

CITY COUNCIL MEETING
October 14, 2010 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 October 14th at 8:30 a.m. in the Council Chambers at 555 Walnut Street. Mayor Archibald was present and presiding with Councilmen Shane Price, Joe Spano, Anthony Williams, Robert O. Briley, Stormy Higgins, and Councilwoman Miller. Also present were City Manager Larry Gilley, City Attorney Dan Santee, Management Analyst (Acting City Secretary) Barbara Boen, and various members of the City staff.

Mayor Archibald gave the invocation.

Mayor Archibald introduced Destiny Herrera. Destiny attends Bowie Elementary and is a 5th grader. Destiny led the Pledge of Allegiance to the Flags of the United States of America and the State of Texas.

EMPLOYEE SERVICE AWARD

Mayor Archibald and City Manager Larry Gilley recognized the following employee for his years of service:

Johnny Kincaid *Battalion Chief I, Fire Tactical Operations* *40 Years*

PROCLAMATIONS

Mayor Archibald presented the following proclamations:

October 2010

Disability Awareness Month

Kathy Turner accepted the proclamation

October 2010

National Physical Therapy Month

Marsha Rutland, Assistant Professor of Physical Therapy at Hardin Simmons University accepted the proclamation

October 31, 2010

Pink Ribbon Sunday

Marion Smith, Texas Oncology accepted the proclamation

October 24-30, 2010

United Way of Abilene Week

Dixie Bassett, President/CEO United Way of Abilene accepted the proclamation

October 15, 2010

White Cane Day

Mary Kindrick accepted the proclamation.

DISPOSITION OF MINUTES

5.0 Mayor Archibald stated Council has been given the minutes from the Regular Meeting on September 23rd there being no deletions, no additions, and no corrections, Councilman Briley made a motion to approve the minutes as presented. Councilman Price seconded the motion, motion carried.

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

NAYS: None

CONSENT AGENDA

Councilman Spano made the motion to approve consent items 6.1 through 6.7 as presented. Councilwoman Miller seconded the motion, motion carried.

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

NAYS: None

Oral Resolutions:

- 6.1** **Oral Resolution** – City Council authorized Task Order 21 with URS to design the Rehabilitation of Taxiway C at the Airport. The fee for Task Order 21 is funded 95% by AIP Grant 40. The City's 5% share for this task order is \$13,390.54.
- 6.2** **Oral Resolution** – City Council authorized Task Order 26 with URS to design the rehabilitation to Taxilane EASI. The fee for Task Order 26 is funded 95% by AIP Grant 40. The city's 5% share for this task order is \$4,908.27.
- 6.3** **Oral Resolution** – City Council authorized the City Manager to execute a contract with WTA Inc. for the design and engineering of the Police Academy Building. The facility will be approximately 5,750 sq feet with offices for training staff, one class room with seating capacity of 57 and a second class room with a seating capacity of approximately 18. The contract amount of \$76,490.00 which includes \$63,490.00 of design fee and \$13,000.00 allowances for topographical survey/geotechnical survey analysis and TAS review fee.
- 6.4** **Oral Resolution** – City Council authorized the City Manager to enter into an agreement with Sheppard Surveying Company, Inc. for surveying services at Lake Fort Phantom Hill. The surveyor/platting fees associated with making this phase ready for sale is not to exceed the contract amount of \$201,300. This phase includes surveyor/platting fees for Apache Lane, Northwind Rd, Collins Dock Rd, Cool Breeze Circle, Crows Nest Road, and Cheyenne Circle.
- 6.5** **Resolution** – City Council authorized the renewal of Contract with National Development Council. This contract will provide professional services to assist the City in accomplishing its community and economic development objectives. NDC is a private nonprofit corporation that specializes in economic development technical assistance, project development and affordable housing development. NDC will provide technical assistance to the City in the following areas: comprehensive program development, downtown revitalization, and economic development project review. In addition, NDC will provide development services toward specific, residential project development in a neighborhood targeted for revitalization. The total contract amount is \$72,000.

Resolution [# 25-2010](#) and captioned as follows:

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS APPROVING THE FY 2010-2011 CONTRACT BETWEEN THE CITY OF ABILENE AND THE NATIONAL DEVELOPMENT COUNCIL.

- 6.6** **Resolution** – City Council approved a resolution in support of increased funding for Texas Recreation and Parks Account Local Park Grant Program (TRPA). This program is funded from State sales tax on sporting goods and provides matching grant funds to local jurisdictions for acquisition and development of local outdoor recreation facilities. Abilene has used these programs in the past for improvements such as those at Lake Kirby Park and is currently using TRPA matching grant funds on the Lake Ft. Phantom Hill Parks development project.

Resolution [#26-2010](#) and captioned as follows:

A RESOLUTION OF THE CITY OF ABILENE CITY COUNCIL REQUESTING THE MEMBERS OF THE 82ND LEGISLATIVE SESSION OF THE STATE OF TEXAS SUPPORT LEGISLATION THAT INCREASES FUNDING FOR THE TEXAS RECREATION AND PARKS ACCOUNT LOCAL PARK GRANT PROGRAM AND THE TEXAS STATE PARK SYSTEM.

- 6.7** **Award of Bid – CB#1035** – Pine Street Reconstruction and Median Construction. City Council awarded the bid to J. H. Strain & Sons, Inc. in the amount of \$1,248,491.28 and bid Option 2 in the amount of \$462,118.55 for landscaping medians for a total of \$1,710,609.83.

REGULAR AGENDA

- 7.1** Jon James Director of Planning and Development Services briefed the City Council on an Ordinance for Case **#Z-2010-14**, a request from McMurry University to rezone property from RS-6 (Single Family Residential) and GC (General Commercial) to CU (College University) zoning, located at 2525 S. 14th St., 1433, 1441, 1449 and 1457 Portland St.

Currently the properties zoned RS-6 is undeveloped and the GC property has been developed with a restaurant. The adjacent properties to the west have a mix of general commercial uses as well as single family homes. The properties to the south are developed with single family homes, the properties to the east are used by McMurry University, and the properties to the north across S. 14th St are developed as commercial uses.

Staff and Planning & Zoning Recommendation: both recommend approval.

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

Councilman Higgins made the motion to approve Ordinance for Case **#Z-2010-14**, a request from McMurry University to rezone property from RS-6 (Single Family Residential) and GC (General Commercial) to CU (College University) zoning, located at 2525 S. 14th St., 1433, 1441, 1449 and 1457 Portland St. Councilman Price seconded the motion, motion carried.

AYES: Councilmen Price, Spano, Briley, Higgins, Councilwoman Miller and Mayor Archibald
NAYS: None
ABSTAIN: Councilman Williams

Ordinance [#28-2010](#) and captioned as follows:

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

Location: 2525 S. 14th St., 1433, 1441, 1449, and 1457 Portland St.

7.2 Jon James Director of Planning and Development Services briefed the City Council on an Ordinance for Case **#Z-2010-15** a request from Myra Johnson to rezone property from LI (Light Industrial) to PD (Planned Development) zoning, located at 401 Plum St.

Currently the property is zoned LI and is undeveloped. The parcel previously had a building that was recently destroyed by a fire. The adjacent properties to the north, south, east and west are developed with industrial/warehouses uses.

Staff Recommendation: Staff recommends approval of the original PDD draft, which prohibits the use of metal siding or standard concrete block (CMU) on exterior facades visible from a street or a parking lot as required in the Central Business District.

Planning & Zoning Recommendation: PZ recommends approval. The Commission voted to require 10% of the building façade be masonry rather than standard concrete block or metal instead of 100% as required by the Central Business Building Standards.

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

- Paul Johnson – proponent for the change

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

Councilman Briley made the motion to approve Ordinance for Case **#Z-2010-15**, a request from Myra Johnson to rezone property from LI (Light Industrial) to PD (Planned Development) zoning, located at 401 Plum St. Councilman Spano seconded the motion, motion carried.

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

NAYS: None

Ordinance [#29-2010](#) and captioned as follows:

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART B, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, CONCERNING PDD-133 A PLANNED DEVELOPMENT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE

Location: 401 Plum

7.3 Jon James Director of Planning and Development Services briefed the City Council on the Ordinance for Case **#TC-2010-02** a request from the City of Abilene to abandon all alley rights-of-way in Block B and C of the Hale Re-subdivision of the Anderson Addition, Abilene, Texas and the street right-of-way between said blocks,

being located between Vine Street and Jeanette Street and between S. 20th St and S. 21st St as they currently exist.

Improvements to these right-of-ways have never been completed. The right-of-way (ROW) was dedicated for public use but they have never been used as such. The site was been developed with an elementary school. The applicant intends to close the subject ROW to clean up an existing non conformity in the property records for the subject properties.

Staff Recommendation: approval as requested with the conditions of the Plat Review Committee.

Plat Review Recommendation: approval of the requested closures with the following condition, the abandonments are not final until a plat is filed showing the deletion of the ROW's, and there shall be no lots remaining without street frontage. The plat should be filed within 18 months.

Planning & Zoning Recommendation: approval as requested.

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

Councilman Williams made the motion to approve Ordinance for Case **#TC-2010-02**, a request from the City of Abilene to abandon all alley rights-of-way in Block B and C of the Hale Re-subdivision of the Anderson Addition, Abilene, Texas and the street right-of-way between said blocks, being located between Vine Street and Jeanette Street and between S. 20th St and S. 21st St as they currently exist. Councilwoman Miller seconded the motion, motion carried.

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

NAYS: None

Ordinance **#30-2010** 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

Location: Between Vine Street and Jeanette St and between S. 20th and S. 21st

7.4 Jon James Director of Planning and Development Services briefed the city council on the Ordinance for Case **#CUP-2010-01**, a request from Bullet Development, LLC, for a Conditional Use Permit request for petroleum or gas well, located at the southeast corner of Neas Rd. and Caldwell Rd., being approximately 90 acres.

Currently the property is zoned AO and MH. The majority of the AO property is undeveloped, with a few single family residential dwellings spread throughout. There are also several mobile home dwelling units within the subject property that would not allow for the drilling of petroleum or gas.

Staff Recommendation: approval as requested.

Planning & Zoning Recommendation: for approval as requested with a vote of 2 in favor (Bixby and Todd) to 3 opposed (Campos, Famble and Glenn). The motion failed resulting in a recommendation for denial. Under a discussion item later in the meeting the P&Z Commission recommended that staff bring back an

ordinance amendment at the next meeting that would eliminate the requirement for a Conditional Use Permit for oil and gas drilling, leaving the decision up to City Council through the oil/gas permit process.

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

Those speaking for the change were the following:

- Larry Wellhausen (Bullet Development) (proponent)
- David Sweeney (Bullet Development) (proponent)

Those speaking against the change were the following:

- Steve Price
- Brad Bardin
- Jan Merryman
- Jennifer Welch
- Grady Jolly

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

Council and Staff discussion included: 1) Travis McClure – Land Agent for the City explained that the City’s regulations were - no well may be drilled within 200’ of an existing structure and no well may be drilled closer than 200’ without a written notarized consent from the landowner; 2) Council has approved several oil/gas permits within the last couple of years; 3) Caldwell Road is a City street; 4) equipment; 5) noise abatement; 6) entrance into the location; and 7) Council can stipulate during the permit process (next agenda item) various variables such as entrance location, noise abatement, fencing.

Councilman Price made the motion to approve Ordinance for Case #CUP-2010-01, a request from Bullet Development, LLC, for a Conditional Use Permit request for petroleum or gas well, located at the southeast corner of Neas Rd. and Caldwell Rd., as amended in Exhibit A of the Ordinance which excludes City owned property. Councilman Williams seconded the motion, motion carried.

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

NAYS: None

Ordinance [#31-2010](#) and captioned as follows:

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, PROVIDING FOR THE APPROVAL OF A CONDITIONAL USE PERMIT AS PROVIDING FOR THE APPROVAL OF A CONDITIONAL USE PERMIT AS PROVIDED FOR IN CHAPTER 23, SUBPART B, “LAND DEVELOPMENT CODE,” OF THE ABILENE MUNICIPAL CODE; PROVIDING FOR THE TERMS AND CONDITIONS OF SUCH CONDITIONAL USE PERMIT; CALLING A PUBLIC HEARING; AND PROVIDING A PENALTY AND AN EFFECTIVE DATE

Location: East of W. Lake Road, South of Neas Rd

7.5 Megan R. Santee Interim Director of Public Works briefed the City Council on an application/permit to drill and/or operate an oil and/or gas well from Bullet Development, LLC – Caldwell No. 1, Permit No. 697649.

Bullet Development, LLC of Abilene has submitted an application to drill the Caldwell #1 well on property owned by Janice Merryman, et al, located southeast of the intersection of Neas Road and Caldwell Road, as shown on the attached map. This application has been reviewed and approved by City staff. All owners of real property within 500 feet of the proposed drill site have been notified of this application and of the City Council meeting to consider its approval, as required by City ordinance.

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

Those speaking against the application:

- Steve Price
- Brad Bardin
- Greg McNutt

Those speaking for the application:

- Larry Wellhausen (Bullet Development) (proponent)

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

Council and Staff discussion included: 1) noise reduction; 2) fencing around pumping unit; and 3) the history behind Mineral ownership and land ownership – Mineral owners have precedence over the land owners.

Councilman Williams made the motion to approve the application/permit to drill and/or Operate an Oil and/or Gas well – Bullet Development, LLC – Caldwell No. 1, Permit No. 697649 with the following to be added to the permit a) entrance into the site shall be from Neas road; b) chain link fence around pumping unit; c) noise abatement measures during drilling. Councilman Spano seconded the motion, motion carried.

AYES: Councilmen Price, Spano, Williams, Briley, Higgins, and Mayor Archibald
NAYS: Councilwoman Miller

7.6 Sandy Bowen Neighborhood Initiatives Manager briefed the City Council on the Analysis of the Impediments to Fair Housing Choice Study (AI). Mrs. Bowen introduced Dr. Tom Winter from Abilene Christian University School of Urban Studies and School of Social Work, who then gave a brief presentation of the Study.

Analysis of Impediments to Fair and Affordable Housing (AI)

- A study of Abilene housing conditions and practices as required by the U.S. Department of Housing and Urban Development for participation in the Community Development Block Grant and HOME Programs

Documents & Statistical Data

- Data sources included:
 - Records of fair housing complaints and reviews by the City and HUD,
 - Demographic and housing characteristics from the U.S. Census Bureau 2008 American Community Survey,
 - Abilene SMSA data summary from the 2008 Federal Financial Institutions Examinations Council (FFIEC) as part of the Home Mortgage Disclosure Act (HMDA),
 - City of Abilene Consolidated Plan 2005-2009,
 - Real estate data from the Texas A&M Real Estate Center,
 - City public policy statements, and
 - Abilene Housing Authority data on subsidized public housing and voucher programs.

Findings & Analysis Community Forums

Responses from seven open-invitation community forums were grouped into five categories of community-defined issues.

- **Community-Defined Issue 1:** Community understanding of the roles, rights, and responsibilities of the City, property owners and residents in matters of property rights and maintenance, including avenues of remedy when issues arise;
- **Community-Defined Issue 2:** Responsiveness of landlords to issues of property repair and maintenance in single-family and multi-family housing units;
- **Community-Defined Issue 3:** Quality of neighborhoods as a factor in perceived availability of affordable housing choices;
- **Community-Defined Issue 4:** Attention to quality controls on real estate sales and rental activities for sellers/landlords not affiliated with professional housing associations, housing authority, or other community housing entities having required standards of conduct.
- **Community-Defined Issue 5:** Access to financial resource programs to mitigate the costs of home ownership, renting, and property maintenance.
- Abilene has the existing potential to provide information and referral resources for its population.
- Resources are aware of, and available for, service to all demographic segments of the Abilene community, including those of ethnic minorities and LMI households.
- Networking among public, private, and nonprofit resources exists.
- All resources provide evidence of ability to serve as an initial point of contact for community residents seeking redress of housing issues and ability to link community residents to information on issues of housing through self-produced written or internet websites and/or making productive referrals for the resident with other community resources.
- All resource entities reported either a working relationship with City governmental programs related to housing or indicated that they knew how to access City resources.

Analysis of Public Documents & Statistical Data

The team selected six (6) summary indicators to guide continuing community attention to Abilene housing:

- available housing stock and housing costs,
- special populations dependent on others for housing choices,
- populations affected by economic limitations,
- patterns of housing complaints,
- housing age, and
- planning and operational data from community entities that hold potential for collaborative attention to removing impediments to fair and affordable housing.
-

Patterns of Housing Complaints

City and community programs maintain publicly accessible information on fair housing complaints and resolution through the City Department of Planning and Development Services, the Abilene Housing Authority (AHA), the Abilene Board of Realtors, and the Legal Aid of Northwest Texas Abilene office.

- Neither the City nor HUD reported filings of fair housing complaints or the conduct of compliance reviews, filing of discrimination suits through the Department of Justice or private plaintiffs through their respective fair housing programs for the five year period ending June 30, 2009.
- Of 472 applications related to housing filed through the Abilene office of Legal Aid of Northwest Texas, 406 (86%) were settled informally through actions of the office. The remaining 66 (14%) required formal settlement, went to court, involved extended service but did not resolve the matter, or remained open at the end of the study period.
- The City Planning and Zoning Board reviewed a total of 13 matters of pending litigation with counsel during the period July 2005 through June 2009, with recording of procedures in public records.

Community Entities Active in Removing Impediments to Fair & Affordable Housing

City of Abilene

- The Office of Neighborhood Services and community nonprofit organizations assist with homeownership opportunities. ONS community housing resources include:
 - Habitat for Humanity,
 - Connecting Caring Communities,
 - Adult Protective Services Partners program,
 - Abilene Volunteer Weatherization.
- The Division of Building Inspections has incorporated concepts of universal design in all rebuilds of existing housing to operationalize the State of Texas standards for visit-ability of community housing by individuals with disabilities.
- The Planning and Development Services staff ensures that up to 50% of CDBG and HOME funds received for rehabilitation activities were spent in targeted neighborhoods through its Single-Family Rehabilitation Program.
- The Department of Public Works and Department of Community Services provide attention to the City's infrastructure improvement needs and community centers through capital improvement plans and annual funding.

Abilene Housing Authority (AHA)

- AHA operates five programs to provide a link between public and private housing entities and families needing housing assistance:
 - Low Rent Public Housing,
 - Housing Choice Voucher,
 - Family Self-Sufficiency,
 - Veteran's Affairs Supporting Housing, and
 - the Katrina/Rita Assistance Program.
- AHA maintains public information on its programs in print and on its website, with regular reporting on its activities through publicly available newsletters.
- AHA is active in identifying and qualifying for funding of projects to maintain and enhance its programs.

Abilene Board of Realtors and financial lending institutions

- Provide regular industry coordinating forums and standards of ethics for attention to matters of housing availability, housing quality, and mortgage lending,
- Monitor and provide public information on housing availability and assistance in financial lending,
- Lending institutions report annual summaries of lending practices to the Federal Financial Institutions Examinations Council (FFIEC) as part of the Home Mortgage Disclosure Act (HMDA), with annual publication of lending practices summarized for public review.

The United Way of Abilene

- includes assessment of housing as a community focus in its bi-annual "What Matters" survey of community,
- The United Way vision plan, lists "safe and family-friendly neighborhoods" and "independence for senior citizens" as two of its five priority funding areas,
- Abilene's 211 Call for Help Center provides individuals and service providers with a resource listing of 69 local and state-wide resources identifiable under "housing".

Community Housing Development Organizations

- Habitat for Humanity and Connecting Caring Communities combine public and private funding to extend the City's attention to providing new housing units.

Abilene's Minority Advocacy Organizations

- the League of United Latin American Citizens (LULAC) and National Association for the Advancement of Colored People (NAACP) provide targeted attention to the two primary ethnic minority households in identifying and mobilizing assets in housing needs.
- Additional ethnic minority support organizations are active in the community, including the Black Chamber of Commerce, Interested Citizens of Abilene North (ICAN), and Hispanic Leadership Council.
- The LULAC chapter has been actively involved in state-wide efforts to bring attention to housing needs for Hispanic households.
- Conversations with these community entities within the study indicate a foundation for collaborative working relationships between the City and community organizations in addressing issues of housing impediments.

Groups providing volunteer labor, materials and financial assistance to meet home repair and maintenance needs:

- Dyess Air Force Base “We Care Team”
- Churches, individually and cooperatively
- Businesses and civic groups
- Abilene’s three universities involve students, faculty and staff in community service days, focused on neighborhood projects identified in cooperation with the City and nonprofit organizations serving LMI families and special populations.

Study Conclusions

- Data available to the evaluation team do not indicate significant systemic issues related to fair and affordable housing in the city of Abilene.
- The study does not allow a conclusion that all housing relationships in Abilene are without prejudice and/or discrimination, especially in those instances where housing transactions involve rental or sale arrangements between two private parties, not governed by accountability to professional association or public standards.
- Sufficient community resources and relationships among community resources exist to provide education for homeowners, purchasers, renters and landlords, support for locating available housing, remediation of housing issues, and development of additional housing for LMI families.
- The City and community must remain proactive in community-wide identification and mobilization of public and private resources and/or funds for safe and affordable housing.

Study Recommendations

- Establish a single point of contact for citizen access to information on the roles, rights, and responsibilities of the City, property owners and residents in matters of property rights and maintenance, including avenues of remedy when issues arise. Attention should be paid to presenting the information in language that is understandable and usable to the citizens of the community, including attention to its citizens whose first language is Spanish.
- Review and enhance housing code enforcement procedures to assure responsiveness of landlords to issues of property repair and maintenance in single-family and multi-family housing units.
- Make budgetary commitments, subject to funding availability, to assure that the activities of neighborhood initiative programs are sustainable in its goal of promoting quality of neighborhoods as a factor in perceived availability of affordable housing choices. The program focus should be on direct interaction with the community through neighborhood forums and neighborhood-identified priorities and should be the driving mechanism for program activities. The program should contain incentives and support for neighborhood associations and funding for planning priorities identified through its Super Neighborhood mechanism.
- Establish a mechanism for collaboration between the City and private sector housing entities to address issues of quality controls on real estate sales and rental activities for sellers/landlords not affiliated with professional housing associations, housing authority, or other community housing entities having required standards of conduct.

- Assure through its Consolidated Plan for HUD programs and through other federal, state and local funding streams that increasing levels of financial resources are made available through programs to mitigate the costs of home ownership, renting, and property maintenance.
- Observation: the City's Planning and Development Services Department provides an existing structure through which these recommendations could be operationalized on behalf of the City and its neighborhoods.

No action required on this item.

EXECUTIVE SESSION

Mayor Archibald recessed the Council into Executive Session 11:42 am 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 12:11pm and reported no votes or action was taken in Executive Session in regards to Section 551.074 Personnel and Section 551.071 Litigation/Consultation with City Attorney.

10 Action related to annual performance evaluations of the City Manager, City Attorney, Municipal Judge and City Secretary. No action was taken on this item.

There being no further business the meeting was adjourned at 12:12 pm.

Barbara Boen - for

Danette Dunlap, TRMC
City Secretary

Norm Archibald
Mayor