

CITY COUNCIL MINUTES

May 19, 2009

Mayor Armstrong commented that the motion if passed would put Mr. Windwehen's salary at the 40% range compared to what the 15 city managers are making in those cities that his was compared with.

Cm. Polasek moved to amend the motion by splitting the increase into two separate increments of 8% of the base salary now, and 8% of new base salary six months from now, with Cm. Soliz seconding the motion. The motion to amend failed by the following vote:

AYES: Council Member Polasek

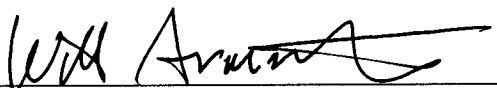
NAYS: Council Members Guittard, Soliz, Hagan, Truman, Halepaska, and Mayor Armstrong

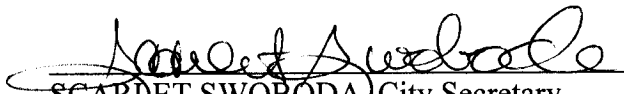
The original motion passed by the following vote:

AYES: Council Members Guittard, Polasek, Truman, Halepaska, and Mayor Armstrong

NAYS: Council Members Soliz and Hagan

There being no further business, the meeting was adjourned at 8:10 p.m.

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

ATTEST: 
SCARLET SWOBODA, City Secretary

VICTORIA CITY COUNCIL
June 2, 2009

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, June 2, 2009 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
- Tom Halepaska, Mayor Pro-Tem
- Philip Guittard
- Gabriel Soliz
- David Hagan
- Joe Truman

MEMBERS ABSENT

- Paul Polasek

STAFF PRESENT

- Charles E. Windwehen, City Manager
- Charmelle Garrett, Deputy City Manager
- George E. Hyde, Interim City Attorney
- Linda Champion, Assistant City Attorney
- Gilbert P. Reyna, Jr., Director, Finance
- Lynn Short, Director, Public Works
- John Kaminski, Director, Development Services
- Bruce Ure, Police Chief
- Vance Riley, Fire Chief
- Doug Cochran, Director, Parks and Recreation
- Rick Henrichs, Director, IT
- Jerry James, Director, Environmental Services
- Ken Gill, City Engineer
- Andrew Jacob, Assistant Finance Director
- Scarlet Swoboda, City Secretary

APPROVAL OF MINUTES

The minutes of the special meeting of May 12, 2009 and regular meeting of May 19, 2009 were approved as presented.

CITIZENS COMMUNICATION

Donald Day, 207 Brocton, thanked the Council and staff for their public service, commenting that it is not an easy job and he was impressed with their visions for the future. He thought the hike and bike trail along Lone Tree Creek, and the baseball and softball fields were outstanding and would enrich the City. He was impressed with the City's planning to go ahead and do some things in downtown Victoria that would also enrich the community.

Karen Scott, 102 Woodhall Drive, commented that the City was doing a study on closing some streets in the Woodway Subdivision and wanted to know where they were in the study. She commented that traffic was horrible, the speed bumps did not help, and it needed to be studied more and addressed. It is a dangerous situation and hopes that something is done.

Lewis Neitsch, 2906 Wildwood, addressed some items that he had made notes on over the past 11 years of service on the Council. One was the Branding Project and he commented that information on that should come to light soon. He asked the Council to continue to address the following: (1) getting a Convention and Visitor's Bureau Director on board, (2) addressing the software program in Municipal Court that continues to not reconcile the money for tickets, which may mean scrapping the current program and getting a new one, and at the same time possibly getting a program that would be compatible with the court and the Police Department, and (3) installing a traffic light at the intersection of Delmar and Lone Tree Road.

Mr. Neitsch also commented that the Lone Tree Hike and Bike Trail was a joint effort of the Council and Parks Commission and people were already using it. He suggested getting with a paving company and getting some of their base material, dumping it at the curb cuts at Airline and Ben Jordan, and then finishing it off with crushed asphalt to allow for parking, suggesting that it would be inexpensive. Finally, he suggested recognizing outstanding citizens and groups that do things for the community, such as volunteer groups, ball teams, student athletes, and those that receive scholarships. The Council needed to recognize those folks because they are ambassadors for Victoria.

Mayor Armstrong then presented a plaque of appreciation to Mr. Neitsch for his 11 years of service on the City Council. Mr. Neitsch responded that he had thoroughly enjoyed what he did and wanted to stay active, and was willing to serve on any board that was open or coming open.

Deputy City Manager, Charmelle Garrett advised that a report concerning the Convention and Visitor's Bureau issue would be on the next agenda.

ITEMS FROM COUNCIL

Cm. Hagan commented that he would like to place an item on the next agenda to address paying the 17% that an employee pays for their insurance premiums for the Fire, EMS, and Police employees. The City pays 83% of the premium per employee; the employee's portion is approximately \$80 a month and would put approximately \$1,000 in the pockets of those employees at an approximate cost of \$180,000. He wanted to do this immediately and felt like it would not break the bank. He also would still like to see those same employees moved up to the 40th percentile of the same cities that the City Managers salary was recently compared to.

Mayor Armstrong asked if anyone else wanted to see this item on the agenda. Cm. Truman commented that he would like to see the insurance part on the agenda. Mayor Armstrong commented that when the item goes on the agenda he wanted to examine where that money was going to come from out of the General Fund.

City Manager, Charles E. Windwehen advised that he was recommending having a budget work session on June 19, 2009 to address the General Fund items. He suggested that if they wanted to talk about pay and benefits that would be the logical time to do so.

Cm. Hagan commented that it was important for Mr. Windwehen to get his raise, and it was important to be timely, to show appreciation for the Fire, EMS, and Police employees. He suggested that out of a \$160 million budget they could easily find the \$160,000 that this would cost, and he felt

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they could do it before the next City Council meeting. It was the consensus of Council to place Cm. Hagan's request on the work session agenda of June 19, 2009.

Cm. Halepaska asked what was being done regarding e-waste and cardboard. Director of Environmental Services, Jerry James responded that cardboard had been taken to San Antonio along with other recyclables. Staff has had discussions with Texas Landfill Management (TLM) and they would be able to take the cardboard to the composting site at the landfill, have it composted and in the long run the City would receive a royalty on that. The City should be able to save \$3,500 a month by doing that and will do it on a trial basis to make sure that it works as well as they think it will. Regarding the e-waste, a company from Fort Worth will be coming down and doing a free recycling day in September.

Cm. Truman requested placing an item on the June 16th agenda regarding alcohol prohibition in the parks, and wanted to see about having an ordinance drafted and would get the particulars to the Legal Department.

PUBLIC HEARINGS AND ACTION

Mayor Armstrong opened a public hearing on the following items:

ORDINANCE 2009-15 – AMENDING SECTION 17-2 OF THE VICTORIA CITY CODE TO EXPAND THE AREAS VEHICLES ARE PROHIBITED

Interim City Attorney, George E. Hyde, read the caption of Ordinance 2009-15, which amends Section 17-2 of the Victoria City Code to expand the areas vehicles are prohibited by including all City property. Second and Third Reading. Doug Cochran.

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

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

AYES: Council Members Guittard, Soliz, Hagan, Truman, Halepaska, and Mayor Armstrong

NAYS: None

Caption:

AN ORDINANCE AMENDING SECTION 17-2 OF THE VICTORIA CITY CODE TO EXPAND THE AREAS VEHICLES ARE PROHIBITED BY INCLUDING ALL CITY PROPERTY, REPEALING ALL CONFLICTING ORDINANCES, PROVIDING FOR SEVERABILITY; PROVIDING FOR CODIFICATION AND SAVINGS; AND DECLARING AN EFFECTIVE DATE.

ORDINANCE 2009-17 – ADOPTING SCHEDULES OF TRAFFIC REGULATIONS

Interim City Attorney, George E. Hyde, read the caption of Ordinance 2009-17, which adopts schedules of one-way streets, parking restrictions, and speed limits; adopts maps pertaining to truck routes and parking restrictions, provides that schedules of such traffic regulations and fees shall be maintained for public inspection, provides a penalty not to exceed \$200.00 upon conviction, and repeals parts of conflicting ordinances. First Reading. Lynn Short.

Mayor Armstrong asked if there were any questions from Council or the audience.

Director of Public Works, Lynn Short advised that the ordinance included the addition of school zones adjacent to the new elementary schools being constructed on Lone Tree Road and Mallette Drive; remove parking prohibition along Crestwood Drive between Ben Jordan and Sam Houston to allow on street parking; establish a no parking zone on the section of Juan Linn between Ben Jordan and Ben Wilson, adjacent to the Youth Sports Complex; establish a 20 mph speed limit in Ethel Lee Tracy Park; 20 mph construction zone speed limit unless otherwise marked for construction zones on City streets, and 25 mph construction speed limit unless otherwise marked for construction on state highways within the city limits; and remove the decreased speed limit on Hospital Drive and Continental Street since they are no longer public streets.

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Cm. Truman expresses concern about making portions of Crestwood two-lane, and asked staff to look at the intersection where it crosses Laurent and near Sam Houston because of possible traffic congestion.

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

AYES: Council Members Guittard, Soliz, Hagan, Truman, Halepaska, and Mayor Armstrong
 NAYS: None

Caption:

AN ORDINANCE ADOPTING SCHEDULES OF ONE-WAY STREETS, PARKING RESTRICTIONS, AND SPEED LIMITS; ADOPTING MAPS PERTAINING TO TRUCK ROUTES AND PARKING RESTRICTIONS, PROVIDING THAT SCHEDULES OF SUCH TRAFFIC REGULATIONS AND FEES SHALL BE MAINTAINED FOR PUBLIC INSPECTION, PROVIDING A PENALTY NOT TO EXCEED \$200.00 UPON CONVICTION, REPEALING PARTS OF CONFLICTING ORDINANCES; PROVIDING FOR SEVERABILITY, PROVIDING FOR PUBLICATION, PROVIDING FOR SAVINGS, AND DECLARING AN EFFECTIVE DATE.

ORDINANCE 2008-2009J – AMENDING 2008-2009 FISCAL YEAR BUDGET TO PROVIDE FUNDING FOR NEW FIRE STATION #2

Interim City Attorney, George E. Hyde, read the caption of Ordinance 2008-2009J, which amends the 2008-2009 Fiscal Year Budget of the City of Victoria by transferring \$900,000 from the General Fund fund balance to the General Fund Fire Department Assets under Construction capital line item, to provide funding for the construction of the new Fire Station #2. First Reading. Andrew Jacob.

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

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

AYES: Council Members Guittard, Soliz, Hagan, Truman, Halepaska, and Mayor Armstrong
 NAYS: None

Caption:

AN ORDINANCE AMENDING THE 2008-2009 FISCAL YEAR BUDGET OF THE CITY OF VICTORIA BY TRANSFERRING \$900,000 FROM THE GENERAL FUND FUND BALANCE TO THE GENERAL FUND FIRE DEPARTMENT ASSETS UNDER CONSTRUCTION CAPITAL LINE ITEM, TO PROVIDE FUNDING FOR THE CONSTRUCTION OF THE NEW FIRE STATION #2, REPEALING ALL CONFLICTING ORDINANCES, PROVIDING FOR SEVERABILITY; AND DECLARING AN EFFECTIVE DATE.

RESOLUTION 2009-82R – APPROVING 2008-2009 CDBG ONE-YEAR ACTION PLAN SECOND AMENDMENT AND AUTHORIZING CDBG PROGRAM AND AMENDMENTS

The resolution (1) approves the Fiscal Year 2008-2009 Community Development Block Grant (CDBG) One-Year Action Plan Second Amendment and (2) authorizes the City Manager to submit all required documentation for the Fiscal Year 2008-2009 CDBG Program and amendments thereto, to the U.S. Department of Housing and Urban Development (HUD). John Kaminski.

Mayor Armstrong asked if there were any questions from Council or the audience.

Cm. Truman asked why sidewalks were so expensive, with Director of Development Services, John Kaminski responding that they have to comply with the Americans with Disabilities Act (ADA) requirements however they are less expensive than they were a few years ago. Cm. Truman also asked whether any more bus pads could be added, with Mr. Kaminski responding that an additional funding request would be on the next meeting.

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

AYES: Council Members Guittard, Soliz, Hagan, Truman, Halepaska, and Mayor Armstrong
NAYS: None

Mayor Armstrong closed the public hearings.

CITY MANAGER REPORTS

- **Status of Lone Tree Road Reconstruction, Laurent Street Reconstruction, and Lone Tree Channel Improvements and Trail Projects** - City Engineer, Ken Gill reported that the Lone Tree Creek and Trail with lights and electrical service was complete. Flashing signals and push buttons at the intersections along the trail would be complete in June or July. Lone Tree Road Project was complete and the Laurent Street Project would soon be complete from Rio Grande to Red River.
- **Report on the 2009 Updates to the Master Water and Wastewater Plans** – Director of Public Works, Lynn Short provided hard copies of both plans. He advised that the updates were prepared by Urban Engineering and the Wastewater plan was an update of the 1990 Master Wastewater plan and a subsequent 1998 sanitary sewer overflow program. They inventoried and evaluated the City's sewer mains and lift stations, and assessed their ability to service the population projected out to 2030. The Water plan update incorporated the changes that were incurred to the system since 2003 and made recommendations for increasing water main sizes within the City to serve that 2030 population, and also immediately outside of the city limits and recommends what size water mains to extend out to that growth. A resolution will be brought for Council consideration on June 16, 2009.
- **Work Session dates scheduled for Fiscal Year 2009-2010 budget** – City Manager, Charles E. Windwehen recommended Friday, June 19, Tuesday, June 23, and Thursday, June 25, 2009 to hold budget work sessions. It was the consensus of Council to meet on the recommended dates from 4:00 to 6:00 p.m. at 700 Main Center, Room 204. Cm. Hagan advised that he wanted to be able to take action on his prior request at the meeting on June 19 and wanted the notice to be posted in such a manner. He also requested that the Finance Department come to that meeting with a number of suggestions for funding his request.
- **Report on Sales Tax** – Assistant Finance Director, Andrew Jacob reported that there was a better outlook on the sales tax receipts for the fiscal year to date, resulting in positive news. He advised that there had been an error on a previous benchmark report, explaining that there had been an error in one of the formulas determining monthly totals. That has been corrected and the sales tax was coming in .11% over budget for the year. The significant point to make was that the City was on budget to receive what had been projected.

RESOLUTION 2009-83R – AUTHORIZING AGREEMENT WITH GUADALUPE-BLANCO RIVER AUTHORITY REGARDING STAFF

The resolution authorizes the City Manager to execute an Agreement with Guadalupe-Blanco River Authority (GBRA) regarding assigned employees to GBRA's Victoria Wastewater Plant staff. Lynn Short.

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

AYES: Council Members Guittard, Soliz, Hagan, Truman, Halepaska, and Mayor Armstrong
NAYS: None

RESOLUTION 2009-84R – AUTHORIZING PROFESSIONAL SERVICES AGREEMENT WITH HDR ENGINEERING, INC., FOR THE TRAFFIC SIGNAL REPLACEMENT PROJECT (US 77 AT CRESTWOOD DRIVE)

The resolution authorizes the City Manager to execute a Professional Services Agreement between the City of Victoria and HDR Engineering, Inc. of Corpus Christi, Texas, for the design, bid and management of the construction phase of the Traffic Signal Replacement Project (US 77 at Crestwood Drive), in the amount of \$35,500. Lynn Short.

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, Soliz, Hagan, Truman, Halepaska, and Mayor Armstrong
NAYS: None

RESOLUTION 2009-85R – AUTHORIZING INTERVENTION IN AEP TEXAS CENTRAL COMPANY’S AND AEP TEXAS NORTH COMPANY’S REQUEST FOR APPROVAL OF ADVANCED METERING SYSTEM DEPLOYMENT PLAN

The resolution of the City of Victoria, Texas authorizes intervention in AEP Texas Central Company’s and AEP Texas North Company’s Request for Approval of an Advanced Metering System (AMS) Deployment Plan and Request for AMS Surcharges filed at the Public Utility Commission (PUC) of Texas; approves cooperation with the Steering Committee of Cities served by AEP Texas Central Company and Steering Committee of Cities served by AEP Texas North Company to review the application, hire legal and consulting services, and to negotiate with the Company and direct any necessary litigation and appeals. Gilbert P. Reyna, Jr.

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

AYES: Council Members Guittard, Soliz, Hagan, Truman, Halepaska, and Mayor Armstrong
NAYS: None

RESOLUTION 2009-86R – AUTHORIZING PROFESSIONAL SERVICES AGREEMENT WITH CHEVRON ENERGY SOLUTION COMPANY


The resolution authorizes the City Manager to execute a Professional Services Agreement between the City of Victoria and Chevron Energy Solution Company, a division of Chevron U.S.A., Inc. of San Francisco, CA, for (1) the collection of data necessary to prepare and submit an application for the Energy Efficiency and Conservation Block Grant; and (2) to perform a city-wide review of City operations for overall energy efficiencies and develop an Energy Efficiency and Conservation Plan, in the amount of \$77,500. Gilbert P. Reyna, Jr.

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

AYES: Council Members Guittard, Soliz, Hagan, Truman, Halepaska, and Mayor Armstrong
NAYS: None

There being no further business, the meeting was adjourned at 6:16 p.m.

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

ATTEST: 
SCARLET SWOBODA, City Secretary