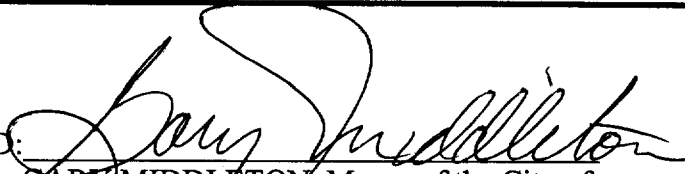
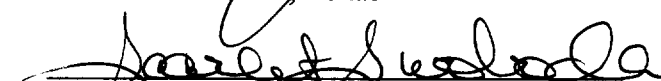


CITY COUNCIL MINUTES
August 13, 2002

APPROVED:


 GARY MIDDLETON, Mayor of the City of
 Victoria, Texas

ATTEST:


 SCARLET SWOBODA, City Secretary

VICTORIA CITY COUNCIL
August 20, 2002

CALL TO ORDER

A regular meeting of the Victoria City Council was called to order by Mayor Gary Middleton at 5:12 p.m. Tuesday, August 20, 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
 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
 John Kaminski, Director, Planning
 Wayne Cockroft, Director, Utilities
 Tim Braaten, Chief of Police
 Gilbert Reyna, Jr., Director, Finance
 Scarlet Swoboda, City Secretary

MEMBERS ABSENT

Jim Wyatt

APPROVAL OF MINUTES

The minutes of the regular meeting of August 6, 2002 and the special meeting of August 13, 2002 were approved as presented.

CITIZENS COMMUNICATION

Roberto Soto, 108 Creekside, representing the Library Advisory Board, expressed appreciation for support of budget requests in the past few years. He advised that the Library is providing more services, with programs, attendance, circulation and gate count up from last year. He advised that the children's desk needs to be staffed at all times and requested that the part-time children's library assistant be upgraded and funded as a full-time position. He also requested that any funds not spent in the current budget be used to purchase books for next year.

Cm. Russell requested that the Library Board study the possibility of the library being open on Sundays and the costs involved.

Winston Wheeler, 504 E. Santa Rosa, President of the Friends of Victoria Baseball, requested that \$38,000 be funded for the 2002-2003 budget for improvements to Riverside stadium. He advised that an estimated \$120,000 worth of total work could be done with the requested funds. He announced that the Association of Builders and Contractors has taking the Friends of Victoria Baseball on as a community project, and would be donating labor towards stadium improvements. Mr. Wheeler advised that this would be a full fix up, bringing it into American Disabilities Act (ADA) compliance, and would bring the concession stand into compliance with the Health Department regulations. He advised that the Friends of Victoria Baseball have applied to some of the local foundations for grants, but some commitment from the owner is required.

Mayor Middleton inquired whether Victoria Independent School District (VISD) or St. Joseph High School would be approached to help out with these funds. Mr. Wheeler advised that VISD has donated a new scoreboard and they are considering donating some maintenance.

Thomas Edwards, 104 Warwick Glen, expressed his opposition to renewing the transit contract because he rarely sees riders on the buses.

Gloria Goff, 205 Woodglen, spoke in favor of the transit system, advising that it is the only means of transportation for some individuals.

RESOLUTION 2002-120R - APPOINTING NEW MEMBERS TO THE BUILDING AND STANDARDS COMMISSION

The resolution re-appoints five members and eight alternate members to the Building and Standards Commission. Scarlet Swoboda.

Members: Harold Cade, Nick Hinojosa, Eric Murphy, Alex Solis, and C. W. Settles

Alternate Members: John Acosta, Edward Valis, Albert Totah, Rawley McCoy, Dorothy Harris, Scott Lee, Gloria Gleinser, and Dan Hiller.

Cm. Russell 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, Watkins and Mayor Middleton
NAYS: None

RESOLUTION 2002-121R - APPOINTING TWO MEMBERS TO THE GOLDEN CRESCENT REGIONAL PLANNING COMMISSION GENERAL ASSEMBLY AND ONE MEMBER TO THE BOARD OF DIRECTORS

The resolution re-appoints Jim Wyatt and Lewis Neitsch to the Golden Crescent Regional Planning Commission General Assembly and Jim Wyatt to the Board of Directors. Scarlet Swoboda.

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

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

RESOLUTION 2002-122R - APPOINTING THREE MEMBERS TO THE MINIMUM HOUSING BOARD OF ADJUSTMENTS AND APPEALS

The resolution appoints Charles Jones and John Kirkpatrick and re-appoints Milton Bluhm to the Minimum Housing Board of Adjustments and Appeals. Scarlet Swoboda.

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

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

RESOLUTION 2002-123R - APPOINTING TWO MEMBERS TO THE SIGN BOARD OF ADJUSTMENTS AND APPEALS

The resolution re-appoints Milton Bluhm and Mark Pullin to the Sign Board of Adjustments and Appeals. Scarlet Swoboda.

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

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

RESOLUTION 2002-124R - APPOINTING THREE MEMBERS TO THE PARKS AND RECREATION COMMISSION

The resolution appoints Terry McGowan and re-appoints Tommie Youngblood and Tedrick Valentine to the Parks and Recreation Commission. Scarlet Swoboda.

Cm. Guittard 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, Watkins and Mayor Middleton
 NAYS: None

RESOLUTION 2002-125R - APPOINTING THREE MEMBERS TO THE PLANNING COMMISSION

The resolution re-appoints Jan Scott, Janie Rubio, and Russell Janecka to the Planning Commission. Scarlet Swoboda.

Cm. Russell 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, Watkins and Mayor Middleton
 NAYS: None

RESOLUTION 2002-126R - AUTHORIZING A LETTER OF AGREEMENT WITH THE VICTORIA HOUSING AUTHORITY FOR AN EXTENSION OF THE ASSIGNMENT OF TWO POLICE OFFICERS ON PREMISES

The resolution authorizes the City Manager to execute a Letter of Agreement with the Victoria Housing Authority for the two-year extension of an assignment of two police officers on the housing authority premises. Tim Braaten.

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, Watkins and Mayor Middleton
 NAYS: None

RESOLUTION 2002-127R - AUTHORIZING AN INTERLOCAL COOPERATION ACT WITH THE VICTORIA INDEPENDENT SCHOOL DISTRICT FOR SCHOOL RESOURCE OFFICER

The resolution authorizes an Interlocal Cooperation Act Agreement between the City of Victoria and the Victoria Independent School District for the School Resource Officer Program. Tim Braaten.

Cm. Watkins 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, Watkins and Mayor Middleton
 NAYS: None

RESOLUTION 2002-128R - AUTHORIZING AN INTERLOCAL AGREEMENT WITH THE GOLDEN CRESCENT REGIONAL PLANNING COMMISSION FOR A FIXED-ROUTE PUBLIC TRANSPORTATION SYSTEM

The resolution authorizes an Interlocal Agreement with the Golden Crescent Regional Planning Commission (GCRPC) for the operation of a fixed-route public transportation system within the limits of the City of Victoria, and providing City funding in the amount of \$40,400. John Kaminski.

Following discussion concerning lack of passengers and the costs involved in maintaining the program at the same level, Mayor Middleton instructed the City Manager and staff to get with the Golden Crescent Planning Commission to see what can be done, and come back with a recommendation as soon as possible.

Cm. Russell moved to postpone the resolution, with Cm. Watkins seconding the motion. The resolution was postponed by the following vote:

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

RESOLUTION 2002-129R - GRANTING A VARIANCE AT 3802 N. MAIN OWNED BY GILBERT NAVAIRA

The resolution grants a variance to Sections 21-83(a)(2) and 21-83(a)(5) of the Victoria City Code, which require a minimum lot frontage of at least 100 feet for general commercial lots on a public street and a minimum side yard setback of 20 feet for general commercial lots abutting residential uses, to the Gilbert Navaira Subdivision No. 1 at 3802 N. Main Street, which is owned by Gilbert Navaira. 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, Watkins and Mayor Middleton
NAYS: None

RESOLUTION 2002-130R - GRANTING A VARIANCE FOR OFF-STREET PARKING AT 2902 E. AIRLINE (RAJUN CAJUN) OWNED BY JAMES WAYNE

The resolution grants a variance to Section 21-94(a) of the Victoria City Code, which specifies the location of required off-street parking, to 2902 E. Airline Street (Rajun Cajun), at the intersection of Airline and Ben Wilson Streets, which is owned by James Wayne. John Kaminski.

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

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

RESOLUTION 2002-131R - GRANTING A VARIANCE FOR DRIVEWAYS AT 2902 E. AIRLINE (RAJUN CAJUN) OWNED BY JAMES WAYNE

The resolution grants a variance to Section 20-83 of the City Code, which establishes allowable driveway locations and spacing, Section 20-84, which defines maximum driveway widths, Section 20-85, which identifies minimum driveway curb radii, and Section 20-86, which defines the minimum internal storage requirements for driveways, to 2902 E. Airline Street (Rajun Cajun), which is owned by James Wayne. John Johnston.

Cm. Guittard 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, Watkins and Mayor Middleton
NAYS: None
ABSTENTION: Council Member Russell

RESOLUTION 2002-132R - GRANTING A VARIANCE AT 3208 SAM HOUSTON OWNED BY JAMES WAYNE

The resolution grants a variance to Section 20-82(b) of the City Code, which defines the maximum number of driveways for commercial land uses, Section 20-83, which establishes allowable driveway locations and spacing, Section 20-85, which identifies minimum driveway curb radii, and Section 20-86, which defines the minimum internal storage requirements for driveways to 3208 Sam Houston, which is owned by James Wayne. John Johnston.

Cm. Watkins 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, Watkins and Mayor Middleton
 NAYS: None
 ABSTENTION: Council Member Russell

RESOLUTION 2002-133R - AUTHORIZING A RAILWAY HIGHWAY UNDERPASS AGREEMENT WITH THE DEPARTMENT OF TRANSPORTATION AND THE UNION PACIFIC RAILROAD COMPANY

The resolution was pulled from the agenda.

RESOLUTION 2002-134R - AUTHORIZING AN INTERLOCAL AGREEMENT WITH VICTORIA COUNTY FOR FIRE, RESCUE, HEALTH, ANIMAL CONTROL AND LIBRARY SERVICES

The resolution authorizes the City Manager to execute a Second Amended Interlocal Agreement between the City of Victoria and Victoria County for the provision of Fire, Rescue, Health, Animal Control, and Library Services. Gilbert Reyna, Jr.

Cm. Russell 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, Watkins and Mayor Middleton
 NAYS: None

RESOLUTION 2002-135R - AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH MAVERICK ENGINEERING, INC. FOR SERVICES AT WATER PLANT NO. THREE

The resolution authorizes an amendment to the agreement between the City of Victoria and Maverick Engineering, Inc. for design, pre-bid, bidding, and construction management services associated with the demolition of aerators and installation of new fluoridation equipment at the Water Plant No. 3 Project in the amount of \$5,500, bringing the total contract amount to \$36,000. Wayne Cockroft.

Cm. Watkins 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, Watkins and Mayor Middleton
 NAYS: None

RESOLUTION 2002-136R - AUTHORIZING THE PURCHASE OF A KNUCKLEBOOM LOADER FROM THE HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS

The resolution authorizes execution of all documents necessary to purchase a knuckleboom loader from the Houston-Galveston Area Council of Governments in the amount of \$100,782 contingent on it being a Petersen loader. Steve Trevino.

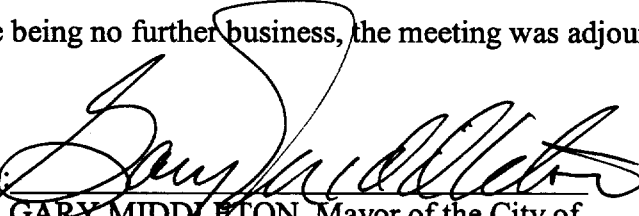
Cm. Buckert moved that the resolution be adopted, with Cm. Guittard seconding the motion. The resolution was adopted by the following vote:

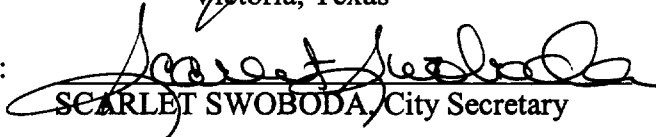
AYES: Council Members Guittard, Neitsch, Russell, Buckert, Watkins and Mayor Middleton
NAYS: None

EXECUTIVE SESSION

Mayor Middleton announced that there was no need for an Executive Session.

There being no further business, the meeting was adjourned at 6:27 p.m.

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

ATTEST: 
SCARLET SWOBODA, City Secretary
