



**AGENDA
CITY OF WINDCREST, TEXAS**

SPECIAL CITY COUNCIL MEETING

February 1, 2016

**Executive Session
5:00 P.M.**

Special City Council Meeting

7:00 P.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 1st DAY OF FEBRUARY 2016 STARTING AT 5:00 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 FEBRUARY 1, 2016 AND TO RECONVENE THE MEETING ON THE FOLLOWING DAY, FEBRUARY 2, 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” comments, each individual may speak on an agenda item or any other matter affecting the city. In addition to the “citizens to be heard” portion of meetings, a person may make comments on agenda items prior to the vote on the agenda item. A member of the public will have a total of six (6) minutes to be heard during a City Council, City Commission or City Board Meeting. 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 on Subsequent and Non-Subsequent Agenda Items

1. A member of the public will have three (3) minutes to discuss non-subsequent agenda items.
2. A member of the public will have six (6) minutes to discuss subsequent agenda items.
3. City Council may discuss and respond to current and past agendas on subsequent and non-subsequent agenda items by citizens to be heard.

III. Executive Session (5:00 p.m.)

1. City Council will convene in a closed session as authorized by Section 551.071 (2) of the Texas Government Code to consult with its attorney on matters involving the fire department in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act. *Mayor & City Council requested*

2. The City Council will convene into a closed meeting as authorized by Section 551.071 (2) of the Texas Government Code to consult with its attorney on a matter in which the duty of the attorney to the City Council under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Open Meetings Act- request by Pamela Dodson for indemnity and defense of claim filed by John Gretz.

IV. **Open Session**

City Council will consider and may take action on matters involving the Windcrest Fire Department.

V. **Presentations**

City Council will receive a presentation from Matt Bebe with Digitactics explaining the technical issues that took place on Friday, January 22, 2016 at the City of Windcrest. *CCP Dodson requested*

VI. **Ordinances** **In conjunction with the first reading of an ordinance, a motion should be made to either "reject the proposed ordinance" or "to forward the proposed ordinance to a subsequent City Council meeting for final adoption at its second reading".**

1. City Council will review, discuss and may take action on Ordinance No. 2016-618B(O), an ordinance repealing Ordinance 618 enacted on September 20, 2010 and Ordinance 618A enacted on November 1, 2010, by updating rules applicable to the conduct of City Council, City Commission and City board meetings including parliamentary authority for the conduct of such meetings. (***Second Reading***) *CCP Vandenberg requested* (Att. 1) (Ref: 09.20.10 RCCM http://windcresttx.granicus.com/MediaPlayer.php?view_id=8&clip_id=505 // 12.07.15 SCCM http://windcresttx.granicus.com/MediaPlayer.php?view_id=8&clip_id=1623 // 01.04.16 SCCM http://windcresttx.granicus.com/MediaPlayer.php?view_id=8&clip_id=1636)

VII. **Resolutions**

City Council will review, discuss and may take action on Resolution No. 2016-546(R), a resolution appointing a Mayor Pro Tempore. *Mayor Baxter requested* (Att. 2) (Ref: 07.06.15 http://windcresttx.granicus.com/MediaPlayer.php?view_id=8&clip_id=1514 // 12.07.15 <http://www.ci.windcrest.tx.us/index.aspx?NID=403> // 01.04.16 SCCM http://windcresttx.granicus.com/MediaPlayer.php?view_id=8&clip_id=1636 // 01.25.16 RCCM http://windcresttx.granicus.com/MediaPlayer.php?view_id=8&clip_id=1645)

VIII. **Discuss & Act**

1. City Council will review, discuss and may take action on the vision, capital improvement plan and expenses for the Windcrest Little League. *Mayor Baxter requested* (Att. 3)

2. City Council will review, discuss and may take action on the YMCA and City of Windcrest Summer Camp partnership proposal. *Mayor Baxter / Kelly Hamilton, PR/Marketing Analyst requested*
3. City Council will review, discuss and may take action on appointing citizens to a Municipal Finance Officer selection committee. *Mayor & Council requested*
4. City Council will review, discuss and may take action on appointing citizens to a Fire Chief selection committee. *Mayor & Council requested*
5. City Council will review, discuss and may take action regarding the future of solid waste collection services in the City of Windcrest. *CCP Dodson requested*
6. City Council will consider and may take action on indemnification and defense for Pam Dodson regarding a Citizen Complaint filed against her by John Gretz on December 15, 2015. *CCP Dodson requested (Att. 4) (01.04.16* SCCM
http://windcresttx.granicus.com/MediaPlayer.php?view_id=8&clip_id=1636)
7. City Council will review, discuss and may take action on portable buildings donated to the City of Windcrest by North East Independent School District. *Rafael Castillo, Jr., City Manager requested*

IX. 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.

X. 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 1, 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: _____

ORDINANCE NO. 618

AN ORDINANCE REPEALING ORDINANCE 593 ENACTED ON AUGUST 17, 2009 AND ADOPTING NEW RULES APPLICABLE TO THE CONDUCT OF CITY COUNCIL, CITY COMMISSION AND CITY BOARD MEETINGS INCLUDING PARLIAMENTARY AUTHORITY FOR THE CONDUCT OF SUCH MEETINGS

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WINDCREST, TEXAS that Ordinance 593 enacted on August 17, 2009, is hereby repealed.

BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF WINDCREST, TEXAS, that the following rules are hereby adopted for the conduct of the City Council, City Commissions and City Board meetings:

1. MEETING SCHEDULES

Regular City Council Meetings shall be held on the third Monday of the month. The first Monday of the month shall be reserved for a Special Council Meeting, which may include a workshop. Regular Economic Development Corporation meetings will be held on the second Monday of the month. Commission and Board Meetings will be held on an as needed basis.

2. PARLIAMENTARY AUTHORITY

Unless otherwise provided for by the Texas Constitution or Statutes, or the Windcrest City Charter, the current edition of Robert's Rules of Order, Newly Revised (RONR) is hereby adopted as the parliamentary authority for the conduct of all meetings. Robert's Rules of Order "Procedures for Small Boards", detailed in the 10th edition at p. 470-471 (updated as new editions are published), shall normally be followed as applicable. By the direction of the Presider or by a majority vote of the Body, RONR's formality shall increase in proportion to the need to properly handle contentious issues or larger assemblies.

3. PARLIAMENTARIAN

The Presiding Officer may employ a Professional Parliamentarian, with the approval of the body, for a single meeting or as needed.

4. TEMPORARY PRESIDER

In the absence of both Mayor and the Mayor Pro Tempore, the Council Members present shall elect a member to preside over the meeting

In the absence of both the Chairman of a Commission or Board and the Vice Chair, the Members present shall elect a Member to preside over the meeting.

5. VOTING AUTHORITY AND QUORUM

The Mayor is only permitted to vote to break a tie. Note: This expressly means that the Mayor is not permitted to cause a tie.

The Mayor Pro Tempore, or other Council Member who is presiding, may vote as a regular City Council member, even though presiding over the meeting. In the event of a tie when the Mayor Pro Tempore or other Member is presiding, the motion fails.

At meetings of City Commissions and Boards, a quorum shall be comprised of a majority of the membership of the Commission or Board and the vote of a majority of those present shall be required to pass a motion.

6. DEBATE – SPEAKING HIEARCHY

In matters of debate, the Presiding Officer at a meeting of the City Council, City Commission or City Board, in recognizing individuals to speak, will give precedence to its Council Members/Member, the City Manager, other staff members, guest presenters and citizens, in the foregoing order.

7. CITIZENS TO BE HEARD

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” comments, each individual may speak on an agenda item or any other matter affecting the city. In addition to the “Citizens to be Heard” portion of meetings, a person may make comments on agenda items prior to the vote on the agenda item. A member of the public will have a total of six (6) minutes to be heard during a City Council, City Commission or City Board Meeting. This does not include any responses from the body. The six (6) minute 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:

1. a statement of specific factual information in response to an inquiry made by a member of the public or of the City Council, or
2. 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.

8. TYPES OF MEETINGS

The definition of Meeting in this Ordinance shall include Regular Meeting or Special Meeting of any Council, Commission or Board which may include a workshop, for example a budget workshop. A Workshop is a Special Meeting to accomplish a specific purpose.

9. AGENDAS

Five (5) calendar days prior to a meeting, Members shall be given a Draft Agenda, with or without attachments. The Members will be given an opportunity to make corrections or additions by the 4th day prior to the meeting. The Final Agenda, with Attachments shall be given to Members and posted on the City's website at least seventy-two (72) hours prior to meetings.

Every agenda shall include items for consideration of future agendas for Regular and Special Meetings. Any member may request the inclusion of such items at any meeting.

In addition, any Member of the City Council, City Commission or City Boards may request items to be placed on any agenda for any meeting at least seven (7) calendar days prior to the meeting.

If two (2) Members exercise their rights under Section 3.10 of the City Charter to request a Special Meeting, the Meeting agenda shall include any agenda items submitted by the two (2) members who requested the Special Meeting. The requested Meeting shall be scheduled by the City Secretary for the next convenient date at which a quorum of the City Council Members and the Council Chambers are available. This meeting date shall be not more than ten (10) calendar days from the date of the requests for a Special Meeting.

The Mayor, City Manager or Chairman of Commissions and Boards may take into consideration a request by a Member and may direct that items be placed on the agenda.

The order of the agenda may only be changed for good cause at the request of The Presiding Officer and with the approval of Members.

10. EXECUTIVE SESSIONS

Members may discuss only issues stated in the Meeting's Closed Session Agenda. To the extent feasible, the Presiding Officer, or his/her designee, may follow up each Closed Session with a report to the public regarding the subject matter and possible follow-up action to be considered by the Members of the Body.

In the event of a request that Council Members sign a Non-Disclosure or Confidentiality Agreement, a Non-Disclosure form (see Exhibit A) will be offered to the requestor, delineating the City's terms. Discussions regarding Non-Disclosure or Confidentiality Agreements will be posted for Closed Sessions. The description will include, to the extent feasible, who is requesting the Agreement and for what project. Signing an Agreement shall not take place in Closed Session. Signing of Agreements shall take place in Open Session only. The Presider will announce which Member/Members have signed the Agreement.

11. CONDUCT AT MEETINGS

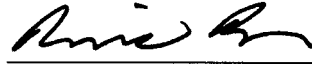
Persons in attendance at City Council, City Commission or City Board meetings must conduct themselves in a respectable manner and may be ruled out of order by the Presiding Officer if conduct becomes unruly or disruptive. The public forum of a City Council, City Commission or City Board meeting shall be used for the discussion of issues of interest to the City and shall not be used to personally attack, berate, embarrass, libel or slander any person. The Presiding Officer shall warn an unruly or disruptive individual or an individual making a personal attack on another person of such misconduct one time, and if such misconduct continues unabated, the Presiding Officer shall have the individual expelled from the meeting.

If the misconduct rises to a level of a penal offense or threatens the safety of those at the meeting, such person will be removed by a peace officer, at the direction of the Presiding Officer, and will be subject to arrest.

12. STAFF CONDUCT

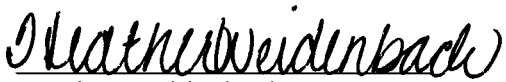
In addition to the actions constituting misconduct in the Windcrest Code of Ethics, it shall be deemed misconduct if any Windcrest Staff Member disseminates to other Windcrest employees or the public, either oral or written information from City Council Members regarding future proposed City Council actions while such proposed actions are under review by staff members prior to the official release of such information for City Council and public consideration.

PASSED AND APPROVED this 20th day of September, 2010.



Richard Bruns, Mayor

ATTEST:



Heather Weidenbach
City Secretary

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



Michael S. Brennan, City Attorney

ORDINANCE NO. 618A

AN ORDINANCE AMENDING ORDINANCE NO. 618 ADOPTED ON SEPTEMBER 20, 2010 BY REVISING SECTION 12 PERTAINING TO STAFF CONDUCT.

WHEREAS, Ordinance No. 618 pertaining to the conduct of certain city officials was adopted on September 20, 2010; and

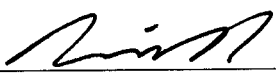
WHEREAS, it would be in the public interest to clarify Section 12 of said ordinance to provide more specific guidance to city staff members.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WINDCREST, TEXAS that Section 12 Staff Conduct of Ordinance No. 618 is amended to read as follows:

"STAFF CONDUCT

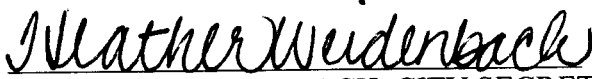
In addition to the actions constituting misconduct in the Windcrest Code of Ethics, it shall be deemed misconduct if any Windcrest staff member discloses to other Windcrest employees or the public confidential written or oral information received from City Council members regarding future proposed City Council actions while such proposed actions are being reviewed and discussed by staff members prior to the release of such information for City Council and public consideration. The sharing of information among Windcrest staff members who are or need to be privy to confidential written or oral information regarding future proposed City Council actions is not proscribed by this ordinance because thorough analysis of public issues by city staff is beneficial to the development of sound public policy."

PASSED and APPROVED this 1st day of November, 2010.



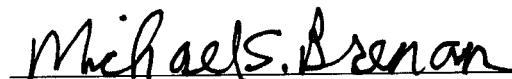
RICHARD BRUNS, MAYOR

ATTEST:



HEATHER WEIDENBACH, CITY SECRETARY

APPROVED AS TO FORM:



MICHAEL S. BRENNAN, CITY ATTORNEY



ORDINANCE NO. 2016-618B(O)

AN ORDINANCE REPEALING ORDINANCE 618 ENACTED ON SEPTEMBER 20, 2010 AND ORDINANCE 618A ENACTED ON NOVEMBER 1, 2010, BY UPDATING RULES APPLICABLE TO THE CONDUCT OF CITY COUNCIL, CITY COMMISSION AND CITY BOARD MEETINGS INCLUDING PARLIAMENTARY AUTHORITY FOR THE CONDUCT OF SUCH MEETINGS

WHEREAS, Ordinance 593 was enacted on August 17, 2009 applicable to the conduct of certain city meetings, which ordinance was repealed by Ordinance 618; and

WHEREAS, Ordinance 618 was enacted on September 20, 2010 applicable to the conduct of certain city meetings; and

WHEREAS, Ordinance 618A was enacted on November 1, 2010 applicable to staff conduct; and

WHEREAS, the city council desires to repeal and update the prior rules pertaining to the conduct of certain city meetings.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WINDCREST, TEXAS that Ordinances 618 and 618A are hereby repealed.

NOW THEREFORE, BE IT FURTHER ORDAINED BY THE CITY COUNCIL OF THE CITY OF WINDCREST, TEXAS, that the following rules are hereby adopted for the conduct of the City Council, city commissions and city board meetings:

1. MEETING SCHEDULES

Regular City Council Meetings shall be held on the first and third Mondays of each month at 7:00 pm in the City Council Chambers. In the event that the date for a Regular City Council Meeting falls on a city, state, or federal holiday, the City Council may, by motion, change the date of that Meeting.

In the event closed sessions are needed in conjunction with a Regular City Council Meeting, the Regular City Council meeting may commence prior to 7:00 pm, provided, however, that other than convening in open meeting and retiring into closed session, no business shall be conducted or reports received by the City Council prior to 7:00 pm.

Special City Council Meetings may be called as the need arises for unpredictable or nonrecurring events and shall be held at the time and date determined by those authorized to call Special City Council Meetings in Section 3.10 of the City Charter, provided that the City Secretary shall attempt to confirm the availability of all members of the City Council for such meetings and conform the time and date to the schedules of a majority of the City Council members.

2. PARLIAMENTARY AUTHORITY

Unless otherwise required by the Texas Constitution or Statutes, or the City Charter, the current edition of Robert's Rules of Order, Newly Revised (RONR), including the current edition's "Procedure for Small Boards", is hereby adopted as the parliamentary authority for the conduct of all meetings. By the direction of the Presiding Officer or by a majority vote of the Body, RONR's formality shall increase in proportion to the need to properly handle contentious issues or larger assemblies.

3. TEMPORARY PRESIDING OFFICER

In the absence of both Mayor and the Mayor Pro Tempore, the Council Members present shall elect a member to preside over the meeting

In the absence of both the Chairman of a commission or board and the Vice Chair, the Members present shall elect a Member to preside over the meeting.

4. VOTING AUTHORITY AND QUORUM

State law requires a super majority vote to effect certain actions by the City Council. Otherwise, Section 3.13A of the city charter requires the affirmative vote of three or more members of the City Council to enact any ordinance. This ordinance furthermore extends the three or more member affirmative vote requirement to all actions of the City Council, such as resolutions and other motions.

The Mayor Pro Tempore, or other Council Member who is presiding, may vote as a regular City Council member, even when presiding over the meeting. In the event of a tie when the Mayor Pro Tempore or other Member is presiding, the motion fails.

At meetings of city commissions and boards, a quorum shall be comprised of a majority of the membership of the commission or board and the vote of a majority of those present shall be required to pass a motion.

5. DEBATE –SPEAKING HIERARCHY

In matters of debate, the Presiding Officer at a meeting of the City Council, city commission or city board, in recognizing individuals to speak, will give precedence, in the following order to: its Members, the City Manager, other staff members, guest presenters and members of the public.

6. PUBLIC COMMENTS ("CITIZENS TO BE HEARD")

At all meetings members of the public may address any posted agenda item for six minutes, and may speak for a total of three minutes regarding any topics not on the posted agenda. Members of the public must be given the opportunity to address the Council during consideration of posted agenda items, though such comments are governed by the six-minute time limit.

The time limits for comments by any particular individual may not be transferred to another speaker in whole or in part. The Presiding Officer will assign a Time Keeper to each meeting. The Time Keeper will maintain strict compliance with the three-minute and six-minute rules as required by the City Charter, stopping speakers who exceed the allotted time.

If at a meeting a member of the public or of the governmental body should inquire about a subject for which notice has not been duly provided, a City Official may, in accordance with state law and the Charter, respond with:

1. a statement of specific factual information; or
2. a recitation of existing policy.

Any deliberation of or decision about a subject of inquiry that is not a posted agenda item shall be limited to a proposal to place the subject on the agenda for a subsequent meeting.

Any question posed by a member of the public, 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 the Presiding Officer at the earliest opportunity, if an answer is reasonably available and prudent. If the information is sensitive, staff will seek advice from the City Attorney.

7. AGENDAS

Any member of the City Council, city commission or city boards may request items to be placed on any agenda for any meeting at least seven calendar days prior to the meeting. City Council members shall be given a draft agenda at least 120 hours before a meeting, with or without attachments. The City Council members may suggest corrections to the draft agenda or removal of items until 96 hours before a meeting. The final agenda, with attachments, shall be given to City Council members and posted on the City's website at least 72 hours prior to a meeting.

Every agenda shall include items for consideration of future agendas for Regular and Special Meetings. Any member may request the inclusion of such items at any meeting.

If two (2) City Council members exercise their rights under Section 3.10 of the City Charter to request a special meeting, the meeting agenda shall include any agenda items submitted by the two (2) members who requested the special meeting.

The Presiding Officer shall attempt to preserve the order of the agenda as published. However, the Presiding Officer may also propose a change in the order of the agenda for good cause, and absent objection from a member of the Council, the proposed change will occur. If a member of the Council objects to an order change and the Presiding Officer desires to overrule an objection, the Presiding Officer shall call for a point of order vote on the order change.

8. CLOSED SESSIONS

Members may discuss only issues stated in the meeting's closed session agenda. To the extent feasible, the Presiding Officer, or his/her designee, may follow up each closed session with a report to the public regarding the subject matter and possible follow-up action to be considered by the members of the body. A final action, decision, or vote on a matter deliberated in a closed meeting may only be made in an open meeting.

9. CONDUCT AT MEETINGS

Persons in attendance at City Council, city commission or city board meetings must conduct themselves in a respectable manner and may be ruled out of order by the Presiding Officer if conduct becomes unruly or disruptive. The public forum of a City Council, city commission or city board meeting shall be used for the discussion of issues of interest to the City and shall not be used to personally attack, berate, embarrass, libel or slander any person. The Presiding Officer shall warn an unruly or disruptive individual or an individual making a personal attack on another person of such misconduct one time, and if such misconduct continues unabated, the Presiding Officer shall have the individual expelled from the meeting, and if appropriate, refer the matter to law enforcement authorities.

10. STAFF CONDUCT

It shall be deemed misconduct if any employee of the City of Windcrest discloses to any individual confidential written or oral information received from City Council members regarding future proposed City Council actions while such proposed actions are being reviewed and discussed by staff members prior to the release of such information for public consideration. Notwithstanding the foregoing, information regarding future proposed City Council actions may be shared with employees who require such information for the purposes of facilitating City Council meetings or agendas or to conduct research relative to the future proposed City Council actions.

This ordinance shall be effective upon its adoption and the City Secretary shall cause a copy of it to be made available on the city website.

PASSED and APPROVED this ____ day of February, 2016.

ALAN E. BAXTER, MAYOR

ATTEST:

KELLY RODRIGUEZ, CITY SECRETARY

APPROVED AS TO FORM:

MICHAEL S. BRENAN, CITY ATTORNEY



RESOLUTION NO. 2016-546(R)

A RESOLUTION ELECTING A MAYOR PRO TEMPORE

WHEREAS, Section 3.11 of the City Charter requires the election of a Mayor Pro Tempore.

WHEREAS, Resolution No. 2016-574(R) establishes the process by which the Mayor Pro Tempore is to be elected;

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 effective November 16, 2015 for a six (6) month term ending on May 16, 2016, or until a successor is elected and qualified for office.

PASSED and APPROVED this ____ day of _____, 2016.

ALAN BAXTER, MAYOR

ATTEST:

KELLY RODRIGUEZ, CITY SECRETARY

APPROVED AS TO FORM:

MICHAEL S. BRENAN, CITY ATTORNEY

2016-546(R)



Net Banner Price List

Length	Letters*	Price
6 feet	13	\$ 298.00
8 feet	15	\$ 395.00
12 feet	25	\$ 435.00
24 feet	35	\$ 545.00
** 36 feet **	45	** \$ 605.00**
40 feet	45	\$ 635.00
50 feet	45	\$ 760.00

* The "Letters" column refers to the number of letters or characters suggested per banner size and included in the price.

** The standard size for street banners is 4 x 36 feet. We will be happy to provide prices for custom sizes and double-sided banners upon request.

A 10% quantity discount will apply to orders of 3 or more identical banners. Additional quantity discounts may apply to large orders. Standard delivery is 3 weeks from customer's approval of art.

The above grid reflects pricing on banners up to 4 feet tall with solid letters using a simple font and with no more than the suggested number of letters per banner. Additional letters or characters are available at a rate of \$7.50 each. Special lettering and/or designs can be effectively reproduced on net banners at an additional cost. Digitally printed logos or patches, approx. 3'x 4' in size, are available for \$105.00 each, with print-ready art. Art charges may apply. A one-time \$25.00 set-up fee will apply to new banner designs.

Net banners are updateable. Variable information that could change from year to year, like date & time, is displayed on patches (see the yellow date patches pictured below). Patches are sewn out of all-weather nylon. A standard patch change is \$110.00 and includes up to 12 letters. Additional letters are available for \$7.50.



We are happy to quote from your sketch and/or specifications. Please be sure to specify size, colors, and letter style.

See reverse for more product images.

Price List Effective January 1, 2016. Prices are subject to change without notice.



CUSTOM NET BANNERS



For more information, please contact us at:

Dixie Flag & Banner Company
P.O. Box 8618/ 1930 N Interstate 35
San Antonio, TX 78208

Email: sales@dixieflag.com
Toll Free: (800) 356-4085
Phone: (210) 227-5039

Visit us online at www.dixieflag.com



Quote

Dixie Flag Manufacturing Company
1930 N. Interstate 35
P.O. Box 8618
San Antonio, Texas 78208
2102275039

Order Number: 0095171
Order Date: 1/20/2016
Due Date: 2/20/2016
Salesperson: BELL
Customer Number: 6577055

Sold To:
Windcrest Little League
9312 Jim Seal Drive
San Antonio, TX 78239

Ship To:
Windcrest Little League
9312 Jim Seal Drive
San Antonio, TX 78239

Confirm To:
Michael ptcccoachmichael@yahoo.com

Customer P.O.		Ship VIA	F.O.B.		Terms	
		CPU			COD / Deposit Required	
Item Number	Unit	Ordered	Shipped	Back Order	Price	Amount
/NETBANNER 4x36 Net Banner w/67 letters	EACH	0.00	0.00	0.00	770.000	0.00
/NETBANNER 4x36 Net Banner w/ 56 letters w/o Register Now	EACH	0.00	0.00	0.00	687.500	0.00

Net Order: 0.00
Less Discount: 0.00
Freight: 0.00
Sales Tax: 0.00
Order Total: 0.00

Little League Project

Material:

2 IN X 2 IN	\$52.21
2 IN X 8 IN	\$152.24
2 IN X 6 IN	\$540.88
Plywood 5/8 IN	\$893.40
Tri Flex Black Paper	\$226.26
Roofing	\$511.80
Flaxing	\$124.25
Exterior Primer	\$82.00
Exterior Enamel Paint	\$146.00
Screws & Bolts	\$240.00
Total Materials_____	\$2969.04
Labor_____	\$3000.00

Work includes demolition, painting, and cleaning four roofs and only two paint.

Andre Fuentes 1/20/2016

Total_____ \$5969.04

Keller Material Ltd

Lawn Dressing – infield grass

per cu yd -	\$25.20
x12 cu yds -	\$302.40
delivery -	\$110.00
sub-total	\$437.60

Red clay sand - infield skinned areas

per cu yd	\$23.05
x12 cu yds	\$276.60
delivery	\$110.00
sub-total	\$409.65

TOTAL	\$847.25
--------------	-----------------

Fiesta San Antonio Commission, Inc.
2611 Broadway
San Antonio TX 78215-1022
Phone # 210-227-5191

Invoice

Date	Invoice #
11/1/2015	11143
EIN: 74-1340345	

Bill To
Lic.083 Windcrest Little League, Inc. Theresa Lang Windcrest Little League

PAID
11/14/2015

P.O. Number		Terms	Project	
Quantity	Item Code	Description	Price Each	Amount
309	Street Chair License	Street License Chair Fee Day Parade	5.00	1,545.00
309	Street Chair License	Street License Chair Fee Night Parade	5.00	1,545.00
		Sales Tax	8.25%	0.00
			Total	\$3,090.00

LITTLE LEAGUE® DATA CENTER



MAIN MENU ▾

WINDCREST LL

03431918 (settings) | LOGOUT

Little League Payment Receipt

Payment Date: 2015-12-11 09:11:58

Order Number: 03431918-20151211091

League ID 03431918
League Name WINDCREST LL
Paid By Graciela Garcia

Payment Details

Payment Amount	\$1,151.25
Balance Paid	\$1,151.25
Convenience Fee	\$39.78
Total Paid	\$1,191.03



© Copyright Little League | 2011 Developed and Maintained by Pointstreak Sports Technologies

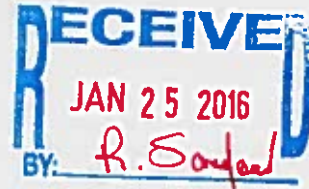
12/11/15
pd in full
by cc
ending 5456
H.H.



Workers' Compensation • Property • Liability

January 22, 2016

Ms. Sarah Mangham
Municipal Finance Officer/Fund Contact
City of Windcrest
8601 Midcrown Dr.
Windcrest, TX 78239-2598



Re: Member: City of Windcrest
Claimant: Pamela Dodson
TMLIRP Claim #: LB28652

Dear Ms. Mangham:

This will acknowledge receipt of the City of Windcrest's correspondence notifying the Risk Pool of a claim filed by Pamela Dodson. We are writing to notify the City that the Claimant, Ms. Dodson, is not seeking damages that are covered by the Risk Pool.

The Claimant is requesting indemnification for legal fees incurred during the defense of a previous proceeding that sought to remove her from office. In addition, the Claimant is asking to be indemnified from legal expenses that she is about to incur for representation in another claim which has been filed seeking to remove her from office. We draw your attention to the following provisions contained in the Liability Coverage Document:

PART VIII EXCLUSIONS APPLICABLE TO ALL COVERAGES

Unless otherwise provided in the **Agreement, Declarations**, under specific coverages or by endorsement, the coverage provided in this **Agreement** does not apply to or provide coverage for the following:

...

- X. Claims or suits against the Member or Covered Party** which do not seek civil **damages** or monetary relief other than costs of court or attorneys' fees for prosecuting the **suit**, such as, but not limited to: criminal prosecutions and proceedings; election contests; actions for injunctions or declaratory judgments; actions to enforce or invalidate ordinances, city charter provisions, or code provisions; actions specifically to enforce or invalidate **contracts** with the **Member** or between the **Member** and others; actions by government agencies against the **Member** or **Covered Party** to require compliance with applicable law or regulation; and actions by any person seeking exemption from applicable ordinances or regulations of the **Member**; except **claims** or **suits** filed with the Equal Employment Opportunity Commission, the Texas Work Force Commission Civil Rights Division, or any state or local commission created to enforce anti-discrimination in employment laws shall not be excluded;

TEXAS MUNICIPAL LEAGUE INTERGOVERNMENTAL RISK POOL

In addition, the Liability Coverage provides coverage for the reimbursement of defense costs under specific circumstances for criminal matters. We turn your attention to the following provisions in the Liability Coverage Document:

PART VII ERRORS & OMISSIONS LIABILITY COVERAGE

...

VI. ADDITIONAL COVERAGE FOR REIMBURSEMENT OF CRIMINAL DEFENSE EXPENSES

- A. Notwithstanding any exclusions in this **Agreement**, the **Fund** shall reimburse any **Covered Party**, where allowed by law, for: reasonable attorneys' fees; and reasonable and necessary costs, excluding loss of income, when incurred in defense of any **criminal proceeding** arising out of what otherwise would be within the course and scope of the **Covered Party's** duties or employment by the **Member**.
- B. Reimbursement shall be made only if the **Covered Party** is exonerated by a court of law from all charges or all charges are subsequently withdrawn or dismissed without any admission of guilt.
- C. When a **Covered Party** is one of two or more defendants represented by the same attorney or law firm, payment shall be limited to the **Covered Party's** proportionate share of the total of the reasonable attorney fees and the reasonable and necessary costs paid.
- D. The term "**Covered Party**" shall be as defined in Section II of this Errors and Omissions Liability Coverage.
- E. The term "**criminal proceeding**" means the criminal prosecution of a **Covered Party** commenced by the filing with the court of an information or an indictment, alleging that the **Covered Party** had, during the Fund Year, and within the **Agreement Territory**, committed one or more crimes. Any such prosecution shall be considered a single "**criminal proceeding**," notwithstanding the fact that the prosecution may involve multiple incidents, multiple counts or charges, and/or multiple trials and /or multiple appellate proceedings.
- F. LIMITS OF LIABILITY
 - 1. The limit of liability of the **Fund** for each **criminal proceeding** shall not exceed \$10,000, regardless of the number of **Covered Parties** that may be defendants in the criminal proceeding.
 - 2. In the event there are multiple **Covered Parties** as defendants in the same criminal proceeding, payment or reimbursement shall be limited or divided between the **Covered Parties** according to each **Covered Party's** proportionate share of the total of all reasonable attorneys' fees and reasonable and necessary costs paid.

G. DEDUCTIBLE

Any deductible under this **Agreement** shall not apply to this additional coverage for reimbursement for criminal defense expenses.

Because it does not appear as though the Claimant is seeking damages that are covered by the Risk Pool, nor do the circumstances warrant the reimbursement of defense costs, we do not intend to conduct an investigation. We are notifying the City of the probable lack of coverage so that the City can take any action it deems appropriate in order to protect its interests.

Coverage for the defense of a lawsuit is determined by comparing the allegations in the most recent pleadings with the terms of the Liability Coverage Document. The Risk Pool provides a defense when the allegations seek covered damages. It is at least possible that the Claimant will seek damages not anticipated based on the information available at this time. Therefore, if this dispute is not amicably resolved and suit is filed, please forward it to the Risk Pool so that we can determine if the allegations trigger the Risk Pool's duty to provide a defense.

We regret that the Risk Pool cannot be of assistance. Please feel free to call if you have any questions concerning coverage.

Sincerely,



Joshua Haley

JH/ds

CERTIFIED MAIL, RETURN RECEIPT REQUESTED NO. 7015 1520 0002 8983 5659

g:\winword\3dodson-windcrest 011316.docx