

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, December 17, 1992 at 8:30 a.m. to consider the following:

1. Update on Capital Improvement 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, December 17, 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 Paul R. Vasquez.
3. **Approval of Minutes:** Pre-Council Session and Regular City Council Meeting held December 3, 1992.
4. **Awards**
Employee of the Month
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 Council Member 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:**

- Wright* a. Consider on first reading - An Ordinance amending Chapter 30, "Taxation", of the Abilene Municipal Code, regarding Hotel and Motel Occupancy Tax.
- Condry* b. Consider on second and final reading - An ordinance amending Chapter 18, "Motor Vehicles and Traffic", of the Abilene Municipal Code, Section 18-304, Parking Designated for the Disabled.
- Manson* c. **APPEALED ITEM:**
Consider on first reading - An Ordinance amending Ordinance 24-1986 - **Z-04092** - Request from Roy Adams; agent Aurora Bumgarner, to amend PDD #42 to allow on-premise consumption of liquor, located at 4051 West Lake Road, and set a public hearing for January 14, 1993 at 9:00 a.m.
- Manson* d. Consider on first reading - An Ordinance for street name change - **SNC-04192** - Request from City of Abilene to change the name of Port Road to Lytle Way, and set a public hearing for January 14, 1993 at 9:00 a.m.

- Hargesheimer e.* Resolutions amending City of Merkel and City of Tye water supply contracts.
- Hargesheimer f.* Resolution amending Potosi water supply contract.
- Falcioni g.* Oral Resolution approving agreement with "Domestic Enemy Productions Inc." for filming a portion of a motion picture at the Abilene Aero Facility at the Abilene Regional Airport.
- Hargesheimer h.* Resolution approving The Municipal Water Pollution Prevention Environmental Audit report.
- Hall i.* Resolution accepting state funds to landscape area adjacent to Martin Luther King, Jr. Bridge.

7. Award of Bid:

- Hargesheimer a.* Pipe for Water Utilities Department, **Bid #CB3011.**

8. 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 48 hours in advance of this meeting. Telecommunication device for the deaf is 676-6360.

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 11 day of December, 1992, at 5 (a.m./p.m.)


CITY SECRETARY

(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 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. Ybarra v. City & Midnight Rodeo & Gannaway
3. Tutt v. City & William L. Hood
4. DeHoyos v. City
5. Kim Maynard v. City & Charles Kimbel Vickers
6. Leroy Hammond v. City
7. Ronquello v. City
8. Hines v. City
9. City v. Russell Jones
10. Thinnes v. City & O'Dell Construction
11. City v. Riley
12. Heritage Parks Community Association v. City & taxing entities
13. Allied Steel v. City, et al
14. Creel v. City
15. City Water Permit Applications
16. Lone Star Gas Gate Rate
17. Southwestern Bell Rate Case
18. 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 or litigation issues arise as to the posted subject matter of this City Council Meeting, an executive session will be held.

HC 11/13/92

**PRE-COUNCIL WORK SESSION, THURSDAY
December 17, 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 December 17, 1992, at 8:30 A.M. in the Basement Conference Room of City Hall. Mayor Pro Tempore Bill Terry was present and presiding with Councilman Paul R. Vasquez, Councilwoman Betty Ray, Councilmen Jack Grable, and Ray Ferguson. Also present were City Manager Jim C. Blagg, Assistant City Manager Roy L. McDaniel, City Attorney Harvey Cargill, Assistant to the City Manager Debra Guerra, City Secretary Jo Moore, and various members of the City staff. Councilwoman Liz Herrera was absent. Mayor McCaleb was absent for the pre-council session, but was in attendance for the regular session.

Marva Pritchett, Director of Development Services, gave an update on the Capital Improvement Projects, and distributed information to the City Council on the projects. David Wright, Director of Finance, distributed a revised Ordinance for item 6a of the agenda. The Council briefly discussed various consent and regular agenda items. There being no further discussion, the meeting was recessed until 9:00 a.m. for the regular Council Meeting.

**REGULAR CITY COUNCIL MEETING
December 17, 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 December 17, 1992, at 9:00 a.m. in the Council Chambers of City Hall.

Invocation was given by Councilman Paul R. Vasquez.

There being no corrections, additions, or deletions to the minutes of the Pre-Council Session and Regular City Council Meeting held December 3, 1992, Councilman Vasquez moved to approve the minutes as printed. The motion was seconded by Councilman Grable and the motion carried.

AYES: Councilman Vasquez, Councilwoman Ray, Councilmen Terry, Ferguson, and Mayor McCaleb.

NAYS: None.

Debra Guerra, Assistant to the City Manager, assisted Mayor McCaleb in the presentation of the December Employee of the Month award to Randy Fleming of the Fire Department.

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

AYES: Councilman Vasquez, Councilwoman Ray, Councilmen Terry, Ferguson, and Mayor McCaleb.

NAYS: None.

6. **Ordinances and Resolutions:**

- a. Approval of first reading - An Ordinance amending Chapter 30, "Taxation", of the Abilene Municipal Code, regarding Hotel and Motel Occupancy Tax.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 30, "TAXATION" OF THE ABILENE MUNICIPAL CODE; PROVIDING FOR A PENALTY, SEVERABILITY CLAUSE, AND EFFECTIVE DATE.

- b. Approval of second and final reading - An ordinance amending Chapter 18, "Motor Vehicles and Traffic", of the Abilene Municipal Code, Section 18-304, Parking Designated for the Disabled.

The Ordinance is numbered 51-1992 and is captioned as follows:

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. APPEALED ITEM: Approval of first reading - An Ordinance amending Ordinance 24-1986 - Z-04092 - Request from Roy Adams; agent Aurora Bumgarner, to amend PDD #42 to allow on-premise consumption of liquor, located at 4051 West Lake Road, and set a public hearing for January 14, 1993 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. 24-1986 CONCERNING THE FM 600 PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

- d. Approval of first reading - An Ordinance for street name change - SNC-04192 -Request from City of Abilene to change the name of Port Road to Lytle Way, and set a public hearing for January 14, 1993 at 9:00 a.m.

AN ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, CHANGING THE NAME OF PORT ROAD TO LYTLE WAY.

- e. Resolutions amending City of Merkel and City of Tye water supply contracts.

The Resolution is numbered 57-1992 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE WATER SUPPLY CONTRACT BETWEEN THE CITY OF ABILENE, TEXAS, AND THE CITY OF MERKEL, TEXAS.

The Resolution is numbered 58-1992 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE WATER SUPPLY CONTRACT BETWEEN THE CITY OF ABILENE, TEXAS, AND THE CITY OF TYE, TEXAS.

- f. Resolution amending Potosi water supply contract.

The Resolution is numbered 59-1992 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE MAYOR TO EXECUTE AN AMENDMENT TO THE WATER SUPPLY CONTRACT BETWEEN THE CITY OF ABILENE, TEXAS, AND THE POTOSI WATER SUPPLY CORPORATION.

- g. Oral Resolution approving agreement with "Domestic Enemy Productions Inc." for filming a portion of a motion picture at the Abilene Aero Facility at the Abilene Regional Airport.
- h. Resolution approving The Municipal Water Pollution Prevention Environmental Audit report.

The Resolution is numbered 60-1992 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING THE MUNICIPAL WATER POLLUTION PREVENTION ENVIRONMENTAL AUDIT REPORT.

- i. Resolution accepting state funds to landscape area adjacent to Martin Luther King, Jr. Bridge.

The Resolution is numbered 61-1992 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING THE ACCEPTANCE OF FUNDS FROM THE LANDSCAPING COST SHARING GRANT PROGRAM OF THE TEXAS DEPARTMENT OF TRANSPORTATION.


7. **Award of Bid:**

- a. Pipe for Water Utilities Department, Bid #CB3011. The bid was awarded on a lump sum basis to Southwest Underground of Irving in the amount of \$50,868.80 the most advantageous for the City, as recommended by staff.

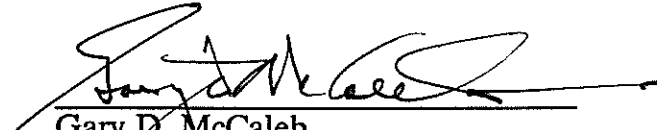
Mayor McCaleb recessed the Council into executive session pursuant to Sections 2e and 2g of the Open Meetings Act, and to consider the appointment and evaluation of public officers.

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

There being no further business, the meeting was adjourned at 10:00 a.m.



Jo Moore
City Secretary



Gary D. McCaleb
Mayor