

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

**May 27, 2010
12:15 P.M.**

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 27TH DAY OF MAY, 2010 AT 12:15 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

1. Determination of a Quorum

II. Executive Session

1. The City Council will convene into a closed meeting pursuant to Texas Government Code Section 551.071 (1) & (2) and 551.074 to consider the job duties, proposed contract, selection and appointment of Nick Lanning as interim City Manager and to conduct an attorney-client conference to seek its attorneys' advice on matters involving pending and/or anticipated litigation and in matters 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 clearly conflict with the Texas Open Meeting Act involving the following general subject matters:
 - 1) Duties, contract, selection and appointment of an interim City Manager;
 - 2) Pending and anticipated legal matters involving Gigante Flea Mart, L.L.P.; Rackspace Hosting, Inc.; Gary Cain and affiliated companies; Ronnie Cain; Tracy Freimarck; the District Attorney's Grand Jury Investigation and properties where title is held in the WEDC through varied economic development agreements;
 - 3) Any remaining legal issues involving the charter election and legal support for the charter committee;
 - 4) Compliance with the Texas Public Information Act;

III. Action Items

1. The City Council will resume open session and will consider and discuss information outlining the comprehensive legal support available to the City of Windcrest from Denton, Navarro, Rocha & Bernal, P.C. and may take action related thereto.
2. The City Council and may act to modify and establish guidelines regarding the retention of legal counsel.
3. The City Council will discuss, consider and may act upon invoices pending authorization for payment of Denton, Navarro, Rocha & Bernal, P.C. and Amy Perkins, Attorney at Law and, may make whatever necessary adjustments to the budget of the City of Windcrest for current and/or future unanticipated legal expenses for the remaining fiscal year.
4. The City Council will discuss, consider and may act upon a request for reimbursement of legal fees Councilmember Rita Davis incurred in connection with the City Charter Investigation and any necessary City budget adjustments.
5. The City Council will consider, discuss and may act to approve the job duties, proposed contract, and selection and appointment of Nick Lanning as interim City Manager and authorize the Acting City Manager to execute all documents connected therewith on behalf of the City.
6. The City Council will consider, discuss and may act on a report on the progress of the Walzem Road median project.
7. The City Council will consider, discuss, and may act on a report on the progress of the personnel search for City Secretary.
8. The City Council will consider and discuss the City's Organizational Chart, and may act on revising it.

IV. Adjournment

Agenda Notice

The City 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 Section 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 City Attorney may appear in person, or appear in executive session by conference call in accordance with applicable state law.

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 May 27, 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, Acting City Secretary, at 210-655-0022 ext. 2430 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 May, 2010.

Title: _____