



MAYOR
Will Armstrong

MAYOR PRO-TEM
Tom Halepaska
District 6

District 1
Denise Rangel

District 2
Gabriel Soliz

COUNCILMEMBERS

District 3
Paul Polasek

District 4
David Hagan

District 5
Joe Truman

City Manager
Charles E. Windwehen

NOTICE IS GIVEN IN ACCORDANCE WITH THE TEXAS OPEN MEETINGS LAW OF THE FOLLOWING MEETING OF A CITY GOVERNMENTAL BODY:

CITY COUNCIL
OF THE
CITY OF VICTORIA

107 WEST JUAN LINN STREET
(COUNCIL CHAMBER)

TUESDAY, JANUARY 5, 2010

5:00 p.m.

THE SUBJECTS LISTED ON THE ATTACHED AGENDA WILL BE CONSIDERED AT THE MEETING:

SCARLET SWOBODA, City Secretary

The City of Victoria does not discriminate on the basis of disability in the admission or access to its programs or activities. Scarlet Swoboda, City Secretary, P.O. Box 1758, Victoria, Texas 77902, has been designated to coordinate compliance with the non-discrimination requirements contained in the Department of Justice regulations implementing Title II of the Americans with Disabilities Act ("ADA"), including Section 35.107. Information concerning the provisions of the Americans with Disabilities Act and the rights provided thereunder are available from the above-named person. This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the City Secretary's office at (361) 485-3040 or FAX (361) 485-3045 for further information.



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THE CITY COUNCIL OF THE CITY OF VICTORIA, TEXAS WILL MEET, CONSIDER, DELIBERATE AND MAY TAKE ACTION ON THE FOLLOWING ITEMS:

A. Call to Order:

Date: January 5, 2010

1. Pledge of Allegiance
2. Quorum Call
3. Welcome Citizens

B. Communication:

1. Citizen Communication: (At this time, the public is invited to address the City Council and speak on any matter not specifically listed for public hearing in the section titled: Ordinances & Other Items with Public Hearings, below).
2. Items from Council: (With respect to items not listed below, City Council Members may request specific factual information, a recitation of existing policy for placement of items on the City Council agenda for discussion at a following meeting).

C. Ordinances & Other Items with Public Hearings:*

1. Public Hearings: At this time, the City Council shall call all public hearings on the following items listed below in this Section. Any person wishing to address the City Council and speak on any agenda item listed in this section, please come forward.
2. 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. First Reading. Dale Fowler.
3. 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. First Reading. John Kaminski.

D. City Manager Reports: **

1. A report on a request for a median cut on North Laurent Street submitted by Steven A. Masek, President of Masek Enterprises LLC dba Wienerschnitzel. Lynn Short.

E. 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 of the regular meeting of December 15, 2009 and special meeting of December 21, 2009.

2. A resolution authorizing the purchase of six Year Model 2010 four-door police package patrol sedans from Sam Pack's Five Star Ford of Carrollton, Texas through the State of Texas Purchasing Cooperative contract number 071-A2, in the amount of \$22,398.35 each including administration fees, for a total amount of \$134,390.10 (Ford Crown Victoria Police Interceptors). Darryl Lesak.
3. A resolution authorizing the purchase of four Year Model 2010 Chevrolet Impala police package cars from Caldwell Country Chevrolet of Caldwell, Texas through the Houston-Galveston Area Council of Governments (HGAC), in the amount of \$20,580.00 each, and administration fees, for a total amount of \$82,920.00. Darryl Lesak.
4. A resolution authorizing the purchase of (1) one 2010 Ford Escape XLS, in the amount of \$18,383.24, (2) one 2010 Ford ½ ton Extended Cab Pickup, in the amount of \$17,137.19, (3) one 2010 Ford ¾ ton Regular Cab Pickup, in the amount of \$18,532.77, (4) one 2010 Ford ¾ ton Regular Cab Pickup with Service Body and 2000 lb. Crane, in the amount of \$32,048.77, and administration fees, from Philpott Motors, Ltd. of Nederland, Texas, through the Local Government Purchasing Cooperative (Buy Board) in the total amount of \$86,501.97. Darryl Lesak.
5. A resolution authorizing the purchase of a 2010 Ford F550 One and ½ ton Crew Cab with Service Body and Crane from Philpott Motors, Ltd. of Nederland, Texas through the Houston-Galveston Area Council of Governments (HGAC), in the amount of \$43,891.78, and administration fees, for a total amount of \$44,891.78. Darryl Lesak.
6. A resolution awarding a bid for the Downtown Water and Sewer Line Replacements (PH I - Projects 3 & 4) project to SER Construction Partners, LTD., of Pasadena, Texas, in the amount of \$2,092,079.00. Lynn Short.
7. A resolution authorizing the City Manager to execute all documents necessary to apply for a grant from the Texas Division of Emergency Management's Hazard Mitigation Grant Program (HMGP), in the approximate amount of \$110,128.00 with a 25% City match of \$27,532.00, which will be used for the installation of a lightning arrestor system on Water Pumping Plant #3. Lynn Short.
8. A resolution reappointing Will Armstrong, Mayor, Joe Truman as Council Representative, and Lewis Neitsch and Louise Hull Patillo as Citizen Representatives to the Board of Directors of the Victoria Sales Tax Development Corporation. Scarlet Swoboda.
9. A resolution reappointing Bain C. Cate, M.D. as the Health Authority for the City of Victoria to enforce State and Local Laws relating to public health. Scarlet Swoboda.

F. Resolutions:

G. Work Session:

H. Executive Sessions:***

Staff to be present:	Thomas A. Gwosdz Darryl Lesak	Scarlet Swoboda John Kaminski	Lynn Short
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* In addition to the items listed under "Public Hearings" every item on this agenda shall be considered a public hearing. Regardless of the agenda heading under which any item is listed, any subject mentioned in any word or phrase of any item listed on this agenda may be deliberated by City Council, and such words or phrases are hereby added as additional subjects to be considered. Resolutions, ordinances, and other actions concerning any word, phrase, or other subject may be voted, regardless of any language of limitation found in this agenda or any document referring to such action.

** Any penal ordinance of the City of Victoria or item which is funded by the current or next proposed City of Victoria budget, including, without limitation, any park, street, water pipe, sewer, drainage structure, department, employee, contract, capital improvement project, or real property interest of the City of Victoria may be discussed and deliberated as a City Manager's Report, and the subject is hereby defined as such without further notice. In addition, the subjects of this meeting include the regulation of animals, construction, signs, unsafe buildings, floodplains, land development, nuisances, mowing, sanitation, food establishments, manufactured housing, itinerant vendors, outdoor sales, utility companies, sexually oriented businesses, oil & gas wells, amplified sound, land use, juvenile curfew, tobacco products, water wells, and water conservation practices and proposed changes to the City Charter. Any descriptions of property or amounts stated herein are descriptive and not restrictive, and property and amounts may be changed in the motions, actions or documents without further public notice.

*** Any item on this agenda may be discussed in executive session if authorized by Texas law regardless of whether it is listed under "Executive Sessions" of this agenda, regardless of any past or current practice of the City Council. Executive sessions herein are closed meetings, may include consideration of any item otherwise listed on the agenda plus any subject specified in the executive session notice, and may include items under Texas Government Code Sections 551.071, 551.072, 551.073, 551.074, 551.076, 551.084, and/or 551.087. Executive sessions may be held at 105 W. Juan Linn, Victoria, Texas or such other location as determined by the City Council. This agenda has been reviewed and approved by the City Attorney's office, and the presence of any subject in the Executive Session portion of this agenda constitutes a written interpretation of Chapter 551 of the Texas Local Government Code by the attorney for the governmental body indicating that said subject may be legally discussed in a closed meeting.