

CITY COUNCIL MINUTES

September 16, 2003

PROVIDING FOR PUBLICATION, AND DECLARING AN EFFECTIVE DATE.

EXECUTIVE SESSION

Mayor Middleton announced that Council would recess into Executive Session at 5:54 p.m., in accordance with:

Section 551.072, Texas Government Code, to deliberate the purchase, exchange, lease, or value of real property interests (including, but not limited to the Lease for Tender Loving care for Children located at 1202 E. Sabine) 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. David A. Smith.

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 duties & rights of City involving construction of extension of John Stockbauer Drive). David A. Smith.

The Council reconvened in regular session at 6:27 p.m. and had nothing to report.

There being no further business, the meeting was adjourned at 6:28 p.m.

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

ATTEST: [Signature] SCARLET SWOBODA, City Secretary

VICTORIA CITY COUNCIL October 7, 2003

CALL TO ORDER

A regular meeting of the Victoria City Council was called to order by Mayor Gary Middleton at 5:03 p.m. Tuesday, October 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
Jim Wyatt
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
Ray Miller, Assistant Director, Planning
Gilbert P. Reyna, Jr., Director, Finance
Doug Cochran, Director, Parks and Recreation
Jared Mayfield, Senior Planner
Scarlet Swoboda, City Secretary

MEMBERS ABSENT

- Shirley Buckert

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APPROVAL OF MINUTES

The minutes of the regular meeting of September 16, 2003 were approved as presented.

CITIZENS COMMUNICATION

Presentation to Outgoing Parks Commissioners

Doug Cochran, Director of Parks and Recreation, recognized Taylor Starkey, Carol Holladay, and Diane DeLaGarza as outgoing Parks Commissioners, and presented each with a plaque commending them for their service.

Recognition of Victoria County 4-H Clubs

Kelsey Lauger and Brooke Villafranca, 4-H Ambassadors, representing Victoria County 4-H clubs, thanked City Council for their support of the local 4-H program.

RESOLUTION 2003-147R – APPOINTING TWO MEMBERS TO THE CULTURAL COUNCIL

The resolution appoints Clara Prater and Susan Prukop to the Cultural Council. 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

RESOLUTION 2003-148R – APPOINTING A MEMBER TO THE VICTORIA COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS

The resolution nominates and casts votes for the appointment of Bill Russell to the Victoria County Appraisal District Board of Directors. 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 2003-149R – AUTHORIZING ONE YEAR RENEWAL CONTRACT WITH GANT'S LAND MAINTENANCE FOR MOWING OF DRAINAGE DITCHES AND OUTFALLS

The resolution authorizes the City Manager to execute a one-year renewal of the contract with George E. Gant d/b/a Gant's Land Maintenance of Victoria, Texas for the maintenance mowing of drainage ditches and outfalls in the amount of approximately \$181,273. Doug Cochran.

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 2003-150R – AUTHORIZING PROFESSIONAL SERVICES AGREEMENT WITH MCCALL, PARKHURST & HORTON, L.L.P., FOR BOND COUNSEL

The resolution authorizes the City Manager to execute a professional services agreement with McCall, Parkhurst & Horton, L. L. P., to serve the City of Victoria as bond counsel in connection with the issuance of the City's bonds and other obligations. Gilbert P. Reyna, Jr.

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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, Wyatt, Watkins and Mayor Middleton
NAYS: None

RESOLUTION 2003-151R – AMENDING PROGRAMMATIC AGREEMENT WITH THE COMMUNITY ACTION COMMITTEE FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) OWNER OCCUPIED HOME REHABILITATION PROGRAM TO EXTEND TERMINATION DATE

The resolution authorizes the City Manager to execute an amendment to the Programmatic Agreement between the Community Action Committee (CAC) and the City of Victoria for administration of the Community Development Block Grant (CDBG) Owner-Occupied Home Rehabilitation Program to extend the termination date of the agreement from September 15, 2003 to October 15, 2003. Jared Mayfield.

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, Wyatt, Watkins and Mayor Middleton
NAYS: None

RESOLUTION 2003-152R - AUTHORIZING THE PROGRAMMATIC AGREEMENT WITH THE COMMUNITY ACTION COMMITTEE FOR ADMINISTRATION OF THE COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) OWNER OCCUPIED HOME REHABILITATION PROGRAM FOR THE 2003 FISCAL YEAR

The resolution authorizes a Programmatic Agreement between the Community Action Committee (CAC) and the City of Victoria for administration of the Community Development Block Grant (CDBG) Owner-Occupied Home Rehabilitation Program for Fiscal Year 2003, in the amount of \$500,000, with a maximum of \$20,000 payable to CAC for administrative expenses. Jared Mayfield.

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 2003-153R – GRANTING A VARIANCE FOR RIGHT-OF-WAY DEDICATION REQUIREMENTS FOR FLY SUBDIVISION NO. 1 AT 2302 AND 2304 N. MAIN OWNED BY DON L. DUNCAN, JR.

The resolution grants a variance to Section 21-54(b)(2) of the Victoria City Code, which requires the dedication of ½ of the right-of-way necessary to bring a street into conformity with the Master Thoroughfare Plan, to Fly Subdivision No. 1, Resubdivision No. 1, at 2302 and 2304 N. Main Street, which is owned by Don L. Duncan, Jr. Ray Miller.

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 2003-154R - GRANTING A VARIANCE FOR MINIMUM LOT SIZE REQUIREMENTS TO THE LAGO VISTA SUBDIVISION, PHASE II, AT 1201 BERKMAN DRIVE OWNED BY ARTHUR BUCKERT, SHIRLEY BUCKERT, AND J. M. EASLEY

The resolution authorizes granting variances to Sections 21-82(d)(1) and (d)(2) of the Victoria City Code, which require a minimum lot size of 2500 square feet and a minimum lot width of 20 feet, to the Lago Vista Subdivision, Phase II, Resubdivision No. 1, at 1201 Berkman Drive, which is owned by Arthur Buckert, Shirley Buckert and J.M. Easley. Ray Miller.

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, Wyatt, Watkins and Mayor Middleton
NAYS: None

RESOLUTION 2003-155R - AUTHORIZING THE NECESSITY TO SUBDIVIDE A 3.98 ACRE PORTION OF PROPERTY IN THE CELLULAR SUBDIVISION NO. 1 FOR AFFORDABLE HOUSING

The resolution authorizes the City Manager to execute all documents necessary to subdivide a 3.98-acre portion of Lot 1, Block 1, Cellular Subdivision No. 1, Resubdivision No. 1, granted to the City by USCOC of Victoria, Inc. on June 27, 2003, for the purpose of utilizing some or all of said property for affordable housing. Jared Mayfield.

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 2003-156R - AUTHORIZING THE PURCHASE OF TWO TAX FORECLOSED LOTS LOCATED AT 2607 CALLIS STREET FOR UBRAN REDEVELOPMENT

The resolution authorizes the City Manager to execute all necessary documents to purchase Lots 16 & 17, Block K, of the Putney-Moore Subdivision, located at 2607 Callis Street, from the Victoria County trust of tax-foreclosed properties pursuant to the Interlocal Agreement between Taxing Entities for Sale of Tax Foreclosed and Abandoned Properties for Urban Redevelopment, and authorizes the City Manager to execute all necessary documents to purchase other properties pursuant to said interlocal agreement in amounts authorized by the Director of Finance not to exceed \$25,000. Jared Mayfield.

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

EXECUTIVE SESSION

Mayor Middleton announced that Council would recess into Executive Session at 5:23 p.m., in accordance with:

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.

The Council reconvened in regular session at 6:14 p.m. and had nothing to report.

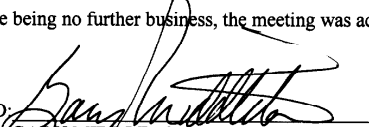
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ITEMS FROM COUNCIL


Cm. Russell expressed support for a homestead tax freeze and exemption for persons sixty-five or over. He requested that this topic be placed on the agenda under City Manager Reports for the next City Council meeting.

There being no further business, the meeting was adjourned at 6:18 p.m.

APPROVED:


GARY MIDDLETON, Mayor of the City of
Victoria, Texas

ATTEST:


SCARLET SWOBODA, City Secretary
