

City of Windcrest



AGENDA CITY COUNCIL MEETING 6:00 PM APRIL 7, 2025

CITY COUNCIL CHAMBERS - 8601 MIDCROWN

CCM @ 6 PM

NOTICE IS HEREBY GIVEN THAT THE CITY OF WINDCREST CITY COUNCIL WILL HOLD A REGULAR CITY COUNCIL MEETING AT WINDCREST CITY HALL LOCATED AT 8601 MIDCROWN, WINDCREST, TEXAS ON MONDAY, APRIL 7, 2025, STARTING AT 6:00 PM.

THE CITY COUNCIL RESERVES THE OPTION TO RECESS THE MEETING DURING THE EVENING OF MONDAY, APRIL 7, 2025, AND TO RECONVENE THE MEETING ON THE FOLLOWING BUSINESS DAY, TUESDAY, APRIL 8, 2025, AT 9:00 A.M. AT THE WINDCREST CITY HALL, 8601 MIDCROWN, WINDCREST, TEXAS.

NOTICE OF ASSISTANCE AT THE PUBLIC MEETING

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

- Citizens may address the Windcrest City Council on topics not on the agenda for no more than three (3) minutes.
- Citizens shall also have the opportunity to address the Windcrest City Council during consideration of posted agenda items for no more than six (6) minutes.
- 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.

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

V. CONSENT AGENDA

- a) City Council will review, discuss, and may act on an amendment to Chapter 18 of the City of Windcrest Code of Ordinances implementing a penalty and/or fee for outstanding inspection and permit fees with the Windcrest Fire Department. **2nd Reading** [Natalia Witmer, MFO/Interim City Manager]
- b) City Council will review, discuss, and may act on an amendment to Chapter 12 the City of Windcrest Code of Ordinances relating to identifying and deeming substandard, fire-hazardous, dangerous, and/or dilapidated structures. **2nd Reading** [Natalia Witmer, MFO/Interim City Manager]
- c) City Council will review, discuss, and may act on an amendment to Chapter 12 the City of Windcrest Code of Ordinances requiring a knox box, siren-operated sensors, knox pad locks, and knox caps for all commercial occupancies. **2nd Reading** [Natalia Witmer, MFO/Interim City Manager]

VI. RESOLUTION

- a) City Council will review, discuss, and may take action on a resolution to match a percentage of grant funds with city funds for the 2025 City of Windcrest Sidewalk Improvements project. [Natalia Witmer, MFO/Interim City Manager]
- b) City Council will review, discuss, and may act on a resolution reconsidering and appointing members to the Animal Services Advisory Committee from the City Council meeting on February 17, 2025. [Dan Reese, Mayor]

VII. DISCUSSION AND ACTION

- a) City Council will review, discuss, and may act on a request from Dusty DeHoyos, Director of Public Works, for the installation of solar powered lights in identified city alley's. [Natalia Witmer, MFO/Interim City Manager]
- b) City Council will review, discuss, and may act on a request from the Windcrest Fire Department to consider the sale and replacement of Engine 187 Bravo. [Natalia Witmer, MFO/Interim City Manager]
- c) City Council will review, discuss, and may act on an amendment to Chapter 12 of the City of Windcrest Code of Ordinances to amend section 12-21-Fire Marshal, by adding a designee. [Natalia Witmer, MFO/Interim City Manager]
- d) City Council will review, discuss, and may act on amendment to Chapter 1 the City of Windcrest Code of Ordinances by adopting section 1-12 regarding third party review fees. [Natalia Witmer, Interim City Manager/MFO]
- e) City Council will review, discuss, and may act on an appraisal of vacant city-owned property located northwest corner of Crestway Drive and Jim Seal Drive, Windcrest, Bexar County, Texas. [Natalia Witmer, Interim City Manager/MFO]

- f) City Council will review, discuss, and may take action on scoring and selecting a firm for executive search services for the City Manager position. [Natalia Witmer, MFO/Interim City Manager]

VIII. EXECUTIVE SESSION

The Windcrest City Council of the City of Windcrest reserves the right to adjourn into executive session at any time during course of the meeting to discuss any matter listed below:

- a) *Pursuant to Govt. Code § 551.071 (consultation with attorney) regarding pending litigation styled Chad Mowell v. City of Windcrest Board of Adjustment and City of Windcrest, Cause No. 2024CI19418, 408th District Court, Bexar County, Texas.*
- b) *Pursuant to Gov't Code §551.071 (consultation with attorney) and 551.074 (personnel/officials) regarding legal issues and proper procedures for appointments to the Animal Service Advisory Committee and the recent appointments.*
- c) *Pursuant to Gov't Code §551.071 (consultation with attorney) regarding legal issues associated with the RFQ for a compliance audit.*
- d) *Pursuant to Gov't Code §551.072 (real property) regarding city real property located at northwest corner of Crestway Drive and Jim Seal Drive, Windcrest, Bexar County, Texas.*

IX. CITY MANAGER'S REPORT

Any oral report provided by the city manager will be informational only and not for council action. The city manager may provide updates on community and upcoming city events, the status of the operation of individual departments, any unusual activity from any specific department which has occurred since the posting of the agenda, or to provide potential topics of discussion which may appear on a future agenda.

X. 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.

XI. 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 April 7, 2025.

BY:

A handwritten signature in black ink that reads "Rachel C. Dominguez". The signature is fluid and cursive, with the first letters of each word being capitalized and prominent.

Rachel C. Dominguez, TRMC
City Secretary

**AN ORDINANCE OF THE CITY OF WINDCREST, TEXAS
AMENDING CHAPTER 18 –LICENSES, PERMITS AND
BUSINESS REGULATIONS, ARTICLE II – BUSINESS
REGULATIONS BY, CITY OF WINDCREST CODE OF
ORDINANCES, TO AMEND SECTION 18-26 BY ADDING
MANDATORY PAYMENT OF FIRE INSPECTIONS FEE
BEFORE A PERMIT WILL BE ISSUED; AUTHORIZATION
TO THE FIRE MARSHAL FOR CLOSURE, AND
PROVIDING FOR FINDINGS OF FACT, A CUMULATIVE
CLAUSE, SEVERABILITY, AND EFFECTIVE DATE.**

WHEREAS, the City of Windcrest is a home-rule municipality located within Bexar County, Texas; and

WHEREAS, the City of Windcrest, as a home rule municipality, derives its powers exclusively from its home rule charter and is limited in authority only by express provisions of the Texas Constitution and the State statutes; and

WHEREAS, the City Council of the City of Windcrest desires to amend Chapter 18 licenses, permits and business regulations, article II – business regulations General Code of Ordinances of the City of Windcrest to Amend 18-26 mandatory payment of fire inspection fees before a permit is issued; and

WHEREAS, the City believes it should adopt reasonable fines regarding the fire inspections; and

WHEREAS, the City finds that adopting reasonable fines will help to ensure the safety of the City and its citizens; and

WHEREAS, the City Council of the City of Windcrest finds and determines that the adoption of this Ordinance promotes the health, safety, and welfare of the public; and

WHEREAS, the City Council of the City of Windcrest finds and determines that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Texas Open Meetings Act, Chapter 551, Texas Government Code;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WINDCREST, TEXAS THAT

**I.
ENACTMENT**

Chapter 18 licenses, permits and business regulations, article II Business Regulations, Code of Ordinances, City of Windcrest, Texas is amended as set forth below, with insertions indicated by underlines (e.g. underlines) and deletions indicated by strikethroughs (e.g. ~~strikethroughs~~):

Section 18-26:

- (5) All fire inspection fees must be paid in full before any fire inspection permit will be issued or renewed by the city. No fire inspection permit is complete and valid until approved by the fire marshal and the inspection fee is paid in full. The fire marshal is authorized to secure and issue a closure order to any property required to have a valid fire inspection permit under this article but has not been issued such permit.

**II.
FINDINGS OF FACT**

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

**III.
CUMULATIVE CLAUSE**

This Ordinance is cumulative of all provisions of the Code of Ordinances of the City of Windcrest, except to the extent the provisions of this Ordinance are in direct conflict with the provisions of any other ordinance, in which event the conflicting provisions of such other ordinance are hereby repealed, while leaving the remainder of such other ordinance intact. To the extent of any conflict, this Ordinance is controlling.

**III.
SEVERABILITY**

The City Council of the City of Windcrest intends that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance should be declared unconstitutional or invalid by final judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of the Ordinance, since the same would have been enacted by the City Council without incorporation in this ordinance of any such unconstitutional or invalid phrases, sentences, paragraphs, or sections.

**IV.
EFFECTIVE DATE**

This Ordinance is effective as of the date of adoption on second reading.

DULY PASSED ON FIRST READING, on the 17th day of March, 2025, at a regular meeting of the City Council of the City of Windcrest, Texas, which was held in compliance with the Texas Open Meetings Act, Chapter 551, Texas Government Code, at which meeting a quorum was present and voting.

DULY PASSED AND APPROVED, on the _____ day of _____, 2025 at a regular meeting of the City Council of the City of Windcrest, Texas, which was held in compliance with the Texas Open Meetings Act, Chapter 551, Texas Government Code, at which meeting a quorum was present and voting.

CITY OF WINDCREST, TEXAS:

Dan Reese, Mayor

ATTEST:

Rachel Dominguez, City Secretary

APPROVED:

Ryan Henry, City Attorney

**AN ORDINANCE OF THE CITY OF WINDCREST, TEXAS
AMENDING CHAPTER 12 – FIRE PREVENTION AND
PROTECTION, ARTICLE II – FIRE MARSHALL BY, CITY
OF WINDCREST CODE OF ORDINANCES, TO ADD
SECTION 12-30 – DANGEROUS OR DILAPIDATED
STRUCTURES; AND PROVIDING FOR FINDINGS OF
FACT, A CUMULATIVE CLAUSE, SEVERABILITY, AND
EFFECTIVE DATE.**

WHEREAS, the City of Windcrest is a home-rule municipality located within Bexar County, Texas; and

WHEREAS, the City of Windcrest, as a home rule municipality, derives its powers from its home rule charter and is limited in authority only by express provisions of the Texas Constitution and the State statutes; and

WHEREAS, the City Council of the City of Windcrest desires to amend Chapter 12 Fire Prevention and Protection Article II General Code of Ordinances of the City of Windcrest to add Section 12-30 Dangerous or Dilapidated Structures; and

WHEREAS, the City Council believes it should adopt a process for the repair or demolition of buildings deemed dangerous or dilapidated by the fire marshal; and

WHEREAS, the City Council of the City of Windcrest finds and determines that the adoption of this Ordinance promotes the health, safety, and welfare of the public; and

WHEREAS, the City Council of the City of Windcrest finds and determines that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Texas Open Meetings Act, Chapter 551, Texas Government Code;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WINDCREST, TEXAS THAT

**I.
ENACTMENT**

Chapter 12 – Fire Prevention and Protection, Article II – Fire Marshall, Code of Ordinances, City of Windcrest, Texas is amended as set forth below, with insertions indicated by underlines (e.g. underlines) and deletions indicated by strikethroughs (e.g. ~~strikethroughs~~):

Section 12-30. - Dangerous buildings, structures, and premises.

- (a) Generally. No premises shall contain any dangerous building, premises, or structure as described in this section. Once identified and determined to be dangerous by the fire marshal all such buildings, premises, or structures shall be repaired or demolished.
- (b) Definition. A dangerous building, premises, or structure shall be considered to exist whenever any building, premises, structure, or portion thereof meets any of the following criteria to the extent that life, health, property, or safety of the public or the building, premises, or structure's occupants are unreasonably endangered:
- (1) High loads. Whenever the stress in any materials, member, or portion of a structure, due to all dead and live loads, is more than one and one-half times the working stress or stresses allowed in the most current editions of the International Building Code (the "*IBC*"), the International Fire Code (the "*IFC*"), and the National Fire Protection Association Life Safety Code (the "*NFPA 101*") for new buildings of similar structure, purpose, or location.
- (2) Weakened or unstable structural members or appendages.
- (A) Whenever any portion of the structure has been damaged by fire, natural disaster, neglect, or by any other cause, to such an extent that the structural strength or stability is materially less than it was before such catastrophe and is less than the minimum requirements of the most current editions of the IBC, IFC, and NFPA 101 for new buildings of similar structure, purpose, or location; or
- (B) Whenever appendages including parapet walls, cornices, spires, towers, tanks, statuary, signs, or other appendages or structural members which are supported by, attached to, or part of a building, are in a deteriorated condition or otherwise unable to sustain the design loads which are specified in the most current editions of the IBC, IFC, and NFPA 101.
- (3) Buckled or leaning walls or structural members. Whenever the exterior walls or other vertical structural members list, lean, or buckle to such an extent that a plumb line passing through the center of gravity does not fall inside the middle one-third of the base.

(4) Vulnerability to natural disasters or high winds.

- (A) Whenever any portion of a structure has wracked, warped, buckled, or has settled to such an extent that walls or other structural portions have materially less resistance to winds or natural disasters than is required in the case of similar new construction; or
- (B) Whenever any portion of a building, or any member, appurtenance, or ornamentation of the exterior thereof is not of sufficient strength or stability, or is not so anchored, attached, or fastened in place so as to be capable of resisting a wind pressure of one-half of that specified in the most current editions of the IBC, IFC, and NFPA 101 for new buildings of similar structure, purpose, or location without exceeding the working stresses permitted in the most current editions of the IBC, IFC, and NFPA 101.

(5) Insufficient strength or fire resistance. Whenever any structure which, whether erected in accordance with all applicable laws and ordinances:

- (A) Has in any non-supporting part, member, or portion, less than fifty (50) percent of the strength or the fire-resisting qualities or characteristics required by code for newly constructed buildings of like area, height, and occupancy in the same location; or
- (B) Has in any supporting part, member, or portion less than sixty-six (66) percent of the strength or the fire-resisting qualities or characteristics required by code in the case of a newly constructed building of like area, height, and occupancy in the same location.
- (C) This subsection does not apply to strength required for seismic loads. For application of seismic requirements, see the most current edition of the IBC.

(6) Risk of failure or collapse.

- (A) Whenever any portion or member or appurtenance thereof is likely to fail or to become detached or dislodged, or to collapse and thereby injury persons or damage property.

(B) Whenever the structure, or any portion thereof, is likely to partially or completely collapse as a result of any cause, including but not limited to:

1. Dilapidation, deterioration, or decay.
2. Faulty construction.
3. The removal, movement, or instability of any portion of the ground necessary for supporting such structure.
4. The deterioration, decay, or inadequacy of its foundation.

(7) Excessive damage or deterioration. Whenever the structure, exclusive of the foundation:

- (A) Shows thirty-three (33) percent or more damage or deterioration of its supporting member or members.
- (B) Shows fifty (50) percent damage or deterioration of its non-supporting members.
- (C) Shows fifty (50) percent damage or deterioration of its enclosing or outside wall coverings.

(8) Demolition remnants on-site. Whenever any position of a structure, including unfilled excavations, remains on site for more than thirty (30) days after the demolition or destruction of the structure.

(9) Lack of approved foundation.

- (A) Where a structure is not placed on an approved foundation and no valid permit exists for a foundation of the structure.
- (B) For more than ninety (90) days after issuance of a permit for a foundation for a structure where the structure is not placed on an approved foundation.

(10) Fire hazard.

(A) Whenever any structure is a fire hazard as a result of any cause, including but not limited to:

1. Dilapidated condition, deterioration, or damage;
2. Inadequate exits;
3. Lack of sufficient fire-resistive construction;
4. Vegetation overgrowth;
5. Faulty electric wiring;
6. Excessive use or permanent use of extension cords;
7. Gas connections, or heating apparatus;
8. Storage or keeping of combustibles; or
9. Any other causes that are determined by the fire chief or fire marshal to be a fire hazard.

(B) Whenever any door, aisle, passageway, stairway, or other means of exit is not sufficient width or size or is not so arranged as to provide safe and adequate means of exist in case of fire or panic.

(C) Whenever the walking surface of any aisle, passageway, stairway, or other means of exit is so warped, worn, loose, torn, or otherwise unsafe as to not provide safe and adequate means of exit in case of fire or panic.

(11) Other hazards to health, safety, and public welfare.

(A) Whenever, for any reason, the building, premises, or structure, or any portion thereof, is manifestly unsafe for the purpose for which it is currently being used; or

(B) Whenever a building, premises, or structure has any conditions or defects so that life, health, property, or safety of the public or its occupants are endangered.

(12) Public nuisance.

(A) Whenever any building, premises, or structure is in such condition as to constitute a public nuisance as defined in Sec. 103-188 or Sec. 14-6 in the City of Windcrest Code of Ordinances; or

(B) Whenever the building, premises, or structure has been damaged by fire, wind, neglect, or natural disaster or any other causes, or has become so dilapidated or deteriorated as to become:

1. An attractive nuisance;

2. A harbor for vagrants or criminals; or as to

3. Enable persons to resort thereto for the purpose of committing unlawful acts.

(13) Drug lab property. Whenever a building, premises, or structure is listed as “Unfit for Use” by the fire marshal or health inspector due to toxic contamination resulting from illegal drug manufacturing.

(14) Violations of code or law. Whenever any building, premises, or structure has been constructed, exists, or is maintained in violation of any specific requirements or prohibition applicable to such structure provided by the building regulations of the City of Windcrest, as specified in the most current editions of the IBC, IFC, NFPA 101, or any law or ordinance of the State of Texas or City of Windcrest relating to the condition, location, or structure of buildings.

(c) Abatement of dangerous buildings, premises, or structures. All buildings, premises, or structures, or portions thereof, which are determined after inspection by the fire marshal to be dangerous as defined by this section, are hereby declared to be a public nuisance and shall be abated by repair, rehabilitation, demolition, or removal in accordance with the procedures specified herein. The fire marshal upon making such a determination, may, in addition to commencing abatement proceedings, secure the property to protect the public health, safety, and welfare pending repair or demolition. The fire marshal shall have the authority to seek abatement and search warrants as allowed by law.

(d) Repair or demolition. These standards shall be followed by the building inspector, permits department, and by the Board of Adjustment in ordering repairs or demolition of any derelict or dangerous building, premises, or structure:

- (1) Any condition(s) that results in a building, premises, or structure being declared a dangerous building under this section shall be repaired in accordance with the most recent additions of the IBC, IFC, and NFPA 101 applicable to the type of substandard conditions requiring repair; or
- (2) The building or structure shall be demolished at the option of the fire marshal and the city manager with guidance from the city attorney's office, subject to the issuance of a demolition permit issued by the City of Windcrest.
- (3) For any occupancies that are classified as an R-1 or R-2 where a fire has occurred and has displaced one or more occupants, the affected building shall be fire-sprinklered and fire alarmed prior to the re-occupancy of the unit/building.
- (4) Any commercial occupancy over 5,000 square feet where a fire has occurred and has displaced one or more tenants shall be fire-sprinklered and fire alarmed prior to the re-occupancy of the unit/building.

(e) Order to vacate.

- (1) If the building, premises, or structure is in such condition as to make it immediately dangerous to the life, limb, property, or safety of its occupants or the public, it shall be ordered to be vacated.
- (2) If the fire marshal has determined that the building, premises, or structure must be vacated, the notice and order shall require that it be vacated within a time certain from the date of the order, as determined by the fire marshal to be reasonable.
- (3) Every notice to vacate shall, in addition to being served, be posted at the front entrance of the building, premises, or structure and shall be substantially the following form:

THIS BUILDING IS UNSAFE AND ITS USE OR OCCUPANCY

HAS BEEN PROHIBITED BY

CITY OF WINDCREST FIRE MARSHAL

8601 MIDCROWN DRIVE WINDCREST, TEXAS 78239

(210) 655-0022

VIOLATION OF THIS ORDER WILL RESULT IN FURTHER LEGAL ACTION

DATE ISSUED: _____ ISSUED BY: _____

- (f) Notice and order. Whenever the fire marshal has determined that a building, premises, or structure is dangerous, as defined by this section, the notice shall be hand delivered, or a copy sent via certified mail to the owner(s) of the property or the person(s) responsible for the violation.
- (g) Temporary safeguards. Notwithstanding other provisions of this section, whenever the fire marshal determines, based upon commonly accepted safe practices and principles of structural soundness, or methods of construction and repair, that there is imminent danger due to unsafe conditions, the fire marshal, building inspector, or health inspector may order the property owner to have the building or structure openings boarded up to render such structure temporarily safe. This should be performed within twenty-four (24) hours of notice, and a daily fine will be assessed until the work is completed. If the property does not comply with the order, the City of Windcrest may have the building or structure boarded up and the property owner billed the cost of materials, labor, and a twenty-five (25) percent fee.
- (h) Vacated buildings, structures, and premises. Upon receiving notice of order from the fire marshal all vacant buildings, premises, or structures shall be maintained in a clean, safe, secure, and sanitary condition as provided herein so as not to adversely affect the public health, safety, or welfare. If violations are not corrected or addressed within twenty-four (24) hours of notice, the person(s) responsible will receive a daily fine until the work is completed. If the property owner does not comply with the order, the City of Windcrest may have violations of the order corrected or repaired, and the property owner will be billed for the cost of materials, labor, plus a twenty-five (25) percent fee.

II.

FINDINGS OF FACT

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

III.

CUMULATIVE CLAUSE

This Ordinance is cumulative of all provisions of the Code of Ordinances of the City of Windcrest, except to the extent the provisions of this Ordinance are in direct conflict with the provisions of any other ordinance, in which event the conflicting provisions of such other ordinance are hereby repealed, while leaving the remainder of such other ordinance intact. To the extent of any conflict, this Ordinance is controlling.

III.

SEVERABILITY

The City Council of the City of Windcrest intends that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance should be declared unconstitutional or invalid by final judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of the Ordinance, since the same would have been enacted by the City Council without incorporation in this ordinance of any such unconstitutional or invalid phrases, sentences, paragraphs, or sections.

IV.

EFFECTIVE DATE

This Ordinance is effective as of the date of adoption on second reading.

DULY PASSED ON FIRST READING, on the 17th day of March, 2025, at a regular meeting of the City Council of the City of Windcrest, Texas, which was held in compliance with the Texas Open Meetings Act, Chapter 551, Texas Government Code, at which meeting a quorum was present and voting.

DULY PASSED AND APPROVED, on the _____ day of _____, 2025 at a regular meeting of the City Council of the City of Windcrest, Texas, which was held in compliance with the Texas Open Meetings Act, Chapter 551, Texas Government Code, at which meeting a quorum was present and voting.

CITY OF WINDCREST, TEXAS:

Dan Reese, Mayor

ATTEST:

Rachel Dominguez, City Secretary

APPROVED:

Ryan Henry, City Attorney

PENDING CITY COUNCIL APPROVAL

**AN ORDINANCE OF THE CITY OF WINDCREST, TEXAS
AMENDING CHAPTER 12 – FIRE PREVENTION AND
PROTECTION, ARTICLE II – FIRE MARSHALL BY, CITY
OF WINDCREST CODE OF ORDINANCES, TO ADD
SECTION 12-29 - KNOX BOX AND RELATED EQUIPMENT,
FOR ALL COMMERICAL OCCUPANCIES; AND
PROVIDING FOR FINDINGS OF FACT, A CUMULATIVE
CLAUSE, SEVERABILITY, AND EFFECTIVE DATE.**

WHEREAS, the City of Windcrest is a home-rule municipality located within Bexar County, Texas; and

WHEREAS, the City of Windcrest, as a home rule municipality, derives its powers exclusively from its home rule charter and is limited in authority only by express provisions of the Texas Constitution and the State statutes; and

WHEREAS, the City Council of the City of Windcrest desires to amend Chapter 12 Fire Prevention and Protection Article II General Code of Ordinances of the City of Windcrest to Add section 12-29 Knox Box, and related equipment for all commercial occupancies; and

WHEREAS, the City finds that authorizing and requiring Knox Box equipment will help to ensure the safety of the City; and

WHEREAS, the City Council of the City of Windcrest finds and determines that the adoption of this Ordinance promotes the health, safety, and welfare of the public; and

WHEREAS, the City Council of the City of Windcrest finds and determines that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Texas Open Meetings Act, Chapter 551, Texas Government Code;

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WINDCREST, TEXAS THAT

**I.
ENACTMENT**

Chapter 12 – Fire Prevention and Protection, Article II – Fire Marshall, Code of Ordinances, City of Windcrest, Texas is amended as set forth below, with insertions indicated by underlines (e.g. underlines) and deletions indicated by strikethroughs (e.g. ~~strikethroughs~~):

Section 12-29:

- (a) The following structures shall be equipped with a Knox-Box key lock box system (hereinafter "Knox-box") at or near the main entrance or such other location designated by the Fire Chief/Fire Marshal:

(1) All commercial or industrial structures or such structures that are secured in a manner that restricts access during an emergency.

(2) Multifamily residential structures that have restricted access through locked doors and have a common corridor for access to the living units.

(3) Educational Facilities (All Public, Private or Character Schools) will children from the Grades of Pre-K through 12th grades. All Educational Facilities shall have a Knox Box with a Double Lock, that is keyed for the Windcrest Fire Department and Windcrest Police Department.

(4) Governmental structures, nursing care and assisted living facilities.

Any building or structure having 24-hour on-site security personnel will not be exempt from the requirements of this section at the discretion of the Fire Marshal.

- (b) All newly constructed structures subject to this section shall have the Knox-Box installed and operational prior to the issuance of an occupancy permit.

- (c) All structures in existence on the effective date of the ordinance from which this section is derived and subject to this section shall have six months from the effective date of the ordinance from which this section is derived to have a key lock box installed and operational.

- (d) The Fire Chief or designee shall designate the type of key lock box system to be implemented within the city and shall have the authority to require all structures to use the designated system.

- (e) The owner or operator of a structure required to have a Knox-Box shall, always, keep a key, keys and/or electronic pass device in the lock box that will allow for access to:

(1) The main entrance door. Mixed occupancies and/or a strip shopping center lock box shall contain a key to the entrance of each business at that location.

(2) Alarm room (if one exists).

(3) Mechanical rooms and sprinkler control rooms.

(4) Fire alarm control panel.

(5) Electrical rooms.

(6) Any fence, gate or secured areas.

(7) Special keys to reset fire alarm pull stations or other fire protection devices.

(8) Elevator keys.

(9) A card containing the name and phone number of all emergency contacts for that building.

(10) All other rooms or areas specified during the plans review process.

- (f) The Fire Chief or designee shall be authorized to implement rules and regulations for the use of the lock box system.
- (g) Any person violating the provisions of this section shall, upon conviction, be fined not less than \$100.00 nor more than \$2,000.00 for each day of violation.
- (h) Any commercial property, apartment complex or gated neighborhood with a power gate must be equipped with a Siren Operated Sensor (SOS) system and Knox entry system. The gate must open for all emergency vehicles when the siren is placed on yelp for not longer than 15 seconds.
- (i) Any commercial property, apartment complex or gated neighborhood that has a non-powered gate to prevent entry into the property, will be required to have a Knox Pad Lock on the gate for Fire Department entry.
- (j) Any commercial property that is equipped with a Fire Protection System, will be required to have Knox Caps on all Fire Department Connections (FDC) and if the commercial property is equipped with standpipes in the stairwell or in hallways Knox Caps will be required on all Standpipe connections.

II.

FINDINGS OF FACT

The foregoing recitals are incorporated into this Ordinance by reference as findings of fact as if expressly set forth herein.

III.

CUMULATIVE CLAUSE

This Ordinance is cumulative of all provisions of the Code of Ordinances of the City of Windcrest, except to the extent the provisions of this Ordinance are in direct conflict with the provisions of any other ordinance, in which event the conflicting provisions of such other ordinance are hereby repealed, while leaving the remainder of such other ordinance intact. To the extent of any conflict, this Ordinance is controlling.

**III.
SEVERABILITY**

The City Council of the City of Windcrest intends that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance should be declared unconstitutional or invalid by final judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of the Ordinance, since the same would have been enacted by the City Council without incorporation in this ordinance of any such unconstitutional or invalid phrases, sentences, paragraphs, or sections.

**IV.
EFFECTIVE DATE**

This Ordinance is effective as of the date of adoption on second reading.

DULY PASSED ON FIRST READING, on the 17th day of March, 2025, at a regular meeting of the City Council of the City of Windcrest, Texas, which was held in compliance with the Texas Open Meetings Act, Chapter 551, Texas Government Code, at which meeting a quorum was present and voting.

DULY PASSED AND APPROVED, on the _____ day of _____, 2025 at a regular meeting of the City Council of the City of Windcrest, Texas, which was held in compliance with the Texas Open Meetings Act, Chapter 551, Texas Government Code, at which meeting a quorum was present and voting.

CITY OF WINDCREST, TEXAS:

Dan Reese, Mayor

ATTEST:

Rachel Dominguez, City Secretary

APPROVED:

Ryan S. Henry, City Attorney

RESOLUTION NO. 2025-*(R)**

A RESOLUTION OF THE CITY OF WINDCREST, TEXAS, CITY COUNCIL TO AUTHORIZE THE CITY TO OBLIGATE FUNDS MATCHING TWENTY-FIVE (25) PERCENT OF THE GRANT FUNDS

WHEREAS, the City of Windcrest is a home-rule municipality located within Bexar County, Texas; and

WHEREAS, the City submitted an application to receive grant funds for sidewalk improvements; and

WHEREAS, the City's sidewalk project has been deemed eligible to receive funds from the granting agency, but requires the City to match funds for the next step of the grant process; and

WHEREAS, the next step of the grant process includes providing the AAMPO with formal notice of the Overmatch Contribution; and

WHEREAS, the Windcrest City Council authorizes the City to obligate funds matching twenty-five (25) percent of the grant funds.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WINDCREST, TEXAS that the City is authorized to obligate funds matching no more than twenty-five (25) percent of the grant funds. The City Manager is authorized to prepare a budget amendment or fund adjustment to accomplish the goal of this resolution. The City Manager is authorized to sign applicable grant documents necessary to accomplish the goal of this resolution.

DULY PASSED AND APPROVED, on the 7th day of April, 2025 at a regular meeting of the City Council of the City of Windcrest, Texas, which was held in compliance with the Open Meetings Act, Gov't. Code §551.001, et. Seq. at which meeting a quorum was present and voting.

CITY OF WINDCREST, TEXAS

Dan Reese, Mayor

ATTEST:

Rachel Dominguez, City Secretary

APPROVED:

Ryan S. Henry, City Attorney

**A RESOLUTION OF THE CITY OF WINDCREST, TEXAS,
CITY COUNCIL RECONSIDERING APPOINTMENTS TO
THE ANIMAL SERVICES ADVISORY COMMITTEE
WHICH OCCURRED AT THE CITY COUNCIL MEETING
ON FEBRUARY 19, 2025**

WHEREAS, the City Council of the City of Windcrest passed Resolution No. 2025-510(R) on February 19, 2025 at a regular meeting of the City Council, which appointed members to vacant positions on the committee; and

WHEREAS, after the appointments, the City received citizen complaints regarding the nomination and voting process utilized; and

WHEREAS, the City Council finds that while the ultimate determinations made were valid, some technical steps in the process may have been omitted inadvertently; and

WHEREAS, the City Council finds that in order to not only be fair to all those who applied, but also to consider the integrity of the process, the City Council should reconsider the nominations and vote for appointments; and

WHEREAS, the City Council wishes to reconsider the vote in the interest of transparency and to conform with Ordinance No. 2022-024; and

WHEREAS, having reconsidered the same applicants considered at the February 19, 2025 meeting, the Council finds the following individuals should be appointed to the listed places on the Animal Service Advisory Committee.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WINDCREST, TEXAS that the City Council appoints the following individuals to the Animal Services Advisory Committee for the period listed below:

Appointee Name	Placement Designation.	Term
		03.01.2025 – 02.28.2026
		03.01.2025 – 02.28.2027
		03.01.2025 – 02.28.2026
		03.01.2025 – 02.28.2027
		03.01.2025 – 02.28.2026
	Alternate #2	03.01.2025 – 02.28.2027

DULY PASSED AND APPROVED, on the 7th day of April, 2025 at a regular meeting of the City Council of the City of , Texas, which was held in compliance with the Open Meetings Act, Gov't. Code §551.001, et. Seq. at which meeting a quorum was present and voting.

CITY OF WINDCREST, TEXAS

Dan Reese, *Mayor*

ATTEST:

Rachel Dominguez, *City Secretary*

APPROVED:

Ryan S. Henry, *City Attorney*

Pending City Council Approval

RESOLUTION 2025-510(R)

A RESOLUTION APPOINTING CITIZENS TO THE CITY OF WINDCREST ANIMAL SERVICES ADVISORY COMMITTEE

WHEREAS, the City of Windcrest Animal Services Advisory Committee was established by Ordinance 2023-023(O) on January 8, 2024; and

WHEREAS, the committee consist of seven members, five (5) regular members and two alternates, appointed by the city council serving staggering terms every two (2) years; and

WHEREAS, the committee must be composed of at least one (1) municipal official and (1) citizen residing within the city limits of Windcrest and for the remaining members, licensed veterinarians, people whose duties include the daily operation of an animal shelter, and representatives from animal welfare organizations receive priority of appointment; and

WHEREAS three (3) previously appointed members resigned prior to the expiration date of March 1, 2026 and these positions need to be appointed; and

WHEREAS, the City has determined it in the best interests of the City and citizens of Windcrest to appoint specific volunteer individuals to the specified positions.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WINDCREST, TEXAS that the City Council appoints the following individuals to the Animal Services Advisory Committee for the period listed below:

Appointee Name	Placement Designation.	Term
January Dugan (Animal Shelter Rep.)	Place 1	03.01.2025 – 02.28.2026
Stephanie Gawrys (Resident)	Place 2	03.01.2025 – 02.28.2027
Debbie Pruitt (Animal Welfare Rep.)	Place 3	03.01.2025 – 02.28.2026
Mary David (Animal Welfare Rep.)	Place 4	03.01.2025 – 02.28.2027
Rainbeau Presti (Animal Welfare Rep.)	Alternate #2	03.01.2025 – 02.28.2027

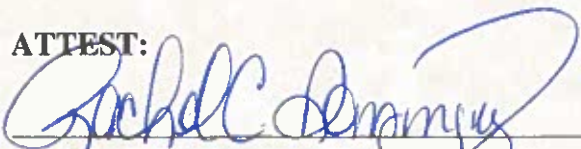
DULY PASSED AND APPROVED, on the 19th day of February, 2025 at a regular meeting of the City Council of the City of Windcrest, Texas, which was held in compliance with the Open Meetings Act, Gov't. Code §551.001, et. Seq. at which meeting a quorum was present and voting.

CITY OF WINDCREST, TEXAS



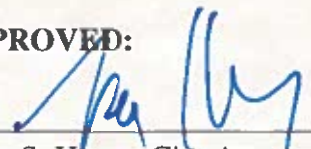
Dan Reese, Mayor

ATTEST:



Rachel C. Dominguez, City Secretary

APPROVED:



Ryan S. Henry, City Attorney



RESOLUTION NO. 2025-514 (R)

**A RESOLUTION APPOINTING THE MUNICIPAL OFFICIAL, CHAIRPERSON, AND
VICE CHAIRPERSON TO THE CITY OF WINDCREST ANIMAL SERVICES
ADVISORY COMMITTEE**

WHEREAS, the City of Windcrest Animal Services Advisory Committee was established by Ordinance 2023-023(O) on January 8, 2024; and

WHEREAS, the committee consist of seven members, five (5) regular members and two alternates, appointed by the city council serving staggering terms every two (2) years; and

WHEREAS, at the February 19, 2025, City Council appointed members to Place 1, Place 2, Place 3, Place 4 and Alternate #2;and,

WHEREAS, the committee must be composed of at least one (1) municipal official and (1) citizen residing within the city limits of Windcrest and for the remaining members, licensed veterinarians, people whose duties include the daily operation of an animal shelter, and representatives from animal welfare organizations receive priority of appointment; and

WHEREAS, the City Council needs to appoint the municipal official, the chair, and vice chair.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WINDCREST, TEXAS that the City Council appoints Councilman Adam Astleford as the municipal official representative to the Animal Services Advisory Committee for the period listed below:

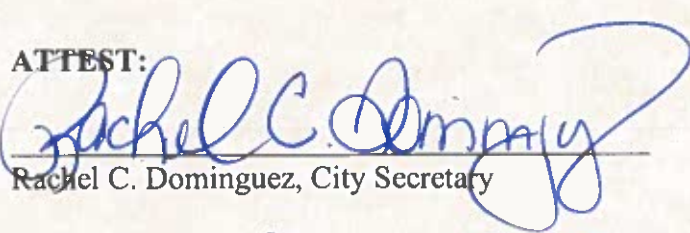
Appointee Name	Designation.	Term
Councilman Adam Astleford	Municipal Official	03.01.2025 – 02.28.2026

DULY PASSED AND APPROVED, on the 3rd day of March, 2025 at a regular meeting of the City Council of the City of Windcrest, Texas, which was held in compliance with the Open Meetings Act, Gov't. Code §551.001, et. Seq. at which meeting a quorum was present and voting.

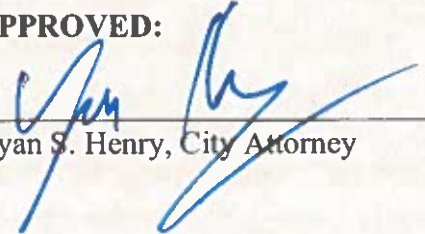
CITY OF WINDCREST, TEXAS


Dan Reese, Mayor

ATTEST:


Rachel C. Dominguez, City Secretary

APPROVED:


Ryan S. Henry, City Attorney



RESOLUTION NO. 2025-515(R)

**A RESOLUTION APPOINTING THE CHAIRPERSON, AND VICE CHAIRPERSON
TO THE CITY OF WINDCREST ANIMAL SERVICES ADVISORY COMMITTEE**

WHEREAS, the City of Windcrest Animal Services Advisory Committee was established by Ordinance 2023-023(O) on January 8, 2024; and

WHEREAS, the committee consist of seven members, five (5) regular members and two alternates, appointed by the city council serving staggering terms every two (2) years; and

WHEREAS, at the February 19, 2025, City Council appointed members to Place 1, Place 2, Place 3, Place 4 and Alternate #2;and,

WHEREAS, at the March 3, 2025, City Council appointed a municipal official; and

WHEREAS, the committee must be composed of at least one (1) municipal official and (1) citizen residing within the city limits of Windcrest and for the remaining members, licensed veterinarians, people whose duties include the daily operation of an animal shelter, and representatives from animal welfare organizations receive priority of appointment; and

WHEREAS, the City Council needs to appoint the chair, and vice chair.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WINDCREST, TEXAS that the City Council appoints Debbie Pruitt, as the Chair, and January Dugan, as the Vice Chair to the Animal Services Advisory Committee for the period listed below:

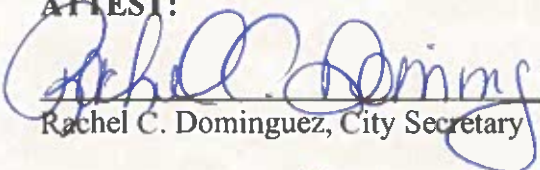
Appointee Name	Designation.	Term
Debbie Pruitt	Chair	03.17.2025 – 02.28.2026
January Dugan	Vice Chair	03.17.2025 – 02.28.2026

DULY PASSED AND APPROVED, on the 17th day of March, 2025 at a regular meeting of the City Council of the City of Windcrest, Texas, which was held in compliance with the Open Meetings Act, Gov't. Code §551.001, et. Seq. at which meeting a quorum was present and voting.

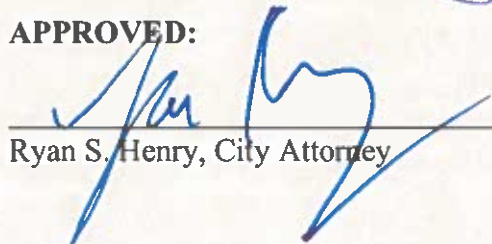
CITY OF WINDCREST, TEXAS


Dan Reese, Mayor

ATTEST:


Rachel C. Dominguez, City Secretary

APPROVED:


Ryan S. Henry, City Attorney

