

VICTORIA CITY COUNCIL
August 31, 2004

CALL TO ORDER

A special meeting of the Victoria City Council was called to order by Mayor Will Armstrong at 5:02 p.m. Tuesday, August 31, 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
 Tom Halepaska

STAFF PRESENT

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

MEMBERS ABSENT

Jim Wyatt

CITIZENS COMMUNICATION

Cultural Council

Don Truman, Chairman of the Cultural Council, presented a brochure listing the Board of Directors, projects and services provided, and a break down of how funds are spent. He thanked the Council for their support of the arts in Victoria through the funding of the Cultural Council. He introduced LeOlive Rogge, Executive Director of the Cultural Council, and advised that Victoria would be hosting the 25th Annual Texas State Hispanic Genealogical and Historical Conference in September. Mr. Truman advised that the three day conference could potentially provide over \$50,000 in revenue to innkeepers, as well as a significant amount in sales tax dollars to the community.

Parks and Streets

Bobby Ray Hill stated that Riverside Park appeared to be shrinking in size, and requested for the benefit of the public to keep the park as large and useful as possible. He also commented on the good job being done on the various street projects.

Mowing Concerns

Diane Zandonatti expressed concerns with the way the weedy lot program was being handled. She stated that there were two code enforcement officers in the City and five mowing contractors, who were supposed to be on a rotating basis. She stated that she works for one of the mowing contractors, but they had not been called for any mowing jobs. She suggested that perhaps the rotation system was not working the way it was intended to. Ms. Zandonatti distributed a handout which described a program that is being used in Corpus Christi, Kingsville, and Robstown to get rid of abandoned buildings. The National Guard demolishes dilapidated buildings in an effort to clean up the area. She suggested that this type of program might also work in Victoria.

Mayor Armstrong suggested holding a public meeting with individuals in the mowing business to address some of the issues mentioned. Cm. Buckert asked staff to look into the abandoned building program mentioned.

Texas Settlement Region

Barbara Kennedy, Victoria County Director for the Texas Settlement Region, and Linda Wolff, the Regional Coordinator, presented an update on what their group was doing. Ms. Wolff advised that 50,000 copies of the new visitor guides were ready, with half being distributed at the Texas Department of Transportation (TxDot) travel information centers, and the other half would be distributed in the region. She reported that they reach 18,000 to 25,000 visitors a month through

CITY COUNCIL MINUTES**August 31, 2004**

their website. She advised that they were the umbrella for the LaSalle Odyssey Planning Committee, which raised over \$1.1 million for the LaSalle Odyssey Exhibits, including the one at the Museum of the Coastal Bend. That committee continues to meet and are working with the Texas Historical Commission to develop a marketing plan to promote these exhibits nationally and internationally.

ITEMS FROM COUNCIL

Mayor Armstrong read a prepared statement detailing the consensus of the Council that Denny Arnold, City Manager, was deserving of a \$10,000 per year raise, bringing his salary for the budget year beginning October 1, 2004 up to \$132,500. He advised that even with the raise the Manager was still being paid under the average for cities of like size.

PUBLIC HEARINGS

Mayor Armstrong opened a public hearing on the following items:

ORDINANCE 2004-11 - AMENDING SECTIONS 24-121 AND 24-122 OF THE VICTORIA CITY CODE TO CHANGE WATER AND SEWER FEES

The ordinance considers amending Sections 24-121 and 24-122 of the Victoria City Code to change water and sewer fees. First Reading. Lynn Short.

Bill Richter, with the Water Research Group, advised that a new company was forming for the sale of economical desalinization of water, which may be competitive with the river water. He requested that Council give them consideration when they approach the City.

Lynn Short, Director of Utilities, advised that the primary reason for the proposed increases are to fund the repairs and replacement of the existing water and sewer lines beneath the City streets.

Mayor Armstrong asked if there were any questions from Council or the audience. There were none.

ORDINANCE 2004-2005 - APPROVING AND ADOPTING A BUDGET FOR THE CITY OF VICTORIA FOR FISCAL YEAR 2004-2005

The ordinance considers approving and adopting a budget for operating the municipal government of the City of Victoria for the Fiscal Year beginning October 1, 2004, and ending on September 30, 2005. First Reading. Gilbert P. Reyna, Jr.

John Crews, 2505 N. Navarro, representing the Victoria Board of Realtors, stated that citizens pay more taxes every year, and real estate values continue to go up. Revenue from properties could be used to expand city services without increasing the effective tax rate, which would allow a city to grow without penalizing existing property owners.

Clarence Wright, Executive Director with the Texas Zoo, discussed some of the plans for the new zoo, and requested an increase in their annual amount of money received from the City from \$115,000 to \$186,900.

Charles Windwehen, Assistant City Manager, advised that the staff had found a way to include a pay-for-performance program for the police and fire employees who were originally only going to receive a pay adjustment into the budget as requested by Council. Those changes would be included in the second reading of the budget.

Cm. Neitsch stated that he would like to take \$150,000 out of General Fund to improve the pavilion in the park. Mayor Armstrong suggested having a work session at the next meeting before the second reading of the budget.

Mayor Armstrong asked if there were any questions from Council or the audience. There were none.

CITY COUNCIL MINUTES

August 31, 2004

ORDINANCE 2003-2004F – AMENDING THE 2003-2004 FISCAL YEAR BUDGET TO TRANSFER \$500,000 FROM VARIOUS FUNDS TO THE HEALTH FUND LINE ITEM TO PROVIDE FUNDING FOR HEALTH CARE COSTS

The ordinance considers amending the 2003-2004 Fiscal Year Budget of the City of Victoria by transferring \$312,500 from the General Fund fund balance to the Transfer to Health Fund Line Item, transferring \$93,750 from the Water/Wastewater Fund fund balance to the Transfer to Health Fund Line Item, and transferring \$93,750 from the Environmental Services Fund fund balance to the Transfer to Health Fund Line Item, for total transfers of \$500,000, in order to provide funding for additional health care costs in the Health Fund. First Reading. Gilbert P. Reyna, Jr.

Mayor Armstrong asked if there were any questions from Council or the audience. There were none.

RESOLUTION 2004-137R – ANNOUNCING THE DATE AND TIME FOR THE FIRST VOTE ON THE 2004-2005 PROPOSED TAX RATE

The resolution considers setting and announcing the date, time and place of the first vote on the Fiscal Year 2004-2005 proposed tax rate of \$.69 per \$100 valuation to be held on September 7, 2004 at 5:00 p.m. in the City Council Chambers, 107 W. Juan Linn, Victoria, Texas. Gilbert P. Reyna, Jr.

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

RESOLUTION 2004-136R – CONSENTING TO THE FINANCING OF IMPROVEMENTS TO THE COPPERFIELD VILLAGE HEALTH FACILITY

The resolution authorizes consenting to the financing of improvements to the Copperfield Village health facility on East Larkspur Street, which is owned by Lutheran Social Services of the South, Inc. Gilbert P. Reyna, Jr.

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, Halepaska, and Mayor Armstrong

NAYS: None

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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, Halepaska, and Mayor Armstrong

NAYS: None

RESOLUTION 2004-138R – AUTHORIZING THE SOUTH TEXAS AGGREGATION PROJECT, INC. TO NEGOTIATE AN ELECTRICAL SUPPLY AGREEMENT EFFECTIVE JANUARY 1, 2005

The resolution authorizes the South Texas Aggregation Project, Inc. (STAP) to negotiate an electric supply agreement for deliveries of electricity effective January 1, 2005, authorizing the City Manager to execute a contract with STAP for the City of Victoria's 2005 electricity needs, and

CITY COUNCIL MINUTES

August 31, 2004

committing to budget for energy purchases in 2005 to honor the City of Victoria's commitments to purchase power for its electrical needs in 2005 through South Texas Aggregation Project, Inc. (STAP). David A. Smith.

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, Halepaska, and Mayor Armstrong

NAYS: None

ORDINANCE 2004-11 - AMENDING SECTIONS 24-121 AND 24-122 OF THE VICTORIA CITY CODE TO CHANGE WATER AND SEWER FEES

City Attorney, David A. Smith, read the caption of Ordinance 2004-11, which amends Sections 24-121 and 24-122 of the Victoria City Code to change water and sewer fees therein. First Reading. Lynn Short.

Cm. Buckert moved that the ordinance pass on first reading, with Cm. Guittard seconding the motion. The ordinance passed on first reading by the following vote:

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

NAYS: None

Caption:

AN ORDINANCE AMENDING SECTIONS 24-121 AND 24-122 OF THE VICTORIA CITY CODE TO CHANGE WATER AND SEWER FEES THEREIN; REPEALING PARTS OF CONFLICTING ORDINANCES; PROVIDING FOR CODIFICATION AND SAVINGS; PROVIDING FOR SEVERABILITY; AND DECLARING AN EFFECTIVE DATE.

ORDINANCE 2004-2005 - APPROVING AND ADOPTING A BUDGET FOR THE CITY OF VICTORIA FOR FISCAL YEAR 2004-2005

City Attorney, David A. Smith, read the caption of Ordinance 2004-2005, which approves and adopts a budget for operating the municipal government of the City of Victoria for the Fiscal Year beginning October 1, 2004, and ending on September 30, 2005; appropriates money for the various funds and purposes of such budget including appropriations of money to pay interest and principal sinking fund requirements on all indebtedness. First Reading. Gilbert P. Reyna, Jr.

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

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

NAYS: None

Caption:

AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR OPERATING THE MUNICIPAL GOVERNMENT OF THE CITY OF VICTORIA FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2004, AND ENDING ON SEPTEMBER 30, 2005; APPROPRIATING MONEY FOR THE VARIOUS FUNDS AND PURPOSES OF SUCH BUDGET INCLUDING APPROPRIATIONS OF MONEY TO PAY INTEREST AND PRINCIPAL SINKING FUND REQUIREMENTS ON ALL INDEBTEDNESS; REPEALING ALL CONFLICTING ORDINANCES AND APPROPRIATIONS; PROVIDING FOR SEVERABILITY; AND DECLARING AN EFFECTIVE DATE.

CITY COUNCIL MINUTES

August 31, 2004

ORDINANCE 2003-2004F - AMENDING THE 2003-2004 FISCAL YEAR BUDGET TO TRANSFER \$500,000 FROM VARIOUS FUNDS TO THE HEALTH FUND LINE ITEM TO PROVIDE FUNDING FOR HEALTH CARE COSTS

City Attorney, David A. Smith, read the caption of Ordinance 2003-2004F, which amends the 2003-2004 Fiscal Year Budget of the City of Victoria by transferring \$312,500 from the General Fund fund balance to the Transfer to Health Fund Line Item, transferring \$93,750 from the Water/Wastewater Fund fund balance to the Transfer to Health Fund Line Item, and transferring \$93,750 from the Environmental Services Fund fund balance to the Transfer to Health Fund Line Item, for total transfers of \$500,000, in order to provide funding for additional health care costs in the Health Fund. First Reading. Gilbert P. Reyna, Jr.

Cm. Neitsch moved that the ordinance pass on first reading, with Cm. Guittard seconding the motion. The ordinance passed on first reading by the following vote:

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

NAYS: None

Caption:

AN ORDINANCE AMENDING THE 2003-2004 FISCAL YEAR BUDGET OF THE CITY OF VICTORIA BY TRANSFERRING \$312,500.00 FROM THE GENERAL FUND FUND BALANCE TO THE TRANSFER TO HEALTH FUND LINE ITEM, TRANSFERRING \$93,750.00 FROM THE WATER/WASTEWATER FUND FUND BALANCE TO THE TRANSFER TO HEALTH FUND LINE ITEM, AND TRANSFERRING \$93,750.00 FROM THE ENVIRONMENTAL SERVICES FUND FUND BALANCE TO THE TRANSFER TO HEALTH FUND LINE ITEM, FOR TOTAL TRANSFERS OF \$500,000.00, IN ORDER TO PROVIDE FUNDING FOR ADDITIONAL HEALTH CARE COSTS IN THE HEALTH FUND, REPEALING ALL CONFLICTING ORDINANCES, PROVIDING FOR SEVERABILITY; AND DECLARING AN EFFECTIVE DATE.

EXECUTIVE SESSION

Mayor Armstrong announced that Council would recess into Executive Session at 6:23 p.m., in accordance with:

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, the purchase of all or part of approximately 11.776 acres at or near Hanselman Road or at or near Tract 1 of Farm Lot 4, Block 2, Range 6, East Above Town). Miles Risley.

Section 551.074, Texas Government Code, with regard to personnel matters (including, without limitation, the appointment, employment, evaluation, and duties of the officers of the City who are appointed by the City Council pursuant to the Charter of the City of Victoria). Scarlet Swoboda.

The Council reconvened in regular session at 7:38 p.m. and had nothing to report.

There being no further business, the meeting was adjourned at 7:39 p.m.

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

ATTEST: 
SCARLET SWOBODA, City Secretary