



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, December 17, 2019
5:00 p.m.

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

April Hilbrich, City Secretary



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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:¹

Date: December 17, 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) Recognition for Service on City Boards & Commissions. *Mayor Rawley McCoy.*

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:²

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 granting a variance from Section 14-10 (B) of the Victoria City Code prohibiting the sale of alcoholic beverages within 300 feet of a church, school, public hospital, or child-care facility to Christine Chhay Yin for a restaurant to be located at 3402 Houston Highway, providing for savings, and declaring an effective date. *First Reading. April Hilbrich, City Secretary.*

2. An ordinance amending Chapters 5, 12, and 21 of the Victoria City Code to create Design Districts within specific designated areas of the City to raise the standards and quality of development in these areas, repealing all conflicting ordinances, providing for codification and savings, and declaring an effective date. *First Reading. Julie Fulgham, Director of Development Services.*

¹ 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.

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

3. A public hearing on the 2018 Community Development Block Grant Consolidated Annual Performance and Evaluation Report (CAPER) for the period from October 1, 2018 – September 30, 2019. *Julie Fulgham, Director of Development Services.*

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. Approval of the minutes of the regular meeting on November 19, 2019. *April Hilbrich.*

2. An ordinance granting to Victoria Electric Cooperative, Inc. the right, privilege, and franchise to utilize the City of Victoria's public right-of-way for broadband internet service facilities to provide such services, providing for the payment of a fee or charge for the use of the public right-of-way, providing for publication and savings, and declaring an effective date. *Second and Third Reading. Thomas Gwosdz, City Attorney.*

3. A resolution authorizing the City Manager to pay the Texas Commission on Environmental Quality \$72,987.95 for the annual Water System Fee for the City's Public Water System, and declaring an effective date. *Donald Reese, Director of Public Works.*

4. A resolution awarding the FY 2020 Seal Coat Project (Fleetwood, Cherokee Hills/Hillcrest, Oak Haven, Parkstone, Regency, and Meadows) to Brannan Paving Co., Ltd. For their low bid of \$1,259,569.00, authorizing the City Manager to execute all documents necessary to complete the project, and declaring an effective date. *Donald Reese, Director of Public Works.*

5. A resolution awarding the FY 2020 Street Mill/Overlay Repair Project to Brannan Paving Co., Ltd. in the amount of \$200,778.70, authorizing the City Manager to execute all documents necessary to complete the project, and declaring an effective date. *Donald Reese, Director of Public Works.*

6. A resolution awarding the FY 2020 Crack Seal Project to Four B Paving, Inc. in the amount of \$177,000.00, authorizing the City Manager to execute all documents necessary to complete the project, and declaring an effective date. *Donald Reese, Director of Public Works.*

E. Action Items for Council Discussion:

1. A resolution appointing or reappointing seven members to the Building and Standards Commission, and declaring an effective date. *April Hilbrich, City Secretary.*

2. A resolution authorizing the City Manager to renew an agreement with Berkley Life and Health Insurance Company for specific stop-loss insurance in an estimated amount not to exceed \$605,637.00, and declaring an effective date. *Cheryl Marthiljohni, Director of Human Resources.*

3. A resolution awarding the Hurricane Harvey Traffic Signal Repair Project to Third Coast Services, LLC for their low bid of \$500,602.66 to repair traffic signals throughout the City that were damaged during Hurricane Harvey, authorizing the City Manager to execute all documents necessary to complete the project, and declaring an effective date. *Donald Reese, Director of Public Works.*

F. City Manager Reports:³

1. Bootfest 2019 Report. *Joel Novosad, Director of the Convention & Visitors Bureau.*

2. TxDOT Overpass Project Fund Balance. *Jesús A. Garza, City Manager.*

³ 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.

G. Work Session:

H. Executive Sessions:⁴ *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 § 551.072, 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.*

2. A resolution to authorize the City Manager to execute a real estate sales contract for the sale of City-owned property, and declaring an effective date. *Thomas Gwosdz, City Attorney.*

⁴ 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.