



City of Garden Ridge

9400 Municipal Parkway
Garden Ridge, Texas 78266-2600
(210) 651-6632
Fax (210) 651-9638

AGENDA **REGULAR CITY WATER COMMISSION MEETING**

Tuesday, April 23, 2013 at 6:00 P.M.

The Garden Ridge City Water Commission will meet in regular session on Tuesday, April 23, 2013 at 6:00 p.m. in the City Council Chambers, City Hall, 9400 Municipal Parkway, Garden Ridge, Texas. This meeting is 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 Friday, April 19, 2013 before 5:00 p.m., providing time, place, date and agenda thereof. The meeting facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours in advance of this meeting.

1. Call to Order
2. Roll Call
3. Citizen's Participation – 3 minute limit per citizen

Rules for Citizen's Participation:

The Water Commission welcomes citizen participation and comments at all of their Commission Meetings. As a courtesy to your fellow citizens and out of respect to our appointed officials, we must request that if you wish to speak, that you follow these guidelines.

- a. Direct your comments to the entire Commission, not to an individual member, nor to the audience.
- b. Show the Water Commission the same respect and courtesy that you expect to be shown to you.
- c. Limit remarks to three (3) minutes.

*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 Commission is limited to either a statement of specific factual information or a recitation of existing policy. TEX. GOV'T CODE § 551.042.*

4. Approval of Minutes
 - a) March 26, 2013 Regular Water Commission Meeting
5. Business Items

The City Water Commission may discuss, consider and/or take possible action on recommendation to the City Council on the following:

- a) Report and possible recommendation from the Ordinance 7 and Ordinance 61 Subcommittee concerning combining the aforementioned ordinances
- b) Report concerning efforts towards securing additional water resources
6. Update on actions taken by the City Council in previous City Council Meetings
7. Water Manager Monthly Activity Report
 - a) Water pumping/usage from city wells
 - b) Water system infrastructure maintenance, repairs and/or projects
 - c) Static levels, drawdown levels and flow rates on the Trinity Well
 - d) Water and/or Drought Management
8. Adjourn

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 Commission Authorized:

The Commission may vote and/or act upon any item within this Agenda. The Commission 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 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 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 1:30 p.m. on April 19, 2013 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



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CITY OF GARDEN RIDGE WATER COMMISSION MEETING **MINUTES**

Tuesday, March 26, 2013 at 6:00 P.M.

The Garden Ridge City Water Commission will meet in regular session on Tuesday, March 26, 2013 at 6:00 p.m. in the City Council Chambers, City Hall, 9400 Municipal Parkway, Garden Ridge, Texas. This meeting is 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 Friday, March 22, 2013 before 5:00 p.m., providing time, place, date and agenda thereof. The meeting facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours in advance of this meeting.

1. Call to Order

2. Roll Call

Present: Chairman Bower
Commissioner Heier
Commissioner Ramirez
Commissioner Pitzen
Commissioner Holloway

Absent: Commissioner Kohl

Also in attendance were: Mayor Jay F. Feibelman, City Administrator Nancy Cain, Public Works Director Royce Goddard and Administrative Assistant Robert Marin.

3. Citizen Comment

No Comments

4. Approval of Minutes

a) February 26, 2013 Regular Water Commission Meeting

Motion was made by Commissioner Holloway and seconded by Commissioner Ramirez to approve the minutes of February 26, 2013 Regular Water Commission Meeting. The motion passed unanimously.

5. Business Items

The City Water Commission may discuss, consider and/or take possible action on recommendation to the City Council on the following:

a) Request by Gary L. Miller to discuss with the Water Commission the requirement for bringing water rights to the city with property development as it relates to property that he owns along FM 3009 and FM 2252

Mr. Gary Miller addressed the Commission concerning his 1.4 acre tract of land on FM 2252 next to (the east side) of North East Bible Church. In 1989 the City of Garden Ridge had a need to put in a 12 inch water main and fire hydrant along 2000.31 feet of highway frontage located between Bat Cave Road and the Hickory Bend entrance to Garden Ridge Estates on the north side of FM 2252. Mr. Miller was assessed at that time a total of \$5,179.23 which he paid in December 1989. Mr. Miller was under the assumption the City of Garden Ridge gave him rights to the water anytime he needed it, but he would just have to obtain a water meter. Mr. Miller now has thoughts of platting his property, but with Ordinance 7 in place, if he does plat, he would then become a developer, and would have to bring water to the city. Mr. Miller feels he should be grandfathered in due to paying his dues back in 1989. City Administrator Cain addressed the Water Commission with a brief history on the location in question, and addressed that Mr. Miller has contributed to the construction of water infrastructure in the City of Garden Ridge. When the water main was installed, the City did not have any impact fees in place back in 1989. Mr. Miller contributed payment to the City in an amount more than a developer would be charged today.

Motion was made by Commissioner Holloway to approve request by Gary L. Miller for variance to Ordinance 7-022011 concerning the requirement to bring water rights to the City of Garden Ridge with the future development of two properties he owns at 19187 and 19186 FM 2252 due to this required monetary contribution towards the construction of the water main along FM 2252 in 1990, seconded by Commissioner Heier. All in Favor, none opposed, motion carried and subject to City Council for approval.

b) Discussion and possible amendment to Ordinance 7 establishing a formula for determining the amount of water a developer will be required to bring into the city for developments

City Administrator Cain addressed to the Water Commission on establishing a formula to Ordinance 7 that would determine the minimum amount of water a developer would be required to bring to the city for a development. Under Ordinance 7, definitions applicable to this amendment, added a paragraph Connection: (see attachment A, Ordinance 7, page 2 of 4), as well as Under Transferable Water Rights – Requirement: In defining.... (See attachment B, Ordinance 7, page 3 of 4). The information was run through by the City Attorney and agreed both additions looked good. Mayor Feibelman addressed that this would give the City and Commission a formula to use that is approved and used currently by TCEQ. City Administrator Cain stated that when developing the amendment to Ordinance 7, she made sure to leave the City Council and Water Commission the ability to adjust the figure based on a use that could possibly use more water.

c) Discussion on and preparation for implementation of advanced water restriction stages

Mayor Feibelman addressed to the Commission with his concern of City of Garden Ridge moving to Stage 3 in approximately 20 days. A discussion was held whether the City follow SAWS (San Antonio Water System) or continue to do what has been currently done by the City alone, but continue to follow and meet the Edwards requirements or face levies in the future. Discussion was made that some citizens believe we should follow SAWS and other feels with

SAWS changing watering times that it makes it confusing for them. If the City decides to move to Stage 3 Water Restrictions, City Administrator Cain stated that the water surcharge will be implemented over 45, 000 gallons used. Discussion ended to figuring out a way to address the citizens of Garden Ridge in reducing water consumption to avoid harsher water restrictions.

d) Discussion and possible revision to Water Variance Policy to include Ordinance 54 as it relates to water leak adjustments

Mayor Feibelman stated the current system for 50% water adjustments is broken. Mayor would like to get the Public Works Director, Royce Goddard, out the workload of paperwork he's been receiving lately. Discussion was held on the procedure when a citizen requests a water leak adjustment and how the Public Work Director determines granting an adjustment or not.

Motion made by Commissioner Heier to continue with the current water leak adjustment policy indicated in Ordinance 54, second by Commissioner Holloway, motion carried in favor 3 to 1, opposed by Commissioner Pitzen.

e) Discussion on possible rewriting and incorporation of Ordinance 54 and Ordinance 61 into one Ordinance

Mayor addressed to the Water Commission in incorporating Ordinance 54 and Ordinance 61 into one. Motion made by Commissioner Ramirez to incorporate both Ordinance 54 and 61 into one. City Administrator Cain addressed the difference of the two Ordinances, 54 establish the Water Commission and the different rules and regulations for the water company and Ordinance 61 is the drought management plan. TCEQ requires a drought management plan, but unsure if it can be incorporated within another Ordinance. Recommendation was brought forth by the City Council to the Water Commission to look at incorporating the two Ordinances and possibly rewriting some areas of the Ordinances.

6. Update on actions taken by the City Council in previous City Council Meetings

March City Council meeting, City Council approved the City Water Commissions recommendation for approval on the request for the additional lead adjustment by Robert Smiley.

7. Water Manager Monthly Activity Report

a) Water pumping/usage from city wells

Royce Goddard reviewed the monthly water pumping/usage from the city wells and discussed the water system operations.

b) Water system infrastructure maintenance, repairs and/or projects

No discussion was held.

c) Static levels, drawdown levels and flow rates on the Trinity Well

Royce Goddard stated that the drawdown level was 134.1 and that when the well turns off, the water level returns to the current static level of 187.2 within 5/6 minutes.

d) Water and/or Drought Management

No discussion was held.

8. Adjourn

Motion to adjourn was made by Commissioner Holloway and seconded by Commissioner Heier. The motion passed unanimously and the meeting adjourned at 7:20 P.M.

Robert S. Marin
Administrative Assistant