FROM: DAVID KRAWCZYNSKI, CHAIR

SUBJECT: UPDATE AND APPROVAL REQUEST

DATE: 10/23/17

CC: CYNTHIA SHANAHAN-SEGOVIA, VICE-CHAIR

Wildlife Management Advisory Commission (WMAC) held their Regular Meeting on Monday, October 16th at 6 p.m. The Commission did the following:

- Reviewed the monthly wildlife incident reports from the Police Department and Animal Control.
- Reviewed the Deer Population Summary (census)
- Reviewed the proposed 2017 Survey (see update below)
- Reviewed research on TTT that was conducted by Commissioner Sullivan
- Discussed the upcoming Educational Meeting by TPW scheduled for 10-23-17
- Discussed upcoming Grapevine articles

2017 Survey

The Commission reviewed several other surveys from municipalities and then the Commission was asked to provide 5 survey questions they would like to see on the 2017 Survey. Vice Chair Segovia gathered the questions and then worked with TPW on the proposed survey. October 16th the Commission reviewed and made some changes and then voted unanimously to recommend to the City Council the approval of the 2017 Survey. The Commission is also seeking approval with directions on survey timeframe, and sources for taking the survey.

Deer Population Summary (census)

The Commission divided up and conducted 9 counts between August 22nd to September 16th. Those counts were turned in and then submitted to TPW to do the summary. TPW provided a Deer Population Summary which a copy is included in City Council packet.

October 23, 2017 TPW Education Session

The Commission hosted an Education Session with Elizabeth Bates, Texas Parks and Wildlife. Ms. Bates provided a PowerPoint on managing White-tailed Deer and history. This session was informative and also allowed attendees to answer questions and test their knowledge on reasons to manage wildlife.

Wildlife Management Survey

1. What neighborhood do you live in? _____
2. How long have you lived in the City of Garden Ridge?
 - a. Less than 5 years
 - b. 5 to 10 years
 - c. Longer than 10 years
3. Do you believe there are too many deer in Garden Ridge?
 - a. Yes
 - b. No
 - c. Undecided
4. Please indicate any of the following activities that apply to you:
 - a. Feed the deer in my community
 - b. Found a fawn in my yard.
 - c. Rescued a sick or injured deer in my community
 - d. Used repellents, fencing and/or vegetation protectors to deter deer
 - e. Planted deer resistant plants in my yard
5. Have you or a family member been involved in a deer-vehicle collision in Garden Ridge?
 - a. Yes
 - b. No
6. Do you support the current ordinance which prohibits feeding deer in Garden Ridge?
 - a. Yes
 - b. No
 - c. Undecided
 - d. Do not know about the ordinance
7. Would you support efforts to reduce the size of the deer population in our community?
 - a. Yes
 - b. No
 - c. Undecided
8. Please rank in order up to as many as three (3) urban deer management options for Garden Ridge to pursue:
 - a. Do nothing
 - b. Develop a public education program
 - c. Trap, transport and process, donating to approved Texas charity
 - d. Trap, transport and translocate to approved site

e. Organized archery hunts

Option 1: _____

Option 2: _____

Option 3: _____

9. Have you seen feral hog activity in your neighborhood?

a. Yes

b. No

Do you have any additional comments about Wildlife in Garden Ridge, Texas?

DEER POPULATION SUMMARY

Ranch: Garden Ridge

Survey Technique: Spotlight & Herd Comp

County: Comal

Year: 2017

Survey Route/Pasture	Date	Deer Observed					Acres Sampled	Acres Per Deer	Deer Per 1,000 Ac.
		Bucks	Does	Fawns	Undet	Total			
Garden Ridge	8/2/17	7	45	27		79	198	2.51	398.4
Garden Ridge	8/29/17	10	81	28		119	198	1.66	602.4
Garden Ridge	9/2/17	13	60	25		98	198	2.02	495.0
Garden Ridge	9/3/17	16	67	26		109	198	1.82	549.5
Garden Ridge	9/8/17	17	26	27		70	198	2.83	353.4
Garden Ridge	9/16/17	11	79	27		117	198	1.69	591.7
Garden Ridge	9/1/17	17	90	35		142	198	1.39	719.4
Garden Ridge	9/10/17	16	47	27		90	198	2.20	454.5
Garden Ridge	9/13/17	12	63	21		96	198	2.06	485.4
Survey Totals		119	558	243		920	1,782	1.94	515.5
Incidental Observations									
Combined Totals		119	558	243		920			

Ranch Size (ac.): 2,780

Harvest Recommendation

Antlered Bucks:

Acres/Deer: 1.94

Does/Buck: 4.69

Fawns/Doe: 0.44

Composition -

Bucks: 12.9%

Does: 60.7%

Fawns: 26.4%

Antlerless Deer:

Deer/1,000Ac: 516.27

Adult/1,000Ac: 379.91

Acres/Adult: 2.63

Estimated Population -

Bucks: 186

Does: 870

Fawns: 379

Total: 1,435

Remarks:

If you were to remove 200 white-tailed deer it would bring your estimated winter density down from 1.94 acres per deer to 2.25 acres per deer. This is NOT a recommendation on the number of deer to remove. This is simply to give you an idea of the impact of removing 200 deer.

DEER HARVEST RECOMMENDATION

Ranch: Garden Ridge County: Comal Year: 2017

Objective & Goals: _____

Ranch Size: 2,780 acres

Estimated Deer Population:

Bucks	186
Does	870
Fawns	<u>379</u>
Total	1,435

1. Recommended Population Harvest
 1,435 Total Deer X .14 Kill Rate = 200 Deer Harvest Quota

2. Recommended Buck Harvest
 186 Total Bucks X .13 Kill Rate = 24 Buck Harvest Quota

3. Recommended Doe or Antlerless Deer Harvest
 200 Recommended Deer Harvest Quota
-24 Recommended Buck Harvest Quota
 176 Recommended Doe Or Antlerless Deer Harvest Quota

20% Of The Does Recommended To Be Harvested

4. Recommended Spike Buck Harvest
 24 Buck Harvest X .50 Spike Kill Rate = 12 Spike Buck Quota

5. Potential Effect of The Harvest

	Bucks	Does	Fawns
Census	186	870	379
Rec. Har.	-24	-176	
	162	694	
Yearlings	190	189	
Carryover	352	883	

Estimated Winter Density 2.25 acres/deer
 Estimated Winter Sex Ratio 2.51 does/buck

Remarks: _____

Third Annual Garden Ridge Christmas Tree Lighting

at the Community Center

Tuesday, December 5, 2017

5:00 pm to 8:00 pm



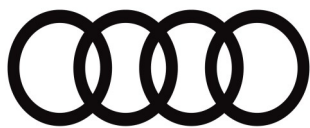
**We will have Santa, Carols from GRES Kids,
Hot Cocoa, Food Trucks, and a free raffle for
2 Gift Baskets (1 adult/1 child).**



FOOD TRUCKS



And a Special Kids Fun Zone



**Audi
North Park**

**Audi North Park is sponsoring a Kids Fun
Zone with a free raffle of a child's Audi R8,
a Candy Bar, and DIY crafts!**



Brought to you by the Garden Ridge Parks Committee elves

GARDEN RIDGE ...
NATURALLY

Provided by Councilmember Lantzy

Lions Club Contributions to the City of Garden Ridge

Park:

1. Maintained baseball field.
2. Maintenance on picnic tables and pavilions
3. Improvements to basketball courts
4. Trails cleanup
5. Soft ball field maintenance

Library:

1. Donate books yearly.
2. Upgrades and painting

Other contributions:

1. Quarterly road cleanup – Bat Cave Rd.
2. Tree planting around City Hall
3. 4th of July, Christmas, Thanks Giving, Car Show participation
4. Yearly money donation to Park and Library
5. Scholarship's to many local children
6. Many Lions serve on Council and other Commissions for the City

Future Agenda Items

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.

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) Sewer System (FM 2252)
 - d) Waterline extension project to Winco

Commission Items

P&Z-

Quarry

10/25/2017 1:29:04 PM

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

January 3, 2018

Agenda deadlines:

- 21 business days before Meetings (12/13/17) - City Council and Staff items are due
- 16 business days before Meetings (12/18/17) - City Administrator and Mayor review agenda.
Mayor sets the agenda.
City Attorney is sent the agenda to approval
- 14 business days before Meetings (12/20/17) - 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)
- 12 business days before Meetings (12/22/17) - Post Agenda Packet to City Website
@ noon
- 3 business days before (12/31/17) Meetings (72 hours) – Local Government Code requirement for posting
Days of (1/3/18) Meeting - Mayor and City Administrator meet with Department Heads
Wednesday @ 10 a.m.

RED dates reflect deadlines moved up due to Holidays.

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

Purple=Quarry Commission
Water Commission= Blue

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 12-6-17
2. Financial Report

Public Hearings

Non-Consent Agenda

1. Staff Reports (Admin, Library, Public Works, Water, PD)

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) Sewer System (FM 2252)
 - d) Waterline extension project to Winco

Commission Items

P&Z-

Quarry

Water

Discussion

Updates

1. Parks Committee Activities/Project Updates
2. City Administration Project Updates:
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) Ordinance 54-Water Leak Adjustments/Water Rate Study.... *Mayor*
- 4) Discussion on Annexation (waiting until MLUP is developed)..... *McCaw*
- 5) Logo and Seal Ordinance... *Cain*
- 6) Alarm Permits....*Cain*
- 7) Animal Control Ordinance....*Cain*
- 8) Personnel Policy....*Ford*
- 9) FY 2019 Budget Calendar and Vacations....*Mayor*
- 10) Ordinance 24 Parks
- 11) Ethic Ordinance ... *8-30-17 City Council motion*
- 12) Website and Social Media Policy....*Goodwin*
- 13) Structure definition (part of subdivision changes)...*Bower*

Items for further discussion before adding to list

State of City..... *Cain*