



# City of Garden Ridge

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

## AGENDA REGULAR CITY COUNCIL MEETING, DECEMBER 4, 2013 AT 6:00 P.M.

The Garden Ridge City Council will meet in a regular session on Wednesday, December 4, 2013 at 6:00 p.m. 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 November 27, 2013 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 interpretative services must be made 48 hours prior to this meeting.

1. Call to Order
2. Roll Call
3. Pledge of Allegiance
4. Citizen's Participation - Limit remarks to five (5) minutes per citizen

### Rules for Citizen's Participation:

The City Council welcomes citizen participation and comments at all of their Council Meetings. As a courtesy to your fellow citizens and out of respect to our elected officials, we request that if you speak, that you please follow these guidelines.

- a) Direct your comments to the entire Council, not to an individual member, nor to the audience.
- b) Show the City Council the same respect and courtesy that you would like to be shown.
- c) Limit remarks to five (5) minutes per citizen during Item 4 and to three (3) minutes per citizen during Item 8.
- d) Citizen comments may be deferred to a specific Business Item set forth in Section 6, below, if such comments pertain to such Business Item

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

5. Consent Agenda

**THE FOLLOWING ITEMS MAY BE ACTED UPON IN A SINGLE MOTION. NO SEPARATE DISCUSSION OR ACTION ON ANY OF THESE ITEMS WILL BE HELD UNLESS REQUESTED BY A MEMBER OF CITY COUNCIL. PUBLIC COMMENT ON CONSENT AGENDA ITEMS MAY BE HEARD DURING CITIZEN'S PARTICIPATION, BUT COMMENTS HEARD DURING CITIZEN'S PARTICIPATION DOES NOT MEAN THAT THE ITEM WILL BE CONSIDERED OUTSIDE THE CONSENT AGENDA.**

- a) Consider approval of November 6, 2013 Regular City Council Meeting Minutes
- b) Resolution 315 Government/Municipal/Public Funds Banking Resolution
- c) Certification of Tax Levy for the Year 2013

**ACTION ON THE CONSENT AGENDA**

6. Business Items

The City Council may discuss, consider and/or take possible action on the following items:

- a) Major City Projects Update:
  - i. CIP Projects for streets, drainage and water line replacement
  - ii. Schoenthal Road Improvement Project
  - iii. Paul Davis Park Restroom Facilities Project
- b) Update on proposed sewer system within the Garden Ridge city limits along F.M. 2252, funding for a sewer system and creation of sewer system public improvement district
- c) Resolution 314-122013 requesting the release of Extraterritorial Jurisdiction from the City of San Antonio, Texas to the City of Garden Ridge for future annexation into the City of Garden Ridge for the purposes of orderly growth and provision of municipal services
- d) Authorizing the Mayor to execute the Lease of Ground Water agreement between the City of Garden Ridge and the City of Schertz for the lease of 400 acre feet of Edwards Water Rights
- e) Proposed Ordinance regarding organization of, appointments to and responsibilities of city commissions and ad hoc committees of the City of Garden Ridge (Discussion only item)
- f) Consider City Water Commission recommendation and action to amend Ordinance 61-122013 establishing the drought management plan for the City of Garden Ridge; providing definitions, establishing trigger points for Stages 1 through 5, restricting the use of water upon implementation of specific stages of said plan; establishing water surcharge rates for Stage 3 through 5 of said plan; providing a variance procedure; providing a penalty clause; providing for severability and providing an effective date and amending Ordinance 61-082013 adopted August 27, 2013

- g) Amending Ordinance 67-122013 of the City of Garden Ridge, Texas, approving a record management plan, updating retention schedule, and updating the record management program for the City of Garden Ridge and declaring an effective date
- h) Conceptual approval for the construction of a gazebo to be incorporated into landscaping for the Garden Ridge Library with funding and construction being an Eagle Scout Community Service Project
- i) Any item removed from the consent agenda will be recalled for discussion and possible action at this time

7. State of the City

The City Council may discuss, consider and/or take possible action on the following items:

- a) Financial Statement and Investment Report
  - October 31, 2013
- b) City Administrator Monthly Activity
  - Sign approvals since prior Council meeting
  - Community Center usage and financial report
  - Building Permits issued to date for residential, commercial and minor
  - Construction projects
  - Update on new city website
  - Update on TXDOT's FM 3009 Construction Project
- c) Water Manager Monthly Activity Report
  - Water pumping/usage from city wells
  - Water system infrastructure maintenance, repairs and/or projects
  - Water and/or Drought Management
  - Water Projects
- d) Public Works Monthly Activity Report
  - Street and Right-Of-Way Maintenance
  - Drainage Facility and Easement Maintenance
  - Park and City Facility/Property Maintenance
  - Animal Control apprehensions, nuisance/complaints, animal bites
  - Observations and activities of wildlife within the city
  - Update on Oak Wilt in the city
  - Public Works Projects
- e) Police Department Monthly Activity
  - Citations issued
  - Warnings issued
  - Criminal activity within city
  - Code Compliance:
    - Citations & Warnings issued
    - Compliance achieved
  - Update on any public safety concerns in Wild Wind Unit 3 Subdivision of

Garden Ridge, Texas

f) Recognition of employees and/or city events

8. Citizen's Participation – Limit remarks to three (3) minutes per citizen  
See "Rules for Citizen's Participation" under Item 4.

9. 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:

Northeast Partnership

Schertz-Seguin Local Government Corporation ("SSLGC")

City Water Commission

City Quarry Commission

City Planning & Zoning Commission

Garden Ridge Police Academy Alumni Association

Citizen on Patrol

Garden Ridge Lion's Club

Comal County

Comal ISD

Guadalupe County

Bexar County

San Antonio – Bexar County Metropolitan Planning Organization ("MPO")

TXDOT

Crescent Hills Subdivision Proposal (on FM 3009)

10. Executive Session

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

a) Pursuant to Texas Government Code 552.071, to consult with City Attorney regarding legal issues related to Hanson Aggregates operations, blasting and possible amendments to Ordinance 34

11. Business Items (continued)

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

12. 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 City Council may vote and/or act upon any item within this Agenda. The Council 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:**

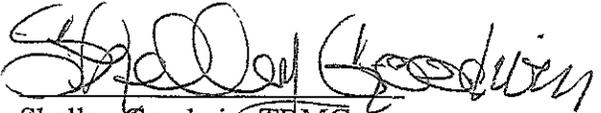
This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the 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 12:30p.m. on November 26, 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



**City of Garden Ridge**

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

**MINUTES OF CITY COUNCIL REGULAR MEETING,**  
**NOVEMBER 6, 2013**

**Members Present:**

Mayor Andrew Dalton  
Mayor Pro Tem Joe Britan (left the meeting at 9:00pm)  
Councilmember Nadine Knaus  
Councilmember Bryan Lantzy  
Councilmember John McCaw  
Councilmember Bobby Roberts

**Member Absent:**

**City Staff Present:**

Nancy Cain, City Administrator  
Donna O'Conner, Police Chief  
Royce Goddard, Water Department Manager  
Steven Steinmetz, Public Works Director  
Shelley Goodwin, City Secretary

**1. Call to Order**

With a quorum of the City Council Members present, Mayor Dalton called the regular meeting of the Garden Ridge City Council to order at 6:00 p.m. on Wednesday, November 6, 2013, in the City Council Chambers of the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas 78266.

**2. Citizen's Participation - 5 minute limit per citizen**

No one wished to speak during Citizen Comment Period.

**3. Special Presentations**

**a) Presentation by CPS Energy regarding its proposed Rate Increase**

John Leal, CPS Energy introduced his colleagues. Mr. Leal provided a PowerPoint presentation (see attached presentation) regarding the proposed Rate Increase.

**4. Consent Agenda**

**THE FOLLOWING ITEMS MAY BE ACTED UPON IN A SINGLE MOTION. NO SEPARATE DISCUSSION OR ACTION ON ANY OF THESE ITEMS WILL BE HELD UNLESS REQUESTED BY A MEMBER OF CITY COUNCIL. PUBLIC COMMENT ON CONSENT AGENDA ITEMS MAY BE HEARD DURING**

**CITIZEN'S PARTICIPATION, BUT COMMENTS HEARD DURING CITIZEN'S PARTICIPATION DOES NOT MEAN THAT THE ITEM WILL BE CONSIDERED OUTSIDE THE CONSENT AGENDA.**

- a) **Consider approval of October 2, 2013 Regular City Council Meeting Minutes**
- b) **Release of Garden Ridge Police Officer Robert Acosta from six month probationary status effective November 2, 2013 with 5% increase in salary for said position as set for said position in the 2014 Budget**
- c) **Resolution 313-112013 to cast votes to elect Directors for the Comal Appraisal District for the years 2014-2015**

**Motion:** A motion was made by Councilmember McCaw, and seconded by Councilmember Britan, to approve Consent Agenda Items 4 a)- 4c). The City Council voted five (5) for, none (0)opposed. The motion carried unanimously.

**5. Business Items**

**The City Council may discuss, consider and/or take possible action on the following items:**

- a) **Major City Projects Update:**
  - i. **CIP Projects for streets, drainage and water line replacement**
    - a - **Bid tabulation for 2013 CIP Project for Waterline, Streets and Drainage Improvements**
    - b - **Review funding for 2013 CIP Project for Waterline, Streets and Drainage Improvements**
  - ii. **Schoenthal Road Improvement Project**
  - iii. **Paul Davis Park Restroom Facilities Project**

Garry Montgomery, River City Engineering, provided a PowerPoint presentation (see attached presentation) regarding Major City Project Update. He updated the City Council on the 2013 CIP Project for Waterline, Streets and Drainage Improvements bid process and recommended the City Council enter into an agreement with Qro Mex Construction Co., Inc. He also updated the City Council on the CIP Bond Fund and reported the remaining balance is \$1,813,683.62, which could be used for additional projects. He also provided an update on Schoenthal Road Improvement Project and Paul Davis Park Restroom Upgrade.

The City Council discussed the remaining balance of the CIP Bond Fund, bid tabulation and process, Schoenthal Road Improvements and the Paul Davis Park Restroom Facilities.

- b) **Award of bid for 2013 CIP Project for Waterline, Streets and Drainage Improvements, authorizing the City Administrator to execute contract documents for said project, and authorizing the Mayor, City Administrator and City Engineer to jointly manage those projects**

Garry Montgomery, River City Engineering, reported the sealed bids were opened on October 8, 2013 and Qro Mex Construction Co., Inc. submitted the lowest bid in the amount of \$3,423,290.05 and alternative bid for new meter assembly installation of \$37,500 bringing the total amount to \$3,460,790.05. He recommended awarding the project to Qro Mex Construction Co., Inc. with the alternative bid for new water meters.

The City Council discussed the timeframe, alternative bids and a projected commencement after the upcoming holiday season is over.

**Motion:** A motion was made by Councilmember Roberts and seconded by Councilmember Britan, to approve the award of bid for the 2013 CIP Project for Waterline, Streets and Drainage Improvements in the amount of \$3,460,790.05 (\$3,423,290.05 for original bid and \$37,500 for the alternative bid) to Oro Mex Construction Co., Inc., authorizing the City Administrator to execute contract documents for said project, and authorizing the Mayor, City Administrator and City Engineer to jointly manage those projects. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

**c) Update on proposed sewer system within the Garden Ridge city limits along F.M. 2252, funding for a sewer system and creation of sewer system utility district**

Mayor Dalton updated the City Council on the proposed sewer system that would run from the city's eastern city limits line at Schneider Lane to the city limits line west of Tonkawa Pass and extend southward to the city limits line adjoining the City of Schertz city limits. He stated letters were sent to property owners explaining the proposed sewer system and inviting them to a public meeting to be held on November 21, 2013 at 6:30 PM at City Hall. He stated he will provide an update to the City Council at the next regular meeting to be held on December 4, 2013.

**d) City Planning and Zoning Commission recommendation on reappointment/appointment of Commissioners to Places 1, 4, 5 and 6 for two year terms of office expiring September 30, 2015**

Sam Stocks, Planning and Zoning Commission Chair, reported that the Planning and Zoning Commission recommended the reappointment of Commissioners Harvey Bell (Place 1), Frank Dansby (Place 4), and David Heier (Place 5). He stated Walter Lamar (Place 6) has decided not to serve another term, so the Planning and Zoning Commission will hold interviews at their next scheduled meeting. Mr. Stocks also reported that the Planning and Zoning Commission had voted unanimously on the reappointments and on the election of himself as Chair and Frank Dansby as Vice Chair.

**Motion:** A motion was made by Councilmember Roberts and seconded by Councilmember Britan, to approve the recommendation of the Planning and Zoning Commission to reappoint Commissioners Harvey Bell (Place 1), Frank Dansby (Place 4), and David Heier (Place 5) for a two year term of office expiring September 30, 2015. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

**e) City Quarry Commission recommendation on reappointment/appointment of Commissioner's for two year terms of office expiring September 30, 2015**

Larry Blades, Quarry Commission Chair, reported the Quarry Commission unanimously recommended the reappointments of Larry Blades, Richard Holloway, Wayne Mudge and Mike Shands, with terms expiring on September 30, 2015.

**Motion:** A motion was made by Councilmember McCaw and seconded by Councilmember Britan, to approve the recommendation of reappointments of Larry Blades, Richard Holloway, Wayne Mudge and Mike Shands to serve two year terms of office expiring September 30, 2015. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

**f) Proposed Ordinance regarding organization of, appointments to and responsibilities of city commissions and ad hoc committees of the City of Garden Ridge (Discussion only item)**

Mayor Dalton reported a new draft of the proposed Commission Ordinance was provided in the City Council packet. He stated the Ordinance was modified after the Planning and Zoning and Quarry Commission shared their concerns. He also stated the Ordinance was drafted to provide a uniform governance model for all of the City's Commission, Committees and Boards, and he believes the draft Ordinance reflects a good governance model for the City and is consistent with the governance models in other local cities.

The City Council discussed the proposed Ordinance and some members expressed concern about revising a process that does not appear to be broken and concern about potentially discouraging existing volunteerism under this proposed model. A lengthy discussion focused on the process for interviewing and selecting new commission members. The Council, by consensus, asked to have the ordinance revised to ensure that Commissions continue to conduct all interviews in the first instance and make recommendations to the Council on new members, but to also recommend more than one qualified candidate for an open position, assuming there are multiple qualified candidates. The Council also discussed issues related to attendance requirements and alternate members. Mayor Dalton stated several citizens have signed up to speak on this item.

1. Sam Stocks, Planning and Zoning Commission Chair, stated the Planning and Zoning Commission currently has 7 members and the proposed Ordinance is calling for 2 additional alternate members, he feels adding more members will cause their meetings to double in time. He also stated he feels the creation of this Ordinance or the City Council conducting candidate issues is not the best use of the City Council's time.
2. Kitty Owen, Planning and Zoning Commission member, stated she has been a member of P&Z since 1989 and feels this proposed Ordinance is the City Council's way of micromanaging the Commissions. She also stated term limits, required training and alternates are not good government. She was opposed to the City adopting this type of ordinance.
3. Harvey Bell, Planning and Zoning Commission member stated he feels there is no need for changes to the existing Ordinances and processes, since what is in places now appears to be working fine.
4. Jim Bower, Water Commission Chair, stated he supports the alternate members, the Commission recommending top candidates to City Council for appointments, and the Chairs of the Commissions providing reports at the City Council meetings.

5. Larry Blades, Quarry Commission Chair, stated he feel the City Council should create more Boards so other volunteers can serve. He also asked the City Council to provide more guidance as to what they expect from the Commissions and what the Commissions priorities should be.
6. Kay Bower, Planning and Zoning Commission, stated she supports term limits that are staggered so half of the Commission would not go off the Commission at one time. She also encouraged the City Council to address inconsistencies and confusing language in the proposed Ordinance. She also stated she supports an attendance requirement for commissioners, since attendance has been an issue.

The City Council provided direction to modify the proposed Ordinance to include the following:

- Allow Commissions to conduct interviews and submit their top picks to the City Council for appointment (example: 1 vacancy then Commission should submit to Council the top two applications). There was not a consensus among the council as to whether the recommended candidates should be ranking or just presented as qualified applicants recommended for Council consideration.
  - Clarification of Alternate Members and their role
  - Description regarding identifying Ad Hoc and State mandated Commissions (include information regarding P&Z serving as Impact Fee Committee)
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- g) **Ordinance 174 -112013 of the Garden Ridge City Council establishing the lawful speed limit on Municipal Parkway within the City of Garden Ridge, Texas; finding that the circumstances create a special hazard; finding that the prima facie speed limit is unreasonable and unsafe under the circumstances; providing for penalties for violations thereof; providing for an effective date**
  - h) **Ordinance 175-112013 establishing a school zone on Municipal Parkway within the City of Garden Ridge, Texas; providing for a penalty not to exceed \$200 for each violation of this ordinance; providing for an effective date**
  - i) **Ordinance 22-112013 regulating traffic on streets, roads and highways within the City of Garden Ridge by establishing stop sign locations and placement of traffic control devices; establishing prima facie speed limits and placement of traffic control devices; establishing through truck traffic regulations and placement of traffic control devices; establishing no parking zones; and regulating and requiring permits for certain assemblages and processions; providing for a fine not to exceed five hundred dollars (\$500.00) for each violation concerning assemblages and processions; and amending Ordinance 22-102011 passed and approved October 5, 2011**

**j) Ordinance 101-112013 amending the schedule of fines for certain offenses on pleas of guilty or nolo contendere prior to trial and repealing Ordinance 101-042011 passed and approved April 6, 2011**

Mayor Dalton stated Items g-j will be taken up together.

Donna O'Conner, Police Chief, stated she and Steven Steinmetz, Public Works Director, have been working with Comal ISD to improve the safety around the Garden Ridge Elementary. She stated with a reduction in speed during drop off and pick up times, limiting cell phone use and creating a cross walk will be beneficial to everyone.

The Council discussed several aspects of the proposed ordinances, including safety concerns that have been identified, cost of the new signs, location of signage, speed limits, applicable school zone hours, whether new cross-walks would encourage additional parking at City Hall or more pedestrian traffic across Municipal Parkway and other related issues.

**Motion:** A motion was made by Councilmember Knaus and seconded by Councilmember McCaw, to approve Ordinance 174 -112013 of the Garden Ridge City Council establishing the lawful speed limit on Municipal Parkway within the City of Garden Ridge, Texas; finding that the circumstances create a special hazard; finding that the prima facie speed limit is unreasonable and unsafe under the circumstances; providing for penalties for violations thereof; providing for an effective date; Ordinance 175-112013 establishing a school zone on Municipal Parkway within the City of Garden Ridge, Texas; providing for a penalty not to exceed \$200 for each violation of this ordinance; providing for an effective date; Ordinance 22-112013 regulating traffic on streets, roads and highways within the City of Garden Ridge by establishing stop sign locations and placement of traffic control devices; establishing prima facie speed limits and placement of traffic control devices; establishing through truck traffic regulations and placement of traffic control devices; establishing no parking zones; and regulating and requiring permits for certain assemblages and processions; providing for a fine not to exceed five hundred dollars (\$500.00) for each violation concerning assemblages and processions; and amending Ordinance 22-102011 passed and approved October 5, 2011; and Ordinance 101-112013 amending the schedule of fines for certain offenses on pleas of guilty or "no contest" prior to trial and repealing Ordinance 101-042011 passed and approved April 6, 2011. The City Council voted four (4) for and one (1) opposed (Councilmember Roberts). The motion carried.

**k) Amending Ordinance 67-112013 of the City of Garden Ridge, Texas, approving a record management plan, updating retention schedule, and updating the record management program for the City of Garden Ridge and declaring an effective date**

The City Council discussed Ordinance 67-112013 and the amendments.

George Hyde, City Attorney, asked that this Item be postponed until December 4, 2013 City Council Regular Meeting to allow time for his review and approval as to form.

**Motion:** A motion to postpone was made by Councilmember Roberts and seconded by Councilmember Knaus, to postpone amending Ordinance 67-112013 of the City of Garden Ridge,

Texas, approving a record management plan, updating retention schedule, and updating the record management program for the City of Garden Ridge and declaring an effective date, until the Regular City Council meeting on December 4, 2013. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

- l) An Ordinance Amending Ordinance 19 by excluding certain provisions of the 2009 International Building Code, International Residential Code, International Fire Code, International Mechanical Code, and International Plumbing Code, as published by the International Code Council; providing for severability, and providing for an effective date; Repealer clause; Preemption clause; Severability and proper notice and meeting**

Mayor Dalton explained that this amendment was to disclaim the applicability of certain provisions of the various building and inspection Codes that the City has adopted, as these provisions are either not applicable to the City or the City does not see a benefit in ensuring compliance with or enforcement of those provisions. The amendment will ensure the City is only adopting the portions of these building codes that are beneficial to the City and consistent with the day to day operations of the Building Inspection Department.

**Motion:** A motion was made by Councilmember Roberts and seconded by Councilmember Lantzy, to approve the Ordinance Amending Ordinance 19 by excluding certain provisions of the 2009 International Building Code, International Residential Code, International Fire Code, International Mechanical Code, and International Plumbing Code, as published by the International Code Council; providing for severability, and providing for an effective date; Repealer clause; Preemption clause; Severability and proper notice and meeting. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

- m) Possible amendments to Ordinance 71 eliminating the position of City Forester and City Forestry Board, identifying a potentially severe problem in the maintenance of health among the thousands of oak trees within the City of Garden Ridge, Texas; identifying the disease of threat to those trees as oak wilt; providing guidance on identifying symptoms of the disease; specifying certain disease preventive measures and actions to be taken upon encountering the disease within private or elsewhere within the city; providing for penalties for this ordinance; and providing for severability and publication (Discussion only item)**

Council member Lantzy reported he and Council member Knaus have done some research regarding how other Municipalities handle maintenance of oak trees. He stated several Municipalities have adopted more stringent Ordinances only after they experience a break out of oak wilt, and there would be a benefit of the City being more proactive.

The City Council discussed the potential damage oak wilt could do to the City of Garden Ridge. They also discussed the permitting process.

The City Council agreed by consensus to bring back Ordinance 71 for amendments in either December or January.

- n) **Possible amendments to Ordinance 162-042011 establishing a nuisance abatement program for the City of Garden Ridge, Texas; declaring junked vehicles a public nuisance; prohibiting the accumulation of garbage, trash, weeds, brush and other matters; establishing general nuisances; setting forth public hearing and abatement/removal regulations and requirements; establishing criminal and civil penalties for violations; providing that this ordinance shall be cumulative; providing for severability; and repealing Ordinance 27 and all others to the extent they are in conflict; declaring an effective date (Discussion only item)**

Council member Lantzy stated due to some of the recent issues the City has experienced, he would like to work with the City Attorney on amending Ordinance 162-042011.

The City Council agreed by consensus to bring back Ordinance 162-042011 for amendments in December or January.

- o) **Reschedule of Regular City Council meeting for January 2014 from January 1 to January 7, 8 or 9, 2014**

**Motion:** A motion was made by Councilmember Roberts and seconded by Councilmember Knaus, to approve rescheduling of the Regular City Council meeting for January 2014 from January 1 to January 9, 2014 at 6:00pm. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

- p) **Any item removed from the consent agenda will be recalled for discussion and possible action at this time**

The City Council approved all items on the consent agenda.

## 6. State of the City

The City Council may discuss, consider and/or take possible action on the following items:

- a) **Financial Statement and Investment Report**
  - a) **September 30, 2013**

Nancy Cain, City Administrator, reported City Funds total \$ 8,080,871.24 at .15% interest and the Water Funds total \$4,009,274.38 at .17% interest with the total of both Funds being \$11,090,145.62 at .16,% interest. She also reported the total General Fund reserves for the City is \$1,176,198.91 and total Water Company reserves is \$2,968,973.24.

**Motion:** A motion was made by Councilmember Roberts, and seconded by Councilmember Britan, to approve the Financial Statement and Investment Report for September 30, 2013. The City Council voted five (5) for and none (0) opposed. The motion carried unanimously.

- b) **City Administrator Monthly Activity**
  - Sign approvals since prior Council meeting**

**Community Center usage and financial report**  
**Building Permits issued to date for residential, commercial and minor building projects**  
**Update on new city website**

Mayor Dalton stated since the reports from City Administrator, Public Works, Water Department and Police Department are all provided in writing, he inquired as to whether the City Council would prefer a full presentation of each report or to review the reports and ask questions of the Staff. Council indicated its preference would be to review the reports and ask questions, and Council proceeded on that basis.

The City Council did not have any questions for the City Administrator (reports attached).

**c) Water Department Monthly Activity**  
**Water pumping/usage from city wells**  
**Water system infrastructure maintenance, repairs and/or projects**  
**Water and/or Drought Management**  
**Water Projects**

The City Council did not have any questions for the Water Manager (reports attached).

**d) Public Works Monthly Activity Report**  
**- Street and Right-Of-Way Maintenance**  
**- Drainage Facility and Easement Maintenance**  
**- Park and City Facility/Property Maintenance**  
**- Animal Control apprehensions, nuisance/complaints, animal bites**  
**- Observations and activities of wildlife within the city**  
**- Update on Oak Wilt in the city**  
**- Public Works Projects**

The City Council did not have any questions for the Public Works Director (reports attached).

**e) Police Department Monthly Activity**  
**- Citations issued**  
**- Warnings issued**  
**- Criminal activity within city**  
**- Code Compliance:**  
**Citations & Warnings issued**  
**Compliance achieved**  
**- Update on any public safety concerns in Wild Wind Unit 3 Subdivision of**  
**Garden Ridge, Texas**

Council member McCaw inquired to the Code Compliance issues with the two abandoned homes in Forest Waters.

Donna O'Conner, Chief of Police, stated the one story home is currently in foreclosure and the bank is working with the City to ensure the yard is cleaned up and that she is actively working with the bank to get the yard of the two story home cleaned up as well.

**f) Recognition of employees and/or city events**

Nancy Cain, City Administrator, reported the City received thank yous for the following employees:

- Chief O’Conner from the Women Crisis Center for giving a speech
- Chief O’Conner and Officer Hendericks for presenting a presentation
- Officers Simkns and Pelata for their professionalism during an alarm call

**7. Minutes**

**The City Council may discuss, consider and/or take possible action on the following items:**

The City Council approved the Minutes on the Consent Agenda.

**8. Citizen’s Participation – Limit remarks to three (3) minutes per citizen**

See “Rules for Citizen’s Participation” under Item 4.

No one wished to speak.

**9. 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:**

- Northeast Partnership**
- Schertz-Seguin Local Government Corporation (“SSLGC”)**
- City Water Commission**
- City Quarry Commission**
- City Planning & Zoning Commission**
- Garden Ridge Police Academy Alumni Association**
- Citizen on Patrol**
- Garden Ridge Lion’s Club**
- Comal County**
- Guadalupe County**
- Bexar County**
- San Antonio – Bexar County Metropolitan Planning Organization (“MPO”)**
- TXDOT**
- Crescent Hills Subdivision Proposal (on FM 3009)**

Council member Roberts thanked Chief O’Conner for her warning/ticket ratio.

Council member Lantzy reported Hansen Quarry had several successful test and he looks forward to hearing the test results.

Council member McCaw stated he felt the discussion regarding the Board and Commission proposed Ordinance was positive.

Council member Lantzy thanked the Police Department for a quick response to a situation in Trophy Oaks.

Mayor Dalton stated he and Ms. Cain are working with the City of Schertz regarding leasing water.

**10. Executive Session**

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

- a) **Pursuant to Texas Government Code 552.071, to consult with City Attorney regarding legal issues related to Hanson Aggregates operations, blasting and possible amendments to Ordinance 34**
- b) **Pursuant to Texas Government Code 552.071, to consult with City Attorney regarding Tera Charlton-Troncoso and Gary Johnson v. City of Garden Ridge, Civil Action No. 5:13-CV-00772-FB**
- c) **Pursuant to Texas Government Code 552.071, to consult with City Attorney regarding contract between AgH2O Holdings, LLC and the City of Garden Ridge for construction of the Paul Davis Park Restroom Facility**

Mayor Dalton announced with no other business the City Council will recess into Executive Session at 9:00pm, in accordance with Section Code 552.071, to consult with and seek legal advice from City Attorney. (Item 10 b) and 10c) were not discussed)

Mayor Dalton adjourned the Executive Session at 9:33pm and the City Council reconvened back into the regular session.

**11. Business Items (continued)**

The City Council reconvened into Regular Session upon conclusion of the Executive Session.

The Mayor stated the City Council received advice from legal counsel during the Executive Session and there was no additional action to be taken.

**12. Adjournment**

There being no further business, the Wednesday, November 6, 2013 Garden Ridge City Council regular meeting was adjourned at 9:00pm by Mayor Dalton.

\_\_\_\_\_  
Andrew Dalton  
Mayor

ATTEST

\_\_\_\_\_  
Shelley Goodwin, TRMC  
City Secretary

November 21, 2013

To: Mayor Dalton and City Council Members

From: City Administrator Cain

The following explanation is for Consent Agenda item 5.b).

The developer for the Woodlands of Garden Ridge has completed Unit 1 of the development and is required to provide the city with 130% of the value of the water system infrastructure that has been dedicated to the city and completed. In lieu of posting a one year maintenance bond the developer has chosen to post the cash equivalent. The city was presented with a cashier's check in the amount of \$397,214.90. A new bank account has been opened entitled Construction Maintenance Bond for the purpose of keeping the funds separated from other city funds. Opening of the new bank account requires City Council approval of Resolution 315-122013, Government/Municipal/Public Funds Banking Resolution.

If there are no maintenance issues at the end of the one year period the money will be refunded to the developer. It is also suspected that the same type of transaction will occur as the remaining two units of the subdivision are completed.

RESOLUTION 315-122013  
**GOVERNMENT / MUNICIPAL / PUBLIC FUNDS BANKING RESOLUTION**  
(for Deposit Accounts)

**Depositor:** CITY OF GARDEN RIDGE  
9400 MUNICIPAL PKWY  
GARDEN RIDGE, TX 78266-0000

**Financial Institution:** AMERICAN BANK OF TEXAS  
GARDEN RIDGE  
19099 FM 2252  
GARDEN RIDGE, TX 78266

**Account No:** 2000316980

I, the undersigned Official of the Government, Municipal or Public Entity ("Entity") named above, HEREBY CERTIFY that the Entity is organized, exists and is duly authorized to transact business under the laws of the state or jurisdiction where it is located.

ACCOUNT HOLDER. CITY OF GARDEN RIDGE is the complete and correct name of the Account Holder.

I FURTHER CERTIFY that at a meeting of the governing body of the Entity, duly and regularly called and held on June 5, 2013, the following resolutions were adopted:

RESOLVED, that the Financial Institution named above at any one or more of its offices or branches, be and it hereby is designated as a depository for the funds of this Entity, which may be withdrawn on checks, drafts, advices of debit, notes or other orders for the payment of monies bearing the following appropriate number of signatures: Any one (1) of the following named officers or employees of this Entity ("Agents"), whose actual signatures are shown below:

X  
\_\_\_\_\_  
ANDREW DALTON, MAYOR of CITY OF GARDEN  
RIDGE

X  
\_\_\_\_\_  
SHELLEY K GOODWIN, CITY OF SECRETARY of CITY  
OF GARDEN RIDGE

X  
\_\_\_\_\_  
NANCY L CAIN, CITY ADMINISTRATOR of CITY OF  
GARDEN RIDGE

X  
\_\_\_\_\_  
JOSEPH BRITAN, MAYOR PRO TEM of CITY OF  
GARDEN RIDGE

and that the Financial Institution shall be and is authorized to honor and pay the same whether or not they are payable to bearer or to the individual order of any Agent or Agents signing the same.

FURTHER RESOLVED, that the Financial Institution is hereby directed to accept and pay without further inquiry any item drawn against any of the Entity's accounts with the Financial Institution bearing the signature or signatures of Agents, as authorized above or otherwise, even though drawn or endorsed to the order of any Agent signing or tendered by such Agent for cashing or in payment of the individual obligation of such Agent or for deposit to the Agent's personal account, and the Financial Institution shall not be required or be under any obligation to inquire as to the circumstances of the issue or use of any item signed in accordance with the resolutions contained herein, or the application or disposition of such item or the proceeds of the item.

FURTHER RESOLVED, that any one of such Agents is authorized to endorse all checks, drafts, notes and other items payable to or owned by this Entity for deposit with the Financial Institution, or for collection or discount by the Financial Institution; and to accept drafts and other items payable at the Financial Institution.

FURTHER RESOLVED, that the above named agents are authorized and empowered to execute such other agreements, including, but not limited to, special depository agreements and arrangements regarding the manner, conditions, or purposes for which funds, checks, or items of the Entity may be deposited, collected, or withdrawn and to perform such other acts as they deem reasonably necessary to carry out the provisions of these resolutions. The other agreements and other acts may not be contrary to the provisions contained in this Resolution.

FURTHER RESOLVED, that the authority hereby conferred upon the above named Agents shall be and remain in full force and effect until written notice of any amendment or revocation thereof shall have been delivered to and received by the Financial Institution at each location where an account is maintained. Financial Institution shall be indemnified and held harmless from any loss suffered or any liability incurred by it in continuing to act in accordance with this resolution. Any such notice shall not affect any items in process at the time notice is given.

I FURTHER CERTIFY that the persons named above occupy the positions set forth opposite their respective names and signatures; that the foregoing Resolutions now stand of record on the books of the Entity; that they are in full force and effect and have not been modified in any manner whatsoever.

**GOVERNMENT / MUNICIPAL / PUBLIC FUNDS BANKING RESOLUTION (for Deposit Accounts)**  
**(Continued)**

IN TESTIMONY WHEREOF, I have hereunto set my hand on \_\_\_\_\_, 2013 and attest that the signatures set opposite the names listed above are their genuine signatures.

CERTIFIED TO AND ATTESTED BY:

CORPORATE

SEAL

X \_\_\_\_\_  
\*Official

X \_\_\_\_\_  
Co-\*Official

\*NOTE: In case the Official is designated by the foregoing resolutions as one of the signing agents, this certificate should also be signed by a second Official of the Entity.



---

**COMAL COUNTY TAX ASSESSOR-COLLECTOR**

**CATHY C. TALCOTT, RTA**

205 N. Seguin Ave    New Braunfels    Texas    78130-5199

MEMO TO: Entities for which Comal County Tax Office Collects Property Taxes  
FROM: Cathy C. Talcott, RTA  
DATE: November 2013  
RE: Certification of Tax Levy for the Year 2013

Please find enclosed a copy of your entity's certified tax levy for the year 2013. If you have any questions, you are welcomed to contact my office.

Thank you very much.

**CERTIFICATION OF TAX LEVY FOR THE TAX YEAR 2013  
CITY OF GARDEN RIDGE**

Total Appraised Value @ 100% of Market Value	\$ 629,899,808
Less: Ag-Use account value loss	<u>(\$ 9,009,420)</u>
Total Net Appraised Value	\$ 620,890,388
Assessment Ratio	100%
Total Taxable Value	\$ 575,499,870
2013 Adopted Tax Rate per \$100 assess value	<u>.283246</u>
2013 Ad Valorem Tax Levy	\$ 1,630,080.57
Less: Over-65 Homestead Frozen Levy Loss	<u>(0.00)</u>
2013 Total Ad Valorem Tax Levy	<u>\$ 1,630,080.57</u>

Submission of the Tax Levy for 2013 for approval by the City of Garden Ridge in accordance with Section 26.09(e) of the Texas Property Code.

  
Cathy C. Talcott, RTA  
Comal County  
Tax Assessor-Collector

# City of Garden Ridge

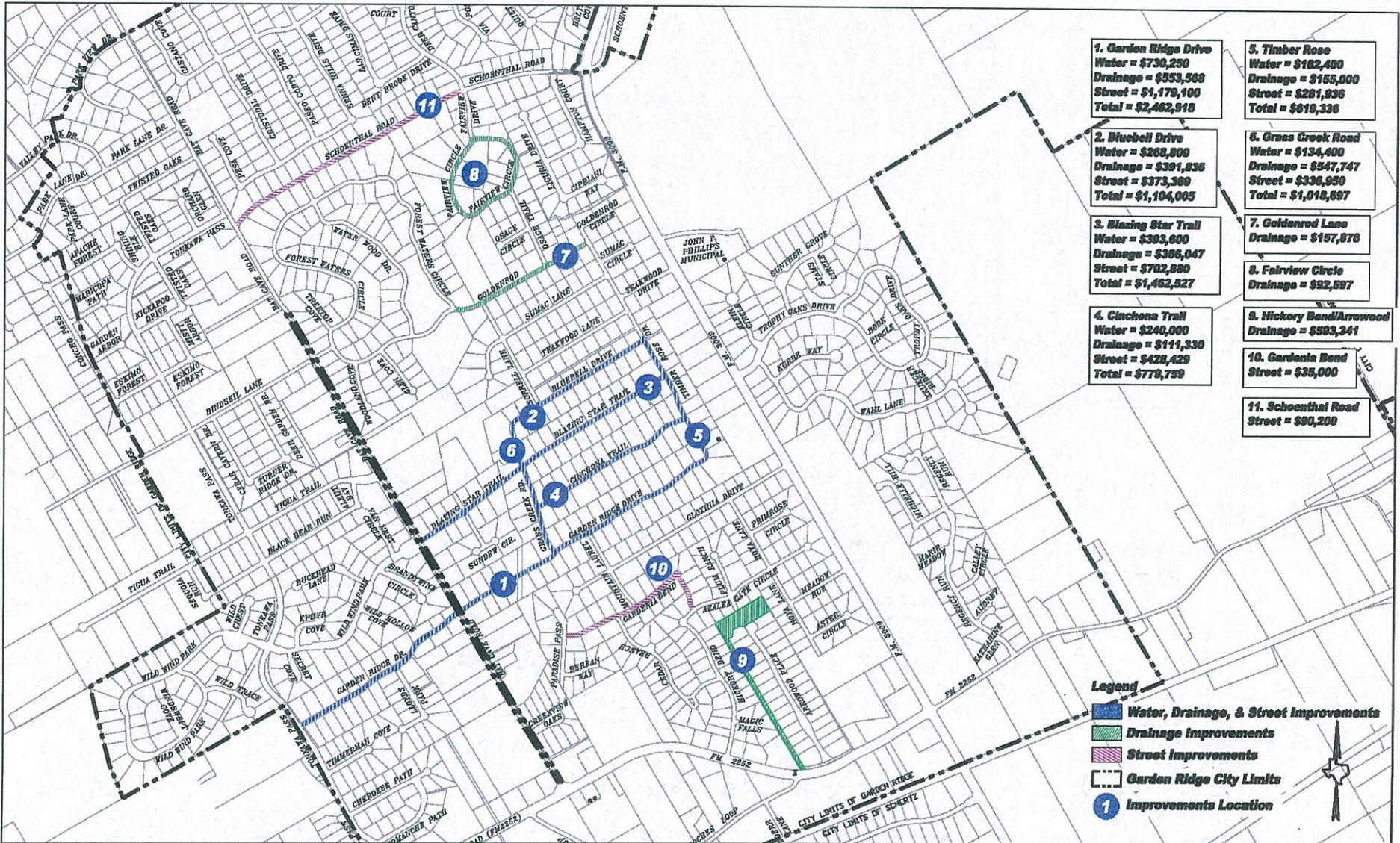
## 2013 CIP Projects

River City Engineering, Ltd.

December 4, 2013

Patrick Lackey, P.E.

Garry Montgomery, P.E.



- 1. Garden Ridge Drive**  
Water = \$730,250  
Drainage = \$353,568  
Street = \$1,179,100  
Total = \$2,462,918
- 2. Bluebell Drive**  
Water = \$260,500  
Drainage = \$391,835  
Street = \$373,369  
Total = \$1,104,005
- 3. Blazing Star Trail**  
Water = \$393,600  
Drainage = \$366,047  
Street = \$782,880  
Total = \$1,462,527
- 4. Cinchona Trail**  
Water = \$240,000  
Drainage = \$111,330  
Street = \$428,429  
Total = \$779,759
- 5. Timber Rose**  
Water = \$162,400  
Drainage = \$155,000  
Street = \$261,936  
Total = \$619,336
- 6. Grass Creek Road**  
Water = \$134,400  
Drainage = \$347,747  
Street = \$336,950  
Total = \$1,018,697
- 7. Goldenrod Lane**  
Drainage = \$157,878
- 8. Fairview Circle**  
Drainage = \$92,597
- 9. Hickory Bend/Arrowwood**  
Drainage = \$593,341
- 10. Gardenia Bend**  
Street = \$35,000
- 11. Schoenthal Road**  
Street = \$90,200

**Legend**

- Water, Drainage, & Street Improvements
- Drainage Improvements
- Street Improvements
- Garden Ridge City Limits
- Improvements Location



3801 SOUTH F STREET  
AUSTIN, TEXAS 78704-7047  
PHONE - (512) 442-3008  
FAX - (512) 442-8322  
1011 W. COUNTY LINE ROAD, SUITE C  
NEW BRAUNFELS, TEXAS 78130  
PHONE - (830)-626-3588  
FAX - (830)-626-3601

REVISIONS		
NO.	REVISION	APPD. DATE

DRAWING INFORMATION	
DESIGNED BY:	SCALE:
DRAWN BY: AW	DATE:
CHECKED BY:	PROJECT NO:
APPROVED BY:	PLOT DATE:
FILE NAME:	PLOT SCALE:
REMARKS:	

CITY OF GARDEN RIDGE  
**TOP CONSTRUCTION PROJECTS**  
SHEET 1 OF 1

## Major CIP Projects:

- **CIP Projects** – Garden Ridge Dr., Cinchona Tr., Blazing Star Tr., Bluebell, Timber Rose, Grass Creek waterline, drainage and street repairs.
  - The contractor has received the contracts and is in process of completing the contract, bonds, insurance and material submittals for the project.
  - Notice to proceed will be issued the first week of January 2014.
  - The preconstruction conference will also be held the first week of January. I have confirmed that CPS and Centerpoint Energy will both attend the conference.
- At the January Council Meeting I will have the preliminary schedule from the contractor for review.
- RCE met with CPS on November 12 to review the plans and discuss the pole relocation required at the main drainage channel on Garden Ridge Drive.
- Centerpoint has received the full set of construction plans and utility location data. We will be meeting in the coming weeks to discuss the construction schedule and lead times required for their relocations.

## Schoenthal Road Improvement Project

- The project is complete and open for traffic.
- The contractor completed the majority of the punchlist for the project on November 19.
- Retainage will be released upon final inspection and acceptance by the City.

## Paul Davis Park Restroom Upgrade

- As of November 19 the restroom is substantially complete minus the toilet partitions that are scheduled for installation the week of November 25.
- The site has been re-graded and topsoil placed. The area disturbed will be re-vegetated by hydromulch once all site work is complete.
- We have received the warranty information on the epoxy flooring for 10 years material and labor.
- Liquidated damages will be charged to the contractor and deducted from the final payment. The liquidated damages began on November 13 through final completion at \$140 per day.

## Options and Estimated Costs for a Potential Sewer System along FM2252

- The City is considering moving forward with a proposal to install a new pressurized Sewer System along FM 2252 between Schneider Lane and Tonkawa Pass that will connect directly to the Cibolo Creek Municipal Authority (CCMA) collection system.
  - Connection would likely extend from FM 2252 to CCMA at Lookout Road.
- The City would create a new Public Improvement District, and to do that, we would need a Petition of support from: **(i)** 50% of all of the owners within the proposed district; **and (ii)** owners with 50% of the total acreage affected.
  - District could encompass 411 acres (the majority of the property along FM 2252) or 311 acres (all of the undeveloped property along FM 2252)
  - The Petition is only the first step, and there are several legal processes and requirements that would need to be completed after that.
- The City engineer has estimated construction costs for a new pressurized sewer line to be approximately \$2,125,000. To pay for the new Sewer, the City would issue a bond to cover the construction costs, and the bond would be secured only by direct assessments to the affected property owners.
  - Only property owners within the District would pay the assessment.
- Assuming a \$2,125,000 Bond issuance over 20 years at a 4.5% to 5.25% interest rate, the total estimated annual assessment to secure the Bonded Debt would be in the range of \$160,000 to \$172,000 per year. If that estimated amount was assessed based on acreage:
  - \$390 per acre per year (assuming 411 acres and \$160,000 debt payment)
  - \$515 per acre per year (assuming 311 acres and \$160,000 debt payment)
  - \$419 per acre per year (assuming 411 acres and \$172,000 debt payment)
  - \$553 per acre per year (assuming 311 acres and \$172,000 debt payment)
- The annual assessment would also need to cover all operating and maintenance costs for the new sewer line, as well as CCMA's sewer system service rate.
  - CCMA's current rate is \$2.40/1,000 gallons, but CCMA's rates could change.
  - If we move forward, the City would prepare an estimate of what the O&M costs would likely be at the outset of the sewer system.
- Property Owners in the District would also be required to pay for the costs of connection to the new sewer line, the cost of grinder pumps and CCMA impact fees.
  - Except for maintenance of the grinder pumps, these should be one-time costs.

RESOLUTION 314-122013

REQUESTING THE RELEASE OF EXTRATERRITORIAL JURISDICTION FROM  
THE CITY OF SAN ANTONIO, TEXAS TO THE CITY OF GARDEN RIDGE  
FOR FUTURE ANNEXATION INTO THE CITY OF GARDEN RIDGE FOR THE  
PURPOSES OF ORDERLY GROWTH AND PROVISION OF MUNICIPAL SERVICES

Whereas, the City of Garden Ridge, Texas, is a General Law city consisting of 3,259 residents and wholly located within Comal County, Texas, and,

Whereas, Daphne Development has master planned, **Exhibit "A"**, and is in the process of platting a single family residential development consisting of approximately 111.647.14 acres of which 98.647 acres are located within the corporate limits of the City of Garden Ridge and 13 acres are located within the Extraterritorial Jurisdiction (ETJ) of the City of San Antonio, Texas, and of which is not adjacent to the City of San Antonio city limits, and,

Whereas, the residential development will be known as the Woodlands of Garden Ridge and will consist of approximately 109 individual home sites of which 90 will be located in the Garden Ridge city limits and 19 home sites with a portion of a 3.46 acre drainage detention structure will be affected by the ETJ of San Antonio, and

Whereas, the development is situated entirely within the Certificate of Convenience and Necessity (CCN) of the City of Garden Ridge Water System and the City of Garden Ridge will provide water to the development, and,

Whereas, access to the development is in the City of Garden Ridge, and

Whereas, those residents living in the portion of the Woodlands of Garden Ridge that is located within the Garden Ridge city limits will receive the municipal services provided by the City of Garden Ridge while those residents living in the portion of said subdivision located in the City of San Antonio ETJ will receive services provided by Comal County which could create confusion and possible delays in necessary services, including police, fire and emergency services response, for some residents of the subdivision, and,

Whereas, Daphne Development has requested the City of Garden Ridge annex the section of the said development that is in the City of San Antonio ETJ if the City of San Antonio agrees to release the ETJ to the City of Garden Ridge.

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

That, in an effort to promote orderly growth and provision of municipal services to all future residents of the the Woodlands of Garden Ridge, the City of Garden Ridge requests the City of San Antonio release that property described in **Exhibit "B"** hereto, from its ETJ to the City of Garden Ridge, Texas for voluntary annexation into the City of Garden Ridge.

PASSED AND APPROVED this 4<sup>th</sup> day of December, 2013.

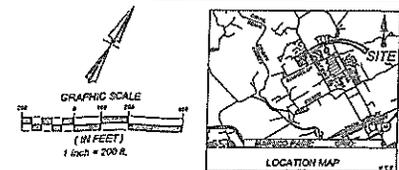
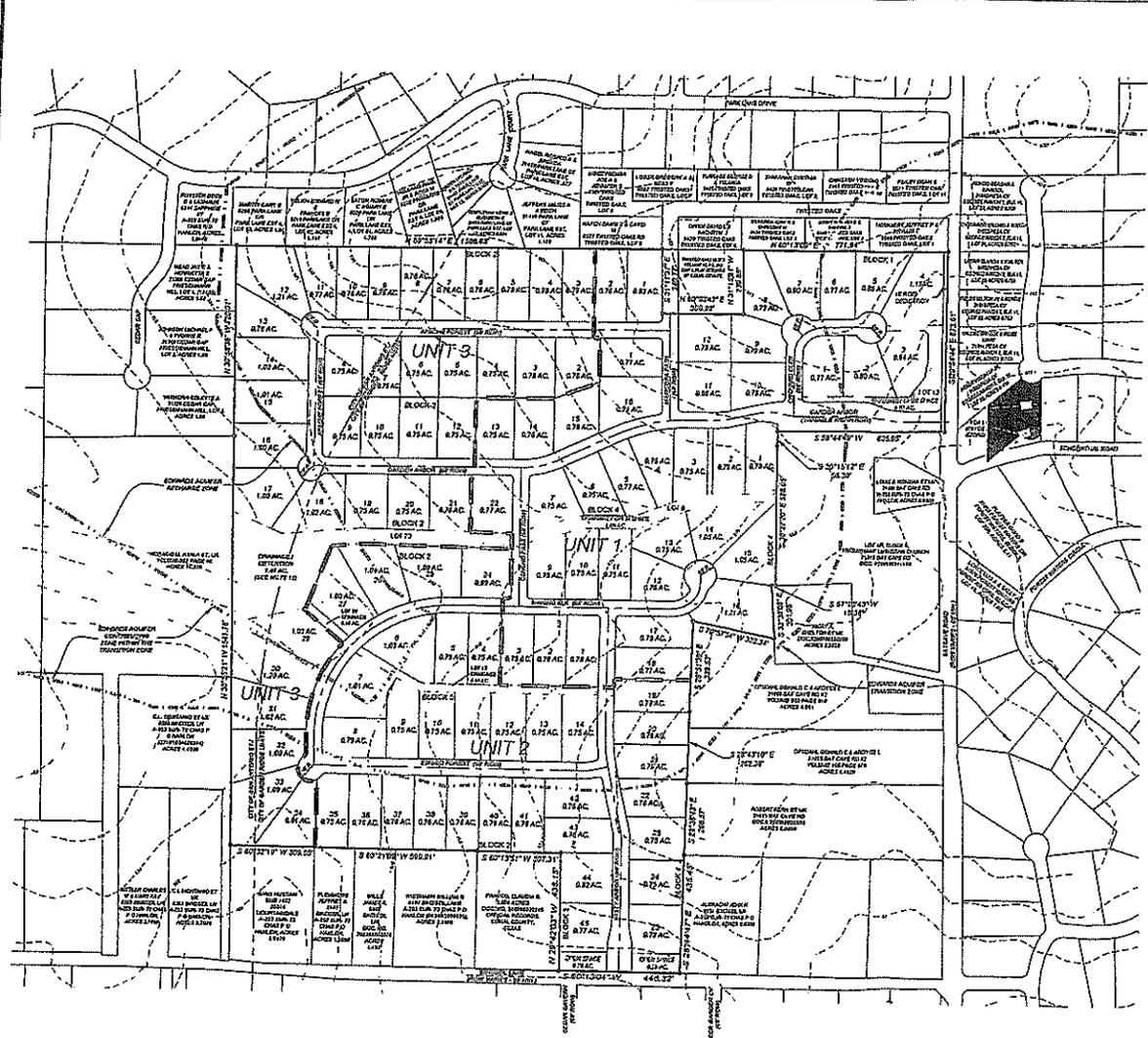
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Andrew Dalton  
Mayor

ATTEST:

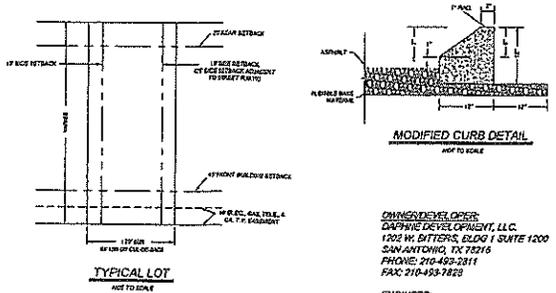
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Shelley Goodwin, TRMC  
City Secretary

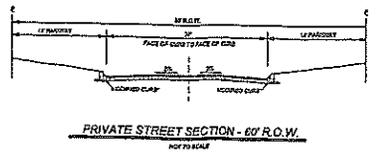


- LEGEND**
- BOUNDARY
  - FRONT OF LOT
  - PARCEL LINES
  - 1/4 CONTROLS
  - EASEMENTS ACROSS EASEMENT ZONE
  - EASEMENTS ACROSS CONTIGUOUS ZONE
  - 60' R.O.W. LINE
  - OPEN SPACE/UNIMPROVED ZONE

- NOTE:**
1. THIS PROPERTY IS PARTIALLY ZONED BY THE CITY OF GARDEN RIDGE AND CONSERVING ZONE WITHIN THE UNIMPROVED ZONE.
  2. UTILITY SERVICES PROVIDED BY THE FOLLOWING UTILITIES:
    - WATER SERVICE: CITY OF GARDEN RIDGE
    - SEWER SERVICE: CITY OF GARDEN RIDGE
    - TELEPHONE SERVICE: AT&T
    - CABLE TELEVISION: SBC CABLE
    - ELECTRIC: COT ENERGY
    - GAZ: COT ENERGY
  3. THE HOME, ACES, AND NEAR NEIGHBORS WILL CONFORM TO THE APPLICABLE RETICULARS REQUIRED BY THE CITY OF GARDEN RIDGE EXCEPT WHERE SHOWN OTHERWISE.
  4. A VARIABLE WIDTH CLEARANCE REQUIREMENT IS REQUIRED AT CORNER LOTS IF THE INTERSECTION DOES NOT MEET THE DISTANCE REQUIREMENTS AS SHOWN IN THE CITY OF GARDEN RIDGE.
  5. EASEMENTS ARE BASED ON THE EXISTING PLANS AND EASEMENTS ESTABLISHED FOR THE TRACT SOUTH OF THE TRACT, WITHIN THE CITY OF GARDEN RIDGE.
  6. ACCORDING TO THE FLOOD INSURANCE RATE MAP, PANEL 48050101, DATED SEPTEMBER 14, 1984, A 100-YEAR FLOOD PLAIN DOES NOT EXIST ON THE SITE.
  7. ALL PRIVATE STREETS, FROM THE FRONT YARD, BOUNDARY, SIDEWALK, DRAINAGE FACILITY, ETC. ARE THE RESPONSIBILITY OF THE DEVELOPER UNLESS OTHERWISE SHOWN ON THE PLANS.
  8. ASPHC EXITS TO BE INSTALLED ON ALL LOTS.
  9. LOTS LOCATED OFFSIDE THE REZONING ZONE SHALL HAVE A MINIMUM AREA OF 3/4 ACRES (27,000 SQ. FT.).
  10. LOTS LOCATED OFFSIDE THE REZONING ZONE SHALL HAVE A MINIMUM AREA OF 1/2 ACRES (21,000 SQ. FT.).
  11. ALL SUBDIVISION EASEMENTS SHALL BE PRIVATE.
  12. A 60' BUFFER ZONE SHALL BE PROVIDED TO THE CITY OF GARDEN RIDGE THROUGH AN EASEMENT BY DEEDS AND BOUNDARY AND PROVIDED IN CONJUNCTION WITH THE LATE PLAN.



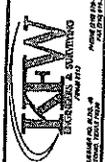
UNITS	AREA (ACRES)	CHALLENGE LISTS	CONSERVATION SPACES/CONVENTION (ACRES)	ENSITY (DENSITY UNIT/ACRE)	PHASES
1	43.14	28	0.40	0.85	CONVERSION 2012
2	25.41	31	0.40	0.85	CONVERSION 2014
3	22.41	24	0.40	0.85	CONVERSION 2016
TOTAL	91.04	83	1.20	0.85	



**THE WOODLANDS OF GARDEN RIDGE**

**LEGAL DESCRIPTION:**  
A 111.84 ACRE TRACT OF LAND, OUT OF THE CHARLES P. HANLON SURVEY NO. 72, ABSTRACT NO. 283, SITUATED IN THE CITY OF GARDEN RIDGE, COMAL COUNTY, TEXAS AND BEING A PORTION OF THE 107.54 ACRE TRACT OF LAND CONVEYED TO DAPHNE DEVELOPMENT, L.L.C. OF RECORD IN DOCUMENT NO. 200206014283 AND ALL OF THAT 1.140 ACRE TRACT OF LAND CONVEYED TO DAPHNE DEVELOPMENT, L.L.C. OF RECORD IN DOCUMENT NO. 200708050018 AND BEING THE SAME 107.54 ACRE TRACT OF LAND AS DESCRIBED IN DOCUMENT NO. 200206014283 OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS AND BEING ALL OF A 4.5 ACRE TRACT OF LAND IN DOCUMENT NO. 200206018207 OF THE OFFICIAL PUBLIC RECORDS OF COMAL COUNTY, TEXAS.

**THE WOODLANDS OF GARDEN RIDGE**  
 MASTER DEVELOPMENT PLAN



**K&W ENGINEERS**  
1100 N. MEADOWS BLVD., SUITE 100  
SAN ANTONIO, TEXAS 78201  
PHONE: (210) 492-2811  
FAX: (210) 492-2811

**OWNER/DEVELOPER:**  
DAPHNE DEVELOPMENT, L.L.C.  
1202 W. BAYVIEW, BLDG. 1 QUITE 1200  
SAN ANTONIO, TX 78216  
PHONE: 210-492-2811  
FAX: 210-492-2811

**ENGINEER:**  
K&W ENGINEERS  
1100 N. MEADOWS BLVD., BLDG. 100  
SAN ANTONIO, TX 78201  
PHONE: (210) 492-2811  
FAX: (210) 492-2811

**DATE:** MAY 2015  
**DATE:** MAY 2015  
**DATE:** MAY 2015

**SHEET NUMBER:**  
1 OF 1





**PROPERTY DESCRIPTION OF  
A PORTION OF 107.14 ACRES**

Being all of that portion of the west side of a 107.14 acre tract of land lying outside the City Limits of the City of Garden Ridge, Texas and being out of the Charles P. Hanlon Survey No. 72, Abstract No. 253, Comal County, Texas and being a portion of the 107.14 acre tract of land conveyed to Daphne Development, LLC of record in Document No. 201206013370 of the Official Public Records of Comal County, Texas and being more particularly described by metes and bounds as follows:

**BEGINNING** at a found 1/2" iron rod for the northwest corner of said 107.14 acres and the tract described herein, also being the northeast corner of Lot 1 of the Friesnhahn Hill Subdivision of record in Volume 9 Page 94, Deed and Plat Records of Comal County, Texas and on the south line of Lot 63 of the Park Lane Estates Subdivision Unit 4 of record in Volume 5 Page 358, Deed and Plat Records of Comal County, Texas;

**THENCE:** N 59° 53' 14" E (bearings based on NAD83 Texas State Plane Coordinate System South Central Zone) along and with the southeast line of said Park Lane Estates Subdivision Unit 4 and northwest line of said 107.14 acres and the tract described herein to the point of intersection with the City Limits line of the City of Garden Ridge, Texas for the northeast corner of this tract,

**THENCE:** S 00° 39' 34" E, a distance of 753.42 feet (course and distance taken from the map titled City of Garden Ridge City Limits January 2007 prepared by Bill W. Callender, R.P.L.S. of record in the Administrators Office of the City of Garden Ridge) over and across said 107.14 acres along and with the City Limits Line of the City of Garden Ridge, Texas, to a point of curvature;

**THENCE:** Continuing over and across said 107.14 acres along and with the City Limits Line of the City of Garden Ridge, Texas, with a curve to the left (courses and distances taken from the map titled City of Garden Ridge City Limits January 2007 prepared by Bill W. Callender, R.P.L.S. of record in the Administrators Office of the City of Garden Ridge) said curve having an arc length of 1391.37 feet, a delta angle of 30° 11' 49", a radius of 2640.00 feet and a chord bearing and distance of S 15° 45' 04" E 1375.33 feet, to a point of tangency;

**THENCE:** S 30° 51' 23" E (course taken from the map titled City of Garden Ridge City Limits January 2007 prepared by Bill W. Callender, R.P.L.S. of record in the Administrators Office of the City of Garden Ridge) over and across said 107.14 acres along and with the City Limits Line of the City of Garden Ridge, Texas, to the point of intersection with the southeast line of said 107.14 acres and being on the northwest line of a called 3.047 acre tract conveyed to Imam Hussain of record in Document No. 200406039929 of the Official Public Records of Comal County, Texas, for the southeast corner of the tract described herein;

**THENCE:** S 60° 32' 19" W (this course and the following courses and distances based on NAD83 Texas State Plane Coordinate System South Central Zone) along and with the northwest line of the 3.047 acre tract and a southeast line of the 107.14 acre tract, to a found 1/2" iron rod with "Carter & Burgess" Cap for the west corner of the 3.047 acre tract and in the northeast line of a 4.433 acre tract of land conveyed to C. L. Montanio et ux of record in Volume 247 Page 370, Deed Records of Comal County, Texas and the most southwest corner of the 107.14 acre tract and the tract described herein;

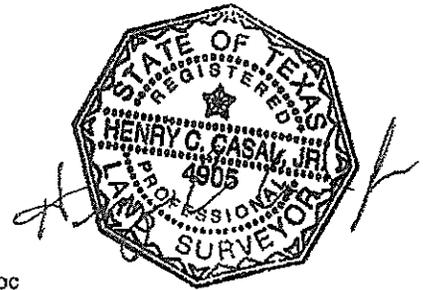
**THENCE:** N 30° 55' 21" W, a distance of 1541.76 feet, along and with the northeast line of the 4.433 acre tract and a northeast line of a 16.338 acre tract of land conveyed to Horacio M. Ayala et ux of record in Volume 962 Page 46, Official Public Records of Comal County, Texas and with a southwest line of the 107.14 acre tract, to a found 1/2" iron rod with "Carter & Burgess" Cap for the north corner of the 16.338 acre tract of land and a southeast corner of Lot 3 of the Friesnhahn Hill Subdivision of record in Volume 9

Page 94, Deed and Plat Records of Comal County, Texas and an angle point of the 107.14 acre tract and the tract described herein;

**THENCE:** N 30° 58' 36" W, a distance of 720.01 feet, along and with the northeast line of said Friesnhahn Hill Subdivision and a southwest line of the 107.14 acre tract, to the **POINT OF BEGINNING** and containing all of that portion of said 107.14 acres outside of the City Limits line of the City of Garden Ridge, Comal County, Texas.

"This document was prepared under 22TAC663.21, does not reflect the results of an on the ground survey, and is not to be used to convey or establish interests in real property except those rights and interests implied or established by the creation or reconfiguration of the boundary of the political subdivision for which it was prepared."

Job No.: 12-038  
Prepared by: KFW Surveying  
Date: November 1, 2013  
File: S:\Draw 2012\12-038 Forest At Garden Ridge\ FN FOR ETJ.doc



11-1-13

**LEASE OF GROUND WATER**  
**(Beginning January 1, 2014)**

This Lease of Ground Water ("Lease") is entered into to be effective January, 2014, between City of Schertz, a Texas municipal corporation ("Lessor") and The City of Garden Ridge, Texas (the "Lessee"). Subject to the adjustment set out in paragraph 4 below, Lessor hereby leases to Lessee 400 acre-feet of water (the "Water Rights") per year for two (2) consecutive years as set out in the Term, as defined below, on the following terms and conditions:

1. Term. The term of this Lease shall commence January 1, 2014 and continue through December 31, 2015. The initial term of the lease is two (2) years. The Lessor will renegotiate with the Lessee for additional renewal options 120 days prior to the end of the initial term. Either party may terminate within the 120 days prior to the end of the initial term.

2. Payment. Lessee shall pay to Lessor the sum of \$97,335 commencing January 1, 2014 and January 1, 2015. (the "Lease Payment") for each lease year per Exhibit "C" (the "Quote"). The Lessor pays all fees to Edwards Aquifer Authority and those fees are reimbursed to the Lessor by the Lessee. If Edwards Aquifer Authority increases the fee, the lease payment and 15% Administration Fee will be automatically adjusted for such. The base price paid by the Lessee per acre foot of leased water will remain unchanged unless the Lessee agrees to a renegotiated price prior to a renewal term.

3. Water Rights Adjustment. In the event any applicable laws, regulations, or governmental action provide that Lessor may not lease to Lessee all of the Water Rights pursuant to this Lease, the amount of the Water Rights leased by Lessor to Lessee shall automatically adjust to reduce the Water Rights to the maximum amount which can be so leased.

4. Lease Payment Adjustment. The Lease Payment is based upon 400 acre-feet of water actually permitted by the Edwards Aquifer Authority (the "EAA") to Lessor and leased to Lessee. If the Water Rights leased to Lessee are decreased during the Term, the Lease Payment during the Term shall be decreased proportionately to the decrease in Water Rights.

5. Permits. The Lessor has paid or shall pay aquifer management fees to the EAA for the Water Rights. Lessee shall have the right, but is not obligated to pursue to initiate and prosecute any proceedings relating to the Water Rights and, at its election, as may be necessary for the protection of the Water Rights, including but not limited to (i) contesting the validity or amount of fees assessed to or levied upon the Water Rights (ii) protecting, defending, and/or preserving the rights to withdraw water from the Edwards Aquifer. Lessor shall cooperate with Lessee's efforts in connection therewith. Lessor shall not take any action or omit to take any actions which will adversely affect the Water Rights. If required by law, Lessee may take any such action in the name of Lessor. In no event shall Lessee be required to take any such action with respect to the Water Rights on behalf of Lessor in connection with such actions, and Lessee shall in no event be deemed to be the agent of Lessor or as having any duty or responsibility to Lessor or to act on behalf of Lessor. To the extent Lessee elects to act in connection with the Water Rights in accordance with the above, Lessor appoints Lessee as Lessor's attorney-in-fact to take such action. The Lessor pays all fees to Edwards Aquifer Authority and those fees are reimbursed to the Lessor by the Lessee. If Edwards Aquifer Authority increases the fee, the lease payment and 15% Administration Fee will be automatically adjusted for such.

6. Continued Operation. From the date of this Lease, Lessor shall not take any actions (or omit to take any actions) which will harm or diminish the Water Rights. In this regard, Lessor agrees that it has leased the Water Rights to Lessee, and Lessor shall not transfer (by operation of law or otherwise) (i) any portion of the Water Rights (unless such transfer is expressly subject to this Lease) or (ii) any other portion of this Lease if such transfer would reduce the Water Rights leased to Lessee pursuant to this Lease. For the term of this Lease, Lessor agrees that it will utilize for its own use only that amount of groundwater which is equal to the amount of acre-feet of Edwards Aquifer water permitted under Lessor's Proposed Initial Regular Permit with the EAA less (i) the amount of acre-feet of Edwards Aquifer water pertaining to the Water Rights leased hereunder, and (ii) the amount of acre-feet of Edwards Aquifer water pertaining to the remainder of the water leased to other third parties. A transfer of the water shall not be prohibited, if the transferee expressly assumes all of the obligations and conditions of this Lease.

7. Quiet Enjoyment. Lessor hereby warrants and represents to Lessee that it has good title to the water, including the Water Rights leased to Lessee hereunder, and hereby covenants to provide to Lessee quiet enjoyment, without restriction or limitation, of the Water Rights during the full term of this Lease.

8. Proceeds From Awards. Lessor assigns to Lessee all interest of Lessor in and to any condemnation awards or insurance proceeds which would otherwise be payable to Lessor relating to the Water Rights.

9. Cooperation. Lessor will use its best efforts, take such actions and execute and deliver such documents as Lessee determines necessary to fully vest Lessee with the Water Rights and make effective all of the terms of this Lease.

10. Assignability. The Lessee shall have the right to sublease or assign this Lease upon the written consent of Lessor, which consent shall not be unreasonably withheld.

11. Notices. Any notices to be given hereunder shall be given (i) by placing the notice in the United States mail, certified or registered, properly stamped and addressed to the address shown below or such other addresses as the respective party may direct in writing to the other, (ii) by overnight delivery service, or (iii) by personal delivery to such address. Notice shall be deemed effective upon such placing in the mails, on the next business day following delivery and acceptance for next day delivery by any overnight delivery service, or upon actual delivery if by personal delivery:

Lessor: City of Schertz  
1400 Schertz Parkway  
Schertz, Texas 78154  
Attention: City Manager

Lessee: The City of Garden Ridge, Texas  
Nancy Cain, City Administrator  
9400 Municipal Parkway  
Garden Ridge, Texas 78266

Copy to: Katherine Tapley  
Norton Rose Fulbright  
300 Convent Street, Suite 2100  
San Antonio, Texas 78205

12. Default. If for any reason Lessor fails to comply with any of the provisions of this Lease, Lessee, at its election, may exercise all rights which may be available to it at law or in equity, including termination of this Lease, with a refund to Lessee of all Lease Payments for the portion of the Lease Year surrendered by Lessee. If Lessee fails to comply with any provision of this Lease, Lessor may, as its sole and exclusive remedy, terminate this Lease and receive the Lease Payments which are due and payable and have accrued through that date.

13. Waiver. The failure on the part of Lessee to require the performance by Lessor of any portion of this Lease shall not be deemed a waiver of, or in any way affect the Lessee's rights to enforce such provision. Any waiver by Lessee of any provision of this Lease shall not be a waiver of any other provision hereof.

14. Survival. The invalidity or unenforceability of any provision of this Lease shall not affect the validity or enforceability of any other provision of this Lease.

15. Governing Law. This Lease shall be governed by the laws of the State of Texas, and venue shall lie in Guadalupe County, Texas.

16. Binding Effect. This Lease shall be binding upon and inure to the benefit of the parties and their respective successors and assigns.

17. Authority. Each of the persons signing this Lease on behalf of Lessor and Lessee hereby confirm that they have the authority to execute this Lease on behalf of the party indicated by their signature and have the authority to bind such party thereto.

18. Survival. Except as set out herein, all agreements and representations in this Lease shall survive the end of the Term.

19. Force Majeure. If Lessee is denied its use of the Water Rights by reason of any laws, regulations, or governmental action or other acts outside of the control of Lessee, Lessee shall be excused from its obligations hereunder for so long as these circumstances exist, and Lessor shall refund an allocable portion of the Lease Payment.

20. Further Assurances. Lessor and Lessee shall take all further actions and shall execute and deliver to the other any other document or instrument which is determined to be necessary or useful to fully carry out the transactions evidenced by this Lease, including any amendments to the permit(s) relating to the water lease carried out in conformance with applicable EAA regulations. In addition, Lessor agrees to amend this Lease as requested by Lessee in any manner necessary to cause this Lease to

be in compliance with EAA Regulations, EAA Transfer Program Rules, and the EAA Filing and Recording Requirements for Transfer Contracts, including but not limited to the further completion of Application to Transfer – Lease (the “Application”), which Application is attached to this Lease as Exhibit “A” and fully incorporated herein. Lessee shall have the authority to file a copy of this Lease in accordance with EAA Regulations, EAA Transfer Program Rules, and the EAA Filing and Recording Requirements for Transfer Contracts, as well as record a Memorandum of Lease in the public record to reflect its interest as set out under the terms of this Lease. Lessor agrees to execute a Memorandum of Lease in substantially the same form as attached hereto as Exhibit “B” and fully incorporated herein.

21. Entire Agreement. This Lease contains all agreements between the parties hereto, and any agreement not contained herein shall not be recognized by the parties. All amendments must be in writing and signed by both parties. The captions used herein are for convenience only and shall not be used to construe this Lease. Words of gender shall be construed to include any other gender, and words in the singular number shall include the plural and vice versa unless the context requires otherwise.

*[Signatures on following page]*

**LESSOR:  
CITY OF SCHERTZ**

By: \_\_\_\_\_  
Name: John C. Kessel  
Its: City Manager

STATE OF TEXAS §  
COUNTY OF GUADALUPE §

This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by John C. Kessel, City Manager of the City of Schertz on behalf of the City.

\_\_\_\_\_  
Notary Public, State of Texas

**LESSEE:  
THE CITY OF GARDEN RIDGE, TEXAS**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

STATE OF TEXAS §  
COUNTY OF \_\_\_\_\_ §

This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ by \_\_\_\_\_, \_\_\_\_\_ on behalf of The City of Garden Ridge, Texas.

\_\_\_\_\_  
Notary Public, State of Texas

**Exhibit "A"**  
**Application to Transfer – Lease**

**EXHIBIT "B"**  
**Form of Memorandum of Lease**

**MEMORANDUM OF LEASE**

This Memorandum of Lease is made and entered into effective January 1, 2014, between the City of Schertz, a Texas municipal corporation (as "Lessor") and The City of Garden Ridge, Texas (as "Lessee").

WITNESSETH:

Lessor and Lessee have, effective the date set out above, entered into a Lease of Ground Water (the "Lease") of water from Lessor to Lessee, including, subject to the terms of the Lease, 400 acre-feet of water described below (the "Water Rights") on the following terms and conditions:

1. The rights to and for the ground water which relates to the information described on Exhibit "A" attached hereto, including the right to withdraw and/or beneficially use the Water Rights permitted or applied for, and all appurtenances, permits, authorities, licenses, consents and contracts, if any, pertaining to all such rights. The lease of the Water Rights shall also expressly include all Edwards Aquifer Authority ("EAA") permit rights (including rights under application), all interim and regular permits, and all modifications, amendments, renewals, extensions or successor or substitute permits relating thereto pertaining to the Water Rights, and all appurtenances and permits, authorities, licenses, consents and contracts, if any, related to or pertaining to the Water Rights, which Lease also sets out certain rights and obligations of Lessor and Lessee.
2. The Lease sets forth the names and addresses of Lessor and Lessee.
3. The term of the Lease will end on December 31, 2015.
4. Under the terms of the Lease, Lessor has agreed to lease the Water Rights to Lessee, and Lessee has agreed to lease the Water Rights from Lessor in accordance with the terms of the Lease.
5. This Memorandum of Lease is intended to act only as the notice of the existence of the Lease and its general terms. To the extent the terms of this Memorandum of Lease conflict with the terms of the Lease, the terms of the Lease shall control.

[Signatures on following pages]

6.

**LESSOR:  
CITY OF SCHERTZ**

By: \_\_\_\_\_  
Name: John C. Kessel  
Its: City Manager

STATE OF TEXAS                   §  
COUNTY OF GUADALUPE       §

This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_, by John C. Kessel, City Manager of the City of Schertz on behalf of the City.

\_\_\_\_\_  
Notary Public, State of Texas

**LESSEE:  
THE CITY OF GARDEN RIDGE, TEXAS**

By: \_\_\_\_\_  
Name: \_\_\_\_\_  
Its: \_\_\_\_\_

STATE OF TEXAS                   §  
COUNTY OF \_\_\_\_\_       §

This instrument was acknowledged before me on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_ by \_\_\_\_\_, \_\_\_\_\_ on behalf of The City of Garden Ridge, Texas.

\_\_\_\_\_  
Notary Public, State of Texas



# APPLICATION TO TRANSFER - LEASE

900 E. Quincy, San Antonio, Texas 78215  
Telephone (210) 222-2204  
Fax (210) 222-9869  
www.edwardsaquifer.org

T \_\_\_\_\_  
Check # \_\_\_\_\_

## PART I - TRANSFEROR AND TRANSFEREE INFORMATION

### A. Transferor Information:

Name of Permit Holder: City of Schertz

Mailing Address: 1400 Schertz Parkway Schertz TX 78154  
(Street or PO Box) (City) (State) (Zip)

Physical Address: 10 Commercial Place, Bldg. 2 Schertz TX 78154  
(Street) (City) (State) (Zip)

Telephone: 210-619-1800 E-mail Address: swilloughby@schertz.com

Authorized Representative: \_\_\_\_\_  
(Name) (Relationship) (Telephone)

Mailing Address: \_\_\_\_\_  
(Street or PO Box) (City) (State) (Zip)

Has any of the above information recently changed?  Yes  No

### B. Transferee Information:

Name of Transferee: City of Garden Ridge

Mailing Address: 9400 Municipal Parkway Garden Ridge TX 78266  
(Street or PO Box) (City) (State) (Zip)

Physical Address: Same  
(Street) (City) (State) (Zip)

Telephone: \_\_\_\_\_ E-mail Address: \_\_\_\_\_

Authorized Representative: Nancy Cain City Administrator 210-651-6632  
(Name) (Relationship) (Telephone)

Mailing Address: \_\_\_\_\_  
(Street or PO Box) (City) (State) (Zip)

Has any of the above information recently changed?  Yes  No

## PART II - WATER USE INFORMATION

### A. Groundwater Use Information for Transferor (Lessor): Initial Regular Permit (IRP)/Regular Permit (RP) No: P BE00051

Current purpose of use:  Municipal Use  Industrial Use  Irrigation Use  
Amount of groundwater used to date: 194.52 acre-feet  
Meter Serial Number: 28414 & 24599 Reading: 354591000 & 594885000 Date: 10/7/2013

### B. Groundwater Use Information for Transferee (Lessee): If applicable, Initial Regular Permit (IRP)/Regular Permit (RP) No: P \_\_\_\_\_

Proposed purpose of use:  Municipal Use  Industrial Use  Irrigation Use  
Do you intend to withdraw this water?  Yes  No At what rate? \_\_\_\_\_ gallons per minute  
If YES, please describe what this water will be used for? \_\_\_\_\_

Meter readings (Note: readings must be taken within one week of submission of application):

Not Applicable (no well)

Meter Serial Number: \_\_\_\_\_ Reading: \_\_\_\_\_ Date: \_\_\_\_\_  
Meter Serial Number: \_\_\_\_\_ Reading: \_\_\_\_\_ Date: \_\_\_\_\_

(attach additional sheets if needed)

**Part III - Transfer Information**

**A. Type of Transaction:**

- Lease       Sub-Lease

**B. Duration of lease:**

from January 1, 2014 to December 31, 2014

- For leases with a term of one year or less**, check here if you would like this application to serve as the memorandum of lease required under § 711.330 of the EAA rules. If not, please attach a separate memorandum of lease or the executed lease agreement. Please note, a copy of the recorded lease agreement or recorded memorandum of lease containing the official county clerk document stamp is required for leases with a term greater than one year.

**C. Type of Transfer (check all applicable):**

- Right to Withdraw       Change of Point of Withdrawal       Addition of Point of Withdrawal  
 Change of Purpose of Use       Change of Place of Use       Other

**D. Total Transfer Amount:** 400 Acre-Foot /Year

If irrigation, please specify amount being transferred as follows:

\_\_\_\_\_ Acre-Foot/Year of "Base Irrigation Groundwater" withdrawal rights  
\_\_\_\_\_ Acre-Foot/Year of "Unrestricted Irrigation Groundwater" withdrawal rights

**E. Transfer Price:** \$ \_\_\_\_\_ /acre-foot (optional)

**F. Notes to staff regarding this transfer:** \_\_\_\_\_

**Part IV – Certification**

**Transferor's Certification:**

I hereby certify that the information given herein this application is true and accurate to the best of my knowledge and belief.

\_\_\_\_\_  
Printed Name of Transferor or Agent

\_\_\_\_\_  
Signature of Transferor or Agent

STATE OF TEXAS  
COUNTY OF \_\_\_\_\_

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public's Signature  
Date Commission Expires:

**Transferee's Certification:**

I hereby certify that the information given herein this application is true and accurate to the best of my knowledge and belief.

\_\_\_\_\_  
Printed Name of Transferee or Agent

\_\_\_\_\_  
Signature of Transferee or Agent

STATE OF TEXAS  
COUNTY OF \_\_\_\_\_

Subscribed and sworn before me this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

\_\_\_\_\_  
Notary Public's Signature  
Date Commission Expires:

November 1, 2013



**CITY OF SCHERTZ  
PUBLIC WORKS DEPT.**  
10 COMMERCIAL PLACE  
SCHERTZ, TX 78154  
PHONE # 210.619.1822  
FAX # 210.619.1849

City of Garden Ridge  
9400 Municipal Parkway  
Garden Ridge, Texas 78266

Quote

Description:  
Water Lease 2014

<i>Description</i>	<i>#Acres Feet</i>	<i>Unit Price</i>	<i>Total Price</i>
WATER LEASE TRANSFER	400	\$138.50	\$55,400.00
EAA MANAGEMENT FEE*	400	\$84.00	\$33,600.00
CITY OF SCHERTZ ADM. FEE 15%		\$8,310.00	\$8,310.00
EAA TRANSFER FEE		\$25.00	\$25.00
		<i>Total Due</i>	<b>\$97,335.00</b>

**Contact: Cindy Raleigh, City of Schertz Public Works**

\*Subject to Increase, based on Edwards Aquifer Current Fees.

All Fees must be paid upon approval of transfer from Edwards Aquifer Authority  
All transfer decisions are made final by Edwards Aquifer Authority

**ORDINANCE NO.** \_\_\_\_\_

**AN ORDINANCE OF THE CITY OF GARDEN RIDGE, TEXAS  
ESTABLISHING AND REESTABLISHING COMMISSIONS,  
COMMITTEES AND BOARDS; CREATING POLICIES AND  
GUIDELINES FOR THE COMMISSIONS, COMMITTEES AND BOARDS,  
AND PROVIDING FOR THE APPOINTMENT & SELECTION PROCESS**

**WHEREAS**, the City of Garden Ridge, Texas (the "City") City Council appoints and/or re-appoints members to various Commissions and Committees as outlined in City Ordinances; and

**WHEREAS**, the City Council wishes to establish a policy for these appointments as outlined in Section 1; and,

**WHEREAS**, Texas Law regulates certain Commissions and Boards if established, such as the Zoning Commission, Impact Fee Committee and Board of Adjustment and other Committees and Commissions such as the Quarry & Water commissions are established "ad-hoc" by the City Council in the exercise of reasonable discretion; and,

**WHEREAS**, the City Council finds that it should utilize its commissions, committees and boards as recommendation bodies but continue to exercise final decision making authority over City business; and,

**WHEREAS**, the City Council finds that collaboration with those members currently serving during the appointment and selection process is necessary to achieve an efficient and effective appointment and selection process; and,

**WHEREAS**, the City Council, upon approval of these policies and guidelines, shall utilize the process to make future appointments upon approval of this Ordinance; and the City Council retains the discretion to defer from these policies and guidelines in the exercise of legislative discretion when permitted by Texas or Federal law;

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

## Section 1 – Definitions

“City” means the City of Garden Ridge, Texas.

“Regular Meeting” means only the regularly scheduled meetings of a commission, and does not include any special meetings, workshops, or committee meetings of a commission.

## Section 2 – City Commissions, Committees & Boards

### Sec. 2.01: List of City Commissions

- (a) The City Council, in its discretion, establishes the following commissions, committees and boards to serve the City, to study issues within their scope of responsibility as delegated by the City Council and to make reports, recommendations or requests for action to the City Council, as follows:

(i) Statutory Commissions:

- a. The Planning and Zoning Commission: The Planning and Zoning Commission is established in accordance with Texas Local Government Code Chapter 211 and will be governed by, and will report and make recommendations and/or requests for action to, the City Council with regard to all matters governed by Ordinance 7, Ordinance 13, Ordinance 19 and Ordinance 55 or as otherwise permitted or required by state law.
- b. The Zoning Board of Adjustment: The Zoning Board of Adjustment is established in accordance with Texas Local Government Code Chapter 211. The Board members shall consist of the City Council, unless action is taken to establish a separately appointed Board in accordance with Texas Local Government Code §211.008, as amended.
- c. The Impact Fee Advisory Committee: The Impact Fee Advisory Committee is established in accordance with Texas Local Government Code §395.058, as amended. The Planning and Zoning Commission shall serve as the

Impact Fee Advisory Committee unless action is taken to appoint a separate committee in accordance with Texas Local Government Code §395, as amended.

(ii) Standing Ad Hoc Commissions:

- a. The Water Commission: The Water Commission and will be governed by, and will report and make recommendations and/or requests for action to, the City Council with regard to all matters governed by Ordinance 7, Ordinance 54 and Ordinance 61, except as otherwise provided in such ordinances.
- b. The Quarry Commission: The Quarry Commission is an ad-hoc committee established by the City Council will be governed by, and will report and make recommendations and/or requests for action to, the City Council with regard to all matters governed by Resolution 200-08-02-01 and Resolution 104-092002.

(iii) Temporary Ad Hoc Commissions:

- a. The City Council may, from time to time, create additional temporary ad-hoc commissions, committees or boards as it deems necessary or appropriate in accordance with Section 2.08.
- (b) All City commissions, committees and boards shall be recommending bodies to the City Council, unless provided otherwise by Texas law.
- (c) All members appointed to any commission, committee or board serve the City at the pleasure of the City Council who reserves the authority to appoint and/or remove any member for cause or at will at any time by majority vote of the City Council, unless otherwise provided by law.
- (d) Any provisions of Ordinance 13, Ordinance 54, Resolution 200-08-02-01 or Resolution 104-092002 relating to the appointment of members or alternative members to a commission or the organization and meetings of such commission that are contrary to the provisions of this Ordinance are hereby repealed and shall be null and void.

Sec. 2.02: Open meetings; agenda items.

- (a) All City commissions, committees or boards shall hold Regular Meetings either (i) once a month or (ii) as necessary in light of the business pending before such commission.
- (b) At each commission's first meeting in October of a calendar year, the commission shall select the day and time of its regularly scheduled meetings and the chair shall notify the City Secretary of such selection. If the commission wishes to meet less than quarterly, the City Council must approve the commission's decision.
- (c) All City commissions, committees or boards shall meet as required by State law or as directed by the City Council or City Administrator in light of the business pending before such commissions, committees or boards.
- (d) All city commissions, committees or boards shall comply with the standards for open meetings as prescribed by state law for members of governmental bodies, as applicable.
- (e) The agenda for each Regular Meeting or other meeting of a city commissions, committees or boards shall be approved by the City Administrator before publication and shall include a citizen comment period. Any executive session item must be approved by the City Attorney's Office.

Sec. 2.03: Compensation.

- (a) Unless otherwise required by Texas law, all commission and committee members shall serve as volunteers without compensation.

Sec. 2.04: Commission, Committee & Board Organization.

- (a) Unless regulated otherwise by Texas law and except for Temporary Ad Hoc Committees, each commission, committee or board shall

consist of seven (7) qualified members and two (2) qualified alternate members, each of whom shall reside in the City, unless state law authorizes a member to reside elsewhere. In such an event, the City Council may appoint persons who reside in the extra-territorial jurisdiction as provided by law. The members and alternates shall be appointed by City Council in accordance with this Ordinance.

- (b) Member appointment process:
- i. Any vacancy (regular or alternative) on any commission, committee or board shall be filled as follows:
    1. In the case of a regular vacancy, the remaining members shall first consider alternates for appointment to the regular vacancy to fulfill the existing term of appointment;
    2. If a proposed alternative member is unwilling or unable to serve, the remaining members shall then seek qualified candidates from the general public, review those applicants to ensure qualifications and fitness and present to the City Council three finalists for consideration for appointment;
    3. Once regular vacancies are filled, the same process shall be used for alternate vacancies;
    4. The City Council shall, in its discretion, select the best qualified candidate to fill each regular and alternative vacancy, considering all the facts and circumstances known at the time; and
    5. A majority vote of a quorum of the City Council is sufficient to appoint any member.
- (c) At the first Regular Meeting in October of a calendar year, each commission, committee or board shall select a chair and vice chair, and the chair shall inform the City Secretary of such selections.

- (d) The chair or vice chair shall conduct the meetings of the commission, committee or board and the City Secretary, or his or her delegate, shall transcribe the minutes of all commission meetings.
- (e) The chair of each City commission, committee or board, or his or her delegate, shall report back to the City Council after each Regular Meeting or other meeting of the commission, committee or board and keep the City Council informed as to the activities of the commission.
- (f) If a commission, committee or board deems it necessary and appropriate to make a recommendation to or request action from the City Council, the chair, or his or her delegate, shall prepare a written memo to the City Administrator and the City Council summarizing the basis for the recommendation or request for action as well as the deliberations of the commission, committee or board and the recorded vote related to that recommendation or request for action. Such written memoranda shall be delivered to the City Administrator or City Secretary with sufficient time for inclusion in the City Council meeting packets and by the deadline provided to the chair by the City Administrator or City Secretary.
- (g) The City Council may not appoint any council member as a member, alternate member or an ex-officio, non-voting member to any City commission, committee or board.
- (h) Any City Council member may attend, ask questions and participate in discussions of matters pending before a City commission, committee or board during any meeting, except when required to abstain by state law.

Sec. 2.05: Commission Appointments, Vacancies and Duties.

- (a) The City Council shall appoint each member and alternate member of a City commission, committee or board.
- (b) Except for Temporary Ad Hoc Committees, before City Council makes an appointment for an open seat(s) each commission, committee or board shall interview each candidate interested in serving on their respective commission, committee or board and the members and shall consider each candidate's (i) civic interest, (ii) general knowledge of the Community, (iii) independent judgment, (iv)

interest in the subject matter of the commission's business, and (v) the candidate's available time to plan for, and attend, all commission, committee or board meetings.

- (c) The interview shall take place in an open meeting, as defined by state open meetings law. The interview process shall apply to Members or Alternate Members who desire to be re-appointed to serve on a commission, committee or board, except in cases where there are no other interested candidates, in which case the interview process would be unnecessary.
- (d) Upon completion of the interview process for an open seat, each commission, committee or board shall recommend two or more candidates for an open seat(s), provided there are a sufficient number of qualified candidates to do so, to the City Council for appointment. Each commission, committee or board shall also forward the resumes of all candidates interviewed for an open seat(s) along with the recommended candidates.
- (e) Upon receiving the recommendation of a commission, committee or board regarding the qualified individuals that could be appointed to an open seat(s) on a commission, committee or board, the City Council shall review the recommended candidates and the resumes reviewed, and then appoint a new member or alternate member to a commission, committee or board. The deliberation of candidates and any appointments shall take place in an open meeting, as defined by state open meetings law.
- (f) It is the intent of the City Council that collectively, the members and alternate members appointed to each commission, committee or board shall, by reason of diversity of their individual occupations and experience, be broadly representative of the Community as a whole.
- (g) The term of service for each appointed member or alternate member to a commission shall be two (2) years, and at least three (3) members and one (1) alternate member of a commission shall be subject to appointment or re-appointment each year, provided however, that all appointed members of a commission on the date of the adoption of this Ordinance shall remain on such commission for the remainder of their current term of office, and one of the new alternate members to

be appointed under this Ordinance shall have an initial term of only one (1) year.

- (h) Appointments to all city commissions shall be made in September of each year with terms to commence on October 1, the first day of the city's fiscal year, or as a vacancy occurs.
- (i) In the event of the vacancy of a member position on a Commission, that vacancy shall be filled as follows:
  - i. if there are two alternate members on a City commission, by the alternate member whose term of office expires on the same date as the departing member that vacated his or her position,
  - ii. if there is only one alternate member, by that alternate member; or
  - iii. in the event there are no alternate members, by the City Council after such vacancy has been advertised on the City's website and in the Grapevine for at least one month prior to any appointment, and such appointment shall be for the remainder of the unexpired term of such position.
- (j) Consistent with this Section, vacancies for alternate member positions may be filled by the City Council at any time, and shall be for the remainder of the unexpired term of such position.
- (k) The chair of each City commission shall promptly report any vacancies on a commission, committee or board to the City Administrator. The City Administrator will then submit a list of interested candidates for that vacancy prior to the next Regular Meeting.

Sec. 2.06: Special Requirements for Appointment to the Planning and Zoning Commission.

- (a) To be qualified to take office, a newly appointed member must have attended an orientation meeting with the City Administrator and chair of the Planning and Zoning Commission, and must have attended a seminar on land use, environmental and planning issues approved by

the City Administrator. Attendance at required training before a person is appointed as a member must have occurred within three years prior to the appointment for the training to satisfy these requirements.

- (b) The City Administrator or chair will advise newly appointed members who do not already meet these requirements of the date and location of approved seminars, and will facilitate their registration and attendance at the seminars. The members are entitled to reimbursement for reasonable costs of attendance.
- (c) If a newly appointed member does not already meet these attendance requirements at the time of appointment, and the member fails to fulfill these attendance requirements within three (3) months of being appointed, the appointment is automatically rescinded and the City Council will make a new appointment.

Sec. 2.07: Multiple Commission Memberships.

- (a) A person may not be appointed as a member of more than one City commission, committee or board, except where:
  - i. the City Council determines that there are not a sufficient number of qualified citizens interested in serving on a City commission, committee or board;
  - ii. the person is appointed as an alternate on a different City commission, committee or board; or
  - iii. the person is appointed to a commission, committee or board and a Temporary Ad Hoc Committee.

Sec. 2.08: Temporary Ad Hoc Committee Organization

- (a) The City Council shall define the purpose, scope of study or special project for which a new Temporary Ad Hoc Committee is established.
- (b) The City Council shall appoint each member and alternate member of a Temporary Ad Hoc Committee, and Sections 2.04 through 2.06 of this Ordinance shall not apply to Temporary Ad Hoc Committees.

- (c) The City Council shall establish the term of each Temporary Ad Hoc Committee established, and such term shall not exceed two years.
- (d) If a Temporary Ad Hoc Committee is to last longer than two years, the City Council may convert the Temporary Ad Hoc Committee to a Standing Ad Hoc Committee, which would then be subject to the requirements of this Ordinance.
- (e) The City Council shall establish the number of members for each Temporary Ad Hoc Committee established, and term for each member of such Ad Hoc Committee shall not exceed two years. The City Council may appoint any Council member as a member or an ex-officio non-voting member of any Temporary Ad Hoc Committee, as the City Council deems necessary or appropriate, provided only one Council member may be appointed to any Temporary Ad Hoc Committee at any given time.
- (f) Temporary Ad Hoc Committee will be governed by, and will report and make recommendations and/or requests for action to, the City Council with regard to only matters defined in its scope of study or special project.
- (g) The City Council may select the appropriate number of members for any Temporary Ad Hoc Committee, and may elect not to appoint any alternate members to any such Temporary Ad Hoc Committee.
- (i) The Temporary Ad Hoc Committee members shall select a chair and vice chair, and the chair shall inform the City Secretary of such selections.
- (j) The chair or vice chair shall conduct the meetings of the Temporary Ad Hoc Committee and the City Secretary, or his or her delegate, shall transcribe the minutes of all commission meetings.
- (k) The chair of each Temporary Ad Hoc Committee, or his or her delegate, shall report back to the City Council after each Regular Meeting or other meeting of the commission and keep the City

Council informed as to the activities of the Temporary Ad Hoc Committee.

- (l) If an Temporary Ad Hoc Committee deems it necessary and appropriate to make a recommendation to or request action from the City Council, the chair, or his or her delegate, shall prepare a written memo to the City Administrator and the City Council summarizing the basis for the recommendation or request for action as well as the deliberations of the Temporary Ad Hoc Committee and the vote related to that recommendation or request for action. Such written memoranda shall be delivered to the City Administrator or City Secretary with sufficient time for inclusion in the City Council meeting packets and by the deadline provided to the chair by the City Administrator or City Secretary.
- (h) Any City council member may attend, ask questions and participate in discussions of matters pending before a Temporary Ad Hoc Committee during a committee meeting, except when required to abstain by state law.

Sec. 2.09: Duties of Members and other Appointees.

- (a) Member Duties:
  - a. The Duties of all members is to serve the City and City Council impartially and all members shall have a fiduciary duty to act in the best interest of the City and to set-aside any personal interest when conducting the business related to the appointment.
  - b. Members shall comply with all laws, regulations, city policies and directives from City Council with regard to their service on a commission, committee or board, and each Member shall conduct themselves in a professional manner when serving in any appointed capacity.
- (b) Alternative members are subject to the same obligations, duties and responsibilities of regular members.
- (c) Alternative members duties & authority:
  - a. Alternative members are authorized to:

- i. serve in the absence of one or more regular Members when requested to do so by the Chair of the committee, commission or board, unless being called to serve requires action by the Mayor, as in the case of the Board of Adjustment;
  - ii. participate in the official proceedings of that commission, committee or board, but may not vote unless serving in the absence of a regular member; and,
  - iii. serve in the absence of the Chair, but may not preside over any meeting, which shall be handled by the vice-chair or the member with the most tenure present, unless another regular member is elected to serve at that meeting by a majority vote; and,
- (d) In addition to any duties required of any member established by state law, City Council action or local ordinance, any member who attends any event (function or meeting) as a representative of the City shall report to the City Administrator describing the activity and any related action/discussion that occurred at the event for legal dissemination to the City Council and other members as necessary.
- (e) Any person nominated or appointed to represent the interests of the City on any board, authority, district, committee, or commission that is outside the jurisdictional authority of the City of Garden Ridge, is requested to provide reports on a quarterly basis to the City Administrator describing the activity and any related action/discussion impacting the City that occurred at any event attended in their official capacity for legal dissemination to the City Council and other members as necessary.

November 21, 2013

To: Mayor Dalton and City Council

From: City Administrator Cain

The City Water Commission during their November 20, 2013 rescheduled regular meeting considered amendments to Ordinance 61 concerning watering times during Stage 2.

For the purpose of consistency it was recommended that watering times in Stages 2 and 3 be adjusted to reflect the same watering hours. Stage 2 would be adjusted from 3 a.m. through 8 a.m. and 8 p.m. through 10 p.m. to 4 a.m. through 8 a.m. and 8 p.m. through 11 p.m. In addition again for the purpose of consistency between Stages 2 and 3 the amendment would state that areas without street addresses water as if their address ends in a 2.

By unanimous vote the City Water Commission recommends City Council amend Ordinance 61-082013 to change watering times in Stage 2 to 4 a.m. through 8 a.m. and 8 p.m. through 11 p.m. and that areas without a street address water as if their address ends in a 2.

AN ORDINANCE ESTABLISHING THE DROUGHT MANAGEMENT PLAN FOR THE CITY OF GARDEN RIDGE; PROVIDING DEFINITIONS, ESTABLISHING TRIGGER POINTS FOR STAGES 1 THROUGH 5, RESTRICTING THE USE OF WATER UPON IMPLEMENTATION OF SPECIFIC STAGES OF SAID PLAN; ESTABLISHING WATER SURCHARGE RATES FOR STAGES 3 THROUGH 5 OF SAID PLAN; PROVIDING A VARIANCE PROCEDURE; PROVIDING A PENALTY CLAUSE; PROVIDING FOR SEVERABILITY AND PROVIDING AN EFFECTIVE DATE AND AMENDING ORDINANCE NO. 61-102012 083013 ADOPTED OCTOBER 3, 2012, AUGUST 27, 2013

WHEREAS, The City of Garden Ridge is a Type A, General Law Municipality located in Comal County, Texas, and;

WHEREAS, the 2010 estimated population of the City of Garden Ridge is approximately 3,259 residents. It is anticipated that the City of Garden Ridge will have a population of 4,450 in the year 2015, and;

WHEREAS, the Edwards Aquifer Authority is a regional authority managing water pumped out of the Edwards Aquifer by the City of Garden Ridge and has set standards for the Emergency Water Use Reduction Program in the region;

WHEREAS, the City of Garden Ridge uses both water from the Edwards Aquifer and from the Trinity Aquifer to provide water to residents of the City of Garden Ridge as well as persons residing within the Certificate of Convenience and Necessity (CCN) of the City of Garden Ridge;

WHEREAS, the Trinity Aquifer is currently an unregulated water source;

WHEREAS, the City of Garden Ridge relies on the Trinity Aquifer for the majority of its water resources;

WHEREAS, the level of the Trinity well affects the ability of the city to provide unrestricted water sources; and

WHEREAS, The City of Garden Ridge has determined that certain restrictive measures are required to delay potentially serious water shortage problems from impacting to the detriment of the health, safety and welfare of the Garden Ridge community.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE City of Garden Ridge, TEXAS;

**SECTION 1 – Previous Ordinances**

City of Garden Ridge Ordinance Number 61-102012 082013 dated ~~October 3, 2012~~, August 27, 2013 including all attachments and amendments thereto, is hereby amended.

**SECTION 2 – Definitions**

The following words and terms, when used in this plan, shall have the following meanings unless the context clearly indicates otherwise:

ACT. The Act creating the Edwards Aquifer Authority, namely the Edwards Aquifer Authority Act of May 30, 1993, 73<sup>rd</sup> Leg.R.S. Ch. 626, 1993 Texas General Laws 2353, as amended.

AESTHETIC USE. The use of water for fountains, waterfalls, and landscape lakes and ponds where such use is entirely ornamental and serves no other functional purpose.

AGRICULTURAL IRRIGATION. Irrigation for the purpose of growing crops commercially for human consumption or to use as feed for livestock or poultry.

BUCKET. Bucket or other container holding five gallons or less, used singly by one person.

CONNECTION. A metered or unmetered delivery point to a customer or other receiver of water from an organized water distribution system.

CONSERVATION. Those practices, techniques, and technologies that will reduce the consumption of water, reduce the loss or waste of water, improve the efficiency in the use of water, or increase the recycling and reuse of water so that a water supply is made available for future or alternative uses.

DEMAND REDUCTION MEASURE. A specific action to be taken by defined categories of users to reduce the pumpage demand on the Edwards Aquifer during a drought.

DOMESTIC TYPE USE. The use of water, other than uses in the outdoor category, for personal needs or for household purposes, such as drinking, bathing, heating, cooking, sanitation or cleaning, whether the use occurs in a residence or in a commercial or industrial facility.

DROUGHT. A period of shortage of precipitation of seasonal or longer duration.

EDWARDS AQUIFER. That portion of an arcuate belt of porous, water-bearing limestones composed of the Edwards Group Limestone and Associated Formations trending from west to east to northeast through Kinney, Uvalde, Medina, Bexar, Comal and Hays Counties.

HAND-HELD HOSE. A hose attended by one person, fitted with a manual or automatic shutoff nozzle.

HEALTHCARE FACILITY. Any hospital, clinic, nursing home or other healthcare or medical research facility.

IMPERVIOUS SURFACE AREA. Any structure or any street, driveway, sidewalk, patio or other surface area covered with brick, paving, tile or other impervious material.

INDUSTRIAL USE. The use of water integral to the production of primary goods and services provided by industrial or commercial facilities, Industrial facilities include facilities which perform such process-specific activities as cooling, boiler feed, cleaning and washing, pollution control, extraction and separation of desirable material from products and waste materials and the incorporation of water into final products, Commercial facilities include, but are not limited to, food service facilities, hotels, retail facilities and nursery operations.

INDUSTRIAL USER. An industrial or commercial water user whose use of water is integral to the production of primary goods and services provided by industrial or commercial facilities.

INDUSTRIAL WELL USER. An industrial user who owns one or more wells that produce water used for industrial or commercial facilities.

IRRIGATOR. A well owner who uses water to irrigate land for growing commercial crops.

LANDSCAPE WATERING. The application of water to grow landscaping plants.

LANDSCAPE PLANT. Any member of the plant kingdom, including any tree, shrub, vine, herb, flower, succulent, groundcover or grass species that grows or has been planted out-of-doors and is used for landscaping purposes or for the support of intensive recreational areas such as playgrounds and playing fields.

LIVESTOCK. Cattle, sheep, goats, hogs, poultry, horses and game, domestic, exotic and other animals and birds, including zoo animals, used for commercial or personal purposes.

LIVESTOCK USE. The use of water for drinking by or washing of livestock.

MSL. Mean sea level.

MUNICIPALITY. A city or other governmental unit with the authority to make and enforce ordinances.

ORDER. A written order of the City Council or Mayor of the City of Garden Ridge, Texas.

OTHER OUTSIDE USE. The use of water outdoors for the maintenance, cleaning and washing of structures and mobile equipment, including automobiles and boats, the washing of streets, driveways, sidewalks, patios and other similar areas.

PERSON. Any individual, firm, entity, corporation, municipal corporation, governmental or proprietary body, including the United States or the State of Texas, or association of persons.

REDUCTION GOAL. The amount of reduction in pumpage volume, expressed in a percentage from baseline pumpage volume for each drought stage.

REUSE. The use by any user of Edwards Aquifer water that has been recycled or reclaimed for any beneficial purpose, after such water has been previously used for any beneficial purpose, whether or not any treatment of such groundwater may be required in connection with such recycling or reclamation.

STAGE. One of the five designated drought stages, which may be declared by the City or the Edwards Aquifer Authority.

SUPPLIER. Any person who supplies water to customers for residential, commercial, industrial, military or other uses, including a public or private water company, water supply corporation, municipality and water district.

TRIGGER CONDITIONS. Those specific conditions of rainfall amounts, Edwards Aquifer water level elevations, spring discharges and water quality which the Authority will monitor and use as indicators of the occurrence of drought conditions for purposes of declaring the various stages.

TRIGGER POINTS. Special conditions experienced by the City of Garden Ridge, which authorize the city to initiate Stage 1 through 5 of the City of Garden Ridge Drought Management Plan.

TRINITY AQUIFER WELL. A source of water for the City of Garden Ridge which is located in the Cow-Creek formation of the Trinity Aquifer.

USE FOR A BENEFICIAL PURPOSE. Water which is used, without regard to priority, for:

- (1) agricultural, commercial, domestic, gardening, industrial, manufacturing, mining, municipal, pleasure, recreational or stock raising purposes-
- (2) exploring for, producing, handling or treating oil, gas, sulfur or other materials; or
- (3) any other purpose that is useful and beneficial to the user.

USER. A person, public or private, who produces, distributes or uses water from an Edwards Aquifer well or from the Trinity Aquifer well.

VARIANCE. An authorized exception from compliance by the user with any provision of the Rules granted by this Ordinance.

WASTE.

- (1) The flowing or producing of groundwater from wells in the Edwards Aquifer or Trinity Aquifer if the water flowing or produced is not used for a beneficial purpose by any user,

- (2) The unreasonable loss of groundwater through faulty design or negligent operation of a well or water delivery or application system; or
- (3) Using quantities of groundwater for a purpose that otherwise would be considered beneficial in excess of quantities reasonably necessary for that purpose.

WATER UTILITY USE. Water used for withdrawal, treatment, transmission and distribution by potable water systems.

**SECTION 3 – Demand Reduction Measures**

The demand reduction measures for all water uses for Stages 1, 2, 3, 4 and 5 are set out in Appendix A, provided. For clarification, certain permitted and exempt water uses are listed.

Listed below are the trigger points for the various stages of the Drought Management Plan.

<b>Reduction Stage</b>	<b>J-17 Well Level</b>
1	660'
2	650'
3	640'
4	630'
5	As Declared by Edwards

**SECTION 4 – Emergency Water Use Reduction**

4.01 -- Declaration of Emergency Stages

The Mayor of Garden Ridge is authorized to order, by proclamation, implementation of provisions of Stages 1 through 5 of the City of Garden Ridge Drought Management Plan when the appropriate trigger points as established in this Ordinance are met.

The City of Garden Ridge shall determine when conditions warrant implementation of the Emergency Water Use Reduction Program. The program is implemented when any one of the below Trigger Points is reached. The City of Garden Ridge may advance stages, as needed to effect compliance with pumping limit goals. The various stages may be declared as shown in Appendix A.

**TRIGGER POINTS:**

- 1) Declaration of Stages 1 through 5 by the Edwards Aquifer Authority and/or at the discretion of the Mayor, City of Garden Ridge.
- 2) The level of the Edwards Aquifer Authority Test Well J-17 reaches a level of Stages 1 through 5 Emergency Water Use Reduction as defined by Edwards Aquifer Authority.
- 3) When the pumping ability of the Trinity Aquifer well drops to 600 GPM or draw down level of the well reaches seventy-five (75) feet above the transponder.
- 4) When the city's pumping capacity is reduced by infrastructure damage or equipment failure.

4.02 -- Public Issuance of Drought Stage Declaration

The Declaration of a critical use stage will be publicly issued by the City of Garden Ridge. Such declaration shall be placed on the City signs and distributed by phone (CTY system), posted on city website and/or published in the official city newspaper.

4.03 -- Restricting the Use of Water

- a. Upon declaration of a critical use stage by the City of Garden Ridge, compliance with the Emergency Water Use Reduction Program demand reduction measures shall be required and compliance with the voluntary measures shall be encouraged.
- b. Demand reduction measures are attached as Appendix A, and are herein incorporated for all purposes.
- c. Upon declaration of a critical use stage by the City of Garden Ridge, the sale of water to a temporary user for use outside the city shall be prohibited. The sale of water to a temporary user for use within the City of Garden Ridge shall be at the discretion of the Public Works Director.

4.04 -- Water Rate Surcharges

- a. Critical Period Surcharges will be implemented in accordance with the following schedule:
  - (1) Stage 3: Customers will be charged the current water rate plus a 100% surcharge for use over 45,000 gallons.
  - (2) Stage 4: Customers will be charged the current water rate plus a 200% surcharge for use over 45,000 gallons.
  - (3) Stage 5: Customers will be charged the current water rate plus a 200% surcharge for use over 45,000 gallons.
- b. Water rate surcharges will remain in effect only so long as the City is in Stages 3, 4 or 5 of the Drought Management Plan.
- c. Water rate surcharges shall coincide with the normal billing cycle of the Garden Ridge Water Department. Surcharges shall be applied to the next billing cycle following the implementation of Stages 3, 4 or 5.
- d. Surcharge revenues shall be held in a reserve fund to be created within the current fiscal year budget. Such revenue is to be used for the following purposes:
  - (1) For the payment of any legal fees, consultant fees, studies, etc. that are incurred because the city is using more water than the allowable rate/amount established by an authorized political entity.
  - (2) For the payment of any fines or administrative penalties imposed by a legal or judicial entity related to excess pumpage, or;
  - (3) For the payment of any fees incurred to pursue alternate water sources.

4.05 -- Payment of City-wide Fines and/or Penalties

- a. In the event that a governmental agency levies a fine or penalty against the City of Garden Ridge associated with water usage, the amount of the fine or penalty shall be pro-rated amongst all customers *exceeding the average use and* having an active account with the City during the time period subject to the fine as a recovery assessment.
- b. Each active account holder who exceeds the average water usage for the period subject to the fine, shall have an assessment placed on their water bill during the month immediately following the levy of such a fine or penalty.
- c. The amount of the assessment for any customer shall be based on usage above the average of all customers' water usage for the fine/penalty month. In computing the assessment, the City shall use the following variables: the amount of the fine/penalty (fine); the average usage per water connection for the period of the fine (average); the individual customer's usage above the average; and the total of all customers' usage above the average.

The assessment for any individual customer shall be the amount of the fine, multiplied by the ratio of the individual customers' usage above the average to the total of all customers' usage above the average.

- d. Customers that have received an adjustment to their water bill for a fast meter, customer leaks, etc in accordance with Ordinance 54, Paragraph 14.07 shall have their assessment based upon the approved adjusted amount.
- e. For the purposes of this assessment, average use for the time period of the fine will be determined by the total gallons pumped divided by the number of water customers. Usage below the average shall not be subject to an assessment.

4.06 -- End of Emergency Use Restrictions

a. Trinity Aquifer

The program and/or each stage may be terminated or changed at the discretion of the City of Garden Ridge after the trigger condition of a stage has been exceeded and after considering the 10 day rolling average of the appropriate index well level, pumping trends, current precipitation and the outlook for additional precipitation.

b. Edwards Aquifer

The program and /or each stage may be terminated or changed upon declaration of the Edwards Aquifer Authority (EAA) and/or at the discretion of the Mayor, City of Garden Ridge.

**SECTION 5 -- Penalties**

- a. A person who knowingly or intentionally violates the provisions of this Ordinance shall be deemed guilty of a misdemeanor offense and upon conviction be punished by a fine of not less than twenty-five dollars (\$25.00) and not more than two thousand dollars (\$2,000). Each day's violation constitutes a separate offense. Compliance may also be sought through injunctive relief in the District Court.
- b. No violation, definition or penalty under this section shall have bearing on any violation, definition or penalty under any other section of this Ordinance.

**SECTION 6 -- Enforcement**

a. Applicable to Resident and Non-Resident Customers

For purposes of this Ordinance, it shall be presumed that any person, corporation or association in whose name a water meter connection is registered with the City of Garden Ridge Water Company, has knowingly made, caused, used or permitted to use the water received from the City and that use of said water in a manner contrary to the provisions of Ordinance No.61, or in an amount in excess of the use permitted by the conservation stage in effect, is considered a violation of Ordinance No.61 by that resident person, non-resident person, corporation or association. Proof that the particular premises have a water meter connection registered in the name of the defendant named in a complaint issued under the auspices of Ordinance No.61 shall constitute in evidence a prima facie presumption that the person in whose name such water connection was registered was the person who permitted the illegal use of water to occur on the premises.

b. Applicable to Non-Resident Customers Only

Any non-resident person, corporation or association in whose name a water meter connection is registered with the City of Garden Ridge Water Company who shall violate a provision of Ordinance No.61 and orders promulgated there under when Stage 1, Stage II, Stage III, Stage IV, or Stage V are in effect, shall be held strictly liable, and shall be subject to an Administrative Hearing before the City Water Commission to show cause whether water service should be discontinued for all or any part of a day or consecutive days to such non-resident person, corporation or association. Provisions shall be made to allow for the provision of water in an amount necessary to provide for human health and safety requirements. In the event termination is ordered, an appeal to the City Council may be made if filed in

writing with the Mayor within three (3) days of the termination order. Compliance may also be sought through injunctive relief in District Court.

**SECTION 7 – Variances**

a. Request for Variance

A person may file a written request for a variance from these rules with the City of Garden Ridge. The request must contain the following information;

- (1) The specific nature of the variance requested
- (2) A detailed explanation of why the person believes he/she should be granted the variance, including any supporting documentation;
- (3) A signed statement that the facts contained in the request are true and within the person's personal knowledge.

b. Additional Information

The City of Garden Ridge may request the variance requester to provide additional information, which must be filed within ten calendar days of the request or as otherwise directed in the request.

c. When Variance May be Granted

- (1) The variance is necessary to avoid an unusual, direct and substantial hardship
- (2) There are no other reasonably available means for avoiding the hardship without a variance;
- (3) Granting the variance is consistent with the goals of this Ordinance; and
- (4) Granting the variance will not cause significant harm to any other person or group of persons or result in the City of Garden Ridge being in violation of regulatory requirements.

d. Terms and Conditions of the Variance

- (1) The City of Garden Ridge may grant a variance for such a term and in accordance with any conditions the City of Garden Ridge deems appropriate.
- (2) It shall be a term of every variance granted by the City of Garden Ridge that the variance may be rescinded based on changed circumstances, new information, or failure of the holder of the variance to abide by the terms and conditions of the variance or to comply with these rules or any other order or rule of the City of Garden Ridge.
- (3) The City of Garden Ridge may require a person granted a variance to file reports with the City of Garden Ridge containing such information as the City of Garden Ridge believes relevant to monitoring the continuing appropriateness of the variance.

**SECTION 8 – Severability**

If any section, paragraph, subdivision, clause or phrase of this ordinance shall be adjudged invalid or held unconstitutional, the same shall not affect the validity of this ordinance as a whole or any part of any provision thereof other than the part so decided to be invalid or unconstitutional.

**SECTION 9 – Effective Date**

This ordinance shall take effect immediately upon its passage, approval and publication according to law.

PASSED AND APPROVED THIS    DAY OF DECEMBER, 2013.

ATTEST:

\_\_\_\_\_  
Andrew Dalton, Mayor

\_\_\_\_\_  
Shelly Goodwin, City Secretary

**APPENDIX A  
DEMAND REDUCTION MEASURES**

Watering by automated irrigation systems is restricted year round between the hours of 10 am and 8 pm.

**STAGE 1**

**Stage One Alert** begins when the Edwards Aquifer Authority Test Well J-17 level reaches **660** feet mean sea level at the monitored well and is declared by the Edwards Aquifer Authority (EAA) and/or at the discretion of the Mayor, City of Garden Ridge.

1. Water waste is prohibited to include, allowing water to run off onto a gutter, ditch, or drain; or failing to repair a controllable leak.
2. Watering with an irrigation system or sprinkler, permitted only during the hours of 12 a.m. to 10 a.m. and 8 p.m. to 12 a.m.:
3. Watering with an irrigation system or sprinkler, permitted only once a week on the designated watering day:

<b>Last Digit of Address</b>	<b>Day</b>
0 or 1	Monday
2 or 3	Tuesday
4 or 5	Wednesday
6 or 7	Thursday
8 or 9	Friday

Areas without a street address, such as medians, neighborhood entryways or common areas water on Wednesdays.

4. Watering with hand-held hose or drip irrigation permitted any day, any time.
5. Residential, commercial, industrial, and agricultural Edwards Aquifer water users should reduce water consumption by any means available.
6. Washing impervious cover such as parking lots, driveways, streets or sidewalks is prohibited.
7. Non-commercial washing of vehicles and mobile equipment (e.g. washing vehicles at a residence) is permitted any day at any time over landscape or other surface where run off is minimized and with the use of a hose using an automatic shut-off nozzle or bucket of 5 gallons or less.
8. Restaurants and other eating establishments are prohibited from serving groundwater to customers except upon request of the customer.
9. No building permits will be issued to homeowners or pool contractors for the construction of new swimming pools unless verification is provided that 100% of water for filling of pool will be brought in from a water source outside of Garden Ridge.
10. Restrictions apply to well users.

This does not apply to non- potable water, gray water, or treated effluent.

Stage 1 restrictions continue until there is an announcement that Stage 1 has been canceled or that Stage 2 is in effect.

**STAGE 2**

**Stage Two Alert** begins when the Edwards Aquifer Authority Test Well J-17 level reaches **650** feet mean sea level at the monitored well and is declared by the Edwards Aquifer Authority (EAA) and/or at the discretion of the Mayor, City of Garden Ridge.

1. Water waste is prohibited to include, allowing water to run off onto a gutter, ditch, or drain; or failing to repair a controllable leak.
2. Watering with an irrigation system or sprinkler, permitted only once a week on the designated watering day during the hours of 3 4 a.m. to 8 a.m. and 8 p.m. to 11 p.m.:

Last Digit of Address	Day
0 or 1	Monday
2 or 3	Tuesday
4 or 5	Wednesday
6 or 7	Thursday
8 or 9	Friday

Areas without a street address, such as medians, neighborhood entryways or common areas water ~~on Wednesdays~~ *as if their address ended in a 2.*

3. Watering with drip irrigation or a 5 gallon bucket permitted during the hours of 3 4 a.m. to 8 a.m. and 8 p.m. to 11 p.m. any day.
4. Watering with a hand held hose permitted any day, any time.
5. Washing impervious cover such as parking lots, driveways, streets or sidewalks is prohibited.
6. Non-commercial washing of vehicles and mobile equipment (e.g. washing vehicles at a residence) is permitted any day at any time over landscape or other surface where run off is minimized and with the use of a hose using an automatic shut-off nozzle or bucket of 5 gallons or less.
7. Restaurants and other eating establishments are prohibited from serving groundwater to customers except upon request of the customer.
8. No building permits will be issued for the construction of new swimming pools. The City Administrator may grant a variance for the construction of a swimming pool with proof that water for construction and filling of the pool will be brought in from a water source outside of the city.
9. Filling of existing swimming pools is prohibited unless at least 30% of the water is obtained from a source other than City provided. Groundwater may be used to replenish swimming pools to maintenance levels. Drainage of swimming pools is permitted only onto a permeable surface or onto a pool deck where water is transmitted directly to a permeable surface.

10. Restrictions apply to well users.

This does not apply to non-potable water, gray water, or treated effluent.

Stage 2 restrictions continue until there is an announcement that Stage 2 has been canceled or that Stage 3 is in effect.

### **STAGE 3**

**Stage Three Alert** begins when the Edwards Aquifer Authority Test Well J-17 level reaches **640** feet mean sea level at the monitored well and is declared by the Edwards Aquifer Authority (EAA) and/or at the discretion of the Mayor, City of Garden Ridge.

1. Watering with an irrigation system, soaker hose or sprinkler is permitted every other week beginning on the second Monday after Stage III has been declared and only on designated watering day from 4 a.m. – 8 a.m. and 8 p.m. – 11 p.m.

A watering day calendar based upon the last digit of each address will be prepared, distributed and posted monthly during Stage 3 watering restrictions.

Areas without a street address, such as medians, neighborhood entryways or common areas water as if their address ended in a 2.

2. Watering with a drip irrigation or 5 gallon bucket permitted during the hours of 4 a.m. to 8 a.m. and 8 p.m. to 11 p.m. Monday, Wednesday and Friday.
3. Watering with a hand held hose permitted any day, any time.
4. Watering newly planted landscapes permitted only with a variance from Garden Ridge City Council.
5. Washing cars at home is permitted any day at any time over landscape or other surface where run off is minimized and with the use of hose using automatic shut-off nozzle or bucket of 5 gallons or less. Water runoff into streets is prohibited.
6. Water runoff onto streets is prohibited.
7. No person may use groundwater or city provided water for an ornamental outdoor fountain or similar feature.
8. No building permits will be issued for the construction of new swimming pools. The City Administrator may grant a variance for the construction of a swimming pool with proof that water for construction and filling of the pool will be brought in from a water source outside of the city.
9. Filling of existing swimming pools is prohibited unless at least 30% of the water is obtained from a source other than City provided. Groundwater may be used to replenish swimming pools to maintenance levels. Drainage of swimming pools is permitted only onto a permeable surface or onto a pool deck where water is transmitted directly to a permeable surface.
10. Water customers subject to a 100% surcharge for use over 45,000 gallons.

This does not apply to non- potable water, gray water, or treated effluent.

Stage 3 restrictions continue until there is an announcement that Stage 3 has been canceled or that Stage 4 is in effect.

**STAGE 4**

**Stage Four Alert** begins when the Edwards Aquifer Authority Test Well J-17 level reaches **630** feet mean sea level at the monitored well and is declared by the Edwards Aquifer Authority (EAA) and/or at the discretion of the Mayor, City of Garden Ridge.

1. All restrictions in Stage 3.
2. Water customers subject to a 200% surcharge for use over 45,000 gallons.
3. Additional restrictions on water use may be established at the discretion of the City Council.

This does not apply to non- potable water, gray water, or treated effluent.

Stage 4 restrictions continue until there is an announcement that Stage 4 has been canceled or that Stage 5 is in effect.

**STAGE 5**

**Stage Five Alert** begins when declared by the Edwards Aquifer Authority (EAA) and/or at the discretion of the Mayor, City of Garden Ridge.

1. All restrictions in Stage 4.
2. Conditions as directed by the Mayor and City Council
3. Use Necessary for Public Health or Safety.
4. Notwithstanding any provision of these rules, groundwater may be used when and to the extent it is necessary to prevent danger to public health, safety or welfare or to the extent required by State or Federal law.
5. Water customers subject to a 200% surcharge for use over 45,000 gallons.

This does not apply to non- potable water, gray water, or treated effluent.

Ordinance 67-122013

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF GARDEN RIDGE, TEXAS, APPROVING A RECORD MANAGEMENT PLAN, UPDATING RETENTION SCHEDULE, AND UPDATING THE RECORD MANAGEMENT PROGRAM FOR THE CITY OF GARDEN RIDGE AND DECLARING AN EFFECTIVE DATE.

**WHEREAS**, Title 6, Subtitle C, Local Government Code (Local Government Records Act) provides that a municipality must establish by ordinance an active and continuing records management program to be administered by a Record Management Officer; and

**WHEREAS**, the City of Garden Ridge desires to expand the scope of its original Records Management Ordinance 67-071991 and amended Ordinance 67-051994 to prescribe policies and procedures consistent with the Local Government Records Act and in the interests of cost-effective and efficient recordkeeping; and

**WHEREAS**, the City Staff of the City of Garden Ridge recommends that the attached Exhibit A (Records Management Plan) be adopted. The Plan conforms with State law and will be submitted for approval to the State Library and Archives Commission, the body that is tasked with formulating State rules for record management; and

**WHEREAS**, the City Staff of the City of Garden Ridge recommends that the City of Garden Ridge goes by the most current Texas State Library and Archives Commission Local Schedule GR, Local Schedule EL, Local Schedule HR, Local Schedule LC, Local Schedule PS, Local Schedule PW 13 TAC §7.125(b)(2), and Local Schedule UT and schedules as maybe amended from time to time by the Texas State Library and Archives Commission. These schedules can be located on the Texas State Library and Archives Commission website and in the City Secretaries' Office. And to follow the procedures laid out in the Plan if there is a need to amend the Retention Schedule.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF GARDEN RIDGE

The attached Records Management Plan (Exhibit A) is adopted as the official Records Management Plan for the City of Garden Ridge.

This Ordinance shall be in full force and effective from and after its passage.

ADOPTED on the 4<sup>th</sup> day of December, 2013.

Andrew Dalton  
Mayor

Attest:

Shelley Goodwin  
City Secretary



# **CITY OF GARDEN RIDGE, TEXAS RECORDS MANAGEMENT PLAN**

Adopted by City Council on \_\_\_\_\_, 2013

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**CITY OF GARDEN RIDGE  
RECORDS MANAGEMENT PROGRAM**

## **I. RECORDS MANAGEMENT PROGRAM**

### **Section 1. STATEMENT OF POLICY**

The City of Garden Ridge, Texas recognizes its responsibility to the public to manage, protect, preserve and make available city records.

It is the policy of the City of Garden Ridge to provide for efficient, economical, and effective controls over the creation, distribution, organization, maintenance, use, retention, and disposition of all records of the City of Garden Ridge. This program will be implemented through a comprehensive system of integrated procedures for the management of records from their creation to their ultimate disposition, consistent with the requirements of the Local Government Records Act, the Public Information Act, the City Charter, the Texas State Library and Archives Commission and accepted records management practice.

### **Section 2. CITY OF GARDEN RIDGE RECORDS**

All city records must be created, maintained, and disposed of in accordance with this program and all requirements, policies and procedures established pursuant to this program, and in no other manner. For specific information on records retention and disposition information regarding e-mails, please see Appendix B.

### **Section 3. DEFINITIONS**

**APPROVED RECORDS RETENTION AND DISPOSITION SCHEDULE** means a records retention and disposition schedule that has been:

- a) approved by the records management officer and records coordinator;
- b) adopted by the city council by resolution; and
- c) filed by the records management officer and records coordinator and approved by the director and librarian of the Texas State Library and Archives Commission either in a detailed format determined by the director and librarian, or through a written certification of compliance filed in accordance with state law.

**CITY RECORD** means every document, paper, letter, book, map, photograph, sound or video recording, microfilm, magnetic tape, electronic medium, or other information recording medium, regardless of physical form or characteristic and regardless of whether public access to it is open or restricted under state law, that is created or received by the City of Garden Ridge or any of its officers or employees pursuant to law or in the transaction of public business.

A city record does not include library or museum material acquired solely for reference, exhibit, or display or stocks of publications, advertisements, or other unsolicited written materials received by the City or any of its officers or employees

DEPARTMENT means any department, office, agency, division, program, commission, bureau, board, committee, task force, ad hoc committee, or similar entity of the city.

DEPARTMENT DIRECTOR means the officer who by ordinance, order, or administrative policy is in charge of a department or an office of the city that creates or receives city records.

ESSENTIAL RECORD means any city record necessary to:

- a) the resumption of continuation of operations of the city in an emergency or disaster;
- b) the re-creation of the legal and financial status of the city; or
- c) the protection and fulfillment of obligations to the citizens of the city.

LOCAL GOVERNMENT RECORDS ACT means Title 6, Subtitle C of the Local Government Code, as amended.

PERMANENT RECORD means any city record for which the retention period on a records retention and disposition schedule is given as permanent.

PUBLIC INFORMATION ACT means Chapter 552 of the Texas Government Code, also known as the Texas Open Records Act.

RECORDS DISPOSITION means the removal of a city record from a department or from a records storage center and:

- a) for a city record that has passed its minimum legal retention period and no longer has value to the city, the destruction of the record; or
- b) for a permanent city record, transfer of the record to an archival location approved by the records management officer and records coordinator, the City Administrator and the City Council.

RECORDS INVENTORY means the process of locating, identifying, and describing in detail the records of a department.

RECORDS LIASON PERSON means a member of each department, approved by the department's director, to serve as the point-of-contact for the records management program.

RECORDS MANAGEMENT OFFICER means the City Secretary, who will administer the City's records management program pursuant to the Local Government Act, record retention schedules set out by the Texas State Library and Archives Commission, and all other applicable state law.

**RECORDS COORDINATOR** means the designee of the City Secretary, who will administer the City's records management program on behalf of the City Secretary (or her designee as appointed by the City Administrator and approved by the City Council). The Records Coordinator will administer the City's records management program pursuant to the Local Government Act, records retention schedules set out by the Texas State Library and Archives Commission, and all other applicable state laws.

**RECORDS MANAGEMENT** means the planning, controlling, directing, organizing, training, promoting, or application of other management techniques involved in the creation, use, maintenance, retention, preservation, and disposal of city records for the purposes of achieving adequate and proper documentation of the policies and transactions of city government and reducing the costs and improving the efficiency of recordkeeping.

The term includes:

- a) The development of records retention and disposition schedules;
- b) The management of information retrieval systems;
- c) The protection of essential and permanent records;
- d) The economical and space-effective storage of noncurrent records;
- e) The control over the creation and distribution of forms, reports, and correspondence;
- f) The management of manual, micrographic, electronic, and other record storage systems; and
- g) The identification of functional recordkeeping requirements that ensure city records are created to adequately document the city's business transactions.

**RECORDS MANAGEMENT PROGRAM** means the requirements, policies, and procedures developed for the City of Garden Ridge.

**RECORDS MANAGEMENT POLICY COMMITTEE** means the committee established under Section 11.

**RECORDS RETENTION AND DISPOSITION SCHEDULE** means a document prepared by or under the authority of the records management officer and records coordinator that describes recurring records or records series on a continuing basis, indicating for each record or records series:

- a) the length of time the record or records series is to be maintained in a department;
- b) when and if the record or records series may be destroyed or otherwise disposed of; and
- c) other records disposition information that the records management program may require.

**RECORDS SERIES** means a group of identical or related documents that are normally used or filed as a unit and have the same retention period.

RETENTION PERIOD means the minimum time that must pass after the creation, recording, or receipt of a city record, or after the fulfillment of certain actions associated with a city record, before the record is eligible for disposition.

#### **Section 4. OWNERSHIP AND CUSTODY OF CITY RECORDS.**

Every city record is the property of the city. No city officer or employee has, by virtue of their position, any personal or property right to a city record even though the city officer or employee may have developed or compiled the record.

The unauthorized alteration, destruction, deletion, removal from files, or use of a city record is prohibited. A city record exempted from public disclosure under state or federal law is not made subject to disclosure by its designation as city property under this section.

A city record may not be sold, loaned, given away, destroyed, or otherwise alienated from the city's custody unless in accordance with this program or unless destroyed as directed by an expunction order issued by a district court pursuant to state law.

This section does not apply to a city record that is temporarily transferred to a contractor for purposes of microfilming, duplication, conversion to electronic media, restoration, or a similar records management and preservation procedure if the transfer is authorized by the records management officer and records coordinator.

Except when a city record is transferred to a historical archival location, legal custody of a city record created or received by a department during the course of business remains with the department director or with any designated successor of the department. The legal custodian, as guardian of the record, does not relinquish responsibility for the care, preservation, legal disposition of the record, though physical custody of the record may be held by another department or agency. The physical custodian of the record is also responsible for complying with all records management program requirements, policies, and procedures. An original city record may not leave the custody of the department concerned when being used by a member of the public, including inspection under the Texas Public Information Act.

No official city record shall leave city property for any reason without the permission of the City Administrator or Records Management Officer.

Every officer or employee shall deliver to any successor all city records pertaining to the office held by the city officer or employee.

The legal and physical custody of a city record that has continuing historical value to the city may be transferred to an approved historical archival location upon agreement between the department director, the records management officer and records coordinator.

The records management officer and records coordinator shall have legal and physical custody of all city records belonging to any department that does not have a named successor.

The records management policy committee shall review and determine, as necessary, custodial responsibilities for city-wide electronic applications. Custodial responsibility must be determined prior to systems design or implementation.

#### **Section 5. RECORDS MANAGEMENT PLAN TO BE DEVELOPED; APPROVAL OF PLAN; AUTHORITY OF PLAN**

The records management officer, records coordinator, and the Records Management Policy Committee shall develop a records management plan for the City. The plan must contain policies and procedures designed to reduce the costs and improve the efficiency of recordkeeping, to adequately protect the essential records of the City, and to properly preserve those records of the City that are of historical value. The plan must be designed to enable the records management officer and records coordinator to carry out his or her duties effectively as prescribed by state law.

Once approved by the City Council, the records management plan shall be binding on all offices, departments, divisions, programs, commissions, bureaus, boards, committees, or similar entities of the City and all municipal records shall be created, maintained, stored, microfilmed, destroyed and/or disposed of in accordance with this record management plan.

State law relating to the duties, other responsibilities, or recordkeeping requirements of a department head does not exempt the department head or the records in the department head's care from the application of this Section and the records management plan adopted under it. Said law may not be used by the department head as a basis for refusal to participate in the Records Management Program of the City of Garden Ridge, Texas.

#### **Section 6. DESIGNATION OF RECORDS MANAGEMENT OFFICER AND RECORDS COORDINATOR.**

The City Secretary is the official records management officer for the City of Garden Ridge. Upon the City Secretary's resignation, retirement, dismissal, or removal, the successor shall, within 30 days after being appointed by the City Council, file the successor's name with the director and librarian of the Texas State Library and Archives Commission, as prescribed by state law.

The records coordinator shall be appointed by the City Secretary and approved by the City Administrator and the City Council to implement and administer the city's records management program in compliance with state law and under the supervision of the City Secretary.

The records coordinator manages the records management program under the direction of the City Secretary.

## **Section 7. DUTIES AND RESPONSIBILITIES OF RECORDS MANAGEMENT OFFICER AND RECORDS COORDINATOR.**

In addition to other duties assigned by this chapter and state law, the records management officer and records coordinator shall:

- a) administer the city's records management program and provide advice and assistance to department directors and their departments;
- b) annually recommend and prepare for approval by the records management policy Committee, any new record retention requirements, policies, and procedures for the city's records management and disposition program;
- c) in cooperation with department directors, identify essential records and establish a records disaster and recovery plan for each department to ensure maximum availability of the records in order to re-establish operations quickly and with minimum disruption and expense;
- d) monitor records retention schedules and administrative rules issued by the Texas State Library and Archives Commission to determine if the records management program and the city's records retention and disposition schedules are in compliance with state regulations;
- e) advise the City Administrator, the department directors, and the records management policy committee information concerning changes to state laws and administrative rules relating to city records;
- f) oversee the procedure of record inventories used by departments to ensure compliance with uniform standards over the identification, appraisal, maintenance, protection, preservation, transfer, retention, and disposition of city records; and provide appropriate forms for this purpose as necessary;
- g) ensure that the creation, maintenance, preservation, microfilming, electronic storage, destruction, and other disposition of city records is carried out in accordance with the requirements, policies, and procedures of this records management program and state law;
- h) file in accordance with state law written certification of compliance with the director and librarian of the Texas State Library and Archives Commission stating that the city has adopted a records retention and disposition schedule or an amended schedule that meets minimum requirements adopted by the Texas State Library and Archives Commission, in

lieu of filing the records retention and disposition schedule or amended schedule with the director and librarian;

- i) bring to the attention of the City Administrator, any noncompliance by a department director or other personnel with the requirements, policies, and procedures of the records management program;
- j) conduct periodic reviews of departmental recordkeeping practices and records retention and disposition schedules to ensure that the schedules are kept current;
- k) review user requirements and system requirements to ensure that recordkeeping requirements and public access requirements are incorporated into the city's electronic recordkeeping systems;
- l) serve as the city's liaison to the director and librarian of the Texas State Library and Archives Commission for records management program requirements;
- m) file any revisions to this program with the director and librarian of the Texas State Library and Archives Commission within 30 days after adoption as required by law; and
- n) be responsible for the final determination of which city records will require on-site or off-site storage.

## **Section 8. MINIMUM REQUIREMENTS FOR THE RECORDS MANAGEMENT PROGRAM**

The Records Management Program shall:

- a) adequately protect the essential records of the city;
- b) properly preserve city records that are of historical value;
- c) establish criteria for city-wide and departmental records management program compliance, including requirements for conducting departmental records inventories, preparing retention schedules, and certifying retention and disposition schedules and electronic recordkeeping systems;
- d) establish functional recordkeeping requirements to improve the efficiency of recordkeeping and to ensure the creation of adequate and proper documentation of the city's activities and transactions;
- e) create policies to implement rules adopted by the Texas State Library and Archives Commission and required by state law, including requirements for public access, microfilming, electronic document imaging, and electronic storage of city records; and
- f) create policies to address records management program requirements and needs as technology evolves;
- g) provide for review by the records management officer and records coordinator and records management policy committee of all electronic recordkeeping systems design prior to purchase or implementation of the systems;
- h) ensure the development and maintenance of up-to-date documentation for all electronic records systems that will adequately specify the technical characteristics of each system

necessary to read, process, or preserve city records until disposition of the records is authorized;

- i) provide for the creation of adequate audit trails;
- j) incorporate electronic records management objectives, responsibilities, and authorities in pertinent city directives, policies, and procedures; and
- k) ensure the ability to access city records regardless of form or medium.

All city officers (elected and/or appointed), all city employees and all departments, offices, agencies, divisions, programs, commissions, bureaus, boards, committees, task forces, ad hoc committees, and similar entities of the city are required to follow the records management program requirements, policies, and procedures.

## **Section 9. DUTIES AND RESPONSIBILITIES OF THE CITY COUNCIL.**

The City Council shall:

- a) promote and support an active and continuing program for the efficient and economical management of all city records;
- b) review for approval all policies and procedures developed by the administration for the records management program under the direction of the records management officer and records coordinator;
- c) facilitate the creation and maintenance of city records containing adequate and proper documentation of the organization, functions, policies, decisions, procedures, and essential transactions of the city, designed to furnish the information necessary to protect the legal and financial rights of the city and persons affected by the activities of the city;
- d) review for approval all records retention and disposition schedules as set out by the Texas State Library and Archives Commission as required by state law and this chapter; and
- e) be subject to the same duties and responsibilities required of a department under the policy or procedure established under this program and state law.

## **Section 10. DUTIES AND RESPONSIBILITIES OF DEPARTMENT DIRECTORS AND MEMBERS OF THEIR DEPARTMENTS.**

In addition to other duties assigned in this chapter and by state law, every department director and members of their department shall:

- a) cooperate with the records management officer and records coordinator in carrying out the policies and procedures established in the city for the efficient and economical management

of city records and in carrying out the requirements of the records management program and state law; and

- b) adequately document transactions of government business, services, programs, functions, activities, and duties for which the department director and department staff are responsible; and
- c) maintain city records in the department's custody and carry out the preservation, microfilming, electronic storage, destruction, and other disposition of those records only in accordance with this records management program and state law; and
- d) department directors may appoint a records liaison person, from their department to serve as the point-of-contact for the records management program; and
- e) department directors shall provide for the preparation and submittal of requests to dispose of city records to the records management officer prior to the destruction of such records; and
- f) notify the records management officer and records coordinator within 24 hours of the discovery of any loss, theft, or damage to a city record; and
- g) ensure the ability to access records regardless of form or medium;
- h) notify the records management officer and records coordinator of proposed changes in electronic recordkeeping systems to ensure compliance with electronic recordkeeping requirements established by this records management program and state law;
- i) ensure that electronic records in the director's custody are migrated forward as technology changes for as long as the records are determined to have value, and ensure that requests for funding for new systems or systems enhancements address requirements for back-up, re-copying, disaster recovery, security, public access, audit trails, and other recordkeeping requirements in accordance with this records management program and state law;
- j) in cooperation with the records management officer and records coordinator, identify essential records of the department and establish a records disaster recovery plan to ensure maximum availability of the records to re-establish operations quickly and with minimum disruption and expense;
- k) upon request by the records management officer and records coordinator and records coordinator, submit a departmental records inventory; and
- l) annually review departmental records retention and disposition schedules to ensure that the schedules are kept current.

No state law, federal law, city ordinance, or policy relating to the duties, recordkeeping requirements, or other responsibilities of a department or its director exempts the department from its duties and responsibilities to the application of this records management program, nor may such a law or policy be used by the department or its director as a basis for refusing to participate in the records management program of the city.

## **Section 11. ESTABLISHMENT OF THE RECORDS MANAGEMENT POLICY COMMITTEE.**

A records management policy committee shall be established and shall consist of the City Administrator or their designee, each department director or their designee, the City Secretary, the records management officer (if different from the City Secretary), and the records coordinator. Representatives from other city departments may be added at the discretion of this committee.

The records coordinator shall:

- a) chair the committee under the direction of the records management officer;
- b) ensure all policies and procedures receive approval by the City Attorney prior to implementation;
- c) give final approval to the daily maintenance and destruction of records as necessary for the efficient management of this program in accordance with approved records retention and disposition schedules; and
- d) give a recommendation annually to the committee for the approval of the annual destruction of city records in accordance with approved records retention and disposition schedules.

The committee shall:

- a) review and approve policy and procedural recommendations submitted by the records management officer and records coordinator as necessary for the implementation and administration of a records management program for the city;
- b) review the performance of the records management program on an annual basis and propose changes and improvements if needed; and
- c) give final approval to the annual destruction of records in accordance with approved records retention and disposition schedules.

## **Section 12. DESIGNATION OF RECORDS LIAISON PERSONS.**

Each department director may designate, in writing to the records management officer, a member of their department to serve as the records liaison person to act as the point-of-contact for the department. The department director may appoint more than one records liaison person. The department director may reserve the right to act as the records management person.

A person designated as the records liaison person shall be thoroughly familiar with departmental policies and activities and have full knowledge of and access to all city records maintained by the department which are created by the department and by all officers and employees of the department, except where prohibited by state or federal law protecting privacy of employees.

If a person designated as a records liaison person resigns, retires, or is removed by action of the department director, the department director shall promptly designate another person to fill the vacancy.

### **Section 13. DUTIES AND RESPONSIBILITIES OF RECORDS LIAISON PERSONS.**

In addition to other duties assigned in this program, a records liaison person shall:

- a) under the supervision of the records management officer and records coordinator, coordinate and implement the requirements, policies, and procedures of the records management program in the department;
- b) disseminate information to department staff concerning the records management program;
- c) in cooperation with the records management officer and records coordinator, coordinate the records inventory of the department;
- d) verify the accuracy, content and completeness of the records inventory prior to submission to the records management officer and records coordinator;
- e) review departmental recordkeeping practices for compliance with the records management program and, in consultation with the department director, identify practices that would improve for the efficiency or implementation of compliance with the records management program;
- f) report any noncompliance with the records management program to the department director in writing and provide a copy to the records management officer;
- g) correct and re-submit to the records management officer and records coordinator any records inventory that is incomplete or inaccurate; and
- h) obtain prior approval from the department director and the records management officer for the disposition and destruction of any city records.

**APPENDIX A:**

**RECORDS MANAGEMENT PROVISIONS  
APPLICABLE TO ALL DEPARTMENTS**

**City of Garden Ridge, Texas**

## **Section 1. DEPARTMENTAL RECORDS RETENTION AND DISPOSITION SCHEDULES; APPROVAL; FILING WITH THE STATE.**

The records management officer and records coordinator, in cooperation with department directors and records liaison persons, shall prepare records retention and disposition schedules on a department-by-department basis that describe and establish the retention periods for all city records.

A departmental records retention and disposition schedule must contain such other information regarding the disposition of city records as the records management program may require.

Every city record identified on a departmental records retention and disposition schedule, in any amendment to the schedule, or in any request for destruction of a record must be specifically described.

Each departmental records retention and disposition schedule must be monitored and amended as needed by the records management officer and records coordinator on a regular basis to ensure that the schedule is in compliance with records retention and disposition schedules issued by the state and that the schedule continues to reflect the recordkeeping procedures and needs of the department and the records management program of the city.

Before its adoption by the city council, a departmental records retention and disposition schedule or amended schedule for a department must be approved by the department director and the records management officer.

After city council adoption, a departmental records retention and disposition schedule may not be implemented until the schedule or a written certification of compliance has been submitted by the records management officer and records coordinator to and accepted for filing by the director and librarian of the Texas State Library and Archives Commission, as provided by state law. If a schedule or certification of compliance is not accepted for filing, the schedule must be amended and re-submitted to the city council for adoption to make it acceptable for filing.

The records management officer and records coordinator shall file with the director and librarian of the Texas State Library and Archives Commission all approved departmental records retention schedules and amended records retention schedules.

## **Section 2. IMPLEMENTATION OF RECORDS RETENTION AND DISPOSITION SCHEDULES; DESTRUCTION OF CITY RECORDS UNDER SCHEDULE.**

The department director and records liaison person of a department for which a records retention and disposition schedule has been approved and adopted shall implement the schedule in

accordance with the requirements, policies, and procedures of this records management program and state law.

A department director or records liaison person shall notify the records management officer and records coordinator when a city record is eligible for disposition and shall prepare and submit to the records management officer and records coordinator a records disposition request, if required by the applicable records retention and disposition schedule as a condition for disposition. A city record may not be destroyed without authorization from the records management officer and records coordinator, unless otherwise specified by the applicable approved schedule.

A city record which has exceeded its retention period on an approved records retention and disposition schedule must be destroyed unless:

- a) a request under the Public Information Act is pending on the record;
- b) the subject matter of the record is pertinent to pending litigation or a pending audit;
- c) the department director requests in writing, to the records management officer, that the record be retained for an additional period, which request must clearly state the reason for the continued retention; or
- d) the records management officer and records coordinator sends written notification to a department director that the records must be held pending review for historical appraisal.

### **Section 3. DISPOSITION AND DESTRUCTION OF RECORDS**

#### **Transferring Records for Storage:**

The following procedures must be followed when transferring records to the custody of the records management officer and records coordinator for storage. Only those copies determined to be "record" copies of a department or division should be maintained in accordance with the appropriate record retention schedule for your department. Magazines, publications, "extra" copies, etc., are not permitted for storage.

- a) Use appropriate sized storage boxes for letter size, legal size, or computer printout size materials. Each department is responsible for the expense and procurement of boxes.
- b) All records packed in a box must have the same retention period. This is very important! Contents of boxes will be destroyed intact; specific items will not be removed before destruction.
- c) Do not overstuff the box. Leave one inch of space so items may be retrieved easily if necessary. Keep all items in the same direction when packing the box.
- d) All binders, binder clips, paper clips, etc., should be removed before packing.
- e) Label the outside of the box with a list of the contents in alphabetical order, inclusive dates, record destruction number and record destruction date.

Please contact the City Secretary with any questions about these procedures.

### **Retrieval of Records in Storage:**

Departments/ divisions with inactive records in storage may check out a box from records storage by following these procedures:

- a) A Records Checkout Form should be completed showing date of removal, the person removing the records, the expected date of return, the department or division and the employee's signature.
- b) The executed form must be completed before removing any record.
- c) If a box needs to be removed from the Records Room permanently, please notify the records management officer and records coordinator with the reason for removal.

### **Destruction of Records:**

Once scheduled records have passed their retention periods and are eligible for destruction, the following procedures will apply:

- a) All records considered as "AV" (administratively viable) in the record schedules may be disposed on in the containers provided and marked for such documents. These containers will be picked up by an approved records destruction company on a regular basis. Every department shall place all "AV" materials in these containers and only the records management officer and records coordinator will have the ability to open them.
- b) Once a year, in mid-October, the records management officer and records coordinator arrange for an annual bulk destruction of city records. Each department shall prepare an inventory list of records ready for destruction to review with the records management officer and records coordinator. If a box or record listed on the destruction inventory list is needed, it should be identified and the reason for delaying destruction noted. The list will be presented to the City Administrator for his approval and signature. The records management officer and records coordinator will then proceed with the destruction of records in an appropriate manner. Lists of destroyed records will be maintained in the record manager's office.
- c) No city records (except nonessential records) shall be placed in a receptacle that will later be placed in an outside trash container. All records that are to be shredded shall be placed in the "AV" containers.
- d) Even though City records have been converted to a particular micrographic application, the originals of essential records cannot be destroyed without abiding by the appropriate procedures for destruction.

#### **Section 4. DESTRUCTION OF UNSCHEDULED RECORDS.**

A city record that is obsolete or that has not been identified on an approved records retention and disposition schedule may be destroyed if the Texas State Library and Archives Commission has, through its director and librarian, approved a request for destruction authorization submitted by the records management officer and records coordinator.

#### **Section 5. RECORDS INVOLVED IN PUBLIC INFORMATION REQUESTS, PENDING LITIGATION, OR PENDING AUDITS.**

The destruction of a city record involved in a pending request under the Public Information Act, pending litigation, or a pending audit is prohibited, even if the destruction of the record is authorized by an approved records retention and disposition schedule.

#### **Section 6. MICROFILMING CITY RECORDS.**

City records may be microfilmed in accordance with this records management program, state law and the administrative rules of the Texas State Library and Archives Commission. Every department director shall coordinate the microfilming of a city record with the records management officer and records coordinator. The records management officer and records coordinator shall periodically review each department's microfilm programs as to administrative efficiency and compliance with this records management program, state law, and the administrative rules of the Texas State Library and Archives Commission.

#### **Section 7. ELECTRONIC STORAGE OF CITY RECORDS.**

The creation, maintenance, preservation, electronic document imaging, and storage of the electronic records of the city must comply with this records management program, state law and the administrative rules of the Texas State Library and Archives Commission.

Before a city record may be stored electronically, a department director must submit a request for authorization for the electronic storage of the record to the records management officer and records coordinator as required by this records management program, state law and the administrative rules of the Texas State Library and Archives Commission.

**Section 8. RIGHT OF RECOVERY.**

The city may demand and receive from any person any city record in private possession that was created or received by the city, the removal of which was not authorized by law.

**Section 9. PENALTY.**

An officer or employee who knowingly or intentionally violates a provision of this chapter or a requirement, policy, or procedure adopted under this chapter may be subject to prosecution and penalties under the Local Government Records Act.

**APPENDIX B:**

**RETENTION AND DISPOSITION OF E-MAILS  
AND OTHER ELECTRONIC RECORDS**

**City of Garden Ridge, Texas**

## **Section 1. E-mail Policy**

Information created or received is a local government record if it meets the definition in the Local Government Records Act.

Any document, paper, letter, book, map, photograph, sound or video recording, microfilm, magnetic tape, electronic medium, or other information recording medium, regardless of physical form or characteristic and regardless of whether public access to it is open or restricted under the laws of the state, created or received by a local government or any of its officers or employees pursuant to law, including an ordinance, or in the transaction of public business.

Information created or received by an e-mail system is a local government record if it meets the definition above.

A local government record must be made available to the public upon request unless the record fits an exception to disclosure described in Texas Government Code, Sections 552.101 - 552.123. The disclosure of public information includes local records created or received by means of an electronic mail system. The Public Information Act also protects the confidentiality of records by establishing access criminal penalties for distribution of confidential information. An electronic mail system should not be used for transmittal of confidential information unless the system provides security measures to control access so that confidential information is protected. Before any e-mail records which are under the city's control are released pursuant to a public information request, any exempt information should be deleted from the e-mail.

## **Section 2. Identification of Records**

Electronic documents meeting the legal definition of a local government record *which are under the city's control* are subject to all records management requirements set forth in this Records Management Plan.

All features of e-mail systems including messages, calendars, directories, distribution lists, attachments such as word processing documents and messages sent or received over external communication systems such as Internet should be evaluated to identify documentary materials which are under the city's control that satisfy the definition of a local government record.

## **Section 3. Retention of E-mail**

E-mail records that are under the city's control, which are comparable to any other records of the City maintained for a specific period of time on paper or other electronic medium, must be kept for

the minimum retention period identified in Section III, Records Control Schedules, of this Records Management Plan.

Records must be maintained for the full retention period by the Division responsible for maintaining the record copy. Security measures should be taken to protect e-mail records from unauthorized alterations or deletions. Messages stored on-line should be regularly backed up to off-line media to guard against system failures or inadvertent erasures. Procedures for backing up electronic mail systems should be coordinated with the destruction of e-mail records so that no copies are maintained after the retention periods for the records expire.

#### **Section 4. Disposition of E-mail Records**

Apply the Records Management Plan for disposition of e-mail records which are under the city's control as it would be applied to paper records or records stored on other electronic media. E-mail records should be disposed of in accordance with the Records Control Schedules included in Section III of this Plan.

NOTE: Local Schedule GR: Record Series 1000-26, correspondence and internal memoranda, states that routine correspondence and internal memoranda, such as letters of transmittal, requests for publications, internal meeting notices and similar routine matters should only be kept as long as administratively valuable (AV - after purpose of record is no longer deemed administratively valuable).

**APPENDIX C:**

**DISASTER DOCUMENT RECOVERY PLAN**

**City of Garden Ridge, Texas**

## **Section 1. Introduction**

This Disaster Recovery Plan has been developed to ensure the continuity of the city's government by establishing procedures for records rescue in the event of a disaster. It describes the steps to be followed by the Disaster Recovery Team in ensuring the safety of team members, stabilizing the environment, assessing the damage, recovering damaged records, providing for restoration of those records, and minimizing loss to the City.

The recovery process outlined in this plan focuses mainly on the recovery of water-damaged records. Statistics show that ninety-five percent (95%) of all disasters will result in water-damaged records; action must be taken quickly to salvage damaged materials. Mold will develop within 48 to 72 hours when temperature exceeds 75°F and relative humidity exceeds sixty percent (60%). Action can be taken by an in-house Disaster Recovery Team to minimize water-damaged loss. Damage caused by heat, smoke, chemical spills, or infestation requires specialized salvage techniques; outside professional assistance is required for recovery from damage of this kind.

Preparedness to cope with damaged records is not enough. No matter how carefully the procedures below are executed, restoration will only be partial. All City departments must take measures to prevent loss of their records. Preventive measures entail creating back-up copies of vital or important information, whether in the form of paper, microfilm, or magnetic media, and storing the copies off site. In case of disaster, a department can retrieve the backups and re-establish operation with minimum interruption.

## **Section 2. Inventory / Priority Lists**

Each department, office, and area should have a list of all materials located therein,

- Priority 1 - Salvage at all costs;
- Priority 2 - Salvage if time permits;
- Priority 3 - Salvage as part of general clean-up.

The following questions may be helpful in determining priorities:

- Can the item be replaced? At what cost?
- Would the cost of replacement be less or more than restoration of the item?
- How important is the item to the department?
- Is the item available elsewhere?

### **Section 3. In-House Disaster Recovery Team Members**

A disaster situation will require resources beyond those available in individual Departments. Therefore, a citywide Disaster Recovery Team is established to deal with disaster situations.

The following staff members should be called in the event of a disaster:

#### **DISASTER RECOVERY TEAM:**

Team Chairman:	City Administrator
Asst. Chairman(s):	Records management officer and records coordinator
Team Member:	Police Chief
Team Member:	Public Works Director / Emergency Management Coordinator

#### **TEAM DUTIES INCLUDE THE FOLLOWING:**

- Preparation and update of the Disaster Recovery Plan for City Records.
- Obtaining and maintaining Disaster Supply Kits at appropriate locations.
- Assessing damage to City Records following a disaster situation.
- Supervising the records recovery operations following disaster.
- Supervision of the records restoration process following disaster recovery operations.

### **Section 4. Authority/ Responsibility of Disaster Recovery Team Chairman**

Starting the procedure for notification of other team members.

Staying in contact with appropriate department heads and assigned staff.

Staying in contact with outside consultants and agencies.

Making certain that the initial disaster has been dealt with and that cleanup crews have begun their work. ( The crew' s responsibilities should be clearly defined.)

Maintaining Disaster Supply Kits and making sure additional supplies are on the way.

Being available to the Disaster Recovery Team and to the overall recovery operation to answer questions, to initiate subsequent phases of the recovery operation, and to determine other remedial steps.

Ensuring that Team members do not enter a facility until permission is granted by appropriate emergency personnel.

The Assistant Team Chairman is responsible for the Team Chairman's duties in his/ her absence).

## **Section 5. Stabilization of Environment**

The environment must be stabilized within 48-72 hours to prevent the growth of mold.

Departmental Staff are responsible for the following actions:

Contact the Finance Department to obtain emergency funding account.

Obtain pumps for removal of large quantities of standing water, if necessary. (Extreme caution must be taken, as standing water can conceal hazards).

Use portable generators in case of power failure.

Run fans constantly to circulate air and expel humidity from the area.

Use thermometers or hygrometers to work toward attaining the ideal condition of 65°F

Dehumidifiers can help lower the humidity, however, they are usually only effective in small, enclosed areas; they tend to increase temperature in a room, and they can also freeze up in the lower temperatures required for salvage and recovery operations. Temperature and humidity should be monitored constantly.

Emergency Management Coordinator will be responsible for the following actions:

Spell out the dangers associated with disaster recovery.

Electrical shock hazards.

The handling of file cabinets that have been damaged by fire and that have retained heat.

Strong fumigants used to kill molds and fungus.

Other hazards to safety of employees and property.

After the damaged items have been removed and the environment has been stabilized, the area must be thoroughly cleaned.

Walls, floors, ceilings, and all furniture and equipment must be scrubbed with soap and water and a fungicide.

Carpeting and especially the padding under it, should be carefully examined, as mold will develop rapidly.

Removal of smoke odor and fogging with fungicides or insecticides should be performed only by professionals.

Assist Departmental Staff in securing equipment and removal of water.

## **Section 6. Assessment of Damage**

In the event of a major disaster, do not enter the building until it has been declared safe to do so by the Fire Marshal or Emergency Management Personnel.

The Emergency Management Coordinator will survey the entire area and take extensive notes (use a pencil, ink will run). Photographic records will also be made with both 35mm and video cameras.

Disaster Recovery Team Chairman and the records management officer and records coordinator will assess the extent of damage as soon as possible. This action should be done with a minimal amount of physical handling. Photographs taken by the Emergency Management Coordinator will support information on damage.

Determination of records damage will include:

- a) How much damage has occurred?
- b) What kind of damage is it? (Fire, smoke, soot, clean water, dirty water, heat, humidity)
- c) Is it confined to one area or is the entire building damaged?
- d) How much of the collection of records has been affected?
- e) What type of records have been damaged? (Documents, books, microforms, computer disks)
- f) Are any damaged records vital?
- g) Are the damaged items easily replaced or are they irreplaceable?
- h) Can the records be salvaged by an in-house recovery team, or will outside help be required?

The Disaster Recovery Team Chairman will notify the members of the Disaster Recovery Team, contact outside assistance that is needed and initiate any emergency agency company recovery procedures for water-damaged records.

The records management officer and records coordinator will create an inventory as records are moved.

## **Section 7. Recovery Procedures for Water-damaged Records**

The following procedures should be conducted by departments with the supervision of the Disaster Recovery Team Chairman.

### **PAPER RECORDS -Volumes to be Frozen**

- a) Clean the floor and aisles first.
- b) Take action within 48 hours to prevent the development of mold and mildew.
- c) Begin with the wettest materials. Handle wet paper carefully and as little as possible - it is fragile.
- d) Dirt and mold should be removed and treated before freezing. If time does not permit these activities, dirty and/ or moldy books may be frozen (mud will easily brush off when it is dry). Silt should be washed out immediately, as it is almost impossible to remove when it is dry.
- e) Pack materials on-site, if possible. Pack loose papers, files, or books spine down for minimum damage. Wrap freezer paper around each volume (waxed side next to the volume) and place in plastic crates.
- f) If books are stuck together, do not attempt to separate them, but pack them as one volume.
- g) Pack crates one layer only, snugly enough that volumes will not slide or lean.
- h) Wrap open books as found. Do not attempt to close open volumes or open closed volumes that are wet. Do not place more than one open volume in a container.
- i) Blast freeze as quickly as possible to stabilize materials.
- j) Keep accurate records of each container's contents and label that container. If containers are sent to more than one freezer, note which container numbers are sent where.
- k) Keep records of damaged items and discarded items
- l) Materials should be placed in a freezer facility as quickly as possible to prevent the growth of mold. Care should be taken that containers do not fall over during transport, as further damage may result. Materials should be placed in refrigerated trucks if they cannot be frozen within forty-eight (48) hours.
- m) Records already stored in boxes should not be re-boxed unless, absolutely necessary. Tip the boxes gently to allow excess water to drain out. Then quick-freeze the entire box.

## **PAPER RECORDS -Volumes to be Air-Dried**

### Washing Procedures (to be performed off-site only):

- a) Keep books tightly closed and hold under cold, clean, running water.
- b) Remove as much mud as possible from the binding by dabbing gently with a sponge. Do NOT rub or use brushes and do NOT sponge the pages, or edges, as these actions can force the mud into the spine or the wet pages, causing further damage to the volume. Let the motion of the running water clean off the dirt.
- c) Squeeze the book gently and with even pressure to remove excess water and to reshape the binding.
- d) Do NOT wash:
  - Open or swollen volumes.
  - Vellum or parchment bindings or pages.
  - Full or partial leather bindings.
  - Fragile or brittle materials.
  - Works of art on paper.
  - Water-soluble components (inks, tempera, watercolors, dyes, charcoal, etc.)
  - Manuscripts.
  - Saturated Volumes.
- e) Do not open saturated volumes – wet paper tears easily!
- f) Set volumes on their heads on absorbent paper. Pages tend to droop within the binding when a volume is shelved upright, so setting it on its head will counteract this tendency. Plastic sheeting should be placed under the paper toweling or unprinted newsprint to protect tabletops. Turn the volumes right side up when changing the paper beneath them. Their position should be reversed each time the paper is changed and the wet paper is removed from the area.
- g) Cover may be opened to support the volume.
- h) Aluminum foil may be placed between the cover and the end leaf to prevent staining from the binding dyes.
- i) When most of the water has drained, proceed as for "Damp Volumes", below.

### **Damp Volumes:**

- a) Very carefully open the book (not more than a 300 angle).
- b) Keep the volume in an upright position.
- c) Place interleaving sheets at intervals of twenty-five leaves (fifty pages), unless they will distort the volume.
- d) Change interleaving frequently. Do NOT reuse unless the sheets are being impregnated with fungicide. Ortho-Phenyl Phenol (O-PP) is recommended. Mix one pound of O-PP to

one gallon of acetone or ethanol (do not use methanol, as it will cause inks to bleed). Safety equipment (mask, eye goggles and rubber gloves should be worn when preparing and using this solution.

### **Slightly Damp Volumes/ Volumes with Only Wet Edges:**

- a) Stand volume on its head and fan open slightly. Paperback books may support each other with a barrier between them or they may be wedged with Styrofoam pieces. Position volume in the path of circulating air.
- b) When almost dry, lay the volumes flat and place weights (NOT other drying books) on them to minimize distortion. Do not stack wet volumes.
- c) Lightweight volumes (less than six pounds) may be hung on lines to dry.

Use monofilament nylon lines, not more than 1 / 32" diameter, not more than five or six feet long, spaced approximately one-half inch apart.

Do NOT line-dry a saturated volume as the monofilament will cut through the wet paper.

### **Volumes With Coated Stock Paper**

Wet coated stock paper should be handled with care, as the print will slide off the wet page if it is rubbed. DO NOT allow wet books with coated stock paper to dry in a closed state as the pages will permanently bond together. Almost all attempts to separate stuck pages by rewetting them have failed. Vacuum freeze-drying of coated stock volumes is rarely successful. Keep volumes submerged until the pages can be separated. The only chance of saving such materials is to interleave every page and air dry.

### **Documents/Unbound Materials**

Freeze as found.

Do not remove from file cabinet drawers, document cases, or folders.

Do not turn containers upside down to empty or drain. If possible, gently tip file cabinets and boxes to allow excess water to drain out.

### **Separation of wet sheets.**

Place a sheet of polyester film on top of a stack of wet, unbound papers (or the first page of a bound volume).

Rub gently with a bond folder – surface friction will cause the wet paper to adhere to the film.

Peel back the top sheet and place it on top of a piece of polyester web, nonwoven interfacing, such as Pellon, is most effective.

Remove the polyester film.

Place another piece of polyester web on top of the wet sheet.

Repeat the entire process, separating the wet sheets one at a time and interleaving them with polyester web. (Materials may be frozen at this stage.)

Air dry the sheets (supported by the polyester web) by placing them on absorbent paper on tables, on drying racks, or on top of closely spaced monofilament lines. Air in the room should be kept circulating, but fans should not blow directly on the materials.

The papers may be flattened when they are almost dry by placing them between two sheets of blotting paper (to remove excess moisture) and applying even pressure with weights.

## **PHOTOGRAPHIC MATERIALS**

Photographic materials (prints, negatives, slides, film) should not be allowed to dry untreated after they become wet, as they will stick to their enclosures or to each other. Any attempt to separate them after they have dried together may result in damage to the emission or the image. Remove materials from their enclosures and wash off any mud or dirt under cold, clean, running water.

Do not expect to salvage color photographs, as the colored layers will separate and the dyes will fade quickly. However, if you wish to try, air dry immediately or freeze them.

Color films and photographs:

Keep wet.

Freeze if professional help must be delayed longer than 48 hours.

Transport to or have picked up by photographic laboratory.

Silver emulsion films and photographs:

Keep wet.

Wash off any mud or dirt under cool, clean, running water.

Microforms:

Silver halide microfilm:

Leave film in cartons.

Immerse film in clean, cool water in clean, liffed container.

DO NOT agitate container during transportation or storage.

Add a one-percent solution of Formalin to water to prolong storage time to two weeks.

Vesicular and diazo microfilm:

Rinse off mud or dirt under cold, clean, running water.

Lay out reels or fiche flat to air dry or dry with cheesecloth.

## **TAPES (AUDIO, VIDEO, COMPUTER) AND FLOPPY DISKETTES**

Such records are among the easiest to duplicate and store off-site, thus making a backup system an invaluable alternative to recovery. Water is especially damaging to magnetic materials. The longer they have been wet the greater the damage will be. Do not attempt to play any damaged tapes or disks, as they can damage the equipment on which they are being played. The following procedures are recommended if you wish to attempt to salvage tapes:

Break open the cassettes. Remove floppy disks from their cases.

Wash in clean or distilled water.

Air dry, dry with cheesecloth, run through a tape cleaner or winder, or gently separate the reel flanges with spacers (such as inert grommets) to allow water to run off, promote air flow, and prevent tap-to-flange adhesion. Do not dry with heated airflow, as it will promote humidity, resulting in adhesion of the media.

Store upright and without crowding in distilled, room-temperature water, (may be stored this way for up to two weeks).

## **OTHER MAGNETIC MEDIA**

Obtain professional advice from one of the consultants listed in the Team Chairman's files, or contact the Texas State Library for a list of vendors.

## **Section 8. RESTORATION OF WATER-DAMAGED RECORDS**

A number of options are available for treating water-damaged materials. The choice of treatment will depend upon the extent and type of damage incurred, and the manpower, expertise, and facilities available.

### **PAPER RECORDS**

The period of time during which items are frozen can be used to decide which records are worth restoring and which can be discarded without further processing and expense.

### **VACUUM FREEZE DRYING**

Vacuum freeze-drying is the safest and most successful method, although it is also the most expensive. Materials **MUST** be frozen prior to placing in a sublimation chamber. This type of chamber operates under high vacuum and high heat, and turns the ice crystals in and on the frozen materials to water vapor. The vapor is then collected on a cold panel that has been chilled to at least -200°F, so it cannot go back on the materials. If they are not frozen when they are put in the chamber, the materials will freeze on the outside and the water molecules on the inside will be forced through the frozen barrier as the vacuum is pulled. This action can cause the book or document to "explode".

When materials are removed from the vacuum freeze chamber, they will be **VERY** dry and should acclimate for at least one (1) month before they are opened to avoid cracking the spine and/ or binding ( this is especially true for leather bindings). They may be placed in a high humidity room to accelerate the acclimation process, but must be monitored closely for signs of mold.

Materials so treated will **NOT** look like new, but will show signs of swelling and distortion. Photographs will not be damaged by this treatment, but rubber cement may dissolve and stain the pages to which it has been applied.

### **VACUUM DRYING**

Vacuum drying involves the placement of wet materials in a chamber that pulls the moisture by means of a vacuum. This method is **NOT** recommended as the heat involved is damaging to paper (especially bound paper) and photographic materials. Microwave ovens should not be used for the

same reason. In addition, the rapid evaporation of water in the microwave can cause vapor explosions in the covers and inside pages of coated stock.

If frozen materials are vacuum dried, most of the water will pass through the liquid state before vaporizing. As a result, water-soluble inks and dyes may bleed.

## **FREEZING**

Freezing wet materials will stabilize them and provide you with time to determine your course of action. Mold will not grow and further deterioration from water will not occur when materials are in a frozen state. Books have been left in a freezer for ten years and successfully thawed and air-dried with no resultant damage. Freezing will also help to eliminate smoke odor from materials.

Rapid freezing is recommended to minimize damage from ice crystals (the faster the materials are frozen, the smaller the ice crystals will be). Blast freezing services can be performed on site.

Freezing is an intermediate stage. After materials have been removed from the freezer, they must be placed in a vacuum freeze dryer or air-dried.

## **AIR-DRYING**

Air-drying is labor intensive and requires a great deal of space, but it is tried, true and cheap. It also offers security, as it can be done in-house and materials can be watched.

Air-drying should be performed only in a stable environment to inhibit the growth of mold. The ideal environment for air-drying is 50°-60°F and 25-35% RH. This process is NOT recommended for coated stock materials.

## **PHOTOGRAPHIC MATERIAL**

Color film and photographs:

Obtain professional assistance with restoration

Silver or emulsion film and photographs

Air dry (if not too many and if time permits) either flat or on lines.

If too many to air-dry, then store in cold water (64°F or below) for up to three (3) days. Formaldehyde may be added to water at a ratio of 15ml. to 1 liter.

Transport to or have picked up by a professional photography laboratory within twenty-four (24) hours.

If time permit air-drying or transporting to a professional laboratory, freeze quickly. (Less damage is caused by freezing than by delaying treatment).

Silver Halide:

Send to or have picked up by professional microfilm processing laboratory.

Vesicular and diazo:

Wash with liquid detergent and rinse

Lay out on absorbent paper to dry

Tapes and Floppy Diskettes

If the diskette itself has been damaged (by melting, creasing, etc.), restoration is very difficult, and probably incomplete at best. If there is a loss of access to data due to foreign material on the surface, this type of damage more readily allows restoration. To remove a contaminant, follow these procedures:

Carefully remove diskette from jacket and sleeve

Agitate the exposed diskette in multiple baths of cool, distilled water

Dry with lint-free towels or air dry

Insert diskette

Copy data to new diskette

Clean copy equipment drive heads often to avoid permanent damage to heads

Other Magnetic Media

Have professionally cleaned and dried by an outside agency.

## **Section 9. RECOVERY PROCEDURES FOR OTHER TYPES OF DAMAGE**

### **FIRE/SMOKE**

#### **PAPER**

If records are not fragile, trim charred edges, and clean the surface with a soft bristled brush and rub gently with art gum eraser, mildly abrasive drawing paper, or wallpaper cleaner. Typed material should first be tested to determine if correctable ribbon was used; if so, do not use paper cleaner. If

records are too fragile, enclose in mylar folder and copy, using either paper or microfilm. Discard the original, keeping a record of such action.

Smoke damaged records can be quick frozen to remove smoke smell.

Consult restoration and microfilm specialists

## **PHOTOGRAPHIC MATERIALS**

High temperatures of 125°F and above melt the film emulsion and even the base media. The results of fire damage include sticky surfaces, melted layers and severe image distortion. The assistance of a professional restorer will be required in the recovery process.

## **MAGNETIC MEDIA**

High temperatures of 125°F and above destroy magnetic tapes, disks and diskettes. Determine how much information is available elsewhere for reconstruction of data. If recovery is necessary, contact the Team Chairman.

## **ATMOSPHERIC POLLUTANTS AND CHEMICAL SPILLS**

Damage varies with each chemical spill or pollutant. Contact restoration specialists to assist in salvage.

## **RODENT, MOLD, OR INSECT INFESTATION**

Contact restoration specialists to fumigate and clean records and deacidify if needed.

## **DISASTER SUPPLY KIT**

A disaster supply kit should be located in each City facility to allow the Disaster Team to begin work immediately after a disaster. The Disaster Recovery Team Chairman should keep a list of supply kits for each building and their locations.

The following items should be included in the Disaster Supply Kit:

Absorbent paper: 5-20 reams, optimum size 9"x12"; (Do not use newspaper for archival or permanent records).

Wax paper or freezer paper  
Roll of plastic sheeting or one 9'x12' plastic drop cloths  
Sharp knives: 2 or 3  
Large screwdriver  
Distilled water: 1 gallon  
Formalin  
Flashlight with extra batteries (replace batteries every six months)  
Protective clothing  
Rubber gloves: 4 pair  
Large, strong plastic garbage bags: 10  
Paper tags with string or wire holders: 25  
Scissors, 12": 2 pair  
Clean lint-free rages or paper towels  
Cubic foot boxes or plastic milk crates  
Lidded containers: 2 or 3; and  
Sponges

## **CHECK LIST**

### **I. Pre-Emergency Planning**

#### **A. Disaster Recovery Team**

- 1. Appoint representative to DRT in accordance with Section III A.
- 2. Assign specific duties to DRT members.
- 3. Appoint building administrator to DRT from each building
- 4. Review Disaster Recovery Plan with DRT on an annual basis
- 5. Select additional members as needed

#### **B. Prevention Precautions**

- 1. Check building(s) periodically for hazards.
- 2. Prohibit smoking in all storage areas
- 3. Install class ABC fire extinguishers as needed
- 4. Check air conditioning systems
- 5. Check drainage of floors located above records storage areas
- 6. Raise all storage cabinets off the floor
- 7. Use steel shelving with adequate cross bracing
- 8. Move microfilm of different generic types separately
- 9. Store microfilm of different generic types separately
- 10. Duplicate and discard all nitrate base negative film

- \_\_\_11. Use fire-resistant materials in construction
- \_\_\_12. Install some type of fire suppressant system

### C. Emergency Preparations

- \_\_\_1. Provide emergency instructions to all employees
- \_\_\_2. Prepare floor diagrams with records locations
- \_\_\_3. Prepare a list of professional consultants
- \_\_\_4. Prepare a list of volunteers to assist with records recovery
- \_\_\_5. Prepare a list of suppliers and facilities needed for recovery
- \_\_\_6. Create and duplicate any forms needed for recovery

## II. INITIAL RECOVERY PROCEDURES

### A. DAMAGE ASSESSMENT

- \_\_\_1. Assemble the Disaster Recovery Team
- \_\_\_2. Secure entry to damaged areas
- \_\_\_3. Determine extent of damage
- \_\_\_4. Assemble volunteers and supplies needed for initial recovery
- \_\_\_5. Set up operations desk for Disaster Recovery Team Chairman
- \_\_\_6. Stabilize temperature and humidity in disaster areas
- \_\_\_7. Prepare damage location inventories
- \_\_\_8. Make treatment decisions as appropriately as possible
- \_\_\_9. Arrange for temporary cold storage if water damage is present
- \_\_\_10. Establish the necessary workrooms for records treatment
- \_\_\_11. Assign removal priorities from disaster areas
- \_\_\_12. Organize volunteers who will be helping with recovery operations

### B. REMOVAL OF RECORDS

- \_\_\_1. Pack damaged records
  - \_\_\_a. Pack wet articles in plastic milk crates (if available).
  - \_\_\_b. Wrap records to be frozen in wax paper.
  - \_\_\_c. Have a fire extinguisher ready when opening file drawers.
  - \_\_\_d. Immerse wet microfilm in fresh, cool water.
- \_\_\_2. Remove damaged records.
  - \_\_\_a. Remove records using hand trucks, book carts or human chains.
  - \_\_\_b. Inventory every container that is removed from the disaster area(s).
  - \_\_\_c. Take damaged materials to work rooms or transport vehicles

\_\_\_3. Begin restoration procedures.

## **Section 10. DISASTER RECOVERY OPERATIONS**

### **Procedures**

If a disaster strikes when the building is occupied, your first concern should be for the safety of the individuals inside. Escape routes, alternate routes, and procedures for evacuating the building should be clear to all personnel and visitors. Practice drills should be conducted on a regular basis to eliminate panic during an actual disaster. Specific individuals should be assigned the task of determining whether the building has been completely evacuated.

Most disaster, however, seem to occur when the building is unoccupied-during the early morning hours, on weekends, or during holiday closings. In the event of a major disaster, do not enter the building until it has been declared safe to do so by the fire or emergency management personnel.

The following steps are recommended for an effective records recovery operation:

- Activate the in-house disaster recovery team
- Establish security and safety
- Assess the damage
- Stabilize the environment
- Treat damaged records to salvage
- Post-disaster assessment

### **Recovery Team**

The disaster recovery team should be contacted and assembled prior to the start of work to salvage records after a disaster. Tee team members must be briefed on the procedures to be followed and priorities to be met. Each person should be given a specific area of responsibility. No salvage activity should begin until a plan of action has been determined by the team leader.

One of the immediate priorities for the action plan must be to obtain the various services, equipment, and supplies needed during the salvage operation. The disaster plan should provide most of the basic information; however, it may be necessary to spend considerable time on the telephone. A communications center should be established immediately, which can function as a centralized point for the organization of the recovery effort and to help avoid confusion and delays whenever possible

Arrangements must be made to take care of the needs of all personnel involved in the recovery effort. Hot coffee/tea and food should be available in an area where people can rest and relax, separate from the disaster area.

## **Security and Safety**

Throughout the initial period of damage assessment and during recovery activities, security and safety precautions are essential. Security control measures should restrict access to the damaged area(s) and be maintained through the use of security personnel, sign-in/sign-out register, and identification badges. Only authorized personnel should be permitted to enter the building.

Safety precautions during the recovery process include:

- Reviewing disaster areas for hidden hazards such as short-circuited motors or broken electrical wires

- Avoiding standing water and wet carpets that make use of electrical equipment dangerous

- Installing and using temporary wiring properly

- Using care with fire- and water-damaged files. Caution must be used in opening cabinets or lifting storage boxes

- Using face masks and protective gloves, and immediately washing or cleaning clothing may be necessary due to the health hazards caused by fungal and bacterial organisms

## **Damage Assessment**

The type and degree of damage must first be examined. One or more disaster recovery team members should walk through the entire area and take notes to answer questions, such as:

How much damage has occurred?

What kind of damage is it (fire, smoke, soot, clean water, dirty water, heat, humidity)?

Is it confined to one area or is the entire building damaged?

How much of the records holdings have been affected?

What types of record media have been damaged (paper documents, microforms, photographs, magnetic tapes, and diskettes)?

Are the damaged records easily replaced (is there a preservation duplicate stored off-site, are these convenience copies of records)?

Are the damaged records irreplaceable and what is their value (is this the only copy of the information, how important are these records to the business of the agency)?

Can the records be salvaged by the in-house recovery team, or will outside help be required?

A realistic and thorough assessment must be made as quickly, efficiently, and safely as possible. The damage to records should be appraised without handling the records whenever possible, as further irreparable damage may result. Before you begin handling the materials, photographs should be taken to document the damages.

### **Stabilizing the Environment**

While the character and degree of damage is being assessed, steps must be taken to stabilize the environmental conditions affecting the records. Mold growth, which can appear within 48 hours, is encouraged by conditions of high humidity and high temperatures. By reducing relative humidity and temperatures, and reduce the risk of mold and thereby buy time for the recovery operations. The following equipment should be readily accessible to help stabilize the environment:

Portable generators, in case a power failure occurs

Pumps, to remove large quantities of standing water

Fans, to circulate the air

Thermometers, hygrometers, or other devices to measure the temperature and humidity

The air should be circulated in the damaged area to eliminate any stagnate air pockets. This may be accomplished by running fans constantly. If possible, the fans should expel the humid air from the area. Dehumidifiers can help to lower the humidity, although they are usually effective only in small, enclosed areas and tend to increase the temperature in a room. They can also freeze up in the lower temperatures required for salvage and recovery operations. Temperature and humidity should be monitored constantly.

Any standing water should be pumped from the area. Extreme caution must be taken, as standing water can conceal hazards. All wet debris and carpets should be removed.

### **Treating Water-Damaged Records**

The choice of specific steps to be followed for salvaging records will vary according to the type of records medium being treated and the cause of the damage. The records most likely to be salvaged after a disaster are those that have water damage. A number of options are available for treating water-damaged materials.

#### **Paper Records**

A decision has to be made by the recovery team leader and/or the records management officer and any available conservation personnel whether water-damaged paper records will be air dried or

frozen. When materials are slightly damp and quantity is considered manageable, air-drying may be considered. If the material is soaked, it should be frozen, regardless of the quantity.

**Freeze and thermal vacuum-dry method**-The most effective procedure for stabilizing water-damaged records and archival materials is to blast freeze them to a temperature of -20°F and then to dry them by a thermal vacuum process. Freezing offers several advantages because it allows time to:

- Estimate recovery costs

- Prepare and coordinate subsequent steps in the drying and recovery operation

- Clean up the affected areas of the disaster site.

In addition, freezing stabilizes water –soluble materials such as inks, dyes, etc., which may dispense during natural drying. The subsequent thermal vacuum-drying will cause water to pass from a frozen state to a vapor without returning to liquid form. Under such conditions, the feathering of inks is slight. Freezing and thermal vacuum-drying will also lessen stains and reduce and remove the odor caused by smoke.

**Drying without freezing method** – If it is decided that the freeze and thermal vacuum-drying method is not practical, natural drying of the damaged material is possible. Rooms chosen to be drying areas must have good air circulation and low humidity; this requirement can be achieved by the use of fans, dehumidifiers, and/or air conditioning.

## **Microforms**

In the handling of water-damaged microforms, speed is again essential in order to prevent the breakdown of the film emulsions and the onset of bacterial growth that will destroy film images. Generally, water-damaged microfilm and microfiche should not be frozen since development of ice crystals may be harmful. Damaged microforms should be kept under water, preferably distilled, and sent to a professional micro processing laboratory for film cleaning services.

## **Electronic Media**

The disaster recovery planning for records stored on electronic media should include the implementation of an effective program for creating regular backups of critical or essential files and storing these in a safe location. Unless there is no other alternative, file recovery efforts should proceed through reliance on use of backup files rather than attempting to reuse damaged media. For electronic media disaster planning purposes, system support backup tapes and disks and documentation should be stored off-site. A typical backup would consist of establishing three versions of data: the previous generation of data, the active data, and a copy of the active data.

If the circumstances require the salvaging of water-damaged electronic media, they should not be used until thoroughly cleaned and dried and the housing or containers replaced. This will avoid damage to equipment, especially disk drives.

Magnetic tapes which have become wet have a good chance for information recovery. Hand dry all external surfaces with a soft, lint proof cloth and air-dry the tape using a tape cleaner or winder to run tapes from reel to reel. A company specializing in magnetic tape restoration should be consulted.

Drain and blot floppy diskettes with soft, lint-proof cloth. Peel the jacket away from the diskette and rinse the diskette with distilled water. Drain the diskette and place flat; blot and air dry approximately eight hours. When dry insert into new jacket. Copy data to new diskette. If the information copies properly, discard the damaged diskette. Clean copy equipment drive heads to prevent damage to the heads.

Note: Further information on the planned backup of records on magnetic media can be found in "Electronic Records: (Part V of the Texas State Records Management Manual). Off-site backup storage is usually the best protection for vital records.

### **Post-Disaster Assessment**

An essential component of the disaster recovery process is an assessment after the disaster recovery operation is completed. The assessment should note the effectiveness of the disaster plan and should include an evaluation of the sources of supplies and equipment, and of any off-site facilities used. Once the assessment has been made, the disaster plan should be amended where necessary to reflect any inadequacies that have been identified. Never assume that since your agency has experienced a disaster it will be a long while, if ever, that you will have another one.

### **Plan Ahead – Be Prepared**

The real disaster is when agencies fail to prevent those situations which are damaging to records but could have been avoided, or fail to be prepared to make an effective response when a disaster strikes so that valuable city records can be recovered.

The objectives of disaster recovery planning for records management are to identify potential hazards to the maintenance of records needed by the agency for official city business and, as much as possible, to prevent emergencies from happening. In the event of an unavoidable calamity, agencies can still be prepared to ensure continuation of services to the public by efficiently recovering vital city records.

## Disaster Recovery Plan – Sample Format

Name of agency

Date of completion or update of this plan

Agency staff to be called in the event of a disaster:

Disaster Recovery Team	Name	Telephone Numbers (home and office)
Leader		
Members/alternates		
Building maintenance		
Building security		
Legal advisor		

Emergency services to be called (if needed) in the event of a disaster:

Service	Contact	Telephone Numbers
Ambulance		
Carpenters		
Chemist		
Data processing backup		
Electric		
Electrician		
Emergency management coordinator		
Exterminator		
Fire department		
Food services		
Gas		
Locksmith		
Micrographics		
Plumber		
Police department		
Security personnel (extra)		
Software vendor		
Temporary personnel		
Utility companies		
Water		
Other individuals/ groups to assist in the clean up		

Locations of in-house emergency equipment and supplies (attach map or floor plan with locations marked).

Item	Location
Batteries	
Badges	
Camera and film	
Cut-off switches and valves	
Electric	
Gas	
Water	
Sprinkler system (if separate)	
Extension cords (heavy duty)	
Fire extinguishers	
First aid kits	
Flashlights	
Ladders	
Mops, sponges, buckets, brooms	
Nylon monofilament	
Packaging tape and string	
Paper clips (non-rust)	
Paper towels (not colored)	
Pencils/waterproof ball point pens	
Plastic trash bags	
Rubber gloves	
Scissors	
Transistor radio (battery powered)	
Wiping cloths	
Writing tablets	

Sources of off-site equipment and supplies (if maintained on –site, note location):

Item Contact Telephone Number

Item	Contact	Telephone Numbers
CB Radio		
Dehumidifiers		
Drying space		
Dust masks		
Fans		
Fork lift		
Freezer or wax paper		
Freezer space		
Fungicides		

- Generator (portable)
- Hard hats
- Pallets
- Plastic milk crates
- Plastic sheeting (heavy)
- Pumps (submersion)
- Rubber boots or overshoes
- Refrigeration truck
- Safety glasses
- Spotlights
- Trash cans (plastic, small/large)
- Unprinted newsprint
- Vacuum/freeze-frying facilities
- Waterproof clothing
- Wet-dry vacuum
- Work tables and chairs

### **Salvage priority list**

Attach a copy of the records retention schedule identifying all vital records series. The location and record medium of the preservation duplicate for each vital records series should be noted.

It is also very helpful if other records series are reviewed to determine their priority for salvage should a disaster occur. The following questions can be helpful in determining priorities:

Can the records be replaced? At what cost?

Would the cost of replacement be less or more than restoration of the records?

How important are the records to the agency

Are the records duplicated elsewhere?

To identify this process, priorities may be assigned as follows:

Salvage at all costs (for example, records that are historically valuable or non-vital records that are important to agency operations and very difficult to recreate)

Salvage if time and resources permit (for example, records that are less important to the agency or somewhat easier to recreate)

Dispose of as part of general cleanup (for example, records that do not need to be salvaged because they are convenience copies and the record copy is at another location)

### **Agency disaster recovery procedures**

Attach a list of specific procedures to be followed in the event of a disaster in your agency, including responsibilities of in-house recovery team members.

### **Follow-up assessment**

If a disaster does occur, a written report, including photographs, should be prepared after recovery and attached to a copy of the disaster plan. The report should note the effectiveness of the plan and should include an evaluation of the sources of supplies and equipment, and of any off-site facilities used.

## Agenda

Garden Ridge Library landscaping volunteers are seeking conceptual approval to add a gazebo to the new library landscape. The gazebo would be funded and constructed by area Boy Scouts as a community project to fulfill a requirement for Eagle Scout.

### Background:

Volunteers working on the City Library landscape wish to add a gazebo on the grounds of the City Complex. The location of the gazebo would be between the Library and the Community Center approximately 20' north of the Library entrance. Volunteers feel the gazebo would make an excellent architectural addition to the landscape, increase the enjoyment of residents using the library, and potentially serve as a feature that increases Community Center rentals. Local Boy Scout leadership would like to use the gazebo as a means to fulfill the community service requirement for becoming an Eagle Scout and the Scouts would be responsible for the funding. If Council grants conceptual approval, the Scouts would gather all information necessary to make a formal presentation to Council for the purpose of receiving approval to actually construct the gazebo.







**MONTHLY REPORT**

**CITY OF GARDEN RIDGE  
BALANCE OF ALL FUNDS AS OF 10/31/13**

<u>ACCOUNT</u>	<u>BALANCE</u>	<u>CURRENT RATE</u>
<b>CITY FUNDS</b>		
OPERATING ACCOUNT	\$ 142,159.47	0%
MONEY MARKET	\$ 812,370.02	.20%
MUNICIPAL COMPLEX PROJECT FUND	\$ 15,578.11	.20%
ASSET FORFEITURE/SEIZURE (STATE)	\$ 1,475.91	.10%
ASSET FORFEITURE/SEIZURE (FED)	\$ 82,584.02	.15%
2002 WATER IMPROVEMENT		
INTEREST & SINKING	\$ 11,183.83	.20%
2005 MUNICIPAL COMPLEX I&S	\$ 72,138.03	.15%
2005 I&S – TAX NOTE	\$ 50,653.71	.15%
2009 REFINANCE 98 I&S	\$ 71,152.31	.15%
2009 INTEREST & SINKING	\$ 47,976.37	.10%
2012 REFINANCE I&S	\$ 11,017.47	.05%
2012 INTEREST & SINKING	\$ 49,553.81	.10%
2012 CIP PROJECT	\$ 5,265,267.92	.20%
STREET IMPACT FEE	\$ 165,278.11	.20%
TEXPOOL STREET IMPACT FEE	\$ 408.94	0%
TEXPOOL INVESTMENT	\$ 399.67	0%
PEG FEES	\$ 25,006.17	0%
 SUBTOTAL OF CITY FUNDS	 \$ 6,8240,203.87	
AVERAGE CITY INTEREST RATE		.15%
 <b>WATER FUNDS</b>		
2009 WATER IMPROVEMENTS	\$ 42,815.01	.10%
IMPACT FEES	\$ 902,040.80	.20%
TEXPOOL WATER RIGHTS/INFRAS	\$ 4,903.70	.0498%
TEXPOOL WATER INVESTMENT	\$ 604.91	0%
TEXPOOL IMPACT FEE	\$ 411.31	0%
WATER SURCHARGE	\$ 97,294.20	.15%
WATER COMPANY OPERATING	\$ 2,985,567.26	.20%
 SUBTOTAL WATER FUNDS	 \$ 4,033,637.19	
AVERAGE WATER INTEREST RATE		.14%
 <b>TOTAL ALL FUNDS</b>	 <b>\$10,857,841.06</b>	
<b>TOTAL AVERAGE INTEREST RATE</b>		<b>.15%</b>

CITY OF GARDEN RIDGE

GENERAL FUND

CASH & INVESTMENTS AS OF 10/31/13

OPERATING CHECKING	\$ 142,159.47
MONEY MARKET	<u>\$ 812,370.02</u>
TOTAL GENERAL FUND	\$ 954,529.49
TEXPOOL INVESTMENT	<u>\$ 399.67</u>
TOTAL INVESTMENT	\$ 399.67
TOTAL RESERVES FOR CITY	\$ 954,929.16

WATER FUND

INVESTMENTS AS OF 10/31/13

WATER COMPANY OPERATING	\$ 2,985,567.26
TEXPOOL WATER INVESTMENT FUND	<u>\$ 604.91</u>
TOTAL WATER COMPANY RESERVES	\$ 2,986,172.17

EXPENDITURE & REVENUES

PERIOD OF 10/31/13

8.33% OF FISCAL YEAR

REVENUE YEAR TO DATE

GENERAL FUND	\$ 42,486	1.89% of Budget
WATER FUND	\$ 61,212	4.54% of Budget

EXPENDITURES YEAR TO DATE

GENERAL FUND	\$ 219,045	10.42% of Budget
WATER FUND	\$ 52,798	4.92% of Budget

EXCESS REVENUE OVER/(UNDER) EXPENDITURES YEAR TO DATE

GENERAL FUND	\$(176,559)
WATER FUND	\$ 8,414

REVENUE FOR MONTH ENDING 10/31/13

GENERAL FUND	\$ 42,486
WATER FUND	\$ 61,212

EXPENDITURES FOR MONTH ENDING 10/31/13

GENERAL FUND	\$ 219,045
WATER FUND	\$ 52,798

EXCESS REVENUE OVER/(UNDER) EXPENDITURES FOR MONTH ENDING 10/31/13

GENERAL FUND	\$(176,559)
WATER FUND	\$ 8,414

Garden Ridge Community Center

10/31/13

**Revenues**

Rentals	\$ 1,375
Deposits	\$ 750*
Donations	\$ 0

Total Deposits Received:	\$ 1,700
Deposits refunded to date:	<u>\$ 950</u>
Revenue from deposits to date:	\$ 750*

Total Revenue: \$ 2,125

**Expenditures**

Telephone	\$ 47
Supplies	\$ 0
Utilities	\$ 663
Maintenance	\$ 429
Equipment	\$ 0
Facility Enhancements	\$ 0
Manager	\$ 1,682
Marketing	\$ 0
Donation Expenditures	<u>\$ 0</u>
Total Expenditures:	\$ 2,821

Revenue Over/ (Under) Expenditures: \$ (696)

**GARDEN RIDGE COMMUNITY CENTER  
MONTHLY REPORT  
November 1-20, 2013**

New Events Booked in Current Month	Charged	3
	No Charge	2

2013-2014

Total Number of Events for the Month	2
Events cancelled in for the Month	0
Total Number of Days in Use for the Month	3
Wildflower Room Only	

2012-2013

Total Number of Events for the Year	81
Total Number of days Used for the Year	261
Total Number cancelled for the Year	4
Wildflower and Bluebonnet Room	

Past years	# of Events	# of Days
2011-2012	76	257
2010-2011	72	241
2009-2010	65	208
2008-2009	67	199
2008	53	190
2007	58	183
2006		139
2005		116
2004		81

11/1/2013 THRU 11/20/13

**MAJOR PERMITS**

<b>Permit #</b>	<b>Address</b>	<b>Builder</b>	<b>Sq Ft.</b>	<b>Value \$</b>	<b>Permit Fees</b>
0555 -13	8750 Bindseil Lane	Paul & Dale Sullivan	3787	\$ 492,310.00	\$ 3,222.20
<b>TOTAL</b>			<b>3787</b>	<b>\$ 492,310.00</b>	<b>\$ 3,222.20</b>

**MINOR PERMITS**

<b>Permit #</b>	<b>Address</b>	<b>Builder</b>	<b>Project</b>	<b>Permit Fees</b>
0553 -13	21440 Forest Waters Cir.	JD Newman/C6 Construstion	Garage	\$ 288.52
0554 -13	9605 Meadow Rue	Jack Cook	Driveway, Sidewalk	\$ 375.00
0556 -13	21260 Forest Waters Cir.	San Antonio Fence	Fence	\$ 125.00
0557 -13	8914 Sonata Court	Alamo Fence	Fence	\$ 125.00
0558 -13	19903 Wild Crest	Backyard Lagoons	Pool, Spa, Sidewalk	\$ 600.00
0559 -13	21927 Castano Cove	Garcia Fence Co.	Fence	\$ 125.00
<b>TOTAL</b>				<b>\$ 1,638.52</b>

<b>TOTAL MAJOR FEES FOR THE MONTH</b>	<b>\$ 3,222.20</b>
<b>TOTAL MINOR FEES FOR THE MONTH</b>	<b>\$ 1,638.52</b>
<b>TOTAL ALL PERMIT FEES FOR THE MONTH</b>	<b>\$ 4,860.72</b>

<b>TOTAL MAJOR PROJECTS VALUE FOR THE YEAR</b>	<b>\$ 16,016,910.00</b>
<b>TOTAL MAJOR PROJECTS SQ FT. FOR THE YEAR</b>	<b>123,207</b>

<b>TOTAL MAJOR PERMIT FEES FOR THE YEAR</b>	<b>\$ 98,961.36</b>
<b>TOTAL MINOR PERMIT FEES FOR THE YEAR</b>	<b>\$ 45,525.14</b>
<b>TOTAL ALL PERMIT FEES FOR THE YEAR</b>	<b>\$ 144,486.50</b>

Water Manager's  
Monthly Department Report

November - 2013

	2012						2013						EAA 2011 Quarterly Allocation		
	Edwards		Trinity		Total	Quarterly	Edwards		Trinity		Total	Quarterly			
	Gallons	Acre Feet	Gallons	Acre Feet	Acre Feet	Acre Feet	Gallons	Acre Feet	Gallons	Acre Feet	Acre Feet	Acre Feet			
January	167,000	0.51	17,096,000	52.47	52.98		193,000	0.59	17,104,000	52.49	53.08				
February	0	0	12,196,000	37.43	37.43		719,000	2.21	21,458,000	65.85	68.06				
March	24,000	0.07	18,648,000	57.23	57.30	147.71	4,110,000	12.61	26,692,000	81.91	94.53	215.67			
April	7,543,000	23.15	30,116,000	92.42	115.57		9,909,000	30.41	15,193,000	46.63	77.04				
May	6,010,000	18.44	23,401,000	71.82	90.26		7,721,000	23.69	17,984,000	55.19	78.89				
June	14,153,000	43.43	31,006,000	95.15	138.59	344.42	6,332,000	19.43	24,024,000	73.73	93.16	249.08			
July	8,502,000	26.09	26,330,000	80.80	106.90		13,417,000	41.18	25,658,000	78.74	119.92				
August	18,440,000	56.59	29,504,000	90.54	147.13		16,315,000	50.07	28,135,000	86.34	136.41				
September	6,597,000	20.25	23,995,000	73.64	93.88	347.91	6,103,000	18.73	18,140,000	55.67	74.40	330.73			
October	2,324,000	7.13	23,669,000	72.64	79.77		26,000	0.08	17,363,000	53.29	53.36				
November	3,566,000	10.94	23,382,000	71.76	82.70		412,000	1.26	10,298,000	31.60	32.87				
December	812,000	2.49	22,113,000	67.86	70.35	232.82						86.23			
<b>TOTAL</b>	<b>68,138,000</b>	<b>209.11</b>	<b>281,456,000</b>	<b>863.76</b>	<b>1,072.86</b>		<b>65,257,000</b>	<b>200.26</b>	<b>222,049,000</b>	<b>681.45</b>	<b>881.70</b>				
<i>Total Edwards Allocation</i>						<i>567.567</i>	<i>Returned</i>		<i>354.157</i>						
							<i>Total Edwards Allocation</i>		<i>568.567</i>	<i>Unused</i>		<i>368.007</i>	<i>568.267</i>		

**Current Edwards Permits**

Allocated Pumpage	CO00139	P100-767	450.451	Acre Feet	Lease	BVFD	1/1/12 - 12/31/12	-0.300	Acre Feet			
Purchase	BE 00109I	P100-327	2.000	Acre Feet	<b>Total Available Edwards Water</b>				<b>568.267</b>	<b>Acre Feet</b>		
Purchase	ME 00417D	P101-185	1.301	Acre Feet	Wettest month 2013: May – 13.19"				<b>185,170,370.2 Gals</b>			
Purchase	ME 00479I	P101-315	3.895	Acre Feet	Rain Fall 2013: October – 2.81"				YTD: 23.44" inches			
Purchase	UV 00461I	P101-752	4.000	Acre Feet	Year Comparison: January/December – January/December							
Purchase	UV 00478I	P101-801	2.000	Acre Feet			2012	2013				
Purchase	UV 00537H	P101-959	2.000	Acre Feet	Edwards:	63,760,000 gals	195.67 ac/ft	64,845,000 gals	199.00 ac/ft			
Purchase	UV 00576I	P102-040	14.000	Acre Feet	Trinity:	235,961,000 gals	724.14 ac/ft	211,751,000 gals	649.84 ac/ft			
Purchase	UV 00630G	P102-146	1.760	Acre Feet	Total:	299,721,000 gals	919.81 ac/ft	276,596,000 gals	848.84 ac/ft			
Purchase	BE 00081AE	P100-200	62.000	Acre Feet	Difference from 2012 – 2013: 23,125,000 gals 70.97 ac/ft less usage							
Transfer	CO00119AA	P102-564	0.660	Acre Feet	Water Connections: 2012 – 1489				2013 – 1514			
Transfer	CO00118B	P103-312	4.500	Acre Feet	Avg. usage per connection for October 2013: 11,485.468 gals							
Transfer	CO00119AA	P102-416	2.000	Acre Feet								
Transfer	Zar's Pool	UV00435	P106-186	1.000	Acre Foot							
Lease	CO00129	P100-745	15.000	Acre Feet								
<b>Total</b>	<b>Edwards</b>	<b>Allocation</b>	<b>568.567</b>	<b>Acre Feet</b>								



## Public Works

Nov. 1---Nov. 20 2013

### Streets

(Street and Right-Of-Way Maintenance)

Signs replaced 2  
Right Of Way Shredded: 2  
Street Sweeping: Glen cove / Woodland Cove

### Drainage Facility and Easement Maintenance

Drainages mowed: 1

### Park and City Facility/Property Maintenance

Dragged the ball field at Paul Davis Park. (1)  
Gutters cleaned out behind the police department.

### Animal Control

Domestic Animal Apprehensions :	Dogs 2	Cats 8	YTD Dogs 55	Cats 59
Nuisance Complaint Calls :	0		YTD 0	
Animal Bite Calls :	0		YTD 4	
Deer Carcass Disposals :	25		YTD 207	
Raccoon :	1		YTD 48	
Opossum :	1		YTD 42	
Skunks :	0		YTD 5	
Other 1 fox / 1 bat / 1 squirrel			YTD 105	
Hunters for the hungry animal donations : Deer 0/Wild Hogs 0			YTD 2	
Total animal control apprehensions/pickups for 2013			YTD 599	

### Special Note

Oak Wilt Update : None Found

## **Project Reports**

**Park restroom upgrade:** The contractors are still in the process of completing the project and on November, 13 2013 liquidated damages started to be in effect

**City Hall landscaping :** Boulders donated by Hanson Aggregates have been placed on the hillside in front of the library . Decayed granite has been put down by the area next to the bird bath in front of City Hall.

**Schoenthal Rd :** Delineator poles have been placed on the headwalls of the culvert down by Bat Cave Rd. White and yellow reflective markers have been placed on the street for better visibility at night and the street signs have been put up at 3009/Schoenthal

**Gardenia Bend :** There is still a lot of loose gravel in the road from the chip seal coat that was applied. The city is working with the contractor to get it cleaned up.



# GARDEN RIDGE POLICE DEPARTMENT

## NOVEMBER REPORT NOVEMBER 1-20, 2013

### CALLS FOR SERVICE:

ZONE	CALLS	CODE	WATER	TOTAL
• ARROWOOD	3		3	6
• BAT CAVE ROAD	1			1
• BINDSEIL	2			2
• COUNTRY OAK ESTATES	1			1
• ENCLAVE AT GARDEN RIDGE	1			1
• FM 2252	14			14
• FM 3009	18			18
• FOREST WATERS	6	5	1	6
• GARDEN RIDGE ESTATES	30		5	26
• GEORG RANCH	8			13
• MUNICIPAL COMPLEX				
• NACOGDOCHES LOOP	2		1	2
• OAK MEADOWS	1			2
• PARK LANE ESTATES	2			2
• REGENCY OAKS	6	1		7
• SCHOENTHAL ROAD	3			3
• THE FOREST OF GARDEN RIDGE	2		1	3
• THE PARK				
• TROPHY OAKS	8			8
• TWISTED OAKS				
• WILD WIND	4		1	5
• WOODLANDS OF GARDEN RIDGE				1
• COUNTY	10			10
<b>TOTALS</b>	<b>113</b>	<b>6</b>	<b>12</b>	<b>131</b>

**ARRESTS -15**

**ALARMS - 16**

**ALARM PERMITS -3**

**SOLICITOR PERMITS - 1**

### CRASH REPORTS 10 between November 1 - 20

LOCATION	PROPERTY	INJURY	FATAL
20000 Blk FM 3009	Vehicle/Deer	0	0
8500 Blk Schoenthal	Vehicle/fixed obj	0	0
19100 FM 2252	Vehicle/Deer	0	0
21400 Blk FM 3009	2 Vehicle	0	0
19500 Blk FM 2252	2 Vehicle	0	0
19000 Blk FM 2252	Vehicle/Deer	0	0
19500 Blk FM 2252	2 Vehicle	0	0
19200 Blk FM 2252	Vehicle/Deer	0	0
21800 Blk Bat Cave	Vehicle/fixed obj	0	0
19501 FM 3009	2 Vehicle H&R	0	0

**ENFORCEMENT ( 370 ) \*Warning-231 \*Citations- 139**

## **INCIDENTS and ARRESTS:**

**Investigator Spiller is conducting follow-up on two reported Child Welfare incidents. The investigation of a theft from elderly by a caregiver has led to suspects. As the investigation proceeds, charges are expected.**

**Charges are currently pending on a sub-contractor in a theft of brass fittings at Hanson.**

**A burglary of vehicle victim reports over \$50,000 in tools stolen from his vehicle at his residence. The investigation continues.**

**A vehicle stopped by Officer Pelata for no front license plate in October has resulted in the identification of three suspects in numerous credit card fraud cases in three jurisdictions. A search warrant following the identifications, led to several additional victims. This investigation continues.**

**On 11/4/13, the driver of a vehicle stopped for speeding was arrested for No Operator License**  
**On 11/4/13, the driver of a vehicle stopped for an expired inspection, was arrested for DWLI-Class B**  
**A driver stopped for speeding was arrested after being found in possession of Marijuana**  
**The driver of a vehicle stopped for defective trailer lights was arrested for DWLI Class B**  
**The driver of a vehicle stopped for expired inspection was arrested for no operator license**  
**A vehicle stopped for no front license plate, resulted an arrest for no operator license**  
**The driver of a vehicle stopped for speeding was arrested for DWLI**  
**A vehicle stopped for defective license plate light, resulted in driver arrested for no operator license.**  
**Officers observed a vehicle passing vehicles in center turn lane, the driver was arrested for no operator license.**  
**After stopping a vehicle for no license plate lite, driver was arrested for DWLI Class B**  
**An officer observed a truck and trailer dropping gravel on roadway. After stopping vehicle for an unsecure load, the driver was arrested for no operator license.**  
**A traffic stop for an expired inspection resulted in the driver and passenger being arrested for Possession of Marijuana**  
**After stopping a vehicle for failure to stop for a stop sign, the driver was arrested for no operator license.**  
**A driver stopped for speeding was also cited for possession of drug paraphernalia**  
**A vehicle stopped for defective head light resulted in the driver charged with DWLI.**  
**After stopping a vehicle for defective license plate light, the driver was arrested for no operator license.**

## **TRAINING**

**Sgt. Bellinger and Cpl. Navarro completed week 2 of the 3 week Tx Police Chief's Leadership Training.**

**Investigator Spiller completed Property and Evidence annual training.**

**Sgt. Bellinger – Advanced Case Management & Presentation**