



City of Garden Ridge

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AGENDA WILDLIFE MANAGEMENT ADVISORY COMMISSION REGULAR MEETING MONDAY, JUNE 19, 2017 -- 6:00 P.M.

The Wildlife Management Advisory Commission will meet in a regular meeting at 6:00 p.m., Monday, June 19, 2017 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 June 16, 2017 before 5:00 p.m., providing time, place, date and agenda thereof. The meeting facility is wheelchair accessible and accessible parking spaces are provided. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting.

1. Call to Order
2. Roll Call
3. Business Items-
The Committee may discuss, consider and/or take possible action on the following items:
 - a) Welcome by Councilman Erickson.
 - b) Election of Chair.
 - c) Election of Vice Chair.
 - d) A briefing of the Texas Open Meetings Act and Public Information Act.
 - e) Review of Wildlife Management Advisory Commission duties and responsibilities in accordance with City of Garden Ridge Ordinance 196-022017.
 - f) Set date, time and location for next meeting.
4. 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 Committee may vote and/or act upon any item within this Agenda. The Committee reserves the right to retire into executive session concerning any of the items listed on this Agenda, pursuant to and in accordance with Texas Government Code Section 551.071, to seek the advice of its attorney about pending or contemplated litigation, settlement offer or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas conflict with the Open Meetings Act and may invoke this right where the City Attorney, the Mayor or a majority of the Governing Body deems an executive session is necessary to allow privileged consultation between the City Attorney and the governing body, if considered necessary and legally justified under the Open Meetings Act. The City Attorney may appear in person, or appear in executive session by conference call in accordance with applicable state law.

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


Shelley Goodwin, TRMC
City Secretary

This is to certify that I, Shelley Goodwin, posted this Agenda at 8:15 a.m. June 14, 2017 on the bulletin board located at the entrance to the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas.


Shelley Goodwin, TRMC
City Secretary

ORDINANCE NO. 196-022017

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN RIDGE CREATING A WILDLIFE MANAGEMENT ADVISORY COMMISSION FOR THE PURPOSE OF STUDYING THE FEASIBILITY OF MANAGING THE WILDLIFE POPULATIONS, PARTICULARLY WHITE-TAILED DEER, AND TASKED WITH THE DEVELOPMENT OF A PLAN TO MITIGATE IMPACTS CAUSED BY WILDLIFE AND TO REASSURE THE QUALITY OF LIFE FOR RESIDENTS OF GARDEN RIDGE; PROVIDING FOR THE PURPOSE AND DUTIES OF THE ADVISORY COMMISSION, COMPOSITION AND TERM OF OFFICE AND PROVIDING AN EFFECTIVE DATE.

WHEREAS, the City has within its limits urban deer in such numbers to constitute a significant over population as reflected in deer counts throughout the city; and

WHEREAS, the City Council finds that the deer population poses a hazard to motorists in the City, causes a reduction of native plant life and causes damage to landscaping installed by residents of the City; and

WHEREAS, the City Council recognizes the potential of the diseases that wildlife can transport to humans and feels the obligation to educate and protect the health of the residents of the City of Garden Ridge; and

WHEREAS, the City Council is aware that wildlife populations have increased within the City limits and finds that additional resources are needed to study the management of the wildlife population in Garden ridge, especially the white-tail deer; and

WHEREAS, the City Council finds that a comprehensive wildlife management plan developed with the input of the residents of Garden Ridge and in compliance with state and federal law is needed to properly address the need for wildlife management; and

WHEREAS, the City of Garden Ridge is authorized to create a wildlife management advisory Commission pursuant to the general authority granted to the City under Chapter 51 of the Texas Local Government Code; and

WHEREAS, the Council finds that the establishment of a Wildlife Commission is necessary to assist the City Council in carrying out its duties to preserve the safety, health and welfare of the residents;

WHEREAS, the Commission shall act solely as an advisory body to the City Council and shall exercise only those functions as provided for in this ordinance.

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

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

Section 2. Commission Created. The City Council hereby creates a Wildlife Commission. This Commission will serve in an advisory capacity only and has no authority to establish policy, regulations or procedures for the City. In addition, this Commission has no authority to expend funds, make obligations on behalf of the city or to manage or otherwise direct city staff.

Section 3. The purpose and duties. The Wildlife Advisory Commission is established to perform the following duties and accomplish the following purposes:

- A. Study the feasibility of managing the wildlife populations, with emphasis on white-tailed deer, within the City of Garden Ridge consistent with laws and regulations of the State of Texas;
- B. Research and provide advice to the City Council on wildlife management, with an emphasis on white-tail deer management methods, tools, and options consistent with laws and regulations of the State of Texas;
- C. Conduct public hearings and surveys to obtain a consensus of the residents' position on wildlife management with priority and emphasis on the management of white-tailed deer;
- D. Estimate and monitor the wildlife populations of animals studied as part of a yearly census, particularly white-tailed deer, consistent with methodology acceptable to Texas Parks and Wildlife Division;
- E. Work with Texas Parks and Wildlife to create a comprehensive deer management plan and determining the requirements for long-term sustainability of a successful deer management plan;
- F. Research and consider alternate approaches to deer management and prepare report suitable for presentation to Texas Parks and Wildlife for consideration of legislative changes;
- G. Initiate communication and public education programs for the community regarding wildlife management, deer management and other deer issues;
- H. Attend training provided by Texas Parks and Wildlife or other sources every two years;
- I. Assist the City with the preparation of all Texas Parks and Wildlife Division related documentation;

- J. Assist the City with the implementation and execution of the deer management program adopted by City Council currently existing and as amended;
- K. May work with City Staff to create a survey to allow for resident's input;
- L. May develop recommended procedures for accurate record keeping and reporting for the deer management program;
- M. Submit a monthly report of updates of the Commission and be present during the City Council Regular Meetings;
- N. Provide an annual report to the City Council that shall include, but not be limited to, a review of the effects, both positive and negative, the deer population is having on the City (including changes in browse lines, deer trails, negative deer-human contacts, deer struck by vehicles); the number of deer removed under a state permit the prior year; surveys, educations presented, deer counts conducted and a recommendation for the coming years deer management strategy and budget.

Section 4. Census and Management Program.

A. The census shall be for informational purposes only and shall not be construed as an actual or accurate deer population tally. The City may utilize the deer census as a matrix to determine the effectiveness of its deer management plan and in establishing amendments to the deer management plan, as needed.

B. Once the counts are conducted and counts reflected are over the Texas Parks and Wildlife recommended numbers, then the Commission will assist with the implementation and execution of the City's deer management program through trapping, transporting and transplanting (hereinafter TIT) or trapping, transporting and processing (hereinafter TTP), or a program of contraception that is approved by the Texas Parks and Wildlife Division. TTP is to be utilized only so far as necessary to obtain transporting and release permits, or absent the need for transporting and release permits, only in extreme circumstances where public health and safety are an immediate concern. TTT, TTP, depredation, or contraception of deer within the City shall conform to all current regulations and guidelines promulgated by the Texas Parks and Wildlife Division;

Section 5. Composition.

The Deer (Wildlife) Management Advisory Commission shall be composed of seven voting members. The City Council shall appoint seven residents. The City Council may remove and replace members of the Commission at any time for lack of attendance or

unethical behavior. A member of the City Council will be a non-voting, ex officio member of the Commission.

Section 6. Term of office.

Term of office for the Deer (Wildlife) Management Advisory Commission shall be for two years terms, with all members initially appointed for two full years. The Commission will draw to stagger terms of office, four will draw for two-year and three will draw for one-year term. Thereafter, all terms shall be for two years with appointments ending in September; and the expiring terms of office shall be approved by the City Council each September.

Section 7. Organization.

The Commission shall elect a chair, vice-chair and secretary annually. The Commission shall adopt such rules and regulations, subject to council approval, as it may deem proper for the governance of its proceedings. Such rules and regulations shall be consistent with the ordinances of the City, guidelines of the Local Government Code and Texas Parks and Wildlife. The Mayor shall assign appropriate staff to provide the Commission with information and support assistance, and any resources as directed by council necessary for the performance of its functions. The secretary shall keep a record of all transactions of the Commission.

Section 8. Compensation.

All members of the Commission shall serve without compensation, but may be reimbursed for all reasonable expenses that are incurred by them in the performance of their duties as members of such Commission, when authorized in advance by the City Council.

Section 9. Meetings.

The Commission will meet monthly if necessary to perform the duties herein prescribed and will have the authority to schedule special meetings if required to fulfill the Commission's obligations or to meet deadlines set by the City Council. The Commission shall post and hold their meetings in accordance with the Texas Open Meetings Act. The Commission shall refer to Roberts Rules of Order when it comes to the conducting of their meetings.

Section 10. Limitation on successive terms of office.

- A. A person may not be appointed to a term of office on this Commission if the person has served two consecutive terms of office on the Commission immediately prior to the term for which the appointment is being considered.
- B. For purposes of this section, a person is deemed to have served a term of office on the Commission if the person serves more than one-half of a regular term of office on the Commission.

- C. A person who is not eligible for reappointment to this Commission under this section remains ineligible for a period of one year from the date the person's term expires.
- D. A person who is not eligible for reappointment to this Commission under this section is eligible for appointment to any other board or commission in the City of Garden Ridge.

Section 11. Absences.

- A. The voluntary absence of a member from two consecutive regular meetings of this Commission will result in automatic resignation of the member from this Commission.
- B. Excused absence means an absence by a Commission member that results from a medical reason of the member or a relative of the member, child care for a newly born or newly adopted child during the first eight weeks of the child's life, family emergency, temporary military assignment or jury duty.
- C. Voluntary absence means an absence other than an excused absence, to also include failure to inform the staff liaison of an absence prior to a scheduled meeting.
- D. After the third absence the City Secretary shall submit the member's position to the City Council for appointment of a replacement.

Section 12. Cumulative and Savings. This Ordinance shall be cumulative of all provisions of ordinances of the City of Garden Ridge, Texas, except where the provisions of the ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed. Any and all previous versions of this Ordinance to the extent that they are in conflict herewith are repealed.

Section 13. Severability. It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance shall be declared unconstitutional by the valid judgment or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, and sections of this Ordinance, since the same would have been enacted by the City Council without the incorporation in this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph, or section.

Section 14. Effective Date. This Ordinance shall be in full force and effect from and after its final passage.

PASSED AND APPROVED ON this 13th day of February, 2017.



John McCaw, Mayor Pro Tem

ATTEST:



Shelley Goodwin, City Secretary