



City of Garden Ridge

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

SPECIAL CITY COUNCIL MEETING, MAY 18, 2016 AT 6:00 P.M.

The Garden Ridge City Council will meet in a special session on Wednesday, May 18, 2016 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 May 13, 2016 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 three (3) 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 three (3) minutes per citizen during Item 4 and to three (3) minutes per citizen during Item 8.
- d) Citizens' comments will be limited to one (1) hour in Item 4 and thirty (30) minutes in Item 8.
- e) Citizen comments may be deferred to a specific Business Item set forth in Section 5, 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. Business Items

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

- a) Issue the Certificates of Election and Administer Oaths of Office to John McCaw for City Council, Place 1, Todd Arvidson for City Council, Place 4 and Larry Thompson for City Council, Place 5
- b) Election of Mayor Pro-tem for a one year period expiring May 2017
- c) Designation of authorized signers on bank accounts held by the City of Garden Ridge with American Bank of Texas and TexPool
- d) Ordinance 194-0520416, an Ordinance of the City of Garden Ridge, Texas adopting a convenience fee of 3.00% per transaction for the acceptance of credit card payments; providing for severability and setting an effective date
- e) Discussion regarding the adoption of a temporary moratorium on residential and/or commercial property development within the city limits in accordance with Texas Local Government Code Chapter 212; direct staff as needed.
- f) Discussion and review of the amendments to the City of Garden Ridge Personnel Policy

6. Executive Session

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

- a) Pursuant to Texas Government Code Chapter 551.071 (legal advice) discussion with legal counsel regarding authority of city to implement a moratorium on property development and related issues.

7. 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.

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

See "Rules for Citizen's Participation" under Item 4.

9. 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 10:00 a.m. on May 13, 2015 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

In the name and by the authority of

The State of Texas

OATH OF OFFICE

I, John McCaw, do solemnly swear, that I will faithfully execute the duties of the office of Alderman – Place 1 of the City of Garden Ridge, State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.

Affiant

SWORN TO and subscribed before me by affiant on this 18th day of May, 2016.

Signature of Person Administering Oath

(Seal)

Printed Name

Title



In the Name and by the Authority of the

STATE OF TEXAS

THIS IS TO CERTIFY that at a General Election held on

May 7, 2016

John McCaw

Was duly elected unopposed

ALDERMAN, PLACE 1

For the May 7, 2016 election, pursuant to Ordinance 188-022016 and pursuant to Ordinance 190-032016 issued on March 2, 2016, cancelling the election that was scheduled to be held on May 7, 2016.

In testimony whereof, I have hereunto signed my name and caused the Seal of the City of Garden Ridge, Texas, this the 18TH day of May, 2016.

Nadine L. Knaus, Mayor
Presiding Officer of Canvassing Authority

In the name and by the authority of
The State of Texas

OATH OF OFFICE

I, Todd Arvidson, do solemnly swear, that I will faithfully execute the duties of the office of Alderman – Place 4 of the City of Garden Ridge, State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.

Affiant

SWORN TO and subscribed before me by affiant on this 18th day of May, 2016.

Signature of Person Administering Oath

(Seal)

Printed Name

Title



In the Name and by the Authority of the

STATE OF TEXAS

THIS IS TO CERTIFY, that at a General Election held on

May 7, 2016

Todd Arvidson

Was duly elected unopposed

ALDERMAN, PLACE 4

For the May 7, 2016 election, pursuant to Ordinance 188-022016 and pursuant to Ordinance 190-032016 issued on March 2, 2016, cancelling the election that was scheduled to be held on May 7, 2016.

In testimony whereof, I have hereunto signed my name and caused the Seal of the City of Garden Ridge, Texas, this the 18TH day of May, 2016.

Nadine L. Knaus, Mayor
Presiding Officer of Canvassing Authority

In the name and by the authority of
The State of Texas

OATH OF OFFICE

I, George L. (Larry) Thompson, do solemnly swear, that I will faithfully execute the duties of the office of Alderman – Place 5 of the City of Garden Ridge, State of Texas, and will to the best of my ability preserve, protect, and defend the Constitution and laws of the United States and of this State, so help me God.

Affiant

SWORN TO and subscribed before me by affiant on this 18th day of May, 2016.

Signature of Person Administering Oath

(Seal)

Printed Name

Title



In the Name and by the Authority of the

STATE OF TEXAS

THIS IS TO CERTIFY, that at a General Election held on

May 7, 2016

George L. (Larry) Thompson

Was duly elected unopposed

ALDERMAN, PLACE 5

For the May 7, 2016 election, pursuant to Ordinance 188-022016 and pursuant to Ordinance 190-032016 issued on March 2, 2016, cancelling the election that was scheduled to be held on May 7, 2016.

In testimony whereof, I have hereunto signed my name and caused the Seal of the City of Garden Ridge, Texas, this the 18TH day of May, 2016.

Nadine L. Knaus, Mayor
Presiding Officer of Canvassing Authority

ORDINANCE NO. 194-052016

AN ORDINANCE OF THE CITY OF GARDEN RIDGE, TEXAS ADOPTING A CONVENIENCE FEE OF 3.00% PER TRANSACTION FOR THE ACCEPTANCE OF CREDIT CARD PAYMENTS; PROVIDING FOR SEVERABILITY AND SETTING AN EFFECTIVE DATE

WHEREA, in the interest of Fiscal Responsibility and conservation, it has been deemed in the best interest of the City of Garden Ridge, Texas to adopt a fee charged for the convenience of making credit card payments to the City; AND

WHEREAS, the City Council takes such Fiscal Responsibility and conservation measures through the adopting of this Ordinance No. 194-052016; AND

WHEREAS, it is the desire of the City Council of the City of Garden Ridge to develop a fee structure that will offset the costs of the City to provide such a service; AND

WHEREAS, such fee can be assessed for point of sale and online type payments; AND

WHEREAS, the City Council of the City of Garden Ridge, Texas believes that financial goals are best attained through the fee structure contained herein.

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

SECTION 1.0 - PURPOSE. The purpose of this Ordinance is to adopt and implement a convenience fee for accepting credit card payments.

SECTION 2.0 - ADOPTION. The following fee is hereby adopted to offset the City's costs for providing the convenience service of making credit card payments:

- (a) The fee charged for the convenience of making credit card payments shall be 3.00% of the actual total transaction cost.

SECTION 3.0 – SEVERABILITY CLAUSE. That if any provision, word, sentence, paragraph, clause, phrase or section of this Ordinance or its application to any person or circumstances is adjudged or held invalid, void or unconstitutional, the invalid, void or unconstitutional portion shall not affect the validity of the remaining portions of this ordinance which shall remain in full force and effect.

SECTION 4.0 – REPEALING CLAUSE. All provisions in conflict with the provisions of this Ordinance shall be, and the same are hereby repealed, and all other provisions not in conflict with the provisions of the Ordinance shall remain in full force and effect.

SECTION 5.0 – EFFECTIVE DATE. The Ordinance shall be effective upon passage.

PASSED AND APPROVED this 18th day of May, 2016.

Nadine L. Knaus, Mayor

ATTEST:

Shelley Goodwin, City Secretary