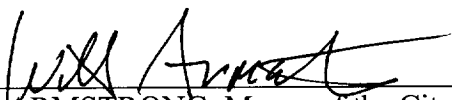



CITY COUNCIL MINUTES
November 7, 2006

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 party (including, but not limited to, the value of real property interests at the City's landfill). 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. David A. Smith.

The Council reconvened in regular session at 6:52 p.m. with nothing to report. There being no further business, the meeting was adjourned at 6:53 p.m.

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

ATTEST: 
SCARLET SWOBODA, City Secretary

VICTORIA CITY COUNCIL
November 14, 2006

CALL TO ORDER

A special meeting of the Victoria City Council was called to order by Mayor Will Armstrong at 5:01 p.m. Tuesday, November 14, 2006 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
Paul Polasek
David Hagan
Jim Wyatt
Tom Halepaska

STAFF PRESENT

Charles Windwehen, City Manager
Charmelle Garrett, Assistant City Manager
David A. Smith, City Attorney
Miles Risley, Senior Assistant City Attorney
Jerry James, Director, Environmental Services
Doug Cochran, Director, Parks and Recreation
Scarlet Swoboda, City Secretary

CITIZENS COMMUNICATION

No one wished to address Council.

ITEMS FROM COUNCIL

Cm. Halepaska distributed the draft of what paddling trails might look like along the Guadalupe River.

CITY MANAGER REPORTS

Lighting for Youth Sports Complex

Charles Windwehen, City Manager, announced that bids for the Youth Sports Complex were planned to be opened on December 6, 2006. He advised that the Victoria Sales Tax Development Corporation (VSTDC) would be awarding the contract. He further advised that language in the

CITY COUNCIL MINUTES

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contract would allow the City to buy its own lights if the price comparison would save money. The plan would also include a very strong twenty-five year warranty in the specs. Doug Cochran, Director of Parks and Recreation advised that the ball field would be the first of three separate contracts. The second contract would be for the buildings and concession stands, with the third contract for the parking lot.

Miles Risley, Senior Assistant City Attorney advised that bonds would be issued by the VSTDC, the contract itself would be let by the VSTDC, and the award of the contract would be made by the VSTDC Board of Directors. He further advised that City Council had already approved the project.

Cm. Wyatt requested that the City Council be able to review the bid specs and contract documents before going out for bid. He stated that the Council had worked very hard on the details, by working with the community, Parks Commission, and City staff, so he would like to see them before there was any approval, to avoid any oversight.

RESOLUTION 2006-198R – AUTHORIZING A LETTER OF INTENT WITH ALLIED WASTE, INC. (FORMERLY BFI) TO PROVIDE FOR EARLY TERMINATION OF THE CITY’S CONTRACT

The resolution authorizes the City Manager to execute a Letter of Intent with Allied Waste, Inc. (formerly BFI) to provide for early termination of the City’s contract with said entity on June 1, 2007, subject to agreement concerning final closure costs. 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, Polasek, Hagan, Wyatt, Halepaska, and Mayor Armstrong
NAYS: None

RESOLUTION 2006-199R – RATIFYING A MEMORANDUM OF UNDERSTANDING WITH THE U.S. DEPARTMENT OF COMMERCE AND THE CITY OF CORPUS CHRISTI TO FUND HALF OF THE COST OF OPERATING A DOPPLER WIND PROFILER IN BEEVILLE BY THE NATIONAL OCEANIC AND ATMOSPHERIC ADMINISTRATION (NOAA)

The resolution ratifies the City Manager’s execution of a Memorandum of Understanding with the U.S. Department of Commerce and the City of Corpus Christi to fund half of the cost of operating a Doppler Wind Profiler in Beeville by the National Oceanic and Atmospheric Administration (NOAA) for air quality research in the amount of \$25,000 funded by the Texas Commission on Environmental Quality State Funded Grant Agreement Contract No. 582-6-70889. Jerry James.

Cm. Neitsch 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, Polasek, Hagan, Wyatt, Halepaska, and Mayor Armstrong
NAYS: None

RESOLUTION 2006-200R – AUTHORIZING A COMMERCIAL CONTRACT TO SELL 14,526 SQUARE FEET OF LAND LOCATED AT THE CORNER OF BEN JORDAN ST. AND HOUSTON HIGHWAY 59B TO MILTON KILLEBREW

The resolution authorizes a commercial contract to sell 14,526 square feet of land with no public vehicular access located at the corner of Ben Jordan St. and Houston Highway 59B (formerly a portion of Stan’s Texaco location), to Milton Killebrew for \$3.00 per square foot, or \$43,578 cash. David A. Smith.

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

AYES: Council Members Guittard, Neitsch, Polasek, Hagan, Wyatt, Halepaska, and Mayor Armstrong

NAYS: None

WORK SESSION

Mayor Armstrong announced that the Council would recess into a Work Session at 5:12 p.m.

Environmental Service Fund and Other Issues Related to Solid Waste Pickup and Disposal

Jerry James, Director of Environmental Services advised that the current cost for the City is \$19.58 per month, per customer for residential garbage and brush pickup, and would cost \$16.45 without brush pickup. The customer is charged \$13.75 per month. He advised that the City tries to recoup the cost of service by subsidizing with the landfill fees; another way would be to raise the residential collection rates so that the consumer pays for the service.

A Solid Waste Collections Analysis was presented by Dave Yanke with R.W. Beck. The purpose of the study was to determine whether there was a more economically efficient way to provide residential collection while continuing to provide a high level of service for residents. The study provided information on the current residential refuse collection, once a week vs. twice a week collection, semi-automated vs. fully-automated cart collection, current equipment costs, and personnel costs. Cart collections allow for once a week collection which is less expensive, it's easier to balance the collection time per route, promotes recycling, there is less risk for worker injury, and cleaner streets. Also, fewer trucks on the road would improve the air quality and ozone levels. Mr. Yanke advised that there were three different size trash containers (carts), which would allow for flexibility to those individuals that may not be able to handle the standard 96 gallon cart. The other size carts are 64 gallon and 32 gallon. He also stated that there were other options for those increased trash times, such as the holidays and moving events. Some other cities use a sticker program and some use craft paper bags for yard waste. The paper bags unlike plastic would decompose and could be purchased at local retail stores.

It was the recommendation of the consultants and City staff to go with the once a week automated collection scenario and phase it in over a three-year period. Although there would be initial startup costs with this proposal, the accumulated decrease in operating costs for the City by the year 2010 was projected to be \$412,522. Charles Windwehen, City Manager, stated that this proposal was a best business practice and hoped the Council would seriously consider it, by starting with a pilot program with two routes in the northern part of the City and two routes in the southern part of the City. It was further noted that if the proposal was rejected garbage rates would need to be increased approximately \$5 a month.

EXECUTIVE SESSION

Mayor Armstrong adjourned the Work Session at 7:31 p.m. and announced that Council would recess into Executive Session at 7:32 p.m., in accordance with:

Section 551.071, Texas Government Code, consultation with attorney on matter involving litigation, potential litigation or other matter 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 issues surrounding early termination of landfill contract). 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 party (including, but not limited to, the value of real property interests at the City's landfill). 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


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or near the territory of the City of Victoria and with which the City of Victoria is conducting economic development negotiations. David A. Smith.

The Council reconvened in regular session at 8:09 p.m. with nothing to report. There being no further business, the meeting was adjourned at 8:10 p.m.

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

ATTEST: 
 SCARLET SWOBODA, City Secretary

VICTORIA CITY COUNCIL
November 21, 2006

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, November 21, 2006 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
 Paul Polasek
 David Hagan
 Jim Wyatt
 Tom Halepaska

STAFF PRESENT

Charles Windwehen, City Manager
 Charmelle Garrett, Assistant City Manager
 David A. Smith, City Attorney
 Miles Risley, Senior Assistant City Attorney
 John Johnston, Director, Public Works
 John Kaminski, Director, Planning
 Richard Jones, Chief of Police
 Lynn Short, Director, Utilities
 Steve Trevino, Director, IMS
 Jerry James, Director, Environmental Services
 Scarlet Swoboda, City Secretary

APPROVAL OF MINUTES

The minutes of the regular meeting of November 7, 2006 were approved as presented.

CITIZENS COMMUNICATION

Elgin Janssen, 2713 Oak Drive, Bay City, Texas, representing AEP Texas who has filed a change in current tariffs advised that he came to furnish information to the Council when they address the resolution later in the meeting.

Carlos Padilla, 2815 E. Odem Street, expressed concerns with the size of the trash cans being proposed, suggesting that the elderly and handicapped individuals may have difficulty getting the cans out to the curb. He also expressed concerns with City staff going onto private property to assist with getting those customers trash containers to the curb.

ITEMS FROM COUNCIL

Cm. Halepaska commended the City Departments that did the work to improve the river access in Riverside Park for the paddling trails.