

City of Windcrest



AGENDA CITY COUNCIL MEETING 6:00 PM DECEMBER 2, 2024

CITY COUNCIL CHAMBERS - 8601 MIDCROWN

CCM @ 6 PM

NOTICE IS HEREBY GIVEN THAT THE CITY OF WINDCREST CITY COUNCIL WILL HOLD A REGULAR CITY COUNCIL MEETING AT WINDCREST CITY HALL LOCATED AT 8601 MIDCROWN, WINDCREST, TEXAS ON MONDAY, DECEMBER 2, 2024, STARTING AT 6:00 PM.

THE CITY COUNCIL RESERVES THE OPTION TO RECESS THE MEETING DURING THE EVENING OF MONDAY, DECEMBER 2, 2024, AND TO RECONVENE THE MEETING ON THE FOLLOWING BUSINESS DAY, DECEMBER 3, 2024, AT 9:00 A.M. AT THE WINDCREST CITY HALL, 8601 MIDCROWN, WINDCREST, TEXAS.

NOTICE OF ASSISTANCE AT THE PUBLIC MEETING

The City of Windcrest Council Chambers are wheelchair accessible, and accessible parking spaces are available. In compliance with Americans with Disabilities Act, the City of Windcrest will provide reasonable accommodations for persons attending the meeting. To better serve you, requests should be received 48 hours prior to the meeting. Please contact the City Secretary's Office, at 210-655-0022 ext. 2150 or Fax 210-655-8776, or 711 Texas Relay.

I. CALL TO ORDER

II. ROLL CALL

III. PLEDGE OF ALLEGIANCE AND INVOCATION

IV. CITIZENS TO BE HEARD/CITIZEN PARTICIPATION

- Citizens may address the City Council on topics not on the agenda for no more than three (3) minutes.
- Citizens shall also have the opportunity to address the City Council during consideration of posted agenda items for no more than six (6) minutes.
- A City Official may make a statement of specific factual information in response to an inquiry made by a member of the public, or a recitation of existing policy in response to an inquiry made by

a member of the public.

THE FOLLOWING ITEMS MAY BE CONSIDERED AT ANY TIME DURING THE REGULAR COUNCIL MEETING:

V. PRESENTATION

- a) City Council will receive a presentation from City Engineer, Leonard Young, with Young Professional Resources on recommending an architecture firm for the community pool project. [Marcus Yax, Council Member Place 4]

VI. ORDINANCE

- a) City Council will review, discuss, and may act on an ordinance approving the City of Windcrest Legislative Calendar for FY24/25. **2nd Reading** [Rafael Castillo, City Manager]

VII. RESOLUTION

- a) City Council will review, discuss, and may take action on appointing a Mayor Pro Tempore, including adoption of resolution. [Dan Reese, Mayor]
- b) City Council will review, discuss, and may act on a resolution appointing members to the City of Windcrest Crime Control and Prevention District Board of Directors. [Rafael Castillo, City Manager]
- c) City Council will review, discuss, and may act on a recommendation awarding a contract for architectural services for the community pool project. [Marcus Yax, Council Member Place 4]
- d) City Council will review, discuss, and may act on a resolution to memorialize the November 25, 2024, Decision of the Charter Hearing considering the complaint filed by the Chief of Police Jimmie Cole against Council Member Marcus Yax. [Rafael Castillo, City Manager]
- e) City Council will review, discuss, and may act on a resolution to memorialize the November 25, 2024, Decision of the Charter Hearing considering the complaint filed by the Chief of Police Jimmie Cole against Council Member Cindy Strzelecki. [Rafael Castillo, City Manager]

VIII. DISCUSSION AND ACTION

- a) City Council will review, discuss, and may act on amending the City of Windcrest Code of Ordinance, Chapter 103 Building Code regarding accessory buildings. [Rafael Castillo, City Manager]
- b) City Council will review, discuss, and may act on selecting a theme for Light-Up 2025 from a list of recommendations from the Parks and Recreation Commission. [Rafael Castillo, City Manager]
- c) City Council will review, discuss, and may act on a Council Memo for Contract Information and Information for Vendors Paid over \$25,000 in 2022-2023. [Cindy Strzelecki, Council Member Place 2/Mayor Pro Tem]
- d) City Council will review, discuss, and may act on drafting a Request for Qualifications/Proposal (RFQ/RFP) for the City Manager position or for executive search

services for the City Manager position. [Adam Astleford, Council Member Place 5]

IX. EXECUTIVE SESSION

The City Council of the City of Windcrest reserves the right to adjourn into executive session at any time during course of the meeting to discuss any matter listed above:

X. CITY MANAGER'S REPORT

Any oral report provided by the city manager will be informational only and not for council action. The city manager may provide updates on community and upcoming city events, the status of the operation of individual departments, any unusual activity from any specific department which has occurred since the posting of the agenda, or to provide potential topics of discussion which may appear on a future agenda.

XI. GENERAL ANNOUNCEMENTS & FUTURE AGENDA ITEMS REQUESTED

Per Ordinance No. 618, repealing Ordinance No. 593; Section 9: Every agenda shall include an item entry granting a member the opportunity to propose an item for consideration of future agendas for Regular or Special Meetings. Any member may request the inclusion of such items at any meeting.

XII. ADJOURNMENT

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 § 551.072 (Deliberations about Real Property); § 551.073 (Deliberations about Gifts & Donations); § 551.076 (Deliberations about Security Devices); §551.087 (Economic Development); §551.074 (Personnel Matters) and, § 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 attorney may appear in person or appear in executive session by conference call in accordance with applicable state law.

EXECUTIVE SESSIONS APPROVED BY CITY ATTORNEY: 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 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 committees may attend the meeting in numbers that may constitute a

quorum of such other city boards, commissions and committees, so that notice is hereby given that the meeting is also a meeting of the other city boards, commissions and committees whose members are in attendance. The members of the other city boards, commissions and committees may participate in discussions which occur at the meeting, but no action will be taken by the other boards, commissions, and committees whose members are in attendance.

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the City Council of the City of Windcrest is a true and correct copy of said Notice and was posted on the bulletin board at City Hall of said City in a convenient place to the public and said Notice was posted more than seventy-two (72) hours prior to the meeting on December 2, 2024.

BY:

A handwritten signature in black ink, reading "Rachel C. Dominguez". The signature is written in a cursive, flowing style.

Rachel C. Dominguez, City Secretary

Proposed City Council Legislative Calendar

October 1, 2024 – September 30, 2025

Monday, October 7, 2024 @ 6PM	
Monday, October 21, 2024 @ 6PM	Department Heads Reports @ 5 PM
Monday, November 4, 2024 @ 6PM	
Monday, November 18, 2024 @ 6PM	Department Heads Reports @ 5 PM Canvass of November 5, 2024 General Election
Monday, December 2, 2024 @ 6PM	
Monday, December 16, 2024 @ 6PM	Department Heads Reports @ 5 PM
Monday, January 6, 2025 @ 6PM	
Monday, February 3, 2025 @ 6PM	
Monday, March 3, 2025 @ 6PM	
Monday, March 17, 2025 @ 6PM	Department Heads Reports @ 5 PM
Monday, April 7, 2025 @ 6PM	
Monday, April 21, 2025 @ 6PM	Department Heads Reports @ 5 PM
Monday, May 5, 2025 @ 6PM	
Monday, May 19, 2025 @ 6PM	Department Heads Reports @ 5 PM
Monday, July 7, 2025 @ 6PM	
Monday, July 21, 2025 @ 6PM	Department Heads Reports @ 5 PM
Monday, August 4, 2025 @ 6PM	
Monday, August 18, 2025 @ 6PM	Department Heads Reports @ 5 PM
Monday, September 15, 2025 @ 6PM	Adoption of FY 25/26 Budget & Tax Rate

TARGET FY 25/26 BUDGET CALENDAR

- **MARCH: PRIORITIES GOAL SETTING RETREAT W/ CITY COUNCIL FOR FY 25/26**
Monday, March 10, 2025 Day Time Retreat
 - Council to identify budget priorities for City Staff bring back with proposed funding for FY 25/26 budget.
 - Council to identify initiatives priorities to fund for FY 25/26
- **JUNE: City Manager & Department Head FY 25/26 Budget Development for July Budget Workshops – No CC Meetings**
- **JULY 16, 17, AND 18 (IF NEEDED): BUDGET WORK SESSIONS W/ CITY COUNCIL & DEPARTMENT HEADS FOR FY 25/26**

CANCELED CITY COUNCIL MEETINGS - CITY OBSERVED HOLIDAYS

- January 20, 2025 City observed holiday: Martin Luther King Day
- February 17, 2025 City observed holiday: Presidents' Day
- September 1, 2025 City observed holiday: Labor Day

ORDINANCE _____

**AN ORDINANCE OF THE CITY OF WINDCREST
AMENDING THE LEGISLATIVE CALENDAR FOR
FISCAL YEAR 2024/2025.**

WHEREAS, the City of Windcrest City Council regularly meets on the 1st and 3rd Monday of every month at 6:00pm per the City Charter; and

WHEREAS, the City Council recognizes three (3) regular City Council meetings fall on Federal and City observed holidays; and

WHEREAS, the City Council recognizes the need for City staff to prepare for Fiscal Year 2025/2026 budget presentations and Council budget retreat/workshop in March 2025; and

WHEREAS, the City Council finds it is in the best interest of the citizens and good governance to set and adopt this legislative calendar for the upcoming 2024/2025 fiscal year to give notice to the citizens and the community.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WINDCREST, TEXAS that the City of Windcrest City Council legislative calendar for Fiscal Year 2024/2025, be amended as outlined in "Exhibit A."

This Ordinance shall become effective immediately upon its passage.

DULY PASSED ON FIRST READING, on the 4th day of November, 2024, at a regular meeting of the City Council of the City of Windcrest, Texas, which was held in compliance with the Open Meetings Act, Gov't. Code §551.001, et. Seq. at which meeting a quorum was present and voting.

DULY PASSED ON SECOND READING, on the ____ day of _____, 2024, at a regular meeting of the City Council of the City of Windcrest, Texas, which was held in compliance with the Open Meetings Act, Gov't. Code §551.001, et. Seq. at which meeting a quorum was present and voting

CITY OF WINDCREST, TEXAS

Dan Reese, Mayor

ATTEST:

Rachel C. Dominguez City Secretary

APPROVED:

Ryan S. Henry, City Attorney

RESOLUTION 2024 -XXX(R)

A RESOLUTION ELECTING A MAYOR PRO TEMPORE

WHEREAS, Section 3.11 of the Windcrest City Charter requires the election of a Mayor Pro Tempore; and

WHEREAS, the Windcrest City Council, in accordance with the City Charter, must elect one of its members as Mayor Pro Tempore.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WINDCREST, TEXAS that _____ is hereby elected as Mayor Pro Tempore of the City of Windcrest, by majority vote of a quorum present, said Mayor Pro Tempore will assume said office upon the passage of this resolution.

DULY PASSED AND APPROVED, on the 2nd day of December, 2024 at a regular meeting of the City Council of the City of Windcrest, Texas, which was held in compliance with the Open Meetings Act, Gov't. Code §551.001, et. Seq. at which meeting a quorum was present and voting.

CITY OF WINDCREST, TEXAS

Dan Reese, Mayor

ATTEST:

Rachel C. Dominguez, City Secretary

APPROVED:

Ryan S. Henry, City Attorney

RESOLUTION 2024-XXX(R)

**A RESOLUTION APPOINTING CITIZENS TO THE CITY OF WINDCREST CRIME
CONTROL AND PREVENTION DISTRICT BOARD OF DIRECTORS**

WHEREAS, the City has the below listed boards and commission; and

WHEREAS, the different boards and commissions have varying terms and periodic appointment or reappointment is necessary by the City Council; and

WHEREAS, the City has determined it is the best interests of the City and citizens of Windcrest to appoint the specific volunteer individuals to the specified positions.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WINDCREST, TEXAS that the City Council appoints the following individuals to the following positions:

Board or Commission	Place No.	Appointee	Term Expiration
			Date of Appointment
			Date of Appointment
			Date of Appointment

DULY PASSED AND APPROVED, on the 2nd day of December, 2024 at a regular meeting of the City Council of the City of Windcrest, Texas, which was held in compliance with the Open Meetings Act, Gov't. Code §551.001, et. Seq. at which meeting a quorum was present and voting.

CITY OF WINDCREST, TEXAS

Dan Reese, Mayor

ATTEST:

Rachel C. Dominguez, City Secretary

APPROVED:

Ryan S. Henry, City Attorney

RESOLUTION NO. 2024-__

**A RESOLUTION OF THE CITY OF WINDCREST TO
MEMORIALIZE THE NOVEMBER 25, 2024, DECISION OF
THE WINDCREST CITY COUNCIL IN THE CHARTER
HEARING CONSIDERING THE COMPLAINT FILED BY
THE CHIEF OF POLICE JIM COLE AGAINST
COUNCILMAN MARCUS YAX**

WHEREAS, the City of Windcrest Chief of Police filed two (2) formal complaints against Place 4 Councilmember Marcus Yax on September 3, 2024, asserting a violation of the city's home rule charter; and

WHEREAS, the City Council finds Councilmember Marcus Yax timely and fully received a copy of such complaint and all supporting documents pursuant to the requirements of the City's home-rule charter; and

WHEREAS, the City councilmembers, other than Place 4, met under their statutory authority and mandate, to consider the allegations in a charter hearing on November 25, 2024, and heard public comments, testimony and evidence regarding the complaint; and

WHEREAS, Sections 3.07 and 3.08 of the City Charter grants sole authority to the City Council to consider charges against a member of the City Council and to determine what penalties, if any, are warranted; and

WHEREAS, Councilmember Yax to appeared at 6:00 p.m. on November 25, 2024; and

WHEREAS, such hearing began and was concluded on November 25, 2024.; and

WHEREAS, the mayor, council positions 1, 2, 3, and 5, the Chief of Police, Councilmember Yax, and citizens appeared at the hearing; and

WHEREAS, Councilmember Yax was provided the opportunity to respond and cross-examine all witnesses. Councilmember Yax also provided testimony; and

WHEREAS, the City Council, except for place 4, considered and deliberated on the charges and considered all necessary information and evidence needed to make a determination; and

WHEREAS, the City Council, except for place 4, that Councilman Yax did not violate §3.085(d) of the City Charter, and that such determination was made by a vote of 3 in favor and 0 opposed and 1 abstaining; and

WHEREAS, the City Charter requires the City Council to set out, in a subsequent meeting and by written resolution, its decision. This resolution complies with the requirements of the city charter.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WINDCREST, TEXAS that

1. Councilman Yax did not violate the City's home-rule charter as alleged in the complaints.
2. The charges against Councilman Yax are hereby dismissed on this the 2nd day of December, 2024.

DULY PASSED AND APPROVED, on the 2nd day of December, 2024, at a regular meeting of the City Council of the City of Windcrest, Texas, which was held in compliance with the Open Meetings Act, Gov't. Code §551.001, et. Seq. at which meeting a quorum was present and voting.

CITY OF WINDCREST, TEXAS

Dan Reese, Mayor

ATTEST:

Rachel C. Dominguez City Secretary

APPROVED:

Ryan S. Henry, City Attorney

RESOLUTION NO. 2024-__

**A RESOLUTION OF THE CITY OF WINDCREST TO
MEMORIALIZE THE NOVEMBER 25, 2024, DECISION OF
THE WINDCREST CITY COUNCIL IN THE CHARTER
HEARING CONSIDERING THE COMPLAINT FILED BY
THE CHIEF OF POLICE JIM COLE AGAINST
COUNCILWOMAN CINDY STRZELECKI**

WHEREAS, the City of Windcrest Chief of Police filed a formal complaint against Place 2 Councilmember Cindy Strzelecki on September 3, 2024, asserting a violation of the city's home rule charter; and

WHEREAS, the City Council finds Councilmember Cindy Strzelecki timely and fully received a copy of such complaint and all supporting documents pursuant to the requirements of the City's home-rule charter; and

WHEREAS, the City councilmembers, other than Place 2, met under their statutory authority and mandate, to consider the allegations in a charter hearing on November 25, 2024 and heard public comments, testimony, and evidence regarding the complaint; and

WHEREAS, Sections 3.07 and 3.08 of the City Charter grants sole authority to the City Council to consider charges against a member of the City Council and to determine what penalties, if any, are warranted; and

WHEREAS, Councilmember Strzelecki to appear at 6:00 p.m. on November 25, 2024; and

WHEREAS, such hearing began and was concluded on November 25, 2024.; and

WHEREAS, the mayor, council positions 1, 3, 4, and 5, the Chief of Police, Councilmember Strzelecki, and citizens appeared at the hearing; and

WHEREAS, Councilmember Strzelecki was provided the opportunity to respond and cross-examine all witnesses. Councilmember Strzelecki also provided testimony; and

WHEREAS, the City Council, except for place 2, considered and deliberated on the charges and considered all necessary information and evidence needed to make a determination; and

WHEREAS, the City Council, except for place 2, determined that Councilwoman Strzelecki did not violate §3.085(d) of the City Charter, and that such determination was made by a vote of 3 in favor and 0 opposed and 1 abstaining; and)

WHEREAS, The City Charter requires the City Council to set out, in a subsequent meeting and by written resolution, its decision. This resolution complies with the requirements of the city charter.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WINDCREST, TEXAS that

- 1. Councilwoman Strzelecki did not violate the City's home-rule charter as alleged in the complaints.**
- 2. The charges against Councilwoman Strzelecki are hereby dismissed on this the 2nd, day of December, 2024.**

DULY PASSED AND APPROVED, on the 2nd day of December, 2024, at a regular meeting of the City Council of the City of Windcrest, Texas, which was held in compliance with the Open Meetings Act, Gov't. Code §551.001, et. Seq. at which meeting a quorum was present and voting.

CITY OF WINDCREST, TEXAS

Dan Reese, Mayor

ATTEST:

Rachel C. Dominguez City Secretary

APPROVED:

Ryan S. Henry, City Attorney