

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, **February 25, 1993**, at 8:30 a.m. to consider the following:

1. Recommendations on Capital Improvement Program.
2. Review of draft Source Reduction Plan.
3. 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, **February 25, 1993**, 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 Vasquez.
3. **Approval of Minutes:** Pre-Council Session and Regular City Council Meeting held February 11, 1993.
4. **Proclamations**

CONSENT AGENDA

All items listed below are considered to be 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 so requests, in which event the item will be removed from the general order of business and considered in its normal sequence.

5. Ordinances and Resolutions:

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| <i>M. Morrison</i> | a. | Oral Resolution approving contract between City and Abilene Improvement Corporation for T & P Depot. |
| <i>H. Cargill</i> | b. | Joint Resolution of the City of Abilene and Taylor County calling for joint elections May 1, 1993; Resolution providing for usage of County polling places and Election Precincts for joint City/County election May 1, 1993 and runoff election May 22, 1993. |
| <i>D. Guerra</i> | c. | Oral Resolution accepting Abilene Cultural Affairs Council grant award for Sister Cities project, and authorize City Manager to execute agreement. |
| <i>D. Guerra</i> | d. | Oral Resolution accepting Abilene Cultural Affairs Council grant award for Multicultural Festival, and authorize City Manager to execute agreement. |
| <i>M. Hall</i> | e. | Oral Resolution authorizing execution of Health Services Contract. |

6. Award of Bid:

- | | | |
|---------------------|----|---|
| <i>Hargesheimer</i> | a. | Pipe for Water Utilities Department, Bid #CB3022. |
| <i>J. Condry</i> | b. | Construction of sidewalks in the vicinity of new school sites phase II, Bid #CB3024. |

REGULAR AGENDA

7. Ordinances & Resolutions:

- L. Abrigg* a. **Public Hearing: Consider on second and final reading** - Ordinances amending Chapter 23 of the Abilene Municipal Code, by amending Sections 23-303.2.D, Historic (H) Overlay Zone; 23-344, Historic Overlay Zone; 23-356.5, Landmarks Commission; 23-332, Planned Development District (PDD); and 23-363, Definitions, concerning Historic District Overlay zoning and Planned Development Historic District zoning; and amending Chapter 23, Subpart E, Article II, Section 23-344; and Chapter 30, Article IV of the Abilene Municipal Code, concerning Historic Tax Reduction and Historic Project Tax Reduction.
- L. Abrigg* b. Resolution adopting method for figuring historic tax reductions within the Reinvestment Zone #1 City of Abilene Tax Increment Financing District (TIF).
- L. Abrigg* c. Resolution adopting method and examples for figuring historic zone tax reductions and historic project tax reduction.
- M. Manson* d. **Public Hearing: Consider on second and final reading** - An Ordinance changing zoning district boundaries - **Z-00593** - Request from McMurry University; agent, Willard L. Dix, to rezone from RS-6 & RM-3 (Residential Single Family & Residential Multi-Family) to CU (College/University) district, located in the 2300 block of S. 18th; 1601, 1009, 1617 & 1625 Sayles; 2027 & 2025 S. 16th; 2034 & 2026 S. 17th; 1713, 1718, & 1749 Highland; 2218 & 2226 S. 18th; and property bounded by S. 17th, S. 18th, Vine & Amarillo.
- M. Manson* e. **Public Hearing: Consider on second and final reading** - An Ordinance changing zoning district boundaries - **Z-00693** - Request from Taylor County In Trust; agent, Charles Blanton, to rezone from AO (Agricultural Open Space) to LC (Limited Commercial) district, located at 990 Redbird Lane.
- M. Manson* f. **Public Hearing: Consider on second and final reading** - An Ordinance for thoroughfare abandonment - **TC-00793** - Request from Taylor County In Trust; agent, Charles Blanton, for a thoroughfare abandonment located at 990 Redbird Lane.
- J. Blagg* g. Oral Resolution regarding approval of Martin Luther King, Jr. holiday.
- R. McDaniel* h. Oral Resolution approving rate increase for American Medical Transport Co. for ambulance service and pre-hospital care.

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.

Strategic Planning Workshop 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, February 25, 1993, immediately following the Regular City Council meeting.

- 1. Receive draft Strategic Plan for FY 93-95 Debra Guerra
- 2. Departmental Key Issues/Priority areas Jim C. Blagg

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 676-6360.

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 19 day of February, 1993, at 5:00 p.m.


CITY SECRETARY

(Personnel)

City Council may consider appointment, employment, reassignment, duties, discipline, or dismissal of public officer or employee, City Manager, City Attorney, Municipal Court Judge, City Secretary, and City Board and Commission Members. A complete list of City Boards and Commissions are on file in the City Secretary's Office. After discussion of appointment and evaluation of Council Appointees and 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. Ybarra v. City & Midnight Rodeo & Gannaway
2. Tutt v. City & William L. Hood
3. DeHoyos v. City
4. Kim Maynard v. City & Charles Kimbel Vickers
5. Leroy Hammond v. City
6. Ronquello v. City
7. Hines v. City
8. City v. Russell Jones
9. Thinnes v. City & O'Dell Construction
10. City v. Riley
11. Heritage Parks Community Association v. City & taxing entities
12. Allied Steel v. City, et al
13. Creel v. City
14. City Water Permit Applications
15. Lone Star Gas Gate Rate
16. Southwestern Bell Rate Case
17. 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.

00041

**PRE-COUNCIL WORK SESSION, THURSDAY
February 25, 1993, 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 February 25, 1993, 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, and Ray Ferguson. Also present were City Manager Jim C. Blagg, Assistant City Manager Roy L. McDaniel, Assistant City Attorney Claudia Clinton, Assistant to the City Manager Debra Guerra, City Secretary Jo Moore, and various members of the City staff. Councilwoman Liz Herrera was absent.

David Wright, Director of Finance, outlined recommendations on the Capital Improvement Program. Marva Pritchett, Director of Development Services, submitted and reviewed with Council the draft Source Reduction Plan. Mayor McCaleb stressed the need to listen to citizens and volunteers for input. Mike Morrison submitted a correction to Agenda Item 5a, reflecting a change in the Indemnity Clause. The Council briefly discussed various consent and regular agenda items, and there being no further discussion, the meeting was recessed until 9:00 a.m. for the regular Council Meeting.

**REGULAR CITY COUNCIL MEETING
February 25, 1993, 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 February 25, 1993, 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 February 11, 1993, Councilman Terry 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, Ferguson, and Mayor McCaleb.

NAYS: None.

Proclamations were presented by Mayor McCaleb as follows:

February 27 as Kiwanis Club Chili Day
March 2 as Geography Day,
March 1-5 as Public School Week, and
March as Youth Art Month

Councilman Ferguson referred to Agenda Item 5b and stated he had been questioned as to the need for a written contract with the County for the Joint City/County election to be held May 1, 1993. Assistant City Attorney Claudia Clinton referred to a section of the Texas Election Code and stated a Joint Resolution is an agreement and meets the requirements for the May 1, 1993 election.

00042

Councilman Vasquez moved to approve consent agenda items 5a through 5e, and 6a and 6b, as recommended by the staff. The motion was seconded by Councilman Grable and the motion carried.

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

NAYS: None.

5. Ordinances and Resolutions:

- a. Oral Resolution approving contract between City and Abilene Improvement Corporation for T & P Depot.
- b. Joint Resolution of the City of Abilene and Taylor County calling for joint elections May 1, 1993; Resolution providing for usage of County polling places and Election Precincts for joint City/County election May 1, 1993 and runoff election May 22, 1993.

The Resolution is numbered 8-1993 and is captioned as follows:

A JOINT RESOLUTION OF THE CITY OF ABILENE, TEXAS, AND TAYLOR COUNTY, TEXAS, CALLING FOR JOINT ELECTIONS ON MAY 1, 1993.

The Resolution is numbered 9-1993 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, PROVIDING FOR THE USAGE OF COUNTY POLLING PLACES AND ELECTION PRECINCTS FOR THE JOINT CITY-COUNTY ELECTIONS ON MAY 1, 1993, AND RUN-OFF ELECTION ON MAY 22, 1993.

- c. Oral Resolution accepting Abilene Cultural Affairs Council grant award for Sister Cities project, and authorize City Manager to execute agreement.
- d. Oral Resolution accepting Abilene Cultural Affairs Council grant award for Multicultural Festival, and authorize City Manager to execute agreement.
- e. Oral Resolution authorizing execution of Health Services Contract with providers participating in the MAAC and Primary Care Program who will meet or exceed the current \$10,000 limit.

6. Award of Bid:

- a. Pipe for Water Utilities Department, **Bid #CB3022**. The bid was awarded on a lump-sum basis to International Supply of Longview in the amount of \$28,629.23, the low responsible bidder, as recommended by staff.
- b. Construction of sidewalks in the vicinity of new school sites phase II, **Bid #CB3024**. The bid was awarded to MLH Construction dba LesMans Construction, Inc. for the unit prices bid with an estimated project amount of \$91,802.50.

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7. Ordinances and Resolutions:

a. Larry Abrigg, Assistant to the Assistant Director of Development Services for Planning, briefed the Council on Ordinances considered on second and final reading amending Chapter 23 of the Abilene Municipal Code, by amending Sections 23-303.2.D, Historic (H) Overlay Zone; 23-344, Historic Overlay Zone; 23-356.5, Landmarks Commission; 23-332, Planned Development District (PDD); and 23-363, Definitions, concerning Historic District Overlay zoning and Planned Development Historic District zoning; and amending Chapter 23, Subpart E, Article II, Section 23-344; and Chapter 30, Article IV of the Abilene Municipal Code, concerning Historic Tax Reduction and Historic Project Tax Reduction. The Planning and Zoning Commission, Landmarks Commission, and staff recommend approval. The Council was given a corrected agenda item page 7a-22 to include under section (h) the following words ".using the same criteria the Landmarks Commission uses in Section 23-356.5, H, for a Certificate of Appropriateness".

Mayor McCaleb opened a public hearing on the item, and the following individuals spoke in favor of the request:

- . Ruby Perez, representing the Abilene Preservation League.
- . Frank Murray, 1942 River Oaks Road, past president of the Preservation League and present member of the Landmarks Commission.

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

Councilwoman Ray moved to approve the Ordinances including the change as presented on agenda item page 7a-22 amending Chapter 23 of the Abilene Municipal Code, concerning Historic District Overlay zoning and Planned Development Historic District zoning; and concerning Historic Tax Reduction and Historic Project Tax Reduction, as recommended by staff. The motion was seconded by Councilman Ferguson and the motion carried.

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

Nays: None.

The Ordinance is numbered 10-1993 and is captioned as follows:

AN ORDINANCE AMENDING CHAPTER 23, "PLANNING AND COMMUNITY DEVELOPMENT," SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY AND CALLING A PUBLIC HEARING.

The Ordinance is numbered 11-1993 and is captioned as follows:

AN ORDINANCE AMENDING CHAPTER 23, SUBPART E, ARTICLE II AND CHAPTER 30, ARTICLE IV, OF THE ABILENE CITY CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; AND DECLARING A PENALTY.

b. Larry Abrigg, Assistant to the Assistant Director of Development Services for Planning, briefed the Council on a Resolution adopting method for figuring historic tax reductions within the Reinvestment Zone #1 City of Abilene Tax Increment Financing District (TIF). The Planning and Zoning Commission, Landmarks Commission, and staff recommend approval.

Councilman Grable moved to approve the Resolution adopting a method for figuring historic tax reductions within the Reinvestment Zone #1 City of Abilene Tax Increment Financing District (TIF), as recommended by staff. The motion was seconded by Councilman Vasquez and the motion carried.

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

Nays: None.

The Resolution is numbered 10-1993 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, ADOPTING THE METHOD FOR FIGURING HISTORIC TAX REDUCTIONS WITHIN THE REINVESTMENT ZONE NUMBER ONE, CITY OF ABILENE, TAX INCREMENT FINANCING DISTRICT (TIF).

c. Larry Abrigg, Assistant to the Assistant Director of Development Services for Planning, briefed the Council on a Resolution adopting method and examples for figuring historic zone tax reductions and historic project tax reduction. The Planning and Zoning Commission, Landmarks Commission, and staff recommend approval.

Roxanne Casada, 810 S. 18th, asked Council to be allowed to speak on this issue. Mayor McCaleb permitted Ms. Casada to speak. Ms. Casada stated her disapproval of tax decreases for people who just want to invest their money in historic properties. Mr. Abrigg clarified that this Resolution only identifies the methods the tax reductions are figured by and clarifies what is already law.

Councilman Vasquez moved to approve the Resolution adopting a method and examples for figuring historic zone tax reductions and historic project tax reduction, as recommended by staff. The motion was seconded by Councilman Terry and the motion carried.

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

Nays: None.

The Resolution is numbered 11-1993 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, ADOPTING THE METHOD AND EXAMPLES FOR FIGURING THE HISTORIC ZONE TAX REDUCTION AND THE HISTORIC PROJECT TAX REDUCTION.

d. Mindy Manson, Assistant Director of Development Services for Planning, briefed the Council on an Ordinance considered on second and final reading changing zoning district boundaries - **Z-00593** - Request from McMurry University; agent, Willard L. Dix, to rezone from RS-6 & RM-3 (Residential Single Family & Residential Multi-Family) to CU (College/University) district, located in the 2300 block of S. 18th; 1601, 1009, 1617 & 1625 Sayles; 2027 & 2025 S. 16th; 2034 & 2026 S. 17th; 1713, 1718, & 1749 Highland; 2218 & 2226 S. 18th; and property bounded by S. 17th, S. 18th, Vine & Amarillo. The Planning and Zoning Commission and staff recommend approval.

Mayor McCaleb opened a public hearing on the item, and the following individuals spoke in response to the request:

FOR:

- . Will Dix, Director of Physical Property for McMurry.

AGAINST:

- . Diana Moore, 6 Hoylake, questioned whether or not the request would change the tax structure.

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

Councilman Grable moved to approve the Ordinance to rezone from RS-6 and RM-3 to CU district in the 2300 block of S. 18th; 1601, 1009, 1617 & 1625 Sayles; 2027 & 2025 S. 16th; 2034 & 2026 S. 17th; 1713, 1718, & 1749 Highland; 2218 & 2226 S. 18th; and property bounded by S. 17th, S. 18th, Vine & Amarillo, as recommended by staff. The motion was seconded by Councilman Vasquez and the motion carried.

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

Nays: None.

The Ordinance is numbered 12-1993 and is captioned as follows:

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. Mindy Manson, Assistant Director of Development Services for Planning, briefed the Council on an Ordinance considered on second and final reading changing zoning district boundaries - **Z-00693** - Request from Taylor County In Trust; agent, Charles Blanton, to rezone from AO (Agricultural Open Space) to LC (Limited Commercial) district, located at 990 Redbird Lane. The Planning and Zoning Commission and staff recommend approval.

Mayor McCaleb 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 Ordinance to rezone from Agricultural Open Space to Limited Commercial district at 990 Redbird Lane, as recommended by staff. The motion was seconded by Councilman Ferguson and the motion carried.

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

Nays: None.

The Ordinance is numbered 13-1993 and is captioned as follows:

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. Mindy Manson, Assistant Director of Development Services for Planning, briefed the Council on an Ordinance considered on second and final reading for thoroughfare abandonment - TC-00793 - Request from Taylor County In Trust; agent, Charles Blanton, for a thoroughfare abandonment located at 990 Redbird Lane. The Planning and Zoning Commission and staff recommend approval.

Mayor McCaleb opened a public hearing on the item, and there being no one present and desiring to be heard, the public hearing was closed.

Councilwoman Ray moved to approve the Ordinance for a thoroughfare abandonment at 990 Redbird Lane, as recommended by staff. The motion was seconded by Councilman Grable and the motion carried.

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

Nays: None.

The Ordinance is numbered 14-1993 and is captioned as follows:

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.

Jim Blagg, City Manager, briefed the Council on an Oral Resolution regarding approval of Martin Luther King, Jr. holiday. Staff recommends adding the holiday for FY-93 so employees can still use their floating holiday, and that it be added to the City's list of approved holidays in the future.

Tony Roach, on behalf of the Human Relations Committee, commended the Council for their decision on the Martin Luther King holiday and stated the Human Relations Committee recommended the Council approve the Martin Luther King holiday as a permanent holiday.

Following a lengthy discussion, Councilman Vasquez stated for the record, "At the time when the action was taken with regard to the 1993 holiday, I was consulted and did agree with it and support it and I think it was an appropriate move and now this is why I'm interested that we take care of it in the proper fashion as far as taking care of the expense and that's why I think we ought to deal with it as a 1993 issue and then look at it later at what we might want to do in the future". Councilman Vasquez then moved to approve by Oral Resolution the funding of the Martin Luther King, Jr. holiday for FY-93 and continue to have the floating holiday; but to defer decisions about the holiday for future years to budget planning worksessions. The motion was seconded by Councilman Grable and the motion carried.

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

NAYS: Councilman Ferguson, who clarified his reason for a no vote by stating, "I am voting no but only because of the increase from 8 to 9 in the number of holidays".

Roy McDaniel, Assistant City Manager, briefed the Council on an Oral Resolution approving rate increase for American Medical Transport Co. for ambulance service and pre-hospital care. Mr. McDaniel introduced Mike Sherwood and Lon Robertson of American Medical Transport Co.

Following a discussion, Councilman Ferguson moved to table the item until the next meeting in order to provide American Medical Transport time to submit more complete information. The motion was seconded by Councilman Vasquez and the motion carried.

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

Nays: None.

8. Other Business:

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.

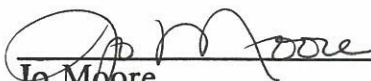
The Council reconvened from executive session and reported no action taken.

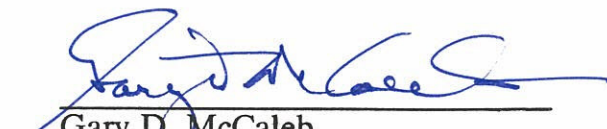
The meeting was recessed for the Strategic Planning Workshop, which was moved from the Basement Conference Room to the Council Chambers.

Debra Guerra, Assistant to the City Manager, distributed to Council and briefly reviewed a draft Strategic Plan for FY 93-95. Directors will be presenting during the Pre-Council Worksession their portions of the Strategic Plan. City Manager Jim Blagg reviewed with the Council departmental key issues and priority areas.

No vote was necessary.

There being no further business, the meeting was adjourned at 12:05 p.m.


Jo Moore
City Secretary


Gary D. McCaleb
Mayor

00048