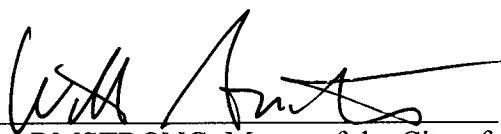



APPROVED:   
WILL ARMSTRONG, Mayor of the City of  
Victoria, Texas

ATTEST:   
SCARLET SWOBODA, City Secretary

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**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.

Marvin Williamson, 114 Village Green and Victor O’Keefe, 213 Legend expressed opposition to the request for a water well permit for the Lakes of Colony Creek for aesthetic reasons during a time of drought. They asked Council to deny the request.

Hershel Buck, 321 Clydesdale, representing the Police Officers Association expressed concerns with the wages of the Police Department. He suggested a step program that would allow officers to move up the pay scale every few years instead of just when they get a promotion. He did not want to affect other City services, but would like to sit down with Council to see what would be in comparison to other cities. He suggested that the reason some leave the department is because of the wages.

**ITEMS FROM COUNCIL**

- **Wi-Fi in Downtown** – Requested by Cm. Truman on the feasibility of offering it free by the City. Network Engineer, James Foote advised that staff felt it should be pursued by the private sector. The City could partner with the private sector, but City resources should be used as a last resort. Cm. Polasek advised that his business and some of the other business owners around DeLeon Plaza had expressed interest in providing that service.

Cm. Hagan asked that the issue concerning James Wayne’s request be placed on the next agenda. He also requested that the Fire Station issue be on the next agenda for rebid. It was the consensus of the majority of the Council to place both items on the September 1, 2009 agenda.

**PUBLIC HEARINGS AND ACTION**

Mayor Armstrong opened a public hearing on the following items:

**Ordinance 2008-2009M – Budget Amendment for Landfill Gas Feasibility Study**

Interim City Attorney, George E. Hyde, read the caption of ordinance 2008-2009M, which amends the 2008-2009 Fiscal Year Budget of the City of Victoria by transferring \$96,000 from the Environmental Services Closure Fund fund balance to the Environmental Services Fund Landfill Closure Department Engineering capital line item, to provide funding for a landfill gas to energy feasibility study and provide procurement support at the Victoria Landfill. Second and Third Reading. Andrew Jacob.

Mayor Armstrong asked if there were any questions from Council or the audience. Cm. Soliz asked how many times the funds had been dipped into this year. He was informed that it had been dipped into a number of times, but they were working on eliminating the need to dip into the fund.

Cm. Truman moved that the ordinance pass on second and third reading, with Mayor Pro-Tem Halepaska seconding the motion. The ordinance passed on second and third reading by the following vote:

- AYES: Council Members Rangel, Soliz, Polasek, 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 \$96,000 FROM THE ENVIRONMENTAL SERVICES CLOSURE FUND FUND BALANCE TO THE ENVIRONMENTAL SERVICES FUND LANDFILL CLOSURE DEPARTMENT ENGINEERING CAPITAL LINE ITEM, TO PROVIDE FUNDING FOR A LANDFILL GAS TO ENERGY FEASIBILITY STUDY AND PROVIDE PROCUREMENT SUPPORT AT THE VICTORIA LANDFILL, REPEALING ALL CONFLICTING ORDINANCES, PROVIDING FOR SEVERABILITY; AND DECLARING AN EFFECTIVE DATE.**

**Public Hearing and Resolution 2009-133R – Fiscal Year 2009-2010 CDBG One-Year Action Plan**

A public hearing and resolution which (1) approves the Fiscal Year 2009-2010 Community Development Block Grant (CDBG) One-Year Action Plan and (2) authorizes the City Manager to submit all required documentation for the Fiscal Year 2009-2010 CDBG Program and amendments thereto, to the U.S. Department of Housing and Urban Development (HUD). John Kaminski.

Cm. Soliz commented that he had a problem with moving money from affordable housing to sidewalks. He suggested putting money back into housing and would also like to give Keep Victoria Beautiful (KVB) more funds.

Director of Development Services, John Kaminski advised that KVB would have to contract with them for a service. The way that the grant funds work, Council could not just give them additional money without a specific service identified in the plan. It was also pointed out that payroll could not be paid out of these funds.

Cm. Soliz moved to amend the resolution to give \$15,000 to Keep Victoria Beautiful and take away the public improvements, with Cm. Hagan seconding the motion. The motion **failed** by the following vote:

AYES: Council Member Soliz

NAYS: Council Members Rangel, Polasek, Hagan, Truman, Halepaska, and Mayor  
Armstrong

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

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

NAYS: None

Mayor Armstrong closed the public hearings.

**CITY MANAGER REPORTS**

- **Report on Police/Fire pay ranges** – City Manager, Charles E. Windwehen and Director of Human Resources Danette Respondek presented information on comparison cities, percent differences, history of pay increases for Fire and Police since 2004, the current pay ranges, and turnover rate. The administration was recommending \$1,500 added to minimum pay for certified Police and Fire on October 1. Also, additional \$500 to minimum for Police Lieutenant and Captain, Fire Captain, Battalion Chief and Fire Marshal.
- **Report on pay program** – Mr. Windwehen and Ms. Respondek advised that staff was recommending a 0-3% Pay for Performance (PFP) with a 2% average for the rest of the employees.
- **Government Finance Officers Association Distinguished Budget Award for Fiscal Year 2008-2009** – Mr. Windwehen advised that the Finance Department had receive this award for the 24<sup>th</sup> consecutive year.
- **Report on September and October Boards and Commissions appointments** - City Secretary, Scarlet Swoboda presented a list of names for consideration for appointment to various boards and commissions for September and October consideration.

**CONSENT AGENDA:** all consent agenda items listed are considered to be routine by the city council and will be enacted by one motion. There will be no separate discussion of these items unless a council member so requests, in which event the item will be removed from the consent agenda and considered in its normal sequence on the agenda. Information concerning the consent agenda items was available for public review.

1. **Approval of Minutes:** The special meeting of July 14, 2009 and the regular meeting of July 21, 2009.
2. **Resolution 2009-134R – Award Contract for Sabine Street Water Line Replacement Project:** The resolution awards the Sabine Street Water Line Replacement (Levi Street to Laurent Street) Project to Falcon Lease Operating Company of Victoria, Texas, in the amount of \$43,707. Lynn Short.
3. **Resolution 2009-135R – Reject Bid for Traffic Conduit Bores N. Navarro Street Project:** The resolution rejects the only bid received for the Traffic Conduit Bores N. Navarro Street Project from Statewide Traffic Signal Company of Houston, Texas in the amount of \$332,700, and permits staff to re-design the project in order to reduce cost and attract competitive bidding. Lynn Short.

Mayor Pro-Tem Halepaska moved that the consent agenda be adopted, with Cm. Polasek seconding the motion. It was adopted by the following vote:

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

NAYS: None

#### **Resolution 2009-136R – Water Well Permit for the Lakes of Colony Creek - DENIED**

The resolution considered authorizing the Director of Public Works to issue a water well permit to Lot A, Block 3, the Lakes of Colony Creek II and Lot 1, Block 4, the Lakes of Colony Creek, owned by The Lakes of Colony Creek Homeowners Association. Lynn Short.

Cm. Polasek moved to deny the resolution, with Cm. Soliz seconding the motion. The resolution was **denied** by the following vote:

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

NAYS: None

#### **Resolution 2009-137R – Professional Services Agreement for Lift Station Rehabilitations Project**

The resolution authorizes the City Manager to execute a Professional Services Agreement between the City of Victoria and Victoria Engineering, Inc. d/b/a Urban Engineering for Design, Bidding and Construction Phase Services for the Lift Station Rehabilitations (Highway 77 and Magruder Lift Stations) Project in the amount of \$31,000. Lynn Short.

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

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

NAYS: None

#### **Resolution 2009-138R – Grant Funds to Remodel Old Fire Station #2**

The resolution ratifies the City of Victoria Fire Department's grant application and authorizes the City Manager to execute all documents necessary to accept a grant from the Federal Emergency Management Agency (FEMA) 2009 Assistance to Firefighters Grant Fire Station Construction Program, which will provide for the remodel of the old Fire Station #2 to consolidate the fire

department administrative and training operations, in a total amount of up to \$1,088,836, with no local match required. Vance Riley.

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

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

**WORK SESSION**

Following a short recess the Council began the work session.

**Capital Improvement Program (CIP) Planning and Finances** - Charles E. Windwehen, Gilbert P. Reyna, Jr., and Lynn Short.

A PowerPoint presentation was presented showing available funding and projects for consideration as of March 2009. An update of completed projects and those bid, along with additional planned projects, and deleted projects and deleted future projects from the list.

**Funding Adjustments**

Total available funding – March 2009	\$20,964,478
Available Funds from Competed Projects	\$ 1,434,735
Available Funds from Projects Bid	\$ 1,173,157
Additions to Planned Project List	(\$13,691,353)
Available Funds from Deleted Projects	\$ 1,108,105
Other Funding Adjustments	\$ 4,797,687
Total Available Funding – August 2009	\$15,786,809

**Projects for Consideration**

- Sam Houston Street Reconstruction – Phase II
- Ball Airport Road
- Red River Street Reconstruction Project
- Huvar Street Reconstruction
- Glasgow Street Extension
- Guy Grant Drainage and Sidewalk Project
- Crestwood Drive Reconstruction Project
- Airline Road Extension – Revised
- Traffic Signal – Delmar and Lone Tree
- John Stockbauer Improvements
- Traffic Signal – US 87 and Nursery Road – Revised
- North Heights Addition
- US 77 N. Annexation
- Red River Street Alternate – New
- Projects for Council

**Staff’s Recommendation**

- Traffic Signal – US 87 and Nursery Road – Revised (Council agreed)
- Red River Street Alternate – New (Council agreed with utilities if possible)
- Traffic Signal – Delmar and Lone Tree (Council agreed)
- Sam Houston Street Reconstruction – Phase II

Remaining Funds available \$4,836,704

**Council Suggestions**

- Cm. Rangel suggested adding bathroom facilities to the downtown area similar to the one in Cuero. Theirs were built with grant funds.
- Mayor Pro-Tem Halepaska wanted to see Ball Airport extended if money was available.
- Cm. Soliz would like to install electrical outlets in the ground for downtown events.


**Additional Options**

- Option 1 – Airline Road Extension – Utilities - \$3,312,500
- Option 2 – Ball Airport Road Sections 5 and 6 - \$3,717,188
- Option 3 – Red River Street Section #1 - \$1,993,719
- Option 4 – Huvar Street – Option #2 - \$1,590,075
- Option 5 – US 77 North Annexation Project - \$2,698,750

**ADJOURN**

There being no further business, the meeting was adjourned at 8:03 p.m.

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

ATTEST:   
 SCARLET SWOBODA, City Secretary

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**VICTORIA CITY COUNCIL  
August 11, 2009**

**CALL TO ORDER**

A special meeting of the Victoria City Council was called to order by Mayor Will Armstrong at 5:00 p.m. Tuesday, August 11, 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  
 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  
 Rick Henrichs, Director, IT  
 Scarlet Swoboda, City Secretary

**MEMBERS ABSENT**

Tom Halepaska, Mayor Pro-Tem

**OTHERS PRESENT**

Bob Henderson, RBC Capital Markets  
 Financial Advisor for the City