City of Abilene
City Council Agenda

Shane Price, Council Member
Joe Spano, Council Member
Stormy Higgins, Mayor Pro-tem
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, September 27th , 2012 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 – Councilman Stormy Higgins**
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 Regular Meeting September 13th, 2012
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. **Oral Resolution:** Approving the Development Corporation of Abilene's annual contract renewals with the City of Abilene for Business Services and the Airport Business Development Management program. ***(Burdine)***
   2. **Oral Resolution:** Authorize the City Manager to Enter into a Planning Agreement with the Texas Department of Transportation and the Abilene Metropolitan Planning Organization. ***(James)***
   3. **Oral Resolution:** Purchase of ten (10) paratransit vans and authorization to use the Minnesota DOT Cooperative Purchasing Procurement Program for purchase ***(M. Santee)***
   4. **Oral Resolution:** Authorize the City Manager to execute all documents to purchase property at 533 Cedar Street. ***(Santee)***
   5. **Resolution:** Directing publication of notice of intention to issue combination tax and revenue certificates of obligation for water system improvements; and resolving other matters related thereto. ***(Patterson)***
   6. **Ordinance:** (*First Reading)* Case No. **Z-2012-22** a request from Simon Moreno, Sr., to rezone property from LI (Light Industrial) to MD (Medium Density), located at 441 & 501 Bois D 'Arc Street; and setting a public hearing for October 11, 2012. ***(James)***
   7. **Ordinance:** (*First Reading*) Case No. **Z-2012-23** a request from Bill Ortega & Elisa Bontke, to rezone property from MD (Medium Density) to MD/H (Medium Density/Historic Overlay), located at 782 Palm Street; and setting a public hearing for October 11, 2012. ***(James)***
   8. **Ordinance:** (*First Reading*) Amending the Land Development Code related to Urban Gardens; and setting a public hearing for October 11, 2012. ***(James)***
   9. **Bid Award: CB-1240** Misc Residential Streets Repairs - Phase III. ***(M. Santee)***

7. **REGULAR AGENDA – ORDINANCES & PUBLIC HEARINGS – RESOLUTIONS**
   1. **Ordinance & Public Hearing:** *(Final Reading)* Amending Chapter 18, "Motor Vehicles and Traffic" of the Abilene Municipal Code Article XIII, "Schedules," ***(M. Santee)***

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 September 2012, 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) 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
3) 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
4) Byron LaRue Barefield v. City of Abilene; J. Peters Abilene Police Impound et al, Cause No. 47893-A, received July 7, 2011.
5) City of Abilene, Texas v. Aurora Bumgarner; 104th Judicial District Court, Taylor County, Texas; filed November 17, 2011
6) Clayton Woodyard; Marnie Woodyard, Individually and as Parent and Next Friend of A. W., a Minor, and C.W., a Minor; vs. 1) The City of Abilene, 2) Roger Romero; and 3) Christopher Bryan Hall #880 and Chief of Police Stan Standridge.
7) Gordon and Amber Smith v. City of Abilene, 104th Judicial District Court, Taylor County; Cause No. 25,409-B, filed March 21, 2012

(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
Mental Health-Mental Retardation Board of Trustees
9-1-1 Emergency Communications District Board of Managers
Planning and Zoning Commission
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
Parks & Recreation Board
Taylor County Appraisal District

West Central Texas Municipal Water District
(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