



AGENDA

City Council Meeting

5:00 PM - Tuesday, February 6, 2024

107 West Juan Linn Street (Council Chambers)

A. CALL TO ORDER

1. Quorum Call.
2. Pledge of Allegiance.
3. Texas Pledge of Allegiance.
4. Moment of Silence.
5. Welcome Citizens.

B. COMMUNICATION:

1. ANNOUNCEMENTS/REMINDERS:

2. PUBLIC & EMPLOYEE RECOGNITIONS:

- a. VISD 125th Anniversary Proclamation. *Jeff Bauknight, Mayor*
- b. February 2024 Keep Victoria Beautiful Business Beautification Award.
Christy Youker, Assistant Director of Environmental Services
[Agenda Item Memo - AIM-24-017 - Pdf](#)

3. ITEMS FROM COUNCIL:

With respect to items not listed on this agenda, City Council Members may request specific factual information, a recitation of existing policy, or placement of items on the City Council agenda for discussion at a following meeting.

4. 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 subsection titled: "Public Hearings," below. Please note that City Council may not deliberate on topics not included on this agenda.

C. ITEMS WITH PUBLIC HEARINGS:

The City Council shall call a public hearing before taking action on each item below in this section. Any person wishing to address the City Council on these items should please come forward when that public hearing is called.

1. An ordinance ordering a Joint General Election between the City of Victoria, Victoria County Drainage District #2, Victoria County Drainage District #3, Victoria County Junior College, Victoria County Appraisal District, and Victoria Independent School District on Saturday, May 4, 2024 for City Council District 1, City Council District 2, City Council District 3, and City Council District 4. Emergency Reading. *April Hilbrich, City Secretary*

Una ordenanza estableciendo una Elección General Conjunta entre la Ciudad de Victoria, Condado de Victoria Distrito de Drenaje # 2, Condado de Victoria Distrito de Drenaje # 3, Condado de Victoria Colegio Junior, Distrito de Tasación del Condado de Victoria, y Victoria Distrito Escolar Independiente de Victoria el sábado 4 de mayo de 2024 para el Distrito 1 del Concejo Municipal, Distrito 2 del Concejo de la Ciudad, Distrito 3 del Concejo de la Ciudad, y Distrito 4 del Concejo de la Ciudad. Lectura de emergencia. *April Hilbrich, Secretario de la ciudad*

[Agenda Item Memo - AIM-24-008 - Pdf](#)

2. An ordinance authorizing the issuance, sale and delivery of Certificates of Obligation, Series 2024 in a maximum principal amount not to exceed \$59,000,000; approving and authorizing all other instruments and procedures related thereto; and providing for an immediate effective date. Emergency Reading. *Wesley Janecek, Assistant Finance Director*

[Agenda Item Memo - AIM-24-007 - Pdf](#)

3. An ordinance increasing solid waste fees for hazardous household waste pickup. First Reading. *Darryl Lesak, Director of Environmental Services*

[Agenda Item Memo - AIM-24-012 - Pdf](#)

D. 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 after the remainder of the consent agenda. Information concerning consent agenda items is available for public review.

1. Adoption of Minutes of the regular meeting held on January 16, 2024. *April Hilbrich, City Secretary*

[City Council - Jan 16 2024 - Minutes - Pdf](#)

2. Approve the purchase of Beck actuators for the Surface Water Treatment Plant from Harold Beck and Sons Inc. in the amount of \$54,946.25. *Ken Gill, Director of Public Works*

[Agenda Item Memo - AIM-24-009 - Pdf](#)

3. Approve an amendment to the Advanced Funding Agreement and to Resolution 2022-204 for the reconstruction of the Spring Creek/Briggs Blvd bridge through the federal off-system bridge program administered by Texas Department of Transportation. *Ken Gill, Director of Public Works*

[Agenda Item Memo - AIM-24-010 - Pdf](#)

4. Approve a variance to Section 21-83 (a)(7), for a property located at 2502 E. Mockingbird to allow for an expansion that encroaches into the minimum rear yard setback to encroach the minimum rear yard setback. *Julie Fulgham, Director of Development Services*

[Agenda Item Memo - AIM-24-013 - Pdf](#)

5. Approve a third amendment to a master agreement with NewEdge Services, LLC, to migrate Environmental Services database to the existing Cityworks system in an amount of \$7,280.00, for a total amount not to exceed \$419,680.00. *James Foote, Director of Information Technology*

[Agenda Item Memo - AIM-24-003 - Pdf](#)

6. Approval of Investment Policy and List of Qualified Brokers. *Wesley Janecek, Assistant Finance Director*
[Agenda Item Memo - AIM-24-020 - Pdf](#)

E. ACTION ITEMS FOR COUNCIL DISCUSSION:

1. Amend the contract with SpawGlass Contractors, Inc for services as a Construction Manager at Risk for the Public Safety Headquarters to establish a Guaranteed Maximum Price of up to \$47,216,307 and modify the terms of the original agreement. *Darrek Ferrell, Assistant City Manager*
[Agenda Item Memo - AIM-24-018 - Pdf](#)
2. Approve an agreement with Terracon Consultants, Inc for materials testing at the Public Safety Headquarters, in an amount not to exceed \$110,072. *Darrek Ferrell, Assistant City Manager*
[Agenda Item Memo - AIM-24-019 - Pdf](#)
3. An appeal of the Building and Standards Commission's Demolition Order for 2409 Port Street. *Julie Fulgham, Director of Development Services*
[Agenda Item Memo - AIM-24-021 - Pdf](#)
4. An ordinance adopting the Unified Development Ordinance by replacing Chapter 21 in its entirety and deleting Chapters 5, 9.5, 12, and Article VI of Chapter 20 of the City of Victoria Code of Ordinances. Third and Final Reading. *Julie Fulgham, Director of Development Services*
[Agenda Item Memo - AIM-24-009 - Pdf](#)

F. CITY MANAGER REPORTS:

1. Environmental Services 2023 Annual Report. *Darryl Lesak, Director of Environmental Services*
[Agenda Item Memo - AIM-24-014 - Pdf](#)
2. Parks and Recreation Department 2023 Annual Report. *Mike Etienne, Assistant City Manager*
[Agenda Item Memo - AIM-24-016 - Pdf](#)
3. Eminent Domain Review. *Allison Lacey, City Attorney*
[Agenda Item Memo - AIM-24-022 - Pdf](#)

G. WORK SESSION:

H. EXECUTIVE SESSIONS:

All items listed in this section may be considered Action Items and City Council may take action on any item listed in this section without further notice.

1. Texas Government Code § 551.087, to discuss or deliberate the offer to a financial or other incentive to a business prospect that the City Council seeks to have, locate, stay, or expand in or near the territory of the City of Victoria and with which the City of Victoria is conducting economic development negotiations. *Jesús A. Garza, City Manager*

2. Texas Government Code § 551.072, to deliberate the purchase, exchange, lease, or value of real property interests, due to the fact that deliberation in an open meeting would have a detrimental effect on the position of the City in negotiations with a third party. *Jesús A. Garza, City Manager*
3. Texas Government Code § 551.071, consultation with attorney on matter involving pending or contemplated litigation or other matter in which the duty of the attorney to the governmental body under the Texas Disciplinary Rules of Professional Conduct of the State Bar of Texas clearly conflicts with the Texas Open Meetings Act. *Allison E. Lacey, City Attorney*

A quorum of the city council will be present at 107 W. Juan Linn St, Victoria Texas ("City Council Chambers"), and the city intends to have a quorum present at that location. The Presiding officer of the meeting will be present at City Council chambers, and that location will be open to the public. Other city council members may participate in this meeting by video conference, so long as their face is visible, and their voice audible to members of the public in attendance at City Council Chambers while that member is speaking.

* 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 of this meeting include the regulation of animals, construction, signs, unsafe buildings, floodplains, land development, nuisances, mowing, sanitation, food establishments, manufactured house, itinerant vendors, outdoor sales, 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.

** In addition to the items listed under "Public Hearings," every item on this agenda shall be considered a public hearing

*** 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.

****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 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