



City of Garden Ridge

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

AGENDA CITY COUNCIL REGULAR MEETING WEDNESDAY, OCTOBER 3, 2018, 6:00 P.M.

The Garden Ridge City Council will meet in a regular session on Wednesday, October 3, 2018, 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 September 28, 2018, 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 to the City Secretary 48 hours prior to this meeting.

1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **Proclamation**
 - a) Domestic Violence Awareness Month
5. **City/Employee Recognitions/Employee Introductions**
 - a) Thank you from Triumphant Lutheran Church and the members of Delta Sigma Theta Sorority to the Garden Ridge Police Department for their hard work and dedication to keeping the community safe.
 - b) Thank you from The Osborn Family to the Garden Ridge Police Department for their hard work, professionalism, and perseverance.
 - c) Thank you from Rev. Robert W. Dennard and the Garden Ridge Assembly to the City of Garden Ridge and its employees for their hard-work and dedication during the renovation of the church.
6. **Citizen Comment Period – limited to 30 minutes total**

Rules for Citizens' Participation:

The City Council welcomes citizen participation and comments at all City Council Meetings. The City Council offers citizens the opportunity to address them by signing up to speak prior to the meeting. 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. End your speaking at the time allotted below.
 - b) Speaking:
 - i. First citizen comment period
 1. You are required to sign up to speak.
 2. You are limited to one 3-minute period.
 - ii. Business item period
 1. You are required to sign up to speak.
 2. You are limited to one 3-minute period.

- iii. Second citizen comment period
 - 1. You are not required to sign up.
 - 2. You are limited to one 2-minute period.
- iv. State your name and address before your comments begin.
- v. You are only allowed to speak once per topic, unless also speaking during a posted Public Hearing.

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

7. Consent Agenda

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

- a) Approval of Minutes:
 - i. August 21, 2018 City Council Special Meeting
 - ii. August 27, 2018 City Council Special Meeting
 - iii. August 27, 2018 City Council and Planning and Zoning Commission Joint Meeting
 - iv. September 5, 2018 City Council Regular Meeting
- b) Financial Statement, Summary Report, and Management's Discussion and Analysis of Results of Operations – August 31, 2018.
- c) Consider the resignation of Shelley Goodwin, City Secretary, effective September 18, 2018.
- d) Consider the approval of Marisa Spencer to serve as Interim City Secretary until such position is filled.
- e) Consider the approval of Resolution 440-102018 designating the New Braunfels Herald-Zeitung as the official newspaper for the City of Garden Ridge, Texas.
- f) Consider the approval of Resolution 441-102018 for Treasury Management Services between First United Bank and the City of Garden Ridge, Texas.
- g) Consider the approval of Resolution 443-102018 for Amending Authorized Representatives between TexPool and the City of Garden Ridge, Texas.

ACTION ON THE CONSENT AGENDA

8. 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, and upcoming events.

- ii. Police Department Monthly Activity Report
 - Traffic Enforcement, criminal activity within City, and Code Compliance Enforcement.
- iii. Public Works Monthly Activity Report
 - Street and right-of-way maintenance, drainage facility and easement maintenance, City facility maintenance, Animal Services (domestic and wild), Oak Wilt, Public Works Projects, and City parking lots.
- iv. Water Department 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 2015
 - 1. Trinity Wells #9 and #10 Project
 - 2. Naco-Loop Water Line Project
 - ii. Sewer System (FM 2252)
 - iii. CIP Program recommendations.
 - iv. The Park of Garden Ridge drainage.
- d) City Commission and Committee Reports/Recommendations/Possible Actions
 - i. Planning and Zoning Commission Recommendation and Possible Action:
 - 1. Receive recommendation to extend the October 1, 2018 date for the rewriting of Zoning and Subdivision Ordinances.
 - a. Discuss and take action on recommendation.
 - b. City Council direction to Planning and Zoning Commission and City Staff regarding said Ordinance rewrites.
 - 2. Receive monthly activity update as applicable.
 - ii. Quarry Commission Recommendations and Possible Action:
 - 1. Expiring terms (September 30, 2018) of Commissioners (Commissioners Holly, DuBois, and Barucky).
 - a. Receive recommendation for the reappointment of Commissioners DuBois and Barucky to serve another term (term expiring September 30, 2020).
 - b. Findings of cause for reappointment of Commissioner Holly for another term of office as Specified in Ordinance 210-022018, Section III. E. 1 and 2.
 - c. Receive recommendation for the reappointment of Commissioner Holly to serve another term as specified in Ordinance 210-022018 Section III. E. for the purpose of good cause.
 - 2. Request from Buckley Powder Co. for a Partial Exemption Permit to conduct blasting activities at the Hanson Quarry for the period of October 1, 2018-September 30, 2019, with a permit fee of \$22,054.20.
 - a. Receive recommendation from Quarry Commission.
 - b. Take action on recommendation on Partial Exemption Permit.
 - 3. Receive monthly activity update as applicable.

- iii. Water Commission Recommendations and Possible Action:
 - 1. Expiring terms (September 30, 2018) of Commissioners (Commissioners Bullard and Pitzen).
 - a. Receive recommendation for the reappointment of Commissioners Bullard and Pitzen to serve another term (term expiring September 30, 2020).
 - 2. Place 3 vacancy (term expiring September 30, 2020).
 - a. Receive recommendation for the appointment of Jesus Valdez.
 - 3. Receive monthly activity update as applicable.
- iv. Wildlife Management Advisory Commission:
 - 1. Receive monthly activity update as applicable.
- v. Garden Ridge Parks Committee:
 - 1. Receive monthly activity update as applicable.
- vi. *Volunteer Garden Ridge!*
 - 1. Receive monthly activity update as applicable.
- e) Approvals/Authorizations/Reports/Discussion
 - i. Tri-County Chamber of Commerce.
 - 1. Join Tri-County Chamber of Commerce.
 - ii. Ordinance.
 - 1. Ordinance 162-092018 amending the nuisance abatement program for the City of Garden Ridge; establishing a penalty; providing that this Ordinance shall be cumulative of all Ordinances; providing a severability clause; providing a savings clause; and providing an effective date.
 - a. Receive and act on Ordinance 162-092018.
 - iii. Resolution.
 - 1. Resolution 442-102018 authorizing the City Building Inspector to issue a building permit for the construction or installation of a flag pole at 21400 Fairview Circle due to special circumstances related to location of proposed construction.
 - a. Receive and act on Resolution 442-102018.
 - iv. Direction to Planning and Zoning Commission regarding Ordinance 13-062017.
 - 1. Direction to Planning and Zoning Commission to amend Ordinance 13-062017, deleting section 5.1.13 regarding the 70-foot Extreme High Voltage electric transmission easement and incorporating flag pole construction and installation as reflected in Resolution 442-102018.
- f) Updates.
 - i. Workflow Management Program and Policy
 - 1. Receive a status report.
 - ii. City Administrator Projects.
 - 1. Volunteer opportunities – City Commissions.
 - a. Vacancy remains on Planning and Zoning Commission.

- iii. Mayor's Projects.
 - 1. Communication Report.
 - 2. Citizen Contact Report.
 - 3. City Facility Update.
 - a. Garden Ridge Community and Event Center.
 - 4. Ordinance Revision Process.
 - 5. Vulcan Construction Materials, LLC Update.
 - a. Contested Hearing with TCEQ
- v. City Council Projects.
 - 1. Update on Water Rate Study (McCaw with the Mayor).
 - 2. City of Garden Ridge window stickers for vehicles (Erickson).
 - 3. Postal mail issues occurring within the City (Lantzy).
 - 4. Update on City-funded monument for Paul Davis Park (Bower).

g) Future Agenda Items

9. Citizen Comment Period – limited to 20 minutes total
 See "Rules for Citizen's Participation" under Item 6.

10. 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 Advisory)
- City of Garden Ridge sponsored events and outreach efforts
- Comal ISD/Garden Ridge Elementary
- Counties (Bexar, Comal and Guadalupe)
- Garden Ridge Lions Club
- Garden Ridge Citizen Police Academy Alumni Association/Citizen Patrol
- Greater Bexar County Council of Cities
- Joint Base Land Use Study-Randolph
- Northeast Partnership

11. Executive Session

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

- a) Pursuant to Texas Government Code Section 551.071 – Consultation with Attorney
 - 1. To seek legal advice in connection with settlement negotiations and other issues related to Hanson Aggregates operations, blasting and possible amendments to Ordinance 34.
 - 2. To seek legal advice on pending or contemplated litigation related to dismissal of terminated employee.

12. 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.

13. Adjournment

AGENDA NOTICES:

Decorum Required:

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

Action by Council Authorized:

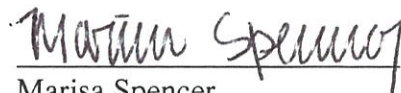
The Council may vote or act upon any item within this Agenda. The Council reserves the right to adjourn into closed session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Title 5, Chapter 551, of the Texas Government Code.

Executive Sessions Authorized:

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

Attendance By Other Elected or Appointed Officials:

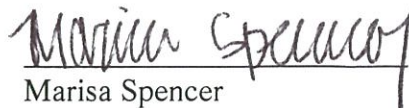
It is anticipated that members of the other city boards, commissions and/or committees may attend the meeting in numbers that may constitute a quorum of the other city boards, commissions and/or committees. Notice is hereby given that the meeting, to the extent required by law, is also noticed as a meeting of the City Council, other boards, commissions and/or committees of the City, whose members may be in attendance. The members of the boards, commissions and/or committees may participate in discussions on the same items listed on the agenda, which occur at the meeting, but no action will be taken by such in attendance unless such item and action are specifically provided for on an agenda for that board, commission or committee subject to the Texas Open Meetings Act.



Marisa Spencer

Assistant City Secretary

This is to certify that I, Marisa Spencer, posted this Agenda at 3:00 p.m. on September 27, 2018, on the bulletin board located at the entrance to the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas.



Marisa Spencer

Assistant City Secretary

Proclamation

WHEREAS, In October 1987, the first Domestic Violence Month was observed. That same year marked the initiation of the first National Domestic Violence toll-free-hotline. In 1989, Congress passed a public law designating October as National Domestic Violence Awareness Month; and

WHEREAS, Domestic Violence is a pattern of assaultive and coercive behaviors, including physical, psychological, sexual, social isolation, stalking, and economic abuse that individuals use to maintain power and control over their victims. The crime of Domestic Violence violates an individual's dignity, safety, and basic human rights; and

WHEREAS, Domestic Violence is one of the largest causes of injury and homicide for women, crossing ethnic, racial, sexual, economic, age, educational, and religious lines; and

WHEREAS, Children who are exposed to Domestic Violence experience feelings of terror, isolation, guilt, helplessness, and grief. They have a higher risk of engaging in criminal behavior, substance abuse, and becoming victims of crime in the community; and

WHEREAS, In the last fiscal year, the Crisis Center of Comal County helped over 1,174 people and provided 15,359 nights of shelter to victims of Domestic Violence; and

WHEREAS, It is incumbent on every citizen to aid and assist those suffering from Domestic Violence and to let victims know that support is available; and

WHEREAS, The Crisis Center of Comal County, Law Enforcement Agencies including the Garden Ridge Police Department, the Judicial System, and the medical community in Comal County are working together to develop solutions to this serious social problem to implement effective services that will improve our responses and put an end to Domestic Violence.

NOW, THEREFORE, BE IT RESOLVED, that I, Larry Thompson, Mayor of Garden Ridge, Texas, do hereby proclaim the month of October as

DOMESTIC VIOLENCE AWARENESS MONTH

IN WITNESS WHEREOF, I hereunto set my hand and official seal of the City of the Garden Ridge this 3rd day of October, 2018.





Larry Thompson
Mayor

To The First Responders,
On behalf of the
members of Triumphant
Lutheran Church and
Delta Sigma Theta Sorority,
we want to thank you.

Your hard work and
dedication to keeping our
community safe is much
appreciated.

Thank you for your service,
Triumphant
Lutheran Church
The Bexar Area Chapter
of Delta Sigma Theta Sorority,
Inc.

On behalf of my family
members, I wish to give
our deepest gratitude for
the hard work everyone of
you has displayed in
safeguarding us. You have shown
the highest professionalism and
greatest perseverance over this
long and tiring time on officers.
Thank you again for all you
do.

The Osborn
Family

—>>><<<—
JUST WANTED
TO LET YOU KNOW
HOW MUCH
YOU'RE APPRECIATED.
—>>><<<—



Garden Ridge Assembly

Live. Grow. Serve.

Mayor Larry Thompson
9400 Municipal Pkwy
Garden Ridge, TX 78261

Mayor Thompson,

On behalf of myself and the Garden Ridge Assembly of God congregation, I express our sincere appreciation to the City of Garden Ridge and its employees. As you know, we rent the former municipal building from the city. Over the last several weeks, we have been working on a city-approved, self-funded interior renovation of what was previously a court room, to make it more functional as a children's area in our church. These renovations are now complete and we are very pleased with the outcome.

I would like to especially commend and express our thanks to Brian Horne of the Public Works Department. Brian was assigned to be on site by the city to oversee the work being done on city property and to serve as a point of contact if needed. Brian went above and beyond this and was an extremely helpful part of our team each day. His hard work and dedication are a testament to himself and the City of Garden Ridge Public Works Department. During the project, multiple other members of the Public Works and Water Departments shared expertise and even helped complete certain tasks in their respective areas. Thank you to Steven Steinmetz, Royce Goddard and their respective team members who also worked very hard to correct a major septic issue at the building prior to the renovation project beginning. Without their work, we would not have been able to even begin the project.

It is our hope that this completed renovation serves not only our church, but adds value to the former municipal building as property of the city. It is my privilege to serve this community both as a local church pastor and as your local police department chaplain. Garden Ridge Assembly looks forward to what the future holds for both our church and this area. May God continually bless both.

Sincerely,

Rev. Robert W. Dennard
Garden Ridge Assembly



MINUTES OF CITY COUNCIL SPECIAL MEETING,
AUGUST 21, 2018

Members Present:

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

Members Absent:

None

City Staff Present:

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

City Commissioners in attendance

Troy Bippert, Wildlife Management Advisory Commission
Mark Hausheer, Vice Chair, Planning and Zoning Commission
Ken Knuepper, Wildlife Management Advisory Commission
Mike Shands, Chair, Quarry Commission

1. Call to Order

With a quorum of the City Council members present, Mayor Thompson called the special meeting of the Garden Ridge City Council to order at 6:00 p.m. on Tuesday, August 21, 2018, in the City Council Chambers of the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas 78266.

2. Pledge of Allegiance

Mayor Thompson led the Pledge of Allegiance.

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

Mark Hausheer, 20914 Misty Arbor, thanked the City Council for being good stewards and keeping the tax rate the same as last year. He encouraged the City Council to not hire a Deer Manager without going through a bid process.

4. Business Items

The following items are for discussion, consideration and action.

a) Approvals/Authorizations/Reports/Discussions

i. 2018 Tax Rate.

1. Review and discuss the proposed 2018 Tax Rate of \$0.323146.

Mayor Thompson stated the City proposes to leave the 2018 Tax Rate at the same tax rate as last year, \$0.323146 since the property values have gone up and I & S rate has gone down. He also reviewed the proposed Maintenance and Operation Rate and the Debt Rate.

2. Hold a public hearing to receive comments for or against the adoption of a tax rate of \$0.323146 for the 2018 tax year.

Mayor Thompson opened the public hearing at 6:03 p.m. and asked if anyone wished to speak.

Mike Shands, 8827 Tuscan Hills Dr., stated there has been a lot of talk on NextDoor questioning why their tax bill is higher but the tax rate is the same as last year. He stated he has explained to several people most property values went up, but the tax rate stayed the same.

The City Council discussed several ways to communicate to residents why their tax bill increased but the tax rate did not. They also discussed that the school district taxes are frozen for 65 year olds and older. The City Council also discussed the amount generated from the increase in property values.

Mayor Thompson asked if anyone else wished to speak. No one did, so Mayor Thompson closed the public hearing at 6:18 p.m.

3. Announce date, time and place of:

- a. **Second public hearing on proposed 2018 Property Tax Rate (Monday, August 27, 2018, 6:00 p.m., City Council Chambers, 9400 Municipal Parkway, Garden Ridge, Texas).**
- b. **Adoption of the 2018 Property Tax Rate (Wednesday, September 5, 2018, 6:00 p.m., City Council Chambers, 9400 Municipal Parkway, Garden Ridge, Texas).**

Nancy Cain, City Administrator, reviewed the upcoming procedures and meetings for adopting a tax rate. She announced the date, times and location for the second public hearing and meeting for adoption of the 2018 Property Tax Rate.

ii. City Ordinances Revision Program

1. Modify

- a. **Ordinance 123-082018-Adoption Outdoor Burning Rules as outlined in Title 30 of the Texas Administrative Code for the City of Garden Ridge, Texas; establishing Exceptions for Outdoor Burning, requirements for Authorization, General Requirements for Burning; Severability and Remedies clause.**
 - i. **Present to City Council.**
 - ii. **Discussion and possible action on Ordinance.**

Mayor Thompson stated Ordinance 123 is part of the ordinance rewrite process. He stated the Parks Commission, Police Chief and Bracken Volunteer Fire Department have all reviewed the

proposed amendments and have stated they can enforce this Ordinance. He presented the Ordinance and stated the City Council has only had a few days to review the Ordinance, but if they wish to take action the Agenda has been posted to do that.

The City Council discussed the Ordinance and thanked everyone who worked on this Ordinance.

Motion: A motion was made by Councilmember Erickson, seconded by Mayor Pro-Tem McCaw, to approve Ordinance 123-082018-Adoption Outdoor Burning Rules as outlined in Title 30 of the Texas Administrative Code for the City of Garden Ridge, Texas; establishing Exceptions for Outdoor Burning, requirements for Authorization, General Requirements for Burning; Severability and Remedies clause. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

Mayor Thompson stated the next few Ordinances need to be repealed because they are no longer necessary or in conflict with State Law. He stated the City Council will need to adopt Ordinances to repeal the old Ordinances.

2. Repeal

- a. Ordinance 213-082018-Repealing Ordinance 64, passed and approved August 1, 1990, authorizing the Municipal Court to collect a special expense of thirty-five dollars (\$35.00) for the issuance and service of a warrant of arrest for an offense; and authorizing the Municipal Court to collect a special expense of ten dollars (\$10.00) or actual costs, whichever is less, for dismissal of a case because of actions by or on behalf of the defendant which were subsequent to the date of the alleged offense; such fines are to be paid into the City Treasury and used for the benefit of the City; and prescribing an effective date.**

- i. Present to City Council.**

- ii. Discussion and possible action on Ordinance.**

Motion: A motion was made by Councilmember Bower, seconded by Councilmember Lantzy, to approve Ordinance 213-082018-Repealing Ordinance 64, passed and approved August 1, 1990, authorizing the Municipal Court to collect a special expense of thirty-five dollars (\$35.00) for the issuance and service of a warrant of arrest for an offense; and authorizing the Municipal Court to collect a special expense of ten dollars (\$10.00) or actual costs, whichever is less, for dismissal of a case because of actions by or on behalf of the defendant which were subsequent to the date of the alleged offense; such fines are to be paid into the City Treasury and used for the benefit of the City; and prescribing an effective date. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

- b. Ordinance 214-082018-Repealing Ordinance 87, passed and approved December 15, 1995, prohibiting the possession of all firearms and concealed handguns on certain City premises and providing for a penalty of a fine of not less than twenty-five dollars (\$25) nor more than five hundred dollars (\$500).**

- i. Present to City Council.**

- ii. Discussion and possible action on Ordinance.**

Mayor Thompson stated Ordinance 87 needs to be repealed because it conflicts with State Law.

Motion: A motion was made by Councilmember Lantzy, seconded by Councilmember Arvidson, to approve Ordinance 214-082018-Repealing Ordinance 87, passed and approved December 15, 1995, prohibiting the possession of all firearms and concealed handguns on certain City premises and providing for a penalty of a fine of not less than twenty-five dollars (\$25) nor more than five hundred dollars (\$500). The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

- c. **Ordinance 215-082018-Repealing Ordinance 31, passed and approved March 29, 1979, authorizing Gloria K. Clennan, the Tax Assessor and Collector of Comal County, Texas, to act as Tax Assessor and Collector for the City of Garden Ridge, Texas, and providing that compensation be paid such tax assessor and collector.**
 - i. **Present to City Council.**
 - ii. **Discussion and possible action on Ordinance.**

Motion: A motion was made by Councilmember Arvidson, seconded by Mayor Pro-Tem McCaw, to approve Ordinance 215-082018-Repealing Ordinance 31, passed and approved March 29, 1979, authorizing Gloria K. Clennan, the Tax Assessor and Collector of Comal County, Texas, to act as Tax Assessor and Collector for the City of Garden Ridge, Texas, and providing that compensation be paid such tax assessor and collector. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

- iii. **Resolution 438-082018-Authoring the City Building Inspector to issue a building permit for the construction or installation of an accessory building at 9305 Bluebell Drive due to special circumstances related to location of proposed construction.**

- 1. **Discussion and possible action on Resolution 438-082018.**

Mayor Thompson stated Ordinance 13 requires that any lot having an Extreme High Voltage electric transmission easement shall ensure that construction of an accessory building be at least seventy (70) feet from the center of such easement. He stated City Public Service has confirmed that there is no requirement for the additional easement that is required in Ordinance 13. He stated this Resolution would correct the issue and allow the Building Inspector the availability to issue a permit for the resident located at 9305 Bluebell Drive and then the City will correct Ordinance 13 during the rewrite process.

The City Council discussed CPS requirements and the 45' setback easement requirements in the Ordinance.

Motion: A motion was made by Mayor Pro-Tem McCaw, seconded by Councilmember Erickson, to approve Resolution 438-082018-Authoring the City Building Inspector to issue a building permit for the construction or installation of an accessory building at 9305 Bluebell Drive due to special circumstances related to location of proposed construction. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

iv. Modify name of the Jay F. Feibelman Garden Ridge Community Center to Jay F. Feibelman Garden Ridge Community and Event Center.

1. Discussion and possible action on the name change.

Mayor Thompson stated he received a request from the Community Center Manager to modify the name of the Jay F. Feibelman Garden Ridge Community Center to Jay F. Feibelman Garden Ridge Community and Event Center. He stated the Manager feels this would help clarify some confusion and assist with renting out the center more.

The City Council discussed the proposed name change.

Motion: A motion was made by Councilmember Bower, seconded by Councilmember Lantzy, to modify name of the Jay F. Feibelman Garden Ridge Community Center to Jay F. Feibelman Garden Ridge Community and Event Center. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

v. Discussion and direction on hiring a Wildlife Manager.

Mayor Thompson stated with all the concerns that have been expressed, he feels the City Council should consider either the Wildlife Manager contract negotiations continue or that negotiations should end and be sent back to the Commission to explore other options.

Nancy Cain, City Administrator, stated the Wildlife Manager has become a fairly contentious situation that has been brought to light over the week. She stated she felt it was necessary to bring back to City Council to update them on the situation. She recommended the City Council send this item back to the Commission for them to explore other options.

The City Council discussed the contract negotiations with the Wildlife Manager, exploring other options for management, and issues raised by some of the residents of Garden Ridge.

Motion: A motion was made by Councilmember Erickson, seconded by Councilmember Bower, to rescind the July 5th City Council motion for Nancy Cain, City Administrator, to negotiate a contract with Randy Tomasini for the purpose of Wildlife Manager. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

Motion: A motion was made by Councilmember Lantzy, seconded by Councilmember Erickson, to direct the Wildlife Management Advisory Commission to explore other options for Wildlife Management. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

5. Citizen Comment Period – limited to 20 minutes total

See “Rules for Citizen’s Participation” under Item 6.

Shelby Trial, 21657 Forest Waters Circle, thanked the City Council for adopting Ordinance 123. He also thanked Councilmember Lantzy for donating the fire ring.

Ken Kneupper, 8891 Schoenthal Rd., thanked the City Council for all they do for the residents of Garden Ridge.

Paul Klinge, 9305 Bluebell, stated there are other wildlife issues than deer, he has a buzzard issue. He also stated he believes in second chances and feels that Mr. Tomasini should not be excluded from submitting a bid for Wildlife Management, but other options should also be explored as well.

6. Adjournment

There being no further business, the Tuesday, August 21, 2018, Garden Ridge City Council special meeting was adjourned at 7:08 p.m. by Mayor Thompson.

Larry Thompson
Mayor

ATTEST

Marisa Spencer
Assistant City Secretary

10



City of Garden Ridge

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

MINUTES OF CITY COUNCIL SPECIAL MEETING, **AUGUST 27, 2018**

Members Present:

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

Members Absent:

None

City Staff Present:

Nancy Cain, City Administrator
Ron Eberhardt, Police Chief
Karen Ford, Finance/HR
Marisa Spencer, Assistant City Secretary
Shelley Goodwin, City Secretary

City Commissioners in attendance

Dr. Miller, Chair, Planning and Zoning Commission
Mark Hausheer, Vice Chair, Planning and Zoning Commission
Karen Diaz, Planning and Zoning Commission
Kitty Owen, Planning and Zoning Commission
David Ringle, Planning and Zoning Commission

1. Call to Order

With a quorum of the City Council members present, Mayor Thompson called the special meeting of the Garden Ridge City Council to order at 6:00 p.m. on Monday, August 27, 2018, in the City Council Chambers of the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas 78266.

2. Pledge of Allegiance

Mayor Thompson led the Pledge of Allegiance.

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

Shelby Trail, 21657 Forest Waters Circle, read a statement regarding Wildlife Management (see attached).

4. Business Items

The following items are for discussion, consideration and action.

a) Approvals/Authorizations/Reports/Discussions

i. 2018 Tax Rate.

1. Review and discuss the proposed 2018 Tax Rate of \$0.323146.

Mayor Thompson stated the City proposes to leave the 2018 Tax Rate at the same tax rate as last year, \$0.323146 since the property values have gone up and I & S rate has gone down. He also reviewed the proposed Maintenance and Operation Rate and the Debt Rate.

2. Hold a public hearing to receive comments for or against the adoption of a tax rate of \$0.323146 for the 2018 tax year.

Mayor Thompson opened the public hearing at 6:05 p.m.

Mayor Thompson asked if anyone wished to speak. No one did, so Mayor Thompson closed the public hearing at 6:05 p.m.

3. Announce date, time and place of:

a. Adoption of the 2018 Property Tax Rate (Wednesday, September 5, 2018, 6:00 p.m., (City Council Chambers, 9400 Municipal Parkway, Garden Ridge, Texas).

Nancy Cain, City Administrator, announced the adoption of the 2018 Property Tax Rate is scheduled for September 5, 2018 at 6 p.m. in the City Council Chambers.

b) Consider the approval of hiring Marisa Spencer, Assistant City Secretary, on a 90-day probationary period effective August 27, 2018.

Nancy Cain, City Administrator, stated three Staff members interviewed four candidates for the Assistant City Secretary position with Marisa Spencer being selected. She stated she believes Marisa is the best candidate for the position and has the potential to have a very successful career with the City of Garden Ridge.

Motion: A motion was made by Councilmember Lantzy, seconded by Councilmember Bower, to approve the hiring of Marisa Spencer, Assistant City Secretary, on a 90-day probationary period effective August 27, 2018. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

c) Update and discussion on Wildlife Management.

Mayor Thompson stated on August 10, 2018, he and several others met with three Biologists from Texas Parks and Wildlife. He stated there was over 100 years of experience with wildlife in that meeting. He stated he asked for this meeting so he could get all the stakeholders in one room and get all the facts regarding Wildlife Management.

Councilmember Bower stated she is not in favor of continuing the negotiations with the Deer Manager candidate. She stated the meeting on August 10, 2018, was very educational and she thanked Mayor Thompson and the City Administrator for arranging the meeting.

Nancy Cain, City Administrator, stated she too thought the meeting was very educational and hopes that the same Biologists can speak to the City Council as well in the future.

The City Council discussed the need for education and acceptance of the education.

Mayor Thompson stated he has asked the Wildlife Management Advisory Commission to put together a fact sheet regarding what can legally be done with the State of Texas' wildlife, which can be posted online.

Councilmember Erickson stated he and Nancy Cain, City Administrator, met with a few residents today regarding wildlife management per a resident's request. He thanked Nancy Cain, City Administrator, for attending this meeting and reported the meeting went well. Due to not being in attendance at the August 1, 2018, City Council regular meeting, Councilmember Erickson raised concerns about the action taken on the recommendation from the Wildlife Management Advisory Commission regarding the number of deer counts to be conducted. Mayor Thompson explained the information provided to City Council by the Commission Chair during the August 1, 2018, City Council meeting. The City Council further discussed the number and process of the deer counts, as well as receiving a recommendation from the Commission at the next City Council meeting.

**5. Citizen Comment Period – limited to 20 minutes total
See "Rules for Citizen's Participation" under Item 3.**

Kitty Owen, 8420 Twisted Oaks, spoke regarding the deer herd in Garden Ridge and their health.

David Ringle, 9234 Blazing Star Trail, spoke regarding the need of additional data regarding the Deer Counts.

6. Adjournment

There being no further business, the Monday, August 27, 2018, Garden Ridge City Council special meeting was adjourned at 6:53 p.m. by Mayor Thompson.

Larry Thompson
Mayor

ATTEST

Marisa Spencer
Assistant City Secretary

SIGN IN TO SPEAK AT THE AUGUST 27, 2018 CITY COUNCIL SPECIAL MEETING CITIZEN COMMENT PERIOD

Rules for Citizens' Participation:

The City Council welcomes citizen participation and comments at all City Council Meetings. The City Council offers citizens the opportunity to address them by signing up to speak prior to the meeting. 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. End your speaking at the time allotted below.

b) Speaking:

- i. First citizen comment period
 - 1. You are required to sign up to speak.
 - 2. You are limited to one 3 minute period.
- ii. Business item period
 - 1. You are required to sign up to speak.
 - 2. You are limited to one 3 minute period.
- iii. Second citizen comment period
 - 1. You are not required to sign up.
 - 2. You are limited to one 2 minute period.
- iv. State your name and address before your comments begin.
- v. You are only allowed to speak once per topic, unless also speaking during a posted Public Hearing.

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

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For the past four years I've had the distinct privilege of working with other volunteers on the Parks Committee to help improve our parks, and to help build a more cohesive community. Though few in number, this committee has successfully organized and expanded the Annual Christmas Tree Lighting and Annual 4th of July Picnics into small town, family focused events. Now we have a group of people dividing the community by being allowed to violate the rules of the social media site, NextDoor.com. They exaggerate the facts surrounding deer management, they dispute the white-tailed deer research of the Texas Parks and Wildlife Department, and they bully anyone who does not share their point of view. In just a matter of months these people have so impugned the reputation of our City leaders that I can no longer remain silent. I've avoided engaging them on NextDoor because as the Parks Committee chair, I want to unite the community, not divide it. The NextDoor "lead", slash moderator, has failed to enforce the NextDoor guidelines dealing with ranting, over-posting, incivility, and others, because SHE shares the same opinion as those who are in violation. I intend to fight back, but before I can, I need to insulate the Parks Committee from any comments I may post on NextDoor. That means I'm probably going to resign as chair of the Parks Committee. If they wish to apply for my chair position or run for City office, then do so, but be civil about it. It is truly maddening to watch these people insult Commission or Council members in a forum where Texas law bars any response from the dais. One of the agitators even had the gall to publicly criticize the members of the Wildlife Commission as being disrespectful, when that person was dressed like he just came from mowing his yard, complete with exposed armpit hair, shorts, and flip flops. We have people on NextDoor complaining how City tax money is being spent, when they don't pay a dime in City taxes. That's the same kind of entitlement thinking, as someone who is not handicapped, parking in a handicap zone, just because someone else in their household deserves a handicap license plate. At that Wildlife Management meeting, we had people mention they were from Kansas, California, New Jersey, and Colorado. Well, they're in Texas now, and Texans have more self-respect. Those people inaccurately say that the latest deer opinion survey showed that more than half of the City stands with them. I suggest they hurry up and get that half of the City mobilized if they want to have a Christmas Tree Lighting event this year. Otherwise, any cancellation or degradation of this event will be laid entirely at their feet, and I'll make sure they are all named. People of Garden Ridge, our

City government and volunteers work hard on your behalf. They do not deserve the fake news, sniping, and uncivil behavior that it is appearing on NextDoor, and it must STOP! In the meantime, I'll continue volunteering in other areas, and I'll give you my decision on whether I'll continue as the Parks Committee chair, at the September City Council meeting.



City of Garden Ridge

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

MINUTES OF JOINT MEETING, AUGUST 27, 2018,
CITY COUNCIL AND PLANNING AND ZONING COMMISSION
IMMEDIATELY FOLLOWING THE CITY COUNCIL SPECIAL MEETING

Councilmembers Present:

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

Councilmembers Absent:

None

Planning and Zoning Commissioners Present:

Dr. Miller, Chair, Planning and Zoning Commission
Mark Hausheer, Vice Chair, Planning and Zoning Commission
Karen Diaz, Planning and Zoning Commission
Kitty Owen, Planning and Zoning Commission
David Ringle, Planning and Zoning Commission

Commissioners Absent:

None

City Staff Present:

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

City Commissioners in attendance

Ken Kneupper, Wildlife Management Advisory Commission

1. Call to Order

With a quorum of the City Council members and Planning and Zoning Commissioners present, Mayor Thompson called the Joint meeting of the Garden Ridge City Council and Planning and Zoning Commission to order at 7:10 p.m. on Monday, August 27, 2018, in the City Council Chambers of the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas 78266.

2. Pledge of Allegiance

Mayor Thompson led the Pledge of Allegiance.

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

No one wished to speak.

4. Business Items

The following items are for discussion, consideration and action.

a) Economic Feasibility Study prepared by Pegasus Planning and Development

i. Presentation of study

ii. Discussion

Sean Garretson, Pegasus, presented a PowerPoint presentation of the Economic Feasibility Study prepared for Garden Ridge (see attached). Mr. Garretson provided the history of Pegasus and their scope of services. The following items were discussed: Data and assumptions, Wastewater Master Plan and living unit equivalent (LUE), Potential small upscale hotel on sloped lot, Hotel Occupancy Tax (HOT), PUD, Setbacks, Tax Rate, Three different development scenarios, Bond and Bond payments.

Mayor Thompson asked that any questions, recommendations or changes needed to the Study to be submitted to the City Administrator. He stated the plan is to bring the Study to the City Council for approval on September 5, 2018. He also stated with the approval of this Study it will become beneficial to the Planning and Zoning Commission as they go through the Zoning Ordinance rewrite.

Mr. Garretson stated he will have the changes made and submit the final Study to the City Administrator.

5. Citizen Comment Period – limited to 20 minutes total

See "Rules for Citizen's Participation" under Item 6.

Tony Overman, 18955 F.M. 2252, thanked the City Council and Commission for moving forward with this Study and Zoning Ordinance rewrite.

Ken Kneupper, 8891 Schoenthal Road, spoke regarding his support of a hotel and the different reasons why this needs to be built.

6. Adjournment

There being no further business, the Monday, August 27, 2018, Garden Ridge City Council and Planning and Zoning Commission joint meeting was adjourned at 8:37 p.m. by Mayor Thompson.

Larry Thompson
Mayor

ATTEST

Marisa Spencer
Assistant City Secretary

SIGN IN TO SPEAK AT THE AUGUST 27, 2018 CITY COUNCIL and P&Z JOINT MEETING CITIZEN COMMENT PERIOD

Rules for Citizens' Participation:

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 - iii. End your speaking at the time allotted below.
- b) Speaking:
 - i. First citizen comment period
 - 1. You are required to sign up to speak.
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 - ii. Business item period
 - 1. You are required to sign up to speak.
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 - 1. You are not required to sign up.
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 - v. You are only allowed to speak once per topic, unless also speaking during a posted Public Hearing.

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FISCAL IMPACT ANALYSIS OF PROPOSED UTILITY EXTENSION

**FOR
GARDEN RIDGE, TEXAS**

City Council & Planning
and Zoning Workshop

Presented by

PEGASUS

August 27, 2018

PEGASUS PLANNING AND DEVELOPMENT

Market Analysis, Economic Development and Revitalization

Pegasus Planning was established to provide professional services to public and private sector clients. Pegasus has helped hundreds of clients over the last twenty years understand market opportunities, create economic development strategies, revitalize vacant land or underutilized corridors and downtowns, facilitate strategic directions and achieve visions.

Although we focus mostly on economic development planning, over the last few years we have gained valuable experience with land development and workforce/business collaborations. Our clients are cities, counties, universities, community colleges, developers, and economic development organizations.

Specializations:

- Strategic Planning
- Market Analysis
- Workforce Housing Analysis
- Downtown Revitalization
- Economic/Fiscal Impact Analysis
- Private-Public Partnership Consulting
- Economic Development
- Entrepreneurship
- Urban & Regional Planning
- Land Development
- Feasibility Study
- Scenario Modeling / Analysis

PEGASUS

Select Clients include:

Socorro, Texas
Dallas Community College
Edinburg, Texas
Buda, Texas
San Marcos, Texas
Palacios, Texas
Cibolo, Texas
Schertz, Texas
Jarrell, Texas
Rockwall, Texas
Austin, Texas
Meridian, Idaho
Boise, Idaho
State of Mississippi
Gulfport, Mississippi
State of Louisiana
Pensacola, Florida
Emporia, Kansas
State of Vermont
Puyallup, Washington
Stillwell, Oklahoma
Fort Smith, Arkansas
Helena, Arkansas
Arkadelphia, Arkansas

SCOPE OF SERVICES

- Fiscal Impact Analysis of New Utility Extension
- Review current plans and ordinances for Garden Ridge
- Create baseline analysis of all taxing jurisdictions and tax rates
- Apply standards related to jobs per construction type in Garden Ridge, TX to the subject area
- Apply development yield scenarios (low, medium and high density) to be approved by Client/Engineer
- All steps would entail a combination of extensive qualitative (interviews, surveys) with quantitative (BEA Input/Output, Implan multiplier analysis, regional research) methods
- Estimate annual sales and property taxes from potential development (others if applicable) for 5,10 and 20 years

DATA AND ASSUMPTIONS

Property Value Data (CCAD)

State Sales and Hotel Tax Data

Master Land Use Plan

Current city tax rates and impact fees

Stakeholder input

ENVISION TOMORROW

- **Envision Tomorrow is software that uses mapping and data to show fiscal and related impacts of different development scenarios. We used Envision Tomorrow to model three scenarios – light development, medium development, and heavy development and estimated revenues based on five different income streams: 1) Property tax; 2) Sales Tax; 3) Franchise Fees, 4) Impact Fees, and 5) Hotel Occupancy Tax.**
- **We also created a “full build-out” scenario that projected the total development if all the land in the study area were developed in accordance with the city’s comprehensive plan.**

STUDY AREA AND GROWTH CONSTRAINTS

- The Study area is roughly 400 undeveloped acres on the eastern edge of Garden Ridge.
- The wastewater master plan projected a capacity of 745 living unit equivalent. A LUE is equivalent to the wastewater used by a house, 3,000 square feet of office space, or 1,660 square feet of retail space. A hotel uses one LUE for every 2 rooms.
- The growth scenarios are informed by the city's master land use plan, which assigns future land uses to the parcels in this area.

DEMAND ASSUMPTIONS

Housing Demand: The mixed use component of the developing area will include smaller residential units such as town homes and garden homes. This type of housing does not exist in Garden Ridge currently, but may become more popular as the population ages and older citizens want to trade a 3,000 sq ft house on an acre lot for a smaller house. We project the average size of these homes to be 1,200 sq ft, with a cost of \$180/sq ft. High school #4, projected to open in 2020, will add to residential demand. The light development scenario assumes 10 new houses/year; the medium development scenario assumes 17 houses/year; the heavy assumes 25/year.

Retail Demand – There is substantial pent-up demand for retail in Garden Ridge. Based on our discussion with developers, they would build retail if wastewater pipes were put on. The light development scenario projects 15,000 sq ft of retail annually; medium projects 20,000 sq ft annually, and heavy projects 25,000 sq ft annually.

Hotel Demand – Garden Ridge does not currently have any hotels, but surrounding cities in Comal County have added over a dozen mid-large hotels since 2010 and Garden Ridge could support one. The light development scenario does not project a hotel; but the medium and heavy scenarios assume 1 new hotel.

REVENUE SOURCES AND HOW THEY WERE ESTIMATED

Property Taxes – Value/sq ft based on comparison properties. Assumes 3% growth in property value, annually. We used the current Garden Ridge property tax rate of \$.3342

Sales Taxes – For each commercial property we estimated sales tax receipts by first estimating sales/sq ft. That figure was based on regional figures. In 2017, San Antonio has 46.1 million sq ft of retail space (Weitzman Group) and tallied \$27.8 Bn in sales (Texas State Comptroller). Therefore, each square foot of retail generated \$586 in sales. In Garden Ridge, the city would collect 1% of that figure, or \$5.86/sq ft. We increased sales tax receipts at an annual rate of 2.5%.

Franchise Fees – Franchise fees are fees collected by the city from the utility. For water and wastewater, the current fee is \$3.50/meter of line. We did not apply an annual inflation rate to the franchise fee, as the fee is set by the city.

Impact Fees – The city charges impact fees to developments connecting to its water and wastewater. For wastewater, the fees are \$5,689 per living unit equivalent (LUE). For water, \$4,872 per LUE. We only calculated impacts from new properties hooking up to water/wastewater, *not properties that are currently developed*. The impact fees are set by ordinance, so we did not apply an inflation adjustment.

Hotel Occupancy Taxes – we created a “standard hotel” based on comparison properties. We assumed a hotel occupancy of 7%, the highest allowed by the state.

MASTER LAND USE PLAN

- 2017: “to preserve the natural environment and unique community character as the City approaches build-out of its current city limits”
- Projected Land Use for land getting wastewater service
- 4 “special planning areas” – retail, retail anchor, mixed use and light industrial

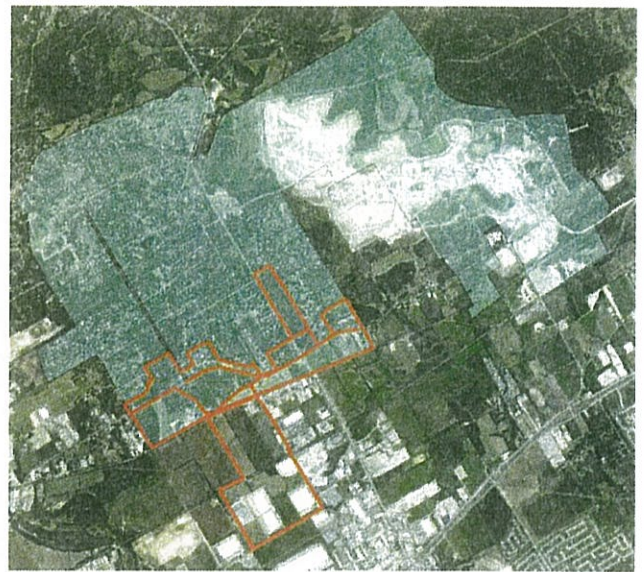


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August 27, 2018

WASTEWATER MASTER PLAN

- 2016 plan to provide wastewater along both sides of FM 2252 from city limit to city limit
- Wastewater system will enable denser development of currently vacant land
- Can diversify the tax base as city approaches full buildout
- Projects 506 living unit equivalent
- \$5.3 M overall utility cost estimate



City of Garden Ridge 2018 Bond Review Statement of Probable Cost Proposed Water System Improvements

Project:	Description	Cost Estimate
Sanitary Sewer System	Sanitary Pressure Sewer	\$ 2,628,145.00
Naco Loop II	12-inch Waterline	\$ 1,001,650.95
FM 2252 (Naco to Schneider)	12-inch Waterline	\$ 1,012,249.85
FM 2252 (Wisper to Naco)	12-inch Waterline	\$ 667,636.50
Total Cost:		\$ 5,309,682.30

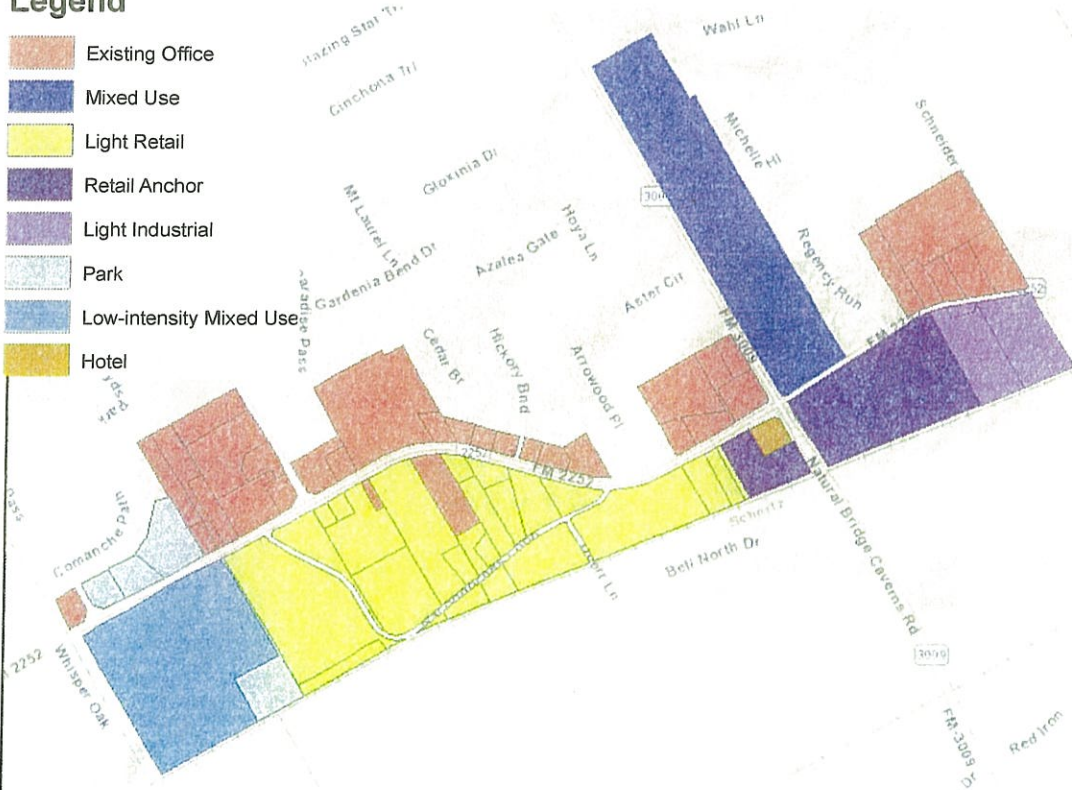
PEGASUS

August 27, 2018

FULL BUILDOUT

Legend

- Existing Office
- Mixed Use
- Light Retail
- Retail Anchor
- Light Industrial
- Park
- Low-intensity Mixed Use
- Hotel



Land Use Mix (acres)

Existing Office - 124
 Light Retail - 121
 Retail Anchor - 23
 Low Intensity Mixed Use - 68
 Mixed Use - 62
 Light Industrial - 21.5
 Hotel - 2.5
 Park - 31

PEGASUS

August 27, 2018

FULL BUILDOUT: REVENUE & TOTAL DEVELOPMENT

Table 1

Total new Square Feet of Retail	1,586,712
Total New Homes	960
Total Square Feet of Light Industrial	322,500
Total LUEs	2,712
Total Impact Fees	\$19,088,998.21

Table 1: Total amount of land developed and impact fees collected at full-buildout.

Table 2

Sales Tax	\$ 16,915,186.32
HOT Tax	\$ 166,854.97
Property Tax	\$ 1,510,228.15
Franchise Fees	\$ 53,820.00
Total	\$ 18,519,174.03

Table 2: Total revenue in the final year at full buildout

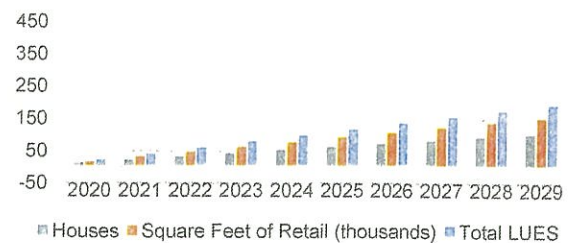
LIGHT DEVELOPMENT SCENARIO

Bonds Paid Off:
2027

Light Development- Revenue/year



Total Development - Light Scenario



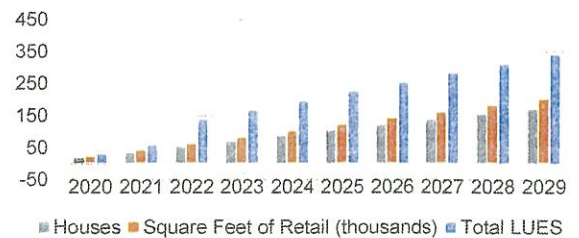
MEDIUM DEVELOPMENT SCENARIO

Bonds Paid Off:
2025

Medium Development - Revenues/year

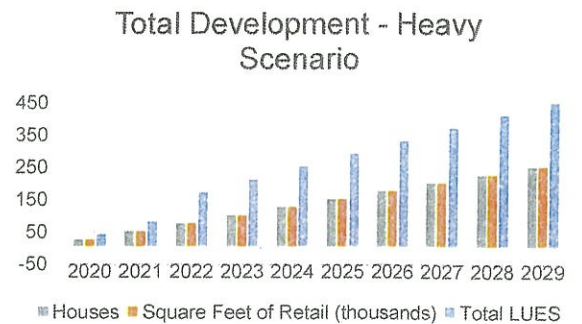
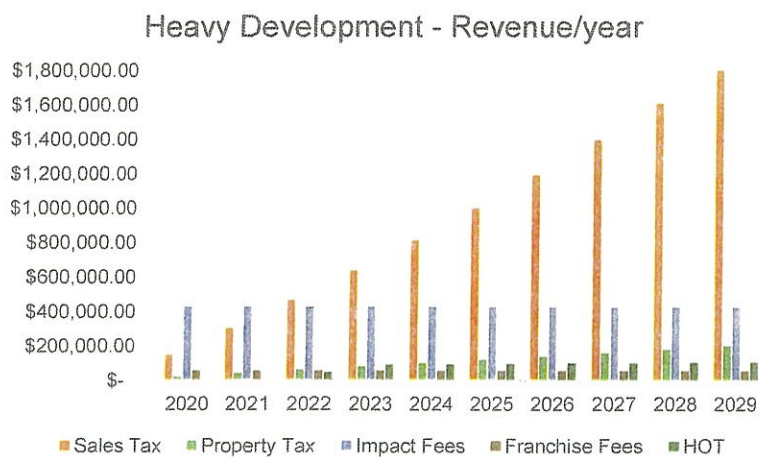


Total Development – Medium Scenario

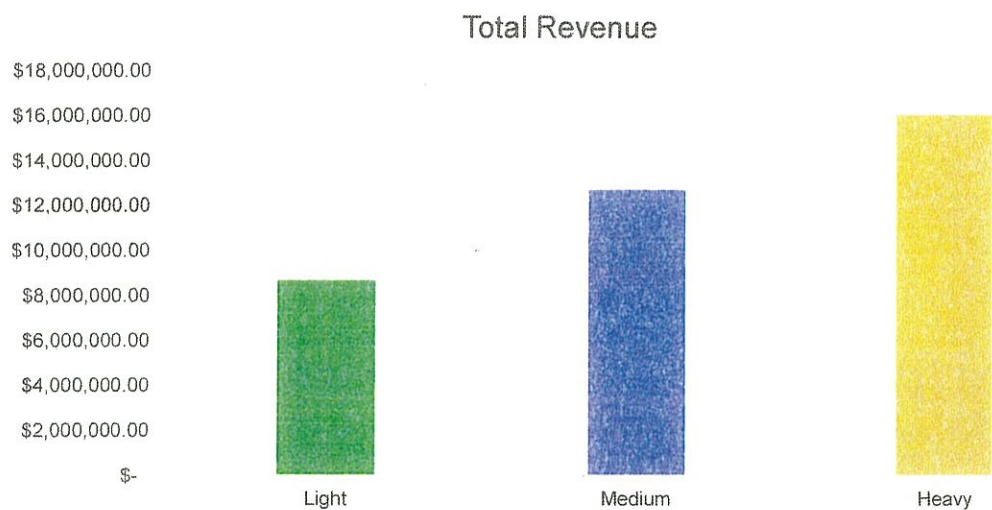


HEAVY DEVELOPMENT SCENARIO

Bonds Paid Off:
2024



COMPARISON OF REVENUES

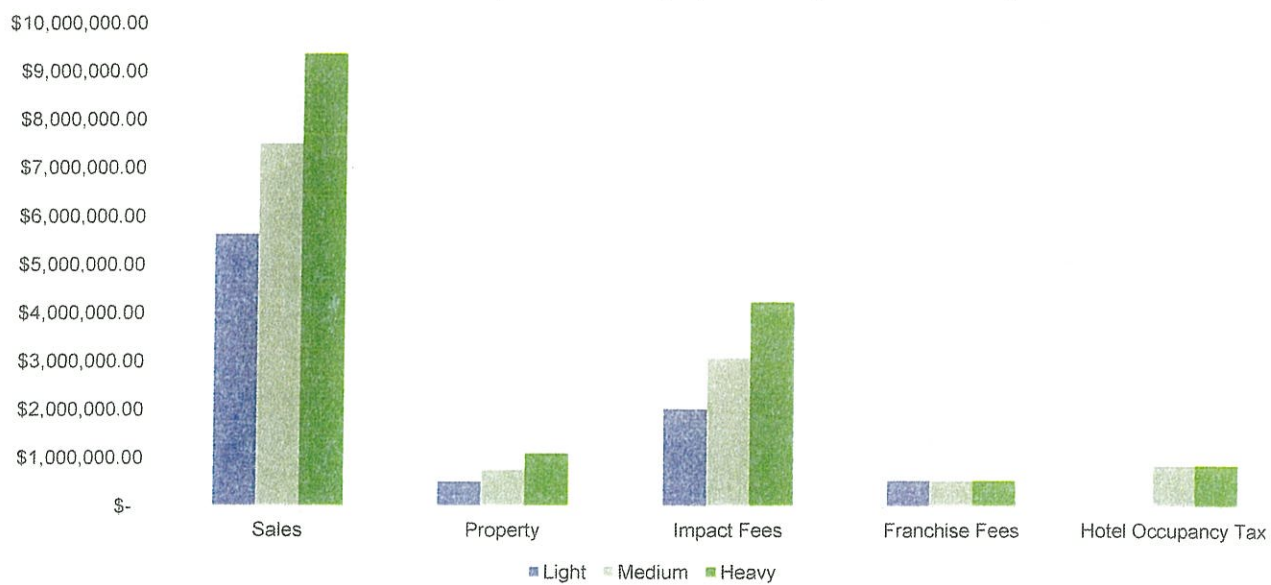


Total revenue in the final year at full buildout is \$18.5 Million

Sales Tax	\$ 16,915,186.32
HOT Tax	\$ 166,854.97
Property Tax	\$ 1,510,228.15
Franchise Fees	\$ 53,820.00
Total	\$ 18,519,174.03

COMPARISON OF REVENUES

Total Revenues, 2020-2029, by Development Intensity



NEXT STEPS

- Finalize Report
- Council to Consider Final Report September 5th



City of Garden Ridge

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

MINUTES OF CITY COUNCIL REGULAR MEETING, **SEPTEMBER 5, 2018**

Councilmembers Present:

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

Councilmembers Absent:

None.

City Staff Present:

Nancy Cain, City Administrator
Cynthia Trevino, City Attorney
Ron Eberhardt, Police Chief
Royce Goddard, Water Manager
Steven Steinmetz, Public Works Director
Linda Crosland, Library Director
Karen Ford, Finance/HR
Marisa Spencer, Assistant City Secretary
Brad Olivarri, Deputy Water Manager
Shelley Goodwin, City Secretary

City Commission Representatives Present:

Dr. Jim Miller, Chair, Planning and Zoning Commission
David Krawczynski, Chair, Wildlife Management Advisory Commission

Other City Commissioners Present:

Mark Hausheer, Vice Chair, Planning and Zoning Commission
Karen Diaz, Planning and Zoning Commission
David Ringle, Planning and Zoning Commission
Mike Shands, Chair, Quarry Commission
Jerry Barucky, Quarry Commission
Johnell Holly, Quarry Commission
Ray Pitzen, Water Commission
Cynthia Shanahan-Segovia, Vice Chair, Wildlife Management Advisory Commission
Troy Bippert, Wildlife Management Advisory Commission
Dawn Hatch, Wildlife Management Advisory Commission

Ken Knuepper, Wildlife Management Advisory Commission
Jeremiah McKinney, Wildlife Management Advisory Commission
Paul Sullivan, 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, September 5, 2018, in the City Council Chambers of the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas 78266.

2. Pledge of Allegiance

Mayor Thompson led the Pledge of Allegiance.

3. Tri-County Chamber of Commerce Presentation (10 minutes)

Lisa Jubela, Executive Board Chair, stated the Tri-County Chamber of Commerce is formed of businesses, individuals, and cities from Bexar, Comal, and Guadalupe Counties. She stated their goal is to cultivate business alliances in the Tri-County Region. She provided the history of the Chamber and the reasons to join. She also reviewed the upcoming events scheduled for September. She stated a PowerPoint should have been emailed to City Hall, but she will get it sent over.

Councilmember Arvidson stated he requested this presentation because he felt with the upcoming rezoning and potential development along F.M. 2252, the City needs to get involved with a Chamber of Commerce.

Mayor Thompson requested the PowerPoint be emailed to the City Administrator and the item will be placed on the October 3, 2018, Regular Meeting Agenda.

4. City/Employee Recognitions/Employee Introductions

a) Thank you from the Langthorps to the Mayor and City Council for the years of kindness and thoughtfulness for recognizing them.

Nancy Cain, City Administrator, stated the Langthorps sent a thank you to the Mayor and City Council for the years of kindness and for recognizing them.

b) Thank you from a resident to the Garden Ridge Police Department, for the sacrifices they make for the people.

Nancy Cain, City Administrator, stated a resident sent a thank you to the Garden Ridge Police Department thanking them for the sacrifices they make.

c) Thank you from a resident to Royce Goddard, Water Manager, for his assistance with finding a water leak.

Nancy Cain, City Administrator, stated a resident sent a thank you to Royce Goddard, Water Manager, for assisting with finding a water leak.

d) Thank you from the teachers at Bracken Preschool to Royce Goddard, Water Manager, for speaking to the preschoolers.

Nancy Cain, City Administrator, stated Bracken Preschool sent a thank you to Royce Goddard, Water Manager, for coming and speaking to the preschoolers.

e) Thank you from a resident to Eric Lowman, Animal Services, for returning a kitten.

Nancy Cain, City Administrator, stated a resident sent a thank you to Eric Lowman, Animal Services, for returning their kitten to them.

f) Thank you from a resident to Public Works Department for putting trash sacks at Park Lane Park.

Nancy Cain, City Administrator, stated a resident sent a thank you to Public Works Department for putting trash sacks at Park Lane Park.

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

Mayor Thompson reviewed the Citizen's Participation rules and explained that due to Texas Open Meetings Act neither City Council nor Commissioners can answer questions. He also stated if Councilmembers or Commissioners are looking down while a citizen is speaking it is because they are probably writing down what you are saying.

Tony Frasco, 8802 Wild Wind Park, spoke about Deer Management and asked the City Council to table the Deer Management Program this year.

David Ringle, 9234 Blazing Star Trail, spoke about liberty and justice for all. He also asked the City Council to table the Management Program this year.

Ken Kneupper, 8891 Schoenthal Rd., spoke about the notification process Comal ISD is using to keep Georg Ranch residents informed about the construction at the new high school being built.

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. July 23, 2018 City Council Special Meeting**
- ii. August 1, 2018 City Council Regular Meeting**

b) Financial Statement, Summary Report, and Management's Discussion and Analysis of Results of Operations – July 31, 2018.

c) Consider the approval of hiring Jill Acha, Police Department Administrative Assistant, on a 90-day probationary period effective September 4, 2018.

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

7. Business Items

The following items are for discussion, consideration and action.

a) Action on items pulled from the Consent Agenda

No items were 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, and upcoming events.**

Nancy Cain, City Administrator, showed a picture of “No Thru Truck Traffic” sign that the City of Schertz created and posted at Doerr Lane before Bell North.

Mayor Thompson thanked the City of Schertz for their assistance, which will now deter the truck drivers from entering the road and having to turn around once they arrive in the Garden Ridge City limits.

ii. Police Department Monthly Activity Report

- **Traffic Enforcement, criminal activity within City, and Code Compliance Enforcement.**

Ron Eberhardt, Police Chief, introduced Jill Acha, Police Department Administrative Assistant and provided a history of her previous experience. He also reported on the following:

- Written citations on Doerr Lane
- First Net cell service for First Responders
- National Night Out, Tuesday, October 2nd in the Garden Ridge Community and Event Center from 6 p.m. to 8 p.m.

Mayor Thompson thanked the Police Department for their assistance with the first day of school. He reminded everyone of the importance of not allowing children to run across the street and the necessity of paying attention when driving on Municipal Parkway.

iii. Public Works Monthly Activity Report

- **Street and right-of-way maintenance, drainage facility and easement maintenance, City facility maintenance, Animal Services (domestic and wild), Oak Wilt, Public Works Projects, and City parking lots.**

Steven Steinmetz, Public Works Director, reported the following:

- Surveying signs for the purpose of replacing them
- Assisted Garden Ridge Assembly with conducting some repairs on City rental property.

The City Council discussed the deer carcasses picked up so far this year and asked for a comparison from 2017.

Mayor Thompson thanked Public Works for assisting with repairs on the rental property.

iv. Water Department 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, reported the Water Department worked on the drainage field at the rental property.

Mayor Thompson stated there have been some concerns by residents regarding a drainage issue at Northeast Bible Church. He stated the City has no authority regarding this drainage area since it is located on private property, but the City is looking to assist.

v. Library Monthly Activity Report

- Upcoming events

Linda Crosland, Library Director, read a statement of Library updates (see attached).

c) City Engineer Projects Status Reports:

i. CIP Project for 2015

Dan Mummert, P.E., Trihydro, City Engineer, reviewed the City Engineer Report and PowerPoint (see attached).

1. Trinity Wells #9 and #10 Project

Dan Mummert reported Pesado Construction is addressing the final punch list items and anticipates completion of the list by September 7, 2018.

2. Naco-Loop Water Line Project

Dan Mummert reported the construction is completed and the closeout paperwork is being finalized.

ii. Sewer System (FM 2252)

Dan Mummert reported Pegasus Planning and Development has completed the Fiscal Impact Analysis, which is on the agenda later this meeting.

iii. CIP Program recommendations.

There was no update provided at this meeting.

iv. The Park of Garden Ridge drainage.

Dan Mummert reported this item was discussed during the Water Department Report. He stated a site visit was conducted and offsite drainage system modifications are being evaluated to assist with reducing the impact from storm events.

d) City Commission and Committee Reports/Recommendations/Possible Actions

i. Planning and Zoning Commission Recommendation and Possible Action:

1. Expiring terms (September 30, 2018) of Commissioners (Commissioners Diaz, Hausheer, and Owen).

a. Receive recommendation for the reappointment of Commissioners Diaz and Hausheer to serve another term (term expiring September 30, 2020).

Dr. Jim Miller, Chair, Planning and Zoning Commission, stated that the Commission voted unanimously to recommend the reappointment of Commissioners Diaz and Hausheer to serve another term with term expiring on September 30, 2020.

Motion: A motion was made by Councilmember Lantzy, seconded by Councilmember Erickson, to approve the recommendation from the Planning and Zoning Commission to reappoint Commissioners Diaz and Hausheer to serve another term with term expiring on September 30, 2020. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

Dr. Jim Miller, Chair, Planning and Zoning Commission, stated that the Commission voted unanimously to recommend to City Council waive the term limit requirement due to special circumstances and to reappoint Commissioner Owen to serve another term with term expiring on September 30, 2020.

Mayor Thompson stated before the City Council can vote on this recommendation of the Planning and Zoning Commission there are several issues that need to be addressed.

b. Receive recommendation to waive the requirement in Ordinance 210-022018, Section V. Termination A. Three (3) consecutive absences or four (4) total absences in a twelve (12) month period for Commissioner Owen.

Mayor Thompson stated Commissioner Owen has missed three consecutive meetings with four total absences within a 12 month period. He stated a few absences were unexcused, but the City Council will need to decide whether they want to waive the requirement in Ordinance 210 regarding termination.

The City Council discussed Commissioner Owen's absences and the possibility of future absences. They also discussed the possibility of Commissioner Owen acting as a consultant to the Commission, due to her experience and City knowledge.

Motion: A motion was made by Councilmember Bower, seconded by Councilmember Lantzy, to reject the recommendation from the Planning and Zoning Commission to waive the requirement in Ordinance 210-022018, Section V. Termination A. Three (3) consecutive absences or four (4) total absences in a twelve (12) month period for Commissioner Owen. The City Council voted by the following roll call:

Mayor Pro-Tem McCaw	nay
Councilmember Erickson	nay
Councilmember Lantzy	aye
Councilmember Arvidson	nay
Councilmember Bower	aye

Motion failed.

Motion: A motion was made by Councilmember Erickson, seconded by Mayor Pro-Tem McCaw, to approve the recommendation from the Planning and Zoning Commission to waive the requirement in Ordinance 210-022018, Section V. Termination A. Three (3) consecutive absences or four (4) total absences in a twelve (12) month period for Commissioner Owen. The City Council voted by the following roll call:

Mayor Pro-Tem McCaw	aye
Councilmember Erickson	aye
Councilmember Lantzy	nay
Councilmember Arvidson	aye
Councilmember Bower	nay

Motion passed.

c. Findings of cause for reappointment of Commissioner Owen for another term of office as Specified in Ordinance 210-022018, Section III. E. 1 and 2.

Mayor Thompson stated according to Ordinance 210 Commissioner Owen has served more than her term limit. He stated the City Council will need to decide whether there are findings of cause to reappoint Commissioner Owen to another term.

Motion: A motion was made by Councilmember Erickson, seconded by Mayor Pro-Tem McCaw, to approve the recommendation from the Planning and Zoning Commission findings of cause to reappoint Commissioner Owen. The City Council voted by the following roll call:

Mayor Pro-Tem McCaw	aye
Councilmember Erickson	aye
Councilmember Lantzy	nay
Councilmember Arvidson	aye
Councilmember Bower	nay

Motion passed.

d. Receive a recommendation to appoint Commissioner Owen to serve another term as specified in Ordinance 210-022018 Section III. E. for the purpose of good cause.

Motion: A motion was made by Mayor Pro-Tem McCaw, seconded by Councilmember Erickson, to approve the recommendation from the Planning and Zoning Commission to reappoint Commissioner Owen to another term with term expiring September 30, 2020. The City Council voted by the following roll call:

Mayor Pro-Tem McCaw	aye
Councilmember Erickson	aye
Councilmember Lantzy	nay
Councilmember Arvidson	aye
Councilmember Bower	nay

Motion passed.

2. Receive monthly activity update as applicable.

Dr. Miller stated the Commission is continuing their work on the rewrite of the Zoning Ordinance.

Mayor Thompson thanked Dr. Miller for the Commission's hard work on the ordinance rewrite and stated that this is a huge task.

**ii. Quarry Commission Recommendations and Possible Action:
(Quarry Commission did not meet in August).**

Mayor Thompson stated the Quarry Commission does not have a report to give.

**iii. Water Commission recommendations and Possible Action:
(Water Commission did not meet in August).**

Mayor Thompson stated the Water Commission does not have a report to give.

iv. Wildlife Management Advisory Commission:

1. Expiring terms (September 30, 2018) of Commissioners (Commissioners McKinney, Hatch, and Bippert).

a. Receive recommendation for the reappointment of Commissioners McKinney, Hatch, and Bippert to serve another term (term expiring September 30, 2020).

David Krawczynski, Chair, Wildlife Management Advisory Commission, stated the Commission voted unanimously to recommend to City Council the reappointment of Commissioners McKinney, Hatch, and Bippert to serve another term with the term expiring September 30, 2020.

The City Council asked to take these appointments separately.

Motion: A motion was made by Councilmember Lantzy, seconded by Mayor Pro--Tem McCaw, to approve the recommendation from the Wildlife Management Advisory Commission to reappoint Commissioner McKinney. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

Motion: A motion was made by Councilmember Lantzy, seconded by Mayor Pro-Tem McCaw, to not approve the recommendation from the Wildlife Management Advisory Commission to reappoint Commissioner Hatch.

The City Council discussed the disruptive behavior during meetings, not following through with commitments, off tracking from the agenda, and the constant questioning of City staff. They also discussed the difference of opinion and Commissioner Hatch's disagreeing with Texas Parks and Wildlife and their methods and guidance on the management of wildlife. The City Council voted by the following roll call:

Mayor Pro-Tem McCaw	aye
Councilmember Erickson	nay
Councilmember Lantzy	aye
Councilmember Arvidson	nay
Councilmember Bower	abstain (Affidavit of Conflict not filed)
Mayor Thompson	nay (Voted to break the tie)

Motion failed.

Motion: A motion was made by Councilmember Erickson, seconded by Councilmember Arvidson, to approve the recommendation from the Wildlife Management Advisory Commission to reappoint Commissioner Hatch.

The City Council discussed the Commission Chair or the Commission Ex-Officio meeting with Commissioner Hatch to review the Texas Open Meeting Act, Ordinance 196 and Ordinance 210 with her.

The City Council voted by the following roll call:

Mayor Pro-Tem McCaw	aye
Councilmember Erickson	aye
Councilmember Lantzy	nay
Councilmember Arvidson	aye
Councilmember Bower	abstain (Affidavit of Conflict not filed)

Motion passed.

Motion: A motion was made by Councilmember Lantzy, seconded by Councilmember Erickson, to approve the recommendation from the Wildlife Management Advisory Commission to reappoint Commissioner Bippert. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

2. Texas Parks and Wildlife requirement for conducting Deer Counts/Surveys in Garden Ridge designated areas.

a. Receive recommendation from Wildlife Management Advisory Commission.

David Krawczynski, Wildlife Management Advisory Commission Chair, stated at the August 20, 2018, Commission meeting a vote to recommend to City Council for the approval of 20 deer counts be conducted with 14 of those counts be conducted by Commissioners and the remaining 6 be conducted by City residents. He stated after the meeting, he was contacted by Commissioners regarding the confusion of the vote and how it happened. He stated he asked for advice regarding the issue and as a result he told the City Council at the September 5, 2018, meeting that he was tabling the recommendation until he took it back to the Commission for clarification. At the September 20, 2018, Commission meeting the confusion was discussed and the original motion was rescinded and the Commission then voted to conduct 14 Deer Counts to be done in accordance with Ordinance 196.

b. Take action on recommendation.

David Krawczynski, Chair, Wildlife Management Advisory Commission, stated Ordinance 196 provides a provision for the Commission to conduct the Deer Counts, so he has no recommendation for the City Council to approve.

3. Receive monthly activity update as applicable.

David Krawczynski, Wildlife Management Advisory Commission Chair, clarified the directions from the City Council regarding the Deer Management and looking at other options.

The City Council discussed getting the Texas Parks and Wildlife Biologist to do another education session. They also discussed the experience of Mr. Tomasini, his trapping system and Hollywood Park.

Mayor Thompson stated he and other City Officials met with three Texas Parks and Wildlife biologists, which was very informative. He also asked the new Biologist to help with education of Commissioners and residents. He also asked the Biologists what would happen if the city did nothing to control the deer population and the biologists unanimously agreed that it would be a big mistake to do nothing. He provided the history of the Deer Management process and confirmed the Commission needs to look at other options, but per the council's prior consent, Mr. Tomasini could be one of those options.

v. Garden Ridge Parks Committee:

1. Receive monthly activity update as applicable.

Shelby Trial, Garden Ridge Parks Committee Chair, stated he did not have anything new to report other than volunteers are needed to help with the National Night Out on October 2, 2018.

vi. Volunteer Garden Ridge!

1. Receive monthly activity update as applicable.

Mayor Thompson reviewed the monthly activity reports and stated 380 hours in the month is equivalent to 1 employee for over 2 months. He thanked those who volunteer and asked that others consider getting involved.

e) Approvals/Authorizations/Reports/Discussion

i. 2018 Tax Rate.

1. Review and discussion on the 2018 Tax Rate Proposal of \$0.323146.

Mayor Thompson stated the City Council has held two public hearings on the 2018 Tax Rate Proposal and tonight the City Council needs to take action on each portion of the Tax Rate.

2. Motion to ratify the property tax increase of \$72,354.00 as reflected in the 2019 Budget for the General Fund and Interest and Sinking Fund of the City of Garden Ridge.

Motion: A motion was made by Mayor Pro-Tem McCaw, seconded by Councilmember Lantzy, to ratify the property tax increase of \$72,354.00 as reflected in the 2019 Budget for the General Fund and Interest and Sinking Fund of the City of Garden Ridge. The City Council voted by the following roll call:

Mayor Pro-Tem McCaw	aye
Councilmember Erickson	aye
Councilmember Lantzy	aye
Councilmember Arvidson	aye
Councilmember Bower	aye

Motion passed unanimously.

3. Motion to approve Ordinance 216-092018 of the City Council of the City of Garden Ridge adopting a Tax Rate of \$ 0.323146 per one hundred dollars (\$100.00) of assessed valuation for the City of Garden Ridge, Texas to be effective for the Tax Year 2018 (Fiscal Year 2019).

Motion: A motion was made by Councilmember Bower, seconded by Councilmember Arvidson, to approve Ordinance 216-092018 of the City Council of the City of Garden Ridge adopting a Tax Rate of \$ 0.323146 per one hundred dollars (\$100.00) of assessed valuation for the City of Garden Ridge, Texas, to be effective for the Tax Year 2018 (Fiscal Year 2019). The City Council voted by the following roll call:

Mayor Pro-Tem McCaw	aye
Councilmember Erickson	aye
Councilmember Lantzy	aye
Councilmember Arvidson	aye
Councilmember Bower	aye

Motion passed unanimously.

4. Motion to adopt \$0.222114 as the 2018 Maintenance and Operation Rate for the City of Garden Ridge.

Motion: A motion was made by Councilmember Erickson, seconded by Mayor Pro-Tem McCaw, to adopt \$0.222114 as the 2018 Maintenance and Operation Rate for the City of Garden Ridge. The City Council voted by the following roll call:

Mayor Pro-Tem McCaw	aye
Councilmember Erickson	aye
Councilmember Lantzy	aye
Councilmember Arvidson	aye
Councilmember Bower	aye

Motion passed unanimously.

5. Motion to adopt \$0.101032 as the 2018 Debt Service Rate for the City of Garden Ridge.

Motion: A motion was made by Mayor Pro-Tem McCaw, seconded by Councilmember Erickson, to adopt \$0.101032 as the 2018 Debt Service Rate for the City of Garden Ridge. The City Council voted by the following roll call:

Mayor Pro-Tem McCaw	aye
Councilmember Erickson	aye
Councilmember Lantzy	aye
Councilmember Arvidson	aye
Councilmember Bower	aye

Motion passed unanimously.

ii. Ordinance.

1. Ordinance 186-092018 amending the prohibiting the feeding of deer within the City limits; establishing a penalty; providing that this Ordinance shall be cumulative of all Ordinances; providing a severability clause; providing a savings clause; and providing an effective date.

a. Receive Ordinance 186-092018 and act on the amendment.

Mayor Thompson stated the Municipal Court Judge requested a change to the Ordinance so he can have more flexibility with the fines and deferred adjudication to be worked out with the defendant.

Motion: A motion was made by Mayor Pro-Tem McCaw, seconded by Councilmember Arvidson, to approve amendment to Ordinance 186-092018 the prohibiting the feeding of deer within the City limits; establishing a penalty; providing that this Ordinance shall be cumulative of all Ordinances; providing a severability clause; providing a savings clause; and providing an effective date. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

iii. Resolution.

1. Resolution 439-092018 setting the day, time and place of regular meetings of the Planning and Zoning Commission of the City of Garden Ridge, Texas.

a. Receive and act on Resolution 439-092018.

Mayor Thompson reviewed the history of holding a second Planning and Zoning Commission regular meeting a month. He stated this second meeting will allow the Commission to get the Zoning Ordinance rewrite done much quicker.

Motion: A motion was made by Councilmember Lantzy, seconded by Councilmember Bower, to approve Resolution 439-092018 setting the day, time and place of regular meetings of the Planning and Zoning Commission of the City of Garden Ridge, Texas. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

iv. Economic Feasibility Study prepared by Pegasus Planning and Development

1. Discuss and act on acceptance of the study.

Mayor Thompson stated the City Administrator and City Engineer have all proofed the study.

The City Council discussed the number of LUE connections mentioned in the Study. They also discussed the potential revenue and how the study will assist Planning and Zoning Commission as they go through the Zoning Ordinance rewrite.

Motion: A motion was made by Councilmember Lantzy, seconded by Mayor Pro-Tem McCaw, to approve the Fiscal Impact Analysis-Economic Feasibility Study prepared by Pegasus Planning and Development. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

f) Updates.

i. Workflow Management Program and Policy

1. Receive a status report.

Shelley Goodwin, City Secretary, stated the delay of the program implementation is due to the Verizon cost for the Field Force Management being different than what was originally quoted to the City. She stated she spoke to Verizon today and was promised that the program will be ready to go in the next nine days.

ii. City Administrator Projects.

1. Volunteer opportunities – City Commissions.

a. Vacancies remain on Planning and Zoning Commission and Water Commission.

Nancy Cain, City Administrator, stated the City currently has two vacancies, one on the Planning and Zoning Commission and one on the Water Commission. She asked for anyone interested to complete the interest form on the City website and attach a resume which can be emailed to her.

iii. Mayor's Projects.

1. Communication Report.

Mayor Thompson stated the City of Garden Ridge offers several types of communications, but residents can also contact him or the City Administrator.

2. Citizen Contact Report.

Mayor Thompson stated he was contacted by a resident because a builder had relayed that the Garden Ridge permitting process for building takes months more than any other city in the area. He stated he asked the Building Inspector to pull the records. The records showed that the average time to process and approve a permit in the Woods was 4 days. Only one permit took longer (it took 3

weeks) because of a holiday period. No permit took over a month. He thanked the resident for contacting him to get the facts and she appreciated the answers.

Mayor Thompson stated he has been contacted by residents regarding the Briggs Pit /Galo Materials. He stated this quarry/pit is outside the City limits, which means the City has no control; however, he recommends residents contact TCEQ, Comal County and San Antonio since it is in their ETJ.

3. City Facility Update.

a. Former City complex status report.

Mayor Thompson stated the update was received in the Public Works report.

b. Community Center.

Mayor Thompson stated the Community and Event Center entrance way and patio areas have now been stained. He stated Public Works is working with an electrician on the replacement of the inside lights and some switching issues. He also stated the Community and Event Center brochure is almost complete.

4. Ordinance Revision Process.

Mayor Thompson stated Staff is working on different ordinances and City Council will be receiving rewrites soon.

5. Vulcan Construction Materials, LLC Update.

Councilmember Arvidson stated he met the write-in candidate for County Commissioner, Precinct #2, who wants to address the Vulcan Construction Materials. He stated the City could also request a contested hearing by approving a resolution. He stated the request would involve attorney fees and each entity has to request their own hearing.

Mayor Thompson inquired about the cost and what the end result would be from the hearing.

Cynthia Trevino, City Attorney, stated her firm has filed contested hearings before and the hearings were granted, but the end results from those hearing did not change anything.

The City Council discussed the potential water issues, hearing process, and the importance of taking a stand.

The City Council agreed by consensus for Councilmember Arvidson and Councilmember Erickson to work together on exploring a request for a TCEQ hearing, cost and possibly leveraging with other entities.

iv. City Council Projects.

1. Update on Water Rate Study (McCaw with the Mayor).

Mayor Thompson stated he and Mayor Pro-Tem McCaw have been working on some analyses to reduce the cost of the study and then the study will go out for bids. He stated they should have this finalized before the end of September.

2. City of Garden Ridge window stickers for vehicles (Erickson).

Councilmember Erickson reviewed the picture of the window stickers. He stated he asked for a quote for 250 stickers, which would be less than \$2 per sticker.

The City Council discussed the stickers and requested a quote for 500 stickers.

Mayor Thompson offered that other options might be considered possibly something other than a City Seal and/or different colors.

The City Council agreed by consensus for Councilmember Erickson to get a quote for 500 stickers and to provide different samples of stickers.

3. Texas Municipal League Award Submissions (Erickson).

Councilmember Erickson stated he received a letter from Texas Municipal League Awards letting him know the City was not selected to receive an award.

4. Expansion of Garden Ridge boundaries and controlling growth (Erickson with the Mayor).

Mayor Thompson stated he feels this topic is now being discussed as part of other issues.

5. Postal mail issues occurring within the City (Lantzy).

Councilmember Lantzy stated he is talking with a United States Postal Service representative and is working on several issues.

Mayor Thompson stated he recently experienced several postal issues when picking up his neighbor's mail while they were out of town. He stated he took pictures of the issues and had forwarded them to Councilmember Lantzy.

Councilmember Lantzy asked that anyone who has a postal issue contact him or City Hall.

6. Update on City-funded monument for Paul Davis Park (Bower).

Councilmember Bower stated she has nothing new this month to present, but will next month.

g) Future Agenda Items

- Number of deer carcasses picked up in 2017 vs. 2018 (Arvidson).
- Tri-County Chamber PowerPoint presentation (Arvidson).
- TCEQ contested hearing for Vulcan Construction Materials with cost estimates and possibility of joint efforts with other entities (Arvidson and Erickson).
- Announcements of upcoming meetings regarding Personnel Manual (Thompson).

**8. Citizen Comment Period – limited to 20 minutes total
See “Rules for Citizen’s Participation” under Item 6.**

Pam Fritz, 8927 Garden Ridge Dr., spoke regarding the reappointment of Planning and Zoning Commissioner Owen.

Tony Frasco, 8802 Wild Wind Park, spoke regarding Deer Management and the Wildlife Management Advisory Commission.

Mary Rethman, 9450 Cinchona Trail, spoke about not receiving a survey, netting of deer and considering stopping Wildlife Management.

Dr. James Miller, 9910 Marie Meadows, spoke regarding the Economic Analysis Study and requested it be put on the City website.

Deborah Dauer, 20003 Regency Run, spoke regarding the Economic Analysis Study and requested this be presented at each HOA within the City.

David Ringle, 9234 Blazing Star Trail, spoke regarding unity, justice.

Dawn Hatch, 8377 Twisted Oaks, spoke regarding her reappointment and the reflective system she is researching.

David Dauer, 20003 Regency Run, spoke regarding giving the Wildlife Management Advisory Commission more time to provide other options for deer management.

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 Advisory)

City of Garden Ridge sponsored events

Comal ISD/Garden Ridge Elementary

Counties (Bexar, Comal and Guadalupe)

Garden Ridge Lions Club

Garden Ridge Citizen Police Academy Alumni Association/Citizen Patrol

Greater Bexar County Council of Cities

Joint Base Land Use Study-Randolph

Northeast Partnership

Councilmember Arvidson announced the CISD Middle School dedication will be held on September 20, 2018, at 6p.m.

Councilmember Arvidson stated he has received calls from residents regarding CISD busing issues and he is working with CISD on this issue.

Mayor Pro-Tem McCaw reminded everyone that Coffee with the Mayor is held on Mondays from 9:30a.m.-11p.m. in the Council Chambers.

Mayor Pro-Tem McCaw announced the Lions Club Fish Fry and Auction will be held on October 6, 2018.

Mayor Thompson reported the National Night Out event will be held on Tuesday, October 2, 2018. He also thanked Shelby Trial for his hard work on this event and he encouraged the residents to come out and meet their Law Enforcement Officers and other agencies.

10. Executive Session

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

a) Pursuant to Texas Government Code Section 551.071 – Consultation with Attorney

- 1. To seek legal advice in connection with settlement negotiations and other issues related to Hanson Aggregates operations, blasting and possible amendments to Ordinance 34.**
- 2. To seek legal advice in connection with Plaza Oaks water services agreement.**
- 3. To seek legal advice regarding related negotiation for liquidated damages for City building projects, and utility projects.**
- 4. To seek legal advice on pending or contemplated litigation related to dismissal of terminated employee.**

Mayor Thompson announced the City Council will recess into Executive Session at 8:58 p.m., in accordance with Texas Government Code Chapter 551.071, to consult with the City Attorney and take the items in the following order:

- 2. To seek legal advice in connection with Plaza Oaks water services agreement.**
- 3. To seek legal advice regarding related negotiation for liquidated damages for City building projects, and utility projects.**
- 1. To seek legal advice in connection with settlement negotiations and other issues related to Hanson Aggregates operations, blasting and possible amendments to Ordinance 34.**
- 4. To seek legal advice on pending or contemplated litigation related to dismissal of terminated employee.**

Mayor Thompson adjourned the Executive Session at 10:09 p.m. and the City Council reconvened back into Regular Session.

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.

Motion: A motion was made by Councilmember Erickson, seconded by Mayor Pro-Tem McCaw, to authorize the City Staff to pursue exchange of CCN Territory with neighboring cities. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

Motion: A motion was made by Councilmember Erickson, seconded by Councilmember Lantzy, to authorize the City Administrator to renegotiate terms of the Plaza Oaks Center utility extension and agreement for water services. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

12. Adjournment

Motion: A motion was made by Mayor Pro-Tem McCaw, seconded by Councilmember Erickson, to adjourn the Wednesday, September 5, 2018, Garden Ridge City Council regular meeting at 10:12 p.m. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

Larry Thompson
Mayor

ATTEST

Marisa Spencer
Assistant City Secretary

**SIGN IN TO SPEAK AT THE SEPTEMBER 5, 2018
CITY COUNCIL REGULAR MEETING
CITIZEN COMMENT PERIOD**

Rules for Citizens' Participation:

The City Council welcomes citizen participation and comments at all City Council Meetings. The City Council offers citizens the opportunity to address them by signing up to speak prior to the meeting. 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. End your speaking at the time allotted below.
- b) Speaking:
 - i. First citizen comment period
 - 1. You are required to sign up to speak.
 - 2. You are limited to one 3 minute period.
 - ii. Business item period
 - 1. You are required to sign up to speak.
 - 2. You are limited to one 3 minute period.
 - iii. Second citizen comment period
 - 1. You are not required to sign up.
 - 2. You are limited to one 2 minute period.
 - iv. State your name and address before your comments begin.
 - v. You are only allowed to speak once per topic, unless also speaking during a posted Public Hearing.

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

NAME	ADDRESS	SUBJECT
1. Tony Frasco	8802 Wild Wind Park	Deer A
2. David Ringle	9234 Blazing Star Trail	Deer culling & state wildlife
3. Ken Knipper	9491 Schenck Hall Rd	ETIQUETTE
4.		
5.		
6.		
7.		
8.		
9.		
10.		

September Council Meeting

1. August was a month of finishing up certain programs like Science Club, Books and More, Adult Reading Bingo and the Children's Summer Reading, *(and then we got quiet...for a time.)*
2. FFFN was very successful in August³ 66 people present. The people from **Mathnasium** did the entire program and **First United Bank** donated pizza. Mathnasium set up 8 Legos stations, put kiddos in teams of 4 and presented the challenge of building a car, all out of Legos, which would support a 3 lb-weight and a short bridge to go over a gap of about 18-20 inches. Children did an amazing job. Parents were asked to let the children do it without help, but it was very difficult for parents to keep their itchy hands off the project. One adorable child was extremely active when he first came in, but when he started the challenge, he focused so completely on the Legos that it was a dramatic transformation.
And then we got quiet... for a time.
3. This coming Friday we are having a Back to School Bash with games, build-your-own-sundae and a special guest of Ted Myers who owns Kung Jung Mu ^{Sul} ~~Su~~-al martial arts studio. He is quite inspiring as he encourages children to show how strong they are by using good study skills, good discipline to do your work and listening to teachers.
4. There are other programs we are working on starting, plus some old favorites are back after taking the summer off: adult coloring and preschool storytime (after taking August off). Kelly has added "Stay and Play" after storytime. It's a time where the children can have *American Girl Tea Party* free play and learn how to socialize and the parents/grandparents can get better acquainted. I'd also like to organize a Bluebonnet Book Club for grades 3-5 because the schools do a big push to have these grade levels read at least 5 BB books.
Continuing balancing exercises only.

And then we really are getting busy...

5. In August we began a gardening series for the 4th Wednesday of each month. Troy Luepke from Texas A & M Agri-Life is coming to ^{9/26} present those. Likewise, we have several Lunch-n-Learns lined up for the coming months including Instant Pot classes, a class on Native Americans, another on Uganda and one on jewelry-making...so far

6. Beginning in October **Lego Robotics** will return on Thursdays after school and we are proud to introduce the **Ozobot** program on Tuesdays. The tiny toy-looking **Ozobot** robot can teach young kids programming. It can identify lines, colors, and codes on both digital surfaces, such as an iPad, and physical surfaces, such as paper. My husband discovered these and saw the possibilities for teaching kiddos for the techie world we live in. Very clever.

7. Naturally, I'm planning a Veterans Day celebration again. ^{Nov. 9}

Do you have any questions?

9/5/18

NAME	ADDRESS	SUBJECT
1. Pam Fritz	8927 Garden Ridge Dr,	Ms. Owens new
2. Tony Fathoo	8802 Wildwood Park	attendance journey
3. Mary Bethman	9450 Cinchona	
4. Tim Miller	9910 Marie Meadow	Economic Analysis
5. Deborah Daceau	20003 Regency Green	examining Survey
6. David R. Wingle	9234 Blazing Star Trail	Hope
7. Dawn Hatcher	8377 Twisted Oaks	Reflective
8. David Duer	20003 Regency Run	System
9.		
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Urban Wildlife Management

tpwd.texas.gov

1 min read

Tony FRASCO

South Texas Wildlife District



Did you know that the top three sounds that people prefer are natural sounds, such as birds singing, wind in the trees, and gently moving water? The least preferred sounds are urban noise, such as traffic, sirens, and gunfire. As Texas becomes increasingly urban, the need for nature in our cities becomes more and more critical. Over 80% of the Texas population live in urban areas. The six largest cities combined total over 30% of the state's population. Habitat fragmentation, habitat alteration, and the process

of urbanization are major issues facing wildlife populations in urban areas.

Not only do most people within our society crave contact with nature, we benefit greatly from those positive experiences. For example, proximity to natural areas increase property values. Studies have demonstrated that people heal faster with natural views outside their hospital window. Employee satisfaction has been demonstrated to improve dramatically when natural areas are created for use on corporate sites. Wildlife-related recreation is at an all time high.

Programs associated with Urban Wildlife Programs

[Texas Master Naturalist Program in South Texas](#)

[Texas Wildscapes Program in South Texas](#)

[Wildlife Education](#)

To assist cities as they strive to enhance the livability of their urban environments, Texas Parks and Wildlife has assigned wildlife biologist to work in each of the largest urban areas. The duties of these "urban biologist" include providing opportunities for urban residents to reconnect with the natural systems, presenting educational programs for adults and students on a variety of habitat/wildlife issues, serving as technical advisors on multi-agency conservation planning initiatives, and assisting landowners with habitat restoration or enhancements. The South Texas Wildlife District has 3 urban biologists, one stationed in the Rio Grande Valley and the other 2 in San Antonio.

Unknown column 'title' in 'field list'

Wildlife Contacts

Name	Title	Address	Phone
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CITY OF GARDEN RIDGE
MONTHLY ACCOUNT BALANCES & INTEREST RATES
PERIOD ENDED AS OF 08/31/2018

CITY FUNDS	BALANCE	CURRENT INTEREST RATE
GF OPERATING ACCOUNT	\$ 132,979.29	0.0000%
GF MONEY MARKET	282,203.84	0.2500%
PEG CAPITAL FEES	109,632.91	0.2500%
TEXPOOL INVESTMENTS	1,992,509.73	1.9205%
2009 I&S	3,506.06	0.0500%
2009 REFI	3,029.87	0.0500%
2012 I&S	165,138.80	0.2500%
2012 REFI	5,241.80	0.0500%
2015 I&S	12,684.62	0.1000%
WATER IMPACT FEES	\$ 160,287.26	0.2500%
TEXPOOL WATER IMPACT FEES	1,663.31	1.9205%
STREET IMPACT FEES	25,346.19	0.1400%
TEXPOOL STREET IMPACT FEES	31,925.42	1.9205%
CONSTRUCTION BOND	136,558.14	0.2000%
TEXPOOL WATER RIGHTS	5,023.99	1.9205%
TEXPOOL 2015 CIP PROJECT	484,962.99	1.9205%
2015 CIP PROJECT	68,623.14	0.2100%
ASSET/FORFEITURE - STATE	97.82	0.0000%
ASSET/FORFEITURE - FED	64,864.78	0.2000%
TOTAL CITY FUNDS	\$ 3,686,279.96	

WATER FUNDS	BALANCE	CURRENT INTEREST RATE
TEXPOOL WATER INVEST	776,281.80	1.9205%
WATER SURCHARGE	145,073.03	0.2500%
OPERATING ACCOUNT	645,644.82	0.2900%
TOTAL WATER FUNDS	\$ 1,566,999.65	

TOTAL ALL ACCOUNTS	\$ 5,253,279.61	
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CITY OF GARDEN RIDGE
CASH & INVESTMENTS STATEMENT
PERIOD ENDED AS OF 08/31/2018

GENERAL FUND	BALANCE
GF Operational Checking	\$ 132,979.29
GF Money Market	282,203.84
TexPool Investments	1,992,509.73
Restricted Amounts	(29,577.71)
TOTAL General Fund Balance	\$ 2,378,115.15

WATER FUND	BALANCE
Operational Checking	\$ 645,644.82
TexPool Water Invest	776,281.80
Restricted Amounts	(14,730.63)
TOTAL Water Fund Balance	\$ 1,407,195.99

CITY OF GARDEN RIDGE
 STATEMENT OF ACTIVITIES
 CURRENT AND YEAR TO DATE AS OF 08/31/2018

GENERAL FUND	Aug-18	YTD	FY 2018 BUDGET	% OF BUDGET	BUDGET BALANCE
REVENUES	\$ 257,946.35	\$ 2,741,212.95	\$ 2,763,771.00	99.2%	\$ 22,558.05
EXPENDITURES					
ADMINISTRATION	75,643.74	568,145.87	824,200.00	68.9%	256,054.13
COURT	6,601.59	69,526.74	80,514.00	86.4%	10,987.26
POLICE	81,106.86	1,050,633.03	1,238,553.00	84.8%	187,921.97
PUBLIC FACILITIES	44,443.69	389,346.92	476,100.00	81.8%	86,753.08
COMMUNITY CENTER	2,907.09	53,358.47	63,120.00	84.5%	9,761.53
LIBRARY	5,647.04	62,508.67	81,284.00	76.9%	18,775.33
TOTAL EXPENDITURES	216,350.01	2,193,519.70	2,763,771.00	79.4%	570,253.30
NET POSITION	<u>\$ 41,596.34</u>	<u>\$ 547,693.25</u>	<u>\$ -</u>		<u>\$ (547,695.25)</u>

WATER FUND	Aug-18	YTD	FY 2018 BUDGET	% OF BUDGET	BUDGET BALANCE
REVENUES	\$ 434,036.94	\$ 1,733,218.56	\$ 1,626,342.00	106.6%	\$ (106,876.56)
EXPENDITURES	258,299.51	1,561,443.05	1,525,052.00	102.4%	(36,391.05)
NET POSITION	<u>\$ 175,737.43</u>	<u>\$ 171,775.51</u>	<u>\$ 101,290.00</u>		<u>\$ (70,485.51)</u>

CITY OF GARDEN RIDGE
STATEMENT OF ACTIVITIES - COMMUNITY CENTER
PERIOD ENDED AS OF 08/31/2018

REVENUES	YTD
RENTALS	\$ 35,200.00
DEPOSITS	17,300.00
CLEAN-UP FEES	450.00
DEPOSITS REFUNDED	(14,750.00)
DONATIONS	-
TOTAL REVENUES	<u>38,200.00</u>
 EXPENDITURES	
PAYROLL/TAXES/RETIREMENT	520.59
MANAGER FEES	14,099.05
COMPUTER/INTERNET	668.58
TELEPHONE	517.00
UTILITIES	8,917.34
MAINTENANCE	3,608.89
SUPPLIES	1,047.56
CLEANING	4,170.00
EQUIPMENT	249.90
MARKETING	-
DONATION EXPENDITURES	-
FACILITY ENHANCEMENTS	<u>4,809.56</u>
TOTAL EXPENDITURES	<u>38,608.47</u>
 NET POSITION	<u><u>\$ (408.47)</u></u>

Management's Discussion and Analysis of Results of Operations – August 2018

General Fund – Cash

The unrestricted fund balance is \$2,378.1k.

General Fund - Revenue

Ad Valorem tax collections for the month of August was \$8.5k bringing the YTD collections to \$1,435.7k or 99.2% of the \$1,447k budget. Collections for delinquent Ad Valorem tax are currently 54.5% of the \$12k budgeted or \$6.5k.

YTD sales tax collections total \$183.9k or 80% of the budgeted \$230k. Comparatively FY17 YTD collections were \$195.5k. Sales tax is currently tracking 5.9% less than FY17.

Building permits YTD are currently at 111.4% or \$144.8k of the \$130k budgeted for FY18. That's an increase of 6.3% over the same period last year.

The City's YTD trash collections of \$66.6k is on track with the FY18 budget of \$72k.

Received \$103.8k from CPS for the May-Jul electric franchise fee bring the total for the year to \$334k which exceeds the budget by \$19k.

General Fund – Expenditures

Administration Department – Overall the Administration Department is on track with the FY18 budget with no significant items to discuss.

Court – Court is currently on track with the FY18 budget with no significant items to discuss.

Police Department – There are no significant items to discuss for August 2018.

Public Works – Final lease payment and \$1.00 lease buyout was made in August for the Public Works Directors truck. Overall the Public Works department is currently on track with the FY18 budget with no other significant items to discuss.

Community Center – Overall the Community Center department is currently on track with the FY18 budget with no significant items to discuss.

Library – The Library is currently on track with the FY18 budget with no other significant items to discuss.

Water Fund – Meters

Current meters for August 2018 total 1622 vs 1581 for August 2017.

Water Fund – Cash

The unrestricted fund balance is \$1,407.2k.

Water Fund – Revenue

Overall YTD revenue is \$1,733.2k vs the previous year at \$1,392.4k, that's a 24.5% increase YOY. Total revenue is at 106.6% of the FY18 budget.

Water sales YTD are \$1,461.1k or 107.4% of the \$1,361k FY18 budget, compared to \$1,268.5k or 97.5% of the FY17 budget.

Meter sales YTD are \$30.5k or 121.9% of the FY18 budget of \$25k. FY17 totaled \$35.8k for the same period.

Water penalties for FY18 are down 12.5% compared to FY17 or \$9.9k vs \$11.3k respectively.

Water Impact Fees of \$154k received from the Woods unit #3.

Water Fund – Expenditures

Overall the Water Department is on track with the FY18 budget with no added significant items to discuss.

Interest & Sinking Fund – Revenue

Ad Valorem tax collected for debt service YTD is at 97.9% of the FY18 budget or \$762.7k.

Interest & Sinking Fund – Expenditures

Next bond payment due in February 2019.

Capital Improvements Fund – Cash Balance

The restricted fund balance is \$159k.

Capital Improvements Fund – Revenue

Interest earned on the CIP funds YTD is \$16.7k

Asset Seizure Fund – Cash Balance

The restricted fund balance is \$64.9k.

Asset Seizure Fund – Revenue

Revenue YTD for the federal asset seizure is \$12.8k

Asset Seizure Fund – Expenditures

No purchases for August 2018.

Summary

The City of Garden Ridge is financially sound and operating within the Budget set forth by the City Council. However, it should be noted that the Water Department does not currently generate enough in water sales revenue to cover the annual expenditures and is relying on other forms of revenue and reserves to cover annual expenditures.

Shelley Goodwin

8390 Huber Rd.
Seguin, Texas 78155
(830)214-3137

Nancy Cain
City Administrator
City of Garden Ridge
9400 Municipal Parkway
Garden Ridge, Texas 78666

Dear Nancy,

I am very honored to be working for the City of Garden Ridge and have learned so much in the time that I spent here. However, it is with much sadness to inform you that this is my formal resignation from my position of City Secretary. My last day of employment will be Tuesday, September 18, 2018.

This decision has not been easy, but I have decided that it will be in the best interests for my career advancement and future development. I am available to assist in the smooth transition even after my last day.

Once again, I would like to thank you for the many opportunities that you and the City of Garden Ridge have given me. I wish you and the City of Garden Ridge many more successes in the future.

Yours Sincerely,


Shelley Goodwin



City of Garden Ridge

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

September 25, 2018

To: Mayor Thompson and City Council

Re: Interim City Secretary Appointment

With the recent resignation of the Garden Ridge City Secretary I recommend that our Assistant City Secretary Marisa Spencer be appointed Interim City Secretary until the position of City Secretary is filled. The interim appointment will allow Ms. Spencer the ability to represent the City in the capacity of City Secretary in the duties of said office.

Sincerely,

Nancy Cain

City Administrator

RESOLUTION NO. 440-102018

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

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

WHEREAS, the City Council of the City of Garden Ridge desires to set the day, time and place of the Planning and Zoning Commission's regular monthly meetings.

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF GARDEN RIDGE, TEXAS, 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 ON this 3rd day of October, 2018.

Larry Thompson
Mayor

ATTEST:

Marisa Spencer
Assistant City Secretary

Council Ideas/Suggestions List by Category

Updated: September 24, 2018

Ongoing items

Items	Status	Completed Council Approval
1. Personnel Policy (Mayor Thompson) 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 Draft Policy completed Mayor and Department Heads in process of reviewing document prior to submission to City Council Mayor and Staff have a schedule of meetings beginning 3/7-5/16 to review the proposed policy Mayor and Staff continued to discuss and review proposed policy. Review sessions have been extended to 5/30 Mayor and Staff continue discussion and review of proposed policy Discussion on and review of proposed policy continue with recent focus on developing a merit/incentive/step program Staff continues work on proposed policy Possible special City Council meeting will be conducted in October/November for Council review of proposed policy	
2. Electronic Water Billing (Mayor Thompson)	Software upgrade on May 19 Include in FY 2017 Budget Begin implementation	Software upgrade completed for online utility and court payments

	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 purchase with Incode placed in the proposed FY2018 Budget	
3. Community Center (Councilman Lantzy)	Comparing pricing of similar venues Developing fully loaded cost for facility Acquiring estimates for removal of overhead doors, sound system, commercial stove, AC system Developing list of aesthetical improvements to center that may affect lighting, energy and electrical improvements Staff working on maintenance items Comparing contracts from other venues for revisions to current contract Bring information at hand to Council in June for discussion and direction Councilman Lantzy discussed Community Center with Council on 6/6/16 Proposals for door removal, new air conditioning and ducting received and to be presented to City Council with funding through CIP Council approved funding on August 3, 2016 through CIP. Doors removed, new air conditioning installed. Awaiting install of duct work on September 12, 2016 Duct work installation completed September 12/13, 2016 City Attorney revising Community Center Contract per Council direction 10/5/16 – Marketing and future projects being discussed by Council Work continues on revising Community Center Contract Council to consider revised agreement in Feb. Council meeting Revised agreement approved Feb. 13, 2017 and being utilized Interior door/window frames and doors painted a neutral color to enhance appearance Rate structure for Community Center and presence on the City's webpage are being worked on Additional renovations to the Community Center being discussed and evaluated Overhead storage area under construction, window tinting completed and drainage being evaluated New stairway for overhead storage to be constructed, Wi-Fi installed in April, and	New A/C installed, inside doors replaced with windows, interior door frames and doors painted

	enhancement of sound system under evaluation Enhancement of the Community Center sound system is underway and additional enhancements to the Community Center continue to be evaluated Concrete of outdoor pavilion areas was stained by City staff Possible future facility enhancements continue being researched Lighting and electrical work at the Center has been the focus during August. A new brochure for the Center is being worked on. In August Council approved adding Event to the Center's name New brochure for the Center is completed and will be utilized to market facility	
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 Revised rate schedule to be presented to City Council in February	Council approved revised rate schedule on 2/7/18 and it is being utilized
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 City Staff and City Attorney awaiting the Master Land Use Plan and Ordinance Diagnostic Report which is expected to be delivered by the end of November 2017 To receive the Master Land Use Plan Ordinance Diagnostic Report by the end of December Resolution to extend Master Land Use Plan implementation to Council in February due to the need for additional time for rewrite of Zoning and Subdivision Ordinances Alarm Permit Ordinance rewrite to Council in February City Commission Ordinance to Council in February Animal Services Ordinance rewrite to Council in March Master Land Use Plan implementation moved to 5/1/18 due to rewrite of Zoning and Subdivision Ordinances Animal Services Ordinance to Council on 3/7/18	Alarm Permit Ordinance approved 2/7/18 City Commission Ordinance approved 2/7/18 City Council approved Animal Services Ordinance 18 on 4/4/18

	Special Council Meeting held 3/22/18 for further work on Animal Services Ordinance with possible Council approval on 4/4/18 P&Z received 1st draft of zoning ordinance revisions on 4/10. Revisions to several ordinances will be presented to City Council over the next several months P&Z continues to discuss and review draft zoning ordinance revisions Revisions to other City ordinances continues and revisions will be forwarded to City Council for consideration in the near future P&Z continues work on zoning ordinance revisions with small groups of 2 Commissioners and City Attorney Special P&Z meetings are in process of being coordinated for continued work on Zoning Ordinance and Subdivision Ordinance rewrites Also small groups of 2 Commissioners continue research and work on Zoning Ordinance and Subdivision rewrite P&Z continues working on the Zoning and Subdivision Ordinances. Ordinance 123 amendments were approved in August. Three conflicting Ordinances were rescinded in August. The rewriting and cleanup of several other Ordinances are being worked on P&Z continues work on the Zoning and Subdivision Ordinances. Amendment to Ordinance 162 will be coming to Council in October	
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 Audio and video equipment in the City Council Chambers is being evaluated for video streaming capabilities and sound improvement City is awaiting proposals for audio and video upgrades for Council room and large conference room from 3 vendors Proposals received being reviewed Proposals are being reviewed with vendors The evaluation of proposals with vendors continues	

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 The City's YouTube channel is up and videos have been posted to it New videos have been added to the website	
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	



memorandum

To: Garden Ridge City Council
Cc: Ms. Nancy Cain, City Administrator – City of Garden Ridge
From: Mr. Patrick Lackey, P.E./Mr. Daniel Mummert, P.E. – Trihydro Corporation
Date: September 24, 2018
Re: Trihydro Corporation – Engineering Report October 2018 Meeting

1. 2015 CIP Street, Water and Drainage Project – Qro-Mex Construction
 - The one-year warranty period will end on October 31, 2018. Trihydro and City staff are currently conducting inspections looking for warranty repair items.
 - If there are concerns from property owners, please bring them to our attention by October 17, 2018 to allow time to evaluate and address those concerns prior to the warranty period ending.
2. Wells 9 & 10 and Booster Pump Facility – Pesado Construction
 - Pesado Construction notified Trihydro they have completed the outstanding punch list items except for placing topsoil. The topsoil will be placed as soon as the site dries out. A final review of the punch list items will be conducted the week of September 24, 2018. We will begin closing out the project after the punch list completion is verified.
 - Trihydro conveyed, the liquidated damages discussion comments from Council during the September Council Meeting regarding liquidated damages, to Pesado on September 10, 2018. Pesado was agreeable to the requested changes. The City Attorney is preparing a formal letter to Pesado that will close out the liquidated damages claim.
3. Naco Loop Water Line (Winco) – Wauter's Engineering
 - Wauter's Engineering completed the project.
 - We are awaiting the final retainage request and closeout documents from Wauter's.
 - The project was completed for the bid amount of \$276,068.32.
4. FM 2252 TxDOT Project
 - No update from TxDOT this month.



Garden Ridge City Council
September 24, 2018
Page 2

5. FM 2252 Sewer and Water Project

- CCMA is actively working to update their impact fee area to include Garden Ridge. Trihydro reviewed the proposed boundary and provided comments.

6. Creekview Drainage

- The Mayor, Public Works Director and Trihydro conducted held a meeting with the Creekview Oaks property owners on September 12, 2018 to present the record subdivision construction documentation.



Buckley Powder Co.

A Dyno Nobel Distributor

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

DYNO
Dyno Nobel

July 23, 2018

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

To whom it may concern:

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

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

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

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

Dustin Althoff, Technical Representative (512) 229-7894
dustin.althoff@buckleypowder.com

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

Buckley Powder will be blasting for the crushed stone operation of Lehigh Hanson Aggregates for the 2019 fiscal year. If you have any questions or concerns, please feel free to contact either Mr. Davis or Mr. Weaver.

Sincerely,

Steve Davis

Health & Safety Manager



Buckley Powder Co.

A Dyno Nobel Distributor

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

DYNO
Dyno Nobel

TO: City of Garden Ridge

CC: Riley Pumphrey, Dustin Althoff, Joe Crownover

From: Steve Davis
Health & Safety Manager
Buckley Powder Company

Date: July 23, 2018

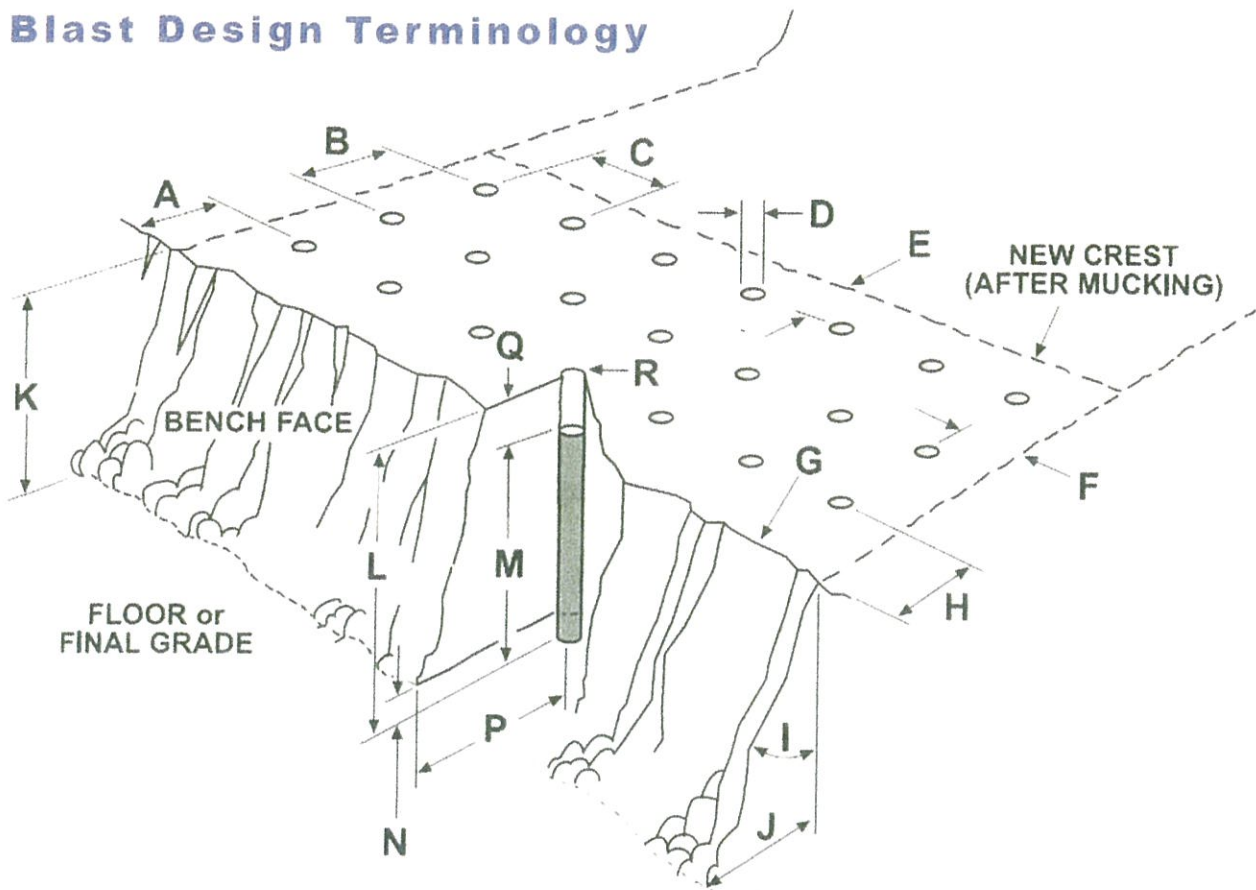
Included with this packet is a copy of the Buckley Powder Blasting Standard Operating Procedures. This document is very specific as to the proper procedures required to provide optimum results for our customer while also providing a safe environment for Buckley Powder employees, those employed by our customer, and the surrounding community. All Buckley Powder blasters are required to attend at least 40 hours of classroom training and testing to ensure they have a complete understanding of these procedures. Along with classroom training, they are provided extensive field training before ever actually being assigned duties as a lead blaster.

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

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

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

Blast Design Terminology



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

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

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

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

If a blast is properly designed, the energy of the explosives will be used to do the first two in the list and there will be less energy left to create vibration and air overpressure. Thus the correct pattern to properly distribute the energy through the rock is the first important consideration. We know from experience how many pounds of explosives per cubic yard or ton of rock (powder factor) will give satisfactory fragmentation. If we under load a blast, it may actually create higher vibration. Extensive research calculations have been developed which aids in predicting vibration at a given distance based on the pounds of explosives detonated at 8 millisecond intervals. Based on the two above factors a blast pattern can be determined.

Laying out the blast pattern

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

Drilling

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

Loading the blast pattern

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

face one more time and make notes on the print outs of any variations in the loading which should take place.

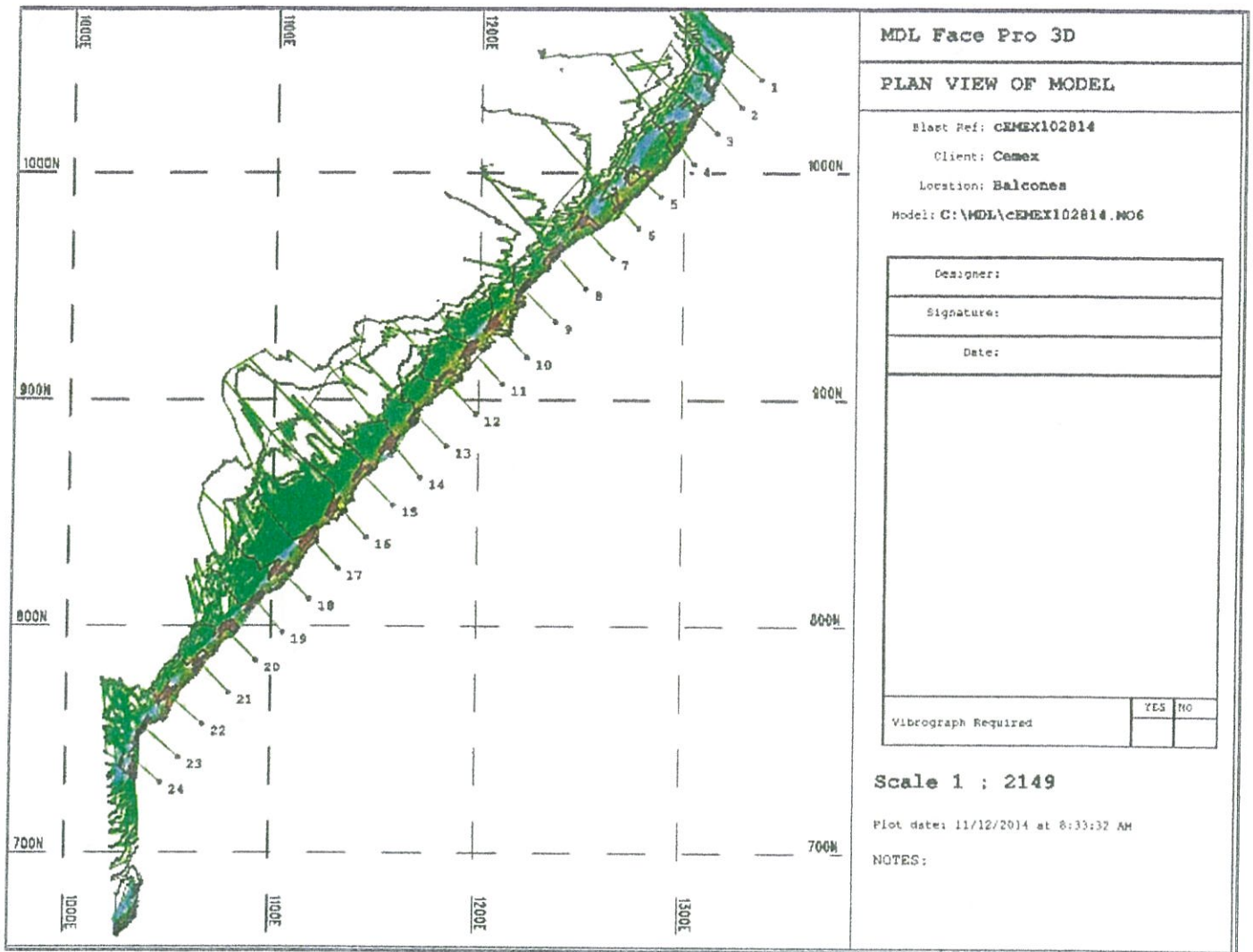
All holes will be checked for proper depth. If any have excessive subdrill which may increase vibration, they will be backfilled to the proper depth. Detonators and cast boosters will be placed in the holes as needed and the hole will be loaded with bulk explosives. The blaster will monitor the rise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

Electronic Detonators

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

Conclusion

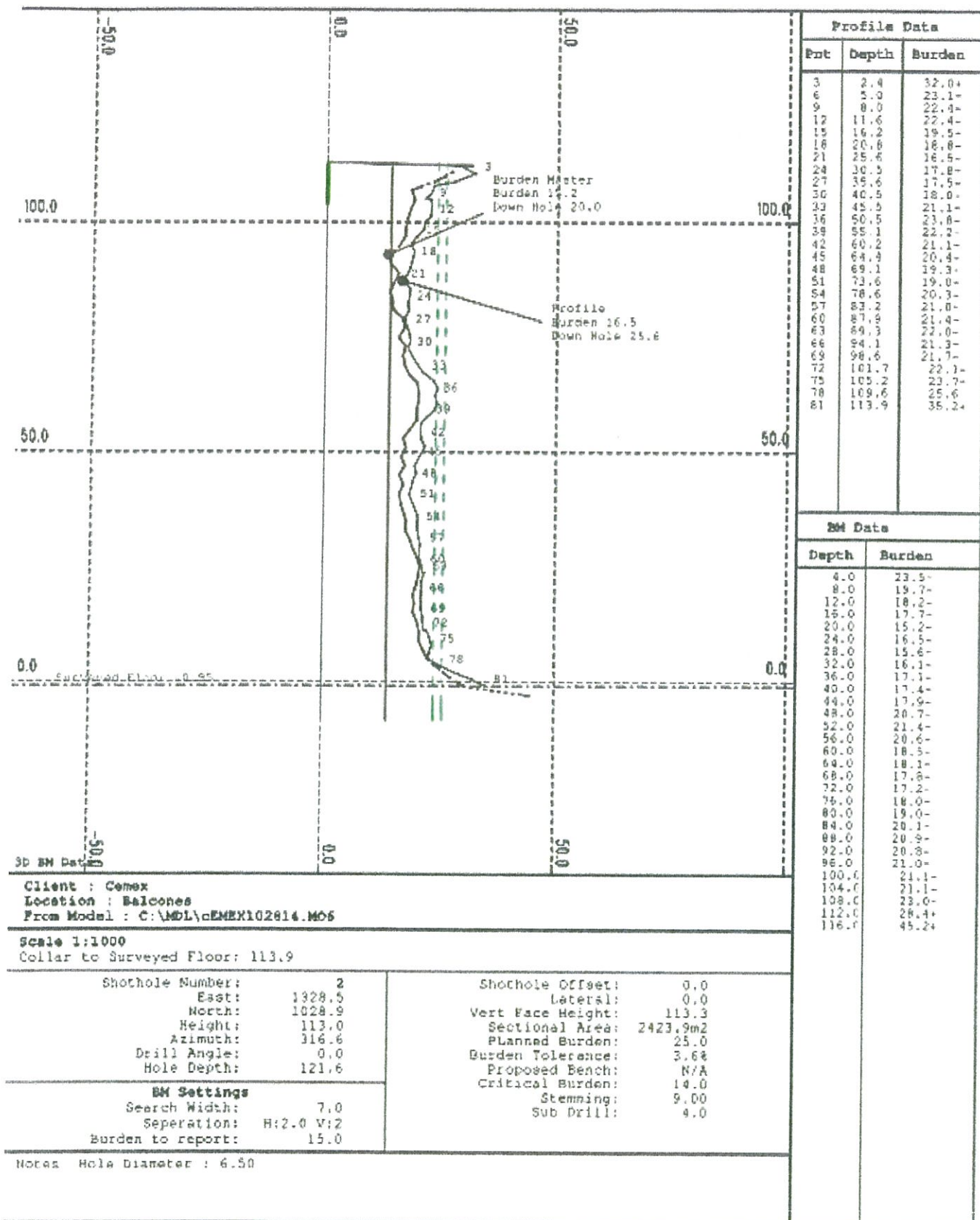
There are few places left where our customers have not had developments build around them. Buckley Powder has been very successful helping those customers deal with community concerns. We take great pride in our education program for our personnel concerning safety and technology. If you have further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



Aerial view of blast pattern created from 3D profile software

MDL Face Pro 3D

Shothole No: 2



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



BUCKPOW-01

OMOHLE

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

06/25/2018

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

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

PRODUCER JLT Specialty Insurance Services Inc. 5847 San Felipe St. Suite 2800 Houston, TX 77057	CONTACT NAME: Olivia Mohle	
	PHONE (A/C, No, Ext): (713) 325-7633	FAX (A/C, No):
INSURED Buckley Powder Co. 42 Inverness Dr. East Englewood, CO 80112	E-MAIL ADDRESS: Olivia.Mohle@jltus.com	
	INSURER(S) AFFORDING COVERAGE	
	INSURER A: Starr Indemnity & Liability Company	
	INSURER B: American Guarantee and Liability Insurance Company	
	INSURER C:	
	INSURER D:	
INSURER E:		
INSURER F:		

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC OTHER:			1000090348181	07/01/2018	07/01/2019	EACH OCCURRENCE \$ 1,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ 5,000 PERSONAL & ADV INJURY \$ 1,000,000 GENERAL AGGREGATE \$ 2,000,000 PRODUCTS - COMP/OP AGG \$ 2,000,000
A	☒ AUTOMOBILE LIABILITY ☒ ANY AUTO ☐ OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY			1000198724181	07/01/2018	07/01/2019	COMBINED SINGLE LIMIT (Ea accident) \$ 2,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$ \$
B	☒ UMBRELLA LIAB ☒ OCCUR ☐ EXCESS LIAB ☐ CLAIMS-MADE DED \$ RETENTION \$			AUC 3793061-10	04/01/2018	04/01/2019	EACH OCCURRENCE \$ 5,000,000 AGGREGATE \$ 5,000,000 \$
A	☒ WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N ☒ N	N/A	1000002255	07/01/2018	07/01/2019	☒ PER STATUTE ☐ OTH-ER E.L. EACH ACCIDENT \$ 1,000,000 E.L. DISEASE - EA EMPLOYEE \$ 1,000,000 E.L. DISEASE - POLICY LIMIT \$ 1,000,000

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

Subject always to policy terms, conditions and exclusions, Certificate Holder is named as Additional Insured (excluding Workers' Compensation and Employers' Liability) but only to the extent of risks and liabilities assumed by the Named Insured in a signed written contract.

CERTIFICATE HOLDER

CANCELLATION

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

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

AUTHORIZED REPRESENTATIVE

JLT Specialty Insurance Services Inc.

$$G = 100 \text{ cm}^3/\text{min} = 0.00167 \text{ m}^3/\text{s} \quad \rho = 1000 \text{ kg}/\text{m}^3 \quad \mu = 0.001 \text{ kg}/\text{m}\cdot\text{s}$$

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



NOTICE OF CLEARANCE

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

ISSUED TO: BUCKLEY POWDER CO

NOTICE DATE: 04/09/2018

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

Expiration Date September 1, 2019

Explosives License/Permit Type 20-MANUFACTURER OF EXPLOSIVES

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

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

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

Mailing Address:

BUCKLEY POWDER CO
42 INVERNESS DRIVE EAST
ENGLEWOOD, CO 80112

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

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

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

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

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

Number of RESPONSIBLE PERSON(S) : 7
Number of EMPLOYEE POSSESSOR(S): 29

LAST NAME, First Name, Middle Name
RESPONSIBLE PERSONS:

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

continued

LAST NAME, First Name, Middle Name
EMPLOYEE POSSESSORS:

LAST NAME, First Name, Middle Name	Clearance Status
0001 ALTHOFF, DUSTIN JAMES	Cleared
0002 BATES, DUSTIN WARREN	Cleared
0003 BORG, DARRYL JOSEPH	Cleared
0004 BROWN, BRADLEY EUGENE	Cleared
0005 CATES, JOSHUA LEE	Cleared
0006 CORTEZ, ISAAC	Cleared
0007 DAVIS, STEVEN EDWARD	Cleared
0008 DIRST, SETH RUSTIN	Cleared
0009 ESPINOZA, DARRELL JIM	Cleared

NOTICE OF CLEARANCE

04/09/2018

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

NOTICE DATE: 04/09/2018

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

This 'Notice of Clearance' is issued to: BUCKLEY POWDER CO

Federal Explosives license/permit no.: 5-TX-091-20-93-01236

Explosives License/Permit Type : 20-MANUFACTURER OF EXPLOSIVES

Expiration Date : September 1, 2019

6305 IH 35 NORTH

NEW BRAUNFELS, TX 78130

continued from previous page

LAST NAME, First Name, Middle Name Clearance Status

LAST NAME, First Name, Middle Name Clearance Status

0010 HADLEY, JOSHUA LOUIS	Cleared
0011 HOPE, JASON LANCE	Cleared
0012 MARRS, JILL	Cleared
0013 MIMS, JOHN J	Cleared
0014 MIRABELLI, LAWRENCE JOHN	Cleared
0015 MITCHELL, DERIK CHANTZ	Cleared
0016 MITCHELL, ETHAN CHASE	Cleared
0017 OREAR, RYAN RANDAL	Cleared
0018 OUMA, ROY O	Cleared
0019 PENA, EDWARD DOUGLAS II	Cleared
0020 PUMPHREY, ADRIAN RILEY	Cleared
0021 SCHUCH, RODNEY ALBERT	Cleared
0022 SNIDER, CLINTON DAVID	Cleared
0023 STAUFFER, LANE DOSS	Cleared
0024 VALDEZ, JACOB BENNETT	Cleared
0025 WALDROP, DIANN RACHELLE	Cleared
0026 WEAVER, RICHARD ALLEN	Cleared
0027 WEIR, CHRISTOPHER FRANKLIN	Cleared
0028 WILLIAMS, JOSHUA CHAD	Cleared
0029 EMBRY, TRENT OLIN	Pending



Hanson Aggregates
Servtex Quarry

July 13, 2018

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

RE: Buckley Powder Application for a Partial Exemption Permit for Blasting in October 2018 through September 2019.

Nancy,

We have asked Buckley Powder to pursue obtaining a Partial Exemption Permit for Blasting within the City Limits of Garden Ridge per Ordinance 34 for the fiscal year of 2019. We will assist with any necessary documentation for the permit. If there is any questions or concerns, please contact me directly at Hal.Halamuda@LehighHanson.com or my office phone (210) 658-7461

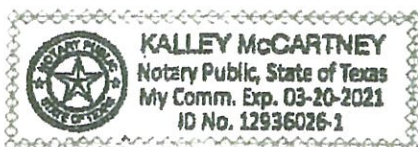
Best Regards



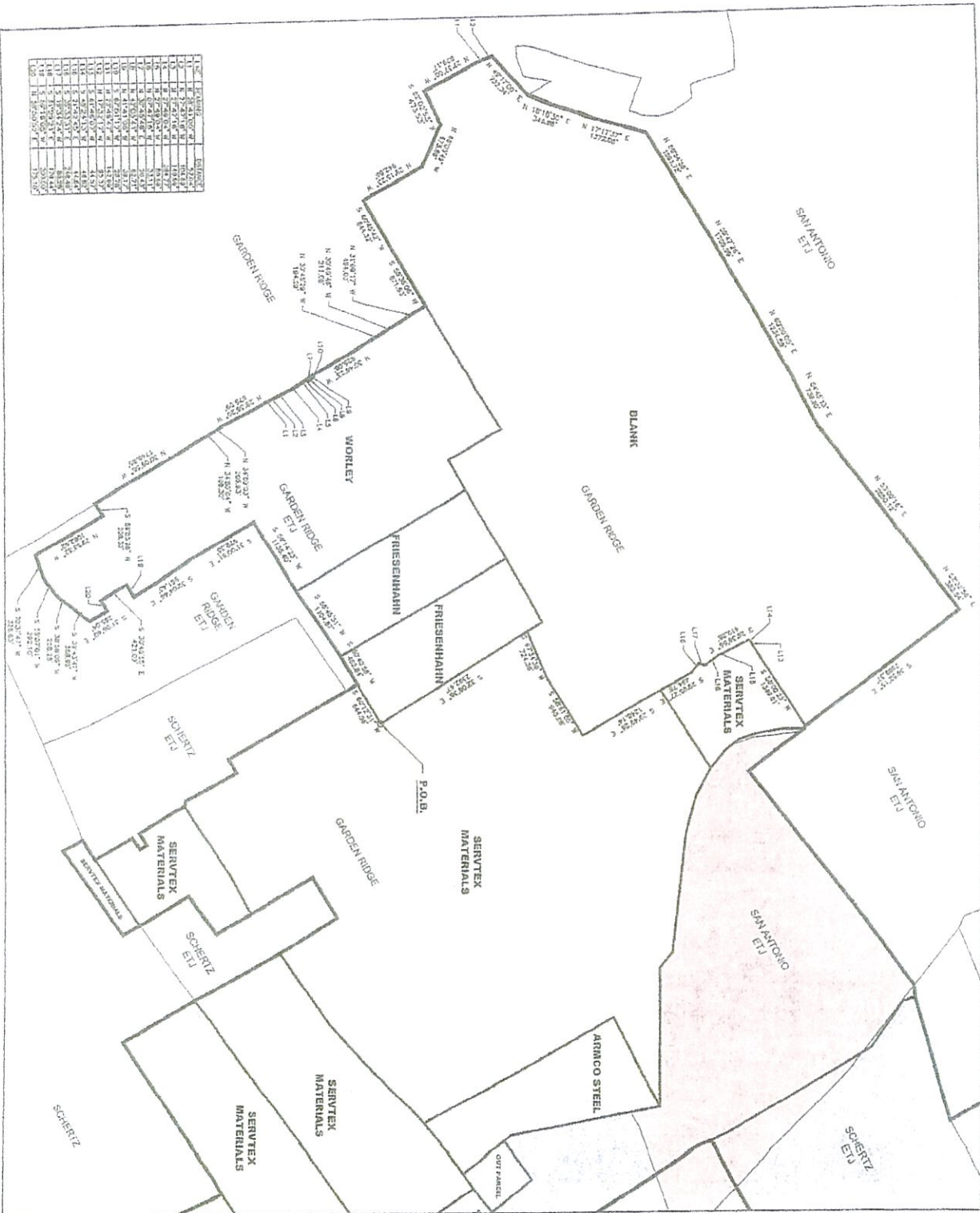
Hal Halamuda

CC: Pierre Levesque, Buckley Powder

Sworn to and subscribed before me by Hal Halamuda, on this the 13th day of July, 2018.



Kalley McCartney
Notary Public in and for
The State of Texas



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GRAPHIC SCALE:
1" = 100'

LEGEND

- PROPERTY BOUNDARY
- PARCEL BOUNDARY
- GARDEN RIDGE
- GARDEN RIDGE, LTD.
- SCHERTZ
- SCHERTZ - ETJ
- SAN ANTONIO - ETJ

PROPERTY MAP WITH METES & BOUNDS FOR PARTIAL EXEMPTION PERMIT FOR BLASTING

LEHIGH HANSON REGION SOUTH SERVTEX QUARRY COMAL COUNTY, TEXAS

Also, include with your letter, the attachments identified below:

- 1) Identifying all real property where the activity of Blasting shall be conducted by street address (if any) and legal description. Any property not listed will not be included in any permit, if authorized. If multiple properties are to be considered, and some are not within the City limits, but is within the City's extra-territorial jurisdictional limits, please include each property in the list but designate the property with the comment: "ETJ Property".
- 2) A plan view drawing completed under seal by a licensed professional surveyor or civil engineer to appropriate scale, showing all properties listed for inclusion into the Partial Exemption Permit for Blasting.
- 3) If you are not the owner of the real property, a letter from the Owner executed before a notary, that they are the owner of the property and authorize blasting activities on the property.
- 4) Documentation and facts demonstrating that the Requestor's Blasting operation is going to be conducted in a manner that minimizes its related adverse impact on property value, other land use development, the economy, employment, property taxes and the public and communities who live and work adjacent to such land use. Please specifically list all steps taken, such as distance limitations related to adjacent properties, use of berms and any dust and noise remediation efforts, etc.
- 5) Documents and facts demonstrating efforts by designee to protect and mitigate the perceived negative adverse affects such activity has on real property values, public safety, health & welfare interests, including the quality of life within the City, neighboring properties and the public.
- 6) Payment of the appropriate application fee, including any related City fees for monitoring blasting for each permitted Partial Exemption Permit site.

All applications for Partial Exemption Permits to conduct Blasting activities shall be submitted for review at the next regularly scheduled Quarry Commission meeting if received 14 days prior to the date of the meeting. The Commission shall determine whether the request is complete. If incomplete, the City shall inform the designee what aspects of the application are insufficient and will provide the designee seven (7) business days to supplement and/or modify the application to permit it to be placed for City Council consideration as a completed application.

If the application meets all criteria provided by the ordinance as determined by the Commission, or by subsequent supplementation as provided in the determination of the Chair of the Commission, the permit request shall be scheduled for City Council action as provided below for complete applications. Any application considered incomplete shall not be considered for approval by City Council. Any application that remains incomplete for a period of more than 60 days shall be considered withdrawn.

If the request is found complete, the City Administrator shall place the matter on the next regular City Council meeting agenda for action (but may include it on an agenda for a specially called meeting at her discretion). If the City Council approves the permit, the City Administrator shall issue a Partial Exemption Permit to the Requestor, which is not transferable or assignable and is revocable if the permit holder is found to repeatedly violate the blasting regulations under the ordinance or fail to pay any related fees.

ORDINANCE NO. 162-102018

AN ORDINANCE OF THE CITY OF GARDEN RIDGE, TEXAS ESTABLISHING A NUISANCE ABATEMENT PROGRAM FOR THE CITY OF GARDEN RIDGE, TEXAS; DECLARING JUNKED VEHICLES A PUBLIC NUISANCE; PROHIBITING THE ACCUMULATION OF GARBAGE, TRASH, WEEDS, BRUSH, RUBBISH, AND OTHER MATTERS; ESTABLISHING GENERAL NUISANCES; SETTING FORTH PUBLIC HEARING, ABATEMENT, AND REMOVAL REGULATIONS AND REQUIREMENTS; ESTABLISHING CRIMINAL AND CIVIL PENALTIES FOR VIOLATIONS; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE; PROVIDING FOR SEVERABILITY; REPEALING ORDINANCE 27, AMENDMENT #1, AND ALL OTHERS TO THE EXTENT THEY ARE IN CONFLICT; DECLARING AN EFFECTIVE DATE; AND AMENDING ORDINANCE 162-042011 APPROVED APRIL 6, 2011.

WHEREAS, the City of Garden Ridge Texas is a Type A General Law City as that term is defined within the Texas Local Government Code; and,

WHEREAS, the City of Garden Ridge desires to protect and ensure the public health, safety, welfare and environment of Garden Ridge, it's residents and businesses by regulating public health nuisances; and,

WHEREAS, the City of Garden Ridge has determined that a nuisance abatement program is necessary to provide the aforementioned protections to the public; and

WHEREAS, the City of Garden Ridge has determined that nuisances as defined by this Ordinance, including junked vehicles are detrimental to the public and tend to reduce the value of property; and

WHEREAS, Chapter 683 of the Texas Transportation Code and Chapters 341- 343 of the Texas Health & Safety Code authorize a municipality to adopt procedures for the abatement of nuisances and the abatement and removal of a junked vehicles from private or public property; and

WHEREAS, the City Council desires to adopt regulations governing such nuisances and junked vehicles consistent with Texas law.

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

SECTION 1. FINDINGS.

The findings set out herein are ground 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. DEFINITIONS.

The following words, terms, and phrases, when used in this section shall have the following meanings:

Abate means to eliminate a nuisance by removal, repair, rehabilitation, or demolition.

Antique Vehicle means a passenger car or truck that is at least 25 years old.

Building means a structure built for the support, shelter, or enclosure of a person, animal, chattel, machine, equipment, or other moveable property.

Graffiti means any unauthorized inscription, works, signature, symbol, design, or other marking of any sort that is etched, written, painted, drawn, or applied in any other way to any structure, building, tree, vehicle, property of any sort, or to any portion or element thereof, whether the property is public or private.

Garbage means waste from public and private establishments (including residences and restaurants), including vegetable, animal, and fish carcasses, but does not include sewage, bodily waste, or industrial byproduct.

Deteriorated Fence means a fence that:

- a) Is out of vertical alignment more than one (1) foot from vertical measured at the top of the fence, except for fencing four (4) feet or less in height, which shall not be out of vertical alignment more than six (6) inches from vertical measured at the top of the fence; or
- b) Is broken, loose, damaged, has removed or missing parts including but not limited to pickets, slats, posts, wood rails, stones, bricks, and/or panels; or
- c) Is braced by guy wires, braces, or any other material that may be viewable from any public streets, rights-of-way, alleyways, or property and easements over which the City or general public has domain and control or viewable from any private streets or private right-of-way accessible to the public, unless the use of such braces is incorporated in a commercially available fence design.

Glare means unpleasantly bright or strong light.

Harborage means the state of being protected or safeguarded as from danger; sanctuary, shelter, or refuge.

Junked Vehicle means a vehicle as defined by Section 683.071 of the Texas Transportation Code that may be self-propelled and meets any of the conditions described below for 30 consecutive days if on private property, or for 72 consecutive hours if the vehicle is on public property and does not have lawfully attached to it:

- a) An unexpired license plate; or
- b) A valid motor vehicle inspection certificate; or
- c) Is wrecked, dismantled or partially dismantled, or discarded; or
- d) Is otherwise inoperable.

Lighting means a light source to provide directed lighting.

Luminaries means an object that gives light.

Motor vehicle collector means a person who (a) owns one or more antique or special interest vehicles; and (b) acquires, collects, or disposes of an antique or special interest vehicle or part of an antique or special interest vehicle for personal use to restore and preserve an antique or special interest vehicle.

Improved Property means any property regardless of zoning on which a structure exists for purposes of a residence, office, or business.

Unimproved Property means any property regardless of zoning on which a structure does not exist for the purposes of a residence, office, or business.

Refuse means garbage, rubbish, paper, and other decayable and non-decayable waste, including vegetable matter, animal and fish carcasses, and may include waste.

Rubbish means non-decayable waste from a public or private establishment or residence.

Shall means must/will and mandatory/nondiscretionary.

Special interest vehicle means a motor vehicle of any age that has not been materially changed from its original manufacturer's equipment or specifications or by its very appearance and character is clearly being preserved/modified by a hobbyist.

Vehicle shall include but not be limited to cars, trucks, trailers, recreational vehicles, travel trailers, boats or other watercraft, or motorcycles.

Weeds mean all rank and uncultivated vegetable growth or matter that:

- a) Has grown to more than 12 inches in height; or
- b) Regardless of height, may create an unsanitary condition or become a harborage for rodents, vermin, or other disease carrying pests.

SECTION 3. ABATEMENT AND REMOVAL OF JUNKED VEHICLES.

- a) Junked Vehicles Declared a Public Nuisance: In accordance with Section 683.072 of the Texas Transportation Code, junked vehicles, including a part of a junked vehicle not enclosed in garage or other structure is a public nuisance.
- b) Offense/Penalty: A person commits an offense if the person maintains a junked vehicle as defined by section two (2). An offense under this section is a misdemeanor punishable by a fine not to exceed \$200.00. Upon a finding of guilty, the Court shall also order the abatement and removal of the junked vehicle at the cost and expense of the person committing the offense.

- c) Inapplicability: This section will not apply to any vehicle or vehicle part that is stored in a lawful manner on private property in connection with the business of a licensed vehicle dealer or junkyard, or that is an antique or special interest vehicle stored by a motor vehicle collector on the collector's property, if the vehicle or part and the outdoor storage area are not a health hazard, are maintained in an orderly manner, and are screened from ordinary public view by appropriate means.

This section does not apply to any vehicle or any part thereof that is completely enclosed in a building in a lawful manner and is not visible from the street or from other public or private property.

d) Abatement Procedures:

- i. Notice: Notice requiring abatement and removal of a junked vehicle, or junked vehicle part from private property shall be furnished by the Chief of Police or a designee not less than ten (10) days before the date the junked vehicle, or part of the junked vehicle, must be abated or removed. The notice must be sent by certified mail with return receipt requested or presented to the owner by hand delivery to (1) the last known registered owner of the junked vehicle or motor vehicle part; (2) each lien holder of record of the junked vehicle or junked vehicle part; and (3) the owner or occupant of the property on which the junked vehicle or junked vehicle part is located.

Notice requiring abatement and removal of a junked vehicle, or junked vehicle part, if a junked vehicle or junked vehicle part is located on a public right-of-way or a private right-of-way accessible to the public shall be placed/affixed on the junked vehicle or junked vehicle part and written notice shall be provided at the door/gate of the property closest to the junked vehicle or junked vehicle part. The notice shall include an admonition that any request for a public hearing regarding the abatement and removal of the junked vehicle or junked vehicle part must be made no later than the tenth day after the date on which the notice was provided.

- ii. Public Hearing: If a person receiving notice provided in this section requests a public hearing, the City Council shall conduct the public hearing. If a public hearing is requested by a person for whom notice has been sent under this section, the public hearing shall be held not earlier than the eleventh day after the date of the service of notice. At the public hearing, the junked vehicle or junked vehicle part is presumed to be inoperable, unless demonstrated otherwise by the owner. If the information is available, an order requiring removal of the junked vehicle or junked vehicle part shall include the vehicle's description, vehicle identification number, and license plate number.
- iii. Junked Vehicle Disposal: A junked vehicle, including any part of a junked vehicle, may be removed by a towing service under contract with the City to provide towing and impound services to their storage facility. The junked vehicle or junked vehicle part shall not be reconstructed or made operable after removal. The Chief of Police or their designees shall furnish notice of the removal of a junked vehicle or junked vehicle part to the Texas Department of Transportation within five (5) days after the date of removal.

The relocation of a junked vehicle or junked vehicle part to another location in the City after a proceeding for the abatement and removal of the junked vehicle or junked vehicle part has commenced has no effect on a proceeding if the junked vehicle or junked vehicle part also constitutes a public nuisance.

SECTION 4. ACCUMULATION OF GARBAGE, TRASH, WEEDS, BRUSH, RUBBISH, AND OTHER MATTERS.

- a) Accumulation of Garbage, Trash, Weeds, Brush, Rubbish, or Other Matters: It shall be unlawful and a nuisance for any person to allow garbage, trash, brush, rubbish, or any other objectionable, unsightly, and unsanitary matter of whatever nature to accumulate on any property under their control and within the City limits.

It shall be unlawful and a nuisance for any person to permit grass and/or weeds to grow to a height in excess of twelve (12) inches. The following provisions relate only to the height of grass and weeds on properties with an area or areas which have remained in their natural state:

- i. On improved property: that portion that has remained in its natural state - grass and weeds shall not be permitted to grow to a height in excess of twelve (12) inches in that portion and/or area and is not found to be a harborage for rodents, vermin, and other pests which may be disease carrying.
 - ii. On unimproved property: that portion that remains in its natural state - grass and weeds are not permitted to grow to a height in excess of twelve (12) inches adjacent to a paved roadway, for a distance of twenty-five (25) feet into the property from said roadway, and within ten (10) feet of any adjoining property. Beyond this perimeter, grass and weeds are not permitted to grow to a height in excess of twenty-four (24) inches, unless the vegetation is for agricultural purposes, and/or area is not found to be a harborage for rodents, vermin, and other pests which may be disease carrying.
- b) Abatement Procedures
- i. Notice Requirement: *High grasses, weeds, or brush.* When any violation of high grasses, weeds, or brush is found to exist, a notice describing the nuisance in writing sent by certified mail with return receipt requested as allowed under this section will be addressed to the owner of the property in question. If the address of the property owner is unknown or notice is returned, then notice may be given by publication one (1) time in a local newspaper of general circulation regularly used by the City for public notices or any other means allowed by law, including that provided by Texas Health & Safety Code § 342.006. The property owner will have ten (10) days from the date of the notice/publication to correct the violation.

High grasses, weeds, or brush in excess of forty-eight (48) inches (dangerous weeds). In the event that high grasses, weeds, or brush is higher than forty-eight (48) inches, the City may go upon the property found in violation of this section and abate such violation without notice to the property owner.

- ii. Contents of Notice for Dangerous Weeds: When notice is required for abatement of dangerous weeds, the notice to abate a nuisance shall contain:
 - 1. The location of the nuisance.
 - 2. A description of what constitutes the nuisance.
 - 3. A statement that the City abated the dangerous weeds.
 - 4. An explanation of the property owner's rights to request an administrative hearing about the City's abatement of the dangerous weeds.
- iii. Hearing on Nuisance: If a person receiving a dangerous weeds notice requests an administrative hearing within thirty (30) days of the abatement of the dangerous weeds, the City Council shall conduct the administrative hearing. If an administrative hearing is requested by a person for whom notice has been sent under this section, the administrative hearing shall be held not earlier than the twentieth (20) day after the date the request for hearing was filed. At the administrative hearing the nuisance is presumed, unless demonstrated otherwise by the owner. If the information is available, an order declaring the condition of the property shall issue for use in enforcing the Ordinance pursuant to Texas law and Chapter 54 of the Texas Local Government Code.

SECTION 5. LIGHTING STANDARDS.

- a) Standards for controlling lighting and glare are set to reduce annoyance and inconvenience to property owners and traffic hazards for motorists.
 - i. Residential Lighting and Glare Standards: Residential lighting for security and night recreation use is permitted in the Single Family Dwelling District (R) provided the following requirements are met:
 - 1. Direct lighting over ten (10) feet in height must be shielded from adjacent property.
 - 2. No light source shall exceed twenty (20) feet in height. Street lights and other traffic safety lighting are exempt from this standard.
 - 3. Lighting shall not directly shine on adjacent dwellings.
 - ii. Luminaries: Light sources shall be of a down-light type, indirect, diffused, or shielded type luminaires installed and maintained so as to reduce glare effect and consequent interference with use of adjacent properties and boundary streets. Low wattage temporary lighting used for holidays and decorative seasons is permitted.
 - iii. Special or Temporary Lighting-Low Wattage: Special lighting shall be permitted for a maximum time period of fifty (50) days for each holiday use and must be removed between holiday periods.
 - iv. Unlawful Lighting: It shall be unlawful and a nuisance for any person to have or to allow lighting contrary to this section on any Single Family Dwelling District (R) property under their control and within the City limits.

SECTION 6. GENERAL NUISANCES.

- a) Prohibited Acts Constituting a Nuisance:
 - i. Whatever is dangerous to human health or welfare, or whatever enters the ground, the water, the air, or food that is a hazard to human health is hereby declared a nuisance.

The maintaining, using, placing, depositing, leaving, or permitting to be or remain on any public or private property of any of the following items, conditions, or actions are hereby declared to be and constitute a nuisance and are therefore prohibited and unlawful; however, this list shall not be deemed or construed to be conclusive, limiting, or restrictive:

1. Accumulation of rubbish, trash, refuse, junk, and other abandoned materials, metals, lumber, stagnant water, or any object or matter that may cause injury, death, or disease to human beings.
2. Any condition that provides harborage for rats, mice, snakes, and other vermin.
3. A polluted well or cistern, spring or stream, or the pollution of any body of water used for drinking or recreational purposes.
4. Accumulation of any water, stagnant, flowing, or otherwise which may become a breeding place for mosquitoes or otherwise a potential health hazard, unless such accumulation or collection of water is treated so as effectually to prevent such breeding.
5. Any building or other structure which is in such a dilapidated condition that it is unfit for human habitation, or kept in such an unsanitary condition that it is a menace to the health of people residing in the vicinity thereof, or presents a heightened fire hazard in the vicinity where it is located.
6. Any building, structure, or other place or location where any activity which is in violation of local, state, or federal law is conducted, performed, or maintained.
7. All disagreeable odors, as well as the conditions, substances, or other causes which give rise to the emission or generation of such odors including dense smoke, noxious fumes, gas, soot, or cinders.
8. The carcasses of animals or fowl not disposed of within twenty-four (24) hours after death.
9. Dead, diseased, or insect-harboring trees when such trees constitute a hazard to life or property.
10. All appliances intended for indoor use, working or nonworking, used, stored, abandoned, or junked anywhere outside of a structure.
11. Furniture intended for indoor use that is used, stored, abandoned, or junked anywhere outside of a structure, including on a porch, in a yard, or under a carport.
12. Fences in a deteriorated condition.
13. Graffiti visible to the public.
14. Human waste or wastewater that is deposited, stored, discharged, or exposed in such a way to be a potential instrument or medium in disease transmission.
15. Lighting that directly shines on adjacent dwelling or is otherwise contrary to the provisions of this Ordinance.

b) Abatement Proceedings:

- i. Notice: Wherever a nuisance is found to exist, the City representative shall give ten (10) days written notice by certified mail and regular mail, or hand delivery with signed receipt to the owner or occupant of the property upon which such nuisance exists or to the person causing or maintaining the nuisance. If the owner of the property is not to be found, notice shall be attached to the door of the last known address of the property owner and published in the newspaper of general circulation normally used

by the City for publication of public notices. If such notice is returned, official action to abate such nuisance shall be continued to a date not less than ten (10) days from the date of such return.

- ii. Contents of Notice: The notice to abate a nuisance shall contain:
 - 1. The location of the nuisance, if the same is stationary;
 - 2. A description of what constitutes the nuisance;
 - 3. A statement that if the nuisance is not abated, the City may abate such nuisance and assess the cost of abatement against such person.
- iii. No Required Notice: In the event of an immediate danger to the health and safety of the public, the City Administrator or designee may go upon the property where the nuisance(s) is found, and abate or cause to be abated such nuisance(s) without notice to the property owner.

SECTION 7. PENALTIES.

a) Penalties:

- i. Assessment of City's Expenses: Expenses incurred due to the action taken by the City to correct any condition coming under the nuisance provisions of this section, including service charges to cover administrative costs, shall be assessed against the owners of all outstanding interests in the lot or parcel of land involved. An itemized bill of such costs will be mailed to each such owner if the address is known by certified mail with return receipt requested.
- ii. City's Expenses Declared Lien: The City may assess expenses incurred related to the abatement of a nuisance and impose a lien against the property. The lien shall be filed against the real estate on which the work was done. Such lien shall be notice to all persons from the time of recording, and shall bear interest at the legal rate of interest from the date that the City pays for removing the nuisance. For any such expenditures, and interest, as aforesaid, suit may be instituted and foreclosure had in the name of the City.
- iii. Fines: Any person found to be in violation of this Ordinance, unless otherwise specifically stated, shall be fined up to \$500 per day for each day and specific independent violation existing. Upon a finding that the violation constitutes a danger to public health and sanitation, including dumping of refuse, such fine shall be no less than \$500 and shall not exceed \$2,000.00. Where the offense is one for which a penalty is fixed by state law, the penalty for such offense shall be the same as fixed by state law.
- iv. Additional Penalties: Violation of provisions of this section or failure to comply with any of its requirements shall constitute a Class C misdemeanor. Any person, firm, or corporation violating any of the provisions of the Ordinance, or any parent or legal guardian of a child under seventeen (17) years of age, who intentionally, knowingly, recklessly, or with criminal negligence allows another person under their control to place graffiti upon any structure or property or to otherwise violate this section shall be

deemed to have committed a misdemeanor and upon conviction shall be subject to fines in addition to any person placing graffiti upon the structure or property.

Each day each instance of any violation continues to exist shall constitute a separate and distinct offense.

- v. Severability: The provisions of this Ordinance are declared to be severable. If any section, sentence, clause, or phrase of the Ordinance shall for any reason be held to be invalid or unconstitutional by a court of competent jurisdiction, such decisions shall not affect the validity of the remaining sections, sentences, clauses, and phrases of this Ordinance, but they shall remain in effect; it being the legislative intent that this Ordinance shall remain in effect notwithstanding the validity of any part. In the event that changes are made to Texas Health & Safety Code § 342 or § 343, or Texas Transportation Code § 683, the provisions of state law will govern in the event of a conflict.
- vi. Repeal: All other Ordinances or parts of Ordinances in conflict with any of the provisions of this Ordinance are hereby repealed insofar as the same is in conflict with the provisions hereof.
- vii. Effective Date. This Ordinance shall become effective immediately upon its passage, approval, and publication as provided by law.

PASSED AND APPROVED ON this 3rd day of October, 2018.

Larry Thompson
Mayor

ATTEST:

Marisa Spencer
Assistant City Secretary

RESOLUTION NO. 442-102018

**A RESOLUTION OF THE CITY OF GARDEN RIDGE AUTHORIZING
THE CITY BUILDING INSPECTOR TO ISSUE A BUILDING PERMIT
FOR THE CONSTRUCTION OR INSTALLATION OF A FLAG POLE
AT 21400 FAIRVIEW CIRCLE DUE TO SPECIAL CIRCUMSTANCES
RELATED TO LOCATION OF PROPOSED CONSTRUCTION.**

WHEREAS, Ordinance No. 11-032015 requires City Building Inspector (“Inspector”) to issue a building permit only after the Inspector has determined that the proposed construction is in compliance with deed restrictions and City construction requirements; and

WHEREAS, Section 5.1.7.2.3 of Ordinance No. 13-062017 requires that there shall be a front yard having a minimum setback of forty-five (45) feet; and

WHEREAS, the City has received a request for a building permit for construction or installation of a flag pole that will encroach in the front setback; and

WHEREAS, the City Council finds that Section 5.1.7.2.3 will prevent the construction or installation of a flag pole within the forty-five (45) foot front setback due to the residence being constructed at the forty-five (45) foot setback line; and

WHEREAS, the City Council finds that the provisions of Ordinance 13-062017 are in conflict with the flag pole provisions of Ordinance 55-122017; and

WHEREAS, City Council finds that Ordinance 13-062017 should be reviewed for the inclusion of the construction or installation of flag poles to include maximum height and where the poles can be located on properties to prevent damage to adjoining properties and City infrastructure, as well as for the safety of the public; and

WHEREAS, the City Council finds that the requirements of Section 5.1.7.2.3 and the variance requirements of the City Ordinance creates an undue burden on the property owner in light of previous history, pending Ordinance revision and current Sign Ordinance; and

WHEREAS, the City Council finds that this is a novel issue that has not been previously presented to Council and that Council desires to ensure that all residents of Garden Ridge are afforded fair and equitable treatment in the application of the provisions of City Ordinances;

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

SECTION 1. FINDINGS. The foregoing recitals are hereby found to be true and correct and are hereby adopted by the City Council and made a part hereof for all purposes and findings of fact.

SECTION 2. CONFLICTING ORDINANCES. The City Council finds that the conflicting provisions of the City’s Ordinances should be resolved in favor of the resident.

SECTION 3. PERMIT. The City Council finds that a building permit may be issued for the proposed construction or installation of a flag pole at 21400 Fairview Circle and that the construction or installation of the flag pole must be compliant with the following conditions and any other City building requirements:

- a. Flag Pole may not exceed twenty-five (25) feet in height;
- b. Flag Pole may not be installed in an easement or public right-of-way; and
- c. Flag Pole may not be installed closer than the height of the pole from side and rear property lines or from a paved roadway or street.

PASSED AND APPROVED ON this 3rd day of October, 2018.

Larry Thompson
Mayor

ATTEST:

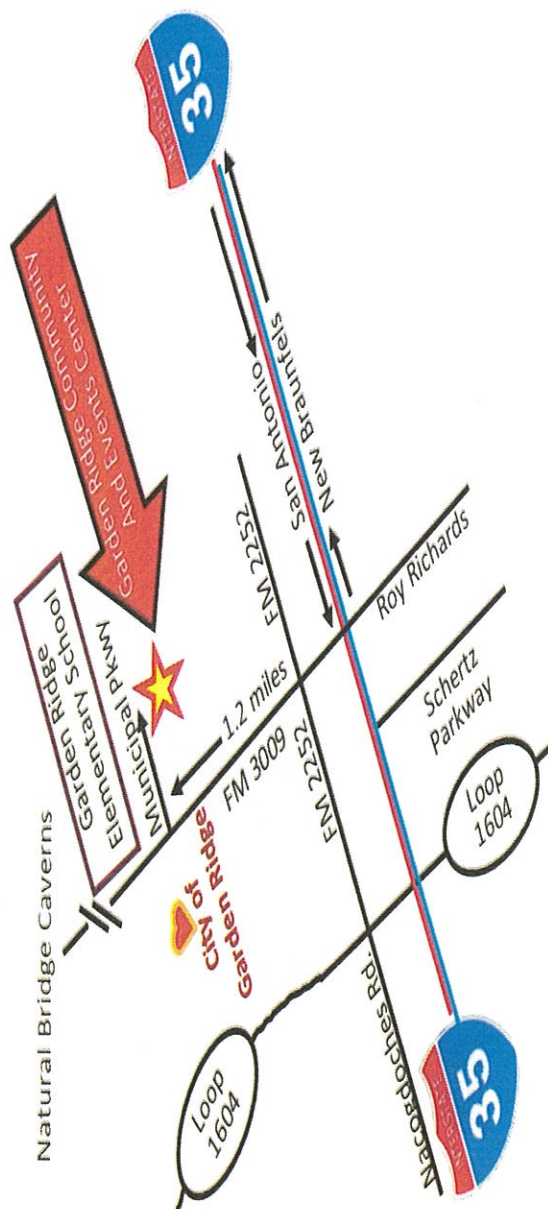
Marisa Spencer
Assistant City Secretary

Wildflower Room



Seating: 600
Size: 6,000 sq. ft.

Map



COMMUNITY AND EVENT CENTER



The gathering place for your event



Located on the Edge of the Beautiful Hill Country

Wildflower Room

- ◆ Parties
- ◆ Weddings & Receptions
- ◆ Trade Shows
- ◆ Retirements
- ◆ Reunions
- ◆ Graduations
- ◆ Celebrations of Life
- ◆ Exhibits
- ◆ Seminars
- ◆ Corporate Training

Open floor plan that can meet the needs of any event. The versatile setting of this room is perfect.



Bluebonnet Room

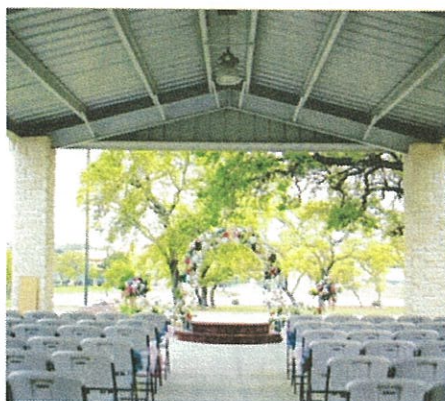


Great place for conferences, bridal parties, baby showers, and more.

Seating: 40

Size: 600 sq. ft.

Covered Pavilion



Large covered pavilion (1,440 sq. ft.) and two smaller covered patios.

Community Center Amenities

- ◆ Caterer of your choice
- ◆ Commercial kitchen
- ◆ Ice Machine
- ◆ AV presentation equipment
- ◆ Wi-Fi
- ◆ Surround sound
- ◆ Alcohol allowed
- ◆ Tables, chairs
- ◆ Stage
- ◆ Free parking

Tour or Booking Information

Contact:

Kim Ryan

Cell: (210) 843-0509

kryan25@yahoo.com

Location:

9500 Municipal Parkway

Mailing Address:

9400 Municipal Parkway

Garden Ridge TX 78266

Future Agenda Items

City Council

November 7, 2018

Regular Meeting

14 days before Meeting	(10/24/18)	City Council and Staff items are due
9 days before Meeting	(10/29/18)	City Administrator and Mayor review agenda. Mayor sets the agenda. City Attorney is sent the agenda to approval.
7 days before Meeting	(10/31/18)	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 days before Meeting	(11/2/18)	Post Agenda Packet to City Website
Meeting Day	(11/7/18)	Mayor and City Administrator meet with Department Heads Wednesday @ 10 a.m.

City Council = Red

Impact Fee Committee = Pink

Quarry Commission = Purple

Planning & Zoning = Green

Water Commission = Blue

Wildlife Management Advisory Commission = Brown

Veteran's Day Holiday= City Events

Thanksgiving Holiday= City Events

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

Proclamations/Awards/Recognitions

Consent Agenda

- Minutes
 - 10-03-18 City Council Regular Meeting
 - 10-11-18 City Council and Wildlife Management Advisory Commission Joint Meeting
- Financial Report

Reports

- Staff Reports
 - Admin
 - Police Department
 - Public Works
 - Water
 - Library
- CIP
 - CIP Project for 2013
 - CIP Project for 2015
 - Phase I

- ii. Phase II
 - iii. Trinity Wells #9 and #10 Project
- c. Sewer System (FM 2252)
- d. Naco Loop Waterline
- 3. City Commission and Committee Reports/ Recommendation/Possible Actions
 - a. Planning and Zoning Commission
 - i. Activity Report
 - b. Quarry Commission
 - i. Activity Report
 - c. Water Commission
 - i. Activity Report
 - d. Wildlife Management Advisory Commission
 - i. Activity Report
 - e. Parks Committee Activities/Project Updates
 - i. Activity Report
 - f. *Volunteer Garden Ridge!*
 - i. Activity Report
 - ii. Water tank beautification

Approvals/Authorizations/Reports

Ordinances

Resolutions

Updates:

- 1. City Administrator Projects
 - a. Volunteer Opportunities
 - b. Citizen Contact Report
- 2. Mayor's Projects
 - a. Communication
 - b. Citizen Contact Report
 - c. City Facility Update
 - d. Ordinance Revision Process
 - e. Vulcan Construction Materials, LLC
- 3. City Council Projects
 - a. Update on Water Rate Study (McCaw with the Mayor)
 - b. City of Garden Ridge window stickers for vehicles (Erickson)
 - c. Postal mail issues occurring within the City (Lantzy)
 - d. Update on City-funded monument for Paul Davis Park (Bower)

Future Agenda Items

Executive Session

December 5, 2018

Regular Meeting

14 days before Meeting	(11/21/18)	City Council and Staff items are due
9 days before Meeting	(11/26/18)	City Administrator and Mayor review agenda. Mayor sets the agenda. City Attorney is sent the agenda to approval.
7 days before Meeting	(11/28/18)	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 days before Meeting	(11/30/18)	Post Agenda Packet to City Website
Meeting Day	(12/5/18)	Mayor and City Administrator meet with Department Heads Wednesday @ 10 a.m.

City Council = Red
 Impact Fee Committee = Pink
 Quarry Commission = Purple
 Planning & Zoning = Green
 Water Commission = Blue
 Wildlife Management Advisory Commission = Brown
 Christmas Eve/Christmas Day Holiday= City Events
 New Year's Eve Holiday= City Events

Sun	Mon	Tues	Wed	Thur	Fri	Sat
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/Recognitions

Consent Agenda

1. Minutes
 - a. 11-07-18 City Council Regular Meeting
2. Financial Report

Reports

1. Staff Reports
 - a. Admin
 - b. Police Department
 - c. Public Works
 - d. Water
 - e. Library
2. CIP
 - a. CIP Project for 2015
 - i. Phase I
 - ii. Phase II
 - iii. Trinity Wells #9 and #10 Project
 - c. Sewer System (FM 2252)
 - d. Naco Loop Waterline

3. City Commission and Committee Reports/ Recommendation/Possible Actions
 - a. Planning and Zoning Commission
 - i. Activity Report
 - b. Quarry Commission
 - i. Activity Report
 - c. Water Commission
 - i. Activity Report
 - d. Wildlife Management Advisory Commission
 - i. Activity Report
 - e. Parks Committee Activities/Project Updates
 - i. Activity Report
 - f. *Volunteer Garden Ridge!*
 - i. Activity Report
 - ii. Water tank beautification

Approvals/ Authorizations/Reports

Ordinances

Resolutions

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 - a. Volunteer Opportunities
 - b. Citizen Contact Report
2. Mayor's Projects
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3. City Council Projects
 - a. Update on Water Rate Study (McCaw with the Mayor)
 - b. City of Garden Ridge window stickers for vehicles (Erickson)
 - c. Postal mail issues occurring within the City (Lantzy)
 - d. Update on City-funded monument for Paul Davis Park (Bower)

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 goes in effect)..... *McCaw*
5. Personnel Policy....*Ford*
6. Ordinance 24 Parks....*Cain*
7. Ethic Ordinance ... *8-30-17 City Council motion*
8. Website and Social Media Policy....*Goodwin*
9. Structure definition (part of subdivision changes)...*Bower*
10. Drones.....*McCaw*
11. External lighting*Erickson*
12. Purchasing Policy....*Cain*
13. City Seal and Logo Ordinance...*Cain*
14. Building and Plumbing Ordinance...*Lenz and Goddard*
15. Expansion of Garden Ridge boundaries and controlling growth... *Erickson with the Mayor*

State of City..... *Cain*

Items for further discussion before adding to list