

VICTORIA CITY COUNCIL
December 26, 2002

CALL TO ORDER

A special meeting of the Victoria City Council was called to order by Mayor Gary Middleton at 5:06 p.m. Thursday, December 26, 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
Bill Russell
Shirley Buckert
Jim Wyatt
Wayne Watkins

STAFF PRESENT

Denny Arnold, City Manager
David Smith, City Attorney
Miles Risley, Assistant City Attorney
Jared Mayfield, Senior Planner
Wendi DuVall, Deputy City Secretary

MEMBERS ABSENT

Lewis Neitsch

CITIZENS COMMUNICATION

Chester Varnell, Regional Manager of McCoy's Building Supply Centers, objected to using City of Victoria tax dollars to assist in building facilities for retailers such as Home Depot, so that they can bring competition to already existing businesses.

EXECUTIVE SESSION

Mayor Middleton announced that Council would recess into Executive Session at 5:09 p.m., in accordance with:

Section 551.071, Texas Government Code, consultation with attorney on matter involving litigation or potential litigation 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, advice on the counter-offer of Property Commerce Development Company to Resolution No. 2002-208R). David A. Smith.

Section 551.087, Texas Government Code, to discuss or deliberate the offer of a financial or other incentive to a business prospect that the City Council seeks to have, locate, stay, or expand in or near the territory of the City of Victoria and with which the City of Victoria is conducting economic development negotiations. 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 value of real property interests in or on the Victoria Mall entrance and acquisition of water rights to the Guadalupe River. David A. Smith.

The Council reconvened in regular session at 5:59 p.m. and considered the following:

RESOLUTION 2002-209R AUTHORIZING A COUNTER-PROPOSAL TO PROPERTY COMMERCE DEVELOPMENT COMPANY FOR CONSTRUCTION OF CINEMARK STREET AND VICTORIA MALL ENTRANCE EXTENSION

The resolution authorizes the City Manager to issue a counter-proposal to Property Commerce Development Company with respect to the construction of the Cinemark Street and the Victoria Mall entrance extension. John Johnston.

Cm. Russell moved to amend the resolution to require any offer by the City Manager to provide that it will cost no taxpayer dollars or any other money by City of Victoria that is not totally reimbursed to the City, that any offer would require Property Commerce Development Company to

CITY COUNCIL MINUTES

December 26, 2002

reimburse the City or to pay directly any expense, including any condemnation costs, if any, to acquire any land, to build roadways and to construct a 5 lane entrance and exit to The Victoria Mall. A contract shall be prepared and any obligations of the City of Victoria under contract and any obligations to the City of Victoria shall be adequately secured so that in no event shall there be any expense to the taxpayers of the City, with Mayor Middleton seconding the motion. The resolution was amended by the following vote:

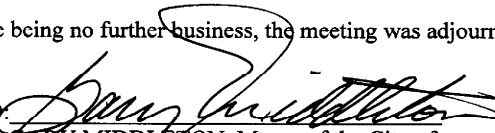
AYES: Council Members Guittard, Russell, Buckert, Wyatt, Watkins and Mayor Middleton
NAYS: None

Cm. Watkins moved that the resolution be adopted, with Mayor Middleton seconding the motion. The resolution was adopted, as amended, by the following vote:

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

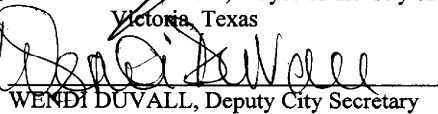
There being no further business, the meeting was adjourned at 6:05 p.m.

APPROVED:



GARY MIDDLETON, Mayor of the City of
Victoria, Texas

ATTEST:



WENDI DUVALL, Deputy City Secretary

VICTORIA CITY COUNCIL
January 7, 2003

CALL TO ORDER

A regular meeting of the Victoria City Council was called to order by Mayor Gary Middleton at 5:04 p.m. Tuesday, January 7, 2003 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
Miles Risley, Assistant City Attorney
John Johnston, Director, Public Works
John Kaminski, Director, Planning
Wayne Cockroft, Director, Utilities
Steve Trevino, Director, IMS
Wendi DuVall, Deputy City Secretary

APPROVAL OF MINUTES

None were presented.

CITIZENS COMMUNICATION

No one wished to address Council.

PUBLIC HEARINGS

Mayor Middleton opened a public hearing on the following item: