
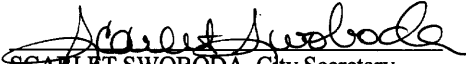


CITY COUNCIL MINUTES  
July 13, 2004

There being no further business, the meeting was adjourned at 7:15 p.m.

APPROVED:   
WILL ARMSTRONG, Mayor of the City of  
Victoria, Texas

ATTEST:   
SCARLET SWOBODA, City Secretary

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VICTORIA CITY COUNCIL  
July 20, 2004

**CALL TO ORDER**

A regular meeting of the Victoria City Council was called to order by Mayor Will Armstrong at 5:01 p.m. Tuesday, July 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**

Will Armstrong, Mayor  
Philip Guittard  
Lewis Neitsch  
Bill Russell  
Shirley Buckert  
Jim Wyatt  
Tom Halepaska

**STAFF PRESENT**

Denny Arnold, City Manager  
Charles Windwehen, Assistant City Manager  
David A. Smith, City Attorney  
Miles Risley, Assistant City Attorney  
John Johnston, Director, Public Works  
John Kaminski, Director, Planning  
Lynn Short, Director, Utilities  
Tim Braaten, Chief of Police  
Doug Cochran, Director, Parks and Recreation  
Jerry James, Director, Environmental Services  
Scarlet Swoboda, City Secretary

**APPROVAL OF MINUTES**

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

**CITIZENS COMMUNICATION**

No one wished to address Council.

**ITEMS FROM COUNCIL**

Mayor Armstrong requested that all Council Members be present for the next presentation of the Sign Ordinance.

**CITY MANAGER REPORTS**

**Master Plan of the Six Flags Historical Park Development in Riverside Park**

Dr. Taylor Starkey, President of the Six Flags Historical Park, and David Hoffman, Historical Architect, reported on the status of the Master Plan of the Six Flags Historical Park Development at Tonkawa Bluff in Riverside Park. A slide show was presented of the proposed visitor center and lay out of the site.

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CITY COUNCIL MINUTES  
July 20, 2004

**Delinquent Tax Collection Activity Report**

Charles A. "Chip" Sutton, with Linebarger Goggan Blair & Sampson. LLP., distributed a Summary of Delinquent Tax Collection Activities for the City of Victoria. He advised that his firm collected \$229,476 in delinquent taxes, which was a 6.7% increase over last years collections.

**Finance Award**

Charles Windwehen, Assistant City Manager, announced that the Finance Department received the Distinguished Budget Award From Government Finance Officers Association of the U.S. and Canada for the 2003-2004 Budget.

**Capital Improvements Projects Report**

John Johnston, Director of Public Works, presented a copy of the quarterly report.

**RESOLUTION 2004-98R – AUTHORIZING A 2004 STATE HOMELAND SECURITY LAW ENFORCEMENT TERRORISM PREVENTION PROGRAM (LETTP) GRANT FROM THE U.S. DEPARTMENT OF HOMELAND SECURITY AND THE TEXAS ENGINEERING EXTENSION SERVICE**

The resolution authorizes all documents necessary to apply for and accept a 2004 State Homeland Security Law Enforcement Terrorism Prevention Program (LETTP) grant from the U.S. Department of Homeland Security and the Texas Engineering Extension Service, in the amount of \$69,867. Tim Braaten.

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, Halepaska, and Mayor  
Armstrong  
NAYS: None

**RESOLUTION 2004-99R – AUTHORIZING A 2004 STATE HOMELAND SECURITY PROGRAM (SHSP) GRANT FROM THE U.S. DEPARTMENT OF HOMELAND SECURITY AND TEXAS ENGINEERING EXTENSION SERVICE**

The resolution authorizes all documents necessary to apply for and accept a 2004 State Homeland Security Program (SHSP) grant from the U.S. Department of Homeland Security and the Texas Engineering Extension Service, in the amount of \$170,051. Tim Braaten.

Cm. Buckert 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, Buckert, Wyatt, Halepaska, and Mayor  
Armstrong  
NAYS: None

**RESOLUTION 2004-100R – GRANTING A RIGHT OF WAY VARIANCE TO THE SILVERADO SUBDIVISION OWNED BY LANDMARK RESIDENTIAL, INC.**

The resolution grants a variance to Section 21-54(a) of the Victoria City Code, which requires dedication of right-of-way of at least 60 feet in width and street construction of at least 36 feet in width, to Silverado Subdivision, located on the southeast side of Ben Jordan Street, near John Stockbauer, which is owned by Landmark Residential, Inc. 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, Buckert, Wyatt, Halepaska, and Mayor  
Armstrong

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CITY COUNCIL MINUTES  
July 20, 2004

NAYS: None

**RESOLUTION 2004-101R – AUTHORIZING AN INTERLOCAL AGREEMENT WITH THE UNIVERSITY OF TEXAS FOR AIR QUALITY MONITORING AND RESEARCH**

The resolution authorizes an Interlocal Agreement between the University of Texas and the City of Victoria for Air Quality Monitoring and Research Activities, in the amount of \$566,600, funded entirely by the Texas Commission on Environmental Quality (TCEQ). Jerry James.

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, Halepaska, and Mayor Armstrong

NAYS: None

**RESOLUTION 2004-102R – AUTHORIZING A GRANT FROM TEXAS COMMISSION ON ENVIRONMENTAL QUALITY (TCEQ) FOR REPAIRS AND IMPROVEMENTS TO THE AIRPORT BRUSH SITES WORKING SURFACE PAD**

The resolution authorizes all documents necessary to apply for and accept a grant from Texas Commission on Environmental Quality via the Golden Crescent Regional Planning Commission (GCRPC) for repairs and improvements to the Victoria Regional Airport Brush Site's working surface pad, in the amount of \$24,726. Jerry James.

Cm. Guittard 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, Halepaska, and Mayor Armstrong

NAYS: None

**RESOLUTION 2004-103R – AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH TANK INDUSTRY CONSULTANTS, INC. FOR REHABILITATION OF WATER TOWER #4 AND EXTERIOR BASE CONE OF WATER TOWER #1**

The resolution authorizes a Professional Services Agreement between the City of Victoria and Tank Industry Consultants, Inc., of Indianapolis, Indiana for Construction Phase Services associated with the Rehabilitation of Water Tower #4 and the Exterior Base Cone of Water Tower #1, in an amount not to exceed \$46,500. Lynn Short.

Cm. Buckert 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, Halepaska, and Mayor Armstrong

NAYS: None

**RESOLUTION 2004-104R – AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH VICTORIA ENGINEERING, INC. D/B/A URBAN ENGINEERING TO UPDATE THE MASTER WASTEWATER PLAN**

The resolution authorizes a Professional Services Agreement between the City of Victoria and Victoria Engineering, Inc., d/b/a Urban Engineering of Victoria, Texas, to update the City's Master Wastewater Plan, in the amount of \$50,000. Lynn Short.

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

CITY COUNCIL MINUTES

July 20, 2004

AYES: Council Members Guittard, Neitsch, Russell, Buckert, Wyatt, Halepaska, and Mayor  
Armstrong

NAYS: None

**RESOLUTION 2004-105R – APPROVING THE TAX RESALE OF PROPERTY AT 1601 E. GOODWIN TO MARY AND EMILIO LICERIO**

The resolution approves the tax resale of property at 1601 E. Goodwin to Mary and Emilio Licerio in the amount of \$4,250. Chip Sutton.

**RESOLUTION 2004-106R – APPROVING THE TAX RESALE OF PROPERTY AT 1415 HARRY STREET TO CARLOS RUELAS AGUIRRE**

The resolution approves the tax resale of property at 1415 Harry Street to Carlos Ruelas Aguirre in the amount of \$5,000. Chip Sutton.

**RESOLUTION 2004-107R – APPROVING THE TAX RESALE OF PROPERTY AT 1101 VALKYRIE TO ESTHER T. CASAL**

The resolution approves the tax resale of property at 1101 Valkyrie to Esther T. Casal in the amount of \$4,300. Chip Sutton.

**RESOLUTION 2004-108R – APPROVING THE TAX RESALE OF PROPERTY AT 1805 WILDWOOD TO STANLEY ANGERSTEIN**

The resolution approves the tax resale of property at 1805 Wildwood to Stanley Angerstein in the amount of \$1,800.00. Chip Sutton.

**RESOLUTION 2004-109R – APPROVING THE TAX RESALE OF PROPERTY AT 1301 LOMA VISTA TO FELIX VASQUEZ, JR.**

The resolution approves the tax resale of property at 1301 Loma Vista to Felix Vasquez, Jr. in the amount of \$30,100. Chip Sutton.

**RESOLUTION 2004-110R – APPROVING THE TAX RESALE OF PROPERTY AT 309 BROWNSON TO MELVIN CHALOUPKA**

The resolution approves the tax resale of property at 309 Brownson to Melvin Chaloupka in the amount of \$22,000. Chip Sutton.

**RESOLUTION 2004-111R – APPROVING THE TAX RESALE OF PROPERTY AT 603 WATER STREET TO MT. CALVARY MISSIONARY BAPTIST CHURCH**

The resolution approves the tax resale of property at 603 Water Street to Mt. Calvary Missionary Baptist Church in the amount of \$5,800. Chip Sutton.

**RESOLUTION 2004-112R – APPROVING THE TAX RESALE OF PROPERTY AT 1506 BOWIE TO MELVIN CHALOUPKA**

The resolution approves the tax resale of property at 1506 Bowie to Melvin Chaloupka in the amount of \$21,000. Chip Sutton.

**RESOLUTION 2004-113R – APPROVING THE TAX RESALE OF PROPERTY AT 1302 WILLOW TO VICTOR M. MORENO**

The resolution approves the tax resale of property at 1302 Willow to Victor M. Moreno in the amount of \$550. Chip Sutton.

CITY COUNCIL MINUTES  
July 20, 2004

**RESOLUTION 2004-114R – APPROVING THE TAX RESALE OF PROPERTY AT 609 WARREN TO CHRIST’S KITCHEN**

The resolution approves the tax resale of property at 609 Warren to Christ’s Kitchen in the amount of \$3,100. Chip Sutton.

Cm. Russell moved that resolutions 2004-105R through 2004-114R be adopted, with Cm. Neitsch seconding the motion. The resolutions were adopted by the following vote:

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

**ORDINANCE 2004-9 – DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF A 0.8304 ACRE (36,171 SQUARE FEET) TRACT OF LAND**

Assistant City Attorney, Miles Risley, read the caption of Ordinance 2004-9, which declares a public necessity for the acquisition of a 0.8304 acre (36,171 square feet) tract of land in the Patrick Dowlen Survey, Abstract 156, Victoria County, Texas, for the public purpose of drainage of the Lone Tree Acres Subdivision. Second and third Reading. Miles Risley.

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

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

Caption:

**AN ORDINANCE DECLARING A PUBLIC NECESSITY FOR THE ACQUISITION OF A 0.8304 ACRE (36,171 SQUARE FEET) TRACT OF LAND IN THE PATRICK DOWLEN SURVEY, ABSTRACT 156, VICTORIA COUNTY, TEXAS, AS MORE PARTICULARLY DESCRIBED IN SECTION 1 OF THIS ORDINANCE FOR THE PUBLIC PURPOSE OF DRAINAGE OF THE LONE TREE ACRES SUBDIVISION, AUTHORIZING ALL APPROPRIATE ACTION OF THE CITY OF VICTORIA IN THE INSTITUTION AND PROSECUTION OF CONDEMNATION PROCEEDINGS TO ACQUIRE THIS NEEDED PROPERTY, AUTHORIZING THE CITY MANAGER TO EXECUTE OFFERS AND CONTRACTS FOR THE PURCHASE OF PROPERTY INTERESTS FROM THE OWNERS THEREOF, AUTHORIZING THE ACCEPTANCE OF DEEDS AND OTHER INSTRUMENTS, AUTHORIZING THE JOINDER OF ALL PERSONS WITH RIGHTS IN THE AFOREMENTIONED PROPERTY, AUTHORIZING ALL OTHER LAWFUL ACTION NECESSARY OR INCIDENTAL TO SUCH ACQUISITIONS OR EMINENT DOMAIN PROCEEDINGS TO SURVEY, TEST, SPECIFY, DEFINE AND SECURE THE NECESSARY PROPERTY RIGHTS, DECLARING THE SECTIONS OF THE ORDINANCE TO BE SEVERABLE ONE FROM THE OTHER IN THE EVENT ANY SECTION OF THIS ORDINANCE IS DETERMINED TO BE INVALID, AND DECLARING AN EFFECTIVE DATE.**

**ORDINANCE 2004-10 - EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF VICTORIA, TEXAS AND THE ANNEXATION OF APPROXIMATELY 2 ACRES OF LAND**

Assistant City Attorney, Miles Risley, read the caption of Ordinance 2004-10, which provides for the extension of certain boundary limits of the City of Victoria, Texas and the annexation of certain territory consisting of approximately 2 acres of land, at the request of the Victoria Sales Tax Development Corporation. Second and third Reading. Miles Risley.

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**CITY COUNCIL MINUTES**  
**July 20, 2004**

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, Halepaska, and Mayor  
Armstrong  
NAYS: None

Caption:

**AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF VICTORIA, TEXAS AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF APPROXIMATELY 2 ACRES OF LAND, AT THE REQUEST OF THE VICTORIA SALES TAX DEVELOPMENT CORPORATION, ADOPTING A SERVICE PLAN FOR THE TERRITORY TO BE ANNEXED; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.**

**WORK SESSION**

Mayor Armstrong announced that Council would recess the regular meeting. A short break was taken and the work session convened at 6:07 p.m.

**City Budget Fiscal Year 2004-2005**

Items that Members of Council suggested for consideration:

- Renovations to the Public Library.
- Juvenile delinquency issues addressed.
- Bailiff for Municipal Court.
- New Municipal Court Building, suggested moving forward on this project.
- Increased pay for police officers, need to pay a premium wage.
- Additional police personnel, would like to know how many are needed.
- Crime in neighborhoods.
- Lower turnover in police department.
- Lone Tree Road Reconstruction.
- Development of Housing Project for affordable housing in District 5.
- Guadalupe River Levee Project, keeping clean, building it up, and rehabilitating.
- Fire Station for the north side of City.
- Employees insurance premiums.
- Pay increases for fire department and other employees.
- Weedy lots, need to spend money to clean up for a better appearance and get back on the tax rolls. Would like to see fund to contract out these services.
- Youth Employment Program to mentor youth.
- Camera's in intersections or roadways.
- Budget category for Department head salaries, so that Council is involved in that process.
- Look at salary and benefits for those departments that by Charter work for Council.
- Look at land for future development for future fire stations or parks.
- Economic development, need infrastructure and support for it.
- More open green spaces in the neighborhoods, city parks or dedicated open spaces. Possibly encourage builders to incorporate that into their subdivisions.
- School crossings need to be checked so that they are adequately marked.
- Suggested leaving the tax rate at the current rate.
- Possible water rate increase.

CITY COUNCIL MINUTES

July 20, 2004

Members of Council came to a consensus that the Police Department needs should be addressed and requested exact numbers for consideration.

The work session concluded and the Council reconvened in regular session at 7:00 p.m.

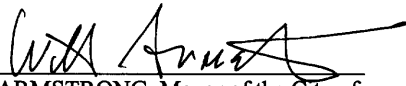
**EXECUTIVE SESSION**


Mayor Armstrong announced that Council would recess into Executive Session at 7:01 p.m., in accordance with:

Section 551.074, Texas Government Code, with regard to personnel matters (including, without limitation, the appointment, employment, evaluation, and duties of the personnel for water issues). Scarlet Swoboda.

The Council reconvened in regular session at 7:31 p.m. and had nothing to report.

There being no further business, the meeting was adjourned at 7:32 p.m.

APPROVED:   
WILL ARMSTRONG, Mayor of the City of  
Victoria, Texas

ATTEST:   
SCARLET SWOBODA, City Secretary

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