



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 5, 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:¹

Date: November 5, 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) Trinity Episcopal Church Sesquicentennial Celebration Proclamation. *Mayor Rawley McCoy.*
- b) Municipal Court Week Proclamation. *Mayor Rawley McCoy.*
- c) GIS Day Proclamation. *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 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. *First Reading. Julie Fulgham, Director of Development Services.*

2. 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. *First Reading. Tiffany Totah, Court Administrator.*

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.

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 minutes of the special meeting on October 14, 2019 and minutes of the regular meeting of October 15, 2019. *April Hilbrich, City Secretary.*

2. An ordinance amending Sections 10-63 and 10-67 related to Food Establishments to correct references to state code and change the required composition of the Food Establishment Appeals Board, repealing all conflicting ordinances, providing for codification and savings, and declaring an effective date. *Second and Third Reading. April Hilbrich, City Secretary.*

3. A resolution authorizing the City Manager to execute a contract with NewGen Strategies & Solutions to assist the City with the process of finding a new provider for handling Commercial Containerized Waste collection in an amount not to exceed \$65,000.00, and declaring an effective date. *Darryl Lesak, Director of Environmental Services.*

E. Action Items for Council Discussion:

1. A resolution authorizing the City Manager to execute an agreement with the U.S. Fixed Income Trust and its Texas public funds investment pools allowing the City of Victoria the ability to participate in fixed income trust investment pools, designating the City Manager as the authorized representative for this program, and declaring an effective date. *Wesley Janecek, Assistant Director of Finance.*

2. A resolution authorizing the City Manager to execute a professional services agreement with Lockton-Dunning Series of Lockton Companies, LLC to serve as the City's health care benefit consultants for an estimated total annual amount of \$96,000.00, and declaring an effective date. *Cheryl Marthiljohni, Director of Human Resources.*

3. A resolution to granting variances to Sections 10-115 and 13-27 of the Victoria City Code which prohibit the installation of a septic tank within one mile of an existing City sewer service main for property located at 1223 Odem Street which is owned by Estella Perez, and declaring an effective date. *Donald Reese, Director of Public Works.*

F. City Manager Reports:³

1. Discussion of procurement strategy options for future selection of City energy contract. *Gilbert P. Reyna, Jr., CPA, Director of Finance.*

2. Placido Benavides Design District Review. *Julie Fulgham, Director of Development Services.*

3. Victoria County's proposed game room ordinance. *Thomas Gwosdz, City Attorney.*

4. Citizen complaints regarding Suddenlink cable service. *Thomas Gwosdz, City Attorney.*

G. Work Session:

1. Open Meetings Act training session. *Thomas Gwosdz, City Attorney.*

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.

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.*

Staff to be Present: Thomas Gwosdz April Hilbrich Cheryl Marthiljohni
 Darryl Lesak Wesley Janecek Tiffany Totah
 Donald Reese Gilbert P. Reyna, Jr., CPA

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.