

CITY COUNCIL MINUTES

August 14, 2003

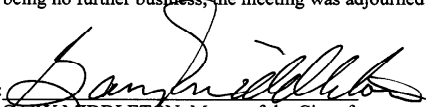
Cm. Russell moved that the ordinance pass on first reading, with Cm. Neitsch seconding the motion. The ordinance passed on first reading by the following vote:


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

Caption:

AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR OPERATING THE MUNICIPAL GOVERNMENT OF THE CITY OF VICTORIA FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2003, AND ENDING ON SEPTEMBER 30, 2004; APPROPRIATING MONEY FOR THE VARIOUS FUNDS AND PURPOSES OF SUCH BUDGET INCLUDING APPROPRIATIONS OF MONEY TO PAY INTEREST AND PRINCIPAL SINKING FUND REQUIREMENTS ON ALL INDEBTEDNESS; REPEALING ALL CONFLICTING ORDINANCES AND APPROPRIATIONS; PROVIDING FOR SEVERABILITY; AND DECLARING AN EFFECTIVE DATE.

There being no further business, the meeting was adjourned at 5:41 p.m.

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

ATTEST:   
SCARLET SWOBODA, City Secretary

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VICTORIA CITY COUNCIL  
August 19, 2003

CALL TO ORDER

A regular meeting of the Victoria City Council was called to order by Mayor Gary Middleton at 5:07 p.m. Tuesday, August 19, 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  
Miles Risley, Assistant City Attorney  
John Kaminski, Director, Planning  
John Johnston, Director, Public Works  
Gilbert P. Reyna, Jr., Director, Finance  
Wayne Cockroft, Director, Utilities  
Ray Miller, Assistant Planning Director  
Scarlet Swoboda, City Secretary

MEMBERS ABSENT

Shirley Buckert

APPROVAL OF MINUTES

The minutes of the special meeting of July 29, 2003 and regular meeting of August 5, 2003 were approved as presented.

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**CITIZENS COMMUNICATION**

**Human Capital Planning Team**

Will Armstrong, 105 Creekside, representing the Human Capital Planning Team, delivered a handout detailing the program, and introduced Helen Walker, Rawley McCoy, Tom Murrah, and Roger Welder as fellow members of the Committee. They all spoke in favor of the program, emphasizing the need, and requested Council consideration in regards to the \$50,000 seed money requested at the last meeting.

Mayor Middleton advised that Council would review the information and asked that a representative of the Committee attend the next meeting to answer questions.

**Hurricane Claudette Debris Concerns**

Scott Vick, 1801 Anaqua, expressed concerns about the large brush piles in his neighborhood and the fire hazard that they present. He inquired what the timeline was for debris removal in his neighborhood.

Mayor Middleton advised that public safety was the first priority, so the thoroughfares and collector streets were cleared first, and then brush was removed from around the schools. He advised that a contractor was currently working in ten sectors of the city to get the brush removed as soon as possible.

**PUBLIC HEARINGS**

Mayor Middleton opened a public hearing on the following item:

**ORDINANCE 2003-18 – SETTING TAX RATE AT \$.70 PER \$100 OF PROPERTY VALUATION**

The ordinance considers setting the tax rate at a total rate of \$.70 per \$100 of property valuation and levying a tax upon all property subject to taxation within the City of Victoria, Texas for the 2003 Tax Year for the use and support of the municipal government of the City of Victoria. First Reading. Gilbert P. Reyna, Jr.

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**

John Johnston, Director of Public Works, presented the quarterly Construction Status Report, which included an overview of the drainage, street projects, and utility projects, as well as the current and proposed Texas Department of Transportation (TxDot) projects.

**RESOLUTION 2003-109R – APPOINTING MEMBERS TO THE GOLDEN CRESCENT REGIONAL PLANNING COMMISSION**

The resolution appoints Bill Russell and Lewis Neitsch to the Golden Crescent Regional Planning Commission (GCRPC) General Assembly and Lewis Neitsch to the GCRPC Board of Directors. Scarlet Swoboda.

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

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**RESOLUTION 2003-110R – APPOINTING THREE MEMBERS TO THE VICTORIA PLANNING COMMISSION**

The resolution reappoints Roberto Soto, Paul Polasek, and Bruce Eppinger to the City of Victoria Planning Commission. Scarlet Swoboda.

Cm. Russell moved that the resolution be adopted, with Cm. Wyatt 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 2003-111R – APPOINTING THREE MEMBERS TO THE VICTORIA PARKS AND RECREATION COMMISSION**

The resolution appoints Sharon Steen, Jesse Perez, and Joe Hollan to the Victoria Parks and Recreation Commission. Scarlet Swoboda.

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, Wyatt, Watkins and Mayor Middleton  
NAYS: None

**RESOLUTION 2003-112R – AUTHORIZING INTERLOCAL AGREEMENT WITH GOLDEN CRESCENT REGIONAL PLANNING COMMISSION FOR CONTINUED OPERATION OF VICTORIA TRANSIT SYSTEM**

The resolution authorizes an Interlocal Agreement with the Golden Crescent Regional Planning Commission (GCRPC) for the continued operation of the Victoria Transit Fixed-Route Public Transportation System within the limits of the City of Victoria and to provide a local cash match of \$40,400. Ray Miller.

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 2003-113R – AUTHORIZING A CONTRACT WITH LANDTECH, INC. FOR STATEWIDE TRANSPORTATION ENHANCEMENT SIDEWALK PROJECT**

The resolution authorizes a Contract between the City of Victoria and Landtech, Inc. for development of construction drawings for the Statewide Transportation Enhancement Sidewalk and Pathways Project. Ray Miller.

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 2003-114R – AUTHORIZING AN INTERLOCAL AGREEMENT WITH V.I.S.D., VICTORIA COLLEGE, VICTORIA COUNTY DRAINAGE DISTRICT #3 AND VICTORIA COUNTY NAVIGATION FOR SALE OF TAX FORCLOSED PROPERTIES**

The resolution authorizes an Interlocal Agreement with Victoria County, Victoria Independent School District (VISD), Victoria College, Victoria County Drainage District #3 and The Victoria County Navigation District for the sale of tax foreclosed properties within the City of Victoria. The agreement allows the City to purchase the properties from the County trust at 5% of

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their last tax appraisal evaluation. The lots are to be used for the development of affordable infill housing. 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 2003-115R - AWARDING BID TO ALUMATECH, L.L.C. FOR HURRICANE WINDOW BARRIERS AT THE SURFACE PLANT**

The resolution awards a bid for installation of Hurricane Window Barriers at the City of Victoria Surface Water Treatment Plant to Alumatech, L.L.C., of Kenner, Louisiana for \$46,377.42. Wayne Cockroft.

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 2003-116R - ACCEPTING DONATION OF APPROXIMATELY 0.005 ACRE OF LAND FROM GARY M. MIDDLETON ET UX, BEATRICE E. MIDDLETON**

The resolution accepts a donation of approximately 0.005 of one acre (220 sq. ft.) from Gary M. Middleton et ux, Beatrice E. Middleton, to enable the Texas Department of Transportation (TxDOT) to widen the intersection of E. Rio Grande Blvd. and N. Navarro Street, and expresses the City's gratitude for this gift. Miles Risley.

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, and Watkins  
NAYS: None  
ABSTENTION: Mayor Middleton

**RESOLUTION 2003-117R - RATIFYING AN INTERLOCAL AGREEMENT WITH VICTORIA COUNTY FOR UTILITIES AT THE PROPOSED ANIMAL SHELTER**

The resolution ratifies an Interlocal Agreement with Victoria County, for the funding of the City of Victoria Utilities to serve the proposed animal shelter, in an amount not to exceed \$246,500, with the City and Victoria County each being responsible for half of the costs (\$123,250 each). Wayne Cockroft.

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

**ORDINANCE 2003-16 - AMENDING SECTIONS 22-90 THROUGH 22-95 OF THE VICTORIA CITY CODE, ADOPTING SCHEDULES OF ONE-WAY STREETS, PARKING RESTRICTIONS, AND SPEED LIMITS, AND ADOPTING MAPS FOR TRUCK ROUTES AND PARKING RESTRICTIONS**

Assistant City Attorney, Miles Risley, read the caption of Ordinance 2003-16, which amends Sections 22-90 through 22-95 of the Victoria City Code, adopting schedules of one-way streets, parking restrictions, and speed limits; adopting maps pertaining to truck routes and parking restrictions, providing that schedules of such traffic regulations and fees shall be maintained for public inspection. Second and Third. John Johnston.

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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, Wyatt, Watkins and Mayor Middleton  
 NAYS: None

Caption:

**AN ORDINANCE AMENDING SECTIONS 22-90 THROUGH 22-95 OF THE VICTORIA CITY CODE, ADOPTING SCHEDULES OF ONE-WAY STREETS, PARKING RESTRICTIONS, AND SPEED LIMITS; ADOPTING MAPS PERTAINING TO TRUCK ROUTES AND PARKING RESTRICTIONS, PROVIDING THAT SCHEDULES OF SUCH TRAFFIC REGULATIONS AND FEES SHALL BE MAINTAINED FOR PUBLIC INSPECTION, PROVIDING A PENALTY NOT TO EXCEED \$200.00 UPON CONVICTION, REPEALING PARTS OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY, PROVIDING FOR PUBLICATION, PROVIDING FOR CODIFICATION OF SECTION 1 OF THIS ORDINANCE, PROVIDING FOR SAVINGS, AND DECLARING AN EFFECTIVE DATE.**

**ORDINANCE 2003-18 - SETTING TAX RATE AT \$.70 PER \$100 OF PROPERTY VALUATION**

Assistant City Attorney, Miles Risley, read the caption of Ordinance 2003-18, which sets the tax rate at a total rate of \$.70 per \$100 of property valuation and levying a tax upon all property subject to taxation within the City of Victoria, Texas for the 2003 Tax Year for the use and support of the municipal government of the City of Victoria; provides for the assessment and collection of taxes; apportions said levy among the various funds and items for which revenue must be raised including providing a sinking fund for the retirement of the bonded debt of the city; provides for penalties and interest for delinquent taxes as prescribed by the Texas Tax Code. First Reading. Gilbert P. Reyna, Jr.

Cm. Russell moved that the ordinance pass on first reading, with Cm. Neitsch 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 SETTING THE TAX RATE AT A TOTAL RATE OF \$.70 PER \$100 OF PROPERTY VALUATION AND LEVYING A TAX UPON ALL PROPERTY SUBJECT TO TAXATION WITHIN THE CITY OF VICTORIA, TEXAS FOR THE 2003 TAX YEAR FOR THE USE AND SUPPORT OF THE MUNICIPAL GOVERNMENT OF THE CITY OF VICTORIA; PROVIDING FOR THE ASSESSMENT AND COLLECTION OF TAXES; APPORTIONING SAID LEVY AMONG THE VARIOUS FUNDS AND ITEMS FOR WHICH REVENUE MUST BE RAISED INCLUDING PROVIDING A SINKING FUND FOR THE RETIREMENT OF THE BONDED DEBT OF THE CITY; PROVIDING FOR PENALTIES AND INTEREST FOR DELINQUENT TAXES AS PRESCRIBED BY THE TEXAS TAX CODE; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND DECLARING AN EFFECTIVE DATE.**

**ORDINANCE 2003-04 – ADOPTING THE 2003-2004 FISCAL YEAR BUDGET FOR THE CITY OF VICTORIA**

Assistant City Attorney, Miles Risley, read the caption of Ordinance 2003-04, which approves and adopts a budget for operating the Municipal Government of the City of Victoria for the

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fiscal year beginning October 1, 2003, and ending on September 30, 2004. Second Reading. Gilbert P. Reyna, Jr.

Cm. Guittard moved to amend the ordinance to raise the Library new books budget from \$150,000 to \$160,000, with Cm. Russell seconding the motion. The ordinance was amended by the following vote:

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

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

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

Caption:

**AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR OPERATING THE MUNICIPAL GOVERNMENT OF THE CITY OF VICTORIA FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2003, AND ENDING ON SEPTEMBER 30, 2004; APPROPRIATING MONEY FOR THE VARIOUS FUNDS AND PURPOSES OF SUCH BUDGET INCLUDING APPROPRIATIONS OF MONEY TO PAY INTEREST AND PRINCIPAL SINKING FUND REQUIREMENTS ON ALL INDEBTEDNESS; REPEALING ALL CONFLICTING ORDINANCES AND APPROPRIATIONS; PROVIDING FOR SEVERABILITY; AND DECLARING AN EFFECTIVE DATE.**

**EXECUTIVE SESSION**

Mayor Middleton announced that Council would recess into Executive Session at 5:59 p.m., in accordance with:


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, the acquisition of property in the Silver City area of the City of Victoria for the construction of low & moderate income housing thereon). David A. Smith.

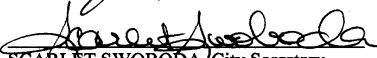
The Council reconvened in regular session at 6:40 p.m. with nothing to report.

**ITEMS FROM COUNCIL**

Mayor Middleton requested that Council consider adopting the tax rate on second and third reading next week along with the final reading of the budget.

There being no further business, the meeting was adjourned at 6:41 p.m.

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

ATTEST:   
SCARLET SWOBODA, City Secretary

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