

**CITY OF WINDCREST ECONOMIC DEVELOPMENT CORPORATION
BOARD OF DIRECTORS**

**SPECIAL
MEETING**

**APRIL 25, 2011
5:30 P.M.**

Windcrest City Hall

NOTICE IS HEREBY GIVEN THAT A SPECIAL MEETING OF THE BOARD OF DIRECTORS OF THE WINDCREST ECONOMIC DEVELOPMENT CORPORATION (WEDC) WILL BE HELD AT WINDCREST CITY HALL, 8601 MIDCROWN, WINDCREST, TEXAS ON THE 25TH DAY OF APRIL 2011 STARTING APPROXIMATELY 5:30 P.M. DURING THE MEETING, THE BOARD WILL CONSIDER, DELIBERATE AND MAY TAKE ACTION UPON ANY OF THE SUBJECTS LISTED BELOW.

Vision Statement: Nourish and develop a vibrant community that consistently pushes the limits.

Mission Statement: Facilitate interaction between business, city and other community organizations to nourish the economic health and well being of Windcrest, its citizens and the region.

Request all pagers and cell phones be turned off, except emergency on-call personnel. Citizens are asked to refrain from talking during proceedings unless recognized by the Presiding Officer.

CITIZEN COMMUNICATION: AS A COURTESY TO CITIZENS IN ATTENDANCE, AND AT THE DISCRETION OF THE PRESIDING OFFICER OF THE MEETING, CITIZENS WILL BE GIVEN A REASONABLE OPPORTUNITY TO STATE THEIR COMMENTS OR ASK QUESTIONS REGARDING ANY ITEM ON THE AGENDA, AND PRIOR TO THE BOARD TAKING ACTION ON ANY ACTION ITEMS LISTED. THE BOARD REQUESTS COMMENTS BE BRIEF, TO THE POINT, AND NO LONGER THAN 5 MINUTES. TIME CANNOT BE YIELDED TO ANOTHER SPEAKER.

Consistent with Windcrest City Council Resolution No. 292, the WEDC Board elects to audio and video record its meetings. The recordings are preserved electronically as the official minutes of its meetings.

- **Call To Order**
 - a. Determination of a Quorum
 - b. Pledge of Allegiance
 - c. Prayer
- **Unaudited Financials** – WEDC Board of Directors may take action if deemed necessary.
 - Sarah Mangham, Municipal Finance Officer, will present WEDC Board of Directors the unaudited financials through February 28, 2011. (Att. 1)

- **Action Items**

- The Windcrest Economic Development Corporation Board of Directors will discuss and may take action on the approval of Check Number 2194 in the amount of \$500 payable to Windcrest Golf Course.
- The Windcrest Economic Development Corporation Board of Directors will discuss and may take action on the approval of Check Number 2195 in the amount of \$59.75 payable to S.A. Express News.
- The Windcrest Economic Development Corporation Board of Directors will discuss and may take action on the approval of Check Number 2196 in the amount of \$2,500 payable to Adams & Flake, Inc.
- The Windcrest Economic Development Corporation Board of Directors will discuss and may take action to approve Check Number 2197 in the amount of \$16,000 payable to the Office of the Governor for the Texas Leverage Fund loan origination fee for Texas Leverage Fund Loan application in the amount of \$1,600,000.
- The Windcrest Economic Development Corporation Board of Directors will discuss and may take action on the appointment of board member(s) to act as a liaison between the WEDC and Project Manager and reporting duties to the WEDC board and City Council.

- **Resolutions**

- The Windcrest Economic Development Corporation Board of Directors will review, discuss and may take action on Resolution No. 11-004, a resolution authorizing signatories of the City of Windcrest Economic Development Corporation and Rackspace joint account with JP Morgan Chase Account Number 708131594. (Att. 2)

- **Discuss and Act**

- The Windcrest Economic Development Corporation Board of Directors will discuss and may take action on the City's Purchasing Policy. (Att. 3)
- The Windcrest Economic Development Corporation Board of Directors will discuss and may take necessary action regarding an invoice payment policy.
- The Windcrest Economic Development Corporation Board of Directors will discuss and may take necessary action regarding bonding signature of WEDC members.
- The Windcrest Economic Development Corporation Board of Directors will discuss and may take necessary action on the WEDC trailer.
- The Windcrest Economic Development Corporation Board of Directors will discuss the FY 2010/2011 budget and may take necessary action.

- **Executive Session**

- The Windcrest Economic Development Corporation Board of Directors will recess its meeting and convene in Closed Session under Section 551.071 of the Texas Government Code to consult with its attorney.
- The Windcrest Economic Development Corporation Board of Directors will recess its Special meeting and convene in Closed Session with reference to an administrative or executive position for an EDC Director as authorized in Section 551.074 of the Texas Government Code to deliberate the appointment, employment, evaluation, reassignment, duties, discipline, or dismissal of a public officer or employee; or to hear a complaint or charge against an officer or employee.
- The Windcrest Economic Development Corporation Board of Directors will reconvene into an Open Session to consider and take action or no action regarding matters discussed in the Executive Session in reference to personnel matters.

- **Action Item**

- The Windcrest Economic Development Board of Directors will discuss and may taken action on the proper oversight of funds and the disbursement to project manager and contractor for Racker Road.

- **ADJOURNEMENT**

I, the undersigned authority, do hereby certify that the above Notice of Meeting of the Board of Directors of the WEDC is a true and correct copy of said Notice and I posted a true and correct copy of said Notice on the bulletin board at the Windcrest City Hall in a convenient place to the public. Said Notice was posted 72 hours prior to the 25th of April 2011.

By: Heather Weidenbach City Secretary

I certify that the attached notice and agenda of items considered by the WEDC Meeting was removed by me from the City Hall bulletin board on the ____ of April 2011.

By: _____

Heather Weidenbach
City Secretary

BALANCE SHEET

AS OF: FEBRUARY 28TH, 2011

CONOMIC DEVELOPMENT CORP

ACCOUNT#	TITLE		
S			
=			
102 CLAIM ON CASH		0.00	
105 CASH - CHECKING		147,701.17	
115 INVESTMENTS-TEXPOOL#15900001		4.54	
116 INVESTMENTS-TEXPOOL#15900003		0.00	
315 DUE FROM GENERAL FUND		0.00	
375 DUE FROM HOT FUND		0.00	
510 A/R SALES TAX		<u>58,045.26</u>	
			<u>205,750.97</u>
TOTAL ASSETS			205,750.97
			=====
LIABILITIES			
=====			
315 DUE TO GENERAL FUND		10,428.57	
320 DUE TO TAXING ENTITIES		0.00	
400 A/P PENDING		0.00	
401 ACCOUNTS PAYABLE		0.00	
402 ALAMO TITLE ESCROW FUNDS		0.00	
410 A/P - SALES TAX		(<u>6,199.13</u>)	
TOTAL LIABILITIES			<u>4,229.44</u>
Y			
=			
201 FUND BALANCE		<u>146,019.92</u>	
TOTAL BEGINNING EQUITY		146,019.92	
TOTAL REVENUE		138,913.01	
TOTAL EXPENSES		<u>83,411.40</u>	
TOTAL SURPLUS/(DEFICIT)		55,501.61	
TOTAL EQUITY & SURPLUS/(DEFICIT)			<u>201,521.53</u>
TOTAL LIABILITIES, EQUITY & SURPLUS/DEFICIT			205,750.97
			=====

CITY OF WINCREST
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: FEBRUARY 28TH, 2011

ECONOMIC DEVELOPMENT CORP

FISCAL SUMMARY

% OF YEAR COMPLETED: 41.67

	PRIOR YEAR YTD BALANCE	AMENDED BUDGET	CURRENT PERIOD	YEAR TO DATE BALANCE	YEAR TO DATE ENCUMBERED	% OF BUDGET	BUDGET BALANCE
<u>REVENUE SUMMARY</u>							
REVENUES	<u>156,038.86</u>	<u>355,000</u>	<u>35,422.84</u>	<u>138,913.01</u>	<u>0.00</u>	<u>39.13</u>	<u>216,087</u>
REVENUES	156,038.86	355,000	35,422.84	138,913.01	0.00	39.13	216,087
<u>EXPENDITURE SUMMARY</u>							
<u>GENERAL EXPENDITURES</u>							
SALARIES & BENEFITS	80,886.28	225,060	14,706.91	59,367.80	0.00	26.38 (	165,692)
OTHER EXPENSES	19,918.70	56,300 (	241.28)	11,060.00	0.00	19.64 (	45,240)
TOTAL EXPENSES	<u>37,705.41</u>	<u>66,300</u>	<u>23.00</u>	<u>3,748.00</u>	<u>0.00</u>	<u>5.65 (</u>	<u>62,552)</u>
OTHER INCOME/EXPENSES	<u>0.00</u>	<u>0</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0.00</u>	<u>0</u>
TOTAL 00-GENERAL EXPENDITURES	<u>138,510.39</u>	<u>347,660</u>	<u>14,488.63</u>	<u>74,175.80</u>	<u>0.00</u>	<u>21.34</u>	<u>273,484</u>
EXPENDITURES	138,510.39	347,660	14,488.63	74,175.80	0.00	21.34	273,484
DEFICIT OVER/(UNDER) EXPENDITURES	17,528.47	7,340	20,934.21	64,737.21	0.00	881.98 (	57,397)

CITY OF WINCREST
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: FEBRUARY 28TH, 2011

ECONOMIC DEVELOPMENT CORP

% OF YEAR COMPLETED: 41.67

JES	PRIOR YEAR YTD BALANCE	AMENDED BUDGET	CURRENT PERIOD	YEAR TO DATE BALANCE	YEAR TO DATE ENCUMBERED	% OF BUDGET	BUDGET BALANCE
105 INCOME - OTHER	0.00	500	0.00	0.00	0.00	0.00	500
110 INCOME - OTHER (HOT)	12,500.00	30,000	0.00	0.00	0.00	0.00	30,000
111 INCOME - OTHER (GEN.FUND)	10,000.00	20,000	0.00	0.00	0.00	0.00	20,000
112 INCOME-WALZEM RD GRANT	0.00	0	0.00	0.00	0.00	0.00	0
113 INCOME-CORPORATE DONATIONS	0.00	0	0.00	0.00	0.00	0.00	0
115 SALES TAX (.25)	133,334.10	300,000	35,422.06	138,908.87	0.00	46.30	161,091
301 INTEREST	204.76	4,500	0.78	4.14	0.00	0.09	4,496
900 PROCEEDS FROM CAPITAL LEASE	0.00	0	0.00	0.00	0.00	0.00	0
REVENUES	156,038.86	355,000	35,422.84	138,913.01	0.00	39.13	216,087

CITY OF WINCREST
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: FEBRUARY 28TH, 2011

ECONOMIC DEVELOPMENT CORP

% OF YEAR COMPLETED: 41.67

MENTAL EXPENDITURES	PRIOR YEAR YTD BALANCE	AMENDED BUDGET	CURRENT PERIOD	YEAR TO DATE BALANCE	YEAR TO DATE ENCUMBERED	% OF BUDGET	BUDGET BALANCE
GENERAL EXPENDITURES							
=====							
<u>SALARIES & BENEFITS</u>							
500-009 SALARIES - EDC	64,006.30	168,324	3,605.54	41,639.14	0.00	24.74	126,685
500-010 ADMINISTRATIVE EXPENSES	750.86	5,000	0.00	61.00	0.00	1.22	4,939
500-011 EDC LONGEVITY	401.66	1,860	0.00	0.00	0.00	0.00	1,860
500-018 EDC EDUCATION PAY	380.82	1,800	34.62	207.72	0.00	11.54	1,592
500-020 EDC OVERTIME	112.28	750	0.00	56.06	0.00	7.47	694
500-030 SOCIAL SECURITY-EDC	5,130.78	13,872	978.63	3,061.45	0.00	22.07	10,811
500-040 HEALTH INSURANCE-EDC	4,827.12	17,338	37.46	313.75	0.00	1.81	17,024
500-050 RETIREMENT-EDC	4,970.03	14,507	1,023.41	3,205.32	0.00	22.09	11,302
500-060 WORKERS COMPENSATION-EDC	294.31	937	88.17	215.49	0.00	23.00	722
500-070 UNEMPLOYMENT COMP.-EDC	12.12	672	0.00	0.00	0.00	0.00	672
500-080 CONTRACT LABOR	0.00	0	0.00	0.00	0.00	0.00	0
500-095 TERMINATION PAYOUT	0.00	0	9,014.00	10,607.87	0.00	0.00	10,608
TOTAL SALARIES & BENEFITS	80,886.28	225,060	14,706.91	59,367.80	0.00	26.38	165,692
OTHER EXPENSES							
500-100 PUBLIC RELATION FEES-GENE	0.00	0	0.00	0.00	0.00	0.00	0
500-115 MOBILE TELEPHONE	873.94	0	0.00	0.00	0.00	0.00	0
500-120 DUES & SUBSCRIPTIONS	585.72	1,200	0.00	345.00	0.00	28.75	855
500-130 TRAINING	1,895.14	3,000	0.00	1,150.00	0.00	38.33	4,150
500-132 TRAVEL	520.33	3,000	0.00	270.80	0.00	9.03	2,729
500-135 MEALS & ENTERTAINMENT	1,111.41	3,000	0.00	35.50	0.00	1.18	2,965
500-200 COMPUTER MAINTENANCE	0.00	0	0.00	41.71	0.00	0.00	42
500-201 WEBSITE MAINTENANCE	0.00	0	0.00	0.00	0.00	0.00	0
500-250 LEGAL EXPENSES	6,229.10	30,000	0.00	10,000.00	0.00	33.33	20,000
500-290 AUDIT	3,500.00	4,000	0.00	0.00	0.00	0.00	4,000
500-430 SUPPLIES	999.21	3,000	379.74	276.82	0.00	9.23	3,277
500-440 ELECTION EXPENSES	0.00	0	0.00	0.00	0.00	0.00	0
500-510 VEHICLE EXPENSE-EDC	0.00	0	0.00	0.00	0.00	0.00	0
500-515 HEALTH EXPENSE ALLOW-DIRE	1,523.06	3,600	138.46	830.76	0.00	23.08	2,769
500-520 MOVING EXPENSE-DIRECTOR	0.00	0	0.00	0.00	0.00	0.00	0
500-540 VEHICLE FUEL	85.37	1,000	0.00	26.00	0.00	2.60	974
500-590 POSTAGE	84.50	250	0.00	0.00	0.00	0.00	250
500-630 LEGAL ADVERTISING	0.00	250	0.00	0.00	0.00	0.00	250
500-640 COPIER USAGE	416.65	1,000	0.00	0.00	0.00	0.00	1,000
500-650 WALZEM RD GRANT EXPENSES	0.00	0	0.00	0.00	0.00	0.00	0
500-700 CONTINGENCIES	2,094.27	3,000	0.00	937.05	0.00	31.24	2,063
TOTAL OTHER EXPENSES	19,918.70	56,300	241.28	11,060.00	0.00	19.64	45,240
CAPITAL EXPENSES							
500-800 EDC PROJECTS	37,705.41	66,300	23.00	3,748.00	0.00	5.65	62,552
500-810 CAPITAL EXPENSE	0.00	0	0.00	0.00	0.00	0.00	0
TOTAL CAPITAL EXPENSES	37,705.41	66,300	23.00	3,748.00	0.00	5.65	62,552

L.JJ

CITY OF WINCREST
REVENUE & EXPENSE REPORT (UNAUDITED)
AS OF: FEBRUARY 28TH, 2011

ECONOMIC DEVELOPMENT CORP

% OF YEAR COMPLETED: 41.67

RTMENTAL EXPENDITURES	PRIOR YEAR YTD BALANCE	AMENDED BUDGET	CURRENT PERIOD	YEAR TO DATE BALANCE	YEAR TO DATE ENCUMBERED	% OF BUDGET	BUDGET BALANCE
<u>R INCOME/EXPENSES</u>							
500-900 PRIOR PERIOD ADJUSTMENT	0.00	0	0.00	0.00	0.00	0.00	0
TOTAL OTHER INCOME/EXPENSES	0.00	0	0.00	0.00	0.00	0.00	0
AL 00-GENERAL EXPENDITURES	138,510.39	347,660	14,488.63	74,175.80	0.00	21.34	273,484
L EXPENDITURES	138,510.39	347,660	14,488.63	74,175.80	0.00	21.34	273,484
NUE OVER/(UNDER) EXPENDITURES	17,528.47	7,340	20,934.21	64,737.21	0.00	881.98 (	57,397)

RESOLUTION NO. 11-004

RESOLUTION AUTHORIZING SIGNATORIES ON ACCOUNT WITH JP MORGAN CHASE ACCOUNT NUMBER 708131594

WHEREAS, the CITY OF WINDCREST ECONOMIC DEVELOPMENT CORPORATION (the "Corporation") and Rackspace have a joint-bank account with JP Morgan Chase, Account No. 708131594, titled:

JP Morgan Chase
14800 Frye Road, TX1-029
Fort Worth, Texas 76155
ATTN: Rackspace Managed Hosting Box #730759
Account Name: Rackspace Managed Hosting
5000 Walzem Road
San Antonio, Texas 78218
Account Number: 708131594

WHEREAS, the City of Windcrest Economic Development Corporation has no one designated as authorized signors on this account because the prior signatories have left or are leaving the corporation.

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF DIRECTORS OF THE CORPORATION THAT:

Section 1. That, in addition to the signatories authorized by Rackspace, the four eligible signors, on the above referenced account, from the Windcrest Economic Development Corporation, include TIM MALONEY, President; or RAFAEL CASTILLO, JR, City Manager.

Section 2. The Board hereby authorizes a combination of two of the aforementioned officers to sign on this account along with the signors who have been designated by Rackspace.

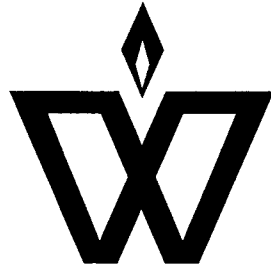
Section 3. If any section, paragraph, clause, or provision of this Resolution shall be held to be invalid or unenforceable, the invalidity or unenforceability of such section, paragraph, clause, or provision shall not affect any of the remaining provisions of this Resolution. In case any obligation of the Corporation authorized or established by this Resolution is held to be in violation of law as applied to any person or in any circumstance, such obligation shall be deemed to be the obligation of the Corporation to the fullest extent permitted by law.

PASSED AND APPROVED this the _____ day of _____, 2011.

TIM MALONEY, President
CITY OF WINDCREST ECONOMIC
DEVELOPMENT CORPORATION

ATTEST:

REBEKAH GERGEN, Secretary
CITY OF WINDREST ECONOMIC
DEVELOPMENT CORPORATION



WINDCREST

TEXAS

PURCHASING POLICY

Original Adopted: April 18, 2011

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1. INTRODUCTION

This policy is intended to establish and describe the basic procurement policies under which the City of Windcrest (the "City") will operate. This policy is effective immediately upon issuance, and supersedes all previous purchasing instructions or directives.

The Finance Department is the City's oversight department for buying and contracting for the acquisition, storage and disposal of goods, and for the procurement of services and construction. Each Department Head will be responsible for following the purchasing policy.

2. FINANCE DEPARTMENT POLICY STATEMENT

The City Manager is responsible for the administrative affairs of the City. The City Manager has delegated the purchasing responsibility within the guidelines established in this manual to the Department Heads. Each Department Head is authorized to execute orders on behalf of the City within these policy guidelines. Any interpretation of these guidelines necessary for the effective operation of the purchasing function will be made by the City Manager Mayor .

3. PURCHASE CATEGORIES

The City's purchasing categories are outlined below.

A. CREDIT CARDS & CHARGE ACCOUNTS

Credit Cards and Charge Accounts are to be used for purchasing small dollar (less than \$500), high volume items, and for official City travel. Credit Cards and Charge Accounts are for official City business purposes only and shall not be used for any personal transactions. Use of the Credit Card to make purchases of capitalized equipment is prohibited. Improper use of a Credit Card or Charge Account may result in disciplinary action, up to and including termination of employment.

All credit cardholders must be approved by both the Municipal Finance Officer and, City Manager.

All open credit accounts must be approved by the Municipal Finance Officer.

Credit Cardholder responsibilities:

1. All purchase transactions processed against the Credit Card or Charge Account must be made by the credit cardholder.

2. The Cardholder or Charge Account Holder shall forward all documentation of all purchases to the Finance Department within 2 business days of the purchase.
3. The cardholder shall be responsible for maintaining the security of the card and shall be personally liable for any charges that are assessed against the card for other than official City business conducted in accordance with the policies contained herein.
4. The cardholder shall immediately advise the Municipal Finance Officer of any lost or stolen cards or any suspicion of identity theft related to the card.
5. Credit Card purchase approvals: The department manager or department head must review all charge documentation and approve all cardholder statements. Each statement cycle a copy of the statement will be provided to the City Manager for review and approve.

Credit Card dollar limitations:

1. The Credit Card and / or Charge Accounts are to be used for purchases of goods or certain business services under \$500 without a Purchase Requisition or Purchase Order, except as provided in the next paragraph. This means if the total payment, including freight, to be made to a vendor is \$500 or more, a purchase order must be used. Credit Card purchases exceeding \$500 will be used for travel only.
2. Credit Cards may be used where vendors will not accept a purchase order or there are exceptional circumstances for the purchase. The Credit Card holder must have written approval from the City Manager or his designee for the purchase prior to placing an order.

Suspension/Termination of Credit Cards: Cardholders who do not abide by City policies will have their Credit Card privileges suspended and may face further disciplinary action, up to and including termination and prosecution by the City. The Credit Card shall be immediately canceled when the cardholder's employment with the City is terminated.

Reinstatement of Credit Card: If a Credit Card is cancelled or suspended for misuse, Credit Card privileges can be reinstated after a one year period. There will be mandatory re-training prior to reinstatement of the Credit Card privileges. The reinstatement will be probationary for a six month period, on terms to be established by the City Manager.

B. PURCHASES OF \$3,000 OR LESS BUT GREATER THAN \$500

In addition to Credit Card expenditures, individual Department heads shall have discretionary spending authority up to \$3,000. When a Department Head requires expenditures between \$501 to \$3,000, the Department Head will obtain three informal quotes (verbal) on goods or services with a total cost within the \$501 to \$3,000 limits unless otherwise excepted in this manual. These purchases will be accomplished by means of a Departmental Purchase Order and Telephone/Written Quote Form. **City employees are prohibited from making "separate, sequential, or component" purchases to avoid purchase order requirements.** Competitive quotations or bidding are not required. Department Purchase Orders shall be forwarded to Finance within 2 business days of the ordering of the goods.

C. PURCHASES OF \$10,000 OR LESS BUT GREATER THAN \$3,000

When a Department Head seeks to expend sums between \$3,001 and \$10,000, the Department Head will obtain three formal quotes (mailed or faxed) for such goods or services except as provided in this manual. The quotes will be obtained by using the City of Windcrest Quote Request Form. This form will be faxed or mailed to each vendor that the department is requesting a quote from. At least one HUB must be contacted on a rotating basis for each purchase in this range. Please refer to www.window.state.tx.us/procurement for a list of the current HUB vendors for the commodity that is being purchased. If the list does not identify a HUB in Bexar County, the City is exempt from this requirement. If all of the vendors do not respond, but there is documentation of trying to obtain three quotes, the purchase can still be awarded. ***All such expenditures must be approved by the Municipal Finance Officer and City Manager prior to awarding the purchase.***

D. PURCHASES OF \$25,000 OR LESS BUT GREATER THAN \$10,000

When a Department Head seeks to expend sums between \$10,001 and \$25,000, the Department Head will obtain three formal quotes (mailed or faxed) for such goods or services except as provided in this manual. The quotes will be obtained by using the City of Windcrest Quote Request Form. This form will be faxed or mailed to each vendor that the department is requesting a quote from. At least one HUB must be contacted on a rotating basis for each purchase in this range. Please refer to www.window.state.tx.us/procurement for a list of the current HUB vendors for the commodity that is being purchased. If the list does not identify a HUB in Bexar County, the City is exempt from this requirement. ***All such expenditures must be approved by the Municipal Finance Officer and the City Manager and the City Council prior to awarding the purchase. A formal resolution thru the City Council shall be attached to the purchase order.***

MINOR CONSTRUCTION PROJECTS: Minor construction projects are construction activities under \$25,000. The Project Manager for all minor construction projects for all City facilities will be determined by the City Manager (see section 2 below).

Change Orders: After any contract is signed, if changes are necessary in the scope of work, the contract price, or the contract time, a change order must be prepared on a City approved form for execution by the Contractor and the City.

- If a change order involves a decrease or an increase of \$25,000 or less, the governing body may grant general authority to an administrative official of the municipality to approve the change orders.
- The original contract price may not be increased under this section by more than 25 percent. The original contract price may not be decreased under the Local Government Code by more than 25 percent without the consent of the contractor.

Payment Requisitions: Payment requisitions must be prepared, properly completed with all necessary signatures except the Finance Department and certified that all information contained on the Payment Requisition is correct including certification that the payment request is in compliance with the contract.

- PROFESSIONAL SERVICES: For professional services involving an anticipated fee of \$25,000 or less, the requesting Department Head will create a Professional Services Contract for legal review.

All purchases \$10,000 or greater must be approved by the City Council prior to award.

E. PURCHASES OVER \$25,000

The Texas Local Government Code requires competitive bidding or proposals for city purchases exceeding \$50,000 in amount, with very few exceptions. The City of Windcrest requires competitive bidding or proposals for city purchases exceeding \$25,000 in amount with very few exceptions. **City employees are prohibited from making "separate, sequential, or component purchases to avoid the competitive bidding requirements". A violation of these prohibitions is a Class B misdemeanor (\$1,000 fine and/or 180 days in jail), and conviction results in immediate removal from office or employment and ineligibility for other public office or employment for four years after the date of conviction (Local Gov't. Code Section 271.029 and 271.030).**

Purchases must be made through formal, written, sealed competitive bids or proposals. **Departments are prohibited from splitting purchases to avoid the formal bid requirement.**

City Council approval is required for the award of contracts for all purchases for goods and services of over \$10,000. If the formal bid process is used and the low bid is \$9,999.99 or below, the City Manager has the authority to execute the contract award.

- **HIGH TECHNOLOGY PURCHASES:** High technology purchases in excess of \$25,000 must be made through formal, written, sealed proposals. **Departments are prohibited from splitting purchases to avoid the formal proposal requirement.** State law requires that the relative importance of price and other evaluation factors be specified in the RFP. All RFP's for high technology purchases must be approved by the Department Head, IT Committee, Legal, and the City Manager or his designee prior to advertisement of the RFP.
- **PROFESSIONAL SERVICES:** "Professional Services" are services which involve mental or intellectual skills, usually accompanied by formal certification or licensing by a state agency, such as accounting, architecture, engineering, medicine, planning, economics, law, financial advisory services and scientific or laboratory consulting services.

State law prohibits the purchase of professional services by competitive bidding. User departments must select professional service consultants on the basis of demonstrated competence and qualifications, and must negotiate fees on the basis of what is fair and reasonable for the type of services, rather than on a "low bid" basis. Except for architects and engineers, discussed below, both price and qualifications can be considered in selecting consultants.

For services involving an anticipated fee of more than \$25,000, use the formal Request-For-Proposals ("RFP") procedure in coordination with the City Manager. Deviations from the RFP requirement must be based on unusual circumstances, and a written waiver must be approved by the City Manager.

Architects/Engineers:

In the case of architectural or engineering services a two step process must be followed. The first step is initial selection of the consultant based on demonstrated competence and qualifications (and not considering price); and the second step involves negotiation of a fee with the selected consultant. If fee negotiations are not successful, then fee negotiations with the second most qualified consultant may be undertaken, and so forth. It is important to keep in mind that price may **not** be considered in the initial selection of an engineer or architect.

The RFP and calendar (a schedule for the RFP & project) must be approved by the City Manager and the Attorney prior to issuance of the RFP. If the amount payable under the contract exceeds \$9,999, award of the contract will require City Council approval.

Contract amendments: All contract amendments must be approved by the City Council.

Change in Services: The consultant must receive written approval from the City prior to initiating any additional work. Additional services for which compensation exceeds \$10,000 of current contract amount must be approved by the City Council. All change of services for which compensation is less than \$50,000 may be approved by the City Manager.

- CONSTRUCTION PROJECTS

Construction projects include construction activities for buildings, streets, and utility system improvements including renovations and demolitions. The City Manager will designate a Project Manager for each construction project. These projects sometimes involve the acquisition by the City of real property, right-of-way or easements, which must be completed before the contractor enters the project area. In addition, state law requires most public works projects to be designed and overseen by a registered professional engineer or architect, who can be either in house (Engineering Department) or a contracted consultant.

Technical specifications/plans and supplementary conditions are developed by the Architect/ Engineer.

- a. Asbestos Abatement: If the project involves renovation or demolition work on an existing City building, state law requires an asbestos abatement survey to be conducted by a state licensed person, and material samples must be collected and submitted for analysis at a state certified laboratory. If asbestos is found, the Project Manager must contact the Engineering Department for additional information regarding asbestos abatement. All demolition projects require notification to the Texas Department of Health regardless of whether asbestos is present.
- b. Elimination of Architectural Barriers: If the project involves construction of a building with an estimated construction cost of \$50,000 or more, the City is required to submit all plans and specifications for the construction or renovation to the Texas Department of Licensing and Regulation for review for removal of barriers to persons with disabilities.
- c. Change Orders: After the contract is signed, if changes are necessary in the

scope of work, the contract price, or the contract time, the Architect/Engineer advises the Project Manager. With the Project Manager's approval, the Architect/ Engineer prepares a change order on a City approved form in triplicate originals for execution by the Contractor, the City, and the Architect/Engineer.

The net amount of all change orders cannot increase the original contract price by more than 25%. The net amount of all change orders cannot decrease the original contract price by more than 25% without the Contractor's consent.

Change orders involving an increase or decrease of less than \$10,000 or less will be executed by the City Manager.

Change orders involving an increase of more than \$10,000 must be approved by City Council.

Payment Requisition: It is the responsibility of the Project Manager and the Engineer/Architect to ensure that the correct Payment Requisition forms are properly completed with all necessary signatures except the Finance Department, and/or the City Manager, which are obtained after the completed and signed Payment Requisition, is sent to the Finance Department. The City Manager's signature is only required on the final payment.

Final Payments: The City Manager signs all Final Payment Requisitions.

4. EXEMPT PURCHASING FUNCTIONS

State law provides a few exemptions from competitive bidding. Such examples include:

- The purchase of land or rights-of-ways;
- Personal or professional services, such as engineering, architectural, or planning services;
- Property bought at an auction;
- Property bought at a going-out-of-business sales; and
- Property bought from another political subdivision or state or federal government.
- In case of public calamity, where it becomes necessary to act at once to provide relief for local citizens or to preserve or protect the public health;
- In case of unforeseen damage to public property, machinery, or equipment, where immediate repair is necessary;

- Procurement necessary to preserve or protect public health or safety of the City's residents;
- Procurement for work that is performed and paid for by the day as the work progresses;
- Purchase of land or right-of-way; or
- Other matters as set forth in Section 252.022 of the Texas Local Gov't. Code.

The application of exemptions from competitive bidding requirements for purchases in excess of \$10,000 must be approved in each case by the City Manager and the City Council.

5. EMERGENCY PURCHASES

Emergency purchases are those purchases caused by an unforeseen and dangerous situation that requires immediate action to preserve the health and safety of people or property in the City. When emergency purchases are made, the user department must make the purchase at the best possible price considering all existing circumstances and the necessity for prompt action. The Finance Department will issue a verbal approval upon request when an emergency occurs which must be followed-up with a purchase order as soon as time permits, or within 48 hours of purchase, whichever occurs first. The user department must submit a purchase requisition within 48 hours after the emergency purchase is made.

Emergency purchase orders in excess of \$10,000 **must** be authorized by the Municipal Finance Officer and City Manager and ratified by the City Council at the next scheduled Council Meeting.

6. SOLE SOURCE PURCHASES

State laws allow for a limited exemption from competitive bidding for the purchase of goods where the functional requirements of the City can be satisfied by only one source. This applies to: purchases where competition is precluded because of:

the existence of patents, copyrights, secret processes or natural monopolies;

the purchase of films, manuscripts or books; purchases of electric power, gas, water, and other utility services;

the purchase of captive replacement parts or components for equipment; and

other items as specified in Section 252.022(a)(7) of the Texas Local Gov't. Code.

A product is eligible for sole source purchase only when there is a significant functional difference between the product and other similar products on the market, and when the item is available only from one vendor. The following are **not** sufficient justifications for a sole source purchase:

A product is made by only one manufacturer, if products from other manufacturers are available that perform a similar function.

A particular name brand of product is preferred over other brands.

Only one local vendor offers a product, if other vendors who offer the product can meet the City's needs and delivery time is critical.

Sole source purchases in excess of \$10,000 must be approved by the City Manager and the City Council prior to the purchase. When City Council approval is necessary, a detailed explanation of the sole source basis for the purchase must be included by the user department on the agenda request form.

7. RENTAL AND LEASE EQUIPMENT

All lease agreements are accomplished by sealed bids/proposals if the amount of the lease is expected to exceed \$50,000 over the **term** of the lease agreement. A lease of equipment is subject to the requirements for competition that apply to purchases. Rental or lease equipment agreements will be processed on a standard purchase order.

The user department must identify the source of funds to cover payments of lease charges for the entire period of the lease.

8. BLANKET PURCHASE ORDERS

The user department shall submit a purchase order for a blanket purchase order approval for an amount of estimated annual recurring expenditures. For example, a department would set up a blanket purchase order for vendors from whom they regularly purchase needed supplies. Examples might include office supplies, equipment parts, lubricants, fuel, and so forth.

9. INTERGOVERNMENTAL PURCHASES

It is the policy of the City to facilitate joint purchasing arrangements on an inter-governmental basis. The Municipal Finance Officer will work with other governmental entities to take advantage of the benefits of joint purchasing arrangements. In addition, the Municipal Finance Officer will utilize various cooperative programs available to the City.

10. COMPUTER HARDWARE AND SOFTWARE PURCHASES

The City has adopted the following policy for the purchase of computer hardware and software.

Any City staff employee can make purchases for computer supplies/equipment less than \$100 (consumable items, such as diskettes, CD's, DVD's, ink cartridges, mice.)

Purchases of computer supplies/equipment \$100.00 to \$999.99 must have the approval of the Department Director, IT Director, and Municipal Finance Officer.

Purchase of computer supplies/equipment \$1,000 - \$25,000 must be approved by the Department Director, the IT Director, Municipal Finance Officer, and the City Manager.

If cost is estimated to exceed \$50,000 the RFP policy applies.

All original program diskettes/CD's shall be kept by the City Secretary for retention filing at the Records Storage Center. The original software license is kept by the user department for its files.

11. CITY COUNCIL AUTHORIZATION

Contracts for the purchase of goods and services involving an expenditure in excess of \$10,000 require the approval of the City Council, whether or not the purchase is to be obtained through a competitive bidding or proposals procedure. The Department Head is responsible for timely processing of City Council Agenda Request forms to the City Manager when Council approval is necessary for a purchase.

12. BUYING LOCALLY

The City encourages purchases from vendors in Windcrest when the needs of the City and the requirements for competition in this manual can be met. State law, however, does not permit purchases to be limited to Windcrest vendors when

competition is afforded by out-of-town vendors who can meet the City's delivery and/or service requirements.

In purchasing any real property or personal property that is not affixed to real property, if the City receives one or more bids from local bidders, and the bids are within five percent of the lowest responsible bid received by the City from a nonresident bidder, City may award the contract to the lowest responsible bidder who is a local bidder, if the City determines in writing that the local bidder offers the City the best combination of contract price and additional economic development opportunities for the City created by the contract award including the employment of local residents, and increased tax revenues to the city.

13. HISTORICALLY UNDERUTILIZED BUSINESSES (HUB'S)

The City is taking the following actions to assist Historically Underutilized Businesses (HUB's) in doing business with the City.

The Department Heads insures that HUB's are given a fair and equal opportunity to bid on City contracts.

The Department Heads ensures that, before the City makes an expenditure of more than \$3,000 but less than \$50,000, at least one HUB is contacted on a rotating basis, based on information provided by the Texas Building and Procurement Commission.

It is the City's intent that these actions will promote participation of HUB's within the City.

14. FIXED ASSETS

The City is responsible for keeping records of all of its fixed assets. All new assets which have an original cost of \$2,500 or more and a three year life span are fixed assets and will be added to the fixed assets records. Fixed assets are charged to the general ledger account code XXXXX. All duties and responsibilities of the fixed assets inventory records are supervised by the Finance Department. Effort by the directors and department heads throughout the City is necessary if the system is to work; however, this effort is centrally organized, monitored, and reported by the Finance Department staff.

15. SURPLUS

All surplus computer hardware and software must be returned to the IT Director. For all other surplus goods, contact the Finance Department for disposal either by on-line auction, or City Auction.

16. TRAVEL

All travel must be approved by the Municipal Finance Officer and the City Manager, using the attached Travel Request Form. All travel requests shall be made within 2 weeks of the travel date(s). The mileage rate to be reimbursed for all mileage will be the same rate of reimbursement used by the Federal Government.

17. RECYCLED PRODUCTS

The City encourages all user departments to assist in the purchase of recycled products and supports the entire process of recycling.

18. DOCUMENTS

REQUISITIONS: The Requisition requests authorization for the User Department to enter into a contract with a vendor to purchase goods and/or services for the user department and to charge the appropriate department or project budget once all approvals have been obtained.

THE PURCHASE ORDER: The primary purchasing document used by the City to secure supplies and/or equipment is the Purchase Order ("PO"). The PO is a binding written agreement between the City and a vendor obligating the City to pay for specified goods or services when delivered in accordance with the purchase order terms. PO's will be issued by the Finance Department only. **NO ORDER IS BINDING UPON THE CITY UNTIL A PURCHASE ORDER HAS BEEN ISSUED. NO EMPLOYEE SHALL CONSENT TO AN ORDER ON THE "CONFIRMING" BASIS BEFORE A PURCHASE ORDER HAS BEEN ISSUED.**

RECEIPTS: The user department is required to process a Material Receiving Report for complete delivery of an order prior to payment. This will be completed on the Requisition.

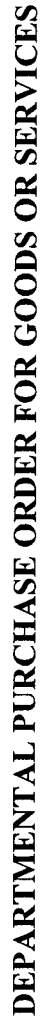
TELEPHONE/WRITTEN QUOTE FORM: The user department is required to complete the telephone/written quote form for all purchases greater than \$500. The telephone/written quote form must be forwarded to the Finance Department for processing.

QUOTE REQUEST FORM: The user department is required to utilize the quote request form for all purchases greater than \$3,000. The quote request form will ensure that each vendor receives the same information in which to base their quote on. The responses from the vendor along with the telephone/written quote form must be forwarded to the Finance Department for processing.

TRANSFERS OF FUNDS: In the event that the department director needs to transfer funds between line items the transfers of funds form must be completed.

FIXED ASSET ACTIVITY FORM: The Fixed Asset Activity Form must be completed for each fixed asset that is added, deleted or transferred. A fixed asset is a cost of \$2,500 or greater at the time of purchase.

TRAVEL AUTHORIZATION FORM: All travel must be approved using the attached form. It must be submitted within 2 weeks of the travel date(s).



PLEASE FURNISH THE FOLLOWING SUPPLIES, MATERIALS OR SERVICES WHICH ARE NECESSARY IN THE PROPER AND LEGAL CONDUCT OF MY DEPARTMENT. THIS PURCHASE IS PROPERLY AUTHORIZED BY THE BUDGET AND SUFFICIENT FUNDS ARE AVAILABLE TO PAY FOR THE EXPENDITURES AS PROVIDED FOR UNDER THE STATUTORY PROVISIONS OF THE LOCAL GOVERNMENT CODE OF TEXAS, CONCERNING THE LEGAL EXPENDITURES OF CITY FUNDS, AND IS TO BE CHARGED TO:

Special Instructions:



WINDCREST TEXAS

TELEPHONE/WRITTEN QUOTE FORM

Department Name/Number: _____

Description of Item: _____

Budgeted in Acct #: _____

Vendor Name/Address	Amount of Quote	Terms/Remarks

COMMENTS: _____

RECOMMENDED VENDOR: _____

REASON: _____

IF LESS THAN THREE QUOTES ARE OBTAINED, CHECK THE FOLLOWING REASON:

☐ Sole Source ☐ State Contract ☐ Other: _____

Signature of Person Receiving Quotes _____

_____ Date

-----To be Completed by Finance / City Manager's Office-----

Approval by Municipal Finance Officer:

Signature _____ Date _____

Approval by City Manager (if required):

Signature _____ Date _____

Council approval (if required):

Council Approval

WINDCREST TEXAS

QUOTE REQUEST FORM

Vendor Name: _____ Fax No: _____
Contact Name: _____ Phone No: _____

QUOTE MUST BE RETURNED BY _____ VIA FAX OR EMAIL.

Fax: _____
Mailed: _____

Item Description	Quantity	Unit Cost	Freight	Total Cost	Comments by Vendor

Total Quote Amount: _____



WINDCREST TEXAS

TRAVEL AUTHORIZATION FORM

Date Submitted: _____ Employee Name: _____

Position: _____ Department: _____

Date(s) of Travel: To: _____ From: _____

Purpose for Travel: _____ Travel Destination (city): _____

Please Check one:

☐

Overnight trip

☐

Day Trip

Estimated Cost of Trip:

Hotel: _____ Nights _____ Cost: _____

Registration Costs: _____

Transportation: City Vehicle Yes / No

Rental Car Yes / No

Mileage (use Fed Rate per mile) _____ @ .51 =

Meals: _Lunch_ Per Diem _____

Other Expense (tips, taxi, ect): _____

Total Estimated Cost of Trip: _____

Employee(s) acting in your absence: _____

Employee Signature: _____

Comments:

I authorize this travel and certify that the estimated expenditures are for official city business, and that funds are available in the budget in the account _____.

Department Director

Date

Municipal Finance Officer Date

City Manager Date

13	Economic Development Corporation									
			FINAL							
Account		ACTUAL	BUDGET		ACTUAL	BUDGET	AMENDED	PROPOSED		
Number		2007 / 2008	2008 / 2009		2008 / 2009	2009 / 2010	BUDGET	BUDGET	2010 / 2011	
	Carryover funds from previous year	570,601	554,266		554,266	410,286	93,954		140,000	
4105	Income - Other	664	2,000	110		500	500			
4110	Income - Other (Transfer from HOT Fund)	75,000	0	0		30,000	30,000			
4111	Income - Other (Transfer from Gen. Fund)	0	0	0		20,000	20,000			
4112	Income - Walzem Rd. Grant	0	0	30,000		0	0			
4113	Income - Corporate Donation	2,500	0	0		0	0			
4115	Sales Tax	292,002	325,000	268,104		300,000	300,000		300,000	
4301	Interest	16,748	15,000	3,979		4,500	1,500		500	
4900	Proceeds from Capital Lease	0	0	0		0	0		0	
	Total Current Revenues	386,914	342,000	302,193		355,000	352,000		300,500	
	Total Available Funds	957,515	896,266	856,459		765,286	445,954		440,500	
	Salary and Related Expenses									
500-009	Salaries	153,118	142,846	136,832		160,680	165,024		0	
500-010	Administrative Support - City Employees	4,687	11,300	11,264		10,000	10,000		20,000	
500-011	Longevity	590	665	634		930	1,245		0	
500-018	Education Pay	1,489	1,800	900		1,800	1,800		0	
500-020	Overtime		600	553		0	900		1,000	
500-030	Social Security	12,868	16,101	12,599		14,163	13,967		1,530	
500-040	Health Insurance	9,962	8,888	7,285		13,308	13,327		0	
500-050	Retirement	11,016	14,459	11,272		14,348	14,149		1,600	
500-060	Workers Compensation	560	812	492		636	858		79	
500-070	Unemployment Compensation	328	555	267		378	555		378	
500-080	Contract Labor (Walzem Rd. Consultant)	0	0	0		0	0		0	
500-095	Termination Payout (Restricted)	579	1,354	1,353		0	0		0	
	Total Salary & Related Expense	195,197	199,380	183,451		216,243	221,825		24,587	
	Other Expenses									
500-100	Public Relations Fees	0	0	0		0	0		0	
500-115	Mobile Telephone	1,514	2,700	2,832		1,800	2,800		0	
500-120	Dues & Subscriptions	2,602	2,400	2,306		1,500	1,500		0	
500-130	Training Only	4,129	4,000	3,715		4,000	4,000		0	
500-132	Travel Only	4,776	1,450	1,406		3,000	3,000		0	
500-135	Meals & Entertainment	4,479	3,050	3,002		4,000	4,000		2,000	
500-200	Computer Maintenance		0	0		0	0		0	
500-201	Website Maintenance		0	0		0	0		0	
500-250	Legal Expenses		0	0		0	0		0	
500-290	Audit	10,664	70,130	70,016		24,000	24,000		0	
500-430	Supplies	3,900	3,500	3,500		3,500	4,000		3,000	
500-510	Vehicle Lease-Director (Moved to Gen Fund	5,638	4,000	3,960		5,800	5,800		500	
500-510	Vehicle Allowance-Director	4,678	0	0		0	0		0	
500-515	Vehicle Allowance-Director	4,800	10,000	9,693		7,200	0		0	
500-515	Health Expense Allowance-Director	3,600	3,600	3,600		3,600	3,600		0	
500-540	Vehicle Fuel	563	200	173		2,500	2,500		0	

Rec'd
4/14/2011
[Signature]
cm

AA: 4

Account Number	ACTUAL 2007 / 2008	FINAL BUDGET 2008 / 2009	ACTUAL 2008 / 2009	ADOPTED BUDGET 2009 / 2010	AMENDED BUDGET 2009 / 2010	PROPOSED BUDGET 2010 / 2011
500-590 Postage	758	1,000	774	1,000	1,000	250
500-630 Legal Advertising	63	350	0	350	350	250
500-640 Copier Usage	1,000	1,000	1,000	1,000	1,000	1,000
500-650 Walzem Rd Grant Expenses	3,139	0	30,000	0	0	0
500-700 Contingencies	4,387	6,500	6,017	5,000	4,500	0
Total Other Expense	60,690	113,880	141,994	68,250	62,050	7,000
Total Operating Expenses	255,887	313,260	325,445	284,493	283,875	31,587
500-800 Total EDC Projects	67,667	427,720	427,060	368,050	118,050	274,500
500-810 Capital Expense						
Computers/Upgrades	0	0	0	0	0	0
Records Mgmt System Lease Payment Contrib.	10,000	10,000	10,000	0	0	0
EDC Dir. Vehicle - 2006 Ford Crown Vic	0	0	0	0	0	0
Display Equipment (Projector,Laptop,Display Panel)	1,343	0	0	0	0	0
Building Office Space	68,352	0	0	0	0	0
TOTAL ALL EXPENSES	403,249	750,980	762,505	652,543	401,925	306,087
Excess Current Revenue Over Expenses	-16,335	-408,980	-460,312	-297,543	-49,925	-5,587
Carryover funds to next year	554,266	145,286	93,954	112,743	44,029	134,413

