

CITY COUNCIL MINUTES
April 3, 2007

EXECUTIVE SESSION

Mayor Armstrong announced that Council would recess into Executive Session at 7:13 p.m., in accordance with:

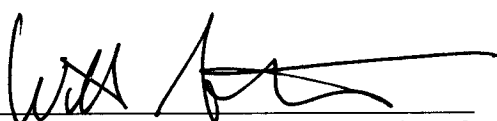
Section 551.071, Texas Government Code, consultation with attorney on matter involving pending or contemplated litigation or other matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act. David A. Smith.

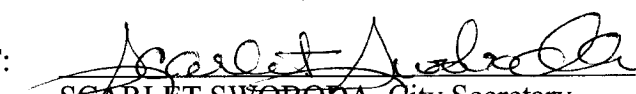
Section 551.072, Texas Government Code, to deliberate the purchase, exchange, lease, or value of real property interests due to the fact that deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third party. David A. Smith.

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.

Section 551.074, Texas Government Code, with regard to personnel matters (including, without limitation, the appointment, employment, evaluation, and duties of the City Manager and the Members of the Building, Mechanical, and Plumbing Boards of Adjustments and Appeals). Scarlet Swoboda.

The Council reconvened in regular session at 8:12 p.m. with no action taken and nothing to report. There being no further business, the meeting was adjourned at 8:13 p.m.

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

ATTEST: 
 SCARLET SWOBODA, City Secretary

VICTORIA CITY COUNCIL
April 17, 2007

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, April 17, 2007 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 E. Windwehen, City Manager
- Charmelle Garrett, Assistant City Manager
- Miles Risley, Senior Assistant City Attorney
- Gilbert P. Reyna, Jr., Director, Finance
- John Johnston, Director, Public Works
- Rick Henrichs, Director, IT
- Doug Cochran, Director, Parks and Recreation
- James Stewart, Director, Library
- Lynn Short, Director, Utilities
- Steve Trevino, Director, IMS
- Vance Riley, Fire Chief
- Scarlet Swoboda, City Secretary

APPROVAL OF MINUTES

The minutes of the regular meeting of April 3, 2007 were approved as presented.

CITIZENS COMMUNICATION**Zoo Report**

Eddie Overbay, Director of Operations and Animal Care for the Texas Zoo, gave a brief update on the zoo operations. He announced that the last two tiger cubs were traded for some baboons and a new exhibit would be built for them. The zebras would be leaving and going to a zoo in Pennsylvania, and the zebra exhibit would be totally redone to bring in giraffes. The Education Station and the aviary would be opening back up soon, with some new birds being brought in. He also announced the annual fundraiser was coming up and the theme would be "Authentic Luau."

Tax Rate Concerns

Jack A. Mullins, 224 Ridgewood Drive, addressed Council for approximately 20 minutes on a variety of topics. His main focus was the tax rate and how it affects the residents. He addressed concerns with economic development, tax abatements, and the school districts bond issue, the lack of population growth in the city, higher property valuations, and higher tax rates. He expressed concerns that higher tax rates trickle down from businesses to the customers in the form of higher prices. He stated that the median household income in Victoria was approximately \$37,000 to \$38,000 a year, suggesting the poor suffer the most. He questioned the logic of building a sports complex and a new subdivision in an area of town that statistics indicate people are moving away from. He suggested that the Council had a distortion of spending priorities such as garbage collection and disposal, and a sports complex over the utilities in downtown Victoria.

Mr. Mullins suggested that the low cost of business was a big attraction for businesses and Victoria does not rank very well on that. He presented a nationwide publication on best places to live, noting that Victoria was in the bottom one-quarter of the report. He also expressed concerns with the Trans Texas Corridor and passed out information that directly addressed ethanol plants.

Garbage Collection Concerns

Russell Pruitt, 402 Sherwood, requested that Council hold public hearings on the garbage collection situation. He stated that the City does a good job with the current collection process and encouraged Council to reconsider so employees do not lose their jobs. He also objected to the once-a-week collection and thought the City was making a mistake.

Cm. Halepaska responded that City employees would still be doing the collection and employees would not be losing their jobs; the only change was that the trucks would be automated. He reassured the audience that this decision was based on economic reasons and the collection process was not being outsourced. He advised that there had been numerous meetings and public hearings on this subject, stating that 70 percent of the communities have already gone to once-a-week automated systems, and they have been very positive. The only communities that were not happy about it were the ones that went to an outside contractor.

ITEMS FROM COUNCIL

Cm. Neitsch requested that the Legal Department look at what legally could be done to address some type of code enforcement when dealing with bees on neighboring property.

CITY MANAGER REPORTS

- **Library Update** - James Stewart, Library Director, reported that information from the public indicated that they wanted the Library to be a destination. The current budget includes replacement of carpeting, repainting the interior, installing a fire alarm system, redoing the public restrooms, and re-wiring and re-cabling the Library to accommodate the use of public computers. The Friends of the Library provided funds to hire a consultant to look at the interior of the library to reflect a building that was appealing when entering the front door.

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The recommendations were to flip the layout of the Library using a nautical theme and moving the children's department closer to the front of the building. Existing furniture would be refurbished and reused and the existing colors would continue to be used. He stated that they would try to keep inconvenience to the public at a minimum during the remodeling.

- **New Fire Apparatus** – Vance Riley, Fire Chief, announced that the new pumper was outside for viewing.
- **Capital Improvement Plan Projects Quarterly Report** - John Johnston, Public Works Director presented the April 2007 report and offered to answer questions. There were none.
- **Proposed Skatepark** - Doug Cochran, Director of Parks and Recreation, reported that public meetings had been held and he had receive good feedback. He planned to bid the project in late summer/early fall and start construction in the fall with hopes to have it completed in the spring of 2008 around the same time as the opening of the ball fields.
- **Sports Complex** – Mr. Cochran advised that there were several change orders needed: (1) \$6,000 to enlarge the softball infield to accommodate different pitching dimensions, (2) \$4,000 for warning track on championship fields, (3) \$2,500 on distance from foul line to the fence, and (4) \$12,000 to extend a water line to loop and have two water feeds. It was the consensus of Council to move forward with the change orders.
- **Dugout at Riverside Stadium** - Mr. Cochran reported that the University of Houston Victoria (UHV) made a request that the City enlarge the dugouts at the stadium. He advised that the National Collegiate Athletic Association (NCAA) regulations require 45 foot dugouts pointing out that they currently were only 19 feet. The estimated cost would be \$25,000 per dugout. Ashley Walyuchow, Athletic Director at UHV pointed out the benefits to the community such as conference championship tournaments. The Council suggested finding out whether UHV was willing to help out with the funding.
- **Guadalupe River Paddling Trail Improvements** – Mr. Cochran and Mr. Johnston presented information on a possible bag wall switchback design for the point of entry to the river. The estimated costs were \$15,000 for materials, \$5,000 for contract labor, and \$10,000 for Lester Contracting with an overall cost of \$30,000. It was estimated that the project could start in two to four weeks. It was Council consensus to prepare a budget amendment for the change orders.
- **Work Session** – Charles E. Windwehen, City Manager, announced that there would be a Work Session after the May 1, 2007 regular meeting.

RESOLUTION 2007-39R – AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH POST, BUCKLEY, SCHUH AND JERNIGAN, INC. FOR THE ANTHONY ROAD LIFE STATION IMPROVEMENTS PROJECT

The resolution authorizes a Professional Services Agreement between the City of Victoria and Post, Buckley, Schuh and Jernigan, Inc. (PBS&J) for Design, Bidding and Construction Phase Services for the Anthony Road Lift Station Improvements Project, in the amount of \$32,500. Lynn Short.

Cm. Wyatt 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

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RESOLUTION 2007-40R – AWARDING BID FOR A FOUR WHEEL DRIVE WILDLAND
FIRE APPARATUS TO BAYOU CITY FORD

The resolution awards a bid for the purchase of a 225-GPM Four Wheel Drive Wildland Fire Apparatus to Bayou City Ford of Houston, Texas, in the amount of \$95,980, plus options totaling \$3,268, for a total amount of \$99,248. Steve Trevino.

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

EXECUTIVE SESSION

Mayor Armstrong announced that Council would recess into Executive Session at 6:33 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 concerning acquisition of property for proposed Fire Station #2). David A. Smith.

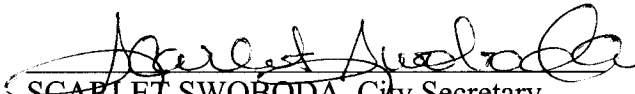
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Section 551.087, Texas Government Code, to discuss or deliberate the offer of a financial or other incentive to a business prospect that the City Council seeks to have, locate, stay, or expand in or near the territory of the City of Victoria and with which the City of Victoria is conducting economic development negotiations. David A. Smith.

Section 551.074, Texas Government Code, with regard to personnel matters (including, without limitation, the appointment, employment, evaluation, and duties of the City Manager). Scarlet Swoboda.

The Council reconvened in regular session at 7:46 p.m. with no action taken and nothing to report. There being no further business, the meeting was adjourned.

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

ATTEST: 
SCARLET SWOBODA, City Secretary
