



City of Garden Ridge

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

MINUTES CITY COUNCIL REGULAR MEETING WEDNESDAY, JULY 7, 2021, 6:00 P.M.

Councilmembers Present:

Mayor Robb Erickson
Mayor Pro-Tem Lisa Swint
Councilmember John McCaw (arrived at 6:46 p.m.)
Councilmember Jesse Valdez
Councilmember Todd Arvidson
Councilmember Kay Bower

Councilmembers Absent: None

City Staff Present:

Nancy Cain, City Administrator
Marisa Spencer, City Secretary
Kat Balbi, Assistant City Secretary
Karen Ford, Finance/HR Director
Ron Eberhardt, Police Chief
Steven Steinmetz, Public Works Director
Eric Lowman, Public Facilities Foreman/Animal Services
Linda Crosland, Librarian
Cynthia Trevino, City Attorney

City Commissioners Present:

Dr. Jim Miller, Chair, Planning and Zoning Commission
Karen Diaz, Vice-Chair, Planning and Zoning Commission
Todd Hill, Planning and Zoning Commissioner
James Mueller, Chair, Water Commission
Dr. Denise Miner-Williams, Wildlife Management Advisory Commissioner
Johnell Holly, Chair, Quarry Commission
Albert Haddad, Quarry Commissioner

1. Call to Order

With a quorum of the City Councilmembers present, Mayor Erickson called the regular meeting of the Garden Ridge City Council to order at 6:00 p.m. on Wednesday, July 7, 2021, in the City Council Chambers of the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas 78266.

2. Roll Call: See above.

3. Posting of Colors by Davenport JROTC/Pledge of Allegiance

Davenport JROTC posted the colors and Mayor Erickson led the Pledge of Allegiance and the Texas Pledge.

4. Davenport High School Presentation

Mayor Erickson spoke regarding Davenport High School and introduced Principal DeLoach, Coach Zimmerhanzel, and Coach Leonhardt.

Coach Leonhardt and Coach Zimmerhanzel presented the 2021-2022 Davenport High School Athletic Schedules and spoke regarding Davenport High School Athletics, Garden Ridge Involvement, and Future Goals.

5. City/Employee Recognitions/Employee Introductions

a) Recognition of Employee Service Years with the City of Garden Ridge.

City Administrator Nancy Cain recognized employees with anniversary dates in the month of July for their hard work, dedication, and tenure with the City. This recognition included: Kat Balbi-3 years of service, Ofc. Bryan Pelata-8 years of service, and Ofc. Richard McMahan-13 years of service.

6. Citizen Comment Period

Tony Frasco, 8802 Wild Wind Park, thanked City Council for their service to the City and spoke regarding federal/state funding for the winter storm weather emergency.

Dawn Hatch, 8377 Twisted Oaks, congratulated Mayor Erickson and Councilmembers on their elected positions, thanked City Administrator Nancy Cain, and spoke regarding the American Rescue Plan.

7. Consent Agenda

THESE ITEMS MAY BE ACTED UPON IN A SINGLE MOTION. NO SEPARATE DISCUSSION OR ACTION ON THESE ITEMS WILL BE HELD UNLESS REQUESTED BY A COUNCILMEMBER. PUBLIC COMMENT ON THESE ITEMS MAY BE HEARD DURING CITIZENS' PARTICIPATION; HOWEVER, THAT DOES NOT MEAN THE ITEM WILL BE CONSIDERED OUTSIDE THE CONSENT AGENDA.

- a) Approval of Minutes for the June 2, 2021, City Council Regular Meeting.**
- b) Financial Statement, Summary Report, and Management's Discussion and Analysis of Results of Operations – May 31, 2021.**
- c) Destruction of City records in accordance with the City of Garden Ridge Records Retention Plan.**
- d) Designate Comal County Tax Assessor-Collector to calculate 2021 Tax Rate for the City of Garden Ridge.**
- e) Municipal Advisor Agreement between RBC Capital Markets, LLC, and the City of Garden Ridge.**
- f) Bexar Metro 9-1-1 Network's Proposed Fiscal Year 2022 Budget.**
- g) 2022 Comal Appraisal District Budget.**
- h) Approval of employee benefits for fiscal year 2022 and authorization for City Administrator to negotiate contracts with Texas Municipal League IEBP.**
- i) Request from Garden Ridge Elementary School for an 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 on Tuesday, August 24, 2021-Friday, August 27, 2021, and on Thursday, November 11, 2021.**

Motion: A motion was made by Councilmember Bower, seconded by Mayor Pro-Tem Swint, to approve Consent Agenda items a)-i). The City Council voted four (4) for and none (0) opposed. The motion carried unanimously.

8. Staff Reports

a) City Administrator Monthly Activity Report.

City Administrator Nancy Cain provided City Council with an update on the new phone system installation, the budget/tax rate schedule, and the reorganization of the Public Works and Water Departments.

b) Finance/HR Monthly Activity Report.

Finance/HR Director Karen Ford provided City Council with an update regarding the American Rescue Plan.

c) City Secretary Monthly Activity Report.

City Secretary Marisa Spencer reviewed the monthly activity report and spoke regarding continuity of operations related to the Administrative Department.

d) Police Department Monthly Activity Report.

Chief Eberhardt reviewed the monthly activity report and spoke regarding continuity of operations related to the Police Department.

e) Public Works Monthly Activity Report.

Public Facilities Foreman/Animal Services Eric Lowman reviewed the monthly activity report and spoke regarding continuity of operations related to the Public Works Department.

f) Water Department Monthly Activity Report.

Public Works Director Steven Steinmetz reviewed the monthly activity report and spoke regarding continuity of operations related to the Water Department.

g) Library Monthly Activity Report.

Librarian Linda Crosland reviewed the monthly activity report and spoke regarding continuity of operations related to the Library.

9. City Engineer Projects Status Reports

City Engineer Sam Johnson reviewed the Trihydro Engineering Report. He spoke regarding the FM 2252 TxDOT Project and FM 2252 Wastewater Project and addressed questions from Councilmembers.

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

a) Planning and Zoning Commission

1. Receive recommendation to appoint Jesse Deaver to the Planning and Zoning Commission Place 5 vacancy with term expiring September 30, 2021.

Chair Dr. Miller stated the Commission recommends the appointment of Jesse Deaver to the Planning and Zoning Commission Place 5 vacancy. Mayor Erickson thanked Mr. Deaver for volunteering to serve the City.

1.1. Take action on recommendation.

Motion: A motion was made by Councilmember Valdez, seconded by Councilmember Bower, to approve the Planning and Zoning Commission's recommendation and appoint Jesse Deaver to the Planning and Zoning Commission Place 5 vacancy with term expiring September 30, 2021. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

2. Receive recommendation to waive the automatic termination in Ordinance No. 210-022018, Section V. to allow for a fifth (5th) total absence in a twelve (12) month period for Commissioner Dauer.

Chair Dr. Miller stated the Commission voted to recommend a waiver for Commissioner Dauer to allow for a fifth (5th) total absence in a twelve (12) month period; however, he stated Commissioner Dauer contacted City Staff earlier in the day to express his wishes to resign from the Commission. Chair Dr. Miller stated there is no longer a need for City Council to consider granting this waiver.

2.1. Take action on recommendation.

No action taken.

3. Receive monthly activity update as applicable.

Chair Dr. Miller provided City Council with an update on the topics discussed at the Commission's June meeting.

b) Quarry Commission

Mayor Erickson stated the Commission did not meet in June and does not have anything to report at this time.

c) Water Commission

1. Receive recommendation to accept the resignation of Commissioner Beaird.

Chair Mueller stated the Commission recommends acceptance of the resignation of Commissioner Beaird.

1.1. Take action on recommendation.

Motion: A motion was made by Mayor Pro-Tem Swint, seconded by Councilmember McCaw, to approve the Water Commission's recommendation and accept the resignation of Commissioner Beaird. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

2. Receive monthly activity update as applicable.

Chair Mueller provided City Council with an update on the topics discussed at the Commission's June meeting.

d) Wildlife Management Advisory Commission

Dr. Denise Miner-Williams provided City Council with an update on topics discussed at the Commission's June meeting and addressed questions from Councilmembers.

e) Parks Committee

Rod Chamberlain, Parks Committee, spoke regarding the Parks Committee's efforts and provided an update on the 4th of July Event. Mayor Erickson thanked Rod Chamberlain, the Parks Committee, and City Staff for another successful 4th of July Event.

f) Volunteer Garden Ridge!

City Administrator Nancy Cain stated *Volunteer Garden Ridge!* reported 387 hours for the month of June.

11. Approvals and Authorizations

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

a) Application for Water and Wastewater Utility Service.

City Administrator Nancy Cain presented the Application for Water and Wastewater Utility Service and addressed questions from Councilmembers.

Motion: A motion was made by Councilmember Arvidson, seconded by Councilmember Valdez, to approve the Application for Water and Wastewater Utility Service as presented. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

b) Amendments to City of Garden Ridge Personnel Policy Manual.

Finance/HR Director Karen Ford presented the amendments to the City of Garden Ridge Personnel Policy Manual and addressed questions from Councilmembers.

Motion: A motion was made by Councilmember Bower, seconded by Mayor Pro-Tem Swint, to approve the amendments to the City of Garden Ridge Personnel Policy Manual as presented. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

c) City Council consensus on August 5, 2020, to waive the provision in Ordinance No. 210-022018 that requires all Commissioners to attend two (2) City Council regular meetings each calendar year.

Mayor Erickson spoke regarding the provision in Ordinance No. 210 that requires all Commissioners to attend two (2) City Council regular meetings each calendar year and the consensus by City Council to waive that provision during the COVID-19 public health emergency.

City Council agreed by consensus to rescind the waiver, highly encourage Commissioners to attend one (1) City Council regular meeting for the calendar year of 2021, and to provide input to amend Ordinance No. 210.

d) Appeal of water leak adjustment granted through Resolution No. 471 and Water Manager's subsequent denial for additional credit pursuant to Ordinance No. 54 for 8802 Wild Wind Park for the billing period of January 22, 2021 – February 22, 2021.

City Administrator Nancy Cain spoke regarding the appeal of water leak adjustment granted through Resolution No. 471 and the Water Manager's subsequent denial for additional credit pursuant to Ordinance No. 54 for 8802 Wild Wind Park for the billing period of January 22, 2021 – February 22, 2021. She explained that all customers received a leak adjustment for the same billing period in accordance with the leak adjustment policy granted through Resolution No. 471 and addressed questions from Councilmembers.

Mayor Erickson thanked Mr. Frasco for being in attendance, apologized for how he was treated by the City's previous Water Manager, and explained the need for the City to be consistent with granting leak adjustments.

12. Updates

a) City Council Projects.

1. Comal ISD Events (Swint and Arvidson).

Councilmember Swint and Councilmember Arvidson spoke regarding upcoming events and indicated this item could be removed from the agenda until they have additional information.

13. Discussion of Future Agenda Items

Councilmember Bower requested to discuss the City of Garden Ridge's 50th Anniversary.

Councilmember Valdez requested to discuss bulk dumpsters and brush along FM 3009.

Councilmember Arvidson requested to discuss traffic and development along FM 3009 and FM 2252.

Councilmember Swint requested to discuss traffic and accidents at the intersection of FM 3009 and FM 2252.

14. Citizen Comment Period

Tony Frasco, 8802 Wild Wind Park, spoke regarding water and wastewater utility service.

Rod Chamberlain, 8807 Cherokee Path, spoke regarding the FM 2252 TxDOT Project.

15. 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/Danville Middle School/Davenport High School), Counties (Bexar/Comal/Guadalupe), Families of Garden Ridge, Garden Ridge Lions Club, Garden Ridge Citizen Police Academy Alumni Association/Citizen Patrol, Garden Ridge Women's Club, Greater Bexar County Council of Cities, Northeast Partnership.

None at this time.

16. Executive Session

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

a) Pursuant to Texas Government Code Section 551.071(1) and 551.071(2) – Consultation with Attorney and 551.072 – Deliberations About Real Property.

- 1. To deliberate the purchase, exchange, lease, or value of real property if deliberation in an open meeting would have a detrimental effect on the position of the governmental body in negotiations with a third person and legal advice on same: wastewater utility easement acquisition and property acquisition for city building project and related matters.**
- 2. 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 clearly conflicts with Texas Government Code Chapter 551 regarding possible computer/data breach (Mayor's Access & PC) and related investigation.**

Mayor Erickson announced the City Council will recess at 7:49 p.m. and reconvene into Executive Session at 8:00 p.m., in accordance with Texas Government Code Sections 551.071 – Consultation with Attorney and 551.072 – Deliberations About Real Property to discuss and seek legal advice on the items stated above.

Mayor Erickson adjourned the Executive Session and reconvened back into Regular Session at 9:15 p.m.

17. 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.

No action taken.

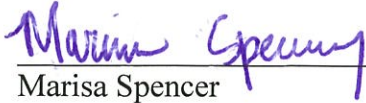
18. Adjournment

Motion: A motion was made by Councilmember Bower, seconded by Councilmember Valdez, to adjourn. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously. There being no further business, the Wednesday, July 7, 2021, City Council regular meeting was adjourned at 9:16 p.m. by Mayor Erickson.



Robb Erickson
Mayor

ATTEST



Marisa Spencer
City Secretary