



AN ORDINANCE TO AMEND THE CITY'S COMPREHENSIVE PLAN ADOPTING AND INCORPORATING THE HIGHWAY 351 DEVELOPMENT PLAN AS A DEVELOPMENT PLAN ATTACHMENT; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY AND CALLING A PUBLIC HEARING.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That the Comprehensive Plan of the City of Abilene is hereby amended adding the Highway 351 Development Plan as shown on Exhibit "A" as an addendum to the Plan and made a part of this ordinance for all purposes.

PART 2: That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PART 3: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PASSED ON FIRST READING this 9<sup>th</sup> day of February A.D. 2012.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 21<sup>st</sup> day of January, 2012, the same being more than fifteen (15) days prior to a public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m., on the 9<sup>th</sup> day of February, 2012, to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON SECOND AND FINAL READING THIS 23<sup>rd</sup> day of February, A.D. 2012.

ATTEST:

\_\_\_\_\_  
CITY SECRETARY

\_\_\_\_\_  
MAYOR

APPROVED:

\_\_\_\_\_  
CITY ATTORNEY

## Exhibit 'A'

# City of Abilene Hwy 351 Development Plan

### A. Summary

The City of Abilene has long recognized the Hwy 351 corridor as a key location within the community for implementing its long-term plan to promote orderly growth and economic opportunity. In the 2004 Comprehensive Land Use Plan the location was officially identified as a “**major commercial/business center**”. The intersections of Hwy 351, I-20 and East Lake Road create a unique opportunity for a concentration of mixed land uses, nodal development and more compact development envisioned within the Comprehensive Plan. This plan further clarifies the vision for this area along Hwy 351 from I-20 out to the City Limits of Abilene, Texas. The plan is not intended to be static but recognizes the need for periodic revision and is intended to expand upon the general goals and strategies of the citywide Comprehensive Plan, not to supersede the recommendations of that Plan.

### B. Goals

The goals of the *Plan* are as follows:

1. Encourage development of higher-density mixed use nodes including residential, retail, service, and employment uses that provide convenient vehicle, pedestrian, and bicycle access.
2. Encourage development in an area with existing currently underutilized transportation infrastructure.
3. Encourage the development of mixed income diverse housing including market rate and affordable housing.
4. Encourage public and private financial investment in nodal areas.
5. Ensure the long-term economic viability of a vital retail and service hub serving this sector of the community and outlying communities.
6. Encourage a highly connected and walkable street system through well-designed and attractive street corridors.
7. Provide convenient pedestrian connections with the Activity Center and to surrounding residential areas.
8. Encourage transit-oriented design, especially within the commercial and multi-family core of the Activity Center.
9. Accommodate the continued transition of this area from a rural/exurban strip to a mixed use urban activity center.

Development projects within this area should be designed to have good access to shopping and services and/or public transportation. It is recognized that development and redevelopment activities can spur the creation of jobs and the creation or relocation of businesses and services to the area.

### **C. Targeted Development Areas**

This plan identifies targeted areas by need and potential. Emphasis is also placed on specific areas where the focus on development and redevelopment can quickly generate larger amounts of private reinvestment. The City of Abilene has designated the area shown on the attached “Hwy 351 Development Plan Map” as a community development target area. This area will benefit from development activities in order to encourage the long-term growth and vitality of the area.

### **D. Coordination**

This Plan encourages development and redevelopment that will provide benefits to existing and future residents by utilizing existing capacities and programs as well as the coordination of public and private initiatives and investment. Activities should contribute to the long-term function of the existing area. Public officials, neighborhood organizations, nonprofits, private developers, and other stakeholders will need to join forces for effective community development and redevelopment to occur.

### **E. Implementation**

The City will join with residents, neighborhood organizations, nonprofits, private developers, and/or other stakeholders to work to achieve the goals of the Hwy 351 Development Plan within the targeted area. City support, programs, and incentives can be combined with state, federal, and private investment through the development of market rate and affordable housing (both single family and multifamily housing), residential and commercial property development and renovation, infrastructure, and community development projects, long-term improvements, transportation improvements for vehicles, autos, and pedestrians, and/or other activities that will contribute to the development and long-term benefit of the area.

### **E. Conclusion**

The City of Abilene has identified Hwy 351 area as a specific target area for community development. Support for programs, funding, and redevelopment in this area will contribute to the growth and vitality of the area for many years to come.



City Council  
Agenda Memo



City Council  
Meeting Date: 2/23/2012

**TO:** Larry D. Gilley, City Manager  
**FROM:** Jon James, AICP  
Director of Planning and Development Services  
**SUBJECT:** First reading on an Ordinance for Case No. Z-2012-04, a request from Valarie Lantrip to amend PD-123 concerning permitted uses, located at 401 Loop 322 & 2901 Newman Rd.; and setting a public hearing for March 8, 2012.

**GENERAL INFORMATION**

The property is zoned PD and has been defined into two tracts: Tract 1 allows some commercial type uses as well as some banquet halls and meeting facilities, while Tract 2 will allow camping, RV parks, and uses more related to AO (Agricultural Open Space) zoning. The request is to eliminate the different tracts and to amend the PD to expand the uses to allow for more outdoor recreation and fitness activities. The PD also proposes that storage units would be allowed.

The Future Land Use section of the Comprehensive Plan designates this general area as part of a commercial area, along Loop 322. The uses defined by the PDD would be appropriate in this area given its proximity to Loop 322, and recreational facilities such as the Taylor County Fair Grounds and Expo Center.

**STAFF RECOMMENDATION**

Staff recommends approval as requested.

**BOARD OR COMMISSION RECOMMENDATION**

The Planning and Zoning Commission recommended approval by a vote of seven (7) in favor (Bixby, Famble, Glenn, Rosenbaum, Todd, Yungblut, & McClarty) to none (0) opposed.

**ATTACHMENTS**

Ordinance  
Staff Report with Maps

Prepared by:

Name: Ben Bryner

Title: Planning Services Manager

February 10, 2012

Item No. 6.2

Disposition by City Council

- Approved      Ord/Res# \_\_\_\_\_  
 Denied  
 Other

\_\_\_\_\_  
City Secretary

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, CONCERNING PDD-123 AND ORDINANCE NO. 03-2008, A PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That Chapter 23, Subpart E, known as the Land Development Code of the City of Abilene, is hereby amended by changing Ordinance No. 03-2008, as set out in Exhibit "A," attached hereto and made a part of this ordinance for all purposes.

PART 2: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PASSED ON FIRST READING this 23rd day of February A.D. 2012.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 20th day of January, 2012, the same being more than fifteen (15) days prior to a public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m., on the 8th day of March, 2012, to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON SECOND AND FINAL READING THIS 8th day of March, A.D. 2012.

ATTEST:

\_\_\_\_\_  
CITY SECRETARY

\_\_\_\_\_  
MAYOR

APPROVED:

\_\_\_\_\_  
CITY ATTORNEY

ORDINANCE NO. \_\_\_\_\_

EXHIBIT "A"

1st Amendment to Ordinance No. 03-2008

PART 7: Specific Modifications

DELETE: A. Permitted Uses  
*Delete the differentiation between tract 1 & tract 2.*

ADD: A. Permitted Uses

1. General office space.
2. Restaurant Standard and Fast-Food
3. Variety/Retail Store
4. Amusement facility (temporary)
5. Arcade, for games
6. Single Family Detached Dwelling (includes PH)
7. Vacation travel trailer parks.
8. Camp, for groups or organizations
9. Drive-in movies
10. Vacation travel trailer parks.
11. Indoor/Outdoor shooting range
12. Hotel/Motel/Spa
13. Golf Driving Range
14. Fitness/Performance Training Center
15. General Purpose/Events Center
16. Recreation – Outdoors (active)
17. Recreation – Outdoors (passive)
18. Farmer's Market
19. Storage Units

-END-





**PLANNING STAFF RECOMMENDATION:**

Staff recommends approval as requested.

**PLANNING AND ZONING COMMISSION RECOMMENDATION:**

The Planning and Zoning Commission will hear this item at their February 6<sup>th</sup> meeting.

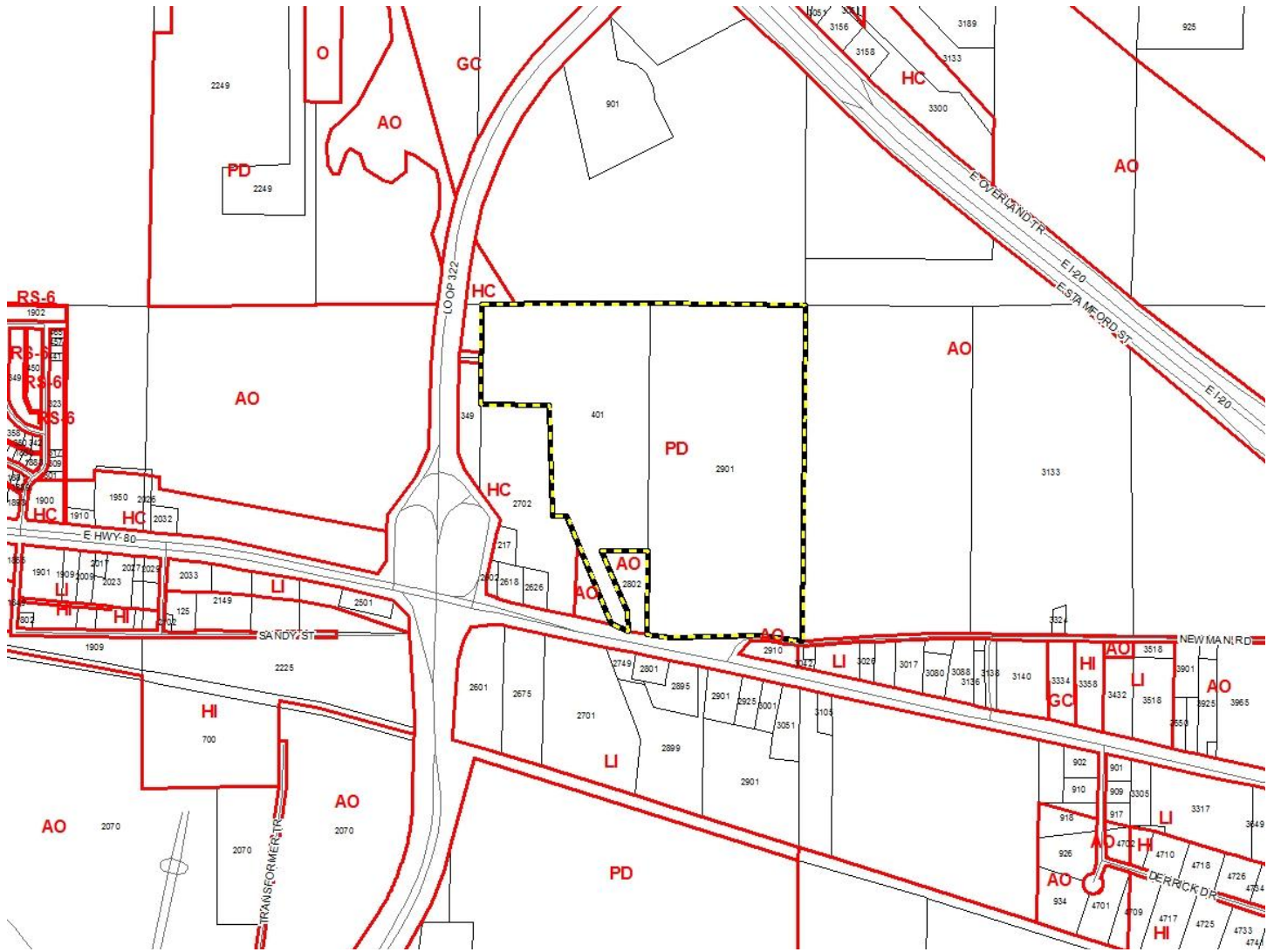
**NOTIFICATION:**

Property owners within a 200-foot radius were notified of the request.

OWNER	ADDRESS	RESPONSE
PMC ACQUISITION INC	2701 E HWY 80	
PATTERSON J B MRS		In Favor
POER KATIE ET AL		In Favor
LONE STAR GAS CO		
RICE RONALD DEAN JR	3042 E HWY 80	
HIBBS KAY GRIFFITH		
RICE RONALD DEAN JR	2910 E HWY 80	
ABILENE CHRISTIAN UNIVERSITY		
ABILENE CHRISTIAN UNIVERSITY	349 LOOP 322	
LITTLE MANUFACTURING	2702 E HWY 80	
POER KATIE ET AL		In Favor
GVT PROPERTIES LLC	2895 E HWY 80	
TOUCHSTONE GLENDA KAY	2749 E HWY 80	
EEPHUS ENTERPRISES LLC	2801 E HWY 80	
SHEPHERD ASSETT MGMT LLC	2802 E HWY 80	
SHEPHERD ASSETT MGMT LLC	401 LOOP 322	
SHEPHERD ASSET MANAGEMENT LLC	2901 NEWMAN RD	

2 in Favor- **Y**  
0 Opposed- **N**









City Council  
Agenda Memo



City Council  
Meeting Date: 2/23/2012

**TO:** Larry D. Gilley, City Manager

**FROM:** Jon James, AICP  
Director of Planning and Development Services

**SUBJECT:** First reading on an Ordinance for Case No. Z-2012-05, a request from Valarie Lantrip to rezone property from AO (Agricultural Open Space) to PD-123 (Planned Development) zoning, located at 2802 E. Hwy 80; and setting a public hearing for March 8, 2012.

**GENERAL INFORMATION**

The property is zoned AO and is vacant. The property surrounding it has been defined into two tracts: Tract 1 allows some commercial type uses as well as some banquet halls and meeting facilities, while Tract 2 will allow camping, RV parks, and uses more related to AO (Agricultural Open Space) zoning. The previous request is to amend the uses to expand the uses to allow for more outdoor recreation and fitness activities. The proposed zoning is to include this tract into the PD zoning boundary.

The Future Land Use section of the Comprehensive Plan designates this general area as part of a commercial area, along Loop 322. The uses defined by the PDD would be appropriate in this area given its proximity to Loop 322, and recreational facilities such as the Taylor County Fair Grounds and Expo Center.

**STAFF RECOMMENDATION**

Staff recommends approval as requested.

**BOARD OR COMMISSION RECOMMENDATION**

The Planning and Zoning Commission recommended approval by a vote of seven (7) in favor (Bixby, Famble, Glenn, Rosenbaum, Todd, Yungblut, & McClarty) to none (0) opposed.

**ATTACHMENTS**

Ordinance  
Staff Report with Maps

Prepared by:

Name: Ben Bryner

Title: Planning Services Manager

February 10, 2012

Item No. 6.3

Disposition by City Council

- Approved      Ord/Res# \_\_\_\_\_  
 Denied  
 Other

\_\_\_\_\_  
City Secretary

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES AND AMENDING PDD-123 AND ORDINANCE NO. 03-2008, A PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That Chapter 23, Subpart E, known as the Land Development Code of the City of Abilene, and PDD-123 are hereby amended by changing the zoning district boundaries as set out in Exhibit "A," attached hereto and made a part of this ordinance for all purposes.

PART 2: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars (\$500.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PART 3: That the Planning Director be, and is hereby authorized and directed to change the official Zoning Map of the City of Abilene to correctly reflect the amendments thereto.

PASSED ON FIRST READING this 23rd day of February A.D. 2012.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 20th day of January, 2012, the same being more than fifteen (15) days prior to a public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m., on the 8th day of March, 2012, to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON SECOND AND FINAL READING THIS 8th day of March, A.D. 2012.

ATTEST:

\_\_\_\_\_  
CITY SECRETARY

\_\_\_\_\_  
MAYOR

APPROVED:

\_\_\_\_\_  
CITY ATTORNEY



ORDINANCE NO. \_\_\_\_\_

EXHIBIT "A"

**ADD:**

Rezone property from AO (Agricultural Open Space) to PDD-123 (Planned Development) zoning district.

Legal Description:

A0787 SUR 39 B A L SE/4, ACRES 3.96

Location:

2802 E. Hwy 80

-END-

# ZONING CASE Z-2012-05

## STAFF REPORT



### APPLICANT INFORMATION:

Valarie Lantrip

### HEARING DATES:

Planning & Zoning Commission: February 6, 2012

City Council 1<sup>st</sup> Reading: February 23, 2012

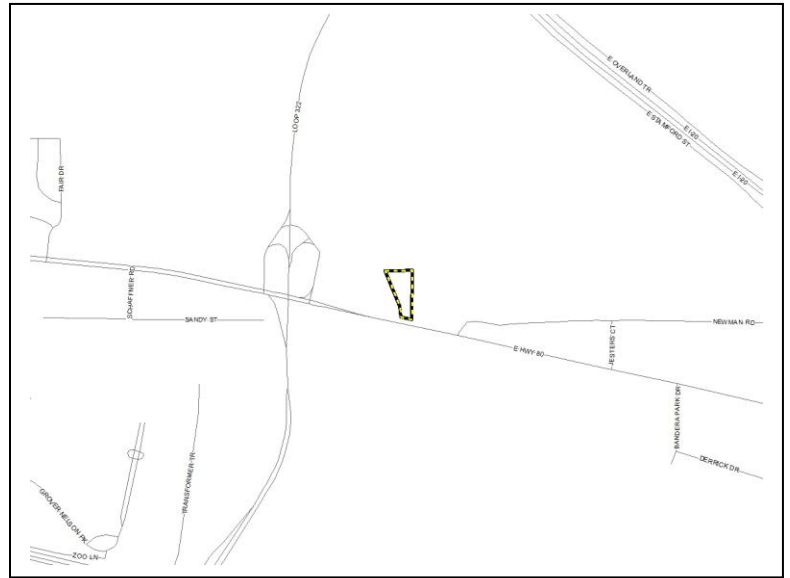
City Council 2<sup>nd</sup> Reading: March 8, 2012

### LOCATION:

2802 E. Hwy 80

### REQUESTED ACTION:

Rezone property from AO to PD-123



### SITE CHARACTERISTICS:

The subject property is approximately 3.96 acres and is currently zoned AO (Agricultural Open Space). The property is vacant. The adjacent properties have PD zoning to the north, east and west and LI zoning across the highway to the south. There is some AO & HC zoning to the west.

### ZONING HISTORY:

The property was annexed in 1964 and was zoned AO after it was annexed.

### ANALYSIS:

- Current Planning Analysis

The property is zoned AO and is vacant. The property surrounding it has been defined into two tracts: Tract 1 allows some commercial type uses as well as some banquet halls and meeting facilities, while Tract 2 will allow camping, RV parks, and uses more related to AO (Agricultural Open Space) zoning. The previous request is to amend the uses to expand the uses to allow for more outdoor recreation and fitness activities. The proposed zoning is to include this tract into the PD zoning boundary.

- Comprehensive Planning Analysis

The Future Land Use section of the Comprehensive Plan designates this general area as part of a commercial area, along Loop 322. The uses defined by the PDD would be appropriate in this area given its proximity to Loop 322, and recreational facilities such as the Taylor County Fair Grounds and Expo Center.

**PLANNING STAFF RECOMMENDATION:**

Staff recommends approval as requested.

**PLANNING AND ZONING COMMISSION RECOMMENDATION:**

The Planning and Zoning Commission will hear this item at their February 6<sup>th</sup> meeting.

**NOTIFICATION:**

Property owners within a 200-foot radius were notified of the request.

OWNER	ADDRESS	RESPONSE
LITTLE MANUFACTURING	2702 E HWY 80	
TOUCHSTONE GLENDA KAY	2749 E HWY 80	
EEPHUS ENTERPRISES LLC	2801 E HWY 80	
SHEPHERD ASSETT MGMT LLC	2802 E HWY 80	
SHEPHERD ASSETT MGMT LLC	401 LOOP 322	
SHEPHERD ASSET MANAGEMENT LLC	2901 NEWMAN RD	

0 in Favor- **Y**  
0 Opposed- **N**

**Y**









**City Council  
Agenda Memo**



**City Council  
Meeting Date: 02/23/2012**

**TO: Larry D. Gilley, City Manager**

**FROM: Ronnie C. Kidd, Managing Director for Administration**

**SUBJECT: Resolution approving a Lease Purchase Agreement for the purpose of Procuring Computers for Public Safety Vehicles**

**GENERAL INFORMATION**

Current computers in use in police patrol and fire vehicles are five years old, at the end of their life cycle, and are increasingly beginning to fail. The previous computer provider, L-3, is no longer in business and replacement computers and/or parts are unavailable. We are ready to implement the second phase of a project to replace the vehicle computers with Panasonic "Tough Book" laptop computers that will be leased/purchased over a three year period. (Phase one was approved by City Council in November 2011.) The second phase addresses replacing thirty-two (32) of the computers. The entire project will encompass replacing approximately eighty (80) computers that are deployed in public safety vehicles, both police and fire. The new computers will increase bandwidth and allow use of web based data sources for intelligence led policing, which is not currently available in patrol units. Additionally, these computers will provide access from the vehicle to the Police Department's records management system. The computers will be purchased from Toner Tiger, a local vendor that meets bidding requirements as a member of the State of Texas Department of Information Resources Cooperative Purchasing Program for state and local governments. The lease financing will be accomplished through DivLend Equipment Leasing.

**SPECIAL CONSIDERATIONS**

Public Safety personnel will be unable to perform critical operational functions of their job if these computers are not replaced, which in turn will significantly increase radio traffic and limit field access to information.

**FUNDING/FISCAL IMPACT**

Funding for this lease purchase agreement first year's payment of \$59,290.38 is included in the FY 2012 Technology Fund budget previously approved by Council in September 2011. Two additional payments of \$59,290.38 will be budgeted for in the Technology Fund and made in FY 2013 and FY 2014.

**STAFF RECOMMENDATION**

Staff recommends approval of this lease purchase agreement to acquire the laptops for public safety vehicles.

**ATTACHMENTS**

Resolution authorizing the City Manager or his designee to enter into the Governmental Lease-Purchase Agreement with DivLend Equipment Leasing, L.L.C.

Prepared by:  
Name: Mark L. Hoover

Title: Assistant Director for  
Administrative Services

Item No. 6.4

Disposition by City Council  
 Approved    Ord/Res#  
 Denied        \_\_\_\_\_  
\_\_\_\_\_  
City Secretary



**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE CITY OF ABILENE TO ENTER INTO A LEASE PURCHASE AGREEMENT WITH DIVLEND EQUIPMENT LEASING, L.L.C. FOR THE PURPOSE OF PROCURING COMPUTERS; DESIGNATING THE AGREEMENT AS A QUALIFIED TAX EXEMPT OBLIGATION; AND DESIGNATING AUTHORIZED SIGNERS OF THE AGREEMENT**

**WHEREAS**, the City of Abilene (the “Lessee”) desires to enter into that certain Lease-Purchase Agreement dated as of 02/23/2012 by and between the Lessee and DivLend Equipment Leasing L.L.C. for the purpose of procuring personal property (computers); and

**WHEREAS**, as part of the Agreement the Lessee desires to designate this Agreement as a “qualified tax exempt obligation” of the Lessee for the purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended; and

**WHEREAS**, the Lessee desires to designate Ronnie Kidd, Managing Director for Administration and Danette Dunlap, City Secretary, as authorized signers of the Agreement.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TAYLOR COUNTY, TEXAS:**

- PART 1. The City of Abilene (the “Lessee”) enters into a Lease Purchase Agreement with DivLend Equipment Leasing, L.L.C. for the purpose of procuring computers.
- PART 2. That the Lease Purchase agreement dated as of 02/23/2012, by and between the Lessee and DivLend Equipment Leasing, L.L.C. is designated by the Lessee as a “qualified tax exempt obligation” for the purposes of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended.
- PART 3. That the Lessee designate Ronnie Kidd, Managing Director for Administration, and Danette Dunlap, City Secretary, as authorized signers of the Lease Purchase Agreement dated as of 02/23/2012, by and between the Lessee and DivLend Equipment Leasing, L.L.C.

ADOPTED this 23th day of February, 2012.

ATTEST:

\_\_\_\_\_  
Danette Dunlap, City Secretary

\_\_\_\_\_  
Norman Archibald, Mayor

APPROVED:

\_\_\_\_\_  
City Attorney

**City Council  
Agenda Memo**



**City Council  
Meeting Date: 2/23/12**

**TO: Larry D. Gilley, City Manager**

**FROM: Lesli Andrews, Interim Assistant Director for Community Services**

**SUBJECT: Written Resolution Authorizing the City Manager to enter into a Memorandum of Understanding with the Community Foundation Outlining the Responsibilities of the Parties in the Construction of a Splash Pad in Nelson Park.**

**GENERAL INFORMATION**

In 2011, the Together 2011 Committee "Committee" led by Laura Moore working in conjunction with the Community Foundation met with Mike Hall the City of Abilene Director of Community Services about working together to construct a splash pad in Nelson Park. The Committee paid for a conceptual plan to be developed for the project with an anticipated cost of the completed project being \$600,000. The fundraising efforts are currently 96% complete and Community Foundation is acting as fiscal agent of the money until the project is underway.

The attached resolution authorizes the City Manager to enter into a Memorandum of Understanding with the Community Foundation. The Memorandum will outline the responsibilities of the parties as they relate to the building of this project. It will require the following:

- Community Foundation will collect donations pledged to this project and forward those donations to the City of Abilene in the manner directed by the City's Director of Finance prior to the beginning of construction.
- The money forwarded by the Community Foundation will be used in the construction of the splash pad, the construction of accompanying bathroom facilities, and signage.
- The City of Abilene will provide purchasing services and site preparation services such as leveling the site, installing the utility lines, and addressing drainage concerns as possible.
- The City of Abilene will provide adequate fencing for the project.
- All activities performed by the City will be reimbursed.

**FUNDING/FISCAL IMPACT**

All of the funding for this project comes from donations gathered by the Committee and held by Community Foundation.

**STAFF RECOMMENDATION**

Staff recommends approval. The Parks and Recreation Board approved the Splash pad on Tuesday, November 15, 2011.

**ATTACHMENTS**

Memorandum of Understanding  
Resolution

Prepared by:

Name Theresa James, Lesli Andrews

Title: Asst. City Attorney, Interim Assistant Director for Community Services

Item No. 6.5

Disposition by City Council

Approved      Ord/Res# \_\_\_\_\_

Denied

Other

\_\_\_\_\_  
City Secretary

**RESOLUTION NO. \_\_\_\_\_**

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH COMMUNITY FOUNDATION OF ABILENE THAT OUTLINES THE RESPONSIBILITIES OF THE PARTIES IN THE CONSTRUCTION OF A SPLASH PAD IN NELSON PARK.**

WHEREAS, the City of Abilene strongly supports the development of quality of life projects for the citizens of Abilene; and

WHEREAS, Together 2011 has requested the City of Abilene to work with them in the construction of a splash pad in Nelson Park; and

WHEREAS, Together 2011 paid for a conceptual plan for the project; and

WHEREAS, the anticipated cost of the project is \$600,000; and

WHEREAS, Together 2011 has completed 96% of the fundraising necessary for the project; and

WHEREAS, Community Foundation of Abilene is acting as the fiscal agent for Together 2011.

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TAYLOR COUNTY, TEXAS:**

That the City Manager is authorized to enter into a memorandum of understanding with Community Foundation of Abilene that outlines the responsibilities of the parties in building the splash park in Nelson Park.

ADOPTED this 23rd day of February, 2012.

ATTEST:

\_\_\_\_\_

Danette Dunlap, City Secretary

\_\_\_\_\_

Norman Archibald, Mayor

APPROVED:

\_\_\_\_\_

T. Daniel Santee, City Attorney

STATE OF TEXAS

COUNTY OF TAYLOR

**MEMORANDUM OF UNDERSTANDING DEFINING ROLES AND RESPONSIBILITIES OF THE CITY OF ABILENE AND COMMUNITY FOUNDATION OF ABILENE FOR THE CONSTRUCTION OF A SPLASH PAD IN NELSON PARK.**

This Memorandum of Understanding is entered into, by and between the, City of Abilene, hereinafter referred to as the "City", a political subdivision of the State of Texas and Community Foundation of Abilene, hereinafter referred to as "Foundation".

**WITNESSETH**

**WHEREAS**, the City encourages various recreational and quality of life opportunities for the citizens of Abilene; and

**WHEREAS**, the Together 2011 committee has requested the City of Abilene to work with them in the construction of a splash pad and accompanying bathrooms in Nelson Park; and

**WHEREAS**, the Together 2011 committee paid for a conceptual plan for the project; and

**WHEREAS**, the anticipated cost of the project is \$600,000; and

**WHEREAS**, the Together 2011 committee has completed 96% of the fundraising necessary for the project; and

**WHEREAS**, Foundation is acting as the fiscal agent for the Together 2011 committee.

**NOW, THEREFORE**, the parties hereby agree as follows:

**ARTICLE 1. PURPOSE**

The purpose of this Memorandum of Understanding is to define the roles of the City and Foundation in the construction of a splash pad and accompanying restrooms in Nelson Park.

**ARTICLE 2. TERM**

The term of this Agreement is from the effective date of the agreement through project completion which is estimated to be July 31, 2012.

**ARTICLE 3. RESPONSIBILITIES**

1. Foundation working with the Together 2011 committee will be responsible for the collection of all donations pledged to the splash pad project.

2. Collected donations will be forwarded to the City of Abilene's Finance Department in the manner directed by the City's Director of Finance.
3. The collected donations will be used for the construction of the splash pad, construction of accompanying restroom facilities, and signage for the project.
4. No component of the project will be started until all funds required for the completion of that component have been received by the City of Abilene.
5. All purchases for this project will be coordinated through the City of Abilene Purchasing department.
6. The City of Abilene will assist with site preparation, as possible. Examples of such activities include site leveling, running of utility lines, addressing drainage concerns, and ensuring adequate fencing is installed. The City will be reimbursed through donated funds for these activities.

#### **ARTICLE 4. NOTICE**

All notices pursuant to this Agreement shall be deemed given when, either delivered in person or deposited in the United States mail, postage prepaid, certified mail, return receipt requested addressed to the appropriate party at the following addresses:

If to the City:

Director of Community Services  
City of Abilene  
P.O. Box 60  
Abilene, Texas 79604

If to Community Foundation:

#### **ARTICLE 9. GOVERNING LAW**

The laws of the State of Texas shall govern this Agreement and all obligations hereunder of the parties are performable in Abilene, Texas. Venue for any legal proceeding is Taylor County, Texas.

#### **ARTICLE 10. NON-ASSIGNMENT**

This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective legal representatives successors and assigns. Neither the City nor Foundation shall assign any duty of this Agreement, excepting those already identified herein, without written consent of the other.

**ARTICLE 11. SEVERABILITY**

Should any provisions of this Agreement for any reasons be held to be invalid, illegal, or unenforceable in any respect, such invalidity, illegality, or unenforceability shall not affect any other provision hereof.

**ARTICLE 12. ENTIRETY OF AGREEMENT**

This is the entire Agreement between the parties and no modification of this Agreement shall be of any force or effect, unless it is in writing signed by both parties.

**ARTICLE 13. EFFECTIVE DATE**

The effective date of this agreement is deemed to be \_\_\_\_\_.

**CITY OF ABILENE**

**COMMUNITY FOUNDATION**

\_\_\_\_\_  
Larry Gilley, City Manager

\_\_\_\_\_

ATTEST:

APPROVED:

\_\_\_\_\_  
City Secretary

\_\_\_\_\_  
City Attorney

**City Council  
Agenda Memo**



**City Council  
Meeting Date: 2/23/2012**

**TO:** Larry D. Gilley, City Manager  
**FROM:** Mindy Patterson, Director of Finance

**SUBJECT: RESOLUTION OF THE CITY OF ABILENE SUSPENDING THE MARCH 6, 2012, EFFECTIVE DATE OF ATMOS ENERGY CORP., MID-TEX DIVISION (“ATMOS MID-TEX”) REQUESTED RATE CHANGE TO PERMIT THE CITY TIME TO STUDY THE REQUEST AND TO ESTABLISH REASONABLE RATES; APPROVING COOPERATION WITH ATMOS CITIES STEERING COMMITTEE (“ACSC”) AND OTHER CITIES IN THE ATMOS MID-TEX SERVICE AREA TO HIRE LEGAL AND CONSULTING SERVICES AND TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; REQUIRING REIMBURSEMENT OF CITIES’ RATE CASE EXPENSES; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND ACSC’S LEGAL COUNSEL**

**GENERAL INFORMATION**

The City, along with approximately 153 other cities served by Atmos Energy Mid-Tex Division (“Atmos Mid-Tex” or “Company”), is a member of the Atmos Cities Steering Committee (“ACSC” or “Steering Committee”). On or about January 31, 2012, Atmos Mid-Tex filed with the City a Statement of Intent to increase rates within the City.

Atmos Mid-Tex is seeking to increase system-wide base rates (which exclude the cost of gas) by approximately \$49 million or 11.94%. However, the Company is requesting an increase of 13.6%, excluding gas costs, for its residential customers. Additionally, the application would change the way that rates are collected, by increasing the residential fixed-monthly (or customer) charge from \$7.50 to \$18.00 and decreasing the consumption charge from \$0.25 per 100 cubic feet (“ccf”) to \$0.07 per ccf.

The law provides that a rate request made by a gas utility cannot become effective until at least 35 days following the filing of the application to change rates. Atmos has proposed an effective date of March 6, 2012. The law permits the City to suspend the rate change for 90 days after the date the rate change would otherwise be effective. If the City fails to take some action regarding the filing before the effective date, Atmos’ rate request is deemed administratively approved.

The purpose of this resolution is to extend the effective date of Atmos Mid-Tex’s proposed rate increase to give the City time to review the rate-filing package. The resolution suspends the March 6, 2012 effective date of the Company’s rate increase for the maximum period permitted by law to allow the City, working in conjunction with the other ACSC cities, to evaluate the filing, determine whether the filing complies with law, and if lawful, to determine what further strategy to pursue, including settlement and ultimately to approve reasonable rates.

**STAFF RECOMMENDATION**

Staff recommends approval

**ATTACHMENT**

Resolution

Prepared by:

Name Theresa James / Odis Dolton

Title Asst. City Atty. / Asst. Dir. of Finance

Item No. 6.6

Disposition by City Council

- Approved      Ord/Res#  
 Denied      \_\_\_\_\_  
 Other

\_\_\_\_\_  
City Secretary

RESOLUTION NO. \_\_\_\_\_

**RESOLUTION OF THE CITY OF ABILENE SUSPENDING THE MARCH 6, 2012, EFFECTIVE DATE OF ATMOS ENERGY CORP., MID-TEX DIVISION (“ATMOS MID-TEX”) REQUESTED RATE CHANGE TO PERMIT THE CITY TIME TO STUDY THE REQUEST AND TO ESTABLISH REASONABLE RATES; APPROVING COOPERATION WITH ATMOS CITIES STEERING COMMITTEE (“ACSC”) AND OTHER CITIES IN THE ATMOS MID-TEX SERVICE AREA TO HIRE LEGAL AND CONSULTING SERVICES AND TO NEGOTIATE WITH THE COMPANY AND DIRECT ANY NECESSARY LITIGATION AND APPEALS; REQUIRING REIMBURSEMENT OF CITIES’ RATE CASE EXPENSES; FINDING THAT THE MEETING AT WHICH THIS RESOLUTION IS PASSED IS OPEN TO THE PUBLIC AS REQUIRED BY LAW; REQUIRING NOTICE OF THIS RESOLUTION TO THE COMPANY AND ACSC’S LEGAL COUNSEL**

**WHEREAS**, on or about January 31, 2012, Atmos Energy Corp., Mid-Tex Division (“Atmos Mid-Tex” or “Company”), pursuant to Gas Utility Regulatory Act § 104.102 filed with the City of Abilene (“City”) a Statement of Intent to change gas rates in all municipalities exercising original jurisdiction within its Mid-Tex Division service area, effective March 6, 2012; and

**WHEREAS**, the City is a regulatory authority under the Gas Utility Regulatory Act (“GURA”) and under Chapter 104, §104.001 et seq. of GURA has exclusive original jurisdiction over Atmos Mid-Tex’s rates, operations, and services within the City; and

**WHEREAS**, in order to maximize the efficient use of resources and expertise, it is reasonable for the City to maintain its involvement in the Atmos Cities Steering Committee (“ACSC”) and to cooperate with the more than 150 similarly situated city members of ACSC and other city participants in conducting a review of the Company’s application and to hire and direct legal counsel and consultants and to prepare a common response and to negotiate with the Company and direct any necessary litigation; and

**WHEREAS**, Atmos Mid-Tex proposed March 6, 2012, as the effective date for its requested increase in rates; and

**WHEREAS**, it is not possible for the City to complete its review of Atmos Mid-Tex’s filing by March 6, 2012; and

**WHEREAS**, the City will need an adequate amount of time to review and evaluate Atmos Mid-Tex’s rate application to enable the City to adopt a final decision as a local regulatory authority with regard to Atmos Mid-Tex’s requested rate increase; and

**WHEREAS**, the Gas Utility Regulatory Act § 104.107 grants local regulatory authorities the right to suspend the effective date of proposed rate changes for ninety (90) days; and



**WHEREAS**, the Gas Utility Regulatory Act § 103.022 provides that costs incurred by Cities in ratemaking activities are to be reimbursed by the regulated utility.

**THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:**

PART 1: That the March 6, 2012, effective date of the rate request submitted by Atmos Mid-Tex on January 31, 2012, be suspended for the maximum period allowed by law to permit adequate time to review the proposed changes and to establish reasonable rates.

PART 2: That the City is authorized to cooperate with ACSC and its member cities in the Mid-Tex service area and under the direction of the ACSC Executive Committee to hire and direct legal counsel and consultants, negotiate with the Company, make recommendations to the City regarding reasonable rates, and to direct any necessary administrative proceedings or court litigation associated with an appeal of a rate ordinance and the rate case filed with the City or Railroad Commission.

PART 3: That the City's reasonable rate case expenses shall be reimbursed by Atmos.

PART 4. That it is hereby officially found and determined that the meeting at which this Resolution is passed is open to the public as required by law and the public notice of the time, place, and purpose of said meeting was given as required.

PART 5. A copy of this Resolution shall be sent to Atmos, care of David Park, Vice President Rates & Regulatory Affairs, at Atmos Energy Corporation, Mid-Tex Division, 5420 LBJ Freeway, Suite 1862, Dallas, Texas 75240, and to Geoffrey Gay, General Counsel to ACSC, at Lloyd Gosselink Rochelle & Townsend, P.C., P.O. Box 1725, Austin, Texas 78767-1725.

**ADOPTED** this 23<sup>rd</sup> day of February, 2012.

APPROVED:

\_\_\_\_\_  
Norm Archibald, Mayor

ATTEST:

\_\_\_\_\_  
City Secretary

APPROVED AS TO FORM:

\_\_\_\_\_  
City Attorney

**City Council  
Agenda Memo**



**TO: Larry D. Gilley, City Manager**

**City Council  
Meeting Date: 2/23/12**

**FROM: Lesli Andrews, Interim Assistant Director for Community Services**

**SUBJECT: Authorizing the City Manager to execute an agreement for design/build services for a splash pad at Nelson Park with Kraftsman Commercial Playground and Water Park Equipment, Inc. through the City's Buy Board contract**

**GENERAL INFORMATION**

In February of 2012 Laura Moore informed Mr. Gilley that fundraising was nearly complete and Together 2011 was ready to move forward with the next steps for building a splash pad. Lesli Andrews called seven Texas cities for references in regards to their splash pads: Amarillo, Longview, Trophy Club, Rockwall, Fort Stockton, Crowley, and Temple. They all had anywhere from one to four splash pads in varying sizes constructed by Kraftsman Commercial Playground and Water Park Equipment, Inc. (Kraftsman). Every city recommended that Abilene work with Kraftsman to design and build a splash pad. They said Kraftsman was a great company to work with, did a fantastic job, was very knowledgeable, and they had great customer service throughout the process, including after the splash pad was complete.

Based on the conversations with representatives of these cities, it is recommend hiring Kraftsman to design/build a splash pad at Nelson Park using the Local Government Purchasing Cooperative (BuyBoard) contract #346-10.

**FUNDING/FISCAL IMPACT**

The cost for this part of the project is approximately \$466,692. Together 2011 has raised 96% of the total project cost and expect to finalize their fundraising by March 31, 2012.

**STAFF RECOMMENDATION**

Staff recommends the City Council authorize the City Manager to execute an agreement for design/build services for a splash pad at Nelson Park with Kraftsman Commercial Playground and Water Park Equipment, Inc. using the Local Government Purchasing Cooperative (BuyBoard) contract #346-10.

**BOARD OR COMMISSION RECOMMENDATION**

The Parks and Recreation Board approved the splash pad on Tuesday, November 15, 2011.

**ATTACHMENTS**

Abilene Spray Park Layout 2 – 3 pages

Prepared by:

Name Lesli Andrews  
Title Interim Asst Director for  
Community Services

Item No. 6.7

Disposition by City Council

- Approved Ord/Res# \_\_\_\_\_
- Denied \_\_\_\_\_
- Other \_\_\_\_\_

City Secretary \_\_\_\_\_



Perspective View

2692 SQ FT Wet Play Area

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 www.waterodyssey.com  
 (512)392-1155

W12328

ABILENE SPRAY PARK LAYOUT 2



by Fountain People, Inc.

## AQUATIC PLAY FEATURES



Water Fan™  
W083



Splash-O-Lator™  
W085



Fountain On A Stick™  
W041



Cool Stick™  
W050



Mushroom Maze™  
W010



Water Wave™  
W055



Water Rail™  
W062

## ACTIVATORS



Launch Pad™  
W017-W

## Product Photos

2692 SQ FT Wet Play Area

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www.waterodyssey.com  
(512)392-1155

W12328

ABILENE SPRAY PARK LAYOUT 2



by Fountain People, Inc.

## AQUATIC PLAY FEATURES



Jet Way™  
W011



G2 Cannon™  
W284



Water Way™  
W001



Popp Dropp™  
W280



Anywayspray™  
W100



Tidal Bucket™  
W185

## Product Photos

2692 SQ FT Wet Play Area

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W12328

ABILENE SPRAY PARK LAYOUT 2



**City Council  
Agenda Memo**



**City Council  
Meeting Date: February 23, 2012**

**TO: Larry D. Gilley, City Manager**

**FROM: Tommy O'Brien, Director of Water Utilities**

**SUBJECT: Oral Resolution Authorizing City Manager to Negotiate an Interlocal Agreement with the City of Clyde for the Joint Acquisition of Water Rights**

**GENERAL INFORMATION**

The cities of Abilene and Clyde recognize that an adequate water supply is essential to their future and the future of West Texas. The cities have agreed that it is prudent to jointly negotiate and purchase available water rights. Working together has benefits for both parties.

The Interlocal Agreement will establish a framework by which Abilene and Clyde may work together to purchase Water Rights. In general, the Interlocal Agreement will allow the cities to jointly negotiate for the purchase of such rights.

**FUNDING/FISCAL IMPACT**

Administration of the Interlocal Agreement and any subsequent agreements related thereto could have a fiscal impact on the City of Abilene. It is not anticipated that Abilene will incur direct costs in the purchase of the water rights. Should Abilene incur costs for the purchase of its share any Water Rights, then funding will be provided from the Water Department's unrestricted, designated for capital projects fund.

**STAFF RECOMMENDATION**

It is recommended that the City Council authorize, by oral resolution, the City Manager to negotiate and enter into an Interlocal Agreement with the City of Clyde.

**ATTACHMENTS**

None

Prepared by:  Name <u>Tommy O'Brien</u> Title <u>Director of Water Utilities</u>	Item No. <u>6.8</u>	Disposition by City Council <input type="checkbox"/> Approved      Ord/Res# <input type="checkbox"/> Denied  <input type="checkbox"/> Other City <u>Secretary</u>
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**City Council  
Agenda Memo**



**City Council  
Meeting Date: Feb 23, 2012**

**TO: Larry D. Gilley, City Manager**

**FROM: Rodney Taylor, Assistant Director of Water Utilities**

**SUBJECT: Award of Bid for Hamby Wastewater Treatment Plant Improvements - Phase I**

**GENERAL INFORMATION**

On February 8, 2012 the City of Abilene received bids for the Hamby Wastewater Treatment Plant Improvements - Phase I, which involves installation of a new influent flow splitter structure and repairs to four primary clarifiers. Eleven bids were received. The low bid was submitted by Gracon Construction Inc. of Dallas, TX in the amount of \$1,356,000. The Engineer, after evaluating the bid submittal and investigating Gracon, does recommend awarding the bid to the low bidder.

On August 11<sup>th</sup>, 2010 the City of Abilene contracted with Enprotec/Hibbs & Todd, Inc. for the Hamby Wastewater Treatment Plant (WWTP) Improvements. That contract includes an extensive evaluation of processes structures & facilities of the Hamby WWTP. The contract also provides for the design and preparation of plans and contract documents for a new influent flow splitter structure and repairs to four primary clarifiers.

The existing influent flow splitter structure was constructed of welded steel in 1989 and is severely deteriorated. The new structure will be constructed of reinforced concrete with corrosion resistant materials and/or coatings. The four existing primary clarifiers (Units 1, 2, 3 and 4) are reinforced concrete basins. The steel weirs, launders, and troughs of Units 1, 2 & 3, are severely deteriorated and will be replaced with fiberglass parts. Unit 4 contains fiberglass weirs, launders and troughs and will not require replacing. All remaining exposed steel parts within each of the four clarifiers will be inspected, replaced or repaired as necessary, and then recoated.

**FUNDING/FISCAL IMPACT**

The City Council has previously approved CIP Project 8070-02-05 (Insert Lines, Replace Splitter, Repair Clarifiers) in the 2009-2013 CIP, and \$1,000,000 of CO's were sold to initiate the project. Residual funding for this project will come from the Water Department's "Unrestricted, designated for capital projects" Fund Balance.

**STAFF RECOMMENDATION**

Staff recommends that the City Council award the bid for Hamby Wastewater Treatment Plant Improvements – Phase 1 to Gracon Construction, Inc. in the amount of \$1,356,000.00, and to authorize the City Manager or his designee to execute all necessary documents related to the contract.

**ATTACHMENTS**

Engineer's Letter of Recommendation and Bid Tab Sheet

Prepared by:

Name Rodney Taylor

Title Asst. Water Director

Item No. 6.9

Disposition by City Council

- Approved Ord/Res# \_\_\_\_\_
- Denied \_\_\_\_\_
- Other \_\_\_\_\_

\_\_\_\_\_  
City Secretary



February 9, 2012

City of Abilene  
P O Box 60  
Abilene, Texas 79604  
Attn: Mr. Rodney Taylor

**Re: Recommendation of Award  
Hamby WWTP Improvements, Phase I**

Dear Mr. Taylor:

Bids for the referenced project were opened on February 8, 2012. A total of eleven (11) bids were received, and I will forward the attached tabulation to the Purchasing Department today. The apparent low bidder is Gracon Construction, Inc., out of Dallas, Texas.

Enprotec / Hibbs & Todd, Inc. has evaluated the responsiveness of Gracon Construction, Inc., for conformity with all material conditions of the Invitation for Bids and the Instructions to Bidders. Additionally, we have evaluated the responsibility of Gracon Construction, Inc., from information provided by Gracon Construction, Inc. Based on our evaluations, Enprotec / Hibbs & Todd, Inc. recommends award of the construction contract for the Hamby WWTP Improvements, Phase I, New Influent Splitter Box and Primary Clarifier Repairs, to Gracon Construction, Inc., as the lowest, qualified bidder at the Base Bid of \$1,356,000.00.

We look forward to working with the City of Abilene as this project moves into the construction phase.

Sincerely,

**Enprotec / Hibbs & Todd, Inc.**

Scott F. Hibbs, P.E.

c: Tommy O'Brien, P.E. – City of Abilene  
Mickey Chaney – City of Abilene  
Project File 4864

P:\Projects\Abilene, City of\4864 Hamby WWTP Improvements\4. Bidding Phase\Phase I - Splitter Box and Primary Clarifiers\Bidder Evaluation\020912 City Recommendation Letter.doc

*Environmental, Civil & Geotechnical Engineers*

**Abilene Office**  
402 Cedar  
Abilene, Texas 79601  
P.O. Box 3097  
Abilene, Texas 79604  
325.698.5560 | 325.691.0058 fax

**Lubbock Office**  
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Lubbock, Texas 79424  
806.794.1100 | 806.794.0778 fax

**Granbury Office**  
1301 Crawford Ave.  
Granbury, Texas 76048  
817.579.6791 | 817.579.8491 fax

**Plano Office**  
One Preston Park  
2301 Ohio Drive, Suite 105  
Plano, Texas 75093  
972.599.3480 | 972.599.3513 fax

www.e-ht.com

PG Firm Registration No. 50103  
PE Firm Registration No. 1151



TABULATION OF BIDS FOR: Hamby WWTP Improvements Phase I, City of Abilene, Texas

BIDS RECEIVED: 02/08/2012

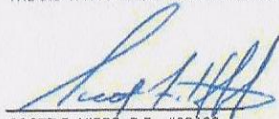
PE Firm Registration No. 1151

Item No.	Quantity	Unit	Item	Gracon Construction, Inc.		Purcell Contracting, Ltd.		Red River Construction Co.		Archer Western Construction	
				Unit Cost	Amount	Unit Cost	Amount	Unit Cost	Amount	Unit Cost	Amount
1	1	LS	Mobilization, bonds & insurance	\$ 68,000.00	\$ 68,000.00	\$ 60,000.00	\$ 60,000.00	\$ 40,000.00	\$ 40,000.00	\$ 50,000.00	\$ 50,000.00
2	1	LS	Erosion Control SWP3	\$ 2,000.00	\$ 2,000.00	\$ 1,000.00	\$ 1,000.00	\$ 2,700.00	\$ 2,700.00	\$ 3,000.00	\$ 3,000.00
3	1	LS	Trench Safety	\$ 1,000.00	\$ 1,000.00	\$ 4,000.00	\$ 4,000.00	\$ 2,000.00	\$ 2,000.00	\$ 3,000.00	\$ 3,000.00
4	1	LS	Construct and place in operation the Hamby WWTP	\$1,145,000.00	\$ 1,145,000.00	\$ 1,190,000.00	\$ 1,190,000.00	\$ 1,214,000.00	\$ 1,214,000.00	\$ 1,286,000.00	\$ 1,286,000.00
5	1	LS	Allowance for Project related issues	\$ 140,000.00	\$ 140,000.00	\$ 140,000.00	\$ 140,000.00	\$ 140,000.00	\$ 140,000.00	\$ 140,000.00	\$ 140,000.00
<b>TOTAL BASE BID PRICE (Items 1 thru 5)</b>					<b>\$ 1,356,000.00</b>		<b>\$ 1,395,000.00</b>		<b>\$ 1,398,700.00</b>		<b>\$ 1,482,000.00</b>

Item No.	Quantity	Unit	Item	Graham Construction Services		Reynolds, Inc.		Legacy Contracting, LP		Dowtech Specialty Contractors, Inc.	
				Unit Cost	Amount	Unit Cost	Amount	Unit Cost	Amount	Unit Cost	Amount
1	1	LS	Mobilization, bonds & insurance	\$ 70,000.00	\$ 70,000.00	\$ 70,000.00	\$ 70,000.00	\$ 70,000.00	\$ 70,000.00	\$ 60,000.00	\$ 60,000.00
2	1	LS	Erosion Control SWP3	\$ 2,500.00	\$ 2,500.00	\$ 2,000.00	\$ 2,000.00	\$ 1,500.00	\$ 1,500.00	\$ 2,500.00	\$ 2,500.00
3	1	LS	Trench Safety	\$ 10,000.00	\$ 10,000.00	\$ 8,000.00	\$ 8,000.00	\$ 5,000.00	\$ 5,000.00	\$ 14,600.00	\$ 14,600.00
4	1	LS	Construct and place in operation the Hamby WWTP	\$1,260,000.00	\$ 1,260,000.00	\$ 1,273,000.00	\$ 1,273,000.00	\$ 1,310,000.00	\$ 1,310,000.00	\$ 1,330,000.00	\$ 1,330,000.00
5	1	LS	Allowance for Project related issues	\$ 140,000.00	\$ 140,000.00	\$ 140,000.00	\$ 140,000.00	\$ 140,000.00	\$ 140,000.00	\$ 140,000.00	\$ 140,000.00
<b>TOTAL BASE BID PRICE (Items 1 thru 5)</b>					<b>\$ 1,482,500.00</b>		<b>\$ 1,493,000.00</b>		<b>\$ 1,526,500.00</b>		<b>\$ 1,547,100.00</b>

Item No.	Quantity	Unit	Item	LEM Construction Company, Inc.		Keystone Construction, Inc.		Associated Construction Partners, LTD	
				Unit Cost	Amount	Unit Cost	Amount	Unit Cost	Amount
1	1	LS	Mobilization, bonds & insurance	\$ 60,000.00	\$ 60,000.00	\$ 82,000.00	\$ 82,000.00	\$ 75,000.00	\$ 75,000.00
2	1	LS	Erosion Control SWP3	\$ 4,000.00	\$ 4,000.00	\$ 10,000.00	\$ 10,000.00	\$ 20,000.00	\$ 20,000.00
3	1	LS	Trench Safety	\$ 1,000.00	\$ 1,000.00	\$ 15,000.00	\$ 15,000.00	\$ 20,000.00	\$ 20,000.00
4	1	LS	Construct and place in operation the Hamby WWTP	\$1,428,000.00	\$ 1,428,000.00	\$ 1,425,000.00	\$ 1,425,000.00	\$ 1,427,700.00	\$ 1,427,700.00
5	1	LS	Allowance for Project related issues	\$ 140,000.00	\$ 140,000.00	\$ 140,000.00	\$ 140,000.00	\$ 140,000.00	\$ 140,000.00
<b>TOTAL BASE BID PRICE (Items 1 thru 5)</b>					<b>\$ 1,633,000.00</b>		<b>\$ 1,672,000.00</b>		<b>\$ 1,682,700.00</b>

I, SCOTT F. HIBBS, P.E., #63462, DO HEREBY CERTIFY THAT THE ABOVE REFERENCED BIDS WERE RECEIVED, IN ACCORDANCE WITH THE ADVERTISED PROCEDURES, OPENED, AND READ ALOUD. THE BID TABULATION HEREIN IS A TRUE AND ACCURATE REPRESENTATION OF THE BIDS READ ALOUD.

  
SCOTT F. HIBBS, P.E., #63462

