

**AGENDA
CITY OF WINDCREST, TEXAS
REGULAR CITY COUNCIL MEETING
MARCH 16, 2009
7:00 p.m.**

NOTICE IS HEREBY GIVEN THAT A REGULAR CITY COUNCIL MEETING AND PUBLIC HEARING OF THE CITY OF WINDCREST WILL BE HELD AT WINDCREST CITY HALL, 8601 MIDCROWN, WINDCREST, TEXAS ON THE 16TH DAY OF MARCH, 2009 AT 7:00 P.M. DURING THE MEETING THE FOLLOWING SUBJECTS WILL BE CONSIDERED AND THE COUNCIL MAY TAKE ACTION ON ANY OF THE LISTED SUBJECTS.

THE CITY COUNCIL RESERVES THE OPTION TO RECESS THE MEETING DURING THE EVENING OF MARCH 16, 2009 AND TO RECONVENE THE MEETING ON THE FOLLOWING DAY, MARCH 17, 2009 AT 9:00 A.M. AT THE WINDCREST CITY HALL, 8601 MIDCROWN, WINDCREST, TEXAS.

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. Call to Order, Pledge of Allegiance and Invocation.

II. Executive Session

The City Council will convene into a closed meeting under the authority of Section 551.087 (Deliberation Regarding Economic Development Negotiations), Section 551.071 (Consultation with Attorney Regarding Contemplated Litigation) and Section 551.072 (Deliberation Regarding Purchase of Real Property) all in accordance with the cited sections of the Texas Government Code.

III. Action Item

1. City Council will review, discuss and take action on revision to the Master Incentive Agreement regarding Rackspace and Urban Real Estate Group development.

IV. Citizens To Be Heard

Please limit to three (3) minutes.

V. Presentation

1. City Manager Ronnie Cain will brief the City Council on the status of the ¼ % sales tax for street maintenance. (Att. 1)

VI. Action Items

1. City Council will review, discuss and take action on Ordinance No. 582, an ordinance amending Section 12.901 of Chapter 12, Health and Sanitation, of the Code of Ordinances of the City of Windcrest, Texas by adding a new Subsection 12.901(C). *The City Council will consider a motion to adopt Ordinance No. 582 at its first reading as authorized in Section 3.13 of the City Charter because one reading of the ordinance is sufficient for adequate consideration of the ordinance.* (Att. 2)
2. City Council will review, discuss and take action on Ordinance No. 583, an ordinance amending Chapter 18, Miscellaneous Offenses, of the Code of Ordinances of the City of Windcrest, Texas, by establishing a child protection code for the City of Windcrest making it unlawful for certain sex offenders to reside within 1000 feet of premises where children gather; providing that a culpable mental state is not required for certain offenses; providing for affirmative defenses; providing for severability; and authorizing a penalty up to \$500.00 for each violation. *The City Council will consider a motion to adopt Ordinance No. 583 at its first reading as authorized in Section 3.13 of the City Charter because one reading of the ordinance is sufficient for adequate consideration of the ordinance.* (Att. 3)
3. City Council will review, discuss and take action on Ordinance No. 584, an ordinance appointing a member to the City of Windcrest Crime Control and Prevention District Board of Directors. *The City Council will consider a motion to adopt Ordinance No. 584 at its first reading as authorized in Section 3.13 of the City Charter because one reading of the ordinance is sufficient for adequate consideration of the ordinance.* (Att. 4)
4. City Council will review, discuss and take action on the Treasurer's Report for the month of January 2009 along with associated budget adjustments. (Att. 5)

VII. Adjournment

Agenda Notice

The City 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.

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 hours prior to March 16, 2009.

By: Tracy Freimarck City Secretary

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

I certify that the attached notice and agenda of items to be considered by the City Council was removed by me from the City Hall bulletin board on the ____ of March, 2009.

Title: _____