



**AGENDA
CITY OF WINDCREST, TEXAS**

**SPECIAL CITY COUNCIL MEETING
Removal Hearing**

February 11, 2016

9:00 A.M.

NOTICE IS HEREBY GIVEN THAT A SPECIAL WINDCREST CITY COUNCIL MEETING WILL BE HELD AT WINDCREST CITY HALL, 8601 MIDCROWN, WINDCREST, TEXAS ON THE 11th DAY OF FEBRUARY 2016 STARTING AT 9:00 A.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 MORNING OF FEBRUARY 11, 2016 AND TO RECONVENE THE MEETING ON THE FOLLOWING DAY, FEBRUARY 12, 2016 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.

REQUEST ALL PAGERS AND CELL PHONES BE TURNED OFF, EXCEPT EMERGENCY ON-CALL PERSONNEL. CITIZENS ARE ASKED TO REFRAIN FROM TALKING DURING COUNCIL PROCEEDINGS.

Ordinance No. 618 (09/20/10), Repealing Ordinance No. 593

At all City Council, City Commission or City Board meetings, the agenda shall include a "citizens to be heard" item. It is suggested that Citizens wishing to speak during this item sign in on the sign up roster prior to the meeting. During "Citizens to be Heard", citizens may address the City Council on topics not on the agenda for no more than three (3) minutes. In addition to the foregoing, citizens shall also have the

opportunity to address the City Council during consideration of posted agenda items for no more than six (6) minutes. Each citizen shall therefore have the opportunity to address the City Council for a total of nine (9) minutes. This does not include any responses from the body. The six (6) minutes time limit authorized herein may not be transferred to another speaker in whole or in part. The presiding Officer or his/her designee will assign a Time Keeper to each meeting. The Time Keeper will maintain strict compliance of the six (6) minute rule, stopping speakers who exceed the allotted time. As authorized by Section 551.042 of the Texas Government Code, the Presiding Officer may direct a City Official to make: a statement of specific factual information in response to an inquiry made by a member of the public or of the City Council, or; a recitation of existing policy in response to an inquiry made by a member of the public or the City Council. Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting. Any question posed by a Citizen, Council Member, Board Member or Commission Member for which an answer is not available at a meeting shall be answered by a member of the staff or Presiding Officer at the next regular meeting of the Body, if an answer is reasonably available and prudent. If the information is sensitive, staff will seek advice from the City Attorney.

Meeting Chair: please remind each participant in your meeting that they must speak into a microphone; the recording is the Official Minutes of your meeting and all who speak must be recorded. All guest speakers and citizens to be heard must speak from podium. Please interrupt speakers during meeting if you recognize that they are not speaking into microphone and have them do so.

I. Call to Order, Pledge of Allegiance, Invocation and Announcement

II. Citizens to be Heard

1. Citizens may address the City Council on topics not on the agenda for no more than three (3) minutes.
2. In addition to the foregoing, citizens shall also have the opportunity to address the City Council during consideration of posted agenda items for no more than six (6) minutes.
3. The Presiding Officer may direct a City Official to 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.

III. Removal Hearing

City Council shall consider and make a decision on whether Councilperson/Mayor Pro Tempore Pamela Dodson should be removed from office based upon hearing and reviewing the complaint filed by John Gretz against Council Person Pamela Dodson on December 15, 2015 alleging that Council Person Dodson committed malfeasance in office by interfering with an investigation by the animal control officer of a violation of Section 6-65 relating to the keeping of fowl within the city limit.

IV. Executive Session

City Council will conduct a closed meeting as authorized in Section 551.074 (a)(1) and (2) of the Texas Government Code to deliberate the discipline or dismissal of a public officer based upon a complaint or charge against Councilmember Pamela Dodson filed on December 15, 2015 by John Gretz.

V. Open Session

City Council shall consider whether the Councilmember Pamela Dodson should be removed from office based upon hearing and reviewing the sworn complaint of John Gretz and the evidence presented in connection therein as required in Section 3.08 C of the city charter.

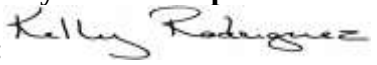
VI. General Announcements & Future Agenda Items Requested

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.

VII. Adjournment

The City Council reserves the right to retire into executive session whenever it is considered necessary and legally justified under the Texas Government Code, Subchapter D, Sections 551.071 et. seq. including, but not limited to, consultation with attorney, real property, prospective gifts, personnel matters, exclusion of witness, security devices, and economic development matters.

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 the meeting on February 11, 2016.

By:  , 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 Kelly Rodriguez, 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 ____ February, 2016.

____ Title: _____

 **RECEIVED**
12-15-15 - *Sworn*
Alan Baxter
@ 10:00 AM
fig

December 10, 2015

From: John P. Gretz
5802 Winding Ridge Dr.
Windcrest, Texas, 78239

To: Windcrest Mayor
8601 Midcrown Dr.
Windcrest, Texas 78239

Sworn Written Complaint

I hereby file a complaint against Councilwoman Pam Dodson for commission of an act or omission that is cause for removal pursuant to Section 3.08 of the Windcrest Home Rule Charter.

Specifically, Councilwoman Dodson improperly wielded her political power to interfere with and stop an ongoing Windcrest police investigation. Councilwoman Dodson's actions are totally improper, illegal, and unethical.

City Council members should not interfere with police investigations or police law enforcement. Councilwoman Dodson compromised the integrity of the Windcrest City Council and Windcrest Police Department. Councilwoman Dodson engaged in gross misconduct, gross malfeasance, and demonstrated a complete lack of ethics by blatantly obstructing justice.

The investigation Councilwoman Dodson interfered with and stopped related to a violation of the City's poultry ban. The City of Windcrest banned raising chickens because of health concerns. The City of Windcrest's poultry ban is located in Section 6-65 of the Code of Ordinances, and states:

Sec. 6-65. - Domestic and non-domestic animal restrictions.

It shall be unlawful to keep domestic or farm ranch animals and fowl within the city limits. This includes, but is not limited to, hoofed stock (bovines, sheep, goats, equines, swine) poultry, pigeons, and peacocks. This provision does not preclude the keeping of common indoor pet birds such as canaries, finches, or parrots."

On June 30, 2014, Officer Fuentes discovered violations of the City's poultry ban at 322 Westwind Circle. Based on Officer Fuentes' investigation, there were at least 11 chickens in a chicken coup at the residence. Officer Fuentes documented the violation by photographing the following:



After documenting this violation, Officer Fuentes properly attempted to enforce the law. However, Councilwoman Dodson wielded her political power to interfere with and stop the police investigation. She illegally ordered Officer Fuentes not to issue a citation. When Officer Fuentes brought this to the attention of his supervisor, Officer Purcell, he was advised to cease and desist on any further action. Our Police Chief was not privy to this issue until October 27, 2015. This is indeed a breach of "chain of command" regarding policing actions. Councilwoman Dodson has improperly used her political clout to prevent Windcrest police from enforcing Windcrest law.

Councilwoman Dodson's actions constitute an unlawful, improper and unethical abuse of power. Councilwoman Dodson compromised the integrity of the Windcrest City Council and Windcrest Police Department.

Therefore, Ms. Dodson should be removed from the City Council, pursuant to Section 3.08, for the following causes:

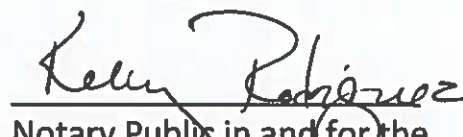
- Section 3.08(A)(1) - Incompetence, misfeasance or malfeasance in office;
- Section 3.08(A)(3) – Willful violation of any express prohibition of this Charter;
- Section 3.08(A)(7) – Official Misconduct;

I request Ms. Dodson immediately resign from the City Council. If Ms. Dodson refuses to immediately resign, I request the Mayor set a time and date for a hearing on my complaint within 60 days. In addition, I recommend this complaint also be filed with the Bexar County District Attorney as a criminal matter (i.e., obstruction of justice and political corruption).

I swear that I have knowledge of the facts in this complaint and that the information contained in this complaint is true and correct.


Signature of Complainant

Sworn to and subscribed before me on this ^{10th} ~~9th~~ day of December, 2015, to certify which, witness my hand and seal.


Notary Public in and for the
State of Texas

