

City of Windcrest



AGENDA

DEPARTMENT HEAD REPORTS @ 5 P.M.

CITY COUNCIL MEETING @ 6 P.M.

March 20, 2023

CITY COUNCIL CHAMBERS @ 8601 MIDCROWN

DHR @ 5 P.M./CCM @ 6 P.M.

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 THE 20th DAY OF MARCH 2023, STARTING AT 6 P.M. DEPARTMENT HEAD REPORTS WILL BE HEARD AT 5:00 P.M.

THE CITY COUNCIL RESERVES THE OPTION TO RECESS THE MEETING DURING THE EVENING OF MARCH 20, 2023, AND TO RECONVENE THE MEETING ON THE FOLLOWING BUSINESS DAY, MARCH 21, 2023 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 City Council on topics not on the agenda for no more than three (3) minutes.
- Citizens shall also have the opportunity to address the 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.

V. MONTHLY DEPARTMENT HEAD REPORTS FOR MONTH OF FEBRUARY FY 2022/2023

- a) Briefing and discussion on the monthly Fire Department reports for the month of

- February, to include Summary of Calls along with response times for the City, County, and Annex area. [Ivan Hernandez, Fire Chief]
- b) Briefing and discussion on the monthly Windcrest Volunteer Fire Association financial report for the month of February. [Will Baumann, Vice President]
 - c) Briefing and discussion on the monthly Police Department reports including Code Enforcement and Animal Control reports for the month of February. [Jimmie Cole, Chief of Police]
 - d) Briefing and discussion on the monthly Municipal Court report for the month of February. [Claudia Carrera, Municipal Assistant Court Administrator]
 - e) Briefing and discussion on the monthly Public Works reports for the month of February. [Chris Gamboa, Director of Public Works]
 - f) Briefing and discussion on the monthly City of Windcrest Economic Development Corporation report for the month of February. [Mario Hernandez, Director of Windcrest Economic Development Corporation]
 - g) Briefing and discussion on the monthly Office of the City Secretary reports for the month of February. [Rachel C. Dominguez, City Secretary]
 - h) Briefing and discussion on Civic Center, past and upcoming special events. [Elizabeth Dick, Civic Center and Special Events Specialist]

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

VI. CONSENT AGENDA

- a) City Council will review, discuss, and may act on Ordinance 2023-003(O), an ordinance amending the General Fund Fiscal Year 2022/2023 budget in the amount of and not to exceed \$206,845.31. [Rafael Castillo, Jr., City Manager] 2nd Reading
- b) City Council will review, discuss, and may act on Ordinance 2023-004(O), an ordinance amending the Windcrest Crime Control Prevention District Fiscal Year 2022/2023 Budget in the amount of and not to exceed \$264,517.60. [Rafael Castillo, Jr., City Manager] 2nd Reading
- c) City Council will review, discuss, and may act Resolution 2023-514(R) a resolution approving a one (1) year extension with Brown and Brown as the City of Windcrest Insurance Agent of Record. [Rafael Castillo, Jr., City Manager]
- d) City Council will review, discuss, and may act on Resolution 2023-515(R), a resolution authorizing the City Manager to execute the election and release form in the Allergan, CVS, Walgreens and Walmart state-wide opioid settlement agreement. [Rafael Castillo, Jr., City Manager]

VII. ORDINANCE

- a) City Council will review, discuss, and may act on Ordinance 2023-005(O), an ordinance amending Chapter 6 of the Windcrest Code of Ordinances– Animals. [Rafael Castillo, Jr., City Manager] 1st Reading

- b) City Council will review, discuss, and may act on Ordinance 2023-006 (O), an ordinance granting a variance from the Windcrest Code of Ordinances Sec. 105.63 to allow the construction of a commercial building located at 4825 Walzem Rd. further described as BCAD parcel ID 344150 (2') two feet below the minimum base flood level. [Rafael Castillo, Jr., City Manager] 1st Reading

VIII. RESOLUTION

- a) City Council will review, discuss, and may take action on Resolution 2023-513(R), a resolution approving a professional services agreement with Rafael Castillo, Jr., as City Manager of the City of Windcrest. [Dan Reese, Mayor]
- b) City Council will review, discuss, and may act Resolution 2023-516(R) a resolution appointing member to various boards and commissions. [Rafael Castillo, Jr., City Manager]

IX. DISCUSSION AND ACTION

- a) City Council will review, discuss, and may act on setting a date for a Goal Setting Budget Priority meeting for fiscal year 2023/2024. [Rafael Castillo, Jr.]
- b) City Council will review, discuss, and may act on proposed changes to the sick pay policy to include amendment of accrued sick time to the conversion of personal time in a calendar year and the payout up to 280 hours of sick time after vested at ten (10) years. [Wes Manning, Place 1]
- c) City Council will review, discuss, and may act on a cost-of-living adjustment to the employee pay scale. [Wes Manning, Place 1]
- d) City Council will review, discuss, and may act on the transfer of City of Windcrest water rights to the Bexar County Water Control Improvement District #10. [Rafael Castillo, Jr., City Manager]
- e) City Council will review, discuss, and may act on approving the 2nd year extension with Sparkling Clear Window and Commercial Cleaning Services for the City Hall janitorial services for FY23/24. [Rafael Castillo, Jr., City Manager]

X. EXECUTIVE SESSION

The 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 §551.087 (economic development) and §551.071 (consultation with attorney) for deliberation and discussion on the legal issues associated with the Master Economic Incentive Agreement and Rackspace.
- b) Pursuant to Govt. Code §551.074 (personnel matter) and §551.071 (consultation with attorney) for discussion on and the legal issues associated with the renewal of the City Managers contract.
- c) Pursuant to Govt Code 551.071 for consultation with attorney, regarding legal issues for potential litigation or claims regarding and related to litigation for:

- a. Archuleta vs. Dan Reese et.al.
- b. Red Tree Square
- c. 222 Driftwind
- d. 421 Faircrest
- e. 509 Waxwing
- f. 614 Crestway
- g. 5907 Crescent Falls
- h. 5907 Brook Falls
- i. 201 Windcrest
- j. 214 Cloudmont
- k. 237 Driftwind
- l. 413 Balfour
- m. 510 Balfour
- n. 630 Moorside
- o. 713 Moorside
- p. 8711 Golden Point

XI. 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.

XII. 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.

XIII. 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.*

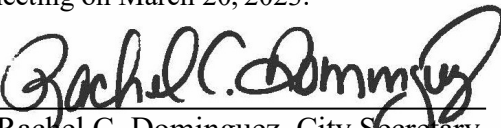
EXECUTIVE SESSIONS APPROVED BY CITY ATTORNEY: *This agenda has been reviewed and approved by the City's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the body 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 March 20, 2023.

BY: 
Rachel C. Dominguez, City Secretary