



City of Garden Ridge

9400 Municipal Parkway
Garden Ridge, Texas 78266
(210) 651-6632
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AGENDA REGULAR CITY COUNCIL MEETING, SEPTEMBER 7, 2011 AT 6:00 P.M.

The Garden Ridge City Council will meet in a regular session on Wednesday, September 7, 2011 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 September 2, 2011, 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- 3 minute limit 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 must request that if you wish to speak, that you 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 expect to be shown to you.
- c. Limit remarks to three (3) minutes.

*NOTE: The Texas Open Meetings Act permits a member of the public or a member of the governmental body to raise a subject that has not been included in the notice for the meeting. However, any discussion of the subject **must be limited** to a proposal to place the subject on the agenda for a future meeting and any response to a question posed to the Council is limited to either a statement of specific factual information or a recitation of existing policy. TEX. GOV'T CODE § 551.042.*

5. Minutes

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

- a) August 3, 2011 Regular City Council Meeting Minutes
- b) August 22, 2011 Special City Council Meeting Minutes
- c) August 29, 2011 Special City Council Meeting Minutes

6. Special Presentation

Recognition of Yolanda Benitez for her service to the City of Garden Ridge as City Secretary

7. Business Items

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

- a) Update and possible action on public safety concerns in the Wild Wind Unit 3 Subdivision of Garden Ridge, Texas
- b) Ratify the property tax increase of \$17,932 as reflected in the 2012 General Fund and Interest and Sinking Budgets for the City of Garden Ridge
- c) Resolution 242-092011 approving fiscal year 2012 Budget for the City of Garden Ridge General Fund for the period of October 1, 2011 through September 30, 2012
- d) Resolution 243-092011 approving the fiscal year 2012 Budget for the City of Garden Ridge Water Fund for the period of October 1, 2011 through September 30, 2012
- e) Resolution 244-092011 approving the fiscal year 2012 Budget for the City of Garden Ridge Interest and Sinking Fund for the period of October 1, 2011 through September 30, 2012
- f) Resolution 245-092011 approving the fiscal year 2012 Budget for the City of Garden Ridge Capital Improvement Fund for the period of October 1, 2011 through September 30, 2012
- g) Adoption of \$0.171176 as the 2011 Maintenance and Operation Tax Rate for the City of Garden Ridge
- h) Adoption of \$0.09762 as the 2011 Debt Service Tax Rate for the City of Garden Ridge
- i) Adoption of \$0.268796 as the 2011 Tax Rate for the City of Garden Ridge
- j) Ordinance 163-092011 adopting a tax rate of \$0.268796 per one hundred dollars of assessed valuation for the City of Garden Ridge, Texas to be effective for Tax Year 2011 (Fiscal Year 2012)
- k) Award of the City of Garden Ridge employee health insurance benefit plan and authorize the City Administrator to execute health insurance contract with provider selected
- l) Award of the City of Garden Ridge employee dental insurance benefit plan and authorize the City Administrator to execute dental insurance contract with provider selected
- m) Award of the City of Garden Ridge vision insurance benefit plan and authorize the City Administrator to execute vision insurance contract with provider selected
- n) City Quarry Commission recommendation on the reappointment of Robert Gunnarson, Richard Holloway, Wayne Mudge and Larry Blades as Quarry Commissioners with terms expiring 9/30/2013
- o) City Water Commission recommendation on request from Lone Star Fiberglass Pools for a variance to the Demand Reduction Measure Stages of Ordinance 61-062011 for the construction of swimming pools at 9107 Cinnabar Court and at 19906 Lloyds Park with water for filling of pools being brought in from an outside source of water
- p) City Water Commission recommendation on the reappointment of David Heier, Richard Holloway, and James Bower as City Water Commissioners for a term of office expiring 9/30/2013
- q) Discussion on over pumping Edwards Aquifer during Stage 2 mandatory water reduction of 30% and possible fines/penalties associated with over pumping

- r) Resolution 246-092011 approving adoption of GASB54 Standards and Applications relating to new standard for governmental fund balance reporting and governmental fund type definitions
- s) Contract between the City of Garden Ridge and McCreary, Veselka, Bragg and Allen, P.C. (MVBA) for Collection of Delinquent Municipal Court Fines and Fees with approval as to form by City Attorney
- t) Resolution 247-092011 to impose additional fee for collection costs on fines and fees for the collection of delinquent Municipal Court fines and fees
- u) Ordinance 164-092011 establishing a failure to appear offense in the City of Garden Ridge Municipal Court, setting out a defense to said offense, and authorizing the Judge of the Municipal Court to assess a Failure to Appear fee providing a penalty and for the imposition of a fine, providing for severability and setting an effective date
- v) Report on status of Schedule of Events in regards to proposed amendments to Ordinance 34
- w) Report on status of Water System Capital Projects
- x) Abel Mireles' separation from employment and honorable discharge from the position of Sergeant with the Garden Ridge Police Department effective September 30, 2011 due to his inability to return to work after more than 180 days of absence in accordance with Chapter 6, Section 5-09, City Employee Handbook.

(The City Council may recess the regular meeting and convene in executive session if necessary to discuss this matter pursuant to Texas Government Code §551.074 (Personnel Matters) and/or §551.071 (to seek legal counsel's advice)).

8. 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
August 31, 2011
- 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
- c) Public Works/Water Department Monthly Activity
Water pumping/usage from city wells
Water system infrastructure maintenance, repairs and/or projects
Public Works projects
Animal Control apprehensions, nuisance/complaints, animal bites
- d) Police Department Monthly Activity
Citations issued
Warnings issued
Criminal activity within city
Code Compliance:
Citations issued
Warnings issued
Compliance achieved
- e) Recognition of employees and/or city events

- f) Observations and activities of wildlife within the city
 - g) Water and/or Drought Management
 - h) Update on FM 3009 Construction Project
9. Citizen's Participation – 3 minute limit per citizen
See "Rules for Citizen's Participation" under Item 4.
10. 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
 - City Water Commission
 - City Quarry Commission
 - Garden Ridge Police Academy Alumni Association
 - Cellular on Patrol
 - Garden Ridge Lion's Club
11. Executive Session
The City Council will recess its meeting and reconvene in Executive Session pursuant to Texas Government Code 552.071 to seek legal advice regarding:
- Public Safety concerns in the Wild Wind Subdivision of Garden Ridge, Texas
 - Time Warner Cable compliance with franchise agreement and issues related to new Texas Law on fees collected for Public, Education, and Government facilities for the City of Garden Ridge pursuant to the franchise agreement and Texas Utility Code
- The City Council will reconvene into Regular Session upon conclusion of the Executive Session
12. Business Items
The City Council may discuss, consider and/or take possible action on the following items:
- a) Public safety concerns in the Wild Wind Unit 3 Subdivision of Garden Ridge, Texas
 - b) Time Warner Cable's relationship with the City, including franchise agreement compliance and issues related to the collection of Public, Education, and Government facility fees under Texas law related thereto
13. 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:

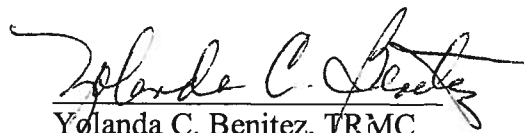
This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the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


Yolanda C. Benitez, TRMC
City Secretary

This is to certify that I, Yolanda C. Benitez, posted this Agenda at 11:00 a.m. on September 2, 2011 on the bulletin board located at the entrance to the Garden Ridge City Hall, 9400 Municipal Parkway, Garden Ridge, Texas.


Yolanda C. Benitez, TRMC
City Secretary