

**AGENDA
CITY OF WINDCREST, TEXAS
REGULAR CITY COUNCIL MEETING
JUNE 28, 2010
7:00 p.m.**

NOTICE IS HEREBY GIVEN THAT A REGULAR CITY COUNCIL MEETING OF THE CITY OF WINDCREST WILL BE HELD AT WINDCREST CITY HALL, 8601 MIDCROWN, WINDCREST, TEXAS ON THE 28th DAY OF JUNE, 2010 AT 7:00 P.M. DURING THE MEETING THE FOLLOWING SUBJECTS WILL BE CONSIDERED AND THE COUNCIL MAY TAKE ACTION ON ANY OF THE LISTED SUBJECTS.

THE CITY COUNCIL RESERVES THE OPTION TO RECESS THE MEETING DURING THE EVENING OF JUNE 28, 2010 AND TO RECONVENE THE MEETING ON THE FOLLOWING DAY, JUNE 29, 2010 AT 9:00 A.M. AT THE WINDCREST CITY HALL, 8601 MIDCROWN, WINDCREST, TEXAS.

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

Ordinance No. 593 (8/17/09)

At regular City Council, City Commission or City Board meetings, the agenda will include a "citizens to be heard" item. Citizens wishing to speak during this item shall be required to sign in on the sign up roster prior to the meeting. During "citizens to be heard" comments, each individual may speak on an agenda item or any other matter affecting the city. In addition to the "citizens to be heard" portion of meetings, a person may make comments on agenda items as the agenda item is called by the Presiding Officer. A member of the public will have a total of six (6) minutes to be heard, which includes speaking and response time, during a City Council, City Commission or City Board meeting. The six (6) minute time limits authorized herein may not be transferred to another speaker in whole or in part. The presiding Officer or his designee will assign a time keeper to each meeting. The Time Keeper will maintain strict compliance of the six (6) minute rule, stopping speakers who exceed the allotted time. As authorized by Section 551.042 of the Texas Government Code, the Presiding Officer may direct a city official to make (1) a statement of specific factual information in response to an inquiry made by a member of the public or of the City Council, or (2) a recitation of existing policy in response to an inquiry made by a member of the public or the City Council. Any deliberation of or decision about the subject of the inquiry shall be limited to a proposal to place the subject on the agenda for a subsequent meeting.

Meeting Chair: please remind each participant in your meeting that they must speak into a microphone; the recording is the Official Minutes of your meeting and all who speak must be recorded. All guest speakers and citizens to be heard must speak from podium. Please interrupt speakers during meeting if you recognize that they are not speaking into microphone and have them do so.

I. Call to Order, Pledge of Allegiance and Invocation.

II. Presentations:

1. City Council will receive a cost estimate from Jacque Callanen, Bexar County Elections Administrator regarding the cost estimate of a Joint Election with Bexar County Elections vs. City of Windcrest having a stand alone election in November for citizens to vote on the proposed Charter petition.
2. Trey Hall, EMC/IT-Manager will present the July Brilliant Employee Award to Aaron Page.
3. Joe Pabon, Chief of Police will present City Council the results of the Midcrown survey.
4. David Cadena, Director of Building Services will give a presentation on the status of the Homeowner's Association for Winbrook Estates including information pertaining to existing green-space.

III. Citizens To Be Heard

Please limit to six (6) minutes.

IV. Department Reports

Department Reports will be presented to the Mayor and City Council and shall only be subject to discussion from Mayor and/or City Council members. Questions from the public regarding information disseminated from Department Head reports may be directed to the Mayor or a City Council member, and a response may be requested for the next regular City Council meeting.

1. Building Service/Code Compliance – David Cadena, Building Services Director will present the monthly Building Services/Code Compliance for the month of May. The discussion will include the total number of building permits issued, total number of inspections performed. (Att. 1)
2. Fire Department - Dan Reese, Fire Chief will present the monthly Fire Department report for the month of May. The discussion will include Summary of Calls for the Month of May including the response times for the City, County and Annexed area. He will also brief the Council on the Hydrant painting process and our participation in a Bexar County Exercise to be held on Saturday, July 17th. (Att. 2)

3. Police Department – Joe Pabon, Chief of Police will present the monthly Police Department report for the month of May. The discussion will include proactive police activities, Citizen Calls for service, total arrests, Moving traffic violations, other non-traffic violations, and Warning Citations. (Att. 3)

4. Communication/PIO – Jarrott Wilkinson will present the monthly Communication/PIO report for the month of May. The discussion will include the EDC Web site and new display for recruitment and convention purposes. (Att. 4)

5. Public Works – Charles Lackey will present the monthly Public Works report for the month of May. The discussion will include the Charlotte LoBasso Tree Grove, asphalt repairs around the City, tree removal from street due to storm damage and roof repair at City Hall. (Att. 5)

6. EM/IT Department – Trey Hall will present the EM/IT report for the month of May. The discussion will include the new Xerox Contract, and CERT Volunteers and Training, and upcoming Bexar County exercise. (Att. 6)

7. EDC – Ray Watson will present the WEDC report for the month of May. The discussion will include University of Phoenix pulling permits within next two weeks and the finish dates has moved up to September and will start classes this fall as opposed to spring, Farmer's Market attendance and Racker Road update. (Att. 7)

V. Executive Session

1. The City Council will convene into a closed meeting under the authority of Section 551.071 (1) & (2) to seek its attorney's advice on the items listed on this agenda. This will include discussion regarding the Gigante Flea Mart lawsuit.
2. The City Council will convene into a closed meeting under the authority of Section 551.074 to deliberate the duties and appointment of a City Secretary.
3. The City Council will convene into a closed meeting under the authority of Section 551.074 to deliberate the duties of the Interim City Manager.

VI. Public Hearing

1. The City Council will conduct a public hearing on the request from Gigante Flea Mart to re-zone the property located at 7702 IH 35 N from a Temporary R-1 Residential District to a B-2 Business District.

VII. Old Business

1. City Council will consider and take action to modify the amount of reimbursement for expenses incurred by Councilperson Rita Davis in defense of allegations made against her.
2. City Council will consider ratifying the Mayor's appointment to the Charter Review Commission.

VIII. New Business

1. City Council will review, discuss and may take action on a recommendation from the Planning and Zoning Commission to re-zone the property located at 7702 IH 35 N. from Temporary R-1 Residential District to a B-2 Business District for Gigante Flea Mart. (Att. 8)
2. City Council will review, discuss and take action to retain Frank Garza of Davidson & Troilo Firm to prepare ballot language of proposed amendments to the Charter presented by the petitioners and by the Charter Commission. This will include all necessary steps to ensure that proposed amendments meet all requirements prior to the November election.
3. City Council will review, discuss and may take action to issue RFP's for an insurance broker.
4. City Council will discuss and take action on the appointment of a City Secretary.
5. City Council will review, discuss and take action on Ordinance No. 615 to prohibit jaywalking. *The City Council will consider a motion to adopt Ordinance No. 615 at its first reading as authorized in Section 3.13 of the City Charter because one reading of the ordinance is sufficient for adequate consideration of the ordinance.* (Att. 9)
6. City Council will review, discuss and take action on Ordinance No. 616 granting a Special Use Permit for John (Sonny) Naegelin to operate an open-air Farmer's Market at 8500 Fourwinds Dr. *The City Council will consider a motion to adopt Ordinance No. 616 at its first reading as authorized in Section 3.13 of the City Charter because one reading of the ordinance is sufficient for adequate consideration of the ordinance.* (Att. 10)

7. City Council will review, discuss and take action on Ordinance No. 617 granting an electric and gas franchise agreement with CPS Energy. *The City Council will consider a motion to adopt Ordinance No. 617 at its first reading as authorized in Section 3.13 of the City Charter because one reading of the ordinance is sufficient for adequate consideration of the ordinance.* (Att. 11)
8. City Council will review, discuss and may take action on Ordinance No. 618 which repeals prior Ordinance No. 593 enacted on August 17, 2009 and adopts new rules applicable to the conduct of city council, city commission and other city board meetings. *The City Council will consider a motion to adopt Ordinance No. 618 at its first reading as authorized in Section 3.13 of the City Charter because one reading of the ordinance is sufficient for adequate consideration of the ordinance.* (Att. 12)
9. City Council will review, discuss and may take action to establish guidelines regarding hiring and retaining legal counsel.
10. City Council will review Ordinance No. 557 regarding yard sales. (Att. 13)
11. City Council will review Ordinance No. 567 regarding hand guns. (Att. 14)
12. City Council will review Ordinance No. 565 regarding gatherings. (Att. 15)
13. City Council will review, discuss and may take action on the City's Organizational Chart. (Att. 16)
14. City Council will review, discuss and take action on the Treasurer's Report for the month of April (Att.17) along with budget adjustments (Att. 18)

IX. General Announcements & Future Agenda Items Requested

1. Formation of civic committees – Mr. Alan Baxter
2. Discussion regarding next council meeting.

Per Ordinance No. 593, Section 8: At each regular meeting, an agenda will be included authorizing requests by members of the City Council, City Commission or City Board for subjects to be considered at future meetings.

X. 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 June 28, 2010.

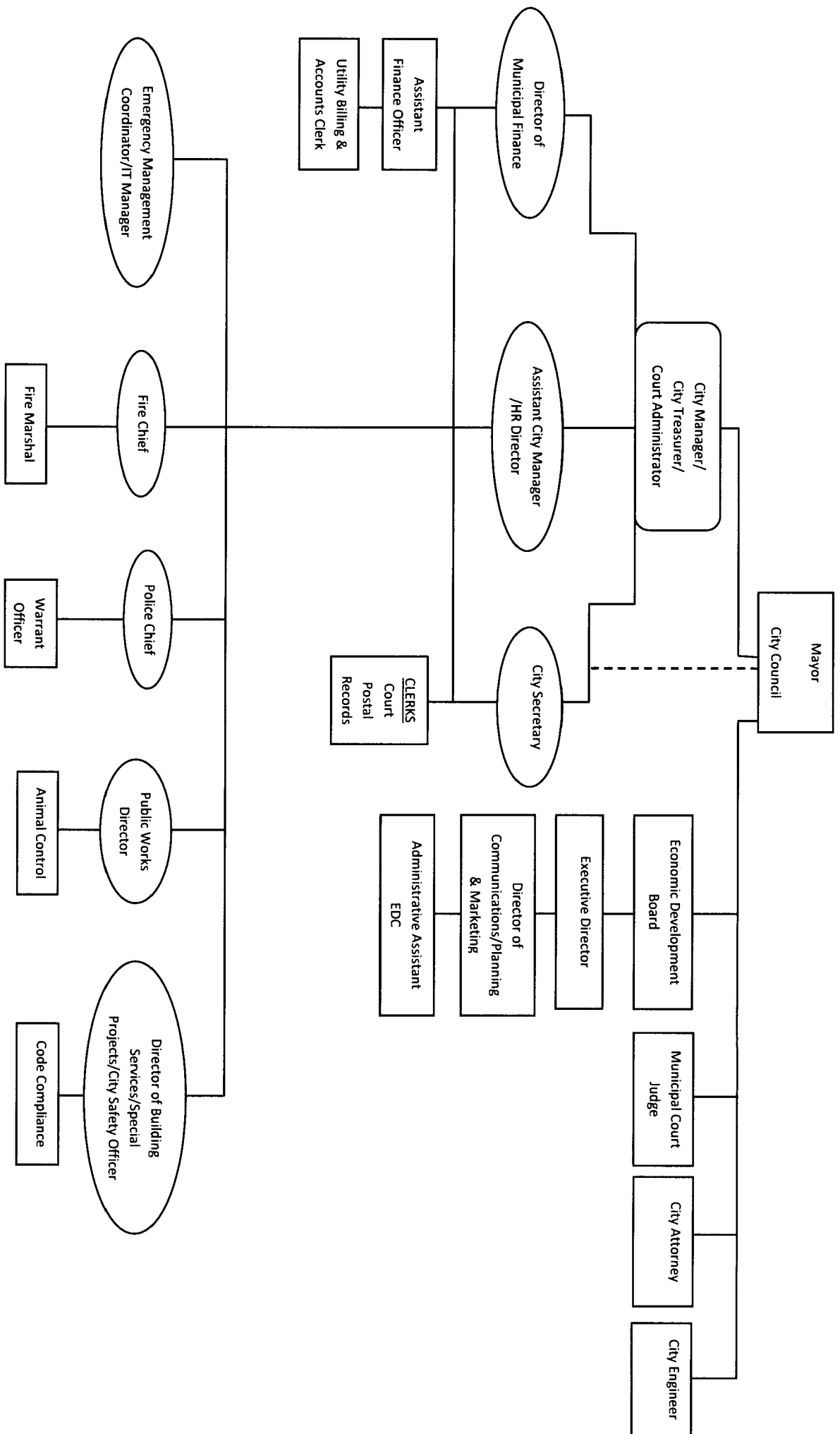
By: Heather Weidenbach Acting City Secretary

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, Acting City Secretary, at 210-655-0022 ext. 2430 or by Fax 210-655-8776

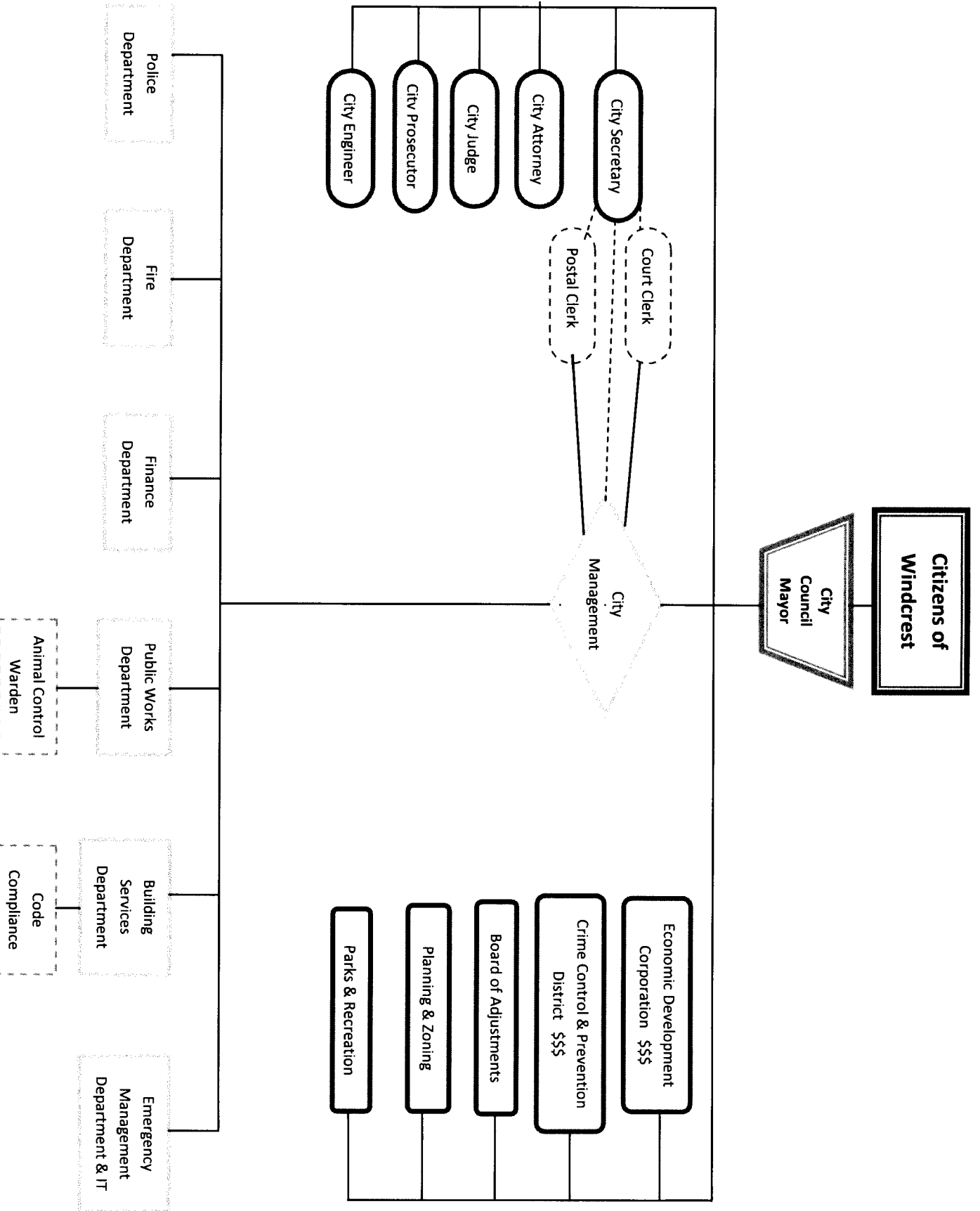
I certify that the attached notice and agenda of items to be considered by the City Council was removed by me from the City Hall bulletin board on the ____ of June, 2010.

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.



CITY OF WINDCREST ORGANIZATIONAL CHART



Att: lba