

VICTORIA CITY COUNCIL
August 17, 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 17, 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

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
 Ray Miller, Assistant Planning Director
 Scarlet Swoboda, City Secretary

MEMBERS ABSENT

Tom Halepaska

APPROVAL OF MINUTES

The minutes of the regular meeting of August 3, 2004 were approved as presented.

CITIZENS COMMUNICATION

Future Loop 463 Expansion Concerns

Jamie Larken, 701 Dunbar, expressed concerns about the proposed expansion of Loop 463 from Salem Road to Highway Business 59, which would add an additional two lanes east of the existing road. She advised that she was one of approximately 250 people that signed a petition stating that they were opposed to the loop expansion unless noise abatement was done. She requested Council intervention to bring all effected parties together to come up with a solution that would be satisfactory to all.

Cm. Russell suggested that because the lanes would be moving further to the east and away from the residential area the noise level may actually decrease. Mayor Armstrong advised that the safety aspect of building a divided roadway is the major consideration by the Texas Department of Transportation for the expansion.

Director of Golden Crescent Regional Planning Commission

Cm. Wyatt introduced Joe Brannan, the new Executive Director of the Golden Crescent Regional Planning Commission.

ITEMS FROM COUNCIL

There were no requests from Council to place any items on a future agenda.

RESOLUTION 2004-131R – AWARDING ANNUAL SUPPLY CONTRACTS TO BRENTAGG SOUTHWEST, INC., AND ALTIVIA, INC.

The resolution awards the annual supply contracts for Ferrous Chloride to Brentagg Southwest, Inc. of Houston, Texas in the amount of \$190 per liquid ton for a total of approximately \$42,750, for Phosphate-Based Corrosion Inhibitors to Brentagg Southwest, Inc. of Houston, Texas in the amount of \$549 per liquid ton for a total of approximately \$46,665, and for Aluminum Sulfate with 2% Copper Sulfate to Altivia, Inc. of Houston, Texas in the amount of \$76.90 per liquid ton for a total of approximately \$70,363.50. Lynn Short.

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

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

RESOLUTION 2004-132R – AUTHORIZING THE PURCHASE OF SURVEILLANCE AND WIRELESS NETWORKING EQUIPMENT FROM INTERNETWORK EXPERTS, VIDTEK ASSOCIATES, AD PRODUCTS, CLEGG HOMES, AND INFINITI COMMUNICATIONS TECHNOLOGIES, INC.

The resolution approves the purchase of security surveillance and wireless networking equipment from Internetwork Experts of Houston, Texas in the amount of \$42,885.80, Vidtek Associates of Sacramento, California in the amount of \$19,960, AD Products of Cleveland, Ohio in the amount of \$2,715.52, Clegg Homes of Victoria, Texas in the amount of \$9,363.58, and Infiniti Communications Technologies, Inc. of Victoria, Texas in the amount of \$1,250, for a total purchase price of \$76,174.90. Lynn Short

Lynn Short, Director of Utilities, recommended amending the resolution by reducing the purchase to Internetwork Experts of Houston to \$13,431.20, which has the net effect of reducing the entire purchase to \$46,720.30. By doing so it would enable the entire purchase to be made from the Homeland Security Grant.

Cm. Wyatt moved to amend the resolution as recommended, with Cm. Buckert seconding the motion. The resolution was amended by the following vote:

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

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

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

RESOLUTION 2004-133R – AUTHORIZING AN INTERLOCAL AGREEMENT WITH THE GOLDEN CRESCENT REGIONAL PLANNING COMMISSION FOR A FIXED-ROUTE PUBLIC TRANSPORTATION SYSTEM

The resolution authorizes the City Manager to execute an Interlocal Agreement with the Golden Crescent Regional Planning Commission (GCRPC) for the operation of a fixed-route public transportation system within the limits of the City of Victoria and providing a City cash match of \$40,400. Ray Miller.

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 Armstrong
NAYS: None

RESOLUTION 2004-134R – AUTHORIZING THE USE OF A UTILITY EASEMENT BY THE KMART SUBDIVISION FOR PRIVATE STORM DRAINAGE USE TO PINNACLE POINTE ASSOCIATES LIMITED PARTNERSHIP

The resolution authorizes the use of a utility easement established by the subdivision plat of Kmart Subdivision (recorded in Volume 7, Page 145 C of the Plat Records of Victoria County, Texas) for private storm drainage easements granted from Lee Swearingen Properties, Inc. and Speedy Stop Food Stores, Ltd. to Pinnacle Pointe Associates Limited Partnership, insofar as that utility easement and the proposed private drainage easements overlap within defined 15-foot wide strips of property described in the resolution, to the extent any construction within the aforementioned utility easement is approved by the City Engineer, and consenting to the encroachment of fuel storage ventilation equipment owned by Speedy Stop Food Stores, Ltd. upon the City's utility easement in said 15-foot wide strips of property, with both the aforesaid

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subordination and consent subject to the right of any City-franchised utility company with its facilities currently in said utility easement to retain its facilities therein. Miles Risley.

Cm. Guittard 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, Buckert, Wyatt, and Mayor Armstrong

NAYS: None

ABSTENTION: Council Member Russell

WORK SESSION

Mayor Armstrong announced that Council would recess into the Work Session at 5:29 p.m.

Health Fund

Charmelle Garrett, Director of Human Resources, and Neil Welch, Consultant with the Welch Company, reviewed the three medical plans currently in effect, and advised that there were no design changes being proposed. Ms. Garrett reported that 88% of the City employees were currently covered under the Core Plan, 10% were covered under the Buy-up-Plan, and 2% chose the Hospital Indemnity Plan. Mr. Welch advised that medical inflation could be up around 10%, pharmacy as much as 15%, dental about 8%, and reinsurance market about 10%. He presented statistical factors which contribute to the increased costs. He advised that the hospital and physician contracts, along with the pharmacy services would be re-negotiated in hopes of moving those contracts to more efficient providers and savings for the City.

Ms. Garrett advised that the budget presented reflected a \$75 per employee per month increase to the current premium. Ms. Garrett advised that at a previous meeting Council had indicated that the City would consider paying \$50 of the increase with the employee paying the additional \$25. There was discussion following a suggestion that the City pay the full \$75 increase per month premium for each employee. Ms. Garrett advised that an additional \$136,000 would be needed from the re-occurring general fund if the City paid the entire \$75. The majority of Council indicated that each employee should pay an additional \$25 with the City paying the other \$50.

Mayor Armstrong suggested that staff also fund pay-for-performance in addition to the proposed \$2,000 increase in base salaries for one year in the Police and Fire Departments. He indicated that consistency with all employees was important when providing a pay-for-performance program.

General Fund and In House Mowing Program

Cm. Buckert requested justification for a color copier that the Parks Department had requested. Staff answered Council questions on various other line items.

Jerry James, Director of Environmental Services, presented a handout showing an analysis on how to go about handling the mowing by City staff. Mayor Armstrong requested that the copier and mowing program be addressed at the next work session.

Street Maintenance Program

The Street Maintenance Program was presented to Council at the August 10, 2004 meeting. There was Council consensus to include \$1.8 million as proposed for street and maintenance for internal materials and outside contracting.

The Work Session adjourned and Council reconvened in regular session at 6:42 p.m.

EXECUTIVE SESSION

Mayor Armstrong announced that Council would recess into Executive Session at 6:43 p.m., in accordance with:

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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 effect of consent to encroachment of storm drainage easement onto utility easement across Kmart Subdivision property). Miles Risley.

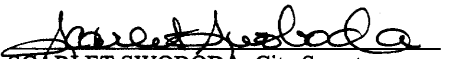
Section 551.072, Texas Government Code, to deliberate the purchase, exchange, lease, or value of real property interests due to the fact that deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third person (including, but not limited to, property being considered for purchase along N. Navarro Street across from Victoria Mall and along Hathaway Street near Target Stores and 12 acres at corner of Hanselman Road and Delmar Drive in City of Victoria). David A. Smith.

Section 551.074, Texas Government Code, with regard to personnel matters (including, without limitation, the evaluation, and duties of city attorney's office, municipal clerk and staffs of each).

The Council reconvened in regular session at 8:54 p.m. and had nothing to report.

There being no further business, the meeting was adjourned at 8:55 p.m.

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

ATTEST: 
SCARLET SWOBODA, City Secretary

VICTORIA CITY COUNCIL
August 24, 2004

CALL TO ORDER

A special meeting of the Victoria City Council was called to order by Mayor Will Armstrong at 5:00 p.m. Tuesday, August 24, 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
- Doug Cochran, Director, Parks and Recreation
- John Kaminski, Director, Planning
- Scarlet Swoboda, City Secretary

CITIZENS COMMUNICATION

Tom Willis, 108 Greenwood, introduced Clarence Wright, the new Executive Director for the Texas Zoo.