



City of Garden Ridge

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Garden Ridge, Texas 78266-2600
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AGENDA

REGULAR CITY COUNCIL MEETING, JANUARY 4, 2012 AT 6:00 P.M.

The Garden Ridge City Council will meet in a regular session on Wednesday, January 4, 2012 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 December 30, 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:
December 7, 2011 Regular City Council Meeting Minutes

6. Business Items

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

- a) Presentation of Planning and Zoning Commission recommendation on a petition by William and Rebecca Gervasi, 21004 Hickory Bend, for a variance to Ordinance 13-122008, Section 8, General Provisions, 8.4, Fences, Walls and Plants, Paragraph 8.4.2, for the construction of a fence that exceeds the six foot height requirement. Due to the slope of the property the petitioner is seeking a variance for a fence height of 76 inches (6'4") in areas. (Presentation only. Public Hearing in Agenda item 7.)

7. Public Hearing

The City Council will conduct a Public Hearing on the following:

A petition by William and Rebecca Gervasi, 21004 Hickory Bend, for a variance to Ordinance 13-122008, Section 8, General Provisions, 8.4, Fences, Walls and Plants, Paragraph 8.4.2, for the construction of a fence that exceeds the six foot height requirement. Due to the slope of the property the petitioner is seeking a variance for a fence height of 76 inches (6'4") in areas.

8. Business Items - Continued

- b) Planning and Zoning Commission recommendation on a petition by William and Rebecca Gervasi, 21004 Hickory Bend, for a variance to Ordinance 13-122008, Section 8, General Provisions, 8.4, Fences, Walls and Plants, Paragraph 8.4.2, for the construction of a fence that exceeds the six foot height requirement. Due to the slope of the property the petitioner is seeking a variance for a fence height of 76 inches (6'4") in areas.
- c) Change of Planning and Zoning Commission meeting dates
- d) Update and possible action on public safety concerns in the Wild Wind Unit 3 Subdivision of Garden Ridge, Texas
- e) City Quarry Commission presentation to the City Council the recommended proposed draft of amended Ordinance 34
- f) Request from Regency Oaks Homeowners Association for the City of Garden Ridge to take over the maintenance and financial responsibility of seven (7) street lights with the Regency Oaks subdivision
- g) Request from Regency Oaks Homeowners Association for the City of Garden Ridge to perform needed street repairs within the Regency Oaks subdivision
- h) Resolution 252-012012 of compliance with annual review and adoption of the Public Funds Investment Policy for the City of Garden Ridge, Texas as required by the provisions of Chapter 2256, The Public Funds Investment Act, as amended, the Texas Government Code
- i) Update on the status of negotiations for the lease of 15 acre feet of Edwards Aquifer water rights
- j) Release of City Secretary Shelley Goodwin from 90 day probation period effective December 17, 2011 at salary set for said position by the Garden Ridge City Council in the 2012 General Fund Budget
- k) Promotion of Garden Ridge Police Department Acting Sergeant Daniel Bellinger to the position of Sergeant effective January 4, 2012 at rate of pay set for said position by the Garden Ridge City Council in the 2012 General Fund Budget

- l) 2010 Storm Water Master Plan for the City of Garden Ridge
- m) Report on recent ISO rating of a Class 4 for the City of Garden Ridge
- n) Report results of the 2012-2013 Comal Appraisal District Board of Directors' election

9. 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
 - December 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
 - Update on new city website
- 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

10. Citizen's Participation – 3 minute limit per citizen

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

11. 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

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 10a.m. on December 30, 2011 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