

- d. Oral Resolution approving contract with 9-1-1 Board of Manager for administration of the Emergency Communication District; and adoption of Abilene/Taylor County 9-1-1 Emergency Communications District revised FY 1989-90 and Proposed FY 1990-91 budgets.
- e. Oral Resolution approving administrative services contract with the Development Corporation of Abilene, Inc.
- f. Oral Resolution approving Street Use License request from Museums of Abilene, Inc. for Grace Cultural Center.
- g. Oral Resolution authorizing City Manager to execute WTU pole line easements and authorize funds for oversize line.
- h. Oral Resolution authorizing request to exchange land immediately north of FM 3308 along and in the vicinity of Cedar Creek for an easement from Riley G. Maxwell to be used for channel improvements.
- i. Resolution authorizing application for Traffic Management Program grant from the State Department of Highways and Public Transportation.
- j. Oral Resolution approving Street Use License request from Center for Contemporary Arts at N. 2nd westward on Cypress.

7. Award of Bid:

- a. Oral Resolution accepting FAA Grant 3-48-0002-10 for improvements at Airport; and Extension of Taxiway D, overlay south 1200' Runway 17R-35L, and NE Taxiway at Airport, Bid # #CB088.
- b. Security fencing at Airport, Bid #CB087, FAA Project #3-48-0002-7.
- c. Staging for Civic Center, Bid #CB089.
- d. Tables and table storage carts for Civic Center Expansion, Bid #CB080.
- e. Cab & Chassis with platform body and four wheel drive pickup, Bid #CB082.
- f. Microcomputers for various divisions, Bid #CB091.

REGULAR AGENDA

8. Ordinances & Resolutions:

- a. **Public Hearing:** Consider on second and final reading - An Ordinance amending Chapter 5, "Ambulances", of the Abilene Municipal Code dealing with the need for out of town transfers; and possible issuance of License of Public Convenience and Necessity to E. Victor Hudman II.
- b. Oral Resolution authorizing contract amendment request from American Golf.
- c. Resolution authorizing request from American Golf for fee increase.

9.

Public Appearance:
Representative of Library Board to present facilities needs assessments and recommendations.

10. **Other Business:**
- a. Pending and Contemplated Litigation (see notice for Executive Session, Litigation for listing subjects), possible action.
 - b. Appointment and Evaluation of Public Officials (see Notice for Executive Session, Personnel for listing subjects), possible action.

WORKSESSION of the Mayor and City Council of the City of Abilene, Texas, to be held in the Basement Conference Room of City Hall on Thursday, September 13, 1990 immediately following the Regular City Council meeting.

1. Discussion and possible action on Long Range Facilities and Infrastructure Needs.

ADJOURN

(Personnel)

The City Council may consider the appointment, employment, reassignment, duties, discipline, or dismissal of public officer or employee, the City Manager, City Attorney, Municipal Court Judge, City Secretary, and City Board and Commission Members. A complete list of the City Boards and Commissions are on file in the City Secretary's Office.

After discussion of the appointment and evaluation of the Council Appointees and the Board and Commission members in executive session, any final action or vote taken will be in public.

(Litigation)

The City Council may consider pending and contemplated litigation subjects. The following subjects may be discussed:

1. Velasquez v. City
2. Randy Pedroza v. Edward Michael Hobbs & Dr. Fox
3. James Hudson & ABC Airlines v. City
4. Bechtel, et al v. City
5. Allied Steel v. City and Meals on Wheels
6. City Water Permit Applications
7. City of Abilene v. Riley
8. Don Hobbs v. City
9. Christine Kunschik v. City et al
10. Rodgers v. City
11. Parker v. City
12. General Electric Co. v. City
13. Michael Morris & Webster v. City
14. Pam Martin for Patricia Martin v. City and General Beverage
15. Lone Star Gas Gate Rate
16. Fountain v. City & Board of Building Standards
17. Southwestern Bell Rate Case
18. West Texas Utilities Rate Case
19. Midwestern Life v. Westchester Financial, Catclaw & City of Abilene
20. James Richardson v City of Abilene, Jim Blagg & Dwayne Hargeshelmer
21. Appeal by James
22. G. C. Lockley, Jr., et al v. City of Abilene

Litigation is, by its nature, an on-going process, and questions may arise as to trial tactics which need to be explained to the City Council. Upon occasion, the City Council may need information from the City Attorney as to the status of the pending or contemplated litigation subjects set out above. After discussion of the pending and contemplated litigation subjects, in executive session, any final action, or vote taken, will be in public.

If personnel issues or litigation issues arise as to the posted subject matter of this City Council Meeting, an executive session will be held.

HC 7/16/90

PRE-COUNCIL WORK SESSION, THURSDAY
September 13, 1990, 8:30 A.M.
CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,
BASEMENT CONFERENCE ROOM, CITY HALL

The City Council of the City of Abilene, Texas, met in a Pre-Council Work Session on September 13, 1990, at 8:30 A.M. in the Basement Conference Room of City Hall. Mayor Gary D. McCaleb was present and presiding with Councilman Paul R. Vasquez, Councilwoman Betty Ray, Councilmen Jack Grable, Bill Terry, Jimmy McNeil, and Councilwoman Liz Herrera. Also present were City Manager Jim C. Blagg, Assistant City Manager Roy L. McDaniel, City Attorney Harvey Cargill, Jr., Senior Secretary Debbie Hurley, Assistant to the City Manager Debra Guerra, and various members of the City staff.

Mayor McCaleb recognized the four former mayors attending in honor of the late B. R. Blankenship. Those able to attend were: Hudson Smart, Oliver Howard, Elbert E. Hall, and David Stubbeman. Debra Guerra, Assistant to the City Manager, presented to the Council the status of the Internal Strategic Planning program. The Council briefly discussed various consent and regular agenda items. Item 6j was removed from the agenda at the request of the petitioner. There being no further discussion, the meeting was recessed until 9:00 a.m. for the regular Council Meeting.

REGULAR CITY COUNCIL MEETING
September 13, 1990, 9:00 A.M.
CITY COUNCIL OF THE CITY OF ABILENE, TEXAS
CITY COUNCIL CHAMBERS OF CITY HALL

Prior to reconvening, Mayor McCaleb asked the former mayors to come forward to assist him in honoring Mr. Blankenship. He read a Certification of Appreciation in honor of the memory of Mr. Blankenship to be given to Mrs. Blankenship, who could not be in attendance.

Mayor McCaleb reconvened the City Council of the City of Abilene, Texas, into Regular Session September 13, 1990, at 9:00 a.m. in the City Council Chambers of City Hall.

Invocation was given by Councilwoman Liz Herrera.

There being no corrections, additions, or deletions to the minutes of the Pre-Council Session and Regular City Council Meeting held August 23, 1990, Councilwoman Ray moved to approve the minutes. The motion was seconded by Councilman Grable and the motion carried.

AVES: Councilman Vasquez, Councilwoman Ray, Councilmen Grable, Terry, McNeil, Councilwoman Herrera, and Mayor McCaleb.

NAYS: None.

Mayor McCaleb presented Employee Service Awards to the following individuals for their years of service:

30 Years	Maynard Gullett	Fire Lieutenant
		Fire Department
25 Years	Kelly C. Cross	Equipment Operator
		Street Division

Debra Guerra, Assistant to the City Manager, assisted Mayor McCaleb in the presentation of the September Employee of the Month Award to Shay Bennett, Librarian.

Mayor McCaleb presented a Proclamation for the week of September 23-30 as Children's Week.

Councilman Terry moved to approve consent agenda items 6a, 6c through 6i and 7a through 7f as recommended by the staff; and approval of first reading of consent agenda item 6b. Item 6j was removed during the Pre-Council at the request of the petitioner. The motion was seconded by Councilman Vasquez and the motion carried.

AYES: Councilman Vasquez, Councilwoman Ray, Councilmen Grable, Terry, McNeil, Councilwoman Herrera, and Mayor McCaleb.
NAYS: None.

6. Ordinances and Resolutions:

- a. Resolution authorizing commencement of the Spring 1991 Assessment Paving Program.

The Resolution is numbered 34-1990 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE CITY ENGINEERING DIVISION TO PREPARE PLANS AND SPECIFICATIONS FOR THE IMPROVEMENT OF PORTIONS OF THE HERINAFTER NAMED STREETS.

- b. Approval of first reading - an Ordinance for thoroughfare closure - TC-01890 - Request from Highland Foods, agent David Todd, for a thoroughfare abandonment of a portion of Almond Street south of E. N. 10th Street, and set a public hearing for September 27, 1990 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.

- c. Resolution authorizing Mayor to execute Missouri Pacific Railroad Company license agreement at Mile Post 410.85, Abilene, Taylor County, Texas.

The Resolution is numbered 35-1990 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING LICENSE AGREEMENT BETWEEN THE MISSOURI PACIFIC RAILROAD COMPANY AND THE CITY OF ABILENE TO INSTALL A FORTY-TWO (42) INCH SEWER LINE CROSSING UNDER CERTAIN TRACKAGE AND RIGHT OF WAY OF THE MISSOURI PACIFIC RAILROAD COMPANY AT MILE POST 410.85, ABILENE, TAYLOR CO., TEXAS.

- d. Oral Resolution approving contract with 9-1-1 Board of Manager for administration of the Emergency Communication District; and adoption of Abilene/Taylor County 9-1-1 Emergency Communications District revised FY 1989-90 and Proposed FY 1990-91 budgets.

- e. Oral Resolution approving administrative services contract with the Development Corporation of Abilene, Inc.

- f. Oral Resolution approving Street Use License request from Museums of Abilene, Inc. for Grace Cultural Center.
 - g. Oral Resolution authorizing City Manager to execute WTU pole line easements and authorize funds for oversize line.
 - h. Resolution authorizing request to exchange land immediately north of FM 3308 along and in the vicinity of Cedar Creek for an easement from Riley G. Maxwell to be used for channel improvements.
The Resolution is numbered 36-1990 and is captioned as follows:
A RESOLUTION OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE EXCHANGE OF CITY LAND ALONG CEDAR CREEK NORTH OF FM 3308, IN TAYLOR COUNTY, TEXAS.
 - i. Resolution authorizing application for Traffic Management Program grant from the State Department of Highways and Public Transportation.
The Resolution is numbered 37-1990 and is captioned as follows:
A RESOLUTION OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE FILING OF GRANT APPLICATIONS WITH THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION FOR THE TRAFFIC MANAGEMENT PROGRAM AND AUTHORIZING EXECUTION OF GRANT AGREEMENTS.
 - j. Removed from Agenda.
7. **Award of Bid:**
- a. Oral Resolution accepting FAA Grant 3-48-0002-10 for improvements at Airport; and Extension of Taxiway D, overlay south 1200' Runway 17R-35L, and NE Taxiway at Airport, Bid #CB088. The City Council authorized the Mayor to execute Grant #3048-0002-10 upon receipt from FAA and award the bid for the project to Contract Paving of Tye for \$197,918.74, contingent upon receipt of the FAA executed Grant as recommended by staff.
 - b. Security fencing at Airport, Bid #CB087, FAA Project #3-48-0002-7. The bid was awarded to Frontier Fence Company of Brownwood for \$47,736.00, contingent upon receiving FAA's approval letter to award bid as recommended by staff.
 - c. Staging for Civic Center, Bid #CB089. The bid was awarded to Stageright Corporation for the low bid of \$20,850.00 as recommended by staff.
 - d. Tables and table storage carts for Civic Center Expansion, Bid #CB080. The bid was awarded to Mac World Trade Group, Inc. for the low bid of \$17,640.99 as recommended by staff.
 - e. Cab & Chassis with platform body and four wheel drive pickup, Bid #CB082. The four-wheel-drive pickup was awarded to Max Murrell Chevrolet and the cab and chassis with platform body was awarded to R. L. Anderson International, representing the low responsible bidders, in the amount of \$62,557.11 as recommended by staff.

- f. Microcomputers for various divisions, Bid #CB091. The bid was awarded to Wylie Computer Systems in the amount of \$14,555.50 for items 2 and 3, and to C. H. Love and Company for items 1, 4, 5, 6, 7, 8 and 9 in the amount of \$11,367.00 as recommended by staff.

8. Ordinances & Resolutions:

- a. Harvey Cargill, City Attorney, briefed the Council on an Ordinance considered on second and final reading amending Chapter 5, "Ambulances", of the Abilene Municipal Code dealing with the need for out of town transfers; and possible issuance of License of Public Convenience and Necessity to E. Victor Hudman II. Mr. Cargill outlined one change in the ordinance that was handed out to the Council in Pre-Session. These changes were in Sections 5-9, deleting reference to the term "emergency".

Mayor McCaleb opened a public hearing on the item and the following individuals spoke in response to the request:

AGAINST:

- . Richard Cox, owner of AEMS, stated he has no objection to the Ordinance with the exception of some wording. He would, however, like to see "local" transfers to include a 20-mile radius around the City of Abilene.

FOR:

- . Mike Young, Attorney, representing Western Medi-Trans, requested the item be tabled for one more meeting in order to present more information regarding the request for in-town transfers.

There being no one else present and desiring to be heard, the public hearing was closed.

Following discussion among the Council, Councilman Vasquez moved to approve the Ordinance amending Chapter 5, "Ambulances", of the Abilene Municipal Code dealing with the need for out of town transfers with the recommended wording changes and the issuance of License of Public Convenience and Necessity to E. Victor Hudman II for transfers from locations within the City of Abilene to locations outside the City of Abilene, as recommended by the staff. The motion was seconded by Councilman McNeil and the motion carried.

AYES: Councilman Vasquez, Councilwoman Ray, Councilmen Grable, Terry, McNeil, Councilwoman Herrera, and Mayor McCaleb.

NAYS: None.

The Ordinance is numbered 39-1990 and is captioned as follows:

AN ORDINANCE AMENDING CHAPTER 5, "AMBULANCES", OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW, PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND CALLING A PUBLIC HEARING.

- b. Mike Hall, Director of Community Services, briefed the Council on an Oral Resolution authorizing contract amendment request from American Golf and Item 8c, Resolution authorizing request from American Golf for a fee increase, due to the fact that American Golf Company was involved in both requests; but asked the Council to make two separate motions. He then introduced Ken James of American Golf Corporation and Amber Cree, Chairperson of the Parks & Recreation Board.

Mr. James presented an overview of the contract between the City and American Golf, outlining projected and real revenue. He indicated that they had been operating at a loss and the only way to recoup that loss would be through the proposed contract amendment.

Mrs. Cree presented the recommendation from the Parks and Recreation Board to approve the contract amendment, indicating from the Board was pleased with the management of the golf course by this company.

Councilman McNeil stated he would like to postpone a decision at this time in lieu of further information and more time to study the request, and therefore moved to table the Oral Resolution authorizing contract amendment request from American Golf. The motion was seconded by Councilman Terry and the motion carried.

AYES: Councilman Vasquez, Councilwoman Ray, Councilmen Grable, Terry, McNeil, Councilwoman Herrera, and Mayor McCaleb.
NAYS: None.

Mr. James requested that since the contract amendment was tabled, that Council also postpone a decision on the request for a fee increase as well.

Councilman McNeil moved to table the Resolution authorizing a request from American Golf for a fee increase, as requested. The motion was seconded by Councilwoman Ray and the motion carried.

AYES: Councilman Vasquez, Councilwoman Ray, Councilmen Grable, Terry, McNeil, Councilwoman Herrera, and Mayor McCaleb.
NAYS: None.

9. Public Appearance:

Craig Nichols, Chairman of the Library Board, introduced members Shirley Hunter and Tim Simpson, who were also in attendance, and Claire Bausch, Head Librarian; and expressed his appreciation for their hard work. Mr. Nichols proceeded to outline the present facilities in relation to needs assessments, and recommendations from the Board to meet those needs.

Councilman Vasquez moved to approve the report provided by the Library Board and expressed appreciation to the Board for a job well done. The motion was seconded by Councilman Grable and the motion carried.

AYES: Councilman Vasquez, Councilwoman Ray, Councilmen Grable, Terry, McNeil, Councilwoman Herrera, and Mayor McCaleb.
NAYS: None.

10. Mayor McCaleb recessed the Council into executive session pursuant to Sections 2e and 2g of the Open Meetings Act, and to seek the advice of the City Attorney with respect to pending and contemplated litigation and to consider the appointment and evaluation of public officers.

The Council reconvened from executive session and reported no action taken.

Councilman Vasquez moved to appoint Barbara Walker to the Mixed Use Review Board with a term expiring 11/90 and Chris Kyker to the Senior Citizens Board with a term expiring 5/92; and to appoint members to the following two newly created ad hoc boards:

City Board Training Committee:
Peggy Beckham, Chair
Victor Flores, Co-Chair
Mary Island, Co-Chair
Rhonda Bolt
Kathy Merrill
Andrew Penns
Ana Vedro
Lynda Calcote
Liaison Member from the City Manager's Office

Research Committee for Multi-Cultural Leadership:

Joe Alcorta, Chair
Rev. Leo Scott, Co-Chair
Billie Proctor-Shaw, Co-Chair
Nancy Dark
Jennifer Harper
Sandra Harper
Dian Owen
Wayne Roy

The motion was seconded by Councilwoman Herrera and the motion carried.

AYES: Councilman Vasquez, Councilwoman Ray, Councilmen Grable, Terry, McNeil, Councilwoman Herrera, and Mayor McCaleb.

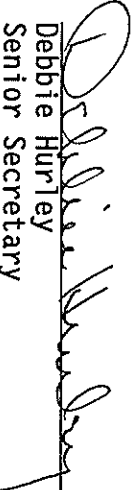
NAYS: None.

Mayor McCaleb recessed the meeting to the Basement Conference Room, for a Worksession to discuss Long Range Facilities and Infrastructure Needs. Jim Blagg, City Manager, introduced David Wright, Director of Finance, who gave a detailed presentation to the Council and provided handouts for their reference.

Mayor McCaleb thanked Mr. Wright and his staff for a job well done, and requested a citizens committee for citizen participation and priority recommendations. Councilman Vasquez requested tours and familiarization of the facilities.

No action was taken.

There being no further business, the meeting was adjourned at 12:05 p.m.


Debbie Hurley
Senior Secretary


Gary D. McCaleb
Mayor