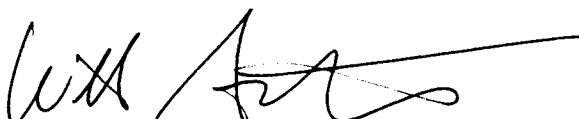



**CITY COUNCIL MINUTES
July 21, 2009**

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 regarding anticipated litigation by Roth Construction against the City of Victoria and legal issue related to the competitive sealed proposal process used for Victoria Fire Station #2. George E. Hyde. **The item was addressed in open session.**

Texas Government Code § 551.087, 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 and County of Victoria are jointly conducting economic development negotiations with (including, but not limited to, proposed development near Victoria Regional Airport). George E. Hyde.

There being no further business, the meeting was adjourned at 8:06 p.m.

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

ATTEST: 
SCARLET SWOBODA, City Secretary

**VICTORIA CITY COUNCIL
August 3, 2009**

CALL TO ORDER

A special meeting of the Victoria City Council was called to order by Mayor Will Armstrong at 2:01 p.m. Monday, August 3, 2009 in the Council Chambers, 107 W. Juan Linn, Victoria, Texas. The pledge of allegiance was said.

MEMBERS PRESENT

Will Armstrong, Mayor
Tom Halepaska, Mayor Pro-Tem
Denise Rangel
Gabriel Soliz arrived at 2:07
Paul Polasek
David Hagan
Joe Truman

STAFF PRESENT

Charles E. Windwehen, City Manager
Charmelle Garrett, Deputy City Manager
George E. Hyde, Interim City Attorney
Linda Champion, Assistant City Attorney
Jerry James, Director, Environmental Services
Darryl Lesak, Asst. Director Environmental Services
Rick Henrichs, Director, IT
Scarlet Swoboda, City Secretary

OTHERS PRESENT

Representatives with ARC Southern Energy, LLC
Ali Abdullah, CEO and President
John Baker, chief Operating Officer
John Martineau, Vice President, Sales Adaptive ARC
Mike Macha, Vice President, Client Relations

City Manager, Charles E. Windwehen advised that the special meeting was called so that the Council could consider a business proposal, which was brought forward by a newly formed company out of Houston. They have spoken with staff before about extracting methane from the City Landfill. They have discovered an opportunity for a Federal Grant and the deadline was the following afternoon.

Director of Environmental Services, Jerry James advised that there were two Department of Energy Grants, one due tomorrow and one due September 3, 2009. The two grants are 50/50 share grants. The City would not be sharing the 50% funding, ARC Southern Energy, LLC would be responsible. The first grant is a research grant, with the funding coming available in approximately thirty days. The second part of the grant is Department of Energy funding, which is part of the stimulus package to put in the infrastructure that would be involved in that project. Council had encouraged staff to look at some means of taking the Landfill methane gas and turning it into an asset that makes money for the City.

Mr. James introduced the representatives of Arc Southern Energy, LLC, who presented a PowerPoint presentation explaining their green energy initiative. They explained how their technology would work to generate gas that could then produce electricity. They explained that there was great potential in Victoria for their product. They suggested that within six months they could provide a return on energy and revenue from the methane gas. Also the amount of landfill gas could be enhanced by integrating the technology, and by adding moisture to the landfill, which would also increase the landfill's life. It would also decrease greenhouse emissions. The annual environmental benefit is displacing 20 million acres of forest and 200 million barrels of oil.

The plasma Arc would replace the flaring process that is currently used at most landfills. The proposed use of the landfill gas is to use the plasma device for the treatment and energy production, resulting in less emission because the exhaust goes back into the plasma field. It is more efficient energy production compared to any technology using landfill gas. Using the plasma Arc is 99.9999% efficient. The City's Landfill would be a great site to demonstrate that technology, and could revolutionize the waste industry. It would increase the landfill life and provide an additional source of renewable energy and carbon credits. The electricity could then be sold back to the grids. It was explained that this particular process had not been done anywhere else.

They explained that the cool plasma gasification was very inexpensive and very clean. The regenerative cleaning machinery fits on the back of a semi-trailer so there would not be anything built there on site. Anything that is carbon or organic based can be turned into a synthetic fuel with their system. The remaining 5% of waste material is similar to fly ash, which has good economic value and is typically used in the cement industry.

Mayor Armstrong announced that staff would take a short recess at 2:59 p.m. and they reconvened at 3:17 p.m.

Mr. Windwehen announced that that there were too many questions. He stated that staff would like to see a business plan, which would detail what the City would be responsible for and what the risks were. Staff needed more information and did not want to be rushed into something that may place the City at a disadvantage. It was the administration's recommendation not to go forward with the resolution.

Interim City Attorney, George E. Hyde commented that because the deadline was the next day there was not enough time to get enough information to be able to advise the Council on whether the project would be beneficially or detrimental to the City.

Resolution 2009-132R – Memorandum of Understanding with ARC Southern Energy, LLC

The resolution considered authorizing the City Manager to enter into a Memorandum of Understanding (MOU) for Third Party Commitment with ARC Southern Energy, LLC of Houston, Texas, in a form acceptable to the City Attorney, to fulfill the requirements of two Department of Energy grant solicitations for renewable energy deployment and research; with no cost to the City. Jerry James.

The resolution died for lack of a motion.

ADJOURN

There being no further business, the meeting was adjourned at 3:27 p.m.

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

ATTEST: Scarlet Swoboda
SCARLET SWOBODA, City Secretary

VICTORIA CITY COUNCIL
August 4, 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, August 4, 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
Denise Rangel
Gabriel Soliz
Paul Polasek
David Hagan
Joe Truman

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
Dayna Williams-Capone, Director, Library
Danette Respondek, Director, Human Resources
James Foote, Network Engineer, IT
Jerry James, Director, Environmental Services
Jimmy Roach, Deputy Director, Public Works
Ken Gill, City Engineer
Jared Mayfield, Planning Manager
Ray Miller, Deputy Director, Development Services
Andrew Jacob, Assistant Finance Director
Darryl Lesak, Asst. Director Environmental Services
Wendi DuVall, Deputy City Secretary
Scarlet Swoboda, City Secretary

CITIZENS COMMUNICATION

Randy Vivian, 2302 Terrace, President of the Chamber of Commerce introduced the new Director of the Visitors Bureau, Bridgette Bise.

James Wayne, 15 Spring Creek Road, commented that staff needed to become team players, and read a letter from his attorney concerning right-of-way and driveway issues at 2801 N. Laurent. In the letter a request was made to rebuild the driveway as it previously existed.

John Griffin, 507 S. DeLeon commented that the Fire Station contract from last week should be rebid as it would be the best thing to do.