

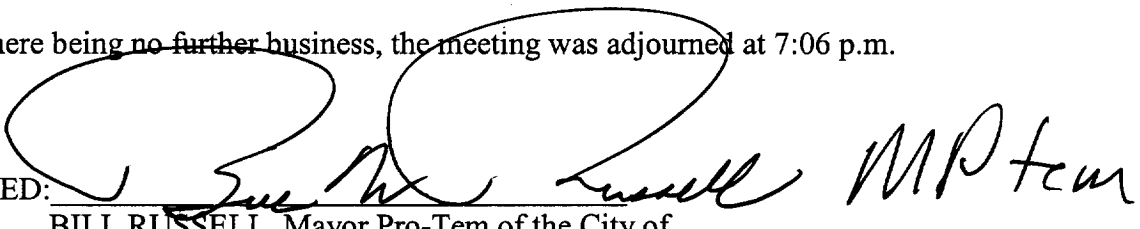
CITY COUNCIL MINUTES
January 4, 2005

Section 551.074, Texas Government Code, with regard to personnel matters (including, without limitation, the evaluation and duties of all public officers and employees appointed by the City Council pursuant to the Charter of the City of Victoria). David A. Smith.

The Council reconvened in regular session at 7:05 p.m. and had nothing to report.

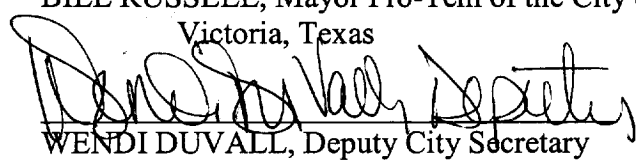
There being no further business, the meeting was adjourned at 7:06 p.m.

APPROVED:



BILL RUSSELL, Mayor Pro-Tem of the City of
Victoria, Texas

ATTEST:



WENDI DUVALL, Deputy City Secretary

VICTORIA CITY COUNCIL
January 18, 2005

CALL TO ORDER

A regular meeting of the Victoria City Council was called to order by Mayor Will Armstrong at 5:00 p.m. Tuesday, January 18, 2005 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 – arrived at 5:10
Shirley Buckert
Jim Wyatt
Tom Halepaska

STAFF PRESENT

Denny Arnold, City Manager
Charles Windwehen, Assistant City Manager
David A. Smith, City Attorney
Miles Risley, Senior Assistant City Attorney
John Johnston, Director, Public Works
Ray Miller, Assistant Director, Planning
Richard Jones, Chief of Police
Lynn Short, Director, Utilities
Steve Trevino, Director, IMS
Doug Cochran, Director, Parks and Recreation
Charmelle Garrett, Director, Human Resources
Scarlet Swoboda, City Secretary

OTHERS PRESENT

Dale Fowler, Executive Director, Victoria Economic Development Corporation (VEDC)

APPROVAL OF MINUTES

The minutes of the regular meeting of January 4, 2005 were approved as presented.

ITEMS FROM COUNCIL

Cm. Wyatt commended Police Chief Richard Jones and his staff on their presence at the Martin Luther King, Jr. march held on January 17, 2005.

CITIZENS COMMUNICATION

Mayor Armstrong recognized the Boy Scouts in attendance.

Convention and Visitors Plan

Phyllis Hunt, Chief Executive Officer of the Chamber of Commerce presented a Power point display on the Tourism Task Force and Strategic Planning Sessions. She advised that the committee consisted of local businesses, community leaders, and tourism professionals. Ms. Hunt stated that their goal was to increase the "heads in beds" by at least 10%. She advised that it was their desire to have a more visible and restructured Visitors Bureau, more signage in and around town, and the continuation of the "Keep Victoria Beautiful" Campaign. Ms. Hunt stated that a convention center was needed in Victoria, and further advised that she was in contact with one of the local hotels and a private business about the possibility of expanding their facilities to attract larger conferences and special events. She thanked the Council for their continued support.

PUBLIC HEARINGS

Mayor Armstrong opened a public hearing on the following items:

ORDINANCE 2005-2 – DESIGNATING A REINVESTMENT ZONE AND TAX ABATEMENT FOR FROST INSURANCE COMPANY AT 6835 N. NAVARRO

The ordinance considers the Reinvestment Zone and Tax Abatement of Frost Insurance Agency, Inc. and KDT Partnership---public hearing to include the creation of the proposed reinvestment zone, the boundaries of the proposed reinvestment zone, whether all or part of the territory should be included in the proposed reinvestment zone, the concept of tax abatement, and whether the City should enter into a tax abatement agreement with Frost Insurance Agency, Inc. and KDT Partnership. Dale Fowler.

Dale Fowler, Executive Director, VEDC and Jim Delane, Victoria Region President for Frost Insurance, advised that the regional service center will do back office processing for a number of cities in the region and create new jobs in Victoria.

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

ORDINANCE 2005-3 – AMENDING SECTIONS 5-20 THROUGH 5-26 OF THE VICTORIA CITY CODE TO ELIMINATE MUNICIPAL LICENSING REQUIREMENTS FOR SELECT BUILDERS AND ELECTRICIANS

The ordinance considers amending Sections 5-20 through 5-26, of the Victoria City Code, to eliminate municipal licensing requirements for (1) builders registered with the Texas Residential Construction Commission and (2) electricians, who are now licensed by the State. Steve Trevino.

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**Improvements to Riverside Stadium**

Jack Daniels, 322 Spur, representing the Friends of Baseball thanked the Council for their support and assistance in funding for the renovation of Riverside Stadium. He advised that his group had been very successful in fund raising efforts as well as receiving donations from local businesses. He advised that the restrooms and seating would be ADA compliant upon completion. The grand stands had been restored to the original color and the seats had been replaced with replicas of the original seats made out of a polyurethane product. He advised that all restoration had been done in compliance with current building code requirements. Future projects would include the continued replacement of bleacher seating, public walkways, brick paving, fencing, and lighting all to comply with NCAA standards. The ultimate goal for the stadium is to attract playoff and college games to Victoria.

CITY COUNCIL MINUTES
January 18, 2005**City Health Plan**

Neal Welch, representing the Welch Company, reported on the clinical and financial affects of making the health insurance decisions that were made in 2005. He advised that in 2004, a full-scale Disease Management Program was added, which includes wellness checks, certain types of screenings and tests, and recommended lifestyle changes. He advised that this is a voluntary program intended to reduce catastrophic claims. Through continued work and initiatives, it is hoped that medical inflation can be beat by at least 50% to continue to be manageable and affordable for everyone.

2030 Metropolitan Transportation Plan

Ray Miller, Assistant Planning Director, presented a handout that outlined the Metropolitan Transportation Plan, which is required to be updated every five years. The last update was in 1999, with approximately \$89.9 million in transportation projects completed or "let" for construction. Approximately 96.5% of those funds were allocated to roadway projects. He announced that there would be a public meeting regarding the proposed Metropolitan Transportation Plan on Wednesday, January 26, 2005, at 700 Main, Suite 204. Council requested the traffic counts from 20 years ago on highways and roads in Victoria before the meeting on January 26th.

Fiscal Year 2004-2005 Street Maintenance

John Johnston, Director of Public Works, presented a handout outlining the 2004-05 reclaim/overlay projects. Mr. Johnson requested that Council look at the proposed projects outlined in the handout and give staff the necessary direction by the February 1, 2005 meeting so they may move forward with the budgeted projects this year.

Community Center Fees

Doug Cochran, Director of Parks and Recreation, presented a recap from the last meeting where he proposed a fee structure change for the Community Center. Council directed staff to prepare an ordinance for the next Council meeting.

Softball Complex

Doug Cochran, Director of Parks and Recreation, proposed an amendment to the softball fee structure with the support of the softball players.

RESOLUTION 2005-9R – AUTHORIZING PRIVATE WATER WELL PERMITS FROM CENTRAL POWER & LIGHT TO VICTORIA WLE, L.P.

The resolution was pulled from agenda.

RESOLUTION 2005-10R – AUTHORIZING THE PURCHASE OF TWO 2004 25-CUBIC YARD TANDEM AXLE REAR LOADING GARBAGE TRUCKS FROM GULF INTERNATIONAL TRUCKS

The resolution authorizes the purchase of two 2004 25-Cubic Yard Tandem Axle Rear Loading Garbage Trucks from Gulf International Trucks of Victoria, Texas, in the total amount of \$176,853.74, minus the trade-ins of two 1997 International 4900's with rear loading Pak-Mor 25 cubic yard packer bodies in the amount of \$30,000, for a total cost of \$146,853.74. Steve Trevino.

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

CITY COUNCIL MINUTES

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RESOLUTION 2005-11R – ACCEPTING AN APPLICATION FOR TAX ABATEMENT FROM RODNEY A. MUTSCHLER AND ELDER DISTRIBUTING, INC.

The resolution accepts an application for Tax Abatement from Rodney A. Mutschler and Elder Distributing, Inc., for Lot 1, Block 1 of Coors Distributing Subdivision No. 1, located at the intersection of Lone Tree Road and Sparkman Road, and sets a public hearing for consideration of such application. Dale Fowler.

Miles Risley, Assistant City Attorney, advised that the date in paragraph two needed to be changed from 2004 to 2005.

Cm. Buckert moved to amend the resolution by changing the date of the public hearing from February 15, 2004 to February 15, 2005 as recommended, with Cm. Wyatt seconding the motion. The resolution was amended by the following vote:

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

NAYS: None

ORDINANCE 2005-2 - DESIGNATING A REINVESTMENT ZONE AND TAX ABATEMENT FOR FROST INSURANCE COMPANY AT 6835 N. NAVARRO

City Attorney, David A. Smith, read the caption of Ordinance 2005-2, which determines that the Application for Designation of a Reinvestment Zone and Tax Abatement of Frost Insurance Agency, Inc. and KDT Partnership meets the criteria for designating a reinvestment zone; designated as Lot 1, Block 1, Lonesome Oak Business Park, located at/near 6835 N. Main Street, Victoria, Texas; establishes the boundaries thereof and other matters relating thereto; determines that the City of Victoria intends to enter into an agreement for Tax Abatement with Frost Insurance Agency, Inc. and KDT Partnership; establishes requirements for said agreement. First Reading. Dale Fowler.

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

NAYS: Council Member Guittard

Caption:

AN ORDINANCE DETERMINING THAT THE APPLICATION FOR DESIGNATION OF A REINVESTMENT ZONE AND TAX ABATEMENT OF FROST INSURANCE AGENCY, INC. AND KDT PARTNERSHIP MEETS THE CRITERIA FOR DESIGNATING A REINVESTMENT ZONE; DESIGNATED AS LOT 1, BLOCK 1, LONESOME OAK BUSINESS PARK, LOCATED AT/NEAR 6835 N. MAIN STREET, VICTORIA, TEXAS; ESTABLISHING THE BOUNDARIES THEREOF AND OTHER MATTERS RELATING THERETO; DETERMINING THAT THE CITY OF VICTORIA INTENDS TO ENTER INTO AN AGREEMENT FOR TAX ABATEMENT WITH FROST INSURANCE AGENCY, INC. AND KDT PARTNERSHIP; ESTABLISHING REQUIREMENTS FOR SAID AGREEMENT; PROVIDING FOR SEVERABILITY; AND DECLARING AN EFFECTIVE DATE.

CITY COUNCIL MINUTES

January 18, 2005

ORDINANCE 2005-3 - AMENDING SECTIONS 5-20 THROUGH 5-26 OF THE VICTORIA CITY CODE TO ELIMINATE MUNICIPAL LICENSING REQUIREMENTS FOR SELECT BUILDERS AND ELECTRICIANS

City Attorney, David A. Smith, read the caption of Ordinance 2005-3, which amends Sections 5-20 through 5-26 of the Victoria City Code to eliminate municipal licensing requirements for builders registered with the Texas Residential Construction Commission and electricians. First Reading. Steve Trevino.

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, Wyatt, Halepaska, and Mayor Armstrong

NAYS: None

Caption:

AN ORDINANCE AMENDING SECTIONS 5-20 THROUGH 5-26 OF THE VICTORIA CITY CODE TO ELIMINATE MUNICIPAL LICENSING REQUIREMENTS FOR BUILDERS REGISTERED WITH THE TEXAS RESIDENTIAL CONSTRUCTION COMMISSION AND ELECTRICIANS; PROVIDING A PENALTY NOT TO EXCEED \$500.00 FOR EACH VIOLATION; PROVIDING FOR ENFORCEMENT; PROVIDING FOR REPEAL OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR CODIFICATION; PROVIDING FOR PUBLICATION; AND DECLARING AN EFFECTIVE DATE.

ORDINANCE 2005-1 - AMENDING CHAPTER 24 "FEES" TO CHANGE MISCELLANEOUS FEES

City Attorney, David A. Smith, read the caption of Ordinance 2005-1, which amends Chapter 24 of the Victoria City Code to change miscellaneous fees therein. Second and Third Reading. Miles Risley.

Doug Cochran, Director of Parks and Recreation, proposed the following amendment:

<u>League</u>	<u>Cost</u>	<u>Number Games</u>
Spring League	\$250	10
Summer	\$300	12
Fall	\$200	8

Change field rentals from \$225/day to \$75/day.

Cm. Neitsch moved to amend the ordinance to reflect the softball fee changes as presented, with Cm. Guittard seconded the motion. The ordinance was amended by the following vote:

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

NAYS: None

Cm. Buckert moved that the ordinance pass on second and third reading, with Cm. Neitsch seconding the motion. The ordinance passed, as amended, 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 AMENDING CHAPTER 24 OF THE VICTORIA CITY CODE TO CHANGE MISCELLANEOUS FEES THEREIN; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR CODIFICATION; AND DECLARING AN EFFECTIVE DATE.

EXECUTIVE SESSION

Mayor Armstrong announced that Council would recess into Executive Session at 6:29 p.m., in accordance with:

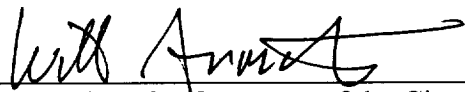
Section 551.071, Texas Government Code, consultation with attorney on matter involving litigation or potential litigation in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act (including, but not limited to, possible City purchase of water rights). David A. Smith.


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, possible City purchase of water rights). David A. Smith.

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.

The Council reconvened in regular session at 8:06 p.m. and had nothing to report.

There being no further business, the meeting was adjourned at 8:07 p.m.

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

ATTEST: 
SCARLET SWOBODA, City Secretary
