

VICTORIA CITY COUNCIL**May 1, 2007****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, May 1, 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

OTHERS PRESENT

Jeff Rutledge, Attorney at Law with
Linebarger Goggan Blair & Sampson, LLP

STAFF PRESENT

Charles E. 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
Roy Boyd, Police Captain
Jesse Turner, Police Captain
Vance Riley, Fire Chief
Doug Cochran, Director, Parks and Recreation
Lynn Short, Director, Utilities
Gilbert P. Reyna, Jr., Director, Finance
Steve Trevino, Director, IMS
Rick Madrid, Building Official
Andrew Jacob, Assistant Finance Director
Scarlet Swoboda, City Secretary

APPROVAL OF MINUTES

The minutes of the regular meeting of April 17, 2007 were approved as presented.

CITIZENS COMMUNICATION

No one wished to address Council.

ITEMS FROM COUNCIL

Cm. Wyatt requested information on what has been spent over the last three years on public safety inoperability with other agencies in the area. He wanted to know what was spent out of general fund, public funds, grant, or any other areas.

Cm. Wyatt questioned why the City approves the sale of property in the floodplain when we should be able to keep those properties because we do not want people building in those areas anyway. The City Manager responded that staff had those same concerns, but other governmental agencies are involved with these sales.

Cm. Halepaska suggested putting signs on the lien foreclosure properties, as well as placing the information out on the City website. The City Attorney advised that signs are currently being placed on the properties.

PUBLIC HEARINGS

Mayor Armstrong opened a public hearing on the following item:

2007-7 – ADOPTING A STORM DRAINAGE MASTER PLAN AND STORM DRAINAGE CRITERIA MANUAL FOR THE CITY OF VICTORIA – Item was pulled from agenda.

2006-2007I – AMENDING THE 2006-2007 FISCAL YEAR BUDGET TO PROVIDE FUNDING FOR THE RIVERSIDE PARK PADDLING TRAIL PROJECT

The ordinance considers amending the 2006-2007 Fiscal Year budget by transferring \$23,000.00 to General Fund Parks Department Other Structures capital line item to provide funding for the Riverside Park Paddling Trail Project. Andrew Jacob.

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

- **Sportsplex at Community Center** - Doug Cochran, Director of Parks and Recreation reported that the first pod of fields located at Ben Wilson and Juan Linn were 80% complete with fencing, irrigation, grading, and drainage. Work has started on the next pod closest to the Community Center. He went over the timeline for the concession stand, restrooms, and parking facilities stating that June was the projected date to authorize a contract. Also, pictures of the progress would be posted on the City Website.
- **Status of Lone Tree Road Reconstruction Project** - John Johnston, Director of Public Works, reported that the project continues to progress between Ben Jordan and North Street on the sanitary sewer lines, AT&T continues to relocate their utilities and the project is on schedule and progressing.
- **Timeline for Implementation of the Solid Waste Collection System, Financial Update, and Projection** - Jerry James, Director of Environmental Services presented a power point presentation showing the various things that may delay the process. Things like software, regulatory approvals, contract negotiations, internal landfill contract approval, purchase of carts, and vehicles. The environmental audit by R.W. Beck should be complete by the end of May. The contract from Republic Waste should be completed in June and on board by July 1, 2007. The compost site has slowed things down because of some infrastructure needs. Approval from Texas Commission on Environmental Quality (TCEQ) would take about three months to accept brush with the site opening in mid-December. Sludge would be accepted in January 2008. Equipment specifications were being developed for automated collection, with R.W. Beck bringing a contract for review soon. The review and selection of equipment should be complete by July, vehicles ordered by August, and receipt of vehicles by December. The garbage carts should be on order by July with receipt of them in October. Routing software would be implemented from July through October, with driver training occurring in November through January 2008. Public education would begin in July through January 2008 and probably well beyond then. Separate yard collection would parallel the automated collection timeframe. The revenue and expenditures were projected through 2010 keeping the current rates. By 2010 the net revenue should be \$500,578.

RESOLUTION 2007-41R – AUTHORIZING AUTOMOBILE THEFT PREVENTION AUTHORITY GRANT FROM THE TEXAS DEPARTMENT OF TRANSPORTATION AUTO THEFT PREVENTION AUTHORITY

The resolution authorizes all documents necessary to apply for, accept, and renew an Automobile Theft Prevention Authority Grant from the Texas Department of Transportation Auto Theft Prevention Authority in an amount of approximately \$51,060 from the state, which will require a City match in an amount not to exceed \$23,860. Roy Boyd.

RESOLUTION 2007-42R – AUTHORIZING THE SOUTH TEXAS AGGREGATION PROJECT, INC. (STAP) TO NEGOTIATE AN ELECTRIC SUPPLY AGREEMENT

The resolution authorizes the South Texas Aggregation Project, Inc. (STAP) to negotiate an electric supply agreement for deliveries of electricity effective January 1, 2008, authorizing the City Manager to sign a contract with STAP for the City of Victoria's 2008 and, if economically feasible, 2009 electricity needs, and committing to budget for energy purchases in 2008 and, if economically

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feasible, 2009, and to honor the City of Victoria's commitments to purchase power for its electrical needs in 2008 and, if economically feasible, 2009, through STAP. David A. Smith.

RESOLUTION 2007-43R – RATIFYING AN AGREEMENT BETWEEN THE CITY OF VICTORIA AND FALCON LEASE OPERATING COMPANY FOR THE EMERGENCY REPLACEMENT OF A COLLAPSED SEWER LINE IN THE 800 BLOCK OF GOLDMAN STREET

The resolution authorizes ratifying the City Manager's execution of an agreement between the City of Victoria and Falcon Lease Operating Company, of Victoria, Texas, for the emergency replacement of a collapsed sewer line in the 800 block of Goldman Street in the amount of \$30,598, and authorizing the expenditure of an additional \$2,352 for extra backfill materials necessitated during actual construction. Lynn Short.

RESOLUTION 2007-44R – AUTHORIZING HARRISON, WALDROP & UHEREK, L. L. P., TO PERFORM THE CITY'S ANNUAL AUDIT FOR THE YEAR ENDING SEPTEMBER 30, 2007

The resolution authorizes Harrison, Waldrop & Uherek, L. L. P., to perform the City's annual audit for the year ending September 30, 2007, in an amount not to exceed \$42,500. Andrew Jacob.

Cm. Guittard moved that resolutions 2007-41R through 2007-44R be adopted, with Cm. Hagan seconding the motion. The resolutions were adopted by the following vote:

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

NAYS: None

RESOLUTION 2007-45R – AUTHORIZING WELLS FARGO BANK, N.A., TO PROVIDE BANK DEPOSITORY SERVICES

The resolution authorizes Wells Fargo Bank, N.A., to provide Bank Depository Services for an initial three-year term with the option for two additional years. Andrew Jacob.

Cm. Guittard 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, Hagan, Wyatt, Halepaska, and Mayor
Armstrong

NAYS: None

ABSTENTION: Council Member Polasek

RESOLUTION 2007-46R – APPROVING THE TAX RESALE OF PROPERTY AT 411 GRANT TO BARRY L. COLES

The resolution approves the sale of tax resale property (Victoria County Appraisal District Property Identification Number [PID] 52804) at 411 Grant to Barry L. Coles for \$500. Jeff Rutledge.

RESOLUTION 2007-47R – APPROVING THE TAX RESALE OF PROPERTY AT 3507 LONE TREE ROAD TO WILLIAM GLYNN PONTON

The resolution approves the sale of tax resale property (PID 46479) at 3507 Lone Tree to William Glynn Ponton for \$5,100. Jeff Rutledge.

RESOLUTION 2007-48R – APPROVING THE TAX RESALE OF PROPERTY AT 406 SABINE TO DANIEL V. ZARATE

The resolution approves the sale of tax resale property (PID 51997) at 406 Sabine to Daniel V. Zarate for \$5,300. Jeff Rutledge.

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RESOLUTION 2007-49R – APPROVING THE TAX RESALE OF PROPERTY AT JEWETT STREET TO FRED GUTIERREZ AND ANGELICA TORRES

The resolution approves the sale of tax resale property (PID 52007) on Jewett Street (Lot 10, Block 1, Jewett Subdivision) to Fred Gutierrez and Angelica Torres for \$400. Jeff Rutledge.

RESOLUTION 2007-50R – APPROVING THE TAX RESALE OF PROPERTY IN THE 400 BLOCK OF SOUTH VICTORIA TO BARRY L. COLES

The resolution approves the sale of tax resale property (PID 62751) in the 400 Block of South Victoria (.159 acre, more or less, being a portion of Lots 2 and 3, Block 50, Original Townsite) to Barry L. Coles for \$500. Jeff Rutledge.

RESOLUTION 2007-51R – APPROVING THE TAX RESALE OF PROPERTY AT 1106 S. WHEELER TO MELISSA ALLISON

The resolution approves the sale of tax resale property (PID 60703) at 1106 S. Wheeler to Melissa Allison for \$600. Jeff Rutledge.

RESOLUTION 2007-52R – APPROVING THE TAX RESALE OF PROPERTY AT 105 W. SECOND STREET TO FELIX BARRIENTES

The resolution approves the sale of tax resale property (PID 63077) at 105 W. Second Street to Felix Barrientes for \$2,200. Jeff Rutledge.

RESOLUTION 2007-53R – APPROVING THE TAX RESALE OF PROPERTY AT 1305 SYCAMORE TO CHARLES SIMMONS

The resolution approves the sale of tax resale property (PID 61049) at 1305 Sycamore to Charles Simmons for \$200. Jeff Rutledge.

RESOLUTION 2007-54R – APPROVING THE TAX RESALE OF PROPERTY AT 1405 BOTTOM TO JUVENTINO AND BLANCA SANCHEZ

The resolution approves the sale of tax resale property (PID 61034 and 61035) at 1405 Bottom to Juventino and Blanca Sanchez for \$600. Jeff Rutledge.

RESOLUTION 2007-55R – APPROVING THE TAX RESALE OF PROPERTY AT 1103 MELROSE TO WILLIAM R. PLEMONS, JR.

The resolution approves the sale of tax resale property (PID 44959) at 1103 Melrose to William R. Plemons, Jr. for \$4,500. Jeff Rutledge.

RESOLUTION 2007-56R – APPROVING THE TAX RESALE OF PROPERTY AT 804 S. GLASS TO HORTENSE ALVAREZ AND JOHN M. GARCIA

The resolution approves the sale of tax resale property (PID 63002) at 804 S. Glass to Hortense Alvarez and John M. Garcia for \$2,600. Jeff Rutledge.

RESOLUTION 2007-57R – APPROVING THE TAX RESALE OF PROPERTY AT 1113 JUAN LINN TO RAQUEL RODRIGUEZ

The resolution approves the sale of tax resale property (PID 52732) at 1113 Juan Linn to Raquel Rodriguez for \$1,500. Jeff Rutledge.

RESOLUTION 2007-58R – APPROVING THE TAX RESALE OF PROPERTY AT 1104 S. WHEELER TO MELISSA ALLISON

The resolution approves the sale of tax resale property (PID 60702) at 1104 S. Wheeler to Melissa Allison for \$1,400. Jeff Rutledge.

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RESOLUTION 2007-59R – APPROVING THE TAX RESALE OF PROPERTY AT 2500 PRINCE TO OTIS BAKER

The resolution approves the sale of tax resale property (PID 39685) at 2500 Prince to Otis Baker for \$575. Jeff Rutledge.

RESOLUTION 2007-60R – APPROVING THE TAX RESALE OF PROPERTY AT 706 E. NORTH STREET TO CHARLES SIMMONS

The resolution approves the sale of tax resale property (PID 57104) at 706 E. North Street to Charles Simmons for \$200. Jeff Rutledge.

RESOLUTION 2007-61R – APPROVING THE TAX RESALE OF PROPERTY AT 1102 COMMERCIAL TO JOCELYN EPPINGER

The resolution approves the sale of tax resale property (PID 57531) at 1102 Commercial to Jocelyn Eppinger for \$2,200. Jeff Rutledge.

RESOLUTION 2007-62R – APPROVING THE TAX RESALE OF PROPERTY AT 3004 RIO GRANDE TO MOISES CHAVEZ

The resolution approves the sale of tax resale property (PID 61099) at 3004 Rio Grande to Moises Chavez for \$13,500. Jeff Rutledge.

RESOLUTION 2007-63R – APPROVING THE TAX RESALE OF PROPERTY ON COFFEY STREET TO GREG HERRERA

The resolution approves the sale of tax resale property (PID 61083) on Coffey Street (Lot 19, Block 1, Sunnyside Addition) to Greg Herrera for \$4,300. Jeff Rutledge.

RESOLUTION 2007-64R – APPROVING THE TAX RESALE OF PROPERTY ON RIO GRANDE STREET TO MOISES CHAVEZ

The resolution approves the sale of tax resale property (PID 61100) on Rio Grande Street (Lot 34, Block 1, Sunnyside Addition) to Moises Chavez for \$1,200. Jeff Rutledge.

RESOLUTION 2007-65R – APPROVING THE TAX RESALE OF PROPERTY AT 2306 EAST TO NANCY RODRIGUEZ

The resolution approves the sale of tax resale property (PID 59354) at 2306 East to Nancy Rodriguez for \$1,000. Jeff Rutledge.

RESOLUTION 2007-66R – APPROVING THE TAX RESALE OF PROPERTY AT 3509 GLENDALE TO SANDRA DICKE

The resolution approves the sale of tax resale property (PID 53536) at 3509 Glendale to Sandra Dicke for \$20,200. Jeff Rutledge.

RESOLUTION 2007-67R – APPROVING THE TAX RESALE OF PROPERTY AT 109 BASIN TO MARIO DELAGARZA

The resolution approves the sale of tax resale property (PID 39256) at 109 Basin to Mario DeLaGarza for \$300. Jeff Rutledge.

RESOLUTION 2007-68R – APPROVING THE TAX RESALE OF PROPERTY AT 1810 S. LINCOLN TO CHARLES SIMMONS

The resolution approves the sale of tax resale property (PID 52796) at 1810 S. Lincoln to Charles Simmons for \$200. Jeff Rutledge.

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RESOLUTION 2007-69R – APPROVING THE TAX RESALE OF PROPERTY AT 1601 BOTTOM TO ROBERT GARCIA

The resolution approves the sale of tax resale property (PID 64917) at 1601 Bottom to Robert Garcia for \$200. Jeff Rutledge.

RESOLUTION 2007-70R – APPROVING THE TAX RESALE OF PROPERTY ON ROBLES STREET TO CHARLES SIMMONS

The resolution approves the sale of tax resale property (PID 52034) on Robles Street (Lot 46, Block 4, Jewett Subdivision) to Charles Simmons for \$200. Jeff Rutledge.

RESOLUTION 2007-71R – APPROVING THE TAX RESALE OF PROPERTY AT 211 BASIN TO CHARLES SIMMONS

The resolution approves the sale of tax resale property (PID 39249) at 211 Basin to Charles Simmons for \$500. Jeff Rutledge.

RESOLUTION 2007-72R – APPROVING THE TAX RESALE OF PROPERTY AT 708 MURRAY TO CARLOS AGUIRRE

The resolution approves the sale of tax resale property (PID 63877) at 708 Murray to Carlos Aguirre for \$1,000. Jeff Rutledge.

RESOLUTION 2007-73R – APPROVING THE TAX RESALE OF PROPERTY AT 2305 OZARK TO JESSE AND RITA GARZA

The resolution approves the sale of tax resale property (PID 58512) at 2305 Ozark to Jesse and Rita Garza for \$4,900. Jeff Rutledge.

RESOLUTION 2007-74R – APPROVING THE TAX RESALE OF PROPERTY AT 3106 COFFEY TO STACY BARLETTA & CRAIG MOZISEK

The resolution approves the sale of tax resale property (PID 81689) at 3106 Coffey to Stacy Barletta & Craig Mozisek for \$8,500. Jeff Rutledge.

RESOLUTION 2007-75R – APPROVING THE TAX RESALE OF PROPERTY AT 1002 POWER TO SANDRA DOMINGUEZ

The resolution approves the sale of tax resale property (PID 60929) at 1002 Power to Sandra Dominguez for \$1,000. Jeff Rutledge.

RESOLUTION 2007-76R – APPROVING THE TAX RESALE OF PROPERTY AT 2303 CAMERON TO JOCELYN EPPINGER

The resolution approves the sale of tax resale property (PID 59266) at 2303 Cameron to Jocelyn Eppinger for \$1,600. Jeff Rutledge.

RESOLUTION 2007-77R – APPROVING THE TAX RESALE OF PROPERTY AT 911 FORREST TO CHARLES SIMMONS

The resolution approves the sale of tax resale property (PID 46857) at 911 Forrest to Charles Simmons for \$250. Jeff Rutledge.

RESOLUTION 2007-78R – APPROVING THE TAX RESALE OF PROPERTY AT 808 JECKER TO MARC RAMIREZ

The resolution approves the sale of tax resale property (PID 52467) at 808 Jecker to Marc Ramirez for \$5,100. Jeff Rutledge.

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RESOLUTION 2007-79R – APPROVING THE TAX RESALE OF PROPERTY ON MITCHELL STREET TO EUGENE GUTIERREZ

The resolution approves the sale of tax resale property (PID 45542) on Mitchell Street (.169 acre, more or less, being Lot 1, Block C of Subdivision of the Goldman tract) to Eugene Gutierrez for \$3,500. Jeff Rutledge.

RESOLUTION 2007-80R – APPROVING THE TAX RESALE OF PROPERTY AT 1704 PLEASANT GREEN TO ROSALBA VALENCIA

The resolution approves the sale of tax resale property (PID 55097) at 1704 Pleasant Green to Rosalba Valencia for \$4,800. Jeff Rutledge.

RESOLUTION 2007-81R – APPROVING THE TAX RESALE OF PROPERTY 2908 FRANCIS TO DARRELL SERRANO

The resolution approves the sale of tax resale property (PID 45243) at 2908 Francis to Darrell Serrano for \$900. Jeff Rutledge.

RESOLUTION 2007-82R – APPROVING THE TAX RESALE OF PROPERTY AT 3303 JUAN LINN TO RAQUEL RODRIGUEZ

The resolution approves the sale of tax resale property (PID 47799) at 3303 Juan Linn to Raquel Rodriguez for \$1,400. Jeff Rutledge.

Cm. Neitsch moved that resolutions 2007-46R through 2007-82R be adopted, with Cm. Guittard seconding the motion. The resolutions were adopted by the following vote:

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

NAYS: None

RESOLUTION 2007-83R – AUTHORIZING THE PURCHASE OF TRAFFIC SIGNAL EQUIPMENT FROM NAZTEC, INC. AND JEM ENGINEERING & MANUFACTURING CO., INC.

The resolution authorizes the purchase of traffic signal equipment from Naztec, Inc. in the amount of \$40,295 and Jem Engineering & Manufacturing Co., Inc. in the amount of \$26,676. John Johnston.

Cm. Guittard 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

RESOLUTION 2007-84R – APPLYING FOR AND ACCEPTING A GRANT FROM THE FEMA 2007 ASSISTANCE TO FIREFIGHTERS GRANT PROGRAM

The resolution authorizes all documents necessary to apply for and accept a grant from the FEMA 2007 Assistance to Firefighters Grant Program, which will provide for the purchase and installation of exhaust removal systems for Fire Stations 1, 3 and 5, in the amount of \$120,000, subject to a local match not to exceed 20% there or \$24,000. Vance Riley.

Cm. Hagan 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 2007-85R – AUTHORIZING CHANGE ORDER #5 TO THE WEST OUTFALL DRAINAGE PROJECT – PHASE II

The resolution authorizes Change Order #5 to the West Outfall Drainage Project - Phase II Woodlawn Area, to (1) re-route sewer across Airline Street, (2) add items necessary for inlets at Mesquite and Bluebonnet, (3) provide for paving upgrades to Poplar Street, and (4) reduce the line item for repair/upgrade of unknown utility lines and appurtenances, in a total added amount of \$179,747.12, balanced by reductions totaling \$179,747.12, with the total contract amount remaining at \$8,763,483.90. John Johnston.

Cm. Guittard 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

RESOLUTION 2007-86R – AFFIRMING THE DECISION OF THE BUILDING AND STANDARDS COMMISSION PERTAINING TO PROPERTY AT 913 E. CONVENT

The resolution affirms the decision of April 12, 2007 of the Building and Standards Commission pursuant to Section 5-180, Article XIV, Unsafe Buildings, of Chapter 5 of the Victoria City Code pertaining to a structure located at or adjacent to 913 E. Convent, Victoria, Texas, owned by Jeanette Foley. Steve Trevino.

David A. Smith, City Attorney advised the Council that often appeals from administrative agencies are handled on the substantial evidence rule basis, meaning that if after reviewing the written record there is evidence to support the decision that is being appealed, then you affirm the decision. If there is not evidence supporting it, the decision could be reversed.

Steve Trevino, Director of Inspections and Maintenance, reported that 14 months ago this structure was ordered to be demolished. That decision was suspended for six months with the stipulation that a new roof be placed on the structure; also an additional six months would be given to bring the structure up to applicable construction codes. The roof was replaced but the structure was not brought up to code and it is not economically feasible to do so. The house has not been occupied for several years and bees continue to inhabit the structure. Mr. Trevino advised that the Building and Standards Commission has ordered demolition; however the appeal can be affirmed, reversed, or modified by the Council.

Jeanette Foley, owner of the structure stated that she has had the bees exterminated twice and replaced the roof. She had not had the time or money to make the repairs. Cm. Wyatt stated that the house was really irreparable because it would cost more to repair than it would to place a new building on that property.

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 2007-87R – AFFIRMING THE DECISION OF THE BUILDING AND STANDARDS COMMISSION PERTAINING TO PROPERTY AT 2503 PORT

The resolution affirms the decision of April 12, 2007 of the Building and Standards Commission pursuant to Section 5-180, Article XIV, Unsafe Buildings, of Chapter 5 of the Victoria City Code pertaining to a structure located at or adjacent to 2503 Port, Victoria, Texas, owned by Luz Garcia, Jr. Steve Trevino.

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Mr. Trevino advised that Mr. Garcia no longer wished to pursue the appeal and would tear the house down. The City Attorney advised that Council would have to modify the ruling, and allow a set number of days to tear the structure down.

Cm. Halepaska moved to modify the order by affirming the action of the Commission, by staying the efforts for 45 days, 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

ORDINANCE 2007-7 – ADOPTING A STORM DRAINAGE MASTER PLAN AND STORM DRAINAGE CRITERIA MANUAL OF THE CITY OF VICTORIA – No Action Taken

ORDINANCE 2006-2007I – AMENDING THE 2006-2007 FISCAL YEAR BUDGET TO PROVIDE FUNDING FOR THE RIVERSIDE PARK PADDLING TRAIL PROJECT

City Attorney, David A. Smith, read the caption of Ordinance 2006-2007I, which would amend the 2006-2007 Fiscal Year Budget of the City of Victoria by transferring \$23,000 from the General Fund fund balance to the General Fund Parks Department Small Tools line item to provide funding for the Riverside Park Paddling Trail Project. First Reading. Andrew Jacob.

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

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

NAYS: None

Caption:

AN ORDINANCE AMENDING THE 2006-2007 FISCAL YEAR BUDGET OF THE CITY OF VICTORIA BY TRANSFERRING \$23,000.00 FROM THE GENERAL FUND FUND BALANCE TO THE GENERAL FUND PARKS DEPARTMENT OTHER STRUCTURES CAPITAL LINE ITEM TO PROVIDE FUNDING FOR THE RIVERSIDE PARK PADDLING TRAIL PROJECT, REPEALING ALL CONFLICTING ORDINANCES, PROVIDING FOR SEVERABILITY, AND DECLARING AN EFFECTIVE DATE.

Mayor Armstrong called for a short break at 6:09 p.m.

WORK SESSION

Mayor Armstrong announced that the Council would reconvene into a Work Session at 6:20 p.m.

Capital Improvement Projects (CIP) - including analysis, prioritization and financing of street, drainage, water, sewer, public safety, parks, recreation, and other general governmental projects.

Charles E. Windwehen, City Manager, presented information on the various CIP projects and a ranking form to prioritize them. He stated that a number of the projects had been on the list for a long time, some have been changed, and some are new. He advised that there would be a Work Session on May 15, 2007 to review the Council's ranking of the projects, and asked that Council return their individual ranking list to the City Manager's office by Friday, May 11, 2007.

There was discussion about the proposed Laurent Project, which concerned whether to do a total reconstruction using either concrete or full depth asphalt, which could last for 40-50 years. The other consideration was whether to do reclaim and overlay instead, which could last approximately 10-15 years. Discussion included whether to do a section of Laurent in concrete, delaying the rest, or doing more of it in a cheaper base. Several members of Council felt that the public really liked concrete streets and probably expected them, which would make the decision that much harder.

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Another point of discussion was if the school bond issue passes, there could be areas that may need services and would the City have the resources to provide those services.

Mr. Windwehen stated that this could be the largest decision in regards to future projects this year, suggesting that you have to look at the opportunity costs of doing a project, and what are the value of the things that you give up to do that project. The cost doubles to do full depth asphalt or concrete, which is another \$13 million worth of projects that could be done in other areas of the City. Some of those projects could not be done now and maybe never, which is what makes this decision so difficult. After fiscal years 2009 and 2010 there would not be a lot of bonding capability, so if there is an opportunity to do some projects to accommodate growth on the north side, you need to make sure you have enough money to do some of those projects. Mr. Windwehen stated that a decision did not have to be made tonight, but staff would need one in the near future.

EXECUTIVE SESSION

Mayor Armstrong announced that Council would recess into Executive Session at 6:56 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 Municipal Clerk). Scarlet Swoboda.

The Council reconvened in regular session at 9:16 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
