



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

AMENDED

Notice is hereby given of a meeting of the City Council of City of Abilene to be held on September 9, 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 Donna Albus

PLEDGE TO THE UNITED STATES FLAG AND THE TEXAS FLAG

PRESENTATIONS, RECOGNITIONS, PROCLAMATIONS AND ANNOUNCEMENTS

2. **Employee Service Awards:**

- Annette Lerma - 20 Years - Health Services
- Brad McGary - 30 Years - Police Department
- Mindy Patterson - 30 Years - City Manager's Office
- Mike Perry - 30 Years - Police Department

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.

3. **Minutes:** Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on August 26, 2021 (**Shawna Atkinson**)
4. **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 August 12, 2021 **(Robert Hanna)**

5. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Abilene Convention and Visitors Bureau FY 2022 Budget **(Mike Rains)**
6. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the purchase of One 2022 Ford F250 Three-Quarter Ton Utility Truck for Sewage Collection from Randall Reed Ford per sealed bid CB-2125 **(Tim Cass)**
7. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the purchase of two 2022 Chevrolet 3500 One Ton Utility Trucks for Sewage Collection and Water Distribution from Caldwell Country Chevrolet per sealed bid CB-2125 **(Tim Cass)**
8. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the purchase of One 1-Ton Utility truck with crane for Fleet Maintenance from local vendor, Arrow Ford, through CB-2160 **(Tim Cass)**
9. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the purchase of six 4WD Police Patrol Vehicle Tahoes through Caldwell Country Chevrolet **(Tim Cass)**
10. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Authorizing Combined Purchases from the Specified Vendors in Amounts Exceeding \$50,000 during Fiscal Year 2021 **(Mike Rains)**
11. **Resolution:** Receive a Report, Hold a Discussion and Take Action to Approve an Extended Term Street Use License with Abilene Convention Center Hotel Development Corporation **(Michael Rice)**
12. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the Execution of Professional Services Contracts in Support of the Public Health Workforce and Health Equity Grants **(Annette Lerma)**
13. **Ordinance (First Reading):** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amending Budget Ordinance No. 41-2021 to Include Updated Revenues and Expenditures for the Health Department **(Annette Lerma)**
14. **Ordinance (First Reading):** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amending Chapter 10, Article III, “Fire Prevention Code”, Division 1, Sec. 10-46 of the Abilene Municipal Code **(Cande Flores)**.

REGULAR AGENDA - ORDINANCES AND PUBLIC HEARINGS - RESOLUTIONS

15. **Ordinance (Final Reading):** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amending Chapter 22-2 Intoxicating Beverages Prohibited; Confiscation **(Lesli Andrews)**
16. **Ordinance (Final Reading):** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Developer Participation Agreement between the City of Abilene, Texas and PB 6950, LLC **(Michael Rice)**
17. **Ordinance (Final Reading) Z-2021-20:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Bel Air West LLC (Represented By Ronny Guerrero) to Change Zoning from General Commercial (GC) to a Residential Multi-Family (MF) District on the Eastern 240 Feet of a Site Occupied by Bel Air West Apartments at 5220 Hartford Street, on the Northeast Corner of Presidio and Hartford Streets in Western Abilene **(Tim Littlejohn)**
18. **Ordinance (Final Reading) TC-2021-02:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Iris Abilene: Camp Barkeley (Represented by

Overland Property Group) to Abandon the Public's Right-of-Way Within the Following Street and Alley Segments in South Central Abilene: An Unimproved 55.62-Foot Width of South 10th Street (Formerly Church Street) Between Sycamore and Elm Streets; A 20-Foot-Wide Alley Projecting 150 Feet South from Said Unimproved Segment of South 10th Street, Midway and Parallel Between Sycamore and Elm Streets; And a 20-Foot-Wide Alley (Unimproved) Extending East-to-West for a Distance of 300 Feet Between Sycamore and Elm Streets, 140 Feet South from and Parallel to Right-of-Way for South 9th Street **(Tim Littlejohn)**

19. **Ordinance (Final Reading) Z-2021-21:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Iris Abilene: Camp Barkeley (Represented By Overland Property Group) to Change Zoning from Residential Medium-Density (MD) to a Residential Multi-Family (MF) District, on Approximately 3.58 Acres of Land Occupied by a Building at 1101 South 9th Street (Formerly Travis Elementary School) Between Sycamore and Elm Streets in South Central Abilene **(Tim Littlejohn)**
20. **Ordinance (Final Reading) HOZ-2021-01:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Dan Steven and Tracy A. Morgan McNeill to Apply a Historic (H) Overlay Zone onto the Underlying Residential Single-Family (RS-12) Zoning District at 702 Sayles Drive **(Tim Littlejohn)**
21. **Ordinance (Final Reading) TC-2021-06:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request From Barbara Robinson And Dylan Golden (Represented By Enprotec/Hibbs & Todd, Engineering Consultants) to Abandon the Public's Right-of-Way Within a 20-Foot Wide Alley (a Dead End) Extending for a Distance of Approximately 100 Feet West from Right-of-Way For Melissa Lane and Situated 100 Feet South from and Parallel to Right-of-Way for Princess Lane In Western Abilene **(Tim Littlejohn)**

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

22. **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

B. 551.072 (Deliberations about Real Property)

1. 101 Cypress Street
2. 1250 N. 1st

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

REGULAR AGENDA

23. **Oral Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the Evaluation of the City Manager
24. **Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Casting a Vote to Nominate a Member to the Taylor County Appraisal District Board of Directors (**Shawna Atkinson**)

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 Amended meeting notice was posted on the bulletin board at the City Hall of the City of Abilene, Texas, on the 3rd day of September, 2021, at 4:55 p.m.

Shawna Atkinson, TRMC, CMC
City Secretary



**City Council
Agenda Memo**

City Council Meeting Date: 9/9/2021

TO: Honorable Mayor & Members of City Council

FROM: Shawna Atkinson, City Secretary

SUBJECT: 3. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on August 26, 2021
(*Shawna Atkinson*)

GENERAL INFORMATION

Approval of the Minutes from the Special Meeting Held on August 18, 2021, and the Regular Meeting held on August 26, 2021

SPECIAL CONSIDERATIONS

None.

FUNDING/FISCAL IMPACT

None

STAFF RECOMMENDATION

Approval of the Minutes

BOARD OR COMMISSION RECOMMENDATION

N/A

ATTACHMENTS:

1. 08-26-2021 Minutes - Regular - Evening

CITY COUNCIL MEETING
August 26, 2021 at 4:30 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 Regular Session on August 26, 2021, at 4:30 p.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, City Secretary Shawna Atkinson, and various members of the City staff.

EXECUTIVE SESSION

Mayor Williams recessed into Executive Session at 4:30 p.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:

- 23. B. 551.072 (Deliberations About Real Property)
 - 1. 101 Cypress Street (Agenda Item #13)
- 23. D. 551.074 (Personnel Matters)
 - 1. City Manager
 - 2. Municipal Court Judge (Agenda Item #20)
- 23. F. 551.087 (Business Prospect/Economic Development)
 - 1. Abilene Convention Center Hotel Project

The Executive Session ended at 4:51 p.m. and reconvened to Open Session at 5:30 p.m. as noted on the posted agenda. Mayor Williams reported no votes or action were taken in Executive Session.

Mayor Anthony Williams delivered the invocation.

The Destination Imagination teams from Wylie ISD, led the Pledge of Allegiance to the Flag of the United States of America and State of Texas Flag.

CONSENT AGENDA

The Consent Agenda consisted of items 3-19. Items 5, 6, 7, 10 & 13 were pulled for individual consideration.

Item pulled for individual consideration were as follows:

- David Swart, Citizen – Items #5 & #6
- Councilmember Albus – Item #7
- Mayor Pro-tem McAlister – Item #10
- Bob Thomas, Citizen – Item #13

Councilmember Hurt moved to approve items 3-4, 8-9, 11-12, and 14-19. 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

3. Minutes: Receive a Report, Hold a Discussion and Take Action on Approving the Minutes from the Regular Meeting Held on August 12, 2021, and the Special Called Meeting Held on August 18, 2021
4. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Receipt and Review of the Abilene-Taylor County Events Venue District Budget for Revised FY 2021 and Approved FY 2022
[ASSIGNED RESOLUTION NO. 140-2021]
8. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Authorizing a Professional Services Contract for the EN 10th Street and Maple Street Utilities Relocation Project
[ASSIGNED RESOLUTION NO. 144-2021]
9. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Authorizing a Contract with United States Geological Survey for Streamflow Monitoring Stations
[ASSIGNED RESOLUTION NO. 145-2021]
11. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the Purchase of Five (5) 2022 Chevrolet Traverses through CB-2118 from Caldwell Country Chevrolet
[ASSIGNED RESOLUTION NO. 147-2021]
12. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Creating and Establishing a Second Municipal Court for the City Of Abilene Pursuant To Section 78, City Charter
[ASSIGNED RESOLUTION NO. 148-2021]
14. Ordinance (First Reading) Z-2021-20: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Bel Air West LLC (Represented By Ronny Guerrero) to Change Zoning from General Commercial (GC) to a Residential Multi-Family (MF) District on the Eastern 240 Feet of a Site Occupied by Bel Air West Apartments at 5220 Hartford Street, on the Northeast Corner of Presidio and Hartford Streets in Western Abilene
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18. Ordinance (First Reading) TC-2021-06: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request From Barbara Robinson And Dylan Golden (Represented By Enprotec/Hibbs & Todd, Engineering Consultants) to Abandon the Public's Right-of-Way Within a 20-Foot Wide Alley (a Dead End) Extending for a Distance of Approximately 100 Feet West from Right-of-Way For Melissa Lane and Situated 100 Feet South from and Parallel to Right-of-Way for Princess Lane In Western Abilene
19. Ordinance (First Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Developer Participation Agreement between the City of Abilene, Texas and PB 6950, LLC

ITEMS PULLED FOR INDIVIDUAL CONSIDERATION

5. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Awarding Bid No. 2157 to Epic Construction, Co. on the N. 6th & Cypress Parking Lot Improvements
[ASSIGNED RESOLUTION NO. 141-2021]

The item was pulled by David Swart, citizen.

Having pulled the item, David Swart questioned if this is a City owned parking lot or if it is shared with First Financial Bank. Mr. Swart hopes that it is just City owned, since First Financial is not paying for any of the improvements.

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

- Samuel Garcia – questioned if the public will still have access to the parking lot, and spoke about his concern that the main focus of the City being downtown Abilene.

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

City Manager Hanna clarified that the City is requiring the changes, so First Financial is not paying, but the parking lot will have a public purpose.

Mayor Pro-tem McAlister 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

6. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Awarding Bid No. 2156 to Contract Paving Company for South 27th St Reconstruction Project
[ASSIGNED RESOLUTION NO. 142-2021]

The item was pulled by David Swart, citizen.

Having pulled the item, David Swart stated his concerns about the workmanship on Willis Street between 14th and S 32nd Street, as there are two different colored pavements with a groove. Mr. Swart is concerned that this project might look like that work in the end.

City Manager Hanna addressed Mr. Swart's concern stating that Contract Paving did not do the work on Willis Street.

Mayor Williams continued the public hearing. With no other speakers coming forward, the public hearing was 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

7. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approval of the Abilene Zoological Society Agreement
[ASSIGNED RESOLUTION NO. 143-2021]

The item was pulled by Councilmember Albus.

Having pulled the item, Councilmember Albus stated she watched the Parks Board meeting and it was brought up that the Zoo had the highest participation they had ever had. She wanted the general public to know what an exceptional job they have done.

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

Councilmember Albus 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

10. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the Purchase of Four (4) Case Maxxum 125 Tractors from Local Vendor Wylie Implement Through the Sourcewell Cooperative for Stormwater Services
[ASSIGNED RESOLUTION NO. 146-2021]

The item was pulled by Mayor Pro-tem McAlister.

Having pulled the item, Mayor Pro-tem McAlister stated that it was mentioned previously that the City never purchases anything local, so he wanted to point out that this was a local bidder.

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

Mayor Pro-tem McAlister moved to approve the item as presented. 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

13. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving an Economic Development Agreement with the Abilene Improvement Corporation for 101 Cypress and 1250 N 1st.

[ASSIGNED RESOLUTION NO. 149-2021]

The item was pulled by Bob Thomas, citizen.

Having pulled the item, Bob Thomas questioned why no information was given to the public before the meeting.

Robert Hanna, City Manager addressed Mr. Thomas's concerns stating that this is an economic development agreement and was discussed in executive session.

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

- Samuel Garcia – spoke in opposition to the item.

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

REGULAR AGENDA

20. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Appointing Chace Craig as a Municipal Court Judge

[ASSIGNED RESOLUTION NO. 150-2021]

Stanley Smith, City Attorney, presented the item. Adoption of the item would appoint Chace Craig as a Municipal Court Judge.

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

- David Swart – had questions regarding the logistics of this appointment

With no other 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

21. Ordinance (First Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amending Chapter 22-2 Intoxicating Beverages Prohibited; Confiscation and setting a public hearing for September 9, 2021

Lesli Andrews, Director of Community Services, presented the item. Adoption of the item would allow the sale of alcoholic beverages for minor league sports and other special events at Rose Park Big League Field.

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

- Isaac Davila – spoke in opposition to allowing alcohol at Rose Park.
- Scott Purkin – represented the company trying to bring the baseball team to Abilene. Spoke in favor of allowing alcohol in Rose Park.
- Liz Donahue – spoke in favor of the baseball team.

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

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

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

NAYS (1): Councilmember Price

22. Ordinance (Final 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
[ASSIGNED ORDINANCE NO. 44-2021]

Michael Rice, Assistant City Manager, presented the item. Adoption of the item would approve an the extension of the boundary limits of the City of Abilene, and provide for the voluntary annexation of land requested by HSH Ventures, LLC, setting the zoning at RS-6.

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

- David Todd – represents the client and availed himself to questions from Council.

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

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

PUBLIC COMMENTS

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

- David Swart – questioned if the City had something to do with a news article disappearing about a person striking the Fort Phantom Hill dam. Mr. Swart stated that last year’s concern was the roadway cracking, so Mr. Swart doesn’t believe the dam is the issue, but it is the top deteriorating.
- EJ Patel – spoke in regards to recycling. Mr. Patel would like information on why it was stopped and the company that was used previously.
- Debra Newberry – spoke about the proposed new animal shelter and the current shelter stretching rules to fit their needs.
- Debra Pearson – spoke about a spay and neuter ordinance that she would like to see passed in the City of Abilene.
- Victoria Carter – spoke about the animal shelter and how she would like to use the current facility as a holding facility, and then build a new adoption center.

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

ADJOURNMENT

There being no further business, the meeting adjourned 6:37 p.m.

Shawna Atkinson
City Secretary

Anthony Williams
Mayor

Minutes approved on: _____



**City Council
Agenda Memo**

City Council Meeting Date: 9/9/2021

TO: Honorable Mayor and City Council Members

FROM: Robert Hanna, City Manager

SUBJECT: 4. 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 August 12, 2021 (*Robert Hanna*)

GENERAL INFORMATION

On August 12, 2021, the City Council issued its Resolution Further Modifying Its Extension of Disaster Declaration, which was effective until September 9, 2021. On July 29, 2021, Governor Abbott issued his Executive Order GA-38 regarding COVID-19. On August 29, 2021, Governor Abbott issued his Proclamation Renewing his declaration of a State-wide Disaster due to COVID-19. Due to the ongoing local disaster caused by COVID-19, request is made to continue the City of Abilene's Declaration of Local Disaster and continue to adopt the Governor's Executive Order regarding COVID-19.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. 22nd Resolution Extending Declaration of Local Disaster COVID-19 redline draft
2. EO-GA-38-continued-response-to-the-COVID-19-disaster-IMAGE-07-29-2021 (1)
3. proc08292021_COVID
4. Disaster Declaration PPT

RESOLUTION NO. _____

RESOLUTION OF THE CITY COUNCIL, CITY OF ABILENE, TEXAS, FURTHER MODIFYING ITS EXTENSION OF DECLARATION OF DISASTER (COVID-19) ISSUED ON ~~AUGUST 12~~JULY 8, 2021.

WHEREAS, on March 16, 2020, the Mayor of the City of Abilene, by proclamation, issued a Declaration of Local Disaster regarding COVID-19; and

WHEREAS, on March 23, 2020, the City Council issued its Resolution Renewing and Continuing the Mayor's Declaration of Disaster Issued on March 16, 2020, which prohibited the social gathering of more than 10 persons; and

WHEREAS, on March 30, 2020, the City Council issued its Resolution Modifying its Extension of Declaration of Disaster, which created a limited shelter in place through 11:59 p.m., April 14, 2020; and

WHEREAS, on April 13, 2020, the City Council issued its Resolution Further Modifying its Extension of Declaration of Disaster, which continued the limited shelter in place through 11:59 p.m., April 30, 2020; and

WHEREAS, on April 30, 2020, the City Council issued its Resolution Further Modifying its Extension of Declaration of Disaster, which adopted the regulations and restrictions issued in the Governor's Executive Order GA-18; and

WHEREAS, on May 15, 2020, the City Council issued its Resolution Further Modifying its Extension of Declaration of Disaster, which adopted the regulations and restrictions issued in the Governor's Executive Order GA-21; and

WHEREAS, on June 1, 2020, the City Council issued its Resolution Further Modifying its Extension of Declaration of Disaster, which adopted the regulations and restrictions issued in the Governor's Executive Order GA-23, which was effective until June 25, 2020; and

WHEREAS, on June 25, 2020, the City Council issued its Resolution Further Modifying its Extension of Declaration of Disaster, which adopted the regulations and restrictions issued in the Governor's Executive Order GA-26, which was effective until July 23, 2020; and

WHEREAS, on July 23, 2020, the City Council issued its Resolution Further Modifying its Extension of Declaration of Disaster, which adopted the regulations and restrictions issued in the Governor's Executive Order GA-28, as amended, and Executive Order GA-29, which was effective until August 27, 2020; and

WHEREAS, on August 27, 2020, the City Council issued its Resolution Further Modifying its Extension of Declaration of Disaster, which continued to adopt the regulations and restrictions issued in the Governor's Executive Order GA-28, as amended, and Executive Order GA-29, which was effective until September 24, 2020; and

WHEREAS, on September 24, 2020, the City Council issued its Resolution Further Modifying its Extension of Declaration of Disaster, which continued the adopt the regulations and restrictions issued in the Governor’s Executive Order GA-29, and Executive Order GA-30, which was effective until October 22, 2020; and

WHEREAS, on October 22, 2020, the City Council issued its Resolution Further Modifying its Extension of Declaration of Disaster, which adopted the regulations and restrictions issued in the Governor’s Executive Order GA-29, and Executive Order GA-32, which was effective until November 19, 2020; and

WHEREAS, on November 19, 2020, the City Council issued its Resolution Further Modifying its Extension of Declaration of Disaster, which adopted the regulations and restrictions issued in the Governor’s Executive Order GA-29, and Executive Order GA-32, which was effective until December 17, 2020; and

WHEREAS, on December 17, 2020, the City Council issued its Resolution Further Modifying its Extension of Declaration of Disaster, which adopted the regulations and restrictions issued in the Governor’s Executive Order GA-29, and Executive Order GA-32, which was effective until January 14, 2021; and

WHEREAS, on January 14, 2021, the City Council issued its Resolution Further Modifying its Extension of Declaration of Disaster, which adopted the regulations and restrictions issued in the Governor’s Executive Order GA-29, and Executive Order GA-32, which was effective until February 11, 2021; and

WHEREAS, on February 11, 2021, the City Council issued its Resolution Further Modifying its Extension of Declaration of Disaster, which adopted the regulations and restrictions issued in the Governor’s Executive Order GA-29, and Executive Order GA-32, which was effective until March 11, 2021; and

WHEREAS, on March 11, 2021, the City Council issued its Resolution Further Modifying its Extension of Declaration of Disaster (COVID-19), which adopted the regulations and restrictions issued in the Governor’s Executive Order GA-34, which was effective until April 8, 2021; and

WHEREAS, on April 8, 2021, the City Council issued its Resolution Further Modifying its Extension of Declaration of Disaster (COVID-19), which adopted the regulations and restrictions issued in the Governor’s Executive Order GA-34, and which was effective until May 13, 2021; and

WHEREAS, on May 13, 2021, the City Council issued its Resolution Further Modifying its Extension of Declaration of Disaster (COVID-19), which adopted the regulations and restrictions issued in the Governor’s Executive Order GA-34, and which was effective until June 10, 2021; and

WHEREAS, on June 10, 2021, the City Council issued its Resolution Further Modifying its Extension of Declaration of Disaster (COVID-19), which adopted the regulations and restrictions issued in the Governor’s Executive Orders GA-34 and GA-36, and which was effective until July 8, 2021; and

WHEREAS, on July 8, 2021, the City Council issued its Resolution Further Modifying its Extension of Declaration of Disaster (COVID-19), which adopted the regulations and restrictions issued in the Governor’s Executive Orders GA-34 and GA-36, and which was effective until August 12, 2021; and

WHEREAS, on August 12, 2021, the City Council issued its Resolution Further Modifying its Extension of Declaration of Disaster (COVID-19), which adopted the regulations and restrictions issued in the Governor’s Executive Order GA-38, and which was effective until September 9, 2021; and

WHEREAS, on July 29, 2021, the Governor of the State of Texas issued his Executive Order GA-38, effective until it is modified, amended, rescinded, or superseded by the Governor, and which related to the continue response to the COVID-19 disaster; and

WHEREAS, on ~~August 29~~July 30, 2021, the Governor of the State of Texas renewed his disaster proclamation for all counties in Texas due to COVID-19 continuing a state of disaster; and

WHEREAS, because of the continuing risk of the rapid spread of the COVID-19 virus, the need to protect the most vulnerable members of the community, the intent to ensure that the maximum number of people self-isolate in their places of residence to the maximum extent feasible, while enabling essential services and commerce to continue, and the desire to slow the spread of COVID-19 to maximum extent possible, this Order is required; and

WHEREAS, this Order is issued based on evidence of the continuing occurrence of COVID-19 within the City of Abilene and Taylor County, scientific evidence and best practices regarding the most effective approaches to slow the transmission of communicable diseases generally and COVID-19 specifically; and

WHEREAS, the City Council has determined that extraordinary and immediate measures must continue to be taken to respond quickly to prevent and slow down community spread of COVID-19 in the City of Abilene; and

WHEREAS, the City Council finds that it is in the public interest to authorize additional authority as described herein pursuant to the Texas Disaster Act of 1975, as amended, Texas Government Code, and provide rules to protect the health of persons in the City of Abilene, pursuant to the Texas Government Code and Texas Health and Safety Code.

NOW THEREFORE, IT IS HEREBY RESOLVED AND DECLARED BY THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS:

1. The foregoing recitals as incorporated herein and made findings of fact.

2. That the City Council, effective immediately, hereby renews and continues the local state of disaster for the City of Abilene, Texas, pursuant to Section 418.108(b) of the Texas Government Code.
3. Pursuant to Section 418.108(c) of the Government Code, this renewal and continuation of the declaration of a local state of disaster shall be given prompt and general publicity and shall be filed promptly with the City Secretary.
4. Pursuant to Section 418.108(d) of the Government Code, this renewal and continuation of the declaration of a local state of disaster continues activation of the emergency management plan for the City of Abilene. The furnishing of aid and assistance under the declaration is hereby authorized. The appropriate preparedness and response aspects of the plan are continued.
5. The use of all available resources of the City of Abilene that are reasonably necessary to cope with this disaster are hereby authorized.
6. To the extent permitted by law, any local ordinance or administrative rule prescribing the procedures for conduct of City business or any local ordinance or administrative rule that would in any way prevent, hinder, or delay necessary action in coping with this disaster, including any local ordinance or administrative rule regarding contracting or procurement with would impede the City's emergency response necessary to cope with this declared disaster, are hereby suspended, but only for the duration of this declared local disaster and only for that limited purpose.
7. Pursuant to Section 418.108(g) of the Government Code, the City of Abilene may control ingress to and egress from a disaster area within the incorporated limits of the City of Abilene and control the movement of persons and the occupancy of premises in that area.
8. Pursuant to Section 122.006 of the Texas Health and Safety Code, the City of Abilene may adopt rules to protect the health of persons in the municipality, including quarantine rules to protect the residents against communicable disease.
9. The intent of this Order is to protect the physical health and well-being of City of Abilene residents, to protect the financial health and well-being of City of Abilene residents and businesses, and to slow the spread of COVID-19 to the maximum extent possible while safeguarding the Constitutional liberties of City of Abilene residents by utilizing the least restrictive means possible and encouraging the highest level of personal responsibility.

All persons should follow the CDC recommended guidelines to protect themselves from exposure and to protect the public from further community spread.

10. The City of Abilene hereby adopts and incorporates herein Governor Greg Abbott's Executive Order GA-38, the same as if it were copied and set-forth at length herein. The City of Abilene will follow and enforce the conditions and restrictions as set forth in GA-38 , and adopts and incorporates any further Proclamations modifying, amending or superseding GA-38 during the term of Abilene's declaration of local disaster.

The City Manager is authorized without further Council action to enforce these provisions to the fullest extent allowed by law.

11. In the event the Governor of the State of Texas amends or modifies his Executive Order GA-38, this Declaration and Order is automatically amended or modified without further Council action to reflect said amendments or modifications to the Governor's Executive Orders. It being the express intent of the City Council and this Declaration and Order to follow the Governor's Executive Orders.

12. All public, private and commercial laboratories operating within the City of Abilene and performing COVID-19 testing shall report by 5:00 p.m. each day, Monday through Friday, but excluding holidays, for the period since the last report, to the Abilene-Taylor County Public Health District the following information:

- (a) The number of COVID-19 tests performed;
- (b) The number of positive COVID-19 tests; and
- (c) The patient names and demographic information of positive COVID-19 tests.

This information will be used solely for public health purposes to monitor the testing conducted in the City of Abilene, and mitigate and contain the spread of COVID-19.

13. That any City ordinance or regulation imposing a time requirement for payment, filing or appealing a decision, may be extended by the Mayor without further confirmation by the City Council.
14. That the Mayor may suspend or modify any other ordinance or regulation of the City of Abilene for a period of not more than seven days from the date of this resolution unless continued or renewed by the City Council.
15. That the City Manager or designee of the City Manager is authorized, without further approval of the City Council, to:

- (a) Make application for local, state and federal assistance as necessary and/or applicable;
- (b) Accept on behalf of the City services, gifts, grants, equipment, supplies, and/or materials whether from private, nonprofit, or governmental sources;
- (c) Enter into Interlocal cooperation agreements or memorandums of understanding with other cities, counties, or jurisdictions to provide for law enforcement assistance or other shared services to assist in this Resolution or the COVID-19 pandemic;
- (d) Contract for expenditures for budgeted items and emergency expenditures in an amount not to exceed \$250,000; and
- (e) Defer any fines or fees imposed by the City.

After cessation of this emergency and state of disaster, the City Manager shall provide the City Council a list of all actions taken under this paragraph.

16. That although not required by law and out of an abundance of caution, the City Manager is authorized to (and any prior acts in response to the COVID-19 pandemic are ratified):

- (a) Close, including closure to the public, of any City offices, facilities, or properties, including parks, playgrounds, or playground equipment; and
- (b) Provide city services by means other than in-person delivery, such as accepting permit applications online or by mail only, and/or to cease any city service that are not required by state or federal law.

17. That any ordinances, rules, or regulations of the City of Abilene, Texas, that conflict with this Resolution are hereby suspended, such suspension to remain in effect until the state of disaster is terminated or until there is a subsequent Resolution of this Council, whichever occurs first.

18. That pursuant to Section 418.020(d) of the Texas Government Code, the City of Abilene is authorized to:

- (a) Temporarily or permanently acquire by lease, purchase, or other means sites required for installation of temporary housing units or emergency shelters for disaster victims; and
- (b) Enter into arrangements necessary to prepare or equip the site to use the housing units or shelters, including arrangements for the purchase of temporary housing units or shelters and the payment of transportation charges.

19. That failure to comply with any of the provisions of this Order constitutes an imminent threat to public health.

20. Pursuant to Section 418.173, Government Code, failure to comply with this Order is an offense punishable by a fine not to exceed \$1,000, except as otherwise provided in the Governor's Executive Orders GA-38.
21. That any violation of this Resolution, Declaration and Order can be enjoined by the City of Abilene by a suit filed in a court of competent jurisdiction, and this remedy shall be in addition to any penal provision in this Resolution, Declaration and Order or in the Code of Ordinances, City of Abilene, Texas.
22. That nothing in this Resolution, Declaration and Order shall be construed to affect any suit or proceeding pending in any court, or any rights acquired, or liability incurred, or any cause or causes of action acquired or existing, under any act or prior ordinance; nor shall any legal right or remedy of any character be lost, impaired, or affected by this Resolution.
23. All provisions of this Resolution, Declaration and Order should be interpreted to effectuate its intent.
24. That this Declaration and Order is effective immediately and continues until 11:59 p.m. ~~October 14~~September 9, 2021 unless otherwise modified, terminated or extended.
25. That the terms and provisions of this Resolution, Declaration and Order shall be deemed to be severable and that if any section, subsection, sentence, clause, phrase or word herein shall be declared to be invalid or unconstitutional, the same shall not affect the validity or constitutionality of any other section, subsection, sentence, clause, phrase or word herein, and the remainder of this Resolution, Declaration and Order shall continue in full force and effect the same as if such invalid or unconstitutional provision had never been a part hereof.

ADOPTED this ~~9~~¹²th day of ~~September~~August, 2021.

ATTEST:

Shawna Atkinson, City Secretary

Anthony Williams, Mayor

APPROVED:

Stanley Smith, City Attorney



GOVERNOR GREG ABBOTT

July 29, 2021

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
3:15 PM O'CLOCK

JUL 29 2021

Secretary of State

Mr. Joe A. Esparza
Deputy Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

Dear Deputy Secretary Esparza:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

Executive Order No. GA-38 relating to the continued response to the COVID-19 disaster.

The original executive order is attached to this letter of transmittal.

Respectfully submitted,

A handwritten signature in blue ink, appearing to read "G. Davidson", written over the typed name.

Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

Executive Order

BY THE
GOVERNOR OF THE STATE OF TEXAS

Executive Department
Austin, Texas
July 29, 2021

EXECUTIVE ORDER GA 38

Relating to the continued response to the COVID-19 disaster.

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on March 13, 2020, certifying under Section 418.014 of the Texas Government Code that the novel coronavirus (COVID-19) poses an imminent threat of disaster for all Texas counties; and

WHEREAS, in each subsequent month effective through today, I have renewed the COVID-19 disaster declaration for all Texas counties; and

WHEREAS, from March 2020 through May 2021, I issued a series of executive orders aimed at protecting the health and safety of Texans, ensuring uniformity throughout Texas, and achieving the least restrictive means of combatting the evolving threat to public health by adjusting social-distancing and other mitigation strategies; and

WHEREAS, combining into one executive order the requirements of several existing COVID-19 executive orders will further promote statewide uniformity and certainty; and

WHEREAS, as the COVID-19 pandemic continues, Texans are strongly encouraged as a matter of personal responsibility to consistently follow good hygiene, social-distancing, and other mitigation practices; and

WHEREAS, receiving a COVID-19 vaccine under an emergency use authorization is always voluntary in Texas and will never be mandated by the government, but it is strongly encouraged for those eligible to receive one; and

WHEREAS, state and local officials should continue to use every reasonable means to make the COVID-19 vaccine available for any eligible person who chooses to receive one; and

WHEREAS, in the Texas Disaster Act of 1975, the legislature charged the governor with the responsibility “for meeting ... the dangers to the state and people presented by disasters” under Section 418.011 of the Texas Government Code, and expressly granted the governor broad authority to fulfill that responsibility; and

WHEREAS, under Section 418.012, the “governor may issue executive orders ... hav[ing] the force and effect of law;” and

WHEREAS, under Section 418.016(a), the “governor may suspend the provisions of any regulatory statute prescribing the procedures for conduct of state business ... if strict compliance with the provisions ... would in any way prevent, hinder, or delay necessary action in coping with a disaster;” and

WHEREAS, under Section 418.018(c), the “governor may control ingress and egress to

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JUL 29 2021

and from a disaster area and the movement of persons and the occupancy of premises in the area;” and

WHEREAS, under Section 418.173, the legislature authorized as “an offense,” punishable by a fine up to \$1,000, any “failure to comply with the [state emergency management plan] or with a rule, order, or ordinance adopted under the plan;”

NOW, THEREFORE, I, Greg Abbott, Governor of Texas, by virtue of the power and authority vested in me by the Constitution and laws of the State of Texas, do hereby order the following on a statewide basis effective immediately:

1. To ensure the continued availability of timely information about COVID-19 testing and hospital bed capacity that is crucial to efforts to cope with the COVID-19 disaster, the following requirements apply:
 - a. All hospitals licensed under Chapter 241 of the Texas Health and Safety Code, and all Texas state-run hospitals, except for psychiatric hospitals, shall submit to the Texas Department of State Health Services (DSHS) daily reports of hospital bed capacity, in the manner prescribed by DSHS. DSHS shall promptly share this information with the Centers for Disease Control and Prevention (CDC).
 - b. Every public or private entity that is utilizing an FDA-approved test, including an emergency use authorization test, for human diagnostic purposes of COVID-19, shall submit to DSHS, as well as to the local health department, daily reports of all test results, both positive and negative. DSHS shall promptly share this information with the CDC.
2. To ensure that vaccines continue to be voluntary for all Texans and that Texans’ private COVID-19-related health information continues to enjoy protection against compelled disclosure, in addition to new laws enacted by the legislature against so-called “vaccine passports,” the following requirements apply:
 - a. No governmental entity can compel any individual to receive a COVID-19 vaccine administered under an emergency use authorization. I hereby suspend Section 81.082(f)(1) of the Texas Health and Safety Code to the extent necessary to ensure that no governmental entity can compel any individual to receive a COVID-19 vaccine administered under an emergency use authorization.
 - b. State agencies and political subdivisions shall not adopt or enforce any order, ordinance, policy, regulation, rule, or similar measure that requires an individual to provide, as a condition of receiving any service or entering any place, documentation regarding the individual’s vaccination status for any COVID-19 vaccine administered under an emergency use authorization. I hereby suspend Section 81.085(i) of the Texas Health and Safety Code to the extent necessary to enforce this prohibition. This paragraph does not apply to any documentation requirements necessary for the administration of a COVID-19 vaccine.
 - c. Any public or private entity that is receiving or will receive public funds through any means, including grants, contracts, loans, or other disbursements of taxpayer money, shall not require a consumer to provide, as a condition of receiving any service or entering any place, documentation regarding the consumer’s vaccination status for any COVID-19 vaccine administered under an emergency use authorization. No consumer may be denied entry to a facility financed

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JUL 29 2021

- in whole or in part by public funds for failure to provide documentation regarding the consumer's vaccination status for any COVID-19 vaccine administered under an emergency use authorization.
- d. Nothing in this executive order shall be construed to limit the ability of a nursing home, state supported living center, assisted living facility, or long-term care facility to require documentation of a resident's vaccination status for any COVID-19 vaccine.
 - e. This paragraph number 2 shall supersede any conflicting order issued by local officials in response to the COVID-19 disaster. I hereby suspend Sections 418.1015(b) and 418.108 of the Texas Government Code, Chapter 81, Subchapter E of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to ensure that local officials do not impose restrictions in response to the COVID-19 disaster that are inconsistent with this executive order.
3. To ensure the ability of Texans to preserve livelihoods while protecting lives, the following requirements apply:
- a. There are no COVID-19-related operating limits for any business or other establishment.
 - b. In areas where the COVID-19 transmission rate is high, individuals are encouraged to follow the safe practices they have already mastered, such as wearing face coverings over the nose and mouth wherever it is not feasible to maintain six feet of social distancing from another person not in the same household, but no person may be required by any jurisdiction to wear or to mandate the wearing of a face covering.
 - c. In providing or obtaining services, every person (including individuals, businesses, and other legal entities) is strongly encouraged to use good-faith efforts and available resources to follow the Texas Department of State Health Services (DSHS) health recommendations, found at www.dshs.texas.gov/coronavirus.
 - d. Nursing homes, state supported living centers, assisted living facilities, and long-term care facilities should follow guidance from the Texas Health and Human Services Commission (HHSC) regarding visitations, and should follow infection control policies and practices set forth by HHSC, including minimizing the movement of staff between facilities whenever possible.
 - e. Public schools may operate as provided by, and under the minimum standard health protocols found in, guidance issued by the Texas Education Agency. Private schools and institutions of higher education are encouraged to establish similar standards.
 - f. County and municipal jails should follow guidance from the Texas Commission on Jail Standards regarding visitations.
 - g. As stated above, business activities and legal proceedings are free to proceed without COVID-19-related limitations imposed by local governmental entities or officials. This paragraph number 3 supersedes any conflicting local order in response to the COVID-19 disaster, and all relevant laws are suspended to the extent necessary to preclude any such inconsistent local orders. Pursuant to the legislature's command in Section 418.173 of the Texas Government Code and the State's emergency management plan, the imposition of any conflicting or inconsistent limitation by a local governmental entity or official constitutes a "failure to comply with" this executive order that is subject to a fine up to \$1,000.

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JUL 29 2021

4. To further ensure that no governmental entity can mandate masks, the following requirements shall continue to apply:
- a. No governmental entity, including a county, city, school district, and public health authority, and no governmental official may require any person to wear a face covering or to mandate that another person wear a face covering; provided, however, that:
 - i. state supported living centers, government-owned hospitals, and government-operated hospitals may continue to use appropriate policies regarding the wearing of face coverings; and
 - ii. the Texas Department of Criminal Justice, the Texas Juvenile Justice Department, and any county and municipal jails acting consistent with guidance by the Texas Commission on Jail Standards may continue to use appropriate policies regarding the wearing of face coverings.
 - b. This paragraph number 4 shall supersede any face-covering requirement imposed by any local governmental entity or official, except as explicitly provided in subparagraph number 4.a. To the extent necessary to ensure that local governmental entities or officials do not impose any such face-covering requirements, I hereby suspend the following:
 - i. Sections 418.1015(b) and 418.108 of the Texas Government Code;
 - ii. Chapter 81, Subchapter E of the Texas Health and Safety Code;
 - iii. Chapters 121, 122, and 341 of the Texas Health and Safety Code;
 - iv. Chapter 54 of the Texas Local Government Code; and
 - v. Any other statute invoked by any local governmental entity or official in support of a face-covering requirement.

Pursuant to the legislature's command in Section 418.173 of the Texas Government Code and the State's emergency management plan, the imposition of any such face-covering requirement by a local governmental entity or official constitutes a "failure to comply with" this executive order that is subject to a fine up to \$1,000.

- c. Even though face coverings cannot be mandated by any governmental entity, that does not prevent individuals from wearing one if they choose.
5. To further ensure uniformity statewide:
- a. This executive order shall supersede any conflicting order issued by local officials in response to the COVID-19 disaster, but only to the extent that such a local order restricts services allowed by this executive order or allows gatherings restricted by this executive order. Pursuant to Section 418.016(a) of the Texas Government Code, I hereby suspend Sections 418.1015(b) and 418.108 of the Texas Government Code, Chapter 81, Subchapter E of the Texas Health and Safety Code, and any other relevant statutes, to the extent necessary to ensure that local officials do not impose restrictions in response to the

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JUL 29 2021

- COVID-19 disaster that are inconsistent with this executive order, provided that local officials may enforce this executive order as well as local restrictions that are consistent with this executive order.
- b. Confinement in jail is not an available penalty for violating this executive order. To the extent any order issued by local officials in response to the COVID-19 disaster would allow confinement in jail as an available penalty for violating a COVID-19-related order, that order allowing confinement in jail is superseded, and I hereby suspend all relevant laws to the extent necessary to ensure that local officials do not confine people in jail for violating any executive order or local order issued in response to the COVID-19 disaster.

This executive order supersedes all pre-existing COVID-19-related executive orders and rescinds them in their entirety, except that it does not supersede or rescind Executive Orders GA-13 or GA-37. This executive order shall remain in effect and in full force unless it is modified, amended, rescinded, or superseded by the governor. This executive order may also be amended by proclamation of the governor.



Given under my hand this the 29th
day of July, 2021.

A handwritten signature in black ink that reads "Greg Abbott".

GREG ABBOTT
Governor

ATTESTED BY:

A handwritten signature in black ink that reads "Joe A. Esparza".

JOE A. ESPARZA
Deputy Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
3:15pm O'CLOCK

JUL 29 2021



GOVERNOR GREG ABBOTT

August 29, 2021

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
3:30pm O'CLOCK

AUG 29 2021

Secretary of State

Mr. Joe A. Esparza
Deputy Secretary of State
State Capitol Room 1E.8
Austin, Texas 78701

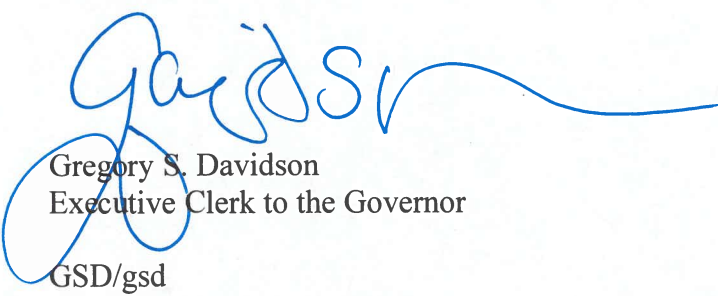
Dear Mr. Deputy Secretary:

Pursuant to his powers as Governor of the State of Texas, Greg Abbott has issued the following:

A proclamation renewing the declaration stating the novel coronavirus (COVID-19) poses an imminent threat of disaster for all counties in Texas.

The original proclamation is attached to this letter of transmittal.

Respectfully submitted,


Gregory S. Davidson
Executive Clerk to the Governor

GSD/gsd

Attachment

PROCLAMATION

BY THE

Governor of the State of Texas

TO ALL TO WHOM THESE PRESENTS SHALL COME:

WHEREAS, I, Greg Abbott, Governor of Texas, issued a disaster proclamation on March 13, 2020, certifying under Section 418.014 of the Texas Government Code that the novel coronavirus (COVID-19) poses an imminent threat of disaster for all counties in the State of Texas; and

WHEREAS, in each subsequent month effective through today, I have issued proclamations renewing the disaster declaration for all Texas counties; and

WHEREAS, I have issued executive orders and suspensions of Texas laws in response to COVID-19, aimed at protecting the health and safety of Texans and ensuring an effective response to this disaster; and

WHEREAS, a state of disaster continues to exist in all counties due to COVID-19;

NOW, THEREFORE, in accordance with the authority vested in me by Section 418.014 of the Texas Government Code, I do hereby renew the disaster proclamation for all counties in Texas.

Pursuant to Section 418.017, I authorize the use of all available resources of state government and of political subdivisions that are reasonably necessary to cope with this disaster.

Pursuant to Section 418.016, any regulatory statute prescribing the procedures for conduct of state business or any order or rule of a state agency that would in any way prevent, hinder, or delay necessary action in coping with this disaster shall be suspended upon written approval of the Office of the Governor. However, to the extent that the enforcement of any state statute or administrative rule regarding contracting or procurement would impede any state agency's emergency response that is necessary to cope with this declared disaster, I hereby suspend such statutes and rules for the duration of this declared disaster for that limited purpose.

In accordance with the statutory requirements, copies of this proclamation shall be filed with the applicable authorities.



IN TESTIMONY WHEREOF, I have hereunto signed my name and have officially caused the Seal of State to be affixed at my office in the City of Austin, Texas, this the 29th day of August, 2021.

A handwritten signature in black ink, reading "Greg Abbott", is written over a horizontal line.

GREG ABBOTT
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
3:30pm O'CLOCK

AUG 29 2021

Governor Greg Abbott
August 29, 2021

Proclamation
Page 2

ATTESTED BY:



JOE ESPARZA
Deputy Secretary of State

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
3:30 pm O'CLOCK
AUG 29 2021

Resolution:
**Modifying & Extending the
Local Disaster Declaration**



Questions?





**City Council
Agenda Memo**

City Council Meeting Date: 9/9/2021

TO: Robert Hanna, City Manager

FROM: Mike Rains, Finance Director

SUBJECT: 5. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Approving the Abilene Convention and Visitors Bureau FY 2022 Budget *(Mike Rains)*

GENERAL INFORMATION

The agreement with the Abilene Chamber of Commerce for expenditure of hotel occupancy tax funds requires the Abilene Convention and Visitors Bureau (ACVB) budget be presented to Council for approval. It further states that the City Manager shall review and make a recommendation to Council to approve, modify or amend the budget.

The City Manager is recommending approval of the budget for FY 2022.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

Staff recommends approval based on the City Manager's review.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. Resolution Approving the FY 2022 Abilene Convention and Visitors Bureau Budget
2. ACVB Strategic Plan 2021-2022
3. Powerpoint - Resolution Approving the Abilene Convention and Visitors Bureau FY 2022 Budget

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS
APPROVING THE ABILENE CONVENTION AND VISITORS BUREAU FY 2022 BUDGET**

WHEREAS, the agreement with the Abilene Chamber of Commerce for expenditure of hotel occupancy taxes requires the approval of City Council of the annual budget of the Abilene Convention and Visitors Bureau based on the review and recommendation of the City Manager; and

WHEREAS, the City Manager has reviewed the budget for FY 2022; and

WHEREAS, the City Manager recommends approval of the budget.

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

Part 1: The City Council of the City of Abilene, Texas has approved the budget of the Abilene Convention and Visitors Bureau for FY 2022.

ADOPTED this 9th day of September, 2021.

ATTEST:

Shawna Atkinson, City Secretary

Anthony Williams, Mayor

APPROVED:

Stanley Smith, City Attorney

ABILENE
FY 2022 STRATEGIC PLAN
TARGETING TRAVELERS

Inside

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Executive Summary



Nanci Liles
Executive Director

The past year was incredibly challenging. We all witnessed the power of travel as the industry came to a halt. The ACVB cancelled 216 groups because of COVID-19, resulting in a \$17 million loss to the local economy. During a crisis, the ACVB is a valuable resource to many audiences—from local businesses, residents, and media to potential visitors, meeting, and event planners.

I am happy to report that chapter has closed. Abilene is in full recovery as hotel revenue returns to 2019 levels. Folks are traveling, conventions and events are resuming, and the once bustling activity has returned.

Two of Abilene's stars shined big and bright. The Dodge Jones Youth Sports Center and Expo Center's expanded facilities brought new business to the city at a time when it needed it most.

This strategic plan focuses on accountability, collaborative partnerships, and targeted marketing. With positive movement on a downtown convention hotel, the ACVB is poised to bring business to Abilene by building awareness of the new infrastructure and booking new group business.

As the official accredited destination marketing organization for the city, the ACVB has played a vital role in Abilene's economy and quality of life for 51 years. The past year brought changes to the organization when three pivotal employees retired, but the team is rebuilt, re-energized, and recharged. A new chapter begins in the Storybook Capital, and it is filled with hope and positive synergy.❖

Vision

Abilene will be the destination of choice for travelers seeking an authentic Texas cultural, heritage and hospitality experience.

Mission

The Abilene Convention & Visitors Bureau grows business and improves the quality of life in Abilene by marketing the city as a destination of choice for group and leisure visitors.



The Abilene Convention & Visitors Bureau is an affiliate of the Abilene Chamber of Commerce and the destination marketing organization (DMO) for the City of Abilene. It is funded by a portion of the city hotel occupancy tax collected from lodging guests.

ACVB Accomplishments 2020-2021



- ❖ Partnered with Dodge Jones Youth Sports Center to secure new business, resulting in \$1 million direct spending to the economy.

- ❖ Created new Sports Alliance Fundraiser, raising \$17,500 for student athlete scholarships and sporting event grants.

- ❖ Created Sports Alliance Facebook page to grow engagement with stakeholders.

- ❖ Updated content on monitor screens throughout town to support all stakeholders.

- ❖ Created video highlighting all Abilene athletic venues.

- ❖ Hosted quarterly meetings with tourism partners.

- ❖ Booked 260 meetings and events that will bring \$25.4 million into the economy.

- ❖ Hosted 188 groups and events bringing \$17 million spending to local businesses.

- ❖ Grew channels to communicate with locals by growing This Week in Abilene distribution.

- ❖ Maintained consistent communication serving stakeholders throughout the pandemic crisis.

- ❖ Competed for and won free and almost-free digital advertising through the Office of the Governor's Travel Texas office.

- ❖ Rebooked 62% of group business cancelled during the COVID crisis.

- ❖ Partnered with Taylor County Expo Center to secure new business.

- ❖ Grew awareness for downtown businesses by creating itineraries and fun things to do on landing pages targeting visitors.

- ❖ Created and implemented a holiday campaign to grow business during a slow season.

- ❖ Created 11-minute video overview about fun things to do in Abilene for the TXDOT Travel Counselors.

- ❖ Improved community calendar, resulting in a 23% increase in pages per sessions and a 14.37% decrease in bounce rate, and a 12.5% increase in average session duration.

Travel by the Numbers in Abilene MSA



American Airlines operates approximately 7 daily roundtrip flights to DFW

Total enplanements during 2020: 48,080

TEXAS TRAVEL RESEARCH DASHBOARD

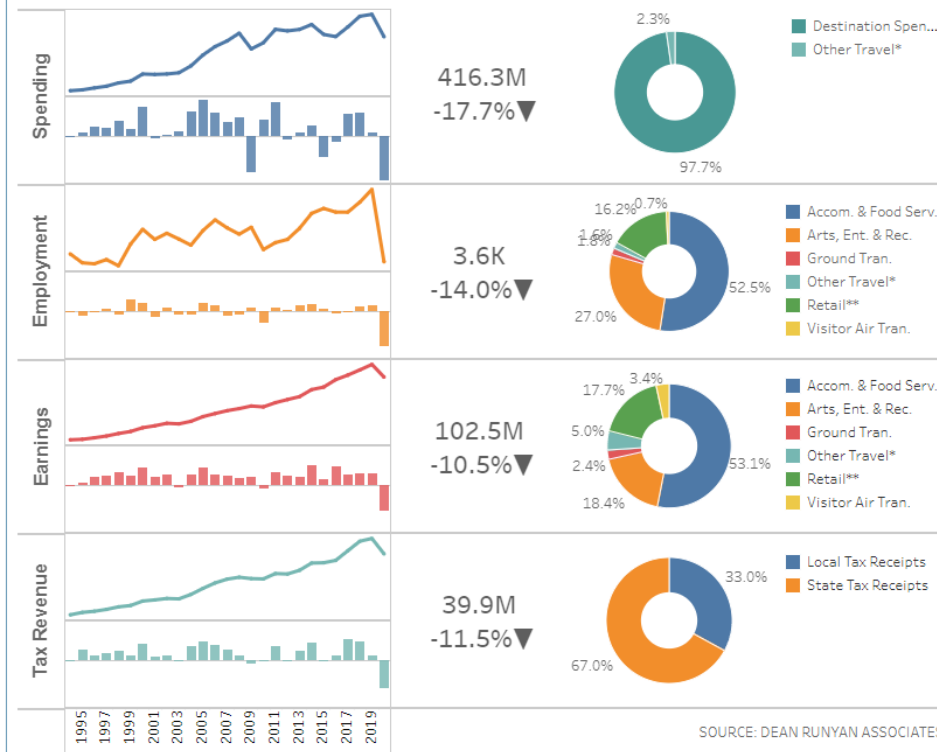
Preliminary findings updated April 2021. Revised release July 2021.

Select a Location Metro: Abilene

TRAVEL IMPACTS

Actual and Year-Over-Year Change (%)

2020



DESCRIPTIONS

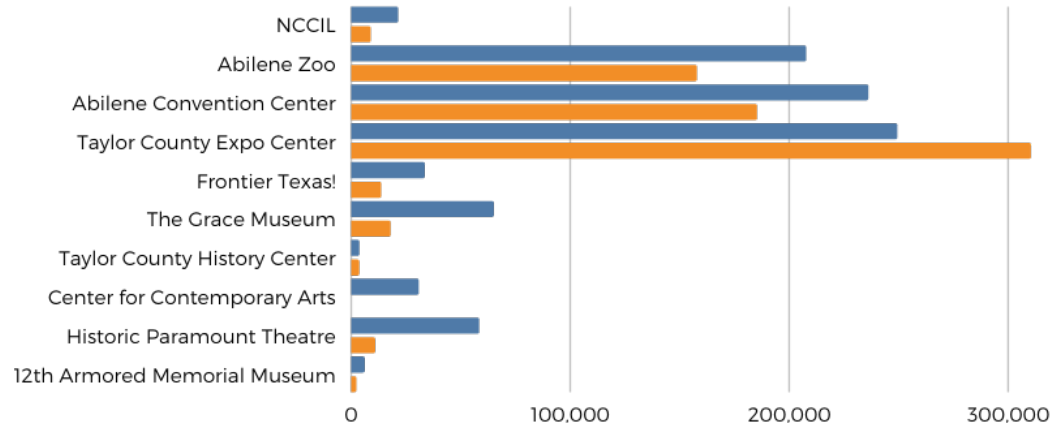
Direct Travel Spending
Purchases by travelers during their trip, including lodging taxes and other applicable local and state taxes, paid by the traveler at the point of sale.

Direct Employment
Employment associated with the below earnings; this includes both full- and part-time positions of wage and salary workers and proprietors averaged annually. Employment includes CARES act support, data limitations prevent disaggregation.

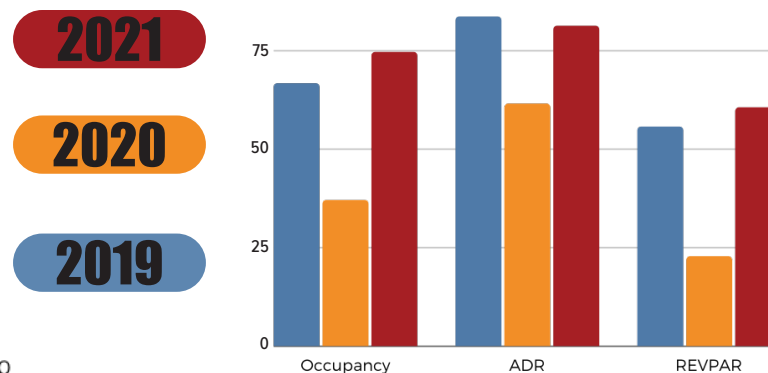
Direct Earnings
The earnings (wage and salary disbursements, earned benefits and proprietor income) of employees and owners of businesses that are attributable to travel expenditures. Earnings includes CARES act support, data limitations prevent disaggregation.

Direct Tax Receipts
Tax receipts collected by state, counties and municipalities, as levied on applicable travel-related purchases, including lodging, food and beverage service, retail goods and motor fuel.

2019 & 2020 Attraction Attendance



April 2021 Marked a Return to Pre-COVID Hotel Occupancy





Strengths:

Friendly people
Dyess AFB
Higher education
Leadership
Central location
City engagement
Downtown investment
Spirit of cooperation
Cultural district
High quality venues
Affordability
15-minute rush hour

Weaknesses:

Workforce/jobs
Beautification
Naysayers
Uncooperative hotels
Glut of limited service hotels
Airlift limitations
Beautification
Visitor transportation
Venue hours
Inconsistent branding messages

Opportunities:

Music/nightlife
Downtown convention hotel
Expo Center renovations
Engaged new generation
Dodge Jones Youth Sports Center
Interagency collaboration

Threats:

Homelessness
Safety
Uninformed yet vocal citizens
Silo thinking/closed-minded
Marketing funding
Competition from other cities
Closed minded people

Customer-Based Business Plan: Audience Overview



Leisure Travelers

Visitors and potential visitors to Abilene who bring revenue that enhances the local economy through hotel occupancy tax and visitor spending.



Meeting & Event Planners

Planners interested in hosting group meetings, sports, and other events.



Stakeholders

Hospitality partners, residents and leadership in Abilene.



Organization & Board of Directors

Staff, board of directors and committee members of the ACVB.

Abilenevisitors.com

2020 Traffic

179,085 Users

86.7 % New Visitors

397,822 Page Views

121,988 Phone or Tablet

Top cities:

Dallas, Chicago, Austin,
Houston, San Antonio,
Lubbock, Fort Worth,
San Angelo

Most Visited Pages:

Home

Calendar

Winter Lightfest 2020

Things to Do

Coronavirus Updates

Christmas events

Freedom Festival 2020

7 Fantastic Things for Kids

Coupons

Hunting

Top 10 Things to Do

Communications & Marketing: Leisure Travel

Abilene's largest tourism market segment is the leisure traveler, comprising more than 75 percent of the city's visitors. The overwhelming majority of that traffic arrive from other cities in Texas. ❖

Objectives:

Brand Abilene as a dynamic place to live and visit using consistent messaging pillars appealing to Abilene's customer profile.

Target road tripping Texans and tap into pent-up demand. Grow leisure, sports and meeting traffic during times when hotels need business.

Increase website traffic and measure meaningful ROI.

Strategies:

Implement new Tempest CMS for abilenevisitors.com, allowing integration with Tempest iDSS customer database software.

Incorporate QR codes into brochures and guides linking to landing pages.

Implement social media calendar with content targeting visitors.

Add a Visit Abilene TikTok page and maintain content.

Advertise via TV to drive markets in Texas and Oklahoma.

Add advertising schedule to the iDSS system to track expenses along with pertinent events.

Grow out-of-town email distribution lists and send visitor-targeted emails seasonally.

Share branding messages that appeal to travelers from Texas.

Create engaging native content via TourTexas.com, Texas Highways & Texas Monthly.

Maintain static and digital billboards on high traffic locations on I-20 and other drive markets.

Use targeted programmatic digital advertising for events and branding messages.

Leverage earned media secured through Tucker PR.

Promote Centerstage and the Texas Music Friendly City Program.

Measure engagement through traffic to website, e-mail sign ups, video views and social media followers.

Continue seasonal e-newsletter targeting visitors.

Add more cooperative advertising opportunities for tourism partners.



Visitor Sales & Services

Objectives:

Solicit reunions and tours during times business is needed.
 Enrich the visitor experience.
 Increase promotional item and retail sales by 10%.
 Conduct quarterly hospitality training targeting frontline hospitality employees and volunteers.
 Provide hospitality to tour operators, reunions and visitors.

Strategies:

The ACVB will participate in the following trade shows:

- ❖ Texas Travel Counselors Conference
- ❖ American Bus Association

Co-op travel shows with Texas Forts Trail and Team Texas.
 Arrange "Bellman on Call" service for overnight tour operators.

Distribute brochures at local and statewide visitor centers.

Create engaging itineraries for group tours.

Host and conduct an engaging ABA post-familiarization tour from Grapevine to Abilene.

Refresh wedding and reunion content on Pinterest and website.

Implement a mural tour for photo opportunities.

Convert the Windshield History CD into a MP3 format.

Conduct university orientation promoting Abilene's events, activities, Round-Up Attraction Pass for better student engagement.

Distribute Destination: ABI boxes to stranded air travelers.

Grow visitor attendance to attractions through promoting the Round Up Attraction Pass.

Research a feasibility of a digital Round Up Attraction Pass.

Research feasibility in an Arts and Crafts pass or itinerary.

Research e-commerce potential to sell Abilene swag.

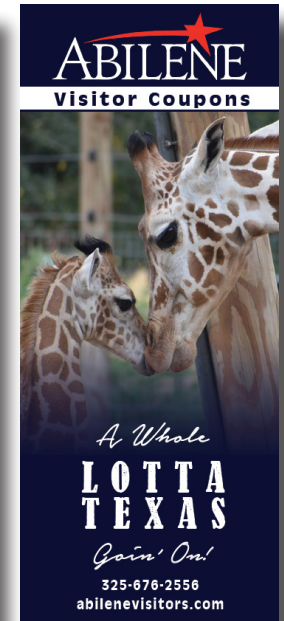
ABILENE
ROUND UP PASS
 six exciting attractions
 one low price

ADULTS - \$20 (SAVE \$18; SENIORS SAVE \$7)
 CHILDREN - \$10 (SAVE \$12)

Abilene Zoo 2020 Zoo Lane The 32-acre zoo is home to more than 1,000 animals. Get up-close with giraffes on the feeding deck and see the 250 species that call the zoo home.	Frontier Texas! 655 North 1st Street Experience the big picture of blood and treasure on the Texas frontier as the story comes to life in this multimedia facility.	The Grace Museum 102 Cypress Street Featuring best of Texas art, The Children's Museum on the second floor offers hands-on learning activities.	12th Armored Division WWII Memorial Museum 1289 North 2nd Street Experience the unfolding of WWII events in this three-floor museum.	Taylor County History Center 133 William Street, Buffalo Gap Step back in time to explore early civilization on the West Texas frontier.	National Center for Children Illustrated Literature 102 Cedar Street Fall in love with art through exhibits of illustrations from some of the most beloved children's book artists.
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Available at all participating attractions and the Abilene Convention & Visitors Bureau. Passes are good for a full year from date of purchase.



Meeting & Event Planners: Sports

Abilene's central location and hotel inventory is ideal for sports guests. The ACVB will continue to seek new business for the state-of-the-art Dodge Jones Youth Sports Centers and other athletic venues. ❖

Objectives:

Quarterly meetings with Abilene hoteliers.
Connect with sports planners via LinkedIn.
Update sports facility photos and produce 360 tours of facilities on website.
Create new fundraising strategies for Sports Alliance to increase non-tax revenue by 10%.
Secure multi-year contracts for sporting business.
Conduct a familiarization tour for event planners to visit the Dodge Jones Youth Sports Center and other sports venues.

Strategies:

Target customers for a direct mail promotion for the Dodge Jones Youth Sports Center.
Continue to improve and use digital package for athletic event bids.
Attend Trade Shows: Sports ETA is the primary network for communication and networking for the sports events and tourism industry. Sports ETA is comprised of members who attract sporting events to their communities, such as sports commissions, destination marketing organizations (DMOs), parks and recreation, event owners, and vendors who serve the sports events and tourism industry.
Develop landing pages for large-scale events with event details and booking link to hotels.

ABILENE

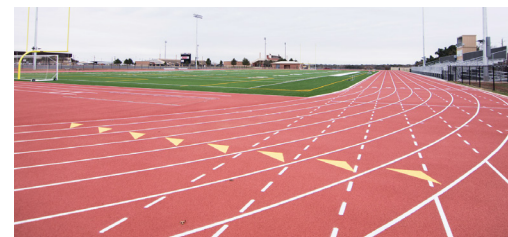
WHERE CHAMPIONS ARE MADE



Up your game: Abilene's central location, family-friendly city, customized service and the finest sports facilities in the southwest ensure winning sports events.

Dodge Jones Youth Sports Center

- State-of-the art, 55,500 square-foot multipurpose indoor sports complex with 42-foot ceilings.
- 4 regulation-sized basketball courts
- 6 youth-sized basketball courts
- 8 regulation volleyball courts.
- Audio/visual technology featuring Play-Sight live streaming & multi-angle video recording
- Meeting space
- Robbins Sports Surface, maple wood, NCAA Division 1 class court flooring
- Automated swing-down equipment
- Draping to separate courts
- Concessions and pro shop



New Shotwell Annex: Multi-use facility for football, soccer or track 1,000 seats, Daktronics scoreboard, press box and ample parking

Athletic Facilities:

- 35 football fields seating 80 to 15,000
- 9 world-class tracks with 8 lanes
- 27 softball fields
- 27 baseball fields
- 4 disc golf courses
- 4 archery and gun ranges
- 35 indoor hard court surfaces
- 26 soccer fields
- More than 100 tennis courts
- 6 prestigious golf courses

Abilene Sports Event Services:

- Team discounts at restaurants
- VIP Gifts
- Welcome bags
- Registration assistance
- Hotel rates
- Facility inspection tours
- Public relations/media
- Grants for qualified events
- Volunteer assistance

Abilene Convention and Visitors Bureau - Sports Alliance
tiffany@abilenevisitors.com • abilenevisitors.com/Sports

Up your game
in our new state-of-the-art
youth sports complex

[Learn More](#)



ABILENE

Where Champions are Made

Strengths:

- Central location
- Attractive venues
- ACVB services
- ACVB sales team
- Expo Center
- Dodge Jones Youth Sports Center

Weaknesses:

- Limited air service
- Limited hotels with convention space
- Travel distance to convention center from lodging
- Limited resources (staff and funding)

Opportunities:

- Convention hotel
- New and improved venues
- SoDA District

Threats:

- Funding
- Affects of COVID on conventions
- Competition from other cities
- Convention Center rental increase
- Increased role of intermediaries

Micro Markets:

- Association Meeting Planners
- Corporation Meeting Planners
- Military Planners
- Third-party Meeting Planners
- Tour Operators
- Reunion Planners
- Meeting Attendees
- SMERF (Sports, Medical, Education, Religious and Fraternal) Planners

Meeting & Event Planners

Meetings and conventions are the backbone of the ACVB's work to provide economic impact to local businesses. The development of a convention hotel will be a valuable asset for the long-term growth and to leverage the community's investment in downtown revitalization.❖

Objectives:

Identify potential markets for overnight stays resulting in 10% increase in hotel bookings.

Recapture lost business from the COVID-19 era, targeting group business that will use the new Expo Center arenas, convention and meeting spaces.

Grow awareness about new downtown convention hotel and downtown meeting spaces.

Strategies:

Create and implement campaign to promote downtown convention hotel and meeting spaces.

Generate a timeline to promote new tourism assets.

Produce direct mail to key decision makers about downtown convention hotel, Abilene venues.

Engage hotel and venue partners to create incentives for group bookings.

Advertising in industry publications.

Create a digital packet of sales resources that are easily editable and can be emailed when needed.

Refresh and redesign the format of print and digital bid packets.

Targeted emails to meeting planner lists.

Update convention video showcasing Abilene for sales bids.

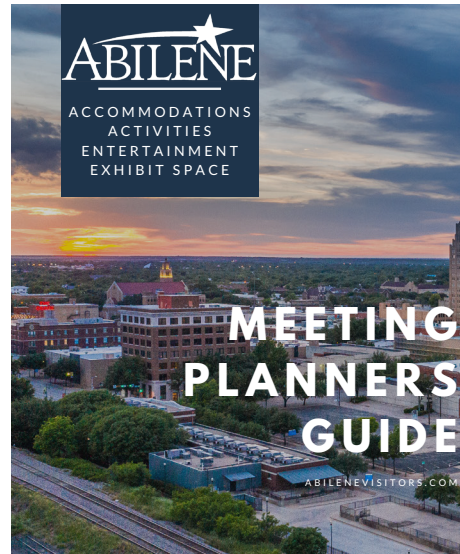
Create or secure virtual tours for major meeting spaces.

Conduct a local sales blitz to encourage Abilenians to bring conventions and meetings to Abilene.

Sales blitz to 200+ meeting planners to share news about new and improved venues.

Exhibit and network at tradeshow:

- ❖ Southwest Showcase
- ❖ Meeting Planners International



The renovations and expansion at the Taylor County Expo Center already are attracting new business.



Business on the Books

5/1/2020-4/30/2021

Contracts Secured

Meetings: 191
Delegates: 85,355
Direct impact: \$24.6 million

Assisted Bookings

Meetings: 69
Delegates: 4,455
Direct impact: \$866,178

Future Bookings

Meetings: 118
Delegates: 57,193
Direct impact: \$20 million

Meeting & Event Planners: Services

Objectives:

Provide uncompromising service to convention and groups meeting in Abilene.
Better communicate the value of working with the ACVB.
Embrace sustainability.
Encourage visitors to stay longer.

Strategies:

Monitor programs and activities for group meetings to be compliant with health experts or specific group requirements
Create new and engaging itineraries for group meetings.
Develop landing pages for large-scale events with event details and booking link to hotels.

Contact every meeting planner within one month of the definite booking to begin conference planning.
Create a comprehensive list detailing ACVB resources for hosting a meeting in Abilene.
Continually update the Meeting Planning Guide.
Create group specific itineraries encouraging convention goers to arrive a day early or stay longer.
Create a “meetings made easy” link to upload on association’s website communicating enticing events and things to do while convention goers are in Abilene.
Continue engagement with HOT Hosts through luncheon and award program.



Heroes of Tourism (HOT) Hosts were honored at a luncheon during National Travel & Tourism Week, earning recognition and rewards for bringing events and meetings to Abilene.

Meetings Serviced

May 1, 2020-April 30, 2021:

128 groups

58,000 attendees

\$16.3 million Economic Impact

Groups/Conventions

to service in FY 2021

155 groups

71,056 attendees

\$19.5 million Economic Impact



Strengths:

- Cooperative spirit
- Community leadership
- Relationships with leaders
- Engagement with elected officials
- Investments in downtown
- Creative minds

Weaknesses:

- Airlift
- 4B funds for tourism development
- Transportation around town
- Lack of resources
- Downtown lighting and parking.
- Beautification

Opportunities:

- Collaboration with tourism partners
- Cooperative marketing
- Music Friendly designation
- Downtown development
- New tourism venues

Threats:

- Funding and resources
- Homelessness
- Safety
- Naysayers
- Crisis

Stakeholders

Objectives:

- Encourage collaboration and communication among tourism venues and lodging partners.
- Grow awareness about the value of travel to support the local economy and quality of life.

Strategies:

- Engage hotel and venue partners to create incentives for group bookings.
- Work with local media to keep the community informed about ACVB initiatives and events.
- Renew coupon program with local businesses and attractions.
- Write seasonal blogs to publish on website and through Abilene Chamber of Commerce.
- Partner with local venues for cooperative advertising.
- Conduct quarterly meetings with tourism partners.
- Train tourism partners to encourage Extranet participation with new CMS for abilenevisitors.com.
- Grow participation in the hyperlocal This Week in Abilene email sent to the public, media and leadership.
- Market Round Up Pass to locals to support community stakeholders.
- Use local billboards to grow awareness about Abilene Centerstage, community calendar, attractions.
- Use Chamber of Commerce communications, LinkedIn and Instagram social channels to announce accomplishments, milestones, mission achievements.
- Destination Training class to increase customer service quality, service standards and destination product knowledge for frontline employees and hospitality partners.
- Promote sports events through the Abilene Sports Alliance Facebook page.
- Create new fundraising strategies for Abilene Centerstage to increase non-tax revenue by 15%.



MCM Elegante won a 2021 Heroes of Tourism Award at the 2021 HOT Host Luncheon. Rep. Stan Lambert gifted a flag flown over the Capitol to the hotel for its pledge to retain all staff during the pandemic.

Abilene Hotel/Accommodations:

3,567 Rooms

Midscale: 686

Upscale: 778

Economy: 1,051

Upper Midscale: 520

Non-rated: 532



All properties are listed in the travel brochure, abilenevisitors.com, and the MyABI mobile app partnership with the City of Abilene.



Strengths:

- Leadership and staff
- Engaged and active board
- Data driven
- Industry leader
- Creative thinkers
- Teamwork
- Transparency

Weaknesses:

- Financial resources
- Limited staff and workspace
- Succession plan
- Need to share successes

Opportunities:

- Young professionals
- Board advocacy
- Contract with outside agencies
- Generate non-tax revenue income
- Communicate the tourism story
- Music industry

Threats:

- Funding
- Competition from other cities
- Outside negativity diverts efforts

Organization

Objectives:

- Grow awareness and positive perceptions about the business of tourism.
- Increase hospitality and service standards.
- Encourage collaboration and communication among tourism partners.
- Improve engagement and transparency to City Council.
- Increase non-tax revenue sources.
- Address a succession plan.
- Create a mentor program with Advisory Council.

Strategies:

- Conduct regular team meetings to discuss current campaigns, upcoming events and creative content.
- Provide orientation and training to board members.
- Increase board member advocacy with elected officials.
- Consistent communication with stakeholders about Abilene's tourism products and events.
- Share good news stories about the ACVB across all channels.
- Establish evaluation system for board and staff.
- Cross-train ACVB staff.
- Advocate, support, and generate new business for the downtown convention hotel.



Organization: Board and Staff

Board of Directors

Deonna Galbraith, **Chair**
 Donna Long Wolfer, **Chair-Elect**
 Margaret Hoogstra, **Treasurer**
 Travis Ruiz, **Secretary**
 Jay Evans, **Past Chair**
 Allison Alvarez
 Allison Carroll
 Emerald Cassidy
 David Eldridge
 Ted Evans
 Sam Ferguson
 Michael Hernandez
 George Levesque
 Jasmine McCabe-Gossett
 Omar Ortiz
 Brandon Osborne
 Charlie Quinonez
 Alex Russell
 Tyler Sitzes
 Tim Smith

Designated Members (with vote)

Monica Devora (Hotel)
 Krista Hale (Hotel)
 Amanda O'Connor (Restaurant)
 Lindsay Flores (Restaurant)
 Rochelle Johnson (Expo Center)
 Molly Moser (Convention Center)
 Lori Dodd (TCMN)
 Tammie Virden (Texas Forts Trail)
 Jeff Salmon (Frontier Texas!)
 Don Green/Kate Alvarez (ABI)

Advisory Council

(past chairs, without vote)

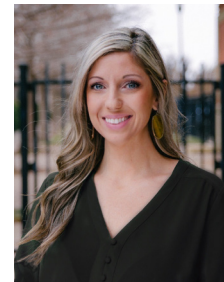
Donna Albus	JV Johnson
Myra Dean	Doug McIntyre
Russell Dressen	Brandon Polk
David Gist	Larry Sanders
Gary Grubbs	Jim Tallant
Charles Hughes	Phillip Wicker
Betty Hukill	Tim Yandell

Ex-Officio Members

Marshall Morris, Chamber Chairman
 Doug Peters, Chamber President
 Mari Cockerell, City of Abilene, Communications



Nanci Liles
Executive Director



Chelsea Brooks
Digital Engagement Director



Bailey Ferguson
Visitor Sales & Services Director



Kim Bosher
Convention Sales Director



Tiffany Nichols
Sports Director



Pam Sites
Convention Services Director



Kelly Thompson
Communications Director

ACVB Organizational Values

- Provide exceptional customer service.
- Build an organization founded on trust.
- Value visitors, partners, board members and elected officials.
- Assume responsibility for actions and consequences.
- Treat stakeholders, visitors and associates with professional courtesy, dignity and compassion.
- Create success together.
- Handle inquiries, requests, transactions, correspondence or complaints quickly and courteously.
- Steward resources efficiently and provide clear ROI.
- Conduct business in a way that is honest, transparent and ethical.
- Be inclusive and collaborative leaders.
- Advocate the value of the organization.
- Respectfully accept differing opinions from ours.
- Look for opportunities to update knowledge.
- Stay informed on current events and changes in the community.
- Wield the power of discipline and perseverance.
- Encourage growth to build a strong and more creative organization.
- Represent the city with honesty, conviction and dedication.
- We abide by Destination Marketing International's Code of Ethics and adhere to the highest professional standards.

DMO Competitive Analysis

City	Total Hotel Rooms	Conf. Center	Sq Ft	Conv spend Per day per delegate	#2019 groups hosted	# Employees	# Rooms within 1 miles of Conf. Center	2020/2021 Projected Budget	Does your city have Expo Center? If so, how many ppl does it host annually?	# Motocoaches	Airlift
Abilene	3,644	Convention Center	130,000	\$195-Conv/\$117 sports	425	8FT/1PT	206 *planned	\$1.4 m	345,000	7	AA Eagle
Amarillo											
Beaumont	3,700	Ford Park	93,000	\$140Mtg/\$109 Sports	109	9 FT	0	\$1.6 m		Not a targeted market	AA Eagle
		BMT Civic Center	42,000			3 PT	0				
Bryan College	6,000	No		\$204	200	12		\$2.5 m	200,000	Not a market	AA Eagle & United
Frisco	3,081	Conf. Center			196	16	2591	\$4.1 m	No		AA hub, SW hub
Kerrville	1,018	Hotel connected	22,000	\$149	392	6 FT/2 PT	194	\$841,500	81,000	7	N/A
Longview											
Lubbock	6,407	Lubbock Memorial	300,000	\$209	459	15	1529	3.8M	Venue tax passed	8	SW, AA, United
Midland	4,418	(opening sept)	76,000		201	6	262	\$1.7 m	250,000	1	SW, AA, United
Odessa											
Plano	7,200	Plano Event Center	86,400	\$227-Conv/\$159-Sports	81	10 FT & 2 PT	(0) 175 planned	\$5.2m	No	9	All
Tyler	3,198	Harvey Conv. Ctr	34,349	\$125	120	4	0	700,000		12	AA Eagle
Wichita Falls	2,327	MPEC	110,000	\$110	40	4 FT-1PT	0	500,000	No		AA

2021-2022 Budget

ACVB 2021-2022 Budget

	2019-2020	2020-2021	2021-2022	
City of Abilene Room Tax	1,630,000	1,467,000	1,769,000	Estimate HOT
Interest	1,500	2,000	2,000	
Other Income	2,000	2,000	2,000	
Retail Sales	5,500	7,000	8,000	
Sports Alliance - Privately funded	10,000	18,500	20,000	Private Funds
CenterStage - Privately funded			3,000	Private Funds
Cooperative Advertising (co-op billboards)	28,000	23,500	29,000	Co-op with partners
TOTAL INCOME:	1,677,000	1,520,000	1,833,000	
ADVERTISING & MARKETING				
Promotional Materials	56,700	34,750	35,900	
Advertising	489,930	511,820	446,655	(40,000)designated funds
Billboards	102,000	91,045	91,565	29,000 co-op
Travel Info. Material	35,000	35,000	25,000	
Incentive Marketing	15,000	13,100	10,000	
Awards/Recognition	1,000	1,500	1,500	
Marketing Research	20,000	5,000	39,000	Visitor Intelligence technology
Photography and Video	2,000	1,000	2,500	
ACVB Meetings (hoteliers, board)	1,500	1,500	2,485	
Sales - Convention & Group	42,000	48,150	40,780	
Sports Sales	31,240	27,145	35,930	
Convention and Sports Services	91,510	85,200	121,345	
Designated Funds for Convention and Sports Servicing	111,700	102,000	86,500	
Sports Alliance Scholarships & Grants (private funding)	8,000	18,500	27,900	
Visitor Services and Sales	22,340	25,300	22,000	
Communications	17,120	14,000	6,330	
Technology/Marketing/Digital Engagement	3,000	5,700	6,720	
Executive Director Sales	11,000	12,800	13,500	
CenterStage Music Initiative			6,000	
Heritage Tourism	10,000	8,000	8,000	
Total Advertising & Marketing	1,071,040	1,041,510	1,029,610	

ACVB 2021-2022 Budget

OPERATIONS	2019-2020	2020-2021	2021-2022	
Accounting	7,200	7,200	7,500	
Administrative Fee	30,200	29,000	35,000	
Audit and Legal	2,400	3,000	3,100	
Automobile Expense/allowance	10,000	10,000	10,000	
Office Supplies	6,000	5,000	5,000	
Repairs and Maintenance	940	1,000	1,000	
Computer Services	15,000	17,000	18,000	
Technology program: Website, CMS, CRM, Housing, Hosting fee	24,000	24,000	58,890	
Equipment & Furniture	2,500	2,500	3,000	
Postage & Freight	12,000	10,000	10,000	
Equipment & Furniture Rental	3,000	-		Moved to Building Fund
Printing	18,000	18,000	18,000	
Telephone	10,000	10,000	10,000	
Rental of Facilities (Depot)	126,000	144,000	144,000	
Operations				
Liability and Property Insurance	900	1,200	1,600	
Depot Building Fund	25,000	25,000	18,800	
Dues & Subscriptions	15,000	14,190	15,000	
Operation Reserve Fund	12,000		36,000	
Depreciation	18,000	18,000	18,000	
Total Operations	338,140	339,090	412,890	
PERSONNEL & RELATED EXPENSES				
Salaries	504,000	531,000	542,000	
Payroll Tax (FICA 7.65%)	38,500	40,000	41,000	
Group Insurance	71,500	62,000	55,000	
Retirement	40,520	41,000	43,000	
Unemployment Tax	4,500	4,500	4,500	
Workers Comp Tax	1,500	1,500	1,500	
Total Personnel	660,520	680,000	687,000	
TOTAL EXPENSES	2,069,700	2,060,600	2,129,500	
Designated Funds:				
Convention Services	111,700	102,000	86,500	
Advertising/Marketing/Convention/contractual	149,000	286,600	40,000	
City of Abilene (Meeting Space)	108,000	120,000	120,000	
Heritage Tourism		8,000		
Technology programs, contractual	24,000	24,000	50,000	
Less Designated Funds	392,700	540,600	296,500	
TOTAL	1,677,000	1,520,000	1,833,000	

Convention, Group & Sports Services

October 2021 - September 2022

Servicing 2021-2022						
OCTOBER	Delegates	Groups/Conventions	Sports Support	Convention Center	Designated	Sports Alliance
12th Armored Division Memorial Museum	200	500				
317th Airlift Wing	60	320				
Abilene Christian University Homecoming	800	200				
Abilene High School Reunions - Class of 1961 60th Reunion	50	100				
Abilene Speedway Southern Challenge	1,500		1,000			
AISD Halloween Classic	320		200			
Big Country Race Way - Fall Spooktacular	200		250			
CHS Class of 1971 50th Reunion	40	100				
Expo Center Commitments					2,500	
Shift Sector Race	200	400				
American Stock Horse Assn	700	200				
Texas Cushman	300	3,150				
UIL Team Tennis 4A & 6A	470		200			
US Mounted Shooting	40	300				
USA Softball Frightfest Fastpitch Softball Tournament	200		200			
USA Softball Hope for a Cure Fast Pitch	400		350			
USSSA Fall Ironman	180		250			
Ward Brothers Productions Senior Team Roping Finals	120	500				
West Texas Rural County Association	100	660				
Women's Senior Golf Championship	80		300			
TOTAL	5,960	\$ 6,430	\$ 2,750	\$ -	\$ 2,500	-
NOVEMBER	Delegates	Groups/Conventions	Sport Support	Convention Center	Designated	Sports Alliance
AISD Bill Wallace Invitational Golf Tournament	300		300			
Big Country Race Way Thanksgiving Throwdown	320		300			
Big Country Soccer Assn - Extreme Tournament	200		150			
Epsilon Sigma Alpha	100	320				
Expo Center Commitments					2,500	
Ink Masters	25	200				
John Mitchell Cutting	30	100				
Junior League - Christmas Carousel 2021	50	100				
Marine Corp Ball	50	200				
Polk Key City Invitational Girls Basketball	160		1,000			1,500
UIL Region 1-4A Volleyball - McMurry	300		700			
USA Softball Let's Play	400		550			
USTA Tournament	400		500			
West Texas Al-Anon Winter Semi Annual	150	100				
TOTAL	2,185	\$ 1,020	\$ 3,500	\$ -	\$ 2,500	
DECEMBER	Delegates	Groups/Conventions	Sport Support	Convention Center	Designated	Sports Alliance
AISD Key City Boys Basketball Tournament	800		1,000			5,000
Catclaw Classic Invitational Boys Basketball	250		500			
Eula ISD Holiday Classic Basketball	350					
Expo Center Commitments					2,500	
FDLIC	250	1,000				
Minda Street COC - Love Bank Institute	100	660				
Silver Spur Gun & Knife Show	75	200				
Texas Assn of Counties	20	100				
Texas Forensic Assn.	330	500				
USTA Tournament	500		250			
Winter Lightfest					5,000	
TOTAL	2,675	\$ 2,460	\$ 1,750	\$ -	\$ 7,500	

Convention, Group & Sports Services

October 2021 - September 2022

JANUARY	Delegates	Groups/Conventions	Sport Support	Convention Center	Designated	Sports Alliance
American Assn of Petroleum Geologists	100	100				
Ben E. Keith Food Show	180	350				
Expo Center Commitments					2,500	
Grace Museum - Mayor Invitational 42 Tourney	100	150				
National Cutting & Spectacular	500	1,500				
Private School Music Educators	190	300				
Texas Hawking Assn.	110	500				
USA Softball	85		200			
USTA Sanction Events	2,400		3,000		1,000	
West Texas Rehab	100	300				
TOTAL	3,765	\$ 3,200	\$ 3,200	\$ -	\$ 3,500	-
FEBRUARY	Delegates	Groups/Conventions	Sport Support	Convention Center	Designated	Sports Alliance
Abilene Speedway Ice Breaker	1,000		1,300			
ACU Sing Song	1,000	200				
AISD Cooper Invitational Tennis	500		900			
AISD Ice Breaker Fast-Pitch Tournament	250		350			
Buffalo Gap I & E	100	300				
Expo Center Commitments					2,500	
Farm and Ranch Expo	200	200				
Kennedy Theatre Festival	840			12,500		
Key City Volleyball	900		1,300			
THSRA Region II Feb. Event	150	100				
Silver Spur Gun & Knife Show	75	250				
USA Volleyball	300		600			
TET Reunion	142	350				
TOTAL	5,457	\$ 1,400	\$ 4,450	\$ 12,500	\$ 2,500	-
MARCH	Delegates	Groups/Conventions	Sport Support	Convention Center	Designated	Sports Alliance
AISD AHS Sharon Wartes Eagle Invitational Tennis	850		1,300			
Texas High School Boys Powerlifting	3,400		3,200			
Expo Center Commitments					2,500	
Holstein Assn of Texas	200	400				
HSU Spring Break Softball Tournament	100		450			
HSU - TB Maston Lectures	100	100				
Key City Volleyball	1,000		2,000			3,500
Outlaws and Legends MusicFest	15,000				15,000	
USTA Challenger	200					
Southwest Hoops Abilene Tournament	600		900			
THSRA Region II March Event	150	100				
WT Pharmacy Association	150	660				
TOTAL	21,750	\$ 1,260	\$ 7,850	\$ -	\$ 17,500	-
APRIL	Delegates	Groups/Conventions	Sports Support	Convention Center	Designated	Sports Alliance
AOK Wild, Wild West Karate Tournament	500		1,200			
American Jr. Rodeo Assn.	275	200				
Big Time Hoops Texas Challenge	200		400			
Expo Center Commitments					2,500	
Full Throttle Basketball	480		1,000			
THSRA Region II April Finals	150	100				
UIL Programs Spring - ACU	3,000		2,000			
WT Pharmacy Association	150	660				
TOTAL	4,755	\$ 960	\$ 4,600	\$ -	\$ 2,500	-

Convention, Group & Sports Services

October 2021 - September 2022

MAY	Delegates	Groups/Conventions	Sport Support	Convention Center	Designated	Sports Alliance
American Kennel Club	400	1,500				
Dyess Big Country AirFest	50	1,000				
Expo Center Commitments					2,500	
Girls Pixie State Tournament	650		900			
Lions Club International	400			3,000		
Our Diamond Miss Pageant	100	350				
Southwest Hoops Big Country Shootout	480		780			
Texas Water Utilities	225	650				
USBC - Delegates Meeting	140	500				
USA Softball	250		500			
USTA Junior Circuit	150		400			
USTA Level 6	150		400			
West Tx Al-Anon	65	175				
Western Heritage Classic	5,000	3,000				
TOTAL	8,060	\$ 7,175	\$ 2,980	\$ 3,000	\$ 2,500	-
JUNE	Delegates	Groups/Conventions	Sport Support	Convention Center	Designated	Sports Alliance
CALF Festival	100	300				
Expo Center Commitments					2,500	
ITA Summer Circuit	400		600			
Original West Texas Baptist	350	200		3,000		
Professional Disc Golf - Wild Hair	120	150				
TASA - Girls Pixie Tournament	650		900			
Texas High School Rodeo	1,500				18,000	
Texas Showcase League Baseball	800		750			
Abilene Quilters Guild	30	75				
USA Softball	140		350			
TOTAL	4,090	\$ 725	\$ 2,600	\$ 3,000	\$ 20,500	-
JULY	Delegates	Groups/Conventions	Sport Support	Convention Center	Designated	Sports Alliance
AYSA Jon Smith Memorial Volleyball Tournament	225		450			
Big Time Hoops DII, DIII, JUCO & NAIA Showcase	560		1,200			
Expo Center Commitments					2,500	
FDLIC Sales Week & Dig Gig	45	525				
First Financial Bank - Shining Star	50	125				
Freedom Festival	250	1,000				
Little League Baseball & Softball	1,200			550	5,000	5,000
Original Team Roping	5,000	3,500				
Region 14 - Child Nutrition	275	575				
Southwest Hoops on the Radar Classic	500		800			
Texas Cornhole	170		550			
Texas Outlaw Karate	300		1,900			
Texas Parks & Wildlife	100	300				
Tour de Gap	200		300			
Texas Showcase League Baseball	1,000		500			1,000
TOTAL	9,875	\$ 6,025	\$ 5,700	\$ 550	\$ 7,500	

Convention, Group & Sports Services

October 2021 - September 2022

AUGUST	Delegates	Groups/Conventions	Sport Support	Convention Center	Designated	Sports Alliance
AISD Bev Ball Volleyball Tournament	550		500			
AISD District Fall Team Tennis	450		200			
Expo Center Commitments					2,500	
Independent Insurance Agents - Big I Day	75	150				
Youth Bull Riding	1200				7,500	
TOTAL	2,275	\$ 150	\$ 700	\$ -	\$ 10,000	-
SEPTEMBER	Delegates	Groups/Conventions	Sport Support	Convention Center	Designated	Sports Alliance
Abilene Softball Association - West Texas USSSA	1,000		2,500			
ACU Summit	400	1,500				
ACU Volleyball Wildcat Classic	200		400			
AISD Cougar Classic Boys Golf	120		185			500
Anime & Gaming Convention	200		800			
Cowboy Capital Karate	400		1,550			
Disability Resources - Dove Hunt	30	100				
Expo Center Commitments	400	500			2,500	
LULAC Labor Day Softball	2,000				5,000	
McMurry Warhawk Invitational Tennis Tournament	350		500			
NJCAA Fall Board Meeting	40		100			
Shelley Productions Team Roping	800	400				
Texas Longhorn Breeders	90	375				
West Texas Fair & Rodeo - Livestock Show	800	2,500				
USTA Tournament	500		200			
TOTAL	7,330	\$ 5,375	\$ 6,235	\$ -	\$ 7,500	
2021-2022 TOTAL	78,177	\$ 36,180	\$ 46,315	\$ 19,050	\$ 86,500	\$ 16,500
Operations						
Planning meetings, operations, registrations		2,500				
Convention bags		16,500				
VIP gifts (hats, flags, salsa, chips etc)		8,000				
Professional Development		1,000				
Name tags/lanyards		3,100				
Acrylic Texas		1,200				
HOT HOST		2,500				
	Operations	34,800				
Convention Rental in excess of 15,000	Convention Ce	4,050				
	Group Servicing	82,495				
Total Services		121,345				
	Designated	86,500				
Sports and Group Servicing Total		\$ 207,845				

Marketing 2021-2022

Description of Expense	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	Subtotal	TOTALS
Advertising	45,300	23,400	38,600	40,000	41,055	30,000	36,000	37,000	39,000	35,770	40,530	40,000		446,655
Billboards	7,630	7,630	7,630	7,630	7,630	7,630	7,630	7,630	7,630	7,630	7,630	7,635		91,565
Promotionals	2,895	2,895	2,895	2,895	2,895	2,895	2,895	2,895	2,895	2,895	2,895	4,055		35,900
Travel Info. Material														
Presentation Inserts	400						500			400			1,300	
Brochures			8,000									8,000	16,000	
Coupons				6,000									6,000	
Itineraries/local brochures			1,000							700			1,700	
														25,000
Incentive Marketing														
HOT HOST						2,000		800					2,800	
Roundup Pass						1,000							1,000	
TxMET	100	100	100	100	100	100	100	100	100	100	100	100	1,200	
Special Promotion			1,000	1,000			1,000		1,000		1,000		5,000	
														10,000
Awards and Gifts	250				500	250			250			250	1,500	1,500
Market Research														
Visitation Intelligence & STR				2,000				2,000			35,000			39,000
Photography and Video	500							2,000						2,500
ACVB Meetings/Boards	250		1,000		500			150		250		335	2,485	2,485
Group Sales	5,400	1,000	4,200	5,000	700	2,595	8,085	4,700	2,200	2,550	1,150	3,200		40,780
Sports Sales	7,970	1,100	1,100	3,820	2,100	600	1,995	2,075	5,600	4,000	3,270	2,300		35,930
Convention Services & Sports	7,000	5,000	8,000	8,500	6,000	8,500	6,500	8,000	6,500	8,545	1,000	13,000	86,545	
Convention Services Operations	2,900	2,900	2,900	2,900	2,900	2,900	2,900	2,900	2,900	2,900	2,900	2,900	34,800	121,345
Designated Funds	2,500	2,500	7,500	3,500	2,500	17,500	2,500	2,500	20,500	7,500	10,000	7,500	86,500	86,500
Sports Alliance	250	1,500	5,000	400	3,500	1,000	500	8,000	1,000	6,000	250	500		27,900
Communications Sales	245	245	245	245	250	250	250	250	250	2,600	250	1,250		6,330
Technology Marketing	70	50	50	385	50	50	945	1,900	1,050	570	850	750		6,720
Visitor Services and Sales	1,800	3,800	2,000	1,850	750	2,000	2,850	1,000	1,750	350	2,350	1,500		22,000
CenterStage				2,500			1,000		1,000		1,500			6,000
Heritage Tourism	1,000					1,000				1,000		5,000		8,000
Executive Director Sales	900	100	1,300	100	2,500	100	900	2,050	600	2,750	1,100	1,100		13,500
TOTALS	\$ 87,360	\$ 52,220	\$ 92,520	\$ 88,825	\$ 73,930	\$ 80,370	\$ 76,550	\$ 85,950	\$ 94,225	\$ 86,510	\$ 111,775	\$ 99,375		\$ 1,029,610

Advertising 2021-2022

Publication	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUNE	JULY	AUG	SEPT	TOTAL
Accommodations Guide - THLA	16,000												16,000
Texas Midwest Community Network		400										1,300	1,700
Tiger Oaks Publication-Tx Meetings 50,000					2,500		2,500		2,500			2,500	10,000
Convention Publications								3,000		3,000		3,000	9,000
Downtown Convention Hotel Campaign			5,000			5,000			5,000			5,250	20,250
TSAE-1,286 meeting planners						1,000		1,000			1,000		3,000
Texas Tourism Division Publications													
Events - quarterly		1,100		1,100		1,100			1,100		1,100		5,500
Texas State Travel Guide-500,000 - 3/4 page			8,200										8,200
Texas Highways.com-1.2 million sessions						625		625				625	1,875
Texas Highways e-news banner					1,700	1,440							3,140
AAA Explorer												5,500	5,500
Texas Highways (180,000)				2,460	6,000	6,100		5,300	3,500		2,500		25,860
Hotel Key Cards-Top 10 Things-co-op MCM			2,000										2,000
Forts Trail Authentic Texas publication-30,000 quarterly			2,000			2,000			2,000			2,000	8,000
Texas Monthly- 300,000 circulation (4)		5,500			5,500			5,500			5,500		22,000
Special Promotions	1,300	1,000	1,000	750	1,000	1,000	1,000	1,000	1,500	1,000	1,000	800	12,350
Bob Phillips Productions-Tx Country Reporter	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	2,000	24,000
Outlaws and Legends Musicfest-advertising				10,000									10,000
TravelHost -15,000 distribution to west Texas hotels	2,400			2,400			2,400			2,400			9,600
Public Relations	2,100	2,100	2,100	2,100	2,100	2,100	2,100	2,100	2,100	2,100	2,100	2,100	25,200
SPORTS													
Dave Campbell Football Publication				2,500						2,500			5,000
Sports Destination Management	1,100				2,275		1,300						4,675
Sports Planning Guide											2,065		2,065
SportsEvents		500			910	1,770	450	500	500	1,770			6,400
Campaigns I AM ABILENE & Live Like a Local					1,500		1,500	1,500		1,500			6,000
Retro Media-Time Warner-TV adv I-35 corridor						8,500							8,500
Production -Convention video						5,000							5,000
AJR Media													
Targeted Digital Advertising - AJR	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	3,000	36,000
Attrition Reporting	9,600												9,600
AJR - Native, retargeting, High Impact, Facebook	5,000	5,000	5,000	5,000	5,000	10,000	5,000	5,000	5,000	10,000	5,000	5,000	70,000
High Impact Video			10,000			10,000			15,000				35,000
TourTexas.com & email program - 2.3 million; 6.9 million page views						4,000					1,100		5,100
Destination Spotlight							4,000	1,100			1,100		6,200
Hot & Happening					770	1,200		770		1,200			3,940
Native Texas Campaign = SEO optimization - two campaigns				5,000								5,150	10,150
Destination Spotlight Monthly on website				730			730	730				730	2,920
Destination Spotlight featured video							930						930
Social Media Boosts	500	500	500	500	500	500	500	500	500	500	500	500	6,000
	42,500	20,600	40,300	37,040	34,255	65,835	25,980	33,125	43,200	30,470	27,465	38,955	446,655



The Abilene Convention & Visitors Bureau is an affiliate of the Abilene Chamber of Commerce and the destination marketing organization (DMO) for the City of Abilene.

The ACVB is funded by a portion of the city hotel occupancy tax collected from lodging guests.

1101 N. First Street ❖ Abilene, Texas 79601 ❖ 325-676-2556 ❖ abilenevisitors.com

Resolution Approving the Abilene Convention and Visitors Bureau FY 2022 Budget

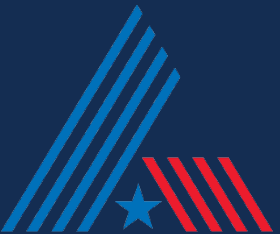


Resolution Approving the Abilene Convention and Visitors Bureau FY 2022 Budget

- In accordance with the agreement with the Abilene Chamber of Commerce for expenditure of hotel occupancy taxes the budget of the Abilene Convention and Visitors Bureau must be approved by City Council based on a review and recommendation by the City Manager.
- The City Manager has reviewed the FY 2022 budget and recommends approval.



Questions?





**City Council
Agenda Memo**

City Council Meeting Date: 9/9/2021

TO: Robert Hanna, City Manager

FROM: Tim Cass

SUBJECT: 6. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the purchase of One 2022 Ford F250 Three-Quarter Ton Utility Truck for Sewage Collection from Randall Reed Ford per sealed bid CB-2125
(*Tim Cass*)

GENERAL INFORMATION

Fleet Management seeks to purchase one three-quarter ton utility truck to replace an existing fully utilized unit. One Ford 2022 F250 three-quarter ton utility truck for Sewage Collection to be awarded to Randall Reed Ford as per sealed bid CB-2125.

SPECIAL CONSIDERATIONS

This unit for Sewage Collection was originally budgeted for in Fiscal Year 20 but was delayed due to the purchasing suspension and moved to Fiscal Year 21. Twenty five vendors, including local dealerships, were contacted and two vendors supplied bids.

FUNDING/FISCAL IMPACT

Funds for the purchase are to be provided by the Fleet Replacement Fund and total \$34,876.00. This is \$1,924.00 under budget.

STAFF RECOMMENDATION

Fleet and Water staffs worked together to develop the specifications for this vehicle to meet Water's operational needs. The bid vehicle meets those specifications. Staff recommends the purchase of the three-quarter ton utility truck from Randall Reed's Ford.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. CB-2125-A Utility Trucks Resolution
2. CB-2125 BID TABSHEET
3. CB-2125-A Utility Trucks Budget vs Actual
4. CB-2125-A Utility Trucks Addtl Info
5. CB-2125-A Utility Truck Presentation

RESOLUTION NO _____

**A RESOLUTION OF THE CITY OF ABILENE, TEXAS
TO PURCHASE ONE THREE-QUARTER TON UTILITY TRUCK FROM RANDALL REED'S FORD, GARLAND
TX**

WHEREAS, City of Abilene has a need for one three-quarter ton utility truck; and

WHEREAS, City of Abilene budgeted this purchase for Fiscal Year 2021; and

WHEREAS, City of Abilene received pricing for one three-quarter ton utility truck through sealed bids CB-2125; and

WHEREAS, The unit is to be 2022 Ford F250 cab and chassis with a Knapheide utility body; and

WHEREAS, Randall Reed's Ford is the low bidder for the three-quarter ton unit; and

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 Randall Reed's Ford of Garland, Texas in the amount of Thirty Four Thousand Eight Hundred and Seventy Six Dollars and No Cents (\$34,876.00) for one Ford 2022 F250 three-quarter ton utility truck;

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

ADOPTED this 9th day September, 2021

ATTEST:

Shawna Atkinson, City Secretary

Anthony Williams, Mayor

APPROVED:

Stanley Smith, City Attorney

**CITY OF ABILENE
PURCHASING DIVISION
TABULATION OF BIDS**

PAGE
1 OF 1

DEPARTMENT: FLEET MANAGEMENT
BID NO.: CB-2125
TIME OF OPENING: 11:00 A.M.
DATE OF OPENING: FEBRUARY 23, 2021

CALDWELL COUNTRY
CHEVROLET
CALDWELL, TX 77836

RANDALL REED'S PLANET
FORD 635
GARLAND, TX

ITEM	DESCRIPTION	QTY	UNIT	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
1.	¾ TON REGULAR CAB SRW UTILITY TRUCK	1	EA		36,220.00		*34,876.00								
2.	1 TON 4-DOOR DRW UTILITY TRUCK	1	EA		*41,665.00		42,716.00								
3.	1 TON 4-DOOR DRW UTILITY TRUCK W/CRANE	1	EA		*57,565.00		62,916.00								
BASE BID															
DISCOUNT															
TOTAL BID															

*NOTES: INDICATES RECOMMENDED AWARD

BUDGET vs ACTUAL COSTS *****Utility Trucks**

Repl For Unit #	Division #	Division Name	Type of Equipment Replaced	New Type of Equipment	Budgeted Cost	Actual Cost
3794	8060	Sewage Collection	3/4T Utility Truck	3/4T Utility Truck	\$36,800.00	\$34,876.00
					<u>\$36,800.00</u>	<u>\$34,876.00</u>

*** Units 3794 was budgeted for in FY20 and were delayed due to the purchasing freeze.

Budgeted vs Actual

Variance

(\$1,924.00)

FY20

(\$1,924.00)

Over Budget

ADDITIONAL INFORMATION FOR COUNCIL MEETING ITEM
Utility Trucks

Unit #	Assignment	Year	Make	Model	Mileage	Hours	Total Maintenance Costs	Disposal Method	Replacement Reasoning
3794	Sewage Collection	2008	Ford	F-250 XL	124,160	9,802	\$23,743.58	Auction	Meets three of the four requirements

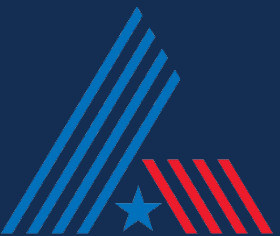
City Council Meeting

9/09/21



Utility Trucks

- One 3/4T Utility Truck to replace a current unit for Sewage Collection
- Unit is to have 2022 Ford F250 cab and chassis with Knapheide body.
- CB-2125







**City Council
Agenda Memo**

City Council Meeting Date: 9/9/2021

TO: Robert Hanna, City Manager

FROM: Tim Cass

SUBJECT: 7. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the purchase of two 2022 Chevrolet 3500 One Ton Utility Trucks for Sewage Collection and Water Distribution from Caldwell Country Chevrolet per sealed bid CB-2125 (*Tim Cass*)

GENERAL INFORMATION

Fleet Management seeks to purchase two utility trucks to replace existing fully utilized units. One 2022 Chevrolet 3500 one-ton dual rear wheel utility truck for Water Distribution and one 2022 Chevrolet 3500 one-ton dual rear wheel utility truck with attached crane for Sewage Collection, both to be awarded to Caldwell Country Chevrolet as per sealed bid CB-2125.

SPECIAL CONSIDERATIONS

The Sewage Collection unit was originally budgeted for in Fiscal Year 20 but was delayed due to the purchasing suspension and moved to Fiscal Year 21. Twenty five vendors, including local dealerships, were contacted and two vendors supplied bids.

FUNDING/FISCAL IMPACT

Funds for the purchase are to be provided by the Fleet Replacement Fund and total \$99,230.00. This is \$17,230.00 over budget.

STAFF RECOMMENDATION

Fleet and Water/Sewer staffs worked together to develop the specifications for these vehicles to meet Water's/Sewer's operational needs. The bid vehicles meet those specifications. Staff recommends the purchase of the two one ton utility trucks from Caldwell Country Chevrolet.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. CB-2125-B Utility Trucks Resolution
2. CB-2125 BID TABSHEET
3. CB-2125-B Utility Trucks Addtl Info
4. CB-2125-B Utility Trucks Budget vs Actual
5. CB-2125-B Utility Truck Presentation

RESOLUTION NO _____

**A RESOLUTION OF THE CITY OF ABILENE, TEXAS
TO PURCHASE TWO ONE TON DUAL REAR WHEEL UTILITY TRUCKS FROM CALDWELL COUNTRY
CHEVROLET, CALDWELL TX**

WHEREAS, City of Abilene has a need for two one ton utility trucks; and

WHEREAS, City of Abilene budgeted this purchase for Fiscal Year 2021; and

WHEREAS, City of Abilene received pricing for two one ton utility trucks through sealed bids CB-2125; and

WHEREAS, The units are to be 2022 Chevrolet 3500 DRW cab and chassis with a Knapheide utility body;
and

WHEREAS, Caldwell Country Chevrolet was the low bidder for the one ton units;

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 Caldwell Country Chevrolet of Caldwell, Texas in the amount of Ninety Nine Thousand Two Hundred and Thirty Dollars and No Cents (\$99,230.00) for two 2022 Chevrolet DRW 3500 utility trucks.

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

ADOPTED this 9th day September, 2021

ATTEST:

Shawna Atkinson, City Secretary

Anthony Williams, Mayor

APPROVED:

Stanley Smith, City Attorney

**CITY OF ABILENE
PURCHASING DIVISION
TABULATION OF BIDS**

PAGE
1 OF 1

DEPARTMENT: FLEET MANAGEMENT
BID NO.: CB-2125
TIME OF OPENING: 11:00 A.M.
DATE OF OPENING: FEBRUARY 23, 2021

CALDWELL COUNTRY
CHEVROLET
CALDWELL, TX 77836

RANDALL REED'S PLANET
FORD 635
GARLAND, TX

ITEM	DESCRIPTION	QTY	UNIT	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
1.	¾ TON REGULAR CAB SRW UTILITY TRUCK	1	EA		36,220.00		*34,876.00								
2.	1 TON4-DOOR DRW UTILITY TRUCK	1	EA		*41,665.00		42,716.00								
3.	1 TON 4-DOOR DRW UTILITY TRUCK W/CRANE	1	EA		*57,565.00		62,916.00								
BASE BID															
DISCOUNT															
TOTAL BID															

*NOTES: INDICATES RECOMMENDED AWARD

ADDITIONAL INFORMATION FOR COUNCIL MEETING ITEM
Utility Trucks

Unit #	Assignment	Year	Make	Model	Mileage	Hours	Total Maintenance Costs	Disposal Method	Replacement Reasoning
3638	Water Distribution	2006	Chevrolet	CC25903	117,200	8,032	\$38,899.52	Auction	Meets three of the four requirements
3954	Sewage Collection	2008	Ford	F-350 XL	140,138	14,151	\$53,472.61	Auction	Meets three of the four requirements

BUDGET vs ACTUAL COSTS *****Utility Trucks**

Repl For Unit #	Division #	Division Name	Type of Equipment Replaced	New Type of Equipment	Budgeted Cost	Actual Cost
3638	8050	Water Distribution	1T Utility Truck	1T DRW Utility Truck	\$40,000.00	\$41,665.00
3954	8060	Sewage Collection	1T Utility Truck	1T DRW Utility Truck W/ Crane	\$42,000.00	\$57,565.00
					<u>\$82,000.00</u>	<u>\$99,230.00</u>

*** 3954 were budgeted for in FY20 and were delayed due to the purchasing freeze.

Budgeted vs Actual

Variance

\$1,665.00

\$15,565.00

FY20

\$17,230.00

Over Budget

City Council Meeting

9/09/21



Utility Trucks

- 1T DRW Utility Trucks to replace current units for Sewage Collection and Water Distribution
- Units to be 2022 Chevrolet 3500 DRW cab and chassis with Knapheide body.
- CB-2125







City Council Agenda Memo

City Council Meeting Date: 9/9/2021

TO: Robert Hanna, City Manager

FROM: Tim Cass

SUBJECT: 8. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the purchase of One 1-Ton Utility truck with crane for Fleet Maintenance from local vendor, Arrow Ford, through CB-2160 (Tim Cass)

GENERAL INFORMATION

Fleet Management seeks to purchase one 1-Ton DRW utility truck as an upgrade to replace a fully utilized pickup. The unit is to be a 2022 Ford F350 one-ton dual rear wheel utility truck in order to accommodate a crane attachment for Fleet Maintenance. This vehicle will be used to support off-site repairs that require heavier lifting, which staff determined such use too excessive for a 1/2 Ton truck. The purchase is to be awarded to local vendor, Arrow Ford, as per sealed bid CB-2160

SPECIAL CONSIDERATIONS

This unit was originally budgeted for Fiscal Year 20, but was delayed due to the purchasing suspension and moved to Fiscal Year 21. Twenty five vendors were contacted, including local dealerships, and three vendors supplied bids.

FUNDING/FISCAL IMPACT

Funds for the purchase are to be provided by the Fleet Replacement fund and was budgeted for in FY21. The total amount of the bid is \$58,859.00. This amount is \$22,059.00 over budget due mainly to the addition of the crane and vehicle upsize from the originally-budgeted replacement.

STAFF RECOMMENDATION

The vehicle meets the operational intent for Fleet and Staff recommends the purchase of this 1-Ton dual rear wheel utility truck with crane.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. CB-2160 Utility Truck Resolution
2. CB-2160 Utility Truck Budget vs Actual
3. CB-2160 Utility Truck Addtl Info
4. CB2160 Utility Truck Bid Tab
5. CB-2160 Utility Truck Presentation

RESOLUTION NO _____

**A RESOLUTION OF THE CITY OF ABILENE, TEXAS
TO PURCHASE ONE ONE-TON DUAL REAR WHEEL UTILITY TRUCK WITH ATTACHED CRANE FROM
ARROW FORD, ABILENE TX**

WHEREAS, City of Abilene has a need for one dual rear wheel utility truck with attached crane; and

WHEREAS, City of Abilene budgeted this purchase for Fiscal Year 2021; and

WHEREAS, City of Abilene received pricing for one dual rear wheel utility truck with attached crane through sealed bids CB-2160; and

WHEREAS, The unit is to be a 2022 Ford F350 regular cab dual rear wheel cab and chassis with a Knapheide utility body and crane; and

WHEREAS, Arrow Ford was the low bidder for the one ton dual rear wheel utility truck with attached crane;

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 Arrow Ford of Abilene, Texas in the amount of Fifty Eight Thousand Eight Hundred and Fifty Nine Dollars and No Cents (\$58,859.00) for one 2022 Ford F350 dual rear wheel utility truck with attached crane.

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

ADOPTED this 9th day September, 2021

ATTEST:

Shawna Atkinson, City Secretary

Anthony Williams, Mayor

APPROVED:

Stanley Smith, City Attorney

BUDGET vs ACTUAL COSTS ***

Utility Truck

Repl For Unit #	Division #	Division Name	Old Equipment Type	New Equipment Type	Budgeted Cost	Actual Cost
2024	9010	Fleet Maintenance	1/2T Pickup Truck	1 Ton Utility Truck	\$36,800.00	\$58,859.00
					\$36,800.00	\$58,859.00

*** Cost over includes the cost of a new crane

Budgeted vs Actual

Variance

\$22,059.00

\$22,059.00

ADDITIONAL INFORMATION FOR COUNCIL MEETING ITEM
Utility Trucks

Unit #	Assignment	Year	Make	Model	Mileage	Hours	Total Maintenance Costs	Disposal Method	Replacement Reasoning
2024	Fleet Maintenance	1992	GMC	TC 10903 Sierra	112,180		\$28,378.83	Auction	Meets three of the four requirements

**CITY OF ABILENE
PURCHASING DIVISION
TABULATION OF BIDS**

PAGE
1 OF 1

DEPARTMENT: FLEET
BID NO.: CB-2160
TIME OF OPENING: 11:00 A.M.
DATE OF OPENING: AUGUST 24, 2021

ARROW FORD
ABILENE, TX

CALDWELL COUNTRY
CHEVROLET
CALDWELL, TX

GRAPEVINE CHRYSLER JEEP
DODGE RAM
GRAPEVINE, TX

ITEM	DESCRIPTION	QTY	UNIT	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION	UNIT PRICE	EXTENSION
1.	UTILITY TRUCK – 1 TON W/CRANE	1	EA		*58,859.00		65,530.00		DOES NOT MEET SPECS						
BASE BID					*58,859.00		65,530.00								
DISCOUNT															
TOTAL BID					*58,859.00		65,530.00								

*NOTES: INDICATES RECOMMENDED AWARD

City Council Meeting

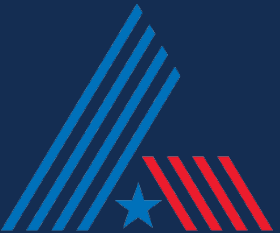
9/9/21



Utility Truck

- One 1T DRW Utility Truck with an attached Crane to replace a current unit for Fleet Maintenance
- Unit is to be a 2022 Ford F350 cab and chassis with Knapheide body and attached crane.
- CB-2160







**City Council
Agenda Memo**

City Council Meeting Date: 9/9/2021

TO: Robert Hanna, City Manager

FROM: Tim Cass

SUBJECT: 9. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the purchase of six 4WD Police Patrol Vehicle Tahoes through Caldwell Country Chevrolet (*Tim Cass*)

GENERAL INFORMATION

Fleet Management seeks to purchase six 4WD Police Package Tahoes from Caldwell Country Chevrolet through a state co-operative. After the challenges APD faced operating during the snow event in February 2021, Fleet, APD and City Management agreed that a portion of the Police Patrol Tahoes should be four-wheel drive to improve PD's operation during future snow events.

SPECIAL CONSIDERATIONS

This item represents the purchase of 6 four-wheel drive PPV Tahoes approved in the FY22 Budget adopted by Council. The early request is due to the immediate availability of these six units and the limited number being manufactured.

FUNDING/FISCAL IMPACT

Funds for the purchase (\$239,428.00) are to be provided by the Fleet Replacement fund and are to be paid through FY22 budget.

STAFF RECOMMENDATION

Fleet and APD staffs worked together to develop the specifications for these units to meet APD Patrol needs. Staff recommends the expedited purchase of these six 4WD PPV Tahoes.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. CO-OP Police SUVs Resolution.doc (3)
2. FY22 PPV Addl Info
3. CO-OP Patrol SUVs Budget vs Actual FY22
4. Pricing Worksheet FY22 PPV
5. CO-OP Police Patrol SUVs Presentation

RESOLUTION NO _____

**A RESOLUTION OF THE CITY OF ABILENE, TEXAS
TO PURCHASE SIX POLICE SPORT UTILITY VEHICLE CLASS PATROL VEHICLES FROM CALDWELL
COUNTRY CHEVROLET
THROUGH BUYBOARD COOPERATIVE CONTRACT 601-19**

WHEREAS, City of Abilene has a need for six replacement Police Sport Utility Vehicle class Patrol Vehicles; and

WHEREAS, City of Abilene budgeted this purchase for Fiscal Year 2022; and

WHEREAS, City of Abilene received pricing for six 2021 Model 4WD Police Tahoes through BuyBoard Co-Op Contract 601-19; and

WHEREAS, Caldwell Country Chevrolet is the BuyBoard approved vendor for police Tahoes.

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 Caldwell Country Chevrolet of Caldwell, Texas in the amount of Two Hundred Thirty Nine Thousand Four Hundred Twenty Eight Dollars and no cents (\$239,428.00) for six 4WD Police Patrol Tahoes through BuyBoard Co-Op Contract 601-19.

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

ADOPTED this 9^h day September, 2021

ATTEST:

Shawna Atkinson, City Secretary

Anthony Williams, Mayor

APPROVED:

Stanley Smith, City Attorney

ADDITIONAL INFORMATION FOR COUNCIL MEETING ITEM
Police Pursuit Vehicle Tahoes

Unit #	Assignment	Year	Make	Model	Mileage	Hours	Total Maintenance Costs	Disposal Method	Replacement Reasoning
3987	Police Patrol	2009	Ford	Crown Victoria	125,174	14,377	\$14,735.25	Auction	Meets all four of the replacement requirements
4320	Police Patrol	2012	Chevrolet	Tahoe	139,343	19,068	\$23,866.87	Auction	Meets three out of four of the replacement requirements
4524	Police Patrol	2015	Chevrolet	Tahoe	121,158	15,599	\$10,776.09	Auction	Meets three out of four of the replacement requirements
4525	Police Patrol	2015	Chevrolet	Tahoe	133,982	16,953	\$4,424.72	Auction	Meets three out of four of the replacement requirements
4530	Police Patrol	2015	Chevrolet	Tahoe	124,443	16,220	\$11,166.79	Auction	Meets three out of four of the replacement requirements
4532	Police Patrol	2015	Chevrolet	Tahoe	131,080	15,411	\$5,078.79	Auction	Meets three out of four of the replacement requirements

BUDGET vs ACTUAL COSTS ***
PATROL SUVs

Repl For Unit #	Division #	Division Name	Type Equipment	Budgeted Cost	Actual Cost	Budgeted vs Actual Variance
3987	5015	Police Patrol	Police Patrol SUV	\$39,000.00	\$39,838.00	\$838.00
4320	5015	Police Patrol	Police K-9 SUV	\$39,000.00	\$39,838.00	\$838.00
4524	5015	Police Patrol	Police Patrol SUV	\$39,000.00	\$39,838.00	\$838.00
4525	5015	Police Patrol	Police Patrol SUV	\$39,000.00	\$39,838.00	\$838.00
4530	5015	Police Patrol	Police Patrol SUV	\$39,000.00	\$39,838.00	\$838.00
4532	5015	Police Patrol	Police Patrol SUV	\$39,000.00	\$39,838.00	\$838.00
				\$234,000.00	\$239,028.00	\$5,028.00

CALDWELL COUNTRY CHEVROLET

800 HWY. 21 E. CALDWELL, TEXAS 77836

BUYBOARD BID 601-19

End User: CITY OF ABILENECaldwell Rep: CHRIS COLLINSContact: CASSANDRA LAMBERT 325-437-4525Phone: 979-567-6155Phone/email: CASSANDRA.LAMBERT@ABILENETX.GOVDate: Friday, September 3, 2021Product Description: TAHOE PPV 4WDemail: ben@caldwellcountry.comA. Bid Series: 31A. Base Price: \$ 39,346.00

B. Published Options [Itemize each below]

Code	Options	Bid Price	Code	Options	Bid Price
CK10706	2021 TAHOE 4WD POLICE VEHICLE	INCL		LOCKING DIFFERENTIAL	INCL
L84	ENGINE 5.3L V8	INCL		SKID PLATE, FRONT	INCL
MQC	TRANSMISSION- 10 SPEED AUTO	INCL		CHEVROLET INFOTAINMENT 3	INCL
C6C	GVWR 7,400 LBS.	INCL		VINYL FLOOR COVERING	INCL
9C1	POLICE PACKAGE	INCL		REAR VISION CAMERA	INCL
H1T	JET BLACK, CLOTH SEAT TRIM	INCL		POLICE RATED SUSPENSION	INCL
UDA	ONSTAR DELETE	INCL		THIRD ROW DELETE	INCL
6J7	FLASHER SYSTEM	INCL		KEYLESS ENTRY	INCL
	ALTERNATOR 220 AMP	INCL			
	TRAILERING EQUIPMENT	INCL		NO LH SPOTLAMP	
	DUAL BATTERIES	INCL		*PLEASE REQUEST IF NEEDED*	

Total of B. Published Options: \$ -

C. Unpublished Options [Itemize each below, not to exceed 25%]

\$= 0.0 %

Options	Bid Price	Options	Bid Price
		GBA-BLACK	COLOR
		IN STOCK (LIMITED INVENTORY)	DELIVERY

Total of C. Unpublished Options:

D. Registration, Inspection, Paperwork, Postage cost, Courthouse time, & Runner time: INCL

\$ -

E. UPFITTERS:

F. Manufacturer Destination/Delivery:

G. Floor Plan Interest (for in-stock and/or equipped vehicles):

\$ -

H. Lot Insurance (for in-stock and/or equipped vehicles):

\$ -

I. Contract Price Adjustment:

\$ -

J. Additional Delivery Charge: 246 miles

\$ 492.00

K. Subtotal:

\$ 39,838.00

L. Quantity Ordered 6 x K =

\$ 239,028.00

M. Trade in:

N. BUYBOARD FEE PER PURCHASE ORDER

\$ 400.00

O. TOTAL PURCHASE PRICE WITH BUYBOARD FEE

\$ 239,428.00

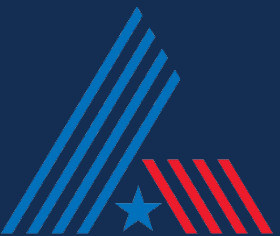
Purchase of 6 Police Patrol 4WD SUVs

09/09/2021



Five 4WD Police Patrol SUVs

- CO-OP Purchase of Six 4WD Police Patrol SUVs Assigned to Police Department to replace existing units
- BuyBoard Cooperative purchase to coordinate the build and delivery process.
- Current price is for vehicles only, up-fitting was budgeted for and will be completed at a later date
- Units to be 2021 Chevrolet 4WD Police Pursuit Vehicle Tahoes







City Council Agenda Memo

City Council Meeting Date: 9/9/2021

TO: Robert Hanna, City Manager

FROM: Mike Rains

SUBJECT: **10. Resolution:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Authorizing Combined Purchases from the Specified Vendors in Amounts Exceeding \$50,000 during Fiscal Year 2021 *(Mike Rains)*

GENERAL INFORMATION

Staff is recommending that the Abilene City Council approve the resolution authorizing total combined purchases in excess of \$50,000 during fiscal year 2021 for each vendor listed in the attached file.

SPECIAL CONSIDERATIONS

During the course of each fiscal year City staff is required to make numerous purchases of materials, services, parts, and equipment from various vendors. Those purchases can be made by only one City department or made by several City departments, each acting independently. The individual purchases are made in accordance with applicable City policy and state regulations. This normal practice can result in total combined expenditures that exceed \$50,000 during a fiscal year. City policy requires that the Abilene City Council approve of total combined purchases exceeding \$50,000 in value from a single vendor during a fiscal year. Purchases of individual items exceeding \$50,000 in value will continue to require specific authorization of the City Council.

FUNDING/FISCAL IMPACT

Funding for the total combined purchases will not exceed the associated available funds as allocated in the FY 2021 Annual Operating Budget.

STAFF RECOMMENDATION

Staff Recommends that the Abilene City Council approve the resolution authorizing the total combined purchases from each of the listed vendors in amounts exceeding \$50,000 during Fiscal Year 2021.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. 2021 Resolution Approving Purchases from Vendors Exceeding \$50,000
2. 2021 Vendors EXHIBIT A
3. Powerpoint - Resolution Approving Vendor Purchases in Excess of \$50,000

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS
APPROVING VENDOR PURCHASES EXCEEDING \$50,000 FOR FISCAL YEAR 2021**

WHEREAS, City policy and State law requires the City Council to approve purchases exceeding \$50,000; and

WHEREAS, City staff have reviewed vendor purchases for fiscal year 2021; and

WHEREAS, cumulative purchases for certain vendors listed on the attached “Exhibit A” have or are anticipated to exceed \$50,000; and

WHEREAS, City staff have presented a listing of cumulative purchases exceeding \$50,000 that have not been previously approved by City Council.

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

Part 1: That the City Council of the City of Abilene, Texas approves the cumulative purchases from vendors listed on “Exhibit A” that have or are anticipated to exceed \$50,000 for fiscal year 2021.

Part 2: That this Resolution is effective immediately upon adoption.

ADOPTED this 9th day of September, 2021.

ATTEST:

Shawna Atkinson, City Secretary

Anthony Williams, Mayor

APPROVED:

Stanley Smith, City Attorney

EXHIBIT A

Vendor Name

ABILENE PLUMBING SUPPLY CO

PLASTIC WHOLESALE PLUMBING/BENMARK

DELL CORPORATION

SHI-GOVERNMENT SOLUTIONS IN

BEN E KEITH COMPANY

ACLARA TECHNOLOGIES LLC

ATLAS UTILITY SUPPLY CO INC

WEST TECHS CHILL WATER

MHC KENWORTH

WRIGHT-PHILLIPS SERVICES

XEROX CORP

WILLIS ELECTRIC CO

ANA-LAB CORPORATION

BATJER & ASSOCIATES INC

MG ENTERPRISES

KARL KLEMENT FORD

HACH CO

ACCURATE AIR SOLUTIONS LLC

GLOBAL INDUSTRIAL

MCKESSON MEDICAL-SURGICAL I

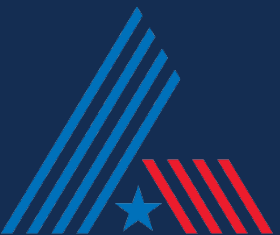
SIGMA SURVEILLANCE INC

Resolution Approving Vendor Purchases in Excess of \$50,000 for Fiscal Year 2021



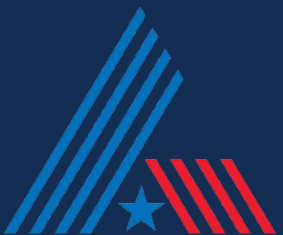
Resolution Approving Vendor Purchases in Excess of \$50,000 for Fiscal Year 2021

- In accordance with state law and city policy vendor purchases in excess of \$50,000 must be approved by City Council.
- Individual contracts in excess of \$50,000 have been brought to Council during the fiscal year.
- Cumulative purchases in excess of \$50,000 have or are anticipated to occur for the remainder of fiscal year 2021 that have not previously been approved by Council.
- Staff is requesting Council approve these cumulative purchases.

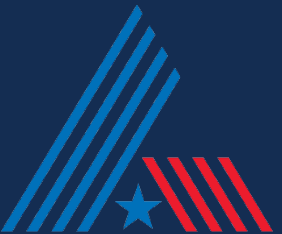


Resolution Approving Vendor Purchases in Excess of \$50,000 for Fiscal Year 2021

Vendor Name
ABILENE PLUMBING SUPPLY CO
PLASTIC WHOLESALE PLUMBING/BENMARK
DELL CORPORATION
SHI-GOVERNMENT SOLUTIONS IN
BEN E KEITH COMPANY
ACLARA TECHNOLOGIES LLC
ATLAS UTILITY SUPPLY CO INC
WEST TECHS CHILL WATER
MHC KENWORTH
WRIGHT-PHILLIPS SERVICES
XEROX CORP
WILLIS ELECTRIC CO
ANA-LAB CORPORATION
BATJER & ASSOCIATES INC
MG ENTERPRISES
KARL KLEMENT FORD
HACH CO
ACCURATE AIR SOLUTIONS LLC
GLOBAL INDUSTRIAL
MCKESSON MEDICAL-SURGICAL I
SIGMA SURVEILLANCE INC



Questions?





**City Council
Agenda Memo**

City Council Meeting Date: 9/9/2021

TO: Robert Hanna, City Manager

FROM: Michael Rice, Assistant City Manager

SUBJECT: 11. Resolution: Receive a Report, Hold a Discussion and Take Action to Approve an Extended Term Street Use License with Abilene Convention Center Hotel Development Corporation (*Michael Rice*)

GENERAL INFORMATION

Abilene Convention Center Hotel Development Corporation has submitted an application for an Extended Term Street Use License to use a portion of City right-of-way located at 500 Cypress Street along the south right-of-way on North 6th Street and the west right-of-way on Cypress Street. The applicant wishes to build and maintain two canopy structures over city sidewalks.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

Staff has reviewed this request and recommends that the City Council authorize the City Manager to execute the attached Extended Term Street Use License with Abilene Convention Center Hotel Development Corporation for use of a portion of the City's right-of-way on North 6th Street and Cypress Street.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. Resolution (2)
2. SignedSUL
3. Hotel Extended Use License Presentation

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS,
AUTHORIZING THE CITY MANAGER TO EXECUTE THE EXTENDED TERM STREET USE
LICENSE WITH ABILENE CONVENTION CENTER HOTEL DEVELOPMENT
CORPORATION**

WHEREAS, the applicant has submitted an Extended Term Street Use License application for the construction and maintenance of canopy structures located at 500 Cypress Street over city sidewalks along the south right-of way on North 6th Street and the west right-of-way on Cypress Street; and

WHEREAS, this application and Extended Term Street Use License have been reviewed and approved by City Staff.

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

PART 1: That the City Manager is hereby authorized to execute the Extended Term Street Use License with Abilene Convention Center Hotel Development Corporation.

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

ADOPTED this 9th day of September, 2021.

ATTEST:

Shawna Atkinson, City Secretary

Anthony Williams, Mayor

APPROVED:

Stanley Smith, City Attorney

THE STATE OF TEXAS

STREET USE LICENSE AGREEMENT
EXTENDED TERM

COUNTY OF TAYLOR

THIS STREET USE LICENSE AGREEMENT, hereinafter referred to as "License", executed this _____ day of _____, A.D., 2021, by the CITY OF ABILENE, a municipal corporation situated in Taylor and Jones Counties, Texas, hereinafter referred to as "City", and the Abilene Convention Center Hotel Development Corporation, a local government corporation, hereinafter referred to as "Licensee".

WITNESSETH:

That City, pursuant to Chapter 29, "Streets and Sidewalks", Article V, "Street Use License", does hereby grant to Licensee the privilege of using the following described public property, to-wit:

-Approximately 24' x 307' along the South Right-Of-Way on North 6th Street and approximately 15' x 74' along the West Right-Of-Way on Cypress Street

Commencing the date of execution unless otherwise specified, and upon the conditions and covenants set forth in this License and in Exhibit A incorporated by reference for all purposes herein.

I. Purpose:

The purpose of this License is to permit Licensee to:

-Construct and maintain two canopy structures over city sidewalks on North 6th Street and Cypress Street to provide patrons protection from the elements as they enter and exit the building.

II. 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.

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

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

"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:

injury or damage to any property or right

injury, damage, or death to any person or entity

attorneys fees, witness fees, expert witness fees and expenses, and

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 part that is unmixed with the fault of any other person or entity.

B. Indemnity

The Licensee agrees to the extent allowed by law to indemnify, hold harmless, and defend the City from and against liability for any claims arising out of the Licensee's occupancy or use of the premises described above and/or activities conducted in connection with this License.

Licensee must at all times exercise reasonable precautions on behalf of, and be solely responsible for, the safety of Licensee'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 Licensee or Licensee's employees.

The City assumes no responsibility or liability for damages which are directly or indirectly attributable to premise defects which may now exist or which may hereafter arise on the premises, whether or not caused in whole or in part by improvements constructed by the Licensee. Responsibility for all such defects is expressly assumed by the Licensee.

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

BOTH CITY AND LICENSEE EXPRESSLY INTEND THIS LICENSE'S INDEMNITY PROVISION TO REQUIRE LICENSEE 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.

III. Insurance

Licensee agrees to secure and maintain the following types and amounts of insurance, for the term of this license:

<u>Type</u>	<u>Amount</u>
Comprehensive General Liability to include (but not limited to) the following:	\$250,000 -----Per Person
a) Premises/Operations Coverage	\$500,000 -----Per Occurrence for Bodily Injury, and
a) Contractual Liability Coverage	\$100,000 -----Per Occurrence for Property Damage

The preceding insurance requirements notwithstanding, the City reserves the right to revise the types and amounts of insurance required by this License prior to the approval of the License or if License is in effect, to be effective thirty (30) days after notice is sent to the address provided herein.

All insurance policies or certificates shall contain the following provisions:

- a. That the City of Abilene, Texas, is named as an additional insured.
- b. That such insurance shall not be cancelled or materially changed without a minimum of thirty (30) day's advance notice in writing to the City.

All insurance policies shall be subject to the examination and approval of the Office of the City Attorney, City of Abilene, Texas, for their adequacy as to form and content, form of protection, and insurance company. Licensee shall furnish to City Secretary for her License file certificates or copies of the policies, plainly and clearly evidencing such insurance at the time of application, and thereafter new certificates prior to the expiration date of any prior certificate.

Licensee understands that it is its sole responsibility to provide this necessary information and that failure to timely comply with the requirements of this article shall be a cause for termination of this License.

IV. License Requirements and Restrictions:

1. During the term of this License, Licensee shall maintain the premises licensed herein in a good and safe condition at all times. If the street surface, parkway, or facilities in the parkway, including landscaping, are damaged or disturbed by any activity associated with this License, the Licensee shall at its expense, restore the same to as good a condition as before the activity, to the satisfaction of the Director of Public Works or designee.

2. The construction signing and barricading requirements of the Texas Manual On Uniform Traffic Control Devices shall be met for all work done in the public right-of-way.

3. The Licensee shall be responsible for locating, protecting, and repairing (if damaged) all utilities within the area permitted and shall pay all costs associated with adjustments to utilities including street lights that are necessitated by the permitted use.

4. Permitted facilities shall be installed in accordance with all applicable laws, regulations, and codes.

5. The Licensee shall relocate its facilities at its own expense to accommodate public improvements in the right-of-way.

6. In the performing or permitting of work consistent with its normal course of duty within the right-of-way, the City shall not be liable for any damages to the Licensee's facilities or equipment or injury to Licensee, all such claim for damage or injury being expressly waived by Licensee.

7. If Street Use License regulations change, the Licensee shall agree to any new requirements or shall remove all constructed facilities from the right-of-way.

8. Upon termination the Licensee shall restore the property at its expense, to a good workmanlike condition and in a manner satisfactory to the Director of Public Works or designee.

9. The City Manager, Police Chief, Fire Chief, or a designee of such officials, shall have the authority to order immediate removal of any objects or materials placed on the premises by Licensee if, in the City's opinion, removal is necessary to protect the health, safety, or welfare of the public. If the Licensee fails to comply with the order, the City shall remove the materials, and the Licensee shall reimburse the City for the cost of compliance. The Licensee may appeal the removal order to the Abilene City Council by filing written notice with the City Secretary within 5 days of the order; provided, however that ANY APPEAL SHALL NOT STAY THE OFFICIAL'S ORDER OR THE REMOVAL PROCEDURE.

V. Termination

1. This License shall automatically terminate 15 years from the date of execution.

2. The City shall have the right to cancel this License at any time by giving Licensee thirty (30) days notice of its cancellation. The notice shall be in writing delivered to Licensee by certified mail.

3. In the event Licensee shall permit any City of Abilene, Abilene Independent School District, West Central Texas Municipal Water District, or any other taxes assessed against it to become delinquent, this License shall automatically terminate and become null and void.

4. This License may not be assigned or conveyed; any attempt by Licensee to do either shall automatically terminate the License. In the event Licensee should sell the property adjacent to the area for which the License has been granted, this License shall automatically terminate.

CITY OF ABILENE, TEXAS

City Manager

ATTEST:

City Secretary

APPROVED:

City Attorney

NAME OF LICENSEE:

Abilene Convention Center Hotel
Development Corporation

By: Robert Hanne

Signature

Robert Hanne, CEO

Printed Name and Title

Business Address: 555 Walnut

Abilene, Tx 79601

EXHIBIT "A"
STREET USE LICENSE AGREEMENT
WITH

Abilene Convention Center Hotel Development Corporation

CONDITIONS AND COVENANTS

The Street Use License Agreement is subject to the following conditions and covenants:

1. The Licensee shall contact the city's Engineering Division (676-6281) prior to commencing any work in the right-of-way.
2. The Licensee shall submit a traffic control plan to the Traffic and Transportation Division (676-6281) for approval before beginning any work that will result in blocking traffic lanes.
3. The Licensee shall contact the Traffic Signal Shop (676-6066) or the Traffic Engineering office (676-6281) for location of traffic signal facilities and shall contact the Water Utilities Department (676-6425) for location of water and sewer lines before beginning excavation in the right-of-way.
4. The Licensee shall contact the city of Abilene Building Inspections (676-6232) regarding any necessary permits for the installation of the requested facility.
5. The Licensee shall ensure all underground utilities are identified and marked prior to any excavation.
6. The Licensee shall barricade any excavation in the right-of-way to prevent pedestrian and/or vehicular access while excavation is unattended. Any barricades left in the right-of-way overnight must be lighted.
7. The Licensee shall promptly repair all signs, pavement markings, and other traffic control devices damaged by its work in the right-of-way.
8. If the City determines that the subject right-of-way is needed for purposes that would be adversely impacted by the permitted facility, the Licensee shall remove the permitted facility within sixty (60) days notice of cancellation.



Certificate of Coverage

TMLIRP Contract Number: 1407

Member:

Abilene
Ms. Brenda Alexander
Director of Human Resources
PO Box 60
Abilene, Texas 79604-0060

Company Affording Coverage:

Texas Municipal League Intergovernmental Risk Pool (TMLIRP)
PO Box 149194
Austin, TX 78714-9194
(512) 491-2300 or (800) 537-6655
Fax: (512) 491-2404

Certificate Holder:

City of Abilene
Attention: Ms. Brenda Alexander, Director of Human Resources
P.O. Box 60
Abilene, Texas 79604-0060

This is to certify that the coverages listed below have been provided to the member and are in effect at this time. Notwithstanding any requirements, terms, or conditions of any other contract or agreement with respect to which this certificate may be issued or may pertain, the coverage afforded by TMLIRP described herein is subject only to the terms, exclusions and additions of TMLIRP's coverage contracts between TMLIRP and its member(s).

Coverage is continuous until canceled.

General Liability	Effective Date: 10/1/2020 Anniversary Date: 10/1/2021	Real & Personal Property	Effective Date: 10/1/2020 Anniversary Date: 10/1/2021
Limits of Liability (Each Occurrence):	\$2,000,000	Limits of Coverage:	\$498,707,331
Sudden Events Involving Pollution (Each Occurrence):	\$2,000,000	Deductible per Occurrence:	\$250,000
Annual Aggregate:	\$4,000,000	Mobile Equipment	Effective Date: 10/1/2020 Anniversary Date: 10/1/2021
Deductible per Occurrence:	\$50,000	Limits of Coverage:	\$9,397,810
Law Enforcement Liability	Effective Date: 10/1/2020 Anniversary Date: 10/1/2021	Deductible per Occurrence:	\$250,000
Limits of Liability (Each Occurrence):	\$2,000,000	Boiler & Machinery - Broad Form	Effective Date: 10/1/2020 Anniversary Date: 10/1/2021
Annual Aggregate:	\$4,000,000	Per Accident Limit:	\$100,000
Deductible per Occurrence:	\$50,000	Deductible per Occurrence:	\$50,000
Errors and Omissions Liability	Effective Date: 10/1/2020 Anniversary Date: 10/1/2021		
Limits of Liability (Each Wrongful Act):	\$2,000,000		
Annual Aggregate:	\$4,000,000		
Deductible per Occurrence:	\$50,000		
Auto Liability	Effective Date: _____ Anniversary Date: _____	Year/Make/Model	VIN
Limits of Liability (Each Occurrence):	_____		
Deductible per Occurrence:	_____		
Auto Physical Damage	Effective Date: _____ Anniversary Date: _____		
Limits of Liability:	_____		
Collision Deductible:	_____		
Comprehensive Deductible:	_____		
	Yes No		
Loss Payee:		Loan Number:	

DESCRIPTION:

Confirmation of coverage.

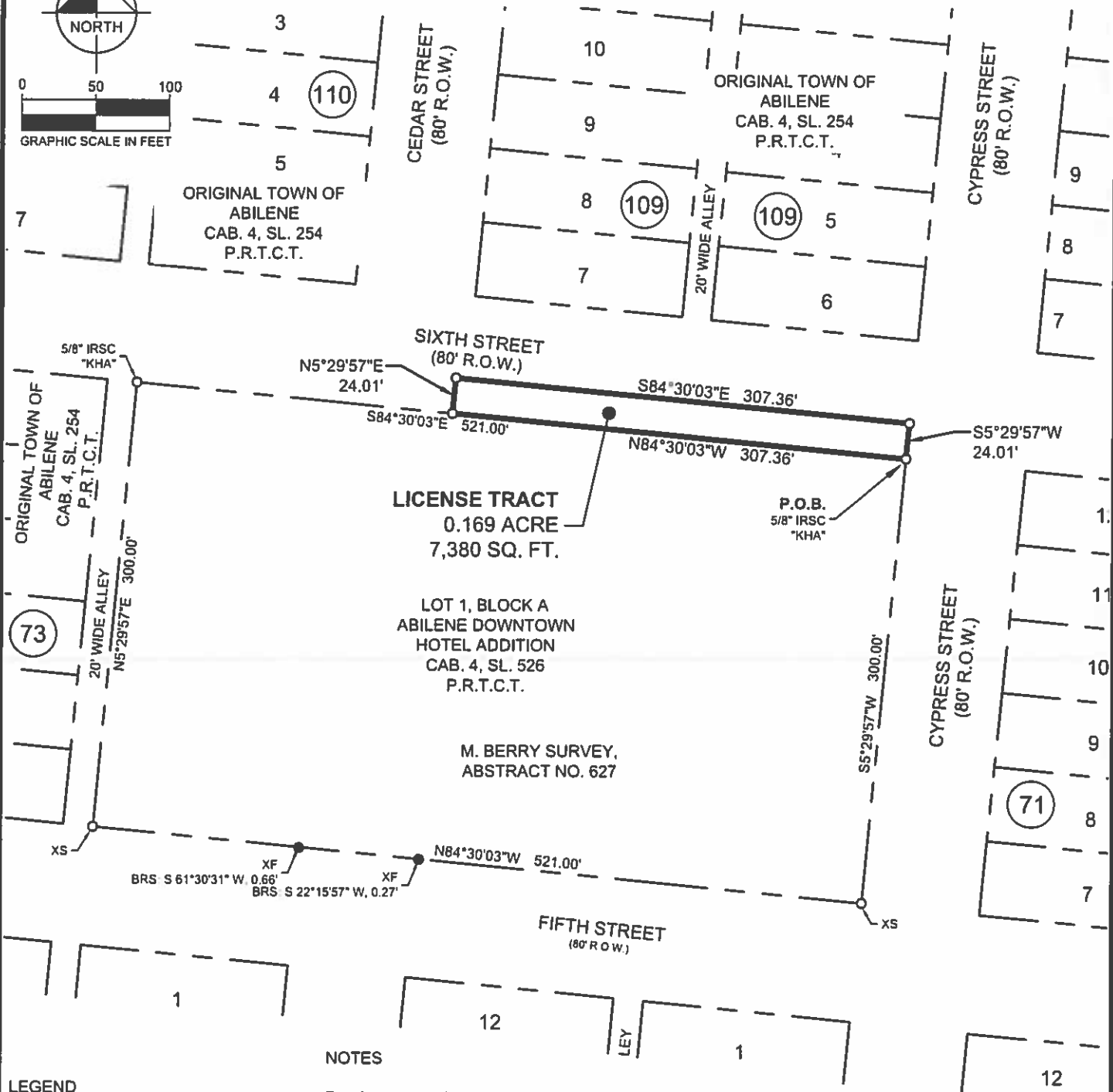
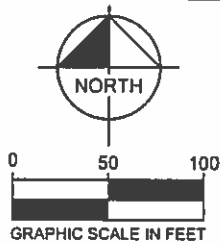
Cancellation: Should any of the above described coverages be canceled before the anniversary date thereof, TMLIRP will endeavor to mail 30 days written notice to the above named certificate holder, but failure to mail such notice shall impose no obligation or liability of any kind upon TMLIRP.

Authorized Representative: Louis Canales

Louis R. Canales, Jr.

Date Issued:

5/28/2021



LEGEND

P.O.B. = POINT OF BEGINNING
 IRSC = 5/8" IRON ROD W/ "KHA" CAP SET
 IRFC = IRON ROD W/CAP FOUND
 XF = "X" CUT FOUND
 XS = "X" CUT SET
 P.R.T.C.T. = PLAT RECORDS OF TAYLOR COUNTY, TEXAS

MICHAEL MARX
 REGISTERED PROFESSIONAL
 LAND SURVEYOR NO. 5181
 6160 WARREN PKWY., SUITE 210
 FRISCO, TEXAS 75034
 PH. 972-335-3580
 michael.marx@kimley-horn.com

NOTES

Bearing system based on the Texas
 Coordinate System of 1983, North Central
 Zone (4202), North American Datum of 1983.

PRELIMINARY

THIS DOCUMENT SHALL
 NOT BE RECORDED FOR
 ANY PURPOSE AND
 SHALL NOT BE USED OR
 VIEWED OR RELIED
 UPON AS A FINAL
 SURVEY DOCUMENT

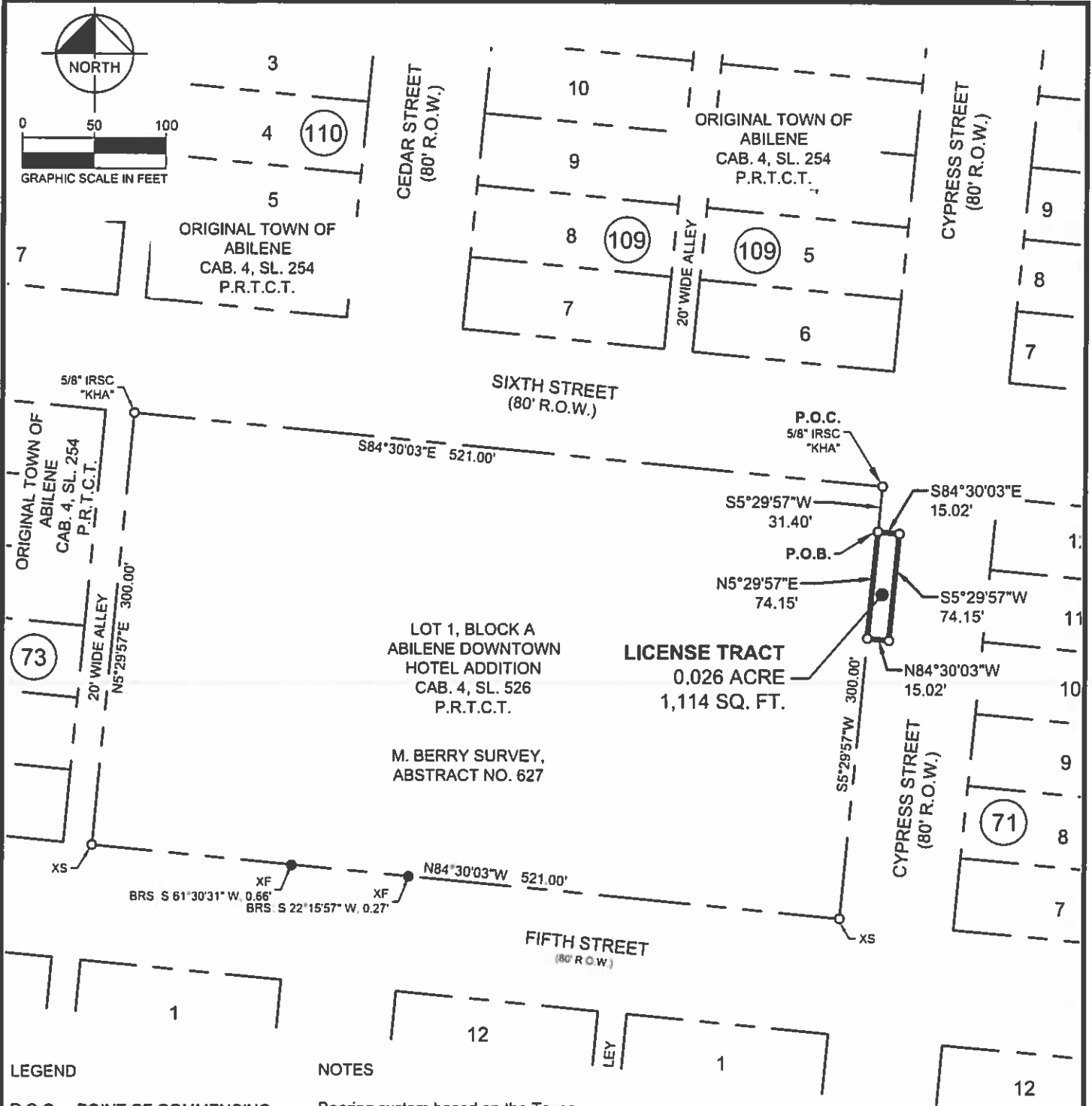
EXHIBIT "A"
 LICENSE TRACT
 M. BERRY SURVEY, ABSTRACT NO. 627
 CITY OF ABILENE
 TAYLOR COUNTY, TEXAS

Kimley»Horn

6160 Warren Parkway, Suite 210
 Frisco, Texas 75034 FIRM # 10193822

Tel. No. (972) 335-3580
 Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 100'	JCC	KHA	07/20/2021	063616009	2 OF 2



LEGEND

P.O.C. = POINT OF COMMENCING
P.O.B. = POINT OF BEGINNING
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CITY OF ABILENE
TAYLOR COUNTY, TEXAS

Kimley»Horn

6160 Warren Parkway, Suite 210 Frisco, Texas 75034 FIRM # 10193822 Tel. No. (972) 335-3580 Fax No. (972) 335-3779

Scale	Drawn by	Checked by	Date	Project No.	Sheet No.
1" = 100'	JCC	KHA	07/20/2021	063616009	2 OF 2

Agenda Item: Extended Term Street Use License

Resolution: Approval of Extended Term
Street Use License
(Rice)



Agenda Item:

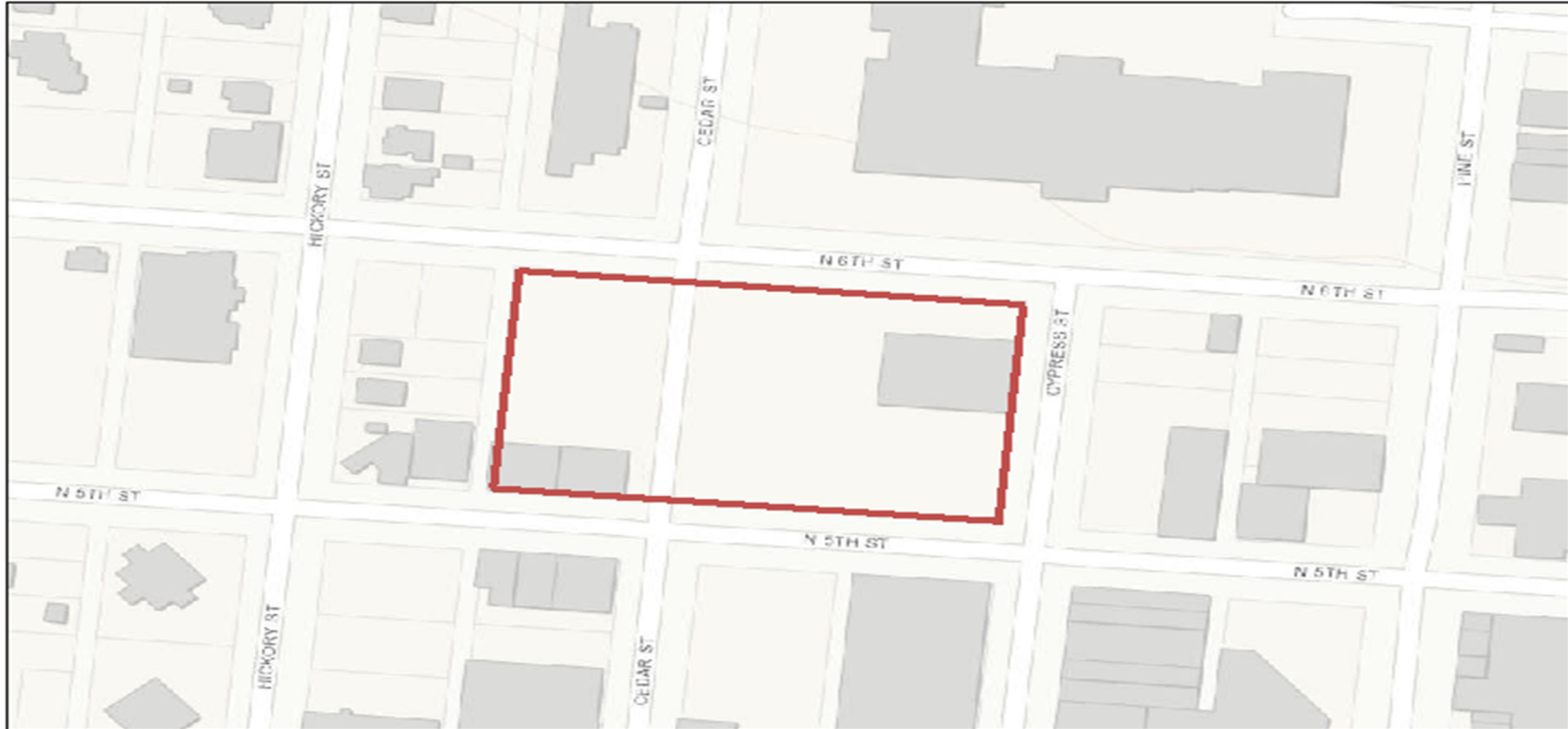
Extended Term Street Use License

- Abilene Convention Center Hotel Development Corporation, has submitted an application for an Extended Term Street Use License to use a portion of City right-of-way located at 500 Cypress Street along the south right-of-way on North 6th Street and the west right-of-way on Cypress Street for the purpose of building and maintaining two canopy structures over city sidewalks.
- The application has been reviewed and found to be complete.
- Staff recommends approval of the Extended Term Street Use License.

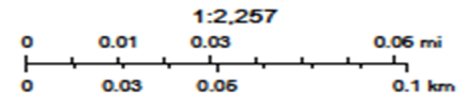


Location Map

ArcGIS Web Map



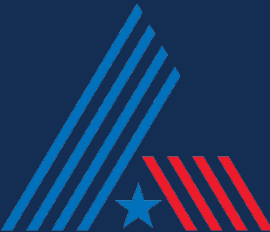
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City of Abilene, Taylor County, Texas Parks & Wildlife, Esri, HERE, Garmin,

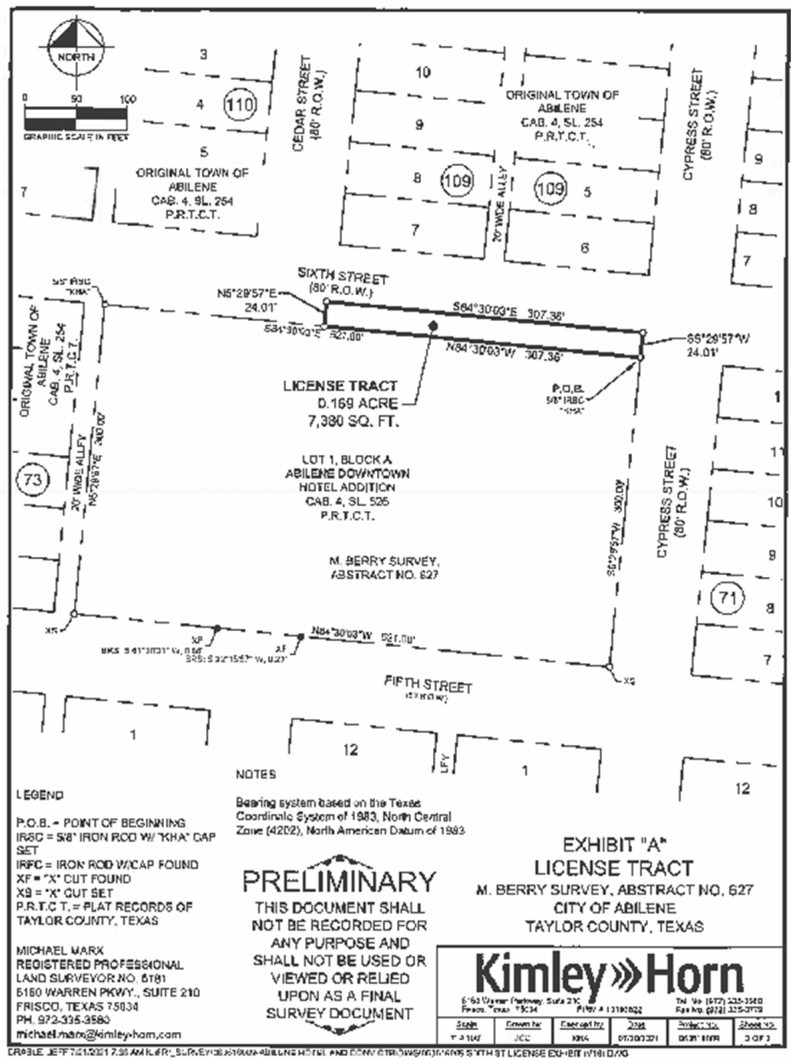
ArcGIS Web AppBuilder

City of Abilene, Taylor County, Texas Parks & Wildlife, Esri, HERE, Garmin, INCREMENT P, USGS, EPA, USDA

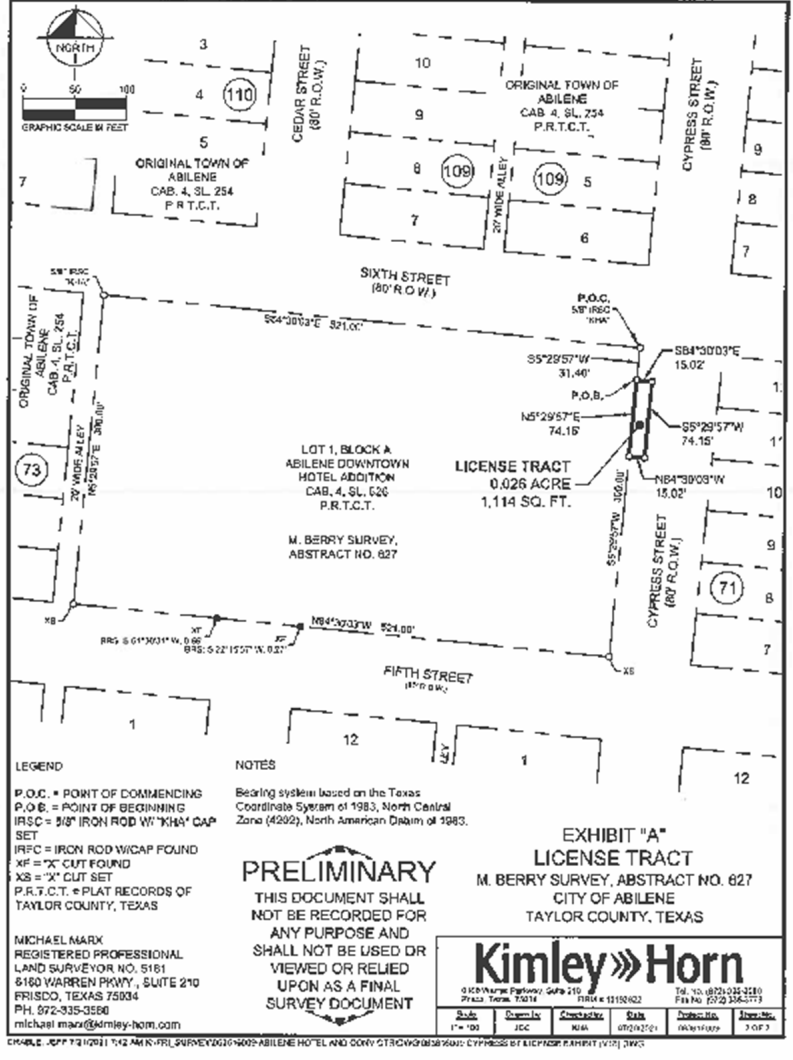


EXHIBITS

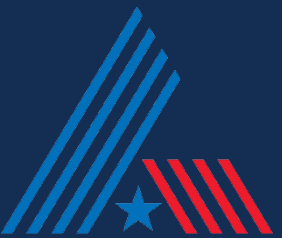
N 6th Street



Cypress Street



Questions?





**City Council
Agenda Memo**

City Council Meeting Date: 9/9/2021

TO: Robert Hanna, City Manager

FROM: Annette Lerma, Director

SUBJECT: 12.
Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on the Execution of Professional Services Contracts in Support of the Public Health Workforce and Health Equity Grants (*Annette Lerma*)

GENERAL INFORMATION

The City of Abilene, Public Health Department, has received a Workforce grant in the amount of \$1,511,180 and a Health Equity grant in the amount of \$400,000

The purpose of the Workforce grant is to establish, expand, train, and sustain the public health workforce to support COVID-19 prevention, preparedness, response, and recovery initiatives.

Public health agencies are expected to use the funding to recruit, hire, and train personnel to address projected jurisdictional COVID-19 response needs to include hiring personnel to build capacity to address public health priorities deriving from COVID-19.

The purpose of the health equity grant is to ensure community engagement in targeted communities disproportionately impacted by COVID-19.

In furtherance of the purposes of the Grants, there is a need to hire various Professional services to meet the goals of the Grants. Request is made to authorize the City Manager to negotiate and execute various Professional Services Agreement in response to and in furtherance of the purposes of the Grants.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

Staff recommends approval of the Resolution to authorize the City Manager to negotiate and execute various Professional Services Agreements in furtherance of the purposes of the Workforce grant and the Health Equity grant relating to COVID-19.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. 2021 Resolution Approving Various Professional Services COVID-19
2. City Council PowerPoint_Professional Services Contracts_Sept.9.2021

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS
AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND EXECUTE VARIOUS
PROFESSIONAL SERVICES AGREEMENTS REGARDING COVID-19 GRANTS**

WHEREAS, the City of Abilene, Health Department, has received a Workforce grant in the amount of \$1,511,180, and a Health Equity grant in the amount of \$400,000; and

WHEREAS, the purpose of the Workforce grant is to establish, expand, train, and sustain the public health workforce to support COVID-19 prevention, preparedness, response, and recovery initiatives; and

WHEREAS, Public health agencies are expected to use the funding to recruit, hire, and train personnel to address projected jurisdictional COVID-19 response needs to include hiring personnel to build capacity to address public health priorities deriving from COVID-19; and

WHEREAS, the purpose of the Health Equity grant is to ensure community engagement in targeted communities disproportionately impacted by COVID-19; and

WHEREAS, it is anticipated that the following professional services relating to COVID-19 will be needed for the Abilene-Taylor County Public Health District in furtherance of the Grant purposes:

1. Grant Manager;
2. Media Specialist;
3. Licensed Vocational Nurse;
4. PHEP Consultant;
5. Training Specialist;
6. Assistant Director of Nursing;
7. Data Analyst;
8. Health Equity Specialist; and
9. Epidemiologist.

WHEREAS, request is made that the City Council authorize the City Manager to negotiate and execute various Professional Services Agreements in response to and in furtherance of the Workforce grant and the Health Equity grant in cumulative amounts not to exceed the grant amounts.

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

Part 1: That the City Council of the City of Abilene, Texas authorized the City Manager to negotiation and execute various Professional Services Agreement in response to and in furtherance of the purposes of the Workforce grant in a cumulative amount not to exceed \$1,511,180.00, and the Health Equity grant in a cumulative amount not to exceed \$400,000.00.

Part 2: That this Resolution is effective immediately upon adoption.

ADOPTED this 9th day of September, 2021.

ATTEST:

Shawna Atkinson, City Secretary

Anthony Williams, Mayor

APPROVED:

Stanley Smith, City Attorney

**Resolution:
Approve Professional Services
Contracts for Workforce,
Health Equity & Infectious
Disease Grants**



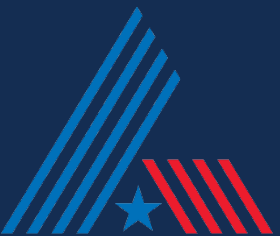
New Public Health Grants

- Workforce

- \$1,511,180
- End date June 30, 2023
- Purpose: Expand, train & sustain public health workforce to support COVID-19 prevention, preparedness, response & recovery efforts

- Health Equity

- \$400,000
- End date May 31, 2023
- Purpose: Ensure community engagement in targeted populations that were disproportionately impacted by COVID-19 and seek to close gaps in health outcomes & improve access to education & services.



The Abilene-Taylor County Public Health District **IS CURRENTLY HIRING!**

- ▶ **ASSISTANT DIRECTOR OF NURSING** - \$35.00/hour
- ▶ **DATA ANALYST** - \$28.85/hour
- ▶ **EXECUTIVE ASSISTANT** - \$19.23/hour
- ▶ **GRANT MANAGER** - \$24.00/hour
- ▶ **MEDIA SPECIALIST** - \$19.23/hour
- ▶ **COVID LICENSED VOCATIONAL NURSE (LVN)** - \$19.23/hour
- ▶ **TRAINING SPECIALIST** - \$21.63/hour
- ▶ **PUBLIC HEALTH EMERGENCY PREPAREDNESS (PHEP) CONTRACTOR** - \$21.63/hour
- ▶ **DATA ENTRY SPECIALIST** - \$15.00/hour
- ▶ **CASE INVESTIGATOR** - \$15.00/hour
- ▶ **PRN COVID-19 MA, CNA, PHLEBOTOMIST & LVN** - \$16.00-18.00/hour

How to Apply

ONLINE

Please submit resumes to
ATCPHDjobs@abilenetx.gov

IN PERSON

Please bring resumes to our temporary location at
555 Walnut Street
Old Municipal Court location at the back of City Hall
Applications & information will be available.



For a full list of required qualifications, experience, & additional information, visit
abilenetx.gov/health



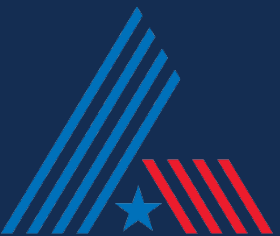
Public Health
Prevent. Promote. Protect.
Abilene Taylor County
Public Health District



CITY OF ABILENE

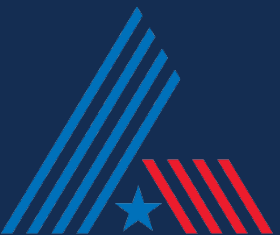
Professional Services Contracts NTE Amounts (per FY)

- Asst. DON: \$92,000
- Data Analyst: \$76,000
- Executive Asst: \$55,000
- Grant Mgr.: \$63,000
- COVID LVN: \$53,000
- Training Specialist: \$53,000
- PHEP Specialist: \$53,000
- Health Equity Specialist: \$57,000
- Case Investigator: \$38,000
- Data Entry Specialist: \$38,000
- Medical Assistant/Certified Nursing Assistant /Phlebotemist: \$42,000

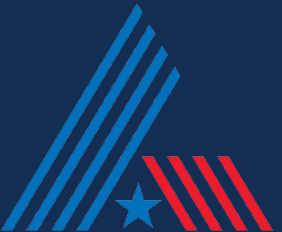


Existing Infectious Disease Grant

- Epidemiologist
- COVID-19 lead epi resignation effective September 23, 2021
- Responsible for oversight of case investigation, data entry and data analyst teams
- IDCU grant covers 100% of salary
- IDCU Contract amount: \$146,189
- \$64,973 ends April 30, 2022
- \$81,216 ends July 31, 2023
- Contract Epi NTE amount: \$80,000



QUESTIONS?





**City Council
Agenda Memo**

City Council Meeting Date: 9/9/2021

TO:

FROM:

SUBJECT: **13. Ordinance (First Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amending Budget Ordinance No. 41-2021 to Include Updated Revenues and Expenditures for the Health Department (*Annette Lerma*)**

GENERAL INFORMATION

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. Ordinance-Amended Budget 2022 Health Grants_REVISED_9.7.21
2. City Council PowerPoint_Amend Budgets_Sept.9.2021_REVISED

ORDINANCE NO. _____

AN ORDINANCE APPROVING REVISED BUDGET FIGURES FOR FISCAL YEAR 2021-2022; FOR THE CITY OF ABILENE; APPROPRIATING FUNDS; REPEALING ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; CALLING A PUBLIC HEARING.

WHEREAS, the City Manager has prepared a revision of certain figures in the 2021-2022 budget and submitted same to the City Council; and,

WHEREAS, the City Council has reviewed and considered said proposed revised budget and made revisions of same; and,

WHEREAS, said budget, as revised by the City Council, was duly set for a public hearing ordered to be called by the City Council and held on September 23, 2021, after due notice, as required by the Charter of the City of Abilene and laws of the State of Texas; now, therefore,

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

PART 1: That the revised figures, prepared and submitted by the City Manager for the 2021-2022 budget, be, and the same are hereby, in all things, approved and appropriated, and any necessary transfers between accounts and departments are hereby authorized, approved, and appropriated.

PART 2: That the City Manager and his authorized and designated employees, at his direction, be, and are hereby, authorized to sign or release easements, permits, licenses, and change orders; to sign interlocal agreements as authorized by state law; to sign documents authorizing the payment of funds, and to expend public funds as authorized by state law unless otherwise authorized by the City Council; to settle paving assessment, weed mowing, demolition, and other disputes based on legal questions of whether the assessments are enforceable or other extenuating factual circumstances. The City Manager is authorized to adjust compensation, within Council policy guidelines, of any City employee, including appointees, when in his discretion an adjustment needs to be made to retain qualified personnel. The intent of this section is to provide the ability to conduct daily affairs of the City, which involves numerous decisions of a routine nature and to retain qualified personnel.

PART 3: That the City Council hereby approves grants and contracts that are set out by this budget and authorizes the City Manager and his authorized and designated employees, at his discretion, to sign said federal, state, and other such grant and contract documents, including interlocal agreements, on behalf of the City. The funds for said contracts, agreements, and purchases are hereby approved and appropriated. The intent of this section is to approve and simplify the grant process and approve expenditures that are exempt from the Purchasing and Contracting Authority of Municipalities, Chapter 252 of the Local Government Code.

PART 4: That upon passage of this ordinance on first reading, the City Secretary be, and is hereby authorized and directed to have published in the Abilene Reporter-News, a daily newspaper of general circulation in the City of Abilene, a notice that a public hearing will be held in the Council Chambers of the City Hall in Abilene, Texas, at 4:30 P.M., on the 23rd of September, 2021, to permit the public to be heard prior to consideration of this ordinance for second and final reading, said publication to be made on the 19th of September 2021, being more than twenty-four (24) hours prior to the time designated for such public hearing in accordance with Section 18 of the City Charter. 102.0065(b) Local Government Code, Special Notice by publication for Budget – except that if another law requires the governing body to give notice, by publication, of a hearing on a budget this section does not apply.

PART 5: 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, and the same is hereby repealed to the extent of any conflict. It is specifically provided that Resolution 40-1997 concerning liability claims shall remain in full force and effect.

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 service of the Police and Fire Departments of the City of Abilene for the fiscal year October 1, 2021 through September 30, 2022, 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.

<u>Police Department</u>		<u>Fire Department</u>	
Assistant Police Chief	3	Deputy Fire Chief	2
Police Lieutenant	9	Battalion Chief	5
Police Sergeant	26	Fire Captain	12
Police Officers	<u>178</u>	Fire Lieutenant	33
	216	Fire Fighter	<u>146</u>
			198

PART 7: That the City's operating budgets are amended as set forth in Exhibit A attached and incorporated into as part of this Ordinance.

PASSED ON FIRST READING on the 9th of September, A.D. 2021.

After passage on first reading, a notice of the time and place 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. The same being more than twenty-four (24) hours prior to the time designated for said hearing. After such opportunity for the public to be heard, said ordinance was passed on its second and final reading.

PASSED ON SECOND AND FINAL READING AT A PUBLIC HEARING on the
23rd day of September, A.D. 2021.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

EXHIBIT A

All Operating Funds	Adopted 2021-2022	Increase: Health Services Fund	Amended 2021-2022
Fund Balance Beginning	\$76,847,065		\$76,847,065
Total Revenue	283,101,699	\$2,375,280	285,476,979
Total Expenditures	288,668,300	2,375,280	291,043,580
Fund Balance Ending	\$71,280,464		\$71,280,464

Resolution: Amend Health Budgets to Include New Grant Funds



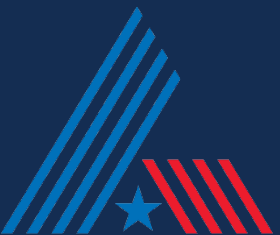
New Public Health Grants

- Workforce

- \$1,511,180
- End date June 30, 2023
- Purpose: Expand, train & sustain public health workforce to support COVID-19 prevention, preparedness, response & recovery efforts

- Health Equity

- \$400,000
- End date May 31, 2023
- Purpose: Ensure community engagement in targeted populations that were disproportionately impacted by COVID-19 and seek to close gaps in health outcomes & improve access to education & services.



Increase in Revenues \$2,375,280

Increase in Grant Revenue \$2,331,180

Workforce	1,511,180
Healthy Equity	400,000
WIC	13,071
Family Planning	3,815
Immunization	81,216
Refugee	321,898

Increase in Charges for Services \$44,100

Refugee increase in insurance payments \$44,100

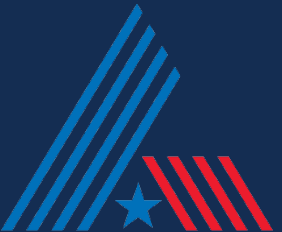


Increase to Expenditures \$2,375,280

• Workforce Grant	1,511,180
• Health Equity Grant	400,000
• WIC Grant	13,071
• Family Planning Grant	3,815
• Immunization COVID-19 grant	81,216
• Refugee Grant	365,998



QUESTIONS?





**City Council
Agenda Memo**

City Council Meeting Date: 9/9/2021

TO: Robert Hanna, City Manager

FROM: Cande Flores, Fire Chief

SUBJECT: 14. Ordinance (First Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amending Chapter 10, Article III, “Fire Prevention Code”, Division 1, Sec. 10-46 of the Abilene Municipal Code (Cande Flores).

GENERAL INFORMATION

The Fire Prevention Code was last updated in 2009.

The 2021 version of the International Fire Code has been reviewed and is proposed as an amendment to the Abilene Municipal Code.

SPECIAL CONSIDERATIONS

A review committee was organized to review the 2021 version of the International Fire Code and to suggest possible amendments to this code. The committee was chaired by the Abilene Fire Marshal and included five (5) other members. The additional members represented fire protection systems, architecture, and construction.

FUNDING/FISCAL IMPACT

There is no fiscal impact to the ordinance amendment.

STAFF RECOMMENDATION

Staff recommends amending Chapter 10, Article III, “Fire Prevention Code”, Division 1, Sec.

10-46 to adopt the 2021 International Fire Code in its entirety, with the amendments outlined in Attachment “A”.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. Amended Ordinance
2. Attachment A
3. Exhibit A
4. Fire Code Presentation

AN ORDINANCE AMENDING CHAPTER 10, ARTICLE III, “FIRE PREVENTION CODE”, FOR THE CITY OF ABILENE; SEC. 10-46 OF THE ABILENE MUNICIPAL CODE BY AMENDING CERTAIN SECTIONS AS SET OUT BELOW; PROVIDING A SERVERABILITY CLAUSE; AND DECLARING A PENALTY.

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

- PART 1:** That Chapter 10, Article III, Division I, Sec. 10.46 of the Abilene Municipal Code be amended as set out in Exhibit “A”, attached hereto and made a part of this ordinance for all purposes.
- PART 2:** That if any provisions of any section of this ordinance shall be held to be 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.
- PART 3:** 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 punishable as provided in section 1-9 of this Code. Each day such violation shall continue or permitted to continue, shall be deemed a separate offense. 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 FIRST READING this 9th day of September, 2021.

After passage on first reading, 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 19th day of September, 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 23rd day of September, 2021, to permit the public to be heard.

PASSED ON SECOND AND FINAL READING this 23rd day of September, 2021.

ATTEST:

Shawna Atkinson, City Secretary

Anthony Williams, Mayor

APPROVED:

Stanley Smith, City Attorney

ABILENE FIRE CODE

Adopt the 2021 International Fire Code in its entirety, with the following amendments:

Chapter 1 ADMINISTRATION

SECTION 101 GENERAL

101.1 Title. *{Amend to read as follows.}* These regulations shall be known as the *Fire Code* of the City of Abilene, hereinafter referred to as “this code”

{Amend Section 103 heading as follows.} SECTION 103 DIVISION OF FIRE PREVENTION

103.1 Creation of Agency. *{Amend to read as follows.}* The division of Fire Prevention is established within the Fire Department under the direction of the fire code official. The function of the division shall be the implementation, administration and enforcement of the provisions of this code.

103.2 Appointment. *{Amend to read as follows and add sentence at the end.}* The fire code official shall be appointed by the fire chief. The fire code official shall also be known as fire marshal.

103.3 Deputies. *{Amend to read as follows.}* In accordance with the prescribed procedures of the Fire Department and with the concurrence of the fire chief, the fire code official shall have the authority to appoint two deputy fire marshals, other related technical officers, inspectors, and other employees.

{Amend Section 111 heading as follows}

SECTION 111

APPEALS

111.1 Appeals. *{Delete in its entirety and add the following.}* The Board of Building Standards as established in Chapter 8, Sec. 8-361, et. seq. of the City Code of the City of Abilene, Texas is charged with hearing appeals arising from any decision of the fire code official concerning this code, determining the suitability of alternate materials and methods of construction and providing reasonable interpretation of this code.

Any reference to the board of appeals in this code shall be construed to mean and does mean the Board of Building Standards as established in Chapter 8, Sec. 8-361, et. seq. of the City Code of the City of Abilene, Texas. In the event the board should be of the opinion that any provisions of this code need to be amended, it shall make such recommendation to the City Council for consideration.

SECTION 112

VIOLATIONS

112.4 Violation penalties. *{Amend to read as follows.}* Persons who shall violate a provision of this code or shall fail to comply with any of the requirements thereof or who shall erect, install, alter, repair, or do work in violation of the approved construction documents or directive of the code official, or of a permit or certificate used under provisions of this code, shall be guilty of a Class C Misdemeanor, punishable by a fine of not more than five hundred dollars (\$500).

SECTION 113

STOP WORK ORDER

113.4 Failure to comply. *{Amend to read as follows.}* Any person who shall continue any work after having been served with a stop work order, except such work as that person is directed to perform to remove a violation or unsafe condition, shall be liable for a fine of not more than five hundred dollars (\$500).

Chapter 3

GENERAL PRECAUTIONS AGAINST FIRE

SECTION 308

OPEN FLAMES

308.1.4 Open-flame cooking devices. *{Amend to read as follows.}* Charcoal burners and other open-flame cooking devices shall not be operated or located on combustible balconies or within 10 feet (3048 mm) of combustible construction.

Chapter 5 FIRE SERVICE FEATURES

SECTION 503 FIRE APPARATUS ACCESS ROADS

503.2.1 Dimensions. *{Amend to read as follows.}* Fire apparatus access roads shall have an unobstructed width of not less than 24 feet, exclusive of shoulders, except for approved security gates in accordance with Section 503.6 and an unobstructed vertical clearance of not less than 14 feet.

503.2.2 Authority. *{Amend to read as follows.}* The fire code official shall have the authority to require an increase in the minimum access widths and vertical heights where they are inadequate for fire or rescue operations.

503.2.3 Surface. *{Amend to read as follows.}* An engineered road constructed of asphalt, concrete, processed road base material or other approved driving surface capable of supporting the imposed loads of a fire apparatus. The road shall be properly graded to drain so as to prevent the road from failing to support the fire apparatus imposed load during a rainfall event.

503.3 Identification. *{Amend to read as follows.}* Where required by the fire code official, approved markings and/or signs shall be provided for fire apparatus access roads to identify such roads or prohibit the obstruction thereof. Markings and signs shall be maintained in a clean and legible condition at all times and be replaced or repaired when necessary to provide adequate visibility. Marking shall consist of a red stripe not less than six inches wide along both borders of a fire apparatus access road. The words "FIRE LANE NO PARKING" shall be marked on the stripes in white letters not less than four inches high at intervals of not more than 25 feet. The stripe and words shall consist of traffic paint. The markings shall be applied to the vertical face of curbs if adjacent to the fire apparatus access road. If curbs are not present, then the markings shall be applied to the pavement.

{Add Subsection 503.3.1}

503.3.1 Signs. Signs shall be not less than 12 inches wide and 18 inches high. Signs shall consist of a white background bordered by a red stripe not less than 3/8 inch wide with the words "FIRE LANE NO PARKING" in red letters not less than two inches high. The sign face shall be retro-reflective. Signs shall be permanently affixed to stationary posts or, where approved by the fire code official, buildings or walls. The bottom of signs shall be not less than seven feet above grade. Signs shall be placed at intervals of not more than 50 feet.

SECTION 506 KEY BOXES

506.1 Key Boxes. *{Add following sentence.}* Any structure that is 12,000 square feet or more, or contains a fire protection or detection device will be required to have a key box installed.

506.1 Installation. *{Add following sentences.}* Where required, a key box will be installed on the right hand side not less than 60 inches (5feet) from the main entrance of the structure. The key box placement is required to be between 60 inches and 72 inches (between 5 and 6 feet) above the finished floor or as approved by the fire code official.

SECTION 507 FIRE PROTECTION WATER SUPPLIES

507.5.4 Obstruction. *{Amend to read as follows.}* Unobstructed access to fire hydrants, fire department inlet connections, or fire protection system control valves shall be maintained at all times. The fire department shall not be deterred or hindered from gaining immediate access to fire protection equipment or fire hydrants.

Chapter 6 BUILDING SERVICES AND SYSTEMS

SECTION 605 FUEL-FIRED APPLIANCES

605.5 Portable unvented heaters. *{Amend to read as follows.}* Rooms or areas where listed and approved portable unvented fuel-fired heating equipment is allowed shall be provided with a means of ventilation capable of supplying required combustion air and preventing the accumulation of toxic products of combustion. **Exceptions:** *{Delete exception1}*

Chapter 9
FIRE PROTECTION SYSTEMS

SECTION 903
AUTOMATIC SPRINKLER SYSTEMS

903.2.8 Group R *{Add following.}*

Exception: 1 and 2 Family Dwellings.

903.3.1.1.1 Exempt locations. *{Amend first sentence to read.}* Where approved by the fire code official, automatic sprinklers shall not be required in the following rooms or areas where such rooms or areas are protected with an approved automatic fire detection system in accordance with Section 907.2 that will respond to visible or invisible particles of combustion.

Exception 3. *{Amend to read as follows.}* Generator and transformer rooms under the direct control of a public utility and separated from the remainder of the building by walls and floor/ceiling or roof/ceiling assemblies having a fire-resistance rating of not less than 2 hours.

Exception 4. *{Delete Number 4 in its entirety.}*

907.6.6.2 MIY Monitoring. *{Amend to read as follows.}* Direct transmission of alarms associated with Monitor it Yourself (MIY) transmitters to a public safety answering point (PSAP) shall not be permitted.

3305.5.1 Fire watch during construction. *{Amend to read as follows.}* A fire watch shall be provided during nonworking hours for new construction that exceeds 40 feet (12 192 mm) in height above the lowest adjacent grade at any point along the building perimeter, for new multistory construction with an aggregate area exceeding 50,000 square feet (4645 m2) per story if required by the fire code official.

ORDINANCE NO. _____

EXHIBIT “A”

ABILENE CODE

DIVISION 1. GENERALLY

Replace Sec. 10-46 as follows:

Sec. 10-46. Adopted.

The International Fire Code, 2021 Edition, published by the International Code Council, Inc., together with the Abilene Fire Code booklet amending and supplementing that code, are hereby enacted and adopted by reference, as the fire code for the City of Abilene, and is here by incorporated herein. The Abilene Fire Code booklet, along with the International Fire Code, are on file in the Fire Marshal’s and City Secretary’s Offices.

Any cross-reference to other codes contained herein shall be construed to mean those codes as adopted by the City of Abilene and amended by local ordinance.

Any cross-reference to specific state agencies tasked with duties or oversight under the International Fire Code shall be construed to mean the agency in the state of Texas then tasked with the duties or oversight referenced, even if such agency might change from time to time.

2021 Abilene Fire Code

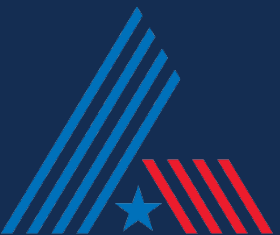
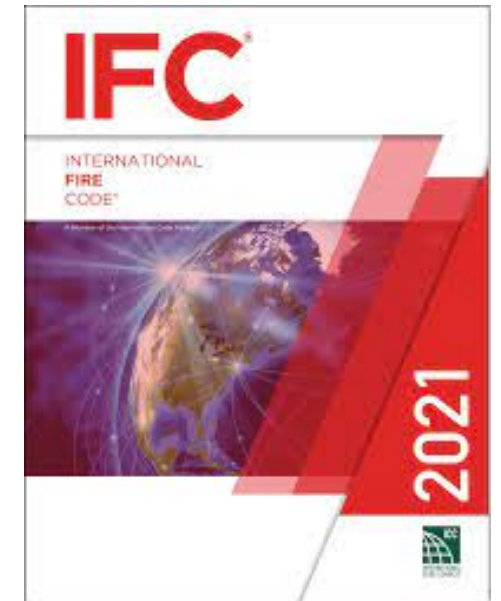
ABILENE FIRE DEPARTMENT

September, 2021



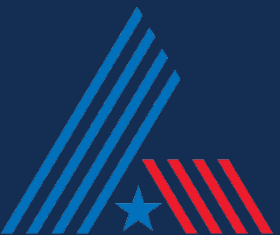
ABILENE FIRE CODE

- Local adoption of the International Fire Code (IFC)
 - Includes local amendments that only apply to the City of Abilene
- IFC is published by the International Code Council
 - Establishes minimum requirements for fire prevention and fire protection systems
 - Updated every 3 years
- The Abilene Fire Code has not been updated since 2009



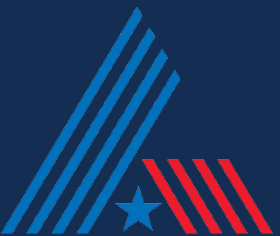
AMENDMENT PROCESS

- The AFD Fire Marshal created a committee to review the latest edition of the International Fire Code
 - Comprised of:
 - Fire Marshal (chair)
 - Jim Bob Barbee (Fire Protection Systems)
 - Alfredo Gunderson (Fire Protection Systems)
 - Ruppert Rangel (Architect)
 - Will Duncan (Architect)
- The IFC Committee met several times and decided which parts of the Code would be adopted in whole and which parts required amendments
- The amendments, in conjunction with the IFC resulted in the Abilene Fire Code

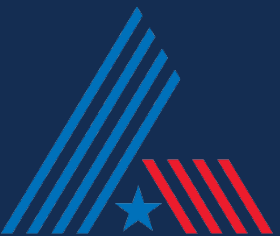


APPLICABILITY

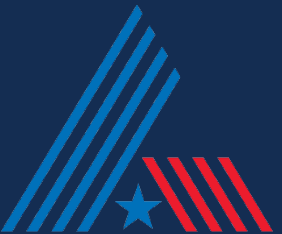
- The Abilene Fire Code is applicable to all commercial structures within the city limits of Abilene
- It does not apply to family residences



- The Abilene Fire Marshal's Office recommends amending Article II "Fire Prevention Code" of the City Ordinance to include the 2021 version of the Abilene Fire Code



Questions?





**City Council
Agenda Memo**

City Council Meeting Date: 9/9/2021

TO: Robert Hanna, City Manager

FROM: Lesli Andrews, Director

SUBJECT: 15. Ordinance (Final Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Amending Chapter 22-2 Intoxicating Beverages Prohibited; Confiscation (*Lesli Andrews*)

GENERAL INFORMATION

Chapter 22-2 in the City of Abilene Code of Ordinances states that no person shall bring or carry in their possession within any public park in the City of Abilene any intoxicating beverage. Over the years, the City Council has made a few exceptions to this ordinance.

SPECIAL CONSIDERATIONS

The City has been approached by a group who would like to start a minor league baseball team in Abilene. They have requested the Big League field located in Rose Park. One condition of being able to start and continue the financial success of a team is the ability to offer alcoholic beverages at the games. The company is requesting approval to be able to offer alcohol at Big League field.

FUNDING/FISCAL IMPACT

No fiscal impact on the budget.

STAFF RECOMMENDATION

Staff recommends approval of adding Big League Field in Rose Park to the list of locations allowed to serve alcoholic beverages according to the ordinance pending executed memorandum of agreement/lease agreement.

BOARD OR COMMISSION RECOMMENDATION

The Parks and Recreation Board recommends approval of adding Big League Field in Rose Park to the list of locations allowed to serve alcoholic beverages according to the ordinance pending executed memorandum of agreement/lease agreement.

ATTACHMENTS:

1. 2021 Ordinance to Allow Sale and Consumption of Alcohol at Rose Park Big League Baseball Facility
2. Rose Big League Map
3. Presentation for Sale of Alcohol in Rose Park Big League Baseball Complex

ORDINANCE NO. _____

A ORDINANCE OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS AMENDING CHAPTER 22-2 “INTOXICATING BEVERAGES PROHIBITED; CONFISCATION” OF THE CODE OF THE CITY OF ABILENE BY AMENDING THE SECTION AS SEE BELOW; REPEALING ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT HEREWITH; PROVIDING A SAVINGS CLAUSE; DECLARING A PENALTY; AND A CALLING A PUBLIC HEARING.

WHEREAS, Chapter 22 Section 22-2 (a) of the Abilene Code of Ordinance prohibits the possession of alcohol within any city park, with an exception for those facilities outlined in Chapter 22 Section 22-2 (c); and

WHEREAS, on August 17, 2021 the City of Abilene Parks and Recreation board approved the sale and consumption of alcohol in Rose Park Big League baseball complex during an event that is pre-approved and permitted by the City.

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

Part 1: That Chapter 22, Section 22-2, “Intoxicating Beverages Prohibited; Confiscation” of the Code of Ordinances, City of Abilene, Texas is hereby amended as set out in Exhibit A, attached and made a part of this ordinance for all purposes.

Part 2: That if the provisions of any section, subsection, paragraph, subdivision or clause of this ordinance shall be judged invalid by a court of competent jurisdiction, such judgement shall not effect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this ordinance.

Part 3: That any person, firm, or corporation violating the provisions of this ordinance shall be deemed to have committed a misdemeanor, and upon conviction thereof shall be fined in accordance with Chapter 1 (Section 1-9) of this Code.

Part 4: Each day such violation shall continue, or be permitted to continue, shall be deemed a separate offense. Said offense, 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.

ADOPTED on first reading on this 26th day of August 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 5th day of September, 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 9th day of September, 2021, to permit the public to be heard.

ADOPTED on second and final reading on this 9th day of September 2021.

ATTEST:

Shawna Atkinson, City Secretary

Anthony Williams, Mayor

APPROVED:

Stanley Smith, City Attorney

Exhibit "A"

Sec. 22-2. Intoxicating beverages prohibited; confiscation.

- (a) No person shall bring or carry or have in his possession within any public park in the city any intoxicating beverage.
- (b) If any officer of the city or of the state sees any person violating the terms of subsection (a), he shall immediately seize such intoxicating beverage and shall hold the same as evidence until the trial of the accused party, and shall thereafter dispose of such intoxicating beverage.
- (c) The prohibitions of subsection (a) shall not apply if a person is served an intoxicating beverage while in attendance at an event that is pre-approved and permitted by the city, and that is being held within the Rose Park activity building, the Cobb Park activity building, the Rose Park recreation center, the Cobb Park recreation center, the Sears Park recreation center, the G.V. Daniels Park recreation center, the Rose Park Senior Center, Abilene Community Theatre building, Bridge Club building, Rose Park Big League baseball complex or Rose Tennis Center complex, or Grover Nelson Park softball complex, or within the perimeter fence of the Abilene Zoological Gardens, or within the perimeter fence of Festival Gardens.
- (d) A permit for the sale or service of intoxicating beverages only in accordance with subsection (c) may be granted by the city manager or his designee if the following conditions are met:
 - (1) Written notice of a request for permit to sell or serve intoxicating beverages only as part of an event shall be submitted by the applicant not less than 30 days prior to the date that the event is to take place.
 - (2) Applicants requesting said permit shall use the services of a caterer licensed by the Texas Alcoholic Beverage Commission to sell or serve intoxicating beverages subject to all applicable rules and requirements established by the Texas Alcoholic Beverage Commission. The selected caterer must be on the community services approved concessionaire list. The city manager or his designee may waive the requirement to use the services of a licensed caterer, and allow the applicant to serve or allow self-service of intoxicating beverages subject to all applicable rules and requirements established by state law.
 - (3) Both the applicant and the licensed caterer must insure that no intoxicating beverage sold or served under the terms of the permit will be allowed outside the permitted area.
 - (4) Security must be provided throughout the hours during which intoxicating beverages may be sold or served. At a minimum, there must be at least one security person on site per 100 occupants in addition to the caterer's personnel. The city may require additional security as a condition of permit issuance. The city manager or his designee may waive any security requirement.
 - (5) Hours of operation are limited to between 6:00 p.m. and 12:01 a.m. (midnight). The sale or service of intoxicating beverages may occur outside of the stated hours with the prior approval of the city. Further hourly restrictions as imposed by the Texas Alcoholic Beverage Commission must be observed, should they be more restrictive.
 - (6) The applicant must agree to provide the types and terms of insurance as required by the city's legal and risk management departments for the size and type of event being conducted. The required insurance shall name the city as additional insured and must be primary insurance and not

contributing with any other insurance available to city, under any third-party liability policy.

(7) The applicant must agree to abide by all applicable municipal codes and ordinances pertaining to the sale or service of intoxicating beverages including zoning, food service establishment, building or other codes. A permit from the city for the purposes herein does not take the place of any other permits required under any other municipal code or ordinance, and the applicant must agree to secure the same prior to the event.

(8) The city may impose other conditions which it deems appropriate or prudent as it pertains to the sale or service of intoxicating beverages.

(9) The city manager or his designee may deny any permit for this activity if in his judgment the activity is inappropriate to the park.

(10) In the event the city manager or his designee denies a permit application, the applicant may appeal the decision to the parks and recreation board by filing a written appeal with the city manager within five (5) business days after the denial of the permit application is mailed to the applicant or personally delivered, whichever occurs first. If no appeal is filed within five (5) business days, the decision of the city manager or his designee becomes final and unappealable. The written appeal should contain all information on which the parks and recreation board can make a decision. The parks and recreation board shall hear the appeal at its next regularly scheduled meeting following the filing of the appeal, subject to the Open Meetings Act provisions. The decision of the parks and recreation board shall be final and unappealable.



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Find address or place

Q

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Sale of Alcohol in Rose Park Big League Baseball Complex



Professional Baseball
At
Abilene's Rose Park



Who is Abilene Sports and Entertainment (“ASE”) and What is our Goal?



Bring sports and entertainment events specifically professional minor league baseball to Abilene



Make Rose Park a center of activity in Abilene like it used to be



Procure a land lease agreement between ASE and the City of Abilene and Parks & Rec



Make upgrades to Big League Field at Rose Park



Do this in time for the 2023 Season (May 18, 2023)



Accomplish this without asking for funding by City of Abilene and Parks & Rec by using :

Private Donations
Corporate Partnerships

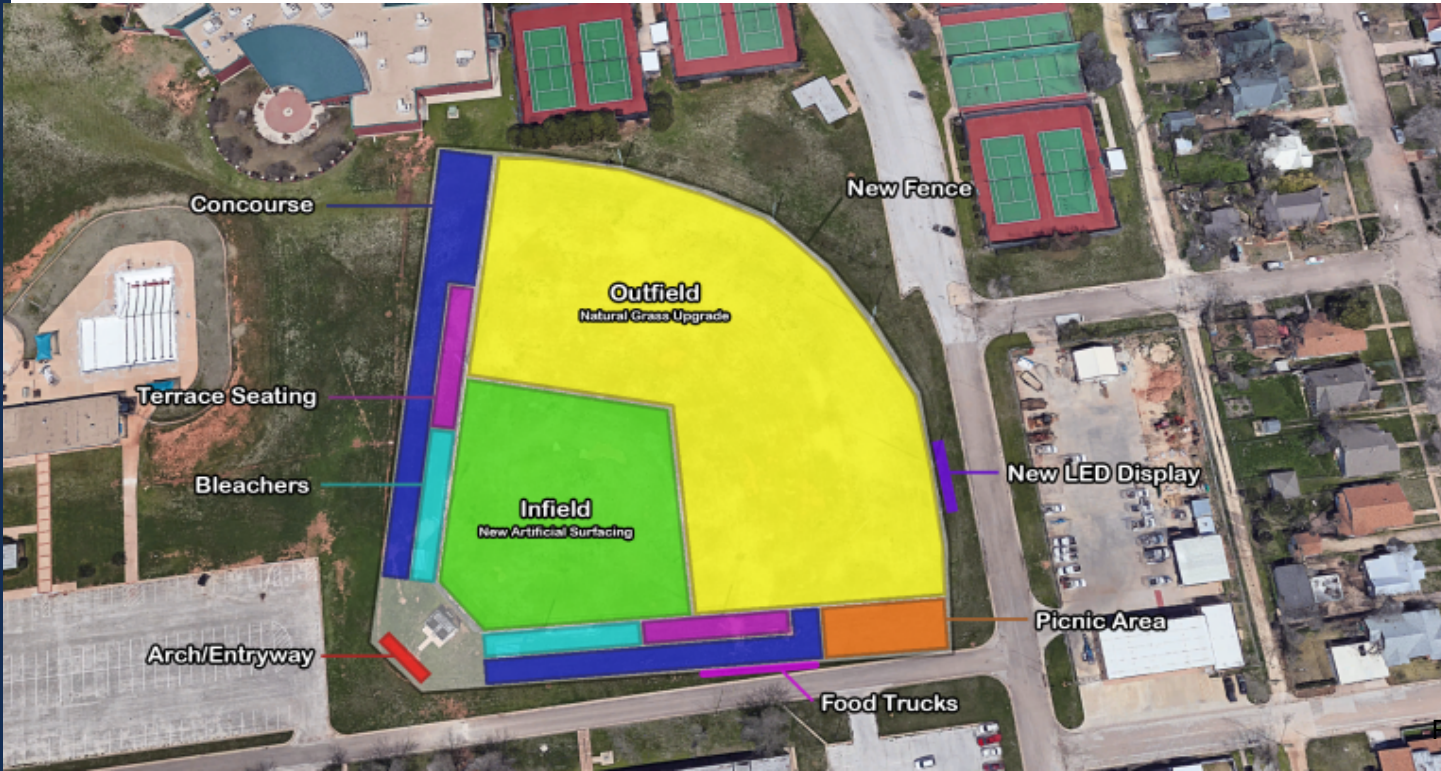
Level of Baseball

Double A Caliber Baseball

Since 2014, over 400 players from independent baseball have been signed by Major League teams



Overview of Proposed Upgrades



- Organization proposing to begin development of a minor league professional baseball team.
- Ability to sell alcohol at Rose Park Big League field during games provides essential revenue to support the endeavor.
- On August 17th, 2021 Parks and Recreation Board passed a motion in support of sale of alcohol in Rose Park Big League field pending the approval of an executed MOU/lease agreement.





**City Council
Agenda Memo**

City Council Meeting Date: 9/9/2021

TO: Robert Hanna, City Manager

FROM: Michael Rice, Assistant City Manager

SUBJECT: 16. Ordinance (Final Reading): Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Developer Participation Agreement between the City of Abilene, Texas and PB 6950, LLC (*Michael Rice*)

GENERAL INFORMATION

PB 6950, LLC (Developer) is developing The Denali Addition, and the Developer is therefore required to install public improvements, including streets, water lines, and wastewater lines. In addition, the Developer is required to install their portion of Memorial Drive. The City believes installing the complete Road provides improved safety, increased efficiency, and a lower total cost project.

The City has requested the proposed 8" wastewater line be oversized with a 10" and a 15" wastewater line.

A Developer Participation Agreement is in the best interest of both entities in order to expedite construction of the project, to decrease total costs of construction, and prevent duplicate efforts by both parties.

SPECIAL CONSIDERATIONS

Chapter 212, Subchapter C of the Local Government Code allows a municipality with 5,000 or more inhabitants to enter into a contract with a developer of a subdivision of land in the municipality to construct public improvements without complying with the competitive sealed bidding procedure at a level not to exceed 30% of the total contract price, and in addition, the contract may also allow city participation at a level not to exceed 100% of the total cost for any oversizing of improvement required.

FUNDING/FISCAL IMPACT

Funding for the City's NOT TO EXCEED portion of Memorial Drive is available within the Street System Maintenance budget (\$80,247.30), and funding for the City's portion of the wastewater lines is within the Water Utility Fund 575 (\$57,830.00).

STAFF RECOMMENDATION

Staff recommends approval of the Developer Participation Agreement with PB 6950, LLC.

BOARD OR COMMISSION RECOMMENDATION

ATTACHMENTS:

1. ORDNANCE.Denali Addition.2021.09.09
2. Denali Addition Developer Participation Agreement.DRAFT.2021.08.17
3. EXHIBIT A
4. EXHIBIT B
5. Presentation.PB 6950 LLC Developer Participation Agreement.2021.09.09

ORDINANCE NO. _____

AN ORDINANCE APPROVING THE EXECUTION OF A DEVELOPER PARTICIPATION AGREEMENT BETWEEN THE CITY OF ABILENE (CITY) AND PB 6950, LLC (DEVELOPER) FOR THE PURPOSE OF MAKING CERTAIN PUBLIC IMPROVEMENTS AS AUTHORIZED BY LAW

WHEREAS, Chapter 212 of the Local Government Code allows a municipality to enter an agreement with a developer of land to construct public improvements related to the development, and;

WHEREAS, the improvements cannot include the construction of buildings, and the municipality may not participate at a level that would exceed thirty percent of the total project cost and/or one-hundred percent of any oversizing costs for portions of the public improvement the municipality would not otherwise be solely responsible for anyway, and;

WHEREAS, Developer is planning to construct a new thoroughfare that is part of the adopted Thoroughfare Plan that will provide improved vehicular circulation for the immediate area (Project), and;

WHEREAS, the City desires the Developer oversize the required 8" wastewater main to a 10" and 15" wastewater main (Project), and;

WHEREAS, the City and Developer agree it is in the best interest of both entities to enter into a participation agreement in order to expedite construction of the projects, to decrease total costs of construction, and prevent duplicate efforts by the parties.

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

PART 1: That the City Manager is authorized to execute a Developer Participation Agreement between the City and Developer for the purpose of allowing the City to participate in the project, as set out in Exhibit "A", attached hereto and made a part of this Ordinance for all purposes.

PART 2: That if any provision or any section of this ordinance shall be held to be void or unconstitutional, such holding shall in no way affect the validity of the remaining provisions or sections of this ordinance, which shall remain in full force and effect.

PASSED ON FIRST READING this 26th day of August, 2021.

PASSED ON SECOND AND FINAL READING this 9th day of September, 2021.

ATTEST:

Shawna Atkinson, City Secretary

Anthony Williams, Mayor

APPROVED:

Stanley Smith, City Attorney

DEVELOPER PARTICIPATION AGREEMENT BETWEEN THE CITY OF ABILENE, TEXAS AND PB 6950, LLC

This Developer Participation Agreement (Agreement) is entered this ____ day of ____, 2021 between the City of Abilene, Texas (City) and PB 6950, LLC (Developer).

WHEREAS, Developer is developing property within The Denali Addition, Abilene, Texas (Project); and

WHEREAS, the City's Land Development Code, Section 3.2.2.5 provides that a Developer shall make improvements to substandard perimeter roads; and

WHEREAS, in connection with the construction of the Project, Developer is required to construct its share of improvements to the portion of Memorial Drive; and

WHEREAS, Developer's share of improvements to the substandard perimeter road is twenty and a half feet (20'-6") of pavement (not including curb), or the equivalent of one-half of a collector street, along the entire frontage of the subdivision; and

WHEREAS, Developer owns frontage on both sides of the substandard perimeter road resulting in an obligation of forty-one feet (41') of pavement (not including curb), or the equivalent of a full collector street, along the entire frontage of the subdivision; and

WHEREAS, the City is required to participate in the costs of perimeter roads in excess of the Developer's fair share obligations and where such costs are not borne by another public entity; and

WHEREAS, a diagram of the portion of Memorial Drive which is to be improved pursuant to the terms and conditions of this Agreement is attached as Exhibit A, which is incorporated herein; and

WHEREAS, Developer will contract with a third party Contractor to make the improvement to the portion of Memorial Drive (Project); and

WHEREAS, the City shall reimburse Developer for City's required costs in excess of the Developer's fair share obligation as set forth in the City's Land Development Code, in an amount not to exceed Eighty Thousand Two Hundred Forty-Seven and 30/100 Dollars (\$80,247.30), which does not exceed thirty percent of the total project costs; and

WHEREAS, the Developer is also extending an 8' wastewater main along the frontage of and within the development property pursuant to Article V, Utility Code; and

WHEREAS, the City desires to oversize this wastewater main to a 10" and a 15" wastewater main for future capacity purposes; and

WHEREAS, the City shall participate with the Developer in the oversize cost pursuant to section 32-114(3); and

WHEREAS, a diagram of the wastewater lines which are to be improved pursuant to the terms and conditions of this Agreement is attached as Exhibit B, which is incorporated herein; and

WHEREAS, Developer will contract with a third party Contractor to make the wastewater main extension improvements; and

WHEREAS, the City shall reimburse Developer for the oversize of the wastewater mains from an 8" to a 10" and an 8" to a 15" in an amount not to exceed Fifty-Seven Thousand Eight Hundred Thirty and NO/100 Dollars (\$57,830.00); and

WHEREAS, Chapter 212, Subchapter C of the Local Government Code allows a municipality with 5,000 or more inhabitants to enter into a contract with a developer of a subdivision or land in the municipality to construct public improvements without complying with the competitive sealed bidding procedure; and

WHEREAS, the City and Developer agree it is in the best interest of both entities to enter into this Agreement in order to expedite construction of the projects, to decrease total costs of construction, and prevent duplicate efforts by the parties.

NOW THEREFORE, in consideration of the foregoing premises and other good and valuable consideration the receipt and sufficiency of which is hereby acknowledged, it is hereby agreed as follows:

DEVELOPER'S RESPONSIBILITIES

1. Developer shall be responsible for the Developer defined expense of the public road improvements associated with the Project in accordance with the Abilene Land Development Code, Section 3.2.7.
2. Developer shall be responsible for the Developer defined expense of the wastewater main extension associated with the Project in according with the Abilene Utility Code, Article V.
3. The public improvements (roadway and wastewater mains) shall be designed by engineers to plans and specifications for the construction of such public improvements as approved by the City.
4. The Developer shall submit any plans, drawings, specifications, etc. to the City for review by the appropriate departments.
5. The Developer will designate a contact person available to answer questions on behalf of Developer. The Developer's contact person for this Agreement is Tal Fillingim, tal@jacobmartin.com, 325-695-1070. The Developer's second contact person for this Agreement is Clayton Farrow, cfarrow@jacobmartin.com, 325-695-1070.
6. The Developer shall allow inspection of the construction site by City at all reasonable times.

7. All of the Developer's books and other records related to the public improvements shall be available for inspection by the City.
8. Developer will provide a one (1) year warranty on the roadway and the wastewater mains extension.
9. Developer will execute a performance bond for the construction of the improvements to ensure completion of the project.

CITY'S RESPONSIBILITIES

10. The City shall reimburse the Developer for the actual costs of oversizing of roadway required by City, in an amount not to exceed \$80,247.30. The reimbursement shall be paid to Developer no later than thirty (30) days after completion and acceptance of the roadway.
11. The City shall reimburse the Developer for the actual costs of oversizing of the wastewater main to a 10" and 15" lines, in an amount not to exceed \$57,830.00. The reimbursement shall be paid to Developer no later than thirty (30) days after completion and acceptance of the wastewater main extensions.
12. The City shall review and approve all plans and specifications for that aspect of the Project in which the City is participating or otherwise required to review and approve bylaw.
13. The City will designate a contact person available to answer questions on behalf of the City. The City's contact person for this Agreement is Greg McCaffery, greg.mccaffery@abilenetx.gov, 325-676-6284. The City's secondary contact person for this Agreement is Scott Chandler, scott.chandler@abilenetx.gov, 325-676-6282.
14. The City will own, operate and maintain the improved portions of Memorial Drive and the wastewater mains extension.

MISCELLANEOUS TERMS

15. Indemnity

The Developer shall indemnify, hold harmless, and defend the City, its officers, agents and employees, from and against liability for any claims, liens, suits, demands, and/or actions for damages, injuries to persons (including death), property damage (including loss of use), and expenses, including court costs and attorneys' fees and other reasonable costs arising out of the Developer's work and activities conducted in connection with this Agreement, including all causes of action based upon common, constitutional, or statutory law, or based in whole or in part upon negligent or intentional acts or omissions of Developer, its officers, agents, employees, sub-contractors, licensees, invitees, and other persons.

Developer must at all times exercise reasonable precautions on behalf of, and be solely responsible for, the safety of its officers, agents, employees, sub-contractors, licensees, invitees and other persons, as well as their property, 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 Developer, its officers, agents, employees, sub- contractors, licensees, invitees, and other persons.

The City assumes no responsibility or liability for harm, injury, or any damaging events, which are directly or indirectly attributable to premise defects, whether real or alleged, which may now exist or which may hereafter arise upon the premises, responsibility for all such defects being expressly assumed by the Developer. The Developer agrees that this indemnity provision applies to all claims, suits, demands, and actions arising from all premise defects or conditions over which Developer has dominion and control, but not otherwise.

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

16. Venue and Choice of Law

Venue for any cause of action arising under this Agreement is Taylor County, Texas. This Agreement is governed by the laws of the State of Texas both as to interpretation and performance. This Agreement shall, in any dispute over its meaning or application, be interpreted fairly and reasonably, and not more strongly for or against either party.

17. Assignment

The Developer may not assign in whole or in part any rights, duties, obligations or interest arising from this Agreement without the City's prior written consent, and such consent will not be unreasonably withheld. Notwithstanding the foregoing, Developer may collaterally assign this Agreement to a lender in connection with any construction loan obtained by Developer to develop the Project, provided Developer gives notice to City within ten (10) days of closing on such construction financing of the name of the construction lender and a copy of the collateral assignment instrument.

18. Amendment or Modification

This Agreement, including schedules and attachments, constitutes the entire agreement of the parties. Any statements, promises, or agreements made by either party or its agent, which are not contained in this Agreement, are of no effect. This Agreement may not be amended or modified except by both parties' written consent.

19. Compliance with Laws, Charter, Ordinances

Developer, its agents, employees and subcontractors must comply with all applicable federal and state laws, the charter and ordinances of the City of Abilene, and with all applicable rules and regulations promulgated by local, state and national boards, bureaus and agencies. Developer must obtain all necessary permits and licenses required in completing the work contemplated by this Agreement.

20. Notice

All notices must be in writing, hand-delivered or mailed by certified mail, to the other party. City's address is c/o City Manager, 555 Walnut, Abilene, Texas 79601. Developer's address is 3409 S. 14th Street, Suite 204, Abilene Texas 79602.

21. Termination

Upon completion of the Projects, as evidenced by the City's issuance of an acceptance letter for the Projects, and upon the expiration of the Projects' Warranty Periods, and the Developer's receipt of reimbursement from the City as more detailed in Paragraph 9 and 10 hereinabove, this Agreement shall terminate and be of no further force or effect, and the parties shall have no further rights or obligations as herein contained.

IN WITNESS HEREOF the parties have executed this Agreement.

CITY OF ABILENE, TEXAS

PB 6950, LLC

Robert Hanna, City Manager

By: _____
(signature)

(name and title)

ATTEST:

City Secretary

APPROVED:

City Attorney

MEMORIAL DRIVE COLLECTOR ROAD REIMBURSEMENT - THE DENALI ADDITION
 PREPARED BY JACOB & MARTIN, LLC
 MEMORIAL DRIVE IMPROVEMENT FROM TYPICAL COLLECTOR
 CITY OF ABILENE, TAYLOR COUNTY, TEXAS
 J&M PROJECT NO. 20298
 August 9, 2021



A.	48' MEMORIAL DRIVE COLLECTOR ROAD IMPROVEMENTS	\$311,981.80
B.	41' MEMORIAL DRIVE COLLECTOR ROAD (TYP.) IMPROVEMENTS	\$233,834.50
C.	PERFORMANCE BOND FOR STREET UPSIZING IN AN AMOUNT OF A - B = \$78,147.30	\$2,100.00
CITY OF ABILENE GRAND TOTAL (A - B + C)		\$80,247.30

NOTES & ASSUMPTIONS:

- 1 Reimbursement pricing is based on contract pricing for the The Denali Addition paving construction.

8/9/2021

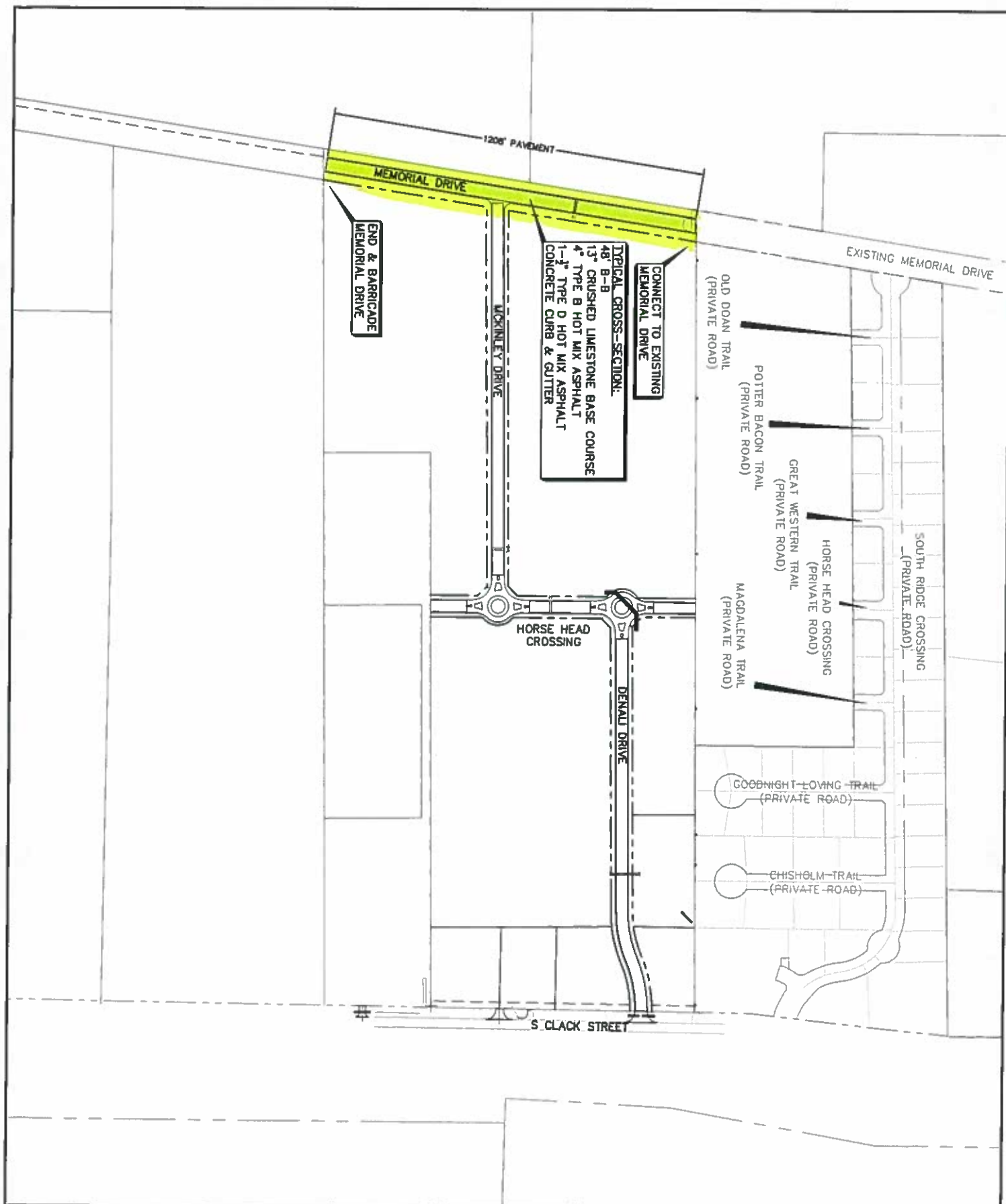
Section A - 48' MEMORIAL DRIVE COLLECTOR ROAD

Item No.	Description	Quantity	Unit	Unit Price	Total Price
1	6" Subgrade Preparation	6,739	SY	\$ 2.00	\$ 13,478.00
2	13" Crushed Limestone Base Course	2,199	CY	\$ 34.00	\$ 74,766.00
3	4" Type B Hot Mix Asphalt	5,892	SY	\$ 18.90	\$ 111,358.80
4	1-1/2" Type D Hot Mix Asphalt	5,892	SY	\$ 10.50	\$ 61,866.00
5	Prime Coat	1,473	GAL	\$ 6.50	\$ 9,574.50
6	Concrete Curb and Gutter	2,319	LF	\$ 14.00	\$ 32,466.00
7	Unclassified Excavation	3,389	CY	\$ 2.50	\$ 8,472.50
Section A - 48' MEMORIAL DRIVE COLLECTOR ROAD					\$311,981.80

**41' MEMORIAL DRIVE COLLECTOR ROAD (TYP.) CREDITS
 (COST FOR 41' COLLECTOR ROAD IMPROVEMENTS BY DEVELOPER PER ABILENE LDC)**

Section B - 41' MEMORIAL DRIVE COLLECTOR ROAD (TYP.)

Item No.	Description	Quantity	Unit	Unit Price	Total Price
1	6" Subgrade Preparation	5,829	SY	\$ 2.00	\$ 11,658.00
2	13" Crushed Limestone Base Course	1,880	CY	\$ 34.00	\$ 63,920.00
3	2" Type C Hot Mix Asphalt	5,016	SY	\$ 11.50	\$ 57,684.00
4	1-1/2" Type D Hot Mix Asphalt	5,016	SY	\$ 10.50	\$ 52,668.00
5	Prime Coat	1,254	GAL	\$ 6.50	\$ 8,151.00
6	Concrete Curb and Gutter	2,319	LF	\$ 14.00	\$ 32,466.00
7	Unclassified Excavation	2,915	CY	\$ 2.50	\$ 7,287.50
Section B - 41' MEMORIAL DRIVE COLLECTOR ROAD (TYP.)					\$233,834.50



SCALE	1" = 400'
PROJECT #	20298
DESIGNED	CSF
DRAWN	CSF
CHECKED	CSF

CITY OF ABILENE, TAYLOR COUNTY, TEXAS
THE DENALI ADDITION

DEVELOPER'S AGREEMENT
PAVING UPSIZING EXHIBIT



**JACOB
MARTIN**
FIRM # F-2445

3465 CURRY LANE
ABILENE, TX 79606
325-595-1070
1508 SANTA FE DR, STE 204
WEATHERFORD, TX 75056
817-594-9862
4920 S. LOOP 239 STE 104
LUBBOCK, TX 79414
806-365-8375



SEWER LINE REIMBURSEMENT - THE DENALI ADDITION
 PREPARED BY JACOB & MARTIN, LLC
 10" SEWER LINE ALONG DENALI DRIVE AND HORSE HEAD CROSSING
 CITY OF ABILENE, TAYLOR COUNTY, TEXAS
 J&M PROJECT NO. 20298
 July 30, 2021



A.	SEWER LINE UPSIZING (TO 10" OR 15")		\$200,905.00
B.	8" SEWER LINE COST TO DEVELOPER		\$144,075.00
C.	PERFORMANCE BOND FOR UPSIZING	IN AN AMOUNT OF A - B = \$56,830.00	\$1,000.00
CITY OF ABILENE GRAND TOTAL (A - B + C)			\$57,830.00

NOTES & ASSUMPTIONS:

- 1 Reimbursement pricing is based on contract pricing for the The Denali Addition utility installation
- 2 Manhole pricing for 10" and 15" lines is provided per the contract price for The Denali Addition utility installation. There is inherent cost savings related to manholes when using 8" pipe in lieu of 10" or 15" pipe, as manholes get significantly shallower. Costs shown for manholes for the 8" sewer line installation scenario are estimated based on recent bids.

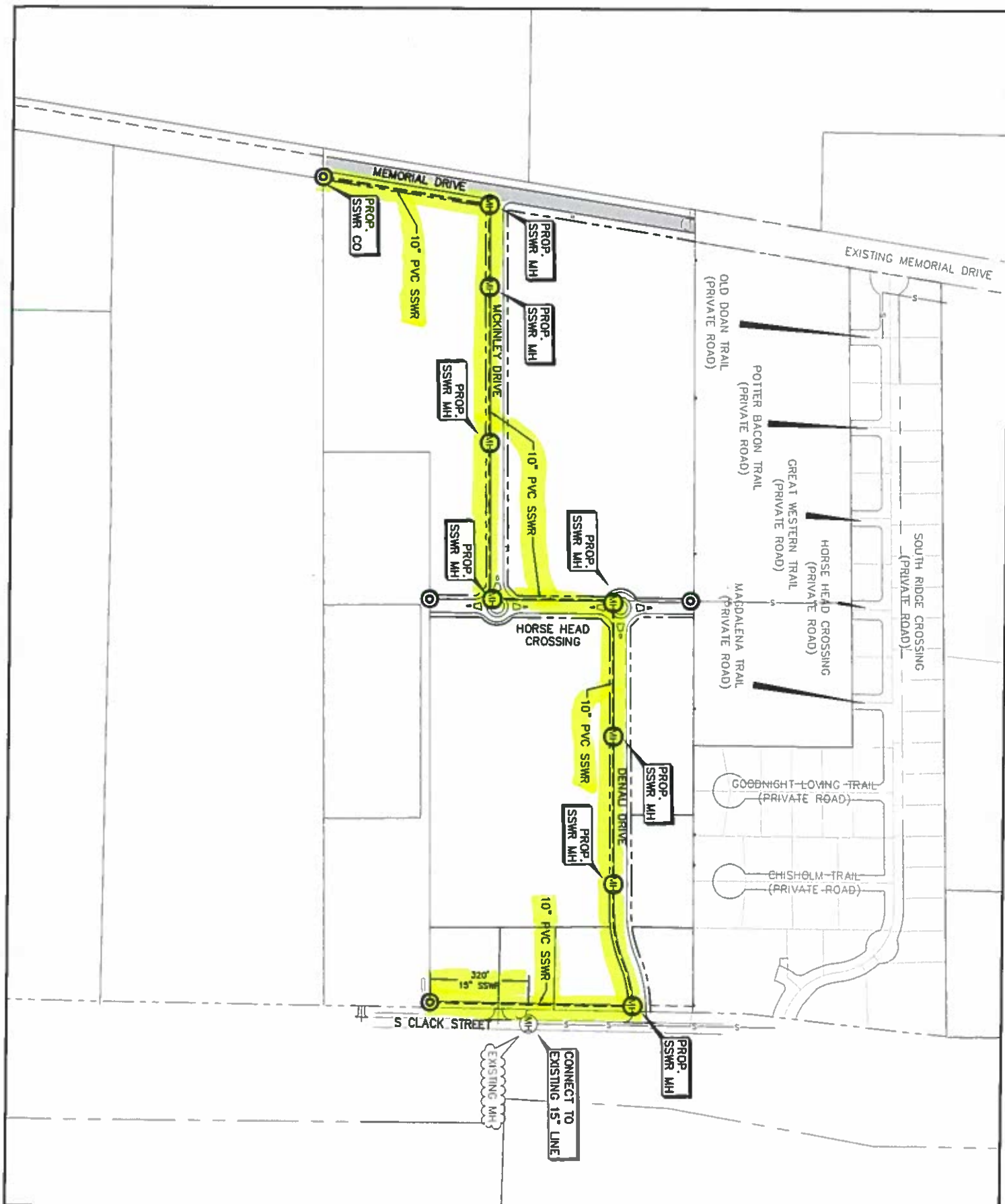
Sewer Line Reimbursement - The Denali Addition
10" Sewer Line Along Denali Drive And Horse Head Crossing
City Of Abilene, Taylor County, Texas
J&M Project No. 20298

Section A - Sewer Upsizing

Item No.	Description	Quantity	Unit	Unit Price	Total Price
1.	15" SDR 35 PVC Sewer Line	320	LF	\$45.00	\$14,400.00
2.	10" SDR 35 PVC Sewer Line	3,843	LF	\$35.00	\$134,505.00
3.	4' Dia. Fiberglass Manhole	8	EA	\$6,500.00	\$52,000.00
Section A - Sewer Upsizing					\$200,905.00

Section B - 8" Sewer Installation by Developer

Item No.	Description	Quantity	Unit	Unit Price	Total Price
1.	8" SDR 35 PVC Sewer Line	4,163	LF	\$25.00	\$104,075.00
2.	4' Dia. Fiberglass Manhole	8	EA	\$5,000.00	\$40,000.00
Section B - 8" Sewer Installation by Developer					\$144,075.00



SCALE	1" = 400'
PROJECT #	20298
DESIGNED	CSF
DRAWN	CSF
CHECKED	CSF

CITY OF ABILENE, TAYLOR COUNTY, TEXAS
THE DENALI ADDITION

DEVELOPER'S AGREEMENT
SEWER UPSIZING EXHIBIT

JACOB MARTIN
FIRM # 8-2405

3465 CURRY LANE
ABILENE, TX 79606
326 595 1070
14108 SANTA FE C.R. STE 204
WEATHERFORD, TX 76086
817-594-9860
4920 S. LOOP 289, STE 104
LUBBOCK, TX 79414
806-365-9375

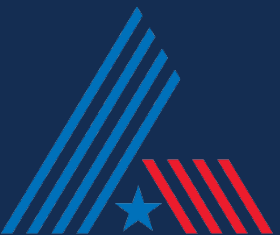


Developer Participation Agreement between the City of Abilene, Texas and PB 6950, LLC

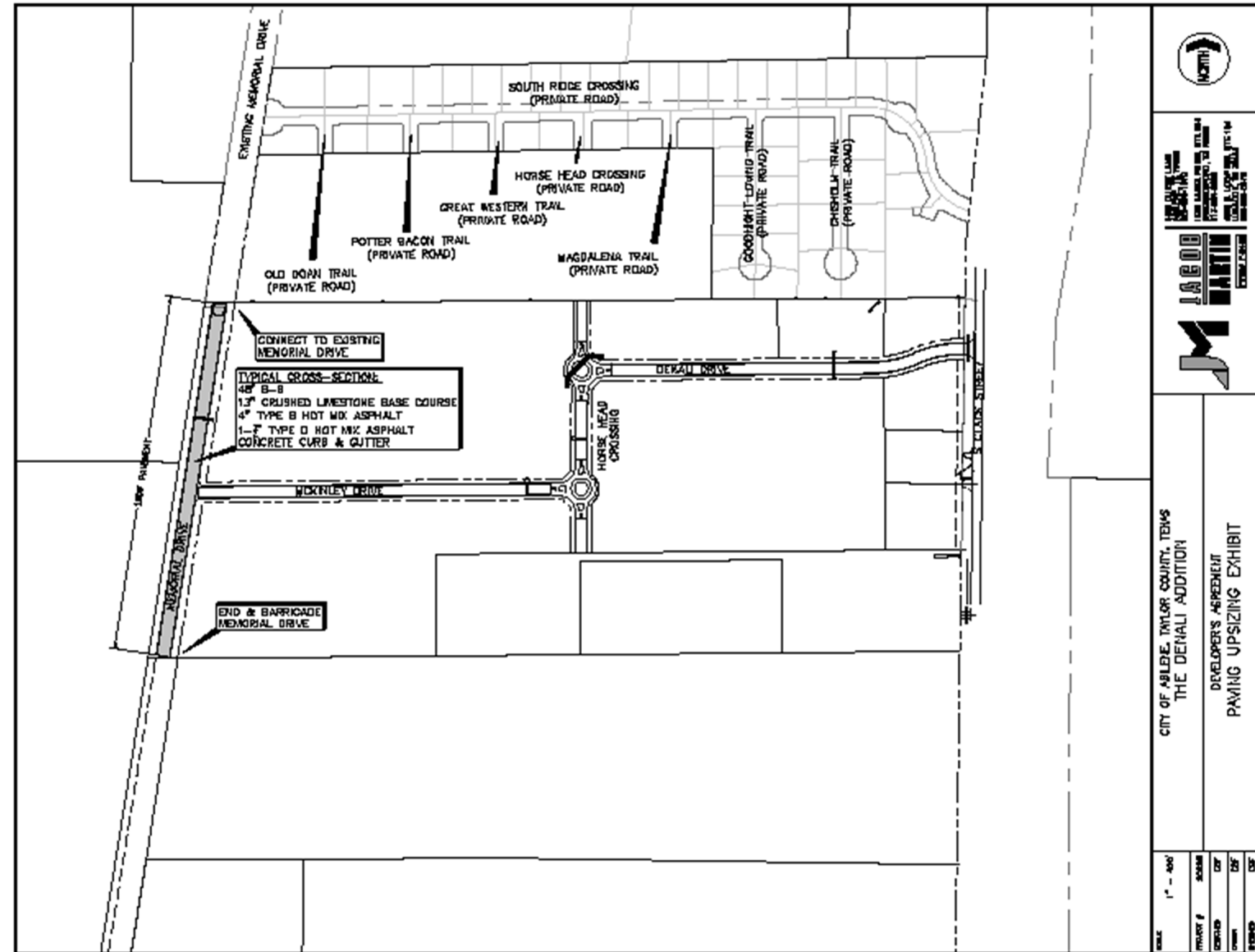


Developer Participation Agreement with PB 6950, LLC

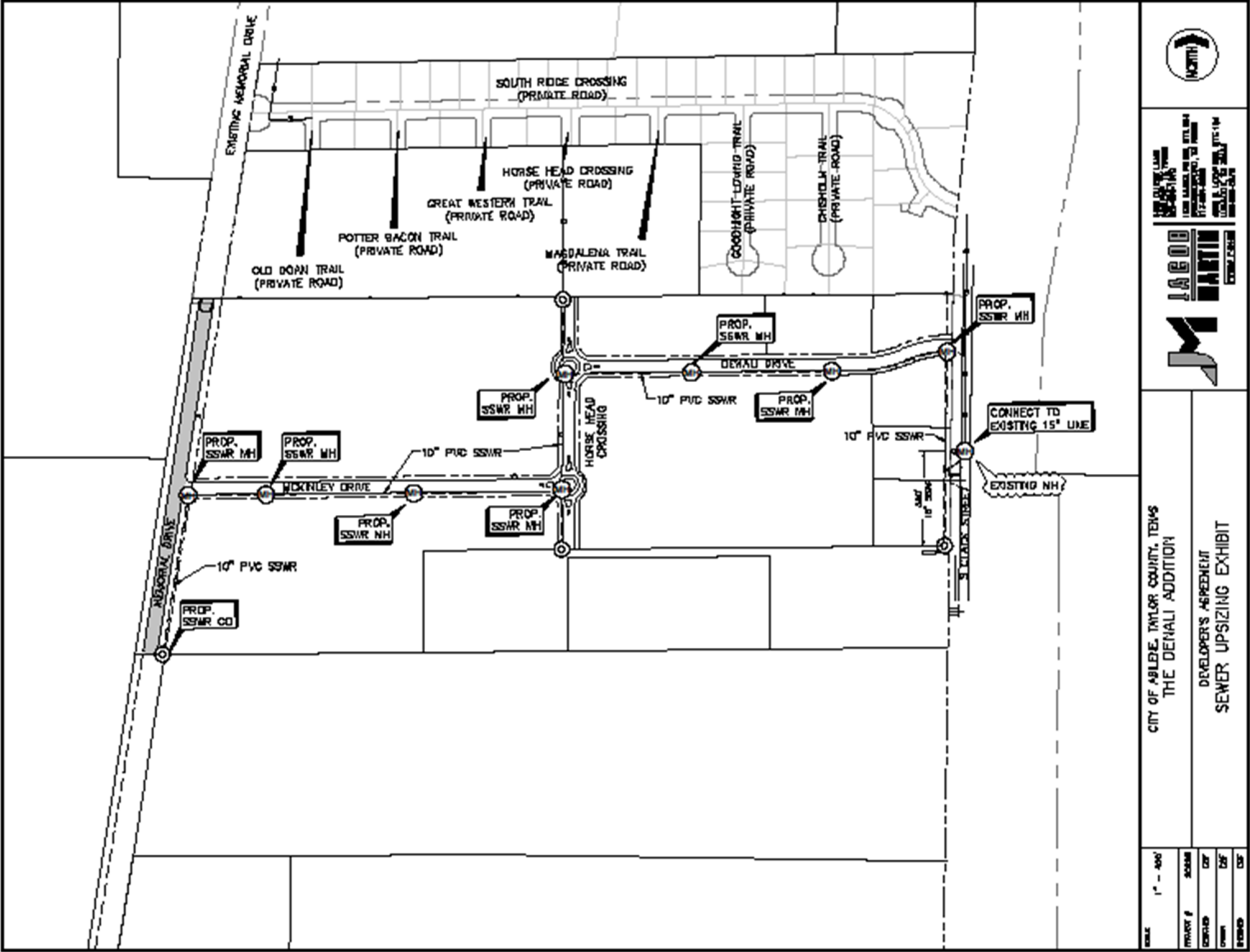
- PB 6950, LLC (Developer) is developing The Denali Addition, located East of Memorial Drive, and South of Antilley Road.
- The Developer is required to provide public improvements within and adjacent to the Subdivision in accordance with the Abilene Land Development Code.
- The Developer and the City believe working together on the construction of Maple Drive will provide for an economical, safe, and efficient street project.
- Water Utilities is requesting a required 8" wastewater line be oversized to a 10" and 15" wastewater line, in accordance with a master plan to provide adequate water service for future developments in the area.



Developer Participation Agreement – Street Project Exhibit A



Developer Participation Agreement – Wastewater Project Exhibit B



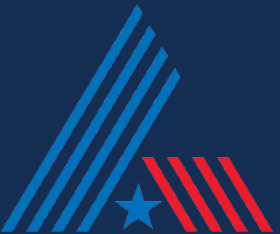
Developer Participation Agreement with PB 6950, LLC

- The City may participate without complying with the competitive sealed bid process at a level not to exceed 30% of the total contract price, and in addition, the contract may also allow participation at a level not to exceed 100% of the total cost for any oversizing of improvements required.
- The City's NOT TO EXCEED Total Participation is \$138,077.30.
- The City's Funding for their Participation is available within budgeted Street System Maintenance Funds (\$80,247.30) and the Utility Fund 575 (\$57,830.00)



Developer Participation Agreement

Questions?





**City Council
Agenda Memo**

City Council Meeting Date: 9/9/2021

TO: Robert Hanna, City Manager

FROM: Tim Littlejohn, Chief Building Official

SUBJECT: **17. Ordinance (Final Reading) Z-2021-20: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Bel Air West LLC (Represented By Ronny Guerrero) to Change Zoning from General Commercial (GC) to a Residential Multi-Family (MF) District on the Eastern 240 Feet of a Site Occupied by Bel Air West Apartments at 5220 Hartford Street, on the Northeast Corner of Presidio and Hartford Streets in Western Abilene *(Tim Littlejohn)***

GENERAL INFORMATION

This request is to rezone from General Commercial (GC) District to Multi-Family (MF) District.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

Staff recommends approval.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends approval of this item by a vote of 6-0.

ATTACHMENTS:

1. Z-2021-20 ordinance
2. Z-2021-20 Staff Report
3. Z-2021-20 Application
4. Z-2021-20 Presentation

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 26th day of August 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 July, 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 9th day of September, 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 9th day of September, A.D. 2021.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT A

Rezone property from General Commercial (GC) District to Multi-Family (MF) District.

Legal description being the eastern 240-feet of Block 1, Section 1 of the Town and Country Village Subdivision.



Location: 5220 Hartford Street.

-END-

ZONING CASE Z-2021-20

STAFF REPORT



Scheduled Hearings

Planning & Zoning Commission: August 3, 2021

City Council 1st Reading: August 26, 2021

City Council 2nd Reading: September 9, 2021

Applicant

Owner: Bel Air West, LLC

Agent: Ronny Guerrero

Request

Rezone approximately 8.2 acres from General Commercial (GC) District to Multi-Family (MF) District.

Location

Approximately the eastern 240-feet of a site occupied by Bel Air West Apartments at 5220 Hartford Street, on the northeast corner of Presidio and Hartford Streets in western Abilene.

Background

In May 2021, the planning department received a site plan application to construct two (2) new multi-family apartment dwellings (48 units) for Bel Air West Apartments. A portion of both of the new multi-family apartment dwellings is proposed to be located within the GC district. Multi-family dwellings are not a permitted use within a GC district. The subject property has been split-zoned as MF and GC since 1960 and when Bel Air West Apartments was proposed for construction (1972-1973), Multi-Family dwellings were a permitted use within both districts. Currently, the GC portion of the Bel Air West apartments is considered a legally non-conforming use (LDC Section 2.6.2.1; Nonconforming Use Criteria). The owner is now requesting to rezone the GC district to MF district to bring the current use into conformance and allow for the expansion of the multi-family apartment complex.

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 mixture of Agricultural Open Space (AO) to the west (Elementary School) and south (City of Abilene Water Tower), Multi-Family (MF) to the north (apartments), and General Commercial (GC) to the east (vehicle sales).

Criteria Assessment

According to Section 1.4.1.4, Criteria for Approval, of the City of Abilene Land Development Code, 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;

The Future Land Use and Development Plan Map identifies this subject property at the fringe of a Major Commercial Business Center with a mixture of commercial business' along highway 83/84 and high-density residential to the west. The proposed rezoning will allow for the use of the existing multi-family dwellings to be in conformance with the current and proposed land use.

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.

(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 multi-family apartment complexes.

(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.

Notification

Pursuant to Section 1.2.2.2 of the Land Development Code, staff mailed personal notices on July 23, 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	Parcel ID	Response
BEL AIR WEST LLC	63044	
CITY OF ABILENE	14253	
HALL LAWRENCE CHEVROLET	34058	
HALL LAWRENCE CHEVROLET	33922	
HPD REAL ESTATE LTD	66515	
HPD REAL ESTATE LTD	1011775	
LAWRENCE HALL VOLKSWAGEN INC	63172	
MOORE HARTFORD LLC	92095	
SMV STONEGATE LP	63166	
TUSCOLENE INVESTMENTS LLC	11893	

Attachments

Application

Supporting Ordinances

Zoning Map (1960)

Subject Property Plat (1973)

Subject Property Original Site Plan (1972)

Subject Property Proposed Site Plan (2021)

PowerPoint Presentation

LOCATION MAP



ZONING MAP



ORDINANCE NO. 8-2010

AN ORDINANCE AMENDING CHAPTER 23, "PLANNING AND COMMUNITY DEVELOPMENT," OF THE ABILENE MUNICIPAL CODE, BY REPEALING SUBPARTS B, D & E; REPEALING THE "SIDEWALK MASTER PLAN"; AND ADOPTING THE "CITY OF ABILENE LAND DEVELOPMENT CODE" AS SET OUT BELOW; PROVIDING A SEVERABILITY CLAUSE; DECLARING A PENALTY AND CALLING A PUBLIC HEARING.

WHEREAS, currently the rules and regulation governing development within the City of Abilene are dividing among the Zoning Ordinance, Subdivision Ordinance, Mobile Home Parks Ordinance, and the Sidewalk Master Plan; and,

WHEREAS, the current Zoning Ordinance was originally adopted on March 8, 1984; and,

WHEREAS, the City Council of the City of Abilene adopted the City of Abilene Comprehensive Plan on January 22, 2004; and,

WHEREAS, the adopted Comprehensive Plan calls for the unification of development regulations into a Land Development Code for the City of Abilene; and,

WHEREAS, the Planning and Zoning Commission and the Land Development Code Review Committee were tasked with reviewing and recommending a Land Development Code for adoption by the City Council; and,

WHEREAS, the Planning and Zoning Commission made a formal recommendation for adoption to the City Council on February 1, 2010; and,

WHEREAS, it is in the best interest of the health, safety and welfare of the citizens of the City of Abilene that development in the City of Abilene be regulated by a unified Land Development Code,

NOW THEREFORE, be it ordained by the City Council of the City of Abilene, Texas, that:

PART 1: That Chapter 23 "Planning and Community Development" (Ordinance 28-1984), Subparts B "Mobile Home Parks" (Ordinance 45-1986), D & E "Subdivisions" and "Zoning" (Ordinance 34-1983), of the Code of the City of Abilene, Texas, are hereby repealed, replaced and amended as set forth in Exhibit A, attached and made a part of this ordinance for all purposes.

PART 2: That Ordinance No. 39-2006 setting forth the Sidewalk Master Plan regulations of the City of Abilene is hereby repealed and replaced as set forth in Exhibit A, attached and made a part of this ordinance for all purposes.

- PART 3:** That the current zoning districts be modified as set out in Exhibit B, attached hereto and made part of this ordinance for all purposes.
- PART 4:** That if the provisions of any section, subsection, paragraph, subdivision or clause of this ordinance shall be adjudged invalid by a court of competent jurisdiction, such judgment shall not effect or invalidate the remainder of any section, subsection, paragraph, subdivision, or clause of this ordinance.
- PART 5:** That any person, firm, or corporation violating the provisions of this Ordinance shall be deemed to have committed a misdemeanor, and upon conviction thereof shall be fined in accordance with Chapter 1 (Section 1-9) of the Code of the City of Abilene.
- PART 6:** Each day such violation shall continue, or be permitted to continue, shall be deemed a separate offense. Said ordinance, being a penal ordinance, becomes effective June 1, 2010, said date being more than ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

PASSED ON FIRST READING this 8th day of April, A.D. 2010.

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 10th day of February, 2010, the same being more than fifteen (15) days prior to a public hearing to be held in the Council Chamber of the City Hall in Abilene, Texas, at 8:30 a.m., on the 22nd day of April, 2010, to permit the public to be heard prior to final consideration of this ordinance. Said ordinance, being a penal ordinance, becomes effective June 1, 2010, said date being more than ten (10) days after its publication in the newspaper, as provided by Section 19 of the Charter of the City of Abilene.

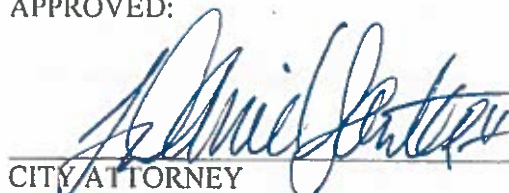
PASSED ON SECOND AND FINAL READING THIS 22nd day of April, A.D. 2010.

ATTEST:


CITY SECRETARY


MAYOR

APPROVED:


CITY ATTORNEY

Section 2.4.2.1 The Land Use Matrix

(a) The Land Use Matrix begins on the following page.

LEGEND: P - Permitted, Blank - Not Permitted, C - Conditional Use Permit, TP - Requires a Temporary Permit, * - Conditions Apply See [Ch. 2 Art. 5 Div. 3](#)

PERMITTED USES Residential Uses	A	R	R	P	T	M	M	C	N	O	N	G	M	C	M	C	M	G	H	L	PARKING REQUIREMEN T (also refer to Chapter 4, article 2, Division 1)
Bed & Breakfast*	C	C	C	C	C	C	C	C	P	P	P	P	P	P	P	P	P				1/guest room + 1
Dwelling - Duplex				C		P	P	P	P	P	P			P	P	P	P				3/2 dwelling units
Dwelling - Industrialized Housing Unit	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				2/dwelling unit
Dwelling - Institutional*						C	P		P	P	P	P	P	P	P	P	P				2/3 guest rooms and 1/employee
Dwelling - Manufactured Home (HUD-Code)							P														2/dwelling unit
Dwelling - Mobile Home							P														2/dwelling unit
Dwelling - Multiple-Family*						P	P		P	P	P	P	P	P	P	P	P				3/2 dwelling units
Dwelling - Patio Home				P												C					2/dwelling unit
Dwelling - Single-Family Detached	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P				2/dwelling unit
Dwelling - Townhome					P											C					2/dwelling unit
Group Home*			C			C	C									C					1/4 beds
Hotel/Motel								C							P	P	C	P	C		1/unit
Vacation Travel Trailer Park*	C																	C			1/trailer space + 1
Accessory & Incidental Uses																					
Accessory Structure (Also see Division 4 of this article)*	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	

"ZONING ORDINANCE of 1960"

FOR

THE CITY OF ABILENE, TEXAS

As Amended

December 20, 1961 ¹²

SECTION 7 RM (MULTIPLE-FAMILY RESIDENTIAL) DISTRICTS.

7.1 Purpose. The general purpose of the RS, RM, and RT Districts are set forth in Subsection 6.1. RM Districts consists mainly of (a) areas containing multiple-family dwellings, (including two-family dwellings), with some single-family dwellings, (b) areas which contain single-family and two family dwellings, which are centrally located, and which are appropriate to ultimate multi-family development, and (c) open areas where future multi-family development appears desirable. In addition to the general purposes applying to all residential districts, the regulations of RM Districts are designed to encourage the provision of conveniently located, centrally maintained, rental accommodations in districts of three maximum permitted densities.

7.2 Permitted Uses. Uses permitted in the RM District are set forth in Section 21.2.

7.3 Height Regulations. No structure shall exceed the limits set forth for RM Districts in Subsection 40.2.

7.4 Lot Area Regulations. The following minimum requirements shall be observed except where increased for conditional uses (See Subsections 21.2 and 41.4).

Lot Area (sq. ft.) per Dwelling Unit Based on No. of Rooms in Dwelling Unit

<u>District.</u>	<u>Zoning</u>	<u>Lot Area</u> (sq. ft.)						
			1	2	3	4	5	6
			room	rooms	rooms	rooms	rooms	rooms
								Beyond
								6
RM-3	5000	2700	2850	3000	3300	3600	3900	300
RM-2	5000	1800	1900	2000	2200	2400	2600	200
RM-1	5000	900	950	1000	1100	1200	1300	100

In determining the number of rooms in a dwelling unit for the purpose of determining minimum lot area, kitchens and bathrooms shall be excluded.

7.5 Yard Requirements. The following minimum requirements shall be observed, except where increased for conditional uses (See Subsections 21.2 and 41.4).

7.51 Front Yards, Rear Yards on Back-up Lots, Exterior Side Yards on Corner Lots. Front yards, rear yards on back-up lots, and exterior side yards on corner lots shall be determined from the building set-back requirements set forth in Subsection 40.1.

SECTION 15. C-6 (GENERAL COMMERCIAL) DISTRICT.

15.1 Purpose. The C-6 District consists of land and improvements which provide a wide range of retailing activities, personal and business services, and other commercial activities. Land in the district is located mainly along major streets and highways, in the vicinity of industrial areas, and in the central business district.

The C-6 District regulations are designed to permit development of the above mentioned functions and to provide space for commercial uses which are generally not appropriate for shopping districts or the central business district, limited by standards intended primarily to protect nearby residential districts. To this end, the regulations establish standards retaining as low an intensity of use as is compatible with the functioning of the district.

15.2 Permitted Uses. Uses permitted in the C-6 District are set forth in Section 21.2.

15.3 Height Regulations. No structure shall exceed the height limits set forth for C-6 Districts in Subsection 40.2.

15.4 Lot Area and Width Requirements. The following minimum requirements shall apply except where increased for conditional uses (See Subsections 21.2 and 41.4):

Lot Area	5000 Square feet
Lot Width	50 feet

Lot area, all yard requirements and floor area ratio for single-family dwellings and multiple family dwellings shall be subject to regulations set forth in Subsections 7.2, 7.4, 7.5, 7.6, as required for RM-2 Districts.

15.5 Yard Requirements. The following minimum requirements shall be observed, except where increased for conditional uses (See Subsections 21.2 and 41.4):

Front yard:	15 feet
Side yards:	None, except when abutting an RA, RS, RM, or RT District, then 25 feet.
Exterior side yard:	12½ feet
Rear yards:	10 feet, except when abutting an RA, RS, RM, or RT District, then 25 feet.

15.6 Floor Area Ratio. The floor area ratio of a zoning lot in a C-6 District shall not exceed 1.0.

ZONING ORDINANCE

CITY OF ABILENE, TEXAS

Effective September 26, 1974

2. RM-2: Areas suitable for multi-family dwellings (including two family units) with some single-family dwellings. Maximum density is twenty-four (24) units per acre.
3. RM-1: Areas suitable for multi-family dwellings with a maximum density of forty-eight (48) units per acre.

In addition to the general purposes applying to all residential districts, the regulations of RM Districts are designed to encourage the provision of conveniently located, centrally maintained, rental accommodations in districts of three (3) permitted densities.

32-1. 3. 4

MH: Mobile Home District

The requirements set forth in the MH Districts are designed to regulate those areas now occupied by mobile homes or mobile home parks and of open areas where mobile home development appears desirable. This district is designed to permit and encourage the development of properly planned and improved mobile home parks and developments in appropriate locations in a residential environment.

32-1. 3. 5

CU: College and University District

This district is composed of lands which are primarily located within the boundaries of the main campuses of Abilene's colleges or land which has been designated for use by a college or university. The district is designed to promote the orderly, interrelated development of college and university related facilities and to prevent the encroachment of incompatible uses into the areas of high building concentration and pedestrian activity. This district also provides a means for advance consideration by the City of Abilene of any development which might occur in relation to parking, additional traffic generation, compatibility with adjacent areas, and any additional demands which may be placed upon the City's administrative or service functions.

32-1. 3. 6

O: Office District

The regulations of the Office District are intended to encourage office development of high character in a noncommercial environment.

The selected business and/or professional offices allowed in an "O" District have relatively low traffic generation characteristics, handle no products, and require limited identification by signs or other such devices.

discourage warehousing and manufacturing and other uses which tend to generate heavy traffic or require open storage of materials. The district regulations are designed to permit further development of the district for the purposes stated, subject to limitations to prevent congestion and assure provision of adequate light and air to buildings in the district. This district consists, primarily, of the older business structures which predate the modern shopping center concepts and special provisions are made for off-street parking, height and area regulations, in order to accommodate use of existing structures. New CB zones are considered undesirable and will not be established in areas of new development.

32-1.3.10

GC: General Commercial District

The design and regulations of the GC district are established to provide a wide range of retailing activities, personal and business services, and other commercial activities. Since there is little interdependence of activities, establishments can be dispersed over considerable areas with each establishment having its own automobile parking. Good automobile accessibility is essential to these districts.

The GC district regulations are designed to permit development of commercial activities, which are generally not appropriate for shopping centers or the Central Business District. Residential uses are not compatible with the environment created in the GC district, due to the character and high level of activity of the permitted uses.

32-1.3.11

HC: Heavy Commercial District

The purpose of the Heavy Commercial district is primarily to accommodate the sale, service, display, and storage of certain commodities which by their nature may not be compatible with many other sales and display operations. Building material yards, contractor yards, open storage and repair of machinery, and welding or machine shops are examples of such heavy uses.

In an effort to establish areas where such essential heavy sales, service, display, and storage uses could be located, the Heavy Commercial district has been established. The district regulations are further designed to prevent congestion and to assure provision of adequate light and air as well as circulation and off-street parking within the district.

PERMITTED USES RESIDENTIAL USES	PARKING REQUIREMENTS	AO	RS	RM	MH	CU	O	LC	SC	CB	GC	HC	LI	HI	PDI
		AGRICULTURAL- OPEN SPACE DISTRICT	SINGLE FAMILY DWELLING DISTRICT	MULTI FAMILY DWELLING DISTRICT	MOBILE HOME DISTRICT	COLLEGE & UNIVERSITY DISTRICT	OFFICE DISTRICT	LIMITED COMMERCIAL	SHOPPING CENTER DISTRICT	CENTRAL BUSINESS DISTRICT	GENERAL COMMERCIAL DISTRICT	HEAVY COMMERCIAL	LIGHT INDUSTRIAL DISTRICT	HEAVY INDUSTRIAL DISTRICT	PLANNED DEVELOPMENT DISTRICT
Atrium Houses (see townhouses)															
Boarding and/or Rooming Houses	2/3 guest rms + 1/employee			X		X	X			X					X
Camping Trailers (see vacation travel trailer parks)															
Condominiums (see multi-family dwellings)															
Cooperative Apartments (see multi-family dwellings)															
Dormitories	1/room			X		X									X
Duplexes	3/2 dwelling units			X		X	X								X
Fraternity Houses	1/room			X		X									X
Garden Apartments (see townhouses)															
Mobile Homes (see mobile home and va- cation travel trailer parks ordinance)	2/dwelling unit				X										X
Multi-Family Dwellings	3/2 dwelling units			X		X	X			X					X
Patio Houses (see townhouses)															

32-9.2

PERMITTED USES RESIDENTIAL USES	PARKING REQUIREMENTS	AO	RS	RM	MH	CU	O	LC	SC	CB	GC	HC	LI	HI	PDD	PI
		AGRICULTURAL- OPEN SPACE DISTRICT	SINGLE FAMILY DWELLING DISTRICT	MULTI-FAMILY DWELLING DISTRICT	MOBILE HOME DISTRICT	COLLEGE & UNIVERSITY DISTRICT	OFFICE DISTRICT	LIMITED COMMERCIAL	SHOPPING CENTER DISTRICT	CENTRAL BUSINESS DISTRICT	GENERAL COMMERCIAL DISTRICT	HEAVY COMMERCIAL	LIGHT INDUSTRIAL DISTRICT	HEAVY INDUSTRIAL DISTRICT	PLANNED DEVELOPMENT DISTRICT	PARK
Atrium Houses (see Townhouses)																
Boarding and/or Rooming Houses	2/3 guest rooms and 1/employee			X		X	X			X					X	
Camping Trailers (see Vacation Travel Trailer Parks)																
Condominiums (see Multi-Family Dwellings)																
Cooperative Apartments (see Multi-Family Dwellings)																
Dormitories	1/room			X		X									X	
Duplexes	3/2 dwelling units			X		X	X								X	
Fraternity Houses	1/room			X		X									X	
Garden Apartments (see Townhouses)																
Mobile Homes (see Mobile Home & Vacation Travel Trailer Parks Ordinance)	2/dwelling unit				X										X	
Multi-Family Dwellings *Amended 7-8-76, Ord. #871 **Amended 2-23-78, Ord. #1032	3/2 dwelling units			X		X	X			X	X*	X**			X	
Patio Houses (see Townhouses)																

ORDINANCE NO. 8-2010

EXHIBIT "B"

The following details the changes to the zoning districts from the current City of Abilene Zoning Ordinance to the proposed Land Development Code.

NO CHANGE:

- AO Agricultural Open Space district
- RR-5 Rural Residential, lot minimum equal to or greater than 5 acres
- RR-1 Rural Residential, lot minimum equal to or greater than 1 acre
- RS-12 Residential Single-Family district, 12,000 foot lot minimum
- RS-8 Residential Single-Family district, 8,000 square foot lot minimum
- RS-6 Residential Single-Family district, 6,000 square foot lot minimum
- O Office district
- MU Medical Use district
- CB Central Business district
- GC General Commercial district¹
- HC Heavy Commercial district
- LI Light Industrial district
- HI Heavy Industrial district
- COR Corridor Overlay district
- H Historic Overlay district

- ¹ The proposed GC General Commercial district is a more intensive district than the current GC district. The intent is for much of the area currently zoned GC to be rezoned to the new GR General Retail district. However, until these rezonings are accomplished, all GC zoned areas will remain GC under the proposed ordinance.

ADD:

- PH Residential Single-Family Patio Home district
- TH Residential Townhome district
- MD Residential Medium Density district
- MF Residential Multi-Family district
- NO Neighborhood Office district
- NR Neighborhood Retail district
- GR General Retail district
- MX Mixed Use district
- NCO Neighborhood Conservation Overlay district
- ACO Activity Center Overlay district
- PD Planned Development District

CHANGE:

- RM-3 Residential Multi-Family district 3 to MD Residential Medium Density district
- RM-2 Residential Multi-Family district 2 to MF Residential Multi-Family district
- RM-1 Residential Multi-Family district 1 to MF Residential Multi-Family district
- MH Mobile Home district to MH Manufactured/Mobile Home district
- CU College University district to CU College and University district
- LC Limited Commercial district to NR Neighborhood Retail district
- SC Shopping Center district to GR General Retail district
- PH Patio Home overlay zone to PH Residential Single-Family Patio Home district²
- MX Mixed Use overlay zone to MX Mixed Use district³
- PI Park Industrial district to LI Light Industrial district

² This converts the PH district from an overlay district to a standard zoning district. This change will result in changes to the underlying zoning of any area currently zoned with a PH overlay.

³ This converts the MX district from an overlay district to a standard zoning district. This change will result in changes to the underlying zoning of any area currently zoned with a MX overlay.

ELIMINATE:

- LC Limited Commercial district
- SC Shopping Center district
- PI Park Industrial district
- PH Patio Home overlay zone
- MRH Modular Home overlay zone

-END-

7913

SECTION 3

WALDEMAR

Reagan
School

PRESIDIO

ALLEY

HARTFORD

STREET

City of
AbileneUndeveloped
Floyd Childs
Et AlBlk. 1
First Methodist
Church Sub'nBlk. A
Phillips Carriage
Sub'nFILED FOR RECORD
1 O'CLOCK 15 MIN PM

JUL 9 1973

Miss Chas. Smithland
County Clerk, Taylor County, Texas
DeputyBLK. 1 SEC. 1
OF
TOWN & COUNTRY VILLAGESUBDIVISION OF
LOT 3, Anderson & Berry's Sub'n
of A. Thompson Sur. No. 37
Taylor County, Texas

1" = 100'

PLANNING COMMISSION
THIS PLAT IS HEREBY APPROVED BY THE CITY
PLANNING COMMISSION OF THE CITY OF ABILENE,
TEXAS, AND THE COUNTY CLERK, IS HEREBY AU-
THORIZED TO FILE SAID PLAT IN ACCORDANCE WITH
THE PROVISIONS OF ARTICLE 974A, VERNON'S
ANNOTATED CIVIL STATUTES AND ARTICLE 927B
PENAL CODE OF TEXAS AS AMENDED.

DATE 1/2/73 ATTORNEY Lee Kay Deane
DATE 1/2/73 SECRETARY Lee Kay Deane
DATE 1/2/73 PLANNING DIRECTOR Lee Kay Deane

SHORT FORM PLAT APPROVAL AS PROVIDED BY THE
SUBDIVISION REGULATIONS

DIRECTOR OF PUBLIC WORKS
THE DEDICATION FILED IN CONNECTION WITH
THIS PLAT IS HEREBY APPROVED AND ALL STREETS,
ALLEYS AND PUBLIC AREAS SHOWN HEREON ARE
HEREBY ACCEPTED ON BEHALF OF THE PUBLIC
BY THE DIRECTOR OF PUBLIC WORKS OF THE CITY
OF ABILENE, TEXAS.

DATE 1/2/73 DIRECTOR OF PUBLIC WORKS Lee Kay Deane

PLANNING DIRECTOR
FILED WITH PLANNING DIRECTOR CITY OF
ABILENE, TEXAS

DATE 1/2/73 FILE NUMBER FP-0473
PLANNING DIRECTOR Lee Kay Deane
#68.66
FEES

COUNTY CLERK
I CERTIFY THAT THE SUBDIVISION PLAT DESCRIBED
HEREIN WAS FILED FOR RECORD ON

DATE FILE NUMBER
COUNTY CLERK COUNTY TEXAS
DEPUTY

OWNER'S CERTIFICATE AND DEDICATION
THE UNDERSIGNED OWNER(S) OF THE HEREINAFTER DESCRIBED REAL PROPERTY HAVE CAUSED
SUCH PROPERTY TO BE SURVEYED AND PLATTED AND TO BE SUBDIVIDED INTO BLOCKS, LOTS,
STREETS AND ALLEYS UNDER THE NAME OF Blk. 1, Sec. 1 of Town & Country Village

AS SHOWN ON THE ATTACHED PLAT AND DO HEREBY DEDICATE TO THE PUBLIC FOREVER FOR
ALL PUBLIC PURPOSES THE STREETS, ALLEYS, LANES, EASEMENTS, PARKS AND OTHER PUBLIC
LANDS SHOWN THEREON. THE LANDS INCLUDED WITHIN SUCH PLAT OR SUBDIVISION ARE DESCRIBED
BY METES AND BOUNDS AS FOLLOWS:

EXECUTED THIS 15th DAY OF JANUARY 1973
H.C. Beck Master OWNER
OWNER OWNER

ACKNOWLEDGEMENT
THE STATE OF TEXAS
COUNTY OF
BEFORE ME, THE UNDERSIGNED AUTHORITY IN AND FOR SAID COUNTY AND STATE ON THIS
DAY PERSONALLY APPEARED H.C. Beck Master WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT
AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND
CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 15th DAY OF JANUARY 1973
W.G. Carter Jr. NOTARY PUBLIC TAYLOR COUNTY TEXAS

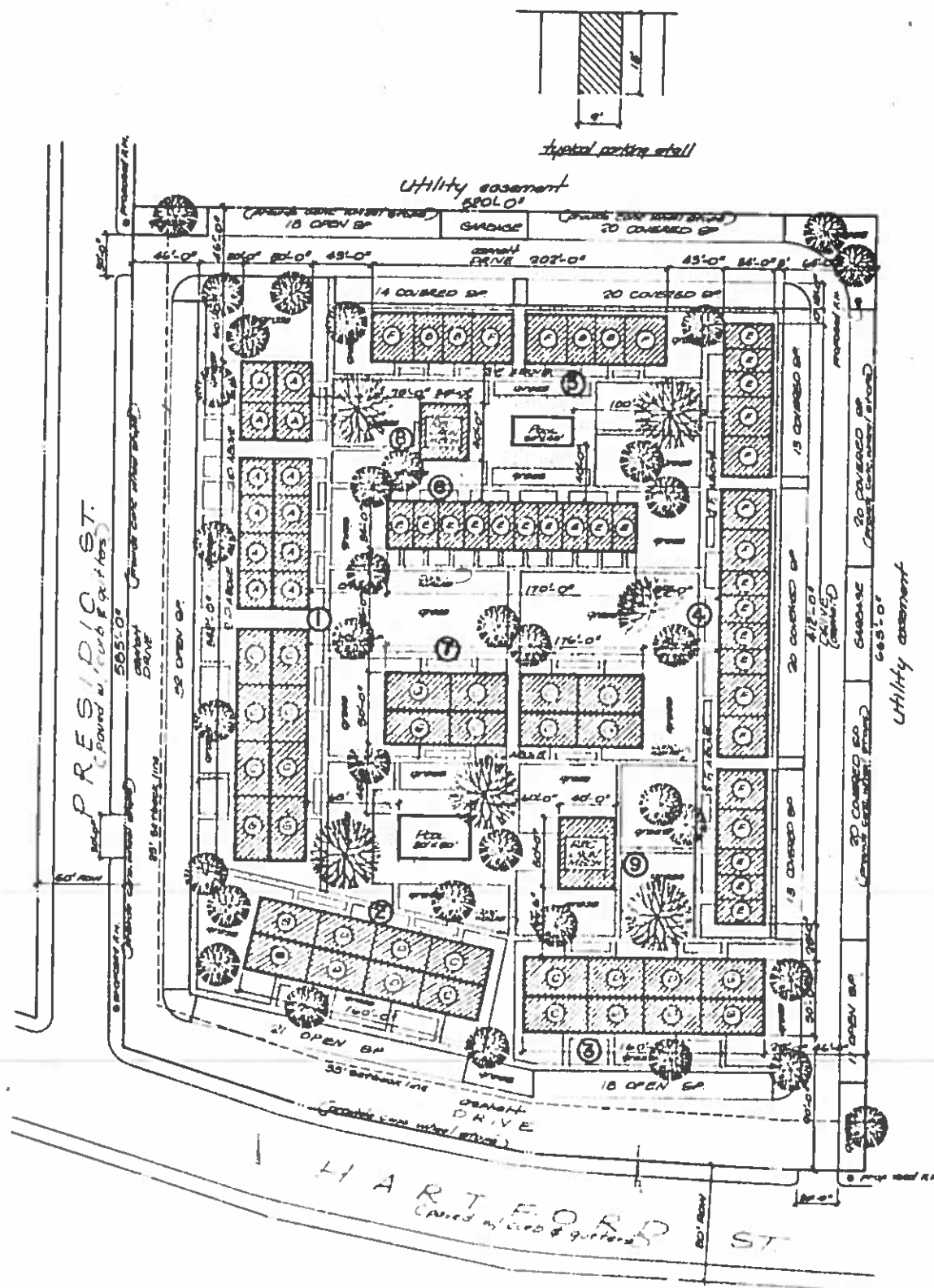
THE STATE OF TEXAS
COUNTY OF
BEFORE ME, THE UNDERSIGNED AUTHORITY IN AND FOR SAID COUNTY AND STATE ON
THIS DAY PERSONALLY APPEARED
KNOWN TO ME TO BE THE PERSON AND OFFICER WHOSE NAME IS SUBSCRIBED TO THE FOREGOING
INSTRUMENT AND ACKNOWLEDGED TO ME THAT THE SAME WAS THE ACT OF THE SAID
A CORPORATION AND THAT HE EXECUTED THE SAME AS THE ACT OF SUCH CORPORATION FOR THE
PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED.
GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS 15th DAY OF JANUARY 1973
NOTARY PUBLIC COUNTY TEXAS

GENERAL NOTES
SHEET 1 OF 1 SHEETS ALUREAGE 8.21 AC
SCALE 1" = 100' SMALLEST LOT 50 SQ. FT. LARGEST LOT 357,627 SQ. FT.
LOT WIDTH MIN MAX LOT DEPTH MIN MAX
CONCRETE MONUMENTS SYMBOL POLES SYMBOL DOWN GUYS SYMBOL

SURVEYOR CERTIFICATE AND PLAT DESCRIPTION
CERTIFICATION
I HEREBY CERTIFY THAT THE PLAT SUBMITTED HERewith REPRESENTS A TRUE SURVEY MADE
BY THE UNDERSIGNED OR UNDER MY SUPERVISION ON THE GROUND AND THAT PERMANENT
MARKERS AND MONUMENTS HAVE BEEN SET AS INDICATED ON THE PLAT AND IN ACCORDANCE
WITH THE SUBDIVISION REGULATIONS OF THE CITY OF ABILENE.

PLAT DESCRIPTION
BLK. 1 SEC. 1
OF
TOWN & COUNTRY VILLAGE
SUBDIVISION OF
LOT 3, Anderson & Berry's Sub'n
of A. Thompson Sur. No. 37
Taylor County, Texas

JANUARY 3, 1973 DATE
A.C. ROGERS SIGNATURE
A.C. ROGERS
(PRINT)
REGISTERED PUBLIC SURVEYOR



TRACT I: BEING OUT OF AND A PART OF THE SE PORTION OF SUBDIVISION 3, ANDERSON & BERRY'S SUBDIVISION OF THE ALEXANDER THOMPSON SURVEY 37, TAYLOR COUNTY, TEXAS, CONTAINING 46.07 ACRES, SAVE AND EXCEPT 3.88 ACRES OUT OF SW CORNER HERETOFORE CONVEYED TO THE ABILENE IND. SCHOOL DISTRICT.

TRACT II: BEING 16.48 ACRES OUT OF A PART OF LOT 3, ANDERSON AND BERRY SUBDIVISION OF THE ALEXANDER THOMPSON SURVEY 37, TAYLOR COUNTY, TEXAS.

UNIT	TYPE	NO.	RM & LOT AREA
1	1 BR	20	38,000
2	1 BR	8	18,200
3	2 BR	24	48,000
4	2 BR	4	8,000
5	2 BR	20	40,000
6	2 BR STUDIO	20	40,000
7	2 BR	16	38,000
8	2 BR	8	18,000
9	3 BR	20	44,000
140			381,800 S.F.

BUILDING AREA AT GROUND		
NO.	HEIGHT	AREA
1	2 ST - 18 FT	17,100
2	2 ST	8,000
3	2 ST	8,000
4	2 ST	14,078
5	2 ST	8,888
6	2 ST	5,780
7	2 ST	8,800
8	1 ST - 10 FT	1,400
9	1 ST	2,000
TOTAL COVERED PARKING		71,806
TOTAL COVERED AREA		22,880
TOTAL FLOOR AREA		94,836 S.F.
		138,200 S.F.

ACTUAL LAND AREA (7 ACRES)	304,880 S.F.
LOT AREA REQUIRED FOR RM & PARKING	281,800 S.F.
COVERAGE	92%
PARKING REQUIRED	210
PARKING PROVIDED	240
STALL SIZE	9' x 11'



SITE PLAN - 1" = 50'

8-1-72
Date

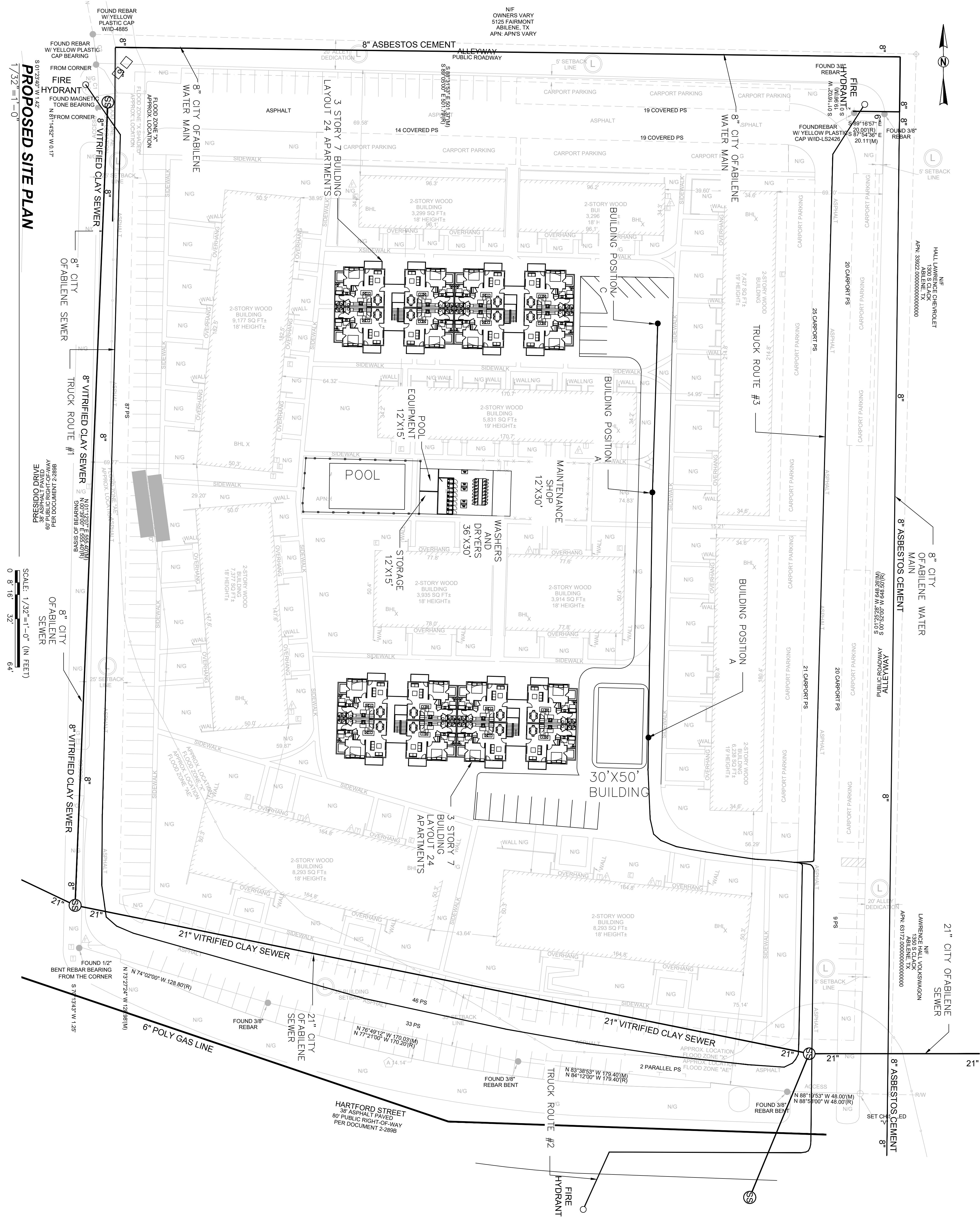
THIS SITE PLAN IS HEREBY
APPROVED BY THE SITE PLAN
COMMITTEE OF THE CITY OF
ABILENE, TEXAS.

Ree R. Dwyer
City Engineer

Att

APARTMENT COMPLEX ABILENE

GARCIA & VALENTINE
ARCHITECTS
2 GREENWAY PLAZA EAST SUITE 720
HOUSTON TEXAS 77046 713 626 3882



- GENERAL NOTES:**
- EXISTING UTILITIES SHOWN ARE SCALED FROM SCANS OF 1964 DRAWINGS. SCANNED TO PDF.
 - 7.603 ACRE PLAT
 - 149 EXISTING UNITS
32 PROPOSED UNITS
181 TOTAL UNITS
 - 318 EXISTING PARKING SPOTS
19 PROPOSED PARKING SPOTS
272 PARKING SPOTS REQUIRED
65 PARKING SPOTS MORE THAN REQUIRED

LEGAL DESCRIPTION OF LAND:
BLOCK 1, SECTION 1, OF TOWN & COUNTRY VILLAGE, A SUBDIVISION OF LOT 3, OF ANDERSON & BERRY'S SUBDIVISION OF THE A. THOMPSON SURVEY #37, CITY OF ABILENE, TAYLOR COUNTY, TEXAS, ACCORDING TO THE MAP OR PLAT THEREOF RECORDED IN RECORDS OF TAYLOR COUNTY, TEXAS.

- FIRE TRUCK ROUTE:**
- TRUCK ROUTE #1:
1316' TO POSITION A.
1472' TO POSITION B.
1598' TO POSITION C.
 - TRUCK ROUTE #2:
525' TO POSITION A.
681' TO POSITION B.
807' TO POSITION C.
 - TRUCK ROUTE #3:
672' TO POSITION A.
828' TO POSITION B.
954' TO POSITION C.

PRELIMINARY
FOR REVIEW ONLY
NOT FOR CONSTRUCTION

BEL AIR APARTMENTS SITE PLAN Abilene, Texas

MEERS
ENGINEERING INC.

3444 N. 1st STREET
SUITE 200
ABILENE, TEXAS
(325) 691-1200

6801 SANGER AVE
SUITE 202
WACO, TEXAS
(254) 340-2727

Texas Registered Engineering Firm F-3300

PROJ. NO.: AMCO0001
DATE: xx/xx/2020
REVISION: A
DESIGNER: LJM
DRAFTER: SRR

SITE PLAN

SHEET 1 OF x

DRAWING NO.

C1.1

PROJECT OVERVIEW

Project Type: Zoning Application

ID # 21-000091 | **Started** 06/10/2021 at 8:37 AM



Address

5220 Hartford St, Abilene,
TX USA 79605

Legal

Town & Country Village
Sec1 Blk Block 1 Lot
Acres 8.21
Town & Country Village
Sec 1, Block 1, Acres
8.21

Property Info

Property ID: 63044

Description

Addition of two (2) three (3) story apartment buildings with twenty-four (24) apartments each. Rezone from General Commercial (GC) Multi-Family (MF)

INFORMATION FIELDS

Owner Name

Bel Air West, LLC

Agent Name

Ronny Guerrero

Block

1

Lot

3

Acreage

8.2

Legal Description of property

Block 1, Section 1, of Town & Country Village, a Subdivision of Lot 3, of Anderson & Berry's Subdivision of the A. Thompson Survey #37, City of Abilene, Taylor County, Texas, according to the Map or Plat thereof recorded in Cabinet 2, Slide 177-B, Plat Records of Taylor County, Texas

Subdivision Name

Anderson & Berry

Current Zoning

GC

Proposed Zoning

MF

Agree to Terms

Yes

CONTACTS	CONTACT INFO	ADDRESS	CREDENTIALS	ROLE
Bel Air West Llc	-	2800 N Dallas Pkwy Plano, TX 75093	-	-
Bel Air West Llc	-	2800 Dallas Pkwy Plano, TX 75093- 5539	-	-
Bel Air West Llc	-	2800 Dallas Pkwy Ste- 324 Plano, TX 75093- 5539		Property Owner
Larry Meers	tena.andrews@meersengineering.com 3256911200	3444 North 1st Street Suite 200 Abilene, TX 79603	Engineer	APPLICANT
Sva Partners Lp	-	2800 Dallas Pkwy Plano, TX 75093- 5994	-	-

REZONE

Case: Z-2021-20
Owner: Bel Air West Apartments LLC
Agent: Ronny Guerrero
Request: Rezone General Commercial (GC) to
Multi-Family (MF)
Location: 5220 Hartford Street
Notification: 0 in Favor, 0 Opposed
Planning & Zoning Recommendation: Approval



Z-2021-20 LOCATION MAP



Z-2021-20 ZONING MAP



Permitted Uses in GC Zoning

RESIDENTIAL USES:

- P Hotel/Motel
- 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 ATM's, Self-Serve Kiosks, and Similar Facilities
- P Drive-Thru Facility
- TP Field Office or Construction Office (temporary)
- C Freight Container
- P Fuel Sales
- TP Itinerant Business
- P Manufacturing (incidental)
- C Mobile Home (permanent security residence)
- TP Mobile Home (temporary security residence)
- C 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:

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

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

- P Ambulance Service
- P Fire/Police Station
- C Homeless/Emergency Shelter
- P Hospital
- P Medical/Dental Laboratory
- P Post Office
- C Rehabilitation Facility
- P Social Service Facility

EDUCATIONAL AND RELIGIOUS USES:

- P Arts School
- C Cemetery, Crematorium, and Mausoleum
- P Church or Place of Worship
- P Day-Care Operation - Center-Based
- P Educational and Scientific Research
- P School: Public/Private
- P Trade/Business School
- P University/College

SERVICE

- P/C Automobile Wash
- C Contractor Services
- P Funeral Home/ Mortuary/Morgue
- C 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 Personal Services
- P Printing, Copying, Reproduction, Publishing
- C 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)
- C Repair and Maintenance Services (outdoors)
- P Storage - Self-Service Units
- P Tattoo Parlor
- P Taxidermist
- P Veterinary Service (small animals)

TRADE – RETAIL USES

- C Aircraft and Accessories
- P ATM's, Self-Serve Kiosks, and Similar Facilities
- P Fuel Sales
- P Liquor Store (Off Premises Consumption) (*Defined under Liquor Store*)
- P Liquor Store (On Premises Consumption) (*Defined under Liquor Store*)
- P Restaurant, Brew Pub
- 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)
- C Retail Sales/Rental (trucks and other large vehicles and equipment)

TRADE – WHOLESALE USES

- C Wholesaling and Storage (indoor)

TRANSPORTATION, COMMUNICATION AND UTILITIES:

- 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

RESOURCE PRODUCTION AND EXTRACTION USES:

- P Petroleum or Gas Well
- P Urban Garden

LEGEND

- P
- C
- TP

Permitted as a Right-of-Use (may be subject to compliance with conditions described within Division 3- Requirements Applicable to Specific Land Uses of the Land Development Code)

Permitted as a Conditional Use Permit, Requiring Approval by City Council

Permitted by Temporary Permit Only, Requiring Approval by Board of Adjustment

Permitted Uses in MF Zoning

RESIDENTIAL USES:

- C Bed & Breakfast
- P Dwelling – Duplex
- P Dwelling – Industrialized Housing Unit
- P Dwelling – Institutional
- P Dwelling – Multiple-Family**
- P Dwelling – Single-Family Detached
- C Group Home

ACCESSORY AND INCIDENTAL USES:

- P Accessory Structure (Also see Division 4 of this article)
- P Antenna, Non-Commercial/Amateur
- P/C Day Care Operation – Home-Based
- TP Field Office or Construction Office (temporary)
- P Garage Sale
- P Home Occupation
- C Mobile Home (temporary security residence)
- P Recreation Building, Multipurpose
- P Recreation Equipment, Mobile (storage & parking)
- TP Subdivision Sales Office (temporary)
- P Swimming Pool, Private (accessory to residential use)
- P Tennis Court, Private (accessory to residential use)
- P/SE Wind Energy Conversion Systems

CULTURAL AND RECREATIONAL USES:

- C Civic, Social, and Fraternal Organization
- C Recreation – Outdoors (active)
- P Recreation – Outdoors (passive)

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

- P Community Home
- P Fire/Police Station
- C Homeless/Emergency Shelter
- C Personal Care Facility
- C Rehabilitation Facility
- C Social Service Facility

EDUCATIONAL AND RELIGIOUS USES:

- P Church or Place of Worship
- C Day-Care Operation - Center-Based
- P School: Public/Private

TRANSPORTATION, COMMUNICATION AND UTILITIES:

- P Public Utility Facility

RESOURCE PRODUCTION AND EXTRACTION USES:

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LEGEND

P
C
TP

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Z-2021-20 PHOTOS

West view of subject property



East view of Hartford St.



East neighboring property



East view of subject property



West view of Hartford St.

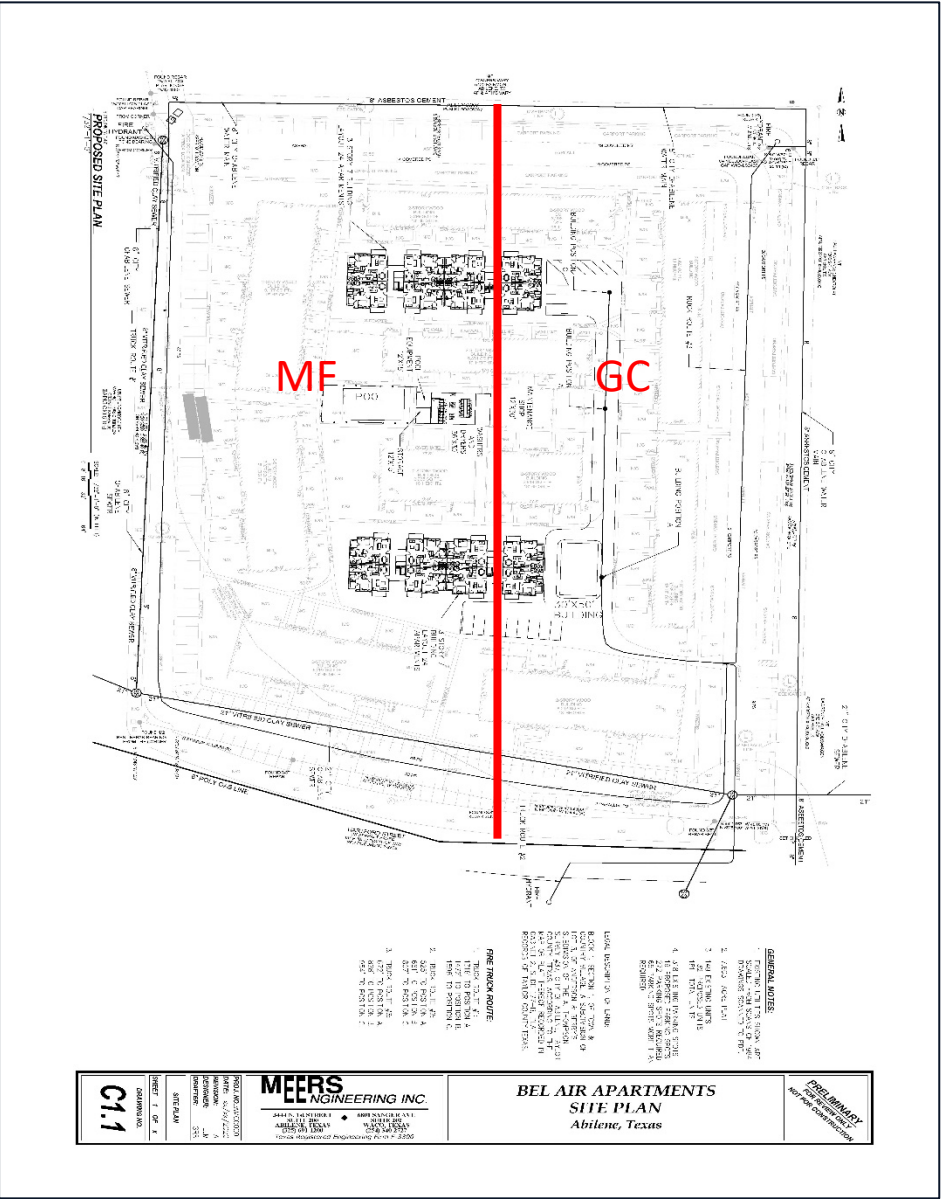


South neighboring property

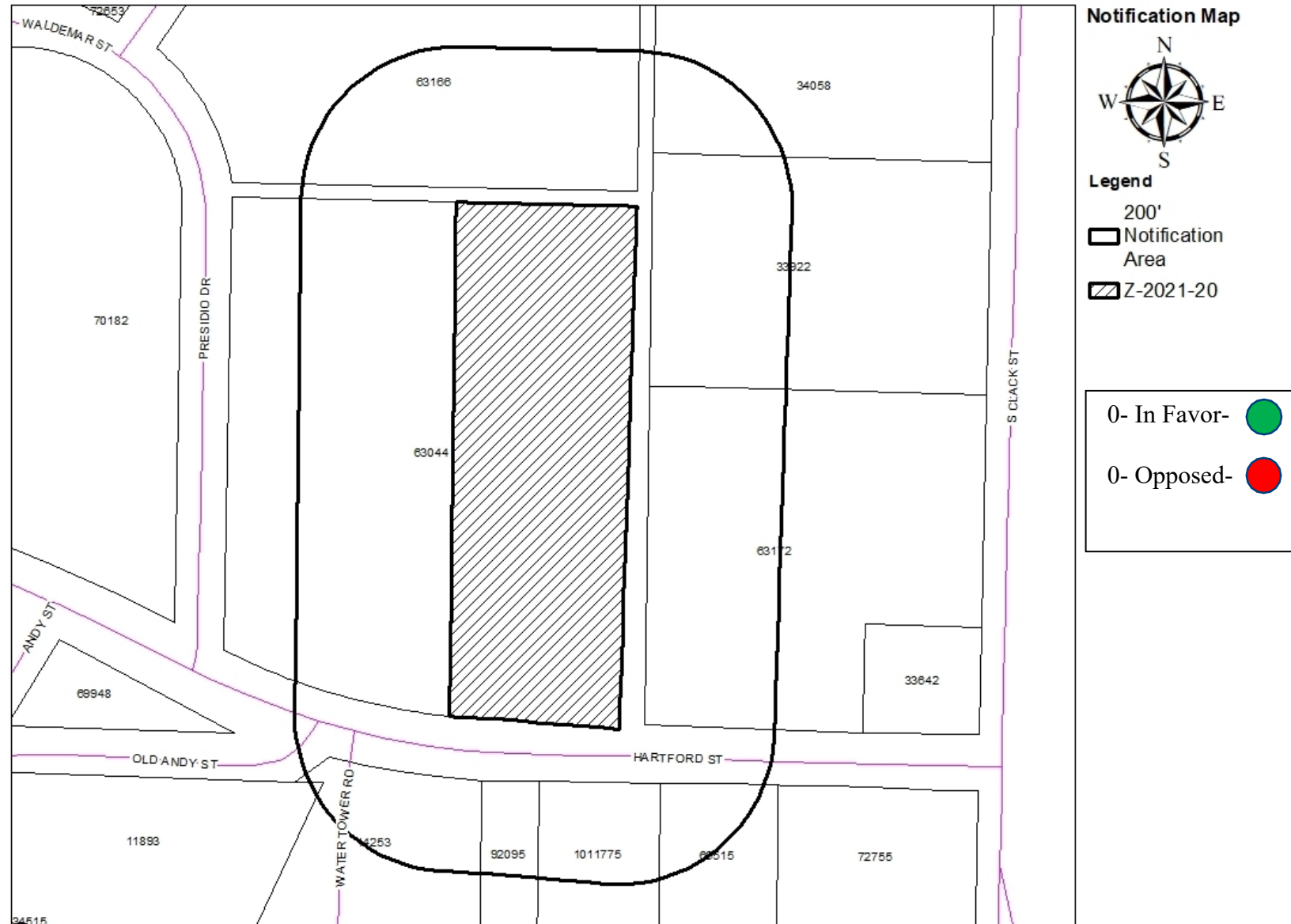


Z-2021-20 PROPOSED SITE PLAN

Approximate GC zoning
boundary for reference



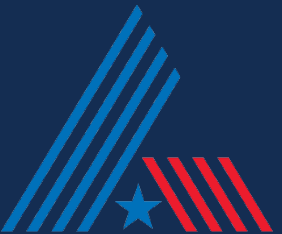
Z-2021-20 NOTIFICATION MAP



- 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: 9/9/2021

TO: Robert Hanna, City Manager

FROM: Cheryl Sawyers, Planning Services Manager

SUBJECT: 18. Ordinance (Final Reading) TC-2021-02: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Iris Abilene: Camp Barkeley (Represented by Overland Property Group) to Abandon the Public's Right-of-Way Within the Following Street and Alley Segments in South Central Abilene: An Unimproved 55.62-Foot Width of South 10th Street (Formerly Church Street) Between Sycamore and Elm Streets; A 20-Foot-Wide Alley Projecting 150 Feet South from Said Unimproved Segment of South 10th Street, Midway and Parallel Between Sycamore and Elm Streets; And a 20-Foot-Wide Alley (Unimproved) Extending East-to-West for a Distance of 300 Feet Between Sycamore and Elm Streets, 140 Feet South from and Parallel to Right-of-Way for South 9th Street (Tim Littlejohn)

GENERAL INFORMATION

This request is to abandon the approximate 60-foot width of South 10th Street (formerly Church Street) between Sycamore and Elm Street as well as the 20-foot-wide improved alley projecting 150 feet south from the unimproved segment of South 10th Street, midway and parallel between Sycamore and Elm Streets; and a 20-foot-wide unimproved alley extending east-to-west for a distance of 300 feet between Sycamore and Elm Streets, 140 feet south from and parallel to the right-of-way for South 9th Street.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

Staff recommends approval subject to conditions.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends approval of this item by a vote of 6-0.

ATTACHMENTS:

1. TC-2021-02 Draft Ordinance
2. TC-2021-02 Staff Report
3. TC-2021-02 Council presentation

ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR ABANDONMENT OF THE COMPLETE 60-FOOT-WIDTH OF PUBLIC RIGHT-OF-WAY FOR SOUTH 10TH STREET (FORMERLY CHURCH STREET) BETWEEN SYCAMORE AND ELM STREETS; A 20-FOOT-WIDE ALLEY PROJECTING 150 FEET SOUTH FROM SAID UNIMPROVED SEGMENT OF SOUTH 10TH STREET, MIDWAY AND PARALLEL BETWEEN SYCAMORE AND ELM STREETS; AND A 20-FOOT-WIDE ALLEY (UNIMPROVED) EXTENDING EAST-TO-WEST FOR A DISTANCE OF 300 FEET BETWEEN SYCAMORE AND ELM STREETS, 140 FEET SOUTH FROM AND PARALLEL TO RIGHT-OF-WAY FOR SOUTH 9TH 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 South 10th Street, and associated two alleys 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 26th day of August, 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 July, 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 9th day of September, 2021, to permit the public to be heard prior to final consideration of this ordinance.

PASSED ON FINAL READING THIS 9th day of September, 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 South 10th Street (Formerly Church Street) and the 20-foot wide unimproved alley each extending approximately 300-feet east-to-west between Sycamore and Elm Streets originally dedicated with the "Geo. W. Jalonicks Second Addition" recorded in 1884. As well as a portion of the improved alley extending south 150-linear feet from the south right-of-way boundary of Church Street dedicated with the "F. W. Hughes Subdivision of block B & C of Geo. W. Jalonicks Second Addition" in south-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, suitable easements must be reserved for continued access to all existing utility facilities planned to remain within the otherwise abandoned street rights-of-way.
3. 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.
4. Provide City staff with documentation from an appropriate official of each affected utility provider (having facilities remaining in the subject street and alley rights-of-way) and which indicates that such facilities have either already been relocated or that suitable financial arrangements have been made for the timely relocation of these affected utilities.



-END-

TC-2021-02

STAFF REPORT



Scheduled Hearings

Planning & Zoning Commission: August 3, 2021

City Council 1st Reading: August 26, 2021

City Council 2nd Reading: September 9, 2021

Applicant

Owner: Iris Abilene: Camp Barkeley

Agent: Overland Property Group

Request

Abandon the approximate 60-foot width of South 10th Street (formerly Church Street) between Sycamore and Elm Street as well as the 20-foot-wide improved alley projecting 150 feet south from the unimproved segment of South 10th Street, midway and parallel between Sycamore and Elm Streets; and a 20-foot-wide unimproved alley extending east-to-west for a distance of 300 feet between Sycamore and Elm Streets, 140 feet south from and parallel to the right-of-way for South 9th Street.

Location

The 60-foot-wide unimproved right-of-way dedicated to S 10th Street (formerly Church Street) between Block A of Geo. W. Jalonicks Second Addition and Block B of F.W. Hughes Subdivision as well as a portion of the 20-foot-wide alley extending approximately 150-linear feet south from the southernmost boundary of the unimproved right-of-way for Church Street into Block B. Additionally, the request is to abandon the entire extent of the 20-foot-wide unimproved alley extending east to west and dividing Block A of Geo. W. Jalonicks Second Addition to Abilene, Taylor County, Texas.

Background

The 60-foot-wide right-of-way for S. 10th Street (originally Church Street) and the 20-foot-wide alley extending 300-feet east-to-west between Sycamore and Elm Streets was originally dedicated with the "Geo. W. Jalonicks Second Addition" recorded in 1884. Since being dedicated by this subdivision plat; the alley and this particular segment of Church Street have remained unimproved. The 20-foot-wide improved alley extending south 150-linear feet from the south right-of-way boundary of Church Street was dedicated with the "F.W. Hughes Subdivision of block B & C of Geo. W. Jalonicks Second Addition" in 1907. Since being dedicated, this portion of the platted alley has been improved with a 6" vitrified clay sewer main and a 3" cast iron water main.

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) and determined this request is satisfactory with conditions to be addressed during the replat 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(s) will be integrated with one or more adjacent new lot(s).
2. 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 and alley rights-of-way.
3. Relocate any affected existing facilities not remaining in place, at the expense of the property owner(s) within whose land the abandoned street and alley will be integrated.
4. Provide City staff with documentation from an appropriate official of each affected utility provider (having facilities remaining in the subject street and alley rights-of-way) and which indicates that such facilities have either already been relocated or that suitable financial arrangements have been made for the timely relocation of these affected utilities.

Notification

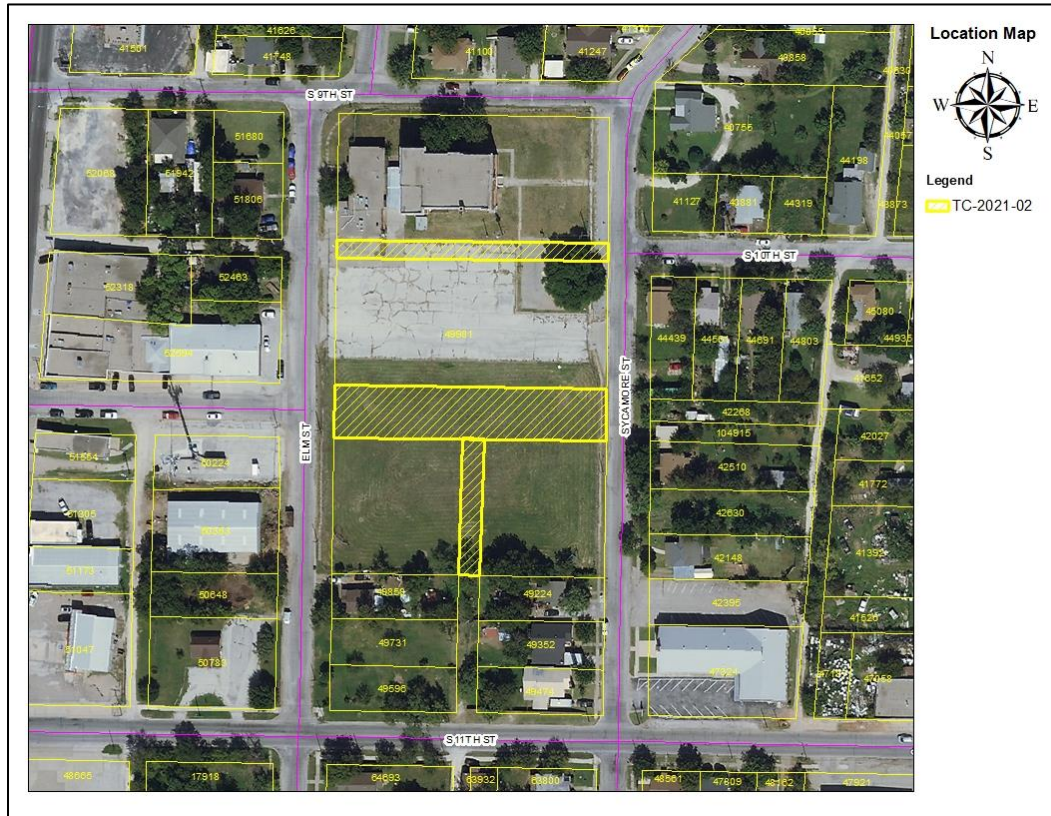
The Planning Services Division sent written notice of this request (with certificate of mailing) to all owners of property within a 200-foot radius of this subject property.

Owner	Parcel ID	Response
ALDRIDGE MELVA RUTH LIFE EST	42630	
BAUTISTA JOSE LUIS &	42510	
BAUTISTA LOUIS & IRENE	104915	
BEVILLS JOHNNY	49224	
CALDERON TRINIDAD LIFE ESTATE	44803	
CARRERAS JUANITA A	49474	
CASTILLO ANASTACIO JR & GLORIA Y	40755	
CASTILLO ANASTACIO JR & GLORIA Y	41127	
CHAMBERLAIN TRUST	50648	
CHAMBERLAIN TRUST	50353	
CHISUM LLOYD W	44439	
DOUBLE T INVESTMENTS	50224	
DOUBLE T INVESTMENTS	52594	
FIRST BAPTIST CHURCH	47324	
FIRST BAPTIST CHURCH	42395	
FIRST FINANCIAL TR & ASSET MTG CO	52318	
FLORES MARIA	40858	
FOSSIL RIDGE PROPERTIES LLC	41100	
GUERRA ARNULFO & DOROTHY	40881	
HALL RICHARD	49731	
HERNANDEZ EFREN & JUANITA	49352	
IRIS ABILENE: CAMP BARKELEY	49981	
LOPEZ SANTOS & SIXTA	49596	
MONSIVAIZ ANNA MARIE	51806	Opposed
MONSIVAIZ ANNA MARIE	52463	Opposed
MONSIVAIZ ANNA MARIE	41748	Opposed
MONSIVAIZ ANNA MARIE	51942	Opposed
NIETO MAC & MARIA	49858	
PEAK INVESTMENTS INC	51680	
PHARISS JEANETTE	44319	
PHARISS JEANETTE	44691	
RODRIGUEZ ELOISA	42148	
VANCE CARLTON S	44561	
VANCE CARLTON S	42268	
WILLIAMS DONALD L &	41247	

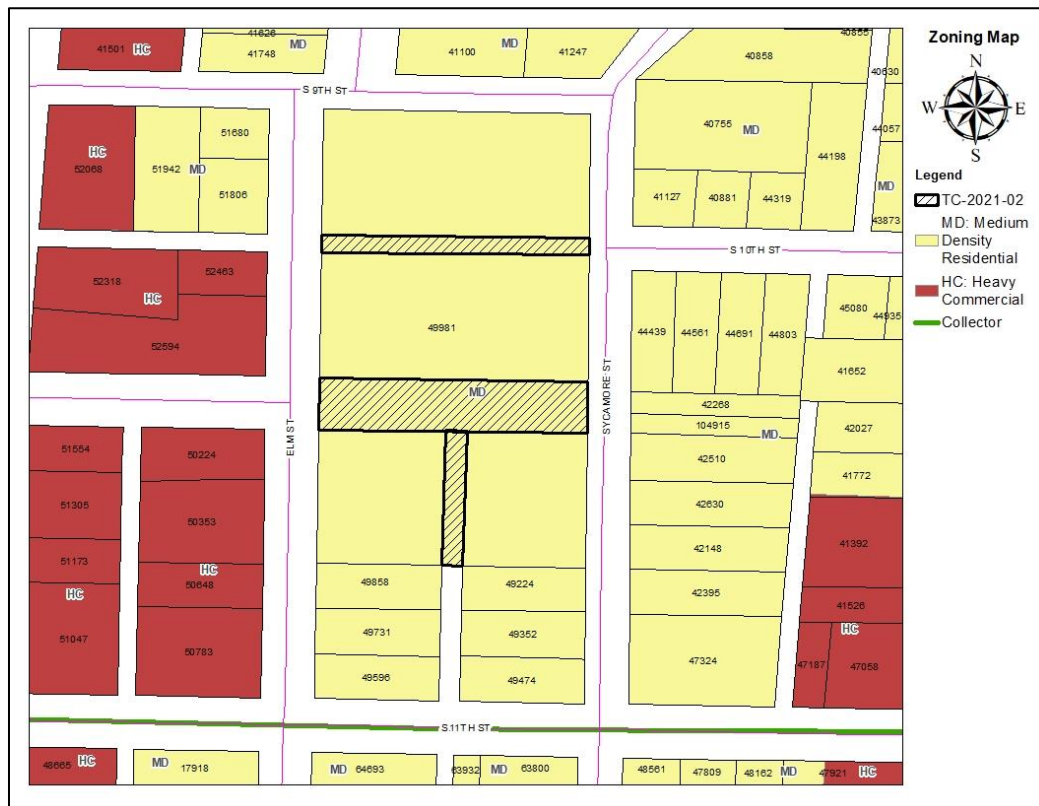
ATTACHMENTS:

- 1) Application
- 2) PowerPoint

Location Map



Zoning Map



Comments List

Project Type: Thoroughfare Closure Application | ID # 21-000097



Kevin Jaeger

Planning Division, Jul 01, 2021 at 2:14 PM ago PRIVATE

Existing utilities are present in the existing alley north of South 11th Street. These utilities include a 3 inch cast iron water line and a 6 inch vitrified clay sewer line. The applicant has two options. The applicant can provide the City with a utility easement for each of the existing utilities. If the existing utilities conflict with the intended use of the applicant, the applicant can obtain the services of a Civil Engineer to evaluate the possibility of abandoning or relocating the existing utilities. Should the Civil Engineer determine that the existing utilities can be abandoned or relocated, engineering plans would need to be created showing the relocation or abandonment of those utilities. These engineering plans would need to be submitted to the City Engineer for review and approval prior to the utilities being relocated or abandoned.



Wayne Terrell

Permits & Inspections, Jul 06, 2021 at 9:52 AM ago PRIVATE

Wayne Terrell

Engineering Technician III

Water Utilities Mapping

wayne.terrell@abilenetx.gov

325-676-6425

The existing 6" V.C. sewer main in the north right-of-way of South 10th Street dead ends into existing manhole #065-072 that is in the eastern part of this property and in the portion of the alley proposed to be abandoned. The existing 6" V.C. sewer main and the existing 3" C.I. water main run north into this property in the south alley proposed to be abandoned. These three existing mains will either need to remain; along with, provided utility easements, or a Texas licensed engineer will need to submit plans showing the abandonment or relocation of these mains and utility easements.

**Jared Smith***Planning Division, Jul 26, 2021 at 12:05 PM ago* PRIVATE

Planning & Zoning

325-676-6490

Jared.smith@abilenetx.gov

(1) City staff is recommending approval of these thoroughfare closures with the following conditions to the Planning & Zoning Commssion during the August 3, 2021 P&Z meeting:

- Approval and subsequent recording of a re-plat showing how the street and alley rights-of-way(s) will be integrated with one or more adjacent new lot(s).
- 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 and alley rights-of-way.
- Relocate any affected existing facilities not remaining in place, at the expense of the property owner(s) within whose land the abandoned street and alley will be integrated.
- Provide City staff with documentation from an appropriate official of each affected utility provider (having facilities remaining in the subject street and alley rights-of-way) and which indicates that such facilities have either already been relocated or that suitable financial arrangements have been made for the timely relocation of these affected utilities.



PLANNING & DEVELOPMENT SERVICES

RECEIVED
AUG 09 2021
PLANNING

MONSIVAIZ ANNA MARIE
918 ELM ST
ABILENE, TX 79602-2529

NOTICE OF PUBLIC HEARING

RE: Thoroughfare Closure Application Number TC-2021-02

07/23/2021

The Planning and Zoning Commission will hold a public hearing on **August 3, 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 Iris Abilene: Camp Barkeley (represented by Overland Property Group) to abandon the public's right-of-way within the following street and alley segments in south central Abilene: an unimproved 55.62-foot width of South 10th Street (formerly Church Street) between Sycamore and Elm Streets; a 20-foot-wide alley projecting 150 feet south from said unimproved segment of South 10th Street, midway and parallel between Sycamore and Elm Streets; and a 20-foot-wide alley (unimproved) extending east-to-west for a distance of 300 feet between Sycamore and Elm Streets, 140 feet south from and parallel to right-of-way for South 9th Street.

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 **September 9, 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-2021-02

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: MONSIVAIZ ANNA MARIE
Parcel I.D.: 52463
Address: 918 ELM ST

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

Email: planning@abilenetx.gov

I am in favor ☐
Additional Comments:

I am opposed ☒

Signature: 



PLANNING & DEVELOPMENT SERVICES

RECEIVED
AUG 09 2021
PLANNING

MONSIVAIZ ANNA MARIE
918 ELM ST
ABILENE, TX 79602-2529

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For the PLANNING & ZONING COMMISSION
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CASE #: TC-2021-02

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Name: MONSIVAIZ ANNA MARIE

Parcel I.D.: 51942

Address: 1225 S 9TH ST

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

Email: planning@abilenetx.gov

I am in favor ☐
Additional Comments:

I am opposed ☒

Signature: 



PLANNING & DEVELOPMENT SERVICES

RECEIVED
AUG 09 2021
PLANNING

MONSIVAIZ ANNA MARIE
918 ELM ST
ABILENE, TX 79602-2529

NOTICE OF PUBLIC HEARING

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07/23/2021

The Planning and Zoning Commission will hold a public hearing on **August 3, 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 Iris Abilene: Camp Barkeley (represented by Overland Property Group) to abandon the public's right-of-way within the following street and alley segments in south-central Abilene: an unimproved 55.62-foot width of South 10th Street (formerly Church Street) between Sycamore and Elm Streets; a 20-foot-wide alley projecting 150 feet south from said unimproved segment of South 10th Street, midway and parallel between Sycamore and Elm Streets; and a 20-foot-wide alley (unimproved) extending east-to-west for a distance of 300 feet between Sycamore and Elm Streets, 140 feet south from and parallel to right-of-way for South 9th Street.

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 that 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 **September 9, 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-2021-02

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: MONSIVAIZ ANNA MARIE
Parcel I.D.: 51806
Address: 910 ELM ST

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

Email: planning@abilenetx.gov

I am in favor ☐
Additional Comments:

I am opposed ☒

Signature: 



PLANNING & DEVELOPMENT SERVICES

RECEIVED
AUG 09 2021
PLANNING

MONSIVAIZ ANNA MARIE
918 ELM ST
ABILENE, TX 79602-2529

NOTICE OF PUBLIC HEARING

RE: Thoroughfare Closure Application Number TC-2021-02

07/23/2021

The Planning and Zoning Commission will hold a public hearing on **August 3, 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 Iris Abilene: Camp Barkeley (represented by Overland Property Group) to abandon the public's right-of-way within the following street and alley segments in south central Abilene: an unimproved 55.62-foot width of South 10th Street (formerly Church Street) between Sycamore and Elm Streets; a 20-foot-wide alley projecting 150 feet south from said unimproved segment of South 10th Street, midway and parallel between Sycamore and Elm Streets; and a 20-foot-wide alley (unimproved) extending east-to-west for a distance of 300 feet between Sycamore and Elm Streets, 140 feet south from and parallel to right-of-way for South 9th Street.

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 **September 9, 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-2021-02

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: MONSIVAIZ ANNA MARIE

Parcel I.D.: 41748

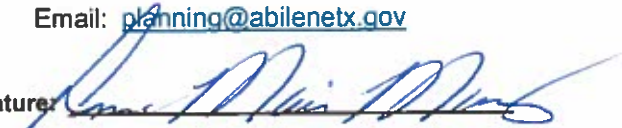
Address: 1204 S 9TH ST

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

Email: planning@abilenetx.gov

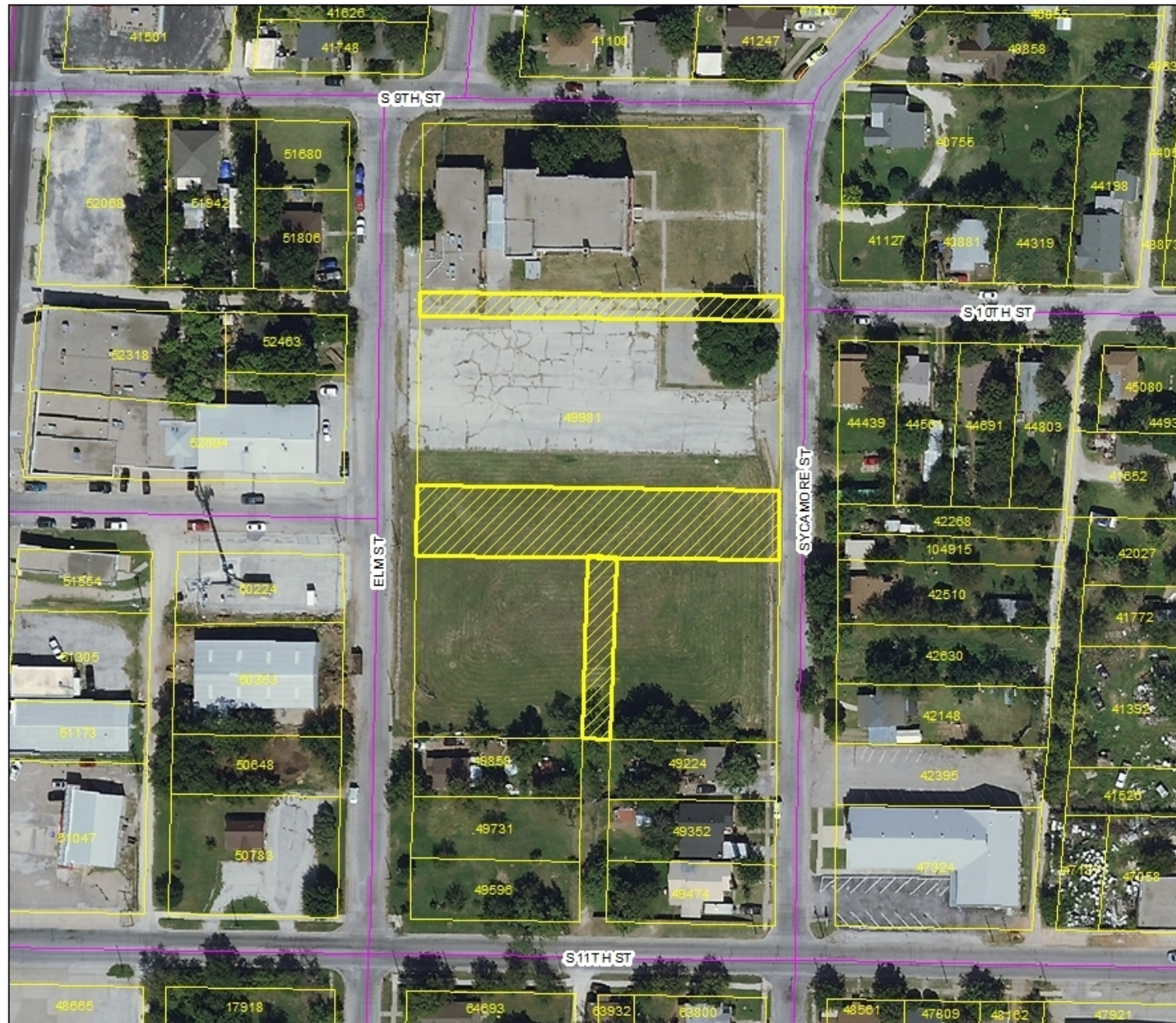
I am in favor ☐
Additional Comments:

I am opposed ☒

Signature: 

Case:	TC-2021-02
Owner:	Iris Abilene: Camp Barkeley
Agent:	Overland Property Group
Request:	Abandon 60-foot-wide right-of-way of South 10 th Street (formerly Church Street) between Sycamore and Elm Street as well as the 20-foot-wide improved alley projecting 150-feet south from said unimproved segment of South 10 th Street as well as a 20-foot-wide unimproved alley extending east-to-west 300-feet between Sycamore and Elm Streets.
Notification:	0 in Favor, 4 Opposed
Planning & Zoning Recommendation:	Approval

TC-2021-02 LOCATION MAP



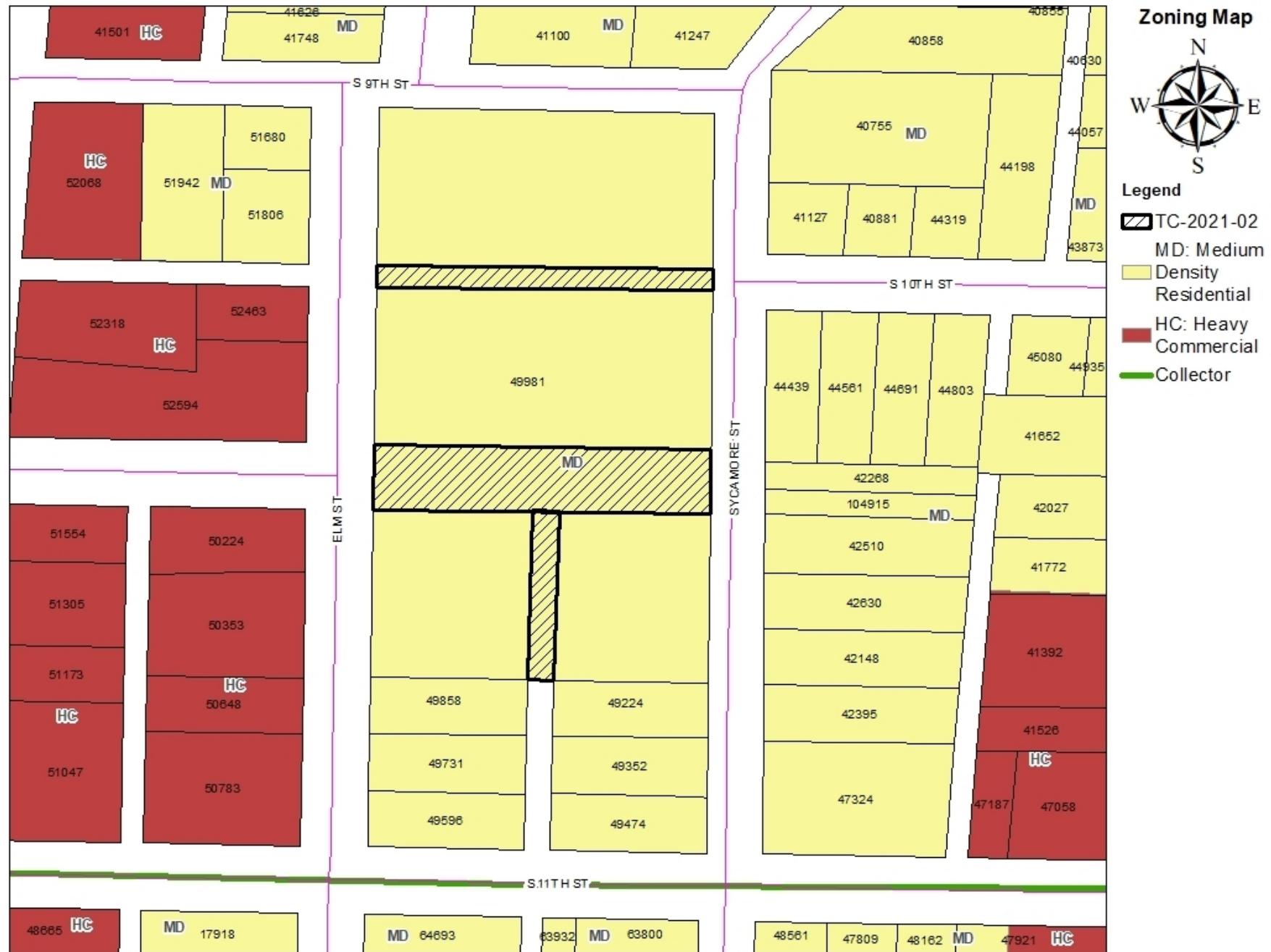
Location Map



Legend

 TC-2021-02

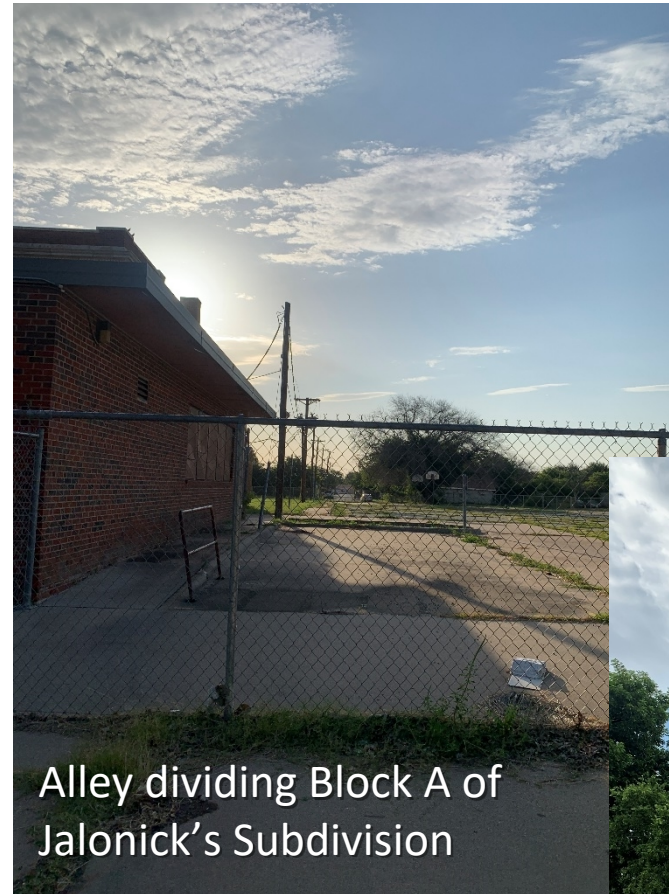
TC-2021-02 ZONING MAP



Unimproved Right-of-Way dedicated for S 10th St.
(Formerly Church St.)



Improved Right-of-way for S 10th St.
(West of Elm)

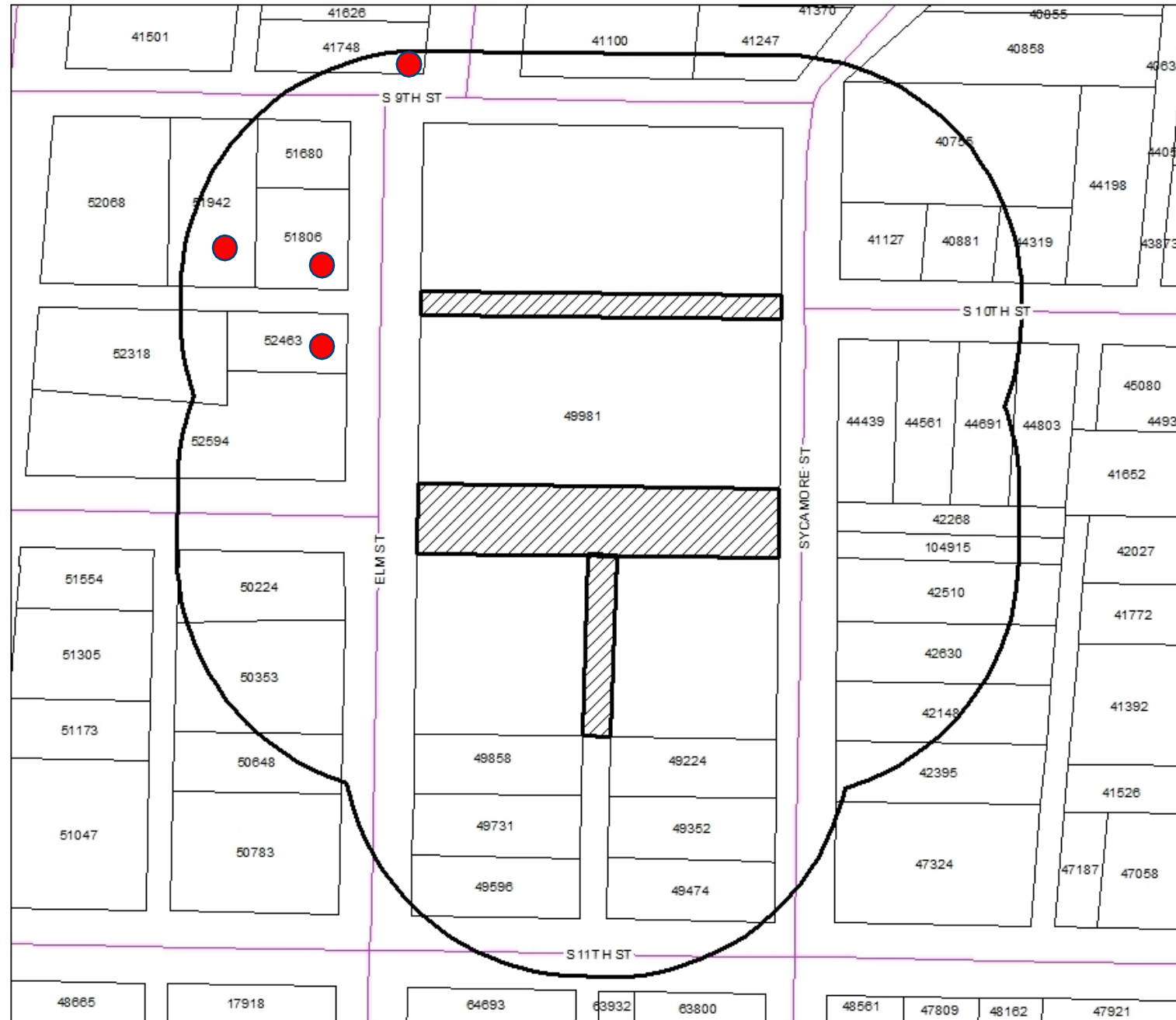


Alley dividing Block A of
Jalonick's Subdivision

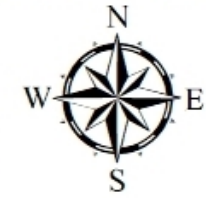


Alley extending 150-feet south
from S 10th St. right-of-way

TC-2021-02 NOTIFICATION AREA MAP



Notification Map



Legend

- 200'
- Notification Area
- TC-2021-02

- 0- In Favor- ●
- 4- Opposed- ●
- 4.46% Opposed

- DRC Recommendation: Satisfactory with conditions
- Staff Recommendation: Approval with conditions:
 1. Approval and subsequent recording of a re-plat showing how the street and alley rights-of-way(s) will be integrated with one or more adjacent new lot(s).
 2. 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 and alley rights-of-way.
 3. Relocate any affected existing facilities not remaining in place, at the expense of the property owner(s) within whose land the abandoned street and alley will be integrated.
 4. Provide City staff with documentation from an appropriate official of each affected utility provider (having facilities remaining in the subject street and alley rights-of-way) and which indicates that such facilities have either already been relocated or that suitable financial arrangements have been made for the timely relocation of these affected utilities.

Questions?



**City Council
Agenda Memo**

City Council Meeting Date: 9/9/2021

TO: Robert Hanna, City Manager

FROM: Tim Littlejohn, Chief Building Official

SUBJECT: **19. Ordinance (Final Reading) Z-2021-21: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Iris Abilene: Camp Barkeley (Represented By Overland Property Group) to Change Zoning from Residential Medium-Density (MD) to a Residential Multi-Family (MF) District, on Approximately 3.58 Acres of Land Occupied by a Building at 1101 South 9th Street (Formerly Travis Elementary School) Between Sycamore and Elm Streets in South Central Abilene (Tim Littlejohn)**

GENERAL INFORMATION

This request is to rezone from Residential Medium-Density (MD) to a Residential Multi-Family (MF) District.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

Staff recommends approval.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends approval of this item by a vote of 6-0.

ATTACHMENTS:

1. Z-2021-21 draft ordinance
2. Z-2021-21 Staff report
3. Z-2021-21 Application
4. Z-2021-21 PZC 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 26th day of August, 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 July, 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 9th day of September, 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 9th day of September, 2021.

ATTEST:

CITY SECRETARY

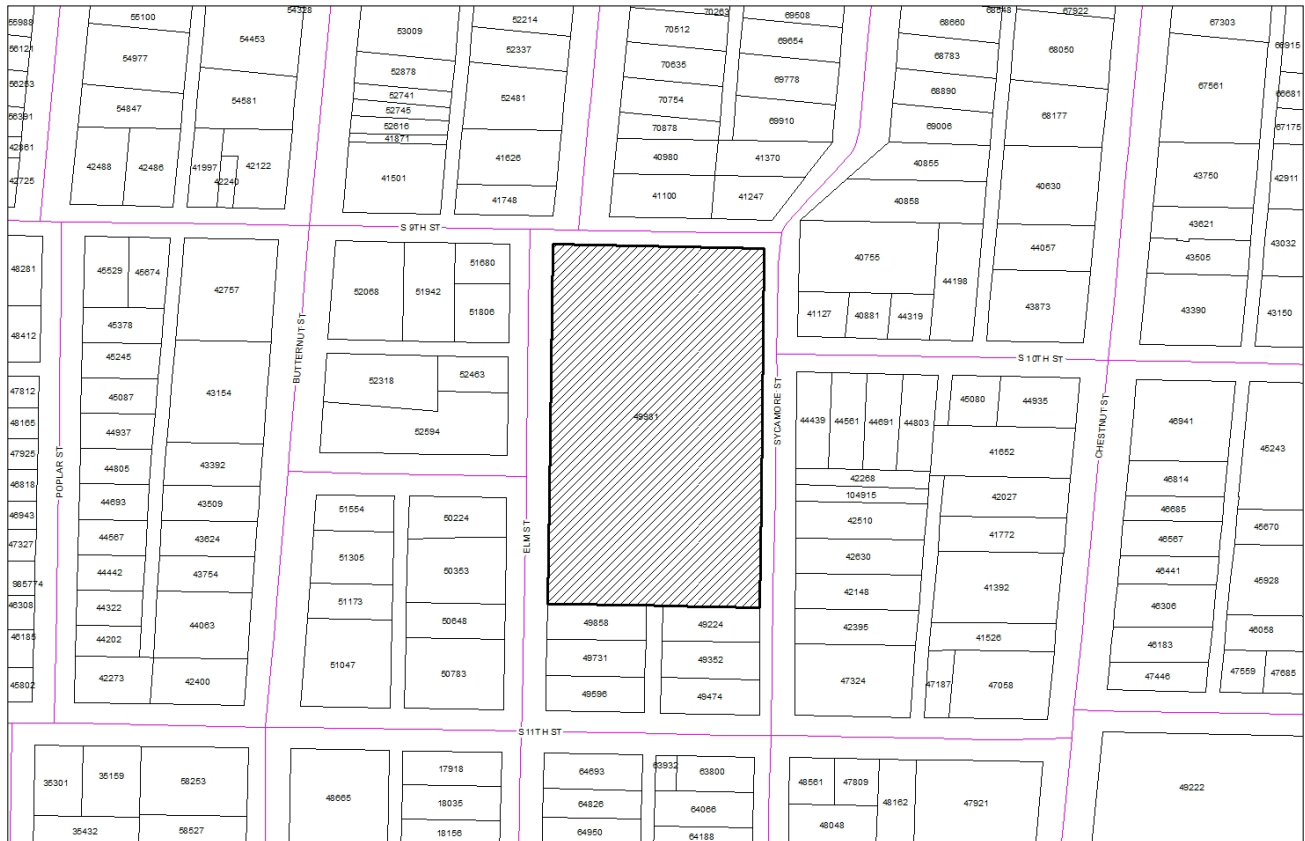
MAYOR

APPROVED:

CITY ATTORNEY

EXHIBIT A

Change the zoning classification of the following described land, from a Residential Medium-Density (MD) District to a Residential Multi-Family (MF) District:



approximately 3.58 acres of land occupied by a building at 1101 South 9th Street (formerly Travis Elementary School) between Sycamore and Elm Streets in south central Abilene, specifically including all of Lots 1-12 In Block A of George W. Jalonick's Second Addition to Abilene, and all of Lots 1-3 and Lots 10-12 In F.W. Hughes Subdivision of Blocks B and C in George W. Jalonick's Second Addition, as well as intervening abandoned streets and alleys.

-END-

ZONING CASE Z-2021-21

STAFF REPORT



Scheduled Hearings

Planning & Zoning Commission: August 3, 2021

City Council 1st Reading: August 26, 2021

City Council 2nd Reading: September 9, 2021

Applicant

Owner: Iris Abilene: Camp Barkeley

Agent: Overland Property Group

Request

Rezone from Residential Medium-Density (MD) to a Residential Multi-Family (MF) District.

Location

Approximately 3.5 acres of land occupied by a building at 1101 South 9th Street (formerly Travis Elementary School) between Sycamore and Elm Streets in south central Abilene, one block east of Butternut Street

Background

For at least 100 years, these 3½ acres have been the site of a building formerly known as Travis Elementary School. Historical records suggest the original three-story brick building on this site was constructed between 1915 and 1921. A single-story annex appeared later between 1956 and 1964. Abilene Independent School District sold this entire property to a private party, in 2013. The property has remained vacant ever since.

According to information provided in the application a prospective new purchaser of the property desires to build one or more multi-family residential building(s) there. The proposed building arrangement will require Residential Multi-Family (MF) zoning to replace the existing Residential Medium-Density (MD) zoning.

Zoning and Existing Land Use

The subject 3.5 acres have been in an MD (formerly RM-3) zoning district since at least 1974 when Abilene's current zoning map was initially adopted. The same is true of properties located directly north, south and east of these 3.5 acres. As its name implies, Abilene's MD zoning classification is intended for medium densities of 1-, 2-, 3- or 4-family residences on properties exhibiting a density of no more than 12 dwelling units per acre. The MD District surrounding the subject 3.5 acres (to the north, south and east) is typified primarily by single- and two-family residences. Many of these homes are 80 to 90 years old, or more.

This 3.5-acre site also extends for a distance of 500 feet along Elm Street, one block east from Butternut Street, a minor arterial. Heavy Commercial zoning encompasses almost the entire Butternut Street corridor. This Heavy Commercial District extends all the way to Elm Street across from most of this subject property's 500 feet of frontage on Elm Street. The Heavy Commercial zoning (directly across Elm Street) is occupied by storage buildings of some substantial bulk, as well as a telecommunication tower.

Criteria Assessment

Section 1.4.1.4 of Abilene's 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.

According to the map of Future Land Use and Development in the Comprehensive Plan, the subject property at 1101 South 9th Street is earmarked for "low-density residential" use. The same is true of most land located north and south of downtown Abilene, off the arterial street network. However, Abilene's Comprehensive Plan also encourages suitable transitions in the intensity of use, between commercial use and low-density residences located nearby. This particular proposed MF District is wedged between a heavy commercial corridor along Butternut Street and relatively low densities of residences to the north, south and east of this subject property.

(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.

The proposed MF District will allow residential densities of as many as 24 dwelling units per acre, whereas existing MD zoning is limited to no more than 12 dwelling units per acre. In the opinion of City staff, higher densities of residential use in this proposed MF District may be viewed as a suitable transition in the intensity of use, between two dramatically different environments: the heavy commercial corridor on Butternut Street, and low densities of single- and two-family homes to the east.

(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.

This subject property has direct access to the City's network of sewer mains on all four sides, with each abutting sewer main being six inches (6") in diameter. Likewise, this subject property adjoins six-inch-wide water mains along the entire 500-foot length of both its east and west boundaries. In summary, this subject property appears well-integrated with the City's system of sewer and water utilities, mitigating concerns about increased demand (from increased residential density) and the capacity of those utility systems.

The subject property is surrounded by paved public streets along three of its four boundaries. More importantly, this property lies just one short block from Butternut Street, a minor arterial. Increased traffic flow from multi-family residential use is likely to make use of this short connection (to Butternut Street) and not increase traffic flow on the local streets surrounding this site.

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

It is the opinion of City 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.

Notification

Pursuant to Section 1.2.2.2 of Abilene's Land Development Code, City staff mailed personal notices on July 23, 2021, to the applicant and to other owners of property within a 200-foot radius of this subject property. These property owners and associated parcel identification numbers are identified in Table 1.

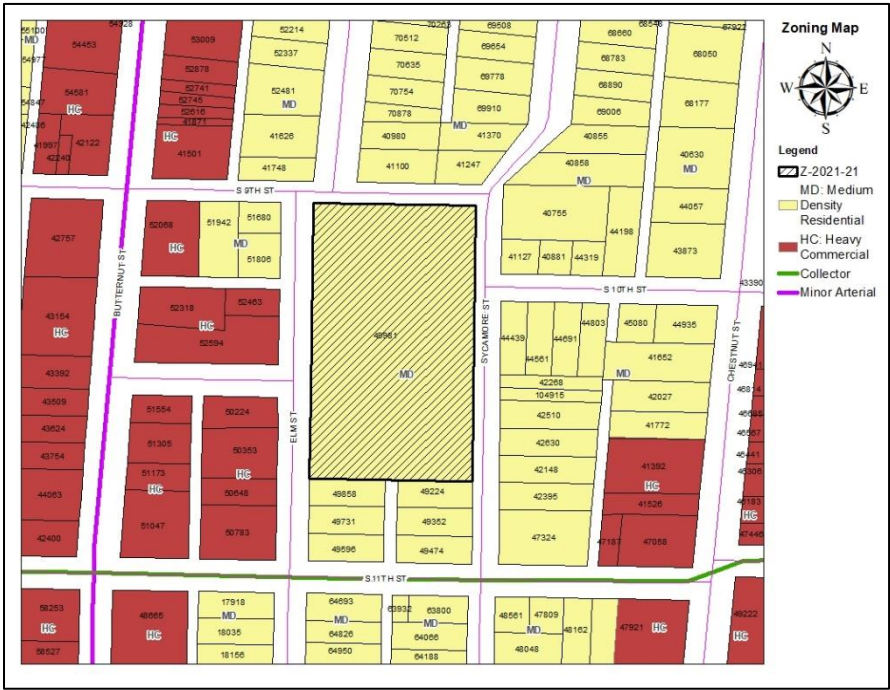
TABLE 1

Owner	Parcel ID	Response
ALDRIDGE MELVA RUTH LIFE EST	42630	
BAUTISTA JOSE LUIS &	42510	
BAUTISTA LOUIS & IRENE	104915	
BEAVER CYNTHIA	70878	
BEVILLS JOHNNY	49224	
CALDERON TRINIDAD LIFE ESTATE	44803	
CARRERAS JUANITA A	49474	
CASTILLO ANASTACIO JR & GLORIA Y	40755	
CASTILLO ANASTACIO JR & GLORIA Y	41127	
CHAMBERLAIN TRUST	50648	
CHAMBERLAIN TRUST	50353	
CHISUM LLOYD W	44439	
DOUBLE T INVESTMENTS	50224	
DOUBLE T INVESTMENTS	52594	
ESTES RENTALS LLC	52481	
ESTES RENTALS LLC	41626	
FIRST BAPTIST CHURCH	47324	
FIRST BAPTIST CHURCH	42395	
FIRST FINANCIAL TR & ASSET MTG CO	52318	
FLORES MARIA	40858	
FOSSIL RIDGE PROPERTIES LLC	41100	
GONZALES CINTHIA &	70754	
GUERRA ARNULFO & DOROTHY	40881	
HALL RICHARD	49731	
HERNANDEZ EFREN & JUANITA	49352	
IRIS ABILENE: CAMP BARKELEY	49981	
JAMES MARVIN H JR & SHERRY C	69910	
LOPEZ ROEL & CECILIA	50783	
LOPEZ SANTOS & SIXTA	49596	
MARTINEZ MARISSA	40980	
MONSIVAIZ ANNA MARIE	51806	
MONSIVAIZ ANNA MARIE	52463	
MONSIVAIZ ANNA MARIE	41748	
MONSIVAIZ ANNA MARIE	51942	
NIETO MAC & MARIA	49858	
PEAK INVESTMENTS INC	51680	
PHARISS JEANETTE	44319	
PHARISS JEANETTE	44691	
RODRIGUEZ ELOISA	42148	
SALINAS TEODORO & FRANCES	40855	
VAN DYKE REGINA & BEVERLY J	41370	
VANCE CARLTON S	44561	
VANCE CARLTON S	42268	
VINSON J W	41501	
WILLIAMS DONALD L &	41247	

LOCATION MAP



ZONING MAP





Development Application

Planning

☐ Conditional Use

☐ Easement Release

☒ Rezoning

☐ Other

☐ PDD

☐ Street Name Change

☐ Thoroughfare Abandonment

☐ PDD Amendment

Other: _____

Project Name: The Heritage at Abilene

Address: 1101 South 9th Street No. of lots: 2 Acreage: 3.5813

Legal Description: See Exhibit A - attached - see final page

Subdivision Name: Jalonick 2nd Block: A & PRT BLK B Lot: All BLK A<S 1-3 & 10-12 BL

Current Zoning: MD - Medium Density Proposed Zoning (if applicable): MF - Multifamily

OWNER AND AUTHORIZATION

Owner Name: Iris Abilene Camp Barkley

Address: PO Box 845

City, State, Zip: Buffalo Gap, TX 79508-0845 Fax: _____

Phone: 325-669-9063 Email: abilene@irisglobal.org

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

Agent Name: Matt Gillam

Address: 5341 W. 151st Street

City, State, Zip: Leawood, KS 66244 Fax: 913-396-6312

Phone: 913-396-6310 Email: matt@ovpgroup.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: 02/01/2021

FOR OFFICE USE ONLY

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

Case No.: _____ Reviewed By: _____



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

This zoning request is critical to converting this now vacant school building into desperately needed, affordable senior housing. It is our attention to apply for Federal Housing Tax Credits as well as Federal Historic Credits in order to fully restore this once proud building.

Exhibit A

Tract One:

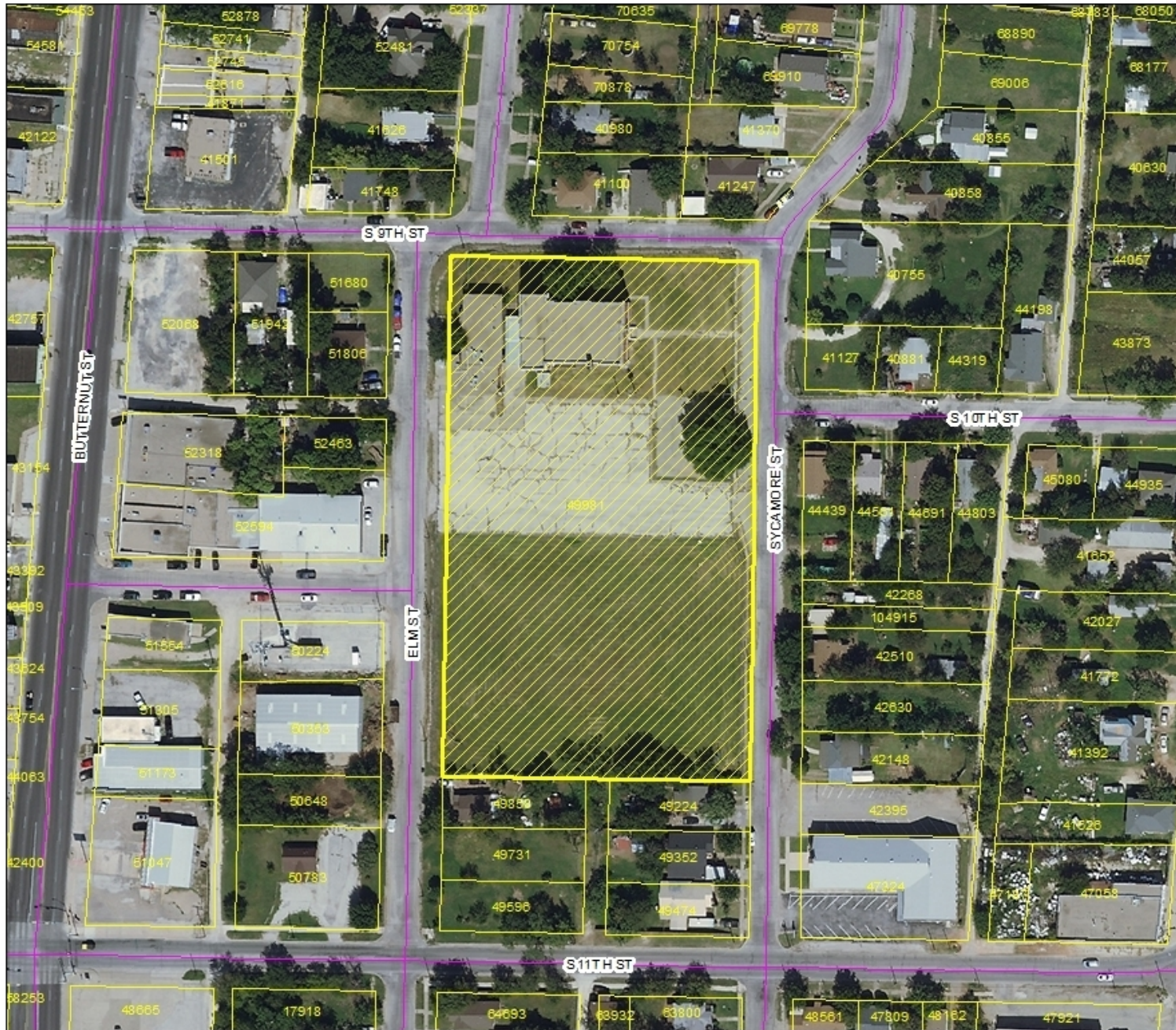
All of Block A, GEORGE W. JALOMICKS SECOND ADDITION, an addition to the City of Abilene, Taylor County, Texas according to the plat thereof recorded in Volume 2, Page 137-A, Map Records, Taylor County, Texas.

Tract Two:

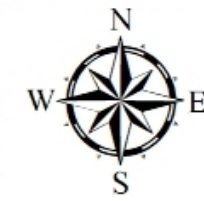
Lots 1,2,3,10,11, and 12, Block B, F.W. Hughes Subdivision of Blocks B and C of Geor. W. Jalonicks Second Addition, an addition to the City of Abilene, Taylor County, Texas, according to the plat thereof recorded in Volume 1, Page 32 , Plat Records, Taylor County, Texas

Case: Z-2021-21
Owner: Iris Abilene: Camp Barkeley
Agent: Overland Property Group
Request: Rezone Medium Density (MD) to
Multi-Family (MF)
Location: 1101 S 9th Street
Notification: 0 in Favor, 0 Opposed
Planning & Zoning Recommendation: Approval

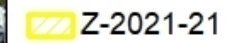
Z-2021-21 LOCATION MAP



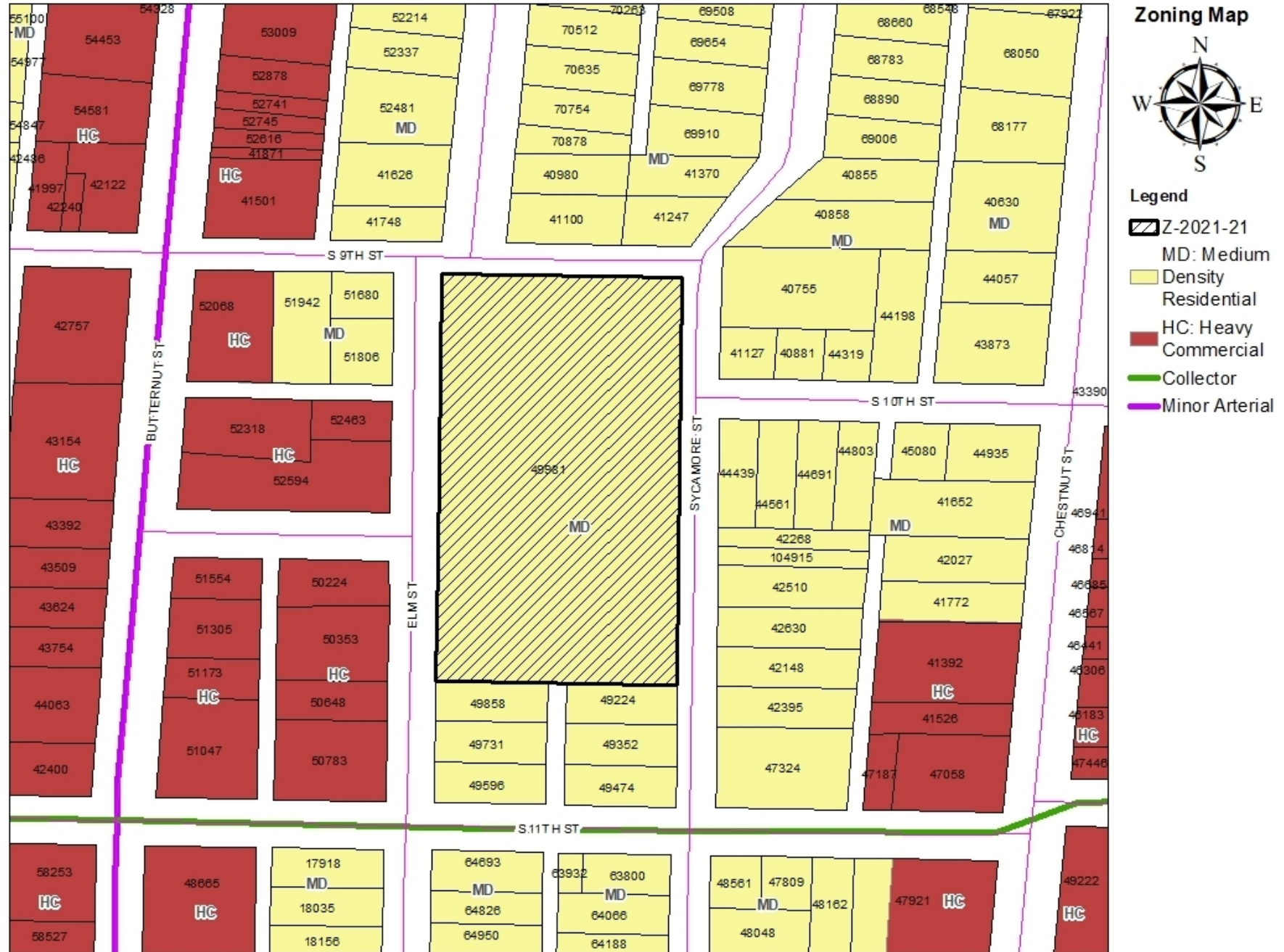
Location Map



Legend



Z-2021-21 ZONING MAP



Permitted Uses in MF Zoning

RESIDENTIAL USES:

- C Bed & Breakfast
- P Dwelling – Duplex
- P Dwelling – Industrialized Housing Unit
- P Dwelling – Institutional
- P Dwelling – Multiple-Family
- P Dwelling – Single-Family Detached
- C Group Home

ACCESSORY AND INCIDENTAL USES:

- P Accessory Structure (Also see Division 4 of this article)
- P Antenna, Non-Commercial/Amateur
- P/C Day Care Operation – Home-Based
- TP Field Office or Construction Office (temporary)
- P Garage Sale
- P Home Occupation
- C Mobile Home (temporary security residence)
- P Recreation Building, Multipurpose
- P Recreation Equipment, Mobile (storage & parking)
- TP Subdivision Sales Office (temporary)
- P Swimming Pool, Private (accessory to residential use)
- P Tennis Court, Private (accessory to residential use)
- P/SE Wind Energy Conversion Systems

CULTURAL AND RECREATIONAL USES:

- C Civic, Social, and Fraternal Organization
- C Recreation – Outdoors (active)
- P Recreation – Outdoors (passive)

GOVERNMENT, HEALTH, SAFETY AND WELFARE USES:

- P Community Home
- P Fire/Police Station
- C Homeless/Emergency Shelter
- C Personal Care Facility
- C Rehabilitation Facility
- C Social Service Facility

EDUCATIONAL AND RELIGIOUS USES:

- P Church or Place of Worship
- C Day-Care Operation - Center-Based
- P School: Public/Private

TRANSPORTATION, COMMUNICATION AND UTILITIES:

- P Public Utility Facility

RESOURCE PRODUCTION AND EXTRACTION USES:

- P Petroleum or Gas Well
- P Urban Garden

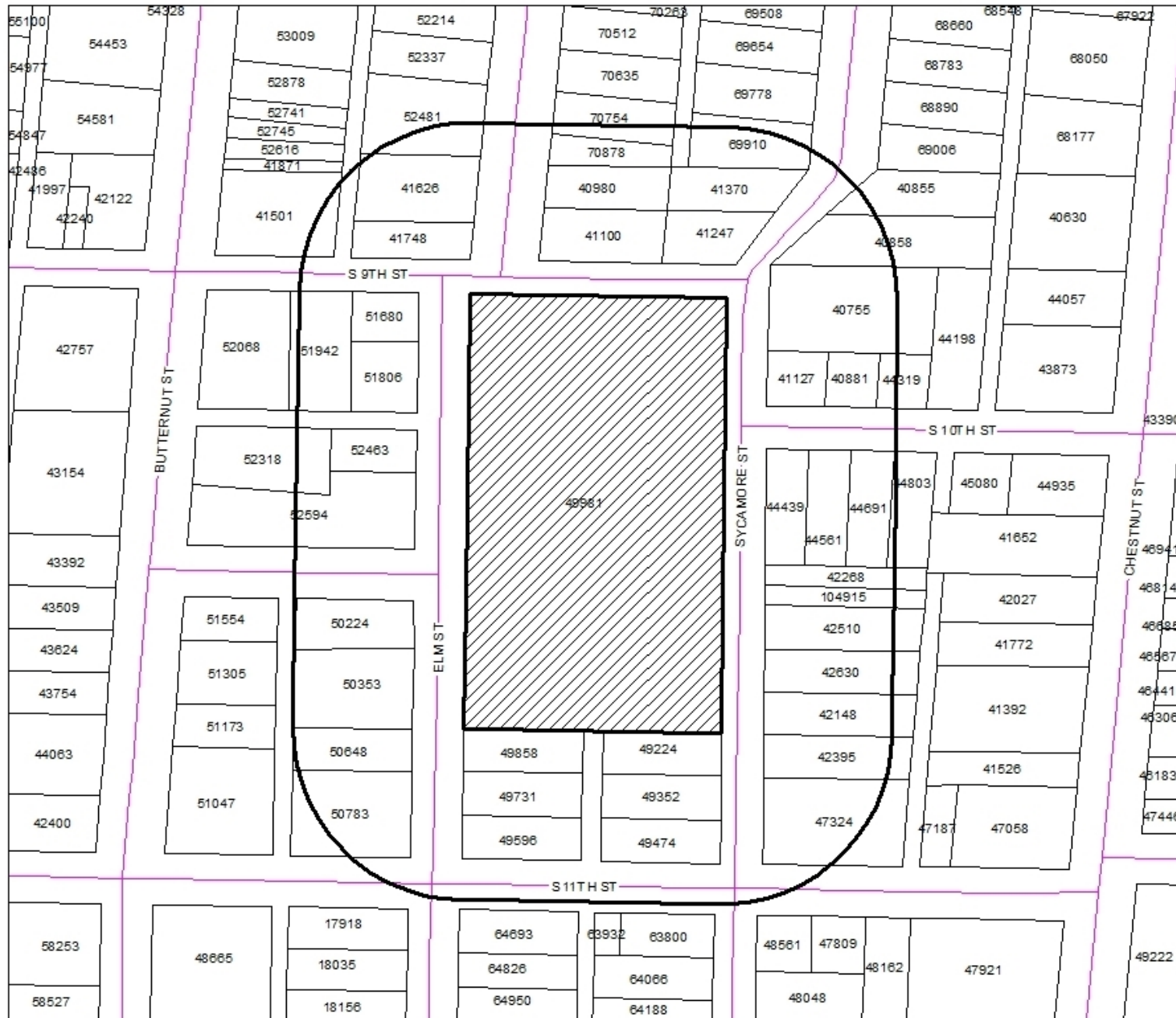
LEGEND

P
C
TP

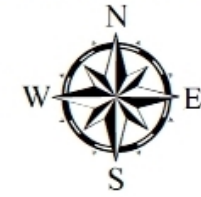
Permitted as a Right-of-Use (may be subject to compliance with conditions described within Division 3- Requirements Applicable to Specific Land Uses of the Land Development Code)
Permitted as a Conditional Use Permit, Requiring Approval by City Council
Permitted by Temporary Permit Only, Requiring Approval by Board of Adjustment



Z-2021-18 NOTIFICATION AREA MAP



Notification Map



Legend

- 200'
- Notification Area
- Z-2021-21

- 0- In Favor-
- 0- Opposed-

- 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: 9/9/2021

TO: Robert Hanna, City Manager

FROM: Tim Littlejohn, Chief Building Official

SUBJECT: **20. Ordinance (Final Reading) HOZ-2021-01: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a Request from Dan Steven and Tracy A. Morgan McNeill to Apply a Historic (H) Overlay Zone onto the Underlying Residential Single-Family (RS-12) Zoning District at 702 Sayles Drive (*Tim Littlejohn*)**

GENERAL INFORMATION

This request is to add the Historic Overlay designation to an approximately .50 acre tract zoned Residential Single-Family (RS-12).

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

Staff recommends approval.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends approval of this item by a vote of 6-0.

ATTACHMENTS:

1. HOZ-2021-01 ordinance
2. HOZ-2021-01 Staff Report
3. HOZ-2021-01 Application
4. HOZ-2021-01 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 26th day of August 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 July, 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 9th day of September, 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 9th day of September, A.D. 2021.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT A

Rezone property from RS-12 (Single-Family Residential) to RS-12/H (Single-Family Residential/Historic Overlay).

Legal description being all of Lot 1 and the north 10-feet of lot 2 within Block 8 of Hattie M Sayles subdivision.

Location: 702 Sayles Drive.



-END-

ZONING CASE HOZ-2021-01

STAFF REPORT



Scheduled Hearing(s)

Planning & Zoning Commission: August 3, 2021

City Council 1st Reading: August 26, 2021

City Council 2nd Reading: September 9, 2021

Applicant

Owners: Tracy Morgan McNeil & Dan Steven

Request

Add the Historic Overlay designation to an approximately .50 acre tract zoned Residential Single-Family (RS-12).

Location

702 Sayles Dr.

Background

This two-story Colonial Revival residence was built in 1926 (architect unknown). The structure and foundation are frame supported. It is characterized with red-brick exterior and the front façade entrance has a pedimented portico with entablature and squared columns painted white. There is an attached carport adjacent the right-of-way of S. 7th St. and a detached accessory building (garage), both of which appear to be constructed at a later date. There is also an accessory storage structure and a swimming pool located in the rear of the property both of which are non-contributing to the historic character of the site.

City Staff could not locate a building file or permit(s) for 702 Sayles Drive. Staff did locate Resolution number 5-1999 (indicates that this subject property is contributing property within "City Council Adopted List of Historic Properties 1985"), a 2011 Historic Resources Survey Form from the Texas Historical Commission, and a National Register of Historic Places Form from The National Park Service (indicates that the subject property is a contributing property within the nationally recognized Sayles Boulevard Historic District).

Criteria Assessment

Section 1.4.1.4 of Abilene's 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.

The Future Land Use and Development Plan Map designates this area as "low-density residential". Adding Historic Overlay does not affect the policies of the adopted Comprehensive Plan or the land use classification of the property/development plan map.

(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.

The uses permitted by the proposed change in zoning classification will not change.

(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 request presents no apparent conflicts with existing or proposed plans for community facilities and/or related infrastructure

Landmarks Recommendation

The Landmarks Commission recommended approval on June 22, 2021, as the subject property exhibits one or more of the characteristics for approval listed within Abilene's Land Development Code; Section 2.3.4.4. (c); Criteria for Designation

Staff Recommendation

Staff recommends approval.

Notification

Pursuant to Section 1.2.2.2 of Abilene's Land Development Code, City staff mailed personal notices on June 25, 2021, to the applicant and to other owners of property within a 200-foot radius of the subject property. These property owners and associated parcel identification numbers are identified in Table 1.

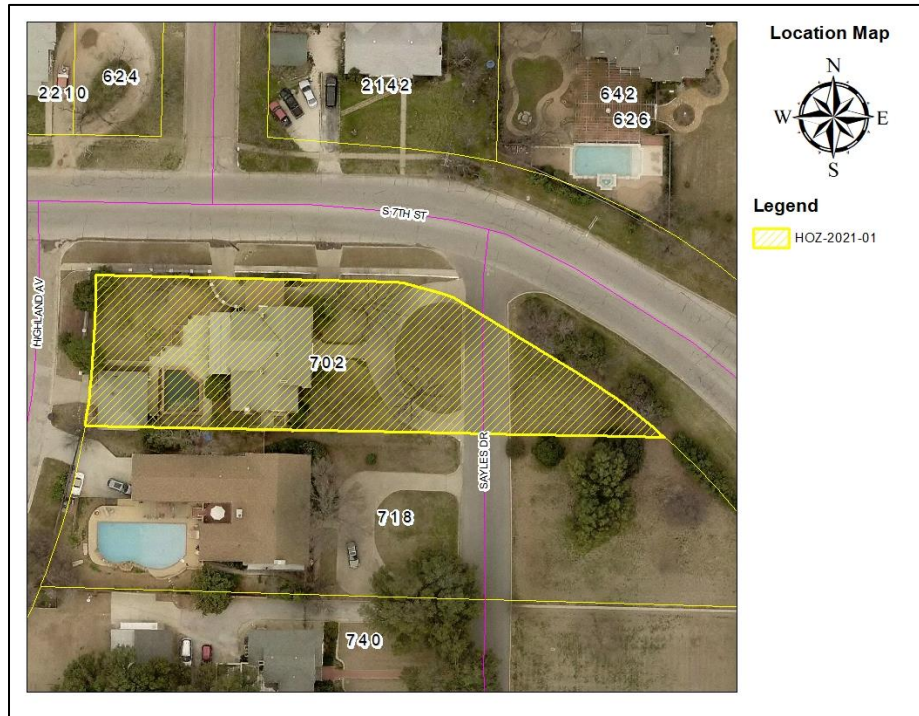
TABLE 1

AMAZING GRACE TRUE GRIT LLC	22507	In Favor
ARSIAGA ROSA	27442	
ARSIAGA ROSA	27442	
ASHLOCK JEFF D & KATHI I	27128	
BRIGHTEN TRACY ATCHLEY	28752	
CIEZKI EVA B &	27008	
FLORES ASHLEY ALEXANDRIA	26886	
FULLER KRISTI R	22377	
HALL GLEN D & CAROL K	76313	
KAPPEL MARK T & JANA S	76197	
MC NEILL DAN STEVEN & TRACY A MORGAN	76070	
MENKING KYLA	26610	
PAR VENTURE HOLDINGS LLC PROJECT SERIES 2234	26475	
PRICE EDWARD A & CHRISTIE	26754	
THETFORD BRYAN	27306	
THETFORD BRYAN	27306	
TRAMMELL JAMES T & SARA B	76437	

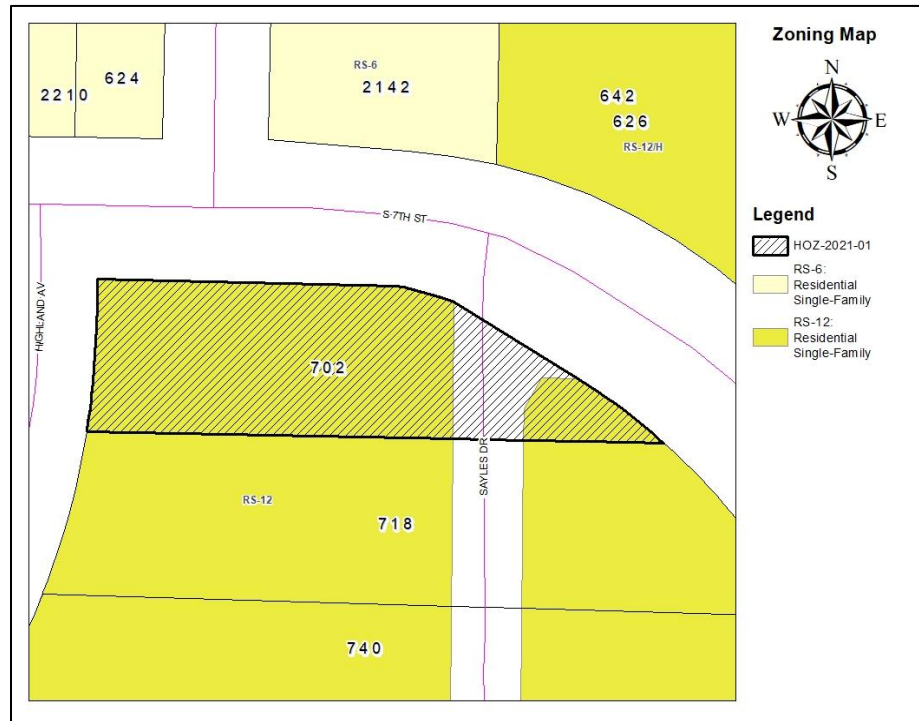
Attachments

- Application
- Resolution 5-1999
- Historic Resource Survey from Texas Historical Commission
- PowerPoint Presentation

LOCATION MAP



ZONING MAP



**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS
AMENDING RESOLUTION #20-1985 AND RESOLUTION 35-1996 TITLED THE
HISTORIC SURVEY AS AN OFFICIAL SURVEY OF HISTORIC SITES.**

WHEREAS, the City Council recognizes the importance of historically, architecturally and culturally significant sites and structures in the City of Abilene;

WHEREAS, the City Council has heretofore established an ordinance for zoning of historical sites and structures and established by resolution a historic survey of properties in Abilene;

WHEREAS, the City Council has established said ordinance for zoning of historical sites and structures such that no sign or building permit, including permits for demolition or removal, shall be issued where an area, site, structure, building, or object is listed in an official survey of historical sites until a final decision regarding inclusion within a Historic Overlay zone has been made;

WHEREAS, the Landmarks Commission of the City of Abilene after careful study and after a public hearing has recommended to the Council the Historic Survey;

WHEREAS, the Planning and Zoning Commission of the City of Abilene after careful study and after a public hearing has recommended to this Council the Historic Survey as updated; and,

WHEREAS, the Council has carefully considered the survey and has held a public hearing thereon and finds that said survey offers a list of historically, architecturally, and culturally significant historic sites; now, therefore,

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

8
PART 1: That the document consisting of a list of historic sites, located in the Planning Division, titled "City Council Adopted List of Historic Properties 1985" is hereby incorporated as set forth herein and is hereby adopted by the Council as the adopted list of Historic Sites as

amended by adding one (1) property to the 1985 list, (number 51) and removing 2002 Grape and 1041 Elmwood, (previously numbered 20 and 22), attached herein as Exhibit "A."

PART 2: That in order that said list shall at all times be current with the needs of the City of Abilene, and shall represent the best thinking of the Council, Planning and Zoning Commission, Landmarks Commission, and departments of the City in light of changing conditions, the Landmarks Commission shall review at least every three (3) years said list and recommend to the Council extensions, changes, or additions to the survey which the Commission considers necessary.

PART 3: That this resolution shall take effect immediately from and after its passage.

ADOPTED this 11 day of March, A.D. 1999.

ATTEST:

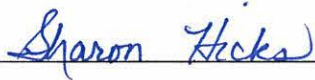


City Secretary



Mayor

APPROVED:



City Attorney

EXHIBIT "A"

CITY COUNCIL ADOPTED LIST OF HISTORIC PROPERTIES 1985*

Amend as follows:

Delete: 2002 Grape and 1041 Elmwood

Add: 702 Sayles Blvd as #51

Address	Name	Date	Designation
1. 340 Beech St.	Will Minter House	1925	Historic Zoning
2. 704 Beech St.	Douthit-Leyerle House	1921	Historic Zoning
3. 726 Beech St.	Sears-Willingham House	1916	Historic Zoning
4. 772 Beech St.	Ackers-McMillan House	1920	Historic Zoning
5. 208 Berry Ln.	Ham House	1907	Historic Zoning
6. 774 Butternut St.	McDaniel House (Jr.League)	1925	
7. Campus Ct./EN16 th St.	Sewell Auditorium (ACU)	1929	
8. 1502 Cherry St.	Kirby House	1895	Historic Zoning
9. 230 Clinton St.	Muir House	1908	
10. 258 Clinton St.	Evans House	1909	Historic Zoning
11. 1021 Clinton St.	Trolley Car Barn	ca. 1928	
12. 1441 Compere Blvd.	M.H. Compere Barn (House)	ca. 1921	
13. 106 Cypress St.	Grace Hotel (Museums of Abilene)	1909	Historic Zoning
14. 275 Cypress St.	Mims Building	1926	Historic Zoning
15. 290 Cypress St.	O'Kelley's Office Supply	1929	
16. 302 Cypress St. (1102 N. 3 rd St.)	Wooten Hotel	1930	Historic Zoning
17. 352 Cypress St.	Paramount Theater	1930	Historic Zoning
18. East Highway 80	Old WTU Power & Ice Plant	1922	
19. 318 Elm St.	Fulwiler-Smith House	1884	
20. 1642 Grape St.	W.E. Hughes House	1907	Historic Zoning
21. 644 Hickory St.	Peques-Jennings House	ca. 1895	Historic Zoning
22. 189 Locust St.	Burlington Railroad Station	ca. 1929	
23. 774 Meander St.	Urban-Bowman House	ca. 1912	
24. 208 Merchant St.	Findley-Griffith House	ca. 1910	Historic Zoning
25. 425 Merchant St.	Ackerman-Chapman House	1899	Historic Zoning
26. 750 Mesquite St.	Pickard-Davis House	ca. 1930	Historic Zoning
27. 760 Mulberry St.	Sellers House	1922	Historic Zoning
28. 802 Mulberry St.	Ackers-Heatherly House	1927	
29. 1174 North 1 st St.	Elks Lodge	1913	Historic Zoning
30. 1482 N. 1 st St.	Old Weather Bureau	1909	Historic Zoning
31. 1201 N. 1 st St.	R.E.A. Building	ca. 1935	Historic Zoning
32. 1101 N. 1 st St.	T&P Railroad Station	ca. 1910	Historic Zoning
33. 2083 N. 2 nd St.	Old ACC Dormitory	1924	Historic Zoning
34. 1910 N. 3 rd St.	Magee House (Rosetyne)	1903	Historic Zoning
35. 1942 N. 3 rd St.	Lannius-Grant House	1908	Historic Zoning

36. 1545 N. 5 th St.	Bacon House	ca.	1915	Historic Zoning
37. 1546 N. 5 th St.	Campbell House	ca.	1921	Historic Zoning
38. 1904 N. 5 th St.	Childers-Walker House	ca.	1895	
39. 1317 N. 8 th St.	Lamar School		1921	Historic Zoning
40. 1636 N. 20 th St.	Barnes-Norwood House		1907	Historic Zoning
41. 1940 S. 6 th St.	Frances-Collins House		1928	
42. 300 Oak St.	Old Taylor County Courthouse		1914	
43. 2442 Old Anson Rd.	Ball House		1903	Historic Zoning
44. 790 Orange St.	Caldwell House		1919	Historic Zoning
45. 1366 Orange St.	McClellan House	ca.	1914	Historic Zoning
46. 244 Pine St.	Minter Building		1925	Historic Zoning
47. 341 Plum St.	Ganey Peanut Company		1914	
48. 342 Poplar St.	Watson-Hopkin House		1882	
49. 642 Sayles Blvd.	Sayles-Dillard House		1889	Historic Zoning
50. 1102 Sayles Blvd.	Duffy-Wright House		1926	
51. 702 Sayles Dr.	Gambill House		1926	
52. 901 S. 1 st St.	Park Building		1922	
53. 1343 S. 3 rd St.	Miller-McNalley House	ca.	1900	
54. 542 S. 7 th St.	Noland House	ca.	1900	Historic Zoning
55. 1633 S. 8 th St.	Sacred Heart Catholic Church		1930	
56. 1642 Swenson St.	Manley-Patterson House		1929	Historic Zoning
57. 1726 Swenson St.	Swenson House		1908	Historic Zoning
58. 1802 Swenson St.	Cowden House	ca.	1903	Historic Zoning
59. 718 Victoria St.	Davis-Harlow House		1920	Historic Zoning
60. 101 Walnut St.	Wooten Grocery Warehouse		1906	

* List updated in 1996, 1999

HISTORIC RESOURCES SURVEY FORM

1. Identification

County Taylor City AbileneCurrent name Gambill/Orr House Historic name Gambill HouseAddress 702 Sayles DriveOwner/address AUSTIN I. & SUSAN L. KING 702 SAYLES BLVD ABILENE, TX 79605-3106

Photo data: Roll _____ Frame _____ to Roll _____ Frame _____ CD _____

Current Designations: ☐ NR ☒ NR District (Is property contributing? ☒ Yes ☐ No) ☐ RTHL ☐ HTC ☐ SAL ☐ Local ☐ Other _____Recorded by: Larry Abrigg Date recorded: 12/06/2011General architectural description two-story brick veneer residence with a modified rectangular plan and a side gable roof, symmetrical facade and pedimented portico with entablature and squared columns at front entrance, double hung windows with 9/1 lights.

Outbuildings (Specify number and type):

Garage ☒ Barn _____ Shed _____ Other garage apartment, carport☐ Archeological evidence of outbuildings, specify _____

Landscape/site features:

☒ Sidewalks ☐ Terracing ☒ Drives ☐ Well/cistern ☐ Gardens ☒ Other trees, landscaping, alley access

2. Architectural Description

Stylistic Influence(s):

- | | | | | |
|--|--|---|---|---|
| ☐ Log Traditional | ☐ Shingle | ☐ Gothic Revival | ☐ Pueblo Revival | ☐ International |
| ☐ Greek Revival | ☐ Romanesque Revival | ☐ Tudor Revival | ☐ Spanish Colonial | ☐ Post-war Modern |
| ☐ Italianate | ☐ Folk Victorian | ☐ Neo-Classical | ☐ Prairie | ☐ Ranch Style |
| ☐ Second Empire | ☒ Colonial Revival | ☐ Beaux Arts | ☐ Craftsman | ☐ Commercial Style |
| ☐ Eastlake | ☐ Renaissance Revival | ☐ Mission | ☐ Art Deco | ☐ No Style |
| ☐ Queen Anne | ☐ Exotic Revival | ☐ Monterey | ☐ Moderne | ☐ Other _____ |

Structural Details:

Roof Type:	Wall Facade:	Windows:	Plan:
☒ Gable ☐ Hipped ☐ Gambrel ☐ Shed ☐ Flat w/parapet ☐ Dormers: ☐ gable ☐ hipped ☐ shed ☐ Other _____	<u>5</u> Number of bays ☐ Stucco ☐ Stone ☒ Brick ☐ Wood shingle ☐ Log ☐ Terra Cotta ☐ Metal ☐ Siding, type _____ ☐ Fieldstone veneer ☐ Awning(s) ☐ Other _____	☐ Fixed ☐ Wood sash ☒ Double hung ☐ Casement ☐ Aluminum sash ☐ Decorative screenwork ☒ Other <u>divided lights</u>	☐ L-plan ☐ 2-room ☐ T-plan ☐ Open ☐ Modified L-plan ☐ Center passage ☐ Bungalow ☐ Shotgun ☒ Irregular ☐ Four Square ☐ Rectangular ☐ Other _____
Roof Materials:	Chimneys:	Doors:	Foundation:
☐ Wood shingles ☐ Tile ☐ Composition shingles ☐ Metal ☒ Other <u>not sure, brick pattern</u>	<u>1</u> Specify number(s) ☒ Interior ☐ Exterior ☒ Brick ☐ Stone ☐ With corbelled caps ☐ Stuccoed ☐ Other _____	☒ Single-door primary entrance ☐ Double-door primary entrance ☐ With transom ☒ With sidelights ☐ Other _____	☐ Slab ☒ Pier and beam ☐ Perimeter wall ☐ Other _____
Construction:	Porches:		
☒ Frame ☐ Adobe ☐ Solid brick ☐ Solid stone ☐ Other _____	☐ Shed roof ☐ Hipped roof ☐ Gable roof ☒ Inset ☐ Wood posts ☐ Brick piers ☐ Box columns	☒ Classical columns ☐ Tapered box supports ☐ Fabricated metal ☐ Spindlework ☐ Jig-sawn trim ☐ Other _____	

Stories: 2 Basement: ☐ None ☐ Partial ☐ Full Dimensions: L _____ x W _____ = Square feet 4088

3. Integrity

☒ Location ☒ Design ☒ Materials ☒ Workmanship ☒ Setting ☒ Feeling ☒ Association

4. Function

Historic Use: ☐ Agriculture ☐ Commerce/trade ☐ Defense ☒ Domestic ☐ Educational ☐ Government ☐ Healthcare

☐ Industry/processing ☐ Recreation/culture ☐ Religious ☐ Social ☐ Other _____

Current Use: ☐ Agriculture ☐ Commerce/trade ☐ Defense ☒ Domestic ☐ Educational ☐ Government ☐ Healthcare

☐ Industry/processing ☐ Recreation/culture ☐ Religious ☐ Social ☐ Vacant ☐ Other _____

5. Architectural History

Architect: _____ Builder: _____

Construction date: 1926 ☒ Actual ☐ Estimated Source: NR District narrative

☐ Additions/modifications, specify dates: _____

☐ Relocated, specify former location and reason: _____

Other associated contexts and information of interest: _____

6. Archeology Ground

☐ Original state ☐ Disturbed Explain _____

Is a State Archeological Survey Form available for this site? ☐ Yes ☐ No ☐ Not known

Details: _____

7. Other Information

Is prior documentation available for this resource? ☒ Yes ☐ No ☐ Not known Type: ☐ HABS ☒ Survey ☐ Other _____

Details: 1989

Accessible to the public: ☐ Yes ☒ No ☐ Not known **Possible threat(s):** ☐ None ☒ Damage (i.e. natural disaster) ☒ Neglect

☐ Development ☐ Major alteration ☐ Relocation ☐ Other _____ * Note: Also see Endangered Historic Property Identification Form

8. Geographic Information

USGS quad #: _____ Year: _____ Map scale: _____

UTM zone: _____ Easting: _____ Northing: _____

Legal description (Lot/Block): BLOCK 8, LOT 1 & N10 LT 2

Addition: HATTIE M SAYLES Year of addition: _____

9. Significance

Applicable National Register (NR) criteria:

☒ A. Associated with events that have made a significant contribution to the broad pattern of our history;

☐ B. Associated with the lives of persons significant in our past;

☒ C. Embodies the distinctive characteristics of a type, period or method of construction or represents the work of a master, or possesses high artistic value, or represents a significant and distinguishable entity whose components lack individual distinction;

☐ D. Has yielded, or is likely to yield, information important in prehistory or history;

Areas of significance: Commerce, Architecture

Period(s) of significance: 1925-1949

Level of significance: ☐ National ☐ State ☒ Local

Possible NR district: ☐ Yes ☐ No **Is property contributing?** ☐ Yes ☐ No

10. Priority (See manual for definitions.) ☐ High ☐ Medium ☐ Low

Explain _____

Questions?

Contact survey coordinator

History Programs Division, Texas Historical Commission

at 512/463-5853 or history@thc.state.tx.us.



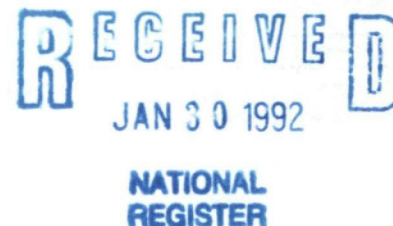
**TEXAS
HISTORICAL
COMMISSION**

The State Agency for Historic Preservation

www.thc.state.tx.us

95

United States Department of the Interior
National Park Service



National Register of Historic Places
Registration Form

This form is for use in nominating or requesting determinations for individual properties and districts. See instructions in *How to Complete the National Register of Historic Places Registration Form* (National Register Bulletin 16A). Complete each item by marking "x" in the appropriate box or by entering the information requested. If an item does not apply to the property being documented, enter "N/A" for "not applicable." For functions, architectural classification, materials, and areas of significance, enter only categories and subcategories from the instructions. Place additional entries and narrative items on continuation sheets (NPS Form 10-900a). Use a typewriter, word processor, or computer, to complete all items.

1. Name of Property

historic name Sayles Boulevard Historic District

other names/site number N/A

2. Location

street & number Roughly bounded by South Fifth, Meander, South Tenth ☒ Not for publication
streets and Highland Avenue

city or town Abilene ☒ vicinity

state Texas code TX county Taylor code 441 zip code 79602/05

3. State/Federal Agency Certification

As the designated authority under the National Historic Preservation Act, as amended, I hereby certify that this ☒ nomination
☐ request for determination of eligibility meets the documentation standards for registering properties in the National Register of
Historic Places and meets the procedural and professional requirements set forth in 36 CFR Part 60. In my opinion, the property
☒ meets ☐ does not meet the National Register criteria. I recommend that this property be considered significant
☐ nationally ☐ statewide ☒ locally. (☐ See continuation sheet for additional comments.)

Curtis J. Jannell 28 Jan. 1992
Signature of certifying official/Title Date

State Historic Preservation Officer, Texas Historical Commission
State of Federal agency and bureau

In my opinion, the property ☐ meets ☐ does not meet the National Register criteria. (☐ See continuation sheet for additional comments.)

Signature of certifying official/Title Date

State or Federal agency and bureau

4. National Park Service Certification

I hereby certify that the property is:

- ☒ entered in the National Register.
☐ See continuation sheet.
- ☐ determined eligible for the
National Register
☐ See continuation sheet.
- ☐ determined not eligible for the
National Register.
- ☐ removed from the National
Register.
- ☐ other, (explain:) _____

for Signature of the Keeper

Date of Action

Autumn 1992

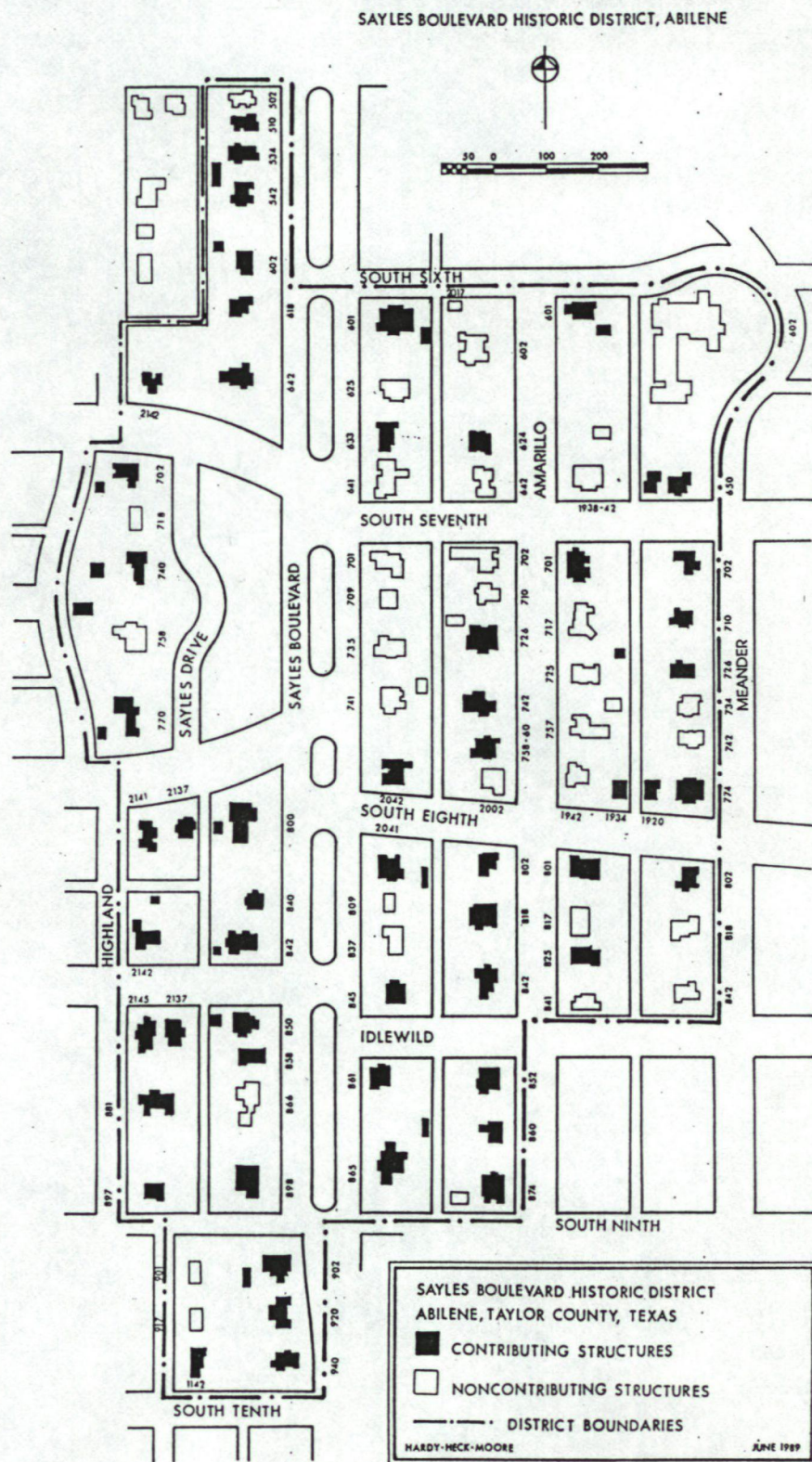
3/9/92

United States Department of the Interior
National Park Service

National Register of Historic Places
Continuation Sheet

Section number 7 Page 3

Sayles Boulevard Historic District
Abilene, Taylor County, Texas



United States Department of the Interior
National Park Service

National Register of Historic Places Continuation Sheet

Section number 7/8 Page 13

Sayles Boulevard Historic District
Abilene, Taylor County, Texas

Long-Hanks House, 898 Sayles Boulevard, Site 4022, Contributing (1), 1929, Prairie School, Photograph 15

Description: 2-story brick veneer residence with a modified square plan and a low pitched hipped roof with extended eaves; 1-story, 5-bay front porch with massive brick piers that extend to second floor and become incorporated into balcony balustrade; porch openings have elliptical archways; same motif repeated on ground floor window and door openings; double hung windows with 6/6 lights.

Young-Paxton House, 902 Sayles Boulevard, Site 4023, Contributing (2), 1928, Prairie School

Description: 2-story brick veneer residence with a boxy plan and a low pitched hipped roof and broad overhangs; 1-story porch extend across front and continues to south where it forms a porte cochere; porch columns include box-shaped supports with tapered "caps" of brick; double hung windows with 1/1 lights; garage/apartment that resembles main building.

William J. Fulwiler, Jr., House, 920 Sayles Boulevard, Site 4024, Contributing (1), c. 1939, Moderne

Description: 2-story brick veneer residence with a modified U-plan and a steeply pitched hipped roof; 1-story window bay on ground floor; decorative brick to the sides of the off center entrance; small 1-story boxy wings at each corner; windows with 6/6 lights.

Laura and J.C. Burkett House, 940 Sayles Boulevard, Site 4025, Contributing (1), 1926, Bungalow

Description: 1-story frame residence (stucco veneer) with a modified rectangular plan and a front gable bungalow with exposed rafter ends; 1-bay front porch with tapered box supports on stucco pedestals; front entrance is perpendicular to street and opens from slightly projecting front room.

Fannie and R.H. Gambill House, 702 Sayles Drive, Site 4011, Contributing (2), 1926, Classical Revival

Description: 2-story brick veneer residence with a modified rectangular plan and a side gable roof; symmetrical facade and pedimented portico with entablature and squared columns at front entrance; double hung windows with 9/9 lights; garage/apartment that resembles main building.

Significance: Former home of local merchant R.H. Gambill.

718 Sayles Drive, Site 4013, Noncontributing (1), 1958, Modern Ranch

Description: 1-story brick veneer residence.

Significance: Less than 50 years and, therefore, not within historic district's period of significance.

Henry Sayles, Jr., House, 740 Sayles Drive, Site 4013, Contributing (2), 1924, Tudor Revival

Description: 2-story stucco residence with a modified L-plan and a steeply pitched gable roof; decorative half timbered effect in gable ends; chimney is prominently featured; double hung windows with multiple lights; garage/apartment that resembles main building.

Significance: Henry Sayles, Jr., son of Henry and Hattie Sayles, played a prominent role in Abilene's physical development and was among the city's most influential business leaders; estimates claim that approximately 3,000 homes in Abilene were



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

[Planning] Case HOZ-2021-011 message

JT <john.thacker@suddenlinkmail.com>
To: planning@abilenetx.gov

Sun, Jul 25, 2021 at 1:58 PM

I am in favor.

Case#: HOZ-2021-01

Amazing Grace True Grit LLC

Parcel ID: 22507

[642 Sayles BL](#)

626 Sayles BL

John R Thacker

[5278 Wyndham Court](#)

[Abilene, Texas 79606](#)

325-668-4751

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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/004001d78187%2415265240%243f72f6c0%24%40suddenlinkmail.com>.



Development Application

Planning

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

Project Name: Landmarks Commission Application
Address: 702 SAYLES DRIVE No. of lots: 2 Acreage: _____
Legal Description: BLOCK 8, LOT 1 & N1/2 LOT 2
Subdivision Name: HATTIE M SAYLES Block: 8 Lot: 1 & N1/2 LOT 2
Current Zoning: _____ Proposed Zoning (if applicable): _____

OWNER AND AUTHORIZATION

Owner Name: Dan Steven & Tracy A. Morgan McNeill
Address: 702 SAYLES DR
City, State, Zip: ABILENE, TX 79605 Fax: _____
Phone: 301-653-3611 Email: abilenegal@msn.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) _____ will act as my agent before the Planning and Zoning Commission.

Agent Name: _____
Address: _____
City, State, Zip: _____ Fax: _____
Phone: _____ Email: _____

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: Tracy A. Morgan McNeill Date: 2 May 21

FOR OFFICE USE ONLY

Received: _____ Fee: \$ _____ Receipt No.: _____
Case No.: _____ Reviewed By: _____

MAY 5 PM 3:47

Development Application for 702 Sayles Drive

Legal Description Hattie M. Sayles, BLOCK 8, LOT 1 & N10 LT 2

The home at 702 Sayles Drive was built in 1926. Its architectural design is that of a rectangular Colonial Revival with Georgian influences. The home is amongst those listed on the *Sayles Boulevard National Register* as well as the *Abilene Register of Historic Properties*. The home is identified as the *Gambill/Orr House* after previous owners. We, D. Steven and Tracy A. Morgan McNeill, purchased the home in January 2020 from Dr. Austin I. and Rep. Susan L. King. Notable owners of the home are Dr. Austin I. King, MD, a General Otolaryngology/ENT here in Abilene, and Rep. Susan L. King a former Republican member of the Texas House of Representatives. Dr. Austin I. and Susan L. King purchased the home April 11, 1996.

Mr. C. G. and Carol A. Whitten, purchased the home April 1, 1992, from ...

Mr. Freddie R. and Jaqueline Orr and H.B. Orr, a single woman, who purchased the home December 21, 1989 from ...

Mr. Edward G. and Mrs. Adele M. Pekowski, who purchased it May 19, 1976 from ...

Mr. Frank W. Calhoun, who purchased it Aug 31, 1971 from ... (Not sure about this person; there was some type of lien on the home and this man's name comes up.)

Mr. Leo C. and Mrs. Patsey C. Wurschmidt, who purchased it [unknown] from ... [unknown]



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: Joey C. Morgan McNeill DATE: 2 May 21

HISTORIC OVERLAY REQUEST

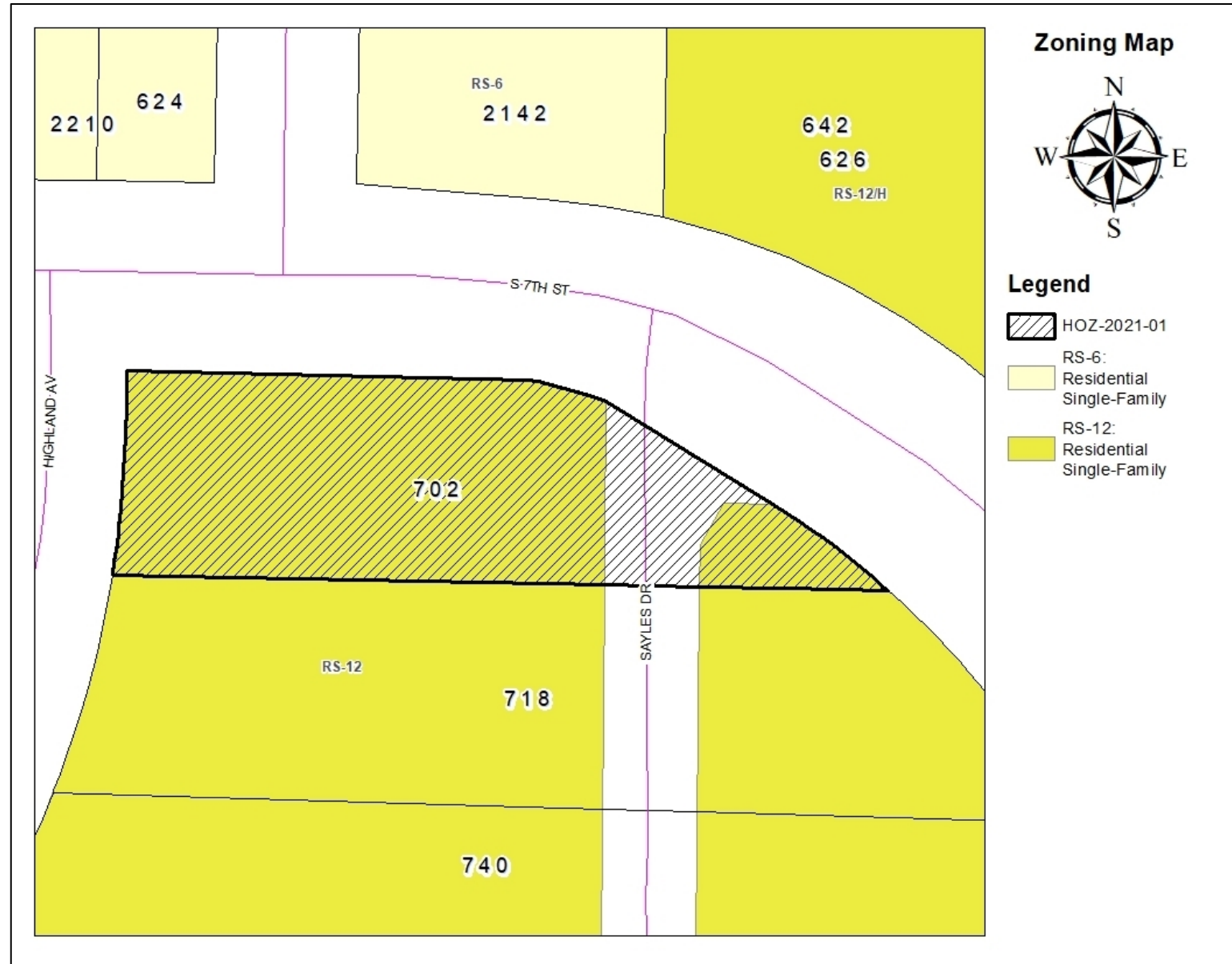
Case: HOZ-2021-01
Owner: Tracy Morgan McNeil & Dan Steven
Request: Add Historic Overlay
Designation
Location: 702 Sayles Dr.
Notification: 1 in Favor, 0 Opposed
Landmarks Commission Recommendation: Approval
Planning & Zoning Recommendation: Approval



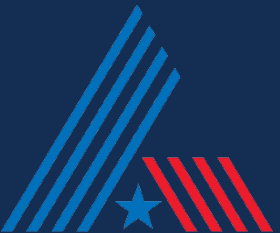
HOZ-2021-01 LOCATION MAP



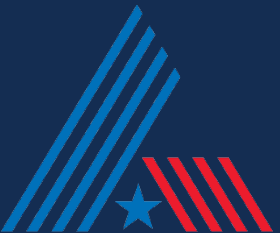
HOZ-2021-01 ZONING MAP



HOZ-2021-01 PHOTOS



HOZ-2021-01 PHOTOS



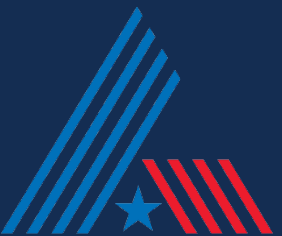
HOZ-2021-01 NOTIFICATION MAP



- Reviewed Pursuant to Section 2.3.4.4 of the Land Development Code (Criteria for Designation)
- 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)
- Landmarks Commission recommendation: Approved
- Staff Recommendation: Approval



Questions





**City Council
Agenda Memo**

City Council Meeting Date: 9/9/2021

TO: Robert Hanna, City Manager

FROM: Tim Littlejohn, Chief Building Official

SUBJECT: **21. Ordinance (Final Reading) TC-2021-06:** Receive a Report, Hold a Discussion and Public Hearing, and Take Action on a request From Barbara Robinson And Dylan Golden (Represented By Enprotec/Hibbs & Todd, Engineering Consultants) to Abandon the Public's Right-of-Way Within a 20-Foot Wide Alley (a Dead End) Extending for a Distance of Approximately 100 Feet West from Right-of-Way For Melissa Lane and Situated 100 Feet South from and Parallel to Right-of-Way for Princess Lane In Western Abilene (Tim Littlejohn)

GENERAL INFORMATION

This request is to abandon the 20-foot-wide alley extending approximately 100-feet west from the right-of-way for Melissa Lane and situated 100 feet south from and parallel to right-of-way for Princess Lane.

SPECIAL CONSIDERATIONS

FUNDING/FISCAL IMPACT

STAFF RECOMMENDATION

Staff recommends approval subject to conditions.

BOARD OR COMMISSION RECOMMENDATION

The Planning and Zoning Commission recommends approval of this item by a vote of 6-0.

ATTACHMENTS:

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

ORDINANCE NO. _____

AN ORDINANCE PROVIDING FOR ABANDONMENT OF THE COMPLETE 20-FOOT WIDE ALLEY EXTENDING A DISTANCE OF APPROXIMATELY 100 FEET WEST FROM RIGHT-OF-WAY FOR MELISSA LANE AND SITUATED 100 FEET SOUTH FROM AND PARALLEL TO RIGHT-OF-WAY FOR PRINCESS LANE IN WESTERN ABILENE, 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 the alley 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 26th day of August, 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 July, 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 9th day of September, 2021, to permit the public to be heard prior to final consideration of this ordinance.

PASSED ON FINAL READING THIS 9th day of September, 2021.

ATTEST:

CITY SECRETARY

MAYOR

APPROVED:

CITY ATTORNEY

ORDINANCE NO. _____

EXHIBIT "A"

The City of Abilene hereby abandons the complete 20-foot-width of public right-of-way available for the 20-foot wide improved alley extending approximately 100-feet west from the westernmost boundary of Melissa Lane; wedged between Lots 10 & 11 in Block D of Monarch Addition Section 1 in western Abilene, Taylor Count, Texas.

SUBJECT to the following conditions:

1. Approval and subsequent recording of a re-plat showing how the alley right-of-way will be integrated with one or more adjacent new lot(s).
2. 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.
3. 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.
4. Provide City staff with documentation from an appropriate official of each affected utility provider (having facilities remaining in the subject street and alley rights-of-way) and which indicates that such facilities have either already been relocated or that suitable financial arrangements have been made for the timely relocation of these affected utilities.



-END-

TC-2021-06

STAFF REPORT



Hearing dates

P & Z Commission: August 3, 2021

City Council 1st Reading: August 26, 2021

City Council 2nd Reading: September 9, 2021

Applicant

Owner(s): Barbara Robinson & Dylan Golden

Agent: Enprotec / Hibbs & Todd

Request

Abandon the 20-foot-wide alley extending approximately 100-feet west from the right-of-way for Melissa Lane and situated 100 feet south from and parallel to right-of-way for Princess Lane.

Location

The 20-foot-wide alley extending approximately 100 linear feet west from the western right-of-way boundary for Melissa Lane; wedged between Lots 10 & 11, Block D of Monarch Addition, Section 1.

Background

The 20-foot-wide alley was originally dedicated in 1982 with the recording of the "Monarch Addition, Section 1." Within this dedicated alley there is presently a 6" PVC sewer main, 6" PVC water main, and an underground AEP electric power line and accompanying power pole.

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) and determined this request is satisfactory with conditions to be addressed during the replat 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 alley rights-of-way will be integrated with one or more adjacent new lot(s).
2. 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 and alley rights-of-way.
3. Relocate any affected existing facilities not remaining in place, at the expense of the property owner(s) within whose land the abandoned street and alley will be integrated.
4. Provide City staff with documentation from an appropriate official of each affected utility provider (having facilities remaining in the subject street and alley rights-of-way) and which indicates that such facilities have either already been relocated or that suitable financial arrangements have been made for the timely relocation of these affected utilities.

Notification

The Planning Services Division sent written notice of this request (with certificate of mailing) to all owners of property within a 200-foot radius of this subject property.

Owner	Parcel ID	Response
BANDORA JOHN &	67441	
CHMIELEWSKI CHARITY	67571	In Favor
ENRIQUEZ HENRY JR	67314	
GANDY JAMES L & ELLEN	66454	
GOLDEN DYLAN	67802	
GRAHAM KENNETH MICHAEL	65846	
JONES GRACE A SURVIVORS TRUST	63189	
MILLER BRIAN KEITH	63316	
NORRIS MELVIN L & PASTY M	66333	
ROBINSON BARBARA	61786	
ROBINSON BARBARA	67932	
SANCHEZ MARIO V & CLARA	66088	
TOMLIN PAUL E & TERESA	65965	
VELASQUEZ ROBERT JR	63065	
WEATHERBEE CONSTRUCTION INC	58463	
WESTFALL AUSTIN R & TARIN	66207	

ATTACHMENTS:

- 1) Application
- 2) PowerPoint

Location Map



Zoning Map



Comments List

Project Type: Thoroughfare Closure Application | ID # 21-000105



Kevin Jaeger

Planning Division, Jul 06, 2021 at 12:54 PM ago PRIVATE

Existing 6" water line and sewer line located in ROW. The applicant may choose to relocate the utility at the applicants expense, or may dedicate a 15' utility easement centered on the existing water and sewer mains.



Athan Himmelstein

Planning Division, Jul 14, 2021 at 11:15 AM ago

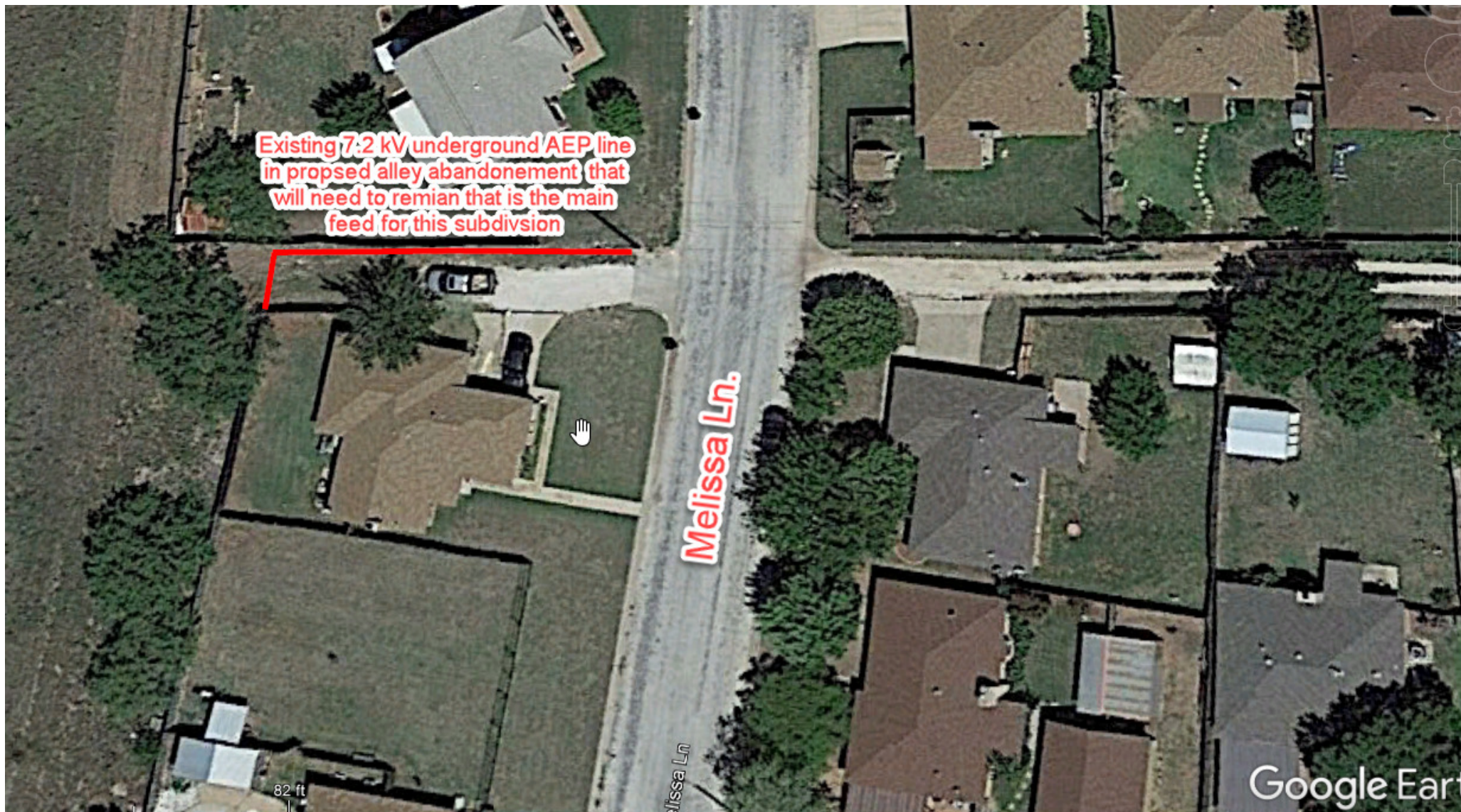
Athan Himmelstein

AEP Texas Abilene Distribution

325.674.7290 & adhimmelstein@aep.com

AEP has an existing 7.2 kV underground line and power pole that feeds the houses on the west side of Melissa Ln and also on Amy Cicle & Michael Ct. We will need to keep utility rights and propose a 15' utility easement similar to what Kevin has proposed.

AEP EXHIBIT



**Jared Smith***Planning Division, Jul 27, 2021 at 8:33 AM ago* PRIVATE

Planning & Zoning

325-676-6490

Jared.smith@abilenetx.gov

(1) City staff is recommending approval of this thoroughfare closure with the following conditions to the Planning & Zoning Commssion during the August 3, 2021 P&Z meeting:

- Approval and subsequent recording of a re-plat showing how the street and alley rights-of-way(s) will be integrated with one or more adjacent new lot(s).
- 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 and alley rights-of-way.
- Relocate any affected existing facilities not remaining in place, at the expense of the property owner(s) within whose land the abandoned street and alley will be integrated.
- Provide City staff with documentation from an appropriate official of each affected utility provider (having facilities remaining in the subject street and alley rights-of-way) and which indicates that such facilities have either already been relocated or that suitable financial arrangements have been made for the timely relocation of these affected utilities.



CITY OF ABILENE

PLANNING & DEVELOPMENT SERVICES

CHMIELEWSKI CHARITY
2648 MELISSA LN
ABILENE, TX 79606-1050

NOTICE OF PUBLIC HEARING

RE: Thoroughfare Closure Application Number TC-2021-06

07/23/2021

The Planning and Zoning Commission will hold a public hearing on **August 3, 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 Barbara Robinson and Dylan Golden (represented by Enprotec/Hibbs & Todd, Engineering Consultants) to abandon the public's right-of-way within a 20-foot wide alley (a dead end) extending for a distance of approximately 100 feet west from right-of-way for Melissa Lane and situated 100 feet south from and parallel to right-of-way for Princess Lane in western 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 **September 9, 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: CHMIELEWSKI CHARITY

Parcel I.D.: 67571

Address: 2648 MELISSA LN

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

Email: planning@abilenetx.gov

I am in favor ☒
Additional Comments:

I am opposed ☐

Signature:



Development Application

Planning

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

Project Name: Monarch Addition, Sec 1
 Address: 2632 & 2626 Melissa No. of lots: 2 Acreage: _____
 Legal Description: Alley between Lot 11 & Lot 10 Blk D Monarch Add. Sec 1
 Subdivision Name: _____ Block: _____ Lot: _____
 Current Zoning: _____ Proposed Zoning (if applicable): _____

OWNER AND AUTHORIZATION

Owner Name: Dylan Golden & Barbara Robinson
 Address: 2632 Melissa 2626 Melissa
 City, State, Zip: Abilene, Tex 79605 Fax: _____
 Phone: _____ Email: _____

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: EHT
 Address: 402 Cedar
 City, State, Zip: Abilene, Tex 79601 Fax: _____
 Phone: 698-5560 Email: daw.d.todd@e-h.t.com

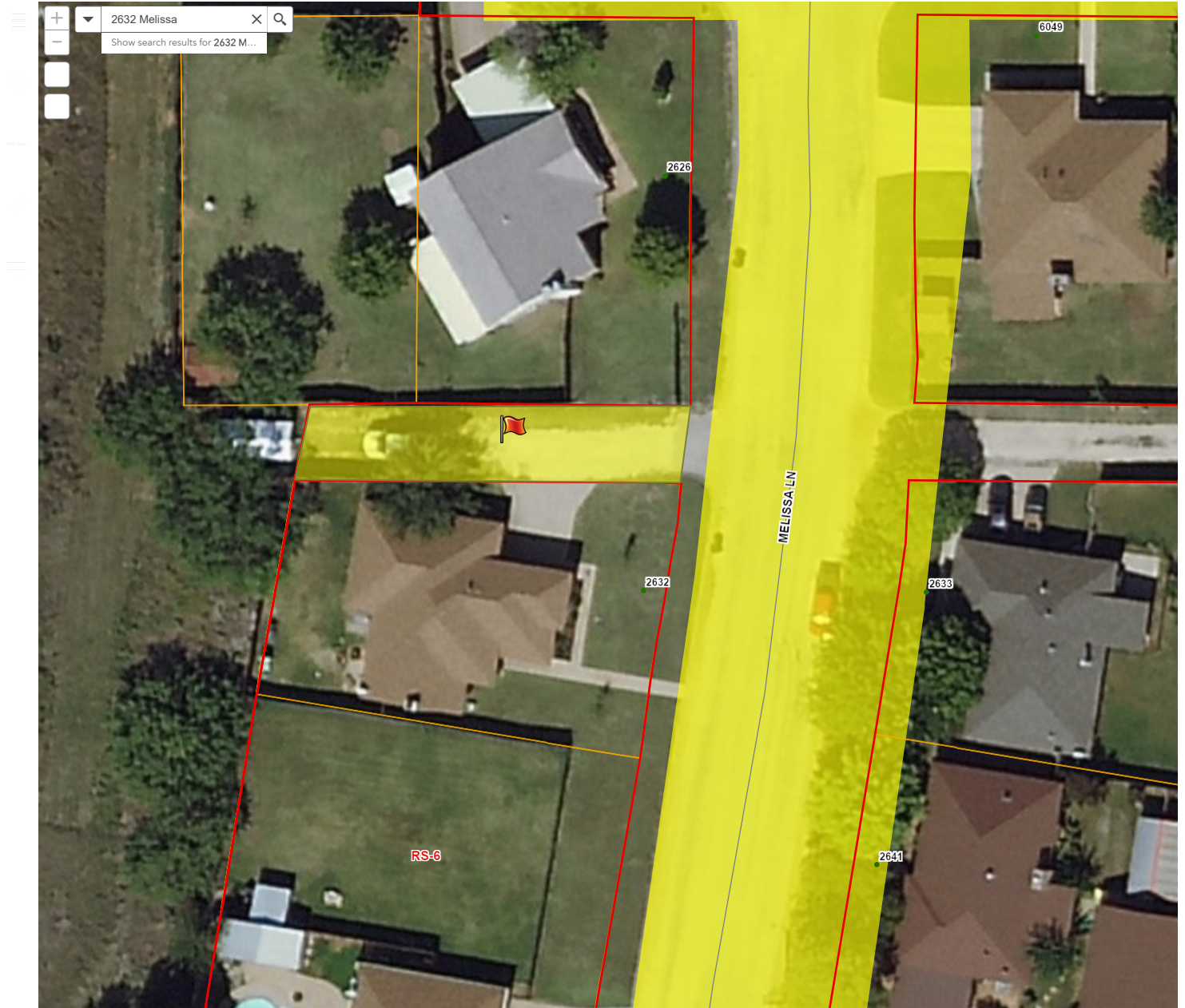
I hereby certify that I am the owner of the property and further certify that the information provided on this development application is true and correct. I hereby designate the aforementioned agent to act on my behalf for submittal, processing, representation, and/or presentation of this development 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: Dylan Golden Barbara J. Robinson Date: 6-24-21

FOR OFFICE USE ONLY

Received: 7/3/21 Fee: \$ 1,500.00 Receipt No.: _____
 Case No.: TC-2021-06 Reviewed By: [Signature]

DYLAN PHONE 254-339-3319
 BARBARA PHONE 325-692-9895



1-399

11298

399

MH Zone

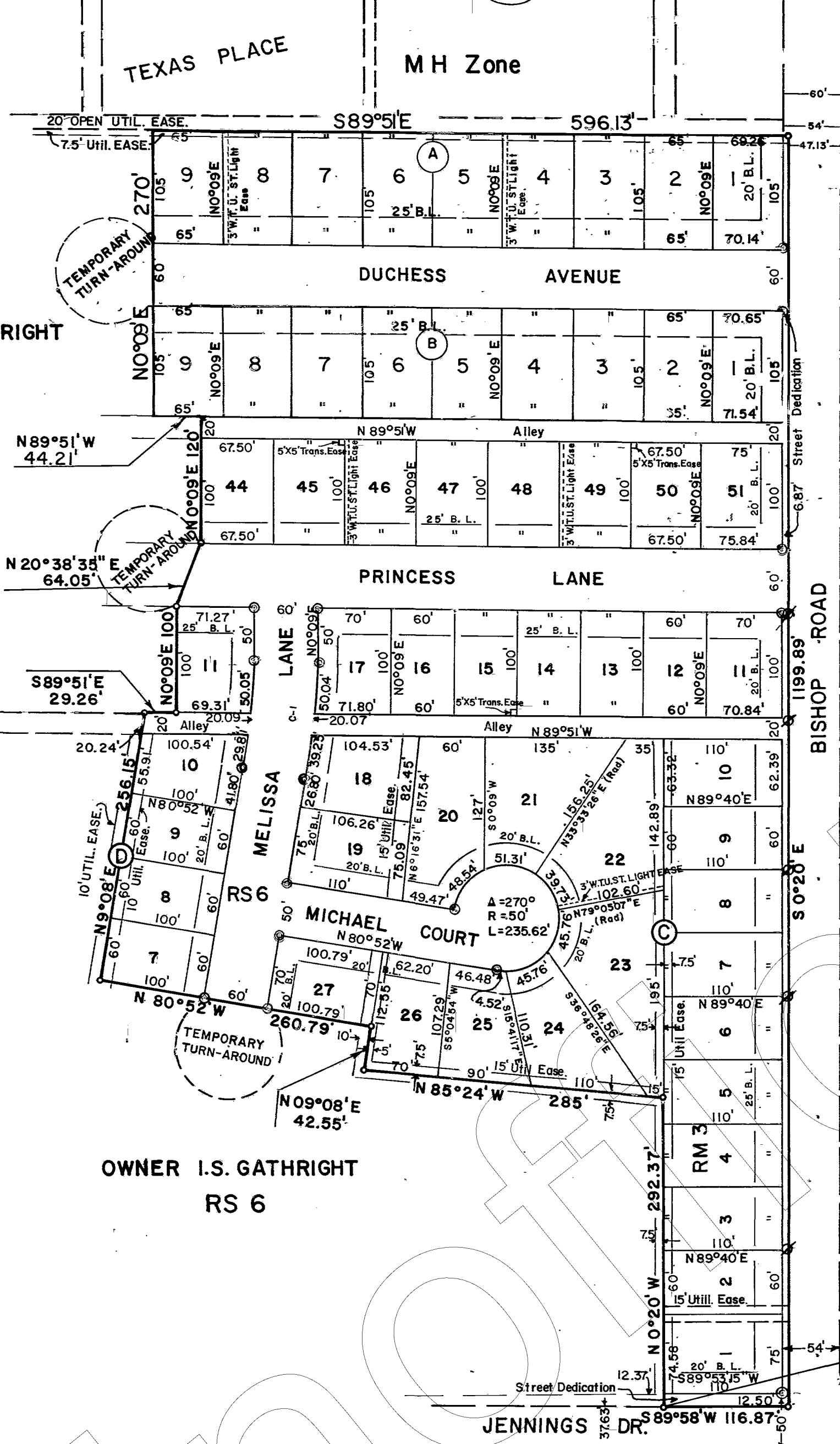
CROWN PLACE

FILED FOR RECORD
8 O'CLOCK 55 AM

JUN 7 1983

JAMES LYONS
COUNTY CLERK, TAYLOR COUNTY, TEXAS

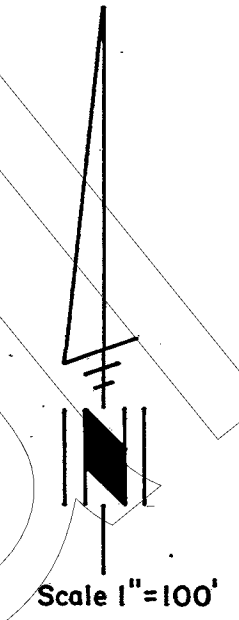
OWNER I.S. GATHRIGHT



CURVE DATA						
CURVE NO.	CENTERLINE			INSIDE	OUTSIDE	
	A	T	R			
C-1	8°59'	52.435'	667.49'	104.66'	99.95'	109.36'

NOT IN FLOOD ZONE

AO Zone



A PLAT OF
SECTION 1
MONARCH ADDITION
ABILENE, TAYLOR COUNTY, TEXAS

I.S. GATHRIGHT
1100 SOUTH DANVILLE
ABILENE, TEXAS 79605
PHONE A.C. 915/692-6585

CHASE-PEISER SURVEYING COMPANY
141 SOUTH LEGGETT DRIVE
ABILENE, TEXAS 79605
PHONE A.C. 915/677-8111

PLANNING COMMISSION

THIS PLAT IS HEREBY APPROVED BY THE CITY PLANNING COMMISSION OF THE CITY OF ABILENE, TEXAS AND THE COUNTY CLERK IS HEREBY AUTHORIZED TO FILE SAID PLAT IN ACCORDANCE WITH THE PROVISIONS OF ARTICLE 974A, VERNON'S ANNOTATED CIVIL STATUTES, AND ARTICLE 927B PENAL CODE OF TEXAS, AS AMENDED.

DATE 11-1-82 CHAIRMAN Ken Baker
ATTEST Mike C. Hughes SECRETARY
DATE 6-1-83 PLANNING DIRECTOR

PLANNING DIRECTOR

FILED WITH PLANNING DIRECTOR, CITY OF ABILENE, TEXAS

DATE 2-14-83 FILE NUMBER FP-17082

COUNTY CLERK

I CERTIFY THAT THE SUBDIVISION PLAT DESCRIBED HEREIN WAS FILED FOR RECORD ON

DATE 4-7-83 FILE NUMBER 11298

COUNTY CLERK James Lyons
DEPUTY J. J. Nelson

DIRECTOR OF PUBLIC WORKS

THE DEDICATION FILED, IN CONNECTION WITH THIS PLAT IS HEREBY APPROVED AND ALL STREETS, ALLEYS, AND PUBLIC AREAS SHOWN HEREON ARE HEREBY ACCEPTED ON BEHALF OF THE PUBLIC BY THE DIRECTOR OF PUBLIC WORKS OF THE CITY OF ABILENE, TEXAS.

DATE 4-1-83 DIRECTOR OF PUBLIC WORKS

OWNER'S CERTIFICATE AND DEDICATION

THE UNDERSIGNED (OWNERS) OF THE HEREINAFTER DESCRIBED REAL PROPERTY HAVE CAUSED SUCH PROPERTY TO BE SURVEYED AND PLATTED AND TO BE SUBDIVIDED INTO BLOCKS, LOTS, STREETS AND ALLEYS UNDER THE NAME OF

AS SHOWN ON THE ATTACHED PLAT AND DO HEREBY DEDICATE TO THE PUBLIC FOREVER FOR ALL PUBLIC PURPOSES THE STREETS, ALLEYS, LANES, EASEMENTS, PARKS AND OTHER PUBLIC LANDS SHOWN THEREON THE LANDS INCLUDED WITHIN SUCH PLAT OR SUBDIVISION ARE DESCRIBED BY METES AND BOUNDS AS FOLLOWS

SEE ATTACHED FIELD NOTES

EXECUTED THIS 28 DAY OF Oct 19 82

I.S. Gathright OWNER

OWNER

OWNER

ACKNOWLEDGEMENT

THE STATE OF TEXAS:

COUNTY OF Taylor

BEFORE ME, THE UNDERSIGNED AUTHORITY IN AND FOR SAID COUNTY AND STATE ON THIS DAY PERSONALLY APPEARED I.S. Gathright

KNOWN TO ME TO BE THE PERSON WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME FOR THE PURPOSE AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE 28 DAY OF Oct A.D. 19 82

Editha Taylor NOTARY PUBLIC COUNTY TEXAS

THE STATE OF TEXAS

COUNTY OF

BEFORE ME, THE UNDERSIGNED AUTHORITY IN AND FOR SAID COUNTY AND STATE, ON THIS DAY PERSONALLY APPEARED

KNOWN TO ME TO BE THE PERSON AND OFFICER WHOSE NAME IS SUBSCRIBED TO THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THE SAME WAS THE ACT OF THE SAID

A CORPORATION, AND THAT HE EXECUTED THE SAME AS THE ACT OF SUCH CORPORATION FOR THE PURPOSES AND CONSIDERATION THEREIN EXPRESSED AND IN THE CAPACITY THEREIN STATED

GIVEN UNDER MY HAND AND SEAL OF OFFICE THIS THE DAY OF A.D. 19

NOTARY PUBLIC COUNTY TEXAS

GENERAL NOTES

SHEET OF SHEETS ACRES 12.66

SCALE 1"=100' SMALLEST LOT 5277.3 SQ. FT. LARGEST LOT 13800 SQ. FT.

LOT WIDTH MIN. 39.73 MAX. 75.84 LOT DEPTH MIN. 100 MAX. 164.56

CONCRETE MONUMENTS (SYMBOL) POLES (SYMBOL) DOWN GUYS (SYMBOL)

SURVEYOR CERTIFICATE AND PLAT DESCRIPTION

CERTIFICATION:

I HEREBY CERTIFY THAT THE PLAT SUBMITTED HERewith REPRESENTS A TRUE SURVEY MADE BY THE UNDERSIGNED OR UNDER MY SUPERVISION ON THE GROUND AND THAT PERMANENT MARKERS AND MONUMENTS HAVE BEEN SET AS INDICATED ON THE PLAT AND IN ACCORDANCE WITH THE "SUBDIVISION REGULATIONS" OF THE CITY OF ABILENE

PLAT DESCRIPTION: A PLAT OF SECTION 1 MONARCH ADDITION OUT OF THE J. H. BECK SURVEY NO. 42, ABILENE, TAYLOR COUNTY, TEXAS

Feb. 1983 DATE

Hugh E. Peiser SIGNATURE

HUGH E. PEISER 3688 (PRINT)

REGISTERED PUBLIC SURVEYOR

1-399.1

11298 399

STATE OF TEXAS
COUNTY OF TAYLOR

MONARCH ADDITION
12.66 ACRES

FIELD NOTES

BEING 12.66 acres of land out of the J. H. Beck Survey No. 42, Abilene, Taylor County, Texas, and being more fully described by metes and bounds as follows:

BEGINNING at a point on the north boundary line of Jennings Drive, a 40 foot wide road, for the SW corner of this tract, from which the SW corner of the J. H. Beck Survey No. 42 bears S 0°20' E 19.45 feet and S 89°58' W 5511.22 feet;

THENCE N 0°20' W 292.37 feet to a point for an interior corner of this tract;

THENCE N 85°24' W 285.0 feet to a point for corner;

THENCE N 09°08' E 42.55 feet to a point for corner;

THENCE N 80°52' W 260.79 feet to a point for the most westerly SW corner of this tract;

THENCE N 9°08' E 256.15 feet to a point for a corner;

THENCE S 89°51' E 29.96 feet to a point for a corner;

THENCE N 0°09' E 100.0 feet to a point for a corner;

THENCE N 20°38'35" E 64.05 feet to a point for a corner;

THENCE N 0°09' E 120.0 feet to a point for a corner;

THENCE N 89°51' W 24.21 feet to a point for a corner;

THENCE N 0°09' E 270.0 feet to a point of the south boundary line of Texas Place Addition for the NW corner of this tract;

THENCE S 89°51' E along the south boundary line of Texas Place Addition 576.13 feet to a point in the west boundary line of Bishop Road for the NE corner of this tract;

THENCE S 0°20' E along the west boundary line of Bishop Road 1199.89 feet to a point in the north boundary line of Jennings Drive for the SE corner of this tract;

THENCE S 89°58' W along the north boundary line of Jennings Drive 116.87 feet to the POINT OF BEGINNING, and containing 12.66 acres of land, more or less.

Certified correct as surveyed October 1982.



STATE OF TEXAS
COUNTY OF TAYLOR

I hereby certify that this instrument was FILED on the date and at the time stamped hereon by me and was duly RECORDED in the Volume and Page of the named RECORDS of Taylor County, Texas, as stamped hereon by me.

Janice Lyons
County Clerk,
Taylor County, Texas

Hugh E. Peiser
Hugh E. Peiser
Registered Public Surveyor No. 3688

FILED FOR RECORD

JUN 7 1983

JANICE LYONS
COUNTY CLERK, TAYLOR COUNTY, TEXAS

DEPUTY

Case: TC-2021-06

Owner: Barbara Robinson & Dylan Golden

Agent: Enprotec/Hibbs & Todd

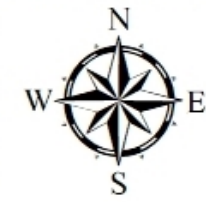
Request: Abandon 20-foot-wide alley extending approximately 100-feet west from the right-of-way for Melissa Lane.

Notification: 1 in Favor, 0 Opposed

Planning & Zoning Recommendation: Approval

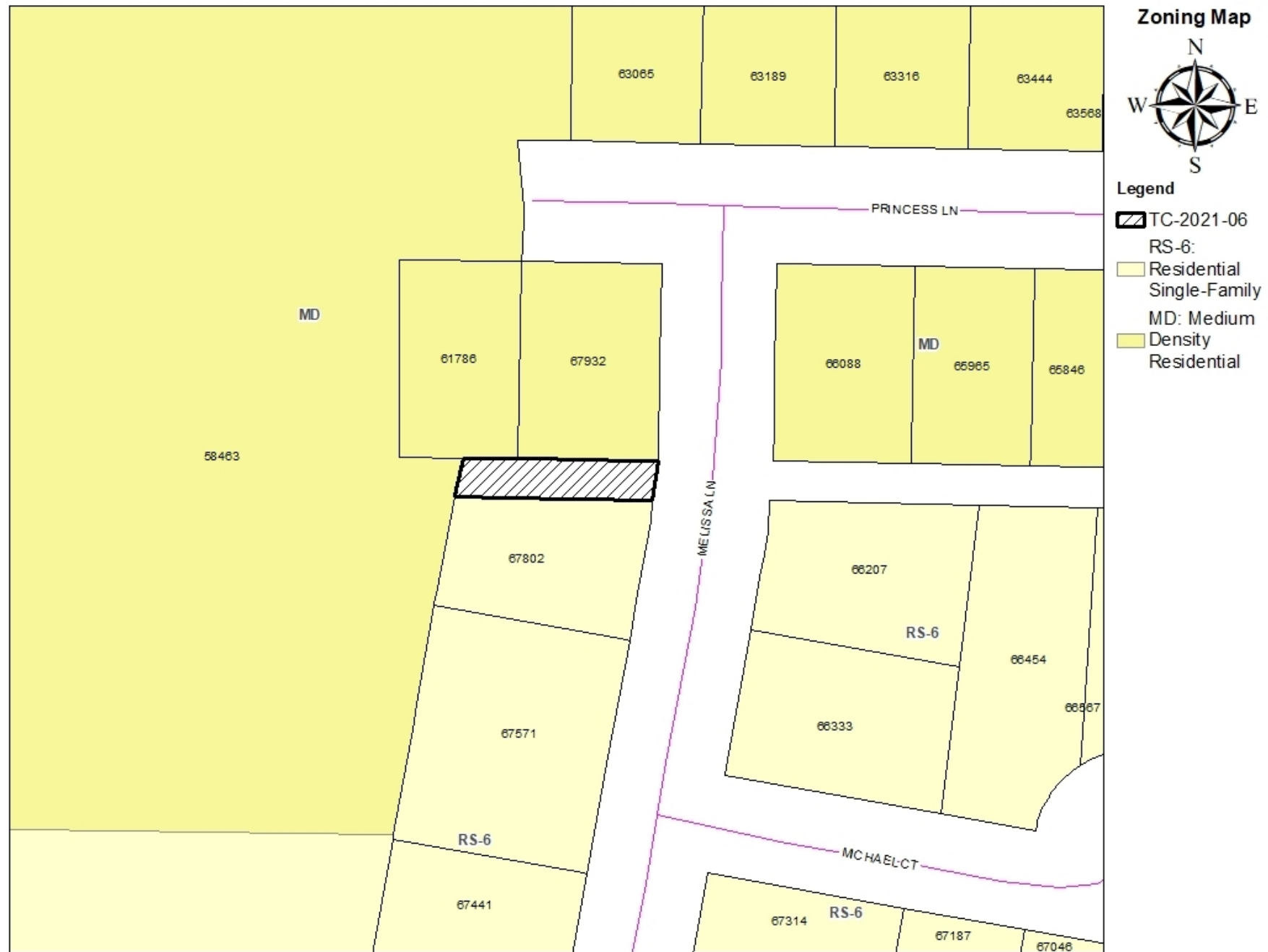


Location Map



Legend

 TC-2021-06





TC-2021-06 NOTIFICATION AREA MAP



- DRC Recommendation: Satisfactory with conditions
- Staff Recommendation: Approval with conditions:
 1. Approval and subsequent recording of a re-plat showing how the street and alley rights-of-way(s) will be integrated with one or more adjacent new lot(s).
 2. 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 and alley rights-of-way.
 3. Relocate any affected existing facilities not remaining in place, at the expense of the property owner(s) within whose land the abandoned street and alley will be integrated.
 4. Provide City staff with documentation from an appropriate official of each affected utility provider (having facilities remaining in the subject street and alley rights-of-way) and which indicates that such facilities have either already been relocated or that suitable financial arrangements have been made for the timely relocation of these affected utilities.
- Planning and Zoning Recommendation: Approval with conditions

Questions?



**City Council
Agenda Memo**

City Council Meeting Date: 9/9/2021

TO: Honorable Mayor and City Council Members

FROM: Stanley Smith, City Attorney

SUBJECT: 22. 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. 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

B. 551.072 (Deliberations about Real Property)

1. 101 Cypress Street
2. 1250 N. 1st

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



**City Council
Agenda Memo**

City Council Meeting Date: 9/9/2021

TO: Honorable Mayor and Members of the City Council

FROM: Shawna Atkinson, City Secretary

SUBJECT: 24. Resolution: Receive a Report, Hold a Discussion and Public Hearing, and Take Action on Casting a Vote to Nominate a Member to the Taylor County Appraisal District Board of Directors (*Shawna Atkinson*)

GENERAL INFORMATION

The City of Abilene is a taxing unit in Taylor County and participates in the selection of members of the Taylor County Appraisal District Board of Directors, composed of 5 members who serve two-year terms, all of which expire on December 31, 2021. The City of Abilene may nominate, by resolution, one or more candidates for the directorship of the board.

SPECIAL CONSIDERATIONS

Ms. Jessica Cantu is willing to stand for re-election.

FUNDING/FISCAL IMPACT

None

STAFF RECOMMENDATION

Approval of the nomination of Ms. Jessica Cantu for the Taylor County Appraisal District Board of Directors

BOARD OR COMMISSION RECOMMENDATION

None

ATTACHMENTS:

1. Resolution Taylor County
2. Taylor County Presentation Slide

RESOLUTION NO. _____

**A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF ABILENE, TEXAS, CASTING
OUR VOTES FOR THE TAYLOR COUNTY APPRAISAL DISTRICT BOARD OF DIRECTORS**

WHEREAS, the Texas Property Tax Code allows tax jurisdictions to cast votes for a single nominee or up to five nominees to serve on the Board of the Central Appraisal District of Taylor County for a term of office of two years beginning January 1, 2022;

WHEREAS, the City of Abilene desires to cast votes to nominate a person to said board;

AND WHEREAS, said tax unit recognizes the importance of cost-effective operations of the Appraisal District;

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

SECTION 1: The City Council of the City of Abilene hereby resolves to cast our votes for the following individual for a position on the Board of Directors of the Taylor County Appraisal District:

Jessica Cantu

PASSED AND APPROVED THIS THE 9th DAY OF SEPTEMBER, 2021.

ATTEST:

Shawna Atkinson, City Secretary

Anthony Williams, Mayor

APPROVED:

Stanley Smith, City Attorney

Resolution:

**Casting a Vote to Nominate a Member to the
Jones County Appraisal District Board of
Directors:**

Jessica Cantu



QUESTIONS?

