

City of Windcrest



AGENDA **CITY COUNCIL MEETING AND** **WINDCREST ECONOMIC DEVELOPMENT CORPORATION** **APRIL 6 @ 6 P.M.**

CITY COUNCIL CHAMBERS @ 8601 MIDCROWN

CC & WEDC @ 6 P.M.

NOTICE IS HEREBY GIVEN THAT THE CITY OF WINDCREST CITY COUNCIL AND THE WINDCREST ECONOMIC DEVELOPMENT CORPORATION WILL HOLD A MEETING AT WINDCREST CITY HALL LOCATED AT 8601 MIDCROWN, WINDCREST, TEXAS ON THE 6TH DAY OF APRIL 2023, STARTING AT 6 P.M.

THE CITY COUNCIL AND THE WINDCREST ECONOMIC DEVELOPMENT CORPORATION RESERVES THE OPTION TO RECESS THE MEETING DURING THE EVENING OF APRIL 6, 2023, AND TO RECONVENE THE MEETING ON THE FOLLOWING BUSINESS DAY, APRIL 7, 2023 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 OF CITY COUNCIL AND WINDCREST ECONOMIC DEVELOPMENT CORPORATION (WEDC)

III. PLEDGE OF ALLEGIANCE AND INVOCATION

IV. CITIZENS TO BE HEARD/CITIZEN PARTICIPATION

- a) Citizens may address the City Council and WEDC topics not on the agenda for no more than three (3) minutes.
- b) Citizens shall also have the opportunity to address the City Council and WEDC during consideration of posted agenda items for no more than six (6) minutes.
- c) 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 JOINT COUNCIL AND BOARD MEETING:

V. DISCUSSION AND ACTION

- a) Discuss and act on existing agreements involving the Master Economic Incentive Agreement and Rackspace and related agreements with the connected entities. Such discussion and action can include but is not limited to amendments, terminations, extensions, replacement, modifications, substituted parties, new parties, new agreements, changes in status and other necessary discussion needed for the City of Windcrest and the Windcrest Economic Development Corporation (WEDC) to make necessary adjustments for the Rackspace property and surrounding properties to protect and promote the economic viability of the City and WEDC.

VI. EXECUTIVE SESSION

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

- a) Pursuant to Govt. Code §551.087(economic development) and §551.071 (consultation with attorney) for deliberation and discussion on the Master Economic Incentive Agreement and Rackspace and potential changes or new economic development agreements for the Rackspace property and the surrounding properties which are tied to the city's economic development objectives.

VII. 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

VIII. 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/BOARD AUTHORIZED: *The City Council and WEDC may vote and/or act upon any item within this Agenda. The Council and WEDC 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, WEDC City Attorney, the Mayor or a majority of the Governing Body (CC or WEDC) deems an executive session is necessary to allow privileged consultation between the City Attorney and WEDC 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/WEDC 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 and the Windcrest Economic Development Corporation 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 April 6, 2023.

BY: //§// Rachel C. Dominguez, City Secretary