



City of Abilene City Council Agenda

Shane Price, Council Member
Joe Spano, Mayor Pro-Tem
Stormy Higgins, Council Member
Larry Gilley, City Manager

Norm Archibald, Mayor

Anthony Williams, Council Member
Robert O. Briley, Council Member
Kellie Miller, Council Member
T. Daniel Santee, City Attorney
Danette Dunlap, City Secretary

Notice is hereby given of a meeting of the City Council of City of Abilene to be held on Thursday, June 23rd, 2011 at 8:30 a.m. at City Hall – Council Chambers, Second Floor, 555 Walnut Street, Abilene, Texas, for the purpose of considering the following agenda items. All agenda items are subject to action. The City Council reserves the right to meet in a closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

1. **CALL TO ORDER**
2. **INVOCATION**
3. **PLEDGE TO THE UNITED STATES FLAG AND THE TEXAS FLAG**
4. **PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS AND ANNOUNCEMENTS**
5. **MINUTES** – Approval of the minutes from the June 9th Regular Meeting
6. **CONSENT AGENDA** - All consent agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember or Citizen so requests, in which event the item will be removed from the Consent Agenda and considered separately.
 1. **Ordinance: Z-2011-12** – (*First reading*) on a request from Edward and Lea Schafer Holt to rezone property from RS-6 (Single Family Residential) to RS-6/H (Single Family Residential/Historic Overlay) zoning, located at 602 Sayles Blvd.; and setting a public hearing for July 14, 2011. (*James*)
 2. **Ordinance: Z-2011-13** – (*First reading*) on a request from Vanessa Gwen Hollabaugh to rezone property from RS-6 (Single Family Residential) to RS-6/H (Single Family Residential/Historic Overlay) zoning, located at 802 Meander St.; and setting a public hearing for July 14, 2011. (*James*)
 3. **Ordinance: Z-2011-14** – (*First reading*) on a request from Jon and Theresa James to rezone property from RS-8 (Single Family Residential) to RS-8/H (Single Family Residential/Historic Overlay) zoning, located at 1702 Belmont Blvd.; and setting a public hearing for July 14, 2011. (*Bryner*)
 4. **Resolution:** Authorizing the City Manger to enter into an Advanced Funding Agreement with the Texas Department of Transportation (TxDOT) in relation to a 2009 authorized Transportation Enhancement project for improvements along South 1st Street from Locust Street to Butternut Street. (*James*)
 5. **Oral Resolution:** Fireworks Display request from A.M. Pyrotechnics for July4. (*Williams*)
 6. **Award of Bid:** Purchase of a Digital Imaging Particle Analyzer for the Abilene Environmental Laboratory. (*O'Brien*)
 7. **Award of Bid:** #CB-1127 Four Utility Trucks (*Patterson*)
 8. **Award of Bid:** #CB-1130 for Miscellaneous South side Streets Seal Coating. Phase 1 (Amarillo, Meander, Vine, Idlewild, S. Jefferson, S LaSalle, S. San Jose, S Bowie and S Crockett) (*Santee*)
 9. **Award of Bid:** #CB-1131 for Construction of a proposed concrete path along the East side of Judge Ely from East Highway 80 to ES 11th and along ES 11th from Cal Young Park to nelson Park. (*Santee*)
7. **REGULAR AGENDA – ORDINANCES & PUBLIC HEARINGS – RESOLUTIONS**
 1. **Oral Resolution & Public Hearing:** Appeal of a denial of a sidewalk waiver for property located at 3526 S. Treadaway Blvd. (*James*)
8. **EXECUTIVE SESSION**

The City Council of the City of Abilene reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed above, as authorized by Texas Government Code Sections 551.071 (Consultation with Attorney) see list below, 551.072 (Deliberations about Real Property), 551.073 (Deliberations about Gifts and Donations), 551.074 (Personnel Matters) see list below, 551.087 (Business Prospect/Economic Development), and 551.076 (Deliberations about Security Devices)

9. RECONVENE

Any action if needed from Executive Session.

10. ADJOURNMENT

In compliance with the Americans with Disabilities Act, the City of Abilene will provide for reasonable accommodations for persons attending City Council meetings. To better serve you, requests should be received 48 hours prior to the meetings. Please contact Danette Dunlap, City Secretary, at 325-676-6202.

CERTIFICATION

I hereby certify that the above notice of meeting was posted on the bulletin board at the City Hall of the City of Abilene, Texas, on the _____ day of June, 2011, at _____.

Danette Dunlap, City Secretary

EXECUTIVE SESSION

(Litigation/Consultation with Attorney) Section 551.071

The following pending litigation subjects which may be discussed are:

- 1) Art Castro v. Abilene Police Department; No. 1:08-CV-152-BI; US District Court, Northern District, Abilene Division; received October 27, 2008
- 2) Victoria Carter v. City of Abilene; County Court at Law No. 1, Taylor County, Texas, filed September 25, 2009.
- 3) Celia Arguijo v. City of Abilene; filed February 1, 2010; received February 2, 2010; 104th Judicial District Court, Abilene, Taylor County, Texas. Cause No. 24,781-B
- 4) Zena D. Crenshaw-Logal v. City of Abilene, Texas; Civil Case No. 1-10-CV-132; filed June 23, 2010, United States District Court, Northern District of Texas, Abilene Division
- 5) Diane Longenecker v. City of Abilene; Civil Case No. 1-10-CV-152; United States District Court, Northern District of Texas, Abilene Division, Filed July 9, 2010
- 6) Irene M. Grant, Jimmy Wilsher, Jimmy D. Asbill, Jerry "Gerardo" Garcia, Craig Mayhall and John M. Wegner v. City of Abilene, Texas, Cause No. 09010-D, 350th District Court, Taylor County, filed July 6, 2010
- 7) Patrick P. McGinnis v. City of Abilene, Texas; filed March 2, 2011; U.S. District Court, Northern District of Texas, Abilene Division
- 8) Tanjylon Tate v. City of Abilene; Satguru Hospitality, LLC d/b/a Knights Inn Civic Plaza Hotel a/k/a The Knights Inn Civic Center; Satguru Hospitality, LLC d/b/a Rodeway Inn Downtown Convention Center and a/k/a Rodeway Inn Downtown Convention Center; Wyndham Worldwide, Inc.; Wyndham Worldwide Operations, Inc.; Choice Hotels International, Inc.; Choice Hotels International Services, Corp.; Cause No. 25252-B; In the 104th Judicial District Court, Taylor County, Texas.

(Personnel) Section 551.074

City Council may consider appointment, employment, reassignment, duties, discipline, or dismissal of public officers or employees, City Manager, City Attorney, Municipal Court Judge, City Secretary, and City Board and Commission Members. The following Boards and Commissions may be discussed:

Abilene Economic Development Company, Inc.
Abilene Higher Education Facilities Corporation
Abilene-Taylor County Events Venue District
Board of Building Standards
Civil Service Commission
Friends of Safety City Board
Abilene Housing Authority
Library Board
Mechanical/Plumbing/Electrical & Swimming Pool Board of Appeals

Abilene Health Facilities Development Corp.
Abilene Public Health Corporation
Board of Adjustments
Civic Abilene, Inc.
Development Corporation of Abilene, Inc.
Frontier *Texas!* Board of Directors
Landmarks Commission
Local Redevelopment Authority

Mental Health-Mental Retardation Board of Trustees
9-1-1 Emergency Communications District Board of Managers
Planning and Zoning Commission
West Central Texas Municipal Water District

Parks & Recreation Board
Taylor County Appraisal District
Municipal Golf Course Advisory Board

(Real Property) Section 551.072

(Business Prospect/Economic Development) Section 551.087

(Deliberations about Gifts and Donations) Section 551.073

(Deliberations about Security Devices) Section 551.076