

RESOLUTION # _____
_____ De la RESOLUCIÓN

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS CANVASSING RETURNS AND DECLARING THE RESULTS OF THE RUNOFF ELECTION, HELD ON JUNE 15, 2013.

(UNA RESOLUCION DEL CONSEJO DE LA CIUDAD DE ABILENE TEXAS, REVISANDO EL CONTEO Y DECLARANDO LOS RESULTADOS DE LA ELECCION GENERAL EL 15 DE JUNIO DEL 2013.)

WHEREAS, on the 20TH day of May, A.D. 2013, the City Council of the City of Abilene, by proper resolution, ordered a Runoff election to be held in said City on the 15th day of June, 2013, in accordance with the provisions of the Charter of said city, for the purpose of electing a person to serve in Council Place 6; and

(PORTANTO, el 20de Mayo del 2013, el Consejo de la Ciudad de Abilene, por justa resolucio, ordeno una eleccion General que se llevara a cabo el dia 15 de Junio del 2013, de acuerdo con las medidas de la Carta Constitucional de dicha Ciudad, con el proposito de elegir personas para servir en el Consejo para el lugar 6; y)

WHEREAS, the City Council has duly canvassed the returns of such elections and has ascertained the results thereof; and therefore:

(PORTANTO, el Consejo de la Ciudad ha arduamente revisado el resultado de dicha eleccion:)

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:
SEA RESULTO POR EL CONSEJO DE LA CIUDAD DE ABILENE, TEXAS

PART 1: That the City Council of the City of Abilene finds and declares the results of such elections as per the attached Exhibit "A".

PARTE 1: El Consejo de la Ciudad de Abilene encuentra y declara los resultados de dicha eleccion como lo muestra la prueba "A" adjunta.

PART 2: It appearing that Kellie Miller received the majority votes cast in said Runoff Election for the office of Council Place 6; and

PARTE 2: Lo que aparece que Kellie Miller recibió la mayoría de votos en dichas elecciones generales para la Oficina del Consejo lugar 6; y

That this Resolution shall take effect immediately from and after its passage, as indicated below.

(Que esta resolución tomará efecto inmediatamente y después de su paso, según lo indicado abajo.)

ADOPTED by the City Council of the City of Abilene on the 24^h day of June, 2013.

(ADOPTADO por el Consejo de Ciudad de Abilene, este día 24 de Junio 24 del 2013.)

ATTEST:

CITY SECRETARY
(Secretaria de la Ciudad)

MAYOR
(Alcade)

APPROVED:

CITY ATTORNEY
(Abogado de la Ciudad)

Exhibit "A" General June 15, 2013

Candidate Place 6:

Steve Savage
Kellie Miller

Votes Received: 1807
Votes Received: 1926

Candidate Elected: Kellie Miller

Precinct	Early	101 107A 205	103 102 404/405	201/202 203/204 401	301/302 304/305 306/307	402 403	406 407	104 105 106													Total
Place 6																					
Steve Savage	1174	77	118	71	210	50	50	57													1807
Kellie Miller	1037	34	104	54	250	233	109	105													1926
Total Votes Cast	2211	111	222	125	460	283	159	162	0	0	0	0	0	0	0	0	0	0	0	0	3733
																					0
																					0
Total Votes Cast	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0	0

Registered Voters 58,850

Voter turnout 3733

City Council
Agenda Memo



City Council
Meeting Date: 6/24/2013

TO: Larry D. Gilley, City Manager

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

SUBJECT: First reading of an ordinance for Case No. Z-2013-14, a request from Tacks Investments, agent Enprotec/Hibbs & Todd, Inc., to rezone property from AO (Agricultural Open Space) to RS-6 (Single-Family Residential) zoning, located south of Beltway South (FM 707) and east of the Beltway Park Baptist Church property; and setting a public hearing for July 11, 2013.

GENERAL INFORMATION

Currently the property is zoned AO and is undeveloped. The adjacent properties to the east are developed with single-family homes. There properties to the west are developed primarily with single-family homes and does include a large church bordering the subject property. The property to the south is undeveloped and outside the city limits. The owner plans to develop the subject property as a residential subdivision.

The Future Land Use section of the Comprehensive Plan designates this general area as low density residential. The applicant is requesting the zone change to allow for development of a single-family residential subdivision. The requested zoning would be compatible with the adjacent residential uses as well as the Comprehensive Plan.

STAFF RECOMMENDATION

Staff recommends approval.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends approval by a vote of 5 in favor (Bixby, Glenn, McClarty, Rosenbaum, and Famble), none opposed, and 1 abstained (Todd).

ATTACHMENTS

Ordinance
Staff Report with Maps

Prepared by:

Name: Ben Bryner

Title: Planning Services Manager

June 10, 2013

Item No. 6.1

Disposition by City Council

Approved Ord/Res#

Denied _____

Other

City Secretary

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES; 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, part known as the Land Development Code of the City of Abilene, is 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 24th day of June, A.D. 2013.

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 17th day of May, 2013, 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 11th day of July, 2013 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 11th day of July, A.D. 2013.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT "A"

Rezone property from AO (Agricultural Open Space) to RS-6 (Single-Family Residential) District.

Legal Description:

A0418 SUR 104 WM E VAUGHN, ACRES 8.74
A0418 SUR 104 WM E VAUGHN, ACRES 56.075



Location:

Being approximately 65 acres located east of the Beltway Park Baptist Church property

-END-

ZONING CASE Z-2013-14

STAFF REPORT



APPLICANT INFORMATION:

Tack Investments

Agent: Enprotec/Hibbs & Todd, Inc.

HEARING DATES:

Planning & Zoning Commission: June 3, 2013

City Council 1st Reading: June 24, 2013

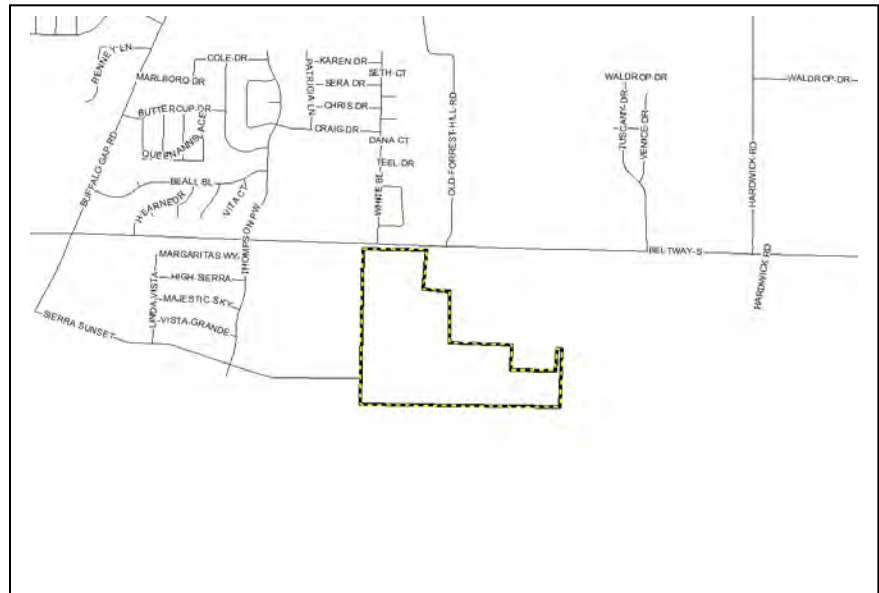
City Council 2nd Reading: July 11, 2013

LOCATION:

South of Beltway South (FM 707) and east of the Beltway Park Baptist Church property

REQUESTED ACTION:

AO to RS-6 zoning



SITE CHARACTERISTICS:

The subject parcel totals approximately 64.62 acres and is currently zoned AO (Agricultural Open Space). The subject property is currently vacant. The adjacent properties to the east are zoned AO or are outside the city limits. The property to the south also outside the city limits. The properties to the west zoned AO (Agricultural Open Space) and PD (Planned Development) developed with single-family homes and a church. The owner plans to develop the property as a residential subdivision.

ZONING HISTORY:

The area was annexed in 1980 and 2013.

ANALYSIS:

- Current Planning Analysis

Currently the property is zoned AO and is undeveloped. The adjacent properties to the east are developed with single-family homes. There properties to the west are developed primarily with single-family homes and does include a large church bordering the subject property. The property to the south is undeveloped and outside the city limits. The owner plans to develop the subject property as a residential subdivision.

- Comprehensive Planning Analysis

The Future Land Use section of the Comprehensive Plan designates this general area as low density residential. The applicant is requesting the zone change to allow for development of a single-family residential subdivision. The requested zoning would be compatible with the adjacent residential uses as well as the Comprehensive Plan.

PLANNING STAFF RECOMMENDATION:

Staff recommends approval.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

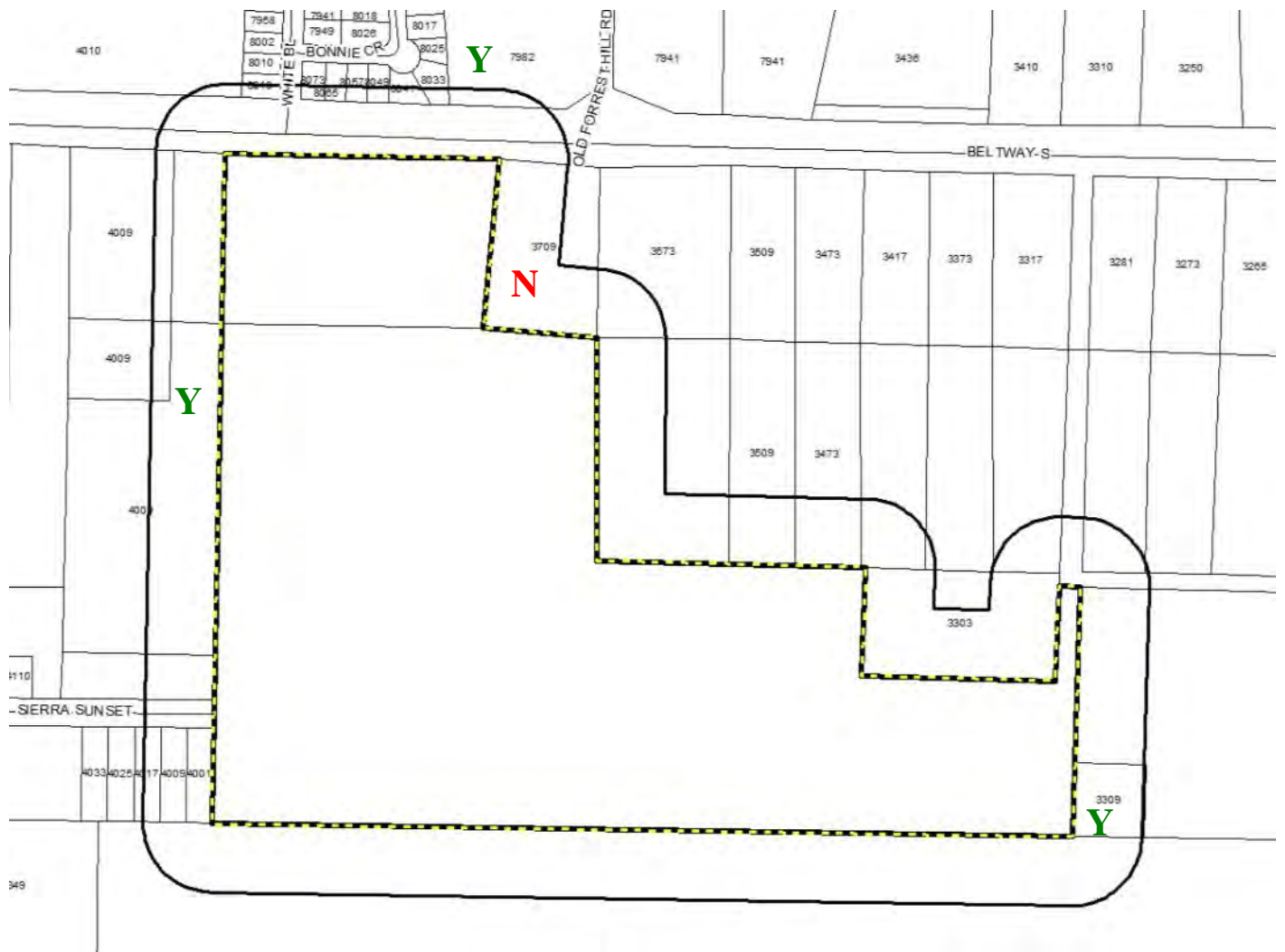
The Planning and Zoning Commission recommends approval by a vote of 5 in favor (Bixby, Glenn, McClarty, Rosenbaum, and Famble), none opposed, and 1 abstained (Todd).

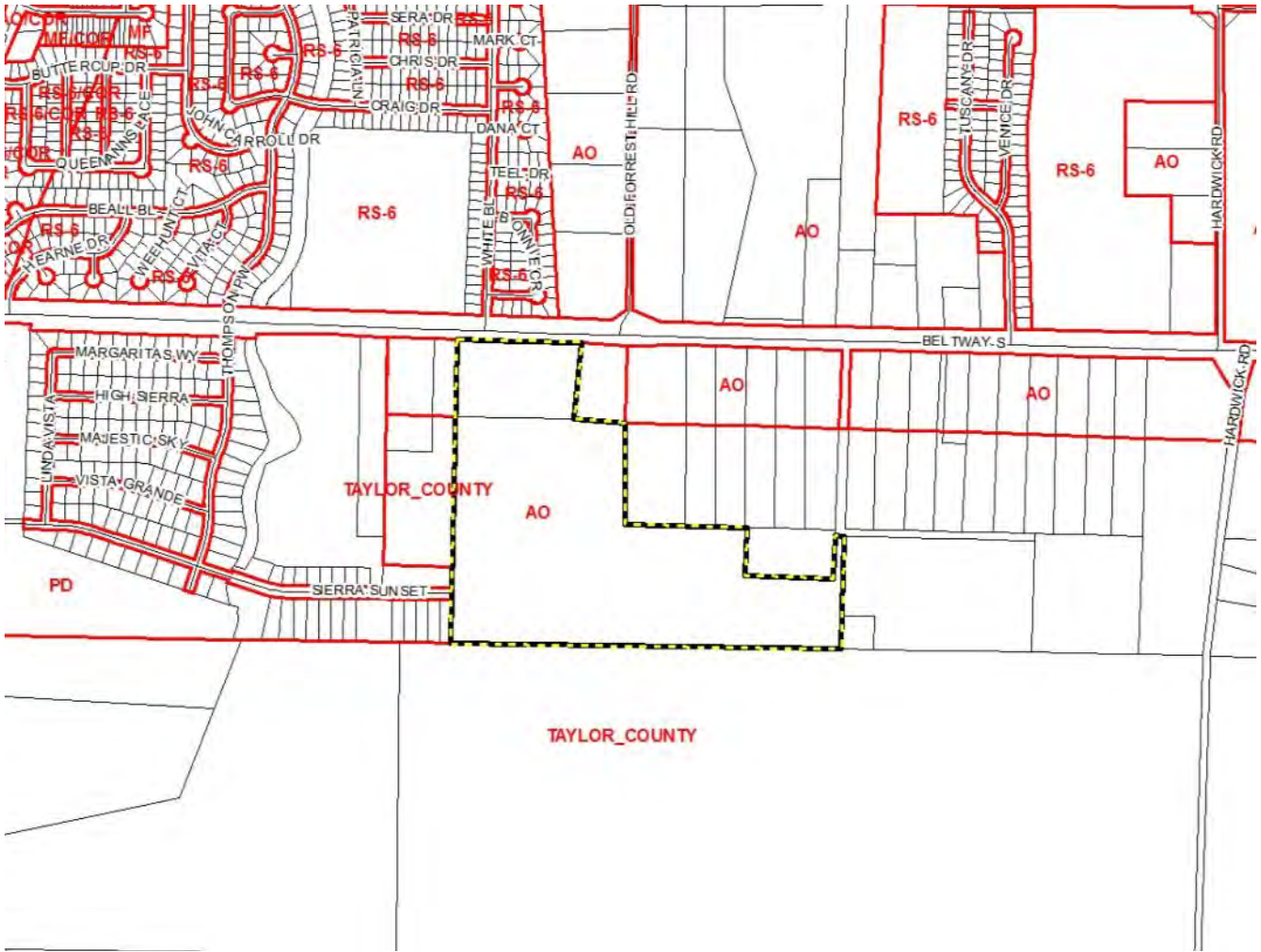
NOTIFICATION:

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

OWNER	ADDRESS	RESPONSE
WILSON CHARLES DELMON	7982 OLD FORREST HILL RD	In Favor
WYLIE IND SCHOOL DIST	4010 BELTWAY S	
THOMAS KYLE LARENCE	8041 BONNIE CR	
METCALF JULIE	8033 BONNIE CR	
HARRIS JUDY L	8065 BONNIE CR	
BROWN ROBIN	8057 BONNIE CR	
HARRIS JUDY L	8049 BONNIE CR	
ANDERSON ROSS W JR &	8018 WHITE BL	
MORROW JIM BILL LLC	3309 BELTWAY S	In Favor
WILBUR KENNETH L & DORIS L	3303 BELTWAY S	
MORROW JIM BILL LLC		
ANTHONY ROBERT O	3473 BELTWAY S	
SMITH CAROLYN S	3509 BELTWAY S	
PARR DAVID & SONJA CASEY		
HATCHETT JIM JR		
COOPER KEVIN WAYNE & KIMBERLY A		
PERRY THOMAS ANDREW	8073 BONNIE CR	
BELTWAY PARK BAPTIST CHURCH		
WHITE P D & MELINDA	4001 SIERRA SUNSET	
CONSIGLIO ROBERT JACOB	4017 SIERRA SUNSET	
BELTWAY PARK BAPTIST CHURCH		
BLOOMER CHARLES R &		
PERKINS VIRGIL	4009 SIERRA SUNSET	
BELTWAY PARK BAPTIST CHURCH	4009 BELTWAY S	In Favor
BELTWAY PARK BAPTIST	4009 BELTWAY S	
ROUSE MICHAEL WILLIAM		
HOLLIFIELD JOANN		
BELTWAY PARK BAPTIST	4009 BELTWAY S	
ROUSE MICHAEL WILLIAM		
KENNEDY ROBERT E EST		
DE BERRY KENNETH J	3573 BELTWAY S	
EDMISTON WILL E & RANEY G	3709 BELTWAY S	Opposed
DE BERRY KENNETH J		

3 in Favor- **Y**
1 Opposed- **N**







City Council
Agenda Memo



City Council
Meeting Date: 6/24/2013

TO: Larry D. Gilley, City Manager

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

SUBJECT: First reading of an ordinance for Case No. Z-2013-15, a request from Warren Harkins, agent Erik Johnson, to rezone property from AO (Agricultural Open Space) to LI (Light Industrial) zoning, being approximately 22.43 acres located on the north side of FM 18 east of 4750 FM 18; and setting a public hearing for July 11, 2013.

GENERAL INFORMATION

Currently the property is zoned AO and is undeveloped. The property to the north is undeveloped. Bandag currently operates on the property to the west. The properties to the south are largely undeveloped. The owner is asking for the LI zoning to use the land for industrial uses such as manufacturing and warehousing.

The Future Land Use section of the Comprehensive Plan designates this general area as 'business/industrial'. The applicant is requesting the zone change to allow for development of industrial uses. There are multiple properties adjacent to the subject property that are zoned for industrial and developed with industrial uses. The requested zoning would be compatible with the adjacent industrial uses as well as the Comprehensive Plan.

STAFF RECOMMENDATION

Staff recommends approval.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends approval by a vote of 6 in favor (Bixby, Glenn, McClarty, Rosenbaum, Todd, and Famble) and none opposed.

ATTACHMENTS

Ordinance
Staff Report with Maps

Prepared by:

Name: Ben Bryner

Title: Planning Services Manager

June 10, 2013

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, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES; 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, part known as the Land Development Code of the City of Abilene, is 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 24th day of June, A.D. 2013.

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 17th day of May, 2013, 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 11th day of July, 2013 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 11th day of July, A.D. 2013.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT "A"

Rezone property from AO (Agricultural Open Space) to LI (Light Industrial) District.

Legal Description:

A1117 SUR 44 B A L SE/4, ACRES 22.43



Location:

Being approximately 22.43 acres located on the north side of FM 18 east of 4750 FM 18

-END-

ZONING CASE Z-2013-15

STAFF REPORT



APPLICANT INFORMATION:

Warren Harkins
Agent: Erik Johnson

HEARING DATES:

Planning & Zoning Commission: June 3, 2013
City Council 1st Reading: June 24, 2013
City Council 2nd Reading: July 11, 2013

LOCATION:

Being approximately 22.43 acres located on the north side of FM 18 east of 4750 FM 18

REQUESTED ACTION:

AO to LI zoning



SITE CHARACTERISTICS:

The subject parcel totals approximately 22.43 acres and is currently zoned AO (Agricultural Open Space). The subject property is currently vacant. The adjacent property to the north is zoned LI (Light Industrial). The railroad lies immediately adjacent to the north. The property to the west is zoned HI (Heavy Industrial) and is where Bandag operates. The properties to the south are zoned AO and HI and are largely undeveloped. The properties to the east are zoned AO.

ZONING HISTORY:

The area was annexed in 1964 and 1986.

ANALYSIS:

• Current Planning Analysis

Currently the property is zoned AO and is undeveloped. The property to the north is undeveloped. Bandag currently operates on the property to the west. The properties to the south are largely undeveloped. The owner is asking for the LI zoning to use the land for industrial uses such as manufacturing and warehousing.

• Comprehensive Planning Analysis

The Future Land Use section of the Comprehensive Plan designates this general area as 'business/industrial'. The applicant is requesting the zone change to allow for development of industrial uses. There are multiple properties adjacent to the subject property that are zoned for industrial and developed with industrial uses. The requested zoning would be compatible with the adjacent industrial uses as well as the Comprehensive Plan.

PLANNING STAFF RECOMMENDATION:

Staff recommends approval.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

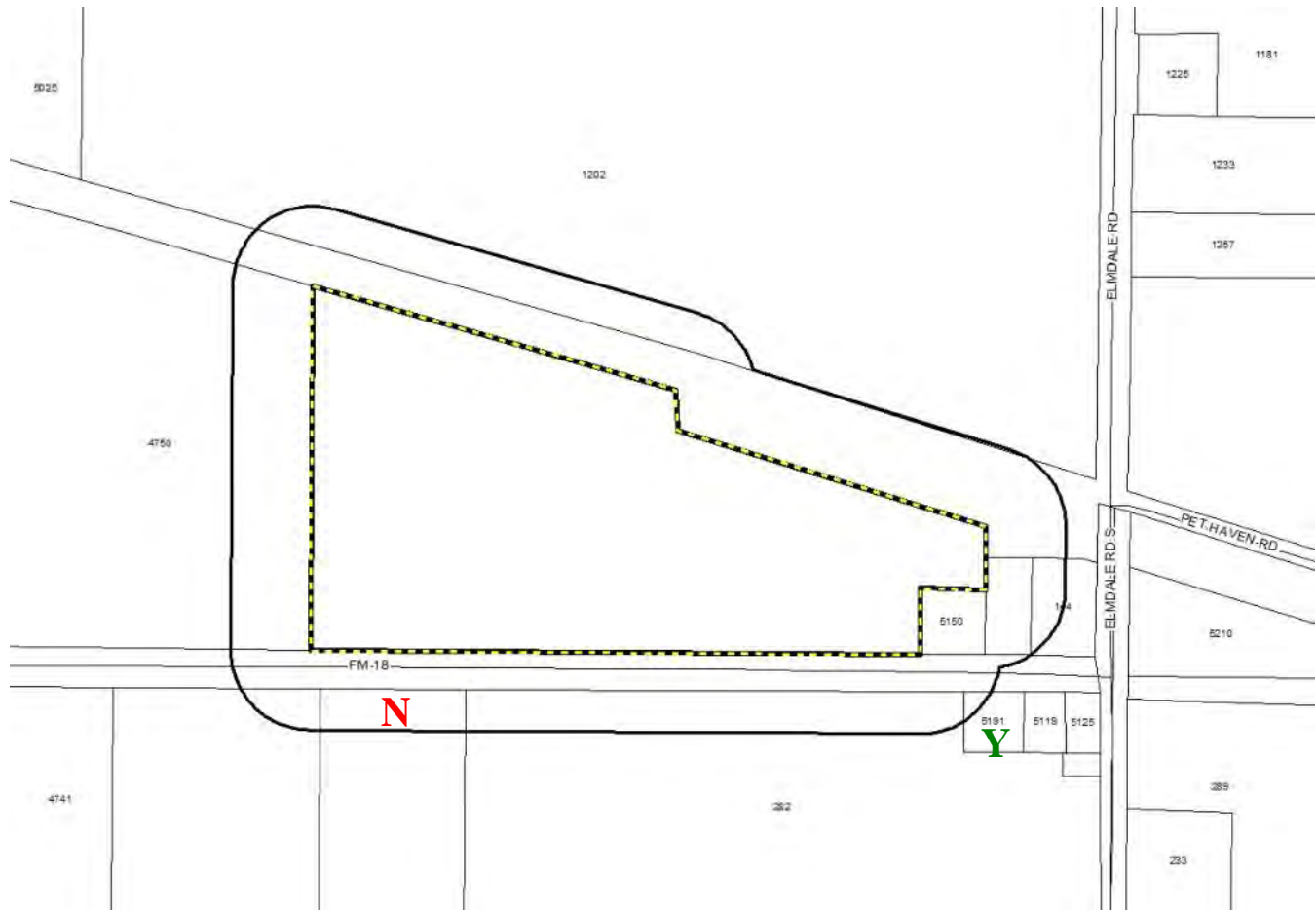
The Planning and Zoning Commission recommends approval by a vote of 6 in favor (Bixby, Glenn, McClarty, Rosenbaum, Todd, and Famble) and none opposed.

NOTIFICATION:

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

OWNER	ADDRESS	RESPONSE
MC BRIDE WILLIAM & BRITNI	282 ELMDALE RD S	
BANDAG INC	4750 FM 18	
DEAVER CHAD		Opposed
TRAIL JAMES & PATRICIA	5150 FM 18	
BAUTISTA FRANK M	144 ELMDALE RD S	
BAUTISTA FRANCISCO		
HARKINS WARREN D		
WHITMIRE KASSANDRA IRENE	5191 FM 18	In Favor
ANTILLEY THOMAS & MALONE JANE & PEARSON WES & JILL		
BLACKBURN RUTH BROOKS	1202 ELMDALE RD	

1 in Favor- **Y**
1 Opposed- **N**







City Council
Agenda Memo



City Council
Meeting Date: 6/24/2013

TO: Larry D. Gilley, City Manager

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

SUBJECT: First reading of an ordinance for Case No. Z-2013-17, a request from Sam Daggubati to amend PD-116 (Planned Development), located at 2002 Jameson St; and setting a public hearing for July 11, 2013.

GENERAL INFORMATION

Currently the property is zoned PD and was once a school. Interstate 20 is adjacent to the north with properties on the other side zoned for commercial uses. A gas station exists to the west. The properties to the east and south are developed with single-family residential homes. The current zoning allows for a mix of uses to include places of worship, restaurants, medical clinics, playgrounds, and other similar uses. The owner is asking to amend the PD zoning to allow for additional uses such as apartments, a hotel, and a convenience store with fuel sales.

The Future Land Use section of the Comprehensive Plan designates this general area as 'low density residential'. The applicant is requesting amend the PD to allow for a greater mix of uses. The frontage along I-20 and the commercial zoning to the west supports the inclusion of the proposed uses. The proposed concept plan shows the apartments providing a buffer to the adjacent single-family homes to the east and south. The requested zoning would be compatible with the adjacent uses as shown on the proposed concept plan.

STAFF RECOMMENDATION

Staff recommends approval.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends approval by a vote of 6 in favor (Bixby, Glenn, McClarty, Rosenbaum, Todd, and Famble) and none opposed.

ATTACHMENTS

Ordinance
Staff Report with Maps

Prepared by:

Name: Ben Bryner

Title: Planning Services Manager

June 10, 2013

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, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, CONCERNING PD-116 AND ORDINANCE NO. 5-2007, 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, part known as the Land Development Code of the City of Abilene, is hereby amended by changing Ordinance No. 5-2007, 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 24th day of June A.D. 2013.

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 17th day of May, 2013, 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 11th day of July, 2013, 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 11th day of July, A.D. 2013.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT "A"

1st Amendment to Ordinance No. 5-2007

PART 6 Purpose.

DELETE: The purpose of the Planned Development District (PDD) request is to allow for redevelopment of a former elementary school site to permit a variety of uses associated with an Indian Cultural Center.

AMEND: The purpose of this Planned Development District (PDD) request is to facilitate redevelopment of a former elementary school site, allowing a limited range of retail trade activities, lodging facilities and residences (including multi-family residential buildings up to 3 stories high), as well as a variety of uses associated with an Indian Cultural Center.

PART 7: Specific Modifications.

AMEND: Add the following statement to the general heading of Specific Modifications:

Development of this Planned Development district shall generally be subject to requirements of the General Retail (GR) zoning classification, except as modified below. The following regulations and the attached site plan (Exhibit B) shall govern the use and development of this Planned Development District. Where in conflict, the ordinance text shall rule.

ADD: Add the following development options to the list of permitted uses itemized under the heading of Subpart **I. PERMITTED USES**:

- Convenience Groceries
- Fuel Sales
- Hotel and Motel Buildings (up to 3 stories high)
- Multi-Family Residential Buildings (up to 3 stories high)
- Two-Family Residences
- One-Family Residences

DELETE: all of Subpart **II. SITE DEVELOPMENT** and which reads as follows:

A. Site Plan: No development of the site shall occur other than as shown on the attached site plan (Exhibit B) except as modified below.

B. Off-street parking and Circulation:
Parking shall be provided to comply with the minimum parking requirement for each use established on the site. Existing on-street angled parking may be counted toward the parking requirement with the approval of a street-use license. New parking may not be constructed until such time that this ordinance is amended or the existing parking is

insufficient to meet the minimum parking for the uses on the property as required in the Zoning Ordinance. If new parking is constructed, the total number of all parking spaces shall not be more than 10% greater than the minimum required for all uses of the property.

C. Signage:

- 1) Signage within the PDD must comply with the requirements of the City's Sign Ordinance, except as modified by the following:
- 2) Freestanding:
 - (a) One pole sign with a maximum height of 35' and a maximum area of 100 square feet. The pole sign must be located within 39 feet of the northern PDD boundary.
 - (b) Two monument signs shall be permitted with a maximum height of 6' and a maximum area of 60 square feet.
- 3) Wall signs:
 - (a) Wall signage may not exceed 10% of the area of any wall on which the signs are located.
- 4) Banners:

Banners shall only be located flat against the face of a building and shall count toward the maximum allowable wall signage.
- 5) Prohibited signs:
 - (a) Portable signs
 - (b) Off-site advertising
 - (c) Temporary signs and freestanding banners, except for a "grand opening" event within 30 days of the issuance of a Certificate of Occupancy.

D. Landscaping and buffers:

Landscaping in the PDD must comply with the requirements of the City's Landscaping Ordinance. In addition, areas on Exhibit B shown to be landscaped must remain landscaped except that sidewalks may be installed and/or parking may be installed as needed under the provisions of Section II.B of this ordinance.

E. Screening and Fencing:

- 1) Fencing within a street yard setback shall be limited to wrought iron, or similar in appearance, and/or masonry construction. All other fencing must be constructed of wrought iron, masonry, wood, or other similar materials.
- 2) Any facilities for power, air conditioning, mechanical equipment, and solid waste handling added to this site after the effective date of this ordinance, shall be screened from view of publicly accessible areas by an opaque wall or fence at least six (6) feet in height.

F. Sidewalks:

- 1) All development must comply with the Sidewalk Master Plan.

G. Outdoor Storage and Display:

- 1) Outdoor display of merchandise is prohibited.
- 2) Outdoor storage is prohibited.
- 3) Freight containers are prohibited.

H. Lighting:

- 1) All site lighting shall comply with the performance standards governing exterior illumination in the City of Abilene Zoning Ordinance. Additionally, all lighting shall be fully shielded and directed away from residential areas.

ADD: Subpart **II. SITE DEVELOPMENT** to read specifically as follows:

- A. Concept Plan:** Development of the site shall substantially comply with the arrangement of uses, buildings, off-street parking and landscaping shown on the plan attached as Exhibit B to this ordinance.
- B. Site Development Standards.** Use and development of this Planned Development District shall generally comply with standards of Chapter 4 (Site Development Standards) of Abilene’s Land Development Code.
- C. Subdivision of Land and Improvement of Related Public Facilities.** The subdivision of land within this Planned Development District, and required improvement of related public facilities, shall generally be subject to standards of Chapter 3 (Subdivision Regulations) of Abilene’s Land Development Code, including improvement of public sidewalks as required therein.
- D. Signage.** Signage within this Planned Development District shall generally comply with provisions and limitations of sign regulations adopted by the City of Abilene and generally applicable to General Retail zoning districts, except as modified below:
 - 1) Freestanding signs:
 - (a) Pole signs shall only be allowed along Interstate 20.
 - (b) Monument signs shall be allowed along other street frontages with a maximum height of 6’ and a maximum area of 60 square feet.
 - 2) Wall signs:
 - (a) Wall signage may not exceed 10% of the area of any wall on which such signs are located.
 - 3) Banners:
 - (a) Banners shall only be located flat against the face of a building and shall count toward the maximum allowable wall-mounted signage.
 - 4) Prohibited signs:
 - (a) portable signs;
 - (b) off-site advertising;
 - (c) streamers, pennants, balloons and similar devices (including all air-inflated devices); and
 - (d) temporary signs and freestanding banners, except those specifically for “grand opening” events and in place for no more than 30 days from issuance of a Certificate of Occupancy for a building and/or use.

PART 8: Development Schedule

DELETE: all of **PART 8: Development Schedule**, which reads specifically as follows:

PART 8: Development Schedule. If a Certificate of Occupancy is not approved within 18 months of the date of this ordinance, the Planning Director may initiate rezoning of the PDD to the previous zoning designation.

EXHIBIT "B"



CONCEPTUAL SITE PLAN

THE CONCEPTUAL-SITE PLAN SHOWS GENERAL LOCATION OF BUILDINGS, PARKING, VEHICULAR CIRCULATION AND OTHER PROPOSED SITE IMPROVEMENTS. THE ACTUAL BUILDING LOCATIONS, DIMENSIONS, AND THE LAYOUT OF THE SITE MAY VARY AS THE DEVELOPMENT PROGRAM IS REFINED.

OFFICE / COMMERCIAL	(existing) / (proposed)	6,000 SF.	1 STORY
HOTEL	(proposed)	71 ROOMS	3 STORIES
EXTENDED STAY	(existing)	17 ROOMS	1 STORY
FOOD COURT	(proposed)	6,500 SF.	1 STORY
CONVENIENCE / GAS	(proposed)	1,000 SF.	1 STORY
APARTMENTS	(proposed)	60 UNITS (20 du./bldg.)	3 STORIES
COMMUNITY CENTER	(existing)	18,000 - 19,000 SF. (approx)	1 STORY

- END -

PLANNING STAFF RECOMMENDATION:

Staff recommends **approval** of the requested amendments.

PLANNING AND ZONING COMMISSION RECOMMENDATION:

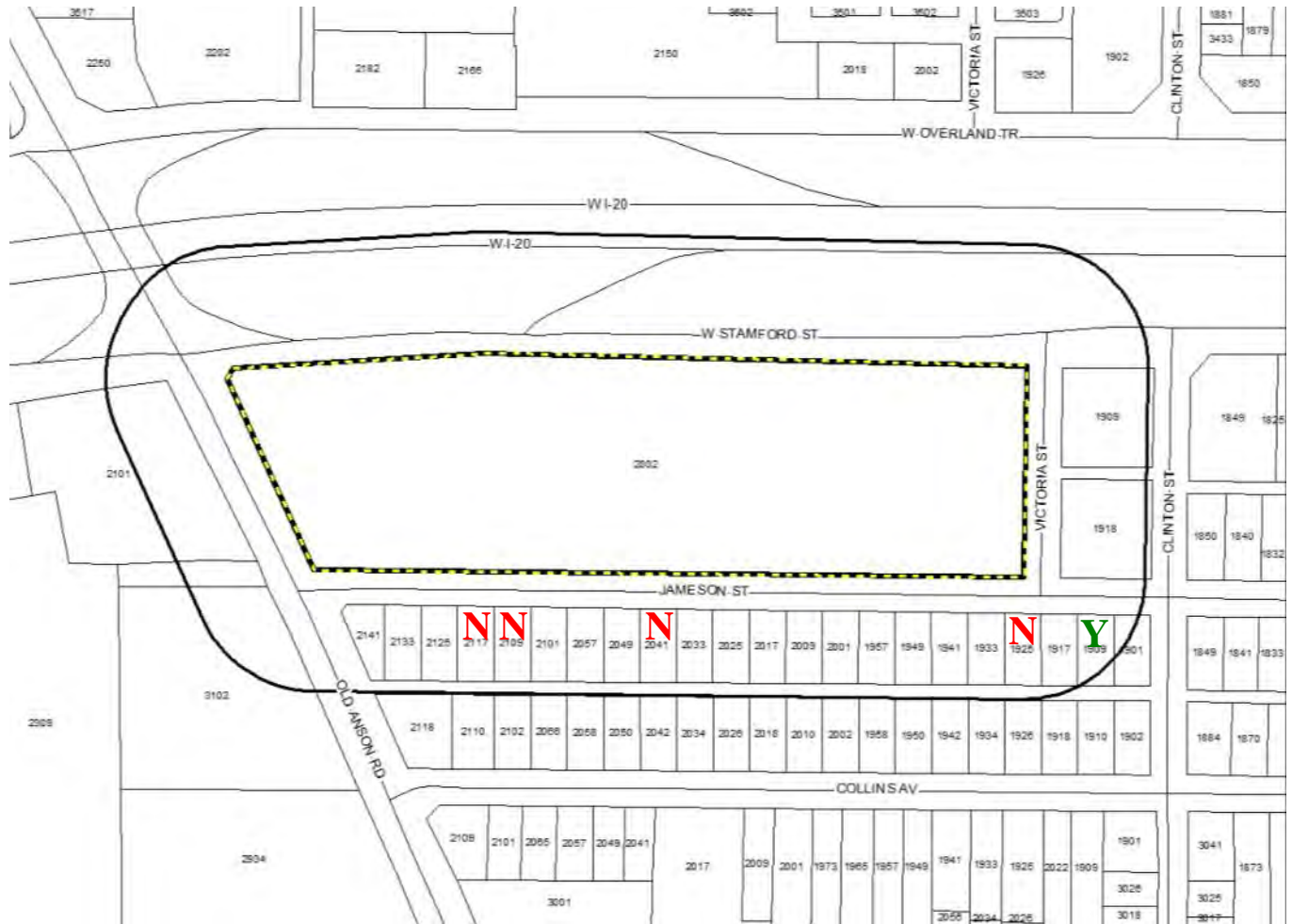
The Planning and Zoning Commission recommends approval by a vote of 6 in favor (Bixby, Glenn, McClarty, Rosenbaum, Todd, and Famble) and none opposed.

NOTIFICATION:

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

OWNER	ADDRESS	RESPONSE
BLANKENSHIP LUCILLE	1909 JAMESON ST	In Favor
FAIRCHILD KENT E & MARY A	2109 JAMESON ST	Opposed
DULANEY DEANNE J	1901 JAMESON ST	
WEST WILLIAM M & VADA LEE	2117 JAMESON ST	Opposed
PEREZ AUGUSTINE	2125 JAMESON ST	
DAWKINS MILES A	2041 JAMESON ST	Opposed
COOPER SHIRLEY J MYERS	1957 JAMESON ST	
GONZALES OSCAR JR & TRACIE	2141 JAMESON ST	
MARTIN PAUL G	2025 JAMESON ST	
CITY OF ABILENE	1909 W STAMFORD ST	
BENGS ERIC D & JOANNA I	2101 JAMESON ST	
NIETO MARIO JR	2017 JAMESON ST	
ASSEMBLY OF GOD CHURCH	1918 JAMESON ST	
MC KENNON JOHNNY R	2009 JAMESON ST	
MARTINEZ VELIA RODRIGUEZ	2049 JAMESON ST	
MC KEEVER SANDRA KAY	1941 JAMESON ST	
BUCHALLA NORMAN D LIFE ESTATE	1925 JAMESON ST	Opposed
DAGGUBATI SAM	2002 JAMESON ST	
NIETO JESSE JR	2001 JAMESON ST	
BENCHOFF JOHN H	1933 JAMESON ST	
MENDOZA KRISTINA G	2057 JAMESON ST	
BENGS ERIC & JO ANNA	1949 JAMESON ST	
TW PROPERTIES	3102 OLD ANSON RD	
ALLSUPS CONVENIENCE STORES INC		
ELLIOTT BONNIE L	2133 JAMESON ST	
MARTIN JACKIE G JR	2033 JAMESON ST	
BENNETT MELISSA A	1917 JAMESON ST	
ALLSUPS CONVENIENCE STORES INC	2101 W STAMFORD ST	

1 in Favor- **Y**
 4 Opposed- **N**









OFFICE / COMMERCIAL	(existing)	6,000 SF.	1 STORY
HOTEL	(proposed)	71 ROOMS	3 STORIES
EXTENDED STAY	(existing)	17 ROOMS	1 STORY
FOOD COURT	(proposed)	6,500 SF.	1 STORY
CONVENIENCE / GAS	(proposed)	1,000 SF.	1 STORY
APARTMENTS	(proposed)	60 UNITS (20 du./bldg.)	3 STORIES
COMMUNITY CENTER	(existing)	18,000 - 19,000 SF. (approx)	1 STORY

CONCEPTUAL SITE PLAN

THE CONCEPTUAL SITE PLAN SHOWS GENERAL LOCATION OF BUILDINGS, PARKING, VEHICULAR CIRCULATION AND OTHER PROPOSED SITE IMPROVEMENTS. THE ACTUAL BUILDING LOCATIONS, DIMENSIONS, AND THE LAYOUT OF THE SITE MAY VARY AS THE DEVELOPMENT PROGRAM IS REFINED.

Dr. Sam Daggubatti
Abilene, Texas

**ANSON JONES SCHOOL SITE
ABILENE, TEXAS**



ijm-DESIGN GROUP, LLC
1250 GERMANTOWN PIKE, SUITE 302
PLYMOUTH, ARIZONA, PA 19462
P: 610.277.9400 F: 610.277.9402
email: jimd@ijmgroup.com

SCALE: 1" = 60'

DATE: 05.13.2013

PROJECT NO: NA

1

City Council
Agenda Memo



City Council
Meeting Date: 6/24/2013

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. TC-2013-04, a request from VFW Post 6873, Agent Mike Craft, to abandon Richmond St between Veterans Dr and Baker St; and setting a public hearing for July 11, 2013.

GENERAL INFORMATION

The applicant is requesting to abandon the street right-of-way (ROW) to be able to utilize the area for expansion of the RV parking at the VFW hall. The street has not been improved on this segment and does not provide direct access for adjacent properties except for 1 residential property. The property to the north is a large, undeveloped property that has been acquired by the applicant.

PLAT REVIEW COMMITTEE

The Plat Review Committee recommends denial of the requested street ROW closure. The closure would leave 6225 Richmond St without access to the property. Additionally, the block length of Baker St between Pueblo Dr and Fairmount St would exceed the maximum of 1,200 feet. If the ROW closure is approved, the following conditions would apply:

- All adjacent properties replatted as necessary so that all parcels have street frontage.
- Retain an access easement for the property using this for access to Veterans Drive.
- Retain the area as an accessible utility easement.

STAFF RECOMMENDATION

Staff recommends denial of the requested street ROW abandonment.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommended approval per the conditions of approval by the Plat Review Committee by a vote of six (5) in favor (Glenn, McClarty, Rosenbaum Todd, and Famble) and one (1) in opposition (Bixby).

ATTACHMENTS

Ordinance
Staff Report with Maps

Prepared by:

Name: Ben Bryner

Title: Planning Services Manager

June 10, 2013

Item No. 6 . 4

Disposition by City Council

Approved Ord/Res#

Denied _____

Other _____

City Secretary

ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR THE ABANDONMENT OF A PORTION OF PUBLIC RIGHT OF WAY; PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH ABANDONMENT, AND CALLING A PUBLIC HEARING.

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

PART 1: That the following described portion of a Public Right of Way, as described on Exhibit "A," attached hereto and made a part of this ordinance for all purposes, be, and the same is hereby abandoned, vacated and closed insofar as the right, title or easement of the public is concerned, subject to conditions as stated in Exhibit A.

PART 2: That said portion of a Public Right of Way is not needed for public purposes and it is in the public interest of the City of Abilene to abandon said described portion of a Public Right of Way.

PART 3: That the abandonment provided for herein shall extend only to the public right, title and easement in and to the tracts of land described in Part 1 of this ordinance, and shall be construed only to that interest the governing body of the City of Abilene may legally and lawfully abandon.

PASSED ON FIRST READING this 24th day of June, A.D. 2013.

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 17th day of May, 2013, the same being more than twenty-four (24) hours prior to the time designated for said hearing. After such opportunity for the public to be heard, said ordinance was passed on second and final reading.

PASSED ON FINAL READING THIS 11th day of July, A.D. 2013.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT "A"

The City of Abilene hereby abandons Richmond St between Veterans Dr and Baker St.

All Public Right of Way as indicated and shown in the map below within the dashed area:



With the following conditions:

1. All adjacent properties must be re-platted as necessary so that all parcels have street frontage.
2. The plat must retain an access easement for the property using this roadway for access to Veterans Drive.
3. The plat must retain the area as an accessible utility easement.

-END-



THOROUGHFARE CLOSURE CASE TC-2013-04

STAFF REPORT

APPLICANT INFORMATION:

VFW Post 6873
Agent: Mike Craft

HEARING DATES:

Planning & Zoning Commission: June 3, 2013
City Council 1st Reading: June 24, 2013
City Council 2nd Reading: July 11, 2013

REQUESTED ACTION:

Abandon Richmond St between Veterans Dr and Baker St



SITE CHARACTERISTICS:

An east-to-west street right-of-way (ROW) between Veterans Dr and Baker St located north of the VFW. The VFW also owns the property on the north side of the ROW. Improvements have not been made along this segment of the street.

REQUEST ANALYSIS:

The applicant is requesting to abandon the street right-of-way (ROW) to be able to utilize the area for expansion of the RV parking at the VFW hall. The street has not been improved on this segment and does not provide direct access for adjacent properties except for 1 residential property. The property to the north is a large, undeveloped property that has been acquired by the applicant.

RECOMMENDATIONS:

Plat Review Committee: Denial of the requested street ROW closure. The closure would leave 6225 Richmond St without access to the property. Additionally, the block length of Baker St between Pueblo Dr and Fairmount St would exceed the maximum of 1,200 feet. If the ROW closure is approved, the following conditions would apply:

- All adjacent properties replatted as necessary so that all parcels have street frontage.
- Retain an access easement for the property using this for access to Veterans Drive.
- Retain the area as an accessible utility easement.

Staff Recommendation: Denial of the requested street ROW abandonment.

PLANNING AND ZONING COMMISSION:

The Planning and Zoning Commission recommended approval per the conditions of approval by the Plat Review Committee by a vote of six (5) in favor (Glenn, McClarty, Rosenbaum Todd, and Famble) and one (1) in opposition (Bixby).

NOTIFICATION:

Property owners within the 200' of the subject rights-of-way were notified.

OWNER	ADDRESS	RESPONSE
HUDMAN LINDA M & E VICTOR	1065 BAKER ST	
VFW POST #6873	933 VETERANS DR	
VFW POST 6873	1049 VETERANS DR	
GARCIA SEVERO & MARTA	6201 RICHMOND ST	
GARCIA SEVERO & MARTA	6225 RICHMOND ST	
VFW POST 6873	1049 VETERANS DR	
VFW POST #6873	6249 PUEBLO DR	
BARBEE JOHN & BRANDI	933 BAKER ST	
BARBEE CHARLES D	933 BAKER ST	

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

Y









**City Council
Agenda Memo**



TO: Larry D. Gilley, City Manager
FROM: James W. Childers, Director of Community Services
SUBJECT: Oral Resolution Approving Library Advisory Board Bylaws

**City Council
Meeting Date: 6/24/13**

GENERAL INFORMATION

The Library Advisory Board was created by City Council Resolution dated November 3, 1966, for the purpose of serving as an advisory committee to the staff and City Council. The Board has served since its inception without any written bylaws.

Written bylaws for library boards are a basic administrative standard set by the Texas State Library & Archives Commission. In addition to meeting this basic standard, the addition of written bylaws would provide board members a clear understanding of their duties and responsibilities.

On May 6, 2013, the Library Advisory Board voted and approved a set of bylaws. The bylaws were developed by staff and the advisory board chair.

STAFF RECOMMENDATION

Staff recommends City Council approve the Library Advisory Board bylaws.

BOARD OR COMMISSION RECOMMENDATION

The Abilene Public Library Advisory Board voted on Monday, May 6, 2013 to approve the bylaws.

ATTACHMENTS

Bylaws

Prepared by:

Name Ricki Brown

Title City Librarian

Item No. 6.5

Disposition by City Council

- Approved Ord/Res# _____
- Denied _____
- Other _____

City Secretary

Library Advisory Board Bylaws

June, 2013

ARTICLE I NAME

The Library Advisory Board was established by the City Council on November 3, 1966. The Advisory Board is subject to the City Charter, the Texas Open Meetings Act and The Texas Public Information Act.

ARTICLE II MEMBERS

Section 2.1

The Library Advisory Board is composed of eleven (11) qualified voters of the City and who are appointed by the Mayor with the approval of the City Council.

Section 2.2

Members serve a term of two (2) years and may be re-appointed.

Section 2.3

The chairperson will appoint one member to serve as a liaison with the Friends of the Library.

Section 2.4

The City Librarian serves as a non-voting ex-officio member of the board.

ARTICLE III MEETINGS

Section 3.1

The Library Advisory Board shall meet at least quarterly. The regular meeting of the library board shall be held at a time designated by the board in the Main Library or such other place the board may determine.

Section 3.2.

Special meetings may be called by the chair or at the call of any two members of the board, provided that notice thereof is given to all board members and the City Librarian. Notice of the meeting will be in compliance with the Open Meetings Act.

Section 3.3

A simple majority of the appointed members shall constitute a quorum at all meetings of the board. No action may be taken without a quorum.

Section 3.4

All questions presented for a vote of the Library Advisory Board shall be decided by a simple majority of the quorum.

Section 3.5

The mayor and city council will be apprised of any member of the board who misses three consecutive meetings without good cause. The board will recommend to the mayor and city council that a replacement be appointed for the balance of the unexpired term.

Section 3.6

Board business should be conducted according to Robert’s Rules of Order.

**ARTICLE IV
OFFICERS**

Section 4.1

The officers of the board shall be a chairperson and a vice-chairperson. The City Librarian will serve as the permanent secretary.

Section 4.2

Officers shall be elected and take office at the first regular meeting of the calendar year after new board members have been appointed and sworn in.

Section 4.3

Vacancies in office shall be handled as follows:

- (a) In the event of resignation or incapacity of the chair, the vice-chair shall become the chair for the unexpired portion of the term.
- (b) Vacancies of officers other than the chair shall be filled for the unexpired term by special election. The term of office is one year.

Section 4.4

Duties of the officers shall be as follows:

- (a) Chair:
 - (i) Preside at all meetings.
 - (ii) Represent the library board at public functions of the City and at events such as special library events, local, state, or national advocacy activities for the library or for local, state, or national association activities
 - (iii) Appoint standing, special, or ad hoc committees.
 - (iv) Assist City Librarian in establishing the agenda for each meeting.
 - (v) Liaison with the governing authority regarding library issues.
- (b) Vice-chair:
 - (i) Assist the chair in directing the affairs of the board and act in the chair's absence.

(ii) Serve as chair of ad hoc or special committees or projects such as chair of an advocacy initiative.

(c) Secretary

(i) Be responsible for the accuracy and posting of the agendas and minutes of the board meeting in compliance with the Open Meetings act and bring any corrections to the attention of the board at its next meeting.

(ii) The secretary shall sign the approved minutes and complete recordkeeping activities required by State of Texas.

ARTICLE V COMMITTEES

Committees may be appointed for completing regular business of the board and/or special purposes by the chair and by special request from the City Librarian or the governing authority. Committees, following requests, are formed with the consent of the majority of the board. All committees will have at least one library board member serving on them. Standing committees are typically formed at the first meeting of the calendar year and reviewed for continuation annually. Ad hoc or special committees are automatically dissolved upon completion of the activity or project.

ARTICLE VI POWERS AND DUTIES OF BOARD MEMBERS

Appointed library board members provide opinion, support, and expertise as needed, but do not have final authority. Board members shall:

(a) Abide by applicable ordinances of the City of Abilene.

(b) Act in an advisory capacity to the City Librarian and the City Council.

(c) Review existing policies, recommend new ones and adopt policies to govern the operation and program of the library.

(d) Assist in strategic planning.

(e) Provide opinion and guidance, as appropriate, for special issues to include, but not be limited to, new facilities and the expansion of existing library facilities.

(f) Provide opinion and guidance, as appropriate, for new library services.

(g) Assist in interpreting the policies and functions of the library to the public.

(h) Encourage in every possible way the development and advancement of the public library at local, regional, state, and national levels.

- (i) Participate in advocacy initiatives including, but not limited to, local issues, including funding issues and requests, state advocacy activities, and federal advocacy initiatives.
- (j) Participate in a library orientation session prior to attending first board meeting.

**ARTICLE VII
AMENDMENTS**

These bylaws may be amended by a majority vote at any regular meeting, provided all members have been notified of the proposed amendments at least ten days prior to such meeting. Such amendment would not be in effect until approved by City Council at a regularly scheduled Council Meeting.

**ARTICLE VIII
Open Meetings Training**

Prior to attending their first board meeting, each newly appointed board member shall complete the open meetings training required by the Texas Open Meetings Act and file the certificate of completion with the City Secretary.

Certificate

This is to certify that the foregoing is a true and correct copy of the Bylaws of the Library Advisory Board and that such Bylaws were duly adopted by the Library Advisory Board on May 6, 2013 and approved by the Abilene City Council on _____.

Board Secretary

**City Council
Agenda Memo**



TO: Larry D. Gilley, City Manager
FROM: Don Green, Director of Aviation
SUBJECT: Garver Engineering Task Order 1

**City Council
Meeting Date: June 24, 2013**

GENERAL INFORMATION

As part of the Airport's FY13 Airport Improvement Program (AIP), Task Order 1 with Garver is requested to be considered for authorization. This Task Order provides authorization for Garver to perform preliminary design testing and evaluation of Runway 17L/35R to determine the actual strength of the runway and identify specific areas for reconstruction in FY14. The fee for this service is a fixed fee in the amount not to exceed **\$181,000**.

FUNDING/FISCAL IMPACT

We request that this fee be covered first by the City using a portion of the budgeted AIP grant match funds and then we will request reimbursement as part of our FY13 AIP grant request at the 90/10% rate. With FAA reimbursement later in 2013, the total cost to the City would be \$18,100.

STAFF RECOMMENDATION

Staff recommends the City Council authorize the City Manager to execute Task Order 1 of the Garver engineering contract.

BOARD OR COMMISSION RECOMMENDATION

The Airport Development Board voted to recommend approval of Task Order 1 of Garver's contract at its June 12th meeting.

Prepared by: Name: Don Green Title: Director of Aviation	Item No. <u>6.6</u>	Disposition by City Council <input type="checkbox"/> Approved Ord/Res# _____ <input type="checkbox"/> Denied <input type="checkbox"/> Other _____ City Secretary
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**City Council
Agenda Memo**



**City Council
Meeting Date: Jun 24, 2013**

TO: Larry D. Gilley, City Manager

FROM: Rodney Taylor, Assistant Director of Water Utilities

SUBJECT: Oral Resolution Authorizing the Purchase from Applied Membranes, Inc. of Replacement Reverse Osmosis Membrane Equipment for the Hargesheimer Water Treatment Plant.

GENERAL INFORMATION

The City of Abilene Water Department is requesting that by oral resolution the City Council authorize the purchase of Replacement Reverse Osmosis Membrane Equipment (RO Equipment) for the Hargesheimer Water Treatment Plant (HWTP) from Applied Membranes Inc. (Hydranautics) in an amount not to exceed \$250,000.00. The RO Equipment is a captive replacement part of the existing RO system and is being purchased as sole source. Abilene did solicit competitive bids, but the process resulted in no real cost advantage to the City.

The HWTP was commissioned in September 2003. The treatment process includes the Reverse Osmosis (RO) system for the reduction of total dissolved solids (salts) in the finished water. Over an extended period of use the individual RO cartridges of the RO system deteriorate resulting in the passage of increasing amounts of salts. The existing RO cartridges are deteriorated and in need of replacement.

The Texas Commission on Environmental Quality (TCEQ) required extensive pilot testing and performance verification prior to design of the HWTP in order to approve a specific brand and model of RO membrane technology for treating a designated source water. The TCEQ approved Abilene to use Hydranautics brand RO membranes. For Abilene to change the brand of RO equipment would require Abilene to repeat performance verification of the new brand and incur additional costs for analytical testing and preparation of a Pilot Report. It is not necessary to change the brand of RO cartridges. Enprotec/Hibbs & Todd was hired to assist staff in the evaluation and procurement process. Staff and Engineer recommend purchasing exact replacement RO Equipment from Hydranautics in an amount not to exceed \$250,000.

FUNDING/FISCAL IMPACT

This project is a part of the current Drought Response Project. This purchase is intended to be funded through the issuance of obligations, so there is also a Reimbursement Resolution associated with this purchase.

STAFF RECOMMENDATION

Staff recommends that the City Council authorize the purchase as describe above.

ATTACHMENTS

Engineer's letter of recommendation

Prepared by: Name <u>Rodney Taylor</u> Title <u>Asst. Water Director</u>	Item No. <u>6.7</u>	Disposition by City Council <input type="checkbox"/> Approved Ord/Res# <input type="checkbox"/> Denied _____ <input type="checkbox"/> Other _____ City Secretary
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June 11, 2013

Via Email; Original via Mail

City of Abilene
209 East Highway 80
Abilene, TX 79601
Attn: Mr. Rodney Taylor, Assistant Director of Water Utilities

**Re: Recommendation of Award
Hargesheimer Water Treatment Plant Reverse Osmosis (RO) System Improvements
Abilene, Texas**

Dear Mr. Taylor:

Bids for the referenced project were opened on Wednesday, June 5, 2013. A total of three (3) bids were received, and I have attached a copy of the Bid Tabulation. The total of each bid only includes the cost of the replacement equipment and does not include other related costs to the City associated with obtaining product approval from the Texas Commission on Environmental Quality (including approximately \$15,000 for performance testing, analytical testing and pilot reporting). Including costs for equipment, performance testing, analytical testing and pilot reporting, the apparent low bidder was Applied Membranes, Inc. (providing Hydranautics RO membranes) out of Vista, CA.

Enprotec / Hibbs & Todd, Inc. (eHT) has evaluated the responsiveness of Applied Membranes for conformity with all material conditions of the Advertisement for Bids and the Information for Bidders. Additionally, we have evaluated the responsibility of Applied Membranes from information and references provided by Applied Membranes with their bid packet.

Of the three bids, only the Applied Membranes (Hydranautics) bid qualifies for the base bid (does not require additional performance testing), which minimizes the City of Abilene's risk by not requiring TCEQ approval to utilize the membranes. Therefore, based on our evaluation, eHT recommends award of the contract to Applied Membranes, for the Hargesheimer Water Treatment Plant Reverse Osmosis System Improvements Project. Applied Membranes' base bid totaled \$215,402.00. Therefore, we recommend awarding the base bid to Applied Membranes for a total cost of \$215,402.00.

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
6310 Genoa Avenue, Suite E
Lubbock, Texas 79424
806.794.1100 | 806.794.0778 fax

Granbury Office
2901 Glen Rose Hwy, Suite 107
Granbury, Texas 76048
817.579.6791 | 817.579.8491 fax

Plano Office
One Preston Park
2301 Ohio Drive, Suite 105
Plano, Texas 75083
972.599.3480 | 972.599.3513 fax

www.e-ht.com

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



Mr. Rodney Taylor
June 11, 2013
Page 2

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

Sincerely,

Enprotec / Hibbs & Todd, Inc.

Joshua L. Berryhill, P.E.

Attachment: Bid Tabulation

c: Tommy O'Brien, P.E., Director of Water Utilities
Project File: 4568

H:\Projects\Abilene, City of\4568 - Cedar Ridge Reservoir\Future Water Supply Strategies\New Escalade\log\get\w\w\RO_2013\enprotec\hibbstodd\Project\municipal\4568-6-11-13.docx

RESOLUTION NO. _____

**RESOLUTION EXPRESSING OFFICIAL INTENT
TO REIMBURSE COSTS OF PROJECTS**

WHEREAS, the City of Abilene, Texas (the "Issuer") is a home-rule municipality and political subdivision of the State of Texas;

WHEREAS, the Issuer expects to pay expenditures in connection with the purchase of replacement reverse osmosis (RO) cartridges and related appurtenances of the project described on Exhibit "A" hereto ("the Project") prior to the issuance of obligations to finance the Project; and

WHEREAS, the Issuer finds, considers, and declares that the reimbursement of the Issuer for the payment of such expenditure will be appropriate and consistent with the lawful objectives of the Issuer and, as such, chooses to declare its intention, in accordance with the provisions of Section 1.150-2 of the Treasury Regulations, to reimburse itself for such payments at such time as it issues obligations to finance the Projects.

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

Section 1. The Issuer reasonably expects to incur debt, as one or more series of obligations, with an aggregate maximum principal amount not to exceed \$250,000.00 for the purpose of paying the costs of the Project.

Section 2. All cost to be reimbursed pursuant hereto will be capital expenditures. No tax-exempt obligations will be issued by the Issuer in furtherance of this Resolution after a date which is later than 18 months after the later of (1) the date the expenditures are paid or (2) the date on which the property, with respect to which such expenditures were made, is placed in service.

Section 3. The foregoing notwithstanding, no tax-exempt obligation will be issued pursuant to this Resolution more than three years after the date any expenditure which is to be reimbursed is paid.

PASSED, APPROVED and EFFECTIVE this 24th day of June, 2013

ATTEST:

City Secretary, City of Abilene, Texas

Mayor, City of Abilene, Texas

APPROVED:

City Attorney

Exhibit "A"

Purchase of replacement reverse osmosis membrane cartridges and related appurtenances for the Hargesheimer Water Treatment Plant.

**City Council
Agenda Memo
DRAFT**



TO: Larry D. Gilley, City Manager
FROM: Megan R. Santee, Director of Public Works
SUBJECT: Designation of Direct Recipient for FTA Section 5307 Funds

**City Council
Meeting Date: 06/24/12**

GENERAL INFORMATION

The City of Abilene receives federal funds for operation of its transit system (CityLink). The majority of those funds are Federal Transit Administration (FTA) Section 5307 Urbanized Area formula grant funds. In Texas Section 5307 funds are allocated as part of the Governor's Apportionment to the small urban transit systems (urbanized areas between 50,000 and 200,000). However, the local public transit agencies receive the Section 5307 funds directly from FTA. FTA is requiring a formal selection of a direct recipient for the funds. As a result TxDOT (designated by the Governor to act on his behalf) has requested a current local process, such as a resolution by the Council, to recommend a direct recipient.

In the Abilene urbanized area, the City of Abilene is the only entity that operates an urban transit system. Therefore the City of Abilene should continue to be the direct recipient of the Section 5307 funds. The attached resolution designates the City of Abilene as the direct recipient for FTA funds in the Abilene urbanized area.

FUNDING/FISCAL IMPACT

The amount of FTA Section 5307 funds allocated to the City of Abilene for FY 2013 is \$1,802,863. As the direct recipient of the FTA Section 5307 funds the City of Abilene will have the ability to continue to fund operation of its transit system.

STAFF RECOMMENDATION

Staff recommends that the City Council adopt the attached resolution.

ATTACHMENTS

Resolution

Prepared by:

Name: James Condry

Title: Traffic & Transportation
Administrator

Item No. 6.9

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,
DESIGNATING THE CITY OF ABILENE AS THE LOCAL DIRECT RECIPIENT OF
SECTION 5307 FEDERAL TRANSIT ADMINISTRATION FUNDS**

WHEREAS, Title 49, United States Code, Subtitle III, Chapter 53, Section 5307, as amended, provides federal funds for public transportation; and

WHEREAS, it has been interpreted by federal officials to allow urbanized areas under 200,000 to be designated as local direct recipients of such funds; and

WHEREAS, the City of Abilene is the only entity which operates an urban public transportation system in the Abilene urbanized area; and

WHEREAS, the City of Abilene has been the recipient of Section 5307 federal funds for public transportation in support of the Abilene transit system (CityLink) for many years; and

WHEREAS, the Texas Department of Transportation has requested a current local process to indicate a direct recipient for the federal funds;

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

PART 1. That the City Council finds that the City of Abilene is the principle city of an urbanized area of less than 200,000 population and has the legal, financial and technical capacity to function as the direct recipient of federal transportation funds.

PART 2. That the Texas Department of Transportation, under authority delegated by the Governor of the State of Texas, is requested to concur in establishing the City of Abilene as the direct recipient for the federal public transportation funds made available to the Abilene urbanized area, as described in 49 USC Section 5307.

PART 3. That this resolution shall be effective immediately from and after its date of passage.

ADOPTED this 24th day of June, 2013.

ATTEST:

Danette Dunlap, City Secretary

Norman Archibald, Mayor

APPROVED:

City Attorney

**City Council
Agenda Memo**



TO: Larry D. Gilley, City Manager
FROM: Mindy Patterson, Director of Finance
SUBJECT: Rehabilitation of City Hall Parking Lot

**City Council
Meeting Date: 6-24-13**

GENERAL INFORMATION

On June 5th, the City of Abilene received a bid for rehabilitation of the City Hall Parking Lot project at 555 Walnut Street. One bid was received for the project. The bid was submitted by Bontke Brothers Construction Co. Inc.

STAFF RECOMMENDATION

Staff recommends that the City Council award Bid # CB – 1338 to Bontke Brothers Construction Co. Inc of Abilene, Texas in the amount of \$141,235.04.

ATTACHMENTS

Bid Tab for CB-1338
Engineering letter of recommendation

Prepared by:

Name **Odin Dolton**

Title **Assistant Dir. of Finance**

Item No. 6.10

Disposition by City Council

- Approved Ord/Res# _____
- Denied _____
- Other _____

City Secretary



3465 Curry Lane
Abilene, Texas 79606
325-695-1070
www.jacobmartin.com

1508 Santa Fe Drive
Suites 204-205
Weatherford, Texas 76086
817-594-9880

June 10, 2013

Mr. Chad Carter, City Engineer
City of Abilene
555 Walnut
Abilene, Texas 79601

Subject: Abilene City Hall East Parking Lot Rehabilitation
Letter of Recommendation

Mr. Carter:

On June 5, 2013 the City opened bids for the Abilene City Hall East Parking Lot Rehabilitation project. One bid was received for this project at a price of \$141,235.04. The bid was submitted by Bontke Brothers Construction Co. Inc. A bid tabulation is attached as part of this letter, which summarizes the breakdown of the bid. The engineer's estimate for the project was approximately \$146,000. I have found no reason to disqualify the Contractor. Based on the bid received and the budget for the project, I recommend awarding the contract to Bontke Brothers Construction Co. Inc. for the bid of \$141,235.04. Assuming the city council and public works department concur with awarding of the project, we will prepare documents for execution by the Contractor and the City. Feel free to contact me if you have any questions.

Sincerely,

JACOB & MARTIN, LTD.

Tal Fillingim, P.E.

Cc: City of Abilene, Purchasing Department

**CITY OF ABILENE
CITY HALL EAST PARKING LOT REHABILITATION**

Engineer: Jacob & Martin, Ltd.
Abilene, Texas

Bid Date: JUNE 5, 2013

**Bontke Brothers
102 College Drive
Abilene, TX 79601**

		Qty	Unit		
	For all Labor, Materials, Equipment & Incidentals to Furnish & Install the Following:				
1	Mill 1/2" Depth On Existing Asphalt Surface	6568	SY	\$ 2.50	\$ 16,420.00
2	Asphalt Prime Coat (AEP or Approved Equal) @ 0.25 Gal./SY	1626	GAL	\$ 6.00	\$ 9,756.00
3	1 1/2" of Type D Hot Mix Asphaltic Surface (165#/SY)	537	TON	\$ 140.00	\$ 75,180.00
4	Sidewalk Ramp	1	LS	\$ 1,250.00	\$ 1,250.00
5	Heavy Dumpster Pad	58	SY	\$ 95.00	\$ 5,510.00
6	Parking Lot Striping	1	LS	\$ 6,500.00	\$ 6,500.00
7	Parking Wheel Stops	2	EA	\$ 100.00	\$ 200.00
8	Mobilization, Traffic Control, Insurance, and Bonds	1	LS	\$ 7,500.00	\$ 7,500.00
<p><small>Unit Price Items for Additional Work: The unit prices for the following items are included for work that may be added to or deducted from the Project. These prices are to be used in the event additional (or less) work from that shown on the Plans and Specifications is required as directed by the City. Payment or deduction for these items will only be for the actual quantities, if any, which are affected and will constitute the entire payment (or deduction) for each item listed. The final contract amount will be adjusted based on the quantities utilized in the Project. In the event the quantities are not utilized, the amounts will be deducted, and if quantities in addition to those shown are utilized, the additional amounts above the quantities shown, will be added to the contract amount.</small></p>					
1	Removing Existing Base and Replacing with 10" of Compacted Crushed Limestone Base Complete in Place	656	SY	\$ 21.34	\$ 13,999.04
2	Preparing 6" of Compacted Cement Stabilized Subgrade (Includes 4% Cement) In Place	656	SY	\$ 7.50	\$ 4,920.00
	Subtotal				\$ 141,235.04