

- **Swan Crossing Subdivision** – Mr. Mayfield asked for direction on what Council wanted to do with the subdivision. Did Council want to continue to hold the lots until the economy or housing sector recovered or donate some lots to Habitat for Humanity? Also, should the \$200,000 currently allocated for future homeowners in the subdivision for down payment and closing cost assistance be held onto or reprogrammed. Staff’s recommendation was to spend down half of that amount by federal guidelines. It was the consensus of Council to meet with Habitat for Humanity regarding the lots in the subdivision, and to accept staff’s recommendation to redirect the funds for infrastructure use.

There being no further business, the meeting was adjourned at 8:58 p.m.

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

ATTEST: Scarlet Swoboda  
SCARLET SWOBODA, City Secretary

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VICTORIA CITY COUNCIL  
January 19, 2010

**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, January 19, 2010 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

**MEMBERS ABSENT**

Tom Halepaska, Mayor Pro-Tem

**OTHERS PRESENT**

Dale Fowler, Executive Director,  
Victoria Economic Development Corp.

**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  
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, Information Technology  
Jerry James, Director, Environmental Services  
Ray Miller, Deputy Director, Development Services  
Andrew Jacob, Assistant Finance Director  
Scarlet Swoboda, City Secretary

**CITIZENS COMMUNICATION**

Susannah Porr, 302 Chimney Rock addressed the grant from Texas Parks and Wildlife, commenting that the City needed to do everything possible on their end to be able to accept the grant.

Toni Marek, 329 Golden Eye Loop addressed the proposed overpasses on Loop 463 questioning whether everything had been looked at to make the intersections safer without putting Victoria in debt to build the overpasses at the Salem and Mockingbird intersections.

CITY COUNCIL MINUTES  
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**ITEMS FROM COUNCIL**

Cm. Truman expressed concern that his neighborhood was turning into a shooting gallery and asked for information on the Neighborhood Watch Programs.

**PUBLIC HEARINGS AND ACTION**

Mayor Armstrong opened a public hearing on the following items:

**ORDINANCE 2010-1 – REINVESTMENT ZONE AND TAX ABATEMENT FOR PERFORMANCE FOOD SERVICE-VICTORIA**

City Attorney, Thomas A. Gwosdz, read the caption of Ordinance 2010-1, which determines that the Application for Designation of a Reinvestment Zone and Tax Abatement of Vistar d/b/a Performance Foodservice-Victoria meets the criteria for designating a reinvestment zone, designating as a reinvestment zone real property and associated structures at Tract I: 0.8906 acre tract of land situated in Farm Block "B", East of Town in the original Four League Grant to the Town of Victoria, Victoria County, Texas and Tract II: Lot 1, Block 1 of the Groce Wearden Company Subdivision, an addition to the City of Victoria, Victoria County, Texas, also known as 204 N. Brownson. Second and Third Reading. Dale Fowler.

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

Executive Director with VEDC, Dale Fowler provided information on how tax abatements work and how they affect the overall tax revenues. It was also pointed out that the criteria to qualify for tax abatement is very strict.

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

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

Caption:

**AN ORDINANCE DETERMINING THAT THE APPLICATION FOR DESIGNATION OF A REINVESTMENT ZONE AND TAX ABATEMENT OF VISTAR D/B/A PERFORMANCE FOODSERVICE-VICTORIA MEETS THE CRITERIA FOR DESIGNATING A REINVESTMENT ZONE, DESIGNATING AS A REINVESTMENT ZONE REAL PROPERTY AND ASSOCIATED STRUCTURES AT TRACT I: 0.8906 ACRE TRACT OF LAND SITUATED IN FARM BLOCK "B", EAST OF TOWN IN THE ORIGINAL FOUR LEAGUE GRANT TO THE TOWN OF VICTORIA, VICTORIA COUNTY, TEXAS AND TRACT II: LOT 1, BLOCK 1 OF THE GROCE WEARDEN COMPANY SUBDIVISION, AN ADDITION TO THE CITY OF VICTORIA, VICTORIA COUNTY, TEXAS, ALSO KNOWN AS 204 N. BROWNSON, ESTABLISHING THE BOUNDARIES THEREOF AND OTHER MATTERS RELATING THERETO, DETERMINING THAT THE CITY OF VICTORIA INTENDS TO ENTER INTO AN AGREEMENT FOR TAX ABATEMENT WITH SAID ENTITIES, ESTABLISHING REQUIREMENTS FOR SAID AGREEMENT, PROVIDING FOR SEVERABILITY; AND DECLARING AN EFFECTIVE DATE.**

**ORDINANCE 2010-2 – AMENDING CHAPTERS 2, 20 AND 21 OF THE CITY CODE**

City Attorney, Thomas A. Gwosdz, read the caption of Ordinance 2010-2, which amends Chapters 2, 20, and 21 of the Victoria City Code to amend various development regulations. Second and Third Reading. John Kaminski.

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

Cm. Polasek 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 Rangel, Soliz, Polasek, Hagan, Truman, and Mayor Armstrong  
NAYS: None

Caption:

**AN ORDINANCE AMENDING CHAPTERS 2, 20, AND 21 OF THE VICTORIA CITY CODE TO AMEND VARIOUS DEVELOPMENT REGULATIONS, REPEALING CONFLICTING ORDINANCES, PROVIDING FOR SEVERABILITY, PROVIDING FOR CODIFICATION AND SAVINGS, PROVIDING FOR ENFORCEMENT, PROVIDING A PENALTY NOT TO EXCEED \$500 UPON CONVICTION AND PUBLICATION, AND DECLARING AN EFFECTIVE DATE.**

**RESOLUTION 2010-10R – AMENDING 2005-2010 CONSOLIDATED PLAN AND ONE-YEAR ACTION PLAN**

The resolution approves the amended Community Development Block Grant (CDBG) 2005-2010 Consolidated Plan and Strategy and the Fiscal Year 2009-2010 One-Year Action Plan and authorizes the City Manager to submit all required documentation for the CDBG Program to the U.S. Department of Housing and Urban Development (HUD) to allow for funds to be allocated to Mid-Coast Family Services to assist with the construction of the new Women’s Crisis Center. John Kaminski.

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

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, and Mayor Armstrong  
NAYS: None

Mayor Armstrong closed the public hearings.

**CITY MANAGER REPORTS**

- **Graffiti Abatement** – Police Chief, Bruce Ure reported on the graffiti problem as requested by Cm. Truman. He addressed removal processes and the lack of staff to accomplish the task. He advised that existing resources were not available through his department, because a full time employee would be needed. He had been talking with Keep Victoria Beautiful, they had indicated that they were interested in assisting, but pointed out that they would need to hire additional staff. The City Prosecutor was also willing to increase accountability for the activity. Cm. Truman requested putting funding into the current budget for additional staff. Cm. Soliz questioned whether grant money or CDBG monies could be used for this type of activity. Staff would research whether those funds could be used and report back at the next meeting.
- **City Control of Residency Restrictions for Registered Sex Offenders** – Chief Ure provided information on the 1,000 foot residency requirement and maps showing areas that children congregate within the City, which was practically the entire City. He advised that a residency ordinance probably would not stop where they live and there was no data that it would reduce re-offenders. He suggested that such an ordinance could give citizens a false sense of security. He advised that his department had put together a taskforce team to check up on registered sex offenders and the City Manager has already approved overtime costs. They would verify that the information provided by the offender was accurate. He advised that criminal charges would be filed against any that are not accurately reporting their information.
- **Report Regarding Ethel Lee Tracy Park** – Director of Parks and Recreation, Doug Cochran advised that the Ethel Lee Tracy Foundation had offered a grant of \$150,000 to

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build a stage at the amphitheatre in the Park, which was half of the anticipated cost. The Parks Department would try to raise the remaining funds through other foundations and Arts grants. He advised that a preliminary design was currently in the works.

- **Lone Tree Community Park** – Mr. Cochran reported that the City has three years to complete the grant from the time the paperwork was signed. He addressed a question from the last meeting regarding what would happen if the City returned the grant, advising that it would jeopardize any future grants. He advised that Texas Parks and Wildlife would allow the City to delay doing anything with the grant for a year and still comply with the grant process.
- **TxDOT Overpass Project Funding** - City Manager, Charles E. Windwehen reported that he attended the Commissioners Court meeting that morning and they voted to participate at \$300,000 a year for ten years for a total of \$3 million with funding to start in 2016-2025. He advised that was less than what the City had hoped. It was suggested to have the City Manager and Finance Director continue discussions with the County about additional funding. It was noted that these overpasses were needed for the safety of the motoring public and also because Loop 463 was a hazardous cargo route. Council was advised once again that if this project was dropped the representatives from TxDOT had indicated that it would not come back to Victoria. It was pointed out that regardless of whether the overpasses go in, a light would be placed at the Mockingbird intersection near the East campus and at the Tropical Drive intersection near the West campus by TxDOT.

**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 consent agenda items is available for public review.

1. **APPROVAL OF MINUTES** – The special meeting of December 28 and 29, 2009 and regular meeting of January 5, 2010.
2. **RESOLUTION 2010-11R – Emergency Sanitary Sewer Line Replacement Change Order #1:** The resolution authorizes the Director of Public Works to execute additive Change Order #1 to the Emergency Sanitary Sewer Line Replacement at 2702 Port Lavaca Highway, for additional quantity of auger bore under the railroad, to include permit fees and bond costs, increasing the amount of the contract by \$55,688, bringing the new contract amount to \$123,949. Lynn Short.
3. **RESOLUTION 2010-12R – Crossroad’s Physical Therapy Sign Variance:** The resolution grants a variance to Section 5-153(a)(5) of City Code which requires a minimum 10ft setback for freestanding signs from the property line to the closest point of the sign structure, for Crossroad’s Physical Therapy, owned by Bruce Ryan. John Kaminski.

Cm. Hagan moved that the consent agenda be adopted, with Cm. Rangel seconding the motion. It was adopted by the following vote:

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

**RESOLUTION 2010-13R – SEPTIC TANK VARIANCE TO 5701 LONE TREE ROAD**

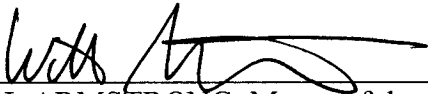
The resolution grants variances to Sections 10-115 and 13-27 of the Victoria City Code, which prohibit a person from installing a septic tank within 1 mile of an existing sanitary sewer service main and require the extension and compulsory use of City water service, to 5701 Lone Tree Road, which is owned by Richard Pozzi, Elizabeth Pozzi and Alice Gabrys. Lynn Short.

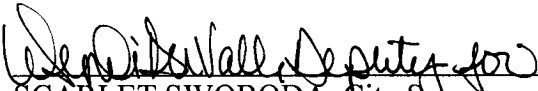
Cm. Soliz moved that the resolution be adopted, with Cm. Hagan seconding the motion. The resolution was adopted by the following vote:

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

There being no further business, the meeting was adjourned at 6:18 p.m.

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

ATTEST:   
SCARLET SWOBODA, City Secretary

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VICTORIA CITY COUNCIL  
January 27, 2010

**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, January 27, 2010 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  
Thomas A. Gwosdz, City Attorney  
Linda Champion, Assistant City Attorney  
Gilbert P. Reyna, Jr., Director, Finance  
Lynn Short, Director, Public Works  
Doug Cochran, Director, Parks and Recreation  
John Kaminski, Director, Development Services  
Bruce Ure, Police Chief  
Vance Riley, Fire Chief  
Rick Henrichs, Director, Information Technology  
Scarlet Swoboda, City Secretary

**OTHERS PRESENT**

Randy Bena, Engineer  
Texas Department of Transportation

**CITIZENS COMMUNICATION**

Shirley Buckert, 414 Charleston commented on the issue regarding a request by the owner of Wienerschnitzel to cut the median on Laurent near his establishment, urging Council to consider his request. She commented that the engineer for the Texas Department of Transportation (TxDOT), Randy Bena's comments were not recorded in the minutes from a meeting a couple of weeks ago and suggested that the minutes be amended to reflect his comments.

Brick Wall, 207 Woodridge expressed appreciation to the Council and staff for the overtime put in on a variety of issues lately. He addressed traffic flow around the new East high school, commenting that he favored funding the overpasses. However if the overpasses did not happen he urged Council to make traffic safety the highest priority, suggesting school zone speed limits and a signal light. Cm. Halepaska advised that TxDOT had already stated that a light would be installed at the Mockingbird intersection whether the overpass was built or not.