

Pre-Council Work Session 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, October 11, 1990, at 8:30 a.m. to consider the following:

1. Discuss consent and/or regular agenda items.

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, October 11, 1990, at 9:00 a.m.

CITY COUNCIL: Mayor Gary D. McCaleb; Council - Paul R. Vasquez, Betty Ray, Jack Grable, Bill Terry, Jimmy McNeil and Liz Herrera.

1. Call to Order.
2. **INVOCATION:** Councilwoman Betty Ray.
3. **Approval of Minutes:** Pre-Council Session and Regular City Council Meeting held September 27, 1990.

4. **Awards:**

Employee Service Awards

25 Years	Floyd R. Grimm	Police Officer Police Department
25 Years	Jerry Franklin	Police Sergeant Police Department
20 Years	Laurie Dudley	Librarian Community Services
20 Years	Johnny Kincaid	District Chief Fire Department
20 Years	Steve Saffel	Lieutenant Fire Department

Employee of the Month Award

Employee of the Year Award

5. Proclamations

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 Councilmember or citizen so requests, in which event the item will be removed from the general order of business and considered in its normal sequence.

6. **Ordinances and Resolutions:**
- a. Consider on first reading - an ordinance changing zoning district boundaries - Z-01790 - Request from Disability Resources, Inc., agent M. R. Newberry to rezone from A0 (Agricultural Open Space) to PDMX (Planned Development Mixed Use) district, located at U. S. Highway 277/83, south of Northshore Drive, and set a public hearing for October 23, 1990 at 9:00 a.m.
 - b. Consider on second and final reading - An Ordinance amending Chapter 18, "Motor Vehicles and Traffic", Sections 18-293, 18-299, and 18-304 of the Abilene Municipal Code.
 - c. Oral Resolution approving extension of contract for use of CDBG funds for Mend-A-Child.
 - d. Oral Resolution approving extension of contracts for use of CDBG funds for Center for Non-Profit Management.

REGULAR AGENDA

7. **Ordinances & Resolutions:**
- a. Public Hearing: Consider on second and final reading - An Ordinance adopting the 1990 National Electrical Code with amendments.
 - b. Oral Resolution authorizing contract amendment request from American Golf.
 - c. Resolution authorizing request from American Golf for fee increase.
8. **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.
 - c. Discussion of purchase, exchange of real property in downtown Abilene and for utility right of way route to Abilene in executive session. A public discussion would reveal the City's negotiation position and interest and would have a detrimental effect on its negotiation efforts. Action to approve the purchase or exchange of the property is possible after the executive session.

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 Hargesheimer
21. Shelton v. City of Abilene
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 10/05/90

PRE-COUNCIL WORK SESSION, THURSDAY
October 11, 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 October 11, 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., City Secretary Jo Moore, Assistant to the City Manager Debra Guerra, and various members of the City staff.

The Council briefly discussed various consent and regular agenda items. There being no further discussion, the meeting was recessed until 9:00 a.m. for the regular Council Meeting.

REGULAR CITY COUNCIL MEETING
October 11, 1990, 9:00 A.M.

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

Mayor McCaleb reconvened the City Council of the City of Abilene, Texas, into Regular Session October 11, 1990, at 9:00 a.m. in the City Council Chambers of City Hall.

Invocation was given by Councilwoman Betty Ray.

There being no corrections, additions, or deletions to the minutes of the Pre-Council Session and Regular City Council Meeting held September 27, 1990, Councilman Vasquez moved to approve the minutes. 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.

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

25 Years	Floyd R. Grimm	Police Officer Police Department
25 Years	Jerry Franklin	Police Sergeant Police Department
20 Years	Laurie Dudley	Librarian Community Services
20 Years	Johnny Kincaid	District Chief Fire Department
20 Years	Steve Saffel	Lieutenant Fire Department

Debra Guerra, Assistant to the City Manager, assisted Mayor McCaleb in the presentation of the October Employee of the Month Award to Jeff Elliott, Park Crew Chief and the Employee of the Year Award to Gail Martinez, Maintenance Services Supervisor.

Mayor McCaleb presented the following proclamations:

October 14-20 as National School Lunch Week
October 8-12 as Court Observance Week
October 20 as Big Country Environmental Day 1990

Councilman McNeil moved to approve consent agenda items 6b, 6c and 6d as recommended by the staff; and approval of first reading of consent agenda item 6a. The motion was seconded by Councilman Grable and the motion carried.

AYES: Councilman Vasquez, Councilwoman Ray, Councilmen Grable, Terry (excluding item 6a), McNeil, Councilwoman Herrera, and Mayor McCaleb.

NAYS: None.

ABSTAIN: Councilman Terry on item 6a only, due to his association with Disability Resources, Inc.

6. Ordinances and Resolutions:

a. Consider on first reading - an ordinance changing zoning district boundaries - Z-01790 - Request from Disability Resources, Inc., agent M. R. Newberry to rezone from A0 (Agricultural Open Space) to PDMX (Planned Development Mixed Use) district, located at U. S. Highway 277/83, south of Northshore Drive, and set a public hearing for October 23, 1990 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 PDD #50 PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

b. Consider on second and final reading - An Ordinance amending Chapter 18, "Motor Vehicles and Traffic", Sections 18-293, 18-299, and 18-304 of the Abilene Municipal Code.

The Ordinance is numbered 41-1990 and is captioned as follows:

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.

c. Oral Resolution approving extension of contract for use of CDBG funds for Mend-A-Child.

d. Oral Resolution approving extension of contracts for use of CDBG funds for Center for Non-Profit Management.

7. Ordinances & Resolutions:

a. Bob Fowler, Assistant Director of Planning and Development Services for Housing and Inspection Services, briefed the Council on an ordinance considered on second and final reading adopting the 1990 National Electrical Code with amendments.

Mayor McCaleb opened a public hearing on the item and there being no one present and desiring to be heard, the public hearing was closed.

Councilman Terry moved to approve the Ordinance adopting the 1990 National Electrical Code with amendments, as recommended by staff. 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.

The Ordinance is numbered 42-1990 and is captioned as follows:

AN ORDINANCE AMENDING CHAPTER 8, "CONSTRUCTION REGULATIONS", ARTICLE IV, "UNIFORM CODES AND OTHER REGULATIONS," DIVISION 3, "ELECTRICAL CODE," OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW, PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

Councilwoman Ray moved to remove from the table an Oral Resolution authorizing the contract amendment request from American Golf and a Resolution authorizing the request from American Golf for fee increase. 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.

Mike Hall, Director of Community Services, briefed the Council on items 7b and 7c. Mr. Hall stated the contract amendment would allow American Golf to pay the City 4% of the gross proceeds for a maximum of four years and then it would revert back to the original agreement unless they reach \$950,000 gross proceeds at which time it would then revert back to existing agreement. The fee increase is included in the City Council package for their review. Mr. Dave Hand, General Manager of Maxwell Golf Course, presented an overview of the contract amendment request. 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 and fee increase. The City Council discussed with Mr. Hand the lack of capital improvements program, the question of Dyess Air Force Base being actual competition for Maxwell, and the effects of the fee increase on rounds of play.

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

Councilman Terry moved to approve item 7b, Oral Resolution authorizing a contract amendment request from American Golf; and item 7c, Resolution authorizing a request from American Golf for a fee increase, as recommended by staff. 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.

The Resolution is numbered 41-1990 and is captioned as follows:

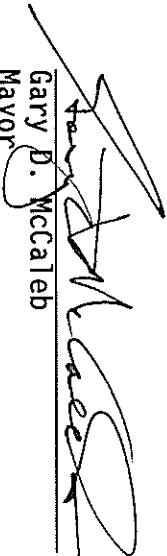
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING A FEE SCHEDULE FOR MAXWELL MUNICIPAL GOLF COURSE, AND ESTABLISHING AN EFFECTIVE DATE.

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

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

There being no further business, the meeting was adjourned at 11:02 a.m.


Jo Moore
City Secretary


Gary D. McCaleb
Mayor