



City of Garden Ridge

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

AGENDA **CITY COUNCIL REGULAR MEETING** WEDNESDAY, SEPTEMBER 4, 2019, 6:00 PM

The Garden Ridge City Council will meet in a regular session on Wednesday, September 4, 2019, at 6:00 PM in the City Council Chambers, 9400 Municipal Parkway, Garden Ridge, Texas. This is an open meeting, open to the public, subject to the Open Meetings Law of the State of Texas. 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. **City/Employee Recognitions/Employee Introductions**
 - a) Thank you note from Sergio Martinez to Officer Thoemke.
 - b) Thank you note from Daniel-Rebecca Shive Plante to Officer McKay.
 - c) Thank you note from Linda Potts to Public Works Department.
 - d) Letter of appreciation from Joseph Haltaman regarding Chief Eberhardt.
 - e) Thank you note from Councilmember Bower to Sgt. Osborn.
 - f) Thank you note from Councilmember Bower to Duane Scognio.

5. 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 must follow these guidelines:

- a) Respect and courtesy:
 - 1. Direct your comments to the entire City Council, not to an individual member, nor to the audience.
 - 2. Show the City Council the same respect that you would like to be shown.
 - 3. End your speaking at the time allotted below.
- b) Speaking:
 - 1. First citizen comment period
 - 1.1. You are required to sign up to speak and you are limited to one 3-minute period.
 - 2. Business item period
 - 2.1. You are required to sign up to speak and you are limited to one 3-minute period.
 - 3. Second citizen comment period
 - 3.1. You are not required to sign up and you are limited to one 2-minute period.
 - 4. State your name and address before your comments begin.
 - 5. 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.

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:
 - 1. August 7, 2019 City Council Regular Meeting
 - 2. August 20, 2019 City Council Special Meeting
 - 3. August 26, 2019 City Council Special Meeting
- b) Financial Statement, Summary Report, and Management's Discussion and Analysis of Results of Operations – July 31, 2019.

7. Staff Reports

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

- a) 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.

- b) Police Department Monthly Activity Report
 - Traffic Enforcement, criminal activity within City, and Code Compliance Enforcement.
- c) 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.
- d) 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).
- e) Library Monthly Activity Report
 - Upcoming events.

8. City Engineer Projects Status Reports

- a) FM 2252 TxDOT Project
- b) FM 2252 Wastewater and Water Project
- c) Drainage:
 - 1. Bindseil Lane
 - 2. Sumac Circle
- d) Naco Loop Waterline
- e) T. Blackwell Garden Ridge Office

9. City Commission and Committee Reports/Recommendations/Possible Actions

- a) Planning and Zoning Commission Recommendations and Possible Action:
 - 1. Expiring terms (September 30, 2019) of Commissioners.
 - 9.a.1.1. Receive recommendation for the reappointment of Commissioner Miller, Commissioner Heier, Commissioner Valdez, and Commissioner Dauer to serve another term (term expiring September 30, 2021).
 - 9.a.1.2. Take action on recommendation.
 - 2. Receive monthly activity update as applicable.
- b) Quarry Commission Recommendations and Possible Action:
 - 1. Expiring terms (September 30, 2019) of Commissioners.
 - 9.b.1.1. Receive recommendation and take action on the reappointment of Commissioner Shands and Commissioner Haddad to serve another term (term expiring September 30, 2021).
 - 9.b.1.2. Receive recommendation and take action on the reappointment of Commissioner Mudge and Commissioner Holloway for another term of office as specified in Ordinance No. 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, 2019-September 30, 2020.
 - 9.b.2.1. Receive recommendation from Quarry Commission.
 - 9.b.2.2. Take action on recommendation.
 - 9.b.2.3. Set fee for Partial Exemption Permit.
 - 3. Receive monthly activity update as applicable.

- c) Water Commission Recommendations and Possible Action:
 - 1. Expiring terms (September 30, 2019) of Commissioners.
 - 9.c.1.1. Receive recommendation for the reappointment of Commissioner Harshbarger to serve another term (term expiring September 30, 2021).
 - 9.c.1.2. Take action on recommendation.
 - 2. Water Commission Place 5.
 - 9.c.2.1. Receive recommendation for the appointment of James Mueller to the Water Commission Place 5 effective October 1, 2019, with term expiring September 30, 2021.
 - 9.c.2.2. Take action on recommendation.
 - 3. Ordinance No. 61-112017 An Ordinance establishing the drought management plan for the City of Garden Ridge; providing definitions, establishing trigger points for Stages 1 through 5, restricting the use of water upon implementation of specific stages of said plan; establishing water surcharge rates for Stages 3 through 5 of said plan; providing a variance procedure; providing a penalty clause, providing for severability and providing an effective date and amending Ordinance No. 61-012014 adopted January 9, 2014.
 - 9.c.3.1. Receive recommendation to amend Section 4.04 Water Rate Surcharge to unrestrict funds.
 - 4. Receive monthly activity update as applicable.
- d) Wildlife Management Advisory Commission Recommendations and Possible Action:
 - 1. Expiring terms (September 30, 2019) of Commissioners.
 - 9.d.1.1. Receive recommendation for the reappointment of Commissioner Segovia, Commissioner Krawczynski, Commissioner Kneupper, and Commissioner Sullivan to serve another term (term expiring September 30, 2021).
 - 9.d.1.2. Take action on recommendation.
 - 2. Wildlife Management Advisory Commission Place 7 Vacancy.
 - 9.d.2.1. Receive recommendation for the appointment of Shannon Drichta to fill the vacancy with term expiring September 30, 2020.
 - 9.d.2.2. Take action on recommendation.
 - 3. Wildlife Management Plan for the City of Garden Ridge.
 - 9.d.3.1. Receive recommendation from the Wildlife Management Advisory Commission.
 - 9.d.3.2. Take action on recommendation.
 - 4. Receive monthly activity update as applicable.
- e) Garden Ridge Parks Committee:
 - 1. Receive monthly activity update as applicable.
- f) *Volunteer Garden Ridge!*
 - 1. Receive monthly activity update as applicable.

10. Approvals/Authorizations

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

- a) 2019 Tax Rate.
 - 1. Review and discuss the 2019 Tax Rate Proposal of \$0.321106.

2. Ratify the property tax increase of \$52,228.00 as reflected in the 2020 Budget for the City of Garden Ridge General Fund and Interest and Sinking Fund.
 3. Approve \$0.225158 as the 2019 Maintenance and Operation Rate for the City of Garden Ridge.
 4. Approve \$0.095948 as the 2019 Debt Service Rate for the City of Garden Ridge.
 5. Take action on Ordinance No. 221-092019 An Ordinance of the City Council of the City of Garden Ridge adopting a Tax Rate of \$0.321106 per one hundred dollars (\$100.00), consisting of the approved Maintenance and Operation Rate and Debt Service Rate of assessed valuation for the City of Garden Ridge, Texas to be effective for the Tax Year 2019 (Fiscal Year 2020).
- b) Take action on Ordinance No. 61-092019 An Ordinance establishing the drought management plan for the City of Garden Ridge; providing definitions, establishing trigger points for stages 1 through 5, restricting the use of water upon implementation of specific stages of said plan; establishing water surcharge rates for stages 3 through 5 of said plan; providing a variance procedure; providing a penalty clause; providing for severability; and declaring an effective date.
 - c) Take action on Ordinance No. 11-092019 An Ordinance establishing a comprehensive set of permit fees, service fees, and user fees designed for the health, safety and welfare of the residents of the City of Garden Ridge; providing a separate schedule of fees which outlines functions and activities which require a permit or have a service fee or have a user fee; providing for a penalty of a fine of not less than one hundred dollars (\$100.00), nor more than two thousands dollars (\$2000.00) for each violation involving safety, zoning or public health; providing for a penalty of a fine of not less than ten dollars (\$10.00) nor more than five hundred dollars (\$500.00) for each violation not involving safety, zoning, or health; providing for each day of continued violation of this ordinance being considered a separate violation; providing for a time limit for the validity of permits issued; providing a time limit for the validity of all licenses issued; and providing for severability.
 - d) Garden Ridge Farmers' Market.
 1. Discuss and take action on sustainability and feasibility, budget, duration, name, vendor categories, and acceptable products.
 - e) Resolution No. 455-092019 A Resolution by the City Council of the City of Garden Ridge, Texas, authorizing an agreement to contribute right of way funds (\$9,481.78) with the Texas Department of Transportation for the FM 2252 Improvement Project.
 1. Discuss and take action on Resolution No. 455-092019.
 - f) Acquisition by TxDOT of 0.0960 acre of land being part of two 0.75-acre tracts out of the George M. Nolson Survey No. 96, Abstract 120, and owned by the City of Garden Ridge with acquisition being for right of way for the FM 2252 Improvement Project.
 1. Acceptance of property appraisal for purchase at \$28,386.00 and \$3,000.00 incentive.
 2. Authorize City Administrator to execute Agreement and Deed.

11. Updates

- a) City Administrator Reports.
 1. Update on CIP projects.
 2. Update on Oak Wilt in the City of Garden Ridge.
 3. Update on legislative changes in relation to City Ordinances.
 4. Update on implementation status of Ordinance No. 34-072019.
 5. Update on City use of password management system.
- b) Mayor's Projects.

1. Communication Report.
2. Citizen Contact Report.
3. City Facility Update.
 - 11.b.3.1. Audio/Visual Upgrades and Streaming.
4. Ordinance Revision Process.
5. TxDOT Coordination.
6. GRES Traffic Flow and FM 3009 Safety.
- c) City Council Projects.
 1. Volunteer Appreciation Day (McCaw and Swint).
 2. New Resident Package (Swint and Bower).
 3. Traffic Flow in the City of Garden Ridge (Lantzy).
 4. Update on Vulcan Construction Materials, LLC Project (Arvidson).

12. Discussion of Future Agenda Items

13. Citizen Comment Period - limited to 20 minutes total See “Rules for Citizen’s Participation” under Item 5.

14. Reports and Comments from Mayor and City Councilmembers

The Mayor and/or City Councilmembers may comment, make general announcements, and/or provide progress reports on events, activities and/or committees/board meetings concerning the following:

Alamo Area Metropolitan Planning Organization
 Boy Scouts and/or Girl Scouts
 City of Garden Ridge sponsored events and outreach efforts
 Comal ISD/Garden Ridge Elementary
 Counties (Bexar, Comal and Guadalupe)
 Garden Ridge Lions Club
 Garden Ridge Citizen Police Academy Alumni Association/Citizen Patrol
 Garden Ridge Women’s Club
 Greater Bexar County Council of Cities
 Joint Base Land Use Study-Randolph
 Northeast Partnership

15. 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 deliberating the purchase, lease, exchange, or value of real property and regarding related negotiations for City building projects, and utility projects.

16. Business Items

The City Council will reconvene into Regular Session upon conclusion of the Executive Session and may recall any item posted for Executive Session for action, as necessary.

17. 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.

This is to certify that I, Marisa Spencer, posted this Agenda at 11:30 a.m. on August 30, 2019, on the bulletin board located at the entrance to the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas.

Marisa Spencer
City Secretary