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City of Windcrest



AGENDA
SPECIAL CITY COUNCIL MEETING
NOTICE OF PUBLIC CHARTER HEARING

JANUARY 12, 2021

CITY COUNCIL CHAMBERS @ 8601 MIDCROWN

6:00 P.M.

NOTICE IS HEREBY GIVEN THAT A SPECIAL CITY COUNCIL MEETING OF THE CITY COUNCIL OF THE CITY OF WINDCREST, WILL BE HELD AT THE WINDCREST CITY HALL, 8601 MIDCROWN, WINDCREST, TEXAS ON THE 12TH DAY OF JANUARY 2021, STARTING AT 6:00 P.M. DURING THE HEARING, THE CITY COUNCIL WILL CONSIDER, DELIBERATE AND MAY TAKE ACTION UPON ANY OF THE SUBJECTS LISTED BELOW.

DUE TO THE GOVERNOR'S SUSPENSION OF CERTAIN PROVISIONS OF THE TEXAS OPEN MEETINGS ACT TO HELP SLOW THE SPREAD OF COVID-19, NOTICE IS HEREBY GIVEN THAT ONE OR MORE OF THE CITY COUNCIL MEMBERS MAY BE IN ATTENDANCE VIA WEBEX AND WILL ATTEND FROM A LOCATION OTHER THAN 8601 MIDCROWN.

THE CITY COUNCIL RESERVES THE OPTION TO RECESS THE SPECIAL CITY COUNCIL MEETING DURING THE EVENING OF JANUARY 12, 2021, AND TO RECONVENE THE SPECIAL CITY COUNCIL MEETING ON THE FOLLOWING DAY, JANUARY 13, 2021, AT 9:00 A.M. AT THE WINDCREST CITY HALL, 8601 MIDCROWN, WINDCREST, TEXAS.

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**
- III. PLEDGE OF ALLEGIANCE AND INVOCATION**
- IV. CITIZENS TO BE HEARD/CITIZEN PARTICIPATION**

- a) Citizens may address the City Council on topics not on the agenda for no more than three (3) minutes.
- b) Citizens shall also have the opportunity to address the City Council during consideration of posted agenda items for no more than six (6) minutes.
- c) Only a maximum of six (6) members of the public will be permitted in the City Council Chambers at a time. All attendees will be required to be screened for present signs of COVID-19

prior to entering City Hall.

d) Four (4) hours prior to the meeting, an email to the city secretary at citysecretary@windcrest-tx.gov is required, to be added to the attendee list ensuring proper physical distance seating inside and outside City Council Chambers.

e) An email statement may be sent to the City Secretary at citysecretary@windcrest-tx.gov to be read into the meeting to City Council. Statements will be provided to Council and available to the public not in attendance after the meeting.

f) 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.

g) Citizens should be aware that any statements made during the citizens to be heard section may not be considered as evidence or testimony in the public hearing investigating possible charter violations.

THE FOLLOWING ITEMS MAY BE CONSIDERED AT ANY TIME DURING THE SPECIAL CITY COUNCIL MEETING:

V. PUBLIC CHARTER HEARING

Opening of Public Charter Hearing

City council will resume receiving comments, evidence, testimony, and may review, discuss, and take action under the city charter on the sworn complaint of charter violations filed against Councilmember Frank Archuleta on October 30, 2020 by Rafael Castillo.

Close Public Charter Hearing

VI. EXECUTIVE SESSION

At any time during the meeting, the City Council may recess into executive session in the City Hall Conference Room to deliberate or discuss any of the following items:

- a) Pursuant to the City Charter and the Texas Open Meetings Act, the city council may convene in executive session under Texas Government Code §551.071(1) and (2) (consultation with attorney) to receive legal advice from the city attorney's office regarding the sworn complaint of charter violations filed against Councilmember Frank Archuleta.

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 AUTHORIZED: The City Council may vote and/or act upon any item within this Agenda. The 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 § 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, 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 attorney may appear in person, or appear in executive session by conference call in accordance with applicable state law.

EXECUTIVE SESSIONS APPROVED BY CITY 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 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 January 12, 2021.

By:

Dusty DeHoyos, Assistant City Secretary