



## City of Garden Ridge

9400 Municipal Parkway  
Garden Ridge, Texas 78266-2600  
(210) 651-6632  
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### AGENDA

#### REGULAR CITY COUNCIL MEETING, MARCH 5, 2014 AT 6:00 P.M.

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The Garden Ridge City Council will meet in a regular session on Wednesday, March 5, 2014 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 February 28, 2014 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.

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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) Approval of February 5, 2014 Regular City Council Meeting Minutes

**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

- 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) Planning and Zoning Commission Recommendations and Possible Action to City Council:

a. Acting as the Zoning Board of Adjustment, the City Council will conduct a public hearing on, and then consider action on the Planning & Zoning Commission recommendation regarding a petition by Roland E. Garcia for a variance to Ordinance 13-122008, Section 5, Residential, Paragraph 5.1.7.2.2, Lot Width, for a residential lot fronting a public street and located on a cul-de-sac with frontage less than required 50 feet and such frontage being 41.06 feet and described as Lot 3, Block 1, Forest Waters Subdivision located at 9020 Sumac Cove, Garden Ridge, Texas

b. Report to Council on upcoming items of interest.

- d) Water Commission Recommendations and Possible Action:

a. Request for water service from the City of Garden Ridge to a 232 acre tract predominately located in the City of San Antonio ETJ and SAWS CEN projected as a residential development of approximately 188 lots and located northwest and adjacent to Georg Ranch subdivision off F.M. 3009

b. Report to Council on upcoming items of interest.

- e) Quarry Commission Recommendations and Possible Action:

- a. Discontinuance of Third-Party Monitoring of dust and noise at the Hanson Quarry with the City of Garden Ridge reserving the right to reinstate dust and/or noise monitoring in the future
- b. Report to Council on upcoming items of interest.
- f) AN ORDINANCE AMENDING ORDINANCE NUMBER 71 DATED JULY 3, 2001 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; ESTABLISHING PROCEDURES FOR CONTROL AND DISPOSITION OF DISEASED TREES WITHIN THE CITY; PROVIDING FOR A PERMITTING PROCESS, KEEPING OF PROPERTY FREE FROM DISEASED TREES; REGULATING REMOVAL AND DISPOSAL; PROHIBITING NUISANCES; PROVIDING FOR NOTICE AND ABATEMENT; PROVIDING FOR COST RECOVERY; DEFINING TERMS; PROVIDING PENALTIES; PROVIDING FOR ENFORCEMENT; PROVIDING FOR PENALTIES FOR THIS ORDINANCE; AND PROVIDING FOR SEVERABILITY AND PUBLICATION
- g) Memorandum of Understanding regarding selection of CPS Energy Capital Funding and Requested Franchise Fee Surcharge Options
- h) Approval of Addendum to Ordinance 165-102011 granting a ½% increase in franchise fee from CPS Energy for a total franchise fee of 4.5%
- i) Resolution 315-032014 supporting the San Antonio-Bexar County Metropolitan Planning Organizations project recommendation for widening of F.M.2252 from F.M. 3009 to Evans Road
- j) 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
  - January 31, 2014
- 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 § 552.074 to deliberate regarding the duties of Mayor and the duties and appointment of Mayor Pro Tem; and, to seek advice of the City Attorney regarding the interpretation of Texas Local Government Code Chapter 22 and other related law pursuant to Texas Government Code § 552.071
- b) Pursuant to Texas Government Code 552.071 & 552.074 deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee, or to hear complaints or charges against Robert Marin, an employee of the City, unless the employee timely requests a public hearing and to consult with and seek legal advice from the City Attorney regarding employment matters related to proposed personnel action related to city employee Robert Marin

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 2:00p.m. on February 28, 2014 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