

EXECUTIVE SESSION

Mayor Armstrong announced that Council would recess into Executive Session at 5:48 p.m., in accordance with:

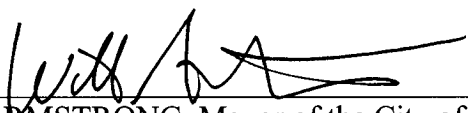
Section 551.071, Texas Government Code, consultation with attorney on matter involving pending or contemplated litigation or other matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act (including, but not limited to, the legal issues concerning the acquisition of property for construction of Ball Airport Road extension and water rights). David A. Smith

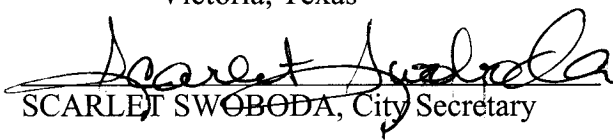
Section 551.072, Texas Government Code, to deliberate the purchase, exchange, lease, or value of real property interests due to the fact that deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third party (including, but not limited to, the acquisition and value of property for construction of Ball Airport Road extension and rights to water in real property). David A. Smith & John Kaminski

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. Scarlet Swoboda.

The Council reconvened in regular session at 7:05 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

**VICTORIA CITY COUNCIL
January 15, 2008**

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, January 15, 2008 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
- Lynn Short, Director, Public Works
- John Kaminski, Director, Planning
- Bruce Ure, Police Chief
- Doug Cochran, Director, Parks and Recreation

CITY COUNCIL MINUTES**January 15, 2008**

Rick Henrichs, Director, IT
John Johnston, Deputy Director, Public Works
Gilbert P. Reyna, Jr., Director, Finance
Jerry James, Director, Environmental Services
O. C. Garza, Public Information Officer
Scarlet Swoboda, City Secretary

CITIZENS COMMUNICATION

No one wished to address Council.

ITEMS FROM COUNCIL

There were no items from Council.

CITY MANAGER REPORTS

- **Capital Improvement Plan Projects Quarterly Report** - Deputy Director of Public Works, John Johnston advised that the report was in the packet, with all the payables up to date through December 2007.
- **Proposed Bicycle Motor-Cross (BMX) Track** – Director of Parks and Recreation, Doug Cochran reported that the Parks Commission recommended funding a BMX bicycle track. It would be a noncompetitive dirt track, approximately 1,200 linear feet, with a series of jumps and turns located near the Skate Park. Development cost would be \$75,000, which includes the cost of the track, utilities, drinking fountain, fencing, and associated engineering costs. The estimated maintenance cost would be approximately \$2,500 a year, with soil replacement costs approximately \$1,200 a year. Members of Council expressed concerns that there was not a group clamoring for this type of track. It was the consensus of Council to wait to see how much use the Skate Park receives, and then re-evaluate whether there was a real interest for a BMX track.
- **Spray/Splash Park** – Mr. Cochran reported that the Parks Commission also recommended a water area that would be on a concrete surface with no standing water. The proposed park would be a 40X60 area with 14 different sensor activated spray features. The water would be treated and reused, no lifeguard would be needed, and all ages could enjoy it. The total estimated cost would be \$297,500. A public restroom would need to be near by, and the additional cost to build would also need to be factored in. Routine maintenance for chemicals would be approximately \$6,230, along with \$2,900 for personnel a year. Staff recommended development of the park along the Lone Tree hike and bike trail. It was the consensus of Council to move forward with the project in the area recommended.
- **Renewal of Financial Advisory Agreement with RBC Dain Rauscher, Inc.** – City Manager, Charles E. Windwehen explained the role of the Financial Advisor and suggested that the City needed a specialized expert who was in the market everyday. He offered the following options: Option 1 – Negotiate a competitive fee with the current advisor, Bob Henderson with RBC Dain Rauscher, Inc., with whom the City has a good working relationship. Option 2 – Solicit other firms. Mr. Windwehen recommended Option 1, with the consensus of Council to go with his recommendation.

RESOLUTION 2008-4R – ADOPTING A STORM WATER MANAGEMENT PROGRAM (SWMP)

The resolution adopts a Storm Water Management Program (SWMP) for the City of Victoria.
Lynn Short.

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

January 15, 2008

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

NAYS: None

RESOLUTION 2008-5R – APPOINTING FOUR MEMBERS TO THE BOARD OF DIRECTORS OF THE VICTORIA SALES TAX DEVELOPMENT CORPORATION

The resolution reappoints Will Armstrong, Lewis Neitsch, Louise Hull Patillo, and Glenn Villafranca to the Board of Directors of the Victoria Sales Tax Development Corporation. Scarlet Swoboda.

Cm. Halepaska moved to appoint all four members named by the City Secretary, 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 2008-6R – AUTHORIZING THE AFFORDABLE HOUSING PROGRAM AGREEMENT FOR OWNER OCCUPIED PROJECT AND ACCEPTING A GRANT FOR HOME ACCESSIBILITY TO SENIORS AND DISABLED PERSONS

The resolution authorizes an Affordable Housing Program Agreement for Owner Occupied Project with the Federal Home Loan Bank of Dallas and First Victoria National Bank and all other documents necessary to receive and implement a \$105,000 grant providing home accessibility to seniors and disabled persons. John Kaminski.

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, Polasek, Hagan, Wyatt, Halepaska, and Mayor Armstrong

NAYS: None

WORK SESSION

Mayor Armstrong announced that Council would recess into a Work Session at 5:53 p.m.

Proposed Brush Pickup Fees – Tabled.

Director of Environmental Services, Jerry James advised that the City has had a contract with Texas Landfill Management (TLM) for some time. They have been on hold because they were one of the submitters for the Operations Contract at the landfill, and wanted to see how that turned out as far as capital investment for the City. In the meantime there was a fire in Helotes, so that has changed the registration process from Texas Commission on Environmental Quality (TCEQ) dealing with mulch and composting. Now the registration process has become very cumbersome. TLM would be constructing the roads and brush site themselves, and were just waiting on the registration which they expected to receive any day. If they do, they may be opened some time in March. The brush site at the airport would be closed at that time, and the material would be moved to the Landfill site on FM 1686.

Solid Waste Automation Update

Mr. James advised that the automated trucks would be arriving ahead of schedule and the City would be taking delivery of them the first week of February. Following delivery of the trucks, the garbage carts would start being delivered the week of March 24th to the residents, with City staff participating in those deliveries. Training for the drivers on the trucks would be held February 9 and 13, 2008. Educational programs for the public would begin in March. There would be articles in the newspaper, promos on the television station, door tags, postcard mailings, and presentations to various organizations. Two yard waste bags would also be delivered with the carts, along with explanation on how the yard waste program would work. A variety of retail stores would sell the

CITY COUNCIL MINUTES

January 15, 2008

type of paper yard waste bags required, since plastic bags would no longer be allowed for items going to the compost site.

Mr. James introduced Don Rothwell with the Institute of Information Technology (IIT). His company has developed the routes for automatic garbage pick up in the City. Their program develops the fastest and most inexpensive way to get from one place to another. Residential, commercial, and roll-off type businesses in the waste industry are what his company concentrates on the most.

Mr. Rothwell presented the following conversion plan as broken into two phases along with maps of the proposed routes for each phase:

- Phase 1 –Two (2) side load routes per day, four days a week, Monday, Tuesday, Thursday, and Friday and one (1) yard waste route on the same four days as mentioned.
- Phase 2 – Three (3) additional side load routes per day, and then determine whether one (1) or two (2) additional yard waste routes per day were necessary.

Following explanation of the numerous routes, Mr. Rothwell advised that most routes would start at 7:00 a.m. and end at 4:00 p.m. The total miles driven for each truck on the average would be 88 miles, with two disposal trips at the landfill taking approximately 30 minutes. The transition time from Phase 1 to Phase 2 would take approximately six months. The entire City should be receiving automated garbage pick up by the end of 2008.

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Mayor Armstrong announced that Council would recess into Executive Session at 6:44 p.m., in accordance with:

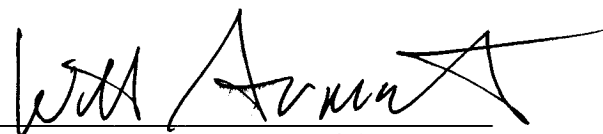
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Section 551.074, Texas Government Code, with regard to personnel matters (including, but not limited to the evaluation and appointment of directors of the Victoria Sales Tax Development Corporation). Scarlet Swoboda.

The Council reconvened in regular session at 7:18 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