

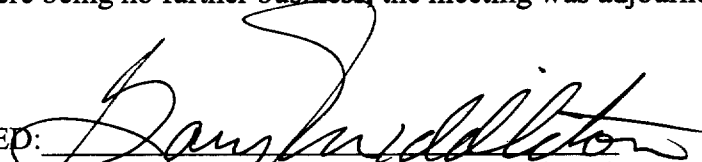
**CITY COUNCIL MINUTES
June 18, 2002**


AYES: Council Members Neitsch, Buckert, Wyatt, Watkins and Mayor Middleton
NAYS: None

Caption:

AN ORDINANCE AMENDING ARTICLE IV, TOW TRUCK PERMITS; TOW TRUCK ROTATION LIST PRIVILEGE CONTRACTS, OF CHAPTER 23 OF THE VICTORIA CITY CODE TO INCORPORATE THE REGULATIONS OF THE TEXAS DEPARTMENT OF TRANSPORTATION CONCERNING STORAGE CHARGES INTO THE CITY'S STORAGE RATE LIMITS AND MAKE OTHER MISCELLANEOUS CHANGES THEREIN, PROVIDING A PENALTY NOT TO EXCEED \$500.00 UPON CONVICTION; PROVIDING FOR ENFORCEMENT; REPEALING CONFLICTING PARTS OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND DECLARING AN EFFECTIVE DATE.

There being no further business, the meeting was adjourned at 8:30 p.m.

APPROVED: 
GARY MIDDLETON, Mayor of the City of
Victoria, Texas

ATTEST: 
SCARLET SWOBODA, City Secretary

VICTORIA CITY COUNCIL
July 2, 2002

CALL TO ORDER

A regular meeting of the Victoria City Council was called to order by Mayor Gary Middleton at 5:07 p.m. Tuesday, July 2, 2002 in the Council Chambers, 107 W. Juan Linn, Victoria, Texas. The pledge of allegiance was said, and all citizens were welcomed.

MEMBERS PRESENT

- Gary Middleton, Mayor
- Philip Guittard
- Lewis Neitsch
- Bill Russell
- Shirley Buckert
- Jim Wyatt
- Wayne Watkins

STAFF PRESENT

- Denny Arnold, City Manager
- Charles Windwehen, Assistant City Manager
- David Smith, City Attorney
- Miles Risley, Assistant City Attorney
- John Johnston, Director, Public Works
- Gilbert Reyna, Jr., Director, Finance
- Doug Cochran, Director, Parks and Recreation
- Jared Mayfield, Senior Planner
- Scarlet Swoboda, City Secretary

APPROVAL OF MINUTES

The minutes of the regular meeting of June 18, 2002 were approved as presented.

CITIZENS COMMUNICATION

Frank Wearden, 900 N. East Street, applauded the tree trimming project being performed and suggested trimming the right-of-way to improve visibility at intersections. He also expressed concerns that crosswalk markings were not replaced when hot mix overlay work was done on the streets.

Mayor Middleton recognized Boy Scout Troop 364 and welcomed them to the meeting.

CITY MANAGER REPORTS

Newspaper Recycling Contest Awards

John Johnston, Director of Public Works, introduced Freddy Castillo, Supervisor of Recycling. Mr. Johnston then presented each school a plaque, gift certificate, and compost/recycling bins as winners in the Newspaper Recycling Contest. The three categories are as follows:

Most Volunteer Hours

Howell Middle School averaged thirty volunteer hours

Most Pounds Collected

First Place - Howell Middle School, with 138,153 pounds

Second Place - C.O. Chandler, with 55,495 pounds

Third Place - Our Lady of Victory, with 53,779 pounds

Most Pounds Per Capita

First Place - Miss Chris Day Care, with 293.33 pounds per student

Second Place - Victoria Christian School, with 228.97 pounds per student

Third Place - Trinity Episcopal School, with 158.77 pounds per student

RESOLUTION 2002-99R - AUTHORIZING AMENDMENT TO CONTRACT WITH VICTORIA INDEPENDENT SCHOOL DISTRICT TO PROVIDE NEIGHBORHOOD RESOURCE CENTER IN THE SILVER CITY NEIGHBORHOOD

The resolution authorizes a contract amendment in the amount of \$2,420 with Victoria Independent School District to provide a Neighborhood Resource Center in the Silver City Neighborhood. Jared Mayfield

Cm. Wyatt moved that the resolution be adopted, with Cm. Russell seconding the motion. The resolution was adopted by mutual consent.

RESOLUTION 2002-100R - AUTHORIZING CONTRACT WITH CUSTOM TREE TRIMMING AND REMOVAL FOR 2002 RIGHT-OF-WAY TREE TRIMMING PROJECT, PHASE II

The resolution authorizes a contract with Kenneth Eggemeyer, d/b/a Custom Tree Trimming and Removal of Yoakum, Texas in the amount of \$33,280. Doug Cochran.

Cm. Buckert moved that the resolution be adopted, with Cm. Wyatt seconding the motion. The resolution was adopted by mutual consent.

ORDINANCE 2002-12 - AMENDING TOW TRUCK REGULATIONS OF CHAPTER 23 OF VICTORIA CITY CODE

City Attorney, David Smith, read the caption of Ordinance 2002-12, which amends Article IV, Tow Truck Permits; Tow Truck Rotation List Privilege Contracts, of Chapter 23 of the Victoria City Code to incorporate the regulations of the Texas Department of Transportation concerning storage charges into the City's storage rate limits and makes other miscellaneous changes. Second and third reading. Miles Risley.

Cm. Wyatt moved that the ordinance pass on second and third reading, with Cm. Neitsch seconding the motion. The ordinance passed on second and third reading by the following vote:

CITY COUNCIL MINUTES

July 2, 2002

AYES: Council Members Guittard, Neitsch, Russell, Buckert, Wyatt, Watkins and Mayor Middleton

NAYS: None

Caption:

AN ORDINANCE AMENDING ARTICLE IV, TOW TRUCK PERMITS; TOW TRUCK ROTATION LIST PRIVILEGE CONTRACTS, OF CHAPTER 23 OF THE VICTORIA CITY CODE TO INCORPORATE THE REGULATIONS OF THE TEXAS DEPARTMENT OF TRANSPORTATION CONCERNING STORAGE CHARGES INTO THE CITY'S STORAGE RATE LIMITS AND MAKE OTHER MISCELLANEOUS CHANGES THEREIN, PROVIDING A PENALTY NOT TO EXCEED \$500.00 UPON CONVICTION; PROVIDING FOR ENFORCEMENT; REPEALING CONFLICTING PARTS OF ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND DECLARING AN EFFECTIVE DATE.

EXECUTIVE SESSION

Mayor Middleton announced that Council would recess into Executive Session at 5:27 p.m., in accordance with:

Section 551.071, Texas Government Code, consultation with attorney on matters involving litigation or potential litigation, a settlement offer or 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 conflicts with the Texas Open Meetings Act (including, without limitation, legal issues involving pipelines in City rights-of-way, claims against City by contractor installing Vine Street sewer line, settlement of FLSA claim, and information system implementation contract). David A. Smith.

Section 551.072, Texas Government Code, to deliberate the purchase, exchange, lease, or value of real property interests due to the fact that deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person (including, without limitation, the purchase of property adjacent to Ben Jordan for Ben Jordan Reconstruction Project). John Johnston.

Section 551.074, Texas Government Code, with regard to personnel matters (including, without limitation, the appointment, evaluation, and duties of the City Manager). Scarlet Swoboda.

The Council reconvened in regular session at 8:14 p.m. and considered the following:

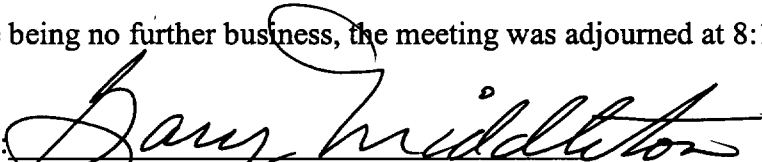
RESOLUTION 2002-101R - AUTHORIZING CANCELLATION OF THE CITY CONTRACT WITH SOLBOURNE COMPUTERS, INC.

The resolution authorizes the City Manager to execute all documents necessary to cancel & confirm cancellation of the City's contract with Solbourne Computer, Inc. for implementation of the SAP R/3 Financial and Human Resources Computer Systems. Gilbert Reyna, Jr.

Cm. Watkins moved that the resolution be adopted, with Cm. Buckert seconding the motion. The resolution was adopted by mutual consent.

There being no further business, the meeting was adjourned at 8:15 p.m.

APPROVED:


 GARY MIDDLETON, Mayor of the City of
 Victoria, Texas

ATTEST:


 SCARLET SWOBODA, City Secretary