

VICTORIA CITY COUNCIL
December 29, 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, December 29, 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
 Thomas A. Gwosdz, City Attorney
 Linda Champion, Assistant City Attorney
 Gilbert P. Reyna, Jr., Director, Finance
 Jesse Turner, Police Captain
 James Foote, Network Engineer
 O. C. Garza, Public Information Officer
 Scarlet Swoboda, City Secretary

CITIZENS COMMUNICATION

Henry Perez, 2205 S. Laurent commented that the Willow Street Plant has needed to be addressed for long time, and a new wastewater treatment plant will not be built for five years. He asked Council what will happen if they are not able to get permits for the plant, would they sell the land.

Tony Corte, 506 Buena Vista commented that the only arguments against the proposed plant site have been argumentative and divisive, and have not carried any weight or content. The proposed site is the best place because the infrastructure and property is available. He commented that the only reason the Zoo sold the property was to pay debts for accreditation. He encouraged Council to move on with the deal.

Tony McGarrah, 1196 Live Oak Drive, Inez commented that he had done research on some of the properties around the proposed site, noting that not one person lives within one-quarter of a mile from where to plant would be located. He understood their concerns but the Council should act for the multitude of the people. He addressed the reason the Zoo sold the property, commenting that a lot more dumping had been happening on his property, and for Council to not forget that Mr. Perez offered to donate 15 acres of dirt if the City chooses not to purchase the property. He commented that Cm. Truman was no Thomas Jefferson based on a quote Cm. Truman had made at a prior meeting. Finally, He suggested that anyone that stated this was a race issue was trying to fuel racism.

Rose McNary, 1305 Odem commented that dumping had been going on for as long as she has lived there and she would talk to people about cleaning up the area. She expressed concern that her water well would have to be condemned if the proposed plant was built across from her property.

PUBLIC HEARINGS AND ACTION

Mayor Armstrong opened a public hearing on the following item:

ORDINANCE 2009-2010E – BUDGET AMENDMENT FOR FUNDING FUTURE WASTEWATER PLANT LAND

City Attorney, Thomas A. Gwosdz, read the caption of Ordinance 2009-2010E, which amends the 2009-2010 Fiscal Year Budget of the City of Victoria by transferring \$375,000 from the Water/Wastewater Fund fund balance to the Water/Wastewater Fund Wastewater Treatment Plant Department Land capital line item, to provide funding for the purchase of land for the future site of a wastewater treatment plant and/or other City facilities. Third Reading. Gilbert P. Reyna, Jr.

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

CITY COUNCIL MINUTES
December 29, 2009

Cm. Truman moved to amend the ordinance to strike item 4 in the ordinance, with Cm. Hagan seconding the motion. The motion **failed** by the following vote:

AYES: Council Members Hagan and Truman

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

Cm. Soliz commented that they had fought the good fight and it was time to move forward. Cm. Rangel commented on a similar budget amendment when money was transferred to harvest the methane gas at the Landfill, pointing out that it was a similar situation and Cm. Truman was not opposed to the ordinance language at that time. It was further pointed out that the language was a part of all ordinances that the Council considers.

Cm. Truman commented that because of his strongly held belief that the ordinance was not legitimate he would be withholding his vote and wanted it reflected that way.

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

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

NAYS: Council Members Soliz and Hagan

WITHHELD: Council Member Truman

Caption:

AN ORDINANCE AMENDING THE 2009-2010 FISCAL YEAR BUDGET OF THE CITY OF VICTORIA BY TRANSFERRING \$375,000.00 FROM THE WATER/WASTEWATER FUND FUND BALANCE TO THE WATER/WASTEWATER FUND WASTEWATER TREATMENT PLANT DEPARTMENT LAND CAPITAL LINE ITEM, TO PROVIDE FUNDING FOR THE PURCHASE OF LAND FOR THE FUTURE SITE OF A WASTEWATER TREATMENT PLANT AND/OR OTHER CITY FACILITIES, REPEALING ALL CONFLICTING ORDINANCES, PROVIDING FOR SEVERABILITY; AND DECLARING AN EFFECTIVE DATE.

ITEMS FROM COUNCIL

Cm. Soliz requested setting a date for the City Manager to discuss with Council exactly what the Texas Commission on Environmental Quality (TCEQ) expected from the City from this point on regarding the proposed wastewater treatment plant site. It was pointed out that information regarding that topic would be discussed along with the other Capital Improvement Projects at the Special Meeting on January 12, 2010. Cm. Soliz apologized to anyone that felt like he had done them wrong, but he wanted Council to understand that when he takes a stand he will fight it tooth and nail.


Cm. Halepaska commented that members of Council have to vote the way they think is right, however, he did suggest that they do their homework, keep their minds open to the facts, and once something is passed it is passed.

Public Hearing on alternative funding methods for the purchase of land for the future site of a Wastewater Treatment Plant and/or other city facilities – No Action Taken.

Mayor Armstrong closed the public hearing.

There being no further business, the meeting was adjourned at 5:31 p.m.

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

ATTEST: 
SCARLET SWOBODA, City Secretary