

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, **July 9, 1992**, 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, **July 9, 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:** Councilwoman Betty Ray.
3. **Approval of Minutes:** Pre-Council Session and Regular City Council Meeting held June 25, 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. Oral Resolution approving Street Use License request from Cura, Inc. for installation of groundwater monitoring wells.
 - b. Consider on first reading - an Ordinance amending Chapter 18, "Motor Vehicles and Traffic", Sections 18-286 and 18- 302 of the Abilene Municipal Code.
 - c. Consider on first reading - an Ordinance amending PDD #26 to allow residential single family activities, located at Buffalo Gap & Chimney Rock Roads and set a public hearing for July 23, 1992 at 9:00 a.m.
 - d. Resolution concerning the Public Utility Commission of Texas proposed NOI/CCN and qualifying facility rulemaking.

7. **Award of Bid:**

- a. Breathing apparatus for Fire and Water Distribution Departments, Bid #CB-2060.

REGULAR AGENDA

8. **Public Appearance:**

Dian Owen, Development Corporation of Abilene, Inc. President, to present report of activities for period ended September 30, 1991; Oral Resolution accepting report.

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.

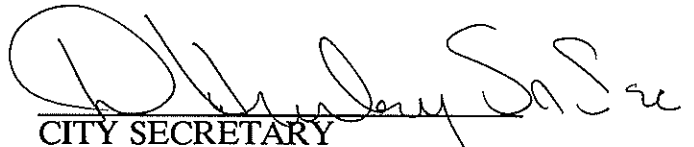
ADJOURN

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 2 day of July, 1992, at 5 (a.m./p.m.)


CITY SECRETARY

00105

(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. Dillards & 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
July 9, 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 July 9, 1992, 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, Jack Grable, Bill Terry, 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. Councilwoman Betty Ray and Councilman Ray Ferguson were absent.

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
July 9, 1992, 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 July 9, 1992, at 9:00 a.m. in the City Council Chambers of City Hall.

Invocation was given by Councilman Paul Vasquez.

There being no corrections, additions, or deletions to the minutes of the Pre-Council Session and Regular City Council Meeting held June 25, 1992, Councilman Vasquez moved to approve the minutes as printed. The motion was seconded by Councilman Terry and the motion carried.

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

NAYS: None.

Debra Guerra, Assistant to the City Manager, assisted Mayor McCaleb in the presentation of the July Employee of the Month Award to Tom Jones, Building Maintenance Specialist I in the Parks division.

Mayor McCaleb presented a Proclamation of appreciation to Dian Owen for her contributions to the community.

Councilman Grable moved to approve consent agenda items 6a through 6d, and 7a as recommended by the staff. The motion was seconded by Councilwoman Herrera and the motion carried.

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

NAYS: None.

6. **Ordinances and Resolutions:**

- a. Oral Resolution approving Street Use License request from Cura, Inc. for installation of groundwater monitoring wells.
- b. Approval of first reading - an Ordinance amending Chapter 18, "Motor Vehicles and Traffic", Sections 18-286 and 18-302 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. Approval of first reading - an Ordinance amending PDD #26 to allow residential single family activities, located at Buffalo Gap & Chimney Rock Roads and set a public hearing for July 23, 1992 at 9:00 a.m.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, AND ORDINANCE NO. 103-1984 CONCERNING THE PROFESSIONAL PLAZA PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

- d. Resolution concerning the Public Utility Commission of Texas proposed NOI/CCN and qualifying facility rulemaking.

The Resolution is numbered 33-1992 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, CONCERNING THE PUBLIC UTILITY COMMISSION OF TEXAS PROPOSED NOI/CCN AND QUALIFYING FACILITY RULEMAKING.

7. **Award of Bid:**

- a. Breathing apparatus for Fire and Water Distribution Departments, Bid #CB-2060. The bid was awarded to Casco Industries, the low responsible bidder on a per unit basis, as recommended by staff.

8. **Public Appearance:**

Dian Owen, Development Corporation of Abilene, Inc. President, appeared before the Council to present a report of activities of the Corporation for period ended September 30, 1991; and request the Council approve an Oral Resolution accepting the report.

Councilman Grable moved to approve by Oral Resolution the report of the Development Corporation of Abilene's report of activities as recommended by staff. The motion was seconded by Councilman Terry and the motion carried.

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

NAYS: None.

Councilwoman Herrera left the meeting.

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.

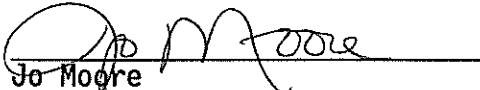
The Council reconvened from executive session and reported no action taken.

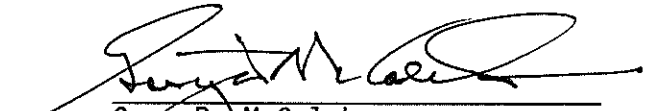
Councilman Terry moved to appoint Darrin Cox term expiring 11/93, Kay Berry and Rona Scott, terms expiring 11/92 to Abilene Clean and Proud, Inc.; and to appoint Tony Roach to a second term on the Human Relations Committee. The motion was seconded by Councilman Vasquez and the motion carried.

AYES: Councilmen Vasquez, Grable, Terry, and Mayor McCaleb.

NAYS: None.

There being no further business, the meeting was adjourned at 9:35 a.m.


Jo Moore
City Secretary


Gary D. McCaleb
Mayor