

**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, **May 27, 1993**, at 8:30 a.m. to consider the following:

1. Police Department Strategic Plan.
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, **May 27, 1993**, at 9:00 a.m.

**CITY COUNCIL:** Mayor Gary D. McCaleb; Council - Paul R. Vasquez, Betty Ray, Jimmy McNeil, Russell Berry, Ray Ferguson and Liz Herrera.

1. **Call to Order.**
2. **INVOCATION:** Councilman Russell Berry.
3. **Approval of Minutes:** Special City Council Meeting held May 6, 1993, and Pre-Council Session and Regular City Council Meeting held May 13, 1993.
4. **Proclamations**
5. **Awards**

#### 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 & Resolutions:**

- |                    |    |  |
|--------------------|----|--|
| <i>J. Blagg</i>    | a. | Resolution extending invitation to TML to hold 1995 Annual Leadership Institute for Association of Mayors, Council Members, and Commissioners at Abilene Civic Center. |
| <i>M. Morrison</i> | b. | Oral Resolution approving Abilene Renvestment Zone #1 (TIF) Incentive grant to Fulwiler Jewelers for public improvements.  |
| <i>J. Morrison</i> | c. | Oral Resolution accepting annual report of activities for Development Corporation of Abilene, Inc. for period ending September 30, 1992.                               |

#### 7. **Award of Bid:**

- |                   |    |  |
|-------------------|----|--|
| <i>D. Wright</i>  | a. | Vacuum mowers for Parks Division, <b>Bid #CB-3041.</b>                               |
| <i>D. Edwards</i> | b. | Repair and replace roof on Central Fire Station at 140 Mulberry, <b>Bid #CB3027.</b> |

00102

## REGULAR AGENDA

### 8. Ordinances & Resolutions:

- D. Guerra* a. Street Maintenance Services Program Evaluation.
- M. Manson* b. **Public Hearing: Consider on second and final reading** - An Ordinance changing zoning district boundaries - **Z-00293** - Request from Billie Ruth Darnell to add H (Historic Overlay) to underlying RM-3 (Residential Multi Family) district at 857 Peach.
- M. Manson* c. **Public Hearing: Consider on second and final reading** - An Ordinance changing zoning district boundaries - **Z-01693** - Request from AmWest Savings; agent, Gary C. Pullin to rezone from RM-2 (Residential Multi-Family) to PDMX (Planned Development Mixed Use) district, on Antilley Square Drive.
- M. Manson* d. **Public Hearing: Consider on second and final reading** An Ordinance changing zoning district boundaries - **Z-01993** - Request from AmWest; agent, Larry Ellis to rezone from O (Office) to SC (Shopping Center) district at 942 N. Judge Ely Blvd.
- M. Manson* e. **Public Hearing: Consider on second and final reading** - An Ordinance changing zoning district boundaries - **Z-02093** - Request from Argie & Mae Bell Clark; agent, Mary Riley/Jessie Doby, to rezone from RS-6 (Residential Single Family) to LC (Limited Commercial) district, located at S. 25th & Maple Streets.
- M. Manson* f. **Public Hearing: Consider on second and final reading** - An Ordinance for thoroughfare abandonment - **TC-01893** - Request from City of Abilene; agent, Bob Cheatham, for a thoroughfare abandonment of Booker T. Washington Avenue from the south right-of-way line of E. S. 5th St. to the north right-of-way line of E. S. 5th St. to the north right of way line of E. S. 7th St.
- C. Hughes* g. **Public Hearing: Consider on second and final reading** - An Ordinance amending Chapter 29.5, "Swimming Pools and Spas" of the Abilene Municipal Code.
- B. Fowler* h. **Public Hearing: Consider on second and final reading** - An Ordinance adopting amendments to Chapter 8, "Construction Regulations", Article 7, "Moving Buildings", of the Abilene Municipal Code.
- B. Fowler* i. **Public Hearing: Consider on second and final reading** - An Ordinance amending Chapter 8, "Construction Regulations", Article IV, "Licenses" to read "Licenses and Registrations", Division 1 of the Abilene Municipal Code, requiring registration of all contractors; and Resolution setting fee.
- B. Fowler* j. Resolution adopting demolition policy for damaged structures.
- M. Morrison* k. Resolution approving amendment to contract with National Development Council executed by City and DCOA, Inc.

### 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

00103

## 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 21 day of May, 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. Tutt v. City & William L. Hood
2. DeHoyos v. City
3. Kim Maynard v. City & Charles Kimbel Vickers
4. Leroy Hammond v. City
5. Ronquello v. City
6. Hines v. City
7. City v. Russell Jones
8. City v. Riley
9. Heritage Parks Community Association v. City & taxing entities
10. Allied Steel v. City, et al
11. Creel v. City
12. City Water Permit Applications
13. Lone Star Gas Gate Rate
14. Southwestern Bell Rate Case
15. 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.

**PRE-COUNCIL WORK SESSION, THURSDAY  
May 27, 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 May 27, 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 Jimmy McNeil, Ray Ferguson, Russell Berry, and Councilwoman Liz Herrera. 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.

Ron Harris, Deputy Police Chief, presented the Police Department Strategic Plan. Bob Fowler, Building Official, briefed the Council on agenda item 8g and distributed additional information concerning barriers for swimming pools, spas and hot tubs. Mr. Fowler then briefed the Council on agenda item 8h and recommended the following changes to page 8h-5 "Division 3. Permit. Section 8-731. Required. The referenced height be changed from 13'6" to 14', width from 8' to 8'6" and length from 60' to 69'. Mr. Fowler distributed a third exception to Section 8-731. that reads "A structure built at one site for the express purpose of being relocated to another site and does not exceed a loaded height of fourteen feet (14'), or a maximum width of twelve feet (12'), or a maximum length of twenty feet (20)". Council then 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  
May 27, 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 May 27, 1993, at 9:00 a.m. in the Council Chambers of City Hall.

Invocation was given by Councilman Russell Berry.

There being no corrections, additions, or deletions to the minutes of the Special City Council Meeting held May 6, 1993, and Pre-Council Session and Regular City Council Meeting held May 13, 1993, Councilman McNeil moved to approve the minutes as printed. The motion was seconded by Councilwoman Ray and the motion carried.

**AYES:** Councilman Vasquez, Councilwoman Ray, Councilmen McNeil, Ferguson, Berry, Councilwoman Herrera, and Mayor McCaleb.

**NAYS:** None.

Mayor McCaleb presented a proclamation for May 23-29, 1993 as Emergency Medical Service Week.

00105

Mayor McCaleb presented Certificates of Appreciation to Band Captain Houston Cromwell, Drum Major Brian Hennington, and Band Director Cliff Graham of the Abilene High School Band for outstanding service as Abilene ambassadors; and to Jennifer Spiva and Brad Daniels of Cooper High School, Jessica Friske of Clack Middle School, Aaron Ulibarri of Jefferson Middle School, and Renee Loya of Johnston Elementary School for Railroad Festival Art Work.

ALPS 5th grade students presented Mayor McCaleb with an historical brochure entitled "Those Who Have Gone Before Us", which they developed through research of the local cemeteries.

Councilman Vasquez moved to approve consent agenda items 6a through 6c, and 7a and 7b as recommended by the staff. The motion was seconded by Councilman Berry and the motion carried.

AYES: Councilman Vasquez, Councilwoman Ray, Councilmen McNeil, Ferguson, Berry, Councilwoman Herrera, and Mayor McCaleb.

NAYS: None.

**6. Ordinances & Resolutions:**

- a. Resolution extending invitation to TML to hold 1995 Annual Leadership Institute for Association of Mayors, Council Members, and Commissioners at Abilene Civic Center.

The Resolution is numbered 20-1993 and is captioned as follows:

A RESOLUTION EXTENDING AN INVITATION TO THE TEXAS MUNICIPAL LEAGUE TO HOLD ITS 1995 ANNUAL LEADERSHIP INSTITUTE FOR THE ASSOCIATION OF MAYORS, COUNCILMEMBERS AND COMMISSIONERS AT THE ABILENE CIVIC CENTER IN ABILENE, TEXAS.

- b. Oral Resolution approving Abilene Reinvestment Zone #1 (TIF) Incentive grant to Fulwiler Jewelers for public improvements.
- c. Oral Resolution accepting annual report of activities for Development Corporation of Abilene, Inc. for period ending September 30, 1992.

**7. Award of Bid:**

- a. Vacuum mowers for Parks Division, **Bid #CB-3041**. Item 1 was awarded to Abilene Farm Supply and Item 2 was awarded to Abilene Ag Ford New Holland, total amount of \$26,705.00 representing the low responsible bidders, as recommended by staff.
- b. Repair and replace roof on Central Fire Station at 140 Mulberry, **Bid #CB3027**. The bid was awarded to Barr Roofing Co. to include roofing of Station #1 and Alternate #1 in the amount of \$18,960.00, as recommended by staff.

**8. Ordinances & Resolutions:**

- a. Debra Guerra, Assistant to City Manager, introduced Marva Pritchett, Director of Development Services. Ms. Pritchett presented to the Council a summary of the Street Maintenance Services Program, along with recommendations.

No action was required.

00105

b. Mindy Manson, Assistant Director of Planning and Development Services for Planning, briefed the Council on an Ordinance considered on second and final reading changing zoning district boundaries - **Z-00293** - Request from Billie Ruth Darnell to add H (Historic Overlay) to underlying RM-3 (Residential Multi Family) district at 857 Peach. The Planning and Zoning Commission and staff recommend approval.

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

Billie Ruth Darnell Miller, 857 Peach, proponent.

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

Councilwoman Ray moved to approve the Ordinance changing zoning district boundaries to add Historic Overlay to underlying Residential Multi Family district at 857 Peach, as recommended by staff. The motion was seconded by Councilman Ferguson and the motion carried.

AYES: Councilman Vasquez, Councilwoman Ray, Councilmen McNeil, Berry, Ferguson, Councilwoman Herrera, and Mayor McCaleb.

Nays: None.

The Ordinance is numbered 25-1993 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.

c. Mindy Manson, Assistant Director of Planning and Development Services for Planning, briefed the Council on an Ordinance considered on second and final reading changing zoning district boundaries - **Z-01693** - Request from AmWest Savings; agent, Gary C. Pullin to rezone from RM-2 (Residential Multi-Family) to PDMX (Planned Development Mixed Use) district, on Antilley Square Drive. The Planning and Zoning Commission and staff recommend approval.

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

Gary Pullin, 340 Beech St., agent for the proponent.

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

Councilwoman Herrera moved to approve the Ordinance changing zoning district boundaries from Residential Multi-Family to Planned Development Mixed Use district, on Antilley Square Drive, as recommended by staff. The motion was seconded by Councilman Vasquez and the motion carried.

AYES: Councilman Vasquez, Councilwoman Ray, Councilmen McNeil, Berry, Ferguson, Councilwoman Herrera, and Mayor McCaleb.

Nays: None.

00107

The Ordinance is numbered 26-1993 and is captioned as follows:

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING", OF THE ABILENE MUNICIPAL CODE, CONCERNING PDD #53 PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

d. Mindy Manson, Assistant Director of Planning and Development Services for Planning, briefed the Council on an Ordinance considered on second and final reading changing zoning district boundaries - **Z-01993** - Request from AmWest; agent, Larry Ellis to rezone from O (Office) to SC (Shopping Center) district at 942 N. Judge Ely Blvd. The Planning and Zoning Commission and staff recommend approval.

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

- . Ron Harmon, representing AmWest.
- . Larry Ellis, 1365 S. Danville.

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

Councilman Vasquez moved to approve the Ordinance changing zoning district boundaries from Office to Shopping Center district at 942 N. Judge Ely Blvd., as recommended by staff. The motion was seconded by Councilwoman Herrera and the motion carried.

AYES: Councilman Vasquez, Councilwoman Ray, Councilmen McNeil, Berry, Ferguson, Councilwoman Herrera, and Mayor McCaleb.

Nays: None.

The Ordinance is numbered 27-1993 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 Planning & Development Services for Planning, briefed the Council on the Ordinance considered on second and final reading **Z-02093** - Request from Argie & Mae Bell Clark; agent, Mary Riley/Jessie Doby, to rezone from RS-6 (Residential Single Family) to LC (Limited Commercial) district, located at S. 25th & Maple Streets. The Planning and Zoning Commission and staff recommend approval.

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

- . Mary Riley, agent for the proponent.

00108

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

Councilman Berry moved to approve the Ordinance changing zoning district boundaries from Residential Single Family to Limited Commercial district, located at S. 25th & Maple Streets, as recommended by staff. The motion was seconded by Councilman McNeil and the motion carried.

AYES: Councilman Vasquez, Councilwoman Ray, Councilmen McNeil, Berry, Ferguson, Councilwoman Herrera, and Mayor McCaleb.

Nays: None.

The Ordinance is numbered 28-1993 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 Planning and Development Services for Planning, briefed the Council on an Ordinance considered on second and final reading for thoroughfare abandonment - **TC-01893** - Request from City of Abilene; agent, Bob Cheatham, for a thoroughfare abandonment of Booker T. Washington Avenue from the south right-of-way line of E. S. 5th St. to the north right-of-way line of E. S. 5th St. to the north right of way line of E. S. 7th St. 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 for thoroughfare abandonment of a portion of Booker T. Washington Avenue, as recommended by staff. The motion was seconded by Councilman Ferguson and the motion carried.

AYES: Councilman Vasquez Councilwoman Ray, Councilmen McNeil, Berry, Ferguson, Councilwoman Herrera, and Mayor McCaleb.

Nays: None.

The Ordinance is numbered 29-1993 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.

g. Cassie Hughes, Assistant Building Official, briefed the Council on an Ordinance considered on second and final reading amending Chapter 29.5, "Swimming Pools and Spas" of the Abilene Municipal Code. The Board of Building Standards 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.

00109



Councilman Vasquez stressed to the staff to pursue all avenues in educating and informing the public of the safety aspects involved in this item.

Councilwoman Ray moved to approve the Ordinance amending Chapter 29.5, "Swimming Pools and Spas" of the Abilene Municipal Code, as recommended by staff. The motion was seconded by Councilman Berry and the motion carried.

AYES: Councilman Vasquez, Councilwoman Ray, Councilmen McNeil, Berry, Ferguson, Councilwoman Herrera, and Mayor McCaleb.

Nays: None.

The Ordinance is numbered 30-1993 and is captioned as follows:

AN ORDINANCE AMENDING CHAPTER 29.5, "SWIMMING POOLS AND SPAS", OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE, AND DECLARING A PENALTY.

h. Bob Fowler, Building Official, briefed the Council on an Ordinance considered on second and final reading adopting amendments to Chapter 8, "Construction Regulations", Article 7, "Moving Buildings", of the Abilene Municipal Code. The Board of Building Standards and staff recommend approval. Mr. Fowler referred to a draft of a third exception which was distributed at the Pre-Council session, and recommended this item be tabled for proper wording and to prepare the document to properly show changes made at the Pre-Council session. He stated the Board of Building Standards could be informed and if necessary take action on these recommendations of the exception which could take approximately six weeks.

Mayor McCaleb opened a public hearing on the item, and the following individual spoke regarding the request:

Steve Sitzes, Abilene Portable Buildings, stated he had fewer concerns after hearing Mr. Fowler's comments and recommendations, but would be interested in following up on the final decision.

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

Councilman McNeil moved to table the Ordinance adopting amendments to Chapter 8, "Construction Regulations", Article 7, "Moving Buildings", of the Abilene Municipal Code and refer it back to the Board of Building Standards for further review, as recommended by staff. The motion was seconded by Councilman Berry and the motion carried.

AYES: Councilman Vasquez, Councilwoman Ray, Councilmen McNeil, Berry, Ferguson, Councilwoman Herrera, and Mayor McCaleb.

Nays: None.

i. Bob Fowler, Building Official, briefed the Council on an Ordinance considered on second and final reading amending Chapter 8, "Construction Regulations", Article IV, "Licenses" to read "Licenses and Registrations", Division 1 of the Abilene Municipal Code, requiring registration of all contractors; and Resolution setting fee. The Board of Building Standards, MPE Board, and staff recommend approval.

00110

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 Ferguson moved to approve the Ordinance adopting amendments to Chapter 8, "Construction Regulations", Article IV, "Licenses" to read "Licenses and Registrations", Division 1, of the Abilene Municipal Code requiring registration of all contractors; and Resolution setting fee, as recommended by staff. The motion was seconded by Councilman McNeil and the motion carried.

AYES: Councilman Vasquez, Councilwoman Ray, Councilmen McNeil, Berry, Ferguson, Councilwoman Herrera, and Mayor McCaleb.

Nays: None.

The Ordinance is numbered 31-1993 and is captioned as follows:

AN ORDINANCE AMENDING CHAPTER 8, "CONSTRUCTION REGULATIONS", ARTICLE IV, "LICENSES AND REGISTRATION", DIVISION 1, "GENERALLY", OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE, AND DECLARING A PENALTY.

The Resolution is numbered 21-1993 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING A FEE SCHEDULE FOR CERTAIN BUILDING INSPECTION FEES, AND ESTABLISHING AN EFFECTIVE DATE.

j. Bob Fowler, Building Official, briefed the Council on a Resolution adopting demolition policy for damaged structures. The Board of Building Standards and staff recommend approval.

Councilman Ferguson moved to approve the Resolution adopting a demolition policy for damaged structures with modifications to establish City fees to exceed significantly those of independent contractors in order to encourage property owners to use independent contractors, as recommended by staff. The motion was seconded by Councilwoman Herrera and the motion carried.

AYES: Councilman Vasquez, Councilwoman Ray, Councilmen McNeil, Berry, Ferguson, Councilwoman Herrera, and Mayor McCaleb.

Nays: None.

The Resolution is numbered 22-1993 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, ESTABLISHED A POLICY FOR THE DEMOLITION OF PROPERTIES DAMAGED BY FIRE, HIGH WINDS, OR EXPLOSIONS.

k. James Campbell, Assistant Director of Economic Development, briefed the Council on a Resolution approving amendment to contract with National Development Council executed by City and DCOA, Inc.

00111

Councilman Vasquez moved to approve the Resolution approving amendment to contract with National Development Council executed by City and DCOA, Inc., as recommended by staff. The motion was seconded by Councilwoman Ray and the motion carried.

AYES: Councilman Vasquez, Councilwoman Ray, Councilmen McNeil, Berry, Ferguson, Councilwoman Herrera, and Mayor McCaleb.

Nays: None.

The Resolution is numbered 23-1993 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TAYLOR COUNTY, TEXAS, AUTHORIZING AN AMENDMENT TO THE CONTRACT WITH THE NATIONAL DEVELOPMENT COUNCIL TO EXTEND THE EXPIRATION DATE AND INCREASE THE CONTRACT AMOUNT.

**9. 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.

Councilman McNeil was absent from this portion of this meeting, having left during executive session.

b. Mayor McCaleb recommended board appointments and reappointments be made as follows:

Reappointments:

John Combs and Lanny Hall to Abilene Higher Education Authority & Facilities, Inc. - term expiring 5/95;

Richard Rogers, Tom Willis, Earle McMillan, Doyle Hufstedler Jr., and Terry Bunkley to Mechanical, Plumbing, Electrical and Swimming Pool Board - term expiring 5/95.

Appointments:

Robert Shimp and Scott Dueser to Abilene Higher Education Authority & Facilities, Inc. - term expiring 5/95;

Tucker Bridwell to West Central Texas Municipal Water District to fill unexpired term expiring 5/94;

Charlie Stearns (full), Danny Kirk (alternate), Doug Schmitt (alternate), Gary Bunkley (alternate), and Janie Propst (alternate) to Mechanical, Plumbing, Electrical and Swimming Pool Board - term expiring 5/95.


Mayor McCaleb stated a review of current board structures would be made in order to determine feasibility of increasing board sizes and the Mayor recommended extending the terms of board members, whose terms expire 5/31/93, through June 1993. Councilman Berry moved to extend the board members' terms from May 31, 1993 to be through June, 1993. The motion was seconded by Councilman Ferguson and the motion carried.

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


Nays: None.

00112

There being no further business, the meeting was adjourned at 12:00 p.m.



Jo Moore  
City Secretary



Gary D. McCaleb  
Mayor

SPECIAL COUNCIL MEETING OF THE MAYOR AND CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, TO BE HELD IN THE GRAND JURY ROOM AT THE TAYLOR COUNTY COURTHOUSE AT 300 OAK STREET, ON THURSDAY, MAY 27, 1993, AT 1:15 P.M.

WHEREAS, the District Attorney has concluded an investigation of the City's purchase of land for a library site and Civic Center parking, and no indictments have been returned by the Grand Jury; and

WHEREAS, the District Attorney has presented the Mayor with a detailed report of his investigation above-described purchase of land;

IT IS THEREFORE necessary for the City Council pursuant to its City Charter power in Section 12 to investigate and review the official conduct of officers and employees involved in the City's land purchase.

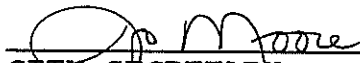
1. Call to Order
2. 2R Report (Executive Session)  
Briefing By the District Attorney on the Library land purchase.  
  
2G. Personnel (Executive Session)

The City Council may consider the evaluation, performance, review, appointment, employment, reassignment, duties, discipline, or dismissal of public officials involved in the library land purchase.

After the discussion in executive session, any final vote or action will be in public.

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 24 day of May, 1993, at 11:00 a.m.

  
\_\_\_\_\_  
CITY SECRETARY

00114

SPECIAL COUNCIL MEETING

Thursday, May 27, 1993

1:15 p.m.


CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,  
GRAND JURY ROOM  
TAYLOR COUNTY COURTHOUSE  
300 OAK

The City Council of the City of Abilene, Texas, met for a Special Council Meeting on May 27, 1993 at 1:15 p.m. in the Grand Jury Room of Taylor County Courthouse for the purpose of receiving a report by the District Attorney on the Library Land purchase and to consider the evaluation, performance, review, appointment, employment, reassignment, duties, discipline, or dismissal of public officials involved in the library land purchase. Mayor Gary D. McCaleb was present and presiding with Councilman Paul R. Vasquez, Councilwoman Betty Ray, Councilmen Jimmy McNeil, Russell Berry, Ray Ferguson, and Councilwoman Liz Herrera. Also present were City Attorney Harvey Cargill, City Secretary Jo Moore, and District Attorney James Eidson.

Mayor McCaleb recessed the Council into executive session pursuant to Sections 2r and 2g of the Open Meetings Act.

The Council reconvened from executive session and reported no action taken. The City Council will continue review of the information in order to come to an appropriate conclusion and will schedule another meeting which will be duly posted. The District Attorney's report will remain confidential until the Attorney General rules on proper use of the information.

There being no further business the meeting was adjourned at 3:25 p.m.

  
Jo Moore  
City Secretary

  
Gary D. McCaleb  
Mayor

00115