

**SPECIAL CITY COUNCIL MEETING
CITY OF WINDCREST, TEXAS
AUGUST 2, 2010
CLOSED SESSION
6:00 PM
SPECIAL CITY COUNCIL AGENDA
7:00 PM**

NOTICE IS HEREBY GIVEN THAT A SPECIAL CITY COUNCIL MEETING OF THE CITY OF WINDCREST WILL BE HELD AT WINDCREST CITY HALL, 8601 MIDCROWN, WINDCREST, TEXAS ON THE 2ND DAY OF AUGUST, 2010 BEGINNING AT 6:00 P.M. DURING THE MEETING THE FOLLOWING SUBJECTS WILL BE CONSIDERED AND THE COUNCIL MAY TAKE ACTION ON ANY OF THE LISTED SUBJECTS.

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

I. Call to Order

II. Closed Session

1. The City Council will convene into a closed meeting under the authority of Section 551.071 (2) to seek its attorney's advice on the items listed on this agenda and legal issues concerning Capital One Bank loan on 111 acres north of Eisenhower Road. City Council will also discuss pending litigation as authorized by Section 551.071 (1) of the Government Code in regard to Gigante Flea Mart, LP and Songmoo Shim vs. City of Windcrest.

III. Presentations

1. Councilperson Pam Dodson will update City Council on the feral cat program.

IV. Old Business

1. City Council will review, discuss and make take action to approve suggested Ordinance No. 618.

V. New Business

1. City Council will discuss and may take appropriate action to hire a new City Manager.

2. City Council will discuss the inquiry about a citizens concern regarding the Windcrest/Whitestone REIT mark/logo. (Att. 1)
3. City Council will discuss and may take action regarding proper procedures and protocols in the Rita Davis investigation.
4. City Council will review, discuss and may take action to approve the June bill for services from Denton, Navarro, Rocha & Bernal.
5. City Council will review, discuss and take action on Resolution No. 320 repealing Resolution No. 275 (Att. 2)

V. Adjournment

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the City Council of the City of Windcrest is a true and correct copy of said Notice and was posted on the bulletin board at City Hall of said City in a convenient place to the public and said Notice was posted more than seventy-two hours prior to August 2, 2010.

By: Heather Weidenbach City Secretary

In compliance with the Americans With Disabilities Act, the City of Windcrest Council Chambers are wheelchair accessible, and accessible parking spaces are available. The City of Windcrest will provide for reasonable accommodations for persons attending City Council meetings. To better serve you, requests should be received 48 hours prior to the meetings. Please contact Heather Weidenbach, City Secretary, at 210-655-0022 ext. 2150 or Fax 210-655-8776.

I certify that the attached notice and agenda of items to be considered by the City Council was removed by me from the City Hall bulletin board on the ____ of August, 2010.

Title: _____

This Agenda has been reviewed and approved by City Council's legal counsel and the presence of any subject in any Executive Session portion of the agenda constitutes a written interpretation of Texas Government Code Chapter 551 by legal counsel for the governmental body and constitutes an opinion by the attorney that the items discussed therein may be legally discussed in the closed portion of the meeting considering available opinions of a court of record and opinions of the Texas Attorney General known to the attorney. This provision has been added to this agenda with the intent to meet all elements necessary to satisfy Texas Local Government Code §551.144(c) and the meeting is conducted by all participants in reliance on this opinion.



WHITESTONE REIT

July 20, 2010

The Honorable Rick Bruns,
Mayor
City of Windcrest Texas
8601 Midcrown
Windcrest, Texas 78239

Re: Question Concerning Mark/Logo

Dear Mayor Bruns:

We have received an inquiry regarding a Windcrest resident's concern about what that individual perceives as similarities between the Whitestone and Windcrest mark/logo. In response to these concerns Whitestone's position is as follows. As a matter of record Whitestone is a public real estate investment trust and The City of Windcrest is a municipality. Therefore, the opportunity for confusion between the two groups is slight. Further, there is some slight similarity in the shape of the W in each mark/logo however, there are also some very apparent distinct differences. The most important being the fact that part and parcel to each mark is the separate and distinct text: WINDCREST Texas and WHITESTONE REIT. This text is part of each mark/logo and identifies one as the mark/logo of a municipality and other as a real estate company. Whitestone has identified no issues related to the continued use of each respective mark/logo.

I hope this satisfies the concern that has been raised.

Sincerely,

Mike Taylor,
Corporate Counsel
Whitestone REIT

Cc: Ray Watson, Director Windcrest EDC
Michael Brenan, Esq., City of Windcrest
Bob Duff, President Windcrest EDC

RESOLUTION NO. 320

**A RESOLUTION REPEALING RESOLUTION NO. 275 ADOPTED BY
THE WINDCREST CITY COUNCIL ON JANUARY 22, 2007
AUTHORIZING THE MAYOR AND CITY ADMINISTRATOR TO
EXECUTE DOCUMENTS IN CONNECTION WITH WALZEM ROAD
REVITALIZATION/PROJECT CASTLE**

BE IT RESOLVED by the City Council of the City of Windcrest, Texas, that Resolution No. 275 adopted by the Windcrest City Council on January 22, 2007 authorizing the Mayor and City Administrator to execute documents in connection with Walzem Road Revitalization/Project Castle is hereby repealed.

PASSED AND APPROVED this the 2nd day of August, 2010.

Richard Bruns, MAYOR

ATTEST:

Heather Weidenbach, CITY SECRETARY

APPROVED AS TO FORM:

Michael S. Brennan, CITY ATTORNEY