

**CITY COUNCIL MEETING  
February 9, 2012 at 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 February 9<sup>th</sup> 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, Robert O. Briley, Anthony Williams, Stormy Higgins and Councilwoman Kellie Miller. Also present were City Manager Larry Gilley, City Attorney Dan Santee, City Secretary Danette Dunlap, and various members of the City staff.

Councilman Robert Briley gave the invocation.

Mayor Archibald introduced Devan Cortinaz a 5<sup>th</sup> grade student of Johnston Elementary. Devan led the Pledge of Allegiance to the Flags of the United States of America and the State of Texas.

**PROCLAMATION**

Mayor Archibald presented the following proclamation:

“Heart Gallery of Northwest Texas Awareness Day”  
Lisa Lopez with Child Protective Services accepted the proclamation.

**EMPLOYEE SERVICE AWARDS**

Mayor Archibald assisted by City Manager Larry Gilley honored the following City Employees for their years of service.

<i>Kenneth D Galle</i>	<i>Equipment Operator II, Parks</i>	<i>20 Years</i>
<i>Michael “Mike” J Ricker</i>	<i>Police, Police Traffic</i>	<i>30 Years</i>
<i>David D Gray</i>	<i>Police, Police Special Operations</i>	<i>30 Years</i>
<i>Michael “Mike” S McAuliffe</i>	<i>Police, Police Patrol</i>	<i>30 Years</i>

**DISPOSITION OF MINUTES**

**5.0** Mayor Archibald stated Council has been given the minutes from the January 26<sup>TH</sup> regular meeting there being no deletions, no additions, and one correction regarding the Item 6.7 pulled from the agenda to read “**at a later meeting**”. Councilman Price made a motion to approve the minutes with the one correction. Councilman Williams seconded the motion, motion carried.

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

NAYS: None

**CONSENT AGENDA**

Councilman Spano pulled Item 6.8. Councilman Briley made the motion to approve consent item 6.1 through 6.9 with the exception of 6.8 as recommended by staff. Councilman Higgins 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:** Notice of Election for the May General Election. *Aviso De La Elección.* City Council approved the Notice of Election for the May 12, 2012 Uniform Election Date. Council Place 1 and Council Place 2 At-Large positions and setting out Polling Locations for Election Day and Early voting by personal appearance.

**6.2 Oral Resolution:** City Council authorized the City Manager to sign an Agreement between the City of Abilene, Wylie Ind. School Dist., Abilene Ind. School Dist., Lytle Water Dist. And the City of Impact to hold a Joint Election in certain voting precincts on May 12, 2012.

Chapter 271 of the Texas Election Code authorizes political subdivisions of the State of Texas to hold elections jointly in voting precincts if it will be of benefit to the citizens and voters thereof to be served by common polling locations and elections are ordered by the authorities of two or more political subdivisions to be held on the same day in all or part of the same territory.

**6.3 Oral Resolution:** City Council authorized the City Manager to enter into an Election Services Contract with Taylor County Election Administrator. *Autorizar el administrador de la ciudad para entrar en un contrato de servicios de elecciones con el administrador de elecciones Condado de Taylor.*

The estimated total cost of the May 12, 2012 Election is \$33,720.50

If the City and AISD share the cost, the cost to the City is \$16,860.25

If Wylie ISD holds early voting with the City & AISD, cost to the City is \$15,860.25

**6.4 Oral Resolution:** City Council approved accepting the donated sculpture “Staring at the Green Mountain” by the artist George Tobolowsky.

**6.5 Oral Resolution:** City Council approved a Street Use License for the Abilene Education Foundation “Cajun Fest” on April 12, 2012. The applicant will close Cypress Street from the North ROW line of North 2<sup>nd</sup> Street to the S ROW line of North 4<sup>th</sup> Street for this event.

**6.6 Oral Resolution:** City Council approved a Street Use License for Raydon, Inc. for the closure of Ross Ave. between Hunt Street and S. 16<sup>th</sup> Street through 10/01/12, for/during the renovation of Wilford Moore Stadium on the McMurry University Campus.

**Resolutions:**

**6.7 Resolution De la Resolución:** City Council approved the Resolution of the City Council of the City of Abilene, Texas Ordering a General Election to be held on May 12, 2012. *(Una Resolución Del Consejo De La Ciudad De Abilene, Texas, Pidiendo Una Elección General Que Se Llevara A Cabo El 12 De Mayo, 2012.*

Resolution 1-2012

De la Resolución 1-2012

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS ORDERING A GENERAL ELECTION TO BE HELD ON MAY 12, 2012.

UNA RESOLUCIÓN DEL CONSEJO DE LA CIUDAD DE ABILENE, TEXAS, PIDIENDO UNA ELECCIÓN GENERAL QUE SE LLEVARA A CABO EL 12 DE MAYO DEL 2012.

**6.8** **Resolution:** Approving the fee schedule for solicitation. *Item pulled by Councilman Spano.*

**6.9** **Resolution:** Confirming City support of the Housing Tax Credit Program application by Abilene Development Associates, LLC. La Ventana Apartments, LLC (LVA) is applying for tax credits through the HTC Housing Tax Credit Program with Texas Department of Housing and Community Affairs (TDHCA). The proposed \$12M project will be located on a property northeast of the intersection of Hwy 351 and East Lake Road. The project will be 70-80 one to four bedroom town/garden homes. Ten percent of the units will be market rate units. The remaining units will be affordable units: 10% of the units for households with incomes of <30% Area Median Family Income (AMFI); 40% for households with incomes <50% and 50% for those at 60%. Five % of total units will be handicap accessible and 2% for hearing and vision impaired tenants. Amenities will include a splash pad, playground area, picnic area, grills, volleyball court, fitness and business center and a clubhouse.

Existing water and sewer infrastructure is sufficient, may be upgraded and will need to be extended to the project. After the award of tax credits, developer will proceed with rezoning, platting and site plan, as required by the City of Abilene.

HTC applicants are required to provide letters or resolutions showing community support for the project; local funding/in-kind contributions; approval for LVA to apply for State HOME funds; affirmation of a formal redevelopment plan and a formal economic development 4a or 4b initiative. There are no neighborhood associations in the general area. LVA does not plan future public meetings,

Resolution No. 3-2012

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, IN SUPPORT OF THE SUBMISSION OF AN APPLICATION TO THE HOUSING TAX CREDIT (HTC) PROGRAM THROUGH THE TEXAS DEPARTMENT OF HOUSING AND COMMUNITY AFFAIRS (TDHCA) BY LA VENTANA APARTMENTS, LLC FOR THE PROJECT KNOWN AS "LA VENTANA APARTMENTS".

#### ITEM PULLED FROM CONSENT

**6.8** **Resolution:** City Council approved the Solicitation Ordinance. January 12<sup>th</sup>, 2012, the City Council revised Chapter 28, Solicitation, of the Abilene Municipal Code for the purpose to protect against criminal activity, including fraud and burglary, minimize the unwelcome disturbance of citizens and the disruption of privacy and to otherwise preserve the public health, safety, and welfare by regulating, controlling, and licensing canvassers, solicitors and peddlers.

Fees for Solicitation have from time to time been revised by the Council.

Council and Staff discussion included: 1) the proof needed for local business (use of water bill or other utility bills for the business showing proof of being in business in Abilene; and 2) raise the rate for the 30 day permit from the proposed \$25.00 to \$50.00.

Staff compared the rates of our Sister cities they ranged from \$4.00 to \$100.00 per permit. The rates for each additional worker ranged from \$2.50 to \$10.00.

Councilman Spano made the motion to approve the Resolution setting the fees as established in the Schedule for the Solicitation Ordinance and changing the 30 day permit fee to \$50.00. Councilman Williams seconded the motion. Motion carried.

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

NAYS: None

Resolution No. 2-2012

A RESOLUTION OF THE CITY OF ABILENE, TEXAS REVISING THE FEE SCHEDULE FOR THE AMENDED SOLICITATION ORDINANCE ADOPTED JANUARY 12<sup>TH</sup>, 2012.

## REGULAR ITEMS

**7.1** Ronnie Kidd Managing Director for Administration & Civil Service Director briefed the city council on an Ordinance Amending Budget Ord. No. 32-2011, part 7.

Pursuant to Texas Local Government Code Chapter 143, the FY 2012 budget ordinance provides the number, classification, and designation of each position for the Police and Fire Departments. Regarding the Police Department, with the recent retirement of an assistant chief, the Police Chief desires to reduce the assistant chief positions by one (1) and add that position to the police officer rank. Further, the Chief is requesting to add five (5) additional police officer positions. This strategy will provide for dedicating an officer to serve as the department's public information officer, as well as continuing the Chief's desire to more fully implement intelligence-led policing and thereby reduce crime. This will result in a net increase of five (5) positions for the department as reflected below:

	<u>Current</u>	<u>Proposed</u>	<u>Change</u>
Assistant Police Chief	3	2	(1)
Police Lieutenant	11	11	0
Police Sergeant	23	23	0
Police Officer	<u>147</u>	<u>153</u>	<u>6</u>
Total	184	189	5

Stan Standridge Chief of Police briefed the City Council with an overview for fully implementing intelligence-led policing and thereby reducing crime.

Chief Standridge discussed the change of the staffing through an updated Organizational Chart and the process the Police Department goes through when hiring new officers.

- **Intelligence-led Policing (ILP) Overview**
  - If you give employees random expectations, you will get random results.
  - Review all reports, calls for service, etc
  - Disseminate weekly intelligence bulletins
  - Target repeat offenders
  - Manage crime hotspots

- Investigate linked series of crimes
- Apply preventative measures (tires)
- **At no costs to our citizens, RAIDS Online was added to our website, giving citizens a keen perspective on crime in their neighborhood.**
- **2011 Crime Stats**
  - 26.1% decrease in Violent Crime (Murder, Rape, Robbery, and Aggravated Assault)
  - 10.4% decrease in Property Crime (Burglary, Theft, and Auto Theft)
  - DWI arrests down 37.3%
  - Drug abuse cases down 16.9%
  - Public Intoxication down 22.9%
- **Strategic Business Plan for 2012 and 2013 calls for:**
  - Another 3% reduction in traffic collisions
  - 5% reduction in residential and commercial burglaries
  - Concerted effort to address family violence (increase in number of cases assigned; decrease in number of victims who refuse to prosecute; better collaboration with non-profits; address repeat offenders)
  - Greater victim services

**To accomplish these public safety goals, the Department needs these additional (5) sworn positions:**

- Public Information Officer
- Special Victims Investigators
  - Since 2008, we have had a 67% increase in the number of child abuse investigations assigned to our CAC detectives. *Stranger Danger* is not the greatest threat to our children.
- Street Crimes Officers
- **Looking ahead...**
  - Recognition (accreditation) by April 2012
  - SOAP Program
  - TipSoft Alerts...(no cost to citizens)
  - Broadband transition in all fleet vehicles (more intelligence pushed to Officers on the streets)
  - 5 year staffing plan

Council and Staff discussion included: 1) Council voiced their appreciation to the Abilene Police Department and 2) the cost of the implementation of the added officers will be handled in the revised budget for FY 12.

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

Councilwoman Miller made the motion to approve the Ordinance Amending Budget Ordinance No. 32-2011, part 7. Councilman Higgins seconded the motion, motion carried.

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

NAYS: None

Ordinance No. 9-2012

AN ORDINANCE APPROVING A REVISION TO SECTION 7 OF ORDINANCE NUMBER 32-2011; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; CALLING A PUBLIC HEARING.

**7.2** Jon James Director of Planning and Development Services briefed the City Council on the Case for **Z-2012-01**, a request from Sandra Hernandez to rezone property from LI (Light Industrial) to HC (Heavy Commercial) zoning, located at 4358 Sayles Blvd.

The property is zoned LI and has been developed with a restaurant. The restaurant had been operating until late 2010 until it was closed due to a fire. The LI zoning previously allowed for a restaurant. With the adoption of the LDC, the LI zoning district no longer allows a restaurant as a permitted use. The use was considered a legal, non-conforming use until it had ceased operation for more than 6 months. The surrounding properties have been developed with a mix of industrial and commercial uses.

The Future Land Use section of the Comprehensive Plan designates this general area as a commercial/industrial area. The area currently includes commercial uses, especially along the freeway frontage. The requested zoning would allow the restaurant to re-open and would bring the intended use in conformance with the zoning on the property. The request would not have a negative impact on the surrounding properties and would be compatible with the existing land uses.

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

Councilman Spano made the motion to approve the Ordinance on the Case for **Z-2012-01**, a request from Sandra Hernandez to rezone property from LI (Light Industrial) to HC (Heavy Commercial) zoning, located at 4358 Sayles Blvd. Councilman Price seconded the motion, motion carried.

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

NAYS: None

Ordinance No. 10-2012

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "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 AN EFFECTIVE DATE

**Location: 4358 Sayles Blvd.**

**7.3** Jon James Director of Planning and Development Services briefed the City Council on the Case for **Z-2012-02** - a request from Pebbles Lee to rezone property from RS-12 (Single Family Residential) to RS-12/H (Single Family Residential with Historic Overlay) zoning, located at 873 River Crest Dr.

The property is zoned RS-12 and has been developed with a residential dwelling unit. The house was built in 1928 by T.F. Grisham. The style of the home exemplifies the Spanish/Mission Revival style of architecture. The house exhibits elements of the classic hacienda, including stucco exterior, Mission-shaped

roof parapet, arches, inset porch, metal roof in clay tile design, decorative wrought iron screens and gates at entrances. The home is in excellent condition.

The Future Land Use section of the Comprehensive Plan designates this general area as low-density residential. The requested zoning is an overlay zoning that would not affect the underlying residential zoning and would be compatible with the surrounding land uses. Recently two other properties in the area have received Historic Overlay Zoning, and this request could encourage other properties to do the same.

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 the Ordinance on the Case **Z-2012-02** - a request from Pebbles Lee to rezone property from RS-12 (Single Family Residential) to RS-12/H (Single Family Residential with Historic Overlay) zoning, located at 873 River Crest Dr. Councilman Higgins seconded the motion, motion carried.

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

NAYS: None

Ordinance No. 11-2012

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "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 AN EFFECTIVE DATE

**Location: 873 River Crest Dr.**

**7.4** Jon James Director of Planning and Development Services briefed the City Council on the Case for **Z-2012-03** - a request from Don Bledsoe to rezone property from LI (Light Industrial) to GC (General Commercial) zoning, located at 620 Ambler Ave.

The property is zoned LI and had been developed with a convenience store. The applicant is proposing to locate his restaurant from across the street on N. Treadaway Blvd into the building. The LI zoning does not allow for a restaurant. The surrounding properties have been developed with primarily commercial uses with a few industrial uses close by.

The Future Land Use section of the Comprehensive Plan designates this general area as a Special Activity area that would include a mix of uses. The subject property is also along an Enhancement Corridor for Ambler Avenue. An application for a building permit was submitted for the restaurant use that is not allowed in LI. The area currently includes commercial uses, especially along the Ambler frontage. GC zoning is a more appropriate zoning along an Enhancement corridor as it does not allow some of the more intensive industrial uses. The request would not have a negative impact on the surrounding properties and would be compatible with the existing land uses.

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

Councilman Briley made the motion to approve the Ordinance on the Case **Z-2012-03** - a request from Don Bledsoe to rezone property from LI (Light Industrial) to GC (General Commercial) zoning, located at 620 Ambler Ave. Councilman Higgins seconded the motion, motion carried.

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

NAYS: None

Ordinance No. 12-2012

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART E, "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 AN EFFECTIVE DATE.

**Location: 620 Ambler Ave**

**7.5** Jon James Director of Planning and Development Services briefed the City Council on the *First Reading* of the Ordinance on a proposal to adopt the Highway 351 Development Plan.

### **Summary**

The City of Abilene has long recognized the Hwy 351 corridor as a key location within the community for implementing its long-term plan to promote orderly growth and economic opportunity. In the 2004 Comprehensive Land Use Plan the location was officially identified as a "**major commercial/business center**". The intersections of Hwy 351, I-20 and East Lake Road create a unique opportunity for a concentration of mixed land uses, nodal development and more compact development envisioned within the Comprehensive Plan. This plan further clarifies the vision for this area along Hwy 351 from I-20 out to the City Limits of Abilene, Texas. The plan is not intended to be static but recognizes the need for periodic revision and is intended to expand upon the general goals and strategies of the citywide Comprehensive Plan, not to supersede the recommendations of that Plan.

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

- Megan De Luna, Pinnacle Housing Group - for the development plan.

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

Councilman Higgins made the motion to approve the Ordinance on the *First Reading* of the Ordinance on a proposal to adopt the Highway 351 Development Plan. Councilman Spano seconded the motion, motion carried.

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

NAYS: None

Ordinance No 13-2012

AN ORDINANCE TO AMEND THE CITY'S COMPREHENSIVE PLAN ADOPTING AND INCORPORATING THE HIGHWAY 351 DEVELOPMENT PLAN AS A DEVELOPMENT



**PLAN ATTACHMENT; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY AND CALLING A PUBLIC HEARING.**

**7.6** Larry Gilley City Manager introduced the Workshop Item concerning the Texas Municipal Retirement System. There will be an over view of the program, the health of the program, how adjustments effect our plan and future costs. (Council took a break)

David Rodriquez with Texas Municipal Retirement System talked about the history of TMRS, where they have been and where they are now.

**TMRS History**

- Created in 1947 by Texas Legislature
- Retirement system specifically for cities in Texas
- 847 cities
- 140,000 member accounts
- Over 39,000 retirees
- Large Texas cities do not participate – Dallas, Fort Worth, Houston, Austin, Galveston and El Paso

**TMRS Plan Provisions**

- Each TMRS participating city has its own retirement plan within the general framework of the enabling legislation. Provisions may vary from city to city, depending on the options selected by that individual municipality.
- The plans are essentially cash balance plans, a hybrid of defined contribution and defined benefit elements.

**Recent History**

- 2007 – TMRS changed actuarial funding method and approved diversification of investments
- 2008 – Cities with large increases in contribution rates were allowed an 8-year “phase-in” beginning with 2009 contributions; began investment diversification
  - 2009 – HB 360 de-linked interest credits to member and city accounts
    - Guaranteed 5% to members
    - City accounts receive variable rate, based on investment return and Board policy
    - Allowed investment diversification to continue

**Recent Legislative Change**

- SB 350 by Senator Williams (House sponsor Truitt) passed in the 82<sup>nd</sup> Legislature
  - Enacted TMRS Board’s and Advisory Committee’s recommendation for fund restructuring
  - Amends the TMRS Act; signed into law on June 17, 2011, effective immediately

**Actuarial Experience Study**

- Performed every four to five years
- Examines accuracy of actuarial assumptions
- Recommended assumption changes where appropriate and should assist with rate stabilization
- In 2011, performed in conjunction with annual valuation and restructuring

**What Caused Rate Changes?**

- Restructuring
- Plan design changes
- Assumption changes from Experience Study
- Individual city experience
  - Economy limited payroll growth for many cities

- Payroll growth less than assumed rate is negative experience
- Lower than expected turnover resulted in increased aging of the group

**TMRS Benefit Variables**

**Defined contribution**

- The employee contribution rate – 5, 6, or 7%
- The city matching ratio – 1, 1.5, or 2 to 1
- The interest credited during the employee’s working career (5% annual minimum)
- The age at which payment begins
- The age of beneficiaries
- Benefit options

**Defined benefit**

- Updated service credit, other service credits

**Abilene Benefits**

- The employee contribution rate: 7%
- The city matching ratio: 2 to 1
- 100% updated service credits
- 50% cola increases for retirees (ad hoc)
- Restricted prior service credit
- Military service credit
- 20-year retirement
- 5-year vesting
- Supplemental death benefits
- Disability benefits

**Abilene Cost**

- 2011 rate – 16.71%
- 2011 funding ratio – 70.3%
- 2012 rate – 11.97%
- 2012 funding ratio – 92.1%
- Actuarial Value of Assets - \$ 203,955,283
- Total Actuarial Accrued Liability - \$221,539,893
- Actuarial Liability - \$17,584,610

Adoption 50% cola retirees – 12.12%

**Comparator Cities**

City	2012 Funding Ratio	Actuarial Liability
<b>Abilene</b>	<b>92.1%</b>	<b>\$17,584,610</b>
Carrollton	91.7%	\$23,342,000
Killeen	91.2%	\$9,774,000
Odessa	85.6%	\$25,722,000
Midland	85.6%	\$33,459,000
Grand Prairie	81.9%	\$65,967,000

Wichita Falls	80.3%	\$38,181,000
Lubbock	78.9%	\$106,497,000
San Angelo	76.9%	\$38,957,000
Denton	74.4%	\$71,558,000
Waco	70.9%	\$117,627,000

### COLA Calculation

- COLA calculations are based on the change in CPI
- This is applied to the original annuity and not the current annuity
- When the COLA percentage is reduced, the change in the CPI for the entire period is multiplied by the lower percentage
- Result lower projected monthly benefit amount.

### Current Issues

- Increased scrutiny on public retirement systems
- Economic downturn causing tight budgets for employers – Public & Private
- Ongoing need to make funding as efficient as possible
- Next Legislative Session – larger cities not in TMRS

Council and Staff discussion included: 1) actuarial studies, TMRS is very conservative; 2) defined benefit plan; 3) public vs. private benefit plans; 4) the city can make adjustments at any time to the plan; 5) CBO reports – dealt with defined benefit plans; 6) have assets to pay for the plan – great position in TMRS; 7) trends so that Council can make decisions going forward with COLA's etc; 8) Abilene has one of the best funded plans, in a great position; and 9) private industry has to be 100% funded vs. public funded plans.

No action needed on this item.

### EXECUTIVE SESSION

Mayor Archibald recessed the Council into Executive Session 11:09 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 11:35 a.m. and reported no votes or action was taken in Executive Session in regards to Sections 551.072 Real Property and Section 551.074 Personnel.

**10. Oral Resolution** – Discussion and possible action related to annual performance evaluations of City Manager, City Attorney, City Secretary and Municipal Judge.

No action.

There being no further business the meeting was adjourned at 11:35 a.m.

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Danette Dunlap, TRMC  
City Secretary

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Norm Archibald  
Mayor