

**CITY COUNCIL MEETING  
March 24<sup>th</sup> 2016, 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 March 24<sup>th</sup> 2016, 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, Interim City Attorney Stanley Smith, City Secretary Danette Dunlap, and various members of the City staff.

Councilman Steve Savage gave the invocation.

Mayor Archibald introduced Mytravius (Trey) Clark who is a 5<sup>th</sup> grade student at Johnston Elementary School. Trey led the Pledge of Allegiance to the Flags of the United States of America and the State of Texas.

**PROCLAMATIONS AND PRESENTATIONS**

Mayor Archibald presented the following proclamations and presentations:

Lions White Cane Day, James Wheeler, with the Elmwood West Lion's Club accepted the proclamation.

National Community Development Week, Joana Wuest, Interim Manager Office of Neighborhood Services accepted the proclamation.

National Animal Control Officer Week, Aaron Vannoy, Manager Animal Services, accepted the proclamation.

Lesli Andrews Director of Community Services joined the Mayor for the following presentations:

Abilene Recreation Division and La Voz 93.3 FM were awarded with the Commercial Business Outstanding Service Award from the Texas Recreation and Park Society Expo.

Grover Nelson Park was awarded with the Lone Star Legacy distinction from the Texas Recreation and Park Society Expo.

**DISPOSITION OF MINUTES**

**5.0** Mayor Archibald stated Council has been given the minutes from the March 10<sup>th</sup> 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 Kreidler pulled item 6.2. Councilman Savage pulled item 6.7. Councilman Price pulled item 6.8. Councilman Price made the motion to approve item 6.1, 6.3 – 6.6 and 6.9 – 6.10 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: Councilmen Williams, Price and McAlister on item 6.1

**Ordinances:**

- 6.1** **Ordinance:** *(First Reading)* **Z-2016-08** A request from Stripes West at I-20, agent Stripes LLC, to rezone property from AO (Agricultural Open Space) to GC (General Commercial) zoning, being approximately 10.01 acres located at the southwest corner of Interstate 20 & Loop 322; and setting a public hearing for April 14, 2016

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.

- 6.2** **Ordinance:** On Appeal *(First Reading)* **Z-2016-09** A request from Stellar Development Company to rezone property from LI (Light Industrial) to GR (General Retail) zoning, located at 11 & 15 Windmill Cir; and setting a public hearing for April 28, 2016. *Item pulled by Councilman Kreitler.*

- 6.3** **Ordinance:** *(First Reading)* **Z-2016-10** A request from Robert Martinez, to rezone property from PD-37 (Planned Development) & AO (Agricultural Open Space) to RS-6 (Single-Family Residential) zoning, being approximately 49.03 acres located on the south side of the 4000-4200 Blocks of Forrest Hill Rd; and setting a public hearing for April 14, 2016

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-2016-11** A request from EHT to rezone property from AO (Agricultural Open Space) to RS-6 (Single-Family Residential) zoning, being approximately 64.39 acres located at the southeast corner of Antilley Rd & Pebble Beach; and setting a public hearing for April 14, 2016.

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.

- 6.5** **Ordinance:** *(First Reading)* **Z-2016-12** A request from EHT to rezone property from AO (Agricultural Open Space) to RS-8 (Single-Family Residential) zoning, being approximately 117.16 acres and being all property on the east side of Hardwick Rd from 6449 to 7449 Hardwick Rd, not including 6749, 6815, & 7229 Hardwick Rd; and setting a public hearing for April 14, 2016.

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)* **Z-2016-13** A request from Timothy A. Richards to rezone property from AO (Agricultural Open Space) to LI (Light Industrial) & HI (Heavy Industrial) zoning, located at 3550 E. Hwy 80; and setting a public hearing for April 14, 2016.

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

**Resolutions:**

- 6.7** **Resolution:** Authorizing the City Manager to execute an agreement with Restroom Facilities Ltd through the City's Buy Board contract for the purchase of two restrooms to be located with the two new splash pads. *Item pulled by Councilman Savage.*
- 6.8** **Resolution:** Approving the Strategic Plan for the Abilene Public Library. *Item pulled by Councilman Price.*
- 6.9** **Resolution:** City Council authorized an amendment to the on demand contract with Jacob and Martin, Ltd. (J&M) for Engineering Services for Industrial Boulevard Water Line Replacement between Danville Street and Treadaway Boulevard.

There exists a professional services contract with Jacob and Martin, Ltd. for On Demand General Engineering Services for the City of Abilene Water Department. This resolution authorizes the City Manager to execute an amendment to the on demand contract for Engineering Services for the Industrial Boulevard Water Line Replacement (Amendment). The Amendment has a value not to exceed \$65,000.00.

The Water Utilities Department has identified for replacement the existing 12 inch cast iron water main along Industrial Boulevard between Danville Street and Treadaway Boulevard. The Public Works Department has identified that same section of Industrial Boulevard for mill and fill pavement improvements. This section of Industrial Boulevard is not a part of Bond Proposition One as approved by voters in 2015. It is important that the water utility line replacement precede the street work. This on demand contract amendment will provide for the engineering design of the water pipeline replacement.

It is sensible to evaluate the condition of water utilities under those street segments which will be upgraded in order to reduce the likelihood of future water main breaks that could damage the rehabilitated roadway surfaces. City staff has determined that the water main is in poor condition and in need of replacement. The Amendment authorizes J&M to provide the professional engineering services necessary for site surveying, preparation of plans and contract documents, and provide bidding assistance, construction oversight, materials testing, and contract administration for the replacement of water utility piping along Industrial Boulevard. The Amendment does not provide for Resident Project Representation. The Amendment has a value not to exceed \$65,000.00.

Funds for the Amendment will come from the Water Department FY 2016 Operating Budget.

Resolution: **#34-2016**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING AN AMENDMENT TO THE ON DEMAND CONTRACT WITH JACOB AND MARTIN, LTD FOR ENGINEERING SERVICES FOR INDUSTRIAL BOULEVARD WATER LINE REPLACEMENT

- 6.10** **Resolution:** City Council awarded the bid for the CityLink Roof Replacement to Layne Tech Roofing in the amount of \$223,223.44.

Bids were solicited for the hail damage to the CityLink building roof. A number local roofing contractors were certified to bid on the work to repair the damage to City buildings. There were three (3) local companies that were invited to bid on the CityLink building. All three (3) companies submitted bids that were opened on November 19, 2015.

Bids were submitted by the following companies Sitton Roofing, Layne Tech Roofing, and Lydick Hooks Roofing. Layne Tech Roofing is the company that represented the low and most advantageous bid for the City of Abilene. Crenshaw Consultants will be monitoring this project.

Funding for the project will be with insurance proceeds from Texas Municipal League Intergovernmental Risk Pool (TMLIRP), the City's Insurance Provider.

Resolution: **#35-2016**

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AWARDED THE BID FOR CITYLINK ROOF REPLACEMENT TO LAYNE TECH ROOFING

**ITEM PULLED FROM CONSENT**

- 6.2** **Ordinance:** On Appeal (*First Reading*) **Z-2016-09** A request from Stellar Development Company to rezone property from LI (Light Industrial) to GR (General Retail) zoning, located at 11 & 15 Windmill Cir; and setting a public hearing for April 28, 2016. *Item pulled by Councilman Kreidler.*

Council and Staff discussion included: 1) whether or not the Stellar Development Company owned the property that was being requested to be rezoned. It is not known at this time; and 2) if the zoning application was approved, that the zoning would stay in place regardless of whether or not the building project went forward.

Councilman McAlister made the motion to approve the first reading of **Z-2016-09** A request from Stellar Development Company to rezone property from LI (Light Industrial) to GR (General Retail) zoning, located at 11 & 15 Windmill Cir; and setting a public hearing for April 28, 2016. Councilman Williams seconded the motion, motion carried.

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

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.

- 6.7** **Resolution:** Authorizing the City Manager to execute an agreement with Restroom Facilities Ltd through the City's Buy Board contract for the purchase of two restrooms to be located with the two new splash pads. *Item pulled by Councilman Savage.*

On May 9, 2015, voters approved Proposition 7 which allowed the issuance of \$2,500,000 in General Obligation Bonds for the construction of four new splash pads. On February 25, 2016, the City Council authorized the City Manager to execute an agreement with Vortex USA Inc. for the construction of two splash pads. This item is to authorize the purchase of two restrooms from Restroom Facilities Ltd (RFL) to support the splash pads.

The restrooms were selected via the City's participation with BuyBoard. BuyBoard is a purchasing cooperative which means that participating contracts and vendors have been competitively procured and meet all of the local and state procurement guidelines. The restrooms at both parks will be identical and designed to be durable and maintenance friendly. They will both feature metal roofs, stainless steel fixtures, a drinking fountain, and the Corworth management system.

The Corworth management system offers a great deal of information and service efficiency to the Parks Division. The system allows for remote monitoring of the facility as it relates to temperature, water use and status of the doors (locked/unlocked/open). There have been instances when vandalism has occurred at park restrooms and this system has the ability to send alerts such as when a fixture is broken or the doors have been breached.

Council and Staff discussion included: 1) the sensors on the doors that automatically lock the doors at closing time; 2) staff explained how the sensors work and how they can be controlled from a cell phone etc.; and 3) the difference between the purchase through the State's BuyBoard and having them built by a local vendor.

#### *FUNDING/FISCAL IMPACT*

Funding of the \$203,773.14 will come from the \$2,500,000 in voter approved General Obligation Bonds.

Councilman Savage made the motion to approve the Resolution that authorizes the City Manager to execute an agreement with Restroom Facilities Ltd through the City's Buy Board contract for the purchase of two restrooms to be located with the two new splash pads. Councilman Price seconded the motion, motion carried.

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

Resolution: **#36-2016**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH RESTROOM FACILITIES LTD THROUGH THE CITY'S BUY BOARD CONTRACT FOR THE PURCHASE OF TWO RESTROOMS.

#### **6.8 Resolution:** Approving the Strategic Plan for the Abilene Public Library. *Item pulled by Councilman Price.*

In December of 2014, Dr. Julie Todaro, a well-known library consultant, was engaged by the Friends of Abilene Public Library to resume the strategic planning process she initiated under the guidance of City Librarian Ricki Brown. In June of 2015, the strategic plan process was completed including the use of focus groups, interviews and an extensive public survey. The Library Advisory Board reviewed the plan at their February 1, 2016 meeting and recommended the plan be forwarded to the City Council for approval.

Due to the length of the document presented by Dr. Todaro, a special Library Advisory Committee was established that reviewed the total document. They distilled the document into a Strategic Goals Executive Summary to further clarify and define the direction for the Library. This document, combined with the longer one provided by Dr. Todaro, is considered by the Advisory Board to constitute the Strategic Plan for the Library.

The Texas State Library and Archives Commission requires an approved Strategic/Long Range plan for the

Abilene Public Library to remain accredited.

*FUNDING/FISCAL IMPACT*

Identified priorities will be funded through existing Library operations and future budget processes where appropriate.

Council and Staff discussion included: 1) a look to the future; 2) the downtown library; 3) Lincoln Middle School and the possible uses as far as the Library is concerned; 4) no funding identified; 5) discussion points for the future; and 6) a vision for the future.

Councilman Savage made the motion to approve the Resolution approving the Strategic Plan for the Abilene Public Library. Councilman Williams seconded the motion, motion carried.

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

NAYS: Councilman Kreidler

Resolution: **#37-2016**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS APPROVING THE STRATEGIC PLAN FOR THE ABILENE PUBLIC LIBRARY.

**REGULAR ITEMS**

**7.1** Larry Bell Fire Chief briefed the council on authorizing the City Manager to execute an agreement with Speed Fab-Crete in an amount not to exceed \$427,125 to provide Construction Manager at Risk (CMAR) services, including the Preconstruction Fee for Station 4 and Construction Phase Fee for Fire Stations 3, 4, and 7

On May 9, 2015 voters approved Proposition 4, which allowed the issuance of \$12,865,000 in bond funds for public safety purposes. With these funds, three new fire stations, a maintenance facility, a new fire training center, and a facility for the Police Department's records and evidence storage will be constructed. The new fire stations are replacement stations for Stations 3, 4, and 7. This item grants the authority to the City Manager to execute an agreement with Speed Fab-Crete to provide Construction Manager at Risk (CMAR) services for the three fire stations. Speed Fab-Crete's scope of work for this item includes the Pre-Construction Phase Services Fee for Fire Station 4 in the amount of \$12,750 and a construction fee not to exceed 6.5% of the total \$6,375,000 project budget in the amount of \$414,375. The total amount is not to exceed \$427,125.

To select the best firm for this project a Request for Proposals (RFP) process took place. Four firms submitted proposals. An internal selection committee was formed to review the proposals. This committee was made up of Director of Capital Improvement Program Wayne Lisenbee, Emergency Services Deputy Fire Chief Weldon Wilkerson, A-Shift Battalion Chief Mike Burden, Station 4 Capt. Randy Scalf, and Fire Chief Larry Bell. Chris Jones with Freese-Nichols facilitated the review. Each committee member reviewed the qualifications of the four firms and scored them against the dimensions of the proposer's profile, the proposer and CMAR team members' experience, key personnel qualifications and experience, the project approach, and the fee and rate proposal. Local participation was also considered. Individual scores were accumulated and tabulated. Three of the four firms were invited for an interview. After the interviews the committee ranked the three firms using the same criteria. Speed Fab-Crete had the highest score of all the firms.

A question arose before the last Council Meeting as to the legality of Addendum No. 3 released for this procurement. While staff researched the answer to these concerns, we pulled the award of this item from the agenda. In order to remove any doubt from the legitimacy of this procurement process, staff has removed Addendum No. 3

from consideration. The ranking of Speed Fab-Crete as the highest score based on the selection criteria and interviews did not change between Addenda No. 1 and 2, and Addendum No. 3. As such, staff continues to recommend awarding construction manager services to Speed Fab-Crete in accordance with the law.

Funding in the amount of \$2,575,000 is funded from voter approved General Obligation bonds. Of the \$2,575,000 the \$427,125 includes the Pre-Construction Phase Services Fee for Fire Station 4 in the amount of \$12,750 and a construction fee not to exceed 6.5% of the total \$6,375,000 project budget in the amount of \$414,375. The total amount is not to exceed \$427,125.

Staff recommends the City Council approve a resolution authorizing the City Manager to negotiate and execute an agreement with Speed Fab-Crete in an amount not to exceed \$427,125 to provide Construction Manager at Risk (CMAR) services, including the pre-construction fee for Fire Station 4 and the construction phase fee for Fire Stations 3, 4, and 7.

Council and Staff discussion included: 1) Speed Fab-Crete experience in building fire stations; 2) fire stations have unique requirements over a regular building being built; and 3) 2 year warranty on the construction.

Councilman Savage made the motion to approve the Resolution authorizing the City Manager to execute an agreement with Speed Fab-Crete in an amount not to exceed \$427,125 to provide Construction Manager at Risk (CMAR) services, including the Preconstruction Fee for Station 4 and Construction Phase Fee for Fire Stations 3, 4, and 7. Councilman Hardaway seconded the motion, motion carried.

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

Resolution: **#38-2016**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH SPEED FABCRETE IN AN AMOUNT NOT TO EXCEED \$427,125 TO PROVIDE CONSTRUCTION MANAGER AT RISK (CMAR) SERVICES, INCLUDING THE PRE-CONSTRUCTION PHASE FEE FOR STATION 4 AND CONSTRUCTION PHASE FEE FOR FIRE STATIONS 3, 4, AND 7.

**7.2** Michael Rice Director of Public Works briefed the council on a Resolution authorizing the City Manager to enter into an agreement with Iteris, Inc. for the City of Abilene Signal System Upgrade 2015 bond projects.

On May 9, 2015 Voters approved Proposition 1, which allowed the issuance of \$45,975,000 for street and road improvements which includes signal upgrades. Proposition 1 includes 25 street projects, which includes traffic signal improvements at 64 signal locations. The City's traffic signal system plan for upgrades will include: new signal timing, replacement of failed conduit and wiring, implementation of flashing yellow arrow, communications, plans, specifications, and engineering services.

The City of Abilene received proposals on January 8, 2016 in response to a published Request for Qualifications (RFQ). Three firms submitted a Statement of Qualifications (SOQ), and an internal selection committee reviewed and evaluated these submittals. The selection committee was made up of the Director of Public Works, the City Engineer, and the City Traffic Engineer. Each member conducted their own evaluations, and then met as a group to score the firms. The firms were scored based upon qualifications and availability, staffing capabilities, similar project experience, project approach, history of successful performance, and work history with the City. Iteris, Inc. scored the highest and staff selected them for this project.

Funding of \$45,975,000 is from voter approved General Obligation Bonds. This agreement includes: Project

management (\$65,635.34), Data Collection/Field Review (\$132,835.10), Preliminary Design (\$103,732.90), Final Design (\$131,437.91), Develop/Optimize Signal Timing (\$40,634.17), Construction Support (\$30,866.62), Integration Support (\$29,128.44), Signal Timing Traffic Study (\$28,649.59), and Response to Traffic Operations Issues (\$16,749.27). The total for this contract, for all services listed, is in the amount of \$579,669.34.

Staff recommends City Council approve a resolution authorizing the City Manager to execute an agreement with Iteris, Inc. in the amount of \$579,669.34 for the Traffic Signal System Upgrades.

Council and Staff discussion included: 1) Audible signals; 2) software security; and 3) traffic signals will be coming to Maple Street and Industrial Blvd.

Councilman Price made the motion to approve the Resolution authorizing the City Manager to enter into an agreement with Iteris, Inc. for the City of Abilene Signal System Upgrade 2015 bond projects. Councilman Kreitler seconded the motion, motion carried.

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

Resolution: **#39-2016**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH ITERIS, INC.

**7.3** Michael Rice Director of Public Works briefed the council on the Resolution authorizing the City Manager to enter into a Professional Engineering Services agreement with eHT for the design of the Central Business District (CBD) Concrete Streets project.

On May 9, 2015 Voters approved Proposition 1, which allowed for the issuance of \$45,975,000 for street projects. One of the street projects identified within Proposition 1 was the Central Business District area. This project will address needed concrete street repairs within the Central Business District area.

The City of Abilene received proposals on January 8, 2016 in response to a published Request for Qualifications (RFQ) for the Design of the Central Business District Concrete Paving Repairs. Four firms submitted a Statement of Qualifications (SOQ), and an internal committee reviewed and evaluated the submittals. The selection committee was made up of the Director of Public Works, the City Engineer, and the Traffic Engineer. Each member conducted an evaluation, and then the committee met as a group to score the submittals. Submittals were to discuss and include: Transmittal Letter, Ability to Provide Services, Qualifications and Availability, Staffing Capabilities, Similar Project Experience, Project Approach, and History of Successful Performance. Submittals were scored based upon four criteria: Narrative (15%), Experience (45%), Schedule (15%), and References (25%). eHT scored the highest and staff selected them for this project.

The total amount for this Professional Services Contract for engineering services is in the amount of \$195,000.00. Funding for this contract will come from the Voter approved 2015 Bond Projects for Proposition 1.

***STAFF RECOMMENDATION***

Staff recommends City Council approve a resolution authorizing the City Manager to execute an agreement with eHT in the amount of \$195,000.00 for Engineering Services for Central Business District Concrete Street Improvements.

Councilman McAlister made the motion to approve the Resolution authorizing the City Manager to enter

into a Professional Engineering Services agreement with eHT for the design of the Central Business District (CBD) Concrete Streets project. Councilman Hardaway seconded the motion, motion carried.

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

Resolution: #40-2016

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH ENPROTEC / HIBBS & TODD (eHT).

**7.4** James Childers Assistant City Manager, briefed the council on the Resolution authorizing the City Manager to execute a Memorandum of "Agreement" between the City of Abilene and the Abilene Youth Sports Authority (AYSA) for the lease of real property and construction of a youth sports facility.

Mr. Childers introduced Jon Smith with Abilene Youth Sports Authority who presented the vision and plan for the proposed facility.

About AYSA

- ✓ Founded by ABILENE Citizens passionate about Kids, Character, Community & Sports (2004)
- ✓ 501(c)(3) Public Charitable Organization)
- ✓ Governed by ABILENE Volunteer Board of Directors
- ✓ Funded by ABILENE Corporate Partners, Event
- ✓ Tournament Revenues, Local Grants
- ✓ WE ARE ABILENE!

A Multi Purpose Indoor Youth Sports Venue

- Leagues, tournaments, camps, clinics
- Increased Tourism / Economic Growth
- Improved Quality of Life
- Non school youth sports for Pre - K to High School ages

Every area designed for multiple users, hosting a variety of events and groups throughout the year.

MULTIPLE USES

- Youth Sports Offices
- Volleyball/Basketball Leagues (8-10)
- Volleyball/Basketball Tournaments (18-22)
- Skills Academies/Camps (12-14)
- Indoor Football Training
- Indoor Baseball Training
- Indoor Softball Training
- Cheerleading Competitions (1-2)
- Gymnastics Competitions (2-3)
- Martial Arts Competitions (2-3)
- Club Sports
- Party Rentals
- Lessons (Individuals, Groups)
- Group Meetings
- Conferences (2-3)
- Sports Expos (1-2)

2011–2015 AYSA Tournaments: 22 Events / 60 Cities / 600 Teams / 6,000 Players

Location: Approximately 12 acres in Nelson Park – Southeast Corner

Council and Staff discussion included: 1) Parking; 2) amount of acreage concern; 3) concern for local business who might be in competition with a non-profit facility; 4) for competitions and tournaments; 5) 30 month time frame for the AYSA to raise the funds to build the facility; 6) funding for the city's share are at least 3 years out and will possible come through possible CIP funding and or the budget; and 7) lease agreement has not been negotiated this will come later.

James Childers Assistant City Manager briefed the council on the Memorandum of "Agreement" with AYSA.

In an effort to extend its expressed mission, AYSA has approached the City about a partnership opportunity in which a 55,000 square foot indoor sports facility would be constructed in Grover Nelson Park. The funds for the facility construction will come from private fund raising efforts by AYSA while the City would fund site development and infrastructure improvements worth up to \$1.67 Million.

The City and AYSA will enter into a Memorandum of Agreement (MOA) that will allow the group 30 months to undergo a capital fund raising campaign that will raise \$7,500,000 towards the construction outfitting of the proposed facility. An additional \$1,000,000 will be raised as an endowment to ensure that the facility is properly maintained to the highest quality. By agreement, the City will not be obligated to spend any funds towards the site development and infrastructure of the location until such time the funds have been raised by AYSA. The City will also have no obligation should the 30 months in the MOA expire without the construction funds being raised.

The City's 2008 and 2014 Park Master Plan updates both reference the partnership possibilities with AYSA for the development of a indoor sports facility on City Parkland.

It should be noted that Transformer Trail will need to be reconstructed in coordination with this project. This work will cost \$630,000, but is not being included as part of this agreement since it's a public street that needs to be addressed exclusively of what happens with the AYSA facility.

The City funded component for this project will not exceed \$1,670,000 and will be funded from a to be determined future Capital Improvement Program funding cycle. The MOA with AYSA allows the group 30 months to raise \$8.5 Million. City staff will work closely with AYSA leadership to coordinate CIP funding as closely as possible with the anticipated fundraising completion date. It is anticipated that the funds would be expended from either the 2017 or 2018 CIP year.

Councilman Hardaway made the motion to approve the Resolution authorizing the City Manager to execute a Memorandum of "Agreement" between the City of Abilene and the Abilene Youth Sports Authority (AYSA) for the lease of real property and construction of a youth sports facility. Councilman McAlister seconded the motion, motion carried.

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

NAYS: Councilman Kreitler

Resolution: **#41-2016**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS AUTHORIZING THE

CITY MANAGER TO NEGOTIATE AND EXECUTE AN AGREEMENT WITH THE ABILENE YOUTH SPORTS AUTHORITY FOR THE LEASE OF REAL PROPERTY LOCATED AT NELSON PARK.

Councilman Williams left the room for the discussion on this item since he had a conflict.

**7.5** Mike Rains Director of Finance, briefed the council on the Resolution awarding of a bid for printing and copying services.

Proposals were solicited for the City of Abilene for Printing and Copy services. The contract will provide print and copy services to all City departments. Advertisements were published on January 17, 2016 and January 24, 2016 in the Abilene Reporter-News.

Typical jobs included but not limited to: budget report, audit report, post cards, invitations, newsletters, fliers, posters, brochures, carbon forms, books, forms, business cards, etc. Approximately eighty-five Percent (85%) of the work is printed in black ink and on stock paper that is 8½” X 11” or smaller. Choice of paper stock, ink, color, bindery, and finish services will be provided as well as cutting, folding, collating, stapling, drilling, padding, and bunch and binding.

Request for proposals were received on February 5, 2016. Fifteen (15) invitations were requested and four (4) vendors submitted proposals. Proposals were submitted by Abilene Printing & Stationary Company, Conley Printing Company, HVC-RAM, and Southwest Direct. The following criteria was used to determine the most advantageous proposal for the City of Abilene; (a) proposer’s ability to print and deliver the printed material as requested, (b) performance on similar contracts, (c) completeness of the proposal, and (d) price.

Southwest Direct represented the most advantageous proposal for the City of Abilene.

Council and Staff discussion included: 1) the cost of printing priority work – the city has not utilized this service over the last year.

Councilman Savage made the motion to approve the Resolution awarding of a bid for printing and copying services to Southwest Direct. Councilman Price seconded the motion, motion carried.

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

Resolution: **#42-2016**

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AWARDING THE BID CONTRACT FOR PRINTING AND COPYING SERVICES TO SOUTHWEST DIRECT

### **EXECUTIVE SESSION**

Mayor Archibald recessed the Council into Executive Session at 11:28 a.m. pursuant to the Open Meetings Act for the following:

Consultation with Attorney - Sections 551.071

1) Susan Lewis King & Austin King MD vs Ken Paxton, Attorney General and the City of Abilene Cause No. D-1-GN-16-001160

2) Chad Carter v City of Abilene, Texas, Cause No. 10138-D, in the 350<sup>th</sup> Judicial District Court, Taylor County, Texas filed June 17, 2014

Real Property Section 551.072

1) Discussion regarding property adjoining 517 N. Pioneer Drive

Business Prospect/Economic Development Section 551.087

1) Development Corporation of Abilene funding support for a new Texas State Technical College (TSTC) Abilene Campus

The Council reconvened in Open Session at 12:57 p.m. and reported no votes or action was taken in Executive Session.

**10.1** Kent Sharp CEO of the Development Corporation of Abilene, Inc. briefed the council on the Resolution of Support from the Development Corporation of Abilene for a new Texas State Technical College (TSTC) Abilene Campus.

Texas State Technical College (TSTC) was created in 1965 with a campus in Waco, Texas. Additional campuses were added over the years to include Sweetwater, McAllen, Breckenridge, Brownwood, Marshall, Fort Bend and Abilene, which was established in 1985. In 2013, the Texas Legislature established campuses in Ellis and Williamson Counties. In 2011, the West Texas campus was redefined as being the Sweetwater, Abilene, Breckenridge and Brownwood locations. Recently, all 10 campuses were integrated into a single organization, pursuing single accreditation from the Southern Association of Colleges and Schools Commission on Colleges, aligning programs to better serve the state by providing a highly skilled, technically competent workforce.

The DCOA has assisted the Abilene campus in various ways since 1990:

- 1989 - Humana of Texas, Inc. donated land and improvements formerly known as the West Texas Medical Center located at 674 E. Highway 80 to the City of Abilene for the use of expanding TSTC's Abilene campus, establishing a business incubator, and to support indigent health care for citizens of Taylor County (Medical Care Mission)
- 1990 - DCOA approved \$900,000 to fund renovation of a portion of the Abilene Regional Business & Education Center (ARBEC) for occupancy by TSTC
- 1991 – TSTC moved into the ARBEC, occupying 45,000 sq ft of the total 70,000 sq ft
- 2010-2013 – DCOA paid \$164,489 to purchase kitchen equipment for use in the T&P Freight Warehouse by TSTC's culinary arts training program.
- 1992 – DCOA paid \$359,889 to renovate hangar; EDA grant paid \$242,100
- 1993 – TSTC began leasing the hangar for aircraft and power frame mechanics
- 1994 – DCOA approved \$25,000 for further renovations to Hangar 4

The Abilene campus includes the main facility on E. Hwy 80, the Hangar 4 location, and the T&P Freight Warehouse. It serves just over 400 students studying Airframe & Powerplant Technologies, Chemical Dependency Technology, Computer Aided Drafting & Design, Computer Networking & Systems Administration, Database and Web Programming, Digital Arts, Digital Media Design, Emergency Medical Services, Food Service (Culinary Arts), Health Information Technology, Medical Office Specialist, and Software Accounting & Management.

In order to serve anticipated expanding growth in Abilene in the services, mining, manufacturing and trade industries, TSTC recently received authorization from the state to issue \$12 million in tuition revenue bonds to construct a new campus. Benefits to the community include:

- New campus will help fill the need to train approximately 600 net new positions each year from now through 2030 and 500 net new positions each year from 2030 through 2040

- High school students as well as post-secondary students will be trained at new campus to help bridge the workforce need
- Training offered is scalable and adjustable to meet future needs of employers
- Approximately \$350,000 in new annual payroll generated by TSTC employees at the new campus

TSTC is asking from the community for \$6 million in match grant funded over 10 years, including 50 acres of land on Loop 322 in the NW quadrant of the Abilene Regional Airport. Phase I construction should begin in January 2017 and will consist of site development and Building One to house Industrial Maintenance and Welding. The site will be designed for multiple buildings and 13-15 technical programs. The match grant will be used to fund operations beginning in 2017.

TSTC has requested support from the community in the amount of \$2 million. The remaining \$4 million is requested of the DCOA. The new proposed TSTC campus in Abilene will significantly add to our tool chest of local economic development resources used to help existing companies expand their workforce and new companies feel certainty their training needs will be met.

*FUNDING/FISCAL IMPACT*

DCOA funding for operating funds paid over 10 years (including cost of 50 acres of land) - \$4,000,000

*BOARD OR COMMISSION RECOMMENDATION*

The DCOA board approved resolution DCOA-2016.13 authorizing \$4 million in funding support for the new Abilene campus for TSTC during a regular board meeting on Monday, March 21, 2016.

Councilman Price made the motion to approve the Resolution of Support from the Development Corporation of Abilene for a new Texas State Technical College (TSTC) Abilene Campus. Councilman Hardaway seconded the motion, motion carried.

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

NAYS: Councilman Kreitler

Resolution: **#43 -2016**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, APPROVING DEVELOPMENT CORPORATION OF ABILENE, INC. ("DCOA") FUNDING TO SUPPORT THE NEW TEXAS STATE TECHNICAL COLLEGE ("TSTC") ABILENE CAMPUS.

There being no further business the meeting was adjourned at 1:13 p.m.

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Danette Dunlap, TRMC  
City Secretary

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Norm Archibald  
Mayor