



**AGENDA
CITY OF WINDCREST, TEXAS**

SPECIAL CITY COUNCIL MEETING

November 17, 2016

5:30 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 17th DAY OF NOVEMBER 2016 STARTING AT 5:30 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 17, 2016 AND TO RECONVENE THE MEETING ON THE FOLLOWING DAY, NOVEMBER 18, 2016 AT 10:00 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 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. Resolutions

1. City Council will review, discuss and may take action on Resolution No. 2016-602(R), a resolution canvassing the returns of the election held on the 8th day of November, 2016, to elect three Councilmembers for Places one, two and three for a two-year term, and declaring the results of said election. (Att. 1)
2. City Council will review, discuss and may take action on Resolution No. 2016-603(R), a resolution canvassing the returns and declaring the results of a special election held in the City of Windcrest, Texas on November 8, 2016 to consider the recall of Kimberly Wright and declaring her position on the City Council vacant. (Att. 2)

IV. Swearing in of Councilmembers

The re-elected Gerd Jacobi, Place 1, newly elected James McFall, Place 2 and James Shelton, Place 3 will be sworn in.

V. 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.

VI. Adjournment

VII. Reception for Councilmembers Gerd Erich Jacobi, James McFall, and Jim Shelton at the Windcrest Golf Club.

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 17, 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. 2016-602(R)

A RESOLUTION CANVASSING THE RETURNS OF THE ELECTION HELD ON THE 8TH DAY OF NOVEMBER, 2016, TO ELECT THREE COUNCILPERSONS FOR PLACES 1,2 AND 3 FOR A TWO-YEAR TERM, AND DECLARING THE RESULTS OF SAID ELECTION.

WHEREAS, on the 8th day of November, 2016, an election was held in the City of Windcrest, Texas, to elect three councilpersons to fill Places 1,2 and 3; and

WHEREAS, the City Council has investigated all matters pertaining to said election, including the ordering, giving notice, officers, holding and making returns of said election; and

WHEREAS, the election officers who held said election have duly made the returns of the result thereof, and said returns have been duly delivered to the City Council; and

WHEREAS, the following candidates received the number of votes set opposite their respective names, to-wit:

Councilperson, Place 1

GERD ERICH JACOBI	1,531
FRANK ARCHULETA	1,211

Councilperson, Place 2

JOAN PEDROTTI	1,150
JAMES M. MCFALL	1,562

Councilperson, Place 3

PAMELA DODSON	1,230
---------------	-------

JIM SHELTON

1,509

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WINDCREST, TEXAS:

1. The City Council officially finds and determines that said election was duly ordered; proper notice of said election was duly given; proper election officers were duly appointed prior to said election; said election was duly held; the City has complied with the Texas Election Code; due returns of the result of said election have been made and delivered; and the City Council has duly canvassed said returns, all in accordance with law and the ordinance calling the election; and

2. That the said GERD ERICH JACOBI for Councilperson Place 1, JAMES M. MCFALL for Councilperson Place 2 and JIM SHELTON for Councilperson Place 3 were duly elected and hereby declared elected to serve in their respective positions for a two year term commencing on November 17, 2016, and until their successors are duly elected and qualified.

PASSED AND APPROVED this 17th day of November, 2016.

MAYOR

ATTEST:

CITY SECRETARY

APPROVED:

CITY ATTORNEY

2016-602(R)

Run Date:11/16/16 01:49 PM

Report EL45A Page 001

	TOTAL VOTES	%	EARLY VOTE	ELECTION DAY
Windcrest City Council Place 1				
Vote for 1				
(WITH 5 OF 5 PRECINCTS COUNTED)				
Gerd Erich Jacobi.	1,531	55.84	1,376	155
Frank Archuleta	1,211	44.16	1,081	130
Over Votes	1		1	0
Under Votes	425		381	44
Windcrest City Council Place 2				
Vote for 1				
(WITH 5 OF 5 PRECINCTS COUNTED)				
Joan Pedrotti	1,150	42.40	1,044	106
James M. McFall	1,562	57.60	1,388	174
Over Votes	0		0	0
Under Votes	456		407	49
Windcrest City Council Place 3				
Vote for 1				
(WITH 5 OF 5 PRECINCTS COUNTED)				
Pamela Dodson	1,230	44.91	1,107	123
Jim Shelton.	1,509	55.09	1,347	162
Over Votes	0		0	0
Under Votes	429		385	44
Windcrest Recall Election				
Vote for 1				
(WITH 5 OF 5 PRECINCTS COUNTED)				
FOR REMOVAL (A FAVOR ELIMINACIO . . .	1,916	69.52	1,721	195
AGAINST REMOVAL (EN CONTRA ELIM . . .	840	30.48	760	80
Over Votes	0		0	0
Under Votes	412		358	54



NUMBERED KEY CANVASS

RUN DATE:11/16/16 01:49 PM

Bexar County, Texas
General Election
November 8, 2016

(EARLY VOTE)

REPORT-EL52

PAGE 0001

WITH 4 OF 5 PRECINCTS REPORTING

Windcrest City Council Place 1

VOTES PERCENT

VOTES PERCENT

Vote for 1

01 = Gerd Erich Jacobi

02 = Frank Archuleta

1,376 56.00

1,081 44.00

03 = OVER VOTES

04 = UNDER VOTES

1

381

	01	02	03	04
4050	417	368	0	146
4051	513	511	1	132
4107	445	202	0	102
4192	0	0	0	0
4195	1	0	0	1

NUMBERED KEY CANVASS

RUN DATE:11/16/16 01:49 PM

Bexar County, Texas
General Election
November 8, 2016

(EARLY VOTE)

REPORT-EL52

PAGE 0002

WITH 4 OF 5 PRECINCTS REPORTING

VOTES PERCENT

VOTES PERCENT

Windcrest City Council Place 2

Vote for 1

01 = Joan Pedrotti

02 = James M. McFall

1,044 42.93

1,388 57.07

03 = OVER VOTES

04 = UNDER VOTES

0

407

	01	02	03	04
4050	369	411	0	151
4051	481	529	0	147
4107	194	447	0	108
4192	0	0	0	0
4195	0	1	0	1

NUMBERED KEY CANVASS

RUN DATE:11/16/16 01:49 PM

Bexar County, Texas
General Election
November 8, 2016

(EARLY VOTE)

REPORT-EL52

PAGE 0003

WITH 4 OF 5 PRECINCTS REPORTING

Windcrest City Council Place 3

VOTES PERCENT

VOTES PERCENT

Vote for 1

01 = Pamela Dodson

02 = Jim Shelton

1,107 45.11
1,347 54.89

03 = OVER VOTES

04 = UNDER VOTES

0
385

	01	02	03	04
4050	373	411	0	147
4051	522	509	0	126
4107	211	427	0	111
4192	0	0	0	0
4195	1	0	0	1

NUMBERED KEY CANVASS

RUN DATE:11/16/16 01:49 PM

Bexar County, Texas
General Election
November 8, 2016

(EARLY VOTE)

REPORT-EL52

PAGE 0004

WITH 4 OF 5 PRECINCTS REPORTING

VOTES PERCENT

VOTES PERCENT

Windcrest Recall Election

Vote for 1

01 = FOR REMOVAL (A FAVOR ELIMINACIO

02 = AGAINST REMOVAL (EN CONTRA ELIM

1,721 69.37
760 30.63

03 = OVER VOTES
04 = UNDER VOTES

0
358

	01	02	03	04
4050	531	258	0	142
4051	656	376	0	125
4107	534	126	0	89
4192	0	0	0	0
4195	0	0	0	2

NUMBERED KEY CANVASS

RUN DATE:11/16/16 01:50 PM

Bexar County, Texas
General Election
November 8, 2016

(ELECTION DAY)

REPORT-EL52 PAGE 0001

WITH 5 OF 5 PRECINCTS REPORTING

Windcrest City Council Place 1

VOTES PERCENT

VOTES PERCENT

Vote for 1

01 = Gerd Erich Jacobi

02 = Frank Archuleta

155 54.39

130 45.61

03 = OVER VOTES

04 = UNDER VOTES

0

44

01 02 03 04

4050

59 47 0 13

4051

52 51 0 15

4107

44 32 0 16

4192

0 0 0 0

4195

0 0 0 0

NUMBERED KEY CANVASS

RUN DATE:11/16/16 01:50 PM

Bexar County, Texas
General Election
November 8, 2016

(ELECTION DAY)

REPORT-EL52

PAGE 0002

WITH 5 OF 5 PRECINCTS REPORTING

Windcrest City Council Place 2

Vote for 1

01 = Joan Pedrotti

02 = James M. McFall

VOTES PERCENT

VOTES PERCENT

106 37.86

174 62.14

03 = OVER VOTES

04 = UNDER VOTES

0

49

	01	02	03	04
4050	41	64	0	14
4051	39	58	0	21
4107	26	52	0	14
4192	0	0	0	0
4195	0	0	0	0

NUMBERED KEY CANVASS

RUN DATE:11/16/16 01:50 PM

Bexar County, Texas
General Election
November 8, 2016

(ELECTION DAY)

REPORT-EL52

PAGE 0003

WITH 5 OF 5 PRECINCTS REPORTING

Windcrest City Council Place 3

VOTES PERCENT

VOTES PERCENT

Vote for 1

01 = Pamela Dodson

02 = Jim Shelton

123 43.16

162 56.84

03 = OVER VOTES

04 = UNDER VOTES

0

44

01 02 03 04

4050

43 64 0 12

4051

53 50 0 15

4107

27 48 0 17

4192

0 0 0 0

4195

0 0 0 0

NUMBERED KEY CANVASS

RUN DATE:11/16/16 01:50 PM

Bexar County, Texas
General Election
November 8, 2016

(ELECTION DAY)

REPORT-EL52

PAGE 0004

WITH 5 OF 5 PRECINCTS REPORTING

VOTES PERCENT

VOTES PERCENT

Windcrest Recall Election

Vote for 1

01 = FOR REMOVAL (A FAVOR ELIMINACIO

02 = AGAINST REMOVAL (EN CONTRA ELIM

195 70.91
80 29.09

03 = OVER VOTES
04 = UNDER VOTES

0
54

	01	02	03	04
4050	72	27	0	20
4051	70	32	0	16
4107	53	21	0	18
4192	0	0	0	0
4195	0	0	0	0

NUMBERED KEY CANVASS

RUN DATE:11/16/16 01:50 PM

Bexar County, Texas
General Election
November 8, 2016

UNOFFICIAL RESULTS

REPORT-EL52 PAGE 0001

WITH 5 OF 5 PRECINCTS REPORTING

Windcrest City Council Place 1

VOTES PERCENT

VOTES PERCENT

Vote for 1

01 = Gerd Erich Jacobi

02 = Frank Archuleta

1,531 55.84

1,211 44.16

03 = OVER VOTES

04 = UNDER VOTES

1
425

	01	02	03	04
4050	476	415	0	159
4051	565	562	1	147
4107	489	234	0	118
4192	0	0	0	0
4195	1	0	0	1

4050
4051
4107
4192
4195

NUMBERED KEY CANVASS

RUN DATE:11/16/16 01:50 PM

Bexar County, Texas
General Election
November 8, 2016

UNOFFICIAL RESULTS

REPORT-EL52 PAGE 0002

WITH 5 OF 5 PRECINCTS REPORTING

Windcrest City Council Place 2

Vote for 1

01 = Joan Pedrotti

02 = James M. McFall

VOTES PERCENT

1,150 42.40

1,562 57.60

03 = OVER VOTES

04 = UNDER VOTES

VOTES PERCENT

0

456

	01	02	03	04
4050	410	475	0	165
4051	520	587	0	168
4107	220	499	0	122
4192	0	0	0	0
4195	0	1	0	1

NUMBERED KEY CANVASS

RUN DATE:11/16/16 01:50 PM

Bexar County, Texas
General Election
November 8, 2016

UNOFFICIAL RESULTS

REPORT-EL52 PAGE 0003

WITH 5 OF 5 PRECINCTS REPORTING

Windcrest City Council Place 3

VOTES PERCENT

VOTES PERCENT

Vote for 1

01 = Pamela Dodson

02 = Jim Shelton

1,230 44.91

1,509 55.09

03 = OVER VOTES

04 = UNDER VOTES

0
429

	01	02	03	04
4050	416	475	0	159
4051	575	559	0	141
4107	238	475	0	128
4192	0	0	0	0
4195	1	0	0	1

NUMBERED KEY CANVASS

RUN DATE:11/16/16 01:50 PM

Bexar County, Texas
General Election
November 8, 2016

UNOFFICIAL RESULTS

REPORT-EL52

PAGE 0004

WITH 5 OF 5 PRECINCTS REPORTING

VOTES PERCENT

VOTES PERCENT

Windcrest Recall Election

Vote for 1

01 = FOR REMOVAL (A FAVOR ELIMINACIO

02 = AGAINST REMOVAL (EN CONTRA ELIM

1,916 69.52

840 30.48

03 = OVER VOTES

04 = UNDER VOTES

0

412

	01	02	03	04
4050	603	285	0	162
4051	726	408	0	141
4107	587	147	0	107
4192	0	0	0	0
4195	0	0	0	2



RESOLUTION NO. 2016-603(R)

A RESOLUTION CANVASSING THE RETURNS OF THE SPECIAL ELECTION HELD ON THE 8TH DAY OF NOVEMBER, 2016, TO CONSIDER THE RECALL OF COUNCILPERSON KIMBERLY WRIGHT, AND DECLARING THE RESULTS OF SAID ELECTION.

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 investigated all matters pertaining to said election, including the ordering, giving notice, officers, holding and making returns of said election; and

WHEREAS, the election officers who held said election have duly made the returns of the result thereof, and said returns have been duly delivered to the City Council; and

WHEREAS, the City Council hereby canvasses the returns of this election, at which there was submitted to all resident, qualified electors of the City for their action thereupon, the following proposition:

PROPOSITION

“SHALL KIMBERLY WRIGHT BE REMOVED FROM THE OFFICE OF THE CITY COUNCIL MEMBER BY RECALL?”

PROPOSITION

	<u>For</u>	<u>Against</u>
Early Votes	1,721	760
Election Day Votes	195	80
TOTAL	1,916	840

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WINDCREST, TEXAS:

1. The City Council officially finds and determines that said election was duly ordered; proper notice of said election was duly given; proper election officers were duly appointed prior to said election; said election was duly held; the City has complied with the Texas Election Code; due returns of the result of said election have been made and delivered; and the City Council has duly canvassed said returns, all in accordance with law and the ordinance calling the election; and

2. That the said KIMBERLY WRIGHT is recalled from office as Councilperson Place 4, and that said position is hereby declared vacant.

PASSED AND APPROVED this 17th day of November, 2016.

MAYOR

ATTEST:

CITY SECRETARY

APPROVED:

CITY ATTORNEY