

**AGENDA
CITY OF WINDCREST, TEXAS
REGULAR CITY COUNCIL MEETING
DECEMBER 21, 2009
7:00 p.m.**

NOTICE IS HEREBY GIVEN THAT A REGULAR CITY COUNCIL MEETING OF THE CITY OF WINDCREST WILL BE HELD AT WINDCREST CITY HALL, 8601 MIDCROWN, WINDCREST, TEXAS ON THE 21ST DAY OF DECEMBER, 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 DECEMBER 21, 2009 AND TO RECONVENE THE MEETING ON THE FOLLOWING DAY, DECEMBER 22, 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.

Ordinance No. 593 (8/17/09)

At regular City Council, City Commission or City Board meetings, the agenda will include a "citizens to be heard" item. Citizens wishing to speak during this item shall be required to 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 as the agenda item is called by the Presiding Officer. A member of the public will have a total of six (6) minutes to be heard, which includes speaking and response time, during a City Council, City Commission or City Board meeting. The six (6) minute time limits authorized herein may not be transferred to another speaker in whole or in part. The presiding Officer or his 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.

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 and Invocation.

II. Citizens To Be Heard

Please limit time to six (6) minutes.

III. Presentations

1. City Council will receive a presentation from Windcrest resident, Sandra Allen, on the November and December Windcrest Family and Youth events.
2. Representative from SA Partnership will provide a presentation to City Council on their conceptual plan for the City of Windcrest's Master Plan. (Att. 1)
3. Assistant City Manager Lori Harris will announce the winner(s) of the City of Windcrest's Employee Highlight Award.
4. Assistant City Manager Lori Harris will read a proclamation for Light Up 2009. (Att. 2)
5. Director of Public Works will report on the completion of the Takas Park grant project.
6. Director of Public Works will report on the contacts made with Texas Department of Transportation on the medians installed on Walzem Road.
7. City Manager will report on the contacts made with AT&T with regards to infrastructure improvements needed within the City.

IV. Consent Agenda

1. City Council will consider and take action on certifying the 2009 Tax Roll. (Att. 3)
2. City Council will consider and take action on Ordinance No. 604, an ordinance amending Ordinance No. 58 commonly referred to as the Zoning Ordinance of the City of Windcrest by re-zoning 111 acres as described in attachment a of this document in the City of Windcrest, Bexar County, Texas from Temporary R-1 One-Family Zoning District to B-2 Business District. *The City Council will consider a motion to adopt Ordinance No. 604 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. 4)
3. City Council will consider and take action on Ordinance No. 605, an ordinance amending Ordinance No. 58 commonly referred to as the Zoning Ordinance of the City of Windcrest by granting a special use permit to Doug Sayers and Shannon Sayers for the purposes of operating a dog day care facility at 4952 Windsor Hill, Suite 103 in the City of Windcrest, Bexar County, Texas. *The City Council will consider a motion to adopt Ordinance No. 605 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. 5)

V. Action Items

1. City Council will review, discuss and take action on the first reading of Resolution No. 318, a resolution approving and ratifying the Windcrest Economic Development Type 4B Corporation's Resolution approving and authorizing Project Phoenix as a revitalization project involving Windsor Park Centre in partnership with the City of Windcrest, Texas and Whitestone REIT as the property owner and resolving other matters in connection therewith. (Att. 6)
2. City Council will review, discuss and take action on Ordinance No. 606, an ordinance authorizing a municipal court community service program. *The City Council will consider a motion to adopt Ordinance No. 606 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. 7)
3. City Council will review, discuss and take action on the Treasurer's Report for the month of October along with associated budget adjustments. (Att. 8)

VI. New Business

Per Ordinance No. 593, Section 8: At each regular meeting, an agenda item will be included authorizing requests by members of the City Council, City Commission or City Board for subjects to be considered at future meetings. In order for a requested item to be included in a future agenda, two (2) members must request the inclusion of such item or else the agenda item will not be included on the agenda of a future meeting unless included by direction of the Mayor or City Manager.

VII. Executive Session

The City Council will convene into a closed meeting under the authority of Section 551.087 Deliberation regarding economic development negotiations and Section 551.071 Consultation with the city's attorney regarding anticipated litigation with the owner of Gigante Flea Mart; ongoing settlement offers/discussions and on matters 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 clearly conflicts with this chapter of the Texas Government Code.

VIII. Adjournment

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 December 21, 2009.

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 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 December, 2009.

Title: _____

This Agenda has been reviewed and approved by City Council'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 governmental 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 Local Government Code §551.144(c) and the meeting is conducted by all participants in reliance on this opinion.