City of Windcrest

CITY COUNCIL AND PLANNING AND ZONING JOINT MEETING & PUBLIC HEARING OCTOBER 2, 2023

CITY COUNCIL CHAMBERS @ 8601 MIDCROWN **CCM @ 6 P.M.**

NOTICE IS HEREBY GIVEN THAT A CITY OF WINDCREST CITY COUNCIL AND PLANNING AND ZONING COMMISSION PUBLIC HEARING AND MEETING WILL BE HELD AT WINDCREST CITY HALL LOCATED AT 8601 MIDCROWN, WINDCREST, TEXAS ON THE 2nd DAY OF OCTOBER 2023, STARTING AT 6:00 P.M.

THE CITY COUNCIL AND THE PLANNING AND ZONING COMMISSON RESERVES THE OPTION TO RECESS THE MEETING DURING THE EVENING OF OCTOBER 2, 2023 AND TO RECONVENE THE MEETING ON THE FOLLOWING DAY, COTOBER 3, 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 and the Planning and Zoning Commission on topics not on the agenda for no more than three (3) minutes.
- Citizens shall also have the opportunity to address the City Council and the Planning and Zoning Commission 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. CEREMONIAL

a) Swearing in of newly appointed Planning and Zoning Commission Members.

VI. PLANNING & ZONING PUBLIC HEARING

Opening of Public Hearing

Public Hearing to receive comments from the public to consider proposed zoning change from B-2 to B-3 zoning designation to 7900 N IH 35 more particularly described as:

- 7900 N IH 35 more particularly described as BCAD Property #502155
- 7900 Walzem more particularly described as BCAD Property #502157
- 7900 N IH 35 more particularly described as BCAD Property #502186
- 7900 N IH 35 more particularly described as BCAD Property #502188
- 7880 N IH 35 more particularly described as BCAD Property #502194

Closing of Public Hearing

VII. PLANNING AND ZONING DISCUSSION & ACTION

a) The Planning and Zoning Commission will review, discuss, and may take action on a recommendation to the City Council on a proposed zoning change from B-2 to B-3 zoning designation to 7900 N IH 35 more particularly described as:
   - 7900 N IH 35 more particularly described as BCAD Property #502155
   - 7900 Walzem more particularly described as BCAD Property #502157
   - 7900 N IH 35 more particularly described as BCAD Property #502186
   - 7900 N IH 35 more particularly described as BCAD Property #502188
   - 7880 N IH 35 more particularly described as BCAD Property #502194

VIII. PRESENTATION

b) City Council will receive a presentation from the Planning and Zoning Commission on a recommendation on a proposed zoning change from B-2 to B-3 zoning designation to 7900 N IH 35 more particularly described as:

   - 7900 N IH 35 more particularly described as BCAD Property #502155
   - 7900 Walzem more particularly described as BCAD Property #502157
   - 7900 N IH 35 more particularly described as BCAD Property #502186
   - 7900 N IH 35 more particularly described as BCAD Property #502188
   - 7880 N IH 35 more particularly described as BCAD Property #502194

IX. CITY COUNCIL PUBLIC HEARING

Opening of Public Hearing

Public Hearing to receive comments from the public to consider proposed zoning change from B-2 to B-3 zoning designation to 7900 N IH 35 more particularly described as:

- 7900 N IH 35 more particularly described as BCAD Property #502155
- 7900 Walzem more particularly described as BCAD Property #502157
- 7900 N IH 35 more particularly described as BCAD Property #502186

- 7900 N IH 35 more particularly described as BCAD Property #502188
- 7880 N IH 35 more particularly described as BCAD Property #502194

Closing of Public Hearing

X. CITY COUNCIL DISCUSSION & ACTIONS

a) City Council will review, discuss, and may take action on a recommendation from the Planning and Zoning Commission on a proposed zoning change from B-2 to B-3 zoning designation to 7900 N IH 35 more particularly described as:
- 7900 N IH 35 more particularly described as BCAD Property #502155
- 7900 Walzem more particularly described as BCAD Property #502157
- 7900 N IH 35 more particularly described as BCAD Property #502186
- 7900 N IH 35 more particularly described as BCAD Property #502188
- 7880 N IH 35 more particularly described as BCAD Property #502194

b) City Council will review, discuss, and may act on the creation of an Animal Services Advisory Committee to assist the City of Windcrest in complying with the requirements of Texas Health and Safety Code Chapter 823. [Adam Astleford, Place 5]

XI. ORDINANCE

a) City Council will review, discuss, and take action on Ordinance 2023-020(O), an ordinance accepting zoning change from B-2 to B-3 at 7900 N IH 35 more particularly described as:
- 7900 N IH 35 more particularly described as BCAD Property #502155
- 7900 Walzem more particularly described as BCAD Property #502157
- 7900 N IH 35 more particularly described as BCAD Property #502186
- 7900 N IH 35 more particularly described as BCAD Property #502188
- 7880 N IH 35 more particularly described as BCAD Property #502194

[Rafael Castillo, Jr., City Manager] 1st Reading

XII. RESOLUTIONS

a) City Council will review, discuss, and take action on Ordinance 2023-544(R), an ordinance ratifying the approval of a one (1) year extension with Lone Star Ambulance Service 1, LLC d/b/a Allegiance Mobile Health for ambulance, emergency, and non-emergency medical services for an effective date of October 1, 2023. [Rafael Castillo, Jr., City Manager] 1st Reading

b) City Council will review, discuss and may act on Resolution 2023-545(R), a resolution ratifying the approval of a mural at the Takas Park sports fields. [Rafael Castillo, Jr., City Manager]

c) City Council will review, discuss, and act on Resolution 2023-546(R), a resolution ratifying the approval of a one (1) year extension to a contract with University Health Science Center of San Antonio for emergency medical services medical direction. [Rafael Castillo, Jr., City Manager]

XIII. 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 property.

b) Pursuant to Texas Government Code §551.071 (consultation with attorney) litigation update on *State of Texas v. Archuleta.*

XIV. CITY MANAGER'S REPORT

XV. 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

XVI. 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, § 551.071to 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 October 2, 2023.

BY: //§//Rachel C. Dominguez, City Secretary

Jeff Chiu/Associated Press

To set it apart from the smaller 15 Pro, the iPhone 15 Pro Max gets an improved telephoto lens with a 5X optical zoom. With 1 terabyte of storage, the Pro Max price starts at $1,599.

SILVERMAN

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mance and saves energy; and the venerable ring/silent toggle switch is replaced by a programmable Action button, originally seen on last year's Apple Watch Ultra.

To set it apart from the smaller 15 Pro, the 15 Pro Max gets an improved telephoto lens with a 5X optical zoom. This model also is no longer available with a 128-gigabyte storage tier. Instead, it starts with 256 GB at the same price ($1,199) as this storage level last year. If you were hoping to buy the least-expensive Pro Max with less storage (last year's $1,099), then for you this is a de facto price increase. If you planned on paying for a little more space anyway, it's not. (All the other models start at the same prices as last year's.)

Both segments make the switch from Apple's proprietary Lightning connection port to the industry standard USB-C, largely the result of a mandate by the European Union. In theory, this should allow faster charging and data transfers than the Lightning connector, but on the standard 15 models neither are any better than using Lightning.

On the Pro models, USB-C charging rates are the same as Lightning but data-transfer speeds are at the USB 3.0 standard, or 10 gigabits per second — so long as you are using a cable that can support that speed. As I wrote last year, not all USB-C cables are created equal (see houstonchronicle.com/usbc) and choosing them can be confusing. But generally it means you can use the same cable to charge your iPhones, newer iPads, Macs and PC laptops that support USB charging.

How old is your phone?

If you've got an iPhone 11 or older, you're a good candidate for an iPhone 15. And if it's an iPhone X or older, it's pretty much a given. Everything about the new phone will be noticeably faster; the display will be a huge improvement; the cameras, particularly for low-light and night photography, will be a revelation.

You'll also be gaining a major feature that was first introduced with the iPhone 12: support for 5G, the latest wireless data standard. Yes, 5G was overhyped from the beginning, but in the past few years it has come into its own, particularly for those on T-Mobile's and Verizon's networks in the U.S. You will definitely notice a difference when accessing websites or using data-intensive apps compared to an older phone using 4G LTE.

Of course, if your phone is so old that Apple no longer supports it with new software updates or security fixes — currently an iPhone 8 or older — you should definitely replace it.

If you have an iPhone 12 or 13, the call is harder to make. The speeds, display quality and camera systems were excellent when those models were released, and they still are. If you're a photography buff with a 12 or 13, the camera improvements on both the 15 standard and particularly the Pro models may tip you over the edge.

If you've got an iPhone 14, there's no really compelling reason to upgrade, unless the 15 Pro Max's better telephoto camera or the 15 lineup's USB-C connection calls to you.

What shape is your phone in?

If your phone is on its last legs — the battery won't hold a charge, its screen is cracked or otherwise damaged, or it's out of room to hold apps, music, video and photos — it's worth replacing.

But items such as damaged screens and dying batteries can be repaired, often for a lot less than buying a new phone. Check into the repair option first, particularly if your iPhone is from the 12 or 13 eras.

What's your budget?

As I mentioned, all the iPhone 15 models start at the same price as last year, with the exception of the 15 Pro Max — but even it is priced the same based on its equivalent storage tier. The least expensive of the 15 lineup is $799 for 128 GB of storage, which is still a lot of money. If the sky's your limit, the most expensive 15 Pro Max model, with 1 terabyte of storage, is a whopping $1,599.

But keep your eyes out for deals, particularly from wireless carriers that are offering big discounts for switchers or those wanting to trade in older phones. Both Apple and the various carriers offer no-interest payment plans that make buying a new phone less painful.

If you need a new phone but don't need the latest and greatest, the standard iPhone 13 and 14 models remain for sale starting at $599 and $699, respectively, as well as the budget iPhone SE at $429. However, if you're the type who keeps your phone for a long time, you'll get more total years of use if you buy a newest model. That is, if your budget allows.

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OFFSETS

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analysis of public data by Carbon Market Watch, a nonprofit that commissioned the Berkeley research.

The study also has ramifications for the traders of offsets, according to Gilles Dufrasne, global carbon markets lead at Carbon Market Watch.

Traders and companies that end up buying offsets need to "do some work to figure out which ones are worth something and which ones are worth nothing," Dufrasne said. "Most credits probably don't represent any climate benefit."

Haya said REDD+ credits can't be viewed as a reliable tool for offsetting, so brokers trading them would be better off viewing them as "a donation."

Trafigura Group, the world's largest trader of carbon-removal credits, has already suspended a consignment of REDD+ offsets as it awaits the result of a probe into a forestry project behind the units.

And Bloomberg has previously reported that more than 75 million carbon credits currently lie dormant on the accounts of Vitol, the world's largest independent commodity trader. Dutch trader ACT Commodities and ACT Financial Solutions, which are both units of SMS, wrote off about 1.5 million credits last year.

Meanwhile, the wider carbon offset market looks poised for expansion. About $36 billion has been invested in carbon credit projects between 2012 and 2022, with investment levels "indicative of an industry planning for significant growth," according to Trove Research.

Misleading ads

Shell has already been called out by regulators for its claims around offsetting. Last year, the oil major lost an appeal against a ruling by the Dutch advertising watchdog that an ad campaign promoting carbon credits was misleading.

A spokesperson for Shell, which recently shelved a plan to develop its own carbon offset projects at scale, said such instruments remain "an important additional means" to support its target of reaching net zero emissions by 2050. "But they don't replace our efforts to avoid and reduce emissions," the spokesperson said, adding that Shell has "robust due diligence processes."

"While we recognize tend to generate more reliable measurements, such as planting trees or removing carbon from the atmosphere using new technologies. Rather than measuring hypothetical avoided emissions, such models measure the extra CO_2 that's actually been absorbed, and package that into carbon-removal credits.

The REDD+ programs that were the focus of the Berkeley investigation — which exist within the unregulated voluntary carbon market — "are really complicated and there's a lot of uncertainty," said Haya.

Developers are exploiting the flexibility in the system to "make assumptions and choose methods that give them more credits rather than less," she said. The whole structure is "leading to highly exaggerated carbon credits."

In the absence of regulators, market standards are monitored by a handful of nonprofits that host their own registries. And if one body tightens its standards, a developer can just go to another. Meanwhile, independent scientific analysis of projects' CO_2 reduction claims generally lags behind the issuance of the corresponding carbon credits, leaving buyers in the market exposed to significant losses.

The researchers also zeroed in on the auditors providing stamps of approval to such projects. Without singling out any firms, the study said that in one case, an auditor approved a zero fire-risk rating for a project, even after observing a fire firsthand while visiting a site. Another case referred to a project in which claims about carbon preserved in trees were based on an unrelated article on water nutrients.

"The verifiers aren't doing their job," Haya said.

A spokesperson for Verra said the nonprofit welcomes the outside scrutiny.

The vast majority of the researchers' findings align with extensive and systematic work to update Verra's carbon crediting program, a spokesperson for the nonprofit said.

REDD+ questioned

The Berkeley findings are the latest to raise questions about the carbon offsets market. The plunge in prices that has ensued reflects "heightened concerns about project quality," Morgan Stanley analysts wrote in a recent note.

Efforts to improve the

JOBLESS

From page A10

was July. The number of hospitality jobs in the San Antonio-New Braunfels area, however, are up

"Our world-class Texas workforce has grown by more than 400,000 jobs over the last year, thanks largely to the energizing job creation by our private-sector employers."

Legal Notices

Legals/Public Notices

City of Windcrest Public Hearing Notification

Notice is hereby given that a joint meeting of the City of Windcrest Planning and

Zoning Commission and the City of Windcrest City Council will be held on Monday, October 2, 2023 at 6:00 PM at Windcrest City Hall Council Chambers to hold a public hearing to receive public comments on the following matters.
The Planning and Zoning Commission of the City of Windcrest will hold a public hearing to consider a proposed zoning change from B-2 to B-3 zoning designation to:
- 7900 N IH 35, Windcrest, Texas, 78218 - BCAD#502155
- 7900 N IH 35, Windcrest, Texas, 78218 – BCAD#502186
- 7900 N IH 35, Windcrest, Texas, 78218 – BCAD#502188
- 7900 Walzem Road, Windcrest, Texas 78218 – BCAD#502157
- 7880 N Interstate 35, Windcrest, Texas, 78218 – BCAD#502194

Upon completion of the Planning and Zoning Commission's public hearing on the above issues, and after receipt of the final report from the Planning and Zoning Commission, the City Council will hold a public hearing and consider the recommendations of the Planning and Zoning Commission on the issues mentioned above.
All interested parties are urged to attend the above scheduled meeting.
For further information you may contact Rachel Dominguez, City Secretary at 210-655-0022.

Legal Bids & Proposals

Request for Qualifications Southwest ISD

RFP 2324-001 Local Grocery, Discount and Retail Stores

Complete bid information may be obtained on swisd.lonwave.net or via email at jmorgan7785@swisd.net . Vendors are highly encouraged to register on the District's online e-system to submit bids, and receive notification of future bid opportunities and other information. Southwest ISD strongly requests all bids be submitted electronically. The bids will release at 2:00 PM CDT on September 12, 2023 and the deadline for submission is 2:00 P.M. CDT on October 03, 2023.

RFP-23-019 Edgewood ISD Police Dept Uniforms, Supplies, Equipment and Related Services

Edgewood Independent School District is accepting competitive sealed Proposals for Edgewood ISD Police Dept Uniforms, Supplies, Equipment and Related Services (RFP-23-019). Submit proposal to 1930 Herbert Lane, San Antonio, TX 78227 no later than October 18, 2023 at 3:00 PM
Specifications can be found at: https://www.eisd.net/directory/business_finance/purchasing/pending_bids

more than 5,000 positions from this time last year, while financial jobs are up 3,200 positions year over year.

Private education and health services, which are reported in the same category, showed the most added positions in the San Antonio New-Braunfels area over August. The number of positions was up 0.7% for the month and 3.8% compared to a year ago.

The Midland area had the lowest employment rate in the state at 2.8%, according to unadjusted data. It was followed by Amarillo at 3.6%. Midland's labor force also grew fastest in the state at 5.5%, according to the Workforce Commission.

Workforce Commissioner Aaron Demerson

The labor force in Dallas-Fort Worth area grew by 4.6%, adding more than 195,000 people and representing 40% of year-over-year growth of all the state's metropolitan statistical areas, the commission reported.

"Our world-class Texas workforce has grown by more than 400,000 jobs over the last year, thanks largely to the energizing job creation by our private-sector employers," Workforce Commissioner Aaron Demerson said.

The McAllen-Edinburg-Mission area had the state's highest unemployment rate at 6.8%, followed closely by the Beaumont-Port Arthur area at 6.7%.

GOOGLE

From page A10

ing Google accountable with today's settlement."

A spokesperson for Google didn't immediately respond to a request for comment.

The settlement comes after Google reached settlements with 40 other states last year for $391.5 million over its location tracking practices.

The Mountain View, Calif.-based company receives a good chunk of its revenue through location-based advertising because advertisers want to market to users based on where they're located. The company uses location data to create behavior profiles of its users to figure out which advertisements are best.

Bonta alleged in a complaint that Google deceived users by falsely telling them if they turned off the "location history" setting on their browser that their location data wouldn't be stored. According to the complaint, Google continued to store users' location data even after the setting was turned off. Google also allegedly falsely told users they could opt out of advertisements tailored to their location.

Under the settlement, Google will also be required to become more transparent about location tracking, show more information to users when they enable location-related settings and provide more information through a "location technologies" webpage that would include information about location data, according to the release.

The company will be required to disclose to users if Google uses location history data to build ad profiles.

the system isn't perfect, it is continually improving," the Shell spokesperson said.

A spokesperson for Eni said carbon offsets are "one of the many tools in Eni's decarbonization pathway." The credits are subject to audits and due diligence, according to the highest control standards applied by the company, the spokesperson said.

Delta hasn't responded to a request for comment.

Measurements vary

Haya and her team of researchers looked at four methods designed by Verra, a nonprofit that developed the Verified Carbon Standard Program, to generate carbon credits from projects that protect forests. These allow developers to pick a baseline of predicted carbon loss in the project area based on historical deforestation rates in the region, and then measure change against that. The difference between those two carbon values is packaged and sold in the form of credits, based on so-called avoided emissions.

The approach differs from other methods that

integrity of the market, such as the new standard set by the Integrity Council for the Voluntary Carbon Market's Core Carbon Principles as well as the United Nation's new Article 6 market, will be a "material tipping point," the Morgan Stanley analysts wrote. But that comes after a 90% sell-off in futures, they said.

William McDonnell, chief operating officer of the ICVCM, said the council is about to start assessing the methodologies carbon-crediting programs use to certify categories of credits, such as REDD+.

Last month, a separate study published in the journal Science that analyzed 18 REDD+ carbon offset projects found that just 6% of a potential 89 million credits were linked to additional carbon reductions.

Haya says severe shortcomings in the REDD+ program are hurting efforts to fight biodiversity loss as well as climate change.

"It's undermining both goals at once and taking funds away from more effective measures," she said. "We do not have time for false solutions."

ORDINANCE 2023-020(O)

AN ORDINANCE AMENDING THE ZONING DESIGNATION OF BEXAR COUNTY APPRAISAL DISTRICT PROPERTY NUBMERS 502155, 502157, 502186, 502188, & 502194 LOCATED AT 7900 N IH 35 FROM "B-2" BUSINESS DISTRICT TO "B-3" BUSINESS DISTRICT; AMENDING THE "B-3" NEIGHBORHOOD BUSINESS DISTRICT OF THE CITY OF WINDCREST ZONING MAP.

WHEREAS, the City of Windcrest City Council desires to amend the boundary of the "B-3" Neighborhood Business District; and,

WHEREAS, a public hearing was held after notice and publication regarding this amendment to Bexar County Appraisal District Property Numbers 502155, 502157, 502186, 502188, & 502194 located at 7900 N IH 35; at which time the parties in interest and citizens were given an opportunity to be heard; and

WHEREAS, the City of Windcrest Planning and Zoning Commission held a public hearing and meeting on October 02, 2023, approving a recommendation to the City of Windcrest City Council amending the boundary of 7900 N IH 35, Bexar County Appraisal District Property Numbers 502155, 502157, 502186, 502188, & 502194, from "B-2" Business District to "B-3" Neighborhood Business District boundary; and

WHEREAS, the City Council at a public hearing and meeting held by it on October 2, 2023, received said recommendation from the Planning and Zoning Commission and, after considering said recommendation and hearing the proponents and opponents to said recommendation, is of the opinion that such regulations be adopted; and

WHEREAS, the City Engineer shall change the zoning maps in accordance with this ordinance and the same shall be available and open to the public for inspection.

I.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WINDCREST, TEXAS: the zoning designation of 7900 N IH 35, Bexar County Appraisal District Property Numbers 502155, 502157, 502186, 502188, & 502194 is hereby amended from "B-2" Neighborhood Business District to "B-3" Neighborhood Business District boundary; amending the boundary "B-3" Neighborhood Business District on the City of Windcrest zoning map.

II.
CUMULATIVE CLAUSE

That this Ordinance shall be cumulative of all provisions of the City of Windcrest Code of Ordinances except where the provisions of this Ordinance are in direct conflict with the provisions of such existing Ordinance, in which event the conflicting provisions of such existing Ordinance are hereby repealed and this Ordinance controls.

III.
SEVERABILITY

That it is hereby declared to be the intent of the City Council for the City of Windcrest that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any

Pending CC Approval

phrase, clause, sentence, paragraph, or section of this Ordinance should be declared unconstitutional by the valid judgement or decree of any court of competent jurisdiction, such unconstitutionality shall not affect any of the remaining phrases, clauses, sentences, paragraphs, or sections of the Ordinances, since the same would have been enacted by the City Council without incorporation in this ordinance of any such unconstitutional phrases, sentences, paragraphs, or sections.

IV.
PROPER NOTICE AND MEETING

It is hereby officially found and determined that the meeting at which this Ordinance was adopted was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Open Meetings Act, Chapter 551 of the Texas Government Code.

V.
EFFECTIVE DATE

This ordinance shall be effective upon passage and publication as required by state and local law.

VI.
READINGS

DULY PASSED ON FIRST READING, on the 2nd day of October, 2023 at a regular meeting of the City Council of the City of Windcrest, Texas, which was held in compliance with the Open Meetings Act, Gov't. Code §551.001, et. Seq. at which meeting a quorum was present and voting.

DULY PASSED AND APPROVED, on the ___ day of October 2023 at a regular of the City Council of the City of Windcrest, Texas, which was held in compliance with the Open Meetings Act, Gov't. Code §551.001, et. Seq. at which meeting a quorum was present and voting.

CITY OF WINDCREST, TEXAS

_____

Dan Reese, Mayor

ATTEST:

_____

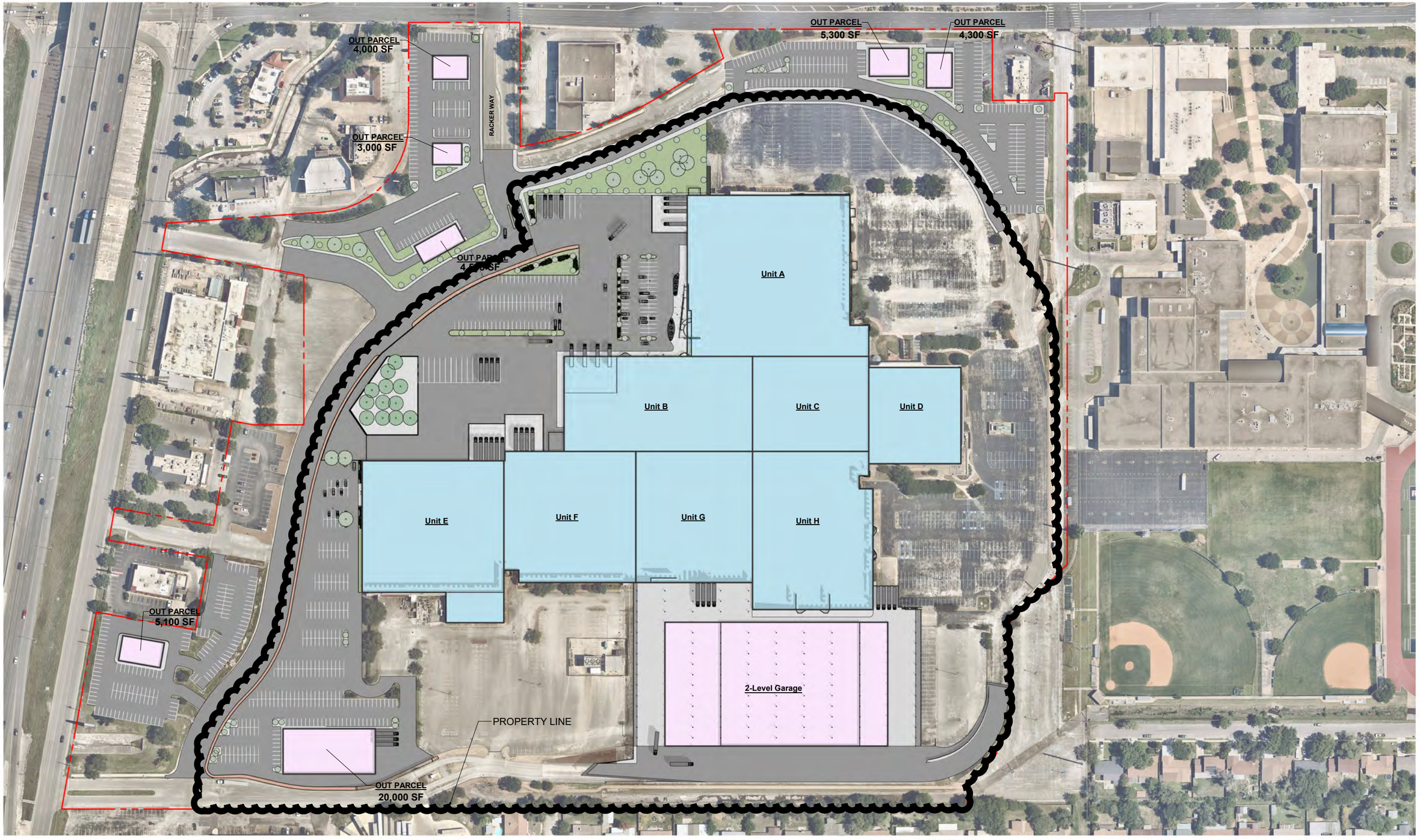
Rachel C. Dominguez, City Secretary

APPROVED:

_____

Ryan S. Henry, City Attorney

Pending CC Approval


OUT PARCEL
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Unit D
Unit E
Unit F
Unit G
Unit H
2-Level Garage
OUT PARCEL
5,100 SF
PROPERTY LINE
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> Multi-family

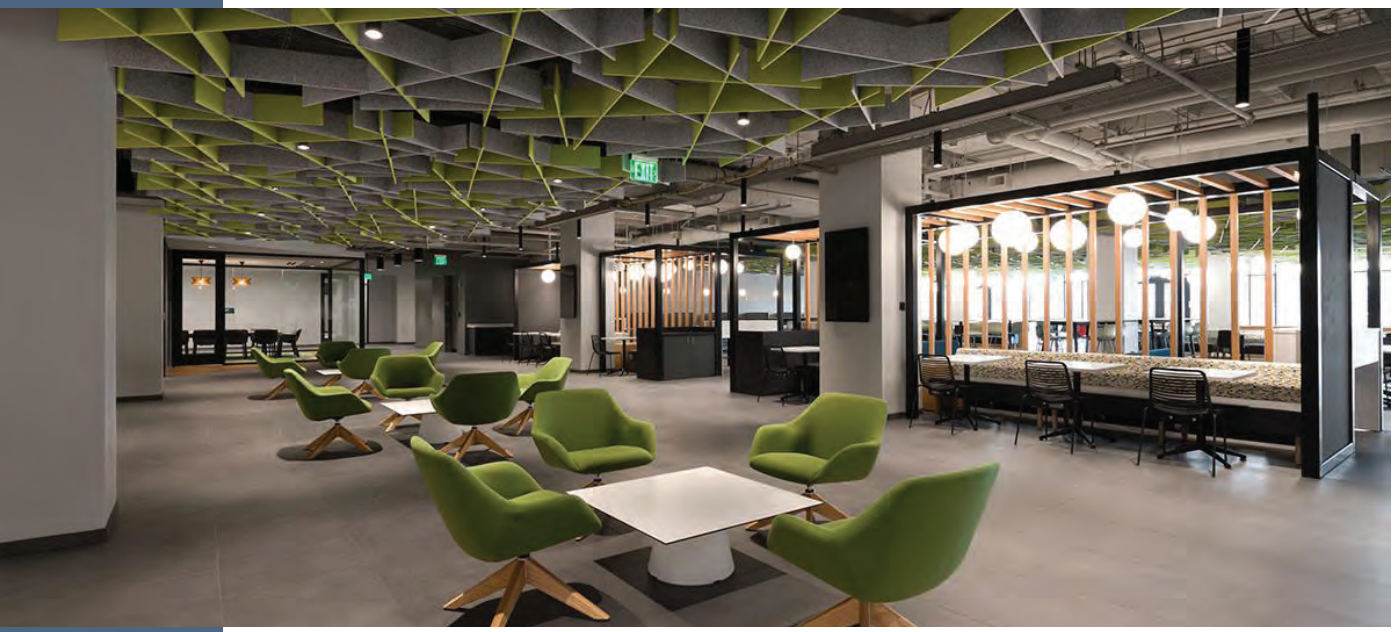
Partnerships for Economic Growth

Because of our commitment to private-public partnerships, we are one of the Midwest's most successful private economic and community development practitioners, and the communities where we work have seen significant economic growth.

Our partners have included:

Detroit Regional Partnership
MICHIGAN ECONOMIC DEVELOPMENT CORPORATION
Greater Cleveland Partnership

ICP Portfolio



46.5 mm
square feet

150+
properties

1,100 ac
developable land

315+
tenants

Jobs Created or Retained
10,000 Jobs

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National Tenant Network

Goodyear HQ & East End, Akron, OH | 1,400,000 SF

ICP acquired the Goodyear Tire and Rubber Company campus, with plans to build Goodyear a 640,000-square-foot, state-of-the-art, modern headquarters. As the new HQ was underway, ICP was simultaneously making plans to redevelop the old campus into what would become an 860,000-square-foot Innovation Center for Goodyear and transform the remainder of the campus into a mixed-use development called The East End.

Phase II of the redevelopment includes the original 1.4 million-square-foot Goodyear Headquarters and Goodyear Hall, reimagined as a live, work, play environment known as "The East End." Several Large institutional and public government-type users have occupied office space in The East End.

Former American Greetings HQ, Brooklyn, OH | 1,400,000 SF

In 2014, American Greetings began transitioning their headquarters to a newly built headquarters location in another suburb, vacating a 1.6 million square foot industrial and office campus. Over 2,000 people had been employed at the facility and the income tax revenue loss had a detrimental impact on the city of Brooklyn, Ohio.

ICP saw an opportunity to take a single-tenant building and turn it into a flourishing multi-tenant site. ICP was able to invest millions of dollars into the property, allowing them to retrofit space to accommodate new tenants. ICP focused on office users with high growth potential and industrial companies with reliable track records. Medical Mutual of Ohio is now headquarterd in the 325,000-square-foot office building. A last-mile Amazon distribution facility was completed in 2022. The campus is home to 13 companies with more than 3,000 employees.

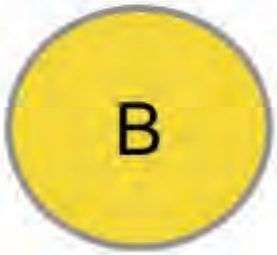
FORMER AMERICAN GREETINGS HQ, BROOKLYN, OH

MALL RANKING

Only Close in the Alphabet: 'A' malls - the destination retail centers in most major markets - drive the lion's share of mall value in the U.S. These properties are expected to exhibit stable operating performance for years to come. The prospects for 'B' and 'C' malls, however, are highly uncertain. Some 'B' properties are stable and adequately serve smaller trade areas. However, many are likely not well positioned. 'C' malls are at an even greater competitive disadvantage and are not viable retail destinations long term.

- Dominant mall in a top market
- Luxury inline and anchor tenants
- Strong demographics
- Best-in-class sales productivity
- Retailer "waiting list" for space
- Strong tourist draw

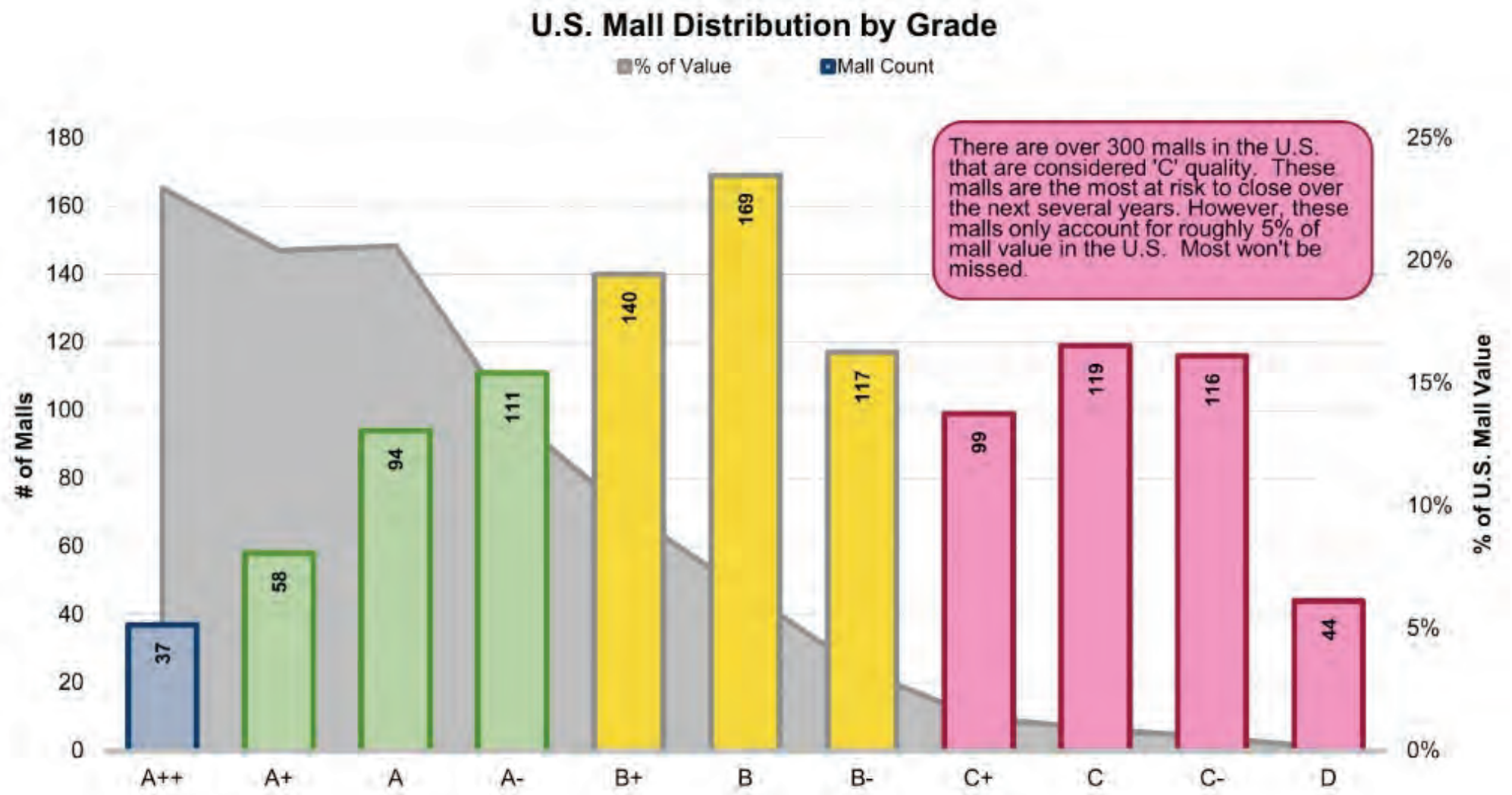
- Mix of high-end and national tenants
- High occupancy and sales productivity
- Strong tenant demand for space
- Good demographics



- Generally stable sales productivity
- Mix of national and regional inline tenants
- Best mall in small market…
- …or third-best mall in a five-mall town
- Solid occupancy
- Bigger box / junior anchor tenants

- Low sales productivity
- Large mix of regional and local retailers
- Declining occupancy
- Some non-retail tenants
- One or more anchor vacancies

MALL RATINGS



44% (495 Regional Malls) of 1104 Regional Malls are at immediate risk
15% (169 Regional Malls) are at heightened risk

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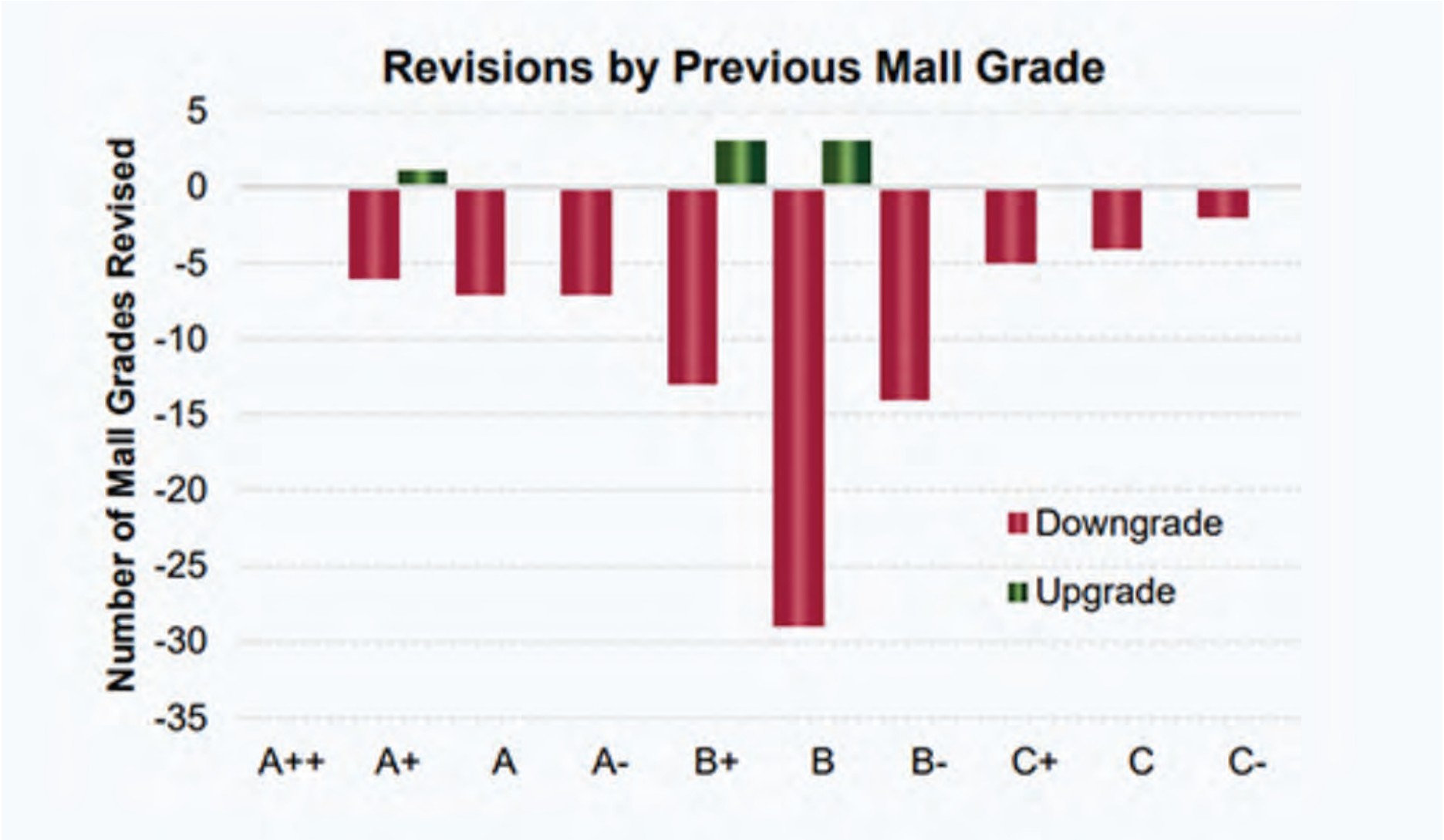
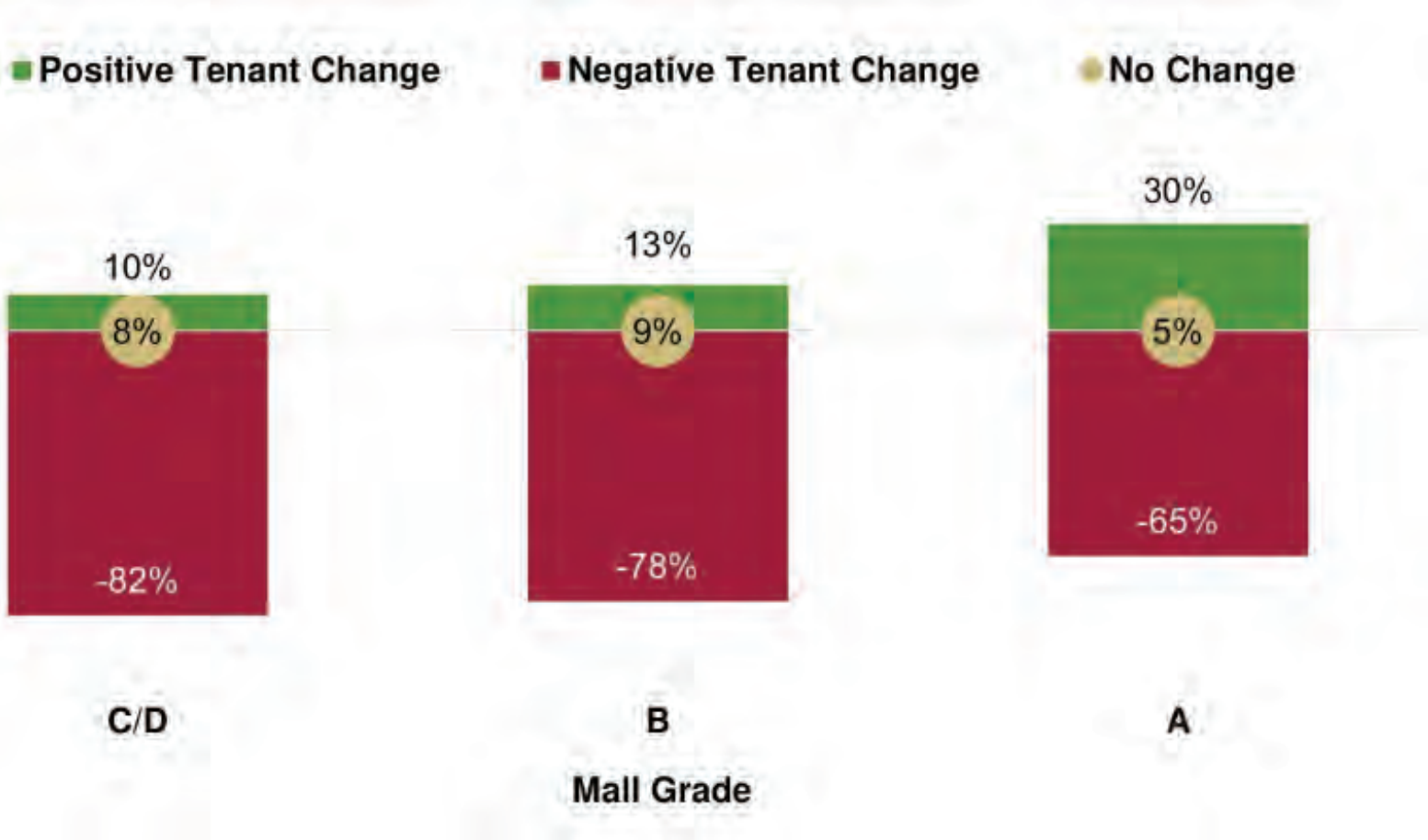
DOWNGRADES CONTINUE



Majority of mall grades continue to decline and be downgraded

MERCHANDISE MIX

% OF MALLS WITH POSITIVE OR NEGATIVE TENANT CHANGES



MERCHANDISE MIX CONTINUES TO DEGRADE ACROSS ALL ASSET CLASSES

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DEATH SPIRAL

Anatomy of a Death Spiral: A mall is a fragile eco-system. When conditions deteriorate markedly, a mall can enter a "death spiral" - where lower sales productivity leads to falling occupancy...which results in fewer visitors attracted to a diminishing group of retailers...which continues the cycle of decreasing sales and occupancy. This vicious cycle can continue until the mall becomes obsolete.

Source: U.S. Census Bureau and Green Street Advisors.

The declining NOI and associated valuations coupled with a non-existent capital markets play or suitable financing leads to deterioration of the asset and eventual obsolescence.

A VIEW THAT WILL MULTIPLY

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RECENT RETAIL CONVERSIONS

> HAZELWOOD BUSINESS PARK, ST. LOUIS, MO
> HIGHLAND PARK, GARFIELD HTS, OH
> CHAPEL HILL BUSINESS PARK, AKRON, OH
> UPPER VALLEY BUSINESS PARK, SPRINGFIELD, OH
> FORMER RANDALL PARK MALL, NORTH RANDALL, OH

Hazelwood Business Park St. Louis, MO | 1,200,000 SF

Chapel Hill Business Park, Akron, OH | 582,000 SF

Highland Park , Garfield Heights, OH | 500,000 SF

Upper Valley Business Park, Springfield, OH | 580,000 SF

HAZELWOOD BUSINESS PARK

TECH | OFFICE | LIGHT INDUSTRIAL

Hazelwood Business Park is a new business park redevelopment of the former St. Louis Mills Mall in Hazelwood, MO. Hazelwood Business Park will include a combination of light industrial, tech, office, and retail/restaurant uses. Located on 184 acres is centrally located in St. Louis County and offers immediate access to Highway 370 and I-270.

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WINDCREST BUSINESS PARK

SAN ANTONIO, TX

PROPOSED DEVELOPMENT PLAN

Industrial
COMMERCIAL PROPERTIES

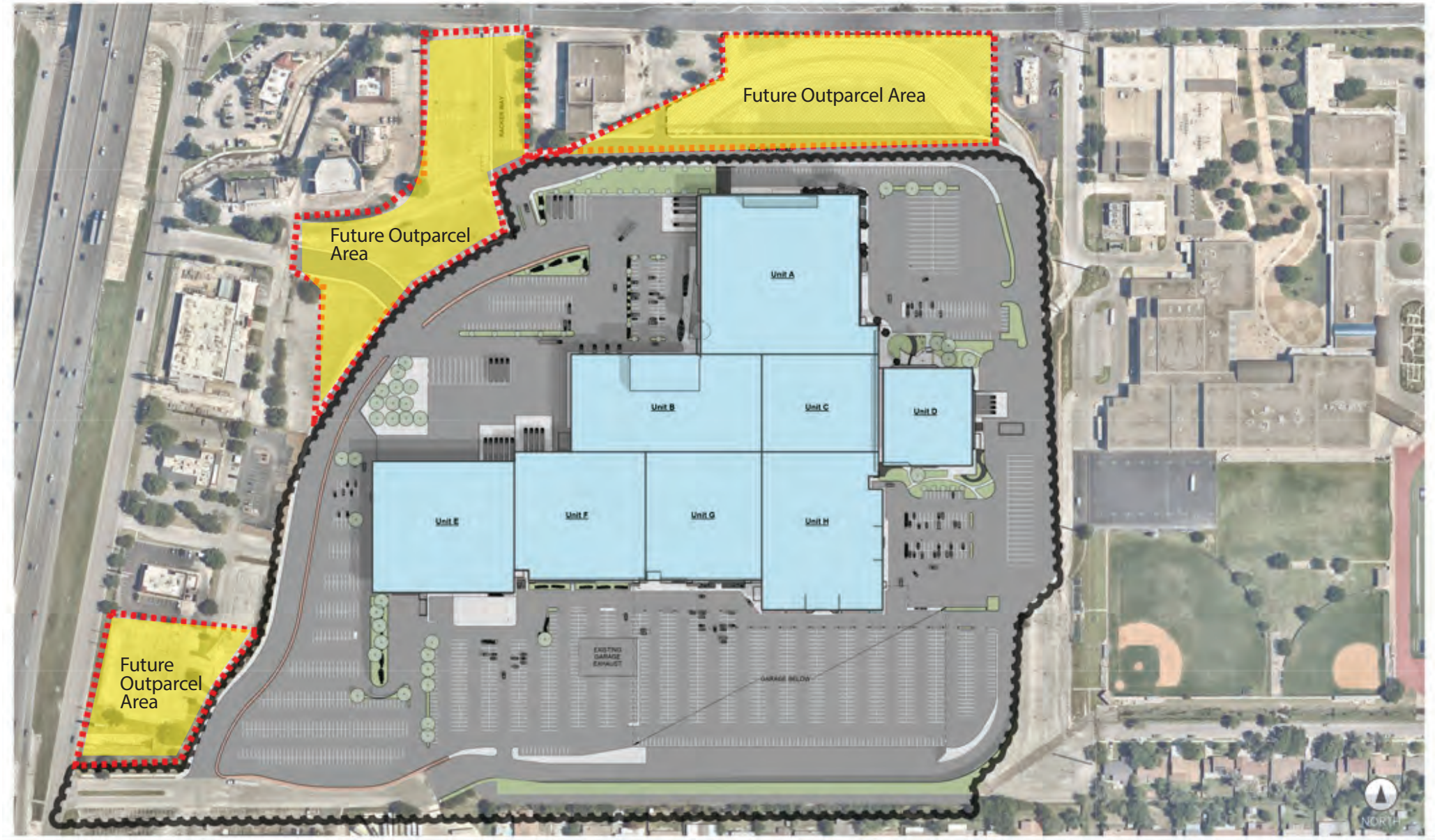
WINDCREST BUSINESS PARK

SAN ANTONIO, TX

B2 District

B3 District

SITE PLAN - PROPOSED



Industrial COMMERCIAL PROPERTIES

WINDCREST BUSINESS PARK

SAN ANTONIO, TX

WINDCREST BUSINESS PARK

SAN ANTONIO, TX

PROPOSED DEVELOPMENT PLAN

Industrial
COMMERCIAL PROPERTIES

WINDCREST BUSINESS PARK

SAN ANTONIO, TX

PROPOSED UNIT A - WEST ENTRY

Industrial
COMMERCIAL PROPERTIES

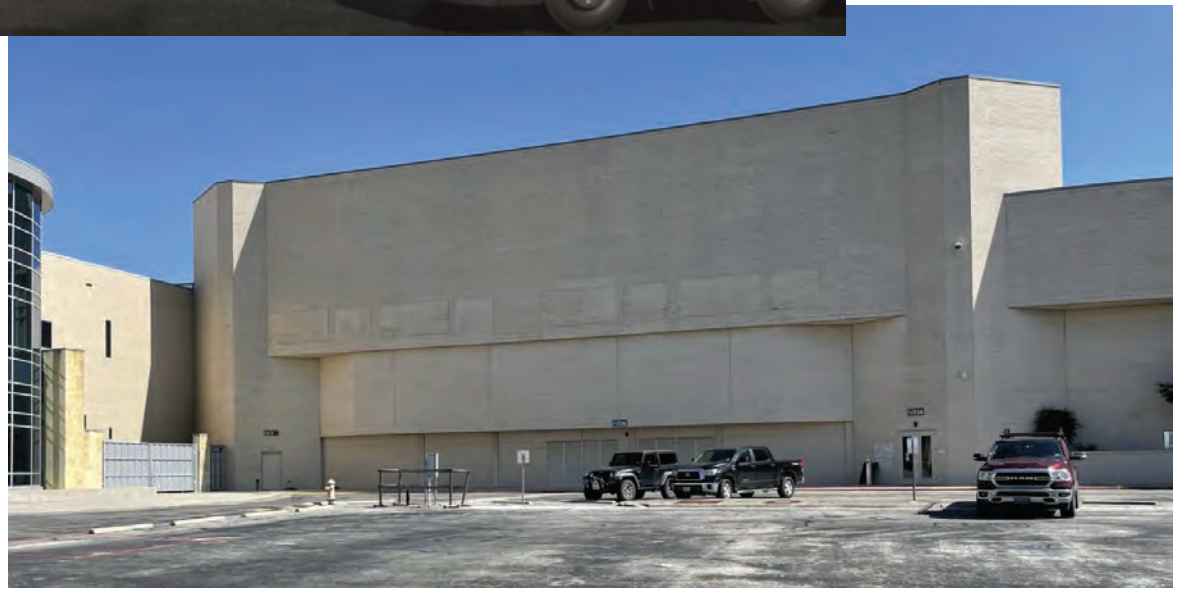
WINDCREST BUSINESS PARK

SAN ANTONIO, TX

PROPOSED UNIT B - NORTH ENTRY

PROPOSED

EXISTING



Industrial
COMMERCIAL PROPERTIES

WINDCREST BUSINESS PARK

SAN ANTONIO, TX

PROPOSED UNIT A - NORTH ENTRY

PROPOSED

EXISTING

COMMERCIAL PROPERTIES

WINDCREST BUSINESS PARK

SAN ANTONIO, TX

PROPOSED UNIT D - NORTH ENTRY

Industrial
COMMERCIAL PROPERTIES

WINDCREST BUSINESS PARK

SAN ANTONIO, TX

PROPOSED UNIT G - WEST ENTRY

PROPOSED

EXISTING

Industrial
COMMERCIAL PROPERTIES

WINDCREST BUSINESS PARK

SAN ANTONIO, TX

PROPOSED UNIT F - SOUTH ENTRY

EXISTING

Industrial
COMMERCIAL PROPERTIES

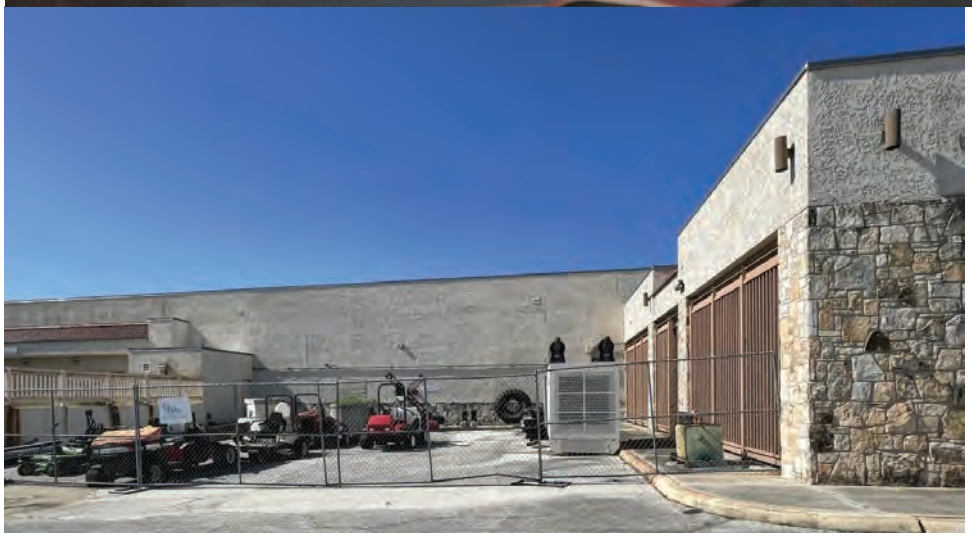
WINDCREST BUSINESS PARK

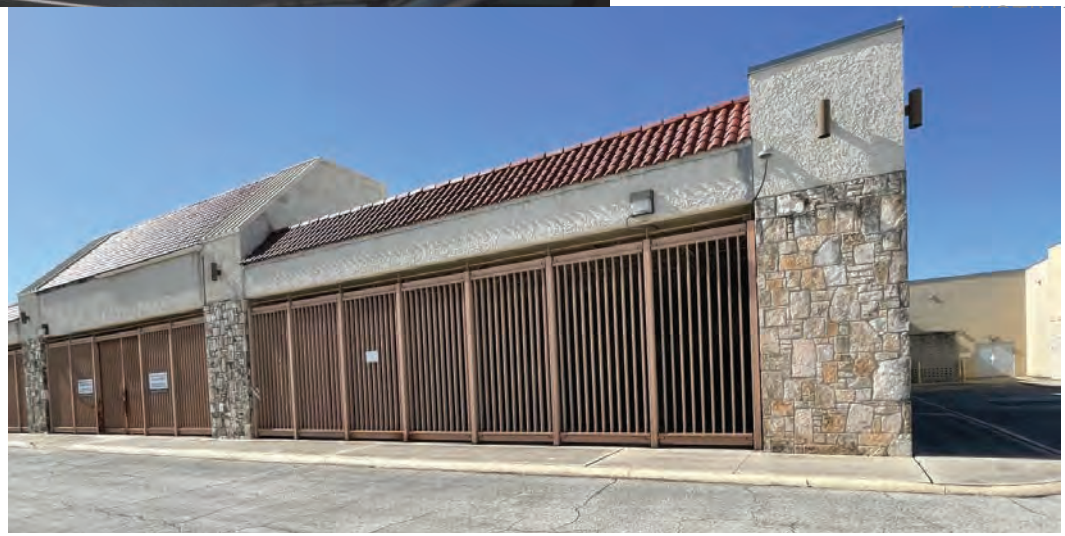
SAN ANTONIO, TX

PROPOSED UNIT E - SOUTH ENTRY

PROPOSED

EXISTING





Industrial
COMMERCIAL PROPERTIES

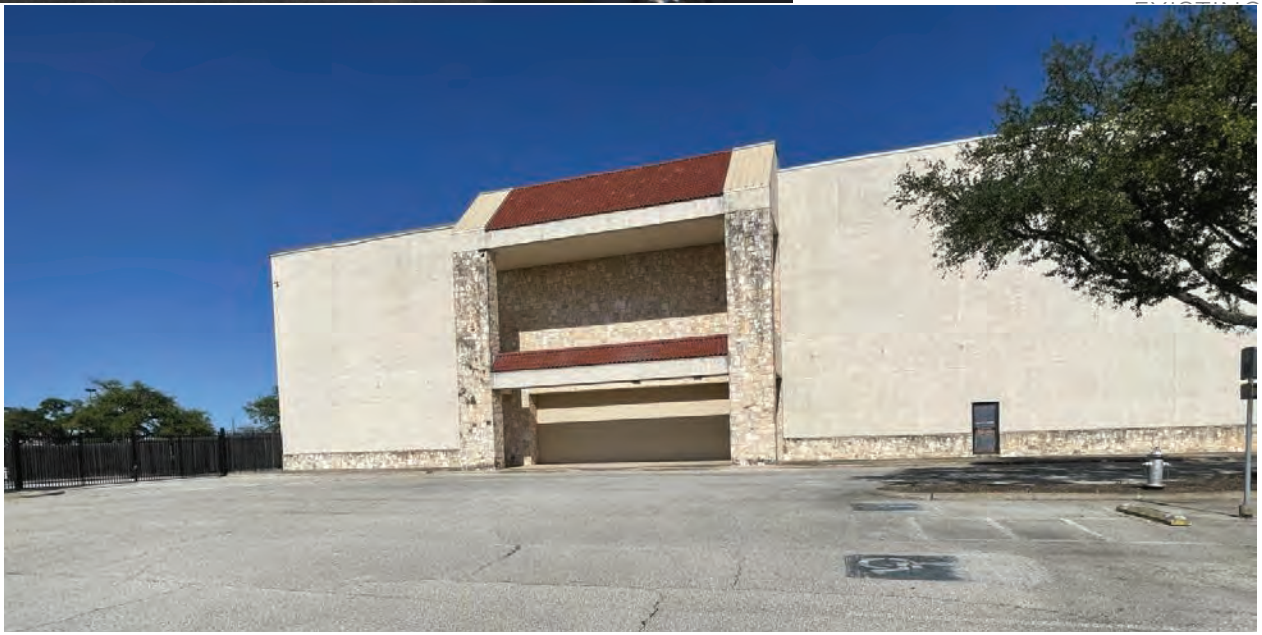
WINDCREST BUSINESS PARK

SAN ANTONIO, TX

PROPOSED UNIT E - WEST ENTRY

PROPOSED

EXISTING



Industrial
COMMERCIAL PROPERTIES

WINDCREST BUSINESS PARK

SAN ANTONIO, TX

Industrial/Distribution	Gross SF	Office Finish SF	Net Industrial SF
Estimated Warehousing:	162,500	16,250	146,250
Estimated Manufacturing:	487,500	48,750	438,750
Total SF:	650,000	65,000	585,000
Office Finish	**10%**		

Average Industrial SF per Job	550 SF
Average Office SF per Job	300 SF

New Industrial Jobs	1,064

Estimated Warehousing Jobs (75%)	798
Estimated Manufacturing Jobs (25%)	266
New Office Jobs	217

Total New Jobs Supported	2,279
Total Direct Jobs Supported	1,281
Total Indirect and Induced Jobs Supported	998

Total Sales/Output	$445,003,511
Total Direct Sales/Output	$279,460,191
Total Indirect and Induced Sales/Output	$165,543,320

Total New Compensation	$104,041,879
Total Direct Compensation	$55,217,901
Total Indirect and Induced Compensation	$48,823,979

Local governments include City, County, schools, special districts, etc.

Local governments revenues include mostly sales and property taxes

State revenues include mostly sales

Bexar County, Texas Annual Impact of Transportation and Warehousing
Year 2023

	Direct	Indirect	Induced	Total
Sales/Output	$84,133,973	$41,639,733	$34,927,464	$160,701,170
Jobs Supported	798	271	236	1,305
Payroll	$27,985,856	$12,084,581	$10,650,324	$50,720,761
Gross Regional Product	$36,768,167	$21,512,673	$19,500,590	$77,781,430
Local government revenues	$1,430,262	$789,944	$791,352	$3,011,557
State revenues	$1,244,143	$680,469	$679,356	$2,603,968

Source: IMPLAN database 2019

Bexar County, Texas Annual Impact of Manufacturing
Year 2023

	Direct	Indirect	Induced	Total
Sales/Output	$176,411,816	$48,241,270	$24,657,875	$249,310,961
Jobs Supported	266	216	167	649
Payroll	$19,394,352	$13,383,130	$7,516,521	$40,294,004
Gross Regional Product	$51,863,396	$24,647,880	$13,767,418	$90,278,694
Local government revenues	$596,504	$888,500	$559,166	$2,044,170
State revenues	$529,262	$764,828	$480,016	$1,774,106

Source: IMPLAN database 2019

Bexar County, Texas Annual Impact of Administrative and Support Services
Year 2023

	Direct	Indirect	Induced	Total
Sales/Output	$18,914,402	$8,083,202	$7,993,777	$34,991,380
Jobs Supported	217	55	54	326
Payroll	$7,837,693	$2,752,631	$2,436,790	$13,027,114
Gross Regional Product	$10,339,006	$10,339,006	$10,339,006	$10,339,006
Local government revenues	$118,223	$142,115	$181,270	$441,607
State revenues	$111,359	$123,091	$155,611	$390,061

Source: IMPLAN database 2019

Bexar County, Texas Annual Impact Aggregation of Three Sectors
Year 2023

	Direct	Indirect	Induced	Total
Sales/Output	$279,460,191	$97,964,205	$67,579,115	$445,003,511
Jobs Supported	1,281	541	457	2,279
Payroll	$55,217,901	$28,220,343	$20,603,636	$104,041,879
Gross Regional Product	$98,970,569	$56,499,559	$43,607,014	$178,399,130
Local government revenues	$2,144,988	$1,820,558	$1,531,788	$5,497,335
State revenues	$1,884,763	$1,568,388	$1,314,984	$4,768,136

Source: IMPLAN database 2019

Industrial
COMMERCIAL PROPERTIES

Keith Brandt
Executive Vice President

Keith Brandt is a seasoned real estate professional with nearly 30 years of executive leadership experience. His rare combination of a diversified skill set amongst retail, industrial, residential, and asset management has resulted in a proven track record of delivering superior results for ownership and clients.

As Executive Vice President of Industrial Commercial Properties LLC (ICP). Mr. Brandt spearheads a national initiative to identify and re-develop former regional malls and retail properties. In this role, he is responsible for sourcing acquisitions, PSA negotiations, underwriting, entitlements, incentives, and leasing.

Before joining ICP, Mr. Brandt was the Managing Director and Market Leader for CBRE's Cleveland and Akron offices. He led a team of 100+ associates across all business lines, including retail, industrial, office, corporate services, investment sales, debt and structured finance, property management, project management, valuation services, marketing, and all support functions. Under his leadership, the CBRE Cleveland office experienced record growth of over 54% in top line revenue and closed over 950 transactions, 20.2M square feet, and $1.3 billion in consideration.

Prior to CBRE, he was the Senior Vice President of Retail, Office & Residential Leasing and Asset Management at Brookfield Asset Management. In this role, he was responsible for driving revenue and managing operations for properties across the U.S. Before joining Brookfield, Mr. Brandt led the Retail Leasing platform for Forest City Enterprises, overseeing all retail initiatives that included 101 properties across the US in the core markets of Los Angeles, San Francisco, Denver, Washington DC, Boston, Dallas, and New York. Under his leadership, his team drove over $275M in annual revenue for a 9M square feet portfolio, executing over 300 retail leases annually. Mr. Brandt's ability to create significant value organically led to the eventual sale of his division in 2016 for $4.1B. He served on the firm's Enterprise Operating Committee, Real Estate Operating Committee, IT Prioritization Committee and was involved in the Investment Committee.

A Cleveland native, Mr. Brandt holds a Bachelor of Engineering in Biomedical Engineering from Case Western Reserve University.

RESOLUTION 2023-544(R)

A RESOLUTION AUTHORIZING A ONE YEAR EXTENSION OF THE AGREEMENT FOR AMBULANCE AND EMERGENCY MEDICAL SERVICES WITH LONE STAR AMBULANCE SERVICE 1, LLC d/b/a ALLEGIANCE MOBILE HEALTH

WHEREAS, the City of Windcrest contracted with Lone Star Ambulance Service 1, LLC d/b/a Allegiance Mobile Service for emergency and non-emergency medical services effective October 1, 2023; and

WHEREAS, the City of Windcrest and Lone Star Ambulance Service 1, LLC d/b/a Allegiance Mobile Service desire to extend their relationship for emergency and non-emergency medical services for another year commencing October 1, 2023 through September 30, 2024.

WHEREAS, or the City Council can instruct the staff to do an RFP.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WINDCREST that the contract with Lone Star Ambulance Service 1, LLC d/b/a Allegiance Mobile Service is extended from October 1, 2023 through September 30, 2024 and the City Manager is authorized to execute an extension on behalf of the city.

Passed and approved this 2nd day of October, 2023.

City of Windcrest, Texas

_____
Dan Reese, Mayor

Attest:

_____
Rachel C. Dominguez, City Secretary

Approved:

_____
Ryan Henry, City Attorney

Pending CC Approval

RESOULTION 2023-545(R)

A RESOLUTION APPROVING AN APPLICATION FOR A MURAL FOR WINDCREST LITTLE LEAGUE LOCATED AT 9310 JIM SEAL DRIVE

WHEREAS, The City Council has considered a request for a mural by the Windcrest Little League (herein after "WLL") located at 9310 Jim Seal Drive, located within the City of Windcrest; and

WHEREAS, The City Council performed an evaluation of the submitted request and all documents provided by WLL as to the mural; and

WHEREAS, The City Council finds that granting the request will not negatively affect the neighborhood or the surrounding property owners given the limited size and location of the mural; and

WHEREAS, The City Council finds that as long as WLL does not deviate from the parameters contained within the request, the mural will not negatively affect the neighborhood or the surrounding property owners; and

WHEREAS, The City Council finds that denial of the WLL request will not substantially burden WLL's purpose, but granting the accommodation after an individualized assessment of the application, furthers their purpose without inference with the surrounding neighborhood or property owners; and

WHEREAS, The City Council finds while the mural is not expressly authorized within its zoning laws, the City Council is authorized to accommodate such use; and

WHEREAS, the City Council has determined that a waiver of the requirements in Section 109-5 would promote the public interest by encouraging the welcoming and cheerful message at the sports fields and its unique location to be seen by all park visitors; and

WHEREAS, The City Council, having made such findings, authorizes the applicant, WLL, to utilize the property located at 9310 Jim Seal Drive, to allow a mural, but only to the extent and within the parameters of the request submitted by the WLL; and

WHEREAS, This approval still requires the WLL to follow any permitting process under the Windcrest Code of Ordinances and all federal, state, and local laws required in order to proceed with the mural.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WINDCREST, TEXAS that the Windcrest Little League (herein after "WLL") may utilize the property located at 9310 Jim Seal Drive, in Windcrest Texas, to paint a mural, but only to the extent and within the parameters of the request submitted by the WLL seeking a mural on the designated building. The City Manager is authorized to execute any necessary documentation to fulfil the intent of this resolution. The City Council incorporates all above findings into this resolution.

DULY PASSED AND APPROVED, on the 2nd day of October, 2023 at a regular meeting

Pending City Council Approval

of the City Council of the City of Windcrest, Texas, which was held in compliance with the Open Meetings Act, Gov't. Code §551.001, et. Seq. at which meeting a quorum was present and voting.

CITY OF WINDCREST, TEXAS

_____
Dan Reese, Mayor

ATTEST:

_____
Rachel C. Dominguez, City Secretary

APPROVED AS TO FORM:

_____
Ryan S. Henry, City Attorney

Pending City Council Approval

RESOLUTION 2022-546(R)

A RESOLUTION TO RATIFY THE APPROVAL OF A ONE (1) YEAR EXTENSION TO AN AGREEMENT FOR MEDICAL CONTROL AND MEDICAL DIRECTOR SERVICES BETWEEN THE CITY OF WINDCREST AND THE UNIVERSITY OF TEXAS HEALTH SCIENCE CENTER OF SAN ANTONIO AND AUTHORIZING THE CITY MANAGER TO EXECUTE SAID AGREEMENT

WHEREAS, the Windcrest City Council has determined that a medical doctor must be assigned to the City of Windcrest's Emergency Medical Services ("EMS") department to assist with medical control and medical services; and

WHEREAS, it would enhance the publice safety and welfare of the citizens of the City of Windcrest to authorize an agreement for medical control and medical director services between the City of Windcrest, Texas and the University of Texas Health Science Center at San Antonio; and

WHEREAS, the City of Windcrest desires to approve the agreement (Exhibit A) with the University of Texas Health Science Center San Antonio ("UTHSC-SA") with excecution of the agreement by the City Manager; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WINDCREST, TEXAS that the agreement (Exhibit A) for medical control and medical director services between the City and UTHSC-SA is hereby approved and the City Manager is authorized to excute the agreement for these services.

DULY PASSED AND APPROVED, on the 2nd day of October, 2023 at a regular meeting of the City Council of the City of Windcrest, Texas, which was held in compliance with the Open Meetings Act, Gov't. Code §551.001, et. Seq. at which meeting a quorum was present and voting.

CITY OF WINDCREST, TEXAS

_____
Dan Reese, Mayor

ATTEST:

_____
Rachel C. Dominguez, City Secretary

APPROVED:

_____
Ryan S. Henry, City Attorney

Pending CC Approval