

**AGENDA
CITY OF WINDCREST, TEXAS
SPECIAL CITY COUNCIL MEETING**

5:30 p.m.

**PUBLIC HEARING
SEPTEMBER 1, 2011**

7:00 p.m.

NOTICE IS HEREBY GIVEN THAT A SPECIAL MEETING OF THE CITY COUNCIL OF THE CITY OF WINDCREST AND PUBLIC HEARING WILL BE HELD AT WINDCREST CITY HALL, COUNCIL CHAMBERS, LOCATED AT 8601 MIDCROWN DR., WINDCREST, TEXAS ON THE 1st DAY OF SEPTEMBER, 2011 STARTING AT 5:30 P.M. DURING THE MEETING THE FOLLOWING SUBJECTS WILL BE CONSIDERED AND THE COUNCIL MAY TAKE ACTION ON ANY OF THE LISTED SUBJECTS.

IT IS ANTICIPATED THAT MEMBERS OF OTHER CITY BOARDS, COMMISSIONS AND COMMITTEES MAY ATTEND THE MEETING IN NUMBERS THAT MAY CONSTITUTE A QUORUM OF SUCH OTHER CITY BOARDS, COMMISSIONS AND COMMITTEES, SO THAT NOTICE IS HEREBY GIVEN THAT THE MEETING IS ALSO A MEETING OF THE OTHER CITY BOARDS, COMMISSIONS AND COMMITTEES WHOSE MEMBERS ARE IN ATTENDANCE. THE MEMBERS OF THE OTHER CITY BOARDS, COMMISSIONS AND COMMITTEES MAY PARTICIPATE IN DISCUSSIONS WHICH OCCUR AT THE MEETING, BUT NO ACTION WILL BE TAKEN BY THE OTHER BOARDS, COMMISSIONS AND COMMITTEES WHOSE MEMBERS ARE IN ATTENDANCE.

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

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 and Invocation

II. Citizens To Be Heard

III. Discuss and Act

1. City Council will discuss and may take action on the City of Windcrest health insurance plan.
2. City Council will review, discuss and may take action on amending Resolution No. 2011-351-A (R), a resolution amending an agreement between Granicus Inc. and the City of Windcrest with the First Amendment to the Granicus Services Agreement between Granicus, Inc. and the City of Windcrest. (Att. 1)
3. City Council will discuss and may take action reappointing three members to the Windcrest Crime Control and Prevention District.

IV. Resolutions

1. City Council will discuss and consider taking action on an amendment to Resolution No. 2011-352-A (R), an amendment to a resolution to replace the fire station driveway. (Att. 2)

V. Closed Session

1. City Council will convene into a closed meeting as authorized by Section 551.071 (1a) of the Texas Government Code, Consultation with Attorney about pending litigation Rackspace US, Inc. v. Michael White.
2. City Council will convene into a closed meeting as authorized by Section 551.072 of the Texas Government Code, Deliberation Regarding Real Property to deliberate the purchase, exchange, lease, or value of real properties including, but not limited to real property located on I-35 and Eisenhower Rd. a.k.a the 111 Acres, 184 Acres and Target building.
3. City Council will convene into a closed meeting as authorized by Section 551.071(2) of the Texas Government Code to deliberate matters in which the duty of the City Attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with Chapter 551 of the Texas Government Code, including matters pertaining to Whitestone REIT and Bexar County Water Control and Improvement District #10.

VI. Action Item

1. City Council will discuss and take action on pending or contemplated litigation.
2. City Council will discuss and take action on the purchase, exchange, lease, or value of real properties located on I-35 and Eisenhower Rd. a.k.a the 111 Acres, 184 Acres and Target building.
3. City Council will discuss and may take action on Whitestone REIT and Bexar County Water Control and Improvement District #10.

VII. Public Hearing and City Council discussion on Proposed 2011-2012 Fiscal Year Budget for the City of Windcrest @ 7:00 P.M.

1. City Council will conduct a Public Hearing on Fiscal Year 2011-2012 Proposed Budget for the City of Windcrest. Mayor Alan Baxter, City Manager Rafael Castillo and Municipal Finance Officer Sarah Mangham will present the Fiscal Year 2011-2012 Proposed Budget to Council and to the public, and the Council will then receive citizen input and comments regarding the proposed budget.
2. City Council will conduct a public hearing for the purpose of receiving citizen's comments regarding the 2011-2012 tax rate which is budgeted in the current budget at \$0.436495/\$100 of the taxable value. This is below the Effective Rate of \$0.436651/\$100 and the rollback rate of \$0.478558/\$100.
3. City Council will conduct a public hearing for the purpose of receiving citizen's comments on the proposed 2011-2012 Fee Schedule. (Att. 3)
4. City Council will discuss the citizen input and comments received during the public hearing regarding the proposed 2010-2011 Fiscal Year Budget. The discussion may include all aspects of the budget, including its revenues and expenditures, tax rates, fee schedule and any other matters germane to the budget.

VIII. General Announcement and Future Agenda Items

IX. Adjournment

Agenda Notice

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 September 1, 2011.

By: Heather Weidenbach 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 Heather Weidenbach, 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 ____ of September 2011.

Title: _____

This Agenda has been reviewed and approved by City Council'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 governmental 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 Local Government Code §551.144(c) and the meeting is conducted by all participants in reliance on this opinion.

**FIRST AMENDMENT TO THE GRANICUS SERVICES AGREEMENT BETWEEN
GRANICUS, INC. AND THE CITY OF WINDCREST, TEXAS**

This First Amendment to the Granicus, Inc. Services Agreement dated September 29, 2008 (hereinafter referred to as "Agreement") is made and entered into by and between Granicus, Inc., a California Corporation (hereinafter referred to as "Granicus"), and the City of Windcrest, TX (hereinafter referred to as "Client"), with reference to the following:

WHEREAS, in addition to Client's existing solution, Client wishes to transition to Granicus Open Platform and Product Suites as detailed in the Proposal, which is attached as Exhibit A and incorporated herein by reference;

WHEREAS, the Client wishes to extend the term of the Agreement between the two parties;

NOW, THEREFORE, in consideration of the premises, the parties intend that the Agreement be amended as follows:

1. Compensation shall be amended to include additional costs of six thousand two hundred dollars (\$6,200.00) up-front, and seventy-eight dollars (\$78.00) per month as detailed in Exhibit A. As amended, Client's Granicus solution shall now include additions to the Agreement as detailed in Exhibit A.
2. Client has the right to keep any purchased hardware, provided that Client removes and/or uninstalls any Granicus Software on such hardware. However, if Client has received hardware as part of a Granicus Open Platform Suite solution ("Open Platform Hardware"), Client understands that upon termination of this Agreement, Client shall immediately return the Open Platform Hardware to Granicus, Inc. The Open Platform Hardware must be returned within fifteen (15) days of termination, and must be in substantially the same condition as when originally shipped, subject only to normal wear and tear
3. Section 8 of the Agreement shall be amended to read as follows: 8.1 Term. The term of this Agreement shall continue in full force and effect until September 30, 2012. 8.2 Termination. This Agreement may be terminated, in whole or in part, by either party upon 30 days written notice to the other party, with or without cause. Subparagraph 8.3 shall remain unchanged.
4. The following language shall be added to Section 6.1 of the Agreement: Client is authorized to release Confidential Information in response to a valid public information request unless Granicus, Inc. elects to contest such release at its own expense.
5. Section 9.3 of the Agreement shall be amended to read as follows: The laws of the State of Texas and Bexar County shall govern the validity, construction, and performance of this Agreement, without regard to the conflict of laws provisions of any jurisdictions.
6. The second sentence of Section 9.8 of the agreement shall be stricken.
7. Section 9.9 of the Agreement shall be amended to read as follows: If any dispute, controversy, or claim arises under this Agreement, the parties shall negotiate in good faith to settle the matter. If the parties are unable to resolve the matter within a reasonable time, the parties shall submit the matter to mediation by a trained mediator approved by both parties, the cost of which shall be shared equally by the parties.
8. Except as amended by this First Amendment, all other terms and conditions of the Agreement shall remain in full force and effect.



9. In the event of any inconsistency between the provisions of this First Amendment and the documents comprising the Agreement, the inconsistency shall be resolved by giving precedence to the documents in the following order:

- A. Paragraphs set forth in the body of the First Amendment
- B. Paragraphs set forth in the body of the Services Agreement

IN WITNESS WHEREOF, the parties have caused this First Amendment to be executed by their duly authorized representatives,

CITY OF WINDCREST, TX

GRANICUS, INC.

By: _____

By: _____

Ed Roshitsh
Chief Operating Officer

Date: _____

Date: _____

EXHIBIT A

PROPOSAL

[The remainder of this page is left blank intentionally.]

Attn: Heather Weidenbach
City Clerk
City of Windcrest, TX

Dear Heather,

It was a pleasure talking to you and Rafael on March 1st during my onsite visit to Windcrest, TX. Thank you so much for taking the time. During our meeting we had discussed that tools to help save staff time; cut costs and increase overall transparency to citizens was a top priority for the city. Some of the problems that we discussed were,

1. Amount of staff time spent in scanning the entire agenda supporting documentation to put together agenda packets for City Council meetings.
2. Currently, each agenda packet is about 200 pages long and 8 copies of the packet are printed.
3. Amount of staff time spent to complete City Council meeting minutes. Currently, hand notes are taken during the meeting and the minutes are finalized in a word document post-meeting. Considerable amount of time is spent to finalize the meeting minutes
4. On an average there are about 20 speakers at the public meetings with each speaker getting about 3 – 6 minutes. This causes the meetings to be extremely long.
5. We had also discussed that the current camera set up is not ideal. During work sessions the camera cuts off some of the members and they are not visible in the webcast.

Some ideas we discussed around resolving these issues were,

1. Start using Granicus to publish full agenda packets. Windcrest' current solution allows you to add attachments and publish them on to the website. Also, with the iLegislate app for the iPad, council and staff members will have the ability to view entire agenda packet information directly on the iPad. This will help cut printing costs and save staff time to print agenda packets
2. Use Granicus Meeting Efficiency Suite to complete meeting minutes. With the Meeting Efficiency suite, the City can record roll call, motion and votes live during the meeting. Also, the minutes can be finalized in a word document post-meeting and published on the website with minimal effort
3. Get Windcrest in touch with an audio/visual company that will help resolve issues with respect to camera locations in the City Council chambers.

Based on our discussion, I have provided some options that will help resolve the problems outlined above. Some measurable ways to quantify the success of the options presented below include;

1. Staff time saved to finalize meeting minutes
2. Reduction in time taken to print & distribute agenda packets to Council members
3. Reduction in costs to print agenda packets

4. Time saved from reduction in duration of City Council meetings

The table below shows the ROI calculation if the city decides to move forward with transition to Granicus Platform and Product Suites

I look forward to working with you to implement the options outlined in this document. Please feel free to get in touch with me if you have any questions.

Warmest Regards,

Ram Annasami
Account Manager
Granicus Inc.

City of Windcrest ROI Calculator

Avoidable Packet Production	
Number of Packets per meeting (avoidable)	8
Cost of printing (\$/page)	\$0.05
Average number of pages/packet	200
Meetings per month	8
Total hard cost avoided for packet production per month	\$640.00
Total avoidable packet production costs per year	\$7,680.00

Avoidable Staff Time In Packet Production	
Average staff time for avoidable packet production (hours per meeting)	4
Staff Hourly Rate (\$)	\$30.00
Number of meetings per month	3
Total avoidable staff cost in packet production per month	\$360.00
Total avoidable staff cost in packet production per year	\$4,320.00

Public Information Requests to City Clerk's Office	
Total number of public information requests per month	2
Average time spent per request	0.5
Staff time saved per month	1
Staff hourly rate (\$)	\$30.00
Staff time savings per month	\$30.00
Staff time savings per year	\$360.00

Transcription of Meeting Minutes	
Average transcription hours spent per meeting	2
Number of meetings per month	3
Staff hourly rate (\$)	\$30.00
Projected staff time savings (%)	50.00%
Total projected minutes savings per month	\$90.00
Total projected minutes savings per year	\$1,080.00

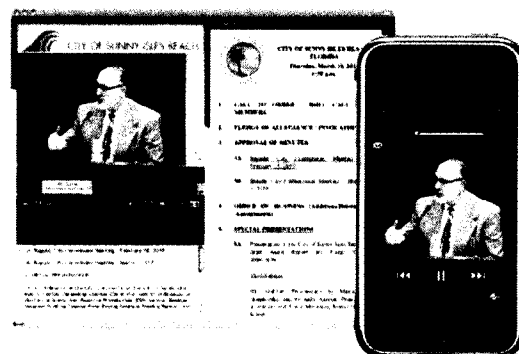
Total projected cost savings per year \$13,080.00

Benefits of Granicus Open Platform and Suites

Granicus® Open Platform

The Granicus® Open Platform allows you to stream an unlimited number of meetings and events online and over mobile devices – play video in Flash, HTML5 and Silverlight. Publish all of your content online with indefinite retention schedules. You can also access a library of community content and start publishing videos immediately. Finally, leverage an open architecture and connect in-house or third-party solutions to Granicus.

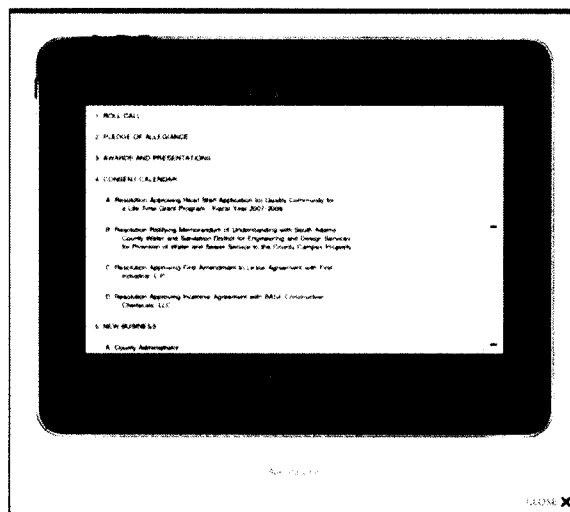
- Stream unlimited meeting bodies and events
- Indefinite retention schedules
- Community content library



Granicus® Government Transparency Suite

The Government Transparency Suite gives your citizens access to public meetings and records online. Take the next step towards greater transparency and link related documents to your video, offer your full agenda packet, and provide keyword searching of archives. Go paperless with ability to view and take notes directly on the iPad for agenda packets. Reach a broader audience through downloadable formats (MP3, MP4) compatible with mobile devices. Granicus' reporting tools give you a detailed analysis of visitor statistics to help you better understand viewership trends.

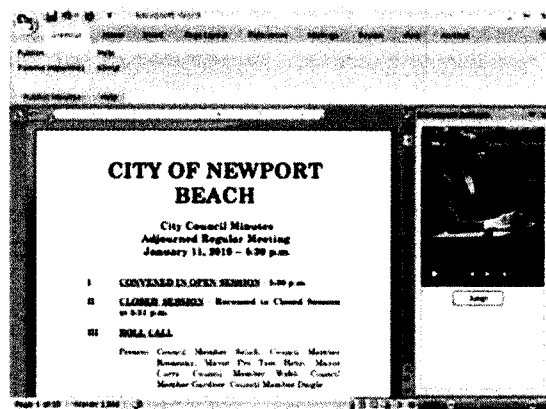
- Publish agenda packets with video
- Link relevant materials
- View and take notes on agenda packets directly on the iPad
- Offer downloadable formats (MP3 & MP4)



Meeting Efficiency Suite

The Meeting Efficiency Suite is an automated solution that combines minutes with a meeting's recording. Capture and publish minutes, saving staff time and cutting administrative costs. Record roll-call, agenda items, speakers, motions, votes, and notes through a simple interface. After the meeting, finalize minutes quickly and easily in Microsoft Word™.

- Meeting preparation tools
- Live minutes automation
- Quick notes and text expansion
- Minutes editing and publishing
- Generate Linked Minutes



Exclusive! Finalize your minutes and review video directly in Microsoft Word.

Pricing

Quantities represent licenses per year.

Product Name	Quantity	Unit Price (Up-Front)	Unit Price (Monthly)
Open Platform	1	\$0.00	\$0.00
Government Transparency Suite	1	\$0.00	\$0.00
Meeting Efficiency Suite	1	\$6200.00	\$78.00
Totals		\$6200.00	\$78.00

***Total Investment for 1st year: \$7136.00**

***\$78.00 is in addition to Windcrest' existing monthly maintenance costs of \$522.00**

Next Steps

1. Present project to City Council (July 18th, 2011)
2. Secure project approval
3. Deliver proposal
4. Complete document assessment
5. Negotiate on contract terms
6. Issue PO

DMC

April 22, 2011 Don McCrary & Associates, Inc.

Engineers and Surveyors

City of Windcrest
Rafael Castillo – City Manager
5601 Midcrown
Windcrest, TX 78239

RE: Fire Station Driveway Replacement Resolution Information

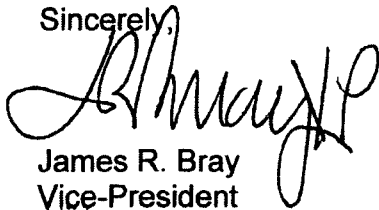
Dear Mr. Castillo:

The resolution information for your above referenced project is as follows.

- Whereas during the 2nd city council meeting of April 2011, the City approved the first resolution to design and go out for proposals.
- Whereas plans were prepared and distributed by the City for proposals. In turn, 4 were received. (See attached).
- Whereas it is our recommendation that the City accept, at a minimum, portion "A", although there are surface cracks in driveway section "C" it does not appear to be failing. To make an exact determination, a structural analysis would need to be performed. However, the Council may consider its replacement at this time, as well. The two low bidder arrangements are as follows.
 - Portion "A" only, - Fair Finish of San Antonio - \$16,900.00
 - Portions "A" & "B" – Roberts Concrete Construction - \$20,204.00
 - Portions "A" and "C" - Fair Finish of San Antonio - \$36,400.00
- Whereas with the approval of the City Council, the selected contractors proposal can be signed and work scheduled to begin.

If you should have any questions or require any additional information, please contact me at your earliest convenience.

Sincerely,



James R. Bray
Vice-President

JRB/ad

City of Windcrest
Fee Schedule
Fiscal Year 2011-12

Attachment A

Updated: 3:46p.m. August 25, 2011

Building and Building Code

Residential Remodels

Foundation	\$5.00
Driveways	\$5.00
Sidewalks	\$5.00
Re-roofs	\$5.00
Fences	\$5.00
Assessory Buildings	\$5.00
Other remodel not listed below	\$5.00

Building Permit Fees

\$500 or less of total value of construction	\$24
\$501 to \$2,000 of total value of construction	\$23.50 + \$3.05 for each hundred or fraction thereof over \$500.00
\$2,001 to \$25,000 of total value of construction	\$69.25 + \$14.00 for each thousand or fraction thereof over \$2,000.00
\$25,001 to \$50,000 of total value of construction	\$391.75 + \$10.10 for each thousand or fraction thereof over \$25,000.00
\$50,001 to \$100,000 of total value of construction	\$643.75 + \$7.00 for each thousand or fraction thereof over \$50,000.00
\$100,001 to \$500,000 of total value of construction	\$993.75 + \$5.60 for each thousand or fraction thereof over \$100,000.00
\$500,001 to \$1,000,000 of total value of construction	\$3,233.75 + \$4.75 for each thousand or fraction thereof over \$500,000.00
\$1,000,000 and higher of total value of construction	\$5,608.75 + \$3.65 for each thousand or fraction thereof over \$1,000,000.00
Re-Roof	\$50
Curb cuts	\$50
Certificate of Occupancy (Non-Refundable)	\$100
Variance Request	\$150
Moving Permit	\$100

Demolition Permit \$50.00 for the first 1,000 square feet + \$0.50 per square foot over 1,000 square feet
 Fee shall be equal to 1/2 of the building permit fee. Such plan checking fee is in addition to the permit fee.

Plan Checking Fee Where work for which a permit is required started or proceeds prior to obtaining said permit, the fees herein specified shall be doubled, but the payment of such 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. A fee of \$100.00 shall be assessed for any proceeding with any work without having an approved inspection at the required stage of construction.

Non-Compliance Fee
 Re-Inspection Fee (for failed inspections) \$75.00 per failed inspection
 Failure to correct Code Violations \$100.00

Plumbing Permits

Plumbing Permits Base Fee	\$30.00 Plus
Water Softener	\$5.00
House Sewer	\$5.00
Water Heater	\$15.00
Gas Test	\$5.00 for one to four outlets + \$1.00 for each additional outlet.
Fuel tanks	\$25.00 for -0- to 1,000 gallons and \$35.00 for 1,001 and over gallons
Fixture or Trap Repair	\$5.00
New fixtures	\$10.00 each fixture
Water line	\$5.00
Grease Trap	\$30
Shower Pan	\$30
Vacuum Breakers	\$5.00 for up to five, \$2.00 each additional breaker over five
Irrigation/Sprinklers/Fire System	\$1.00 per head \$5.00 for one to four outlets, inclusive, and \$1.00 for each additional unit.
Water Piping	\$5.00
Fire Sprinkler System	\$1.50 per head

HVAC / Mechanical Permit Fee

\$30.00 + \$10.00 for the first \$1,000 or fraction thereof, of valuation of the installation plus \$10.00 for each additional \$1,000 or fraction thereof.

Electrical Permit Fee - Base Fee

	\$30.00 +
Swimming Pool	\$45
Temporary Meter Loop	\$30
First 20 fixtures	25.00 + \$.06 for each additional (includes receptacle, switch and outlets)
Signs	\$30

AH.3

City of Windcrest
Fee Schedule
Fiscal Year 2011-12

Attachment A

Updated: 3:46p.m. August 25, 2011

Alarm Permits

3 or less False Alarms within perceeding 12 Months	\$0
4 or 5 False Alarms within perceeding 12 Months	\$50
6 or 7 False Alarms within perceeding 12 Months	\$75
8 or more False Alarms within perceeding 12 Months	\$100

Garage Sale

Garage Sale Permit	\$10
Estate Sale Permit	\$100

Animal Control

Pet Tag	\$5
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Notary Fees

Protesting a bill or not for non-acceptance or non-payment, register & seal	\$4.00
Each notice of protest	\$1.00
Protesting in all other cases	\$4.00
Certificate and seal to a protest	\$4.00
Taking the acknowledgment or proof of any deed or other instrument in writing, for registration, including certificate and seal:	
(1) for the first signature	\$6.00
(2) for each additional signature	\$1.00
Administering an oath or affirmation with certificate and seal	\$6.00
 All certificates under seal not otherwise provided for	\$6.00
Copies of all records, and papers in the Notary Public's Office, for each page	\$0.50
 Taking the depositions of witnesses, for each 100 words	\$0.50
 Swearing a witness to a deposition, certificate, seal, and other business connected with taking the deposition	\$6.00
All notarial acts not provide for	\$6.00

Charges for Public Information Request

Standard Paper Copy	\$0.10
Nonstandard Copy	
Diskette	\$1.00
Magnetic Tape	actual cost
Data Cartridge	actual cost
Tape Cartridge	actual cost
Rewritable CD	\$1.00
Non-Rewritable CD	\$1.00
Digital Video Disc	\$1.00
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, ect...)	\$0.50

City of Windcrest
Fee Schedule
Fiscal Year 2011-12

Attachment A

Updated: 3:46p.m. August 25, 2011

Swimming Pool Fees

Daily Fee \$3.00

Resident:

Single \$60.00
Couple \$90.00
Family \$120.00
Swim Lessons 2week 1hour daily session \$40.00

Non-Resident:

Single \$125.00
Couple \$145.00
Family \$170.00
Swim Lessons 2week 1hour daily session \$50.00

Swim Team

1 Participant in Family \$86.00
Each additional member of the Family \$76.00

Pool Parties

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 type organizations

Per Person \$2.00

Civic Center Fees

Windcrest Resident:

Deposit \$100 -Refundable after event
Rental \$50 per hour minimum 4 hour rental
Cleaning \$100.00
Sound System Deposit \$100-Refundable after event
*Security \$25 per hour
Optional Set Up Fee by Civic Center Tech \$25 per hour (this can be deducted from deposit)

Non-Resident:

Deposit \$200-Refundable after event
Rental \$80 per hour minimum 4 hour rental
Cleaning \$100.00
Sound System Deposit \$100-Refundable after event
*Security \$25 per hour
Optional Set Up Fee by Civic Center Tech \$25 per hour (this can be deducted from deposit)

Schools and Churches receive the Windcrest Resident Rate

Civic Clubs

Usage Fee \$25 per meeting
Usage Fee \$50 for banquet/fundraiser event
No Cleaning Fee No Cleaning Fee
*Security \$25 per hour

*Security Fee is only paid when an event will be serving alcohol.