

CITY COUNCIL MEETING
May 28, 2009, 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 May 28, at 8:30 a.m. in the Council Chambers at 555 Walnut Street. Mayor Archibald was present and presiding with Councilmen Shane Price, Stormy Higgins, Joe Spano, Anthony Williams, Robert O Briley and Councilwoman Laura Moore. Also present were City Manager Larry Gilley, City Attorney Dan Santee, City Secretary Danette Dunlap, and various members of the City staff.

Councilman Higgins gave the invocation.

Mayor Archibald introduced Martin Castro; Martin is a 5th grader at Ortiz Elementary. Martin led the Pledge of Allegiance to the Flags of the United States of America and the State of Texas.

DISPOSITION OF MINUTES

5.0 Mayor Archibald stated Council has been given the minutes from the Special Called Meeting May 7th and the Regular Meeting May 14th, 2009. There being no deletions, no addition, and two corrections (1) on page 5 of the May 14th meeting the word cots should be cost (2) on page 17 under Frontier Texas! change Barnet to Barnett. Councilman Higgins made a motion to approve the minutes with the two changes. Councilwoman Moore seconded the motion and the motion carried.

AYES: Councilman Price, Spano, Williams, Higgins, Briley, Councilwoman Moore and Mayor Archibald

NAYS: None

CONSENT AGENDA

Councilman Price made the motion to approve consent items 6.1 and 6.4 as presented. Councilman Williams seconded the motion, the motion carried.

AYES: Councilman Price, Spano, Higgins, Williams, Briley, Councilwoman Moore and Mayor Archibald

NAYS: None

Oral Resolutions:

6.1 Authorized the City Manager to enter into an agreement with Jacob & Martin, LTD., Inc. for surveying services. The negotiated cumulative cost of the surveying services is not to exceed \$50,000.00 per term. The contract allows for up to three renewal terms following completion of the first term.

- 6.2** Authorized the City Manager to enter into an agreement between the City of Abilene and the Friends of Safety City, Inc. for the Construction of a Fire Safety House on Safety City Grounds. Construction of the facility is set to begin on June 1, 2009.

Resolution:

- 6.3** Adopting and amending a Fair Housing Policy in accordance with the Civil Rights Act of 1968 and the Constitution of the United States. Will allow the City Manager to designate this responsibility accordingly.

Resolution numbered #15-2009 and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE ADOPTING AND AMENDING A FAIR HOUSING POLICY IN ACCORDANCE WITH THE CIVIL RIGHTS ACT OF 1968 AND THE CONSTITUTION OF THE UNITED STATES AND DESIGNATING A FAIR HOUSING OFFICER FOR THE CITY OF ABILENE

Bid Award:

- 6.4** CB#-9027 Abilene Regional Airport Pavement Repair at Northwest Side General Aviation Ramp. The City Council approved the bid to J. H. Strain and Sons, Inc. Tye, Texas in the amount of \$45,610.68.

REGULAR AGENDA

- 7.1** Jon James, Director of Planning and Development Services briefed the council on the Ordinance Case No. **Z-2009-03**, a request from Brian Delehanty, Agent: Paul Johnson & Associates, and the City of Abilene to rezone property from O (Office) and AO (Agricultural Open Space) to PDD (Planned Development District) zoning, located at 701, 709, 717, and 741 S. Judge Ely Blvd.

Currently the property is zoned O (Office) and AO (agricultural Open Space) and has not been developed. The properties to the east are developed with single-family homes, the properties to the north and south are also undeveloped, and Craig Middle School is directly across Judge Ely Blvd. to the west. The Judge Ely Bike Path runs along the west ROW line of the subject properties.

The Future Land Use section of the Comprehensive Plan designates this general area as part of a Local Community Center and an Enhancement Corridor. Commercial activity along Judge Ely Boulevard is compatible with the surrounding area. But given the close proximity to residential areas and a school, some commercial uses may not be appropriate. There is also a Bike Path along the east side of S. Judge Ely Boulevard so access and traffic flow might be an issue for the subject property. The PDD zoning to the north allows for uses permitted within the SC zoning. In addition, the PDD zoning includes restrictions on building design, parking & ingress/egress, and signage. For these reasons, Staff does not feel that SC zoning is appropriate for this property on its own and recommends a PDD zoning.

Staff recommends approval of the PDD. The Planning and Zoning Commission recommended approval of the PDD zoning by a vote of five (5) in favor (Famble, Todd, Glenn, Campos and McClarty), one (1) abstention (Bixby) and none (0) in opposition.

PERMITTED USES:

Uses permitted in the Shopping Center district except the following:

1. Grocery Store (Convenience Type)
2. A drive-in use or any use with a drive-thru within a distance of 200 feet from Friars St
3. Tobacco Products
4. Bowling Alley
5. Temporary Amusement Facility
6. Pool or Billiard Halls
7. Skating Rinks
8. Theaters and Playhouses
9. Bait and Live Bait Sales
10. Farm Products (open-air)
11. Gifts, Novelties, Souvenirs
12. Liquor Store On-Premise Consumption
13. Liquor Store Off-Premise Consumption (unrestricted)
14. Liquor Store Off-Premise Consumption (beer/wine)
15. Gasoline
16. Gasoline (with and including automobile service)
17. Veterinary Services

SITE DEVELOPMENT:

Minimum Building Setbacks: Comply with SC zoning.

Exception: 15 feet, with only landscaping between buildings and street.

Maximum Structure Height: 40 feet and no more than 2 stories

Building Materials & Design:

1. horizontal and vertical articulation for any building over 25,000 sq. ft.
2. 10% (min.) to be brick, stone, decorative block, or similar materials.
3. Remaining areas to be glass, EIFS, stucco, stucco-like finishes, or other similar materials
4. Elevation plans submitted with site plan

Parking and ingress/ egress:

- 1) Three (3) drives onto S. Judge Ely Boulevard, however no drive shall be allowed between Friars Street and the school crosswalk. One (1) drive onto Friars St. Two (2) drives on to Clarks Dr. Common access easements shall be utilized to provide connectivity to the property to the south.
- 2) Min. separation from street intersection = 100 feet
Min. separation between drives = 175 feet
- 3) Additional signage and traffic control measures may be required.

Signage:

Freestanding signs:

One (1) pole sign

Max. height = 20 ft (25 ft for multi-tenant)

Max. Area = 100 sq. ft. (200 sq. ft. for multi-tenant)

Monument signs:

One (1) monument sign

Max. height = 8 ft. (10 ft for multi-tenant)

Max. area = 96 sq. ft. (150 sq. ft. for multi-tenant)

Wall signs:

- 1) May not exceed 10% of the area of any wall
- 2) Attached to a principal structure.

Banners: Banners shall only be located flat against the face of a building and shall count toward the maximum allowable wall signage.

Electronic Message signs:

- 1) Electronic message signs shall comply with the provisions specified in the Sign Ordinance for on-premise signs over 75 square feet in area or any off-premise sign during School Zone times.

Prohibited signs:

- 1) Portable signs
- 2) Offsite signage (Except within PDD)
- 3) Streamers, pennants, balloons, and similar devices
- 4) Temporary signs and freestanding banners (except 30 days from C.O.)

Mayor Archibald opened the public hearing and there being no one present and desiring to be heard the public hearing was closed.

Council and Staff discussion included: 1) North PDD when designed didn't have restrictions the way this PDD is designed.

Councilman Spano made the motion to approve Ordinance Case No. **Z-2009-03**, a request from Brian Delehanty, Agent: Paul Johnson & Associates, and the City of Abilene to rezone property from O (Office) and AO (Agricultural Open Space) to PDD-128 (Planned Development District) zoning, located at 701, 709, 717, and 741 S. Judge Ely Blvd. Councilman Briley seconded the motion, motion carried.

AYES: Councilmen Price, Spano, Williams, Higgins, Briley, Councilwoman Moore and Mayor Archibald.

NAYS: None

Ordinance numbered **#17-2009** and captioned as follows:

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "ZONING" OF THE ABILENE MUNICIPAL CODE, CONCERNING PDD-128 A PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

7.2 Theresa James Assistant City Attorney briefed the council and introduced David Whitten Environmental Attorney for General Dynamics on the Ordinance creating a Municipal Setting Designation at 300 Wall Street and adjacent properties.

Subchapter W "Municipal Setting Designations" of Chapter 361 "Solid Waste Disposal Act" of the Texas Health and Safety code authorizes the Texas Commission on Environmental Quality (TCEQ) to create municipal setting designations (MSDs). Section 401.05(a) of the Texas Local Government Code allows the governing body of a municipality to establish and enforce a MSD to regulate the pumping, extraction, or use of groundwater to prevent the use of or contact with groundwater that presents an actual or potential threat to human health. This item is for adoption of a MSD Ordinance prohibiting the use of potable groundwater beneath properties near the intersection of Wall Street and 1st Street including certain adjacent street rights-of way (the "designated property"), and supports certification of a MSD for the designated property by the TCEQ.

In connection with the former operations of General Dynamics at 300 Wall Street , portions of the shallow groundwater ranging from 12 to 19 feet below the surface of the designated property became impacted with certain chemicals of concern (trichloroethene, tetrachloroethene, cis-1,2-dichloroethene, and 1,1-dichloroethene) at concentrations exceeding levels considered safe for potable use. General Dynamics has entered its former property into the Voluntary Cleanup Program (VCP) administered by the TCEQ. As a part of its response actions under the VCP, General Dynamics is requesting the City of Abilene to pass a MSD Ordinance to prohibit the potable use of shallow groundwater beneath the designated property. All property owners have agreed to the designation with the exception of Gary Lee & Marilu Lee Corpian.

Mr. Whitten explained that this MSD would restrict the use of the shallow ground water for potable use. The chemicals in the ground water have decreased by 91% through the natural degradation and as such will continue to degrade naturally. The water quality is of poor nature it contains large amounts of iron, fluoride etc. that makes the water not suitable for potable use.

This MSD will run with the owner ship of the land and will be on file at the court house upon completion of the process. General Dynamics will continue to monitor the wells for the next 5 years and the results will be reported back to the city.

Staff recommends approval.

Mayor Archibald opened the public hearing and the city council heard from the following:

- Gary Corpian – landowner. Mr. Corpian asked that the council slow down and be sure this is safe for the citizens of Abilene. His land is currently not developed and no water lines are on his property.

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

Council and Staff discussion included: 1) legal staff has contacted environmental attorneys in Austin; 2) several businesses in the past used cleaning solvents that have leached into the shallow ground water; 3) the sources have been cleaned up; 4) nature is taking care of the clean up; 5) the solvents were used decades ago; 5) TCEQ recognizes this designation and process; 6) protection for landowners; 7) if not left to nature the business would have to use more chemicals that would have to break down over time; 8) question on whether or not to leave out of the MSD Mr. Corpian's land – makes sense to include all the effected property; 9) Mr. Corpian came forward and just asked that the city be sure that you are doing the right thing for the city; 10) first step in the process – next goes to TCEQ for review and approval; and 11) staff has been very deliberate on DCOA's behalf and have conducted due diligence on behalf of the city.

Councilman Price made the motion to approve the Ordinance creating a Municipal Setting Designation at 300 Wall Street and adjacent properties. Councilman Williams seconded the motion, motion carried.

AYES: Councilman Price, Spano, Higgins, Williams, Briley, Councilwoman Moore and Mayor Archibald

NAYS: None

Ordinance numbered #18-2009 and captioned as follows:

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, PROHIBITING THE USE OF DESIGNATED GROUNDWATER FROM BENEATH CERTAIN PROPERTY LOCATED AT 300 WALL STREET & ADJACENT PROPERTIES, ABILENE, TEXAS & SUPPORTING CERTIFICATION OF A MUNICIPAL SETTING DESIGNATION BY THE TEXAS COMMISSION ON ENVIRONMENTAL QUALITY; PROVIDING A PENALTY CLAUSE; PROVIDING A SEVERABILITY CLAUSE; CALLING A PUBLIC HEARING; AND PROVIDING AN EFFECTIVE DATE

7.3 Mike Hall, Director of Community Services briefed the council on Golf Course Fees and introduced Phil Gage chairman for the Municipal Golf Course Board. Fees for use of Maxwell Municipal Golf Course were last changed in 2003. Dave Hand, President of West Texas Golf Systems, Inc. has requested that fees be amended. His request was to raise all fees by approximately 25%. The Municipal Golf Course Advisory Board appointed a subcommittee to review this item and make a recommendation at the May 7, 2009 meeting. The subcommittee met on May 14, 2009 and recommended that the Municipal Golf Course Advisory Committee consider raising the fees.

Council and Staff discussion included: 1) compared the rates of comparison cities; 2) projections on classifications and how much would the new rates generate in revenue; 3) looking at anything and everything related to golf; 4) concern over the discounts being offered on Merchandise and Food/Beverage; 5) possibility of rounding up the fees; and 6) the need to develop Jr. Golf.

Staff recommends that City Council adopt by oral resolution the Municipal Golf Course Advisory Committee's recommendation to raise fees in accordance with Attachment A: Proposed Fee Schedule to be implemented as early as June 1.

Councilman Williams made the motion to approve the Oral Resolution approving Golf Course Fees for Maxwell Municipal Golf Course. Councilwoman Moore seconded the motion, motion carried.

AYES: Councilman Price, Spano, Higgins, Williams, Briley, Councilwoman Moore and Mayor Archibald

NAYS: None

Attachment "A"
Fee Schedule (proposed)

(Fees do not include tax)

Weekday Green Fees and Cart Fees

| | | | |
|----------------------------|-----------|----|--------|
| 18 Hole Green Fee | (\$12.93) | \$ | 15.24 |
| 9 Hole/Twilight | (\$11.09) | \$ | 12.93 |
| Jr/Sr | (\$7.39) | \$ | 9.24 |
| 18 Hole Cart Fee | (\$9.01) | \$ | 11.09 |
| 9 Hole/Twilight Cart Fee | (\$6.00) | \$ | 7.39 |
| Repeat Fee | (\$6.00) | \$ | 7.39 |
| 10 Play Card (weekday) | | \$ | 129.33 |
| 10 Ride Card | (\$95.00) | \$ | 92.38 |
| Trail Fee | (\$8.50) | \$ | 9.24 |
| Sr Trail Fee | (\$4.25) | \$ | 5.54 |
| 18 Hole Cart + Spectator | | \$ | 16.63 |
| 9 Hole/TW Cart + Spectator | | \$ | 10.09 |
| Spectator Cart | (\$18.02) | \$ | 18.48 |

Weekend/Holiday Green Fees and Cart Fees

| | | | |
|-------------------------------|-----------|----|--------|
| | (\$17.09) | \$ | 21.25 |
| | (\$12.93) | \$ | 16.24 |
| | (\$12.93) | \$ | 12.93 |
| | (\$9.01) | \$ | 11.09 |
| | (\$6.00) | \$ | 7.39 |
| | (\$6.00) | \$ | 7.39 |
| 10 Play Card(weekend/holiday) | | \$ | 170.91 |
| | (\$95.00) | \$ | 92.38 |
| | (\$8.50) | \$ | 9.24 |
| | (\$4.25) | \$ | 5.54 |
| | | \$ | 16.63 |
| | | \$ | 10.09 |
| | (\$18.02) | \$ | 18.48 |

Annual Pass

| | | | |
|-----------------------|--------------|----|----------|
| Regular (7 Day) | (\$700.00) | \$ | 900.00 |
| Regular Couple | (\$1,050.00) | \$ | 1,350.00 |
| Regular + Cart | (\$1,350.00) | \$ | 1,450.00 |
| Regular Couple + Cart | (\$1,975.00) | \$ | 2,175.00 |
| Regular + Trail Fee | (\$1,125.00) | \$ | 1,400.00 |
| Jr/Sr (Weekday) | (\$350.00) | \$ | 440.00 * |
| Sr Couple | (\$525.00) | \$ | 660.00 * |
| Sr + Cart | (\$975.00) | \$ | 1,050.00 |
| Sr Couple + Cart | (\$1,387.50) | \$ | 1,575.00 |
| Sr + Trail Fee | (\$600.00) | \$ | 780.00 |
| Sr (7 Day) | (\$500.00) | \$ | 625.00 |

Special Passes

| | | | |
|----------------------|------------|----|--------|
| Junior Summer Pass | (\$150.00) | \$ | 200.00 |
| Junior Summer Clinic | (\$110.00) | \$ | 125.00 |
| Junior Clinic +Pass | (\$225.00) | \$ | 250.00 |

Range Fees (Jr/Sr 50%)

| | | | |
|--------|----------|----|-------|
| Small | (\$3.00) | \$ | 4.00 |
| Medium | (\$6.00) | \$ | 8.00 |
| Large | (\$9.00) | \$ | 12.00 |

25% off for Military active or retired and College with current ID.

10% off for City employees including Fire and Police

Annual Passes get free range, 25% off Merchandise and 30% off Food/Bev

* Original proposal inadvertently included sales tax. This number is the correct rate.

7.4 Ronnie Kidd, Managing Director for Administration and Mindy Patterson, Director of Finance briefed the council on the Fully Integrated Financial and Human Resources System.

The City's software/hardware systems used by the Finance Department and Administrative Services Department have aged well beyond their useful life with declining and/or terminated vendor support. The payroll system requires replacement by the end of this year. Currently, the City does not have nor operate an integrated system. An Integrated Systems Project Team has been working since last summer to research proven municipal systems solutions, evaluate Request for Information (RFI) responses for such a system solution, visit on-site users of such systems, and formulate a recommendation for an integrated system solution for the City.

Why Now?

- Pending initiative for last several budgets
- Similar to deferred maintenance
- Vendor support for current systems ending
 - Forced to upgrade or replace
 - Risking operating without support/maintenance
- Mission critical functions are vulnerable
- Recent operational example
 - Accounting Server Hardware problems
 - Delay in getting replacement hardware
 - Looming payroll deadline
 - Suspended budget and finance system to have enough processing power to finish payroll

Current Information Systems

- Finance and Accounting Hardware
 - 30 year-old VAX (mainframe) computer (1980s technology)
 - Character cell interface (“green screens”)
 - Obtain parts through used parts market
 - Most technicians from this era retired
- Finance and Accounting Software
 - Last upgrade in 1999 (Y2K prep)
 - Limited capabilities, cannot readily interface with modern systems
 - Close to losing support, system obsolete
- Human Resource Information System
 - Menagerie of in-house developed programs, databases and spreadsheets
 - No integration with Finance system
 - No integration with Payroll
 - No online capability for employment application
 - No position management
 - Report generation relies heavily on IT programming support
- Payroll System
 - Current version will “sunset” October 2009 (upgrade or lose vendor support)
 - Forced to upgrade in 05/06 and did not gain improvements, but continued vendor support
 - Next version expensive and still will not integrate with Finance
 - System highly customized due to inherent lack of functionality – cannot further refine without extensive vendor reprogramming (\$\$\$)
 - Not user friendly, requires full-time IT support (1 1/2 FTE)
- Asset Management
 - Paradigm system inadequate, inaccurate
 - No longer supported by vendor (a single programmer)
 - No system reports – all reports developed in-house
 - Does not integrate with Finance System
 - Supported by numerous ad hoc spreadsheets
 - Paradigm implemented circa 1998

Investigating Solutions

- Began last summer looking to modernize

- Talked to CGI about upgrading the Finance and Accounting system
- Also add CGI HR/Payroll for full integration
- Evaluated demonstrations of latest CGI software
- Obtained estimated pricing from CGI – \$5.4 Million over a three-year implementation
- Concerned about upgrade cost, investigated alternatives
- Issued a Request For Information (RFI)
 - Sent to 18 software companies known to produce Finance and HR software
 - Included the City’s technical requirements
 - Included operational and functional criteria
 - Received 7 responses
 - CGI, Lawson, Agresso, Sungard, Wolfepak, High Line, New World
 - Research Team evaluated responses

Lawson

- Requested pricing information from Lawson
 - Lawson responded to request very timely
 - Substantially lower than CGI – approximately \$3.0 Million
- Requested demonstrations of various Lawson modules
- Visited a local business (Hendrick) for a demonstration of their implementation of Lawson software
- Corresponded with other municipalities and visited Arlington for a demonstration

Due Diligence & RFP Issuance

- Based on RFI responses, conducted initial due diligence research
- Issued Request for Proposal May 10, 2009
- Received RFP responses from 6 vendors by May 26 deadline
- Completed due diligence research based on RFP responses

Due Diligence Results

- Summary of Research Team’s Concerns with some of the Vendors
 - Technical Issues
 - Non-Web-based clients
 - Use of non-Microsoft databases
 - Programming language used
 - Limited/lack of Active Directory integration
 - Primary feature would require custom programming
 - Lack of primary system module (e.g. Accounting)
 - Other Concerns
 - No installations in Texas cities
 - Foreign company
 - Company size – ability to provide adequate support

Evaluation Criteria (per RFP)

- Single Vendor Solution versus multiple party solution
- Functionality and level of integration
- Cost
- Experience and qualifications of company, preference given for installed solutions in municipalities
- Compatibility
- User-friendliness

Evaluation Results

Narrowed vendor list to two companies who could provide a fully integrated system that meets our needs – Lawson and CGI

Needed to further compare features and costs

Additional critical consideration was implementation timeframe

Comparison: Features

| Feature | CGI | Lawson |
|-------------------|---------------------|----------------|
| Implementation | 24 – 30 months | 11 – 12 months |
| Accounting | √ | √ |
| Procurement | √ | √ |
| Budgeting | √ | √ |
| HRIS | √ | √ |
| Payroll | √ | √ |
| Reporting | √ | √ |
| Online Recruiting | 3rd Party (not bid) | √ |
| Asset Mgmt | 3rd Party (not bid) | √ |

Comparison: Costs

| Component | CGI | Lawson |
|-----------------------------------|----------------------|--------------------|
| Core Software | \$262,820 | \$650,000 |
| 3rd Party Software | \$432,690 | \$265,000 |
| Implementation | \$2,263,475 | \$1,501,400 |
| Training | \$37,000 | \$114,100 |
| Maintenance | \$432,473 | \$400,400 |
| Temp Resources/ Staff Overtime | \$200,000 | \$200,000 |
| TOTAL | \$3,628,458 * | \$3,130,900 |
| Online Recruiting | Extra cost | (included) |
| Asset Mgmt | Extra cost | (included) |

Recommendation

Based on what we concluded from this process, we recommend contracting with Lawson Software to provide an integrated system for Financials, Accounting, HRIS, Payroll, Online Recruiting and Asset Management
Project to be financed with sale of Certificates of Obligation this summer, with general fund securing contract in the meantime

Council and Staff discussion included: 1) save money on the long term through efficiency etc. and 2) critical we move forward and recommended by City Manager.

Councilman Higgins made the motion to approve the contract for a fully Integrated Financial and Human Resources System. Councilman Price seconded the motion, motion carried.

AYES: Councilman Price, Spano, Higgins, Williams, Briley, Councilwoman Moore and Mayor Archibald

NAYS: None

7.5 Jon James Director of Planning and Development Services briefed the council on the CIP program.

The 2009-2013 Capital Improvements Program (CIP) is a five-year plan that identifies needed capital projects and coordinates their financing and timing. The first year of the CIP (2009) is the City Manager's recommendation for the annual Certificate of Obligation (C.O.) sale, or "Capital Budget." Projects in subsequent years are included for planning purposes only and do not receive expenditure authority. Proposed projects include streets, municipal facilities, parks, drainage, public safety and transportation improvements.

Council and Staff discussion included: 1) sidewalk fund – set aside when a major reconstruction exceeds 20% of costs; 2) the recommendation is that the funds for sidewalks be shifted to a higher priority project; 3) sidewalks to schools; and 4) some possible areas for sidewalks to be added include Mockingbird and Barrow, North 6th to Ambler.

Councilman Williams made the motion to take this Item off of the TABLE. Councilman Higgins seconded the motion, motion carried.

AYES: Councilman Price, Spano, Higgins, Williams, Briley, Councilwoman Moore and Mayor Archibald

NAYS: None

Funded Projects

| PG | Project # | Project Description | 2009 | 2010 | 2011 | 2012 | 2013 | Total |
|-----|------------|--|--------------|--------------|--------------|--------------|--------------|-------------|
| | | Street Improvements | 860,000 | 941,000 | 656,000 | 578,000 | 1,254,000 | 4,289,000 |
| 2-2 | 4020-01-98 | Concrete Intersections - Various Sites | | 250,000 | | | 250,000 | 500,000 |
| 2-3 | 4020-11-05 | Concrete Repairs - CBD - | 100,000 | | 100,000 | | 175,000 | 375,000 |
| 2-4 | 4020-26-05 | Pavement Rehabilitation @ Various | 120,000 | 150,000 | | | 150,000 | 420,000 |
| 2-5 | 4020-01-06 | Rebecca Lane Reconstruction | 640,000 | | | | | 640,000 |
| 2-6 | 4020-30-06 | EN 13th, College, EN 16th Reconstruction | | 541,000 | 556,000 | 578,000 | | 1,675,000 |
| 2-7 | 4020-04-07 | Industrial Blvd. Reconstruction | | | | | 679,000 | 679,000 |
| | | Traffic Transportation Improvements | | 100,000 | 287,000 | 305,000 | 387,000 | 1,079,000 |
| 3-2 | 4020-01-96 | ADA Curb Ramps Various Locations | | 50,000 | | 50,000 | | 100,000 |
| 3-3 | 3010-01-07 | Bicycle Plan Implementation Program | | | | 80,000 | 87,000 | 167,000 |
| 3-4 | 4020-14-93 | Paved Alley Reconstruction - City wide | | 100,000 | | | | 100,000 |
| 3-5 | 6020-06-97 | Hickory/Pine Signal System | | | 287,000 | | | 287,000 |
| 3-6 | 3410-04-08 | Sidewalk Construction Program | | | | 225,000 | 300,000 | 525,000 |
| | | Drainage Improvements | 460,000 | | | | | 460,000 |
| 4-2 | 5960-02-09 | Rebecca Ln Bridge Repair (Elm Creek)* | 50,000 | | | | | 50,000 |
| 4-3 | 5960-01-09 | Storm Water Pump System Improvements* | 50,000 | | | | | 50,000 |
| 4-4 | 5960-04-07 | Storm Water MNX Bldg. Replacement * | 360,000 | | | | | 360,000 |
| | | Public Safety | | 100,000 | | 83,000 | | 183,000 |
| 5-2 | 5535-01-08 | Environmental Remediation | | 100,000 | | | | 100,000 |
| 5-3 | 5006-03-09 | Investigative Services Office Expansion | | | | 83,000 | | 83,000 |
| | | Municipal Facilities Improvements | 100,000 | 81,000 | 46,000 | 0 | 262,000 | 489,000 |
| 6-2 | 1530-02-06 | HVAC Replacements | 88,000 | | | | | 88,000 |
| 6-3 | 7040-01-09 | Zoo Roof Repairs | | 81,000 | 46,000 | | | 127,000 |
| 6-4 | 7310-01-09 | Animal Shelter Expansion - Phase 2 | 12,000 | | | | 262,000 | 274,000 |
| | | Parks Improvements | 250,000 | 161,000 | 561,000 | 757,000 | 285,000 | 2,014,000 |
| 7-2 | 7010-04-98 | Playground Modernization - Parks | | 120,000 | 65,000 | 180,000 | | 365,000 |
| 7-3 | 7010-01-04 | Lake Kirby Park, Baseball Complex - Parks | | | | | 135,000 | 135,000 |
| 7-4 | 7010-01-05 | Rose Park Trail - Parks | | | | 100,000 | 150,000 | 250,000 |
| 7-5 | 7010-08-05 | Athletic Field Lighting Project - Parks | | 41,000 | 42,000 | 43,000 | | 126,000 |
| 7-6 | 7010-01-06 | Ball Field Concession Buildings - Parks | | | 263,000 | 357,000 | | 620,000 |
| 7-7 | 7010-03-06 | Sears Park Development - Parks | | | 37,000 | 77,000 | | 114,000 |
| 7-8 | 7010-01-07 | Lake Ft. Phantom Development - Parks | 250,000 | | 154,000 | | | 404,000 |
| | | Other Projects | 900,000 | | | | | 900,000 |
| 8-1 | 4060-03-08 | Trommel Screen & Compost Equipment * | 900,000 | | | | | 900,000 |
| | | Alternate Funding Sub-Total | \$1,360,000 | \$0 | | | | |
| | | CO Funded Sub-Total | \$ 1,210,000 | \$ 1,433,000 | \$ 1,550,000 | \$ 1,773,000 | \$ 2,188,000 | \$8,154,000 |
| | | Projected CO Debt Available | \$ 1,210,000 | \$ 1,400,000 | \$ 1,500,000 | \$ 1,700,000 | \$ 2,100,000 | \$7,910,000 |
| | | % +/- (5% Max) | 0.00% | 2.36% | 3.33% | 4.29% | 4.19% | 3.08% |
| | | Difference | 0 | (33,000) | (50,000) | (73,000) | (88,000) | (244,000) |
| | | Grand Total | \$2,570,000 | \$1,433,000 | \$1,550,000 | \$1,773,000 | \$2,188,000 | \$8,154,000 |

Mayor Archibald opened the public hearing and their being no one present and desiring to be heard the public hearing was closed.

Council and Staff discussion included: 1) above list doesn't include water CO's; 2) request by citizens for a left turn light at Judge Ely & EN 16th; 2) widening of West Lake Road to Ambler (this may be State responsibility; 3) possibility to consider General Obligation Bonds for projects that could be funded through them; 4) one-way service roads – see if we can work with the State for the completion of these projects. The State currently doesn't have funding available for the completion of one-way service roads.

Councilwoman Moore made the motion to approve by Resolution the 2009-2013 Capital Improvements Program (CIP). Councilman Williams seconded the motion, motion carried.

AYES: Councilman Price, Spano, Higgins, Williams, Briley, Councilwoman Moore and Mayor Archibald

NAYS: None

Resolution numbered **#16-2009** and is captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF ABILENE APPROVING AND ADOPTING THE 2009-2013 CAPITAL IMPROVEMENTS PROGRAM.

WORKSHOP ITEM

Chief Martin reviewed the possible use of Tasers by the Abilene Police Department and how we have gotten here. Assistant Chief Stan Standridge along with Mike Perry Director of Training briefed the council on the mechanics of the Taser and how the Officers would be trained in the use of the Tasers.

Electricity 101

- “It’s not the volts; it’s the amps that are dangerous...”
- X26 high peak arcing voltage – 50,000 V
- X26 peak voltage across the body – 1,200 V
- X26 low average current (amps) – <0.003 A

Electricity 102

- Electricity will not pass to others in contact with the subject unless contact is made directly between or on the probes
- Electricity can arc through clothing; even some bullet resistant materials

Why Abilene is Different

Training

State Required

- 70 % license pass rate
- 628 hours of basic training
- 20 hours of on-going training annually
- Annual firearms qualification

Abilene Police Dept.

- 100 % license pass rate ('05-'09)
- 900+ hours of basic training
- 80 hours of on-going training annually
- Biannual firearms qualification

In-House Experts

- We are blessed to have several experts in the field of defensive tactics who regularly are solicited to teach both regionally and nationally to other agencies
- We actively seek and host multiple schools each year to give our officers more opportunities to grow and learn

Hiring and Incident Review

- We are demanding in our new hires – less than one in ten applicants are accepted as police trainees
- From the start of our academy process, new hires are exposed to our culture that reinforces: respect, integrity, and good decision-making
- All uses of force above soft/empty hand are documented, tracked, and reviewed
- Our success is not accidental

Tasers Will Not Be Different

- Five departmental officers are now Taser instructors with two more scheduled for training
- We will triple the required user training with each officer receiving the instructor’s version of training

- Conservative deployment policies will be adopted and continual oversight and review will be exercised

Where is Abilene the Same?

Inflicted Injuries on Officers*

- Broken bones (multiple reports)
- Bites (multiple reports)
- Strikes to head/face (multiple reports)
- Lacerations (multiple reports)
- Shoulder/knee/ankle injuries (multiple reports)
- Back injuries (multiple reports)

*source – Risk Management claims

Injury Costs*

- In excess of 100 incidents of officers being injured while affecting arrests
- Officer injury claims totaling \$434,129.00
- 679 days of work lost

*since January 2001

Realities of Our Job

Regardless of the amount of training we are able to provide:

- there will always be weapons in any physical confrontation; thus, we cannot lose;
- there will always be bigger, stronger, and better trained adversaries than us; and
- it is incumbent on us to give our officers the best tools to protect themselves and the public in violent confrontations

Council and Staff discussion included; 1) the length of use of other departments – varies from 8 to 10 years and on average 5 to 6 years; 2) example used Amarillo – they have a cultural close to ours. The first year the Taser was used 130 X a year and now it is down to 18 to 20 X a year; 3) cost per unit approximately \$1,000 per officer; 4) funding possible budget process to purchase; and 5) how quickly is the technology changing. Very stable now see the technology reaching out to the SWAT side of deployment and in a large group setting.

Mayor Archibald announced that no action is needed on this item this is a workshop item only.

EXECUTIVE SESSION

Mayor Archibald recessed the Council into Executive Session at 11:31 a.m. pursuant to Sections 551.071, 551.074, 551.072 and 551.087 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, to consider the purchase, exchange, lease or value of real property, and to discuss contemplated business prospects and or economic development matters.

The Council reconvened from Executive Session at 12:07 p.m. and reported no votes or action was taken in Executive Session in regards to Section 551.072 Real Property, Section 551.074 Personnel/Boards and Section 551.071 Consultation with City Attorney.

10. Oral Resolution approving the appointment/reappointments to the following board.

Mayor's Council on Physical Fitness

No action taken.

There being no further business the meeting was adjourned at 12:07p.m.

Danette Dunlap, TRMC
City Secretary

Norm Archibald
Mayor