



**CORRECTED AGENDA
CITY OF WINDCREST, TEXAS**

SPECIAL CITY COUNCIL MEETING

September 24, 2015

9:00 A.M.

This agenda corrects the typographical error in the first paragraph on the first page of the agenda which states that the meeting will start at 6:00 pm instead of the correct start time of 9:00 am

NOTICE IS HEREBY GIVEN THAT A SPECIAL WINDCREST CITY COUNCIL MEETING WILL BE HELD AT WINDCREST CITY HALL, 8601 MIDCROWN, WINDCREST, TEXAS ON THE 24TH DAY OF SEPTEMBER 2015 STARTING AT 9:00 A.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 SEPTEMBER 24, 2015 AND TO RECONVENE THE MEETING ON THE FOLLOWING DAY, SEPTEMBER 25, 2015 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.

Ordinance No. 618 (09/20/10), Repealing Ordinance No. 593

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" comments, each individual may speak on an agenda item or any other matter affecting the city. In addition to the "citizens to be heard" portion of meetings, a person may make comments on agenda items prior to the vote on the agenda item. A member of the public will have a total of six (6) minutes to be heard during a City Council, City Commission or City Board Meeting. 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, the Presiding Officer may direct a City Official to make: a statement of specific factual information in response to an inquiry made by a member of the public or of the City Council, or; a recitation of existing policy in response to an inquiry made by a member of the public or the City Council. 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.

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

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 on Subsequent and Non-Subsequent Agenda Items

1. A member of the public will have three (3) minutes to discuss non-subsequent agenda items.
2. A member of the public will have six (6) minutes to discuss subsequent agenda items.
3. City Council may discuss and respond to current and past agendas on subsequent and non-subsequent agenda items by citizens to be heard.

III. Ordinances **"In conjunction with the first reading of an ordinance, a motion should be made to either "reject the proposed ordinance" or "to forward the proposed ordinance to a subsequent City Council meeting for final adoption at its second reading".* *

1. City Council will review, discuss and may take action on Ordinance No. 2015-734(O), an ordinance approving and adopting a budget for operating the municipal government of the City of Windcrest for the fiscal year beginning October 1, 2015 and ending on September 30, 2016; appropriating money for the various funds and purposes of such budget including appropriations of money to pay interest and principal sinking fund requirements on all indebtedness; providing a savings and severability clause; repealing all ordinances and appropriations in conflict with the provisions of this ordinance; and establishing an effective date. (*First Reading*) (Att. 1)
2. City Council will review, discuss and may take action on Ordinance No. 2015-735(O), an ordinance adopting the tax rate and levying a tax upon all property subject to taxation within the City of Windcrest,

Texas, for the 2015 tax year for the use and support of the municipal government of the City of Windcrest for the fiscal year beginning October 1, 2015 and ending on September 30, 2016; apportioning said levy among the various funds and items for which revenue must be raised including providing a sinking fund for the retirement of the bonded debt of the city; and establishing an effective date. *(First Reading)* (Att. 2)

3. City Council will review, discuss and may take action on Ordinance No. 2015-736(O), an ordinance setting fees for various city services and consolidating those fees for convenience; amending various city ordinances; and containing a severability clause and an effective date. *(First Reading)* (Att. 3)
4. City Council will review, discuss and may take action on Ordinance No. 2015-737(O), an ordinance adopting an organizational chart and departmental classifications *(First Reading)* (Att. 4)

IV. Resolutions

1. City Council will review, discuss and may take action on Resolution No. 2015-559(R), a resolution ratifying the recently adopted FY 2015-2016 budget. (Att. 5)
2. City Council will review, discuss and may take action on Resolution No. 2015-560(R), a resolution addressing the health reimbursement account for the 2015-2016 fiscal year. (Att. 6)

V. Discuss and Act

None

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 September 24, 2015.

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 ____ September, 2015.

_____ Title: _____



ORDINANCE NO. 2015-734(O)

AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR OPERATING THE MUNICIPAL GOVERNMENT OF THE CITY OF WINDCREST FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015 AND ENDING ON SEPTEMBER 30, 2016; APPROPRIATING MONEY FOR THE VARIOUS FUNDS AND PURPOSES OF SUCH BUDGET INCLUDING APPROPRIATIONS OF MONEY TO PAY INTEREST AND PRINCIPAL SINKING FUND REQUIREMENTS ON ALL INDEBTEDNESS; PROVIDING A SAVINGS AND SEVERABILITY CLAUSE; REPEALING ALL ORDINANCES AND APPROPRIATIONS IN CONFLICT WITH THE PROVISIONS OF THIS ORDINANCE; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, a budget for operating the municipal government of City of Windcrest for the fiscal year October 1, 2015, to September 30, 2016, has been prepared in accordance with Chapter 102 of the Texas Local Government Code for the City of Windcrest, Texas; and

WHEREAS, said budget has been submitted to the City Council in accordance with the Local Government Code; and

WHEREAS, public notice of a public hearing upon this budget has been duly and legally made as required by the Local Government Code; and

WHEREAS, said public hearing on the Proposed Budget has been held; and

WHEREAS, the City's Proposed Budget has been amended in accordance with the Local Government Code; and

WHEREAS, a public hearing has been had upon said amendments to the Proposed Budget and, after full and final consideration of proposed expenditures, revenues, financial condition, and comparative

expenditures as presented, it is the consensus of opinion that the budget as considered and amended at said hearings should be approved and adopted.

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

SECTION 1.

That the City Council of the City of Windcrest ratifies, approves and adopts the budget as finally considered for the fiscal year of October 1, 2015, to September 30, 2016, a copy of which shall be filed with the office of the City Secretary and with the Bexar County Clerk and which shall also be posted on the City's Internet Website, and which is incorporated herein for all intents and purposes.

SECTION 2.

That the appropriations for the 2015-2016 fiscal year for the different administrative units and purposes of the City of Windcrest, Texas be fixed and determined for said fiscal year in accordance with the expenditures shown in said budget, and that the distribution and division of said appropriations be made in accordance with said budget including such amounts shown for providing for sinking funds for payment of the principal and interest and the retirement of the bonded debt of the City of Windcrest.

SECTION 3.

That should any part, portion, or section of this ordinance be declared invalid or inoperative or void for any reason by a court of competent jurisdiction, such decision, opinion or judgment shall in no way affect the remaining portions, parts, or sections or parts of section of this ordinance, which provisions shall be, remain and continue to be in full force and effect.

SECTION 4.

That all ordinances and appropriations for which provision has heretofore been made are hereby expressly repealed if in conflict with the provisions of this ordinance.

SECTION 5.

That this ordinance shall take effect and be in full force and effect from and after its passage and approval according to law.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2015, 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:

Michael S. Brennan, City Attorney



ORDINANCE NO. 2015-735(O)

AN ORDINANCE ADOPTING THE TAX RATE AND LEVYING A TAX UPON ALL PROPERTY SUBJECT TO TAXATION WITHIN THE CITY OF WINDCREST, TEXAS, FOR THE 2015 TAX YEAR FOR THE USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF WINDCREST FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2015 AND ENDING ON SEPTEMBER 30, 2016; APPORTIONING SAID LEVY AMONG THE VARIOUS FUNDS AND ITEMS FOR WHICH REVENUE MUST BE RAISED INCLUDING PROVIDING A SINKING FUND FOR THE RETIREMENT OF THE BONDED DEBT OF THE CITY; AND ESTABLISHING AN EFFECTIVE DATE.

WHEREAS, the Chief Appraiser of the Bexar County Tax Appraisal District has prepared and certified the appraisal roll of the City of Windcrest, Texas, said roll being that portion of the approved appraisal roll of the Bexar County Tax Appraisal District which lists property taxable by the City of Windcrest, Texas; and

WHEREAS, the Tax Assessor and Collector of Bexar County has performed the statutory calculations required by Section 26.04 of the Texas Tax Code, and has published the effective tax rate, the rollback tax rate, an explanation of how they were calculated, and has fulfilled all other requirements for publication as contained in Section 26.04(e) of the Texas Tax Code, in a manner designed to come to the attention of all residents of said City and has submitted said rates to the City Council of said City prior to the regular City Council meeting of September 21, 2015; and

WHEREAS, the City Council has complied with all applicable requirements of the Texas Tax Code prior to the setting of the tax rate for said City for 2015.

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

SECTION 1.

That the tax rate of the City of Windcrest, Texas for the tax year 2015 be, and is hereby, set at \$ [REDACTED] on each one hundred dollars (\$100) of the taxable value of real and personal property not exempt from taxation by the constitution and laws of this state situated within the corporate limits of said City.

SECTION 2.

That there is hereby levied for the tax year 2015 upon all real and personal property not exempt from taxation by the constitution and laws of this state situated within the corporate limits of said City, and there shall be collected for the use and support of the municipal government of the City of Windcrest, Texas, to provide a sinking fund for the retirement of the bonded debt of said City and to provide for permanent improvements in said City, and said tax, so levied and collected, shall be apportioned to the specific purposes hereinafter set forth; to-wit:

- A. For the payment of current expenses and to be deposited in the general fund (for the purposes of maintenance and operations) [REDACTED] cents on each one hundred dollars (\$100) of the taxable value of such property; and,
- B. To provide for sinking funds for the payment of the principal and interest and the retirement of the bonded debt, and the same shall become due as shall be necessary to pay the principal and interest of the current year as follows:

[REDACTED] cents per one hundred dollars (\$100) valuation.

SECTION 3.

That the Bexar County Tax Assessor and Collector is hereby authorized to assess and collect the taxes of said City employing the above tax rate.

SECTION 4.

That the Municipal finance Officer of said City shall keep accurate and complete records of all monies collected under this Ordinance and the purposes for which same are expended.

SECTION 5.

That monies collected pursuant to this Ordinance shall be expended as set forth in the City of Windcrest's FY 2015-2016 Annual Budget.

SECTION 6.

That all monies collected which are not specifically appropriated shall be deposited in the general fund.

SECTION 7.

That this ordinance shall take effect and be in full force and effect from and after its passage and approval according to law.

PASSED, APPROVED AND ADOPTED this ____ day of _____, 2015, 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:

Michael S. Brennan, City Attorney



ORDINANCE NO. 2015-736(O)

AN ORDINANCE SETTING FEES FOR VARIOUS CITY SERVICES AND CONSOLIDATING THOSE FEES FOR CONVENIENCE; AMENDING VARIOUS CITY ORDINANCES; AND CONTAINING A SEVERABILITY CLAUSE AND AN EFFECTIVE DATE.

WHEREAS, the City of Windcrest has adopted numerous ordinances that provide for various fees and charges that are subject to change from time to time; and

WHEREAS, the City has determined that it would be convenient to consolidate those fees in one ordinance that can be reviewed and amended as needed from time to time; and

WHEREAS, the City has adopted a budget for the upcoming fiscal year that incorporates the fees and charges specified herein; and

WHEREAS, the City has determined that the fees and charges specified herein are reasonable, necessary, fair and designed to fund the various activities to which they pertain; and

WHEREAS, the City has determined that the fees set forth herein will promote the health, safety, and welfare of the citizens of Windcrest; and

WHEREAS, this ordinance was adopted at a meeting of the Windcrest City Council held in strict compliance with the Texas Open Meetings Act at which a quorum of the City Council was present and voting;

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

SECTION 1. Rates Imposed.

The City hereby adopts the Fee Schedule attached as Exhibit "A" hereto and imposes the fees set forth therein upon the services, activities, events, materials, and supplies that are described therein. These rates shall be collected by the City in accordance with the various City ordinances that more particularly describe each of the fees.

SECTION 2. Ordinances Amended.

Each City ordinance that originally provided a fee, charge, or fine that is mentioned on Exhibit "A" is hereby amended as shown on Exhibit "A."

SECTION 3. Severability.

Should any portion or part of this ordinance be held for any reason invalid or unenforceable by a court of competent jurisdiction, the same shall not be construed to affect any other valid portion hereof, but all valid portions hereof shall remain in full force and effect.

SECTION 4. Effective Date.

This Ordinance shall be effective upon its passage.

PASSED AND APPROVED THE ____th day of _____, 2015.

CITY OF WINDCREST, TEXAS

By: _____
Alan Baxter, Mayor

ATTEST:

Kelly Rodriguez, City Secretary

APPROVED:

Michael S. Brennan, City Attorney



ORDINANCE NO. 2015-737(O)

**AN ORDINANCE ADOPTING AN ORGANIZATIONAL
CHART AND DEPARTMENTAL CLASSIFICATIONS**

WHEREAS, the City Charter requires the City Council to establish the city's organizational chart and departmental classifications in Section 3.03 (3) and Section 5.01.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WINDCREST THAT the attached organizational chart with departmental classifications is hereby approved and adopted as required by the City Charter and that the previous organizational charts are repealed.

This ordinance shall take effect upon its final passage, and it is so ordained.

PASSED and ADOPTED this the ____ day of _____, 2015.

Alan Baxter, Mayor

ATTEST:

Kelly Rodriguez, City Secretary

APPROVED AS TO FORM:

Michael S. Brennan, City Attorney



RESOLUTION NUMBER 2015-559(R)

A RESOLUTION RATIFYING THE RECENTLY ADOPTED BUDGET.

WHEREAS, the City of Windcrest adopted its Budget for fiscal year 2015-2016;
and

WHEREAS, Local Government Code Section 102.007 (c) requires the City to
ratify the Budget by a separate vote;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of
Windcrest, Texas, that:

1. The recently adopted Budget for fiscal year 2015-2016 containing a
property tax increase that raises more revenue from property taxes than was raised from
property taxes in the previous year is hereby ratified.

DULY PASSED AND APPROVED, on the _____ day of
_____, 2015 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.

CITY OF WINDCREST, TEXAS

Alan Baxter, Mayor

ATTEST:

Kelly Rodriguez, City Secretary

APPROVED:

Michael S. Brennan, City Attorney



RESOLUTION NUMBER 2015-560(R)

A RESOLUTION ADDRESSING THE HEALTH REIMBURSEMENT ACCOUNT FOR THE 2015-2016 FISCAL YEAR

WHEREAS, the Health Reimbursement Account (“HRA”) will continue to be monitored and administered by the Municipal Finance Officer.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Windcrest, Texas, that:

1. That a Health Reimbursement Account (“HRA”) shall be split up as follows:

Prescriptions, Specialists (Tiers 1 – 3) and Primary Care Physicians (PCP) \$500:

- 1st \$250.00 will be reimbursed to the Employee from the City of Windcrest
- 2nd \$250.00 will be paid by the Employee
- 3rd \$250.00 will be reimbursed to the Employee from the City of Windcrest
- 4th \$250.00 will be paid by the Employee

Any deductible related expenses \$2,000:

- 1st \$1,500.00 will be paid by the City of Windcrest
- 2nd \$250.00 will be paid by the Employee
- 3rd \$500.00 will be paid by the City of Windcrest
- 4th \$250.00 will be paid by the Employee

Tier 4, Dental, Vision, and ER Costs \$1,500, may be used on any covered dependents:

½ of each bill will be reimbursed to the Employee by the City of Windcrest
Maximum amount to be reimbursed is \$1,500.00. This funding may be used towards deductible expenses if requested by the employee.

An employee may move funding provided the employee submits a written request for such purpose to the Municipal Finance Officer. In addition, \$500.00 per employee shall be added to the HRA which may be used as an employee chooses for an authorized medical purpose.

Options to move to Medical costs is as follows:

- 1st Up to \$650.00 will be reimbursed to the Employee from the City of Windcrest

- 2nd \$250.00 will be paid by the Employee
- 3rd Up to \$450.00 will be reimbursed to the Employee from the City of Windcrest
- 4th \$250.00 will be paid by the Employee

Any deductible related expenses \$2,000:

- 1st \$1,500.00 will be paid by the City of Windcrest
- 2nd \$250.00 will be paid by the Employee
- 3rd Up to \$1,500.00 will be paid by the City of Windcrest
- 4th \$250.00 will be paid by the Employee

The HRA will be monitored and administered by the Municipal Finance Officer. The Colonial Bride Plan will be offered on a voluntary basis. Colonial will be the city's cafeteria administrator for the 2015-2016 Fiscal Year at no charge to the city.

DULY PASSED AND APPROVED, on the 21st day of September, 2015 at a special 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.

CITY OF WINDCREST, TEXAS

Alan Baxter, Mayor

ATTEST:

Kelly Rodriguez, City Secretary

APPROVED AS TO FORM:

Michael S. Brennan, City Attorney