



# City of Garden Ridge

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

## **AGENDA** **CITY COUNCIL REGULAR MEETING** **WEDNESDAY, NOVEMBER 6, 2019, 6:00 PM**

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The Garden Ridge City Council will meet in a regular session on Wednesday, November 6, 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.

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1. **Call to Order**
2. **Roll Call**
3. **Pledge of Allegiance**
4. **City/Employee Recognitions/Employee Introductions**
  - a) Certificate of Appreciation from Homes For Our Troops to the Garden Ridge Police Department.
  - b) Award from Boy Scout Den 5-Pack 343 to Officer McMahan.
  - c) Thank you note from Jeremiah McKinney to City Council, Wildlife Management Advisory Commissioners, City Administrator Nancy Cain, City Secretary Marisa Spencer, and Assistant City Secretary Kat Balbi.
  - d) Recognition of Water Manager Jacob Parsons for completion and release from probationary period.
  - e) Recognition of Employee Service Years with the City of Garden Ridge.

## 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 for the October 2, 2019, City Council Regular Meeting.
- b) Financial Statement, Summary Report, and Management's Discussion and Analysis of Results of Operations – September 30, 2019.
- c) Reschedule the January 1, 2020, City Council Regular Meeting to January 2, 2020.
- d) Destruction of City Records in accordance with the City of Garden Ridge Records Retention Plan.
- e) Request submitted by Garden Ridge Elementary School to change the date from Friday, November 8, 2019, to Monday, November 11, 2019, in previously granted exception to Ordinance No. 22 Section 6. Pedestrian Traffic. to allow pedestrian traffic to cross Municipal Parkway between the hours of 7:00am and 8:00am.
- f) Resolution No. 457-112019 A Resolution of the City of Garden Ridge, Texas, authorizing an expenditure for the purchase and installation of security cameras at Paul Davis Park; payment of monthly monitoring fees and maintenance of security cameras from the restricted use municipal court child safety fund; and establishing an effective date.

- g) Approval of Chief Eberhardt's recommendation for the purchase, installation, and monitoring of security cameras at Paul Davis Park.
- h) Resolution No. 458-112019 A Resolution of votes cast to elect directors for the Comal Appraisal District for the years 2020-2021.

## **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) The Woods of Garden Ridge / Bindseil Lane Drainage Project.
- d) Plaza Oaks Water Line.
- e) City Transportation Master Plan.
- f) T. Blackwell Office Building.
- g) Northeast Bible Church.
- h) 2019 GIS and Water Model Update.
- i) Zoning Map Update.

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

- a) Planning and Zoning Commission Recommendations and Possible Action:
  - 1. Receive monthly activity update as applicable.
- b) Quarry Commission Recommendations and Possible Action:
  - 1. Receive monthly activity update as applicable.
- c) Water Commission Recommendations and Possible Action:
  - 1. Water Commission Place 2.

- 9.c.1.1. Receive recommendation for the appointment of Dr. Richard Carmichael to the Water Commission Place 2 with term expiring September 30, 2021, and to waive the 6-month residency requirement under qualifications for office in Ordinance No. 210.
- 9.c.1.2. Take action on recommendation.
- 2. Water Rate Structure.
  - 9.c.2.1. Receive recommendation regarding water rates.
  - 9.c.2.2. Take action on recommendation.
  - 9.c.2.3. Receive recommendation for the review of water rates annually.
  - 9.c.2.4. Take action on recommendation.
- 3. Receive monthly activity update as applicable.
- d) Wildlife Management Advisory Commission Recommendations and Possible Action:
  - 1. Wildlife Management Advisory Commission Place 4.
    - 9.d.1.1. Accept the resignation of Jeremiah McKinney from the Wildlife Management Advisory Commission Place 4.
    - 9.d.1.2. Receive recommendation for the appointment of Dr. Denise Miner-Williams to the Wildlife Management Advisory Commission Place 4 with term expiring September 30, 2020.
    - 9.d.1.3. Take action on recommendation.
  - 2. 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) Feral Hogs.
  - 1. Review and discuss proposal for feral hog trapping services.
  - 2. Take action on proposal and authorize City Administrator to execute any documents associated with the services.
- b) Public Information Officer.
  - 1. Discuss and take action on the necessity and retention of Public Information Officer services.
- c) Garden Ridge Market Days.
  - 1. Discuss status and monthly activity update.
  - 2. Take action on modifications to operating costs and procedures.
- d) Ordinance No. 22-072019 An Ordinance regulating traffic on streets, roads, and highways within the City of Garden Ridge by establishing stop sign locations and placement of traffic control devices; establishing prima facie speed limits and placement of traffic control devices; establishing through truck traffic regulations and placement of traffic control devices; establishing no parking zones; and regulating and requiring permits for certain assemblages and processions, providing for a fine not to exceed five hundred dollars (\$500.00) for each violation concerning assemblages and processions.

1. Review and discuss request submitted by Austin Materials/Industrial Asphalt and Aggregates for an exception to Ordinance No. 22-072019.
  2. Take action on request.
- e) Ordinance No. 217-012019 An Ordinance of the City of Garden Ridge, Texas, making it unlawful for certain sex offenders to reside within 1000 feet of a child safety zone; making it illegal for sex offenders to go in, on, or within 1000 feet of a child safety zone; providing exceptions to the Ordinance; and providing penalties for violations of the Ordinance.
1. Review and discuss petition for exemption.
  2. Take action on petition.

## **11. Updates**

- a) City Administrator Reports.
  1. Update on CIP projects.
  2. 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. New Resident Package (Swint and Bower).
  2. Length of City Council Meetings (Lantzy).
  3. Pets (Bower).

## **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 551.072 – Deliberation about Real Property.
  1. To discuss the acquisition of property related to Paul Davis Park project.
- b) 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.
- c) Pursuant to Texas Government Code Section 551.974 – Personnel Matters and Section 551.071 – Consultation with Attorney, if necessary.
  1. To discuss the duties, responsibilities, and potential corrective action in relation to incident involving Eric Lowman and Brian Horn.
  2. To discuss the duties of Police Chief related to evaluation and discipline of officers and related matters and to seek legal advice regarding the duties of Police Chief impacting personnel matters.
- d) Pursuant to Texas Government Code Section 551.071 – Consultation with Attorney.
  1. To seek legal advice regarding requirements for Comal County Emergency Services and authority to contract for such services through an interlocal agreement.

#### **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 10:00 a.m. on November 1, 2019, on the bulletin board located at the entrance to the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas.

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Marisa Spencer  
City Secretary