



**AGENDA
CITY OF WINDCREST, TEXAS**

SPECIAL CITY COUNCIL MEETING

November 21, 2016

6:00 P.M.

NOTICE IS HEREBY GIVEN THAT A SPECIAL WINDCREST CITY COUNCIL MEETING WILL BE HELD AT WINDCREST CITY HALL, 8601 MIDCROWN, WINDCREST, TEXAS ON THE 21ST DAY OF NOVEMBER 2016 STARTING AT 6:00 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 NOVEMBER 21, 2016 AND TO RECONVENE THE MEETING ON THE FOLLOWING DAY, NOVEMBER 22, 2016 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.

REQUEST ALL PAGERS AND CELL PHONES BE TURNED OFF, EXCEPT EMERGENCY ON-CALL PERSONNEL. CITIZENS ARE ASKED TO REFRAIN FROM TALKING DURING COUNCIL PROCEEDINGS.

Ordinance No. 2016-618B(O) establishes certain protocols for City Council meetings.

At all City Council, City Commission or City Board meetings, the agenda shall include a "citizens to be heard" item. It is suggested that Citizens wishing to speak during this item sign in on the sign up roster prior to the meeting. During "Citizens to be Heard", citizens may address the City Council on topics not on the agenda for no more than three (3) minutes. In addition to the foregoing, citizens shall also have the opportunity to address the City Council during consideration of posted agenda items for no more than six (6) minutes. Each citizen shall therefore have the opportunity to address the City Council for a total of nine (9) minutes. This does not include any responses from the body. The six (6) minutes time limit authorized herein

may not be transferred to another speaker in whole or in part. The presiding Officer or his/her 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, 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 city policy. 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. Any question posed by a Citizen, Council Member, Board Member or Commission Member for which an answer is not available at a meeting shall be answered by a member of the staff or Presiding Officer at the next regular meeting of the Body, if an answer is reasonably available and prudent. If the information is sensitive, staff will seek advice from the City Attorney.

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, Invocation and Announcement

II. Citizens to be Heard

1. Citizens may address the City Council on topics not on the agenda for no more than three (3) minutes.
2. In addition to the foregoing, citizens shall also have the opportunity to address the City Council during consideration of posted agenda items for no more than six (6) minutes.
3. 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.

III. Discuss & Act

1. City Council will discuss and may take action on appointing a qualified resident of the City of Windcrest to fill the vacancy resulting from the recall of council member Kimberly Wright, as council member for place 4.
2. City council will discuss and may take action on appointing a Mayor Pro Tempore.

IV. Resolutions

1. City Council will review, discuss and may take action on Resolution No. 2016-604(R), a resolution appointing a qualified resident of the City of Windcrest to fill the vacancy resulting from the recall of council member Kimberly Wright, as council member for place 4. (Att. 1)

2. City Council will review, discuss and may take action on Resolution No. 2016-605(R), a resolution repealing Resolution No. 2016-574(R) adopted by the Windcrest City Council on January 25, 2016 relating to the election of the Mayor Pro Tempore. (Att. 2)
3. City Council will review, discuss and may take action on Resolution No. 2016-606(R), a resolution electing a Mayor Pro-Tem. (Att. 3)

V. Swearing in of Councilmembers

The newly appointed Council Member will be sworn in.

VI. 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.

VII. Adjournment

The City Council reserves the right to retire into executive session whenever it is considered necessary and legally justified under the Texas Government Code, Subchapter D, Sections 551.071 et. seq. including, but not limited to, consultation with attorney, real property, prospective gifts, personnel matters, exclusion of witness, security devices, and economic development matters.

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 the meeting on November 21, 2016.

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 Kelly Rodriguez, 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 ____ November, 2016.

____ Title: _____



RESOLUTION NO. 2016-604(R)

A RESOLUTION APPOINTING A QUALIFIED RESIDENT OF THE CITYOF WINDCREST TO FILL THE VACANCY RESULTING FROM THE RECALL OF COUNCILPERSON KIMBERLY WRIGHT, AS COUNCILPERSON FOR PLACE 4.

WHEREAS, on the 8th day of November, 2016, a special election was held in the City of Windcrest, Texas, to consider the recall of Councilperson Kimberly Wright; and

WHEREAS, the City Council has determined that Councilperson Kimberly Wright was recalled by the electors at the special election conducted on November 8, 2016, so that Place 4 on the Windcrest City Council is now vacant, and a replacement for such position should be appointed.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WINDCREST, TEXAS that _____ is hereby appointed to fill the vacancy caused by the recall of Councilperson Kimberly Wright for Place 4 on the City Council. Such new councilperson shall serve until the next regular election scheduled for November 7, 2017.

PASSED AND APPROVED this 21st day of November, 2016.

MAYOR

ATTEST:

CITY SECRETARY

APPROVED:

CITY ATTORNEY

2016-604(R)



RESOLUTION NO. 2016-605(R)

**A RESOLUTION REPEALING RESOLUTION NO. 2016-574(R) ADOPTED
BY THE WINDCREST CITY COUNCIL ON JANUARY 25, 2016 RELATING
TO THE ELECTION OF THE MAYOR PRO TEMPORE**

WHEREAS, Section 3.11 of the City Charter requires the election of a Mayor Pro Tempore by the City Council; and

WHEREAS, the City Council of the City of Windcrest has determined that the rotating system for the election of the Mayor Pro Tempore is not in the public interest and therefore should be repealed.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Windcrest, Texas, that Resolution No. 2016-574(R) is hereby repealed so that the City Council may hereafter elect future Mayors Pro Tempore based upon the qualifications of the persons to be elected.

DULY PASSED AND APPROVED, on the 21st day of November, 2016 at a regular meeting of the City Council of the City of Windcrest, Texas, which meeting was held in compliance with the Open Meetings Act, Tex. Gov't. Code, §551.001, et. seq. at which meeting a quorum was present and voting.

Alan Baxter, Mayor

ATTEST:

Kelly Rodriguez, City Secretary

APPROVED AS TO FORM:

Michael S. Brenan, City Attorney



RESOLUTION NO. 2016-606(R)

A RESOLUTION ELECTING A MAYOR PRO TEMPORE

WHEREAS, Section 3.11 of the City Charter requires the election of a Mayor Pro Tempore;
and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WINDCREST, TEXAS that _____ is hereby elected as Mayor Pro Tempore until a successor is elected and qualified for office.

PASSED and APPROVED this ____ day of _____, 2016.

ALAN BAXTER, MAYOR

ATTEST:

KELLY RODRIGUEZ, CITY SECRETARY

APPROVED AS TO FORM:

MICHAEL S. BRENAN, CITY ATTORNEY