



**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**

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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, OCTOBER 6, 2009**

**5:00 p.m.**

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

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**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: October 6, 2009

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).
  - a. National 4-H Week Proclamation.
  - b. Riverside Convention Center Water Park Proposal. Gabriel Soliz.

**C. Ordinances & Other Items with Public Hearings:\***

**D. City Manager Reports: \*\***

1. Distinguished Citizen Awards. O.C. Garza.
2. Certificate of Achievement for Planning Excellence. John Kaminski.
3. Presentation of plaques to Bruce Eppinger and Matt Alvarez for their service on the Planning Commission. John Kaminski.
4. Recognizing Sharon Steen, Tom Faulkner and Jesse Perez for their service to the City of Victoria on the Parks and Recreation Commission. Doug Cochran.
5. Riverside Stadium. Doug Cochran.
6. Solid Waste service programs. Jerry James.
7. Emergency Management Office update. Jeb Lacey.

**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 special meeting of September 8, 2009, the special meeting of September 10, 2009 and the regular meeting of September 15, 2009.
2. Consider authorizing the City Manager to execute a Letter of Agreement with the Victoria Independent School District (VISD) to fund the School District School Resource Officer (SRO) Program from September 1, 2009 through August 31, 2010. Bruce Ure.
3. Consider a resolution to accept a bid and authorize the City Manager to execute all documents necessary for the 2010 Mowing of Drainage Ditches and Outfalls Project to Winston Wilson d/b/a W. W. Services of Victoria, Texas, in the amount of \$284,825. Doug Cochran.
4. Consider authorizing the City Manager to execute an Interlocal Agreement between the City of Victoria and Victoria County for the Funding of the Emergency Management Services Program. Gilbert P. Reyna, Jr.

5. Consider awarding a contract for Pharmacy Benefit Manager Services to CaremarkPCS Health, L.L.C., of Woonsocket, Rhode Island, and authorizing the City Manager to execute a Prescription Benefit Services Agreement and all other documents necessary to accept the final offer of said entity. Danette Respondek.
6. Consider awarding the bid for Employee Group Life and Accidental Death and Dismemberment (AD&D) insurance to Unum Life Insurance Company of America, an insurance subsidiary of Unum Group of Portland, Maine, in the amount of \$0.06 per month per \$1,000 for basic life and \$0.04 per month per \$1,000 for AD&D. Danette Respondek.
7. Consider authorizing the City Administration to accept the proposals from The Lincoln National Life Insurance Company of Plano, Texas, to provide the City's Voluntary Long Term Disability and Short Term Disability Plans, and from SafeGuard Health Plans, Inc., a Met Life Company of Aliso Viejo, California, to provide the City's Voluntary Vision Plan. Danette Respondek.

**F. Resolutions:**

1. A resolution authorizing the City Manager to execute a Third Amended Agreement between the City of Victoria and TECOM Incorporated, subsequently assigned to and assumed by All Star Fleet Services, LLC, for Municipal Fleet Management and Maintenance Services for 2009-2010, for a target cost of \$837,710,78, which represents a CPI increase of 1.88 percent. Jerry James.
2. A resolution nominating and casting of votes for appointment of a member to the Victoria County Appraisal District Board of Directors. Scarlet Swoboda.
3. Consider awarding the bid for the purchase of three 2010 Year Model Loader/Backhoes with Extendahoes to the lowest qualified bidder, Doggett Heavy Machinery Service, LTD, of Victoria, Texas in the amount of \$265,350, which includes a guaranteed life cycle maintenance and a 5 year/5,000 hour extended warranty on the full machine with a guaranteed repurchase price of \$32,000 per backhoe, for a total cost purchasing of \$169,350. Darryl Lesak.
4. Consider a resolution authorizing the City Manager to execute a contract between the City of Victoria and Victoria Communications, Inc. for the equipment and installation of a Fire Station Alerting System in the Public Safety Communications Center and all 5 fire stations in the amount of \$99,514.90. Vance Riley.
5. A resolution granting a variance to Section 5-153(a)(5) of the Victoria City Code, which requires a minimum 10ft setback for freestanding signs from the property line to the closest point of the sign structure, for 4002 N. Main Street, owned by Baltic Enterprises, LLC. John Kaminski.

**G. Work Session:**

1. Fire Station No. 2 Project – bidding process

**H. Executive Sessions:\*\*\***

<b>Staff to be present:</b>	Scarlet Swoboda	George E. Hyde	Jeb Lacey	Bruce Ure
	O. C. Garza	Jerry James	Gilbert P. Reyna, Jr.	Darryl Lesak
	Vance Riley	John Kaminski	Doug Cochran	Danette Respondek

\* 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.