

CITY COUNCIL MEETING
September 22, 2005, 8:30 a.m.

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

The City Council of the City of Abilene, Texas, met in Regular Session on September 22, 2005, at 8:30 a.m. in the Council Chambers at 555 Walnut Street. Mayor Archibald was present and presiding with Councilmen Sam Chase, Anthony Williams, Kris Southward, John Hill (arrived at 9:30 a.m.), Stormy Higgins and Councilwoman Laura Moore. Also present were City Manager Larry Gilley, City Attorney Sharon Hicks, City Secretary Jo Moore, and various members of the City staff.

Mayor Archibald gave the invocation.

Mayor Archibald introduced Chris Stockdale a 2nd grade student from Ward Elementary School who led the Pledge of Allegiance. Chris's mother and principal were also present.

Mayor Archibald stated correspondence along with a check for donation was received from Bishop Michael Phiefer, San Angelo, Texas to aide the City of Abilene in helping evacuees resulting from Hurricane Katrina. The Mayor further stated the State of Texas has asked Abilene to begin evacuation plans to accept individuals from the Houston area who are evacuating due to Hurricane Rita. Larry Gilley, City Manager noted the Salvation Army will provide the first source of shelter for the evacuees and the City will open additional sites for shelters if needed.

PROCLAMATIONS

Mayor Archibald presented the following proclamations:

- “Frank Cortez Day” September 22, 2005. Proclamation given to Mr. Cortez, Solid Waste Division, for his safe driving record of 100,000+ accident free miles.
- “Multiple Sclerosis Awareness Day” September 29, 2005 – Marissa Martin, Executive Director of Abilene Multiple Sclerosis Society – Melissa Borden and Abilene Fire Chief Brad Fitzer.

Mayor Archibald stated the City of Abilene supports, as requested by a letter from the Department of Labor, September 19th –25th as “National Employ the Older Worker Week”.

DISPOSITION OF MINUTES

2.0 There being no corrections, additions, or deletions to the September 7, 2005 Budget Workshop Minutes or the September 8, 2005 Regular Council Meeting and Budget Workshop Minutes Councilwoman Moore made a motion to approve the minutes as presented. Councilman Higgins seconded the motion, and the motion carried.

AYES: Councilmen Chase, Williams, Higgins, Southward, Councilwoman Moore, and Mayor Archibald.

NAYS: None

ABSENT: Councilman Hill.

CONSENT AGENDA

Mayor Archibald noted under item 3.16 Council has been given the name of one additional student for appointment to the Youth Advisory Council.

Ms. Bobbie Hotchkiss requested clarification on procedures and property owners/city responsibilities on item 3.3. City staff explained the thoroughfare closure process and the property owner/city responsibilities.

3.0 Councilman Southward made a motion to approve first readings of consent agenda items 3.1 through 3.4, and items 3.5 through 3.17, as recommended by staff. Councilman Williams seconded the motion, and the motion carried.

AYES: Councilmen Chase, Williams, Higgins, Southward, Councilwoman Moore, and Mayor Archibald.

NAYS: None

ABSENT: Councilman Hill.

Ordinances:

3.1 Ordinance amending Chapter 20, Article V, Burglar Alarms of the Abilene Municipal Code; and set a public hearing for October 13, 2005 at 8:30 a.m.

AN ORDINANCE AMENDING CHAPTER 20, "OFFENSES", ARTICLE V, "BURGLAR ALARMS", OF THE ABILENE MUNICIPAL CODE, BY ADOPTING SELECTED REVISIONS TO ARTICLE V, SECTIONS 20-71, 20-72, 20-73 AND RESERVING SECTIONS 20-76---20-79, AS DESCRIBED BELOW, REGARDING BURGLAR ALARM PERMIT ISSUANCE AND REVOCATION; SETTING FALSE ALARM SERVICE FEES; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND CALLING A PUBLIC HEARING.

3.2 Ordinance amending Chapter 20, adding Article VI, Fire Alarms of the Abilene Municipal Code; and set a public hearing for October 13, 2005 at 8:30 a.m.

AN ORDINANCE AMENDING CHAPTER 20 "OFFENSES", BY ADDING ARTICLE VI, "FIRE ALARMS", OF THE ABILENE MUNICIPAL CODE, REGARDING FIRE ALARM PERMIT ISSUANCE AND REVOCATION; SETTING FALSE ALARM SERVICE FEES; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND CALLING A PUBLIC HEARING.

3.3 **TC-2005-6** – Thoroughfare closure of a 15 feet wide alley in Block 31, Sears Park Addition, located between Park and Forrest Avenues, extending north from North 20th Street; and set a public hearing for October 13, 2005 at 8:30 a.m.

AN ORDINANCE PROVIDING FOR THE ABANDONMENT OF A PUBLIC RIGHT OF WAY; PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH ABANDONMENT, AND CALLING A PUBLIC HEARING.

- 3.4 **Z-2005-27** – Request to add HO (Historic Overlay) zoning to the existing RM-3 (Residential Multi-family) zoning district, property located at 650 Meander Street; and set a public hearing for October 13, 2005 at 8:30 a.m.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, “ZONING”, OF THE ABILENE MUNICIPAL CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

Bid Awards:

- 3.5 **Bid #CB-5077** – Construction of the 9-1-1 Communications Center and Back-up location. The bid was awarded to The Crowe Group, Abilene, TX in the amount of \$1,077,043.00 as recommended by staff and the Tittle Luther Partnership.
- 3.6 **Bid #CB-5079** – Stevenson Park restroom building remodel. The bid was awarded to Jeff Luther Construction, Co., Abilene, TX in the amount of \$68,164.00.
- 3.7 **Bid #CB-5081** – Purchase of bulk chemicals used for treatment at Water and Wastewater Treatment Plants. The bid was awarded as follows and the City Manager or his designee was authorized to execute all necessary contract related documents.

<u>Item</u>	<u>Company</u>	<u>Unit Price</u>
• Item 01: Liquid Aluminum Sulfate	General Chemical Corp.	\$ 177.00/Dry Ton
• Item 02: Liquid Cationic Polymer	CIBA Specialty Chemicals	\$3,100.00/Dry Ton
• Item 03: Anhydrous Ammonia	DPC Industries	\$1,160.00/Ton
• Item 04: Liquid Caustic Soda	FSTI	\$ 458.50/Dry Ton
• Item 05: Liquid Chlorine	DPC Industries	\$ 506.00/Ton
• Item 06: Sodium Bisulfite	Dimmitt Sulfur Products	\$ 299.50/Dry Ton
• Item 07: Hydrated Lime	Texas Lime Company	\$ 95.58/Dry Ton
• Item 08: Fluorosilic Acid	Harcros Chemicals	\$ 243.00/Dry Ton
• Item 09: Sulfuric Acid	FSTI	\$ 124.50/Ton
• Item 10: Liquid Ammonium Sulfate	Hydro Plus Ltd.	\$ 335.00/Dry Ton
• Item 11: Ferric Sulfate	General Chemical Corp.	\$ 252.00/Dry Ton
• Item 12: Sodium Chlorite	Altivia Corporation	\$3,115.20/Dry Ton

- 3.8 Mass Spectrometer equipment upgrade to the existing Varian Gas Chromatograph at the Water Department Environmental Laboratory, purchased from Varian, Inc., which is the manufacturer of the existing Gas Chromatograph, in the amount of \$49,989.00 and authorize the City Manager or his designee to execute all necessary related documents.

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- 3.9 Authorization for payment of Alternate Bid #1, the upsizing of the sewer main to serve the proposed Parkside Place Subdivision and future development east of Maple Street and south of Loop 320. The City's share of \$250,000.00 to upsize the Parkside Place sewer extension is approved by oral resolution and the city manager or his designee is authorized to execute all necessary documents related to the contracts.

Resolutions:

- 3.10 Oral Resolution approving a Professional Services contract with Turner, Collie & Braden, Inc., for additional design services for traffic signal improvements and authorizing the City Manager to execute the contract.
- 3.11 Oral Resolution acknowledging receipt of Abilene-Taylor County Events Venue District Budget for revised FY 2005 and proposed FY 2006.
- 3.12 Oral Resolution approving the 9-1-1 Emergency Communications District revised FY 2005 and Proposed FY 2006 budgets, pending 9-1-1 Board approval.
- 3.13 Oral Resolution authorizing the City Manager to enter into an agreement with Sheppard Surveying Co., Inc. for surveying services not to exceed \$50,000.
- 3.14 Oral Resolution approving a Street Use License Request from Harris Acoustics, Inc. authorizing the use of the right-of-way of the southeast corner of North 4th and Cypress Streets.
- 3.15 Resolution approving the CAPP Board of Directors letter of intent to negotiate a long term contract to reduce the City of Abilene electrical cost and develop market stability for CAPP members.

The Resolution in numbered **26-2005** and captioned as follows:

APPROVAL OF CITIES AGGREGATION POWER PROJECT'S LETTER OF INTENT TO ENTER INTO NEGOTIATIONS FOR A CAPACITY CONTRACT WITH THE OWNER OF COAL (INCLUDING TEXAS LIGNITE) GENERATION TO SUPPLY THE BASE LOAD ELECTRIC POWER NEEDS (APPROXIMATELY 55%-60% OF TOTAL ENERGY NEEDS) FOR CAPP MEMBERS OVER A 10-YEAR PERIOD.

- 3.16 Oral Resolution approving the following appointments to the Youth Advisory Council.
- Jamelle Roberts, term expires September 2006
 - Marissa Dehoyos, term expires September 2006
 - Alyssa Gonzales, term expires September 2006
 - Karrie Kelley, term expires September 2006
 - Amber Vickers, term expires September 2006
 - Adrian Valdez, term expires September 2006
 - Travis Charfauros, term expires September 2006

- Brett Greenfield, term expires September 2006
- Laura Loreda, term expires September 2006
- Bryce Bevill, term expires September 2006
- Anna Lindsey, term expires September 2006
- Greg Oglesby, term expires September 2006
- Roxanne Marsh, term expires September 2006
- Katy O'Shields, term expires September 2006
- Abigail Thompson, term expires September 2006
- Brooke Galle, term expires September 2006
- Phillip Bishop, term expires September 2006

3.17 Oral Resolution approving the following appointments and re-appointments to the Keep Abilene Beautiful Board, Inc.:

- Sydnye Moore, term expires September 2006
- Dave Boyll, term expires September 2007
- Hester Woods, term expires September 2008
- Tara Castillo, term expires September 2008
- Victor Sotelo, term expires September 2008
- Mary Ann Martin, term expires September 2008
- Rod Cates, term expires September 2008
- Jana Moreno, term expires September 2008

REGULAR AGENDA

4.1 Mayor Archibald stated item 4.1, an ordinance considered on second and final reading to amend Chapter 32, Utilities, Article I, In General, Section 32-6, Right of Entry of the Abilene City Code, has been removed from today's agenda.

The Mayor noted items 4.2 through 4.5 will be considered in the following order:
Item 4.4, Item 4.2, Item 4.5, and Items 4.3 A. & B.

4.4 Mayor Archibald recognized and welcomed American Eagle Aviation representatives John Nix, Vice President and Dale Morris. Mr. Nix and Mr. Morris briefed the Council on American Eagle's request that Council approve a Resolution to support keeping in place the "Wright Amendment" to the International Air Transportation Competition Act of 1979.

Following the briefing discussion included: 1) possible impact to Abilene if the Amendment is repealed; 2) Council noted preference for the satellite terminal to be eliminated, and; 3) Council's preference that America Eagle will set a goal to have all regional jets.

Following discussion Councilman Higgins made a motion to approve a Resolution to support keeping in place the "Wright Amendment" to the International Air Transportation Competition Act of 1979. Councilman Southward seconded the motion, and the motion carried.

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AYES: Councilmen Chase, Williams, Higgins, Southward, Councilwoman Moore, and Mayor Archibald.

NAYS: None

ABSENT: Councilman Hill.

The Resolution is numbered 27-2005 and captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, TO SUPPORT KEEPING IN PLACE THE "WRIGHT AMENDMENT" TO THE INTERNATIONAL AIR TRANSPORTATION COMPETITION ACT OF 1979.

4.2 Jon James, Director of Planning and Development Services briefed the Council on **TC-2005-7**, an ordinance considered on second and final reading for a thoroughfare closure to abandon the south 0.3 foot right-of-way of North 5th Street and the west 0.3 foot right-of-way of Cedar Street, adjacent to property located at 442 Cedar Street.

Mr. James stated the applicant is under contract to sell the property and the survey associated with that sale indicated that the existing structure encroaches 0.3 feet into the public right-of-way along Cedar and North 5th Streets. Mr. James noted the applicant requests abandonment of the right-of-way to eliminate the encroachment. Staff and the Planning and Zoning Commission recommend approval of the request.

Mayor Archibald opened a public hearing on the item and the following individual addressed the Council:

- Hal Pender, proponent. Mr. Pender noted the length of time the process has taken and requested Council approve the ordinance.

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

Councilman Williams made a motion to approve **TC-2005-7**, an ordinance considered on second and final reading for a thoroughfare closure to abandon the south 0.3 foot right-of-way of North 5th Street and the west 0.3 foot right-of-way of Cedar Street, adjacent to property located at 442 Cedar Street. Councilwoman Moore seconded the motion, and the motion carried.

AYES: Councilmen Chase, Williams, Higgins, Southward, Councilwoman Moore, and Mayor Archibald.

NAYS: None

ABSENT: Councilman Hill.

The Ordinance is numbered 47-2005 and 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.

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4.5 Mayor Archibald noted that item 4.5 is a tabled item and requires Council action to remove it from the table.

Councilman Higgins made a motion to remove item 4.5 from the table. Councilman Southward seconded the motion, and the motion carried.

AYES: Councilmen Chase, Williams, Higgins, Southward, Councilwoman Moore, and Mayor Archibald.

NAYS: None

ABSENT: Councilman Hill.

Councilman Hill arrived at the meeting at 9:25 a.m.

Jon James, Director of Planning and Development Services stated staff has no new information on item 4.5, a Professional Services Contract between the City of Abilene and Dunkin, Sefko & Associates to prepare a Land Development Code, but would be glad to answer any questions Council may have.

The following information was before Council for consideration:

A Request for Proposals (RFP) for consulting services to assist the City on drafting a Land Development Code was sent out in July 2005. Four firms submitted proposals and staff selected Dunkin, Sefko & Associates as the firm that best meets the provisions of the RFP and has negotiated the contract being considered by Council. The project is expected to be approximately 18 months in duration, covering three fiscal years. To utilize CDBG funds this fiscal year, the contract must be in place prior to October 1, 2005, and the CDBG funding cannot carry over to the next fiscal year for this purpose. Proposed funding of this project is as follows:

- FY 05 \$27,600 CDBG
- FY 06 \$27,600 CDBG
\$41,400 General Fund
- FY 07 \$27,600 CDBG
\$41,400 General Fund
- Total \$165,600

The Consultant has proposed a project cost of up to \$150,000 with \$120,000 being payments to the consultant, and up to \$30,000 for sub-consulting services: \$15,000 for legal and \$15,000 for engineering. The proposed budget for this project exceeds the proposed costs by \$15,600 and this will allow for contingencies such as extra meetings or additional work that is beyond the scope that is identified. Staff recommends approval by Oral Resolution of a Professional Services Contract between the City of Abilene and Dunkin, Sefko & Associates, Inc. for the preparation of a Land Development Code.

Council and staff discussion included: 1) the length of time the project will take; 2) cost of the project; 3) City staff's ability to do the project at less cost but with impact to other city functions; 4) there being two phases, Phase 1 and Phase 2, to the project and the levels of difficulty of each phase;

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5) stipulations to utilizing CDBG funding for the project; 6) a 30 day termination clause is provided in the contract; 7) the diagnostic process the code will follow and how comprehensive plan issues will be considered; 8) the City Council and the Planning and Zoning Commission working together in addressing issues; 9) Council's options in considering the two phases of the projects, and; 10) Council noting if consultants are approved for Phase 1 that does not bind the City to use the consultants for Phase 2.

Mayor Archibald addressed the City Council and the Planning and Zoning Commission's working relationship noting that 90-95% of the time they are in agreement on issues.

Following Council and staff discussion Councilman Hill made a motion to approve by Oral Resolution a Professional Services Contract, in its entirety, between the City of Abilene and Dunkin, Sefko & Associates for the preparation of a Land Development Code, as recommended by staff. Councilwoman Moore seconded the motion, and the motion carried.

AYES: Councilmen Chase, Hill, Higgins, Councilwoman Moore, and Mayor Archibald.

NAYS: Councilmen Williams and Southward.

4.3 A. An Ordinance being considered on second and final reading to approve the Revised 2004-2005 Budget and Proposed 2005-2006 Budget, and the Resolutions 1) adopting Schedule of Rates and Charges for the Solid Waste Services Division, and 2) adopting Schedule of Rates and Charges for Water Utility.

Mr. Gilley stated the proposed budgets before Council do include the removal of a temporary food permit fee for non-profits and the proposed budget can be funded at the current tax rate of 63.55 cents per \$100.00 valuation.

During budget worksessions the City Council approved a General Fund Revised 2004-05 Budget of \$58,216,380 and a Proposed 2005-06 Budget of \$59,537,310. In addition various user fees have been increased including fare increases at CityLink. The removal of the temporary food permits for non-profits, resulted in a reduction of \$850 in revenue. The Solid Waste Services Resolution will increase the residential customer fee by \$.75 per month and commercial will vary based on container size and number of pickups. The Water Utility Schedule of Rates and Charges is amended to reflect the \$.25 per month increase in the environmental fee for stormwater and this is the only rate change on the schedule.

Council and staff discussion included: 1) staff's explanation of personnel cost revisions; 2) sales tax growth; 3) mid year budget adjustment process; 4) Council's concerns over increased health insurance cost and funding of that expense; 5) Council's preference to lower property tax rate when additional revenue is realized; 6) reserving budgeted funds from large budget items until more thorough review concerning budget issues is conducted; 7) staff reviewed proposed alley paving program and impact to budget; 8) staff noting budget is continually monitored and recommended Council approved the proposed budgets; 9) Council concerns over what would have happened if funds had not been available to cover costs and noting citizens do not have cost recovery options, and; 10) questions concerning the Housing Authority operations and management of those operations.

Council recessed for a break at 10:20 a.m. and reconvened at 10:25 a.m.

Mayor Archibald stated by State law the proposed Budgets and Tax Levy ordinances require public hearings and following approval will be effective beginning October 1, 2005. The Mayor requested that individuals desiring to speak during the public hearing limit their comments to 4 minutes.

Mayor Archibald then opened a public hearing on the proposed budgets and tax levy and the following individuals addressed the Council:

- Bobbie Hotchkiss – Ms. Hotchkiss stated she is protesting the change in fire stations. Mayor Archibald explained the issue she's addressing is a potential Bond Election Advisory Committee project and is not being considered in the City's budget.
- Carol Chapman – Mr. Chapman asked if the budget proposals address changing the rates/fees for CityLink transit. Mr. Chapman stated the need for Council to be made aware of the citizens concerns surrounding the current public transportation system, the conditions of the busses and the harm that would be done to the riders if the fares are increased.

David Wright, Finance Director addressed Mr. Chapman's concerns and reviewed the overall proposed rate/fee increases and proposed use of that revenue.

- Frieda McCasen – Ms. McCasen stated the need for bus stop areas to be mowed.
- Jay Homan – opposed. Mr. Homan noted his concerns that: 1) not enough notice and time was given to the citizens for public comment at the public hearing held by CityLink yesterday; 2) no study having been conducted on the mileage change within the transportation boundaries, and; 3) how the increase in the rates will affect handicapped individuals.
- Karen Presley, Director of Disability Resources. Ms. Presley reviewed services the Resources provides and stated her concerns over the rate increases and boundary limits.
- Diana Joel – Ms. Joel requested Council reconsider the rate increases and stated her willingness for her tax dollars to be directed towards the public transportation system.
- Vicki Anderson – Ms. Anderson stated a portion of the additional tax revenue that the City has accumulated needs to be used to fund CityLink and requested Council consider a formal policy on how to spend additional funds versus relying on staff's decisions.

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- Chris Nafe, representing the Abilene Police Officer's Association. Lieutenant Nafe stated the budget is proposing a 3% pay increase for civil service employees and up to a 5% pay increase for non-civil service employees and feels that the police officers deserve to be treated fairly. Lieutenant Nafe further stated the police officers have not received a pay increase for 2 years and Lieu. Nafe addressed fair market value comparison and cost of living increases.
- Gary Cheek, President of the Abilene Firefighter's Association – Mr. Cheek stated his appreciation to Council for listening to their concerns involving pay increases and also stated discussion concerning budget issues need to be earlier in the year and the possibility of pursuing value based compensation. Mr. Cheek requested the Council approve the budget as presented.
- Rodney Goodman, Firemen's Relief and Retirement Fund – Mr. Goodman addressed cost of living increases and requested Council approve the proposal and stated his appreciation to the Council.

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

Further Council and staff discussion included: 1) issues presented during the public hearing concerning the CityLink fare increases and transportation distance limits; 2) staff noting options available to Council in addressing the CityLink fare increases and distance limits; 3) Amy Forrester, General Manager of CityLink briefed Council on fare and transportation issues and noted fares have not been increased in 13 years; 4) Council concerns on difficulties riders will face with fare increases and change in route boundaries; 5) the possibility of removing funding for the 5 year vesting and the Council Chambers video (with the funding variance to be determined by staff) to arrive at the total \$85,000 and not increase the CityLink fares; 6) the importance of a 5 year vesting program and Council Chambers video project, and; 7) Council determining dollar amount to reduce by and staff developing a rate schedule based on that dollar amount.

Councilman Williams made a motion to approve the Revised 2004-2005 Budget and Proposed 2005-2006 Budget Ordinance, eliminating the 5 year vesting program (approximately \$38,000) for City employees and the Council Chambers video equipment improvements (approximately \$35,000), with the proposed funding for those items, plus the balance of the funding (approximately \$12,000) needed to remove the \$85,000 proposed CityLink fare increases, and approve the Resolution adopting the Schedule of Rates and Charges for the Solid Waste Services Division, and the Resolution adopting the Schedule of Rates and Charges for Water Utility. Councilman Hill seconded the motion, and the motion failed.

AYES: Councilmen Chase, Williams, Hill.

NAYS: Councilmen Southward, Higgins, Councilwoman Moore, and Mayor Archibald.

Councilman Higgins made a motion to approve the Revised 2004-2005 Budget and Proposed 2005-2006 Budget Ordinances, excluding the proposed rate increase for CityLink ADA van service and to keep the current 1 ½ mile outside fixed route for the CityLink van service, and

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approve the Resolution adopting the Schedule of Rates and Charges for the Solid Waste Services Division, and the Resolution adopting the Schedule of Rates and Charges for Water Utility. Councilwoman Moore seconded the motion, and the motion carried.

AYES: Councilmen Chase, Hill, Higgins, Councilwoman Moore, and Mayor Archibald.
NAYS: Councilmen Southward and Williams.

The Ordinance is numbered **48-2005** and captioned as follows:

AN ORDINANCE APPROVING REVISED BUDGET FIGURES FOR FISCAL YEAR 2004-2005; APPROVING AND ADOPTING BUDGET FOR THE FISCAL YEAR OCTOBER 1, 2005, THROUGH SEPTEMBER 30, 2006, FOR THE CITY OF ABILENE; APPROPRIATING FUNDS; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; CALLING A PUBLIC HEARING.

The Resolution is numbered **28-2005** and captioned as follows:

A RESOLUTION OF THE CITY OF ABILENE, TEXAS, REVISING RESOLUTION NO. 23-2004, THE SCHEDULE OF RATES AND CHARGES FOR THE SOLID WASTE SERVICES DIVISION, ADOPTED AUGUST 26, 2004.

The Resolution is numbered **29-2005** and captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, REVISING THE SCHEDULE OF RATES AND CHARGES FOR WATER AND SEWER UTILITY SERVICE.

4.3 B. Mayor Archibald made a motion to approve the Ordinance setting the Ad Valorem Tax Levy at 63.55 cents per \$100.00 valuation for FY 2005-2006. Councilman Hill seconded the motion, and the motion carried.

AYES: Councilmen Chase, Williams, Hill, Higgins, Councilwoman Moore, and Mayor Archibald.

NAYS: Councilman Southward.

The Ordinance is numbered **49-2005** and captioned as follows:

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, APPROVING THE ASSESSMENT ROLL FOR 2005, LEVYING AN AD VALOREM TAX FOR THE CITY OF ABILENE, TEXAS, FOR THE YEAR 2005; PROVIDING FOR THE ASSESSMENT AND COLLECTION THEREOF; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; CALLING A PUBLIC HEARING; PROVIDING AN EFFECTIVE DATE.

EXECUTIVE SESSION

Mayor Archibald 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 votes or action was taken in Executive Session.

There being no further business, the meeting was adjourned at 12:50 p.m.

Jo Moore
City Secretary

Norm Archibald
Mayor