

Regular Meeting of the Mayor and City Council of the City of Abilene, Texas, to be held in the Council Chambers of the City Hall on Thursday, November 15, 1984, at 9:00 a.m.

CITY COUNCIL: Mayor David Stubbeman; Council - Dr. Julian Bridges, Billye Proctor-Shaw, Walter E. Wheat, A. E. Fogle, Jr., Welton Robinson and Harold Nixon.

1. Call to Order.
2. INVOCATION: Councilman Harold Nixon.
3. APPROVAL OF MINUTES: Regular City Council Meeting held October 25, 1984 and November 1, 1984.

4. SERVICE AWARDS:

Bob H. Fowlkes	Chief Construction Inspector	30 Years
Noel G. Johnston	Police Lieutenant	20 Years
Ramon Portalatin	Police Captain	20 Years

CONSENT AGENDA

All items listed below are considered to be routine by the City Council and will be enacted with one motion. There will be no separate discussion of items unless a Council Member or citizen so requests, in which event the item will be removed from the general order of business and considered in its normal sequence.

5. Ordinances and Resolutions

- a. Consider on first reading - a reclassification request from RM-3 (Residential Multi-Family) to PDR (Planned Development Residential) District located in the 3800 block of Wisteria Way, and set a public hearing for December 6, 1984, at 9:00 a.m.
- b. Consider on first reading - a reclassification request from RM-3 (Residential Multi-Family) to O (Office) District, located at 1682 Hickory, and set a public hearing for December 6, 1984, at 9:00 a.m.
- c. Consider on first reading - a reclassification request from AO (Agricultural Open Space) to HC (Heavy Commercial) District, located on West Highway 80, and set a public hearing for December 6, 1984, at 9:00 a.m.
- d. Consider on first reading - a reclassification request from RM-3 (Residential Multi-Family) to HC (Heavy Commercial) District, located at 1026 Elm, and set a public hearing for December 6, 1984, at 9:00 a.m.
- e. Consider on first reading - a thoroughfare abandonment being a 20' north-south alley, located between South 8th & South 10th Streets, and set a public hearing for December 6, 1984, at 9:00 a.m.
- f. Consider on first reading - amendment to Chapter 18, Abilene Municipal Code, to prohibit parking on Sayles Boulevard from South 20th Street to a point south of South 24th Street, and set a public hearing for December 6, 1984, at 9:00 a.m.
- g. Consider on second and final reading - an ordinance amending Chapter 10 of the Abilene Municipal Code, Fire Protection and Prevention, and concerning tents and air-supported structures.
- h. Oral Resolution approving contract with Community Action Program for operation of handicapped van service.

6. Award of Bid

- a. Blueprint Reproduction Machine - Engineering Division.
- b. Heating and Cooling Replacement System - Rose Park Recreation Center.

REGULAR AGENDA

7. Ordinances & Resolutions

- a. Consider clarification of oil and gas lease requirements.
- b. Public Hearing
Consider on second and final reading - an ordinance adopting the 1982 edition of the Uniform Plumbing Code with amendments as recommended by the Plumbing Appeals and Advisory Board to replace the existing City Plumbing Code.
- c. Public Hearing
Consider on second and final reading - an ordinance adopting the 1984 National Electric Code with amendments as recommended by the Board of Electrical Examiners to replace the current City Electrical Code.
- d. **REMOVE FROM TABLE:**
Public Hearing - Oral Resolution to consider an Oil and Gas Drilling Permit #8409, Gillespie Oil Company, out of the North 1/2 of the NE 1/4 of Section 66, Blind Asylum Lands, Taylor County, Texas.
- e. Resolution to consider contract with Taylor County for joint utilization of jail facility.
- f. Consider land donation from the Abilene Investment Company.

8. Other Business

- a. Pending and Contemplated Litigation.
- b. Appointment and Evaluation of Public Officials.

9. Work Session

- a. Discuss Water Conservation Plan and Long Range Water Supply.

ADJOURN

PUBLIC NOTICE

A JOINT MEETING OF THE ABILENE CITY COUNCIL AND THE REINVESTMENT ZONE NUMBER ONE, CITY OF ABILENE, (TAX INCREMENT BOARD), WILL BE HELD ON THURSDAY, NOVEMBER 15, 1984, AT 3:00 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 555 WALNUT, ABILENE, TEXAS, TO CONSIDER ITEMS ON THE FOLLOWING AGENDA:

ABILENE CITY COUNCIL

and

ABILENE REINVESTMENT ZONE NUMBER ONE
(Tax Increment Board)

AGENDA

November 15, 1984

City Hall

3:00 P.M.

Council Chambers

1. Call the Meeting to Order
2. Discussion of Downtown Redevelopment Plan Concepts
3. Adjournment

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 12 day of November, 1984, at 9:00 A.M.

J. Haver - Asst.
City Secretary

**MINUTES ARE LOCATED IN THE REINVESTMENT ZONE FILE IN THE CITY SECRETARY'S OFFICE.

00391

ABILENE CITY COUNCIL

and

ABILENE REINVESTMENT ZONE NO. ONE (Tax Increment Board)

FOLLOWING ARE THE MINUTES OF A JOINT MEETING OF THE ABILENE CITY COUNCIL AND THE ABILENE REINVESTMENT ZONE NUMBER ONE (TAX INCREMENT BOARD), HELD ON THE 15th DAY OF NOVEMBER, 1984, AT 3:00 P.M. IN THE CITY COUNCIL CHAMBERS, CITY HALL, 555 WALNUT, ABILENE, TEXAS. THE FOLLOWING LIST INDICATES ATTENDANCE AT THIS MEETING:

City Council Members Present: David Stubbeman, Mayor
Julian Bridges
Harold Nixon
A.E. Fogle, Jr.
Billye Proctor-Shaw
Walter E. Wheat
Welton Robinson

Tax Increment Board Members Present: Raymond McDaniel, Jr., Chairman
H.C. Zachry
Adolfo Gonzales
Sam Waldrop
Joe E. Cannon
Jesse Harris
Vonceil Robertson (Representing Mr. Syd Niblo)
Sara Hudman
Wade Terrell
Mike Young, Jr.
Lynn K. Barnett
Downing A Bolls, Sr.

Tax Increment Board Members Absent: Frank Puckett
Jim Tittle
Mel Richards
Glen Churchill
Lee Underwood
Dick Spalding
Lee Moore
Walter Johnson

City Staff Members Present: Jim C. Blagg, City Manager
Roy McDaniel, Jr., Assistant City Manager
Lee Roy George, Director of Planning

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City Staff Members Present:
(Continued)

Mike Hall, Director of Community Services
Bob Whitehead, Director of Public Works
Tony Neitzler, Assistant to the Director of Planning
Wayne Herrington, Community Development Coordinator
Bob Payne, Principal Planner
John Hancock, Senior Planner
Edlyn Vathauer, Planner
JoAnn Sczech, Secretary (Recording)

The meeting was called to order at 3:05 p.m. by Mr. H.C. Zachry. Mr. Zachry explained that the purpose of the meeting was to arrive at a general consensus as to the present status of the Board, what should be done next, and if everyone was in agreement with the way things are proceeding.

Each of the City Council members and the TIF board members was given a copy of a study guide to be reviewed at this meeting. This information was developed by the consultant and City staff to provide a means by which the various issues and/or projects discussed at the November 8, 1984, meeting could be addressed. The Board and Council members were asked to complete the form and return to the Planning Department by Tuesday, November 20, 1984.

I. BASIC PROGRAM STRATEGY AND RATIONALE

Mr. Zachry asked for comments regarding the three choices provided in the basic strategy rationale. Of the three, Mr. Trkla recommended spending money in a concentrated area in an attempt to get immediate results that generate taxes and build upon this to generate additional taxes. The consensus of both the TIF Board and the City Council was choice three, "To balance the two programs by (a) focusing in one or two target areas and (b) providing for continuing assistance to non-target areas on a systematic basis."

II. Basic Land Use Plan

Mr. Waldrop commented that during Mr. Trkla's interviews with several of the community leaders, it was reiterated by those being interviewed that the present TIF District is a very large area for a downtown program. It was the general consensus that the only way to see results in an area this size is to concentrate in a small area.

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Mrs. Billye Proctor-Shaw stated that it was her understanding that when the boundary lines were projected for this district the area would be handled much as an annexation, i.e., the size of the area may be reduced in size, but not increased. The option does remain that the area may be reduced.

Mr. Raymond McDaniel stated that in this and in previous studies, attention was called many times to the periphery of the zone as this area is crucial to the downtown.

The question of zoning in the district was raised. Lee Roy George responded that zoning should not be a problems - requests in the district will proceed through the regular zoning channels.

A total dollar figure of the value of the District was requested. The total of \$80,530,000 was given as the frozen benchmark. The staff was requested to assemble figures for the District utilizing the base appraisal map.

At this point in the meeting, Lee Roy George was asked to give a brief explanation of Phase III of the Downtown Redevelopment Plan. In Phase III, the consultant will:

- Refine the Development Plan - Total overall Development Plan
- Refine Development Strategy - Timing and Location
- Refine Project Improvement Recommendations - Examine various feasibility scenarios
- TIF Economic Feasibility Study - Develop Plan and Feasibility Studies
- Marketing Strategies - Marketing of Downtown (Logo, etc.)

In summary, Phase III is the refinement of the final development plan.

- III. ACCESS AND CIRCULATION
- IV. PARKING
- V. PEDESTRIAN IMPROVEMENTS
- VI. ACTION PROJECTS TO BE CONSIDERED DOWNTOWN ABILENE REVITALIZATION STRATEGY

All comments received at this meeting on the sections listed above have been typed onto the attached form.

All comments received at this meeting plus any additional comments received on the form submitted to the Planning Department will be incorporated and sent to the consultant.

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Dr. Bridges requested that it be noted in the minutes that during the latter part of the meeting a great deal of ground was covered and that more thoughts were expressed during the first part of the meeting.

There being no further business, the meeting adjourned at 4:45 p.m.

Lee Roy George, Director
Planning Department

Raymond McDaniel, Jr., Chairman
Abilene Reinvestment Zone No. One

00391 - D

CITY COUNCIL OF THE CITY OF ABILENE,
TEXAS, CITY COUNCIL CHAMBERS OF CITY HALL

The City Council of the City of Abilene, Texas, met in Regular Session November 15, 1984, at 9:00 a.m. in the City Council Chambers of City Hall. Mayor David Stubbeman was present and presiding with Councilman Julian Bridges, Councilwoman Billye Proctor-Shaw, Councilmen Walter E. Wheat, A. E. Fogle, Jr., Welton Robinson and Harold Nixon. Also present were City Manager Jim C. Blagg, City Attorney Harvey Cargill, Jr., and City Secretary Patricia Patton.

Invocation was given by Councilman Harold Nixon.

Mayor Stubbeman presented employee service awards to the following employees for their tenure of service to the City of Abilene.

Bob H. Fowlkes	Chief Construction Inspector	30 Years
Noel G. Johnston	Police Lieutenant	20 Years
Ramon Portalatin	Police Captain	20 Years

Item 5h, being an oral resolution approving contract with Community Action Program, Inc., for the operation of a handicapped van service, was removed from the consent agenda at the request of a citizen and considered separately.

Councilwoman Proctor-Shaw moved approval of the consent agenda items being 5a through 5g, 6a and 6b, as presented by the staff and as shown below. The motion was seconded by Councilman Fogle and the motion carried.

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Wheat, Fogle, Robinson, Nixon and Mayor Stubbeman.

NAYS: None.

5. Ordinances and Resolutions

- a. Consider on first reading - a reclassification request from RM-3 (Residential Multi-Family) to PDR (Planned Development Residential) District, located in the 3800 block of Wisteria Way, and set a public hearing for December 6, 1984, at 9:00 a.m.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, ZONING, OF THE ABILENE MUNICIPAL CODE, CONCERNING WISTERIA PLACE PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

- b. Consider on first reading - a reclassification request from RM-3 (Residential Multi-Family) to O (Office) District, located at 1682 Hickory, and set a public hearing for December 6, 1984, at 9:00 a.m.

AN ORDINANCE AMENDING CHAPTER 23, PLANNING AND COMMUNITY DEVELOPMENT, SUBPART E, ZONING, OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES, AS DESCRIBED BELOW; DECLARING A PENALTY AND CALLING A PUBLIC HEARING.

- c. Consider on first reading - a reclassification request from AO (Agricultural Open Space) to HC (Heavy Commercial) District, located on West Highway 80, and set a public hearing for December 6, 1984, at 9:00 a.m.

AN ORDINANCE AMENDING CHAPTER 23, PLANNING AND COMMUNITY DEVELOPMENT, SUBPART E, ZONING, OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES, AS DESCRIBED BELOW; DECLARING A PENALTY AND CALLING A PUBLIC HEARING.

- d. Consider on first reading - a reclassification request from RM-3 (Residential Multi-Family) to HC (Heavy Commercial) District, located at 1026 Elm, and set a public hearing for December 6, 1984, at 9:00 a.m.

AN ORDINANCE AMENDING CHAPTER 23, PLANNING AND COMMUNITY DEVELOPMENT, SUBPART E, ZONING, OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES, AS DESCRIBED BELOW; DECLARING A PENALTY AND CALLING A PUBLIC HEARING.

- e. Consider on first reading - a thoroughfare abandonment being a 20' north-south alley, located between South 8th & South 10th Streets, and set a public hearing for December 6, 1984, at 9:00 a.m.

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.

- f. Consider on first reading - amendment to Chapter 18, Abilene Municipal Code, to prohibit parking on Sayles Boulevard from South 20th Street to a point south of South 24th Street, and set a public hearing for December 6, 1984, at 9:00 a.m.

AN ORDINANCE AMENDING CHAPTER 18, MOTOR VEHICLES AND TRAFFIC, OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

- g. Consider on second and final reading - an ordinance amending Chapter 10, Abilene Municipal Code, Fire Protection and Prevention and concerning tents and air-supported structures. The ordinance is numbered 110-1984 and is captioned as follows.

AN ORDINANCE AMENDING CHAPTER 10, FIRE PROTECTION AND PREVENTION, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

6. Award of Bids
 - a. Blueprint Reproduction Machine for the Engineering Division, to Bruning of Dallas, in the amount of \$6,248.
 - b. Heating and Cooling Replacement System for Rose Park Recreation Center to Tri-Mech Construction in the amount of \$30,611.

Mr. Don Allison appeared before the Council regarding the contract with the Community Action Program, Inc., (CAP) and stated he appreciates the Council's consideration of the item. He supports the service and proposed that February 14, 1985, be declared by Mayor Stubbeman, as Handicapped Awareness Day. He further encouraged the Council and civic groups to conduct special activities on that day, such as wheelchair trips along the public streets, in public buildings, and on City buses, to better educate them to the problems faced by handicapped individuals who must use wheelchairs for permanent transportation. Additionally, the maintenance crews for the Transit buses and wheelchair lifts were invited to participate.

Wayne Herrington, Community Development Coordinator, briefed the Council on the contract. The Council approved the fiscal year 1984 Community Development Block Grant Budget, including an allocation of \$15,000 to assist the Community Action Program, Inc., in the re-establishment of its transportation service for the handicapped and elderly. Funding is for a period of one year and staff recommends approval of the contract with the Community Action Program, Inc., by oral resolution.

Councilman Nixon moved approval of the contract with the Community Action Program, Inc., for handicapped van service, as presented and recommended by the staff. The motion was seconded by Councilman Bridges and the motion carried.

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Wheat, Fogle, Robinson, Nixon and Mayor Stubbeman.

NAYS: None.

Mayor Stubbeman stated that item 7a, being a clarification of oil and gas lease requirements, would be considered after 7d. Therefore, Bob Fowler, Director of Building Inspection, briefed the Council on an ordinance adopting the 1982 edition of the Uniform Plumbing Code with amendments as recommended by the Plumbing Appeals and Advisory Board to replace the existing City Plumbing Code.

The current plumbing code is more than twenty years old and is based on the Texas Municipal League's code rather than a nationally recognized model code. The Plumbing Appeals and Advisory Board established a citizens' review committee comprised of representatives from all phases of the plumbing industry plus architects, engineers, mobile home representatives and citizens at large. The committee reviewed the 1982 edition of the Uniform Plumbing Code and the committee has recommended some amendments to the code in order to better fit its use to the needs of Abilene. The Board is recommending to the City Council that the 1982 edition of the Uniform Plumbing Code, with amendments, be adopted to serve as the City's plumbing ordinance.

Mr. Fowler introduced to the Council Mr. Mel Coltharp, Chairman of the Plumbing Appeals and Advisory Board. Mr. Fowler expressed his appreciation to Mr. Coltharp and the entire Board and Review Committee for their work.

Mayor Stubbeman opened a public hearing for the purpose of considering the aforementioned item and no one being present and desiring to be heard, the public hearing was closed.

Councilman Bridges commended the Board, the Review Committee, and Mr. Fowler for their accomplishments, and moved to approve, on second and final reading, the adoption of the 1982 Uniform Plumbing Code as recommended by the Board and staff. The motion was seconded by Councilwoman Proctor-Shaw and the motion carried.

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Wheat, Fogle, Robinson, Nixon and Mayor Stubbeman.

NAYS: None.

The ordinance is numbered 111-1984 and is captioned as follows:

AN ORDINANCE AMENDING CHAPTER 8, CONSTRUCTION REGULATIONS, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

Bob Fowler, Director of Building Inspection, briefed the Council on an ordinance adopting the 1984 National Electrical Code. The Board of Electrical Examiners reviewed the 1984 edition of the National Electrical Code and has found that it is desirable that the City replace our present 1981 edition with the updated version. The City Attorney has reviewed the proposal and has recommended a few minor changes to correct some existing errors in the code. The staff also recommends that the current five dollar reinspection fee be raised to ten dollars. All other City construction ordinances, such as the Plumbing Code, Mechanical Code and the Building Code, utilize ten dollars as a reinspection fee.

Mr. Fowler introduced to the Council Mr. Bob Gill, Chairman of the Board of Electrical Examiners. Mr. Fowler expressed his appreciation to Mr. Gill and the other members of the Board for their work on the project. Councilman Fogle also commended the Board and Mr. Fowler for their efforts.

Mayor Stubbeman opened a public hearing for the purpose of considering the aforementioned item and no one being present and desiring to be heard, the public hearing was closed.

Councilman Fogle moved to approve, on second and final reading, the adoption of the 1984 National Electrical Code as recommended by the Board and staff. The motion was seconded by Councilman Nixon and the motion carried.

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Wheat, Fogle, Robinson, Nixon and Mayor Stubbeman.

NAYS: None.

The ordinance is numbered 112-1984 and is captioned as follows:

AN ORDINANCE AMENDING CHAPTER 8, CONSTRUCTION REGULATIONS, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

Councilman Fogle moved to remove from the table item 7d, being the oil and gas drilling permit #8409. The motion was seconded by Councilman Wheat and the motion carried.

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Wheat, Fogle, Robinson, Nixon and Mayor Stubbeman.

NAYS: None.

Sandra Trosky, Assistant Land Agent, briefed the Council on the permit request by Gillespie Oil Company. This item was first considered during a public hearing on October 25, 1984, and was tabled until the regulations could be reviewed and the City's Petroleum Engineer would be available for questioning.

The drill site is located on private property within the City limits and is in the Regulatory Floodway. Ms. Trosky reviewed the application procedures and the requirements of the Municipal Code, Chapter 21, concerning oil and gas permit regulations, drilling operations, and production practices. Furthermore, since this drill site is located in the Regulatory Floodway, Gillespie Oil was required by the Stormwater Management Ordinance to obtain a Development Permit from the City, and after review by the City Engineering Division, the Development Permit was granted with one stipulation. The stipulation being that the tank batteries not be built in the Regulatory Floodway. Under the provisions of Section 21-21 of the City Code, the City Council may impose other reasonable restrictions and conditions other than those specifically contained in Chapter 21.

Gillespie Oil Company has met all of the requirements for a drilling permit under the current City Code. The staff has reviewed the permit application and has no objections to its issuance. Therefore, staff recommends approval of the permit with the provision that the tank batteries not be built in the Regulatory Floodway.

The Council questioned Mr. Paul Shelton, Petroleum Engineer, regarding the permit and requirements of the City Code. Mayor Stubbeman then opened a public hearing for the purpose of considering oil and gas permit #8409 and the following persons spoke either in favor or in opposition to the permit.

IN FAVOR:

- . Mr. Gillespie, 2518 Shoreline Drive;
- . Mr. Glen Mitchell, past Executive Vice President of the West Central Texas Oil & Gas Association and currently working with the Stripper Wells Association. He discussed with the Council the regulatory requirements imposed on drillers and answered several questions from the Council regarding specific requirements and enforcement of the regulations.

OPPOSITION:

- . Dr. Archie Manis, Associate Professor of Biology, Abilene Christian University; discussed groundwater pollution.
- . Dr. George Newman, Scientist; discussed problem of enforcement of the regulations and encouraged the City to strengthen their enforcement practices.
- . Dr. Taylor Rankin, Biologist; discussed groundwater pollution, water shortage, and the risk factors involved with drilling.

- Dr. Ben Pilcher, Biologist; referenced two publications, one published by the Texas Department of Water Resources (1978) which speaks to groundwater contamination in Taylor County; and the second being a (1974) Comprehensive Plan by an Environmental Planning Group of Abilene, concerning water quality.

There being no one else present and desiring to be heard, the public hearing was closed. Councilwoman Proctor-Shaw questioned the staff in regard to enforcement of current drilling sites and whether the City had sufficient manpower to adequately enforce the regulations. Mr. Shelton responded that there is adequate staff and he informed the Council of the periodic reviews that the staff conducts of all drill sites.

Councilman Bridges showed several slides of drill sites that he feels should be inspected and questioned the staff on whether these specific areas presently meet the City's regulations. Mr. Shelton responded that in some of the areas, the staff is presently working with the permit holder who is on notice to come into compliance. The other points will be taken under consideration and a review made of the sites.

After much discussion, Councilman Fogle moved to grant the oil and gas permit #8409 as recommended by the staff. The motion was seconded by Mayor Stubbeman, however, the motion FAILED.

AYES: Councilwoman Proctor-Shaw, Councilman Fogle, and Mayor Stubbeman.

NAYS: Councilmen Bridges, Wheat, Robinson and Nixon.

Therefore, Permit #8409 was denied.

First Assistant City Attorney Gary Landers briefed the Council on the City's current lease form on City-owned property, and specifically restrictions for drilling around lakes. In August, 1983, the Council adopted a standard form lease to be used in connection with the leasing of City-owned land. The lease contained two exhibits with specific restrictions for drilling around lakes and drilling around the City sewer farm. At the August, 1983, Council meeting, there was a lot of discussion between the Council and staff and it now appears that the staff was confused as to what the Council actually voted on in regard to the restrictions on City property and drilling around lakes. In regard to the restrictions for drilling around lakes, Exhibit A of the lease form, (1) Drilling Site, the restriction contains the misunderstanding by the staff. The sentence contained in the Exhibit A reads as follows and two leases have been issued in this form since its adoption in August, 1983.

"No well site shall be located within the 100-year flood plain **or** less than one foot above the 100-year flood plain."

The minutes of the August, 1983, Council meeting are written and were approved using the word "nor" instead of "or" so that the sentence would read as follows:

"No well site shall be located within the 100-year flood plain **nor** less than one foot above the 100-year flood plain."

The sentence as worded this way is much more restrictive, in that both prohibits drilling in all other areas (of City-owned land around lakes that would be subject to Exhibit A) that are not more than one foot above the 100-foot flood plain elevation, even though they are not in the flood plain. At this time, the staff requests clarification from the Council on the intent. ~~It is the staff recommendation that the City Council not prohibit all drilling in the flood plain, based upon the Texas Railroad Commission and the opinion of others involved in the oil and gas industry, and the staff, that oil wells can and in fact have been drilled in flood plains without an adverse impact on the City's water supply. Therefore, it is recommended that no blanket prohibition against drilling in the flood~~

~~plain on City-owned land be a part of City leases. Further, that the Council direct the staff to very closely review applications for drilling sites in the flood plain, and provide notice to applicants that additional restrictions or safeguards may be necessary before a permit to drill in the flood plain is approved.~~

Councilman Bridges moved to clarify the sentence in question so that it reads as follows: "No well site shall be located in the 100-year flood plain". The motion was seconded by Councilman Robinson and the motion carried:

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Wheat, Robinson, Nixon and Mayor Stubbeman.

NAYS: Councilman Fogle.

Warren Dodson, Chief of Police, briefed the Council on a contract with Taylor County for joint use of the jail facility. The County Commissioners approved the proposed contract on November 13, 1984. to the possibility that in the near future the Texas Commission on Jail Standards may initiate legislation that would place municipal jails under the Texas Commission on Jail Standards, requiring extensive renovation of our jail; and that it is now feasible and economical to house City jail inmates in the new County Jail facility, staff recommends that the contract be approved.

Councilman Fogle moved approval of the contract, as recommended by the staff, with Taylor County for joint use of the County jail facility. The motion was seconded by Councilman Robinson and the motion carried.

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Wheat, Fogle, Robinson, Nixon and Mayor Stubbeman.

NAYS: None.

Councilman Nixon left the meeting.

Mike Hall, Director of Community Services, briefed the Council on a donation of land to the City by Abilene Investment Company. The property in question contains .68 acres of land and is contiguous with Vaughn-Camp Park. The land was originally set aside for road purposes, but never opened, dedicated, or used as such. The Land Agent has reviewed this property and finds the donation in order. No outstanding taxes are due on the property. The land will become part of the City park system.

The Parks and Recreation Board reviewed this donation request on November 6, 1984, and recommends approval to the City Council. Staff also recommends approval.

Councilman Wheat moved to accept the land donation of .68 acres from the Abilene Investment Company as recommended by the staff and Parks and Recreation Board. The motion was seconded by Councilman Fogle and the motion carried.

AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Wheat, Fogle, Robinson, and Mayor Stubbeman.

NAYS: None.

Councilman Nixon returned to the meeting.

Mayor Stubbeman recessed the Council into executive session, in accordance with law, to consider pending and contemplated litigation and the appointment and evaluation of public officials.

Mayor Stubbeman left the meeting and Mayor Pro Tempore Julian Bridges took the Chair. Mayor Bridges reconvened the Council into open session and reported that no action was taken in executive session.

Councilwoman Proctor-Shaw moved to approve the appointment and reappointment of members to various boards and commissions and to disband the Airport Master Plan Advisory Committee, as shown below and as recommended by Mayor Stubbeman. The motion was seconded by Councilman Robinson and the motion carried.

AYES: Councilwoman Proctor-Shaw, Councilmen Wheat, Fogle, Robinson, Nixon and Mayor Pro Tempore Bridges.

NAYS: None.

ABILENE ECONOMIC DEVELOPMENT COMPANY, INC.

Provide for the following length of term for the first Board:

<u>Name</u>	<u>Original Date Appointed</u>	<u>Term Expiring</u>
Billy Enriquez	5-24-84	11/86
J. V. Martin	11-17-83	11/86
Mrs. Margaret Alba	11-17-83	11/86
Rev. I. S. Moreland	8-23-84	11/86
Anton Turnerhill	8-23-84	11/86
Del T. Loya	11-17-83	11/87
Leon Petty	11-17-83	11/87
Floyd Miller	12-15-83	11/87
Bobby Duncan	1-05-84	11/87
Carlos Rodriguez	5-24-84	11/87
Mrs. Mary Island	11-17-83	11/88
Jim Houston	11-17-83	11/88
Ada Sullivan	11-17-83	11/88
George Gonzales	11-17-83	11/88
Robert English	11-17-83	11/88

ABILENE HOUSING FINANCE CORPORATION, THE

(2) Appointments:

Ken Kizer, to replace Jordon Wood who vacated a position expiring April, 1986.

ABILENE INDUSTRIAL DEVELOPMENT AUTHORITY - 4 year term expiring November 1988

(2) Reappointments:

Pete Tippen
Syd Niblo

(2) Appointments:

John Stroud, American National Bank,
to replace Charles Hill.

Bob Simple, MBank,
to replace L.A. Anderson who vacated a position expiring November 1986.

ABILENE-TAYLOR COUNTY HEALTH DISTRICT BOARD OF HEALTH - 3 year term expiring November 1987

(2) Reappointments:

Dub Wofford, County Layman
Bill Wise, City Layman & Food Industry Representative

(1) Appointment:

Eddie Krieger, County Layman,
to replace Sue Penn

ANIMAL CONTROL ADVISORY COMMITTEE - 3 year term expiring November 1987

(1) Reappointment:

Dr. Jack K. Callan, Veterinarian

(1) Appointment:

Jonathan Graham, Assistant City Attorney

BOARD OF ADJUSTMENT - 2 year term expiring November 1986

- (5) Reappointments:
Dwight Albus, Alternate
Reed Ingalsbe
Mike Milano
Ben Benigno, Alternate
Mrs. Sydney Henry, change from alternate member to full member to replace David Sivley.
- (1) Appointment:
Russell Berry, Alternate
to fill Mrs. Sydney Henry's vacated position, term expiring November 1985.

BOARD OF BUILDING STANDARDS - 2 year term expiring November 1986

- (7) Reappointments:
Kirby Leeson, Banker
Leslie Ellis, Banker, Alternate
Wayne Huff, Architect,
Ron Sipe, Architect, Alternate
Billy C. Earles, Realtor
Doyle Harper, Engineer
- (1) Appointment:
Larry Holmes, Realtor, Alternate, to replace Claudia Ingle who declined reappointment.
Sam Seay, Builder Contractor, Alternate,
to replace Chris Boyle who vacated a position expiring November 1985.

BOARD OF ELECTRICAL EXAMINERS - 2 year term expiring November 1986

- (2) Reappointments:
James Bardin, Master Electrician
Bob Gill, Journeyman Electrician
- (1) Appointment:
Earle McMillan, Building Contractor,
to replace Jon Irwin who vacated a position expiring November 1985.

CIVIL SERVICE COMMISSION - 3 year term expiring November 1987

- (1) Appointment:
Jim Gordon, Attorney,
to replace Tom Gordon.

COMMUNITY DEVELOPMENT COMMITTEE - 2 year term expiring November 1986

- (3) Reappointments:
Dr. Manuel Flores
Joann Peterson
Baldemar Gutierrez
- (1) Appointment:
Sharon Stree ter,
to replace Joe Alcorta

HOUSING AUTHORITY OF THE CITY OF ABILENE - 2 year term expiring November 1986

- (1) Reappointment:
Bill Core, Sr.
- (1) Appointment:
Joel Loya,
to replace Joe Lopez.

LANDMARKS COMMISSION - 3 year term expiring November 1987

- (2) Reappointments:
Eddie Harrison, Alternate At-Large
Bruce Bixby, Construction Industry Representative
- (2) Appointments:
Noble Harris, Board of Realtors Representative, to replace
Mary Ruth Leftwich.
Dr. B. W. Aston, Alternate, At-Large,
to replace Mary Helen Seibt-Arrington who vacated the
position expiring November 1986.

LIBRARY BOARD - 2 year term expiring November 1986

- (2) Reappointments:
Everett E. Woods
Yvonne Stackhouse
- (1) Appointment:
Dr. Joe Dahlstrom,
to replace Lynn Liddle.

MECHANICAL BOARD OF APPEALS - 2 year term expiring November 1986

- (3) Reappointments:
Bruce Bixby, Home Builder
David Gay, Master Plumber
James Hall, Mechanical Contractor

MENTAL HEALTH - MENTAL RETARDATION RESPONSIBILITY COMMITTEE - 1 year term
expiring
November
1985

- (5) Reappointments:
Ms. Lee Nell Gann
Evelyn Watson
Wanda Kirkpatrick
James Quattlebaum
Phillip Wetherbee
- (2) Appointments:
Reverend Bill Perkins, Fairpark United Methodist Church,
to replace Lynne Ybarra.

PLANNING AND ZONING COMMISSION - 3 year term expiring November 1987

- (2) Appointments:
Keith Garner,
to replace Mike Hughes.
Jim Johnson,
to replace Travis Hartgraves.

PLUMBING APPEALS AND ADVISORY BOARD - 2 year term expiring November 1986

- (2) Reappointments:
Bill Wood, Plumber
Noel Smith, General Contractor
- (1) Appointment:
Gary Penn, Citizen Member,
to replace Mel Coltharp.

REINVESTMENT ZONE NUMBER ONE CITY OF ABILENE - 2 year term
expiring November 1986

- (14) Reappointments:
Raymond McDaniel, Jr.
Mike Young, Jr., (School Representative)
Glen Churchill
Jesse Harris
Adolfo Gonzales
Walter F. Johnson
H. C. Zachry
Downing Bolls, Sr., (County Representative)
Syd Niblo
Frank Puckett
Jim Tittle
Mrs. Victor (Sara) Hudman
Sam Waldrop
Mel Richards
- (1) Appointment:
Fred Lee Hughes, Water District Representative,
to replace Lee Underwood.

Appoint H. C. Zachry to serve as Chairman of the Board from January to December 1985.

Additionally, staff recommends that the Airport Master Plan Advisory Committee be disbanded.

Mayor Bridges recessed the Council to the Basement Conference Room to a work session considering the water conservation plan and the long range water supply.

Dwayne Hargesheimer, Director of Water Utilities, introduced to the Council the following staff members of the Engineering firm of Freese and Nichols, Inc.: Jim Nichols, John Cook, Bob Gooch, and Coy Veach.

Mr. Bob Gooch presented the Council with a report entitled the Evaluation of the Use of Brackish Water and Reclaimed Wastewater for Long-Range Water Supply. It was prepared for the purpose of addressing the City's potential for meeting the projected long-range water demands by reclaiming part of the wastewater that is currently discharged to Deadman Creek or by demineralizing water from available brackish water sources. Mr. John Cook gave a brief overview of the report.

In November, 1983, the City requested that Freese and Nichols, Inc., evaluate the potential for obtaining additional long-range water supplies from the treatment and reuse of wastewater effluent and/or from the demineralization of brackish water. This report includes the following principal items:

- . Review of projections of population and water demands made in the 1980 "Study of Long-Range Water Supply" to determine if these projections should be adjusted to reflect more recent data.
- . Comparison of projected water demands with the available yield of present supply sources to determine the additional yield from brackish water or reclaimed wastewater required to meet the supply deficit.

- . Review of water rights considerations related to obtaining additional water supply from brackish sources or reclaimed wastewater.
- . Determination of the available sources of brackish water which might supplement the existing water supply.
- . Evaluation of the potential yield and quality from the most attractive brackish water supply.
- . Projection of the quantity and quality of wastewater return flows through the year 2030.
- . Estimation of the additional long-range water supply that can be obtained from wastewater reuse.
- . Review of the capacity of the existing wastewater treatment facilities.
- . Review of comparable wastewater reuse projects currently in operation or planned at other locations.
- . Evaluation of the impact of the treated wastewater return flows on the yield and quality of Lake Fort Phantom Hill.
- . Determination of the alternative advanced wastewater treatment processes required to reclaim wastewater for recycling in Lake Fort Phantom Hill.
- . Estimation of the maximum total dissolved solids concentrations in water from the available supply sources.
- . Review of comparable demineralization projects currently in operation or planned at other locations.
- . Determination of the demineralization methods presently available and selection of the most applicable method based on the estimated costs of treatment and on disposal of the brine waste.
- . Estimation of the cost of construction and operation for the most feasible wastewater treatment and reuse system.
- . Estimation of the cost of construction and operation for the demineralization of water from the most feasible brackish water source.

Findings in the report are summarized as follows:

- . Comparisons of projected probable maximum water demands and existing dependable water supplies indicated that the City will require 11,640 acre-feet of water per year (10.4 MGD) in addition to the supply from the Lake Fort Phantom Hill/Hubbard Creek Reservoir system to meet projected water demands in 2030.
- . Of the potential brackish water sources available, Possum Kingdom Reservoir appears to be the most promising. The facilities required to deliver water from Possum Kingdom Reservoir consist of pumps and pipelines to convey water to Hubbard Creek Reservoir and from Hubbard Creek Reservoir to the City. Facilities are also required to demineralize the water.
- . Wastewater flows of 29,160 acre-feet per year (26.0 MGD) projected for the year 2030 from the City exceed the 11,640 acre-feet per year (10.4 MGD) water supply deficit.
- . The construction of advanced wastewater treatment plants for indirect recycling of wastewater for potable use is feasible and is practiced in several locations in the United States.
- . An advanced wastewater treatment plant, capable of producing water of high quality, could be constructed west of the existing wastewater treatment plant. The effluent from this plant would be discharged into Lake Fort Phantom Hill to augment available yield from that reservoir. Wastewater flows in excess of water supplement needs could be discharged to Deadman Creek.
- . Based on discussions with the City staff and legal counsel, it is believed that the City's existing water rights permits probably entitle Abilene to recycle and reuse the municipal water supply, provided the total quantity of water consumed does not exceed the amount covered by the permits.
- . Modeling of total dissolved solids concentrations was conducted to estimate the maximum salt concentration which could result from the use of water from Possum Kingdom Reservoir or advanced wastewater treatment and reuse.

- . Modeling, based on historical stream flow data, indicates that the solids concentrations in water at the City water treatment plants could approach 1,100 mg/l at times if water from Possum Kingdom Reservoir is used with demineralization. The use of advanced wastewater treatment and reuse to meet water demands could result in solid concentrations approaching 1,200 mg/l.
- . On the basis of current technology, electro dialysis with reversal capability appears to be the demineralization method most suitable for use by the City.
- . The estimated costs per 1,000 gallons for the various water supply alternatives are:

Cedar Ridge Reservoir	\$4.43
Clear Fork Diversions to Hubbard Creek Reservoir	\$2.84
Possum Kingdom Reservoir	\$3.51
AWT Water Reclamation including Nitrogen Removal	\$1.60

- . The implementation schedule for reuse of reclaimed wastewater could be based on initial construction of a 5.2 MGD advanced wastewater treatment plant, with an additional 5.2 MGD expansion being added later.
- . If the decision is made to consider advanced wastewater treatment and reuse to augment water supplies, planning should be initiated to develop a pilot study program.

The Council asked several questions of the Freese and Nichols, Inc., staff which included the consideration of other alternatives such as the use of Lake Spence. Mr. Gooch also stated that they did look at some other alternatives that could provide water; one was Mulberry Creek and the other Elm Creek. However, it was concluded that they could not provide sufficient quantities of water and so they did not pursue them any further. Those types of alternatives, that are small portions of water, are more expensive to develop.

The timetable to accomplish any of the alternatives addressed in the report was discussed. To obtain all the necessary permits, etc., it is estimated to take approximately twelve (12) years for a new source to be developed. There is sufficient time to pursue any of the alternatives and have one developed prior to the year 2030.

The Council discussed all the alternatives and questioned the feasibility of using some kind of combination of the alternatives presented.

Mayor Stubbeman returned to the meeting.

The Council requested that Freese and Nichols, Inc., also make this presentation to the West Central Texas Municipal District.

City Manager Jim Blagg began the discussion on the Water Conservation Plan and stated that he, Dwayne Hargesheimer, and Gary Landers have reviewed the City's current ordinance on the plan and have concluded that the digression of water stages is automatic. In essence, once certain conditions that place the City under higher restrictions no longer exist, the City automatically returns to the lesser stage. Therefore, it is our understanding, at the present time, that the conditions existed that placing the City in Stage 4 no longer exist and the City should automatically move to Stage 3. If the Council wishes to remain in Stage 4, under the existing conditions, then an amendment to the ordinance is in order. Presently, the lake level is at 16.3 feet below the spillway.

It was the Council's consensus to remain in Stage 4, at this time. Therefore, the legal staff recommended that an emergency ordinance be adopted, amending the water conservation plan.

Councilman Nixon moved to adopt an emergency ordinance amending the water conservation plan to read as follows:

"that under Section 32-146, Subpart B, Requirements for Termination of Stage 4; that Stage 4 shall be terminated when all the conditions listed as triggering events have ceased to exist for a period of five (5) consecutive days and the Director of Water Utilities or his designee shall determine that the conditions warrant termination of that stage."

The motion was seconded by Councilman Bridges and the motion carried.

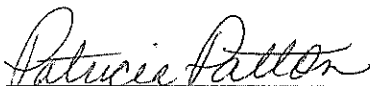
AYES: Councilman Bridges, Councilwoman Proctor-Shaw, Councilmen Wheat, Fogle, Robinson, Nixon and Mayor Stubbeman.

NAYS: None.

The ordinance is numbered 113-1984 and is captioned as follows:

AN ORDINANCE AMENDING CHAPTER 32, UTILITIES, OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE AND DECLARING AN EMERGENCY.

There being no further business, the meeting was adjourned at approximately 2:45 p.m.



Patricia Patton
City Secretary



David Stubbeman
Mayor