



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, OCTOBER 20, 2009

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: October 20, 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 Friends of the Library Week Proclamation.

C. Ordinances & Other Items with Public Hearings:*

D. City Manager Reports: **

1. Update on Library services. Dayna Williams-Capone.
2. Community Development Block Grant (CDBG) Funding request for a new Women's Crisis Center from Mid-Coast Family Services. John Kaminski.
3. Convention and Visitors Bureau Marketing Plan/Budget. Bridgette Bise and Randy Vivian.
4. Solid Waste service programs. Jerry James.
5. Update on Economic Incentive package for potential Waterpark. Thomas A. Gwosdz.
6. Report on Region L (South Central Texas Regional Planning Group) water plan. Jerry James.

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. A resolution authorizing the City Manager to execute all documents necessary to purchase 13 replacement self contained breathing apparatus and 26 breathing air bottles from Municipal Emergency Services, Inc. of Houston, Texas, in the amount of \$63,499.93, as per the price listing in the quote obtained on April 14, 2009. Vance Riley.
2. A resolution authorizing the City Manager to execute all documents necessary for the purchase and installation of 6 Air Vac-911 Exhaust Removal Systems, for Fire Station 1, from Air Vacuum Corporation of Dover, New Hampshire, in the amount of \$34,639.00. Vance Riley.
3. A resolution determining which procurement procedure provides the best value for the governmental entity pursuant to Tex. Local Gov't Code §§ 271.114(a) & 271.116(f), for the proposed Fire Station No. 2; delegating the City Council's authority to Brown Reynolds Watford Architects, Inc. for the evaluation and ranking of each proposal submitted in relation to the published selection criteria for the proposed Fire Station No. 2. Vance Riley.
4. A resolution authorizing renewal of the 2008-09 Grounds Maintenance and Mowing of City of Victoria Properties contracts for an additional year as allowed under the terms of the original contracts between the City of Victoria and Scott Bauer d/b/a Scott Bauer Lawn Service, of Victoria, Texas, for the properties other than Evergreen Cemetery in the amount of \$93,185 and Kevin Brown d/b/a The Edge Landscaping, of Victoria, Texas, for Evergreen Cemetery in the amount of \$56,170. Lynn Short.

5. A resolution authorizing the City Manager to execute an Advance Funding Agreement between the City of Victoria and the Texas Department of Transportation for the installation of railroad pre-emption for a proposed traffic signal at the intersection of US 87 and Conti Lane, in the estimated amount of \$149,005. Lynn Short.
6. A resolution authorizing the City Manager to execute all documents necessary to apply for a grant from the Transportation Energy Efficiency Traffic Signal Synchronization or Replacement Stimulus Grant Program of the Texas Comptroller of Public Accounts, in the amount of \$228,270.00, with a 20% City match of \$45,654.00, which will be used to replace 986 incandescent traffic lamps with Light Emitting Diodes (LEDs). Lynn Short.
7. A resolution authorizing the City Manager to execute all documents necessary to apply for two Pre-Disaster Mitigation Grants through the Texas Division of Emergency Management, in the approximate amounts of (1) \$224,600.26 with a 25% City match of \$56,150.07, which will be used for the purchase and installation of lightning arrestors and a 600 kW generator at Water Treatment Plant #3, and (2) \$399,983.00 with a 25% City match of \$99,995.75, which will be used for construction of a storm water pump station located at the intersection of Second and Glass Streets. Lynn Short.
8. A resolution authorizing the City Manager to execute all documents necessary to purchase various computers, computer software, computer peripheral equipment, maintenance contracts, supplies, and phones for FY 2009-2010 from/through the Texas Department of Information Resources (DIR), in an amount not to exceed \$465,521.00. Rick Henrichs.
9. A resolution authorizing the City Manager to execute an Interlocal Agreement with Victoria County for the funding of the Emergency Management Services Program. Gilbert P. Reyna, Jr.

F. Resolutions:

1. A resolution approving Victoria Sales Tax Development Corporation programs and expenditures for Fiscal Year 2009-2010. Andrew Jacob.

G. Executive Sessions:***

Staff to be present:	Scarlet Swoboda	George E. Hyde	Thomas A. Gwosdz
	Andrew Jacob	Lynn Short	Rick Henrichs
	John Kaminski	Vance Riley	Dayna Williams-Capone
	Jerry James	Gilbert P. Reyna, Jr.	

* 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.