

**VICTORIA CITY COUNCIL**  
**December 12, 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, December 12, 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  
Doug Cochran, Director, Parks and Recreation  
Vance Riley, Director, Fire and EMS  
Steve Trevino, Director, IMS  
Brian Jahn, Traffic Engineer  
Scarlet Swoboda, City Secretary

**OTHERS PRESENT**

Bob Henderson, Financial Advisor  
Noel Valdez, Bond Attorney

**CITIZENS COMMUNICATION**

Tom Tucker, 112 Yucca, expressed support as both a homeowner in Tropical Acres and as a realtor for the establishment of quiet zones at the railroad crossings. He encouraged the Council to pursue the issue and offered to lend whatever support he could.

**ITEMS FROM COUNCIL**

Cm. Halepaska gave a brief update on a meeting held with Texas Parks and Wildlife concerning the paddling trail in Riverside Park. He advised that they were very complimentary of the progress so far. He also reported that at the organizational meeting of the local paddling club the group elected a President. He added that there seemed to be a lot of enthusiasm and momentum going and asked Council for permission to explore the possibility of another river access site somewhere in the City.

David A. Smith, City Attorney, advised that the City owned a small piece of property behind Anchor Lumber Yard that could possibly be used as a launching site. There was Council consensus to move forward with that suggestion.

**PUBLIC HEARINGS**

Mayor Armstrong opened a public hearing on the following item:

**RESOLUTION 2006-224R – AUTHORIZING ISSUANCE OF MEDICAL TRANSFER SERVICE PERMITS TO COASTAL MEDICAL SERVICE OF TEXAS, REGIONAL AMBULANCE SERVICE, SOUTHERNCROSS AMBULANCE, INC., QUALITY AMBULANCE SERVICE, AND AMERICANA AMBULANCE, INC.**

The resolution considers issuance of Medical Transfer Services Permits to Coastal Transportation Services, Inc. d/b/a Coastal Medical Service of Texas; ALS Ambulance Services, Inc. d/b/a Regional Ambulance Service; Craig Le Blanc d/b/a Southerncross Ambulance, Inc.; Charles Sargent d/b/a Quality Ambulance Service; and Jaime Rios d/b/a Americana Ambulance, Inc. Scarlet Swoboda.

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****Youth Sports Complex**

Doug Cochran, Director of Parks and Recreation, presented information on bids from the two contractors that bid on the Youth Sports Complex Project. He advised that the bids came in higher than anticipated primarily due to concrete and steel prices. The recommendation for awarding the bid was to Krueger Construction Company for the base bid of \$4.5 million. In addition it was recommended to increase the fence height to eight foot, which would act as a perimeter fence and also make it more difficult for the youth to hit the balls over the fence. He reviewed the assumption of costs of the three separate contracts to complete the project, with a total cost of \$10,300,100.

1. Fields: Lights, fields, grass, fencing, bleachers, shade structures, irrigation, and drainage.
2. Buildings: Concession stand, restrooms, maintenance building, and storage for girls softball and little league.
3. Primary Parking Facilities

It was the consensus of Council to move forward with the entire project as presented.

**Railroad Quiet Zones**

Miles Risley, Senior Assistant City Attorney and Brian Jahn, Traffic Engineer, presented information on establishing railroad crossing quiet zones. They advised that quiet zones could only be established at crossings that had lights and crossing gates, they must be half a mile in length, and then only if supplemental safety measures were established. The additional safety measures would cost approximately \$250,000 to \$500,000 each crossing depending on type installed. Application to establish quiet zones would have to be submitted to the Federal Railroad Administration for approval. Mr. Jahn advised that even with the establishment of a quiet zone, train engineers could still blow the train horn at those crossings. It was noted that closing crossings was another option to consider.

Charles Windwehen, City Manager, stated that if the Council wanted to consider doing this in some areas of the City or the entire area, he suggested considering this expense at the same time that other capital improvement projects were taken under consideration. He suggested weighing the value of this project to the other needs in the community, then determine if it deserves to be funded or not.

Mayor Armstrong requested a break out of costs on closing some crossings, putting a price on the Yucca crossing near Tropical Acres, and going all the way through town on Main Street, out the Goliad Highway, and Port Lavaca Highway.

**RESOLUTION 2006-223R – AWARDING THE BID FOR ONE YEAR MODEL 2007 LOADER/BACKHOE WITH EXTENDAHOE TO HLAVINKA EQUIPMENT CO.**

The resolution awards the bid for the purchase of one Year Model 2007 Loader/Backhoe with Extendahoe to Hlavinka Equipment Co. of Rosenberg, Texas in the amount of \$63,792, minus trade-in credit of \$15,000 for a 1993 Case 590 backhoe, plus \$2,500 for a 5 year/5,000 hour extended warranty with a guaranteed repurchase price of \$32,000, for a total cost of \$51,292. Steve Trevino.

Cm. Wyatt 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

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Cm. Neitsch moved that the resolution be adopted, with Cm. Hagan 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 2006-225R – APPROVING A RESOLUTION OF THE VICTORIA SALES TAX DEVELOPMENT CORPORATION WITH RESPECT TO THE ISSUANCE OF \$8,400,000 OF SALES TAX REVENUE BONDS, SERIES 2007**

The resolution approves a resolution of the Victoria Sales Tax Development Corporation with respect to the issuance of \$8,400,000 of Sales Tax Revenue Bonds, Series 2007, to finance the acquisition, construction and equipping of a sports venue project, including related infrastructure, and approves other matters related thereto including a sales tax remittance agreement and a project agreement; and provides for an immediate effective date. Bob Henderson, Financial Advisor and Noel Valdez, Bond Attorney.

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

**RESOLUTION 2006-226R – AUTHORIZING AN INTERLOCAL PARTICIPATION AGREEMENT WITH THE LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD)**

The resolution authorizes an Interlocal Participation Agreement with the Local Government Purchasing Cooperative (Buyboard) and all other documents necessary to allow for the purchasing of products from said purchasing cooperative. Doug Cochran.

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 2006-227R – RATIFYING OF A ONE TO FOUR FAMILY RESIDENTIAL CONTRACT (EARNEST MONEY CONTRACT) FOR THE PURCHASE OF PROPERTY LOCATED AT 3303 N. VINE OWNED BY ERIC AND WENDY HERMAN**

The resolution ratifies a One to Four Family Residential Contract (Earnest Money Contract) for the purchase of Tract 5 of Farm Lot 3, Block 3, Range 1, East Above Town, Original Four League Grant to the Town of Victoria, also known as 3303 N. Vine, from Eric and Wendy Herman in the amount of \$23,000 and authorizes acceptance thereof. David A. Smith.

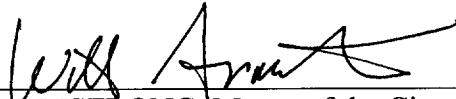
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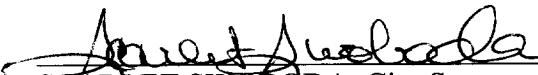
Cm. Wyatt moved that the resolution be adopted, with Cm. Neitsch seconding the motion. The resolution was adopted by the following vote:

AYES: Council Members Guittard, Neitsch, Polasek, Hagan, Wyatt, Halepaska, and Mayor Armstrong  
NAYS: None

**EXECUTIVE SESSION**

Mayor Armstrong announced that there was no need for an Executive Session. There being no further business, the meeting was adjourned at 6:09 p.m.

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

ATTEST:   
SCARLET SWOBODA, City Secretary

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