

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, May 9, 1991, at 8:30 a.m. to consider the following:

1. Economic Development Activities Report.
2. 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, May 9, 1991, 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:** Councilman Bill Terry.
3. **Approval of Minutes:** Pre-Council Session and Regular City Council Meeting held April 25, 1991.
4. **Awards:**

Employee Service Awards		
30 Years	James L. Cheek	Field Operations Superintendent
		Water Distribution
25 Years	Agustine F. Sigala	Equipment Operator II
		Refuse Collection

Employee of the Month Award
5. **Proclamations**

CONSENT AGENDA

All items listed below are considered 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 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 amending Ordinance No. 35-1990, Part 5, Classified Positions for Police and Fire Department to revise the number of authorized Police positions.
 - b. Consider on first reading - An Ordinance changing zoning district boundaries - Z-00891 - Request from Jimmie G. Campbell to rezone from O (Office) to LC (Limited Commercial) district, located in the 1700 block of S. Clack, and set a public hearing for May 23, 1991.
 - c. Consider on first reading - An Ordinance changing zoning district boundaries - Z-00991 - Request from Linn B. Meyerdirk to rezone from RM-3 (Residential Multi-Family) to O (Office) district, located at 1642 Hickory, and set a public hearing for May 23, 1991.
 - d. Resolution authorizing submission of grant application for funding of Cooper High School Criminal Justice Education Officer.

- e. Oral Resolution authorizing submission of grant application for Foreign Language acquisitions program, and authorizing City Manager to sign the approved application and Department of Education Agreement.

7. **Award of Bid:**

- a. Water Treatment Chemicals for Water Utilities Division, Bid CB1047.

REGULAR AGENDA

8. **Public Appearance:**

- a. Russ Evans, Executive Director of Abilene Regional MH/MR to present update on the status of the MH/MR Center.
- b. H. C. Zachry, President, Development Corporation of Abilene to present report of activities for the period ending September 30, 1990; and Oral Resolution approving report.
- c. Oral Resolution accepting recommendations for follow-up on Team Abilene by Ad Hoc Committee for Multicultural Leadership to be presented by Reverend Leo Scott.
- d. Harold Nixon, Chairman of Long Range Planning Committee for Community Needs to present report; possible action.

9. **Ordinances & Resolutions:**

- a. Oral Resolution approving the Development Corporation of Abilene's contract with the Abilene Industrial Foundation, Inc.
- b. Oral Resolution approving request by the Abilene Preservation League for tax increment financing funds.
- c. Resolution establishing Abilene Teen Court and authorizing City Manager to sign agreement with Junior League of Abilene.

10. **Special Considerations:**

- Resolution canvassing results of May 4, 1991 City Council Election. Presentations
- Induction of Council Reception
- Election of Mayors Pro Tempore

11. **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.

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. Bechtel, et al v. City
3. Michael Morris & Rawleigh Webster v. City
4. Pam Martin et al v. City and General Beverage
5. City v. Leo & Shirley Riley
6. Allan Fountain v. City
7. Brenda Parker v. City
8. James Richardson v City
9. G. C. Lockley, Jr., et al v. City of Abilene
10. Randy Villa Pedroza v. Edward Michael Hobbs & Dr. Fox
11. Midwestern Life Insurance v Westchester Financial, Catclaw & City
12. Illa Roberts v. City
13. Dahlia Hawley v. City
14. Leonard Glenn Taylor v. City
15. Dehoyos v. City
16. Thinner v. City
17. City Water Permit Applications
18. Lone Star Gas Gate Rate
19. Southwestern Bell Rate Case
20. West Texas Utilities Rate Case
21. Aoki v. City
22. Burns v. City

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 2/22/91

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PRE-COUNCIL WORK SESSION, THURSDAY
May 9, 1991, 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 May 9, 1991, 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, 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. Councilman Bill Terry was absent.

Mike Morrison, Director of Community & Economic Development, previewed with the Council the Economic Development Activities Report. The Council briefly discussed various consent and regular agenda items, and there being no further discussion, the meeting was recessed to the City Council Chambers until 9:00 a.m. for the regular Council Meeting.

REGULAR CITY COUNCIL MEETING
May 9, 1991, 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 May 9, 1991, at 9:00 a.m. in the City Council Chambers of City Hall.

Mayor McCaleb stated in continued support of our troops in Saudi Arabia, that 617 service men and women have returned home so far.

Invocation was given by Councilman Jimmy McNeil.

There being no corrections, additions, or deletions to the minutes of the Pre-Council Session and Regular City Council Meeting held April 25, 1991, Councilman Vasquez moved to approve the minutes as printed. The motion was seconded by Councilwoman Herrera and the motion carried.

AYES: Councilman Vasquez, Councilwoman Ray, Councilmen Grable, 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	James L. Cheek	Field Operations Superintendent
		Water Distribution
25 Years	Agustine F. Sigala	Equipment Operator II
		Refuse Collection

Debra Guerra, Assistant to the City Manager, assisted Mayor McCaleb in the presentation of a certificate of appreciation and an All America City pin to Sharon Wesley for her valuable work in the Self Sufficiency program.

Debra Guerra, Assistant to the City Manager, assisted Mayor McCaleb in the presentation of the May Employee of the Month Award to Tony Estrada, Crew Chief in the Parks Division of the Community Services Department.

Mayor McCaleb presented proclamations as follows:
May 12-18, 1991, National Nursing Home Week;
The month of May, Mental Health Month; and
The month of May as Senior Citizens Month.

Councilman Grable moved to approve consent agenda items 6d, 6e and 7a, and approval of first reading agenda items 6a through 6c as recommended by the staff. The motion was seconded by Councilman McNeil and the motion carried.

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

NAYS: None.

6. Ordinances and Resolutions:

a. Approval of first reading - An Ordinance amending Ordinance No. 35-1990, Part 5, Classified Positions for Police and Fire Department to revise the number of authorized Police positions.

AN ORDINANCE AMENDING ORDINANCE NO. 35-1990, PART 5, CLASSIFIED POSITIONS FOR POLICE AND FIRE DEPARTMENT.

b. Approval of first reading - - An Ordinance changing zoning district boundaries - Z-00891 - Request from Jimmie G. Campbell to rezone from 0 (Office) to LC (Limited Commercial) district, located in the 1700 block of S. Clack, and set a public hearing for May 23, 1991.

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

c. Approval of first reading - An Ordinance changing zoning district boundaries - Z-00991 - Request from Linn B. Meyerdirk to rezone from RM-3 (Residential Multi-Family) to 0 (Office) district, located at 1642 Hickory, and set a public hearing for May 23, 1991.

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

d. Resolution authorizing submission of grant application for funding of Cooper High School Criminal Justice Education Officer.

The Resolution is numbered 11-1991 and is captioned as follows:

A RESOLUTION PROVIDING FOR APPROVAL OF APPLICATION FOR GRANT FUNDS FROM THE CRIMINAL JUSTICE DIVISION OF THE OFFICE OF THE GOVERNOR OF THE STATE OF TEXAS.

- e. Oral Resolution authorizing submission of grant application for Foreign language acquisitions program, and authorizing City Manager to sign the approved application and Department of Education Agreement.

7. Award of Bid:

- a. Water Treatment Chemicals for Water Utilities Division, Bid CB1047. The bid was awarded as follows: liquid chlorine to Carroll Welding; anhydrous ammonia to DPC Industries; liquid aluminum sulfate to PVS Chemicals, Inc.; sodium hydroxide to Khempak; Pebble Quicklime to APG Lime Corp.; liquid cationic polymer to Calgon Corporation; and sodium hexametaphosphate to Delta Solvent & Chemical Co., as recommended by staff.

8. Public Appearance:

- a. Russ Evans, Executive Director of Abilene Regional MH/MR, presented to the Council a 20 year history as well as an update on the status of current and future activities at the MH/MR Center. Mr. Evans asked the Council to consider an increase in funding by the City in order to support the new services being proposed by the Rape Crisis Center.

No action was required.

- b. H. C. Zachry, President of the Development Corporation of Abilene, presented a report of the Corporation's activities for the period ending September 30, 1990; and requested the Council approve the report by Oral Resolution.

Councilman McNeil moved to approve by Oral Resolution the report of the Development Corporation of Abilene as recommended. The motion was seconded by Councilman Grable and the motion carried.

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

- c. Reverend Leo Scott presented a follow-up report on Team Abilene by the Ad Hoc Committee for Multicultural Leadership, along with recommendations of the Committee. Rev. Scott requested the Council accept the report and approve the recommendations by Oral Resolution.

Councilwoman Herrera moved to approve by Oral Resolution the report and recommendations of the Ad Hoc Committee for Multicultural Leadership. The motion was seconded by Councilwoman Ray and the motion carried.

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

Mayor McCaleb assisted by Debra Guerra, Assistant to the City Manager, presented to Billie Proctor-Shaw, Rev. Leo Scott, Lynda Calcote, and Dian Owen an All America City pin in recognition and appreciation of their leadership in many areas in the community.

d. Harold Nixon, Chairman of Long Range Planning Committee for Community Needs presented a report to the Council. Mr. Nixon recognized the committee members, and outlined the 15 priorities developed.

Councilwoman Ray moved to approve the report of the Long Range Planning Committee for Community Needs as presented. The motion was seconded by Councilwoman Herrera and the motion carried.

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

NAYS: None.

Councilman Grable requested the following:

1. Review some of the problem identification sections to help Council to better determine strengths and weaknesses.
2. Give options on funding mechanisms available.
3. Propose time schedule that some funding mechanisms could be put into place to have some of the problems solved.

9. Ordinances & Resolutions:

a. Mike Morrison, Director of Community & Economic Development, briefed the Council regarding an Oral Resolution approving the Development Corporation of Abilene's contract with the Abilene Industrial Foundation, Inc. Mr. Morrison then introduced Bill Crumrine, treasurer of the Corporation, who urged Council to favorably consider the contract.

Councilwoman Herrera moved to approve by Oral Resolution the Development Corporation of Abilene's contract with the Abilene Industrial Foundation, Inc. as presented. The motion was seconded by Councilman Grable and the motion carried.

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

NAYS: None.

b. Mike Morrison, Director of Community & Economic Development, briefed the Council regarding an Oral Resolution approving a request by the Abilene Preservation League for tax increment financing funds. Mr. Morrison then introduced Truett Roberts, who submitted a draft of the T & P historic district master plan, which emphasized "clustering" to provide a number of reasons to be in an area. Mr. Roberts stated the Central Business District must be a place people want to be.

Councilwoman Ray moved to approve by Oral Resolution the request by the Abilene Preservation League for tax increment financing funds as presented. The motion was seconded by Councilwoman Herrera and the motion carried.

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

NAYS: None.

c. David Wright, Director of Finance, briefed the Council regarding a Resolution establishing the Abilene Teen Court, and authorizing the City Manager to sign an agreement with the Junior League of Abilene. Mr. Wright then introduced Lee Hamilton, Municipal Court Judge, who outlined the program for the Council. He then recognized Bob Whitfield, Juvenile Officer; Officer Jim Berry, and Kay Alexander, who spoke on behalf of the Junior League of Abilene.

Councilman Vasquez moved to approve the Resolution establishing the Abilene Teen Court and authorizing the City Manager to execute the contract with the Junior League of Abilene as presented. The motion was seconded by Councilwoman Herrera and the motion carried.

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

NAYS: None.

Ms. Alexander presented a check to the Mayor on behalf of the Junior League of Abilene.

The Resolution is numbered 12-1991 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, ESTABLISHING THE ABILENE TEEN COURT; APPOINTING THE MUNICIPAL COURT JUDGE AS THE PRESIDING JUDGE OF THE TEEN COURT; APPROVING A CONTRACT WITH THE JUNIOR LEAGUE OF ABILENE; AUTHORIZING THE CITY MANAGER TO SIGN SAID CONTRACT; APPROVING THE HIRING OF A PROFESSIONAL PERSON TO DEVELOP, IMPLEMENT, AND COORDINATE THE ABILENE TEEN COURT; AND AUTHORIZING THE TEEN COURT ADVISORY BOARD.

10. Special Considerations:

Jo Moore, City Secretary, briefed the Council on a Resolution canvassing results of May 4, 1991 City Council Election, declaring that Paul R. Vasquez and Betty Ray received a majority of the votes cast for Councilmembers Place I and II respectively.

Mayor McCaleb received by mail a Ballot and Seal Certificate from each presiding judge, duly signed by same and released to the City Secretary for filing in the official election records. Total votes cast by precinct were as follows:

NAME	ABS	A	B	C	D	E	F	G	H	I	J	TOTAL
Paul R. Vasquez	387	80	148	56	179	113	254	156	171	185	122	1851
Betty Ray	388	72	147	57	195	120	263	152	169	181	123	1867
W. E. Hackney	30	17	12	7	3	10	11	18	23	23	7	161

Councilman Grable moved to approve the resolution canvassing the returns and declaring the results of the City Council Election held May 4, 1991. The motion was seconded by Councilman McNeil and the motion carried.

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

NAYS: None.

The Resolution is numbered 13-1991 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, CANVASSING THE RETURNS AND DECLARING THE RESULTS OF GENERAL ELECTION HELD IN THE CITY OF ABILENE ON MAY 4, 1991.

Jo Moore, City Secretary, awarded to each member of the City Council their annual pay check of one (1.00) dollar.

Paul R. Vasquez, Council Place I and Betty Ray, Council Place II were inducted into their offices for a three year term. A reception followed.

Following the reception, Council reconvened into open session. Mayor McCaleb asked for nominations of members to serve as Mayors Pro Tempore. Councilwoman Ray moved to nominate Jimmy McNeil and Liz Herrera, the motion was seconded by Councilman Grable and the motion carried.

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

11. Other Business:

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.

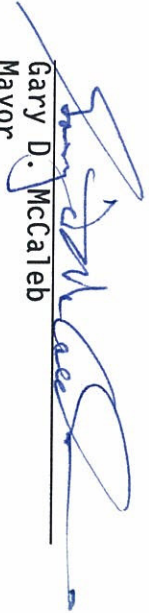
Councilman McNeil moved to reappoint for a two year term A. E. Fogle, Jr., Abraham Allen, and Kenneth T. Murphy to the West Central Texas Municipal Water District; and Lynda Calcote to replace A. V. Perez with a term expiring 11/92 and Mary Davidson to replace Dorothy Kimbrough with a term expiring 11/91 to the Housing Authority of the City of Abilene. The motion was seconded by Councilman Grable and the motion carried.

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

There being no further business, the meeting was adjourned at 11:20 a.m.



Jo Moore
City Secretary



Gary D. McCaleb
Mayor