

City of Windcrest



AGENDA

**PUBLIC HEARING FY 20/21 PROPOSED OPERATING BUDGET &
PROPOSED 2020 TAX YEAR PROPERTY TAX
SPECIAL CITY COUNCIL MEETING**

SEPTEMBER 14, 2020

CITY COUNCIL CHAMBERS @ 8601 MIDCROWN

6:00 P.M.

NOTICE IS HEREBY GIVEN THAT A CITY OF WINDCREST SPECIAL CITY COUNCIL MEETING AND PUBLIC HEARINGS, WILL BE HELD AT WINDCREST CITY HALL, 8601 MIDCROWN, WINDCREST, TEXAS ON THE 14TH DAY OF SEPTEMBER 2020, STARTING AT 6 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 SEPTEMBER 14TH, 2020, AND TO RECONVENE THE MEETING ON TUESDAY, SEPTEMBER 15TH, 2020, 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.**
 - a) Citizens may address the City Council on topics not on the agenda for no more than three (3) minutes.
 - b) Citizens shall also have the opportunity to address the City Council during consideration of posted agenda items for no more than six (6) minutes.
 - c) Only a maximum of four (4) members of the public will be permitted in the City Council Chambers at a time. All attendees will be required to be screened for present signs of COVID-19 prior to entering City Hall.
 - d) Four (4) hours prior to the meeting, an email to the city secretary at citysecretary@windcrest-tx.gov is required, to be added to the attendee list ensuring proper physical distance seating inside and outside City Council Chambers.
 - e) An email statement may be sent to the City Secretary @ citysecretary@windcrest-tx.gov to be read into the meeting to City Council. Statements will be provided to Council and available to the public not in attendance after the meeting.

- f) 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. PUBLIC HEARING – PROPOSED FY 20/21 OPERATING BUDGET

Opening of Public Hearing

- a) City Council will conduct a Public Hearing to receive public comments on the proposed operating budget for the fiscal year beginning October 1, 2020 and ending on September 30, 2021.
- b) City council will review, discuss and may take action on citizen input and comments regarding the proposed operating budget for the fiscal year beginning October 1, 2020 and ending on September 30, 2021.

Close Public Hearing

VI. PUBLIC HEARING – PROPOSED 2020 TAX YEAR PROPERTY TAX RATE

Opening of Public Hearing

- a) City Council will conduct a Public Hearing to receive public comments on the 2020 tax year proposed property tax rate for the City of Windcrest.
- b) City council will review, discuss and may take action on citizen input and comments regarding the 2020 tax year proposed property tax rate for the City of Windcrest.

Close Public Hearing

THE FOLLOWING ITEMS MAY BE CONSIDERED AT ANY TIME DURING THE REGULAR COUNCIL MEETING:

VII. ORDINANCE

- a) City Council will review, discuss, and take action on Ordinance 2020-029, an ordinance approving and adopting a budget for operating the municipal government of the City of Windcrest for the fiscal year beginning October 1, 2020 and ending on September 30, 2021; appropriating money for the various funds and purposes of such budget including appropriations of money to pay interest and principal sinking fund requirements on the indebtedness; providing a saving and severability clause; repealing all ordinances and appropriations in conflict with the provisions of this ordinance; and establishing an effective date. [Don Hakala, Municipal Finance Director] **1st reading**
- b) City Council will review, discuss, and take action on Ordinance 2020-030, an ordinance adopting the tax rate and levying a tax upon all property subject to taxation within the City of Windcrest, Texas, for the 2020 tax year for the use and support of the municipal government of the City of Windcrest for the fiscal year beginning October 1, 2020 and ending on September 30, 2021; 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. [Don Hakala, Municipal Finance Director] **1st reading**

- c) City Council will review, discuss, and may take action on Ordinance 2020-022(O), an ordinance adopting an Organizational Chart. [Rafael Castillo, Jr., City Manager] **2nd Reading**
- d) City Council will review, discuss, and may take action on Ordinance 2020-025(O), an ordinance adopting FY 2020-2021 Master Fee Schedule. [Rafael Castillo, Jr., City Manager] **2nd Reading**
- e) City Council will review, discuss, and may take action on Ordinance 2020-026, an ordinance defining the use of consent agenda items in the City's parliamentary procedures by amending Chapter II, Article IV, Section 2-66-Agendas of the Windcrest Code of Ordinances. [Dan Reese, Mayor] **2nd Reading**

VIII. **Discussion and Action**

- a) City Council will review, discuss, and may take action on the sale of Windcrest Fire Department vehicles, Engine 1 and Rescue 145. [Rafael Castillo, City Manager]

IX. **City Managers Report**

X. **EXECUTIVE SESSION**

At any time during the meeting, the City Council may recess into executive session in the City Hall Conference Room to deliberate or discuss any of the following:

- a) Discuss the relocation of Goodwill Industries of San Antonio to the City of Windcrest, pursuant to Texas Local Government Code Sec. 552.071 (consultation with attorney) and Sec. 552.087 (economic development negotiations).
- b) Discuss the proposed Genesis Program and the legal and contractual obligations of the program pursuant to Texas Local Government Code Sec. 552.071 (consultation with attorney).
- c) Pursuant to §551.074 (discussion regarding personnel/officials)
 - i. Evaluation of City Manager

XI. **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.

XII. **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); and, § 551.071 to seek the advice of its attorney about pending or contemplated litigation, settlement offer or on a matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas conflict with the Open Meetings Act and may invoke this right where the City Attorney, the Mayor or a majority of the Governing Body deems an executive session is necessary to allow privileged consultation between the City Attorney and the governing body, if considered necessary and legally justified under the Open Meetings Act. The 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.*

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 September 14, 2020.

By: 
Rachel C. Dominguez, City Secretary

ORDINANCE NO. 2020-029(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, 2020 AND ENDING ON SEPTEMBER 30, 2021; 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, 2020, to September 30, 2021, 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, 2020, to September 30, 2021, 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 2020-2021 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

EFFECTIVE DATE

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

SECTION 6

READINGS

FIRST READING approved by the City Council of the City of Windcrest this the ____ day of September, 2020.

SECOND READING DULY PASSED AND APPROVED, on the ____ day of September, 2020 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

ORDINANCE NO. 2020-030(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 2020 TAX YEAR FOR THE USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF WINDCREST FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2020 AND ENDING ON SEPTEMBER 30, 2021; 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 14, 2020; 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 2020.

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 2020 be, and is hereby, set at **\$ 0.409494** 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 2020 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)
\$ 0.323414 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:

\$0.08608 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 2020-2021 Annual Budget.

SECTION 6.

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

SECTION 7

EFFECTIVE DATE

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

SECTION 8

READINGS

FIRST READING approved by the City Council of the City of Windcrest this the _____ day of September, 2020.

SECOND READING DULY PASSED AND APPROVED, on the ____ day of September, 2020 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

WINDCREST
TEXAS

City of Windcrest
Fiscal Year 2020-2021

1. This budget will raise more revenue from property taxes than last year's budget by the amount of \$187,870, which is a 5.92% percent increase from the last year's budget. The property tax revenue to be raised from the new property added to the tax roll this year is \$64,245. Proposed revenue increase will support maintenance and operations and interest and sinking for the City of Windcrest.

2. Record vote of each member of the governing body voted on the adoption of the budget is as follows:

For:

Against:

Present and not voting:

Absent:

Property Tax Rate Comparison	FY 2020-2021	FY 2019-2020
Property tax rate	\$0.409494	\$0.413544
No-new-revenue tax rate	\$0.393347	\$0.311952
No-new-revenue maintenance and operations tax rate	\$0.323414	\$0.327469
Voter-approval tax rate	\$0.409494	\$0.434509
Debt rate	\$0.08608	\$0.08608

Total debt obligation for the City of Windcrest secured by property taxes: \$ 11,699,250.00

A public hearing on the proposed budget will be held on:

-1st Public Hearing - September 14, 2020 at 6:00 PM at 8601 Midcrown Drive, Windcrest Texas, 78239

-2nd Public Hearing - September 21, 2020 at 6:00 PM at 8601 Midcrown Drive, Windcrest Texas, 78239

ORDINANCE NO. 2020-022

**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.

DULY PASSED ON FIRST READING, on the 17th day of August, 2020 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 September, 2020 at a special 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:

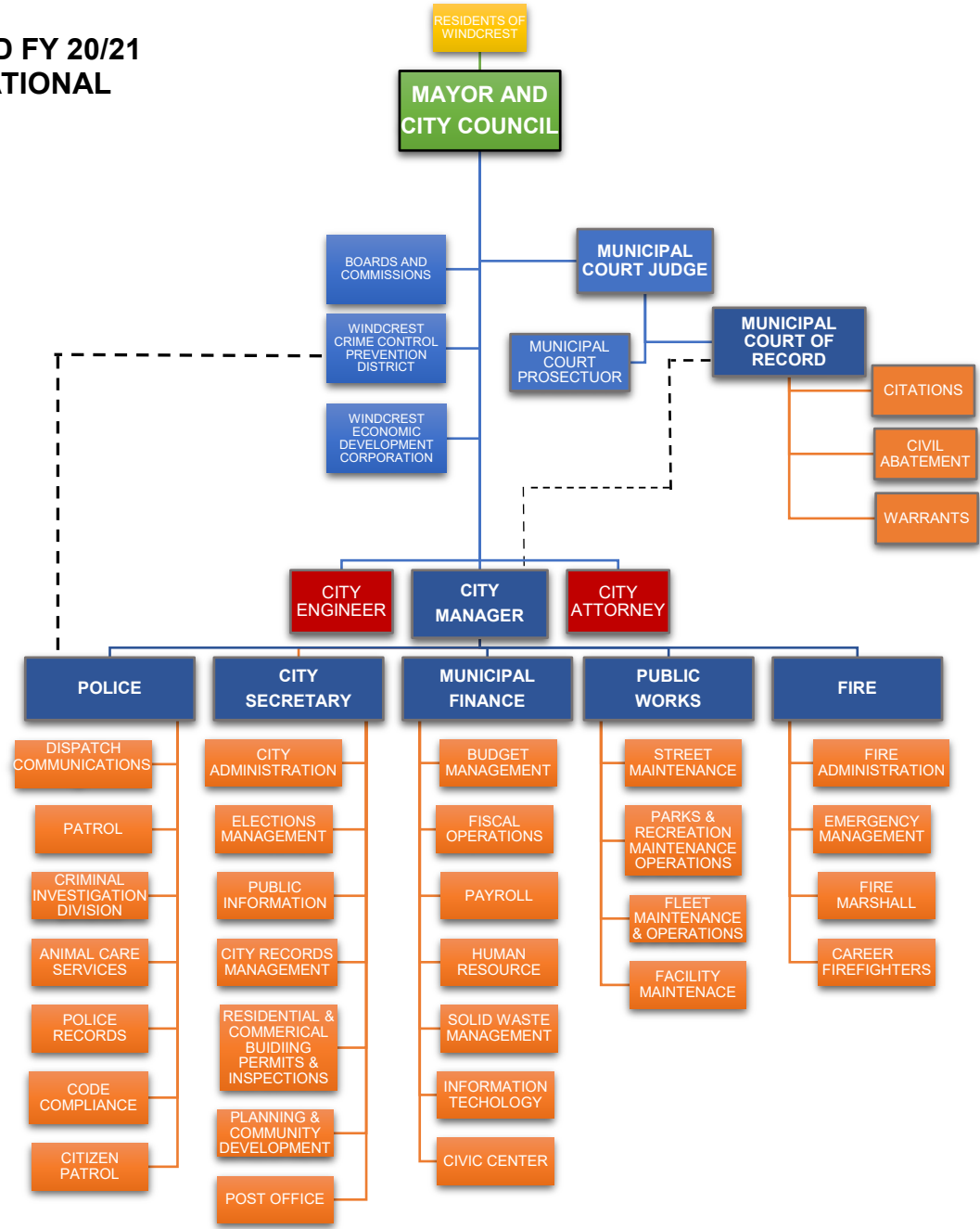
Rachel C. Dominguez, City Secretary

APPROVED AS TO FORM:

Ryan S. Henry, City Attorney



**PROPOSED FY 20/21
ORGANIZATIONAL
CHART**



ORDINANCE NO. 2020-025(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 conducted a public hearing at which the fees imposed herein were made known to the public and the governing body; 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” and “B” 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.

Sanitation rates (Exhibit B) are subject to Consumer Price Index (CPI) increase for Commercial and Residential rates.

SECTION 2. Ordinances Amended.

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

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 passage and publication as required by state and local law.

DULY PASSED ON FIRST READING, on the 17th day of August, 2020 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 September, 2019 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

EXHIBIT A

**City of Windcrest
Proposed Master Fee Schedule FY 20/21
Ordinance 2020-025(O)**

ANIMAL CONTROL

Deposits	
Rabies Vaccination	\$50.00
Sterilization:	
Male Cat	\$75.00
Female Cat	\$90.00
Male Dog	\$75.00
Female Dog	\$90.00
Pet Tags	
Sterilized and Microchipped	Free
Sterilized Only	\$5.00
Not Sterilized	\$25.00
Duplicate Pet Tag	\$2.00
Reclamation	
1st time dog is reclaimed instance per resident, one dog	\$0.00
2nd time dog is reclaimed instance per resident, per dog	\$0.00
3rd time dog is reclaimed instance per resident, per dog	\$75.00
4th time & subsequent times dog is reclaimed instance per resident, per dog	\$200.00
Citations and Fines	
Animal Cruelty	Citation
Dog Off Leash	Citation
Improper Animal Transport	Citation
Inadequate Care and Shelter	Citation
Each instance per residence per cat outside not sterilized	\$50.00
Rabies immunization for reclaimed animals without current proof of vaccination	\$10.00
Fine for animals in violation of Windcrest Code of Ordinances, Sec. 6-59(b), requiring identification tags or microchip	\$25.00

Violation of Windcrest Code of Ordinances, Sec. 6-62, requiring leashing or containment of dogs when under owner's control but outside of owner's fenced premises (The owner will also pay all boarding fees)	\$100.00
Dogs captured who have not been registered with the City, an additional (No proof of vaccination cost will be paid by owner)	\$100.00

BUILDING AND BUILDING CODE**

A. RESIDENTIAL PERMIT FEES

Building and Building Code	
New Construction	
Single-Family Residential	\$950.00 plus \$0.52 per square foot of living space
Curb Cuts/Driveways	\$50.00
Certificate of Occupancy (nonrefundable)	\$100.00
Variance Request	\$150.00
Moving Permit	\$100.00
Demolition Permit	\$200.00
Dumpster Permit	\$100.00
Plan Review Fee	\$475.00
Revised Plan Review Fee	\$100.00
Non-Compliance Fee (work started or performed without a permit)	\$100.00 plus 2x the permit cost. Payment of the double fee shall not relieve any person from fully complying with the requirements of the Code in the execution of the work, nor from any other penalties prescribed herein.
Re-Inspection Fee (for failed inspections)	\$75.00 per failed inspection
Failure to Correct Fee (Code violations)	Citation
Accessory Buildings - (Buildings used as a tool shed, greenhouse, playhouse, storage shed, or other similar use, located in an R-1 zoned district)	Tier 1: 144 sq. ft – 200 sq. ft.: \$50.00 Tier 2: 201 sq. ft. – 250 sq. ft.: \$75.00 Tier 3: > 250 sq. ft.: \$100.00
Residential Remodels/Maintenance	
Foundation	\$55.00
Driveways	\$55.00
Sidewalks	\$55.00

Re-roofs	\$55.00
Fence	\$55.00
Windows Installation/Replacement (Frame)	\$55.00
Accessory Buildings - (Buildings used as a tool shed, greenhouse, playhouse, storage shed, or other similar use, located in an R-1 zoned district)	Tier 1: 144 sq. ft – 200 sq. ft.: \$50.00 Tier 2: 201 sq. ft. – 250 sq. ft.: \$75.00 Tier 3: > 250 sq. ft.: \$100.00
Variance Request	\$35.00
Demolition Permit	\$100.00
Dumpster Permit	\$50.00
Plan Review Fee	\$55.00
Revised Plan Review Fee (Building Inspector)	\$50.00
Non-Compliance Fee (work started or performed without a permit)	\$50.00 plus 2x the permit cost. Payment of the double fee shall not relieve any person from fully complying with the requirements of the Code in the execution of the work, nor from any other penalties prescribed herein.
Inspector Consultation or Site Visit Fee / Additional Inspection	\$50.00
Re-Inspection Fee (for failed inspections)	\$75.00 per failed inspection
Failure to Correct Fee (Code violations)	Citation
Permit Cancellation Fee	25% of original permit cost.
RESIDENTIAL TRADE PERMITS	
Plumbing Permits	
New Construction	\$250.00
Remodel	\$200.00
Issue Permit (Base Fee)	\$50 +
Water Softener	\$5.00
Sewer	\$5.00
Water Heater	\$5.00
Water Piping	\$5.00
Water Line	\$5.00
Gas Test	\$5.00
Bath/Shower	\$5.00
Lavatory/Sink	\$5.00
Lawn Irrigation/Sprinklers	\$100.00
HVAC/Mechanical Permits	
Issue Permit (Base Fee)	\$50.00
New Construction	\$200.00
Replace Unit	\$100.00

A/C Air Duct Replacement	\$150.00
Electrical Permits	
Issue Permit (Base Fee)	\$50.00
New Construction	\$200.00
Remodels	\$150.00
Temporary Meter Loop (TML)	\$50.00
Temporary on Permanent Set (TOPS)	\$50.00
RESIDENTIAL FIRE RELATED PERMIT FEES	
Fire Sprinkler System	
Installation	\$240.00
Repair	\$180.00
Plan Review	\$100.00
Revised Plan Review Fee	\$60.00
Fire Alarm System	
Installation	\$240.00
Repair	\$180.00
Plan Review	\$100.00
Revised Plan Review Fee	\$60.00
False Alarm Fees	
4 or 5 False Alarms within preceding 12 months	Citation
6 or 7 False Alarms within preceding 12 months	Citation
8 or more False Alarms within preceding 12 months	Citation
Miscellaneous Residential Permits	
Oak Tree Trimming and Removal Permit	\$5.00
Swimming Pool/Hot Tub/Spa	\$160.00, includes 3 feet wide deck. Electrical permit required and pulled by the contractor.
Decks, Gazebos, Pergolas, Pool Decks	\$100.00
Temporary Storage Container (30 Days)	Tier 1: Under 8 ft.: \$25 Tier 2: 8-12 ft.: \$30 Tier 3: 12 - 16 ft.: \$35

B. COMMERCIAL PERMIT FEE SCHEDULE

Permit Fees Related to Construction, Remodel, Installation, Replacement, and Demo	
\$500 or less of total value	\$75.00
\$501 to \$2,000 of total value	\$75.00 + \$3.05 for each hundred or fraction thereof over \$500.00
\$2,001 to \$25,000 of total value	\$75.00 + \$14.00 for each thousand or fraction thereof over \$2,000.00
\$25,001 to \$50,000 of total value	\$391.75 + \$10.10 for each thousand or fraction thereof over \$25,000.00
\$50,001 to \$100,000 of total value	\$643.75 + \$7.00 for each thousand or fraction thereof over \$50,000.00
\$100,001 to \$500,000 of total value	\$993.75 + \$5.60 for each thousand or fraction thereof over \$100,000.00
\$500,001 to \$1,000,000 of total value	\$3,233.75 + \$4.75 for each thousand or fraction thereof over \$500,000.00
\$1,000,000 and higher of total value	\$5,608.75 + \$3.65 for each thousand or fraction thereof over \$1,000,000.00
Fence Permit	\$55.00
Dumpster Permit	\$100.00
Plan Review Fee	\$475.00
Revised Plan Review Fee	\$100.00
Variance Request	\$150.00
Non-Compliance Fee (work started or performed without a permit)	\$100.00 plus 2x the permit cost. Payment of the double fee shall not relieve any person from fully complying with the requirements of the Code in the execution of the work, nor from any other penalties prescribed herein.
Re-Inspection Fee (for failed inspections)	\$75.00 per failed inspection
Failure to Correct Fee (Code violations)	Citation
Permit Cancellation Fee	25% of original permit cost
Commercial Trade Permit Fees	
Plumbing Permit	\$500.00
Repair/Replacement/Remodel	\$50.00

HVAC/Mechanical Permit	\$400.00
Repair/Replacement/Remodel	\$50.00
Electrical Permit	\$400.00
Repair/Replacement/Remodel	\$50.00
Temporary Meter Loop	\$50.00
Temporary On Permanent Set (TOPS)	\$50.00
Commercial Fire System Permit Fees	
Fire Related Permits	Refer to Fire Fee Schedule
Fire Alarm System	Refer to Fire Fee Schedule
False Alarm Fees	
4 or 5 False Alarms within preceding 12 months	Citation
6 or 7 False Alarms within preceding 12 months	Citation
8 or more False Alarms within preceding 12 months	Citation
Miscellaneous Commercial Permits and Fees	
Oak Tree Trimming and Removal Permit Fee	\$5.00
Contractor Registration Fee (annual)	\$20.00
Business Registration Fee (annual)	\$10.00
Certificate of Occupation (CoO) Fee (Building Inspector & Fire Marshall inspection)	\$110.00
Health Inspector Certification of Occupancy (CoO) Fee	\$95.00
CoO Reinspection Fee (Building Inspector & Fire Marshal inspections)	\$110.00
Health Inspector CoO Reinspection Fee	\$95.00
Building Inspector Consultation/Site Visit/Additional Inspection Fee	\$50.00
Health Inspector Consultation/Site Visit/Additional Inspection Fee	\$95.00
Fire Marshall Consultation/Site Visit Fee	Refer to Fire Fee Schedule
Temporary Storage Container (30 Days)	Tier 1: Up to 10ft.: \$50 Tier 2: 10-25 ft.: \$100 Tier 3: 25-40 ft.: \$150

****Note:** All permits include one (1) inspection. Refer to Chapter 103 in the Windcrest Code of Ordinances for list of required permits and inspections to be pulled by the homeowner and/or contractor.

PLAT FEES

Filing Fee with City – 0-5 Acres	
Final Plats (including Minor Plats)	\$650.00
Replat*	\$650.00
Amending Plats	\$650.00
Vacating Plat	\$650.00
Filing Fee with City – 5+ Acres	
Final Plats (including Minor Plats)	\$650.00 plus \$50.00 per acre
Replat*	\$650.00 plus \$5.00 per lot
Amending Plats	\$650.00
Vacating Plat	\$650.00
Miscellaneous	
Filing Fee (fee to file and record plat with Bexar County Clerk)	Actual + 20%
Engineer Review Fee	Varies

*A newspaper publication fee will be assessed to all replats without vacating the preceding plat that require a variance or exception. Fee will be “Actual” + 20%.

CHARGES FOR PUBLIC INFORMATION REQUESTS***

<u>Materials onto Which Information is Copied</u>	
Standard paper copy	\$0.10
Nonstandard copy	Listed Below
Diskette	\$1.00
Magnetic tape	Actual cost
Data cartridge	Actual cost
Tape cartridge	Actual cost
Rewritable CD (CD-RW)	\$1.00
Non-rewritable CD (CD-R)	\$1.00
Digital Video Disc (DVD)	\$3.00
JAZ drive	Actual cost
Other electronic media	Actual cost
VHS video cassette	\$2.50
Audio cassette	\$1.00
Oversize paper copy (e.g., 11x17, greenbar, etc .)	\$0.50
Specialty paper (e.g.: Mylar, blueprint, blueline, map, photographic, etc)	Actual Cost

***Please refer to Texas Administrative Code Title 1, Part 3, Chapter 70, Rule §70.3 for additional charges applied.

CIVIC CENTER FEES

Resident	
Deposit	\$100.00 Refundable after event
Rental	\$50.00 per hour minimum 4 hours rental
Cleaning	\$100.00
Sound system	\$100.00
*Security	\$35.00 per hour
Optional set up fee by Civic Center Tech	\$25.00 per hour (this can be deducted from deposit)
Non-Resident	
Deposit	\$300.00 Refundable after event
Facility use, kitchen use, audio system use, and clean-up – 4 hours minimum	\$1,500.00
Additional hours	\$250.00 per hour
*Security	\$35.00 per hour
Schools and Churches	
Resident rate	
Civic Clubs	
Usage fee (per meeting)	\$25.00 per meeting
Usage fee (per banquet/fundraising event)	\$50.00 for banquet/fundraiser event
No cleaning fee	
*Security	\$35.00
*Security fee is paid only when an event will be serving alcohol.	

GARAGE AND ESTATE SALES

Garage Sale Permit	\$10.00
Estate Sale Permit	\$25.00

NOTARY FEES

<u>Acknowledgements</u>	
Taking the acknowledgement or proof of any deed or other instrument in writing, for registration, including certificate and seal:	\$0.00
(1) for the first signature	\$0.00
(2) for each additional signature	\$0.00
Administering an oath or affirmation with certificate and seal	\$0.00
All certificates under seal not otherwise provided for	\$0.00

Copies of all records and papers in the Notary Public's Office, per page	\$0.00
Taking the depositions of witnesses, per each 100 words	\$0.00
Swearing a witness to a deposition, certificate, seal, and other business connected with taking the deposition	\$0.00
Protests	
Protesting a bill or for non-acceptance or non-payment, register & seal	\$0.00
Each notice of protest	\$0.00
Certificate and seal to a protest	\$0.00
Protesting in all other cases	\$0.00
Miscellaneous	
All other notarial acts not provided for	\$0.00

SWIMMING POOL FEES

Daily Fee	\$3.00
Pool Passes	
Resident	
Single	\$60.00
Couple	\$90.00
Family	\$120.00
Swim lessons, 2x/week, 1-hour daily sessions	\$40.00
Non-Resident	
Single	\$125.00
Couple	\$145.00
Family	\$170.00
Swim lessons, 2x/week, 1-hour daily sessions	\$50.00
Swim Team	
1 participant in family	\$86.00
Each additional member of the family	\$76.00
Pool Parties	
Party time length: minimum of 3 hours	
10-25 guests	\$100.00
Additional hours (per hour)	\$30.00

26-50 guests	\$125.00
Additional hours (per hour)	\$30.00
51-75 guests	\$197.50
Additional hours (per hour)	\$37.50
76-100 guests	\$245.00
Additional hours (per hour)	\$45.00
Camps, Daycares, Other Organizations	
Per person	TBD

VEHICLE STORAGE FEES

Deposit	\$50.00
Small (size 8'x15')	\$240.00
Medium (size 10'x20')	\$360.00
Large (size 12'x33')	\$480.00
Large (size 12'x33') with electricity	\$600.00
X-Large (size 12'x40')	\$624.00
X-Large (size 12'x40') with electricity	\$744.00

MISCELLANEOUS PERMITS FEES AND GENERAL FEES

Hay Rides and Horse-drawn Carriage Permits –(Refer to 2019-716(O))	
Application Fee	\$50.00
Permit Fee for each carriage	\$50.00
General Permit Fee (MISC)	\$50.00
Bank NSF Fee	Actual Cost
PayPal Payment Service Fee	2.9% + \$0.30 per transaction fee

Windcrest Commercial Fire Department Fee Schedule FY 20-21

Inspection Type	Description	Fee
Semi-Annual Inspections		
Tier 1 Semi-Annual:	0 - 10,000	\$75.00
Tier 2 Semi-Annual:	10,000 - 49,999	\$ 200.00
Tier 3 Semi-Annual:	50,000+	\$ 300.00
Reinspection Fee:		\$90.00
Fire Alarm Systems New Installation Tests		
Fire Alarm Systems Tier 1:	1 - 20	\$ 180.00
Fire Alarm Systems Tier 2:	21 - 200	\$ 240.00
Fire Alarm Systems Tier 3:	201+	\$ 360.00
Fire Alarm Remodel Tests		
Fire Alarm Remodel Tier 1:	Less than 10	\$60.00
Fire Alarm Remodel Tier 2:	11 - 20	\$90.00
Fire Alarm Remodel Tier 3:	26 - 100	\$ 180.00
Fire Alarm Remodel Tier 4:	101 - 200	\$ 240.00
Fire Alarm Remodel Tier 5:	201+	\$ 480.00
Fire Alarm Panel Replacement		
Fire Alarm Panel Replacement	1 - 9	\$ 120.00
Sprinkler System Inspections		
Sprinkler System Modification Tier 1:	0 Heads	\$60.00
Sprinkler System Modification Tier 2:	1 - 10 Heads	\$90.00
Sprinkler System Modification Tier 3:	11 - 200 Heads	\$ 120.00
Sprinkler System Modification Tier 4:	201+ Heads	\$ 150.00
Fire Protection Plan Review		
Fire Protection Plan Review		\$ 100.00

Windcrest Commercial Fire Department Fee Schedule FY 20-21

Underground Fire Line

Underground Fire Line		\$ 240.00
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Fixed Pipe Systems

Fixed Pipe Systems		\$ 180.00
Fixed Pipe for UL 300 Compliance	No Major Pipework	\$90.00

Gaseous Suppression Systems

Gaseous Suppression Systems		\$ 300.00
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Standpipes

Standpipe Tier I	1-2 Standpipes	\$ 240.00
Standpipe Tier 2	3+ Standpipes	\$ 400.00

Above Ground Storage Tank

Above Ground Storage Tank	Commercial	\$ 180.00
Above Ground Storage Tank	Residential	\$90.00

Underground Storage Tank

Underground Storage Tank	Commercial	\$ 270.00
Underground Storage Tank	Residential	\$90.00

Spray Paint Booths

Spray Paint Booths		\$ 300.00
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Access Control Systems

Access Control Systems		\$60.00
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Limited Access Security Gates and Perimeter Fencing

Limited Access Security Gates and Perimeter Fencing	Per system	\$ 120.00
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Annual State Requires Inspection of Daycare

Windcrest Commercial Fire Department Fee Schedule FY 20-21

Annual State Requires Inspection of Daycare	Includes Foster Care and Group Care	\$ -
Permit for Work Government by NFPA 58		
Permit for Work Government by NFPA 58		\$75.00
Fire Watch		
Fire Watch	Per person, minimum 2 hours	\$75.00
Tents and Membranes		
Tents and Membranes		\$75.00
Hydrant Flow Test		
Hydrant Flow Test		\$ 125.00

EXHIBIT B

Sanitation Rates						
Type		2016/17	2017-2018	2018-2019	2019-2020	2020-2021 *CPI increase 3.17%
Residential 6 Month Rate (8.25% Sales Tax Included)		112.04	112.04	146.14	146.14	150.77
Size	Freq	2,000	2,000			
2yd*	1	80.22	88.24	101.48	111.63	115.16
	2	146.90	161.59	185.83	204.41	210.89
	3	213.53	234.88	270.12	297.13	306.55
	4	280.14	308.15	354.38	389.81	402.17
	5	346.80	381.48	438.70	482.57	497.87
	6	413.43	454.77	522.99	575.29	593.52
3yd*	1	88.01	96.81	111.33	122.47	126.35
	2	161.17	177.29	203.88	224.27	231.38
	3	234.27	257.70	296.35	325.99	336.32
	4	307.36	338.10	388.81	427.69	441.25
	5	380.45	418.50	481.27	529.40	546.18
	6	453.52	498.87	573.70	631.07	651.08
4yd*	1	95.89	105.48	121.30	133.43	137.66
	2	175.45	193.00	221.95	244.14	251.88
	3	254.99	280.49	322.56	354.82	366.06
	4	334.58	368.04	423.24	465.57	480.33
	5	414.09	455.50	523.82	576.20	594.47
	6	493.67	543.03	624.49	686.94	708.71
6yd	1	132.60	145.86	167.73	184.51	190.36
	2	234.21	257.63	296.28	325.90	336.24
	3	336.22	369.85	425.32	467.85	482.69
	4	416.10	457.71	526.37	579.01	597.36
	5	487.32	536.06	616.46	678.11	699.61
	6	601.02	661.12	760.29	836.32	862.83
8yd*	1	157.04	172.75	198.66	218.53	225.46
	2	266.80	293.47	337.50	371.25	383.01
	3	373.26	410.58	472.17	519.39	535.85
	4	462.40	508.64	584.93	643.42	663.82
	5	590.90	649.99	747.48	822.23	848.30
	6	709.91	780.90	898.03	987.83	1,019.15
10yd*	1	205.91	226.51	260.48	286.53	295.61
	2	327.94	360.73	414.84	456.32	470.79
	3	453.41	498.75	573.56	630.92	650.92
	4	576.06	633.67	728.72	801.59	827.00
	5	701.57	771.72	887.48	976.23	1,007.17
	6	824.19	906.61	1,042.60	1,146.86	1,183.22
20yd *	open top haul		-	421.774	463.95	478.66
30yd*	open top haul			632.661	695.93	717.99
40yd*	open top haul			843.548	927.90	957.32
30yd	compactor		-			
	container & compactor		-			
	per pick up		-			
40yd	container		-			Call for Pricing
	container & compactor		-			
	per pick up		-			
			-			
hand*			-			
pick up	1	28.60	31.46	36.18	39.79	41.05
	2	48.49	53.33	61.33	67.47	69.61

* Commercial rates are shown without tax
Commercial container delivery 25.00
commercial container extra pick up 75.00

* Ordinance 2019-702 "Commercial and Residential Sanitation rates are subject to Consumer Price Index (CPI) increase"

City of Windcrest Sanitation Rates

ORDINANCE NO. 2020-026(O)

**AN ORDINANCE DEFINING THE USE OF CONSENT
AGENDA ITEMS IN THE CITY'S PARLIAMENTARY
PROCEDURES BY AMENDING CHAPTER II, ARTICLE
IV, SECTION 2-66-AGENDAS OF THE WINDCREST CODE
OF ORDINANCES**

WHEREAS, the City of Windcrest is a home-rule municipality, which has codified its regulations and enforcement; and

WHEREAS, the City adopted procedures for creating and using council agendas; and

WHEREAS, the City Council finds it is beneficial to add a consent agenda use in order to provide better time management for council meetings; and

WHEREAS, it is the intent of the City Council to allow any council member to request an item on the consent agenda to be removed from inclusion within the consent agenda which automatically places the item on the current agenda for discussion and action; and

WHEREAS, the City Council of the City of Windcrest finds it is in the best interest of the city to amend the City's codes regarding parliamentary procedures.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WINDCREST, TEXAS that Chapter II, Article IV, Section 2-66 Agendas, is hereby amended as follows with underlined words being additions and struck through words being deletions:

Sec. 2-66. - Agendas.

(a) City council.

(1) Definitions for agenda items:

a. Action item shall mean an item requiring or anticipating a vote of the city council at a meeting.

b. Agenda item shall mean an item for discussion, action, presentation, information, or administration which is placed on an agenda in compliance with the Texas Open Meetings Act.

c. Consent Agenda item shall mean a collection of routine items, including financial reports, minutes, common or reoccurring resolutions, appointments, etc. which are presented to the city council as one agenda item. The consent agenda can be approved in one action, rather than filing motions on each item separately. Either the presiding officer or any member of the city council may require, at a public meeting, that an item on the consent agenda be pulled from the consent

agenda prior to a motion being made on the consent agenda. Such requirement does not require a motion or second. Once the presiding officer or a member of the council pulls an item from the consent agenda, such item is automatically placed as an item for discussion and action. The remainder of items on the consent agenda may proceed as a full consent agenda as if the pulled item or items were not originally placed on the consent agenda. The presiding officer or any member of the city council may ask city staff a clarification question which staff may respond to with a short statement of fact or law without pulling a consent agenda item, but the members of the city council cannot deliberate on a single consent agenda item without removing it from the consent agenda.

~~e-d.~~ Discussion item shall mean an agenda item for information purposes or deliberation purposes, but which is not expected to require a vote of the city council.

~~d-e.~~ Executive session item shall mean an agenda item for closed session deliberations pursuant to the Texas Open Meetings Act. The city council reserves the right to go into executive session for any item on the agenda which qualifies for closed session deliberations, whether identified as an executive session or not. However, the city council may designate an item for executive session in advance, if it so chooses. Executive session items are for deliberation purposes. However, the city council may take action on any executive session item once it returns to open session.

(2) Draft agenda: Any member of the city council, including the mayor or the city manager, may request an agenda item be placed on an agenda for an upcoming meeting. However, the city council recognizes city staff needs time to prepare items for submission and the agenda and therefore it imposes the following:

a. Preparation: The city secretary, at the direction of the city manager, shall be responsible for the preparation of the city council agenda. The city manager has sole authority to determine what agenda items stand alone and what items are placed under a consent agenda prior to posting of the agenda.

b. Submission of requests by council: When making a request to place an item on an agenda, the requesting member must submit, in writing, the wording of the item and any supporting documentation for the item to the city secretary by the request deadline. The requesting member must provide a copy to the city manager, mayor, and city attorney. The city attorney may adjust the wording of any requested item, while leaving the substance, in order to ensure the item complies with state law, the city charter, and city ordinances.

- c. Action items: Action items must be requested to be placed on any agenda by the city council members at least 15 working days prior to the meeting.
- d. Discussion items: Discussion items must be requested to be placed on any agenda by the city council members at least seven working days prior to the meeting.
- e. City staff: City staff may request the city manager place agenda items on the agenda during the drafting process. However, placement of such items is at the sole discretion of the city manager.
- f. Amendment or removal: Once placed on a draft agenda, agenda items can only be amended or removed from the agenda with the approval of the council member or mayor who requested the item be placed on the agenda.
- g. Future items: Every agenda shall include items for consideration of future agendas for regular and special meetings. Any member may request the inclusion of such items at any meeting.
- h. Draft agenda distribution: City council members shall be given a draft agenda at least 120 hours before a meeting, with or without attachments. The city council members may suggest corrections to the draft agenda or removal of items until 96 hours before a meeting.
- i. Final agenda: The final agenda, with attachments, shall be given to city council members no later than 72 hours prior to the regular or special city council meeting is scheduled to occur.
- j. Special meetings: If two city council members exercise their rights under the city charter to request a special meeting, the meeting agenda shall include any agenda items submitted by the two members who requested the special meeting.

(3) Staff conduct: It shall be deemed misconduct if any employee of the city discloses to any individual confidential written or oral information received from city council members regarding future proposed city council actions while such proposed actions are being reviewed and discussed by staff members prior to the release of such information for public consideration. Notwithstanding the foregoing, information regarding future proposed city council actions may be shared with employees who require such information for the purposes of facilitating city council meetings or agendas or to conduct research relative to the future proposed city council actions.

- (b) Boards, commissions, and committees of the city.

(1) Definitions: Boards, commissions, and committees subject to the Texas Open Meetings Act may adopt individual definitions which are not inconsistent with state law, the city charter, or this article. Absent such adopted definitions, the definitions for agenda items applicable to the city council shall also be applicable to all boards, commissions, and committees subject to the Texas Open Meetings Act.

(2) Preparation: Absent individually adopted procedures of a board, commission, or committee of the city, the city secretary, at the direction of the city manager, shall prepare all agendas for boards, commissions, and committees of the city.

(3) Draft agenda: Any member of the body may request an item be placed on the agenda for that body. Each board, commission, and committee shall adopt procedures for the timing of submission which are consistent with the Texas Open Meetings Act. Absent such adopted procedures, all members wishing to put an item on an agenda must make the request to the city secretary seven working days prior to the meeting.

(4) Final agenda: The final agenda, with attachments, shall be given to body members no later than 72 hours prior to the meeting is scheduled to occur.

(c) Meeting business. The presiding officer shall attempt to preserve the order of the agenda as published. However, the presiding officer may also propose a change in the order of the agenda for good cause and the proposed change will occur, absent objection from a member of the body. If a member of the body objects to an order change and the presiding officer desires to overrule an objection, the presiding officer shall call for a point of order vote on the order change.

II. CUMULATIVE CLAUSE

That this Ordinance shall be cumulative of all provisions of the City of Windcrest, except where the provisions of this Ordinance are in direct conflict with the provisions of an existing ordinance, in which event the conflicting provisions of such existing ordinance are hereby repealed, while leaving the remainder of such other ordinance intact. To the extent of any conflict, this Ordinance is controlling.

III. SEVERABILITY

That it is hereby declared to be the intention of the City Council of the City of Windcrest. that the phrases, clauses, sentences, paragraphs, and sections of this Ordinance are severable, and if any phrase, clause, sentence, paragraph, or section of this Ordinance should be declared unconstitutional or invalid by final judgment or decree of any court of competent jurisdiction, such unconstitutionality or invalidity 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 or invalid 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

DULY PASSED ON FIRST READING, on the _____ day of _____, 2020 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 _____, 2020 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

RESOLUTION NO. 2020-541(R)

**A RESOLUTION OF THE WINDCREST CITY COUNCIL
AUTHORIZING THE SALE OF ONE 1993 EMERGENCY
ONE (E-ONE) AND ONE 2014 FORD F-550 PREVIOUSLY
UTILIZED BY THE WINDCREST FIRE DEPARTMENT AT
AN AMOUNT NOT LESS THAN THEIR CURRENT
MARKET VALUES**

WHEREAS, the City of Windcrest has a population of over 5,000 residents within its boundaries; and

WHEREAS, the City of Windcrest is a home rule municipality located within Bexar County, Texas; and

WHEREAS, the City of Windcrest, as a home rule municipality, derives its powers exclusively from its home rule charter and, is limited in authority only by express provisions of the Texas Constitution and the State statutes; and

WHEREAS, the Windcrest City Council is vested with the authority to approve or deny the sale of City owned property; and

WHEREAS, the Windcrest City Council finds that the City's Fire Department has replaced the outdated 1993 Emergency One (E-One) with a 2020 Pierce Enforcer Pumper as the E-One has outlived its usable life span after 26 years of service; and

WHEREAS, the Windcrest City Council finds that it is in the best interest to sell the 2014 Ford F-550 as it has not served its intended purpose since the City has acquired a similar vehicle to serve that purpose through the use of grant money; and

WHEREAS, the Windcrest City Council finds the two vehicles will be sold for an amount not less than market value as determined by broker, Firetec Used Apparatus Sales, for the 1993 E-One, and by market value research of comparable vehicles for the 2014 Ford F-550; and

WHEREAS, the Windcrest City Council finds a suitable purchaser is ready and willing to purchase both vehicles at an agreed amount not less than market value; and

WHEREAS, the Windcrest City Council finds that such sale of these two vehicles is in the best interest of the Windcrest Fire Department, the City, and its residents.

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

1. The Windcrest City Council has authorized the City Manager or his agent to proceed with the sale of one 1993 Emergency One (E-One) and one 2014 Ford F-550 at \$18,000.00 and \$32,000.00 respectively as such amounts represent the current market value for these vehicles.

DULY PASSED AND APPROVED, on the 14th day of September 2020 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