

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, September 12, 1991, at 8:30 a.m. to consider the following:

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, September 12, 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:** Councilwoman Liz Herrera.
3. **Approval of Minutes:** Pre-Council Session and Regular City Council Meeting held August 22, 1991.
4. **Awards:**

Employee Service Awards		
30 Years	Cecil Ellis	Maintenance Worker I
		Refuse Collection
30 Years	T. C. Edmondson	Fire Medic
		Fire Department
30 Years	Bobby J. Sartor	Fire Captain
		Fire Department
25 Years	Leranza Thomas	Equipment Operator II
		Refuse Division

Employee of the Month Award

Teen 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 second and final reading - An Ordinance proposing amendments to Article II, the Council, Section 6, Number, Selection and Term, Section 7, "Qualifications"; to Article III, Elections, Initiative, Referendum and Recall, Section 24, Annual Elections, Section 26, Application for Candidacy; and to Article X, General Provisions, Section 118, Interim Government; Providing for the establishment of Council Members To Be Elected from Six (6)

- b. Single-Member Districts; calling an Election On Said Issue; Providing For Public Notice And An Effective Date.
- b. Resolution approving Election Judges for November 5, 1991 City Charter Election.
- c. Resolution approving disposition of Judge Ely Blvd. excess right-of-way.
- d. Resolution approving grant proposal for tree planting of Arnold Blvd. project.
- e. Oral Resolution authorizing termination of Southwestern Bell franchise.
- f. Oral Resolution approving 9-1-1 Emergency Communications District Revised FY 90/91 and Proposed FY 91/92 Budgets.
- g. Resolution revising Resolution #1-1987 to increase settlement limits.

- 7. **Award of Bid:**
 - a. Wastewater Irrigation System, discharge outfall, and northwest sewer for Water Department, **Bid #CB1076.**
 - b. Furnishings for Environmental Laboratory, **Bid #CB1077.**

REGULAR AGENDA

- 8. **Public Appearance:**
 - a. Jack Harkin, Patron 200, donation of sculpture.
 - b. Presentation by Abilene Preservation League of bronze sculpture.

- 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

(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. City v. Leo & Shirley Riley
4. Burns v. City
5. James Richardson v City
6. Michael Morris & Rawleigh Webster v. City
7. Pam Martin et al v. City and General Beverage
8. Brenda Parker v. City
9. Lois Woods v. City & Charles Wayne Parker
10. Randy Villa Pedroza v. Edward Michael Hobbs & Dr. Fox
11. Kenneth Brown v. City
12. DeHoyos v. City
13. Thines v. City
14. City Water Permit Applications
15. Lone Star Gas Gate Rate
16. Southwestern Bell Rate Case
17. West Texas Utilities Rate Case
18. Aoki 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 8/28/91

The following is an addendum to the agenda for the regular scheduled Abilene City Council meeting to be held in the Council Chambers of the City Hall on Thursday, September 12, 1991, at 9:00 a.m.

CONSENT AGENDA

6. **Ordinances and Resolutions:**

- h. Consider on first reading - An Ordinance amending the Franchise Agreement between Lone Star Gas Company and the City of Abilene; Providing for Franchise Fee; and calling as public hearing for September 26, 1991.

PRE-COUNCIL WORK SESSION, THURSDAY
September 12, 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 September 12, 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.

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
September 12, 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 September 12, 1991, 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 22, 1991, Councilman Vasquez moved to approve the minutes as printed. 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, assisted by City Secretary Jo Moore, presented Employee Service Awards to the following individuals for their years of service:

30 Years	Cecil Ellis	Maintenance Worker I
		Refuse Collection
30 Years	T. C. Edmondson	Fire Medic
		Fire Department
30 Years	Bobby J. Sartor	Fire Captain
		Fire Department
25 Years	Leranza Thomas	Equipment Operator II
		Refuse Division

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Debra Guerra, Assistant to the City Manager, assisted Mayor McCaleb in the presentation of the September Employee of the Month Award to Billy Fields, Parks Crew Chief.

Kathy Cheatham, Chair of the Wellness Walking Subcommittee, assisted Mayor McCaleb in the presentation of Wellness certificates to those individuals who participated in the "Walk to Rio Cuarto" contest. The winning team was Planning and Development Services.

Earnest Merritt, Special Assistant to the City Manager for Youth Services, assisted Mayor McCaleb in presenting the first Teen of the Month certificate to Scott Stevenson, a Senior at Abilene High School.

Mayor McCaleb presented the following Proclamation:
September 15-21, Adult Day Care Center Week

Councilman McNeil assisted Mayor McCaleb in presenting a Certificate of Appreciation to Ms. Jenny Sanders on behalf of Meek Blood Bank. Mayor McCaleb stated the Bloodmobile would be in the parking lot to receive blood donations for Julian Alvarez, the City employee who was recently injured on the job.

Mayor McCaleb welcomed students from the Cisco Junior College Government classes in attendance.

Councilman Grable moved to approve consent agenda items 6a through 6h and 7a and 7b, as recommended by staff. 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.

6. Ordinances and Resolutions:

- a. Approval of second and final reading - An Ordinance proposing amendments to Article II, the Council, Section 6, Number, Section and Term, Section 7, "Qualifications"; to Article III, Elections, Initiative, Referendum and Recall, Section 24, Annual Elections, Section 26, Application for Candidacy; and to Article X, General Provisions, Section 118, Interim Government; Providing for the establishment of Council Members To Be Elected from Six (6) Single-Member Districts; calling an Election On Said Issue; Providing For Public Notice And An Effective Date.

The Ordinance is numbered 27-1991 and is captioned as follows:

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, PROPOSING AMENDMENTS TO ARTICLE II, THE COUNCIL, SECTION 6, NUMBER, SELECTION AND TERM, SECTION 7, QUALIFICATIONS; TO ARTICLE III, ELECTIONS, INITIATIVE, REFERENDUM AND RECALL, SECTION 24, ANNUAL ELECTIONS, SECTION 26, APPLICATION FOR CANDIDACY; AND TO ARTICLE X, GENERAL PROVISIONS, SECTION 118, INTERIM GOVERNMENT; PROVIDING FOR THE ESTABLISHMENT OF COUNCIL MEMBERS TO BE ELECTED FROM SIX (6) SINGLE-MEMBER DISTRICTS; CALLING AN ELECTION ON SAID ISSUE; PROVIDING FOR PUBLIC NOTICE AND AN EFFECTIVE DATE.

- b. Resolution approving Election Judges for November 5, 1991 City Charter Election.
The Resolution is numbered 33-1991 and is captioned as follows:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPOINTING VARIOUS ELECTION OFFICIALS AND FIXING THEIR RATE OF COMPENSATION; AND PROVIDING FOR A PROCLAMATION NOTICE AND PUBLICATION OF NOTICE OF SAID ELECTION.
- c. Resolution approving disposition of Judge Ely Blvd. excess right-of-way.
The Resolution is numbered 34-1991 and is captioned as follows:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, CONSENTING TO THE DISPOSITION OF CERTAIN EXCESS RIGHT-OF-WAY BY THE STATE DEPARTMENT OF HIGHWAYS AND PUBLIC TRANSPORTATION TO TAYLOR COUNTY.
- d. Resolution approving grant proposal for tree planting of Arnold Blvd. project.
The Resolution is numbered 35-1991 and is captioned as follows:
A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE DESIGNATING CERTAIN OFFICIALS AS BEING RESPONSIBLE FOR, ACTING FOR, AND ON BEHALF OF THE CITY OF ABILENE IN DEALING WITH THE TEXAS FOREST SERVICES FOR THE PURPOSE OF PARTICIPATING IN THE SMALL BUSINESS ADMINISTRATION TREE PLANTING GRANT PROGRAM.
- e. Oral Resolution authorizing termination of Southwestern Bell franchise.
- f. Oral Resolution approving 9-1-1 Emergency Communications District Revised FY 90/91 and Proposed FY 91/92 Budgets.
- g. Resolution revising Resolution #1-1987 to increase settlement limits.
The Resolution is numbered 36-1991 and is captioned as follows:
A RESOLUTION TO PROVIDE INDEMNIFICATION TO CITY OFFICIALS AND EMPLOYEES FOR LIABILITY RESULTING FROM ACTS, OMISSIONS, OR NEGLIGENCE COMMITTED IN THE SCOPE OF EMPLOYMENT.
- h. Consider on first reading - An Ordinance amending the Franchise Agreement between Lone Star Gas Company and the City of Abilene; Providing for Franchise Fee; and calling as public hearing for September 26, 1991.

AN ORDINANCE AMENDING THE FRANCHISE AGREEMENT BETWEEN LONE STAR GAS COMPANY AND THE CITY OF ABILENE; PROVIDING FOR FRANCHISE FEE; AND CALLING A PUBLIC HEARING.

7. **Award of Bid:**
- a. Wastewater Irrigation System, discharge outfall, and northwest sewer for Water Department, **Bid #CB1076**. The bid was awarded to Circle "C" Construction of Fort Worth, the low bidder in the amount of \$1,231,346.50 by oral Resolution, the most advantageous for the City. The City Manager was authorized to execute a contract on behalf of the City of Abilene, as recommended by staff.
 - b. Furnishings for Environmental Laboratory, **Bid #CB1077**. The Bid was awarded, by Oral Resolution, to Value City in the amount of \$13,216.96; P & L Office Supply in the amount of \$5,306.50; and Barnhill Office Supply in the amount of \$9,605.00 for a total purchase price of \$28,128.46; as recommended by staff.

8. **Public Appearance:**
- a. Lynn Barnett, on behalf of Patron 200, donated a sculpture entitled "Broken Bull Skull" to the City, stating that this would be a permanent piece.
 - b. Joy Ellinger, President Elect and Don Anderson, Past President of the Abilene Preservation League, presented a bronze sculpture by Terry Gilbreath, commemorative of the 1991 Railroad Festival. The next festival is scheduled for March 13-15, 1992.

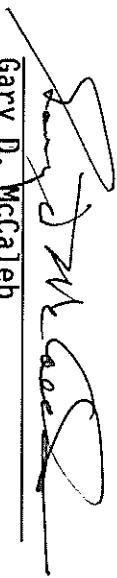
The Council recessed prior to going into executive session in order to allow those interested to donate blood.

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 11:37 a.m.


Jo Modre
City Secretary


Gary D. McCaleb
Mayor