

City of Windcrest



AGENDA DEPARTMENT HEAD REPORTS AT 5:00 PM CITY COUNCIL MEETING AT 6:00 PM OCTOBER 21, 2024

CITY COUNCIL CHAMBERS - 8601 MIDCROWN

DHR @ 5 PM/CCM @ 6 PM

NOTICE IS HEREBY GIVEN THAT THE CITY OF WINDCREST CITY COUNCIL WILL HOLD A REGULAR CITY COUNCIL MEETING AT WINDCREST CITY HALL LOCATED AT 8601 MIDCROWN, WINDCREST, TEXAS ON MONDAY, OCTOBER 21, 2024, STARTING AT 6:00 PM. DEPARTMENT HEAD REPORTS WILL BE HEARD AT 5:00 P.M.

THE CITY COUNCIL RESERVES THE OPTION TO RECESS THE MEETING DURING THE EVENING OF MONDAY, OCTOBER 21, 2024, AND TO RECONVENE THE MEETING ON THE FOLLOWING BUSINESS DAY, OCTOBER 22, 2024, 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. MONTHLY DEPARTMENT HEAD REPORTS FOR MONTH OF SEPTEMBER FY2023/2024

- a) Briefing and discussion on the monthly Fire Department reports for the month of September, to include Summary of Calls along with response times for the City, County, and Annex area. [Ivan Hernandez, Fire Chief]
- b) Briefing and discussion on the monthly Windcrest Volunteer Fire Alliance financial report for the month of September. [WVFA Representative]

- c) Briefing and discussion on the monthly Police Department reports including Code Enforcement and Animal Control reports for the month of September. [Jimmie Cole, Chief of Police]
- d) Briefing and discussion on the monthly Municipal Court report for the month of September. [Claudia Carrera, Municipal Assistant Court Administrator]
- e) Briefing and discussion on the monthly Public Works reports for the month of September. [Dusty DeHoyos, Public Works Director]
- f) Briefing and discussion on the monthly City of Windcrest Economic Development Corporation report for the month of September. [Mario Hernandez, Director of Windcrest Economic Development Corporation]
- g) Briefing and discussion on the monthly Office of the City Secretary, Civic Center and special events reports for the month of September. [Rachel C. Dominguez, City Secretary]

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

V. CITIZENS TO BE HEARD/CITIZEN PARTICIPATION

- Citizens may address the City Council on topics not on the agenda for no more than three (3) minutes.
- Citizens shall also have the opportunity to address the City Council during consideration of posted agenda items for no more than six (6) minutes.
- A City Official may make a statement of specific factual information in response to an inquiry made by a member of the public, or a recitation of existing policy in response to an inquiry made by a member of the public.

VI. ORDINANCE

- a) City Council will review, discuss, and may act on an Ordinance amending Chapter 109 Signs Section 109-9 of the City of Windcrest Code of Ordinances. (1st Reading) [Rafael Castillo, City Manager]
- b) City Council will review, discuss and may act on proposed amendments to Chapter 2: Section 2.7 adding restrictions on appointments to the Windcrest Economic Development Corporation. (1st Reading) [Dan Reese, Mayor]
- c) City Council will review, discuss, and may act on an ordinance regulating prolonged camping on vacant lots in residential neighborhoods to the City of Windcrest Code of Ordinances. (1st Reading) [Rafael Castillo, City Manager]

VII. RESOLUTION

- a) City Council will review, discuss, and may act on a resolution acknowledging compliance by Compass Rose to allow for the use of TEFRA funds. [Rafael Castillo, City Manager]

VIII. DISCUSSION AND ACTION

- a) City Council will review, discuss, and may act on a direction for a request for proposal for depository and banking services. [Rafael Castillo, City Manager]

- b) City Council will review, discuss, and may act on creating an account for Local Youth Diversion Funds from Municipal Court. [Rafael Castillo, City Manager]
- c) City Council will review, discuss, and may act amending Chapter 103 Building Code regarding accessory buildings. [Rafael Castillo, City Manager]

IX. CITY MANAGER'S REPORT

Any oral report provided by the city manager will be informational only and not for council action. The city manager may provide updates on community and upcoming city events, the status of the operation of individual departments, any unusual activity from any specific department which has occurred since the posting of the agenda, or to provide potential topics of discussion which may appear on a future agenda.

X. 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.

XI. ADJOURNMENT

DECORUM REQUIRED: Any disruptive behavior, including shouting or derogatory statements or comments may be ruled out of order by the Presiding Officer. Continuation of this type of behavior could result in a request by the Presiding Officer that the individual leave the meeting, and if refused, an order of removal.

ACTION BY COUNCIL AUTHORIZED: The City Council may vote and/or act upon any item within this Agenda. The Council reserves the right to retire into executive session concerning any of the items listed on this Agenda, pursuant to and in accordance with Texas Government Code § 551.072 (Deliberations about Real Property); § 551.073 (Deliberations about Gifts & Donations); § 551.076 (Deliberations about Security Devices); §551.087 (Economic Development); §551.074 (Personnel Matters) and, § 551.071 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.

ATTENDANCE BY OTHER ELECTED OR APPOINTED OFFICIALS: It is anticipated that members of other city boards, commissions and committees may attend the meeting in numbers that may constitute a

quorum of such other city boards, commissions and committees, so that notice is hereby given that the meeting is also a meeting of the other city boards, commissions and committees whose members are in attendance. The members of the other city boards, commissions and committees may participate in discussions which occur at the meeting, but no action will be taken by the other boards, commissions, and committees whose members are in attendance.

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the City Council of the City of Windcrest is a true and correct copy of said Notice and was posted on the bulletin board at City Hall of said City in a convenient place to the public and said Notice was posted more than seventy-two (72) hours prior to the meeting on October 21, 2024.

BY:

Rachel C. Dominguez, City Secretary

Windcrest Fire Department

**Monthly Report for
September 2024**



- Attended the following
 - Stop the Bleed Class
 - Windcrest 9/11 Remembrance Race
 - Two FF attended Fire In The Sky Class
 - HEB Cooked for 9/11
 - Light Up Meeting
 - July 4th closeout meeting
 - Platform went SAC First Responder Academy

Apparatus Status

- Engine 187 is in Service
- Engine 187B is in Service
- Platform 187 is in Service
- Brush 187 is in Service
- Squad 187 is in Service
- Chief 187 is in Service
- AC 187 is in Service
- FM 187 is in Service

- Reviewing Medical Contract
- Reviewing Policies
- Reviewing Fire Codes
- Annual Preventive Maintenance on Apparatus Scheduled
- Annual Pump Testing on Apparatus Scheduled
- Annual Hose and Ladder Testing Scheduled

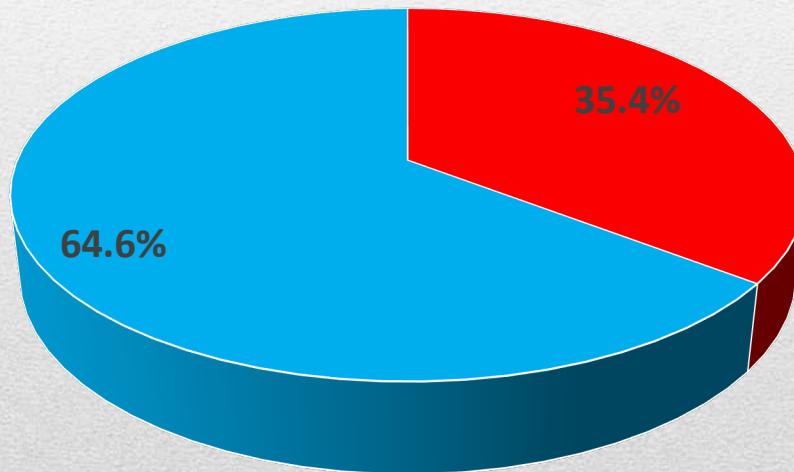
Volunteer Hours

Volunteer Hours FY 23/24													
Name	Oct. 2023	Nov. 2023	Dec. 2023	Jan. 2024	Feb. 2024	Mar. 2024	Apr. 2024	May. 2024	June. 2024	July. 2024	Aug. 2024	Sept. 2024	Total
FF R. Acosta													15.4
FF L. Ayala	163.99	73.88	119.64	68.27	22	13.87	62.98	25.98	62.08	24	65.56	25.65	727.9
FF A. Basen	0	37.04	48.55	28.83	39.6	45.79	51.39	20.95	28.73	39.53	38.61	57.55	385.18
FF J. Basen	17.62	18.12	46.04	16.66	26.87	7.4	72.61	20.63	28.37	48.1	30.25	20.47	353.14
FF W. Baumann	5.92	11.12	56.31	0	0	20.12	30.62	20.47	20.68	18.86	20.37	20.08	224.55
FF Benson	49.58	88.88	52.44	30.61	33.55	50.92	51.3	49.16	23.6	14.65	44.2	35.45	524.34
FF Budzinski	96.15	61.86	58.25	57.98	78.76	89.47	68.4	70.86	71.39	77.02	74.98	39.18	844.3
Medic J. Gonzales	60.65	0	61.5	3.1	22.65	20.33	20.17	24.63	23.37	15.27	21.58	21.44	294.69
Dorm FF Martinez	108.93	65.03	43.45	108.83	110.16	110.08	109.55	109.48	106.73	88.91	107.12	125.9	1194.17
FF J. Nava	115.07	120	137.9	121.87	4.08	21.77	34.12	24.51	21.57	25.08	20.07	21.1	667.14
FF Paris	51.57	66.42	148.06	142.21	56.52	75.55	29.35	109.59	97.94	52.33	68.95	47.57	946.06
FF Vehle						22.82	57.67	81.66	54.1	20.37	44.46	50.87	331.95
Dorm FF D. Villanueva	43.26	0	101.37	143.66	40.92	42.17	75.67	94.72	26.94	106.72	114.37	111.28	901.08
Total	951.37	628	1537.41	755.66	515.55	619.89	740.98	724.77	628.22	558.07	650.52	591.94	8902.38

- Required Volunteer Hours:
 - 20 Hours a month and 2 out of the 6 trainings a month
 - Dorm Members= 106 hours a month
 - * Joined in the middle of the month

Summary Calls 2024

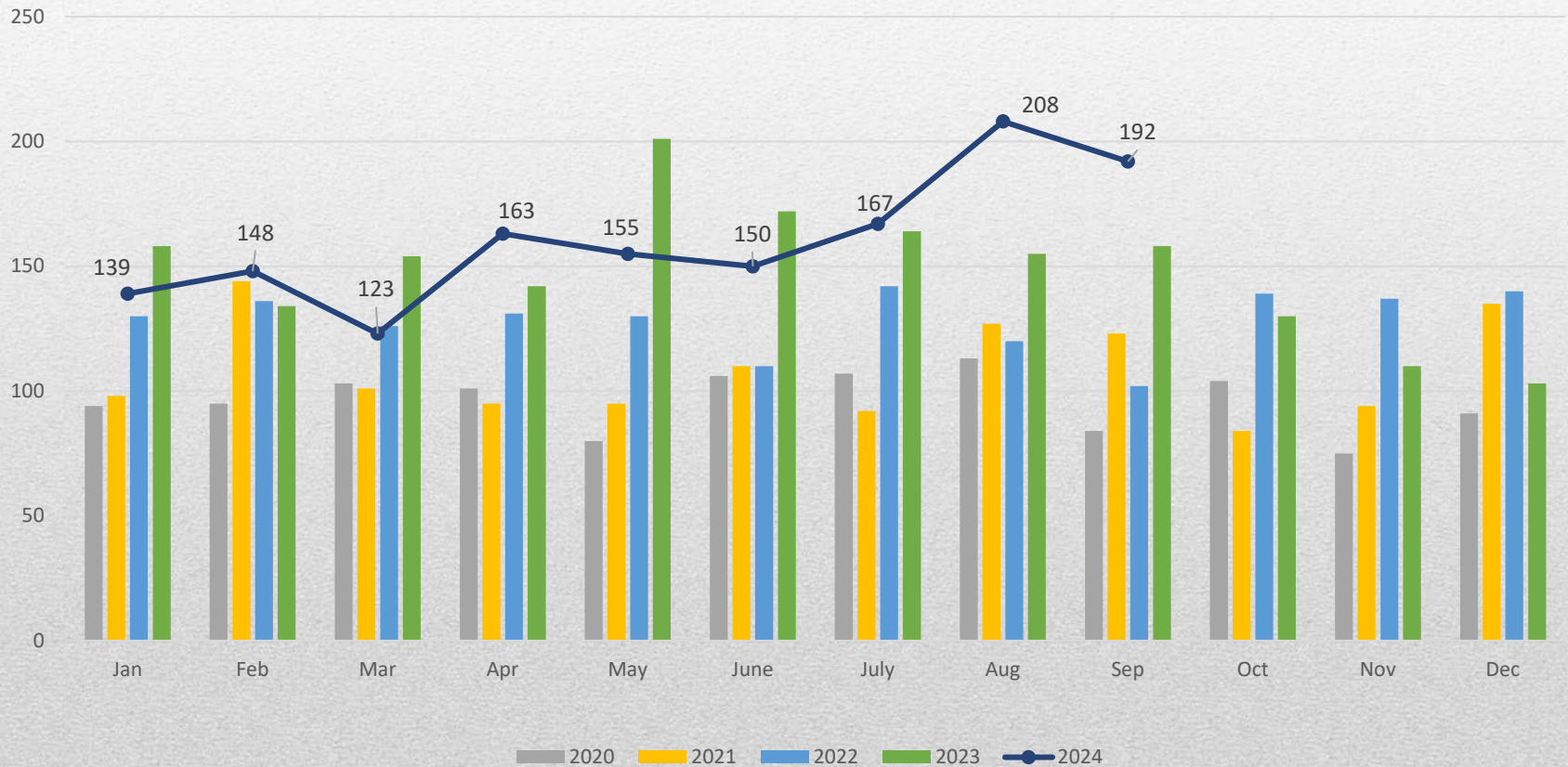
	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP	OCT	NOV	DEC	Total
Fire	46	65	43	63	51	67	77	74	68				604
EMS	93	83	80	100	104	83	90	134	124				992



■ Fire ■ EMS

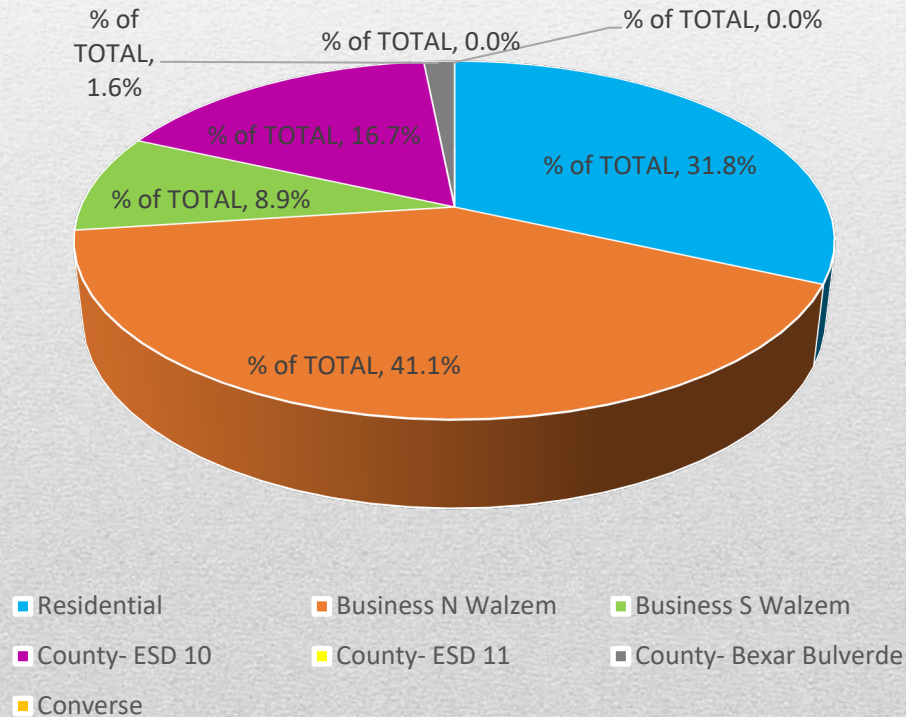
Historic Total Monthly Call Volume

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Oct	Nov	Dec	Total
2020	94	95	103	101	80	106	107	113	84	104	75	91	1153
2021	98	144	101	95	95	110	92	127	123	84	94	135	1298
2022	130	136	126	131	130	110	142	120	102	139	137	140	1543
2023	158	134	154	142	201	172	164	155	158	130	110	103	1781
2024	139	148	123	163	155	150	167	208	192				1445



Percentage of Calls by District

	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Total
Residential				43	56	59	50	68	61	337
Business N Walzem				75	68	51	71	50	79	394
Business S Walzem				33	21	17	17	17	17	122
County- ESD 10				9	6	10	24	59	32	140
County- ESD 11				1	1	7	1	2	0	12
County- Bexar Bulverde				2	3	3	4	5	3	20
Converse				0	0	3	0	7	0	10



Automatic Aid/ Mutual Aid Received

Automatic/ Mutual Aid Received										
	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Total
County- ESD 10						4	12	4	12	32
County- ESD 11						4	7	5	7	23
County- Bexar Bulverde						4	7	4	6	21
Converse						5	8	8	8	29
Fort Sam						4	7	4	6	21

- Automatic aid is when other departments are dispatched at the same time Windcrest is dispatched for fire response.
- Converse EMS had been utilized when Allegiance EMS and Acadian EMS are unavailable.

Automatic Vehicle Locator (AVL) Response

AVL Response										
	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Total
County- ESD 10							17	50	25	92
County- ESD 11							0	0	0	0
County- Bexar Bulverde							0	0	0	0
Converse							0	0	0	0
Fort Sam							0	0	0	0

- July 22, 2024, Windcrest joined ESD 10 and 12 with utilizing Automatic Vehicle Locator (AVL) responses for medical calls
 - Sends closest First Responder to call
 - We are in a trial phase and have meetings with the other Bexar County Fire Departments
 - ESD 11 and Bexar Bulverde (ESD 3) started using AVL
- Windcrest has had 50 medical calls for response to the County utilizing AVL
 - Reviewing with other departments and Fire Dispatch for vehicles used for response and making adjustments on the how the system makes recommendations
 - Changes made in Sept. on how system looks at vehicles

Automatic Vehicle Locator (AVL) Received

AVL Received										
	Jan	Feb	Mar	Apr	May	June	July	Aug	Sep	Total
County- ESD 10							1	13	6	20
County- ESD 11							0	2	1	3
County- Bexar Bulverde							0	0	0	0
Converse							0	0	0	0
Fort Sam							0	0	0	0

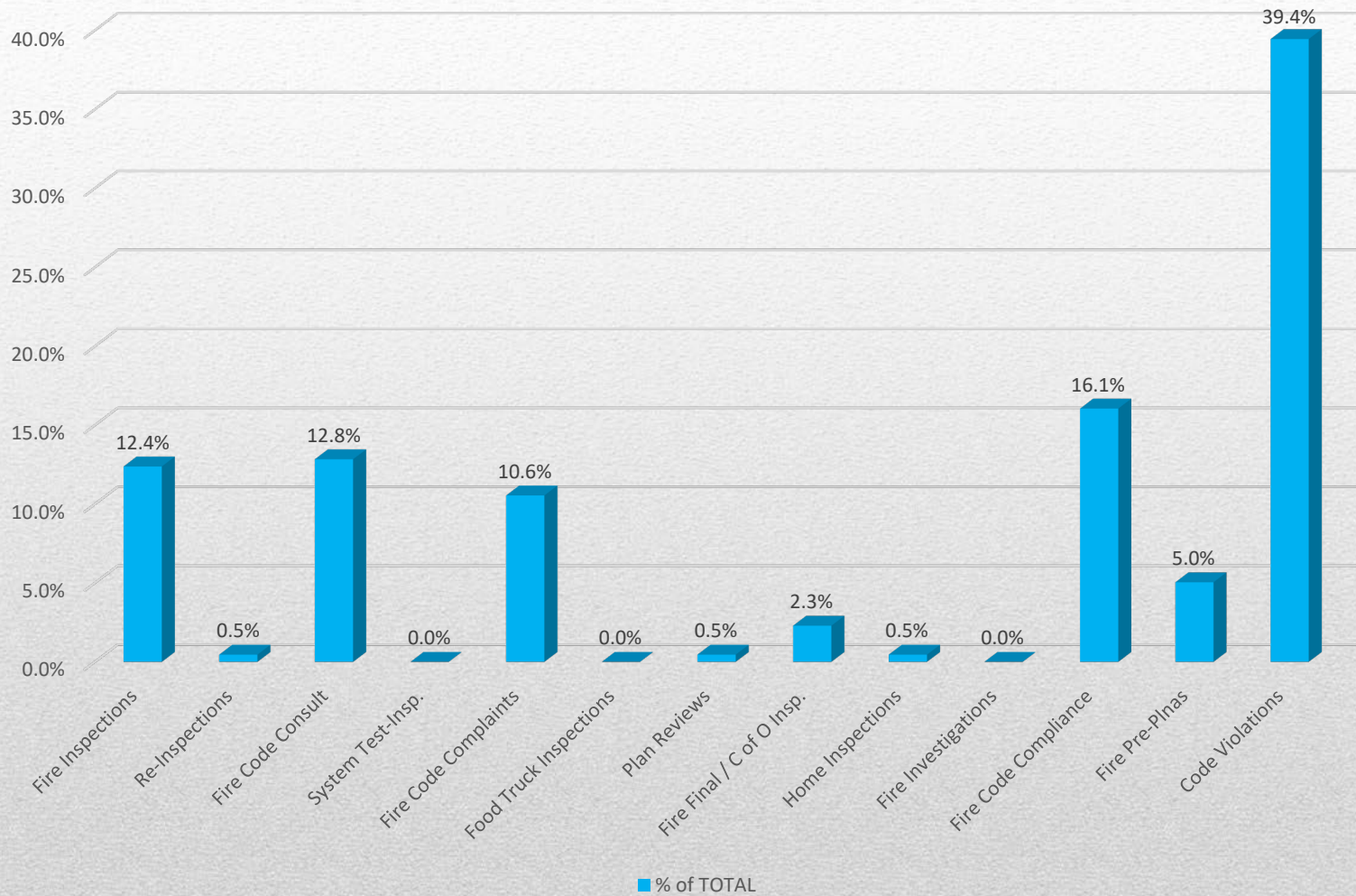
- Number of AVL calls that Windcrest received assistance
 - Windcrest FD on another call and a second or third call came in at the same time
 - Windcrest continues to be notified of the calls, but instead of Windcrest units on the first call having to ask for assistance, the system utilized by Fire Dispatch sees that Windcrest unit is unavailable and will automatically dispatch the next closest unit.

Fire Inspector/ Investigator

	January	February	March	April	May	June	July	August	September	Total
Fire Inspections	11	14	17	27	18	19	27	30	27	190
Re-Inspections	0	0	0	8	0	0	3	1	1	13
Fire Code Consult	27	24	30	24	28	24	35	30	28	250
System Test-Insp.	2	2	5	13	7	4	0	0	0	33
Fire Code Complaints	20	28	21	26	27	19	22	17	23	203
Food Truck Inspections	0	0	0	6	1	3	3	0	0	13
Plan Reviews	0	1	3	0	11	1	2	3	1	22
Fire Final / C of O Insp.	3	2	2	0	7	3	7	7	5	36
Home Inspections	3	3	1	7	0	1	7	1	1	24
Fire Investigations	2	0	0	1	1	2	1	2	0	9
Fire Code Compliance	31	26	28	27	24	21	22	26	35	240
Fire Pre-Plans	20	29	15	5	6	0	6	7	11	99
Code Violations	32	38	73	93	66	42	87	118	86	635
Total	151	167	195	237	196	139	222	242	218	1767

Fire Inspector/ Investigator

% of TOTAL for September



Ivan Hernandez
Fire Chief/Emergency Management Coordinator
Windcrest Fire Department
firechief@windcrest-tx.gov
210-655-0022 ext. 2180

Fire Alliance Update October 29/24

- New board voted in.
 - Will Baumann (Volunteer)- President
 - Terrill Woodley (Career)- Vice President
 - Jason Benson (Volunteer)- Treasurer
 - Lilia Ayala (Volunteer)- Secretary
 - Phillip Martinez (Volunteer)- Sergeant at Arms
- Purchased 2 new fire axes for \$480 to go on Engine 1 and Platform
- Coordinating with the city on payment of bunker gear sets approved last month (up to \$34,900).
- Gym Equipment ordered last month shipping this month.
- Coordinating with the City and EDC on Light-up Map Sponsorships
- Looking at Halloween alternatives to a haunted house due to staffing.

Windcrest Police Department Monthly - September 2024

PATROL OPERATIONS SECTION

	JAN '24	FEB '24	MAR '24	APR '24	MAY '24	JUN '24	JUL '24	AUG '24	SEP '24	OCT '23	NOV '23	DEC '23	2024 YTD
PROACTIVE POLICE ACTIVITIES	3415	2751	2364	2568	2485	3294	2130	3273	3306	3270	3718	3904	25586
TOTAL CALLS FOR SERVICE	4742	3626	3325	3528	3677	4179	3899	4015	3760	4200	4669	4758	34751
COVER CALLS (2 PLUS OFFICERS)	221	262	235	360	330	308	316	395	841	270	235	254	3268
FELONY CHARGES	32	63	58	64	30	39	31	22	15	26	38	49	354
MISDEMEANOR CHARGES	114	188	81	124	78	78	73	67	46	83	83	111	849
D.W.I. ARREST	1	1	2	1	1	1	0	0	1	0	3	2	8
CITY ORDINANCE ENFORCEMENT	42	29	15	23	10	16	30	41	69	23	25	17	275
ARREST ON-CALL	28	82	39	25	17	22	40	29	19	18	11	32	301
ARREST ON-SIGHT	19	19	19	23	26	29	26	24	21	28	40	39	206
WARRANTS CLEARED	12	25	18	18	7	12	10	12	3	9	21	17	117
MUNICIPAL COURT CITATIONS	1001	851	663	735	668	1041	1043	1232	924	1006	1107	983	8158
WARNING CITATIONS	126	104	86	86	106	96	134	130	215	130	161	188	1083
PARKING VIOLATION NOTICES	18	10	10	14	9	20	4	11	0	13	22	14	96
CRIME PREVENTION NOTICES	1193	889	832	850	854	1033	986	973	879	1067	1168	1230	8489
BUSINESS / RESIDENTIAL CHECKS	1142	953	825	923	925	1155	1041	992	982	1134	1356	1447	8938
IMPOUNDED VEHICLES	17	14	16	24	13	30	22	29	23	23	26	22	188
MENTAL HEALTH	6	9	4	5	3	1	2	6	4	3	4	11	40

SCHOOL RESOURCE OFFICER

SCHOOL SAFETY PATROL HOURS	20	25	15	21	22	0	0	30	21	20	22	14	154
ORGANIZATION AND PREP HOURS	0	0	0	0	0	0	3	0	3	5	2	4	6
TOTAL EVENTS	0	0	0	0	3	0	2	2	2	3	2	2	9
TOTAL PRESENTATIONS	0	0	0	0	3	0	0	0	2	2	2	2	5

DISPATCHER ACTIVITY

OFFICER INITIATED CALLS	4176	3038	2748	2945	3126	3669	3359	3494	3239	3603	4109	4176	29794
TELEPHONE CALLS FOR SERVICE	505	540	474	373	358	362	356	343	355	484	449	495	3666
911 CALL FOR SERVICE	41	27	84	180	173	127	160	165	157	91	82	68	1114
WALK IN CALL FOR SERVICE	20	18	19	29	19	21	24	13	9	22	29	19	172

City Ordinance Enforcement New Data Report (Patrol Only)

* PROACTIVE POLICE ACTIVITIES = TRAFFIC CITATIONS, PARKING VIOLATIONS, ON-SIGHT ACTIVITY, BUSINESS CHECKS, CRIME PREVENTION REMINDERS AND CITY ORDINANCE VIOLATIONS BY PATROL ONLY

* WARRANTS CLEARED = ALL WARRANTS TO INCLUDE WINDCREST WARRANTS (PATROL ARREST ONLY)

* OFFICER INITIATED CALLS FOR SERVICE = CALLS GENERATED BY OFFICERS WITHOUT BEING DISPATCHED (OFFICERS MAY GENERATE CALL BUT DEAL WITH MORE THAN ONE ACTIVITY IN ONE CALL)

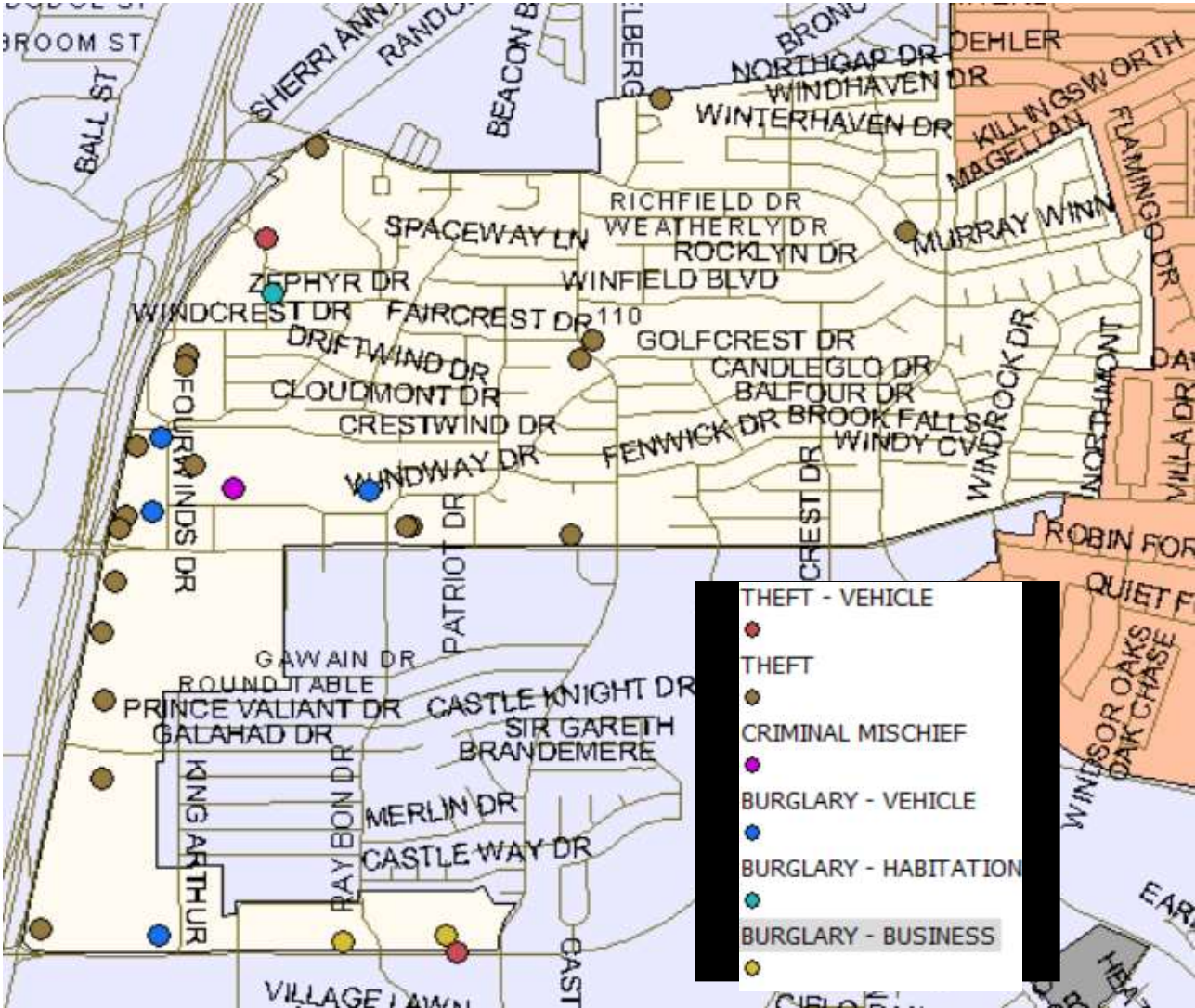
Windcrest Police Department Monthly - July 2024

CRIMINAL INVESTIGATIONS UNIT SUMMARY

SPECIAL OPS DIVISION	JAN '24	FEB '24	MAR '24	APR '24	MAY '24	JUN '24	JUL '24	AUG '24	SEP '24	OCT '23	NOV '23	DEC '23	2024 YTD
FILED with DA	54	17	43	31	35	16	26	17	17	40	21	8	239
Closed, Pending Further Information	35	21	23	46	24	27	5	17	28	36	21	17	198
ACTIVE ARREST CASES PREPARING FOR THE DA	18	39	20	23	9	22	25	16	18	6	7	16	172
ACTIVE FUGITIVE	0	4	0	0	0	0	9	3	0	2	0	0	16
EXCEPTIONAL CLEARED	18	7	5	5	4	0	3	4	1	5	4	4	46
FILED w/ DA PENDING LABS	10	4	11	7	7	4	9	9	11	8	5	3	61
ACTIVE TOTAL	93	92	108	98	101	97	122	102	147	17	53	78	813
UNFOUNDED	3	1	3	3	0	1	1	1	0	2	1	1	13
ASSIGNED	85	86	65	75	58	57	53	42	66	61	79	68	521
FELONY CASES ASSIGNED	30	42	37	31	22	30	22	19	24	23	29	29	233
MISDEMEANOR CASES ASSIGNED	46	42	28	37	35	23	28	23	34	35	48	36	262
EVIDENCE VIDEO FOR COURT	182	102	148	161	111	112	165	142	123	119	133	36	1123
EVIDENCE SUBMITTED TO CRIME LAB	0	21	48	28	29	125	15	10	8	15	12	12	276
BACKGROUND INVESTIGATIONS APPLICANTS	0	3	1	3	8	4	3	3	0	1	4	0	25

CITIZENS' PATROL SUMMARY													
PATROL HOURS	33	18	25	49	38	51	21	66	51	62	45	40	301
ORGANIZATION AND PREP	0	0	0	0	0	0	0	2	0	0	0	0	2
EVENTS	0	0	0	0	0	0	0	1	1	1	0	0	1
TRAINING AND MEETINGS HOURS	1	0	0	0	0	0	0	0	0	0	0	0	1
CITIZEN PATROL PARTICIPANTS	16	18	17	25	22	18	8	23	21	22	19	15	147

Windcrest Police Department Current Crime Map - SEPTEMBER 2024



Case	Reported	Nature	Incident address
2432733	9/14/2024 8:08	BURGLARY - BUISINESS	4985 EISENHAUER RD
2433696	9/22/2024 4:42	BURGLARY - BUISINESS	5101 EISENHAUER RD
2434128	9/25/2024 19:45	BURGLARY - HABITATION	201 ZEPHYR
2432477	9/12/2024 9:12	BURGLARY - VEHICLE	8802 TRADEWIND DR
2433068	9/16/2024 17:17	BURGLARY - VEHICLE	8802 TRADEWIND DR
2433211	9/18/2024 6:09	BURGLARY - VEHICLE	4500 CRESTWIND DR
2433277	9/18/2024 14:27	BURGLARY - VEHICLE	226 FENWICK DR
2433591	9/21/2024 6:56	BURGLARY - VEHICLE	8204 IH-35N
2434094	9/25/2024 12:37	BURGLARY - VEHICLE	7280 IH-35
2434697	9/30/2024 8:30	BURGLARY - VEHICLE	4829 EISENHAUER RD
2433255	9/18/2024 11:40	CRIMINAL MISCHIEF \$750-2500	4925 WINSOR HILL
2434753	9/30/2024 20:28	THEFT \$0-\$100	5100 CRESTWAY RD
2434753	9/30/2024 16:19	THEFT \$100 - 750	4909 WINDSOR HILL
2434348	9/27/2024 15:47	THEFT \$100 - 750	7950 IH-35N
2434233	9/26/2024 18:17	THEFT \$2,500-30,000	9312 JIM SEAL DR
2434210	9/26/2024 12:15	THEFT \$100 - 750	5465 WALZEM RD
2434127	9/25/2024 19:36	THEFT \$0-100	4909 WINDSOR HILL
2434045	9/25/2024 0:16	THEFT -VEH PARTS	7880 IH-35 N
2433812	9/23/2024 4:24	THEFT \$750 - 2500	7500 IH-35 N
2433676	9/21/2024 23:55	THEFT	4801 WALZEM RD
2433641	9/21/2024 18:23	THEFT \$100 - 750	5231 WALZEM RD
2433638	9/21/2024 14:46	THEFT \$100 - 750	8640 FOURWINDS
2433637	9/21/2024 14:40	THEFT \$2500 ENHANCED	4909 WINDSOR HILL
2433635	9/21/2024 12:52	THEFT \$0 - 100	4909 WINDSOR HILL
2433582	9/21/2024 3:25	THEFT \$100 - 750	7730 IH 35 N
2433573	9/21/2024 2:01	THEFT	4801 WALZEM RD
2433543	9/20/2024 20:17	THEFT \$100 - 750	8640 FOURWINDS
2433527	9/20/2024 16:54	THEFT \$100 - 750	5239 WALZEM RD
2433515	9/20/2024 12:57	THEFT \$100 - 750	4909 WINDSOR HILL
2433375	9/19/2024 9:40	THEFT \$0 - 100	7280 IH 35 N
2433291	9/18/2024 16:26	THEFT \$100 - 750	5465 WALZEM RD
2433283	9/18/2024 15:20	THEFT	4909 WINDSOR HILL
2433228	9/18/2024 8:34	THEFT \$2500 ENHANCED	7280 IH 35 N
2433066	9/16/2024 15:35	THEFT	8450 IH 35 N
2432897	9/15/2024 11:05	THEFT \$100 - 750	4909 WINDSOR HILL
2432760	9/14/2024 12:47	THEFT \$2500 ENHANCED	4909 WINDSOR HILL

2432739	9/14/2024 9:59 THEFT	4909 WINDSOR HILL
2432505	9/12/2024 13:17 THEFT \$100 - 750	8650 FOURWINDS DR
2432456	9/12/2024 0:59 THEFT \$0-100	4801 WALZEM RD
2432388	9/11/2024 12:12 THEFT \$0-100	4909 WINDSOR HILL
2432255	9/10/2024 12:31 THEFT \$2500 ENHANCED	7280 IH 35 N
2432150	9/9/2024 20:26 THEFT \$0-100	5100 CRESTWAY RD
2431935	9/8/2024 1:41 THEFT \$0-100	4801 WALZEM RD
2431779	9/6/2024 14:30 THEFT \$750 - 2500	6026 WINDING RIDGE
2431777	9/6/2024 14:00 THEFT \$0-100 ENHANCED	5100 CRESTWAY RD
2431646	9/5/2024 15:39 THEFT \$0-100	8640 FOURWINDS
2431630	9/5/2024 13:12 THEFT \$0-100	8601 MIDCROWN DR
2431225	9/2/2024 15:30 THEFT \$750 - 2500	8202 IH-35N
2431183	9/2/2024 8:03 THEFT \$0-100	5100 CRESTWAY RD
2431132	9/1/2024 20:31 THEFT \$0-100	8600 MIDCROWN DR
2432475	9/12/2024 8:12 THEFT-VEHICLE \$2500-\$30K	8802 TRADEWIND DR
2433039	9/16/2024 12:46 THEFT-VEHICLE \$30K-150K	5105 EISENHAUER RD

Windcrest Police Department Monthly - July 2024

WINDCREST POLICE DEPARTMENT CODE COMPLIANCE UNIT

SUPPORT SERVICES SECTION	JAN '24	FEB '24	MAR '24	APR '24	MAY '24	JUN '24	JUL '24	AUG '24	SEP '23	OCT '23	NOV '23	DEC '23	2024 YTD
JUNK VEHICLE	1	4	0	0	0	1	0	0	0	2	0	2	6
STREET USED FOR STORAGE (VEHICLE)	0	0	0	0	0	0	0	0	0	1	0	1	0
RV-BOAT-TRAILER ON DRIVEWAY/STREET	1	5	12	5	3	1	3	6	6	8	2	2	36
VEHICLES ON GRASS	0	0	0	2	0	0	2	0	0	2	0	2	4
OVERGROWN VEGETATION (FRONT)	13	29	26	44	21	12	2	17	19	25	28	27	164
OVERGROWN VEGETATION (ALLEY)	1	1	2	1	118	117	75	3	4	0	3	4	318
VACATED PROPERTY	0	0	0	0	0	0	0	0	0	3	1	0	0
OVERHANGING TREE LIMBS (STREET-ALLEY)	0	2	1	1	0	1	2	5	4	2	1	2	12
NO ALARM PERMIT (RESIDENTIAL)	0	0	0	0	0	1	0	0	0	0	0	0	1
NO ALARM PERMIT (COMMERCIAL)	0	0	0	0	0	0	0	0	0	0	0	0	0
NO BUILDING PERMIT (RESIDENTIAL)	0	1	1	3	2	4	4	1	2	0	0	0	16
NO BUILDING PERMIT (COMMERCIAL)	0	0	3	0	1	0	1	3	1	0	0	0	8
SWIMMING POOLS (STAGNANT)	0	0	0	1	0	0	1	0	0	0	0	0	2
SWIMMING POOLS (UNSECURED)	0	1	1	0	0	2	0	0	1	0	0	0	4
SOLID WASTE-REFUSE COLLECT (NON-PAY)	0	0	0	3	0	0	0	0	0	0	0	5	3
UNSIGHTLY-UNSANITARY CONDITION	3	1	3	5	5	7	10	6	19	0	1	2	40
GRAFFITI AND TOOLS	0	0	0	0	0	0	0	0	1	0	0	0	0
NOISE NUISANCE	0	0	0	0	0	0	1	0	0	0	1	1	1
SIGN ORDINANCE (VIOLATION)	0	1	0	0	0	0	0	0	0	2	1	2	1
BUSINESS/RESIDENTIAL FOLLOW UP	25	123	132	150	97	26	65	103	96	164	150	138	721
SOLICITORS (VIOLATIONS)	0	2	0	0	0	0	0	0	0	1	1	0	2
SIGNS (BANDIT)	0	30	9	14	7	8	34	5	1	20	12	15	107
TOTAL ISSUES ADDRESSED	44	200	190	229	254	180	190	149	154	191	201	203	1436
CITATIONS ISSUED (CODE)	9	1	0	5	4	2	1	0	6	3	2	4	22
CITATIONS ISSUED (TRAFFIC)	0	0	0	0	0	0	0	0	0	0	0	0	0
WRITTEN NOTICES ISSUED (CODE)	6	33	35	65	145	141	84	34	50	29	29	30	543
TOTAL ENFORCED	15	34	35	70	149	143	85	34	56	32	31	34	565

Windcrest Police Department Monthly - August 2024

WINDCREST POLICE DEPARTMENT ANIMAL CARE AND CONTROL UNIT

SUPPORT SERVICES SECTION	JAN '24	FEB '24	MAR '24	APR '24	MAY '24	JUN '24	JUL '24	AUG '24	SEP '24	OCT '23	NOV '23	DEC '23
CALLS FOR SERVICE (DISPATCHED)	42	35	36	36	47	41	52	21	51	30	67	37
CALLS FOR SERVICE (DIRECT)	0	17	0	0	0	0	0	4	0	19	0	0
TOTAL CALLS	42	52	36	36	47	41	52	25	51	49	0	37
DOGS RECOVERED	7	15	19	12	10	16	14	7	15	13	16	11
DOGS REGISTERED	4	9	10	5	3	5	5	2	4	5	5	5
DOGS QUARANTINED	0	0	0	0	0	1	0	0	0	1	3	3
DOGS IMPOUNDED	5	11	8	5	8	5	4	3	10	7	9	0
DOGS ADOPTED	2	4	1	3	2	2	0	7	0	7	8	1
DOGS FOSTERED	1	1	1	1	1	4	0	0	0	2	2	0
DOGS EUTHANIZED (INJURY AND/OR ILLNESS)	1	0	1	0	0	1	0	0	0	1	0	0
DOGS RETURNED TO OWNER (DIRECT)	8	4	16	9	2	3	8	4	8	5	7	8
DOGS RETURNED TO OWNER (IMPOUND FACILITY)	3	2	2	1	1	2	1	0	2	0	2	3
DOGS RUNNING AT LARGE (NO CATCH)	10	9	4	2	9	3	13	5	13	6	6	6
DOGS RECOVERED (WITH TAGS)	0	0	0	0	1	0	1	4	0	2	2	0
DOGS RECOVERED (WITH MICROCHIP)	5	1	2	6	1	5	5	0	0	3	7	9
CATS REGISTERED (DOMESTIC)	0	0	0	0	0	0	0	0	0	0	0	0
CATS STERILIZED (FERAL)	1	2	0	5	1	0	0	0	0	1	1	0
DECEASED DOMESTIC ANIMAL (ILL OR UNK)	0	3	0	0	0	3	3	1	0	1	0	2
WILD ANIMALS - (ILL OR UNK)	8	2	3	4	7	4	2	1	5	3	2	0
CITATIONS - LEASH VIOLATION	0	0	0	0	0	0	0	0	0	0	0	7
CITATIONS - ANIM AT LARGE	5	4	4	2	2	2	4	0	3	1	3	7
CITATIONS - ANIM VAC	5	4	0	2	2	2	0	1	1	1	0	7
CITATIONS - ANIM REG	5	3	2	2	2	2	4	0	0	1	3	0
WARNING - ANIM AT LARGE	0	2	1	3	0	1	1	2	1	0	1	0
WARNING - ANIMAL VAC	0	0	0	0	0	1	1	0	0	0	0	0
WARNING - ANIMAL REG	0	2	0	0	0	1	1	0	0	0	3	0
COST - IMPOUND/SHELTER	\$12,378.91	\$13,532.53	\$15,275.37	\$14,112.21	\$19,293.58	\$23,034.11	\$53,656.86	\$47,082.82	\$38,355.00	\$10,839.14	\$11,524.88	\$11,602.70
COST - VETERINARY/CARE	\$2,149.30	\$1,671.68	\$20,284.93	\$5,180.05	\$2,684.87	\$3,223.44	\$4,954.45	\$8,179.02	\$2,271.24	\$4,878.00	\$0.00	\$0.00
TOTAL COST	\$14,528.21	\$15,204.21	\$35,560.30	\$19,292.26	\$21,978.45	\$26,257.55	\$58,611.31	\$55,261.84	\$40,626.24	\$15,717.14	\$11,524.88	\$0.00

2024 YTD
361
21
382
115
47
1
59
21
9
3
62
14
68
6
25
0
9
10
36
0
26
17
20
11
2
4
236721.39
50598.98
287320.37



Jimmie Cole
Chief of Police

October 14, 2024
Date

Please contact me with any questions concerning this report.
This reporting is required by the City of Windcrest Charter § 5.02.3(h).

CITY OF WINDCREST MUNICIPAL COURT - OFFICIAL MONTHLY ACTIVITY REPORT FY 2023-2024

	Oct. 2023	Nov. 2023	Dec. 2023	Jan. 2024	Feb. 2024	Mar. 2024	Apr. 2024	May. 2024	Jun. 2024	Jul. 2024	Aug. 2024	Sept. 2024	TOTAL	Medium Average
Cases Filed	1005	1188	967	1184	931	768	828	732	1020	1183	1255	1143	12204	1,017
Fines Paid	34	37	20	30	39	49	48	42	23	38	28	49	437	36
Bond Forfeiture	0	0	0	0	0	0	0	0	0	0	0	0	0	0
Not Guilty	0	0	1	1	2	0	0	1	1	0	0	1	7	1
Guilty	398	353	296	455	426	439	362	375	384	338	413	421	4660	388
Dismissed	213	157	189	252	232	191	150	155	148	143	214	197	2241	187
Compliance Dismissals	25	19	16	25	19	25	22	25	24	13	22	14	249	21
Defensive Driving	12	23	12	29	15	24	17	22	20	21	14	17	226	19
Deferred Disposition	90	83	43	81	39	64	108	96	86	75	72	85	922	77
Insurance	12	2	5	5	9	10	3	4	2	4	0	8	64	5
Online Payments	462	447	405	415	303	367	447	405	415	288	367	293	4614	384.50
Orders for Community Svc.	0	0	0	0	0	0	0	10	1	2	0	10	23	2
Appeals	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TOTAL CASES HEARD	784	676	582	878	784	753	710	730	689	634	764	802	8786	732
Failure to Appear/Warrants	472	643	396	652	507	630	585	556	637	444	452	295	6269	522
Warrant Officer Fine/Fee Addressed	\$33,727.00	\$34,045.80	\$ 21,865.90	\$ 41,114.74	\$ 48,384.62	\$ 52,087.42	\$ 35,462.60	\$ 35,170.47	\$ 38,508.60	\$ 34,428.77	\$ 28,452.82	\$ 37,758.74	\$ 441,007.48	36,751
Warrant Officer Activity	252	300	184	273	277	345	198	180	182	188	209	237	2825	235
Court Fines	\$83,510.21	\$ 61,560.44	\$ 50,348.38	\$ 89,581.73	\$ 80,356.86	\$ 85,127.00	\$ 87,643.00	\$ 78,770.35	\$ 61,965.25	\$ 79,929.09	\$ 62,482.23	\$ 76,528.73	\$ 897,803.27	\$ 74,816.94
State Fees	\$48,439.36	\$ 37,468.09	\$ 31,125.99	\$ 54,722.34	\$ 44,415.66	\$ 47,421.03	\$ 39,376.77	\$ 39,639.09	\$ 36,281.02	\$ 47,187.09	\$ 38,178.12	\$ 42,773.12	\$ 507,027.68	\$ 42,252.31
City Share of State Fees (10%)	\$4,843.94	\$ 3,746.81	\$ 3,112.60	\$ 5,472.23	\$ 4,441.57	\$ 4,742.10	\$ 3,937.68	\$ 3,963.91	\$ 3,628.10	\$ 4,719.71	\$ 3,817.81	\$ 4,277.31	\$ 50,703.77	\$ 4,225.31
Court Technology Fund	\$2,191.38	\$ 1,836.80	\$ 1,541.73	\$ 2,355.03	\$ 2,219.32	\$ 2,331.26	\$ 1,972.49	\$ 1,969.03	\$ 1,789.01	\$ 1,894.50	\$ 1,841.92	\$ 2,096.44	\$ 24,038.91	\$ 2,003.24
Court Building Security Fund	\$2,635.67	\$ 2,201.07	\$ 1,858.24	\$ 2,860.35	\$ 2,670.66	\$ 2,821.54	\$ 2,331.67	\$ 2,370.17	\$ 2,162.51	\$ 2,265.49	\$ 2,243.62	\$ 2,528.25	\$ 28,949.24	\$ 2,412.44
Fee to Omni/State	\$238.30	\$ 1,196.81	\$ 910.25	\$ 3,864.76	\$ 1,607.08	\$ 1,512.97	\$ 2,418.89	\$ 1,538.32	\$ 1,087.05	\$ 3,637.72	\$ 882.50	\$ 1,436.91	\$ 20,331.56	\$ 1,694.30
Collection Agency Fees	\$4,439.63	\$ 3,383.07	\$ 2,864.09	\$ 4,688.28	\$ 6,288.04	\$ 6,043.02	\$ 7,421.60	\$ 6,886.69	\$ 2,669.59	\$ 6,026.82	\$ 1,617.33	\$ 6,017.21	\$ 58,345.37	\$ 4,862.11
TOTAL CITY REVENUE	\$88,354.15	\$ 65,307.25	\$ 53,460.98	\$ 95,053.96	\$ 84,798.43	\$ 89,869.10	\$ 91,580.68	\$ 82,734.26	\$ 65,593.35	\$ 84,648.80	\$ 66,300.04	\$ 80,806.04	\$ 948,507.04	\$ 79,042.25
PRIOR Year Total Revenue	\$64,958.28	\$ 51,665.10	\$ 43,410.10	\$ 55,662.67	\$ 70,687.97	\$ 83,452.01	\$ 83,331.58	\$ 83,234.47	\$ 73,846.78	\$ 75,507.21	\$ 61,731.39	\$ 61,311.75	\$ 808,799.31	\$ 67,399.94
Percentage of Revenue Reached from Prior Year													117%	

Persons Arrested (Held in WCPD)	0	0	0	0	0	0	0	0	0	0	0	0	\$ -
Persons Incarcerated (HELD IN GC)	0	0	0	0	0	0	0	0	0	0	0	0	\$ -
Cost of Incarceration	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -

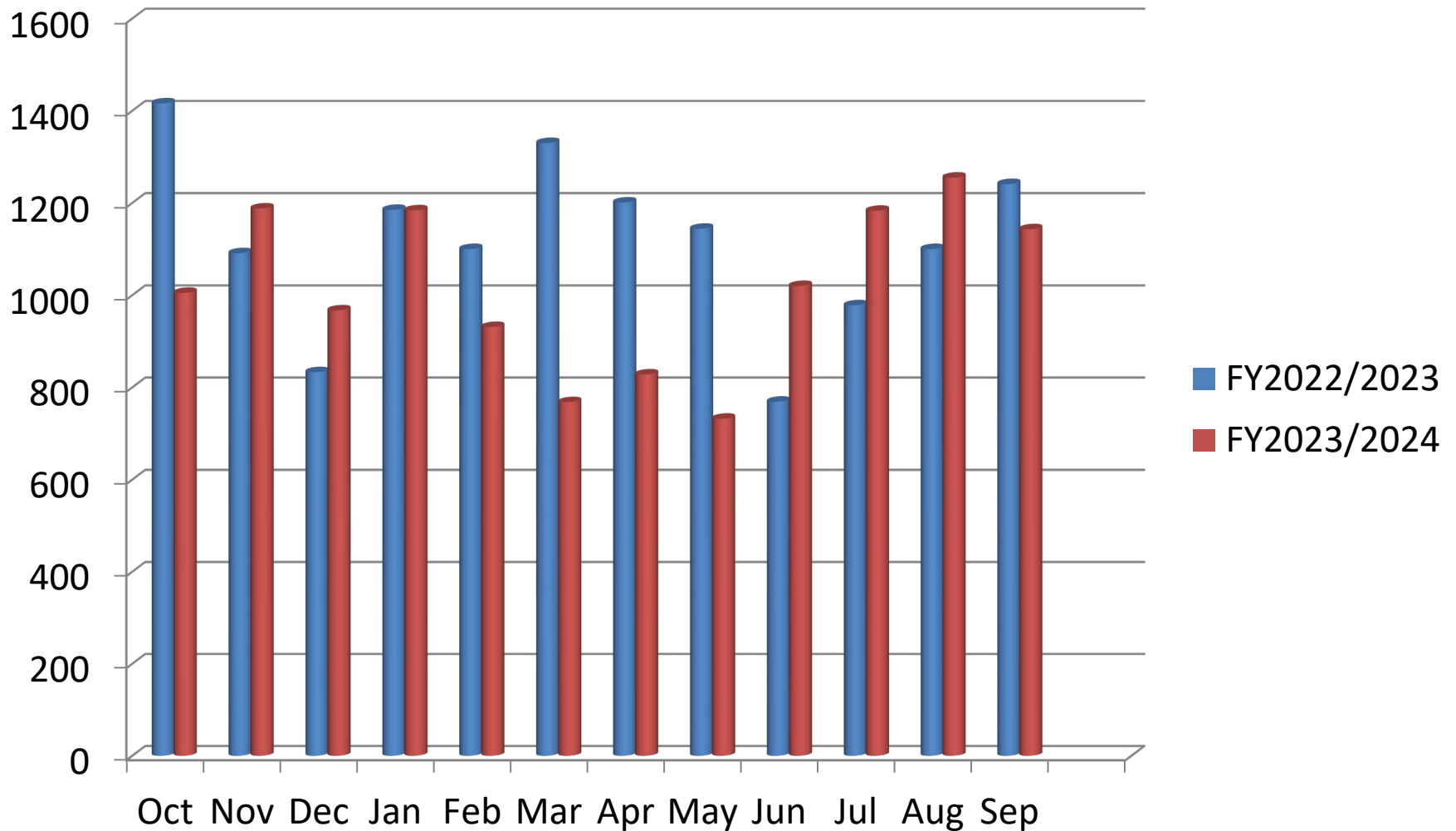
2022/2023 Court Activity														
Cases Filed	1416	1091	833	1185	1100	1330	1201	1144	769	978	1100	1241	13388	
Court Fines	\$ 64,958.28	\$ 51,665.10	\$ 43,410.10	\$ 55,662.67	\$ 70,687.97	\$ 83,452.01	\$ 83,331.58	\$ 83,234.47	\$ 73,846.78	\$ 75,507.21	\$ 61,731.39	\$ 61,311.75	\$ 808,799.31	
TOTAL CASES HEARD	754	607	573	670	729	966	864	929	746	668	581	584	7598	
Persons Arrested	0	0	0	0	0	0	0	0	0	0	0	0	\$ -	
Persons Incarcerated	0	0	0	0	0	0	0	0	0	0	0	0	\$ -	
Cost of Incarceration	\$ 0	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0	\$ -	
Warrant Officer Fine/Fee Addressed	\$25,383.80	\$22,648.91	\$ 19,774.61	\$ 21,146.61	\$ 36,637.44	\$ 37,722.00	\$ 36,737.00	\$ 53,481.88	\$ 48,394.64	\$ 23,099.90	\$ 33,865.00	\$ 28,192.50	\$ 387,084.29	\$ 32,257.02
Warrant Officer Activity	105	111	91	98	169	162	267	352	342	119	172	69	2057	171



CASES FILED

FY 2022/2023 vs. FY 2023/2024

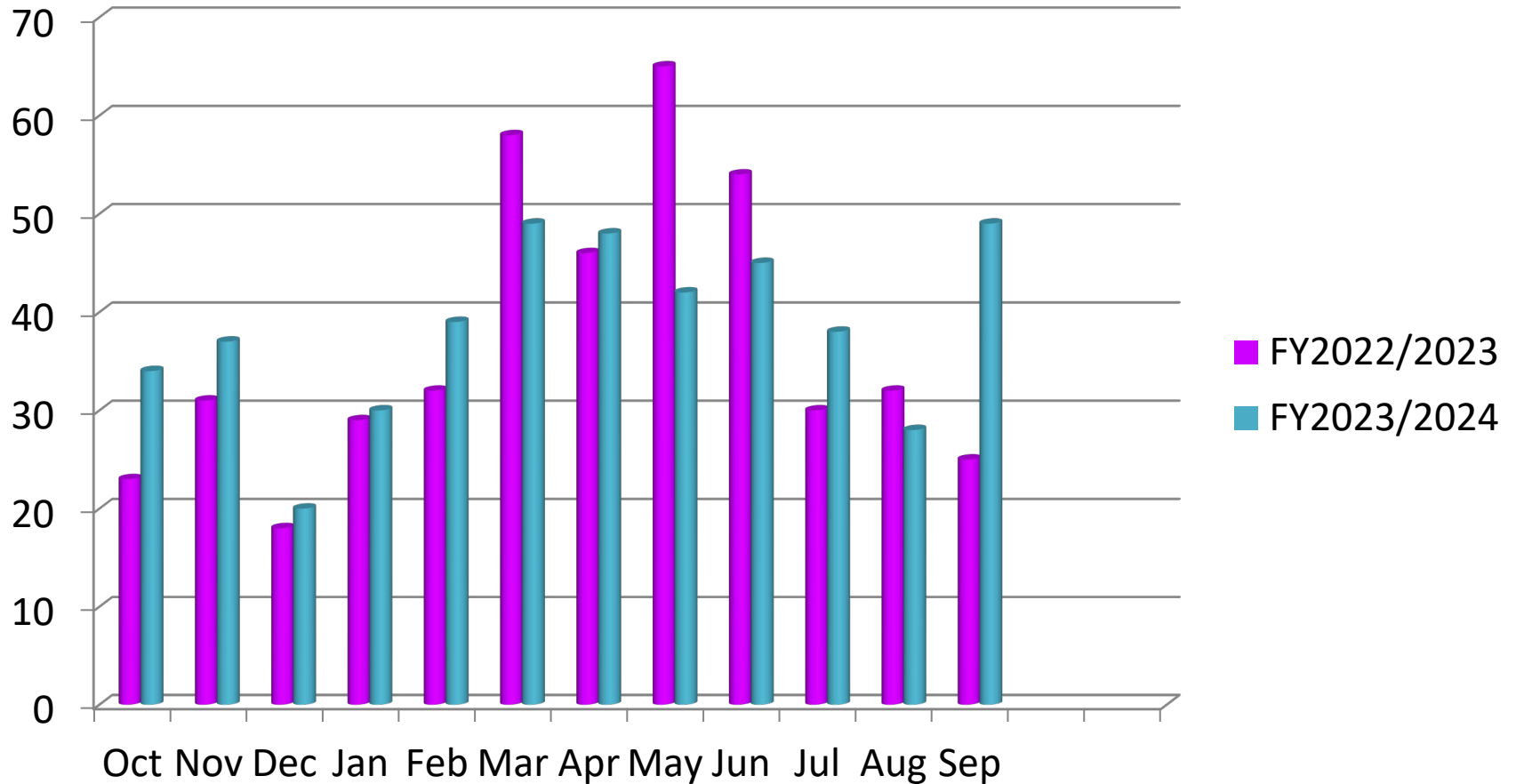
(Citations from Police Department, Code Enforcement, Animal Control)



FINES PAID

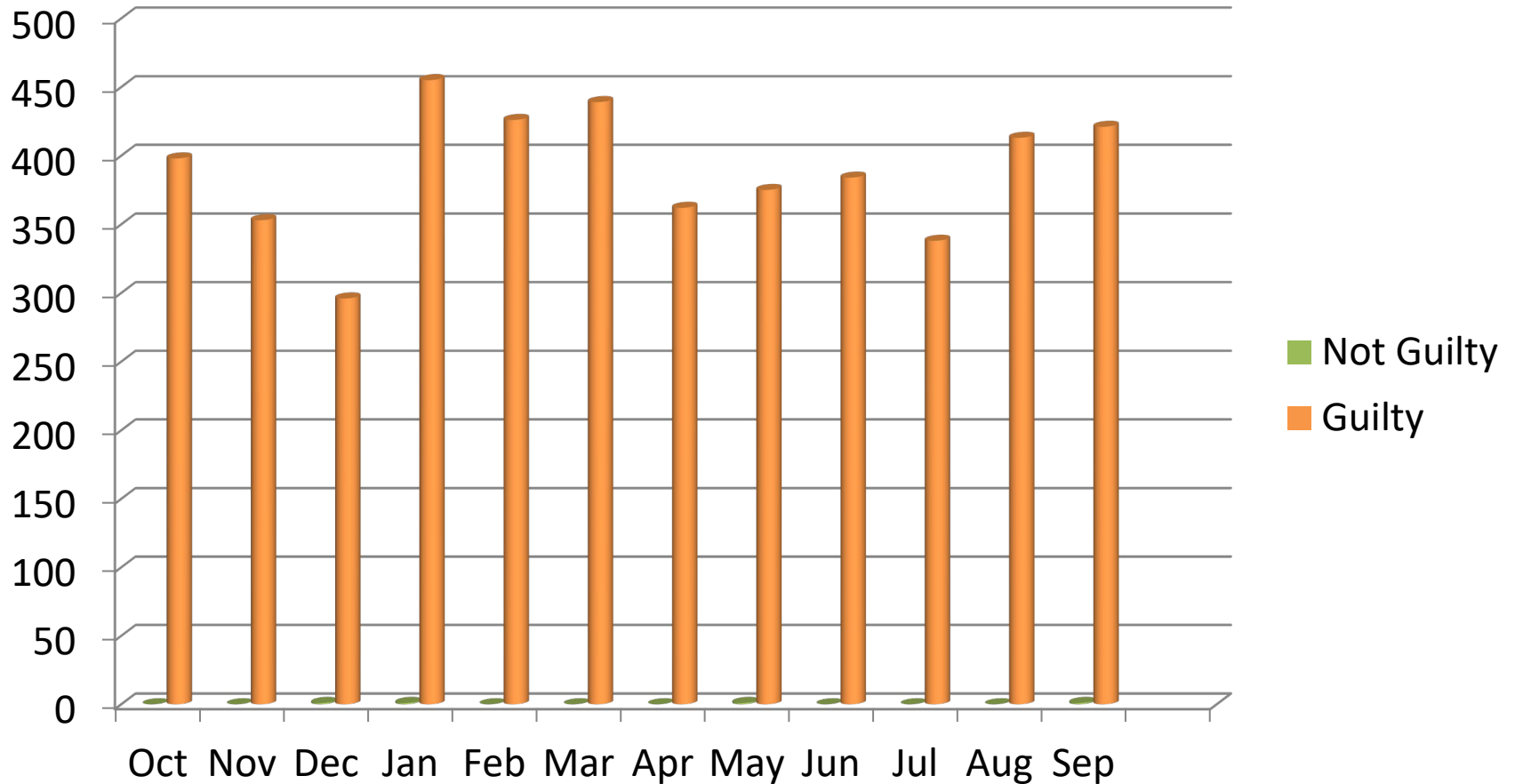
FY 2021/2022 vs. FY 2022/2023

(Number of cases in which defendants came in and paid in full and case was closed. Does not include defendants who were granted Deferred Disposition or Defensive Driving)



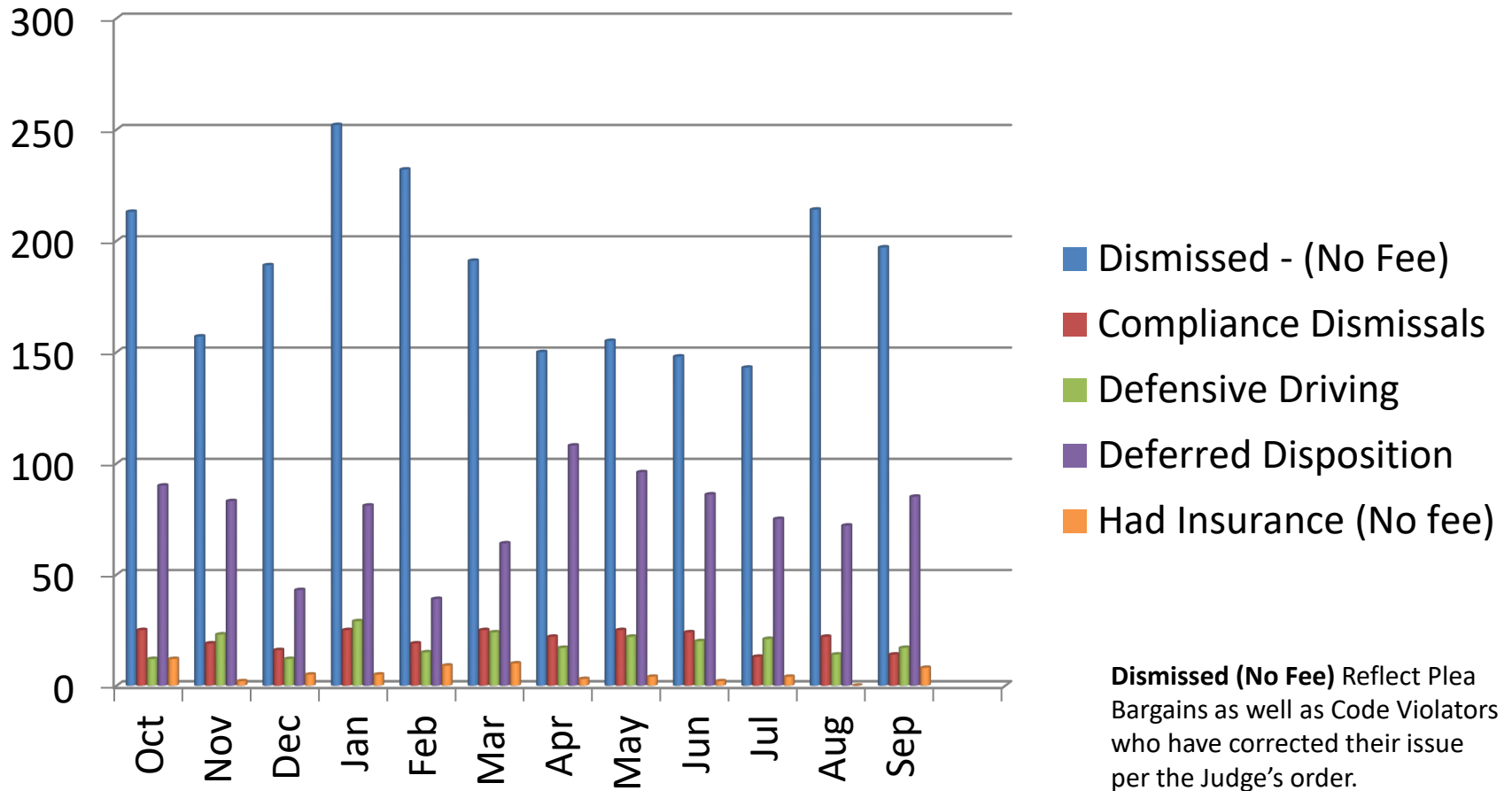
NOT GUILTY / GUILTY

(Numbers only, not \$ amounts. Guilty column correlates with defendants who paid fines in FY 2023 – 2024 from above slide)

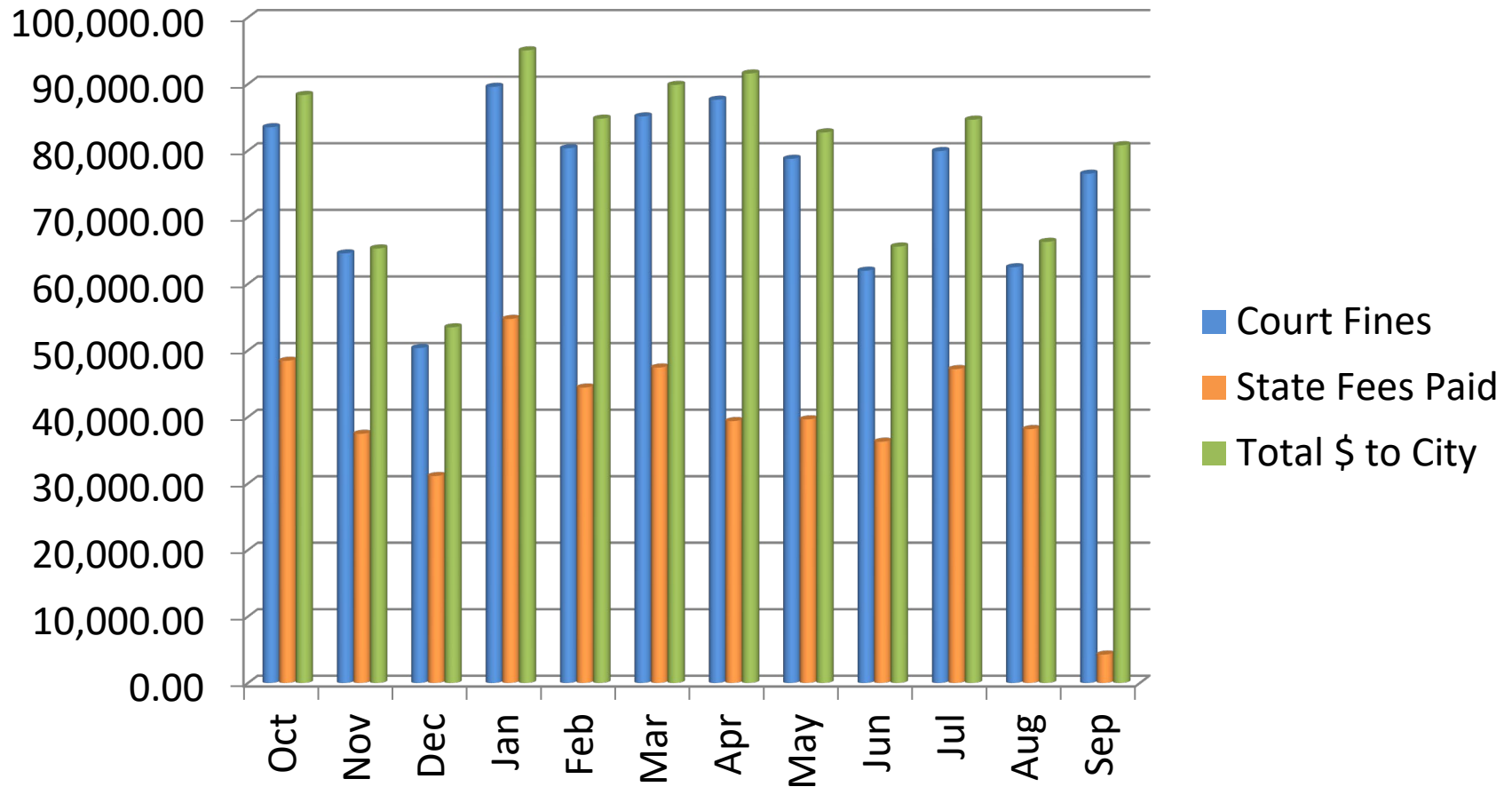


DISMISSALS

(Numbers only, not \$ amounts)

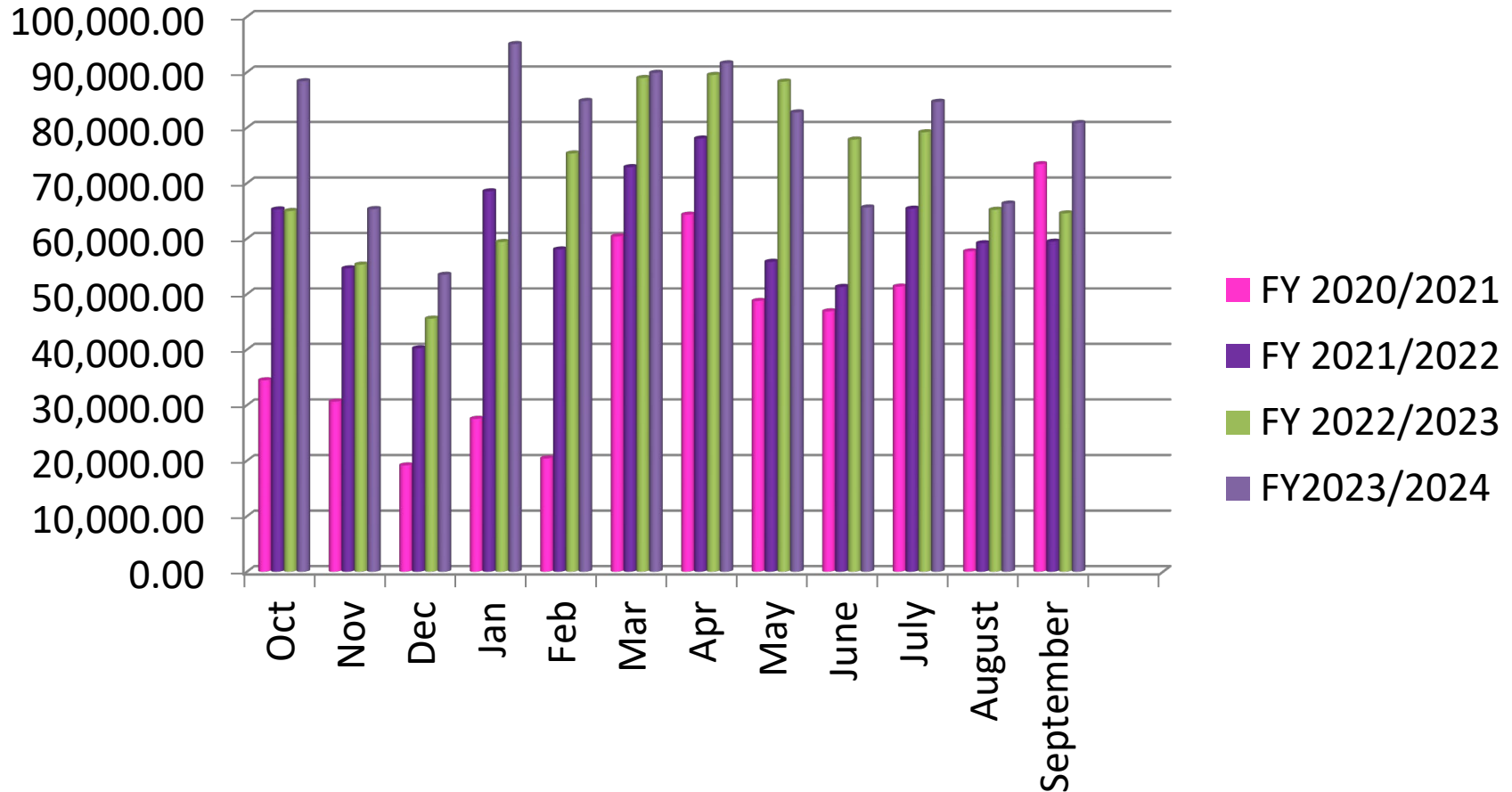


DISTRIBUTION OF TOTAL COURT COLLECTIONS



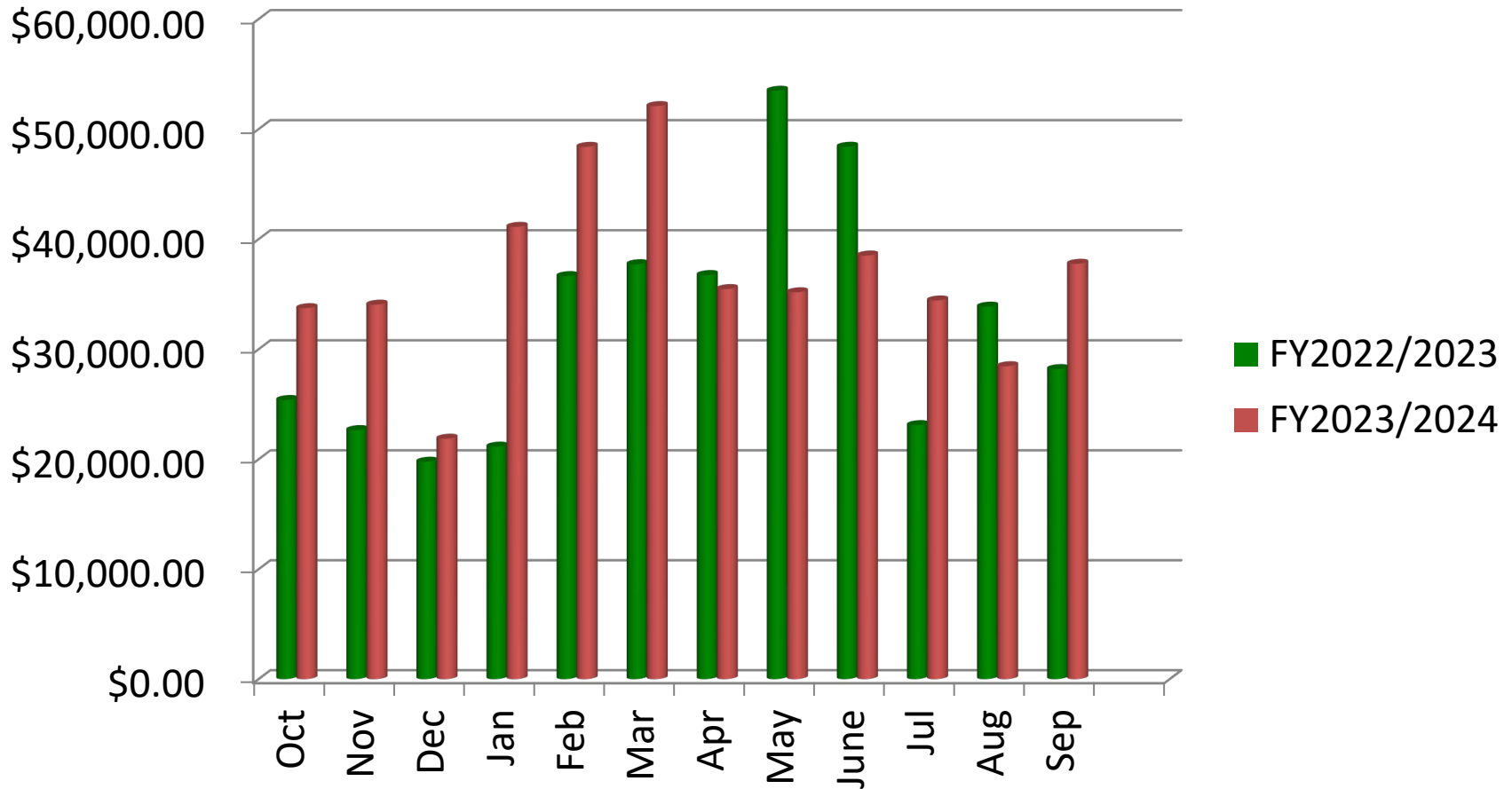
TOTAL CITY REVENUE FROM COURT

(4 year comparison)



WARRANT COMPARISON OF FINES AND FEES COLLECTED

(FY 2022/2023 vs FY 2023/2024)



PROJECT HIGHLIGHTS

- Closed streets for high water. Fourwinds/Windfield. (Fig. 1)
 - Removed fallen tree limbs from roadways.
 - Cleaned flood debris and mud from roadways. (Fig. 2)
 - Testing all lights used for light up.
 - Wrapping Trees and light poles at Brook Falls Pond
 - Wrapping Trees and light poles Windy Hollow Pond.
 - Wrapping trees at Windway Island.
 - Wrapping trees at Monuments – Walzem, Fourwinds, Montgomery
 - Assisted Animal Control with wildlife rescue. (Fig. 8)
 - Assisted Animal Control with domestic animal retrieval.
 - Mow Edge Trim Bookfalls pond.
 - Mow Edge Trim City Hall and Dorms.
 - Mow Edge Trim Civic Center.
 - Mow Edge Trim Winnbrooke Estates retention area and playground.
 - Mow Edge Trim Eaglecrest/Weidner + islands.
 - Mow Edge Trim Softball/Little League Fields.
 - Mow Edge Trim Windway Island.
 - Mow Edge Trim School bus stops – Windrock.
 - Fertilize Windway Island.
 - Fertilize City Hall and Dorm Lawns.
 - Overgrowth removal Windway Alley and Corto Circle Alley.
 - Trash Clean up Eaglecrest/Weidner.
 - 9/11 Memorial Run Support.
 - Water line repair at Windy Hollow Pond. – Water fountain
 - Water line repair at W.L.L. – Irrigation
 - Water line repair at windway island. – Irrigation
 - Water line repair at Windcrest Civic Center. – Irrigation
 - Rebury water line that surfaced at Takas Park Tennis Courts. – Water Fountain
 - Add valve and junction to water line in preparation for Softball field sprinklers.- Irrigation
 - Address issue with mud at Big Dog Park – Irrigation
 - Memorial Bench Placed.
 - Wash and repaint monuments. (Fig. 7)
 - Remove rock that surfaced during electrical renovations on Windway Island.
 - Tree Trimming Windway Island.
 - Tree Trimming Winnbrook Estates Retention Area.
 - Tree Trimming Midcrown Dr.
 - Tree Trimming at Monuments.
 - Tree Trimming at Autumn Sunset Park.
 - Tree Trimming at Corto Circle Island.
 - Removed living cacked Willow Tree at Takas Park Trailhead. (est. >100 years old).(Fig 3-5)
-

- Removed dead pine tree Autumn Sunset Park. (est. 100-110 years old.) (Fig. 6)
- Removed dead mesquite tree Autumn Sunset Park. (est. >30 years old.) (Fig. 6)
- Clean and organize yard and equipment
- Backhoe/Skid Steer Training at Windcrest Golf Club
- Galewind Alley Repair – Base added
- Windrock Alley Repair – Base added

Facilities:

- City Hall AC Repair
- City Hall Door Lock recoding.
- Cleaning shop, disposing of equipment past usable date.
- Repair of Light at Windy Hollow Pond
- Repair table in Finance Dept
- Repair leak in City Hall Roof
- Garage Sale Signs Placed
- Bulk Pick up Signs Placed
- Monument Light Repair
- Dorm AC Duct cleaning
- Light and timer repair RV lot lights
- Fire dorm window repair
- Fire dorm plumbing repair
- City hall storm drain clean out
- Maintenance Yard gate upgrade

Fleet Maintenance:

- Repair shifter in Unit PW4 1999 Ford 150 – Returned to Service
- Fabricated new spray bar for Street Sweeper – Water in Service
- 5 Vehicle Oil Changes.
- 5 Vehicle Tire Rotations.
- 1 Vehicle Air Filter Replacements.
- Unit WP05 warranty repairs to transmission.
- Unit WP02 Replace Struts. Tire alignment with outside party
- Unit WP01 Delivered to body shop
- Unit AC1856 Oil leak repair.
- Unit 174 Window switch replacement.
- Citizens Patrol Flat Tire Repair.
- New PD vehicle prep. Seat removal. Docking Station Installation
- Unit PW 3&4 seat swap.
- Backpack blower complete air filter assembly replacement.
- 4 backpack blower harness replacements
- Weedeater spark plug replacement.
- Weedeater complete head replacement.
- Riding mower belt replacement.

- Riding mower Air Filter Assembly replacement.
- 3 Riding mower blade replacements.
- Skid Steer routine maintenance inspection.
- Street Sweeper water filter replacement.
- Decommissioned vehicles moved to RV lot.

Street Sweeping:

- Total recorded sweeping miles: 282
- Total # of days equaling: 20
- Total out of service days: 1 (Dr. Appointment)

Future projects:

- LIGHT UP
- Alley repairs.
- Street Crack Seal
- Oak Trimming.
- Tree planting planning.
- Windy Hollow Storm Drain improvements.

Mission Statement

The Windcrest Public Works Department strives to create a safe, beautiful, and inclusive environment for all residents and visitors.

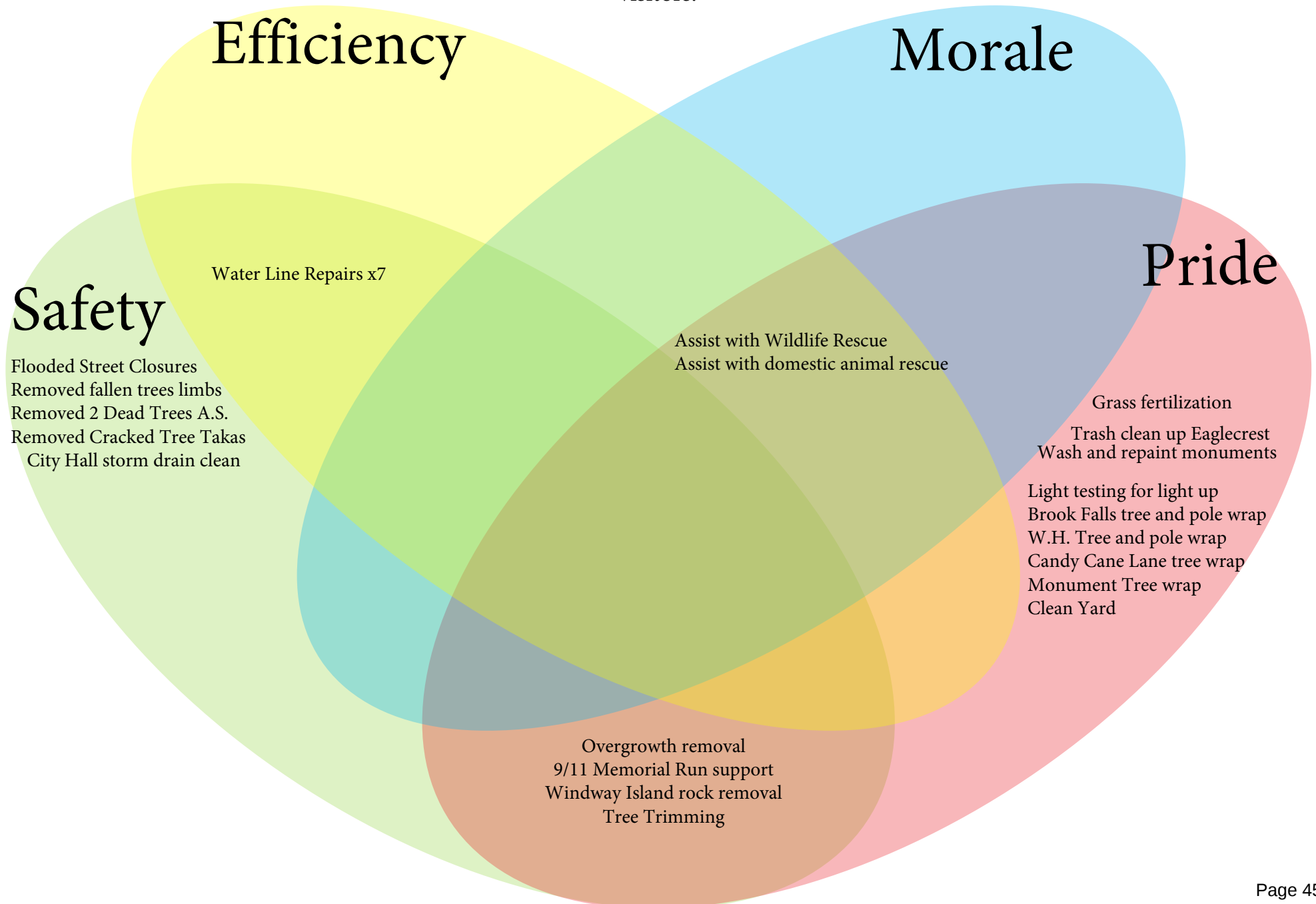


Fig. 1



Fig. 2



Fig.



Fig.



Fig.



Fig.



Fig. 7



Fig. 8



Fig. 9





WEDC Report to the City Council – October 21, 2024

Jennifer Newman, President of the Board

Project Activity

Working with Whitestone REIT, we have two new prospects for the Windsor Park Centre development. The Whataburger University and the Urban Air space are finalists for the two projects. One is a retail operation, and the other company provides business services. Although the Urban Air business just recently closed, the owners presented the space to the retailer as a possibility. (Lead-MH)

Leads and Prospect Development

September activity resulted in nine new leads and two past leads developed into prospect-level projects. We developed leads from regional brokers, greater SA/TX, the Governor's Office of EDT, and staff cold calling. Karen developed a new lead that is considering a location in Windcrest. Assistance included real state, permitting information, and demographics. The new business is planning a pizzeria. (Lead-both)

Business Retention/Expansion/Technical Assistance

BRE outreach efforts included visiting four local businesses this month: Plan Right Insurance, River City Bonding, Smoothie King, and Urban Air. Karen is working with City Code Compliance to notify businesses of lights, trees, and other code-related violations. In this role, she only provides information and technical assistance. We contacted nineteen businesses, and City Staff provided information about violations and other information and assistance. Businesses contacted were Windcrest International Business Park/ICP, Red Tree Square, Dunkin' Donuts, East Group Properties, UPS Store, Buffalo Wild Wings, Chipotle, Global Windcrest Towers, Home Depot, Centro Med, Starbucks, Texas Thrift Store, Stanton Optical, Celebrate Dental, In N Out Burger, Conns and Super Pollo Asados. (Lead-KN)

Real Estate

The Conn's property attracts interest from potential new owners and a business that would like to lease the building from the current ownership. WEDC is working with the owners as they decide whether to sell the property or lease it to a new tenant. Conn's corporate has not given a firm date for the closure, and the current lease goes through January of 2027, which could be a complication. (Lead-MH)

New Businesses

Safeway Supply, Inc., a new business, is located at 5003 Eisenhower Road, Suite #105. Safeway Supply is a janitorial supply wholesale company that provides many types of products for commercial enterprises. This business will use the space primarily as a warehouse and will not sell products to consumers from this location.

Other Business

In an effort to increase business participation and market Windcrest to visitors, WEDC is working with the Windcrest Volunteer Fire Association to be the primary sponsor of the Light Up map. This will include contacting over 120 businesses to encourage them to participate by decorating and also by providing a coupon that will be included in the map insert.

WEDC Social Media Analytics

July 2024 through September 2024

	July	August	September
FACEBOOK			
Total Followers	286	294	296
Total Posts/Reels/Stories	64	89	44
Facebook Reach	731	603	380
Content Interactions	258	248	107
GOOGLE			
Business Profile Interactions	61	40	38
Business Profile Views	158	207	202
Called Us	1	0	3
Map Direction Requests	58	30	29
Clicks from Google to Website	2	10	6
INSTAGRAM			
Total Followers	749	751	748
Total Posts/Reels/Stories	52	74	42
Instagram Reach	445	463	303
Content Interactions	103	113	41
LINKEDIN			
Total Followers	100	100	101
# of Posts	26	30	47
Page Views	16	17	9
THREADS			
Total Followers	145	151	156
Total Posts/Reels/Stories	23	35	41

If you wish to receive a more detailed report with additional statistics,
please contact Karen at the WEDC.



Office of City Secretary

Department Head Report for the month of September 2024



CONTRACTED INSPECTIONS

- **Permit Inspections: 29**
- **Health Inspections: 12**
- **Plan Reviews: 25**
- **Total Expense: \$4,675.00**

BUILDING PERMITS

- **Permits Issued: 53**
- **\$10,442.25 - Total Payments**

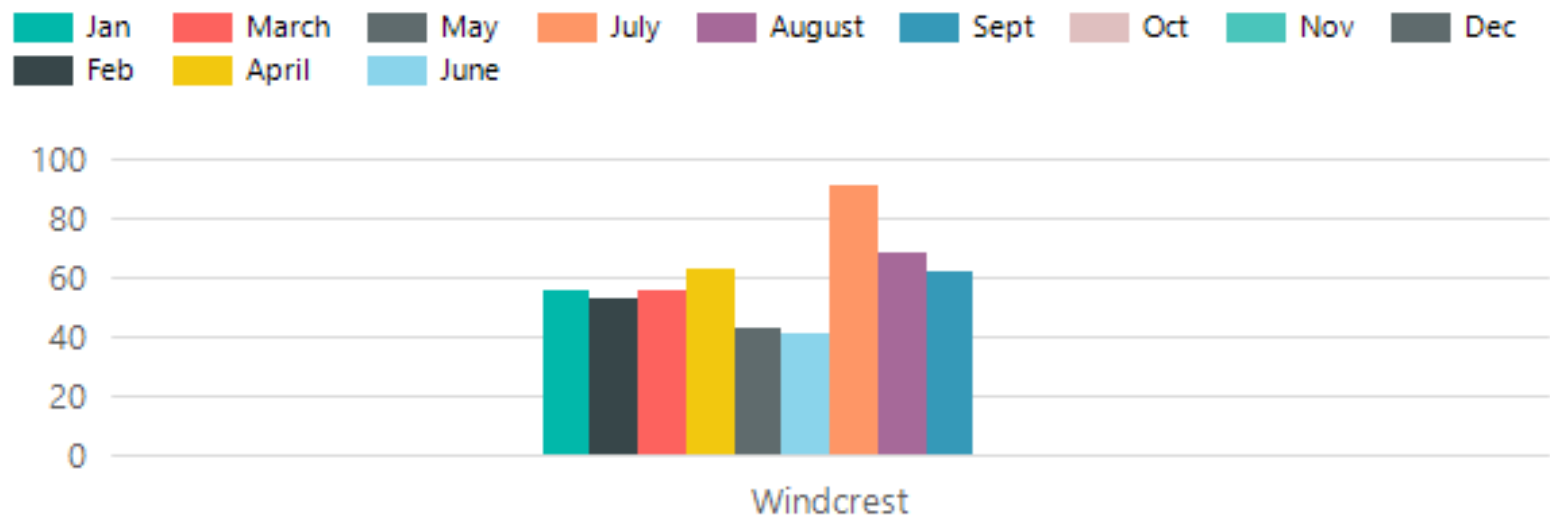
PUBLIC INFORMATION REQUESTS

- **Requests Received: 53**
 - 1 Court Records
 - 18 OCS/Permits Division
 - 14 PD Incident Report Requests
 - 4 PD Audio/Video Requests
 - 16 Crash Report Requests

MPN Project Volume

August 2024

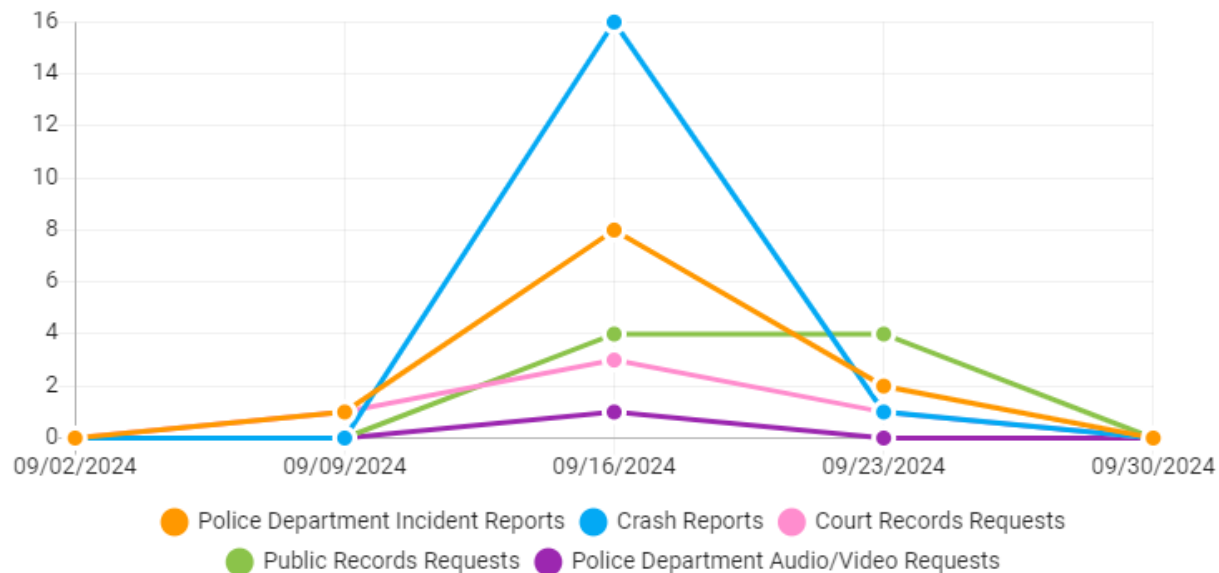
Monthly Project Volume by Jurisdiction



Jurisdiction	Jan	Feb	March	April	May	June	July	August	Sept	Oct	Nov	Dec	Year Total
Windcrest, TX	56	53	56	63	43	41	91	68	62	0	0	0	533
Totals:	56	53	56	63	43	41	91	68	62	0	0	0	533

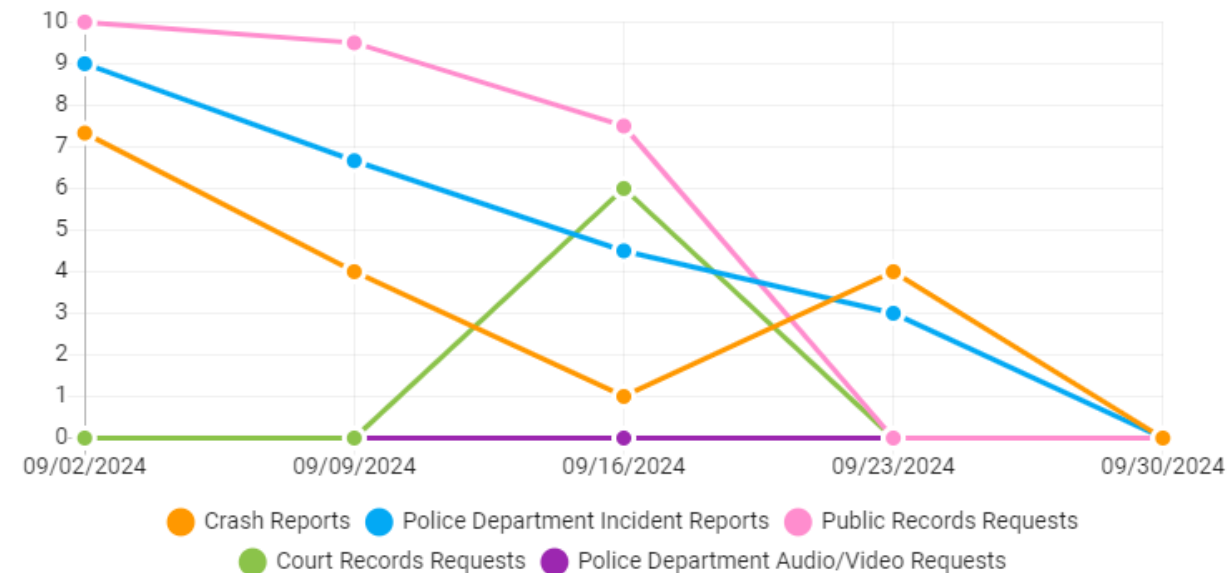
PUBLIC INFORMATION REQUEST MONTHLY SUMMARY

Processed Requests



11 Police Department Incident Reports
17 Crash Reports
5 Court Records Requests
8 Public Records Requests
1 Police Department Audio/Video Requests

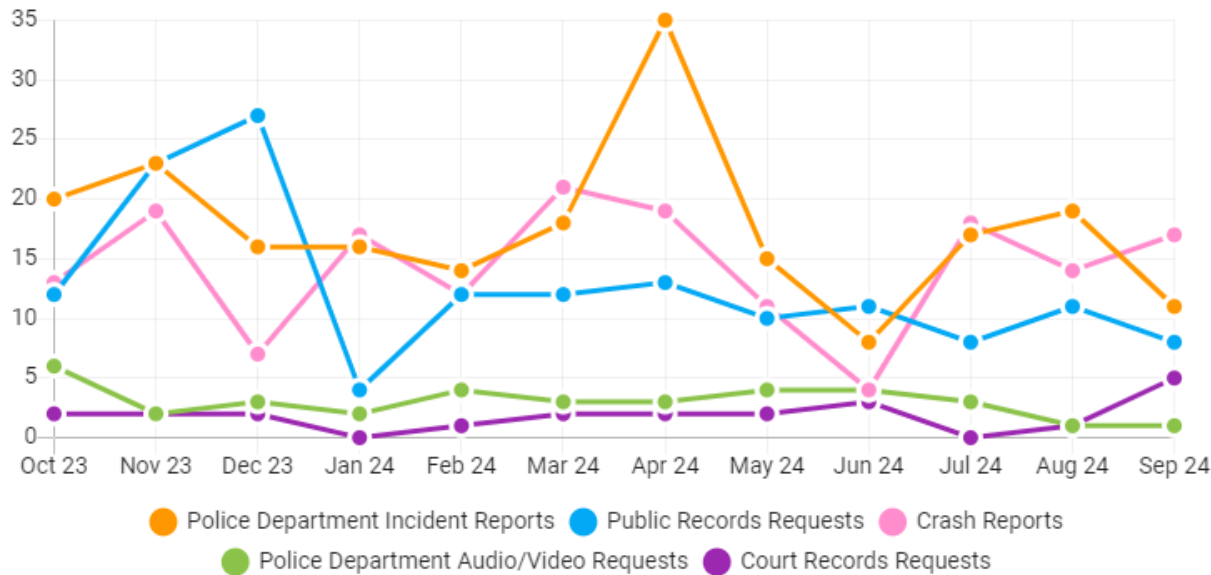
Average Completion Time



5.5 Crash Reports
5.5 Police Department Incident Reports
9 Public Records Requests
6 Court Records Requests
0 Police Department Audio/Video Requests

PUBLIC INFORMATION REQUEST YTD SUMMARY

Processed Requests



212

Police Department Incident Reports

151

Public Records Requests

172

Crash Reports

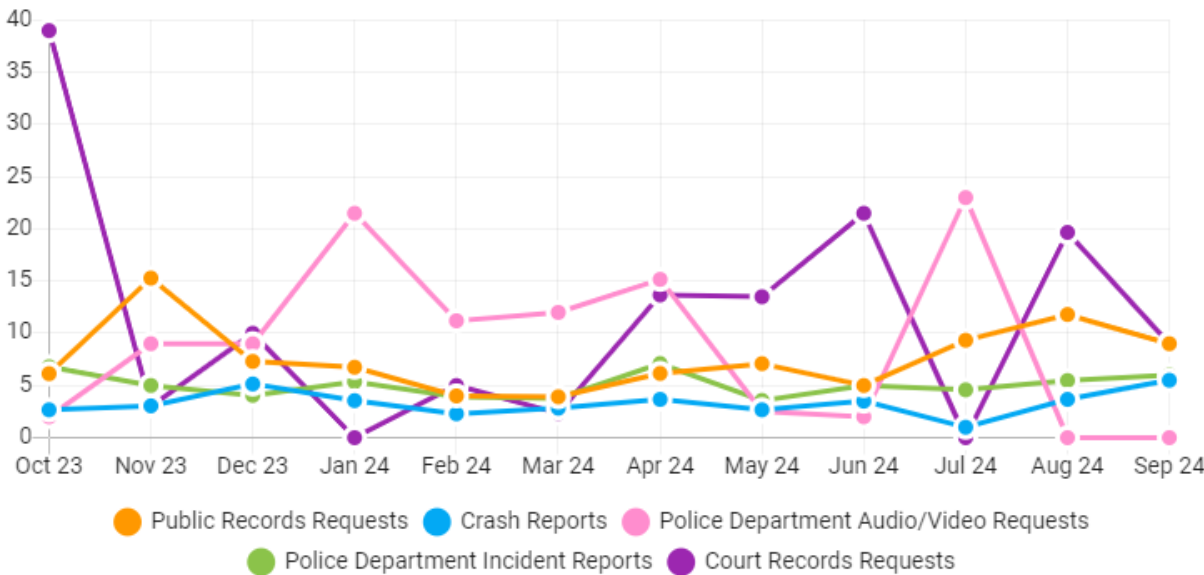
36

Police Department Audio/Video Requests

22

Court Records Requests

Average Completion Time



7.19

Public Records Requests

3.24

Crash Reports

10.45

Police Department Audio/Video Requests

5.2

Police Department Incident Reports

13.26

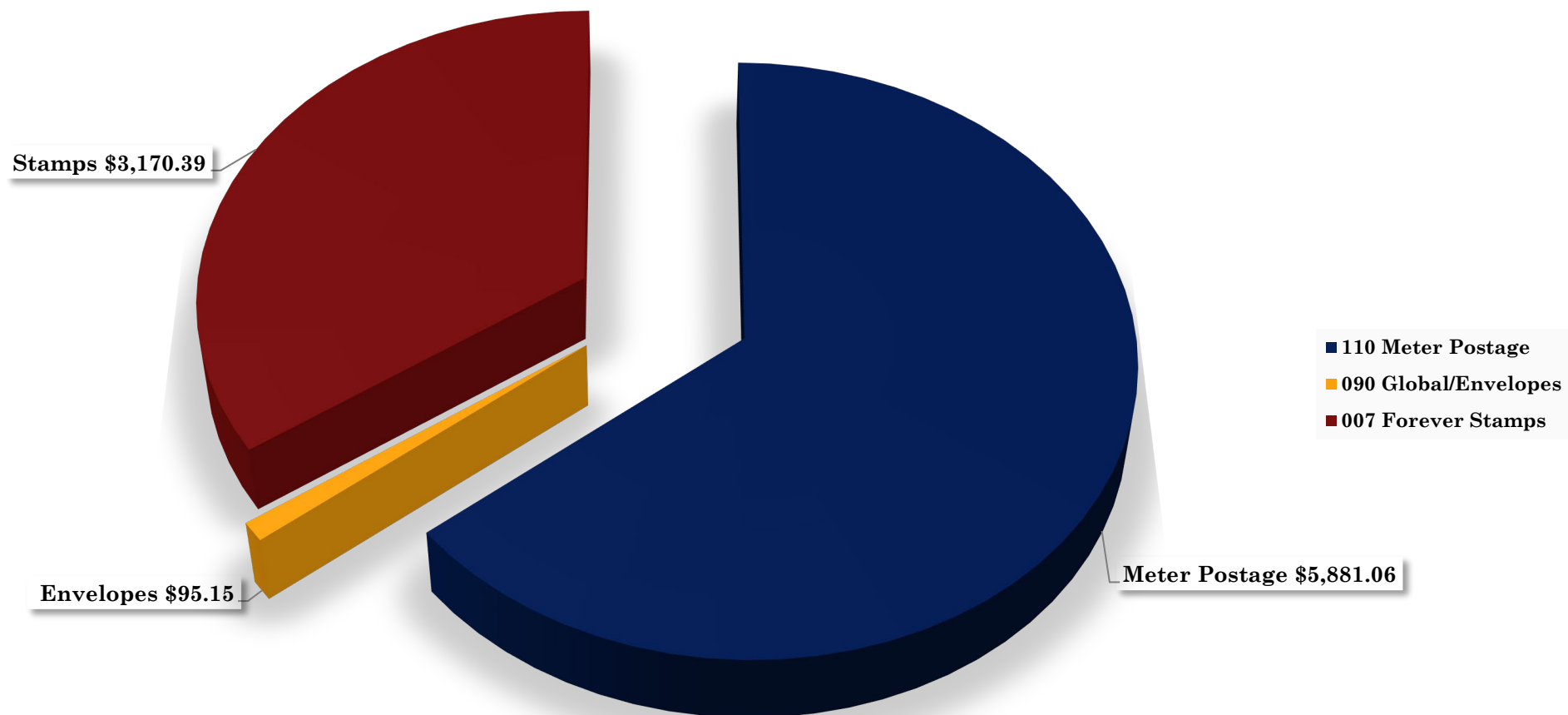
Court Records Requests



10/7/2024	Windcrest Contract Postal Unit				
11:57 AM	Item Summary				
	Date: 9/1/2024 12:00:00 AM to 9/30/2024 11:59:59 PM				
Department	Item Name	Qty Sold	Ext Price		
110 Meter Postage	Certified Mail	17	82.45		
110 Meter Postage	First Class Flat	78	157.03		
110 Meter Postage	Express Flat Rate Envelope	11	334.95		
110 Meter Postage	First Class Letter	135	103.5		
110 Meter Postage	Priority Mail	29	584.72		
110 Meter Postage	Express Mail	2	136.6		
110 Meter Postage	Insurance	5	27.55		
110 Meter Postage	Priority Flat Rate Envelope	48	472.8		
110 Meter Postage	Large Flat Rate	20	495		
110 Meter Postage	Small Flat Rate	11	114.4		
110 Meter Postage	Ground Advantage	186	1,931.41		
110 Meter Postage	Certified w/Postage	31	217.19		
110 Meter Postage	Certified Return Receipt ONLY	27	241.65		
110 Meter Postage	Media Mail	12	57.81		
110 Meter Postage	Padded Flat Rate Mailer	16	169.6		
110 Meter Postage	Medium Flat Rate	41	754.4		
110 Meter Postage		669	5,881.06		
090 Global/Envelopes	Global Daisy Intl.	45	74.25		
090 Global/Envelopes	Stamped Envelope	22	20.9		
090 Global/Envelopes		67	95.15		
007 Forever Stamps	Garden Delights Bklt	14	204.4		
007 Forever Stamps	Book of Flags	176	2,569.60		
007 Forever Stamps	Flag Coil	5	365		
007 Forever Stamps	Purple Heart Stamp	43	31.39		
007 Forever Stamps		238	3,170.39		
Totals		974	9,146.60		

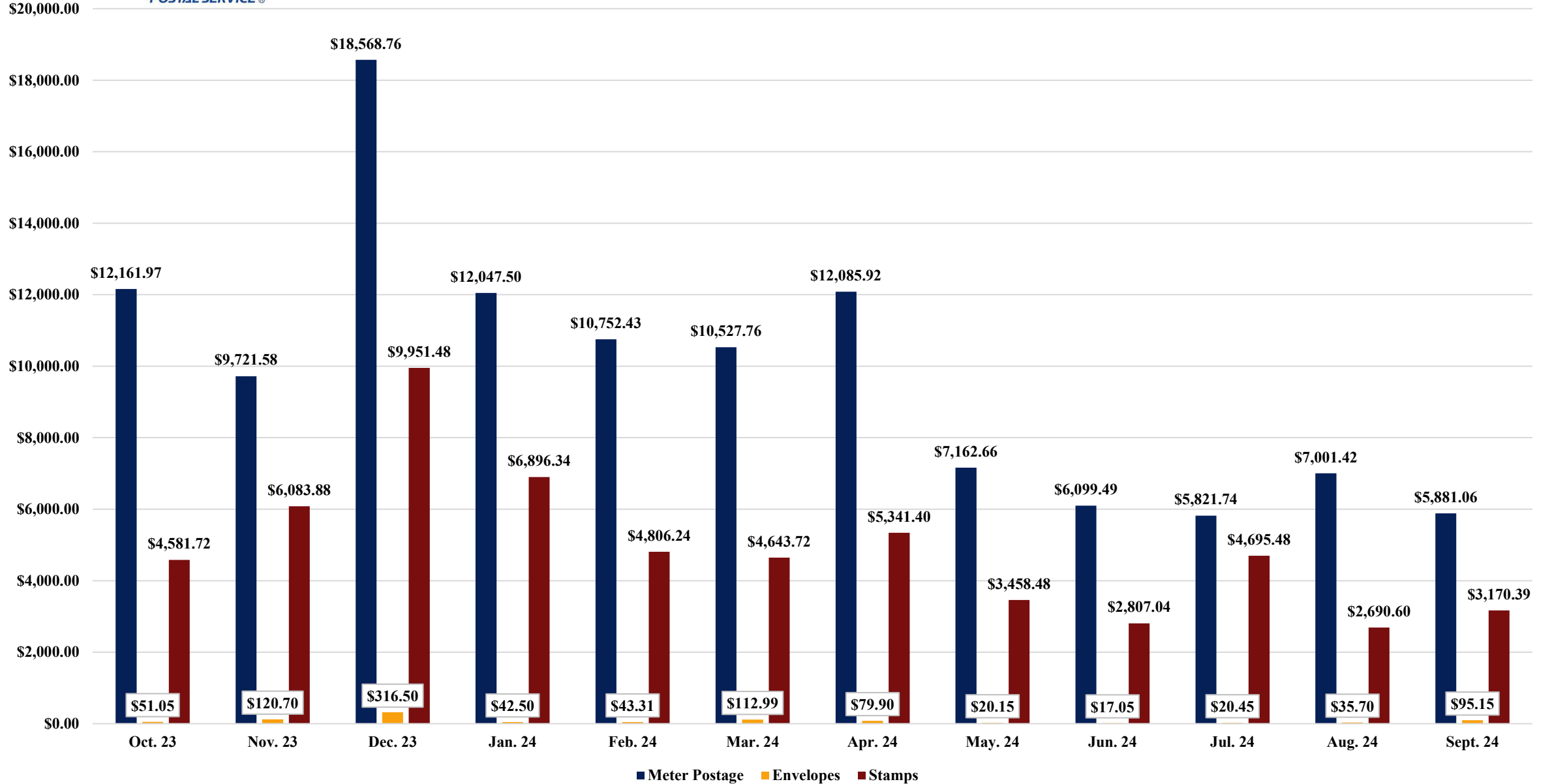


September Post Office Sales



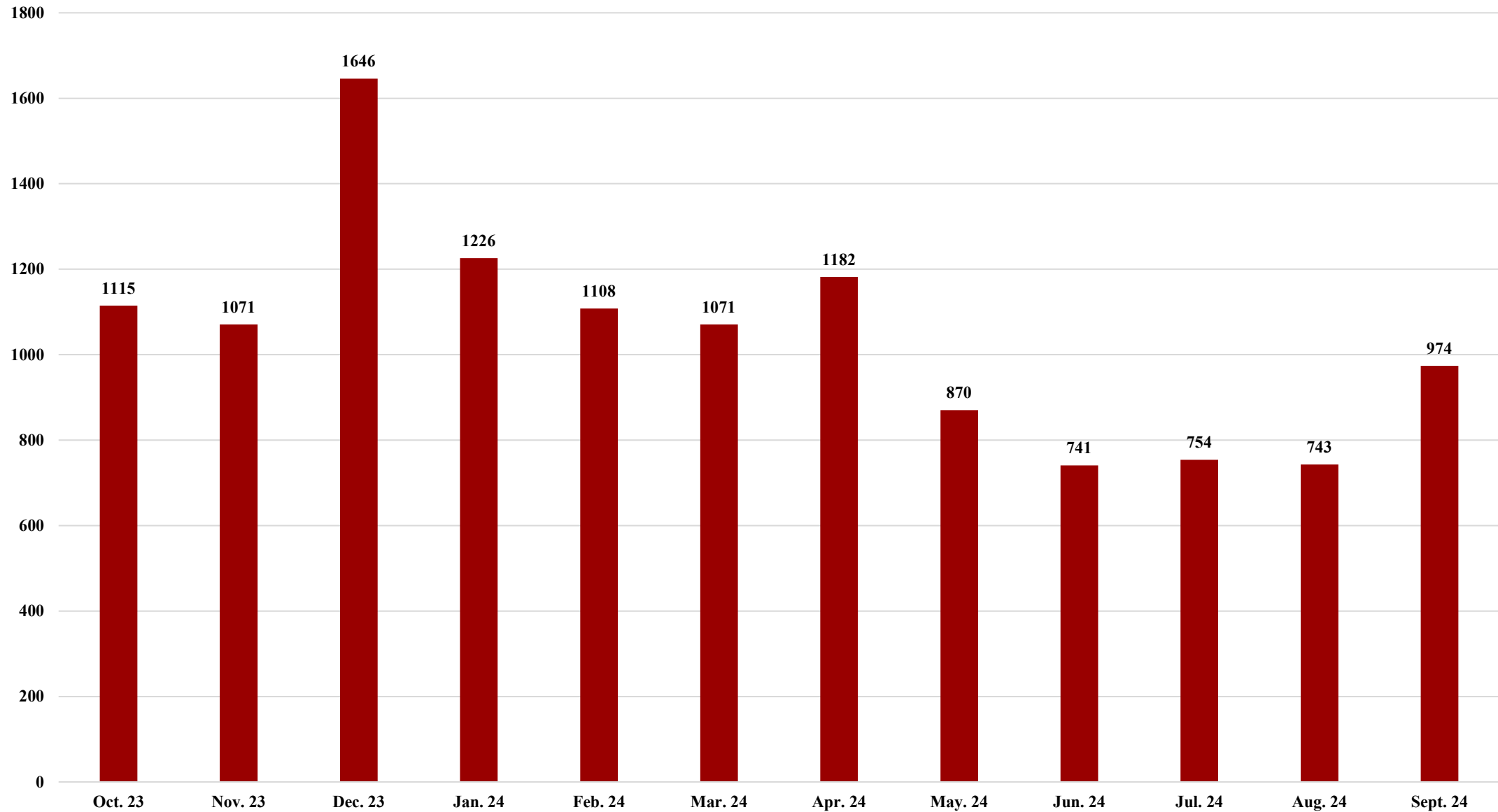


Monthly Sales FY 23-24





Customers FY 23-24



ORDINANCE NO. _____

**AN ORDINANCE AMENDING THE WINDCREST CODE OF
ORDINANCES, CHAPTER 109 SIGNS SECTION 109-9
EASEMENT OR PUBLIC PROPERTY**

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

WHEREAS, the City of Windcrest has adopted a new ordinance for electioneering; and

WHEREAS, the current ordinance for sign easements during electioneering does not fully match the new ordinance for sign placement on City Easements and public property; and

WHEREAS, the City of Windcrest believes that to help avoid confusion and keep its ordinances uniform with each other the old sign ordinance should be amended.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF WINDCREST, TEXAS that Chapter 109, Section 109-9 Easements or Public Property is amended as indicated with cross-through text being deletions and underlined text being additions and shall read as follows:

Sec. 109-9 Easement or Public Property.

No permanent or temporary sign shall be placed or installed over public easements or on public property of the City, except:

- (a) Traffic or other governmental signs necessary for the public health and safety.
- (b) Temporary signs may be placed on the median of Windway.
- (c) Temporary signs may be placed on the median of Eaglecrest between Bayou Bend and Balfour (specifically 751 feet from Bayou Bend to Balfour).
- (d) Temporary signs may be placed at the intersection of Jim Seal and Crestway in the location indicated on the map attached as Exhibit A in the unrestricted section which constitutes a 216.7-foot stretch of Crestway.
- (e) Temporary signs may be placed on public right-of-way extensions over the public right-of-way between the front property line of private real property and the curb of the street in front of such private real property and the side yard extension over the public right-of-way between the side property line of corner private real property and the curb of the street on

the side of such private real property. The placement of signs in the public right-of-way extensions authorized in this subsection shall require the express consent of the adjacent private real property owner.

DULY PASSED ON FIRST READING, on the _____ day of _____, 2024, at a regular meeting of the City Council of the City of Windcrest, Texas, which was held in compliance with the Texas Open Meetings Act, Chapter 551, Texas Government Code, at which meeting a quorum was present and voting.

DULY PASSED AND APPROVED, on the _____ day of _____, 2024, at a regular meeting of the City Council of the City of Windcrest, Texas, which was held in compliance with the Texas Open Meetings Act, Chapter 551, Texas Government Code, at which meeting a quorum was present and voting.

CITY OF WINDCREST, TEXAS

Dan Reese, Mayor

ATTEST:

Rachel Dominguez, City Secretary

APPROVED:

Ryan S. Henry, City Attorney



Midtown Cleaners

RESTRICTED

216.7 Ft

14.6 Ft

Restricted

Crestway Dr

Crestway Rd

Crestway Dr

Crestway Rd

Crestway Dr

Jim Seal Dr

Jim Seal Dr

Jim Seal Dr

**AN ORDINANCE AMENDING THE WINDCREST CODE OF
ORDINANCES, CHAPTER 2 ADMINISTRATION ARTICLE
I SECTION 2-7 BY ADDING RESTRICTIONS ON
APPOINTMENTS TO THE WINDCREST ECONOMIC
DEVELOPMENT CORPORATION**

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

WHEREAS, the City of Windcrest has created an economic development corporation to operate within the City's jurisdiction; and

WHEREAS, the City Council for the City of Windcrest appoints members to the board of the Windcrest Economic Development Corporation, which is the entity's governing body; and

WHEREAS, state law allows the City Council to appoint up to three councilmembers to the board of the Windcrest Economic Development Corporation; and

WHEREAS, the City Council for the City of Windcrest finds it helps to avoid confusion, helps to avoid appearances of improper influence, helps avoid Open Meetings Act violations, and is a better operational choice for the City to self-restrict its appointments and prohibit the City Council from appointing sitting councilmembers to the board of the Windcrest Economic Development Corporation, and

WHEREAS, the City Council for the City of Windcrest finds such self-restriction to be for the benefit of the City and the public in general.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WINDCREST, TEXAS that Chapter 2, Article I is hereby amended by adding Section 2-7 and placing restrictions on appointments to the Windcrest Economic Development Corporation as indicated with cross-through text being deletions and underlined text being additions and shall read as follows:

Sec. 2-7 Appointments and Restrictions on Appointments to the Windcrest Economic Development Corporation

- a) The City Council shall appoint members to the board of directors of the Windcrest Economic Development Corporation. Such appointments must comply with the bylaws and articles of incorporation of the Windcrest Economic Development Corporation and with state law.
- b) The City Council may not appoint a sitting council member to the board of directors of the Windcrest Economic Development Corporation. If a sitting board member is elected or appointed to the City Council such constitutes an automatic resignation from the

individual's position on the board of directors of the Windcrest Economic Development Corporation.

DULY PASSED ON FIRST READING, on the _____ day of _____, 2024 at a regular meeting of the City Council of the City of Windcrest, Texas, which was held in compliance with the Texas Open Meetings Act, Chapter 551, Texas Government Code, at which meeting a quorum was present and voting.

DULY PASSED AND APPROVED, on the _____ day of _____, 2024 at a regular meeting of the City Council of the City of Windcrest, Texas, which was held in compliance with the Texas Open Meetings Act, Chapter 551, Texas Government Code, at which meeting a quorum was present and voting.

CITY OF WINDCREST, TEXAS

Dan Reese, Mayor

ATTEST:

Rachel Dominguez, City Secretary

APPROVED:

Ryan S. Henry, City Attorney

ORDINANCE NO. 2024-____(O)

**AN ORDINANCE OF THE CITY OF WINDCREST, TEXAS
PROHIBITING CAMPING WITHIN THE CITY LIMITS ON
VACANT LOTS; AND A CUMULATIVE CLAUSE,
SEVERABILITY, AND EFFECTIVE DATE.**

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

WHEREAS, the City of Windcrest, Texas desires to ensure the continued health and safety of its residents by managing the use of vacant places with the City; and

WHEREAS, the City finds that managing the use of vacant spaces within the City supports the economic development of the City and the public safety; and

WHEREAS, the City Council of the City of Windcrest finds and determines that the adoption of this Ordinance promotes the health, safety, and welfare of the public; and

WHEREAS, a violation of this ordinance would be a class C misdemeanor offense punishable by a fine not exceeding \$500.00 (five-hundred dollars); and

WHEREAS, the City Council of the City of Windcrest finds and determines that the meeting at which this Ordinance was passed was open to the public and that public notice of the time, place and purpose of said meeting was given as required by the Texas Open Meetings Act, Chapter 551, Texas Government Code.

NOW, THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF WINDREST, TEXAS THAT the Code of Ordinances of the City of Windcrest, Texas is hereby amended by adding ARTICLE X, Section 24-240 to Chapter 24, which shall read as follows:

ARTICLE X – CAMPING

Section 24-240.

(a) In this section:

- (1) “camp” or “camping” means to reside in a place with shelter.
- (2) “shelter” includes a tent, tarpaulin, lean-to, sleeping bag, bedroll, blankets, or any form of temporary, or semipermanent shelter other than clothing, or any handheld device, designed to protect a person from the weather condition that threatens personal health and safety.

- (b) A person commits an offense if the person camps in a vacant lot or yard.
- (c) Camping is prohibited on public property except as may be specifically authorized by the City Manager.
- (d) The following activities constitute prima facie evidence of camping on a vacant lot, but are not the exclusive means of establishing camping activity:
 - (1) Cooking;
 - (2) Making a fire or fire pit;
 - (3) Storing or use of camping equipment including but not limited to tents, sleeping bags, portable grills, or other equipment customarily used for camping activities;
 - (4) Digging;
 - (5) Sleeping.

III. CUMULATIVE CLAUSE

This Ordinance is cumulative of all provisions of the City of Windcrest, except to the extent the provisions of this Ordinance are in direct conflict with the provisions of any other ordinance, in which event the conflicting provisions of such other 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

The City Council of the City of Windcrest intends 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. EFFECTIVE DATE

This Ordinance is effective as of the date of adoption on second reading.

DULY PASSED ON FIRST READING, on the _____ day of _____, 2024 at a regular meeting of the City Council of the City of Windcrest, Texas, which was held in compliance with the Texas Open Meetings Act, Chapter 551, Texas Government Code, at which meeting a quorum was present and voting.

DULY PASSED AND APPROVED, on the _____ day of _____, 2024 at a regular meeting of the City Council of the City of Windcrest, Texas, which was held in compliance with the Texas Open Meetings Act, Chapter 551, Texas Government Code, at which meeting a quorum was present and voting.

CITY OF WINDCREST, TEXAS

Dan Reese, Mayor

ATTEST:

Rachel Dominguez, City Secretary

APPROVED:

Ryan Henry, City Attorney

San Antonio Express - News
AFFIDAVIT OF PUBLICATION

STATE OF TEXAS:
COUNTY OF BEXAR

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared, a Newspaper Representative for the Hearst Newspapers, LLC - dba. San Antonio Express - News, a newspaper published in COUNTY OF BEXAR County, Texas and that the publication, of which the annexed herein, or attached to, is a true and correct copy, was published to wit:

Customer ID	Customer	Order ID	Publication	Pub Date
20001679	ORRICK, HERRINGTON SUTCLIFFE	34354269	SAE Express-News	09/30/24



Newspaper Representative Signature

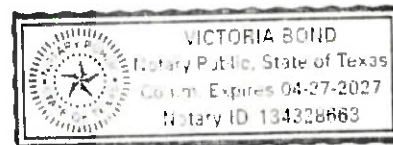
Monica Mendoza

Newspaper Representative Printed Name

Sworn and subscribed to before me, this 30 day of September A.D. 2024



Notary Public in and for the State of Texas



**NOTICE OF PUBLIC HEARING
WITH RESPECT TO THE ISSUANCE OF
REVENUE OBLIGATIONS BY THE
PUBLIC FINANCE AUTHORITY**

Notice is hereby given that on Monday, October 7, 2024, a public hearing, as required by Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), will be held by Compass Rose Education, Inc., d/b/a Compass Rose Public Schools (the "School"), on behalf of the City of Windcrest, Texas, with respect to the proposed issuance by the Public Finance Authority, a commission organized under and pursuant to the provisions of Sections 66.0301, 66.0303, and 66.0304 of the Wisconsin Statutes, as amended (the "Authority"), of qualified 501(c)(3) bonds (as defined in Section 145 of the Code) (the "Bonds") in an aggregate amount not to exceed \$25,000,000. The hearing will commence at 9:00 a.m. and will be held in the main office of the School, located at 300 Crestwind Drive, Windcrest, Texas.

The Bonds are expected to be issued pursuant to Section 66.0304 of the Wisconsin Statutes, as amended, and the proceeds from the sale of the Bonds will be loaned to BlueHub Loan Fund, Inc. (together with its affiliates, the "Borrower") and used to: (i) provide financing for a loan from the Borrower to the School, a Texas nonprofit corporation, to finance the purchase by the School from Windsor Hill Drive Building Hopsa LLC of the Compass Rose Journey public charter elementary school (the "Facility"), including traditional classrooms, specialized academic spaces, special education spaces, a dining/multipurpose space and related facilities, located at 300 Crestwind Drive, Windcrest, TX, or adjacent and proximate sites; and (ii) finance costs incurred in connection with the issuance of the Bonds (collectively, the "Project"). The Facility will be owned and operated by the School.

The Bonds will be special, limited obligations of the Authority payable solely from the loan repayments to be made by the Borrower to the Authority, and certain funds and accounts established by the Loan and Trust Agreement for the Bonds.

The hearing will provide a reasonable opportunity to be heard for persons wishing to express their views on the merits of the Project, its location, the issuance of the Bonds, or related matters. A person wishing to speak at the hearing will be asked to provide his or her name, address, and the person(s) or entity(ies) he or she represents, if any, prior to speaking.

Dated: September 30, 2024

RECORD OF PUBLIC HEARING

Public Finance Authority Revenue Bonds BlueHub Loan Fund Issue, Series 2024B

The undersigned, Chief Executive Officer of Compass Rose Education, Inc., d/b/a Compass Rose Public Schools (the “School”), presided at a public hearing on October 7, 2024, at 9:00 a.m. CT, on behalf of the City of Windcrest, Texas (the “City”), with respect to the issuance of Public Finance Authority Revenue Bonds, BlueHub Loan Fund Issue, Series 2024B (the “Bonds”), for the purpose of providing financing for a project of the School (the “Project”) to be funded from the proceeds of a loan from BlueHub Loan Fund, Inc. to the School. The hearing was held pursuant to a notice of public hearing published in the *San Antonio Express – News* on September 30, 2024, which is a newspaper of general circulation in the City, the Project jurisdiction, in satisfaction of the public notice requirements set forth in Treasury Regulations §1.147(f)-1(d)(4)(i). A copy of the notice is attached hereto as Exhibit A.

The undersigned certifies that the following is an accurate summary of such hearing:

1. The undersigned states that a public hearing was convened in accordance with the published notice.
2. No one appeared who wished to be heard in support of or in opposition to the issuance of the Bonds.
3. The undersigned declared the hearing closed.



By: _____
Name: Paul Morrissey
Title: Chief Executive Officer

Dated: October 7, 2024

Exhibit A

San Antonio Express - News
AFFIDAVIT OF PUBLICATION

STATE OF TEXAS:
COUNTY OF BEXAR

Before me, the undersigned authority, a Notary Public in and for the State of Texas, on this day personally appeared, a Newspaper Representative for the Hearst Newspapers, LLC - dba. San Antonio Express - News, a newspaper published in COUNTY OF BEXAR County, Texas and that the publication, of which the annexed herein, or attached to, is a true and correct copy, was published to wit:

Customer ID	Customer	Order ID	Publication	Pub Date
20001679	ORRICK, HERRINGTON SUTCLIFFE	34354269	SAE Express-News	09/30/24



Newspaper Representative Signature

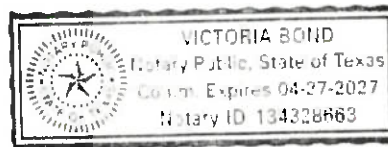
Monica Mendoza

Newspaper Representative Printed Name

Sworn and subscribed to before me, this 30 day of September A.D. 2024



Notary Public in and for the State of Texas



**NOTICE OF PUBLIC HEARING
WITH RESPECT TO THE ISSUANCE OF
REVENUE OBLIGATIONS BY THE
PUBLIC FINANCE AUTHORITY**

Notice is hereby given that on Monday, October 7, 2024, a public hearing, as required by Section 147(f) of the Internal Revenue Code of 1986, as amended (the "Code"), will be held by Compass Rose Education, Inc., d/b/a Compass Rose Public Schools (the "School"), on behalf of the City of Windcrest, Texas, with respect to the proposed issuance by the Public Finance Authority, a commission organized under and pursuant to the provisions of Sections 66.0301, 66.0303, and 66.0304 of the Wisconsin Statutes, as amended (the "Authority"), of qualified 501(c)(3) bonds (as defined in Section 145 of the Code) (the "Bonds") in an aggregate amount not to exceed \$25,000,000. The hearing will commence at 9:00 a.m. and will be held in the main office of the School, located at 300 Crestwind Drive, Windcrest, Texas.

The Bonds are expected to be issued pursuant to Section 66.0304 of the Wisconsin Statutes, as amended, and the proceeds from the sale of the Bonds will be loaned to BlueHub Loan Fund, Inc. (together with its affiliates, the "Borrower") and used to: (i) provide financing for a loan from the Borrower to the School, a Texas nonprofit corporation, to finance the purchase by the School from Windsor Hill Drive Building Hopsa LLC of the Compass Rose Journey public charter elementary school (the "Facility"), including traditional classrooms, specialized academic spaces, special education spaces, a dining/multipurpose space and related facilities, located at 300 Crestwind Drive, Windcrest, TX, or adjacent and proximate sites; and (ii) finance costs incurred in connection with the issuance of the Bonds (collectively, the "Project"). The Facility will be owned and operated by the School.

The Bonds will be special, limited obligations of the Authority payable solely from the loan repayments to be made by the Borrower to the Authority, and certain funds and accounts established by the Loan and Trust Agreement for the Bonds.

The hearing will provide a reasonable opportunity to be heard for persons wishing to express their views on the merits of the Project, its location, the issuance of the Bonds, or related matters. A person wishing to speak at the hearing will be asked to provide his or her name, address, and the person(s) or entity(ies) he or she represents, if any, prior to speaking.

Dated: September 30, 2024

CERTIFICATE FOR RESOLUTION

THE STATE OF TEXAS §
COUNTY OF BEXAR §
CITY OF WINDCREST §

We, the undersigned members of the City Council (the “City Council”) of the City of Windcrest, Texas (the “City”), hereby certify as follows:

1. The City Council convened in regular meeting on the 21st day of October, 2024, at the designated meeting place, and the roll was called of the duly constituted members of said City Council, to wit:

Dan Reese	Mayor
Wes Manning	Council, Place 1
Cindy Strzelecki	Council, Place 2/Mayor Pro Tem
Greg Turner	Council, Place 3
Marcus Yax	Council, Place 4
Adam Astleford	Council, Place 5

and all of said persons were present, except _____, thus constituting a quorum. Whereupon, among other business, the following was transacted at said Meeting: a written

RESOLUTION RELATING TO A PUBLIC HEARING AND APPROVING FINANCING FOR THE BENEFIT OF BLUEHUB LOAN FUND, INC. AND RELATED MATTERS

was introduced for the consideration of said City Council. It was then duly moved and seconded that said Resolution be adopted; and, after due discussion, said motion, carrying with it the adoption of said Resolution, prevailed and carried by the following vote:

AYES: ____ NOES: ____ ABSTENTIONS: ____

2. That a true, full, and correct copy of the aforesaid Resolution adopted at the Meeting described in the above and foregoing paragraph is attached to and follows this Certificate; that said Resolution has been duly recorded in said City Council’s minutes of said Meeting; that the above and foregoing paragraph is true, full, and correct excerpt from said City Council’s minutes of said meeting pertaining to the adoption of said Resolution; that the persons named in the above and foregoing paragraph are the duly chosen, qualified, and acting members of said City Council as indicated therein; and that each of the members of said City Council was duly and sufficiently notified officially and personally, in advance, of the time, place, and purpose of the aforesaid Meeting, and that said Resolution would be introduced and considered for adoption at said Meeting, and each of said members consented, in advance, to the holding of said Meeting for such purpose; and that said Meeting was open to the public, and public notice of the time, place, and purpose of said Meeting was given, all as required by Chapter 551, Texas Government Code.

SIGNED AND SEALED THIS October __, 2024.

City Secretary

Mayor

(SEAL)

**RESOLUTION RELATING TO A PUBLIC HEARING AND APPROVING
FINANCING FOR THE BENEFIT OF BLUEHUB LOAN FUND, INC. AND
RELATED MATTERS**

THE STATE OF TEXAS §
COUNTY OF BEXAR §
CITY OF WINDCREST §

WHEREAS, the City of Windcrest, Texas (the “City”) has been informed that the Public Finance Authority (the “Authority”), a commission organized under and pursuant to the provisions of Sections 66.0301, 66.0303, and 66.0304 of the Wisconsin Statutes, as amended (the “Act”), has adopted a resolution authorizing qualified 501(c)(3) bonds, as defined in Section 145 of the Code, in one or more series in an amount not to exceed \$62 million (the “Bonds”);

WHEREAS, the Authority is authorized to issue bonds for all purposes permitted by the Act;

WHEREAS, a portion of the proceeds of the Bonds in an amount not to exceed \$26 million will be loaned to Compass Rose Education, Inc., d/b/a Compass Rose Public Schools (the “School”), to: (i) finance the purchase by the School from Windsor Hill Drive Building Hope LLC of the Compass Rose Journey public charter elementary school (the “Facility”), including traditional classrooms, specialized academic spaces, special education spaces, a dining/multipurpose space and related facilities, located at 300 Crestwind Drive, Windcrest, TX; and (ii) finance costs incurred in connection with the issuance of the Bonds (collectively, the “Project”). The Facility to be financed and/or refinanced is to be owned and operated by the School, a Texas nonprofit corporation and an organization described in Section 501(c)(3) of the Code;

WHEREAS, section 147(f) of the Internal Revenue Code of 1986, as amended (the “Code”) requires that the issuance of any qualified 501(c)(3) obligations be approved by either the governing body of the City or the chief elected executive officer of the City after a public hearing following reasonable public notice;

WHEREAS, the publication of the Notice of Public Hearing (the “Public Notice”) is evidenced by a Publisher’s Affidavit (a copy of which is attached hereto as Exhibit A);

WHEREAS, attached hereto as Exhibit B is Certificate of Public Hearing regarding the conduct of the Public Hearing;

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

Section 1. The City hereby specifically approves the financing and the Project solely for the purpose of satisfying the requirements of section 147(f) of the Code; provided that the City shall have no liabilities for the Bonds nor shall any of the City’s assets be pledged to secure the Bonds.

Section 2. This Resolution shall become effective immediately upon its passage adoption.

ADOPTED AND APPROVED on October __, 2024.

ATTEST:

City Secretary

Mayor

(City Seal)

Approved:

City Attorney

EXHIBIT A

PUBLISHER'S AFFIDAVIT

See Attached

EXHIBIT B

CERTIFICATE OF PUBLIC HEARING

See Attached

H.B. 3186

Texas Youth Diversion and Early Intervention Act

Effective: January 1, 2024

TMCEC: Tragic events like the one in Uvalde have increased awareness about the importance of identifying and responding to at-risk youth and those with mental illness. Experts believe that early identification and intervention involving gateway offenses is crucial in reducing recidivism, system involvement, costs, and in helping youth access necessary services.

In 2019, the Texas Judicial Council began working with justice and municipal court representatives, juvenile prosecutors, and juvenile defense attorneys to propose statutory changes. The proposed changes were devised by the Texas Judicial Council's Youth Diversion Workgroup and recommended by the Texas Judicial Council's Criminal Justice Committee in 2022 to the legislature. The changes aim to help identify at-risk youth and those living with mental illness and keep them from spiraling deeper into the criminal justice system while also holding them accountable for their actions.

The Texas juvenile justice system consists of distinct civil and criminal components. Civil adjudication entails juvenile probation and juvenile courts and is governed by the Family Code. Criminal adjudication, which is governed by the Code of Criminal Procedure, involves a relatively small number of teenagers accused of felonies who are certified to stand trial as adults in district courts. In municipal and justice courts, criminal adjudication mostly involves children (ages 10-16) accused of non-traffic Class C misdemeanors.

Texas law authorizes most Class C misdemeanors to be civilly adjudicated as conduct indicating a need for supervision (CINS) (See Section 51.03 of the Family Code). Prior to 1987, CINS was the exclusive method for handling such cases. Since then, the number of CINS cases has dwindled. Because juvenile probation and juvenile courts are unable to accommodate the volume of such cases, few cases are handled as CINS. Annually, 30,000-50,000 juvenile justice cases that could be civilly adjudicated as CINS are criminally adjudicated as Class C misdemeanors. With limited financial resources and public recognition for the important role they play in the juvenile justice system, municipal and justice courts have become the first line of responders in most cases involving the misconduct of children. For nearly two decades, the judiciary has worked with the legislature to improve how cases involving youth are handled in municipal and justice courts and ensure that rights are protected and disparities are addressed. Critics claim that disparities in how CINS and Class C misdemeanors are handled make the juvenile justice system unfair. When civilly adjudicated, Texas law provides for the possibility of statutory diversion prior to court. However, under current law, when criminally adjudicated in municipal and justice courts, there is no similar statutory authorization.

H.B. 3186 increases opportunities for early identification of at-risk youth and for redirecting children accused of certain "gateway" Class C misdemeanors. Currently, municipal and justice courts can only order diversion strategies after a case has resulted in a conviction or deferral of disposition. H.B. 3186 makes these strategies available at the front end of a case where they can be more effective. This aligns municipal and justice court practices with those used by juvenile probation and juvenile courts. The bill also recalibrates and expands opportunities for collaboration

and financial resources in both rural and urban parts of Texas. H.B. 3186 requires the adoption of a youth diversion plan for every municipal and justice court no later than January 1, 2025.

Note: Throughout this bill summary, unless specified otherwise, all references to new and amended articles in Chapter 45 are references to the Code of Criminal Procedure.

Section by Section Analysis:

Section 1. Citation

H.B. 3186 may be cited as the Texas Youth Diversion and Early Intervention Act.

Section 2. Subchapter E. Youth Diversion

Rather than reinventing the processes known to work in municipal and justice courts, H.B. 3186 provides for youth diversion in municipal and justice courts by supplementation, specifically, adding a new subchapter (Subchapter E) to Chapter 45 of the Code of Criminal Procedure.

According to the bill's legislative history, Subchapter E should be construed to accomplish the following objectives:

1. Reduce recidivism and the occurrence of problem behaviors through intervention without having to criminally adjudicate children in justice and municipal courts.
2. Identify at-risk youth, including youth with mental health needs, substance use disorders, or intellectual and developmental disabilities and, where appropriate, make referral to early youth and intervention services under Subchapter D, Chapter 264 of the Family Code.
3. Authorize diversions of children charged with certain offenses punishable by imposition of a fine from criminal adjudication that emphasize accountability and responsibility of the parent and the child for the child's conduct while also promoting community safety.
4. Increase collaboration between governmental, educational, and non-profit organizations in devising local and regional diversion strategies in rural and urban counties and municipalities.

A. Definitions. Article 45.301 contains definitions of terms that are used throughout Subchapter E. "Charge" means a formal or informal allegation of an offense, including a citation, written promise to appear, complaint, or pending complaint. "Court" means a justice court, municipal court or other court governed by Chapter 45 of the Code of Criminal Procedure. "Diversion" means an intervention strategy that redirects a child from formal criminal prosecution and holds the child accountable for the child's actions. "Service provider" means a governmental agency, political subdivision (local governments, including a school district), open-enrollment charter school, nonprofit organization, or other entity that provides services to children or families. Other terms defined include "offense," "parent," and "youth diversion plan."

B. Applicability. Article 45.302 limits the application of Subchapter E to a child alleged to have engaged in conduct that constitutes a misdemeanor punishable by fine only, other than a traffic offense.

Note: “Offense” means a misdemeanor punishable by a fine other than a traffic offense. “Traffic offense” is defined in Section 51.02(16) of the Family Code, which parallels Sections 8.07(2) and (3) of the Penal Code (Age Affecting Criminal Responsibility).

C. Transfer to Juvenile Court Not Affected. Article 45.303 states that nothing in Subchapter E precludes a case from being referred, adjudicated, or disposed of as CINS under Title 3 of the Family Code or precludes a permissive or mandatory waiver of criminal jurisdiction and transfer from a municipal or justice court per Section 51.08 of the Family Code.

D. Diversion Eligibility. Current law contains neither a mandate for diversion nor uniform criteria for determining eligibility. Article 45.304 requires a child to be diverted from formal criminal prosecution as provided by Subchapter E with the following exceptions: (1) a child is eligible to enter into a diversion agreement under this subchapter only once every 365 days; (2) a child is not eligible for diversion if the child has previously had an unsuccessful diversion under Subchapter E; (3) a child is not eligible for diversion if a diversion is objected to by the prosecutor; and (4) a court may not divert a child from criminal prosecution without the written consent of the child and the child’s parent.

E. Diversion Strategies. Current law does not provide an inventory of diversion strategies that may be used by municipal and justice courts. Article 45.305 provides a robust non-exhaustive itemization of strategies that may be adopted. Diversion strategies include: (1) requiring a child to participate in a court-approved teen court program operated by a service provider; a school-related program; an educational program, including an alcohol awareness program, a tobacco awareness program, or a drug education program; a rehabilitation program; or a self-improvement program, including a program relating to self-esteem, leadership, self-responsibility, empathy, parenting, parental responsibility, manners, violence avoidance, anger management, life skills, wellness, or dispute resolution; (2) referring a child to a service provider for services, including at-risk youth services; juvenile case manager services; work and job skills training, including job interviewing and work preparation; academic monitoring or tutoring, including preparation for a high school equivalency examination; community-based services; mental health screening and clinical assessment; counseling, including private or in-school counseling; or mentoring services; (3) requiring a child to participate in mediation or other dispute resolution processes; submit to alcohol or drug testing; or substantially comply with a course of treatment prescribed by a physician or other licensed medical or mental health professional; and (4) requiring a child, by court order, to pay restitution not to exceed \$100 for an offense against property; perform not more than 20 hours of community service; or perform any other reasonable action determined by the court.

A diversion strategy may be imposed in connection with (1) an intermediate diversion under Article 45.309, (2) a diversion by a justice or judge under Article 45.310, or (3) a system of graduated sanctions for certain school offenses under Section 37.144 of the Education Code. A diversion strategy may not, however, be used to require a child who is a home-schooled student to attend an elementary or secondary school or to use an educational curriculum other than the curriculum selected by the parent.

Note: Many, but not all, of the diversion strategies in Article 45.305 look familiar. A lot of them are conditions or requirements authorized as a part of a deferred disposition or elsewhere in existing law. H.B. 3186 does not change these laws, but rather allows the possibility for teen court, juvenile case management, or other strategies to be used prior to court without a criminal

adjudication.

F. Youth Diversion Plan. Article 45.306 states that a youth diversion plan is a written plan that describes the types of strategies that will be used to implement youth diversion. A youth diversion plan does not limit the types of diversion strategies that are authorized to be imposed in a diversion agreement under Article 45.308 (Diversion Agreement).

Article 45.306 requires each justice and municipal court to adopt a youth diversion plan. However, it also allows a youth diversion plan to be devised for a county or municipality or an individual court within a county or municipality.

To promote collaboration and the leveraging of resources, Article 45.306(d) authorizes local governments to enter into an agreement to create a regional youth diversion plan and collaborate in the implementation of Subchapter E per Chapter 791 of the Government Code (Interlocal Cooperation Contracts). Similarly, because local governments may not have adequate staffing resources, a youth diversion plan may include an agreement with a service provider to provide services for a diversion strategy.

May law enforcement be incorporated into a youth diversion plan? Yes, it is a possibility. H.B. 3186 provides maximum flexibility for local governments throughout Texas in devising a youth diversion plan in light of available resources and circumstances. Subchapter E is court focused. It primarily supplements processes and procedures pertaining to children that are already familiar to municipal and justice courts. It does not change procedures prescribed for law enforcement. Article 45.306(f), however, states that a youth diversion plan may contain guidelines for disposition or diversion of a child's case by law enforcement, but the guidelines are not mandatory.

Be ready for public inspection requests. Article 45.306(g) requires that a current youth diversion plan be maintained on file for public inspection in each justice and municipal court, including courts that collaborate with one or more counties or municipalities.

Because successful implementation of Subchapter E will require more than simply adopting a youth diversion plan, Article 45.306(h) authorizes a court or local government to adopt rules necessary to coordinate services under a youth diversion plan or to implement the subchapter.

G. Youth Diversion Coordinator. Who will be designated youth diversion coordinator in your local municipal or justice court? Article 45.307 authorizes a court to designate a youth diversion coordinator who assists the court in: (1) determining whether a child is eligible for diversion; (2) employing a diversion strategy authorized by Subchapter E; (3) presenting and maintaining diversion agreements; (4) monitoring diversions; (5) maintaining records regarding whether one or more diversions were successful or unsuccessful; and (6) coordinating referrals to court.

The responsibilities of the youth diversion coordinator may be performed by: (1) a court administrator or court clerk, or a person who regularly performs the duties of court administrator or court clerk; (2) an individual or entity that provides juvenile case manager services under Article 45.056; (3) a court-related services office; (4) a community supervision and corrections department, including a juvenile probation department; (5) a county or municipal employee, including a peace officer; (6) a community volunteer; (7) an institution of higher education,

including a public, private, or independent institution of higher education; or (8) a qualified nonprofit organization as determined by the court.

H. Diversion Agreement. A diversion agreement is a legally binding contract. Article 45.308 requires a diversion agreement to identify the parties to the agreement and the responsibilities of the child and the child's parent to ensure their meaningful participation in a diversion under Article 45.309 (Intermediate Diversion) or Article 45.310 (Diversion by Justice or Judge). Objectives in a diversion agreement must be measurable, realistic, and reasonable and consider the circumstances of the child, the best interests of the child, and the long-term safety of the community.

A diversion agreement has seven statutory requirements: (1) the terms of the agreement, including one or more diversions required to be completed by the child, written in a clear and concise manner and identifying any offense or charge being diverted; (2) possible outcomes or consequences of a successful diversion and an unsuccessful diversion; (3) an explanation that participation in a diversion is not an admission of guilt and a guilty plea is not required to participate in a diversion; (4) an explanation of the process that will be used for reviewing and monitoring compliance with the terms of the agreement; (5) the period of the diversion; (6) verifications that the child and the child's parent were notified of the child's rights, including the right to refuse diversion, and that the child knowingly and voluntarily consents to participate in the diversion; and (7) written acknowledgment and acceptance of the agreement by the child and the child's parent.

Diversion agreements are not one-size-fits-all. They are intended to be customized. Article 45.308(d) states that the terms of a diversion agreement may vary depending on the circumstances of the child, including the child's age and ability, the charge being diverted, or the diversion strategy used.

In addition to being a contract, there are other significant legal implications associated with a diversion agreement as it pertains to the initial criminal allegation. Under Article 45.308(e), a charge is prohibited from being filed against a child or, if filed, is required to be dismissed by the court if the child (1) does not contest the charge, (2) is eligible for diversion under Article 45.304, and (3) accepts the terms of the agreement. However, entering into a diversion agreement under Article 45.308 extends the court's jurisdiction for the term of the agreement.

On entering into a diversion agreement, Article 45.308(g) requires the clerk of the court, a youth diversion coordinator, or a person specified by the youth diversion plan to provide a copy of the agreement to the child and the child's parent.

I. Intermediate Diversion vs. Diversion by a Justice or Judge. To avoid a one-size-fits-all approach, Subchapter E provides courts great latitude to tailor their diversion plans to meet the varying needs of both rural and urban cities and counties. This focus on flexibility is reflected in the difference between two distinct statutory frameworks: intermediate diversion and diversion by a justice or judge.

Intermediate diversion under Article 45.309 is only authorized if specified in a youth diversion plan under Article 45.306. It requires a youth diversion coordinator or juvenile case manager to

advise the child and the child's parent before a case is filed that the case may be diverted for a reasonable period not to exceed 180 days if: (1) the child is eligible for diversion under Article 45.304; (2) diversion is in the best interests of the child and promotes the long-term safety of the community; (3) the child and the child's parent consent to diversion with the knowledge that diversion is optional; and (4) the child and the child's parent are informed that they are authorized to terminate the diversion at any time and, if terminated, the case will be referred to court. The terms of an intermediate diversion must be in writing and may include any of the diversion strategies under Article 45.305. The case of a child who successfully complies with the terms of a diversion agreement under Article 45.309 shall be closed and reported as successful to the court. A child who does not comply with the terms of a diversion agreement under Article 45.309 shall be referred to court under Article 45.311.

For a diversion by a justice or judge under Article 45.310, if a charge involving a child who is eligible for diversion is filed with a court, a justice or judge shall divert the case in one of two ways: (1) if the child does not contest the charge, a justice or judge is required to divert the case without the child having to enter a plea; or (2) if the child contests the charge, a justice or judge is required to divert the case at the conclusion of trial on a finding of guilt without entering a judgment of conviction as provided by Article 45.041 (Judgment). A diversion by a justice or judge may not exceed 180 days. The terms of a diversion agreement under Article 45.310 are required to be in writing and may include any of the diversion strategies described by Article 45.305. The case of a child who successfully complies with the terms of a diversion agreement under Article 45.310 shall be closed and reported as successful to the court. A child who does not comply with the terms of the diversion agreement under Article 45.310 shall be referred to court for a hearing under Article 45.311.

Note: As reflected in Article 45.310, a legislative preference for youth diversion should not be construed by judges and court personnel as diminishing a child's right to trial. At the same time, it is important to stress that invoking the right to trial does not alleviate a judge's statutory obligation to divert at the conclusion of trial on a finding of guilt without entering a judgment of conviction.

J. Referral to Court. Article 45.311 requires a court to conduct a non-adversarial hearing for a child who does not successfully complete the terms of either an intermediate diversion under Article 45.309 or a diversion by a justice or judge under Article 45.310 and is referred to the court. The hearing is an opportunity for a justice or judge to confer with the child and the child's parent to determine whether a diversion should be declared unsuccessful by the court. The court may also hear from any person who may be of assistance to the child or the court in determining what is in the best interests of the child and the long-term safety of the community.

After a hearing, per Article 45.311(c), a court may enter an order: (1) amending or setting aside terms in the diversion agreement; (2) extending the diversion for a period not to exceed one year from the initial start date of the diversion; (3) issuing a continuance for the hearing for a period not to exceed 60 days to allow an opportunity for compliance with the terms of the diversion; (4) requiring the child's parent to perform any act or refrain from performing any act as the court determines will increase the likelihood the child will successfully complete the diversion and comply with any other order of the court that is reasonable and necessary for the welfare of the

child; (5) finding the diversion successful on the basis of substantial compliance; or (6) finding the diversion unsuccessful and either transferring the child to juvenile court for alleged CINS under Section 51.08 of the Family Code (Transfer From Criminal Court) or referring the charge to the prosecutor for consideration of re-filing. The statute of limitations in Article 12.02(b) of the Code of Criminal Procedure is tolled during the diversion period. This means that from the start date to the end date of a diversion agreement, the statute of limitations clock does not run, making it possible for a case to be filed in municipal court more than two years from the offense date.

Note: There is an important caveat regarding orders affecting parents. Under Article 45.311(e), orders against parents are enforceable by contempt. However, Article 45.311(d) prohibits such orders from having the substantive effect of interfering with a parent's fundamental right to determine how to raise the parent's child, unless the court finds that the interference is necessary to prevent significant impairment of the child's physical, mental, or emotional health.

K. Local Youth Diversion Administrative Fee (LYDAF). Article 45.312 authorizes the clerk of a court to collect from a child's parent a \$50 administrative fee to defray the costs of the diversion of the child's case. The LYDAF may not be collected unless specified as a term of the diversion agreement accepted by the child's parent. However, if the fee is not paid after giving the parent an opportunity to be heard, the court shall order the parent, if financially able, to pay the fee to the clerk. An order to pay is enforceable by contempt. However, if the parent is indigent or does not have sufficient resources or income to pay, a court shall waive the fee. A court may adopt rules for LYDAF financial hardship waivers.

There are two additional important requirements in Article 45.312 relating to the LYDAF. First, the clerk of the court is required to keep a record of fees collected and shall forward the funds to the local government treasurer or person fulfilling the role of treasurer. Second, the fee shall be deposited in a special account that can be used only to offset the cost of the operations of youth diversion programs under Subchapter E.

Article 45.312 also contains two important prohibitions. Except for the LYDAF, no additional fee may be assessed for a child diverted under Subchapter E. The diversion of a child may not be contingent on payment of the LYDAF.

Note: The LYDAF is different than most fees collected in municipal and justice courts typically associated with children accused of Class C misdemeanors. Its collection is not triggered by a judgment/conviction or a deferred disposition. There is no state mandate to collect the LYDAF. Rather, state law authorizes its collection. And it is not collected from the child-defendant, but rather the child's parent, subject to the terms of the youth diversion agreement. (In contrast, parents are under no legal obligation to pay any cost assessed against a child in a criminal adjudication.) While 90% of state court costs in criminal cases are remitted to the state, the LYDAF, which is not a state criminal court cost, is 100% locally retained and can only be used to offset the cost of the operations of youth diversion programs under Subchapter E. Article 45.312 implicitly states that the LYDAF may not be collected without complying with the requirements of Subchapter E.

L. Diversion Records. Article 45.313 requires justice and municipal courts to maintain statistics for each diversion strategy authorized by Subchapter E. Such data can be used by courts and local

governments for planning and gauging diversion efforts. However, all records generated under Subchapter E, other than statistical records, are confidential under Article 45.0217 (Confidential Records Relating to Charges Against or Conviction of a Child). All youth diversion records of a child under Subchapter E are required to be expunged, without a motion or request, on the child's 18th birthday.

Sections 3-8. Other Changes to Chapter 45 of the Code of Criminal Procedure

The addition of Subchapter E (Youth Diversion) to Chapter 45 of the Code of Criminal Procedure required making conforming amendments in other Subchapters of Chapter 45. Some of these changes are substantive.

A. Plea by Minor and Appearance by Parent. Article 45.0215(a) is amended to reflect that the provisions in present law pertaining to a plea by a minor and the appearance of a parent must be read in conjunction with the general statutory directive in Subchapter E to divert children.

B. Judgment. H.B. 3186 amends Article 45.041 adding Subsection (a-2) and amending Subsection (b-3).

Youth diversion does not negate the right to trial. Subsection 45.041(a-2) provides that if a child who is eligible for diversion under Article 45.304 goes to trial, and if the court determines that the evidence presented in a bench trial would support a finding of guilt, or if a jury returns a verdict of guilty, the court must provide the child and the child's parents the opportunity for diversion per Article 45.310 (Diversion by Justice or Judge). If the child and the child's parent decline the diversion, the court shall find the child guilty and proceed to sentencing.

If a diversion is not required under Subchapter E, who chooses how a child defendant shall discharge the judgment? Subsection 45.041(b-3), as amended, states that if a diversion is not required under Subchapter E or Subsection (a-2), a judge *must* allow a defendant who is a child to elect at the time of conviction to discharge the fine and costs either by: (1) performing community service or receiving tutoring under Article 45.049 (Community Service in Satisfaction of Fine or Costs) or (2) pay the fine and costs per Article 45.041(b). Under current law, a judge may, but is not required to, allow a child to make such an election.

Note: While H.B. 3186 excludes traffic offenses from the scope of statutory diversion under Subchapter E, no such exclusion exists for the amendment to Article 45.041(b-3). Accordingly, even children convicted of traffic offenses must be allowed to elect how they will discharge the judgment. These elections under Article 45.041(b-3) should be carefully documented by courts. It is also important to remember that a defendant may discharge the obligation to perform community service at any time by paying the fine and costs assessed.

C. Community Service. Article 45.049(f) specifies the circumstances when certain government actors are not liable for damages arising from community service. H.B. 3186 extends such protections to community service performed as part of a diversion under Subchapter E. Because it is anticipated that juvenile probation departments will take on an increased role under Subchapter

E in some jurisdictions, H.B. 3186 amends Article 45.049(I) to include local juvenile probation departments among the entities authorized to supervise community service.

D. Sections 6-8. Juvenile Case Management

In 2018, the Texas Judicial Council's Juvenile Justice Committee recommended that the legislature amend the law to clarify and expand the use of juvenile case managers in Texas.

Article 45.056 authorizes local governments to employ a juvenile case manager to assist in administering cases involving children. As conceptualized by University of Texas Law Professor Robert O. Dawson, juvenile case managers generally operate as several positions rolled into one: an innovative problem-solver that is part court clerk, part probation officer, and part social worker.

In 2011, the legislature's commentary to S.B. 61 stated that although their roles vary, juvenile case managers are intended to serve as problem solvers by fostering interaction between youth and judges, integrating social services into the disciplinary process, and cooperating with children, parents, schools, and courts to best serve the interests of children and the community. The commentary also stated that despite the increased use of juvenile case managers since first authorized in 2001 and the creation of the juvenile case manager fund in 2005, the legislative intent behind the creation of this unique position remains largely unrealized.

Although the exact number of juvenile case managers is unknown, in 2018 it was estimated that there were only 170 juvenile case managers throughout Texas. Most juvenile case managers operate in or near urban and suburban areas, leaving rural areas underserved. Although Article 45.056 has long authorized shared employment of juvenile case managers, there is little evidence to show that rural areas use case managers on a regional basis. Some courts and local governments cannot afford to hire a juvenile case manager and others do not have enough juvenile case filings to warrant hiring a juvenile case manager. Consequently, under current law, only local governments that can afford to hire a juvenile case manager have one.

H.B. 3186 aims to increase the juvenile case manager services throughout Texas by encouraging collaboration between governmental, educational, and non-profit organizations in devising local and regional diversion strategies in rural and urban counties and municipalities.

It does this in multiple ways:

- Article 45.056(a)(1) is expanded to authorize contracting (and joint contracting) for juvenile case manager services to comply with the requirements of youth diversion under Subchapter E.
- Article 45.056(b) is expanded to allow local entities to jointly apply to the Criminal Justice Division of the Office of the Governor for reimbursement of all or part of the costs of employing one or more juvenile case managers or contracting for juvenile case manager services for purposes of youth diversion. To be eligible for reimbursement, an application must be presented to the governor's office with a comprehensive plan to reduce juvenile crimes and a youth diversion plan under Article 45.306 that addresses the role of the juvenile case manager in youth diversion efforts.
- Article 45.056(c) is amended to provide that an entity that jointly employs a juvenile case manager, jointly contracts for juvenile case manager services, or jointly contributes to the

costs of a juvenile case manager or juvenile case manager services under Subsection (a)(3) **employs**” a juvenile case manager for purposes of Chapter 102 of the Code of Criminal Procedure (Costs, Fees, and Fines Paid by Defendants) and Chapter 102 of the Government Code.

- Article 45.056(d) is expanded to authorize a court or governing body to pay the costs of contracting for juvenile case manager services under the renamed Local Youth Diversion Fund (currently Local Truancy Prevention and Diversion Fund in Section 134.156 of the Local Government Code).
- Article 45.056(e), as amended and reenacted, states that a juvenile case manager, rather than a juvenile case manager “employed under Subsection (c),” shall give priority to cases brought under Section 25.093 of the Education Code (Parent Contributing to Nonattendance), Truancy Court Proceedings (Chapter 65 of the Family Code), and youth diversion under Subchapter E.
- Article 45.056(g), as amended, requires a court, rather than an “employing” court, to implement the rules adopted under Subsection (f) (which requires a governing body to adopt reasonable rules for juvenile case managers).
- Article 45.056(h), as amended, requires the commissioners court or governing body of the municipality that administers a local youth diversion fund, rather than a local truancy prevention and diversion fund, under Section 134.156 of the Local Government Code to require periodic review of juvenile case managers to ensure the implementation of the rules adopted under Subsection (f).

Note: Changes made to the Code of Criminal Procedure, Local Government Code, and Government Code reflect a shift toward youth diversion with a focus that includes, but is broader than, truancy prevention. As further discussed below, changes made to Article 45.056(b) not only increase the scope of costs the governor’s office can reimburse to include those related to juvenile case management, but also increase the number of municipal and county governments who may apply individually or jointly for reimbursement funding. This could prove to be a much-needed boon for rural Texas counties and cities that have historically been ineligible for reimbursement because Article 45.056 only contemplated reimbursement for cities and counties that employed juvenile case managers.

Sections 9-11, 14, 15, 16-18. Other New Potential Youth Diversion Funding Sources and Related Issues

In addition to the Local Youth Diversion Administrative Fee (LYDAF) in Article 45.312 and broader eligibility for reimbursement under Article 45.056(b) described above, H.B. 3186 recalibrates, expands, and adds to existing funding sources for the purposes of youth diversion under Subchapter E.

A. Child Safety Fund. Under current Article 102.014 of the Code of Criminal Procedure, monies collected for the Child Safety Fund are used by municipalities and counties to pay for school crossing guard programs. If a municipality does not operate a school crossing guard program or if the money received from fines from municipal court cases exceeds the amount necessary to fund the school crossing guard program, a municipality may expend the additional money for programs designed to enhance child safety. Similar provisions exist for counties where money is similarly

collected in justice, county, and district courts. As amended, youth diversion is added to the list of ways a municipality or county may expend additional child safety funds.

B. Juvenile Delinquency Prevention Funds. In 2015, graffiti (Section 28.08 of the Penal Code) became a Class C misdemeanor when the pecuniary loss in property damage is less than \$100. However, Article 102.0171 of the Code of Criminal Procedure (Juvenile Delinquency Prevention Funds) was never amended to allow municipal or justice courts to collect the \$50 per conviction fine authorized for other trial courts. As amended, municipal and justice courts are added to the trial courts authorized by Article 102.0171(a) to collect this \$50 per conviction fine for graffiti and deposit it in a municipal juvenile delinquency prevention fund. Funding for youth diversion under Subchapter E is added to the list of potential uses for money in this fund.

C. State and Local Youth Diversion Funds. One way the costs of implementing Subchapter E will be defrayed is by renaming and expanding the use of state and local funds currently earmarked for truancy prevention and diversion. Both state and local funds are renamed. As amended, Section 133.125 of the Local Government Code provides that money in the state general revenue fund shall be appropriated from the legislature to the governor's office for purposes of distribution to local government entities for purposes of youth diversion. (See previous discussion of Article 45.056 of the Code of Criminal Procedure.)

Since 2019, state law has required local governments to collect a consolidated fee on conviction of nonjailable misdemeanors (Section 134.103 of the Local Government Code). The local consolidated fee is \$14, and ~~35.7~~143% (\$5) is presently allocated to the Local Truancy Prevention and Diversion Fund. Under current law, these funds can only be used to finance the salary, benefits, training, travel expenses, office supplies, and other necessary expenses relating to the position of a juvenile case manager employed under Article 45.056 of the Code of Criminal Procedure. As previously described, under the amended and renamed Local Youth Diversion Fund, the term "employed" is expanded to include joint contracting for juvenile case manager services and joint contributing to the costs of a juvenile case manager or juvenile case manager services for the purposes of Section 134.156 of the Local Government Code.

But what if a local government does not need or want juvenile case management as part of its youth diversion plan ~~for~~ for more than four years, local governments have been required to collect \$5 per case per conviction in all Class C misdemeanors. Many municipal and justice courts, particularly in rural Texas, presently have no way to spend money in the Local Truancy Prevention and Diversion fund because of current limitations in Section 134.156 of the Local Government Code. H.B. 3186 helps remedy this bottleneck by adding Subsection 134.156(a-1) to the Local Government Code, which authorizes the governing body of a county or municipality that does not employ or contract with a juvenile case manager, in consultation with a court, to direct money in the Local Youth Diversion Fund to support local mental health authorities, juvenile alcohol and substance abuse programs, educational and leadership programs, teen court programs, and any other project designed to prevent or reduce the number of juvenile referrals to court.

Note: By amending Article 45.056 and Section 134.156 of the Local Government Code, the legislature clearly intends to expand the use of juvenile case managers by making juvenile case management not just a job, but a service that can be contracted on an as-needed basis or that can be shared between courts in municipalities and counties. Thankfully, local governments without

juvenile case management services will now be able to use the Local Youth Diversion Fund to support a local mental health authority and other programs and projects designed to prevent or reduce the number of juvenile referrals to court.

Section 12. Early Youth Intervention Services

Under current law, Section 264.302(e) of the Family Code (Early Youth Intervention Services) requires the Department of Family and Protective Services (DFPS) to provide services for a child and the child's family if a contract to provide services under that section is available in the county and the child is referred to DFPS as an at-risk child by: (1) a juvenile court or probation department as part of progressive sanctions, (2) a law enforcement officer or agency under Section 52.03 of the Family Code (Disposition Without Referral to Court), or (3) a municipal or justice court under Article 45.057 of the Code of Criminal Procedure (Offenses Committed by Juveniles).

H.B. 3186 amends Section 264.302(e)(3) by adding referrals of children and parents as part of an intermediate diversion under Article 45.309 or a diversion by a justice or judge under Article 45.310.

Note: Increasingly, public welfare depends on municipal and justice courts understanding their role in referring children and their families to early youth intervention services. Under H.B. 3186, for interventions to occur, courts must act. This requires developing a working knowledge of local service providers and opening channels of communication.

Section 13. Judicial Instruction Related to Certain Alleged Child Offenders

Under current law, Section 22.1105(a) of the Government Code requires judges, including municipal judges and justices of the peace, to complete a course of instruction relating to understanding relevant issues of child welfare and the Individuals with Disabilities Education Act (IDEA) (20 U.S.C. Section 1400 et seq.) every judicial academic year that ends in a 0 or a 5.

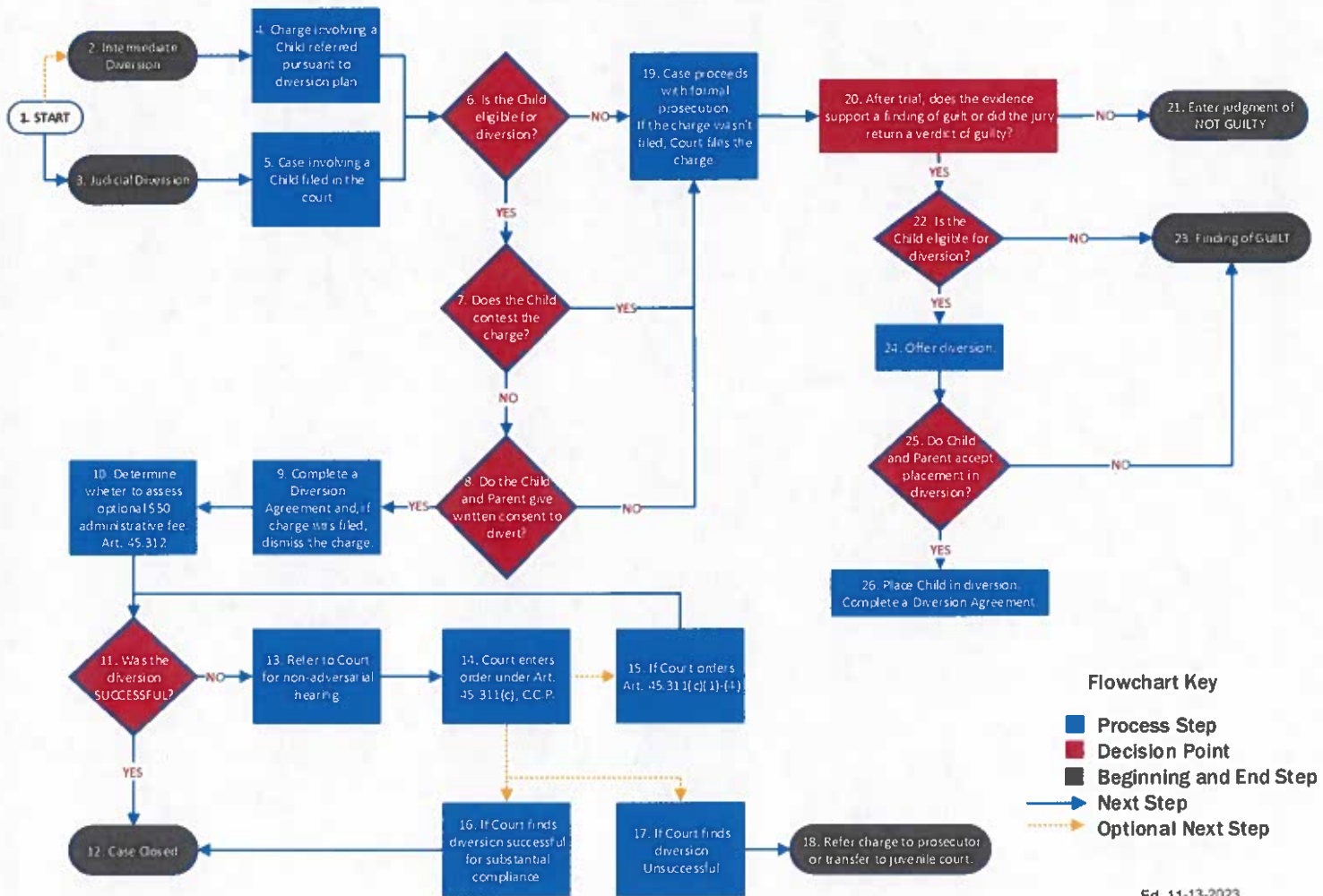
H.B. 3186 amends Section 22.1105(a) to change the required course to one with instruction related to youth diversion and understanding relevant issues of child welfare, including issues related to mental health and children with disabilities, every judicial academic year that ends in a 0 or a 5.

Sections 19-21. Implementation and Effective Dates

H.B. 3186 takes effect January 1, 2024. Each justice and municipal court is required to implement a youth diversion plan under Subchapter E not later than January 1, 2025.

Changes made by H.B. 3186 apply to an offense committed on or after January 1, 2025. An offense committed before January 1, 2025, is governed by the law in effect on the date the offense was committed. Former law is continued in effect for that purpose. To determine application, an offense was committed before January 1, 2025, if any element of the offense occurred before that date.

Youth Diversion: Process Overview Flowchart
H.B. 3186
See Accompanying Commentary



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Youth Diversion: Flowchart Commentary

- Box 1.** Generally, a child shall be diverted from formal criminal prosecution as provided by Subchapter E of Chapter 45 of the Code of Criminal Procedure. How diversion proceeds will depend on the type of diversion. There are two types of diversion: intermediate diversion and diversion by judge (or judicial diversion). All courts must do judicial diversion. Courts may also opt to do intermediate diversion. Arts. 45.309, 45.310, C.C.P. **Subchapter E only applies to non-traffic offenses committed on or after January 1, 2025.** Art. 45.302, C.C.P.; H.B. 3186 (88th Regular Legislative Session).
- Box 2.** Courts that opt to do intermediate diversion must include that type of diversion in their diversion plan. Intermediate diversion occurs prior to filing the charge. A youth diversion coordinator or juvenile case manager must advise the child and child's parent before the charge is filed that a case may be diverted for up to 180 days if the requirements in Article 45.309(a)(1)-(4) are met. Art. 45.309, C.C.P.
- Box 3.** Subchapter E provides for judicial diversion after a charge involving a child is filed and after a finding or verdict of guilt in the trial of a child, whether bench or jury trial. Judicial diversion may not exceed 180 days. Art. 45.310, C.C.P.
- Box 4.** The process for referral of charges under intermediate diversion should be addressed in the diversion plan. After referral, certain determinations must be made before proceeding to diversion.
- Box 5.** If a charge involving a child who is eligible for diversion is filed with the court, the judge must divert the case under Article 45.310. After such a charge is filed, certain determinations must be made before proceeding to diversion.
- Box 6.** Whether intermediate or judicial diversion, a child must be eligible for diversion. A child is eligible to enter into a diversion agreement under Subchapter E only once every 365 days. A child is not eligible for diversion if the child previously had an unsuccessful diversion under Subchapter E or if the prosecutor objects to the diversion. Art. 45.304, C.C.P.
- Box 7.** The child has a right to go to trial. Therefore, if the child contests the charge, set the child for trial. See Boxes 20-26 for diversion after trial.

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- Box 8.** A court may not divert a child from criminal prosecution without the written consent of the child and child's parent. Art. 45.304(e), C.C.P.
- Box 9.** Article 45.308 lists the requirements for a diversion agreement. A charge may not be filed against a child or, if filed, shall be dismissed by the court if the child does not contest the charge, is eligible for diversion, and accepts the terms of the diversion agreement.
- Box 10.** Article 45.312 authorizes a court to collect from a child's parent a \$50 administrative fee (Local Youth Diversion Administrative Fee) to defray the costs of the diversion of the child's case under Subchapter E. This fee is optional. It may not be collected unless it is specified as a term of the diversion agreement accepted by the parent. Diversion may not be contingent upon payment of this fee. Art. 45.312, C.C.P.
- Box 11.** By the end of the diversion period, determine whether the child has successfully complied with the terms of the diversion agreement.
- Box 12.** The case of a child who successfully complies with the terms of the diversion agreement shall be closed and reported to the court as successful. Arts. 45.309(c), 45.310(d), C.C.P.
- Box 13.** A child who does not comply with the terms of the diversion agreement shall be referred to court for a non-adversarial hearing. Arts. 45.309(d), 45.310(e), C.C.P. This non-adversarial hearing is an opportunity for a judge to confer with the child and parent to determine whether a diversion should be declared unsuccessful by the court. The court may also hear from any person who may assist the child or the court in determining what is in the best interests of the child and the long-term safety of the community. Art. 45.311, C.C.P.
- Box 14.** After the hearing, a court may enter one of the orders listed in Article 45.311(c). See Boxes 15, 16, and 17 for possible orders.
- Box 15.** Under Article 45.311(c)(1)-(4), a court may enter an order: (1) amending or setting aside terms in the diversion agreement; (2) extending the diversion period not to exceed one year from the initial start date of the diversion; (3) issuing a continuance for the hearing for a period not to exceed 60 days to allow an opportunity for compliance with the terms of the diversion agreement; and (4) require the child's parent to perform (or refrain from doing) certain acts the court determines will increase the likelihood the child will successfully complete the diversion and comply with any other order of the court that is reasonable and necessary for the welfare of the child. If the court orders any of these, the next step is to determine whether the child has successfully completed the terms of the agreement under the order. Go to Box 11.

- Box 16.** The court may enter an order finding the diversion successful on the basis of substantial compliance. Art. 45.311(c)(5), C.C.P. After such an order, the case shall be closed. Arts. 45.309(c), 45.310(d), C.C.P.
- Box 17.** The court may enter an order finding the diversion unsuccessful. Art. 45.311(c)(6), C.C.P.
- Box 18.** Upon a finding of an unsuccessful diversion, the court may transfer the child to juvenile court for alleged conduct indicating a need for supervision under Section 51.08 of the Family Code or refer the charge to the prosecutor for consideration of re-filing. Art. 45.311(c)(6), C.C.P.
- Box 19.** If a child either is ineligible or contests the charge or the child or parent does not give written consent to diversion, the case proceeds with prosecution. Arts. 45.304, 45.310, C.C.P.
- Box 20.** Making the determination in this box will either result in a finding of Not Guilty or potentially another opportunity for diversion.
- Box 21.** If the answer to the question in Box 20 is No, enter a judgment of Not Guilty.
- Box 22.** If the answer to the question in Box 20 is Yes, determine if the child is eligible for diversion. Art. 45.041(a-2), C.C.P. See Box 6.
- Box 23.** If the child is ineligible or the child or parent does not accept placement in diversion, find the child guilty and proceed to sentencing. Art. 45.041(a-2), C.C.P. All options normally available to the judge at this point in the case are still available, including deferred disposition.
- Box 24.** If the child is eligible, provide the child and parent the opportunity for placement in diversion under Article 45.310 (Diversion by Judge). Art. 45.041(a-2), C.C.P.
- Box 25.** If the answer is Yes, go to Box 26. If the answer is No, go to Box 23.
- Box 26.** If the child and parent accept, place the child in diversion under Article 45.310. Art. 45.041(a-2), C.C.P. Do not enter an adjudication of guilt or a judgment of conviction. Art. 45.041(a-2); Art. 45.310(a)(2), C.C.P. Complete a diversion agreement. Art. 45.308, C.C.P. Then go to Box 10.

Cibolo Code:

District Code	Zoning District ^{4,5}	<u>Article 15</u> Accessory Buildings				Typical Accessory Buildings ³
		Setbacks (ft)				
		Maximum Height (ft)	From Principal Building	Side ^{1, 2}	Rear ^{1, 2}	
RESIDENTIAL						
SF-1	Estate Residential	12	5	10	10	Storage sheds, hobby workshops, noncommercial greenhouses
SF-2	Low Density Residential	12	5	10	10	
SF-3	Low-Medium Residential	10	5	5	5	
SF-4	Medium Residential	10	5	5	5	
MF1	Multifamily	10	5	5	5	On-site laundry facilities, activity center
MF2	Multifamily	15	5	15	20	
MH1	Manufactured Home	10	5	5	10	Storage sheds
MH2	Manufactured Housing Park	-	-	-	-	-
AG	Agricultural	None	5	5	10	Silos, barns, windmills

Alamo Heights Code:

SF-A and SF-B Districts.

The maximum percentage of any lot area which may hereafter be covered by the main building and all accessory buildings on the lot or tract on which a building is located shall not exceed forty (40) percent.

Exception: The maximum lot coverage shall exclude unenclosed roofed front porches up to fifteen (15) feet in height and free-standing entryway arbors with open-air lattice framework under fifty (50) square feet in area and eight (8) feet in height; and other free-standing open-air lattice/trellis structures located within a side or rear yard up to twelve (12) feet in height, totaling three hundred (300) square feet or less and subject to other standards governing accessory structures. (Ordinance 1920 adopted 1/23/2012; Ordinance 1963 adopted 4/8/2013)

§ 3-85. Accessory structures.

The following standards shall apply to all accessory buildings hereafter constructed or altered in any residential district:

(1) Required front yard setback. Attached accessory buildings shall have a required front yard the same as the main building. Detached accessory buildings shall be located to the rear of the main building.

(2) Required side yard setback. For any detached accessory building, there shall be a side yard not less than three (3) feet from any side lot line, except at a corner lot where a detached garage is accessed from either a side street or an alley and would then be subject to vision clearance regulations (section 16-71).

(3) Required rear yard setback. For any detached accessory building, there shall be a rear yard setback not less than three (3) feet from any lot line, alley line, or easement line. Garages or other detached accessory buildings located within the required rear yard shall not be located closer than four (4) feet to the main building nor nearer than three (3) feet to any side lot line.

(Ordinance 1920 adopted 1/23/2012; Ordinance 2075, exh. A, adopted 4/24/2017)

Schertz Code:

- **Sec. 21.8.2. - Accessory Buildings, Uses and Structures.**

A. No accessory building, use or structure shall be permitted without a primary use or structure.

B. Accessory buildings uses, and structures as permitted herein shall comply with the maximum impervious coverage restrictions contained in zoning regulations, and the number of accessory uses/structures on lots of less than ½ acre is limited to a maximum of three (3).

C. Accessory buildings, uses or structures shall be set back three feet (3') from common property lines unless the structure is placed in a side yard. If placed in a side yard accessory buildings or structures shall be set back five feet (5') from the side common property line for *access during emergencies*. No accessory structure may be located within an easement.

D. No detached accessory building, use or structure shall be allowed in the front yard.

E. Attached accessory buildings, uses or structures shall comply with the front, side and rear setbacks and height restrictions established for the primary structure and/or this section.

F. The wall height of the accessory building, use or structure shall be limited to not more than eight feet (8') and total accessory building, use or structure height shall not exceed fifteen feet (15'). This is only applicable to platted subdivisions with a specific lot size e.g. eighty feet (80') by one hundred feet (100') and is not intended to be applicable for one-owner multiple acre residence. In this instance, a variance is not required and the total accessory building, use or structure height cannot exceed thirty-five feet (35').

G. The minimum separation between the main building and an in-ground or above-ground pool, spa, hot tub, playhouse, sauna or gazebo which does not exceed one story in height may be less than ten feet (10') if the accessory building, use or structure is contiguous with or an integral part

of the main building, and/or the accessory building, use or structure is engineered by a professional engineer to ensure the integrity of the existing (main building) foundation.

1. Such plans indicating the design for any such structure shall be submitted to the Building Inspector for review in connection with the issuance of a building permit; and

2. Setback distances for in-ground or aboveground pools, spas, hot tubs and saunas shall be measured to the outside edge of the beam (structural edge) of the pool, spa, etc.

H. Detached equipment and appliances in commercial and manufacturing districts shall be located immediately adjacent to the principal building.

I. Detached accessory buildings, uses or structures in commercial and manufacturing districts shall be constructed of the same exterior materials as required in [Article 9](#), Site Design Standards, and shall not be located in a manner that decreases the minimum number of parking spaces required.

J. Accessory buildings, uses or structures located in commercial and manufacturing districts shall be located at the rear of the principal building and property and shall not occupy designated parking spaces.

K. Reserved.

L. Accessory buildings, uses, and structures shall conform to applicable provisions of city adopted codes to include residential building code, commercial building code, and fire code.

M. Reserved.

N. Automatic teller machine (ATM) drive-thru structures are authorized with or without the associated bank occupying a space on the same property.

(Ord. No. [18-S-36](#), § 1(Exh. A), 11-27-2018; Ord. No. [19-S-22](#), § 1(Exh. A), 9-3-2019)

Leon Valley Code:

(1) *Accessory buildings.* Shall be allowed but shall be located no closer than five feet from any property line and must be located in the side or rear yard. In no case shall an accessory building occupy more than 30 percent of the total open space in the rear yard; with the following exceptions:

a. No setback shall be required for accessory buildings located within a side or rear yard which abuts an alley with a minimum 20 feet of public rights-of-way; or

b. No setback shall be required for accessory buildings located within a side or rear yard, which were constructed prior July 7, 2021, and are located a minimum of ten feet from the nearest structure on an abutting property.