

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.

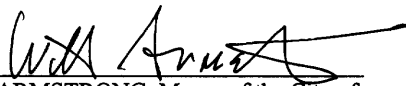
EXECUTIVE SESSION


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

VICTORIA CITY COUNCIL
August 3, 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, August 3, 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

Charles Windwehen, Assistant City Manager
David A. Smith, City Attorney
Miles Risley, Assistant City Attorney
Lynn Short, Director, Utilities
John Johnston, Director, Public Works
John Kaminski, Director, Planning
Gilbert P. Reyna, Jr., Director, Finance
Steve Trevino, Director, IMS
Jerry James, Director, Environmental Services
Doug Cochran, Director, Parks and Recreation
James Stewart, Director, Library
Jamie Ratliff, Technology Administrator
Tim Braaten, Chief of Police
Vance Riley, Director, Fire and EMS
Charmelle Garrett, Director, Human Resources
Scarlet Swoboda, City Secretary

APPROVAL OF MINUTES

The minutes of the special meeting of July 13, 2004 and the regular meeting of July 20, 2004 were approved as presented.

CITY COUNCIL MINUTES
August 3, 2004

CITIZENS COMMUNICATION

Donna Grafe-Tucker, Attorney with the law firm of Walker, Keeling and Carroll, L.L.P. advised that her firm represents Pinnacle Pointe Associates Limited Partnership, which is planning on developing a multi-family project in Victoria. She requested that Council consider a resolution altering certain rights in a particular utility easement in order to provide a convenient location for storm drainage improvements to serve a planned 200 unit family project on Salem Road. Council was asked to consider placing the item on the August 17, 2004 regular council meeting.

ITEMS FROM COUNCIL

Mayor Armstrong reported that the sign ordinance would be placed on the agenda of August 17, 2004.

PUBLIC HEARINGS

Mayor Armstrong opened a public hearing on the following items:

RESOLUTION 2004-124R – APPROVING THE ONE YEAR ACTION PLAN FOR FISCAL YEAR 2004-2005 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

The resolution considers approving the one-year action plan for FY 2004-2005 and authorizing the City Manager to submit the required documentation to the Housing and Urban Development (HUD) for the 2004-2005 CDBG Program. A detailed breakdown was presented at a previous meeting. John Kaminski

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

CITY MANAGER REPORTS

Capital Improvement Project Report

John Johnston, Director of Public Works, advised that the report was delivered to Council at the last Council meeting. There were no questions from Council about the report.

RESOLUTION 2004-115R – AWARDING BID FOR BRUSH GRINDING SERVICES AT THE AIRPORT BRUSH SITE TO TEXAS TREE AND LANDSCAPE, LTD.

The resolution awards a bid for Brush Grinding Services at the Victoria Regional Airport Brush Site to Texas Tree and Landscape, Ltd. of China Springs, Texas, in the amount of \$0.83 per cubic yard of unground material, for a total of approximately \$41,500. Jerry James.

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

RESOLUTION 2004-116R – AWARDING THE ANNUAL SUPPLY CONTRACTS FOR FERROUS SULFATE TO PENCCO, INC., CHLORINE TO ACETYLENE OXYGEN COMPANY, AND SODIUM CHLORITE TO ALTIVIA, INC.

The resolution awards the bid for the annual supply contract for Ferrous Sulfate to Pencco, Inc. of San Felipe, Texas in the amount of \$66.67 per liquid ton for a total of approximately \$18,000.09, awards the bid for the annual supply contract for Chlorine to the Acetylene Oxygen Company of Victoria, Texas in the amount of \$465 per one-ton cylinder for a total of approximately \$69,750, and awards the bid for the annual supply contract for Sodium Chlorite to Altivia, Inc. of

CITY COUNCIL MINUTES

August 3, 2004

Houston, Texas in the amount of \$615.80 per liquid ton for a total of approximately \$73,896. Lynn Short.

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, Buckert, Wyatt, Halepaska, and Mayor Armstrong

NAYS: None

RESOLUTION 2004-120R – AWARDING ANNUAL SUPPLY CONTRACTS FOR OILS AND EMULSIONS TO GULF STATES ASPHALT CO., PERFORMANCE GRADE ASPHALT, AND PRIME MATERIALS AND SUPPLY

The resolution awards bids for Annual Supply Contracts for oils and emulsions to Gulf States Asphalt Co. of South Houston, Texas in the amount of \$0.94 per gallon for Type HFRS-2P or approximately \$47,000 and in the amount of \$0.79 per gallon for Type CRS-2 or approximately \$11,850; to Performance Grade Asphalt of La Marque, Texas in the amount of \$0.95 per gallon for Type AE-P or approximately \$5,700; and to Prime Materials & Supply of Houston, Texas in the amount of \$0.87 per gallon for Type MC-30 or approximately \$5,220. John Johnston.

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, Buckert, Wyatt, Halepaska, and Mayor Armstrong

NAYS: None

RESOLUTION 2004-121R – AUTHORIZING THE PURCHASE OF THREE 2005 DODGE ¾ TON CREW CAB PICKUP TRUCKS FROM LAWRENCE MARSHALL DEALERSHIP

The resolution awards the bid for the purchase of three Model Year 2005 Dodge ¾ Ton Crew Cab Pickup Trucks to Lawrence Marshall Dealership of Hempstead, Texas in the amount of \$19,427 each, minus trade-in allowances of \$2,000 for each of two Chevrolet ½ ton pickup trucks and \$1,000 for a 1990 Dodge ¾ ton pickup truck, for a total cost of \$53,281. Steve Trevino.

Cm. Buckert 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, Buckert, Wyatt, Halepaska, and Mayor Armstrong

NAYS: None

RESOLUTION 2004-122R – GRANTING A VARIANCE TO THE RIGHT-OF-WAY REQUIREMENTS AT 1601 N. NAVARRO OWNED BY EDWARD H. GAUDETTE

The resolution grants a variance to Section 21-54(b)(2) of the Victoria City Code, which requires a right-of-way dedication of 25 feet (1/2 of required right-of-way required for road to meet Master Thoroughfare Plan), to Lot 4R, Block 61 of Jessell's Addition, Resubdivision No. 5, located at 1601 N. Navarro, which is owned by Edward H. Gaudette. John Kaminski.

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

CITY COUNCIL MINUTES
August 3, 2004

RESOLUTION 2004-123R – GRANTING A VARIANCE TO THE RIGHT OF WAY REQUIREMENTS AT 2201 PLEASANT GREEN DRIVE OWNED BY JAVIEL AND ROSALINDA MORALES

The resolution grants a variance to Section 21-54(b)(2) of the Victoria City Code, which requires a right-of-way dedication of 17.2 feet (1/2 of required right-of-way required for road to meet Master Thoroughfare Plan), to Lot 1, Block 1, Morales Subdivision, located at 2201 Pleasant Green Drive, which is owned by Javiel and Rosalinda Morales. 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
NAYS: None

RESOLUTION 2004-124R – APPROVING THE ONE-YEAR ACTION PLAN FOR FISCAL YEAR 2004-2005 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM

The resolution approves the One-Year Action Plan for Fiscal Year 2004-2005 and authorizes the City Manager to submit the required documentation to HUD for the 2004-2005 CDBG Program. 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
NAYS: None

RESOLUTION 2004-126R – APPROVING CHANGE ORDER NUMBER 19 TO THE BEN JORDAN RECONSTRUCTION PROJECT

The resolution approves the Director of Public Works to execute Change Order Number 19 to the Ben Jordan Reconstruction Project contract with Brannan Paving Company, Inc., which provides for the demolition of Heinold's Texaco at Ben Jordan & Houston Highway and the removal of 8,100 square feet of paving from said property, and increases the amount of the contract by \$45,311, which brings the revised contract amount to \$7,844,772.55. John Johnston.

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

WORK SESSION

Mayor Armstrong announced that Council would recess into the Work Session at 5:30 p.m.

Charles Windwehen, Assistant City Manager, presented a list of priorities that the Council had previously asked to be considered in the budget process. He advised that a Work Session for discussion on the City's health plan would be presented at the August 17, 2004 regular Council meeting. He advised that staff would be proposing a tax rate of \$.69 per \$100 valuation. He explained that even though the tax rate would be lower than previous years the proposed rate would generate approximately \$1.6 million more revenue because land appraisals have gone up. There was Council consensus to plan the budget with a \$.69 tax rate.

CITY COUNCIL MINUTES

August 3, 2004

The following were Council priorities which were previously ranked in priority order, with the amount recommended by Council to use toward development of the budget.

- **Employee Pay Program** – with a pay-for-performance average at 3%. **\$288,000**
- **Police Staffing** – recommended five patrol officers, one investigator, and two dispatchers in the 911 center. **\$367,000**
- **Police/Fire Pay Adjustment** – proposing \$2,000 base pay increase to all employees below the position of Captain in the Police Department, and those below Battalion Chief in the Fire Department. These employees would not receive pay-for-performance this year because of base pay increases. **\$599,000**
- **Weedy Lots** - \$50,000 for weedy lots, \$50,000 for demolitions, and one additional employee at \$34,000. **\$134,000**

Mayor Armstrong announced that the Work Session would take a break at 6:55 p.m., go into Executive Session and then complete the Work Session.

EXECUTIVE SESSION

Mayor Armstrong announced that Council would recess into Executive Session at 7:20 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 members of the Planning Commission, Building and Standards Commission, and Golden Crescent Regional Planning Commission). Scarlet Swoboda.

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, property being considered for purchase and sale in the Loop 463 Business and Industrial Park). Miles Risley.

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. Miles Risley.

The Council reconvened in regular session at 7:44 p.m. and considered the following:

RESOLUTION 2004-117R – APPOINTING THREE MEMBERS TO THE PLANNING COMMISSION

The resolution reappoints Victor Marshall, and appoints Michael Herbold, and John Bloom to the Planning Commission. Scarlet Swoboda.

Cm. Russell 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, Buckert, Wyatt, Halepaska, and Mayor Armstrong

NAYS: None

RESOLUTION 2004-118R – APPOINTING REGULAR AND ALTERNATE MEMBERS TO THE BUILDING AND STANDARDS COMMISSION

The resolution reappoints Harold Cade, Nick Hinojosa, Eric Murphy, Alex Solis, and C. W. Settles as regular members and John Acosta, Edward Valis, Albert Totah, Rawley McCoy, Dorothy Harris, Scott Lee, Gloria Gleinser, and Dan Hiller as alternate members to the Building and Standards Commission. Scarlet Swoboda.

CITY COUNCIL MINUTES
August 3, 2004

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

ATTEST: Scarlet Swoboda
SCARLET SWOBODA, City Secretary
