

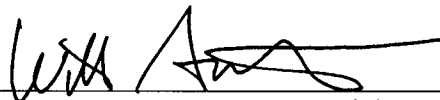
WORK SESSION

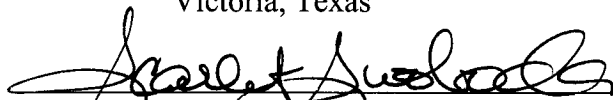
City of Victoria Comprehensive 2020 Plan Review

Planning Director, John Kaminski reviewed the additions, revisions, and deletions within each section of Chapter 6 "Infrastructure" and Chapter 8 "Community Services" of the Comprehensive 20/20 Plan.

EXECUTIVE SESSION

Mayor Armstrong announced that there was no need for an Executive Session. There being no further business, the meeting was adjourned at 6:27 p.m.

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

ATTEST: 
SCARLET SWOBODA, City Secretary

**VICTORIA CITY COUNCIL
September 18, 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, September 18, 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, Deputy City Manager
- David A. Smith, City Attorney
- Miles Risley, Senior Assistant City Attorney
- John Johnston, Director, Engineering
- John Kaminski, Director, Planning
- Bruce Ure, Police Chief
- Vance Riley, Fire Chief
- Doug Cochran, Director, Parks and Recreation
- James Stewart, Director, Library
- Danette Respondek, Director, Human Resources
- Rick Henrichs, Director, IT
- Lynn Short, Director, Streets and Utilities
- Gilbert P. Reyna, Jr., Director, Finance
- Steve Trevino, Director, IMS
- Jerry James, Director, Environmental Services
- O.C. Garza, Public Information Officer
- Jimmy Roach, Deputy Director Streets/Utilities
- Scarlet Swoboda, City Secretary

APPROVAL OF MINUTES

The minutes of the special meeting of August 28, 2007 and the regular meeting of September 4, 2007 were approved as presented.

CITY COUNCIL MINUTES
September 18, 2007**CITIZENS COMMUNICATION**

Andy Startz, 201 Rhoades, spoke against the tax rate suggesting that it was twice the annual rate of inflation. He also suggested that adopting an ordinance to ban outdoor vendors seemed a little petty, since it was only a small number of people trying to make a living.

Mary Beth Null, 508 Glass Street advised that on August 10, 2007 her home was flooded. She was told by the maintenance crew that a waterline had broken and fell into a wastewater line and the pressure forced wastewater back into her home. She advised that her homeowners insurance did not cover this type of event because they say it is a City problem. The City does not cover this type of claim unless motorized tools are involved. The cost to have her home cleaned was approximately \$5,000 and she appealed to the Council to give some relief to address her claim.

ITEMS FROM COUNCIL

Mayor Armstrong advised that contrary to an article in the newspaper, he and Cm. Neitsch were not at odds over the outdoor vendor issue and Cm. Neitsch could bring it back to Council anytime. He also requested a work session in November or December to discuss making concrete streets competitive and economically feasible to the community.

PUBLIC HEARINGS

Mayor Armstrong opened a public hearing on the following items:

ORDINANCE 2007-19 – AUTHORIZING ISSUANCE OF CERTIFICATES OF OBLIGATION, SERIES 2007

The ordinance considers authorizing the issuance, sale and delivery of City of Victoria, Texas, Certificates of Obligation, Series 2007; approving and authorizing an Official Statement and the distribution thereof, a Purchase Contract, and a Paying Agent/Registrar Agreement. Gilbert P. Reyna, Jr.

Robert Henderson, Managing Director with RBC Markets and Financial Advisor to the City of Victoria advised that they have proceeded with issuing \$10 million in debt. He reported that the rating agencies have reconfirmed the AA- rating for the City, which is a significant accomplishment for a city the size of Victoria. Bids were put out and the winning bid went to MBIA at 14.7 pricing points.

City Manager, Charles E. Windwehen advised that the Laurent bids came in \$4.5 million under what was projected along with the \$10 million from the bond sale, gives approximately \$14.5 million available for Capital Improvements Programs. This is approximately what would fund the general government portion of the Laurent Phase II Project. The engineering phase of the project was currently being negotiated with Urban Engineering and anticipated to come to Council in mid October.

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

ORDINANCE 2007-19 – AUTHORIZING THE ISSUANCE OF CERTIFICATES OF OBLIGATION, SERIES 2007

City Attorney, David A. Smith, read the caption of Ordinance 2007-19, which authorizes the issuance, sale and delivery of City of Victoria, Texas, Certificates of Obligation, Series 2007; approves and authorizes an Official Statement and the distribution thereof, a Purchase Contract, and a Paying Agent/Registrar Agreement. Emergency Reading. Gilbert P. Reyna, Jr.

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

September 18, 2007

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

NAYS: None

Caption:

AN ORDINANCE BY THE CITY COUNCIL OF THE CITY OF VICTORIA, TEXAS AUTHORIZING THE ISSUANCE, SALE AND DELIVERY OF CITY OF VICTORIA, TEXAS, CERTIFICATES OF OBLIGATION, SERIES 2007; APPROVING AND AUTHORIZING AN OFFICIAL STATEMENT AND THE DISTRIBUTION THEREOF, A PURCHASE CONTRACT, AND A PAYING AGENT/REGISTRAR AGREEMENT; APPROVING AND AUTHORIZING ALL OTHER INSTRUMENTS AND PROCEDURES RELATED THERETO; DECLARING AN EMERGENCY; AND PROVIDING FOR AN IMMEDIATE EFFECTIVE DATE.

ORDINANCE 2007-20 – ADOPTING STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, VERSION 2007.2

The ordinance considers adopting Standard Specifications for Public Works Construction, Version 2007.2. Earlier this year 2007.1 was adopted; however 19 of the specifications that were listed in the table of contents were not in the body of the specifications. This ordinance corrects that, and two other sections were slightly modified.

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

ORDINANCE 2007-20 – ADOPTING STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, VERSION 2007.2

City Attorney, David A. Smith, read the caption of Ordinance 2007-20, which adopts Standard Specifications for Public Works Construction, Version 2007.2. First Reading. John Johnston.

Cm. Guittard moved that the ordinance pass on first reading, with Cm. Wyatt 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 ADOPTING STANDARD SPECIFICATIONS FOR PUBLIC WORKS CONSTRUCTION, VERSION 2007.2, REPEALING CONFLICTING ORDINANCES, PROVIDING FOR ENFORCEMENT, PROVIDING FOR SEVERABILITY, AND DECLARING AN EFFECTIVE DATE.

ORDINANCE 2007-2008 – APPROVING AND ADOPTING THE 2007-2008 FISCAL YEAR BUDGET FOR THE CITY OF VICTORIA

The ordinance considers approving and adopting the 2007-2008 Fiscal Year Budget for the City of Victoria. There were two proposed changes, one associated with the Fire Department for three generators. The generators were budgeted for the Fiscal Year 2007, but staff proposes to move the \$120,000 to Fiscal Year 2008. The second change relates to the Information Technology Department in the amount of \$30,000 for fiber optic items, which were also budgeted for the current year, and proposes to move to it to the Fiscal Year 2008 budget. The budget as currently written has the correct balance. Gilbert P. Reyna, Jr.

Senior Assistant City Attorney, Miles Risley advised that an amendment to the ordinance would require specific language.

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

CITY COUNCIL MINUTES

September 18, 2007

ORDINANCE 2007-2008 – APPROVING AND ADOPTING THE 2007-2008 FISCAL YEAR BUDGET FOR THE CITY OF VICTORIA

City Attorney, David A. Smith, read the caption of Ordinance 2007-2008, which approves and adopts a budget for operating the municipal government of the City of Victoria for the Fiscal Year beginning October 1, 2007, and ending on September 30, 2008; appropriates money for the various funds and purposes of such budget including appropriations of money to pay interest and principal sinking fund requirements on all indebtedness. Third Reading. Gilbert P. Reyna, Jr.

Cm. Polasek moved to amend the ordinance to reflect the budget to incorporate the budget notebooks in possession of each City Council Member modified by attachments A-F, thereto contained in the packet for this meeting, with Cm. Guittard seconding the motion. The motion to amend passed by the following vote:

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

NAYS: None

Cm. Neitsch moved that the ordinance pass on third reading, with Cm. Wyatt seconding the motion. The ordinance passed, as amended, on third reading by the following vote:

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

NAYS: None

Caption:

AN ORDINANCE APPROVING AND ADOPTING A BUDGET FOR OPERATING THE MUNICIPAL GOVERNMENT OF THE CITY OF VICTORIA FOR THE FISCAL YEAR BEGINNING OCTOBER 1, 2007, AND ENDING ON SEPTEMBER 30, 2008; APPROPRIATING MONEY FOR THE VARIOUS FUNDS AND PURPOSES OF SUCH BUDGET INCLUDING APPROPRIATIONS OF MONEY TO PAY INTEREST AND PRINCIPAL SINKING FUND REQUIREMENTS ON ALL INDEBTEDNESS; REPEALING ALL CONFLICTING ORDINANCES AND APPROPRIATIONS; PROVIDING FOR SEVERABILITY; AND DECLARING AN EFFECTIVE DATE.

RESOLUTION 2007-141R – RATIFYING THE PROPERTY TAX

The resolution ratifies the property tax increase reflected in the budget for operating the municipal government of the City of Victoria for the Fiscal Year beginning October 1, 2007, and ending on September 30, 2008 as required by Texas Local Government Code § 102.007(c). Gilbert P. Reyna, Jr.

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

ORDINANCE 2007-14 – SETTING THE TAX RATE FOR 2007 TAX YEAR

The ordinance considers setting the tax rate at .675 per \$100 property valuation which was discussed at the last meeting. David A. Smith.

ORDINANCE 2007-14 – SETTING THE TAX RATE FOR 2007 TAX YEAR

City Attorney, David A. Smith, read the caption of Ordinance 2007-14, which sets the Tax Rate at a total rate of \$0.675 per \$100 of property valuation and levying a tax upon all property subject to taxation within the City of Victoria, Texas for the 2007 Tax Year for the use and support of Municipal Government of the City of Victoria, provides for the assessment and collection of taxes, apportions said levy among the various funds and items for which revenue must be raised including providing a sinking fund for the retirement of the bonded debt of the city, provides for

September 18, 2007

penalties and interest for delinquent taxes as prescribed by the Texas Tax Code, repeals all conflicting ordinances, provides for severability, and declares an effective date. Second and Third Reading. Gilbert P. Reyna, Jr.

Cm. Polasek commented that appraisals have gone up considerably and may continue to go up for the next several years. He stated that although sales tax can be volatile it has continued to stay up since its inception. He felt that property relief was important and would not affect or impair the many capital projects that needed to be done. Cm. Hagan stated that anytime there is an opportunity to provide tax relief on property taxes and can be balanced out fiscally, it is the responsible thing to do. Mayor Armstrong stated that it has been a robust year and was optimistic about the future, and it makes sense to let the voters know that we want to give a little back to them. Cm. Polasek stated that his motion had nothing to do with the accusation that the City was violating the charter.

Cm. Polasek moved that property taxes be increased by the adoption of a tax rate of \$0.67 on each \$100 property valuation, with Cm. Hagan seconding the motion. The motion to amend **failed** by the following vote:

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

Cm. Wyatt moved that property taxes be increased by the adoption of a tax rate of \$0.675 on each \$100 property valuation on second and third reading, with Cm. Guittard seconding the motion. The ordinance passed on second and third reading by the following vote:

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

Caption:

AN ORDINANCE SETTING THE TAX RATE AT A TOTAL RATE OF \$0.675 PER \$100 OF PROPERTY VALUATION AND LEVYING A TAX UPON ALL PROPERTY SUBJECT TO TAXATION WITHIN THE CITY OF VICTORIA, TEXAS FOR THE 2007 TAX YEAR FOR THE USE AND SUPPORT OF MUNICIPAL GOVERNMENT OF THE CITY OF VICTORIA, PROVIDING FOR THE ASSESSMENT AND COLLECTION OF TAXES, APPORTIONING SAID LEVY AMONG THE VARIOUS FUNDS AND ITEMS FOR WHICH REVENUE MUST BE RAISED INCLUDING PROVIDING A SINKING FUND FOR THE RETIREMENT OF THE BONDED DEBT OF THE CITY, PROVIDING FOR PENALTIES AND INTEREST FOR DELINQUENT TAXES AS PRESCRIBED BY THE TEXAS TAX CODE, REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; AND DECLARING AN EFFECTIVE DATE.

Mayor Armstrong asked if there were any questions from Council or the audience. There were none, and Mayor Armstrong closed the public hearing.

ORDINANCE 2007-18 – AMENDING THE CITY CODE TO ESTABLISH REVISED WATER AND WASTEWATER CHARGES

The ordinance considers amending Sections 24-121 and 24-122 of the Victoria City Code to establish revised water and wastewater charges. This would increase both the fixed and variable rate structures of the water and sewer rates. Under the proposal the base rate for a ¾ inch water account would increase by \$1.72 per month and the base rate on a sewer account would increase by \$1.87 a month. On the variable rates all the tiers would go up \$0.05 per 1,000 both on water and sewer. The water portion of this rate increase would go into effect on October 1, 2007, and the sewer portion would go into effect on April 1, 2008. Lynn Short.

Russell Pruitt, 402 Sherwood, stated that he understood the rates needed to go up, but he hoped they would revert back to normal rates once the utility replacement projects were completed.

ORDINANCE 2007-18 – AMENDING THE CITY CODE TO ESTABLISH REVISED WATER AND WASTEWATER CHARGES

City Attorney, David A. Smith, read the caption of Ordinance 2007-18, which amends Sections 24-121 and 24-122 of the Victoria City Code to establish revised water and wastewater charges. Third Reading. Lynn Short.

Cm. Neitsch moved that the ordinance pass on third reading, with Cm. Hagan seconding the motion. The ordinance passed on third reading by the following vote:

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

NAYS: None

Caption:

AN ORDINANCE AMENDING SECTIONS 24-121 AND 24-122 OF THE VICTORIA CITY CODE TO ESTABLISH REVISED WATER AND WASTEWATER CHARGES, REPEALING ALL CONFLICTING ORDINANCES, PROVIDING FOR SEVERABILITY, PROVIDING A SAVINGS CLAUSE, PROVIDING FOR CODIFICATION, AND DECLARING AN EFFECTIVE DATE.

ORDINANCE 2007-15 – ANNEXATION OF 498.71 ACRES OF LAND

The ordinance considers the annexation of 498.71 acres in the Ball Airport and Mallette Drive area. This is the final public hearing. John Kaminski.

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

ORDINANCE 2007-15 – ANNEXATION OF 498.71 ACRES OF LAND

City Attorney, David A. Smith, read the caption of Ordinance 2007-15, which provides for the extension of certain boundary limits of the City of Victoria, Texas and the annexation of approximately 498.71 acres of land and adopts a service plan for the territory to be annexed. Second and Third Reading. John Kaminski.

Cm. Hagan moved that the ordinance pass on second and third reading, with Cm. Guittard seconding the motion. The ordinance passed on second and third reading by the following vote:

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

NAYS: None

Caption:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF VICTORIA, TEXAS AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF APPROXIMATELY 498.71 ACRES OF LAND, ADOPTING A SERVICE PLAN FOR THE TERRITORY TO BE ANNEXED; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

ORDINANCE 2007-16 – ANNEXATION OF 192.60 ACRES OF LAND

The ordinance considers the annexation of 192.60 acres on the northeast side of Loop 463. John Kaminski.

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

ORDINANCE 2007-16 – ANNEXATION OF 192.60 ACRES OF LAND

City Attorney, David A. Smith, read the caption of Ordinance 2007-16, which provides for the extension of certain boundary limits of the City of Victoria, Texas and the annexation of approximately 192.60 acres of land and adopts a service plan for the territory to be annexed. Second and Third Reading. John Kaminski.

Cm. Wyatt moved that the ordinance pass on second and third reading, with Cm. Neitsch seconding the motion. The ordinance passed on second and third reading by the following vote:

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

NAYS: None

Caption:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF VICTORIA, TEXAS AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF APPROXIMATELY 192.60 ACRES OF LAND, ADOPTING A SERVICE PLAN FOR THE TERRITORY TO BE ANNEXED; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

ORDINANCE 2007-17 – ANNEXATION OF 2.31 ACRES OF LAND

The ordinance considers the annexation of 2.31 acres which is a portion of Lake Forest Subdivision. John Kaminski.

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

ORDINANCE 2007-17 – ANNEXATION OF 2.31 ACRES OF LAND

City Attorney, David A. Smith, read the caption of Ordinance 2007-17, which provides for the extension of certain boundary limits of the City of Victoria, Texas and the annexation of approximately 2.31 acres of land and adopts a service plan for the territory to be annexed. Second and Third Reading. John Kaminski.

Cm. Polasek moved that the ordinance pass on second and third reading, with Cm. Neitsch seconding the motion. The ordinance passed on second and third reading by the following vote:

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

NAYS: None

Caption:

AN ORDINANCE PROVIDING FOR THE EXTENSION OF CERTAIN BOUNDARY LIMITS OF THE CITY OF VICTORIA, TEXAS AND THE ANNEXATION OF CERTAIN TERRITORY CONSISTING OF APPROXIMATELY 2.31 ACRES OF LAND, ADOPTING A SERVICE PLAN FOR THE TERRITORY TO BE ANNEXED; REPEALING ALL CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

CITY MANAGER REPORTS

- **Recognize out-going Parks and Recreation Commissioners.** Parks and Recreation Director, Doug Cochran, recognized Tom Kolle and Marvin O'Neill for their dedication to the quality of life issues in Victoria. Both were instrumental in studying and recommending moving forward with the Youth Sports Complex. Each received a plaque of recognition and appreciation.
- **Banner Installation Fee and Continuation or Elimination of Laurent Street Overhead Banner Location** Traffic Engineer, Brian Jahn, requested consideration for a fee increase from \$30 to something more in line with the actual cost to install and remove the banners

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each week. He advised that the actual costs were closer to \$212 for each banner. The installations of banners are currently limited to civic and non-profit organizations. Mr. Jahn advised that he would rather have his staff working on traffic signals instead of hanging banners. He also would like Council to consider eliminating the banner location at Laurent. It would be eliminated for approximately 18 months during the Laurent Street Reconstruction Project.

RESOLUTION 2007-142R – AWARDING ANNUAL SUPPLY CONTRACTS FOR ALUMINUM SULFATE, CHLORINE, AND PHOSPHATE-BASED CORROSION INHIBITORS.

The resolution awards annual supply contracts to (1) Altivia Corporation, of Houston, Texas for Aluminum Sulfate in the amount of \$94.75 per liquid ton for a total of approximately \$132,650, and for Chlorine in the amount of \$553.75 per ton for a total of approximately \$66,450, (2) Bay Chemical and Supply Company of Odem, Texas for Phosphate-Based Corrosion Inhibitors in the amount of \$584.80 per liquid ton for a total of approximately \$43,860, (3) Brenntag Southwest, Inc., of Houston, Texas for Ferrous Chloride in the amount of \$204.50 per liquid ton for a total of approximately \$36,810, and (4) Siemens Water Technologies Corporation of Sarasota, Florida for Sodium Chlorite in the amount of \$846.00 per liquid ton for a total of approximately \$101,520. Jimmy Roach.

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 2007-143R – AUTHORIZING CHANGE ORDER #1 TO THE 2006-07 RECLAIM AND OVERLY PROJECT

The resolution authorizes the Director of Streets & Utilities to execute Change Order #1 to the 2006-07 Reclaim and Overlay Project with Brannan Paving Company, Ltd., which will delete point repairs and miscellaneous material & labor and add 25,000 square yards of prime, seal coat, reclaim & HMAC overlay, in a total added amount of \$447,267.38 and a total reduced amount of \$311,532.20, for a net addition of \$135,735.18. Lynn Short.

Cm. Wyatt 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 2007-144R – REJECTING BIDS FOR 2007 CRAWLER STYLE ASPHALT PAVER AND AUTHORIZING PURCHASE OF MODEL 3313 CRAWLER STYLE ASPHALT PAVER FROM ANDERSON MACHINERY CO.

The resolution rejects the bids received on August 29, 2007 for the purchase of a 2007 Crawler Style Asphalt Paver and authorizes the purchase of a 2007 Bomag Model 3313 Crawler Style Asphalt Paver from Anderson Machinery Company of Victoria, Texas through the Houston Galveston Area Council of Governments (HGAC), in the amount of \$57,555.58. Lynn Short.

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 2007-145R – APPOINTING MEMBERS TO THE PARKS COMMISSION

The resolution was postponed.

RESOLUTION 2007-146R – AUTHORIZING INTERLOCAL AGREEMENT WITH GOLDEN CRESCENT REGIONAL PLANNING COMMISSION TO OPERATE TRANSIT SYSTEM

Consider authorizing the City Manager to execute an Interlocal Agreement with the Golden Crescent Regional Planning Commission (GCRPC) for the operation of a fixed-route public transportation system within the limits of the City of Victoria, in the amount of \$121,405. John Kaminski.

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 2007-147R – AUTHORIZING NUMEROUS CONTRACTS RELATED TO THE LAURENT STREET RECONSTRUCTION PHASE I PROJECT

The resolution authorizes the following contracts connected to the Laurent Street Reconstruction Phase I Project:

- (1) Awards a bid for the Laurent Street Reconstruction Phase I Project (Business 59 to Airline) to Triple B Services, L.L.P. of Huffman, Texas, in the amount of \$9,885,821.10,
- (2) Authorizes the City Manager to execute contracts with Naztec, Inc. for the purchase of traffic signal hardware in a total amount not to exceed \$141,260,
- (3) Authorizes the City Manager to execute contracts with Jem Engineering and Manufacturing Co., Inc. for the purchase of traffic signal hardware, in a total amount not to exceed \$80,238.91
- (4) Authorizes the City's Director of Engineering to execute contracts for construction testing services with TSI Laboratories in a total amount not to exceed \$65,600,
- (5) Authorizes the City's Director of Engineering to execute Contribution-in-Aid-of-Construction Agreements for Electric Distribution Service between the City of Victoria and American Electric Power (AEP) to install street lights in a total amount not to exceed \$250,000,
- (6) Authorizes the City's Director of Engineering to execute agreements with the City's franchised utility companies (AT&T, AEP, CenterPoint, and Suddenlink) to provide for relocation of their utilities, in a total amount not exceed \$125,000, and
- (7) Declares the reservation of construction contingency funds to cover unanticipated project costs and changes related to the aforementioned Project, in an amount not to exceed \$494,290. John Johnston.

Director of Engineering, John Johnston recommended the following amendments to:

- (2) Naztec, Inc. for the purchase of traffic signal hardware to modify the amount from \$141,260 to \$157,555, and
- (3) Jem Engineering and Manufacturing Co., Inc. for the purchase of pole hardware for the traffic signal to modify the amount from \$80,238.91 to \$109,988.91.

Cm. Polasek moved to amend the resolution as recommended, with Cm. Wyatt seconding the motion. The motion to amend passed by the following vote:

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

NAYS: None

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

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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 6:15 p.m.,
in accordance with:

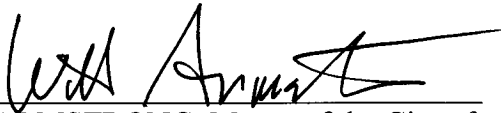
Section 551.071, Texas Government Code § 551.071, consultation with attorney on matter
involving pending or contemplated litigation or other matter in which the duty of the attorney to the
governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of
Texas clearly conflicts with the Texas Open Meetings Act (including, but not limited to, legal &
regulatory issues related to termination of the City's contract with Allied Waste for operating the
City of Victoria Landfill and the City's proposed contract with Republic Waste for said operation).
David A. Smith.

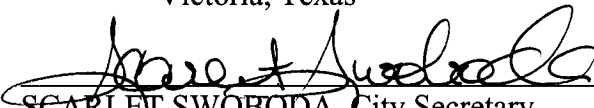
Section 551.072, Texas Government Code, to deliberate the purchase, exchange, lease, or
value of real property interests due to the fact that deliberation in an open meeting would have a
detrimental effect on the position of the City in negotiations with a third party (including, but not
limited to, the lease & value of the City of Victoria Landfill). David A. Smith.

Section 51.087, 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, but
not limited to, appointment(s) to the Board of Directors of the Victoria Sales Tax Development
Corporation). Scarlet Swoboda.

The Council reconvened in regular session at 7:15 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: 
SCARLETT SWOBODA, City Secretary
