



MAYOR  
Rawley McCoy

COUNCILMEMBERS

District 1  
Rafael De La Garza III

District 4  
Jan Scott

District 6  
Mark Loffgren

MAYOR PRO-TEM  
Josephine E. Soliz  
District 2

District 3  
Jeff Bauknight

District 5  
Dr. Andrew Young

City Manager  
Jesús A. Garza

Notice is given in accordance with the Texas Open Meetings Act of the following Regular Meeting of a City Governmental Body:

**City Council  
Of the  
City of Victoria**

107 West Juan Linn Street  
(Council Chambers)  
Tuesday, November 19, 2019  
5:00 p.m.

The subjects listed on the attached agenda will be considered at the meeting:

  
\_\_\_\_\_  
April Hilbrich, City Secretary

The City of Victoria does not discriminate on the basis of disability in the admission or access to its programs or activities. April Hilbrich, 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:<sup>1</sup>

Date: November 19, 2019

**A. Call to Order:**

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

**B. Communication:**

1. **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.*

- a) Proclamation for Hospice & Palliative Care Month. *Mayor Rawley McCoy.*
- b) Discuss procedure for 2<sup>nd</sup> & 3<sup>rd</sup> Readings of ordinances. *Mark Loffgren.*

2. **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:<sup>2</sup>**

**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 amending Section 2-24 of the Victoria City Code to clarify that City Council has adopted Robert's Rules of Order as its parliamentary procedure, repealing all conflicting ordinances, providing for codification and savings, and declaring an effective date. *First Reading. Thomas Gwosdz, City Attorney.*

2. An ordinance adopting a moratorium and prohibition on accepting, processing, or acting upon applications for any Game Room Permits as described in Section 14-146 of the Victoria City Code, extending the expiration date of all current active permits, suspending the operation of conflicting ordinances, declaring an emergency, providing for publication, enforcement, and savings, and declaring an effective date. *Emergency Reading. Thomas Gwosdz. City Attorney.*

<sup>1</sup> 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.

<sup>2</sup> In addition to the items listed under "Public Hearings," every item on this agenda shall be considered a public hearing.

3. An ordinance amending the 2019-2020 Budget of the City of Victoria, and carrying forward encumbrances outstanding at September 30, 2019, declaring an emergency, repealing all conflicting ordinances, providing for savings, and declaring an effective date. *Emergency Reading. Wesley Janecek, Assistant Director of Finance.*

**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. Approve minutes of the regular meeting of November 5, 2019. *April Hilbrich.*

2. An ordinance amending Table 3.1 in Section 21-92 of the Victoria City Code to ease parking requirements for hair and nail salons, repealing conflicting ordinances, providing for publication, enforcement, codification, and savings, and declaring an effective date. *Second and Third Reading. Julie Fulgham, Director of Development Services.*

3. A resolution approving the purchase of a HazMatID Elite Hand Held FT-IR chemical identifier for the Victoria Fire Department's Regional Hazardous Materials Response Team from FarrWest in the amount of \$59,950.00, and declaring an effective date. *Robert T. Fox, Fire Chief.*

4. A resolution approving the purchase of protective clothing for the Victoria Fire Department from Municipal Emergency Services, Inc. in the amount of \$87,744.00, authorizing the City Manager to execute all documents necessary to complete the purchase, and declaring an effective date. *Robert T. Fox, Fire Chief.*

5. An ordinance repealing Sections 24-32 and 24-33 of the Victoria City Code to eliminate certain fees collected by the Municipal Court that will now be collected under state law, repealing all conflicting ordinances, providing for codification and savings, and declaring an effective date. *Second and Third Reading. Tiffany Totah, Court Administrator.*

6. A resolution authorizing the City Manager to pay \$114,324.67 to the Texas Commission on Environmental Quality (TCEQ) for the annual consolidated water quality assessment fee for the City's wastewater treatment plants, and declaring an effective date. *Donald Reese, Director of Public Works.*

**E. Action Items for Council Discussion:**

1. A resolution casting votes for the appointment of a member of Victoria City Council to the Victoria County Appraisal District Board of Directors, and declaring an effective date. *April Hilbrich, City Secretary.*

2. A resolution appointing one new member and reappointing four current members of the Food Establishment Appeals Board, and declaring an effective date. *April Hilbrich, City Secretary.*

3. A resolution approving the optional redemption of the City of Victoria, Texas Pass-Through Toll Revenue and Limited Tax Bonds, Series 2011 maturing on August 15, 2021 through August 15, 2025, calling such maturities for early redemption, approving and authorizing the execution and performance of all documents and procedures related thereto, and declaring an effective date. *Wesley Janecek, Assistant Director of Finance.*

4. A resolution expressing City Council's dissatisfaction to the Public Utilities Commission regarding customer service provided by Suddenlink Communication on behalf of the citizens of the City of Victoria, and declaring an effective date. *Thomas Gwosdz, City Attorney.*

5. A resolution authorizing the City Manager to execute a professional services agreement with Infrastructure Management Services, LLC to perform a street paving assessment in the amount of \$87,977.00, and declaring an effective date. *Donald Reese, Director of Public Works.*

**F. City Manager Reports:<sup>3</sup>**

1. VSTDC Board Appointments. *April Hilbrich, City Secretary.*
2. Victoria Economic Development Corporation activity report. *Dale Fowler, President of VEDC.*
3. Commercial St. Abandonment and Transfer of Property. *Robert T. Fox, Fire Chief.*
4. Update on Franchise Agreement with VEC for Broadband Services. *Thomas Gwosdz, City Attorney.*

**G. Work Session:**

**H. Executive Sessions:<sup>4</sup>** *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. Executive Session in accordance with Texas Government Code § 551.087, to discuss or deliberate an offer of 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. *Thomas Gwosdz.*

2. Executive Session in accordance with 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. *Thomas Gwosdz.*

**Staff to be Present:**

Thomas Gwosdz	April Hilbrich	Wesley Janecek
Robert T. Fox	Donald Reese	Julie Fulgham
Tiffany Totah	Dale Fowler	

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<sup>3</sup> 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.

<sup>4</sup> 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.