

**CITY OF WINDCREST ECONOMIC DEVELOPMENT CORPORATION
BOARD OF DIRECTORS**

SPECIAL JOINT CITY COUNCIL / WINDCREST ECONOMIC DEVELOPMENT MEETING

**December 05, 2011
6:00 P.M.**

Windcrest City Hall

NOTICE IS HEREBY GIVEN THAT A SPECIAL JOINT MEETING OF THE BOARD OF DIRECTORS OF THE WINDCREST ECONOMIC DEVELOPMENT CORPORATION (WEDC) AND CITY COUNCIL WILL BE HELD AT WINDCREST CITY HALL, 8601 MIDCROWN, WINDCREST, TEXAS ON THE 05th DAY OF DECEMBER 2011 STARTING APPROXIMATELY 6:00 P.M. DURING THE MEETING, THE BOARD WILL CONSIDER, DELIBERATE AND MAY TAKE ACTION UPON ANY OF THE SUBJECTS LISTED BELOW.

Vision Statement: Nourish and develop a vibrant community that consistently pushes the limits.

Mission Statement: Facilitate interaction between business, city and other community organizations to nourish the economic health and well being of Windcrest, its citizens and the region.

Request all pagers and cell phones be turned off, except emergency on-call personnel. Citizens are asked to refrain from talking during proceedings unless recognized by the Presiding Officer.

CITIZEN COMMUNICATION: AS A COURTESY TO CITIZENS IN ATTENDANCE, AND AT THE DISCRETION OF THE PRESIDING OFFICER OF THE MEETING, CITIZENS WILL BE GIVEN A REASONABLE OPPORTUNITY TO STATE THEIR COMMENTS OR ASK QUESTIONS REGARDING ANY ITEM ON THE AGENDA, AND PRIOR TO THE BOARD TAKING ACTION ON ANY ACTION ITEMS LISTED. THE BOARD REQUESTS COMMENTS BE BRIEF, TO THE POINT, AND NO LONGER THAN 5 MINUTES. TIME CANNOT BE YIELDED TO ANOTHER SPEAKER.

Consistent with Windcrest City Council Resolution No. 292, the WEDC Board elects to audio and video record its meetings. The recordings are preserved electronically as the official minutes of its meetings.

I. Call To Order

1. Determination of a Quorum
2. Pledge of Allegiance
3. Prayer

II. Resolutions

1. The WEDC Board of Directors will review, discuss and may take action on Resolution No. 2011-001 (R), a resolution awarding a contract to J3 Company, LLC for the Racker Road Project Developed by the City of Windcrest Economic Development Corporation. (Mayor Baxter / Rafael Castillo, Jr.)

2. City Council will review, discuss and may take action on Resolution No. 2011-357 (R), a resolution awarding a contract to J3 Company, LLC for the Racker Road Project Developed by the City of Windcrest Economic Development Corporation. (*Mayor Baxter / Rafael Castillo, Jr.*)
3. The WEDC Board of Directors will review, discuss and may take action on Resolution No. 2011-002 (R), a resolution awarding Don McCrary and Associates as Project Inspector for Racker Road and Associated Streets and Utilities Project. (*Mayor Baxter / Rafael Castillo, Jr.*)
4. City Council will review, discuss and may take action on Resolution No. 2011-358 (R), a resolution awarding Don McCrary and Associates as Project Inspector for Racker Road and Associated Streets and Utilities Project. (*Mayor Baxter / Rafael Castillo, Jr.*)

III. General Announcements and Future Agenda Items Requested

IV. Adjournment

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Board of Directors of the WEDC is a true and correct copy of said Notice and I posted a true and correct copy of said Notice on the bulletin board at the Windcrest City Hall in a convenient place to the public. Said Notice was posted 72 hours prior to the 05th of December 2011.

By: Kelly Rodriguez
Kelly Rodriguez, Assistant City Secretary

I certify that the attached notice and agenda of items considered by the WEDC Meeting was removed by me from the City Hall bulletin board on the ____ of December 2011.

By: _____
Heather Weidenbach, City Secretary

RESOLUTION NO. 2011-001 (R)

A RESOLUTION AWARDING A CONTRACT TO J3 COMPANY, LLC FOR THE RACKER ROAD PROJECT DEVELOPED BY THE CITY OF WINDCREST ECONOMIC DEVELOPMENT CORPORATION.

WHEREAS, the City of Windcrest City Council jointly with the Economic Development Corporations requested Don McCrary & Associates, Inc., as of City Engineer to provide the City with cost estimates, plans, specifications and bid documents for the Racker Road and associated streets and utilities project; and

WHEREAS, plans and specifications were prepared by the city engineer and the project advertised for bid in October 2011; and

WHEREAS, on November 17th 2011 in the City Council Chambers three sealed bids from prospective contractors were opened and reviewed.. J3 Company, LLC was the low bidder coming in at three million, one hundred ninety seven thousand, three hundred and three dollars and no cents (\$3,197,303.00). This information was provided to City Council at the November 21st, 2011 City Council meeting; and

WHEREAS, the City's portion of this amount is two million, eight hundred five thousand, six hundred seventy one dollars and no cents (\$2,805,671.00); and

WHEREAS, Rackspace Hosting will be responsible for three hundred ninety one thousand, six hundred thirty two dollars and no cents (\$391,632.00); and

WHEREAS, the funding for Racker Road is budgeted from the City of Windcrest Economic Development Corporation Funds of one million, six hundred thousand dollars and no cents (\$1,600,000.00) from Texas Leverage Funds Proceeds; and

WHEREAS the City of Windcrest has budgeted one million, six hundred seventy thousand, eighty two dollars and no cents (\$1,670,082.00) from General Fund Development Escrow; and

WHEREAS, the City of Windcrest Fund Balance for the City of Windcrest Economic Development Corporation is one hundred seventy five thousand dollars and no cents (\$175,000.00); and

WHEREAS, upon award of the contract by the City Council at the December 5th, 2011 City Council meeting, Don McCrary & Associates, Inc. will complete the contract documents and provide notice of award to the contractor. The contractor will then complete his portion of the contract initiation along with the required project bonding and insurance.

NOW THEREFORE, BE IT RESOLVED BY THE ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF WINDCREST, TEXAS, COUNTY OF BEXAR, the City Council of the City of Windcrest hereby awards a contract in the amount of two million, eight hundred five thousand, six hundred seventy one dollars and no cents (\$2,805,671.00) for the Racker Road Project to J3 Company, LLC. The City Manager is authorized to execute all documents on behalf of the City.

PASSED AND APPROVED ON THIS THE ____ day of December, 2011.

Roy Wratishaw
WEDC Vice President

ATTEST

Heather Weidenbach, City Secretary

APPROVED AS TO FORM

Michael Brenan, City Attorney

RESOLUTION NO. 2011-357 (R)

A RESOLUTION AWARDING A CONTRACT TO J3 COMPANY, LLC FOR THE RACKER ROAD PROJECT DEVELOPED BY THE CITY OF WINDCREST ECONOMIC DEVELOPMENT CORPORATION.

WHEREAS, the City of Windcrest City Council jointly with the Economic Development Corporations requested Don McCrary & Associates, Inc., as of City Engineer to provide the City with cost estimates, plans, specifications and bid documents for the Racker Road and associated streets and utilities project; and

WHEREAS, plans and specifications were prepared by the city engineer and the project advertised for bid in October 2011; and

WHEREAS, on November 17th 2011 in the City Council Chambers three sealed bids from prospective contractors were opened and reviewed.. J3 Company, LLC was the low bidder coming in at three million, one hundred ninety seven thousand, three hundred and three dollars and no cents (\$3,197,303.00). This information was provided to City Council at the November 21st, 2011 City Council meeting; and

WHEREAS, the City's portion of this amount is two million, eight hundred five thousand, six hundred seventy one dollars and no cents (\$2,805,671.00); and

WHEREAS, Rackspace Hosting will be responsible for three hundred ninety one thousand, six hundred thirty two dollars and no cents (\$391,632.00); and

WHEREAS, the funding for Racker Road is budgeted from the City of Windcrest Economic Development Corporation Funds of one million, six hundred thousand dollars and no cents (\$1,600,000.00) from Texas Leverage Funds Proceeds; and

WHEREAS the City of Windcrest has budgeted one million, six hundred seventy thousand, eighty two dollars and no cents (\$1,670,082.00) from General Fund Development Escrow; and

WHEREAS, the City of Windcrest Fund Balance for the City of Windcrest Economic Development Corporation is one hundred seventy five thousand dollars and no cents (\$175,000.00); and

WHEREAS, upon award of the contract by the City Council at the December 5th, 2011 City Council meeting, Don McCrary & Associates, Inc. will complete the contract documents and provide notice of award to the contractor. The contractor will then complete his portion of the contract initiation along with the required project bonding and insurance.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WINDCREST, TEXAS, COUNTY OF BEXAR, the City Council of the City of Windcrest hereby awards a contract in the amount of two million, eight hundred five thousand, six hundred seventy one dollars and no cents (\$2,805,671.00) for the Racker Road Project to J3 Company, LLC. The City Manager is authorized to execute all documents on behalf of the City.

PASSED AND APPROVED ON THIS THE ____ day of December, 2011.

Alan Baxter, Mayor Pro Tem

ATTEST

Heather Weidenbach, City Secretary

APPROVED AS TO FORM

Michael Brennan, City Attorney

RESOLUTION NO. 2011-002 (R)

**A RESOLUTION AWARDING DON McCrARY & ASSOICIATES,
AS THE PROJECT INSPECTOR FOR RACKER ROAD
AND ASSOCIATED STREETS AND UTILITIES PROJECT.**

WHEREAS, there are three options for consideration and approval; and

WHEREAS, Option 1: Full-Time On-site Inspector, Rate of \$7,800 per month for 9 months totaling \$70,200.00; and

WHEREAS, Option 2: Day Rate Inspections (2 day a week, minimum), Rate of \$400 per a day, \$225 for half day, for 9 months at a 2.5 day week average totaling \$39,000.00; and

WHEREAS, Option 3: Hourly Rate Inspections, Rate of \$100 per hour and .50¢ per mile for 9 months at 20 hour per week average totaling \$46,000.00; and

WHEREAS, the approval of one these options by the Economic Development Corporation and the City Council will be authorization for Don McCrary Associates to proceed with this project.

NOW THEREFORE, BE IT RESOLVED BY THE ECONOMIC DEVELOPMENT CORPORATION OF THE CITY OF WINDCREST, TEXAS, COUNTY OF BEXAR, that upon the City Council of the City of Windcrest approving an Option for Don McCrary to provide additional services as the Project Inspector for Racker Road.

PASSED AND APPROVED ON THIS THE ____ day of December, 2011.

Roy Wratishaw
WEDC Vice President

ATTEST

Heather Weidenbach, City Secretary

APPROVED AS TO FORM

Mike Brennan, City Attorney

RESOLUTION NO. 2011-358 (R)

**A RESOLUTION APPOINTING DON McCrARY & ASSOICIATES,
AS THE PROJECT INSPECTOR FOR RACKER ROAD
AND ASSOCIATED STREETS AND UTILITIES PROJECTS.**

WHEREAS, there are three options for consideration and approval; and

WHEREAS, Option 1: Full-Time On-site Inspector, Rate of \$7,800 per month for 9 months totaling \$70,200.00; and

WHEREAS, Option 2: Day Rate Inspections (2 day a week, minimum), Rate of \$400 per a day, \$225 for half day, for 9 months at a 2.5 day week average totaling \$39,000.00; and

WHEREAS, Option 3: Hourly Rate Inspections, Rate of \$100 per hour and .50¢ per mile for 9 months at 20 hour per week average totaling \$46,000.00; and

WHEREAS, the approval of one these options by the Economic Development Corporation and the City Council will be authorization for Don McCrary Associates to proceed with this project.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WINDCREST, TEXAS, COUNTY OF BEXAR, that the City Council of the City of Windcrest approves Option ____ for Don McCrary to provide additional services as the Project Inspector for Racker Road.

PASSED AND APPROVED ON THIS THE ____ day of December, 2011.

Alan Baxter, Mayor Pro Tem

ATTEST

Heather Weidenbach, City Secretary

APPROVED AS TO FORM

Michael Brennan, City Attorney