


The Council reconvened in regular session at 7:08 p.m. with nothing to report.


ITEMS FROM COUNCIL

Cm. Wyatt expressed concerns with the street paving project and its affects on the drainage in the Silver City Neighborhood. He expressed a desire to revisit this issue in the future.

John Kaminski, Director of Planning, advised that construction had not been completed, but when the final layer of asphalt is applied it would be flush with the concrete drains in the center of the streets.

There being no further business, the meeting was adjourned at 7:09 p.m.

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

ATTEST: 
SCARLET SWOBODA, City Secretary

**VICTORIA CITY COUNCIL
August 6, 2002**

CALL TO ORDER

A regular meeting of the Victoria City Council was called to order by Mayor Gary Middleton at 5:08 p.m. Tuesday, August 6, 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

STAFF PRESENT

Denny Arnold, City Manager
David Smith, City Attorney
Miles Risley, Assistant City Attorney
John Kaminski, Director, Planning
Gilbert Reyna, Jr., Director, Finance
Wayne Cockroft, Director, Utilities
James Stewart, Director, Library
Benny Ortiz, Supervisor, Solid Waste
Ken Gill, City Engineer
Ray Miller, Assistant Planning Director
Scarlet Swoboda, City Secretary

MEMBERS ABSENT

Jim Wyatt
Wayne Watkins

APPROVAL OF MINUTES

The minutes of the special meeting of July 8, 2002 and regular meeting of July 16, 2002 were approved as presented.

CITIZENS COMMUNICATION

Wilma M. Edwards, 3503 Callis Street, expressed appreciation to the City for helping with the removal of the home that burned in the neighborhood, as well as the work being done on the streets. She stated that street work needs to continue, because Callis Street and Prince Street are still in bad shape and getting worse. She also addressed problems with a contractor working on a house at 2803 Frances Street.

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Frank Wearden, 901 N. East Street, expressed appreciation to Council for participating in the flagpole ceremony at the Pine Street Park, as well as the time that Council Members put into serving the community.

PUBLIC HEARINGS

Mayor Middleton opened a public hearing on the following item:

RESOLUTION 2002-111R – ADOPTING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FISCAL YEAR 2002-2003 CONSOLIDATED PLAN AND STRATEGY FOR THE CITY

The resolution considers adopting the Community Development Block Grant (CDBG) Fiscal Year 2002-2003 Consolidated Plan and Strategy for the City of Victoria and authorizing the City Manager to submit the Fiscal Year 2002-2003 Budget and all appropriate documentation for the City's FY 2002-2003 CDBG Program to the U.S. Department of Housing and Urban Development (HUD). John Kaminski.

John Kaminski, Director of Planning, advised that the \$1,005,964.70 proposed budget has two changes to the one year action plan since it was originally submitted in June. The first change would be to the owner-occupied rehab program, which was revised so that 10% of the rehab funding could be used outside of the target neighborhood. The second change would be a revision to the public improvements activity, which would take \$42,264.70 originally proposed for a hike and bike trail and redirect it to Martin Luther King Park improvements. The improvements could consist of adding benches, trees, an irrigation system, and removal of a building located on park property. These improvements would be decided by the Parks Commission along with the neighborhood committee.

Cm. Buckert advised that Cm. Wyatt had contacted her to express his concerns that the homes built by Habitat for Humanity not look like project housing. She advised that she agreed with Cm. Wyatt, and Mayor Middleton adding that he would like to see the façade of the homes differ so that they all do not look the same. Mr. Kaminski advised that the proposed 2002-2003 budget does not include any money targeted for Habitat.

Mayor Middleton asked if there were any questions from Council or the audience. There were none, and Mayor Middleton closed the public hearing.

CITY MANAGER REPORTS**Proposed Fiscal Year 2002-2003 Budget**

Gilbert Reyna, Jr., Director of Finance, delivered the proposed Fiscal Year 2002-2003 Annual Budget. He advised that the budget calendar proposed adopting the budget at the first meeting in September. Denny Arnold, City Manager reminded Council that the adoption date needed to be set because of legal requirements. He advised that there would be a work session to go over the proposed budget next Tuesday, August 13, 2002.

Delivery of the Certified Tax Roll

Gilbert Reyna, Jr., Director of Finance, delivered the Certified Tax Roll and advised that the first page points out highlights of the worksheet. He reported that the total appraised taxable value is a 3.8% increase from last year, and that he would be proposing that the tax rate remain the same as last year at \$.70.

RESOLUTION 2002-109R – RATIFYING AN INTERLOCAL AGREEMENT WITH THE UNIVERSITY OF TEXAS FOR AIR QUALITY MONITORING AND RESEARCH ACTIVITIES

The resolution ratifies an Interlocal Agreement between the University of Texas and the City of Victoria for Air Quality Monitoring and Research Activities, in the amount of \$327,000 funded entirely by the Texas Natural Resources Conservation Commission (TNRCC). Ray Miller.

Cm. Buckert moved that the resolution be adopted, with Cm. Neitsch seconding the motion. The resolution was adopted by the following vote:

AYES: Council Members Guittard, Neitsch, Russell, Buckert, and Mayor Middleton
NAYS: None

RESOLUTION 2002-110R - AUTHORIZING A GRANT TO PROVIDE VOLUNTEER WORK WITH THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) IN THE SILVER CITY NEIGHBORHOOD

The resolution authorizes the City Manager to execute all documents necessary to apply for and accept a grant from the Corporation for National and Community Service to provide an Americorps* Vista Volunteer to work with the Community Development Block Grant Program (CDBG) in the Silver City Neighborhood. John Kaminski.

Cm. Buckert moved that the resolution be adopted, with Cm. Guittard seconding the motion. The resolution was adopted by the following vote:

AYES: Council Members Guittard, Neitsch, Russell, Buckert, and Mayor Middleton
NAYS: None

RESOLUTION 2002-111R - ADOPTING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FISCAL YEAR 2002-2003 CONSOLIDATED PLAN AND STRATEGY FOR THE CITY

The resolution adopts the Community Development Block Grant (CDBG) Fiscal Year 2002-2003 Consolidated Plan and Strategy for the City of Victoria and authorizing the City Manager to submit the Fiscal Year 2002-2003 Budget and all appropriate documentation for the City's FY 2002-2003 CDBG Program to the U.S. Department of Housing and Urban Development (HUD). John Kaminski.

Cm. Buckert moved that the resolution be adopted, with Cm. Guittard seconding the motion. The resolution was adopted by the following vote:

AYES: Council Members Guittard, Neitsch, Russell, Buckert, and Mayor Middleton
NAYS: None

RESOLUTION 2002-112R - AUTHORIZING GRANT APPLICATIONS WITH THE GOLDEN CRESCENT REGIONAL PLANNING COMMISSION (GCPRC) FOR A TRUCK SCALE AND MODULAR BUILDING

The resolution authorizes filing grant applications with the Golden Crescent Regional Planning Commission (GCRPC) for non-budgeted pass-through grants for a truck scale and modular building in amounts of \$10,010 and \$3,975, respectively, from the Texas Natural Resource Conservation Commission (TNRCC). It authorizes the City's Director of Public Works to act on behalf of the City of Victoria in all matters related to the application, authorizes the City Manager and his designee to execute all documents necessary to accept the grant, and pledges that if a grant is accepted, the City of Victoria will comply with the grant requirements of the Golden Crescent Regional Planning Commission, the TNRCC and the State of Texas. Benny Ortiz.

Cm. Buckert moved that the resolution be adopted, with Cm. Neitsch seconding the motion. The resolution was adopted by the following vote:

AYES: Council Members Guittard, Neitsch, Russell, Buckert, and Mayor Middleton
NAYS: None

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RESOLUTION 2002-113R – AUTHORIZING CHANGE ORDER #1 FOR THE 2001-2002 RECLAIMING, OVERLAY, AND SEAL COAT PROJECT TO INCLUDE ADDITIONAL STREETS

The resolution authorizes the Director of Public Works to approve Change Order #1 for the 2001-2002 Reclaiming, Overlay, and Seal Coat Project to add improvements to Water Street, Hiller Street, Ramos Road, Bottom Street, Tropical Drive, Yucca, Cactus, Circle Lane, and McCright Drive, improve driveways at City Hall, and add inlets in the Silver City area, in the total additive amount of \$315,526.89. Ken Gill.

Cm. Buckert moved that the resolution be adopted, with Cm. Neitsch seconding the motion. The resolution was adopted by the following vote:

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

NAYS: None

RESOLUTION 2002-114R - AUTHORIZING ANNUAL CONTRACT FOR LIQUID SODIUM CHLORITE TO VULCAN CHEMICAL TECHNOLOGIES, INC.

The resolution authorizes the City Administration to accept the bid for the annual supply contract for liquid sodium chlorite submitted by Vulcan Chemical Technologies, Inc. d/b/a Vulcan Performance Chemicals, Delaware Corporation, in the amount of \$576.00 per ton for a total of approximately \$51,840. Wayne Cockroft.

Cm. Neitsch moved that the resolution be adopted, with Cm. Guittard seconding the motion. The resolution was adopted by the following vote:

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

NAYS: None

RESOLUTION 2002-115R - AUTHORIZING AN AGREEMENT TO SHARE COST AND USE OF A LIBRARY AUTOMATION SYSTEM

The resolution authorizes agreement(s) with the University of Houston-Victoria and Victoria College to provide for sharing the use and cost of a library automation system. James Stewart

Cm. Guittard moved that the resolution be adopted, with Cm. Buckert seconding the motion. The resolution was adopted by the following vote:

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

NAYS: None

RESOLUTION 2002-116R - CALLING A PUBLIC HEARING ON THE 2002-2003 CITY BUDGET

The resolution authorizes calling a Public Hearing on the 2002-2003 City of Victoria Budget on August 22, 2002, 5:00 p.m. at the Victoria City Council Chambers, 107 West Juan Linn Street. Gilbert Reyna, Jr.

Cm. Buckert moved that the resolution be adopted, with Cm. Neitsch seconding the motion. The resolution was adopted by the following vote:

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

NAYS: None

RESOLUTION 2002-117R - APPOINTING GILBERT REYNA, JR. AS CITY TAX REPRESENTATIVE

The resolution authorizes appointing Gilbert P. Reyna, Jr., C.P.A. as the City's representative to perform the effective tax rate and rollback calculations according to Section 26.04(c) of the Texas Property Tax Code. Gilbert Reyna, Jr.

Cm. Buckert moved that the resolution be adopted, with Cm. Neitsch seconding the motion. The resolution was adopted by the following vote:

AYES: Council Members Guittard, Neitsch, Russell, Buckert, and Mayor Middleton
NAYS: None

RESOLUTION 2002-118R - AUTHORIZING THE PUBLICATION OF THE "NOTICE OF EFFECTIVE TAX RATE" SCHEDULES

The resolution authorizes the publication of the "Notice of Effective Tax Rate" schedules in accordance with Section 26.04 of the Texas Property Tax Code and State Property Tax Board rules. Gilbert Reyna, Jr.

Cm. Buckert moved that the resolution be adopted, with Cm. Neitsch seconding the motion. The resolution was adopted by the following vote:

AYES: Council Members Guittard, Neitsch, Russell, Buckert, and Mayor Middleton
NAYS: None

ORDINANCE 2002-13 - AMENDING THE SCHEDULE OF ONE-WAY STREETS, PARKING RESTRICTIONS, AND SPEED LIMITS TO ESTABLISH DEAN COOK STREET AS A ONE-WAY STREET DURING SPECIFIC HOURS

City Attorney, David Smith, read the caption of Ordinance 2002-13, which amends the City's schedules of one-way streets, parking restrictions, and speed limits to establish Dean Cook Street as a one-way street during specified morning and afternoon school pick-up/drop-off times. Second and third reading. Ken Gill.

Cm. Buckert 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:

AYES: Council Members Guittard, Neitsch, Russell, Buckert, and Mayor Middleton
NAYS: None

Caption:

AN ORDINANCE AMENDING THE CITY'S SCHEDULES OF ONE-WAY STREETS, PARKING RESTRICTIONS, AND SPEED LIMITS TO ESTABLISH DEAN COOK STREET AS A ONE-WAY STREET DURING SPECIFIED MORNING AND AFTERNOON SCHOOL PICK-UP/DROP-OFF TIMES, PROVIDING A PENALTY NOT TO EXCEED \$200.00 UPON CONVICTION, REPEALING PARTS OF CONFLICTING ORDINANCES, PROVIDING FOR SEVERABILITY, PROVIDING FOR PUBLICATION, AND DECLARING AN EFFECTIVE DATE.

ORDINANCE 2001-02C - AMENDING THE 2001-2002 FISCAL YEAR BUDGET BY TRANSFERRING \$38,000 FROM THE MOTEL TAX FUND TO THE NAVE MUSEUM FUND FOR HISTORICAL RESTORATION AND PRESERVATION TO THE NAVE MUSEUM

City Attorney, David Smith, read the caption of Ordinance 2001-02C, which amends the 2001-2002 Fiscal Year Budget of the City of Victoria by transferring \$38,000 from the Motel Tax

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Fund line item to the Nave Museum line item for historical restoration and preservation to the Nave Museum. Second and third reading. Gilbert Reyna, Jr.

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

AYES: Council Members Guittard, Neitsch, Russell, Buckert, and Mayor Middleton
NAYS: None

Caption:

AN ORDINANCE AMENDING THE 2001-2002 FISCAL YEAR BUDGET OF THE CITY OF VICTORIA BY TRANSFERRING \$38,000.00 FROM THE MOTEL TAX FUND LINE ITEM TO THE NAVE MUSEUM LINE ITEM FOR HISTORICAL RESTORATION AND PRESERVATION TO THE NAVE MUSEUM; REPEALING ALL CONFLICTING ORDINANCES, PROVIDING FOR SEVERABILITY; AND DECLARING AN EFFECTIVE DATE.

ORDINANCE 2001-02D - AMENDING THE 2001-2002 FISCAL YEAR BUDGET BY TRANSFERRING \$59,000 FROM THE GENERAL FUND TO THE PARKS-RECREATION DEPARTMENT FOR ADDITIONAL ELECTRICITY AND LIGHTING

City Attorney, David Smith, read the caption of Ordinance 2002-02D, which amends the 2001-2002 Fiscal Year Budget of the City of Victoria by transferring \$59,000 from the City of Victoria General Fund to the Parks-Recreation Department Other Structures line item for additional electricity/lighting. Second and third reading. Gilbert Reyna, Jr.

Cm. Buckert 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:

AYES: Council Members Guittard, Neitsch, Russell, Buckert, and Mayor Middleton
NAYS: None

Caption:

AN ORDINANCE AMENDING THE 2001-2002 FISCAL YEAR BUDGET OF THE CITY OF VICTORIA BY TRANSFERRING \$59,000.00 FROM THE CITY OF VICTORIA GENERAL FUND TO THE PARKS-RECREATION DEPARTMENT OTHER STRUCTURES LINE ITEM FOR ADDITIONAL ELECTRICITY/LIGHTING; REPEALING ALL CONFLICTING ORDINANCES, PROVIDING FOR SEVERABILITY; AND DECLARING AN EFFECTIVE DATE.

EXECUTIVE SESSION

Mayor Middleton announced that Council would recess into Executive Session at 5:58 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 dedication requirements for the development of property in the vicinity of Mockingbird/Dean Cook/Leary Lane). 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 possible acquisition of property interests in the vicinity of Bingham/Primrose Streets and Mockingbird/Dean Cook/Leary Lane). David A. Smith.

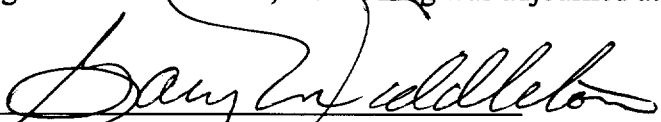
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Section 551.074, Texas Government Code, with regard to personnel matters (including, without limitation, the appointment, evaluation, and duties of the City Manager, members of the Building and Standards Commission, the Golden Crescent Regional Planning Commission General Assembly and Board of Directors, the Minimum Housing Board of Adjustments and Appeals, the Sign Board of Adjustments and Appeals, and the Planning Commission). Scarlet Swoboda.

The Council reconvened in regular session at 7:58 p.m. and had nothing to report.

There being no further business, the meeting was adjourned at 7:59 p.m.

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

ATTEST: 
SCARLET SWOBODA, City Secretary

VICTORIA CITY COUNCIL

August 13, 2002

CALL TO ORDER

A special meeting of the Victoria City Council was called to order by Mayor Gary Middleton at 5:12 p.m. Tuesday, August 13, 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
Shirley Buckert
Jim Wyatt

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
Scarlet Swoboda, City Secretary

MEMBERS ABSENT

Bill Russell
Wayne Watkins

CITIZENS COMMUNICATION

No one wished to address Council.

RESOLUTION 2002-119R - REJECTING BIDS FOR MAYFAIR/MEADOWVILLE SUBDIVISION IMPROVEMENTS PROJECT

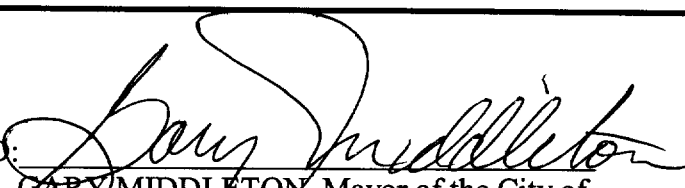
The resolution rejects all bids for the Mayfair/Meadowview Subdivision Improvements Project. John Johnston


Cm. Wyatt moved that the resolution be adopted, with Cm. Neitsch seconding the motion. The resolution was adopted by the following vote:

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

There being no further business, the meeting was adjourned at 5:16 p.m.

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

ATTEST: 
SCARLET SWOBODA, City Secretary
