

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

1. Briefing by Youth Advisory Council Members Michael Scott and April Seay on upcoming projects.
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, August 8, 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:** City Council Budget Work Sessions July 22 and 23, 1991; Pre-Council Session and Regular City Council Meeting held July 25, 1991.
4. **Awards:**

Employee Service Awards	
25 Years	Jose Arredondo
	Refuse Collector
	Refuse Division

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 changing zoning district boundaries - Z-01191 - Request from Ridgmont Baptist Church; agent, Earl Hall, to rezone from RM-2 (Residential Multi-Family) to LC (Limited Commercial) district, located at 4857 Buffalo Gap Road, and set a public hearing for August 22, 1991.
 - b. Consider on first reading - An Ordinance approving street name change - SNC-01391 - Request from Gary Vest, to change from Bandera Park, Derrick and Oil Center Drives to Microtex Drive, and set a public hearing for August 22, 1991.
 - c. Consider on first reading - An Ordinance changing zoning district boundaries - Z-01491 - Request from Hendrick Medical Center; agent Duane Martin, to rezone from O & RM-3 (Office & Residential

- d. Multi-Family) to MU (Medical Use) district, located in the 1700 block of Cedar, and set a public hearing for August 22, 1991. Consider on first reading - An Ordinance changing zoning district boundaries - Z-01591 - Request from Hendrick Medical Center; agent Duane Martin, to rezone from RM-2 (Residential Multi-Family) to GC (General Commercial) district, located in the 2100 block of Cedar, and set a public hearing for August 22, 1991.
 - e. Consider on first reading - An Ordinance changing zoning district boundaries - Z-01691 - Request from Texas Avenue 86; agent Tom Lindley, to rezone from 0 (Office) to HC (Heavy Commercial) district, located in the 5100 block of Texas Avenue, and set a public hearing for August 22, 1991.
 - f. Oral Resolution accepting bid for City-Owned Lot at 1017 Plum Street.
 - g. Resolution approving designation of the Extension of FM highway 1929 as "Ray C. Stoker, Jr. Highway."
 - h. Resolution approving the submittal for an America the Beautiful-Texas Initiative Challenge Grant.
7. Award of Bid:
 - a. Radio System for Water Division, CB#1050

REGULAR AGENDA

8. Ordinances and Resolutions:
 - a. Public Hearing on Proposed FY 1991-92 Tax Levy Ordinance.
 - b. Public Hearing to consider Proposed Statement of Community Development Objectives Projected Use of Funds FY 1991-92 CDBG Program and amendment for 1990 program year.
 - c. Resolution approving A Proposed Statement of Community Development Objectives and Projected Use of Community Development Block Grant Funds For Fiscal Year 1991-92.
 - d. Resolution approving An Amended Final Statement of Community Development Objectives and Projected Use of Community Development Block Grant Funds for Fiscal Year 1990-91.
9. 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

00118

(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. Irla 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

PRE-COUNCIL WORK SESSION, THURSDAY
August 8, 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 August 8, 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, 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.

City Manager Jim Blagg introduced the City's new Downtown Manager, Ms. Vicki Brown. Youth Advisory Council Members Michael Scott and April Seay briefed the Council on upcoming projects. 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
August 8, 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 August 8, 1991, at 9:00 a.m. in the City Council Chambers of City Hall.

Invocation was given by Councilman Bill Terry.

There being no corrections, additions, or deletions to the minutes of the City Council Budget Work Sessions July 22 and 23, 1991; Pre-Council Session and Regular City Council Meeting held July 25, 1991, Councilwoman Ray moved to approve the minutes as printed. 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.

Mayor McCaleb, assisted by City Secretary Jo Moore, presented **Employee Service Award** to the following individual for his years of service:

25 Years	Jose Arredondo	Refuse Collector
		Refuse Division

Debra Guerra, Assistant to the City Manager, assisted Mayor McCaleb in the presentation of the August Employee of the Month Award to James Tavera, Library Maintenance Worker.

Mayor McCaleb presented a Proclamation to Chris Laqusca, Miss Texas National Pre-Teen for August 18 as "Just Say No" Day.

Councilwoman Herrera moved to approve consent agenda items 6a through 6h as recommended by staff. Item 7a was removed from the consent agenda to be considered at the August 22 meeting. The motion was seconded by Councilman Terry and the motion carried.

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

NAYS: None.

ABSTAIN: Councilman Vasquez on items 6c and 6d only, due to his employment with Hendrick Medical Center.

6. Ordinances and Resolutions:

a. Approval of first reading - An Ordinance changing zoning district boundaries - Z-01191 - Request from Ridgemont Baptist Church; agent, Earl Hall, to rezone from RM-2 (Residential Multi-Family) to LC (Limited Commercial) district, located at 4857 Buffalo Gap Road, and set a public hearing for August 22, 1991.

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.

b. Approval of first reading - An Ordinance approving street name change - SNC-01391 - Request from Gary Vest, to change from Bandera Park, Derrick and Oil Center Drives to Microtex Drive, and set a public hearing for August 22, 1991.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, CHANGING THE NAME OF DERRICK DRIVE TO MICROTEX DRIVE.

c. Approval of first reading - An Ordinance changing zoning district boundaries - Z-01491 - Request from Hendrick Medical Center; agent Duane Martin, to rezone from O & RM-3 (Office & Residential Multi-Family) to MU (Medical Use) district, located in the 1700 block of Cedar, and set a public hearing for August 22, 1991.

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. Approval of first reading - An Ordinance changing zoning district boundaries - Z-01591 - Request from Hendrick Medical Center; agent Duane Martin, to rezone from RM-2 (Residential Multi-Family) to GC (General Commercial) district, located in the 2100 block of Cedar, and set a public hearing for August 22, 1991.

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. Approval of first reading - An Ordinance changing zoning district boundaries - Z-01691 - Request from Texas Avenue 86; agent Tom Lindley, to rezone from 0 (Office) to HC (Heavy Commercial) district, located in the 5100 block of Texas Avenue, and set a public hearing for August 22, 1991.

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.

- f. Oral Resolution accepting bid from Edwin McGee for City-Owned Lot at 1017 Plum Street for the sum of \$10.00 plus payment of the advertising costs of \$108.10 with the understanding that he would be furnished a Quit Claim Deed.

- g. Resolution approving designation of the Extension of FM highway 1929 as "Ray C. Stoker, Jr. Highway."

The Resolution is numbered 23-1991 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, REQUESTING DESIGNATION OF THE NEW EXTENSION OF FM HIGHWAY 1929 AS RAY C. STOKER, JR. HIGHWAY.

- h. Resolution approving the submittal for an America the Beautiful-Texas Initiative Challenge Grant.

The Resolution is numbered 24-1991 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING THE SUBMITTAL FOR AN AMERICA THE BEAUTIFUL - TEXAS INITIATIVE CHALLENGE GRANT ADMINISTERED BY THE TEXAS FOREST SERVICE.

7. Award of Bid:

- a. Radio System for Water Division, **CB#1050**. Removed from Agenda to be considered at August 22 City Council meeting.

8. Ordinances and Resolutions:

- a. David Wright, Director of Finance, briefed the Council on the purpose of the Public Hearing on the Proposed FY 1991-92 Tax Levy Ordinance. Mr. Wright stated during the July 22-23, 1991 Budget Worksession the City Council approved a 59.62 cent tax rate and by State Law a special public hearing on the tax rate is to be held since the proposed rate is more than 3% above the 56.63 cent effective tax rate.

Mayor McCaleb opened a public hearing, and the following individuals spoke against the item:

- Gary Brown, Attorney, 1325 Grand St., inquired what the 1/2 cent sales tax is doing to property taxes.
- Billie Gibbons, 2974 Rex Allen, stated her personal property taxes have gone up every year.

• Jim Pickens, 3209 Amarillo St., is concerned with the tendency for people elected to positions to not apply standards that they apply to their own personal budgets when dealing with large amounts of money.

• Jack Pecchioni, 4681 Royal Court, stated fee increases are also an expense and with these increases, there will be more than 5% total increase.

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

No action was required. A public hearing on the budget and vote on the tax rate ordinance will be held on August 22, 1991 at 9:00 a.m. in the City Council Chambers.

b. James Campbell, Community & Economic Development, briefed the Council on the Proposed Statement of Community Development Objectives Projected Use of Funds for FY 1991-92 CDBG Program and amendment for the 1990 program year; item 8c, a Resolution approving A Proposed Statement of Community Development Objectives and Projected Use of Community Development Block Grant Funds For Fiscal Year 1991-92; and item 8d, a Resolution approving An Amended Final Statement of Community Development Objectives and Projected Use of Community Development Block Grant Funds for Fiscal Year 1990-91.

Mayor McCaleb opened a public hearing, and the following individuals spoke concerning the item:

• Jack Tachohoney, 4681 Royal Court, asked if \$1.4 million is being put into the budget, and stated it is confusing to the public.

Mr. Campbell stated the money is from federal grants; the small business incubator is funded by the Federal Government.

Mike Morrison, Director of Community & Economic Development, further clarified that the funds do not appear in the City's budget.

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

Councilman Grable moved to approve the Proposed Statement of Community Development Objectives Projected Use of Funds for FY 1991-92 CDBG Program and amendment for the 1990 program year; Resolution approving A Proposed Statement of Community Development Objectives and Projected Use of Community Development Block Grant Funds For Fiscal Year 1991-92; Resolution approving An Amended Final Statement of Community Development Objectives and Projected Use of Community Development Block Grant Funds for Fiscal Year 1990-91; all 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.

The Resolution is numbered 25-1991 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING A PROPOSED STATEMENT OF COMMUNITY DEVELOPMENT OBJECTIVES AND PROJECTED USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR FISCAL YEAR 1991-92.

The Resolution is numbered 26-1991 and is captioned as follows:


A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING AN AMENDED FINAL STATEMENT OF COMMUNITY DEVELOPMENT OBJECTIVES AND PROJECTED USE OF COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS FOR FISCAL YEAR 1990-91.

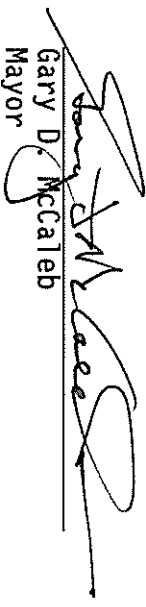
9. Other Business:

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.

There being no further business, the meeting was adjourned at 10:50 a.m.


Jo Meador
City Secretary


Gary D. McCaleb
Mayor