

EXECUTIVE SESSION

Mayor Armstrong announced that Council would recess into Executive Session at 9:03 p.m., in accordance with:

Section 551.074, Texas Government Code, with regard to personnel matters (including, but not limited to, the appointment, employment and evaluation of City Attorney candidates). George E. Hyde


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, legal issues related to the interpretation of legal documents and parties involved in the proposed purchase of property for a wastewater treatment plant. George E. Hyde.

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 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 Project. George E. Hyde.

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 and § 551.072, 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, legal issues related to the interpretation of legal documents and parties involved in the proposed purchase (to include, but not limited to purchase and/or litigation options related to the proposed sidewalk along Lone Tree Road – Torres Elementary). George E. Hyde.

The Council reconvened with no action taken and nothing to report. There being no further business, the meeting was adjourned at 10:30 p.m.

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

ATTEST: 
SCARLET SWOBODA, City Secretary

VICTORIA CITY COUNCIL
Work Session
September 8, 2009

CALL TO ORDER

A work session of the Victoria City Council was called to order by Mayor Will Armstrong at 3:00 p.m. Tuesday, September 8, 2009 in the Council Chambers, 107 W. Juan Linn, Victoria, Texas.

MEMBERS PRESENT

Will Armstrong, Mayor
Tom Halepaska, Mayor Pro-Tem
Denise Rangel
Gabriel Soliz arrived at 3:06 p.m.
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
Jerry James, Director, Environmental Services
Scarlet Swoboda, City Secretary

WORK SESSION

Proposed Fiscal Year 2009-2010 Budget

City Manager, Charles E. Windwehen advised that staff did not have any presentations, this was an opportunity for the Council to ask questions or give direction to staff regarding the budget. He wanted to correct some comments made by the public at the last meeting. The City Manager's Office has two magazine subscriptions which total \$204 a year. There are some memberships in that same fund for the Rotary Club, Gulf Coast Inter-coastal Canal Association, two Texas City Management Association (TCMA) memberships, and one National City Management Association membership; we do not spend \$4,000 on subscriptions, memberships are included in that total.

Another individual stated that the City Manager had a house with 3,700 square feet in it on the tax rolls at a value of \$33 a square foot, which is not true. The City Manager clarified that his house has 2,440 square feet and is on the tax rolls at \$84.33 a square foot. His taxes are the same level as everyone else in the neighborhood. Mayor Armstrong asked Mr. Windwehen to restate this information again at the meeting at 5:00 p.m.

Mr. Windwehen advised that the budget the administration delivered is financially responsible, the revenues and expenditures are in balance. It maintains a healthy financial position for the City's major funds, it maintains the programs of services, and it does not expand any programs. All of the departments were told to bring in a budget that had no new programs or employees, and they did that. It addresses the priorities that Council has expressed, police staffing, police and fire pay, police and fire salary range adjustments, and a modest pay program for other employees. It continues all the programs to clean up Victoria, and continues street maintenance. Staff has focused on reducing costs by eliminating five positions generating over \$300,000 in savings.

The total general fund was up eight tenths of one percent over last year's budget. The projected new property tax revenue for operations is \$230,000 from new construction, and \$254,000 from property revaluations. The proposed use of that new revenue would be \$211,000 for four additional positions in the Police Department, \$429,000 in the Police and Fire pay program, and \$206,000 for pay program for all other employees. The Council authorized the Splash Pad grant, which will be a good quality of life feature for the City; however it will cost approximately \$80,000 each year for maintenance and operation. Additional Police officers and moving across their pay grades will cost money, so if the tax revenues are reduced too much it makes it much more difficult.

At the last meeting, suggestions were made by Council for ways to reduce the budget they are: reducing the abandoned building demolition by \$25,000, removing the sidewalk on Mockingbird saving \$92,735, reducing Police Department overtime by \$65,000, and the reductions in Police Department telephones by \$10,000, and The South Texas Zoo by \$10,000. Also reducing part-time pay costs in court payroll, not doing the sales tax audit, phone and computer maintenance

CITY COUNCIL MINUTES
September 8, 2009

reductions in some of the offices. With these changes it would allow for the Council to reduce the tax rate by half a penny.

Mr. Windwehen advised that his job according to the Charter is to develop and propose a financial plan or budget and try to address the Council's priorities. Council's job is to give broad direction as to program priorities, tax spending level, capital improvement planning, and long term financial planning, how much you borrow and how it is paid for, in broad general direction. His job also is to advise Council in the areas of spending and taxing, with Council having the ultimate say. Citizens give input every year, but the difference with Council is they have to be responsible for the decisions they make and how they impact the community, whereas the citizens do not have that responsibility.

Mr. Windwehen advised that staff had no other items to bring up, and the Council could make any recommendations they desired at this time.

Mayor Armstrong commented that Cm. Polasek had wanted to lower the tax rate to \$0.6450. He polled the Council on whether they wanted to go along with that rate; all but Cm. Hagan agreed.

Cm. Hagan moved to cut the Zoo budget by an additional \$6,000 to make it an even 10percent cut, with Cm. Truman seconding the motion. The motion **failed** by the following vote:

AYES: Council Members Soliz, Hagan, and Truman

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

Cm. Hagan asked for explanation on the meal costs in the City Manager's budget. Deputy City Manager, Charmelle Garrett advised that it includes sandwiches for the late Council meetings, and any meal where a Council Member would have a business meeting with different people in the community or with the City Manager or herself. Mayor Armstrong commented that there are some things that the City should do from a public relations and business standpoint.

Cm. Hagan moved to cut the meal budget from \$8,000 to \$4,000, with Cm. Truman seconding the motion.

Cm. Polasek moved to amend the motion by cutting the meal budget from \$8,000 to \$6,000, with Cm. Rangel seconding the motion. The motion to amend passed by the following vote:

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

NAYS: Council Member Halepaska

Cm. Hagan commented that he had no opposition to the amendment. The original motion, as amended, passed by the following vote:

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

NAYS: Council Member Halepaska

Cm Hagan moved to remove the \$150,000 for legal fees from the budget, the motion died for lack of a second.

Cm. Polasek commented on the Splash pad that would be built with a grant and the \$80,000 estimation of ongoing expenses in the future to maintain that park, and the four Police positions, all that would be reoccurring expenses. That was \$300,000 in expenses in the next year or two, which concerned him, especially since more would be paid out in raises than what was being collected in new revenue. He further commented that when the budget process started Mr. Windwehen and Ms. Garrett met with Council Members individually to get feedback on priorities and he appreciated that. He told them at that time that he was going to ask for a half a penny reduction in the tax rate, but understood that they had to build the budget on some number because they do not have the property tax totals yet.

Ms. Garrett advised that the department heads are constantly challenged to look at their processes and try to figure out how they can streamline their departments.

CITY COUNCIL MINUTES
September 8, 2009

Cm. Soliz inquired about the emergency management line item. Finance Director, Gilbert P. Reyna, Jr. advised that the City and County have an Interlocal Agreement and the amount shown was half the cost.

Cm. Polasek asked about the mowing bids. Director of Parks and Recreation, Doug Cochran advised that a bid of \$284,824 was received and the new hike and bike trail maintenance was included in the bid, at \$51,000. The contract specifies the number of mowings a year, with the option to add or remove mowing as needed depending on whether it is a wet or dry year. It was recommended by staff to leave \$300,000 in the budget.

Cm. Hagan asked about the transfer grant money in the amount of \$500,000. Mr. Cochran advised that the City got the grant.

Cm. Rangel asked if any funds were used on mosquito spraying this year. Mr. Cochran responded not to date.

Cm. Soliz asked about the small SUV for engineering in the budget. An older pickup that is out of life cycle could be used; however staff was not recommending it. When making the determination of when to replace a vehicle an analysis is done on the age of the vehicle and how much that vehicle is costing to maintain. From the Fleet Services standpoint, that older pickup is not one that staff would want to keep in the fleet because of the cost to maintain. This is an additional vehicle, because a position has been turned into a survey/construction inspector's position and that person needs a vehicle because of the number of construction projects. Sometimes the departments have already been asked to wait a year, these are work vehicles not passenger trucks.

Cm. Soliz asked whether the Fire and Police Departments could purchase their uniforms from the same vendors. He was informed that the needs were different for the two departments. Cm. Soliz also asked about Kevlar vests for Fire Department, with staff responding that the vests were different types than for the Police Department. The Police Department replaces their vests every five years and there is not a price break by buying them together because those prices are set by State contracts.

Cm. Soliz asked about replacement pistols. Staff advised that some of the pistols were approximately 20 years old and needed to be replaced, and they were receiving trade-in value which would offset the costs. Cm. Soliz asked whether they had looked at other vendors. It was pointed out that the type of weapons should be an administrative decision. These are weapons that keep the officers alive and need to be the best that we can afford. These too are purchased from a State contract and currently getting the best price.

Cm. Polasek asked about the Fire Departments burn down building budgeted for \$160,000. Fire Chief, Vance Riley advised that he had been asking for this type of building for the past 10 years. The kit that they would purchase allows them to erect a building that they can set it on fire yet does not burn down. This will allow them to train staff on fighting fires over and over again.

Cm. Soliz asked about the \$6,000 budgeted for six chairs. The chairs are a higher grade chair designed for 911 Centers, used by emergency dispatch operators. The dispatchers work 12 hour shifts and the chairs are used twenty-four hours a day, seven days a week, 365 days a year. They are also warranted for 12 years.

Cm. Soliz asked about cell phone expenses and dog supplies for the Police Department. He was informed that the expense was for air cards for the mobile data computers in the patrol cars. Also, two additional K-9 dogs were planned for purchase. Cm. Soliz asked about temporary payroll in the Finance Department. He was informed that a fulltime employee was eliminated, and the requested amount was there in the event that additional staff was needed if someone were out for an extended period of time.

Cm. Soliz moved to adjust the temporary personnel amount in the Finance Department from \$3,000 to \$1,500, with Cm. Hagan seconding the motion. The motion **failed** by the following vote:

AYES: Council Members Soliz and Hagan

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

CITY COUNCIL MINUTES
September 8, 2009

Cm. Soliz asked about the cost of the picnic tables and pits and where they were located. He was informed that those items were throughout the parks in Victoria and were replaced as needed. Vandalism repairs and replacement cost approximately \$1,000 to \$3,000 a year. Cm. Soliz also asked about temporary payroll in the Municipal Court. He was informed that there is currently one part-time employee.

Mayor Armstrong asked about removing the sales tax audit. One study was already completed at a cost of \$2,500. The Finance Director advised that no further audits were needed at this time.

Cm. Soliz asked about contract labor under Code Enforcement. The Parks Department contracts with Code Enforcement to mow lots when there is too much trash, or the job is too big to handle, they then use contract labor to do those mowing jobs on private property. Cm. Soliz asked if CDBG money could be used for those jobs. He was informed that there was a clear prohibition on CDBG money being used for any ongoing maintenance of government property. Cm. Soliz asked whether the entire amount of \$525,000 for crack sealing would be used this year. He was informed that the entire amount would be used by an outside contractor to continue the crack seal program. Those funds came from the Street Departments line item reducing the reclaim and overlay projects by that same amount.

Cm. Soliz asked about the funds for the Appraisal District. He was informed that there is an Interlocal Agreement with the Appraisal District and a number of entities to handle the appraisals and litigation expenses resulting in appraisal disputes. Cm. Soliz asked about the increase in Professional Services in the City Secretary's Office. He was informed that the increase was due to anticipated election expenses. Cm. Soliz asked about contract labor in the Parks Department. He was informed that the City uses Labor Ready now because of issues with that came up when they used inmates.

Cm. Truman asked if a four day work week had been considered. He was informed that the Human Resources Department had done an extensive analysis recently and they would get those results to him. It was further pointed out that a number of the departments already have crews that work shifts.

Mayor Armstrong suggested that some of these items needed to be handled by staff and Council needed to stay away from micromanagement.

Cm. Soliz asked about building improvements for the Police Department. He was informed that the jail facility in the basement was run down and that area was going to be remodeled for evidence storage and the investigations area was going to be remodeled to accommodate larger interview rooms with good surveillance camera systems.

Cm. Soliz commented that the budget could be cut from \$0.65 to \$0.6450 after suggestions from staff, but Keep Victoria Beautiful could use some more funding. He was informed that approximately \$15,000 could be taken out of the solid waste fund if that was the desire of Council.

Cm. Truman moved to add \$20,000 from Environmental Services to the \$15,000 from the General Fund for Keep Victoria Beautiful, with Cm. Polasek seconding the motion. The motion passed by the following vote:

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

The work session was adjourned at 4:45 p.m.