

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 23, 1991, at 8:30 a.m. to consider the following:

1. Discussion of Cash Management Program.
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 23, 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 May 9, 1991.
4. Proclamations
5. Awards

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 & Resolutions:**
 - a. Consider on second and final 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 amending Chapter 18, "Motor Vehicles and Traffic", Sections 18-290, 18-293 and 18-299 of the Abilene Municipal Code.
 - c. Oral Resolution approving a request for the use of airport land by Department of Commerce (U. S. Weather Bureau) to install a new automated surface weather observing system.
 - d. Oral Resolution authorizing City Manager to execute an engineering agreement for the Water Utilities Department.
 - e. Oral Resolution authorizing the submission of the HIV/AIDS Services Grant Application and authorizing the City Manager to sign the application and supporting documentation.
 - f. Oral Resolution approving the revised Investment Policies.

7. **Award of Bid:**
- a. Outfront mowers for Parks Services Division, **Bid #CB1045.**
 - b. Remodeling of Environmental Health Building, **Bid #CB1051.**
 - c. Tandem Axle Dump Trucks for Street Division, **Bid #CB1042.**

REGULAR AGENDA

8. **Ordinances & Resolutions:**
- a. **Public Hearing: Consider on first reading - An Ordinance designating Tax Abatement Reinvestment Zone #5 in accordance with the Texas Property Redevelopment and Tax Abatement Act.**
 - b. **Public Hearing: Consider on second and final 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.**

9. **Public Appearance:**
- Gary Pullin, Board of Building Standards, to address Council regarding the backlog of cases which have been ordered demolished in the Condemnation/Rehabilitation Program.

10. **Other Business:**
- a. Oral Resolution approving the Abilene Improvement and Maintenance System Concept by amending and expanding the financial policies to include additional policies.
 - b. Pending and Contemplated Litigation (see notice for Executive Session, Litigation for Listing subjects), possible action.
 - c. Appointment and Evaluation of Public Officials (see Notice for Executive Session, Personnel for Listing subjects), possible action.

ADJOURN

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(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. Thimmes 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 23, 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 23, 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, Bill Terry, and Councilwoman Liz Herrera. Also present were City Manager Jim C. Blagg, Assistant City Manager Roy L. McDaniel, Assistant City Attorney Claudia Clinton, Assistant to the City Manager Debra Guerra, City Secretary Jo Moore, and various members of the City staff.

David Wright, Director of Finance, briefly discussed with the Council changes in the Investment Policy to be addressed. Mr. Wright introduced Chris Taylor, Assistant Finance Director, who briefed the Council on the Cash Management Program. Council briefly discussed various consent and regular agenda items. Mayor McCaleb stated he would recommend during Regular Session a few word changes to Agenda Item 10a. There being no further discussion, the meeting was recessed until 9:00 a.m. for the regular Council Meeting.

REGULAR CITY COUNCIL MEETING
May 23, 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 23, 1991, at 9:00 a.m. in the Council Chambers of City Hall.

Invocation was given by Councilman Bill Terry.

There being no corrections, additions, or deletions to the minutes of the Pre-Council Session and Regular City Council Meeting held May 9, 1991, Councilwoman Ray moved to approve the minutes as printed. The motion was seconded by Councilman Vasquez and the motion carried.

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

NAYS: None.

Mayor McCaleb presented a proclamation for May 23, 1991 as Barbara Prince Day. Ms. Prince received Regional and National recognition for her work in public housing.

Councilwoman Herrera presented to Mayor McCaleb the 1991 National League of Cities Innovations Award of Distinction for Abilene's Act Now program. Mayor McCaleb recognized Act Now President Frank Puckett.

Mayor McCaleb presented Certificates of Appreciation to the following employees who saved the lives of Abilene residents:
Youth Officer Bernard Kastner, Police Department
Training Officer Greg Ripka, Police Department
Youth Officer Lee Reed, Police Department
Beverly Vaughn, Senior Citizens
Janet Ramos, Senior Citizens

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Windy Manson, Senior Planner, assisted Mayor McCaleb in recognizing Abilene Community Church for hosting the Neighborhood meetings.

Councilman Terry moved to approve consent agenda items 6a, 6c through 6f and 7a through 7c, and first reading of consent agenda item 6b; all as recommended by the staff. The motion was seconded by Councilman Grable and the motion carried.

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

6. Ordinances & Resolutions:

- a. Approval of second and final 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.

The Ordinance is numbered 18-1991 and is captioned as follows:

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

- b. Approval of first reading - An Ordinance amending Chapter 18, "Motor Vehicles and Traffic", Sections 18-290, 18-293 and 18-299 of the Abilene Municipal Code.

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 a request for the use of airport land by Department of Commerce (U. S. Weather Bureau) to install a new automated surface weather observing system.

- d. Oral Resolution authorizing City Manager to execute an engineering agreement with RJN Environmental Association, Inc. of Dallas for the Water Utilities Department.

- e. Oral Resolution authorizing the submission of the HIV/AIDS Services Grant Application and authorizing the City Manager to sign the application and supporting documentation.

- f. Oral Resolution approving the revised Investment Policies as submitted.

7. Award of Bid:

- a. Outfront mowers for Parks Services Division, Bid #CB1045. The bid was awarded as follows: Item 1 was awarded to Watson Distributing and Item 2 was awarded to Goldthwaite's of Texas representing the low responsible bidders, for a total award of \$26,578.00 as recommended by staff.

- b. Remodeling of Environmental Health Building, Bid #CB1051. The bid was awarded to Les Mans Construction, Inc., the low responsible bidder in the amount of \$14,995.00, as recommended by staff.

- c. Tandem Axle Dump Trucks for Street Division, **Bid #CB1042**. The bid was awarded to Hughes Diesel Service, the low responsible bidder, in the amount of \$92,120.00 as recommended by staff.

8. Ordinances & Resolutions:

- a. Mike Morrison, Director of Community and Economic Development, introduced Kim Tarrant, Management Analyst, who briefed the Council on the Ordinance considered on first reading designating Tax Abatement Reinvestment Zone #5 in accordance with the Texas Property Redevelopment and Tax Abatement Act.

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.

Councilwoman Ray moved to approve first reading of the Ordinance designating Tax Abatement Reinvestment Zone #5 in accordance with the Texas Property Redevelopment and Tax Abatement Act as recommended by 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.

AN ORDINANCE ESTABLISHING TAX ABATEMENT REINVESTMENT ZONE NUMBER FIVE IN ACCORDANCE WITH THE TEXAS PROPERTY REDEVELOPMENT AND TAX ABATEMENT ACT (TPRTAA), TEX. TAX CODE ANN. 312.001 ET. SEQ.

- b. Mindy Manson, Senior Planner, briefed the Council on an Ordinance considered on second and final reading 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. The motion was seconded by Councilman Grable and the motion carried.

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 Vasquez moved to approve the 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. 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.

The Ordinance is numbered 19-1991 and is captioned as follows:

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.

9. Public Appearance:

Gary Pullin, Board of Building Standards, addressed the Council regarding the backlog of cases which have been ordered demolished in the Condemnation/Rehabilitation Program. Mr. Pullin emphasized that demolition is considered only when there is no other recourse, and urged the City Council to consider funding to contract out or supply additional staff and equipment to remove the blight.

Alton Smith, citizen, asked the City Council to not be hasty in destroying property. Again, Mr. Pullin emphasized destruction is a last recourse.

Mayor McCaleb recessed the Council into executive session pursuant to Sections 2e and 2g of the Open Meetings Act, and to consider the appointment and evaluation of public officers.

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

10. Other Business:

a. David Wright, Director of Finance, reviewed with the Council the proposal to approve the Abilene Improvement and Maintenance System Concept by amending and expanding the financial policies to include additional policies.

Sally Robinson, Citizen, voiced concerns about the purpose of certificates of obligation and suggested the Council table the item until guidelines are developed.

In order to remove any misunderstanding or confusion concerning the AIMS concept proposal, Mayor McCaleb stated that the Council is looking only at a plan and not at making a decision at this time to commit any funds.

Mayor McCaleb recommended changes to the Major Improvement Program section, paragraph 3, as follows: "Every three years a major improvement election should be considered."; and in the summary, item 7, last sentence: "A plan of major improvements that would require a bond election will be reviewed at least every three years. The identified needs would determine when a bond election would be needed."

Councilwoman Herrera moved to approve by Oral Resolution the Abilene Improvement and Maintenance System Concept by amending and expanding the financial policies to include additional policies with noted changes, as recommended. 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.


Councilman Grable moved to make Spring board appointments as shown on Exhibit A, which is attached. 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.

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


Jo Moore
City Secretary


Gary D. McCaleb
Mayor