

**AGENDA
CITY OF WINDCREST, TEXAS
SPECIAL JOINT CITY COUNCIL
AND PLANNING AND ZONING MEETING
AND PUBLIC HEARING
NOVEMBER 23, 2009
6:00 p.m.**

NOTICE IS HEREBY GIVEN THAT A SPECIAL JOINT MEETING AND PUBLIC HEARING OF THE CITY COUNCIL AND PLANNING AND ZONING COMMISSION OF THE CITY OF WINDCREST WILL BE HELD AT WINDCREST CITY HALL, 8601 MIDCROWN, WINDCREST, TEXAS ON THE 23RD DAY OF NOVEMBER, 2009 AT 6:00 P.M. IMMEDIATELY FOLLOWING THE JOINT CITY COUNCIL AND PLANNING AND ZONING COMMISSION MEETING, THE CITY COUNCIL WILL CONDUCT AN EXECUTIVE SESSION. DURING THE MEETING THE FOLLOWING SUBJECTS WILL BE CONSIDERED.

I. Call to Order

II. Public Hearing

The Planning and Zoning Commission and City Council will conduct a public hearing to hear a request from Windcrest Revitalization Partners II, LLC to re-zone five tracts of land south of Walzem Road from "Temporary R-1" Residential district to "B-2" Business district.

III. Action Items

1. The Planning and Zoning Commission will review, discuss and make a recommendation to City Council on the request from Windcrest Revitalization Partners II, LLC to re-zone five tracts of land south of Walzem Road from "Temporary R-1" Residential district to "B-2" Business district. (Att. 1)
2. City Council will review, discuss and take action on the recommendation from Planning and Zoning Commission concerning the request from Windcrest Revitalization Partners II, LLC to re-zone five tracts of land south of Walzem Road from "Temporary R-1" Residential district to "B-2" Business district.

IV. Public Hearing

The Planning and Zoning Commission and City Council will conduct a public hearing to hear a request from Doug and Shannon Sayers for a Special Use Permit to operate a Dog Day Care and Boarding at 4952 Windsor Hill, Suite 103.

V. Action Items

1. The Planning and Zoning Commission will review, discuss and make a recommendation to City Council on the request from Doug and Shannon Sayers for a Special Use Permit to operate a Dog Day Care and Boarding at 4952 Windsor Hill Suite 103. (Att. 2)
2. City Council will review, discuss and take action on the recommendation from Planning and Zoning Commission concerning request from Doug and Shannon Sayers for a Special Use Permit to operate a Dog Day Care and Boarding at 4952 Windsor Hill, Suite 103.

VI. Executive Session

The City Council will recess its regular session and reconvene in executive session pursuant to Texas Government Code 551.071 to meet with and conduct attorney-client communications with its legal counsel regarding the interpretation of the City Charter related to an allegation of misconduct and the procedural aspects and steps necessary to comply with the City Charter in conducting an inquiry into allegations regarding one of its members.

VII. Action Item

1. City Council will review, discuss and take action on a presentation of a complaint alleging councilmember misconduct in office; consideration and possible action on a Resolution authorizing an investigation pursuant to the City Charter and retaining/designating professionals necessary to complete investigation and present matter to the Council.

VIII. Adjournment

Agenda Notice

The City 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 Section 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 City Attorney may appear in person, or appear in executive session by conference call in accordance with applicable state law.

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 November 23, 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 November, 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.