City of Abilene
City Council Agenda

Kyle McAlister, Mayor Pro-tem
Weldon Hurt, Council Member
Lynn Beard, Council Member
Robert Hanna, City Manager

Anthony Williams, Mayor

Donna Albus, Council Member
Shane Price, Council Member
Travis Craver, Council Member
Stanley Smith, City Attorney
Shawna Atkinson, City Secretary

Notice is hereby given of a meeting of the City Council of City of Abilene to be held on May 27, 2021, at 4:30 p.m. at City Hall, 555 Walnut Street, Council Chambers, Abilene, Texas, for the purpose of considering the following agenda items. All agenda items are subject to action. The City Council reserves the right to meet in a closed session on any agenda item should the need arise and if applicable pursuant to authorization by Title 5, Chapter 551, of the Texas Government Code.

CALL TO ORDER

1. **Executive Session** - City Council will convene into Executive Session at 4:30 p.m.
   Reconvene - City Council will reconvene into open session at 5:30 p.m.

INVOCATION

2. Mayor Anthony Williams

PLEDGE TO THE UNITED STATES FLAG AND THE TEXAS FLAG

PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS AND ANNOUNCEMENTS

3. **Proclamation:**

   - Flood Awareness Week

CONSENT AGENDA

All consent agenda items listed are considered to be routine by the City Council and will be enacted by one motion. There will be no separate discussion of these items unless a Councilmember or Citizen so requests, in which event the item will be removed from the Consent Agenda and considered separately.

4. **Minutes:** Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Special Meeting to Canvass the Election on May 10, 2021, and the Regular Meeting Held on May 13, 2021 ***(Shawna Atkinson)***

5. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing and Take Action to

Approve Change Order 3 with Collier Construction for the Airport Fire Station construction contract ***(Don Green)***

6. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing and Take Action to Approve the Purchase of Nine (9) Type III Cutaway Vans ***(Don Green)***

7. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing and Take Action to Approve a Task Order with Corgan to Design a Consolidated Quick Turn Around Facility at Abilene Regional Airport ***(Don Green)***

8. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing and Take Action to Approve an Amendment to the Vehicle Replacement Policy ***(Don Green)***

9. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the change in vendors for lease vehicles ***(Don Green)***

10. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action to Approve the Purchase of Ecolane scheduling software to replace the current software, RouteMatch, used by CityLink. ***(Don Green)***

11. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the acceptance of the donated "Otis and the Calf" sculptures for placement on the Adamson Spalding Storybook Garden lawn of the Abilene Convention Center **(*Lesli Andrews*)**

12. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on awarding bid for the Lake Fort Phantom Hill Pump Station Improvements ***(Rodney Taylor)***

13. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the purchase of two 10 yard 2022 Freightliner M2106 PB BC-4 Patch Trucks from Freightliner of Austin for Street Services. ***(Tim Cass)***

14. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the purchase of two 2021 Dulevo 6000 Street Sweepers from Pannell Industries for Stormwater Services. ***(Tim Cass)***

15. **Ordinance (First Reading) Z-2021-09:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Bethany and Kaden Connell to Rezone Properties Located at 1802 and 1810 Huckleberry Lane from Residential Single-Family (RS-6) to Agricultural Open Space (AO). ***(Mike Warrix)***

16. **Ordinance (First Reading) Z-2021-10:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Sitzes APB LP, Agent Enprotec/Hibbs & Todd Inc., to Change Zoning from Heavy Industrial (HI) to Heavy Commercial (HC) District and Located at 2249 Butternut Street, on the Northeast Corner of Butternut and South 23rd Streets. ***(Mike Warrix)***

17. **Ordinance (First Reading) TC-2021-06:**Receive a Report and Hold a Discussion and Public Hearing on a Request from Hardin-Simmons University, Agent Enprotec/Hibbs & Todd Inc., to Abandon the Complete 60-Foot-Width of Public Right-of-Way of Beech Street as it Extends 160 feet South from Sandefer Street's Right-of-Way, and 152.5 to 312.5 Feet North from the Right-of-Way of Ambler Avenue in North Central Abilene ***(Mike Warrix)***

18. **Ordinance (First Reading):** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amending Budget Ordinance No. 31-2020 to Include Updated Staffing Levels for the Police Department ***(Marcus Dudley)***

REGULAR AGENDA - ORDINANCES AND PUBLIC HEARINGS - RESOLUTIONS

19. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action

on Changing the Frequency in Reporting COVID-19 Data Publicly ***(Annette Lerma)***

20. **Resolution (Remove from Table):** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving a Design-Build Agreement with DPR Construction regarding construction of Downtown Convention Center Hotel, City Facilities and Parking ***(Robert Hanna)***

21. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing and Take Action to Approve the Land Use Plan for Abilene Regional Airport ***(Don Green)***

22. **Ordinance (Final Reading):** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amending the Land Development Code, Chapter 3, Subdivision Regulations, Article 2, Subdivision Standards, Division 7, Roadways, Section 3.2.7.4, Street, Alley Abandonment and Closure Policy ***(Stanley Smith)***

EXECUTIVE SESSION

23. **The City Council of the City of Abilene reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed below, as authorized by the noted Texas Government Code Sections:**

A. 551.071 (Consultation with Attorney)

1. Robert Steven Reitz v. City of Abilene, Texas, et al., Case No. 1:16-cv-00181-BL; In the U.S. District Court, Northern District of Texas, Abilene Division, filed October 10, 2016
2. City of Abilene v. Patrick Sumrall; Cause No. 27,733-B, In the 104th Judicial District Court, Taylor County, Texas, filed May 28, 2019
3. City of Abilene v. 3118 South 22nd Street, Abilene, Texas, et al.; Cause No. 11968-D, In the 350th Judicial District Court, Taylor County, Texas; filed October 11, 2019
4. Chandler Brooks v. Taylor County, et al.; Civil Action No. 1:20-cv-00049, In the United States District Court, Northern District of Texas, Abilene Division; filed March 5, 2020
5. John Doe v. Robert Hanna, Individually and as City Manager; Cause No. 28078-B; In the 104th Judicial District Court, Taylor County, Texas; filed July 7, 2020
6. The City of Abilene, Texas v. Ken Paxton, Attorney General of Texas; Cause No. D-1-GN-20-004598, In the 53rd Judicial District Court, Travis County, Texas; filed September 1, 2020
7. Sharra Sampson v. City of Abilene; Cause No. 8144-B, In the 104th Judicial District Court, Taylor County, Texas; filed September 14, 2020
8. The City of Abilene, Texas v. Ken Paxton, Attorney General of Texas; Cause No. D-1-GN-20-007028, In the 459th Judicial District Court, Travis County, Texas; filed November 18, 2020
9. Natasha Jones v. City of Abilene, Texas; EEOC Charge of Discrimination, 450-2020-06446; filed September 15, 2020
10. Patrick Sumrall v. City of Abilene, Texas; Cause No. 28,269-B, In the 104th Judicial District Court, Taylor County, Texas; filed February 18, 2021
11. Officer Mark Watson and City of Abilene, Case No. 01-21-0002-5335; Appeal of Indefinite Suspension to Arbitration, filed March 10, 2021
12. Alton H. Smith, Jr. and Alicia Malorie Smith v. City of Abilene, Texas; Cause No. 51055-A, In the 42nd Judicial District Court, Taylor County, Texas; filed March 11, 2021
13. Clyde Water
14. Governor's Executive Orders COVID-19
15. Sanctuary City for the Unborn
16. Potential Claim against Netflix, Hulu, Disney+, and Others
17. City's Liability for Firefighter's Pension Plan

B. 551.072 (Deliberations about Real Property)

C. 551.073 (Deliberations about Gifts and Donations)

D. 551.074 (Personnel Matters)

1. City Council may consider appointment, employment, compensation, reassignment, duties, discipline, or dismissal of public officers or employees, City Manager, City Attorney, Municipal Court Judge, City Secretary, and City Board and Commission Members
2. City of Abilene Boards & Commissions May be Discussed, as needed for (re)appointment

E. 551.076 (Deliberations about Security Devices)

F. 551.087 (Business Prospect/Economic Development)

1. Abilene Convention Center Hotel Project

RECONVENE

PUBLIC COMMENTS

There will be no votes or any formal actions taken on subjects presented during public comment. The public comment period will only allow members of the public to present ideas and information to city officials and staff.

ADJOURNMENT

In compliance with the Americans with Disabilities Act, the City of Abilene will provide for reasonable accommodations for persons attending City Council meetings. To better serve you, requests should be received 48 hours prior to the meetings. Please call 325-676-6208.

CERTIFICATION

I hereby certify the above meeting notice was posted on the bulletin board at the City Hall of the City of Abilene, Texas, on the 21st day of May, 2021, at 2:20 p.m.

Shawna Atkinson, TRMC
City Secretary

City Council
Agenda Memo

City Council Meeting Date: 5/27/2021

TO: **Honorable Mayor & Members of City Council**

FROM: **Shawna Atkinson, City Secretary**

SUBJECT: **4. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Special Meeting to Canvass the Election on May 10, 2021, and the Regular Meeting Held on May 13, 2021 *(Shawna Atkinson)***

GENERAL INFORMATION

Approval of the Minutes from the Special Joint Meeting with the Special Called Meeting on May 10, 2021, and the Regular Meeting held on May 13, 2021

SPECIAL CONSIDERATIONS

None.

FUNDING/FISCAL IMPACT

None

STAFF RECOMMENDATION

Approval of the Minutes

BOARD OR COMMISSION RECOMMENDATION

N/A

ATTACHMENTS:

1. 05-10-2021 Minutes - Special - Canvass
2. 05-13-2021 Minutes - Regular - Morning

SPECIAL CALLED MEETING
May 10, 2021 at 1:30 p.m.

CITY COUNCIL OF THE CITY OF ABILENE, TEXAS
COUNCIL CHAMBERS, CITY HALL

The City Council of the City of Abilene, Texas met in Special Session on May 10, 2021, at 1:30 p.m. in the Council Chambers, 555 Walnut St. Mayor Anthony Williams was present and presiding with Mayor Pro-tem Shane Price, Deputy Mayor Pro-tem Jack Rentz, and Councilmembers Donna Albus, Weldon Hurt, Kyle McAlister, and Travis Craver. Also present were City Manager Robert Hanna, City Attorney Stanley Smith, City Secretary Shawna Atkinson, and various members of the City staff.

Councilmember Travis Craver delivered the invocation and led the Pledge of Allegiance to the Flags of the United States of America and the State of Texas.

AGENDA ITEMS

2. Resolution: Canvassing the Returns and Declaring the Results of the General Election Held in the City of Abilene on May 1, 2021
[ASSIGNED RESOLUTION NO. 58-2021]

Shawna Atkinson, City Secretary, presented the item. The election results reported Shane Price received 75.91% of the votes for City Council Place 1, and Lynn Beard received 82.59% of the votes for City Council Place 2. Both are therefore duly elected.

Mayor Williams opened the public hearing. With no speakers coming forward, the public hearing was closed.

Deputy Mayor Pro-tem Rentz moved to approve the item as presented. Mayor Pro-tem Price seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Price, Deputy Mayor Pro-tem Rentz, and Councilmembers Albus, Hurt, McAlister and Craver
NAYS (0): None

At this time the City Secretary presented Council with their $1 salary checks for the year.

Mayor Williams presented Jack Rentz with a plaque for his service on the City Council.

3. Issue the following to Councilmember-Elect Shane Price

- Certificate of Election: Presented by Mayor Williams
- Oath of Office: Administered by City Secretary Atkinson

4. Issue the following to Councilmember-Elect Lynn Beard

- Certificate of Election: Presented by Mayor Williams
- Oath of Office: Administered by City Secretary Atkinson

6. Oral Resolution: Appointing the Mayor Pro-tem and Deputy Mayor Pro-tem

Mayor Williams stated that according to the rotation, Councilmember Kyle McAlister would be Mayor Pro-tem, and Councilmember Travis Craver would be Deputy Mayor Pro-tem.

Mayor Williams opened the public hearing. With no speakers coming forward, the public hearing was closed.

Councilmember Hurt moved to approve the appointment of Councilmember Kyle McAlister as Mayor Pro-tem and Councilmember Travis Craver as Deputy Mayor Pro-tem. Councilmember Albus seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem Price and Councilmembers Beard, Albus, Hurt, McAlister and Craver
NAYS (0): None

ADJOURNMENT

The meeting adjourned at 1:53 a.m.

_____	_____
Shawna Atkinson	Anthony Williams
City Secretary	Mayor

Minutes approved on: _____

CITY COUNCIL MEETING
May 13, 2021 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 May 13, 2021, at 8:30 a.m. in the Council Chambers, 555 Walnut St. Mayor Anthony Williams was present and presiding, along with Mayor Pro-tem Kyle McAlister, Deputy Mayor Pro-tem Travis Craver, and Councilmembers Shane Price, Lynn Beard, Donna Albus, and Weldon Hurt. Also present were City Manager Robert Hanna, City Attorney Stanley Smith, and City Secretary Shawna Atkinson.

Mayor Pro-tem Kyle McAlister delivered the invocation.

Gabe Weatherford and Emma Cromwell, both 5th Graders from Taylor Elementary, led the Pledge of Allegiance to the Flag of the United States of America and State of Texas Flag.

PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS, ANNOUNCEMENTS

- Recognition:
  - Mayor Williams recognized girls from the Wylie, Cooper and Abilene High School softball teams, as they are all in the third round of playoffs.

- Proclamations:
  - National Public Works Week – Accepted by City of Abilene Public Works Staff
  - Ride of Silence – Accepted by E'Lisa Smetana and the Metropolitan Planning Organization Staff

- Employee Service Awards
  - Sheletra Hayes – 20 Years – Legal
  - Rodney Goodman – 35 Years – Fire
  - Jeffery Jones – 35 Years – Fire
  - Joey Kincaid – 35 Years – Fire

CONSENT AGENDA

The Consent Agenda consisted of items 4-19. Items 6-9, 11 and 14 was pulled for individual consideration.

Item pulled for individual consideration were as follows:
- Councilmember Beard– Item #6, 8-9, and 14
- Councilmember Price – Item # 11
- David Swart, citizen – Items # 7-8

Councilmember Hurt moved to approve the consent agenda, now consisting of items 4-5, 10, 12-13, and 15-19. Councilmember Price seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem McAlister, Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard, Albus and Hurt
NAYS (0): None

4. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Special Joint Meeting with the DCOA on April 16, 2021, and the Regular Meeting Held on April 22, 2021

5. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Modifying and Extending the Declaration of Local Disaster (COVID-19) Issued April 8, 2021
[ASSIGNED RESOLUTION NO. 59-2021]

10. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Accepting Proposal# CB-2128 for the Asbestos Abatement and Demolition of Cesar Chavez Recreation Center
[ASSIGNED RESOLUTION NO. 64-2021]

12. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Awarding Bid No. 2131 to Flat Line, Inc. on Crosswalk Pavement Marking Replacements
[ASSIGNED RESOLUTION NO. 66-2021]

13. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action to Approve an Extended Term Street Use License with ABI 173, Inc.
[ASSIGNED RESOLUTION NO. 67-2021]

15. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action for the submittal of an application for the State of Texas Department of Transportation 2021 Alternative (TA) Program call for projects for the Old Anson Road Walkability Project (West Stamford Street to Ambler Avenue)
[ASSIGNED RESOLUTION NO. 69-2021]

16. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Resolution Authorizing the City Manager to Execute an Agreement with Meals on Wheels Plus, Incorporated for the Disbursement of Community Development Block Grant (CDBG) Funds
[ASSIGNED RESOLUTION NO. 70-2021]

17. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Authorizing a Professional Services Contract for Baylor Drive Lift Station RPR Services
[ASSIGNED RESOLUTION NO. 71-2021]

18. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Authorizing a Contract for Repair of Ivie Raw Water Intake Pump #3 Using BuyBoard Purchasing Cooperative
[ASSIGNED RESOLUTION NO. 72-2021]

19. Ordinance (First Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amending the Land Development Code, Chapter 3, Subdivision Regulations, Article 2, Subdivision Standards, Division 7, Roadways, Section 3.2.7.4, Street, Alley Abandonment and Closure Policy

ITEM PULLED FOR INDIVIDUAL CONSIDERATION

6. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Authorizing the City Manager to Execute an Agreement with the Abilene Chamber of Commerce, Abilene Cultural Affairs Council, and Abilene Convention and Visitors Bureau for the Management and use of the Hotel Occupancy Taxes
[ASSIGNED RESOLUTION NO. 60-2021]

The item was pulled by Councilmember Beard.

Having pulled the item, Councilmember Beard asked if the 25% fund balance is a requirement that we have to maintain, and if the Chamber of Commerce and Convention and Visitors Bureau asked for an advance, if we would be able to cover it.

Robert Hanna, City Manager, addressed the Council and stated that the 25% is a requirement, and that we do not have the funds for them to do that right now; we would have to build it up over time.

Mayor Williams opened the public hearing. With no speakers coming forward, the public hearing was closed.

Councilmember Beard moved to approve the item as presented. Mayor Pro-tem McAlister seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem McAlister, Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard, Albus and Hurt
NAYS (0): None

7. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Finding That AEP Texas Inc.'s Application to Amend It's Distribution Cost Recovery Factors to Increase Distribution Rates Within the City Should Be Denied; Authorizing Participation With the Cities Served By AEP Texas; Authorizing Hiring of Legal Counsel; Finding that the City's Reasonable Rate Case Expenses Shall Be Reimbursed by the Company; Finding that the Meeting at Which this Resolution is Passed is Open to the Public as Required by Law; Requiring Notice of this Resolution to the Company and Legal Counsel
[ASSIGNED RESOLUTION NO. 61-2021]

The item was pulled by David Swart, citizen.

Having pulled the item, David Swart stated that he is for the denial of AEP's request to increase distribution rates. Mr. Swart stated that we pay an annual amount for each street light, and AEP has yet to fix the majority of the poles that are not working.

With no other speakers coming forward, the public hearing was closed.

Mayor Pro-tem McAlister moved to approve the item as presented. Deputy Mayor Pro-tem Craver seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem McAlister, Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard, Albus and Hurt
NAYS (0): None

8. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Authorizing the Execution of a Purchase Contract with Benchmark Business Solutions, Inc. for the Purchase of (20) Panasonic CF-33 Toughbooks
[ASSIGNED RESOLUTION NO. 62-2021]

The item was pulled by Councilmember Beard.

Having pulled the item, Councilmember Beard questioned how healthy the apparatus fund was, and it's lifespan.

Robert Hanna, City Manager ,addressed the Council and stated that it is funded with general fund dollars, which allows us to cash fund these larger purchases. It is well funded and we can dip into it from time to time to pay for things that benefit the fire department. We can use it through 2040.

Mayor Williams opened the public hearing. The following addressed Council:

- David Swart –questioned if these are replacements for the Toughbooks purchased in 2019. Mr. Swart stated that we have previously purchased locally from Toner Tiger and questioned why we were not purchasing from a local company this time, as well as why the memory was so small on these.

With no other speakers coming forward, the public hearing was closed.

Fire Chief Cande Flores addressed David Swart's questions and stated that these are replacements for the laptops purchased in 2016, not 2019. All of them use cloud based storage, so a large memory capacity is not required,, and that this vendor is the only one in our region that carries Panasonic.

Councilmember Price moved to approve the item as presented. Councilmember Hurt seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem McAlister, Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard, Albus and Hurt
NAYS (0): None

9. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Authorizing the City Manager to Sign a Lease Agreement with Betty Hardwick Center for the Adaptive Recreation Building
[ASSIGNED RESOLUTION NO. 63-2021]

The item was pulled by Councilmember Beard.

Having pulled the item, Councilmember Beard questioned if the City will be the landlord in this situation and provide maintenance, if we will be leasing them the parking lot behind Safety City, and if there is indemnification language in the contract.

Stanley Smith, City Attorney, addressed the Council and stated that this was correct, and that we will be leasing the parking lot, and will ensure that there is indemnification language in the contract, but enforcement may be unavailable since Betty Hardwick is a governmental agency.

Mayor Williams opened the public hearing. The following addressed the Council:

- Jenny Goode, Betty Hardwick representative – stated that they are excited about collaborating with other community members on this project. Ms. Goode wanted to thank her team for making this happen. She stated that after today, they have events scheduled to move this forward, but they plan a transition starting in July and bringing clients back for full opening on September 1st.
- Rudy Blasick – stated she has a special needs daughter that is 57 years old and she has been home with her ever since the facility closed. Ms. Blasick stated that this will be a blessing to have her daughter be able to attend again.

With no speakers coming forward, the public hearing was closed.

Councilmember Albus moved to approve the item as presented. Mayor Pro-tem McAlister seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem McAlister, Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard, Albus and Hurt

NAYS (0): None

11. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Awarding Bid No. 2130 to Flat Line, Inc. on Downtown Pavement Marking Project
[ASSIGNED RESOLUTION NO. 65-2021]

The item was pulled by Councilmember Price

Having pulled the item, Councilmember Price stated he received the layout of this item, but would like to discuss the striping in front of the Post Office. Since it will transition to parallel parking in front of the Post Office and across the street will be angled, he thinks this might be less safe for those walking across the street. He wanted to make sure we are intentional in the design of the marking and lanes on Pine before we commit to it.

Robert Hanna, City Manager addressed the Council and stated that the road is not wide enough to carry four lanes and keep the parking how it currently is on both sides. This solution is the best route, and what was recommended by both the City traffic engineers and the Mayor's Downtown Task Force.

Mayor Williams opened the public hearing. The following addressed the Council:

- David Swart – stated that parallel parking in front of the federal building is probably not the best idea, as they tried it years ago and switched back because it didn't work. He thinks that when you have something you have to get out of your car, opening your door into four lanes will be a good way to get your door taken off. Mr. Swart stated if we do this he won't go to this post office anymore.
- Joanne Fluke, Chairman of the Citizens Advisory Board for People with Disabilities – stated that parallel parking for accessibility parking is not good. This building is a challenge to get into anyway, and if there is a ramp on a van, it will be on the passenger side. Ms. Fluke talked about all the challenges this will present to the disabilities community.

With no speakers coming forward, the public hearing was closed.

Council and staff discussed the item at length, going over different options.

Mayor Pro-tem McAlister moved to approve the item as presented. Councilmember Price seconded the motion; motion carried.

AYES (6): Mayor Williams, Mayor Pro-tem McAlister, Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard and Albus
NAYS (1): Councilmember Hurt

14. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action for the submittal of an application for the State of Texas Department of Transportation 2021 Alternative (TA) Program call for projects for the South 14th Street Walkability Project (Pioneer Street to Barrow Street)
[ASSIGNED RESOLUTION NO. 68-2021]

The item was pulled by Councilmember Beard.

Having pulled the item, Councilmember Beard stated his only concern in the language is the cost being the responsibility of the City, and given the large volume of concrete and varying cost of building materials this could be a huge expense.

Robert Hanna, City Manager, addressed the Council and stated that most contractors build that into their bid. These dollars are from the 2015 bond, so we have money for this well above the amount here.

Mayor Williams opened the public hearing. With no speakers coming forward, the public hearing was closed.

Councilmember Price moved to approve the item as presented. Councilmember Beard seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem McAlister, Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard, Albus and Hurt
NAYS (0): None

REGULAR AGENDA

20. Ordinance (Final Reading) Z-2021-06: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Five Owners of the Subject Properties, Represented by Jacob & Martin LLC, to Amend Terms and Conditions of Planned Development District Number 82 (PD 82) Specifically as They Affect Certain Commercial Properties Located Directly North of Lone Star Drive and East of Loop 322, to Allow Use and Development in Compliance with Requirements of General Retail (GR) Zoning, Instead of Specific Uses and Standards Now Required by PD 82.
[ASSIGNED ORDINANCE NO. 15-2021]

Mike Warrix, Director of Planning and Development Services, presented the item. Adoption of the item would amend terms and conditions of Planned Development District Number 82 to allow use and development in compliance with requirements of General Retail zoning, instead of specific uses and standards now required by PD 82.

Council questioned why we are basically changing the PD to a GR with no allowances or restrictions, but keeping it a PD, so why would it not just be rezoned to GR.

Mr. Warrix addressed Councilmember Price's concerns, and stated that it will be a PD in name only and they intend to keep the PD intact, since it also includes the neighboring lot. City Attorney Smith also stated that a change would require re-sending notifications and restarting the zoning process.

Mayor Williams opened the public hearing. The following addressed the Council:

- Tal Filingham, agent for the property owner – stated this is a request simply to allow the land owners' to use the additional land uses permitted in GR zoning. GR has been updated since they did this PD and they want to take advantage of it. The current PD doesn't require buffering, and when it's rezoned they will be required to put in a buffer. They property owners are aware of what they are doing, and feel like this is the simplest way to address the zoning and make the changes they want to make.

With no other speakers coming forward, the public hearing is closed.

Councilmember Price moved to approve the item as presented. Councilmember Hurt seconded the motion; motion carried.

AYES (6): Mayor Williams, Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard, Albus and Hurt
NAYS (0): None
ABSTAIN (1) Mayor Pro-tem McAlister

21. Ordinance (Final Reading) Z-2021-07: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Heart of Texas Hearing Centers, Represented by Fallen Perrie Busenlehner, to Rezone Property from Neighborhood Office (NO) to Planned Development (PD) District to Permit Retail Sale of Apparel and Related Accessories, In Addition to All Uses Permitted in NO Zoning Districts
[ASSIGNED ORDINANCE NO. 16-2021]

Mike Warrix, Director of Planning and Development Services, presented the item. Adoption of the item would rezone the above referenced property from Neighborhood Office (NO) to Planned Development District (PD) to permit retail sale of apparel and related accessories, in addition to all uses permitted in NO zoning districts.

Mayor Williams opened the public hearing. The following addressed the Council:

- Fallen Busenlehner, property owner – stated she is moving her business here from Ballinger and hopes the Council will consider approving this item.

With no other speakers coming forward, the public hearing is closed.

Councilmember Hurt moved to approve the item as presented. Mayor Pro-tem McAlister seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem McAlister, Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard, Albus and Hurt
NAYS (0): None

22. Ordinance (Final Reading) Z-2021-08: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Cimarron Meadows Development Corporation, Represented by Jacob & Martin LLC, to Rezone Property from Residential Medium-Density (MD) to Planned Development (PD) District to Allow Duplex Dwellings as well as Townhomes (with no more nor fewer than two dwellings in any one row of attached buildings) on Approximately 14 acres of Vacant Land Located on the 2000 block (east side) of Maple Street and Directly North from the Abilene State-Supported Living Center in Southeast Abilene
[ASSIGNED ORDINANCE NO. 17-2021]

Mike Warrix, Director of Planning and Development Services, presented the item. Adoption of the item would rezone the above referenced property from Residential Medium-Density (MD) to Planned Development District (PD) to allow duplex dwellings as well as townhomes, on approximately 14 acres of vacant land.

Mayor Williams opened the public hearing. The following addressed the Council:

- Clayton Farrow, agent for the property owner – stated the intent is the same with duplexes, but since there is no zoning that allows them to split them down the middle of the structure, this is the only way they can do what they want to do. There is a master plan for the street length that allows for better connectivity, and one additional street that should reduce that and allow for emergency access.

With no other speakers coming forward, the public hearing is closed.

Deputy Mayor Pro-tem Craver moved to approve the item as presented. Councilmember Price seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem McAlister, Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard, Albus and Hurt
NAYS (0): None

23. Presentation: Receive a Report and Hold a Discussion and Public Hearing on Accessibility Alterations and Renovations to Council Chamber

Mari Cockerell, Communications and Media Relations Manager, presented the item. Ms. Cockerell presented different options from Parkhill to remodel the Council Chambers, including accessibility alterations.

Mayor Williams opened the public hearing. The following addressed the Council:

- David Swart – questioned if this would include changing the current monitors that hide Council's faces. Mr. Swart suggested something he saw at Dyess in the 60s, where they are mounted into the desk. Mr. Swart also questioned if this would include lighting upgrades.
- Joanne Fluke – thanked staff for thinking about the disability community when doing renovations. Ms. Fluke stated that Ms. Cockerell has attended several of the Citizens Advisory Board for People with Disabilities meetings to discuss making this room more accessible. Ms. Fluke really likes the analogy of this is Abilene's living room. Currently, their board cannot meet here, so with these renovations they could be a part of that living room.

With no other speakers coming forward, the public hearing is closed.

It was the consensus of Council that if renovations are to be made, to do them completely and make it look great.

This item was only for presentation and to provide direction to staff. No votes or action were taken at this time.

PUBLIC COMMENTS

Mayor Williams opened the public comment period. The following addressed the city council:

- David Swart – stated he previously mentioned the online city calendar needed to add events from the Convention Center, and that it was fixed promptly after that meeting. The Senior Services calendar has the menu for the next month up early as well, so he thanked whoever made those changes. Mr. Swart stated he has been going to Cobb Recreation Center for lunch and the person in charge is really friendly and nice. In regards to the parallel parking, Mr. Swart wanted staff to keep track of how many wrecks this will cause, as he does not think it's logical to put parallel parking on the busiest side of the street. Mr. Swart also asked staff to put a link in SeeClickFix to report a street light outage to AEP.

With no other speakers coming forward, the public comment period was closed.

EXECUTIVE SESSION

Mayor Williams recessed into Executive Session at 10:41 a.m., pursuant to the following of the Open Meetings Act, with the following issues discussed during this session, as listed on the agenda and authorized by the noted Texas Government Code Section:

24. A. 551.071 (Consultation with Attorney)
    1. Officer Mark Watson and City of Abilene; Case No 01-21-0002-5335
    2. Clyde Water
24. B. 551.072 (Deliberations about Real Property)
    1. 4725 Loop 322
24. B. 551.074 (Personnel Matters)
    1. City Manager
    2. Municipal Court Judge
24. F. 551.087 (Business Prospect/Economic Development)
    1. Abilene Convention Center Hotel Project
    2. Civic Plaza Hotel Site

The Executive Session ended at 12:05 p.m. and reconvened to Open Session. Mayor Williams reported no votes or action were taken in Executive Session.

REGULAR AGENDA

25. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Appointing Members to Various Boards and Commissions per the City Charter.
[ASSIGNED RESOLUTION NO. 73-2021]

Mayor Williams opened the public hearing. With no speakers coming forward, the public hearing was closed.

Mayor Pro-tem McAlister moved to (re)appoint the following:

Place #	Board	Term End Date
	Frontier Texas! Board of Directors	
	Martez Hawkins [New]	February 2024
	Office of Neighborhood Services Advisory Council	
3	Bill Enriquez [New]	November 2023
4	Darla Mayes [New]	11/1/2022 [Unexpired Term]
5	Lauren Cantrell [New]	November 2023
6	Terry Cagle [New]	November 2022 [Unexpired Term]
	West Central Texas Municipal Water District Board	
	Russell Berry [Reappointment]	May 2023
	Robert Benham [New]	May 2023
	Norm Archibald [Reappointment]	May 2023

Deputy Mayor Pro-tem Craver seconded the motion; motion carried

AYES (7): Mayor Williams, Mayor Pro-tem McAlister, Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard, Albus and Hurt
NAYS (0): None

Councilmember Hurt abstained from voting on the Frontier Texas! Appointment only.

26. Oral Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Possible Action on Changing the Dates of the Budget Hearings
[ORAL RESOLUTION]

The budget hearings were scheduled for July 20th, 21st, and the regular meeting on July 22nd. Mayor Williams has requested we move the budget hearings to the following week. City Manager Hanna suggested that if we move the budget hearings, that we also move the regular Council meeting to the same week, provided this does not interfere with the Planning & Zoning Commissions notification process.

Mayor Williams opened the public hearing. With no speakers coming forward, the public hearing was closed.

Councilmember Hurt moved to change the budget hearing dates to July 27th and 28th, and move the regular evening Council meeting to the 29th. Councilmember Albus seconded the motion; motion carried.

AYES (7): Mayor Williams, Mayor Pro-tem McAlister, Deputy Mayor Pro-tem Craver, and Councilmembers Price, Beard, Albus and Hurt
NAYS (0): None

ADJOURNMENT

There being no further business, the meeting adjourned at 12:08 p.m.

_____	_____
Shawna Atkinson	Anthony Williams
City Secretary	Mayor

Minutes approved on: _____

City Council
Agenda Memo

City Council Meeting Date: 5/27/2021

TO: **Robert Hanna, City Manager**

FROM: **Don Green, Director**

SUBJECT: **5. Resolution: Receive a Report, Hold a Discussion and Public Hearing and Take Action to Approve Change Order 3 with Collier Construction for the Airport Fire Station construction contract *(Don Green)***

GENERAL INFORMATION

Change Order 1 to Collier's contract was issued concurrently with the contract award to reduce the contract price to a more affordable level at that time. Collier, Corgan (architect firm) and the City worked together to find reductions in scope of work. These reductions included eliminating the three overhead doors at the rear of each equipment bay, driveways on the back side of the station and on the east side. Eliminating these items resulted in bays that Aircraft Rescue Fire Fighting trucks would have to back into instead of pulling through. A diesel fuel tank was also eliminated.

Airport and Finance staffs worked together to identify 2015 GO Bond funds uncommitted due to previous projects delivered under budget. Airport staff then requested Collier to price restoration of the above-listed items.

Change Order 3 restores these items to the contract for an additional $339,347.13 which increases the contract amount to $4,818,570.71. The full amount of this change order is paid with remaining 2015 GO Bond Proposition 9 funds. FAA Airport Improvement Program Grant funds were fully expended for the original contract price.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

This cost is covered fully by 2015 GO Bond Proposition 9 funds.

STAFF RECOMMENDATION

Staff recommends approval.

BOARD OR COMMISSION RECOMMENDATION

The Airport Development Board approved its recommendation at its April 14, 2021 meeting.

ATTACHMENTS:

1. Collier Contract CO3 Resolution
2. Collier CO 3
3. Collier Contract Change Order 3 Presentation

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS APPROVING CHANGE ORDER 3 TO THE CONTRACT WITH COLLIER CONSTRUCTION FOR CONSTRUCTION OF THE AIRCRAFT RESCUE AND FIRE FIGHTING STATION AT ABILENE REGIONAL AIRPORT.

WHEREAS, the City of Abilene (City) owns and operates Abilene Regional Airport; and

WHEREAS, the City awarded the contract for construction of a new Aircraft Rescue and Fire Fighting (ARFF) Station to Collier Construction for $5,300,000.00; and

WHEREAS, the City and Collier Construction agreed to reduce the work in and cost of the contract to $4,474,815.58 through Change Order 1; and

WHEREAS, Change Order 2 increased the contract by $4,408.00; and

WHEREAS, Airport staff believes it beneficial to the usability of this fire station to restore side and rear driveways, rear bay overhead doors and a diesel fuel tank for $339,347.13; and

WHEREAS, 2015 General Obligation Bond Proposition 9 funds are still available to cover this cost increase; and

WHEREAS, the Airport Development Board approved its recommendation at its May 13, 2021 meeting.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

1. That the City Manager is authorized to approve Change Order 3 to the contract with Collier Construction to increase the contract price to $4,818,570.71.
2. That this resolution takes effect immediately upon Council approval.

ADOPTED this 27th day of May 2021.

ATTEST:

_____
Shawna Atkinson, City Secretary

_____
Anthony Williams, Mayor

APPROVED:

_____
Stanley Smith, City Attorney

CHANGE ORDER

CITY OF ABILENE

CHANGE ORDER NUMBER: 03

CITY OF ABILENE

Project: ARFF Station Construction

1. CONTRACTOR: Collier Construction
2. Change Order Work Limits:
   Sta. NA
   to Sta. NA
3. Type of Change: Major
   (Major/Minor)
4. Reasons: Items from original project scope that are being added back into the project
5. Describe the work being revised: Additional overhead doors, concrete paving and fuel tank with containment slab.
6. New or revised plan sheet(s), sketch(es), and estimates are attached.

Each signatory hereby warrants that each has the authority to execute this Change Order (CO).

The contractor must sign the Change Order and, by doing so, agrees to waive any and all claims for additional compensation due. THE CONTRACTOR Date: Digitally signed by Josh Dickson Date: 2021.05.20 15:46:48-05'00' (Signature) Typed/Printed Name: Click or tap here to enter text. Typed/Printed Title: Click or tap here to enter text.	*The following information must be provided:* Change in contract time: Adds 15 working days Original contract price: 5,300,000.00 Existing contract price: *$4,479,223.58 Amount added or subtracted by this CO: $339,347.13 Contract with this Change Order: $4,818,570.71 * Includes previous COs

CITY OF ABILENE

Director — Date: 5/20/21

City Attorney — Date

City Manager — Date

COLLIER CONSTRUCTION	Construction Change Order	Project: Abilene Regional ARFF
		Architect: Corgan
		Project Manager: Josh Dickson
CO Number: 3	CO Date: 2-Apr-21	Initiated By: Owner

CO Related Documents:	
N/A	

CO Scope of Work:

Add back all sitework, base, 10" concrete paving, fuel tank containment slab, fuel tank, dispenser and pump, electrical for fuel tank and shutoff, overhead doors on south side of bay area and associated work that was removed as a portion of the VE scope of work.

	Cost Impact		Schedule Impact
Site Demolition and Dirtwork	$	71,982.00	
10" Concrete Paving	$	207,900.00	
Fuel Containment Slab	$	2,900.00	
Fuel Tank and Equipment	$	17,751.13	
Electrical and Underground	**$**	**8,000.00**	
Overhead Doors	$	40,000.00	
Joint Sealants for Concrete	$	10,000.00	
Storefront Windows	$	(2,500.00)	
Sidewalk	$	(7,500.00)	
Brick Infill at Overhead Doors	$	(4,000.00)	
Framing	$	(5,186.00)	
Total	**$**	**339,347.13**	3 weeks

Deduct $4,791.96 if overfill package is not required for filling the fuel tank.

Collier Construction
Josh Dickson - PM

Owner / Owner Rep

City Council Meeting

May 27, 2020

CITY OF
ABILENE
TEXAS

Change Order 3 to the Collier Construction Contract

- Change Order 1 to Collier's contract eliminated items to decrease the cost.
- Reductions included eliminating the three overhead doors at the rear of each equipment bay, driveways on the back side of the station and on the east side. Eliminating these items resulted in bays that Aircraft Rescue Fire Fighting trucks would have to back into instead of pulling through. A diesel fuel tank was also eliminated.
- Change Order 3 restores these specific items and miscellaneous cost additions and credits to the contract for an additional $339,347.13, which increases the contract amount to $4,818,570,71.
- The full amount of this change order is paid with remaining 2015 GO Bond Proposition 9 funds.

ABI
ABILENE REGIONAL AIRPORT
CITY OF ABILENE
CORGAN

City Council
Agenda Memo

City Council Meeting Date: 5/27/2021

TO: **Robert Hanna, City Manager**

FROM: **Don Green, Director**

SUBJECT: **6. Resolution: Receive a Report, Hold a Discussion and Public Hearing and Take Action to Approve the Purchase of Nine (9) Type III Cutaway Vans *(Don Green)***

GENERAL INFORMATION

CityLink Transit is recommending the purchase of nine (9) Type III cutaway vans to replace nine (9) 2009 model cutaway vans that have far surpassed their useful life according to Federal Transit Administration (FTA) and Texas Department of Transportation (TXDOT) guidelines. The average mileage for the expired cutaways is 250,000 miles whereas these vehicles are rated as 150,000-mile vehicles. The recommended manufacturer is Elkhart Coach, which is of similar size and style currently being operated in the CityLink fleet.

Creative Bus Sales is an approved vendor on the Texas Comptroller of Public Accounts purchasing cooperative and has provided the quote for this purchase. The cost per unit will be $78,210 with a total overall cost of $703,890.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

Funding is being supplied by FTA for six (6) vehicles at $469,260 through the TX-2021-026 Fleet Replacement grant and TXDOT State-U-2020-Abilene*-00194 for three (3) vehicles at $234,630. Required grant match is taken care of with Transportation Development Credits from TXDOT. No City funding is needed.

STAFF RECOMMENDATION

Staff recommends approval.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. CityLink Cutaway Vans Purchase Resolution 5-27-21
2. Creative Bus Sales Tx SmartBuy Quote-Cutaway (1)
3. Para-Transit Vehicles Replacement 2021
4. Cutaway Vans Purchase Presentation (5-27-21)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS APPROVING PURCHASE OF NINE TYPE III CUTAWAY VANS FROM CREATIVE BUS SALES THROUGH TEXAS COMPTOLLER OF PUBLIC ACCOUNTS' TX SMART BUY PROGRAM

WHEREAS, the City of Abilene (City) contracts for the operation of CityLink as the City's public transit service; and

WHEREAS, the City receives grant funding through Federal Transportation Administration (FTA), as authorized by the Congress of the United States of America and Texas Department of Transportation (TXDOT) operating costs; and

WHEREAS, CityLink has a need to replace nine cutaway vans used for Paratransit Service; and

WHEREAS, CityLink received the lowest of three quotes from Creative Bus Sales through the TX Smart Buy program; and

WHEREAS, CityLink has funding from Federal Transit Administration (FTA) for six (6) vehicles at $469,260 through the TX-2021-026 Fleet Replacement Grant and Texas Department of Transportation (TXDOT) grant State-U-2020-Abilene*-00194 for three (3) vehicles at $234,630.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

Part 1. That the City Manager is authorized to approve the purchase of nine (9) Elkhart Coach ECII Vans from Creative Bus Sales through the TX Smart Buy program for a total cost of $703,890.00.

Part 2. That this resolution is effective immediately.

ADOPTED this 27th day of May 2021

ATTEST:

_____ _____

Shawna Atkinson, City Secretary Anthony Williams, Mayor

APPROVED:

_____

Stanley Smith, City Attorney

Creative Bus Sales

Texas Comptroller of Public Accounts

Contract ID No. 556A1-2718 / IFB No. 304T-20-556A1

FY 2020

Preparer: Jason Roy

Base Model

Elkhart Coach ECII 7.3L V8 Gas 176" WB 14,500 GVWR

Base Model Price:	$	74,780.00
Options:	$	1,714.00
Other Available Options:	$	-
Unpublished Options:	$	1,716.00

elkhart coach

Vehicle Length	Lift Position	WC Positions	Total # Passengers	CDL Required
26	Front	3	13	Yes

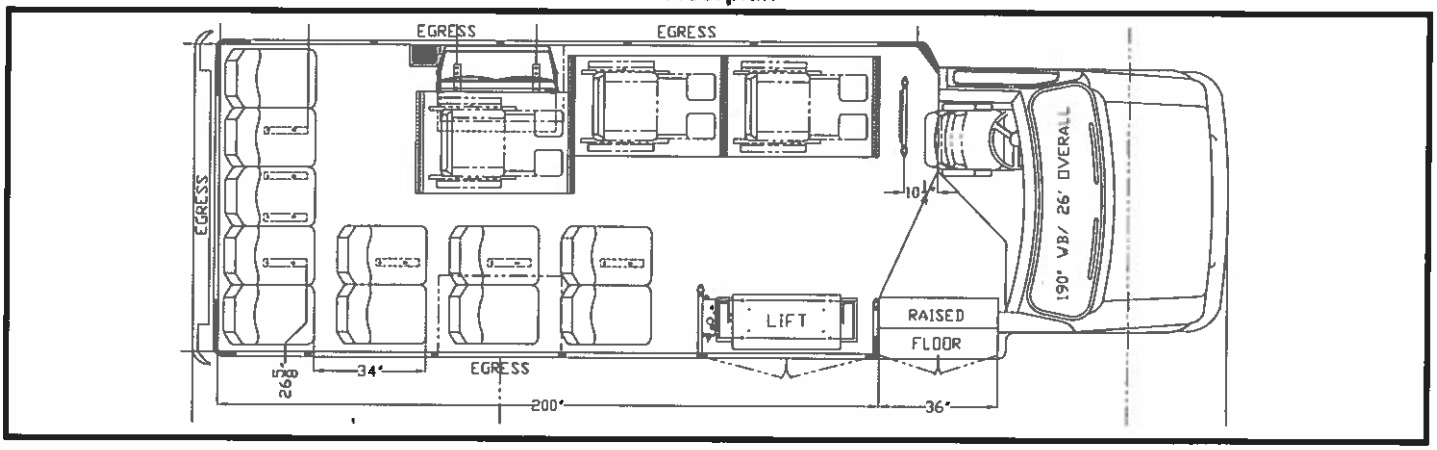
QTY Vehicles: 9 **Total Contract Price:** $ 703,890.00

Per Vehicle Price: $ 78,210.00

Customer Info

Customer:	Abilene Citylink
Address:	1189 South 2nd Street Abilene, TX 79602
Contact:	Bobby Sharpe
Office Phone:	325-676-6403
Mobile Phone:	
E-Mail:	bobby.sharpe@abilenetx.gov

Floorplan



12/11/2020

Chassis

Ford E-450 chassis - 14,500 GVWR
7.3L V8 gasoline engine
6-Speed TorqShift Automatic Transmission
Twin I-Beam IFS front axle - 5,000 lbs.
Full-floating, Dana 10.75" HD rear axle - 9,600 lbs.
Power-assisted hydraulic front & rear disc brakes
4-wheel anti-lock brake system
240 Amp Alternator
Dual, maintenance-free batteries
55 Gallon Fuel Tank
Power steering with tilt wheel
Front coil springs
Rear multi-leaf, 2-stage rear springs
HD gas shock absorbers
Front & rear stabilizer bars
LT225/75Rx16E All Season Tires
Dual rear wheels
Cruise control
Driver sun visor
OEM chassis dash heater, A/C, and defroster
Chrome front bumper

Body

Elkhart Coach EC II 25' body
Pre-painted white aluminum sidewalls and skirts
Fiberglass front and rear caps
One-piece seamless FRP roof
65K BTU rear A/C system
FRP interior walls & ceiling
Coved flooring on sidewall to seat track
Altro flooring - 2.2mm
Yellow step nosing
3/4" plywood floor
Tectyl 127CG undercoating
Fuel tank access plate in floor
Driver running board
Rear tow hooks
Heated/Remote-controlled side mirrors with integrated turn signals
Rear mud flaps
65K BTU rear heater
Defroster fan
Window ajar alarms for egress windows
Stainless steel battery box & tray
Rotary disconnect switch
Hourmeter
LED interior and exterior lights
7" amber LED flashers in rear cap (work with brake lights)
Center mount brakelight
Midship turn/marker lights
Independent red brake & amber turn signal lights
AM/FM/Blue Tooth radio with four (4) speakers
Electrically actuated passenger entry door with full length glass

Rear emergency door with window
Twin windows on either side of rear door
Stainless steel entry step assembly - includes sides and header
Roof hatch - Transpec 1070 series
Driver coat hook
Overhead storage above driver/windshield
Ceiling grab rails (both sides of aisle)
Right hand and left hand entry grab rails - parallel to steps
Stanchion and modesty panel aft of entry door
Driver stanchion and modesty panel with upper plexiglas barrier
Freedman Shield FC recliner driver seat
Level 3 seat covers for driver
Mid High rigid passenger seats
Level 3 seat covers for passenger seats
ABS seat backs
Anti-vandal grab handles on aisle seats
Retractable passenger seat belts
Two (2) 12" seat belt extensions

ADA

Double wheelchair doors with gas strut door stays
Rear wheelchair lift (aft of rear axle)
Braun NCL1000 3454-2 wheelchair lift (1,000# capacity)
Intermotive Gateway interlock/fast idle
Two (2) Q'Straint Deluxe restractable securement kits with combo lap/shoulder belt
Two (2) Q'Straint storage pouches
Q'Straint belt cutter

Safety

10 lb. fire extinguisher
16-unit first aid kit
Body fluid kit
Emergency triangle kit
Backup alarm
Interior mirror - 6"x16" flat
Wide angle fresnel lens
Window ajar alarm buzzer on egress windows - indicator light in driver area
Door activated interior lights

OPTIONS

Type 3 Transit Vehicle - Elkhart Coach ECII

Qty	Description	FY 2020 List Price	QTY Total
1	OPT 26 - Floor plan with wheelchair lift located at front of vehicle, Type 3	$ -	$ -
1	OPT 28 - Four way flashers when passenger door or lift is open	$ 64.00	$ 64.00
1	OPT 29 - Street side exhaust	$ -	$ -
1	OPT 43 - Additional wheelchair seating area	$ 750.00	$ 750.00
1	OPT 48 - Mor/Ryde suspension system	$ 900.00	$ 900.00
-		**Subtotal Manufacturer Options:**	**$ 1,714.00**

Qty	Description	FY 2020 List Price	QTY Total
1	Velvac Mirrors ILO Rosco without turn signals	$ (155.00)	$ (155.00)
1	Raised Floor- 2 Step Entry with additional step behind driver	$ 675.00	$ 675.00
1	Key Buses Alike -each unit	$ 400.00	$ 400.00
1	Abilene Citylink Paint Scheme and graphics	$ 3,750.00	$ 3,750.00
1	Passenger door manual ILO Electric	$ (289.00)	$ (289.00)
1	Upgraded Driver Seat- USSC G2E	$ 1,775.00	$ 1,775.00
1	Freedman Double Flip Seat	$ 638.00	$ 638.00
1	Freedman Mid Hi Single Seat	$ 234.00	$ 234.00
3	Delete- Double Freedman Seat per floor plan	$ (305.00)	$ (915.00)
1	Freight to Abilene	$ 350.00	$ 350.00
1	Delete - Rear tow hooks from base	$ (54.00)	$ (54.00)
1	Delete - Window ajar alarms from base	$ (115.00)	$ (115.00)
1	Delete- AM/FM/Radio from base	$ (250.00)	$ (250.00)
1	Delete-Rear Emergency Door from Base	$ (425.00)	$ (425.00)
1	Delete-Stainless steel entry step and door frame from base	$ (635.00)	$ (635.00)
1	Delete-Stainless steel WC door frame from base	$ (420.00)	$ (420.00)
1	Delete- Twin windows either side of rear door from base	$ (150.00)	$ (150.00)
1	Braun Century 800lb WC lift ILO 1000lb	$ (320.00)	$ (320.00)
1	Delete- Fan Circulating	$ (55.00)	$ (55.00)
1	Delete- Cruise Control	$ (150.00)	$ (150.00)
1	ACT PRO AIR 70K BTU AC ILO 93K BTU	$ (750.00)	$ (750.00)
1	Delete- Ziebart Rustproofing	$ (539.00)	$ (539.00)
10	Delete- ABS Seat Backs from base	$ (53.00)	$ (530.00)
1	Delete Hourmeter	$ (104.00)	$ (104.00)
1	Yellow Powdercoat Stanchions and Handrails	$ -	$ -
1	Multiple Bus Discount	$ (250.00)	$ (250.00)
-	Subtotal CBS Unpublished Options:		$ 1,716.00

Additional Info Para-Transit Vehicles

Unit #	Assignment	Year	Make	Mileage	Total Maintenance Cost	Purchase Price	Disposal Method	Reasoning Replacement	Criteria-Score/Recommendation
906	Citylink	2010	Ford	265,004	$103,339.87	$66,245	City Auction	Has exceeded the useful life. 5yr/150,000. Has surpassed 120% benchmark utilized by TX-DOT fleet replacement standard guidelines. Replacement transmission is $5500.00. Replacement of the original engine is $5,000. The vehicle continues to have water leaks from previous hail damage which is compromising the integrity of the vehicle.	**Total score of 4.** CityLink recommends replacement due to surpassing useful life/miles/maintenace cost threshold; funding in place for replacement vehicle.
907	Citylink	2010	Ford	251,307	$128,069.18	$66,245	City Auction	Has exceeded the useful life. 5yr/150,000. Has surpassed 120% benchmark utilized by TX-DOT fleet replacement standard guidelines. Replacement transmission is $5500.00. Replacement of the original engine is $5,000. The vehicle continues to have water leaks from previous hail damage which is compromising the integrity of the vehicle.	**Total score of 4.** CityLink recommends replacement due to surpassing useful life/miles/maintenace cost threshold; funding in place for replacement vehicle with no local match requirement.
910	Citylink	2010	Ford	303,664	$121,175.40	$66,245	City Auction	Has exceeded the useful life. 5yr/150,000. Has surpassed 120% benchmark utilized by TX-DOT fleet replacement standard guidelines. Replacement transmission is $5500.00. Replacement of the original engine is $5,000. The vehicle continues to have water leaks from previous hail damage which is compromising the integrity of the vehicle.	**Total score of 4.** CityLink recommends replacement due to surpassing useful life/miles/maintenace cost threshold; funding in place for replacement vehicle with no local match requirement.
911	Citylink	2010	Ford	255,373	$105,237.87	$66,245	City Auction	Has exceeded the useful life. 5yr/150,000. Has surpassed 120% benchmark utilized by TX-DOT fleet replacement standard guidelines. Replacement transmission is $5500.00. Replacement of the original engine is $5,000. The vehicle continues to have water leaks from previous hail damage which is compromising the integrity of the vehicle.	**Total score of 4.** CityLink recommends replacement due to surpassing useful life/miles/maintenace cost threshold; funding in place for replacement vehicle with no local match requirement.
912	Citylink	2010	Ford	305,799	$105,605.19	$66,245	City Auction	Has exceeded the useful life. 5yr/150,000. Has surpassed 120% benchmark utilized by TX-DOT fleet replacement standard guidelines. Replacement transmission is $5500.00. Replacement of the original engine is $5,000. The vehicle continues to have water leaks from previous hail damage which is compromising the integrity of the vehicle.	**Total score of 4.** CityLink recommends replacement due to surpassing useful life/miles/maintenace cost threshold; funding in place for replacement vehicle with no local match requirement.
913	Citylink	2010	Ford	294,731	$118,038.83	$66,245	City Auction	Has exceeded the useful life. 5yr/150,000. Has surpassed 120% benchmark utilized by TX-DOT fleet replacement standard guidelines. Replacement transmission is $5500.00. Replacement of the original engine is $5,000. The vehicle continues to have water leaks from previous hail damage which is compromising the integrity of the vehicle.	**Total score of 4.** CityLink recommends replacement due to surpassing useful life/miles/maintenace cost threshold; funding in place for replacement vehicle with no local match requirement.
916	Citylink	2010	Ford	236,391	$86,083.02	$66,245	City Auction	Has exceeded the useful life. 5yr/150,000. Has surpassed 120% benchmark utilized by TX-DOT fleet replacement standard guidelines. Replacement transmission is $5500.00. Replacement of the original engine is $5,000. The vehicle continues to have water leaks from previous hail damage which is compromising the integrity of the vehicle.	**Total score of 4.** CityLink recommends replacement due to surpassing useful life/miles/maintenace cost threshold; funding in place for replacement vehicle with no local match requirement.
917	Citylink	2010	Ford	272,454	$108,013.31	$66,245	City Auction	Has exceeded the useful life. 5yr/150,000. Has surpassed 120% benchmark utilized by TX-DOT fleet replacement standard guidelines. Replacement transmission is $5500.00. Replacement of the original engine is $5,000. The vehicle continues to have water leaks from previous hail damage which is compromising the integrity of the vehicle.	**Total score of 4.** CityLink recommends replacement due to surpassing useful life/miles/maintenace cost threshold; funding in place for replacement vehicle with no local match requirement.
918	Citylink	2010	Ford	275,594	$108,013.31	$66,245	City Auction	Has exceeded the useful life. 5yr/150,000. Has surpassed 120% benchmark utilized by TX-DOT fleet replacement standard guidelines. Replacement transmission is $5500.00. Replacement of the original engine is $5,000. The vehicle continues to have water leaks from previous hail damage which is compromising the integrity of the vehicle.	**Total score of 4.** CityLink recommends replacement due to surpassing useful life/miles/maintenace cost threshold; funding in place for replacement vehicle with no local match requirement.

Category	Estimated Useful Life in Years	Mile
CityLink Buses		
Heavy Duty Large Bus (33-40,000 GVW)	12	
Heavy Duty Small Bus (26-33,000 GVW)	10	
Medium Duty Bus (16-26,000 GVW)	7	
Light Duty Mid-Sized Bus (10-16,000)	5	
Light Duty Small Bus (6-14,000 GVW)	4	

es and/or Hours
500,000 mi
350,000 mi
200,000 mi
150,000 mi
100,000 mi

City Council Meeting

May 27, 2021

CITY OF ABILENE TEXAS

CityLink Cutaway Vans Replacement

- CityLink Transit is recommending the purchase of nine (9) Type III cutaway vans to replace nine (9) 2009 model cutaway vans that have far surpassed their useful life according to Federal Transit Administration (FTA) and Texas Department of Transportation (TXDOT) guidelines.
- The average mileage for the expired cutaways is 250,000 miles whereas these vehicles are rated at 150,000-mile vehicles.
- The recommended manufacturer is Elkhart Coach, which is of similar size and style currently being operated in the CityLink fleet.
- Funding for this purchase comes from Federal Transit Administration and TxDOT grants. There is no cost to the City.

912
CityLink
ABILENE
CityLink
CityLink
CityLink
912
TEXAS
108-0209

Questions?

City Council
Agenda Memo

City Council Meeting Date: 5/27/2021

TO: **Robert Hanna, City Manager**

FROM: **Don Green, Director**

SUBJECT: **7. Resolution: Receive a Report, Hold a Discussion and Public Hearing and Take Action to Approve a Task Order with Corgan to Design a Consolidated Quick Turn Around Facility at Abilene Regional Airport *(Don Green)***

GENERAL INFORMATION

Abilene Regional Airport asked its architect firm Corgan for a scope and fee proposal to design a Consolidated Quick Turn Around (QTA) Facility for the car rental companies. Currently, two companies each have a separate facility to conduct vehicle cleaning and the third company has to take their vehicles off-airport for cleaning. Airport Staff and the companies agree that a consolidated facility that can accommodate the activities of all three companies and has an automatic car wash and fueling pumps is the best option and is common at other airports.

City Council approved a $3.00 per day Customer Facility Fee (CFC) on December 21, 2006 that can be used for such expenses as the QTA. Since its enactment, the CFC has been used to pay for the cost of the Ready Return Lot construction and has now accumulated to over $2,169,000 to go toward design and construction of this new facility.

Corgan has proposed a fee of $226,500.00 for design and construction services for this project. Much of the work will be done by its local partner, Jacob Martin.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

Funding will come exclusively from the CFC balance.

STAFF RECOMMENDATION

Staff recommends approval.

BOARD OR COMMISSION RECOMMENDATION

The Airport Development Board approved its recommendation at its April 14, 2021 meeting.

ATTACHMENTS:

1. QTA Design-Project Management Resolution 5-27-21
2. Signed ABI Task Order 005 QTA
3. Airport QTA Design Task Order Presentation 5-27-21

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS APPROVING A TASK ORDER FOR DESIGN AND CONSTRUCTION MANAGEMENT OF A CONSOLIDATED QUICK TURN AROUND FACILITY FOR ON-AIRPORT RENTAL CAR COMPANIES

WHEREAS, the City of Abilene (City) owns and operates Abilene Regional Airport; and

WHEREAS, the Airport collects a Customer Facility Charge for on-airport car rental contracts that can be used for various expenses of the airport; and

WHEREAS, it is agreed by the on-airport car rental companies and Airport staff that a Consolidated Quick Turn Around Facility is desirable for efficient processing of rental cars; and

WHEREAS, Corgan submitted a task order for design and construction management of the QTA under its Master Agreement for Architectural Services; and

WHEREAS, the task order has a fee of $226,500.00.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

I. That City Council accepts and approves this design and construction management task order with Corgan for $226,500.00.
II. That this action is effective immediately upon Council approval.

ADOPTED this 27th day of May 2021.

ATTEST:

_____
Shawna Atkinson, City Secretary

_____
Anthony Williams, Mayor

APPROVED:

_____
Stanley Smith, City Attorney

TASK ORDER # 005
PROJECT NAME: ABI Quick Turn Around Facility

1. **SCOPE OF WORK:**
The scope of work includes design and construction of a Quick Turn Around (QTA) facility at Abilene Regional Airport for the rental car companies. Jacob Martin will be completing the architectural and engineering services while Corgan will provide services for contract management, project management and quality control. For the project's overall success and efficiency, Jacob Martin will serve as main point of contact and copy Corgan on all correspondence.

Project Management/Contract Management/QA/QC Process (Corgan):

- Corgan and Jacob Martin will meet weekly to discuss project progress and updates allowing the team to discuss requests and updates from the Airport and stakeholders.
- Invoices will be reviewed and processed by Corgan as indicated in the master agreement.
- Corgan will review the documents at each major milestone before the documents are issued to the Airport for Review.

Overview of Basic Services (Jacob Martin):
Architectural and engineering services for this project involve a new rental car quick turn-around facility to include approximately 4,000 sq. ft. building for interior clean, pre-wash and minor maintenance and an approximately 1,200 sf building to include a drive-thru car wash. This proposal includes all architectural, structural engineering, civil engineering, mechanical engineering, electrical engineering, plumbing engineering (MEP), and topographic survey associated for the new facility. A geotechnical report is not included within this scope of services. This scope shall also include all required design workshops, site visits, and pre-bid meetings.

Construction administration is included in the basic services as follows: Basic construction administration services to include submittal review and RFI responses as well as provide one site visit a week and provide an OAC meeting every two weeks for a construction period of 12 months. Also included is project close out assistance to include site walk thru, preparation of record documents, punch lists, and review of O&M manual.

This proposal also includes the creation of (2) biddable demolition packages for the removal of (2) existing maintenance facilities, no other design work will be provided on these sites.

Basis of Services (Jacob Martin):
Provide a metal building with asphalt parking and drive areas. Facility will include a total of 4 bays for fueling/detailing/pre-wash, a drive-thru car wash, support areas to include minor storage, lockers, restrooms and breakroom. Facility will also have overflow parking capacity for 400 cars (50 per company) and area for car transport trucks to unload.

Fueling/Detailing Bays

- (4) 60' Bays (30' interior clean, 30' pre-wash)
- Central Fuel Dispensing System with trackable card access
- Central Vacuum System

- Window Cleaner
- Central Air Compressor System for Tires
- Dedicated Circuits for Upholstery Cleaner and Smoke Detector
- Pre-wash area with power washer
- Oil Separator Pit
- Natural Gas for heaters in bays
- Card Access Storage areas for each company for minor items (washer fluid, wiper blades, etc..)

Wash Bay

- Drive-thru car wash tunnel
- Card access for use

Site

- Parking for employees
- 400 overflow parking (50 per company)
- Facility to be fenced with card access at main gate
- Area for car transport trucks to unload

Support Areas

- Lost & Found
- Restroom
- Breakroom
- Lockers

Existing

- Bidding Package for demolition of (2) existing maintenance facilities
- No design work provided on these sites

Resident Project Representative Services

A resident project representative (RPR) will also be provided to review overall project completion. The resident project representative will prepare field reports weekly and distribute to the design team. Onsite project visits and inspections will at a minimum be provided daily and at all major construction milestones. Fees associated assume a construction schedule of 12 months.

2. FEES AND EXPENSES:

Fees are based on a lump sum as dictated below and include consultant services. Please note reimbursable expenses, while shown separate will be considered a part of our lump sum fee.

Corgan -		$15,000.00
Jacob Martin - Architect of Record, Structural, Civil, MEP/FP, IT		$160,000.00
	Sub Total:	**$175,000.00**
Reimbursable Cost (Travel/Printing/Misc)		$1,500.00
	Total:	**$176,500.00**
Jacob Martin – Resident Project Representative		$50,000.00
	Total:	**$ 226,500.00**

3. **SCHEDULE FOR COMMENCEMENT / DELIVERABLES / COMPLETION OF PROFESSIONAL SERVICES:**
    - 1 week – Kick Off Meeting/Design Workshop 1/Visioning
        - Identify Objectives/Goals/Initial Programming with Airport and Stakeholders
    - 1 week – Site Visit to Lake Charles, LA / Design Workshop 2
        - Finalize Goals and Programming with Airport and Stakeholders
    - 6 weeks – Project Setup/Survey/Finalize Programming/Develop Schematic Design
        - Topographic survey complete
        - Develop basis of design document for proposed materials and equipment
        - Issue proposed schematic design plan and site plan for Airport review
        - Provide 20% Cost Estimate
    - 1 week – Design Workshop 3
        - Review proposed schematic design plan and façade concepts
        - Meet with City of Abilene to discuss code impact of project
    - 5 weeks – Design Development (60% Documents)
        - Incorporate comment from Design Workshop 3
        - Develop Section
        - Develop Specifications
    - 1 Week – Issue Design Development Documents for Airport review
    - 5 weeks – Construction Documents
        - Incorporate comments from Design Development review
        - Finalize Documents
        - QA/QC Review
        - Provide 80% Cost Estimate
    - 1 week – Issue 90% Construction Documents for review by Airport
    - 3 weeks – Issue 95% Construction Documents for Permitting
    - 1 week – Incorporate comments from Permit Review
        - Issue 100% Construction Documents and Specifications
        - Deliver in PDF and CAD background.
        - Provide (2) physical copies of the drawings and specifications book to Airport
    - 4 weeks – Bidding/Negotiation
        - Drawings posted on JM website and local plan room
        - Pre-Bid Meeting
        - Answering and distributing bid questions

4. **OTHER TERMS AND CONDITIONS [if applicable]:**

    Assumptions/Exclusions:
    - Lease negotiations
    - Specialty lighting designer
    - Signage design (by vendor)
    - Asbestos report
    - Geotechnical Engineering Report
    - Construction means and methods
    - Construction life safety
    - Specialty Consultants
    - LEED and/or Sustainable Building programs, documentation and analyses are not included.
    - Fees do not include City review fees, filing fees, taxes, TAS review fees and COM Check fees.

5. **ATTACHMENTS: N/A**

Upon execution of this Task Order by authorized representatives of the City of Abilene and Corgan Associates, Inc., this Task Order is incorporated as a part of the Professional Services Contract, dated July 27, 2018 ("PSA"). In the event of a conflict between the PSA and Task Order terms and conditions, the terms and conditions contained in this PSA shall govern only if this PSA includes a clear and express modification of the PSA.

City of Abilene	**Corgan Associates, Inc.**
Signature	*Signature*
	Ross Payton - Principal
Printed Name and Title	*Printed Name and Title*
	05 / 14 / 2021
Date	*Date*

Abilene Regional Airport

May 27, 2021

CITY OF ABILENE TEXAS

- Currently, two on-airport car rental companies each have a separate facility to conduct vehicle cleaning and the third company has to take their vehicles off-airport for cleaning.
- Airport Staff and the companies agree that a consolidated facility that can accommodate the activities of all three companies, has an automatic car wash and fueling pumps is the best option and is common at other airports.
- City Council approved a $3.00 per day Customer Facility Fee (CFC) on December 21, 2006 that can be used for such expenses as the QTA.
- Corgan has proposed a fee of $226,500.00 for design and construction services for this project. Much of the work will be done by its local partner, Jacob Martin.

Questions?

City Council
Agenda Memo

City Council Meeting Date: 5/27/2021

TO: **Robert Hanna, City Manager**

FROM: **Don Green, Director**

SUBJECT: **8. Resolution: Receive a Report, Hold a Discussion and Public Hearing and Take Action to Approve an Amendment to the Vehicle Replacement Policy *(Don Green)***

GENERAL INFORMATION

On January 14, 2021, City Council approved the Council Policies and Procedures (Resolution 05-2021), which included an updated Vehicle Replacement Policy. This policy needs to be amended to include the categories of buses that are typically used by CityLink. This amendment adds the Federal Transit Administration's criteria to determine bus eligibility for grant-funded replacement.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

Staff recommends approval of this amendment.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. Amended Vehicle Replacement Policy Resolution 5-27-21
2. Amended Vehicle Replacement Policy (5-27-21)
3. Vehicle Replacement Policy Amendment Presentation (5-27-21)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS APPROVING AN AMENDMNENT TO THE VEHICLE REPLACEMENT POLICY

WHEREAS, the City of Abilene (City) contracts for the operation of CityLink as the City's public transit service; and

WHEREAS, the City receives grant funding through Federal Transit Administration (FTA), as authorized by the Congress of the United States of America and Texas Department of Transportation (TXDOT) capital and operating costs; and

WHEREAS, CityLink has a need to replace its vehicles that at minimum meet the criteria set by Federal Transit Administration (FTA); and

WHEREAS, the City has adopted a Fleet Replacement Policy; and

WHEREAS, this Policy needs to be amended to include the FTA replacement criteria.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

Part 1. That the Vehicle Replacement Policy is hereby amended to include FTA's replacement criteria for certain buses typically used by CityLink.

Part 2. That this resolution is effective immediately.

ADOPTED this 27th day of May, 2021.

ATTEST:

_____ _____

Shawna Atkinson, City Secretary Anthony Williams, Mayor

APPROVED:

_____

Stanley Smith, City Attorney

3.6 Fleet Replacement (Governing Principles, Rules of Procedures and Council Policies, adopted 01/14/2021; Amended by Resolution ??-2021)

3.6.1 Purpose

The purpose of the fleet replacement policy is to provide exceptional service at the best possible price to the end recipient, the citizen. These replacement guidelines will be used to ensure the citizens the best value for their tax dollars.

3.6.2 Policy and Procedure

(a) Equipment and Vehicle Procurement

1. The City shall procure equipment and vehicles in the most productive and cost-effective way including exploring the purchase of used equipment and/or leasing of infrequently needed equipment.

2. The City shall develop standard specifications for equipment and vehicles that maximize the likelihood of receiving multiple bids, rather than narrowing the specifications so that only one equipment or vehicle manufacturer will qualify to submit a bid.

   OR

   The City shall develop standard specifications for equipment and vehicles that maximize the City's ability to qualify only one equipment or vehicle manufacturer as a qualified bidder. It being the express intent of this policy to minimize part and maintenance variations by coalescing equipment and vehicle manufacturers through vehicle standardization across the fleet.

(b) Equipment and Vehicle Replacement

1. The City shall use a scoring process to determine equipment or vehicle replacement eligibility. Final determination on whether or not to replace a piece of equipment or a vehicle, is at the discretion of the City Manager.

2. The City shall assign one point to each of the following criteria when the minimum requirements for the individual criterion is achieved:

CRITERION	MINIMUM REQUIREMENT
Useful Life	As defined on the Life Expectancy Table.
Miles/Hours	As defined on the Life Expectancy Table.
Maintenance Costs	Total maintenance cost equates to 75% of purchase price, or vehicle is out for maintenance more than 25% of total available operating hours in the past 12 months.
Fleet Determination	Fleet Maintenance makes a recommendation for replacement or not based on the totality of the circumstances.

3. Unless as otherwise determined by the City Manager, a vehicle must score 3 or more points to be eligible for replacement. Eligibility for replacement does not guarantee replacement, as replacement is determined based on the totality of the circumstances, priorities of the City, and the availability of funds.

3.6.3 Life Expectancy Table

ASSET CLASS	USEFUL LIFE	MILES/HOURS
Light Duty Vehicles	10 years	125,000 miles
Police Patrol Vehicles	7 years	15,000 hours
Police Motorcycles	10 years	60,000 miles
Heavy Duty Vehicles (single axle)	12 years	125,000 miles
Heavy Duty Vehicles (tandem axle)	12 years	150,000 miles
Refuse Trucks (Front and Side Loader)	7 years	10,000 hours
Refuse Trucks (Rear Loaders)	10 years	14,000 hours
Refuse Trucks (roll off)	12 years	200,000 miles
Sewer (flushing) Trucks	10 years	100,000 miles
Bucket Trucks	12 years	125,000 miles
Street Sweepers	7 years	10,000 hours
Knuckle Boom Trucks	12 years	10,000 hours
Small Riding Equipment Small Tractors Out Front Mowers	15 years	1,800 hours
Motorgraders	15 years	8,000 hours

Tracked Equipment Backhoes Loaders		
Other Heavy Equipment (2-ton +) Tractor Mowers Diesel Zero Turn Mowers Trenchers Scrapers Compaction Equipment	15 years	5,000 hours
Forklifts	30 years	7,500 hours
ATV's, Side-by-Sides	10 years	5,000 hours
Fire Apparatus (front line)	15 years	N/A
Fire Apparatus (reserve)	5 years	N/A
CityLink Buses **(*FTA Recommended Criteria)** Heavy Duty Large Bus (33,000–40,000 GVW)	12 years	500,000 miles
Heavy Duty Small Bus (26,000 - < 33,000 GVW)	10 years	350,000 miles
Medium Duty Bus (16,000 - < 26,000 GVW)	7 years	200,000 miles
Light Duty Mid-Size Bus (10,000 - < 16,000 GVW)	5 years	150,000 miles
Light Duty Small Bus (6,000 - < 16,000 GVW)	4 years	100,000 miles

City Council Meeting

May 27, 2021

CITY OF ABILENE TEXAS

Vehicle Replacement Policy Amendment

- On January 14, 2021, City Council approved the Council Policies and Procedures (Resolution 05-2021), which included an updated Vehicle Replacement Policy.
- This policy needs to be amended to include the categories of buses that are typically used by CityLink.
- This amendment adds the Federal Transit Administration's criteria to determine bus eligibility for grant-funded replacement.

Questions?

City Council
Agenda Memo

City Council Meeting Date: 5/27/2021

TO: **Robert Hanna, City Manager**

FROM: **Don Green, Director**

SUBJECT: **9. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the change in vendors for lease vehicles *(Don Green)***

GENERAL INFORMATION

The FY 2021 budget was approved for a total of $72,000 for lease vehicles. This included the leasing of 6 used vehicles at $1,000 a month, which is renewable every quarter. This change in vendors would include the leasing of 6 new vehicles for a total of $60,000. The yearly savings would be $12,000, with a FY21 savings of $3,000 for the remainder of the FY.

SPECIAL CONSIDERATIONS

The City is changing its leasing vendor to obtain a better price and receive newer vehicles.

FUNDING/FISCAL IMPACT

There will be a net decrease of $3,000 in the FY 21 budget after this change.

STAFF RECOMMENDATION

Staff recommends this change which will save the City funding and provide employees with better equipment.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. Pool Vehicles Lease Resolution (1)
2. 2021-2022 Pool Lease Vehicles

RESOLUTION NO _____

A RESOLUTION OF THE CITY OF ABILENE, TEXAS

TO LEASE SIX NEW VEHICLES FROM CAPPS VAN AND TRUCK RENTAL OF DALLAS, TEXAS

WHEREAS, City of Abilene has a need to lease six vehicles for pooled use; and

WHEREAS, City of Abilene received pricing from Capps Van and Truck Rental for new vehicles that was lower than two other rental proposals for used vehicles; and

WHEREAS, Capps' pricing results in at least a $12,000 annual savings from the budgeted amount.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That the City Council approves this lease of six vehicles from Capps Van and Truck Rental in the amount of $60,000 annually.

PART 2: That this resolution shall take effect immediately from and after passage.

ADOPTED this 27th day May, 2021

ATTEST:

_____ _____

Shawna Atkinson, City Secretary Anthony Williams, Mayor

APPROVED:

_____

Stanley Smith, City Attorney

Resolution:
Approval to Change Vendors for Pool Lease Vehicles

CITY OF ABILENE TEXAS

Pool Lease Vehicles

- The City currently leases 6 USED vehicles for operational purposes.
- These vehicles are leased locally from Williams Auto Group.
- The vehicles we have been leasing have an average odometer reading of over 150k miles.
- Williams Auto Group and Lawrence Hall were the only two local dealerships willing and able to lease vehicles.

Pool Lease Vehicles

- Lawrence Hall quoted the leases at $1500 per month, per vehicle.
- Williams Auto Group leases the vehicles for $1,000 a month, per vehicle. (Current Contract Holders)
- There have been several issues with tires, brakes and even an engine rebuild. The City is responsible for these repairs.
- The yearly budgeted amount for these vehicles is $72,000 (6 x $1000 x 12), renewable quarterly.

Pool Lease Vehicles

- The City is seeking approval to change vendors to Capps Van and Truck Rental in Dallas, Texas.
- Capps leases new vehicles for a cheaper rate.
- We would lease 6 NEW vehicles and all would still be under the factory warranty.
- The yearly budgeted amount for these vehicles would be $60,000 (4 @ $850 a month, 2 @ $800 a month x 12).

Pool Lease Vehicles

- This change would be a savings of $12,000 a year, plus any possible maintenance and repairs that would have been needed on higher mileage vehicles.

- Capps has been in business since 1972 and has vehicles in 48 states. They also serve the following counties and city:

  - Taylor County (NEW ACCOUNT)
  - Bexar County
  - Webb County
  - Brewster County
  - City of Alpine
  - And Others

QUESTIONS?

City Council
Agenda Memo

City Council Meeting Date: 5/27/2021

TO: **Robert Hanna, City Manager**

FROM: **Don Green, Director**

SUBJECT: **10. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action to Approve the Purchase of Ecolane scheduling software to replace the current software, RouteMatch, used by CityLink. *(Don Green)***

GENERAL INFORMATION

CityLink Transit is recommending the purchase of Ecolane scheduling software to replace the current software, RouteMatch. The Ecolane software is available for purchase through the National Cooperative Purchasing Alliance (NCPA) in which the City of Abilene is a member and approved to purchase goods/services. The quoted price for the first year/start up is $103,796.10. CARES Act funds have been budgeted to purchase this software and does not require any local match. The Ecolane pricing through the NCPA lists licensing fees for year 2 through year 5, at $19,398. As a cost comparison, CityLink purchased the RouteMatch software in FY16 which cost $176,450 with annual user fees/licenses varying each year but averaging $34,154 each year. The RouteMatch software has become increasingly burdensome to use, which has required staff to make numerous manual adjustments and workarounds to ensure passenger trips are scheduled accurately and efficiently. RouteMatch customer service has not been able to provide adequate solutions to the 541 total cases we have logged with them. Our staff has been forced to find ways around issues or just learn to live with the issues which equate to lower efficiency on the street. Some of our pending issues/cases with RouteMatch date back to July 2018 that still do not have any viable solution.

There have been system accessibility issues regarding their cloud based service that at some point, occurred daily up to 2 to 3 times per day. Some of these episodes would last 45 minutes to 2 hours waiting for resolution rendering the system unusable.

The references we have received from other transit agency users of Ecolane are very favorable and do not reflect the issues that we have experienced with RouteMatch. References state that

on the very few occasions that require technical support/customer service, issues are resolved almost immediately to within 1 to 2 days. Other references indicate that the software transition from another software to Ecolane are 'almost seamless and has been the simplest thus far'. Efficiency is reported to increase from 30-60% that translates into increased rides per hour from 2.2 to 3.59. For FY20, CityLink averaged 1.84 rides per hour for its paratransit service. Agencies also report 16% increases in on-time performance from using Ecolane software. These agencies now report on-time performance at 97-98%. Some of these agencies are from other areas of the country; however, there are 7 transit agencies in Texas that have made the transition from RouteMatch or other software to Ecolane and have experienced marked improvement and efficiency in their service.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

The quoted price for the first year/start up is $103,796.10. CARES Act funds have been budgeted to purchase this software and does not require a City match. Beginning with year 2 through year 5, annual licensing fees are priced at $19,398. As a cost comparison, CityLink purchased the RouteMatch software in FY16 which cost $176,450 with annual user fees/licenses varying each year but averaging $34,154 each year.

STAFF RECOMMENDATION

Staff recommends approval

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. Ecolane Software Purchase Resolution 5-27-21
2. CityLink Abilene TX Updated Final Price Quote indicating NCPA 5.19.21
3. Ecolane Purchase Presentation (5-27-21)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS APPROVING PURCHASE OF ECOLANE SCHEDULING SOFTWARE THROUGH THE NATIONAL COOPERATIVE PURCHASING ALLIANCE (NCPA)

WHEREAS, the City of Abilene (City) contracts for the operation of CityLink as the City's public transit service; and

WHEREAS, the City receives grant funding through Federal Transportation Administration (FTA), as authorized by the Congress of the United States of America and Texas Department of Transportation (TXDOT) operating costs; and

WHEREAS, CityLink has a need to replace the scheduling software used for its Paratransit Service; and

WHEREAS, CityLink received a quote from Ecolane through the NCPA for $103,796.10 for the purchase and first year licensing with an annual fee for years two through five of $19,398.00; and

WHEREAS, CityLink has funding from its CARES Grant to fund the purchase and funds are budgeted annually for the annual licensing fees.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

Part 1. That the City Manager is authorized to approve the purchase of the Ecolane software and Year 1 licensing fee through the National Cooperative Purchasing Alliance for $103,796.10, and an annual fee of $19,398.00 for years 2-5.

Part 2. That this resolution is effective immediately.

ADOPTED this 27th day of May 2021

ATTEST:

_____ _____

Shawna Atkinson, City Secretary Anthony Williams, Mayor

APPROVED:

_____

Stanley Smith, City Attorney

NCPA Purchase - Revised Price Quote

Ecolane | 940 W Valley Rd, Suite 1400 | Wayne, PA 19087
844-ECO-LANE | 610-312-0033 | SALES@ECOLANE.COM

DATE	TRANSIT AGENCY NAME	ADDRESS	CITY, STATE ZIP
5/19/2021	CityLink - City of Abilene	1189 South 2nd Street	Abilene, TX 79602

PROJECT	ATTENTION	PHONE	E-MAIL
NCPA Contract #05-33 Purchase - Revised Price Quote	Bobby Sharpe	325-676-6403	bobby.sharpe@abilenetx.gov

BD DIRECTOR	E-MAIL	PHONE	PRICING TERMS
Susan Starwalt	Susan.Starwalt@Ecolane.com	217-962-0415	***75% due at system set up***
DAYS PRICING IS VALID FOR	DATE PRICE EXPIRES		***20% due at completion of training***
30	6/18/2021		***5% due at system acceptance***

Initial Licenses

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
16	Ecolane DRT/MDT Software License (per vehicle) (unlimited users)	$4,000.00	**$64,000.00**
1	Map data for Service Area - up to 5 contiguous counties (TIGER map data)	Included	**Included**
1	Self Service Trip Bookings App with credit card capabilities (flat rate) (3rd party charges will apply)	$29,995.00	**$29,995.00**
1	SMS Text Messaging Arrival Notification License (Includes 10k of SMS Text msg credit to start that never expires) (flat rate)	$19,995.00	**$19,995.00**
1	Pre/Post Trip functionality on MDT (flat rate)	$19,995.00	**$19,995.00**
1	Self Service Trip Bookings Website (flat rate)	$19,995.00	**$19,995.00**
1	Ecolane IVR (3rd party charges will apply)	$40,000.00	**$40,000.00**
Initial licenses subtotal			***$193,980.00***
Discount			***80.50%***
Initial licenses cost with discount applied subtotal			***$37,826.10***

Additional items

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
16	8" Android Tablet, similar to a Samsung Galaxy Tab A, 8" (+$100 per for 10" tablet) (if agency purchases separately, price will be reduced)	$294.00	**City will procure**
16	Vehicle Mounting Hardware (RAM-101U, Otter box type case, and vehicle charger) (additional $100 per for locking mount hardware) (if agency purchases separately, price will be reduced)	$199.00	**City will procure**
12	Monthly costs for data plan for year 1 (16 lines sharing 9.4 GB of data/mth with Verizon. 1x6GB plan, 1x2GB plan, and 14 x100MB plans) (Customer responsible for overages at market value)	$345.00	**$4,140.00**
1	SMS Text message credit bundle (10,000/bundle) (Never expires until used up completely)	$1,500.00	**$1,500.00**
1	UDI Setup costs - Includes callflows for Night before, Vehicle Arrival notifications with English and Spanish call flows, Flood gate messaging (web-based callflow reports included)	$22,500.00	**$22,500.00**
12	Monthly IVR Costs for year 1 (Will be pro-rated based on go-live date) (Customer will be responsible for overages at $0.044/min) (based on 6,000 minutes/mth)	$580.00	**$6,960.00**
Additional items subtotal			***$35,100.00***

Services

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
11	Remote set up of Ecolane DRT and MDT software (8 hr. work days), includes remote training and project management	$990.00	**$10,890.00**
12	Onsite Training/Go-live days (8 hr. work days)	$990.00	**$11,880.00**
3	Travel for # of Onsite Trips indicated (Onsite Survey, Training, and Go-live)	$2,700.00	**$8,100.00**
Services subtotal			***$30,870.00***

Annual Licensing Year 1

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
16	All Inclusive Annual Licensing plan includes support for all licenses listed above and all items below (per vehicle):	Included	**Included**
	Hosting Costs		**Included**
	Server Maintenance		**Included**
	24/7/365 Support via web, email and phone		**Included**
	Map Updates		**Included**
	Upgrades** and Updates		**Included**
	Free monthly webinar training and access to Aha! Idea portal to help drive functionality for new development for Ecolane and its customers		**Included**
	Access to Learning Management System (LMS), Ecolane University for all staff for self-paced web-based training		**Included**
Annual licensing year 1 subtotal			***Included***

SUBTOTAL	***$103,796.10***
TOTAL SYSTEM PURCHASE COSTS FOR YEAR 1	***$103,796.10***

Price Quote Cont'd

Annual Licensing for years 2-5 (per year) | Please ask your Biz Dev Director about pre-paid maintenance discounts!

QUANTITY	DESCRIPTION	UNIT PRICE	AMOUNT
12	Monthly costs for data plan (16 lines sharing 9.4 GB of data/mth with Verizon. 1 x 6GB plan, 1 x 2GB plan, and 14 x100MB plans) (Customer responsible for overages at market value)	$345.00	**$4,140.00**
12	Monthly IVR Costs (Customer will be responsible for overages at $0.044/min) (based on 6,000 minutes/mth)	$580.00	**$6,960.00**
16	All Inclusive Annual Licensing plan includes support for all licenses listed above in initial licenses and all items below (per vehicle):	$2,424.75	**$38,796.00**
	Hosting Costs		**Included**
	Server Maintenance		**Included**
	24/7/365 Support via web, email and phone		**Included**
	Map Updates		**Included**
	Upgrades** and Updates		**Included**
	Free monthly webinar training and access to Aha! Idea portal to help drive functionality for new development for Ecolane and its customers		**Included**
	Access to Learning Management System (LMS), Ecolane University for all staff for self-paced web-based training		**Included**
Annual Licensing years 2-5 (per year) subtotal			***$49,896.00***
Discount			***($30,498.00)***
Annual Licensing year 2-5 (per year) subtotal with discount applied			***$19,398.00***

Ryan J. Larsen

Ryan Larsen, CEO

5/19/2021

Date

Optional Items | Please ask your Biz Dev Director for more info about these great options to help your agency grow!

QUANTITY	DESCRIPTION	UNIT PRICE	ANNUAL LICENSE COST
1	Electronic Signature Capture functionality on MDT *** (Initial License cost, per vehicle)	$200.00	**$40.00**
1	Interface for Public Transportation *** (Initial License cost, flat rate)	$19,995.00	**$3,999.00**
1	Customer Service and Feedback module *** (Initial License cost, flat rate)	$6,995.00	**$1,399.00**
1	Centers Management Portal *** (Initial License cost, flat rate)	$19,995.00	**$3,999.00**
1	Ecolane DRT Brokerage (Primary) *** (Initial License cost, flat rate)	$12,995.00	**$2,599.00**
1	Subcontractor Portal *** (Initial License cost, flat rate)	$9,995.00	**$1,999.00**
1	Subcontractor Reporting Portal *** (Initial License cost, flat rate)	$6,995.00	**$1,399.00**
1	Least cost scheduling algorithm for brokerage solution *** (Initial License cost, flat rate)	$6,995.00	**$1,399.00**
1	Order Importer module *** (Initial License cost, flat rate)	$19,995.00	**$3,999.00**
1	Each additional Week onsite over standard 2 weeks Training/Go-live Support (includes travel)	$8,700.00	
1	Annual Review - Up to 10 days of remote review of your system by a Ecolane Professional Services member and 3 days onsite training (includes travel)	$6,300.00	

THIS PROPOSAL INCLUDES THE CONDITIONS NOTED:

Implementation/Training assumes 8 hrs. per day on-site excluding weekends and holidays.

All prices are in US dollars. All applicable sales/use taxes are additional and payment of such is the sole responsibility of the purchaser.

Customer may purchase Android tablets and airtime for Tablets through cellular provider. Prices for tablets range from $0 to $499 depending on carrier. Please coordinate your cellular provider/tablets with Ecolane prior to ordering hardware.

*Data plan does not include web browsing, etc. 2GB data plan is more than sufficient for the Ecolane Touchscreen MDT Software and Navigation. Agency is responsible for data plan and any overages unless otherwise noted.

**Upgrade and webinar training is included for upgrades, additional on site or new employee training is charged at Refresher Training rate plus travel as applicable.

*** All Optional item license costs include annual hosting, support & licensing fees due 1 year from contract signing set at: 20%

City Council Meeting

May 27, 2021

CITY OF ABILENE TEXAS

Purchase Ecolane Route Scheduling Software

- CityLink Transit is recommending the purchase of Ecolane scheduling software to replace the current software, RouteMatch. The Ecolane software is available for purchase through the National Cooperative Purchasing Alliance (NCPA) in which the City of Abilene is a member of and approved to purchase goods/services.
- There have been system accessibility issues regarding RouteMatch's cloud based service that at some point, occurred daily up to 2 to 3 times per day. Some of these episodes would last 45 minutes to 2 hours waiting for resolution rendering the system unusable.
- The references we have received from other transit agency users of Ecolane are very favorable and do not reflect the issues that we have experienced with RouteMatch.
- The price for the first year/start up is $103,796.10.
- CARES Act funds have been budgeted to purchase this software and does not require any local match.

Questions?

City Council
Agenda Memo

City Council Meeting Date: 5/27/2021

TO: **Robert Hanna, City Manager**

FROM: **Lesli Andrews, Director**

SUBJECT: **11. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the acceptance of the donated "Otis and the Calf" sculptures for placement on the Adamson Spalding Storybook Garden lawn of the Abilene Convention Center (*Lesli Andrews*)**

GENERAL INFORMATION

The Abilene Cultural Affairs Council has commissioned "Otis and the Calf". If approved the sculpture will become a permanent addition to Abilene's Outdoor Sculpture Storybook Collection.

Each year, Cultural Affairs works to add one or more sculptures in conjunction with the Children's Art and Literacy Festival. Past sculptures approved by Council include:
1996 - Santa Calls, Everman Park
2000 - Dinosaur Bob, 133 Cedar St.
2012 - Cat in the Hat, Everman Park
2013 - The Lorax, Yertle the Turtle, The Grinch, Green Eggs and Ham, and Horton Hears a Who, Everman Park; Seymour, 174 Cypress St.
2014 - Sandman, 174 Cypress St.; Jack Frost, Main Library; Man in the Moon, T&P Depot; Easter Bunny, Corner of Cedar and North 1st St.; Santa Claus, National Center for Children's Illustrated Literature; The Tooth Fairy, Minter Park
2015 - Duck on Bike, 1201 N 1st St.
2016 - Good Night Dinosaur, Adamson Spalding Storybook Garden
2017 - Stuart Little, Charlotte and Wilbur (Charlotte's Web), Goldilocks and The Three Bears, Three Little Pigs and The Wolf, and Three Kittens and The Mama Kitten, Adamson Spalding Storybook Garden
2018 - Marcel and the Moose and his friend Wilfred, Adamson Spalding Storybook Garden
2019 - Mr. Tiger, Adamson Spalding Storybook Garden

SPECIAL CONSIDERATIONS

Abilene Cultural Affairs Council is proposing the sculpture be located in the Adamson Spalding Storybook Garden on the lawn of the Abilene Convention Center and that it be unveiled on the first evening of the Children's Art and Literacy Festival on Thursday, June 10, 2021.

FUNDING/FISCAL IMPACT

The City of Abilene will have approximately 20 hours of labor by Parks staff to install the sculpture and ongoing maintenance in the future.

STAFF RECOMMENDATION

Staff recommends approval of the acceptance of the donated sculpture.

BOARD OR COMMISSION RECOMMENDATION

The sculpture was approved by the Visual Arts Jury at the August 27, 2020 board meeting.

ATTACHMENTS:

1. Resolution_2021_sculpture
2. the Calf
3. Otis
4. Presentation - Adamson Spalding Storybook Garden Sculpture (1)

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS APPROVING ACCEPTANCE OF THE DONATED SCULPTURE FOR PLACEMENT IN THE ADAMSON SPALDING STORYBOOK GARDEN ON THE LAWN OF THE ABILENE CONVENTION CENTER.

WHEREAS, the Abilene Cultural Affairs Council (ACAC) has commissioned Otis and the Calf; and

WHEREAS, ACAC works to add one or more sculptures in conjunction with the Children's Art and Literacy Festival.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

Part 1: That the City Council approves acceptance of the donated sculpture for placement in the Adamson Spalding Storybook Garden on the lawn of the Abilene Convention Center.

Part 2: That this Resolution shall take effect immediately from and after passage.

ADOPTED this 27th day of May, 2021.

ATTEST:

_____
Shawna Atkinson, Interim City Secretary

_____
Anthony Williams, Mayor

APPROVED:

_____
Stanley Smith, City Attorney

Adamson Spalding Storybook Garden Sculpture

Resolution: Approving the acceptance of the donated Otis and the Calf sculpture for the Adamson Spalding Storybook Garden on the lawn of the Abilene Convention Center

CITY OF ABILENE TEXAS

Adamson Spalding Storybook Garden Sculpture

- Otis and the Calf
- Located in the Adamson Spalding Storybook Garden on the lawn of the Abilene Convention Center
- Anticipated installation week of unveiling
- Unveiled on June 10, 2021 as part of the first evening of the Children's Art and Literacy Festival

City Council
Agenda Memo

City Council Meeting Date: 5/27/2021

TO: **Robert Hanna, City Manager**

FROM: **Rodney Taylor, Director**

SUBJECT: **12. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on awarding bid for the Lake Fort Phantom Hill Pump Station Improvements *(Rodney Taylor)***

GENERAL INFORMATION

Water Utilities staff is recommending that the Abilene City Council award the bid to Udelhoven Oilfield System Services, Inc. (Udelhoven) of Floresville, TX in the amount of $2,049,955.00 for Lake Fort Phantom Pump Station Improvements CB-2127 (Project). The bid was advertised in the Abilene Reporter News on April 4th and 11th, 2021. A total of four bids were received on April 28, 2021. The bids were evaluated using the "best value" competitive bidding method. City staff and the Project Engineer evaluated the bids and determined that the bid by Udelhoven provides the best value for the City of Abilene.

The bid item includes an "Owners Allowance" in the amount of $150,000.00 for work directed in writing by the City. The owner's allowance is for work not required within the Plans and Specifications and may be used in the event additional (or less) work from that shown on the Plans and Specifications is required.

SPECIAL CONSIDERATIONS

In September 2020 the City solicited bids for a similar project Lake Fort Phantom Pump Station Improvements CB-2103. That bid included the installation of multi-level intake pump suction cans to be installed on two of the existing intake pumps. The pump cans would include valves installed at specific levels to allow the operator to select the raw water level having the best quality. Those bids came in significantly higher than the design engineer's estimate for the project. Feedback from the bidders indicated a high level of perceived risk associated with the installation of the pump cans on the existing pump station. Staff chose to reject all bids, and to re-advertise the project without the pump cans. CB-2127 is the result of the rebidding process.

The project includes the replacement of two aged variable frequency drive (VFD) units and two

soft-start units with two modern VFD units with each new unit capable of operating two of the intake pumps from a single VFD unit. All four pumps will have VFD operational control. The contractor will also remove each of the four vertical turbine pumps for inspection and replacement of worn parts, and reinstall and test the performance of each pump. During reinstallation the pump columns will be modified so that each of the four pumps will pull from a different lake level depth in order to provide for selectivity of water quality.

FUNDING/FISCAL IMPACT

The project will be funded using the proceeds of the 2019 Certificates of Obligation, and as necessary other Water Utilities fund balances designated for capital improvement projects.

STAFF RECOMMENDATION

Staff recommends awarding the bid to Udelhoven as described herein.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. WrittenResolution-WtrDpt-Award Bid-Udelhoven-Fort Phantom Hill Pump Station Improvements-5-27-2021
2. Letter of Recommendation-Bid Tab-Lake Fort Phantom Hill Pump Station Improvements-Udelhoven-5-27-2021
3. Contract-Lake Fort Phantom Pump Station Improvements-Udelhoven-5-27-2021
4. Presentation-Award Bid-Udelhoven-Fort Phantom Hill Pump Station Improvements-5-27-2021

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, AWARDING THE BID TO UDELHOVEN OILFIELD SYSTEM SERVICES, INC. FOR THE LAKE FORT PHANTOM PUMP STATION IMPROVEMENTS PROJECT.

WHEREAS, the City of Abilene (City) owns and operates a Public Water Supply System that includes the Lake Fort Phantom Hill water supply and the Lake Fort Phantom Intake Pump Station (Pump Station); and

WHEREAS, there are four vertical turbine pumps within the Pump Station and two of those pumps are operated by Variable Frequency Drive (VFD) units located in an adjacent building on the Pump Station site; and

WHEREAS, the VFD units are over 20 years old and the replacement parts are no longer available; and

WHEREAS, Jacob and Martin, LLC (JM) was hired to provide plans and contract documents, bidding assistance, general project supervision, and contract administration for the needed improvements to the Pump Station; and

WHEREAS, Udelhoven Oilfield System Services, Inc. (Udelhoven) submitted the lowest priced qualifying bid in the amount of $2,049,955.00, and JM has evaluated the bids for best value criteria and for conformity with the advertisement for bids and does recommend awarding the bid to Udelhoven in the amount of $2,049,955.00; and

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

That the City Manager is authorized to execute a construction contract with Udelhoven Oilfield System Services, Inc. for the Lake Fort Phantom Pump Station Improvements Project in the amount of $2,049,955.00.

ADOPTED this 27th day of May, 2021.

ATTEST:

_____
Shawna Atkinson, City Secretary

_____
Anthony Williams, Mayor

APPROVED:

_____
Stanley E. Smith, City Attorney

INTEGRITY
EXCELLENCE
TRUST

May 19, 2021

Mr. Rodney Taylor
Director of Water Utilities
City of Abilene
P.O. Box 60
Abilene, Texas 79604

Re: Lake Fort Phantom Hill Pump Station Improvements
Letter of Recommendation for Award

Sent: Via Email

Dear Mr. Taylor:

On April 28, 2021 the City of Abilene received bids for the Lake Fort Phantom Hill Pump Station Improvements Project. Four bids were received for this project. A bid tabulation sheet summarizing the bids is included as an attachment to this letter. The four bids have been evaluated based on the "Best Value" criteria included in the Contract Documents. Based on our evaluation of the bids it is our conclusion that Udelhoven Oilfield System Services, Inc. provides the "Best Value" competitive bid at a total base bid amount of $2,049,955.00.

Jacob and Martin has evaluated the Udelhoven bid for conformity with the Contract Documents and checked their references. It is recommended that the contract be awarded to Udelhoven Oilfield System Services, Inc. for the contract amount of $2,049,955.00. If the Water Department and City Council agrees with the recommendation for award, Jacob and Martin will prepare contract documents for execution by the Contractor and the City. Feel free to contact me if you have any questions.

Sincerely,

Kirt Harle, P.E.

JACOB | MARTIN

325.695.1070
817.594.9880
info@jacobmartin.com
www.jacobmartin.com
3465 Curry Lane
Abilene, TX 76906
1508 Santa Fe, Suite 203
Weatherford, TX 76086
TBPE Firm #: 2448 | TBAE Firm #: BR 2261 | TBPLS Firm #: 10024300 – Abilene | TBPLS Firm #: 10193992 - Weatherford

City of Abilene
Lake Fort Phantom Hill Pump Station Improvements
Bid Date: April 28, 2021 2:00 PM
JM Project Number: 19218
Abilene Project Number CB-2127

JACOB MARTIN
Abilene, Texas

Bid Tabulation

Engineer: Jacob & Martin, LLC
Abilene, Texas

				Udelhoven Oilfield System Services, Inc.		Dowtech Specialty Contractors, Inc.		Grimsley Electric, Inc.		MH Civil Constructors, Inc.	
For all Labor, Materials, Equipment, and Incidentals to Furnish and Install the Following:				1210 FM 537		4703 CR 527		2104 S. Fisk Ave.		1100 S. Fillmore St., Suite 105	
				Floresville, TX 78114		Baird, TX 79504		Brownwood, TX 76801		Amarillo, TX 79105	
Item #	**Item Description**	**Quantity**	**Unit**	**Unit Price**	**Total**	**Unit Price**	**Total**	**Unit Price**	**Total**	**Unit Price**	**Total**
1	Mobilization, Bonds, and Insurance	1	LS	$ 44,500.00	$ 44,500.00	$ 91,500.00	$ 91,500.00	$ 72,000.00	$ 72,000.00	$ 440,500.00	$ 440,500.00
2	Electrical and SCADA Controls Demolition (Includes removal of all items shown in Demolition Table on Sheet E0.1)	1	LS	$ 34,080.00	$ 34,080.00	$ 45,100.00	$ 45,100.00	$ 50,000.00	$ 50,000.00	$ 365,000.00	$ 365,000.00
3	Installation of Two New VFDs and associated electrical conduit, cables, cable tray and appurtenances (Includes all work shown in Installation Table on Sheet E1.0)	1	LS	$ 1,221,000.00	$ 1,221,000.00	$ 1,289,400.00	$ 1,289,400.00	$ 1,599,238.00	$ 1,599,238.00	$ 1,468,000.00	$ 1,468,000.00
4	Installation of New SCADA Control System (Includes all SCADA components, programming and integration described in Specification Item 25 04 01)	1	LS	$ 368,000.00	$ 368,000.00	$ 553,100.00	$ 553,100.00	$ 276,000.00	$ 276,000.00	$ 300,000.00	$ 300,000.00
5	Removal of four pumps for inspection and rehabilitation and Re-installation of the four pumps (per Specification Section 11 05 03)	1	LS	$ 223,000.00	$ 223,000.00	$ 238,000.00	$ 238,000.00	$ 222,700.00	$ 222,700.00	$ 394,000.00	$ 394,000.00
6	Rehabilitation of existing VFD building (includes all rehab items listed in scope of work and shown on Plans)	1	LS	$ 9,375.00	$ 9,375.00	$ 13,000.00	$ 13,000.00	$ 75,000.00	$ 75,000.00	$ 82,500.00	$ 82,500.00
7	Lump Sum for additional work	1	LS	$ 150,000.00	$ 150,000.00	$ 150,000.00	$ 150,000.00	$ 150,000.00	$ 150,000.00	$ 150,000.00	$ 150,000.00
	TOTAL BASE BID (Items 1 - 7)				**$ 2,049,955.00**		**$ 2,380,100.00**		**$ 2,444,938.00**		**$ 3,200,000.00**

(*) - Extension Error

JM TBPE Firm # 2448
JM TBAE Firm # BR2261
JM TBPLS Firm # 10194493

CONSTRUCTION CONTRACT

BACKGROUND

THIS CONTRACT, made on the ____ day of _____, 20____, is between the City of Abilene, a Municipal Corporation of Taylor and Jones Counties, Texas ("City"), and Udelhoven Oilfield System Services, Inc. of the City of Floresville, State of Texas. ("Contractor").

The City recognizes a need for high quality construction work; the Contractor agrees to complete the project in return for payment.

THE AGREEMENT

1. Work and Consideration. The Contractor hereby agrees to commence and complete the construction of Work required in the Contract Documents – incorporated herein by reference – Lake Fort Phantom Hill Pump Station Improvements

All work to be performed will be completed in conformance with (1) Part I of the City of Abilene's Standard Specifications for Construction adopted September, 2006 with the attached amendments in these Contract Documents, and (2) the Technical Specifications and Plans attached to these Contract Documents. Technical Specifications and Plans attached to these Contract Documents control in the event of a conflict.

In consideration of this Work, the City will pay the Contractor the sum of $2,049,955.00.

2. Timely Work. The Contractor must begin and fully complete Work in the days stated in the Notice to Proceed. The time allows for normal delays associated with weather conditions, crew coordination, etc. Time is of the essence, and liquidated damages as set forth in the General Conditions (Paragraph 16) apply for late Work.

3. Payment. If Performance and Payment Bonds are required, the City will pay Contractor according to the General Conditions (Paragraph 20). If Performance and Payment Bonds are not required, the City will pay Contractor according to the Instructions to Bidders.

4. No liens. No mechanic, contractor, subcontractor, supplier, or other person can or will contract for, or in any other manner have or acquire any lien upon the work of this Contract, or the land upon which it is situated. The laws of the State of Texas govern this Contract.

5. Venue. Venue for any legal proceeding is Taylor County, Texas.

6. Indemnity.

A. Definitions

For the purpose of this section the following definitions apply:

"City" shall mean all officers, agents and employees of the City of Abilene.

"Claims" shall mean all claims, liens, suits, demands, accusations, allegations, assertions, complaints, petitions, proceedings and causes of action of every kind and description brought for damages.

"Contractor" includes the corporation, company, partnership, or other entity, its owners, officers, and/or partners, and their agents, successors, and assigns.

"Contractor's employees" shall mean any employees, officers, agents, subcontractors, licensee and invitees of Contractor.

"Damages" shall mean each and every injury, wound, hurt, harm, fee, damage, cost, expense, outlay, expenditure or loss of any and every nature, including but not limited to:

(i) injury or damage to any property or right
(ii) injury, damage, or death to any person or entity
(iii) attorney's fees, witness fees, expert witness fees and expenses, and
(iv) all other costs and expenses of litigation

"Premise Defects" shall mean any defect, real or alleged, which now exists or which may hereafter arise upon the premises.

"Proven" shall mean that a court of competent jurisdiction has entered a final unappealable judgment on a claim adjudging an entity or person liable for a monetary judgment.

"Sole negligence" shall mean negligence of a party that is unmixed with the fault of any other person or entity.

B. Indemnity

The Contractor must indemnify, hold harmless, and defend the City from and against liability for any claims arising out of the Contractor's work and activities conducted in connection with this Contract.

The Contractor is an independent contractor and is not, with respect to its acts or omissions, an agent or employee of the City.

Contractor must at all times exercise reasonable precautions on behalf of, and be solely responsible for, the safety of Contractor's employees while in the vicinity where the work is being done. The City is not liable or responsible for the negligence or intentional acts or omissions of the Contractor or Contractor's employees.

The City assumes no responsibility or liability for damages which are directly or indirectly attributable to premise defects. Responsibility for all such defects is expressly assumed by the Contractor.

The City and Contractor must provide the other prompt and timely notice of any covered event which in any way affects or might affect the Contractor or City. The City has the right to compromise and defend the same to the extent of its own interests.

BOTH CITY AND CONTRACTOR EXPRESSLY INTEND THIS CONTRACT'S INDEMNITY PROVISION TO REQUIRE CONTRACTOR TO INDEMNIFY AND PROTECT THE CITY FROM THE CONSEQUENCES OF THE CITY'S OWN NEGLIGENCE WHILE CITY IS PARTICIPATING IN THIS CONTRACT, WHERE THAT NEGLIGENCE IS A CONCURRING CAUSE OF THE DAMAGES. THIS CONTRACT'S INDEMNITY PROVISION DOES NOT APPLY TO ANY CLAIM WHERE DAMAGE IS PROVEN TO RESULT FROM THE SOLE NEGLIGENCE OF THE CITY.

7. Insurance. The Special Conditions found in the City of Abilene's Standard Specifications for Construction adopted September, 2006, Part I, Division I, Item 3, contain the insurance requirements of this Contract.

8. Overcharges. The Contractor assigns to City any claims for overcharges related to this Contract which arise under antitrust laws of the United States, 15 U.S.C.A. Sec. 1 et seq, as amended.

9. Contract Interpretation. Any dispute about the Contract's meaning or application will be interpreted fairly and reasonably, and neither more strongly for or against either party.

10. Indebtedness to City. Contractor agrees that no payments owed by him of any nature whatsoever to the City, including payment in advance for service charges or any sums of any character whatsoever, shall become delinquent or in arrears.

The City will not knowingly award contracts for goods or services to any Bidder in arrears to the City for any debt, claim, demand, or account whatsoever, including taxes, penalty or interest. Contractor is responsible for ensuring that no indebtedness exists.

Section 130 of the City Charter authorizes the City to counterclaim and offset any debt, claim, demand or account owed by the City to any person, firm or corporation in arrears to the City for any debt, claim, demand or account of any nature whatsoever, including taxes, penalty or interest.

11. Boycott of Israel. In accordance with Chapter 2270, Texas Government Code, a governmental entity may not enter into a contract with a company for goods or services unless the contract contains a written verification from the company that it: (1) does not boycott Israel; and (2) will not boycott Israel during the term of the contract.

This section only applies to a contract that: (a) is between a governmental entity and a company with 10 or more full-time employees, and (b) has a value of $100,000 or more that is to be paid wholly or partly from public funds of the governmental entity. Additionally, "company" does not include a sole proprietorship.

If this section is applicable, the signatory executing this contract on behalf of company verifies that the company does not boycott Israel and will not boycott Israel during the term of this contract.

12. Contract Execution. The Contractor must sign the Contract first, with any necessary attestation and seal. The City Attorney or designee must review the Contract, and approve or disapprove it. If approved, the City's authorized agent will then sign. The City Secretary must keep a signed original in the City Secretary's Office.

13. Contract Copies. Each of the two executed copies is an original.

IN WITNESS HERE OF, the parties hereto have executed this contract:

CONTRACTOR

Name of Contractor:
Udelhoven Oilfield System Services, Inc.

Signature

Name – Typed or Printed
Scott Selzer

Title – Typed or Printed
President

Business Address: 1210 FM 537
Floresville, Texas 78114

Business Phone No. 907-375-1503
Federal Tax I.D. # 92-0067082

ATTEST: (If Corporation)

UDELHOVEN OILFIELD SYSTEM SERVICES, INC. CORPORATE SEAL 1977 ALASKA

Corporate Seal
(If none, write "None")

CITY OF ABILENE

Robert Hanna, City Manager

ATTEST:

City Secretary

APPROVED:

City Attorney

Seal

Updated February 2020

Award the bid to Udelhoven Oilfield System Services, Inc. for the Lake Fort Phantom Pump Station Improvements Project.

CITY OF ABILENE TEXAS

- The Lake Fort Phantom Intake Pump Station includes four vertical turbine pumps used to transfer raw lake water into the Phantom Pipeline System for delivery to both the Grimes and Northeast Water Treatment Plants.

- The pump station includes two variable frequency drive (VFD) units for controlling the operation of two of the pumps, and those VFD units are over twenty years old and replacement parts are no longer available.

- The project is for the removal, repair, reinstallation, and verification testing of the four pumps, and the installation of two new VFD units which will provide the controlled operation of all four pumps simultaneously.

- Udelhoven Oilfield System Services, Inc. submitted the lowest priced bid of $2,049,955.00, and City staff and the design engineer have determined that the low bid is the best value for the City of Abilene.

- The bid item includes an “Owner’s Allowance” in the amount of $150,000 for work directed in writing by the City. The owner’s allowance is for work not required within the Plans and Specifications and may be used in the event additional (or less) work from that shown on the Plans or Specifications is required.

- Udelhoven has demonstrated having extensive experience with a variety of large electrical and mechanical projects.

Award the bid to Udelhoven Oilfield System Services, Inc.
for the
Lake Fort Phantom Pump Station Improvements Project.

Questions?

CITY OF
ABILENE
TEXAS

City Council
Agenda Memo

City Council Meeting Date: 5/27/2021

TO: **Robert Hanna, City Manager**

FROM: **Tim Cass**

SUBJECT: **13.**
Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the purchase of two 10 yard 2022 Freightliner M2106 PB BC-4 Patch Trucks from Freightliner of Austin for Street Services. ***(Tim Cass)***

GENERAL INFORMATION

Fleet Management seeks approval to purchase two Patch trucks for Street Services. Units are to be 2022 Freightliner M2106 chassis with PB BC-4 bodies. These units were not originally budgeted for this fiscal year but the immediate need has been identified.

SPECIAL CONSIDERATIONS

Texas laws allows a municipality to purchase goods through a state or local cooperative purchasing program. TIPS is such a program, and the purchase meets the competitive bidding requirements. TIPS Contract # 200206

FUNDING/FISCAL IMPACT

Funds for the purchase are to be provided by the Fleet Replacement Fund and total $597,976.00

STAFF RECOMMENDATION

Staff recommends the purchase of these Patch Trucks.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. Patch Truck Resolution
2. Co-Op Patch Truck Addtl Info
3. Patch Truck Worksheet
4. CO-OP Patch Truck Budget vs Actual
5. CO-OP Patch Truck Presentation

RESOLUTION NO _____

A RESOLUTION OF THE CITY OF ABILENE, TEXAS

TO PURCHASE TWO PATCH TRUCKS FOR STREET SERVICES FROM FREIGHTLINER OF AUSTIN, THROUGH

TIPS COOPERATIVE CONTRACT 200206

WHEREAS, City of Abilene's Street Services Division has a need for two Patch Trucks; and

WHEREAS, City of Abilene received pricing to purchase two Patch trucks through TIPS Co-Op Contract 200206; and

WHEREAS, Each unit is to be a 2022 Freightliner M2106 Chassis with a PB BC-4 body; and

WHEREAS, Freightliner of Austin is the TIPS approved vendor for the cab and chassis and is using vendor PB Loaders patch body and system components.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That the City Council approves this purchase from Freightliner of Austin in the amount of Five Hundred Ninety Seven Thousand Nine Hundred Seventy Six Dollars and No Cents ($597,976.00) for two complete Patch Trucks through TIPS Co-Op Contract 200206.

PART 2: That this resolution shall take effect immediately from and after passage

ADOPTED this 27th day May, 2021

ATTEST:

_____ _____

Shawna Atkinson, City Secretary Anthony Williams, Mayor

APPROVED:

_____

Stanley Smith, City Attorney

ADDITIONAL INFORMATION FOR COUNCIL MEETING ITEM
PATCH TRUCK

Unit #	Assignment	Year	Make	Model	Mileage	Hours	Total Maintenance Costs	Disposal Method	Replacement Reasoning
3480	Street Services	2005	International	4300	82,605	9,973	$56,629.32	Auction	Meets age requirements. Instructed by City Management for early replacement.
NBI	Street Services	-	-	-	-	-	-	-	

FREIGHTLINER OF AUSTIN

1701 Smith Rd. (Hwy. 183 So.)
Austin, Texas 78721

Bus: 512-389-0000
FAX: 512-389-2663
Wats: 1-800-395-2005

INV.

PURCHASING NAME	TELEPHONE
CITY OF ABILENE	325-676-6200

ADDRESS	CITY	STATE	ZIP CODE
555 WALNUT ST	ABILENE	TX	79604

I/We Hereby Purchase from You, Under the Terms and Conditions Specified, the Following:

YEAR	MAKE	MODEL/BODY	VIN	LICENSE PLATE
2022	FREIGHTLINER	M2106	TBD	

A documentary fee is not an official fee, a documentary fe is not required by law but may be charged to buyers handling documents and performing services relating to th the closing of a sale. Buyers may avoid payment of the fee to the seller by handling the documents and performing th services relating to the closing of the sale. A documentary fee may not exceed $50.00. This notice is required by law.

El cobro documental no es un cobro oficial. El cob documental no es un requisito bajo la ley, pero se le pued cobrar. Al comprador por el rendimiento de los servicios relacionados con la completacion de la venta y por completar los documentos. El comprador puede evitar el pago al vendedor de este costo si el comprador mismo se encarga de mandejar los documentos y de los servicios necesarios para la completacion de la venta. El cobro documental no puede sobrepasar los $50.00 (U.S.) Este aviso es requerido bajo la ley.

Disclaimer of Warranties

Any warranties on the products sold hereby are those made the factory. The Seller , *Freightliner of Austin*, hereby expressly disclaims all warranties, either expressed or impli including any implied warranty of merchantability or fitness for a particular purpose, and *Freightliner of Austin, neither* assumes nor authorizes any other person to assume for it a liability in connection with the sale of this vehicle.

MILEAGE:	
TIPS CONTRACT #200206	
M2106 BASE MODEL PRICE	69,413.40
CHASSIS OPTION CONTENT	36,069.60
PB BC-4 ASPHALT PATCHER 10 YD.	193,505.00
TOTAL	$298,988.00
X(2)	$597,976.00

CUSTOMER SIGNATURE

SALESMAN SIGNATURE KEVIN KRIEG

CONTRACTUAL DISCLOSURE STATEMENT FOR USED VEHICLE ONLY. "The information you see on the window form for this vehicle is part of this contract. Information on the window form overrieds any contrary provisions in the co

MILEAGE: **TRADE-IN**

YEAR	MAKE	MODEL/BODY	VIN	LICENSE PLATE

MILEAGE: **TRADE-IN**

YEAR	MAKE	MODEL/BODY	VIN	LICENSE PLATE

		TOTAL	597,976.00
PAYOFF TO:		Trade Allowance	N/A
ADDRESS:		Trading Difference	N/A
TELEPHONE: / FAX:		Sales Tax	N/A
GOOD UNTIL:		Vehicle Inventory Tax	N/A
QUOTED BY:		License Fee	N/A
SHOW LIEN TO:	Body Type:	Documentary Fee	**N/A**
ADDRESS:	License Wt.:	Federal Excise Tax	N/A
	State Insp.:	TOTAL SALE PRICE	597,976.00
DATED: LIEN AMOUNT $	License:	Payoff on Trade	
DRAFT FOR $	Title:	Ext. Service Agreement	
DRAFT THRU:	Transfer:	Less Deposit	
ADDRESS:		Total Balance Due	597,976.00

Full disclosure required by federal regulation "Z", The Consumer Protection Act and The Texas Consumer Credit Code, will be made prior to consummation of a credit sale. This written order comprises the entire agreement pertaining to this purchase and no other agreement of any kind, verbal understanding or promise whatsoever, will be recognized. It is expressly agreed that the purchaser acquires no right, title or interest in or to the property which he agrees to purchase hereunder until such property is delivered to him/her and either the full price is paid in cash or satisfactory deferred payment agreement is executed by the parties hereto, the terms of which shall thereafter be controlling, and a clear title is furnished to dealer for the used cars or trucks involved, if any. THIS IS NOT A CONDITIONAL SALES CONTRACT, BUT IS A BUYER'S ORDER. All new vehicles carry the standard factory warranty. It is understood there is no guarantee on the above described new or used vehicle other than appears on this Buyer's Order. Mileage, if used vehicle model is not guaranteed and a verbal agreement by the Salesman will not be considered binding on the Seller. It is agreed that neither Freightliner of Austin nor the manufacturer will be liable for failure to effect delivery. This order is not binding on the dealer until approved by an officer of Freightliner of Austin at its office in Austin, Texas

BUDGET vs ACTUAL COSTS
Patch Truck

Repl For Unit #	Division #	Division Name	Type Equipment	Budgeted Cost	Actual Cost	Budgeted vs Actual Variance	
3480	4040	Street Services	Patch Truck	$0.00	$298,988.00	$298,988.00	
NBI	4040	Street Services	Patch Truck	$0.00	$298,988.00	$298,988.00	
						$597,976.00	Not Budgeted

City Council Meeting

May 27, 2021

CITY OF
ABILENE
TEXAS

Patch Trucks

- CO-OP Purchase for two Patch Trucks assigned to Streets Services.
- One replacement unit and one New Budget Item.
- Units to be 2022 Freightliner M2106 chassis with PB BC-4 Patcher Body.
- TIPS Cooperative purchase to coordinate the build and delivery process through contract # 200206

City Council
Agenda Memo

City Council Meeting Date: 5/27/2021

TO: **Robert Hanna, City Manager**

FROM: **Tim Cass**

SUBJECT: **14.**
Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the purchase of two 2021 Dulevo 6000 Street Sweepers from Pannell Industries for Stormwater Services. ***(Tim Cass)***

GENERAL INFORMATION

Fleet Management seeks approval to purchase two Street Sweepers for Stormwater Services. Units are to be 2021 Dulevo 6000.

SPECIAL CONSIDERATIONS

Texas law allows a municipality to purchase goods through a state or local cooperative purchasing program. HGAC is such a program, and the purchase meets the competitive bidding requirements. HGAC Contract # SW04-20

FUNDING/FISCAL IMPACT

Funds for the purchase are to be provided by the Fleet Replacement Fund and total $622,020.00

STAFF RECOMMENDATION

Staff recommends the purchase of these Street Sweepers.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. Street Sweepers Resolution
2. CO-OP Street Sweepers Budget vs Actual
3. Pricing Worksheet Dulevo Sweepers
4. Street Sweepers Presentation

RESOLUTION NO _____

A RESOLUTION OF THE CITY OF ABILENE, TEXAS

TO PURCHASE TWO STREET SWEEPERS FOR STORMWATER SERVICES FROM PANNELL INDUSTRIES II FROM ESTIMATION 051121 THROUGH HGAC

WHEREAS, City of Abilene's Stormwater Services has a need for two Street Sweepers; and

WHEREAS, City of Abilene received pricing to purchase two Street Sweepers through HGAC cooperative contract number SW04-20; and

WHEREAS, Each unit is to be a 2021 Dulevo 6000; and

WHEREAS, Pannell Industries II – Dallas is the HGAC approved vendor for the Dulevo Street Sweepers

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That the City Council approves this purchase from Pannell Industries II – Dallas in the amount of Six Hundred Twenty Two Thousand Hundred Twenty Dollars and No Cents ($622,020.00) for two complete Street Sweepers.

PART 2: That this resolution shall take effect immediately from and after passage

ADOPTED this 27th day May, 2021

ATTEST:

_____ _____

Shawna Atkinson, City Secretary Anthony Williams, Mayor

APPROVED:

_____

Stanley Smith, City Attorney

BUDGET vs ACTUAL COSTS
Street Sweepers

Repl For Unit #	Division #	Division Name	Type Equipment	Budgeted Cost	Actual Cost	Budgeted vs Actual Variance	
NBI	5960	Stormwater Services	Street Sweeper	$0.00	$311,010.00	$311,010.00	
NBI	5960	Stormwater Services	Street Sweeper	$0.00	$311,010.00	$311,010.00	
						$622,020.00	Over Budget

PANNELL INDUSTRIES II

4361 CEDAR LAKE DR
DALLAS, TX 75227
TEL (214) 388-9999 FAX (214) 388-9998

Estimation **051121**

Quote / Estimation

Customer Information

Name: City Of Abiline
Address: 555 Walnut St, Room 207
City: Abilene State: TX **Zip** 79601

Customer Information

Name: Tim Cass
Email: tim.cass@abilenetx.gov
Phone: (325) 676-6070
Mobile: (325) 721-3072

Qty	Item Code	Description	Unit Price	TOTAL
2	095016000A	**Dulevo 6000 TIER 4 FTP - IVECO Engine**	$215,050.00	$430,100.00
2	6000K.09.21	**Equipment MAXI** Hydraulic Dumping up to **90 In** 180° Right Hand/Left hand front extendable brush unit and upgraded front brush motor Water Sprinkling System for side brushes (129 Gal Water tank) Water Sprinkling Extension for front extendable brush unit Suction System with Ø 5,9 In hose Additional Vortex pre-filter for endothermic engine	$31,800.00	$63,600.00
2	2 - 6000T.01.10	Stone Guard for front bush	$750.00	$1,500.00
2	3 - 6000T.01.12	Third Brush Reinforcement	$5,390.00	$10,780.00
2	6000T.06.17	Electrically Controlled and Heated mirrors	$730.00	$1,460.00
2	6000T.13.32	Cabin Protection Cage	$3,000.00	$6,000.00
2	6000T.13.15	360° Camera	$4,580.00	$9,160.00
2	6000T.02.07	High Pressure Washing System with gun and reel 433 In hose	$5,990.00	$11,980.00
2	300T.80.00	Centralized Manual Greasing System without pump	$4,500.00	$9,000.00
2		High Visibility Arrow Warning sign	$1,500.00	$3,000.00
2	6020046SHA	Rear Bumper	$3,750.00	$7,500.00
2	6000T.21.19	DULEVO TELEMATIC	$2,600.00	$5,200.00
2	6000.Tank	Water Tank with Herbicides	$3,800.00	$7,600.00
2	6000.SMQ	Weed Brush	$730.00	$1,460.00
2	DZ200.13.35	Extended up to 5 years of warranty or 6500 hours	$16,500.00	$33,000.00
2	DELIV.FEE	Freight Italy - Dallas, TX	$10,000.00	$20,000.00
2	6000.50.10	Wax Film for sea freight	$340.00	$680.00
			SubTotal	$622,020.00
			Texas Tax	$0.00
			TOTAL	$622,020.00

Payment Details

- ◯ Check / Wire Transfer
- ◯ Cash
- ◯ Credit Card

Approval

Date: 5/12/2021
Order No:
Sales Rep: T. Pannell

Notes / Remarks

HGAC Contract Number: SW04-20 Sweeping Equipment
No title or license fees are included in this quote
Lead Time: 8 - 10 weeks

City Council Meeting

May 27, 2021

CITY OF
ABILENE
TEXAS

Street Sweepers

- Two Dulevo 6000 Street Sweepers for Stormwater Services
- New Budget Items
- Units to be 2021 Dulevo 6000
- HGAC Contract # SW04-20

DULEVO
INTERNATIONAL
6000
REVOLUTION

City Council
Agenda Memo

City Council Meeting Date: 5/27/2021

TO: **Robert Hanna, City Manager**

FROM: **Mike Warrix, Director**

SUBJECT: **15. Ordinance (First Reading) Z-2021-09: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Bethany and Kaden Connell to Rezone Properties Located at 1802 and 1810 Huckleberry Lane from Residential Single-Family (RS-6) to Agricultural Open Space (AO). *(Mike Warrix)***

GENERAL INFORMATION

The request is to rezone two vacant parcels comprising 6.58 acres from Single Family Residential (RS-6) to Agricultural Open Space (AO). Based upon the information provided in the application, the purpose of this request is to allow the use of the property for quartering livestock and construction of livestock shelters.

SPECIAL CONSIDERATIONS

None

FUNDING/FISCAL IMPACT

None

STAFF RECOMMENDATION

Approval

BOARD OR COMMISSION RECOMMENDATION

At its May 4, 2021 meeting, the Planning and Zoning Commission voted 6-0 to recommend approval to City Council.

ATTACHMENTS:

1. Z-2021-09 draft ordinance
2. Z-2021-09 Council Staff Report
3. Z-2021-09 Application
4. Z-2021-09 Council presentation

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING THE, "LAND DEVELOPMENT CODE" OF THE ABILENE CITY CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That Chapter 2 (Zoning Regulations) of the Land Development Code of the City of Abilene, is hereby amended by changing the zoning district boundaries as set out in Exhibit A, attached hereto and made a part of this ordinance for all purposes.

PART 2: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars ($500.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PART 3: That the Planning Director be, and is hereby authorized and directed to change the official Zoning Map of the City of Abilene to correctly reflect the amendments thereto.

PASSED ON FIRST READING the 27th day of May, 2021.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 17th day of April, 2021, the same being more than fifteen (15) days prior to a public hearing held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m. on the 10th day of June, 2021, to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON FINAL READING THIS 10th day of June, 2021.

ATTEST:

_____ _____

CITY SECRETARY MAYOR

APPROVED:

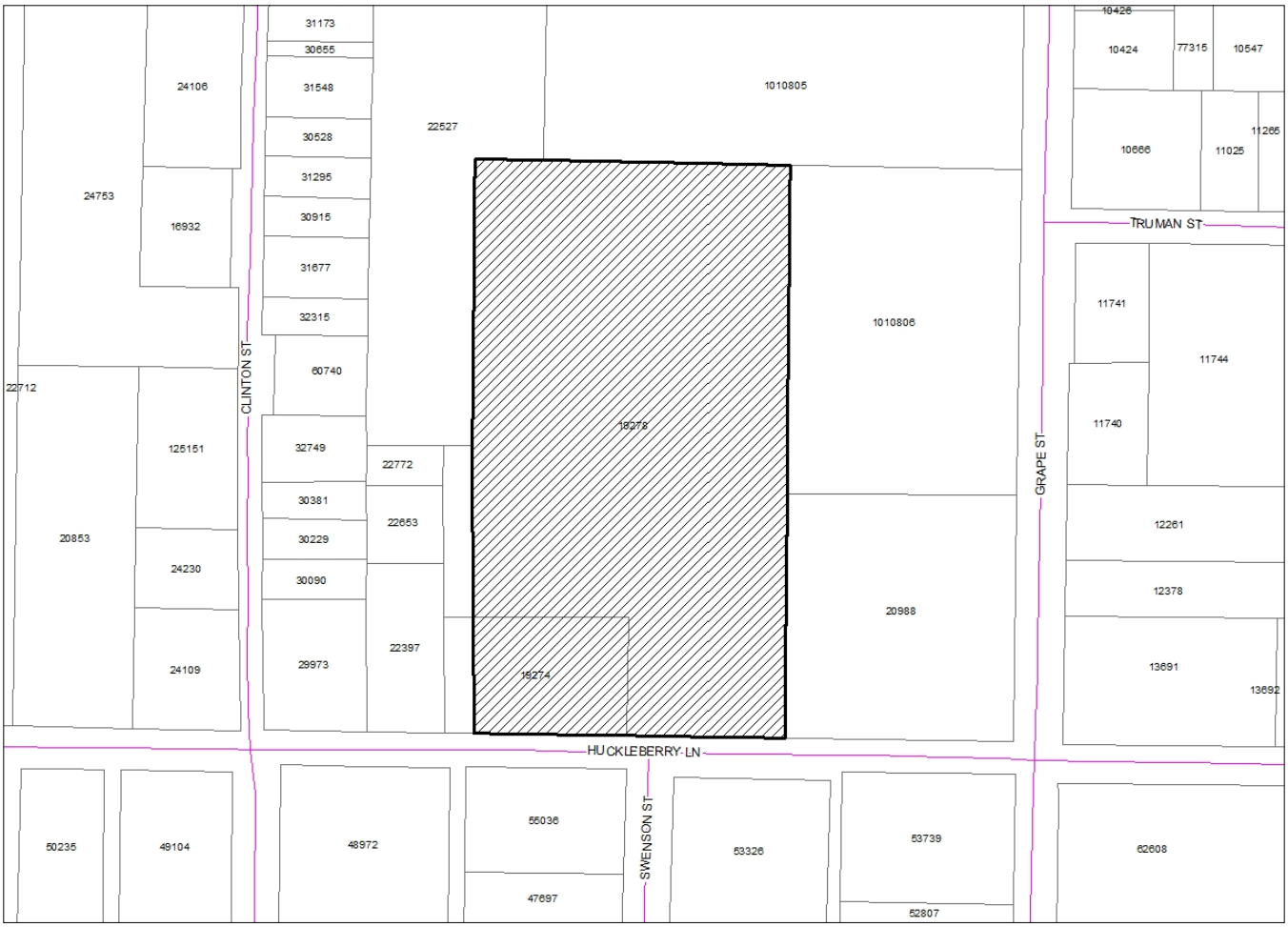
_____

CITY ATTORNEY

EXHIBIT A

Change the zoning classification of the following described tract, from Residential Single-Family District (RS-6) to Agricultural Open Space (AO).

Legal description being approximately 6.89 acres out of L. Bowerman Survey 83 in Abilene, Taylor County, Texas.



-END-

ZONING CASE Z-2021-09
STAFF REPORT

Scheduled Hearings
Planning & Zoning Commission: May 4, 2021
City Council 1st Reading: May 27, 2021
City Council 2nd Reading: June 10, 2021

Applicant
Owner: Kaden and Bethany Connell

Request
Rezone two parcels comprising approximately 6.89 acres of vacant land, from Single-Family Residential (RS-6) to Agricultural Open Space (AO). Based upon the information provided in the application, the purpose of this request is to allow the use of the property for quartering a small amount of livestock and construction of livestock shelter(s).

Location
The subject properties are located at 1802 and1810 Huckleberry Lane, approximately 300-700 feet west of Grape Street. The properties are bound to the south by Huckleberry Lane; to the west by vacant property zoned for Mobile Homes (MH); to the north by a vacant lot utilized as a regional detention pond for the City of Abilene; and to the east by a City of Abilene Fire Station as well as a single-family residence.

Background
The subject property was annexed in 1963, and was zoned Single-Family Residential (RS-6) since 1974. One single-family residence was located at 1810 Huckleberry Lane, which existed prior to annexation. In December 2019, this existing residence was condemned by the City of Abilene and in January 2020, a demolition permit was issued for the removal of this residence. The two subject properties have remained vacant since this time. The proposed use of the subject properties is an animal lot as defined in Section 5.1.1.3 of the Land Development Code. This use is not permitted under the current Single-Family (RS-6) Zoning. If the property is rezoned to Agricultural Open Space up to thirteen (13) animals may be quartered on the property subject to the criteria outlined in Section 2.4.3.3 of the Land Development Code.

Zoning and Existing Land Use
Current zoning and existing land use of properties adjacent to and in the subject property's immediate area are illustrated on the map included in this report. As indicated on the map, adjacent zoning consists of vacant Single-Family (RS-6) and Mobile Home (MH) tracts directly north; to the east are two Single-Family (RS-6) tracts, one occupied by a fire station and the other occupied by a single family home; immediately west are vacant Mobile Home (MH) tracts; on the opposite side of Huckleberry Lane are Single-Family (RS-6) tracts that are occupied by single-family residences.

Criteria Assessment
Section 1.4.1.4 of the Land Development Code states that, in making a determination regarding a requested zoning change, the Planning and Zoning Commission and the City Council may consider the following factors:

(1) Whether the proposed zoning map amendment implements the policies of the adopted Comprehensive Plan, including the land use classification of the property on the Future Land use and Development Plan Map, as amended;

It is the opinion of staff that the proposed zoning map amendment will serve to implement the goals, objectives, and policies of the Comprehensive Plan, and Future Land Use and Development Plan Map. The Future Land Use and Development Plan Map identifies the subject property to be in the restricted open space just north of Interstate Highway-20, and surrounded by properties located within the 100-year and 500-year flood plain. Agricultural Open Space zoning is often used to preserve open space by requiring a minimum lot size of five (5) acres or more. This ability to preserve open space within the City Limits of Abilene facilitates the Comprehensive Plan's objective of preserving natural resources by providing habitat for a wide range of animals and plants found in the region.

(2) Whether the uses permitted by the proposed change in zoning classification and the standards applicable to such uses will be appropriate in the immediate area of the land to be reclassified.

It is the opinion of staff that the uses permitted by the proposed zone change are consistent with the surrounding properties in the immediate vicinity, which are primarily residential but mostly vacant due to the FEMA flood models and restrictions on building in those areas. Furthermore, there are existing properties located along Huckleberry Lane less than one-quarter mile west of the subject properties which are currently zoned Agricultural Open Space (AO) and are presently utilized for quartering livestock.

(3) Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other public services and utilities to the area.

The subject properties currently have access to existing utilities and public amenities adequate for the proposed uses. This request presents no apparent conflicts with existing or proposed plans for community facilities and related infrastructure.

(4) Any other factors, which will substantially affect the public health, safety, morals, or general welfare.

It is the opinion of staff that no other factors are present that would substantially affect the public health, safety, morals, or general welfare.

Staff Recommendation
Staff recommends approval.

Planning and Zoning Commission Action
At the May 4, 2021 meeting, the Planning and Zoning Commission voted 6-0 to recommend approval to City Council.

Notification

Pursuant to Section 1.2.2.2 of the Land Development Code, staff mailed personal notices on April 20, 2021 (via certified mail) to the applicant and other property owners within a 200-foot radius of the subject property. These property owners and associated parcel identification numbers are identified in Table 1.

TABLE 1

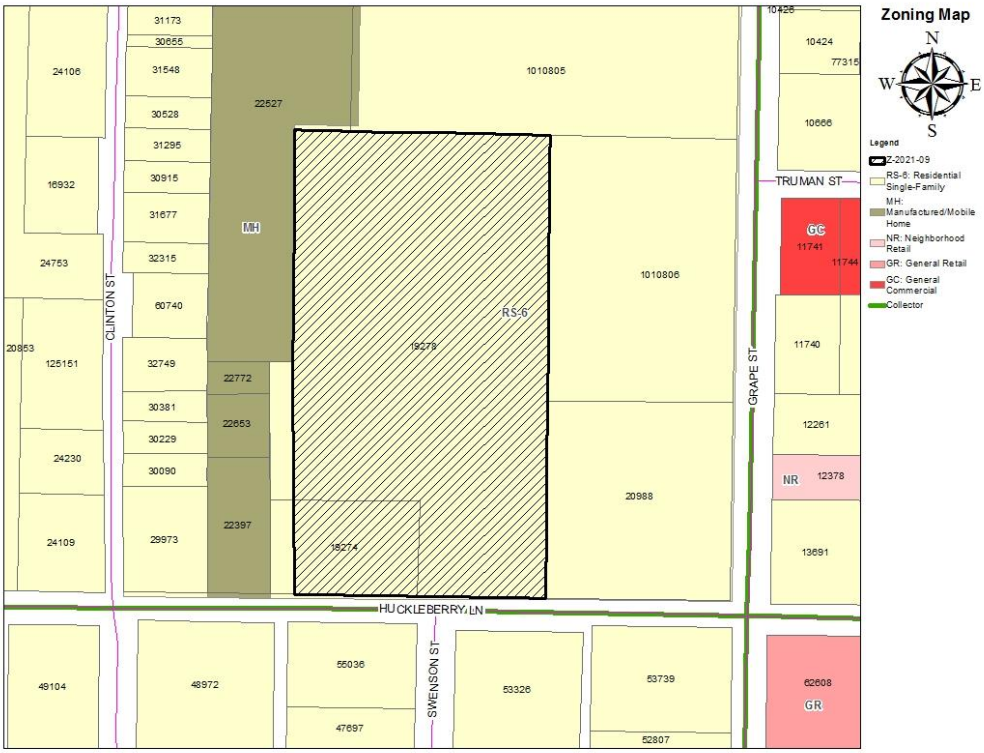
Owner	Property ID	Response
CARNEVALI ALEX A &	22772	
CITY OF ABILENE	1010806	
CITY OF ABILENE	1010805	
CONNELL KADEN & BETHANY	19274	
CONNELL KADEN & BETHANY	19278	In Favor
DAVILA HENRY JR	31677	
ESTES RENTALS LLC	31548	
JEFFERSON MICHAEL & PAULA	53326	In Favor
JONES EVELYN DIANN	32749	
LEIJA DAVID & SYLVIA	48972	
LOPEZ ERLINDA	30655	
LOPEZ ERLINDA	31173	
LOZANO JUAN M	32315	
MARTINEZ LLOLANDA	29973	
PULIDO LUIS SOTELO	53739	
RODRIQUEZ SANTIAGO JR & REBECCA J	47697	
RODRIQUEZ SANTIAGO JR & REBECCA J	55036	
ROOS KELLY RENE ET AL	22527	
TAYLOR MAXIE DWIGHT	22653	
TOMAZ SYLVIA ET AL	30528	
TOMAZ SYLVIA ET AL	31295	
TOMAZ SYLVIA ET AL	30915	
TORRES CHAVARRIA JOSE ANGEL &	20988	
VALADEZ ESTELLA	60740	
VELASQUEZ ROBERT V & ALICIA R	30381	
VELASQUEZ TONY & SUZANNA	30229	
VELASQUEZ TONY & SUZANNA	30090	
WALTON CHRISTOPHER & LAURA	22397	

Attachments

Application
PowerPoint Presentation

LOCATION MAP

ZONING MAP



CASE #: Z-2021-09

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also email your position to the email address listed below. All correspondence must include your name and address.

Name: CONNELL KADEN & BETHANY
Parcel I.D.: 19278
Address: 1802 HUCKLEBERRY LN

Mailing To: Planning and Development Services
P.O. Box 60, Abilene TX 79604-0060

Email: planning@abilenetx.gov

I am in favor ☒ I am opposed ☐

Additional Comments:

Signature: Bethany Connell

Watts, Nick <nick.watts@abilenetx.gov>

[Planning] Zone Change Case #Z-2021-09

1 message

'PLDBJ' via Planning Services <planning@abilenetx.gov> Mon, May 3, 2021 at 6:12 PM
Reply-To: PLDBJ <luvztaz@yahoo.com>
To: "planning@abilenetx.gov" <planning@abilenetx.gov>

I am in favor.

Jefferson Michael and Paula
1733 Huckleberry Lane

--
You received this message because you are subscribed to the Google Groups "Planning Services" group.
To unsubscribe from this group and stop receiving emails from it, send an email to planning+unsubscribe@abilenetx.gov.
To view this discussion on the web visit https://groups.google.com/a/abilenetx.gov/d/msgid/planning/790243042.54130.1620083544412%40mail.yahoo.com.

Development Application

CITY OF ABILENE

Planning

☐ Conditional Use ☐ Easement Release ☒ Rezoning ☐ Other
☐ PDD ☐ Street Name Change ☐ Thoroughfare Abandonment ☐ PDD Amendment
Other: _____

Project Name: Connell Land

Address: 1802 Huckleberry LN, 1810 Huckleberry LN Abilene TX 79603 No. of lots: 2 Acreage: 6.58

Legal Description: _____

Subdivision Name: L Bowerman Sec 83 Block: A Lot: 1

Current Zoning: Single Residential (RS) Proposed Zoning (if applicable): Agricultural Open (AO)

OWNER AND AUTHORIZATION

Owner Name: Kaden and Bethany Connell

Address: 1025 S 15th

City, State, Zip: Abilene TX 79602 Fax: _____

Phone: 325-660-2215 325-660-0378 Email: KadenleeC@Gmail.com Bmc10b@gmail.com

I am the property owner, and I certify that the information included in this application is true to the best of my knowledge. (Name) Kaden Connell *will act as my agent before the Planning and Zoning Commission.*

Agent Name: Kaden Connell

Address: 1025 S 15th

City, State, Zip: Abilene TX 79602 Fax: _____

Phone: 325-660-0378 Email: KadenleeC@gmail.com

I hereby certify that I am the owner of the property and further certify that the information provided on this development application is true and correct. I hereby designate the aforementioned agent to act on my behalf for submittal, processing, representation, and/or presentation of this development application. The designated agent shall be the principal contact person for responding to all requests for information and for resolving all issues of concern relative to this application.

Signature Owner: Kaden Connell Bethany Connell Date: 3/28/2021

FOR OFFICE USE ONLY

Received: 03/31/2021 Fee: $ 1500 Receipt No.: 0002095592

Case No.: Z-2021-09 Reviewed By: _____

Development Application

CITY OF ABILENE

Please answer the following question in order to assist Staff with the processing of your Zoning request.

1. Please (if necessary) provide background information for the zoning request and explain why you feel it is appropriate.

This property at 1810 and 1802 Huckleberry has been untouched and undeveloped for years. The new owners (Kaden and Bethany Connell) have already cleaned and fenced in the property since purchasing it six months ago. The property neighbors a fire station and city parkway, we are lifelong Abilene residents and aim to improve the area. The reason for the zoning request is to allow for a small amount of livestock on the property to help maintain control of the vegetation. By submitting this we hope to meet city ordinances and obtain permits for further development. *Per applicant, they intend to construct a barndominium, as well as other structures to house animals.

*Spoke with Mr. Connell over the phone regarding plans for future building permits. (4/20/2021)

all of the following described tract:

BEING 5.89 acres out of the L. Bowerman Survey No. 83, City of Abilene, Taylor County, Texas, said 5.89 acres being part of Tracts 1 and 2 and all of Tract 3 recorded in Volume 2511, Page 815, Official Public Records, Taylor County, Texas and being more particularly described as follows:

BEGINNING at a 1/2" rebar found at the northeast corner of said Tract 1 and the northwest corner of Lot 2, Block A, Grape Street Fire Station Addition, as shown by plat recorded in Cabinet 4, Slide 287, Plat Records, Taylor County, Texas for the northeast corner of this tract;

THENCE S0°30'20"W 409.91 feet to a 1" iron rod found on the EBL of said Tract 1 at the southwest corner of said Lot 2;

THENCE S0°30'20"W 305.23 feet to a 3/8" rebar set on the NBL of Huckleberry Lane (40 foot right-of-way) at the southeast corner of said Tract 1 for the southeast corner of this tract;

THENCE N89°25'04"W 204.34 feet along the NBL of Huckleberry Lane to a 3/8" rebar set on the SBL of said Tract 1 for the most southerly southwest corner of this tract;

THENCE N0°30'20"E 150.0 feet to a 3/8" rebar set for an interior corner of this tract;

THENCE N89°25'04"W 200.0 feet to a 3/8" rebar set on the WBL of said Tract 2 for the most westerly southwest corner of this tract;

THENCE N0°30'20"E 569.0 feet to a point at the northwest corner of said Tract 3 for the northwest corner of this tract, whence an existing 4" wood fence corner post bears N0°30'20"E 1.8 feet;

THENCE S88°51'45"E 399.94 feet along the NBL of said Tract 3 and Tract 1 to the place of beginning and containing 5.89 acres of land.

plus

the south 150' of the west 200' of the combination of the following two tracts:

TRACT ONE:

Being 5 acres of land more or less out of the L. Bowerman Survey No. 83, situated in Taylor County, Texas, more particularly described as follows:

Beginning at a point in the South boundary line of Survey, 103 yards West of the SE corner of a 42 acre tract of land described in Deed recorded in Volume 135, Page 269, Deed Records, Taylor County, Texas, to which reference is made, same being the SW corner of a 10 1/3 acre tract theretofore conveyed to J.I. Moore by R.E. Davis by deed recorded in Volume 138, Page 160, Deed Records of Taylor County, Texas;

THENCE North with the West boundary line of said 10 1/3 acre tract and parallel with the East boundary line of said 42 acre tract to a point in the North boundary line of said 42 acre tract, the NW corner of said 10 1/3 acre tract and NE corner of this tract;

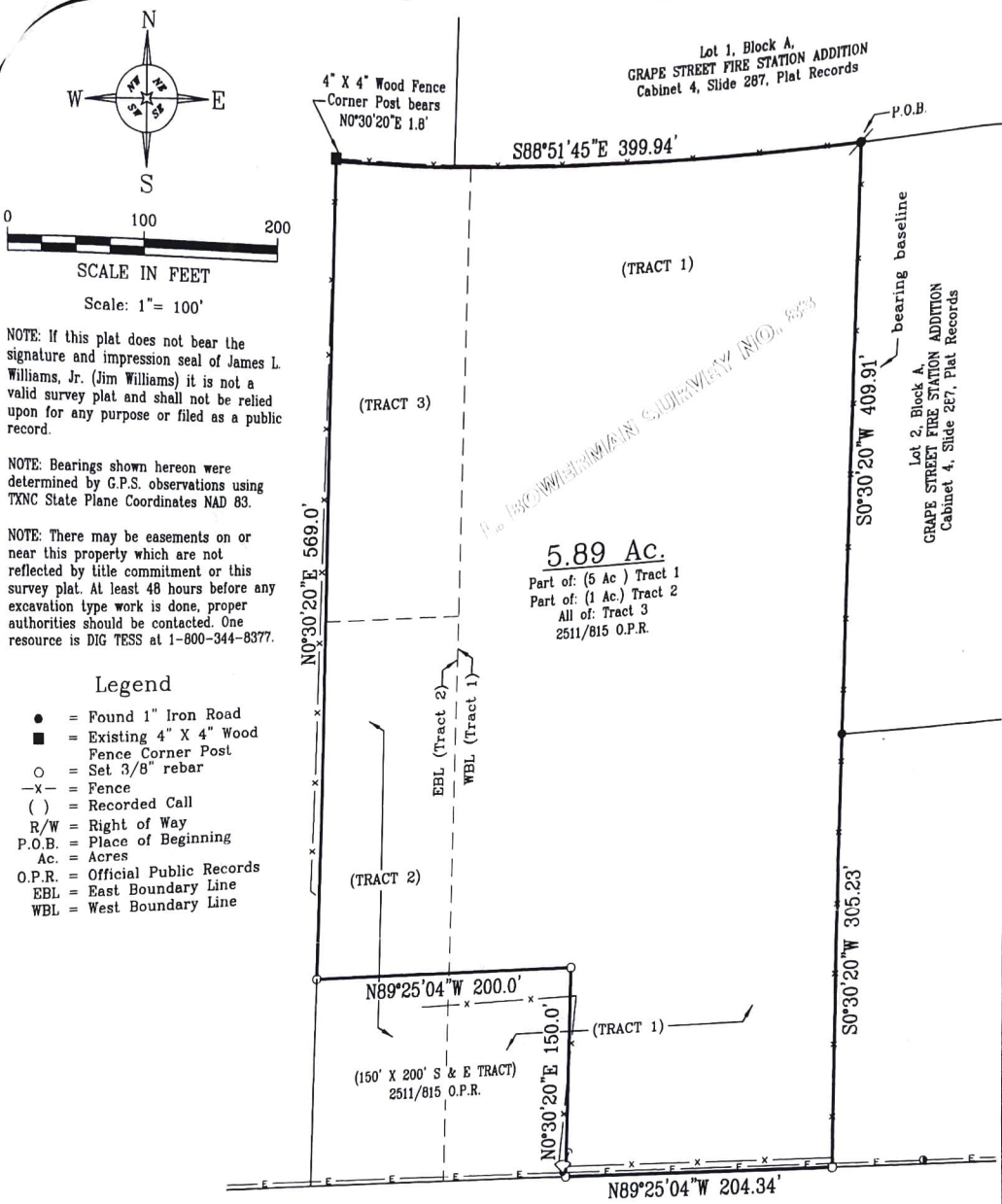
THENCE West with the North boundary line of said 42 acre tract 100 yards for NW corner of this tract;

THENCE South parallel with the East boundary line of said 42 acre tract to a point in the South boundary line of said tract and SW corner of this tract;

THENCE East with South boundary line of said 42 acre tract 100 yards to the place of beginning, containing 10 acres of land, the South 5 acres of which is hereby conveyed.

TRACT TWO:

Being a 1 acre tract out of the L. Bowerman Survey No. 83, Taylor County, Texas, described by metes and bounds in a Warranty Deed dated July 24, 1936, from E.J. Mackey and wife, Lillie Mackey, and recorded in Volume 268, Page 435, Deed Records of Taylor County, Texas, to which deed reference is here made for a metes and bounds description of the same.



NOTE: If this plat does not bear the signature and impression seal of James L. Williams, Jr. (Jim Williams) it is not a valid survey plat and shall not be relied upon for any purpose or filed as a public record.

NOTE: Bearings shown hereon were determined by G.P.S. observations using TXNC State Plane Coordinates NAD 83.

NOTE: There may be easements on or near this property which are not reflected by title commitment or this survey plat. At least 48 hours before any excavation type work is done, proper authorities should be contacted. One resource is DIG TESS at 1-800-344-8377.

Legend

- ● = Found 1" Iron Road
- ■ = Existing 4" X 4" Wood Fence Corner Post
- ○ = Set 3/8" rebar
- —x— = Fence
- ( ) = Recorded Call
- R/W = Right of Way
- P.O.B. = Place of Beginning
- Ac. = Acres
- O.P.R. = Official Public Records
- EBL = East Boundary Line
- WBL = West Boundary Line

Kaden Connell and
Bethany Connell
1802 Huckleberry Lane
Abilene, Texas 79603
GF No. 201074M

STATE OF TEXAS REGISTERED JAMES L. WILLIAMS, JR. 4885 PROFESSIONAL LAND SURVEYOR

I hereby certify to Kaden Connell, Bethany Connell and First Texas Title Company, the above to be a correct plat of 5.89 acres out of the L. Bowerman Survey No. 83, City of Abilene, Taylor County, Texas, said 5.89 acres being part of Tracts 1 and 2 and all of Tract 3 recorded in Volume 2511, Page 815, Official Public Records, Taylor County, Texas and being more particularly described by attached field notes.

SEE ATTACHED FIELD NOTES.

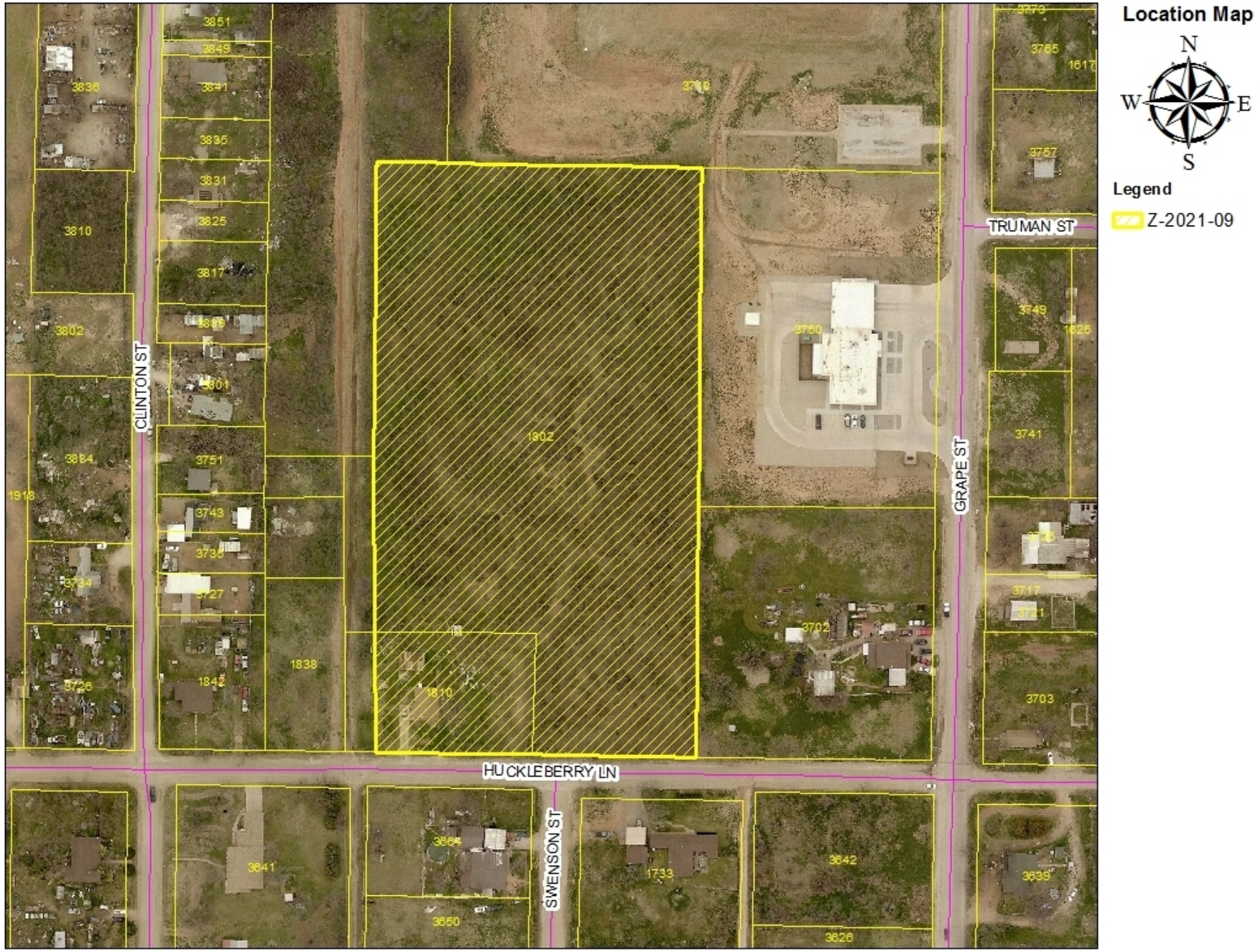
Surveyed on the ground June 17, 2020.

There are no visible or apparent protrusions or overlapping of improvements upon or off this property other than shown. (Fences are not entirely upon property lines.)

GEOTEX PROPERTY SOLUTIONS 209 S. Pioneer Drive, Suite 2 Abilene, Texas 79605 325-677-6712 Firm Registration No. 10194134	File No: 70-05-20 Copy 4 of 6 File Name: 1802 Huckleberry Lane Location:D:\ABILENE\2020\1802Huckleberry Geotex Property Solutions Drawn by: © 2020 All Rights Reserved RL	James L. Williams, Jr. RPLS #4885

Case: Z-2021-09
Owner: Bethany and Kaden Connell
Request: Rezone from Residential Single-Family (RS-6) to Agricultural Open Space (AO)
Location: 1802 & 1810 Huckleberry Lane
Notification: 2 in Favor, 0 Opposed
Planning & Zoning Recommendation: Approval

Z-2021-09 LOCATION MAP



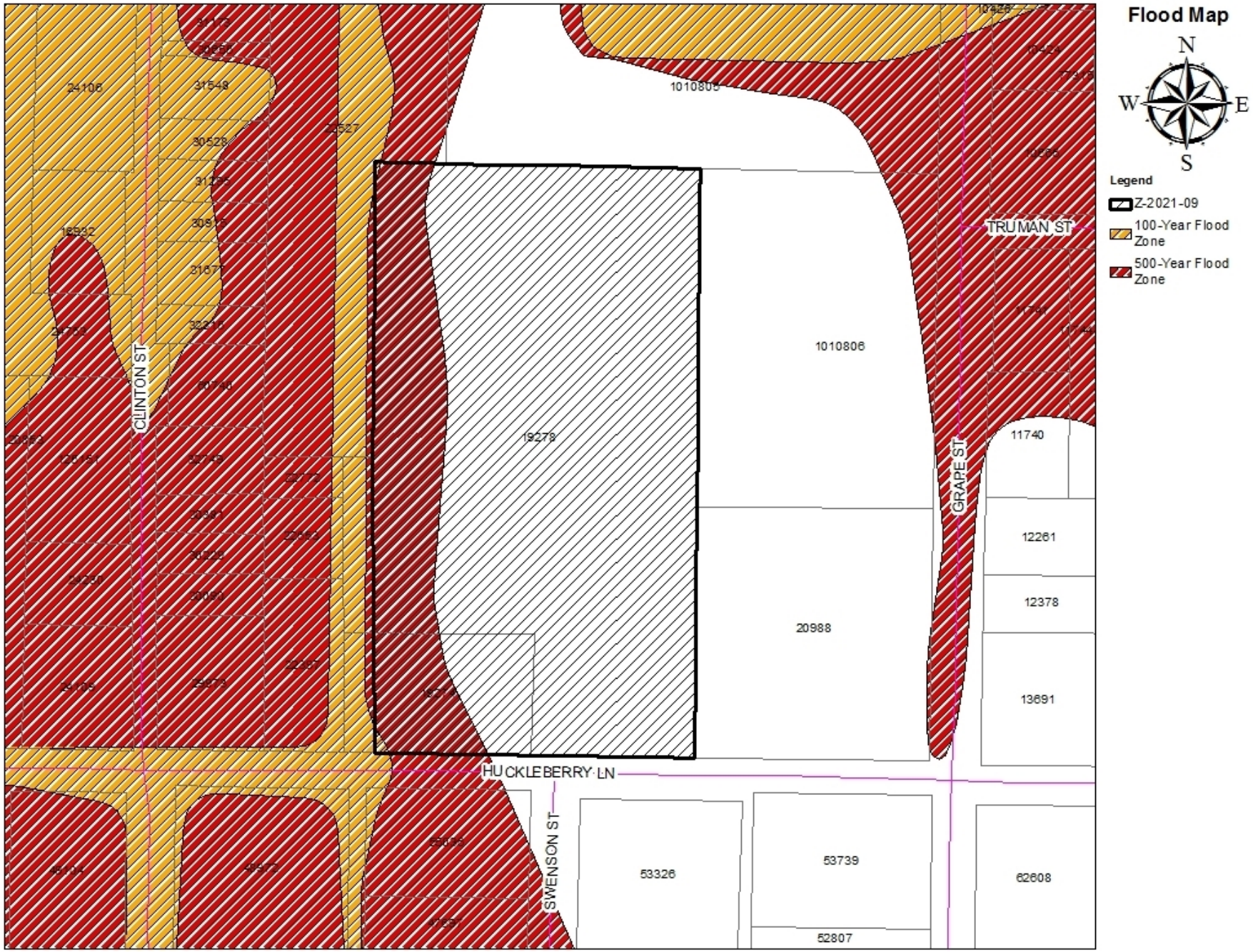
Location Map

N
W E
S

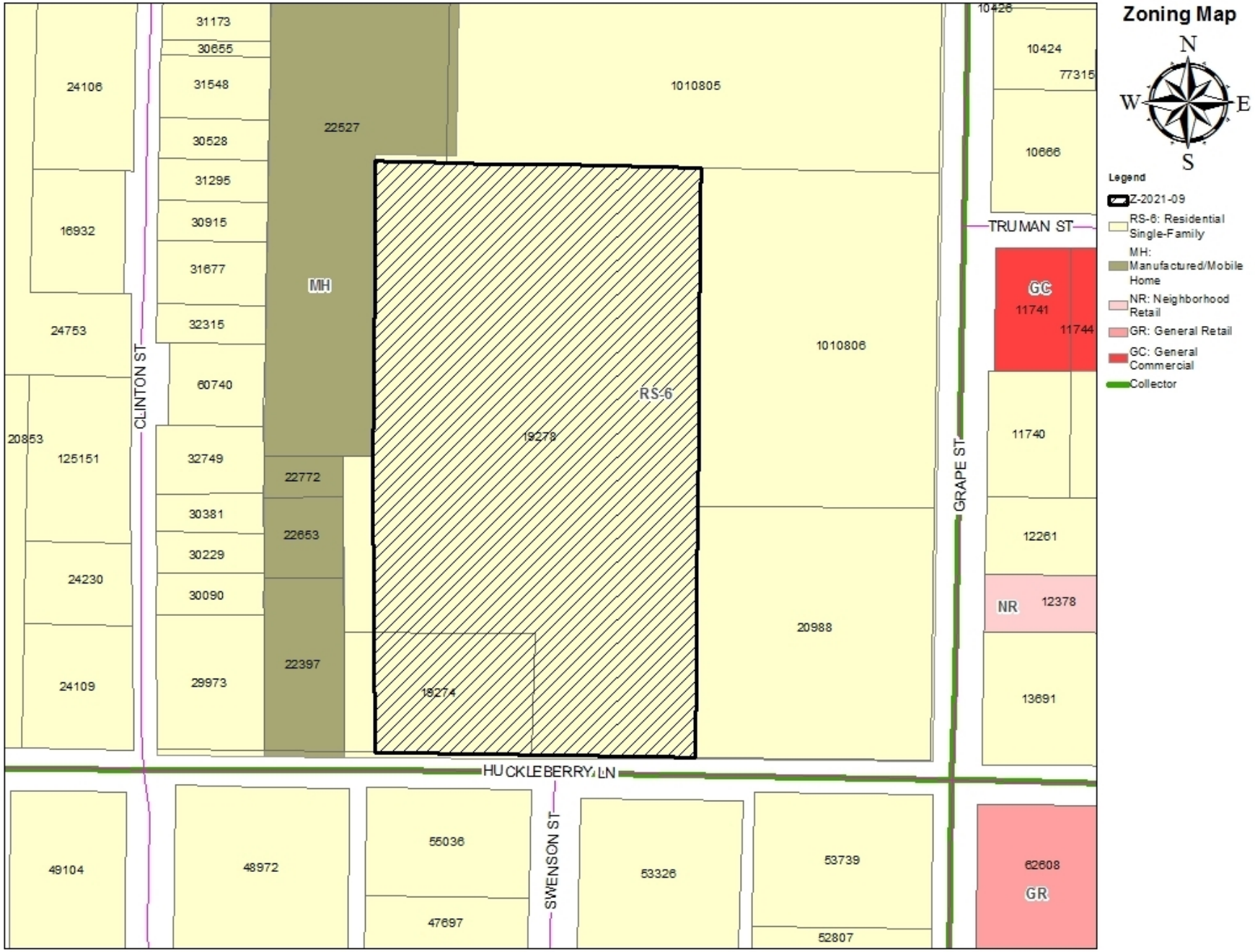
Legend

Z-2021-09

Z-2021-09 FLOOD MAP



Z-2021-09 ZONING MAP



AGRICULTURAL OPEN SPACE (AO) PERMITTED USES

RESIDENTAL USES:

C Bed & Breakfast
P Dwelling– Industrialized Housing Unit
P Dwelling – Single-Family Detached
C Vacation Travel Trailer Park

ACCESSORY AND INCIDENTAL USES:

P Accessory Structure (Also see Division 4 of this article)
P Antenna, Non-Commercial/Amateur
P Animal Lot
P Day Care Operation – Home-Based
P Dwelling – Accessory
TP Field Office or Construction Office (temporary)
P Garage Sale
P Home Occupation
C Mobile Home (permanent security residence)
C Mobile Home (temporary security residence)
TP Subdivision Sales Office (temporary)
P Swimming Pool, Private (accessory to residential use)
P Tennis Court, Private (accessory to residential use)

CULTURAL AND RECREATIONAL USES:

p Civic, Social, and Fraternal Organization
P Fairgrounds/Rodeo
C Motorized Racing
C Recreation – Outdoors (active)
P Recreation – Outdoors (passive)
P Zoo

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

P Community Home
C Correction, Detention, or Penal Facilities
P Fire/Police Station
C Military and Armed Forces Reserve Center
C Sanitary Landfill

EDUCATIONAL AND RELIGIOUS USES:

C Cemetery, Crematorium, and Mausoleum
P Church or Place of Worship
P School: Public/Private

SERVICE

C Kennel (with outdoor pens)
P Kennel (without outdoor pens)
P Veterinary Service (all size animals)

TRADE – RETAIL USES

C Liquor Store (on premises consumption) (Defined under Liquor Store)

TRANSPORTATION, COMMUNICATION AND UTILITIES:

C Airport, Heliport and Flying Field Terminals – Commercial
C Antenna Tower – Commercial
P Public Utility Facility
C Utility Generation, Production, Treatment

RESOURCE PRODUCTION AND EXTRACTION USES:

P Farming, Ranching & Livestock, Hatchery
C Mining
C Petroleum or Gas Well

Z-2021-09 VIEWS OF SUBJECT & ADJACENT PROPERTIES

Subject Property

Subject Property

Neighboring Property (west)

Neighboring Property (south)

Z-2021-09 NOTIFICATION AREA MAP

Notification Map

N
W E
S

Legend

200' Notification Area

Z-2021-09

2- In Favor-

0- Opposed-

Percent Opposition: 0%

FINDINGS AND RECOMMENDATIONS

- Consistent with *Comprehensive Plan* and *Future Land Use* and *Development Plan Map*
- Reviewed Pursuant to Section 1.4.1.4 of Land Development Code (Criteria for Approval)
- Staff Recommendation: Approval
- Planning & Zoning Recommendation: Approval

Questions?

City Council
Agenda Memo

City Council Meeting Date: 5/27/2021

TO: **Robert Hanna, City Manager**

FROM: **Mike Warrix, Director**

SUBJECT: **16. Ordinance (First Reading) Z-2021-10: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Sitzes APB LP, Agent Enprotec/Hibbs & Todd Inc., to Change Zoning from Heavy Industrial (HI) to Heavy Commercial (HC) District and Located at 2249 Butternut Street, on the Northeast Corner of Butternut and South 23rd Streets. *(Mike Warrix)***

GENERAL INFORMATION

Request to rezone a one acre parcel located at 2249 Butternut Street from Heavy Industrial (HI) to Heavy Commercial (HC).

SPECIAL CONSIDERATIONS

None

FUNDING/FISCAL IMPACT

None

STAFF RECOMMENDATION

Approval

BOARD OR COMMISSION RECOMMENDATION

At its May 4, 2021 meeting, the Planning and Zoning Commission voted 6-0 to recommend approval of this request to City Council.

ATTACHMENTS:

1. Z-2021-10 draft ordinance
2. Z-2021-10 Council Staff Report
3. Z-2021-10 Application
4. Z-2021-10 Council presentation

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING THE, "LAND DEVELOPMENT CODE" OF THE ABILENE CITY CODE, BY CHANGING THE ZONING DISTRICT BOUNDARIES AFFECTING CERTAIN PROPERTIES; CALLING A PUBLIC HEARING; PROVIDING A PENALTY AND AN EFFECTIVE DATE.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That Chapter 2 (Zoning Regulations) of the Land Development Code of the City of Abilene, is hereby amended by changing the zoning district boundaries as set out in Exhibit A, attached hereto and made a part of this ordinance for all purposes.

PART 2: That any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars ($500.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PART 3: That the Planning Director be, and is hereby authorized and directed to change the official Zoning Map of the City of Abilene to correctly reflect the amendments thereto.

PASSED ON FIRST READING the 27th day of May, 2021.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 17th day of April, 2021, the same being more than fifteen (15) days prior to a public hearing held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m. on the 10th day of June, 2021, to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON FINAL READING THIS 10th day of June, 2021.

ATTEST:

_____ _____

CITY SECRETARY MAYOR

APPROVED:

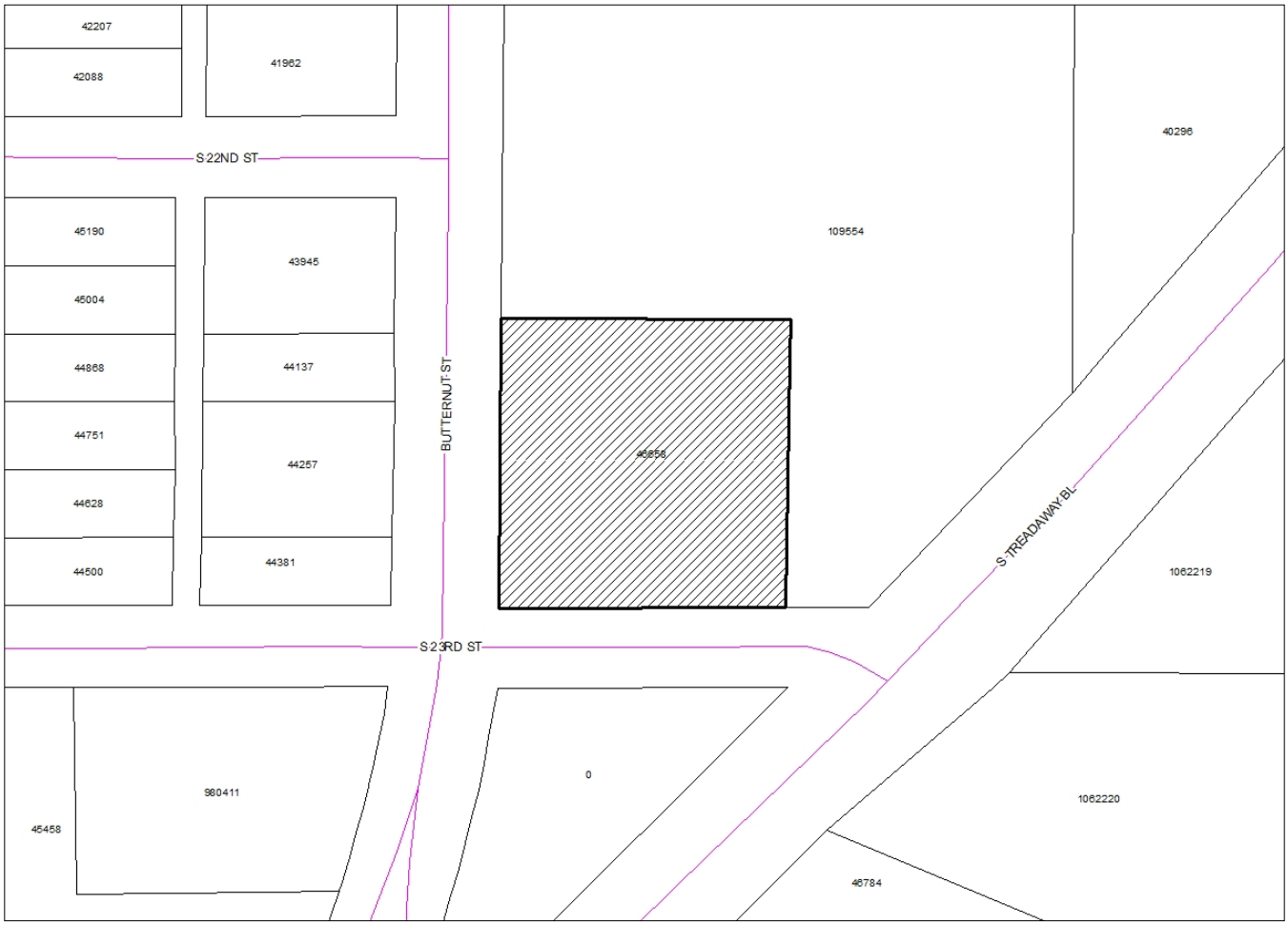
_____

CITY ATTORNEY

EXHIBIT A

Change the zoning classification of the following described tract, from Heavy Industrial (HI) District to a Heavy Commercial (HC) District.

Legal description being: Lot 101 in Sitzes Subdivision of part of Block 22 of the Ellen Bowyer Estate Subdivision, Abilene, Taylor County, Texas.



-END-

ZONING CASE Z-2021-10
STAFF REPORT

Scheduled Hearings
Planning & Zoning Commission: May 4, 2021
City Council 1st Reading: May 27, 2021
City Council 2nd Reading: June 10, 2021

Applicant
Owner: Sitzes APB LP
Agent: David Todd, Enprotec/Hibbs & Todd Inc.

Request
Rezone 1.01 acres from Heavy Industrial (HI) to Heavy Commercial (HC) District.

Location
The subject property is located at 2249 Butternut Street.

Background
The subject property has been zoned Heavy Industrial (HI) since at least 1974. Building inspection files indicate that a "Portable Buildings and Carport" manufacturer and retail-sales business has occupied the subject property since 1976. Based on information provided in the application, the applicant intends to operate a temperature-controlled self-storage facility. The proposed use of "Storage-Self-Service units" as identified in Section 5.1.1.3 of the Land Development Code is not a permitted use in Heavy Industrial (HI) zoning.

Zoning and Existing Land Use
Current zoning and existing land use of properties adjacent to and in the subject property's immediate area are illustrated on the map included in this report. As indicated on the map, adjacent zoning consists of vacant Heavy Industrial (HI) to the south; to the east are two commercial businesses in Heavy Industrial (HI); to the north and west is a large parcel occupied by an interior design and fabrication business in Heavy Industrial (HI).

Criteria Assessment
Section 1.4.1.4 of the Land Development Code states that, in making a determination regarding a requested zoning change, the Planning and Zoning Commission and the City Council may consider the following factors:

(1) Whether the proposed zoning map amendment implements the policies of the adopted Comprehensive Plan, including the land use classification of the property on the Future Land use and Development Plan Map, as amended;

It is the opinion of staff that the proposed zoning map amendment will serve to implement the goals, objectives, and policies of the Comprehensive Plan. The Future Land Use and Development Plan Map classifies the property as commercial. The proposed rezoning will allow for greater commercial uses not generally allowed in industrial zoning districts.

(2) Whether the uses permitted by the proposed change in zoning classification and the standards applicable to such uses will be appropriate in the immediate area of the land to be reclassified.

It is the opinion of staff that the uses permitted by the proposed zone change are consistent with the surrounding properties in the immediate vicinity as this area has slowly transitioned away from more intensive uses (manufacturing) to less intensive uses (retail sales).

(3) Whether the proposed change is in accord with any existing or proposed plans for providing public schools, streets, water supply, sanitary sewers, and other public services and utilities to the area.

The subject property currently has access to existing utilities and public amenities adequate for the proposed uses. This request presents no apparent conflicts with existing or proposed plans for community facilities and related infrastructure.

(4) Any other factors, which will substantially affect the public health, safety, morals, or general welfare.

It is the opinion of staff that no other factors are present that would substantially affect the public health, safety, morals, or general welfare.

Staff Recommendation
City staff recommends approval.

Planning and Zoning Commission Action
At the May 4, 2021 meeting, the Planning and Zoning Commission voted 6-0 to recommend approval to City Council.

Notification
Pursuant to Section 1.2.2.2 of the Land Development Code, staff mailed personal notices on April 20, 2021 (via certified mail) to the applicant and other property owners within a 200-foot radius of the subject property. These property owners and associated property identification numbers are identified in Table 1.

TABLE 1

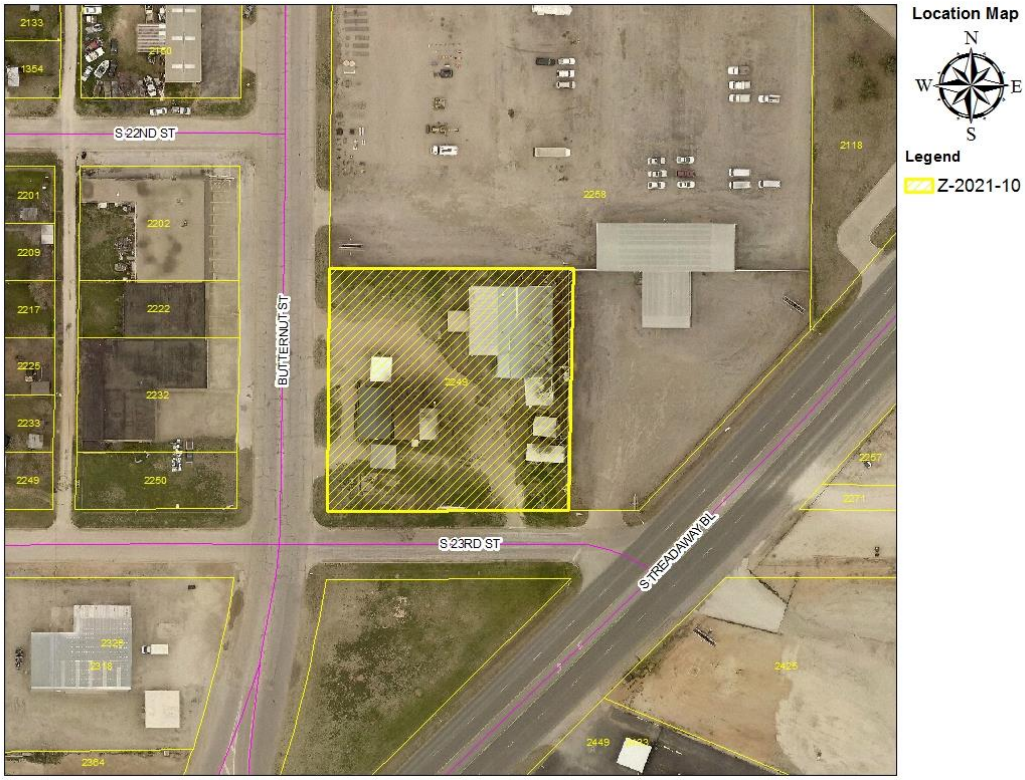
Owner	Property ID	Response
MHS LLC	1062220	
PINNACLE PARTNERS ABILENE LLC	1062219	
CAF REALTY LLC	980411	
HALL PAUL A & DEVEN M	43945	
HIT VENTURES LLC	109554	
PHOENIX COLLISION INC.	41962	
SITZES APB LP	46658	
SITZES STEVEN O	46784	
TRUONG MINH KIEN	44381	In Favor
TRUONG MINH KIEN	44257	
TRUONG MINH KIEN	44137	

Attachments

Application

PowerPoint Presentation

LOCATION MAP



ZONING MAP

For the PLANNING & ZONING COMMISSION
Please call (325) 676-6237 if you have any questions about this notice.

CASE #: Z-2021-10

You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also email your position to the email address listed below. All correspondence must include your name and address.

Name: TRUONG MINH KIEN
Parcel I.D.: 44381
Address: 2250 BUTTERNUT ST

Mailing To: Planning and Development Services
P.O. Box 60, Abilene TX 79604-0060

Email: planning@abilenetx.gov

I am in favor ☑ I am opposed ☐

Additional Comments:

Signature: _____

APR 28 AM 11:18

Development Application

CITY OF ABILENE

Planning

☐ Conditional Use ☐ Easement Release ☒ Rezoning ☐ Other
☐ PDD ☐ Street Name Change ☐ Thoroughfare Abandonment ☐ PDD Amendment
Other: _____

Project Name: Sitzes APB

Address: 2249 Butternut No. of lots: 1 Acreage: 1.0

Legal Description: Sitzes Sub. Block 22, Lot 101

Subdivision Name: Sitzes Sub Block: 22 Lot: 101

Current Zoning: Heavy Industrial Proposed Zoning (if applicable): Heavy Commercial

OWNER AND AUTHORIZATION

Owner Name: Sitzes APB LP

Address: 2433 Butternut

City, State, Zip: Abilene, TX 79602 Fax: _____

Phone: 325-673-7123 Email: steve.sitzes59@gmail.com

I am the property owner, and I certify that the information included in this application is true to the best of my knowledge. (Name) David Todd *will act as my agent before the Planning and Zoning Commission.*

Agent Name: David Todd

Address: 402 Cedar

City, State, Zip: Abilene, TX 79601 Fax: _____

Phone: 325-698-5560 Email: david.todd@e-ht.com

I hereby certify that I am the owner of the property and further certify that the information provided on this development application is true and correct. I hereby designate the aforementioned agent to act on my behalf for submittal, processing, representation, and/or presentation of this development application. The designated agent shall be the principal contact person for responding to all requests for information and for resolving all issues of concern relative to this application.

Signature Owner: _____ Date: 3-30-21

FOR OFFICE USE ONLY

Received: _____ **Fee: $** 1500.00 **Receipt No.:** _____

Case No.: _____ **Reviewed By:** _____

Development Application

Please answer the following question in order to assist Staff with the processing of your Zoning request.

1. Please (if necessary) provide background information for the zoning request and explain why you feel it is appropriate.

2249 Butternut, currently owned by Sitzes APB LP, previously operated as a portable building manufacturer, Abilene Por Portable Buildings, and is zoned Heavy Industrial. The owners are currently seeking to rezone the property to Heavy Commercial in order to construct a temperature-controlled self storage facility.

Development Application

RECOMMENDATIONS

The Planning & Zoning Commission (P&Z) and the City Council look to the Planning & Development Services staff to make a recommendation for the approval or disapproval of this application. We will make every effort to notify you (FAX or E-mail) of our recommendation at least one (1) week in advance of the scheduled meeting of the P&Z Commission. In the case of a rezoning, and when the public interest requires it, we may recommend a rezoning to a Planned Development District (PDD) or a classification other than the classification requested. We will notify you of our decision to propose a PDD as soon as possible after the application is filed to give you time to prepare a site plan.

PUBLIC NOTIFICATION

The public is entitled to examine this application and participate in the decision-making process. In most cases, we are required to notify all property owners within two hundred feet (200') of the boundaries of your property. To ensure the fullest possible consideration, we may also notify neighborhood groups, organizations or individuals that have a special interest in a particular issue. Except for matters that the Planning & Development Services staff have expressly agreed not to disclose (and provided the law allows us to hold the matter in confidence), then all information that we deem relevant to the review and processing of this application may become public knowledge.

PLEASE READ BEFORE SIGNING

The undersigned has read the above application and hereby certifies that the information contained therein is complete, true and correct; and does hereby request that said application be submitted to the Planning & Zoning Commission at the earliest available meeting.

I understand and acknowledge that it is my responsibility to furnish an accurate and precise legal description of the property, and only the property, that is subject of this application, and that failure to furnish such information prior to the application deadline date will delay the processing of this application. I also understand that the City must notify affected property owners of this application. In the event that I fail to submit in a timely manner any information that the City deems necessary to transmit this application to the Planning & Zoning Commission or City Council, then in lieu of dismissal I hereby request that this application be temporarily withdrawn from further consideration until such information is submitted, and I agree to pay a resubmission fee of $120 to reimburse the City for the expense of re-notifying affected property owners. I have been informed of the tentative date and time that the Planning & Zoning Commission and City Council will hear this application, and I understand that hearings may be continued from time to time at the discretion of the Commission or Council to allow for full consideration or when the public interest requires a continuation.

SIGNED: _____ DATE: 5-30-21

Case: Z-2021-10
Owner: Sitzes APB
Agent: Enprotec Hibbs & Todd Inc.
Request: Rezone from Heavy Industrial (HI) to Heavy Commercial (HC)
Location: 2249 Butternut Street
Notification: 1 in Favor, 0 Opposed
Planning & Zoning Recommendation: Approval

Z-2021-10 LOCATION MAP

Location Map

N
W E
S

Legend

Z-2021-10

Z-2021-10 ZONING MAP

HEAVY COMMERCIAL (HC) PERMITTED USES

RESIDENTAL USES:

C	Hotel/Motel

ACCESSORY AND INCIDENTAL USES:

P	Accessory Structure (Also see Division 4 of this article)
P	Antenna, Non-Commercial/Amateur
P	ATM's, Self-Serve Kiosks, and Similar Facilities
P	Drive-Through Facility
TP	Field Office or Construction Office (temporary)
P	Freight Container
P	Fuel Sales
TP	Itinerant Business
P	Manufacturing (incidental)
C	Mobile Home (permanent security residence)
TP	Mobile Home (temporary security residence)
P	Mobile Home or Temporary Building (office for sales and service)
P	Recycling Collection Point
C	Travel Trailers (accessory to hospitals)
P/SE	Wind Energy Conversion Systems

CULTURAL AND RECREATIONAL USES:

C	Adult Entertainment Enterprise
P	Civic, Social, and Fraternal Organization
P	Cultural Facilities
P	Drive-in Theater
C	Motorized Racing
P	Recreation – Outdoors (active)
P	Recreation – Outdoors (passive)
P	Recreation and Commercial Entertainment - Indoor

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

P	Ambulance Service
C	Correction, Detention, or Penal Facilities
P	Fire/Police Station
P	Homeless/Emergency Shelter
P	Hospital
P	Medical/Dental Laboratory
P	Military and Armed Forces Reserve Center
P	Post Office
P	Rehabilitation Facility
C	Sanitary Landfill
P	Social Service Facility

EDUCATIONAL AND RELIGIOUS USES:

P	Arts School
C	Cemetery, Crematorium, and Mausoleum
P	Church or Place of Worship
P	Educational and Scientific Research
P	School: Public/Private
P	Trade/Business School

SERVICE

P/C	Automobile Wash
P	Contractor Services
P	Funeral Home/ Mortuary/Morgue
P	Kennel (With Outdoor Pens)
P	Kennel (Without Outdoor Pens)
P	Laundry, Dry Cleaning, Dyeing, and Linen Service (no retail customers)
P	Laundry/Dry Cleaning Services & Facilities
P	Office (general, professional, financial)
P	Printing, Copying, Reproduction, Publishing
P	Recycling Collection and Processing Center
P	Repair and Maintenance Services - Automobile/Small Truck (major)
P	Repair and Maintenance Services - Automobile/Small Truck (minor)
P	Repair and Maintenance Services (indoor)
P	Repair and Maintenance Services (outdoors)
P	Repair and Maintenance Services (truck and other large vehicles)
P	Scales (public)
P	Storage - Self-Service Units
P	Tattoo Parlor
P	Taxidermist
P	Veterinary Service (all size animals)
P	Veterinary Service (small animals)
P	Wrecker/Towing

TRADE – RETAIL USES

P	Aircraft and Accessories
P	ATM's, Self-Serve Kiosks, and Similar Facilities
P	Fuel Sales
P	Head Shop
P	Liquor Store (Off Premises Consumption) *(Defined under Liquor Store)*
P	Liquor Store (On Premises Consumption) *(Defined under Liquor Store)*
P	Restaurant, Fast Food
P	Restaurant, Standard
P	Retail Sales/Rental (automobile/small truck)
P	Retail Sales/Rental (indoor)
P	Retail Sales/Rental (outdoors, non-vehicle)
P	Retail Sales/Rental (trucks and other large vehicles and equipment)

TRADE – WHOLESALE USES

P	Liquor, Wholesale/Distribution
P	Wholesaling and Storage (indoor)
C	Wholesaling and Storage (outdoors)

TRANSPORTATION, COMMUNICATION AND UTILITIES:

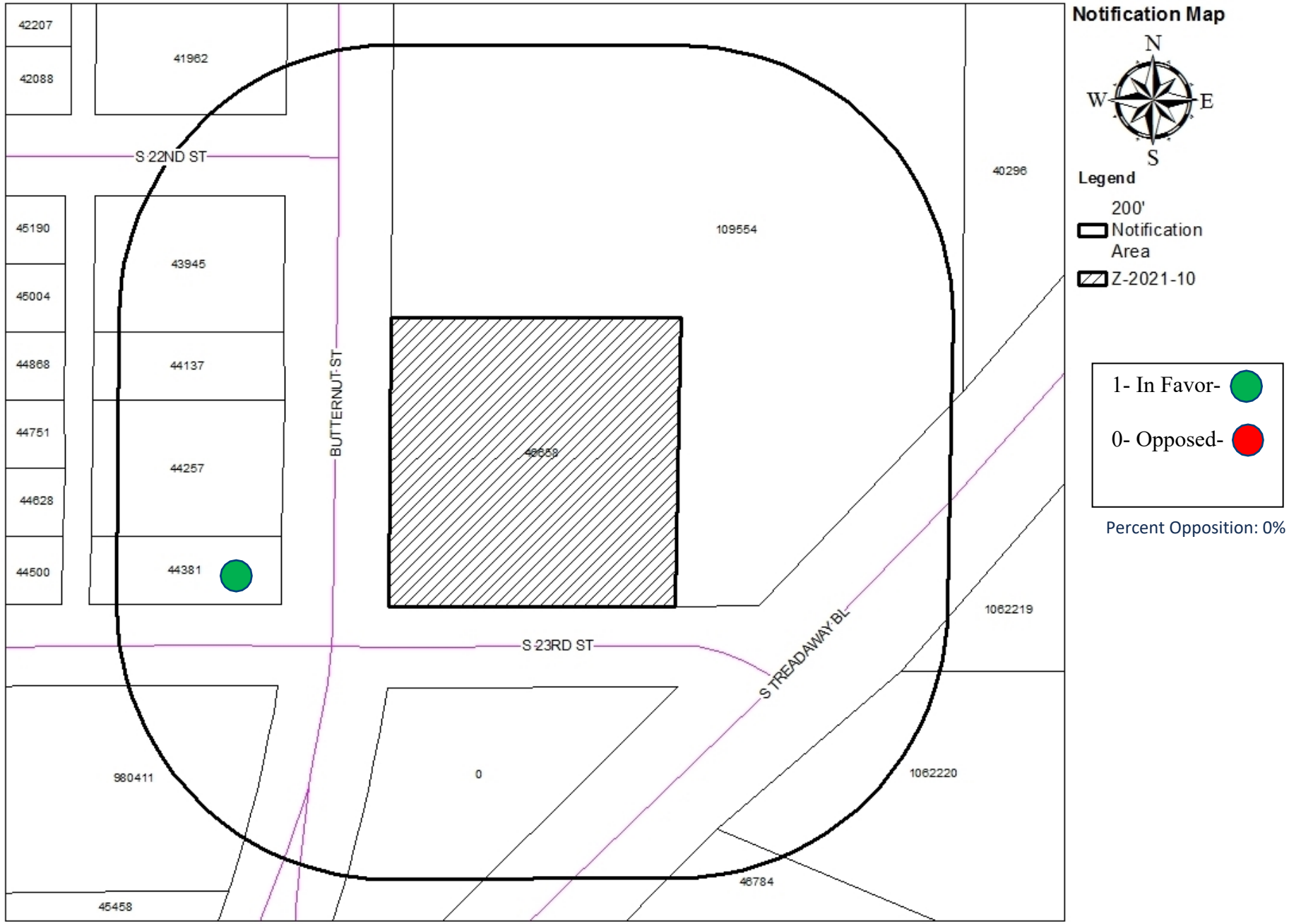
P	Airport, Heliport and Flying Field Terminals - Commercial (passenger and freight)
C	Antenna Tower - Commercial
P	Automobile Parking Lot or Structure - Commercial
P	Broadcast Studio
P	Passenger Ground Transportation Terminal
P	Pressure Control Station
P	Public Utility Facility
C	Utility Generation, Production, Treatment

RESOURCE PRODUCTION AND EXTRACTION USES:

P	Petroleum or Gas Well
C	Manufacturing (light)
P	Urban Garden

Z-2021-10 VIEWS OF SUBJECT & ADJACENT PROPERTIES

Z-2021-10 NOTIFICATION AREA MAP



FINDINGS AND RECOMMENDATIONS

- Consistent with *Comprehensive Plan* and *Future Land Use* and *Development Plan Map*
- Reviewed Pursuant to Section 1.4.1.4 of Land Development Code (Criteria for Approval)
- Staff Recommendation: Approval
- Planning & Zoning Recommendation: Approval

Questions?

City Council
Agenda Memo

City Council Meeting Date: 5/27/2021

TO: **Robert Hanna, City Manager**

FROM: **Mike Warrix, Director**

SUBJECT: **17. Ordinance (First Reading) TC-2021-06:Receive a Report and Hold a Discussion and Public Hearing on a Request from Hardin-Simmons University, Agent Enprotec/Hibbs & Todd Inc., to Abandon the Complete 60-Foot-Width of Public Right-of-Way of Beech Street as it Extends 160 feet South from Sandefer Street's Right-of-Way, and 152.5 to 312.5 Feet North from the Right-of-Way of Ambler Avenue in North Central Abilene *(Mike Warrix)***

GENERAL INFORMATION

City Council is being asked to abandon the 60 foot right-of-way of Beech Street.

SPECIAL CONSIDERATIONS

None

FUNDING/FISCAL IMPACT

None

STAFF RECOMMENDATION

Approval

BOARD OR COMMISSION RECOMMENDATION

At its May 4, 2021 meeting, the Planning and Zoning Commission voted 6-0 to recommend approval to City Council.

ATTACHMENTS:

1. TC-2021-06 Draft Ordinance (for review)
2. TC-2021-06 Council Staff Report
3. TC-2021-06 Application
4. TC-2021-06 Council presentation

ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR ABANDONMENT OF THE COMPLETE 60-FOOT-WIDTH OF PUBLIC RIGHT-OF-WAY FOR BEECH STREET, PROVIDING FOR TERMS AND CONDITIONS OF SUCH ABANDONMENT, AND CALLING A PUBLIC HEARING.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That the following described portion of public right-of-way for Beech Street, as described on Exhibit "A" attached hereto and made part of this ordinance for all purposes, be and the same is hereby abandoned, vacated and closed insofar as the right, title or easement of the City of Abilene is concerned, subject to the underlying property owner(s) graphically resubdividing (by replat,) the subject portion of public right-of-way into the adjoining properties.

PART 2: That said portion of public right-of-way is not needed for public purposes, and it is in the public interest to abandon the above described portion of public right-of-way.

PART 3: That the abandonment provided for herein shall extend only to the public right, title and easement in and to the tract of land specifically described in Part 1 of this ordinance, and shall be construed only to that interest the governing body of the City of Abilene may legally and lawfully abandon.

PASSED ON FIRST READING THE 27th day of May, A.D. 2021.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 17th day of April, 2021, the same being more than fifteen (15) days prior to a public hearing to be held in the Council Chamber of City Hall in Abilene, Texas, at 8:30 a.m. on the 10th day of June, 2021, to permit the public to be heard prior to final consideration of this ordinance.

PASSED ON FINAL READING THIS 10th day of June, 2021.

ATTEST:

_____
CITY SECRETARY

_____
MAYOR

APPROVED:

_____
CITY ATTORNEY

ORDINANCE NO._____

EXHIBIT "A"

The City of Abilene hereby abandons the complete 60-foot-width of public right-of-way available for Beech Street as it extends 160 feet south from Sandefer Street's right-of-way, and 152.5 to 312.5 feet north from right-of-way presently available for Ambler Avenue in north central Abilene, Taylor County, Texas.

SUBJECT to the following conditions:

1. Approval and subsequent recording of a re-plat showing how the street and alley rights-of-way will be integrated with one or more adjacent new lot(s).
2. On the required re-plat, the improved portion of Beech Street shall be dedicated as a 30-foot-wide improved alley; to alleviate the creation of a dead end alley and provide adequate solid waste and emergency vehicle accessibility. Additionally, the southernmost extent of the Sandefer Street right-of-way where intersected by Beech Street; a standard alley approach must be installed to visually "break up" the appearance of a through street.
3. On the required re-plat, suitable easements must be reserved for continued access to all existing utility facilities planned to remain within the otherwise abandoned street rights-of-way.
4. Relocate any affected existing facilities not remaining in place, at the expense of the property owner(s) within whose land the abandoned street right-of-way will be integrated.

-END-

THOROUGHFARE CLOSURE TC-2021-06
STAFF REPORT

Scheduled Hearings
Planning & Zoning Commission: May 4, 2021
City Council 1st Reading: May 27, 2021
City Council 2nd Reading: June 10, 2021

Applicant
Owner: Hardin Simmons University
Agent: Enprotec/Hibbs & Todd Inc. (eHT)

Request
Abandon the complete 60-foot-width of improved public right-of-way available for Beech Street as it extends 160-feet south from Sandefer Street's right-of-way, and 152.5 to 312.5 feet north from the right-of-way presently available for Ambler Avenue in north central Abilene.

Location
The 60-foot-wide improved right-of-way for Beech Street between the westernmost boundary Block C and the easternmost boundary of Block B in Darby of North Park Addition, extending approximately 160-feet south from the southernmost right-of-way boundary of Sandefer Street.

Background
This 60-foot-wide right-of-way for Beech Street was originally dedicated by the Darby of North Park Addition in October 1925. The right-of-way for Beech Street is fully improved with approximately 30-feet of pavement width, complete with curb and gutter.

In March 2021, Abilene's City Council approved ordinance #14-2021, authorizing the abandonment of approximately 150-linear-feet of this existing 60-foot-wide right-of-way extending north from the northernmost boundary of Ambler Avenue. The authorization of this abandonment was subject to the conditions of a re-plat illustrating how this portion of the Beech Street right-of-way would be integrated with one or more adjacent new lot(s) and subject to public improvements that would provide an adequate vehicle turnaround where the remaining portion of Beech Street would "dead end."

Following design considerations for this required turn-around, the applicant determined that the required cul-de-sac or hammerhead arrangement necessary to provide vehicle turnaround would substantially encroach into the desired site they plan to create along Ambler Avenue for a future Braums restaurant.

The applicant is now requesting to abandon the remaining 160-feet of the 60-foot-wide right-of-way presently available for Beech Street between Ambler Avenue and Sandefer Street. If approved, the applicant intends to re-plat this subject portion of Beech Street into an improved alley. By doing so this will alleviate the creation of a dead-end street; thereby relieving the applicant from the requirement to create a permanent vehicle turnaround pursuant to Section 3.2.7.9 of the Land Development Code. Additionally, by dedicating this remaining portion of Beech Street as an alley it will alleviate the creation of a dead-end at the easternmost extent of this existing alley that extends in a generally east and west direction thru Block B in the Darby of North Park Subdivision.

Assessment
Pursuant to Section 3.2.7.4, Street, Alley Abandonment, and Closure Policy, of the Land Development Code, any closure or abandonment shall follow the same public hearing process as required for a zoning change.

The proposed abandonment was reviewed by the City of Abilene's Development Review Committee (DRC). The DRC determined this request to be satisfactory with conditions to be addressed during the re-plat process upon approval of the abandonment.

Staff Recommendation
City staff recommends approving the requested abandonment subject to the following conditions:

1. Approval and subsequent recording of a re-plat showing how the street and alley rights-of-way will be integrated with one or more adjacent new lot(s).
2. On the required re-plat, the improved portion of Beech Street shall be dedicated as a 30-foot-wide improved alley; to alleviate the creation of a dead end alley and provide adequate solid waste and emergency vehicle accessibility. Additionally, the southernmost extent of the Sandefer Street right-of-way where intersected by Beech Street; a standard alley approach must be installed to visually "break up" the appearance of a through street.
3. On the required re-plat, suitable easements must be reserved for continued access to all existing utility facilities planned to remain within the otherwise abandoned street rights-of-way.
4. Relocate any affected existing facilities not remaining in place, at the expense of the property owner(s) within whose land the abandoned street right-of-way will be integrated.

Planning and Zoning Commission Action
At the May 4, 2021 meeting, the Planning and Zoning Commission voted 6-0 to recommend approval to City Council.

Notification
Pursuant to Section 1.2.2.2 of the Land Development Code, staff mailed personal notices on April 20, 2021 (via certified mail) to the applicant and other property owners within a 200-foot radius of the subject property. These property owners and associated parcel identification numbers are identified in Table 1.

TABLE 1

Owner	Property ID	Response
CARTER MICHAEL LEE & MARSHA	50988	
CROCKETT JOSEPH B & CAROL	51118	
HARDIN SIMMONS UNIVERSITY	51380	In Favor
HARDIN SIMMONS UNIVERSITY	52018	In Favor
HARDIN SIMMONS UNIVERSITY	51887	In Favor
HARDIN SIMMONS UNIVERSITY	51627	In Favor
HARDIN SIMMONS UNIVERSITY	51498	In Favor
HARDIN SIMMONS UNIVERSITY	51754	In Favor
HARDIN SIMMONS UNIVERSITY	54258	In Favor
HARDIN SIMMONS UNIVERSITY	53076	In Favor
HARDIN SIMMONS UNIVERSITY	53194	In Favor
HARDIN SIMMONS UNIVERSITY	53598	In Favor
HARDIN-SIMMONS UNIVERSITY	52943	In Favor
LEMOND SHEILA D ET AL	51247	
PCKC LLC	52676	
PCKC LLC	52804	

LOCATION MAP

Attachments

- DRC comments
- Application
- PowerPoint Presentation

Comments List

Project Type: Thouroghfare Closure Application | **ID #** 21-000048

CITY OF ABILENE

Kevin Jaeger

Planning Division, Apr 08, 2021 at 4:19 PM ago PRIVATE

An existing 6" water line is located along the eastern right of way along Beech Street. An existing 4" water line runs down the alley south of Sandefer Street. An existing 6" sewer line is located near the center of Beech Street. The developer may choose to dedicate an easement specific to each of the utilities present within the area to be abandoned. The developer may choose to enlist the services of a Civil Engineer for the purpose of determining if the utilities can be either rerouted or abandoned. If utilities are to be relocated, engineering plans must be submitted, reviewed and approved prior to abandonment approval.

Wayne Terrell

Permits & Inspections, Apr 12, 2021 at 10:14 AM ago PRIVATE

Wayne Terrell

Engineering Technician III

Water Utilities Mapping

wayne.terrell@abilenetx.gov

325-676-6425

An existing 6" V.C. sewer main is in the center of Beech Street and an exsiting 6" C-900 water main is in the east right-of-way of Beech Street. The deeveloper has the option of keeping the utilities and utility easement as they are or utilizing a Texas licensed Engineer for the rerouting and abandonment of the water and sewer utilities to continue to provide services to this area. The relocation of these utilties must be approved prior to the approval of the throughfare closure and the abandonment of any utilties.

GIS Team

Permits & Inspections, Apr 14, 2021 at 8:15 AM ago PRIVATE

Blake Tulloch

GIS/Addressing Technician

Abilene/Taylor County 9-1-1 District

blake.tulloch@abilenetx.gov|(325) 676-6239

Comments:

- Sandefer ST does not extend into the parking lot, please end Sandefer before the parking lot

---

Athan Himmelstein

Planning Division, Apr 14, 2021 at 11:09 AM ago

Athan Himmelstein

AEP Texas Abilene Distribution

adhimmelstein@aep.com & 325.674.7290

"Satisfactory with Conditions"

Will need to kepp Utility rights for down guy and anchoring for streetlight pole off Sandefer.

AEP also has has a low voltage 120/240V overhead line crossing over the southern part of the alley abandonement. Either will need to retain utility rights for this line or get with AEP about re-location/retirement of this line.

David Mundschenk

Permits & Inspections, Apr 14, 2021 at 3:30 PM ago

Will need to build an alley approach on the south side of Sandefer St and Beech St.

Steve Keith
Permits & Inspections, Apr 14, 2021 at 3:40 PM ago PRIVATE

Steve Keith

Traffic Services

If Braums plans on using this alley for ingress and egress they will be responsible for maintaining the alley.

Jared Smith
Planning Division, Apr 15, 2021 at 4:32 PM ago PRIVATE

Planning & Zoning
325-676-6490
Jared.smith@abilenetx.gov

APPROVAL WITH THE FOLLOWING CONDITIONS:

(1) This abandonment cannot result in a dead end alley running through Block B in Darby of North Park Subdivision.

(2) Approval and subsequent recording of a re-plat showing how the street right-of-way will be integrated with one or more adjacent new lot(s).

(3) On the required replat, right-of-way must be reserved and/or dedicated for suitable solid waste and emergency vehicle ingres and egress from the alley running east and west through Block B in Darby of North Park Subdivision.

(4) On the required replat, suitable easements must be reserved for continued access to all existing utility facilities planned to remain within the otherwise abandoned street right-of-way.

(5) Relocate any affected existing facilities not remaining in place, at the expense of the property owner(s) within whose land the abandoned street will be integrated.

(6) Provide City staff with documentation from an appropriate official of each affected utility provider (having facilities remaining in the subejct street right-of-way) and which indicates that such facilities have either already been relocated or that suitable financial arrangements have been made for the timely reolocation of these affected utilities.

Cc: Cheryl Sawyers <cheryl.sawyers@abilenetx.gov>, Tim Littlejohn <tim.littlejohn@abilenetx.gov>, Nickie Plaisance <ngplaisance@aep.com>

Hey Jared,

These condi ons are good with us. Thanks for sending.

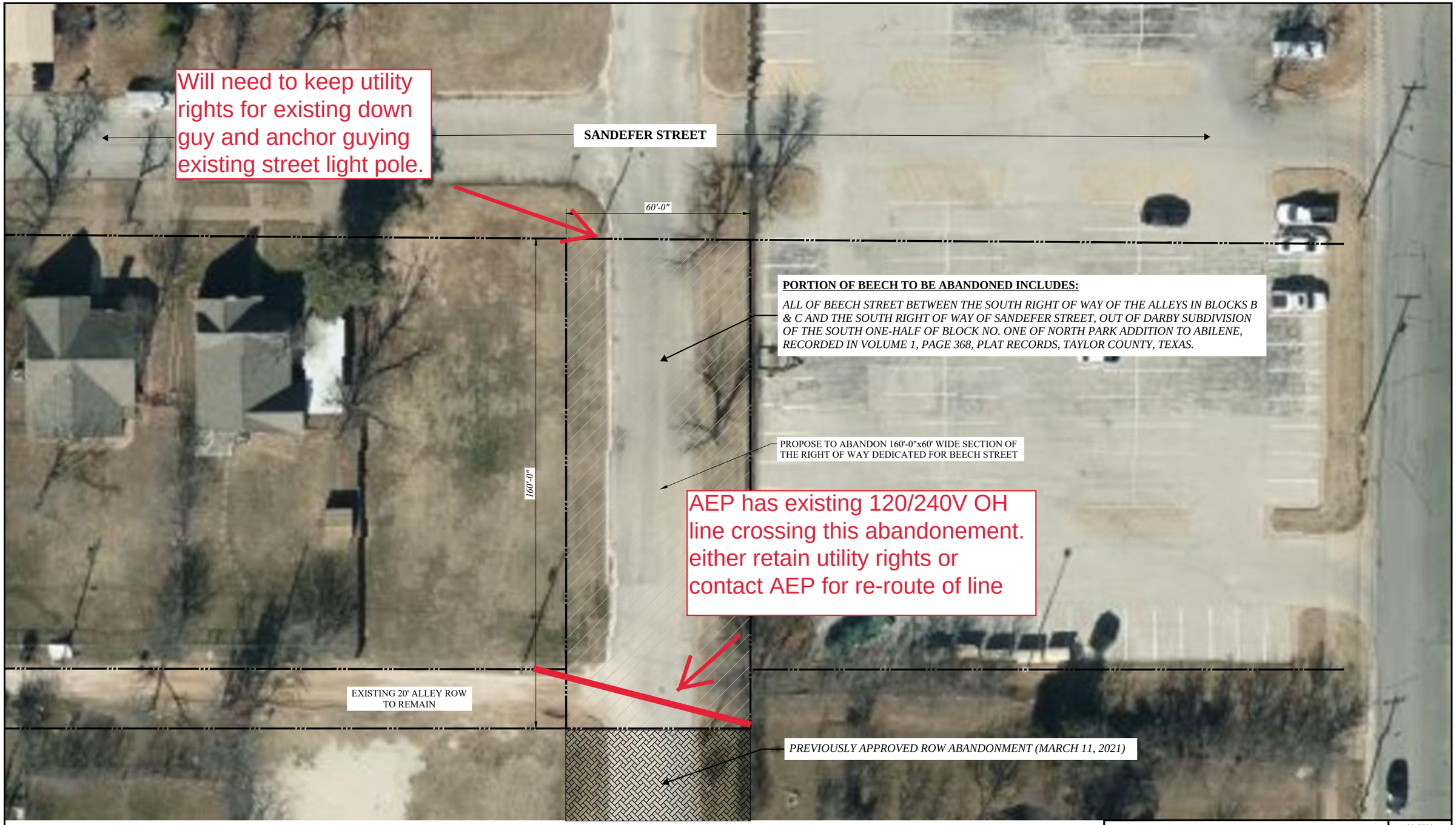
Thanks,

Athan

From: Smith, Jared <jared.smith@abilenetx.gov>
Sent: Wednesday, April 21, 2021 10:37 AM
To: Athan D Himmelstein <adhimmelstein@aep.com>
Cc: Cheryl Sawyers <cheryl.sawyers@abilenetx.gov>; Tim Li lejohn <tim.littlejohn@abilenetx.gov>
Subject: [EXTERNAL] Thoroughfare Closure (TC-2021-06 Condi ons for Approval)

This is an **EXTERNAL** email. **STOP**. **THINK** before you CLICK links or OPEN attachments. If suspicious please click the '**Report to Incidents**' button in Outlook or forward to incidents@aep.com from a mobile device.

[Quoted text hidden]



N

10 0 30

SCALE IN FEET

ENPROTEC/HIBBS & TODD, INC.
ENVIRONMENTAL AND CIVIL ENGINEERING
402 Cedar Street
325-698-5560
Abilene, Texas 79601
PE Firm Registration No. 1151
PG Firm Registration No. 50103
RPLS Firm Registration No. 10011900

BEECH STREET ROW ABANDONMENT REQUEST FOR BRAUM'S ICE CREAM AND DAIRY STORE EXHIBIT A

20-7780	PROJECT NO.
04/06/2021	DATE
R.B.P.	DESIGNED BY:
J.C.	DRAWN BY:
R.B.P.	CHECKED BY:
1 OF 2	

N

10 0 30

SCALE IN FEET

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402 Cedar Street
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BEECH STREET ROW
ABANDONMENT REQUEST
FOR
BRAUM'S ICE CREAM AND DAIRY STORE
EXHIBIT A

20-7780	PROJECT NO.
04/06/2021	DATE
R.B.P.	DESIGNED BY:
J.C.	DRAWN BY:
R.B.P.	CHECKED BY:
2 OF 2	

Smith, Jared <jared.smith@abilenetx.gov>

Thoroughfare Closure (TC-2021-06 Conditions for Approval)

2 messages

Smith, Jared <jared.smith@abilenetx.gov> Wed, Apr 21, 2021 at 10:37 AM
To: Ezequiel Herrera <ezequiel.herrera@abilenetx.gov>
Cc: Cheryl Sawyers <cheryl.sawyers@abilenetx.gov>, Tim Littlejohn <tim.littlejohn@abilenetx.gov>

Zeq,

Please see the attached document outlining the conditions for approval that the Planning Department will be recommending to the Planning & Zoning Commission meeting scheduled for May 4, 2021.

Please let me know if you have any questions or concerns with these conditions.

Thank you!

--

CITY OF ABILENE

Jared Smith, CNU-A
Planner II
Planning & Development Services
(325) 676-6490 (Office)
555 Walnut Street, Suite 100
Abilene, Texas 79601-5254

2 attachments

TC-2021-06 Conditions for Thoroughfare Closure Approval (05-04-21).doc
177K

TC-2021-06 Graphic Exhibit.pdf
921K

Herrera, Ezequiel <ezequiel.herrera@abilenetx.gov> Thu, Apr 22, 2021 at 6:26 AM
To: Jared Smith <jared.smith@abilenetx.gov>

---------- Forwarded message ---------
From: **Chandler, Gary** <gary.chandler@abilenetx.gov>
Date: Thu, Apr 22, 2021 at 5:42 AM
Subject: Re: Thoroughfare Closure (TC-2021-06 Conditions for Approval)
To: Herrera, Ezequiel <ezequiel.herrera@abilenetx.gov>

ok provided the alley remains open

On Wed, Apr 21, 2021 at 12:10 PM Herrera, Ezequiel <ezequiel.herrera@abilenetx.gov> wrote:

> [Quoted text hidden]
> --

CITY OF ABILENE

PLANNING & DEVELOPMENT SERVICES

HARDIN SIMMONS UNIVERSITY
ATTN: BRENDA ALEXANDER
2200 HICKORY ST
ABILENE, TX 79601-2345

NOTICE OF PUBLIC HEARING

RE: Thoroughfare Closure Application Number TC-2021-06 **04/19/2021**

The Planning and Zoning Commission will hold a public hearing on **May 4, 2021** at **1:30 PM**, in City Council Chambers, 2nd Floor, City Hall, N. 5th and Walnut Streets, to recommend approval or denial to City Council on a request from Hardin-Simmons University, agent Enprotec/Hibbs & Todd Inc., to abandon the complete 60-foot-width of public right-of-way available for Beech Street as it extends 160 feet south from Sandefer Street's right-of-way, and 152.5 to 312.5 feet north from right-of-way presently available for Ambler Avenue in north central Abilene.

This hearing is open to any interested person. Opinions, objections and/or comments relative to this matter may be expressed in writing or in person at the hearing. At the bottom of this letter is a form that you may cut off, fill out, and mail. Comments are also accepted by email as listed below. All responses must be signed.

The attached map shows the area of this request. Only that area which is bounded by the cross-hatched line on the map is being considered for abandonment. The solid boundary line around the subject area is only a notification area. If approved by the Planning and Zoning Commission or if denied and appealed to Abilene's City Council within the specified ten-day period, this case will be heard by City Council for 2nd and Final Reading with public hearing on **June 10,** 2021 at 8:30 AM in Council Chambers on the second floor of City Hall, 555 Walnut Street.

If you have any questions, please contact Jared Smith, Planner II at telephone 325-676-6490 or by email address Jared.smith@abilenetx.gov.

For the PLANNING & ZONING COMMISSION
Please call (325) 676-6237 if you have any questions about this notice.

CASE #: TC-2021-06
You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also email your position to the email address listed below. All correspondence must include your name and address.

Name: HARDIN SIMMONS UNIVERSITY
Parcel I.D.: 54258
Address: 1518 SANDEFER ST

Mailing To: Planning and Development Services
P.O. Box 60, Abilene TX 79604-0060

Email: planning@abilenetx.gov

I am in favor ☑ I am opposed ☐

Additional Comments:

Signature: _____

CITY OF ABILENE

PLANNING & DEVELOPMENT SERVICES

HARDIN SIMMONS UNIVERSITY
ATTN: BRENDA ALEXANDER
2200 HICKORY ST
ABILENE, TX 79601-2345

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Name: HARDIN SIMMONS UNIVERSITY
Parcel I.D.: 53598
Address: 1530 AMBLER AV

Mailing To: Planning and Development Services
P.O. Box 60, Abilene TX 79604-0060

Email: planning@abilenetx.gov

I am in favor ☑ I am opposed ☐

Additional Comments:

Signature: _____

CITY OF ABILENE

PLANNING & DEVELOPMENT SERVICES

HARDIN SIMMONS UNIVERSITY
ATTN: BRENDA ALEXANDER
2200 HICKORY ST
ABILENE, TX 79601-2345

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Name: HARDIN SIMMONS UNIVERSITY
Parcel I.D.: 53194
Address: 2220 SIMMONS AV

Mailing To: Planning and Development Services
P.O. Box 60, Abilene TX 79604-0060

Email: planning@abilenetx.gov

I am in favor ☑ I am opposed ☐

Additional Comments:

Signature: _____

CITY OF ABILENE

PLANNING & DEVELOPMENT SERVICES

HARDIN SIMMONS UNIVERSITY
ATTN: BRENDA ALEXANDER
2200 HICKORY ST
ABILENE, TX 79601-2345

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Name: HARDIN SIMMONS UNIVERSITY
Parcel I.D.: 53076
Address: 1602 AMBLER AV

Mailing To: Planning and Development Services
P.O. Box 60, Abilene TX 79604-0060

Email: planning@abilenetx.gov

I am in favor ☑ I am opposed ☐

Additional Comments:

Signature: _____

CITY OF ABILENE

PLANNING & DEVELOPMENT SERVICES

HARDIN-SIMMONS UNIVERSITY
ATTN HAROLD PRESTON
PO BOX 16005
ABILENE, TX 79698-0001

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For the PLANNING & ZONING COMMISSION
Please call (325) 676-6237 if you have any questions about this notice.

CASE #: TC-2021-06
You may indicate your position on the above request by detaching this sheet at the dotted line and returning it to the address below. You may attach additional sheets if needed. You may also email your position to the email address listed below. All correspondence must include your name and address.

Name: HARDIN-SIMMONS UNIVERSITY
Parcel I.D.: 52943
Address: 1608 AMBLER AV

Mailing To: Planning and Development Services
P.O. Box 60, Abilene TX 79604-0060

Email: planning@abilenetx.gov

I am in favor ☑ I am opposed ☐

Additional Comments:

Signature: Jodie McBaughey
as: VP for Finance

CITY OF ABILENE

PLANNING & DEVELOPMENT SERVICES

HARDIN SIMMONS UNIVERSITY
ATTN: BRENDA ALEXANDER
2200 HICKORY ST
ABILENE, TX 79601-2345

NOTICE OF PUBLIC HEARING

RE: Thoroughfare Closure Application Number TC-2021-06 **04/19/2021**

The Planning and Zoning Commission will hold a public hearing on **May 4, 2021** at **1:30 PM**, in City Council Chambers, 2nd Floor, City Hall, N. 5th and Walnut Streets, to recommend approval or denial to City Council on a request from Hardin-Simmons University, agent Enprotec/Hibbs & Todd Inc., to abandon the complete 60-foot-width of public right-of-way available for Beech Street as it extends 160 feet south from Sandefer Street's right-of-way, and 152.5 to 312.5 feet north from right-of-way presently available for Ambler Avenue in north central Abilene.

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Name: HARDIN SIMMONS UNIVERSITY
Parcel I.D.: 52018
Address: 1625 SANDEFER ST

Mailing To: Planning and Development Services
P.O. Box 60, Abilene TX 79604-0060

Email: planning@abilenetx.gov

I am in favor ☑ I am opposed ☐

Additional Comments:

Signature: _____

CITY OF ABILENE

PLANNING & DEVELOPMENT SERVICES

HARDIN SIMMONS UNIVERSITY
ATTN: BRENDA ALEXANDER
2200 HICKORY ST
ABILENE, TX 79601-2345

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For the PLANNING & ZONING COMMISSION
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Name: HARDIN SIMMONS UNIVERSITY
Parcel I.D.: 51887
Address: 1617 SANDEFER ST

Mailing To: Planning and Development Services
P.O. Box 60, Abilene TX 79604-0060

Email: planning@abilenetx.gov

I am in favor ☑ I am opposed ☐

Additional Comments:

Signature: _____

CITY OF ABILENE

PLANNING & DEVELOPMENT SERVICES

HARDIN SIMMONS UNIVERSITY
ATTN: BRENDA ALEXANDER
2200 HICKORY ST
ABILENE, TX 79601-2345

NOTICE OF PUBLIC HEARING

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Name: HARDIN SIMMONS UNIVERSITY
Parcel I.D.: 51754
Address: 1609 SANDEFER ST

Mailing To: Planning and Development Services
P.O. Box 60, Abilene TX 79604-0060

Email: planning@abilenetx.gov

I am in favor ☑ I am opposed ☐

Additional Comments:

Signature: _____

CITY OF ABILENE

PLANNING & DEVELOPMENT SERVICES

HARDIN SIMMONS UNIVERSITY
ATTN: BRENDA ALEXANDER
2200 HICKORY ST
ABILENE, TX 79601-2345

NOTICE OF PUBLIC HEARING

RE: Thoroughfare Closure Application Number TC-2021-06 **04/19/2021**

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For the PLANNING & ZONING COMMISSION
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CASE #: TC-2021-06
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Name: HARDIN SIMMONS UNIVERSITY
Parcel I.D.: 51627
Address: 1601 SANDEFER ST

Mailing To: Planning and Development Services
P.O. Box 60, Abilene TX 79604-0060

Email: planning@abilenetx.gov

I am in favor ☑ I am opposed ☐

Additional Comments:

Signature: _____

CITY OF ABILENE

PLANNING & DEVELOPMENT SERVICES

HARDIN SIMMONS UNIVERSITY
ATTN: BRENDA ALEXANDER
2200 HICKORY ST
ABILENE, TX 79601-2345

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For the PLANNING & ZONING COMMISSION
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Name: HARDIN SIMMONS UNIVERSITY
Parcel I.D.: 51498
Address: 2318 BEECH ST

Mailing To: Planning and Development Services
P.O. Box 60, Abilene TX 79604-0060

Email: planning@abilenetx.gov

I am in favor ☑ I am opposed ☐

Additional Comments:

Signature: _____

CITY OF ABILENE

PLANNING & DEVELOPMENT SERVICES

HARDIN SIMMONS UNIVERSITY
ATTN: BRENDA ALEXANDER
2200 HICKORY ST
ABILENE, TX 79601-2345

NOTICE OF PUBLIC HEARING

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Name: HARDIN SIMMONS UNIVERSITY
Parcel I.D.: 51380
Address: 1602 SANDEFER ST APT C

Mailing To: Planning and Development Services
P.O. Box 60, Abilene TX 79604-0060

Email: planning@abilenetx.gov

I am in favor ☑ I am opposed ☐

Additional Comments:

Signature: _____

Development Application

CITY OF ABILENE

Planning

☐ Conditional Use ☐ Easement Release ☐ Rezoning ☐ Other
☐ PDD ☐ Street Name Change ☒ Thoroughfare Abandonment ☐ PDD Amendment
Other: _____

Project Name: Braum's Ice Cream and Dairy Store - Beech Street ROW Abandonment Request

Address: Beech Street and Ambler Ave No. of lots: 1 Acreage: 0.220 Acres

Legal Description: See Attached Exhibit

Subdivision Name: North Park Addition Block: See attached Lot: See attached

Current Zoning: Right of Way Proposed Zoning (if applicable): General Retail (GR)

OWNER AND AUTHORIZATION

Owner Name: Hardin Simmons University

Address: PO Box 16005

City, State, Zip: Abilene, Texas 79698-0001 Fax: N/A

Phone: N/A Email: N/A

I am the property owner, and I certify that the information included in this application is true to the best of my knowledge. (Name) eHT will act as my agent before the Planning and Zoning Commission.

Agent Name: BJ Prichard, PE / eHT

Address: 402 Cedar

City, State, Zip: Abilene, Texas, 79601 Fax: 325-698-3241

Phone: 325-698-5560 Email: bj.prichard@e-ht.com

I hereby certify that I am the owner of the property and further certify that the information provided on this development application is true and correct. I hereby designate the aforementioned agent to act on my behalf for submittal, processing, representation, and/or presentation of this development application. The designated agent shall be the principal contact person for responding to all requests for information and for resolving all issues of concern relative to this application.

Signature Owner: _____ Date: April 5, 2021

FOR OFFICE USE ONLY

Received: _____ **Fee: $** _____ **Receipt No.:** _____

Case No.: _____ **Reviewed By:** _____

Development Application

Please answer the following question in order to assist Staff with the processing of your Zoning request.

1. Please (if necessary) provide background information for the zoning request and explain why you feel it is appropriate.

In order to remove an inadvertent dead-end street created under the previous Beech Street Abandonment Request, Braum's Ice Cream is seeking to abandon approximately 160' of additional existing Beech Street ROW. Braum's will re-route and provide appropriate easements for affected water and sewer utilities as may be required and will work with other franchise utility providers (Atmos, AEP, AT&T, etc.) to address utilities that may be located in the project area. Refer to the attached Metes and Bounds description and Exhibt highlighting portion of the street to be abandoned. The intention with this request to eliminate the dead-end street section.

Development Application

RECOMMENDATIONS

The Planning & Zoning Commission (P&Z) and the City Council look to the Planning & Development Services staff to make a recommendation for the approval or disapproval of this application. We will make every effort to notify you (FAX or E-mail) of our recommendation at least one (1) week in advance of the scheduled meeting of the P&Z Commission. In the case of a rezoning, and when the public interest requires it, we may recommend a rezoning to a Planned Development District (PDD) or a classification other than the classification requested. We will notify you of our decision to propose a PDD as soon as possible after the application is filed to give you time to prepare a site plan.

PUBLIC NOTIFICATION

The public is entitled to examine this application and participate in the decision-making process. In most cases, we are required to notify all property owners within two hundred feet (200') of the boundaries of your property. To ensure the fullest possible consideration, we may also notify neighborhood groups, organizations or individuals that have a special interest in a particular issue. Except for matters that the Planning & Development Services staff have expressly agreed not to disclose (and provided the law allows us to hold the matter in confidence), then all information that we deem relevant to the review and processing of this application may become public knowledge.

PLEASE READ BEFORE SIGNING

The undersigned has read the above application and hereby certifies that the information contained therein is complete, true and correct; and does hereby request that said application be submitted to the Planning & Zoning Commission at the earliest available meeting.

I understand and acknowledge that it is my responsibility to furnish an accurate and precise legal description of the property, and only the property, that is subject of this application, and that failure to furnish such information prior to the application deadline date will delay the processing of this application. I also understand that the City must notify affected property owners of this application. In the event that I fail to submit in a timely manner any information that the City deems necessary to transmit this application to the Planning & Zoning Commission or City Council, then in lieu of dismissal I hereby request that this application be temporarily withdrawn from further consideration until such information is submitted, and I agree to pay a resubmission fee of $120 to reimburse the City for the expense of re-notifying affected property owners. I have been informed of the tentative date and time that the Planning & Zoning Commission and City Council will hear this application, and I understand that hearings may be continued from time to time at the discretion of the Commission or Council to allow for full consideration or when the public interest requires a continuation.

SIGNED: _____ DATE: January 5, 2021

LEGAL DESCRIPTION:
ALL OF THE ALLEY BETWEEN THE EAST RIGHT OF WAY OF BEECH STREET AND THE WEST RIGHT OF WAY OF SIMMONS STREET, A.K.A. GIVENS STREET, IN BLOCK C, DARBY SUBDIVISION OF THE SOUTH ONE-HALF OF BLOCK NO. ONE OF NORTH PARK ADDITION TO ABILENE, RECORDED IN VOLUME 1, PAGE 368, PLAT RECORDS, TAYLOR COUNTY, TEXAS.

N

10 0 30

SCALE IN FEET

ENPROTEC/HIBBS & TODD, INC.
ENVIRONMENTAL AND CIVIL ENGINEERING
402 Cedar Street
325-698-5560
Abilene, Texas 79601
PE Firm Registration No. 1151
PG Firm Registration No. 50103
RPLS Firm Registration No. 10011900

BEECH STREET ROW ABANDONMENT REQUEST FOR BRAUM'S ICE CREAM AND DAIRY STORE EXHIBIT A

20-7780	PROJECT NO.
01/05/2020	DATE
R.B.P.	DESIGNED BY:
J.C.	DRAWN BY:
R.B.P.	CHECKED BY:
1 OF 1	

THOROUGHFARE ABANDONMENT REQUEST

Case: TC-2021-06

Owner: Hardin-Simmons University

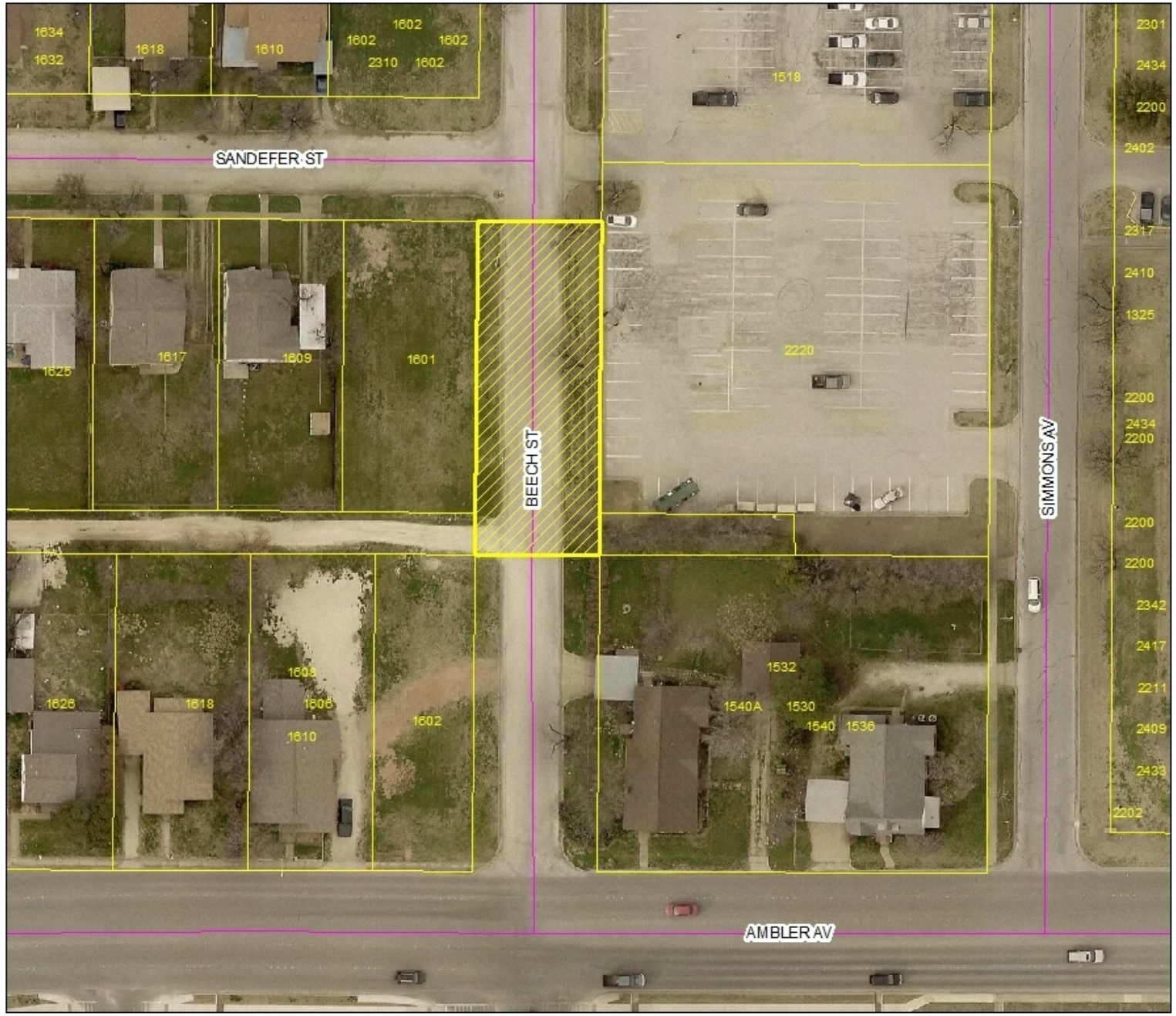
Agent: Enprotec Hibbs & Todd (eHT)

Request: Complete 60-foot-width of public right-of-way for Beech Street as it extends 160-feet south from Sandefer Street

Notification: 11 in Favor, 0 Opposed

Planning & Zoning Recommendation: Approval

TC-2021-06 LOCATION MAP



Location Map

N
W E
S

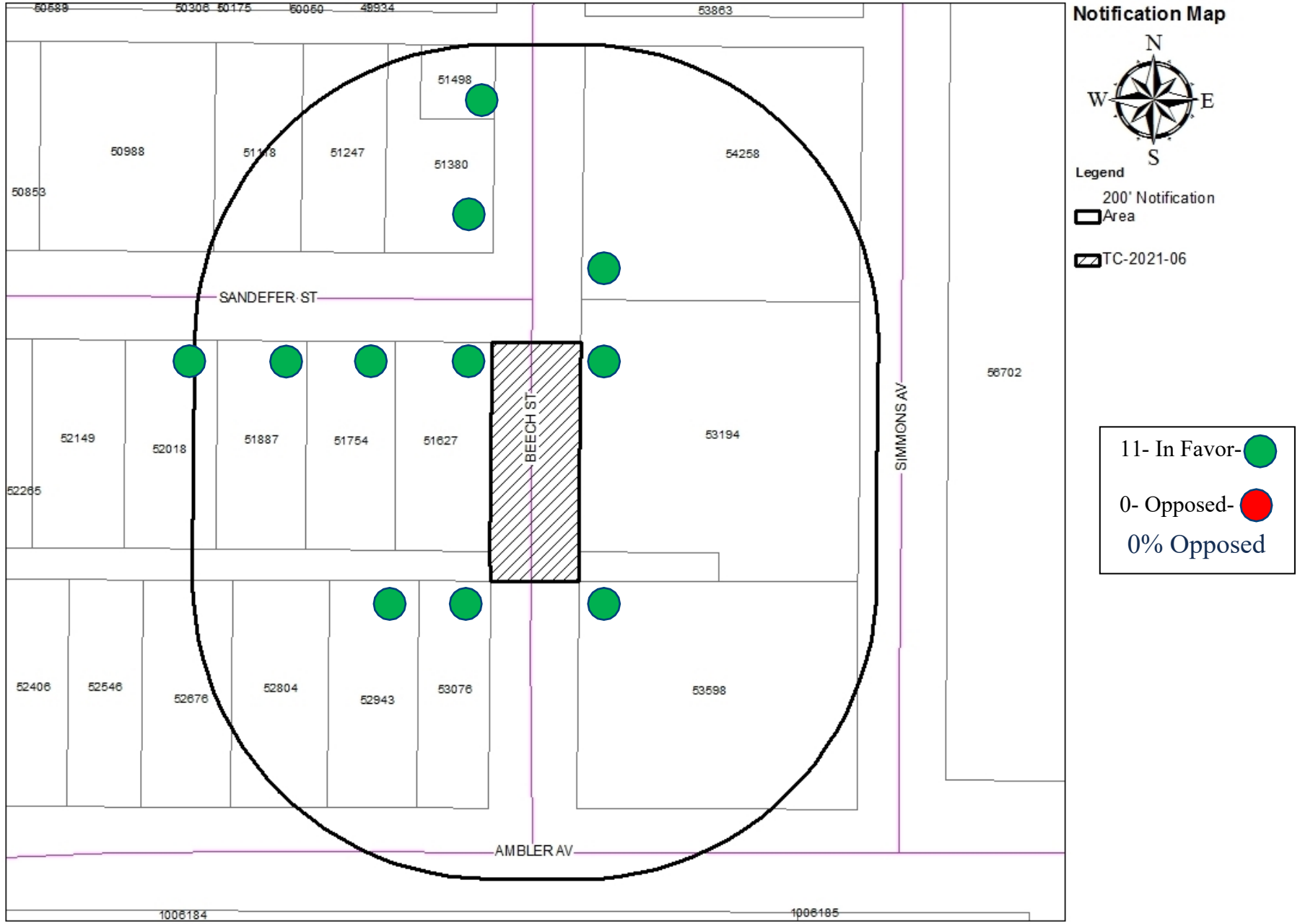
Legend

TC-2021-06

TC-2021-06 ZONING MAP

TC-2021-06 VIEWS OF SUBJECT RIGHT-OF-WAY AND NEIGHBORING PROPERTIES

TC-2021-06 NOTIFICATION AREA MAP



FINDINGS AND RECOMMENDATIONS

- DRC Recommendation: Satisfactory with conditions
- Staff Recommendation: Approval with conditions
- Planning & Zoning Recommendation: Approval

Questions?

City Council
Agenda Memo

City Council Meeting Date: 5/27/2021

TO: **Robert Hanna, City Manager**

FROM: **Marcus Dudley, Chief of Police**

SUBJECT: **18. Ordinance (First Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amending Budget Ordinance No. 31-2020 to Include Updated Staffing Levels for the Police Department *(Marcus Dudley)***

GENERAL INFORMATION

The FY 2020 budget ordinance for the Police currently designates 2 Assistant Chiefs, 11 Lieutenants, 24 Sergeants, and 179 Officers. The Police Department proposes organizational changes that will consist of reclassifying a Lieutenant position to an Assistant Chief and creating two new Sergeant positions from a Lieutenant reclassification and an Officer reclassification. The new sergeant positions will be used in two capacities. One will be added to the Patrol Division which will aid in decreasing the span of control on Patrol squads and improving individual officer growth and wellness. The second sergeant position will be used in an administrative capacity to improve community and media relations as well as recruiting efforts.

It should be noted that we previously had 3 Assistant Chiefs for over two decades. We have been operating with 2 Assistant Chiefs since 2012 and the complexities and litigious nature of policing have only been increasing. Having a 3rd Assistant Chief will provide the assistance needed for the holistic oversight of the opportunities to come as we engage in modern community policing and crime-fighting initiatives.

These changes will result in the Police Department designating 3 Assistant Chiefs, 9 Lieutenants, 26 Sergeants, and 178 Officers for the same authorized strength of 216.

SPECIAL CONSIDERATIONS

There is an existing Sergeant Promotional List that will be utilized to fill the two created vacancies at the Sergeant rank.

FUNDING/FISCAL IMPACT

There will be a net increase of approximately $1,358 in the FY 21 budget after these reclassifications.

STAFF RECOMMENDATION

Staff recommends amending the budget ordinance to create a 3rd Assistant Chief and 2 additional Sergeants.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. Amended Budget Enacting Ordinance APD 20-21
2. Amended APD 20-21 Budget Attachment A (red lined)
3. Amended APD 20-21 Budget Attachment A
4. PPT May 21 Council Meeting Item 16

ORDINANCE NO._____

AN ORDINANCE APPROVING A REVISION TO SECTION 6 OF ORDINANCE NUMBER 31-2020; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; CALLING A PUBLIC HEARING.

WHEREAS, City Council has adopted Ordinance Number 31-2020; and

WHEREAS, said Ordinance established the number, classification, and designation of each position, as provided in the Texas Local Government Code Ann., Chapter 143, Municipal Civil Service, for the Police and Fire Departments; and,

WHEREAS, Section 6 of said Ordinance allows amendment by the City Council during the fiscal year the Ordinance is in effect; and,

WHEREAS, the Chief of the Abilene Police Department has requested changes to the classifications of position within the ranks of the Abilene Police Department; and,

WHEREAS, the overall number of approved positions will remain the same.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That Ordinance No. 31-2020 is amended as set forth in Attachment A.

PART 2: That any ordinance, resolution, policy, or any provision or section of the code of the City of Abilene, Texas, as amended, in conflict herewith, be hereby repealed to the extent of any conflict.

PASSED ON FIRST READING this 27th day of May, 2021.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 6th day of June, 2021, the same being more than 24 hours prior to a public hearing being held in the Council Chamber of City Hall in Abilene, Texas, at 8:30 a.m. on the 10th day of June, 2021, to permit the public to be heard.

PASSED ON SECOND AND FINAL READING this 10th day of June, 2021.

ATTEST:

_____
Shawna Atkinson, City Secretary

_____
Anthony Williams, Mayor

APPROVED:

_____
Stanley Smith, City Attorney

ATTACHMENT A

PART 6 OF ORDINANCE NO. 31-2020 IS HEREBY AMENDED TO READ AS FOLLOWS:

PART 6: That the number, classification, and designation of each position, as provided in Texas Local Government Code Ann., Chapter 143 (Vernon 1988), Municipal Civil Service, for the Police and Fire Departments, as set out below, are hereby created, established, and adopted as the official plan for the classified services of the Police and Fire Departments of the City of Abilene for the fiscal year October 1, 2020, through September 30, 2021, or as may be amended by City Council. Any position in the classified service of the Police and Fire Departments of the City of Abilene not below listed, is hereby abolished:

Police Department		
Assistant Police Chief	3	~~2~~
Police Lieutenant	9	~~11~~
Police Sergeant	26	~~24~~
Police Officers	178	~~179~~
Total	216	

Fire Department	
Deputy Fire Chief	2
Batallion Chief	5
Fire Captain	12
Fire Lieutenant	33
Fire Fighter	146
Total	198

ATTACHMENT A

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Assistant Police Chief	3
Police Lieutenant	9
Police Sergeant	26
Police Officers	178
Total	216

Fire Department	
Deputy Fire Chief	2
Batallion Chief	5
Fire Captain	12
Fire Lieutenant	33
Fire Fighter	146
Total	198

Ordinance 31-2020 Amendment

Abilene Police Department

Organizational Changes

- With the added complexities of modern day policing, we request to make some organizational changes to assist with our span of control, recruiting, community relations and to improve holistic oversight of day to day operations as well as employee wellness.
- In order to accomplish this we are requesting to amend the staffing ordinance as it pertains to the Police Department.

Organizational Changes, cont.

We wish to make the following reclassifications to assist with our mission:

- one Lieutenant to an Assistant Chief of Police
- one Lieutenant to a Sergeant position (Tri-Position)
- one Officer to a Sergeant position (Patrol Division)

Organizational Changes, cont.

The fiscal impact of these changes will be as follows:

FY21	$4,836	- Lieutenant to Assistant Chief of Police
FY21	($5,579)	- Lieutenant to Sergeant
FY21	$2,101	- Officer to Sergeant

- $1,358 Total FY21

Organizational Changes, cont.

- These changes will keep our sworn strength at 216 and the breakdown is as follows:

CURRENT	
Assistant Police Chief	2
Police Lieutenant	11
Police Sergeant	24
Police Officers	179

PROPOSED	
Assistant Police Chief	3
Police Lieutenant	9
Police Sergeant	26
Police Officers	178

Questions?

City Council
Agenda Memo

City Council Meeting Date: 5/27/2021

TO: **Robert Hanna, City Manager**

FROM: **Annette Lerma, Director**

SUBJECT: **19. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Changing the Frequency in Reporting COVID-19 Data Publicly** ***(Annette Lerma)***

GENERAL INFORMATION

The Abilene-Taylor County Public Health District (ATCPHD) began public daily reporting of COVID-19 data for Taylor County on March 23, 2020. Public reporting provides the community with a picture of what is happening in their community to better judge risk and take necessary precautions. The ATCPHD is proposing to change the frequency of COVID-19 data reporting because of the significant decline in daily cases. This will eliminate the need for ATCPHD staff to come in over the weekend. ATCPHD proposes to change the reporting to Monday through Friday only excluding all city staff holidays. There are two options proposed. Option 1 will use the current template with no change other than frequency and no comparison of trends or history. Option 2 will use the interactive dashboard that is already available on the City of Abilene's website.

SPECIAL CONSIDERATIONS

N/A

FUNDING/FISCAL IMPACT

No funding/fiscal impact

STAFF RECOMMENDATION

ATCPHD recommends to approve the resolution

BOARD OR COMMISSION RECOMMENDATION

N/A

ATTACHMENTS:

1. City Council PowerPoint_COVID Reporting_May.13.2021

Resolution to Modify Frequency for COVID-19 Reporting

Background

- ATCPHD began public daily reporting of COVID-19 data for Taylor County on March 23, 2020
- City Council adopted the current reporting template on July 23, 2020
- Public reporting provides community with a picture of what is happening in their community to better judge risk and take necessary precautions.

Current COVID-19 & Vaccine Status

- Hospitalizations ~ 2%
- Weekly case counts ~ 90 – 100
- Majority of cases in 20-29 population
- Positivity rate fluctuated over past 2 months between less than 1% to 11%
- County: Taylor
- Public Health Region: 2/3
- Percentage of Population 16+ Vaccinated with At Least One Dose: 39.29%
- Percentage of Population 16+ Fully Vaccinated: 33.53%
- Percentage of Population 65+ Vaccinated with At Least One Dose: 71.65%
- Percentage of Population 65+ Fully Vaccinated: 65.00%

Proposal to change frequency

- Daily cases significantly declining
- Few reports submitted over the weekend
- Eliminate need for staff to come in over the weekend
- Propose changing reporting to Monday through Friday
- Exclude all city staff holidays

Option 1 for Reporting

- Current template
- No change other than frequency
- Static information
- No comparison of trends / history

Current Template

ABILENE-TAYLOR COUNTY PUBLIC HEALTH DISTRICT

COVID-19 CASES AS OF MAY 5, 2021

SUMMARY
(All Previous Cases + Daily Totals)

DESCRIPTION	MOLECULAR PCR TEST	PERCENTAGE OF TOTAL*	ANTIGEN TEST
Total Test Results	55,849	100%	98,683
Total Positives	7,287	13.05%	
Total Probable Cases			8,400
Total Negatives	48,562	86.95%	90,283
Total Active Cases	105	1.44%	111
Total Recovered	7,012	96.23%	8,056
Total Deaths**	403	2.33%	

** Percentage of Total are Molecular PCR Tests ONLY*
*** Total Deaths include all COVID-19 related deaths regardless of test*

DAILY TOTALS
(New Cases for Today Only)

DESCRIPTION	MOLECULAR PCR TEST	PERCENTAGE OF TOTAL*	ANTIGEN TEST
Test Results	16	100%	126
Positives	1	6.25%	
Probable Cases			7
Negatives	15	93.75%	119
Recovered	5		3
Deaths**	0		

** Percentage of Total are Molecular PCR Tests ONLY*
*** Total Deaths include all COVID-19 related deaths regardless of test*

OTHER INFORMATION
(All Previous Cases + Daily Totals)

DESCRIPTION	NUMBER	DESCRIPTION	NUMBER
Average Age of Death	75	Total Hospitalizations - In County	12
Average Age of Hospitalization	61	Total Hospitalizations - Out of County	6

Disclaimer: All numbers are provisional and subject to change at any time as cases are received and investigated. Data presented today reflects reports that were received by 5:00 pm yesterday.

Hospitalizations: Hospitalization numbers and the average age of hospitalized are directly reported by the Hendrick Health System.

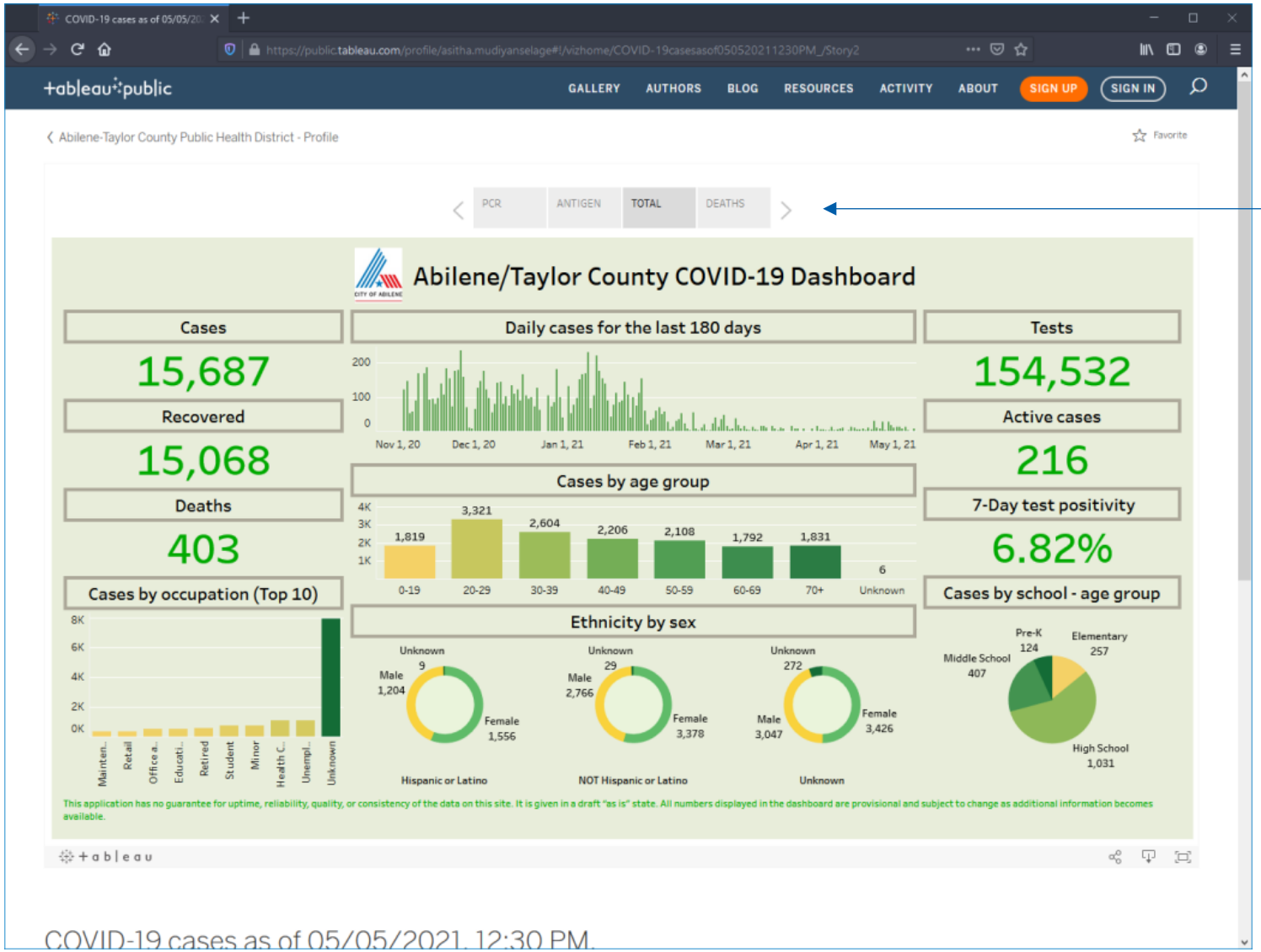
RECEIVE THE LATEST CITY INFORMATION & UPDATES AT
ABILENETX.GOV/COVID19

Option 2 for Reporting

- Dashboard
- Interactive
- Provides trends / history for comparison
- Already available on website
- Eliminates duplicate work

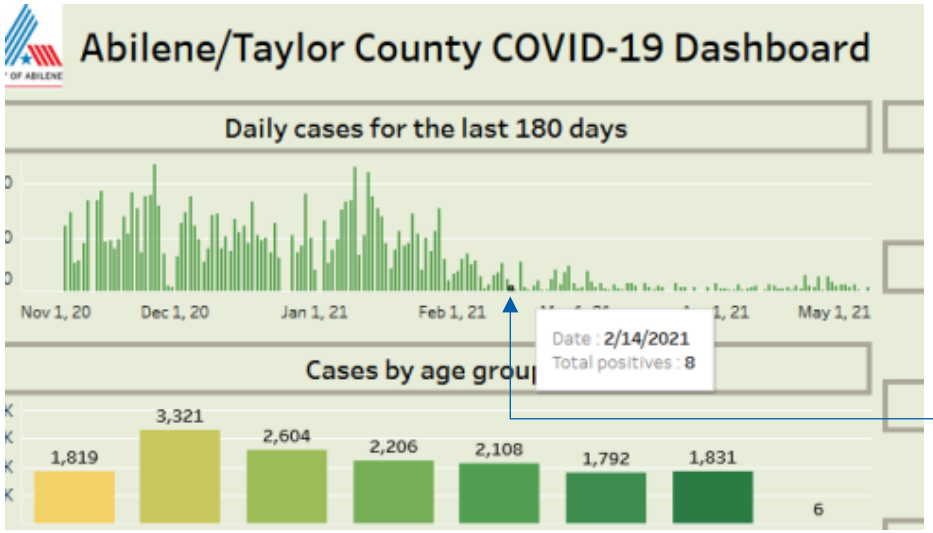
Dashboard at abilenetx.gov/covid19

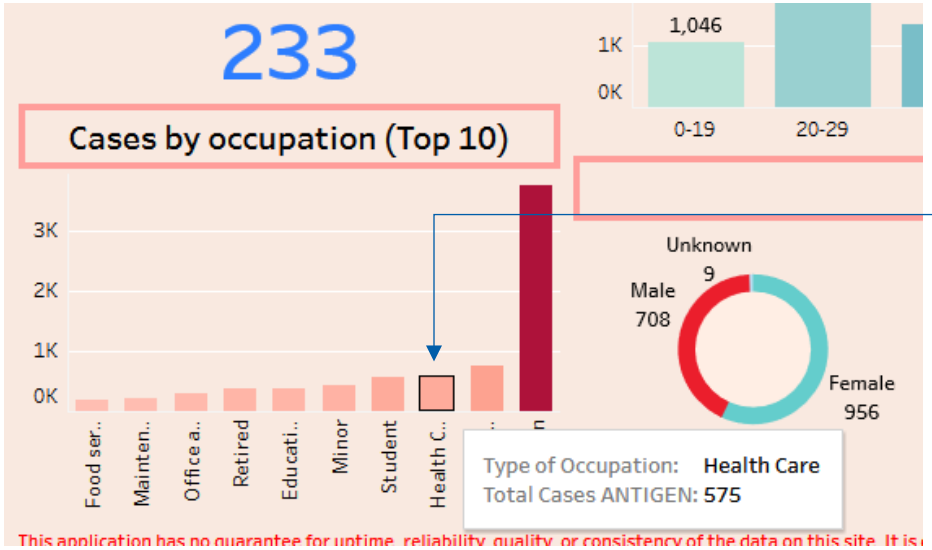
Dashboard at abilenetx.gov/covid19



Sort by PCR, Antigen, Total, and Death information

Dashboard at abilenetx.gov/covid19





Hover over information to receive more details or totals

Other Cities/Counties Reporting Frequency

M-F Only

- Amarillo
- Denton
- Dallas
- Lubbock
- Grayson Co.
- Fort Bend Co.
- Milam Co.
- Williamson Co.
- Brazoria Co.
- Victoria Co.

2 Days/wk

- Tyler

1 Day/wk

- Wichita Falls

Daily

- Corpus
- El Paso

Staff Recommendation

- Utilize interactive dashboard to provide more information which also provides easy access to weekly summaries for monitoring trends
- Eliminate duplicate work for staff

QUESTIONS?

City Council
Agenda Memo

City Council Meeting Date: 5/27/2021

TO: **Honorable Mayor & Members of City Council**

FROM: **Robert Hanna, City Manager**

SUBJECT: **20. Resolution (Remove from Table): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving a Design-Build Agreement with DPR Construction regarding construction of Downtown Convention Center Hotel, City Facilities and Parking *(Robert Hanna)***

GENERAL INFORMATION

Information will be provided at the Council meeting.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. Design Build Agreement with DPR for Hotel

Resolution:

Approving a Design-Build Agreement with DPR Construction for the Downtown Convention Center Hotel, City Facilities & Parking

CITY OF ABILENE TEXAS

QUESTIONS?

City Council
Agenda Memo

City Council Meeting Date: 5/27/2021

TO: **Robert Hanna, City Manager**

FROM: **Don Green, Director**

SUBJECT: **21. Resolution: Receive a Report, Hold a Discussion and Public Hearing and Take Action to Approve the Land Use Plan for Abilene Regional Airport *(Don Green)***

GENERAL INFORMATION

On October 25th, 2018, City Council approved Resolution 172-2018 contracting with Coffman Associates to create a Land Use Plan for Abilene Regional Airport. The focus of the plan has been to identify areas of airport land for commercial/industrial development. This plan has some parallels to the Airport Master Plan, which was conducted separately, but goes into much further details for the development of the four identified areas.

Coffman and its sub-consultants received input from Airport Staff, the Airport Development Board, Airport Tenants, the city's Planning and Development Staff, and DCOA and AIF Staffs to create a comprehensive plan to develop the areas identified. Airport staff's vision was to create areas that were available for aerospace and non-aerospace companies to locate, that has the infrastructure and aesthetics to attract world-class companies and bring new high wage jobs to the Abilene community.

The Airport, Coffman and its Airport Master Plan consultant, Garver, have worked with FAA to reclassify the use of portions of these areas from Aeronautical Use only to Non-Aeronautical Use to allow a mix of types of industries we can accommodate. The Airport also worked with Planning and Development to create a Planned Development District over Airport property in 2019.

The development areas are planned in such a way to allow development in each individually, (Area A can be developed in phases) as the need and funding occur.

The Land Use Plan will be a guide to Airport staff in how we develop the identified areas and a

tool to use by Airport and DCOA staffs in marketing these areas to prospective commercial tenants.

The link to the entire plan is: https://app.box.com/s/1uquburck8hx8u48gqc0o8jq5112a45m

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

Staff recommends approval.

BOARD OR COMMISSION RECOMMENDATION

The Airport Development Board approved its recommendation at its May 13, 2021 meeting.

ATTACHMENTS:

1. Airport Land Use Plan Resolution 5-27-21
2. ABI Land Use Study Presentation 5-27-21

RESOLUTION NO. _____

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS APPROVING THE LAND USE PLAN FOR ABILENE REGIONAL AIRPORT

WHEREAS, the City of Abilene (City) owns and operates Abilene Regional Airport; and

WHEREAS, City Council approved Resolution 172-2018 contracting with Coffman Associates to create a Land Use Plan for Abilene Regional Airport; and

WHEREAS, the focus of the plan has been to identify areas of airport land for commercial/industrial development; and

WHEREAS, Coffman and its sub-consultants received input from Airport Staff, the Airport Development Board, Airport Tenants, the city's Planning and Development Staff, and DCOA and AIF Staffs to create a comprehensive plan to develop the areas identified; and

WHEREAS, the overriding vision was to create areas that were available for aerospace and non-aerospace companies to locate and that has the infrastructure, aesthetics and amenities to attract world-class companies and bring new high wage jobs to the Abilene community.

NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

I. That City Council approves this Airport Land Use Plan, which may be used to guide future development projects and market the areas for commercial use.
II. That this action is effective immediately upon Council approval.

ADOPTED this 27th day of May 2021.

ATTEST:

_____
Shawna Atkinson, City Secretary

_____
Anthony Williams, Mayor

APPROVED:

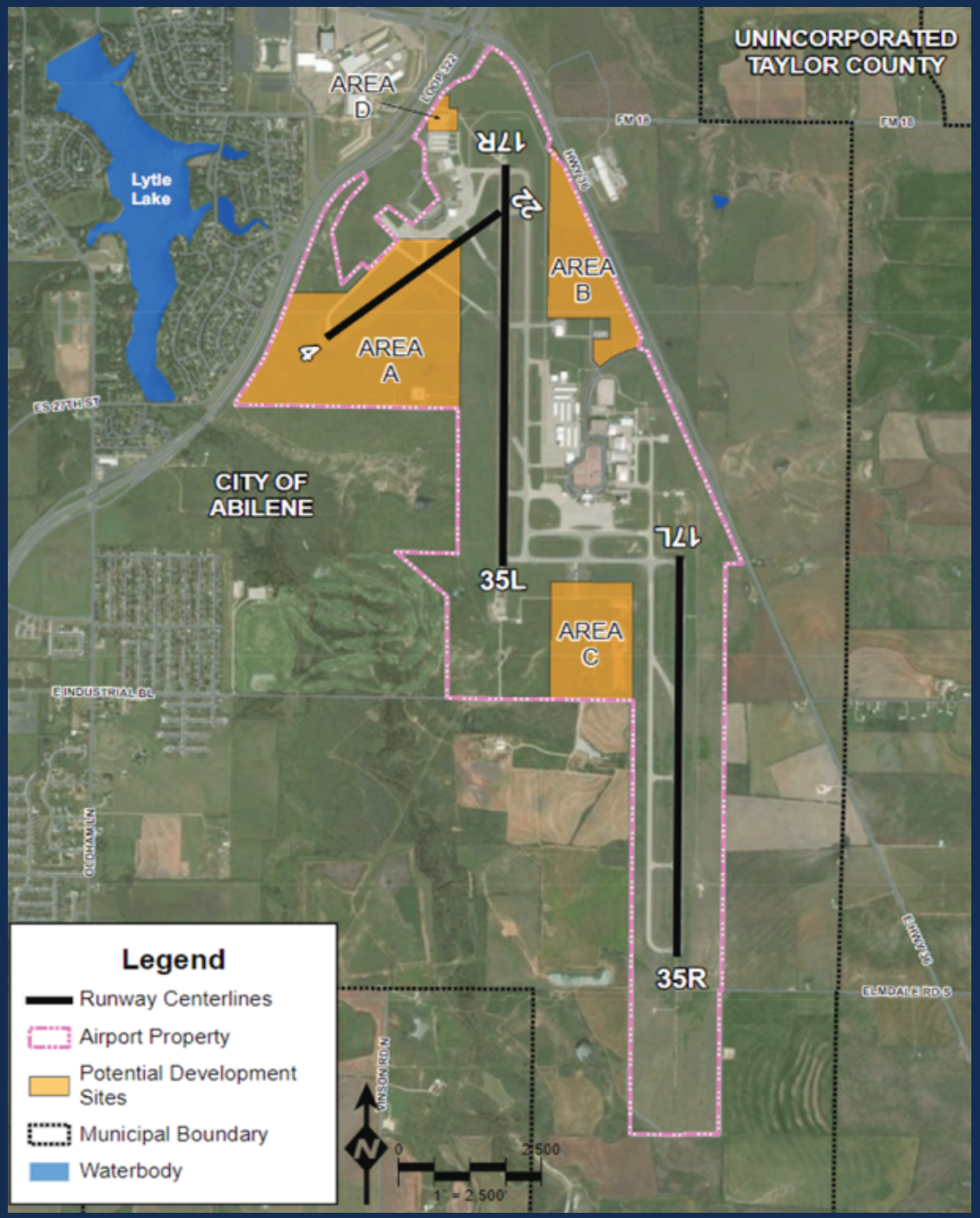
_____
Stanley Smith, City Attorney

City Council Meeting

May 27, 2021

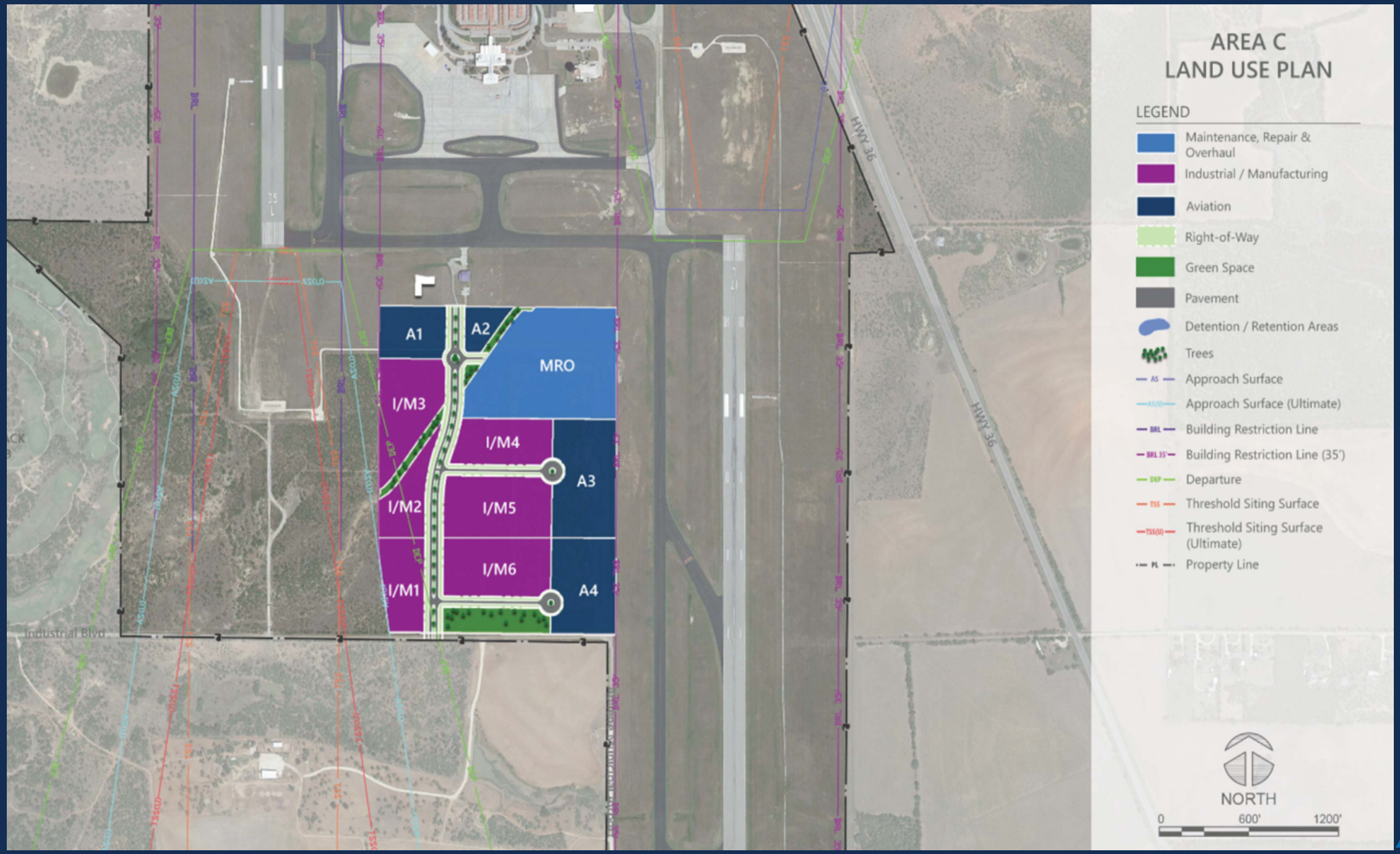
CITY OF ABILENE TEXAS

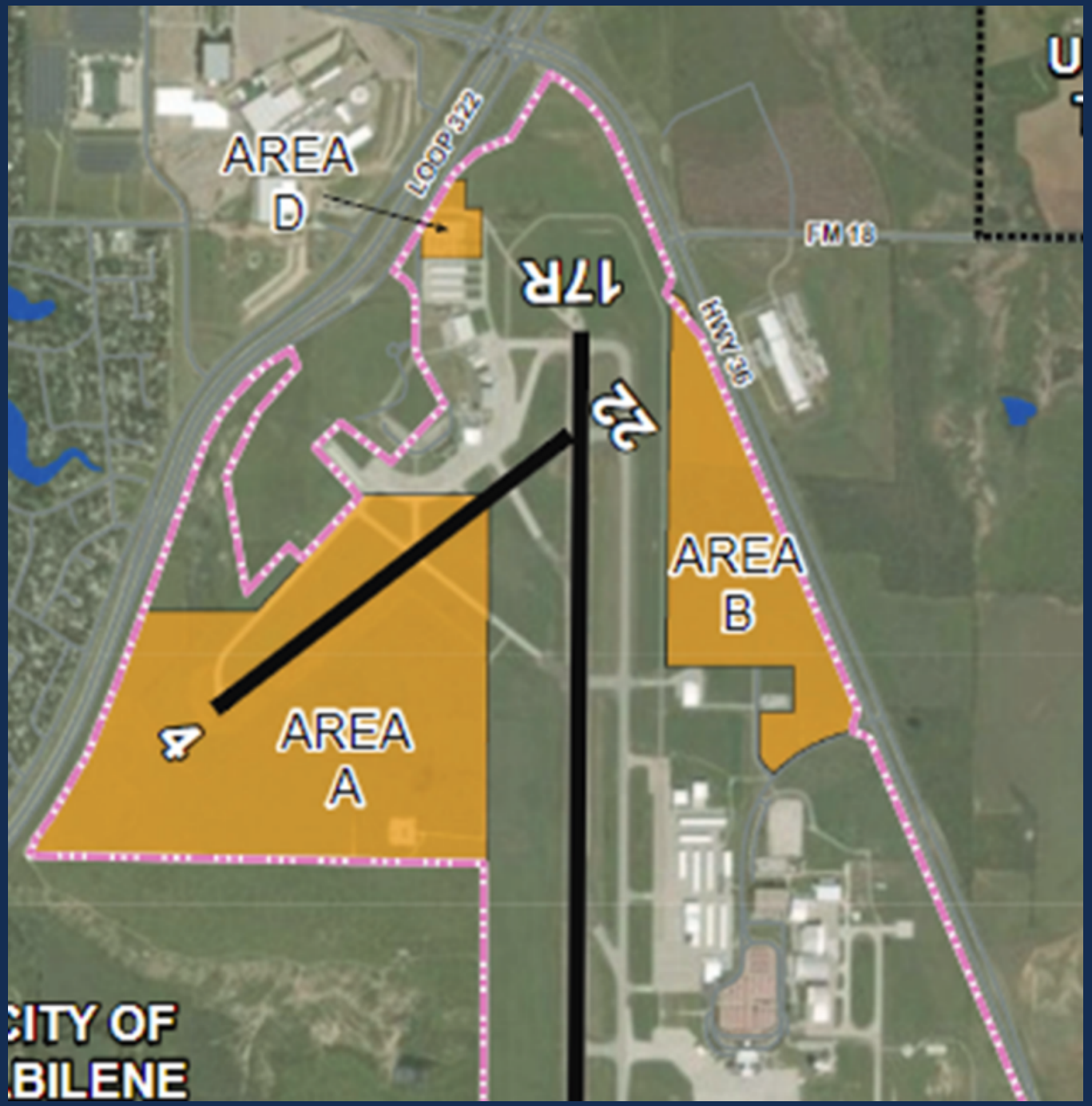
Abilene Regional Airport
Land Use and Marketing Study


UNINCORPORATED TAYLOR COUNTY
AREA D
AREA B
AREA A
AREA C
Lytle Lake
CITY OF ABILENE
17R
35L
17L
35R
Legend
Runway Centerlines
Airport Property
Potential Development Sites
Municipal Boundary
Waterbody

AREA A
LAND USE PLAN
LEGEND
Commercial
Industrial / Manufacturing
Flexible
(Industrial / Manufacturing / Commercial)
Aviation
Right-of-Way
Green Space
Pavement
Retention Areas
Trees
Approach Surface
Building Restriction Line
Building Restriction Line (35')
Departure
Threshold Siting Surface
Property Line
TSTC CTE FACILITY
AISD CTE FACILITY
LOOP 322
EXPO DRIVE
HWY 36
I/M/C1
I/M/C2
I/M/C3
A1
A2
A3
A4
C1
C2
C3
C4
C5
C6
C7
C8
I/M1
I/M2
I/M3
I/M4
I/M5
I/M6
I/M7
I/M8
I/M9
NORTH
0
600'
1200'

AREA B
LAND USE PLAN
LEGEND
Commercial
Industrial / Manufacturing
Aviation
Right-of-Way
Green Space
Pavement
Detention / Retention
Trees
Approach Surface
Building Restriction Line
Building Restriction Line (35')
Departure
Threshold Siting Surface
Property Line
NORTH
0
600'
1200'
FM 18
HWY 36
AIRPORT BLVD
C1
A1
I/M1
A2
A3
C2
C3
C4
A4


AREA C
LAND USE PLAN
LEGEND
Maintenance, Repair & Overhaul
Industrial / Manufacturing
Aviation
Right-of-Way
Green Space
Pavement
Detention / Retention Areas
Trees
Approach Surface
Approach Surface (Ultimate)
Building Restriction Line
Building Restriction Line (35')
Departure
Threshold Siting Surface
Threshold Siting Surface (Ultimate)
Property Line
A1
A2
MRO
I/M3
I/M4
A3
I/M2
I/M5
I/M6
I/M1
A4
HWY 36
Industrial Blvd
NORTH
0
600'
1200'


AREA A
AREA B
AREA D
17R
22
4
HWY 36
FM 18
LOOP 322
CITY OF ABILENE

Project Description	Subtotal
Development Area A – Phase 1	
General Condition	$755,345
Demolition	$2,392,015
Paving/Grading	$3,212,530
Storm Water	$1,460,660
Landscape/Hardscape	$2,319,230
Water Utilities	$564,920
Water System Upgrades	$302,230
Sanitary Sewer	$444,970
Lift Station	$1,394,690
Franchise Utilities	$0
Signage	$800,000
Professional Fees	$2,274,860
Total Development Area A – Phase 1	*$18,288,140*
Development Area A – Phase 2	
General Condition	$641,865
Demolition	$336,085
Paving/Grading	$3,996,250
Storm Water	$1,051,770
Landscape/Hardscape	$2,760,250
Water Utilities	$848,170
Sanitary Sewer	$705,210
Franchise Utilities	$0
Signage	$1,000,000
Professional Fees	$1,950,060
Total Development Area A – Phase 2	*$15,557,580*
Development Area A – Phase 3	
General Condition	$562,950
Demolition	$3,158,830
Paving/Grading	$2,810,270
Storm Water	$354,670
Landscape/Hardscape	$1,823,500
Water Utilities	$528,760
Sanitary Sewer	$156,530
Franchise Utilities	$0
Signage	$550,000
Professional Fees	$1,715,850
Total Development Area A – Phase 3	*$13,650,450*
Total Cost Development Area A	***$47,496,170***

AREA A
PHASING PLAN
LEGEND
Phase I
Phase II
Phase III
TSTC CTE FACILITY
AISD CTE FACILITY
EXPO DRIVE
LOOP 322
HWY 36
I/M/C1
I/M/C2
I/M/C3
I/M1
I/M2
I/M3
I/M4
I/M5
I/M6
I/M7
I/M8
I/M9
A1
A2
A3
A4
C1
C2
C3
C4
C5
C6
C7
C8

Development Area B	
General Condition	$451,190
Paving/Grading	$2,548,880
Storm Water	$903,660
Landscape/Hardscape	$1,965,940
Water Utilities	$522,300
Sanitary Sewer	$829,100
Franchise Utilities	$0
Signage	$750,000
Professional Fees	$1,384,150
Total Development Area B	***$10,949,470***
Development Area C	
General Condition	$452,780
Paving/Grading	$2,530,620
Storm Water	$903,660
Landscape/Hardscape	$2,318,810
Water Utilities	$538,220
Sanitary Sewer	$504,990
Lift Station	$439,360
Franchise Utilities	$0
Signage	$750,000
Professional Fees	$1,388,850
Total Development Area C	***$10,987,770***

https://vimeo.com/438244983/f8c37c0dc4

Questions?

City Council
Agenda Memo

City Council Meeting Date: 5/27/2021

TO: **Robert Hanna, City Manager**

FROM: **Stanley Smith, City Attorney**

SUBJECT: **22. Ordinance (Final Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amending the Land Development Code, Chapter 3, Subdivision Regulations, Article 2, Subdivision Standards, Division 7, Roadways, Section 3.2.7.4, Street, Alley Abandonment and Closure Policy *(Stanley Smith)***

GENERAL INFORMATION

Periodically, a citizen or the City will apply to abandon a city street. The procedure to abandon a public street is the same as a zoning amendment, which requires notices be mailed to all land owners within 200 feet of the public street being abandoned, as well as a hearing before the Planning and Zoning Commission with the requisite publishing of public notices. Upon abandonment of a city street, the public right of way is vacated and the abutting land owners become owners of the former street. A replat is required following the abandonment of a city street.

A closure of a city street is not an abandonment or vacation of the public right of way, but merely a closure of the street to through traffic. It is proposed that the procedure to close a city street be modified to occur via approval of a Resolution or Ordinance directly by the City Council. A public hearing would still be required prior to closure of the city street, or portion of the city street. The City Council may also make additional requirements regarding the closure of the city street, including barriers, signage, and lighting for public safety purposes. A replat would not be required, as the "closed" street would remain a public right-of-way.

It is intended that a "closure" of a city street would not be used for a "temporary" closure, but is intended to be utilized when the street is to no longer be used for vehicular traffic but should remain a public space. Additionally, because the street is not abandoned, a "closed" street could be "re-opened" for vehicular traffic by the City Council at any time should the need arise.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

Staff recommends approval of the Ordiance amendment.

BOARD OR COMMISSION RECOMMENDATION

N/A

ATTACHMENTS:

1. Closure of City Streets Amendment
2. Exhibit A Section_3_2_7_4_Street,_Alley_Abandonment_and_Closure_Policy AMENDMENT
3. Amend LDC Closure City street

ORDINANCE NO. _____

AN ORDINANCE OF THE CITY OF ABILENE, TEXAS, AMENDING THE LAND DEVELOPMENT CODE OF THE ABILENE CITY CODE OF ORDINANCES, BY AMENDING CHAPTER 3, SUBDIVISION REGULATIONS, ARTICLE 2, SUBDIVISION STANDARDS, DIVISION 7, ROADWAYS, SECTION 3.2.7.4, STREET, ALLEY ABANDONMENT AND CLOSURE POLICY; CALLING A PUBLIC HEARING; PROVIDING A CRIMINAL PENALTY; AND A PROVIDING A SEVERABILITY CLAUSE.

WHEREAS, the closure of a city street, alley, thoroughfare or public right of way is not intended to be an abandonment or vacation of the street, alley, thoroughfare or public right of way; and

WHEREAS, the procedure to close a city street, alley, thoroughfare or public right of way should be a different procedure than an abandonment of a city street, alley, thoroughfare or public right of way, but still provide a process for public input and public safety requirements; and

WHEREAS, the procedure to abandon a city street, alley, thoroughfare or public right of way shall remain as currently provided in the Land Development Code and is not be modified or amended herein.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

PART 1: That Chapter 3, Article 2, Division 7, Section 3.2.7.4, Street, Alley Abandonment and Closure Policy, of the Land Development Code of the City of Abilene Code of Ordinances is hereby amended as set out in Exhibit A, attached hereto and made a part of this ordinance for all purposes.

PART 2: That any person, firm or corporation violating any of the provisions of these chapters shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be punished by a fine of not more than Five Hundred Dollars ($500.00). Each day such violation shall continue or be permitted to continue, shall be deemed a separate offense.

PART 3: That if any provision or any section of this Ordinance shall be held to be illegal, invalid, void or unconstitutional, such holding shall in no way effect the validity of the remaining provisions or sections of this Ordinance, which shall remain in full force and effect.

PASSED ON FIRST READING this 13th day of May, 2021.

A notice of the time and place, where and when said ordinance would be given a public hearing and considered for final passage, was published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, said publication being on the 23rd day of May, 2021, the same being more than twenty-four (24) hours prior to a public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 4:30 p.m., on the 27th day of May, 2021 to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal

ordinance, becomes effective ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON FINAL READING THIS 27th day of May, 2021.

ATTEST:

_____
CITY SECRETARY

_____
MAYOR

APPROVED:

_____
CITY ATTORNEY

EXHIBIT "A"

Section 3.2.7.4 Street, Alley Abandonment and Closure Requirements ~~Policy~~

(a) General. The abandonment ~~or closure~~ of a thoroughfare, alley, right-of-way or public street shall be by replat or plat abandonment unless such was obtained by the City without platting.

(b) Quit Claim Deed. A Quit Claim deed that eliminates any and all future claim for City responsibility for the abandoned thoroughfare, public street, right-of-way or alley may be required by the City Council as part of the approval of the document (i.e., plat or separate instrument) that achieves abandonment.

(c) Approval Process. Any thoroughfare, public street, right-of-way or alley ~~closure or~~ abandonment shall follow the same process as required for a zoning change. City Council shall be the final decision maker.

(d) Closure. The City Council shall have the authority to close any thoroughfare, alley, right-of-way or public street, or any portion thereof, to traffic. Such closure may be by Resolution or Ordinance after a public hearing, and it shall not be necessary to follow the same process as required for a zoning change. The City Council may require signage, barriers, lighting, or other features as it deems appropriate to protect the public safety. Such closure shall not be an abandonment of the thoroughfare, alley, right-of-way or public street.

Amending Land Development Code – Closure of City Streets

CITY OF ABILENE TEXAS

QUESTIONS?

City Council
Agenda Memo

City Council Meeting Date: 5/27/2021

TO: **Honorable Mayor and City Council Members**

FROM: **Stanley Smith, City Attorney**

SUBJECT: **23. The City Council of the City of Abilene reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed below, as authorized by the noted Texas Government Code Sections:**

GENERAL INFORMATION

The City Council of the City of Abilene reserves the right to adjourn into executive session at any time during the course of this meeting to discuss any of the matters listed below, as authorized by the noted Texas Government Code Sections:

A. 551.071 (Consultation with Attorney)

1. 1. Robert Steven Reitz v. City of Abilene, Texas, et al., Case No. 1:16-cv-00181-BL; In the U.S. District Court, Northern District of Texas, Abilene Division, filed October 10, 2016
   2. City of Abilene v. Patrick Sumrall; Cause No. 27,733-B, In the 104th Judicial District Court, Taylor County, Texas, filed May 28, 2019
   3. City of Abilene v. 3118 South 22nd Street, Abilene, Texas, et al.; Cause No. 11968-D, In the 350th Judicial District Court, Taylor County, Texas; filed October 11, 2019
   4. Chandler Brooks v. Taylor County, et al.; Civil Action No. 1:20-cv-00049, In the United States District Court, Northern District of Texas, Abilene Division; filed March 5, 2020
   5. John Doe v. Robert Hanna, Individually and as City Manager; Cause No. 28078-B; In the 104th Judicial District Court, Taylor County, Texas; filed July 7, 2020
   6. The City of Abilene, Texas v. Ken Paxton, Attorney General of Texas; Cause No. D-1-GN-20-004598, In the 53rd Judicial District Court, Travis County, Texas; filed September 1, 2020
   7. Sharra Sampson v. City of Abilene; Cause No. 8144-B, In the 104th Judicial District Court, Taylor County, Texas; filed September 14, 2020
   8. The City of Abilene, Texas v. Ken Paxton, Attorney General of Texas; Cause No. D-1-GN-20-007028, In the 459th Judicial District Court, Travis County, Texas; filed November 18, 2020

9. Natasha Jones v. City of Abilene, Texas; EEOC Charge of Discrimination, 450-2020-06446; filed September 15, 2020
10. Patrick Sumrall v. City of Abilene, Texas; Cause No. 28,269-B, In the 104th Judicial District Court, Taylor County, Texas; filed February 18, 2021
11. Officer Mark Watson and City of Abilene, Case No. 01-21-0002-5335; Appeal of Indefinite Suspension to Arbitration, filed March 10, 2021
12. Alton H. Smith, Jr. and Alicia Malorie Smith v. City of Abilene, Texas; Cause No. 51055-A, In the 42nd Judicial District Court, Taylor County, Texas; filed March 11, 2021
13. Clyde Water
14. Governor's Executive Orders COVID-19
15. Sanctuary City for the Unborn
16. Potential Claim against Netflix, Hulu, Disney+, and Others
17. City's Liability for Firefighter's Pension Plan

B. 551.072 (Deliberations about Real Property)

C. 551.073 (Deliberations about Gifts and Donations)

D. 551.074 (Personnel Matters)

1. City Council may consider appointment, employment, compensation, reassignment, duties, discipline, or dismissal of public officers or employees, City Manager, City Attorney, Municipal Court Judge, City Secretary, and City Board and Commission Members
2. City of Abilene Boards and Commissions may be discussed, as needed for (re)appointment

E. 551.076 (Deliberations about Security Devices)

F.551.087 (Business Prospect/Economic Development)

1. Abilene Convention Center Hotel Project

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

None