



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, May 28, 2013 at 6:00 P.M.

The Garden Ridge City Water Commission will meet in regular session on Tuesday, May 28, 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, May 24, 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) April 23, 2013 Regular Water Commission Meeting
 - b) May 7, 2013 Water Commission Study Committee 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) Request for a second leak adjustment in twenty-four (24) month period from Milton Espinoza, 9035 Sumac Cove, with leak adjustment being requested for his April 2013 water bill due to backflow device failure
- b) Possible recommendation to the City of Garden Ridge Planning and Zoning Commission on the Declaration of Covenants, Conditions and Restrictions for The Woodlands of Garden Ridge Subdivision as such relate to water conservation for said subdivision
- c) Request for the City of Garden Ridge to provide water service to a proposed residential development outside of the city limits west of the Forest of Garden Ridge II at the end of Timmerman Cove and to provide such service through a dual Certificate of Convenience and Necessity (CCN) with SAWS
- d) Report and possible recommendation from the Water Commission Study Committee concerning the combining of Ordinance 54 and Ordinance 61 and changes to the aforementioned ordinances
- e) Report on the Crescent Hills subdivision planned over the Edwards Aquifer Recharge zone in the City of San Antonio ETJ located off FM 3009 out of the Garden Ridge city limits

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:

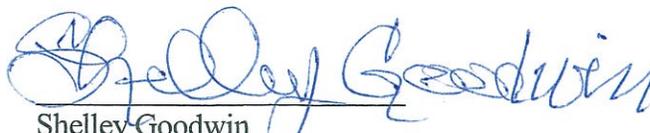
This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the 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
City Secretary

This is to certify that I, Shelley Goodwin, posted this Agenda at 9:30 a.m. on May 24, 2013 on the bulletin board located at the entrance to the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas.


Shelley Goodwin
City Secretary



City of Garden Ridge

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

CITY OF GARDEN RIDGE WATER COMMISSION MEETING MINUTES

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

The meeting was called to order at 6:00 P.M. in the Council Chambers by Chairman Bower.

2. Roll Call

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

Absent: None

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

Bryan Lantzy addressed the Water Commission and asked if the City of Garden Ridge Stage 2 Watering Restrictions comes from the San Antonio Water System guidelines. The Commission answered yes the Commission does follow their guidelines. Mr. Lantzy also voiced concern with the time restrictions for watering in the City of Garden Ridge Stage 2 Water Restrictions. The Commission stated they are set in by ordinance.

4. Approval of Minutes

a) March 26, 2013 Regular Water Commission Meeting

Motion was made by Commissioner Ramirez and seconded by Commissioner Heier to approve the minutes of March 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) Report and possible recommendation from the Ordinance 54 and Ordinance 61 Subcommittee concerning combining the aforementioned ordinances

Commissioner Ramirez addressed to the Commission stating the subcommittee is suggesting that both ordinances' be combined, but feels with the difficulty of the subcommittees schedule, requested more time to have the subcommittee meet and discuss this a little further.

b) Report concerning efforts towards securing additional water resources

City Administrator Nancy Cain addressed the Commission stating that there are Edward's water rights available for lease in two cities; the City of Schertz and San Marcos. The City of Schertz prefers a one year lease. The City of San Marcos does not want to grant anything longer than a one year lease; right now it's whatever amount you want to lease and there is not a limit except up to a thousand acre feet. City Administrator received the cost for leasing with both the City of Schertz and the City of San Marcos and stated that no further leasing inquires have been done. City Administrator stated one final source of additional water resources maybe from the owner of the FM 3009 Watering Company that services Seven Hills and Ramble Ridge, with the suggestion of possibly wheeling water.

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

April City Council meeting, City Council approved the City Water Commissions recommendation for approval on the request for a variance to Ordinance 7 for Mr. Gary Miller's two properties in question the 1.4 acre tract of land on FM 2252 next to (the east side) of North East Bible Church, and the 4.5 acre tract of land situated approximately 500 feet west of the intersection of FM 3009 and FM 2252 on the south side of FM 2252.

City Council approved the City Water Commissions recommendation for approval on amending Ordinance 7-022011 Amendment #3 to establish a minimum formula of .610 gpm in determining an amount of water a developer would be required to bring in to the city for development.

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 128.7 and that when the well turns off, the water level returns to the current static level of 186.3 within 5/6 minutes.

d) Water and/or Drought Management

No discussion was held.

8. Adjourn

Motion to adjourn was made by Commissioner Kohl and seconded by Commissioner Heier. The motion passed unanimously and the meeting adjourned at 6:28 P.M.



Robert S. Marin
Administrative Assistant



City of Garden Ridge

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

CITY OF GARDEN RIDGE WATER COMMISSION STUDY SUBCOMMITTEE MEETING MINUTES

Tuesday, May 7, 2013 at 6:00 P.M.

The Garden Ridge City Water Commission Study Subcommittee met in regular session on Tuesday, May 7, 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 was hereby posted on Friday, May 3, 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

The meeting was called to order at 6:00 P.M.

2. Roll Call

Present: Commissioner Heier
 Commissioner Kohl
 Commissioner Pitzen
 Commissioner Ramirez

3. Business Items

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

- a) **Amendments to, combining of and/or rewriting of City of Garden Ridge Ordinance 54 and Ordinance 61**

The committee discussed combining ordinance 54 with ordinance 61. Pending Royce checking with TCEQ on whether we can combine the two ordinances, the committee decided to combine the ordinances and recommends adding ordinance 61 to 54 as section 19.03, while placing the definitions in 61 in the definitions section with 54. The committee marked up both ordinances with recommended changes and will send to admin for a draft copy (highlighting changes) to review and submit to the Water Commission for approval

4. Adjourn

The meeting adjourned at 6:45 P.M.

A handwritten signature in blue ink, appearing to read "Robert S. Marin", is written above a horizontal line.

Robert S. Marin
Administrative Assistant

COPY

RECEIVED

MAY 17 2013

May 16, 2013

PER SH

City of Garden Ridge Water Department
Dear Representative:

I am a resident of Garden Ridge, since 5 years ago, we usually pay our bills on time, but since last month we had a problem, our bill increase a almost 19 times and now April's bill is 41 times more that my regulars bills.

On April 24, 2013, the Plumber went to our residence and he found that line has a backflow device that went bad and leaking continues water and he fix it.

We haven't seen any visible leak at the property.

I am writing to request a discount on my bill how is very high.

Attached to this letter I annex;

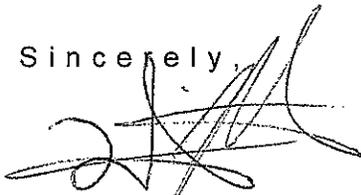
- Bills since January 2013 to the actual month
- Anytime Plumbing Invoice number PM822
- Backflow Assembly Test Report by LK Backflow Services

*Had leak
adj 11/9/12
wants 2nd
leak adj.*

Thank you for your prompt attention to this matter. Any assistance you are able to provide is greatly appreciated.

If you require any additional information, please do not hesitate to contact me.

Sincerely,



Milton Espinoza

9035 Sumac Cove,
Garden Ridge, Tx. 78266
Work: (210) 255-8526
Cel.: (210) 844-0160

Account Number - 20-5016-01 ESPINOZA, MILTON Service Address: 9035 SUMAC CV

Date	Packet	Type	Receipt #	Reference	Debits	Credits	Balance
04/26/2013	005549	Payment	131893	4802 JH		889.37	1,981.62
04/30/2013	005547	Bill		3/22- 4/23 05/15	1,981.62		2,870.99
04/26/2013	000000	Memo	131893	Ex CUT-PMT 889.37CR			889.37
04/26/2013	005539	Adjustment		REMOVE LATE FEE		88.76	889.37
04/16/2013	005526	Late Charge			88.76		978.13
03/31/2013	005502	Bill		2/21- 3/22 04/15	889.37		889.37
03/13/2013	005482	Payment	130006	4774		44.87	0.00
02/28/2013	005463	Bill		1/23- 2/21 03/15	44.87		44.87
02/13/2013	005413	Payment	128581	4740		48.37	0.00
01/31/2013	005397	Bill		12/19- 1/23 02/15	48.37		48.37
01/08/2013	005363	Payment	126588	4691		48.37	0.00
12/28/2012	005355	Bill		11/20-12/19 01/15	48.37		48.37
12/11/2012	005336	Payment	125575	4231		151.12	0.00
11/30/2012	005321	Bill		10/23-11/20 12/15	151.12		151.12
11/19/2012	005311	Payment	124581	4268		683.68	0.00
11/19/2012	000000	Memo		Excluded Cutoff-MGR			683.68
11/19/2012	005300	Adjustment		REMOVE LATE FEE		68.20	683.68
11/16/2012	005297	Late Charge			68.20		751.88
11/09/2012	005283	Adjustment		LEAK ADJUSTMENT		680.75	683.68
10/31/2012	005269	Bill		9/21-10/23 11/15	1,406.37		1,364.43
10/10/2012	005242	Payment	122835	4242		463.06	41.94CR
09/30/2012	005220	Bill		8/23- 9/21 10/15	421.12		421.12
09/10/2012	005187	Payment	121196	3679		386.12	0.00
08/31/2012	005175	Bill		7/23- 8/23 09/15	386.12		386.12
08/13/2012	005152	Payment	120088	42879		136.87	0.00
07/31/2012	005119	Bill		6/22- 7/23 08/15	136.87		136.87
07/09/2012	005061	Payment	118434	4316		119.87	0.00
06/30/2012	005049	Bill		5/23- 6/22 07/15	119.87		119.87
06/11/2012	005028	Payment	117356	3941		132.02	0.00
05/31/2012	005015	Bill		4/23- 5/23 06/15	132.12		132.02

Service: 010 RI WATER - RES INSIDE Meter: 44668098

Month	Date	Read		Total	Demand		Reading		Occupant
		Previous	Current	Consumption	Read	Consumption	Flag	Source	
Year : 2013 Total 4									
Apr	04/21/2013	1773	1971	198			Regular	Hand Held	01
Mar	03/22/2013	1650	1773	123			Regular	Hand Held	01
Feb	02/21/2013	1645	1650	5			Regular	Hand Held	01
Jan	01/23/2013	1638	1645	7			Regular	Hand Held	01
Year : 2012 Total 12									
Dec	12/19/2012	1631	1638	7			Regular	Hand Held	01
Nov	11/20/2012	1591	1631	40			Regular	Hand Held	01
Oct	10/23/2012	1432	1591	159			Regular	Hand Held	01
Sep	09/21/2012	1352	1432	80			Regular	Hand Held	01
Aug	08/23/2012	1276	1352	76			Regular	Hand Held	01
Jul	07/23/2012	1239	1276	37			Regular	Hand Held	01
Jun	06/22/2012	1206	1239	33			Regular	Hand Held	01
May	05/23/2012	1170	1206	36			Regular	Hand Held	01
Apr	04/23/2012	1130	1170	40			Regular	Hand Held	01
Mar	03/24/2012	1095	1130	35			Regular	Hand Held	01
Feb	02/22/2012	1081	1095	14			Regular	Hand Held	01
Jan	01/23/2012	1046	1081	35			Regular	Hand Held	01
Year : 2011 Total 12									
Dec	12/20/2011	1029	1046	17			Regular	Hand Held	01
Nov	11/21/2011	1015	1029	14			Regular	Hand Held	01
Oct	10/24/2011	994	1015	21			Regular	Hand Held	01
Sep	09/23/2011	964	994	30			Regular	Hand Held	01
Aug	08/21/2011	911	964	53			Regular	Hand Held	01
Jul	07/22/2011	902	911	9			Regular	Hand Held	01
Jun	06/23/2011	866	902	36			Regular	Hand Held	01
May	05/23/2011	829	866	37			Regular	Hand Held	01
Apr	04/22/2011	783	829	46			Regular	Hand Held	01
Mar	03/23/2011	741	783	42			Regular	Hand Held	01
Feb	02/23/2011	721	741	20			Regular	Hand Held	01
Jan	01/19/2011	709	721	12			Regular	Hand Held	01
Year : 2010 Total 8									
Dec	12/20/2010	665	709	44			Regular	Hand Held	01
Nov	11/19/2010	608	665	57			Regular	Hand Held	01
Oct	10/23/2010	507	608	101			Regular	Hand Held	01
Sep	09/23/2010	428	507	79			Regular	Hand Held	01
Aug	08/22/2010	373	428	55			Regular	Hand Held	01
Jul	07/23/2010	364	373	9			Regular	Hand Held	01
Jun	06/23/2010	343	364	21			Regular	Hand Held	01
May	05/22/2010	307	343	36			Regular	Hand Held	01
				Avg 46					



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DATE OF WORK

7-2-13

PLUMBER

ESTIMATE

ORDER

NO. 124

ADDRESS

CITY

APPROVAL SIGNATURE

1035 Sunrise Ave.

DESCRIPTION OF WORK

Number of valves to be replaced back
 in service. I found that the valve
 is broken and that must be replaced
 a newer water. I'll need to replace
 the valve with a new one

Signature of plumber

TOTAL WORKED
 TAX

TOTAL AMOUNT

No one signed up to speak.

3. **Business Items**

The Commission may discuss, consider and/or make recommendations to Council to approve or disapprove the following items:

- a. **Entry monument sign and landscape design for the The Woodlands of Garden Ridge (formerly known as Forest of Garden Ridge IV Subdivision) entrance located on the west side of Bat Cave Road northwest of its intersection with Schoenthal Road**

David Rittenhouse, Bitter Blue, provided the Planning and Zoning Commission with the following documents:

- Fence and column heights
- Knox Box for Fire Department
- Approval letter from Triumphant Lutheran Church covering access point

Motion: Upon a motion made by Commissioner Dansby and a second by Commissioner Bell, the Planning and Zoning Commission voted four (4) for and none (0) opposed, to recommend to the City Council approval of the entry monument sign and landscape design for The Woodlands of Garden Ridge (formerly known as Forest of Garden Ridge IV Subdivision) entrance located on the west side of Bat Cave Road northwest of its intersection with Schoenthal Road. The motion carried.

- ✓ b. **Declaration of Covenants, Conditions and Restrictions for The Woodlands of Garden Ridge (formerly known as Forest of Garden Ridge IV) Subdivision**

David Rittenhouse, Bitter Blue, reviewed the Declaration of Covenants, Conditions and Restrictions for The Woodlands of Garden Ridge Subdivision.

The Planning and Zoning Commission had the following concerns:

- Section 4.3.10 Yards and Ground Cover - confusing
- Section 4.5.12 Landscaping – front yards and groundcover
- Section 4.5.7 Water and Sewer-needs to include rain water collections

Motion: Upon a motion to postpone by Commissioner Stocks and a second by Commissioner Bell, the Planning and Zoning Commission voted four (4) for and none (0) opposed, to postpone until the Water Commission can review the Declaration of Covenants, Conditions and Restrictions for The Woodlands of Garden Ridge (formerly known as Forest of Garden Ridge IV) Subdivision. The motion carried unanimously.

- c. **Final Plat for Tuscan Village Subdivision located at the southeast corner of the intersection of FM 3009 and FM 2252**

Nadine Knaus, Planning and Zoning Commission Chair, reported the Final Plat for Tuscan Village Subdivision has been submitted for approval.

Garry Montgomery, City Engineer/River City Engineer, reported he received the final plat, but did not receive the Construction Plans.

The Planning and Zoning Commission discussed Ordinance 7 and it's requirements for several documents be included as part of the final plat. The Planning and Zoning Commission expressed concerns over the following required documents missing or incomplete at the time the Final Plat was submitted:

- Construction plans
- Utility Certificates
- Tax Certificates

cedar, spruce, masonry or wrought iron. All fences shall be 6' in height. Wooden fences (i) shall not be stained without ACC approval and (ii) shall be constructed with the slats touching each other. Wooden fences adjacent to streets shall be constructed with the smooth side facing away from the interior of the Lot. Chain link fences are specifically prohibited. No fences are allowed forward of the front side of the Living Unit. In addition to the foregoing requirements, an Owner is also responsible for complying with the fence ordinance promulgated by the City of Garden Ridge.

Section 4.3.8 Athletic Facilities. Any swimming pool, tennis court, basketball goal, backboard or sport court to be constructed on any Lot, and the screening or fencing of such, shall be subject to the approval and requirements of the ACC, which shall include but which shall not be limited to, the following: (1) the materials, design and construction shall meet standards generally accepted by the industry and shall comply with regulations of all applicable Governmental Authorities; and (2) the location shall be approved by the ACC. A basketball goal or backboard, of either permanent or temporary nature, shall not be placed on the street right-of-way or within fifteen feet (15') of the front property line and shall be subject to the prior approval of the ACC. In addition to the foregoing requirements, an Owner is also responsible for complying with athletic facility or pool placement ordinance promulgated by the City of Garden Ridge.

Section 4.3.9 Burial of Pipe and Tanks. No electric, water, wastewater, gas, telephone, cable television, utility or drainage lines or pipes of any sort or storage tanks shall be installed or maintained on a Lot above the surface of the ground, except temporary hoses and movable pipes use for irrigation purposes, except as approved in writing by the ACC. All such lines and tanks shall be buried in accordance with the requirements of the ACC. The ACC encourages the harvesting of rainwater and will consider allowing above ground tanks to collect the water.

Section 4.3.10 Ground Cover Restrictions. Each Owner is responsible for complying with the landscaping and irrigation ordinances promulgated by the City of Garden Ridge, including but not limited to, Ordinance No. 159-092010 which is attached as Exhibit "A" there, For water conservations purposes, each Owner will minimize landscaping that requires irrigation. All lawns must be planted with drought tolerant grasses and ground cover vegetation. No more than fifty percent (50%) of a Lot can be grass. Xeriscape plants must be used in all non-turf areas of a Lot. Drip irrigation and other water conservation systems will be required in applicable locations. Declarant strongly encourages that each Owner install an irrigation system that conserves water such as a MP Rotator by Hunter.

Deleted: Yards and
Deleted: No more than twenty-five percent (25%) of the front yard area of any Lot may be covered by rock or material other than mulch or vegetation except for such driveways and sidewalks as have been approved by the ACC. In addition to the foregoing requirements, an
Deleted: also
Deleted: and Water Commission

Section 4.3.11 Building Location. If the RDG requires an Owner to provide information on the location of the Living Unit on each Lot prior to construction, then the

the Properties. No Lot shall be used for the purpose of boring, drilling, mining, quarrying, exploring for or removing oil or other hydrocarbons, minerals, gravel, rock, sand or earth; provided, however, that nothing contained herein shall prohibit or restrict removal of fill or earth materials to construct or create approved drainage structures or landscaped berms.

Section 4.5.6 Clothes Drying Area. No portion of any Lot shall be used as a drying or hanging area for laundry of any kind unless the area is fully screened, by fencing or landscaping, from view of adjacent Lots or streets, in a manner approved by the ACC.

Section 4.5.7 Water and Sewer. No individual water supply system shall be permitted on any Lot. Each Owner shall install a sewage disposal system on the Lot in accordance with the Governmental Authorities and the Residential Design Guidelines. Declarant greatly encourages the installation of a separate gray water septic system for landscape watering. Declarant greatly encourages rain harvesting from the Living Units and outbuilding roofs for reuse before it reaches the aquifer.

Section 4.5.8 Parking and Storage of Vehicles. The Board may from time to time promulgate rules which restrict, limit or prohibit the use of any driveway or street which may be in front of, adjacent to or part of any Lot as a parking place for personal passenger vehicles, trailers, recreational vehicles, self-propelled motor homes, motorcycles and boats. No boat, trailer, tent, recreational vehicle, camping unit, truck larger than a three-quarter (3/4) ton pick-up, wrecked, junked, inoperable, self-propelled or towable vehicle, equipment or machinery of any sort shall be kept, parked, stored or maintained on any portion of the Lot or street, except in an enclosed structure or in a screened area behind the main residence which prevents the view thereof from adjacent Lots and streets.

Section 4.5.9 Window Coolers. No window or wall type air conditioners or water coolers shall be permitted to be used, erected, placed or maintained on any part of the Properties.

Section 4.5.10 Parking. On-street parking is restricted to approved deliveries, pick-up or short-term guests and short-term invitees and shall be subject to such reasonable Rules and Regulations as shall be adopted by the Board of Directors. Parking, but not storage, of automobiles in driveways is permitted. In addition to the foregoing requirements, an Owner is also responsible for complying with the parking and storage of vehicles ordinance promulgated by the City of Garden Ridge.

Section 4.5.11 Minimum Size of Dwelling. The minimum total floor area of the primary structure of any Living Unit on a Lot shall not be less than Two Thousand (2,000) square feet, if one-story, and Two Thousand Four Hundred (2,400) square feet if more than

May 22, 2013

To: Water Commission

From: City Administrator Cain

The city has received a request to provide water service to a proposed subdivision that will be located outside of the city limits and outside of the Garden Ridge CCN. The subdivision is approximately a 30 lot residential development that is proposed to be located west of the Forest of Garden Ridge II at the end of Timmerman Cove and sits within SAWS CCN. SAWS is unable to provide water to the proposed subdivision therefore they are requesting water service from Garden Ridge. Due to the property being situated in SAWS CCN the City of Garden Ridge cannot provide water service without either the CCN being released by SAWS and incorporated into the city's CCN or through a dual CCN between SAWS and Garden Ridge.

The developer's representatives have had discussions with SAWS concerning releasing the CCN to Garden Ridge but SAWS desires to hold a dual CCN with Garden Ridge. With a dual CCN there can be an agreement with SAWS that the infrastructure belongs to the City of Garden Ridge and should at some point in time SAWS were to serve water to the development they would not be able to tie into the city's infrastructure and new infrastructure laid for water service through SAWS.

The developer understands that should Garden Ridge agree to service the proposed subdivision water rights will have to be transferred to the City of Garden Ridge and those rights must be based on the formula indicated in Ordinance 7 for .6GPM. For the proposed 30 home development the developer would need to transfer 29.01 acre feet of Edwards water rights to the city which would be .967 acre feet of water per lot.

Other factors to consider with this request is that the developer could also be required to pay Water Impact fees of \$4,279 per lot to support the city's water system capital improvements which would total \$128,370. Residents being served water service out of the city limits also pay a higher rate than residents. In addition the developer could be asked to reimburse the city for any legal and engineering fees incurred by the city for implementing the dual CCN, review of construction plans for the water infrastructure and inspections of water infrastructure construction to ascertain that it meets the city's requirements.

Attached are documents that the city has received concerning the proposed subdivision. Representatives for the subdivision will be present at the Water Commission meeting as well as representation from the City Attorney's office.

City Administrator

From: Carl Friedsam [scfriedsam@mdtlaw.com]
Sent: Tuesday, May 21, 2013 4:19 PM
To: City Administrator
Subject: FW: Water service, Timmerman Cove, Garden Ridge, Texas
Attachments: SITE PLAN.pdf; MOR001-64.225 Acre M&B.pdf; MOR001-Bracken.pdf

S. CARL FRIEDSAM

Martin & Drought, P.C.
300 Convent Street, Suite 2500
San Antonio, Texas 78205-3789
(210) 220-1350 Direct
(210) 227-7924 Facsimile
E-mail: scfriedsam@mdtlaw.com

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From: Carl Friedsam
Sent: Tuesday, May 21, 2013 3:12 PM
To: 'George Hyde'
Cc: Gordon Woods (gwoods1@satx.rr.com); 'Bill Morris'; Shelly D. Henze
Subject: FW: Water service, Timmerman Cove, Garden Ridge, Texas

George,

Here (below) is the e-mail we received from SAWS in regard to the dual CCN. SAWS will not object to Garden Ridge's application for a dual CCN. If you need more than this for the application, please let me know.

Also attached is a site plan showing the area to be served. This contains approximately 30.75 acres more or less of land.

I do not have a survey of the area to be served, but for the purposes of locating the area on a survey, I also enclose a description and survey of the parent tract out of which this tract will be taken.

The tract ownership understands that they will be required to bring water rights to the table for this purpose and that Garden Ridge bases the required rights on the TCEQ calculation.

I understand that this application will go forward and that you do not need a more formal application at this time.

If you do need anything else, please let me know. I look forward to working with Garden Ridge and you on this matter.

S. CARL FRIEDSAM

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From: Dwayne Rathburn [<mailto:Dwayne.Rathburn@saws.org>]

Sent: Tuesday, March 5, 2013 4:00 PM

To: Carl Friedsam

Cc: 'Bill Morris'; Gordon Woods (gwoods1@sabx.rr.com)

Subject: RE: Water service, Timmerman Cove, Garden Ridge, Texas

Carl

SAWS is agreeable to allowing a dual CCN for the area. We would not oppose an application by Garden Ridge to TCEQ to amend their CCN to make that area a dual CCN. What type of documentation from SAWS do you need for this to proceed.

Dwayne

=====
From: Carl Friedsam [<mailto:scfriedsam@mdtlaw.com>]

Sent: Tuesday, March 05, 2013 11:15 AM

To: Dwayne Rathburn

Cc: 'Bill Morris'; Gordon Woods (gwoods1@sabx.rr.com)

Subject: RE: Water service, Timmerman Cove, Garden Ridge, Texas

Dwayne,

You were very clear that it would take some time for CPS to determine what they would want to do in regard to water service for the Timmerman Cove tract in Garden Ridge but as we have not talked since December, I would like to know if you have a more precise time period when we can expect to hear back.

S. CARL FRIEDSAM

Martin & Drought, P.C.
300 Convent Street, Suite 2500
San Antonio, Texas 78205-3789

(210) 220-1350 Direct
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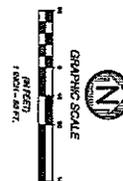
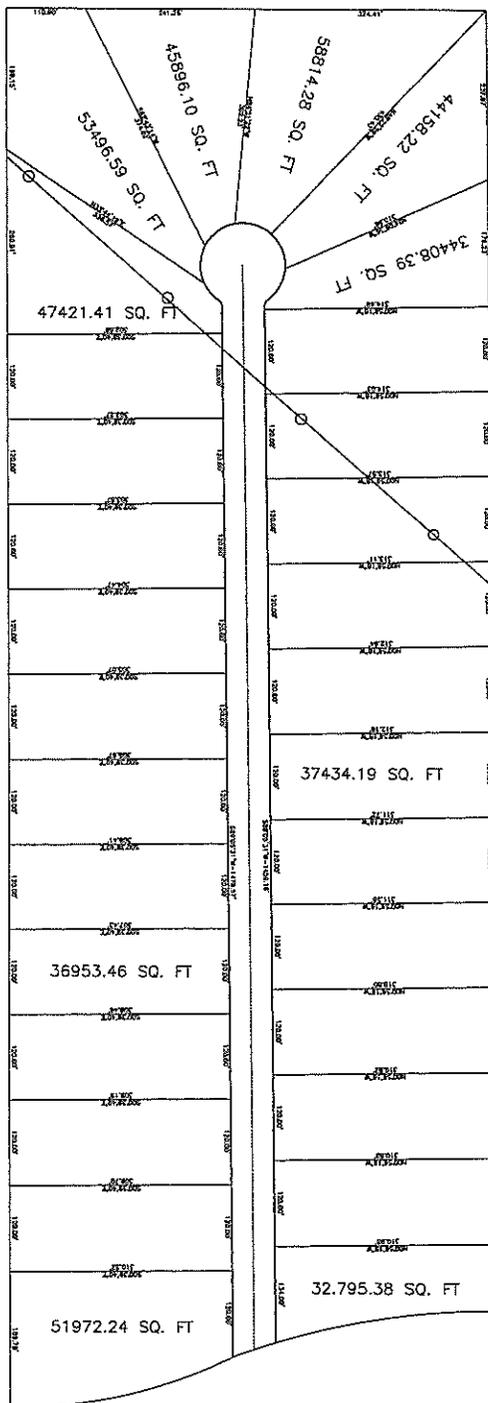
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DATE: 11/20/2012
 DRAWN BY: WJZ/SJZ
 CHECKED BY: ED
 DESIGNED BY: SED
 SCALE: 1" = 50'

TIMMERMANN FARM
 GARDENRIDGE CITY
 SITE PLAN



Seda Consulting Engineers, Inc.
 Firm Registration No: F 1601 (210) 308-0057
 6735 IH 10 West FAX: (210) 308-8942
 San Antonio, Texas 78201 e-mail: seds@sedcn.com
 CIVIL • STRUCTURAL • ENVIRONMENTAL • PLANNER



METES AND BOUNDS
FOR A
64.225 ACRE TRACT OF LAND

BEING a 64.225 acre tract of land located in the Vicente Micheli League Survey No. 114, Abstract No. 383, Comal County, Texas, and being the remainder of that certain 80.042 acre tract of land as described in Volume 463, Page 253 of the Official Public Records of Comal County, Texas, and said 64.225 acre tract of land being more particularly described as follows:

BEGINNING at a Railroad Spike in asphalt drive in the Northeasterly line of Marbach Lane (Variable width R.O.W.) for the Southwesterly corner of a 21.559 acre tract of land as described in Document No. 201006009820 of the Official Public Records of Comal County, Texas, and being the most Westerly corner of this herein described 64.225 acre tract of land;

THENCE departing said Marbach Lane, and with the Southeasterly line of said 21.559 acre tract of land, N 59° 24' 57" E, a distance of 2154.65 feet to a ½" iron pin found for a corner;

THENCE continuing with said Southeasterly line, N 59° 25' 05" E, and passing the most Easterly corner of said 21.559 acre tract of land at 759.74 feet and continuing with the Southeasterly line of the remainder of a 110 acre tract of land as recorded in Volume 90, Page 402 of the Deed Records of Comal County, Texas, a total distance of 1533.71 feet to a ½" iron pin found for a corner;

THENCE continuing with the Southeasterly line of said remainder 110 acre tract of land, N 59° 13' 32" E, a distance of 445.32 feet to a ½" iron pin with cap stamped "DAM#5348 PROP. COR. set for the Westerly corner of Lot 14 of the Forest Of Garden Ridge Subdivision as recorded in Document No. 200606054270 of the Map and Plat Records of Comal County, Texas, and being the most Northerly corner of this herein described 64.225 acre tract of land;

THENCE departing said 110 acre tract of land, and with the Southwesterly lines of said Forest Of Garden Ridge Subdivision the following calls:

S 31° 33' 30" E. a distance of 35.83 feet to a ½" iron pin with cap stamped "DAM#5348 PROP. COR. set for a corner and the beginning of a curve to the left;

Thence with said curve to the left having a radius of 1035.00 feet, a delta angle of 21° 45' 15", and at 280.20 feet passing a ½" iron pin found for the Southerly corner of Lot 14, the most Westerly corner of a 60 foot wide street called Timmerman Cove on said subdivision plat of Forest of Garden Ridge, and continuing a total distance of 392.97 feet to a ½" iron pin with cap stamped "DAM#5348 PROP. COR. set for a corner and a point of reverse curvature for a curve to the right;

Thence with said curve to the right, having a radius of 665.00 feet, a delta angle of 22° 49' 06", and an arc length of 264.84 feet to a ½" iron pin found in the Southwesterly right-of-way line of Tonkawa Pass (70 foot R.O.W.) for corner;



THENCE continuing with said Southwesterly line of Tonkawa Pass, S 30° 29' 40" E, a distance of 6.73 feet to ½" iron pin with yellow cap stamped "DAM #5348 PROP. COR. set for the Southerly corner of Forest Of Garden Ridge Subdivision, and being the Northerly corner of Lot 2 of Woods Of Bracken Subdivision as recorded in Document No. 200706003688 of the Map and Plat Records of Comal County, Texas, and being the Most Easterly corner of this herein described 64.225 acre tract of land;

Thence departing said Forest of Garden Ridge Subdivision, S 59° 32' 43" W, at 501.01 feet passing the Westerly corner of Lot 2, the Northerly corner of the remaining portion of a 19.349 acre tract of land as described in Document No. 200406030457 of the Official Public Records of Comal County, Texas, and continuing a total distance of 832.40 feet to a ½" iron pin found for a corner;

THENCE continuing with the remainder of said 19.349 acre tract of land, S 59° 33' 49" W, at 22.44 feet passing the Northerly corner of a 10.00 acre tract of land as described in Document No. 200606026815 of the Official Public Records of Comal County, Texas, at 440.66 feet passing the Northerly corner of a 3.545 acre tract of land as described in Document No. 20006025504 of the Official Public Records of Comal County, Texas, at 1382.51 feet passing the Northwesterly corner of a 7.114 acre tract of land as described in Document No. 464814 of the of the Official Public Records of Comal County, Texas, the Northern corner of Lot 3 of Bracken Commercial Park as recorded in Volume 14, Page 269 of the Map and Plat Records of Comal County, Texas, at 1915.75 feet passing the Northwesterly corner of Goll Street as recorded in said Bracken Commercial Park Subdivision, at 2409.40 passing a ½" iron pin with cap stamped "CEC" for the most Westerly corner of said Bracken Commercial Park Subdivision, the Northerly corner of a 14.882 acre tract of land as described in Document No. 200306034900 of the Official Public Records of Comal County, Texas, and continuing for a total distance of 3319.50 feet to a ½" iron pin with cap stamped "DAM#5348 PROP. COR. set in fence line for the Southwesterly corner of this herein described 64.225 acre tract of land;

THENCE with fence and a Northeasterly line of Marbach Lane, N 40° 14' 53" W, a distance of 680.62 feet to the POINT OF BEGINNING and containing a 64.225 acre tract of land

Bearings based Texas State Plane Coordinate System, Texas South Central Zone (4204) NAD 83.


Drew A. Mawyer
Registered Professional Land Surveyor No. 5348
C:\PROJECTS\MOR001-Timmerman M&B.doc



City Administrator

From: Carl Friedsam [scfriedsam@mdtlaw.com]
Sent: Friday, April 12, 2013 3:49 PM
To: City Administrator
From: 'Gordon Woods (gwoods1@satx.rr.com)'; 'Bill Morris'
Subject: RE: Water service, Timmerman Cove, Garden Ridge, Texas
Attachments: aquasource letter.pdf

One more item. My contact at SAWS said that what they customarily give (or in the case of the letter attached) for a dual CCN application is a simple letter of non-opposition. Attached is one that SAWS received for a dual CCN they applied for.

S. CARL FRIEDSAM

Martin & Drought, P.C.
300 Convent Street, Suite 2500
San Antonio, Texas 78205-3789
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From: Carl Friedsam
Sent: Friday, April 12, 2013 2:19 PM
To: 'administrator@ci.garden-ridge.tx.us'
From: 'Gordon Woods (gwoods1@satx.rr.com)'; 'Bill Morris'
Subject: RE: Water service, Timmerman Cove, Garden Ridge, Texas

After our conversation, I went back to SAWS regarding the dual CCN and the concerns that you expressed.

I asked again if SAWS would release their CCN and if so, what it would take.

There is a material difference here in that the dual CCN is available by administrative action (basically, we are there) while a release, if approved takes presentation to and approval of the SAWS Board. My contact at SAWS was not optimistic they would do that.

With that I asked if with a dual CCN they had ever done an agreement; something in writing to assure Garden that SAWS cannot tie into the infrastructure.

My contact at SAWS stated that he did not think that SAWS had done that before but he would check with counsel to see if they could.

My contact at SAWS noted that the installed infrastructure would belong to Garden Ridge and as such, SAWS would have no right to touch it. Under the dual CCN SAWS could provide a customer with water, but to do so, would have to provide their own infrastructure.

I asked for something from their counsel on this.

I do understand that the final decision on this is not yours but I really want to move forward with support from the City Staff. If we can come up with something in writing that states the above; SAWS cannot tie into your infrastructure, is this something that City Staff would support. I do understand that we still have to provide the water rights.

As to the water rights, can you tell me where to find the TCEQ calculation of EDU's. If not, I am sure I can find it but any help would be appreciated.

Call or e-mail when you get the chance.

S. CARL FRIEDSAM

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Carl Friedsam

Friday, March 22, 2013 1:26 PM

To: 'administrator@ci.garden-ridge.tx.us'

Cc: Gordon Woods (gwoods1@satx.rr.com); 'Bill Morris'

Subject: FW: Water service, Timmerman Cove, Garden Ridge, Texas

Ms. Cain,

I am working with a group trying to develop the Zimmerman tract (abutting the City of Garden Ridge) with 30 residential lots.

The area is in the SAWS CCN but abuts Garden Ridge (in fact a street is stubbed out to the tract).

We approached SAWS to either serve the tract or permit Garden Ridge to do so and they provided their agreement to a dual CCN.

We would like the opportunity to discuss this with you. I left a message for you but I wanted to make sure you had the information I have for this.

Please call me at your convenience.

S. CARL FRIEDSAM

Martin & Drought, P.C.
300 Convent Street, Suite 2500
San Antonio, Texas 78205-3789
(210) 220-1350 Direct
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From: Dwayne Rathburn [<mailto:Dwayne.Rathburn@saws.org>]
Sent: Tuesday, March 5, 2013 4:00 PM
To: Carl Friedsam
Cc: 'Bill Morris'; Gordon Woods (gwoods1@satx.rr.com)
Subject: RE: Water service, Timmerman Cove, Garden Ridge, Texas

Carl

SAWS is agreeable to allowing a dual CCN for the area. We would not oppose an application by Garden Ridge to TCEQ to amend their CCN to make that area a dual CCN. What type of documentation from SAWS do you need for this to proceed.

Dwayne

From: Carl Friedsam [<mailto:scfriedsam@mdtlaw.com>]
Sent: Tuesday, March 05, 2013 11:15 AM
To: Dwayne Rathburn
Cc: 'Bill Morris'; Gordon Woods (gwoods1@satx.rr.com)
Subject: RE: Water service, Timmerman Cove, Garden Ridge, Texas

Dwayne,

It is very clear that it would take some time for CPS to determine what they would want to do in regard to water service for the Timmerman Cove tract in Garden Ridge but as we have not talked since December, I would like to know if you have a more precise time period when we can expect to hear back.

S. CARL FRIEDSAM

Martin & Drought, P.C.
300 Convent Street, Suite 2500
San Antonio, Texas 78205-3789
(210) 220-1350 Direct
(210) 227-7924 Facsimile
E-mail: scfriedsam@mdtlaw.com

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Aqua Texas, Inc.
1421 Wells Branch Parkway
Suite 105
Pflugerville, TX 78660

www.aqua-texas.com

November 17, 2005

Mr. Dwayne Rathburn
Manager of Program Planning
San Antonio Water System
P O. Box 2449
San Antonio, Texas 78298-2449

Re: San Antonio Water System (SAWS) Application to Amend CCN No. 10640
TCEQ Application No. 35074-C
Bexar County, Texas
Overlap with Aqua Texas, Inc. System Estates at Stonegate

Dear Mr. Rathburn:

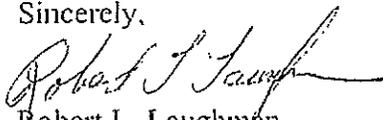
Based on the information that you provided in your letter of September 28, 2005, we understand that your pending CCN application includes a small overlap with our existing CCN 11157 (copy of map attached). In order to expedite your application, you have asked that we agree to this dual certification. It is also our understanding that SAWS has no desire or intention to serve any customer within our service area.

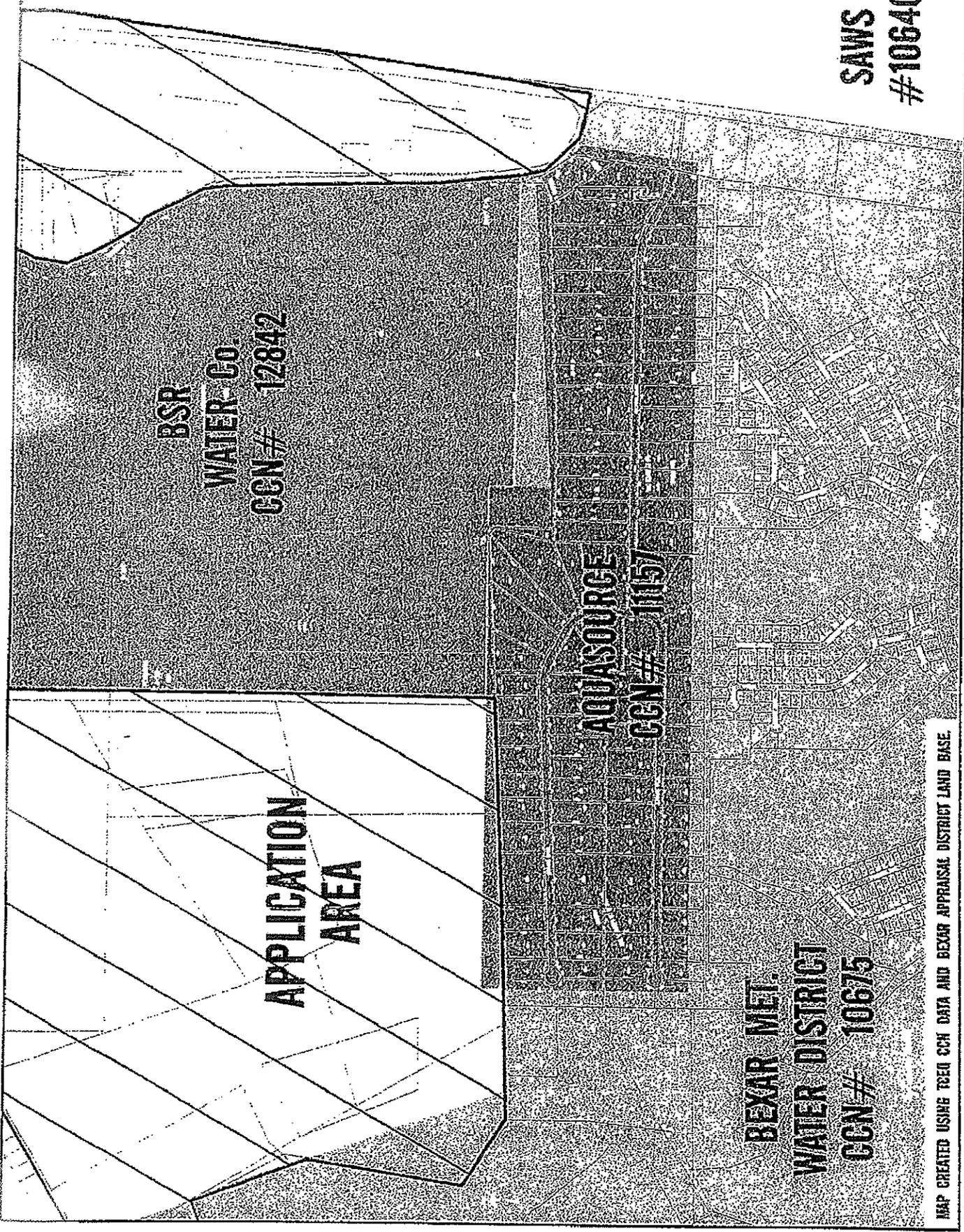
Based on these understandings, Aqua Texas, Inc. will agree to dual certification of this sliver of CCN area. Since it appears that this overlap has resulted from some minor mapping inaccuracies, the overlap may be removed in a future CCN amendment application.

I hope that this letter will be sufficient to allow your pending application to proceed expeditiously. We look forward to working with SAWS in the future to ensure high quality water service to customers in our service areas in Bexar County.

If you or TCEQ need any additional information as this application proceeds, please contact Mr. Steve Blackhurst at shblackhurst@aquaamerica.com or by phone at 512-844-6475.

Sincerely,


Robert L. Laughman
President, Aqua Texas, Inc.



**SAWS
#10640**

**APPLICATION
AREA**

**BSR
WATER-CO.
CCN# 12842**

**AQUASOURCE
CCN# 11157**

**BEXAR MET.
WATER DISTRICT
CCN# 10675**

MAP CREATED USING TCEQ CCH DATA AND BEXAR APPRAISAL DISTRICT LAND BASE.

SCALE: 1" = 100'