

CITY COUNCIL MINUTES

January 21, 2003

INTERNATIONAL PLUMBING CODE, 2000 EDITION, AND (3) ARTICLE VIII, NATURAL GAS CODE, TO AMEND SECTIONS 5-90 THROUGH 5-92 TO ADOPT THE INTERNATIONAL FUEL GAS CODE, 2000 EDITION; PROVIDING FOR A PENALTIES NOT TO EXCEED \$2,000 UPON CONVICTION; PROVIDING FOR ENFORCEMENT, PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR SAVINGS; PROVIDING FOR CODIFICATION; PROVIDING FOR PUBLICATION; AND DECLARING AN EFFECTIVE DATE.

EXECUTIVE SESSION

Mayor Middleton announced that Council would recess into Executive Session at 7:25 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, but not limited to, legal aspects of potential purchase of water rights and utility issues). 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, but not limited to, potential purchase of water rights to real property). David A. Smith.

The Council reconvened in regular session at 8:15 p.m. and had nothing to report.

There being no further business, the meeting was adjourned at 8:16 p.m.

APPROVED: [Signature] GARY MIDDLETON, Mayor of the City of Victoria, Texas

ATTEST: [Signature] SCARLET SWOBODA, City Secretary

VICTORIA CITY COUNCIL February 4, 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, February 4, 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
Jim Wyatt
Wayne Watkins

STAFF PRESENT

- Denny Arnold, City Manager
Charles Windwehen, Assistant City Manager
David Smith, City Attorney
John Johnston, Director, Public Works
Wayne Cockroft, Director, Utilities
Steve Trevino, Director, IMS
Gilbert Reyna, Jr., Director, Finance

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MEMBERS ABSENT

Shirley Buckert

Rick Henrichs, Dir., Information Technology
Doug Cochran, Director, Parks and Recreation
Jerry James, St/Fed Environmental Coordinator
Scarlet Swoboda, City Secretary

APPROVAL OF MINUTES

The minutes of the regular meeting of January 21, 2003 were approved as presented.

CITIZENS COMMUNICATION

Barbara Parsons Smith, 505 N. Washington, representing the Daniel Braman Chapter, of the National Society of the Daughters of the American Colonist, requested permission to dedicate and place a historical marker near the Rose Garden in Riverside Park. The marker would be dedicated to the old La Bahia Road which dates back to 1747, and was heavily traveled by the people indigenous to the area as they made their way to the river through the area now known as Riverside Park. Mrs. Smith requested assistant from the Parks Department staff in setting the marker and selecting the proper location, so that it may be dedicated in April.

Mayor Middleton recognized members of Boy Scout Troup #363, and welcomed them to the meeting.

PUBLIC HEARINGS

Mayor Middleton opened a public hearing on the following items:

RESOLUTION 2003-16R – AUTHORIZING ISSUANCE OF MEDICAL TRANSFER SERVICES PERMITS TO SOUTHERNCROSS AMBULANCE AND REGIONAL AMBULANCE SERVICE

The resolution considers authorizing issuance of Medical Transfer Services Permits to Debra and Craig Le Blanc /dba/ Southerncross Ambulance, Inc. and Gussie Stafford Felps d/b/a Regional Ambulance Service. Scarlet Swoboda.

Mayor Middleton asked if there were any questions from Council or the audience. There were none.

ORDINANCE 2003-2 – AMENDING SCHEDULES OF ONE-WAY STREETS, PARKING RESTRICTIONS AND SPEED LIMITS ON KING ARTHUR AT NAVARRO AND MANTZ

The ordinance considers establishing no parking zones on King Arthur at Navarro because of poor visibility when entering or exiting the shopping centers on either side of the street. The ordinance also considers removing a no parking zone on Mantz between Goodwin and Constitution. The no parking request on Mantz is due to the property being changed from a salvage and scrap yard to a residence. John Johnston

Mayor Middleton asked if there were any questions from Council or the audience. There were none.

ORDINANCE 2003-3 – CALLING A JOINT GENERAL ELECTION ON MAY 3, 2003 FOR CITY COUNCIL MEMBERS DISTRICT 1, DISTRICT 2, DISTRICT 3, AND DISTRICT 4

The ordinance considers calling a Joint General Election with Victoria Independent School District (VISD) on Saturday, May 3, 2003 for City Council Members District 1, District 2, District 3, and District 4. Scarlet Swoboda

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

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CITY MANAGER REPORTS

Legislative Report on Red Light Cameras

Tim Braaten, Chief of Police, advised that the Red Light Camera and Civil Penalty Violation Bill being proposed during the current legislative session, is the same bill that was proposed two years ago. He advised that red light violations contribute to approximately twenty-five percent of all accidents throughout the United States. Chief Braaten advised that the camera takes a rear view picture of the intersection, as well as the stop lines, and fixates on the license plate. He noted that the vehicle owner would be the person ticketed, as the cameras do not take pictures of the person driving. He advised that the cameras have the ability to extend the red light for opposing traffic, in order to help prevent accidents in the event someone runs a red light.

Chief Braaten advised that red light violations are a civil penalty up to \$75, and any revenue produced through the civil penalty must be spent for either camera enforcement, or traffic safety education and enforcement efforts. He advised that there is support for this bill amongst the police community, because red light enforcement is so difficult for police officers, because of the proximity in which the officer has to be to verify that the red light was violated.

Annual Report on Comprehensive Plan Implementation

John Kaminski, Planning Director, and Jan Scott, Chairperson of the Planning Commission, presented the January 2003 Annual Report on the Comprehensive Plan Implementation. Mr. Kaminski advised that he would be going over the priority items that were established at a joint meeting with the Planning Commission and Council, which was held in May 2002. Those items and their status are as follows:

1. **Master Drainage Plan.** Staff is currently working with City Engineering Staff and Jerry James, State and Federal Environmental Coordinator, to finalize an action plan for completing the project. Meetings are planned with engineers to complete the process of refining the manual, then upon completion, the plan and manual will be forwarded to the Planning Commission for review.
2. **Downtown Master Plan.** The Downtown 2020 Committee has been meeting on a regular basis. A planning and landscape architecture firm has been retained to assist with the design elements of the Downtown Master Plan.
3. **Neighborhood Protection Ordinance.** There has been no activity to date.
4. **ETJ Subdivision Standards.** This project has been completed, with the adoption of an ordinance in November 2002.
5. **Manufactured Housing Standards.** There has been no activity to date.
6. **Capital Improvements Program.** The proposed implementation timeline for 2003-2004 is scheduled for the fourth quarter of 2003. This would be a five year plan for capital spending, and strategic planning would need to continue.
7. **In-fill Development.** This priority has been broken out into three areas for consideration.
 - A. Review Subdivision Regulation for possible revisions to encourage in-fill.
 - B. Use Geographical Implementation System (GIS) to create an inventory of potential in-fill areas.
 - C. Assess infrastructure needs in the in-fill areas.
8. **Sign Ordinance Revisions.** – The project should be underway during the first quarter of 2003.
9. **Economic Development Action Items.** These issues are being implemented primarily by the Victoria Economic Development Corporation (VEDC).
10. **Parks – Improve Sports Complexes.** Improvements to the City softball complex and a new youth sports complex will be pursued by the Parks Department and the Parks Commission.

Mr. Kaminski advised that the overall use of the Comprehensive Plan had been beneficial in day to day planning. Ms. Scott advised that the first year had gone very well, and encouraged Council to consider having joint work sessions with the Planning Commission and other related commissions and boards. She advised that the Planning Commission encourages Council to begin to

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plan capital improvements now for the 2004 budget, because the remaining available funds will be critical to the operation of the City in a fair and equitable way for all.

Mayor Middleton requested that a proposed schedule of work sessions be brought back to Council.

Certificate of Achievement for Excellence in Financial Reporting

Charles Windwehen, Assistant City Manager, advised that the Finance Department had received a Certificate of Achievement for Excellence in Financial Reporting for the 18th year. Council congratulated Gilbert Reyna, Jr., Finance Director, and his staff on receiving this award.

Project Status Report

John Johnston, Director of Public Works, presented the December quarterly report on the status of ongoing projects:

1. **Northeast Highlands Drainage Project** has approximately six months left on the project.
2. **Northeast Drainage Outfall Phase I and West Outfall Phase I** will be combined into one project and is due to bid this summer.
3. **West Outfall Phase II** will be delayed until West Outfall Phase I is completed to a certain point.
4. **Lone Tree Creek Improvement Project** is ahead of schedule.
5. **Sam Houston Project** is ahead of schedule.
6. **Mayfair Subdivision** is ongoing.
7. **Ben Jordan Project** utility relocations are still being worked on, and then the road work will begin.
8. **Navarro Street Underpass** plans are complete, and the State will let the project in April.

Wayne Cockroft, Director of Utilities, reported on the water and sewer projects, and advised that a contractor was on board, and working on Airline, between Navarro and Main Street; Mockingbird, from Lilac to Laurent; and Vine Street.

There was a brief discussion concerning the response time of the Fire Department at the fire station located on Loop 463, due to the one-way traffic on the access lanes that will go into affect as the overpass work continues.

Legislative Report on Air and Water Issues

Jerry James, State and Federal Environmental Coordinator, presented a brief update on proposed legislation concerning air and water issues that could affect the City. He briefed Council on bills involving the following:

1. Enactment of a basin change in the Guadalupe River basin, which includes the San Antonio River.
2. Permitting Process on environmental issues, which would legislatively keep the permitting powers under the authority of the Texas Commission on Environmental Quality (TCEQ) instead of private entities.
3. The Edwards Aquifer Authority would be required to reduce the cap on permitted pumping from the Edwards Aquifer Authority, which is a critical issue for the City as it involves the Guadalupe River basin.
4. Senate Bill 5 deals with reducing ozone levels and state highway funding, which is attached to the bill.
5. Water has been exempted from sales taxes, but a bill has been introduced that would remove that exemption.

CONSENT AGENDA

Those items on the consent agenda are voted on as a group by one vote of Council.

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RESOLUTION 2003-12R – AWARDING AIR CONDITIONING REPLACEMENT PROJECT BID TO SCHROEDER AIR CONDITIONING OF VICTORIA

The resolution awards a bid to Schroeder Air Conditioning of Victoria, Texas for the Victoria Public Library Air Conditioning Replacement Project in the amount of \$55,462 utilizing Alternate Bid #1 (factory coating of coils). James Stewart.

RESOLUTION 2003-13R – AUTHORIZING THE PURCHASE OF TRAFFIC SIGNAL HARDWARE FOR THE BEN JORDAN RECONSTRUCTION PROJECT

The resolution authorizes the purchase of traffic signal hardware for the Ben Jordan Street Reconstruction Project from NAZTEC, Inc., and JEM Engineering & Mfg. Co., Inc. in the amount of \$249,209.25. John Johnston.

RESOLUTION 2003-16R – AUTHORIZING ISSUANCE OF MEDICAL TRANSFER SERVICES PERMITS TO SOUTHERNCROSS AMBULANCE AND REGIONAL AMBULANCE SERVICE

The resolution authorizes issuance of Medical Transfer Services Permits to Debra and Craig Le Blanc /dba/ Southerncross Ambulance, Inc. and Gussie Stafford Felps d/b/a Regional Ambulance Service. Scarlet Swoboda.

RESOLUTION 2003-17R – GRANTING A VARIANCE TO WATERSTONE SUBDIVISION OWNED BY STEVE KLEIN

The resolution grants a variance to Section 21-54(e)(1) of the Victoria City Code, which requires the developer to install sidewalks along all lots abutting perimeter streets, to Waterstone Subdivision, located on Ben Jordan Street, which is owned by Steve Klein, conditioned on the developer's execution of a contract to install sidewalk after the City, within three years after subdivision acceptance, has performed grading and excavation activities sufficient to enable the sidewalk to be placed in a permanent location between Ben Jordan Street and the Waterstone Subdivision. John Kaminski.

Cm. Watkins moved that the consent agenda items be adopted, with Cm. Russell seconding the motion. The consent agenda items were adopted by the following vote:

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

RESOLUTION 2003-14R – AUTHORIZING A CONTRACT WITH BAY LTD. FOR THE LONE TREE CREEK OFF-CHANNEL STORAGE BASIN FLOOD PROTECTION EVACUATION PROJECT – PHASE III

The resolution authorizes a contract with Berry Contracting, L.P., /dba/ Bay Ltd., for the Lone Tree Creek Off-Channel Storage Basin Flood Protection Excavation Project-Phase III in the amount of \$1,423,700. 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, Russell, Wyatt, Watkins and Mayor Middleton
NAYS: None

RESOLUTION 2003-15R – AUTHORIZING AMENDMENT #2 TO THE ADVANCED FUNDING AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION

The resolution authorizes Amendment #2 to the Advance Funding Agreement with the Texas Department of Transportation (TxDOT) executed on April 26, 2000 to provide for (1) the reconstruction of Dairy Road from Loop 463 to Huvar, (2) the tunneling for an 18" sewer, and (3) a sewer manhole on Navarro Street in front of the Wells Fargo Bank in an estimated total amount of \$85,825.90. John Johnston and Wayne Cockroft.

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Cm. Wyatt 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, Wyatt, Watkins and Mayor Middleton
NAYS: None

RESOLUTION 2003-18R – GRANTING A VARIANCE TO HIGHLAND HILLS III AND IV OWNED BY TAYLOR AND JOHN STARKEY

The resolution grants a variance from Section 21-54(c) of the Victoria City Code, which requires a developer to dedicate the right-of-way as required by the City's Thoroughfare Master Plan and construct a collector street or pay the cost of a collector street, to Highland Hills III and IV, which is owned by Taylor and John Starkey, conditioned on the developer's dedication of the right-of-way required by the City's Thoroughfare Master Plan for the extension of Ball Airport Road. John Kaminski.

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, Russell, Wyatt, Watkins and Mayor Middleton
NAYS: None

RESOLUTION 2003-19R – AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH SAP PUBLIC SERVICES, INC.

The resolution authorizes a Statement of Work to the Professional Services Agreement with SAP Public Services, Inc. for professional services in support of the implementation of SAP Software (the upgrade to the most current version of SAP R-3 financial, materials management, and human resources software, [enterprise / version 4.7]) in an amount not to exceed the scheduled hourly rates plus expenses, for a total amount not to exceed \$393,725. Gilbert Reyna, Jr.

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, Russell, Wyatt, Watkins and Mayor Middleton
NAYS: None

RESOLUTION 2003-20R – AUTHORIZING THE PURCHASE OF COMPUTER EQUIPMENT FROM DELL COMPUTERS VIA THE GO-DIRECT PROGRAM

The resolution authorizes the City Manager to execute all necessary documents to purchase computer equipment in the amount of \$71,950.52 from Dell Computers via the Texas Department of Information Resources Go-Direct program. Rick Henrichs.

Cm. Wyatt 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, Wyatt, Watkins and Mayor Middleton
NAYS: None

RESOLUTION 2003-21R – ENDORSING LEGISLATIVE CHANGES TO SENATE BILL 7

The resolution endorses legislative changes to Senate Bill 7 supported by the South Texas Aggregation Project, Inc. to authorize aggregation of residential load, allow cities and Public Utilities Commission (PUC) to initiate actions to reduce price-to-beat electricity rates, delay deregulation of metering services, and clarify procedures governing "true-up of stranded costs" in 2004. David A. Smith.

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

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

ORDINANCE 2002-03B – AMENDING WATER/WASTEWATER FUND OF THE 2002-2003 FISCAL YEAR BUDGET TO TRANSFER FUNDS FOR ADDITIONAL STREET MAINTENANCE PROJECTS

City Attorney, David Smith, read the caption of Ordinance 2002-03B, which amends the 2002-2003 Fiscal Year Budget of the City of Victoria by transferring \$166,000 from the City of Victoria General Fund to the Street Department Street Maintenance Line Item for additional street maintenance projects throughout the fiscal year. Second and third reading. Gilbert Reyna, Jr.

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

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

Caption:

AN ORDINANCE AMENDING THE 2002-2003 FISCAL YEAR BUDGET OF THE CITY OF VICTORIA BY TRANSFERRING \$166,000.00 FROM THE CITY OF VICTORIA GENERAL FUND TO THE STREET DEPARTMENT STREET MAINTENANCE LINE ITEM FOR ADDITIONAL STREET MAINTENANCE PROJECTS THROUGHOUT THE FISCAL YEAR; REPEALING ALL CONFLICTING ORDINANCES, PROVIDING FOR SEVERABILITY; AND DECLARING AN EFFECTIVE DATE.

ORDINANCE 2002-03C - AMENDING WATER/WASTEWATER FUND OF THE 2002-2003 FISCAL YEAR BUDGET TO TRANSFER FUNDS FOR NAVARRO UNDERPASS PROJECT

City Attorney, David Smith, read the caption of Ordinance 2002-03C, which amends the 2002-2003 Fiscal Year Budget of the City of Victoria by transferring \$302,000.00 from the Water/Wastewater Fund to the Water Department and Wastewater Department Mains & Hydrants line items to provide funding for the Texas Department of Transportation (TxDOT) Navarro Underpass Project. Second and third reading. Gilbert Reyna, Jr.

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

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

Caption:

AN ORDINANCE AMENDING THE 2002-2003 FISCAL YEAR BUDGET OF THE CITY OF VICTORIA BY TRANSFERRING \$302,000 FROM THE WATER/WASTEWATER FUND TO THE WATER DEPARTMENT AND WASTEWATER DEPARTMENT MAINS & HYDRANTS LINE ITEMS TO PROVIDE FUNDING FOR THE TXDOT NAVARRO UNDERPASS PROJECT; REPEALING ALL CONFLICTING ORDINANCES, PROVIDING FOR SEVERABILITY; AND DECLARING AN EFFECTIVE DATE.

ORDINANCE 2003-1 – AMENDING CHAPTER 5 OF THE VICTORIA CITY CODE

City Attorney, David Smith, read the caption of Ordinance 2003-1, which amends Chapter 5 of the Victoria City Code by modifying (1) Article VI, Mechanical Code, to amend Sections 5-70 through 5-72 to adopt the International Mechanical Code, 2000 Edition, and make modifications thereto, (2) Article VII, Plumbing Code, to amend Sections 5-80 through 5-83 to adopt the International Plumbing Code, 2000 Edition, and (3) Article VIII, Natural Gas Code, to amend

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Sections 5-90 through 5-92 to adopt the International Fuel Gas Code, 2000 Edition. Second and third reading. Steve Trevino.

Cm. Wyatt 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, Wyatt, Watkins and Mayor Middleton
 NAYS: None

Caption:

AN ORDINANCE AMENDING CHAPTER 5 OF THE VICTORIA CITY CODE BY MODIFYING (1) ARTICLE VI, MECHANICAL CODE, TO AMEND SECTIONS 5-70 THROUGH 5-72 TO ADOPT THE INTERNATIONAL MECHANICAL CODE, 2000 EDITION, AND MAKE MODIFICATIONS THERETO, (2) ARTICLE VII, PLUMBING CODE, TO AMEND SECTIONS 5-80 THROUGH 5-83 TO ADOPT THE INTERNATIONAL PLUMBING CODE, 2000 EDITION, AND (3) ARTICLE VIII, NATURAL GAS CODE, TO AMEND SECTIONS 5-90 THROUGH 5-92 TO ADOPT THE INTERNATIONAL FUEL GAS CODE, 2000 EDITION; PROVIDING FOR A PENALTIES NOT TO EXCEED \$2,000 UPON CONVICTION; PROVIDING FOR ENFORCEMENT, PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR SAVINGS; PROVIDING FOR CODIFICATION; PROVIDING FOR PUBLICATION; AND DECLARING AN EFFECTIVE DATE.

ORDINANCE 2003-2 – AMENDING SCHEDULES OF ONE-WAY STREETS, PARKING RESTRICTIONS AND SPEED LIMITS ON KING ARTHUR AT NAVARRO AND MANTZ

City Attorney, David Smith, read the caption of Ordinance 2003-2, which establishes no parking zones on King Arthur at Navarro and removing a no parking zone on Mantz between Goodwin and Constitution. First Reading. John Johnston.

Cm. Watkins moved that the ordinance pass on first reading, with Cm. Wyatt seconding the motion. The ordinance passed on first reading by the following vote:

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

Caption:

AN ORDINANCE AMENDING THE CITY'S SCHEDULES OF ONE-WAY STREETS, PARKING RESTRICTIONS, AND SPEED LIMITS TO ESTABLISH NO PARKING ZONES ON KING ARTHUR AT NAVARRO AND REMOVING A NO PARKING ZONE ON MANTZ BETWEEN GOODWIN AND CONSTITUTION; PROVIDING A PENALTY NOT TO EXCEED \$200.00 UPON CONVICTION; SUSPENDING ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND DECLARING AN EFFECTIVE DATE.

ORDINANCE 2003-3 – CALLING A JOINT GENERAL ELECTION ON MAY 3, 2003 FOR CITY COUNCIL MEMBERS DISTRICT 1, DISTRICT 2, DISTRICT 3, AND DISTRICT 4

City Attorney, David Smith, read the caption of Ordinance 2003-3, which calls for a Joint General Election with Victoria Independent School District (VISD) on Saturday, May 3, 2003 for City Council Members District 1, District 2, District 3, and District 4. Emergency Reading. Scarlet Swoboda.

Cm. Wyatt moved to amend the Notice of Joint General Election between the City and VISD to correct the name of the School Board President from Milton Stolis to Ray Walden, with Cm. Russell seconding the motion. The ordinance was amended by the following vote:

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

Cm. Watkins moved that the ordinance pass on emergency reading, with Cm. Wyatt seconding the motion. The ordinance passed on emergency reading, as amended, by the following vote:

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

Caption:

AN ORDINANCE CALLING A JOINT GENERAL ELECTION WITH THE VICTORIA INDEPENDENT SCHOOL DISTRICT ON MAY 3, 2003, FOR CITY COUNCIL DISTRICTS 1, 2, 3, AND 4, ESTABLISHING PROCEDURES FOR HOLDING THE ELECTION, DESIGNATING THE PRECINCTS AND POLLING PLACES FOR THE ELECTION, APPOINTING CERTAIN OFFICERS TO CONDUCT THE ELECTION, PROVIDING FOR THE SHARING OF EXPENSES, PROVIDING FOR SEVERABILITY; DECLARING AN EMERGENCY, AND PROVIDING AN EFFECTIVE DATE.

EXECUTIVE SESSION

Mayor Middleton announced that Council would recess into Executive Session at 6:27 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, but not limited to, acquisition of water rights to real property and property on Navarro Street). 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, but not limited to, acquisition of water rights to real property and property on Navarro Street). David A. Smith.

The Council reconvened in regular session at 9:00 p.m. and had nothing to report.

There being no further business, the meeting was adjourned at 9:01 p.m.

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

ATTEST: 
SCARLET SWOBODA, City Secretary
