

CITY COUNCIL MINUTES
April 6, 2004

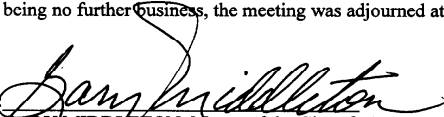
\$61,765.00 TO THE WATER PLANT DEPARTMENT PROFESSIONAL SERVICES LINE ITEM FOR THE DESIGN AND INSPECTION OF THE CONSTRUCTION ACTIVITIES ON WATER TOWERS #1 AND #4; REPEALING ALL CONFLICTING ORDINANCES, PROVIDING FOR SEVERABILITY; AND DECLARING AN EFFECTIVE DATE.

EXECUTIVE SESSION

Mayor Middleton announced that there was no need for an Executive Session.

There being no further business, the meeting was adjourned at 5:52 p.m.

APPROVED:


GARY MIDDLETON, Mayor of the City of
Victoria, Texas

ATTEST:


SCARLET SWOBODA, City Secretary

VICTORIA CITY COUNCIL
April 20, 2004

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, April 20, 2004 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

STAFF PRESENT

Denny Arnold, City Manager
Charles Windwehen, Assistant City Manager
David A. Smith, City Attorney
Miles Riskey, Assistant City Attorney
John Kaminski, Director, Planning
Lynn Short, Director, Utilities
Gilbert P. Reyna, Jr., Director, Finance
Scarlet Swoboda, City Secretary

APPROVAL OF MINUTES

The minutes of the regular meeting of April 6, 2004 were approved as presented.

CITIZENS COMMUNICATION

No one wished to address Council.

PUBLIC HEARINGS

Mayor Middleton opened a public hearing on the following item:

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PROPOSED TAX ABATEMENT AGREEMENT WITH GEMCO OF PORT LAVACA

The public hearing considers the proposed tax abatement agreement between the City of Victoria, Texas and GEMCO of Port Lavaca, Inc. for structures and real property to be located on 15 acres next to Lone Tree Road approximately 800 feet northeast of the intersection of John Stockbauer and Lone Tree Road. An analysis done by the Victoria Economic Development Corporation indicated that a four-year phase in would yield over \$13,000 to the City in ad valorem taxes. Dale Fowler.

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

RESOLUTION 2004-56R – AUTHORIZING CHANGE ORDER NO. 1 TO THE 2002-03 WATER AND SANITARY SEWER IMPROVEMENT PROJECT

The resolution authorizes the Director of Utilities to execute Change Order No. 1 to the 2002-03 Water and Sanitary Sewer Improvement Project (Lariat Ln., Yupon Ave., Roseland Ave., Cherokee Ln., and Dairy Road.) which will add \$57,638 to and deduct \$48,620 from the original contract amount of \$367,450, provide for the replacement of water mains on Laurel Avenue, and make other miscellaneous changes and reconciliations, bringing the amended contract amount to \$376,468. Lynn Short.

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, Buckert, Wyatt, and Mayor Middleton
NAYS: None

RESOLUTION 2004-57R – AWARDING ANNUAL SUPPLY CONTRACT FOR COLD WATER METERS TO MUNICIPAL PIPE & FABRICATION, INC

The resolution awards the Annual Supply Contract for Cold Water Meters to Municipal Pipe & Fabricating, Inc. of San Antonio, Texas for the 5/8" x 3/4" and 1" meters in the amount of \$61,047.50 and to Performance Meter, Inc. of Beaumont, California for the 1-1/2" and 2" meters in the amount of \$6,804.50. Lynn Short.

Lynn Short, Director of Utilities, recommended amending the resolution to reject the bid submitted by Performance Meter, Inc. of Beaumont, California on the basis that they did not meet specifications with regards to the American National Standards Institute/National Sanitation Foundation 61 certification, and awarding the annual supply contract for cold water meters to Municipal Pipe & Fabricating, Inc. of San Antonio, Texas for their overall low bid of \$68,021.25.

Cm. Wyatt moved to amend the resolution to reject the bid from Performance Meter, Inc. as recommended, with Cm. Russell seconding the motion. The resolution was amended by the following vote:

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

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

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

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RESOLUTION 2004-58R – AUTHORIZING PROFESSIONAL SERVICES AGREEMENT WITH LOCKWOOD, ANDREWS & NEWMAN, INC. FOR A LONG-RANGE METROPOLITAN TRANSPORTATION PLAN

The resolution authorizes the City Manager to execute a Professional Services Agreement between the City of Victoria and Lockwood, Andrews & Newnam, Inc. to update the long-range Metropolitan Transportation Plan for the Victoria Metropolitan Planning Organization, provide an updated projected inventory, and provide other databases and reports, in an amount not to exceed \$90,000. John Kaminski.

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

RESOLUTION 2004-59R – DESIGNATING THE 2004-2005 COMMUNITY BLOCK DEVELOPMENT GRANT (CDBG) TARGET NEIGHBORHOOD

The resolution designates the Mayfair/Meadowlane area, which is located in census tract number 202.1 as the Community Development Block Grant (CDBG) Program Target Neighborhood for program years 2004 and 2005. The area is bounded by Ben Wilson, Lone Tree Road, Delmar, and the Southern Pacific Railroad. John Kaminski.

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

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

ORDINANCE 2004-6 – AMENDING ARTICLE III OF CHAPTER 23 OF THE VICTORIA CITY CODE, MODIFYING REQUIREMENTS FOR LIMOUSINES, TOURING VEHICLES, AND ANIMAL-DRAWN TOURING VEHICLES

City Attorney, David A. Smith, read the caption of Ordinance 2004-6, which amends Article III of Chapter 23 of the Victoria City Code to modify and establish permit conditions and requirements for limousines, touring vehicles, and animal-drawn touring vehicles, and amends Section 24-21 to establish permit fees. Second Reading. David A. Smith.

Cm. Wyatt moved to amend the ordinance to include an additional section in Chapter 23 to address limousine or touring vehicle operator license applications and authorizing background investigations on said operators, and amend Chapter 24 to include an \$8 fee for said application, with Cm. Guittard seconding the motion. The ordinance was amended by the following vote:

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

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

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

Caption:

AN ORDINANCE AMENDING ARTICLE III OF CHAPTER 23 OF THE VICTORIA CITY CODE TO MODIFY AND ESTABLISH PERMIT CONDITIONS AND REQUIREMENTS FOR LIMOUSINES, TOURING VEHICLES, AND ANIMAL-DRAWN TOURING VEHICLES, AMENDING SECTION 24-21 TO ESTABLISH PERMIT FEES, AND REPEALING CONFLICTING ORDINANCES, PROVIDING FOR SEVERABILITY, PROVIDING A SAVINGS CLAUSE, PROVIDING FOR CODIFICATION

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AND SAVINGS, PROVIDING A PENALTY NOT TO EXCEED \$500.00 UPON CONVICTION AND ENFORCEMENT, PROVIDING FOR PUBLICATION, AND DECLARING AN EFFECTIVE DATE.

ORDINANCE 2003-2004D - AMENDING THE 2003-2004 BUDGET OF THE CITY OF VICTORIA WATER/WASTEWATER FUND

City Attorney, David A. Smith, read the caption of Ordinance 2003-2004D, which amends the 2003-2004 Fiscal Year Budget of the City of Victoria by transferring \$264,765 from the Water/Wastewater Fund fund balance to send \$203,000 to the Water Plant Department Reservoir Maintenance line item for the rehabilitation of Water Tower No. 4 and repainting the base cone on Water Tower No. 1 and to send \$61,765 to the Water Plant Department Professional Services line item for the design and inspection of the construction activities on Water Towers No. 1 and No. 4. Second and third Reading. Gilbert P. Reyna, Jr.

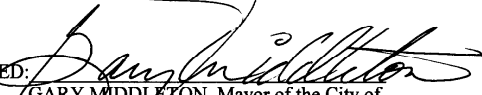
Cm. Buckert moved that the ordinance pass on second and third reading, with Cm. Neitsch seconding the motion. The ordinance passed on second and third reading by the following vote:


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

Caption:

AN ORDINANCE AMENDING THE 2003-2004 FISCAL YEAR BUDGET OF THE CITY OF VICTORIA BY TRANSFERRING \$264,765.00 FROM THE WATER/WASTEWATER FUND FUND BALANCE TO SEND \$203,000.00 TO THE WATER PLANT DEPARTMENT RESERVOIR MAINTENANCE LINE ITEM FOR THE REHABILITATION OF WATER TOWER #4 AND REPAINTING THE BASE CONE ON WATER TOWER #1 AND TO SEND \$61,765.00 TO THE WATER PLANT DEPARTMENT PROFESSIONAL SERVICES LINE ITEM FOR THE DESIGN AND INSPECTION OF THE CONSTRUCTION ACTIVITIES ON WATER TOWERS #1 AND #4; REPEALING ALL CONFLICTING ORDINANCES, PROVIDING FOR SEVERABILITY; AND DECLARING AN EFFECTIVE DATE.

There being no further business, the meeting was adjourned at 5:23 p.m.

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

ATTEST: 
SCARLET SWOBODA, City Secretary
