



## 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 August 12, 2021, at 8:30 a.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

### INVOCATION

1. Councilmember Weldon Hurt

### PLEDGE TO THE UNITED STATES FLAG AND THE TEXAS FLAG

### PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS AND ANNOUNCEMENTS

### 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.

2. **Minutes:** Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Special Budget Workshop on July 27, 2021, and the Regular Meeting Held on July 29, 2021 **(Shawna Atkinson)**
3. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the 2021 Edward Byrne Memorial Justice Assistance (JAG) Grant Program **(Marcus Dudley)**
4. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Rate Settlement Agreement with Atmos Energy **(Stanley Smith)**
5. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing and Take Action to Approve the acceptance of Airport Improvement Program Grant 50 **(Don Green)**
6. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on authorizing the City Manager to Execute a Contract with APEX Surface Care for Preventative Maintenance Services for the Abilene Convention Center **(Molly Moser)**

7. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving Alcoholic and Non-Alcoholic Beverages in the Abilene Convention Center by an Approved Caterer **(Molly Moser)**
8. **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 July 8, 2021 **(Robert Hanna)**
9. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving a Ground Lease and a City Facilities Lease with Abilene Convention Center Hotel Development Corporation, and a City Facilities Development Agreement with Garfield Public/Private for the Downtown Convention Center Hotel **(Robert Hanna)**
10. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action To Execute an Agreement with WHP Training Towers for the Supply and Installation of Padgenite Super HD Thermal Lining for the Abilene Fire Department Burn Building. **(Cande Flores)**
11. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approval of Single-Family Rehabilitation/Reconstruction Program Project Budgeted with HOME Program Funds **(Tim Littlejohn)**
12. **Ordinance (First Reading):** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on an Ordinance of the City of Abilene, Texas, and Providing for the Extension of the Boundary Limits of the City of Abilene, Texas, and for the Annexation of Certain Territory Lying Adjacent and Contiguous to the Present Boundary Limits of the City of Abilene, and Granting to All the Inhabitants of the Territory, all the Rights and Privileges of Other Citizens and Binding the Inhabitants by All of the Acts, Ordinances, Resolutions, and Regulations of the City of Abilene; and Adopting a Service Plan Agreement **(Michael Rice)**

#### **REGULAR AGENDA - ORDINANCES AND PUBLIC HEARINGS - RESOLUTIONS**

13. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Resolution of the Abilene Convention Center Hotel Development Corporation Authorizing the Issuance of the Corporation's Hotel Revenue Bonds; Approving Execution and Delivery of All Agreements and Documents Related to the Development, Construction and Operation of the Convention Center Hotel Project; and Enacting Other Provisions Relating to the Subject **(Robert Hanna)**
14. **Ordinance (Final Reading):** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Authorizing the Issuance of City of Abilene, Texas Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2021A; Establishing Procedures and Delegating Authority for the Sale and Delivery of the Certificates; Providing an Effective Date; and Enacting other Provisions Relating to the Subject **(Mike Rains)**
15. **Ordinance (Final Reading):** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Authorizing the Issuance of City of Abilene, Texas Combination Tax and Limited Surplus Revenue Certificates of Obligation, Series 2021B; Establishing Procedures and Delegating Authority for the Sale and Delivery of the Certificates; Providing an Effective Date; and Enacting other Provisions Relating to the Subject **(Mike Rains)**
16. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on awarding the bid for Second Pressure Plane Supply Line - Phase I **(Rodney Taylor)**
17. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on authorizing a change order to the contract for Second Pressure Plane Supply Line - Phase I **(Rodney Taylor)**

18. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on amending the Agreement with Remington Estates and Iberis Road South Phase 2 **(Rodney Taylor)**
19. **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 **(Shawna Atkinson)**
- Airport Development Board
20. **Ordinance (Final Reading):** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Sec.18-289 One-Way Streets-At all Times in the Code of Ordinances **(Greg McCaffery)**
21. **Ordinance (Final Reading) Z-2021-15:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Mascorro Properties LLC, Represented by Brandon Mascorro, to Change Zoning from Residential Single-Family (RS-6) to a Residential Medium-Density (MD) District on Ten Vacant Lots Bordering the 2400 Block (East Side) of Shelton Street In Northwest Central Abilene **(Cheryl Sawyers)**
22. **Ordinance (Final Reading) Z-2021-16:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Weatherbee Construction Inc., Represented by Enprotec/Hibbs & Todd Inc., to Change Zoning from Residential Single-Family (RS-6) to a Residential Medium-Density (MD) District on 2.489 Acres of Vacant Land Bordering the 6100 Block (North Side) of Jennings Drive in Western Abilene and to Change Zoning from Planned Development District Number 111 (PD 111) to a Residential Medium-Density (MD) District on 0.8318 Acres of Vacant Land Having 40 Feet of Frontage on the 6200 Block (North Side) of Jennings Drive in Western Abilene **(Cheryl Sawyers)**
23. **Ordinance (Final Reading) Z-2021-17:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Weatherbee Construction Inc., Represented by Enprotec/Hibbs & Todd Inc., to Change Zoning from Agricultural Open Space (AO) to a Residential Medium-Density (MD) District on Two Vacant Parcels Together Comprising 8.236 Acres Having a Combined 1375+ Feet of Frontage on the 2900-3100 Blocks (West Side) of Dub Wright Boulevard in Western Abilene and to Change Zoning from Agricultural Open Space (AO) to a Residential Single-Family (RS-6) District on a 2.618-Acre Parcel Having 250 Feet of Frontage on the 6500 Block (North Side) of Hampton Hills Street, as well as on a 5.225-Acre Parcel Having 250 Feet of Frontage on the 6500 Block (South Side) of Hampton Hills Street **(Cheryl Sawyers)**
24. **Ordinance (Final Reading) Z-2021-18:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Eplen Properties Inc., Represented by Betco Housing Lab, to Change Zoning from General Commercial (GC) to a Residential Multiple-Family (MF) District on Nine Vacant Lots at 149 and 157-182 Eplens Court (At South End of Eplens Court) in West Central Abilene **(Cheryl Sawyers)**
25. **Ordinance (Final Reading) Z-2021-19:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Prairie Song LLC, Represented By Jacob Martin LLC, To Change Zoning From Planned Development District Number 144 (PD 144) To A Combination Of A Residential Single-Family (RS-6) District On Approximately 2 Vacant Acres At 2668 Garfield Avenue In Northeast Abilene And A Residential Medium-Density (MD) District On Approximately 12 Vacant Acres Located Directly North From Above-Described 2 Acres Of Land In Northeast Abilene, And To Change Zoning From Residential Single-Family (RS-8) To A Residential Single-Family (RS-6) District On Two Vacant Lots At 2660-2664 Garfield Street (Legal Description Being Lots 4 And 5 In Block 10 Of Hillcrest

Addition, Section 4) (*Cheryl Sawyers*)

26. **Ordinance (Final Reading) SNC-2021-01:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from The Development Corporation of Abilene to Change the Name of Corridor Drive to Great Lakes Cheese Drive. Corridor Drive Lies Within the Access Business Park and Extends East from Highway 36, at a Location Approximately 0.25 Mile Southeast From Loop 322 and 0.15 Mile Northwest from FM 18 in Eastern Abilene (*Cheryl Sawyers*)

#### **BUDGET ORDINANCES**

27. **Ordinance (Final Reading):** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the 2020-2021 Revised Budget (*Mike Rains*)
28. **Ordinance (Final Reading):** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving and Adopting the Proposed Budget for Fiscal Year 2021-2022 (*Mike Rains*)
29. **Ordinance (Final Reading):** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving and Adopting the Proposed 2021-22 Tax Rates (*Mike Rains*)
30. **Ordinance (Final Reading):** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Adopting Fees and Charges for Fiscal Year 2021-2022 (*Mike Rains*)

#### **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.

#### **EXECUTIVE SESSION**

31. **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. 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
  3. 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
  4. 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
  5. 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
  6. Sharra Sampson v. City of Abilene; Cause No. 8144-B, In the 104th Judicial District Court, Taylor County, Texas; filed September 14, 2020
  7. 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
  8. Natasha Jones v. City of Abilene, Texas; EEOC Charge of Discrimination, 450-2020-06446;

filed September 15, 2020

9. Officer Mark Watson and City of Abilene, Case No. 01-21-0002-5335; Appeal of Indefinite Suspension to Arbitration, filed March 10, 2021

10. 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

11. Governor's Executive Orders - COVID-19

12. Clyde Water

**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

3. Municipal Court Judge Interviews

**E. 551.076 (Deliberations about Security Devices)**

**F. 551.087 (Business Prospect/Economic Development)**

1. Abilene Convention Center Hotel Project

**RECONVENE**

**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 6th day of August, 2021, at 4:00 p.m.*

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*Shawna Atkinson, TRMC, CMC*  
City Secretary