

CITY COUNCIL MEETING
April 14th 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 April 14th 2016, at 8:30 a.m. in the Council Chambers, 555 Walnut St. Mayor Archibald was present and presiding with Councilmen Shane Price, Bruce Kreitler, 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 Shane Price gave the invocation.

Mayor Archibald introduced Jonathan & Joshua Session who are 5th grade students at Lee Elementary School. Jonathan & Joshua 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:

April 10- 16, 2016

Week of the Young Child,

Cynthia Pearson, Executive Director Day Nursery of Abilene, accepted the Proclamation. She was accompanied by children from Day Nursery

April 2016

Occupational Therapy Month

Kari Williams, Department of Occupational Therapy at ACU accepted the Proclamation. Occupational Therapy Students also attended

April 11-15, 2016

National Work Zone Awareness Week

MaryBelle Turner, TxDOT Public Information Officer, accepted the proclamation.

Several TxDOT representatives were in attendance.

DISPOSITION OF MINUTES

5.0 Mayor Archibald stated Council has been given the minutes from the March 22nd Special Called Workshop, March 24th Regular Meeting and the Joint DCOA Meeting on March 29th 2016 there being no deletions, no additions, and no corrections. Councilman Savage made a motion to approve the minutes as presented. Councilman Williams seconded the motion, motion carried.

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

NAYS: None

CONSENT AGENDA

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

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

NAYS: None

Resolutions:

- 6.1 **Resolution:** Authorizing the purchase through Houston-Galveston Area Council Purchasing Cooperative (HGAC) – Solid Waste Frontloader Truck. *Councilman Savage pulled this item from consent.*
- 6.2 **Resolution:** City Council authorized the purchase through Houston-Galveston Area Council Purchasing Cooperative (HGAC) – for the purchase of a Minibus for the Senior Citizens Services in the amount of \$59,143.00.

The unit is to be purchased through the Houston-Galveston Area Council Purchasing Cooperative (HGAC) to effectively coordinate the build process and delivery.

Vendor	Description	Amount
Alliance Bus Group	Ford chassis with Aerotech body HGAC Contract # BR01-14	\$59,143.00

Resolution **#44-2016**

A RESOLUTION OF THE CITY OF ABILENE TEXAS, AUTHORIZING THE PURCHASE FROM ALLIANCE BUS GROUP DALLAS, TEXAS

- 6.3 **Resolution:** Authorizing the City Manager to enter into a Contract with Faulkner Construction for the Construction of the City Impound Office Building in the amount of \$117,000. *Councilman Savage pulled this item from consent.*
- 6.4 **Oral Resolution:** City Council authorized the Street Use License (SUL) for The Center for Contemporary Arts, scheduled for Thursday, April 28, 2016.

The Center for Contemporary Arts will hold a fundraising event entitled “Fiesta deArte Cuba” within the public right-of-way on Cypress Street. The event will take place on Thursday, April 28, 2016, and the applicant wishes to close the street between the hours of 4:00 p.m. and 10:00 p.m. on this date.

- 6.5 **Resolution:** City Council authorized the City Manager to enter into a Professional Engineering Services agreement with Jacob & Martin LLC for the design of the South of Downtown Area Hot Mix project.

The total amount for this Professional Services Contract for engineering services is in the amount of \$358,500.00. Funding for this contract will come from the voter approved 2015 Bond Projects for Proposition 1.

Resolution: **#45-2016**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AGREEMENT WITH JACOB & MARTIN, LTD. (JM).

- 6.6 **Resolution:** Authorizing the City Manager to enter into a contract, not to exceed a total amount of \$137,000, with Jacob & Martin, LLC. for engineering design and construction administration services for Proposition 3 sidewalks bond program. *Councilman Price pulled this item from consent.*

ITEM PULLED FROM CONSENT

- 6.1** **Resolution:** Authorizing the purchase through Houston-Galveston Area Council Purchasing Cooperative (HGAC) – Solid Waste Frontloader Truck. *This item pulled by Councilman Savage.*

The unit is to be purchased through the Houston-Galveston Area Council Purchasing Cooperative (HGAC) to effectively coordinate the build process and delivery.

Vendor	Description	Amount
Chastang Autocar	Autocar ACX64 Truck HGAC Contract # HT06-14	\$176,990
Heil of Texas	Heil Refuse Body HGAC Contract # RH08-14	\$116,046

Council and Staff discussion included: 1) questions regarding the unit that was destroyed by fire and whether or not there was a recall on the unit that burned. Staff is looking into this.

Councilman Savage made the motion to approve the purchase through Houston-Galveston Area Council Purchasing Cooperative (HGAC) for a solid waste front-loader truck. Councilman Price seconded the motion, motion carried.

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

Resolution: **#46-2016**

A RESOLUTION OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE PURCHASE FROM CHASTANG ENTERPRISES HOUSTON, TEXAS

- 6.3** **Resolution:** Authorizing the City Manager to enter into a Contract with Faulkner Construction for the Construction of the City Impound Office Building in the amount of \$117,000. *This item was pulled by Councilman Savage.*

Faulkner Construction was the low responsible bidder at \$117,000. The construction of the Impound office will be supervised by MEERS Engineering.

Council and Staff discussion included: 1) low bid purchase; 2) warranty on construction is one year; and 3) landscape requirements would not be required at the site.

Councilman Hardaway made the motion to authorize the City Manager to enter into a contract with Faulkner Construction for the Construction of the City Impound Office Building in the amount of \$117,000. Councilman Price seconded the motion, motion carried.

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

Resolution: **#47-2016**

A RESOLUTION BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH FAULKNER CONSTRUCTION FOR THE CONSTRUCTION OF THE CITY IMPOUND OFFICE BUILDING IN THE AMOUNT OF \$117,000.

- 6.6** **Resolution:** Authorizing the City Manager to enter into a contract, not to exceed a total amount of \$137,000, with Jacob & Martin, LLC. for engineering design and construction administration services for Proposition 3 sidewalks bond program. *This item pulled by Councilman Price.*

The contract approval request would authorize the City Manager to execute a contract with Jacob – Martin, L.L.C. for a not to exceed total amount of \$137,000 for the engineering design and construction management for the Sidewalk Capital Plan, Phase 1 Bond Project. Service contract includes an amount not to exceed \$27,000 for initial project data collection and analysis, a lump sum fee amount of \$56,000 for design of sidewalk improvements, an amount not to exceed \$36,000 for construction management and an amount not to exceed \$18,000 for bridge design/hydraulic analysis.

Phase 1 includes streets designated in Abilene's Safe Routes to School Plan including segments located on the following:

Project 1 – Sidewalk segments along 10th Street beginning at Magnolia Avenue and moving east ending at Westmorland Drive (approx. 2,819 feet in length)

Project 2 – Sidewalk north along Westmoreland Street beginning at Ambler Avenue and moving north to Vogel Street then moving east ending at Little League Road (approx. 2,454 feet in length)

Project 3 – Sidewalk segments along 32nd Street beginning at Barrow Avenue moving east ending at Sayles Blvd (approx. 2,349 feet in length)

Project 4 – Sidewalk segments along Texas Avenue beginning at Bishop Street and moving east to Corsicana Avenue then moving north ending at Hartford Street (approx.. 2,655 feet in length)

Project 5 – Sidewalk segments along Richland Drive beginning at 10th Street and moving north ending at 18th Street (approx.. 3,300 feet in length)

Council and Staff discussion included: 1) hearing impaired cross walks; 2) LED lighting for certain cross walks; and 3) these will be things that will be looked at as the engineering design is completed.

Councilman Price made the motion to authorize the City Manager to execute a contract with Jacob & Martin, LLC for a not to exceed total amount of \$137,000 for the engineering design and construction management for the Sidewalk Capital Plan. Councilman Williams made the seconded the motion, motion carried.

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

Resolution: **#48-2016**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE THE CONTRACT WITH JACOB & MARTIN, L.L.C. FOR ENGINEERING DESIGN AND CONSTRUCTION MANAGEMENT SERVICES FOR SIDEWALK CAPITAL PLAN, PHASE 1 BOND PROJECT

REGULAR ITEMS

7.1 Dana Schoening Director of Planning & Development Services briefed the council on Case #**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.

Currently the property is undeveloped. The adjacent properties are also largely undeveloped with only a few businesses & homes nearby. The applicant is proposing to develop a large fuel sales & convenience store development. Due to its location at the intersection of 2 expressways, the site will cater to large trucks in addition to passenger vehicles.

The property is just outside of the 'Gateway/Business- Industrial' area located further east along I-20. It is anticipated that this area will develop as a retail/commercial node. The intersection of the 2 expressways and an arterial street creates a node that lends itself to future office & retail uses.

STAFF RECOMMENDATION

Staff recommends approval as requested.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends approval as requested by a vote of 5 in favor (Calk, Dunnahoo, McClarty, Rosenbaum, & Famble) and none opposed.

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

- Scott & Rachel Perkins – landowners in the area, spoke about their concerns for the development of this property.

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

Councilman Kreidler made the motion to approve the Ordinance for Case #**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. Councilman Hardaway seconded the motion, motion carried.

AYES: Councilmen Kreidler, Hardaway, Savage and Mayor Archibald

NAYS: None

ABSTAINED: Councilmen Price, Williams, and McAlister

Ordinance #**15-2016**

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.

Location: being approximately 10.01 acres located at the southwest corner of Interstate 20 & Loop 322

7.2 Dana Schoening Director of Planning and Development Services briefed the council on a Ordinance Case #

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.

Currently the property is undeveloped. The applicant is proposing to develop a new single-family residential subdivision similar to the adjacent similar developments. PD-37 was created to allow for the Mesa Springs development but indicated the majority of the property (to the east) to allow for medium-density residential (RM-3 at the time) development.

There is a flood hazard area along the western edge of the proposed site that affects a portion of the property, especially in the southern portion. Forrest Hill Rd is designated as a 'collector' roadway. A planned collector roadway is also required in the southern portion of the property. The subdivision will have primary access from Forrest Hill Rd with connections to the Mesquite Forest subdivision to the south and street stub-outs to the east & west for future connection.

STAFF RECOMMENDATION

Staff recommends approval as requested.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends approval as requested by a vote of 5 in favor (Calk, Dunnahoo, McClarty, Rosenbaum, & Famble) and none opposed

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

Councilman Williams made the motion to approve the Ordinance for Case # **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;. Councilman Hardaway seconded the motion, motion carried.

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

NAYS: None

Ordinance #**16-2016**

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.

Location: being approximately 49.03 acres located on the south side of the 4000-4200 blocks of Forrest Hill Rd.

7.3 Dana Schoening Director of Planning and Development Services briefed the council on the Ordinance for Case # **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

Currently the property is undeveloped. The adjacent properties are halfway developed with single-family residential development to the north (Fairway Oaks) & west (Pebble Beach & Mesa Ridge) and the remaining areas being undeveloped. The applicant is proposing to develop a new single-family residential subdivision similar to the

adjacent similar developments.

There is a flood hazard area along the eastern edge of the proposed site that affects a portion of the property. Antilley Rd is designated as an 'arterial' roadway. A planned collector roadway is also required along the southern edge of the property. The subdivision will have primary access from Antilley Rd with connections to the Pebble Beach subdivision to the west and street stub-outs to the east for future connection.

STAFF RECOMMENDATION

Staff recommends approval as requested.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends approval as requested by a vote of 5 in favor (Calk, Dunnahoo, McClarty, Rosenbaum, & Famble) and none opposed.

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

- Sage Diller with EHT, spoke in favor of the rezone request
- Perry Stockard – developer, spoke in favor of the rezone request

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

Councilman Savage made the motion to approve the Ordinance for Case # **Z-2016-11a** 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. Councilman Hardaway seconded the motion, motion carried.

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

Ordinance **#17-2016**

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

Location: being approximately 64.39 acres located at the southeast corner of Antilley Rd & Pebble Beach.

7.4 Dana Schoening Director of Planning and Development Services, briefed the council on the Ordinance for Case #**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

The adjacent properties are partially developed with large lot single-family residential development up and down Hardwick Rd and the Wesley Court senior project to the northeast. The applicant is proposing to develop a new single-family residential subdivision similar to the nearby single-family residential developments.

There is a flood hazard area along the western edge of the proposed site that only affects the southwestern portion of the property. Both Hardwick Rd & Waldrop Rd are designated as 'collector' roadways. A planned

collector roadway is also required in the middle of the property in an east/west alignment. The subdivision will have primary access from Hardwick Rd with connections to Waldrop Rd and the proposed collector road. Street stub-outs to the east where appropriate will be required for future connection.

STAFF RECOMMENDATION

Staff recommends approval as requested.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends approval as requested by a vote of 5 in favor (Calk, Dunnahoo, McClarty, Rosenbaum, & Famble) and none opposed.

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

- Sage Diller with EHT, spoke in favor of the rezone request
- Perry Stockard – developer, spoke in favor of the rezone request

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

Councilman Savage made the motion to approve the Ordinance for Case #**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. Councilman Price seconded the motion, motion carried.

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

NAYS: None

Ordinance #18-2016

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.

Location: 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

7.5 Dana Schoening Director of Planning and Development Services, briefed the council on the Ordinance for Case #**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.

Currently the property is developed with an old motel that has been out of business for many years. The applicant is proposing to use the front ±247 feet as an auto repair shop with the remaining area to the rear for storage of vehicles. The future plan for the rear area is a salvage yard use specifically for auto salvage.

East Highway 80 is designated as an 'arterial' roadway. There is a flood hazard area that only affects the front portion of the property.

STAFF RECOMMENDATION

Staff recommends approval as requested.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends approval as requested by a vote of 5 in favor (Calk, Dunnahoo, McClarty, Rosenbaum, & Famble) and none opposed.

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

- Timothy Richards – owner of property, spoke in favor of the rezone

Their being on one else present and desiring to be heard the public hearing was closed.

Councilman Savage made the motion to approve the Ordinance for Case #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. Councilman Hardaway seconded the motion, motion carried.

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

Ordinance #19-2016

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

Location: at 3550 E. Hwy 80

7.6 Robert Hanna City Manager, briefed the council on the Resolution establishing a Chapter 380 economic development program, and authorizing the City Manager to negotiate Chapter 380 economic development agreements.

The economic development program created by this resolution allows the City to use public revenue to reimburse the developer for public improvements found to meet a legitimate public purpose, and authorized by the City Council. While the resolution contemplates basing the reimbursement revenue source from the City's portion of the local sales and use tax, and/or the City's portion of the ad valorem tax, the Chapter 380 statute allows for any municipal revenue source to be used for this purpose. In the event staff believes the public improvements of a development are better assisted with a revenue stream other than sales tax or property tax, the Council could consider it on a case by case basis.

As a safeguard measure, the resolution creates a program requirement that would allow the City to recapture the incentives, or to cease paying them in the event the public improvements are not completed. It is also important to note that any economic development agreement authorized under this program requires the final approval of the City Council. While the City Manager negotiates the agreements on behalf of the City, the City Council must find a public purpose for the authorized improvements, and they must approve the agreement for it to be effective.

It is the intent of staff to use this economic development program to assist businesses, developers or other entities in paying for necessary public improvements that might otherwise hinder or prohibit the development or redevelopment from taking place because of the exceptional nature of the requirement or the market conditions that may exist for the project.

Councilman Williams made the motion to approve the Resolution establishing a Chapter 380 economic development program, and authorizing the City Manager to negotiate Chapter 380 economic development agreements. Councilman Price seconded the motion, motion carried.

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

Resolution **#49-2016**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, ESTABLISHING AN ECONOMIC DEVELOPMENT PROGRAM AUTHORIZED BY CHAPTER 380 OF THE TEXAS LOCAL GOVERNMENT CODE

7.7 Cheryl Sawyers Communications and Media Relations Manager briefed the council on the Resolution Authorizing the City Manager to enter into Interlocal agreement with Wylie Independent School District (WISD) to purchase necessary capital equipment and improvements through PEG (Public Education Government) funds so that WISD will have the ability to provide content to the City of Abilene's PEG channel.

The City's Public, Education and Government (PEG) Channel 2 receives programming money from Suddenlink in accordance with the statewide cable franchise agreement. The PEG funds are a restricted revenue source and may only be spent on capital improvements that meet state statutory requirements to benefit the channel, and that last for more than one year.

While the City has additional projects that will come before the City Council in the near future for the City's use of PEG funds, staff has actively explored ways to partner within our community to diversify our channel content and also maximize the community's benefit of the PEG funds.

Council and Staff discussion included: 1) whether or not Taylor County Commissioners Court could benefit from the PEG funds for their meetings; and 2) replay of band concerts and other events that take place at the school districts.

Councilman Williams made the motion to approve the Resolution Authorizing the City Manager to enter into Interlocal agreement with Wylie Independent School District (WISD) to purchase necessary capital equipment and improvements through PEG (Public Education Government) funds so that WISD will have the ability to provide content to the City of Abilene's PEG channel. Councilman Savage seconded the motion, motion carried.

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

Resolution **#50-2016**

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A INTERLOCAL AGREEMENT BETWEEN THE CITY OF ABILENE AND THE WYLIE INDEPENDENT SCHOOL DISTRICT (WISD) TO PURCHASE NECESSARY CAPITAL EQUIPMENT AND IMPROVEMENTS THROUGH THE USE OF PEG FUNDS FOR WISD TO PROVIDE CONTENT TO THE CITY'S PEG (PUBLIC, EDUCATIONAL AND GOVERNMENTAL) CHANNEL.

7.8 Cheryl Sawyers Communications and Media Relations Manager briefed the council on the Resolution Authorizing the City Manager to enter into Interlocal agreement with Abilene Independent School District (AISD) to purchase necessary capital equipment and improvements through PEG (Public Education Government) funds so that AISD will have the ability to provide content to the City of Abilene's PEG channel

Abilene ISD currently provides content for Channel 2. This interlocal agreement will authorize the use of

PEG funds by the City for the benefit of AISD. The funds provided to the districts will allow them to upgrade their equipment to further provide the City of Abilene with content and to make viewing of various school activities available to the public.

Councilman Price made the motion to approve the Resolution Authorizing the City Manager to enter into Interlocal agreement with Abilene Independent School District (AISD) to purchase necessary capital equipment and improvements through PEG (Public Education Government) funds so that AISD will have the ability to provide content to the City of Abilene's PEG channel. Councilman McAlister seconded the motion, motion carried.

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

Resolution **#51-2016**

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO A INTERLOCAL AGREEMENT BETWEEN THE CITY OF ABILENE AND THE ABILENE INDEPENDENT SCHOOL DISTRICT (AISD) TO PURCHASE NECESSARY CAPITAL EQUIPMENT AND IMPROVEMENTS THROUGH THE USE OF PEG FUNDS FOR AISD TO PROVIDE CONTENT TO THE CITY'S PEG (PUBLIC, EDUCATIONAL AND GOVERNMENTAL) CHANNEL

7.9 Cheryl Sawyers Communications and Media Relations Manager briefed the council on the Resolution Authorizing the purchase of video equipment from B & H Photo in the amount of \$107,670.96 from BuyBoard Contract for video equipment upgrades for Shotwell Stadium – Abilene Independent School District.

Shotwell Stadium's games and other competitions are major source of programming for the City of Abilene's Public, Education, and Government (PEG) channel 2. The current audio/visual equipment is in dire need of an upgrade to continue to provide the PEG channel with programming.

Councilman Savage made the motion to approve the Resolution authorizing the purchase of video equipment from B & H Photo in the amount of \$107,670.96 from BuyBoard Contract for video equipment upgrades for Shotwell Stadium – Abilene Independent School District. Councilman Hardaway seconded the motion, motion carried.

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

Resolution **#52-2016**

A RESOLUTION AUTHORIZING THE PURCHASE OF VIDEO EQUIPMENT FROM B&H PHOTO IN THE AMOUNT OF \$107,670.96 FOR VIDEO UPGRADES AT SHOTWELL STADIUM AND – FUNDS WILL BE UTILIZED FROM THE CITY'S PEG (PUBLIC, EDUCATIONAL AND GOVERNMENTAL) FUNDS

7.10 Cheryl Sawyers Communications and Media Relations Manager briefed the council on the Resolution authorizing the purchase of audio equipment from N-Tune Music & Sound from BuyBoard contract in the amount of \$89,536.75 for audio equipment upgrades for Shotwell Stadium – Abilene Independent School District.

Shotwell Stadium's games and other competitions are major source of programming for the City of Abilene's Public, Education, and Government (PEG) channel 2. The current audio/visual equipment is in dire need of an upgrade to continue to provide the PEG channel with programming.

Councilman Savage made the motion to approve the Resolution authorizing the purchase of audio equipment from N-Tune Music & Sound from BuyBoard contract in the amount of \$89,536.75 for audio equipment upgrades for Shotwell Stadium – Abilene Independent School District.. Councilman Hardaway seconded the motion, motion carried.

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

Resolution #53-2016

A RESOLUTION AUTHORIZING THE PURCHASE OF AUDIO EQUIPMENT FROM N-TUNE MUSIC & SOUND IN THE AMOUNT OF \$89,536.75 FOR AUDIO EQUIPMENT FOR SHOTWELL STADIUM – FUNDS WILL BE UTILIZED FROM THE CITY’S PEG (PUBLIC, EDUCATIONAL AND GOVERNMENTAL) FUNDS.

7.11 Don Green Director of Transportation, briefed the council on the Resolution Authorizing the Purchase of Transit Scheduling Software & Mobile Tablets for CityLink.

CityLink Transit has received funding through the FY 2014 Section 5310 (Elderly and Disabled) Grant to purchase Dispatch/Scheduling Software with 15 mobile tablets. The amount of the grant funding available is \$148,000. TDC’s (Toll Development Credits) have been awarded totaling \$37,000, which would be used to satisfy the local match requirement for a total funding amount of \$185,000.

An RFP (Request for Proposals) was issued on November 11, 2015 with five prospective vendors contacted. Only one bid was received on January 7, 2016 from RouteMatch Inc. With only one bid received, state/federal guidelines required additional procedures to ensure a fair and open competition, which were conducted to ensure compliance with federal guidelines.

The current dispatch/scheduling software utilized by CityLink Transit is TripSpark (Trapeze) that was purchased through the RFP process in 2003 for \$55,000. The current software is not supported by TripSpark due to its age and outdated technology. CityLink Transit had previously contacted TripSpark to find a solution for upgrading the current version; however the associated costs with the upgrade, lack of technical support and the minimal technology gains brought by the upgrade would not be enough to meet current Demand Response Service needs. Currently, all scheduling for demand response trips is done manually as well as all state and federal reporting.

The RFP process began in 2015 to purchase a dispatch/scheduling software platform where additional technology and can be added to enhance transit as funding became available. That additional technology could include Fixed Route Module, real time Estimated Time of Arrivals (ETA’s), AVL capability (Automatic Vehicle Locator), bus stop annunciator’s, streamlined state and federal reporting, run cutting* and analysis and full cost allocation capability.

The remaining funds after the purchase would be requested to be transferred to vehicle Preventive Maintenance and drawn down through the normal billing cycle to TxDOT.

FUNDING/FISCAL IMPACT

Grant:	\$148,000
TDCs	\$ 37,000
<u>City’s 20% (in Cash)</u>	<u>\$0</u>
Total Funding	\$185,000
<u>Price of Software</u>	<u>(\$177,739)</u>
Remaining Funds:	\$ 7,261

(Will be requested to be applied to Vehicle Maintenance)

Councilman Savage made the motion to approve the Resolution authorizing the Purchase of Transit Scheduling Software & Mobile Tablets for CityLink. Councilman Kreitler seconded the motion, motion carried.

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

Resolution **#54-2016**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE THE PURCHASE OF CITYLINK SCHEDULING AND DISPATCHING SOFTWARE AND 15 MOBILE TABLETS

7.12 Chief of Police Stan Standridge presented the information on Use of Wireless Communication Devices While Driving Ordinance.

In previous conversations with the City Council, City and Police Administrations were asked to research the value of an ordinance that would restrict the use of wireless communications while driving. This topic has been debated vigorously at the State level, but each time the proposed House and Senate bills have failed to become law. Consequently, many cities have adopted ordinances to regulate wireless communications while driving, in hopes that such measures will increase public safety.

April is designated as National Distracted Driving Awareness by TxDOT. In 2014, there were 100,825 traffic crashes in Texas that involved distracted driving (distraction, driver inattention or cell-phone use). That is an increase of 6 percent from 2013. These crashes in 2014 resulted in 3,214 serious injuries and 468 deaths. In fact, nearly one in five crashes in Texas involves driver distraction.

The City of Abilene has seen a 2% decrease in crashes from 2011 to 2015. However, the City has seen a 125% increase in fatality crashes in the same timeframe (from 8 to 18), and a 138% increase in the number of citizens who have died during those crashes (from 8 to 19). Quantifying how many of these fatalities are related to using cellular devices while driving is difficult. In most cases, the only way to determine a driver was distracted at the time of a crash is when they admit to such behaviors.

Therefore, the value of an ordinance might be found in voluntary compliance, where many drivers admit that distracted driving is an issue in this community, and because of an ordinance they will change their behaviors.

Sister cities that have such an ordinance include: Denton, Midland, San Angelo and Grand Prairie.

Council and Staff discussion included: 1) speed a bigger issues with fatalities; 2) 25% of fatalities can be attributed to alcohol; 3) officer observation; 4) education of the public; 5) not a moving violation; 6) driver only; 7) State of Texas is the more appropriate place for legislation to come out of; 8) seek and consider input from the citizens; and 8) discussion regarding C.B. Radio's.

No votes or action was taken on this item.

EXECUTIVE SESSION

Mayor Archibald recessed the Council into Executive Session at 11:53 a.m. pursuant to the Open Meetings Act for the following:

Consultation with Attorney - Sections 551.071

- 7) Abilene Matera LLC v. Board of Building Standards for the City of Abilene and City of Abilene, Cause No. 10696-D. March 17, 2016
- A) Consultation with Attorney regarding Electric Consulting Management Agreement
- B) Consultation with Attorney regarding Application of AEP Texas North Company to PUCT for Approval of a Distribution Cost Recovery Factor
- C) Consultation with Attorney regarding 401 Plum Street

Real Property Section 551.072

- A) Discussion regarding property adjoining 517 N. Pioneer Drive

Business Prospect/Economic Development Section 551.087

- A) Discussion of the Windsor hotel

Personnel Section 551.074

- A) City Secretary

The Council reconvened in Open Session at 1:32 p.m. and reported no votes or action was taken in Executive Session.

10.1 Robert Hanna City Manager, briefed the council on the Resolution authorizing the City Manager to negotiate and enter into an Electric Consulting Management Agreement.

The City made a request for qualifications to interested electrical energy consultants requesting statements of qualifications for consulting services. The City received several statements of qualifications and considered one from PPM Consulting Services and one from Texas Coalition for Affordable Power.

STAFF RECOMMENDATION

Staff recommends Texas Coalition for Affordable Power.

Councilman Williams made the motion to approve the Resolution authorizing the City Manager to negotiate and enter into an energy management and consulting services agreement with Texas Coalition for Affordable Power. Councilman McAlister seconded the motion, motion failed.

AYES: Councilmen Williams and McAlister

NAYS: Councilmen Price, Kreitler, Hardaway, Savage and Mayor Archibald

Councilman Price made the motion to approve the Resolution authorizing the City Manager to negotiate and enter into an energy management and consulting services agreement with PPM Consulting Services. Councilman Hardaway seconded the motion, motion carried.

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

NAYS: Councilmen Williams and McAlister

Resolution: **#55-2016**

A RESOLUTION AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND ENTER INTO AN ENERGY MANAGEMENT AND CONSULTING SERVICES AGREEMENT

10.2 **Resolution:** Authorizing the City Manager to execute all documents to purchase the property located at 517 N. Pioneer Drive. This property will be used for the purpose of constructing a new fire station 7.

Councilman Savage made the motion to approve the Resolution authorizing the City Manager to execute all documents to purchase the property located at 517 N. Pioneer Drive. Councilman McAlister seconded the motion, motion carried.

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

Resolution: **#56-2016**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AUTHORIZING THE CITY MANAGER TO EXECUTE ALL DOCUMENTS TO PURCHASE THE PROPERTY LOCATED AT 517 N. PIONEER DRIVE FOR THE PURPOSE OF CONSTRUCTING A NEW FIRE STATION 7.

There being no further business the meeting was adjourned at 1:41 p.m.

Danette Dunlap, TRMC
City Secretary

Norm Archibald
Mayor