

**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, **June 11, 1992**, at 8:30 a.m. to consider the following:

1. Summer Youth Employment 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, **June 11, 1992**, at 9:00 a.m.

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

1. **Call to Order.**
2. **INVOCATION:** Councilman Ray Ferguson.
3. **Approval of Minutes:** Pre-Council Session and Regular City Council Meeting held May 28, 1992.
4. **Awards:**  
**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 for thoroughfare abandonment - **TC-01992** - Request from Martin D. Denson Post 6873 (VFW), agent William D. Bell, for a thoroughfare abandonment from the east right-of-way line of Vapor Trail east for a distance of 521.75 feet, and set a public hearing for June 25, 1992 at 9:00 a.m.
- b. Resolution approving issuance of hospital revenue bonds for Sears Methodist Centers, Inc. for financing and refinancing the cost of health facilities in the amount of approximately \$8,000,000.00.
- c. Consider on first reading - An Ordinance exempting West Texas Utilities from reporting requirements of Ordinance #3- 1991.
- d. Consider on first reading - An Ordinance amending Chapter 18, "Motor Vehicles and Traffic", Sections 18-293 and 18- 299 of the Abilene Municipal Code.

7. **Award of Bid:**

- a. Resolution authorizing Contingent Award of Contract for Spring assessment paving program, Bid #CB2053.

**REGULAR AGENDA**

8. **Ordinances & Resolutions:**

- a. **Public Hearing:** Resolution designating Taylor County Expo Center as a "Development Area"; Oral Resolution approving contract between Development Corporation of Abilene, Inc. and the Taylor County Expo Center, Inc. for construction loan for horse stalls.

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**

**NOTICE**

Persons with disabilities who would like special assistance or need special accommodations to participate in this meeting should contact Jo Moore, City Secretary, 676-6202 at least forty-eight (48) hours in advance of this meeting. Telecommunication device for the deaf is 676-6568.

**CERTIFICATE**

I hereby certify that the above notice of meeting was posted on the bulletin board at the City Hall of the City of Abilene, Texas, on the 5 day of June, 1992, at 5:00 (a.m./p.m.)

  
CITY SECRETARY

00090

(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. Bechtel, et al v. City
2. City v. Leo & Shirley Riley
3. James Richardson v. City
4. Pam Martin et al v. City and General Beverage
5. Thinnes v. City
6. DeHoyos v. City
7. Lois Woods v. City & Charles Wayne Parker
8. Randy Villa Pedroza v. Edward Michael Hobbs & Dr. Fox
9. Kenneth Brown v. City
10. Pamela Susan Combs v. Dillard's & Mall of Abilene & City
11. Kim Maynard v. City & Charles Kimbel Vickers
12. Leroy Hammond v. City
13. Ybarra v. City & Midnight Rodeo & Gannaway
14. E. E. Whitworth, d/b/a WBS v. City
15. Heritage Parks Community Association v. City & taxing entities
16. Allied Steel v. City, et al
17. Creel v. City
18. City Water Permit Applications
19. Lone Star Gas Gate Rate
20. Southwestern Bell Rate Case
21. West Texas Utilities Rate Case

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.

**PRE-COUNCIL WORK SESSION, THURSDAY  
June 11, 1992, 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 June 11, 1992, at 8:30 A.M. in the Basement Conference Room of City Hall. Mayor Pro Tempore Jack Grable was present and presiding with Councilman Paul R. Vasquez, Councilwoman Betty Ray, Councilmen Bill Terry, Ray Ferguson, and Councilwoman Liz Herrera. Also present were City Manager Jim C. Blagg, Assistant City Manager Roy L. McDaniel, Assistant City Attorney Claudia Clinton, City Secretary Jo Moore, Assistant to the City Manager Debra Guerra, and various members of the City staff. Mayor Gary D. McCaleb was absent.

Earnest Merritt, Special Assistant to the City Manager for Youth Services, presented to the Council a proposed Summer Youth Employment Program, and handed out information. 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  
June 11, 1992, 9:00 A.M.**

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

Mayor Pro Tempore Grable reconvened the City Council of the City of Abilene, Texas, into Regular Session June 11, 1992, at 9:00 a.m. in the City Council Chambers of City Hall.

Invocation was given by Councilman Ray Ferguson.

Councilman Ferguson noted one correction to page 3-5 of the minutes - the name of Dick Valentine should be Vic Valentine. There being no further corrections, additions, or deletions to the minutes of the Pre-Council Session and Regular City Council Meeting held May 28, 1992, Councilman Vasquez moved to approve the minutes as corrected. The motion was seconded by Councilwoman Ray and the motion carried.

AYES: Councilman Vasquez, Councilwoman Ray, Councilmen Terry, Ferguson, Councilwoman Herrera, and Mayor Pro Tempore Grable.

NAYS: None.

Debra Guerra, Assistant to the City Manager, assisted Mayor Pro Tempore Grable in the presentation of the June Employee of the Month Award to Tim Stephens, Civic Center Manager.

Councilman Terry moved to approve consent agenda items 6b and 7a, and first reading of items 6a, 6c, and 6d as recommended by the staff. The motion was seconded by Councilwoman Ray and the motion carried.

AYES: Councilman Vasquez, Councilwoman Ray, Councilmen Terry, Ferguson, Councilwoman Herrera, and Mayor Pro Tempore Grable.

NAYS: None.

6. **Ordinances and Resolutions:**

- a. Approval of first reading - An Ordinance for thoroughfare abandonment - TC-01992 - Request from Martin D. Denson Post 6873 (VFW), agent William D. Bell, for a thoroughfare abandonment from the east right-of-way line of Vapor Trail east for a distance of 521.75 feet, and set a public hearing for June 25, 1992 at 9:00 a.m.

AN ORDINANCE PROVIDING FOR THE ABANDONMENT OF A PORTION OF PUBLIC RIGHT OF WAY; PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH ABANDONMENT, AND CALLING A PUBLIC HEARING.

- b. Resolution approving issuance of hospital revenue bonds for Sears Methodist Centers, Inc. for financing and refinancing the cost of health facilities in the amount of approximately \$8,000,000.00.

The Resolution is numbered 28-1992 and is captioned as follows:

RESOLUTION APPROVING A BOND RESOLUTION BY ABILENE HEALTH FACILITIES DEVELOPMENT CORPORATION PROVIDING FOR THE ISSUANCE OF BONDS FOR SEARS METHODIST CENTERS, INC.

- c. Approval of first reading - An Ordinance exempting West Texas Utilities from reporting requirements of Ordinance #3-1991.

AN ORDINANCE EXEMPTING WEST TEXAS UTILITIES COMPANY FROM ORDINANCE NO. 3-1991.

- d. Approval of first reading - An Ordinance amending Chapter 18, "Motor Vehicles and Traffic", Sections 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.

7. **Award of Bid:**

- a. Resolution authorizing Contingent Award of Contract for Spring assessment paving program, Bid #CB2053. The base bid plus Alternate #1 was awarded to Bontke Brothers Construction Company by written resolution as the lowest responsible bidder for the unit prices bid, with an estimated project amount of \$232,656.30, or as the program is approved by the City Council; as recommended by staff.

The Resolution is numbered 29-1992 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AWARDING A CONTRACT FOR THE IMPROVEMENT OF CERTAIN NAMED STREETS WITHIN THE CORPORATE LIMITS OF THE CITY OF ABILENE, TEXAS, CONTINGENT UPON A SUFFICIENT ASSESSMENT BEING LEVIED AGAINST ABUTTING PROPERTIES TO FINANCE SAID PROPOSED IMPROVEMENTS; AND APPROPRIATING FUNDS FOR THE CITY OF ABILENE'S PORTION OF SUCH ESTIMATED COSTS.

**8. Ordinances & Resolutions:**

a. Mike Morrison, Director of Community and Economic Development, submitted a more detailed Resolution regarding designating Taylor County Expo Center as a "Development Area"; and briefed the Council on the Resolution and on a contract between Development Corporation of Abilene, Inc. and the Taylor County Expo Center, Inc. for construction loan for horse stalls.

Mayor Pro Tempore Grable 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 Resolution designating Taylor County Expo Center as a "Development Area"; and by oral Resolution approval of the contract between Development Corporation of Abilene, Inc. and the Taylor County Expo Center, Inc. for construction loan for horse stalls as recommended by staff. The motion was seconded by Councilwoman Herrera and the motion carried.

AYES: Councilman Vasquez, Councilwoman Ray, Councilmen Terry and Ferguson, Councilwoman Herrera, and Mayor Pro Tempore Grable.

NAYS: None.

The Resolution is numbered 30-1992 and is captioned as follows:

A RESOLUTION DESIGNATING THE EXPO CENTER OF TAYLOR COUNTY AND SURROUNDING AREA AS A DEVELOPMENT AREA AS DEFINED BY THE DEVELOPMENT CORPORATION ACT OF 1979.

**9. Other Business:**

Mayor Pro Tempore Grable 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 Terry moved to appoint Raleigh Brown to the Abilene Health Facilities Board, for an unexpired term expiring November 1992. The motion was seconded by Councilman Vasquez and the motion carried.

AYES: Councilman Vasquez, Councilwoman Ray, Councilmen Terry and Ferguson, Councilwoman Herrera, and Mayor Pro Tempore Grable.

NAYS: None.

There being no further business, the meeting was adjourned at 9:30 a.m.

  
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Jo Moore  
City Secretary

  
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Jack Grable  
Mayor Pro Tempore