

**AGENDA
CITY OF WINDCREST, TEXAS
REGULAR CITY COUNCIL MEETING
JANAURY 26, 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 26TH DAY OF JANUARY, 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 JANUARY 26, 2009 AND TO RECONVENE THE MEETING ON THE FOLLOWING DAY, JANUARY 27, 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 meet in Executive Session as authorized by the Texas Gov't Code Sec. 551.071, Consultation with Attorney to discuss the following:

Litigation filed against the City styled as Gigante Flea Mart, L.P., and Songmoo Shim v. The City of Windcrest, Cause Number 2009 CI 00118 in the 408th District Court of Bexar County

III. Citizens To Be Heard

Please limit to three (3) minutes.

IV. Presentation

1. City Council will receive a report from Acting Chief of Police, Joe Pabon, on the K-9 project.
2. Harold Woods, President of the Windcrest 50th Anniversary Commission, will make a presentation to City Council on upcoming special events to celebrate the City's 50th anniversary.

3. Charles Lackey, Director of Public Works will report on the following items:
 1. The Takas Park Improvement Project.
 2. Review of Street Repair projects for 2009.
 3. Actions taken to enhance security of the recreational vehicle storage area and areas surrounding the City Maintenance facility.

V. Action Items

1. City Council will review, discuss and take action on Ordinance No. 571, an ordinance to order a General Election on May 9, 2009 for the purpose of electing a Mayor and Council Members to City Council Places Four and Five for the City of Windcrest; making provisions for the conduct of such election and resolving other matters related to the conduct of such election. *The City Council will consider a motion to adopt Ordinance No. 571 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. 1)
2. City Secretary will report on action taken by the Board of Directors of the Crime Control and Prevention District to order a Special Election on May 9, 2009 for the purpose of continuing the Crime Control and Prevention District. (Att. 2)
3. City Council will review, discuss and take action on the resignation of Councilman Jim Tremblay as Mayor Pro Tempore. (Att. 3)
4. City Council will review, discuss and take action on Resolution No. 305, a resolution electing Rick Bruns as Mayor Pro Tempore. (Att. 4)
5. City Council will review, discuss and take action to implement a Trap, Neuter, and Return (TNR) Program for the City of Windcrest. (Att. 5)
6. City Council will review, discuss and take action on Ordinance No. 576, an ordinance rescinding, cancelling and terminating Ordinance No. 561 and Ordinance No. 570 previously adopted by the city council of the City of Windcrest, Texas authorizing the issuance of obligations designated as "City of Windcrest, Texas Tax Notes, Series 2008"; and other matters in connection therewith. *The City Council will consider a motion to adopt Ordinance No. 576 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. 6)
7. City Council will review, discuss and take action on establishing a Capital Improvement Project Advisory workgroup and to approve the Mayor's recommendations for members of that workgroup. (Att. 7)
8. City Council will review, discuss and take action to approve the final draft of the Ethics Policy for the City of Windcrest. (Att. 8)

9. City Council will review, discuss and may take action on a proposal from MICA Corp to replace traffic control signals at the intersections of Midcrown at Crestway and Eaglecrest at Crestway; and to authorize funding of these projects. (Att. 9)
10. City Council will review, discuss and take action on Ordinance No. 575, an ordinance amending Ordinance No. 547 by revision and clarifying the extent of indemnification of officers and employees of the City including member of the City Council, Boards, Committees and Volunteers of the City. *The City Council will consider a motion to adopt Ordinance No. 575 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. 10)
11. City Council will review, discuss and take action on Resolution No. 306A, a resolution establishing a collection penalty for the delinquent payment of property taxes (Att.11); and Resolution No. 306B, a resolution authorizing the City Manager to enter into a contract for the collection of delinquent taxes with Linebarger Goggan Blair & Simpson, LLP (Att. 12).
12. City Council will review, discuss and take action on Resolution No. 307A, a resolution authorizing the collection fee in the amount of 30% of debts and accounts receivable such as unpaid fines, fees, court costs, forfeited bonds, and restitution ordered paid by a municipal court serving the City and amounts in cases in which the accused has failed to appear. (Att. 13); Resolution No. 307B, a authorizing the City Manager to enter into a contract for fines and fees collection services with Linebarger Goggan Blair & Sampson, LLP. (Att. 14)
13. City Council will review, discuss and take action on the Treasurer's Report for the month of November 2008 along with budget adjustments for the month of November 2008; and consider a request from City Manager Ronnie Cain to transfer \$50,000.00 from Street Reserves fund to General fund for the purpose of funding a position of a records clerk and the purchase of mobile office space. (Att. 15)

VI. 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 January 26, 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 January, 2009.

Title: _____