

CITY COUNCIL MEETING
July 23rd 2015, 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 July 23rd 2015, at 8:30 a.m. in the Council Chambers, 555 Walnut St. Mayor Archibald was present and presiding with Councilmen Shane Price, Bruce Kreidler, Anthony Williams, Jay Hardaway, Kyle McAlister and Steve Savage. Also present were City Manager Robert Hanna, City Attorney Dan Santee, City Secretary Danette Dunlap, and various members of the City staff.

Mayor Archibald gave the invocation.

Mayor Archibald introduced Mira Savage she will be a 5th grade student at Texas Leadership Charter Academy. She is the daughter of Councilman Steve Savage. Mira led the Pledges of Allegiance to the Flag of the United States of America and the State of Texas Flag.

PROCLAMATIONS

Mayor Archibald presented the following proclamations:

80th Anniversary of the Social Security Administration Proclamation was accepted by Jackie Sledge, District Manager Social Security Administration

Water Quality Month Proclamation was accepted by Michael Rice Interim Director of Public Works

DISPOSITION OF MINUTES

5.0 Mayor Archibald stated Council has been given the minutes from the July 9th Regular Meeting there being no deletions, no additions, and no corrections. Councilman Williams made a motion to approve the minutes as presented. Councilman Hardaway seconded the motion, motion carried.

AYES: Councilmen Price, Kreidler, Williams, Hardaway, McAlister, Savage and Mayor Archibald
NAYS: None

CONSENT AGENDA

Councilman Savage pulled items 6.1 and 6.3. Councilman Kreidler pulled items 6.4 and 6.7. Councilman Price made the motion to approve 6.2, 6.5, 6.6 and 6.8 as presented by staff. Councilman Hardaway seconded the motion, motion carried.

AYES: Councilmen Price, Kreidler, Williams, Hardaway, McAlister, Savage and Mayor Archibald
NAYS: None
ABSTAINED: Councilman Williams and Mayor Archibald on items 6.5 & 6.6

Resolutions:

6.1 **Resolution:** Amendments to the Keep Abilene Beautiful, Inc. Board bylaws. *Item pulled by Councilman Savage.*

Ordinances:

- 6.2** **Ordinance:** *(First Reading)* **Z-2015-17** A request from Jamie Anderson, to rezone property from RS-6 (Single-Family Residential) to RS-6/H (Single-Family Residential/Historic Overlay) zoning, located at 1134 Grand Ave; and setting a public hearing for August 13, 2015.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, "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.

- 6.3** **Ordinance:** *(First Reading)* **Z-2015-18** A request from PAK Harris Enterprises, Ltd. to rezone property from AO (Agricultural Open Space) to GR (General Retail) zoning, being approximately 1.35 acres located directly south of 2642 E. Lake Rd; and setting a public hearing for August 13, 2015. *Item pulled by Councilman Savage.*

- 6.4** **Ordinance:** *(First Reading)* **Z-2015-19** A request from Development Corporation of Abilene, Inc. to amend PD-91 (Planned Development) zoning concerning signage for property located at 1842 Hwy 351; and setting a public hearing for August 13, 2015. *Item pulled by Councilman Kreitler.*

- 6.5** **Ordinance:** *(First Reading)* **Z-2015-20** A request from Wal-Mart Stores East, LP, agent Kimley-Horn & Associates, Inc., to rezone property from MD (Medium Density Residential) & O (Office) to GR (General Retail) zoning, being all property between Grape St & Simmons Ave and Ambler Ave & N. 21st St; and setting a public hearing for August 13, 2015.

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, "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.

- 6.6** **Ordinance:** *(First Reading)* **TC-2015-04** A request from Wal-Mart Stores East, LP, agent Kimley-Horn & Assoc, Inc., to abandon: Beech St between N. 21st St & Ambler Ave; an east-west alley north of N. 21st St between Grape St & Beech St; & a north-south alley east of Beech St between N. 21st St & Ambler Ave; and setting a public hearing for August 13, 2015.

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.

- 6.7** **Ordinance:** *(First Reading)* **TC-2015-05** A request from Michael Pritchard to abandon: Bacon Dr., west of Lincoln Dr. a distance of approximately 175 feet; and an east-west alley south of Bacon Dr. a distance of approximately 233 feet; and setting a public hearing for August 13, 2015. *Item pulled by Councilman Kreitler.*

- 6.8** **Ordinance:** *(First Reading)* An amendment to the Land Development Code (LDC) regarding requirements related to review time of drainage plans; and setting a public hearing for August 13, 2015.

AN ORDINANCE AMENDING CHAPTER 23, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY AND CALLING A PUBLIC HEARING.

ITEMS PULLED FROM CONSENT

- 6.1** **Resolution:** To approve the amendments to the Keep Abilene Beautiful, Inc. Board bylaws. The Bylaw changes were developed and presented by the Executive Committee of the Keep Abilene Beautiful Board and reviewed by the legal department.

On July 1, 2015, the Keep Abilene Beautiful Board of Directors voted and approved changes to the Bylaws of Keep Abilene Beautiful, Inc., as amended April 3, 2013. The amendments consist of the following updates:

- 1.01 The registered agent from Larry Gilley to Robert Hanna
- 4.03 Decreasing the number of Board of Directors from 13 to 9
 - This change comes from being unable to fill all of the vacant seats over several years.
 - This change requires the adjustments of the following numbers:
- 4.03 The number of board members who are residents of the City of Abilene from 7 to 5
- 9.01 The number in favor of amending or altering the bylaws from 7 to 5
- 5.07 Added duties of the Treasurer concerning the addition of a board credit card
 - This change comes from a need to make online purchases and to decrease the amount of board member reimbursements.
- 6.02 Correction of an inaccurate sited clause in 6.02 regarding Article 10, Section 10.01
- 8.01 Clarification of Executive Director duties
 - This wording change is to clarify the ED's role to oversee the maintenance of the financial reports.

The Keep Abilene Beautiful, Inc., Board voted on Wednesday, July 1, 2015 to amend the bylaws.

Council and Staff discussion included: 1) Section 5.07 use of a credit card. Currently board members purchase items and then have to get reimbursed by KAB for those purchases; and 2) Roberts Rules of Order – used by KAB, City Council uses Sturgis Standard Code of Parliamentary Procedures.

Councilman Savage made the motion to approve the amendments to the Keep Abilene Beautiful, Inc. Board bylaws as presented. Councilman Hardaway seconded the motion, motion carried.

AYES: Councilmen Price, Kreitler, Williams, Hardaway, McAlister, Savage and Mayor Archibald
NAYS: None

Resolution: **#46 -2015**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING AMENDMENTS TO THE BYLAWS OF KEEP ABILENE BEAUTIFUL, INC.

- 6.3** **Ordinance:** (*First Reading*) **Z-2015-18** A request from PAK Harris Enterprises, Ltd. to rezone property from AO (Agricultural Open Space) to GR (General Retail) zoning, being approximately 1.35 acres located directly south of 2642 E. Lake Rd; and setting a public hearing for August 13, 2015. *Item pulled by Councilman Savage.*

Council and Staff discussion included: 1) It is noted on the agenda memo that staff recommends against the zone change; and 2) this comes to council from the Planning & Zoning Commission as a recommendation of approval as requested by PAK Harris Enterprises..

Councilman Savage made the motion to approve the 1st reading of the Ordinance for Case **Z-2015-18** A request from PAK Harris Enterprises, Ltd. to rezone property from AO (Agricultural Open Space) to GR (General Retail) zoning, being approximately 1.35 acres located directly south of 2642 E. Lake Rd; and setting a public hearing for August 13, 2015. Councilman Price seconded the motion, motion carried.

AYES: Councilmen Price, Kreitler, Williams, Hardaway, McAlister, Savage and Mayor Archibald
NAYS: None

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, "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.

- 6.4** **Ordinance:** *(First Reading)* **Z-2015-19** A request from Development Corporation of Abilene, Inc. to amend PD-91 (Planned Development) zoning concerning signage for property located at 1842 Hwy 351; and setting a public hearing for August 13, 2015. *Item pulled by Councilman Kreitler.*

Council & Staff discussion included: 1) portable signs – Councilman Kreitler had reached out to businesses in the area and discussed portable sign use; 2) Sign ordinance will be coming to the council in the near future; 3) P & Z has discussed changing all portable signs usage; 4) US Supreme Court has made some decisions that will affect the ordinance and so the ordinance needs to be reviewed in light of the Court decision; and 5) current ordinance addresses portable signs that are blocking traffic views.

Councilman Kreitler made the motion to approve the 1st reading and striking out the language that says “Prohibited signs: Portable signs, off-site advertising, other free-standing temporary signs” from the PD for Case #**Z-2015-19** A request from Development Corporation of Abilene, Inc. to amend PD-91 (Planned Development) zoning concerning signage for property located at 1842 Hwy 351; and setting a public hearing for August 13, 2015. Councilman Savage seconded the motion, motion carried.

AYES: Councilmen Price, Kreitler, Hardaway, and Savage
NAYS: Councilmen Williams, McAlister and Mayor Archibald

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, CONCERNING PDD-91 AND ORDINANCE NO. 20-2004 A PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE

- 6.7** **Ordinance:** *(First Reading)* **TC-2015-05** A request from Michael Pritchard to abandon: Bacon Dr., west of Lincoln Dr. a distance of approximately 175 feet; and an east-west alley south of Bacon Dr. a distance of approximately 233 feet; and setting a public hearing for August 13, 2015. *Item pulled by Councilman Kreitler.*

Council and Staff discussed the recommendation of the Planning and Zoning Commission approval of abandoning the south ½ of Bacon Dr. which will leave an area.

Councilman Hardaway made the motion to approve the 1st reading of Case #**TC-2015-05** A request from Michael Pritchard to abandon: Bacon Dr., west of Lincoln Dr. a distance of approximately 175 feet; and an east-west alley south of Bacon Dr. a distance of approximately 233 feet; and setting a public hearing for August 13, 2015. Councilman Price seconded the motion, motion carried.

AYES: Councilmen Price, Kreitler, Williams, Hardaway, Savage and Mayor Archibald
NAYS: None
ABSTAINED: Councilman McAlister

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.

REGULAR ITEMS

7.1 Jon James Director of Planning and Development Services, briefed the council on the Ordinance for creating and adopting the Bike Master Plan.

The City of Abilene adopted a “Bikeway Plan” in 1983 as part of the City’s Master Thoroughfare Plan that identified locations for bike paths, bike lanes, and bike routes. However, many, if not most, of the recommendations of the 1983 Plan were never realized. One of the goals of the City’s Comprehensive Master Plan is to make the city friendlier for bicyclists and bicycling as an accepted and accommodated mode of transportation. In 2014, an update to the 1983 Bike Plan was initiated. A Citizen Advisory Roundtable was formed to facilitate this update. This group, comprised of a diverse range of citizens, established a vision and a set of goals that, if implemented, will lead to an improved transportation system in Abilene that better accommodates bicyclists. Relying on input from professional staff, input obtained from two public meetings, and the advice of the Citizen Advisory Roundtable, a vision was formed for the role of bicycling in our City. This vision is reflected in the following statement: “Abilene will be a community where bicycling is a viable means of transportation with a comprehensive network of bicycle facilities”.

Bicycle facility improvements can range from minimal (designated bike route) to moderate (striped bike lane) to intensive (protected bike lanes and bike paths). One of the questions asked throughout this process, which will also be asked of the Council, is “what kind of City do we want to be in relation to bicycles?” Everything from “Bike at your own risk” to “Bike Friendly” was considered (see attachment). The recommendations of this plan can be best described as “Bike Accommodating”. This is not a plan to make Abilene a City known for top notch bicycle facilities, but instead is a more cautious plan to better and more safely accommodate those who would choose to use bicycles for transportation in our community. The goal of the plan is to outline strategies and facilities that will not only benefit those who bicycle today, but that promotes bicycling as a means of transportation for the future.

STAFF RECOMMENDATION

Staff recommends approval of adoption of the update to the City of Abilene Bicycle Plan

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

- Jo Hagins – supports bike plan
- Bob Thomas – let’s be concrete
- Bill Libby – supports bike plan
- Mark Spurlock – supports plan
- Elva Salinas bike rider supports
- Neal Coates – against in the area of Austin St and Cedar Crest, for bike plan in other areas
- Ellen Richards – supports plan
- Winston Ohlhausen – had concerns
- Dennis Regan – had concerns regarding those that are in wheel chairs

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

Council and Staff discussion included: 1) proposed paths; and 2) different types of paths along with our goals.

Mayor Archibald made the motion to approve the 1st reading on the Ordinance for creating and adopting the Bike Master Plan and will to 2nd reading on August 13th. Councilman Savage seconded the motion, motion carried.

AYES: Councilmen Price, Williams, Hardaway, McAlister, Savage and Mayor Archibald
NAYS: Councilman Kreitler

AN ORDINANCE TO AMEND THE CITY'S COMPREHENSIVE PLAN AND THOROUGHFARE PLAN AMENDING AND ADOPTING THE CITY OF ABILENE BICYCLE PLAN; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY AND CALLING A PUBLIC HEARING

7.2 James Childers Director of Community Services, briefed the council on authorizing the City Manager to enter into a Lease Agreement with JLL, the operating company for the Mall of Abilene for a new South Branch Library location.

South Branch Library has been located in 5,600 sq. ft. since it was a pilot project in January of 1998. Lease on the existing location expires on July 31, 2015. Because of the impending expiration of the lease, and due to the significant constraints on library operations in the limited space, staff solicited proposals for a larger location in the Southern part of the City in March 2015. Two proposals were received on May 1. A committee composed of City Staff, Advisory Board members and Friends of the Library reviewed the proposals and toured the proposed spaces. The Committee recommended lease negotiations with JLL, the company that presently manages the Mall of Abilene. Such negotiations were engaged and the lease is proposed to move the South Branch Library to a vacant 20,432 sq. ft. space in the Mall of Abilene.

The lease package includes a substantial tenant incentive. The Friends of Abilene Public Library (FOL) have pledged a minimum of \$500,000 to support renovation and preparation of the space for library functions. The FOL have begun their fund raising efforts to provide additional funds over the initial pledge amount and have met with good success. Staff and FOL are hopeful that these additional funds may bring total donated funds (pledged amount + additional funds) to an amount equal to or greater than \$1 million.

An increase of \$68,872 is in the proposed budget for the net increase of lease payments for the South Branch library. There is also a one-time moving expense of \$20,000 in the proposed budget. Existing staffing will be reallocated to support the functions on an as needed basis. Other costs will be absorbed in the library operating budget as existing funding allows.

STAFF RECOMMENDATION

Staff recommends this lease agreement be executed to facilitate relocation of the South Branch Library.

BOARD OR COMMISSION RECOMMENDATION

A resolution of support for this lease agreement was approved unanimously by the Library Advisory Board at their meeting of June 22, 2015.

Council and Staff discussion included: 1) Matt Preston with the Friends of the Library spoke in support of the location at the Mall; 2) ability to serve the public; 3) CityLink stop in front of Library; 4) RFP process of the city; and 5) lease amount discussion regarding negotiations between the city and JLL.

Councilman Williams made the motion to approve authorizing the City Manager to enter into a Lease Agreement with JLL, the operating company for the Mall of Abilene for a new South Branch Library location. Councilman McAlister seconded the motion, motion carried.

AYES: Councilmen Price, Kreitler, Williams, Hardaway, McAlister, Savage and Mayor Archibald
NAYS: None

Resolution: #47-2015

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE A LEASE AGREEMENT TO RELOCATE THE SOUTH BRANCH OF THE ABILENE PUBLIC LIBRARY

7.3 Jon James Director of Planning and Development Services, briefed the council on the 2015-2019 Consolidated Plan and FY 2015/2016 One-Year Action Plan for CDBG and HOME Programs.

As an entitlement city receiving funds from the U.S. Department of Housing and Urban Development (HUD), the City of Abilene is required to submit a Consolidated Plan that strategically addresses the City's goals and objectives for housing and community development over the course of a five-year period. The City of Abilene is also required to submit a One-Year Action Plan outlining specific uses of Community Development Block Grant (CDBG) and Home Investment Partnerships Program (HOME) funds planned for the coming fiscal year. James Gilleylen of J-Quad Planning Group researched and developed the information for both plans and will help present this information. The Office of Neighborhood Services Advisory Council (ONSAC) was instrumental in the development of the goals, objectives and budget of the Consolidated Plan.

SPECIAL CONSIDERATIONS

This year a public survey was available on the City web site, by mail and door-to-door distribution in low- to moderate-income (LMI) areas. A public hearing and two additional public forums were held to receive input for the Consolidated Plan and Action Plan at City Hall, the Abilene-Taylor Health Facility and at Rose Park. The needs discussed were: housing, community services, economic development, community/public facilities, public improvements and homeless services. Forum invitees were service providers and nonprofits, the homeless network, disability services, 211 Call for Help agencies, religious organizations/churches and neighborhood associations. Professionals from housing, insurance, real estate and lending were invited. All City directors and managers were invited along with all previous funding recipients. Discussion centered on the community needs that could be addressed with CDBG/HOME funds or alternative funds. The ONSAC met May 26, 2015, to discuss and approve the goals and objectives based on the input received, and to review funding applications which were received from April 8-May 8, 2015. A summary of the Consolidated Plan and One-Year Action Plan outlining the proposed FY 2015/2016 budget was published in the Abilene Reporter-News on June 15 (which began the HUD-required 30-day comment period). As of July 13, 2015, no written comments had been received in response to the proposed Consolidated Plan, Action Plan and budget as published. A second public hearing on July 23, 2015, is required with approval of the attached resolution. Both plans must be received by HUD no later than August 13, 2015.

FUNDING/FISCAL IMPACT

There will be no impact on local taxes. Projects are to be funded using 2015 entitlements of \$919,723 CDBG and \$810,795 HOME. In addition, the City anticipates that it will receive approximately \$20,000 in program income from the HOME program during FY 2015/16.

STAFF RECOMMENDATION

Staff recommends approval of the attached resolution approving the 2015-2019 Consolidated Plan and 2015/16 One-Year Action Plan for use of CDBG and HOME funds.

CDBG Revenue Sources

CDBG Entitlement	\$835,457
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Reprogrammed Funds	<u>\$84,266</u>
Total Revenue	\$919,723

CDBG Expenditures:

Public Service

- Subject to HUD 15% Public Services cap
 - Access to Jobs \$50,300
 - Medical/Dental \$75,000
- Total Public Services \$125,300

CDBG Non-Public Service

Community/Economic Development

- Section 108 Debt
 - Repayment/Reserve \$117,250
- Connecting Caring Communities \$8,500
- Capital Imp-LMI Jeanette Sidewalk \$150,000
- Capital Imp-Presby Med Mission \$11,675

CDBG Non-Public Service

General Administration and Planning

Subject to HUD 20% Administration Cap

Planning and Development Services Administration	\$90,080
Indirect	\$77,020

HOME Expenditures

- Single-Family Rehab/Recon \$698,410
 - Housing Rehab Project Admin \$8,825
 - Neighborhood Initiatives Admin \$25,330
 - First Time Home Buyer \$50,000
 - Community Housing Development
 Organization (CHDO) \$48,230
- Total \$830,795

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

- Paul Kinley – Noah Project – supports the CDBG and HOME Funds
- Steven Leggett – Habitat for Humanity– supports the CDBG and HOME Funds
- Debra Burchett – Presbyterian Dental – supports the CDBG and HOME Funds

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

Councilman Price made the motion to approve the 2015-2019 Consolidated Plan and FY 2015/2016 One-Year Action Plan for CDBG and HOME Programs. Councilman Hardaway seconded the motion, motion carried.

AYES: Councilmen Price, Kreitler, Williams, Hardaway, McAlister, Savage and Mayor Archibald
NAYS: None

Resolution: # 48 -2015

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING THE FY 2015-2019 CONSOLIDATED PLAN AND FY 2015 ACTION PLAN FOR THE CONSOLIDATED PLAN AND PROJECTED USE OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) AND HOME INVESTMENT PARTNERSHIPS PROGRAM (HOME) FUNDS

7.4 Mindy Patterson Director of Finance, briefed the council on authorizing the City Manager to execute contracts for On-Demand Architectural Services.

Staff is requesting the Council to authorize on-demand contracts for Architectural Services. The on-demand contracts will allow staff to secure these services in a more efficient manner. There were nine (9) invitations for the on-demand Architectural Services mailed out on June 19, 2015, which were due by July 2, 2015. The City would like to establish contracts with the firms that responded to the Request for Qualifications (RFQ). The four (4) firms who responded to the RFQ are: CADCO, Weatherl & Associates, Tim Rice McClarty, and Parkhill-Smith and Cooper. The contracts would authorize the City Manager to execute an on-demand contract with each firm.

Professional architectural services will be needed for some of the approved bond projects and for other projects. When a need is identified, staff can select the most qualified firm for the project and proceed toward assigning the work. This process fulfills the requirement described in the Texas Government Code 2254.004 for a government entity procuring architectural services.

The on-demand contract does not alleviate or change the role of the City Council in reviewing and authorizing expenditures exceeding \$50,000. The annual value of the on-demand architecture contract will be determined by the number of approved bond projects and for other projects reviewed that will require architectural services.

FUNDING/FISCAL IMPACT

Funding for design, construction, renovations and other American Institute for Architects (AIA) services will be contained in bond funding projects. Other projects needing AIA services would be paid out of the General Fund.

STAFF RECOMMENDATION

Staff recommends that Council, by oral resolution, authorize the execution of a contract with CADCO, Weatherl & Associates, Tim Rice McClarty, and Parkhill-Smith and Cooper, as described above and to authorize the City Manager to execute all necessary documents related to those contracts for the four (4) architectural firms who responded to the RFQ for on-demand architectural services for the City of Abilene.

Councilman Hardaway made the motion to approve the authorizing the City Manager to execute contracts for On-Demand Architectural Services. Councilman Williams seconded the motion, motion carried.

AYES: Councilmen Price, Kreitler, Williams, Hardaway, McAlister, Savage and Mayor Archibald
NAYS: None

7.5 Michael Rice Interim Director of Public Works, briefed the city council on the contract for traffic signal replacement at S 27th & Treadaway Blvd.

On May 12, 2015 an errant vehicle left the roadway and collided with the Traffic Signal Pole on the NE corner of S. 2ih St. & Treadaway Blvd. The vehicle substantially damaged the foundation and the signal pole. Due to the age of the traffic control devices, the existing conduit and wiring cannot be used and must be replaced. On July 7, 2015 the City of Abilene received a bid for Construction Services from Willis Electric Co., LP. For the replacement of the traffic signal system. Willis Electric is the sole source provider for Traffic Signal replacements in the Abilene area.

This contract is for the removal of the existing signal pole and arm, all foundations, cabinets and ground boxes and the installation of new foundations with breakaway bases, ground boxes, conduit and signal pole/arm assembly and heads. The contractor will provide all traffic control during construction activities, locate all existing signal conduit and wiring and underground utilities, and provide temporary shoring.

Council and staff discussion included: 1) vehicle involved in the accident – owner didn't have insurance.

Councilman Savage made the motion to approve the execution of the contract with Willis Electric in the amount of \$87,070.00. Councilman Price seconded the motion, motion carried.

AYES: Councilmen Price, Kreitler, Williams, Hardaway, McAlister, Savage and Mayor Archibald

NAYS: None

7.6 Robert Hanna City Manager briefed the council on the bid award for the Executive search firm services.

Mayor Archibald made the motion to rescind the prior motion on this item from the last council meeting held on July 9th. Councilman Williams seconded the motion, motion carried.

AYES: Councilmen Price, Williams, Hardaway, McAlister and Mayor Archibald

NAYS: Councilmen Kreitler and Savage

The City of Abilene issued Request for Proposal (RFP) CB-1537 requesting responses from executive search firms to provide services associated with one or more candidate searches for senior level and/or key management positions within the organization for the remainder of 2015. Currently, the City needs to identify the best candidate for two positions: Director of Water Utilities and Director of Planning and Development Services. Responses were received from four firms: Chris Hartung Consulting, Colin Baenziger & Associates, CPS HR Consulting and Waters & Company. Services provided by the firms include development of candidate profile and recruitment strategy, recruitment of candidate pool, screening of applicants, assistance with interview and selection, background checks and assistance with employment negotiations. The RFP requested the respondents to provide the fee structure for an initial search, as well as for subsequent searches for the remainder of 2015 (i.e., intended to be structured in the form of an agreement for executive search services on demand).

SPECIAL CONSIDERATIONS:

All respondents were in compliance with the RFP as reflected on the attached document. As outlined in the RFP, staff reviewed and evaluated the submissions based upon the respondents overall qualifications and experience (30%), the respondent's demonstrated experience in effective recruitment and selection in similar sized cities (40%) and the cost of services (30%).

FUNDING/FISCAL IMPACT:

Respondents provided cost for services ranging from \$21,000 to \$24,500 for the initial search, with discounts applied for subsequent searches ranging from 10% to 15% of the initial professional services fee.

STAFF RECOMMENDATION:

Staff recommends authorizing the City Manager or his designee to negotiate an agreement for executive search firm services with CPS HR Consulting.

Council and Staff discussion included: 1) using city employees to do the hiring process.

Councilman Price made the motion to approve the authorization of the City Manager to negotiate an agreement for executive search firm services with CPS HR Consulting. Councilman Williams seconded the motion, motion carried.

AYES: Councilmen Price, Williams, Hardaway, McAlister and Mayor Archibald

NAYS: Councilmen Kreitler and Savage

7.7 Chief of Police Stan Standridge briefed the city council on the firearms transfer by the Abilene Police Department.

In the course of investigations, the Police Department routinely seizes firearms. Many of those firearms are maintained until all criminal offenses have been prosecuted and a magistrate provides a written disposition. Those dispositions are not descriptive as to what the Department should ultimately do with the firearms, so a memorandum was drafted by Police Administration and approved by then City Manager Larry Gilley in May 2013. In June 2015 the memorandum was shared with City Manager Robert Hanna and approved as to content. The memorandum is included for Council's review.

At issue is the monetary value of firearms that will trigger a sale or transfer to a Federal Firearms Licensed dealer (FFL), as opposed to destroying the firearms. Currently a value of \$500 was chosen, unless other factors support retention or sale or transfer. Other factors include a law enforcement need, such as the issuance of the weapon to an officer for duty-carry; custom-built firearms; commercially desirable firearms, etc. The policy gives staff some discretion as to retention or selling, but it is not written in a manner as to profit from lesser-value handguns or rifles that are commonly used during the commission of crimes.

Sales or transfers of firearms only occur once or twice per year. If the practice is discontinued completely, the funding impact would be approximately \$20,000.

Mayor Archibald made the motion to leave the current policy in place. Councilman Williams seconded the motion.

Councilman Kreitler made the motion to amend the motion to lower the value of \$500 to \$250. Councilman Savage seconded the motion.

Vote on Amendment fails.

AYES: Councilmen Kreitler and Savage

NAYS: Councilmen Price, Williams, Hardaway, McAlister and Mayor Archibald

Vote on Main motion, carries.

AYES: Councilmen Price, Williams, Hardaway, McAlister, Savage and Mayor Archibald

NAYS: Councilman Kreitler

EXECUTIVE SESSION

Mayor Archibald recessed the Council into Executive Session at 1:26 pm. 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 in Open Session at 1:46 pm. and reported no votes or action was taken in Executive Session in regards to Consultation with Attorney Section 551.071. Councilman Williams left during Executive Session.

10. Resolution: Appointing Members to Various Boards and Commissions as required by the Charter of The City of Abilene and Statues of The State of Texas.

Mayor Archibald made the motion to appoint Bruce Kreitler to the Abilene Metropolitan Planning Organization Policy Board. Councilman Hardaway seconded the motion, motion carried.

AYES: Councilmen Price, Hardaway, McAlister, Savage and Mayor Archibald

NAYS: None

ABSTAINED: Councilman Kreitler

Resolution: **#49-2015**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPOINTING MEMBERS TO VARIOUS BOARDS AND COMMISSIONS AS REQUIRED BY THE CHARTER OF THE CITY OF ABILENE AND STATUES OF THE STATE OF TEXAS

Abilene Metropolitan Planning Organization

- Bruce Kreitler –City Councilman

There being no further business the meeting was adjourned at 1:48 pm.

Danette Dunlap, TRMC
City Secretary

Norm Archibald
Mayor