

**VICTORIA CITY COUNCIL**  
**July 22, 2003**

**CALL TO ORDER**

A special meeting of the Victoria City Council was called to order by Mayor Gary Middleton at 5:08 p.m. Tuesday, July 22, 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  
 Wayne Watkins

**MEMBERS ABSENT**

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  
 Tim Braaten, Chief of Police  
 Wayne Cockroft, Director, Utilities  
 Doug Cochran, Director, Parks and Recreation  
 Jerry James, Director, Environmental Services  
 Gilbert Reyna, Jr., Director, Finance  
 Charmelle Garrett, Director, Human Resources  
 Scarlet Swoboda, City Secretary

**APPROVAL OF MINUTES**

The minutes of the regular meeting of July 1, 2003 were approved as presented.

**CITIZENS COMMUNICATION**

No one wished to address Council.

**CITY MANAGER REPORTS****Report from Victoria County Veterans Council on Cemetery Maintenance**

Dr. Peter Riesz, 6120 Country Club Drive, of the Victoria County Veterans Council, introduced Jim Westermeyer and Ed Salazar. He reported that there are thirty-five cemeteries in the City and County where U.S. veterans are buried. In an effort to place flags on veterans' graves it was determined to instead place a large flag pole with a flag in each cemetery. During this process it was discovered that seven cemeteries were totally abandoned, one of which was owned by the City. Mr. Westermeyer advised that twenty-six visits have been made to the Pleasant Green Cemetery to work on cleaning and maintaining, and estimated that they had saved the City approximately \$30,000 over the past two years. He mentioned that the long term goal was to establish an Adopt-a-Cemetery Program.

Mayor Middleton expressed appreciation to them on behalf of the City.

**Historical Markers at DeLeon Plaza**

Doug Cochran, Director of Parks, advised that the City had been asked to consider an application with the Texas Historical Commission for placement of a historical marker at DeLeon Plaza to commemorate the public service of Leopold Morris. However, in light of the damage that was sustained from Hurricane Claudette he suggested postponing any action on this marker, so that the Downtown Revitalization Committee, Parks Commission and other interested parties could develop a policy for the placement of plaques and/or historical markers within the City.

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**RESOLUTION 2003-91R – AUTHORIZING RENEWAL CONTRACT WITH MARTIN CLEANING & LAWN MAINTENANCE FOR MAINTENANCE OF EVERGREEN CEMETERY**

The resolution authorizes the City Manager to execute a one-year renewal of the contract with George McGrand d/b/a Martin Cleaning & Lawn Maintenance of Victoria, Texas for maintenance of Evergreen Cemetery, in the amount of \$43,338. Doug Cochran.

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

**RESOLUTION 2003-92R – AUTHORIZING CONTRACTS WITH INFINITY COMMUNICATIONS TECHNOLOGIES, INC., AND SOUTHWESTERN BELL CORPORATION (SBC) TO INSTALL FIBER AND/OR TELEPHONE CONNECTIONS FROM THE CITY'S 911 CENTER TO VARIOUS CITY OFFICES**

The resolution authorizes the City Manager to execute (1) a contract with Infniti Communications Technologies, Inc., of Victoria, Texas to install one 4" HDPE pipe, two 1.25" inner-ducts, and multi-mode fiber cable and related equipment in an amount not to exceed \$32,319 and (2) an Application and Letter of Agency for Custom Work and related documents with SBC (f/k/a Southwestern Bell Corporation) to install a 300-pair buried cable in said conduit in an amount not to exceed \$16,351.51, which contracts will provide for fiber and/or telephone connections from the City's 911 Communications Center to the Library and to Goodwin & Liberty Streets for the purpose of safeguarding communications in the event of a hurricane. Tim Braaten.

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

**RESOLUTION 2003-93R – AUTHORIZING AMENDMENT #1 TO THE ADVANCE FUNDING AGREEMENT WITH TEXAS DEPARTMENT OF TRANSPORTATION (TXDOT) FOR THE RAILROAD UNDERPASS-U.S. 87 (NAVARRO) PROJECT**

The resolution authorizes Amendment #1 to the Advance Funding Agreement with the Texas Department of Transportation (TxDOT) for the Railroad Underpass-U.S. 87 (Navarro) Project, to provide for engineering reviews of change orders in an amount not to exceed \$45,000 to be reimbursed to the City by TxDOT. John Johnston.

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

**RESOLUTION 2003-94R – RATIFYING AN EMERGENCY CONTRACT WITH STEVE EGGEMEYER D/B/A EGGEMEYER TREE SERVICE FOR BRUSH GRINDING AT THE AIRPORT AND THE COMMUNITY CENTER**

The resolution ratifies emergency contracts between the City of Victoria and Steve Eggemeyer d/b/a Eggemeyer Tree Service for brush grinding at the Airport and at the Community Center in the amount of \$350 per hour for the time that the grinder is actively grinding, in a total amount not to exceed \$50,000 for the purpose of grinding brush and debris from Hurricane Claudette. Jerry James.

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

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**ORDINANCE 2003-14 - AMENDING VARIOUS SECTIONS OF DIVISION 2, "INDUSTRIAL WASTE DISCHARGE" OF ARTICLE III, "CITY SEWER SERVICE", CHAPTER 13 "MUNICIPAL UTILITIES AND SERVICES" OF THE VICTORIA CITY CODE**

City Attorney, David Smith, read the caption of Ordinance 2003-14, which amends various sections of Division 2, "Industrial Waste Discharge" of Article III, "City Sewer Service", Chapter 13, "Municipal Utilities and Services", of the Victoria City Code to modify the local limits therein, and make other miscellaneous changes to conform to requirements of the Texas Commission on Environmental Quality (TCEQ), and amends Section 24-131 of the Victoria City Code to designate fees therein. Second and Third Reading. Jerry James.

Cm. Russell 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, Watkins and Mayor Middleton  
NAYS: None

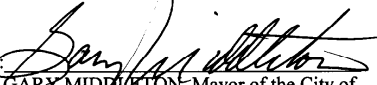
Caption:


**AN ORDINANCE AMENDING VARIOUS SECTIONS OF DIVISION 2, "INDUSTRIAL WASTE DISCHARGE" OF ARTICLE III, "CITY SEWER SERVICE", CHAPTER 13, "MUNICIPAL UTILITIES AND SERVICES", OF THE VICTORIA CITY CODE TO MODIFY THE LOCAL LIMITS THEREIN, AND MAKE OTHER MISCELLANEOUS CHANGES TO CONFORM TO REQUIREMENTS OF THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ), AND AMENDING SECTION 24-131 OF THE VICTORIA CITY CODE TO DESIGNATE FEES THEREIN.**

**ITEMS FROM COUNCIL**

Mayor Middleton commended the City staff for their response during and after Hurricane Claudette.

There being no further business, the meeting was adjourned at 5:25 p.m.

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

ATTEST:   
SCARLET SWOBODA, City Secretary

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