

**ABILENE CITY COUNCIL
MINUTES OF:
REGULAR CITY COUNCIL MEETING
July 10, 2003**

Item No. 2.0

CITY COUNCIL MEETING

July 10, 2003, 8:30 a.m.

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

The City Council of the City of Abilene, Texas, met in Regular Session on July 10, 2003, at 8:30 a.m. in the City Council Chambers of City Hall. Mayor Grady Barr was present and presiding with Councilmen Kris Southward, Anthony Williams, John Hill, Norm Archibald, and Jimmy McNeil. Also present were Assistant City Manager Michael Morrison, City Attorney Sharon Hicks, City Secretary Jo Moore, and various members of the City staff. Councilwoman Kay Alexander and City Manager Larry Gilley were absent.

Councilman Jimmy McNeil gave the invocation.

Preston Percival led the Pledge of Allegiance. Preston is a 3rd grader at Wylie Intermediate School and the son of George and Pam Percival, who were also in attendance. Mrs. Percival is employed by the City of Abilene as Community Information Coordinator.

Mayor Barr, assisted by City Secretary Jo Moore, presented an Employee Service Award to the following individual for his many years of service:

25 years	Matthew W. Fillmon	Water Meter Reader II
		Water Utilities

Anita Vigil, Chair of the Employee Committee briefed the Council on the Employee Scholarship Program. Ms. Vigil explained that the Employee Scholarship program is a voluntary program whereby City employees can contribute \$1.00 or more per paycheck to be used to award scholarships to dependents of City employees through an application process. The number and amount of scholarships is contingent upon how much money is contributed. For 2003, the Committee is awarding four (4) \$1,000 scholarships. Ms. Vigil then assisted Mayor Barr in presenting the 2003 Employee Scholarship "Certificates of Achievement" and \$1000 scholarships to the following recipients: Patrick Leech, son of Mark Whitton, Fire Lieutenant, Fire Operations; Allison Skinner, daughter of Mack Skinner, Microsystems Technician II, Library; Kevin Juanillo, son of Sandy Appleby, Public Safety Dispatcher I, Police; Kenneth Dozier, son of Ken Dozier, Battalion Chief, Fire Operations.

DISPOSITION OF MINUTES

2.0 There being no corrections, additions, or deletions to the June 26, 2003 Regular City Council Meeting minutes, Councilman Southward made a motion to approve the minutes as presented. Councilman Williams seconded the motion, and the motion carried.

AYES: Councilmen Southward, Williams, Hill, McNeil, Archibald, and Mayor Barr.

NAYS: None.

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CONSENT AGENDA

Councilman Hill made a motion to approve consent agenda items 3.1 through 3.4, as recommended by staff and first reading of items 3.5 through 3.12. Councilman McNeil seconded the motion and the motion carried.

AYES: Councilmen Southward, Williams, Hill, McNeil, Archibald, and Mayor Barr.

NAYS: None.

ABSTAIN: Councilman Williams (item 3.11 only)

Resolutions:

3.1 Resolution authorizing an agreement with the Texas Department of Transportation for State funding for a portion of the Ambler Avenue rehabilitation project, Phase III.

The Resolution is numbered **18-2003** and captioned as follows:

A RESOLUTION OF THE CITY OF ABILENE, TEXAS APPROVING A LOCAL TRANSPORTATION PROJECT ADVANCE FUNDING AGREEMENT WITH THE TEXAS DEPARTMENT OF TRANSPORTATION FOR IMPROVEMENTS TO AMBLER AVENUE.

Bid Awards:

- 3.2 **Bid #CB-3053** – One (1) Steel Wheel Roller. The bid was awarded to Warren Cat in Abilene, Texas in the amount of \$34,289.
- 3.3 **Bid #CB-3061** – Elm Creek Cleaning, Phase III. The bid was awarded to Garland Construction, Robbinsville, N.C., in the amount of \$143,869.80.
- 3.4 **Bid #CB-3052** – Hydraulic Crane for Water Department. The bid was awarded to Abilene New Holland in the amount of \$183,495.

Ordinances:

- 3.5 **Z-02303** – Rezone from AO (Agricultural Open Space) to LC (Limited Commercial) zoning district property located at 4302 Oldham Lane, and set a public hearing for July 24, 2003 at 8:30 a.m.

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, DECLARING A PENALTY, AND CALLING A PUBLIC HEARING.

- 3.6 **Z-02403** – Rezone from AO (Agricultural Open Space) to RS-8 (Residential Single Family) zoning district property located south of Crystal Creek and west of Rio Mesa, and set a public hearing for July 24, 2003 at 8:30 a.m.

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, DECLARING A PENALTY, AND CALLING A PUBLIC HEARING.

- 3.7 **TC-02503** –Thoroughfare abandonment of property located on Beck Avenue, and set a public hearing for July 24, 2003 at 8:30 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.

- 3.8 **Z-02603** – Amend PDD 36 on property located at 1026 N. Judge Ely Blvd to allow a restaurant with drive thru and video rental in Tract 1, and set a public hearing for July 24, 2003 at 8:30 a.m.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING," OF THE ABILENE MUNICIPAL CODE; AND ORDINANCE **NO. 76-1985** CONCERNING THE PDD #36 PLANNED DEVELOPMENT DISTRICT; DECLARING A PENALTY AND CALLING A PUBLIC HEARING, AND AN EFFECTIVE DATE.

- 3.9 **Z-02803** – Rezone from RM-3 (Residential Multi-Family) to CB (Central Business) zoning district property located at 1141 South 6th Street, and set a public hearing for July 24, 2003 at 8:30 a.m.

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, DECLARING A PENALTY, AND CALLING A PUBLIC HEARING.

- 3.10 **Z-03103** – Rezone from PDD (Planned Development) to RS-6 (Residential Single Family) zoning district property located at 6164 Hartford, and set a public hearing for July 24, 2003 at 8:30 a.m.

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, DECLARING A PENALTY, AND CALLING A PUBLIC HEARING.

- 3.11 **Z-03203** – Rezone from PDD 66 (Planned Development) to RS-8 (Residential Single Family) zoning district property located at Ambler and Avenue D, and set a public hearing for July 24, 2003 at 8:30 a.m.

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, DECLARING A PENALTY, AND CALLING A PUBLIC HEARING.

- 3.12 Resolution authorizing refinancing of certain HUD Section 108 loans and authorizing officials to execute all documents necessary to accomplish same.

The Resolution is numbered **19-2003** and captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE REDEMPTION AND REFINANCING OF CERTAIN SECTION 108 GUARANTEED OBLIGATIONS PREVIOUSLY ISSUED BY THE CITY AND AUTHORIZING OFFICIALS OF THE CITY TO EXECUTE ALL DOCUMENTS NECESSARY OR DESIRABLE TO ACCOMPLISH THE TRANSACTION.

REGULAR AGENDA

Resolutions:

4.1 Ronnie Kidd, Director of Administrative Services briefed the Council regarding an amendment to the RCC Consultants Agreement for Phase II of the Public Safety Communication Systems Project. Mr. Kidd reported that the City engaged RCC Consultants, Inc. (RCC) to conduct a needs assessment and develop recommendations for improving the City's existing two-way radio communications systems, Police and Fire Computer Aided Dispatch (CAD) and Records Management Systems (RMS), and Public Safety Wireless Data Communications System. At the conclusion of Phase I of the project, RCC presented its findings to the City Council (March 2003) recommending that the City replace its existing radio system with a new 800 MHz trunked radio system, replace the existing CAD/RMS systems, which are facing declining vendor support and obsolescence, and upgrade the existing Wireless Data Communications system.

In March 2003, RCC and staff discussed Phase II with Council, which included RCC's working with staff to: develop system specifications at the detailed design and engineering level, conduct a needs assessment regarding the requirements for a new or upgraded Police/Fire communications center, develop Requests for Proposals (RFPs) for the new systems, evaluate the responses to the RFPs, assist the City in selecting vendors for the new systems, and negotiate suitable contracts for the systems. Council indicated support for the project and directed staff to provide an update when more information was available regarding funding sources and when funds had been identified for Phase II.

Phase II will provide significantly more detail and information relative to systems design and specifications. This information will be extremely beneficial in determining system components that can be funded through the Abilene/Taylor County 9-1-1 District. The 9-1-1 District Board has indicated a willingness to participate in funding the project, contingent upon the ability to delineate which components or functions of the overall system solution appropriately relate to 9-1-1.

Mr. Kidd further reported that staff continues, with support from the City's Congressional District, to pursue overall funding sources for the project including an attempt to secure additional federal funds through the First Responder National Grants, Domestic Preparedness Assessment Grant, FEMA Fire Grant, and the Public Safety Foundation of America Grant. The most recent development is that the Department of Justice has approved the City's request to utilize a portion of the COPS funding received for FY02 to fund Phase II of the Public Safety Communications Systems project. Pending Council approval, this will allow the project to move forward.

Phase II of the Public Safety Communications Systems Project entails a fee to RCC in the amount of \$247,528, including out-of-pocket expenses.

Staff recommended that Council approve proceeding with Phase II of the project, applying funds from the COPS grant as approved by the Department of Justice and authorize the City Manager or his designee to execute the contract amendment with RCC for Phase II.

Council and staff discussion included: 1) timing issues concerning specifications being drawn and technology advancing prior to funding being received; 2) total cost of project versus funds received to date; 3) actions to be taken if grants are not received; 4) Phase II expected to take eight months and notification from all funding sources is expected within that time period; 5) project implementation of Phase III; 6) best case scenario is one half of funding will be through grants and other half from other sources; 7) range of options for implementation and other funding, including the issuing of some level of debt, would be brought to council; 8) the 9-1-1 District's willingness to participate in the project contingent upon what would appropriately relate to 9-1-1; 9) the ability to utilize the lease line of credit previously addressed by David Wright, Director of Finance; 10) the possibility of the 9-1-1 District including in their annual budget future funding to help guarantee repayment of the project debt; and 11) the non-appropriation clause required by Texas law in these situations.

Councilman Archibald made a motion to approve by Oral Resolution an amendment to the RCC Consultants Agreement for Phase II of the Public Safety Communication Project as recommended by staff. Councilman Southward seconded the motion and the motion carried.

AYES: Councilmen Southward, Williams, Hill, McNeil, Archibald, and Mayor Barr.

NAYS: None.

4.2 Elizabeth Grindstaff, Assistant Director of Community Development, gave a Power Point presentation to brief the Council on the Office of Neighborhood Services. Ms. Grindstaff reported that the *2001 ACE Report* recommended building upon existing neighborhood initiatives that are managed by various departments and divisions within the City to provide for "multi-faceted solutions" tailored to meet the specific needs of the City's neighborhoods. The goal of the ACE Committee was to strengthen neighborhoods and enable residents to develop and implement locally created solutions. The strategy to achieve that goal was to coordinate in a single government office a full range of services and technical assistance for devising solutions and forming new partnerships that benefit neighborhoods.

Ms. Grindstaff noted the potential services as outlined in the ACE Report and preparation that has taken place toward achieving the goal including staff training to gain certification as Neighborhood Revitalization Professionals. Progress that's been made thus far includes:

- Coordination with various divisions and departments
- Neighborhood Clean Sweeps
- Increased code enforcement
- Contact with neighborhood associations
- Preservation and conservation information
- Neighborhood planning
- Neighborhood empowerment
- Development of Neighborhood Services Guide
- Reinvestment in neighborhoods

Ms. Grindstaff stated that there are many "neighborhood partners" in the effort such as local universities, media, Community Housing Development Organizations and Community Based Development Organizations, Public Housing Authority, schools, churches, etc., and Super Neighborhood Planning Teams.

Ms. Grindstaff announced the Community Development Department's Neighborhood Initiatives Division is opening the first neighborhood reinvestment home renovation on July 18, 2003, 1:30 p.m., 1333 Poplar and invited Council and staff to attend the event. Ms. Grindstaff noted the City rehabilitated home was purchased from HUD for one dollar.

Council and staff discussion included: 1) review of current rules to help eliminate judgment call in increasing code enforcement; 2) the consolidation of various code activities; 3) balance needed for those with financial needs; 4) education needed in areas of illegal activities; 5) factors that contribute to fastest growing neighborhoods; and 6) when the Neighborhood Services Guide will be replaced with one Office of Neighborhood Services.

Assistant City Manager Michael Morrison addressed the establishing of the Office of Neighborhood Services as a formal entity. Mr. Morrison noted issues concerning this office would be brought forward as part of budget considerations. Programs and initiatives that will impact the budget concerning this office will be a council decision and once those decisions are made staff will be ready to move forward with this office.

Mayor Barr and members of the City Council thanked Ms. Grindstaff for the presentation and commended her and the staff, as well as all the partners involved, for their work and commitment toward seeing this project to fruition.

No Council action was required.

EXECUTIVE SESSION

Mayor Barr recessed the Council into executive session pursuant to Sections 551.071, 551.074, and 551.072 of the Open Meetings Act, to seek the advice of the City Attorney with respect to pending and contemplated litigation, to consider the appointment and evaluation of public officers, and to consider the purchase, exchange, lease or value of real property.

The Council reconvened from Executive Session and reported no action taken.

5.4 Councilman McNeil made a motion to approve Mayor Barr's appointment of Ronnie Kincaid, representative of Region XIV Education Service Center, to the Frontier Texas! Board of Directors. Councilman Williams seconded the motion and the motion carried.

AYES: Councilmen Southward, Williams, Hill, McNeil, Archibald and Mayor Barr.

NAYS: None

5.5 Councilman Williams made a motion to approve by Oral Resolution a \$500.00 per month vehicle allowance for the City Manager, effective July 2003. Councilman McNeil seconded the motion and the motion carried.

AYES: Councilmen Southward, Williams, Hill, McNeil, Archibald and Mayor Barr.

NAYS: None

There being no further business, the meeting was adjourned at 10:35 a.m.

Jo Moore
City Secretary

Grady Barr
Mayor