

CITY COUNCIL MEETING

April 13th, 2017, 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 13th, 2017, 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, Kyle McAlister and Steve Savage. Also present were City Manager Robert Hanna, City Attorney Stanley Smith, City Secretary Danette Dunlap, and various members of the City staff.

Councilman Kreitler gave the invocation.

Mayor Archibald introduced Jenna, Molly, Caroline, and Will Bessent, Jenna and Molly attend Mann Middle School, Caroline attends Austin Elementary School, and Will is 5 yrs old. The Bessent's led the Pledge of Allegiance to the Flags of the United States of America and the State of Texas.

RECOGNITION

Mayor Archibald was joined by Fire Chief Larry Bell they recognized the Paramedic Program Accreditation for the Abilene Fire Department.

PROCLAMATIONS

Mayor Archibald presented the following proclamations:

April 2017

National Occupational Therapy Month

Donna Walls, Assistant Professor Department of Occupational Therapy at ACU, accepted the proclamation. Occupational Therapy students were in attendance.

April 9-15, 2017

National Animal Care and Control Appreciation Week

Mirenda Walden, Director Animal Services accepted the proclamation. Animal Services staff were in attendance.

April 17-22, 2017

National Community Development Week

Joana Wuest, Manager Office of Neighborhood Services, accepted the proclamation. Office of Neighborhood Services staff were in attendance.

DISPOSITION OF MINUTES

5.0 Mayor Archibald stated Council has been given the minutes from the Joint Workshop on March 16th, Special Called Workshop March 21st, Possible Quorum March 29th and the Regular Called Meeting March 23rd there being no deletions, no additions, and no corrections. Councilman Savage made a motion to approve the minutes as presented. Councilman Kreitler seconded the motion, motion carried.

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

NAYS: None

CONSENT AGENDA

Councilman Price pulled items 6.1 and 6.4. Councilman Savage pulled item 6.5. A citizen also requested 6.1. Councilman Savage made the motion to approve items 6.2 and 6.3 as presented by staff. Councilman Williams seconded the motion, motion carried.

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

Resolutions:

- 6.1 **Resolution:** Awarding bid #CB-1732 - Elm Creek Pedestrian Bridge and Sidewalk Improvements to Justice Construction, Inc. in the amount of \$352,435.60. *Councilman Price pulled this item also a citizen requested to pull this item for discussion.*

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AWARDING BID TO JUSTICE CONSTRUCTION, INC., ABILENE, TEXAS

- 6.2 **Resolution:** The city council authorized the purchase of seven Sideloaders for Solid Waste through BuyBoard from Chastang's Bayou City Autocar at \$305,267.00 per unit total is \$2,137,269.00.

Resolution: **#39-2017**

A RESOLUTION OF THE CITY OF ABILENE, TEXAS REPLACING SEVEN SOLID WASTE SIDE LOADER UNITS WITH A DURAPACK RAPID RAIL SIDE LOADER MOUNTED ON AN AUTOCAR ACX CHASSIS PURCHASED FROM CHASTANG'S BAYOU CITY AUTOCAR THROUGH BUYBOARD COOPERATIVE PURCHASING

- 6.3 **Resolution:** The city council authorized the purchase of a Frontloader for Solid Waste through BuyBoard from Chastang's Bayou City Autocar in the amount of \$295,067.00.

Resolution: **#40-2017**

A RESOLUTION OF THE CITY OF ABILENE, TEXAS REPLACING SOLID WASTE FRONT LOADER UNIT 4134 WITH A HEIL HALPACK FRONT LOADER MOUNTED ON AN AUTOCAR ACX CHASSIS PURCHASED FROM CHASTANG'S BAYOU CITY AUTOCAR THROUGH BUYBOARD COOPERATIVE PURCHASING

- 6.4 **Resolution:** Authorizing the purchase of a street sweeper for Storm Water through HGAC (Houston Galveston Area Council) in the amount of \$251,075.00. *Councilman Price pulled this item.*

A RESOLUTION OF THE CITY OF ABILENE, TEXAS PURCHASING A TYMCO MODEL 600 REGENERATIVE AIR SWEEPER THROUGH HGAC COOPERATIVE

- 6.5 **Resolution:** Authorizing the purchase of a Minibus for Recreation through HGAC (Houston Galveston Area Council) in the amount of \$71,767.00. *Councilman Savage pulled this item.*

RESOLUTION OF THE CITY OF ABILENE, TEXAS REPLACING COMMUNITY SERVICES' MINIBUS UNIT #3200 WITH AN ELDORADO AEROTECH 240 THROUGH HGAC COOPERATIVE

ITEM PULLED FROM CONSENT

- 6.1** **Resolution:** Awarding bid #CB-1732 - Elm Creek Pedestrian Bridge and Sidewalk Improvements to Justice Construction, Inc. in the amount of \$352,435.60. *Item 6.1 was pulled from consent by Councilman Price and Joe Spano.*

Council and Staff discussion included: 1) time line – approximately 9 months from notice to proceed; 2) sidewalk will run from US 277 to Betty Hardwick; 3) There will be a pedestrian bridge over Elm Creek; and 4) Joe Spano was in full support from his time on the council for this project and was glad to see it proceeding.

Councilman Price made the motion to award bid #CB-1732 – Elm Creek Pedestrian Bridge and Sidewalk Improvements to Justice Construction, Inc. in the amount of \$352,435.60. Councilman Kreitler seconded the motion, motion carried.

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

Resolution: **#41-2017**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AWARDED BID TO JUSTICE CONSTRUCTION, INC., ABILENE, TEXAS

- 6.4** **Resolution:** Authorizing the purchase of a street sweeper for Storm Water through HGAC (Houston Galveston Area Council) in the amount of \$251,075.00. *Item 6.4 pulled from consent by Councilman Price.*

Council and Staff discussion included: 1) this is a different type of equipment than what we currently have; 2) easier to maintain; 3) training available; 4) sister cities are moving to this type; and 5) outsourcing research requested.

Councilman Price made the motion to TABLE this item until more research could be completed by staff. Councilman Williams seconded the motion, motion carried.

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

A RESOLUTION OF THE CITY OF ABILENE, TEXAS PURCHASING A TYMCO MODEL 600 REGENERATIVE AIR SWEEPER THROUGH HGAC COOPERATIVE

- 6.5** **Resolution:** Authorizing the purchase of a Minibus for Recreation through HGAC (Houston Galveston Area Council) in the amount of \$71,767.00. *Item 6.5 was pulled from consent by Councilman Savage.*

Council and Staff discussion included: 1) the disposal of the current minibus; 2) could it be used for a Hazmat vehicle for the Fire Department; and 3) could it be used as a backup.

Councilman Savage made the motion to approve the purchase of a Minibus for Recreation through HGAC (Houston Galveston Area Council) in the amount of \$71,767.00. Councilman Price seconded the motion, motion carried.

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

NAYS: None

Resolution: #42-2017

RESOLUTION OF THE CITY OF ABILENE, TEXAS REPLACING COMMUNITY SERVICES' MINIBUS UNIT #3200 WITH AN ELDORADO AEROTECH 240 THROUGH HGAC COOPERATIVE

REGULAR ITEMS

7.1 Dana Schoening Director of Planning and Development Services briefed the city council on the Ordinance for Case #Z-2017-05 a request from Terry J Adams, to rezone property from AO (Agricultural Open Space) to LI (Light Industrial), to allow for Wholesale and Storage (Indoors) located at 3558 E Hwy 80.

The subject parcel is one acre in size. The property is undeveloped, but there are miscellaneous items being stored on the property. A seven-foot high metal fence along the front property line screens the property from E Highway 80. The parcel has 100 feet of frontage along E Highway 80 with a paved driveway.

The surrounding properties are zoned Light Industrial (LI) to the west and south across E Highway 80 and Agricultural Open Space (AO) to the north and east.

STAFF RECOMMENDATION

Staff recommends approval of the requested rezoning.

BOARD RECOMMENDATION

The board approved the request by seven for (Famble, Smith, Bixby, Calk, Dunnahoo, Rosenbaum and McClarty with none in opposition.

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

Councilman Kreitler made the motion to approve the Ordinance for Case #Z-2017-05 a request from Terry J Adams, to rezone property from AO (Agricultural Open Space) to LI (Light Industrial), to allow for Wholesale and Storage (Indoors) located at 3558 E Hwy 80. Councilman Savage second the motion, motion carried.

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

NAYS: None

Ordinance: #10-2017

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: 3558 E Hwy 80

7.2 Dana Schoening Director of Planning and Development Services briefed the city council on the Ordinance for Case #Z-2017-06 A request from Orange Theory Fitness, agent Enprotec/Hibbs & Todd, to amend the terms and

conditions of the PD77 (Planned Development 77) to allow for Indoor Recreation as a permitted use located at 3934 and 3950 Catclaw Drive.

The purpose of the amendment to the PD zoning is to allow for a physical fitness use in the center lot of PD-77 (Described as Lot 1, Block A, PAK Addition).

Currently, the subject property is zoned PDD-77 and has not been developed. The properties to the north are zoned PDD-77 for retail space (Dollar General) and a medical office space (Dr. J's Emergency Care). The remaining area of the PD to the south is developed with a restaurant use (Taylor County Tap House). The properties to the east are apartments. The property to the west is a regional drainage and detention area and is undevelopable.

The northwestern corner of the subject lot is in the 100-year floodplain

STAFF RECOMMENDATION

Staff recommends approval of the requested PDD-77 amendment

BOARD RECOMMENDATION

The board approved the request by seven for (Famble, Smith, Bixby, Calk, Dunnahoo, Rosenbaum and McClarty with none in opposition.

Council and Staff discussion included: 1) to allow for indoor recreation as a permitted use.

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

- David Todd agent for Enprotec Hibbs & Todd – for the rezone

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-2017-06 A request from Orange Theory Fitness, agent Enprotec/Hibbs & Todd, to amend the terms and conditions of the PD77 (Planned Development 77) to allow for Indoor Recreation as a permitted use located at 3934 and 3950 Catclaw Drive. Councilman Price second the motion, motion carried.

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

NAYS: None

Ordinance: #11-2017

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING CHAPTER 23, SUBPART B, "LAND DEVELOPMENT CODE," OF THE ABILENE MUNICIPAL CODE, CONCERNING PDD-77 AND ORDINANCE NO. 38-2002 A PLANNED DEVELOPMENT DISTRICT; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE

Location: 3934 and 3950 Catclaw Drive

7.3 Stanley Smith City Attorney briefed the city council on the Ordinance setting forth registration requirements and credit extension guidelines for credit access businesses.

At least 40 Texas Cities have adopted the model ordinance, or a variation thereof, including San Angelo, Denton, Killeen, Midland, and Waco.

This ordinance does the following:

1. Requires registration of all Credit Access Businesses with the City limits.
2. Requires the businesses maintain complete records of all loans for three years and to make the records available to the City upon request.
3. Limits the loan to no more than 20% of a consumer's gross monthly income and title loans on vehicles to no more than 3% of the consumers gross annual income or 70% of the retail value of the vehicle.
4. Provides that repayment in installments may not be in more than 4 installments.
5. Prevents renewals or refinancing of installment-payment loans.
6. Requires that any agreement be written in the consumer's language of preference.
7. Referral to credit counseling is required.
8. State mandated quarterly reports and any other requested information must be submitted to the City.

Mayor Archibald opened a public comment time and the council heard from the following:

- Samuel Garcia – for the ordinance
- Jen Rogers – for the ordinance
- Michael Brown – against the ordinance
- Robert Wheeler – against the ordinance
- Kimberly Bactia – against the ordinance
- Bill Stevens – against the ordinance
- Cheryl Morris – against the ordinance
- Walter Williams – against the ordinance
- Ren Mathis – for the ordinance
- Sue Thomesen – for the ordinance
- Zach Snyder – for the ordinance
- Rev Phil Christopher – for the ordinance

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

Council asked to have this placed on the workshop agenda for April 25th so that it would provide the citizens another opportunity to give input.

Mayor Archibald made the motion to approve the first reading of the Ordinance setting forth registration requirements and credit extension guidelines for credit access businesses and providing a penalty; and setting a public hearing for April 27th 2017. Councilman Williams seconded the motion, motion carried.

AYES: Councilmen Price, Williams, McAlister and Mayor Archibald

NAYS: Councilmen Kreidler and Savage

AN ORDINANCE AMENDING CHAPTER 17, MISCELLANEOUS PROVISIONS, OF THE CODE OF THE CITY OF ABILENE BY ADDING ARTICLE IV, CREDIT ACCESS BUSINESSES, AS SET OUT BELOW, PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY; AND CALLING FOR A PUBLIC HEARING

7.4 Mayor moved this item down after 7.5.

7.5 Don Green Director of Transportation Services briefed the city council on the Resolution authorizing the sale of Airport Property to Texas State Technology College.

Texas State Technical College (TSTC) has offered to purchase 51.891 acres of airport property between Navajo Trail and Loop 322, including a portion of Navajo Circle, to place its new regional campus in Abilene. The property identified to sell has little aeronautical development potential and much of it has been vacant since it became part of the airport in the early 1950's.

This property is being sold to TSTC for educational purposes and for public benefit. The city has applied to the Federal Aviation Administration (FAA) to release the acreage from Airport Property so it can be sold. Executing the sale is contingent on FAA approval.

Under FAA grant assurances, the sale proceeds, \$465,000, must remain exclusively for Airport use and can not be used for other city purposes. The sale proceeds will reimburse the city for the unbudgeted expenses of \$38,850 to prepare for this sale. The remaining amount will be applied to future airport economic development.

Councilman Savage made the motion to approve the Resolution authorizing the sale of Airport Property to Texas State Technology College. Councilman Williams seconded the motion, motion carried.

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

NAYS: Councilman Kreitler

Resolution: #43-2017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS
APPROVING THE SALE OF 51.891 ACRES OF AIRPORT REAL PROPERTY TO TEXAS
STATE TECHNICAL COLLEGE

Mayor Archibald recessed the meeting to allow the Council to join the I-Can Luncheon.
Mayor Archibald brought the meeting back to order and council took up item 7.4.

7.4 Robert Hanna City Manager briefed the city council on the repeal and replace of Resolution 46-1991 that adopts the Rules and Procedures for the City Council. Councilman Price and Councilman Kreitler have worked on the rules and procedures for the city council.

There are several items that were left to the entire Council to resolve. These are marked as Option 1 and Option 2 in the Resolution.

Section 2.7.2

OPTION 1 – Maintain the word “or” and make a vote to enter executive optional.

OPTION 2 – Remove the word “or” and make a vote to enter executive session mandatory

Section 2.13.2

OPTION 1 If a Council requested agenda topic does not allow for staff to adequately prepare information for Council’s consideration, the item may be postponed by the City Manager until the next Regular Meeting, or until such time as mutually agreed.

OPTION 2 ADD If no agreement is reached the item shall be on the next regular meeting

Section 2.30.1(a)

OPTION 1 - “Audience members who wish to speak during an agenda item or non-agenda item (public comment) should first complete a Comment Card and submit it to the City Secretary. The Comment Card shall request the speaker’s name, ask if they are “for” or “against” the item and ask them if they would like to speak, or

simply provide written comments instead. A Comment Card is encouraged, but not required to address the Council on an item. Failure to complete a Comment Card does not prohibit an audience member from speaking.” OPTION 2 – DELETE OPTION 1, NO COMMENT CARD AT ALL.

Council and Staff discussion included: 1) motion to enter executive session or no motion; 2) Conflict disclosure; 3) Comment Card have them or not to have them; 4) 2.17.2 motion to allow public hearing on an item; 5) 2.6.2 no formal action; and 6) 2.10.1 presiding officer need to clarify.

Councilman Kreitler made the motion to TABLE the Resolution repealing and replacing Resolution #46-1991 adopting rules of Procedure for the City Council of Abilene. Councilman Price seconded the motion, motion carried.

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

A RESOLUTION REPEALING AND REPLACING RESOLUTION 46-1991 ADOPTING RULES OF PROCEDURE FOR THE CITY COUNCIL OF ABILENE, TEXAS

7.6 Larry Bell Fire Chief briefed the city council on the Resolution authorizing the City Manager to execute an amendment to the on-demand contract for Architectural services with CADCO, Inc. for the Fire Training Facility.

Proposition 4 of the 2015 Bond Election included funding for Public Safety projects. Included within this list of projects was a new classroom and office complex at the Fire Training Academy. The current classroom facility was constructed in the 1970's and no longer provides adequate space for the various training activities and courses necessary for the expanding fire protection services.

This contract amendment with CADCO, Inc. will provide the full scope of architectural services to include: program development, schematic and design development, full construction documents, construction bidding and contract award assistance, construction inspections, and close-out/warranty work.

Funding for this project was provided by the voter approved 2015 Bond Election. Funding for the design of the project was included in the 2016 Bond issue. CADCO's fee is proposed at 8.75% of Construction Costs. The project has a \$1.0 million construction budget, so this would put the design fee at \$87,500.

Councilman Price made the motion to approve the Resolution authorizing the City Manager to execute an amendment to the on-demand contract for Architectural services with CADCO, Inc. for the Fire Training Facility. Councilman McAlister seconded the motion, motion carried.

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

Resolution: **#44-2017**

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH CADCO ARCHITECTSENGINEERS INC. FOR DESIGN AND CONSTRUCTION SERVICES RELATED TO THE FIRE TRAINING FACILITY PROJECT.

7.7 Wayne Lisenbee Director of Capital Improvements briefed the city council on the Resolution awarding the construction of the Phase I Bond Sidewalk Improvements.

Proposition 3 of the 2015 Bond Election provided funding for the City to complete sidewalk projects around town to improve the transportation system for pedestrian traffic. Phase 1 of the Bond Sidewalk program focused on completing critical sidewalk components within the "Safe Routes to Schools" program. Five sidewalk projects are included in Phase 1: N. 10th near Lee Elementary, Richland Dr. near Lee Elementary; S. 32nd St. near Madison Middle School and Jackson Elementary; Texas Ave. – Corsicana near Clack Middle School; and Westmoreland St. near Ortiz Elementary.

Council and Staff discussion included: 1) have we talked to Abilene Independent School District about these locations?

Councilman Savage made the motion to approve the Resolution awarding the construction of the Phase 1 Bond Sidewalk Improvements as follows N10th to Bontke Brothers Construction for \$137,339.37, Westmoreland to Justice Construction for \$66,207.25, Texas Ave. – Corsicana to Bontke Brothers Construction for \$93,769.50 and Richland Dr to Bontke Brothers Construction for \$230,530.85. Councilman Price seconded the motion, motion carried.

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

NAYS: None

Resolution: #45-2017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXASAWARDING BIDS FOR THE CONSTRUCTION OF VARIOUS SIDEWALK PROJECTS AS PART OF THE 2015 BOND SIDEWALK PROGRAM

7.8 Rodney Taylor Director of Utilities briefed the city council on the Resolution authorizing an application for financial assistance from the Texas Water Development Board (TWDB).

By this Resolution the Abilene City Council is authorizing the following items:

- Authorizing the completion and filing of an application with the Texas Water Development Board seeking financial assistance in an amount not to exceed \$20,000,000.00 to provide funds for water system improvements including the replacement of water meters.
- Authorizing the City Manager or his designee(s) as representatives of the City for the purpose of compiling data and executing documents associated with filing the application.
- Authorizing the listed firms to represent the City and assist in the preparation and submission of the application:
- Financial Advisor - George Williford, First Southwest Company
- Bond Counsel - Leroy Grawunder, Jr., McCall, Parkhurst & Horton L.L.P.
- Engineer - Keith Kindle, Enprotec / Hibbs & Todd, Inc.

This resolution allows the City to take an initial step by applying for funding opportunities to secure funds at below market rates and to possibly lock in limited grant funds. Filing the application with the TWDB does not obligate the City to accept any resulting funding nor does it force the City to implement a future project. The resolution does establish the City's intent to further explore funding opportunities from the TWDB for planned future water system improvement projects.

Councilman Price made the motion to approve the Resolution authorizing an application for financial assistance from the Texas Water Development Board. Councilman McAlister seconded the motion, motion carried.

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

NAYS: Councilmen Kreitler

Resolution: #46-2017

AUTHORIZING APPLICATION FOR FINANCIAL ASSISTANCE FROM THE TEXAS WATER DEVELOPMENT BOARD; DESIGNATING CERTAIN CONSULTANTS; AND MAKING CERTAIN FINDINGS IN CONNECTION THEREWITH

7.9 Rodney Taylor Director of Water Utilities briefed the city council on the Resolution awarding bid to Dowtech Specialty Contractors, Inc. for the Elmdale Pump Station Relocation Project.

The Elmdale Pump Station (EPS) is located in far east Abilene adjacent to Interstate Highway 20. The EPS is an important component of Abilene's potable water distribution system and is heavily relied upon to meet the residential, industrial and wholesale water customer demands on the far east end of Abilene's Second Pressure Plane (2PP). The EPS is supplied water from the First Pressure Plane (1PP) via approximately 3 miles of parallel 12inch and 16inch diameter water mains. Because of the high elevation of the EPS and the friction losses in the lengthy pipelines, there is not an adequate quantity of water to supply the EPS.

Councilman Williams made the motion to approve the Resolution awarding the bid to Dowtech Specialty Contractors, Inc. for the Elmdale Pump Station Relocation Project in the amount of \$1,648,600.00. Councilman McAlister seconded the motion, motion carried.

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

Resolution #47-2017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS AWARDING A BID TO DOWTECH SPECIALTY CONTRACTORS, INC FOR THE ELMDALE PUMP STATION RELOCATION PROJECT.

7.10 Rodney Taylor Director of Water Utilities briefed the city council on the Resolution awarding bid to MH Civil Constructors, Inc. for the Second Pressure Plane Water Distribution Improvements.

The Second Pressure Plane Water Distribution Improvements Project is associated with the Elmdale Pump Station Relocation Project. The Elmdale Pump Station (EPS) is located in far east Abilene adjacent to Interstate Highway 20. The EPS is an important component of Abilene's potable water distribution system and is heavily relied upon to meet the residential, industrial and wholesale water customer demands on the far east end of Abilene's Second Pressure Plane (2PP). The EPS is supplied water from the First Pressure Plane (1PP) via approximately 3 miles of parallel 12inch and 16inch diameter water mains. Because of the high elevation of the EPS and the friction losses in the lengthy pipelines, there is not an adequate quantity of water to supply the EPS.

Councilman Price made the motion to approve the Resolution awarding bid to MH Civil Constructors, Inc. for the Second Pressure Plane Water Distribution Improvements in the amount of \$1,701,000.00. Councilman Kreitler seconded the motion, motion carried.

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

Resolution: #48-2017

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AWARDING A BID TO MH CIVIL CONSTRUCTORS, INC FOR THE SECOND PRESSURE PLANE WATER DISTRIBUTION IMPROVMENTS PROJECT.

EXECUTIVE SESSION

Mayor Archibald recessed the Council into Executive Session at 2:56 pm. pursuant to the Open Meetings Act for the following:

Consultation with Attorney - Section 551.071

A) Regional Water Supply

4) Margarita Mitchell, et al. v. The City of Abilene, et al., filed in the 350th Judicial District Court, Taylor County, Texas, on October 21, 2015.

6) Abilene Matera LLC v. Board of Building Standards for the City of Abilene and City of Abilene, Cause No. 10696-D. March 17, 2016

11) City of Abilene and Development Corporation of Abilene v Texas Municipal League Governmental Risk Pool, Cause No. 11018-D in the 350th Judicial District Court, Taylor County Texas filed January 9, 2017.

12) Texas Propane Gas Association v. Railroad Commission of Texas, et al. Cause No. D-1-GN-17-001089, In the 261st Judicial District Court, Travis County, Texas, filed March 13, 2017

Deliberations about Real Property – Section 551.072

A) Regional Water Supply

B) K-Mart Building

Business Prospect/Economic Development - Section 551.087

A) Hotel Proposals

Personnel - Section 551.074

A) Annual performance evaluations of City Manager

The Council reconvened in Open Session at 4:22 pm. and reported no votes or action was taken in Executive Session.

10.1 Oral Resolution: Discussion and possible action related to annual performance evaluations of City Manager and Municipal Judge.

No action taken on annual performances.

10.2 Resolution: Appointing members to various boards and commissions per the City Charter:

Office of Neighborhood Services Board

Councilman Savage made the motion to approve the Resolution appointing members to various boards and commissions per the city charter and listed below. Councilman Williams seconded the motion, motion carried.

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

NAYS: None

Resolution: #49-2017

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

Office of Neighborhood Services Board

- | Member | Appointment of the following: | |
|----------------|-------------------------------|----------|
| • Erica Currie | | Nov 2018 |

There being no further business the meeting was adjourned at 4:23 pm.


Danette Dunlap, TRMC
City Secretary


Norm Archibald
Mayor